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SENATE—Thursday, April 14, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable TOM UDALL, a Senator from the State of New Mexico.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, accept with favor this, our sacrifice of praise, which we present. We offer You ourselves, thanking You for calling us to serve freedom's cause on Capitol Hill. Lord, You provide us with the opportunity to make a positive impact on the lives of millions. We are honored to serve You by serving our country. Use our lawmakers who are people of faith to do everything with decency, precision, and integrity. Remove the barriers that divide us, replacing them with such a passionate love for You and country that we will continue to find the common ground of progress.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable TOM UDALL led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, April 14, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable TOM UDALL, a Senator from the State of New Mexico, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. UDALL of New Mexico thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in morning business until we receive the continuing resolution papers from the House of Representatives; therefore, the time until 2 p.m. will be equally divided and controlled between the two parties. Once the resolution arrives, there will be three rollcall votes in relation to the two correcting resolutions regarding health care reform and Planned Parenthood and passage of the long-term continuing resolution. It looks as though the House will vote around 4 p.m. We thought it would be earlier, but that time has slipped. Senators will be notified when we schedule the votes.

People can come and talk all they want. I am very appreciative of everybody in the Senate—Democrats, Republicans—that we were able to get the consent agreement to move forward after we get the papers from the House. If there were ever an issue that has been talked to death, it is this resolution. I think everyone realizes we have talked about this long enough. If anyone has anything to say before 2 o'clock about this or anything else, you are welcome to come to the Senate floor. There will be no debate. These papers will arrive, and we will vote on them as quickly as we can.

Would the Chair announce morning business, please.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning

business, with the time until 2 p.m. equally divided and controlled between the two leaders or their designees, with Senators permitted to speak for up to 10 minutes each.

Mr. President, I ask that the time be equally divided during the time of morning business and that if there are quorum calls, they be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

PRESIDENT OBAMA JOINS THE DEBATE

Mr. MCCONNELL. Mr. President, yesterday, President Obama outlined what he is describing as a "responsible" approach to our Nation's fiscal problems. And my initial response to that characterization is that, with all due respect, the American people are not inclined to take advice on fiscal responsibility from an administration whose unprecedented borrowing and spending has done so much to create the mess we are in.

After 2 years of adding trillions to the debt and ignoring our Nation's looming fiscal nightmare, the President may be right in thinking that the politically expedient thing to do is point the finger at others. But the truly responsible thing would be to admit that his own 2-year experiment in big government has been a disaster

for the economy and itself a major driver of our debt; and that his inaction on the latter is the primary reason others have been forced to step forward and offer meaningful solutions of their own.

That is what most people already believe anyway. So the President's attempt to stake out the high ground in this debate was, I suspect, hard for many Americans to swallow.

Despite the President's imaginative account of how we arrived at the situation we are in, the American people are well past the point of believing that Washington will be able to make good on all its promises if only we let the President and Democrats in Congress raise taxes.

Americans know that we face a fiscal crisis not because we tax too little but because we spend too much. They do not support the reckless Washington spending that has left us with record deficits and debt, and they will not support raising taxes to preserve an unsustainable status quo. Besides, lawmakers on both sides of the aisle have already rejected the kind of tax hike on small business that President Obama endorsed again yesterday. So it was counterproductive of him to revive it.

As for entitlements, the President rightly acknowledged that before we know it, the government will spend every dime it takes in just to cover the cost of Medicare, Medicaid, Social Security, and the interest on our debt. What he did not say is that the health care bill he signed last year takes more than half a trillion dollars out of Medicare to pay for an entirely new entitlement that could be just as unsustainable as Medicare itself; and which forces nearly 20 million more Americans into a Medicaid Program which, as currently arranged, is bankrupting our States.

So the President can claim to be a great defender of the social safety net. He may claim to stand for a nobler vision of America than those who disagree with him. But the facts speak for themselves. And when it comes to preserving the social safety net, the President's proposals simply do not address the things that have caused our most cherished entitlement programs to be unsustainable in the first place.

Instead, the President would simply tinker around the edges and leave the hard work for others, passing the buck to future Presidents. And that just won't cut it anymore.

Americans are paying attention. They know the fiscal problems we face will not be solved by continuing the job-destroying policies that got us here. What is more, the centerpiece of the President's proposal, tax hike on top earners, may sound appealing to those whose primary goal in this debate is to protect big government. But looking at the most recent data, the

Wall Street Journal points out this morning that even if we were to lay claim to every taxable dollar of every single American who earns more than \$100,000 a year, we still wouldn't raise enough to cover the \$1.6 trillion deficit the President's budget gives us this year.

The best way to bring down the debt and to create the climate that will lead to good private-sector jobs and prosperity is not to repeat the policies of the past but to change them. And that means cutting Washington spending, not squeezing family budgets even more.

Throughout the day today, Senators will have an opportunity to debate a down payment on those cuts for the rest of the current fiscal year. So I invite them to come to the floor to discuss that proposal. After that, we will move onto an even more far-reaching debate not about billions but about trillions. That is the debate that will show Americans exactly where their elected representatives stand on facing up to the fiscal challenges we face. Republicans look forward to that debate.

That brings me to a final point.

Yesterday, the President said that the debate we have been having in Washington about the size and scope of government is not about numbers on a page. It is about the kind of country we believe in. But he left out an important point. And that is, that there are a great many people in Washington and beyond who agree with him, but who also believe in their core that the approach he has taken over the past 2 years represents the greatest single threat to the very future he envisions. America will not continue to be the great Nation it is unless we are able to keep our promises to the current and future generations, and stop spending money we do not have. But the greatest obstacle to that future is not the everyday American who wants Washington to balance its checkbook, or those who look at where the President's policies have gotten us and map out a different path to the future than he would. The greatest obstacle we face is the crushing burden of our debt, as the President now admits.

Unfortunately, the plan he outlined yesterday does not seriously address it. Americans know the stakes in this debate. They know the reason we are in this situation. It is time the President and Democrats in Congress acknowledge it as well. The debate has shifted. And while the President does not seem to see that yet, we will not solve our problems until he stops campaigning and joins us in a serious, bipartisan effort to change not only his tone but his direction. That is how we will ensure that the future that he—and we—envision and want actually comes about. That is the only chance we have.

I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CONTINUING RESOLUTION

Mr. DURBIN. Mr. President, a little later today we are going to receive from the House of Representatives a spending bill which, if passed, will fund the government for the remainder of this fiscal year, which ends on September 30. Included in that vote today are two other votes, separate votes, which were insisted on by the House Republicans. One of the votes will defund Planned Parenthood across the United States.

Under title X, a law which was proposed by President Nixon and passed by Congress—and supported for over 40 years since—we have provided money across America to clinics that take care of women, children, and families who otherwise would have no place to turn.

One of the recipients of those funds is Planned Parenthood. They do not receive all the funds or even a majority of the funds. But they do receive support through title X. In my State of Illinois, Planned Parenthood has clinics in many down-State communities, as well as in the Chicagoland area. In my hometown of Springfield, there is a Planned Parenthood clinic. It provides valuable services for many women in my community and State—services which otherwise they could not find or afford: basic examinations by doctors who can screen for forms of cancer, for infectious disease. These are things which many women rely on, and they are valuable services. Yet the House Republicans are determined to take the funding away from Planned Parenthood.

The amendment on the floor addresses that issue. I will vote against that amendment, and I will vote against it because I understand closing down Planned Parenthood as one of the recipients of title X funds will mean that literally 69,000 women in the State of Illinois who rely on Planned Parenthood clinics will then have to struggle to find another source of medical care, and it is not always easy to do it. Many of these women—most of them—are uninsured and very few of them have the economic wherewithal to pay for these services.

For over 90 years, Planned Parenthood has provided comprehensive preventive and primary health care to people, primarily the low-income, uninsured, and Medicaid recipients. Last year, 3 million people across America—

that is 1 percent of our population—relied on Planned Parenthood's 800 health centers for cancer screenings, family planning, and annual exams.

Now the House Republicans are arguing we have to stop funding Planned Parenthood because that is a way to prevent abortion. Well, let me say, we have to understand that the law for over 30 years in America has made it clear—an amendment offered by a Congressman from Illinois, Henry Hyde, made it clear—that no Federal funds can be used for abortion services except in the most extreme and restricted cases: rape, incest, or where the mother's life is at stake. That has been the law. It has not been changed. It was not changed under this President or previous Presidents. That has been, since the time of Henry Hyde, the guiding policy of this land and there is no one to suggest that it be changed. Every dollar received by Planned Parenthood from the Federal Government is carefully restricted so that it cannot be used for abortion services.

Planned Parenthood does provide abortion counseling but only for 3 percent of their activities. Ninety-seven percent of their activities have nothing to do with it, and not a penny of the abortion counseling services can come from Federal funds except in the most restricted circumstances under the Hyde amendment. Ninety percent of Planned Parenthood's activities are basically preventive.

Let me tell my colleagues, if we don't allow women of limited means and with no insurance access to family planning counseling and services, it means there will be more unintended pregnancies and, sadly, more abortions. It is estimated that if we did not have title X funding in Illinois, if we didn't provide this kind of assistance for women in lower income categories, we would have 24 percent more abortions because of unintended pregnancies. So if what the House Republicans are seeking to do is to reduce the number of abortions, they are doing it exactly the wrong way. Providing information and counseling to women so they can plan their families and not end up with unintended pregnancies is a good way to reduce the number of abortions. That, to me, is as clear as possible. Yet they seem to be tied in knots when it comes to this and don't understand this basic causal connection.

Last year, with the help of Federal dollars, Planned Parenthood health centers performed 1 million cervical exams, 800,000 breast exams, and 4 million tests and treatments for sexually transmitted infections such as HIV. If Planned Parenthood is prohibited from receiving Federal funding, which is the issue that will be on the floor, most of their health centers would be forced to close. Then what happens to the millions of women and others across America who rely on their services?

Let me tell my colleagues one story that I think demonstrates why this is a critical vote. It comes from a Planned Parenthood clinic in Aurora, IL. A woman in her early forties was uninsured because she lost her job. Her daughter suggested she go to Planned Parenthood for her annual checkup. During the woman's routine breast exam, a 4 centimeter by 4 centimeter lump was found in her breast. That is a sizable lump. The providers at Planned Parenthood helped the woman get a mammogram and connected her with an oncologist. Thankfully, the cancerous lump was removed, and the woman recovered completely. That woman went back to the Aurora Planned Parenthood to thank them and to let them know that without that care, she could have died. So when it gets down to this vote, it literally is a matter of life and death.

I hope those who feel strongly about one issue or the other will also feel strongly about the right of every person to have access to quality care whether they are rich or poor. Planned Parenthood provides that care in my State and across the Nation.

The other amendment is also going to relate to health care. I find it hard to believe that at this moment in time the Republicans are suggesting we should repeal health care reform. This morning, we had a town meeting, and in our town meeting was a group of young people who came from Illinois and who are recovering or in treatment for cancer. These are brave young children and young adults who are battling this disease. I asked them, when someone suggested repealing health care reform, what they would think about a provision in health care reform, which we insisted on, which said that no health insurance company can discriminate against an American under the age of 18 for a preexisting condition. Well, they all cheered because they know, having had cancer in their lives, if they go out on the open market, the cost of their health care and health insurance, if they can buy it, would be prohibitively expensive.

The health care reform we passed here prohibits health insurance companies from discriminating against those children under the age of 18 for preexisting conditions. Those who want to repeal it basically want to take away that protection.

We also know many families raising children of college age get worried because the kids may not have health insurance while they are looking for jobs. We extend the family coverage of people up to the age of 27 so they can stay under their family policy when they get out of college. That gives peace of mind to a lot of families that as their young son or daughter is out taking a part-time job or internship or a trip around the world, they are going to have health insurance until the age of

27. Repealing the law, which is what we will vote on here on the floor, will remove that protection.

Also, when it comes to Medicare, the prescription drug program has a gap in it called the doughnut hole. A lot of seniors with the need for expensive prescription drugs find, after a few months, no coverage from the government. They have to turn around and reach in their savings account and pay out thousands of dollars before that protection coverage resumes. That doughnut hole—the gap—is being closed by this bill. Those who want to repeal health care reform will repeal our efforts to make sure people have this access to the kind of health care and prescription drugs they need to survive and be strong and independent.

I think it is a very clear vote. I have said before that I am open to revisiting health care reform, reforming health care reform, making sure it works the way we intended it to work. As I have said before, the only perfect law I am aware of was written on stone tablets and carried down a mountain by Senator Moses. Every other effort since has been a human effort full of frailties and flaws, and we should always try to make it better. But the notion of wiping the slate clean and repealing health care reform would be a step backward for America. It would acknowledge that the 60 million uninsured Americans will have their ranks swell from others who can't afford to pay for health insurance and certainly can't buy good-quality health insurance today.

I encourage my colleagues to vote no on this amendment to repeal health care reform. We don't need to leave so many American families vulnerable, but we do need to have protections against health insurance companies which too often discriminate against those who need protection the most.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

HONORING BOB DOLE

Mr. MORAN. Mr. President, I am a firm believer in the view that an individual can make a difference. I am a firm believer that what happens in Washington, DC, is important in our Nation's history and what goes on in our country, but the reality is we change the world one person at a time. That individual is how we make life better.

Earlier this week, on Tuesday morning, I was on the National Mall near the World War II Memorial, and I was there for the dedication of a plaque honoring an individual who made a tremendous difference in the lives of many and made a tremendous difference in the life of our Nation. It was the moment in which a plaque was unveiled recognizing Senator Bob Dole

for his contribution—in fact, his efforts and leadership—in seeing that the World War II Memorial was built. Clear from those who spoke and from what I know of the subject, the World War II Memorial would not be available for us as a nation today in the absence of that individual, Bob Dole, who led the efforts.

There is much in Bob Dole's career here in Washington, DC, as a Member of this body, of the U.S. Senate, that we can heap accolades upon him for, but certainly one of them I know he is most proud of and certainly one of them I and the American people are most grateful for is his efforts to recognize the 16 million Americans who served their country in World War II. There are only about 2.5 million Americans who served in World War II now living, and we lose hundreds of them every day.

Last week, I was at the World War II Memorial with Kansas World War II veterans welcoming an honor flight and thanking World War II veterans from my home State for their service to our country. The World War II Memorial is a magnificent tribute to the sacrifice many have made before us.

I saw the World War II Memorial. It serves its purpose. I saw the World War II Memorial before it was ever dedicated. I put my walking shoes on and walked down to the World War II Memorial a few days before the official ceremony back in 2004, and I saw the place that says "Kansas," and I thought about Kansans.

I thought of my own dad, who is a World War II veteran who served in northern Africa and up the boot hill of Italy. I tell this story because the World War II Memorial served its purpose. I walked away from the memorial and used my cell phone to call my dad back home in Plainville, KS. Unfortunately, I got the answering machine at my parents' home, but from a son's point of view, I conveyed the message to my dad: Dad, I am at the World War II Memorial. I respect you, I thank you for your service, and I love you. It is something that sons don't often say to their parents, but it is something that we as Americans—something that the World War II Memorial brings out in us not just to our parents but to all World War II veterans: We respect you, we thank you for your service, and we love you.

We had the opportunity on Tuesday to pay tribute to a special World War II veteran, Bob Dole. One of the aspects of Bob Dole's service to his country certainly in the military as well as here in the Senate, here as an American, was to take care of those who served with him, and not only in World War II. He has been the caring and compassionate guide for all of us as we try to make certain that no military service goes unrewarded and that no commitment that was made to those who serve our country is forgotten.

So I am here today to pay tribute really to all World War II veterans, to all our military men and women now serving, and to those veterans of other wars, but to especially pay tribute to Bob Dole, who recognized and continues to recognize throughout his life the value of service to country and the value of service to other veterans. That plaque is a special reminder that Bob Dole made it possible for all of us as Americans to pay tribute to that generation and is a loving reminder for those who served that we are a grateful nation. It is important that we never forget those who gave us the opportunities to live the lives we live today.

While there are, again, much for which we could congratulate him and express our gratitude to him, I hold him in the highest esteem for his military service.

Sixty-six years ago today, April 14, 1945, young Bob Dole was wounded in northern Italy. He lay on the field in blood and mud for 9 hours. He was rescued. He was returned to home. The people of his hometown raised money. I still remember the photograph of a cigar box in the drugstore into which people back in those difficult times put their dollars and their quarters and their pennies to raise money for Bob Dole's rehabilitation. He was able to access the services in Battle Creek, MI, of a VA hospital.

Amazingly to me, three future Senators who served in World War II ended up in that hospital at the same time. Our own colleague Senator INOUE, our previous colleague Senator Hart, and our previous colleague Bob Dole were all at the hospital at the same time recovering from their wounds in service to their country.

So it is today that I recognize an aspect of Bob Dole's life—most important, his willingness to sacrifice his life and his service to his country as a member of the 10th Mountain Division; his courage and dedication to his ability to reteach himself, to relearn to write, to bathe, to eat, to become a productive member of our society, and to lead our country in so many ways. I was honored to be present on Tuesday, 2 days ago, in which a grateful nation said: We thank you for your efforts in recognizing other veterans, in the creation and development of the efforts to see that the World War II Memorial, so long in waiting, is now on the National Mall.

Tom Brokaw, the author of the book "The Greatest Generation," was the master of ceremonies on Tuesday, and he concluded his remarks on Tuesday morning by telling the story of Bob Dole raising money for the World War II Memorial. There are no public funds, no Treasury funds in the building of that memorial. Senator Dole and others raised the dollars from private sources to build the memorial. He tells the story of Bob Dole going to Cali-

fornia and meeting with a wealthy Hollywood mogul asking for money to build the World War II Memorial. According to Tom Brokaw, the mogul said, "I am not interested. I have other priorities." Bob Dole's response to the mogul, to the noncontributor, was, "When I was 22, I had other priorities too. I went to war." Bob Dole went to war and served his country every day thereafter.

Senator Dole in his remarks concluded by saying, "I am the most optimistic man in America today." We ought to be optimistic because we have individuals such as Bob Dole who have served our country. Today we recognize that service, 66 years ago, April 14, 1945, in northern Italy.

I yield the floor, and I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HONORING KEITH PREWITT

Mr. WARNER. Mr. President, I rise, once again, to continue the tradition started in the last Congress by my friend and colleague, the Senator from Delaware, Senator Kaufman, to recognize another great Federal employee.

I think this particular recognition is critically important, since last week this Congress came to the brink, unfortunately, of shutting down the Federal Government, which would have had a dramatic effect upon literally 800,000 Federal employees, many of whom toil tirelessly, oftentimes in the proverbial vineyards, trying to serve the American people. It is my hope that later today the House, and we in the Senate, will pass what perhaps is an imperfect compromise—and every compromise is a bit imperfect—that will continue the operations of this Federal Government through the balance of the fiscal year. It is appropriate that today we continue this tradition, where we single out for recognition on the floor of this Senate one of the Federal employees who continues to provide service to Americans.

The exemplary Federal worker I am referring to this week is Keith Prewitt, the Deputy Director and 27-year veteran of the U.S. Secret Service. Mr. Prewitt is responsible for overseeing the day-to-day operations of the Secret Service, including its 6,700 employees, with a budget of about \$1.5 billion.

Mr. Prewitt also oversees protection of the President and the Vice President of the United States, as well as visiting heads of State. He has an impressive resume that includes handling security

during three Presidential campaigns, two White House details, and over-seeing trips protecting American officials in more than 110 countries.

Mr. Prewitt was first drawn to a life of public service when he was in high school in the 1960s in Memphis, TN. He met a local Memphis police officer who had encouraged him to obey the city curfew, stay safe and out of trouble. Mr. Prewitt said this police officer inspired him to enter public service. Coincidentally, he went on to become a Memphis police officer following his graduation from college.

In 1983, the Secret Service recruited Mr. Prewitt to serve as a special agent in the Memphis field office. Over the years, he rose through the ranks of the Service. He has served both on the frontlines and in supervisory positions, which have led him to his leadership role today.

Mr. Prewitt is regarded by his peers as one of the best in the field. He has been described as a man of high value and honor who views each day as a training day and is extremely dedicated to his work and loyal to the people who work with him.

One of his peers at the National Association of Black Law Enforcement Officers stated that Mr. Prewitt "identifies challenges for the organization and seeks to change the status quo to make things better." His tireless efforts to improve the performance of the Secret Service have made him a true asset to the agency, the President, the Vice President, and to our country.

I hope my colleagues will join me in honoring Keith Prewitt, a truly great civil servant, and all those in the U.S. Secret Service for their hard work and dedication to our Nation.

It is also my hope that we can conclude the budget for the balance of this fiscal year so we can give Mr. Prewitt, countless other Federal employees, and literally millions of Americans who depend upon the ongoing workings of the Federal Government, the confidence and respect they need by passing the balance of the continuing resolution for this year before we break for the Passover-Easter recess.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

CONTINUING RESOLUTION

Mr. VITTER. Mr. President, I rise today to explain why I am voting no on the budget deal later this afternoon.

First and foremost, I am voting no because I do not think this is a mean-

ingful, substantial start to getting our hands around what is the biggest threat and potential crisis we face as a nation—out-of-control spending and debt. I suppose \$38 billion is more of a cut than we have ever done. But if we put it in any other context, it is very modest indeed.

Take a look at the 8 days leading up to the announcement of this deal and those 8 days alone—barely more than a week. We as a nation racked up \$54 billion of brandnew debt, way more than the \$38 billion of cuts in just 8 days. That gives some perspective on exactly how modest and how limited in meaning this is.

When you dig a little deeper to look at the details of the cuts, I am afraid the picture gets even worse. A lot of these cuts are paper cuts only—only cuts on paper that do not have a meaningful impact in the real world. There has been significant reporting about this. The Justice Department fund and other examples—that probably accounts for \$12 billion or \$13 billion of the cuts.

In addition, yesterday the CBO issued a report that said only 1 percent of those cuts—\$350 million or so—would have an impact this fiscal year. All the rest is pushed off well into the future. Because of that, I am voting no. I think we need a much stronger start to getting our fiscal house in order.

In addition, I am very concerned about what this budget deal continues to fund in terms of policy, in terms of impact on Americans' lives. The clearest example of that for me is the continuing funding of Planned Parenthood. I believe it is morally wrong to end an innocent human life. I also believe it is morally reprehensible to take tax dollars of millions of pro-life Americans in order to fund organizations that do just that. Americans should not be forced to subsidize abortions, much less fund our Nation's largest abortion provider. That is what Planned Parenthood is, pure and simple.

Opponents of defunding Planned Parenthood have argued in the news and even on the Senate floor that the organization provides many other health care services other than abortions, such as mammograms. We have seen recently that is a big fiction. Planned Parenthood's CEO repeated this assertion recently on news shows. She claimed:

If this bill ever becomes law—

Meaning the defunding of Planned Parenthood—

millions of women in this country are going to lose their healthcare access—not to abortion services—to basic family planning, you know, mammograms.

As I said, in recent days, this has been shown to be a huge fiction. Live Action, which is a pro-life group, recorded calls in the last several days to 30 Planned Parenthood clinics in 27

States. In each conversation, a woman calls in and asks if she can schedule an appointment for a mammogram. And in each conversation, without exception, the Planned Parenthood representative tells her they do not provide mammograms. Period. One staffer admits:

We do not provide those services whatsoever.

Another explains:

We actually don't have a mammogram machine at our clinics.

The staffer at Planned Parenthood in DC was perhaps clearest. She said:

We do not provide mammograms . . . we don't deal with the health side of it so much. We're mostly a surgical facility.

By the way, surgery means one thing: abortion.

This Planned Parenthood staffer is exactly right: 98 percent of their services to pregnant women constitute abortions—98 percent.

This chart lays this out very clearly. This pie chart represents 2009 Planned Parenthood services to pregnant women. The universe of services to pregnant women, abortions is in dark red, 98 percent. Adoption referrals is in blue. I apologize if you cannot see that. The sliver is that tiny. You have to be up close. And all other prenatal care is in green. That is the reality of Planned Parenthood.

We have also seen a recent onslaught of ads that claim Planned Parenthood is simply a leading provider of women health services, but abortion accounts for roughly one-third of the \$1 billion generated by its clinics. In fact, Planned Parenthood's annual report acknowledges it provides primary care to 19,700 of its 3 million clients. Number of clients: 3 million; those to whom it provided primary health care: 19,700.

The provision to cut title X funding for health services, such as breast cancer screenings, HIV testing, counseling, and other valuable family planning services, would not block funding for those services at nonabortion providers. It would simply block funds from subsidizing America's largest abortion provider, and abortion is almost everything Planned Parenthood does.

Furthermore, Medicaid spends \$1.4 billion on family planning each year. Not \$1 of those funds would be affected by this resolution and this proposal. The question we face today is not if family planning and women's health services will be provided but, instead, if we are going to use that as an excuse to fund the biggest abortion provider in the country which does little else.

Although I personally believe abortion is not a right guaranteed by the Constitution, I recognize the sad reality that abortion on demand is legal in this country. Again, this debate is not about that. It is not about whether Planned Parenthood has the right to perform abortions, and it is not about

funding true health care services. The question before us is whether millions of pro-life taxpayers have to fund this entity.

Every year since 2000, the government has increased its funding of Planned Parenthood on average \$22.2 million per year. As a direct reflection of that, the number of abortions they perform has dramatically increased, even though the overall abortion rate, thank God, in the United States has declined until 2008.

This chart lays out the situation clearly. What is in green represents government grants and contracts to Planned Parenthood. It has consistently gone up and up, a significant increase virtually every year. What is in red represents abortions by Planned Parenthood. Very interesting. There is virtually the same slope of an increase, while at the same time for this entire period until 2008 abortions nationwide were actually going down.

I do not understand how anyone can look at this and say there is not a connection, say we are not using taxpayer dollars to promote and fund abortion. This notion that it is not used directly for abortion services is a convenient fiction because it is a shell game, because it, in fact, funds Planned Parenthood, and 98 percent of what they do is about abortion.

According to their latest annual report, Planned Parenthood boasted more than \$363 million in taxpayer funding, the same year it performed an unprecedented 324,000 abortions.

Planned Parenthood's abortion rate massively outpaces its adoption referrals in particular. In 2008, a woman entering a Planned Parenthood clinic was 134 times more likely to have an abortion than to be referred for an adoption.

In fact, this final chart shows that as Planned Parenthood's abortion rate steadily increased to that staggering number of 332,000 in 2009, its adoption referrals actually decreased to 977 that same year. So again, abortions are in deep red, adoption referrals are in blue, and all other prenatal care is in green. What is the reality, what is the history, what are the facts? Abortions go up dramatically in Planned Parenthood, prenatal services go down, and adoption services go down as abortions go up.

Planned Parenthood has made a profit every year since 1987, including a \$63.4 million return in 2009. There is no justification for subsidizing Planned Parenthood's profitable venture with taxpayer dollars, particularly when roughly half or more of those taxpayers deeply disagree with abortion. The sanctity of human life is a principle Congress should proclaim at every opportunity, and the time has come to respect the wishes of so many millions of Americans who have adamantly opposed using taxpayer dollars

for abortions by denying all Federal funding to this abortion machine.

This is a social issue, of course. It is also a fiscal issue. Our Federal budget is out of control. We are facing unsustainable debt. So given that, in particular, isn't it time to stop funding an organization that millions of Americans have fundamental problems with? If our Federal Government has any hope of regaining fiscal restraint, we have to make significant cuts—more significant than are being proposed in the deal before us today.

I refuse to believe that Planned Parenthood is the one sacred cow that should stand untouched and be untouchable. The time has come to change this situation and to respect the wishes of the huge majority of Americans who, whether they are pro-life or prochoice, think taxpayer dollars should not subsidize abortion. And that is clearly what is going on with Planned Parenthood.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I am so amazed that the lies that have been stated about Planned Parenthood on this floor have been repeated again and again. You know, it gets pretty bad when you are so outrageous that Stephen Colbert and Jon Stewart start to look at what you are saying on the Senate floor. That is a rarity.

This all started when Senator KYL took to the floor and said that 90 percent of what Planned Parenthood does is abortions. Well, that was a little bit wrong. Ninety percent of what Planned Parenthood does is health care—no abortions. As a matter of fact, it is 97 percent. And every dollar of Federal funds that goes to health care may not, since the 1970s—not one slim dime—go toward abortion.

Senator VITTER upped that just now and says that 98 percent of what Planned Parenthood does is abortion. I don't know what he is thinking. But let me reiterate, Planned Parenthood is a nonprofit organization. He says they make a profit. You could say anything, but that doesn't make it true.

I think it is interesting that in the 1960s and 1970s Planned Parenthood, which has become the prime target of the rightwing of Republicans, drew the support of prominent members of the GOP. Richard Nixon signed family planning legislation that authorized Federal funding for groups such as Planned Parenthood. Former Senator Barry Goldwater's wife Peggy was a founding member of Planned Parent-

hood in Arizona, and former President George Herbert Walker Bush, as a Republican Congressman from Houston, spoke frequently on the House floor about the issue. So it is astounding how the rightwing of the Republican Party has walked so far away from their most revered leaders. That is their choice. But it is also our choice as to whether we are going to stand here and take it or come here and rebut what they are saying.

So count me in and count the Democratic women and many men on this side of the aisle who have stood sentry on this and told the truth about this. And the truth is we are in a budget debate. Everything the Republicans have said is that we have to close the deficit gap, we have to cut spending, cut spending, cut spending. And we said: Okay, we will join you, but where were you during George Bush's day? You never said a word. But putting that aside, we will meet you. When we had the majority and Bill Clinton was the President, we were the only ones who did get a balanced budget and 23 million jobs. So we know how to do it, and of course we are going to work with our colleagues. We met them over 70 percent of the way on spending cuts. But guess what. They are so ideological and so extreme that what we heard from Senator VITTER today is not a discussion about the budget deficit and the fact that we have to get on top of it and get that budget balanced, as we did under the Clinton administration. We heard about abortion, abortion, abortion, which has nothing to do with the issue at hand. Because, as I said, not one slim dime of Federal money has been able to be used for abortion since the 1970s, and 97 percent of what Planned Parenthood does is health care, not abortion.

We know the real priority of these Republicans in Congress. We know the real priority. We know what it is. It is an ideological agenda that, frankly, puts women's health and women's lives at risk. Here we had this huge debate over the budget—tough, getting down where we were all sweating it out to within an hour of the moment the government would shut down—and the two things the Republicans insisted on voting on, on a budget bill, have nothing to do with the budget.

For every dollar that Planned Parenthood gets to help them do cancer screenings for women, Pap smears, breast cancer screenings, STDs—and they do for men as well—HIV testing, blood pressure checks, diabetes checks, they charge a sliding scale. You walk in there, you have no insurance, you have no money, you get the services for free. If you have some, you pay some.

The bottom line is, this is what they are holding up this agreement over, and they are forcing us to vote on Planned Parenthood and repealing health care reform. I say that is extraordinary, because we met them on

the numbers. But in order to appease their rightwing agenda, they are forcing these votes. If these bills were to pass, who gets hurt? Women and their families.

I have some letters I have received from Californians, because 750,000 women are served by Planned Parenthood clinics in California—750,000 women. That is actually more than some States have. I am going to share a letter. I have shared a few of them, but I got this one today.

Dear Senator BOXER, I don't write to you often because you already stand up and fight for everything I believe in. I heard you on NPR this morning talking about women's health and the cuts the Republicans want to make to Planned Parenthood.

I'm a 42 year old married professional. My husband and I aren't in the highest bracket, but our combined income puts us in the \$170,000 year range. Frankly, we're happy, more than happy to pay our fair share of taxes for the things that will help our society as a whole.

We are appalled by the budget discussions. If you really want to cut spending, do so where it is really outrageous . . . defense and military. There's 60 percent right there. However, what has me outraged right now is . . .

The Republican Party is.

. . . willing to shut down the government over a few dollars for Planned Parenthood.

If you really cared about limiting abortion funding, family planning is the first step. When I was 20 years old, I was working my way through school. I was a sophomore in college with limited income, no parental support, no health insurance. The one thing I did have access to medically was Planned Parenthood. The services were on a sliding scale, so at my income of \$850 a month, a gynecological exam was \$10. This meant that I went.

. . . I also got birth control pills there . . . However, probably the most significant cross road in my life came about because of Planned Parenthood. My family has a history of female cancers. I had a Pap smear come back abnormal when I was 21.

1). Had it not been for Planned Parenthood, I would not have been able to afford the annual Pap smear.

2). Planned Parenthood did a biopsy on the "abnormality." Again, it was a sliding scale and while I can't recall exactly how much this was, it was something I could manage . . .

3). Biopsy showed that it was a potentially very dangerous pre-cancerous growth that needed to be removed.

4). I did eat beans and rice for the next 2 months to pay my share to Planned Parenthood for removing this growth.

5). I had to have Paps 2 times a year for the next several years . . . Again, all I could afford was Planned Parenthood.

Frankly, if it wasn't for Planned Parenthood, there's a pretty good chance I wouldn't be here today. It's not about abortion, it's about women's health.

I have to say, these are the letters I have been getting day after day after day, and I am very proud of the people who have stood up and told the truth to counter the lies I have heard, frankly from Members of Congress. This woman's name is Heather Jones from Costa Mesa.

The bottom line is, if you turn and look at the two votes we are going to have today, they both hurt women disproportionately. This isn't about the budget. If it were about a budget, they would give more money to the Title X program because for every dollar we invest, we save \$4 on the other side. What would have happened if Heather hadn't found out she had a dangerous precancerous growth? That would have gone forward, she would have gotten cancer, and Lord knows what it would have cost. She didn't make any money at that time, so she would have had to have help from her county. It would have cost taxpayers. She would have been ill and gone through hell and back fighting this, and who knows if she would have made it.

The second vote we are having has to do with rolling back health care reform—another attack on women. It is an attack on everyone, but I want to look at what it does to women. I know the Presiding Officer knows this, because he has been a leader on this issue, but before we passed our health reform law, being a woman was a pre-existing condition.

If you were the victim of domestic violence and you were a woman, they wouldn't insure you. They would say: You have a preexisting condition. What is that? Well, your husband beat you. And guess what. He could do it again, so you are a high risk. Goodbye. We said no. No, that can't happen. If you had a cesarean section and you tried to get insurance, they would say: No, no. Since you had a cesarean section, you could have another one. It is too expensive. Bye.

We said, no; you can't do that. You can't turn away people simply because they were the victim of domestic violence or had a Caesarean. You cannot turn away a person because she is a woman. In 2014, insurance companies will not be able to deny anyone coverage because of a preexisting condition.

Another issue my colleague fought hard on, along with all of us, is gender rating. Insurance companies charge women in California nearly 40 percent more than men for similar coverage. Can you imagine? So when they say let's repeal health reform, who are they hurting? Disproportionately women. When they say no more funding for Planned Parenthood to continue their great work on basic health care, who are they hurting disproportionately? Women.

Preventive care was a key in that health reform. I thank the Presiding Officer. He served on the appropriate committee that made that decision. I will tell you, right now women delay or avoid getting preventive care, but once health reform goes into place we know there will be preventive health care services such as mammograms without a copay or a deductible. So when you

repeal the health reform and everything we did for the people, who do you hurt? Women. Who is going to get sick more than any other group? Women.

Maternity care is not covered by many insurance companies. We changed all that. By 2014 insurance will be required to cover maternity care services.

Let's look at Medicare. We made many reforms in health care dealing with Medicare. More than half of the people who depend on Medicare are women; 56 percent of Medicare recipients are women. When you end Medicare, as Mr. RYAN does in his so-called Ryan budget where he ends Medicare—let's call it what it is—you are throwing women under the bus. This time it is elderly women. How proud are you of that, Mr. RYAN? I am not proud that kind of proposal would come out, and it is starting here today, when we vote to repeal health care reform.

Health care reform extended the life of the Medicare trust fund by 12 years, to 2037. Why on Earth would the Republicans want to repeal a law that strengthens Medicare and makes it viable until 2037?

Let me tell you what else would be repealed if they have their way today. Every senior on Medicare is going to get a free annual wellness exam. Let me repeat that. Every person on Medicare is going to get a free annual wellness exam. It will get them access to preventive health services such as vaccinations and cancer screenings with no copay and no deductible. Why did we do that? First and foremost, we did it because it is the right thing to do, but it saves money at the end of the day when we invest up front in prevention.

That is why the Congressional Budget Office said our bill saves billions of dollars over time. Investing in prevention—just like Planned Parenthood did with my constituent, Heather, where a cancer was discovered early—means that an individual will get the care early, will get on top of this and will not have to spend a lot of money on it and will be spared the pain and suffering and all the rest that goes with cancer.

There is one more thing that they repeal. I didn't see this one. If they get their way today, seniors are not going to see that infamous doughnut hole that they fall into on their prescription drugs closed. They are not going to see that closed. Right now it happens after they pay a certain amount of money for their prescription drugs, a couple of thousand dollars. Then they say Medicare prescription drug coverage is not going to cover them. So they fall into that doughnut hole. We close that forever by 2020. They want to cancel that so seniors are going to have to pay more for their prescription drugs.

We live in the greatest country in the world, and we have access to so many

wonderful health advances—be they medical devices, be they prescription drugs. But what good does it do if we cannot get those things?

By repealing health care reform—which our Republican friends want to do, and today we have a vote to do it—seniors, women, and their families will lose access to lifesaving drugs. They will lose access to preventive care. They will lose access to fair insurance coverage. Again, disproportionately it impacts women. That is just the way the demographics are because 56 percent of Medicare recipients are women.

Let's be very clear. Let's send a strong message tonight, or whatever time it is that we vote on these two amendments, that we are standing strong—if we vote them down—we are standing strong for women, we are standing strong for their families, we are standing strong for Americans. Anyone who would take these important reforms away, anyone who would say we do not care about the 3 million people who get their health care from Planned Parenthood, are saying they do not care much about those people.

By the way, there was some news program that said: What do you need Planned Parenthood for? You can go to Walgreens and get all those services? Somebody said. I never heard of getting a Pap smear at Walgreens or a breast cancer screening, that doesn't come to mind. So Walgreens actually had to put out a press release stating they do not do those things.

Let's start talking the truth on the floor of the Senate. The truth is, there is an ideological agenda around this place, and it is crystallizing. My Republican friends have gone a bridge too far. People are catching on because now it is starting to affect them. They are Republicans, they are Independents, they are Democrats. This is not about party. I can assure you, the people who are writing me who go to Planned Parenthood to get their health care, their preventive care, their blood pressure checked, their diabetes checked, they come from every political party.

The Title X program, in the beginning, and when it was formed, had the strongest support from Republicans. That is how it was. But these Republicans today have walked so far away from their own party that they are looking at a bill signed by Richard Nixon, voted for by George Herbert Walker Bush, and saying: No, we are not interested in family planning. They are distorting the debate.

If people want fewer abortions there is one place we can all walk together; that is, prevention of unwanted pregnancies, birth control, contraception. They do not even want that. They do not even want that. They have just overreached.

I am a person who says I respect you know matter what your views are. I

would stand in front of a truck to protect your right to state your views, whatever they are. I do not tell people what to think about issues. I think they should be respected for what they decide. But big government should not be telling people what to think about the most personal decisions. That is not what America is about.

We have, over the years, crafted some good compromises in the area of reproductive health care. We have said people have a right to choose in the early stages of a pregnancy. That is what the Supreme Court has said. It has been upheld since the 1970s. In the beginning of a pregnancy, a woman and her family and her doctor and her God, that is who will be consulted. It is up to her to make that decision, early in the pregnancy.

As the pregnancy moves on, the State has an interest in the decision on this issue. As the pregnancy moves on—but always her life and health must be protected. That is the law. Not one penny of Federal funds can be used for abortion except in the case of rape, incest, life of the mother.

I happen to be the one who carried that amendment on rape and incest because before that, we did not have that amendment. That was over on the House side many years ago. We have a compromise. I would say to my friends, if you do not like that compromise then come on the Senate floor and make a woman a criminal and make a doctor a criminal—introduce your legislation. We will fight it out and the people will weigh in. What the people will say is: Compromise. Compromise is fair. It is not perfect, but it is fair. But, no, that is not what they will do because they know if they say a woman is a criminal, it is a bridge too far.

So what they try to do is vilify an organization that has been in place for 95 years, Planned Parenthood. They will vilify an organization when 97 percent of their work goes to basic health care and family planning. It is really sad. It is wrong. I am here to say every time it comes up—the women Democrats, we have been on the Senate floor already. We are going to continue this battle with our male friends because nobody can tell me they care about women when they are about to vote to deny women basic health care. No one can tell me they care about families when they are about to deny families basic health care. No one can tell me they care about families when they want to repeal a law that outlaws gender discrimination, that outlaws the ability of an insurance company to turn you away if you were the victim of domestic violence or had a Cesarean section.

Nobody can tell me you care about seniors when you embrace the Ryan budget that ends Medicare. No one can tell me you care about seniors when, today, you are going to have a vote to repeal health care reform that gives

them more funding for their prescription drugs, that gives them free wellness checks without a copay or deductible.

We always say around here: Whose side are you on? Are you on the side of the people, or are you on the side of the insurance companies? Are you on the side of the people, or are you more interested in scoring political, ideological points with the extreme wing of your party? Those are the questions. I think the answer is going to come back tonight. I think we are going to defeat these two radical amendments. I hope it will send a message to our House friends who are going to have a radical budget that the experts tell us is going to lose hundreds of thousands of jobs—I correct myself, the experts tell us the Ryan budget would lead to the loss of 2.2 million jobs. Can you imagine?

The only beneficiary of that budget is billionaires and multimillionaires. I am happy to be in the Senate at this moment in history because, to me, these are the issues. I have to say, these are the issues I had in my campaign, and they were very direct.

I thank the people of California for sending me back here. We have 38 million people, the largest State in the Union. Every time you take away something from a Planned Parenthood or another health care center, you hurt more of my people than anybody else because we are such a large State. Today we start the votes, and I am grateful I could stand up and speak out against both of these radical amendments—one to defund an organization that is helping 3 million people a year in America, and, second, repeal of health care reform that does so much good. I think we are going to win those votes, and I certainly hope so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, we as a country are in a very serious financial situation. We all know we have to reduce spending. This year we will spend \$3.7 trillion but take in only \$2.2 trillion—40 cents of every \$1 is borrowed.

The President has acknowledged a stunning revelation, that under his budget he submitted 2 months ago, something I repeatedly have talked about—in the 10th year, the amount of interest on our debt will be almost \$1 trillion. This is fact.

We are on an unsustainable course. As every witness to come before the Budget Committee has told us: You have to do better. You cannot continue in this fashion any longer. The President's debt commission Chairmen, Mr. Erskine Bowles and former Senator Alan Simpson, told us we are facing the most predictable debt crisis in our history if we do not change.

They did not say it could happen to our children and grandchildren, they

said it could happen in 2 years. Mr. Bowles said maybe earlier than 2 years, maybe some time after that. Senator Simpson said, I think we can have a debt crisis in 1 year. Hopefully, this will not happen.

But we have to get spending under control. There are two ways to do it. One is to work hard, do what we are paid to do as legislators and identify the less-productive, less-defensible spending programs and eliminate them and try to protect as much as we can the programs that are more productive and doing good for America.

Another way to do it is reduce everything across the board and just cut it all by a certain percentage, and reduce spending that way. You could do either. I think most people would say, we should eliminate the programs that are least defensible first, before we have to reduce spending in programs that are more justified.

So, regardless, how do we make the decision?

I have heard the debate about Planned Parenthood and the money they get. I have not been particularly knowledgeable about it until recently. I serve as ranking member of the Budget Committee, so I know something about the debt crisis we are in. So the question is, Is Planned Parenthood a program that is less defensible and ought to have its funding eliminated or reduced significantly so other programs that are more defensible do not have to be cut?

Looking at the facts, I find that Planned Parenthood has far more difficulty defending its legitimacy as a Federal recipient of millions of dollars than other institutions. This is a private group that sets about to do all kinds of things. One of the largest things it does is provide abortions. They have a very strong ideological agenda that a lot of the American people do not agree with. Why should we fund it? There are many other organizations out there, all over America, that do what they think to be good things and are not funded by the U.S. Government.

So let's just look at it a little bit. I was sort of surprised actually. In 2009, the last year we have gotten a report, Planned Parenthood reported providing 332,278 abortions in the United States. I didn't know that—332,000. This is the highest total ever recorded, and the 15th consecutive year that the number of abortions they have provided has increased.

Overall, though, abortions in the United States are going down. You see that sonogram and you see that unborn child and the American people are getting a lot more uneasy about this idea taking an unborn life.

Overall, abortions have decreased by almost 25 percent in the past two decades nationwide, voluntarily reduced by individual decisions by Americans.

Yet during that same time, Planned Parenthood abortions have doubled.

Planned Parenthood consistently claims that abortions account for only 3 percent of their services; 97 percent is spent on other projects, they say. But yet in that same fact sheet on which they make that assertion, they state that 12 percent—that is more than 1 in 10—of their health care patients receive an abortion.

That is a surprise to me. Think about that. They state that 12 percent—that is more than the 1 in 10—of their health care patients who come in to Planned Parenthood receive an abortion. So what about the other solutions? Are there not other solutions to pregnancies other than abortion?

In 2009, their report indicates that Planned Parenthood made 1 adoption referral for every 340 abortions performed. They made a scant 977 adoption referrals compared to over 330,000 abortions. That is a decline of almost 60 percent from 2008. In 2008, they did 60 percent more referrals when it made 2,400 adoption referrals. So this is a major change in what is going on at Planned Parenthood.

It appears this is an advocacy organization that is committed to one solution for people struggling with pregnancies. I tell you, I have a letter here, I will not quote it, but I have a letter from a woman in Alabama who had an abortion who still feels pain about that and wrote me saying not to fund this. I just say that because my colleague suggested only men would favor reducing this funding.

I tell you another thing that I did not know and was very surprised about: the amount of Federal money that they receive. No wonder there is a big brouhaha here, because this is a lot of money. Congress is providing \$363 million a year to Planned Parenthood. That is a lot. Over 10 years—as we have been scoring everything here over a 10-year budget—that is \$4 billion—quite a lot of money.

Many people in the country feel strongly that, OK, they say the Supreme Court has ruled on this. They have said that under the Constitution abortions under some circumstances cannot be prohibited. But they are saying the Federal Government does not have to pay for it, does not have to fund it, and should not use taxpayer money to do so.

So my colleagues say: Well, we agree with that principle and Planned Parenthood money does not directly fund abortions. We are giving the money to Planned Parenthood, but they are not able to use it for abortions. But if 12 percent of their patients are obtaining abortions, and they are getting \$363 million per year, I think it is a fact that the Federal funding furthers their ability to grow and expand their lead as the No. 1 abortion provider in the country.

I think, all in all, we do not have enough money to do a lot of good things. We have, some people forget, rural health clinics and urban health clinics that are funded and organized by the government to meet health needs of the poor. We do not have to use money to help fund this private entity that has an agenda. I do not believe it is radical to say this is one place we could save money. I do not think it is extreme.

My best judgment tells me that if we do not have enough money, and 40 percent of what we spend is borrowed, we shouldn't borrow \$363 million this year to fund a program like Planned Parenthood. This is one program that we could legitimately say does not have to have taxpayers' money and should have its funding terminated.

I also would support the resolution concerning the health care bill. It is clearly a piece of legislation that costs the taxpayers large sums of money. It is not a piece of legislation that adds money to the Treasury, as has been suggested. The Congressional Budget Office has written a letter to me that stated explicitly that the administration is double-counting money to claim savings. If they were not double-counting the money they took from Medicare to fund this new program, then the health care bill would score to be a clear drain on the Treasury.

They have to use a gimmick of double accounting to justify that. It is not the right way to do it and is the reason the country is going broke.

So, while today's vote may largely be symbolic, it is a crucial step in showing the necessity of eliminating this intrusive and costly healthcare law and replacing it with reforms that will provide Americans with access to quality, affordable health care, reduce skyrocketing health care costs and put our Nation on a more sustainable fiscal path.

The Democrats' health legislation was sold as a package that would reduce insurance premiums by \$2,500 per family, trim the Federal deficit, and immediately create 400,000 new jobs. Sadly, none of these promises have been met.

Instead, the new health care law will cause health care spending to surge over the next decade, and Americans will see dramatic increases in their premiums, and many of them already have. Half of those recently polled in a Kaiser Family Foundation poll claim that their premiums have gone up recently. The Federal deficit will increase by an additional \$700 billion, and the law's expensive mandates, penalties, and tax hikes will lead to job losses and persistent economic uncertainty, as many small business owners have told me.

As our Nation's reckless fiscal policy brings us ever closer to a tipping point, respected economists across the country have stressed the need for Congress

to reduce Federal spending and contain our mounting health costs.

Rather than tackle these problems that threaten the long-term stability of our Nation, the new health care law exacerbates our fiscal crisis by creating an open-ended entitlement and introducing \$2.6 trillion in new Federal spending.

According to the Congressional Budget Office, the new health care law will cause insurance premiums in the individual market to soar by 10 to 13 percent for American families, translating to a \$2,100 increase for families purchasing their own health care coverage by 2016.

Total health care spending in the U.S. already consumes 17.3 percent of GDP, the largest of any industrialized nation. Under the new law, national health care spending will approach 20 percent of GDP by the end of the decade.

Sadly, many supporters of the health care law continue to perpetuate the myth that it will not increase the deficit. A thorough examination of the law pulls back the curtain to expose the deceptive budget gimmicks and reveal its true cost.

When the bill was first introduced, the Democrats sold the plan to Americans by double-counting \$398 billion in Medicare cuts and taxes, \$29 billion in Social Security taxes, and \$70 billion in new long-term care premiums to pay for the new health care spending. This is according to a CBO report I requested. This double accounting was stunning and existed to justify the claim that the law will reduce costs.

Additionally, since CBO reports evaluate legislative proposals over a 10-year budget window, the new law was written to delay most of the new spending until 2014, while immediately implementing the program cuts and tax increases to allow 10 years of offsets to pay for only 6 years of spending. In order to convince Americans of the plan's merits, which they failed to do, they had to use accounting gimmicks that hide the true long-term costs of this monstrous law.

Only in Washington will people claim that spending \$2.6 trillion and dramatically expanding the size and scope of the Federal Government is good for our Nation's fiscal health.

Former Director of the Congressional Budget Office Douglas Holz-Eakin, an economist who understands the budget gimmicks used in Washington, cowrote an article in the Wall Street Journal in January that eliminates any confusion about the law's impact. This article titled "Health Care Repeal Won't Add to the Deficit" clearly refutes the law's supporters:

Repeal is the logical first step toward restoring fiscal sanity. . . . How, then, does the Affordable Care Act magically convert \$1 trillion in new spending into painless deficit reduction? It's all about budget gimmicks,

deceptive accounting, and implausible assumptions used to create the false impression of fiscal discipline. . . . Repeal isn't a budget buster; keeping the Affordable Care Act is.

A poll by the Kaiser Family Foundation and Harvard University conducted around the same time that this article was written revealed that the American people are seeing through these ploys: 60 percent of the country believes the health care law will increase the deficit over the next 10 years, while only 11 percent thinks it will lower the deficit.

Once again, the American people prove that they are wiser than Washington. The final point I wish to make about the health care law is its debilitating impact on jobs and our economic recovery. In meeting with many small businesses, they are passionate on this point.

The expensive mandates and penalties included in the health care law coupled with the rising costs of insurance facing families and businesses have enveloped our economy in a cloud of uncertainty. Already, over 6,000 pages of new health care regulations have been written by the Obama administration, burdening employers of all sizes as they make strategic decisions about business expansion, hiring additional employees, and long-term investments, three keys to the private sector recovery essential to getting Americans back to work.

Economic estimates indicate that repealing the health care law that threatens our economic recovery would save 700,000 American jobs.

It is imperative that Congress repeal this law that is burdening employers and stifling economic growth, and replace it with solutions that will lower health costs and avert the mounting fiscal crisis facing our Republic.

During the recent election, the American public rebelled against the unchecked spending and unprecedented government expansion that threaten our children's future. Their message to Congress was clear: adopt policies to change our unsustainable trajectory and rein in the cost and size of the government. Congressman PAUL RYAN has submitted a budget for 2012 that is responsible, honest, and straightforward in the way that it deals with the debt problem facing our children and grandchildren. Repealing this flawed and fiscally unsustainable health care law, which is an important part of his plan, would be another step in the right direction and would help to change the devastating trajectory that we are on.

I urge my colleagues to heed the public's call and repeal this legislation. I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri is recognized.

SBIR/STTR

Mr. BLUNT. Mr. President, I wish to talk about another topic. Senator KIRK

and 36 other Members of the Senate are cosponsoring an amendment we would hope to add to the small business bill if we ever get back to it.

This is an amendment we offered independently as a bill 1 month ago, the Gas Accessibility and Sustainability Act. What this bill does is take further an effort that was put into law in 2005, right before Hurricane Katrina, that allowed the President to suspend the unique boutique fuel standards in the country if there was a natural disaster.

That happened immediately—within a couple weeks, as I recall—after the bill became law. The President used that authority. In the 6 months following Katrina, even though the gulf was obviously disrupted and a couple of refineries were very disrupted, gas prices did not go up because, for the first time since the passage of the Clean Air Act, gasoline was a commodity again.

What this bill would do, as we now see gasoline prices at \$4.37 in Hawaii, at \$3.88 in St. Louis, and particularly prices that are high in communities that have a unique blend of fuel that is only available in that community, is allow the President to have that authority, if there is any kind of disruption, if the Suez Canal was shut down for some period of time, if a refinery went down, if there was a pipeline disruption that truly made it very difficult for communities to get their unique blend of fuel but was much easier for them to get fuel that met the standard of being "fuel" at the gas pump.

Senator KIRK and I introduced this together. He was a great advocate of this bill when it passed the House. I would like to turn to him for a moment and see what he has to say today about this bill that allows us to look at the gas prices that are creating real problems in the country today.

Mr. KIRK. Mr. President, I note that under the Blunt legislation, we would correct a growing problem in the United States with gas prices. Right now, for example, in the Chicagoland area, gas prices total about \$4.14 a gallon. I am sure in Missouri it is probably quite high.

Mr. BLUNT. It is \$3.88 in St. Louis, which would be the area that we have that uses specialty fuel.

Mr. KIRK. This map shows that by Federal regulation the Federal Government has divided the national gasoline market into 17 separate submarkets. These 17 submarkets all have their unique recipe of gasoline. By Federal regulation, one cannot use gasoline that was sold in Chicagoland, which under this chart is the Chicago and Milwaukee RFG ethanol standard, in the St. Louis area, the SRFG standard with ethanol. By creating small, tiny monopolies, we create higher prices for the American people. I think that is why the Blunt legislation is necessary.

Mr. BLUNT. I thank the Senator for those comments. Using his chart, in Missouri you can buy one blend of gas in St. Louis, another blend of fuel in the Kansas City area, and a third blend yet in between. So, clearly, these areas are not even unique in the fuel that is used there. If you buy fuel driving from one city to the other and use the other half of the tank while you are driving around in St. Louis, you are using fuel that is available generally anyhow.

This does a couple of things. One, it allows, in a time where it is hard to get fuel for any reason, the President to waive those standards. The other thing it does is, it caps these fuels so if the EPA decides under the Clean Air Act that you have a clean air attainment problem in your city, you have to go and look at the existing fuel blends and choose from one of them rather than what had happened in the country up until 2005, which was every city somehow became convinced there was a unique fuel blend for them that only would work there that never would quite work anywhere else. That doesn't make sense. We have headed in the other direction. This legislation heads us a little further and a little faster in a direction to where we don't have these unique blends. We have fuel as fuel again. Whether it is the restaurateurs whom some of us may have seen today or various businesses, if fuel is \$4 a gallon, something has to give, and it goes throughout the entire economy. This helps solve that problem.

Hopefully, we can be talking about an energy bill before too long. But, clearly, whether it is a small business bill or any other bill, the cost of fuel makes a real difference in the country today. This amendment that we hope to offer eventually to the small business bill is one of the things that will help solve the problem.

Mr. KIRK. The unhighlighted areas are where regular gasoline is sold. The highlighted areas are where these little gasoline monopolies, by Federal regulation, have been created. What happens if another hurricane hits the gulf? If this area was lacking its specific kind of gasoline under current regulations, it could not borrow gasoline from Missouri or Chicagoland or anywhere else. So we have created an incredible price rigidity in the system. Long term, I think we should move the country to one clean burning fuel. But the one thing we should not do is have 17 different submarkets, all now with the ability to charge the American driving public much higher prices than would otherwise be the case.

I commend the Senator. This is exactly why we need the Blunt legislation. The Blunt amendment should pass to address this problem, one of the reasons gasoline costs too much in the United States.

Mr. BLUNT. I thank my friend from Illinois, a long-term proponent of this

concept. We will continue to work for solutions that make gasoline and the fuel system work better and make more sense for people all over America.

Ms. SNOWE. Mr. President, I rise today to discuss two amendments to the SBIR/STTR Reauthorization Act of 2011, S. 493, which would improve our oversight of the critical Small Business Innovation Research, SBIR, and Small Business Technology Transfer, STTR, programs.

First, I would note that S. 493, which I introduced in March with Senate Small Business Committee Chair MARY LANDRIEU, has broad, bipartisan support, and has the backed of divergent stakeholders who have long been at odds on how to proceed in reauthorizing these successful programs.

Our legislation includes a provision requiring the National Academy of Sciences, NAS, to continue its evaluation of the SBIR program. The NAS has produced a series of informative and groundbreaking reports on the SBIR program which helped inform Chair LANDRIEU and I as we sought to reauthorize this crucial initiative.

That said, the STTR program lacks any significant analysis or evaluation since its inception in 1992. While we can point to annual data provided by the Small Business Administration to demonstrate its effectiveness, it is critical that independent, outside experts explore the STTR program and make recommendations for how to improve it when we next consider reauthorization of these initiatives.

My first amendment would require that the NAS also evaluate the STTR program. Instead of a separate report, the NAS would be required to consider STTR in its ongoing evaluation of the SBIR program, which would be completed four years following enactment of the legislation. This would avoid expending additional resources necessary to produce an independent report on STTR during these difficult economic times.

Additionally, S. 493 incorporates a recommendation from the NAS landmark study to allow agencies to use three percent of their SBIR budgets for administrative, oversight, and contract processing costs. I am concerned, however, that Congress will not have adequate knowledge about how the agencies are utilizing this funding.

As such, my second amendment requires these agencies to submit a report each year to the relevant congressional committees detailing in a specific manner how they are using these administrative funds. These reports will allow us, in our responsibility of oversight, to ensure these taxpayer dollars are being used wisely, and to examine these agencies' spending choices for any waste or abuse. Additionally, it will help inform us of the need, or lack thereof, to continue this pilot initiative in future reauthorizations.

My amendments are simple, straightforward, good government initiatives that allow us to examine the effectiveness of these critical job creation programs, and to keep a watchful eye on how Federal agencies are utilizing taxpayer dollars. I would urge my colleagues to support them.

Mr. INOUE. Madam President, our Nation continues to struggle out of the economic downturn that swept across the country a few years ago, and today, I am pleased that the Senate is considering S. 493, the reauthorization of the Small Business Innovation Research, SBIR, and Small Business Technology Transfer, STTR, programs. The Congress has worked toward improving the economic conditions for small businesses to survive these challenging times. It is important for us to sustain this incubator for high-tech innovation, research and development, and the driving force of our economic engine, our entrepreneurs. Today's global economy is only getting more and more competitive, and in order to maintain the United States' edge in science, technology, and engineering, opportunities to encourage small businesses through programs like the SBIR/STTR will benefit all of us.

I wish to highlight some of the successes in my home State, Hawaii, that were assisted by the SBIR/STTR program. Since the program began in 1983, the State of Hawaii has received 313 SBIR grants, for a total of \$94.4 million. One of these companies is Referentia Systems Incorporated, an applied research and development company dedicated to providing relevant and innovative cyber security and network enterprise solutions to meet the critical needs of our national security and Federal Government. Referentia was started in 1996 with a staff of 30, and now employs 94 people at military bases throughout the Nation and overseas, with offices in Honolulu, HI; San Diego, CA; Albuquerque, NM; and Sterling, VA. In its earliest years, the fledgling small disadvantaged business secured its first SBIR Phase I award in 2004. Since then, Referentia was awarded 13 more SBIR Phase I and 7 SBIR Phase II grants. Three of Referentia's core building blocks were developed with SBIR grants. These include: LiveAction, for cyber security and network enterprises; Sprocket, for cross-boundary data conditioning and cross-enclave data transfer; and Time Series Rapid Exploration, or T-REX, for data storage and analysis. The result of the opportunities created for Referentia helped to position them in the growing and important cyber security market. These SBIR/STTR grants generated deliverable products that Referentia is working to transition into long-term programs of record with the Navy, Army, Marine Corps, and Joint Operations programs.

The discovery, energy, and motivation of our entrepreneurs also power

the inquisitiveness we find in the fields of science, engineering, and high-technology development. Through the SBIR/STTR programs, the sustainability of small companies that benefited from the relationships they have formed doing SBIR/STTR work have encouraged partnering with large systems integrators and the government in an effort to seek solutions that address the evolving challenges we face. Another Hawaii small business that participated in the SBIR program is TeraSys Technologies, LLC. TeraSys Technologies secured a Phase I SBIR from Naval Sea Systems for the development of an interoperable solution for counter remote controlled improvised explosive devices and blue force communications. As a result of TeraSys Technologies' work on the SBIR Phase I, a Phase II award was made from the Joint Tactical Radio System office. I am pleased to report that TeraSys Technologies secured a Phase III award to support a high-priority requirement for our military's current engagement in the Middle East. The ultimate goal for TeraSys Technologies, and all companies that participate in the SBIR/STTR program, is to use their Phase III award toward securing a large production order of their product following the rigorous testing it has undergone, and will undergo in "real-life" conditions during the SBIR Phase III. Should TeraSys Technologies be successful in their efforts, it would be a boost to Hawaii's economy, and include final product integration in the State.

A few of the words describing any small business owner include energetic, creative, and highly motivated. Most of us believe that great strides or discoveries are made due to the research and development investments that large science, engineering, and technology companies make within various sectors. The understanding that small businesses drive our Nation's vibrant economy, and that high-tech businesses with less than 500 employees are extremely innovative spurred the SBIR/STTR programs' creation. The drive to grow their enterprises and bring their ideas to the marketplace may not always work out quite as they plan. On occasion, an entrepreneur is awarded an SBIR/STTR grant to solve one particular problem, and it leads to an unexpected opportunity. For example, in Hawaii, Navatek, Ltd., a company founded in 1979, and based in Honolulu, HI, has been producing innovation through research by developing, building, and testing at sea advanced ship hull designs and associated technologies. Navatek, a beneficiary of SBIR Phase I and II awards, originally presented its technology at the Navy Opportunity Forum 2010 for "Dynamic Compensation for Towed Bodies." This particular project's intent was to help the Navy solve the problem of conventional small surface craft unable to

tow AQS-20 and AQS-24 mine hunting submersible sonar bodies. As it turned out, the SBIR Phase II indirectly advanced Navatek's aft lifting body invention, and led to an opportunity with the U.S. Special Warfare Command. Navatek continues to work toward securing a Phase III award, and highlights some of the unreported benefits that come from the SBIR/STTR programs.

I have provided the experiences of three small businesses in my home State. They, and other companies, are examples of the direct and indirect impact the SBIR/STTR programs' mission to foster and encourage innovation and entrepreneurship in the research and development activities of major Federal agencies. We can calculate how much programs cost the U.S. taxpayer, and the companies and jobs that resulted from the competitive nature of the SBIR/STTR programs. What we cannot quantify is the value of ensuring involvement by science, engineering, and technology entrepreneurs in research and development. The people of Hawaii, and all Americans, hope to provide a brighter future for their children. I firmly believe the future success of our children will depend on maintaining our competitive edge in the world. We must continue to uphold and reaffirm our commitment to the innovators and entrepreneurs in this country by completing our work on the SBIR/STTR reauthorization bill.

I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Texas.

CONTINUING RESOLUTION

Mrs. HUTCHISON. Madam President, we are today making a small downpayment toward getting runaway Federal spending under control. The spending bill we will vote on today represents a \$78 billion spending cut from that proposed by President Obama for this year. It will be \$38 billion from what the Federal Government spent last year. We must address the spending binge our country has been on for the last 2, 4, 6 years.

Spending cuts have been actually ignored. We have increased spending in the name of stimulus. The problem is, that kind of spending didn't stimulate the economy in the private sector where the jobs are permanent.

At the beginning of this year, the President proposed a budget that would spend \$3.7 trillion next year, with a \$1.6 trillion deficit. The national debt is now \$14.29 trillion. Under President Obama's budget plan, the national debt would double since he took office and triple by 2020. We then embarked on a vigorous negotiation on this year's budget. Republicans insisted on cuts beginning now, which is the middle of a fiscal year, which makes it very difficult because the spending levels are

already in place for half a year. But we said: No, we need to start right now, even if it is hard, even if it is in the middle of the fiscal year.

There was a hard negotiation. We know that because we had a series of 1-, 2-, and 3-week continuing resolutions that allowed the government to go forward but did not make the final decisions on finishing the fiscal year, September 30, with cuts that were necessary.

Part of the negotiation was to avoid a government shutdown. I did not want a government shutdown. In the end, that costs more. It costs more to do all the changes that are necessary to shut down the government and then to make the changes necessary to come back and put it back online. We did the right thing by making those cuts, by taking that first step, and by not shutting down government so that so many people would have been left in the lurch: Federal employees—most certainly we were going to take care of our military, but they should not have had to worry about it—all of the people who had vacations planned, who had bought airline tickets and who wanted to go to national museums and parks. All people would have experienced some kind of disruption. It wasn't necessary if we did the amount of cutting, and we did.

We cannot rest because the real battle is going to be for cutting trillions, not billions. It is the trillions that are going to start getting the deficits down and bring our debt back into line.

To do as the President suggested earlier this year and freeze spending at this year's levels would have been like someone who was on a diet saying: I am just going to eat what I eat now and no more. But that doesn't mean that person would lose weight. We all know that.

Today the Federal Government is spending \$4 billion every day that we don't act. We add \$4 billion every day that we don't have, that is debt borrowed from somewhere else. We are borrowing 42 cents on every dollar we spend. Much of that is from the Chinese. And what are we doing? We are giving a bill to our children that is unsupportable. That is not just a problem for our grandchildren in the future; it is a problem for today.

This year our interest payments on this mountain of debt have already cost us \$190 billion. By 2020, if we go at this rate, annual interest payments on the national debt will more than double to approximately \$778 billion a year. Now we are going to \$¾ trillion just for interest payments. We cannot allow that to happen.

The President made a speech yesterday. It was a call for action. Unfortunately, I believe the President called for the wrong action. The President said we have to have taxes go up and we have to have spending that goes

down together. He proposed raising \$1 trillion in tax increases. That is \$1 trillion in higher taxes for small business, \$1 trillion in higher taxes for family farmers. That is not going to help the economy come out of the doldrums. Who is going to be able to hire people if they are going to have a tax burden and a regulatory burden that is going to keep them from being able to expand their operations?

Washington has a spending problem, not a taxing problem.

We wasted \$1 trillion in failed stimulus spending in the first 2 years of the Obama Presidency. Now he is raising taxes by \$1 trillion in the second half of his Presidency to pay for a stimulus package that didn't work? That does not make sense.

The President also believes that a stronger Federal Government, a more powerful Federal Government is the answer to our problems. He proposed yesterday to address Medicare and Medicaid costs by expanding upon the health care reform bill that was pushed through on a completely partisan vote and that already is going to increase government. It is going to increase costs, and cuts to Medicare are going to pay for part of that increase. The President would give more power to the unelected bureaucrats on his new independent payment advisory board that is there to cut Medicare payments and reimbursements to doctors. We do not need a bigger, more powerful Federal Government to address the issues of this mounting debt.

We are going to have a vigorous debate on what is the right answer: more powerful Federal Government and more taxes versus a smaller, more restrained Federal Government that promotes growth in the private sector to make our economy go. We are approaching the limit on the Federal debt ceiling. That is where we must take a stand. That is where we have to draw the line in the sand and say: No more. We cannot raise the limit on the Federal debt without reforms taking place that will show that over the next 10 years we have a plan, and the plan is to cut back on the deficit every year.

I think a total of around \$6 trillion in cuts over a 10-year period is a responsible approach. We will debate some of the things in the proposals that have been put forward: what are the priorities in spending, what will promote growth, what will promote jobs. But we must have a plan before we raise the debt ceiling.

Republicans and Democrats can agree on one thing: We do need a combination of spending cuts with revenue increases to get to the trillions that are needed to cut this debt. But the way we define revenue is the answer. The Democrats say revenue means tax increases. The tax increases are on people who would do the hiring to grow the jobs. So we are putting a damper

on the ability to reinvigorate the economy.

Republicans are going to argue that the revenue comes from creating jobs, from having more people employed, so they can help with our economy and try to help bring revenue in by being employed in the private sector.

Republicans believe the way to create revenue is by building a vigorous economy, to have people working so they are contributing to the economy, not having people who are forced to take benefits because they cannot find a job in this stagnant economy that we all have acknowledged is here.

Today, I hope all of us will agree to take the first steps on the responsible spending cuts that will get us through the end of this fiscal year. I hope we will come together on next year's budget. The 2012 budget is what we are having hearings on. I had a hearing this morning with the Secretary of Commerce—the FBI Director earlier this week—to assure that we are spending for 2012 in a limited, responsible way and covering the needs of our country and also making the investments that will spur growth in our economy.

But the big debate we are going to have is on increasing the debt limit. At \$14.29 trillion, we must do it with reforms that show the world that is buying our debt that we are going to have a responsible way to pay them back. I do not want the Chinese to raise the interest rates because they are worried about whether we have the political will to pay them back.

We will have the political will to do it if we cut spending, if we increase revenue through job growth, not taxes. We will show the world the debt is good and that interest rates should stay low and that we should work to have good trade agreements so we can build up our jobs and buy things from outside, and those economies will flourish so they can buy our products. That is what would be a win for everyone, and that is what we will be promoting in the next few months in Washington.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Montana.

INTERCHANGE FEES

Mr. TESTER. Madam President, I rise, once again, on behalf of rural America. Many folks do not understand rural America. They often get painted in broad brush strokes in a way that does not reflect the reality we face. The Montanans who elected me sent me to bring common sense to the debate over issues that impact rural America.

One issue where there is not a lot of common sense is the issue of debit interchange. There is also a lot of misinformation out there about this issue.

I have been concerned about the unintended consequences of this proposed

rule since the Senate voted on the provision last year. That is why I voted against the amendment when it came to the floor for a vote. Over the past few months, I have been attacked by the big box retailers and called just about every name in the book.

My legislation to study the impact of the Fed's proposed rule has been called a bailout. That is pretty interesting, since I was the only Democrat in the Senate to vote against both bailouts. Only in Washington do people say you are killing a bill by making sure it does what we want it to do.

I certainly do not think the goal of the interchange amendment was to engage in price fixing. I do not think folks were trying to hurt consumers or small community banks and credit unions. But now we know the impact of this provision is far different than the information we had when we passed the amendment.

Now we know that the regulators tasked with implementing this rule think it may not work at all. When we passed the amendment, we were told small banks and credit unions would receive an exemption from the swipe fee rule. Since there has been a lot of misinformation on this issue, let me share these comments directly with my colleagues.

In a Banking Committee hearing in February, Chairman Bernanke referred to the exemption for community banks and credit unions, and he said:

We are not certain how effective that exemption will be. There is some risk that the exemption will not be effective and that the interchange fees available through smaller institutions will be reduced to the same extent that we would see for larger banks.

That means the Chairman of the Federal Reserve—the guy in charge of implementing the interchange rule—does not think it will work for credit unions or for small mom-and-pop community banks.

This is common sense. When you set a price cap, big box retailers will use their market share to force the little guys to meet the lower fee.

At the same hearing, FDIC Chairwoman Sheila Bair confirmed this, saying:

It remains to be seen whether they—

These are credit unions and community banks—

can be protected with this. I think they're going to have to make that up somewhere, probably by raising the fees that they have on transaction accounts.

That means our credit unions and small community banks will be cutting back—cutting back on things such as free checking or ending it altogether, charging more for loans, cutting back on services to low- and moderate-income folks in rural America.

Despite being tasked with the job of implementing the small bank exemption, the Fed cannot guarantee that the exemption will work in practice.

Because despite what some may say, the Federal Reserve cannot control markets. It cannot ensure that this provision will work since market forces will drive rates down for the community banks and credit unions.

No one doubts that rural America's small businesses will be significantly affected by regulating debit card interchange fees. Yet the true and full effects of this regulation on small businesses are not being fully discussed or fairly portrayed.

This amendment was an attempt to address a problem. But when you control prices, as this amendment does, you also invite unintended consequences.

At first, it might make sense that if you reduce debit card swipe fees, then small businesses will benefit. But once you take a closer look, you find a host of potential problems for small businesses and no guarantees that consumers will benefit one lick.

For instance, a recent study says that only 10 percent of small businesses are in retail and in a position to accept debit cards. But that same study also says most small businesses have checking accounts and use debit cards to pay for things they need to run their businesses. These businesses will end up paying more for basic services such as checking accounts and they will see more fees and consumers will be no better off. In short, this limit is bad for small businesses, and it is bad for consumers. Which banking services are likely to be more expensive—or disappear entirely—as community banks and credit unions seek to make up lost revenue? Well, free checking, for one. Millions of Americans have had checking accounts and debit cards because they are free. If banks and credit unions are forced to charge for these services, many business owners and consumers would suffer the consequences.

Because the Fed's rules do not allow banks to cover the costs of debit transactions, banks of all sizes are considering limits on credit card purchases. Moms using their debit cards at the grocery store may have to limit their grocery purchases to \$50 or \$100.

So what is the alternative? Well, put it on a credit card. But that is a tough option for struggling families. Low- and moderate-income families may not have access to credit or may have already maxed out their credit card. Pushing consumers toward credit is not good for small businesses either because the interchange fees on credit card purchases are higher than those on debit cards.

In a recent survey, three-quarters of community banks reported considering imposing annual or monthly debit card fees. Three-fifths of them would consider imposing monthly fees on checking account customers. If they start charging folks for just having an ac-

count, you can bet these folks will not be customers for long. In the long run, that will devastate rural America.

What does that mean for small businesses that rely on those community banks and credit unions? Without a doubt, the small businesses and communities across Montana rely on community banks and credit unions to keep their doors open, to grow their businesses, and to create jobs. These Main Street institutions are the backbone of this Nation's small businesses.

In fact, according to a recent National Federation of Independent Business report, most small businesses do their banking with smaller institutions. Community banks provide the bulk of small business lending in rural communities and small business owners receive better treatment from community banks. That is because in rural America a community bank is part of that community. A handshake still matters, and the folks on both sides of the table can look each other in the eye and be accountable to one another. We are not going to find that on Wall Street.

Community banks do the lion's share of lending with the youngest and smallest of small businesses—those best positioned to create new jobs as we merge from this recession.

Make no mistake about it. The price caps called for by this Durbin amendment will lead to fewer debit cards offered by community banks and credit unions. It will limit the size of debit card transactions, and it will end free checking for small businesses, as they rely on these institutions.

These changes will limit the ability of small businesses to conduct daily business. They will increase banking costs and could limit the lending capability of smaller institutions. These changes come at a time when many small businesses are already fully leveraged and have few other options available.

So what does this mean for small business in Montana?

For a contractor in Kalispell, it means he will not be able to use his debit card to buy lumber. It will mean the end of free checking. I know of too many businesses that do not have the option of increasing their lines of credit with their bank or that have maxed out a credit card weathering this recession. Those are the circumstances folks are forced into, and those are the circumstances that limit our economy.

What will this mean for community banks and credit unions that are competing for the business of these small businesses?

Community banks and credit unions play an instrumental role in our economic recovery by providing loans to small businesses so these businesses can grow and hire new employees.

Smaller banks treat small businesses better. But smaller banks do not have

the means to make up for the lost revenue from this Federal mandate, and they do not have the volume to make up this revenue elsewhere such as bigger banks do.

One of the more troubling findings from the NFIB report I referenced earlier is the fact that community banks have been losing market share nationwide. The report found that the percentage of small businesses served by local banks fell from 31 percent to 25 percent between 2009 and 2010. My concern is that this proposed rule will further harm this loss of market share by community banks. It will lead to further consolidation in the banking industry.

Community banks and credit unions simply cannot compete against Wall Street unless they provide products such as debit cards. They simply cannot make up this revenue elsewhere, and they cannot compete unless they provide these services.

This notion that some have raised that these proposed rules are a slam-dunk for small businesses—it is simply false. Unfortunately, this is one of the many misconceptions that have been put out there.

For example, based on statements I have heard, some would have you believe we have been working and analyzing the debit interchange issue for years, talking about all the hearings we have had on this topic.

The truth is, however, quite different. There has been just one Senate hearing on this issue since 2006, and it was regarding the interchange fees paid by the Federal Government. The Judiciary Committee has looked at anti-trust issues, but they have never addressed the ramifications of this amendment—never. No one has been able to explain to me why studying the impact of this rule is a bad idea.

Am I suggesting the debit interchange system is without fault? Absolutely not. But we should not move forward with a rule that will create a whole new set of problems and will hurt community banks and credit unions until we have fully studied the impact. If we do not measure twice and cut once, we are bound to create a whole new set of problems that will hurt small businesses and consumers.

I sure would not have stepped into the middle of this fight if I did not think it was critical to the survival of rural America, and to the jobs and livelihoods of the people who live there. I am in this job not because I am known as a guy who stands for big banks or Wall Street—far from it. I am the guy in my party who voted against TARP and against the automaker bailout.

I am in this job because rural America needs a voice at the table. Rural America needs someone on their side, to make sure rural communities and Main Street businesses do not get stuck with the short end of the stick

when the Senate makes policies such as this one.

We need to stop. We need to study. We need to make sure we are doing the right thing. Therefore, I ask my colleagues for their bipartisan support on a responsible bipartisan bill to delay this rule so we can have time to study the consequences of this rule—both intended and unintended. Our economy cannot afford to let this go into effect.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

A SECOND OPINION

Mr. BARRASSO. Madam President, I come to the floor as someone who has practiced medicine in Wyoming, taking care of families all across the Cowboy State for almost one-quarter of a century. I come as a doctor giving a second opinion, as I have done week after week about this broken health care law that people all around the country are now very concerned about and the impact it is going to have on their own personal lives.

We started the whole discussion and debate about health care that the American people knew what they wanted: They wanted the care they need, from a doctor they want, at a cost they can afford. What we have gotten is something that does not provide that at all.

I saw today in the Washington Post, under the headline "Budget Show-down," comments about the President's speech yesterday to the Nation. He did talk about Medicare and did talk about Medicaid. I believe that speech was very short, inadequate on the details.

It was interesting to see what the Washington Post said about Medicaid. It said:

... a senior administration official, speaking to reporters on the condition of anonymity, said that ... "the details have not been worked out."

So we have an anonymous source, working in the White House, talking to reporters, admitting that the details have not been worked out.

Yesterday, people heard the President's speech on spending, but it seemed to be higher on political attacks than it was on substantive speech—the things we need to be seriously discussing and debating in this country about a huge debt problem with which we are living. The President did mention one bit of substance, though, that should concern the American people. He said:

We will slow the growth of Medicare costs by strengthening an independent commission of doctors, nurses, medical experts, and consumers who will look at all the evidence and recommend the best ways to reduce unnecessary spending while protecting access to the services seniors need.

What this is is a Washington commission—a commission created in the

health law that many know as IPAB. It may sound harmless. It stands for the Independent Payment Advisory Board. Americans, I believe, need to know more about the details as to how this will actually work.

Many Americans may not remember that the health care law created this unelectable, unaccountable board of Washington bureaucrats who will be appointed by the President, and the sole purpose is to cut Medicare spending based on arbitrary budget targets. These are cuts above and beyond the \$500 billion that was taken from a nearly bankrupt Medicare Program, not to save Medicare for our seniors but to create a whole new government entitlement program for someone else. This board empowers 15 unelected Washington bureaucrats to make these Medicare cuts, all without full transparency and accountability to America's seniors and to elected officials.

So, once again, this board proves that the President and the Democrats in Congress who voted for the health care law simply didn't have the political courage to make the tough spending decisions themselves. Instead, they took the easy road. They pulled the classic Washington maneuver—to create a board and punt the decisions to them.

Congress gave this board its authority to manage Medicare spending. I didn't vote for it. Members of my side of the aisle didn't vote for it. But this is part of the health care law that was crammed down the throats of the American people. Congress abdicated its responsibility to explain to the American people specific payment changes necessary to keep Medicare solvent.

Let's take a look at what happens when this board actually makes a recommendation. The recommendation becomes law. The recommendation becomes law. How can we prevent that from becoming law? The recommendation will become law unless the House and the Senate each adopt—not by simple majority—each adopt by a three-fifths majority a resolution to block them. That is not enough. First, three-fifths of the House, then three-fifths of the Senate, resolutions to block what this board is recommending. Then the House and Senate have to pass legislation to achieve equivalent savings of what this board claims to be saving by the care they deny.

This is an incredible concentration of power that should belong in Congress to a board of unelected—unelected—individuals who are appointed by the President.

Is there concern about this? In the House of Representatives, there is. There has been a repeal provision created that would repeal this board, and I will tell my colleagues it is a bipartisanly cosponsored attempt to repeal this provision.

So that is what we are looking at now. Why? Because the President and the Democrats refused to take a leadership role and chose to punt this down the road. They simply threw up their hands and said let someone else do it. This is not health reform that is good for patients, for the providers, the doctors and nurses who take care of those patients, or for the taxpayers.

Fortunately, Senator CORNYN of Texas has introduced the Health Care Bureaucrats Elimination Act. This bill would repeal this board in order to ensure that the doctor-patient relationship that is important to quality health care for all Americans is maintained. I am happy to cosponsor that with Senator CORNYN. We will continue to fight to repeal and replace this very broken health care law.

Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Madam President, shortly we are going to be having three votes. One vote will be on the budget for our current fiscal year that began on October 1 and ends on September 30 of this year. I think we have talked about that vote at some length. I took the floor yesterday and explained how the negotiated budget for this year is far better than the Republican-passed budget in the House of Representatives, the original H.R. 1. I pointed out how a budget represents the vision for our future, that it is a policy document. I far prefer the agreement that was reached that preserves America's ability to have a competitive workforce.

I pointed out yesterday, and I will repeat again today, that the budget we will vote on will maintain most of the funding for NIH basic research, which is critically important for innovation in America. That is the basic research that is used by our high-tech companies so America can outinnovate our competitors, whereas the House-passed budget would have cut \$1.4 billion from NIH research, or how the agreed-to budget will provide for job training and Job Corps pretty much at the current rates, whereas the Republican-passed House budget would have eliminated most of the funds for job training and 40 percent of the funds for the Job Corps; or, for our students and Pell grants, maintaining the funding so students can continue to receive \$5,550 maximum under Pell grants. As I pointed out, college education tuition is going up. The House-passed budget would have cut 15 percent off of that program.

I think perhaps the one that really points to the major difference between where the Republicans were on the budget and what we finally ended up with is the Head Start Program. The Head Start Program has worked very effectively in all of our States. Children who participate in Head Start do

much better in life. We know that. The House-passed budget would have cut the number of children in Head Start by 218,000, eliminating 55,000 teachers and assistants from the Head Start Program. I am pleased the agreement reached will maintain all services at Head Start so all of our children can continue in that program.

The list goes on and on about the compromises that were reached. I wish to make clear this was a true compromise. It is not what the Democrats wanted or what the Republicans wanted. It is going to be painful. There is a lot I would like to have seen done differently.

I wish to point out that the GSA budget is going to be reduced by \$1 billion. At the White Oak facility in Maryland for the FDA, we are doing some critically important construction work to bring together the different participants for the safety of Americans. That program is going to be severely slowed as a result of the cut to the GSA budget.

I pointed out yesterday that on the environmental front regarding the Endangered Species Act, there is a provision that delists the great wolf. That shouldn't be targeted for congressional action. That is a dangerous precedent for us to set.

I pointed out that the Community Development Block Grants are cut. Even though the EPA budget which would have been cut by 30 percent with the House-passed budget—we bring that down by 50 percent, so it is only a 15-percent cut, but a 15-percent cut is too large of a cut for the Environmental Protection Agency. The good news is we were able to remove those policy riders that would have prevented the Environmental Protection Agency from protecting the environment, protecting our public health. Those were eliminated.

I wish to speak for the next few minutes about the other two votes that will be taking place on the floor in a few moments. They are votes on what are called correcting resolutions. Let me explain this, because I think it might surprise some of the people to learn we are not talking about the amount of dollars that is going to be appropriated in this current year's budget. These are restrictions as to how money can be spent, so it deals with a philosophical agenda, not a budget agenda. This is not about reducing the deficit; this is about trying to impose a philosophical position on the budget for this year. Let me talk about the two correcting resolutions which I am going to urge my colleagues to vote against. One would restrict funds going to Planned Parenthood—women's health care issues—which I call the war on women. This deals with title X funding.

Title X funding is used for preventive health services such as cervical cancer

screenings, breast cancer screenings, immunizations, diabetes and hypertension testing, sexually transmitted disease testing and treatment, HIV testing and referrals. Not one dime of Federal money can be used for abortions. That is the current law, the current prohibition.

Currently, there are approximately 5 million people who benefit from title X funding with over 4,500 clinics across the Nation. Ninety-one percent of the people who take advantage of these clinics have no health insurance. Less than 25 percent of title X funds go to Planned Parenthood. Planned Parenthood spends approximately 3 percent of its total budget on abortion services, not one dime of which is Federal funds. So this is not about abortion; this is about whether we are going to be able to provide preventive care to our most vulnerable in America. It is an attack on women, because women are the basic beneficiaries of title X funds. It is going to cost us more money for the use of emergency room services. It makes no sense at all. It is certainly counter to what we all say we want, and that is gender equity in health care in America.

I urge my colleagues to vote no on that correcting resolution.

The second correcting resolution is an attempt to repeal the affordable care act that we celebrated the anniversary of a few weeks ago. If you are a senior, you should be concerned about this vote, because now you have a wellness exam annually under Medicare that is reimbursed, so you can take care of your own health care needs. That would be put in jeopardy.

If you are one of the 3.2 million Americans who fall within the so-called doughnut hole, or the coverage gap for prescription drug coverage, you should be concerned about the repeal. If you got \$250 last year, you are going to get 50 percent of the cost of your brandname prescription drugs covered and, by 2020, we are going to close the doughnut hole altogether. That would be eliminated if this correcting resolution were passed. Seniors should be pleased that at least we were able to extend the solvency of the Medicare Program by 10 years.

Frankly, you should be worried about whatever efforts are being made here to privatize the Medicare system, making seniors pay more for their health care. It starts with this vote later today where we can reject the efforts to turn back the clock on Medicare where seniors would have to pay more.

If you are a small business owner, you should be pleased by the tax credits that are now available and which this correcting resolution would take away, making it more expensive for employers to provide health care for their employees.

If you are a consumer and are now able to cover your child up to age 26—

1.2 million Americans—the correcting resolution would turn the clock back on the progress we have made on fighting the abusive practices of private insurance companies in dealing with pre-existing conditions. If you have a child with asthma, now you can get full coverage. If we turn the clock back by approving that correcting resolution, you will be at the mercy of private insurance companies to provide coverage, which is very unlikely to happen.

I can talk about emergency room visits where some insurance companies require preauthorization. I don't know how you get preauthorization when you need to go to an emergency room. We corrected that in the affordable care act. Once again, the correcting resolution we are being asked to vote on will turn the clock back on that, putting people at the mercy of private insurance companies as to whether they will cover emergency room visits.

If you are a taxpayer, which is what we are talking about today with the budget, you should be very much concerned about this correcting resolution because by turning back the clock on the affordable care act, it will cost the taxpayers over \$1.5 trillion over the next 20 years. So it is tailored to your need. If you have pride, as I do, that America has at long last said that health care is a right, not a privilege, and recognize that we need to do more to improve our health care system, you want us to move forward and talk about the health care issues and try to improve our health care system; you don't want us to turn the clock back.

The large number of people who have no health insurance or have restricted coverage because of the abusive practices of private insurance companies or the inability to cover children after they graduate from college—that has now been corrected. We certainly don't believe a correcting resolution would take that away from us.

We are going to have three votes. I urge my colleagues to vote against both of these correcting resolutions. They are attacks on women's health care issues and attacks on quality health care for all Americans. We need to pass the budget, and these correcting resolutions should be defeated.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa is recognized.

Mr. GRASSLEY. Madam President, I ask unanimous consent for 5 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

WHISTLEBLOWERS

Mr. GRASSLEY. Since January, I have been investigating allegations from whistleblowers at the Bureau of Alcohol, Tobacco, and Firearms. The allegations I have received are shocking, but sadly they appear to be true.

Praise the Lord for the whistleblowers in this government because we don't know where the skeletons are buried, and they help us to do our constitutional role of oversight and the checks and balances of government.

The ATF, which is supposed to stop criminals from trafficking guns to Mexican drug cartels, was actually making that trafficking of arms easier for them. That would be bad enough if it happened because of incompetence or turf battles, but it looks as if the agency was doing this on purpose. The government actually encouraged gun dealers to sell multiple firearms to known and suspected traffickers.

Two of those guns ended up at the scene of a murder of a U.S. Border Patrol agent in Arizona. His name was Brian Terry. His family deserves answers from their very own government. I have been fighting for those answers. I have written eight letters to the Justice Department. I have asked for documents. I have asked that specific questions be answered.

At first, the Justice Department simply denied the charges. Then one of the whistleblowers went on television. He risked his career to tell the truth on "CBS Evening News." He had a sense of duty to Agent Terry's family and, in turn, to the entire population of this great country. He could not believe his own government refused to come clean and tell the truth when questioned by this U.S. Senator. He went public to set the record straight.

Other whistleblowers have confirmed what this whistleblower said. In fact, I received internal government documents that confirmed what he said. Anonymous patriots tried to ensure that the truth would come out. You know, that is about the only crime whistleblowers commit—committing truth. Isn't that sad?

I forwarded many of those documents that I received clandestinely to Attorney General Holder and Acting Director Melson. I asked them how to square the denials from that Department with the evidence I have received both orally and on paper.

At Attorney General Holder's confirmation hearing—now 2 years ago—I told him:

I expect that you will be responsive to my oversight work and that my questions and document requests will be taken seriously. . . . I hope that I have your assurance that if you are confirmed, you will assist me with oversight activities, be responsive to my requests, and help me make the Justice Department accountable.

Now, the Attorney General, who was the nominee at that time, responded:

I will try to do all that I can to make sure that we respond fully and in a timely fashion to the very legitimate questions that I know you have propounded to the Department.

But now, ironically, I have provided more internal documents to the Justice Department in this investigation than the Justice Department has pro-

vided to me. Now, instead of issuing denials, do you know what happened? It happens all the time when you are doing oversight work, with almost any agency. But in this case, the Justice Department has circled the wagon. They have clammed up.

The President of the United States admitted on Spanish language television that "certain mistakes" may have been made here in the instance of this investigation. He and Attorney General Holder say they didn't authorize a policy change that allowed criminals to walk away with guns. But there was a change in policy that went tragically wrong. The prophecy of a lot of whistleblowers turned out to be fact, sadly. So Congress needs to find out what did the highest senior officials know and when did they know it.

The purpose of the policy change was to go after leaders high up in the chain of command and bring down a drug cartel. Nobody can find fault with that. But prosecutors didn't want to just go after criminals who just lie on Federal forms to buy guns for trafficking; they wanted to go after the really big fish. The problem is this: They let so many little fish keep operating that between 1,300 and 1,700 guns got away. That is just in this one case in Arizona that I can document. Hundreds of these guns have, in turn, turned up in crimes on both sides of the border—some in Mexico and some in the United States.

Federal agents often have to walk a fine line in trying to catch the bad guys. They sometimes have to allow a crime to progress to make sure everyone involved in the conspiracy gets caught. I understand that. That can be legitimate, but you have to look at it this way. It is very serious business. It is quite a gamble, you might say. There have to be careful controls in an operation like I just described. Law enforcement should not cross the line into actually assisting criminals just for the simple process of gathering information. Operations should be carefully focused on stopping crime without risking public safety. Seizing contraband and making arrests are the most important goals. Big, headline-grabbing cases to advance some prosecutor's career should take a backseat in any of these gambles.

Yesterday, I sent a letter to Attorney General Holder with some more documents. So I am sending the Department documents I would like to have them send me. These are documents that maybe the Attorney General himself didn't know about.

There are e-mails between a federally licensed firearms dealer and the supervisor in this Arizona case known as "fast and furious." In one e-mail, the dealer raises, for a third time now, his concerns about how the case is being handled. This time, he was prompted by a story on FOX News about the growing firearms problem on our bor-

der with Mexico. The dealer wrote—and this is a long quote which I will start now:

The segment is disturbing to me. I shared my concerns with you guys that I wanted to make sure that none of the firearms that were sold per our conversation with you and various ATF agents could, or would ever, end up south of the border and in the hands of the bad guys. I want to help ATF with its investigation, but not at the risk of agents' safety, because I have some very close friends that are U.S. Border Patrol agents in southern Arizona.

Now, maybe one of those friends, for all I know, was Agent Terry, and he got murdered—or at least we think he did—with one of these guns. These guns were at the scene, at least. That e-mail I quoted was sent to the supervisor of the case 6 months before guns from that case were found at the scene of Border Patrol agent Brian Terry's murder.

The government put these firearms dealers in a completely unfair position. Let me explain that. On the one hand, these gun dealers rely upon the Bureau of Alcohol, Tobacco, and Firearms for their license to even be able to be in business. So of course these dealers want to cooperate with the government when they have this big club hanging over their head: Will you be licensed or not? On the other hand, the government asks these gun dealers to keep selling to the bad guys even after the dealers warned it might end in tragedy.

I am going to do whatever it takes to get to the bottom of this. The House Oversight Committee has joined in my effort and issued a subpoena for documents because it might duplicate the process in the House.

I have not sought any subpoenas or hearings in the Senate Judiciary Committee yet. I have not exercised my right to object to any unanimous consent request on nominations because of this issue yet. However, I want my colleagues and officials at the Justice Department to hear this loud and clear: If that is what it takes, then I will take those actions. I hope it doesn't have to come to that. I hope the Justice Department will decide to cooperate and provide the information we need, doing our constitutional responsibility of oversight, to make sure the checks and balances of the system of government under our Constitution is working. It has been nearly 3 months since I first raised this issue. It is past time for the Justice Department to come clean.

I ask unanimous consent to printed in the RECORD a copy of this letter to Attorney General Holder.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
Washington, DC, April 13, 2011.

Hon. ERIC H. HOLDER, Jr.,
Attorney General, U.S. Department of Justice,
Pennsylvania Avenue, NW., Washington,
DC.

DEAR ATTORNEY GENERAL HOLDER: At approximately 1:30 p.m. yesterday, my staff learned that the Justice Department was making four documents available at 2:00 p.m. for Chairman Darrell Issa's staff to review regarding the controversy over ATF's Project Gunrunner, Operation Fast and Furious, and the death of Border Patrol Agent Brian Terry. These documents are among those I requested in February of this year. Yet, the Justice Department refused to make them available for my staff to review. In fact, the Justice Department has produced not one single page of documents in response to my inquiries.

Thus far, I have not requested that Chairman Leahy join in any document requests, consider any subpoenas, or schedule any hearings into this matter in the Senate Judiciary Committee. Any such request would be unnecessary and duplicative of the process on the House side, so long as any documents provided there are also provided to the Senate Judiciary Committee at the same time.

The Department's failure to cooperate with my requests is especially troubling in light of the February 4, 2011, reply to my initial letter. In that reply, the Justice Department took the position that those allegations were "false" and specifically denied "that ATF 'sanctioned' or otherwise knowingly allowed the sale of assault weapons" to straw purchasers. The letter further claimed that "ATF makes every effort to interdict weapons that have been purchased illegally and prevent their transportation to Mexico."

I already provided evidence contradicting that denial in my February 9 and March 3 letters. In addition, attached you will find further documentation undermining the Department's assertion. Specifically, the documents are emails between ATF officials and a Federal Firearms Licensee (FFL) in Arizona. These emails demonstrate that ATF instructed gun dealers to engage in suspicious sales despite the dealers' concerns. The emails refer to meetings between the FFL and the U.S. Attorney's office to address the concerns being raised by the FFL. ATF supervisor David Voth wrote on April 13, 2010:

I understand that the frequency with which some individuals under investigation by our office have been purchasing firearms from your business has caused concerns for you. . . . However, if it helps put you at ease we (ATF) are continually monitoring these suspects using a variety of investigative techniques which I cannot go into [in] detail.

In response, the gun dealer expresses concern about potential future liability and sought something in writing to address the issue explicitly:

For us, we were hoping to put together something like a letter of understanding to alleviate concerns of some type of recourse against us down the road for selling these items. We just want to make sure we are co-operating with ATF and that we are not viewed as selling to bad guys.

Following this email, the ATF arranged a meeting between the FFL and the U.S. Attorney's office. According to the FFL, the U.S. Attorney's office scheduled a follow-up meeting with the FFL, but asked that the FFL's attorney not be present.

At the meeting on May 13, 2010, the U.S. Attorney's office declined to provide any-

thing in writing but assured the gun dealer in even stronger terms that there were safeguards in place to prevent further distribution of the weapons after being purchased from his business. As we now know, those assurances proved to be untrue. On June 17, 2010, the gun dealer wrote to the ATF to again express concerns after seeing a report on Fox News about firearms and the border:

The segment, if the information was correct, is disturbing to me. When you, [the Assistant U.S. Attorney], and I met on May 13th, I shared my concerns with you guys that I wanted to make sure that none of the firearms that were sold per our conversation with you and various ATF agents could or would ever end up south of the border or in the hands of the bad guys. . . . I want to help ATF with its investigation but not at the risk of agents' safety because I have some very close friends that are U.S. Border Patrol agents in southern AZ[.]

Incredibly, the FFL sent this email six months before guns from the same ATF operation were found at the scene of Border Patrol Agent Brian Terry's murder. So, not only were the ATF agents who later blew the whistle predicting that this operation would end in tragedy, so were the gun dealers—even as ATF urged them to make the sales.

Furthermore, according to the FFL, there were "one or two" occasions on which his employees actually witnessed and recorded with surveillance cameras an exchange of money between the straw purchaser and another individual on the premises. Despite this actual knowledge of a straw purchase, the dealer said ATF officials wanted him to proceed with the transaction. However, his employees refused to process the sale.

In light of this new evidence, the Justice Department's claim that the ATF never knowingly sanctioned or allowed the sale of assault weapons to straw purchasers is simply not credible. As you know, I have multiple document and information requests pending with various components of the Justice Department. Unfortunately, however, it appears that senior Department officials are not allowing the components to respond fully and directly.

Please provide written answers to the following questions by no later than April 20, 2011:

1. Do you stand by the assertion in the Department's reply that the ATF whistleblower allegations are "false" and specifically that ATF did not sanction or otherwise knowingly allow the sale of assault weapons to straw purchasers? If so, please explain why in light of the mounting evidence to the contrary.

2. Will you commit to providing the Senate Judiciary Committee with documents, or access to documents, simultaneously with the House Committee on Oversight and Government Reform? If not, please explain why not.

If you have any questions regarding this request, please have your staff contact Jason Foster at (202) 224-5225. Thank you for your prompt attention these important issues.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member.

Mr. GRASSLEY. How much time do I have?

The PRESIDING OFFICER. The Senator has 4 minutes remaining.

IMMIGRATION

Mr. GRASSLEY. I want to talk about immigration and a part of the immi-

gration issue that concerns me, and, by golly, it has something to do with government oversight as well.

Last August, some lawyers at the U.S. Citizenship and Immigration Service drafted internal memos outlining ways that the administration could get around Congress and grant undocumented aliens in the United States legal status. These amnesty memos outline ways that the executive branch could use discretionary authority to make sure thousands—who knows, maybe millions—of people here illegally could stay here without a vote of Congress.

A number of Republicans sent a letter to President Obama urging him to abandon any such plan. We sent several letters to Homeland Security Secretary Napolitano asking for statistics and a briefing on these memos. We asked for assurances that such plans to bypass Congress—I emphasize "plans to bypass Congress"—not be implemented. What did we get? All we got was radio silence.

I raise this issue again today because I am bothered by reports that there is another push for this administration to grant amnesty through Executive order, which only should be done by the law of this Congress, to certain groups of undocumented populations. Surprisingly, the push for this is coming from our friends on the other side of the aisle. Yesterday, 22 Democrats sent a letter to President Obama asking him to turn a blind eye to the law. These 22 Senators said they were OK with having an executive branch go ahead and go around Congress and grant amnesty to those who would be eligible under the so-called DREAM Act. These Senators said they didn't have the votes to get the bill through the Senate last year.

Their approach is in a nonconstitutional fashion to ask the President to have his administration use what is referred to legally as prosecutorial discretion to keep these undocumented individuals here. They claim doing so would be "consistent with our strong interest in the rule of law." They say doing so would "help to conserve limited enforcement resources."

I am appalled, and I hope a lot of my colleagues on both sides of the aisle are appalled, that Members of this body think that an Executive order to grant amnesty behind our backs is not an assault on the democratic process. Congress has the power to change immigration laws and only Congress has the power to change immigration laws. The President has limited authority to grant relief in limited and emergency circumstances. I support the President's power to do that, but it was not meant to be used in a blanket fashion. The request by 22 Members of this body is an affront to our country's longstanding belief in the rule of law, and it is an attack on this body's duty to

legislate on behalf of the American people, a power to legislate that the President does not have.

I happen to agree that our immigration policies have to be reformed. I will commit to moving legislation that expands upon or improves the legal avenue we currently have in place. Once again, we have not seen leadership by this President to work on a bill this Congress can support. Until that time comes, it would be foolish and disappointing if this President circumvented the democratic process and did what 22 Members of this body asked him to do in the letter to which I referred.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

CONTINUING RESOLUTION

Mr. BLUMENTHAL. Madam President, I rise near the end of this very important and profoundly significant budget debate to make some points not only about the dollars and cents in our health care system, but also to speak about a growing and persistent threat—the threat of irresponsible cutbacks to vital health care services for our Nation's most vulnerable—in the name of an ideological war on women's health care.

Our Nation is in the midst of a fiscal crisis. We need to recognize that there is a very immediate and important imperative to cut the costs of health care in this country. The costs of health care are spiraling out of control at a rate five times the rate of inflation.

The President, commendably, is talking about the need for serious measures and sensible conversation about what can be done to control and reduce the costs of health care. Just this week, the administration initiated Partnership for Patients, which is another step in the President's continuing efforts, and I believe this body's continuing efforts, to prevent and reduce needless costs to our health care system. For example, reducing the incidence of readmissions to hospitals and providing for better outpatient treatment after people are out of the hospital; reducing the incidence of hospital acquired infections; to reducing the incidence of overprescription—or misprescribed drugs—these kinds of costs are preventable. We have an obligation to reduce those costs in health care when they are preventable.

Higher quality at lower cost has to be our objective. And, lowering costs also means preventive care for women when they cannot afford it. That is what Planned Parenthood does. The threat of H. Con. Res. 36 is to that profoundly important goal—higher quality health care at lower cost—that we can achieve as a nation if we invest in preventive care.

The threat of H. Con. Res. 36 is, therefore, not only to the 1.4 million

Medicaid patients across the country who would be deprived of that preventive care, and not only to the more than 60,000 women in Connecticut who are at risk, but to all of us, to our families, and to our fiscal health. We know Planned Parenthood saves \$4 for every \$1 invested. Smart investments that go to provide the Pap smears, breast exams, and other kinds of preventive health care that not only save our health care system money, but that are an absolutely critical part of high quality health care in the United States.

But this debate is about more than costs. It is about human beings. It is about those women who need that preventive care for their future and their family's futures and eventually for their children's futures. Every woman across our Nation, including 1.4 million Medicaid patients who consider Planned Parenthood their primary source for preventive health, deserves to visit a health care provider she trusts—a health care provider that many of us have in this body whether we are men or women.

I am talking about women such as Rebecca in Meriden, CT. Rebecca's parents' health coverage did not extend to her, and she made too much money to qualify for Connecticut's Husky Program—too much money meaning \$10 an hour and working part time, a total of \$10,000—too much money to qualify for Husky. She depended on Planned Parenthood for regular health screenings and contraceptive care. As she said in her own words:

Planned Parenthood was my saving grace for my reproductive health.

Women such as Maya, a 23-year-old uninsured young woman, a waitress, part time, doing an unpaid internship for a nonprofit organization. She went to Planned Parenthood for her routine Pap smear, and the results showed abnormal cells that required a biopsy and an operation to have the precancerous cells removed. That procedure could have been lifesaving for Maya; as are all of the routine screenings that Planned Parenthood provides for countless women across the country and in Connecticut. All of these procedures take place day in and day out around Connecticut, for a price they can afford. These stories from Rebecca and Maya are heard around our Nation, at least 60,000 strong in Connecticut alone.

As Martin Masselli, Community Health Center advocate and the president of Community Health Care, Inc. in Middletown, recently said:

Defunding Planned Parenthood would be the moral equivalent of turning off the electricity and a whole segment of health care would go dark.

That is what H. Con. Res. 36 means in human terms. In dollars and cents: preventive health care, the kind of work done by St. Vincent's in Bridgeport and Hartford Hospital, and Yale-New Haven

hospital, and countless others around the State and in the country because our hospitals and health care providers are responding responsibly to the need for higher quality and lower costs. We must preserve the momentum to move forward and to make sure the promise, as well as the obligation, the opportunity as well as the mandate, is fulfilled.

I call for my Senate colleagues to stand together for women such as Rebecca and Maya and for clinics and hospitals and providers across the Nation who depend on Planned Parenthood and to reject this resolution, to reject the effort to turn back the clock and to settle this debate once and for all, to end the ideological war which has itself nothing to do with saving money; that in fact, will cost more than it saves. I call for us to turn our attention, as we should and we must, to people who want us to put America back to work to create jobs, to foster economic growth, to fulfill the mandate that was articulated and expressed so eloquently by the people of this country in this last election, which was not to wage war on women's health.

The message was to put Connecticut and put America back to work, create jobs and continue our fragile economic recovery.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. THUNE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. THUNE. Mr. President, today we are going to vote on last year's unfinished business. We are going to vote on a continuing resolution that will fund the government through this fiscal year, which ends on September 30. The proposal we have before us in order to fund the government through the end of the fiscal year certainly is not perfect. In fact, there are many—myself included—who would like to see it make deeper reductions in spending. That said, we will be voting on a proposal that will cut spending by around \$40 billion this year, and when you look at baseline spending over the next decade actually saves over \$300 billion over the 10-year period.

What strikes me about that is that it will be the first time in a long time that we have done something about reducing spending. That is not something routinely or traditionally done here. In fact, we are going to reverse a trend that began a long time ago but accelerated a couple years ago when non-national security discretionary spending increased by almost 25 percent in the last 2 years.

This is an important first step. Granted, it is a first step, and in a minute, I am going to get to the bigger issue, but it is critical that we send a message and signal to the American people that we have heard their voices loudly and clearly and we get what they want us to do; that is, to get spending under control, shrink the size of the Federal Government, to get it to live within its means, and to quit spending money that we do not have in Washington. That is something that has been happening here for a long time. It has taken on a whole new dimension in the last couple of years.

As we talk about the unfinished business of last year, trying to get a measure in place that will fund the government through the end of the year, that will reduce spending by about \$40 billion, we are talking about the smaller part of overall spending when we look at the macroeconomic view or pull back to what some would say to the 30,000-ft. view and look at spending over the next decade. In fact, we had someone testify in the Finance Committee yesterday, the former Comptroller General David Walker. He put it well when he said talking about funding in the continuing resolution is like arguing about the bar tab on the Titanic. We are on a sinking ship, and we need to do everything we can in the short term, getting maximum amount of spending reduction, but then we need to pivot and start talking about the next big battle, and that is the battle over the 2012 budget. Ironically, we are just now getting to the 112th Congress's business because we are wrapping up the business of the 111th Congress. The Democratic leadership here didn't pass a budget last year or a single appropriations bill. As a consequence, we are voting here now on a continuing resolution to do last year's business to get us through the end of this fiscal year before we can start the work of the 2012 budget, which is where I think the big debate will begin about how we get this country back on a more reasonable fiscal path.

We have seen a couple of developments here in the last 2 weeks or so that bear on that debate. One is last week, when we had the introduction by the House Republicans of a budget plan, a 10-year budget plan that was very aggressive in trying to take on the issue of spending and debt, very aggressive in trying to put pro-growth policies in place that would help grow the economy and create jobs and that gets our economy back on track in this country. That was kind of the big discussion last week.

The President, I believe, felt left out of that discussion, so yesterday he decided to make a speech in which he would lay out his vision for the next decade and how we address the big challenges this country needs to tackle. I would describe that speech as a do-

over because the President's first trip to the plate was really his budget, which he submitted a couple of months ago. That budget was conspicuously bereft of any effort to address the really big challenges facing the country. It didn't talk about how we are going to reform entitlements, didn't address tax reform, and it actually increased spending—increased taxes and increased the debt dramatically over the next decade. It nearly doubled the gross debt from \$13 trillion or \$14 trillion to over \$26 trillion, and that is using I think pretty optimistic economic assumptions.

That being said, because the President didn't address any of the big issues in his budget and because the House Republicans put a proposal forward last week which would, I think he felt as if he needed to get in the game. So yesterday he made a stridently partisan speech in which he tried to put forth a plan. I would argue that speech yesterday was very long on politics and very short on substance. There wasn't a lot in there to really sink your teeth into if you are someone who believes seriously that we need to make reforms in entitlement programs. There was the usual prescription for dealing with the deficit and the debt, which consisted of increasing taxes. There are tax increases in here, tax increases in the President's proposal on small businesses—the job creators in our economy.

I would point out to my colleagues that half of all small business income is taxed at the individual level because many small businesses allow the income from that business to flow through to their individual tax return. In fact, the number of small businesses that would be impacted by his proposal employ about 35 million people in our economy. So you are talking about raising taxes on the job creators, on the people who really are employing people across this country, and that was a key element in the President's prescription for dealing with the fiscal crisis this country faces.

Another element of the President's plan was relying on this proposal that was part of the health care reform bill to squeeze provider payments under Medicare to try to wring a little more out of Medicare. He relies on an independent payment advisory board which would be empowered to go ahead and make reductions, to make cuts in provider payments. What is interesting about that is the health care reform bill last year did make some significant cuts to providers, not to reform Medicare but to create the new health care entitlement program, which, when it is fully implemented, will cost \$2.5 trillion. So that is what the President used—any savings that were achieved in Medicare last year. So when he talks about now using this independent payment advisory board to make further

reductions in provider payments, it is relying on the same old tried-and-true formula. I say tried and true, but it is actually a tried-and-failed formula that has been in place before.

There is no reform in this proposal. There is nothing new or innovative that says: Let's figure out a way to solve this Nation's fiscal problems, something that actually gets at the heart of the problem and doesn't use the same old failed prescriptions that have been used in the past.

I frankly don't know what is going to happen. If you continue to cut payments to physicians and to hospitals, you will find fewer and fewer medical providers who are going to serve Medicare and Medicaid patients in this country. It is as simple as that. When you lose a little on each transaction, on each customer or each patient you serve, you have to cost shift and make up for it by shifting more of the cost over to private payers, which continues to drive health care costs for everybody who is not receiving their health care from some government program even higher and higher. So there wasn't anything in there that I would suggest really gets at this problem.

Also conspicuously absent from that speech was anything to do with reforming Social Security. We all know Social Security is also a program which ran a deficit last year. It looks as if it will be in the black this year but next year it starts running deficits and runs them well into the future. We have to make that program solvent, not just for the senior citizens who are benefiting from it today, those who are nearing retirement age, but for the next generation. The President decided to punt on that subject as well.

So, as I said, the speech yesterday was long on politics, short on substance, and short on a meaningful discussion about how we get at and address and fix these enormous fiscal challenges we face.

The other thing the President does is he uses a 12-year timeframe. We normally operate here on a 10-year budget window. That is what the House and the Senate do. It is typically what the White House does when it submits a budget to Congress. So he stretched that out to 12 years, perhaps maybe to lessen the impact of some of the few reductions he does make in his budget, but nevertheless it is a very different schedule, in terms of the proposal he makes, relative to the one that came forth last week from the House Republicans.

The reason this whole debate is important is because we continue to spend and spend as if there is no tomorrow, and it is money we just flat don't have. This year, we will take in \$2.2 trillion, spend \$3.7 or \$3.8 trillion, and we are going to run a \$1.6 trillion deficit. I have said this before on the floor, but it is now 1:20 in the afternoon

today, and by tomorrow, Friday, at 1:20 in the afternoon, we will have added over \$4 billion to the Federal debt. That is the rate at which the spending and debt problem is going today. We cannot continue on this path.

Some people would argue—the President and some of our colleagues on the Democratic side—that the way you fix this is “have a balanced approach” that raises taxes, that there has to be a tax increase as a part of this. I don’t think the American people ought to have their taxes raised until we demonstrate a willingness to get at the heart of the problem.

The problem here in Washington is not a revenue problem, it is a spending problem. The numbers bear that out. If you look at the last 40 years of American history, the average amount we spend on the Federal Government as a percentage of our total economy is 20.6 percent. A little over one-fifth of our entire economic output is spending by the Federal Government. This year we will spend over 25 percent of our total economy on the Federal Government. So we have seen the Federal Government, in relation to our total economy, grow by about 20 percent over the historical average just in the last couple of years. In the last 2 years of this administration, we have added almost \$3.5 trillion to the Federal debt.

As I said before, spending increased—non-national security, discretionary spending increased in the last 2 years by almost 25 percent at a time when inflation in the overall economy was only growing at 2 percent. So you have the Federal Government spending at somewhere on the order of 10 times or more than 10 times the rate of inflation. You can’t defend or justify that to the American people.

The American people have a right to know we are serious about getting spending under control, as evidenced by the report of the Government Accountability Office a few weeks back where they looked at about one-third of the overall government to determine where there was duplication and where there was wasteful spending. They came up with a number of conclusions in that report, one of which was that there are 82 programs—82 programs—at the Federal Government that deal with teacher training spread across 20 agencies or so of the Federal Government.

Can you believe this—56 programs that teach financial literacy. Imagine Washington, DC, lecturing or instructing anybody around this country about financial literacy, of all things, but there are 56 programs spread across 10 different agencies or departments of government that deal with financial literacy. I mean, the American people have to be thinking, get serious.

This is the kind of thing that outrages and frustrates the American people. That is why I think they want us to singularly focus on reducing spend-

ing and getting this debt under control not by raising their taxes in the middle of an economic downturn, particularly taxes on our small businesses that will create the jobs to get the economy back on track but by reducing spending. That is where this debate ought to be centered. Regrettably, as I said, the President, in his speech yesterday, immediately latched on to the idea that we need to raise taxes on our small businesses, on our job creators.

Well, we are going to have the chance, after the vote today on the continuing resolution—assuming that it passes—and then wrapping up last year’s unfinished business, to shift to this debate about the debt limit. The debt limit will be the next major issue coming along that will present an opportunity for both Republicans and Democrats to engage in a debate about how to solve this country’s fiscal problems, starting with measures we put in place that put caps on spending.

We have to get spending under control, and then we will have a debate about the 2012 budget. It is unclear to me at this point whether the Senate will do a budget at all. The House of Representatives clearly will. They passed it out of their Budget Committee, and they are going to vote on it today. They are going to put forward a plan that does reduce spending by over \$6 trillion over the next 10 years, that brings reforms to our Tax Code, that lowers marginal income tax rates on our businesses and our individuals, and that hopefully will create economic growth and development out there and create jobs.

It is a budget that changes the way we look at some of these traditional entitlement programs, insulating and protecting everybody who is over the age of 55. And that is the ironic thing about it, because our colleagues on the other side get up and immediately attack this proposal as cutting benefits to senior citizens. The House plan that was put forward does not impact anybody over the age of 55. So if you are retired today and drawing Medicare benefits or if you are nearing retirement age, under this particular proposal, you are unaffected. It would affect those younger than 55 who are beginning to look at the retirement years and wondering whether any of these programs are even going to be around for them. We can make those programs sustainable and viable for younger Americans who are willing to look at these things in a new way. The House budget does that.

It makes reforms that put the patient back in charge, the consumer back in charge, that I think draws on the great impulses of tradition in this country—competition, choice, allowing people to have more opportunity and more flexibility to choose a plan that works for them.

It seems, at least to me, that we have to get to a new model because the cur-

rent model clearly doesn’t work. It is an example of government spending that, if it perpetuates, has a \$38 trillion unfunded liability in Medicare alone and has further unfunded liabilities in Social Security.

We have a major problem in this country, and it needs to be addressed. It starts with the debate on the debt limit and then hopefully on the 2012 budget. I am glad to see the President finally having a proposal out there and engaging in this debate. Unfortunately, his vision is the wrong vision for the future of this country. But it is high time the American people saw us have this debate, take these issues on, and let’s hope we can come together behind a proposal that will reduce spending, reduce debt, and put us more on a fiscal footing that is good for future generations and that gets this economy going and creates jobs.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LAUTENBERG. Mr. President, we are going to be voting sometime today. I am concerned about the tea party Republican assault on the health of American women because that is what we are going to be deciding. The focus on this has little to do with deficit reduction because better health automatically saves money. This assault is an attempt to change individual behavior to a standard that the tea party people see as proper for others exercising their own free will. It contains an element of unfathomable hypocrisy for those voting to kill Planned Parenthood.

As Members of Congress, we all have immediate access to first-class health plans. We never have to think about health coverage for ourselves or our spouses or our children—it is all in the package. There is no decision to make between paying a medical bill or paying the rent; no decision to make between buying medicine and buying groceries; no decision to make between going into a hospital or going into bankruptcy. Yet the Republicans here are trying to take health care away from women, children, and families across America. They want to completely defund Planned Parenthood, an organization that has been serving women and families in America for more than 90 years.

Today Planned Parenthood operates more than 800 centers that serve 3 million women each and every year. For many women, Planned Parenthood is a critical source of medical care. To women who cannot afford coverage,

Planned Parenthood says don't worry, your health is more important.

They do not just offer counseling on family planning, they also offer lifesaving breast exams and cervical cancer screenings. Look at this. Eighty centers nationwide serve 3 million patients each year, provide 800,000 breast cancer screenings, provide 1 million cervical cancer screenings. That is so important. Cancer screenings save lives. Since the 1950s, cervical cancer screenings have cut mortality rates by more than 70 percent. Remember, treating cancer and other diseases early enough saves health care dollars in the long run.

But this is not just about sound fiscal policy or better accounting. No. No. They want to tell women, millions of them, if you cannot afford it, tough luck. Tough luck. This is about the tea party Republicans remaking America in their own image. Their real goal is to impose their radical ideology on American women.

They want to come into our homes, tell the women in our families how to live their lives. This issue is deeply personal to me. My wife and I have five daughters and eight granddaughters, and nothing is more important to me than their health, their well being, and their freedom to make choices that suit their needs.

If we kill funding for Planned Parenthood, millions of women will lose access to essential care. Those tea party Republicans claim that will help close our deficit of dollars. But it will leave us with a deficit of decency. It is not just women's health the tea party Republicans are after, it is also health care for middle-class families across America.

They want to stop the landmark health reform law dead in its tracks. This is the law that adds 32 million Americans on the rolls of the insured.

So here is what I say to colleagues on the other side: If you do not want ordinary people to have affordable coverage, then show some sincerity and throw in the coverage you have. Be honest. Vote no, and tell your constituents why you are doing this, and say you mean it when you say no, and I am giving up my coverage to prove it. I am talking to Senators on the side of taking away the funding, and talking to Members of the House of Representatives to say no and mean no.

The health reform law makes health care more affordable, more accessible, and more sustainable, and holds insurers more accountable. It makes medicine more affordable for seniors by closing the doughnut hole in the Medicare prescription drug benefit program.

The new law also allows young adults to stay on their parents' health plans until age 26, and it gives small businesses tax credits to help them provide their employees with medical coverage. Without this law, insurers could once

again restrict benefits, rescind coverage when people get sick, and refuse care to children with preexisting conditions. I do not think we want to return to the days when insurers could turn their back and turn away sick children.

Life for me was upfront and personal when it came to my family's health care needs. I grew up in a working-class family in Patterson, N.J. My father worked in the local silk mills, and he died of cancer at age 43, leaving my mother a widow at age 37. Our family struggled in bankruptcy as my father's life ebbed away. My mother owed doctors, hospitals, pharmacies, money we did not have. After my service in Europe in the Army, because there was a government program, I was able to get my education through the GI bill. I joined two friends and built a company so successful that it is hard to imagine. It employs 45,000 people today, operating in more than 20 countries. Three of us from poor families. For me the GI bill made the difference. It is government stepping in when it was needed, and has put 45,000 people across this world to work.

That is what government is about. It is there to be helpful. This is not just an accounting office. It is not just a fiscal policy problem. Because of my success in business, I never had to worry again about whether I could provide health care for my family. I never forgot what it was like to be without health care.

We need the health reform law, because no American should ever have to make sacrifices to afford health care. Americans are beginning to experience the benefits of this law. Why now would we want to put the progress on hold?

I agree, we have serious economic problems in our country. But we are not going to solve them by taking health care away from American women and families. Do not take away this critical assistance for people who cannot afford the care they need. If we have fiscal problems, if we have debt and deficit problems, there are ways to solve them. But one way is not to take health care away from people who need it. It is an injustice, and we should not permit it.

Mr. President, I ask unanimous consent that the time until 4 p.m. be equally divided between the two leaders or their designees, with the other provisions of the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama is recognized.

(The remarks of Mr. SHELBY pertaining to the introduction of S. 820 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to be recognized for the next 15 minutes so Senator VITTER and I can introduce a very important piece of legislation.

The PRESIDING OFFICER (Mr. SANDERS). Without objection, it is so ordered.

(The remarks of Ms. LANDRIEU and Mr. VITTER pertaining to the introduction of S. 861 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

Ms. LANDRIEU. I see other colleagues on the floor, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, shortly, we hopefully will be voting on a budget agreement for this fiscal year, and that will start the process of the debate on the next fiscal year. What we are about to do is more than pass a budget agreement; we are about to define a vision of America. We are about to make choices now and in the coming weeks that will reflect our values and our principles as a people and as a nation.

The real question before us, in my mind, is not simply about the numbers, it is about competing visions of America, whether we choose a vision of America where the air and water are clean, where food and prescription drugs are safe, where roads and bridges and transportation systems are modern, well maintained, and fuel prosperity for the future, an America that puts a premium on education and invests in jobs and the middle-class, an America where a mother who wakes up in the middle of the night with a sick child doesn't have to wonder if she can afford to take that child to the doctor or if her insurance will cover the costs, an America in which seniors have a reliable Medicare system they can count on, not just a voucher that doesn't even cover the cost of a plan in the private marketplace. That is an ugly vision of America we have seen before, and it is why we passed Medicare in the first place.

Let's be clear. This is not about the numbers. This is not just simply about the details of deficit reduction. This is about two competing views of this Nation, one in which we embrace the concept of community, each of us working together for the betterment of all of us—all of us sharing in the burden of balancing the budget and reducing the deficit.

The other is a tea party vision, in which no government is good government and the notion of an American community is a myth, and we are simply a nation of competing individuals, each of us working for what we can get on our own. Tea partiers see an America in which the burden of balancing the budget should be borne by senior citizens, students, and middle-class

families, while protecting subsidies to big oil companies and giving even more tax breaks to the wealthiest Americans.

We see an America of shared prosperity and shared responsibility that reduces the deficit and balances the budget, knowing that millionaires and billionaires can be just as patriotic and willing to pay their fair share as a soldier in Afghanistan whose family is living on an Army paycheck.

Our friends on the other side tell us tax cuts for millionaires and billionaires create jobs and benefit middle-class families. They told us, when we passed the Bush tax cuts a little over a decade ago, it would create millions of jobs for every American, and what happened? Jobs were eliminated or sent overseas, and the wage gap increased. This tax policy may benefit some, but it doesn't create jobs and it doesn't reduce our deficit.

For some reason, we seem to think the wealthiest Americans are clamoring for more tax cuts, but I find no basis in fact for that. I have spoken to many CEOs and leading corporate executives in my State and around the country, and never have I heard a word about how badly they need another tax cut. I believe the wealthiest Americans are as patriotic as any one of us and are willing to step up to the plate and pay their fair share if we simply ask them to support a rational tax reform program that emphasizes shared fiscal responsibility and shared prosperity.

In my view, tax cuts for millionaires are nothing more than a political sleight of hand, a smoke-and-mirrors vision of America, in which there is no shared responsibility, no sense of community but a misguided belief that only if the rich had more money, the elderly, the sick, the poor, the middle-class families struggling to make ends meet, the disabled child on Medicaid who needs round-the-clock care, we would somehow be better off.

We have been there before, and it hasn't worked. It is a smoke-and-mirror vision of America to believe that if there were no environmental protections, that polluters would protect our air and keep the water clean and safe because it is the right thing to do. Again, we have seen that vision of America, and it came in a poisonous cloud of smog that lingered over America's cities, which is why Richard Nixon, a Republican President, created the Environmental Protection Agency in the first place.

If we are serious about reducing the deficit, we at least should be looking, for example, at subsidies for big oil. The top five oil companies earned nearly \$1 trillion—\$1 trillion—over the last decade. Passing my bill to repeal oil subsidies would save taxpayers \$33 billion over the next 10 years. We can safely assume oil profits will be much greater in the decade to come with

higher oil prices, but let's assume that the top five oil companies only get another \$1 trillion in profits over the next decade. Taking back \$33 billion in government handouts would only shave about 3 percent of those profits. Let's not forget that much of these profits are in Federal waters and on Federal lands, so they are making these profits on America's own soil.

If we were serious about reducing the deficit, we would also be seriously looking, for example, at big oil subsidies and tax breaks. According to the data, the cost of exploration, development, and production of natural oil and gas in the United States averaged about \$33.76 per barrel of oil. Oil is trading at \$107 a barrel. That means big oil companies are enjoying a profit of over \$750 per barrel of oil they extract. Why in the world would they ever need subsidies from the U.S. taxpayer in such conditions?

No, handing out money and reducing regulatory burdens on big oil companies and on the wealthiest Americans is not about balancing the budget or reducing the deficit; it is about a vision of America that favors the rich and would rather dismantle Medicare, cut Social Security, cut Medicaid for seniors, and the poorest among us in nursing homes who have no other place to go, rather than to solve our long-term deficit problems.

I am deeply disturbed at what is being proposed as we move forward in the next debate of the next fiscal year and the so-called push for balancing the budget by shifting \$4 trillion from the promise of America to protect this Nation and to create prosperity for its people, to the wealthiest Americans in a tax cut that actually does absolutely nothing to solve the deficit problem. I am disturbed when I see those on the other side lining up to resist any compromise, any effort for a reasonable chance at a workable solution.

Before the President was even done speaking yesterday, the tea party and many Republicans had already made up their minds that there was nothing to talk about, no room for compromise; that there is no other view than their own.

When I first arrived in the other body, we may have had very clear and fundamental differences, but we understood we were there to govern. Now our Republican colleagues seem to have stopped governing in order to score political points and hope they can win an election. The extreme wing of the Republican Party is driving the legislative process and the Republican Party to the darkest reaches of the political spectrum, fundamentally threatening the very notion of democracy. They want what they want, and they want it all. They will accept nothing less than everything. But let's not forget it was Republican policies that got us here in the first place.

It wasn't long ago, not long after the last Republican government shutdown during another Democratic administration, when we had budget surpluses—surpluses—as far as the eye could see. The day Bill Clinton left office, he handed President Bush a \$236 billion surplus, with a projected surplus of \$5.6 trillion over the next 10 years. When the Bush administration left office and President Obama was sworn in after 8 years of Republican economic policies that they are espousing, again, including tax cuts to the wealthiest, two wars waged unpaid for, turning a blind eye to the excesses of Wall Street—the new President faced an economy that was at the abyss of a new depression. The Republicans had turned a \$236 billion budget surplus into a \$1.3 trillion budget deficit and projected shortfalls of \$8 trillion over the next decade.

Now they want to give more tax cuts to millionaires and billionaires, losing \$700 billion on the revenue side over the next 10 years by extending the Bush tax cuts and trillions more by slashing tax rates for corporations and millionaires without offsetting tax expenditures. Those making more than \$1 million a year would see tax cuts of \$125,000 each from the tax cuts and tens of thousands of dollars more from the proposed tax cuts, while people in my State would lose \$34 billion in health benefits and 400,000 New Jerseyans end up without health coverage at all. They want to shift the balance to millionaires and billionaires while making Draconian cuts to make up for the deficits they create—cuts that do not reflect our values as a people and as a nation.

So let me conclude by saying we all agree we must do more to rein in spending and get back to the kind of surpluses Democrats created in the 1990s, but we can only get there through a reasonable framework that emphasizes shared prosperity and shared fiscal responsibility to achieve our common goal. The way we get there is through negotiation and compromise, not from smoke and mirrors, not through trickle-down theories that have not worked, and strictly adhering to an ideological political agenda that fundamentally starts the clock all over again on the battles for basic American protections that were fought and won in the last century.

Let's not go back. Let's protect American values and keep America moving forward and working. As I have said, you show me your budget and I will show you your values.

The Republican vision of this Nation, as defined in H.R. 1, does not represent this Senator's values. It is not the fulfillment of the American promise, idea and ideal, and I do not believe it is who we are as a people and what we want our Nation to represent.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky is recognized.

Mr. PAUL. Mr. President, it is amazing to me to be lectured to and hear about how awful the tea party is from folks who have never been to a tea party to hear what the tea party represents. Come on down. Bring your Huey Long rhetoric that there will be a chicken in every pot and a windmill in every backyard. Bring it down to the tea party and let's have a discussion. Bring it out to the public.

We hear from those who want to lecture the tea party about cutting spending. Who among these folks has voted against an appropriations bill? We haven't even seen one this year. We didn't see a budget. We are spending \$2 trillion that we don't have, and they are here blaming it on the tea party.

Who is in charge here? It is not the tea party. Blame it on us. Give us an appropriations bill. Give us a budget. Do something constructive to fix the fiscal problems we have up here.

They say compromise is the ideal. They tell the tea party: You need to compromise. But do you know what the compromise is? They want to raise taxes. The debt commission wants to raise taxes. The President wants to raise taxes. That is what they are talking about.

Yesterday, the President said he is going to cut \$4 trillion. Well, try to read what is going on here. He said he was going to spend \$46 trillion a month ago in his budget. Before we even discuss his budget, he is going to cut \$4 trillion off the \$46 trillion he is going to spend. These are no cuts. We will spend more this year than we spent last year. Forget about all the numbers, all the baselines, and forget about 6, 60, 30, 78, or 0, which is what the CBO scored this yesterday—zero in cuts. Forget about it and ask your Representatives: Are we going to spend more this year than last? If we are, that is not a cut. Ask your Representatives, ask your Senators: Will the deficit be more this year than last year?

The deficit will be bigger this year. We threaten to shut down government over nothing because we are not cutting spending in any serious way. They want to blame it on the tea party because in their secret caucus meetings they have done a poll that says the tea party could be the villain. Call them "extreme," call them all "tea partiers," say the tea party has "taken over" the Republican Party.

Do you know what the tea party believes in? Good government. We believe in balancing the budget, in reducing spending. We have plans to fix Social Security. We introduced a plan yesterday. If the other side is serious about fixing entitlements, we have a plan. Come to us and work with us, but don't just come down here and call us names.

Before you send any more money to Washington, ask your representatives whether they are spending your money wisely. Mr. President, \$100 billion in

the budget last year is unaccounted for. We don't know where it was spent or we think it was improperly spent—\$100 billion. In our senatorial offices we get several million dollars. Some of us want to be frugal with that and send some back to the Treasury. We plan on sending several hundred thousand dollars back. We want to know where the money goes. We are still not certain. We have been asking for months.

Some people say that money is kept in some fund for 3 years and may go back. Other people told us that the leadership spends that money. We don't have a definitive answer for even trying to save a couple hundred thousand dollars of your money that we have control of.

The Pentagon spends a lot of money. Are they spending the money wisely? You don't know because we cannot audit them. Why? Because the Pentagon tells us that they are too big to audit. You heard about the companies saying they are too big to fail. The government now tells you they are too big to be audited. We got a partial audit of the Federal Reserve, and we got some information from that.

We are now fighting the war against Qadhafi. Last month, we were giving him money. We gave him some foreign aid, and we helped to bail out his national bank. The national banks in those countries are the leaders' piggy bank. Half of it is probably spirited off to secret accounts in Switzerland. The U.S. taxpayer bailed out Qadhafi's bank, and now we are bombing it.

The budget bill that we are talking about has now been scored by the CBO and will cut almost nothing—maybe a couple hundred million dollars. It will increase defense spending by \$8 billion and cut spending by \$8 billion. The net is about zero. Our deficit this year will be bigger than last year. Our overall spending will be bigger this year than last year.

We are not yet serious in Washington. We have not yet recognized the severity, the enormity, and the significance of how big this deficit is. This deficit is going to have serious repercussions. The Chinese have bought over \$1 trillion of our debt, and the Japanese, nearly a trillion.

The Japanese have suffered an enormous national disaster. The question is, Will they continue to buy our debt or can they?

The other question is, How long can a government continue to exist that spends more than it brings in? On the other side, they want to blame the tea party or the Republicans or the rich people. Do you know what. Both parties are responsible—Republicans, Democrats, Senators, Congressmen, the President—everybody up here is responsible. It is not one party or the other.

When Republicans were in charge, they ran up the deficit. Now the Demo-

crats are in charge, and the main difference is that they are doing it faster. The Republicans weren't doing a good job either during our time in power.

We have to understand that the people can do things; not everything has to be done up here. The States can do things. We have to believe once again in the American dream. Believing in the American dream is not standing on the floor and castigating rich people. What is great about our country is that any among us—any of our kids—can become rich people if they work hard, go to school, and achieve. We live in a mobile society, and that is what the American dream is about. We got away from Europe because all the land was owned and stifled by the nobility. We came here where there was plenty of land and opportunity, and the American dream is believing in that.

The interesting thing is, when they try to soak the rich—this old Huey Long stuff—it is actually failing with the American people because many of us believe that our kids could gain great wealth or great success. We still believe in the American dream. If they want to castigate that and say forget about it and say what we need is just more government, they need to explain to people why they don't believe in capitalism, in the American dream, and why they don't believe in the greatness of America.

I still believe in America. I want to get government out of the way. I think we cannot have an America that succeeds until we are able to do something about our debt crisis. I fear that no one up here—or very few here—on either side recognizes the severity and imminence of this problem. My hope is that before a crisis occurs in our country we will begin to seriously discuss balancing our budget and have plans to do so and seriously cut spending.

The PRESIDING OFFICER. The Senator from Louisiana is recognized.

Ms. LANDRIEU. Mr. President, I understand there are other colleagues on the Senate floor. I want to speak for a few minutes as chair of the Homeland Security Appropriations Committee and express my views about the vote we are going to cast in a few hours relative to that committee.

To Senator PAUL, I say respectfully—and it is going to be a lively debate—that to a hungry family, a chicken in the pot looks pretty good every now and then, and there are literally millions of children, sadly, in this country today who go home from school and open the refrigerator or look on the stove, and they can't find a drumstick anywhere. That is what this debate is about.

No. 2, I used to love to hear President Clinton say that one of our jobs here was to create more millionaires. I belong to the DLC, and I am proud of it—the Democratic Leadership Council. We believe in creating opportunity that

comes along with responsibility and creating paths forward to prosperity.

Most people I represent—including tea party people—don't believe companies such as GE—one of the biggest companies in the world—should get away with paying no taxes. I guess the Senator from Kentucky thinks that is a good idea. We don't.

I also think most people I represent—including the tea party—think people who make over \$1 million a year—not millionaires or people who make \$250,000 a year, but people who make over \$1 million a year—could pay a little more so that we could afford either early childhood education or early health care in an effective and efficient way because people know—tea party people and others—what a smart investment that is. This is going to be a very interesting debate. I look forward to it.

I rise as chairman of the Homeland Security Appropriations Subcommittee to discuss the full-year continuing resolution that the Senate will take up today. For weeks, the press swirled about a possible government shutdown. Almost all of the attention was on who would be blamed if the government shut down. That has been averted for the time being.

However, far too little attention has been focused on the consequences of the funding cuts that were proposed by the House. With some officials in Washington slashing budgets, terrorists continue to seek ways to do harm to this Nation. Terrorists do not care about "spending top lines" and "CHIMPS." What the terrorists care about is finding our vulnerabilities and exploiting them to do harm to Americans, to target our military, and to damage our economy.

In the State of the Union earlier this year, the President stated that al-Qaida and its affiliates continue to plan attacks against us. He is stating the truth. He stressed that extremists are trying to inspire acts of violence by those already within our borders. According to the Attorney General, in the last 2 years, 126 individuals have been indicted for terrorist-related activities, including 50 United States citizens. Homeland Security Secretary Napolitano has said that the threat of a terrorist attack is as high as it has been since 9/11.

Recent events have served to highlight the complicated dynamics of this situation. The Fort Hood shooting happened, at the hands of a U.S. citizen. The New York City subway bombing attempt happened, at the hands of a legal resident alien. The Times Square bombing attempt happened, precipitated by a naturalized citizen. But we also continue to face threats from abroad. The 2009 Christmas day bombing attempt and the October 2010 air cargo bombing attempt happened. We face increasingly sophisticated daily

cyber attacks from countries and hackers that desire to do us harm. Violence in Mexico is at unprecedented levels and there are concerns that the violence will spread across the border.

In addition to these threats, the Department of Homeland Security also must prepare for and respond to natural disasters. The earthquake and tsunami in Japan and our memories of Hurricanes Katrina and Rita remind us of our need to be prepared for a catastrophic disaster.

The Homeland Security title of the full-year continuing resolution contains a 2-percent cut in funding. I am particularly concerned about the treatment of funding for FEMA disaster recovery efforts. We are currently facing a shortfall of at least \$1.2 billion this year and \$3 billion next year in the disaster relief fund. These shortfalls are the result of past catastrophic disasters such as Hurricanes Katrina, Rita, Gustav, and Ike, the Midwest floods of 2008, and the Tennessee floods of 2010. At the insistence of the House, an additional \$1 billion was provided on a non-emergency basis to meet the fiscal year 2011 shortfall. As a result of having to absorb the additional \$1 billion within the DHS base budget, we were forced to cut necessary investments in our security, cuts of over 4 percent.

It makes no sense to cut programs that prepare, prevent, and help us respond to future disasters to pay the costs of past catastrophic disasters. Yet when you compare the full-year continuing resolution to the Omnibus bill that we tried to bring to the floor in December, we lost funding for 175 canine teams for explosives detection. Despite the increasing threat of home-grown terrorism, we lost \$810 million to equip and train first responders. We lost funding for 1,300 handheld radiation detectors and funding for five Coast Guard boats and for 140 foot ice-breakers. We lost funding for urban search and rescue teams and funds to deploy the latest technology for blocking cyber attacks on sensitive Federal computer systems.

In the past, on a bipartisan basis, we have funded the costs of catastrophic disasters as an emergency. In fact, \$110 billion out of \$128 billion appropriated for the FEMA disaster relief fund has been appropriated as an emergency. We simply cannot responsibly secure the homeland and prepare for future disasters if we are forced to absorb the costs of past catastrophic disasters.

Mr. President, I am pleased to say that we were successful in negotiations with the House in eliminating some of the most harmful cuts contained in H.R. 1. The bill no longer contains what I considered irresponsible cuts for the Coast Guard, for Customs and Border Protection, for immigration enforcement efforts, for the Transportation Security Administration, and for cyber security. But, the bill that

will be put before the Senate today does not provide resources that are commensurate with the threat that we face. I believe this view is shared by a large majority of independent observers. I will vote for this bill but urge caution as we proceed to fiscal year 2012.

I remind my colleagues that it is essential that we make decisions on how to secure the homeland with the latest information on the threats that we face, not based on arbitrary spending top lines that were produced during the campaign. As we look ahead to drafting the Homeland Security appropriations bill for the fiscal year that begins in October, it is time to get off the campaign trail and work together on a path forward for a more secure homeland.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, we have a vote today on a measure to continue spending for the Federal Government for the next couple months. It amounts to nearly \$40 billion in cuts. That is a good start. I think most Americans would agree with that. But it is only a start. We should now work together across party lines to bring down our long-term debt in a responsible way that protects middle-income families and, of course, as well the most vulnerable in society.

We do have substantial cuts in this bill today. In fact, there are record cuts for what we know as discretionary funding.

At the same time, though, we have to get down to the more difficult business of reducing deficit and debt and that work is ahead of us. As we do that, we have to make sure we are protecting middle-income families and those who are vulnerable.

This is a good start, but we should remember what families are going through right now, families all across the country, where one member of that family—sometimes more—has lost their job. In Pennsylvania, for example, we have over 500,000 people out of work. Fortunately, that number has come down since last summer. Last summer, it was approaching 600,000; now it is about 511,000. But we need to bring that number down.

As families are making decisions, they have to make some difficult choices, especially those who lost a job, a home or sometimes both but even families who are not living through the horrific crisis of unemployment and joblessness, even families where one or two members of that family are working. Those families, as well, have to make difficult choices. That is the way we should approach this, as a family or at least to do our best to imitate what families have to do every day of the week and to make those difficult choices.

We are facing a deficit and debt set of facts and a challenge we have never

faced in the Nation's history, and we have to be responsive to that. I spent a decade in State government in Pennsylvania as the auditor general of the State and, in the last 2 years in that decade, as treasurer. I know a lot about cutting waste, fraud, and abuse, how to identify it, how to cut it out, and how to make change. That is why I was so heartened by what I saw in a GAO report last month.

On March 1, the GAO released a report entitled "Opportunities to Reduce Potential Duplication in Government Programs, Save Tax Dollars, and Enhance Revenue." It should serve as one measure, but it should serve as a how-to guide to reducing waste, fraud, and abuse in government. It is all there.

Here are some of the highlights. The report identified numerous areas of the Federal budget where unnecessary duplication, overlap or fragmentation exist. By some estimates, addressing these redundancies could save more than \$100 billion and potentially as much as \$200 billion. It is not going to reduce the deficit by as much as we need to reduce it, but that, as well, is a very good start, a good place to look. We need to take a hard look at reports such as that and take action.

I voted to support an amendment last week that would require the Office of Management and Budget to immediately cut at least \$5 billion in wasteful and duplicative spending in government programs. I was happy to see that pass the Senate. This is another step, a first step, and a good start, in addition to what we are doing today by cutting almost \$40 billion. But we have to cut spending in a way that is smart. We have to cut spending in a way that is smart enough to realize that those decisions have to contribute to economic growth to keep the economy in a State such as Pennsylvania and a country such as America growing. We have to continue to grow as we cut, and we have to continue to create jobs as we cut. We cannot do one and not the other.

The Federal budget should also reflect not just our national priorities but our values as well. This holds true in the budget we are about to debate, the 2012 budget. Unfortunately, what Republican Members in the House have proposed for the upcoming fiscal year puts the entire burden of reducing the deficit on older citizens, students, and middle-income families. That does not sound like a family to me. That does not sound like working together, coming together on a plan, everyone trying to sacrifice, everyone trying to pitch in. It sounds as if we are placing the burden on members of the family who should not bear the whole burden.

The Republican plan would end Medicare as we know it. It is as simple as that. It would end Medicare as we know it. In Pennsylvania, that means 2.2 million people who are Medicare

beneficiaries would be directly and adversely impacted. These are not just numbers and statistics. It happens to be 2.2 million people. But who are they? They are people who fought our wars. They are people who worked in our factories. They are people who built this economy over many generations. They are people who took care of our children, taught our children, cared for our children. These are people who gave all of us life and love, and we are going to come in with a Medicare scheme to just put the burden on them and say we have done deficit reduction? I do not think that is what a family does, and I do not think that is what America has done or will ever do.

We worked hard to reduce out-of-pocket costs for beneficiaries under the affordable care act. The Republican House plan will double—double—out-of-pocket expenses, according to the Congressional Budget Office. The Republican plan does nothing to reduce health costs or reform the health care delivery system. It does nothing at all to do that. What it does is shift costs to older citizens and people with disabilities.

The GOP plan in the House targets health care spending. Here is what it does: It cuts over \$770 billion out of Medicaid by converting it to a block grant program. What does that mean? It means that those who are supposed to be able to rely on the good services provided in Medicaid have to shoulder the burden. Medicaid provides health care to the most vulnerable people in our society. Older citizens living in nursing homes, in many instances, millions of them rely on Medicaid, not always just Medicare. Children, tens of millions—I think the number right now is about 27 million to be exact—27 million people rely on Medicaid and people with disabilities.

As we look to reform our budget and to reduce the deficit and debt as we must, we should not take steps that will harm children by some of the proposals we see for Medicaid.

About one-third of rural children in America are beneficiaries of Medicaid or the Children's Health Insurance Program. We should remember that when we are thinking about what Medicaid is.

By every measure, Medicaid is both cost-effective and an essential lifeline for our children. Many people know about the early periodic screening, diagnosis, and treatment provisions within Medicaid. It is the gold standard for how poor children get their health care.

Thank goodness, we have had that in place all these decades. But we have people now who want to eliminate that basic gold standard in health care.

We have a long way to go. We have a lot of work to do. We have much work to do on the deficit and debt, and we have to get to that. We still have to re-

duce spending. We did reduce it by a record amount in the bill we are voting on today. But as we do this, just as families have to come together and share burdens and cut costs, we have to remember our approach should be similar to any American family. Unfortunately, there are some people around here who do not seem to understand that, that we need to approach this as a family approaches it and not place all the burden on the vulnerable—on children, older citizens, and those who sometimes do not have a voice in Washington.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, in a few minutes, we are going to be voting on the continuing resolution which our House colleagues are voting on literally as we speak. I wish to address that briefly, but I must comment on one of the things my colleague from Pennsylvania said.

He is critical of the Ryan budget but does not appear to have read the Ryan budget because I know he would not deliberately mischaracterize it. He is wrong in several respects, and I will cite one example. He said the Ryan budget will end Medicare as we know it and that millions of seniors will be directly affected. That is simply not true, unless we count someone as a senior who is 53 or 54 years old. The Ryan budget does not affect anyone above the age of 54 with respect to Medicare. It says, if you have Medicare and you are 55 or older, nothing changes for you. All we do is provide premium support for those age 54 and below.

It is simply incorrect to say millions of seniors would be directly affected by the Ryan budget with respect to their Medicare coverage.

Let me go back to the point of our discussion right now. As I said, we will be voting very soon on the continuing resolution. This is the final continuing resolution, we can finally say, for the fiscal year 2011, that funds the government for the rest of this fiscal year. It does mark the end of a long and hard-fought process. I am pleased we have been able to cut billions of dollars from the Federal Government and avoid a government shutdown.

It is true \$38 billion in spending cuts represents a tiny fraction of the Federal budget, and it is less than many of us would have liked. But those who have been critical of the deal, saying it does not go far enough, should keep three points in mind.

First of all, our fiscal problems were not created in a day and will not be solved in one budget. It is a good start. It is like the weight I put on. It took me a long time to add the 10 or 12 extra pounds, and I am not going to get them off overnight. It will take me time to get them off.

The budget agreement begins a process that is critical to beginning the reduction of our deficit. The agreement will enact the largest nondefense spending cut in dollar terms in American history, just months after President Obama asked Congress for a spending freeze that would have provided no cuts whatsoever.

The Wall Street Journal points out:

Domestic discretionary spending grew by 6 percent in 2008, 11 percent in 2009, and 14 percent in 2010, but this year will fall by 4 percent. That's no small reversal.

I believe they are correct.

Second, no one got everything they wanted. Some wanted more in cuts, some wanted less. I would have preferred we cut more, but this was the best deal we could get that could pass both Chambers of Congress and signed by the President.

Third, this debate has altered the conversation about spending, and that is a good thing. As columnist William McGurn wrote Wednesday, during the budget negotiations, Speaker BOEHNER helped change the national debate over spending "from 'stimulus' and 'investment' to 'how much spending we need to cut'—which is why [the President] press[ed] the reset button" in his speech this week on spending and debt. I think Mr. McGurn is correct. We have changed the fight from how much money we are going to spend on stimulus to how much we are going to cut from this and future budgets.

Once the final 2011 budget passes, and we move on to the much larger discussion about the 2012 budget, we will be talking not about saving billions but about saving trillions of dollars. The problem, as we all know, is a \$14 trillion debt, with a large amount of that owned by China and by other foreign countries. It also represents over \$53 trillion in unfunded liabilities.

In May, our Nation is expected to hit its debt ceiling, and the President has asked us to increase that ceiling. Senate Republicans and House Republicans—and I believe many Democrats as well—have said that in order to raise the debt ceiling, we need to do something significant about the debt and about constraining future spending. The longer we wait, the worse the problems will get. They are exacerbated over time. And we are not going to raise the debt ceiling without ensuring we don't have to keep on doing it in the future.

Raising taxes, as the President proposed, will not be helpful in this process. It is disappointing the only specific proposal the President laid out in his speech yesterday was, in fact, this call for higher taxes. Speaker BOEHNER has said raising taxes is a nonstarter, and I imagine the vast majority of Senate Republicans will take that position as well. Most Americans do not believe that we are undertaxed but that Washington has a spending problem.

I will briefly go over a few of the better ideas our conference has been discussing, which I think could attract support from both sides of the aisle.

First is a balanced budget amendment, which all Senate Republicans have cosponsored. This should not serve as a means to raise taxes but as a mechanism to ensure the Federal Government has to live within its means each year, just as most American families do.

Second, I believe there is strong support in the Republican caucus for a constitutional spending limitation at 18 percent of the gross domestic product. Why 18 percent? Because that is roughly equal to the revenue as a percentage of gross domestic product over the last 40 years. An 18-percent spending limit would stop Washington from spending more than it takes in each year.

And third—and I am glad to see the Senator from Missouri in the Chair while I pass on this compliment—Senators Corker and McCaskill have sponsored the Commitment to American Prosperity Act, known as the CAP Act. I strongly support their legislation. It would cap both mandatory and discretionary spending and put all government spending on the table.

Beginning in 2013, the CAP Act would establish Federal spending limits that would, over 10 years, reduce spending to 20.6 percent of the gross domestic products. That is the average of the last 40 years. To reduce any gamesmanship, the bill codifies the definition for emergency spending.

I know some of my colleagues on this side of the aisle wish to see even more dramatic reductions as a part of the CAP Act. I will note the Corker-McCaskill proposal is responsible and mainstream and it could, hopefully, attract a good deal of support from both sides of the aisle.

Over in the House of Representatives, there are also some good ideas. Budget Committee Chairman PAUL RYAN has been a leader on fiscal issues, and that Chamber will soon consider his budget plan for the next fiscal year. Chairman RYAN believes this blueprint could reverse Washington's trend of spending beyond its means and passing the debt on to our children and grandchildren, and I believe he is on target. His budget reflects the kind of difficult and politically unpopular choices lawmakers will need to make in order to do something about our unsustainable spending and debt.

Perhaps that is why Democrat Erskine Bowles, head of the President's deficit commission, praised the Ryan budget as "a serious, honest and straightforward approach." Notably, Mr. Bowles and his cochairman Alan Simpson said the President's budget "doesn't go nearly far enough in addressing the Nation's fiscal challenges."

Chairman RYAN's budget would return Federal spending—specifically what is known as nondefense discretionary spending—to 2008 levels. That is the level before the massive spending unleashed by the Obama administration. The spending cuts proposed in Ryan's budget total \$5.8 trillion over 10 years.

In a recent article, John Taylor, an economics professor at Stanford, Gary Becker, a Nobel prize winner, and George Shultz, former Secretary of Labor, Treasury, and State, wrote:

Credible actions that reduce the rapid growth of Federal spending and debt will raise economic growth and lower the unemployment rate.

They also said:

Higher private investment, not more government purchases, is the surest way to increase prosperity.

Reducing government spending can increase economic productivity and jobs.

President Obama has sought to stimulate the economy and create jobs by spending trillions of government dollars. What has that gotten us? RECORD deficits, excess borrowing—about 40 cents of every dollar the government now spends will have to be borrowed—and it has gotten us stubbornly high unemployment.

Chairman RYAN's budget also calls for tax reform through sensible and growth-promoting policies. The budget contemplates a top tax rate of 25 percent for individuals and businesses. Currently, the tax rate on business is 35 percent, the highest of all of the countries in the developed world. That rate, by the way, discourages investment, it discourages job creation, and it makes America an expensive place in which to do business. In effect, it encourages business to move their operations overseas, something all of us are very concerned about.

What we need are solutions that emphasize the strength of American entrepreneurs and our private sector, not the government; to spur the economy and help put people back to work.

In the debate ahead, I hope we can engage in serious discussions about how to take on our fiscal problems in a responsible way—to bring down the cost of government, boost our economy and promote economic growth. That is what Americans are looking for, and it is what our country needs.

The PRESIDING OFFICER (Mrs. McCaskill). The Senator from Oregon.

Mr. WYDEN. Madam President, I rise to make a parliamentary inquiry.

The Senate will soon receive from the House legislation to fund the Federal Government for the rest of this year—H.R. 1473. Normally, spending bills such as this one go through the Appropriations Committee. Despite the fact that this spending bill the Senate will soon take up covers funding for the entire Federal Government, including all appropriations bills for the

year, it was never even considered by the House or Senate Appropriations Committees.

Snuck into this massive spending bill are legislative provisions that typically are not allowed by Senate rules to be included in the appropriations process. The Senate has a rule—rule XVI—that prohibits Senate legislative amendments to an appropriations bill. Despite this Senate rule, the spending bill the Senate will consider today includes provisions that are clearly legislative in nature. Specifically, I am referring to section 1858 of the spending bill which repeals free choice vouchers from the affordable care act that became law last year.

There should be no doubt that repealing a law or part of a law is legislating. In this case, section 1858 repeals part of the Internal Revenue Code. Amending the Internal Revenue Code is general legislation, not the appropriation of funds. In fact, the Congressional Budget Office has actually determined that free choice vouchers involve no appropriation of funds whatsoever.

Madam President, my parliamentary inquiry is whether repealing free choice vouchers in the spending bill the Senate will soon consider is legislating on an appropriations bill.

The PRESIDING OFFICER. The Chair is advised that repealing any law is legislative in nature, and repealing a law in an appropriations bill is legislating on an appropriations bill.

Mr. WYDEN. I thank the Chair for making this very clear; that repealing free choice vouchers—the opportunity to come up with a marketplace-oriented approach for people in a health care no man's land—in this spending bill is clearly legislating on an appropriations bill and that is not the way the Senate traditionally does business.

If this provision were brought up in the Senate, we now know it would be ruled out of order. It would be ruled out of order because in the Senate we simply do not legislate on appropriations bills. The Senate doesn't legislate on appropriations bills for a simple reason. Every Senator knows it would be open season for the special interest lobbyists all over this town.

The administration and this body took a stand earlier this year against earmarking—something the Chair is very much aware of—and I wish to quote from the President's State of the Union Address. The President said: The American people deserve to know that special interests aren't larding up legislation with pet projects. Both parties in Congress should know this: If a bill comes to my desk with earmarks inside it, I will veto it.

Madam President, I wish to have somebody explain the difference between letting a lobbyist slip an earmark into an appropriations bill and slipping legislative language into an appropriations bill that benefits a

whole array of special interest lobbyists. It sure seems to have the same effect to me.

I am not certain who proposed eliminating free choice vouchers in this appropriations deal. Maybe a lobbyist asked for it or maybe some staffer with special interest sympathies saw an opportunity to send the lobbyist what one lobbyist called today “an early Easter gift.” But either way, I know with 100 percent certainty this decision was not made with the public interest in mind. The American people are not the ones who benefit from eliminating free choice vouchers. The American people like the idea of being able to have choices for their health care—choices, I would point out, that are much like the ones we have as Members of Congress.

The fact is this is one provision in the Patient Protection and Affordable Care Act that combined the thinking of colleagues on both sides of the aisle—Democrats who wanted to expand coverage and Republicans who have an interest in choice and competition. This was the one provision that provided a concrete path to holding down health care costs, and it has now been gutted by the special interests.

Some special interests are arguing that free choice vouchers would in some way harm employer-based health coverage. What we know for certain is that for the group of people who could access a free choice voucher, the employer-based health system is dysfunctional. It is dysfunctional for them. The group of people who are covered by free choice vouchers—folks who aren't eligible for the exchanges and folks who aren't eligible for subsidies—now have only two choices: coverage that is completely unavailable or coverage that is completely unaffordable.

The chairman of the Senate Finance Committee, at the time free choice vouchers was accepted, specifically talked about how this filled a gap in the bill. And now, with it gone, more than 300,000 Americans aren't going to have a path to affordable, good quality coverage. Free choice vouchers were needed at the time we worked on the affordable care act and they are even more necessary today.

For example, the Kaiser Family Foundation, in their most recent analysis, has demonstrated how consistently, again and again, more health care costs are being shifted onto the backs of American workers. In their most recent analysis, they found that employee health expenses in the last year have gone up 14 percent, and the employee was eating almost all of that. Almost all of it was being shifted onto the backs of the workers.

This was important today—it was important when we moved originally to enact the legislation. It is even more important today. The fact is, these individuals are only looking for another

path because the system does not work for them. If it worked for them, we would not even have an issue. But as the chairman of the Senate Finance Committee pointed out, this is a gap in the system, a gap that, had we been able to sustain free choice vouchers and stop the lobbyists from stripping them out, we would have had a way to ensure that hundreds and hundreds of thousands of hard-working Americans—these are folks who work at jobs—would still be able to go to sleep at night knowing they had decent, good-quality, affordable coverage for themselves and their families.

The Senate does not legislate on appropriations bills because, as the President said so appropriately, we should be working to rebuild people's faith in the institution of government. We do not slip legislative language into these kinds of bills that benefits a few special interest groups at the expense of hundreds of thousands of Americans. This is not the way we do business.

Throughout 2009, I promised my constituents that I would not support health care reforms unless they were real reforms. This legislation lets special interest groups take real reform out of the health care law. It seems to me that, all over this town, the special interest groups are looking at the bill and they are saying now it is going to be possible, if we can just find, behind closed doors, some allies to take away real cost containment, real opportunities for good-quality, affordable coverage for people. This legislation takes real reform out of the health care law. Because I keep my promises, I will not support it.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Madam President, the last 2 weeks have been very good weeks for this country and this Congress. We are passing a continuing resolution and funding the Government and not letting the government close makes a great deal of sense. I think that was very much to the better. Even more important, we now will have a significant debate, over the next few months, about what this country should be like over the next several decades. That is very important for our country. It is what we should be doing. I salute Congressman RYAN for laying out on the table a vision and Speaker BOEHNER for supporting it.

I disagree with that vision, but they did have the forthrightness and the directness to put their views on the floor. It is a different vision than what America is today.

I also salute President Obama. He joined the issue yesterday, clearly, without obfuscation, directly, and showed the many places where he differed with Congressman RYAN. He laid out a different vision as to where America should go. In a minute, I will discuss my views of those visions, but I wish to say this at the outset: It is very good to have this debate. I hope this will be a month or two in which there will be invective and there will be clashes, but I hope, at the end of the day, the debate between the Republican vision of where America should go and the Democratic vision—between Congressman RYAN and President Obama—will be one of those times when historians will look back and say this is a place where America, through its Congress and its President, chose a direction. That is, after all, why we are here.

We have many different issues to consider, but the role of government, what it should do and what it should not, is probably the most important for the next several decades. The fact that the issue has been joined by Congressman RYAN on the one hand and President Obama on the other can only be good for America. What we will do is come to a conclusion, hopefully, in the next month or two. Let me give my views of those two visions.

Yesterday, President Obama delivered a thoughtful, inspired speech about the need to rein in our out-of-control deficit. He called for a comprehensive approach, including cuts to defense and mandatory spending, and he rightfully put revenue on the table. His is a serious plan, one that would reduce the deficit by \$4 trillion over the next 12 years. As only a President can do, he powerfully framed the debate that will likely continue to rage, certainly for the next several months and probably over the next year and a half—long after we resolve the debt ceiling. This is a debate the American people want to have. It is a debate Democrats are ready and eager to engage in. It is a debate we believe we will win. We have the high ground.

The House Republican plan puts the middle class last instead of first. It will never ever pass the Senate, and we know the American people will reject it as well. The debate we just concluded, the debate about the CR, was about spending levels. The debate ahead of us is about more than spending levels, it is about the role of government itself.

House Republicans are not trying to balance the budget—no. They are trying to fundamentally alter Americans' relationship with their government. They believe the message of the last election was that Americans wanted a dramatic change, a great limitation in how much the Government should do. It is our view, as Democrats, that the American people gave us two messages.

First, deal with the deficit. There is too much spending. I say, as a party, we ignore that message at our peril, but we have not ignored that message, neither in the CR nor in the President's proposals.

The American people sent a second message as loudly and as strongly as the first; that is, grow the economy, help the middle class continue to have better lives, as they have over the last five decades, make sure there are meaningful jobs in America. I believe a budget that reflects the American people's view has to do both these things: reduce the deficit but keep that American dream brightly burning, the American dream that the American middle class holds, which says the odds are quite good that we will be doing better 10 years from today than we are doing now and the odds are better still that our children will do better than we. That is what we believe American people told us to do.

We believe the budget revealed by Congressman RYAN and supported by Republicans is not what the American people want. It is a negative, pessimistic message. It is a message that says the great days of America are over and we do not believe it is what the people want. As we go through this debate, we shall see how that comes out. I believe we will prevail.

The Republican budget unveiled last week by Chairman RYAN is, on closer inspection, not a serious document. The pundits and political handicappers may have hailed it as a bold, daring approach to the fiscal challenges facing our country, but a closer examination reveals that Ryan's budget hews exactly to his parties' orthodoxy. It does not gore a single Republican ox. The House Republican budget puts the entire burden of reducing the deficit on seniors, students, and middle-class families. At the same time, it protects corporate welfare for oil companies, gives giant new tax breaks to millionaires and billionaires, and leaves Pentagon spending almost completely untouched.

Consider what PAUL RYAN wants to do to Medicare. His plan ends Medicare as we know it and replaces it with a private voucher system that will cut benefits. Seniors would be left to fend for themselves with no guarantee of affordable coverage. They would have to pay thousands of dollars more out of their pockets.

As this chart shows, under the current Medicare system, the average senior on Medicare in 2022 will contribute about 25 percent of the cost of their health care. But under the Ryan plan, seniors would have to pay 68 percent of the cost of coverage themselves according to the nonpartisan Congressional Budget Office.

That is an outrageous burden. Simply put, it would drive many seniors into poverty. This generation of sen-

iors, the first generation who was able to say they could retire and not go to bed every night sweating about how they were going to pay for health care if they or their spouse got an illness, would be the last generation to do so under PAUL RYAN's vision.

In America, we have said we have bounty. And some of that bounty should go to those in their golden years, to those who worked hard and who built the country and who raised the families and fought the wars. They should not have to worry that they could not afford health care if, God forbid, a serious illness afflicted them. The Ryan budget turns its back on that vision.

Republicans have been patting themselves on the back recently for tackling entitlement reform, but their approach is nothing more than a rigid, ideological quest to unravel the social safety net.

Medicare certainly has cost issues, but a better way to protect and preserve Medicare for future generations is to cut out the waste and inefficiency that everyone knows exists, not to privatize the program. Our plan is simple when it comes to Medicare: Mend it, do not end it. In the health care reform law, we made a good downpayment on this effort. We began to shift Medicare in the larger health care system from an expensive, fee-for-service model toward a system that pays providers for episodes of care. The truth is, when it comes to reining in the cost of Medicare, the President did it first, and he did it better. We Democrats are willing to build off that law. We can make further reforms to the delivery system. It needs further reforms. And we will further drive down the costs. The Ryan budget reverses progress we have already made and in doing so reopens the doughnut hole, further burdening seniors' budgets.

It is bad enough that the Ryan budget ends Medicare as we know it and increases costs for seniors, but just as egregious is what RYAN proposes to do with all the money he takes from seniors on Medicare. As this second chart shows and as the President said yesterday, House Republicans want to give millionaires a new tax cut of \$200,000. To pay for it, it would make 33 seniors each pay \$6,000 more for health care. What kind of vision is that? The Ryan budget uses Medicare cuts to reduce the tax rate on millionaires and billionaires to 25 percent from 35 percent. That is the lowest level since 1931 when Herbert Hoover was President. The Ryan budget reduces taxes on the rich to the lowest level since 1931, the Hoover era, the era of the Great Depression.

I have nothing against the rich. God bless them. Many of them are living the American dream. They are what many of us aspire to be. But in order to keep that dream alive and get our

country on firmer fiscal footing, we need a little shared sacrifice. Democrats want to work with Republicans to get our fiscal house in order, but we believe the best way to do it is to end the millionaires' tax break, not cut Medicare benefits.

Let me be clear. A grand bargain on long-term deficit reduction is next to impossible unless we look at raising revenue. Unfortunately, Republican leaders are already trying to rule out revenue. If the other side refuses to even consider savings in the Tax Code, they will lose credibility with the American people. We simply cannot balance the budget by focusing solely on domestic discretionary spending, a narrow 12 percent slice of the budget. Cancer research and Head Start did not create our current deficit problem, and we will not fix it by going after cancer research and Head Start.

Thankfully, many rank-and-file Republicans seem to agree with the need to put revenue on the table. The Senator from Oklahoma, a true fiscal conservative, said a blanket defense of all tax cuts is profoundly misguided. My Republican friend from Nebraska said Republicans need to keep an open mind and keep everything on the table, including revenue. My Republican friend from Georgia had said that revenue, along with entitlement cuts, should be part of the budget compromise. My friend from Tennessee, with whom I work closely on the Rules Committee, said that tax subsidies for big oil "may be too expensive." As you can see, many of my colleagues are prepared to tackle this challenge with, to use the phrase of the Republican Senator from Nebraska, "an open mind."

The bottom line is that any budget that leaves defense and revenue off the table is ultimately untenable. Indeed, a dollar cut from defense spending reduces the deficit just as much as a dollar cut from domestic discretionary spending. While there is certainly waste on the domestic discretionary side of the budget, there is also certainly waste on the defense side.

While we are certainly open to compromise, Democrats will not tolerate the House Republican budget assault on Medicare. It is not fair, it is not right, and it will never, never pass the Senate.

I am hopeful that both parties in both Chambers of Congress will come together to reach a reasonable, responsible deficit deal, but in order to do that, Republican leaders need to take off their ideological straitjackets. They can start by going to the drafting room and coming up with a fairer, more broad-based proposal than the Ryan budget.

In conclusion, Speaker BOEHNER needed Democrats to pass this year's budget, and he will need Democrats to pass a long-term deficit reduction plan as well. The sooner he abandons the tea

party, the sooner we can have a compromise.

We hope the coming debate will yield a sound, serious deal. That is our hope. That is our wish. That is what the next few months are about. If it doesn't, we Democrats will have to take this contrast of priorities into 2012. We know that in that battle, too, we will have the high ground.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I see my distinguished colleagues, the senior Senator from Hawaii and the senior Senator from Mississippi, the leaders of our Appropriations Committee, on the floor. I just ask if I may be able to continue for 2 or 3 minutes.

Mr. INOUE. Please.

Mr. LEAHY. Madam President, I appreciate the extremely hard work the majority leader—and I have told him this—and the President—I have told him that—and our distinguished chairman—I have told him that—the work they have done to get the best possible deal under extremely difficult circumstances.

I now understand that with the final resolution, I will not be able to vote for it, as I assume others in the Vermont delegation will not. I am afraid that it creates an impossible bargain. It averts a government shutdown at the expense of our overall national interests.

This year, Congress spent most of its time negotiating three rounds of deeper and deeper cuts in the current year's budget, an exercise in oftentimes misguided wheel-spinning which ignores the fact that discretionary spending is but a relative fraction of the overall budget while addressing some of the most pressing and urgent needs of ordinary Americans. Advocates paint this agreement in moral terms. I agree with them. Budgets are about our real priorities.

There is so much in this budget package that is inconsistent with basic Vermont and American values. Drastic cuts ending hunger programs for low-income women and children, elimination of Vermont's weatherization program, and cuts to economic development programs that grow jobs in my State of Vermont are not my idea of prudent sacrifices. There is no moral credit to Congress to cut vouchers for homeless Vermont veterans who served their country honorably, nor does Congress cover itself in glory by denying first-generation Vermonters help in going to college because of cuts to the TRIO Program. Is there moral good in eliminating housing counseling for low-income families facing foreclosure or slashing small stipends for seniors who are on Meals on Wheels? The estimates of these cuts in my little State range as high as \$150 million—a tremendous burden at a time when we face the worst time since the Great Depression.

The reason we are here, as a column pointed out very well in our national papers yesterday, is because even though we had an agreement to pass an omnibus bill last December, at the last minute, those on the other side of the aisle who had agreed on that reneged, and of course we were not able to get the 60 votes necessary in the Senate.

I had supported that omnibus budget bill even though there were enormous cuts in it. It would have enacted tens of billions of dollars in carefully drawn, reasonable reductions below the White House budget proposal. The distinguished Senator from Hawaii had worked very hard and encouraged us to make cut after cut after cut. We all agreed with him. I agreed with him. It was in the omnibus. And if that had passed, we would not be here. But because those who had agreed to support it changed their minds at the last minute, it killed the omnibus bill and it forced the Congress into a series of stopgap funding bills and now into a slapdash continuing resolution.

In addition to the cuts in the omnibus bill, I also supported reductions of billions more, and I voted for billions of dollars in cuts and short-term reductions in the continuing resolutions earlier this year.

Now, some who tout this round of cuts as the most important and as the largest cuts in discretionary spending in history are the same ones who pushed through hundreds of billions of dollars of tax cuts to companies that ship jobs overseas—American jobs overseas—greatly adding to the profits of our oil companies that are now charging us \$4 a gallon for gas and more; pushed through for multimillionaires, many of whom said they did not want the tax cuts—pushed it through nonetheless.

The correlation between those spending cuts and those unfunded tax cuts is direct. It is unflattering to the proponents of both initiatives.

Frankly, I am tired of being lectured on fiscal sanity from those who voted for an unnecessary war in Iraq, saying that is because of 9/11, even though, as we know from every single report that has come out, Iraq had absolutely nothing to do with 9/11. But we spent \$1 trillion, thousands of American lives, tens of thousands of other peoples lives in Iraq, and then, for the first time in the history of this country, instead of paying for a war, as we always have in the past, we say: Oh, no, we will borrow the money. And by the way, we will give you a tax cut too.

So who paid for that war in Iraq? The men and women who valiantly fought there and their families who waited, wondering if they would come back alive, broken, or dead, and often were given the worst and grimmest news. They are the only ones who sacrificed. Everybody else got a tax cut, and we borrowed the money from China and

everywhere else to pay for a war we should have never been in, and \$1 trillion later, 10 years later, we are still spending tens of billions of dollars there.

Some corporations—some others made a lot of money; we did not. And then we spend another 8 or 9 years that we should not have been in Afghanistan doing the same thing—borrowing the money for that.

It seems that our soldiers paid a great burden, and the American people paid a great burden. But boy, some made out like bandits. I don't want any lectures from those who gave the bandits their bag of gold.

I yield the floor.

FISCAL YEAR 2011 SAFER PROGRAM

Ms. LANDRIEU. Madam President, I want to highlight an important provision that is included in the Homeland Security division of this bill. It is related to the firefighter hiring program known as SAFER. In 2009 and 2010, Congress approved waivers for several restrictions of the SAFER grant program because in this economic downturn fire departments were struggling to meet those requirements. By adding this flexibility to the program, fire departments were able to make the best use of the funding provided in fiscal years 2009 and 2010. A provision in this bill maintains three of the same waivers for fiscal year 2011 and specifically allows for the grants to be used to retain and/or rehire personnel, to supplant local funds, and a local match is not required. While some might argue that it is a local responsibility to hire firefighters, it has been made clear disaster after disaster—and especially including catastrophic events such as the 9/11 attacks and Hurricane Katrina—that firefighters are the first people we call on from all over the Nation to serve in a national response. Of course, I supported the inclusion of all six waivers contained in the Inouye amendment. Through negotiations we were able to secure the provisions that allow for the retention and/or rehiring of firefighters, the waiver of a cost share, and the ability to supplant local funds.

Mr. INOUE. I thank my subcommittee chairman for highlighting this important provision. Ensuring that the SAFER grants are available to retain and/or rehire firefighters and waiving match requirements will provide communities the assistance they need in these tough times.

Mr. CASEY. Madam President, much attention has been given to how the Ryan plan ends Medicare as we know it by turning Medicare into a voucher program.

For example, on April 6, 2011, AARP wrote to Congressman RYAN:

Today's budget proposal appropriately acknowledges that health care costs must be

addressed if the federal budget is to be balanced. However, rather than recognizing that health care is an unavoidable necessity which must be made more affordable for all Americans, this proposal simply shifts these high costs onto Medicare beneficiaries, and shifts the even higher costs of increased uninsured care onto everyone else. By creating a "premium support" system for future Medicare beneficiaries, the proposal will increase costs for beneficiaries while removing Medicare's promise of secure health coverage—a guarantee that future seniors have contributed to through a lifetime of hard work.

The Center for Budget and Policy Priorities put out a statement on April 6, 2011 stating:

Many future Medicare beneficiaries with modest incomes, such as elderly widows who must live on \$15,000 or \$20,000 a year, also would likely be hit by the plan's Medicare provisions; the Medicare voucher (or defined contribution) they would receive would fall farther and farther behind health care costs—and purchase less and less coverage—with each passing year. Aggravating this problem, Ryan has said that his plan calls for repeal of a key measure of the health reform law that is designed to moderate Medicare costs—the Independent Payment Advisory Board. In other words, his plan would scrap mechanisms to slow growth in the costs of health care services that Medicare beneficiaries need, even as it cuts back the portion of those costs that Medicare would cover.

The Center for American Progress writes:

Medicare as we know it would end for new beneficiaries in 2022 under the House Republican budget proposal. It would be replaced with a government voucher that would be paid directly to private insurance companies. This system would double costs to seniors. The nonpartisan Congressional Budget Office, or CBO, concluded that "most elderly people would pay more for their health care than they would pay under the current Medicare system."

However, there has been less discussion of the other ways in which the Ryan plan would hurt current beneficiaries.

So I would like to give some specific examples how the changes Congressman RYAN proposed will impact current Medicare beneficiaries.

The Republican plan will force beneficiaries to pay for preventive services and eliminates the free annual wellness exam they can currently receive. Nearly all 44 million beneficiaries who have Medicare, including 2.2 million in Pennsylvania, can now receive free preventive services—such as mammograms and colonoscopies—as well as a free annual wellness visit with their doctor.

The Republican plan will eliminate the efforts that have begun to close the doughnut hole. If the Republican budget becomes law, costs for Medicare beneficiaries who fall into the doughnut hole will increase drastically. Over 266,000 Pennsylvanians will pay an additional \$149 million in 2012 and \$3 billion through 2020.

The Republican plan hurts beneficiaries today by repealing improve-

ments designed to save them money and provide needed services. It hurts beneficiaries even more beginning in 2022 when end Medicare as we know it and puts in place a voucher system to ration health care and increase costs for beneficiaries.

Mr. LEAHY. Madam President, last Friday night, in the absence of a budget deal, the Federal Government came within 1 hour of shutting its doors and all but emergency services. The obstacle to an agreement at that point was not a matter of spending levels or budget cuts. The obstacle was ideologically driven policy riders that some insisted on including in the budget bill. Thankfully, in the end, we prevailed in stripping out the abhorrent rider to bar funding for Planned Parenthood.

A small but vocal minority is adamant about eliminating one specific organization's health centers, which provide health care and family planning services for women nationwide. Planned Parenthood centers receive Federal funding from title X of the Public Health Service Act—the only Federal grant program dedicated to offering people comprehensive family planning and related preventive health services. President Nixon was instrumental in enacting this legislation, and it has been supported since then by lawmakers and Presidents of both parties. As many women can tell you, title X was a remarkable breakthrough in women's health care.

What a travesty it would have been to gut health services to women that literally have meant the difference between life or death, health or grave illness, to countless American women. Vermonters were outspoken in their opposition to this rollback for women's health, and I am proud of our State and grateful for our success in this round.

Tens of thousands of women in Vermont depend on title X of the Public Health Service Act for lifesaving preventive treatments and care. Around the country, there are many providers of title X services, but in Vermont, Planned Parenthood centers are the only clinics where many lower income women can go for family planning care. Planned Parenthood centers in Vermont offer women and teens annual health exams, cervical and breast cancer screenings, and HIV screenings and counseling. Last year in Vermont, Planned Parenthood provided critical primary and preventive services to nearly 21,000 patients.

In the last few weeks more than 6,000 Vermonters have contacted me about their support for the funds that make title X health services possible and for Planned Parenthood's long and commendable record of making title X's promise a reality for millions of American women in Vermont and across the Nation. I have heard from nurses and doctors in Vermont urging me to support funding for Planned Parenthood in

order to continue essential care these centers offer to their own patients and to women who would not receive primary health care were it not for Planned Parenthood.

Despite the misleading and blatantly false statements of some ideologically driven advocates, more than 90 percent of the care Planned Parenthood health centers offer is preventive. In fact, 6 of every 10 women who use Planned Parenthood for title X services describe it as their primary source of medical care. And despite what some opponents of women's health funding have proclaimed, absolutely no title X funding can be used for abortion services. The sad irony is that defunding title X and Planned Parenthood would result in more unintended pregnancies, and probably more abortions.

This drive to defund women's health services offered by a particular organization also raises constitutional concerns. Article I, section 9, paragraph 3 of our Constitution expressly forbids passage of any "bill of attainder." According to the late former Chief Justice of the United States, William Rehnquist, "A bill of attainder was a legislative act that singled out one or more persons and imposed punishment on them, without benefit of trial. Such actions were regarded as odious by the Framers of the Constitution because it was the traditional role of a court, judging an individual case, to impose punishment." Yet those promoting the anti-Planned Parenthood rider clearly intend to single out one organization by name to "punish" it, "punishing" as well the millions of women who Planned Parenthood serves.

Proponents of this rider have cited what they call "evidence" that Planned Parenthood has acted unlawfully. Other supporters of this virulent effort charge that the organization has been "accused" of a variety of things. These comments make clear that their legislative intent is to punish for these unverified accusations. Some in fact have gone so far as to accuse Planned Parenthood of violating the law that prohibits any Federal funds to be used to provide abortions.

There is no substantive reason to believe such accusations. If there is any violation of this or any Federal law, it is the role of the executive branch to prosecute and try the offenders. That is not the role of this body, though that is what some are advocating, through their injection of accusations and partisan politics into this debate.

The Framers' original intent was to prohibit bills that single out one entity for punishment because that is not Congress's role in the separation of powers they so carefully devised for our Republic.

Aside from the serious constitutional issues with the pending measure is one naked fact from which proponents of this legislative rider cannot hide:

Nothing in this pernicious rider would actually reduce spending. Their proposal would save not one penny. This is about "punishment," not fiscal responsibility.

Does this Congress care more about what looks good on a bumper sticker or what matters in the daily lives of real people? The arrogance and shortsighted attitude of a minority has put at risk the lives and health of millions of women. My wife Marcelle is a cancer survivor. We were lucky. We had good health care and a salary that allowed us to pay the bills when she got sick. Other people are not so lucky. Without the services that Planned Parenthood provides, thousands of low-income women in Vermont would lose their ability to have regular cancer screenings that could save their lives too. That we are even considering the elimination of these health services to America's women is shameful. That it was the sticking point that nearly forced the shutdown of the Federal Government is a disgrace.

Title X was a true breakthrough for the health of American women. Should we as a nation walk back from the remarkable progress we have made in women's health? Of course not. The mean-spirited and ideological attacks must end, and these ideological assaults on women's health care must end.

Mr. LEVIN. Madam President, there is no doubt that we must take action to reduce our budget deficit. The question is, How will we accomplish this? Will we do as we have done all too often over the last few years, and protect the tax cuts of the well-to-do at the expense of middle-class families? Or will we seek a balanced approach that seeks to spread the burden of deficit reduction so that the upper income folks who have so prospered the last few years also contribute to the solution?

There is no question in my mind that deficit reduction requires shared sacrifice. By that test, the legislation before us is highly problematic. True, it manages to avoid some of the most extreme budget cuts that House Republicans included in their original appropriations bill. The bill before us is surely reasonable in comparison with that extreme measure. But the test cannot be whether it is better than HR 1. We can and must do better.

What troubles me most is that this legislation seeks to address the problem in only one manner, targeting non-defense discretionary programs that make up a fraction of our budget. I remain convinced it is a mistake to attack the deficit only through cuts in domestic discretionary spending, and not also end the huge Bush tax cuts for upper incomes, and close tax loopholes and reduce tax expenditures that most budget experts believe must be part of any serious deficit reduction plan.

Simple math makes clear that those kinds of revenues must be a part of the solution.

The refusal to take a balanced approach in this legislation means that to reach its deficit reduction target, this bill makes cuts that are, in my mind, too large. It reduces funding for the COPS program and grants to state and local law enforcement agencies by more than one-quarter, making our communities less safe. It reduces energy efficiency funds by 18 percent, as though this issue wasn't crucial to our Nation's future security and prosperity. It cuts funding for the Centers for Disease Control and Prevention by 11 percent, as though the health of our citizens was not a priority.

This bill eliminates all funding for the HUD Housing Counseling Assistance Program, eliminates it entirely, ignoring the fact that communities across the nation are reeling from a foreclosure crisis.

This bill cuts by 20 percent funding for Army Corps of Engineers construction. That provides funding for the barrier that we hope will keep destructive Asian carp out of the Great Lakes, and believe me, that is false economy. The economic damage Asian carp can do if they establish themselves in the Lakes is incalculable. The bill also cuts more than one-quarter of funding for vital water infrastructure programs important not just in Michigan but around the state, and it makes a deeply misguided 37 percent cut in Great Lakes restoration initiative funding, a totally unjustifiable reduction of our commitment to lakes that are an engine of economic activity for all the states in the Great Lakes region.

There are some important programs that have escaped the worst cuts. I am pleased that students will still be able to receive a maximum Pell grant of \$5,500, and that the misguided proposal to reduce these grants has been defeated. I am pleased that this bill generally avoids misguided Republican attempts to deprive financial regulatory agencies of the resources they need to prevent the next financial collapse.

This bill rescinds highway funding that was provided at least 13 years ago, including funds from the ISTEA reauthorization bill. That should mean that the funding for the traverse city bypass, later reprogrammed to the grand vision, will not be included in that rescission since it is no longer part of the ISTEA bill. At the request of the community, the funds were reprogrammed in the Consolidated Appropriations Act of 2005 for an entirely different purpose than the original legislation and in an entirely different bill. Since that time the community has completed the comprehensive grand vision study and is now poised to implement its recommendations.

I am also glad that the bill contains a full year Department of Defense Appropriations Act, so that our troops

and their families will no longer have any doubt about when their next paycheck will arrive. And I am pleased that it does not include ideologically motivated policy riders that would interfere with women's health care and environmental protection.

But on balance, this bill lacks balance. It seeks solutions only in cutting domestic programs that make our Nation safer and more prosperous, that protect our environment, and that help the families that have suffered most during the financial crisis and recession, while protecting the tax cuts that benefit those at the very top.

Because of that lack of balance, that lack of fairness, I am unable to support this bill. But I am encouraged that, thanks to the leadership President Obama showed this week, and thanks to the voices of the many of us who are arguing for a balanced approach to deficit reduction, we are finally engaged in an open and honest debate over the vision we should follow for the future of our country.

In the weeks and months ahead, we will finally seek an answer to the question of whether we will all share in the sacrifices required, and whether the same people who have done so very well over the last decade or so will be asked to contribute. I agree with our President, who said this week:

At a time when the tax burden on the wealthy is at its lowest level in half a century, the most fortunate among us can afford to pay a little more. I don't need another tax cut. Warren Buffett doesn't need another tax cut. Not if we have to pay for it by making seniors pay more for Medicare. Or by cutting kids from Head Start. Or by taking away college scholarships that I wouldn't be here without. . . . And I believe that most wealthy Americans would agree with me. They want to give back to the country that's done so much for them. Washington just hasn't asked them to.

Let me add that I will vote against both of the correcting resolutions before us today. It is ironic indeed that Republicans claim to be fighting the deficit by blocking the implementation of the Patient Protection and Affordable Care Act, which according to the Congressional Budget Office will reduce the deficit by \$210 billion from 2012 to 2021. Likewise, the attempt to prohibit funding for Planned Parenthood has nothing to do with the deficit and everything to do with extreme ideology.

THE PRESIDING OFFICER. The Senator from Hawaii.

Mr. INOUE. Madam President, after 6½ months it appears the Congress may finally be able to finish the fiscal year 2011 appropriations process. Earlier today the House passed a Department of Defense Appropriations bill which includes an extension of the current continuing resolution through the end of the fiscal year. If the Senate passes this legislation and the President signs it, we will be able to close

the books on this issue and focus our attention on the budget for fiscal year 2012.

In reflecting upon how we got here, I wish to point out to my colleagues that the fundamental reason we find ourselves debating a continuing resolution today is because 1 year ago the Congress was unable to agree upon a budget resolution. The failure to reach a consensus agreement on the budget meant the Appropriations Committee was asked to resolve the differences in spending itself. After months of attempting to do so, the committee was unable to bridge the gap between the Republicans and Democrats.

When the committee finally adopted a funding level proposed by the Republicans, a hostile political environment crippled the committee's efforts to enact a bipartisan budget plan. As we go forward I would ask all of my colleagues to think carefully about this, and I urge everyone to cooperate both here in the Senate and with our colleagues in the House. If we can fashion a compromise budget agreement this year it might allow our committee to restore the bipartisan working relationship which has long been the hallmark of the committee for generations. I sincerely hope that will be the case.

In some respects today we can take that first step. The bill that we are considering reflects a bipartisan agreement reached among the leadership of the House and Senate and the White House with the details being worked out by the Committees on Appropriations. It is a very tough measure that cuts domestic spending more than I am comfortable with, but it is dramatically superior to the alternative passed by the House 2 months ago and equally superior to not passing an extension through the end of the year.

In total, the measure reduces government spending \$78.5 billion below the President's request. It is nearly \$40 billion below the enacted level for fiscal year 2010. Never before have we cut our appropriated funding so drastically. By far and away this is the largest 1-year cut from the President's budget request in the Nation's history. The bill cuts all categories of spending: defense, international, and domestic, discretionary and mandatory. While some of my colleagues will argue that the Department of Defense was "let off the hook," others will probably say the bill cuts more from defense than is prudent.

Including military construction, the Defense Department's budget is reduced \$20 billion below the President's request. In comparison to the fiscal year 2010 enacted funding, the department's budget is approximately \$2 billion below a freeze, with military construction down by more than \$6 billion and the rest of defense increasing by more than \$4 billion.

The priority in this defense bill is first and foremost to ensure that we treat our military personnel and their families fairly. This means a 1.4 percent pay raise. It means fully funding health care, but it also means ensuring that our forces have the proper equipment and the funding necessary to operate it. While funding is austere, the bill includes important enhancements such as buying more missiles for our Aegis missile defense ships, and more helicopters for search and rescue operations and medical evacuation in Afghanistan. It means investing in new technologies at a faster pace than requested, purchasing more drones to find and wipe out terrorists, and ensuring the safety of our soldiers and Marines by accelerating the purchases of safer Stryker vehicles and MRAPs.

Accomplishing this while at the same time reducing defense spending has been a challenge, but working with our colleagues in the House we have put together a plan which fulfills all of these objectives.

But this bill isn't just about defense. For the State Department and foreign assistance, we are providing \$8 billion less than was requested. This low level of funding was the most we could get our colleagues in the House to agree with, and it means many important programs will have to be reduced. We won't be able to make as much progress on fighting AIDS and hunger. We won't have as much funding as I would like to support our operations in Afghanistan and Iraq. But considering the budget situation we face, we will have to make do.

It is in the area of domestic spending in which the bill makes the most serious reductions, with the total included being approximately \$50 billion below the President's request. In achieving this rate of savings, this compromise measure sought out as many different ways to reduce spending as possible to allow us to preserve our critically important priorities. We were able to mitigate the damage by looking at areas where we could identify savings from mandatory spending and by rescinding lower priority funds. In total, domestic discretionary spending is cut by \$38.3 billion while mandatory spending comes down by \$17.7 billion.

Many, many programs had to be cut to reach these levels. In health care, in education, in housing, in infrastructure, but this bill is much better than the approach adopted by the House in HR 1. For example, we were able to fully fund Head Start—restoring the House Republican cut of \$1.4 billion which would have denied 218,000 children an opportunity to learn. We provided \$30.7 billion for NIH, \$1.4 billion more than the House Republicans. We provided \$2.1 billion more for food safety than the Republican plan.

In energy, housing, our National Parks, our transit programs, in every

area we forced the House to back away from their unwise cuts which would have devastated the progress we are making to restore the economy and protect our people. Crazy ideas like furloughing Social Security workers and shutting off food inspections were turned around. But there is more to this story. The House bill wasn't just about dangerous and drastic cuts; it was also an attempt to legislate terrible social policy on a must pass emergency spending bill.

Here too we turned them around. Nearly a dozen provisions to overturn health care reform were rejected. Eleven riders to gut the Environmental Protection Agency were rejected. Provisions to eliminate successful programs like needle exchanges, and the Corporation on Public Broadcasting were denied. Their attempts to rewrite gun laws and net neutrality were rejected.

It is true and regrettable that we had to accept limited provisions affecting the District of Columbia on abortion and school vouchers. We are not happy about that. Still, in comparison to what the House wanted to do, this bill is an enormous improvement even for the District of Columbia.

As in any compromise, neither party to the agreement is happy with every item in the bill. Some on the other side would have preferred more cuts in domestic programs while most members on our side believe we have cut our domestic priorities too deeply. But, this is truly a bipartisan bill. When it is approved it will be the most significant legislation to pass the Congress this year.

I believe this bill provides a road map on how we can continue to work across party lines to achieve what is necessary for the country. Yesterday the President unveiled his long-range strategy to reduce the deficit. His approach is extremely different than the approach of the House Republicans. In 2 weeks our Senate Budget Committee will unveil its plan on regaining fiscal control. It is not overstating the case to say that it is truly a matter of urgent national security that we reach across party lines and conclude an agreement with our colleagues in the House to regain control over our government's finances.

Both parties feel strongly about their recommendations and the structure of future budgets. The philosophical divisions are wide. But as I watched the President's speech, I thought about this continuing resolution and how we were able to bridge a huge divide between the Houses and the political parties. Because of this experience I became more optimistic that we can find a way to work with our House colleagues and come up with a deficit reduction plan that would represent all of our best efforts to act in the Country's interest.

Today it is vitally important that we take that first step toward putting our fiscal house in order by adopting this bill. It is also critical that the Congress demonstrate that it can act in the spirit of compromise and in the national interest. This bill represents a fair compromise which will meet our country's needs, and I urge all my colleagues to support it.

Madam President, I submit pursuant to Senate rules a report, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DISCLOSURE OF CONGRESSIONALLY DIRECTED
SPENDING ITEMS

I certify in accordance with rule XLIV of the Standing Rules of the Senate that there are no congressionally directed spending items contained in H.R. 1473.

Mr. INOUE. I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Madam President, as ranking member of the Committee on Appropriations, I regret that the Senate must consider in mid-April an appropriations bill for a fiscal year that is already half over. It disturbs me that we have subjected the Federal Government to eight short-term continuing resolutions over the past 6 months. Such measures are inefficient, add hidden costs to Federal contracts and procurements, and make it difficult for State and local governments to plan effectively. Such measures also have a detrimental impact on the morale of the Federal workforce, including our men and women in uniform who last week, even while engaged in hostilities overseas, were left wondering about their next paycheck.

However, this delay has made possible significant spending reductions. The bill cuts \$38 billion from the spending levels in place at the beginning of this Congress. It also cuts \$78 billion from the President's fiscal year 2011 budget request. These reductions in spending will compound over time and, if sustained, will result in a significant reduction in our national debt. These reductions don't come without consequences, however. The bill cuts programs that are important both nationally and in my State of Mississippi. This bill contains rescissions of funds I once fought hard to appropriate but which have not been spent for a variety of reasons. In many cases, we don't yet know the precise impacts of the various cuts because so much discretion is left to the implementing agencies. We all recognize, however, that sacrifices must be made in order to achieve the greater good of fiscal solvency.

We also recognize that the bill is only one step toward addressing our Nation's debt problem. Although discretionary spending will be an important component of any solution to that

problem, we will fail to solve it if we focus on discretionary spending alone. Hopefully, the agreement reached on this bill will lay a foundation for the much more difficult decisions on entitlements and taxes that lie ahead.

We also realize some will think this bill cuts far too little and some will think it cuts too much. I suspect that, individually, each of us could write spending bills at much lower levels than are contained in this legislation. We could fund those things we deem to be priorities and significantly cut back or eliminate the rest. But this legislation, instead, represents the priorities of the people of the entire Nation as expressed and negotiated by their duly elected Representatives, Senators, and the President.

On balance, the process has worked well. But without a budget resolution or any agreement on an appropriate top-line discretionary spending level, there was little agreement on the level of funding in appropriations bills. As a result, we are once again presented with a single trillion-dollar package that no Senator has had an opportunity to amend. The bill gives enormous flexibility to the executive branch because it does not contain the detailed directives typically found in appropriations bills and reports. And, of course, it is 6 months late.

I hope in the coming months that Congress and the President will reach consensus on a budget plan that will address each of the major drivers of our current fiscal imbalance, including discretionary spending. We need to find a way to bring fiscal year 2012 appropriations bills to the floor individually and get them to conference with the other body. I believe such a process would provide needed constraints on spending levels while allowing all Members to influence the content of the individual bills.

Madam President, I will vote for this bill, and I urge the Senate to approve it.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The remarks of Mr. CORNYN pertaining to the submission of S. Res. 148 are printed in today's RECORD under "Submitted Resolutions.")

Mr. CORNYN. Thank you, Madam President. I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

SYRIA

Mr. LIEBERMAN. I thank the Chair. Madam President, it is coincidental, but my remarks follow in a logical path from those of my colleague and

friend from Texas, particularly with regard to the thoughtful questions he raised about Syria.

I have come to the floor to speak about the historic and extraordinary events that are taking place in Syria where, for the past 3 weeks, the Syrian people have been peacefully and courageously taking to the streets of their cities. I wish to talk particularly about what may happen in Syria over the next 24 hours.

What is happening, of course, in Syria is part of a broader story that is unfolding across the Middle East—a democratic awakening in which millions of ordinary people are rising up against corrupt autocratic regimes that have ruled the region and suppressed these people for decades. But the strategic stakes in Syria are among the highest anywhere in the region. In fact, I would say what happens in Syria in the coming days will have far-reaching consequences for the future of the Middle East and for our national security here in the United States.

The uprising in Syria began, like those in Tunisia and Egypt, spontaneously and unexpectedly. It rose from the people, not from outside. It began in the city of Dara'a, in southern Syria near the Jordanian border, after the Assad regime arrested a group of schoolchildren there. When the citizens of Dara'a began peacefully assembling to protest this absurd act of repression, the police responded by firing live ammunition into the crowd. Rather than being intimidated by this violence, however, the protest movement persisted and spread.

Although the Assad regime was trying desperately to prevent accurate information about what is happening inside Syria from reaching the rest of the world, it is clear that people in many cities around the country are now in open revolt against the Assad regime. From Latakia, to Aleppo, and from the Kurdish northeast to the villages along the Mediterranean coastline, more and more Syrians from diverse backgrounds are rising up and demanding their freedom.

What exactly are they asking for? It is the same basic demands we hear throughout the region, and they are very familiar—they should be—to the American people, because they are the very demands that energized and motivated our rebellion and the American Revolution and the founding documents of our country. The people of Syria want greater political freedom and they want economic opportunity. They want into the modern world. They want to be treated with respect by their government, and they want an end to the culture of corruption and impunity that surrounds the Assad regime.

How has Bashar al Assad reacted to these legitimate grievances? The an-

swer is he has responded not by offering reform but by unleashing what President Obama has rightly characterized as abhorrent violence and repression against the Syrian people. He has responded with thugs and militias who have attacked peaceful protestors. He has responded by spouting conspiracy theories rather than loosening his autocratic grip. And as we know now, he has responded by calling on his allies, his patrons in Teheran, to help him crush the demonstrations by the Syrian people, just as the Iranian regime—the fanatical, extremist, expansionist regime in Teheran, stamped out the protests that took place in Teheran after the June 2009 election.

It is now clear what path Bashar al Assad is on. Rather than pursuing reform, he is taking a page from the Qadhafi model. He is betting that he can beat his people into submission through force and that the world will let him get away with slaughter.

Let's be very clear what it means if Bashar succeeds. It will send a most perverse but unmistakable message that leaders such as Mubarak and Ben Ali in Egypt and Tunisia respectively and who are allied with the United States get overthrown, but leaders such as Assad, who are allied with Iran, survive. Is that a message we want to send?

What about tomorrow? Why do I focus on the next 24 hours? Tomorrow is likely to be a critical day for the future of Syria as protestors come together after Friday's prayers. There is a significant danger that it will also become a very bloody day if Assad continues on the path of violence and brutality against his own people.

This is, therefore, an urgent moment for American leadership, at least for America's voice to be heard. It is important for President Assad in Damascus to know today, before the protests that are likely to take place throughout Syria tomorrow, that his regime will be held accountable for its actions.

I hope we will be prepared to act quickly together with the world community if Assad fails to heed the will of the Syrian people and tries to hang on to power through repression and murder.

What can we do? Well, to begin with, we can impose tough and targeted sanctions on the Syrian officials responsible for the human rights abuses that are being perpetrated against their own people. We can also work with our allies to summon a special session of the U.N. Human Rights Council in Geneva, just as we did in the case of Libya, and we can refer Assad's regime to the international criminal court, just as we did with Qadhafi.

We should also embrace the Syrian opposition, the freedom fighters. I hope senior American officials will meet with prominent Syrian dissidents who are here in Washington now. I also urge

the administration to speak out clearly in support of the Syrian people who deserve praise for their courage as they risk their lives for freedom and human rights. They must know that the United States, still the beacon of liberty in the world, stands on their side. In the face of attacks by the Syrian regime, Syrian protestors have remained remarkably peaceful, as the protestors in Tunisia and Egypt before them did. In the face of sectarian provocations by Assad, the people of Syria who are protesting have remained together, unified, giving a message of national unity.

I know some have suggested that we should hesitate before throwing our support to the Syrian opposition, to the Syrian people as they rise up, and this argument goes like this: Bashar al Assad is the devil we know. We don't know what might replace him if he fails. But we know enough about Bashar al Assad to know, and we know enough about the opposition to know that it cannot be worse than Assad and will be much better.

The arguments that we should wait and see are, in my opinion, moral and strategic nonsense when we look at the record of Assad. He is Iran's most important Arab ally and, in some senses, Iran's only real ally and the strategic linchpin between Iran and its terrorist proxies, Hamas and Hezbollah, whom he sustains with financial and military support. Assad is responsible for a terrible campaign, long standing, of intimidation and destabilization of Lebanon, and the blood of Lebanese leaders—too many of them—is on his hands, including that of the great Lebanese leader Rafik Hariri.

As Senator CORNYN said, Assad also has the blood of countless American soldiers on his hands, having allowed Syria to be used for years by foreign extremist fighters affiliated with al-Qaida and their ilk to head to Iraq to attack and kill Americans and Iraqis.

Finally, let's not forget Syria's illegal nuclear activities. This is a regime that tried to build a secret nuclear reactor. They did so with help from North Korea. This is a regime that continues to refuse to cooperate with the International Atomic Energy Agency in its investigation of Syria's illegal nuclear activities.

The plain fact is that Bashar al Assad is not a reformer, he is a dictator. He runs a totalitarian regime that has long been one of the worst in the Middle East.

This is a regime that has repressed, intimidated, and, in fact, tortured and slaughtered Syrian people. It is a regime that is deeply corrupt, and it is a regime that has been a menace to its neighbors and to the cause of peace throughout the region.

We now have an opportunity—and I say a responsibility—to support freedom for the Syrian people as they seek

a better future for themselves. It would be a shame if they and we lost this opportunity for the Arab spring to come to Syria. I hope, together with our allies, we will seize this moment and stand in solidarity with the people in Syria who are fighting for the fundamental values on which our own country was built: freedom and opportunity.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mrs. MURRAY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CORRECTING THE ENROLLMENT OF H.R. 1473

Mrs. MURRAY. I ask the Chair to lay before the Senate H. Con. Res. 35.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 35) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473.

The PRESIDING OFFICER. Under the previous order, there is 2 minutes of debate, equally divided, prior to the vote.

Mrs. MURRAY. Madam President, I yield back all time and ask for the yeas and nays.

The PRESIDING OFFICER. Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the concurrent resolution.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 47, nays 53, as follows:

[Rollcall Vote No. 59 Leg.]

YEAS—47

Alexander	Ensign	McConnell
Ayotte	Enzi	Moran
Barrasso	Graham	Murkowski
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Brown (MA)	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kyl	Thune
Corker	Lee	Toomey
Cornyn	Lugar	Vitter
Crapo	McCain	Wicker
DeMint		

NAYS—53

Akaka	Boxer	Conrad
Baucus	Brown (OH)	Coons
Begich	Cantwell	Durbin
Bennet	Cardin	Feinstein
Bingaman	Carper	Franken
Blumenthal	Casey	Gillibrand

Hagan	Manchin	Sanders
Harkin	McCaskill	Schumer
Inouye	Menendez	Shaheen
Johnson (SD)	Merkley	Stabenow
Kerry	Mikulski	Tester
Klobuchar	Murray	Udall (CO)
Kohl	Nelson (NE)	Udall (NM)
Landrieu	Nelson (FL)	Warner
Lautenberg	Pryor	Webb
Leahy	Reed	Whitehouse
Levin	Reid	Wyden
Lieberman	Rockefeller	

The PRESIDING OFFICER (Mr. FRANKEN). On this vote, the yeas are 47, the nays are 53. Under the previous order requiring 60 votes for the adoption of the concurrent resolution, the concurrent resolution is rejected.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I ask unanimous consent that the following votes be 10-minute votes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the motion to reconsider is considered made and laid upon the table.

CORRECTING THE ENROLLMENT OF H.R. 1473

The PRESIDING OFFICER. Under the previous order, the clerk will report H. Con. Res. 36, which was received from the House.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 36) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote.

The Senator from Washington.

Mrs. MURRAY. Mr. President, I yield back all debate time, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the concurrent resolution.

The clerk will call the roll.

The assistant legislative clerk called the roll.

The result was announced—yeas 42, nays 58, as follows:

[Rollcall Vote No. 60 Leg.]

YEAS—42

Alexander	Ensign	McCain
Ayotte	Enzi	McConnell
Barrasso	Graham	Moran
Blunt	Grassley	Paul
Boozman	Hatch	Portman
Burr	Hoeven	Risch
Chambliss	Hutchison	Roberts
Coats	Inhofe	Rubio
Coburn	Isakson	Sessions
Cochran	Johanns	Shelby
Corker	Johnson (WI)	Thune
Cornyn	Kyl	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	Wicker

NAYS—58

Akaka	Bennet	Boxer
Baucus	Bingaman	Brown (MA)
Begich	Blumenthal	Brown (OH)

Cantwell	Klobuchar	Reed
Cardin	Kohl	Reid
Carper	Landrieu	Rockefeller
Casey	Lautenberg	Sanders
Collins	Leahy	Schumer
Conrad	Levin	Shaheen
Coons	Lieberman	Snowe
Durbin	Manchin	Stabenow
Feinstein	McCaskill	Tester
Franken	Menendez	Udall (CO)
Gillibrand	Merkley	Udall (NM)
Hagan	Mikulski	Warner
Harkin	Murkowski	Webb
Inouye	Murray	Whitehouse
Johnson (SD)	Nelson (NE)	Wyden
Kerry	Nelson (FL)	
Kirk	Pryor	

The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 58. Under the previous order requiring 60 votes for the adoption of the concurrent resolution, the concurrent resolution is rejected. Under the previous order, the motion to reconsider is considered made and laid upon the table.

DEPARTMENT OF DEFENSE AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

The PRESIDING OFFICER. Under the previous order, the clerk will report H.R. 1473, which was received from the House.

The assistant legislative clerk read as follows:

A bill (H.R. 1473) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate, equally divided prior to a vote.

The Senator from Illinois.

Mr. DURBIN. Mr. President, I yield back all time on both sides and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. If there is no further debate, the question is on the third reading of the bill.

The bill was ordered to a third reading and was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall the bill pass? The yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 81, nays 19, as follows:

[Rollcall Vote No. 61 Leg.]

YEAS—81

Akaka	Brown (MA)	Coons
Alexander	Brown (OH)	Corker
Ayotte	Burr	Cornyn
Barrasso	Cantwell	Durbin
Baucus	Cardin	Enzi
Begich	Carper	Feinstein
Bennet	Casey	Franken
Bingaman	Chambliss	Gillibrand
Blumenthal	Coats	Grassley
Blunt	Cochran	Hagan
Boozman	Collins	Harkin
Boxer	Conrad	Hoeven

Hutchison	McCain	Roberts
Inouye	McCaskill	Rockefeller
Isakson	McConnell	Schumer
Johanns	Menendez	Sessions
Johnson (SD)	Merkley	Shaheen
Kerry	Mikulski	Snowe
Kirk	Moran	Stabenow
Klobuchar	Murkowski	Tester
Kohl	Murray	Thune
Kyl	Nelson (NE)	Udall (CO)
Landrieu	Nelson (FL)	Udall (NM)
Lautenberg	Portman	Warner
Lieberman	Pryor	Webb
Lugar	Reed	Whitehouse
Manchin	Reid	Wicker

NAYS—19

Coburn	Johnson (WI)	Sanders
Crapo	Leahy	Shelby
DeMint	Lee	Toomey
Ensign	Levin	Vitter
Graham	Paul	Wyden
Hatch	Risch	
Inhofe	Rubio	

The PRESIDING OFFICER. On this vote the yeas are 81, the nays are 19. Under the previous order requiring 60 votes for passage, the bill is passed.

The bill (H.R. 1473) was passed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table.

Under the previous order, the Secretary will immediately notify the House of the Senate's action on the House measures.

The majority leader.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to a period of morning business for debate only until 7 p.m. tonight, with Senators permitted to speak for up to 10 minutes each; further, that the majority leader be recognized at 7 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from South Carolina.

PORT OF CHARLESTON

Mr. GRAHAM. I ask unanimous consent to enter into a colloquy with my good friend, the majority leader.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRAHAM. Mr. President, a lot of Members now understand the problem we have with the port of Charleston in 2011. There is no money in the President's budget to do a scoping study. Under the new rules concerning earmarking, it has been very difficult to find a way forward. With the help of the majority leader and his staff and the people on Appropriations—the staffs of Senators FEINSTEIN and LAMAR ALEXANDER—we came up with language that would allow 12 different ports to have studies completed in fiscal year 2011, if the Corps chose to engage in those studies. It was not a requirement, and it had no sums required in terms of what the Corps had to spend. It was purely discretionary. Unfortunately, our House colleagues did not accept that language.

My problem is that in fiscal year 2011, there is no mechanism as of yet to allow a scoping study to be done for the potential deepening of the Charleston harbor to accept supercargo ships coming through the Panama Canal in 2014. This harbor, along with others, has to be deepened to accept these new ships. The amount of money is \$40,000 on the Federal side to be matched by the State. People ask me: Why can't you come up with the money? Boeing, BMW, Michelin, the State of South Carolina?

I would do the \$40,000, but I can't. You cannot have a private entity take over a Federal Government responsibility. So this is one of those situations that is a catch-22. It is an anomaly in the law. The Vice President's office and Congressman CLYBURN, a lot of us, Congressman SCOTT, have been working diligently, with the assistance of the majority leader, to find a pathway forward within the current system. We are very close to finding a way to get this study done because it was a previously authorized program under current law.

I have put a hold on everything I could put a hold on.

Now I believe we are making progress. The majority leader has some needs, and I want to let him know I am willing to work with him and others to end the Senate well before we go out on Easter break. I thank him for the help he has given me to take care of a problem that no one could have anticipated. But it is a real problem for the people of South Carolina. I wish to let him know I appreciate the effort.

The PRESIDING OFFICER (Mr. BEGICH). The majority leader.

Mr. REID. Mr. President, I say to my friend the distinguished Senator from South Carolina, I am aware of the 12 ports that need help. But out of the 12, there is none more needed—and we as a country would get such a bang for our buck—to do what is necessary than the port of Charleston. I first compliment the Senator from South Carolina for his proposed solution to a challenge facing the State. He is dogged in representing the State of South Carolina. This is an issue that is important to the people of his State. His solution would not in any way violate any of the rules we have in the Senate. It is something that would not be part of congressionally directed spending in the true sense of the word that has been not approved by people in recent years. I have been part of the Appropriations Committee since I first came to the Senate.

I love that committee. I know the good things it can do for our country and has done for our country. This merit-based competitive port fund that has been suggested would not be limited to South Carolina, even though I think it is the most needy of the 12. This would not guarantee that the port

study in Charleston would go forward but would provide the Corps the opportunity to move forward should they choose.

Mr. President, I not only have been a member of the Appropriations Committee, but for a long, long time—a long time—the Senator from New Mexico, Mr. Domenici, and I—that was our subcommittee, Energy and Water, and that is where this money comes from.

This is so necessary to be done. I understand the Corps' obligations. This is something we have to do. And even though my friend acknowledged this vote we just took care of the funding until the end of this year—but that is the end of this fiscal year. There are going to be other pieces of legislation to come to this floor. We could, at any time—any time—move forward on this. I thought we had a solution because of the anomaly we found ourselves in to work this out with the House of Representatives.

It is not often that I am a cheerleader for pieces of legislation that are suggested and moved forward by Republicans, but I was on this one. This is something that is merit-based and is fair. I am going to continue to do everything I can for my friend from South Carolina to see if before the end of this fiscal year we can get something done. It is important to him. It is important to our country because of the value that port has to our country.

Mr. GRAHAM. I thank the majority leader very much. It is appreciated on behalf of all of us in South Carolina. And I look forward to finding a solution for the country as a whole.

The PRESIDING OFFICER. The Senator from Rhode Island.

HONORING OUR ARMED FORCES

SPECIALIST DENNIS "DANNY" POULIN

Mr. REED. Mr. President, I rise today to pay tribute to SPC Dennis "Danny" Poulin, a Rhode Islander who served in the Massachusetts National Guard.

On March 28, Specialist Poulin was a gunner in an MRAP when it rolled over in Kunar Province, Afghanistan. He was medically evacuated to Landstuhl Regional Medical Center in Germany, where, tragically, he died 2 days later but surrounded by his loving family. He was laid to rest today in Rhode Island.

Specialist Poulin grew up in Pawtucket, RI, and graduated in 2004 from Tolman High School. He joined the National Guard in 2008 and was promoted to specialist in May of 2010. As a member of the Massachusetts National Guard Headquarters Company, 1st Battalion, 181st Infantry Regiment, he deployed to Afghanistan in July 2010.

Each generation of Americans is called upon to protect and sustain our democracy. And there are no greater heroes than the men and women who

have worn the uniform of this Nation and who have sacrificed for this country to keep it safe and to keep it free.

It is our duty to protect the freedom they sacrificed their lives for through our service, our citizenship. We must continue to keep their memories alive and honor their heroism.

Today, our thoughts are with Specialist Poulin's mother Doris, his father Richard, his sisters, Jennifer and Angelique, his longtime girlfriend Ashley and their son Nikolous, and all of his family, friends, and his comrades-in-arms. We join them in commemorating his sacrifice and honoring his example of selfless service, of love, and of courage that he has demonstrated to all of us.

Specialist Poulin is one among many Rhode Islanders who have proven their loyalty, their integrity, and their personal courage by giving the last full measure of their lives in service to their country in Afghanistan, in Iraq, and throughout the centuries. Today, we honor his memory and honor the memory of those who have served and those who have sacrificed.

Mr. President, with that, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Mr. President, I am honored to join my senior Senator from Rhode Island, JACK REED, today on the floor of the U.S. Senate to honor the brave service of SPC Dennis C. Poulin, who died of injuries sustained while serving his country in Afghanistan.

Specialist Poulin, or "Danny," as he was known, had been assigned to the Kunar Provincial Reconstruction Team in Afghanistan. I have visited on several occasions the Kandahar Provincial Reconstruction Team, and I am well aware of the demands that are put on the security teams who allow the provincial reconstruction offices to do their vital work.

Danny's vehicle overturned while he was conducting a mounted combat patrol, causing severe injuries. Sadly, as a result of those injuries, he passed away on March 31, 2011, at Landstuhl Medical Center surrounded by his family.

Danny was born in Pawtucket, RI, where he lived for most of his life. After graduating from Tolman High School, he joined the Army National Guard and served with the Massachusetts National Guard's Alpha Company, 1st Battalion, 181st Infantry Regiment.

Specialist Poulin served with honor and distinction, receiving numerous awards and decorations, including the Army Commendation Medal, the Army Achievement Medal, the Good Conduct Medal, the Meritorious Unit Commendation Medal, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Serv-

ice Ribbon, the Overseas Service Ribbon, the NATO Medal, and the Combat Infantry Badge. We hope that upon review of this incident, he will be awarded his Nation's Purple Heart.

Danny will be remembered for his commitment to his family and unit. He was a devoted father, son, and brother, who loved his family very deeply. His fellow soldiers describe him as a hero and the kind of guy who always put others before himself.

As family and friends gather today in Rhode Island for his memorial service, I would like to join Senator REED in expressing my most sincere condolences for this terrible loss to his family and to our State. And on behalf of all Rhode Islanders, I want to thank Danny for his selfless service and his ultimate sacrifice.

Our hearts go out to his mother Doris, to his father Richard, to his sisters, Jennifer and Angelique, to his girlfriend Ashley, and especially to his 5-year-old son Nikolous, who will carry on his legacy and spirit.

We will never forget the sacrifice Danny and his family and friends have endured for our country, and my thoughts and prayers are with them during this difficult time.

Mr. President, I thank the Senate for its attention to these remarks, and I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

UNANIMOUS CONSENT REQUEST— S. 493

Mr. REID. Mr. President, I ask unanimous consent that at 11 a.m., Tuesday, May 3, the Senate resume consideration of S. 493, the small business jobs bill; that no amendments, points of order, or motions be in order during the pendency of this agreement other than the amendments listed in this agreement and budget points of order and applicable motions to waive; that the pending amendments be set aside and Senator LANDRIEU or her designee be recognized to call up the following amendments: DeMint No. 300 to Paul No. 299; Carper No. 289, with a modification, which is at the desk; Pryor No. 278; Merkley No. 272; and Landrieu No. 234; that the DeMint second-degree amendment No. 300 be agreed to; that the time until 2:15 p.m. be equally divided between the two leaders or their designees; that at 2:15 p.m., the Senate proceed to votes in relation to the following amendments in the order listed below: Cornyn No. 186; Paul No. 199, as amended; Hutchison No. 197; Cardin No. 240; Snowe No. 253; Carper No. 289, as modified; Pryor No. 278; Merkley No. 272; and Landrieu No. 234; that there be no amendments in order to the amendments prior to the votes other than the DeMint second-degree amendment to the Paul amendment; that each amendment be subject to a 60-vote threshold;

and the motions to reconsider be considered made and laid upon the table; further, that the Vitter amendment No. 178 and the Pryor amendment No. 229 be withdrawn.

The PRESIDING OFFICER. Is there objection?

The Senator from Maine.

Ms. SNOWE. Mr. President, I reserve the right to object, I have an additional amendment I would like to have considered on this list. I thought we had an agreement that there would be an even number of amendments offered on both sides, and now I understand that in the request that is put forward by the majority leader, there are five amendments on the Democratic side and four amendments on our side.

I would like to ask consent, because I thought my amendment—Snowe amendment No. 299—would also be included in the agreement. So I am asking unanimous consent that the order be modified to include Snowe amendment No. 299.

The PRESIDING OFFICER. Will the leader modify?

The majority leader.

Mr. REID. Mr. President, I object to my friend's request with the following explanation: We have worked very hard to get this bill done. This is a committee of which the Senator from Maine was chairman. She is now the ranking member. This legislation—underline this—is extremely important. It has done in the past wonderful things for our country. This innovation that this bill allows to go forward has created things such as the electric toothbrush and many other things. It is a good piece of legislation.

The legislation of my friend from Maine is not relevant or germane to this legislation. What is going to happen—if she objects to the request I have offered, this bill will not go forward. And that is too bad. We have worked all week long—in fact, some into last week—trying to get these amendments cleared and agreed to.

The sad part about her amendment is that we cannot get agreement not only from our side but on her side. Without going into detail who they are, people do not want to do this amendment because it has no direct relevance to this legislation.

In addition to that, Mr. President, her legislation has not had a hearing. It is something that is a big bill not only in content but in pages, and it should have a hearing. Senators should know what they are voting on in more detail. The other amendments we have gone through have been perused very closely and people understand what is in them and people can vote intelligently on those.

Now, my first inclination is to say: Well, let's go ahead and do it and try to defeat it, but that is not the way we should do legislation.

So I am terribly disappointed that the Senator from Maine, the former

chairman of this committee, recognizing the importance of this legislation, is going to cause this legislation to fail, and we very likely will not have time to bring it up again. Now, if that is what my friend wants on her legislative conscience, that is fine. But I think it really should not be there. For someone who understands this legislation as well as she does, it is wrong to stand in the way of our completing it.

The PRESIDING OFFICER. Is there objection to the original request?

Ms. SNOWE. Mr. President, further reserving the right to object.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I appreciate the comments that have been made by the majority leader. But to the contrary, this is very relevant to the underlying legislation. It is about regulatory reform. And if you were to ask the small business community exactly what is their major priority in the U.S. Congress, it would be regulatory reform. Undeniably, it is one of the most onerous burdens placed on small businesses today, and our economic well-being. We have had numerous hearings within our committee that touch on the issue of regulatory reform, and my legislation would reform the process to ensure that small businesses are free to compete and to create jobs.

What could be more important at a time when we are struggling to create jobs in our economy, where we need to create millions of jobs if we are ever going to turn around this serious unemployment rate that is plaguing our Nation today and critically affecting the personal financial well-being of all Americans?

So, Mr. President, I am surprised with the standard proposed now about hearings. We have had numerous hearings touching on the subject. The question is that we never addressed the issue in the U.S. Senate. As I look through the number of amendments that are going to be offered to vote on in the majority leader's unanimous consent request, many of these amendments have not had hearings either, they have not been the subject of very specific hearings.

The point is, everyone has had the opportunity and would have the opportunity to review this legislation and debate it amply, and would be able to explore these issues. My legislation has drawn the broad support of the small business community nationwide. They reviewed the legislation. They understand the implications. They understand the benefits if we do regulatory reform, and they understand the consequences if we do not.

So I am just surprised that there is a new standard here because we have passed numerous pieces of legislation on the floor of the Senate that may not be subject to a specific hearing, but

have been touched upon in numerous hearings on various subjects. The same is true of the amendment that had been included in the majority leader's unanimous consent agreement.

So I will have to object at this time to the underlying consent agreement since I am unable to have a vote on my amendment. Hopefully, we can review this upon return from the recess so we can go forward with these votes.

The PRESIDING OFFICER. Objection is heard.

The majority leader is recognized.

Mr. REID. Mr. President, I would finally say that this legislation, under any circumstances, is not relevant or germane to the underlying bill. That is very clear. This legislation that now has to be considered by the Senate has not had a hearing. Sure, we have had hearings on regulatory reform. We have had hearings on the environment also. But when you bring up a piece of legislation that is new, we deserve to know what it is about.

These other amendments, we know what they are about. Hers is too detailed and complicated. It is not germane or relevant. It has had no hearings. I am stunned by the new standard suggested by my friend from Maine: Democrats have more amendments than Republicans; therefore, we should consider an amendment that is not germane, irrelevant, and has never had a hearing.

So I am disappointed my friend from Maine is killing this legislation. We have spent enough time on this legislation, and it is really too bad. The chairman of the committee doesn't support it. The chairman of the Small Business Committee does not support this legislation.

The PRESIDING OFFICER. The Senator from Maine.

Ms. SNOWE. Mr. President, I heard the majority leader's comments, and I appreciate them. It is not about the evenness of the amendments, but that was the agreement. That was the understanding before I arrived on the floor. My staff worked in concert with the staff of the Small Business Committee chair, Senator LANDRIEU from Louisiana, so that was the agreement. So that agreement obviously changed sometime in the last hour.

Getting beyond that point, though, in talking about hearings, when I look at the list of amendments that are going to be voted on and put forward in the majority leader's unanimous consent agreement, many of these amendments have not had specific hearings. But everybody in the small business community, every small business in America, understands the value of regulatory reform. It is a very straightforward piece of legislation.

Many of these issues have been addressed in hearings. Last fall we had a small business jobs bill, part of which was a \$30 billion lending facility, and,

believe me, there were serious problems with that lending facility. But that was not the subject of one Senate hearing, and I just want to understand, to garner clarity with respect to the standards that are now being established.

This issue is very important. Regulatory reform is absolutely crucial and central to small business job creation, not to mention survival. You don't have to take too many Main Street tours to figure out what is happening on Main Street. They are struggling to survive. Last year alone there were \$26 billion in additional regulatory costs that was imposed on small businesses across this country as a result of new regulations—\$26 billion. But what is the total cost of regulations in America? It is \$1.7 trillion.

So is there any question in terms of the urgency and the imperative of addressing this issue? It is very central to the underlying legislation. It is about small businesses. It is about regulation and the hardships and the costs that are associated with it, and it is disproportionate on the small business community. It is disproportionate. They pay more than \$10,000 per employee, more than the large companies because they don't have the number of employees to be able to fill out the forms and do all that is required that is associated with the complexities and the costs of complying with those regulations.

So that is the issue. We had a \$30 billion lending facility as part and parcel of a piece of legislation that was voted on and became law. There are issues with it today and it was not subject to even one Senate hearing.

So what I am saying is it was my understanding that we had an agreement. That is what I understood, that we were going to have an even number of amendments on both sides to be offered and that my amendment was going to be included and brought up for a vote. If Members of the Senate don't want to vote for the amendment, they don't have to vote for the amendment. It is just saying: Please allow us to have a vote on this specific amendment just like the others that are in the majority leader's unanimous consent request. That is all I am asking.

We have had this bill pending for the last month, and I wanted to bring it up, but, unfortunately, for a lot of reasons, we are where we are today. That doesn't mean to say that we should not have the opportunity to vote on this particular amendment that had been prepared to go more than a month ago to be considered on the floor of the Senate. But, in any event, I regret we are in this position tonight. Hopefully, we can work through this during the course of the recess so that we have the opportunity to vote on this amendment.

I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, the longer the Senator from Maine talks, the more reason there is not to bring that up in the status that it is in now.

She is absolutely right. The issue she talks about in the Wall Street reform bill was brought in at a time when there hadn't been hearings, and it has created a furor around the country. Now there are people on all sides of the issue trying to change that. That is why we need to hold hearings. She is absolutely right. The more she talks, the more reason there is not to do this amendment.

For her to suggest that regulatory reform is something she is all-knowing about—and she hasn't said that, but that is the implicit statement she is making—I understand regulation reform. It is a burden, and we have to change it.

We have been through a number of procedures here. We can remember during the Clinton administration when Al Gore was in charge of reducing regulations, and we did a lot of that. It was good, but we didn't do enough. I worked with a Republican Senator by the name of Nichols from Oklahoma. We changed the law drastically, and it has been used in this Congress and the last Congress on several occasions to get rid of bad regulations that an administration promulgates. We now have the ability to do that.

Is there more we can do? Yes. But to march into this, as suggested by my friend from Maine, would cause people to make a decision on legislation that has not been adequately reviewed. That is why, I repeat, the more she talks about what needs to be done around here, the more reason there is not to do her legislation.

As far as an agreement, I had no agreement with anybody. This consent agreement was drafted just a short time ago. I have never suggested to the Senator from Maine—we have never had a conversation about this until during the last votes.

I moved to proceed to this bill more than a month ago—more than a month ago. There comes a time when we have to move the bill or move to something else.

During our next work period, we have some big, important things to do. We are going to have to deal with the PATRIOT Act. We have other things that are extremely important. We cannot spend more time on this legislation. It is unfair to our country, and it is unfair to the small business community that badly wants this legislation to go forward so they can do things, as I repeat, such as invent more electric toothbrush-type items.

There comes a time when we have to make a decision as to whether people are just stalling this legislation or trying to send some political message say-

ing: Look, I was able to offer an amendment; I want to do regulation reform, when there is no chance in the world that the Senators have adequate information upon which to vote.

So I am very disappointed that very likely this legislation will be killed as a result of my friend, the former chairman of this committee, and certainly—I hope she understands how important this underlying legislation is and how her legislation has nothing to do with what is in keeping with the germaneness or relevancy to this legislation.

I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO REBECCA EYSTER

Mr. REID. Mr. President, today, after more than 20 years of service to the U.S. Senate and the U.S. House of Representatives, Rebecca Eyster will retire. Rebecca is one of the official reporters of the debates and proceedings in this Chamber. She is one of the many dedicated employees who are essential to the daily operations of the Senate.

For more than 12 years, Rebecca has been part of the team that produces a verbatim transcript of all of the Senate floor proceedings. Before that, Rebecca spent 8 years in the House of Representatives in a similar capacity. These jobs can be very demanding. When speeches and votes go late into the night, our dedicated reporters like Rebecca are always here. They produce a historical record about some of the most important legislative debates in our Nation's history.

I am proud to have worked with Rebecca and appreciate her important contributions to the Senate. I know I speak for the Senate family as we wish you the best in your future endeavors.

SCHOOL SAFETY PATROL LIFESAVING AWARD RECIPIENTS

Mr. REID. Mr. President, I rise today to show my appreciation for the actions of seven young Americans who make up this year's School Safety Patrol Lifesaving Award recipients as chosen by the American Automobile Association. In 1920, the American Automobile Association, AAA, began the School Safety Patrol Program in hopes of promoting traffic safety amongst school children. The AAA School Safety Patrol Program has been awarding its highest honor, the Lifesaving Award, to those patrollers who have acted to save the life of another since 1949. This year, seven heroic

school safety patrollers are receiving this award, and it is my honor to recognize their courageous actions.

On February 2, 2011, Paul Hardin, a fifth grader at Canterbury Woods Elementary School in Annadale, VA, averted a possible tragedy by preventing an adult female pedestrian from stepping out into oncoming traffic. When the pedestrian approached the crosswalk, Paul verbally warned her to stop. She ignored Paul's warning and continued walking into the crosswalk at which time Paul stepped off the sidewalk and grasped the woman's arm to prevent her from crossing. An approaching car was within 5 feet of the crosswalk. Paul put the safety of a parent before his own in his heroic effort to prevent a dangerous situation.

Marisha Little and Sierra Walters, safety patrollers at Ranson Elementary School in Ranson, WV, worked together to save the life of a kindergarten student who wandered away from the school heading toward a major road crossing. This life saving incident that occurred on January 18, 2011, was the first of two that Marisha Little took part in at Ranson Elementary. The patrollers remembered seeing the student walking alone away from the school and became worried when they no longer had him in sight. After alerting her safety patrol advisor, Sierra left her post to find him. Sierra found him and brought him back to the post where she instructed him to stand behind Marisha. Shortly after, he darted into the street in the path of an oncoming car when he saw his aunt approaching the school area. Marisha jumped into action, grabbed him and pulled him back to the sidewalk. Their keen awareness and quick thinking brought him back to school and prevented him from being hit by the car.

Marisha Little and Talyn Underwood were credited with the second life saving incident at Ranson Elementary School in the same month. On January 31, 2011, they prevented a second grade student from being struck by a moving vehicle. The student was horsing around, talking to his friends while running backwards into oncoming traffic. Marisha and Talyn noticed that the vehicle driver closest to the student was looking in the other direction. Marisha and Talyn screamed loudly to alert the student at the same time working their way toward him. Talyn reached him first and pulled him by his jacket from the direct path of the moving car. Both students were very quick to respond and didn't think about their own safety in their effort to save their fellow student.

Kamryn Mendell is a safety patroller at the Fox Chapel Elementary School in Germantown, MD. On September 28, 2010, during morning patrol duties, Kamryn immediately reacted when she realized that a first grade student was beginning to walk into the pathway of

a school bus that was turning into the school's bus loop. Kamryn and her partner were holding back students from crossing when Kamryn's partner had to step away to remove a cone to allow the bus to enter the loop. Kamryn kept the children from crossing with one hand and reached out to grab the first grader who was now 4 to 5 feet in front of the bus. The bus driver didn't see him and continued driving into the loop. Kamryn's fast thinking and immediate actions averted a certain life threatening injury.

Evan Siegel, a safety patroller at Salmon Creek Elementary School in Vancouver, WA, saved a 7-year-old girl from being hit by an oncoming car. On a December morning in 2010, Evan noticed a car approaching the intersection. It was driven by a teenager who was texting and totally unaware that the little girl had entered the crosswalk without permission. Evan reacted quickly by putting his crosswalk stick in front of her and pulling her to safety. At the time the car was 10 feet away from her and the driver was not slowing down. Evan's courage and quick actions are to thank for keeping this young girl safe.

Jake Vowell, a fifth grader at George B. Carpenter Elementary School in Park Ridge, IL, is credited with saving the life of a 6-year-old student on February 2, 2010. He was on morning patrol duty, when two cars failed to stop at the stop sign when Jake noticed a young girl attempting to cross the street. He bravely went out into the street and pulled her back to safety. His dedication and awareness put him in a position to save this young girl from harm.

These seven heroic young leaders demonstrate courage, awareness, and a commitment to safety. Moreover, these traits are what the AAA School Safety Patrol Program embodies as an institution. Patrollers exemplify the kind of services that are needed so that young people safely navigate traffic hazards to and from school. I applaud their commitment to improving our community.

HONORING OUR ARMED FORCES

SPECIALIST BRENT M. MAHER

Mr. GRASSLEY. Mr. President, it is with deep sadness that I address my colleagues today. A hero from my home State, SPC Brent M. Maher of Honey Creek, IA, was killed in action on Monday, April 11, 2011 in the Paktya Province of Afghanistan. He was 31 years old. Specialist Maher was the gunner on a "Cougar" mine-resistant ambush protected vehicle, MRAP, that was struck by an improvised explosive device.

Specialist Maher served in the Iowa Army National Guard, Company B, 1st Battalion, 168th Infantry, 2nd Brigade Combat Team, 34th Infantry Division,

out of Shenandoah, IA. Specialist Maher has been posthumously promoted to sergeant. Prior to his service in the Iowa National Guard, Specialist Maher served over 7 years in the U.S. Navy. In all, Specialist Maher dedicated 11 years of his life to serving and protecting our Nation. Words simply cannot express the debt we owe to Specialist Maher and all of the other servicemembers fighting for our Nation.

My thoughts and prayers are with Brent Maher's family and friends, including his wife Brenna and his three children, as well as his mother Cheryl and everyone else who will be grieving his loss.

Specialist Maher truly loved his job in the U.S. military. He was proud of the difference that he was making in the lives of the Afghan people. It is because of individuals like specialist Maher and his loving and supportive family that America is the nation it is today. At times like these, I think that it is important that we pause and remember the lives of those lost in order that we can enjoy our way of life. As we go about our lives as free people, we ought to bear in mind the sacrifices made by Specialist Maher and others in our Armed Forces.

CYBER SECURITY PUBLIC AWARENESS ACT

Mr. WHITEHOUSE. Mr. President, I rise to speak about the Cyber Security Public Awareness Act of 2011, which I have introduced with Senator KYL.

The damage caused by malicious activity in cyberspace is enormous and unrelenting. Every year, cyber attacks inflict vast damage on our Nation's consumers, businesses, and government agencies. This constant cyber assault has resulted in the theft of millions of Americans' identities; exfiltration of billions of dollars of intellectual property; loss of countless American jobs; vulnerability of critical infrastructure to sabotage; and intrusions into sensitive government networks.

These massive attacks have not received the attention they deserve. Instead, we as a nation remain woefully unaware of the risks that cyber attacks pose to our economy, our national security, and our privacy. This problem is caused in large part by the fact that cyber threat information ordinarily is classified when it is gathered by the government or held as proprietary when collected by a company that has been attacked. As a result, Americans do not have an appropriate sense of the threats that they face as individual Internet users, the damage inflicted on our businesses and the jobs they create, or the scale of the attacks undertaken by foreign agents against American interests.

We must not wait for a disaster before we recognize and respond to the cyber threats we face. A false sense of

complacency is not a security strategy. For that reason, I believe that raising public awareness of cyber security threats is an important element of the substantial work that we in Congress must do to improve our Nation's cyber security.

The Cyber Security Public Awareness Act of 2011 takes up that challenge. It will raise the public awareness of the cyber threats against our nation in a manner that protects classified, business-sensitive, and proprietary information. By doing so, it will provide consumers, businesses, and policymakers with the continuous flow of information necessary to secure our networks, identities, infrastructure, and innovation economy.

The bill improves public awareness with respect to three key issues: attacks on the government, attacks on infrastructure, and attacks on businesses and consumers.

The bill enhances public awareness of attacks on Federal networks by requiring that the Department of Homeland Security and the Department of Defense submit reports to Congress that detail cyber incidents on the ".gov" and ".mil" domains. These reports would provide aggregate statistics on breaches, the volume of data exfiltrated, and the estimated cost of remedying these breaches, as well as the continuing risk of cyber sabotage after an incident.

The bill also improves government reporting in two other ways. It requires the Department of Justice and the Federal Bureau of Investigation to submit annual reports on their investigations and prosecutions of cyber crimes, as well as on the resources devoted to cyber crime and on any legal impediments that frustrate those efforts. It also requires the Department of Justice, in consultation with the Administrative Office of the Courts, to study the preparedness of the Federal courts to handle cases relating to botnets or other cyber threats, and to consider whether courts need improved procedural rules, training, or organization to handle such cases.

The bill includes four provisions to enhance the awareness of threats against our nation's critical infrastructure. First, it requires primary regulators to report to Congress on the cyber vulnerabilities in our Nation's critical infrastructure, including our energy, financial, transportation, and communications sectors, and of recommended steps to thwart or diminish cyber attacks in each industry. Second, it requires the Department of Homeland Security to commission reports on improving the network security of critical infrastructure entities, including through the possible creation of a secure domain that relies on technical advancements or notice and consent to increased security measures. Third, it requires the Department of Homeland

Security to identify producers of information technology that are linked directly or indirectly to foreign governments. This provision also requires reporting of the vulnerability to malicious activity, including cyber crime or espionage, associated with the use of these producers' technologies in the United States' telecommunications networks. And fourth, the bill requires the Department of Homeland Security, in consultation with the Secretary of Defense and the Director of National Intelligence, to submit a report to Congress describing the threat of a cyber attack disrupting the United States' electrical grid, the implications of such a disruption, the possibility of quickly reconstituting electrical service in the event of a cyber attack, and plans to prevent such a disruption.

The bill also seeks to enhance cyber awareness in the private sector and among businesses and consumers using the Internet. It requires the Department of Homeland Security to report to Congress on policies and procedures for Federal agencies to assist a private sector entity in the event of a cyber attack that could result in the loss of life or significant harm to the national economy or national security. To ensure that our markets properly reflect cyber risks, the bill also tasks the Securities Exchange Commission with reporting to Congress on, first, the extent of financial risk and legal liability of issuers of securities caused by cyber intrusions or other cybercrimes, and, second, whether current financial statements of issuers transparently reflect these risks. Finally, the bill will help enhance consumer awareness of cyber threats by requiring a report to Congress on legal or other impediments to public awareness of common cyber security threats, the minimal standards of computer security needed for responsible Internet use, and the availability of commercial products to meet those standards. This provision also requires the Department of Homeland Security to report on its plans to enhance public awareness of common cyber security threats and to recommend congressional actions to address remaining impediments to appropriate public awareness of common cyber security threats.

The Senate has a lot of work ahead as it seeks to improve our Nation's cyber security. One vital element of this work will be to ensure that we have an appropriate public awareness of cyber security threats going forward. I look forward to working with my colleagues on this important task as well as on cyber security issues more broadly.

I would particularly like to thank Senator KYL for working with me on this piece of legislation. Senator KYL has worked on cyber security issues extensively in the past, and we have worked together on Intelligence issues,

so I very much look forward to partnering with him on this and other cyber security bills. As demonstrated by the hearing we held this week in the Crime and Terrorism Subcommittee of the Judiciary Committee, as well as by the important work previously done by the Commerce, Homeland Security, Judiciary, and other Committees, this is a vitally important and urgent national security issue, but one that we can confront in a serious and bipartisan manner.

ARMENIAN GENOCIDE

Mrs. BOXER. Mr. President, I rise today to recognize the 96th Anniversary of the Armenian Genocide—a tragedy that has left a dark stain on the collective conscience of mankind.

What has made this tragedy even more painful—particularly for the Armenian people—is the failure of successive U.S. administrations to acknowledge the deliberate massacre of the Armenians by its rightful name—genocide.

So today, I also rise to reiterate my call to President Barack Obama to finally right this terrible wrong.

In 2008, then-Senator Obama said:

... the Armenian Genocide is not an allegation, a personal opinion, or a point of view, but rather a widely documented fact supported by an overwhelming body of historical evidence. The facts are undeniable.

I could not agree more. And every day that goes by without full acknowledgement of these undeniable facts by the United States prolongs the pain felt by descendants of the victims, as well as the entire Armenian community.

Countless experts have documented the atrocities that occurred between 1915 and 1923, when more than 1.5 million Armenians were marched to their deaths in the deserts of the Middle East, murdered in concentration camps, drowned at sea, and forced to endure unimaginable acts of brutality at the hands of the Ottoman Empire—now modern-day Turkey.

Yet successive U.S. administrations continue only to refer to the genocide by such terms as “annihilation,” “massacre,” and “murder.”

This is not only an affront to the memory of the victims and to their descendants, but it does a disservice to the United States as it seeks to stand up to those who are perpetrating violence today.

In a recent speech President Obama eloquently said:

Some nations may be able to turn a blind eye to atrocities in other countries. The United States of America is different.

The United States is not a nation that turns a blind eye to atrocities, and that is why it is so important that we finally acknowledge the Armenian genocide for what it was—genocide.

As I have said, genocide is only possible when people avert their eyes. Any

effort to deal with genocide—in the past, present, or future, must begin with the truth.

So this April 24, as we pause to remember the victims and to honor the countless contributions Armenian Americans have made to our great country, I hope that the U.S. finally stands on the right side of history and calls the tragedy of 1915–1923 by its rightful name.

CITIZENSHIP NOW!

Mr. SCHUMER. Mr. President, for the past 8 years, Citizenship Now!, a project of the City University of New York and the New York Daily News, has conducted a citizenship and immigration call-in, which I have visited every time it has been held at the News headquarters in Manhattan, NY. On Monday, April 25, the ninth call-in begins, and it is anticipated that the volunteers who answer the telephone will handle the 100,000th call by Friday April 29. That means 100,000 families received information to help them get on the path to U.S. citizenship. Among the sponsors have been the NYS Bureau of Refugee and Immigrant Assistance, the American Immigration Lawyers Association, CUNY Law School, Univision, and Radio WADO, with support from Verizon and Grustedes.

At the weeklong call-in, community paralegals, CUNY counselors, students, and other volunteers, supervised by experienced citizenship and immigration attorneys and Board of Immigration Appeals-accredited individuals, answer callers' questions. CUNY trains the volunteers at an all-day training conference that precedes the call-in, and all volunteers receive a comprehensive training manual. Whenever I visit the volunteers, I bring with me an expert staff person from my office who handles constituent inquiries from immigrants and their families. We fully appreciate the special and unique outreach effort this free public service provides.

The call-in provides an important safeguard weapon against scammers engaging in the unlawful practice of law. Callers who qualify for naturalization or another immigration benefit are referred to reputable non-for-profits. Many are referred to one of CUNY Citizenship Now!'s nine citizenship and immigration law service centers where they can get free application assistance and advice. The News features the photographs and biographies of the volunteers in print and on its Web site and runs stories about the people who are being served. When a caller wishes to contact a private attorney, she or he is referred to the New York City Bar Association referral panel and the American Immigration Lawyers Association referral service.

The CUNY/Daily News Citizenship Now! Project is by far the largest university-based immigration service program in the country assisting many thousands of individuals with citizenship and immigration law services each year, all at no cost to the applicants. This public service partnership deserves our recognition and appreciation for the superb efforts underway to help people in need. Thank you, CUNY, and thank you, New York Daily News.

NATIONAL COUNTY GOVERNMENT MONTH

Mr. COONS. Mr. President, I rise to recognize the contributions made each day by our Nation's 3,068 county governments and the men and women who serve in county government. They are tireless public servants whose daily efforts to ensure that local government works for all Americans are honored during National County Government Month, which takes place each April.

As a former county executive for New Castle County, DE, I know that county governments are responsible for providing essential services important to our communities. New Castle County provides critical services in public safety, land use, parks and libraries, sewers, and economic development. Many other counties provide a broad range of services, such as maintaining roads, bridges, and water systems, and operating airports and other transit, and delivering critical health care services. Counties provide law enforcement, courtroom, and jail services, schools, and numerous social services for children, seniors and families, and often serve as the first lines of defense for emergency response and preparedness.

Since 1991, the National Association of Counties, or NACo, has encouraged counties across America to highlight their programs and services in order to raise awareness of the important role county governments play in our national life. National County Government Month is a great opportunity to recognize this.

The National County Government Month theme for 2011 is "Serving Our Veterans, Armed Forces, and Their Families." NACo president Glen Whitley, county judge for Tarrant County, TX, is urging all counties to honor and to thank their residents who have served or are currently serving our Nation in the military. In addition, Judge Whitley is urging counties to showcase their many important services to America's veterans, military service-members, and their families, such as those relating to physical and mental health, housing, employment, and the justice system.

In New Castle County, as in many counties across the country, we felt the impact of the call to duty on service-members and their families, as county employees many in our public safety

community deployed to Iraq and Afghanistan with units of the Reserve and National Guard. I am pleased to join Judge Whitley and county officials across the country in honoring service-members and veterans and highlighting the important services county governments provide.

National County Government Month also provides the Senate with an opportunity to acknowledge that county governments with the help of the National Association of Counties are working together to restore the partnership among all levels of government to serve communities across America better. We in the Senate share our constituents with county government officials and face common challenges. It is incumbent upon us to recognize the men and women who work tirelessly within local governments and provide essential services directly to our constituents. They deserve our sincerest gratitude.

I encourage all of my colleagues and all Americans to celebrate April as National County Government Month with their home counties and to recognize the important role county governments play in their communities and the critical services they provide.

REMEMBERING SENATOR JOHN HEINZ

Mr. CASEY. Mr. President, twenty years ago this month we lost Senator John Heinz in an airplane crash. A family lost a husband and a father. A Commonwealth lost a tireless advocate for older citizens and our workers. I am honored to serve in the Senate seat he held from 1977 to 1991.

Senator Heinz understood that health care has a human face that cannot be ignored. He appreciated that employers cannot shoulder the burden of costs alone and understood changes needed to be made. He worked hard to obtain results for individuals through his position on the Finance Committee and his chairmanship of the Special Committee on Aging.

Senator Heinz was a fighter for those without power, a voice for the voiceless. He enjoyed the work that goes along with being a Senator. He delved into policy issues and strived to figure out how government worked and how it could work better. He promoted innovation, looked to the future, and sought to find real solutions to the real problems people faced. He worked with his colleagues on both sides of the aisle to obtain results. As he once said, "Our greatest strengths have been our diversity and energy, our willingness to tackle problems and solve them, our confidence in the future, and our refusal to be bound by the present."

This month we remember Senator Heinz and his legacy of public service on behalf of all the people of Pennsylvania, especially those who needed a Senator fighting for them every day.

TRIBUTE TO MATT MINER

Mr. SESSIONS. Mr. President, I rise today to say goodbye to one of the most trusted members of my staff, my chief counsel on the Judiciary Committee, Matt Miner. Matt is leaving to join the prestigious law firm of White and Case, where he will be a partner in the Global White Collar Practice Group. Matt has been with me since 2008, and I have always been able to rely on his steady, informed judgment, his discretion, and his indispensable expertise that came from years of practicing law both as an assistant U.S. attorney in Montgomery, AL, and in private practice.

Before joining my staff, Matt served as counsel to chairman Norm Coleman on the Permanent Subcommittee on Investigations and as chief counsel for crime, terrorism and oversight for former chairman and ranking member Arlen Specter on the Judiciary Committee. Matt has ably served on my staff for the last 3 years, but his time as Republican staff director of the full Judiciary Committee during the end of the 111th Congress was especially noteworthy. Matt led the committee during that difficult time, when many last-ditch efforts were made to move flawed legislation to the finish line.

As a former assistant U.S. attorney, Matt is widely known and respected by Members and staff on both sides of the aisle for his expertise and judgment in the areas of criminal law and sentencing. Matt was the principal Senate Republican staffer for the Adam Walsh Act of 2006, landmark legislation that laid the groundwork for a national, interstate sex offender registry and which imposed tough new penalties and expanded offenses that cracked down on sex trafficking of minors, child pornography, and various sexual assault offenses. Matt also was the key staffer for the Fair Sentencing Act of 2010, which appropriately modified penalties for crack cocaine offenses. His knowledge and judgment were key to negotiating a bill that moderated these penalties while ensuring sufficient deterrence for dealers and traffickers.

Matt is also highly regarded for his expertise on national security issues and was an invaluable resource not only to me but to other Members and their staffs during critical debates on the PATRIOT Act, media shield, and state secrets. And during my time as ranking member, Matt helped to manage two Supreme Court confirmations and numerous high-level Justice Department confirmations.

Importantly, Matt has always taken the time to be a mentor to several junior lawyers and staff on the Judiciary Committee, talking with them about opportunities and careers and teaching them how to be effective lawyers. I know the junior lawyers on the committee very much appreciate that guidance.

A Senator is blessed indeed if he has top staff people of outstanding ability and dedication, but it is a special blessing if the staff person can be depended on to properly reflect and advance the Senator's highest and best values. Matt has my trust and confidence. When he summarizes a complex issue, I know he has intelligently considered it and has fairly reported the pros and cons. Such an ability is rare, and it has been exceedingly valuable to me. Matt has served his country well, advanced the rule of law, and been a tremendous asset to me as I seek to fulfill my duty to the people of this country.

I am happy for him in this new position and wish him Godspeed.

TRIBUTE TO GOVERNOR JOHN "JACK" GILLIGAN

Mr. BROWN of Ohio. Mr. President, today I wish to honor John "Jack" Gilligan, a model of public service, of decency and intellect, who turned 90-years-old last month and now celebrates the 40th anniversary of his administration as the 62nd Governor of Ohio.

Today there is a great debate on the future of country, as there was when Jack served as Governor of Ohio from 1971-1974. Our economic competitiveness was threatened by expanding debt, declining manufacturing, rising gas prices, and waning dominance in technology and innovation. Today, we face those challenges coupled with competition from emerging powers in Asia and productivity increasing but wages stagnating in America. Whether 40 years ago or today, what the middle class looks like in America what we want the future of our country to look like depends on our leaders making smart, tough, and sometimes politically unpopular decisions.

That is the role Jack Gilligan played, with poise and skill, and with honesty and candor. When Ohio's public workers needed a voice at that table, he expanded their collective bargaining rights. Understanding that education and infrastructure are keys to our economic competitiveness, he bolstered investments in each, while understanding tax burdens also mean better schools, safer roads, and stronger vital public services like police and fire protection. He also expanded the right to vote by lowering the voting age to 18 years old and expanded programs for mental health services and environmental protection.

It was during his time as Governor, when I first met Jack Gilligan. It was 1972, when I ran in my first election, for State Representative for the Ohio House representing my hometown of Mansfield. Jack visited me one day and offered simple advice, "Be yourself, know who you're fighting for and what you stand for." It is advice that I have followed ever since, wisdom that ap-

plies to anyone seeking to uphold the sacred public trust.

And by listening to Jack, you learn about the great State of Ohio of its geographic and demographic diversity. Jack will say we are a different State every 20 miles. We have the same farmers but who grow different crops. We have small towns, but we also have different rural communities. We have the same immigrants but from different countries; the same union family but from different unions. Jack understands that the diversity of our State not only makes it the heartland of America but also its heartbeat.

Born March 22, 1922, in Cincinnati, John Gilligan graduated from St. Xavier High School in 1939 and the University of Notre Dame in 1943. He then enlisted in the U.S. Navy, serving in the Atlantic, the Pacific, and the Mediterranean during World War II. He was awarded a Silver Star for his service in Okinawa.

Upon returning to his hometown after the war, he completed a master's degree and doctorate course work in English literature at the University of Cincinnati. He then began his teaching career at Xavier University.

In 1953, he began his decades long service to the people of Ohio. From 1953 to 1963, Jack served on the Cincinnati City Council during the civil rights era. His progressivism took him to the U.S. House of Representatives in 1964 as the Congressman from Ohio's 1st District, where he helped pass groundbreaking progressive pieces of legislation, like the creation of Medicare and Medicaid. Undaunted by his defeat for reelection—after his district was gerrymandered—and for the Senate in 1968, Jack continued his public service beyond the halls of government.

By 1970, he ran for Governor, driving an old, used van he bought from a dry cleaner and sleeping on a cot in the back. When a voter asked if he or she could help, he asked them to fill the van with gas. He won. And he fought each day thereafter to represent the interests of Ohio's middle class.

After leaving the Governor's office in 1974, Jack was asked by President Carter to serve as Director of the United States Agency for International Development, USAID, leading efforts to reorganize our Nation's foreign assistance management programs. By the 1980s and 1990s he returned to teaching, returning to teach at his alma maters, the University of Notre Dame, where he helped found the Kroc Institute for International Peace Studies, and the University of Cincinnati College of Law. But even in academia, Jack remained active in politics and public service. In 1999, at the age of 78, the former Congressman-turned-Governor served on the Board of Education for Cincinnati Public Schools.

And throughout his commitment to public service, Jack Gilligan has re-

mained a steadfast family man. He married Katie Dixon, with whom he raised four children before she died in 1996. He since remarried to Susan Freemont, a family practice physician from Cincinnati.

As the family patriarch, he has inspired his children Donald, Kathleen, John, and Ellen to pursue the public good. Kathleen now serves as U.S. Secretary of Health and Human Services, having previously served as Governor of Kansas the only time in our Nation's history that a father and daughter have served as Governors. Secretary Sebelius helped pass the most important health care law since the creation of Medicare and Medicaid, enacted with the help of her father nearly 50 years earlier. To Jack's family, thank you for sharing him with a grateful State and a grateful Nation.

2011 marks the 90th birthday of John "Jack" Gilligan's and the 40th anniversary of his leadership as Ohio's Governor. To Jack, I thank you for your service and for your counsel. And thank you for your continued belief that the fight for social and economic justice is always worth it, so long as we remember who we fight for and what we stand for.

Happy Birthday, Governor.

ADDITIONAL STATEMENTS

REMEMBERING ROY ESTESS

• Mr. COCHRAN. Mr. President, I wish today to celebrate and commemorate the life and legacy of Roy Estess, who served as the Director of Stennis Space Center from 1989 until 2002.

Roy passed away in June 2010, and his life will be honored at a ceremony at Stennis Space Center on May 2, 2011.

I will always remember Roy as a son of Mississippi whose personal qualities contributed greatly to the growth of NASA and its presence in our State. Today, we recognize Roy Estess as one of the giants in NASA history because of his leadership, intellect, integrity and vision.

It was always a pleasure to visit with Roy in Washington or at the Stennis Space Center because he was both a visionary and a pragmatist. He was a great friend and a trusted source of good advice and counsel for me throughout my career.

I continue to marvel at the growth of Stennis, which came to be known as the "Federal City," and at the national and international scope of work taking place there every day. Stennis is an essential part of NASA's mission today, due largely to Roy's commitment for over 40 years. His footprints will long remain along the paths and roads of that center, which has become a unique asset for our Nation.

Roy Estess' legacy continues to influence the future of Stennis and the

gulf coast with the construction of the INFINITY Science Center. This project was his vision and dream, and one that will carry on his effective, but unassuming, way of inspiring passion for science, education and space exploration.

Roy Estess was a true leader who left an indelible mark on me, on the State of Mississippi, and on our Nation and the world.●

TRIBUTE TO RAMON C. CORTINES

● Mrs. FEINSTEIN. Mr. President, I wish to honor Ramon C. Cortines, his distinguished career and his dedication to improving our Nation's schools. Cortines is retiring today after 55 years in public education.

I know Ramon, or "Ray," as the superintendent of the Los Angeles Unified School District in Los Angeles, CA—the Nation's second largest school district. I applaud Ray for being a zealous advocate on behalf of the Los Angeles Unified School District and the State of California. His tireless efforts helped to bring Federal funding and reform to its schools, especially during this difficult time of budget cuts and teacher layoffs.

Ray has committed himself to educating young minds. His career started with humble beginnings as a teacher in elementary, middle and high schools. After his first teaching job in Aptos, Ray became a teacher and administrator in Covina, CA.

His career flourished, taking him to administrative positions of principal, assistant superintendent, administrative director and superintendent. Ray became an administrator for 4 years and superintendent of schools for 11 years in Pasadena, CA; superintendent in San Jose, CA, for 2 years; superintendent in San Francisco for 6 years; and New York City Schools chancellor for 2 years.

Ray also recognizes the importance of higher education. He has acted as a consultant to the University of California, the California State University and the California Community College systems.

Ray's leadership didn't stop at the local level. In December 1992, he chaired a U.S. Department of Education transition team for then-President-elect Clinton. Ray served as a senior adviser to former U.S. Secretary of Education Richard Riley. He was also nominated to serve as Assistant Secretary of Education for Intergovernmental Affairs by President Bill Clinton. He served on numerous task forces and committees with the California Department of Education, U.S. Department of Education and U.S. Department of Health and Human Services.

Ray isn't afraid to fight for California schools. He has advocated on behalf of teachers and students in California by testifying on Capitol Hill

about the importance of increasing funding for title I and special education programs, as well as saving teachers' jobs.

Ray dedicated himself to serving his country in other ways. He served in the U.S. Army from 1953 to 1955.

I admire Ray's hard work, dedication and commitment to raising academic achievement and turning around low-performing schools. As Los Angeles Unified School District Superintendent, Ray concentrated on improving instruction and teacher quality. Under his leadership, the district experienced a 16-point increase on the 2010 California Academic Performance Index. The district's overall score topped the 700 threshold for the first time. Ray restructured the first school in the district—Fremont High School. Ray's leadership style is no-nonsense and I applaud him for what he has accomplished.

All of us who care about providing every student with a quality education will miss him.

I congratulate Ray on his years of remarkable service to our Nation and to our State's education system. We are grateful to him for his leadership and commitment to making the classroom a better place for our students. I am sure that his students and colleagues will always remember the impact he made on their lives and their communities.●

REMEMBERING RICHARD "DICK" ELIASON

● Ms. MURKOWSKI. Mr. President, today I honor the life and service of Richard "Dick" Eliason. Dick passed away on April 3, 2011. He will be remembered for his decades of service to Alaska and his steadfast commitment to sensible, long-term management of Alaska's fisheries. Dick was the first Alaskan nominated to the 2006 Wild Salmon Hall of Fame at the Pacific Northwest Salmon Center for his leadership primarily in banning fin fish farming in Alaska and his work on the "Wild Stock Priority."

Dick was born in Seattle, WA, on October 14, 1925. As an only child he spent his childhood fishing between Washington and Port Alexander with his parents, George and Elsie Eliason. The family decided to move to Sitka in 1939 where he attended Sitka High School. Following high school, during World War II Dick spent 3 years aboard a sub chaser in the Navy patrolling the Hawaiian Islands.

In 1950, Dick met Nurse Betty Gemmell from Montana and married her. Together they had five children; Greta, George, Ida, Richard, Jr. and Stanley. Betty passed away in 1981 and later Dick married Patricia McConnell.

As a young man, Dick was very busy owning a succession of fishing boats, bartending at the American Legion,

and working for many years as a pipe-fitter. While the early years were tough raising his growing family, he certainly succeeded in raising a loving family. He continued to work as a commercial fisherman for nearly 70 years.

Dick entered public service early, serving on the territorial public utilities board. He entered the political arena in the early 1960s in Sitka where he was elected to the assembly and went on to become mayor. At the State level, Dick served as a member of the Alaska House of Representatives from 1968 to 1970 and 1972 to 1980 and as a member of the Alaska Senate from 1980 to 1992. Dick also worked for his community as a member of the VFW, the Elks, the Moose and the Masons.

In his 22 years in the Alaska Legislature, he championed the interests of fishermen and fishing communities. He fought for sustainable yield management of our fisheries and the hatchery system, and against fin fish farming and illegal high seas fishing.

Over the course of time, the fin fish farming ban has changed in the mind of Alaskans. The universally popular idea in Alaska was once much more controversial. In 1988, salmon prices soared to levels not seen again until lately giving corporations and other businesses an opportunity to compete in the emerging farmed salmon market.

Dick wisely saw that to protect the wild stocks and the people who earned a living off of them was more than a temporary issue. Dick recognized the long lasting effects that his legislation could offer. His legacy of protecting wild salmon and promoting quality salmon is not bound to Alaska: his legacy is enjoyed by those even beyond the reaches of this Nation.

Dick would say that he merely worked to protect a way of life, but it was his own way of life that typically allowed him to shine brighter than others and to succeed. He was acutely aware of how to communicate and bargain among his colleagues. By all accounts, Dick was not likely to let his title or power go to his head, even though he had plenty of both. He was the consummate statesman. He was fair and knew how to roll with the punches in a way that only he could.

Dick leaves an esteemed legacy that Alaska will benefit from for years to come. I extend my sympathies to the Eliason family and feel blessed to have known this great Alaskan.●

REMEMBERING JAMES MARTIN FITZGERALD

● Ms. MURKOWSKI. My home State of Alaska is a young State. Barely over 50 years old. I often marvel at the fact that so many of those who led Alaska during territorial days and were instrumental in the statehood movement also played important roles in poststatehood modern Alaska. Very

few of our 50 states can boast that its founders are still around to guide the current generation of leaders. Alaska has been deeply fortunate in this respect. And we've never taken the wisdom of these individuals for granted.

I speak today to honor the life of one of these individuals who passed away last week—Senior U.S. District Judge James Martin Fitzgerald, a member of Alaska's Territorial Bar, one of the first eight individuals selected to serve on the Alaska Superior Court, an associate justice of the Alaska Supreme Court and a Federal judge since 1974.

Judge Fitzgerald was born in Portland, OR, in 1920. He enrolled in the University of Oregon and played football for the Ducks. But shortly thereafter he left college, when he was called to active duty in the National Guard. Following discharge from the National Guard he resumed undergraduate study at Willamette University, once again playing on the football team.

But World War II interceded. On December 6, 1941, the Willamette team played an away game at the University of Hawaii. The next morning, the team was waiting outside the Moana Loa Hotel for a bus to take them on a sightseeing tour as bombs fell on Pearl Harbor.

The entire Willamette football team was conscripted to help defend the Island of Oahu. After brief training they were armed with World War I era rifles and put on guard duty at a Honolulu High School. The team went on sentry rotations to keep watch over nearby water towers and storage tanks that were potential Japanese targets. They strung barbed wire along the Waikiki beach.

The football team remained in Honolulu for several weeks until their coach convinced the captain of the SS President Coolidge to take the team home in exchange for aiding the hundreds of critically wounded servicemen that were on board.

On Christmas Day 1941, the team arrived in San Francisco. Judge Fitzgerald promptly enlisted in the U.S. Marine Corps. He spent 5 years fighting for our country as a radio gunner for a torpedo squadron in the South Pacific.

Honorably discharged once again in 1946, Fitzgerald returned to Portland. He married his wife Karin in 1950. Fitzgerald worked as a firefighter and reenrolled at Willamette where he completed work toward his B.A. and subsequently earned a law degree in 1951. The newly married couple spent their first summer in Ketchikan, Alaska where he worked in a lumber mill and a salmon cannery.

Upon graduation from law school, Judge Fitzgerald returned to Ketchikan. He served as an assistant U.S. attorney in Ketchikan for 4 years then relocated to Anchorage where he served as the city attorney.

Judge Fitzgerald was subsequently named counsel to Alaska's first Governor, William Egan, and was appointed the first commissioner of the Alaska Department of Public Safety.

In November 1959, Judge Fitzgerald was selected to be one of the first eight judges of the newly created Alaska Superior Court, which is our trial court. Prior to Alaska's admission to the statehood, the Federal Government maintained the judicial system for the territory. A new court system for our new State had to be created from scratch. The eight new judges were promptly dispatched to New Jersey to learn how a State trial court operates. Among his colleagues on that trip was Judge James von der Heydt, who like Fitzgerald, would also one day serve on the U.S. District Court.

Judge Fitzgerald was elevated to the Alaska Supreme Court in 1972 and served there until 1974 when he was confirmed to serve on the federal bench.

Judge Fitzgerald was sworn in as a U.S. district judge on December 20, 1974. He served as chief judge of the District of Alaska from 1984 until 1989 and became a senior district judge in 1989.

Judge James Fitzgerald passed away surrounded by his family on April 3, 2011. He is survived by his wife Karin Fitzgerald and their four children. On behalf of my Senate colleagues, I extend condolences to Karin, Judge Fitzgerald's family and his many friends in the Alaska Bar and the community as a whole.

James Fitzgerald's life was one of sacrifice and public service. He set aside his college education and an opportunity to play varsity football in order to serve his country in time of war. He was a dedicated attorney and jurist who brought peace to the territory of Alaska and then went on to help create Alaska's highly respected State court system before joining the Federal bench. He served my beloved State of Alaska for well over 50 years; and it is my hope that his life will continue to serve as an inspiration to us all.●

WISCONSIN CHAPTER OF THE AMERICAN INSTITUTE OF ARCHITECTS

● Mr. KOHL. Mr. President, the Wisconsin Chapter of the American Institute of Architects, AIA Wisconsin, was established in 1911 with a commitment to creating better places to work and live through architectural design and advocacy. This year, we celebrate the 100-year anniversary of Wisconsin's AIA Chapter. I would like to congratulate all past and present members of AIA Wisconsin for a century of service and their devotion to designing the buildings that are hallmarks of Wisconsin's architectural landscape.

Over the years, AIA Wisconsin has developed into four active local chapters, each covering a quadrant of our State. With more than 1,300 members, AIA Wisconsin brings fellowship to Wisconsin's architects while providing educational, public awareness and advocacy opportunities. Wisconsin architects are at the forefront of technology, keeping abreast of energy efficient solutions that they integrate into their designs. These innovations help Wisconsin communities become more sustainable and livable, a goal we can all agree on.

Further, I am pleased to commend AIA Wisconsin for its community involvement. Wisconsin AIA provides educational opportunities through organized programs, public lectures, architectural competitions and educational summer camps in our state. I am confident that AIA Wisconsin will continue to provide these opportunities and creative design solutions to create a green economy in Wisconsin.

On behalf of our State and Nation, I thank AIA Wisconsin for a century of work that has connected and improved Wisconsin's architects, creating the landmarks we have come to recognize as part of our great State's heritage.●

TRIBUTE TO JOHN PODHORETZ

● Mr. LIEBERMAN. Mr. President, today I wish to congratulate John Podhoretz, who next week will reach one of life's momentous, and too often dreaded, milestones: turning 50 years of age. John is today best known for his work as editor of Commentary magazine and for his regular column in the New York Post, but these activities only scratch the surface of his career. While, God willing, John has many more years ahead of him and much left to do here, I believe this milestone is an opportune moment to reflect upon his many unique and influential contributions to publishing, punditry, political thought, and pop culture.

Given his iconic lineage, it comes as no surprise to me that John has accomplished so much in his first five decades. He was born of two intellectual giants, Norman Podhoretz and Midge Decter, and grew up on Manhattan's Upper West Side. He studied at the University of Chicago, graduated from there in 1981, and then settled in Washington, DC, to begin his promising career.

He served as speechwriter to Presidents Reagan and George H.W. Bush and as special assistant to White House drug czar, William Bennett. An accomplished journalist and writer, John has contributed to the Washington Times, the New York Post, US News & World Report, and the American Spectator. He is a refreshing critic of film and popular culture, and he once dabbled in entertainment as a consultant to the popular political fiction show "The

West Wing." He is even a five-time champion of the hit trivia game show "Jeopardy!"

John is what I would call an "idea entrepreneur." He understands that ideas have consequences and knows how to spread those ideas near and far. In 1995, together with Bill Kristol and Fred Barnes, John cofounded the *Weekly Standard*, a conservative opinion journal which he still writes for today as a movie critic. Over the years, the *Standard* has become more than just required reading for conservative thinkers—it is read by policy and opinion makers of all political stripes, and it has enormous reach inside the Beltway and well beyond. Thanks to John's contributions, the *Standard* has become, well, a standard of political thought leadership.

John followed in his father's footsteps by becoming editor of *Commentary* magazine, a profoundly influential journal that seamlessly tackles the most pressing questions on political, social and cultural issues. In 2007, he launched the magazine's widely read and respected blog, *Contentions*, bringing *Commentary* into the new age of media. Just as he did with the *Standard*, John continues to prove at *Commentary* that ideas are powerful.

John is unafraid to challenge conventional wisdom and he is an unabashed defender of the values that make our country great: freedom, democracy, human dignity, and economic opportunity. On top of all that, based on watching and listening to him on that great day in August 2006 when his dear friend, Jacob Wisse, married my daughter, Becca Lieberman, John Podhoretz is a surprisingly impressive dancer and singer!

So, Mr. President, I congratulate John on 50 years well done. He has enormous personality, a great sense of humor, and a lovely family. I wish them happiness on this occasion. John, Happy Birthday!•

TRIBUTE TO AL HAWKES

• Ms. SNOWE. Mr. President, I frequently come to the floor to speak about a Maine small business that has done remarkable things in its community, or a business owner who has made a lasting impression on his or her company's employees. Today, I wish to recognize a Maine entrepreneur who has an inspiring life story that many have never heard. It is with great pride that I introduce to you a very special Maine resident and lifelong musician, Mr. Allerton Hawkes, whose amazing contributions to Maine's small business community and to the entire Nation's bluegrass legacy know no bounds.

Mr. Hawkes was born on Christmas Day, 1930, in the city of Providence, RI. Soon thereafter, when Al was 10, his family returned to the southern Maine city of Westbrook to live on an old

family farm. As a young teenager in the 1940s, Al began listening to bluegrass music by tuning in to remote Southern music radio stations, and he was determined to play several stringed instruments often associated with bluegrass. He soon became friend with a man named Alton Meyers, whom he met scavenging through record bins at a used furniture store in Portland. Because of their shared love of music, they became the first interracial duo to play bluegrass—presenting many live performances and radio shows until 1951, when both began their service in the U.S. military.

This duo remains to this day, historically, our only interracial bluegrass duo. Although Mr. Meyers passed away in 2000, Al Hawkes—now in his 80s, continues to be involved in the bluegrass movement. Fortunately for all of us, the bluegrass duo's recordings have been preserved forever by Bear Family Records which has provided the Nation's audience with a compact disc recording containing 70 minutes and 27 tracks of this special part of our American musical heritage. Furthermore, Al has been joined by several friends in compiling a CD to benefit research combating Parkinson's disease, which is forthcoming.

Al continues to live in Maine and has amassed a very valuable collection of American bluegrass and country recordings. He has been recognized by the International Bluegrass Music Museum as one of the pioneers in bluegrass at a ceremony in Owensboro, KY. Al's historical legacy is contained in a documentary entitled "The Eventful Life of Al Hawkes," which also recently aired six times on Maine's Public Broadcasting Network. His famous remark about his musical history—that he believes there is a "bluegrass gene" which he inherited—seems to reflect in his additional musical accomplishments, playing with other bluegrass and country stars throughout the years and being the recipient of 25 awards in the musical lexicon.

Beyond bluegrass, Al's deep-seated Maine legacy revolves around a huge sign of a repairman which, to this day, is a famous landmark in southern Maine. As a small business entrepreneur who ran both a TV repair and dry cleaning business in the noteworthy Hawkes Plaza, Al actually made and installed the famous icon sign of the 13-foot high repairman who once sported 385 light bulbs, fluorescent lights and moving parts which gave the illusion of a walking repairman. To residents' delight, the sign—although no longer sporting the creative lights or moving parts—still remains a treasure which sustains generational memories, nearly 50 years after Al built it in 1962. Indeed, Maine's unique character has thus been supported by Al's wonderful inventiveness on several fronts throughout the years.

Al Hawkes is truly a Maine and national treasure whose inheritance of that special "bluegrass gene" has provided us all with the rich and entertaining joy and privilege of listening to great, distinctive American music. I am proud that Al has chosen to stay in Maine, and has led such a distinguished and varied career, from small business owner and entrepreneurs, to pioneering and accomplished musician. I wish Al all the best, and thank him for his outstanding contributions to our Nation's cultural life.•

REMEMBERING JOSE S. CHAVEZ

• Mr. UDALL of New Mexico. Mr. President, the State of New Mexico lost a great man on March 17, 2011, when Jose S. Chavez passed away at the age of 93. He was a man who served our country proudly during World War II and was a survivor of the Bataan Death March. I would like to honor his memory today.

Mr. Chavez was a man of strength. He had a strong faith, a strong will to survive, and was described as the strength and patriarch of his large and loving family.

As a member of the 200th Coastal Artillery and 515th Anti-Aircraft Battalion, Mr. Chavez served his country in the Philippines during World War II. He was captured along with many other of his fellow soldiers and forced to endure the horrors of the Bataan Death March and the more than 3 years of captivity which followed.

Mr. Chavez is credited with saving many lives during the horrific march—picking up and carrying men to keep them from being killed. Mistaken for dead and put in a grave three times during his captivity, Mr. Chavez refused to give up. It was his strong faith in God, and also in those he served with, which helped him and others survive the inhumane conditions they faced.

After returning home he worked as a farmer before continuing his service to his country by reenlisting in the military and later taking a government job.

Mr. Chavez's strength extended beyond the battlefield to his home life, where he was the pillar of his large family. He built the home that he and his wife of 65 years, Susie, lived in and was known as the man who could fix anything and could always be found tinkering away at a project.

His family will miss his strong-willed and loving personality, and certainly feel the void left by Mr. Chavez's passing. Let us take a moment today to remember Mr. Chavez and the remarkable strength he shared not only with his family, but with our country during his service.•

TRIBUTE TO EDGAR PEARA

• Mr. WYDEN. Mr. President, on April 14, the Government of France will

present the National Order of the Legion of Honor to Edgar Peara one of Oregon's more modest heroes.

The Ordre national de la Légion d'honneur was established by Napoleon Bonaparte in 1802 as a way of recognizing exceptional merit regardless of rank, class, or privilege. The Order remains the highest decoration in France and is being bestowed upon Edgar for his service in that country during World War II.

Already highly decorated by the United States for bravery and valor, Edgar's story is indeed remarkable and worthy of high praise. After the bombing of Pearl Harbor on December 7, 1941, Edgar immediately volunteered for the military. At first he was told he would be more valuable to the Nation if he returned to his engineer studies, but the call to action was too strong. By June 1942 he received a commission in the U.S. Army and was assigned as an officer in the 531 Amphibious Combat Regiment of the 1st Engineer Amphibious Combat Brigade.

His unit specialized in supporting large amphibious invasions, clearing the way for the infantry and keeping the Army on the move. By November 1942, Edgar's outfit landed in Arzew, Algeria, where Edgar, determined to keep the situation as calm as possible, went from house to house telling anxious Algerians unfamiliar with war or Americans that "we come in peace. We are not here to harm anyone. We simply want you to surrender any weapons so that all armed resistance ceases." He said later that "No one gave us any trouble and we collected so many arms we could hardly carry them all."

This action set the tone for Edgar's entire war experience and his later life. As he prepared for the invasion of Italy, Edgar made a conscious effort to look for, and be grateful for, whatever there was to be appreciated that day, whether it was food, a dry place to sleep, reasonable weather, the friendships of comrades, and being well and safe. As Edgar put it, "That change in attitude helped make me a happier person, for I stopped thinking that my contentment had to lie in the future when the war was over."

After participating in the invasions of Sicily and mainland Italy, Edgar was moved to the southwest coast of England in order to help ready allied forces for D-day. He landed at Utah Beach on the upper French coast on June 6, 1944. Early that morning he noticed a battalion medical aid station was under intense fire. Recognizing the danger to those helpless soldiers, he scrambled to find a more protected area. He came across an abandoned German concrete underground command post. Dodging bullets and shells, he ran back to help move the wounded to safety.

Edgar would later be part of the invasion of Okinawa, Japan, making him

one of the few veterans to serve in Africa, Europe, and the Pacific.

Taking what he learned from his experiences in war, Edgar dedicated himself to a life of internal peace and became a staunch advocate of greater peace for all humanity. He used his GI Bill to train for ordination as a Christian Science practitioner. During the Korean war, Edgar served as a Christian Science chaplain at the U.S. Naval Training Center, Great Lakes, IL. After this duty he went on to become a Unitarian Universalist minister. Edgar has worked diligently to help others find the same peace he discovered in his own heart and to help all mankind achieve greater peace between neighbors and nations.

As an Oregonian, I could not be more proud of Edgar, his wonderful story, and his life's work. He truly is a hero and embodies the best of our State. As our Nation continues to struggle in conflicts overseas, Edgar serves as a testament to the belief that sometime restraint is as powerful as force in times of war. I am very appreciative of Edgar's selfless service. The people of France are thanking him today with this award. Oregon thanks him for continuing to make us proud. ●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 9:52 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1217. An act to repeal the Prevention and Public Health Fund.

At 3:16 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1473. An act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

The message also announced that the House has agreed to the following con-

current resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 43. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

At 4:47 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 35. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473.

H. Con. Res. 36. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1217. An act to repeal the Prevention and Public Health Fund; to the Committee on Health, Education, Labor, and Pensions.

MEASURES DISCHARGED

The following bill was discharged from the Committee on Agriculture, Nutrition, and Forestry, and referred as indicated:

S. 375. A bill to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services; to the Committee on Energy and Natural Resources.

ENROLLED BILL AND JOINT RESOLUTION PRESENTED

The Secretary of the Senate reported that on today, April 14, 2011, she had presented to the President of the United States the following enrolled bill and joint resolution:

S. 307. An act to designate the Federal building and United States courthouse located at 217 West King Street, Martinsburg, West Virginia, as the "W. Craig Broadwater Federal Building and United States Courthouse".

S.J. Res. 8. Joint resolution providing for the appointment of Stephen M. Case as a citizen regent of the Board of Regents of the Smithsonian Institution.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1355. A communication from the Assistant Secretary of Defense (Legislative Affairs) transmitting seven legislative proposals; to the Committee on Armed Services.

EC-1356. A communication from the Assistant Administrator for Fisheries, Office of International Affairs, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "High Seas Driftnet Fishing Moratorium Protection Act; Identification and Certification Procedures to Address Illegal, Unreported, and Unregulated Fishing Activities and Bycatch of Protected Living Marine Resources" (RIN0648-AV51) received in the Office of the President of the Senate on April 13, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1357. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Examination of Returns and Claims for Refund, Credit or Abatement; Determination of Correct Tax Liability" (Rev. Proc. 2011-29) received in the Office of the President of the Senate on April 13, 2011; to the Committee on Finance.

EC-1358. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Medicare Ambulatory Surgical Center Value-Based Purchasing Implementation Plan"; to the Committee on Finance.

EC-1359. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the Millennium Challenge Corporation's activities during fiscal year 2010; to the Committee on Foreign Relations.

EC-1360. A communication from the Senior Vice President, Diversity and Labor Relations, Tennessee Valley Authority, transmitting, pursuant to law, the fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1361. A communication from the Deputy Director, Court Services and Offender Supervision Agency for the District of Columbia, transmitting, pursuant to law, the Agency's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 128. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2011.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. LEVIN for the Committee on Armed Services.

Air Force nomination of Maj. Gen. David L. Goldfein, to be Lieutenant General.

Army nomination of Lt. Gen. Robert W. Cone, to be General.

Air Force nomination of Maj. Gen. David S. Fadok, to be Lieutenant General.

Army nomination of Lt. Gen. David M. Rodriguez, to be General.

Army nominations beginning with Colonel Norvell V. Coots and ending with Colonel Brian C. Lein, which nominations were received by the Senate and appeared in the Congressional Record on April 8, 2011.

Mr. LEVIN. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORD on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

Air Force nominations beginning with Travis R. Adams and ending with Ilaina M. Wingler, which nominations were received by the Senate and appeared in the Congressional Record on March 30, 2011.

Air Force nominations beginning with Frederick C. Aban and ending with Catherine L. Wynn, which nominations were received by the Senate and appeared in the Congressional Record on March 30, 2011.

Air Force nominations beginning with Allan K. Doan and ending with Andrew L. Wright, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Air Force nominations beginning with Budi R. Bahureksa and ending with Muhammad A. Sheikh, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nomination of Michael K. Pyle, to be Colonel.

Army nomination of Janet Manning, to be Colonel.

Army nominations beginning with John H. Barkemeyer and ending with D010566, which nominations were received by the Senate and appeared in the Congressional Record on March 16, 2011.

Army nominations beginning with Michael G. Pond and ending with William M. Stephens, which nominations were received by the Senate and appeared in the Congressional Record on March 30, 2011.

Army nomination of Juan J. Derojas, to be Colonel.

Army nomination of David S. Goins, to be Major.

Army nomination of Kimberly A. Speck, to be Major.

Army nomination of Lyndall J. Soule, to be Major.

Army nominations beginning with James J. Houlihan and ending with Jason S. Kim, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with Joshua P. Stauffer and ending with Bridget C. Wolfe, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with Edwin Robins and ending with Jeffrey M. Tiede, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with Richard J. Schoonmaker and ending with Edward W. Lumpkins, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with John H. Bordes and ending with Edna J. Smith, which nominations were received by the Sen-

ate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with Richard R. Jordan and ending with April B. Turner, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

Army nominations beginning with Carlson A. Bradley and ending with Sylvester E. Waller, which nominations were received by the Senate and appeared in the Congressional Record on April 8, 2011.

Marine Corps nominations beginning with Peter G. Bailiff and ending with Timothy D. Sechrest, which nominations were received by the Senate and appeared in the Congressional Record on February 2, 2011.

Marine Corps nominations beginning with Joe H. Adkins, Jr. and ending with James B. Zientek, which nominations were received by the Senate and appeared in the Congressional Record on February 16, 2011.

Navy nomination of Medrina B. Gilliam, to be Lieutenant Commander.

Navy nomination of David S. Plurad, to be Captain.

Navy nominations beginning with James P. Kitzmiller and ending with Jonathan D. Szczesny, which nominations were received by the Senate and appeared in the Congressional Record on March 31, 2011.

By Mr. JOHNSON, of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

*Eric L. Hirschhorn, of Maryland, to be Under Secretary of Commerce for Export Administration.

*Katharine G. Abraham, of Iowa, to be a Member of the Council of Economic Advisers.

*Carl Shapiro, of California, to be a Member of the Council of Economic Advisers.

By Mr. BAUCUS for the Committee on Finance.

David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes.

*Jenni Rane LeCompte, of the District of Columbia, to be an Assistant Secretary of the Treasury.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. BROWN of Ohio:

S. 816. A bill to facilitate nationwide availability of volunteer income tax assistance for low-income and underserved populations, and for other purposes; to the Committee on Finance.

By Mr. PORTMAN:

S. 817. A bill to provide for the inclusion of independent regulatory agencies in the application of the Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.); to the Committee on the Budget.

By Mr. KERRY (for himself and Ms.

SNOWE):

S. 818. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a

hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Finance.

By Mr. LAUTENBERG (for himself, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. MENENDEZ):

S. 819. A bill to provide the spouses and children of aliens who perished in the September 11 terrorist attacks an opportunity to adjust their status to that of aliens lawfully admitted for permanent residence; to the Committee on the Judiciary.

By Mr. SHELBY:

S. 820. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and greater fairness for all Americans; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mrs. MURRAY, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. WYDEN, Mr. INOUE, and Mr. SANDERS):

S. 821. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

By Mr. COBURN (for himself and Mr. BENNET):

S. 822. A bill to amend the Internal Revenue Code of 1986 to require all wage withholding returns to be filed electronically; to the Committee on Finance.

By Mr. SCHUMER (for himself, Ms. COLLINS, Mr. KERRY, and Mr. LEAHY):

S. 823. A bill to permit aliens who lawfully enter the United States on valid visas as nonimmigrant elementary and secondary school students to attend public schools in the United States for longer than 1 year if such aliens reimburse the local educational agency that administers the school for the full, unsubsidized per capita cost of providing education at such school for the period of the alien's attendance; to the Committee on the Judiciary.

By Mr. BROWN of Ohio:

S. 824. A bill to provide for enhanced mortgage-backed and asset-backed security investor protections, to prevent foreclosure fraud, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COONS:

S. 825. A bill to amend the Internal Revenue Code of 1986 to permanently extend and modify the research tax credit, and for other purposes; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 826. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DEMINT (for himself, Mr. CORNYN, Mr. COBURN, Mr. GRAHAM, Mr. GRASSLEY, Mr. INHOFE, Mr. JOHNSON of Wisconsin, and Mr. VITTER):

S. 827. A bill to allow a State to combine certain funds and enter into a performance agreement with the Secretary of Education to improve the academic achievement of students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. UDALL of Colorado (for himself and Ms. COLLINS):

S. 828. A bill to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. INOUE, Mr. BLUNT, Mr. LEAHY, Mr. JOHNSON of South Dakota, Mr. FRANKEN, Mr. AKAKA, Mr. REED, and Mr. GRAHAM):

S. 829. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Finance.

By Mrs. MURRAY:

S. 830. A bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. FRANKEN (for himself, Mr. BROWN of Ohio, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. SANDERS):

S. 831. A bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products; to the Committee on Agriculture, Nutrition, and Forestry.

By Ms. COLLINS (for herself and Mrs. MURRAY):

S. 832. A bill to reauthorize certain port security programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. WHITEHOUSE (for himself, Mr. REED, Mr. BROWN of Ohio, Mr. FRANKEN, and Mr. AKAKA):

S. 833. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself and Mrs. MURRAY):

S. 834. A bill to amend the Higher Education Act of 1965 to improve education and prevention related to campus sexual violence, domestic violence, dating violence, and stalking; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CRAPO (for himself and Mr. LEAHY):

S. 835. A bill to reform the Bureau of Alcohol, Tobacco, Firearms, and Explosives, modernize firearms laws and regulations, protect the community from criminals, and for other purposes; to the Committee on the Judiciary.

By Mr. BINGAMAN (for himself and Mr. GRASSLEY):

S. 836. A bill to amend the Internal Revenue Code of 1986 to provide special depreciation and amortization rules for highway and related property subject to long-term leases,

and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Mr. GRASSLEY):

S. 837. A bill to amend title 23, United States Code, to remove privatized highway miles as a factor in apportioning highway funding; to the Committee on Environment and Public Works.

By Mr. TESTER (for himself, Mr. THUNE, Mr. NELSON of Nebraska, Mr. BEGICH, and Mr. BOOZMAN):

S. 838. A bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act; to the Committee on Environment and Public Works.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 839. A bill to ban the sale of certain synthetic drugs; to the Committee on the Judiciary.

By Ms. STABENOW (for herself and Mr. LEVIN):

S. 840. A bill to establish customs user fees for commercial trucks transporting foreign municipal solid waste, and for other purposes; to the Committee on Environment and Public Works.

By Mr. UDALL of Colorado (for himself, Ms. STABENOW, and Mr. MERKLEY):

S. 841. A bill to provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small and medium-sized businesses in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CASEY:

S. 842. A bill to require reports by the Comptroller General on Department of Defense military spouse employment programs, and for other purposes; to the Committee on Armed Services.

By Mr. BEGICH:

S. 843. A bill to establish outer Continental Shelf lease and permit processing coordination offices, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LIEBERMAN (for himself and Mr. BENNET):

S. 844. A bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself and Ms. SNOWE):

S. 845. A bill to amend the Internal Revenue Code of 1986 to provide for the logical flow of return information between partnerships, corporations, trusts, estates, and individuals to better enable each party to submit timely, accurate returns and reduce the need for extended and amended returns, to provide for modified due dates by regulation, and to conform the automatic corporate extension period to longstanding regulatory rule; to the Committee on Finance.

By Mr. BLUNT (for himself and Mrs. MCCASKILL):

S. 846. A bill to designate the United States courthouse located at 80 Lafayette Street in Jefferson City, Missouri, as the

Christopher S. Bond United States Court-house; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG (for himself, Ms. KLOBUCHAR, Mr. SCHUMER, Mrs. BOXER, and Mr. FRANKEN):

S. 847. A bill to amend the Toxic Substances Control Act to ensure that risks from chemicals are adequately understood and managed, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CORNYN:

S. 848. A bill to provide for the development of reports based on Medicare data, data that is publicly available, or private data that is provided by a requesting entity in order to improve the quality and efficiency of health care; to the Committee on Finance.

By Mr. CORNYN (for himself and Mrs. HUTCHISON):

S. 849. A bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. CASEY, Mr. MENENDEZ, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 850. A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HARKIN (for himself, Mr. BINGAMAN, Mr. BENNET, Mr. FRANKEN, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 851. A bill to establish expanded learning time initiatives, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEAHY (for himself, Mr. ENZI, Mr. SANDERS, Mr. KOHL, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 852. A bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes; to the Committee on the Judiciary.

By Mrs. HAGAN:

S. 853. A bill to provide for financial literacy education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG:

S. 854. A bill to provide for programs and activities with respect to the prevention of underage drinking; to the Committee on Health, Education, Labor, and Pensions.

By Ms. STABENOW (for herself, Mrs. HUTCHISON, and Mr. CASEY):

S. 855. A bill to make available such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services; to the Committee on Armed Services.

By Mr. DURBIN:

S. 856. A bill to amend title XI of the Social Security Act to make available to the public aggregate data on providers of services and suppliers under the Medicare program and to allow qualified individuals and groups access to claims and payment data under the Medicare program for purposes of conducting health research and detecting fraud; to the Committee on Finance.

By Mr. GRASSLEY (for himself and Mr. CASEY):

S. 857. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented learners, including high-ability learners not formally identified as gifted; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN of Ohio (for himself and Mr. PORTMAN):

S. 858. A bill to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY:

S. 859. A bill to prohibit sexual harassment by individuals administering programs and activities receiving Federal assistance; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 860. A bill to ensure that methodologies and technologies used by the Bureau of Customs and Border Protection to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 861. A bill to restore the natural resources, ecosystems, fisheries, marine habitats, and coastal wetland of Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, and for other purposes; to the Committee on Environment and Public Works.

By Mr. NELSON of Florida:

S. 862. A bill to provide for a comprehensive Gulf of Mexico restoration plan, and for other purposes; to the Committee on Environment and Public Works.

By Ms. SNOWE:

S. 863. A bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program; to the Committee on Finance.

By Mr. DEMINT (for himself, Mr. VITTER, Ms. AYOTTE, Mr. COBURN, Mr. ENSIGN, Mrs. HUTCHISON, Mr. JOHNSON of Wisconsin, Mr. LEE, Mr. PAUL, Mr. RUBIO, and Mr. TOOMEY):

S.J. Res. 11. A joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve to 3 in the House of Representatives and 2 in the Senate; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. VITTER (for himself and Mr. LEE):

S. Res. 145. A resolution designating April 15, 2011, as "National TEA Party Day"; to the Committee on the Judiciary.

By Mr. ENSIGN (for himself, Mrs. HUTCHISON, and Mr. MANCHIN):

S. Res. 146. A resolution expressing the sense of the Senate that it is not in the vital interest of the United States to intervene militarily in Libya, calling on NATO to ensure that member states dedicate the resources necessary to ensure that objectives as outlined in the United Nations Resolutions 1970 and 1973 are accomplished, and to urge members of the Arab League who have yet to participate in operations over Libya to provide additional military and financial assistance; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR:

S. Res. 147. A resolution recognizing the celebration of National Student Employment Week at the University of Minnesota Duluth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN (for himself, Ms. COLLINS, Mr. BLUNT, Mr. LEE, Mr. ROBERTS, and Mr. INHOFE):

S. Res. 148. A resolution calling on the President to submit to Congress a detailed description of United States policy objectives in Libya, both during and after Muammar Qaddafi's rule, and a plan to achieve them, and to seek congressional authorization for the use of military force against Libya; to the Committee on Foreign Relations.

By Mr. CASEY:

S. Res. 149. A resolution recognizing and supporting the goals and ideals of Sexual Assault Awareness Month; to the Committee on the Judiciary.

By Mr. INHOFE:

S. Res. 150. A resolution calling for the protection of religious minority rights and freedoms in the Arab world; to the Committee on Foreign Relations.

By Ms. KLOBUCHAR:

S. Res. 151. A resolution congratulating the University of Minnesota Duluth men's ice hockey team on winning their first National Collegiate Athletic Association (NCAA) Division I Men's Hockey National Championship; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. REID, and Mr. LAUTENBERG):

S. Res. 152. A resolution designating April 30, 2011, as "Dia de los Ninos: Celebrating Young Americans"; to the Committee on the Judiciary.

By Mr. LUGAR (for himself and Mr. KERRY):

S. Res. 153. A resolution recognizing the 25th anniversary of the Chernobyl nuclear disaster; to the Committee on Foreign Relations.

By Mr. TESTER (for himself and Mr. BURR):

S. Res. 154. A resolution designating July 8, 2011, as "Collector Car Appreciation Day" and recognizing that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; considered and agreed to.

By Mr. WEBB (for himself, Ms. SNOWE, Mr. COCHRAN, and Mr. WARNER):

S. Res. 155. A resolution designating April 23, 2011, as "National Adopt A Library Day"; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mr. BEGICH, Mrs. FEINSTEIN, Mr. UDALL of Colorado, Mr. AKAKA, Ms. MIKULSKI, Mr. LEVIN, Ms. STABENOW, Mr. COCHRAN, Mrs. MURRAY, and Mr. COONS):

S. Res. 156. A resolution designating April 15 through 17, 2011, as "Global Youth Service Days"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. VITTER):

S. Res. 157. A resolution designating April 21, 2011, as "PowerTalk 21 Day"; considered and agreed to.

By Mr. ISAKSON (for himself, Mr. BEGICH, Mr. BOOZMAN, Mr. BROWN of Massachusetts, Mr. BURR, Mr. JOHANNIS, Mr. MORAN, Mrs. MURRAY, Mr. SANDERS, and Mr. WEBB):

S. Con. Res. 13. A concurrent resolution honoring the service and sacrifice of members of the United States Armed Forces who are serving in, or have served in, Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn; to the Committee on Armed Services.

ADDITIONAL COSPONSORS

S. 28

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 28, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 33

At the request of Mr. LIEBERMAN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 33, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 206

At the request of Mr. LIEBERMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 206, a bill to reauthorize the DC Opportunity Scholarship Program, and for other purposes.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Hawaii (Mr.

AKAKA) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 245

At the request of Mr. CORKER, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. 245, a bill to reduce Federal spending in a responsible manner.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 328

At the request of Mr. BROWN of Ohio, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 351

At the request of Ms. MURKOWSKI, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 351, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 352

At the request of Ms. MURKOWSKI, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Alaska (Mr. BEGICH) were added as cosponsors of S. 352, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of, dredged or

fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 481

At the request of Mr. HARKIN, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 481, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 518

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 518, a bill to amend the Internal Revenue Code of 1986 to provide for an exclusion for assistance provided to participants in certain veterinary student loan repayment or forgiveness programs.

S. 570

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloging the purchases of multiple rifles and shotguns.

S. 576

At the request of Mr. HARKIN, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from Vermont (Mr. LEAHY), the Senator from Colorado (Mr. UDALL) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 596

At the request of Mr. WYDEN, the names of the Senator from Arizona (Mr. KYL), the Senator from Iowa (Mr. HARKIN), the Senator from New York (Mr. SCHUMER) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 596, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 598

At the request of Mrs. FEINSTEIN, the names of the Senator from Wisconsin (Mr. KOHL) and the Senator from Iowa (Mr. HARKIN) were added as cosponsors of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 613

At the request of Mr. HARKIN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Ohio (Mr. BROWN) were added as

cosponsors of S. 613, a bill to amend the Individuals with Disabilities Education Act to permit a prevailing party in an action or proceeding brought to enforce the Act to be awarded expert witness fees and certain other expenses.

S. 630

At the request of Ms. MURKOWSKI, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 630, a bill to promote marine and hydrokinetic renewable energy research and development, and for other purposes.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from North Carolina (Mrs. HAGAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 700

At the request of Ms. KLOBUCHAR, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 705

At the request of Mr. CARPER, the names of the Senator from Nevada (Mr. ENSIGN) and the Senator from Idaho (Mr. RISCH) were added as cosponsors of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 712

At the request of Mr. DEMINT, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 716

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 716, a bill to establish within the Department of Education the Innovation Inspiration school grant program, and for other purposes.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 811

At the request of Mr. MERKLEY, the names of the Senator from Hawaii (Mr. AKAKA), the Senator from Alaska (Mr. BEGICH), the Senator from Colorado (Mr. BENNET), the Senator from New Mexico (Mr. BINGAMAN), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from California (Mrs. BOXER), the Senator from Ohio (Mr. BROWN), the Senator from Washington (Ms. CANTWELL), the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Illinois (Mr. DURBIN), the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. FRANKEN), the Senator from New York (Mrs. GILLIBRAND), the Senator from Hawaii (Mr. INOUE), the Senator from Massachusetts (Mr. KERRY), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Vermont (Mr. LEAHY), the Senator from Michigan (Mr. LEVIN), the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Maryland (Ms. MIKULSKI), the Senator from Washington (Mrs. MURRAY), the Senator from Rhode Island (Mr. REED), the Senator from Vermont (Mr. SANDERS), the Senator from New York (Mr. SCHUMER), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Ms. SNOWE), the Senator from Michigan (Ms. STABENOW), the Senator from Colorado (Mr. UDALL), the Senator from New Mexico (Mr. UDALL), the Senator from Virginia (Mr. WEBB), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN),

the Senator from New Jersey (Mr. MENENDEZ) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 811, a bill to prohibit employment discrimination on the basis of sexual orientation or gender identity.

S. 814

At the request of Mr. MANCHIN, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 814, a bill to require the public disclosure of audits conducted with respect to entities receiving funds under title X of the Public Health Service Act.

S.J. RES. 1

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relative to limiting the number of terms that a Member of Congress may serve.

S. CON. RES. 4

At the request of Mr. SCHUMER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. RES. 80

At the request of Mr. KIRK, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. LEAHY) were added as cosponsors of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 128

At the request of Mr. COONS, his name was added as a cosponsor of S. Res. 128, a resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2011.

S. RES. 138

At the request of Mrs. GILLIBRAND, the names of the Senator from Nebraska (Mr. NELSON), the Senator from Rhode Island (Mr. REED), the Senator from New Hampshire (Ms. AYOTTE), the Senator from Louisiana (Mr. VITTER), the Senator from Texas (Mr. CORNYN), the Senator from Utah (Mr. LEE), the Senator from Oklahoma (Mr. INHOFE), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S.

Res. 138, a resolution calling on the United Nations to rescind the Goldstone report, and for other purposes.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. Res. 138, *supra*.

At the request of Mr. FRANKEN, his name was added as a cosponsor of S. Res. 138, *supra*.

At the request of Mr. REID, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. Res. 138, *supra*.

S. RES. 144

At the request of Mrs. HUTCHISON, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. Res. 144, a resolution supporting early detection for breast cancer.

AMENDMENT NO. 197

At the request of Mrs. HUTCHISON, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of amendment No. 197 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 253

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of amendment No. 253 proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KERRY (for himself and Ms. SNOWE):

S. 818. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Finance.

Mr. KERRY. Mr. President, today too many Medicare beneficiaries are being saddled with thousands of dollars of unnecessary out-of-pocket costs for stays at skilled nursing facilities, SNF, solely because of the technical classification of their hospital stay.

Hospitals are increasingly serving Medicare beneficiaries using an "outpatient observation status" rather than admitting them as an inpatient—a billing technicality. Because of this, patients are enduring longer hospital stays in observation status and may unknowingly be treated under outpatient observation status for the entirety of their hospital visit.

While the classification of a hospital stay does not affect either the type or level of care a beneficiary receives, it has significant repercussions on Medicare coverage of SNF care. Under current law, Medicare covers SNF care

only if beneficiaries have 3 consecutive days of hospitalization as an inpatient, not counting the day of discharge.

Although the Medicare Program manuals limit observation status to 24 to 48 hours, many beneficiaries nationwide are experiencing extended stays in acute care hospitals under observation status. According to the Medicare Payment Advisory Committee, MedPAC, the number of beneficiaries receiving outpatient observation services for longer than 48 hours rapidly increased, by more than 70 percent, from 2006 to 2008.

The growth in observation care has not only generated considerable beneficiary confusion as to why Medicare does not cover their SNF care after a hospitalization, but also it has also become a substantial financial barrier to medically necessary post-acute care. Beneficiaries are left facing thousands of dollars in unreimbursed out-of-pocket charges for their care. Those who cannot afford to pay privately for their stay in a SNF may decide to forgo care altogether.

I have heard countless stories of hardship from Medicare beneficiaries in Massachusetts because of this unfair policy. I would like to share the inexcusable experience of one of my constituents, Rosemary Crossin. Rosemary is 81 years old and suffers from Parkinson's disease, arthritis, and diabetes. She was treated at a Boston hospital following a fall that left her with a broken shoulder and a broken hand.

Upon arrival at the hospital, she was examined in the ER for over 6 hours, where she waited on a hard stretcher and received a CT scan, an x ray, and two doses of morphine. At the end of her examination, Rosemary, disoriented and unable to walk on her own due to the combination of her chronic conditions, morphine, and broken bones, was treated in the hospital under observation status.

At no time did the hospital inform Rosemary's family what observation status meant. Rosemary remained in the hospital for over 4 days while she recovered, after which time a physician determined that Rosemary be transferred to an extended stay facility to complete her rehabilitation.

Despite spending over 4 days in the hospital, after the hospital itself determined she was not fit to return home, Rosemary was never admitted as an inpatient. Because she was never classified as an inpatient for billing purposes, she was told that her costs would not be covered by Medicare. Rosemary was told that she would have to prepay \$7998 to the skilled nursing facility or remain at the hospital at a cost of \$1200 per day. This is wrong, and it needs to be changed.

Currently, Rosemary continues to rehabilitate her injuries at the skilled nursing facility. Unfortunately, because she was in observation status for

her entire hospital stay, all subsequent costs will need to be paid for out-of-pocket.

Rosemary could have to spend up to \$18,000 out-of-pocket following her fall, all because the hospital kept her under observation status for more than 96 hours after it determined she was not fit to go home.

Unfortunately, Rosemary's experience is not unique. That is why Senator SNOWE and I are working together to prevent billing technicalities from hampering access to skilled nursing care. Today, we are introducing the Improving Access to Medicare Coverage Act of 2011, which would eliminate financial barriers to skilled nursing care in Medicare by allowing observation stays to be counted toward the 3-day mandatory inpatient stay for Medicare coverage of SNF services.

This legislation is supported by a number of national organizations from both the provider and beneficiary communities. I would like to thank a number of organizations that have been integral to the development of the Improving Access to Medicare Coverage Act of 2011 and that have endorsed our legislation today, including the AARP, the American Health Care Association, the American Medical Association, the American Medical Directors Association, the Center for Medicare Advocacy, LeadingAge, and the National Committee to Preserve Social Security and Medicare.

The Improving Access to Medicare Coverage Act will ensure that vulnerable patients like Rosemary will no longer have to suffer or worry about affording medically needed care because of a hospital billing classification issue.

I urge my colleagues to support our legislation to eliminate unnecessary barriers to skilled nursing care and to bring peace of mind to patients and their families.

By Mr. SHELBY:

S. 820. A bill to repeal the current Internal Revenue Code and replace it with a flat tax, thereby guaranteeing economic growth and greater fairness for all Americans; to the Committee on Finance.

Mr. SHELBY. Mr. President, I rise today to once again introduce my flat tax bill, the Smart, Manageable and Responsible Tax Act, referred to as the SMART Act.

In the United States, there are few, if any, days that are viewed with the same resentment and contempt year after year as April 15: national tax day.

Our current Tax Code totals more than 70,000 pages, making tax compliance unnecessarily complex, confusing and costly. During the past 10 years, there have been over 4,400 changes to the Tax Code, including an estimated 579 changes in 2010 alone.

The inclusion of the additional 1099 tax reporting requirements in the

health care reform bill are just one example of the onerous requirements throughout our Tax Code.

As we have learned since the passage of these requirements last March, incremental improvements to the Tax Code are not easy. It took Congress over a year to finally agree to repeal the 1099 changes that common sense tells us are essential to alleviating the burdens on small business. Yet our Tax Code is riddled with other similarly ill-conceived requirements.

Over the course of a year, individuals spend an average of 26 hours, over half of a work week, preparing for their tax filings.

Although this has been standard practice for decades, I do not believe average taxpayers should have to pore over IRS regulations for hours or pay someone to prepare their returns. Unfortunately, under our convoluted tax system they are left with little choice.

I have said a number of times before that our current tax system is unfair. It punishes success and stifles economic growth. The best remedy is to adopt a single tax rate for all taxpayers. Transitioning to a flat tax would not only increase fairness in the Tax Code, it would also increase the incentives to work and invest.

By eliminating the thousands of tax loopholes, deductions, and credits that can often only be utilized with extensive tax planning and expensive advisers, hardworking Americans can rest assured that corporations with billions of dollars in profit and sophisticated taxpayers are not able to unfairly reduce or eliminate their tax liabilities and leave middle-class Americans footing the bill.

The SMART Act also reforms our corporate Tax Code. The United States currently has the second highest corporate tax rate in the world. American companies routinely make the difficult decision to move operations overseas to reduce their tax burden. Under my legislation, companies would pay a flat tax rate of 17 percent on their profits. Cutting the corporate tax rate in half would increase domestic companies' competitiveness with foreign corporations and eliminate the incentives to shift jobs overseas.

This bill provides a simple, common-sense solution to the complexities and inequities of the current tax system. Taxpayers would be able to determine their tax liability quickly and easily, and file a tax return the size of a postcard.

The SMART Tax would repeal the current Internal Tax Code and replace it with a single tax rate for all taxpayers of 17 percent on all salaries, wages, and pensions. The only exemptions would be a personal exemption of \$13,410 for a single person; \$17,120 for a head of household; \$26,810 for a married couple filing jointly; and \$5,780 for each dependent, with these amounts indexed to inflation.

Additionally, under my legislation, earnings from savings and investments would not be included in taxable income. Eliminating this double taxation would increase the savings rate in our country and immediately spur investments in the economy, create jobs and boost economic growth.

Approximately 60 percent of individual taxpayers now pay preparers to complete their taxes for them. An additional 29 percent of individuals use tax software to assist with their filings. What this means for most people is that in addition to paying the government every year, they must pay someone or buy software to tell them exactly how much to pay their government.

The American people want and need fundamental tax reform that would save time and money and bring fairness to our tax structure. The legislation I am introducing today would implement much-needed reforms that eliminate onerous paperwork and promote economic growth in our country.

I recognize that this bill is a monumental shift away from our current tax laws, but our economy needs a boost, and we must not allow the enormity of the task to deter us from enacting better, more efficient tax laws. I urge my colleagues to join me in support of this legislation.

By Mr. LEAHY (for himself, Mr. AKAKA, Mr. BLUMENTHAL, Mrs. BOXER, Mr. CARDIN, Mr. CASEY, Mr. COONS, Mr. DURBIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mrs. MURRAY, Mr. SCHUMER, Mr. WHITEHOUSE, Mr. WYDEN, Mr. INOUE, and Mr. SANDERS):

S. 821. A bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am reintroducing the Uniting American Families Act, UAFAs, which grants same-sex binational couples the same immigration benefits heterosexual couples have long enjoyed. This is the fourth Congress in which I have introduced this legislation, and I am proud to be joined by 17 Senators, many of whom also cosponsored this bill when it was introduced in the last Congress. I want to thank Senators AKAKA, BLUMENTHAL, BOXER, CARDIN, CASEY, COONS, DURBIN, FRANKEN, GILLIBRAND, HARKIN, KERRY, LAUTENBERG, MERKLEY, MURRAY, SCHUMER, WHITEHOUSE, and WYDEN for joining me as original cosponsors today.

A core tenet of our immigration policy is preserving family unity. Yet gay and lesbian Americans are still forced to choose between their country and being with those they love. This destructive policy tears families apart and forces hardworking Americans to make the heart-wrenching choice to leave the country they love and start over in one of the countries that now recognize immigration benefits for same-sex couples. I hear from Vermont couples who face this difficult decision every year. No American should face such a choice.

Over the past decade, Americans have begun to reject the notion that U.S. citizens who are gay or lesbian should not have loving relationships. As a result of this cultural shift, 5 States, including Vermont, now allow same-sex couples to get married. At the end of the 111th Congress, bipartisan votes in both the Senate and the House reversed the Military's "Don't Ask, Don't Tell" policy, a 17 year old policy that barred gay and lesbian service men and women from openly serving in the military. I hope that my colleagues who supported this important civil rights reform will join me in calling for fairness and equality in our immigration laws.

Some opponents of the Uniting American Families Act have argued that it would increase the potential for visa fraud. I share the belief that all immigration applications should be screened for fraud, but I am confident that U.S. Citizenship and Immigration Services will have no more difficulty identifying fraud in same-sex relationships than they do in heterosexual marriages. The penalties for fraud under this bill would be the same as the penalties for marriage fraud. These are very strict penalties: a sentence of up to 5 years in prison, \$250,000 in fines for the U.S. citizen partner, and deportation for the foreign partner. In addition, in order to qualify as a binational couple under UAFAs, petitioners must prove that they are at least 18 years of age and in a committed, lifelong, financially interdependent relationship with another adult. The American ideals that respect human relationships and family bonds should not be impeded by fears of fraud, which the immigration agency is very capable of controlling.

Since I last introduced the Uniting American Families Act in 2009, more than six additional countries have begun to offer immigration benefits to same-sex couples, bringing the total to at least 25 nations. Some of these nations are our closest allies, including our good friends to the North. America should join Argentina, Australia, Belgium, Brazil, Canada, the Czech Republic, Denmark, Finland, France, Germany, Greenland, Hungary, Iceland, Israel, Luxembourg, The Netherlands,

New Zealand, Norway, Portugal, Romania, South Africa, Spain, Sweden, Switzerland, and the United Kingdom.

Unfortunately, among developed countries with a culture of respect for human rights and fairness, the United States is falling behind by denying Americans an equitable immigration policy. I hope all Senators will agree that the United States should not have a policy that forces Americans to choose between their jobs and country, and their loved ones. I urge all Senators to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 821

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Uniting American Families Act of 2011”.

(b) **AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT.**—Except as otherwise specifically provided in this Act, if an amendment or repeal is expressed as the amendment or repeal of a section or other provision, the reference shall be considered to be made to that section or provision in the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(c) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

- Sec. 1. Short title; amendments to Immigration and Nationality Act; table of contents.
- Sec. 2. Definitions of permanent partner and permanent partnership.
- Sec. 3. Worldwide level of immigration.
- Sec. 4. Numerical limitations on individual foreign states.
- Sec. 5. Allocation of immigrant visas.
- Sec. 6. Procedure for granting immigrant status.
- Sec. 7. Annual admission of refugees and admission of emergency situation refugees.
- Sec. 8. Asylum.
- Sec. 9. Adjustment of status of refugees.
- Sec. 10. Inadmissible aliens.
- Sec. 11. Nonimmigrant status for permanent partners awaiting the availability of an immigrant visa.
- Sec. 12. Conditional permanent resident status for certain alien spouses, permanent partners, and sons and daughters.
- Sec. 13. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.
- Sec. 14. Deportable aliens.
- Sec. 15. Removal proceedings.
- Sec. 16. Cancellation of removal; adjustment of status.
- Sec. 17. Adjustment of status of nonimmigrant to that of person admitted for permanent residence.
- Sec. 18. Application of criminal penalties to for misrepresentation and concealment of facts regarding permanent partnerships.
- Sec. 19. Requirements as to residence, good moral character, attachment to the principles of the Constitu-

tion.

Sec. 20. Naturalization for permanent partners of citizens.

Sec. 21. Application of family unity provisions to permanent partners of certain LIFE Act beneficiaries.

Sec. 22. Application to Cuban Adjustment Act.

SEC. 2. DEFINITIONS OF PERMANENT PARTNER AND PERMANENT PARTNERSHIP.

Section 101(a) (8 U.S.C. 1101(a)) is amended—

(1) in paragraph (15)(K)(ii), by inserting “or permanent partnership” after “marriage”; and

(2) by adding at the end the following:

“(52) The term ‘permanent partner’ means an individual 18 years of age or older who—

“(A) is in a committed, intimate relationship with another individual 18 years of age or older in which both individuals intend a lifelong commitment;

“(B) is financially interdependent with that other individual;

“(C) is not married to, or in a permanent partnership with, any individual other than that other individual;

“(D) is unable to contract with that other individual a marriage cognizable under this Act; and

“(E) is not a first, second, or third degree blood relation of that other individual.

“(53) The term ‘permanent partnership’ means the relationship that exists between 2 permanent partners.”.

SEC. 3. WORLDWIDE LEVEL OF IMMIGRATION.

Section 201(b)(2)(A)(i) (8 U.S.C. 1151(b)(2)(A)(i)) is amended—

(1) by “spouse” each place it appears and inserting “spouse or permanent partner”;

(2) by striking “spouses” and inserting “spouse, permanent partner,”;

(3) by inserting “(or, in the case of a permanent partnership, whose permanent partnership was not terminated)” after “was not legally separated from the citizen”; and

(4) by striking “remarries.” and inserting “remarries or enters a permanent partnership with another person.”.

SEC. 4. NUMERICAL LIMITATIONS ON INDIVIDUAL FOREIGN STATES.

(a) **PER COUNTRY LEVELS.**—Section 202(a)(4) (8 U.S.C. 1152(a)(4)) is amended—

(1) in the paragraph heading, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”;

(2) in the heading of subparagraph (A), by inserting “, PERMANENT PARTNERS,” after “SPOUSES”; and

(3) in the heading of subparagraph (C), by striking “AND DAUGHTERS” inserting “WITHOUT PERMANENT PARTNERS AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS”.

(b) **RULES FOR CHARGEABILITY.**—Section 202(b)(2) (8 U.S.C. 1152(b)(2)) is amended—

(1) by striking “his spouse” and inserting “his or her spouse or permanent partner”;

(2) by striking “such spouse” each place it appears and inserting “such spouse or permanent partner”;

(3) by inserting “or permanent partners” after “husband and wife”.

SEC. 5. ALLOCATION OF IMMIGRANT VISAS.

(a) **PREFERENCE ALLOCATION FOR FAMILY MEMBERS OF PERMANENT RESIDENT ALIENS.**—Section 203(a)(2) (8 U.S.C. 1153(a)(2)) is amended—

(1) by striking the paragraph heading and inserting the following:

“(2) SPOUSES, PERMANENT PARTNERS, UNMARRIED SONS WITHOUT PERMANENT PARTNERS, AND UNMARRIED DAUGHTERS WITHOUT PERMANENT PARTNERS OF PERMANENT RESIDENT ALIENS.—”;

(2) in subparagraph (A), by inserting “, permanent partners,” after “spouses”; and

(3) in subparagraph (B), by striking “or unmarried daughters” and inserting “without permanent partners or the unmarried daughters without permanent partners”.

(b) **PREFERENCE ALLOCATION FOR SONS AND DAUGHTERS OF CITIZENS.**—Section 203(a)(3) (8 U.S.C. 1153(a)(3)) is amended—

(1) by striking the paragraph heading and inserting the following:

“(2) MARRIED SONS AND DAUGHTERS OF CITIZENS AND SONS AND DAUGHTERS WITH PERMANENT PARTNERS OF CITIZENS.—”;

(2) by inserting “, or sons or daughters with permanent partners,” after “daughters”.

(c) **EMPLOYMENT CREATION.**—Section 203(b)(5)(A)(ii) (8 U.S.C. 1153(b)(5)(A)(ii)) is amended by inserting “permanent partner,” after “spouse,”.

(d) **TREATMENT OF FAMILY MEMBERS.**—Section 203(d) (8 U.S.C. 1153(d)) is amended—

(1) by inserting “or permanent partner” after “section 101(b)(1)”;

(2) by inserting “, permanent partner,” after “the spouse”.

SEC. 6. PROCEDURE FOR GRANTING IMMIGRANT STATUS.

(a) **CLASSIFICATION PETITIONS.**—Section 204(a)(1) (8 U.S.C. 1154(a)(1)) is amended—

(1) in subparagraph (A)—

(A) in clause (ii), by inserting “or permanent partner” after “spouse”;

(B) in clause (iii)—

(i) by inserting “or permanent partner” after “spouse” each place it appears; and

(ii) in subclause (I), by inserting “or permanent partnership” after “marriage” each place it appears;

(C) in clause (v)(I), by inserting “permanent partner,” after “is the spouse,”; and

(D) in clause (vi)—

(i) by inserting “or termination of the permanent partnership” after “divorce”; and

(ii) by inserting “, permanent partner,” after “spouse”; and

(2) in subparagraph (B)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) in clause (ii)—

(i) in subclause (I)(aa), by inserting “or permanent partnership” after “marriage”;

(ii) in subclause (I)(bb), by inserting “or permanent partnership” after “marriage” the first place it appears; and

(iii) in subclause (II)(aa), by inserting “(or the termination of the permanent partnership)” after “termination of the marriage”.

(b) **IMMIGRATION FRAUD PREVENTION.**—Section 204(c) (8 U.S.C. 1154(c)) is amended—

(1) by inserting “or permanent partner” after “spouse” each place it appears; and

(2) by inserting “or permanent partnership” after “marriage” each place it appears.

SEC. 7. ANNUAL ADMISSION OF REFUGEES AND ADMISSION OF EMERGENCY SITUATION REFUGEES.

Section 207(c) (8 U.S.C. 1157(c)) is amended—

(1) in paragraph (2)—

(A) by inserting “, permanent partner,” after “spouse” each place it appears; and

(B) by inserting “, permanent partner’s,” after “spouse’s”; and

(2) in paragraph (4), by inserting “, permanent partner,” after “spouse”.

SEC. 8. ASYLUM.

Section 208(b)(3) (8 U.S.C. 1158(b)(3)) is amended—

(1) in the paragraph heading, by inserting “, PERMANENT PARTNER,” after “SPOUSE”; and

(2) in subparagraph (A), by inserting “, permanent partner,” after “spouse”.

SEC. 9. ADJUSTMENT OF STATUS OF REFUGEES.

Section 209(b)(3) (8 U.S.C. 1159(b)(3)) is amended by inserting “or permanent partner,” after “spouse”.

SEC. 10. INADMISSIBLE ALIENS.

(a) **CLASSES OF ALIENS INELIGIBLE FOR VISAS OR ADMISSION.**—Section 212(a) (8 U.S.C. 1182(a)) is amended—

(1) in paragraph (3)(D)(iv), by inserting “permanent partner,” after “spouse”;

(2) in paragraph (4)(C)(i)(I), by inserting “permanent partner,” after “spouse”;

(3) in paragraph (6)(E)(ii), by inserting “permanent partner,” after “spouse”;

(4) in paragraph (9)(B)(v), by inserting “permanent partner,” after “spouse”.

(b) **WAIVERS.**—Section 212(d) (8 U.S.C. 1182(d)) is amended—

(1) in paragraph (11), by inserting “permanent partner,” after “spouse”;

(2) in paragraph (12), by inserting “permanent partner,” after “spouse”.

(c) **WAIVERS OF INADMISSIBILITY ON HEALTH-RELATED GROUNDS.**—Section 212(g)(1)(A) (8 U.S.C. 1182(g)(1)(A)) is amended by inserting “permanent partner,” after “spouse”.

(d) **WAIVERS OF INADMISSIBILITY ON CRIMINAL AND RELATED GROUNDS.**—Section 212(h)(1)(B) (8 U.S.C. 1182(h)(1)(B)) is amended by inserting “permanent partner,” after “spouse”.

(e) **WAIVER OF INADMISSIBILITY FOR MISREPRESENTATION.**—Section 212(i)(1) (8 U.S.C. 1182(i)(1)) is amended by inserting “permanent partner,” after “spouse”.

SEC. 11. NONIMMIGRANT STATUS FOR PERMANENT PARTNERS AWAITING THE AVAILABILITY OF AN IMMIGRANT VISA.

Section 214(r) (8 U.S.C. 1184(r)) is amended—

(1) in paragraph (1), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2), by inserting “or permanent partnership” after “marriage” each place it appears.

SEC. 12. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN SPOUSES, PERMANENT PARTNERS, AND SONS AND DAUGHTERS.

(a) **SECTION HEADING.**—

(1) **IN GENERAL.**—The heading for section 216 (8 U.S.C. 1186a) is amended by striking “AND SONS” and inserting “, PERMANENT PARTNERS, SONS.”

(2) **CLERICAL AMENDMENT.**—The table of contents is amended by amending the item relating to section 216 to read as follows:

“Sec. 216. Conditional permanent resident status for certain alien spouses, permanent partners, sons, and daughters.”

(b) **IN GENERAL.**—Section 216(a) (8 U.S.C. 1186a(a)) is amended—

(1) in paragraph (1), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2)—

(A) in subparagraph (A), by inserting “or permanent partner” after “spouse”;

(B) in subparagraph (B), by inserting “permanent partner,” after “spouse”;

(C) in subparagraph (C), by inserting “permanent partner,” after “spouse”.

(c) **TERMINATION OF STATUS IF FINDING THAT QUALIFYING MARRIAGE IMPROPER.**—Section 216(b) (8 U.S.C. 1186a(b)) is amended—

(1) in the subsection heading, by inserting “OR PERMANENT PARTNERSHIP” after “MARRIAGE”; and

(2) in paragraph (1)(A)—

(A) by inserting “or permanent partnership” after “marriage”; and

(B) in clause (ii)—

(i) by inserting “or has ceased to satisfy the criteria for being considered a perma-

nent partnership under this Act,” after “terminated”; and

(ii) by inserting “or permanent partner” after “spouse”.

(d) **REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.**—Section 216(c) (8 U.S.C. 1186a(c)) is amended—

(1) in paragraphs (1), (2)(A)(ii), (3)(A)(ii), (3)(C), (4)(B), and (4)(C), by inserting “or permanent partner” after “spouse” each place it appears; and

(2) in paragraph (3)(A), (3)(D), (4)(B), and (4)(C), by inserting “or permanent partnership” after “marriage” each place it appears.

(e) **CONTENTS OF PETITION.**—Section 216(d)(1) (8 U.S.C. 1186a(d)(1)) is amended—

(1) in subparagraph (A)—

(A) in the heading, by inserting “OR PERMANENT PARTNERSHIP” after “MARRIAGE”;

(B) in clause (i)—

(i) by inserting “or permanent partnership” after “marriage”;

(ii) in subclause (I), by inserting before the comma at the end “, or is a permanent partnership recognized under this Act”; and

(iii) in subclause (II)—

(I) by inserting “or has not ceased to satisfy the criteria for being considered a permanent partnership under this Act,” after “terminated”; and

(II) by inserting “or permanent partner” after “spouse”; and

(C) in clause (ii), by inserting “or permanent partner” after “spouse”; and

(2) in subparagraph (B)(i)—

(A) by inserting “or permanent partnership” after “marriage”; and

(B) by inserting “or permanent partner” after “spouse”.

(f) **DEFINITIONS.**—Section 216(g) (8 U.S.C. 1186a(g)) is amended—

(1) in paragraph (1)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marriage” each place it appears;

(2) in paragraph (2), by inserting “or permanent partnership” after “marriage”;

(3) in paragraph (3), by inserting “or permanent partnership” after “marriage”; and

(4) in paragraph (4)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marriage”.

SEC. 13. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN ALIEN ENTREPRENEURS, SPOUSES, PERMANENT PARTNERS, AND CHILDREN.

(a) **IN GENERAL.**—Section 216A (8 U.S.C. 1186b) is amended—

(1) in the section heading, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”; and

(2) in paragraphs (1), (2)(A), (2)(B), and (2)(C), by inserting “or permanent partner” after “spouse” each place it appears.

(b) **TERMINATION OF STATUS IF FINDING THAT QUALIFYING ENTREPRENEURSHIP IMPROPER.**—Section 216A(b)(1) (8 U.S.C. 1186b(b)(1)) is amended by inserting “or permanent partner” after “spouse” in the matter following subparagraph (C).

(c) **REQUIREMENTS OF TIMELY PETITION AND INTERVIEW FOR REMOVAL OF CONDITION.**—Section 216A(c) (8 U.S.C. 1186b(c)) is amended, in paragraphs (1), (2)(A)(ii), and (3)(C), by inserting “or permanent partner” after “spouse”.

(d) **DEFINITIONS.**—Section 216A(f)(2) (8 U.S.C. 1186b(f)(2)) is amended by inserting “or permanent partner” after “spouse” each place it appears.

(e) **CLERICAL AMENDMENT.**—The table of contents is amended by amending the item relating to section 216A to read as follows:

“Sec. 216A. Conditional permanent resident status for certain alien entrepreneurs, spouses, permanent partners, and children.”

SEC. 14. DEPORTABLE ALIENS.

Section 237(a)(1) (8 U.S.C. 1227(a)(1)) is amended—

(1) in subparagraph (D)(i), by inserting “or permanent partners” after “spouses” each place it appears;

(2) in subparagraphs (E)(ii), (E)(iii), and (H)(i)(I), by inserting “or permanent partner” after “spouse”;

(3) by inserting after subparagraph (E) the following:

“(F) **PERMANENT PARTNERSHIP FRAUD.**—An alien shall be considered to be deportable as having procured a visa or other documentation by fraud (within the meaning of section 212(a)(6)(C)(i)) and to be in the United States in violation of this Act (within the meaning of subparagraph (B)) if—

“(i) the alien obtains any admission to the United States with an immigrant visa or other documentation procured on the basis of a permanent partnership entered into less than 2 years before such admission and which, within 2 years subsequent to such admission, is terminated because the criteria for permanent partnership are no longer fulfilled, unless the alien establishes to the satisfaction of the Secretary of Homeland Security that such permanent partnership was not contracted for the purpose of evading any provision of the immigration laws; or

“(ii) it appears to the satisfaction of the Secretary of Homeland Security that the alien has failed or refused to fulfill the alien’s permanent partnership, which the Secretary of Homeland Security determines was made for the purpose of procuring the alien’s admission as an immigrant.”; and

(4) in paragraphs (2)(E)(i) and (3)(C)(ii), by inserting “or permanent partner” after “spouse” each place it appears.

SEC. 15. REMOVAL PROCEEDINGS.

Section 240 (8 U.S.C. 1229a) is amended—

(1) in the heading of subsection (c)(7)(C)(iv), by inserting “PERMANENT PARTNERS,” after “SPOUSES”; and

(2) in subsection (e)(1), by inserting “permanent partner,” after “spouse”.

SEC. 16. CANCELLATION OF REMOVAL; ADJUSTMENT OF STATUS.

Section 240A(b) (8 U.S.C. 1229b(b)) is amended—

(1) in paragraph (1)(D), by inserting “or permanent partner” after “spouse”; and

(2) in paragraph (2)—

(A) in the paragraph heading, by inserting “, PERMANENT PARTNER,” after “SPOUSE”; and

(B) in subparagraph (A), by inserting “permanent partner,” after “spouse” each place it appears.

SEC. 17. ADJUSTMENT OF STATUS OF NON-IMMIGRANT TO THAT OF PERSON ADMITTED FOR PERMANENT RESIDENCE.

(a) **PROHIBITION ON ADJUSTMENT OF STATUS.**—Section 245(d) (8 U.S.C. 1255(d)) is amended by inserting “or permanent partnership” after “marriage”.

(b) **AVOIDING IMMIGRATION FRAUD.**—Section 245(e) (8 U.S.C. 1255(e)) is amended—

(1) in paragraph (1), by inserting “or permanent partnership” after “marriage”; and

(2) by adding at the end the following:

“(4)(A) Paragraph (1) and section 204(g) shall not apply with respect to a permanent partnership if the alien establishes by clear and convincing evidence to the satisfaction of the Secretary of Homeland Security that—

“(i) the permanent partnership was entered into in good faith and in accordance with section 101(a)(52);

“(ii) the permanent partnership was not entered into for the purpose of procuring the alien’s admission as an immigrant; and

“(iii) no fee or other consideration was given (other than a fee or other consideration to an attorney for assistance in preparation of a lawful petition) for the filing of a petition under section 204(a) or 214(d) with respect to the alien permanent partner.

“(B) The Secretary shall promulgate regulations that provide for only 1 level of administrative appellate review for each alien under subparagraph (A).”.

(c) ADJUSTMENT OF STATUS FOR CERTAIN ALIENS PAYING FEE.—Section 245(i)(1)(B) (8 U.S.C. 1255(i)(1)(B)) is amended by inserting “, permanent partner,” after “spouse”.

SEC. 18. APPLICATION OF CRIMINAL PENALTIES TO FOR MISREPRESENTATION AND CONCEALMENT OF FACTS REGARDING PERMANENT PARTNERSHIPS.

Section 275(c) (8 U.S.C. 1325(c)) is amended to read as follows:

“(c) Any individual who knowingly enters into a marriage or permanent partnership for the purpose of evading any provision of the immigration laws shall be imprisoned for not more than 5 years, fined not more than \$250,000, or both.”.

SEC. 19. REQUIREMENTS AS TO RESIDENCE, GOOD MORAL CHARACTER, ATTACHMENT TO THE PRINCIPLES OF THE CONSTITUTION.

Section 316(b) (8 U.S.C. 1427(b)) is amended by inserting “, permanent partner,” after “spouse”.

SEC. 20. NATURALIZATION FOR PERMANENT PARTNERS OF CITIZENS.

(a) IN GENERAL.—Section 319 (8 U.S.C. 1430) is amended—

(1) in subsection (a)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marital union”;

(2) in subsection (b)—

(A) in paragraph (1), by inserting “or permanent partner” after “spouse”;

(B) in paragraph (3), by inserting “or permanent partner” after “spouse”;

(3) in subsection (d)—

(A) by inserting “or permanent partner” after “spouse” each place it appears; and

(B) by inserting “or permanent partnership” after “marital union”;

(4) in subsection (e)(1)—

(A) by inserting “or permanent partner” after “spouse”; and

(B) by inserting “by the Secretary of Defense” after “is authorized”; and

(C) by inserting “or permanent partnership” after “marital union”; and

(5) in subsection (e)(2), by inserting “or permanent partner” after “spouse”.

(b) SAVINGS PROVISION.—Section 319(e) (8 U.S.C. 1430(e)) is amended by adding at the end the following:

“(3) Nothing in this subsection may be construed to confer a right for an alien to accompany a member of the Armed Forces of the United States or to reside abroad with such member, except as authorized by the Secretary of Defense in the member’s official orders.”.

SEC. 21. APPLICATION OF FAMILY UNITY PROVISIONS TO PERMANENT PARTNERS OF CERTAIN LIFE ACT BENEFICIARIES.

Section 1504 of the LIFE Act Amendments of 2000 (division B of Public Law 106-554; 114 Stat. 2763-325) is amended—

(1) in the heading, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”;

(2) in subsection (a), by inserting “, permanent partner,” after “spouse”; and

(3) in each of subsections (b) and (c)—

(A) in each of the subsection headings, by inserting “, PERMANENT PARTNERS,” after “SPOUSES”; and

(B) by inserting “, permanent partner,” after “spouse” each place it appears.

SEC. 22. APPLICATION TO CUBAN ADJUSTMENT ACT.

(a) IN GENERAL.—The first section of Public Law 89-732 (8 U.S.C. 1255 note) is amended—

(1) in the next to last sentence, by inserting “, permanent partner,” after “spouse” the first 2 places it appears; and

(2) in the last sentence, by inserting “, permanent partners,” after “spouses”.

(b) CONFORMING AMENDMENT.—Section 101(a)(51)(D) (8 U.S.C. 1101(a)(51)(D)) is amended by striking “or spouse” and inserting “, spouse, or permanent partner”.

By Mr. COONS:

S. 825. A bill to amend the Internal Revenue Code of 1986 to permanently extend and modify the research tax credit, and for other purposes; to the Committee on Finance.

Mr. COONS. Mr. President, I rise today to introduce my first bill in the Senate, one I believe will promote competitiveness and spur the growth of sustainable middle class jobs. As I noted in my maiden speech in January, the people of Delaware sent me here with a mission to work with my colleagues to help create jobs and get our economy moving again.

My bill, the Job Creation Through Innovation Act, will do just that. By making strategic investments in research and development and incentives for economic growth, this legislation will help companies in Delaware and across the United States innovate, create jobs, and compete globally.

First, it will simplify, expand, and make permanent the Research and Development Tax Credit. When this credit was enacted into law in 1981, the United States was the best place in the world to perform research and development. Thirty years and fourteen temporary extensions later, we still do not have a permanent R&D credit on the books. Passing temporary extensions, one after another, undermines the very purpose of this credit. Whenever there is uncertainty about the credit’s future availability, businesses discount its value, and we reap only the counterproductive effect of reducing the credit’s benefit to our economy. Research and development projects are never stop-and-go, and the R&D tax credit shouldn’t be either.

Second, many new small businesses today are ineligible for the R&D credit, because they are not yet profitable. My bill will create a new Small Business Innovation Credit, which will provide much-needed support to these start-ups. Currently, the R&D credit is non-refundable, so only those companies with income tax liability benefit from it. This poses a special problem for research-intensive start-up businesses—

just the sort of businesses that have the potential to develop revolutionary technologies and products. Such firms often spend their first several years operating at a loss while spending a great deal of money on research and development. The Small Business Innovation Credit will address this by allowing companies with 500 employees or fewer to claim a refundable R&D credit.

Another provision of my bill is a new Domestic Manufacturing Tax Credit, which will provide additional tax incentives to companies that both conduct research and manufacture their products right here in America. This will reward companies that invest in America and give multinational firms another reason to keep manufacturing jobs from being shipped overseas.

The Job Creation Through Innovation Act would additionally extend the Section 1603 Treasury Grants Program—or “TGP”—and the Advanced Energy Manufacturing Credit. Both of these were authorized in the Recovery Act and are designed to promote clean energy technology and investment. Both have also had a significant and beneficial impact on energy project developers and manufacturers in my home state of Delaware and other states in the past 2 years.

The TGP provides payments for specified energy property in lieu of investment tax credits and production tax credits. Economic certainty is critical to wind, solar, biofuel, geothermal, and other clean energy projects, and, according to a survey of leading participants in the tax equity market, without an extension of the TGP the anticipated total financing available for renewable resource projects would decrease significantly, should it be left to expire at the end of 2011. My bill extends the TGP for another year.

The Advanced Energy Manufacturing Credit, also called the 48C Incentive, provides a thirty percent investment tax credit to domestic manufacturers who build or expand facilities that produce a range of clean energy products and technologies. These credits can also be used to leverage private investment, and it is estimated that this tax credit has to date helped businesses raise more than \$5.4 billion from just a \$2.3 billion Federal investment. It is also estimated to have created 58,000 jobs. My bill will provide an additional \$5 billion in incentives, of which up to \$1.5 billion would be made available to companies whose applications are already pending under the original solicitation.

In my maiden speech in January, I spoke at length about the new agenda for manufacturing I intend to promote during my service in the Senate, and this bill is just the first step. I am proud that Delaware is already on the cutting-edge of the high-tech and clean energy manufacturing revolution I believe will be the key to winning the future.

While we are all rightly focused now on the deficit and cutting our budget, we must also think ahead and make those long-term investments that will boost our economy, incentivize clean energy resources and manufacturing, and grow the jobs we need to sustain a strong middle class in this country for years to come. I hope my colleagues will join me in this effort, and I commend those who already have.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 825

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

(a) **SHORT TITLE.**—This Act may be cited as the “Job Creation Through Innovation Act”.

(b) **AMENDMENT OF 1986 CODE.**—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Internal Revenue Code of 1986.

SEC. 2. USE OF ONLY SIMPLIFIED RESEARCH CREDIT AFTER 2011; EXPANSION AND PERMANENT EXTENSION.

(a) **SIMPLIFIED CREDIT FOR QUALIFIED RESEARCH EXPENSES.**—Subsection (a) of section 41 is amended to read as follows:

“(a) **GENERAL RULE.**—

“(1) **CREDIT DETERMINED.**—For purposes of section 38, the research credit determined under this section for the taxable year shall be an amount equal to 20 percent of so much of the qualified research expenses for the taxable year as exceeds 50 percent of the average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined.

“(2) **SPECIAL RULE IN CASE OF NO QUALIFIED RESEARCH EXPENSES IN ANY OF 3 PRECEDING TAXABLE YEARS.**—

“(A) **TAXPAYERS TO WHICH PARAGRAPH APPLIES.**—The credit under this section shall be determined under this paragraph if the taxpayer has no qualified research expenses in any one of the 3 taxable years preceding the taxable year for which the credit is being determined.

“(B) **CREDIT RATE.**—The credit determined under this paragraph shall be equal to 10 percent of the qualified research expenses for the taxable year.”.

(b) **CONFORMING AMENDMENTS.**—

(1) **TERMINATION OF BASE AMOUNT CALCULATION.**—Section 41 is amended by striking subsection (c) and redesignating subsection (d) as subsection (c).

(2) **TERMINATION OF BASIC RESEARCH PAYMENT CALCULATION.**—Section 41 is amended by striking subsection (e) and redesignating subsections (f) and (g) as subsections (d) and (e), respectively.

(3) **SPECIAL RULES.**—

(A) Paragraph (1)(A)(ii) of subsection (d) of section 41, as so redesignated, is amended by striking “shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums,” and inserting “share of the qualified research expenses”.

(B) Paragraph (1)(B)(ii) of section 41(d), as so redesignated, is amended by striking

“shares of the qualified research expenses, basic research payments, and amounts paid or incurred to energy research consortiums,” and inserting “share of the qualified research expenses”.

(C) Paragraph (3) of section 41(d), as so redesignated, is amended—

(i) by striking “, and the gross receipts of the taxpayer” and all that follows in subparagraph (A) and inserting a period,

(ii) by striking “, and the gross receipts of the taxpayer” and all that follows in subparagraph (B) and inserting a period, and

(iii) by striking subparagraph (C).

(D) Paragraph (4) of section 41(d), as so redesignated, is amended by striking “and gross receipts”.

(E) Subsection (d) of section 41, as so redesignated, is amended by striking paragraph (6).

(4) **PERMANENT EXTENSION.**—

(A) Section 41 is amended by striking subsection (h).

(B) Section 45C(b)(1) is amended by striking subparagraph (D).

(5) **CROSS-REFERENCES.**—

(A) Paragraphs (2)(A) and (4) of section 41(b) are each amended by striking “subsection (f)(1)” and inserting “subsection (d)(1)”.

(B) Paragraph (2) of section 45C(c) is amended by striking “base period research expenses” and inserting “average qualified research expenses”.

(C) Paragraph (3) of section 45C(d) is amended by striking “section 41(f)” and inserting “section 41(d)”.

(D) Paragraph (2) of section 45G(e) is amended by striking “section 41(f)” and inserting “section 41(d)”.

(E) Subsection (g) of section 45O is amended by striking “section 41(f)” and inserting “section 41(d)”.

(F) Subparagraph (A) of section 54(l)(3) is amended by striking “section 41(g)” and inserting “section 41(e)”.

(G) Clause (i) of section 170(e)(4)(B) is amended to read as follows:

“(i) the contribution is to a qualified organization.”.

(H) Paragraph (4) of section 170(e) is amended by adding at the end the following new subparagraph:

“(E) **QUALIFIED ORGANIZATION.**—For purposes of this paragraph, the term ‘qualified organization’ means—

“(i) any educational organization which—

“(I) is an institution of higher education (within the meaning of section 3304(f)), and

“(II) is described in subsection (b)(1)(A)(ii), or

“(ii) any organization not described in clause (i) which—

“(I) is described in section 501(c)(3) and is exempt from tax under section 501(a),

“(II) is organized and operated primarily to conduct scientific research, and

“(III) is not a private foundation.”.

(I) Subsection (f) of section 197 is amended by striking “section 41(f)(1)” each place it appears in paragraphs (1)(C) and (9)(C)(i) and inserting “section 41(d)(1)”.

(J) Section 280C is amended—

(i) by striking “41(f)” each place it appears in subsection (b)(3) and inserting “41(d)”,

(ii) by striking “or basic research expenses (as defined in section 41(e)(2))” in subsection (c)(1),

(iii) by striking “section 41(a)(1)” in subsection (c)(2)(A) and inserting “section 41(a)”, and

(iv) by striking “or basic research expenses” in subsection (c)(2)(B).

(K) Subclause (IV)(c) of section 936(h)(5)(C)(i) is amended by striking “section 41(f)” and inserting “section 41(d)”.

(L) Subparagraph (D) of section 936(j)(5) is amended by striking “section 41(f)(3)” and inserting “section 41(d)(3)”.

(M) Clause (i) of section 965(c)(2)(C) is amended by striking “section 41(f)(3)” and inserting “section 41(d)(3)”.

(N) Clause (i) of section 1400N(1)(7)(B) is amended by striking “section 41(g)” and inserting “section 41(e)”.

(c) **TECHNICAL CORRECTIONS.**—Section 409 is amended—

(1) by inserting “, as in effect before the enactment of the Tax Reform Act of 1984” after “section 41(c)(1)(B)” in subsection (b)(1)(A),

(2) by inserting “, as in effect before the enactment of the Tax Reform Act of 1984” after “relating to the employee stock ownership credit” in subsection (b)(4),

(3) by inserting “(as in effect before the enactment of the Tax Reform Act of 1984)” after “section 41(c)(1)(B)” in subsection (i)(1)(A),

(4) by inserting “(as in effect before the enactment of the Tax Reform Act of 1984)” after “section 41(c)(1)(B)” in subsection (m),

(5) by inserting “(as so in effect)” after “section 48(n)(1)” in subsection (m),

(6) by inserting “(as in effect before the enactment of the Tax Reform Act of 1984)” after “section 48(n)” in subsection (q)(1), and

(7) by inserting “(as in effect before the enactment of the Tax Reform Act of 1984)” after “section 41” in subsection (q)(3).

(d) **EFFECTIVE DATE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), the amendments made by this section shall apply to taxable years beginning after December 31, 2011.

(2) **TECHNICAL CORRECTIONS.**—The amendments made by subsection (c) shall take effect on the date of the enactment of this Act.

SEC. 3. ENHANCED RESEARCH CREDIT FOR DOMESTIC MANUFACTURERS.

(a) **IN GENERAL.**—Section 41, as amended by section 3, is amended by redesignating subsection (f) as subsection (g) and by inserting after subsection (e) the following new subsection:

“(f) **ENHANCED CREDIT FOR DOMESTIC MANUFACTURERS.**—

“(1) **IN GENERAL.**—In the case of a qualified domestic manufacturer, this section shall be applied by increasing the 20 percent amount in subsection (a)(1) by the bonus amount.

“(2) **QUALIFIED DOMESTIC MANUFACTURER.**—For purposes of this subsection—

“(A) **IN GENERAL.**—The term ‘qualified domestic manufacturer’ means a taxpayer who has domestic production gross receipts which are more than 50 percent of total production gross receipts.

“(B) **DOMESTIC PRODUCTION GROSS RECEIPTS.**—The term ‘domestic production gross receipts’ has the meaning given to such term under section 199(c)(4).

“(C) **TOTAL PRODUCTION GROSS RECEIPTS.**—The term ‘total production gross receipts’ means the gross receipts of the taxpayer which are described in section 199(c)(4), determined—

“(i) without regard to whether property described in subparagraph (A)(i)(I) or (A)(i)(III) thereof was manufactured, produced, grown, or extracted in the United States,

“(ii) by substituting ‘any property described in section 168(f)(3)’ for ‘any qualified film’ in subparagraph (A)(i)(II) thereof, and

“(iii) without regard to whether any construction described in subparagraph (A)(ii) thereof or services described in subparagraph

(A)(iii) thereof were performed in the United States.

“(3) BONUS AMOUNT.—For purposes of paragraph (1), the bonus amount shall be determined as follows:

“If the percentage of total production gross receipts which are domestic production gross receipts is:	The bonus amount is:
More than 50 percent and not more than 60 percent.	2 percentage points
More than 60 percent and not more than 70 percent.	4 percentage points
More than 70 percent and not more than 80 percent.	6 percentage points
More than 80 percent and not more than 90 percent.	8 percentage points
More than 90 percent	10 percentage points.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply to expenditures paid or incurred in taxable years beginning after December 31, 2011.

SEC. 4. RESEARCH CREDIT MADE REFUNDABLE FOR SMALL BUSINESSES.

(a) IN GENERAL.—Subsection (a) of section 41 of the Internal Revenue Code of 1986, as amended by section 3, is amended by adding at the end the following new paragraph:

“(3) PORTION OF CREDIT REFUNDABLE.—

“(A) IN GENERAL.—For purposes of subsections (b) and (c) of section 6401, the amount of the credit determined under this section which is attributable to a qualified small business shall be treated as a credit allowed under subpart C of part IV of subchapter A for the taxable year (and not under any other subpart). For purposes of section 6425, any amount treated as so allowed shall be treated as a payment of estimated income tax for the taxable year.

“(B) QUALIFIED SMALL BUSINESS.—For purposes of this paragraph, the term ‘qualified small business’ means, with respect to any taxable year, any person if the annual average number of employees employed by such person during such taxable year is 500 or fewer.”.

(b) CONFORMING AMENDMENT.—Section 1324(b)(2) of title 31, United States Code, is amended by inserting “41(a)(3),” after “36A,”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

SEC. 5. EXTENSION OF GRANTS FOR SPECIFIED ENERGY PROPERTY IN LIEU OF TAX CREDITS.

(a) IN GENERAL.—Subsection (a) of section 1603 of division B of the American Recovery and Reinvestment Act of 2009 is amended—

(1) in paragraph (1), by striking “or 2011” and inserting “2011, or 2012”, and

(2) in paragraph (2)—

(A) by striking “after 2011” and inserting “after 2012”, and

(B) by striking “or 2011” and inserting “2011, or 2012”.

(b) CONFORMING AMENDMENT.—Subsection (j) of section 1603 of division B of such Act is amended by striking “2012” and inserting “2013”.

SEC. 6. EXTENSION OF THE ADVANCED ENERGY PROJECT CREDIT.

(a) IN GENERAL.—Subsection (d) of section 48C is amended by adding at the end the following new paragraph:

“(6) ADDITIONAL 2011 ALLOCATIONS.—

“(A) IN GENERAL.—Not later than 180 days after the date of the enactment of this paragraph, the Secretary, in consultation with the Secretary of Energy, shall establish a program to consider and award certifications for qualified investments eligible for credits

under this section to qualifying advanced energy project sponsors with respect to applications received on or after the date of the enactment of this paragraph.

“(B) LIMITATION.—The total amount of credits that may be allocated under the program described in subparagraph (A) shall not exceed the 2011 allocation amount reduced by so much of the 2011 allocation amount as is taken into account as an increase in the limitation described in paragraph (1)(B).

“(C) APPLICATION OF CERTAIN RULES.—Rules similar to the rules of paragraphs (2), (3), (4), and (5) shall apply for purposes of the program described in subparagraph (A), except that—

“(i) CERTIFICATION.—Applicants shall have 2 years from the date that the Secretary establishes such program to submit applications.

“(ii) SELECTION CRITERIA.—For purposes of paragraph (3)(B)(i), the term ‘domestic job creation (both direct and indirect)’ means the creation of direct jobs in the United States producing the property manufactured at the manufacturing facility described under subsection (c)(1)(A)(i), and the creation of indirect jobs in the manufacturing supply chain for such property in the United States.

“(iii) REVIEW AND REDISTRIBUTION.—The Secretary shall conduct a separate review and redistribution under paragraph (5) with respect to such program not later than 4 years after the date of the enactment of this paragraph.

“(D) 2011 ALLOCATION AMOUNT.—For purposes of this subsection, the term ‘2011 allocation amount’ means \$5,000,000,000.

“(E) DIRECT PAYMENTS.—In lieu of any qualifying advanced energy project credit which would otherwise be determined under this section with respect to an allocation to a taxpayer under this paragraph, the Secretary shall, upon the election of the taxpayer, make a grant to the taxpayer in the amount of such credit as so determined. Rules similar to the rules of section 50 shall apply with respect to any grant made under this subparagraph.”.

(b) PORTION OF 2011 ALLOCATION ALLOCATED TOWARD PENDING APPLICATIONS UNDER ORIGINAL PROGRAM.—Subparagraph (B) of section 48C(d)(1) is amended by inserting “(increased by so much of the 2011 allocation amount (not in excess of \$1,500,000,000) as the Secretary determines necessary to make allocations to qualified investments with respect to which qualifying applications were submitted before the date of the enactment of paragraph (6))” after “\$2,300,000,000”.

(c) CONFORMING AMENDMENT.—Paragraph (2) of section 1324(b) of title 31, United States Code, is amended by inserting “48C(d)(6)(E),” after “36C,”.

By Mrs. FEINSTEIN:

S. 826. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Environment and Public Works.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the Infrastructure Facilitation and Habitat Conservation Act of 2011.

This legislation will make it easier for communities to build infrastructure and grow by allowing to access federal loan guarantees when they conserve land to mitigate the impacts to the environment and endangered species.

This bill creates a ten year pilot program, to be administered jointly by the Secretaries of the Interior and Treasury, making credit more readily available to eligible public entities which are sponsors of Habitat Conservation Plans, HCPs, under section 10 of the Endangered Species Act of 1973.

Habitat Conservation Plans were authorized by an amendment to the Endangered Species Act in 1982 as a means to permanently protect the habitat of threatened and endangered species, while facilitating the development of infrastructure, through issuance of a long-term “incidental take permit”. More than 500 such plans have been approved by the Secretary of the Interior, providing protection for nearly 50 million acres of habitat nationwide and allowing development and infrastructure to proceed.

Equally important, HCPs are very effective in avoiding, minimizing and mitigating the effects of development on endangered species and their habitats. HCPs are an essential tool, as Congress intended, in balancing the requirements of the Endangered Species Act with on-going infrastructure construction and development activity.

In California, the Western Riverside County Multiple-Species HCP is a prime example of effective habitat management. The Western Riverside MSHCP covers an area of 1.26 million acres, of which 500,000 will be permanently protected for the benefit of 146 species of plants and animals. At the same time, it is building its infrastructure and transportation needs for the next century.

To date, more than 40,000 acres of property have been conserved. In the case of the Western Riverside MSHCP, as with other HCPs nationwide, this strategy for advance mitigation of environmental impacts has facilitated the development of much-needed transportation infrastructure.

Riverside has been one of the Nation’s fastest growing counties, with a rate of growth during the last decade of 42 percent. Unless the development of infrastructure can be made to keep pace with this explosive population growth, neither environmental or livability goals will be attained.

Owing to the economic downturn, however, the pace of habitat acquisition in Western Riverside and other similarly-situated communities has slowed to a crawl. Revenue which had been generated to finance acquisition of habitat during periods of robust development has also slowed to a trickle, at just the moment when real estate values are at historic lows.

Ready access to capital during this period would enable Western Riverside to complete its habitat acquisition program for half of what it was estimated to cost in 2008, for a savings of \$2 billion.

Under this bill, loan guarantee applicants would have to demonstrate their credit-worthiness and the likely success of their habitat acquisition programs. Priority would be given to HCPs in biologically rich regions whose natural attributes are threatened by rapid development. Other than the modest costs of administration, the bill would entail no federal expenditure unless the local government defaulted a very rare occurrence.

The Federal guarantees will assure access to commercial credit at reduced rates of interest, enabling these communities to take advantage of temporarily low prices for habitat. Prompt enactment of this legislation will provide multiple benefits at very low cost to the Federal taxpayer protection of more habitat more quickly, accelerated development of infrastructure with minimum environmental impact, and reduction in the total cost of HCP land acquisition.

I urge my colleagues to support this legislation. I believe it will encourage development and growth and conservation of land and protection of endangered species, at minimal Federal risk. It is exactly the Federal local partnership that we need to use to maximize efficient use of Federal dollars.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 826

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Infrastructure Facilitation and Habitat Conservation Act of 2011".

SEC. 2. CONSERVATION LOAN AND LOAN GUARANTEE PROGRAM.

(a) DEFINITIONS.—In this section:

(1) ELIGIBLE PUBLIC ENTITY.—The term "eligible public entity" means a political subdivision of a State, including—

(A) a duly established town, township, or county;

(B) an entity established for the purpose of regional governance;

(C) a special purpose entity; and

(D) a joint powers authority, or other entity certified by the Governor of a State, to have authority to implement a habitat conservation plan pursuant to section 10(a) of the Endangered Species Act of 1973 (16 U.S.C. 1539(a)).

(2) PROGRAM.—The term "program" means the conservation loan and loan guarantee program established by the Secretary under subsection (b)(1).

(3) SECRETARY.—The term "Secretary" means the Secretary of the Treasury.

(b) LOAN AND LOAN GUARANTEE PROGRAM.—

(1) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the

Secretary shall establish a program to provide loans and loan guarantees to eligible public entities to enable eligible public entities to acquire interests in real property that are acquired pursuant to habitat conservation plans approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539).

(2) APPLICATION; APPROVAL PROCESS.—

(A) APPLICATION.—

(i) IN GENERAL.—To be eligible to receive a loan or loan guarantee under the program, an eligible public entity shall submit to the Secretary an application at such time, in such form and manner, and including such information as the Secretary may require.

(ii) SOLICITATION OF APPLICATIONS.—Not less frequently than once per calendar year, the Secretary shall solicit from eligible public entities applications for loans and loan guarantees in accordance with this section.

(B) APPROVAL PROCESS.—

(i) SUBMISSION OF APPLICATIONS TO SECRETARY OF THE INTERIOR.—As soon as practicable after the date on which the Secretary receives an application under subparagraph (A), the Secretary shall submit the application to the Secretary of the Interior for review.

(ii) REVIEW BY SECRETARY OF THE INTERIOR.—

(I) REVIEW.—As soon as practicable after the date of receipt of an application by the Secretary under clause (i), the Secretary of the Interior shall conduct a review of the application to determine whether—

(aa) the eligible public entity is implementing a habitat conservation plan that has been approved by the Secretary of the Interior under section 10 of the Endangered Species Act of 1973 (16 U.S.C. 1539);

(bb) the habitat acquisition program of the eligible public entity would very likely be completed; and

(cc) the eligible public entity has adopted a complementary plan for sustainable infrastructure development that provides for the mitigation of environmental impacts.

(II) REPORT TO SECRETARY.—Not later than 60 days after the date on which the Secretary of the Interior receives an application under subclause (I), the Secretary of the Interior shall submit to the Secretary a report that contains—

(aa) an assessment of each factor described in subclause (I); and

(bb) a recommendation regarding the approval or disapproval of a loan or loan guarantee to the eligible public entity that is the subject of the application.

(III) CONSULTATION WITH SECRETARY OF COMMERCE.—To the extent that the Secretary of the Interior considers to be appropriate to carry out this clause, the Secretary of the Interior may consult with the Secretary of Commerce.

(iii) APPROVAL BY SECRETARY.—

(I) IN GENERAL.—Not later than 120 days after receipt of an application under subparagraph (A), the Secretary shall approve or disapprove the application.

(II) FACTORS.—In approving or disapproving an application of an eligible public entity under subclause (I), the Secretary may consider—

(aa) whether the financial plan of the eligible public entity for habitat acquisition is sound and sustainable;

(bb) whether the eligible public entity has the ability to repay a loan or meet the terms of a loan guarantee under the program;

(cc) any factor that the Secretary determines to be appropriate; and

(dd) the recommendation of the Secretary of the Interior.

(III) PREFERENCE.—In approving or disapproving applications of eligible public entities under subclause (I), the Secretary shall give preference to eligible public entities located in biologically rich regions in which rapid growth and development threaten successful implementation of approved habitat conservation plans, as determined by the Secretary in cooperation with the Secretary of the Interior.

(C) ADMINISTRATION OF LOANS AND LOAN GUARANTEES.—

(i) REPORT TO SECRETARY OF THE INTERIOR.—Not later than 60 days after the date on which the Secretary approves or disapproves an application under subparagraph (B)(iii), the Secretary shall submit to the Secretary of the Interior a report that contains the decision of the Secretary to approve or disapprove the application.

(ii) DUTY OF SECRETARY.—As soon as practicable after the date on which the Secretary approves an application under subparagraph (B)(iii), the Secretary shall—

(I) establish the loan or loan guarantee with respect to the eligible public entity that is the subject of the application (including such terms and conditions as the Secretary may prescribe); and

(II) carry out the administration of the loan or loan guarantee.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary to carry out this section such sums as are necessary.

(d) TERMINATION OF AUTHORITY.—The authority under this section shall terminate on the date that is 10 years after the date of enactment of this Act.

By Mr. UDALL of Colorado (for himself and Ms. COLLINGS):

S. 828. A bill to amend the Energy Policy and Conservation Act to establish the Office of Energy Efficiency and Renewable Energy as the lead Federal agency for coordinating Federal, State, and local assistance provided to promote the energy retrofitting of schools; to the Committee on Energy and Natural Resources.

Mr. UDALL of Colorado. Mr. President, today I am introducing a bipartisan bill along with my colleague Senator COLLINS to help improve the health and efficiency of our schools by making them more energy efficient, while creating much-needed jobs in the process. Though it is often overlooked, energy efficiency is a huge job creator. Not only does it create jobs through the purchase and installation of efficient materials, it frees up scarce school finances to retain teachers and important programs.

There are numerous Federal programs and funds already available to schools to help them become more energy efficient. However, as I learned in my travels across Colorado, schools face a morass of programs and agency offices across the government, and it is challenging for schools to take full advantage of them.

The bipartisan Streamlining Energy Efficiency for Schools Act of 2011 will force the government to coordinate their efforts so that schools are less confused and they can better navigate the existing Federal programs and financing options available to them. Put

simply, it will streamline the Federal Government while still leaving decisions to the States, school boards and local officials to determine what is best for their schools.

I have seen the benefits of energy efficient buildings first hand when traveling in Colorado. The Cherry Creek School District in Greenwood Village, Colorado has incorporated day lighting techniques and ice storage to cool the buildings during the day. Because of these innovative improvements, the school district has enjoyed significant cost savings. In another example, the Poudre School District in Fort Collins, Colorado, actively promotes sustainable design guidelines, calling it their "Ethic of Sustainability." This program includes an elementary school in Fort Collins that actually uses recycled blue jeans as insulation for the school buildings.

I hope that in passing this bill we will see more examples of these successful and creative projects across the country—projects that will increase the efficiency of our schools and teach our students about the importance of saving energy. I urge my colleagues—of both parties—to join me in supporting this bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 828

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Streamlining Energy Efficiency for Schools Act of 2011".

SEC. 2. COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.

Section 392 of the Energy Policy and Conservation Act (42 U.S.C. 6371a) is amended by adding at the end the following:

"(e) COORDINATION OF ENERGY RETROFITTING ASSISTANCE FOR SCHOOLS.—

"(1) DEFINITION OF SCHOOL.—In this subsection, the term 'school' means—

"(A) an elementary school or secondary school (as defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801));

"(B) an institution of higher education (as defined in section 102(a) of the Higher Education Act of 1965 (20 U.S.C. 1002(a));

"(C) a school of the defense dependents' education system under the Defense Dependents' Education Act of 1978 (20 U.S.C. 921 et seq.) or established under section 2164 of title 10, United States Code;

"(D) a school operated by the Bureau of Indian Affairs;

"(E) a tribally controlled school (as defined in section 5212 of the Tribally Controlled Schools Act of 1988 (25 U.S.C. 2511); and

"(F) a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))).

"(2) DESIGNATION OF LEAD AGENCY.—The Secretary, acting through the Office of Energy Efficiency and Renewable Energy, shall

act as the lead Federal agency for coordinating and disseminating information on existing Federal programs and assistance that may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools.

"(3) REQUIREMENTS.—In carrying out coordination and outreach under paragraph (2), the Secretary shall—

"(A) in consultation and coordination with the appropriate Federal agencies, carry out a review of existing programs and financing mechanisms (including revolving loan funds and loan guarantees) available in or from the Department of Agriculture, the Department of Energy, the Department of Education, the Department of the Treasury, the Internal Revenue Service, the Environmental Protection Agency, and other appropriate Federal agencies with jurisdiction over energy financing and facilitation that are currently used or may be used to help initiate, develop, and finance energy efficiency, renewable energy, and energy retrofitting projects for schools;

"(B) establish a Federal cross-departmental collaborative coordination, education, and outreach effort to streamline communication and promote available Federal opportunities and assistance described in subparagraph (A), for energy efficiency, renewable energy, and energy retrofitting projects that enables States, local educational agencies, and schools—

"(i) to use existing Federal opportunities more effectively; and

"(ii) to form partnerships with Governors, State energy programs, local educational, financial, and energy officials, State and local government officials, nonprofit organizations, and other appropriate entities, to support the initiation of the projects;

"(C) provide technical assistance for States, local educational agencies, and schools to help develop and finance energy efficiency, renewable energy, and energy retrofitting projects—

"(i) to increase the energy efficiency of buildings or facilities;

"(ii) to install systems that individually generate energy from renewable energy resources;

"(iii) to establish partnerships to leverage economies of scale and additional financing mechanisms available to larger clean energy initiatives; or

"(iv) to promote—

"(I) the maintenance of health, environmental quality, and safety in schools, including the ambient air quality, through energy efficiency, renewable energy, and energy retrofit projects; and

"(II) the achievement of expected energy savings and renewable energy production through proper operations and maintenance practices;

"(D) develop and maintain a single online resource website with contact information for relevant technical assistance and support staff in the Office of Energy Efficiency and Renewable Energy for States, local educational agencies, and schools to effectively access and use Federal opportunities and assistance described in subparagraph (A) to develop energy efficiency, renewable energy, and energy retrofitting projects; and

"(E) establish a process for recognition of schools that—

"(i) have successfully implemented energy efficiency, renewable energy, and energy retrofitting projects; and

"(ii) are willing to serve as resources for other local educational agencies and schools to assist initiation of similar efforts.

"(4) REPORT.—Not later than 180 days after the date of enactment of this subsection, the Secretary shall submit to Congress a report describing the implementation of this subsection.

"(5) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this subsection such sums as are necessary for each of fiscal years 2012 through 2016."

By Mr. FRANKEN (for himself, Mr. BROWN of Ohio, Mr. SCHUMER, Mrs. GILLIBRAND, and Mr. SANDERS):

S. 831. A bill to amend the Agricultural Marketing Act of 1946 to provide for country of origin labeling for dairy products; to the Committee on Agriculture, Nutrition, and Forestry.

Mr. FRANKEN. Mr. President, today, I am reintroducing the Dairy Country Of Origin Labeling Act, or Dairy COOL, with Senator SCHUMER, Senator GILLIBRAND, Senator SHERROD BROWN, and Senator SANDERS.

Our bill is very straightforward; it simply extends country of origin labeling requirements to dairy products. The current country of origin labeling law, which went into effect in 2008, applies to meats, produce, and nuts, but it doesn't include dairy products. Our bill adds dairy products—including milk, cheese, yogurt, ice cream, and butter—to the list.

This bill is about families. Minnesota families should have the right to know where the food they buy was produced. Consumers have this information for meat and produce; they should have it for the dairy products they feed their families every day. Minnesota dairy farmers and family farmers across the Nation should have the right to distinguish their products from imported products.

Hardly a week goes by where you don't hear another story of contaminated food and toys that were imported from foreign countries but only discovered after they were in American homes. Labeling our dairy products lets parents make informed choices at the grocery store. It gives consumers the information they need to be confident about the quality and safety of the food they buy.

Farming is a risky business. Prices have stabilized for now, but less than two years ago, high feed prices and unpredictable price swings threatened the viability of family dairies across the country. This bill isn't a silver bullet, but it does give family farms another tool that will help them compete in a crowded marketplace. And it gives consumers the option to purchase milk and cheese from our own family farms.

So I urge my colleagues to support this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 831

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Dairy COOL Act of 2011”.

SEC. 2. COUNTRY OF ORIGIN LABELING FOR DAIRY PRODUCTS.

(a) **DEFINITIONS.**—Section 281 of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638) is amended—

(1) in paragraph (2)—
(A) in subparagraph (A)—
(i) in clause (x), by striking “and” at the end;

(ii) in clause (xi), by striking the period at the end and inserting “; and”; and

(iii) by adding at the end the following:
“(xii) dairy products.”; and

(B) in subparagraph (B), by inserting “(other than clause (xii) of that subparagraph)” after “subparagraph (A)”;
(2) by redesignating paragraphs (3) through (9) as paragraphs (4) through (10), respectively; and

(3) by inserting after paragraph (2) the following:
“(3) **DAIRY PRODUCT.**—The term ‘dairy product’ means—
“(A) fluid milk;
“(B) cheese, including cottage cheese and cream cheese;
“(C) yogurt;
“(D) ice cream;
“(E) butter; and
“(F) any other dairy product.”.

(b) **NOTICE OF COUNTRY OF ORIGIN.**—Section 282(a) of the Agricultural Marketing Act of 1946 (7 U.S.C. 1638a(a)) is amended by adding at the end the following:

“(5) **DESIGNATION OF COUNTRY OF ORIGIN FOR DAIRY PRODUCTS.**—

“(A) **IN GENERAL.**—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—
“(i) each country in which or from the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and
“(ii) each country in which the covered commodity was processed.

“(B) **STATE, REGION, LOCALITY OF THE UNITED STATES.**—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”.

“(5) **DESIGNATION OF COUNTRY OF ORIGIN FOR DAIRY PRODUCTS.**—

“(A) **IN GENERAL.**—A retailer of a covered commodity that is a dairy product shall designate the origin of the covered commodity as—
“(i) each country in which or from the 1 or more dairy ingredients or dairy components of the covered commodity were produced, originated, or sourced; and
“(ii) each country in which the covered commodity was processed.

“(B) **STATE, REGION, LOCALITY OF THE UNITED STATES.**—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”.

“(B) **STATE, REGION, LOCALITY OF THE UNITED STATES.**—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”.

“(B) **STATE, REGION, LOCALITY OF THE UNITED STATES.**—With respect to a covered commodity that is a dairy product produced exclusively in the United States, designation by a retailer of the State, region, or locality of the United States where the covered commodity was produced shall be sufficient to identify the United States as the country of origin.”.

By Ms. COLLINS (for herself and Mrs. MURRAY):

S. 832. A bill to reauthorize certain port security programs, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

Ms. COLLINS. Mr. President, I rise to introduce the SAFE Port Reauthorization Act of 2011. This bill extends important programs that help to protect our nation’s critical shipping lanes and seaports from attack and sabotage.

The SAFE Port Reauthorization Act of 2011 is cosponsored by my colleague, Senator MURRAY. Senator MURRAY and I drafted the original SAFE Port Act in 2005, leading to its enactment in 2006. I am pleased that she has again joined

me to extend and strengthen this important law. Several stakeholders have expressed their support for our efforts, including the American Waterways Operators, National Association of Boating Law Administrators, Retail Industry Leaders Association, Association of Marina Industries, National Boating Federation, and National Marine Manufacturers Association.

The scope of what we need to protect is broad. America has 361 seaports—each vital links in our Nation’s transportation network. Our seaports move more than 95 percent of overseas trade. In 2010, United States ports logged 57,600 ports-of-call by foreign-flagged cargo vessels, bringing 11 million shipping containers to our shores.

Coming from a State with three international cargo ports—including Portland, the largest port by tonnage in New England—I am keenly aware of the importance of seaports to our national economy and to the communities in which they are located.

Our seaports operate as vital centers of economic activity; they also represent vulnerable targets. As the air cargo plot emanating from Yemen last fall demonstrated, terrorists remain committed to exploiting commercial shipments as a way of moving explosives or weapons of mass destruction.

Maritime shipping containers are a special source of concern. A single obscure container, hidden among a ship’s cargo of several hundred containers, could be used to conceal a dirty bomb. In other words, a container could be turned into a 21st century Trojan horse.

The shipping container’s security vulnerabilities are so well known that it has also been called “the poor man’s missile,” because for only a few thousand dollars, a terrorist could ship a weapon or explosive across the Atlantic or the Pacific to a U.S. port.

And the contents of such a container don’t have to be something as complex as a nuclear or biological weapon. As former Customs and Border Protection Commissioner Robert Bonner told *The New York Times*, a single container packed with readily available ammonium sulfate fertilizer and a detonation system could produce 10 times the blast that destroyed the Murrah Federal Building in Oklahoma City.

Whatever the type of weapon, an attack on one or more U.S. ports could cause great loss of life and large numbers of injuries; it could damage our energy supplies and infrastructure; it could cripple retailers and manufacturers dependent on incoming inventory; and it could hamper our ability to move and supply American military forces fighting against the forces of terrorism.

I have had the opportunity to visit seaports and, as one examines some of the Nation’s busiest harbors, one sees what a terrorist might call “high-value

targets.” In February, while touring the Port of Miami and Port Everglades with the Coast Guard, I witnessed firsthand the large and sprawling urban populations, cruise ship docks, container terminals, and bulk fuel facilities that are situated around these ports. At other locations, there are large sports stadiums and ferries operating nearby as well.

Add up these factors, and one realizes immediately the death and destruction that a ship carrying a container hiding a weapon of mass destruction could inflict at a single port.

Of course, a port can be a conduit for an attack as well as a target. A container with dangerous cargo could be loaded on a truck or rail car, or have its contents unpacked at the port and distributed to support attacks elsewhere. In 2008, we saw that the port in Mumbai, India, offered the means for a gang of terrorists to launch an attack on a section of the city’s downtown. That attack killed more than 170 people and wounded hundreds more.

To address these security threats, our bill would reauthorize these SAFE Port Act cargo security programs that have proven to be successful the Automated Targeting System that identifies high-risk cargo; the Container Security Initiative that ensures high-risk cargo containers are inspected at ports overseas before they travel to the United States; and the Customs-Trade Partnership Against Terrorism, or C-TPAT, that provides incentives to importers to enhance the security of their cargo from point of origin to destination.

The bill would also strengthen the C-TPAT program by providing new benefits, including offering voluntary security training to industry participants and providing participants an information sharing mechanism on maritime and port security threats, and authorizing Customs and Border Protection to conduct unannounced inspections to ensure that security practices are robust. The cooperation of private industry is vital to protecting supply chains, and C-TPAT is a necessary tool for securing their active cooperation in supply chain security efforts.

The bill also would extend the competitive, risk-based, port security grants that have improved the security of our ports. An authorization for the next 5 years at \$300 million per year, as included in the President’s budget, is lower than the current \$400 million authorization in recognition of the severe budget constraints we face. To address concerns expressed by port authorities and terminal operators from across the country, the bill places deadlines on the Department of Homeland Security to ensure a timely response is provided to port security grant applications, extensions, and cost-share waiver requests.

In addition to continuing and improving critical port security programs, the bill also would strengthen the America's Waterway Watch Program, which promotes voluntary reporting of suspected terrorist activity or suspicious behavior against a vessel, facility, port, or waterway.

Our bill would protect citizens from frivolous lawsuits when they report, in good faith, suspicious behavior that may indicate terrorist activity against the United States. It builds on a provision from the 2007 homeland security law that encourages people to report potential terrorist threats directed against transportation systems by protecting people from those who would misuse our legal system in an attempt to chill the willingness of citizens to come forward and report possible dangers.

In addition, this legislation enhances research and development efforts to improve maritime cargo security. The demonstration project authorized by this law would study the feasibility of using composite materials in cargo containers to improve container integrity and deploy next-generation sensors.

This legislation also addresses the difficulties in administering the mandate of x-raying and scanning for radiation all cargo containers overseas that are destined for the United States by July 2012. Until x-ray scanning technology is proven effective at detecting radiological material and not disruptive of trade, requiring the x-raying of all U.S. bound cargo, regardless of its risk, at every foreign port, is misguided and provides a false sense of security. It would also impose onerous restrictions on the flow of commerce, costing billions with little additional security benefit.

Under the original provisions of the SAFE Port Act, all cargo designated as high-risk at foreign ports is already scanned for radiation and x-rayed. In addition, cargo entering the U.S. at all major seaports is scanned for radiation. These security measures currently in place are part of a layered, risk-based method to ensure cargo entering the U.S. is safe.

This legislation would eliminate the deadline for 100 percent x-raying of containers if the Secretary of Homeland Security certifies the effectiveness of individual security measures of that layered security approach. This is a more reasonable method to secure our cargo until a new method of x-raying containers is proven effective and feasible.

The SAFE Port Reauthorization Act of 2011 will help us to continue an effective, layered, coordinated security system that extends from point of origin to point of destination, and that covers the people, the vessels, the cargo, and the facilities involved in our maritime commerce. It will continue to address a

major vulnerability in our homeland security critical infrastructure while preserving the flow of goods on which our economy depends.

I urge my colleagues to support this important legislation.

By Mr. WHITEHOUSE (for himself, Mr. REED, Mr. BROWN of Ohio, Mr. FRANKEN, and Mr. AKAKA):

S. 833. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and post-secondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. WHITEHOUSE. Mr. President, it is my honor today to introduce the Success in the Middle Act of 2011. This bill recognizes the role of the middle grades as a tipping point in the education of many of our Nation's students, especially those who are at risk of dropping out. Success in the Middle invests much-needed attention and resources in middle grades education, requiring states to create plans to specifically address the unique needs of students in the age group, and focusing on schools that feed students into some of our country's most dropout prone high schools so they are ready for the curriculum and the unique social pressures they will encounter there.

My concern about the middle grades began in a unique place behind my desk in the Rhode Island Attorney General's Office. After serving as the United States Attorney for Rhode Island, where I dealt with cases involving mobsters and white collar crime, I now suddenly had hundreds of juvenile cases coming across my desk. I asked my staff to examine the problem and together we tried to find the root of it. Ultimately, it all seemed to go back to one issue: middle school truancy. In order to better see what was happening in middle schools, my office adopted one, Oliver Hazard Perry Middle School in Providence. We worked hard to create a real relationship between the police department and the school to help get truant kids back in classrooms; we worked with the local utility to get lights in the parking lot so teachers felt safe staying after school; partnered with local businesses to get teachers phones in the classrooms so they could call parents when the kids went missing; began a mentoring program between students and attorneys in my office; and brought in community groups to start afterschool programs.

The experience at Perry helped me realize what an impact the middle grades have on a child's future. It is an age where a child is beginning to make his or her own decisions, but can still be influenced by adults and by enriching experiences in their lives. The middle grades are a time when, if properly directed, students look to their futures and set goals for themselves in order to enter high school ready to achieve that first vital goal: graduation.

When I entered the Senate, one of my first priorities was to continue to advocate for improved middle grades education. In Rhode Island, I convened a small group of teachers, public and private school administrators, union leaders, afterschool experts, and others who shared my deep interest in the middle grades to continue the conversation about how best to improve them. This group examined the issues faced by these students and how curriculum, the professional development of teachers, and the environment of the school affected them on a daily basis. Their work has influenced how I perceive education policy and has been invaluable as we have moved forward with Success in the Middle.

To see just how badly our middle grade students need this help, let us take a look at the facts: Less than 1/3 of 8th grade students scored proficient in reading and math on the 2009 National Assessment on Educational Progress, NAEP, and nearly 30 percent scored below the basic level in math. A lack of basic skills at the end of the middle grades has serious implications students who enter high school two or more years behind have only a 50 percent chance of progressing on time to 10th grade, creating a significant risk of dropping out. Sixth grade students who do not attend school regularly, who frequently receive disciplinary actions, or who fail math or English have a less than 15 percent chance of graduating high school on time and a 20 percent chance of graduating one year late.

This is why investing wisely in the middle grades is so important. Success in the Middle makes that investment, creating a formula grant program that help states invest in proven strategies for the middle grades, including comprehensive school-wide improvement efforts, targeted professional development, and student supports such as extended learning time and personal academic plans. It also requires the creation of early warning and intervention systems for at-risk students and transition plans for the middle grades. Finally, Success in the Middle invests in national research into best practices for the middle grades.

I am proud to introduce Success in the Middle, which in previous Congresses was introduced by then-Senator Obama and by my senior Senator from Rhode Island, JACK REED. I am proud

to follow in the footsteps of these champions of education, who have demonstrated the vital need to focus our efforts on the middle grades in order to best serve our Nation's children, especially those most at risk for dropping out.

By Ms. KLOBUCHAR (for herself and Mr. GRASSLEY):

S. 839. A bill to ban the sale of certain synthetic drugs; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, I am pleased to join my colleague, Senator KLOBUCHAR, in cosponsoring the Combating Designer Drugs Act of 2011. All too often we are confronted with new and emerging drugs that spread quickly on the scene. However, what is most concerning about this new generation of drugs is how quickly these substances are sold and marketed to kids. Although these substances were created for scientific research they are now packaged as innocent products and sold on the shelves of local stores or via the internet.

Recent reports in the media along with increasing calls to poison control centers and visits to emergency rooms reveals that more and more kids are using products laced with substances that are very dangerous. Although these products are currently legal and can be sold in stores and online, many people who use products are under a false impression that these products are safe because they are legal. However, use of these products is anything but safe.

Last month, a teenager from Blaine, MN, died after overdosing on a substance called 2C-E that he and others used at a party. Police report 10 other individuals were hospitalized after using this substance. According to the Drug Enforcement Administration, 2C-E along with its cousins in the 2C family are used for their hallucinogenic qualities. These drugs are marketed as similar to illegal drugs like LSD or Ecstasy and can be used in similar ways. A popular way to pass these drugs off as safe is by labeling them as "fake," but clearly the victims of this drug have suffered very real consequences.

Last month, I, along with Senator FEINSTEIN, introduced legislation to ban the chemicals found in synthetic or "fake" marijuana. This legislation came in part from the death of Indianola, IA, resident David Rozga, who committed suicide shortly after smoking a package of K2, a product laced with synthetic marijuana compounds. Since then the Drug Enforcement Administration has identified more substances that are used in a similar way such as 2C-E and others. The Combating Designer Drugs Act of 2011 is part of the ongoing effort to identify drugs that are being marketed as legal, safe alternatives to illegal drugs and places them among their

rightful place as dangerous drugs like meth and cocaine. Specifically, this legislation targets drugs found in the 2C family, which were invented for scientific research but never intended to be used for humans and makes them schedule I controlled substances.

Mr. President, the sale and use of synthetic drugs like those in the 2C family represent a new and dangerous trend in drug abuse. We must take strong action to eliminate the ease in which these substances can reach the market before their use gets out of hand. I urge my colleagues to support this legislation to remove these dangerous drugs from our society.

By Mr. UDALL of Colorado (for himself, Ms. STABENOW, and Mr. MERKLEY):

S. 841. A bill to provide cost-sharing assistance to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. UDALL of Colorado. Mr. President, I rise today to speak about the Renewable Energy Market Access Program Act, or REMAP Act, which I am re-introducing in the 112th Congress with my colleagues, Senators STABENOW and MERKLEY. This bill is designed to help grow American renewable energy and energy efficiency exports abroad by helping small and medium sized renewable energy businesses promote, export and ultimately penetrate foreign markets. In turn this bill will help grow the American economy and create American jobs.

This effort is a smaller piece of what needs to be a comprehensive and cohesive approach to reduce our trade deficit in clean energy goods and bolster our economy. Despite efforts to do just that, we still struggle to build a manufacturing base that can provide the goods necessary to meet the global demand for renewable energy products. It is astonishing that increasingly, we import more renewable energy goods than we export. A recent Senate report showed that over a 5 year period from 2004-2008, our trade deficit in renewable energy goods increased 350 percent, which is attributed to increased U.S. demand that is met largely by imports from Asia and Europe. Not only are we failing to meet our own domestic demand, but we are slow to take advantage of market opportunities abroad. It is estimated that 90 percent of worldwide investments in renewable energy goods occur in G-20 countries, and the developing world is projected to comprise 80 percent of the world's future energy demand, yet the United States is not well positioned to capture these growing and burgeoning markets for renewable energy goods. If we are truly

dedicated to strengthening our capability to grow renewable energy manufacturing and to becoming energy independent, we need to do more. We need to invest strategically at home, and we must also look beyond our shores to build markets for domestic manufacturers markets that can translate into sustainable, well-paying jobs here at home.

My legislation would create the Renewable Energy Market Access Program to focus on equipping small and medium sized enterprises with the tools they need to access foreign markets, thereby strengthening our domestic economy and creating jobs. Through REMAP, trade associations and state-regional trade groups would apply to the U.S. Department of Commerce to enter into cooperative agreements to provide marketing and trade assistance to small- and medium-sized companies in the renewable energy and energy efficiency sectors. The assistance would help facilitate the export of their goods to existing and new foreign markets. The agreements would also offer eligible participants an opportunity to share the costs related to innovative marketing and promotion activities. The public funding for any one application would never exceed 50 percent of the total cost of the proposal, ensuring buy-in from the applicant and an ongoing working relationship with the Department of Commerce. In sum, this bill will help streamline access to the global marketplace for small businesses and help promote American renewable energy and energy efficiency products overseas.

I believe that this legislation takes an important step in the right direction to support the growing renewable energy industry. I have been encouraged by the efforts of my colleagues here in the U.S. Congress and in the Administration to place a strong emphasis on supporting and growing all of America's exports but our future will be in solving our shared energy challenges.

While we look at ways to enhance market access to foreign markets, Congress must also develop sensible policy mechanisms to address unfair trade barriers and other anti-competitive tactics that are used to keep our goods from markets in countries with which we have stable relations. Such tactics should be addressed, but should not keep us from pursuing other opportunities to build foreign markets for American businesses. This is why I urge my colleagues to join me in supporting this legislation to support our small business community in growing our nation's economy.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 841

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Renewable Energy Market Access Program Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **ENERGY EFFICIENCY PRODUCT.**—The term “energy efficiency product” means any product, technology, or component of a product that—

(A) as compared with products, technologies, or components of products being deployed at the time for widespread commercial use in the country in which the product, technology, or component will be used—

(i) substantially increases the energy efficiency of buildings, industrial or agricultural processes, or electricity transmission, distribution, or end-use consumption; or

(ii) substantially increases the energy efficiency of the transportation system; and

(B) results in no significant incremental adverse effects on public health or the environment.

(2) **RENEWABLE ENERGY.**—The term “renewable energy” means energy generated by a renewable energy resource.

(3) **RENEWABLE ENERGY PRODUCT.**—The term “renewable energy product” means any product, technology, or component of a product used in the development or production of renewable energy.

(4) **RENEWABLE ENERGY RESOURCE.**—The term “renewable energy resource” means solar, wind, ocean, tidal, or geothermal energy, biofuel, biomass, hydropower, or hydrokinetic energy.

(5) **SMALL- AND MEDIUM-SIZED BUSINESSES.**—The term “small- and medium-sized businesses” means—

(A) small business concerns (as that term used in section 3 of the Small Business Act (15 U.S.C. 632)); and

(B) businesses the Secretary of Commerce determines to be small- or medium-sized, based on factors that include the structure of the industry, the amount of competition in the industry, the average size of businesses in the industry, and costs and barriers associated with entering the industry.

SEC. 3. COST-SHARING ASSISTANCE WITH RESPECT TO THE EXPORTATION OF ENERGY EFFICIENCY PRODUCTS AND RENEWABLE ENERGY PRODUCTS.

(a) **IN GENERAL.**—The Under Secretary for International Trade of the Department of Commerce (in this section referred to as the “Under Secretary”) shall establish and carry out a program to provide cost-sharing assistance to eligible organizations—

(1) to improve access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States; and

(2) to assist small- and medium-sized businesses in the United States in obtaining services and other assistance with respect to exporting energy efficiency products and renewable energy products, including services and assistance available from the Department of Commerce and other Federal agencies.

(b) **ELIGIBLE ORGANIZATIONS.**—An eligible organization is a nonprofit trade association in the United States or a State or regional organization that promotes the exportation and sale of energy efficiency products or renewable energy products.

(c) **APPLICATION PROCESS.**—An eligible organization shall submit an application for

cost-sharing assistance under subsection (a)—

(1) at such time and in such manner as the Under Secretary may require; and

(2) that contains a plan that describes the activities the organization plans to carry out using the cost-sharing assistance provided under subsection (a).

(d) **AWARDING COST-SHARING ASSISTANCE.**—

(1) **IN GENERAL.**—The Under Secretary shall establish a process for granting applications for cost-sharing assistance under subsection (a) that includes a competitive review process.

(2) **PRIORITY FOR INNOVATIVE IDEAS.**—In awarding cost-sharing assistance under subsection (a), the Under Secretary shall give priority to an eligible organization that includes in the plan of the organization submitted under subsection (c)(2) innovative ideas for improving access to the markets of foreign countries for energy efficiency products and renewable energy products exported by small- and medium-sized businesses in the United States.

(e) **LEVEL OF COST-SHARING ASSISTANCE.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the Under Secretary shall determine an appropriate percentage of the cost of carrying out a plan submitted by an eligible organization under subsection (c)(2) to be provided in the form of assistance under this section.

(2) **LIMITATION.**—Assistance provided under this section may not exceed 50 percent of the cost of carrying out the plan of an eligible organization.

SEC. 4. REPORT.

Not later than 180 days after the date of the enactment of this Act, the Secretary of Commerce, in consultation with the Secretary of Energy, shall submit to Congress a report on the export promotion needs of businesses in the United States that export energy efficiency products or renewable energy products.

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of Commerce to carry out this Act—

- (1) \$15,000,000 for fiscal year 2012;
- (2) \$16,000,000 for fiscal year 2013;
- (3) \$17,000,000 for fiscal year 2014;
- (4) \$18,000,000 for fiscal year 2015; and
- (5) \$19,000,000 for fiscal year 2016.

By Mr. BEGICH:

S. 843. A bill to establish outer Continental Shelf lease and permit processing coordination offices, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BEGICH. Mr. President—I wish to speak about legislation I am introducing today aimed at streamlining a cumbersome development process for offshore oil and gas development adjacent to Alaska.

About a month ago, President Obama proposed essentially that when he called for increased domestic oil and gas development and cutting foreign oil imports by a third by 2025. The President even said his administration is “looking at potential new development in Alaska, both onshore and offshore.”

We Alaskans were glad to hear the President use the “A” word—Alaska. As America’s energy storehouse for better than a quarter century, we are anxious to continue supplying our na-

tion a stable source of energy just as we have been doing since oil starting flowing through the trans-Alaska pipeline in 1977.

Simply put, Alaska has enormous untapped oil and gas reserves—an estimated 40 to 60 billion barrels of oil on State and Federal lands and waters. That is approaching a decade’s worth of U.S. consumption.

We also hold the Nation’s largest conventional natural gas reserves—more than 100 trillion cubic feet of this clean-burning fuel.

As is always the case, it is the details that matter. While we welcome the President’s interest in increased energy development in our state, his administration—and those which preceded him—have enacted roadblocks to this laudable goal.

In the National Petroleum Reserve-Alaska, ConocoPhillips has been working for years to secure a permit to build a bridge into a petroleum reserve to development oil—only to be stalled by the Army Corps of Engineers and EPA.

Moving to the offshore, Shell has been working for 5 years and invested more than \$3 billion for the opportunity to drill exploratory wells in Alaska’s Beaufort and Chukchi Seas. They got very close last year but just when it appeared the development had the green light a few weeks ago, an internal EPA Environmental Appeals Board sent the air quality permit back to the drawing board.

Business as usual simply isn’t working when it comes to increased oil and gas development in my State.

Accordingly, today I am introducing legislation that would create an office of Federal coordination for the Arctic OCS, modeled after legislation the late Senator Ted Stevens passed establishing a Federal gas pipeline coordinator. This office would have authority to work across the agencies causing Alaska so much heartburn today—the EPA, Army Corps of Engineers and Interior Department.

The Federal OCS coordinator would work with the State of Alaska and affected local governments to streamline development in the Chukchi and Beaufort seas, which hold such promise for future oil and gas development.

Additionally, it would expedite judicial review of claims related to Environmental Protection Agency and Department of Interior permits for development in this area. Let me be clear, this legislation does not prevent citizens from solving disputes in the court system. However, it does recognize that America needs this energy and issues surrounding it should be solved quickly.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 843

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Outer Continental Shelf Permit Processing Coordination Act”.

SEC. 2. DEFINITIONS.

In this Act:

(1) **COORDINATION OFFICE.**—The term “coordination office” means a regional joint outer Continental Shelf lease and permit processing coordination office established under section 3(a).

(2) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

SEC. 3. OUTER CONTINENTAL SHELF PERMIT PROCESSING COORDINATION OFFICES.

(a) **ESTABLISHMENT.**—The Secretary shall establish—

(1) a regional joint outer Continental Shelf lease and permit processing coordination office for the Alaska region of the outer Continental Shelf; and

(2) subject to subsection (c)—

(A) a regional joint outer Continental Shelf lease and permit processing coordination office for the Atlantic region of the outer Continental Shelf; and

(B) a regional joint outer Continental Shelf lease and permit processing coordination office for the Pacific region of the outer Continental Shelf.

(b) **MEMORANDUM OF UNDERSTANDING.**—

(1) **IN GENERAL.**—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for the purposes of carrying out this section with—

(A) the Secretary of Commerce;

(B) the Chief of Engineers;

(C) the Administrator of the Environmental Protection Agency;

(D) the head of any other Federal agency that may have a role in permitting activities; and

(E) in the case of the coordination office described in subsection (a)(1), the head of each borough government that is located adjacent to any active lease area.

(2) **STATE PARTICIPATION.**—The Secretary shall request that the Governor of a State adjacent to the applicable outer Continental Shelf region be a signatory to the memorandum of understanding.

(c) **DATE OF ESTABLISHMENT.**—A coordination office described in subparagraph (A) or (B) of subsection (a)(2) shall not be established until the date on which a proposed lease sale is conducted for the Atlantic or Pacific region of the outer Continental Shelf, as applicable.

(d) **DESIGNATION OF QUALIFIED STAFF.**—

(1) **IN GENERAL.**—Each Federal signatory party shall, if appropriate, assign to each of the coordination offices an employee who has expertise in the regulatory issues administered by the office in which the employee is employed relating to leasing and the permitting of oil and gas activities on the outer Continental Shelf by the date that is—

(A) in the case of the coordination office described in subsection (a)(1), not later than 30 days after the date of the signing of the memorandum of understanding relating to the applicable coordination office under subsection (b); or

(B) in the case of a coordination office established under subsection (a)(2), not later than 30 days after the date of establishment of the applicable coordination office under subsection (c).

(2) **DUTIES.**—An employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the applicable coordination office;

(B) be responsible for all issues relating to the jurisdiction of the home office or agency of the employee; and

(C) participate as part of the applicable team of personnel working on proposed oil and gas leasing and permitting, including planning and environmental analyses.

(e) **TRANSFER OF FUNDS.**—For the purposes of coordination and processing of oil and gas use authorizations for the applicable outer Continental Shelf region, the Secretary may authorize the expenditure or transfer of such funds as are necessary to—

(1) the Secretary of Commerce;

(2) the Chief of Engineers;

(3) the Administrator of the Environmental Protection Agency;

(4) the head of any other Federal agency having a role in permitting activities;

(5) any State adjacent to the applicable outer Continental Shelf region; and

(6) in the case of the coordination office described in subsection (a)(1), the head of each borough government that is located adjacent to any active lease area.

(f) **EFFECT.**—Nothing in this section—

(1) authorizes the establishment of a regional joint outer Continental Shelf lease and permit processing coordination office for the Gulf of Mexico region of the outer Continental Shelf;

(2) affects the operation of any Federal or State law; or

(3) affects any delegation of authority made by the head of a Federal agency for employees that are assigned to a coordination office.

(g) **FUNDING.**—

(1) **IN GENERAL.**—There is authorized to be appropriated \$2,000,000 for the coordination office described in subsection (a)(1) for each of fiscal years 2011 through 2021, to remain available until expended.

(2) **OTHER COORDINATION OFFICES.**—Notwithstanding any other provision of law—

(A) of the amounts received by the Secretary from the sale of bonus bids in the Atlantic region of the outer Continental Shelf Continental Shelf region, \$2,000,000 shall be made available for the applicable coordination office described in subsection (A)(2)(A) for the fiscal year; and

(B) of the amounts received by the Secretary from the sale of bonus bids in the Pacific region of the outer Continental Shelf Continental Shelf region, \$2,000,000 shall be made available for the applicable coordination office described in subsection (A)(2)(B) for the fiscal year.

SEC. 4. JUDICIAL REVIEW.

(a) **EXCLUSIVE JURISDICTION.**—Except for review by the Supreme Court on writ of certiorari, the United States Court of Appeals for the District of Columbia Circuit shall have original and exclusive jurisdiction to review any claim relating to an action by the Administrator of the Environmental Protection Agency or the Secretary of the Interior with respect to the review, approval, denial, or issuance of an oil or natural gas lease or permit in the area of the outer Continental Shelf described in section 3(a)(1).

(b) **DEADLINE FOR FILING CLAIM.**—A claim described in subsection (a) may be brought not later than 60 days after the date of the action giving rise to the claim.

(c) **EXPEDITED CONSIDERATION.**—The United States Court of Appeals for the District of Columbia Circuit shall set any action

brought under subsection (a) for expedited consideration, taking into account the national interest of enhancing national energy security by providing access to the significant oil and natural gas resources in the area of the outer Continental Shelf described in section 3(a)(1) that are needed to meet the anticipated demand for oil and natural gas.

By Mr. LIEBERMAN (for himself and Mr. BENNET):

S. 844. A bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. LIEBERMAN. Mr. President, I rise today with my colleague Senator BENNET, to introduce the Race to the Top Act of 2011. The Race to the Top Act will authorize the continuation of the highly successful Race to the Top program that was established by the American Recovery and Reinvestment Act. The bill also expands this successful program to school districts and authorizes the program for 2012 and the succeeding 5 years. Race to the Top calls for competitive grants for States and school districts that invest in bold educational reforms designed to bring about significant improvement in academic outcomes for all students and significant reductions in achievement gaps.

When No Child Left Behind was signed into law nine years ago, we made a national commitment to fix our educational system—a system in which low-income minority students were performing significantly below their higher-income peers. We made a commitment to bring an end to unacceptable achievement gaps and to ensure that each and every child—regardless of race, nationality or family income—could succeed in our public schools and graduate with the skills necessary for success in college or the workforce. Despite the commitments we made, unacceptable achievement gaps persist. Still today our public schools are not preparing our students to succeed in college and the workforce. Each year, 30 percent of American students fail to receive their high school diploma on time and graduation rates are consistently lower for minority students. One-third of our students who do graduate from high school are not ready for college. In international standardized tests involving students from 65 nations, fifteen year olds in the United States rank 31st in mathematics, 23rd in science, and 15th in reading. Improving public education and closing student achievement gaps remains one of the most important issues of our time.

We have made some progress, but until we have equal and excellent educational opportunities for all of our

children, regardless of ethnicity or income, we have not done our job. While, in many ways, No Child Left Behind moved us in the right direction, it needs to be updated, and the Elementary and Secondary Education Act must be reauthorized. The continuation of the Race to the Top program should be part of that update.

The positive impact of Race to the Top has been impressive. The competition for Race to the Top money has incentivized States to implement high, internationally benchmarked, core standards and to create a positive climate for public charter schools. Race to the Top recognizes the essential role teachers play in education and has prompted States to get serious about teacher effectiveness, distribution, evaluation, and accountability. And Race to the Top has prompted states to improve policies aimed at turning around America's lowest performing schools.

Under Race to the Top 46 States and the District of Columbia have developed statewide reform plans; States changed laws to increase their ability to intervene in their lowest performing schools; 22 States enacted laws to improve teacher quality, including alternative certification, effectiveness and evaluation systems; 42 States and the District of Columbia have moved forward to adopt high college- and career-ready standards; 16 States have altered laws or policies to create or expand the number of charter schools.

Race to the Top is working. We know it is benefiting States that were successful in receiving funds but it is also working for States that did not receive funds, simply because those States have already enacted changes that will improve education. Many States remain committed to their new educational reforms regardless of their success in securing Race to the Top funding.

Race to the Top can also play a unique role in local reforms. As I indicated earlier, this new bill would support districts that are committed to leading the way with bold comprehensive reform. I know some officials in my home State, Connecticut, were disappointed about not being selected as a Race to the Top winner. But I do believe the children in Connecticut were winners because we have strengthened our State laws, policies, and curriculum to lift our charter school caps, improve Science, Technology, Education, and Mathematics education, and strengthen our teacher evaluation process. I commend our State and local leaders that collaborated in making all of that possible. If we continue the Race to the Top program, as our bill would do, more States, and now districts, will be winners and we can continue this movement towards important educational reform.

Race to the Top has been an effective catalyst for educational reform and has

encouraged all stakeholders to come together and work together to improve state agendas. It is essential that we keep the momentum of the first two waves of Race to the Top moving forward. Other States and now districts deserve the opportunity to engage in comprehensive educational reform. Since our goal is to make all schools high quality schools, the real winner in the Race to the Top competition will be students across America.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 844

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Race to the Top Act of 2011".

SEC. 2. RACE TO THE TOP.

(a) IN GENERAL.—Title VI of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended—

- (1) by redesignating part C as part D;
- (2) by redesignating sections 6301 and 6302 as sections 6401 and 6402, respectively; and
- (3) by inserting after part B the following:

"PART C—RACE TO THE TOP

"SEC. 6301. PURPOSES.

"The purposes of this part are to—

"(1) provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to—

"(A) significant improvements in outcomes for all students, including improvements in student achievement, secondary school graduation rates, postsecondary education enrollment rates, and rates of postsecondary education persistence; and

"(B) significant reductions in achievement gaps among subgroups of students; and

"(2) encourage the broad identification, adoption, use, dissemination, replication, and expansion of effective State and local policies and practices that lead to significant improvement in outcomes for all students, and the elimination of those policies and practices that are not effective in improving student outcomes.

"SEC. 6302. RESERVATION OF FUNDS.

"(a) RESERVATION.—From the amount made available to carry out this part for a fiscal year, the Secretary may reserve not more than 10 percent of such amount to carry out activities related to—

- "(1) technical assistance;
 - "(2) outreach and dissemination; and
 - "(3) prize awards made in accordance with section 24 of the Stevenson-Wydler Technology Innovation Act of 1980 (15 U.S.C. 3719).
- "(b) AVAILABILITY OF FUNDS.—Notwithstanding any other provision of law, funds for prize awards under subsection (a)(3) shall remain available until expended.

"SEC. 6303. PROGRAM AUTHORIZED.

"(a) IN GENERAL.—From the amounts made available under section 6308 for a fiscal year and not reserved under section 6302, the Secretary shall award grants, on a competitive basis, to States or local educational agencies, or both, in accordance with section 6304(b), to enable the States or local educational agencies to carry out the purposes of this part.

"(b) GRANT AND SUBGRANT ELIGIBILITY LIMITATIONS.—

"(1) ARRA STATE INCENTIVE GRANTS.—A State that has received a grant under section 14006 of division A of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5; 123 Stat. 283) may not receive a grant under this part during the period of its grant under such section.

"(2) NUMBER OF GRANTS.—A State or local educational agency may not receive more than 1 grant under this part per grant period.

"(3) NUMBER OF SUBGRANTS.—A local educational agency may receive 1 grant and 1 subgrant under this part for the same fiscal year.

"(c) DURATION OF GRANTS.—

"(1) IN GENERAL.—A grant under this part shall be awarded for a period of not more than 4 years.

"(2) CONTINUATION OF GRANTS.—A State or local educational agency that is awarded a grant under this part shall not receive grant funds under this part for the second or any subsequent year of the grant unless the State or local educational agency demonstrates to the Secretary, at such time and in such manner as determined by the Secretary, that the State or local educational agency, respectively, is—

"(A) making progress in implementing the plan under section 6304(a)(3) at a rate that the Secretary determines will result in the State or agency fully implementing such plan during the remainder of the grant period; or

"(B) making progress against the performance measures set forth in section 6305 at a rate that the Secretary determines will result in the State or agency reaching its targets and achieving the objectives of the grant during the remainder of the grant period.

"SEC. 6304. APPLICATIONS.

"(a) APPLICATIONS.—Each State or local educational agency that desires to receive a grant under this part shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require. At a minimum, each such application shall include—

"(1) documentation of the applicant's record, as applicable—

"(A) in increasing student achievement, including for all subgroups described in section 1111(b)(2)(C)(v)(II);

"(B) in decreasing achievement gaps, including for all subgroups described in section 1111(b)(2)(C)(v)(II);

"(C) in increasing secondary school graduation rates, including for all subgroups described in section 1111(b)(2)(C)(v)(II);

"(D) in increasing postsecondary education enrollment and persistence rates, including for all subgroups described in section 1111(b)(2)(C)(v)(II); and

"(E) with respect to any other performance measure described in section 6305 that is not included in subparagraphs (A) through (D);

"(2) evidence of conditions of innovation and reform that the applicant has established and the applicant's proposed plan for implementing additional conditions for innovation and reform, including—

"(A) a description of how the applicant has identified and eliminated ineffective practices in the past and the applicant's plan for doing so in the future;

"(B) a description of how the applicant has identified and promoted effective practices in the past and the applicant's plan for doing so in the future; and

“(C) steps the applicant has taken and will take to eliminate statutory, regulatory, procedural, or other barriers and to facilitate the full implementation of the proposed plan under this paragraph;

“(3) a comprehensive and coherent plan for using funds under this part, and other Federal, State, and local funds, to improve the applicant’s performance on the measures described in section 6305, consistent with criteria set forth by the Secretary, including how the applicant will, if applicable—

“(A) improve the effectiveness of teachers and school leaders, and promote equity in the distribution of effective teachers and school leaders, in order to ensure that low-income and minority children are not taught by ineffective teachers, and are not in schools led by ineffective leaders, at higher rates than other children;

“(B) strengthen the use of high-quality and timely data to improve instructional practices, policies, and student outcomes, including teacher evaluations;

“(C) implement internationally benchmarked, college- and career-ready elementary and secondary academic standards, including in the areas of assessment, instructional materials, professional development, and strategies that translate the standards into classroom practice;

“(D) turn around the persistently lowest-achieving elementary schools and secondary schools served by the applicant;

“(E) support or coordinate with early learning programs for high-need children from birth through grade 3 to improve school readiness and ensure that students complete grade 3 on track for school success; and

“(F) create or maintain successful conditions for high-performing charter schools and other innovative, autonomous public schools;

“(4)(A) in the case of an applicant that is a State—

“(i) evidence of collaboration between the State, its local educational agencies, schools (as appropriate), parents, teachers, and other stakeholders, in developing the plan described in paragraph (3), including evidence of the commitment and capacity to implement the plan; and

“(ii)(I) the names of the local educational agencies the State has selected to participate in carrying out the plan; or

“(II) a description of how the State will select local educational agencies to participate in carrying out the plan; or

“(B) in the case of an applicant that is a local educational agency, evidence of collaboration between the local educational agency, schools, parents, teachers, and other stakeholders, in developing the plan described in paragraph (3), including evidence of the commitment and capacity to implement the plan;

“(5) the applicant’s annual performance measures and targets, consistent with the requirements of section 6305; and

“(6) a description of the applicant’s plan to conduct a rigorous evaluation of the effectiveness of activities carried out with funds under this part.

“(b) CRITERIA FOR EVALUATING APPLICATIONS.—

“(1) AWARD BASIS.—The Secretary shall award grants under this part on a competitive basis, based on the quality of the applications submitted under subsection (a), including—

“(A) each applicant’s record in the areas described in subsection (a)(1);

“(B) each applicant’s record of, and commitment to, establishing conditions for inno-

vation and reform, as described in subsection (a)(2);

“(C) the quality and likelihood of success of each applicant’s plan described in subsection (a)(3) in showing improvement in the areas described in subsection (a)(1), including each applicant’s capacity to implement the plan and evidence of collaboration as described in subsection (a)(4); and

“(D) each applicant’s evaluation plan as described in subsection (a)(6).

“(2) EXPLANATION.—The Secretary shall publish an explanation of how the application review process under this section will ensure an equitable and objective evaluation based on the criteria described in paragraph (1).

“(c) PRIORITY.—In awarding grants to local educational agencies under this part, the Secretary shall give priority to—

“(1) local educational agencies with the highest numbers or percentages of children from families with incomes below the poverty line; and

“(2) local educational agencies that serve schools designated with a school locale code of 41, 42, or 43.

“SEC. 6305. PERFORMANCE MEASURES.

“Each State and each local educational agency receiving a grant under this part shall establish performance measures and targets, approved by the Secretary, for the programs and activities carried out under this part. These measures shall, at a minimum, track the State’s or local educational agency’s progress in—

“(1) implementing its plan described in section 6304(a)(3); and

“(2) improving outcomes for all subgroups described in section 1111(b)(2)(C)(v)(II) including, as applicable, by—

“(A) increasing student achievement;

“(B) decreasing achievement gaps;

“(C) increasing secondary school graduation rates;

“(D) increasing postsecondary education enrollment and persistence rates;

“(E)(i) improving the effectiveness of teachers and school leaders and increasing the retention of effective teachers and school leaders; and

“(ii) promoting equity in the distribution of effective teachers and school leaders in order to ensure that low-income and minority children are not taught by ineffective teachers, and are not in schools led by ineffective leaders, at higher rates than other children; and

“(F) making progress on any other measures identified by the Secretary.

“SEC. 6306. USES OF FUNDS.

“(a) GRANTS TO STATES.—Each State that receives a grant under this part shall use—

“(1) not less than 50 percent of the grant funds to make subgrants to the local educational agencies in the State that participate in the State’s plan under section 6304(a)(3), based on such local educational agencies’ relative shares of funds under part A of title I for the most recent year for which those data are available; and

“(2) not more than 50 percent of the grant funds for any purpose included in the State’s plan under section 6304(a)(3).

“(b) GRANTS TO LOCAL EDUCATIONAL AGENCIES.—Each local educational agency that receives a grant under this part shall use the grant funds for any purpose included in the local educational agency’s plan under section 6304(a)(3).

“(c) SUBGRANTS TO LOCAL EDUCATIONAL AGENCIES.—Each local educational agency that receives a subgrant under this part from a State shall use the subgrant funds for any

purpose included in the State’s plan under section 6304(a)(3).

“SEC. 6307. REPORTING.

“(a) ANNUAL REPORTS.—A State or local educational agency that receives a grant under this part shall submit to the Secretary, at such time and in such manner as the Secretary may require, an annual report including—

“(1) data on the State’s or local educational agency’s progress in achieving the targets for the performance measures established under section 6305;

“(2) a description of the challenges the State or agency has faced in implementing its program and how it has addressed or plans to address those challenges; and

“(3) findings from the evaluation plan as described in section 6304(a)(6).

“(b) LOCAL REPORTS.—Each local educational agency that receives a subgrant from a State under this part shall submit to the State such information as the State may require to complete the annual report required under subsection (a).

“SEC. 6308. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this part \$1,350,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.”

(b) CONFORMING AMENDMENTS.—The table of contents for the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7301 et seq.) is amended—

(1) by striking the items relating to part C of title VI; and

(2) by inserting after the item relating to section 6234 the following:

“PART C—RACE TO THE TOP

“Sec. 6301. Purposes.

“Sec. 6302. Reservation of funds.

“Sec. 6303. Program authorized.

“Sec. 6304. Applications.

“Sec. 6305. Performance measures.

“Sec. 6306. Uses of funds.

“Sec. 6307. Reporting.

“Sec. 6308. Authorization of appropriations.

“PART D—GENERAL PROVISIONS

“Sec. 6401. Prohibition against Federal mandates, direction, or control.

“Sec. 6402. Rule of construction on equalized spending.”

By Mr. DURBIN (for himself, Mr. CASEY, Mr. MENENDEZ, Mr. LAUTENBERG, and Mrs. GILLIBRAND):

S. 850. A bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, the month of April is set aside as Autism Awareness Month. This is a time when people and families affected by autism raise awareness about the challenges people with autism face. I am proud today to introduce with my colleagues Senators CASEY, MENENDEZ, LAUTENBERG, and GILLIBRAND the Autism Services and Workforce Acceleration Act of 2011, which authorizes federal funding for services, treatment, support, and research on autism spectrum disorders.

Everywhere I go in Illinois, I meet people whose lives have been affected by autism. My office receives hundreds of letters and phone calls each year

from Illinoisans asking Congress to do something to help with the burden that autism brings, and we are hearing from more and more families every year.

Nationally, 1 out of every 110 children has autism. Autism affects children and families physically, psychologically, socially, and financially. It is often a major factor contributing to severe family financial difficulties, marital and family disruption, parental overburden that may lead to neglect and other developmental delays in siblings, as well as educational and employment challenges throughout the autistic person's life cycle.

Unfortunately, parents are not only worried about getting the services they need for their autistic children when they are young. Parents must worry about how to care for their children as they mature into adults. I met two concerned parents from Illinois whose 20-year-old son is profoundly affected by autism and has struggled with major behavioral problems. He was in a special education program at school, but his teachers didn't know how to deal with his behavioral problems and he was suspended on numerous occasions. Eventually, his parents found a school that was a better fit and his behavior improved. He is doing well now, but when he turns 22 he will no longer be eligible for services through the public school system. They are trying to find a place for him in a day program for adults with autism, but there are not enough of these programs, and the waitlists are long. These parents love their son, but worry every day about what will happen to him when they are too old to care for him.

Across the country people with autism confront a precipitous drop in services after early adulthood. We need to help people with autism achieve their full potential by ensuring they can access to vital services that enhance their quality of life. This bill includes a provision that helps youth and adults with autism access essential post-secondary education, vocational training, employment, housing, transportation, and health services.

During the 109th Congress, I cosponsored the Combating Autism Act, which was signed into law in December 2006. That bill called on the Federal Government to increase research into the causes and treatment of autism and to improve training and support for individuals with autism and their caretakers.

The legislature in my home State of Illinois has also listened to the voices of the 26,000 families in the state living with autism. In response to the overwhelming cost of autism-related services, the State passed legislation signed into law in December 2008, requiring health plans to provide coverage for the diagnosis and treatment of autism.

It is time now for the Federal Government to renew and build upon the

commitments it has already made to help the millions of families across the nation struggling with autism.

My legislation would support these individuals and families in several ways.

First, the legislation creates a demonstration project to develop Autism Care Programs. These programs are designed to increase access to quality health care services and promote communication among health care providers, educators, and other service providers. Families who choose to access services through these programs would be able to designate a personal care coordinator as a source of contact for their family. This personal care coordinator would help to refer and coordinate a full array of medical, behavioral, mental health, educational and family care services to individuals and families in a single location.

Next, the bill authorizes a grant program to provide services to youth and adults with autism. These services include post-secondary education, vocational and self advocacy skills, employment, residential services, health and wellness, recreational and social activities, transportation, and personal safety. These services will help youth and adults with autism live as independently as possible and improve their quality of life. With the increasing number of children diagnosed with autism, these services will only become more important over time.

The bill authorizes grants to develop a national multimedia campaign to increase public education and awareness about healthy developmental milestones and autism throughout the lifespan. These campaigns will be targeted to general public audience and professional groups such as medical, criminal justice, or emergency professions.

Finally, it creates a national training initiative on autism and a technical assistance center to develop and expand interdisciplinary training and continuing education on autism spectrum disorders.

Taken together, these initiatives would go an enormous way in supporting and improving the lives of individuals with autism and their families.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 850

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “Autism Services and Workforce Acceleration Act of 2011”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Findings.

Sec. 3. Parental rights rule of construction.

Sec. 4. Definitions; technical amendment to the Public Health Service Act.

Sec. 5. Autism Care Programs Demonstration Project.

Sec. 6. Planning and demonstration grants for services for transitioning youth and adults.

Sec. 7. Multimedia campaign.

Sec. 8. National training initiatives on autism spectrum disorders.

Sec. 9. Authorization of appropriations.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Autism (sometimes called “classical autism”) is the most common condition in a group of developmental disorders known as autism spectrum disorders.

(2) Autism spectrum disorders include autism as well as Asperger syndrome, Rett syndrome, childhood disintegrative disorder, and pervasive developmental disorder not otherwise specified (usually referred to as PDD-NOS), as well as other related developmental disorders.

(3) Individuals with autism spectrum disorders have the same rights as other individuals to exert control and choice over their own lives, to live independently, and to participate fully in, and contribute to, their communities and society through full integration and inclusion in the economic, political, social, cultural, and educational mainstream of society. Individuals with autism spectrum disorders have the right to a life with dignity and purpose.

(4) While there is no uniform prevalence or severity of symptoms associated with autism spectrum disorders, the National Institutes of Health has determined that autism spectrum disorders are characterized by 3 distinctive behaviors: impaired social interaction, problems with verbal and nonverbal communication, and unusual, repetitive, or severely limited activities and interests.

(5) Both children and adults with autism spectrum disorders can show difficulties in verbal and nonverbal communication, social interactions, and sensory processing. Individuals with autism spectrum disorders exhibit different symptoms or behaviors, which may range from mild to significant, and require varying degrees of support from friends, families, service providers, and communities.

(6) Individuals with autism spectrum disorders often need assistance in the areas of comprehensive early intervention, health, recreation, job training, employment, housing, transportation, and early, primary, and secondary education. Greater coordination and streamlining within the service delivery system will enable individuals with autism spectrum disorders and their families to access assistance from all sectors throughout an individual's lifespan.

(7) A 2009 report from the Centers for Disease Control and Prevention found that the prevalence of autism spectrum disorders is estimated to be 1 in 110 people in the United States.

(8) The Harvard School of Public Health reported that the cost of caring for and treating individuals with autism spectrum disorders in the United States is more than \$35,000,000,000 annually (an estimated \$3,200,000 over an individual's lifetime).

(9) Although the overall incidence of autism is consistent around the globe, researchers with the Journal of Paediatrics and Child Health have found that males are 4 times more likely to develop an autism spectrum disorder than females. Autism

spectrum disorders know no racial, ethnic, or social boundaries, nor differences in family income, lifestyle, or educational levels, and can affect any child.

(10) Individuals with autism spectrum disorders from low-income, rural, and minority communities often face significant obstacles to accurate diagnosis and necessary specialized services, supports, and education.

(11) There is strong consensus within the research community that intensive treatment as soon as possible following diagnosis not only can reduce the cost of lifelong care by two-thirds, but also yields the most positive life outcomes for children with autism spectrum disorders.

(12) Individuals with autism spectrum disorders and their families experience a wide range of medical issues. Few common standards exist for the diagnosis and management of many aspects of clinical care. Behavioral difficulties may be attributed to the overarching disorder rather than to the pain and discomfort of a medical condition, which may go undetected and untreated. The health care and other treatments available in different communities can vary widely. Many families, lacking access to comprehensive and coordinated health care, must fend for themselves to find the best health care, treatments, and services in a complex clinical world.

(13) Effective health care, treatment, and services for individuals with autism spectrum disorders depends upon a continuous exchange among researchers and caregivers. Evidence-based and promising autism practices should move quickly into communities, allowing individuals with autism spectrum disorders and their families to benefit from the newest research and enabling researchers to learn from the life experiences of the people whom their work most directly affects.

(14) There is a critical shortage of appropriately trained personnel across numerous important disciplines who can assess, diagnose, treat, and support children and adults with autism spectrum disorders and their families. Practicing professionals, as well as those in training to become professionals, need the most up-to-date practices informed by the most current research findings.

(15) The appropriate goals of the Nation regarding individuals with autism spectrum disorder are the same as the appropriate goals of the Nation regarding individuals with disabilities in general, as established in the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.): to assure equality of opportunity, full participation, independent living, and economic self-sufficiency for such individuals.

(16) Finally, individuals with autism spectrum disorders are often denied health care benefits solely because of their diagnosis, even though proven, effective treatments for autism spectrum disorders do exist.

SEC. 3. PARENTAL RIGHTS RULE OF CONSTRUCTION.

Nothing in this Act shall be construed to modify the legal rights of parents or legal guardians under Federal, State, or local law regarding the care of their children.

SEC. 4. DEFINITIONS; TECHNICAL AMENDMENT TO THE PUBLIC HEALTH SERVICE ACT.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i et seq.) is amended—

(1) by inserting after the header for part R the following:

“Subpart 1—Surveillance and Research Program; Education, Early Detection, and Intervention; and Reporting”;

(2) in section 399AA(d), by striking “part” and inserting “subpart”; and

(3) by adding at the end the following:

“Subpart 2—Care for People With Autism Spectrum Disorders; Public Education

“SEC. 399GG. DEFINITIONS.

“Except as otherwise provided, in this subpart:

“(1) ADULT WITH AUTISM SPECTRUM DISORDER.—The term ‘adult with autism spectrum disorder’ means an individual with an autism spectrum disorder who has attained 22 years of age.

“(2) AFFECTED INDIVIDUAL.—The term ‘affected individual’ means an individual with an autism spectrum disorder.

“(3) AUTISM.—The term ‘autism’ means an autism spectrum disorder or a related developmental disability.

“(4) AUTISM CARE PROGRAM.—In this subpart, the term ‘autism care program’ means a program that is directed by a care coordinator who is an expert in autism spectrum disorder treatment and practice and provides an array of medical, psychological, behavioral, educational, and family services to individuals with autism and their families. Such a program shall—

“(A) incorporate the attributes of the care management model;

“(B) offer, through an array of services or through detailed referral and coordinated care arrangements, an autism management team of appropriate providers, including behavioral specialists, physicians, psychologists, social workers, family therapists, nurse practitioners, nurses, educators, and other appropriate personnel; and

“(C) have the capability to achieve improvements in the management and coordination of care for targeted beneficiaries.

“(5) AUTISM MANAGEMENT TEAM.—The term ‘autism management team’ means a group of autism care providers, including behavioral specialists, physicians, psychologists, social workers, family therapists, nurse practitioners, nurses, educators, other appropriate personnel, and family members who work in a coordinated manner to treat individuals with autism spectrum disorders and their families. Such team shall determine the specific structure and operational model of its specific autism care program, taking into consideration cultural, regional, and geographical factors.

“(6) AUTISM SPECTRUM DISORDER.—The term ‘autism spectrum disorder’ means a developmental disability that causes substantial impairments in the areas of social interaction, emotional regulation, communication, and the integration of higher-order cognitive processes and which may be characterized by the presence of unusual behaviors and interests. Such term includes autistic disorder, pervasive developmental disorder (not otherwise specified), Asperger syndrome, Rett’s disorder, childhood disintegrative disorder, and other related developmental disorders.

“(7) CARE MANAGEMENT MODEL.—The term ‘care management model’ means a model of care that with respect to autism—

“(A) is centered on the relationship between an individual with an autism spectrum disorder and his or her family and their personal autism care coordinator;

“(B) provides services to individuals with autism spectrum disorders to improve the management and coordination of care provided to individuals and their families; and

“(C) has established, where practicable, effective referral relationships between the autism care coordinator and the major medical, educational, and behavioral specialties and ancillary services in the region.

“(8) CHILD WITH AUTISM SPECTRUM DISORDER.—The term ‘child with autism spectrum disorder’ means an individual with an autism spectrum disorder who has not attained 22 years of age.

“(9) INTERVENTIONS.—The term ‘interventions’ means the educational methods and positive behavioral support strategies designed to improve or ameliorate symptoms associated with autism spectrum disorders.

“(10) PERSONAL CARE COORDINATOR.—The term ‘personal care coordinator’ means a physician, nurse, nurse practitioner, psychologist, social worker, family therapist, educator, or other appropriate personnel (as determined by the Secretary) who has extensive expertise in treatment and services for individuals with autism spectrum disorders, who—

“(A) practices in an autism care program; and

“(B) has been trained to coordinate and manage comprehensive autism care for the whole person.

“(11) PROJECT.—The term ‘project’ means the autism care program demonstration project established under section 399GG–1.

“(12) SERVICES.—The term ‘services’ means services to assist individuals with autism spectrum disorders to live more independently in their communities and to improve their quality of life.

“(13) TREATMENTS.—The term ‘treatments’ means the health services, including mental health and behavioral therapy services, designed to improve or ameliorate symptoms associated with autism spectrum disorders.”.

SEC. 5. AUTISM CARE PROGRAMS DEMONSTRATION PROJECT.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 4, is further amended by adding at the end the following:

“SEC. 399GG–1. AUTISM CARE PROGRAMS DEMONSTRATION PROJECT.

“(a) IN GENERAL.—Not later than 1 year after the date of enactment of the Autism Services and Workforce Acceleration Act of 2011, the Secretary, acting through the Administrator of the Health Resources and Services Administration, shall establish a demonstration project for the implementation of an Autism Care Program (referred to in this section as the ‘Program’) to provide grants and other assistance to improve the effectiveness and efficiency in providing comprehensive care to individuals diagnosed with autism spectrum disorders and their families.

“(b) GOALS.—The Program shall be designed—

“(1) to increase—

“(A) comprehensive autism spectrum disorder care delivery;

“(B) access to appropriate health care services, especially wellness and prevention care, at times convenient for individuals;

“(C) satisfaction of individuals with autism spectrum disorders;

“(D) communication among autism spectrum disorder health care providers, behaviorists, educators, specialists, hospitals, and other autism spectrum disorder care providers;

“(E) academic progress of students with autism spectrum disorders;

“(F) successful transition to postsecondary education, vocational or job training and placement, and comprehensive adult services

for individuals with autism spectrum disorders, focusing in particular upon the transitional period for individuals between the ages of 18 and 25;

“(G) the quality of health care services, taking into account nationally developed standards and measures;

“(H) development, review, and promulgation of common clinical standards and guidelines for medical care to individuals with autism spectrum disorders;

“(I) development of clinical research projects to support clinical findings in a search for recommended practices; and

“(J) the quality of life of individuals with autism spectrum disorders, including communication abilities, social skills, community integration, self-determination, and employment and other related services; and

“(2) to decrease—

“(A) inappropriate emergency room utilization;

“(B) avoidable hospitalizations;

“(C) the duplication of health care services;

“(D) the inconvenience of multiple provider locations;

“(E) health disparities and inequalities that individuals with autism spectrum disorders face; and

“(F) preventable and inappropriate involvement with the juvenile and criminal justice systems.

“(c) ELIGIBLE ENTITIES.—To be eligible to receive assistance under the Program, an entity shall—

“(1) be a State or a public or private non-profit entity;

“(2) coordinate activities with the applicable University Centers for Excellence in Developmental Disabilities, the Council on Developmental Disabilities, and the Protection and Advocacy System;

“(3) demonstrate a capacity to provide services to individuals with developmental disabilities and autism spectrum disorder;

“(4) agree to establish and implement treatments, interventions, and services that—

“(A) enable targeted beneficiaries to designate a personal care coordinator to be their source of first contact and to recommend comprehensive and coordinated care for the whole of the individual;

“(B) provide for the establishment of a coordination of care committee that is composed of clinicians and practitioners trained in and working in autism spectrum disorder intervention;

“(C) establish a network of physicians, psychologists, family therapists, behavioral specialists, social workers, educators, and health centers that have volunteered to participate as consultants to patient-centered autism care programs to provide high-quality care, focusing on autism spectrum disorder care, at the appropriate times and places and in a cost-effective manner;

“(D) work in cooperation with hospitals, local public health departments, and the network of patient-centered autism care programs, to coordinate and provide health care;

“(E) utilize health information technology to facilitate the provision and coordination of health care by network participants; and

“(F) collaborate with other entities to further the goals of the program, particularly by collaborating with entities that provide transitional adult services to individuals between the ages of 18 and 25 with autism spectrum disorder, to ensure successful transition of such individuals to adulthood; and

“(5) submit to the Secretary an application, at such time, in such manner, and con-

taining such information as the Secretary may require, including—

“(A) a description of the treatments, interventions, or services that the eligible entity proposes to provide under the Program;

“(B) a demonstration of the capacity of the eligible entity to provide or establish such treatments, interventions, and services within such entity;

“(C) a description of the treatments, interventions, or services that are available to individuals with autism in the State;

“(D) a description of the gaps in services that exist in different geographic segments of the State;

“(E) a demonstration of the capacity of the eligible entity to monitor and evaluate the outcomes of the treatments, interventions, and services described in subparagraph (A);

“(F) estimates of the number of individuals and families who will be served by the eligible entity under the Program, including an estimate of the number of such individuals and families in medically underserved areas;

“(G) a description of the ability of the eligible entity to enter into partnerships with community-based or nonprofit providers of treatments, interventions, and services, which may include providers that act as advocates for individuals with autism spectrum disorders and local governments that provide services for individuals with autism spectrum disorders at the community level;

“(H) a description of the ways in which access to such treatments and services may be sustained following the Program period;

“(I) a description of the ways in which the eligible entity plans to collaborate with other entities to develop and sustain an effective protocol for successful transition from children's services to adult services for individuals with autism spectrum disorder, particularly for individuals between the ages of 18 and 25; and

“(J) a description of the compliance of the eligible entity with the integration requirement provided under section 302 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12182).

“(d) GRANTS.—The Secretary shall award 3-year grants to eligible entities whose applications are approved under subsection (c). Such grants shall be used to—

“(1) carry out a program designed to meet the goals described in subsection (b) and the requirements described in subsection (c); and

“(2) facilitate coordination with local communities to be better prepared and positioned to understand and meet the needs of the communities served by autism care programs.

“(e) ADVISORY COUNCILS.—

“(1) IN GENERAL.—Each recipient of a grant under this section shall establish an autism care program advisory council, which shall advise the autism care program regarding policies, priorities, and services.

“(2) MEMBERSHIP.—Each recipient of a grant shall appoint members of the recipient's advisory council, which shall include a variety of autism care program service providers, individuals from the public who are knowledgeable about autism spectrum disorders, individuals receiving services through the Program, and family members of such individuals. At least 60 percent of the membership shall be comprised of individuals who have received, or are receiving, services through the Program or who are family members of such individuals.

“(3) CHAIRPERSON.—The recipient of a grant shall appoint a chairperson to the advisory council of the recipient's autism care program who shall be—

“(A) an individual with autism spectrum disorder who has received, or is receiving, services through the Program; or

“(B) a family member of such an individual.

“(f) EVALUATION.—The Secretary shall enter into a contract with an independent third-party organization with expertise in evaluation activities to conduct an evaluation and, not later than 180 days after the conclusion of the 3-year grant program under this section, submit a report to the Secretary, which may include measures such as whether and to what degree the treatments, interventions, and services provided through the Program have resulted in improved health, educational, employment, and community integration outcomes for individuals with autism spectrum disorders, or other measures, as the Secretary determines appropriate.

“(g) ADMINISTRATIVE EXPENSES.—Of the amounts appropriated to carry out this section, the Secretary shall allocate not more than 7 percent for administrative expenses, including the expenses related to carrying out the evaluation described in subsection (f).

“(h) SUPPLEMENT NOT SUPPLANT.—Amounts provided to an entity under this section shall be used to supplement, not supplant, amounts otherwise expended for existing treatments, interventions, and services for individuals with autism spectrum disorders.”.

SEC. 6. PLANNING AND DEMONSTRATION GRANTS FOR SERVICES FOR TRANSITIONING YOUTH AND ADULTS.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 5, is further amended by adding at the end the following:

“SEC. 399GG–2. PLANNING AND DEMONSTRATION GRANTS FOR SERVICES FOR TRANSITIONING YOUTH AND ADULTS.

“(a) IN GENERAL.—

“(1) ESTABLISHMENT.—The Secretary shall establish the grants described in paragraph (2) in order to enable selected eligible entities to provide appropriate services—

“(A) to youth with autism spectrum disorders who are transitioning from secondary education to careers or postsecondary education (referred to in this section as ‘transitioning youth’); and

“(B) to adults with autism spectrum disorders, including individuals who are typically underserved, to enable such individuals to be as independent as possible.

“(2) GRANTS.—The grants described in this paragraph are—

“(A) a one-time, single-year planning grant program for eligible entities; and

“(B) a multiyear service provision demonstration grant program for selected eligible entities.

“(b) PURPOSE OF GRANTS.—Grants shall be awarded to eligible entities to provide all or part of the funding needed to carry out programs that focus on critical aspects of life for transitioning youth and adults with autism spectrum disorders, such as—

“(1) postsecondary education, vocational training, self-advocacy skills, and employment;

“(2) residential services and supports, housing, and transportation;

“(3) nutrition, health and wellness, recreational and social activities; and

“(4) personal safety and the needs of individuals with autism spectrum disorders who become involved with the criminal justice system.

“(c) **ELIGIBLE ENTITY.**—An eligible entity desiring to receive a grant under this section shall be a State or other public or private nonprofit organization, including an autism care program.

“(d) **PLANNING GRANTS.**—

“(1) **IN GENERAL.**—The Secretary shall award one-time grants to eligible entities to support the planning and development of initiatives that will expand and enhance service delivery systems for transitioning youth and adults with autism spectrum disorders.

“(2) **APPLICATION.**—In order to receive such a grant, an eligible entity shall—

“(A) submit an application at such time and containing such information as the Secretary may require; and

“(B) demonstrate the ability to carry out such planning grant in coordination with the State Developmental Disabilities Council and organizations representing or serving individuals with autism spectrum disorders and their families.

“(e) **IMPLEMENTATION GRANTS.**—

“(1) **IN GENERAL.**—The Secretary shall award grants to eligible entities that have received a planning grant under subsection (d) to enable such entities to provide appropriate services to transitioning youth and adults with autism spectrum disorders.

“(2) **APPLICATION.**—In order to receive a grant under paragraph (1), the eligible entity shall submit an application at such time and containing such information as the Secretary may require, including—

“(A) the services that the eligible entity proposes to provide and the expected outcomes for individuals with autism spectrum disorders who receive such services;

“(B) the number of individuals and families who will be served by such grant, including an estimate of the individuals and families in underserved areas who will be served by such grant;

“(C) the ways in which services will be coordinated among both public and nonprofit providers of services for transitioning youth and adults with disabilities, including community-based services;

“(D) where applicable, the process through which the eligible entity will distribute funds to a range of community-based or nonprofit providers of services, including local governments, and such entity's capacity to provide such services;

“(E) the process through which the eligible entity will monitor and evaluate the outcome of activities funded through the grant, including the effect of the activities upon adults with autism spectrum disorders who receive such services;

“(F) the plans of the eligible entity to coordinate and streamline transitions from youth to adult services;

“(G) the process by which the eligible entity will ensure compliance with the integration requirement provided under section 302 of the Americans With Disabilities Act of 1990 (42 U.S.C. 12182); and

“(H) a description of how such services may be sustained following the grant period.

“(f) **EVALUATION.**—The Secretary shall contract with a third-party organization with expertise in evaluation to evaluate such demonstration grant program and, not later than 180 days after the conclusion of the grant program under subsection (e), submit a report to the Secretary. The evaluation and report may include an analysis of whether and to what extent the services provided through the grant program described in this section resulted in improved health, education, employment, and community integration outcomes for adults with autism

spectrum disorders, or other measures, as the Secretary determines appropriate.

“(g) **ADMINISTRATIVE EXPENSES.**—Of the amounts appropriated to carry out this section, the Secretary shall set aside not more than 7 percent for administrative expenses, including the expenses related to carrying out the evaluation described in subsection (f).

“(h) **SUPPLEMENT, NOT SUPPLANT.**—Demonstration grant funds provided under this section shall supplement, not supplant, existing treatments, interventions, and services for individuals with autism spectrum disorders.”

SEC. 7. MULTIMEDIA CAMPAIGN.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 6, is further amended by adding at the end the following:

“SEC. 399GG-3. MULTIMEDIA CAMPAIGN.

“(a) **IN GENERAL.**—The Secretary, in order to enhance existing awareness campaigns and provide for the implementation of new campaigns, shall award grants to public and nonprofit private entities for the purpose of carrying out multimedia campaigns to increase public education and awareness and reduce stigma concerning—

“(1) healthy developmental milestones for infants and children that may assist in the early identification of the signs and symptoms of autism spectrum disorders; and

“(2) autism spectrum disorders through the lifespan and the challenges that individuals with autism spectrum disorders face, which may include transitioning into adulthood, securing appropriate job training or postsecondary education, securing and holding jobs, finding suitable housing, interacting with the correctional system, increasing independence, and attaining a good quality of life.

“(b) **ELIGIBILITY.**—To be eligible to receive a grant under subsection (a), an entity shall—

“(1) submit to the Secretary an application at such time, in such manner, and containing such information as the Secretary may require; and

“(2) provide assurance that the multimedia campaign implemented under such grant will provide information that is tailored to the intended audience, which may be a diverse public audience or a specific audience, such as health professionals, criminal justice professionals, or emergency response professionals.”

SEC. 8. NATIONAL TRAINING INITIATIVES ON AUTISM SPECTRUM DISORDERS.

Part R of title III of the Public Health Service Act (42 U.S.C. 280i), as amended by section 7, is further amended by adding at the end the following:

“SEC. 399GG-4. NATIONAL TRAINING INITIATIVES ON AUTISM SPECTRUM DISORDERS.

“(a) **NATIONAL TRAINING INITIATIVE SUPPLEMENTAL GRANTS.**—

“(1) **IN GENERAL.**—The Secretary shall award multiyear national training initiative supplemental grants to eligible entities so that such entities may provide training and technical assistance and to disseminate information, in order to enable such entities to address the unmet needs of individuals with autism spectrum disorders and their families.

“(2) **ELIGIBLE ENTITY.**—To be eligible to receive assistance under this section an entity shall—

“(A) be a public or private nonprofit entity, including University Centers for Excellence in Developmental Disabilities and other service, training, and academic entities; and

“(B) submit an application as described in paragraph (3).

“(3) **REQUIREMENTS.**—An eligible entity that desires to receive a grant under this paragraph shall submit to the Secretary an application containing such agreements and information as the Secretary may require, including agreements that the training program shall—

“(A) provide training and technical assistance in evidence-based practices of effective interventions, services, treatments, and supports to children and adults on the autism spectrum and their families, and evaluate the implementation of such practices;

“(B) provide trainees with an appropriate balance of interdisciplinary academic and community-based experiences;

“(C) have a demonstrated capacity to include individuals with autism spectrum disorders, parents, and family members as part of the training program to ensure that a person and family-centered approach is used;

“(D) provide to the Secretary, in the manner prescribed by the Secretary, data regarding the outcomes of the provision of training and technical assistance;

“(E) demonstrate a capacity to share and disseminate materials and practices that are developed and evaluated to be effective in the provision of training and technical assistance; and

“(F) provide assurances that training, technical assistance, and information dissemination performed under grants made pursuant to this paragraph shall be consistent with the goals established under already existing disability programs authorized under Federal law and conducted in coordination with other relevant State agencies and service providers.

“(4) **ACTIVITIES.**—An entity that receives a grant under this section shall expand and develop interdisciplinary training and continuing education initiatives for health, allied health, and educational professionals by engaging in the following activities:

“(A) Promoting and engaging in training for health, allied health, and educational professionals to identify, diagnose, and develop interventions for individuals with, or at risk of developing, autism spectrum disorders.

“(B) Expanding the availability of training and dissemination of information regarding effective, lifelong interventions, educational services, and community supports.

“(C) Providing training and technical assistance in collaboration with relevant State, regional, or national agencies, institutions of higher education, and advocacy groups or community-based service providers, including health and allied health professionals, employment providers, direct support professionals, emergency first responder personnel, and law enforcement officials.

“(D) Developing mechanisms to provide training and technical assistance, including for-credit courses, intensive summer institutes, continuing education programs, distance-based programs, and web-based information dissemination strategies.

“(E) Collecting data on the outcomes of training and technical assistance programs to meet statewide needs for the expansion of services to children with autism spectrum disorders and adults with autism spectrum disorders.

“(b) **TECHNICAL ASSISTANCE.**—The Secretary shall reserve 2 percent of the appropriated funds to make a grant to a national organization with demonstrated capacity for providing training and technical assistance

to the entities receiving grants under subsection (a) to enable such entities to—

“(1) assist in national dissemination of specific information, including evidence-based and promising best practices, from interdisciplinary training programs, and when appropriate, other entities whose findings would inform the work performed by entities awarded grants;

“(2) compile and disseminate strategies and materials that prove to be effective in the provision of training and technical assistance so that the entire network can benefit from the models, materials, and practices developed in individual programs;

“(3) assist in the coordination of activities of grantees under this section;

“(4) develop an Internet web portal that will provide linkages to each of the individual training initiatives and provide access to training modules, promising training, and technical assistance practices and other materials developed by grantees;

“(5) convene experts from multiple interdisciplinary training programs and individuals with autism spectrum disorders and their families to discuss and make recommendations with regard to training issues related to the assessment, diagnosis of, treatment, interventions and services for, children and adults with autism spectrum disorders; and

“(6) undertake any other functions that the Secretary determines to be appropriate.

“(c) SUPPLEMENT NOT SUPPLANT.—Amounts provided under this section shall be used to supplement, not supplant, amounts otherwise expended for existing network or organizational structures.”

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated for fiscal years 2012 through 2016 such sums as may be necessary to carry out this Act.

By Mr. HARKIN (for himself, Mr. BINGAMAN, Mr. BENNET, Mr. FRANKEN, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 851. A bill to establish expanded learning time initiatives, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, as we seek to ensure that our students have the knowledge and skills they need to succeed in college and careers, we must revisit how learning time is structured to help them meet the ever-rising expectations and ever-growing demands of the 21st century global economy. The Time for Innovation Matters in Education Act, or TIME Act, would provide high-need schools with the resources they need to expand the school day, week, or year so students have more time to learn. By providing additional time for more in-depth and rigorous learning opportunities in core and other academic subjects, as well as enrichment activities that contribute to a well-rounded education, we can increase students' academic engagement and outcomes to help close our nation's achievement gap. That is why I am pleased to introduce this legislation, which my colleague Rep. DONALD PAYNE will introduce in the House, today.

Under our present school calendar, most American students spend 6 hours

a day for 180 days in school each year. This outdated calendar was designed to meet the needs of a farm- and factory-based economy in the early 20th century, and fails to provide students with the learning time needed to complete a rigorous curriculum and meet high standards. In fact, American students spend about 30 percent less time in school than students in other leading nations, leaving American students at a competitive disadvantage. For example, students in China, Japan, and South Korea attend school 40 days more on average than American students and significantly outperform American students on average in math and science. To strengthen our competitiveness and remain a global leader, we must increase how much learning time we provide our students, especially our at-risk students.

The TIME Act would give schools the flexibility to comprehensively redesign and expand their schedules and increase learning time by at least 30 percent to meet students' diverse academic needs and interests. The TIME Act's goal is not merely to encourage schools to add more time at the end of the day, but to take a close look at how they use their time and to redesign the entire school schedule to create a program or curriculum with teaching and learning opportunities to better meet students' needs. This legislation encourages strong partnerships between schools and community partners such as community-based organizations, institutions of higher education, and cultural organizations to help provide students with a broader and richer learning experience, which should include music, fine arts, and physical education—important pursuits that all too often lose ground in our schools due to a focus on reading and math.

Many schools around the country have expanded learning time in their calendars with promising results, such as Boston's Clarence Edwards Middle School, which was one of the lowest-performing schools just a few years ago. But in only three years of expanded learning time, dedicated school leaders and teachers were able to redesign and transform the school into one of the city's and state's highest-performing schools. Students, particularly those who are furthest behind, benefit from more time for learning, and programs that significantly increase the total number of hours in a regular school schedule lead to gains in student academic achievement. In 2006, minority students and students with disabilities in Clarence Edwards scored far below the state averages in English and math, and while English language learners met state averages in math, none were proficient in English. By 2009, every subgroup met or outperformed state averages, in most cases by wide margins.

According to research, expanded learning time is especially important for our high-need students. Students in disadvantaged families show a drop-off in learning over long summer recesses compared to their higher-income classmates, and they fall farther behind each year. These students are also less likely to have parents with the time and resources to help them with their school work. Expanded learning time can help these students accelerate gains and catch up on their learning gaps by expanding the school year and shortening summer recess. In addition to those at risk of falling behind, more time for learning helps students who are on grade level get ahead by providing additional time for enrichment and a broader curriculum. Additional time also enables more students to participate in experiential and interactive learning, internships, and other work-based and service learning opportunities in their schools and communities, all of which help keep students engaged in school and make school more relevant.

Equally important, expanded learning time initiatives provide teachers with increased opportunities to work collaboratively and to participate in common planning, within and across grades and subjects, to improve instruction, and, in turn, increase student achievement. This extra time in the school schedule empowers teachers to complete the curriculum, meet the needs of all students, and collaborate with colleagues. The TIME Act requires grantees to design comprehensive plans, in collaboration with teachers, to encompass professional development that focuses on changes in teaching practices and curriculum delivery that will result in improved student academic achievement as well as student engagement and success.

To accurately assess the difference these programs make, the TIME Act calls for a rigorous evaluation that will measure several critical performance indicators. We need to know which models and practices produce the best outcomes for students and this evaluation will ensure that we identify and disseminate them nationwide. As we reauthorize the Elementary and Secondary Education Act, I am committed to helping communities offer expanded learning time so that more students can succeed.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

By Mr. LEAHY (for himself, Mr. ENZI, Mr. SANDERS, Mr. KOHL, Mr. SCHUMER, and Mrs. GILLIBRAND):

S. 852. A bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, in the 111th Congress, after hearing the concerns of Vermont's dairy farmers, I introduced the H-2A Improvement Act in order to give the dairy industry access to legal foreign workers under our agricultural visa program. I am proud to introduce this legislation once again, and I am especially pleased to have Senator ENZI join me as a cosponsor of this bill. I thank the senior Senator from Wyoming for his support, and I look forward to working with him to advance this legislation. I also thank Senators SANDERS, SCHUMER, KOHL, and GILLIBRAND for their support.

Our bill adds an explicit provision to the H-2A law to allow dairy workers, sheepherders, and goatherders to obtain visas through the H-2A visa program to assist American farmers. Under current law, the dairy industry is completely excluded from obtaining lawful H-2A workers. Under current Department of Labor regulations and guidance, the employers of foreign sheepherders and goatherders in the Western States can use the H-2A program. The authority for these employers to do so is not codified, however, and is therefore subject to the whims of a Federal agency. This legislation will provide the express authority and certainty for these important agricultural industries to use the visa program as Congress intended.

Although milk prices have improved over the past year, dairy farmers still struggle to meet their labor needs. I have heard from Vermont farmers, Vermont's Secretary of Agriculture, and the broader dairy industry about the challenges the current situation presents. I recognize that the H-2A program is imperfect, and I recognize that the best solution is the comprehensive approach in the AgJOBS bill. But basic access to the H-2A program is a better option than what dairy farmers now have, which is no access at all. It is simply illogical to subject such an important agricultural sector to unequal treatment. The denial of access to lawful, willing agricultural workers places a substantial burden on employers.

The H-2A Improvement Act contains provisions designed to accommodate the specific needs of dairy farming, sheepherding, and goatherding. It will allow workers in these industries to enter the United States for an initial employment period of 3 years. The bill grants U.S. Citizenship and Immigration Services the authority to approve a worker for an additional 3-year period as needed. After the first 3 year period is completed, the worker is eligible to petition for lawful permanent residency.

The provisions contained in this bill are very similar to provisions that have been a part of the long pending AgJOBS bill, legislation that I continue to strongly support. But the dairy farmers who continue to operate

under this unfair system need help now. Just as much as any other segment of agriculture, they too deserve access to the H-2A program to meet their legitimate labor needs.

For years, I have urged the Department of Labor to use its regulatory authority to give dairy farmers access to H-2A workers. I was disappointed that, despite those requests and the recommendations of the broader dairy community, the final H-2A rule released by the Department in February 2010 failed to extend access to the dairy industry.

As a Senator from a State that prides itself on its dairy products and a long tradition of family farming, it is unacceptable that dairy farmers are put in a position of choosing between their livelihoods and taking risks with a potential employee's immigration status. I strongly believe that the vast majority of dairy farmers want to hire a lawful workforce, and our policy should support these goals.

By expanding the H-2A program to include dairy workers, sheepherders and goatherders, the H-2A Improvement Act would protect both American and foreign workers. It would prevent American workers from having to compete with an unauthorized work force, which enables unscrupulous employers to pay lower wages and make employees work under unsafe labor conditions. It would protect foreign workers by requiring that employers comply with existing H-2A regulations, wage and hour laws, and occupational safety laws. It would grant foreign dairy workers the dignity and stability of lawful status, and the opportunity to step out of the shadows and be productive members of the communities in which they work. Despite the imperfections of the current H-2A system, these are the objectives this legislation strives to achieve.

The H-2A Improvement Act is a straight-forward, targeted fix that makes sure all law abiding farmers in America have the same access to foreign agricultural laborers. I recognize that many agricultural employers have legitimate frustrations with the current regulatory process. I intend to maintain my strong support of AgJOBS legislation, which would provide the most immediate and substantial benefit to our Nation's farmers and foreign agricultural workers. But I am unwilling to forego an opportunity to enact meaningful, bipartisan legislation to promote basic fairness for dairy, goat, and sheep farmers under our immigration laws. I hope Senators will support this common sense legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 852

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "H-2A Improvement Act".

SEC. 2. NONIMMIGRANT STATUS FOR DAIRY WORKERS, SHEEPHERDERS, AND GOAT HERDERS.

Section 101(a)(15)(H)(ii)(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(15)(H)(ii)(a)) is amended by inserting "who is coming temporarily to the United States to perform agricultural labor or services as a dairy worker, sheepherder, or goat herder, or" after "abandoning".

SEC. 3. SPECIAL RULES FOR ALIENS EMPLOYED AS DAIRY WORKERS, SHEEPHERDERS, OR GOAT HERDERS.

Section 218 of the Immigration and Nationality Act (8 U.S.C. 1188) is amended—

(1) by redesignating subsections (h) and (i) as subsections (i) and (j), respectively; and

(2) by inserting after subsection (g) the following:

"(h) SPECIAL RULES FOR ALIENS EMPLOYED AS DAIRY WORKERS, SHEEPHERDERS, OR GOAT HERDERS.—

"(1) IN GENERAL.—Notwithstanding any other provision of this Act, an alien admitted as a nonimmigrant under section 101(a)(15)(H)(ii)(a) for employment as a dairy worker, sheepherder, or goat herder—

"(A) may be admitted for an initial period of 3 years; and

"(B) subject to paragraph (3)(E), may have such initial period of admission extended for an additional period of up to 3 years.

"(2) EXEMPTION FROM TEMPORARY OR SEASONAL REQUIREMENT.—Notwithstanding section 101(a)(15)(H)(ii)(a), an employer filing a petition to employ H-2A workers in positions as dairy workers, sheepherders, or goat herders shall not be required to show that such positions are of a seasonal or temporary nature.

"(3) ADJUSTMENT TO LAWFUL PERMANENT RESIDENT STATUS.—

"(A) ELIGIBLE ALIEN.—In this paragraph, the term 'eligible alien' means an alien who—

"(i) has H-2A worker status based on employment as a dairy worker, sheepherder, or goat herder;

"(ii) has maintained such status in the United States for a not fewer than 33 of the preceding 36 months; and

"(iii) is seeking to receive an immigrant visa under section 203(b)(3)(A)(iii).

"(B) CLASSIFICATION PETITION.—A petition under section 204 for classification of an eligible alien under section 203(b)(3)(A)(iii) may be filed by—

"(i) the alien's employer on behalf of the eligible alien; or

"(ii) the eligible alien.

"(C) NO LABOR CERTIFICATION REQUIRED.—Notwithstanding section 203(b)(3)(C), no determination under section 212(a)(5)(A) is required with respect to an immigrant visa under section 203(b)(3)(A)(iii) for an eligible alien.

"(D) EFFECT OF PETITION.—The filing of a petition described in subparagraph (B) or an application for adjustment of status based on a petition described in subparagraph (B) shall not be a basis for denying—

"(i) another petition to employ H-2A workers;

"(ii) an extension of nonimmigrant status for a H-2A worker;

"(iii) admission of an alien as an H-2A worker;

“(iv) a request for a visa for an H-2A worker;

“(v) a request from an alien to modify the alien’s immigration status to or from status as an H-2A worker; or

“(vi) a request made for an H-2A worker to extend such worker’s stay in the United States.

“(E) EXTENSION OF STAY.—The Secretary of Homeland Security shall extend the stay of an eligible alien having a pending or approved petition described in subparagraph (B) in 1-year increments until a final determination is made on the alien’s eligibility for adjustment of status to that of an alien lawfully admitted for permanent residence.

“(F) CONSTRUCTION.—Nothing in this paragraph may be construed to prevent an eligible alien from seeking adjustment of status in accordance with any other provision of law.”.

By Mr. DURBIN:

S. 856. A bill to amend title XI of the Social Security Act to make available to the public aggregate data on providers of services and suppliers under the Medicare program and to allow qualified individuals and groups access to claims and payment data under the Medicare program for purposes of conducting health research and detecting fraud; to the Committee on Finance.

Mr. DURBIN. Mr. President, Congress will soon debate the budget resolution for fiscal year 2012, and one of the issues under consideration is how to contain the cost of the Medicare program. While there is significant disagreement about some of the proposals already put forward, one part of the solution that members on both sides of the aisle agree on is cracking down on waste, fraud, and abuse.

For several years, the Government Accountability Office has designated Medicare as a high risk program because its size and complexity make it a target for waste, fraud and abuse. Medicare pays 4.5 million claims per work day, so catching false or inflated claims is a challenge. As a result, every year an estimated \$30–60 billion in Medicare spending is wasted on fraud and abuse.

Under President Obama, the Executive branch has stepped up its enforcement activities. The Department of Health and Human Services and Department of Justice joined together to form Health Care Fraud Prevention and Enforcement Action Teams to combat Medicare fraud. These strike forces have netted hundreds of potential criminals in the past couple of years.

Nongovernmental groups can also play a role in detecting fraud. Normally, individual Medicare providers’ billing data is not available to the public as a result of a 1979 lawsuit that blocked disclosure of this information. But under a special arrangement, The Wall Street Journal and Center for Public Integrity were allowed access to a 5 percent sample of the Medicare payment data.

Even using just this small sliver of the data, the newspaper was able to

identify suspicious billing and potential abuses of the Medicare system. However, based on the agreement with CMS, the paper could not name individual physicians.

I think that the exercise by the Wall Street Journal shows that outside group provide a valuable complement to the government’s own fraud detection research. That is why I am introducing the Medicare Spending Transparency Act today.

The legislation would increase transparency of the Medicare program by providing two things.

First, it would provide access to aggregated claims data.

It would require CMS to annually publish on its website summary level information about how and what Medicare is paying to individual Medicare providers such as hospitals, physicians and home health agencies.

Information would include the total amount paid, number of unique patients seen, total number of patient visits, and a summary of the services provided. This will provide a snapshot of Medicare spending to interested groups. It will also discourage fraudulent providers from overbilling Medicare.

Secondly, a complete set of Medicare data would be made available to qualified groups or individuals for the purposes of fraud detection and research. All patient identifying information would be protected, consistent with HIPAA and other privacy laws.

To access this information, the individual or group would have to demonstrate technical capacity to make prudent and productive use of the data. Any published analysis of the data must disclose the names, funding sources, employer or other relevant affiliations, and data analysis methods of the researchers.

This legislation would bring transparency to the Medicare program by providing basic information about how taxpayer dollars are being spent. If nongovernmental groups want to dedicate their own resources to rooting out fraud, we should welcome those efforts. I encourage my colleagues to support this common sense legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 856

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Medicare Spending Transparency Act of 2011”.

SEC. 2. PUBLIC AVAILABILITY OF AGGREGATE DATA ON MEDICARE PROVIDERS OF SERVICES AND SUPPLIERS.

(a) PURPOSE.—The purpose of this section is to make aggregate information about providers of services and suppliers under the

Medicare program under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) publicly available and to provide a new level of transparency in such program.

(b) PUBLIC AVAILABILITY.—Section 1128J of the Social Security Act (42 U.S.C. 1320a–7k) is amended by adding at the end the following new subsection:

“(f) PUBLIC AVAILABILITY OF CERTAIN MEDICARE DATA.—

“(1) IN GENERAL.—The Secretary shall, to the extent consistent with applicable information, privacy, security, and disclosure laws, including the regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 and section 552a of title 5, United States Code, make available to the public on the Internet website of the Centers for Medicare & Medicaid Services the following data with respect to title XVIII:

“(A) A complete list of the providers of services and suppliers participating in the program under such title, including the business address of such providers of services and suppliers.

“(B) Aggregate information about each such provider of services and supplier, including—

“(i) the total number of individuals furnished items or services by the provider of services or supplier for which payment was made under such title during the preceding year;

“(ii) the number of unique patient encounters conducted by the provider of services or supplier for which payment was made under such title during the preceding year;

“(iii) the average number of codes billed under such title by the provider of services of supplier per patient encounter during the preceding year;

“(iv) the total amount paid to such provider of services or supplier under such title during the preceding year;

“(v) the top 50 billing codes on claims paid under such title to the provider of services or supplier during the preceding year, as determined by volume, including a description of such codes;

“(vi) the top 50 billing codes on such claims paid during such year, as determined by dollar amount, including a description of such codes; and

“(vii) the top 50 diagnosis and procedure code pairs on such claims paid during such year, as determined by volume, including a description of such codes; and

“(2) IMPLEMENTATION.—Not later than 1 year after the date of enactment of the Medicare Spending Transparency Act of 2011, the Secretary shall promulgate regulations to carry out this subsection.”.

SEC. 3. ACCESS TO MEDICARE CLAIMS AND PAYMENT DATA BY QUALIFIED INDIVIDUALS AND GROUPS.

(a) PURPOSE.—The purpose of this section is to allow qualified individuals and groups access to information on claims and payment data under the Medicare program for purposes of conducting health research and detecting fraud under such program.

(b) ACCESS TO MEDICARE CLAIMS AND PAYMENT DATA BY QUALIFIED INDIVIDUALS AND GROUPS.—Section 1128J of the Social Security Act (42 U.S.C. 1320a–7k), as amended by section 2, is amended by adding at the end the following new subsection:

“(g) ACCESS TO MEDICARE CLAIMS AND PAYMENT DATA BY QUALIFIED INDIVIDUALS AND GROUPS.—

“(1) IN GENERAL.—For purposes of conducting health research and detecting fraud under title XVIII, and to the extent consistent with applicable information, privacy,

security, and disclosure laws, including the regulations promulgated under the Health Insurance Portability and Accountability Act of 1996 and section 552a of title 5, United States Code, and subject to any information systems security requirements under such laws or otherwise required by the Secretary, a qualified individual or group shall have access to claims and payment data of the Department of Health and Human Services and its contractors related to title XVIII. Notwithstanding any other provision of law, such data shall include the identity of individual providers of services and suppliers under such title.

“(2) DEFINITION OF QUALIFIED INDIVIDUAL OR GROUP.—

“(A) IN GENERAL.—In this subsection, the term ‘qualified individual or group’ means an individual or entity that the Secretary has determined, in accordance with subparagraph (B), has relevant experience, knowledge, and technical expertise in medicine, statistics, health care billing, practice patterns, health care fraud detection, and analysis to use data provided to the individual or the entity under this subsection in an appropriate, responsible, and ethical manner and for the purposes described in paragraph (1).

“(B) PROCEDURES.—The Secretary shall establish procedures for determining, in a timely manner, whether an individual or entity is a qualified individual or group.

“(3) PROCEDURES.—The Secretary shall establish procedures for the storage and use of data provided to a qualified individual or group under this subsection. Such procedures shall ensure that, in the case where the qualified individual or group publishes an analysis of such data (or any analysis using such data), the qualified individual or group discloses the following information (in a form and manner, and at a time, specified by the Secretary):

“(A) The name of the qualified individual or group.

“(B) The sources of any funding for the qualified individual or group.

“(C) Any employer or other relevant affiliations of the qualified individual or group.

“(D) The data analysis methods used by the qualified individual or group in the analysis involved.”.

By Mr. GRASSLEY (for himself and Mr. CASEY):

S. 857. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented learners, including high-ability learners not formally identified as gifted; to the Committee on Health, Education, Labor, and Pensions.

Mr. GRASSLEY. Mr. President, the last reauthorization of the Elementary and Secondary Education Act of 1965 was specifically designed “To close the achievement gap with accountability, flexibility, and choice, so that no child is left behind.” Going into the next reauthorization of this law, there has already been much discussion about the extent to which each element of that goal has been achieved. While there is some evidence of a narrowing of the achievement gap between disadvantaged and minority students and their more advantaged peers when it comes to meeting minimum “proficiency” goals, the achievement gap among high-ability students has been wid-

ening. Some of our most promising students, the scientists, inventors, and problem solvers of the future, are being left behind.

I want to be clear that I am not necessarily talking just about high-achieving students. I am talking about high-ability students with gifts and talents that go beyond simply the ability to master grade level content. There is sometimes a tendency to assume that gifted students are the straight A students and vice versa, the students we needn't worry about because they are doing fine on their own. Sadly, that's far from true. A student may get straight A's because his or her abilities and pace of learning just happen to be exactly matched with the grade level curriculum and pace of instruction. Those are not the students I am talking about. By definition, a gifted and talented student is one who gives evidence of high achievement capability and needs services beyond the standard content provided in the standard way in order to fully develop those capabilities.

In fact, gifted students may significantly underperform. Many high-ability students get poor grades due to boredom. Some drop out of school or exhibit problem behaviors, and gifted students are often well represented in alternative schools. Still, even if they are getting straight A's on content that is not challenging to them, they are still underperforming. That hidden gap between achievement and potential ought to be alarming to all of us who are concerned about our Nation's future economic competitiveness.

On the most recent international tests, students in China topped the charts in math, science, and reading, while U.S. students were in the middle to bottom of the pack. Few American students are reaching the most advanced achievement levels on national and state-level tests, with miniscule numbers of children of color or children from poverty reaching those levels. A dynamic economy needs a steady supply of individuals capable of achieving at advanced levels, yet we rely on imported talent while systematically holding back our brightest young minds here at home.

I would recommend to my colleagues the book *Genius Denied* by Jan and Bob Davidson of the Davidson Institute in Nevada. It describes the many obstacles faced by some of our brightest students in trying to get an appropriate education. The book tells the story of a boy named Carlos who didn't speak until he was 3½ years old, but then began to speak in complete sentences like a much older child. His mother had been told he might be autistic or have a learning disability, but when she had him tested, she learned he was actually gifted. He learned to read and write with incredible speed and was able to grasp simple algebra problems.

However, in his Kindergarten class, they were learning to add single digits by grouping teddy bears. He was miserable, and despite his natural love of learning, he cried to stay home from school. He was teased for being different and the stress of school got to be so great that his hair started falling out. He began talking about wishing that he was dumb or even dead.

The book also talks about a boy named Tim who is dyslexic and also profoundly gifted. His gifts compensated for his inability to read so he was able to earn normal grades, but his school would not make appropriate accommodations for his learning disability because he was achieving at acceptable levels. School officials also maintained they had no obligation to accommodate his gifts. This left Tim frustrated. His zeal for learning waned because his disability held him back while his gifts went undeveloped, but both went unaddressed by his school because he was not failing. Eventually, his mother was forced to pull him out of the public school and educate him at home.

Many schools have special gifted and talented programs with staff trained in gifted education strategies, but a great many others do not. This leads to the uneven availability of appropriate services. Title I schools are far less likely to have any services for gifted students. Is this because there are no high-ability disadvantaged students? Certainly not. There are high-ability students in every school and low income doesn't mean low ability. It is of course appropriate to ensure that struggling students receive the support they need to achieve to their potential, but when disadvantaged high-ability students go unrecognized and unchallenged, thus falling short of the level of achievement they are capable of attaining, the tremendous loss of human potential is truly tragic both for the students and for our society.

So should every cash-strapped Title I school hire special teachers with a background in gifted and talented education and start offering gifted education programming? Well, that would be ideal, and would likely help improve the academic achievement of all students in those schools, but a lack of funds need not be a barrier to schools meeting the unique learning needs of their high-ability students. For instance, a report by some of the leading experts in the field at the University of Iowa's Belin-Blank Center titled “A Nation Deceived: How Schools Hold Back America's Brightest Students” outlines both the problem of schools systematically failing to support their high-ability students and an almost no-cost solution—acceleration. Simply allowing students to take classes with their intellectual peers, where the curriculum is matched to their ability rather than to their age, often results

in better academic results as well as happier, better adjusted students. Also, knowing that all teachers have high-ability students with unique learning needs in their classrooms, there is a great need for professional development opportunities to incorporate the ability to recognize and meet those needs.

Today, I am introducing a bill, with Senator CASEY of Pennsylvania, to ensure that Federal education policy no longer overlooks the needs of high-ability students. It's called the TALENT Act, which stands for: To Aid Gifted and High-Ability Learners by Empowering the Nation's Teachers. My bill corrects the lack of focus on high-ability students, especially those students in underserved settings, including rural communities, by including them in the school, district, and state planning process that already exists under the Elementary and Secondary Education Act. It also raises the expectation that teachers have the skills to address the special learning needs of various populations of students, including gifted and high-ability learners. To that end, my bill provides for professional development grants to help general education teachers and other school personnel better understand how to recognize and respond to the needs of high-ability students. Finally, because we have much to learn about how best to address the very unique learning needs of this often overlooked population of students, my bill retools and builds upon the goals and purpose of the existing Javits Gifted and Talented Students Education Act so that we continue to explore and test strategies to identify and serve high-ability students from underserved groups. These strategies can then be put into the hands of teachers across the country.

Meeting the needs of our brightest students, the ones our country is counting on for our future prosperity, is not a luxury, it is a necessity. That isn't a justification for embarking on some sort of new spending and sticking them with the bill, however. Instead, my legislation would accomplish its goals in a cost-effective way by amending existing law to account for the needs of gifted and high-ability learners as well as retooling the old Javits program to have a greater impact. For too long, Federal education policy has been so focused on preventing failure that we have neglected to promote and encourage success. We can no longer afford to ignore the needs of our brightest students and thus squander their potential. My legislation will put our country on track to tap that potential which is so essential to the future happiness of the students and the future prosperity of our Nation.

By Mr. LEVIN (for himself and Ms. STABENOW):

S. 860. A bill to ensure that methodologies and technologies used by the

Bureau of Customs and Border Protection to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport; to the Committee on Homeland Security and Governmental Affairs.

Mr. LEVIN. Mr. President, I have been fighting over the past several years to stop the thousands of trash shipments entering into Michigan from Canada. This year brought some welcome good news: Canada has stopped shipping its city trash to Michigan, eliminating about 1.5 million tons of trash a year that had been dumped into Michigan landfills, and taking more than 40,000 trucks a year off Michigan roads. The end of these shipments fulfills a 2005 agreement that Senator STABENOW and I reached with Ontario officials to end all shipments of municipally managed trash to Michigan by the end of 2010.

However, private trash shipments from Canada are still being brought into Michigan. Tons of waste from private companies, including from construction, industry, and commercial sources, are being imported into Michigan for disposal in our landfills. Most of these shipments enter at three border crossings in Michigan: Port Huron, Sault Ste Marie, and Detroit. The loads of municipal solid waste are more than just a nuisance. These trash trucks from Canada pose a threat to our environment, health, and security.

This legislation Senator STABENOW and I are introducing today would require the Bureau of Customs and Border Protection of the Department of Homeland Security to report to Congress on the methodologies used by the Bureau to screen for the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste. The report would need to indicate whether the techniques used by the Bureau to screen for these dangerous materials in municipal solid waste are as effective as the methodologies used by the Bureau to screen for such materials in other items of commerce entering the United States. If the Bureau of Customs cannot demonstrate that screening of municipal waste shipments is adequate, then they have 6 months to implement the technologies to implement adequate screening procedures. If such measures are not implemented, then the Secretary of Homeland Security shall deny entry of any commercial motor vehicle carrying municipal solid waste from Canada until the Secretary certifies that the methods and technology used to inspect the trash trucks are as effective as the methods and technology used to inspect other vehicles.

I believe this legislation will help to protect the people of this country, and I hope this Congress will act quickly on this legislation.

Mr. President, I ask for unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 860

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SCREENING OF MUNICIPAL SOLID WASTE.

(a) DEFINITIONS.—In this section:

(1) BUREAU.—The term “Bureau” means the Bureau of Customs and Border Protection.

(2) COMMERCIAL MOTOR VEHICLE.—The term “commercial motor vehicle” has the meaning given the term in section 31101 of title 49, United States Code.

(3) COMMISSIONER.—The term “Commissioner” means the Commissioner of the Bureau.

(4) MUNICIPAL SOLID WASTE.—The term “municipal solid waste” includes sludge (as defined in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903)).

(b) REPORTS TO CONGRESS.—Not later than 90 days after the date of enactment of this Act, the Commissioner shall submit to Congress a report that—

(1) indicates whether the methodologies and technologies used by the Bureau to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering the United States through commercial motor vehicle transport; and

(2) if the report indicates that the methodologies and technologies used to screen municipal solid waste are less effective than those used to screen other items of commerce, identifies the actions that the Bureau will take to achieve the same level of effectiveness in the screening of municipal solid waste, including actions necessary to meet the need for additional screening technologies.

(c) IMPACT ON COMMERCIAL MOTOR VEHICLES.—If the Commissioner fails to fully implement an action identified under subsection (b)(2) before the earlier of the date that is 180 days after the date on which the report under subsection (b) is required to be submitted or the date that is 180 days after the date on which the report is submitted, the Secretary shall deny entry into the United States of any commercial motor vehicle carrying municipal solid waste until the Secretary certifies to Congress that the methodologies and technologies used by the Bureau to screen for and detect the presence of chemical, nuclear, biological, and radiological weapons in municipal solid waste are as effective as the methodologies and technologies used by the Bureau to screen for those materials in other items of commerce entering into the United States through commercial motor vehicle transport.

By Ms. LANDRIEU (for herself and Mr. VITTER):

S. 861. A bill to restore the natural resources, ecosystems, fisheries, marine habitats, and coastal wetland of

Gulf Coast States, to create jobs and revive the economic health of communities adversely affected by the explosion on, and sinking of, the mobile offshore drilling unit Deepwater Horizon, and for other purposes; to the Committee on Environment and Public Works.

Ms. LANDRIEU. Mr. President, I am going to speak for 2 or 3 minutes in a brief introduction, and then turn it over to my colleague from Louisiana. We are both very excited and enthusiastic to present to the Senate and to Congress work that has been underway for almost a year.

As you know, next week on April 20, we will be marking the 1-year anniversary of the Deepwater Horizon explosion, which killed 11 men—they are still in our thoughts and prayers, and their families to this day—injured dozens of others and shocked millions with the explosion that occurred a year ago next Wednesday.

There are many steps our Nation has to take and must take to respond to that horrific incident. Senator VITTER and I are on the floor today to introduce the Restore the Gulf Coast Act of 2011, which we believe is one of the most important things that needs to be done in response to this incident.

It was frankly long overdue even before this tragedy happened, and I will briefly explain. This gulf coast is a very important coast of America.

I know all of the people of our coasts believe they are all important—but we who live on the gulf coast are particularly proud of the coast of Texas, Louisiana, Mississippi, Alabama, and Florida because on this coast not only do we have port and maritime activities, which is true of every coast, we also support the Nation in hosting a very important domestic oil and gas industry, which is primarily offshore, but a great deal on shore, both close and on our marshes.

In addition, we have a very vibrant and robust fishing industry, both commercial and recreational. We have ecotourism and migratory bird routes from the south going north. Obviously this is a flyway for migratory birds and extremely important to wildlife enthusiasts and hunters and fishermen. May I also add—and not let us forget—the tourism industry. So we say proudly in the gulf coast, we are America's working coast. We seek a balance between mining and exploring for and using our natural resources, and balancing that so this coast can be sustainable.

This is a great opportunity for the Nation to do right by the gulf coast. It is a great opportunity for the polluters to step up and do the right thing. It is a great opportunity to give a break to taxpayers because the bill Senator VITTER and I are putting forward—and we hope our other colleagues will join us in—will basically say the fine BP is going to pay—and maybe other con-

tractors as well—that 80 percent of that fine should go to the area where the injury occurred.

I am going to take the next minute to put up this horrifying picture that people will remember because a year ago this is what the site looked like when the Deepwater Horizon exploded and 5 million barrels of oil escaped from this tragedy and marred the beaches and marshes and ocean, and we are still recovering, and will for years.

But because of the 5 million barrels of oil that were spilled, this polluter, BP, and its contractors are going to have to pay a very serious fine to the Federal Government. We believe that fine is best directed to help the environment which was injured and to get the taxpayers off the hook and put the polluters on the hook for picking up this tab, and to do so in a way that is fair to the Gulf Coast States. That is what Senator VITTER will speak about in more detail.

Let me show you one picture, happily. Today, the beaches along the gulf coast—in large measure—look like this, as shown in this picture. This is the way they normally look. Because not only do we drill for oil and gas off of our waters, but our children swim in this water. We recreate and have picnics along the beach. This is the way we would like this beach to look for decades to come.

If we are successful in getting our bill passed through the Congress and signed by the President in the near future, this is possible, along with pictures like this one I show you, which represents a great and proud industry: the shrimping industry on the gulf coast, which supplies fresh seafood for restaurants all over our Nation and, in some cases, the world.

So at this point, let me turn it to Senator VITTER for some more detail. I want to say, it has been a pleasure and I thank the Senator for his support. We want this to be a bipartisan effort. Both the industry and environmental groups are very interested in working with us on this issue. We think it is the right policy for our country.

I yield to Senator VITTER.

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. VITTER. Mr. President, I am proud to join my colleague Senator LANDRIEU in introducing today this RESTORE the Gulf Coast Act of 2011. I want to also thank her and compliment her on her leadership on this issue. Senator LANDRIEU has been developing this legislation tirelessly since the tragedy, working with many others who will soon be cosponsors, we hope, in this effort.

I also want to recognize Congressman STEVE SCALISE and his Louisiana House colleagues for having similar legislation in the House.

As we near this 1-year anniversary of the disaster, first we need to remember

the victims, the human victims—the 11 people who lost their lives and their families. Those families still have a huge hole in their lives, and we need to continue to remember them and pray for them.

But we also need to help restore the affected area. A lot of other lives were impacted through the environmental and economic devastation. We need to work on that as well.

This RESTORE the Gulf Coast Act of 2011 would go a long way in restoring those lives, in healing those impacts. This was a horrible tragedy, and, of course, the physical, the environmental damage was borne by these five Gulf Coast States. Therefore, we think it is more than fair that 80 percent of the fines directly related to this event—which would not have been incurred, would not be in existence but for this tragedy—be dedicated to restoration along the gulf coast.

Senator LANDRIEU, with my support, and others, has worked out a very fair formula to impact all of the Gulf Coast States in a positive way. We think it is more than fair because it assures some minimum funding to all of the affected States and then has another pot of money that is specifically focused on direct impacts. We think this is a very fair way to go about it. It also dovetails with the work that has been going on in the States and federally through the President's commission on impacts.

So we think this would be an excellent way to approach it. It is more than fair to the Federal Government and to the Federal taxpayer because the money retained that is still flowing to the Federal Treasury more than covers all the expenses of the Federal Government related to this event. It goes well beyond those direct expenses.

Again, I thank my colleague for her leadership, and I ask all of our colleagues to come together around this effort. This concept has been explicitly endorsed by President Obama. This concept has been explicitly endorsed by the President's commission on the oil spill. All of those folks have absolutely said, yes, 80 percent of these Clean Water Act fines need to stay on the gulf coast for much-needed restoration. This legislation will get that done in a fair, straightforward way. I urge all of my colleagues to support it and help pass it in the next few weeks and months.

Mr. President, with that, I turn the floor back to my colleague from Louisiana.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I see other colleagues on the floor waiting to speak so I will try to wrap up these remarks in about 5 minutes. But I do want to add a few things and thank my colleague again. He is on the committee that will take this bill into consideration. That committee is chaired

by Senator BARBARA BOXER. I want to thank her, our colleague from California, the Chair of the EPW Committee, and her staff, who have been working with us very closely over the last year as we fashioned this approach. I think the Senator, of course, will speak for herself, but I think it is in her philosophy that the polluters should pay, not the taxpayer, and that the area that was injured should be the area that receives the response. It is important that the environment that was injured should be first attended to first. That is the essence and nature of our bill.

But to put a couple of other things in the RECORD, Senator VITTER mentioned this, but it is worth repeating. President Obama has already endorsed this general concept, and I want to thank him for his early leadership on this issue. I had some real reservations early on about the national oilspill commission. I honestly did not think there were enough people representing the industry perspective, only the environmental perspective. But I was happy to see that commission report came out fairly balanced. Both Bob Graham, who is a former colleague of ours from Florida, and Bill Reilly, the former EPA Director under President Bush, came to the same conclusion: that one of the best ways to spend this fine money would be restoring this very important coastal area. This should not just be for the gulf coast but for the Nation. Frankly, the world should take notice and to try to find a path forward for coastal communities to have sustainable economies.

This is an important question, not just for the gulf coast, not just for the east coast, not just for the west coast, but I might say, this might be one of the great questions in the world today. 60 percent or more of the population of the world lives near coastlines. The question of how can people live there productively, safely, and how the environment can sustain them in that growth and development is an important question to get answers to.

Let me say, as a resident of the gulf coast, we do not have enough answers. We do not have enough money to ask questions. That is what this money will go for: some science and technology, some basic research, and, most importantly, some money to restore our coast—to do the right things by this environment.

I want to recognize the entities that support this cause. Secretary Ray Mabus, the Secretary of the Navy added to his portfolio to examine this issue, and he, too, arrived at the same conclusion: that a very excellent and smart way to spend some of these fine moneys would be on these programs.

Just a couple of minutes more to put some facts into the RECORD; and other Senators from other States—Florida, Texas, Mississippi, and Alabama—can enter their own data.

I think it is important for people to understand, when we talk about the coast of Louisiana, just the coast of Louisiana—this is going to be hard for people to believe, but it is actually true—if you count the tidal miles of Louisiana, which is about 7,000 tidal miles from the tip here, as shown on this map, all the way over to Texas from our Mississippi border—7,000 tidal miles—if you stretch that out, it is the same as going from Miami to Seattle. I need people to get that in their mind.

I know this looks like a little shore because it is not a big shore like California or Florida. But the nature of this shore—because it is not just a beach; it is America's greatest wetlands and marshes—if you stretched it out with all of its inlets and bays and estuaries, it would go from Miami to Seattle.

This area is threatened, and has been for years. Yes, the oil and gas industry, unfortunately, has contributed to some of this damage. But it is also because the Mississippi River flows through here, and it has been dammed and tamed as best as men and women can try to tame natural things. The hydraulics have changed. The sea level has risen. This area is under great threat.

Mr. President, 1,500 square miles have been lost since 1930; 25 square miles of wetlands each year, which means a football field every 30 minutes. This is an urgent matter. There is no loss of land anywhere in the continental United States that has as much threat to it as there is to this coast. We have struggled for years to find a revenue stream to help fix it. We understand the rest of the country says: Why should we fix it? It is not our coast. But what we say back is: This coast is important to the whole Nation. It drains 40 percent of the continent. It is the greatest river system in North America. No one can get wheat out of Kansas or Iowa without coming through this Mississippi River. So there is a national interest.

Seventeen percent of GDP is basically supported and created by this gulf coast economy.

We are also willing to pay our own way as well. Our parishes have taxed themselves. The State has set up a constitutional safeguard, a lockbox—if we had only done that with Social Security. We are happy to have a lockbox for the wetlands money that comes in, so it can only be used for that purpose. So we are very proud of the actions our locals have taken. Now it is time for the Federal Government to act.

A few more statistics: 30 percent of the commercial fisheries in the United States come off this coast, and \$1.7 billion in economic impact for recreational fishing—again, over 50 percent of the domestic oil and gas, because we drill for oil and gas here, that keep lights on and electricity flowing

in Chambers such as this, in rooms and buildings all over our country. So that is why this is so important.

I am going to add some other statistics for the RECORD about some of the economic impacts of this. Again, this is an important coast to the country and it is an important effort for the world for us in America to get this right. Think about the drilling that is occurring off the coast of Africa or Brazil or Australia or Israel and what happens. Let's prevent any explosions. Let's prevent these disasters. We are struggling to do that, and the record is pretty good, despite the criticism that comes, and that is a speech for another day.

But the question is, When there is an accident, when this happens, how do we take that penalty money and invest it in the coast so it is more resilient and it will benefit people in every way over a long period of time in a very balanced fashion.

I conclude by urging my colleagues along the gulf coast, from Florida to Alabama to Mississippi and Texas, Republicans and Democrats alike, Members of the House as well, to step forward and join me and Senator VITTER. We are open to ideas and thoughts about how the money should be allocated but within general sets of principles we have outlined today. I wish to, again, thank Senator BOXER whose committee will consider this in the very near future. We are hoping for a hearing in the very near future and then a markup on this bill to move it forward to the President's desk.

Mr. President, I ask unanimous consent to have printed in the RECORD some further statistics about this horrific spill and our valuable coast.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

On April 20, 11 men died in a massive oil rig explosion in the Gulf of Mexico.

For 3 months, oil flowed uncontrollably into the waters of the Gulf of Mexico. 4.9 million barrels of oil was discharged during the spill. That equates to 50,000 barrels of oil each day.

600 miles of the Gulf coastline were oiled. More than half of that coastline is in Louisiana.

320 miles of Louisiana's coastline were oiled and some oil is still lingering in the marshes near Bay Jimmy on the east side of Plaquemine Parish.

6,814 dead animals have been collected, including 6,104 birds, 609 sea turtles, 100 dolphins and other mammals, and 1 other reptile.

86,985 square miles of waters were closed to fishing. Approximately 36% of Federal waters in the Gulf of Mexico were closed to fishing for months.

30 percent of commercial fisheries in the United States are located in the Gulf of Mexico.

It is estimated that \$2.5 billion were lost in our Gulf of Mexico fishing industry.

\$23 billion is estimated in impacts to tourism across the Gulf Coast over a three-year period, as estimated by the U.S. Travel Association.

The Gulf Coast accounts for a \$1.7 billion economic impact to the nation from recreational fishing.

30 percent of the nation's crude oil supply and 34 percent of the natural gas consumed in the U.S. are produced in Louisiana or adjacent Outer Continental Shelf (OCS).

Nearly 50 percent of all the domestically produced oil and gas that fuels this nation comes from the Gulf of Mexico.

\$8 to 10 billion in direct OCS revenues go to the U.S. Treasury each year.

\$3 trillion is contributed to the national economy by the Gulf Coast.

12 million people live in coastal Louisiana.

17 percent of the National GDP comes from the Gulf Coast.

1,900 square miles of land have been lost in Louisiana since 1930.

25 square miles of wetlands are lost each year—or a football field-sized area every 30 minutes.

By Mr. NELSON of Florida:

S. 862. A bill to provide for a comprehensive Gulf of Mexico restoration plan, and for other purposes; to the Committee on Environment and Public Works.

Mr. NELSON Of Florida. Mr. President, I rise today, 360 days after the Deepwater Horizon oil rig exploded in the Gulf of Mexico, taking the lives of 11 Americans and forever changing the lives of their friends and families. Following the explosion, hundreds of millions of gallons of oil spewed out of that monster well for months, devastating the environment and the economy of the Gulf Coast. It is my hope and my belief that by the passage of time, the hard work and dedication of individuals, and the power of mother nature, the Gulf Coast will recover. But it will not be immediate.

I can't believe Congress hasn't addressed things like liability, and that some in Congress still are dead set on carrying out the oil industry's agenda, regardless of all the safety, economic and environmental concerns. Meanwhile, the companies say we need to allow additional offshore drilling. What they don't say is we have already given them tens of millions of additional acres in the Gulf of Mexico where they haven't even started drilling yet.

Under current law, the party responsible for an oil spill will be assessed fines for violations of the Clean Water Act. Those fines go to the Oil Spill Liability Trust Fund. But several folks have suggested that those fines should go to the Gulf Coast—to restore the environment, provide economic recovery, and to make the Gulf more resilient to disasters—including the Secretary of the Navy Ray Mabus, and the President's Oil Spill Commission headed up by Senator Bob Graham and Bill Reilly. Just like some of the lessons we learned after the Exxon-Valdez oil spill led to the passage of landmark laws, we need to take the lessons of the Deepwater Horizon oil spill and restore the Gulf.

So today, before the 1 year anniversary of the Deepwater Horizon, I am in-

troducing a bill to put the Gulf Coast back to work and return it to the healthy, vibrant ecosystem it used to be—complete with sugar white sand beaches and some of the best fishing in the world. I have heard from city commissioners, hotel workers, fishermen and Americans that visit our beautiful Gulf coast that this is the right thing to do. The Gulf of Mexico Recovery, Restoration, and Resiliency Act will get funding to local governments for environmental education, restoration and research, as well as workforce development, and tourism promotion projects. It will create a Council with state and federal members to develop a comprehensive plan for the Gulf of Mexico. This bill will ensure long-term cooperative monitoring of the status of our fishery resources—where fishermen will work alongside scientists to protect their livelihoods by collecting the best data.

Most importantly, this bill will bring together all of the folks who care about the Gulf and provide them with the funding to restore it. Specifically, the bill creates a Citizen's Advisory Committee and a Science Advisory Committee to provide input on the direction of Gulf restoration activities. Our federal resource partners like the Department of Interior, the National Oceanic and Atmospheric Administration, and the Environmental Protection Agency will all have a seat at the table. Our State and local voices will be heard and have opportunities to undertake projects that support a healthy Gulf and a vibrant coastal economy.

It was heartbreaking less than a year ago to watch as oil spewed into the Gulf of Mexico, to hear of dead dolphins washing ashore, and to speak with folks who have lost their businesses because nobody came to the beach last summer. But it is also gives me hope to know that Gulf residents are a resilient, hard-working type. I know that if we can get them the tools and a strong plan for rebuilding, the Gulf will start to recover. We can make it right by sending the Clean Water Act fines to the areas that took the hit. So I'm asking that my Senate colleagues will support my efforts to help restore this national treasure, and I look forward to working towards that goal.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 862

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Comprehensive Gulf of Mexico Recovery, Restoration, and Resiliency Act".

SEC. 2. DEFINITIONS.

In this Act:

(1) **CITIZENS' ADVISORY COMMITTEE.**—The term "Citizens' Advisory Committee" means the Gulf of Mexico Regional Citizens' Advisory Committee established by section 8(a).

(2) **CLEAN ENERGY PRODUCTION AND DEVELOPMENT.**—The term "clean energy production and development" means any electricity generation, transmission, storage, heating, cooling, industrial process, or manufacturing project the primary purpose of which is the deployment, development, or production of an energy system or technology that avoids, reduces, or sequesters air pollutants or anthropogenic greenhouse gases.

(3) **COUNCIL.**—The term "Council" means the Gulf of Mexico Recovery Council established by section 3(a).

(4) **ELIGIBLE ENTITY.**—The term "eligible entity" means an organization that—

(A) is a consortium of 1 or more public and private institutions of higher education in a Gulf State;

(B) is formally established by a board of higher education in a Gulf State for the purpose of collaborating on marine science research;

(C) carries out 1 or more operations that are physically located in the Gulf coast; and

(D) demonstrates experience arising from—

(i) the conduct of the types of activities described in section 6; and

(ii) the ability to carry out each requirement described in subsections (c), (d), and (e) of section 6.

(5) **FEDERAL AGENCY.**—The term "Federal agency" has the meaning given the term in section 1004 of the Solid Waste Disposal Act (42 U.S.C. 6903).

(6) **FISHERY ENDOWMENT.**—The term "Fishery Endowment" means the Gulf of Mexico Fishery Endowment established under section 7(a).

(7) **FUND.**—The term "Fund" means the Gulf of Mexico Recovery Fund established by section 4(a).

(8) **GULF.**—The term "Gulf" means the submerged land of the outer Continental Shelf, and the areas of the exclusive economic zone of the United States, within the Gulf of Mexico, including associated coastal watersheds, estuaries, beaches, and wetlands.

(9) **GULF COAST.**—The term "Gulf coast" means—

(A) each coastal zone (as determined pursuant to the Coastal Zone Management Act of 1972 (16 U.S.C. 1451 et seq.)) of each Gulf State (including water adjacent to the Gulf State); and

(B) submerged land of the outer Continental Shelf located in the Gulf of Mexico.

(10) **GULF OIL SPILL.**—The term "Gulf oil spill" means the discharge of oil and the use of oil dispersants that began in 2010 in connection with the blowout and explosion of the mobile offshore drilling unit *Deepwater Horizon* that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(11) **GULF STATE.**—The term "Gulf State" means any of the States of—

(A) Alabama;

(B) Florida;

(C) Louisiana;

(D) Mississippi; and

(E) Texas.

(12) **INSTITUTION OF HIGHER EDUCATION.**—The term "institution of higher education" has the meaning given the term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

(13) **LOCAL POLITICAL SUBDIVISION.**—The term "local political subdivision" means any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State.

(14) **NATURAL RESOURCE TRUSTEE.**—The term “natural resource trustee” means each of the Federal and State trustees designated under title I of the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.) with respect to natural resource damages relating to the Gulf oil spill.

(15) **OBSERVATION SYSTEM.**—The term “Observation System” means the Gulf of Mexico Observation System established under section 6(a).

(16) **PLAN.**—The term “Plan” means the Comprehensive Gulf of Mexico Recovery Plan developed under section 5(a).

(17) **STRATEGY.**—The term “Strategy” means the regional ecosystem restoration strategy developed by the Gulf Coast Ecosystem Restoration Task Force established by Executive Order 13554 (16 U.S.C. 1451 note; relating to the Gulf Coast Ecosystem Restoration Task Force).

SEC. 3. GULF OF MEXICO RECOVERY COUNCIL.

(a) **ESTABLISHMENT.**—There is established the Gulf of Mexico Recovery Council.

(b) **MEMBERSHIP.**—The Council shall be composed of each member of the Gulf Coast Ecosystem Restoration Task Force established by Executive Order 13554 (16 U.S.C. 1451 note; relating to the Gulf Coast Ecosystem Restoration Task Force).

(c) **CHAIRPERSON.**—The President shall select a Chairperson from among the members of the Council.

(d) **DUTIES.**—The Council, in coordination with the natural resource trustees, shall—

- (1) develop the Plan;
- (2) establish guidelines for the provision of, and provide, grants in accordance with subsection (e);
- (3) establish the Observation System;
- (4) establish the Fishery Endowment;
- (5) coordinate the sharing of scientific information and other research associated with Gulf coast economic development, ecosystem restoration, and public health rehabilitation;
- (6) form partnerships with Federal and State agencies, institutions of higher education, research consortia, private companies, and other relevant entities; and
- (7) submit to the appropriate committees of Congress an annual report under subsection (f).

(e) **GRANTS.**—

- (1) **IN GENERAL.**—Using amounts made available for expenditure from the Fund for a fiscal year, the Council shall provide grants in accordance with this subsection.
- (2) **GRANTS TO LOCAL POLITICAL SUBDIVISIONS.**—
 - (A) **IN GENERAL.**—For each fiscal year, of the amounts made available for expenditure from the Fund, the Council shall use 45 percent of the amounts to provide grants to local political subdivisions.
 - (B) **REQUEST FOR GRANT PROPOSALS.**—Not later than 30 days after the date of enactment of this Act, and every 180 days thereafter until such time as the percentage of amounts specified in subparagraph (A) for a fiscal year has been provided in the form of grants under this paragraph, the Council shall issue to each local political subdivision affected by the Gulf oil spill, as determined by the Council, a request for proposal for grants for activities relating to Gulf coast economic development, ecosystem restoration, and public health rehabilitation, including—
 - (i) environmental restoration and remediation (including remediation in coastal and marine ecosystems);
 - (ii) academic and applied research regarding the economy, environment, and public health of the local political subdivision;
 - (iii) seafood marketing;
 - (iv) tourism and tourism marketing;
 - (v) coastal land acquisition;
 - (vi) ecosystem resource planning;
 - (vii) renewable and clean energy production and development, energy conservation, and related retrofitting projects;
 - (viii) workforce development; and
 - (ix) environmental education.

- (C) **CONSISTENCY WITH REGIONAL ECOSYSTEM RESTORATION STRATEGY.**—The Council shall ensure that any funds made available under this paragraph shall be used for projects and activities that are consistent with the Strategy.
- (D) **TIMING OF PROVISION OF GRANTS.**—The Council shall provide a grant under this paragraph not later than 120 days after the date on which the Council receives a proposal for the grant described in subparagraph (B).
- (3) **GRANTS FROM COUNCIL FOR PLAN AND OBSERVATION SYSTEM.**—
 - (A) **IN GENERAL.**—For each fiscal year, of the amounts made available for expenditure from the Fund, the Council shall use 50 percent of the amounts to provide grants for use in—
 - (i) funding projects, programs, or activities to meet the goals described in section 5(b); and
 - (ii) carrying out section 6.
 - (B) **ELIGIBLE RECIPIENTS.**—The Council may provide a grant under this paragraph—
 - (i) for a purpose described in subparagraph (A)(i), to—
 - (I) a Federal or State agency;
 - (II) an institution of higher education; or
 - (III) a local political subdivision; and
 - (ii) for the purpose described in subparagraph (A)(ii), to eligible entities selected by the Council under section 6(b)(2)(A).

(C) **CONDITION FOR RECEIPT OF GRANT.**—As a condition on the receipt of a grant under this paragraph, and eligible recipient described in subparagraph (B)(i) shall agree to coordinate with the Council to develop and modify proposed projects to address needs under, and achieve the goals of, the Plan.

(4) **METHOD OF ALLOCATION.**—

- (A) **IN GENERAL.**—The Council shall allocate the amounts to be used within each Gulf State under this paragraph in accordance with subparagraph (B).
- (B) **ALLOCATION.**—
 - (i) **PROPORTIONATE SHARE OF LENGTH OF GULF COAST SHORELINE.**—Of the amounts allocated to a Gulf State described in subparagraph (A) for each fiscal year, 60 percent shall be allocated based on the proportion that, as determined by the Council based on the most recently available data from, or accepted by, the Office of Coast Survey of the National Oceanic and Atmospheric Administration—
 - (I) the aggregate length of the Gulf coast shoreline of the Gulf State; bears to
 - (II) the aggregate length of the Gulf coast shoreline of all Gulf States.
 - (ii) **PROPORTIONATE SHARE OF AGGREGATE POPULATION.**—Of the amounts allocated to a Gulf State described in subparagraph (A) for each fiscal year, 40 percent shall be allocated based on the proportion that, as determined by the Council based on data collected during the most recent decennial census—
 - (I) the aggregate population of all counties located, in whole or in part, within the designated Gulf coast boundaries of the Gulf State; bears to
 - (II) the aggregate population of all counties located, in whole or in part, within the designated Gulf coast boundaries in all Gulf States.

(C) **ANNUAL REPORTS.**—Not later than September 30, 2012, and annually thereafter, the Council shall submit to the appropriate committees of Congress a report that, for the period covered by the report, contains a description of each—

- (1) activity of the Council, including each grant provided by the Council under subsection (e); and
- (2) policy, plan, activity, and project carried out under this Act.

(g) **AUTHORITY TO TRANSFER FUND.**—The Council may transfer amounts from the Fund to Federal agencies for the purpose of carrying out this Act, including for the purposes of—

- (1) carrying out Plan;
- (2) administering the Fishery Endowment; and
- (3) administering the Observation System.

(h) **NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

SEC. 4. GULF OF MEXICO RECOVERY FUND.

(a) **ESTABLISHMENT.**—There is established in the Treasury of the United States a fund to be known as the “Gulf of Mexico Recovery Fund”, to be administered by the Council for authorized uses described in subsection (c).

(b) **TRANSFERS TO FUND.**—Notwithstanding any other provision of law, the Secretary of the Treasury shall deposit in the Fund amounts equal to not less than 100 percent of any amounts collected by the United States before, on, or after the date of enactment of this Act, and available on or after the date of enactment of this Act, as penalties, settlements, or fines under sections 309 and 311 of the Federal Water Pollution Control Act (33 U.S.C. 1319, 1321) in relation to the Gulf oil spill.

(c) **AUTHORIZED USES.**—Amounts in the Fund shall be available to the Council for the conduct of activities relating to Gulf coast economic development, ecosystem restoration, and public health rehabilitation in accordance with this Act, including the provision of grants under section 3(e).

SEC. 5. COMPREHENSIVE GULF OF MEXICO RECOVERY PLAN.

(a) **DEVELOPMENT OF PLAN.**—In accordance with subsection (b), the Council, in accordance with the Strategy and taking into consideration the advice of the Scientific Advisory Committee and the Citizens’ Advisory Committee, shall develop a comprehensive plan to restore, revitalize, and increase the resiliency of the Gulf of Mexico ecosystem.

(iii) **ADJUSTMENT AUTHORITY.**—In carrying out this paragraph for a fiscal year, the Council may increase or decrease the percentages of funds provided under clauses (i) and (ii) for the fiscal year by not more than 5 percent, based on the severity of impacts of the Gulf oil spill on a particular Gulf State, as determined by the Council, on the condition that the total of the percentages under those clauses remains 100 percent after all such increases and decreases.

(5) **ADMINISTRATIVE EXPENSES.**—Not more than 5 percent of the amount of any grant provided under this subsection may be used for administrative expenses.

(6) **FISHERY ENDOWMENT.**—For each fiscal year, an amount equal to 5 percent of the amounts in the Fund shall be—

(A) deposited by the Council in a sub-account in the Treasury; and

(B) made available to the Administrator of the National Oceanic and Atmospheric Administration and the Regional Gulf of Mexico Fishery Management Council for use in administering and implementing the Fishery Endowment.

(f) **ANNUAL REPORTS.**—Not later than September 30, 2012, and annually thereafter, the Council shall submit to the appropriate committees of Congress a report that, for the period covered by the report, contains a description of each—

(1) activity of the Council, including each grant provided by the Council under subsection (e); and

(2) policy, plan, activity, and project carried out under this Act.

(g) **AUTHORITY TO TRANSFER FUND.**—The Council may transfer amounts from the Fund to Federal agencies for the purpose of carrying out this Act, including for the purposes of—

- (1) carrying out Plan;
- (2) administering the Fishery Endowment; and
- (3) administering the Observation System.

(h) **NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Council.

(b) GOALS.—The goals of the Plan shall include, with respect to the Gulf coast—

- (1) ecosystem monitoring; and
- (2) ecosystem recovery and resiliency, with an emphasis on a holistic, comprehensive approach covering coastal, nearshore, deep water.

(c) IMPLEMENTATION.—The Council shall provide grants under section 4(c)(3)(A) for use in funding projects, programs, or activities to meet the goals described in subsection (b).

SEC. 6. GULF OF MEXICO OBSERVATION SYSTEM.

(a) ESTABLISHMENT.—The Council shall establish the Gulf of Mexico Observation System to observe, monitor, and map the Gulf in a comprehensive manner.

(b) ADMINISTRATION.—The Observation System shall be—

- (1) implemented through a Gulf of Mexico Exploration Research Center; and
- (2) administered by 1 or more eligible entities that—

(A) are selected by the Council based on an application demonstrating the ability of the eligible entity to carry out this section; and

(B) receive a grant for that purpose under section 3(e)(3)(A)(ii).

(c) FACILITATION OF EXISTING TECHNOLOGIES.—An eligible entity administering the Observation System under subsection (b) shall facilitate the use of existing technologies to quickly increase, to the maximum extent practicable, observation and monitoring capabilities in the Gulf.

(d) DEVELOPMENT OF NEW TECHNOLOGIES.—An eligible entity administering the Observation System under subsection (b) shall facilitate the development of new monitoring technologies.

(e) COORDINATION WITH NATIONAL INTEGRATED COASTAL AND OCEAN OBSERVATION SYSTEM.—The Council shall ensure that the Observation System is developed in coordination with the National Integrated Coastal and Ocean Observation System established under section 12304(a) of the Integrated Coastal and Ocean Observation System Act of 2009 (33 U.S.C. 3603(a)).

SEC. 7. GULF OF MEXICO FISHERY ENDOWMENT.

(a) ESTABLISHMENT.—As soon as practicable after the date of enactment of this Act, the Council shall establish a fishery endowment to ensure, to the maximum extent practicable, the long-term sustainability of fish stocks and the recreational, commercial, and charter fishing industry in the Gulf of Mexico.

(b) FUNDING.—For each fiscal year, of the amounts made available for expenditure from the subaccount described in section 3(e)(6)(A), 95 percent of the interest accrued in the subaccount may be expended for, with respect to the Gulf of Mexico—

- (1) data collection and stock assessments;
- (2) pilot programs for—
- (A) fishery independent data; and
- (B) spawning aggregations reduction;
- (3) cooperative research; and
- (4) training and education on sustainable fishing practices and gear use.

(c) ADMINISTRATION; IMPLEMENTATION.—The Fishery Endowment shall be—

- (1) administered by the Administrator of the National Oceanic and Atmospheric Administration; and
- (2) implemented by the Regional Gulf of Mexico Fishery Management Council.

SEC. 8. CITIZENS ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the Citizens' Advisory Committee.

(b) MEMBERSHIP.—

(1) IN GENERAL.—The Citizens' Advisory Committee shall be composed of 39 members, of whom—

(A) 30 members shall be voting members—

(i) of whom—

(I) 6 members shall be residents of, and represent, the State of Alabama;

(II) 6 members shall be residents of, and represent, the State of Florida;

(III) 6 members shall be residents of, and represent, the State of Louisiana;

(IV) 6 members shall be residents of, and represent, the State of Mississippi; and

(V) 6 members shall be residents of, and represent, the State of Texas; and

(ii) each of whom shall represent an interest of the State of which the member represents, including an interest relating to—

(I) the commercial fin fish and shellfish industry;

(II) the charter fishing industry;

(III) the restaurant, hotel, and tourism industries;

(IV) indigenous peoples communities;

(V) the marine and coastal conservation community; and

(VI) incorporated and unincorporated municipalities; and

(B) 9 members shall be nonvoting members, of whom—

(i) 1 member shall be appointed by, and represent, the Secretary of the department in which the Coast Guard is operating;

(ii) 1 member shall be appointed by, and represent, the Administrator of the Environmental Protection Agency;

(iii) 1 member shall be appointed by, and represent, the Administrator of the National Oceanic and Atmospheric Administration;

(iv) 1 member shall be appointed by, and represent, the Secretary of the Interior;

(v) 1 member shall be appointed by, and represent, the lead maritime environmental and natural resources management and enforcement agency of the State of Alabama;

(vi) 1 member shall be appointed by, and represent, the lead maritime environmental and natural resources management and enforcement agency of the State of Florida;

(vii) 1 member shall be appointed by, and represent, the lead maritime environmental and natural resources management and enforcement agency of the State of Louisiana;

(viii) 1 member shall be appointed by, and represent, the lead maritime environmental and natural resources management and enforcement agency of the State of Mississippi; and

(ix) 1 member shall be appointed by, and represent, the lead maritime environmental and natural resources management and enforcement agency of the State of Texas.

(2) GEOGRAPHIC BALANCE.—Voting and nonvoting members representing States shall be appointed equally from each State represented on the Citizens' Advisory Committee.

(c) TERMS.—

(1) IN GENERAL.—Except as provided in paragraph (2), the voting members of the Citizens' Advisory Committee shall be appointed for a term of 3 years.

(2) INITIAL APPOINTMENTS.—To establish the terms of the group of first appointments of voting members to the Citizens' Advisory Committee, a drawing of lots among the initial members shall be conducted under which—

(A) $\frac{1}{3}$ of the group shall serve for a period of 3 years;

(B) $\frac{1}{3}$ of the group shall serve for a period of 2 years; and

(C) $\frac{1}{3}$ of the group shall serve for a period 1 year.

(3) DURATION OF COMMITTEE.—The authority of the Citizens' Advisory Committee shall continue during the lifetime of energy

development, transportation, and facility removal activities in the Gulf of Mexico.

(d) ADMINISTRATION.—

(1) IN GENERAL.—The Citizens' Advisory Committee shall—

(A) elect a Chairperson from among the members of the Citizens' Advisory Committee;

(B) select a staff; and

(C) make policies with regard to the internal operating procedures of the Citizens' Advisory Committee.

(2) SELF-GOVERNANCE.—

(A) INITIAL MEETING.—After the date on which the Secretary of the department in which the Coast Guard is operating conducts an initial organizational meeting for the Citizens' Advisory Committee, the Citizens' Advisory Committee shall be self-governing.

(B) INITIAL MEETING.—Not later than 60 days after the date on which all members of the Citizens' Advisory Committee have been appointed, the Citizens' Advisory Committee shall hold the initial meeting of the Citizens' Advisory Committee.

(C) PERIODIC MEETINGS.—The Citizens' Advisory Committee shall conduct meetings not less frequently than 1 meeting per calendar year.

(3) TRANSPARENCY.—Subject to subsection (e)(2), the Citizens' Advisory Committee shall—

(A) conduct the operations of the Citizens' Advisory Committee in a manner that is accessible by the public;

(B) ensure that each work product adopted by the Citizens' Advisory Committee is publicly accessible;

(C) conduct not less than 1 meeting during each calendar year that is open to the public, for which the Citizens' Advisory Committee shall provide public notice not later than 30 days before the date of the meeting; and

(D) maintain a public website containing, at a minimum—

(i) recommendations made by the Citizens' Advisory Committee, and information as to whether the recommendations have been adopted (including an explanation of each reason of the Citizens' Advisory Committee for not adopting a recommendation);

(ii) a description of plans under review, carried out in a manner that does not disclose any confidential or privileged information;

(iii) a statement of industry standards; and

(iv) an interactive component that enables the public—

(I) to submit questions and comments; and

(II) to report problems.

(4) CONFLICTS OF INTEREST.—An individual selected as a voting member of the Citizens' Advisory Committee may not engage in any activity that may conflict with the execution of the functions or duties of the individual as a member of the Citizens' Advisory Committee.

(e) INFORMATION FROM FEDERAL AGENCIES AND INDUSTRY.—

(1) IN GENERAL.—The Citizens' Advisory Committee may request directly from any Federal agency information, suggestions, estimates, and statistics to carry out this section.

(2) ACCESS.—The Citizens' Advisory Committee shall have access to—

(A) facilities and nonproprietary records of the oil and gas industry that are relevant to the proper execution of the duties of the Citizens' Advisory Committee under this section; and

(B) records containing proprietary information if—

(i) the records are relevant to the proper execution of the duties of the Citizens' Advisory Committee under this section; and

(ii) the proprietary information is redacted to the extent necessary and appropriate.

(f) COMMITTEE RECOMMENDATIONS.—All recommendations of the Committee shall only be advisory.

(g) LOCATION AND COMPENSATION.—

(1) OFFICE LOCATIONS.—The Council shall establish offices in 1 or more Gulf States, as the Citizens' Advisory Committee determines to be necessary and appropriate to carry out the operations of the Citizens' Advisory Committee.

(2) COMPENSATION.—A member of the Citizens' Advisory Committee shall—

(A) serve without compensation; and

(B) be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter 1 of chapter 57 of title 5, United States Code (except by express authorization of the Citizens' Advisory Committee in any case in which the rates are inadequate to reimburse a member not eligible for travel rates of the Federal Government).

(h) REPORTS.—

(1) DUTY OF COMPTROLLER GENERAL OF THE UNITED STATES.—Not later than 3 years after the date of establishment of the Citizens' Advisory Committee, and every 3 years thereafter, the Comptroller General of the United States shall submit to the President and the appropriate committees of Congress a report that contains a description of, for the period covered by the report, the operations and expenditures of the Citizens' Advisory Committee in carrying out this section (including any recommendation of the Comptroller General of the United States).

(2) DUTY OF CITIZENS' ADVISORY COMMITTEE.—Not later than 2 years after the date of establishment of the Citizens' Advisory Committee, and every 2 years thereafter, the Citizens' Advisory Committee shall submit to the appropriate committees of Congress a report that contains, for the period covered by the report, a description of—

(A) the extent of achievement of safe operations in the Gulf of oil and gas activities;

(B) unresolved problems and concerns with operations, activities, and plans; and

(C) the operations and expenditures, needs, issues, and recommendations of the Citizens' Advisory Committee.

SEC. 9. SCIENTIFIC ADVISORY COMMITTEE.

(a) ESTABLISHMENT.—There is established the Scientific Advisory Committee to provide advice to the Council regarding the science behind the Plan and long-term monitoring and restoration of the Gulf coast ecosystem.

(b) MEMBERSHIP.—The Scientific Advisory Committee shall be composed of 16 members, of whom—

(1) 10 shall be voting members, of whom—

(A) with respect to the State of Alabama, 2 members shall be appointed by the State, of whom—

(i) 1 shall be a scientist employed by an institution of higher education located in the State; and

(ii) 1 shall be a representative of the environmental protection or quality agency of the State;

(B) with respect to the State of Florida, 2 members shall be appointed by the State, of whom—

(i) 1 shall be a scientist employed by an institution of higher education located in the State; and

(ii) 1 shall be a representative of the environmental protection or quality agency of the State;

(C) with respect to the State of Louisiana, 2 members shall be appointed by the State, of whom—

(i) 1 shall be a scientist employed by an institution of higher education located in the State; and

(ii) 1 shall be a representative of the environmental protection or quality agency of the State;

(D) with respect to the State of Mississippi, 2 members shall be appointed by the State, of whom—

(i) 1 shall be a scientist employed by an institution of higher education located in the State; and

(ii) 1 shall be a representative of the environmental protection or quality agency of the State; and

(E) with respect to the State of Texas, 2 members shall be appointed by the State, of whom—

(i) 1 shall be a scientist employed by an institution of higher education located in the State; and

(ii) 1 shall be a representative of the environmental protection or quality agency of the State; and

(2) 4 shall be nonvoting members, of whom—

(A) 1 member shall be appointed by the Administrator of the National Oceanic and Atmospheric Administration;

(B) 1 member shall be appointed by the Administrator of the Environmental Protection Agency;

(C) 1 member shall be appointed by the Director of the National Institute for Standards and Technology; and

(D) 1 member shall be appointed by the Secretary of the Interior.

(c) DUTIES.—Not later than 2 years after the date of enactment of this Act, and biennially thereafter, the Scientific Advisory Committee shall prepare and submit to the Council a report that describes, for the period covered by the report, the science regarding—

(1) impacts to the Gulf and Gulf coast from the Gulf oil spill;

(2) the progress of restoration activities for the Gulf and Gulf coast; and

(3) the implementation of the Plan.

SEC. 10. EFFECT ON OTHER LAW.

Nothing in this section supersedes or otherwise affects any provision of Federal law, including, in particular, laws providing recovery for injury to natural resources under the Oil Pollution Act of 1990 (33 U.S.C 2701 et seq.).

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 145—DESIGNATING APRIL 15, 2011, AS “NATIONAL TEA PARTY DAY”

Mr. VITTER (for himself and Mr. LEE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 145

Whereas the deficit, as of April 15, 2011, is the third consecutive deficit in excess of \$1,000,000,000,000 in 3 years, and in the history of the United States;

Whereas the taxpayers of the United States understand that the so-called “Stimulus Bill”, the American Recovery and Rein-

vestment Act of 2009 (Public Law 111-5), included a laundry list of spending projects that has only increased our national debt;

Whereas passage of the American Recovery and Reinvestment Act of 2009 (Public Law 111-5) was undertaken with guarantees of restricting unemployment to levels equal to or less than 8 percent, yet unemployment rates have consistently exceeded 8 percent;

Whereas Congress should pass, and the States should ratify, a balanced budget amendment to the Constitution to ensure structural reform that will force Congress and the President to balance the budget;

Whereas future bailouts of Wall Street have been codified by the Dodd-Frank Wall Street Reform and Consumer Protection Act (Public Law 111-203);

Whereas the taxpayers of the United States understand that the bailouts of Wall Street by the United States Government have been ineffective and a waste of taxpayer funding;

Whereas the Federal Government must borrow approximately 40 cents of every dollar of Federal spending, causing our Nation to continue on an unsustainable path of increasing debt;

Whereas Congress should enact permanently lower tax rates and a simpler tax code so that taxpayers and business owners no longer face heavy compliance costs and the uncertainty of tax rates that increase automatically;

Whereas the taxpayers of the United States agree that the United States Government should stop wasteful spending, reduce the tax burden on families and businesses, and focus on policies that will lead to job creation and economic growth; and

Whereas taxpayers in the United States are expressing their opposition to efforts to raise taxes, the unsustainable debt, the failure to enact systematic budget reforms, and skyrocketing spending by the United States Government by organizing “Taxed Enough Already” parties, also known as “TEA” parties: Now, therefore, be it

Resolved, That the Senate designates April 15, 2011, as “National TEA Party Day”.

SENATE RESOLUTION 146—EXPRESSING THE SENSE OF THE SENATE THAT IT IS NOT IN THE VITAL INTEREST OF THE UNITED STATES TO INTERVENE MILITARILY IN LIBYA, CALLING ON NATO TO ENSURE THAT MEMBER STATES DEDICATE THE RESOURCES NECESSARY TO ENSURE THAT OBJECTIVES AS OUTLINED IN THE UNITED NATIONS RESOLUTIONS 1970 AND 1973 ARE ACCOMPLISHED, AND TO URGE MEMBERS OF THE ARAB LEAGUE WHO HAVE YET TO PARTICIPATE IN OPERATIONS OVER LIBYA TO PROVIDE ADDITIONAL MILITARY AND FINANCIAL ASSISTANCE

Mr. ENSIGN (for himself, Mrs. HUTCHISON, and Mr. MANCHIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 146

Whereas, on March 28, 2011, President Barack Obama, in an address to the Nation, said “. . . at my direction, America led an

effort with our allies at the United Nations Security Council to pass a historic resolution that authorized a no-fly zone to stop the regime's attacks from the air and further authorized all necessary measures to protect the Libyan people";

Whereas, in that same address to the Nation, President Obama said he ordered military action to prevent "... a massacre that would have reverberated across the region and stained the conscience of the world";

Whereas, on March 19, 2011, following passage of United Nations Resolution 1973, the United States began conducting air and sea strikes against Libya in what was labeled Operation Odyssey Dawn;

Whereas President Obama has not sought from Congress authorization for the use of military force against Libya;

Whereas passage of a non-binding, simple resolution by the Senate is not equivalent to an authorization for the use of military force, passed by both the House and the Senate and signed by the President;

Whereas Senate Resolution 85 (112th Congress) should not be interpreted as an expression of congressional consent for United States military intervention in Libya;

Whereas, on March 31, 2011, the United States Armed Forces transferred command of air operations over Libya to the North Atlantic Treaty Organization (NATO) under Operation Unified Protector;

Whereas, at the time of the transfer to NATO, the United States had conducted 1,206 sorties and launched 216 Tomahawk missiles, while other NATO forces had conducted 784 sorties and launched 7 Tomahawk missiles;

Whereas the United States Armed Forces have performed and continue to perform their assigned missions brilliantly and have once again demonstrated that they are the best in the world;

Whereas, prior to the United States transferring command to NATO, President Obama stated, "Going forward, the lead in enforcing the no-fly zone and protecting civilians on the ground will transition to our allies and partners, and I am fully confident that our coalition will keep the pressure on Qaddafi's remaining forces";

Whereas, President Obama also stated that the United States would "play a supporting role" following transition to NATO, and that because of this transition, the risk and cost of this operation would be reduced significantly;

Whereas, after April 2, 2011, no United States combat aircraft were to fly strike missions over Libya unless specifically requested by NATO;

Whereas, after April 2, 2011, NATO immediately requested and was granted approval for a 48-hour extension of United States strike aircraft for participation in operations over Libya;

Whereas United States combat aircraft are currently scheduled to remain on standby in the region, in the event NATO commanders request additional assistance;

Whereas, Abdel Pattah Younes, head of the rebel forces, stated on April 5, 2011 that NATO has been "disappointing" and "slow" in calling in airstrikes, which have allowed Moammar Qaddafi's military to gain momentum and push back rebel forces;

Whereas, of the 21 members in the Arab League, only 2 countries have contributed any military resources to support United Nations Resolutions 1970 and 1973; and

Whereas it is in the interest of Arab nations to work with coalition forces to work to end violence, attacks, and abuses of civilians in Libya: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) United States military intervention in Libya, as explained by the President, is not in the vital interests of the United States;

(2) the President should have consulted with members of Congress prior to committing the United States Armed Forces either independently or as a major part of NATO operations;

(3) the President should obtain authorization from Congress before providing further military and financial support to operations in Libya and should not assume that such an authorization would equate to the United States Armed Forces leading any future strike or support operations;

(4) Prior to further involvement of United States military personnel or equipment, fellow NATO members and other nations that have a vital interest in the region should agree to provide a substantial portion of the military and financial burdens associated with Operation Unified Protector; and

(5) members of the Arab League should ensure that all of their military resources are available to enforce United Nations Resolutions 1970 and 1973 (2011).

SENATE RESOLUTION 147—RECOGNIZING THE CELEBRATION OF NATIONAL STUDENT EMPLOYMENT WEEK AT THE UNIVERSITY OF MINNESOTA DULUTH

Ms. KLOBUCHAR submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 147

Whereas National Student Employment Week offers the University of Minnesota Duluth the opportunity to recognize students who work while attending college;

Whereas the University of Minnesota Duluth is committed to increasing awareness of student employment as an educational experience for students, as well as an alternative to financial aid;

Whereas there are nearly 1,500 student employees at University of Minnesota Duluth;

Whereas the University of Minnesota Duluth recognizes how important student employees are to their employers; and

Whereas National Student Employment Week is celebrated the week of April 11 through 17, 2011: Now, therefore, be it

Resolved, That the Senate recognizes the celebration of National Student Employment Week at the University of Minnesota Duluth.

SENATE RESOLUTION 148—CALLING ON THE PRESIDENT TO SUBMIT TO CONGRESS A DETAILED DESCRIPTION OF UNITED STATES POLICY OBJECTIVES IN LIBYA, BOTH DURING AND AFTER MUAMMAR QADDAFI'S RULE, AND A PLAN TO ACHIEVE THEM, AND TO SEEK CONGRESSIONAL AUTHORIZATION FOR THE USE OF MILITARY FORCE AGAINST LIBYA

Mr. CORNYN (for himself, Ms. COLLINS, Mr. BLUNT, Mr. LEE, Mr. ROBERTS, and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 148

Whereas, on February 15, 2011, protests against longtime Libyan dictator Muammar Qaddafi began in Benghazi, Libya, following the arrest of human rights advocate Fathi Tarbel;

Whereas, on March 10, 2011, rebels in Libya, armed with outdated anti-aircraft guns and facing overwhelming firepower from Qaddafi forces, were forced to retreat from strongholds in eastern Libya, while doctors in Libya reported that civilian casualties had doubled, mostly as the result of airstrikes ordered by Qaddafi;

Whereas, on March 10, 2011, France became the first country to recognize the Libyan Transitional National Council, organized by the Libyan rebel leadership, as the legitimate government of Libya;

Whereas, on March 12, 2011, Amr Moussa, secretary general of the Arab League, announced, "The Arab League has officially requested the United Nations Security Council to impose a no-fly zone against any military action against the Libyan people";

Whereas, on March 16, 2011, Muammar Qaddafi's forces neared the rebel stronghold of Benghazi, and Saif al-Islam, Qaddafi's son, vowed that "everything will be over in 48 hours";

Whereas, on March 16, 2011, following United Nations Security Council negotiations, U.S. Permanent Representative to the United Nations Susan Rice announced United States support for a no-fly zone, stating, "But the U.S. view is that we need to be prepared to contemplate steps that include, but perhaps go beyond, a no-fly zone";

Whereas, on March 17, 2011, the United Nations Security Council voted to approve a no-fly zone over Libya, passing United Nations Security Council Resolution 1973, which authorized "all necessary measures" to protect civilians;

Whereas, on March 19, 2011, President Barack Obama authorized United States military operations against Libya, and Operation Odyssey Dawn commenced;

Whereas, on March 19, 2011, the United States Armed Forces began air and sea strikes against targets along the coast of Libya against Libyan air defenses;

Whereas, on March 21, 2011, President Obama sent a letter notifying Congress that he had ordered strikes on Libya and outlining United States military actions in Libya during the preceding 48 hours;

Whereas, on March 23, 2011, Muammar Qaddafi's forces shelled the town of Misrata, held by Libyan rebels, killing dozens of civilians;

Whereas, on March 24, 2011, coalition forces hit military targets deep inside Libya, but failed to prevent Qaddafi's tanks from re-entering Misrata and besieging its main hospital;

Whereas, on March 24, 2011, North Atlantic Treaty Organisation (NATO) Secretary-General Anders Fogh Rasmussen announced that NATO would take command of enforcing the no-fly zone over Libya and was considering taking control of the full United Nations-backed military mission;

Whereas, on March 30, 2011, forces loyal to Muammar Qaddafi pressed further east with an artillery offensive, pushing Libyan rebels back more than 95 miles towards Brega;

Whereas, on March 31, 2011, United States Africa Command, which had led the initial phases of military operations against Libya under Operation Odyssey Dawn, transferred command and control of international air operations over Libya to NATO;

Whereas, as of March 31, 2011, Operation Unified Protector, under sole command of NATO, is now responsible for the arms embargo, no-fly zone, and actions to protect civilians in Libya;

Whereas, as of April 4, 2011, in support of Operation Odyssey Dawn and Operation Unified Protector, the United States had flown approximately 1,600 military sorties and, as of April 7, 2011, had launched 228 Tomahawk Land Attack Missiles and spent approximately \$632,000,000;

Whereas President Obama has repeatedly indicated that his policy on Libya is that Muammar Qaddafi should no longer serve as the leader of the Government of Libya;

Whereas, on February 26, 2011, 11 days after the protests began, President Obama discussed the situation in Libya with Chancellor of Germany Angela Merkel and, according to a White House statement, said, "When a leader's only means of staying in power is to use mass violence against his own people, he has lost the legitimacy to rule and needs to do what is right for his country by leaving now.";

Whereas, on March 3, 2011, President Obama, at a joint press conference with President of Mexico Felipe Calderon, said, "Muammar Qaddafi has lost the legitimacy to lead and he must leave. . . [W]e will continue to send the clear message that it's time for Qaddafi to go.";

Whereas, on March 18, 2011, President Obama, at a joint press conference with President of Chile Sebastian Pinera, said, "I have also stated that it is U.S. policy that Qaddafi needs to go. And we got a wide range of tools in addition to our military efforts to support that policy.";

Whereas, on March 28, 2011, President Obama, in an address to the Nation, began to draw a distinction between United States political and military objectives in Libya, saying, "There is no question that Libya—and the world—would be better off with Qaddafi out of power. I, along with many other world leaders, have embraced that goal, and will actively pursue it through non-military means.";

Whereas, on March 29, 2011, President Obama, in an interview on NBC Nightly News, continued to draw this distinction, saying, "Our primary military goal is to protect civilian populations and to set up the no-fly zone. Our primary strategic goal is for Qaddafi to step down so that the Libyan people have an opportunity to live a decent life.";

Whereas, despite President Obama's policy that Muammar Qaddafi should no longer serve as the leader of the Government of Libya, President Obama has not presented Congress with a plan to achieve that policy objective;

Whereas President Obama has not sought from Congress any type of authorization for the use of military force against Libya;

Whereas passage of a non-binding, simple resolution by the Senate is not equivalent to an authorization for the use of military force, passed by both the Senate and the House of Representatives and signed by the President; and

Whereas senior officials in the Obama Administration, including Secretary of State Hillary Rodham Clinton, Secretary of Defense Robert Gates, and Harold Koh, the Department of State's Legal Adviser, have incorrectly pointed to the Senate passage of a non-binding resolution, Senate Resolution 85 (112th Congress), as an expression of congressional consent for the United States military intervention in Libya: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the President should submit to Congress—

(A) a detailed description of United States policy objectives in Libya, both during and after Muammar Qaddafi's rule;

(B) a detailed plan to achieve those objectives;

(C) a detailed estimate of the full cost of the United States military operations in Libya and any other actions required to implement the plan; and

(D) a detailed description of the limitations the President has placed on the nature, duration, and scope of United States military operations in Libya, as referenced in his March 21, 2011, letter to Congress; and

(2) the President should seek a congressional authorization for the use of military force against Libya.

Mr. CORNYN. Mr. President, moments ago, I sent to the desk a resolution on my behalf, as well as that of Senator COLLINS, Senator BLUNT, Senator LEE, Senator ROBERTS, and Senator INHOFE, relating to the military operations in Libya. I would like to speak for a few moments about that and about my concerns.

Like all of our colleagues, I respect our troops and honor them and, of course, their sense of duty, which obligates them to do whatever the Commander in Chief has directed them to do. And, of course, I respect the role of our President as Commander in Chief. But I have grown increasingly concerned that the role of Congress in consultation and in communication with the White House on matters of such grave import to our country and our men and women in uniform as intervening in a foreign country—that the powers of Congress have seemingly been ignored or certainly eroded.

We know this is not new. Since the end of World War II, to my recollection, the U.S. Congress has never exercised its authority under article I, section 8 of the Constitution to declare war. Instead, when our nation has been involved in military operations, we have had something other than a war declared by Congress, but most often with communication and consultation and even authorization by the Congress.

I believe it is imperative, particularly in light of the events subsequent to our intervention in Libya, that the President should submit a plan to Congress on Libya. I believe the President should also come to Congress and ask for a congressional authorization for our continued participation, even in a NATO mission of which the United States bears a disproportionate responsibility.

Like many Americans, I admire the Libyans who protested against Muammar Qaddafi beginning on February 15 of this year. And the timeline, I believe, is important. February 15. They showed they wanted the same things as people in Tunisia, Egypt, Bahrain, Syria, Iran, and so many other nations

in the Middle East; that is, a chance to live in freedom and to have a voice in determining their own future.

But, like many Americans, I was also concerned that the people of Libya got so little encouragement from our own President. True, President Obama said on March 3 that Qaddafi had lost legitimacy and he "must step down from power and leave" immediately. That was on March 3. He indicated this was the policy of the U.S.—that regime change was our goal in Libya—regime change. But he obviously had no plan to accomplish that goal or to further assist the Libyan people in accomplishing it themselves, other than handing the responsibility off to NATO. Now, this is not like handing it off to some third party that is alien to us or not part of us. We—the United States—are a significant part of NATO's operations. For example, in Afghanistan, basically for every one coalition troop from other NATO countries, there are two American troops, and we bear the proportionate financial responsibility as well.

The President watched as Qaddafi forces regained the momentum against those who had taken up arms against the regime. France—France—became the first nation to recognize the Libyan Transitional National Council as the legitimate government of Libya on March 10. And then the Arab League asked that a no-fly zone be imposed over Libya on March 12. Finally, on March 17—this was almost a month after the first protests against Qaddafi in Libya—the United Nations Security Council approved a no-fly zone over Libya, as well as necessary measures to protect civilians in that country.

U.N. Security Council resolutions take a lot of time to negotiate. There is obviously the need for a lot of consultation between the nations making up the U.N. Security Council. That is why I am only left to wonder why it was during this period of time that the President made so little effort to consult with Congress in a substantive way. I admit he appeared to act like he checked the box once or twice. He sent us a letter on March 21—2 days after Operation Odyssey Dawn began—letting us know what we could have learned from reading the newspaper and watching cable television, that he had ordered strikes on Libya. But the level of consultation with Congress about Libya was nothing like what we had in the years leading up to U.S. military involvement in Iraq and Afghanistan, where Congress issued an explicit authorization for use of military force at the request of the President of the United States.

This is not just a constitutional powers matter. I think this is also a matter of communicating with the American people about the reasons for our intervention in Libya and expressing to the American people what the plan is

so they can do what they naturally want to do; that is, provide support for our men and women in uniform, particularly when they are in harm's way.

The President waited until 9 days after our planes and missiles were in the air to make his case to the American people in a speech at the National Defense University. During that speech, the President began to draw a very confusing distinction between our political and military objectives in Libya, saying:

There is no question that Libya—and the world—will be better off with Qaddafi out of power. I, along with many other world leaders, have embraced that goal, and will actively pursue it through non-military means.

Or, as he put it in an interview the next day, he said:

Our primary military goal is to protect civilian populations and to set up the no-fly zone. Our primary strategic goal is for Qaddafi to step down so that the Libyan people have an opportunity to live a decent life.

I bet I am not the only person in the country who is confused by this dichotomy between our military goals and our strategic goals. I think they should be the same.

We know the American people still have many questions about what we are doing in Libya and why. As a matter of fact, I met this morning with some Texas Army National Guardsmen who were visiting the Capitol just today, who asked me a question on this very subject because they are confused. If our men and women in uniform are confused about the President's objective, and the American people do not understand what it is either, it means there has not been a good case made explaining the need for military intervention and the ongoing operations. But do not take my word for it. According to a Pew Research poll on April 3, only 30 percent of Americans believe the United States or our allies have a clear goal in Libya—30 percent. Our troops deserve more clarity.

The President told our troops that their involvement in Libya would last a matter of days, not weeks. These men and women, as we all acknowledge, are the finest fighting force in the world. They can accomplish any mission given to them. But they can also tell the difference between days and weeks. Our troops can tell that they are still responsible for about 25 percent of the NATO support missions in Libya. They hear the voices calling for NATO to expand its operations. And then they know that any expansion of NATO's mission, in scope or duration, puts more of them in harm's way. They simply deserve more clarity, as do the American people.

So I think the Congress, on behalf of the American people, consistent with our constitutional responsibilities and our shared power in matters as serious as this, deserve a plan from the President of the United States, so he can

present it to us and we can have what we sorely need, which is a genuine debate about our role in the future—the way forward in Libya.

So what should that plan look like? I will make a few suggestions. I believe a credible plan should contain a detailed description of U.S. policy objectives in Libya both during and after Qaddafi's rule. It should include a detailed plan to achieve those objectives. And particularly in these times when we are struggling with enormous debt and deficits, it should include a detailed estimate of the costs of U.S. military operations in Libya and any other actions required to implement the plan.

Congress, of course, has the responsibility for the federal purse strings and would be asked to appropriate the money, so I think it is entirely appropriate that the President present to us a plan that we can debate and vote on in the form of an authorization.

I think a credible plan should also include a detailed description of the limitations the President has placed on the nature, duration, and scope of U.S. military operations in Libya—the limitations he referred to in his letter of March 21 to Congress.

A plan from the President would, of course, be a catalyst for a long-overdue debate right here in the Halls of what we call occasionally the world's greatest deliberative body. But we cannot deliberate without debate and without an honest appraisal of where we are and where we are going. In fact, it is clear, just by referring back to the debate we had on Iraq and Afghanistan, that the amount of time devoted in this body to Libya is dwarfed by the fulsome debates we had over a period of years relative to our military operations in Iraq and Afghanistan.

Now, what questions should a Senate debate over Libya hope to address? Well, I can think of a few.

Was the Secretary of Defense correct when he said Libya is not a vital interest for the United States?

Is the situation on the ground in Libya—as reported by the news—basically now a stalemate? Remember that the initial U.S. commander of coalition operations in Libya, General Carter Ham, testified before the Armed Services Committee just last week. He agreed with that assessment that it was essentially now a stalemate.

I think this is, to me, the simplest, the most direct question: If the President's goal was to stop Qaddafi from killing Libyans, civilians rebelling against him and protesting against his tyrannical rule, how in the world do we stop the killing without stopping the killer? That would be Muammar Qaddafi. How can we stop the killing of civilians until we achieve the objective of removing him by any means necessary?

I think it is also appropriate to inquire as to whether the Pottery Barn

rule applies in Libya. Colin Powell, former Secretary of State and Chairman of the Joint Chiefs of Staff, once observed that, Once you break it, you own it, the so-called Pottery Barn rule.

Has the administration's focus on Libya distracted it from our ongoing efforts in Afghanistan and Iraq, which are both vital interests? We have committed huge amounts of blood and treasure to success in both of those countries, and I think Congress needs to know, and we need to have a fulsome debate, about whether this mission in Libya has distracted from those other two vital missions.

We also need to talk about whether NATO's performance in Libya has jeopardized its effectiveness and reputation. Is there a risk that the alliance is already splitting because of caveats or restrictions that some of the coalition members are placing on their participation in the ongoing intervention in Libya?

Finally, I think we need to know, because certainly everything that happens becomes precedent for some future action, whether there is something that one might call an "Obama doctrine." Is it that the United States will use military force when requested by our allies such as France or, perhaps, international bodies such as the Arab League or the United Nations, but not otherwise? Is it something like the United States will protect civilians when they capture the world's media attention, but ignore their suffering otherwise? Is it something that explains why, for example, we are engaged in Libya but not engaged in Syria?

Remember that Syria is a nation that is slaughtering its own civilians—a humanitarian crisis, I would submit. It is a known state sponsor of terrorism, so designated by the U.S. Department of State, and it is a well-known and notorious conduit for arms from Iran to the Lebanese Hezbollah. Whatever the Obama doctrine is, why doesn't it apply to Syria? We need to ask those questions and I think we need and deserve—and the American people even more so deserve—answers.

I believe our debate in the Senate should result in a vote on a congressional authorization for the President's plan, whatever that is, in Libya, but we ought to have a conversation, we ought to communicate, we ought to have a consultation, not allow the President to treat Congress like a potted plant when it comes to intervening in a foreign nation in a military fashion. I believe the President should ask Congress for an authorization, and I believe we should vote on one.

I certainly don't believe that what we have done so far, which is pass a simple resolution without much notice or debate, is sufficient. Frankly, I don't understand why some of my colleagues are so willing to acquiesce to

the President, thereby conceding to the executive branch all authority in dealing with a matter of this gravity and seriousness.

I believe a robust debate about Libya would be good for the Senate, it would be good for the House of Representatives, I think it would be good for the American people, and I think it would be good for the President. If the President takes action knowing that the American people and the Congress are behind his plan, that is good for America, and that is what we need.

I am afraid, though, that the President is taking the support of the American people for granted. The American people instinctively want to support our Commander in Chief, but history shows our military operations are most successful when the people of the United States are behind them. When the American people are not—when they become disengaged or disillusioned—success becomes much more difficult, not just in Libya but for future missions as well. I hope the President will act in such a way that shows respect for Congress as a coequal branch of government, and for the American people, who expect that their representatives will debate questions of this gravity in the open and ask the questions they themselves would ask before their sons and daughters are put in danger. I hope the American people will have the benefit of a vigorous debate on Libya in the Senate.

It is with that objective in mind that my colleagues and I have submitted a resolution. I know there are other resolutions. I believe the Senator from Connecticut and the Senator from Massachusetts and the Senator from Arizona have another one. I am advised that Senator ENSIGN from Nevada and Senator HUTCHISON from Texas have another one. I think we need to consider all of those views and have a debate and vote on these issues.

SENATE RESOLUTION 149—RECOGNIZING AND SUPPORTING THE GOALS AND IDEALS OF SEXUAL ASSAULT AWARENESS MONTH

Mr. CASEY submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 149

Whereas on average, a person is sexually assaulted in the United States every 2 ½ minutes;

Whereas the Department of Justice reports that more than 200,000 people in the United States are sexually assaulted each year;

Whereas 1 in 6 women and 1 in 33 men have been victims of rape or attempted rape;

Whereas the Department of Defense received 2,908 reports of sexual assault involving members of the Armed Forces in fiscal year 2008, representing an 8 percent increase from fiscal year 2007;

Whereas children and young adults are most at risk of sexual assault, as 44 percent of sexual assault victims are under 18 years

of age, and 80 percent are under the 30 years of age;

Whereas sexual assault affects women, men, and children of all racial, social, religious, age, ethnic, and economic groups in the United States;

Whereas women, children, and men suffer multiple types of sexual violence, including acquaintance, stranger, spousal, and gang rape, incest, child sexual molestation, forced prostitution, trafficking, forced pornography, ritual abuse, sexual harassment, and stalking;

Whereas it is estimated that the percentage of completed or attempted rape victimization among women in institutions of higher education is between 20 and 25 percent over the course of a college career;

Whereas, in addition to the immediate physical and emotional costs, sexual assault has associated consequences that may include post-traumatic stress disorder, substance abuse, major depression, homelessness, eating disorders, and suicide;

Whereas only 41 percent of sexual assault victims pursue prosecution by reporting their attack to law enforcement agencies;

Whereas ¾ of sexual crimes are committed by persons who are not strangers to the victims;

Whereas sexual assault survivors suffer emotional scars long after the physical scars have healed;

Whereas, because of advances in DNA technology, law enforcement agencies have the potential to identify the rapists in tens of thousands of unsolved rape cases;

Whereas aggressive prosecution can lead to the incarceration of rapists and therefore prevent those individuals from committing further crimes;

Whereas national, State, territory, and tribal coalitions, community-based rape crisis centers, and other organizations across the United States are committed to increasing public awareness of sexual violence and its prevalence, and to eliminating sexual violence through prevention and education;

Whereas important partnerships have been formed among criminal and juvenile justice agencies, health professionals, public health workers, educators, first responders, and victim service providers;

Whereas free, confidential help is available to all survivors of sexual assault through the National Sexual Assault Hotline, more than 1,000 rape crisis centers across the United States, and other organizations that provide services to assist survivors of sexual assault;

Whereas in 2011, the Department of Defense and the Rape, Abuse & Incest National Network (RAINN) launched the DoD Safe Helpline, which provides live, one-on-one help to members of the United States Armed Forces who have been sexually assaulted;

Whereas the DoD Safe Helpline provides live help to active duty personnel and other members of the DoD community worldwide by phone (877-995-5247) and online at SafeHelpline.org, as well as installation-based referrals via texting;

Whereas, according to a 2010 survey of rape crisis centers by the National Alliance to End Sexual Violence, 72 percent of programs have experienced a reduction in funding over 2009 levels, 56 percent have experienced a reduction in staffing, 23 percent have a waiting list for services, and funding and staffing cuts have resulted in an overall 50 percent reduction in the provision of institutional advocacy services;

Whereas individual and collective efforts reflect the dream of the people of the United States for a nation where individuals and or-

ganizations actively work to prevent all forms of sexual violence and no sexual assault victim goes unserved or ever feels that there is no path to justice; and

Whereas April is recognized as "National Sexual Assault Awareness and Prevention Month": Now, therefore, be it

Resolved, That—

(1) it is the sense of the Senate that—

(A) National Sexual Assault Awareness and Prevention Month provides a special opportunity to educate the people of the United States about sexual violence and to encourage the prevention of sexual assault, the improved treatment of survivors of sexual assault, and the prosecution of perpetrators of sexual assault;

(B) it is appropriate to properly acknowledge the more than 20,000,000 men and women who have survived sexual assault in the United States and salute the efforts of survivors, volunteers, and professionals who combat sexual assault;

(C) national and community organizations and private sector supporters should be recognized and applauded for their work in promoting awareness about sexual assault, providing information and treatment to survivors of sexual assault, and increasing the number of successful prosecutions of perpetrators of sexual assault; and

(D) public safety, law enforcement, and health professionals should be recognized and applauded for their hard work and innovative strategies to increase the percentage of sexual assault cases that result in the prosecution and incarceration of the offenders;

(2) the Senate strongly recommends that national and community organizations, businesses in the private sector, institutions of higher education, and the media promote, through National Sexual Assault Awareness and Prevention Month, awareness of sexual violence and strategies to decrease the incidence of sexual assault; and

(3) the Senate supports the goals and ideals of National Sexual Assault Awareness and Prevention Month.

SENATE RESOLUTION 150—CALLING FOR THE PROTECTION OF RELIGIOUS MINORITY RIGHTS AND FREEDOMS IN THE ARAB WORLD

Mr. INHOFE submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 150

Whereas, on January 25, 2011, in Tahrir Square, Egyptian protestors found their voice when they successfully ended the 30-plus year rule of President Mubarak and began the work of creating a true democratic government, a government that supports and protects inalienable rights and freedoms, including the freedom of religion;

Whereas the fervor and spirit of these revolutions have taken wing in other Arab nations such as Tunisia, Libya, and Syria;

Whereas, reminiscent of the 1968 "Prague Spring" in the former Czechoslovakia, many have called this revolutionary period an "Arab Spring", where ordinary citizens have taken to the streets demanding an end to corruption, political cronyism, and government repression;

Whereas, in the midst of newly acquired freedoms, including those of speech, press, and assembly, it is extremely important that religious minorities in these countries be

protected from violence and guaranteed the freedom to practice their religion and to express religious thought;

Whereas Article 18 of the Universal Declaration of Human Rights recognizes that “[e]veryone has the right to freedom of thought, conscience, and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship, and observance”;

Whereas the freedom to worship by minority religious communities in Arab nations has come under repeated and deadly attack in recent months;

Whereas, on November 1, 2010, the deadliest ever recorded attack on Iraqi Christians occurred at the Sayidat al-Nejat Catholic Cathedral located in central Baghdad, where militants stormed the church and detonated 2 suicide vests filled with ball bearings, killing 58 and wounding 78 parishioners;

Whereas, on January 1, 2011, a suicide bomber blew himself up in front of the Saint George and Bishop Peter Church in Cairo, killing 21 Egyptian Coptic Christians, a Christian minority group that accounts for 9 percent of Egypt’s population of 80,000,000;

Whereas the freedom to proselytize by minority religious communities in Arab nations has also come under repeated and deadly attack in recent months through so-called blasphemy laws that are punishable by death;

Whereas, on January 4, 2011, Governor Salman Tasser, who courageously sought to release Aasia Bibi, a Christian woman and mother of 5 who was sentenced to death under Pakistan’s blasphemy laws, was gunned down by his own security guard because of his support for reforming the blasphemy laws; and

Whereas, on March 2, 2011, Shahbaz Bhatti, Pakistan’s only Christian cabinet member and passionate supporter of interfaith tolerance and repeal of Pakistan’s blasphemy law, was assassinated by multiple gunmen, leaving his body and vehicle riddled with 80 bullets and anti-Christian pamphlets strewn over his body; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes, in this spirit of Arab Spring revolution, that religious minority freedoms and rights must be protected; and

(2) urges in the strongest terms that the United States Government lead the international effort to repeal existing blasphemy laws.

SENATE RESOLUTION 151—CONGRATULATING THE UNIVERSITY OF MINNESOTA DULUTH MEN’S ICE HOCKEY TEAM ON WINNING THEIR FIRST NATIONAL COLLEGIATE ATHLETIC ASSOCIATION (NCAA) DIVISION I MEN’S HOCKEY NATIONAL CHAMPIONSHIP

Ms. KLOBUCHAR submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 151

Whereas on Saturday, April 9, 2011, the University of Minnesota Duluth won the 2011 NCAA Division I Men’s Ice Hockey Championship;

Whereas this is the first national championship for the University of Minnesota Duluth Bulldogs men’s ice hockey team (the “University of Minnesota Duluth”);

Whereas the University of Minnesota Duluth won the Frozen Four championship

game with a 3 to 2 sudden death win over the University of Michigan;

Whereas on Thursday, April 7, 2011, the University of Minnesota Duluth defeated the University of Notre Dame in the Frozen Four semifinal game with a score of 4 to 3 to advance to the national championship game;

Whereas the game was played before a sell-out crowd of more than 19,200 fans at the Xcel Energy Center in St. Paul, Minnesota;

Whereas the University of Minnesota Duluth finished the 2010-2011 season with the most wins since the 2003-2004 season;

Whereas in the 2010-2011 season the University of Minnesota Duluth had the most fans for a home schedule in 50 Division I seasons, averaging more than 6,800 fans;

Whereas the University of Minnesota Duluth never lost more than 1 game in a row, a first in program history; and

Whereas the University of Minnesota Duluth had 6 wins and 1 loss in the postseason, closing with 4 straight wins and beating the top 2 teams in the Eastern College Athletic Conference in the East Regional and the top 2 teams in the Central Collegiate Hockey Association in the Frozen Four: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the University of Minnesota Duluth win the 2011 NCAA Division I Men’s Hockey National Championship; and

(2) recognizes University of Minnesota Duluth Chancellor Lendley Black and Athletic Director Bob Nielson, who have shown great leadership in bringing athletic success to the University of Minnesota Duluth.

SENATE RESOLUTION 152—DESIGNATING APRIL 30, 2011, AS “DIA DE LOS NIÑOS: CELEBRATING YOUNG AMERICANS”

Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. REID of Nevada, and Mr. LAUTENBERG) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 152

Whereas many nations throughout the world, and especially within the Western hemisphere, celebrate “Día de los Niños”, or “Day of the Children”, on the 30th of April, in recognition and celebration of their country’s future – their children;

Whereas children represent the hopes and dreams of the people of the United States and children are the center of families in the United States;

Whereas the people of the United States should nurture and invest in children to preserve and enhance economic prosperity, democracy, and the American spirit;

Whereas according to the 2010 Census report, there are more than 50,000,000 individuals of Hispanic descent living in the United States, more than 17,000,000 of whom are children;

Whereas Hispanics in the United States, the youngest and fastest growing ethnic community in the Nation, continue the tradition of honoring their children on Día de los Niños, and wish to share this custom with the rest of the Nation;

Whereas the primary teachers of family values, morality, and culture are parents and family members, and we rely on children to pass on family values, morals, and culture to future generations;

Whereas the importance of literacy and education are most often communicated to children through family members;

Whereas families should be encouraged to engage in family and community activities that include extended and elderly family members, and that encourage children to explore and develop confidence;

Whereas the designation of a day to honor the children of the United States will help affirm for the people of the United States the significance of family, education, and community;

Whereas the designation of a day of special recognition for the children of the United States will provide an opportunity for children to reflect on their future, to articulate their aspirations, and to find comfort and security in the support of their family members and communities;

Whereas the National Latino Children’s Institute, serving as a voice for children, has worked with cities throughout the Nation to declare April 30, 2011, to be “Día de los Niños: Celebrating Young Americans”, a day to bring together Hispanics and other communities nationwide to celebrate and uplift children; and

Whereas the children of a nation are the responsibility of all of its people, and people should be encouraged to celebrate the gifts of children to society: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 30, 2011, as “Día de los Niños: Celebrating Young Americans”; and

(2) calls on the people of the United States to join with all children, families, organizations, communities, churches, cities, and States across the Nation to observe the day with appropriate ceremonies, including activities that—

(A) center around children, and are free or minimal in cost so as to encourage and facilitate the participation of all people;

(B) are positive and uplifting, and help children express their hopes and dreams;

(C) provide opportunities for children of all backgrounds to learn about one another’s cultures and to share ideas;

(D) include all members of the family, especially extended and elderly family members, so as to promote greater communication among the generations within a family, enabling children to appreciate and benefit from the experiences and wisdom of their elderly family members;

(E) provide opportunities for families within a community to get acquainted; and

(F) provide children with the support they need to develop skills and confidence, and to find the inner strength and the will and fire of the human spirit to make their dreams come true.

SENATE RESOLUTION 153—RECOGNIZING THE 25TH ANNIVERSARY OF THE CHERNOBYL NUCLEAR DISASTER

Mr. LUGAR (for himself and Mr. KERRY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 153

Whereas at 1:23 A.M. on April 26, 1986, during an experiment, a major explosion occurred at the Chernobyl Nuclear Power Plant in Unit 4, a RBMK 1000-type, graphite-moderated nuclear power reactor in Pripyat;

Whereas the initial explosion dispersed a stream of radioactive particles over nearby towns, farms, and eventually to many other countries;

Whereas 500,000 brave firefighters, engineers, technicians, and emergency workers worked for more than 6 months to minimize one of the worst civilian nuclear disasters in history;

Whereas radioactivity emanating from the Chernobyl disaster has been detected in Belarus, Poland, Russia, Scandinavia, and other areas;

Whereas since the disaster, serious health, environmental, and socioeconomic repercussions have been identified in many areas near the Chernobyl plant;

Whereas the Chernobyl Forum, an initiative by the International Atomic Energy Agency in cooperation with the World Health Organization, numerous United Nations agencies, and the governments of Ukraine, Belarus, and Russia, was launched in 2003 to examine the scientific evidence of human and environmental effects of the nuclear disaster at Chernobyl;

Whereas the Chernobyl Forum's examination of the catastrophe has contributed to the understanding of the effects caused by the nuclear disaster;

Whereas the Chernobyl Forum found that more than 5,000,000 people lived in "contaminated" areas in Ukraine, Belarus, Russia, and other countries;

Whereas the lives and wellness of people in the affected areas continue to be impacted by the catastrophic Chernobyl nuclear disaster;

Whereas the government of the United States, the people of the United States, and the international community have provided contributions to humanitarian organizations to address the effects of the Chernobyl disaster;

Whereas the Chernobyl Shelter Fund (CSF) was established in December 1997 by the G7, in cooperation with Ukraine;

Whereas the purpose of the CSF has been to construct a safe confinement over the damaged Chernobyl Unit 4 and to convert the site to a stable and environmentally safe condition;

Whereas the Nuclear Safety Account (NSA), supported by the United States and 16 other donors, finances the Interim Spent Fuel Storage Facility that allows for the decommissioning of Chernobyl Units 1 through 3;

Whereas April 26, 2011, is the 25th anniversary of the Chernobyl nuclear disaster; and

Whereas the ongoing crisis in Japan at the Fukushima nuclear power plant serves as a reminder to the United States and the international community of the need to make strong commitments to nuclear security throughout the world: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 25th anniversary of the Chernobyl nuclear disaster and the courage of the Ukrainian people in persevering to address the consequences of the disaster;

(2) commends efforts to mitigate the consequences of the Chernobyl nuclear disaster, including the assistance that the United States and the international community have given to the Chernobyl Shelter Fund and the Interim Spent Fuel Storage Facility; and

(3) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Ukraine to the United States.

SENATE RESOLUTION 154—DESIGNATING JULY 8, 2011, AS "COLLECTOR CAR APPRECIATION DAY" AND RECOGNIZING THAT THE COLLECTION AND RESTORATION OF HISTORIC AND CLASSIC CARS IS AN IMPORTANT PART OF PRESERVING THE TECHNOLOGICAL ACHIEVEMENTS AND CULTURAL HERITAGE OF THE UNITED STATES

Mr. TESTER (for himself and Mr. BURR) submitted the following resolution; which was considered and agreed to:

S. RES. 154

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the Nation and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of this Nation by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 8, 2011, as "Collector Car Appreciation Day";

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of "Collector Car Appreciation Day" that create opportunities for collector car owners to educate young people on the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

SENATE RESOLUTION 155—DESIGNATING APRIL 23, 2011, AS "NATIONAL ADOPT A LIBRARY DAY"

Mr. WEBB (for himself, Ms. SNOWE, Mr. COCHRAN, and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 155

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas the libraries of the United States depend on the generous donations and the

support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States, in order to extend the joy of reading to millions of people in the United States and to prevent used books from being thrown away;

Whereas as of the date of agreement to this resolution, the libraries of the United States have provided valuable resources to individuals who are affected by the economic crisis by encouraging continued education and job training; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as "Adopt A Library Day": Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2011, as "National Adopt A Library Day";

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges people in the United States who own unused books to donate such books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe "National Adopt A Library Day" with appropriate ceremonies and activities.

SENATE RESOLUTION 156—DESIGNATING APRIL 15 THROUGH 17, 2011, AS "GLOBAL YOUTH SERVICE DAYS"

Ms. MURKOWSKI (for herself, Mr. BEGICH, Mrs. FEINSTEIN, Mr. UDALL of Colorado, Mr. AKAKA, Ms. MIKULSKI, Mr. LEVIN, Ms. STABENOW, Mr. COCHRAN, Mrs. MURRAY, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 156

Whereas Global Youth Service Days is an annual campaign that celebrates and mobilizes the millions of young people who improve their communities each day through community service and service-learning programs;

Whereas the goals of Global Youth Service Days are—

(1) to mobilize and support young people to address the needs of their communities, their countries, and the world through community service and service-learning;

(2) to mobilize and support schools and organizations to provide meaningful opportunities for youth engagement;

(3) to educate the public, the media, and policymakers about the year-round contributions of young people as community leaders;

(4) to recognize and celebrate young people as community assets, resources, leaders, and problem-solvers; and

(5) to inspire and sustain a lifelong commitment to service and civic engagement;

Whereas Global Youth Service Days, a program of Youth Service America, is the largest service event in the world and the only service event dedicated to engaging young people ages 5 through 25;

Whereas, in 2011, Global Youth Service Days is being observed for the 23rd consecutive year in the United States and for the 12th year globally in more than 100 countries;

Whereas Global Youth Service Days provides an opportunity for young people to position themselves as assets, resources, active citizens, and community leaders through the application of their knowledge, idealism, energy, creativity, and unique perspective to improving their communities by addressing a myriad of critical issues, such as childhood obesity, illiteracy, hunger, environmental degradation, public safety, and disaster preparedness;

Whereas, in 2011, thousands of participants in schools and community-based organizations plan to hold Global Youth Service Days activities as part of a Semester of Service, an extended service-learning campaign launched on Martin Luther King, Jr. Day of Service, in which young people spend the semester addressing a meaningful community need connected to intentional learning goals or academic standards over the course of at least 70 hours;

Whereas Global Youth Service Days engages millions of young people worldwide with the support of the Global Youth Service Network of the Youth Service America, including more than 200 national and international partners, 100 State and local lead agencies, and thousands of local schools, afterschool programs, youth development organizations, community organizations, faith-based organizations, government agencies, businesses, neighborhood associations, and families;

Whereas, in 2011, Youth Service America intends to distribute more than \$1,000,000 in grants to more than 800 projects led by young people, including State Farm GYSD Lead Agency and Good Neighbor grants, UnitedHealth Heroes grants, Sodexo Youth and Lead Organizer grants, Disney Friends for Change grants, Learn and Serve America STEMster of Service grants, NEA Youth Leaders for Literacy grants, and MLK Semester of Service Lead Organizer Grants;

Whereas high quality community service and service-learning programs increase—

- (1) the academic engagement and achievement of young people;
- (2) the workforce readiness and 21st century skills of young people;
- (3) the civic knowledge and engagement of young people;
- (4) the intercultural understanding and global citizenship of young people; and
- (5) the connectedness and commitment of young people to their communities; and

Whereas section 198(g) of the National and Community Service Act of 1990 (42 U.S.C. 12653(g)) recognizes Global Youth Service Days as national days of service and calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities on the designated days: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of young people of the United States and encourages the continued engagement and support of young people dedicated to serving their neighbors, their communities, and the United States;

(2) designates April 15 through 17, 2011, as “Global Youth Service Days”; and

(3) calls on the people of the United States to observe Global Youth Service Days by—

(A) encouraging young people to participate in community service and service-learning projects and to join their peers in those projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging them in meaningful community service, service-learning, and decision-making opportunities as an investment in the future of the United States.

SENATE RESOLUTION 157—DESIGNATING APRIL 21, 2011, AS “POWERTALK 21 DAY”

Ms. KLOBUCHAR (for herself and Mr. VITTER) submitted the following resolution; which was considered and agreed to:

S. RES. 157

Whereas the goal of PowerTalk 21 Day is to encourage parents and caregivers to embrace their important role in influencing the decisions of the young people of the United States about drinking alcohol;

Whereas high school students who use alcohol or other substances are 5 times more likely to drop out of school or believe good grades are not important;

Whereas teen alcohol use kills about 6,000 people each year, more than all other illegal drugs combined; and

Whereas 74 percent of kids say that their parents are their primary influence when it comes to decisions about drinking alcohol: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 21, 2011, as “PowerTalk 21 Day”;;

(2) recognizes the importance of parents talking with their teens about alcohol; and

(3) urges all people of the United States to join in the efforts to raise awareness of the importance of parents and teens talking together about alcohol in order to reduce the risks and dangers posed to teens and communities by underage drinking.

SENATE CONCURRENT RESOLUTION 13—HONORING THE SERVICE AND SACRIFICE OF MEMBERS OF THE UNITED STATES ARMED FORCES WHO ARE SERVING IN, OR HAVE SERVED IN, OPERATION ENDURING FREEDOM, OPERATION IRAQI FREEDOM, AND OPERATION NEW DAWN

Mr. ISAKSON (for himself, Mr. BEGICH, Mr. BOOZMAN, Mr. BROWN of Massachusetts, Mr. BURR, Mr. JOHANNES, Mr. MORAN, Mrs. MURRAY, Mr. SANDERS, and Mr. WEBB) submitted the following concurrent resolution; which was referred to the Committee on Armed Services:

S. CON. RES. 13

Whereas over 2,000,000 members of the United States Armed Forces have deployed to theaters of war since the commencement of Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn;

Whereas hundreds of thousands of members of the United States Armed Forces have deployed for multiple tours of duty, leaving their homes, their families, and in many cases, their civilian jobs;

Whereas more than 5,500 members of the United States Armed Forces have made the ultimate sacrifice for the United States while serving in Iraq or Afghanistan;

Whereas tens of thousands of members of the United States Armed Forces have been seriously wounded in the line of duty while serving in Iraq or Afghanistan;

Whereas the members of the United States Armed Forces who have participated in Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn have answered the call to duty of the United States, serving bravely and nobly and, in most cases, without fanfare or acclaim;

Whereas those members of the United States Armed Forces and veterans have personified the virtues of patriotism, service, duty, courage, and sacrifice; and

Whereas the people of the United States recognize the service and sacrifices made by those members of the United States Armed Forces and veterans, as well as their families: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) honors the members of the United States Armed Forces who are serving in, or have served in, Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn; and

(2) calls on the people of the United States to reflect on the service of those members of the United States Armed Forces and veterans and to hold those members and veterans in a special place of honor, both now and in the future.

AMENDMENTS SUBMITTED AND PROPOSED

SA 295. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table.

SA 296. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 186 proposed by Mr. CORNYN to the bill S. 493, supra; which was ordered to lie on the table.

SA 297. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 298. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 299. Ms. SNOWE (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 493, supra; which was ordered to lie on the table.

SA 300. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 199 proposed by Mr. PAUL to the bill S. 493, supra; which was ordered to lie on the table.

SA 301. Mr. REID (for Ms. SNOWE) proposed an amendment to the resolution S. Res. 109, honoring and supporting women in North Africa and the Middle East whose bravery, compassion, and commitment to putting the wellbeing of others before their own have proven that courage can be contagious.

SA 302. Mr. REID (for Ms. SNOWE) proposed an amendment to the resolution S. Res. 109, supra.

TEXT OF AMENDMENTS

SA 295. Mr. PORTMAN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . INCLUSION OF APPLICATION TO INDEPENDENT REGULATORY AGENCIES.

(a) IN GENERAL.—Section 421(1) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658(1)) is amended by striking “, but does not include independent regulatory agencies”.

(b) EXEMPTION FOR MONETARY POLICY.—The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) is amended by inserting after section 5 the following:

“SEC. 6. EXEMPTION FOR MONETARY POLICY.

“Nothing in title II, III, or IV shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

SA 296. Mr. PORTMAN submitted an amendment intended to be proposed to amendment SA 186 proposed by Mr. CORNYN to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. ____ . INCLUSION OF APPLICATION TO INDEPENDENT REGULATORY AGENCIES.

(a) IN GENERAL.—Section 421(1) of the Congressional Budget and Impoundment Control Act of 1974 (2 U.S.C. 658(1)) is amended by striking “, but does not include independent regulatory agencies”.

(b) EXEMPTION FOR MONETARY POLICY.—The Unfunded Mandates Reform Act of 1995 (2 U.S.C. 1501 et seq.) is amended by inserting after section 5 the following:

“SEC. 6. EXEMPTION FOR MONETARY POLICY.

“Nothing in title II, III, or IV shall apply to rules that concern monetary policy proposed or implemented by the Board of Governors of the Federal Reserve System or the Federal Open Market Committee.”.

SA 297. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 89, strike line 18 and all that follows through page 91, line 6, and insert the following:

“(A) continue the most recent study under this section relating to the issues described in subparagraphs (A), (B), (C), and (E) of subsection (a)(1), except that, for purposes of this subparagraph, subparagraphs (A), (B), (C), and (E) of subsection (a)(1) shall be applied by substituting ‘SBIR program and STTR program’ for ‘SBIR program’ each place it appears;

“(B) evaluate, for the STTR program—

“(i) the partnerships created between small businesses and research institutions, including the number of new partnerships created, the effectiveness of partnerships in achieving technical objectives of research projects and the degree of difficulty or ease in negotiating details of cooperative research agreements, including issues relating to intellectual property rights; and

“(ii) the effectiveness of the program at transferring technology and capabilities developed by Federal funding from research institutions to small business concerns;

“(C) study the effectiveness of the government and public databases described in sec-

tion 9(k) of the Small Business Act (15 U.S.C. 638(k)) in reducing vulnerabilities of the SBIR program and the STTR program to fraud, waste, and abuse, particularly with respect to Federal agencies funding duplicative proposals and business concerns falsifying information in proposals;

“(D) estimate, to the extent practicable, the number of jobs created by the SBIR programs and STTR programs of the agencies; and

“(E) make recommendations with respect to the issues described in subparagraphs (B) and (C) of this subparagraph and subparagraphs (A), (D), and (E) of subsection (a)(2), except that, for purposes of this subparagraph, subparagraphs (A), (D), and (E) of subsection (a)(2) shall be applied by substituting ‘SBIR program and STTR program’ for ‘SBIR program’ each place it appears.

“(2) CONSULTATION.—An agreement under paragraph (1) shall require the National Research Council to ensure there is participation by and consultation with the small business community, the Administration, and other interested parties as described in subsection (b).

“(3) REPORTING.—An agreement under paragraph (1) shall require that not later than 4 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, and every 4 years thereafter, the National Research Council shall submit to the head of each agency entering into the agreement, the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business and the Committee on Science, Space, and Technology of the House of Representatives a report regarding the study conducted under paragraph (1) that contains the recommendations described in paragraph (1).”.

SA 298. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 96, line 13, strike the quotation marks and the second period and insert the following:

“(4) REPORTS.—For each of the 3 full fiscal years beginning after the date of enactment of this subsection, each Federal agency that uses funds in accordance with this subsection shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Science, Space, and Technology and the Committee on Small Business of the House of Representatives a report that includes—

“(A) the total amount used in accordance with this subsection; and

“(B) the amount used for each of the activities described in subparagraphs (A) through (K) of paragraph (1).”.

SA 299. Ms. SNOWE (for herself and Mr. COBURN) submitted an amendment intended to be proposed by her to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

TITLE—SMALL BUSINESS REGULATORY FREEDOM

SEC. _01. FINDINGS.

Congress finds the following:

(1) A vibrant and growing small business sector is critical to the recovery of the economy of the United States.

(2) Regulations designed for application to large-scale entities have been applied uniformly to small businesses and other small entities, sometimes inhibiting the ability of small entities to create new jobs.

(3) Uniform Federal regulatory and reporting requirements in many instances have imposed on small businesses and other small entities unnecessary and disproportionately burdensome demands, including legal, accounting, and consulting costs, thereby threatening the viability of small entities and the ability of small entities to compete and create new jobs in a global marketplace.

(4) Since 1980, Federal agencies have been required to recognize and take account of the differences in the scale and resources of regulated entities, but in many instances have failed to do so.

(5) In 2009, there were nearly 70,000 pages in the Federal Register, and, according to research by the Office of Advocacy of the Small Business Administration, the annual cost of Federal regulations totals \$1,750,000,000,000. Small firms bear a disproportionate burden, paying approximately 36 percent more per employee than larger firms in annual regulatory compliance costs.

(6) All agencies in the Federal Government should fully consider the costs, including indirect economic impacts and the potential for job loss, of proposed rules, periodically review existing regulations to determine their impact on small entities, and repeal regulations that are unnecessarily duplicative or have outlived their stated purpose.

(7) It is the intention of Congress to amend chapter 6 of title 5, United States Code, to ensure that all impacts, including foreseeable indirect effects, of proposed and final rules are considered by agencies during the rulemaking process and that the agencies assess a full range of alternatives that will limit adverse economic consequences, enhance economic benefits, and fully address potential job loss.

SEC. _02. INCLUDING INDIRECT ECONOMIC IMPACT IN SMALL ENTITY ANALYSES.

Section 601 of title 5, United States Code, is amended by adding at the end the following:

“(9) the term ‘economic impact’ means, with respect to a proposed or final rule—

“(A) the economic effects on small entities directly regulated by the rule; and

“(B) the reasonably foreseeable economic effects of the rule on small entities that—

“(i) purchase products or services from, sell products or services to, or otherwise conduct business with entities directly regulated by the rule;

“(ii) are directly regulated by other governmental entities as a result of the rule; or

“(iii) are not directly regulated by the agency as a result of the rule but are otherwise subject to other agency regulations as a result of the rule.”.

SEC. _03. JUDICIAL REVIEW TO ALLOW SMALL ENTITIES TO CHALLENGE PROPOSED REGULATIONS.

Section 611(a) of title 5, United States Code, is amended—

(1) in paragraph (1), by inserting “603,” after “601,”;

(2) in paragraph (2), by inserting “603,” after “601,”;

(3) by striking paragraph (3) and inserting the following:

“(3) A small entity may seek such review during the 1-year period beginning on the date of final agency action, except that—

“(A) if a provision of law requires that an action challenging a final agency action be commenced before the expiration of 1 year, the lesser period shall apply to an action for judicial review under this section; and

“(B) in the case of noncompliance with section 603 or 605(b), a small entity may seek judicial review of agency compliance with such section before the close of the public comment period.”; and

(4) in paragraph (4)—

(A) in subparagraph (A), by striking “, and” and inserting a semicolon;

(B) in subparagraph (B), by striking the period and inserting “; or”; and

(C) by adding at the end the following:

“(C) issuing an injunction prohibiting an agency from taking any agency action with respect to a rulemaking until that agency is in compliance with the requirements of section 603 or 605.”.

SEC. 04. PERIODIC REVIEW.

Section 610 of title 5, United States Code, is amended to read as follows:

“§ 610. Periodic review of rules

“(a)(1) Not later than 180 days after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, each agency shall establish a plan for the periodic review of—

“(A) each rule issued by the agency that the head of the agency determines has a significant economic impact on a substantial number of small entities, without regard to whether the agency performed an analysis under section 604 with respect to the rule; and

“(B) any small entity compliance guide required to be published by the agency under section 212 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note).

“(2) In reviewing rules and small entity compliance guides under paragraph (1), the agency shall determine whether the rules and guides should—

“(A) be amended or rescinded, consistent with the stated objectives of applicable statutes, to minimize any significant adverse economic impacts on a substantial number of small entities (including an estimate of any adverse impacts on job creation and employment by small entities); or

“(B) continue in effect without change.

“(3) Each agency shall publish the plan established under paragraph (1) in the Federal Register and on the Web site of the agency.

“(4) An agency may amend the plan established under paragraph (1) at any time by publishing the amendment in the Federal Register and on the Web site of the agency.

“(b) Each plan established under subsection (a) shall provide for—

“(1) the review of each rule and small entity compliance guide described in subsection (a)(1) in effect on the date of enactment of the SBIR/STTR Reauthorization Act of 2011—

“(A) not later than 9 years after the date of publication of the plan in the Federal Register; and

“(B) every 9 years thereafter; and

“(2) the review of each rule adopted and small entity compliance guide described in subsection (a)(1) that is published after the date of enactment of the SBIR/STTR Reauthorization Act of 2011—

“(A) not later than 9 years after the publication of the final rule in the Federal Register; and

“(B) every 9 years thereafter.

“(c) In reviewing rules under the plan required under subsection (a), the agency shall consider—

“(1) the continued need for the rule;

“(2) the nature of complaints received by the agency from small entities concerning the rule;

“(3) comments by the Regulatory Enforcement Ombudsman and the Chief Counsel for Advocacy of the Small Business Administration;

“(4) the complexity of the rule;

“(5) the extent to which the rule overlaps, duplicates, or conflicts with other Federal rules and, unless the head of the agency determines it to be infeasible, State and local rules;

“(6) the contribution of the rule to the cumulative economic impact of all Federal rules on the class of small entities affected by the rule, unless the head of the agency determines that such a calculation cannot be made;

“(7) the length of time since the rule has been evaluated, or the degree to which technology, economic conditions, or other factors have changed in the area affected by the rule; and

“(8) the economic impact of the rule, including—

“(A) the estimated number of small entities to which the rule will apply;

“(B) the estimated number of small entity jobs that will be lost or created due to the rule; and

“(C) the projected reporting, record-keeping, and other compliance requirements of the proposed rule, including—

“(i) an estimate of the classes of small entities that will be subject to the requirement; and

“(ii) the type of professional skills necessary for preparation of the report or record.

“(d)(1) Each agency shall submit an annual report regarding the results of the review required under subsection (a) to—

“(A) Congress; and

“(B) in the case of an agency that is not an independent regulatory agency (as defined in section 3502(5) of title 44), the Administrator of the Office of Information and Regulatory Affairs of the Office of Management and Budget.

“(2) Each report required under paragraph (1) shall include a description of any rule or guide with respect to which the agency made a determination of infeasibility under paragraph (5) or (6) of subsection (c), together with a detailed explanation of the reasons for the determination.

“(e) Each agency shall publish in the Federal Register and on the Web site of the agency a list of the rules and small entity compliance guides to be reviewed under the plan required under subsection (a) that includes—

“(1) a brief description of each rule or guide;

“(2) for each rule, the reason why the head of the agency determined that the rule has a significant economic impact on a substantial number of small entities (without regard to whether the agency had prepared a final regulatory flexibility analysis for the rule); and

“(3) a request for comments from the public, the Chief Counsel for Advocacy of the Small Business Administration, and the Regulatory Enforcement Ombudsman concerning the enforcement of the rules or publication of the guides.

“(f)(1) Not later than 6 months after each date described in subsection (b)(1), the Inspector General for each agency shall—

“(A) determine whether the agency has conducted the review required under subsection (b) appropriately; and

“(B) notify the head of the agency of—

“(i) the results of the determination under subparagraph (A); and

“(ii) any issues preventing the Inspector General from determining that the agency has conducted the review under subsection (b) appropriately.

“(2)(A) Not later than 6 months after the date on which the head of an agency receives a notice under paragraph (1)(B) that the agency has not conducted the review under subsection (b) appropriately, the agency shall address the issues identified in the notice.

“(B) Not later than 30 days after the last day of the 6-month period described in subparagraph (A), the Inspector General for an agency that receives a notice described in subparagraph (A) shall—

“(i) determine whether the agency has addressed the issues identified in the notice; and

“(ii) notify Congress if the Inspector General determines that the agency has not addressed the issues identified in the notice; and

“(C) Not later than 30 days after the date on which the Inspector General for an agency transmits a notice under subparagraph (B)(ii), an amount equal to 1 percent of the amount appropriated for the fiscal year to the appropriations account of the agency that is used to pay salaries shall be rescinded.

“(D) Nothing in this paragraph may be construed to prevent Congress from acting to prevent a rescission under subparagraph (C).”.

SEC. 05. REQUIRING SMALL BUSINESS REVIEW PANELS FOR ADDITIONAL AGENCIES.

(a) AGENCIES.—Section 609 of title 5, United States Code, is amended—

(1) in subsection (b)—

(A) by striking “a covered agency” the first place it appears and inserting “an agency designated under subsection (d)”;

(B) by striking “a covered agency” each place it appears and inserting “the agency”;

(2) by striking subsection (d), as amended by section 1100G(a) of Public Law 111–203 (124 Stat. 2112), and inserting the following:

“(d)(1)(A) On and after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, the Environmental Protection Agency and the Occupational Safety and Health Administration of the Department of Labor shall be—

“(i) agencies designated under this subsection; and

“(ii) subject to the requirements of subsection (b).

“(B) On and after the designated transfer date established under section 1062 of Public Law 111–203 (12 U.S.C. 5582), the Bureau of Consumer Financial Protection shall be—

“(i) an agency designated under this subsection; and

“(ii) subject to the requirements of subsection (b).

“(2) The Chief Counsel for Advocacy shall designate as agencies that shall be subject to the requirements of subsection (b) on and after the date of the designation—

“(A) 3 agencies for the first year after the date of enactment of the SBIR/STTR Reauthorization Act of 2011;

“(B) in addition to the agencies designated under subparagraph (A), 3 agencies for the second year after the date of enactment of the SBIR/STTR Reauthorization Act of 2011; and

“(C) in addition to the agencies designated under subparagraphs (A) and (B), 3 agencies for the third year after the date of enactment of the SBIR/STTR Reauthorization Act of 2011.

“(3) The Chief Counsel for Advocacy shall designate agencies under paragraph (2) based on the economic impact of the rules of the agency on small entities, beginning with agencies with the largest economic impact on small entities.”; and

(3) in subsection (e)(1), by striking “the covered agency” and inserting “the agency”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 603.—Section 603(d) of title 5, United States Code, as added by section 1100G(b) of Public Law 111-203 (124 Stat. 2112), is amended—

(A) in paragraph (1), by striking “a covered agency, as defined in section 609(d)(2)” and inserting “the Bureau of Consumer Financial Protection”; and

(B) in paragraph (2), by striking “A covered agency, as defined in section 609(d)(2),” and inserting “The Bureau of Consumer Financial Protection”.

(2) SECTION 604.—Section 604(a) of title 5, United States Code, is amended—

(A) by redesignating the second paragraph designated as paragraph (6) (relating to covered agencies), as added by section 1100G(c)(3) of Public Law 111-203 (124 Stat. 2113), as paragraph (7); and

(B) in paragraph (7), as so redesignated—

(i) by striking “a covered agency, as defined in section 609(d)(2)” and inserting “the Bureau of Consumer Financial Protection”; and

(ii) by striking “the agency” and inserting “the Bureau”.

(3) EFFECTIVE DATE.—The amendments made by this subsection shall take effect on the date of enactment of this Act and apply on and after the designated transfer date established under section 1062 of Public Law 111-203 (12 U.S.C. 5582).

SEC. 06. EXPANDING THE REGULATORY FLEXIBILITY ACT TO AGENCY GUIDANCE DOCUMENTS.

Section 601(2) of title 5, United States Code, is amended by inserting after “public comment” the following: “and any significant guidance document, as defined in the Office of Management and Budget Final Bulletin for Agency Good Guidance Procedures (72 Fed. Reg. 3432; January 25, 2007)”.

SEC. 07. REQUIRING THE INTERNAL REVENUE SERVICE TO CONSIDER SMALL ENTITY IMPACT.

(a) IN GENERAL.—Section 603(a) of title 5, United States Code, is amended, in the fifth sentence, by striking “but only” and all that follows through the period at the end and inserting “but only to the extent that such interpretative rules, or the statutes upon which such rules are based, impose on small entities a collection of information requirement or a recordkeeping requirement.”.

(b) DEFINITIONS.—Section 601 of title 5, United States Code, as amended by section 3 of this Act, is amended—

(1) in paragraph (6), by striking “and” at the end; and

(2) by striking paragraphs (7) and (8) and inserting the following:

“(7) the term ‘collection of information’ has the meaning given that term in section 3502(3) of title 44;

“(8) the term ‘recordkeeping requirement’ has the meaning given that term in section 3502(13) of title 44; and”.

SEC. 08. REPORTING ON ENFORCEMENT ACTIONS RELATING TO SMALL ENTITIES.

Section 223 of the Small Business Regulatory Enforcement Fairness Act of 1996 (5 U.S.C. 601 note) is amended—

(1) in subsection (a)—

(A) by striking “Each agency” and inserting the following:

“(1) ESTABLISHMENT OF POLICY OR PROGRAM.—Each agency”; and

(B) by adding at the end the following:

“(2) REVIEW OF CIVIL PENALTIES.—Not later than 2 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, and every 2 years thereafter, each agency regulating the activities of small entities shall review the civil penalties imposed by the agency for violations of a statutory or regulatory requirement by a small entity to determine whether a reduction or waiver of the civil penalties is appropriate.”; and

(2) in subsection (c)—

(A) by striking “Agencies shall report” and all that follows through “the scope” and inserting “Not later than 2 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, and every 2 years thereafter, each agency shall submit to the Committee on Small Business and Entrepreneurship and the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Small Business and the Committee on the Judiciary of the House of Representatives a report discussing the scope”; and

(B) by striking “and the total amount of penalty reductions and waivers” and inserting “the total amount of penalty reductions and waivers, and the results of the most recent review under subsection (a)(2)”.

SEC. 09. REQUIRING MORE DETAILED SMALL ENTITY ANALYSES.

(a) INITIAL REGULATORY FLEXIBILITY ANALYSIS.—Section 603 of title 5, United States Code, as amended by section 1100G(b) of Public Law 111-203 (124 Stat. 2112), is amended—

(1) by striking subsection (b) and inserting the following:

“(b) Each initial regulatory flexibility analysis required under this section shall contain a detailed statement—

“(1) describing the reasons why action by the agency is being considered;

“(2) describing the objectives of, and legal basis for, the proposed rule;

“(3) estimating the number and type of small entities to which the proposed rule will apply;

“(4) describing the projected reporting, recordkeeping, and other compliance requirements of the proposed rule, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report and record;

“(5) describing all relevant Federal rules which may duplicate, overlap, or conflict with the proposed rule, or the reasons why such a description could not be provided; and

“(6) estimating the additional cumulative economic impact of the proposed rule on small entities, including job loss by small entities, beyond that already imposed on the class of small entities by the agency, or the reasons why such an estimate is not available.”; and

(2) by adding at the end the following:

“(e) An agency shall notify the Chief Counsel for Advocacy of the Small Business Administration of any draft rules that may have a significant economic impact on a substantial number of small entities—

“(1) when the agency submits a draft rule to the Office of Information and Regulatory Affairs of the Office of Management and Budget under Executive Order 12866, if that order requires the submission; or

“(2) if no submission to the Office of Information and Regulatory Affairs is required—

“(A) a reasonable period before publication of the rule by the agency; and

“(B) in any event, not later than 3 months before the date on which the agency publishes the rule.”.

(b) FINAL REGULATORY FLEXIBILITY ANALYSIS.—

(1) IN GENERAL.—Section 604(a) of title 5, United States Code, is amended—

(A) by inserting “detailed” before “description” each place it appears;

(B) in paragraph (2)—

(i) by inserting “detailed” before “statement” each place it appears; and

(ii) by inserting “(or certification of the proposed rule under section 605(b))” after “initial regulatory flexibility analysis”;

(C) in paragraph (4), by striking “an explanation” and inserting “a detailed explanation”; and

(D) in paragraph (6) (relating to a description of steps taken to minimize significant economic impact), as added by section 1601 of the Small Business Jobs Act of 2010 (Public Law 111-240; 124 Stat. 2251), by inserting “detailed” before “statement”.

(2) PUBLICATION OF ANALYSIS ON WEB SITE, ETC.—Section 604(b) of title 5, United States Code, is amended to read as follows:

“(b) The agency shall—

“(1) make copies of the final regulatory flexibility analysis available to the public, including by publishing the entire final regulatory flexibility analysis on the Web site of the agency; and

“(2) publish in the Federal Register the final regulatory flexibility analysis, or a summary of the analysis that includes the telephone number, mailing address, and address of the Web site where the complete final regulatory flexibility analysis may be obtained.”.

(c) CROSS-REFERENCES TO OTHER ANALYSES.—Section 605(a) of title 5, United States Code, is amended to read as follows:

“(a) A Federal agency shall be deemed to have satisfied a requirement regarding the content of a regulatory flexibility agenda or regulatory flexibility analysis under section 602, 603, or 604, if the Federal agency provides in the agenda or regulatory flexibility analysis a cross-reference to the specific portion of an agenda or analysis that is required by another law and that satisfies the requirement under section 602, 603, or 604.”.

(d) CERTIFICATIONS.—Section 605(b) of title 5, United States Code, is amended, in the second sentence, by striking “statement providing the factual” and inserting “detailed statement providing the factual and legal”.

(e) QUANTIFICATION REQUIREMENTS.—Section 607 of title 5, United States Code, is amended to read as follows:

“§ 607. Quantification requirements

“In complying with sections 603 and 604, an agency shall provide—

“(1) a quantifiable or numerical description of the effects of the proposed or final rule, including an estimate of the potential for job loss, and alternatives to the proposed or final rule; or

“(2) a more general descriptive statement regarding the potential for job loss and a detailed statement explaining why quantification under paragraph (1) is not practicable or reliable.”.

SEC. 10. ENSURING THAT AGENCIES CONSIDER SMALL ENTITY IMPACT DURING THE RULEMAKING PROCESS.

Section 605(b) of title 5, United States Code, is amended—

(1) by inserting “(1)” after “(b)”;

(2) by adding at the end the following:

“(2) If, after publication of the certification required under paragraph (1), the head of the agency determines that there will be

a significant economic impact on a substantial number of small entities, the agency shall comply with the requirements of section 603 before the publication of the final rule, by—

“(A) publishing an initial regulatory flexibility analysis for public comment; or

“(B) re-proposing the rule with an initial regulatory flexibility analysis.

“(3) The head of an agency may not make a certification relating to a rule under this subsection, unless the head of the agency has determined—

“(A) the average cost of the rule for small entities affected or reasonably presumed to be affected by the rule;

“(B) the number of small entities affected or reasonably presumed to be affected by the rule; and

“(C) the number of affected small entities for which that cost will be significant.

“(4) Before publishing a certification and a statement providing the factual basis for the certification under paragraph (1), the head of an agency shall—

“(A) transmit a copy of the certification and statement to the Chief Counsel for Advocacy of the Small Business Administration; and

“(B) consult with the Chief Counsel for Advocacy of the Small Business Administration on the accuracy of the certification and statement.”.

SEC. 11. ADDITIONAL POWERS OF THE OFFICE OF ADVOCACY.

Section 203 of Public Law 94-305 (15 U.S.C. 634c) is amended—

(1) in paragraph (5), by striking “and” at the end;

(2) in paragraph (6), by striking the period at the end and inserting “; and”; and

(3) by inserting after paragraph (6) the following:

“(7) at the discretion of the Chief Counsel for Advocacy, comment on regulatory action by an agency that affects small businesses, without regard to whether the agency is required to file a notice of proposed rulemaking under section 553 of title 5, United States Code, with respect to the action.”.

SEC. 12. FUNDING AND OFFSETS.

(a) AUTHORIZATION.—There are authorized to be appropriated to the Small Business Administration, for any costs of carrying out this title and the amendments made by this title (including the costs of hiring additional employees)—

(1) \$1,000,000 for fiscal year 2012;

(2) \$2,000,000 for fiscal year 2013; and

(3) \$3,000,000 for fiscal year 2014.

(b) REPEALS.—In order to offset the costs of carrying out this title and the amendments made by this title and to reduce the Federal deficit, the following provisions of law are repealed, effective on the date of enactment of this Act:

(1) Section 21(n) of the Small Business Act (15 U.S.C. 648).

(2) Section 27 of the Small Business Act (15 U.S.C. 654).

(3) Section 1203(c) of the Energy Security and Efficiency Act of 2007 (15 U.S.C. 657h(c)).

SEC. 13. TECHNICAL AND CONFORMING AMENDMENTS.

(a) HEADING.—Section 605 of title 5, United States Code, is amended in the section heading by striking “**Avoidance**” and all that follows and inserting the following: “**Incorporations by reference and certification**.”.

(b) TABLE OF SECTIONS.—The table of sections for chapter 6 of title 5, United States Code, is amended—

(1) by striking the item relating to section 605 and inserting the following:

“605. Incorporations by reference and certifications.”;

and

(2) by striking the item relating to section 607 inserting the following:

“607. Quantification requirements.”.

SA 300. Mr. DEMINT submitted an amendment intended to be proposed to amendment SA 199 proposed by Mr. PAUL to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 6 of the amendment, after line 12, add the following:

SEC. 26. NATIONAL SECURITY WAIVER.

(a) NATIONAL SECURITY WAIVER.—The funding restrictions in sections 6, 8, 10, and 16 may be waived by the Secretary of Defense for programs or activities determined by the Secretary to be vital to the national security of the United States.

(b) CONGRESSIONAL EARMARKS OFFSET.—

(1) IN GENERAL.—Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect.

(2) DEFINITION.—For purposes of this subsection, the term “earmark” means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV.

(3) REDUCTION REQUIRED.—Any funds appropriated in fiscal year 2011 to any program shall be reduced by the total amount of congressional earmarks or congressionally directed spending items contained within a committee report or jointly explanatory statement accompanying such an Act that provided appropriations to the program in fiscal year 2010.

(4) RESCISSION.—The amounts reduced by paragraph (3) are rescinded and returned to the Treasury.

(5) PRIOR LAW.—Paragraphs (3) and (4) shall not apply to any programs or accounts that were reduced in the same manner by the Further Continuing Appropriations Amendments, 2011 (Public Law 112-4) or any other Act that takes effect prior to date of enactment of this Act.

SA 301. Mr. REID (for Ms. SNOWE) proposed an amendment to the resolution S. Res. 109, honoring and supporting women in North Africa and the Middle East whose bravery, compassion, and commitment to putting the wellbeing of others before their own have proven that courage can be contagious; as follows:

On page 4, beginning on line 12, strike “, and supports” and all that follows through “these rights” on line 14.

SA 302. Mr. REID (for Ms. SNOWE) proposed an amendment to the resolution S. Res. 109, honoring and supporting women in North Africa and the Middle East whose bravery, compassion, and commitment to putting the wellbeing of others before their own have proven that courage can be contagious; as follows:

In the ninth whereas clause of the preamble, strike “the United Nations Security Council and”.

NOTICE OF INTENT

Mr. DEMINT. Mr. President, I submit the following notice in writing: In accordance with Rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, Paragraph 2, for the purpose of proposing and considering DeMint Amendment No. 165 to S. 493, including germaneness requirements.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to meet during the session of the Senate on April 14, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on April 14, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on April 14, 2011, at 2:30 p.m., to hold a hearing entitled, “Assessing the FY 2012 Budget for Africa.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on April 14, 2011, at 10 a.m., to conduct a hearing entitled, “Federal Regulation: How Best to Advance the Public Interest?”.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on April 14, 2011, at 2:15 p.m., in room 628 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. BOXER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate on April 14, 2011, at 10 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. BOXER. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on April 14, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. LEE. Mr. President, I ask unanimous consent that the privilege of the floor be granted to Mitchell McBride, an intern on my staff.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations: Calendar Nos. 59, 60, 63, 64, 65, 66, 68, 85, 87, 88, 89, 90, 91, 92, 93, 94, 96, 98, 99, 100, 101, 104, 105, and all the nominations on the Secretary's desk in the Marine Corps, Army, Navy, and Air Force; that the nominations be confirmed en bloc, the motions to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that President Obama be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations considered and confirmed are as follows:

OFFICE OF SPECIAL COUNSEL

Carolyn N. Lerner, of Maryland, to be Special Counsel, Office of Special Counsel, for the term of five years.

NATIONAL SCIENCE FOUNDATION

Kelvin K. Droegemeier, of Oklahoma, to be a Member of the National Science Board, National Science Foundation for a term expiring May 10, 2016.

DEPARTMENT OF COMMERCE

Kathryn D. Sullivan, of Ohio, to be an Assistant Secretary of Commerce.

MARINE MAMMAL COMMISSION

Frances M.D. Gulland, of California, to be a Member of the Marine Mammal Commission for a term expiring May 13, 2012.

DEPARTMENT OF TRANSPORTATION

Ann D. Begeman, of Virginia, to be a Member of the Surface Transportation Board for a term expiring December 31, 2015.

FEDERAL MARITIME COMMISSION

Mario Cordero, of California, to be a Federal Maritime Commissioner for the term expiring June 30, 2014.

Rebecca F. Dye, of North Carolina, to be a Federal Maritime Commissioner for the term expiring June 30, 2015.

DEPARTMENT OF ENERGY

Peter Bruce Lyons, of New Mexico, to be an Assistant Secretary of Energy (Nuclear Energy).

DEPARTMENT OF STATE

Nils Maarten Parin Daulaire, of Virginia, to be Representative of the United States on the Executive Board of the World Health Organization.

Joseph M. Torsella, of Pennsylvania, to be Representative of the United States of America to the United Nations for U.N. Management and Reform, with the rank of Ambassador.

Joseph M. Torsella, of Pennsylvania, to be Alternate Representative of the United States of America to the Sessions of the General Assembly of the United Nations, during his tenure of service as Representative of the United States of America to the United Nations for U.N. Management and Reform.

Kurt Walter Tong, of Maryland, a Career Member of the Senior Foreign Service, Class of Counselor, for the rank of Ambassador during his tenure of service as United States Senior Official for the Asia-Pacific Economic Cooperation (APEC) Forum.

Suzan D. Johnson Cook, of New York, to be Ambassador at Large for International Religious Freedom.

Robert Patterson, of New York, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Turkmenistan.

Jonathan Scott Gration, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kenya.

Michelle D. Gavin, of the District of Columbia, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Botswana.

DEPARTMENT OF HOMELAND SECURITY

Rafael Borras, of Maryland, to be Under Secretary for Management, Department of Homeland Security.

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. Robert W. Cone

IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be lieutenant general

Maj. Gen. David S. Fadok

IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

To be general

Lt. Gen. David M. Rodriguez

The following named officers for appointment in the United States Army to the grade indicated under title 10, U.S.C., sections 624 and 3064:

To be brigadier general

Colonel Norvell V. Coots

Colonel Dennis D. Doyle

Colonel Brian C. Lein

EXECUTIVE OFFICE OF THE PRESIDENT

Katharine G. Abraham, of Iowa, to be a Member of the Council of Economic Advisers, vice Christina Duckworth Romer.

Carl Shapiro, of California, to be a Member of the Council of Economic Advisers.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE AIR FORCE

PN365 AIR FORCE nominations (52) beginning TRAVIS R. ADAMS, and ending ILAINA M. WINGLER, which nominations were received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN366 AIR FORCE nominations (109) beginning FREDERICK C. ABAN, and ending CATHERINE L. WYNN, which nominations were received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN381 AIR FORCE nominations (2) beginning ALLAN K. DOAN, and ending ANDREW L. WRIGHT, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN382 AIR FORCE nominations (4) beginning BUDI R. BAHUREKSA, and ending MUHAMMAD A. SHEIKH, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

IN THE ARMY

PN353 ARMY nomination of Michael K. Pyle, which was received by the Senate and appeared in the Congressional Record of March 16, 2011.

PN354 ARMY nomination of Janet Manning, which was received by the Senate and appeared in the Congressional Record of March 16, 2011.

PN355 ARMY nominations (58) beginning JOHN H. BARKEMEYER, and ending D010566, which nominations were received by the Senate and appeared in the Congressional Record of March 16, 2011.

PN368 ARMY nominations (3) beginning MICHAEL G. POND, and ending WILLIAM M. STEPHENS, which nominations were received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN383 ARMY nomination of Juan J. Derojas, which was received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN384 ARMY nomination of David S. Goins, which was received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN385 ARMY nomination of Kimberly A. Speck, which was received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN386 ARMY nomination of Lyndall J. Soule, which was received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN387 ARMY nominations (2) beginning JAMES J. HOULIHAN, and ending JASON S. KIM, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN388 ARMY nominations (3) beginning JOSHUA P. STAUFFER, and ending BRIDGET C. WOLFE, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN389 ARMY nominations (3) beginning EDWIN ROBINS, and ending JEFFREY M. TIEDE, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN390 ARMY nominations (4) beginning RICHARD J. SCHOONMAKER, and ending EDWARD W. LUMPKINS, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN391 ARMY nominations (4) beginning JOHN H. BORDES, and ending EDNA J. SMITH, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN392 ARMY nominations (13) beginning RICHARD R. JORDAN, and ending APRIL B. TURNER, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN424 ARMY nominations (5) beginning CARLSON A. BRADLEY, and ending SYLVESTER E. WALLER, which nominations were received by the Senate and appeared in the Congressional Record of April 8, 2011.

IN THE MARINE CORPS

PN194 MARINE CORPS nominations (2) beginning Peter G. Bailiff, and ending Timothy D. Sechrest, which nominations were received by the Senate and appeared in the Congressional Record of February 2, 2011.

PN266 MARINE CORPS nominations (139) beginning JOE H. ADKINS, JR., and ending JAMES B. ZIENTEK, which nominations were received by the Senate and appeared in the Congressional Record of February 16, 2011.

IN THE NAVY

PN371 NAVY nomination of Medrina B. Gilliam, which was received by the Senate and appeared in the Congressional Record of March 30, 2011.

PN393 NAVY nomination of David S. Plurad, which was received by the Senate and appeared in the Congressional Record of March 31, 2011.

PN394 NAVY nominations (3) beginning JAMES P. KITZMILLER, and ending JONATHAN D. SZCZESNY, which nominations were received by the Senate and appeared in the Congressional Record of March 31, 2011.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that on Monday, May 2, 2011, at 4:30 p.m., the Senate proceed to executive session to consider the following nominations: Calendar Nos. 74 and 76; that there be 1 hour of debate equally divided in the usual form; that upon the use or yielding back of time, Calendar No. 74 be confirmed and the Senate proceed to vote without intervening action or debate on Calendar No. 76; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to any of the nominations; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES AND CONDITIONAL RECESS OR ADJOURNMENT OF THE SENATE

Mr. REID. I ask unanimous consent that the Senate proceed to H. Con. Res. 43.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 43) providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements related to this measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 43) was agreed to, as follows:

H. CON. RES. 43

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, April 15, 2011, or Saturday, April 16, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 2, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, April 14, 2011, through Friday, April 29, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, May 2, 2011, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

AMENDING THE RONALD REAGAN CENTENNIAL COMMISSION ACT

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 1308.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1308) to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. REID. Mr. President, I ask unanimous consent that the bill be read three times and passed, the motion to reconsider be laid upon the table, there be no intervening action or debate, and that any statements related to this bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill (H.R. 1308) was ordered to a third reading, was read the third time, and passed.

FOOD SAFETY ACCOUNTABILITY ACT OF 2011

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 21, S. 216.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 216) to increase criminal penalties for certain knowing and intentional violations relating to food that is misbranded or adulterated.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Food Safety Accountability Act of 2011".

SEC. 2. CRIMINAL PENALTIES.

Section 303(a) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 333(a)) is amended—

(1) in paragraph (1), by striking "Any" and inserting "Except as provided in paragraph (2) or (3), any";

(2) in paragraph (2), by striking "Notwithstanding the provisions of paragraph (1) of this section, if" and inserting "If"; and

(3) by adding at the end the following:

"(3) Any person who violates subsection (a), (b), (c), or (k) of section 301 with respect to any food—

"(A) knowingly and intentionally to defraud or mislead; and

"(B) with conscious or reckless disregard of a risk of death or serious bodily injury, shall be fined under title 18, United States Code, imprisoned for not more than 10 years, or both."

Mr. LEAHY. Mr. President, today, the Senate will pass the Food Safety Accountability Act, an important bill to hold criminals who poison our food supply accountable for their crimes. I would like to thank Senators KLOBUCHAR, FRANKEN, DURBIN, FEINSTEIN, KOHL, and BLUMENTHAL for their support. Senators HATCH, SESSIONS, COBURN, and GRASSLEY had concerns about the breadth of the bill, and we were able to work together to address those concerns. The bill received unanimous, bipartisan support when it was reported out of the Judiciary Committee, and I am pleased that it has

now received similar support from the Senate. I urge the House to quickly take up the Senate bill and join us in taking this important step toward protecting our food supply.

The Food Safety Accountability Act increases the sentences that prosecutors can seek for people who violate our food safety laws in those cases where there is conscious or reckless disregard of a risk of death or serious bodily injury. Last summer, a salmonella outbreak caused hundreds of people to fall ill and triggered a national egg recall. The cause of the outbreak is still under investigation, but salmonella poisoning is all too common and sometimes results from inexcusable knowing conduct like that carefully targeted by the Food Safety Accountability Act.

In the last Congress, a mother from Vermont, Gabrielle Meunier, testified before the Senate Agriculture Committee about her 7-year-old son, Christopher, who became severely ill and was hospitalized for 6 days after he developed salmonella poisoning from peanut crackers 2 years ago. Thankfully, Christopher recovered, but Mrs. Meunier's story highlighted improvements that are needed in our food safety system. No parent should have to go through what Mrs. Meunier experienced. The American people should be confident that the food they buy for their families is safe.

Current statutes do not provide sufficient criminal sanctions for those who knowingly violate our food safety laws. Knowingly distributing adulterated food is already illegal, but it is merely a misdemeanor right now, and the Sentencing Commission has found that it generally does not result in jail time. The fines and recalls that usually result from criminal violations under current law fall short in protecting the public from harmful products. Too often, those who are willing to endanger our children in pursuit of profits view such fines or recalls as merely the cost of doing business.

The company responsible for the eggs at the root of the last summer's salmonella crisis has a long history of environmental, immigration, labor, and food safety violations. It is clear that fines are not enough to protect the public and effectively deter this unacceptable conduct. We need to make sure that those who knowingly poison the food supply will go to jail. This bill will help to do that. This bill significantly increases the chances that those who commit food safety crimes will face jail time, rather than a slap on the wrist, for their criminal conduct.

Food safety received considerable attention last year, and I was pleased that Congress finally passed comprehensive food safety reforms. But our work is not done. On behalf of the hundreds of individuals sickened by recent salmonella outbreaks, I urge the House

to quickly pass the Food Safety Accountability Act and join the Senate in continuing to improve our food safety system.

Mr. REID. Mr. President, I ask unanimous consent that the committee substitute amendment be agreed to, the bill, as amended, be read a third time and passed, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment in the nature of a substitute was agreed to.

The bill was ordered to be engrossed for a third reading and was read the third time.

The bill (S. 216), as amended, was passed.

HONORING AND SUPPORTING WOMEN IN NORTH AFRICA AND THE MIDDLE EAST

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 33, S. Res. 109.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 109) honoring and supporting women in North Africa and the Middle East whose bravery, compassion, and commitment to putting the wellbeing of others before their own have proven that courage can be contagious.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the amendments at the desk be agreed to, the resolution, as amended, be agreed to, the preamble, as amended, be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendments (Nos. 301 and 302) were agreed to, as follows:

AMENDMENT NO. 301

(Purpose: To amend the resolution)

On page 4, beginning on line 12, strike “and supports” and all that follows through “these rights” on line 14.

AMENDMENT NO. 302

(Purpose: To amend the preamble)

In the ninth whereas clause of the preamble, strike “the United Nations Security Council and”.

The resolution (S. Res. 109), as amended, was agreed to.

The preamble, as amended, was agreed to.

The resolution, as amended, with its preamble, as amended, reads as follows:

S. RES. 109

Whereas, in the course of peaceful protests in countries throughout North Africa and the Middle East, women have stood shoulder-

to-shoulder with men to advance their rights;

Whereas Secretary of State Hillary Rodham Clinton has said, “The rights of women and girls is the unfinished business of the 21st Century.”;

Whereas, in late December 2010 and January 2011, Tunisia underwent a political upheaval, dubbed the “Jasmine Revolution,” resulting in the fleeing of President of Tunisia Zine El Abidine Ben Ali from the country on January 14, 2011;

Whereas one of the first voices of the “Jasmine Revolution” was the sister of Mohammad Bouazizi, the young man whose death led to many of the peaceful protests in Tunisia;

Whereas, on January 25, 2011, demonstrations began across Egypt with thousands of protesters peacefully calling for a new government, free and fair elections, significant constitutional and political reforms, greater economic opportunity, and an end to government corruption;

Whereas women in Egypt have utilized social media to galvanize support among men and women for peaceful protest;

Whereas huge crowds came out to protest peacefully in Egypt, and women were among those that faced tear gas and who pitched their tents and slept in the cold in Tahrir Square;

Whereas hundreds of women took part in a rally in Cairo on March 8, 2011, the 100th Anniversary of International Women's Day, to remind women in Egypt that they must have a voice in their nation's future;

Whereas, on February 25, 2011, the international community condemned the violence and use of force against civilians in Libya;

Whereas, according to press reports, women in Libya have been working behind the scenes making a profound difference to promote reform and keep the momentum of the uprising alive, listening to worried fathers whose sons are fighting on the frontlines, keeping up with the day-to-day clashes and casualty numbers, and holding meetings about health and education issues, as well as participating in the demonstrations themselves;

Whereas, according to press reports, women are among the leaders of demonstrations calling for reform in Yemen;

Whereas women's groups in countries such as Morocco, Jordan, Lebanon, and Iran have attempted to harness critical support regarding legislation affecting their rights;

Whereas women around the world continue to face significant obstacles in all aspects of their lives, including denial of basic human rights, discrimination, and gender-based violence;

Whereas women, young and old, have marched in the streets of countries from Tunisia to Iran demanding freedom from oppression; and

Whereas women across North Africa and the Middle East aspire for freedom, democracy, and rule of law: Now, therefore, be it

Resolved, That the Senate—

(1) honors the women in North Africa and the Middle East who have worked to ensure that women are guaranteed equality and basic human rights;

(2) recognizes that the empowerment of women is inextricably linked to the potential of nations to generate economic growth and sustainable democracy;

(3) acknowledges that women in North Africa and the Middle East are demanding to be included in making choices that will affect their own lives and their families;

(4) reaffirms the commitment of the United States to the universal rights of freedom of assembly, freedom of speech, and freedom of association, including via the Internet;

(5) celebrates this year's centennial anniversary of International Women's Day, a global day to celebrate the economic, political, and social achievements of women past, present, and future, and a day to recognize the obstacles that women still face in the struggle for equal rights and opportunities;

(6) condemns any efforts to provoke or instigate violence against women, and calls upon all parties to refrain from all violent and criminal acts; and

(7) underscores the vital importance of women's rights and political participation as leaders in North Africa and the Middle East consider constitutional reforms and shape new governments.

NATIONAL CHILD ABUSE PREVENTION MONTH

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 127, and the Senate proceed to the matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 127) designating April 2011 as "National Child Abuse Prevention Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 127) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 127

Whereas in 2009, approximately 702,000 children were determined to be victims of abuse or neglect;

Whereas in 2009, an estimated 1,770 children died as a result of abuse or neglect;

Whereas in 2009, an estimated 80.8 percent of the children who died due to abuse or neglect were under the age of 4;

Whereas in 2009, of the children under the age of 4 who died due to abuse or neglect, 46.2 percent were under the age of 1;

Whereas abused or neglected children have a higher risk for developing health problems in adulthood, including alcoholism, depression, drug abuse, eating disorders, obesity, suicide, and certain chronic diseases;

Whereas a National Institute of Justice study indicated that abused or neglected children—

(1) are 11 times more likely to be arrested for criminal behavior as juveniles; and

(2) are 2.7 times more likely to be arrested for violent and criminal behavior as adults;

Whereas an estimated ⅓ of abused or neglected children grow up to abuse or neglect their own children;

Whereas providing community-based services to families impacted by child abuse or neglect may be far less costly than—

(1) the emotional and physical damage inflicted on children who have been abused or neglected;

(2) providing other services to abused or neglected children, including child protective, law enforcement, court, foster care, or health care services; or

(3) providing treatment to adults recovering from child abuse; and

Whereas child abuse and neglect have long-term economic and societal costs: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2011 as "National Child Abuse Prevention Month";

(2) recognizes and applauds the national and community organizations that work to promote awareness about child abuse and neglect, including by identifying risk factors and developing prevention strategies;

(3) supports the proclamation issued by President Obama declaring April 2011 to be "National Child Abuse Prevention Month"; and

(4) should increase public awareness of prevention programs relating to child abuse and neglect, and continue to work with States to reduce the incidence of child abuse and neglect in the United States.

PUBLIC SERVICE RECOGNITION WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to Calendar No. 35, S. Res. 128.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 128) expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2011.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements related to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 128) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 128

Whereas Public Service Recognition Week provides an opportunity to recognize and promote the important contributions of public servants and honor the diverse men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) defend our freedom and advance United States interests around the world;

(2) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(3) fight crime and fires;

(4) ensure equal access to secure, efficient, and affordable mail service;

(5) deliver Social Security and Medicare benefits;

(6) fight disease and promote better health;

(7) protect the environment and the Nation's parks;

(8) enforce laws guaranteeing equal employment opportunity and healthy working conditions;

(9) defend and secure critical infrastructure;

(10) help the Nation recover from natural disasters and terrorist attacks;

(11) teach and work in our schools and libraries;

(12) develop new technologies and explore the earth, moon, and space to help improve our understanding of how our world changes;

(13) improve and secure our transportation systems;

(14) promote economic growth; and

(15) assist our Nation's veterans;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 1 through 7, 2011, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 27th anniversary: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;

(2) salutes government employees for their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

CALLING ON THE UNITED NATIONS TO RESCIND THE GOLDSTONE REPORT

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 138 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 138) calling on the United Nations to rescind the Goldstone report, and for other purposes.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 138) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 138

Whereas, on January 12, 2009, the United Nations Human Rights Council passed Resolution S-9/1, authorizing a "fact-finding mission" regarding the conduct of the Government of Israel during Operation Cast Lead between December 27, 2008, and January 18, 2009;

Whereas that resolution prejudged the outcome of the fact finding mission by mandating that it investigate "violations of international human rights law and international humanitarian law by the occupying power, Israel, against the Palestinian people";

Whereas, on September 15, 2009, the "United Nations Fact Finding Mission on the Gaza Conflict" released its report, now known as the "Goldstone report", named for its chair, South African Jurist Richard Goldstone;

Whereas the report made numerous unsubstantiated assertions against Israel, in particular accusing the Government of Israel of committing war crimes by deliberately targeting civilians during its operations in Gaza;

Whereas the report downplayed the overwhelming evidence that Hamas deliberately used Palestinian civilians and civilian institutions as human shields against Israel and deliberately targeted Israeli civilians with

rocket fire for over eight years prior to the operation;

Whereas the United Nations Human Rights Council voted to welcome the report, to endorse its recommendations, and to condemn Israel without mentioning Hamas;

Whereas, as a result of the report, the United Nations General Assembly has passed two resolutions endorsing the report's findings, the United Nations Secretary-General has been requested to submit several reports on implementation of its recommendations, and the Human Rights Council is scheduled to follow up on implementation of the report during future sessions;

Whereas the findings of the Goldstone report and the subsequent and continued United Nations member state actions following up on those findings have caused and continue to cause extensive harm to Israel's standing in the world and could potentially create legal problems for Israel and its leaders;

Whereas Justice Richard Goldstone publicly retracted the central claims of the report he authored in an op-ed in The Washington Post on April 2, 2011;

Whereas Justice Goldstone wrote in that article that if he "had known then what I know now, the Goldstone Report would have been a different document";

Whereas Justice Goldstone concluded that, contrary to his report's findings, the Government of Israel did not intentionally target civilians in the Gaza Strip as a matter of policy;

Whereas, in contrast, Justice Goldstone states that the crimes committed by Hamas were clearly intentional, were targeted at civilians, and constitute a violation of international law;

Whereas Justice Goldstone also conceded that the number of civilian casualties in Gaza was far smaller than the report alleged;

Whereas Justice Goldstone admitted that Israel investigated the findings in the report, while expressing disappointment that Hamas has not taken any steps to look into the report's findings; and

Whereas Justice Goldstone concluded that "Israel, like any other sovereign nation, has the right and obligation to defend itself and its citizens": Now, therefore, be it

Resolved, That the Senate—

(1) calls on the United Nations Human Rights Council members to reflect the author's repudiation of the Goldstone report's central findings, rescind the report, and reconsider further Council actions with respect to the report's findings;

(2) urges United Nations Secretary-General Ban Ki Moon to work with United Nations member states to reform the United Nations Human Rights Council so that it no longer unfairly, disproportionately, and falsely criticizes Israel on a regular basis;

(3) requests Secretary-General Ban Ki Moon to do all in his power to redress the damage to Israel's reputation caused by the Goldstone report;

(4) asks the Secretary-General to do all he can to urge member states to prevent any further United Nations action on the report's findings; and

(5) urges the United States to take a leadership role in getting the United Nations and its bodies to prevent any further action on the report's findings and limit the damage that this libelous report has caused to our close ally Israel and to the reputation of the United Nations.

PERMITTING USE OF THE CAPITOL ROTUNDA

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 33.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 33) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, that the motion to reconsider be laid upon the table, there be no intervening action or debate, and that any statements related to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 33) was agreed to.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions, which were submitted earlier today: S. Res. 154, S. Res. 155, S. Res. 156, and S. Res. 157.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and that any statements related to the resolutions be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions (S. Res. 154, S. Res. 155, S. Res. 156, S. Res. 157) were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 154

Whereas many people in the United States maintain classic automobiles as a pastime and do so with great passion and as a means of individual expression;

Whereas the Senate recognizes the effect that the more than 100-year history of the automobile has had on the economic progress of the Nation and supports wholeheartedly all activities involved in the restoration and exhibition of classic automobiles;

Whereas collection, restoration, and preservation of automobiles is an activity shared across generations and across all segments of society;

Whereas thousands of local car clubs and related businesses have been instrumental in preserving a historic part of the heritage of this Nation by encouraging the restoration and exhibition of such vintage works of art;

Whereas automotive restoration provides well-paying, high-skilled jobs for people in all 50 States; and

Whereas automobiles have provided the inspiration for music, photography, cinema, fashion, and other artistic pursuits that have become part of the popular culture of the United States: Now therefore, be it

Resolved, That the Senate—

(1) designates July 8, 2011, as “Collector Car Appreciation Day”;

(2) recognizes that the collection and restoration of historic and classic cars is an important part of preserving the technological achievements and cultural heritage of the United States; and

(3) encourages the people of the United States to engage in events and commemorations of “Collector Car Appreciation Day” that create opportunities for collector car owners to educate young people on the importance of preserving the cultural heritage of the United States, including through the collection and restoration of collector cars.

S. RES. 155

Whereas libraries are an essential part of the communities and the national system of education in the United States;

Whereas the people of the United States benefit significantly from libraries that serve as an open place for people of all ages and backgrounds to use books and other resources that offer pathways to learning, self-discovery, and the pursuit of knowledge;

Whereas the libraries of the United States depend on the generous donations and the support of individuals and groups to ensure that people who are unable to purchase books still have access to a wide variety of resources;

Whereas certain nonprofit organizations facilitate the donation of books to schools and libraries across the United States, in order to extend the joy of reading to millions of people in the United States and to prevent used books from being thrown away;

Whereas as of the date of agreement to this resolution, the libraries of the United States have provided valuable resources to individuals who are affected by the economic crisis by encouraging continued education and job training; and

Whereas several States that recognize the importance of libraries and reading have adopted resolutions commemorating April 23 as “Adopt A Library Day”: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 23, 2011, as “National Adopt A Library Day”;

(2) honors the organizations that facilitate donations to schools and libraries;

(3) urges people in the United States who own unused books to donate such books to local libraries;

(4) strongly supports children and families who take advantage of the resources provided by schools and libraries; and

(5) encourages the people of the United States to observe “National Adopt A Library Day” with appropriate ceremonies and activities.

S. RES. 156

Whereas Global Youth Service Days is an annual campaign that celebrates and mobilizes the millions of young people who improve their communities each day through community service and service-learning programs;

Whereas the goals of Global Youth Service Days are—

(1) to mobilize and support young people to address the needs of their communities, their countries, and the world through community service and service-learning;

(2) to mobilize and support schools and organizations to provide meaningful opportunities for youth engagement;

(3) to educate the public, the media, and policymakers about the year-round contributions of young people as community leaders;

(4) to recognize and celebrate young people as community assets, resources, leaders, and problem-solvers; and

(5) to inspire and sustain a lifelong commitment to service and civic engagement;

Whereas Global Youth Service Days, a program of Youth Service America, is the largest service event in the world and the only service event dedicated to engaging young people ages 5 through 25;

Whereas, in 2011, Global Youth Service Days is being observed for the 23rd consecutive year in the United States and for the 12th year globally in more than 100 countries;

Whereas Global Youth Service Days provides an opportunity for young people to position themselves as assets, resources, active citizens, and community leaders through the application of their knowledge, idealism, energy, creativity, and unique perspective to improving their communities by addressing a myriad of critical issues, such as childhood obesity, illiteracy, hunger, environmental degradation, public safety, and disaster preparedness;

Whereas, in 2011, thousands of participants in schools and community-based organizations plan to hold Global Youth Service Days activities as part of a Semester of Service, an extended service-learning campaign launched on Martin Luther King, Jr. Day of Service, in which young people spend the semester addressing a meaningful community need connected to intentional learning goals or academic standards over the course of at least 70 hours;

Whereas Global Youth Service Days engages millions of young people worldwide with the support of the Global Youth Service Network of the Youth Service America, including more than 200 national and international partners, 100 State and local lead agencies, and thousands of local schools, afterschool programs, youth development organizations, community organizations, faith-based organizations, government agencies, businesses, neighborhood associations, and families;

Whereas, in 2011, Youth Service America intends to distribute more than \$1,000,000 in grants to more than 800 projects led by young people, including State Farm GYSD Lead Agency and Good Neighbor grants, UnitedHealth Heroes grants, Sodexo Youth and Lead Organizer grants, Disney Friends for Change grants, Learn and Serve America STEMester of Service grants, NEA Youth Leaders for Literacy grants, and MLK Semester of Service Lead Organizer grants;

Whereas high quality community service and service-learning programs increase—

(1) the academic engagement and achievement of young people;

(2) the workforce readiness and 21st century skills of young people;

(3) the civic knowledge and engagement of young people;

(4) the intercultural understanding and global citizenship of young people; and

(5) the connectedness and commitment of young people to their communities; and

Whereas section 198(g) of the National and Community Service Act of 1990 (42 U.S.C. 12653(g)) recognizes Global Youth Service Days as national days of service and calls on the Corporation for National and Community Service, other Federal agencies and departments, and the President of the United States to recognize and support youth-led activities on the designated days: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes and commends the significant contributions of young people of the United States and encourages the continued engagement and support of young people dedicated to serving their neighbors, their communities, and the United States;

(2) designates April 15 through 17, 2011, as “Global Youth Service Days”; and

(3) calls on the people of the United States to observe Global Youth Service Days by—

(A) encouraging young people to participate in community service and service-learning projects and to join their peers in those projects;

(B) recognizing the volunteer efforts of the young people of the United States throughout the year; and

(C) supporting the volunteer efforts of young people and engaging them in meaningful community service, service-learning, and decision-making opportunities as an investment in the future of the United States.

S. RES. 157

Whereas the goal of PowerTalk 21 Day is to encourage parents and caregivers to embrace their important role in influencing the decisions of the young people of the United States about drinking alcohol;

Whereas high school students who use alcohol or other substances are 5 times more likely to drop out of school or believe good grades are not important;

Whereas teen alcohol use kills about 6,000 people each year, more than all other illegal drugs combined; and

Whereas 74 percent of kids say that their parents are their primary influence when it comes to decisions about drinking alcohol: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 21, 2011, as “PowerTalk 21 Day”;

(2) recognizes the importance of parents talking with their teens about alcohol; and

(3) urges all people of the United States to join in the efforts to raise awareness of the importance of parents and teens talking together about alcohol in order to reduce the risks and dangers posed to teens and communities by underage drinking.

GLOBAL YOUTH SERVICE DAYS

Ms. MURKOWSKI. Mr. President, I wish to speak about a resolution designating April 15 through 17, 2011, as Global Youth Service Days that recognizes and commends the significant community service efforts that youth are making in communities across the country and around the world on this weekend in April and every day. This resolution also encourages the citizens of the United States to acknowledge and support these volunteer efforts. Passage of this resolution sends a very strong message of support to the thousands of youth across our great nation who are contributing positively to their communities—your efforts are recognized and appreciated.

Beginning this Friday, April 15, youth from across the United States

and around the world will carry out community service projects in areas ranging from hunger to literacy to the environment. Through this service, many will embark on a lifelong path of service and civic engagement in more than 100 countries around the world.

Mr. President, the participation of youth in service to their communities is more than just a way to spend a Saturday afternoon. All year long, young people across America—indeed across the globe—identify and address the needs of their communities, make positive differences in the world around them, learn leadership and organizational skills, and gain insights into the problems of their fellow citizens.

The positive effects of this service are not limited to the projects our young people complete. Youth who are engaged in volunteer service and service-learning activities do better in school than their classmates who do not volunteer because they see a direct connection to what they are learning and the real world in which they live. Youth who engage in volunteering and other positive activities are also more likely to avoid risky behaviors, such as drug and alcohol use, crime, and promiscuity. Service within the community also contributes positively to young people's character development, civic participation, and philanthropic activity as adults.

Youth service also plays a role in encouraging our young people to stay in school. A survey by Civic Enterprises found that 47 percent of high school dropouts reported that boredom in school was a primary reason why they dropped out. High quality service-learning activities can, however, help young people see that school matters to them personally.

It is important, therefore, that the U.S. Senate encourage youth to engage in community service and to congratulate them for the service they provide. I thank Senators BEGICH, FEINSTEIN, AKAKA, MIKULSKI, LEVIN, STABENOW, COCHRAN, MURRAY, and MARK UDALL for joining with me in cosponsoring this resolution and all other Senators for supporting passage of it.

In an effort to recognize and support youth volunteers in my State, I am proud to acknowledge some of the activities that will occur this year in Alaska in observance of National and Global Youth Service Days:

Anchorage's Promise, which works to mobilize all sectors of the community to build the character and competence of Anchorage's children and youth, will sponsor the annual Kids' Day three-day events in Anchorage again this year. Youth will provide significant service to their peers and to adults who will attend Kids' Day activities this weekend:

Over 100 youth and AmeriCorps members will spend their day volunteering at Kids' Day in order to help make it a safe, fun, and successful event.

Teens will serve as greeters, pass out bags, help vendors set up their booths, and clean up during and after the event.

Kindness for Kids, Inc. will provide students with materials to stuff and sew pillows which will later be delivered to the children in the hospital.

Adults and youth will be able to make cards to express support for our troops.

Youth who formed the Japan Relief Fund will sell bracelets they have made the benefit the relief efforts of the Red Cross in Japan.

Anchorage's Promise Youth Advisory Board will present Teen City Center Stage, a positive, judgment-free space where teens can create graffiti art, join youth-led organizations, and enjoy entertainment.

Students from Chugiak High School's Family Career and Community Leaders of America program will present a family meal toolkit that will contain healthy family meal recipes that incorporate simple, affordable, and healthy food choices.

Volunteer students from the Anchorage School district will read to their younger peers as part of "Wild About Reading". The child will then get to take the book home.

Youth volunteers with Volunteers of America Alaska and Communities Mobilizing for Change on Alcohol will provide an art project and information on underage drinking.

The Anchorage Public Library Teen Advisory Board will help kids decorate banners that will be put on display in the library.

In addition to the Kids' Day events, young people from every region of Alaska will serve their many ways, including:

Students at Pacific Northern Academy have donated hand-made fleece scarves, hats, blankets, greeting cards, meal, and decorations to various local agencies in Anchorage.

Youth volunteers, coordinated by the Anchorage Public Library, will help organize summer reading celebration materials.

Members of the St. John's United Methodist Church youth group spent their spring break volunteering at the Food Bank of Alaska in Anchorage.

Last November, the Wrangell Community Youth Action Group collected and donated over 10,000 pounds of food for needy families and Thanksgiving dinners in their community.

Hundreds of Boy Scouts and Girl Scouts participated in "Scouting for Food" last weekend by distributing flyers about their food drive in neighborhoods, and then going door-to-door collecting the donations.

The St. Francis Xavier Youth Group held a cake auction to raise \$2,590 to support a mission in Jamaica that helps the poor with food, transportation, and education.

The Anchorage's Promise Youth Advisory Board volunteered at Covenant House Alaska to assist them in preparing for First Friday, a monthly art walk that takes place in downtown Anchorage. YAB members put together sandwiches, made name tags, and made labels for the art work that was displayed.

Members of the Chugiak Family Career and Community Leaders of America held a Christmas party for the homeless teens at Anchorage's Covenant House.

Youth from Two Rivers donated clothing items to Big Brothers Big Sisters of America.

Youth in Dillingham have created a "Chain of Kindness" to which people from the community contribute links when they

observe acts of kindness. The chain is hung in the entrance of the local high school.

The Alaska Youth for Environmental Action has created a resolution for the Anchorage assembly on beginning an annual "Week without Bags," to encourage consumers to bring their own bags to the grocery store and encourage retailers to provide incentive for customers that do so.

Mr. President, I am so proud of all of these young people and many more across my State of Alaska. I value their idealism, energy, creativity, and unique perspectives as they volunteer to make their communities better and assist those in need.

Many similarly wonderful activities will be taking place all across the nation. I encourage all of my colleagues to visit the Youth Service America Web site www.ysa.org to find out about the selfless and creative youth who are contributing in their own States this year.

Mr. President, I yield the floor.

DISCHARGE AND REFERRAL—S. 375

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition and Forestry be discharged from further consideration of S. 375 and the bill be referred to the Energy and Natural Resources Committee.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-696, appoints the Senator from North Dakota (Mr. HOEVEN) as a member of the United States Capitol Preservation Commission, vice the Senator from Alaska (Ms. MURKOWSKI).

The Chair announces, on behalf of the majority leader, pursuant to Public Law 101-509, the reappointment of Steve Zink of Nevada to the Advisory Committee on the Records of Congress.

The Chair, on behalf of the President pro tempore and upon the recommendation of the majority leader, pursuant to Public Law 106-554, appoints the Senator from Connecticut (Mr. BLUMENTHAL) to the Board of Directors of the Vietnam Education Foundation, vice the Senator from Virginia (Mr. WEBB).

The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106-286, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China: the Honorable MAX BAUCUS of Montana, the Honorable CARL LEVIN of Michigan, the Honorable DIANNE FEINSTEIN of California, the Honorable SHERROD BROWN of Ohio, and the Honorable JEFF MERKLEY of Oregon.

SIGNING AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that during the adjournment of the Senate, the majority leader or Senator ROCKEFELLER be authorized to sign duly enrolled bills or joint resolutions.

The PRESIDING OFFICER. Without objection, it is so ordered.

APPOINTMENT AUTHORITY

Mr. REID. Mr. President, I ask unanimous consent that notwithstanding the upcoming recess or adjournment of the Senate, the President pro tempore and the majority and minority leaders be authorized to make appointments to commissions, committees, boards, conferences, or interparliamentary conferences authorized by law, by concurrent action of the two Houses, or by order of the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDERS FOR MONDAY, MAY 2, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn under the provisions of H. Con. Res. 43, the adjournment resolution, until 2 p.m. on Monday, May 2; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that the Senate proceed to a period for the transaction of morning business for debate only until 4:30 p.m., with Senators permitted to speak for up to 10 minutes each; further, that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, therefore, the first rollcall vote will be at 5:30 p.m. when we return. That vote will be on the confirmation of Executive Calendar No. 76, the nomination of Kevin Hunter Sharp to be U.S. District Judge for the Middle District of Tennessee.

I appreciate everyone's patience, including the Presiding Officer, in completing the business of the Senate for this period of time. I hope everyone has a good work period. Some will go a long way away, maybe as far as Alaska.

ADJOURNMENT UNTIL MONDAY,
MAY 2, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:55 p.m., adjourned until Monday, May 2, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF STATE

JONATHAN DON FARRAR, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NICARAGUA.

STUART E. JONES, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE HASHEMITE KINGDOM OF JORDAN.

LISA J. KUBISKE, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF HONDURAS.

DEREK J. MITCHELL, OF CONNECTICUT, TO BE SPECIAL REPRESENTATIVE AND POLICY COORDINATOR FOR BURMA, WITH THE RANK OF AMBASSADOR. (NEW POSITION)

NUCLEAR REGULATORY COMMISSION

WILLIAM CHARLES OSTENDORFF, OF VIRGINIA, TO BE A MEMBER OF THE NUCLEAR REGULATORY COMMISSION FOR THE TERM OF FIVE YEARS EXPIRING JUNE 30, 2016. (REAPPOINTMENT)

NATIONAL SCIENCE FOUNDATION

ROBERT J. ZIMMER, OF ILLINOIS, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION, FOR A TERM EXPIRING MAY 10, 2016, VICE JON C. STRAUSS, TERM EXPIRED.

CONFIRMATIONS

Executive nominations confirmed by the Senate, April 14, 2011:

OFFICE OF SPECIAL COUNSEL

CAROLYN N. LERNER, OF MARYLAND, TO BE SPECIAL COUNSEL, OFFICE OF SPECIAL COUNSEL, FOR THE TERM OF FIVE YEARS.

NATIONAL SCIENCE FOUNDATION

KELVIN K. DROEGEMEIER, OF OKLAHOMA, TO BE A MEMBER OF THE NATIONAL SCIENCE BOARD, NATIONAL SCIENCE FOUNDATION FOR A TERM EXPIRING MAY 10, 2016.

DEPARTMENT OF COMMERCE

KATHRYN D. SULLIVAN, OF OHIO, TO BE AN ASSISTANT SECRETARY OF COMMERCE.

MARINE MAMMAL COMMISSION

FRANCES M.D. GULLAND, OF CALIFORNIA, TO BE A MEMBER OF THE MARINE MAMMAL COMMISSION FOR A TERM EXPIRING MAY 13, 2012.

DEPARTMENT OF TRANSPORTATION

ANN D. BEGEMAN, OF VIRGINIA, TO BE A MEMBER OF THE SURFACE TRANSPORTATION BOARD FOR A TERM EXPIRING DECEMBER 31, 2015.

FEDERAL MARITIME COMMISSION

MARIO CORDERO, OF CALIFORNIA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2014.

REBECCA F. DYE, OF NORTH CAROLINA, TO BE A FEDERAL MARITIME COMMISSIONER FOR THE TERM EXPIRING JUNE 30, 2015.

DEPARTMENT OF ENERGY

PETER BRUCE LYONS, OF NEW MEXICO, TO BE AN ASSISTANT SECRETARY OF ENERGY (NUCLEAR ENERGY).

DEPARTMENT OF STATE

NILS MAARTEN PARIN DAULAIRE, OF VIRGINIA, TO BE REPRESENTATIVE OF THE UNITED STATES ON THE EXECUTIVE BOARD OF THE WORLD HEALTH ORGANIZATION.

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM, WITH THE RANK OF AMBASSADOR.

JOSEPH M. TORSELLA, OF PENNSYLVANIA, TO BE ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS FOR U.N. MANAGEMENT AND REFORM.

KURT WALTER TONG, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, FOR THE RANK OF AMBASSADOR DURING HIS

TENURE OF SERVICE AS UNITED STATES SENIOR OFFICIAL FOR THE ASIA-PACIFIC ECONOMIC COOPERATION (APEC) FORUM.

SUZAN D. JOHNSON COOK, OF NEW YORK, TO BE AMBASSADOR AT LARGE FOR INTERNATIONAL RELIGIOUS FREEDOM.

ROBERT PATTERSON, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO TURKMENISTAN.

JONATHAN SCOTT GRATON, OF NEW JERSEY, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

MICHELLE D. GAVIN, OF THE DISTRICT OF COLUMBIA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF BOTSWANA.

DEPARTMENT OF HOMELAND SECURITY

RAFAEL BORRAS, OF MARYLAND, TO BE UNDER SECRETARY FOR MANAGEMENT, DEPARTMENT OF HOMELAND SECURITY.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. ROBERT W. CONE

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. DAVID S. FADOK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. DAVID M. RODRIGUEZ

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COLONEL NORVELL V. COOTS

COLONEL DENNIS D. DOYLE

COLONEL BRIAN C. LEIN

EXECUTIVE OFFICE OF THE PRESIDENT

KATHARINE G. ABRAHAM, OF IOWA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

CARL SHAPIRO, OF CALIFORNIA, TO BE A MEMBER OF THE COUNCIL OF ECONOMIC ADVISERS.

IN THE AIR FORCE

AIR FORCE NOMINATIONS BEGINNING WITH TRAVIS R. ADAMS AND ENDING WITH ILAINE M. WINGLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 30, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH FREDERICK C. ABAN AND ENDING WITH CATHERINE L. WYNN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 30, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH ALLAN K. DOAN AND ENDING WITH ANDREW L. WRIGHT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

AIR FORCE NOMINATIONS BEGINNING WITH BUDI R. BAHUREKSA AND ENDING WITH MUHAMMAD A. SHEIKH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

IN THE ARMY

ARMY NOMINATION OF MICHAEL K. PYLE, TO BE COLONEL.

ARMY NOMINATION OF JANET MANNING, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH JOHN H. BARKEMEYER AND ENDING WITH D010566, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 16, 2011.

ARMY NOMINATIONS BEGINNING WITH MICHAEL G. POND AND ENDING WITH WILLIAM M. STEPHENS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 30, 2011.

ARMY NOMINATION OF JUAN J. DEROJAS, TO BE COLONEL.

ARMY NOMINATION OF DAVID S. GOINS, TO BE MAJOR.

ARMY NOMINATION OF KIMBERLY A. SPECK, TO BE MAJOR.

ARMY NOMINATION OF LYNDALL J. SOULE, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JAMES J. HOULIHAN AND ENDING WITH JASON S. KIM, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH JOSHUA P. STAUFFER AND ENDING WITH BRIDGET C. WOLFE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH EDWIN ROBINS AND ENDING WITH JEFFREY M. TIEDE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH RICHARD J. SCHOONMAKER AND ENDING WITH EDWARD W. LUMPKINS, WHICH NOMINATIONS WERE RECEIVED BY

THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH JOHN H. BORDES AND ENDING WITH EDNA J. SMITH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH RICHARD R. JORDAN AND ENDING WITH APRIL B. TURNER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

ARMY NOMINATIONS BEGINNING WITH CARLSON A. BRADLEY AND ENDING WITH SYLVESTER E. WALLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON APRIL 8, 2011.

IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH PETER G. BAILIFF AND ENDING WITH TIMOTHY D. SECHREST,

WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 2, 2011.

MARINE CORPS NOMINATIONS BEGINNING WITH JOE H. ADKINS, JR. AND ENDING WITH JAMES B. ZIENTEK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 16, 2011.

IN THE NAVY

NAVY NOMINATION OF MEDRINA B. GILLIAM, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF DAVID S. PLURAD, TO BE CAPTAIN.

NAVY NOMINATIONS BEGINNING WITH JAMES P. KITZMILLER AND ENDING WITH JONATHAN D. SZCZESNY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON MARCH 31, 2011.

HOUSE OF REPRESENTATIVES—Thursday, April 14, 2011

The House met at 10 a.m. and was called to order by the Speaker.

MORNING-HOUR DEBATE

The SPEAKER. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 25 minutes and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 10:50 a.m.

HISTORIC SPENDING CUTS

The SPEAKER. The Chair recognizes the gentleman from Texas (Mr. OLSON) for 5 minutes.

Mr. OLSON. Mr. Speaker, I rise today in strong support of H.R. 1473, a continuing resolution which will fund our government and, most importantly, our troops' families for the rest of the fiscal year and will help generate a better environment for job creation.

While this final agreement is far from perfect—more cuts going forward are absolutely needed—this agreement is a victory for the American people. At \$38.5 billion in cuts, H.R. 1473 represents the largest spending cut since World War II. Domestic spending will actually fall by 4 percent this year with the passage of this CR.

We accomplished this historic cut just months after President Obama asked Congress for a spending freeze. That would have meant zero, nada, nil, cuts in spending this year. In fact, our Federal Government will spend \$78.5 billion less than President Obama proposed this year with the passage of H.R. 1473.

These historic cuts would not be possible without the strong and constant support of the American people to end the out-of-control spending in Washington. Their voices were heard loud and clear on November 2.

House Republicans were able to translate the people's call for reining in spending into the largest non-defense spending cut in history. Washington is no longer talking about if we should cut spending; we are talking about how much we should cut spending. This is the American people's victory, and they deserve the credit for providing the support and momentum to change our debate.

This bill is also a victory for my home State of Texas and for the good people of the 22nd Congressional District, whom I am honored to represent here in Washington. Importantly, H.R. 1473 repeals the Doggett amendment, a heavy-handed regulation that was forcing Texas, and only Texas, to violate its own constitution and spend education funds as the Federal Government dictated while giving every other State in the Nation the flexibility to spend their funds as they see fit.

The Doggett amendment, which was inserted in last summer's State government bailout bill, singled out Texas by attaching unconstitutional strings to \$830 million in funding. No other State faced such treatment.

Teachers across Texas have faced the threat of losing their jobs with this expected shortfall in education money. But passage of this bill will right this egregious wrong for the great State of Texas.

Mr. Speaker, passage of this measure today means we will have succeeded in reducing discretionary spending to pre-bailout stimulus levels. We will be lowering the baseline for next year's budget, which will result in hundreds of billions of dollars in savings over the next decade.

Most importantly, we are setting the stage for the real challenge that comes next: cutting trillions in spending through the new Republican budget, the Path to Prosperity. We didn't get into this financial crisis overnight, and we are not getting out of it overnight.

But today, for the first time in years, Washington will begin to tighten its belt, just as families across America do every day. This is just the beginning of an important first step forward in changing the culture of spending the people's tax dollars with reckless abandon. America is open for business again.

I urge my colleagues to vote for H.R. 1473.

REPEAL DME COMPETITIVE BIDDING

The SPEAKER pro tempore (Mrs. HARTZLER). The Chair recognizes the gentleman from Pennsylvania (Mr. ALTMIRE) for 5 minutes.

Mr. ALTMIRE. Madam Speaker, 4 years ago I began to express my concerns about the competitive bidding program that CMS proposed for durable medical equipment. The goal of the program was laudable—to save money and to cut waste, fraud, and abuse from

the Medicare program—but the implementation of the program has been fraught with problems.

This issue is of particular importance to me because the Pittsburgh region, which I represent, was one of the first nine regions chosen by CMS to implement the competitive bidding demonstration. As I learned more about the design of the program, it became clear that CMS did not foresee the unintended consequences that could result, including the possibility that patients could lose the personal relationship they've developed with their local provider, in turn compromising their quality of care; or the possibility that small suppliers, which make up well over 90 percent of the Nation's medical equipment providers, would not be able to compete in the new market.

I also realized that western Pennsylvania would be disproportionately impacted by competitive bidding because of our large Medicare population and the growing medical device industry that is key to the success of our region's economy.

After a poor start to the competitive bidding program in 2008, Congress intervened and passed legislation that I helped introduce to direct CMS to delay the program for 18 months. Critical flaws in the initial bidding process produced fewer competitors, fewer home care services, and a substantial decrease in the quality of care offered to seniors and individuals with disabilities. Congress also instructed CMS to redesign the program to avoid these programs when it conducted the re-bid.

Last fall, CMS launched the re-bid and this past January the program went into effect in the nine regions in the country, including western Pennsylvania. In the first few months of implementation, the worst fears expressed by patients, providers, and Members of Congress from both sides of the aisle have been realized. It is clear that despite the delay and the direction from Congress, no significant improvements have been made to the program or the bidding process. Providers who have served beneficiaries for years are closing their doors, and patients have been left confused and unsure where to turn for their care.

While CMS hopes the program will ensure beneficiary access to quality medical supplies and services and improve the effectiveness of payments, the results suggest otherwise. So 2 weeks ago, CMS announced it would delay the second round of its competitive bidding program for 6 months,

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

until the summer of 2013. Additionally, the chief Medicare expert at the Congressional Budget Office recently said the CMS competitive bidding process is "seriously flawed."

This is a good sign, but the round two delay does nothing to help the beneficiaries and small businesses that have already been negatively impacted by round one. The program continues to be a bad deal for seniors and small business owners. That's why I joined with my colleague from Pennsylvania, GLENN THOMPSON, to introduce legislation to repeal the DME competitive bidding program. Our bill would fully repeal the program in a budget-neutral manner, not adding one penny to the Federal deficit. To date, we have 75 bipartisan cosponsors and over 30 advocacy groups that have endorsed our legislation.

I cannot support the DME competitive bidding program when it has become evident the program will unravel the DME small business community and compromise quality of care for seniors and others who rely on durable medical equipment devices. I will continue to work with Congressman THOMPSON to advance this legislation, and I would ask my colleagues to join us in this effort to repeal DME competitive bidding.

□ 1010

SUPPORTING FINANCIAL LITERACY MONTH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Illinois (Mrs. BIGGERT) for 5 minutes.

Mrs. BIGGERT. Madam Speaker, I rise today to recognize this April as Financial Literacy Month.

Each year my good friend and fellow chair of the House Financial and Economic Literacy Caucus, Mr. HINOJOSA, and I work to bring Financial Literacy Month to Capitol Hill. In that effort we are joined by our longtime Senate allies, Senator AKAKA and Senator ENZI.

Traditionally, we have offered a resolution as a way to showcase the latest trends in financial and economic literacy. This year, however, the House is taking an understandable break from debating commemorative resolutions in order to focus attention on pressing items like the budget.

Nonetheless, I want to take a brief opportunity today to encourage my colleagues to take part in this year's Financial Literacy Month. It's a time when nonprofits, educational institutions, financial organizations, government agencies, and others work together to protect consumers and prepare our children to prosper in today's sophisticated marketplace.

For example, from April 17 through 23, America's credit unions will hold National Credit Union Youth Week, which focuses on teaching young Amer-

icans about the benefits of setting goals and saving to reach them. In a parallel effort, the American Bankers Association Education Foundation held Teach Children to Save Day on April 12. It's an annual event during which America's banking professionals have volunteered to teach money skills to 4 million young people.

Madam Speaker, this is a trend we should applaud, one that I encourage my colleagues to participate in by joining the Financial and Economic Literacy Caucus. Members and their staffs can also join us this Friday in the Cannon Caucus Room from noon to 3 for a Financial Literacy Day Fair featuring information and constituent outreach materials from 55 of the Nation's leading financial literacy organizations, including the JumpStart Coalition, Junior Achievement, and the Council for Economic Education.

Madam Speaker, too many Americans continue to enter the workforce unprepared to handle money, buy a home, or save for retirement. According to the JumpStart Coalition's most recent survey, our high school seniors are now scoring lower on financial literacy than they have during any years since 2000; and yet, according to a 2009 survey from the Council for Economic Education, only 34 States require school districts to include personal finance in their education standards for students K-12.

These are troubling numbers, and that's why we must work together to give Americans the tools they need to prepare against economic uncertainty, recognize deceptive practices, build credit, and make dozens of other day-to-day financial decisions. These are skills that everyone must learn to prosper in today's complex marketplace, and that's what Financial Literacy Month is all about.

So I encourage my colleagues who are interested in learning more to join us this Friday from noon to 3 in the Cannon Caucus Room for our annual Financial Literacy Day Fair.

PUERTO RICO GAS PIPELINE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Madam Speaker, I rise today to talk once again about Puerto Rico, but this time it's a little different.

I rise to note that Governor Luis Fortuño of Puerto Rico has actually said something I can agree with. Speaking about a proposed gas pipeline, the Republican Governor of Puerto Rico said, "We cannot continue to depend on fossil fuels. Gasoducto is fossil fuels."

He went on to say, "Tying us down to natural gas for 30 years would be a grave mistake."

He was referring to the construction of a natural gas pipeline on an island

where beautiful beaches, mountains, and rain forests are both irreplaceable natural resources and part of the economic engine that drives tourism. A gas pipeline, that sounds like a dubious proposition. And I agree.

Mr. Fortuño spoke those words 2 years ago as a candidate. Sadly, now that he's safely in office, Governor Fortuño has changed his mind. Now he enthusiastically supports not just gas pipelines but a much bigger, environmentally disruptive, and more expensive pipeline.

And how the construction of this gigantic, supersized pipeline is being handled is another reason why I must speak out again on the civil rights crisis in Puerto Rico. The ruling party would rather people not notice that Mr. Fortuño and Governor Fortuño have opposite positions on the same gas pipeline, so they are working hard to move this project forward under the cover of night.

Every day the ruling party answers this question: If you wanted to undertake a potentially dangerous, economically dubious, environmentally disastrous, and extremely unpopular project, how would you go about doing it?

Here's the ruling party's answer: You circumvent feasibility studies. You avoid environmental impact studies. You ignore the standard permitting and licensing procedures. And you take every step possible to eliminate public hearings and public scrutiny.

But how do you proceed without these necessary safeguards and information? Well, if you're the government of Puerto Rico and you want to build a 92-mile natural gas pipeline over mountains and through forests and lakes and rivers and across critical groundwater systems in Puerto Rico, you would amend a law designed to deal with natural resources so that you can bypass the normal permitting and public process.

What the ruling party does is declare an "energy emergency" on the island. This government's energy emergency allows the pipeline to proceed, despite warnings from the Sierra Club, the environmental group Casa Pueblo, and even the U.S. Fish and Wildlife Service; despite residents' concerns that it would be constructed near schools and churches and residential areas; despite geologists noting that it is near earthquake faults and that there have been 2,500 seismic events in the last 3 years on the island, and one just felt all over the island just 2 days ago.

The self-described "energy emergency" also helps hide the fact that you've given a \$10 million contract to a pal of the Governor who has no experience at constructing gas pipelines. He does, however, have experience skiing with the Governor. And maybe that's why you run a slick, taxpayer-funded PR campaign that renames the project "The Via Verde"—"The Green Way."

So instead of speaking to huge financial, human, and environmental costs, this Orwellian ad campaign calls a gas pipeline over mountains and through the woods and rivers a “green way.” Like a lot of people, I think it would be better to be named just “Green Away,” a magical cleanser that you apply to your forests, rivers, and lakes, and it makes them go away, along with the millions of green tax dollars.

Here’s an even more honest name for this project: “The Wrong Way.” Because it’s wrong to spend the people’s money on a project they don’t want and hasn’t been appropriately studied, as the newspaper *El Nuevo Día* has shown in a series of reports.

Candidate Fortuño was right; Governor Fortuño is wrong. It’s time to shine some light on this matter.

I have sent Freedom of Information Act requests to every and all Federal agencies that have addressed the pipeline in Puerto Rico. I will release the results so that the people know whom their government is meeting with, what documents exist, and what studies have been done to show the need for this project. Furthermore, I have already urged the Army Corps of Engineers to deny the permit request for the pipeline until experts testify, permits are applied for, community meetings are held, and environmental impact studies are done.

Maybe the government can make the case for this project in the light of day, but they shouldn’t be asking for a verdict without presenting their facts to the people first. It’s time they stop doing things the “Via Verde” way and start doing things the right way.

The 1st of May all to Adjuntas.

RAMON CORTINES

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 2 minutes.

Ms. CHU. Today I want to honor a man, Ramon Cortines, for his many years serving students in our public school system.

Ramon recently announced he was retiring as superintendent of the Los Angeles Unified School District. During his distinguished 55-year career in education, he has served as superintendent of schools in Los Angeles, San Francisco, San Jose, Pasadena, and New York City.

I had the great privilege to work with Ramon last year when the Los Angeles Unified School District passed a resolution calling for immediate passage of the DREAM Act.

But Ramon was not only a superintendent and advocate, he was a teacher in Aptos and Covina, which is in my district, and senior adviser to the U.S. Secretary of Education under President Clinton.

A lifelong educator, Ramon has taught at every level in the public

school system—elementary, middle, and senior high school—and has shaped education policy as a consultant to every entity from Stanford University to the University of California.

Ramon came to the Los Angeles Unified School District at a time of great challenge; yet he was able to improve school safety, increase attendance, and reduce the dropout rate. Ramon Cortines has had an extraordinary record of service, and he changed the lives of thousands of children.

Although he will be greatly missed, we must all continue the mission he strived for during his 55-year career, and that is to ensure that every child receives a quality education.

□ 1020

2012 BUDGET

The SPEAKER pro tempore. The Chair recognizes the gentleman from Florida (Mr. DEUTCH) for 5 minutes.

Mr. DEUTCH. Tomorrow, my Republican colleagues will bring a 2012 budget to the floor of the House, a budget that rolls back generations of progress and, quite simply, ends Medicare as we know it.

Fifty years ago, before Medicare and Medicaid were signed into law, Americans preparing to retire faced tremendous uncertainty. Private health insurance was simply out of reach. Savings put away during years of employment could barely cover those bills, if they could cover them at all. Seniors were forced to rely on their own children, many of whom were struggling to raise families of their own, to pay for medical care.

When the financial support of family and relatives was not an option, elderly Americans found themselves with the choice of a life without the care of doctors or a life of destitution. This was the status quo before Medicare and Medicaid were signed into law, and the American people found it unacceptable.

We believed then, as we believe now, that we have a responsibility to ensure that seniors, children, and the permanently disabled, the most vulnerable in our society, have access to quality health care. It was this sense of shared responsibility that Congress codified in 1965 through the creation of Medicare and Medicaid.

As President Lyndon B. Johnson said as he signed this historic legislation, “No longer will older Americans be denied the healing miracle of modern medicine. No longer will illness crush and destroy the savings that they have so carefully put away over a lifetime so that they might enjoy dignity in their later years.”

Today, 45 million seniors depend on Medicare’s guaranteed quality benefits. Now this year, as in every year, we find ourselves in the middle of a budget debate. At times, both Republicans and

Democrats can be accused of hyperbole. However, it is no exaggeration to say that the Republican budget headed to the House floor tomorrow abandons America’s seniors and does away with the concept of guaranteed Medicare benefits. It is no overstatement to say that it hands Medicare over to the private health insurance industry, and it is no lie to say that this plan ends Medicare as we know it.

This budget is no Path to Prosperity; for seniors, it is a path to the poor house. You can call it premium support; you can call it a voucher; you can call it a coupon; you can call it the golden ticket if you’d like; but changing the name won’t change the fact that this Republican plan will force America’s seniors to hand over most of their income to America’s insurers. Maybe instead of “premium support,” this plan should be called “insurance company profit assistance.”

By the time the Republican plan begins distributing coupons to seniors in 2022, most retirees will be unable to afford health care. After all, these coupons will be worth only 32 percent of the insurance bill. According to the nonpartisan analysts at the Congressional Budget Office, in less than two decades a private health insurance plan as good as Medicare will cost about \$30,000. Unfortunately, the Republican voucher that will be sent out under this budget plan will only be worth \$9,700. This means that there will be an insurance bill worth about \$21,000 sitting in the mailboxes of America’s seniors.

The Republican budget plan is no work of genius; it just shifts the burden of rising health care costs from the Federal Government to seniors and calls it a day. Through Medicare, Americans made a moral commitment as a people to ensure that seniors are not bankrupted by a hip replacement or diabetes medication. Likewise, with Medicaid, we made a moral commitment to ensure that elderly nursing home patients, impoverished children, the permanently disabled, and the neediest in our society can afford basic care. In fact, two-thirds of all Medicaid spending goes to caring for older adults and people with disabilities. The cost of long-term care, like in rehabilitation centers and nursing homes, is prohibitive. Medicaid serves as a lifeline for these individuals. And it is not an expensive program. In fact, compared to private sector health care costs, Medicaid is cheap, growing half as fast.

The GOP plan cuts Medicaid when physicians and hospitals can barely afford to treat these patients because of such low reimbursement rates. It is no mystery why Medicaid is beginning to strain State and Federal budgets. With so many Americans out of work, enrollment in Medicaid has skyrocketed as more and more families come to rely upon this safety net.

I have said it before and I will say it again: Medicaid is not too expensive. People are too poor. That's why we should be focused on creating new jobs. One hundred days into this new Republican Congress and not a single jobs bill.

Madam Speaker, this plan is not a price that I'm willing to pay. We can do better. We will do better. America's seniors are watching.

FUTURE OF MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. KISSELL) for 4 minutes.

Mr. KISSELL. Madam Speaker, from the time that I first came to Congress, I have continued to be a strong supporter of our seniors' issues and standing by our seniors. Today, I rise in support of another issue that our seniors are facing today, the issue of the future of Medicare.

We must stand by those who have stood by us as they enter into their senior years, and we must be strong in making sure that Medicare stays as a solid medical safety net for our seniors.

Madam Speaker, we have heard a lot about the Greatest Generation, that generation that fought World War II and worked in industries and raised families and came back and did so much to make America the great Nation as we know today. But, Madam Speaker, America is a great Nation, has been for many years, and will be for many years to come. And there is not just one Greatest Generation; there is a continuum of great generations.

I grew up in a very small town in North Carolina, and my heroes were those people—many of whom had fought in World War II—those teachers and those storekeepers and those people in a small town that raised many of my friends and myself and looked after us, whether in the school or church or wherever it might be. As these people that took care of us become seniors and they continue this throughout the Nation for generations to come, we must take care of those that took care of us.

I was a high school history teacher for 7 years before coming to Congress, and I always told my students that you're not studying history by looking at pages in a book or looking at old pictures or paintings or whatever it might be; you are studying about people that have a story. As we talk today about our seniors and Medicare, we cannot forget that these are the people who took care of us. They cannot become just political bargaining chips and political theories. They are real people. They have real stories.

I want to talk briefly about two people that are especially important to me—my mom and dad. My dad grew up in that same small town that I did in

North Carolina, fought in World War II, won a Bronze Star, came back, worked in the post office, and was happy just to be a part of helping in those ways that I talked about before. My mom grew up in Carroll County in Huntingdon, Tennessee, and came to North Carolina as a teacher and taught many generations. She is 96 years old, her birthday being last March 18. These are the heroes. These are the stories that we know, that all of us have. Whether our parents or grandparents, great-grandparents, aunts and uncles, whatever they may be, we cannot forget about them as individuals; we cannot forget about their stories, and we cannot let them become just political bargaining chips.

The question that we must ask, Madam Speaker, is: Why did we need Medicare in the first place? What in our system didn't work, that didn't take care of our seniors, that required Medicare to come into being? We know the answer to that. And we must continue to have that guarantee of a strong support structure when our medical needs for our seniors must be met this way. We must stand by our seniors.

□ 1030

REPUBLICAN 2012 BUDGET PLAN

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. MATSUI) for 4 minutes.

Ms. MATSUI. Madam Speaker, I rise today to voice my strong opposition to the Republican budget plan and its effects on America's seniors. I believe that we must address our national deficit, but I believe we can do it in a responsible manner that does not hinder our fragile economy and does not risk important programs.

I support the Democratic budget proposal, which makes practical cuts to reduce our Nation's deficit but without hurting America's seniors and sacrificing their health and financial security.

Madam Speaker, the Republican plan is irresponsible. It would hurt America's seniors while giving enormous tax breaks to the top 2 percent of the wealthiest Americans. It does nothing to create jobs but gives billions in corporate loopholes and subsidies to Big Oil. Most notably, the Republican plan would literally end Medicare. And while this may be a new plan, these are not new ideas.

The Republicans' 2012 budget attempts to do to Medicare what President Bush wanted to do to Social Security in 2005—privatize it and severely cut benefits. Madam Speaker, can you imagine if we had privatized Social Security in 2005 the way the Republicans wanted to do just before the biggest financial collapse since the Great Depression? Is that what we really want

to do with Medicare? We cannot afford to have Wall Street control the fate of our seniors.

The Republican plan would convert Medicare into a voucher program that forces seniors to buy costly private insurance plans. It asks seniors, half of whom have less than \$19,000 a year in total income, to pay more and get less. If this plan were put in place, the non-partisan Congressional Budget Office has estimated that the average senior would end up paying nearly three times more out-of-pocket expenses.

Meanwhile, the health care law enacted last year is already helping to close the gap in prescription drug coverage known as the doughnut hole and provides annual exams and preventive services. But a repeal of the health care law, as the Republican budget plan calls for, would eliminate these benefits. Madam Speaker, these benefits for Medicare patients are making a real difference in the lives of my constituents.

I recently heard from a 71-year-old woman from Sacramento who requires several expensive drugs to maintain her health. In October of 2010, she was worried about her ability to pay for her medication because she fell into the coverage gap. But she was relieved to learn that she would get \$250 in 2010 and that 50 percent of her costs would be reimbursed this year and even more would be reimbursed in the future. But now Republicans want to pull the rug out from under our seniors and their families.

What is astonishing to me is that in addition to privatization of Medicare, the Republican plan also goes after Medicaid. Instead of making real reform to the Medicaid program, the Republican budget calls for converting Medicaid into a block grant program. That would sharply reduce funding for seniors and low-income Americans on Medicaid so that it would not keep up with health care costs.

Medicaid helps keep our seniors in their homes and helps them afford nursing homes if they need them, but the Republican plan would leave seniors on their own and ignores the promise that our country has made from one generation to another.

Madam Speaker, the Federal budget should reflect our American values that have been passed down for generations where seniors earn the benefits that they have paid into and have been promised and are able to enjoy their retirement after working hard in their careers.

That is why I will continue to fight to protect the dignity of America's seniors and protect them against the devastating effects of the Republican budget proposal.

REPUBLICAN 2012 BUDGET PLAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from

New York (Mr. RANGEL) for 1½ minutes.

Mr. RANGEL. Thank you, Madam Speaker.

As we're about to close this part of the legislative morning expressions of belief, I would just like to say that for decades, so many people have said that we can't tell the difference between Democrats and Republicans. Well, I think that is over, that the Republicans, in their Ryan-projected budget, have made it abundantly clear that there is a big difference.

All Americans—Democrats, Republicans, and independents—know that we have a tremendous deficit, that the interest is just blocking out programs that we have to support. While it's abundantly clear that there is an emergency that we have to deal with, the Republicans' method of doing this, through the Ryan budget, is to look for the most vulnerable people that we have—the poor that are sick, the older people that are sick, our young people that are trying to get an education.

It seems to me if we take a look at the alternative, in investing now for the future of this great country of ours, to make certain that education is a part of what we're doing, investing in our infrastructure so that as we pay off the debt we are still investing for the future, this is what the Democratic Party is all about. And, Madam Speaker, I truly believe this is what America is all about.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 11 a.m. today.

Accordingly (at 10 o'clock and 36 minutes a.m.), the House stood in recess until 11 a.m.

□ 1100

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HASTINGS of Washington) at 11 a.m.

PRAYER

Rev. Arthur Cavitt, St. Charles Lwanga Center, St. Louis, Missouri, offered the following prayer:

In times like these, we need the Almighty Good Shepherd to be with us. Lead us, Lord, through valleys and shadows onwards to straight paths. In times like these, we need the God of the breakthrough to give us the ability to see transforming possibilities.

Guide us, Lord, through the challenges of our modern lives where sometimes hope is juxtaposed with despair. Grant that this august body will continue to move towards the common

good, mindful of the inherent dignity that You, God, have placed within us.

Grant that our hearts will resound blessed are we among nations. Blessed are we who dwell in this place and claim the potential for more love, peace, and inclusion for all people to partake of the fruits of this magnificent land.

Shepherd us, Lord. The promise of Your goodness and compassion sustains our work and sustains our offering of thanksgiving this hour and evermore. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Georgia (Mr. WOODALL) come forward and lead the House in the Pledge of Allegiance.

Mr. WOODALL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REV. ARTHUR CAVITT

The SPEAKER pro tempore. Without objection, the gentleman from Missouri (Mr. CLAY) is recognized for 1 minute.

There was no objection.

Mr. CLAY. Mr. Speaker, I rise today to honor our guest chaplain, one of my outstanding constituents, Father Arthur Cavitt.

Father Art, as he is known in St. Louis, is a leader in religious outreach and educational development efforts within the African American Catholic community. His St. Charles Lwanga

Center, located in North St. Louis City, offers Bible study, pastoral care, and conducts an outstanding youth ministry.

Father Art's spiritual leadership, through his center and as an educator at Cardinal Ritter College Preparatory, is reaching thousands of young people, changing lives, and helping to reclaim neighborhoods that have seen far too much violence, intolerance and pain.

Father Art is bringing the church's message of love, truth, tolerance, and mutual understanding to those in our community who need it most. I am very honored to salute him today as our special guest.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

THE VICTIMS OF CRIMES ACT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the Victims of Crimes Act, or VOCA, as it's called, is a wonderful idea that requires convicted criminals to pay into a fund that is used by crime victims. It is the idea that criminals pay for the system they have created. They pay rent on the courthouse, so to speak, by putting money in a fund that goes to these victims. This VOCA fund is about \$6 billion. This is not taxpayer money. It is money that belongs to victims. But Federal bureaucrats seem to want to rob this fund and pay for other Federal programs.

We cannot allow this money to be taken from victims of violent crime. This money should be placed in a lockbox so it is only used by crime victims and victim services.

During this National Crime Victims Week, our Nation must constantly be sensitive to the needs of people who have been robbed, assaulted, and harmed by criminals. We as a nation are judged not by the way we treat the rich, the powerful, and the famous, but by the way we treat the innocent, the children, the elderly, and victims of crime. And that's just the way it is.

SPEECHLESS

Mr. CROWLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER pro tempore. The time of the gentleman has expired.

MONTH OF THE MILITARY CHILD

(Ms. JENKINS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Ms. JENKINS. I have the honor and privilege of representing Fort Riley, home of the Big Red One; Fort Leavenworth, host to the Army Command and General Staff College; the 190th Coyotes out at Forbes Field; and nearly 12,000 National Guard and Reserve members.

With this strong military presence comes a large number of military families and children. I rise today in recognition of April as the Month of the Military Child. This is a time for all my colleagues to applaud the strength, sacrifice, heroism, and continued resilience shown by the children of our service men and women.

Kansas is proud to have more than 33,000 children with at least one parent serving in the military, and this month we recognize that when parents serve in the military, their children also serve.

I will continue to do everything I can to support not only our men and women in uniform but their children who sacrifice equally for our country.

RYAN REPUBLICAN MEDICARE PLAN

(Mr. COURTNEY asked and was given permission to address the House for 1 minute.)

Mr. COURTNEY. Mr. Speaker, in 1965, when Medicare was passed, only 50 percent of America's seniors could afford to buy health insurance. That was not an accident. It was because the high risk of people over age 65 made that market basically uninsurable.

I'm from Connecticut. We know a little bit about insurance in the State of Connecticut. Looking at the Ryan Republican Medicare plan which would give seniors vouchers to go out and buy insurance, all we're asking for is to repeat history, which is where this country was in 1965.

We must protect a guaranteed benefit for seniors. We learned that lesson throughout the early 1900s through 1965. The Ryan plan takes us back to a time when seniors will be paying massive out-of-pocket costs. The CBO estimates it will triple out-of-pocket costs for seniors. It is the wrong way to go. President Obama's plan that he laid out yesterday, which is a thoughtful, intelligent approach to lower health care costs but protects a guaranteed benefit for seniors, is what this country needs and what our senior citizens need.

□ 1110

H.R. 25—THE FAIR TAX

(Mr. WOODALL asked and was given permission to address the House for 1 minute.)

Mr. WOODALL. Mr. Speaker, tomorrow is Tax Day. I am sure there are some folks out there who haven't quite filled out all of their forms yet, who haven't quite finished up all of that paperwork yet, but it doesn't have to be that way. There are alternatives to change the Tax Code in this country, and one of those alternatives is the Fair Tax, H.R. 25, which was introduced in this House.

The Fair Tax, H.R. 25, is the only bill in Congress to eliminate the incentive that American companies have to move American jobs overseas. The Fair Tax is the only bill in Congress to change the Tax Code so that those jobs that have moved overseas and so that those dollars that have gone overseas have an incentive to return. The Fair Tax is the only bill in Congress that abolishes the payroll tax—that 15.3 percent FICA tax, which is the highest tax that 80 percent of working American families pay.

The Fair Tax, H.R. 25, is a different way and a better way, and we can make April 15 just another spring day.

PRESERVE MEDICARE

(Mr. INSLEE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. INSLEE. Mr. Speaker, we have an obligation to our generations who built America. That's why we will not allow the Republicans to terminate Medicare with extreme prejudice.

We will not allow them to turn a guarantee for seniors into a voucher program for the insurance industry. We will not allow them to turn Medicare into "Medi-gone." We will not allow them to give us 6,000 reasons to vote against their hair-brained scheme because they want to put \$6,000 worth of more costs on our senior citizens.

This is a noble obligation. It should not be shredded. We should reduce medical inflation, not put this burden on senior citizens. Preserve Medicare and reject the Republican scheme.

OBAMA'S BUDGET GROUNDHOG DAY

(Mr. PALAZZO asked and was given permission to address the House for 1 minute.)

Mr. PALAZZO. Mr. Speaker, the White House has presented its sequel budget plan for America, but this sequel looks strangely like the prequel—filled with rhetoric, flat on vision for economic growth, and heavy on new taxes for America's small business owners and job creators.

As a CPA who operated my own practice, I have filed thousands of tax returns for individuals and small businesses. I have not only met payroll myself, but I have examined the bottom line of businesses that are trying to

keep their doors open. The sequel plan offered by the White House will tax those who are trying to expand and invest. It will ultimately cripple job growth and recovery in America.

Chairman PAUL RYAN has presented a plan with a vision for job growth. It supports many of the concepts that as a CPA I have long advocated for, such as simplifying the Tax Code and reducing tax levels for small businesses and families. As a CPA, I know the Ryan plan presents a path to prosperity for America, and I will support it tomorrow.

NATIONAL AUTISM AWARENESS MONTH

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to recognize National Autism Awareness Month and to express my support for ongoing efforts across the Nation that are devoted to improving the treatment of those individuals with autism, and their families.

Today, one in 110 children is affected by autism, and my home State of New Jersey has the highest rate of autism in the country. With the help of treatment and support centers, the lives of individuals and families affected by autism are improving every day. I am proud that such a facility exists in my district.

The Center for Autism at The North Ward Center provides the highest quality of care to individuals and families in the greater Newark area. Under one roof, the center offers a seamless and comprehensive range of services for the lifespans of individuals with autism, treating the whole person and the whole family, focusing on strength-based interventions. The center represents a one-stop approach in relieving the burden on already stressed families dealing with autism.

The Center for Autism at The North Ward Center in Newark is only one example of how concentrated care can greatly better the lives of individuals and families affected by autism.

IT IS, PERHAPS, THE END OF THE BEGINNING

(Mr. BENISHEK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BENISHEK. Mr. Speaker, this day marks an historic moment for our country. The rise in Federal spending that has defined the last 3 years has ended.

The bill that we will pass in the House today contains the largest cuts in our budget since the end of World War II. This bill is by no means perfect, and I, like many Americans, want more cuts, and I believe we will get them. These cuts are just the start.

The words of Winston Churchill, which were spoken during a different battle, echo true today. He stated, "This is not the end. It is not even the beginning of the end; but it is, perhaps, the end of the beginning."

Mr. Speaker, it is time to move beyond last year's business and start doing the work the American people sent us here to do. Tomorrow, we will take up legislation that will save us not billions but trillions; and as this House considers addressing the debt ceiling, the Senate and the President need to know that these cuts do not represent the end—they represent our resolve to continue the fight.

MEDICAID BLOCK GRANTS PROGRAM

(Mrs. CAPPS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. CAPPS. Mr. Speaker, I rise today in strong opposition to the Republican plan to gut Medicaid. This plan isn't about finding cost-effective ways to improve Medicaid. It's about limiting health care for some of the most vulnerable members of our society.

It's telling seniors they no longer qualify for their nursing home care. It's taking away access to well child visits. The Medicaid program isn't just numbers on a balance sheet; it's the only access to care for millions of low-income seniors, poor children and people with disabilities.

Under the Republican proposal, there will be less access and less care, especially in times of economic stress, like what we are going through today. Medicaid rolls swell as people lose jobs and families lose income. Under the Republican block grant scheme, tough times would mean even tougher times for the newly unemployed, the frail and the young.

As a nurse, I believe a key moral measure of our society is how we treat the least among us. This irresponsible Republican proposal just doesn't measure up.

CREATING JOBS

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I want to commend our President for taking a mature and comprehensive approach to the problems we face.

When people have a need to lose weight, they both reduce their caloric content and they increase their exercise. It's the same thing with the deficit we have. You have to have cuts or reforms, but you also have to have more revenue.

The President's proposal yesterday about finally getting around to taxing

the millionaires and the billionaires and having them contribute to the need to reduce our deficit is so important, while at the same time reforming Medicare, not eliminating Medicare. That's what is scary: eliminating Medicare for seniors, threatening Social Security, and not providing an innovative program to create jobs. Jobs is the issue. We need to create jobs in this country, and we haven't seen it coming forth.

I praise the President for his mature approach to the situation, and I encourage others to fall in line.

IN THE PEOPLE'S HOUSE, ONLY THE BIG DOGS EAT

(Ms. BROWN of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. BROWN of Florida. Mr. Speaker, my name is Congresswoman CORRINE BROWN, and I'm from the great State of Florida, the home of Claude Pepper.

Claude Pepper was the champion for senior citizens and the elderly, and he would be so appalled by the bill that the Republicans are bringing to the House floor tomorrow, which will gut and privatize Medicaid and Medicare in order to give tax cuts to the millionaires and billionaires. That's shocking—that's shocking to me—but Republicans are doing it after one hearing, which is unacceptable.

You talk about open government. Why is it that we have not had hearings where we bring in our stakeholders and talk about how this would affect senior citizens?

How can you dare to propose that people who may not even make \$6,000 a year have to pay an additional \$6,000 a year for health care insurance?

It's so sad that, in the people's House, only the big dogs eat.

□ 1120

REPUBLICAN BUDGET ENDS MEDICARE AS WE KNOW IT

(Mr. PALLONE asked and was given permission to address the House for 1 minute.)

Mr. PALLONE. Mr. Speaker, it's sort of ironic that today we're going to bring up a budget, the Republican budget, that would end Medicare as we know it, but at the same time seek to repeal the health care reform legislation, or at least defund it.

I don't understand how my Republican colleagues keep talking about repealing or defunding health care reform and yet have nothing to replace it with, and in this case are trying to gut or end as we know it the existing health care programs that we have for senior citizens and the disabled in the case of Medicare, and in the case of Medicaid for low-income people.

They would tell seniors, in their budget, that they're supposed to go out and buy their own health insurance, and somehow they're going to give them some help. They call it premium support from the Federal Government. But they're now going to have to pay out of pocket to just buy their insurance more and more. So they have to pay out of pocket for the premium, they have to pay out of pocket for a deductible, and they have to pay out of pocket for the copay. Where does it end?

THE AMERICAN DREAM

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute.)

Mr. CLARKE of Michigan. Mr. Speaker, I am here to talk about the American Dream.

The American Dream, that's what motivated the Asian American hotel owners to come to this country. Many of those hotel owners came here under circumstances similar to that of my dad. They came here to live the American Dream, but not just for us. By providing over half a million jobs to Americans throughout this great country, the Asian American Hotel Owners Association helped to provide the American Dream to all of us.

PROVIDING FOR CONSIDERATION OF H. CON. RES. 34, CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

Mr. SCOTT of South Carolina. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 223 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 223

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the concurrent resolution (H. Con. Res. 34) establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021. The first reading of the concurrent resolution shall be dispensed with. All points of order against consideration of the concurrent resolution are waived. General debate shall not exceed four hours, with three hours confined to the congressional budget equally divided and controlled by the chair and ranking minority member of the Committee on the Budget and one hour on the subject of economic goals and policies equally divided and controlled by Representative Brady of Texas and Representative Hinchey of New York or their respective designees. After general debate the concurrent resolution shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original concurrent resolution for the purpose of amendment under the five-minute

rule the amendment in the nature of a substitute printed in part A of the report of the Committee on Rules accompanying this resolution. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report of the Committee on Rules. Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment. All points of order against the amendments printed in part B of the report are waived except that the adoption of an amendment in the nature of a substitute shall constitute the conclusion of consideration of amendments to the amendment in the nature of a substitute made in order as original text. After the conclusion of consideration of the concurrent resolution for amendment and a final period of general debate, which shall not exceed 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, the Committee shall rise and report the concurrent resolution to the House with such amendment as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the concurrent resolution or to the amendment in the nature of a substitute made in order as original text. The previous question shall be considered as ordered on the concurrent resolution and amendments thereto to final adoption without intervening motion except amendments offered by the chairman of the Committee on the Budget pursuant to section 305(a)(5) of the Congressional Budget Act of 1974 to achieve mathematical consistency. The concurrent resolution shall not be subject to a demand for division of the question of its adoption.

The SPEAKER pro tempore. The gentleman from South Carolina is recognized for 1 hour.

Mr. SCOTT of South Carolina. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SCOTT of South Carolina. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. SCOTT of South Carolina. House Resolution 223 provides for a structured rule for consideration of House Concurrent Resolution 34. This rule makes in order every complete substitute submitted to the Rules Committee. Continuing a bipartisan tradition, we are making in order four Democratic substitutes and one Repub-

lican substitute, providing 4 hours of general debate, with ample debate on each substitute. This will allow the House to work its will and adopt a budget blueprint for fiscal year 2012.

Mr. Speaker, I rise today in support of this rule and the underlying bill. The underlying legislation is our budget for 2012. Our 2012 budget is our blueprint for a strong and secure future for the next generation.

Each of us is here today because those who came before us made amazing sacrifices for the next generation—us—keeping alive the American Dream. In the last century alone, our parents and grandparents have won two world wars, overcome the Great Depression, defeated communism, and created the most prosperous and vibrant society in the history of mankind.

Today it is our turn. It is our turn to take a bold and necessary step to ensure that we pass on to our children this great blessing called America, and even a stronger America than the one we received from our parents.

PAUL RYAN calls his plan The Path to Prosperity. I call it leadership. It is what our country has been thirsting for. It confronts our problems head on, and it proposes reasonable and responsible solutions to get us back on track.

Our plan creates jobs, real jobs, 1 million new jobs in America in the first year alone. It stimulates our economy, increasing our GDP by \$1.5 trillion in the next 10 years. It protects and strengthens Social Security and Medicare. Let me say that one more time because so many people are trying to demagogue the issue: Our plan strengthens and protects Social Security and Medicare for the next generation of Americans. And it also reduces job-killing government spending by \$6.2 trillion in the next 10 years.

Yesterday, our President, he got on board. Two months ago, he gave us his 2012 budget, and now we have 2012 2.0, the second time around. But the plan hasn't changed much, sir. The plan is basically the same. So let's compare our plan in the next 10 years to President Obama's plan over the next 12 years.

President Obama would add \$4 trillion to our debt, leaving us at the end of the next decade with \$26 trillion of debt, according to the CBO. Even our Democratic colleagues in the House agree, and they have presented a plan that breaks from their own President, cutting an additional \$1.2 trillion off the deficit. The Republican budget cuts \$6.2 trillion, bringing spending to under 20 percent of our economy.

The Republican plan proposes specific and responsible solutions to strengthen Medicare, Social Security, and Medicaid. The President talks very vaguely about a plan to cut waste and streamline Medicare and Medicaid, proposing to create yet another unelected commission to solve all of our prob-

lems. We don't need more unelected bureaucrats in Washington, sir, enlarging the scope of government. That's not real leadership.

The President tries to tax our way out of debt, placing the burden on those earning more than \$100,000. But the problem, sir, is a simple one. If we were to tax these individuals 100 percent of their income, we still cannot cover our deficits this year alone. As a matter of fact, to tax our way out of debt, we would need to increase taxes across the board on every man, on every woman, and on every business by 60 percent. You simply cannot tax your way out of this debt. Imagine the effects this would have on our economy.

□ 1130

The President's budget cuts \$400 billion out of our military. In the time that he has led us into Libya, in the time that we have two conflicts going on, it cuts \$400 billion away from the men and women who are fighting for freedom, dying for liberty.

I encourage my colleagues to vote "yes" on the rule. I encourage my colleagues to vote "yes" on the underlying resolution.

I reserve the balance of my time.

Ms. SLAUGHTER. Mr. Speaker, I thank my colleague from South Carolina (Mr. SCOTT) for yielding me the 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, we all recognize the urgent need to cut the Nation's deficit. We need to have serious discussions and make tough decisions about how we prevent a fiscal crisis in our country, and certainly we are beginning those discussions.

But, sadly, today—and I must emphasize this—sadly, today this bill will end Medicare and cost shift to seniors \$6,000 more a year. And why are they doing that? They get to pay for more tax breaks for Big Oil and millionaires, who are untouched in this country. That really is strange deficit reduction to me.

Frankly, if I had my druthers, I would start by ending the war in Afghanistan. That war is costing us \$8 billion a month, and we're paying to rebuild Iraq and Afghanistan while our own infrastructure crumbles and while we feel we cannot afford to spend any of our money on those of us who live here and pay the costs.

Just yesterday, the President presented another way to solve our fiscal crisis, as he laid out a budget that will responsibly reduce the spending and that simplifies the Tax Code, which is so important, so that, as the President said, and this is critical to understand, the taxes you pay are not going to be determined by the accountant you can afford. This is good news for all Americans.

The President's budget puts us on the right track to ending the deficit crisis

while investing in the long-term success of our economy and our country. Unfortunately, the thought is far too prevalent in this House that we need not invest in ourselves, that we can just shut down programs and everybody will be happy and singing in the streets. Not likely.

But despite the responsible vision the President presented yesterday, we stand here today debating a reckless Republican budget that will destroy programs like Medicare while extending the tax cuts to corporations and America's rich.

The budget starts with Medicare, eliminating the program that provides secure and affordable health care in old age. And it is eliminated. People who are on Medicare now will be grandfathered in. In the future what they will get will be a voucher with a certain amount of Federal money that goes with it. They are then required to go do the best they can in the private market to meet their health care needs.

As we watch the cost in the private market climb, we would have to ask ourselves, Would this government help out, as Medicare would, by raising the money that the government puts in to replace it? No, it wouldn't. So under this plan a senior in the year 2021, and I hope there are a lot of them in this House who will follow me on this, will pay \$6,000 more for the private insurance than they would have under Medicare. Now, if your insurance costs more than that, you had better find a way to pay your creditors because you're going to be on your own.

Today's budget bill also threatens the future of Social Security. It includes a trigger mechanism that would allow Social Security cuts to be rushed through the Congress at a future date. This trigger is an abuse of the legislative process and puts Social Security on the chopping block for future cuts.

Furthermore, in an act that defies all logic, this bill cripples the watch dogs that we created just last year to police the big banks who created the financial crisis. Why in the world would we want to do that?

In addition to Medicare and Social Security, it cuts 70 percent of our investments in clean energy. It cuts 25 percent of our education funding. It cuts out 30 percent of our transportation funding, including significantly less money for a high-speed rail network designed to free us from foreign oil.

By stopping investments in key competitive areas, our Nation is abandoning jobs and future economic opportunities that come with clean energy, with a new transportation network, and the invaluable work of educating our children. This is the burden 90 percent of Americans are asked to share.

Meanwhile, the Republican budget would make permanent the Bush-era

tax cuts that further cut taxes for corporations and America's richest individuals, including the oil companies. Do they need a Federal subsidy? I think not. Had the Bush tax cuts been allowed to expire in December, we would almost be able to cut our deficit in half within a few months from now.

The Republican majority apparently believes that the ones who have the most should sacrifice the least. Some have claimed tax cuts create jobs. We hear that a lot around here. But analysis by respected experts, such as Pulitzer Prize winner and former New York Times tax expert David Clay Johnston, have shown that tax cuts do nothing to spur the economy and create jobs; they simply pad the wallets of the wealthiest among us in times of a national need.

As we shape a budget for 2012, we must craft legislation that truly shares the entire Nation's sacrifice, not a budget that ends Medicare while handing more tax giveaways to those who need it the least and in many cases are asking not to be given it.

Accordingly, I urge my colleagues to vote "no" on the rule and the underlying resolution.

I reserve the balance of my time.

Mr. SCOTT of South Carolina. I yield myself such time as I may consume, Mr. Speaker, and I just want to address a few points that Congresswoman SLAUGHTER brought up.

I have scoured the budget looking for this notion of a voucher system for Medicare. I've scoured the budget and simply cannot find anything that is, in fact, a voucher system. I have seen things about premium support.

But let's just talk about Medicare for a quick second. \$800 billion the President has suggested must come out of Medicare in order to pay for national health care. So we are going to take benefits from our senior citizens in an attempt to provide health care benefits for 19- and 20-year-olds. In fact, that \$800 billion is one way to actually increase the cost to every senior citizen in our country. Increasing taxes by \$2 trillion in the next 12 months is a wonderful way to make our economy stumble, and that's what the President has suggested.

Finally, you cannot increase taxes on the very job creators themselves and then ask them to continue to create jobs.

□ 1140

Mr. Speaker, I yield 5 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

Mr. Speaker, we are facing a crisis in the country today. Imagine back home in your family budget if for every dollar you spent, 40 cents was borrowed. Surely you would bring your entire family to the kitchen table and say,

okay, what can we cut out? We cannot continue to borrow 40 cents for every dollar we spend. You would make changes in your household budget. But for some reason, many in Washington, D.C. want to stick their head in the sand and say, no, we really don't have to do this. And yet right now the national debt is 90 percent of the GDP.

We borrow billions of dollars a year from China, which is not exactly a great idea in terms of national security. I sit on the Defense Subcommittee of Appropriations. We watch China year in, year out building up their army, and yet we go to them over and over again for more money. And yet, while we do that, those in Washington, D.C., don't want to do anything.

We heard yesterday the President's mulligan budget. As you know, Mr. Speaker, the President of the United States is responsible to submit his budget to Congress each year, which the President did in February, totally ignoring his own deficit commission's recommendations. The Simpson-Bowles language was not in there. And yet, yesterday, the President decided, oh, well, give me one more chance, I'm going to introduce another budget, which has a lot of phony numbers in there and a lot of false promises and calls for more studies and commissions. I ask my Democrat friends, is that budget going to be on the floor today? Are we going to be able to offer it?

I yield to my friend from Maryland.

Mr. VAN HOLLEN. If the Speaker would allow, we are going to be offering a Democratic alternative today, and everyone will have a chance to see the alternative.

Mr. KINGSTON. You will be offering the budget the President talked about yesterday? I'm going to yield back to my friend from Maryland, but I want to say this: Unlike when you guys were in charge, we are offering the Democrats opportunities to offer budgets. We think it's very important, because we want the best of your ideas, and we think the best of our ideas can be combined together for the best of America.

Mr. VAN HOLLEN. Will the gentleman yield for 5 seconds? Because you will have that opportunity to vote on a Democratic alternative.

Mr. KINGSTON. I am going to yield to my friend, but here's what I want to say, that we keep hearing over and over again in the last 24 hours about the President's wonderful mulligan budget that he offered yesterday, but I don't believe it's going to be offered on the floor of the House.

Now let me yield to my friend.

Mr. VAN HOLLEN. As I indicated, you will have a Democratic alternative budget that we're going to put forward, and it will present a very clear choice for the Members. We will present a budget that achieves steady, predictable deficit reduction. Again, we make

different choices in how we do it, and that is the center of the debate. So everyone will have an opportunity to vote on an alternative budget.

Mr. KINGSTON. Let me ask specifically, the mulligan budget that the President offered yesterday, will it be on the floor of the House today?

Mr. VAN HOLLEN. The President did not offer what we call a budget. He offered what was an outline, an approach, that he wants people to look at on a bipartisan basis. That's what the President proposed yesterday.

Mr. KINGSTON. Let me thank my friend from Maryland for answering this, because I do think it's important for the Democrats to be given an opportunity to offer an alternative budget, and I'm glad that you will be, and there will be five such budgets. And I'm hoping even if your budgets don't pass, that we can still pick and choose some parts of those, and there will be some parts of our budget that you like and want to support as well.

But I want to emphasize over and over again that the President, who yesterday tried to reclaim some territory because he did not take on the recommendations of his own deficit reduction commission, he was not offering a budget yesterday. What he did was give a speech. Now, the President is kind of becoming the Spectator in Chief or the Speaker in Chief. He's the guy who offers a budget, and then yesterday decides to give a speech. Well, the time has come and gone for speeches.

What our budget does is take on some serious changes in our spending habit. It does tackle the difficult choices that we have on Medicaid and Medicare. It does not create a voucher system; it is a supplemental system which will give seniors more choices. And it doesn't affect anybody 55 years or older, which is very important.

But we will hear from the liberals in this community the cage rattling of senior citizens over and over again, and that's why we can't make progress in this town, because we always reduce policy to politics.

The time to put policy first is now. We've got to tone down our rhetoric and say, you know what, here is a plan to save and protect and preserve Medicaid and Medicare, not for the next election, not for politicians, but for America's future seniors. The baby boomers who are under 55 years old will have a Medicare/Medicaid plan that they can count on because it will be there. If we don't change, it will not be there for them.

Ms. SLAUGHTER. Mr. Speaker, later in this debate, if we defeat the previous question, I will offer an amendment to the rule to make in order Mr. TONKO's amendment to protect Medicare, TRICARE, and veterans' health care from privatization or arbitrary spending caps.

I am pleased to yield 3 minutes to the gentleman from Maryland (Mr. VAN

HOLLEN), the ranking member of the Budget Committee.

Mr. VAN HOLLEN. I thank the ranking member.

I'm glad my colleague raised the issue of the bipartisan fiscal commission, because the fiscal commission took a look at the Republican budget plan and said it was not balanced and not comprehensive and not a way to achieve deficit reduction in a responsible way. That was the verdict of the bipartisan commission.

Why did they say it was unbalanced? Because the Republican budget provides big tax breaks for special interests. You don't get rid of the subsidies to the big oil companies. You want to give additional tax breaks to the very wealthy, including millionaires. And what do you do for the tradeoff? You cut funding for education for kids and you do end the Medicare guarantee. We're going to have time to talk about other parts of the bill later on, but I want to talk about that now because it's going to be the subject of the previous question.

What this budget does is say to seniors, you no longer may stay in the Medicare program today; you have to go into the private insurance market. And the way it saves money is it says, as those costs in the private insurance market continue to go up, you are not going to get premium support that will keep up with it. You're going to get something that's a relatively fixed value compared to the rapidly rising health care costs, which is why, as the President said yesterday, in the year 2022 seniors would pay more under the Republican budget plan by over \$6,300 than they do under current Medicare. And that continues to rise and rise and rise.

I want to put an end today to this other talking point we keep hearing, that somehow they're offering seniors what Members of Congress have. It's not true. What Members of Congress have is something called a fair share formula under the Federal Employees Health Benefit Plan. So as premiums go up, the risk to Members of Congress and other Federal employees is fixed at a certain percentage. Not true under the Republican Medicare plan. The way it saves money in the out years is in fact to make sure that share between Medicare and the senior is not fixed, that the senior has to pick up more of the cost. That is a fact. And that is how they make money in the out years, by putting it on the backs of seniors, even while they say they're going to bring down the top tax rate by 30 percent for the wealthiest people in this country. That's the kind of choices we're facing here.

The gentleman from New York (Mr. TONKO) had an amendment before the Rules Committee on exactly this issue of ending Medicare and the guarantee that it provides in saying you've got to go into the private system.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. VAN HOLLEN. His amendment makes the point that if you think this is a good idea, if the Republicans think this is such a good idea, why don't you apply it to veterans? Why don't you apply it to active service personnel? If it is such a great thing, why don't you turn them into voucher premium support—whatever you want—a kind of plan where they have to eat the rising cost of health care?

Members are going to have an opportunity. If you vote "no" on the previous question, you will be able to vote to say, let's not turn Medicare into a voucher premium support, let's not end the guarantee, and let's not do that for our military personnel or our veterans either.

Mr. SCOTT of South Carolina. I yield myself such time as I may consume.

Mr. Speaker, let's just clear up a simple point here. The only specified savings in this budget are from raising taxes and cutting the military. If we really wanted to have an opportunity to make Medicare last longer, we could simply repeal ObamaCare, repeal national health care, and put the \$800 billion back into Medicare.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. SCOTT of South Carolina. I yield to the gentleman from Maryland.

Mr. VAN HOLLEN. The Democratic alternative says, yes, we should ask the highest income earners, the folks at the top 2 percent, to simply pay the same rate that they paid during the Clinton administration when the economy was roaring and we created 20 million jobs.

□ 1150

That's what the choices are before us, and that's exactly the point you're making. You want to end the Medicare guarantee for seniors at the same time you want to give tax breaks to folks at the very top. That's your choice. You can make it, but we don't think that's the choice the American people want to make.

Mr. SCOTT of South Carolina. Congressman, the fact is simple. We could tax those over \$100,000 a year 100 percent and we still simply could not close the deficit for this year.

The fact of the matter is people talk about this government getting smaller, and the President's original budget spent \$47 trillion in the next 10 years—an \$8.7 trillion increase in spending. We're talking about a \$2 trillion increase in spending in the next 12 months in taxes. We're not talking about reducing the size and scope of this government.

We must get ourselves on a completely different trajectory. We must bend the trajectory back towards the

American people, back towards the private sector, and eliminate the disincentive for growth in our economy called taxation.

So to the extent that we can flatten the tax, spread the risk, we find ourselves in a more prosperous society with a stronger economy led by those folks in the private sector. Entrepreneurs have an opportunity to take those dollars and reinvest them in such a way to create more jobs. It is a simple formula.

Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I thank my colleague for the opportunity to speak.

Mr. Speaker, it's been roughly a hundred days since I've been here. I'm one of the new folks in Congress. I began with my very first presentation several months ago congratulating my opponents across the aisle for saying all of the right things about where we're going to go this year, about how concerned they were about cutting spending, how concerned they were about balancing the budget. And I was actually excited at that time to hear folks across the aisle using a lot of the same language that we were using. Apparently, by now, I guess I have to expose myself for being somewhat naive.

Here we are again today hearing the exact same language, that the other side is deathly serious about cutting spending, the other side is deathly serious about balancing the budget, and I've come to realize, as I think most of America has, that the words simply don't match up to the language.

I guess, to a certain extent, I should be happy that we are here at least having this debate. We are here today discussing the 2012 budget for the first time. This will be the first time in 2 years this debate has taken place on this floor since there was no budget last year offered by my colleagues across the way.

I can simply ask them: If you are indeed serious today about balancing the budget, serious today about getting spending under control, where have you been for the last 4 years? Where were you last year when this debate was not even allowed to take place on the floor of the House of Representatives?

But let's put that behind us now. Let's move on to the 2012 budget. What are we seeing? We're seeing some wonderful language out of our colleagues on the other side. We saw the President in his State of the Union say a lot of the things that folks like me wanted to hear. And then we saw a budget that did absolutely nothing out of the White House—nothing. A budget that was derided by The Washington Post as actually being void of ideas and failing to lead.

So what did our side do? We led. And in our budget, we actually introduced

specific proposals on how to solve the problem. Did you like them? No. Did I like all of them? No. Are we all going to like all of the proposals? No chance. But at least we offered ideas, specific ideas.

Then yesterday we heard the President was going to do the same thing, that he was going to meet us, that he wasn't going to attack us. He was actually going to put specific ideas on the table and invited my colleagues to sit in the front row while he called them un-American and again refused to give any specifics.

Mr. Speaker, you will not see the President's budget offered today or tomorrow as an amendment. You will not see the budget that the President discussed yesterday offered as an amendment because it simply does not meet the specific requirements of being a budget amendment. It doesn't even come close.

What the President talked about last night was more empty ideas and political rhetoric. The speech was introduced by his campaign manager, not by his Director of the Office of Management and Budget, not by the Secretary of the Treasury. It was a political speech. I'm extraordinarily frustrated with that.

I have an economics background. I'd love to sit and talk about the economic realities that face our Nation. It is so difficult to do when the other side, led by the President, simply wants to engage in politics.

Here again today we've seen it. We've seen talking points that somehow our proposal is going to require seniors to pay \$6,000 out of pocket. We've looked for the last 12 hours to try and find that, Mr. Speaker, and we can't find it. What we did find, however, was the CBO report that says that the payment under our proposed system for 65-year-olds in 2020, 10 years on, would be the exact same as it would be under Medicare, that the spending per capita on seniors under our proposal 10 years on would be the same as it is under the current law.

I'm not sure where the \$6,300 is coming from. My guess is it's coming from somebody's political office and not from some economic think tank.

You heard my esteemed colleague from Maryland, whom I've enjoyed working with on the Budget Committee, talk about the fiscal commission. I think lost in a lot of the discussion yesterday about the President's speech were the comments that one of the cochairs of that committee made as he walked out of the room after the President gave his speech, and they said, "Mr. Simpson, what do you think the course of action should be from here on out?" And his answer was, "Pray."

Is that what we've come to as a Nation, that the best chance we have to balance our budget is prayer? I'm a big

believer in prayer, don't get me wrong, but we need to be met on the real issues. We cannot have the other side continuing to meet our specific proposals with rhetoric.

To the extent that we will see specific proposals, I think we saw a brief introduction to it during the amendment process in the committee. Every single Democrat amendment—that's not fair. There were three or four, including one or two that I think I voted for. We did have a couple of bipartisan amendments pass. But the large majority of the Democrat proposals of amendments to this budget during the budget process were fairly simply described as increased taxes and increased spending. It was a series of increased taxes and increased spending.

My fear, Mr. Speaker, is that's what we're going to see for the next few days, and it's a tremendous loss that here we are able to discuss the budget for the first time in 2 years that the debate will be purely political.

Ms. SLAUGHTER. Mr. Speaker, I yield 1 minute to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank the ranking member.

If my colleague would remember, one of the first amendments that was offered was to say let's be serious about the deficit. Let's have shared sacrifice. Let's ask those folks paying over a million dollars to go back to the same tax rates that they were during the Clinton administration and put some of that money to deficit reduction.

We offered other amendments by saying let's let the big oil companies do a little less with the taxpayer subsidies and focus that on higher priorities.

The gentleman asked where the figure was that a senior would have to pay \$6,000 more in the year 2022 under the Republican proposal. That is from the CBO letter to the chairman of the Budget Committee where they did their analysis of the long-term impact. It was not a Republican outfit. It was not a Democratic outfit. In fact, the chairman of the committee has made it clear that he has used the CBO baseline for the purpose of his own budget. This is out of a CBO report. And I think we need to take it seriously, because we can all have our own arguments and opinions, but there are certain facts that we can't run away from, and that's one of them.

Mr. SCOTT of South Carolina. Mr. Speaker, I yield 2 minutes to the gentleman from California, Chairman DREIER.

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation not only to the gentleman from North Charleston for his superb management of this rule, but also to salute my friend from Lawrenceville, Georgia (Mr. WOODALL), who serves from the Rules Committee to the Committee on the Budget.

We actually have clearly changed the entire trajectory with the budget that we are going to consider with this rule. And I should say that, as I listened to the exchange that took place between Messrs. VAN HOLLEN and KINGSTON earlier, we've changed the debate.

In the last session of Congress, Mr. Speaker, there was not a budget considered. We didn't go through this. Yet we are going to have every single substitute—from the Congressional Progressive Caucus, the Congressional Black Caucus, Mr. COOPER, the Democratic substitute—all considered, and we're going to have a free-flowing debate today and tomorrow on that.

Now, Mr. Speaker, let me just say that yesterday I stood here at 1:30 just as the President was getting ready to deliver his speech, and I indicated some real hope and optimism by virtue of the fact that early indications were that the President would be talking about the need for entitlement reform. I have to say that I was more than disappointed in the fact that the speech was a little more political than I thought it could have been, and it was at best a very first step, but a little too modest for my tastes.

□ 1200

Madam Speaker, it is essential that we work in a bipartisan way to take on the burden and the cost of Medicare especially, and Social Security as well. Why? So that we can save, not abolish, Medicare and Social Security. The American people have been compelled throughout their entire lifetimes to pay the FICA tax. They in fact should have an opportunity to have what are much needed health care and retirement benefits. And the course that we're on right now, Madam Speaker, has created a scenario whereby they will be lost. That's why we are working to save it. It can only be done, I believe, Madam Speaker, if we do it in a bipartisan way.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to a former member of the Rules Committee, the gentlewoman from Maine (Ms. PINGREE).

Ms. PINGREE of Maine. I thank my colleague from New York, former chair of the Rules Committee, who I had the privilege of serving under, for allowing me this time.

Madam Speaker, I am here today to speak against the rule and against the Republican budget. Last year was a good year for CEOs at America's biggest companies. The average CEO got a 12 percent raise and made about \$10 million. Now the Republicans want to give that same CEO a 30 percent tax cut. That's right. While the average American family is struggling with gas prices that went up 93 cents in the last year, while working Americans tried to figure out how to afford health care or how to send their children to college, the Republicans have been busy trying

to figure out how to cut taxes for CEOs by one-third.

Of course, you can't cut taxes that dramatically for the richest Americans without cutting spending somewhere else. Someone has to pay for the tax cuts. And in the Republican budget, the people who pay the price are seniors and the middle class. Under their budget, seniors will pay when Medicare as we know it is ended and replaced with a voucher system that will be a windfall for insurance companies but will double health care costs for seniors. And the middle class will pay when deductions for home mortgages or health insurance are repealed to pay for those CEO tax cuts.

Madam Speaker, Republicans simply have the wrong priorities, putting the burden of the budget on seniors and the middle class while giving big tax breaks to the wealthy and handing out handouts to insurance companies. I don't share those values. This is not a budget that serves the American people well.

Mr. SCOTT of South Carolina. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 3 minutes to a member of the Committee on Rules, the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Madam Speaker, I rise in strong opposition to the Ryan budget before the House today. I am pleased that the Rules Committee has made the submitted substitute budgets in order so that we can have a full debate on our Nation's priorities over the next several years. And in my view, the Ryan budget represents exactly the wrong priorities.

It would eliminate Medicare as we know it, forcing seniors to pay thousands of dollars more every year for their health care. It would bring back the doughnut hole, allow insurance companies to once again discriminate based upon preexisting conditions, and kick young people off their parents' insurance plans. It would slash needed investments in education, infrastructure, medical research, environmental protection, and hunger programs. And it would still result in deficits as far as the eye can see.

And at the same time, the Ryan budget would give a massive tax cut to the wealthiest Americans. The top rate under the Ryan budget would be the lowest since 1931, which is appropriate, Madam Speaker, because this is a budget that only Herbert Hoover could love. Apparently, the Republican leadership of this House would like to reverse the last 80 years of social progress in this country.

In short, I believe this budget would represent the largest redistribution of wealth from the middle class and the poor to the wealthy in American history. Now, some have called this approach trickle-down economics on

steroids. But it's worse than trickle-down, Madam Speaker; it's gusher-up. Over the last several years, working families have been struggling, struggling to find a job, struggling to pay their mortgages, to pay the utility bills and their health care bills, struggling to put food on the table and put their kids through college. To them, the Republicans would say, "Tough luck."

At the same time, the very wealthiest Americans and corporations have enjoyed record profits. And to them the Republicans would say, "You need more help." As President Obama said so eloquently yesterday, "That's not the America that I grew up in. That's not the America I want for my children and for my grandchildren."

We can and we must do better. The Democratic alternative offered by Mr. VAN HOLLEN is a sensible, practical, and, most importantly, fair way to address our long-term fiscal challenges while at the same time investing in our future. I urge my colleagues to support that alternative and to reject the Ryan budget.

Mr. SCOTT of South Carolina. I continue to reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to a member of the Budget Committee and my colleague from New York (Mr. TONKO).

Mr. TONKO. I thank my colleague for yielding.

Madam Speaker, in the last week I have twice offered an amendment to protect health care for seniors, veterans, and active duty military and military families. And to my great disappointment, the Republican majority has twice blocked this effort, first in committee, where Republicans voted unanimously on a party line vote to end Medicare, and again yesterday, when the Republican leadership refused to allow this amendment to be heard, debated, and voted on in this Chamber.

I have twice asked my Republican colleagues to honor the Constitution. They must allow the democratically elected representatives of the American people to have an honest up or down vote on whether or not we support privatizing Medicare, a trend that could lead to similar privatized plans for the health coverage provided to our troops and veterans. For if they honestly believe that seniors will receive quality care at a more affordable price to the taxpayer, what's to stop them from going after TRICARE and the VA?

My amendment will protect health care provided to seniors and the disabled from being privatized or being subject to arbitrary spending caps. It would extend the same protection to health coverage for active duty military and their families, as well as veterans. This amendment would protect Medicare, TRICARE, and VA health

care from being eliminated and replaced with voucher or premium support programs.

The Road to Ruin budget ends Medicare. This is a program that 46 million seniors and disabled individuals rely on for their health care. Rather than guaranteed benefits, seniors and the disabled will be left with a voucher, or so-called premium support, that by design cannot and will not keep up with rising health care costs. The private market views seniors as a risky and expensive investment. So too the disabled. So too military servicemembers and veterans who have unique health needs earned through their sacrifice in service to America.

The question before us today is not whether to reduce the deficit, but how. We have balanced the budget before without ending Medicare. We can do it again without the painful consequences that the Republican plan would initiate, where our seniors would pay 68 cents of every dollar of insurance required as compared to Congress paying 28 cents on every dollar.

Forty-six million people rely on Medicare today. Even more will depend on it in the future. Those many millions deserve a vote. That vote has been denied to them by the Republican leadership of the House.

Mr. SCOTT of South Carolina. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DOLD).

Mr. DOLD. I thank my colleague for yielding.

Madam Speaker, I think it's time that we roll up our sleeves and get to work. I am delighted that we are having this debate. We hear a lot about job creators and business owners. Well, I am a small business owner, and I know what this crushing Federal debt does to small businesses all across our Nation and to job creators as well. It reduces certainty and stability, it scares away private sector investment that leads to growth for our economy, and it crushes the hopes of job creation.

Small businesses need to be able to forecast what their expenses will be in the long term. Small businesses are reluctant to take risks when they don't know what their costs will be in the future. And if you listen to what the President said from his speech just yesterday, he made it clear that his vision of the future includes taking money out of the pockets of small businesses and job creators by increasing taxes on these very small businesses. This is the President's plan for addressing the deficit.

Increasing taxes on small businesses will have a devastating effect on job creation in this country. Two-thirds of all net new jobs in our Nation are created by small business, and 75 percent of those small businesses file their returns as an independent return on their individual tax forms. Rather than in-

troduce the specter of uncertainty and increased taxes on our business community, we must instead make the choice to be relentless in our effort to support small businesses and actually encourage economic growth.

Last week PAUL RYAN, the chairman of the House Budget Committee, put forward a budget that cuts \$6.2 trillion over the decade, preventing the President's proposed tax increases from going into effect and putting the Nation on a fiscally sustainable path to give job creators and entrepreneurs all across the country the confidence to grow their business, to invest, and to create jobs.

□ 1210

Federal deficits, Madam Speaker, have ballooned over the last 3 years, and this budget blueprint for fiscal year 2012 starts to repair the damage and takes the serious steps to put ourselves on a path to paying off the debt and reducing our deficits.

Mr. MCGOVERN. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Speaker, we need to work together to change America, to stop borrowing so much money and jeopardizing the future of our country. We agree on that.

But it's important that we understand that it's not the way to do that to end Medicare, and here is what ending Medicare means to the seniors and disabled people of this country. Today, if a person on Medicare has a medical problem, they choose their doctor. The doctor and the patient decide what should happen next and Medicare pays the lion's share of the bill. This is a system that works for America's seniors and works for America's disabled.

How do the Republicans want to change Medicare and end Medicare? This is what they want to do.

You won't choose your doctor, the insurance company will. If a doctor decides that a certain test or procedure is necessary, he or she will have to ask the insurance company's permission to get that test done. And the bill won't be paid by Medicare. The bill will be paid by the insurance company when they feel like it, if they feel like it, for the amount that it should.

The Congressional Budget Office has looked at this issue at the request of Chairman RYAN and concluded that by the end of the implementation of this plan, seniors will pay an extra \$6,000 a year out of pocket for health care expenses: \$6,000 a year, \$500 a month, \$125 a week, beyond what they are paying right now for health care.

We will stand for Medicare. We will not stand for this budget. We will defeat it.

Mr. SCOTT of South Carolina. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. This Republican budget does offer a path to prosperity. Unfortunately, it's China's prosperity.

For America, they offer a fast track to mediocrity, a descent into economic insecurity. It's the wrong path to global competitiveness. It's not that the level of our debt or the size of our tax rates is unimportant; it's that when you have such a narrow focus that you talk about little else, you forget America's other competitive strengths, our workforce, the need to invest to ensure the strongest and best-educated workforce anywhere in the world, and our infrastructure that allows American businesses to prosper across our country. It's also about preserving a broad middle class so that more Americans share in the bounty of this country instead of going to some third-world extreme where all the wealth is concentrated at those at the top of the ladder.

Today we have to choose. Instead of eliminating \$4 billion from early education and student financial assistance so that students can achieve all of their God-given potential, why not ask General Electric to at least pay the level of taxes that the mail clerks that work for it pay?

Instead of eliminating \$3 billion from our crumbling roads and bridges, why not ask those giant corporations that currently get a \$3 billion annual deduction when they borrow money to build a factory overseas without recognizing any of the income from that factory, to begin to pay their fair share. And instead of accepting this Republican nonsense that we have to have more tax breaks for the very wealthy in our country, why not use the same money to ensure a little dignity for our seniors in nursing homes across the country?

We need to stop exporting jobs and manufacturing and stop exporting our tax revenues overseas and begin developing a more competitive workforce right here in America.

The SPEAKER pro tempore (Mrs. BIGGETT). The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 10 seconds.

Mr. DOGGETT. I will yield my time, but I will never yield to those Republicans who don't demand any sacrifice from Wall Street and all those big-bonus recipients but do demand that the rest of us pay for balancing their budget.

Oppose this Republican budget.

Mr. SCOTT of South Carolina. Madam Speaker, I yield 1 minute to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. I sit and listen to the conversation and the debate, and it is as if we are reading two entirely different documents. I feel like the Republicans are being portrayed as if they are going to have a horn grow out

of their heads and immediately rush into homes and jerk out the poor and those that are on Social Security and the needy.

If you read the document, we are dealing with two central issues. The first of those issues is \$14 trillion in debt. Now, we can ignore that fact or we can begin to take it on and make serious decisions and have serious adult conversations.

The second issue that we take on is this one simple principle: Do we have a spending problem, or do we have a tax problem in America? In other words, do we need to tax a lot more, or do we need to spend less?

I think if you look at the rate of how we have been spending in America versus how we are taxing in America, you would say we have a spending issue. In our current time there are all these statements that are being made that Republicans want to protect the corporations, Republicans want to be able to give all these benefits to the wealthy.

Here's what we want to do with the tax rate: Leave it where it is now. That's not a 30 percent cut. That's not anything else. Where it is right now, that's the rate that we need to keep.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

Mr. CONNOLLY of Virginia. I thank my good friend from New York.

Madam Speaker, I rise on behalf of the seniors in my community.

Before we enacted Medicare in 1965, almost half of all seniors in our country had no health insurance coverage. That's why the creation of Medicare was so important, and now every one of America's seniors has access to quality health care coverage.

But today their care is at risk and under assault. The America we enjoy, as the result of the lifetimes of hard work by our seniors, and as they enter their well-deserved retirements, there are those who would callously rip away the commitment this Nation made to them.

The Republican budget for fiscal year 2012 is a Path to the Past and will return us to the dark days when seniors agonized over access to health care. The Republican budget ends the guaranteed coverage of Medicare and replaces it with a grossly inadequate voucher system, subjugating seniors once again to the whims of private insurance companies and forcing them to bear the brunt of spiraling health care costs by themselves.

The nonpartisan Congressional Budget Office said seniors in 2030 would pay three times more for coverage under the Republican plan. The Republican budget reopens the doughnut hole in Medicare part D, forcing seniors once again to pay thousands of dollars of out-of-pocket expenses for prescription drug medication.

I was proud to fix that inequity and eliminate the doughnut hole last year. But the Path to the Past brings it back, roaring back, costing seniors thousands more.

But this Republican budget isn't just a cost-shifting trick to transfer the financial burden onto seniors, though it is that. The Republicans would also repeal the important reforms prohibiting insurers from denying coverage for pre-existing conditions.

That puts every single senior with preexisting conditions at risk. Even those who can afford the increased costs of privatized care, they could find themselves denied that care in the Republican plan. The Path to the Past needs to be rejected, Madam Speaker.

Mr. SCOTT of South Carolina. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to one of our new Members, the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. I thank the gentleman from New York.

I rise in opposition to this rule and against this budget. This Republican budget no longer honors our commitment to our seniors and doesn't reduce our deficit. The nonpartisan Congressional Budget Office says that the Republican plan will add \$8 trillion to the deficit over the next decade because the proposed cuts in spending are outpaced by gigantic tax cuts for the richest Americans.

□ 1220

You also can't say you care about seniors and then fight to enact policies that hurt seniors. Under their plan, they'll slash support for seniors in nursing homes while giving away tax breaks to companies that ship our jobs overseas.

And what else? American seniors will literally be paying more for their health care and getting less in order to finance additional tax breaks to the wealthiest Americans, also reflected in this Republican budget.

A budget is more than just about dollars and cents. It's a statement of our values and our priorities as a Nation. This Republican budget does not reflect the values of our great Nation. My friends on the other side of the aisle would rather cut benefits to seniors than cut subsidies to big oil companies and big corporations that ship our jobs overseas.

They can quarrel with that argument, but these are the choices made in this budget. It ends Medicare as we know it. It slashes funding for nursing homes. It preserves tax cuts for the richest Americans and makes it even more generous. And it increases our debt. We have a responsibility to honor our commitment to our seniors. I ask my colleagues on the other side of the aisle, if we can't protect our Greatest Generation and keep our promise to them, what is next?

Mr. SCOTT of South Carolina. Madam Speaker, I yield 3 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank my colleague from the Rules Committee for yielding.

We've got a good freshman class up there on the Rules Committee. And what we've been able to do under the leadership of Chairman DREIER is bring open processes to the floor. Can you imagine, we've got a multitude of budgets down here on the floor. If you want to look at the Congressional Black Caucus budget, you can vote for that today. If you want to vote for the Republican Study Committee budget, you can vote for that today. If you want to vote for Mr. VAN HOLLEN's budget, you can vote for that today. You have your choices today about what your priorities are and about what your vision for America's future is.

And when we have that conversation—and we've had it in the Budget Committee. I'm proud to be able to serve on both the Rules Committee and the Budget Committee—we've had that on the Budget Committee, an honest back and forth. So it pains me to come to the floor today and hear what can only be described as nonsense. Nonsense.

Have you heard anybody on the House floor today say that the Republican budget would change things for seniors? Have you heard that today? I believe you have because I've heard it over and over again. The truth of the matter is the Republican budget changes nothing, nothing for seniors. It says you don't even have to be a senior. If you're age 55 or older, we change nothing in Medicare for you. Nothing.

Yet my colleagues on the left are scaring today's seniors, scaring the folks who have the fewest number of choices in our society, scaring them into believing that folks are coming for them. Not true.

Our colleagues on the left would say \$6,000 is what we're going to charge additional to seniors. Well, two things: Number one, again, we're not doing anything for seniors. You've got to be 55 or younger. You've got to be my age to even begin to have a program change.

And more importantly, that \$6,000 figure comes from a CBO report looking at things 12 years down the road, which is 2 years after the Medicare program has gone bankrupt entirely. Hear that. Hear that misinformation: \$6,000 per beneficiary, a number that comes from a report looking at the program 2 years after our trustees tell us it's going to go bankrupt entirely.

Folks, this is about choices. This is about your vision for America. You have to put forward your plan. I applaud Mr. VAN HOLLEN for putting a plan forward. He could have said, no, I don't have any ideas. That's what the

White House has chosen to do. Mr. VAN HOLLEN did better. The Congressional Black Caucus did better. The Republican Study Committee did better.

Look at these budgets. Look at the open process. Make the choice for you about what you believe a better America would look like. The Wall Street Journal talked about the Path to Prosperity and called it the most serious attempt at reforming government in a generation. It absolutely is. I applaud Chairman RYAN for getting that done.

I thank my friend from South Carolina for the time, and I appreciate the Rules Committee giving us this open process that we have today.

Ms. SLAUGHTER. I am pleased, Madam Speaker, to yield 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I want to thank my colleague from New York for allowing me to speak.

The gentleman before me was correct: we have lots of options today, and that's great. We have the Republican budget, we have a Democratic budget, we have a Black Caucus budget and we have a Progressive Caucus budget. We have lots of options.

I'm going to talk about the Republican budget.

The Republican proposal we're debating today is reckless and misguided. It slashes taxes for the wealthy and pays for them by gutting Medicare. Let me explain that. It cuts over \$30 billion in the first 10 years and will end Medicare by forcing seniors into private health insurance plans after 2022. They're right, if you're 54 years old now and you have high blood pressure and you're diabetic or prediabetic, you won't get Medicare. You'll get a voucher. And insurance companies don't want to cover those of us that may be diabetic or prediabetic or have high blood pressure. They're waiting to get on Medicare. They're not waiting to get a voucher.

It gradually excludes seniors and eventually raises the age to 67 for Medicare. The CBO says that in 2022, the Republican's proposal will more than double the cost paid by Medicare enrollees. We are throwing seniors out of Medicare and into the uncertainty of the private insurance market while providing tax breaks to the wealthy. And it doesn't make sense.

I also represent the Port of Houston, the 10th busiest port in the world. The port is facing a dredging crisis. Ensuring dredging means ensuring jobs. But the Republican budget contains deep cuts in programs like the Army Corps of Engineers. Dredging cannot be funded privately. It has to come from the Corps and the Federal Government. Hundreds of thousands of jobs not only in our Port of Houston but also across the country under this plan will be put at risk.

There's one high point in the budget, and I commend Chairman RYAN for in-

cluding language to put NASA on track with the authorization bill Congress passed last year and provide for an immediate transition for our next generation of human space flight program once the shuttle missions are concluded.

Despite that, I'm unable to support the plan that allows massive cuts for the wealthiest Americans and pays for them by ending Medicare while neglecting our ports.

This budget proposal makes over \$30 billion in cuts to Medicare over 10 years, seeks to eliminate Medicare, and shifts all seniors over to private insurance plans after 2022.

Beginning in 2022, Congressman RYAN's budget proposal would convert the current Medicare system to a system of premium support payments. Individuals, when they turn 65 and Disability Insurance beneficiaries who become eligible for Medicare in 2022 or later, would not enroll in the current Medicare program but would receive vouchers to purchase private insurance plans. In addition, the proposal would increase the age of eligibility for Medicare for 2 months per year until it reaches 67 in 2033.

According to the Congressional Budget Office (CBO), the Ryan budget proposal would more than double Medicare beneficiary costs in 2022, from \$5,538 to \$12,513, which is an increase of nearly \$7,000 per year in beneficiary premiums and co-insurance. Not one dollar of that increase in beneficiary costs goes to reducing the deficit—it all goes to cover the higher costs of private plans that the Republicans would force seniors to join. Additionally, the average 65-year-old in 2030 would have to pay about 68 percent of their health care costs (through premiums and co-payments), compared with 25 percent under current rules.

This is not the type of system we want for our seniors. Shifting individuals from a program like Medicare that works to private insurance plans that are only interested in making a profit is no way to reduce government spending and our deficit. In fact, the Ryan proposal once again shifts the burden of reducing the deficit onto the taxpayer and our seniors.

I represent the Port of Houston, the busiest port in the United States in terms of foreign tonnage, second-busiest in the United States in terms of overall tonnage, and tenth-busiest in the world. Unfortunately, the Port of Houston, like many Ports in this country, is facing a dredging crisis.

In my district, ensuring dredging means ensuring jobs. By maintaining our shipping channel we lower the cost of importing and exporting. We move more commerce through our city and into communities across the country. Workers at distribution centers, longshoremen, truck drivers, tug boat operators, and many other professions rely on a functional port.

The Port has identified over \$80 million in dredging needs and they were only receiving \$20 million of that in the President's budget request. The Republican Budget contains deep cuts, beyond the President's Budget, to programs like the Army Corps of Engineers. No other entity can fund these dredging projects but the Corps. Hundreds of thousands of jobs rely on the Port of Houston being one

of the busiest in the world. Our oil and gas industry relies on a well-maintained, functioning port. It is critical to our economy and our Nation's strategic interests to maintain this port in the best condition possible, but under this plan, the budget will be cut.

We have heard a lot from the Republican side about freeing our private sector to create jobs, but now we see their budget, and we find out this just isn't the case.

While I am disappointed with nearly the Republicans' entire budget, I am pleased with one portion of it. I commend Chairman RYAN for including language that would put NASA on track to follow the Authorization bill Congress passed last year.

The plan in the authorization, and reaffirmed in this budget, would provide for an immediate transition to our next generation human space flight program.

If NASA follows its own plan, human space flight will be put into limbo once the Space Shuttle missions conclude.

By incorporating the compromise of the NASA authorization bill, we can use the valuable work accomplished during the Constellation program for the next generation of human space flight.

We can maximize cost-savings and offer the best value by leveraging tax payer dollars that have already been spent for the biggest benefit. These are goals that we must pursue during such difficult fiscal times.

If we do not effectively guide NASA back toward a plan that is within the confines of the law, it will result in significant duplicative costs and unnecessary job losses.

Local economies, like my own in Houston, home of Johnson Space Center, will be hit hard when we have just begun to recover.

It is estimated by the Human Space Flight industry that at least 10,000 employees will be laid off under the more expensive, less effective, NASA budget proposal.

A failure to maintain preeminence in human space flight will have ripple effects that damage our education system, our technology industry's ability to innovate, and could handicap our global competitiveness for years to come.

We spend so much time talking about the importance of inspiring our students to pursue science, technology, engineering, and math disciplines. NASA serves as the single biggest catalyst for this inspiration.

Under the NASA budget proposal, there will be no new jobs for our STEM students. We must change the trajectory at NASA. The plan in the authorization bill costs less, does more, and will allow our Nation to maintain its role as the leader in space.

Despite this, I am unable to support any plan that allows massive tax cuts for the wealthiest Americans and pays for them by ending Medicare while also neglecting maintaining our Ports, which are critical national interests.

Mr. SCOTT of South Carolina. I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentle-

lady. Republicans say their budget is a "Path to Prosperity." But it's really a

"Path to More Prosperity for the Already Prosperous." The Republican budget picks high-rolling oil executives over low-income families. It favors CEOs over senior citizens. It helps the wealthy over the working class.

How do Republicans pay for this gigantic goodie bag for the rich? Well, they eviscerate Medicare, turning it into an underfunded voucher program. Medicare becomes "Medicare-less." And to help seniors to pay for their medicines, GOP stands for "Grandma's Out of Prescriptions."

This budget is the same tired tune Republicans have been trotting out for decades. It's "Play It Again, Uncle Sam." In the 1980s, Ronald Reagan tried to slash the social safety net programs. In 2005, President Bush tried to privatize Social Security. And today, the same Republicans are trying to shred the social safety net they've opposed since it was created. It is not just déjà vu all over again. It's déjà voodoo economics all over again.

Vote down this misguided budget so that we can protect Medicare, Medicaid, and Social Security now and into the future. Do not let Medicare become "Medicare-less." We don't want these people who always opposed Medicare, always opposed Social Security, opposed Medicaid as we put it on the books, to now come back and say, we're very courageous, we want to end those programs as we know it. But, by the way, where their courage has to be shown, they show none. They will not tax the rich. They only want to harm the poor.

Ms. SLAUGHTER. I yield myself the balance of my time.

Madam Speaker, the Republicans have shown with their budget proposal that they're intent on using the deficit as a pretense to end Medicare. Democrats proposed an amendment in the Budget Committee to protect Medicare, TRICARE for the military and VA health care from privatization or arbitrary spending caps. The Republicans all voted against it. Democrats tried again in the Rules Committee last night, but this rule does not allow the amendment to be brought to the House floor.

Madam Speaker, if we defeat the previous question, I will offer an amendment to the rule to make in order Mr. TONKO's amendment to protect Medicare, TRICARE and veterans' health care from privatization or arbitrary spending caps.

□ 1230

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Ms. SLAUGHTER. Madam Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can put every Member of the House on record as to where they stand on health care and if they want to end Medicare or not.

I urge a "no" vote on the rule, and I yield back the balance of my time.

Mr. SCOTT of South Carolina. I yield myself the balance of my time.

Madam Speaker, finally, the Democrats do get it. What they get is, if they do not find a way to scare our senior citizens, they have no chance. When you cover the expenses of running this government and when you think about the fact that what the Democrats have proposed and what President Obama has proposed in his original budget is an increase of \$8.7 trillion of new spending and \$47 trillion of new spending in the next 10 years, the Democrats have finally found a way to cover their tracks, and it is on the backs of our senior citizens.

There is no doubt that the 2012 budget plan that we have proposed has no impact, not only on our senior citizens who are receiving benefits today, but on those over the age of 55.

Not only are the Democrats willing to scare our seniors based on nothing, but they want to go to 2 years after Medicare is bankrupt and then start having a conversation about numbers when Medicare would not exist under their plan.

What we do under our plan is a simple thing. We strengthen and preserve Social Security and Medicare for the next generation. We understand that it is time to roll up our sleeves and to get serious about preserving the American Dream for the next generation. Our budget does that by cutting \$6.2 trillion out of the deficit in the next 10 years and by creating more than 1 million jobs in the next 12 months—but we go further. We simply say that you do not create more disincentives or higher taxes in order to improve our economy.

Let us do exactly what the previous generation, the Greatest Generation, has done for us—pass on the American Dream in its entirety. We have a responsibility to the next generation in taking the tough road today in order to make the American Dream stronger tomorrow.

The material previously referred to by Ms. SLAUGHTER is as follows:

AN AMENDMENT TO H. RES. 223 OFFERED BY
MS. SLAUGHTER OF NEW YORK

At the end of the resolution, add the following new sections:

SEC. 2. Notwithstanding any other provision of this resolution or the adoption of an amendment printed in part B of the report of the Committee on Rules, it shall be in order to consider the amendment specified in section 3 as though printed as the last amendment in part B if offered by Representative Tonko of New York or a designee. That amendment shall be debatable for 10 minutes equally divided and controlled by the pro-

ponent and an opponent and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole.

SEC. 3. The amendment referred to in section 2 is as follows:

At the end of title VI, add the following new section:

SEC. — SENSE OF THE HOUSE ON SAVING HEALTH CARE FOR SENIORS, MILITARY, AND VETERANS.

(a) FINDINGS.—The House finds that—

(1) senior citizens and persons with disabilities highly value the Medicare program and rely on Medicare to guarantee their health security; and

(2) active duty military servicemembers and their families value the high-quality health care they receive through Tricare and other programs run by the Department of Defense, and veterans rely on the health service network run by the Department of Veterans Affairs to address their unique health needs.

(b) SENSE OF THE HOUSE.—It is the sense of the House that—

(1) the Congress should reject legislation that—

(A) protects tax cuts for the wealthy and special interests while shifting health care costs onto seniors through a policy to replace Medicare with vouchers or premium support for the purchase of private insurance; or

(B) damages the excellent care provided to the men and women who are serving and who have served the country in uniform; and

(2) any future health care legislation that eliminates quality Federal health care programs and—

(A) replaces them with vouchers or premium support for the purchase of private insurance; or

(B) sets caps on Federal health care spending,

should exclude programs for seniors, military servicemembers and their families, and veterans.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said:

"The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. SCOTT of South Carolina. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by 5-minute votes on adoption of House Resolution 223, if ordered; and approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 238, nays 183, not voting 11, as follows:

[Roll No. 265]

YEAS—238

Adams	Akin	Amash
Aderholt	Alexander	Austria

Bachmann	Graves (GA)	Nunnelee
Bachus	Graves (MO)	Olson
Barletta	Griffin (AR)	Palazzo
Bartlett	Griffith (VA)	Paul
Barton (TX)	Grimm	Paulsen
Bass (NH)	Guinta	Pearce
Benishek	Guthrie	Pence
Berg	Hall	Petri
Biggart	Hanna	Pitts
Bilbray	Harper	Platts
Bilirakis	Harris	Poe (TX)
Bishop (UT)	Hartzler	Pompeo
Black	Hastings (WA)	Posey
Blackburn	Hayworth	Price (GA)
Bonner	Heck	Quayle
Bono Mack	Heller	Reed
Boustany	Hensarling	Rehberg
Brady (TX)	Herger	Renacci
Brooks	Herrera Beutler	Ribble
Broun (GA)	Huelskamp	Rigell
Buchanan	Huizenga (MI)	Rivera
Bucshon	Hultgren	Roby
Buerkle	Hunter	Roe (TN)
Burgess	Hurt	Rogers (AL)
Burton (IN)	Issa	Rogers (KY)
Calvert	Jenkins	Rogers (MI)
Camp	Johnson (IL)	Rohrabacher
Campbell	Johnson (OH)	Rokita
Cannoco	Johnson, Sam	Rooney
Cantor	Jones	Ros-Lehtinen
Capito	Jordan	Roskam
Carter	Kelly	Ross (FL)
Chabot	King (IA)	Royce
Chaffetz	King (NY)	Runyan
Cleaver	Kingston	Ryan (WI)
Coble	Kinzinger (IL)	Scalise
Coffman (CO)	Kline	Schilling
Cole	Labrador	Schmidt
Conaway	Lamborn	Schweikert
Cravaack	Lance	Scott (SC)
Crawford	Landry	Scott, Austin
Crenshaw	Lankford	Sensenbrenner
Culberson	Latham	Sessions
Davis (KY)	LaTourette	Shimkus
Denham	Latta	Shuler
Dent	Lewis (CA)	Shuster
DesJarlais	LoBiondo	Simpson
Dold	Long	Smith (NE)
Dreier	Lucas	Smith (NJ)
Duffy	Luetkemeyer	Smith (TX)
Duncan (SC)	Lummis	Southerland
Duncan (TN)	Lungren, Daniel	Stearns
Ellmers	E.	Stivers
Emerson	Mack	Stutzman
Farenthold	Manzullo	Sullivan
Fincher	Marchant	Terry
Fitzpatrick	Marino	Thompson (PA)
Flake	McCarthy (CA)	Thornberry
Fleischmann	McCaul	Tiberi
Fleming	McClintock	Tipton
Flores	McCotter	Turner
Forbes	McHenry	Upton
Fortenberry	McKeon	Walberg
Fox	McKinley	Walden
Franks (AZ)	McMorris	Walsh (IL)
Frelinghuysen	Rodgers	Webster
Gallegly	Meehan	West
Gardner	Mica	Westmoreland
Garrett	Miller (FL)	Whitfield
Gerlach	Miller (MI)	Wilson (SC)
Gibbs	Miller, Gary	Wittman
Gibson	Mulvaney	Wolf
Gingrey (GA)	Murphy (PA)	Womack
Gohmert	Myrick	Woodall
Goodlatte	Neugebauer	Yoder
Gosar	Noem	Young (AK)
Gowdy	Nugent	Young (FL)
Granger	Nunes	Young (IN)

NAYS—183

Ackerman	Brady (PA)	Clarke (NY)
Altmire	Braley (IA)	Clay
Andrews	Brown (FL)	Clyburn
Baca	Butterfield	Cohen
Baldwin	Capps	Connolly (VA)
Barrow	Capuano	Conyers
Bass (CA)	Cardoza	Cooper
Becerra	Carnahan	Costa
Berkley	Carney	Costello
Berman	Carson (IN)	Courtney
Bishop (GA)	Castor (FL)	Critz
Bishop (NY)	Chandler	Crowley
Blumenauer	Chu	Cuellar
Boren	Cicilline	Cummings
Boswell	Clarke (MI)	Davis (CA)

Davis (IL)	Kind	Rangel
DeFazio	Kissell	Reyes
DeGette	Kucinich	Richardson
DeLauro	Langevin	Ross (AR)
Deutch	Larsen (WA)	Rothman (NJ)
Dicks	Larson (CT)	Royal-Allard
Dingell	Lee (CA)	Ruppersberger
Doggett	Levin	Rush
Donnelly (IN)	Lewis (GA)	Ryan (OH)
Doyle	Lipinski	Sánchez, Linda
Edwards	Loeback	T.
Ellison	Lofgren, Zoe	Sanchez, Loretta
Engel	Lowey	Sarbanes
Eshoo	Lujan	Schakowsky
Farr	Lynch	Schiff
Fattah	Maloney	Schrader
Filner	Markey	Schwartz
Frank (MA)	Matheson	Scott (VA)
Fudge	Matsui	Scott, David
Garamendi	McCarthy (NY)	Serrano
Gonzalez	McCollum	Sherman
Green, Al	McDermott	Sires
Green, Gene	McGovern	Slaughter
Grijalva	McIntyre	Smith (WA)
Gutierrez	McNerney	Speier
Hanabusa	Michaud	Stark
Hastings (FL)	Miller (NC)	Sutton
Heinrich	Miller, George	Thompson (CA)
Higgins	Moran	Thompson (MS)
Himes	Murphy (CT)	Tierney
Hinchey	Nadler	Tonko
Hinojosa	Napolitano	Tsongas
Hirono	Neal	Van Hollen
Holden	Owens	Velázquez
Holt	Pallone	Visclosky
Honda	Pascarell	Walz (MN)
Hoyer	Pastor (AZ)	Wasserman
Inlee	Payne	Schultz
Israel	Pelosi	Waters
Jackson (IL)	Perlmutter	Watt
Jackson Lee	Peters	Waxman
(TX)	Peterson	Weiner
Johnson (GA)	Pingree (ME)	Welch
Johnson, E. B.	Polis	Wilson (FL)
Kaptur	Price (NC)	Woolsey
Keating	Quigley	Wu
Kildee	Rahall	Yarmuth

NOT VOTING—11

Cassidy	Moore	Schock
Diaz-Balart	Olver	Sewell
Giffords	Reichert	Towns
Meeks	Richmond	

□ 1256

Mr. SERRANO changed his vote from "yea" to "nay."

Mr. FORBES changed his vote from "nay" to "yea."

So the previous question was ordered.

The result of the vote was announced as above recorded.

Stated for:

Mr. CASSIDY. Madam Speaker, on rollcall No. 265, I was unavoidably detained. Had I been present, I would have voted "yea."

Stated against:

Ms. MOORE. Madam Speaker, on rollcall No. 265, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 181, not voting 8, as follows:

[Roll No. 266]

YEAS—243

Adams	Gohmert	Nugent
Aderholt	Goodlatte	Nunes
Akin	Gosar	Nunnelee
Alexander	Gowdy	Olson
Amash	Granger	Palazzo
Austria	Graves (GA)	Paul
Bachmann	Graves (MO)	Paulsen
Bachus	Griffin (AR)	Pearce
Barletta	Griffith (VA)	Pence
Bartlett	Grimm	Petri
Barton (TX)	Guinta	Pitts
Bass (NH)	Guthrie	Platts
Benishek	Hall	Poe (TX)
Berg	Hanna	Pompeo
Biggert	Harper	Posey
Bilbray	Harris	Price (GA)
Bilirakis	Hartzler	Quayle
Bishop (UT)	Hastings (WA)	Reed
Black	Hayworth	Rehberg
Blackburn	Heck	Renacci
Bonner	Heller	Ribble
Bono Mack	Hensarling	Rigell
Boustany	Herger	Rivera
Brady (TX)	Herrera Beutler	Roby
Brooks	Huelskamp	Roe (TN)
Broun (GA)	Huizenga (MI)	Rogers (AL)
Buchanan	Hultgren	Rogers (KY)
Bucshon	Hunter	Rogers (MI)
Buerkle	Hurt	Rohrabacher
Burgess	Issa	Rokita
Burton (IN)	Jenkins	Rooney
Calvert	Johnson (IL)	Ros-Lehtinen
Camp	Johnson (OH)	Roskam
Campbell	Johnson, Sam	Ross (FL)
Canseco	Jones	Royce
Cantor	Jordan	Runyan
Capito	Kelly	Ryan (WI)
Carney	King (IA)	Scalise
Carter	King (NY)	Schilling
Cassidy	Kingston	Schmidt
Chabot	Kinzing (IL)	Schock
Chaffetz	Kline	Schweikert
Coble	Labrador	Scott (SC)
Coffman (CO)	Lamborn	Scott, Austin
Cole	Lance	Sensenbrenner
Conaway	Landry	Sessions
Cooper	Lankford	Shimkus
Costa	Latham	Shuler
Cravaack	LaTourette	Shuster
Crawford	Latta	Simpson
Crenshaw	Lewis (CA)	Smith (NE)
Culberson	LoBiondo	Smith (NJ)
Davis (KY)	Long	Smith (TX)
Denham	Lucas	Southerland
Dent	Luetkemeyer	Stearns
DesJarlais	Lummis	Stivers
Diaz-Balart	E.	Stutzman
Dold	Mack	Sullivan
Dreier	Mack	Terry
Duffy	Manzullo	Thompson (PA)
Duncan (SC)	Marchant	Thornberry
Duncan (TN)	Marino	Tiberi
Ellmers	Matheson	Tipton
Emerson	McCarthy (CA)	Turner
Farenthold	McCaul	Upton
Fincher	McClintock	Walberg
Fitzpatrick	McCotter	Walden
Flake	McHenry	Walsh (IL)
Fleischmann	McKeon	Webster
Fleming	McKinley	West
Flores	McMorris	Westmoreland
Forbes	Rodgers	Whitfield
Fortenberry	Meehan	Wilson (SC)
Fox	Mica	Wittman
Franks (AZ)	Miller (FL)	Wolf
Frelinghuysen	Miller (MI)	Womack
Gallegly	Miller, Gary	Woodall
Gardner	Mulvaney	Yoder
Gerlach	Murphy (PA)	Young (AK)
Gibbs	Myrick	Young (FL)
Gibson	Neugebauer	Young (IN)
Gingrey (GA)	Noem	

NAYS—181

Ackerman	Berkley	Braley (IA)
Altire	Berman	Brown (FL)
Andrews	Bishop (GA)	Butterfield
Baca	Bishop (NY)	Capps
Baldwin	Blumenauer	Capuano
Barrow	Borzo	Boren
Bass (CA)	Boswell	Carnahan
Becerra	Brady (PA)	Carson (IN)

Castor (FL)	Hoyer	Polis
Chandler	Inslee	Price (NC)
Chu	Israel	Quigley
Cicilline	Jackson (IL)	Rahall
Clarke (MI)	Jackson Lee	Rangel
Clarke (NY)	(TX)	Reyes
Clay	Johnson (GA)	Richardson
Cleaver	Johnson, E. B.	Richmond
Clyburn	Kaptur	Ross (AR)
Connolly (VA)	Keating	Rothman (NJ)
Conyers	Kildee	Roybal-Allard
Costello	Kind	Ruppersberger
Courtney	Kissell	Rush
Critz	Kucinich	Ryan (OH)
Crowley	Langevin	Sánchez, Linda
Cuellar	Larsen (WA)	T.
Cummings	Larson (CT)	Sanchez, Loretta
Davis (CA)	Lee (CA)	Sarbanes
Davis (IL)	Levin	Schakowsky
DeFazio	Lewis (GA)	Schiff
DeGette	Lipinski	Schrader
DeLauro	Loeb sack	Schwartz
Deutch	Lofgren, Zoe	Scott (VA)
Dicks	Lowe	Scott, David
Dingell	Luján	Serrano
Doggett	Lynch	Sewell
Donnelly (IN)	Maloney	Sherman
Doyle	Markey	Sires
Edwards	Matsui	Slaughter
Elison	McCarthy (NY)	Smith (WA)
Engel	McCollum	Speier
Eshoo	McDermott	Stark
Farr	McGovern	Sutton
Fattah	McIntyre	Thompson (CA)
Filner	McNerney	Thompson (MS)
Frank (MA)	Michaud	Tierney
Fudge	Miller (NC)	Tonko
Garamendi	Miller, George	Tsongas
Gonzalez	Moore	Van Hollen
Green, Al	Moran	Velázquez
Green, Gene	Murphy (CT)	Visclosky
Grijalva	Nadler	Walz (MN)
Guilliver	Napolitano	Wasserman
Hanabusa	Neal	Schultz
Hastings (FL)	Owens	Watt
Heinrich	Pallone	Waxman
Higgins	Pascarell	Weiner
Himes	Pastor (AZ)	Welch
Hinchoy	Payne	Wilson (FL)
Hirono	Pelosi	Woolsey
Holden	Perlmutter	Wu
Holt	Peters	Yarmuth
Honda	Peterson	
	Pingree (ME)	

NOT VOTING—8

Cohen	Meeks	Towns
Garrett	Olver	Waters
Giffords	Reichert	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore (during the vote). There are 2 minutes remaining on this vote.

□ 1305

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. SCOTT of South Carolina. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 311, nays 106, answered “present” 2, not voting 13, as follows:

[Roll No. 267]

YEAS—311

Ackerman	Edwards	Lungren, Daniel
Adams	Ellmers	E.
Aderholt	Emerson	Lynch
Akin	Engel	Mack
Alexander	Eshoo	Manzullo
Austria	Farenthold	Marino
Baca	Farr	Matheson
Bachmann	Fattah	Matsui
Bachus	Flake	McCarthy (CA)
Barletta	Fleischmann	McCarthy (NY)
Barrow	Fleming	McCaul
Bartlett	Flores	McClintock
Barton (TX)	Fortenberry	McCollum
Bass (NH)	Frank (MA)	McHenry
Becerra	Franks (AZ)	McIntyre
Benishek	Frelinghuysen	McKeon
Berg	Gallegly	McMorris
Berkley	Garamendi	Rodgers
Berman	Garrett	McNerney
Biggert	Gibbs	Mica
Bilirakis	Gingrey (GA)	Michaud
Bishop (GA)	Gonzalez	Miller (FL)
Bishop (UT)	Goodlatte	Miller (MI)
Black	Gosar	Miller (NC)
Blackburn	Gowdy	Miller, Gary
Blumenauer	Granger	Moran
Bonner	Graves (GA)	Mulvaney
Bono Mack	Green, Al	Murphy (CT)
Boren	Griffin (AR)	Murphy (PA)
Boustany	Guinta	Myrick
Brady (TX)	Guthrie	Nadler
Braley (IA)	Hall	Neal
Brooks	Hanabusa	Neugebauer
Broun (GA)	Harper	Noem
Brown (FL)	Hartzler	Nunes
Buchanan	Hastings (WA)	Nunnelee
Bucshon	Hayworth	Olson
Buerkle	Heinrich	Owens
Burton (IN)	Hensarling	Palazzo
Butterfield	Herger	Pascarell
Calvert	Higgins	Paul
Camp	Himes	Paulsen
Campbell	Hinojosa	Payne
Canseco	Hirono	Pearce
Cantor	Holden	Pence
Cardoza	Holt	Perlmutter
Carnahan	Huelskamp	Petri
Carney	Huizenga (MI)	Pingree (ME)
Carter	Hultgren	Pitts
Cassidy	Hunter	Platts
Chabot	Issa	Polis
Chaffetz	Jenkins	Pompeo
Chandler	Johnson (GA)	Posey
Cicilline	Johnson (IL)	Price (GA)
Clarke (MI)	Johnson, E. B.	Price (NC)
Clarke (NY)	Johnson, Sam	Quayle
Clay	Jones	Rangel
Cleaver	Jordan	Rahall
Coffman (CO)	Kaptur	Rehberg
Cohen	Kelly	Reyes
Cole	Kildee	Ribble
Conaway	Kind	Richardson
Connolly (VA)	King (IA)	Rigell
Cooper	King (NY)	Rivera
Costa	Kingston	Roby
Costello	Kinzing (IL)	Roe (TN)
Courtney	Kissell	Rogers (AL)
Crawford	Kline	Rogers (KY)
Crenshaw	Labrador	Rogers (MI)
Critz	Lamborn	Rohrabacher
Crowley	Lance	Rokita
Culberson	Lankford	Ros-Lehtinen
Davis (CA)	Larsen (WA)	Roskam
Davis (KY)	Larson (CT)	Ross (AR)
DeGette	Latham	Ross (FL)
DeLauro	LaTourette	Roybal-Allard
Denham	Levin	Royce
DesJarlais	Lewis (CA)	Runyan
Deutch	Lipinski	Ruppersberger
Diaz-Balart	Loeb sack	Rush
Dicks	Lofgren, Zoe	Ryan (WI)
Dingell	Long	Sanchez, Loretta
Doggett	Lowe	Scalise
Doyle	Lucas	Schiff
Dreier	Luetkemeyer	Schilling
Duncan (SC)	Luján	Schmidt
Duncan (TN)	Lummis	Schrader

Schweikert
Scott (SC)
Scott, Austin
Scott, David
Sensenbrenner
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southerland
Speier

Stark
Stearns
Stutzman
Sullivan
Sutton
Thompson (PA)
Thornberry
Tierney
Tonko
Tsongas
Turner
Upton
Van Hollen
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt

Waxman
Webster
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Yarmuth
Yoder
Young (FL)
Young (IN)

NAYS—106

Altmire
Andrews
Baldwin
Bass (CA)
Bilbray
Bishop (NY)
Boswell
Brady (PA)
Capuano
Carson (IN)
Chu
Clyburn
Conyers
Cravaack
Cuellar
Cummings
Davis (IL)
DeFazio
Dent
Dold
Donnelly (IN)
Duffy
Ellison
Finler
Fincher
Fitzpatrick
Forbes
Fox
Fudge
Gardner
Gerlach
Gibson
Graves (MO)
Green, Gene
Griffith (VA)
Grimm

Gutierrez
Hanna
Harris
Hastings (FL)
Heck
Heller
Herrera Beutler
Hinchey
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (OH)
Keating
Kucinich
Landry
Langevin
Latta
Lee (CA)
Lewis (GA)
LoBiondo
Maloney
Marchant
Markey
McCotter
McDermott
McGovern
McKinley
Meehan
Miller, George
Moore
Napolitano
Nugent

Pallone
Pastor (AZ)
Pelosi
Peters
Peterson
Poe (TX)
Rahall
Reed
Renacci
Richmond
Rooney
Rothman (NJ)
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schock
Schwartz
Serrano
Sires
Slaughter
Stivers
Terry
Thompson (CA)
Thompson (MS)
Tiberi
Tipton
Velázquez
Visclosky
Walberg
Walden
Waters
Weiner
Wu
Young (AK)

ANSWERED "PRESENT"—2

Amash

Gohmert

NOT VOTING—13

Burgess
Capito
Capps
Castor (FL)
Coble

Giffords
Grijalva
Hurt
Meeks
Oliver

Reichert
Scott (VA)
Towns

□ 1313

So the Journal was approved.

The result of the vote was announced as above recorded.

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

Mr. SCOTT of South Carolina. Madam Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 43

Resolved by the House of Representatives (the Senate concurring), That when the House adjourns on the legislative day of Friday, April 15, 2011, or Saturday, April 16, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on

Monday, May 2, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns on any day from Thursday, April 14, 2011, through Friday, April 29, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand recessed or adjourned until noon on Monday, May 2, 2011, or such other time on that day as may be specified in the motion to recess or adjourn, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, or their respective designees, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble at such place and time as they may designate if, in their opinion, the public interest shall warrant it.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MORAN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

DEPARTMENT OF DEFENSE AND FULL-YEAR CONTINUING APPROPRIATIONS ACT, 2011

Mr. ROGERS of Kentucky. Madam Speaker, pursuant to House Resolution 218, I call up the bill (H.R. 1473) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 218, the bill is considered read.

The text of the bill is as follows:

H.R. 1473

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Department of Defense and Full-Year Continuing Appropriations Act, 2011".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

Division A—Department of Defense Appropriations, 2011

Division B—Full-Year Continuing Appropriations, 2011

Division C—Scholarships for Opportunity and Results Act

DIVISION A—DEPARTMENT OF DEFENSE APPROPRIATIONS, 2011

The following sums are appropriated, out of any money in the Treasury not otherwise

appropriated, for the fiscal year ending September 30, 2011, for military functions administered by the Department of Defense and for other purposes, namely:

TITLE I

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Army on active duty, (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$41,403,653,000.

MILITARY PERSONNEL, NAVY

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Navy on active duty (except members of the Reserve provided for elsewhere), midshipmen, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$25,912,449,000.

MILITARY PERSONNEL, MARINE CORPS

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Marine Corps on active duty (except members of the Reserve provided for elsewhere); and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$13,210,161,000.

MILITARY PERSONNEL, AIR FORCE

For pay, allowances, individual clothing, subsistence, interest on deposits, gratuities, permanent change of station travel (including all expenses thereof for organizational movements), and expenses of temporary duty travel between permanent duty stations, for members of the Air Force on active duty (except members of reserve components provided for elsewhere), cadets, and aviation cadets; for members of the Reserve Officers' Training Corps; and for payments pursuant to section 156 of Public Law 97-377, as amended (42 U.S.C. 402 note), and to the Department of Defense Military Retirement Fund, \$27,105,755,000.

RESERVE PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army Reserve on active duty under sections 10211, 10302, and 3038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section

16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$4,333,165,000.

RESERVE PERSONNEL, NAVY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Navy Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,940,191,000.

RESERVE PERSONNEL, MARINE CORPS

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Marine Corps Reserve on active duty under section 10211 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty, and for members of the Marine Corps platoon leaders class, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$612,191,000.

RESERVE PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air Force Reserve on active duty under sections 10211, 10305, and 8038 of title 10, United States Code, or while serving on active duty under section 12301(d) of title 10, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing reserve training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$1,650,797,000.

NATIONAL GUARD PERSONNEL, ARMY

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Army National Guard while on duty under section 10211, 10302, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United States Code; and for payments to the Department of Defense Military Retirement Fund, \$7,511,296,000.

NATIONAL GUARD PERSONNEL, AIR FORCE

For pay, allowances, clothing, subsistence, gratuities, travel, and related expenses for personnel of the Air National Guard on duty under section 10211, 10305, or 12402 of title 10 or section 708 of title 32, United States Code, or while serving on duty under section 12301(d) of title 10 or section 502(f) of title 32, United States Code, in connection with performing duty specified in section 12310(a) of title 10, United States Code, or while undergoing training, or while performing drills or equivalent duty or other duty, and expenses authorized by section 16131 of title 10, United

States Code; and for payments to the Department of Defense Military Retirement Fund, \$3,060,098,000.

TITLE II

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Army, as authorized by law; and not to exceed \$12,478,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Army, and payments may be made on his certificate of necessity for confidential military purposes, \$33,306,117,000.

OPERATION AND MAINTENANCE, NAVY

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Navy and the Marine Corps, as authorized by law; and not to exceed \$14,804,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Navy, and payments may be made on his certificate of necessity for confidential military purposes, \$37,809,239,000.

OPERATION AND MAINTENANCE, MARINE CORPS

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Marine Corps, as authorized by law, \$5,539,740,000.

OPERATION AND MAINTENANCE, AIR FORCE

For expenses, not otherwise provided for, necessary for the operation and maintenance of the Air Force, as authorized by law; and not to exceed \$7,699,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of the Air Force, and payments may be made on his certificate of necessity for confidential military purposes, \$36,062,989,000.

OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses, not otherwise provided for, necessary for the operation and maintenance of activities and agencies of the Department of Defense (other than the military departments), as authorized by law, \$30,210,810,000: *Provided*, That not more than \$50,000,000 may be used for the Combatant Commander Initiative Fund authorized under section 166a of title 10, United States Code: *Provided further*, That not to exceed \$36,000,000 can be used for emergencies and extraordinary expenses, to be expended on the approval or authority of the Secretary of Defense, and payments may be made on his certificate of necessity for confidential military purposes: *Provided further*, That of the funds provided under this heading, not less than \$31,659,000 shall be made available for the Procurement Technical Assistance Cooperative Agreement Program, of which not less than \$3,600,000 shall be available for centers defined in 10 U.S.C. 2411(1)(D): *Provided further*, That none of the funds appropriated or otherwise made available by this Act may be used to plan or implement the consolidation of a budget or appropriations liaison office of the Office of the Secretary of Defense, the office of the Secretary of a military department, or the service headquarters of one of the Armed Forces into a legislative affairs or legislative liaison office: *Provided further*, That \$8,251,000, to remain available until expended, is available only for expenses relating to certain classified activities, and may be transferred as necessary by the Secretary of Defense to operation and maintenance ap-

propriations or research, development, test and evaluation appropriations, to be merged with and to be available for the same time period as the appropriations to which transferred: *Provided further*, That any ceiling on the investment item unit cost of items that may be purchased with operation and maintenance funds shall not apply to the funds described in the preceding proviso: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OPERATION AND MAINTENANCE, ARMY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Army Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$2,840,427,000.

OPERATION AND MAINTENANCE, NAVY RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Navy Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$1,344,264,000.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Marine Corps Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$275,484,000.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For expenses, not otherwise provided for, necessary for the operation and maintenance, including training, organization, and administration, of the Air Force Reserve; repair of facilities and equipment; hire of passenger motor vehicles; travel and transportation; care of the dead; recruiting; procurement of services, supplies, and equipment; and communications, \$3,291,027,000.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For expenses of training, organizing, and administering the Army National Guard, including medical and hospital treatment and related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; hire of passenger motor vehicles; personnel services in the National Guard Bureau; travel expenses (other than mileage), as authorized by law for Army personnel on active duty, for Army National Guard division, regimental, and battalion commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau; supplying and equipping the Army National Guard as authorized by law; and expenses of repair, modification, maintenance, and issue of supplies and equipment (including aircraft), \$6,454,624,000.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For expenses of training, organizing, and administering the Air National Guard, including medical and hospital treatment and

related expenses in non-Federal hospitals; maintenance, operation, and repairs to structures and facilities; transportation of things, hire of passenger motor vehicles; supplying and equipping the Air National Guard, as authorized by law; expenses for repair, modification, maintenance, and issue of supplies and equipment, including those furnished from stocks under the control of agencies of the Department of Defense; travel expenses (other than mileage) on the same basis as authorized by law for Air National Guard personnel on active Federal duty, for Air National Guard commanders while inspecting units in compliance with National Guard Bureau regulations when specifically authorized by the Chief, National Guard Bureau, \$5,963,839,000.

UNITED STATES COURT OF APPEALS FOR THE ARMED FORCES

For salaries and expenses necessary for the United States Court of Appeals for the Armed Forces, \$14,068,000, of which not to exceed \$5,000 may be used for official representation purposes.

ENVIRONMENTAL RESTORATION, ARMY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$464,581,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Army, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, NAVY
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Navy, \$304,867,000, to remain available until transferred: *Provided*, That the Secretary of the Navy shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Navy, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Navy, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, AIR FORCE
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Air Force, \$502,653,000, to remain available until transferred: *Provided*, That the Secretary of the Air Force shall, upon determining that such

funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of the Air Force, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Air Force, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, DEFENSE-WIDE
(INCLUDING TRANSFER OF FUNDS)

For the Department of Defense, \$10,744,000, to remain available until transferred: *Provided*, That the Secretary of Defense shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris of the Department of Defense, or for similar purposes, transfer the funds made available by this appropriation to other appropriations made available to the Department of Defense, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

ENVIRONMENTAL RESTORATION, FORMERLY USED DEFENSE SITES
(INCLUDING TRANSFER OF FUNDS)

For the Department of the Army, \$316,546,000, to remain available until transferred: *Provided*, That the Secretary of the Army shall, upon determining that such funds are required for environmental restoration, reduction and recycling of hazardous waste, removal of unsafe buildings and debris at sites formerly used by the Department of Defense, transfer the funds made available by this appropriation to other appropriations made available to the Department of the Army, to be merged with and to be available for the same purposes and for the same time period as the appropriations to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority provided elsewhere in this Act.

OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID

For expenses relating to the Overseas Humanitarian, Disaster, and Civic Aid programs of the Department of Defense (consisting of the programs provided under sections 401, 402, 404, 407, 2557, and 2561 of title 10, United States Code), \$108,032,000, to remain available until September 30, 2012.

COOPERATIVE THREAT REDUCTION ACCOUNT

For assistance to the republics of the former Soviet Union and, with appropriate

authorization by the Department of Defense and Department of State, to countries outside of the former Soviet Union, including assistance provided by contract or by grants, for facilitating the elimination and the safe and secure transportation and storage of nuclear, chemical and other weapons; for establishing programs to prevent the proliferation of weapons, weapons components, and weapon-related technology and expertise; for programs relating to the training and support of defense and military personnel for demilitarization and protection of weapons, weapons components and weapons technology and expertise, and for defense and military contacts, \$522,512,000, to remain available until September 30, 2013: *Provided*, That of the amounts provided under this heading, not less than \$13,500,000 shall be available only to support the dismantling and disposal of nuclear submarines, submarine reactor components, and security enhancements for transport and storage of nuclear warheads in the Russian Far East and North.

DEPARTMENT OF DEFENSE ACQUISITION
WORKFORCE DEVELOPMENT FUND

For the Department of Defense Acquisition Workforce Development Fund, \$217,561,000.

TITLE III

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$5,254,791,000, to remain available for obligation until September 30, 2013.

MISSILE PROCUREMENT, ARMY

For construction, procurement, production, modification, and modernization of missiles, equipment, including ordnance, ground handling equipment, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,570,108,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For construction, procurement, production, and modification of weapons and tracked combat vehicles, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-

owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,461,086,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, ARMY

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$1,847,066,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, ARMY

(INCLUDING TRANSFER OF FUNDS)

For construction, procurement, production, and modification of vehicles, including tactical, support, and non-tracked combat vehicles; the purchase of passenger motor vehicles for replacement only; communications and electronic equipment; other support equipment; spare parts, ordnance, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$8,145,665,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, \$15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Army, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

AIRCRAFT PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of aircraft, equipment, including ordnance, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$16,170,868,000, to remain available for obligation until September 30, 2013.

WEAPONS PROCUREMENT, NAVY

For construction, procurement, production, modification, and modernization of missiles, torpedoes, other weapons, and related support equipment including spare parts, and accessories therefor; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of

equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$3,221,957,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$790,527,000, to remain available for obligation until September 30, 2013.

SHIPBUILDING AND CONVERSION, NAVY

For expenses necessary for the construction, acquisition, or conversion of vessels as authorized by law, including armor and armament thereof, plant equipment, appliances, and machine tools and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; procurement of critical, long lead time components and designs for vessels to be constructed or converted in the future; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, as follows:

Carrier Replacement Program,
\$1,721,969,000;

Carrier Replacement Program (AP),
\$908,313,000;

NSSN, \$3,430,343,000;

NSSN (AP), \$1,691,236,000;

CVN Refueling, \$1,248,999,000;

CVN Refuelings (AP), \$408,037,000;

DDG-1000 Program, \$77,512,000;

DDG-51 Destroyer, \$2,868,454,000;

DDG-51 Destroyer (AP), \$47,984,000;

Littoral Combat Ship, \$1,168,984,000;

Littoral Combat Ship (AP), \$190,351,000;

LHA-R, \$942,837,000;

Joint High Speed Vessel, \$180,703,000;

Oceanographic Ships, \$88,561,000;

LCAC Service Life Extension Program,
\$83,035,000;

Service Craft, \$13,770,000; and

For outfitting, post delivery, conversions, and first destination transportation,
\$295,570,000.

In all: \$15,366,658,000, to remain available for obligation until September 30, 2015: *Provided*, That additional obligations may be incurred after September 30, 2015, for engineering services, tests, evaluations, and other such budgeted work that must be performed in the final stage of ship construction: *Provided further*, That none of the funds provided under this heading for the construction or conversion of any naval vessel to be constructed in shipyards in the United States shall be expended in foreign facilities for the construction of major components of such vessel: *Provided further*, That none of the funds provided under this heading shall be used for the construction of any naval vessel in foreign shipyards.

OTHER PROCUREMENT, NAVY

(INCLUDING TRANSFER OF FUNDS)

For procurement, production, and modernization of support equipment and mate-

rials not otherwise provided for, Navy ordnance (except ordnance for new aircraft, new ships, and ships authorized for conversion); the purchase of passenger motor vehicles for replacement only, and the purchase of seven vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$250,000 per vehicle; expansion of public and private plants, including the land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway, \$5,804,963,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, \$15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Navy, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, MARINE CORPS

For expenses necessary for the procurement, manufacture, and modification of missiles, armament, military equipment, spare parts, and accessories therefor; plant equipment, appliances, and machine tools, and installation thereof in public and private plants; reserve plant and Government and contractor-owned equipment layaway; vehicles for the Marine Corps, including the purchase of passenger motor vehicles for replacement only; and expansion of public and private plants, including land necessary therefor, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title, \$1,236,436,000, to remain available for obligation until September 30, 2013.

AIRCRAFT PROCUREMENT, AIR FORCE

For construction, procurement, and modification of aircraft and equipment, including armor and armament, specialized ground handling equipment, and training devices, spare parts, and accessories therefor; specialized equipment; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$13,483,739,000, to remain available for obligation until September 30, 2013: *Provided*, That none of the funds provided in this Act for modification of C-17 aircraft, Global Hawk Unmanned Aerial Vehicle and F-22 aircraft may be obligated until all C-17, Global Hawk and F-22 contracts funded with prior year "Aircraft Procurement, Air Force" appropriated funds are definitized unless the Secretary of the Air Force certifies in writing to the congressional defense committees that each such obligation is necessary to meet the needs of a warfighting requirement or prevents increased costs to the taxpayer, and provides the reasons for failing to definitize the prior year contracts along with the prospective contract definitization schedule: *Provided further*, That the Secretary of the Air Force shall expand the current HH-60 Operational Loss Replacement

program to meet the approved HH-60 Recapitalization program requirements.

MISSILE PROCUREMENT, AIR FORCE

For construction, procurement, and modification of missiles, spacecraft, rockets, and related equipment, including spare parts and accessories therefor, ground handling equipment, and training devices; expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes including rents and transportation of things, \$5,424,764,000, to remain available for obligation until September 30, 2013.

PROCUREMENT OF AMMUNITION, AIR FORCE

For construction, procurement, production, and modification of ammunition, and accessories therefor; specialized equipment and training devices; expansion of public and private plants, including ammunition facilities, authorized by section 2854 of title 10, United States Code, and the land necessary therefor, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; and procurement and installation of equipment, appliances, and machine tools in public and private plants; reserve plant and Government and contractor-owned equipment layaway; and other expenses necessary for the foregoing purposes, \$731,487,000, to remain available for obligation until September 30, 2013.

OTHER PROCUREMENT, AIR FORCE (INCLUDING TRANSFER OF FUNDS)

For procurement and modification of equipment (including ground guidance and electronic control equipment, and ground electronic and communication equipment), and supplies, materials, and spare parts therefor, not otherwise provided for; the purchase of passenger motor vehicles for replacement only, and the purchase of two vehicles required for physical security of personnel, notwithstanding price limitations applicable to passenger vehicles but not to exceed \$250,000 per vehicle; lease of passenger motor vehicles; and expansion of public and private plants, Government-owned equipment and installation thereof in such plants, erection of structures, and acquisition of land, for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon, prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$17,568,091,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, \$15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of the Air Force, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

PROCUREMENT, DEFENSE-WIDE (INCLUDING TRANSFER OF FUNDS)

For expenses of activities and agencies of the Department of Defense (other than the military departments) necessary for procurement, production, and modification of equipment, supplies, materials, and spare parts therefor, not otherwise provided for; the pur-

chase of passenger motor vehicles for replacement only; expansion of public and private plants, equipment, and installation thereof in such plants, erection of structures, and acquisition of land for the foregoing purposes, and such lands and interests therein, may be acquired, and construction prosecuted thereon prior to approval of title; reserve plant and Government and contractor-owned equipment layaway, \$4,009,321,000, to remain available for obligation until September 30, 2013: *Provided*, That of the funds made available in this paragraph, \$15,000,000 shall be made available to procure equipment, not otherwise provided for, and may be transferred to other procurement accounts available to the Department of Defense, and that funds so transferred shall be available for the same purposes and the same time period as the account to which transferred.

DEFENSE PRODUCTION ACT PURCHASES

For activities by the Department of Defense pursuant to sections 108, 301, 302, and 303 of the Defense Production Act of 1950 (50 U.S.C. App. 2078, 2091, 2092, and 2093), \$34,346,000, to remain available until expended.

TITLE IV

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$9,710,998,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$17,736,303,000, to remain available for obligation until September 30, 2012: *Provided*, That funds appropriated in this paragraph which are available for the V-22 may be used to meet unique operational requirements of the Special Operations Forces: *Provided further*, That funds appropriated in this paragraph shall be available for the Cobra Judy program.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For expenses necessary for basic and applied scientific research, development, test and evaluation, including maintenance, rehabilitation, lease, and operation of facilities and equipment, \$26,517,405,000, to remain available for obligation until September 30, 2012.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For expenses of activities and agencies of the Department of Defense (other than the military departments), necessary for basic and applied scientific research, development, test and evaluation; advanced research projects as may be designated and determined by the Secretary of Defense, pursuant to law; maintenance, rehabilitation, lease, and operation of facilities and equipment, \$20,797,412,000, to remain available for obligation until September 30, 2012: *Provided*, That of the funds made available in this paragraph, \$3,200,000 shall only be available for program management and oversight of innovative research and development.

OPERATIONAL TEST AND EVALUATION, DEFENSE

For expenses, not otherwise provided for, necessary for the independent activities of the Director, Operational Test and Evaluation, in the direction and supervision of operational test and evaluation, including initial operational test and evaluation which is conducted prior to, and in support of, production decisions; joint operational testing and evaluation; and administrative expenses in connection therewith, \$194,910,000, to remain available for obligation until September 30, 2012.

TITLE V

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For the Defense Working Capital Funds, \$1,434,536,000.

NATIONAL DEFENSE SEALIFT FUND

For National Defense Sealift Fund programs, projects, and activities, and for expenses of the National Defense Reserve Fleet, as established by section 11 of the Merchant Ship Sales Act of 1946 (50 U.S.C. App. 1744), and for the necessary expenses to maintain and preserve a U.S.-flag merchant fleet to serve the national security needs of the United States, \$1,474,866,000, to remain available until expended: *Provided*, That none of the funds provided in this paragraph shall be used to award a new contract that provides for the acquisition of any of the following major components unless such components are manufactured in the United States: auxiliary equipment, including pumps, for all shipboard services; propulsion system components (engines, reduction gears, and propellers); shipboard cranes; and spreaders for shipboard cranes: *Provided further*, That the exercise of an option in a contract awarded through the obligation of previously appropriated funds shall not be considered to be the award of a new contract: *Provided further*, That the Secretary of the military department responsible for such procurement may waive the restrictions in the first proviso on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes.

TITLE VI

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For expenses, not otherwise provided for, for medical and health care programs of the Department of Defense as authorized by law, \$31,382,198,000; of which \$29,671,764,000 shall be for operation and maintenance, of which not to exceed 1 percent shall remain available until September 30, 2012, and of which up to \$16,212,121,000 may be available for contracts entered into under the TRICARE program; of which \$534,921,000, to remain available for obligation until September 30, 2013, shall be for procurement; and of which \$1,175,513,000, to remain available for obligation until September 30, 2012, shall be for research, development, test and evaluation: *Provided*, That, notwithstanding any other provision of law, of the amount made available under this heading for research, development, test and evaluation, not less than \$10,000,000 shall be available for HIV prevention educational activities undertaken in connection with United States military training, exercises,

and humanitarian assistance activities conducted primarily in African nations.

CHEMICAL AGENTS AND MUNITIONS
DESTRUCTION, DEFENSE

For expenses, not otherwise provided for, necessary for the destruction of the United States stockpile of lethal chemical agents and munitions, to include construction of facilities, in accordance with the provisions of section 1412 of the Department of Defense Authorization Act, 1986 (50 U.S.C. 1521), and for the destruction of other chemical warfare materials that are not in the chemical weapon stockpile, \$1,467,307,000, of which \$1,067,364,000 shall be for operation and maintenance, of which no less than \$111,178,000, shall be for the Chemical Stockpile Emergency Preparedness Program, consisting of \$35,130,000 for activities on military installations and \$76,048,000, to remain available until September 30, 2012, to assist State and local governments; \$7,132,000 shall be for procurement, to remain available until September 30, 2013; and \$392,811,000, to remain available until September 30, 2012, shall be for research, development, test and evaluation, of which \$385,868,000 shall only be for the Assembled Chemical Weapons Alternatives (ACWA) program.

DRUG INTERDICTION AND COUNTER-DRUG
ACTIVITIES, DEFENSE

(INCLUDING TRANSFER OF FUNDS)

For drug interdiction and counter-drug activities of the Department of Defense, for transfer to appropriations available to the Department of Defense for military personnel of the reserve components serving under the provisions of title 10 and title 32, United States Code; for operation and maintenance; for procurement; and for research, development, test and evaluation, \$1,156,957,000: *Provided*, That the funds appropriated under this heading shall be available for obligation for the same time period and for the same purpose as the appropriation to which transferred: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes provided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the transfer authority provided under this heading is in addition to any other transfer authority contained elsewhere in this Act.

OFFICE OF THE INSPECTOR GENERAL

For expenses and activities of the Office of the Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$306,794,000, of which \$305,794,000 shall be for operation and maintenance, of which not to exceed \$700,000 is available for emergencies and extraordinary expenses to be expended on the approval or authority of the Inspector General, and payments may be made on the Inspector General's certificate of necessity for confidential military purposes; and of which \$1,000,000, to remain available until September 30, 2013, shall be for procurement.

TITLE VII

RELATED AGENCIES

CENTRAL INTELLIGENCE AGENCY RETIREMENT
AND DISABILITY SYSTEM FUND

For payment to the Central Intelligence Agency Retirement and Disability System Fund, to maintain the proper funding level for continuing the operation of the Central Intelligence Agency Retirement and Disability System, \$292,000,000.

INTELLIGENCE COMMUNITY MANAGEMENT
ACCOUNT

For necessary expenses of the Intelligence Community Management Account, \$649,732,000.

TITLE VIII

GENERAL PROVISIONS

SEC. 8001. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

SEC. 8002. During the current fiscal year, provisions of law prohibiting the payment of compensation to, or employment of, any person not a citizen of the United States shall not apply to personnel of the Department of Defense: *Provided*, That salary increases granted to direct and indirect hire foreign national employees of the Department of Defense funded by this Act shall not be at a rate in excess of the percentage increase authorized by law for civilian employees of the Department of Defense whose pay is computed under the provisions of section 5332 of title 5, United States Code, or at a rate in excess of the percentage increase provided by the appropriate host nation to its own employees, whichever is higher: *Provided further*, That, in the case of a host nation that does not provide salary increases on an annual basis, any increase granted by that nation shall be annualized for the purpose of applying the preceding proviso: *Provided further*, That this section shall not apply to Department of Defense foreign service national employees serving at United States diplomatic missions whose pay is set by the Department of State under the Foreign Service Act of 1980: *Provided further*, That the limitations of this provision shall not apply to foreign national employees of the Department of Defense in the Republic of Turkey.

SEC. 8003. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year, unless expressly so provided herein.

SEC. 8004. No more than 20 percent of the appropriations in this Act which are limited for obligation during the current fiscal year shall be obligated during the last 2 months of the fiscal year: *Provided*, That this section shall not apply to obligations for support of active duty training of reserve components or summer camp training of the Reserve Officers' Training Corps.

(TRANSFER OF FUNDS)

SEC. 8005. Upon determination by the Secretary of Defense that such action is necessary in the national interest, he may, with the approval of the Office of Management and Budget, transfer not to exceed \$4,000,000,000 of working capital funds of the Department of Defense or funds made available in this Act to the Department of Defense for military functions (except military construction) between such appropriations or funds or any subdivision thereof, to be merged with and to be available for the same purposes, and for the same time period, as the appropriation or fund to which transferred: *Provided*, That such authority to transfer may not be used unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which funds are requested has been denied by the Congress: *Provided further*, That the Secretary of Defense shall notify the Congress promptly of all transfers made pursuant to this authority or any other authority in this Act: *Provided further*, That no part of the funds in this Act shall be available to prepare or present a request to the

Committees on Appropriations for reprogramming of funds, unless for higher priority items, based on unforeseen military requirements, than those for which originally appropriated and in no case where the item for which reprogramming is requested has been denied by the Congress: *Provided further*, That a request for multiple reprogrammings of funds using authority provided in this section shall be made prior to June 30, 2011: *Provided further*, That transfers among military personnel appropriations shall not be taken into account for purposes of the limitation on the amount of funds that may be transferred under this section.

SEC. 8006. (a) With regard to the list of specific programs, projects, and activities (and the dollar amounts and adjustments to budget activities corresponding to such programs, projects, and activities) contained in the tables titled "Explanation of Project Level Adjustments" in the explanatory statement regarding this Act, the obligation and expenditure of amounts appropriated or otherwise made available in this Act for those programs, projects, and activities for which the amounts appropriated exceed the amounts requested are hereby required by law to be carried out in the manner provided by such tables to the same extent as if the tables were included in the text of this Act.

(b) Amounts specified in the referenced tables described in subsection (a) shall not be treated as subdivisions of appropriations for purposes of section 8005 of this Act: *Provided*, That section 8005 shall apply when transfers of the amounts described in subsection (a) occur between appropriation accounts.

SEC. 8007. (a) Not later than 60 days after enactment of this Act, the Department of Defense shall submit a report to the congressional defense committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation both by budget activity and program, project, and activity as detailed in the Budget Appendix; and

(3) an identification of items of special congressional interest.

(b) Notwithstanding section 8005 of this Act, none of the funds provided in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional defense committees, unless the Secretary of Defense certifies in writing to the congressional defense committees that such reprogramming or transfer is necessary as an emergency requirement.

(TRANSFER OF FUNDS)

SEC. 8008. During the current fiscal year, cash balances in working capital funds of the Department of Defense established pursuant to section 2208 of title 10, United States Code, may be maintained in only such amounts as are necessary at any time for cash disbursements to be made from such funds: *Provided*, That transfers may be made between such funds: *Provided further*, That transfers may be made between working capital funds and the "Foreign Currency Fluctuations, Defense" appropriation and the "Operation and Maintenance" appropriation accounts in such amounts as may be determined by the Secretary of Defense, with the

approval of the Office of Management and Budget, except that such transfers may not be made unless the Secretary of Defense has notified the Congress of the proposed transfer. Except in amounts equal to the amounts appropriated to working capital funds in this Act, no obligations may be made against a working capital fund to procure or increase the value of war reserve material inventory, unless the Secretary of Defense has notified the Congress prior to any such obligation.

SEC. 8009. Funds appropriated by this Act may not be used to initiate a special access program without prior notification 30 calendar days in advance to the congressional defense committees.

SEC. 8010. None of the funds provided in this Act shall be available to initiate: (1) a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year of the contract or that includes an unfunded contingent liability in excess of \$20,000,000; or (2) a contract for advance procurement leading to a multiyear contract that employs economic order quantity procurement in excess of \$20,000,000 in any one year, unless the congressional defense committees have been notified at least 30 days in advance of the proposed contract award: *Provided*, That no part of any appropriation contained in this Act shall be available to initiate a multiyear contract for which the economic order quantity advance procurement is not funded at least to the limits of the Government's liability: *Provided further*, That no part of any appropriation contained in this Act shall be available to initiate multiyear procurement contracts for any systems or component thereof if the value of the multiyear contract would exceed \$500,000,000 unless specifically provided in this Act: *Provided further*, That no multiyear procurement contract can be terminated without 10-day prior notification to the congressional defense committees: *Provided further*, That the execution of multiyear authority shall require the use of a present value analysis to determine lowest cost compared to an annual procurement: *Provided further*, That none of the funds provided in this Act may be used for a multiyear contract executed after the date of the enactment of this Act unless in the case of any such contract—

(1) the Secretary of Defense has submitted to Congress a budget request for full funding of units to be procured through the contract and, in the case of a contract for procurement of aircraft, that includes, for any aircraft unit to be procured through the contract for which procurement funds are requested in that budget request for production beyond advance procurement activities in the fiscal year covered by the budget, full funding of procurement of such unit in that fiscal year;

(2) cancellation provisions in the contract do not include consideration of recurring manufacturing costs of the contractor associated with the production of unfunded units to be delivered under the contract;

(3) the contract provides that payments to the contractor under the contract shall not be made in advance of incurred costs on funded units; and

(4) the contract does not provide for a price adjustment based on a failure to award a follow-on contract.

Funds appropriated in title III of this Act may be used for a multiyear procurement contract as follows:

Navy MH-60R/S Helicopter Systems.

SEC. 8011. Within the funds appropriated for the operation and maintenance of the

Armed Forces, funds are hereby appropriated pursuant to section 401 of title 10, United States Code, for humanitarian and civic assistance costs under chapter 20 of title 10, United States Code. Such funds may also be obligated for humanitarian and civic assistance costs incidental to authorized operations and pursuant to authority granted in section 401 of chapter 20 of title 10, United States Code, and these obligations shall be reported as required by section 401(d) of title 10, United States Code: *Provided*, That funds available for operation and maintenance shall be available for providing humanitarian and similar assistance by using Civic Action Teams in the Trust Territories of the Pacific Islands and freely associated states of Micronesia, pursuant to the Compact of Free Association as authorized by Public Law 99-239: *Provided further*, That upon a determination by the Secretary of the Army that such action is beneficial for graduate medical education programs conducted at Army medical facilities located in Hawaii, the Secretary of the Army may authorize the provision of medical services at such facilities and transportation to such facilities, on a nonreimbursable basis, for civilian patients from American Samoa, the Commonwealth of the Northern Mariana Islands, the Marshall Islands, the Federated States of Micronesia, Palau, and Guam.

SEC. 8012. (a) During fiscal year 2011, the civilian personnel of the Department of Defense may not be managed on the basis of any end-strength, and the management of such personnel during that fiscal year shall not be subject to any constraint or limitation (known as an end-strength) on the number of such personnel who may be employed on the last day of such fiscal year.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget request shall be prepared and submitted to the Congress as if subsections (a) and (b) of this provision were effective with regard to fiscal year 2012.

(c) Nothing in this section shall be construed to apply to military (civilian) technicians.

SEC. 8013. None of the funds made available by this Act shall be used in any way, directly or indirectly, to influence congressional action on any legislation or appropriation matters pending before the Congress.

SEC. 8014. None of the funds appropriated by this Act shall be available for the basic pay and allowances of any member of the Army participating as a full-time student and receiving benefits paid by the Secretary of Veterans Affairs from the Department of Defense Education Benefits Fund when time spent as a full-time student is credited toward completion of a service commitment: *Provided*, That this section shall not apply to those members who have reenlisted with this option prior to October 1, 1987: *Provided further*, That this section applies only to active components of the Army.

SEC. 8015. (a) None of the funds appropriated by this Act shall be available to convert to contractor performance an activity or function of the Department of Defense that, on or after the date of the enactment of this Act, is performed by Department of Defense civilian employees unless—

(1) the conversion is based on the result of a public-private competition that includes a most efficient and cost effective organization plan developed by such activity or function;

(2) the Competitive Sourcing Official determines that, over all performance periods

stated in the solicitation of offers for performance of the activity or function, the cost of performance of the activity or function by a contractor would be less costly to the Department of Defense by an amount that equals or exceeds the lesser of—

(A) 10 percent of the most efficient organization's personnel-related costs for performance of that activity or function by Federal employees; or

(B) \$10,000,000; and

(3) the contractor does not receive an advantage for a proposal that would reduce costs for the Department of Defense by—

(A) not making an employer-sponsored health insurance plan available to the workers who are to be employed in the performance of that activity or function under the contract; or

(B) offering to such workers an employer-sponsored health benefits plan that requires the employer to contribute less towards the premium or subscription share than the amount that is paid by the Department of Defense for health benefits for civilian employees under chapter 89 of title 5, United States Code.

(b)(1) The Department of Defense, without regard to subsection (a) of this section or subsection (a), (b), or (c) of section 2461 of title 10, United States Code, and notwithstanding any administrative regulation, requirement, or policy to the contrary shall have full authority to enter into a contract for the performance of any commercial or industrial type function of the Department of Defense that—

(A) is included on the procurement list established pursuant to section 2 of the Javits-Wagner-O'Day Act (section 8503 of title 41, United States Code);

(B) is planned to be converted to performance by a qualified nonprofit agency for the blind or by a qualified nonprofit agency for other severely handicapped individuals in accordance with that Act; or

(C) is planned to be converted to performance by a qualified firm under at least 51 percent ownership by an Indian tribe, as defined in section 4(e) of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b(e)), or a Native Hawaiian Organization, as defined in section 8(a)(15) of the Small Business Act (15 U.S.C. 637(a)(15)).

(2) This section shall not apply to depot contracts or contracts for depot maintenance as provided in sections 2469 and 2474 of title 10, United States Code.

(c) The conversion of any activity or function of the Department of Defense under the authority provided by this section shall be credited toward any competitive or outsourcing goal, target, or measurement that may be established by statute, regulation, or policy and is deemed to be awarded under the authority of, and in compliance with, subsection (h) of section 2304 of title 10, United States Code, for the competition or outsourcing of commercial activities.

(TRANSFER OF FUNDS)

SEC. 8016. Funds appropriated in title III of this Act for the Department of Defense Pilot Mentor-Protege Program may be transferred to any other appropriation contained in this Act solely for the purpose of implementing a Mentor-Protege Program developmental assistance agreement pursuant to section 831 of the National Defense Authorization Act for Fiscal Year 1991 (Public Law 101-510; 10 U.S.C. 2302 note), as amended, under the authority of this provision or any other transfer authority contained in this Act: *Provided*, That subsection (j) of section 831 of the National Defense Authorization Act for Fiscal

Year 1991 is amended by striking “September 30, 2010” and inserting “September 30, 2011”, and by striking “September 30, 2013” and inserting “September 30, 2014”.

SEC. 8017. None of the funds in this Act may be available for the purchase by the Department of Defense (and its departments and agencies) of welded shipboard anchor and mooring chain 4 inches in diameter and under unless the anchor and mooring chain are manufactured in the United States from components which are substantially manufactured in the United States: *Provided*, That for the purpose of this section, the term “manufactured” shall include cutting, heat treating, quality control, testing of chain and welding (including the forging and shot blasting process): *Provided further*, That for the purpose of this section substantially all of the components of anchor and mooring chain shall be considered to be produced or manufactured in the United States if the aggregate cost of the components produced or manufactured outside the United States: *Provided further*, That when adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis, the Secretary of the service responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations that such an acquisition must be made in order to acquire capability for national security purposes.

SEC. 8018. None of the funds available to the Department of Defense may be used to demilitarize or dispose of M-1 Carbines, M-1 Garand rifles, M-14 rifles, .22 caliber rifles, .30 caliber rifles, or M-1911 pistols, or to demilitarize or destroy small arms ammunition or ammunition components that are not otherwise prohibited from commercial sale under Federal law, unless the small arms ammunition or ammunition components are certified by the Secretary of the Army or designee as unserviceable or unsafe for further use.

SEC. 8019. No more than \$500,000 of the funds appropriated or made available in this Act shall be used during a single fiscal year for any single relocation of an organization, unit, activity or function of the Department of Defense into or within the National Capital Region: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the congressional defense committees that such a relocation is required in the best interest of the Government.

SEC. 8020. In addition to the funds provided elsewhere in this Act, \$15,000,000 is appropriated only for incentive payments authorized by section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544): *Provided*, That a prime contractor or a subcontractor at any tier that makes a subcontract award to any subcontractor or supplier as defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code, shall be considered a contractor for the purposes of being allowed additional compensation under section 504 of the Indian Financing Act of 1974 (25 U.S.C. 1544) whenever the prime contract or subcontract amount is over \$500,000 and involves the expenditure of funds appropriated by an Act making Appropriations for the Department of Defense with respect to any fiscal year: *Provided further*, That notwithstanding section 430 of title 41, United States Code, this section shall be ap-

plicable to any Department of Defense acquisition of supplies or services, including any contract and any subcontract at any tier for acquisition of commercial items produced or manufactured, in whole or in part by any subcontractor or supplier defined in section 1544 of title 25, United States Code, or a small business owned and controlled by an individual or individuals defined under section 4221(9) of title 25, United States Code.

SEC. 8021. Funds appropriated by this Act for the Defense Media Activity shall not be used for any national or international political or psychological activities.

SEC. 8022. During the current fiscal year, the Department of Defense is authorized to incur obligations of not to exceed \$350,000,000 for purposes specified in section 2350j(c) of title 10, United States Code, in anticipation of receipt of contributions, only from the Government of Kuwait, under that section: *Provided*, That upon receipt, such contributions from the Government of Kuwait shall be credited to the appropriations or fund which incurred such obligations.

SEC. 8023. (a) Of the funds made available in this Act, not less than \$30,374,000 shall be available for the Civil Air Patrol Corporation, of which—

(1) \$27,048,000 shall be available from “Operation and Maintenance, Air Force” to support Civil Air Patrol Corporation operation and maintenance, readiness, counterdrug activities, and drug demand reduction activities involving youth programs;

(2) \$2,424,000 shall be available from “Air-craft Procurement, Air Force”; and

(3) \$902,000 shall be available from “Other Procurement, Air Force” for vehicle procurement.

(b) The Secretary of the Air Force should waive reimbursement for any funds used by the Civil Air Patrol for counter-drug activities in support of Federal, State, and local government agencies.

SEC. 8024. (a) None of the funds appropriated in this Act are available to establish a new Department of Defense (department) federally funded research and development center (FFRDC), either as a new entity, or as a separate entity administrated by an organization managing another FFRDC, or as a nonprofit membership corporation consisting of a consortium of other FFRDCs and other nonprofit entities.

(b) No member of a Board of Directors, Trustees, Overseers, Advisory Group, Special Issues Panel, Visiting Committee, or any similar entity of a defense FFRDC, and no paid consultant to any defense FFRDC, except when acting in a technical advisory capacity, may be compensated for his or her services as a member of such entity, or as a paid consultant by more than one FFRDC in a fiscal year: *Provided*, That a member of any such entity referred to previously in this subsection shall be allowed travel expenses and per diem as authorized under the Federal Joint Travel Regulations, when engaged in the performance of membership duties.

(c) Notwithstanding any other provision of law, none of the funds available to the department from any source during fiscal year 2011 may be used by a defense FFRDC, through a fee or other payment mechanism, for construction of new buildings, for payment of cost sharing for projects funded by Government grants, for absorption of contract overruns, or for certain charitable contributions, not to include employee participation in community service and/or development.

(d) Notwithstanding any other provision of law, of the funds available to the department

during fiscal year 2011, not more than 5,750 staff years of technical effort (staff years) may be funded for defense FFRDCs: *Provided*, That of the specific amount referred to previously in this subsection, not more than 1,125 staff years may be funded for the defense studies and analysis FFRDCs: *Provided further*, That this subsection shall not apply to staff years funded in the National Intelligence Program (NIP) and the Military Intelligence Program (MIP).

(e) The Secretary of Defense shall, with the submission of the department’s fiscal year 2012 budget request, submit a report presenting the specific amounts of staff years of technical effort to be allocated for each defense FFRDC during that fiscal year and the associated budget estimates.

(f) Notwithstanding any other provision of this Act, the total amount appropriated in this Act for FFRDCs is hereby reduced by \$125,000,000.

SEC. 8025. None of the funds appropriated or made available in this Act shall be used to procure carbon, alloy or armor steel plate for use in any Government-owned facility or property under the control of the Department of Defense which were not melted and rolled in the United States or Canada: *Provided*, That these procurement restrictions shall apply to any and all Federal Supply Class 9515, American Society of Testing and Materials (ASTM) or American Iron and Steel Institute (AISI) specifications of carbon, alloy or armor steel plate: *Provided further*, That the Secretary of the military department responsible for the procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That these restrictions shall not apply to contracts which are in being as of the date of the enactment of this Act.

SEC. 8026. For the purposes of this Act, the term “congressional defense committees” means the Armed Services Committee of the House of Representatives, the Armed Services Committee of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the Senate, and the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives.

SEC. 8027. During the current fiscal year, the Department of Defense may acquire the modification, depot maintenance and repair of aircraft, vehicles and vessels as well as the production of components and other Defense-related articles, through competition between Department of Defense depot maintenance activities and private firms: *Provided*, That the Senior Acquisition Executive of the military department or Defense Agency concerned, with power of delegation, shall certify that successful bids include comparable estimates of all direct and indirect costs for both public and private bids: *Provided further*, That Office of Management and Budget Circular A-76 shall not apply to competitions conducted under this section.

SEC. 8028. (a)(1) If the Secretary of Defense, after consultation with the United States Trade Representative, determines that a foreign country which is party to an agreement described in paragraph (2) has violated the terms of the agreement by discriminating against certain types of products produced in the United States that are covered by the

agreement, the Secretary of Defense shall rescind the Secretary's blanket waiver of the Buy American Act with respect to such types of products produced in that foreign country.

(2) An agreement referred to in paragraph (1) is any reciprocal defense procurement memorandum of understanding, between the United States and a foreign country pursuant to which the Secretary of Defense has prospectively waived the Buy American Act for certain products in that country.

(b) The Secretary of Defense shall submit to the Congress a report on the amount of Department of Defense purchases from foreign entities in fiscal year 2011. Such report shall separately indicate the dollar value of items for which the Buy American Act was waived pursuant to any agreement described in subsection (a)(2), the Trade Agreement Act of 1979 (19 U.S.C. 2501 et seq.), or any international agreement to which the United States is a party.

(c) For purposes of this section, the term "Buy American Act" means chapter 83 of title 41, United States Code.

SEC. 8029. During the current fiscal year, amounts contained in the Department of Defense Overseas Military Facility Investment Recovery Account established by section 2921(c)(1) of the National Defense Authorization Act of 1991 (Public Law 101-510; 10 U.S.C. 2687 note) shall be available until expended for the payments specified by section 2921(c)(2) of that Act.

SEC. 8030. (a) Notwithstanding any other provision of law, the Secretary of the Air Force may convey at no cost to the Air Force, without consideration, to Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington relocatable military housing units located at Grand Forks Air Force Base, Malmstrom Air Force Base, Mountain Home Air Force Base, Ellsworth Air Force Base, and Minot Air Force Base that are excess to the needs of the Air Force.

(b) The Secretary of the Air Force shall convey, at no cost to the Air Force, military housing units under subsection (a) in accordance with the request for such units that are submitted to the Secretary by the Operation Walking Shield Program on behalf of Indian tribes located in the States of Nevada, Idaho, North Dakota, South Dakota, Montana, Oregon, Minnesota, and Washington. Any such conveyance shall be subject to the condition that the housing units shall be removed within a reasonable period of time, as determined by the Secretary.

(c) The Operation Walking Shield Program shall resolve any conflicts among requests of Indian tribes for housing units under subsection (a) before submitting requests to the Secretary of the Air Force under subsection (b).

(d) In this section, the term "Indian tribe" means any recognized Indian tribe included on the current list published by the Secretary of the Interior under section 104 of the Federally Recognized Indian Tribe Act of 1994 (Public Law 103-454; 108 Stat. 4792; 25 U.S.C. 479a-1).

SEC. 8031. During the current fiscal year, appropriations which are available to the Department of Defense for operation and maintenance may be used to purchase items having an investment item unit cost of not more than \$250,000.

SEC. 8032. (a) During the current fiscal year, none of the appropriations or funds available to the Department of Defense Working Capital Funds shall be used for the

purchase of an investment item for the purpose of acquiring a new inventory item for sale or anticipated sale during the current fiscal year or a subsequent fiscal year to customers of the Department of Defense Working Capital Funds if such an item would not have been chargeable to the Department of Defense Business Operations Fund during fiscal year 1994 and if the purchase of such an investment item would be chargeable during the current fiscal year to appropriations made to the Department of Defense for procurement.

(b) The fiscal year 2012 budget request for the Department of Defense as well as all justification material and other documentation supporting the fiscal year 2012 Department of Defense budget shall be prepared and submitted to the Congress on the basis that any equipment which was classified as an end item and funded in a procurement appropriation contained in this Act shall be budgeted for in a proposed fiscal year 2012 procurement appropriation and not in the supply management business area or any other area or category of the Department of Defense Working Capital Funds.

SEC. 8033. None of the funds appropriated by this Act for programs of the Central Intelligence Agency shall remain available for obligation beyond the current fiscal year, except for funds appropriated for the Reserve for Contingencies, which shall remain available until September 30, 2012: *Provided*, That funds appropriated, transferred, or otherwise credited to the Central Intelligence Agency Central Services Working Capital Fund during this or any prior or subsequent fiscal year shall remain available until expended: *Provided further*, That any funds appropriated or transferred to the Central Intelligence Agency for advanced research and development acquisition, for agent operations, and for covert action programs authorized by the President under section 503 of the National Security Act of 1947, as amended, shall remain available until September 30, 2012.

SEC. 8034. Notwithstanding any other provision of law, funds made available in this Act for the Defense Intelligence Agency may be used for the design, development, and deployment of General Defense Intelligence Program intelligence communications and intelligence information systems for the Services, the Unified and Specified Commands, and the component commands.

SEC. 8035. Of the funds appropriated to the Department of Defense under the heading "Operation and Maintenance, Defense-Wide", not less than \$12,000,000 shall be made available only for the mitigation of environmental impacts, including training and technical assistance to tribes, related administrative support, the gathering of information, documenting of environmental damage, and developing a system for prioritization of mitigation and cost to complete estimates for mitigation, on Indian lands resulting from Department of Defense activities.

SEC. 8036. (a) None of the funds appropriated in this Act may be expended by an entity of the Department of Defense unless the entity, in expending the funds, complies with the Buy American Act. For purposes of this subsection, the term "Buy American Act" means chapter 83 of title 41, United States Code.

(b) If the Secretary of Defense determines that a person has been convicted of intentionally affixing a label bearing a "Made in America" inscription to any product sold in or shipped to the United States that is not made in America, the Secretary shall determine, in accordance with section 2410f of

title 10, United States Code, whether the person should be debarred from contracting with the Department of Defense.

(c) In the case of any equipment or products purchased with appropriations provided under this Act, it is the sense of the Congress that any entity of the Department of Defense, in expending the appropriation, purchase only American-made equipment and products, provided that American-made equipment and products are cost-competitive, quality competitive, and available in a timely fashion.

SEC. 8037. None of the funds appropriated by this Act shall be available for a contract for studies, analysis, or consulting services entered into without competition on the basis of an unsolicited proposal unless the head of the activity responsible for the procurement determines—

(1) as a result of thorough technical evaluation, only one source is found fully qualified to perform the proposed work;

(2) the purpose of the contract is to explore an unsolicited proposal which offers significant scientific or technological promise, represents the product of original thinking, and was submitted in confidence by one source; or

(3) the purpose of the contract is to take advantage of unique and significant industrial accomplishment by a specific concern, or to insure that a new product or idea of a specific concern is given financial support: *Provided*, That this limitation shall not apply to contracts in an amount of less than \$25,000, contracts related to improvements of equipment that is in development or production, or contracts as to which a civilian official of the Department of Defense, who has been confirmed by the Senate, determines that the award of such contract is in the interest of the national defense.

SEC. 8038. (a) Except as provided in subsections (b) and (c), none of the funds made available by this Act may be used—

(1) to establish a field operating agency; or

(2) to pay the basic pay of a member of the Armed Forces or civilian employee of the department who is transferred or reassigned from a headquarters activity if the member or employee's place of duty remains at the location of that headquarters.

(b) The Secretary of Defense or Secretary of a military department may waive the limitations in subsection (a), on a case-by-case basis, if the Secretary determines, and certifies to the Committees on Appropriations of the House of Representatives and Senate that the granting of the waiver will reduce the personnel requirements or the financial requirements of the department.

(c) This section does not apply to—

(1) field operating agencies funded within the National Intelligence Program;

(2) an Army field operating agency established to eliminate, mitigate, or counter the effects of improvised explosive devices, and, as determined by the Secretary of the Army, other similar threats; or

(3) an Army field operating agency established to improve the effectiveness and efficiencies of biometric activities and to integrate common biometric technologies throughout the Department of Defense.

SEC. 8039. The Secretary of Defense, notwithstanding any other provision of law, acting through the Office of Economic Adjustment of the Department of Defense, may use funds made available in this Act under the heading "Operation and Maintenance, Defense-Wide" to make grants and supplement other Federal funds in accordance with the guidance provided in the explanatory statement regarding this Act.

(RESCISSIONS)

SEC. 8040. Of the funds appropriated in Department of Defense Appropriations Acts, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

“Procurement of Weapons and Tracked Combat Vehicles, Army, 2009/2011”, \$86,300,000.

“Other Procurement, Army, 2009/2011”, \$147,600,000.

“Aircraft Procurement, Navy, 2009/2011”, \$26,100,000.

“Aircraft Procurement, Air Force, 2009/2011”, \$387,700,000.

“Aircraft Procurement, Army, 2010/2012”, \$14,000,000.

“Procurement of Weapons and Tracked Combat Vehicles, Army, 2010/2012”, \$36,000,000.

“Missile Procurement, Army, 2010/2012”, \$9,171,000.

“Aircraft Procurement, Navy, 2010/2012”, \$464,847,000.

“Procurement of Ammunition, Navy and Marine Corps, 2010/2012”, \$11,576,000.

Under the heading, “Shipbuilding and Conversion, Navy, 2010/2014”: DDG-51 Destroyer, \$22,000,000.

“Other Procurement, Navy, 2010/2012”, \$9,042,000.

“Aircraft Procurement, Air Force, 2010/2012”, \$340,600,000.

“Other Procurement, Air Force, 2010/2012”, \$36,600,000.

“Research, Development, Test and Evaluation, Army, 2010/2011”, \$163,400,000.

“Research, Development, Test and Evaluation, Air Force, 2010/2011”, \$198,600,000.

“Other Procurement, Army, 2010/2012”, \$50,000,000.

“Research, Development, Test and Evaluation, Defense-Wide, 2010/2011”, \$10,000,000.

SEC. 8041. None of the funds available in this Act may be used to reduce the authorized positions for military (civilian) technicians of the Army National Guard, Air National Guard, Army Reserve and Air Force Reserve for the purpose of applying any administratively imposed civilian personnel ceiling, freeze, or reduction on military (civilian) technicians, unless such reductions are a direct result of a reduction in military force structure.

SEC. 8042. None of the funds appropriated or otherwise made available in this Act may be obligated or expended for assistance to the Democratic People's Republic of Korea unless specifically appropriated for that purpose.

SEC. 8043. Funds appropriated in this Act for operation and maintenance of the Military Departments, Combatant Commands and Defense Agencies shall be available for reimbursement of pay, allowances and other expenses which would otherwise be incurred against appropriations for the National Guard and Reserve when members of the National Guard and Reserve provide intelligence or counterintelligence support to Combatant Commands, Defense Agencies and Joint Intelligence Activities, including the activities and programs included within the National Intelligence Program and the Military Intelligence Program: *Provided*, That nothing in this section authorizes deviation from established Reserve and National Guard personnel and training procedures.

SEC. 8044. During the current fiscal year, none of the funds appropriated in this Act may be used to reduce the civilian medical and medical support personnel assigned to military treatment facilities below the September 30, 2003, level: *Provided*, That the

Service Surgeons General may waive this section by certifying to the congressional defense committees that the beneficiary population is declining in some catchment areas and civilian strength reductions may be consistent with responsible resource stewardship and capitation-based budgeting.

SEC. 8045. (a) None of the funds available to the Department of Defense for any fiscal year for drug interdiction or counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

(b) None of the funds available to the Central Intelligence Agency for any fiscal year for drug interdiction and counter-drug activities may be transferred to any other department or agency of the United States except as specifically provided in an appropriations law.

SEC. 8046. None of the funds appropriated by this Act may be used for the procurement of ball and roller bearings other than those produced by a domestic source and of domestic origin: *Provided*, That the Secretary of the military department responsible for such procurement may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate, that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes: *Provided further*, That this restriction shall not apply to the purchase of “commercial items”, as defined by section 4(12) of the Office of Federal Procurement Policy Act, except that the restriction shall apply to ball or roller bearings purchased as end items.

SEC. 8047. None of the funds in this Act may be used to purchase any supercomputer which is not manufactured in the United States, unless the Secretary of Defense certifies to the congressional defense committees that such an acquisition must be made in order to acquire capability for national security purposes that is not available from United States manufacturers.

SEC. 8048. None of the funds made available in this or any other Act may be used to pay the salary of any officer or employee of the Department of Defense who approves or implements the transfer of administrative responsibilities or budgetary resources of any program, project, or activity financed by this Act to the jurisdiction of another Federal agency not financed by this Act without the express authorization of Congress: *Provided*, That this limitation shall not apply to transfers of funds expressly provided for in Defense Appropriations Acts, or provisions of Acts providing supplemental appropriations for the Department of Defense.

SEC. 8049. (a) Notwithstanding any other provision of law, none of the funds available to the Department of Defense for the current fiscal year may be obligated or expended to transfer to another nation or an international organization any defense articles or services (other than intelligence services) for use in the activities described in subsection (b) unless the congressional defense committees, the Committee on Foreign Affairs of the House of Representatives, and the Committee on Foreign Relations of the Senate are notified 15 days in advance of such transfer.

(b) This section applies to—

(1) any international peacekeeping or peace-enforcement operation under the au-

thority of chapter VI or chapter VII of the United Nations Charter under the authority of a United Nations Security Council resolution; and

(2) any other international peacekeeping, peace-enforcement, or humanitarian assistance operation.

(c) A notice under subsection (a) shall include the following:

(1) A description of the equipment, supplies, or services to be transferred.

(2) A statement of the value of the equipment, supplies, or services to be transferred.

(3) In the case of a proposed transfer of equipment or supplies—

(A) a statement of whether the inventory requirements of all elements of the Armed Forces (including the reserve components) for the type of equipment or supplies to be transferred have been met; and

(B) a statement of whether the items proposed to be transferred will have to be replaced and, if so, how the President proposes to provide funds for such replacement.

SEC. 8050. None of the funds available to the Department of Defense under this Act shall be obligated or expended to pay a contractor under a contract with the Department of Defense for costs of any amount paid by the contractor to an employee when—

(1) such costs are for a bonus or otherwise in excess of the normal salary paid by the contractor to the employee; and

(2) such bonus is part of restructuring costs associated with a business combination.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8051. During the current fiscal year, no more than \$30,000,000 of appropriations made in this Act under the heading “Operation and Maintenance, Defense-Wide” may be transferred to appropriations available for the pay of military personnel, to be merged with, and to be available for the same time period as the appropriations to which transferred, to be used in support of such personnel in connection with support and services for eligible organizations and activities outside the Department of Defense pursuant to section 2012 of title 10, United States Code.

SEC. 8052. During the current fiscal year, in the case of an appropriation account of the Department of Defense for which the period of availability for obligation has expired or which has closed under the provisions of section 1552 of title 31, United States Code, and which has a negative unliquidated or unexpended balance, an obligation or an adjustment of an obligation may be charged to any current appropriation account for the same purpose as the expired or closed account if—

(1) the obligation would have been properly chargeable (except as to amount) to the expired or closed account before the end of the period of availability or closing of that account;

(2) the obligation is not otherwise properly chargeable to any current appropriation account of the Department of Defense; and

(3) in the case of an expired account, the obligation is not chargeable to a current appropriation of the Department of Defense under the provisions of section 1405(b)(8) of the National Defense Authorization Act for Fiscal Year 1991, Public Law 101-510, as amended (31 U.S.C. 1551 note): *Provided*, That in the case of an expired account, if subsequent review or investigation discloses that there was not in fact a negative unliquidated or unexpended balance in the account, any charge to a current account under the authority of this section shall be reversed and recorded against the expired account: *Provided further*, That the total amount charged

to a current appropriation under this section may not exceed an amount equal to 1 percent of the total appropriation for that account.

SEC. 8053. (a) Notwithstanding any other provision of law, the Chief of the National Guard Bureau may permit the use of equipment of the National Guard Distance Learning Project by any person or entity on a space-available, reimbursable basis. The Chief of the National Guard Bureau shall establish the amount of reimbursement for such use on a case-by-case basis.

(b) Amounts collected under subsection (a) shall be credited to funds available for the National Guard Distance Learning Project and be available to defray the costs associated with the use of equipment of the project under that subsection. Such funds shall be available for such purposes without fiscal year limitation.

SEC. 8054. Using funds made available by this Act or any other Act, the Secretary of the Air Force, pursuant to a determination under section 2690 of title 10, United States Code, may implement cost-effective agreements for required heating facility modernization in the Kaiserslautern Military Community in the Federal Republic of Germany: *Provided*, That in the City of Kaiserslautern and at the Rhine Ordnance Barracks area, such agreements will include the use of United States anthracite as the base load energy for municipal district heat to the United States Defense installations: *Provided further*, That at Landstuhl Army Regional Medical Center and Ramstein Air Base, furnished heat may be obtained from private, regional or municipal services, if provisions are included for the consideration of United States coal as an energy source.

SEC. 8055. None of the funds appropriated in title IV of this Act may be used to procure end-items for delivery to military forces for operational training, operational use or inventory requirements: *Provided*, That this restriction does not apply to end-items used in development, prototyping, and test activities preceding and leading to acceptance for operational use: *Provided further*, That this restriction does not apply to programs funded within the National Intelligence Program: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8056. None of the funds made available in this Act may be used to approve or license the sale of the F-22A advanced tactical fighter to any foreign government: *Provided*, That the Department of Defense may conduct or participate in studies, research, design and other activities to define and develop a future export version of the F-22A that protects classified and sensitive information, technologies and U.S. warfighting capabilities.

SEC. 8057. (a) The Secretary of Defense may, on a case-by-case basis, waive with respect to a foreign country each limitation on the procurement of defense items from foreign sources provided in law if the Secretary determines that the application of the limitation with respect to that country would invalidate cooperative programs entered into between the Department of Defense and the foreign country, or would invalidate reciprocal trade agreements for the procurement of defense items entered into under section 2531 of title 10, United States Code, and the country does not discriminate against the same or similar defense items produced in the United States for that country.

(b) Subsection (a) applies with respect to—
(1) contracts and subcontracts entered into on or after the date of the enactment of this Act; and

(2) options for the procurement of items that are exercised after such date under contracts that are entered into before such date if the option prices are adjusted for any reason other than the application of a waiver granted under subsection (a).

(c) Subsection (a) does not apply to a limitation regarding construction of public vessels, ball and roller bearings, food, and clothing or textile materials as defined by section 11 (chapters 50–65) of the Harmonized Tariff Schedule and products classified under headings 4010, 4202, 4203, 6401 through 6406, 6505, 7019, 7218 through 7229, 7304.41 through 7304.49, 7306.40, 7502 through 7508, 8105, 8108, 8109, 8211, 8215, and 9404.

SEC. 8058. (a) None of the funds made available by this Act may be used to support any training program involving a unit of the security forces or police of a foreign country if the Secretary of Defense has received credible information from the Department of State that the unit has committed a gross violation of human rights, unless all necessary corrective steps have been taken.

(b) The Secretary of Defense, in consultation with the Secretary of State, shall ensure that prior to a decision to conduct any training program referred to in subsection (a), full consideration is given to all credible information available to the Department of State relating to human rights violations by foreign security forces.

(c) The Secretary of Defense, after consultation with the Secretary of State, may waive the prohibition in subsection (a) if he determines that such waiver is required by extraordinary circumstances.

(d) Not more than 15 days after the exercise of any waiver under subsection (c), the Secretary of Defense shall submit a report to the congressional defense committees describing the extraordinary circumstances, the purpose and duration of the training program, the United States forces and the foreign security forces involved in the training program, and the information relating to human rights violations that necessitates the waiver.

SEC. 8059. None of the funds appropriated or made available in this Act to the Department of the Navy shall be used to develop, lease or procure the T-AKE class of ships unless the main propulsion diesel engines and propulsors are manufactured in the United States by a domestically operated entity: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that adequate domestic supplies are not available to meet Department of Defense requirements on a timely basis and that such an acquisition must be made in order to acquire capability for national security purposes or there exists a significant cost or quality difference.

SEC. 8060. None of the funds appropriated or otherwise made available by this or other Department of Defense Appropriations Acts may be obligated or expended for the purpose of performing repairs or maintenance to military family housing units of the Department of Defense, including areas in such military family housing units that may be used for the purpose of conducting official Department of Defense business.

SEC. 8061. Notwithstanding any other provision of law, funds appropriated in this Act under the heading “Research, Development,

Test and Evaluation, Defense-Wide” for any new start advanced concept technology demonstration project or joint capability demonstration project may only be obligated 30 days after a report, including a description of the project, the planned acquisition and transition strategy and its estimated annual and total cost, has been provided in writing to the congressional defense committees: *Provided*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying to the congressional defense committees that it is in the national interest to do so.

SEC. 8062. The Secretary of Defense shall provide a classified quarterly report beginning 30 days after enactment of this Act, to the House and Senate Appropriations Committees, Subcommittees on Defense on certain matters as directed in the classified annex accompanying this Act.

SEC. 8063. During the current fiscal year, none of the funds available to the Department of Defense may be used to provide support to another department or agency of the United States if such department or agency is more than 90 days in arrears in making payment to the Department of Defense for goods or services previously provided to such department or agency on a reimbursable basis: *Provided*, That this restriction shall not apply if the department is authorized by law to provide support to such department or agency on a nonreimbursable basis, and is providing the requested support pursuant to such authority: *Provided further*, That the Secretary of Defense may waive this restriction on a case-by-case basis by certifying in writing to the Committees on Appropriations of the House of Representatives and the Senate that it is in the national security interest to do so.

SEC. 8064. Notwithstanding section 12310(b) of title 10, United States Code, a Reserve who is a member of the National Guard serving on full-time National Guard duty under section 502(f) of title 32, United States Code, may perform duties in support of the ground-based elements of the National Ballistic Missile Defense System.

SEC. 8065. None of the funds provided in this Act may be used to transfer to any non-governmental entity ammunition held by the Department of Defense that has a center-fire cartridge and a United States military nomenclature designation of “armor penetrator”, “armor piercing (AP)”, “armor piercing incendiary (API)”, or “armor-piercing incendiary tracer (API-T)”, except to an entity performing demilitarization services for the Department of Defense under a contract that requires the entity to demonstrate to the satisfaction of the Department of Defense that armor piercing projectiles are either: (1) rendered incapable of reuse by the demilitarization process; or (2) used to manufacture ammunition pursuant to a contract with the Department of Defense or the manufacture of ammunition for export pursuant to a License for Permanent Export of Unclassified Military Articles issued by the Department of State.

SEC. 8066. Notwithstanding any other provision of law, the Chief of the National Guard Bureau, or his designee, may waive payment of all or part of the consideration that otherwise would be required under section 2667 of title 10, United States Code, in the case of a lease of personal property for a period not in excess of 1 year to any organization specified in section 508(d) of title 32, United States Code, or any other youth, social, or fraternal nonprofit organization as may be approved by the Chief of the National

Guard Bureau, or his designee, on a case-by-case basis.

SEC. 8067. None of the funds appropriated by this Act shall be used for the support of any nonappropriated funds activity of the Department of Defense that procures malt beverages and wine with nonappropriated funds for resale (including such alcoholic beverages sold by the drink) on a military installation located in the United States unless such malt beverages and wine are procured within that State, or in the case of the District of Columbia, within the District of Columbia, in which the military installation is located: *Provided*, That in a case in which the military installation is located in more than one State, purchases may be made in any State in which the installation is located: *Provided further*, That such local procurement requirements for malt beverages and wine shall apply to all alcoholic beverages only for military installations in States which are not contiguous with another State: *Provided further*, That alcoholic beverages other than wine and malt beverages, in contiguous States and the District of Columbia shall be procured from the most competitive source, price and other factors considered.

SEC. 8068. Funds available to the Department of Defense for the Global Positioning System during the current fiscal year, and hereafter, may be used to fund civil requirements associated with the satellite and ground control segments of such system's modernization program.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8069. Of the amounts appropriated in this Act under the heading "Operation and Maintenance, Army", \$147,258,300 shall remain available until expended: *Provided*, That notwithstanding any other provision of law, the Secretary of Defense is authorized to transfer such funds to other activities of the Federal Government: *Provided further*, That the Secretary of Defense is authorized to enter into and carry out contracts for the acquisition of real property, construction, personal services, and operations related to projects carrying out the purposes of this section: *Provided further*, That contracts entered into under the authority of this section may provide for such indemnification as the Secretary determines to be necessary: *Provided further*, That projects authorized by this section shall comply with applicable Federal, State, and local law to the maximum extent consistent with the national security, as determined by the Secretary of Defense.

SEC. 8070. Section 8106 of the Department of Defense Appropriations Act, 1997 (titles I through VIII of the matter under subsection 101(b) of Public Law 104-208; 110 Stat. 3009-111; 10 U.S.C. 113 note) shall continue in effect to apply to disbursements that are made by the Department of Defense in fiscal year 2011.

SEC. 8071. In addition to amounts provided elsewhere in this Act, \$4,000,000 is hereby appropriated to the Department of Defense, to remain available for obligation until expended: *Provided*, That notwithstanding any other provision of law, that upon the determination of the Secretary of Defense that it shall serve the national interest, these funds shall be available only for a grant to the Fisher House Foundation, Inc., only for the construction and furnishing of additional Fisher Houses to meet the needs of military family members when confronted with the illness or hospitalization of an eligible military beneficiary.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8072. Of the amounts appropriated in this Act under the headings "Procurement, Defense-Wide" and "Research, Development, Test and Evaluation, Defense-Wide", \$415,115,000 shall be for the Israeli Cooperative Programs: *Provided*, That of this amount, \$205,000,000 shall be for the Secretary of Defense to provide to the Government of Israel for the procurement of the Iron Dome defense system to counter short-range rocket threats, \$84,722,000 shall be for the Short Range Ballistic Missile Defense (SRBMD) program, including cruise missile defense research and development under the SRBMD program, \$58,966,000 shall be available for an upper-tier component to the Israeli Missile Defense Architecture, and \$66,427,000 shall be for the Arrow System Improvement Program including development of a long range, ground and airborne, detection suite, of which \$12,000,000 shall be for producing Arrow missile components in the United States and Arrow missile components in Israel to meet Israel's defense requirements, consistent with each nation's laws, regulations and procedures: *Provided further*, That funds made available under this provision for production of missiles and missile components may be transferred to appropriations available for the procurement of weapons and equipment, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided further*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

SEC. 8073. None of the funds available to the Department of Defense may be obligated to modify command and control relationships to give Fleet Forces Command administrative and operational control of U.S. Navy forces assigned to the Pacific fleet: *Provided*, That the command and control relationships which existed on October 1, 2004, shall remain in force unless changes are specifically authorized in a subsequent Act.

SEC. 8074. Notwithstanding any other provision of law or regulation, the Secretary of Defense may exercise the provisions of section 7403(g) of title 38, United States Code, for occupations listed in section 7403(a)(2) of title 38, United States Code, as well as the following:

Pharmacists, Audiologists, Psychologists, Social Workers, Othotists/Prosthetists, Occupational Therapists, Physical Therapists, Rehabilitation Therapists, Respiratory Therapists, Speech Pathologists, Dietitian/Nutritionists, Industrial Hygienists, Psychology Technicians, Social Service Assistants, Practical Nurses, Nursing Assistants, and Dental Hygienists:

(A) The requirements of section 7403(g)(1)(A) of title 38, United States Code, shall apply.

(B) The limitations of section 7403(g)(1)(B) of title 38, United States Code, shall not apply.

SEC. 8075. Funds appropriated by this Act, or made available by the transfer of funds in this Act, for intelligence activities are deemed to be specifically authorized by the Congress for purposes of section 504 of the National Security Act of 1947 (50 U.S.C. 414) during fiscal year 2011 until the enactment of the Intelligence Authorization Act for Fiscal Year 2011.

SEC. 8076. None of the funds provided in this Act shall be available for obligation or expenditure through a reprogramming of funds that creates or initiates a new program, project, or activity unless such pro-

gram, project, or activity must be undertaken immediately in the interest of national security and only after written prior notification to the congressional defense committees.

SEC. 8077. The budget of the President for fiscal year 2012 submitted to the Congress pursuant to section 1105 of title 31, United States Code, shall include separate budget justification documents for costs of United States Armed Forces' participation in contingency operations for the Military Personnel accounts, the Operation and Maintenance accounts, and the Procurement accounts: *Provided*, That these documents shall include a description of the funding requested for each contingency operation, for each military service, to include all Active and Reserve components, and for each appropriations account: *Provided further*, That these documents shall include estimated costs for each element of expense or object class, a reconciliation of increases and decreases for each contingency operation, and programmatic data including, but not limited to, troop strength for each Active and Reserve component, and estimates of the major weapons systems deployed in support of each contingency: *Provided further*, That these documents shall include budget exhibits OP-5 and OP-32 (as defined in the Department of Defense Financial Management Regulation) for all contingency operations for the budget year and the two preceding fiscal years.

SEC. 8078. None of the funds in this Act may be used for research, development, test, evaluation, procurement or deployment of nuclear armed interceptors of a missile defense system.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8079. In addition to the amounts appropriated or otherwise made available elsewhere in this Act, \$65,200,000 is hereby appropriated to the Department of Defense: *Provided*, That upon the determination of the Secretary of Defense that it shall serve the national interest, he shall make grants in the amounts specified as follows: \$20,000,000 to the United Service Organizations; \$24,000,000 to the Red Cross; \$1,200,000 to the Special Olympics; and \$20,000,000 to the Youth Mentoring Grants Program: *Provided further*, That funds available in this section for the Youth Mentoring Grants Program may be available for transfer to the Department of Justice Youth Mentoring Grants Program.

SEC. 8080. None of the funds appropriated or made available in this Act shall be used to reduce or disestablish the operation of the 53rd Weather Reconnaissance Squadron of the Air Force Reserve, if such action would reduce the WC-130 Weather Reconnaissance mission below the levels funded in this Act: *Provided*, That the Air Force shall allow the 53rd Weather Reconnaissance Squadron to perform other missions in support of national defense requirements during the non-hurricane season.

SEC. 8081. None of the funds provided in this Act shall be available for integration of foreign intelligence information unless the information has been lawfully collected and processed during the conduct of authorized foreign intelligence activities: *Provided*, That information pertaining to United States persons shall only be handled in accordance with protections provided in the Fourth Amendment of the United States Constitution as implemented through Executive Order No. 12333.

SEC. 8082. (a) At the time members of reserve components of the Armed Forces are

called or ordered to active duty under section 12302(a) of title 10, United States Code, each member shall be notified in writing of the expected period during which the member will be mobilized.

(b) The Secretary of Defense may waive the requirements of subsection (a) in any case in which the Secretary determines that it is necessary to do so to respond to a national security emergency or to meet dire operational requirements of the Armed Forces.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8083. The Secretary of Defense may transfer funds from any available Department of the Navy appropriation to any available Navy ship construction appropriation for the purpose of liquidating necessary changes resulting from inflation, market fluctuations, or rate adjustments for any ship construction program appropriated in law: *Provided*, That the Secretary may transfer not to exceed \$100,000,000 under the authority provided by this section: *Provided further*, That the Secretary may not transfer any funds until 30 days after the proposed transfer has been reported to the Committees on Appropriations of the House of Representatives and the Senate, unless a response from the Committees is received sooner: *Provided further*, That any funds transferred pursuant to this section shall retain the same period of availability as when originally appropriated: *Provided further*, That the transfer authority provided by this section is in addition to any other transfer authority contained elsewhere in this Act.

SEC. 8084. For purposes of section 7108 of title 41, United States Code, any subdivision of appropriations made under the heading "Shipbuilding and Conversion, Navy" that is not closed at the time reimbursement is made shall be available to reimburse the Judgment Fund and shall be considered for the same purposes as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in the current fiscal year or any prior fiscal year.

SEC. 8085. (a) None of the funds appropriated by this Act may be used to transfer research and development, acquisition, or other program authority relating to current tactical unmanned aerial vehicles (TUAVs) from the Army.

(b) The Army shall retain responsibility for and operational control of the MQ-1C Sky Warrior Unmanned Aerial Vehicle (UAV) in order to support the Secretary of Defense in matters relating to the employment of unmanned aerial vehicles.

SEC. 8086. Notwithstanding any other provision of law or regulation, during the current fiscal year and hereafter, the Secretary of Defense may adjust wage rates for civilian employees hired for certain health care occupations as authorized for the Secretary of Veterans Affairs by section 7455 of title 38, United States Code.

SEC. 8087. Up to \$15,000,000 of the funds appropriated under the heading "Operation and Maintenance, Navy" may be made available for the Asia Pacific Regional Initiative Program for the purpose of enabling the Pacific Command to execute Theater Security Cooperation activities such as humanitarian assistance, and payment of incremental and personnel costs of training and exercising with foreign security forces: *Provided*, That funds made available for this purpose may be used, notwithstanding any other funding authorities for humanitarian assistance, security assistance or combined exercise expenses: *Provided further*, That funds may not be obligated to provide assistance to any for-

eign country that is otherwise prohibited from receiving such type of assistance under any other provision of law.

SEC. 8088. None of the funds appropriated by this Act for programs of the Office of the Director of National Intelligence shall remain available for obligation beyond the current fiscal year, except for funds appropriated for research and technology, which shall remain available until September 30, 2012.

SEC. 8089. For purposes of section 1553(b) of title 31, United States Code, any subdivision of appropriations made in this Act under the heading "Shipbuilding and Conversion, Navy" shall be considered to be for the same purpose as any subdivision under the heading "Shipbuilding and Conversion, Navy" appropriations in any prior fiscal year, and the 1 percent limitation shall apply to the total amount of the appropriation.

SEC. 8090. Notwithstanding any other provision of law, not more than 35 percent of funds provided in this Act for environmental remediation may be obligated under indefinite delivery/indefinite quantity contracts with a total contract value of \$130,000,000 or higher.

SEC. 8091. The Director of National Intelligence shall include the budget exhibits identified in paragraphs (1) and (2) as described in the Department of Defense Financial Management Regulation with the congressional budget justification books:

(1) For procurement programs requesting more than \$20,000,000 in any fiscal year, the P-1, Procurement Program; P-5, Cost Analysis; P-5a, Procurement History and Planning; P-21, Production Schedule; and P-40, Budget Item Justification.

(2) For research, development, test and evaluation projects requesting more than \$10,000,000 in any fiscal year, the R-1, RDT&E Program; R-2, RDT&E Budget Item Justification; R-3, RDT&E Project Cost Analysis; and R-4, RDT&E Program Schedule Profile.

SEC. 8092. The Secretary of Defense shall create a major force program category for space for each future-years defense program of the Department of Defense submitted to Congress under section 221 of title 10, United States Code, during fiscal year 2011. The Secretary of Defense shall designate an official in the Office of the Secretary of Defense to provide overall supervision of the preparation and justification of program recommendations and budget proposals to be included in such major force program category.

SEC. 8093. (a) Not later than 60 days after enactment of this Act, the Office of the Director of National Intelligence shall submit a report to the congressional intelligence committees to establish the baseline for application of reprogramming and transfer authorities for fiscal year 2011: *Provided*, That the report shall include—

(1) a table for each appropriation with a separate column to display the President's budget request, adjustments made by Congress, adjustments due to enacted rescissions, if appropriate, and the fiscal year enacted level;

(2) a delineation in the table for each appropriation by Expenditure Center and project; and

(3) an identification of items of special congressional interest.

(b) None of the funds provided for the National Intelligence Program in this Act shall be available for reprogramming or transfer until the report identified in subsection (a) is submitted to the congressional intelligence

committees, unless the Director of National Intelligence certifies in writing to the congressional intelligence committees that such reprogramming or transfer is necessary as an emergency requirement.

SEC. 8094. The Director of National Intelligence shall submit to Congress each year, at or about the time that the President's budget is submitted to Congress that year under section 1105(a) of title 31, United States Code, a future-years intelligence program (including associated annexes) reflecting the estimated expenditures and proposed appropriations included in that budget. Any such future-years intelligence program shall cover the fiscal year with respect to which the budget is submitted and at least the four succeeding fiscal years.

SEC. 8095. For the purposes of this Act, the term "congressional intelligence committees" means the Permanent Select Committee on Intelligence of the House of Representatives, the Select Committee on Intelligence of the Senate, the Subcommittee on Defense of the Committee on Appropriations of the House of Representatives, and the Subcommittee on Defense of the Committee on Appropriations of the Senate.

SEC. 8096. The Department of Defense shall continue to report incremental contingency operations costs for Operation New Dawn and Operation Enduring Freedom on a monthly basis in the Cost of War Execution Report as prescribed in the Department of Defense Financial Management Regulation Department of Defense Instruction 7000.14, Volume 12, Chapter 23 "Contingency Operations", Annex 1, dated September 2005.

SEC. 8097. The amounts appropriated in title II of this Act are hereby reduced by \$1,983,000,000 to reflect excess cash balances in Department of Defense Working Capital Funds, as follows: (1) From "Operation and Maintenance, Army", \$700,000,000; and (2) From "Operation and Maintenance, Defense-Wide", \$1,283,000,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8098. During the current fiscal year, not to exceed \$11,000,000 from each of the appropriations made in title II of this Act for "Operation and Maintenance, Army", "Operation and Maintenance, Navy", and "Operation and Maintenance, Air Force" may be transferred by the military department concerned to its central fund established for Fisher Houses and Suites pursuant to section 2493(d) of title 10, United States Code.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8099. Of the funds appropriated in the Intelligence Community Management Account for the Program Manager for the Information Sharing Environment, \$24,000,000 is available for transfer by the Director of National Intelligence to other departments and agencies for purposes of Government-wide information sharing activities: *Provided*, That funds transferred under this provision are to be merged with and available for the same purposes and time period as the appropriation to which transferred: *Provided further*, That the Office of Management and Budget must approve any transfers made under this provision.

SEC. 8100. Funds appropriated by this Act for operation and maintenance may be available for the purpose of making remittances to the Defense Acquisition Workforce Development Fund in accordance with the requirements of section 1705 of title 10, United States Code.

SEC. 8101. (a) Any agency receiving funds made available in this Act, shall, subject to subsections (b) and (c), post on the public

website of that agency any report required to be submitted by the Congress in this or any other Act, upon the determination by the head of the agency that it shall serve the national interest.

(b) Subsection (a) shall not apply to a report if—

(1) the public posting of the report compromises national security; or

(2) the report contains proprietary information.

(c) The head of the agency posting such report shall do so only after such report has been made available to the requesting Committee or Committees of Congress for no less than 45 days.

SEC. 8102. (a) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract for an amount in excess of \$1,000,000 unless the contractor agrees not to—

(1) enter into any agreement with any of its employees or independent contractors that requires, as a condition of employment, that the employee or independent contractor agree to resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention; or

(2) take any action to enforce any provision of an existing agreement with an employee or independent contractor that mandates that the employee or independent contractor resolve through arbitration any claim under title VII of the Civil Rights Act of 1964 or any tort related to or arising out of sexual assault or harassment, including assault and battery, intentional infliction of emotional distress, false imprisonment, or negligent hiring, supervision, or retention.

(b) None of the funds appropriated or otherwise made available by this Act may be expended for any Federal contract unless the contractor certifies that it requires each covered subcontractor to agree not to enter into, and not to take any action to enforce any provision of, any agreement as described in paragraphs (1) and (2) of subsection (a), with respect to any employee or independent contractor performing work related to such subcontract. For purposes of this subsection, a “covered subcontractor” is an entity that has a subcontract in excess of \$1,000,000 on a contract subject to subsection (a).

(c) The prohibitions in this section do not apply with respect to a contractor's or subcontractor's agreements with employees or independent contractors that may not be enforced in a court of the United States.

(d) The Secretary of Defense may waive the application of subsection (a) or (b) to a particular contractor or subcontractor for the purposes of a particular contract or subcontract if the Secretary or the Deputy Secretary personally determines that the waiver is necessary to avoid harm to national security interests of the United States, and that the term of the contract or subcontract is not longer than necessary to avoid such harm. The determination shall set forth with specificity the grounds for the waiver and for the contract or subcontract term selected, and shall state any alternatives considered in lieu of a waiver and the reasons each such alternative would not avoid harm to national security interests of the United States. The Secretary of Defense shall transmit to Congress, and simultaneously make public, any determination under this subsection not less than 15 business days before

the contract or subcontract addressed in the determination may be awarded.

(e) By March 1, 2011, or within 60 days after enactment of this Act, whichever is later, the Government Accountability Office shall submit a report to the Congress evaluating the effect that the requirements of this section have had on national security, including recommendations, if any, for changes to these requirements.

SEC. 8103. (a) PROHIBITION ON CONVERSION OF FUNCTIONS PERFORMED BY FEDERAL EMPLOYEES TO CONTRACTOR PERFORMANCE.—None of the funds appropriated by this Act or otherwise available to the Department of Defense may be used to begin or announce the competition to award to a contractor or convert to performance by a contractor any functions performed by Federal employees pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76.

(b) EXCEPTION.—The prohibition in subsection (a) shall not apply to the award of a function to a contractor or the conversion of a function to performance by a contractor pursuant to a study conducted under Office of Management and Budget (OMB) Circular A-76 once all reporting and certifications required by section 325 of the National Defense Authorization Act for Fiscal Year 2010 (Public Law 111-84) have been satisfactorily completed.

SEC. 8104. (a)(1) No National Intelligence Program funds appropriated in this Act may be used for a mission critical or mission essential business management information technology system that is not registered with the Director of National Intelligence. A system shall be considered to be registered with that officer upon the furnishing notice of the system, together with such information concerning the system as the Director of the Business Transformation Office may prescribe.

(2) During the current fiscal year no funds may be obligated or expended for a financial management automated information system, a mixed information system supporting financial and non-financial systems, or a business system improvement of more than \$3,000,000, within the Intelligence Community without the approval of the Business Transformation Office, and the designated Intelligence Community functional lead element.

(b) The Director of the Business Transformation Office shall provide the congressional intelligence committees a semi-annual report of approvals under paragraph (1) no later than March 30 and September 30 of each year. The report shall include the results of the Business Transformation Investment Review Board's semi-annual activities, and each report shall certify that the following steps have been taken for systems approved under paragraph (1):

(1) Business process reengineering.

(2) An analysis of alternatives and an economic analysis that includes a calculation of the return on investment.

(3) Assurance the system is compatible with the enterprise-wide business architecture.

(4) Performance measures.

(5) An information assurance strategy consistent with the Chief Information Officer of the Intelligence Community.

(c) This section shall not apply to any programmatic or analytic systems or programmatic or analytic system improvements.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8105. Of the funds appropriated in this Act for the Office of the Director of National

Intelligence, \$50,000,000, may be transferred to appropriations available to the Central Intelligence Agency, the National Security Agency, and the National Geospatial Intelligence Agency, the Defense Intelligence Agency and the National Reconnaissance Office for the Business Transformation Transfer Funds, to be merged with and to be available for the same time period and the same purposes as the appropriation to which transferred: *Provided*, That the transfer authority provided under this provision is in addition to any other transfer authority contained in this Act.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8106. In addition to funds made available elsewhere in this Act, there is hereby appropriated \$538,875,000, to remain available until transferred: *Provided*, That these funds are appropriated to the “Tanker Replacement Transfer Fund” (referred to as “the Fund” elsewhere in this section): *Provided further*, That the Secretary of the Air Force may transfer amounts in the Fund to “Operation and Maintenance, Air Force”, “Air-craft Procurement, Air Force”, and “Research, Development, Test and Evaluation, Air Force”, only for the purposes of proceeding with a tanker acquisition program: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriations or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of the Air Force shall, not fewer than 15 days prior to making transfers using funds provided in this section, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That the Secretary shall submit a report no later than 30 days after the end of each fiscal quarter to the congressional defense committees summarizing the details of the transfer of funds from this appropriation.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8107. From within the funds appropriated for operation and maintenance for the Defense Health Program in this Act, up to \$132,200,000, shall be available for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund in accordance with the provisions of section 1704 of the National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84: *Provided*, That for purposes of section 1704(b), the facility operations funded are operations of the integrated Captain James A. Lovell Federal Health Care Center, consisting of the North Chicago Veterans Affairs Medical Center, the Navy Ambulatory Care Center, and supporting facilities designated as a combined Federal medical facility as described by section 706 of Public Law 110-417: *Provided further*, That additional funds may be transferred from funds appropriated for operation and maintenance for the Defense Health Program to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Defense to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 8108. (a) Of the amounts made available in this Act under the heading “Operation and Maintenance, Navy”, not less than \$2,000,000, shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for

documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10, section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(b) Of the amounts made available in this Act under the heading "Operation and Maintenance, Air Force", not less than \$2,000,000 shall be made available for leveraging the Army's Contractor Manpower Reporting Application, modified as appropriate for Service-specific requirements, for documenting the number of full-time contractor employees (or its equivalent) pursuant to United States Code title 10 section 2330a(c) and meeting the requirements of United States Code title 10, section 2330a(e) and United States Code title 10, section 235.

(c) The Secretaries of the Army, Navy, Air Force, and the Directors of the Defense Agencies and Field Activities (in coordination with the appropriate Principal Staff Assistant), in coordination with the Under Secretary of Defense for Personnel and Readiness, shall report to the congressional defense committees within 60 days of enactment of this Act their plan for documenting the number of full-time contractor employees (or its equivalent), as required by United States Code title 10, section 2330a.

(INCLUDING TRANSFER OF FUNDS)

SEC. 8109. In addition to amounts provided elsewhere in this Act, there is appropriated \$250,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to be available until expended: *Provided*, That such funds shall only be available to the Secretary of Defense, acting through the Office of Economic Adjustment of the Department of Defense, or for transfer to the Secretary of Education, notwithstanding any other provision of law, to make grants, conclude cooperative agreements, or supplement other Federal funds to construct, renovate, repair, or expand elementary and secondary public schools on military installations in order to address capacity or facility condition deficiencies at such schools: *Provided further*, That in making such funds available, the Office of Economic Adjustment or the Secretary of Education shall give priority consideration to those military installations with schools having the most serious capacity or facility condition deficiencies as determined by the Secretary of Defense.

SEC. 8110. In addition to amounts provided elsewhere in this Act, there is appropriated \$300,000,000, for an additional amount for "Operation and Maintenance, Defense-Wide", to remain available until expended. Such funds may be available for the Office of Economic Adjustment, notwithstanding any other provision of law, for transportation infrastructure improvements associated with medical facilities related to recommendations of the Defense Base Closure and Realignment Commission.

SEC. 8111. Section 310(b) of the Supplemental Appropriations Act, 2009 (Public Law 111-32; 124 Stat. 1871) is amended by striking "1 year" both places it appears and inserting "2 years".

SEC. 8112. The Office of the Director of National Intelligence shall not employ more Senior Executive employees than are specified in the classified annex: *Provided*, That not later than 90 days after enactment of this Act, the Director of National Intelligence shall certify that the Office of the Director of National Intelligence selects individuals for Senior Executive positions in a manner consistent with statutes, regulations, and the requirements of other Federal

agencies in making such appointments and will submit its policies and procedures related to the appointment of personnel to Senior Executive positions to the congressional intelligence oversight committees.

SEC. 8113. For all major defense acquisition programs for which the Department of Defense plans to proceed to source selection during the current fiscal year, the Secretary of Defense shall perform an assessment of the winning bidder to determine whether or not the proposed costs are realistic and reasonable with respect to proposed development and production costs. The Secretary of Defense shall provide a report of these assessments, to specifically include whether any cost assessments determined that such proposed costs were unreasonable or unrealistic, to the congressional defense committees not later than 60 days after enactment of this Act and on a quarterly basis thereafter.

SEC. 8114. (a) The Deputy Under Secretary of Defense for Installations and Environment, in collaboration with the Secretary of Energy, shall conduct energy security pilot projects at facilities of the Department of Defense.

(b) In addition to the amounts provided elsewhere in this Act, \$20,000,000, is appropriated to the Department of Defense for "Operation and Maintenance, Defense-Wide" for energy security pilot projects under subsection (a).

SEC. 8115. None of the funds appropriated or otherwise made available by this Act may be obligated or expended to pay a retired general or flag officer to serve as a senior mentor advising the Department of Defense unless such retired officer files a Standard Form 278 (or successor form concerning public financial disclosure under part 2634 of title 5, Code of Federal Regulations) to the Office of Government Ethics.

SEC. 8116. Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense, the Chief of the Air Force Reserve, and the Director of the National Guard Bureau, in collaboration with the Secretary of Agriculture and the Secretary of the Interior, shall submit to the Committees on Appropriations of the House and Senate, the House Committee on Agriculture, the Senate Committee on Agriculture, Nutrition and Forestry, the House Committee on Natural Resources, and the Senate Committee on Energy and Natural Resources a report of firefighting aviation assets. The report required under this section shall include each of the following:

(1) A description of the programming details necessary to obtain an appropriate mix of fixed wing and rotor wing firefighting assets needed to produce an effective aviation resource base to support the wildland fire management program into the future. Such programming details shall include the acquisition and contracting needs of the mix of aviation resources fleet, including the acquisition of up to 24 C-130Js equipped with the Mobile Airborne Fire Fighting System II (in this section referred to as "MAFFS"), to be acquired over several fiscal years starting in fiscal year 2012.

(2) The costs associated with acquisition and contracting of the aviation assets described in paragraph (1).

(3) A description of the costs of the operation, maintenance, and sustainment of a fixed and rotor wing aviation fleet, including a C-130J/MAFFS II in an Air National Guard tactical airlift unit construct of 4, 6, or 8 C-130Js per unit starting in fiscal year 2012, projected out through fiscal year 2020. Such

description shall include the projected costs associated with each of the following through fiscal year 2020:

(A) Crew ratio based on 4, 6, or 8 C-130J Air National Guard unit construct and requirement for full-time equivalent crews.

(B) Associated maintenance and other support personnel and requirement for full-time equivalent positions.

(C) Yearly flying hour model and the cost for use of a fixed and rotor wing aviation fleet, including C-130J in its MAFFS capacity supporting the United States Forest Service.

(D) Yearly flying hour model and cost for use of a C-130J in its capacity supporting Air National Guard tactical airlift training.

(E) Any other costs required to conduct both the airlift and firefighting missions, including the Air National Guard unit construct for C-130Js.

(4) Proposed program management, utilization, and cost share arrangements for the aircraft described in paragraph (1) for primary support of the Forest Service and secondary support, on an as available basis, for the Department of Defense, together with any proposed statutory language needed to authorize and effectuate the same.

(5) An integrated plan for the Forest Service and the Department of the Interior wildland fire management programs to operate the fire fighting air tanker assets referred to in this section.

SEC. 8117. Notwithstanding any other provision of this Act, to reflect savings from revised economic assumptions, the total amount appropriated in title II of this Act is hereby reduced by \$532,000,000, the total amount appropriated in title III of this Act is hereby reduced by \$564,000,000, and the total amount appropriated in title IV of this Act is hereby reduced by \$381,000,000: *Provided*, That the Secretary of Defense shall allocate this reduction proportionally to each budget activity, activity group, subactivity group, and each program, project, and activity, within each appropriation account.

SEC. 8118. The total amount available in this Act for pay for civilian personnel of the Department of Defense for fiscal year 2011 shall be the amount otherwise appropriated or made available by this Act for such pay reduced by \$723,000,000.

SEC. 8119. None of the funds appropriated or otherwise made available to the Department of Defense may be used for the disestablishment, closure, or realignment of the Joint Forces Command unless within 120 days of the enactment of this Act—

(1) the Secretary of Defense notifies the congressional defense committees of the proposed disestablishment, closure, or realignment of the Joint Forces Command; and

(2) the Secretary submits to the congressional defense committees a plan for the disestablishment, closure, or realignment of the Joint Forces Command, which plan shall contain at a minimum—

(A) an explanation of the projected savings of the proposed disestablishment, closure, or realignment;

(B) a cost-benefit analysis of the proposed disestablishment, closure, or realignment;

(C) the budgetary impact of the proposed disestablishment, closure, or realignment;

(D) the strategic and operational consequences of the proposed disestablishment, closure, or realignment; and

(E) an appropriate local economic assessment of the proposed disestablishment, closure, or realignment, which shall include at a minimum—

(i) a list of Federal, State, and local government departments and agencies that are

required by statute or regulation to provide assistance and outreach for the community affected by the proposed disestablishment, closure, or realignment; and

(ii) a list of the contractors and businesses affected by the proposed disestablishment, closure, or realignment.

SEC. 8120. The explanatory statement regarding this Act, printed in the House of Representatives section of the Congressional Record on or about April 13, 2011, by the Chairman of the Committee on Appropriations of the House of Representatives, shall have the same effect with respect to the allocation of funds and implementation of this Act as if it were a Report of the Committee on Appropriations.

TITLE IX

OVERSEAS CONTINGENCY OPERATIONS

MILITARY PERSONNEL

MILITARY PERSONNEL, ARMY

For an additional amount for "Military Personnel, Army", \$11,107,033,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, NAVY

For an additional amount for "Military Personnel, Navy", \$1,308,719,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, MARINE CORPS

For an additional amount for "Military Personnel, Marine Corps", \$732,920,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MILITARY PERSONNEL, AIR FORCE

For an additional amount for "Military Personnel, Air Force", \$1,843,442,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, ARMY

For an additional amount for "Reserve Personnel, Army", \$268,031,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, NAVY

For an additional amount for "Reserve Personnel, Navy", \$48,912,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursu-

ant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, MARINE CORPS

For an additional amount for "Reserve Personnel, Marine Corps", \$45,437,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESERVE PERSONNEL, AIR FORCE

For an additional amount for "Reserve Personnel, Air Force", \$27,002,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, ARMY

For an additional amount for "National Guard Personnel, Army", \$853,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD PERSONNEL, AIR FORCE

For an additional amount for "National Guard Personnel, Air Force", \$16,860,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE

OPERATION AND MAINTENANCE, ARMY

For an additional amount for "Operation and Maintenance, Army", \$59,162,782,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY

For an additional amount for "Operation and Maintenance, Navy", \$8,970,724,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$4,008,022,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section

403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$12,969,643,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, DEFENSE-WIDE

For an additional amount for "Operation and Maintenance, Defense-Wide", \$9,276,990,000: *Provided*, That each amount in this section is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: *Provided further*, That of the funds provided under this heading:

(1) Not to exceed \$12,500,000 for the Combatant Commander Initiative Fund, to be used in support of Operation New Dawn and Operation Enduring Freedom.

(2) Not to exceed \$1,600,000,000, to remain available until expended, for payments to reimburse key cooperating nations for logistical, military, and other support, including access provided to United States military operations in support of Operation New Dawn and Operation Enduring Freedom, notwithstanding any other provision of law: *Provided*, That such reimbursement payments may be made in such amounts as the Secretary of Defense, with the concurrence of the Secretary of State, and in consultation with the Director of the Office of Management and Budget, may determine, in his discretion, based on documentation determined by the Secretary of Defense to adequately account for the support provided, and such determination is final and conclusive upon the accounting officers of the United States, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the requirement to provide notification shall not apply with respect to a reimbursement for access based on an international agreement: *Provided further*, That these funds may be used for the purpose of providing specialized training and procuring supplies and specialized equipment and providing such supplies and loaning such equipment on a non-reimbursable basis to coalition forces supporting United States military operations in Iraq and Afghanistan, and 15 days following notification to the appropriate congressional committees: *Provided further*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees on the use of funds provided in this paragraph.

OPERATION AND MAINTENANCE, ARMY

RESERVE

For an additional amount for "Operation and Maintenance, Army Reserve", \$206,784,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, NAVY RESERVE

For an additional amount for "Operation and Maintenance, Navy Reserve", \$93,559,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, MARINE CORPS RESERVE

For an additional amount for "Operation and Maintenance, Marine Corps Reserve", \$29,685,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR FORCE RESERVE

For an additional amount for "Operation and Maintenance, Air Force Reserve", \$188,807,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Army National Guard", \$497,849,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OPERATION AND MAINTENANCE, AIR NATIONAL GUARD

For an additional amount for "Operation and Maintenance, Air National Guard", \$402,983,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AFGHANISTAN INFRASTRUCTURE FUND
(INCLUDING TRANSFER OF FUNDS)

There is hereby established in the Treasury of the United States the "Afghanistan Infrastructure Fund". For the "Afghanistan Infrastructure Fund", \$400,000,000, to remain available until September 30, 2012: *Provided*, That such sums shall be available for infrastructure projects in Afghanistan, notwithstanding any other provision of law, which shall be undertaken by the Secretary of State, unless the Secretary of State and the Secretary of Defense jointly decide that a specific project will be undertaken by the Department of Defense: *Provided further*, That the infrastructure referred to in the preceding proviso is in support of the counterinsurgency strategy, requiring funding for

facility and infrastructure projects, including, but not limited to, water, power, and transportation projects and related maintenance and sustainment costs: *Provided further*, That the authority to undertake such infrastructure projects is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That any projects funded by this appropriation shall be jointly formulated and concurred in by the Secretary of State and Secretary of Defense: *Provided further*, That funds may be transferred to the Department of State for purposes of undertaking projects, which funds shall be considered to be economic assistance under the Foreign Assistance Act of 1961 for purposes of making available the administrative authorities contained in that Act: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That any unexpended funds transferred to the Secretary of State under this authority shall be returned to the Afghanistan Infrastructure Fund if the Secretary of State, in coordination with the Secretary of Defense, determines that the project cannot be implemented for any reason, or that the project no longer supports the counterinsurgency strategy in Afghanistan: *Provided further*, That any funds returned to the Secretary of Defense under the previous proviso shall be available for use under this appropriation and shall be treated in the same manner as funds not transferred to the Secretary of State: *Provided further*, That contributions of funds for the purposes provided herein to the Secretary of State in accordance with section 635(d) of the Foreign Assistance Act from any person, foreign government, or international organization may be credited to this Fund, to remain available until expended, and used for such purposes: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers to or from, or obligations from the Fund, notify the appropriate committees of Congress in writing of the details of any such transfer: *Provided further*, That the "appropriate committees of Congress" are the Committees on Armed Services, Foreign Relations and Appropriations of the Senate and the Committees on Armed Services, Foreign Affairs and Appropriations of the House of Representatives: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AFGHANISTAN SECURITY FORCES FUND

For the "Afghanistan Security Forces Fund", \$11,619,283,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, Combined Security Transition Command—Afghanistan, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Afghanistan, including the provision of equipment, supplies, services, training, facility and infrastructure repair, renovation, and construction, and funding: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That up to \$15,000,000 of these funds may be

available for coalition police trainer life support costs: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

IRAQ SECURITY FORCES FUND

For the "Iraq Security Forces Fund", \$1,500,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Commander, United States Forces-Iraq, or the Secretary's designee, to provide assistance, with the concurrence of the Secretary of State, to the security forces of Iraq, including the provision of equipment, supplies, services, training, facility and infrastructure repair, and renovation: *Provided further*, That the authority to provide assistance under this heading is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That contributions of funds for the purposes provided herein from any person, foreign government, or international organization may be credited to this Fund and used for such purposes: *Provided further*, That the Secretary shall notify the congressional defense committees in writing upon the receipt and upon the obligation of any contribution, delineating the sources and amounts of the funds received and the specific use of such contributions: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to obligating from this appropriation account, notify the congressional defense committees in writing of the details of any such obligation: *Provided further*, That the Secretary of Defense shall notify the congressional defense committees of any proposed new projects or transfer of funds between budget sub-activity groups in excess of \$20,000,000: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PAKISTAN COUNTERINSURGENCY FUND
(INCLUDING TRANSFER OF FUNDS)

For the "Pakistan Counterinsurgency Fund", \$800,000,000, to remain available until September 30, 2012: *Provided*, That such funds

shall be available to the Secretary of Defense, with the concurrence of the Secretary of State, notwithstanding any other provision of law, for the purpose of allowing the Secretary of Defense, or the Secretary's designee, to provide assistance to Pakistan's security forces; including program management and the provision of equipment, supplies, services, training, and funds; and facility and infrastructure repair, renovation, and construction to build the counterinsurgency capability of Pakistan's military and Frontier Corps: *Provided further*, That the authority to provide assistance under this provision is in addition to any other authority to provide assistance to foreign nations: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for operation and maintenance; procurement; research, development, test and evaluation; defense working capital funds; and to the Department of State, Pakistan Counterinsurgency Capability Fund to accomplish the purpose provided herein: *Provided further*, That the transfer authority in the preceding proviso is in addition to any other authority available to the Department of Defense to transfer funds: *Provided further*, That funds so transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation account, notify the Committees on Appropriations in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT

AIRCRAFT PROCUREMENT, ARMY

For an additional amount for "Aircraft Procurement, Army", \$2,720,138,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, ARMY

For an additional amount for "Missile Procurement, Army", \$343,828,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY

For an additional amount for "Procurement of Weapons and Tracked Combat Vehicles, Army", \$896,996,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13

(111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, ARMY

For an additional amount for "Procurement of Ammunition, Army", \$369,885,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, ARMY

For an additional amount for "Other Procurement, Army", \$6,401,832,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, NAVY

For an additional amount for "Aircraft Procurement, Navy", \$1,169,549,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

WEAPONS PROCUREMENT, NAVY

For an additional amount for "Weapons Procurement, Navy", \$90,502,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, NAVY AND MARINE CORPS

For an additional amount for "Procurement of Ammunition, Navy and Marine Corps", \$558,024,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, NAVY

For an additional amount for "Other Procurement, Navy", \$316,835,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, MARINE CORPS

For an additional amount for "Procurement, Marine Corps", \$1,589,119,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is

designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

AIRCRAFT PROCUREMENT, AIR FORCE

For an additional amount for "Aircraft Procurement, Air Force", \$1,991,955,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MISSILE PROCUREMENT, AIR FORCE

For an additional amount for "Missile Procurement, Air Force", \$56,621,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT OF AMMUNITION, AIR FORCE

For an additional amount for "Procurement of Ammunition, Air Force", \$292,959,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER PROCUREMENT, AIR FORCE

For an additional amount for "Other Procurement, Air Force", \$2,868,593,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

PROCUREMENT, DEFENSE-WIDE

For an additional amount for "Procurement, Defense-Wide", \$1,262,499,000, to remain available until September 30, 2013: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

NATIONAL GUARD AND RESERVE EQUIPMENT

For procurement of aircraft, missiles, tracked combat vehicles, ammunition, other weapons and other procurement for the reserve components of the Armed Forces, \$850,000,000, to remain available for obligation until September 30, 2013, of which \$250,000,000 shall be available only for the Army National Guard: *Provided*, That the Chiefs of National Guard and Reserve components shall, not later than 30 days after the enactment of this Act, individually submit to the congressional defense committees the

modernization priority assessment for their respective National Guard or Reserve component: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND

(INCLUDING TRANSFER OF FUNDS)

For the Mine Resistant Ambush Protected Vehicle Fund, \$3,415,000,000, to remain available until September 30, 2012: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, to procure, sustain, transport, and field Mine Resistant Ambush Protected vehicles: *Provided further*, That the Secretary shall transfer such funds only to appropriations made available in this or any other Act for operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That such transferred funds shall be merged with and be available for the same purposes and the same time period as the appropriation to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary shall, not fewer than 10 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY

For an additional amount for "Research, Development, Test and Evaluation, Army", \$143,234,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, NAVY

For an additional amount for "Research, Development, Test and Evaluation, Navy", \$104,781,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, AIR FORCE

For an additional amount for "Research, Development, Test and Evaluation, Air

Force", \$484,382,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

RESEARCH, DEVELOPMENT, TEST AND EVALUATION, DEFENSE-WIDE

For an additional amount for "Research, Development, Test and Evaluation, Defense-Wide", \$222,616,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

REVOLVING AND MANAGEMENT FUNDS DEFENSE WORKING CAPITAL FUNDS

For an additional amount for "Defense Working Capital Funds", \$485,384,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OTHER DEPARTMENT OF DEFENSE PROGRAMS

DEFENSE HEALTH PROGRAM

For an additional amount for "Defense Health Program", \$1,422,092,000, of which \$1,398,092,000 shall be for operation and maintenance, to remain available until September 30, 2011, and of which \$24,000,000 shall be for research, development, test and evaluation, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE

For an additional amount for "Drug Interdiction and Counter-Drug Activities, Defense", \$440,510,000, to remain available until September 30, 2012: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND

(INCLUDING TRANSFER OF FUNDS)

For the "Joint Improvised Explosive Device Defeat Fund", \$2,793,768,000, to remain available until September 30, 2013: *Provided*, That such funds shall be available to the Secretary of Defense, notwithstanding any other provision of law, for the purpose of allowing the Director of the Joint Improvised Explosive Device Defeat Organization to investigate, develop and provide equipment,

supplies, services, training, facilities, personnel and funds to assist United States forces in the defeat of improvised explosive devices: *Provided further*, That the Secretary of Defense may transfer funds provided herein to appropriations for military personnel; operation and maintenance; procurement; research, development, test and evaluation; and defense working capital funds to accomplish the purpose provided herein: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That the Secretary of Defense shall, not fewer than 15 days prior to making transfers from this appropriation, notify the congressional defense committees in writing of the details of any such transfer: *Provided further*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

OFFICE OF THE INSPECTOR GENERAL

For an additional amount for the "Office of the Inspector General", \$10,529,000: *Provided*, That each amount in this paragraph is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

GENERAL PROVISIONS—THIS TITLE

SEC. 9001. Notwithstanding any other provision of law, funds made available in this title are in addition to amounts appropriated or otherwise made available for the Department of Defense for fiscal year 2011.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9002. Upon the determination of the Secretary of Defense that such action is necessary in the national interest, the Secretary may, with the approval of the Office of Management and Budget, transfer up to \$4,000,000,000 between the appropriations or funds made available to the Department of Defense in this title: *Provided*, That the Secretary shall notify the Congress promptly of each transfer made pursuant to the authority in this section: *Provided further*, That the authority provided in this section is in addition to any other transfer authority available to the Department of Defense and is subject to the same terms and conditions as the authority provided in the Department of Defense Appropriations Act, 2011.

SEC. 9003. Supervision and administration costs associated with a construction project funded with appropriations available for operation and maintenance or the "Afghanistan Security Forces Fund" provided in this Act and executed in direct support of overseas contingency operations in Afghanistan, may be obligated at the time a construction contract is awarded: *Provided*, That for the purpose of this section, supervision and administration costs include all in-house Government costs.

SEC. 9004. From funds made available in this title, the Secretary of Defense may purchase for use by military and civilian employees of the Department of Defense in Iraq and Afghanistan: (a) passenger motor vehicles up to a limit of \$75,000 per vehicle; and (b) heavy and light armored vehicles for the physical security of personnel or for force protection purposes up to a limit of \$250,000 per vehicle, notwithstanding price or other

limitations applicable to the purchase of passenger carrying vehicles.

SEC. 9005. Not to exceed \$500,000,000 of the amount appropriated in this title under the heading "Operation and Maintenance, Army" may be used, notwithstanding any other provision of law, to fund the Commander's Emergency Response Program (CERP), for the purpose of enabling military commanders in Iraq and Afghanistan to respond to urgent, small scale, humanitarian relief and reconstruction requirements within their areas of responsibility: *Provided*, That projects (including any ancillary or related elements in connection with such project) executed under this authority shall not exceed \$20,000,000: *Provided further*, That not later than 45 days after the end of each fiscal year quarter, the Secretary of Defense shall submit to the congressional defense committees a report regarding the source of funds and the allocation and use of funds during that quarter that were made available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein: *Provided further*, That, not later than 30 days after the end of each month, the Army shall submit to the congressional defense committees monthly commitment, obligation, and expenditure data for the Commander's Emergency Response Program in Iraq and Afghanistan: *Provided further*, That not less than 15 days before making funds available pursuant to the authority provided in this section or under any other provision of law for the purposes described herein for a project with a total anticipated cost for completion of \$5,000,000 or more, the Secretary shall submit to the congressional defense committees a written notice containing each of the following:

(1) The location, nature and purpose of the proposed project, including how the project is intended to advance the military campaign plan for the country in which it is to be carried out.

(2) The budget, implementation timeline with milestones, and completion date for the proposed project, including any other CERP funding that has been or is anticipated to be contributed to the completion of the project.

(3) A plan for the sustainment of the proposed project, including the agreement with either the host nation, a non-Department of Defense agency of the United States Government or a third party contributor to finance the sustainment of the activities and maintenance of any equipment or facilities to be provided through the proposed project.

SEC. 9006. Funds available to the Department of Defense for operation and maintenance may be used, notwithstanding any other provision of law, to provide supplies, services, transportation, including airlift and sealift, and other logistical support to coalition forces supporting military and stability operations in Iraq and Afghanistan: *Provided*, That the Secretary of Defense shall provide quarterly reports to the congressional defense committees regarding support provided under this section.

SEC. 9007. None of the funds appropriated or otherwise made available by this or any other Act shall be obligated or expended by the United States Government for a purpose as follows:

(1) To establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.

(2) To exercise United States control over any oil resource of Iraq.

(3) To establish any military installation or base for the purpose of providing for the

permanent stationing of United States Armed Forces in Afghanistan.

SEC. 9008. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

(1) Section 2340A of title 18, United States Code.

(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

(3) Sections 1002 and 1003 of the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the Gulf of Mexico, and Pandemic Influenza Act, 2006 (Public Law 109-148).

SEC. 9009. (a) The Secretary of Defense shall submit to the congressional defense committees not later than 45 days after the end of each fiscal quarter a report on the proposed use of all funds appropriated by this or any prior Act under each of the headings Iraq Security Forces Fund, Afghanistan Security Forces Fund, Afghanistan Infrastructure Fund, and Pakistan Counterinsurgency Fund on a project-by-project basis, for which the obligation of funds is anticipated during the 3-month period from such date, including estimates for the accounts referred to in this section of the costs required to complete each such project.

(b) The report required by this subsection shall include the following:

(1) The use of all funds on a project-by-project basis for which funds appropriated under the headings referred to in subsection (a) were obligated prior to the submission of the report, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(2) The use of all funds on a project-by-project basis for which funds were appropriated under the headings referred to in subsection (a) in prior appropriations Acts, or for which funds were made available by transfer, reprogramming, or allocation from other headings in prior appropriations Acts, including estimates for the accounts referred to in subsection (a) of the costs to complete each project.

(3) An estimated total cost to train and equip the Iraq, Afghanistan, and Pakistan security forces, disaggregated by major program and sub-elements by force, arrayed by fiscal year.

SEC. 9010. Funds made available in this title to the Department of Defense for operation and maintenance may be used to purchase items having an investment unit cost of not more than \$250,000: *Provided*, That, upon determination by the Secretary of Defense that such action is necessary to meet the operational requirements of a Commander of a Combatant Command engaged in contingency operations overseas, such funds may be used to purchase items having an investment item unit cost of not more than \$500,000.

(INCLUDING TRANSFER OF FUNDS)

SEC. 9011. Of the funds appropriated by this Act for the Office of the Director of National Intelligence, \$3,375,000 is available, as specified in the classified annex, for transfer to other departments and agencies of the Federal Government.

SEC. 9012. (a) The Task Force for Business and Stability Operations in Afghanistan may, subject to the direction and control of the Secretary of Defense and with the concurrence of the Secretary of State, carry out projects in fiscal year 2011 to assist the commander of the United States Central Command in developing a link between United States military operations in Afghanistan under Operation Enduring Freedom and the economic elements of United States national power in order to reduce violence, enhance stability, and restore economic normalcy in Afghanistan through strategic business and economic opportunities.

(b) The projects carried out under paragraph (a) may include projects that facilitate private investment, industrial development, banking and financial system development, agricultural diversification and revitalization, and energy development in and with respect to Afghanistan.

(c) The Secretary may use up to \$150,000,000 of the funds available for overseas contingency operations in "Operation and Maintenance, Army" for additional activities to carry out projects under paragraph (a).

SEC. 9013. (a) Not more than 85 percent of the funds provided in this title for Operation and Maintenance may be available for obligation or expenditure until the date on which the Secretary of Defense submits the report under subsection (b).

(b) Not later than 120 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees a report on contractor employees in the United States Central Command, including—

(1) the number of employees of a contractor awarded a contract by the Department of Defense (including subcontractor employees) who are employed at the time of the report in the area of operations of the United States Central Command, including a list of the number of such employees in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(2) for each fiscal year quarter beginning on the date of the report and ending on September 30, 2012—

(A) the number of such employees planned by the Secretary to be employed during each such period in each of Iraq, Afghanistan, and all other areas of operations of the United States Central Command; and

(B) an explanation of how the number of such employees listed under subparagraph (A) relates to the planned number of military personnel in such locations.

SEC. 9014. From funds made available in this title to the Department of Defense for operation and maintenance, up to \$129,100,000 may be used by the Secretary of Defense, notwithstanding any other provision of law, to support the United States Government transition activities in Iraq by undertaking facilities renovation and construction associated with establishing Office of Security Cooperation locations, at no more than four sites, in Iraq: *Provided*, That not less than 15 days before making funds available pursuant to the authority provided in this section, the Secretary shall submit to the congressional defense committees a written notice containing a detailed justification and timeline for each proposed site and the source of funds.

SEC. 9015. Any reference to "this Act" in this division shall apply solely to this division.

This division may be cited as the "Department of Defense Appropriations Act, 2011".

DIVISION B—FULL-YEAR CONTINUING APPROPRIATIONS, 2011

The following sums are hereby appropriated, out of any money in the Treasury not otherwise appropriated, and out of applicable corporate or other revenues, receipts, and funds, for the several departments, agencies, corporations, and other organizational units of Government for fiscal year 2011, and for other purposes, namely:

TITLE I—GENERAL PROVISIONS

SEC. 1101. (a) Such amounts as may be necessary, at the level specified in subsection (c) and under the authority and conditions provided in applicable appropriations Acts for fiscal year 2010, for projects or activities (including the costs of direct loans and loan guarantees) that are not otherwise specifically provided for, and for which appropriations, funds, or other authority were made available in the following appropriations Acts:

(1) The Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2010 (Public Law 111-80).

(2) The Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111-85).

(3) The Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83).

(4) The Department of the Interior, Environment, and Related Agencies Appropriations Act, 2010 (division A of Public Law 111-88).

(5) The Legislative Branch Appropriations Act, 2010 (division A of Public Law 111-68).

(6) The Consolidated Appropriations Act, 2010 (Public Law 111-117).

(7) Section 102(c) (except the last proviso relating to waiver of fees) of chapter 1 of title I of the Supplemental Appropriations Act, 2010 (Public Law 111-212) that addresses guaranteed loans in the rural housing insurance fund.

(b) For purposes of this division, the term “level” means an amount.

(c) The level referred to in subsection (a) shall be the amounts appropriated in the appropriations Acts referred to in such subsection, including transfers and obligation limitations, except that—

(1) such level shall not include any amount previously designated as an emergency requirement and necessary to meet emergency needs pursuant to sections 403(a) and 423(b) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010; and

(2) such level shall be calculated without regard to any rescission or cancellation of funds or contract authority.

SEC. 1102. Appropriations made by section 1101 shall be available to the extent and in the manner that would be provided by the pertinent appropriations Act.

SEC. 1103. Appropriations provided by this division that, in the applicable appropriations Act for fiscal year 2010, carried a multiple-year or no-year period of availability shall retain a comparable period of availability.

SEC. 1104. Except as otherwise expressly provided in this division, the requirements, authorities, conditions, limitations, and other provisions of the appropriations Acts referred to in section 1101(a) shall continue in effect through the date specified in section 1106.

SEC. 1105. No appropriation or funds made available or authority granted pursuant to section 1101 shall be used to initiate or resume any project or activity for which appropriations, funds, or other authority were

specifically prohibited during fiscal year 2010.

SEC. 1106. Unless otherwise provided for in this division or in the applicable appropriations Act, appropriations and funds made available and authority granted pursuant to this division shall be available through September 30, 2011.

SEC. 1107. Expenditures made pursuant to the Continuing Appropriations Act, 2011 (Public Law 111-242), shall be charged to the applicable appropriation, fund, or authorization provided by this division.

SEC. 1108. Funds appropriated by this division may be obligated and expended notwithstanding section 10 of Public Law 91-672 (22 U.S.C. 2412), section 15 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2680), section 313 of the Foreign Relations Authorization Act, Fiscal Years 1994 and 1995 (22 U.S.C. 6212), and section 504(a)(1) of the National Security Act of 1947 (50 U.S.C. 414(a)(1)).

SEC. 1109. (a) For entitlements and other mandatory payments whose budget authority was provided in appropriations Acts for fiscal year 2010, and for activities under the Food and Nutrition Act of 2008, the levels established by section 1101 shall be the amounts necessary to maintain program levels under current law and under the authority and conditions provided in the applicable appropriations Acts for fiscal year 2010.

(b) In addition to the amounts otherwise provided by section 1101, the following amounts shall be available for the following accounts for advance payments for the first quarter of fiscal year 2012:

(1) “Department of Labor, Employment Standards Administration, Special Benefits for Disabled Coal Miners”, for benefit payments under title IV of the Federal Mine Safety and Health Act of 1977, \$41,000,000, to remain available until expended.

(2) “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Grants to States for Medicaid”, for payments to States or in the case of section 1928 on behalf of States under title XIX of the Social Security Act, \$86,445,289,000, to remain available until expended.

(3) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Child Support Enforcement and Family Support Programs”, for payments to States or other non-Federal entities under titles I, IV-D, X, XI, XIV, and XVI of the Social Security Act and the Act of July 5, 1960 (24 U.S.C. ch. 9), \$1,200,000,000, to remain available until expended.

(4) “Department of Health and Human Services, Administration for Children and Families, Payments to States for Foster Care and Permanency”, for payments to States or other non-Federal entities under title IV-E of the Social Security Act, \$1,850,000,000.

(5) “Social Security Administration, Supplemental Security Income Program”, for benefit payments under title XVI of the Social Security Act, \$13,400,000,000, to remain available until expended.

SEC. 1110. Amounts incorporated by reference in this division that were previously designated as available for overseas deployments and other activities pursuant to S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010, are designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S.

Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

SEC. 1111. Any language specifying an earmark in an appropriations Act for fiscal year 2010, or in a committee report or joint explanatory statement accompanying such an Act, shall have no legal effect with respect to funds appropriated by this division. For purposes of this section, the term “earmark” means a congressional earmark or congressionally directed spending item, as defined in clause 9(e) of rule XXI of the Rules of the House of Representatives and paragraph 5(a) of rule XLIV of the Standing Rules of the Senate.

SEC. 1112. Notwithstanding section 1101, none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer, release, or assist in the transfer or release to or within the United States, its territories, or possessions Khalid Sheikh Mohammed or any other detainee who—

(1) is not a United States citizen or a member of the Armed Forces of the United States; and

(2) is or was held on or after June 24, 2009, at the United States Naval Station, Guantanamo Bay, Cuba, by the Department of Defense.

SEC. 1113. (a)(1) Notwithstanding section 1101, except as provided in paragraph (2), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity unless the Secretary of Defense submits to Congress the certification described in subsection (b) by not later than 30 days before the transfer of the individual.

(2) Paragraph (1) shall not apply to any action taken by the Secretary of Defense to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary of Defense shall notify Congress promptly upon issuance of any such order.

(b) The certification described in this subsection is a written certification made by the Secretary of Defense, with the concurrence of the Secretary of State, that the government of the foreign country or the recognized leadership of the foreign entity to which the individual detained at Guantanamo is to be transferred—

(1) is not a designated state sponsor of terrorism or a designated foreign terrorist organization;

(2) maintains effective control over each detention facility in which an individual is to be detained if the individual is to be housed in a detention facility;

(3) is not, as of the date of the certification, facing a threat that is likely to substantially affect its ability to exercise control over the individual;

(4) has agreed to take effective steps to ensure that the individual cannot take action to threaten the United States, its citizens, or its allies in the future;

(5) has taken such steps as the Secretary determines are necessary to ensure that the individual cannot engage or re-engage in any terrorist activity; and

(6) has agreed to share any information with the United States that—

(A) is related to the individual or any associates of the individual; and

(B) could affect the security of the United States, its citizens, or its allies.

(c)(1) Except as provided in paragraph (3), none of the funds appropriated or otherwise made available in this division or any other Act (including division A of this Act) may be used to transfer any individual detained at Guantanamo to the custody or effective control of the individual's country of origin, any other foreign country, or any other foreign entity if there is a confirmed case of any individual who was detained at United States Naval Station, Guantanamo Bay, Cuba, at any time after September 11, 2001, who was transferred to the foreign country or entity and subsequently engaged in any terrorist activity.

(2) The Secretary of Defense may waive the prohibition in paragraph (1) if the Secretary determines that such a transfer is in the national security interests of the United States and includes, as part of the certification described in subsection (b) relating to such transfer, the determination of the Secretary under this paragraph.

(3) Paragraph (1) shall not apply to any action taken by the Secretary to transfer any individual detained at Guantanamo to effectuate an order affecting the disposition of the individual that is issued by a court or competent tribunal of the United States having lawful jurisdiction. The Secretary shall notify Congress promptly upon issuance of any such order.

(d) For the purposes of this section:

(1) The term "individual detained at Guantanamo" means any individual who is located at United States Naval Station, Guantanamo Bay, Cuba, as of October 1, 2009, who—

(A) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(B) is—

(i) in the custody or under the effective control of the Department of Defense; or

(ii) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

(2) The term "foreign terrorist organization" means any organization so designated by the Secretary of State under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189).

SEC. 1114. (a) Notwithstanding section 1101, none of the funds appropriated or otherwise made available by this division or any other Act (including division A of this Act) may be used to construct or modify any facility in the United States, its territories, or possessions to house any individual described in subsection (c) for the purposes of detention or imprisonment in the custody or under the effective control of the Department of Defense.

(b) The prohibition in subsection (a) shall not apply to any modification of facilities at United States Naval Station, Guantanamo Bay, Cuba.

(c) An individual described in this subsection is any individual who, as of June 24, 2009, is located at United States Naval Station, Guantanamo Bay, Cuba, and who—

(1) is not a citizen of the United States or a member of the Armed Forces of the United States; and

(2) is—

(A) in the custody or under the effective control of the Department of Defense; or

(B) otherwise under detention at United States Naval Station, Guantanamo Bay, Cuba.

SEC. 1115. Section 1(b)(2) of the Passport Act of June 4, 1920 (22 U.S.C. 214(b)(2)) shall

be applied by substituting the date specified in section 1106 of this division for "September 30, 2010".

SEC. 1116. (a) Section 1115(d) of Public Law 111-32 shall be applied by substituting the date specified in section 1106 of this division for "October 1, 2010".

(b) Section 824(g) of the Foreign Service Act of 1980 (22 U.S.C. 4064(g)) shall be applied by substituting the date specified in section 1106 of this division for "October 1, 2010" in paragraph (2).

(c) Section 61(a) of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2733(a)) shall be applied by substituting the date specified in section 1106 of this division for "October 1, 2010" in paragraph (2).

(d) Section 625(j)(1) of the Foreign Assistance Act of 1961 (22 U.S.C. 2385(j)(1)) shall be applied by substituting the date specified in section 1106 of this division for "October 1, 2010" in subparagraph (B).

SEC. 1117. The authority provided by section 1334 of the Foreign Affairs Reform and Restructuring Act of 1998 (22 U.S.C. 6553) shall remain in effect through the date specified in section 1106 of this division.

SEC. 1118. With respect to any discretionary account for which advance appropriations were provided for fiscal year 2011 or 2012 in an appropriations Act for fiscal year 2010, in addition to amounts otherwise made available by this Act, advance appropriations are provided in the same amount for fiscal year 2012 or 2013, respectively, with a comparable period of availability.

SEC. 1119. (a) ACROSS-THE-BOARD RESCIS- SIONS.—There is hereby rescinded an amount equal to 0.2 percent of—

(1) the budget authority provided for fiscal year 2011 for any discretionary account of this division; and

(2) the budget authority provided in any advance appropriation for fiscal year 2011 for any discretionary account in any prior fiscal year appropriation Act.

(b) PROPORTIONATE APPLICATION.—Any rescission made by subsection (a) shall be applied proportionately—

(1) to each discretionary account and each item of budget authority described in such subsection; and

(2) within each such account and item, to each program, project, and activity (with programs, projects, and activities as delineated in the appropriation Act or accompanying reports referenced in section 1101 covering such account or item).

(c) EXCEPTIONS.—This section shall not apply to—

(1) discretionary authority appropriated or otherwise made available by division A of this Act; or

(2) discretionary authority appropriated or otherwise made available by division B of this Act and designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

(d) OMB REPORT.—Within 30 days after the date of the enactment of this section, the Director of the Office of Management and Budget shall submit to the Committees on Appropriations of the House of Representatives and the Senate a report specifying the account and amount of each rescission made pursuant to this section.

TITLE II—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES

SEC. 1201. Notwithstanding section 1101, the level for "Agricultural Programs, Office of the Secretary" shall be \$5,061,000.

SEC. 1202. Notwithstanding section 1101, the level for "Agricultural Programs, Office of Tribal Relations" shall be \$499,000.

SEC. 1203. Notwithstanding section 1101, the level for "Agricultural Programs, Executive Operations, Office of Chief Economist" shall be \$12,032,000.

SEC. 1204. Notwithstanding section 1101, the level for "Agricultural Programs, Executive Operations, National Appeals Division" shall be \$14,254,000.

SEC. 1205. Notwithstanding section 1101, the level for "Agricultural Programs, Executive Operations, Office of Homeland Security" shall be \$1,499,000.

SEC. 1206. Notwithstanding section 1101, the level for "Agricultural Programs, Office of Advocacy and Outreach" shall be \$1,425,000.

SEC. 1207. Notwithstanding section 1101, the level for "Agricultural Programs, Office of the Chief Information Officer" shall be \$40,000,000.

SEC. 1208. Notwithstanding section 1101, the level for "Agricultural Programs, Office of the Chief Financial Officer" shall be \$6,260,000.

SEC. 1209. Notwithstanding section 1101, the level for "Agricultural Programs, Office of Civil Rights" shall be \$22,737,000.

SEC. 1210. Notwithstanding section 1101, the level for "Agricultural Programs, Agriculture Buildings and Facilities and Rental Payments" shall be \$246,970,000, of which \$178,470,000 shall be available for payments to the General Services Administration for rent; of which \$13,500,000 shall be for payment to the Department of Homeland Security for building and security activities; and of which \$55,000,000 shall be for buildings operations and maintenance expenses.

SEC. 1211. Notwithstanding section 1101, the level for "Agricultural Programs, Hazardous Materials Management" shall be \$4,000,000.

SEC. 1212. Notwithstanding section 1101, the level for "Agricultural Programs, Departmental Administration" shall be \$29,706,000.

SEC. 1213. Notwithstanding section 1101, the level for "Agricultural Programs, Office of the Assistant Secretary for Congressional Relations" shall be \$3,877,000.

SEC. 1214. Notwithstanding section 1101, the level for "Agricultural Programs, Office of Communications" shall be \$9,499,000.

SEC. 1215. Notwithstanding section 1101, the level for "Agricultural Programs, Office of the General Counsel" shall be \$41,499,000.

SEC. 1216. Notwithstanding section 1101, the level for "Agricultural Programs, Economic Research Service" shall be \$81,978,000.

SEC. 1217. Notwithstanding section 1101, the level for "Agricultural Programs, National Agricultural Statistics Service" shall be \$156,761,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$33,139,000" for "\$37,908,000".

SEC. 1218. Notwithstanding section 1101, the level for "Agricultural Programs, Agricultural Research Service, Salaries and Expenses" shall be \$1,135,501,000.

SEC. 1219. Notwithstanding section 1101, the level for "Agricultural Programs, Agricultural Research Service, Buildings and Facilities" shall be \$0.

SEC. 1220. Notwithstanding section 1101, the level for "Agricultural Programs, National Institute of Food and Agriculture, Research and Education Activities" shall be \$700,140,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$236,808,000" for "\$215,000,000"; by substituting "\$33,000,000" for "\$29,000,000"; by substituting "\$51,000,000" for "\$48,500,000"; by substituting "\$265,000,000" for "\$262,482,000"; by substituting "\$2,844,000" for "\$89,029,000"; by substituting "\$19,375,000" for "\$18,250,000"; and by substituting "\$11,253,000" for "\$45,122,000".

SEC. 1221. Notwithstanding section 1101, the level for "Agricultural Programs, National Institute of Food and Agriculture, Extension Activities" shall be \$480,092,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$294,500,000" for "\$297,500,000" and by substituting "\$8,565,000" for "\$20,396,000".

SEC. 1222. Notwithstanding section 1101, the level for "Agricultural Programs, National Institute of Food and Agriculture, Integrated Activities" shall be "\$37,000,000": *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$29,000,000" for "\$45,148,000"; by substituting "\$9,000,000" for "\$12,649,000"; by substituting "\$11,000,000" for "\$14,596,000"; by substituting "\$3,000,000" for "\$4,096,000"; by substituting "\$0" for "\$4,388,000"; by substituting "\$0" for "\$1,365,000"; by substituting "\$2,000,000" for "\$3,054,000"; by substituting "\$4,000,000" for "\$5,000,000"; by substituting "\$1,000,000" for "\$3,000,000"; by substituting "\$0" for "\$732,000"; by substituting "\$1,000,000" for "\$1,312,000"; and by substituting "\$6,000,000" for "\$9,830,000".

SEC. 1223. Notwithstanding section 1101, the level for "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses" shall be \$865,000,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$40,000,000" for "\$60,243,000" and by substituting "\$21,000,000" for "\$23,390,000".

SEC. 1224. Notwithstanding section 1101, the level for "Agricultural Programs, Animal and Plant Health Inspection Service, Buildings and Facilities" shall be \$3,536,000.

SEC. 1225. Notwithstanding section 1101, the level for "Agricultural Programs, Agricultural Marketing Service, Marketing Services" shall be \$86,711,000.

SEC. 1226. Notwithstanding section 1101, the level for "Agricultural Programs, Agricultural Marketing Service, Limitation on Administrative Expenses" shall be \$60,947,000 (from fees collected).

SEC. 1227. The amounts included under the heading "Agricultural Programs, Agricultural Marketing Service, Funds for Strengthening Markets, Income, and Supply (Section 32)" in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$0" for "\$10,000,000".

SEC. 1228. Notwithstanding section 1101, the level for "Agricultural Programs, Grain Inspection, Packers and Stockyards Administration, Salaries and Expenses" shall be \$40,342,000.

SEC. 1229. Notwithstanding section 1101, the level for "Agricultural Programs, Grain Inspection, Packers and Stockyards Admin-

istration, Limitation on Inspection and Weighing Services Expenses" shall be \$47,500,000 (from fees collected).

SEC. 1230. Notwithstanding section 1101, the level for "Agricultural Programs, Food Safety and Inspection Service" shall be \$1,008,520,000: *Provided*, That the Food Safety and Inspection Service shall continue implementation of section 11016 of Public Law 110-246.

SEC. 1231. Notwithstanding section 1101, the level for "Agricultural Programs, Farm Service Agency, Salaries and Expenses" shall be \$1,210,711,000.

SEC. 1232. Notwithstanding Section 1101, the level for "Agricultural Programs, Farm Service Agency, State Mediation Grants" shall be \$4,185,000.

SEC. 1233. Notwithstanding section 1101, the level for "Agricultural Programs, Farm Service Agency, Grassroots Source Water Protection Program" shall be \$4,250,000.

SEC. 1234. The amounts included under the heading "Agricultural Programs, Farm Service Agency, Agricultural Credit Insurance Fund Program Account" in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$1,975,000,000" for "\$2,150,000,000"; by substituting "\$475,000,000" for "\$650,000,000"; by substituting "\$2,572,343,000" for "\$2,670,000,000"; by substituting "\$122,343,000" for "\$170,000,000"; by substituting "\$950,000,000" for "\$1,000,000,000"; by substituting "\$0" for "\$150,000,000"; by substituting "\$0" for "\$75,000,000" the first and second place it appears; by substituting "\$0" for "\$10,000,000"; by substituting "\$38,570,000" for "\$32,070,000"; by substituting "\$32,870,000" for "\$26,520,000"; by substituting "\$5,700,000" for "\$5,550,000"; by substituting "\$109,410,000" for "\$106,402,000"; by substituting "\$57,540,000" for "\$47,400,000"; by substituting "\$34,950,000" for "\$35,100,000"; by substituting "\$16,920,000" for "\$23,902,000"; by substituting "\$0" for "\$1,065,000"; by substituting "\$0" for "\$1,343,000"; by substituting "\$0" for "\$278,000"; by substituting "\$0" for "\$793,000"; by substituting "\$313,508,000" for "\$321,093,000"; and by substituting "\$305,588,000" for "\$313,173,000". Funds appropriated by this division to such heading for farm ownership, operating, direct and guaranteed loans may be transferred among these programs: *Provided*, That the Secretary of Agriculture shall notify the Committees on Appropriations of the House of Representatives and the Senate at least 15 days in advance of any transfer.

SEC. 1235. Notwithstanding section 1101, the level for "Agricultural Programs, Risk Management Agency" shall be \$79,000,000.

SEC. 1236. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Conservation Operations" shall be \$872,247,000.

SEC. 1237. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Watershed and Flood Prevention Operations" shall be \$0.

SEC. 1238. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Watershed Rehabilitation Program" shall be \$18,000,000.

SEC. 1239. Notwithstanding section 1101, the level for "Conservation Programs, Natural Resources Conservation Service, Resource Conservation and Development" shall be \$0.

SEC. 1240. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Development, Salaries and Expenses" shall be \$191,987,000.

SEC. 1241. The amounts included under the heading "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" in Public Law 111-80 for gross obligations for the principal amount of direct and guaranteed loans as authorized by title V of the Housing Act of 1949 shall be applied to funds appropriated by this division by substituting "\$25,121,406,000" for "\$13,121,488,000"; by substituting "\$1,121,406,000" for "\$1,121,488,000"; by substituting "\$24,000,000,000" for "\$12,000,000,000"; by substituting "\$23,360,000" for "\$34,412,000"; by substituting "\$30,960,000" for "\$129,090,000"; by substituting "\$5,052,000" for "\$5,045,000"; and by substituting "\$4,966,000" for "\$4,970,000".

SEC. 1242. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" for the cost of direct and guaranteed loans, including the cost of modifying loans, authorized by section 502 of the Housing Act of 1949 shall be \$70,200,000: *Provided*, That the amounts included for such costs under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$70,200,000" for "\$40,710,000" in the case of direct loans and by substituting "\$0" for "\$172,800,000" in the case of unsubsidized guaranteed loans.

SEC. 1243. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" for the cost of repair, rehabilitation, and new construction of rental housing authorized by section 515 of the Housing Act of 1949 shall be \$23,446,000.

SEC. 1244. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" for the cost of multi-family housing guaranteed loans authorized by section 538 of the Housing Act of 1949 shall be \$3,000,000.

SEC. 1245. In addition to amounts otherwise appropriated or made available by this division, there is appropriated to the Secretary of Agriculture \$288,000 for section 523 self-help housing land development loans authorized by section 523 of the Housing Act of 1949 and \$294,000 for site development loans authorized by section 524 of such Act.

SEC. 1246. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account" for administrative expenses necessary to carry out the direct and guaranteed loan programs shall be \$454,383,000.

SEC. 1247. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rental Assistance Program" shall be \$955,635,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$0" for "\$5,958,000"; and by substituting "\$3,000,000" for "\$3,400,000".

SEC. 1248. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Multi-Family Housing Revitalization Program Account" shall be \$30,000,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$14,000,000" for "\$16,400,000"; by substituting "\$15,000,000" for "\$25,000,000"; and by substituting "\$1,000,000" for "\$1,791,000".

SEC. 1249. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Mutual and Self-Help Housing Grants" shall be \$37,000,000.

SEC. 1250. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Housing Assistance Grants" shall be \$40,400,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by substituting "\$0" for "\$4,000,000".

SEC. 1251. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Housing Service, Rural Community Facilities Program Account" shall be \$41,462,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$5,000,000" for "\$6,256,000"; and by substituting "\$7,000,000" for "\$13,902,000".

SEC. 1252. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Business-Cooperative Service, Rural Business Program Account" shall be \$85,451,000.

SEC. 1253. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Business-Cooperative Service, Rural Development Loan Fund Program Account" for the principal amount of direct loans as authorized by Rural Development Loan Fund shall be \$19,181,000; and for the cost of direct loans, \$7,400,000.

SEC. 1254. Notwithstanding section 1101, in connection with the "Rural Development Programs, Rural Business-Cooperative Service, Rural Economic Development Loans Program Account", of the funds derived from interest on the cushion of credit payments, as authorized by section 313 of the Rural Electrification Act of 1936, \$207,000,000 shall not be obligated and \$207,000,000 is rescinded.

SEC. 1255. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Business-Cooperative Service, Rural Cooperative Development Grants" shall be \$30,254,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$0" for "\$300,000"; by substituting "\$0" for "\$2,800,000"; and by substituting "\$18,867,000" for "\$20,367,000".

SEC. 1256. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Business-Cooperative Service, Rural Microenterprise Investment Program Account" shall be \$0.

SEC. 1257. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Business-Cooperative Service, Rural Energy for America Program" shall be \$5,000,000.

SEC. 1258. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Program Account" shall be \$529,002,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$12,000,000" for "\$17,500,000".

SEC. 1259. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Utilities Service, Rural Electrification and Telecommunications Loans Program Account" for the cost of guaranteed underwriting loans pursuant to section 313A shall be \$700,000: *Provided*, That, notwithstanding section 6106(b) of the Food, Conservation, and Energy Act of 2008, a guaranteed underwriting loan may not be issued until the Secretary of Agriculture certifies to the Committees on Appropriations of the House and Senate that the regulations governing the program fully implement the requirements

of section 6106(a) of the Food, Conservation, and Energy Act of 2008.

SEC. 1260. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Utilities Service, Rural Electrification and Telecommunications Loans Program Account" for administrative expenses necessary to carry out the direct and guaranteed loan programs shall be \$38,374,000.

SEC. 1261. Notwithstanding section 1101, the level for "Rural Development Programs, Rural Utilities Service, Distance Learning, Telemedicine, and Broadband Program" for the cost of grants for telemedicine and distance learning services in rural areas, as authorized by 7 U.S.C. 950aaa et seq. shall be \$32,500,000.

SEC. 1262. Notwithstanding section 1101, the level for "Rural Development, Rural Utilities Service, Distance Learning, Telemedicine, and Broadband Program" for the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act shall be \$22,320,000. In addition, \$13,406,000, to remain available until expended, for a grant program to finance broadband transmission in rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa.

SEC. 1263. Notwithstanding the section 1101, the level for "Domestic Food Programs, Food and Nutrition Service, Child Nutrition Programs" in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$0" for "\$1,000,000" and by substituting "\$0" for "\$5,000,000", and shall be applied to funds made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c) by substituting "\$5,277,574,000" for "\$6,747,877,000" and by substituting "\$0" for "\$242,022,000".

SEC. 1264. Notwithstanding section 1101, the level for "Domestic Food Programs, Food and Nutrition Service, Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)" shall be \$6,747,522,000: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$35,000,000" for "\$60,000,000".

SEC. 1265. Notwithstanding section 1101, the level for "Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program", shall be \$246,619,000, of which \$176,049,000 shall be for the Commodity Supplemental Food Program: *Provided*, That the amounts included under such heading in Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$0" for "\$6,000,000".

SEC. 1266. Notwithstanding section 1101, the level for "Foreign Assistance and Related Programs, Foreign Agricultural Service, Salaries and Expenses" shall be \$186,000,000.

SEC. 1267. Notwithstanding section 1101, the level for "Foreign Assistance and Related Programs, Foreign Agricultural Service, Food for Peace Title II Grants" shall be \$1,500,000,000.

SEC. 1268. Notwithstanding section 1101, the level for "Foreign Assistance and Related Programs, Foreign Agricultural Service, McGovern-Dole International Food for Education and Child Nutrition Program Grants" shall be \$199,500,000.

SEC. 1269. Notwithstanding section 1101, the level for "Related Agencies and Food and Drug Administration, Food and Drug Administration, Salaries and Expenses" shall be \$3,655,687,000: *Provided*, That of the amount provided under this heading, \$667,057,000 shall be derived from prescription drug user fees

authorized by section 736 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379h), shall be credited to this account and remain available until expended, and shall not include any fees pursuant to paragraphs (2) and (3) of section 736(a) of such Act (21 U.S.C. 379h(a)(2) and (a)(3)) assessed for fiscal year 2012 but collected in fiscal year 2011; \$61,860,000 shall be derived from medical device user fees authorized by section 738 of such Act (21 U.S.C. 379j), and shall be credited to this account and remain available until expended; \$19,448,000 shall be derived from animal drug user fees authorized by section 740 of such Act (21 U.S.C. 379j-12), and shall be credited to this account and remain available until expended; \$5,397,000 shall be derived from animal generic drug user fees authorized by section 741 of such Act (21 U.S.C. 379f), and shall be credited to this account and shall remain available until expended; and \$450,000,000 shall be derived from tobacco product user fees authorized by section 919 of such Act (21 U.S.C. 387s) and shall be credited to this account and remain available until expended: *Provided further*, That in addition and notwithstanding any other provision under this heading, amounts collected for prescription drug user fees that exceed the fiscal year 2011 limitation are appropriated and shall be credited to this account and remain available until expended: *Provided further*, That fees derived from prescription drug, medical device, animal drug, animal generic drug, and tobacco product assessments for fiscal year 2011 received during fiscal year 2011, including any such fees assessed prior to fiscal year 2011 but credited for fiscal year 2011, shall be subject to the fiscal year 2011 limitations: *Provided further*, That none of these funds shall be used to develop, establish, or operate any program of user fees authorized by 31 U.S.C. 9701: *Provided further*, That of the total amount appropriated under this heading: (1) \$837,358,000 shall be for the Center for Food Safety and Applied Nutrition and related field activities in the Office of Regulatory Affairs; (2) \$957,116,000 shall be for the Center for Drug Evaluation and Research and related field activities in the Office of Regulatory Affairs; (3) \$325,647,000 shall be for the Center for Biologics Evaluation and Research and for related field activities in the Office of Regulatory Affairs; (4) \$161,730,000 shall be for the Center for Veterinary Medicine and for related field activities in the Office of Regulatory Affairs; (5) \$359,781,000 shall be for the Center for Devices and Radiological Health and for related field activities in the Office of Regulatory Affairs; (6) \$60,664,000 shall be for the National Center for Toxicological Research; (7) \$421,463,000 shall be for the Center for Tobacco Products and for related field activities in the Office of Regulatory Affairs; (8) not to exceed \$136,239,000 shall be for Rent and Related activities, of which \$41,951,000 is for White Oak Consolidation, other than the amounts paid to the General Services Administration for rent; (9) not to exceed \$183,048,000 shall be for payments to the General Services Administration for rent; and (10) \$212,642,000 shall be for other activities, including the Office of the Commissioner of Food and Drugs; the Office of Foods; the Office of the Chief Scientist; the Office of Policy, Planning and Budget; the Office of International Programs; the Office of Administration; and central services for these offices: *Provided further*, That none of the funds made available under this heading shall be used to transfer funds under section 770(n) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 379dd): *Provided further*, That not to

exceed \$25,000 of the amount provided under this heading shall be for official reception and representation expenses, not otherwise provided for, as determined by the Commissioner: *Provided further*, That funds may be transferred from one specified activity to another with the prior approval of the Committees on Appropriations of both Houses of Congress.

In addition, mammography user fees authorized by 42 U.S.C. 263b, export certification user fees authorized by 21 U.S.C. 381, and priority review user fees authorized by 21 U.S.C. 360n may be credited to this account, to remain available until expended.

In addition, food and feed recall user fees, food reinspection user fees, and voluntary qualified importer program user fees authorized by section 743 of the Federal Food, Drug, and Cosmetic Act, as amended by Public Law 111-353, may be credited to this account in an amount not to exceed the amount determined under subsection (b) of such section 743, to remain available until expended.

SEC. 1270. Notwithstanding section 1101, the level for "Food and Drug Administration, Buildings and Facilities" shall be \$10,000,000.

SEC. 1271. Notwithstanding section 1101, the level for "Related Agencies and Food and Drug Administration, Independent Agencies, Farm Credit Administration, Limitation on Administrative Expenses" shall be \$59,400,000 (from assessments collected from farm credit institutions, including the Federal Agricultural Mortgage Corporation).

SEC. 1272. Notwithstanding any other provision of this division, the following set-asides included in Public Law 111-80 for "Congressional Designated Projects" in the following accounts for the corresponding amounts shall not apply to funds appropriated by this division:

(1) "Agricultural Programs, Agricultural Research Service, Salaries and Expenses", \$44,138,000.

(2) "Agricultural Programs, National Institute of Food and Agriculture, Research and Education Activities", \$120,054,000.

(3) "Agricultural Programs, National Institute of Food and Agriculture, Extension Activities", \$11,831,000.

(4) "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses", \$24,410,000.

(5) "Conservation Programs, Natural Resources Conservation Service, Conservation Operations", \$37,382,000.

SEC. 1273. Notwithstanding any other provision of this division, the following provisions included in Public Law 111-80 shall not apply to funds appropriated by this division:

(1) The first proviso under the heading "Agricultural Programs, Agriculture Buildings and Facilities and Rental Payments".

(2) The second proviso under the heading "Departmental Administration".

(3) The second proviso under the heading "Conservation Programs, Natural Resources Conservation Service, Conservation Operations".

(4) The second proviso under the heading "Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Account".

(5) The first proviso under the heading "Domestic Food Programs, Food and Nutrition Service, Commodity Assistance Program".

(6) The first proviso under the heading "Foreign Assistance and Related Programs, Foreign Agricultural Service, McGovern-Dole International Food for Education and Child Nutrition Program Grants".

SEC. 1274. Sections 718, 723, 727, 728, and 738 of Public Law 111-80 shall be applied to funds appropriated by this division by substituting \$0 for the dollar amounts included in those sections.

SEC. 1275. Section 741 of Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$2,000,000" for "\$2,600,000" and by substituting "\$0" for "\$3,000,000".

SEC. 1276. Sections 716, 721(2), 721(3), 724, 725, 726, 729, 735, 743, and 748 of Public Law 111-80 shall not apply for fiscal year 2011.

SEC. 1277. Sections 730, 734, 737, 740, 745, 747, and 749 of Public Law 111-80 authorized or required certain actions that have been performed before the date of the enactment of this division and need not reoccur.

SEC. 1278. Appropriations to the Department of Agriculture made available in fiscal year 2005 to carry out section 601 of the Rural Electrification Act of 1936 (7 U.S.C. 950bb) for the cost of direct loans shall remain available until expended to disburse valid obligations made in fiscal years 2005, 2006, and 2007.

SEC. 1279. In the case of each program established or amended by the Food, Conservation, and Energy Act of 2008 (Public Law 110-246), other than by title I or subtitle A of title III of such Act, or programs for which indefinite amounts were provided in that Act that is authorized or required to be carried out using funds of the Commodity Credit Corporation: (1) such funds shall be available for salaries and related administrative expenses, including technical assistance, associated with the implementation of the program, without regard to the limitation on the total amount of allotments and fund transfers contained in section 11 of the Commodity Credit Corporation Charter Act (15 U.S.C. 714i); and (2) the use of such funds for such purpose shall not be considered to be a fund transfer or allotment for purposes of applying the limitation on the total amount of allotments and fund transfers contained in such section.

SEC. 1280. With respect to any loan or loan guarantee program administered by the Secretary of Agriculture that has a negative credit subsidy score for fiscal year 2011, the program level for the loan or loan guarantee program, for the purposes of the Federal Credit Reform Act of 1990, shall be the program level established pursuant to such Act for fiscal year 2010.

SEC. 1281. Section 721(1) of Public Law 111-80 (123 Stat. 2122) is amended by striking "\$1,180,000,000" and inserting "\$1,238,000,000".

SEC. 1282. Section 742 of Public Law 111-80 (123 Stat. 2128) is amended by striking "\$11,000,000" and inserting "\$15,000,000".

SEC. 1283. The following provisions of Public Law 111-80 shall be applied to funds appropriated by this division by substituting "2010", "2011", and "2012" for "2009", "2010", and "2011", respectively, in each instance that such terms appear:

(1) The second paragraph under the heading "Agricultural Programs, Animal and Plant Health Inspection Service, Salaries and Expenses".

(2) The second proviso under the heading "Agricultural Programs, Food Safety and Inspection Service".

(3) The first proviso in the second paragraph under the heading "Rural Development Programs, Rural Housing Service, Rural Housing Insurance Fund Program Account".

(4) The fifth proviso under the heading "Rural Development Programs, Rural Housing Service, Rental Assistance Program".

(5) The proviso under the heading "Rural Development Programs, Rural Housing Service, Mutual and Self-Help Housing Grants".

(6) The first proviso under the heading "Rural Development Programs, Rural Housing Service, Rural Housing Assistance Grants".

(7) The seventh proviso under the heading "Rural Development Programs, Rural Housing Service, Rural Community Facilities Program Account".

(8) The third proviso under the heading "Rural Development Programs, Rural Business—Cooperative Service, Rural Business Program Account".

(9) The four availability of funds clauses under the heading "Rural Development Programs, Rural Business—Cooperative Service, Rural Development Loan Fund Program Account".

(10) The fifth proviso under the heading "Rural Development Programs, Rural Utilities Service, Rural Water and Waste Disposal Program Account".

(11) Sections 713, 717, and 732.

(12) The paragraph under the heading "Food and Nutrition Service, Child Nutrition Programs".

(13) The third proviso under the heading "Food and Nutrition Service, Commodity Assistance Program".

SEC. 1284. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Wetlands Reserve Program authorized by sections 1237-1237f of the Food Security Act of 1985 (16 U.S.C. 3837-3837f) to enroll in excess of 202,218 acres in fiscal year 2011.

SEC. 1285. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Conservation Stewardship Program authorized by sections 1238D-1238G of the Food Security Act of 1985 (16 U.S.C. 3838d-3838g) in excess of \$649,000,000.

SEC. 1286. None of the funds appropriated or otherwise made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the program authorized by section 14 of the Watershed Protection and Flood Prevention Act (16 U.S.C. 1012).

SEC. 1287. None of the funds appropriated or otherwise made available by this Act or any other Act shall be used to pay the salaries and expenses of personnel to carry out a program under subsection (b)(2)(A)(iii) of section 14222 of Public Law 110-246 in excess of \$1,098,000,000: *Provided*, That none of the funds made available in this Act or any other Act shall be used for salaries and expenses to carry out section 19(i)(1)(D) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110-246 in excess of \$33,000,000, including the transfer of funds under subsection (c) of section 14222 of Public Law 110-246, until October 1, 2011: *Provided further*, That \$117,000,000 made available on October 1, 2011, to carry out section 19(i)(1)(D) of the Richard B. Russell National School Lunch Act as amended by section 4304 of Public Law 110-246 shall be excluded from the limitation described in subsection (b)(2)(A)(iv) of section 14222 of Public Law 110-246.

SEC. 1288. None of the funds appropriated or made available by this division or any other Act shall be used to pay the salaries and expenses of personnel to carry out the Biomass Crop Assistance Program authorized by section 9011 of the Farm Security and Rural Investment Act of 2002 (7 U.S.C. 8111) in excess of \$112,000,000.

SEC. 1289. Of the unobligated balances available for "Agricultural Programs, Agricultural Research Service, Buildings and Facilities" \$229,582,000 is rescinded.

SEC. 1290. Of the unobligated balances available for the cost of broadband loans, as authorized by section 601 of the Rural Electrification Act of 1936, \$39,000,000 is rescinded.

SEC. 1291. None of the funds made available by this Act may be used to pay the salaries and expenses of personnel of the Department of Agriculture to provide nonrecourse marketing assistance loans for mohair under section 1201 of the Food, Conservation, and Energy Act of 2008 (7 U.S.C. 8731).

SEC. 1292. The unobligated balances available for the Outreach for Socially Disadvantaged Farmers account, as identified by Treasury Appropriation Fund Symbol 12X0601, are rescinded; for the Rural Community Advancement Program, as identified by Treasury Appropriation Fund Symbol 12X0400, are rescinded; for the Payments to States program, as identified by Treasury Appropriation Fund symbol 12X2501, are rescinded; for the Common Computing Environment account, as identified by Treasury Appropriation Fund Symbol 12X0113, \$3,111,000 are rescinded; for Agriculture Buildings and Facilities and Rental Payments, as identified by Treasury Appropriation Fund Symbol 12X0117, \$45,000,000 are rescinded; and for the Animal and Plant Health Inspection Service—Buildings and Facilities account, as identified by Treasury Appropriation Fund Symbol 12X1601, \$629,000 are rescinded. In addition, from prior year unobligated balances of Animal and Plant Health Inspection Service—Salaries and Expenses account \$10,887,000 are rescinded as follows: Sudden Oak Death, \$295,000; Sirex Woodwasp, \$408,000; Avian Influenza, \$8,000,000; Information Technology Infrastructure, \$86,000; Screwworm, \$1,000,000; HUB Relocation, \$98,000; and Contingency Funds, \$1,000,000.

SEC. 1293. Of the unobligated balances available for Cooperative State Research, Education, and Extension Service, Buildings and Facilities, \$1,037,000 are rescinded.

SEC. 1294. The unobligated balances available for the wildlife habitat incentives program under section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1), as identified by Treasury Appropriation Fund Symbol 12X3322, are rescinded; for the program under the Water Bank Act (16 U.S.C. 1301 et seq.), as identified by Treasury Appropriation Fund Symbol 12X3320; and for the wetlands reserve program under section 1237 of the Food Security Act of 1985 (16 U.S.C. 3837), as identified by Treasury Appropriation Fund Symbol 12X1080, are rescinded.

SEC. 1295. Of the unobligated balances available for the broadband grant program for rural areas eligible for Distance Learning and Telemedicine Program benefits authorized by 7 U.S.C. 950aaa, \$25,000,000 are rescinded.

SEC. 1296. Of the unobligated balances available for the Export Credit Guarantee Program under section 101 of the Agricultural Trade Act of 1978 (Public Law 95-501), \$331,000,000 are hereby permanently canceled.

SEC. 1297. None of the funds appropriated by this Act or any other Act may be used to carry out section 508(d)(3) of the Federal Crop Insurance Act (7 U.S.C. 1508 (d)(3)) to provide a performance-based premium discount in the crop insurance program.

SEC. 1298. Section 739 of Public Law 111-80 shall be applied to funds appropriated by this division by substituting "\$640,000" for "\$800,000".

TITLE III—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES

SEC. 1301. Notwithstanding section 1101, the level for "Department of Commerce, International Trade Administration, Operations and Administration" shall be \$450,989,000.

SEC. 1302. Notwithstanding section 1101, the level for "Department of Commerce, Economic Development Administration, Economic Development Assistance Programs" shall be \$246,000,000.

SEC. 1303. Notwithstanding section 1101, the level for "Department of Commerce, Minority Business Development Agency, Minority Business Development" shall be \$30,400,000.

SEC. 1304. Notwithstanding section 1101, the level for "Department of Commerce, National Telecommunications and Information Administration, Salaries and Expenses" shall be \$40,649,000.

SEC. 1305. Notwithstanding section 1101, the level for "Department of Commerce, National Institute of Standards and Technology, Scientific and Technical Research and Services" shall be \$508,000,000.

SEC. 1306. Notwithstanding section 1101, the level for "Department of Commerce, National Institute of Standards and Technology, Industrial Technology Services" shall be \$173,600,000.

SEC. 1307. Notwithstanding section 1101, the level for "Department of Justice, General Administration, National Drug Intelligence Center" shall be \$34,023,000.

SEC. 1308. Notwithstanding section 1101, the level for "Department of Justice, General Administration, Justice Information Sharing Technology" shall be \$60,285,000.

SEC. 1309. Notwithstanding section 1101, the level for "Department of Justice, General Administration, Tactical Law Enforcement Wireless Communications" shall be \$100,000,000.

SEC. 1310. Notwithstanding section 1101, the level for "Department of Justice, General Administration, Detention Trustee" shall be \$1,518,663,000.

SEC. 1311. Notwithstanding section 1101, the level for "Department of Justice, Legal Activities, Salaries and Expenses, General Legal Activities" shall be \$865,097,000.

SEC. 1312. Notwithstanding section 1101, the level for "Department of Justice, United States Marshals Service, Construction" shall be \$16,625,000.

SEC. 1313. Notwithstanding section 1101, the level for "Department of Justice, Federal Bureau of Investigation, Salaries and Expenses" shall be \$7,834,622,000.

SEC. 1314. Notwithstanding section 1101, the level for "Department of Justice, Federal Bureau of Investigation, Construction" shall be \$107,310,000.

SEC. 1315. Notwithstanding section 1101, the level for "Department of Justice, Federal Prison System, Salaries and Expenses" shall be \$6,295,000,000.

SEC. 1316. Notwithstanding section 1101, the level for "Office of Science and Technology Policy" shall be \$6,660,000.

SEC. 1317. Notwithstanding section 1101, the level for "National Science Foundation, Research and Related Activities" shall be \$5,575,025,000.

SEC. 1318. Notwithstanding section 1101, the level for "National Science Foundation, Education and Human Resources" shall be \$862,760,000.

SEC. 1319. Notwithstanding section 1101, the level for "Department of Commerce, Bureau of the Census, Periodic Censuses and Programs" shall be \$893,000,000.

SEC. 1320. Notwithstanding section 1101, the level for each of the following accounts shall be \$0: "Department of Commerce, National Telecommunications and Information Administration, Public Telecommunications Facilities, Planning and Construction"; "Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives, Construction"; and "Department of Justice, Office of Justice Programs, Weed and Seed Program Fund".

SEC. 1321. Notwithstanding any other provision of this division, the following set-asides included in division B of Public Law 111-117 for projects specified in the explanatory statement accompanying that Act in the following accounts for the corresponding amounts shall not apply to funds appropriated by this division: (1) "Department of Commerce, International Trade Administration, Operations and Administration", \$5,215,000; (2) "Department of Commerce, Minority Business Development Agency, Minority Business Development", \$1,100,000; (3) "Department of Commerce, National Institute of Standards and Technology, Scientific and Technical Research and Services", \$10,500,000; (4) "Department of Commerce, National Institute of Standards and Technology, Construction of Research Facilities", \$47,000,000; (5) "Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities", \$99,295,000; (6) "Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction", \$18,000,000; (7) "Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance", \$185,268,000; (8) "Department of Justice, Office of Justice Programs, Juvenile Justice Programs", \$91,095,000; (9) "Department of Justice, Community Oriented Policing Services", \$25,385,000; (10) "Department of Justice, Community Oriented Policing Services", \$168,723,000; and (11) "National Aeronautics and Space Administration, Cross Agency Support", \$63,000,000.

SEC. 1322. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, and the National Science Foundation are directed to submit spending plans, signed by the respective department or agency head, to the House and Senate Committees on Appropriations within 60 days of enactment of this division.

SEC. 1323. Notwithstanding any other provision of this division, the set-aside included in division B of Public Law 111-117 under the heading "Department of Commerce, United States Patent and Trademark Office, Salaries and Expenses" for policy studies related to activities of United Nations Specialized Agencies related to international protection of intellectual property rights shall not apply to funds appropriated by this division.

SEC. 1324. Of the amount provided by section 1306 for "National Institute of Standards and Technology, Industrial Technology Services", \$44,900,000 shall be for the Technology Innovation Program, and \$128,700,000 shall be for the Manufacturing Extension Partnership Program.

SEC. 1325. (a) Notwithstanding section 1101, the level for "Department of Commerce, National Institute of Standards and Technology, Construction of Research Facilities" shall be \$70,000,000.

(b) The set-asides included in division B of Public Law 111-117 under the heading "Department of Commerce, National Institute of Standards and Technology, Construction of Research Facilities" for a competitive construction grant program for research science

buildings and for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

SEC. 1326. (a) Notwithstanding section 1101, the level for “Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities” shall be \$3,185,883,000.

(b) The set-aside included in division B of Public Law 111–117 under the heading “Department of Commerce, National Oceanic and Atmospheric Administration, Operations, Research, and Facilities” for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

SEC. 1327. (a) Notwithstanding section 1101, the level for “Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction” shall be \$1,335,353,000.

(b) The set-aside included in division B of Public Law 111–117 under the heading “Department of Commerce, National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction” for projects specified in the explanatory statement accompanying that Act shall not apply to funds appropriated by this division.

SEC. 1328. Notwithstanding section 1101, the level for “Department of Commerce, Departmental Management, Herbert C. Hoover Building Renovation and Modernization” shall be \$15,000,000.

SEC. 1329. Notwithstanding section 1101, the level for “Department of Commerce, United States Patent and Trademark Office, Salaries and Expenses” shall be \$2,090,000,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2011, so as to result in a fiscal year 2011 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2011, should the total amount of offsetting fee collections be less than \$2,090,000,000, this amount shall be reduced accordingly.

SEC. 1330. Notwithstanding section 1101, the level for “Department of Justice, State and Local Law Enforcement Activities, Salaries and Expenses” shall be \$187,000,000.

SEC. 1331. (a) Notwithstanding section 1101, the level for “Department of Justice, Office of Justice Programs, State and Local Law Enforcement Assistance” shall be \$1,120,085,000.

(b) Notwithstanding section 1101, the level for “Department of Justice, Office of Justice Programs, Juvenile Justice Programs” shall be \$275,975,000.

(c)(1) Notwithstanding section 1101, the level for “Department of Justice, Community Oriented Policing Services” shall be \$495,925,000.

(2) Amounts included under the heading “Department of Justice, Community Oriented Policing Services” in division B of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$15,000,000” for “\$40,385,000” and “\$1,500,000” for “\$170,223,000”.

(d) Except as otherwise provided in section 1321, each set-aside included in an account, the level of which is established by subsection (a), (b), or (c) of this section, shall be reduced proportionately to reflect the level provided in the respective subsection for each account.

SEC. 1332. Notwithstanding any other provision of law, section 20109(a), in subtitle A

of title II of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C. 13709(a)), shall not apply to amounts made available by this division.

SEC. 1333. (a) Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Exploration” shall be \$3,808,300,000.

(b) Notwithstanding sections 1104 and 1105, the provisos under the heading “National Aeronautics and Space Administration, Exploration” in division B of Public Law 111–117, as amended, shall not apply to funds appropriated by this division.

(c) Of the amounts appropriated by this division for “National Aeronautics and Space Administration, Exploration”, not less than \$1,200,000,000 shall be for the multipurpose crew vehicle to continue existing vehicle development activities to meet the requirements described in paragraph (a)(1) of section 303 of Public Law 111–267, and not less than \$1,800,000,000 shall be for the heavy lift launch vehicle system which shall have a lift capability not less than 130 tons and which shall have an upper stage and other core elements developed simultaneously.

SEC. 1334. (a) Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Space Operations” shall be \$5,508,500,000.

(b) The proviso specifying amounts under the heading “National Aeronautics and Space Administration, Space Operations” in division B of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1335. Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Science” shall be \$4,945,300,000.

SEC. 1336. Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Aeronautics” shall be \$535,000,000.

SEC. 1337. Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Education” shall be \$145,800,000.

SEC. 1338. (a) Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Cross Agency Support” shall be \$3,111,400,000.

(b) The provisos specifying amounts under the heading “National Aeronautics and Space Administration, Cross Agency Support” in division B of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1339. (a) Notwithstanding section 1101, the level for “National Aeronautics and Space Administration, Construction and Environmental Compliance and Remediation” shall be \$394,300,000.

(b) This level shall not include amounts made available by section 1101 from lease proceeds under such account.

(c) The first proviso under the heading “National Aeronautics and Space Administration, Construction and Environmental Compliance and Remediation” in division B of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1340. (a) None of the funds made available by this division may be used for the National Aeronautics and Space Administration or the Office of Science and Technology Policy to develop, design, plan, promulgate, implement, or execute a bilateral policy, program, order, or contract of any kind to participate, collaborate, or coordinate bilaterally in any way with China or any Chinese-owned company unless such activities are specifically authorized by a law enacted after the date of enactment of this division.

(b) The limitation in subsection (a) shall also apply to any funds used to effectuate the hosting of official Chinese visitors at facilities belonging to or utilized by the National Aeronautics and Space Administration.

SEC. 1341. Notwithstanding section 1101, amounts are provided for “Legal Services Corporation, Payment to the Legal Services Corporation” in division B of Public Law 111–117 in the manner authorized in Public Law 111–117 for fiscal year 2010, except that for fiscal year 2011 the amounts specified in division B of Public Law 111–117 shall be modified by substituting—

- (1) “\$405,000,000” for “\$420,000,000”; and
- (2) “\$379,400,000” for “\$394,400,000”.

SEC. 1342. Section 505(a)(1) of division B of Public Law 111–117 is amended by inserting “, unless the House and Senate Committees on Appropriations are notified 15 days in advance of such reprogramming of funds” before the semicolon.

SEC. 1343. Of the unobligated balances available to the Department of Justice from prior appropriations, the following funds are rescinded, not later than September 30, 2011, from the following accounts in the specified amounts: (1) “Office of Justice Programs”, \$42,000,000; (2) “Community Oriented Policing Services”, \$10,200,000; and (3) “Legal Activities, Assets Forfeiture Fund”, \$495,000,000.

SEC. 1344. Of the unobligated balances available to the Department of Justice for the “Working Capital Fund”, \$26,000,000 is hereby permanently rescinded.

SEC. 1345. Of the unobligated balances available to the Bureau of the Census for the Census Working Capital Fund, \$50,000,000 is hereby permanently rescinded.

SEC. 1346. Of the unobligated balances available to the National Telecommunications and Information Administration for reimbursable spectrum management activities, \$4,800,000 is hereby rescinded.

SEC. 1347. Notwithstanding any other provision of law, in fiscal year 2012 and thereafter payments for costs described in subsection (a) of section 404 of Public Law 107–42, as amended, shall be considered to be, and included in, payments for compensation for the purposes of sections 406(b) and (d)(1) of such Act.

SEC. 1348. None of the funds made available by this division may be used to implement, establish, or create a NOAA Climate Service as described in the “Draft NOAA Climate Service Strategic Vision and Framework” published at 75 Federal Register 57739 (September 22, 2010) and updated on December 20, 2010: *Provided*, That this limitation shall expire on September 30, 2011.

SEC. 1349. None of the funds made available by this division may be used to approve a new limited access privilege program (as that term is used in section 303A of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1853a)) for any fishery under the jurisdiction of the South Atlantic, Mid-Atlantic, New England, or Gulf of Mexico Fishery Management Councils in fiscal year 2011: *Provided*, That nothing in this section shall prevent development activities related to limited access privilege programs.

TITLE IV—ENERGY AND WATER DEVELOPMENT AND RELATED AGENCIES

SEC. 1401. All of the provisos under the heading “Corps of Engineers—Civil, Department of the Army, Construction” in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1402. The proviso under the heading “Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries” in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1403. The fifth proviso (regarding the San Gabriel Basin Restoration Fund), seventh proviso (regarding the Milk River Project) and eighth proviso (regarding the Departmental Irrigation Drainage program) under the heading “Department of the Interior, Bureau of Reclamation, Water and Related Resources” in the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1404. All of the provisos under the heading “Department of Energy, Energy Programs, Energy Efficiency and Renewable Energy” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1405. All of the provisos under the heading “Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1406. The proviso under the heading “Department of Energy, Energy Programs, Nuclear Energy” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1407. All of the provisos under the heading “Department of Energy, Energy Programs, Fossil Energy Research and Development” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1408. All of the provisos under the heading “Department of Energy, Energy Programs, Science” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1409. The thirteenth proviso (regarding Commission funding) under the heading “Department of Energy, Energy Programs, Nuclear Waste Disposal” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1410. All of the provisos under the heading “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1411. The proviso under the heading “Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1412. All of the provisos under the heading “Department of Energy, Atomic En-

ergy Defense Activities, National Nuclear Security Administration, Office of the Administrator” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1413. The proviso under the heading “Department of Energy, Atomic Energy Defense Activities, Environmental and Other Defense Activities, Defense Environmental Cleanup” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1414. The proviso under the heading “Department of Energy, Atomic Energy Defense Activities, Environmental and Other Defense Activities, Other Defense Activities” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1415. The fifth proviso under the heading “Department of Energy, Power Marketing Administrations, Construction, Rehabilitation, Operation and Maintenance, Western Area Power Administration” in title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85) shall not apply to funds appropriated by this division.

SEC. 1416. Sections 105, 106, 107, 110 through 125, 205 through 211, 502, and 506 of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111–85), to the extent the sections direct funds, shall not apply to funds appropriated by this division.

SEC. 1417. In addition to amounts otherwise made available by this division, \$180,000,000 is appropriated for “Department of Energy, Energy Programs, Advanced Research Projects Agency—Energy”.

SEC. 1418. No appropriation, funds, or authority made available pursuant to section 1101 for the Department of Energy or Corps of Engineers, Civil shall be used to initiate or resume any program, project or activity or to initiate Requests For Proposals or similar arrangements (including Requests for Quotations, Requests for Information, and Funding Opportunity Announcements) for a program, project or activity if the program, project or activity has not been funded by Congress, unless prior approval is received from the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 1419. Notwithstanding section 1101, the level for “Independent Agencies, Appalachian Regional Commission” shall be \$68,400,000.

SEC. 1420. Notwithstanding section 1101, the level for “Independent Agencies, Delta Regional Authority” shall be \$11,700,000.

SEC. 1421. Notwithstanding section 1101, the level for “Independent Agencies, Denali Commission” shall be \$10,700,000.

SEC. 1422. Notwithstanding section 1101, the level for “Defense Nuclear Facilities Safety Board” shall be \$23,250,000.

SEC. 1423. Notwithstanding section 1101, for the “Nuclear Regulatory Commission, Salaries and Expenses”, for necessary expenses in carrying out the purposes of the Energy Reorganization Act of 1974, as amended, and the Atomic Energy Act of 1954, as amended, including official representation expenses (not to exceed \$25,000), \$1,043,483,000, to remain available until expended: *Provided*, That of the amount appropriated herein, \$10,000,000 shall be derived from the Nuclear Waste

Fund: *Provided further*, That revenues from licensing fees, inspection services, and other services and collections estimated at \$906,220,000 in fiscal year 2011 shall be retained and used for necessary salaries and expenses in this account, notwithstanding 31 U.S.C. 3302, and shall remain available until expended: *Provided further*, That the sum herein appropriated shall be reduced by the amount of revenues received during fiscal year 2011 so as to result in a final fiscal year 2011 appropriation estimated at not more than \$137,263,000: *Provided further*, That the last proviso under such heading in title IV of Public Law 111–85 shall not apply to funds appropriated by this division.

SEC. 1424. Section 15751(b) of title 40, United States Code, shall not apply to funds appropriated by this division.

SEC. 1425. Notwithstanding section 1101, and subject to section 502 of the Congressional Budget Act of 1974, commitments to guarantee loans for renewable energy or efficient end-use energy technologies under title XVII of the Energy Policy Act of 2005 shall not exceed a total principal amount of \$1,183,000,000, to remain available until committed: *Provided*, That, in addition to the amounts above, for the cost of loan guarantees for renewable energy or efficient end-use energy technologies under section 1703 of the Energy Policy Act of 2005, \$170,000,000 is appropriated, to remain available until expended: *Provided further*, That the amounts provided in this section are in addition to those provided in any other Act: *Provided further*, That, notwithstanding section 1703(a)(2) of the Energy Policy Act of 2005, funds appropriated for the cost of loan guarantees and loan guarantee authority provided by this section are also available for projects for which an application has been submitted to the Department of Energy prior to February 24, 2011, in whole or in part, for a loan guarantee under section 1705 of the Energy Policy Act of 2005: *Provided further*, That of the authority provided for commitments to guarantee loans for renewable and/or energy efficient systems and manufacturing, and distributed energy generation, transmission and distribution projects under the heading “Department of Energy, Title 17 Innovative Technology Loan Guarantee Authority Loan Program”, in title III of division C of Public Law 111–8, \$18,183,000,000 is rescinded: *Provided further*, That for amounts collected pursuant to section 1702(b)(2) of the Energy Policy Act of 2005, the source of such payment received from borrowers may not be a loan or other debt obligation that is guaranteed by the Federal Government: *Provided further*, That none of such loan guarantee authority made available by this division shall be available for commitments to guarantee loans for any projects where funds, personnel, or property (tangible or intangible) of any Federal agency, instrumentality, personnel, or affiliated entity are expected be used (directly or indirectly) through acquisitions, contracts, demonstrations, exchanges, grants, incentives, leases, procurements, sales, other transaction authority, or other arrangements, to support the project or to obtain goods or services from the project: *Provided further*, That the previous proviso shall not be interpreted as precluding the use of the loan guarantee authority by this division for commitments to guarantee loans for (1) projects as a result of such projects benefitting from otherwise allowable Federal income tax benefits; (2) projects as a result of such projects benefitting from being located on Federal land pursuant to a lease or right-of-way agreement for which all consideration for all uses is (A) paid exclusively in

cash, (B) deposited in the Treasury as offsetting receipts, and (C) equal to the fair market value as determined by the head of the relevant Federal agency; (3) projects as a result of such projects benefitting from Federal insurance programs, including under section 170 of the Atomic Energy Act of 1954 (42 U.S.C. 2210; commonly known as the "Price-Anderson Act"); or (4) electric generation projects using transmission facilities owned or operated by a Federal Power Marketing Administration or the Tennessee Valley Authority that have been authorized, approved, and financed independent of the project receiving the guarantee: *Provided further*, That none of the loan guarantee authority made available by this division shall be available for any project unless the Director of the Office of Management and Budget has certified in advance in writing that the loan guarantee and the project comply with the provisions under this section: *Provided further*, That an additional amount for necessary administrative expenses to carry out this Loan Guarantee program, \$58,000,000 is appropriated, to remain available until expended: *Provided further*, That \$58,000,000 of the fees collected pursuant to section 1702(h) of the Energy Policy Act of 2005 shall be credited as offsetting collections to this account to cover administrative expenses and shall remain available until expended, so as to result in a final fiscal year 2011 appropriation from the general fund estimated at not more than \$0.

SEC. 1426. Of the unobligated balances available for "Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries", \$22,000,000 is rescinded, to be derived by cancelling unobligated balances for the Yazoo Basin, Backwater Pump, Mississippi project.

SEC. 1427. Notwithstanding section 1101, the level for "Corps of Engineers—Civil, Department of the Army, Investigations" shall be \$127,000,000.

SEC. 1428. Notwithstanding section 1101, the level for "Corps of Engineers—Civil, Department of the Army, Construction" shall be \$1,793,409,000.

SEC. 1429. Notwithstanding section 1101, the level for "Corps of Engineers—Civil, Department of the Army, Mississippi River and Tributaries" shall be \$264,435,000.

SEC. 1430. Notwithstanding section 1101, the level for "Corps of Engineers—Civil, Department of the Army, Operation and Maintenance" shall be \$2,370,500,000.

SEC. 1431. Notwithstanding section 1101, the level for "Corps of Engineers—Civil, Department of the Army, Formerly Utilized Sites Remedial Action Program" shall be \$130,000,000.

SEC. 1432. Notwithstanding section 1101, the level for "Department of the Interior, Central Utah Project, Central Utah Project Completion Account" shall be \$32,004,000.

SEC. 1433. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Reclamation, Water and Related Resources" shall be \$913,500,000.

SEC. 1434. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Reclamation, Central Valley Project Restoration Fund" shall be \$49,915,000.

SEC. 1435. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Energy Efficiency and Renewable Energy" shall be \$1,835,000,000.

SEC. 1436. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability" shall be \$145,000,000.

SEC. 1437. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Nuclear Energy" shall be \$737,092,000.

SEC. 1438. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Fossil Energy Research and Development" shall be \$586,000,000.

SEC. 1439. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Naval Petroleum and Oil Shale Reserves" shall be \$23,000,000.

SEC. 1440. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Strategic Petroleum Reserve" shall be \$209,861,000: *Provided*, That of the funds appropriated in Public Law 110-161 under this heading for new site land acquisition activities, \$14,493,000 is rescinded: *Provided further*, That of the funds appropriated in Public Law 110-329 under this heading for new site expansion activities, beyond land acquisition, \$31,507,000 is rescinded: *Provided further*, That of the funds appropriated in Public Law 111-85 under this heading, \$25,000,000 is rescinded.

SEC. 1441. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Northeast Home Heating Oil Reserve" shall be \$11,000,000.

SEC. 1442. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Energy Information Administration" shall be \$95,600,000.

SEC. 1443. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Non-Defense Environmental Cleanup" shall be \$225,200,000.

SEC. 1444. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Uranium Enrichment Decontamination and Decommissioning Fund" shall be \$509,000,000.

SEC. 1445. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Science" shall be \$4,884,000,000.

SEC. 1446. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Nuclear Waste Disposal" shall be \$0.

SEC. 1447. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Departmental Administration" shall be \$268,640,000: *Provided*, That miscellaneous revenues under this appropriation may be \$119,740,000 so as to result in a final fiscal year 2011 appropriation from the general fund estimated at no more than \$148,900,000.

SEC. 1448. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Advanced Technology Vehicles Manufacturing Loan Program" shall be \$9,998,000.

SEC. 1449. Notwithstanding section 1101, the level for "Department of Energy, Energy Programs, Office of the Inspector General" shall be \$42,850,000.

SEC. 1450. Notwithstanding section 1101, the level for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities" shall be \$6,993,419,000.

SEC. 1451. Notwithstanding section 1101, the level for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation" shall be \$2,326,000,000.

SEC. 1452. Notwithstanding section 1101, the level for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Naval Reactors" shall be \$967,000,000.

SEC. 1453. Notwithstanding section 1101, the level for "Department of Energy, Atomic

Energy Defense Activities, National Nuclear Security Administration, Office of the Administrator" shall be \$399,793,000.

SEC. 1454. Notwithstanding section 1101, the level for "Department of Energy, Environmental and Other Defense Activities, Defense Environmental Cleanup" shall be \$5,016,041,000, of which \$33,700,000 shall be transferred to the "Uranium Enrichment Decontamination and Decommissioning Fund".

SEC. 1455. Notwithstanding section 1101, the level for "Department of Energy, Environmental and Other Defense Activities, Other Defense Activities" shall be \$790,000,000.

SEC. 1456. Notwithstanding section 1101, the level for "Department of Energy, Environmental and Other Defense Activities, Defense Nuclear Waste Disposal" shall be \$0.

SEC. 1457. Of the unobligated balances from prior year appropriations available for "Corps of Engineers—Civil, Department of the Army, Construction", \$100,000,000 is rescinded, to be derived from the Continuing Authorities Program: *Provided*, That of the unobligated balances made available for accounts under the heading "Corps of Engineers—Civil, Department of the Army" in Public Law 110-161 or any appropriation Act prior to such Act, \$76,000,000 is rescinded (in addition to funds rescinded in the previous proviso).

SEC. 1458. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Energy Efficiency and Renewable Energy", \$30,000,000 is rescinded.

SEC. 1459. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Electricity Delivery and Energy Reliability", \$3,700,000 is rescinded.

SEC. 1460. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Nuclear Energy", \$6,300,000 is rescinded.

SEC. 1461. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Fossil Energy Research and Development", \$140,000,000 is rescinded.

SEC. 1462. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Naval Petroleum and Oil Shale Reserves", \$2,100,000 is rescinded.

SEC. 1463. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Clean Coal Technology", \$16,500,000 is rescinded.

SEC. 1464. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Strategic Petroleum Reserve", \$15,300,000 is rescinded in addition to funds rescinded elsewhere in this division.

SEC. 1465. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Energy Information Administration", \$400,000 is rescinded.

SEC. 1466. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Non-Defense Environmental Cleanup", \$900,000 is rescinded.

SEC. 1467. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Uranium Enrichment Decontamination and Decommissioning Fund", \$9,900,000 is rescinded.

SEC. 1468. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Science", \$15,000,000 is rescinded.

SEC. 1469. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Nuclear Waste Disposal", \$2,800,000 is rescinded.

SEC. 1470. Of the unobligated balances from prior year appropriations available for "Department of Energy, Energy Programs, Departmental Administration", \$81,900,000 is rescinded.

SEC. 1471. Of the unobligated balances from prior year appropriations available for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities", \$50,000,000 is rescinded.

SEC. 1472. Of the unobligated balances from prior year appropriations available for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation", \$45,000,000 is rescinded.

SEC. 1473. Of the unobligated balances from prior year appropriations available for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Naval Reactors", \$1,000,000 is rescinded.

SEC. 1474. Of the unobligated balances from prior year appropriations available for "Department of Energy, Atomic Energy Defense Activities, National Nuclear Security Administration, Office of the Administrator", \$5,700,000 is rescinded.

SEC. 1475. Of the unobligated balances from prior year appropriations available for "Department of Energy, Environmental and Other Defense Activities, Defense Environmental Cleanup", \$11,900,000 is rescinded.

SEC. 1476. Of the unobligated balances from prior year appropriations available for "Department of Energy, Environmental and Other Defense Activities, Other Defense Activities", \$3,400,000 is rescinded.

SEC. 1477. Of the unobligated balances from prior year appropriations available for "Independent Agencies, Denali Commission", \$15,000,000 is rescinded.

SEC. 1478. Within 30 days of enactment of this division, the Department of Energy; Corps of Engineers, Civil; Nuclear Regulatory Commission; and Bureau of Reclamation shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2011 at a level of detail below the account level.

SEC. 1479. No rescission made in this title shall apply to any amount previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1480. None of the funds made available by this division or prior appropriation Acts (other than Public Law 111-5) for Energy and Water Development may be used to pay the costs of employment (such as pay and benefits), or termination (such as severance pay), of any employee or contractor of the Department of Energy who is appointed, employed, or retained under the authority of, or using funds provided by, Public Law 111-5, or whose functions or operations (including programmatic responsibilities) are substantially or entirely funded under Public Law 111-5: *Provided*, That this section shall not apply to any employee or contractor of the Department of Energy whose functions or operations are primarily or wholly to provide oversight for funds provided by Public Law 111-5.

SEC. 1481. None of the funds made available by this division may be used for the study of the Missouri River Projects authorized in

section 108 of the Energy and Water Development and Related Agencies Appropriations Act, 2009 (division C of Public Law 111-8).

SEC. 1482. Notwithstanding section 1101, the levels made available by this division for the following accounts of the Department of Energy are reduced by the following amounts, to reflect savings resulting from the contractor pay freeze instituted by the Department: "Energy Programs, Energy Efficiency and Renewable Energy", \$5,700,000; "Energy Programs, Nuclear Energy", \$3,500,000; "Energy Programs, Fossil Energy Research and Development", \$300,000; "Energy Programs, Non-Defense Environmental Cleanup", \$400,000; "Energy Programs, Uranium Enrichment Decontamination and Decommissioning Fund", \$1,000,000; "Energy Programs, Science", \$16,600,000; "Energy Programs, Departmental Administration", \$18,000,000; "Environmental and Other Defense Activities, Defense Environmental Cleanup", \$14,400,000; "Atomic Energy Defense Activities, National Nuclear Security Administration, Weapons Activities", \$33,100,000; "Atomic Energy Defense Activities, National Nuclear Security Administration, Defense Nuclear Nonproliferation", \$2,700,000; and "Atomic Energy Defense Activities, National Nuclear Security Administration, Naval Reactors", \$4,900,000.

TITLE V—FINANCIAL SERVICES AND GENERAL GOVERNMENT

SEC. 1501. Notwithstanding section 1101, the level for "Department of the Treasury, Departmental Offices, Salaries and Expenses" shall be \$307,002,000, of which \$100,000,000 shall be for terrorism and financial intelligence activities; and the requirement under this heading to transfer funds to the National Academy of Sciences for a carbon audit of the tax code and the funding designations related to executive direction program activities, economic policies and program activities, financial policies and program activities, Treasury-wide management policies and program activities, and administration program activities shall not apply to funds appropriated by this division; and funding under this heading is available for international representation commitments of the Secretary, and for contribution to the Global Forum on Transparency and Exchange of Information for Tax Purposes.

SEC. 1502. Notwithstanding section 1101, the level for "Department of the Treasury, Departmental Offices, Department-wide Systems and Capital Investments Programs" shall be \$4,000,000, and the first proviso under such heading shall not apply to funds appropriated by this division.

SEC. 1503. Notwithstanding section 1101, the level for "Department of the Treasury, Departmental Offices, Special Inspector General for the Troubled Asset Relief Program, Salaries and Expenses" shall be \$36,300,000.

SEC. 1504. Of the unobligated balances available for "Department of the Treasury, Treasury Forfeiture Fund", \$400,000,000 are rescinded.

SEC. 1505. Notwithstanding section 1101, the level for "Department of the Treasury, Financial Management Service, Salaries and Expenses" shall be \$233,253,000.

SEC. 1506. Notwithstanding section 1101, the level for "Department of the Treasury, Alcohol and Tobacco Tax and Trade Bureau, Salaries and Expenses" shall be \$101,000,000, and the first proviso under such heading shall not apply to funds appropriated by this division.

SEC. 1507. Notwithstanding section 1101, the level for "Department of the Treasury, Bureau of the Public Debt, Administering the Public Debt" shall be \$184,985,000.

SEC. 1508. Notwithstanding section 1101, the level for "Department of the Treasury, Community Development Financial Institutions Fund Program Account" shall be \$227,000,000 for financial assistance, technical assistance, training outreach programs, and administrative expenses, of which \$22,000,000 shall be for the Bank Enterprise Award program; and under such heading the requirement to transfer funds to the Capital Magnet Fund and the funding designations for pilot project grants and administration shall not apply to funds appropriated by this division.

SEC. 1509. Notwithstanding section 1101, the funding designations for tax enforcement under the heading "Department of the Treasury, Internal Revenue Service, Operations Support" shall not apply to funds appropriated by this division.

SEC. 1510. Notwithstanding section 1101, section 105 of division C of Public Law 111-117 shall not apply to funds appropriated by this division.

SEC. 1511. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, The White House, Salaries and Expenses" shall be \$58,552,000.

SEC. 1512. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Executive Residence at the White House, Operating Expenses" shall be \$13,700,000.

SEC. 1513. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, White House Repair and Restoration" shall be \$2,005,000.

SEC. 1514. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, National Security Council, Salaries and Expenses" shall be \$13,074,000.

SEC. 1515. The amounts included under the heading "Executive Office of the President and Funds Appropriated to the President, Office of Administration, Salaries and Expenses" in division C of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$12,777,000" for "\$16,768,000".

SEC. 1516. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Office of Management and Budget, Salaries and Expenses" shall be \$91,934,000.

SEC. 1517. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Salaries and Expenses" shall be \$27,138,000.

SEC. 1518. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Counterdrug Technology Assessment Center" shall be \$0.

SEC. 1519. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Office of National Drug Control Policy, Other Federal Drug Control Programs" shall be \$140,900,000, of which \$9,000,000 shall be for anti-doping activities; of which \$35,000,000 shall be for a national media campaign; and the amounts included under such heading shall be applied to funds appropriated by this division by substituting "\$0" for "\$10,000,000", "\$1,000,000", "\$1,250,000", and "\$250,000".

SEC. 1520. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation" shall be \$0.

SEC. 1521. Of the unobligated balances available for "Executive Office of the President and Funds Appropriated to the President, Partnership Fund for Program Integrity Innovation", \$5,000,000 are rescinded.

SEC. 1522. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Special Assistance to the President, Salaries and Expenses" shall be \$4,558,000.

SEC. 1523. Notwithstanding section 1101, the level for "Executive Office of the President and Funds Appropriated to the President, Official Residence of the Vice President, Operating Expenses" shall be \$327,000.

SEC. 1524. Notwithstanding section 1101, the level for "The Judiciary, Supreme Court of the United States, Care of the Building and Grounds" shall be \$8,175,000.

SEC. 1525. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses" shall be \$5,013,583,000.

SEC. 1526. The amount included in the second paragraph under the heading "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Salaries and Expenses" in division C of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$4,785,000" for "\$5,428,000".

SEC. 1527. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Defender Services" shall be \$1,027,748,000.

SEC. 1528. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Fees of Jurors and Commissioners" shall be \$52,410,000.

SEC. 1529. Notwithstanding section 1101, the level for "The Judiciary, Courts of Appeals, District Courts, and Other Judicial Services, Court Security" shall be \$467,607,000.

SEC. 1530. Section 203(c) of the Judicial Improvements Act of 1990 (Public Law 101-650; 28 U.S.C. 133 note) is amended—

(1) in the third sentence (relating to the District of Kansas) by striking "19 years" and inserting "20 years"; and

(2) in the seventh sentence (relating to the District of Hawaii), by striking "16 years" and inserting "17 years".

SEC. 1531. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment to the District of Columbia Courts" shall be \$243,420,000, of which \$57,760,000 shall be for capital improvements.

SEC. 1532. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment to the District of Columbia Water and Sewer Authority" shall be \$11,499,000.

SEC. 1533. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment to the Criminal Justice Coordinating Council" shall be \$1,800,000.

SEC. 1534. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment to the Office of the Chief Financial Officer for the District of Columbia" shall be \$0.

SEC. 1535. (a) Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment for School Improvement" shall be \$77,700,000 and shall remain available until expended, of which \$42,200,000 shall be for the District of Columbia Public Schools, \$20,000,000 shall be to expand quality

public charter schools, and \$15,500,000 shall be for opportunity scholarships, and the second reference to "\$1,000,000" under such heading shall be applied to funds appropriated by this division by substituting "\$0".

(b) The authority and conditions provided in the District of Columbia Appropriations Act, 2010 (Public Law 111-117; 123 Stat. 3181) under the heading described in subsection (a) shall apply with respect to the funds made available under this division, with the following modifications:

(1) The first proviso under such heading shall not apply.

(2) Notwithstanding the second proviso under such heading, the funds may be made available for scholarships to students, without regard to whether any student received a scholarship in any prior school year.

(3) The fourth proviso under such heading shall not apply.

(4) Notwithstanding the fifth proviso under such heading, the Secretary of Education shall ensure that site inspections of participating schools are conducted annually.

SEC. 1536. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment for Consolidated Laboratory Facility" shall be \$0.

SEC. 1537. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment for Housing for the Homeless" shall be \$10,000,000.

SEC. 1538. Notwithstanding section 1101, the level for "District of Columbia, Federal Funds, Federal Payment for Youth Services" shall be \$0.

SEC. 1539. Notwithstanding any other provision of this division, except section 1106, the District of Columbia may expend local funds for programs and activities under the heading "District of Columbia Funds" for such programs and activities under title IV of S. 3677 (111th Congress), as reported by the Committee on Appropriations of the Senate, at the rate set forth under "District of Columbia Funds" as included in the Fiscal Year 2011 Budget Request Act (D.C. Act 18-448), as modified as of the date of the enactment of this division.

SEC. 1540. Section 805(b) of division C of Public Law 111-117 is amended by striking "November 1, 2010" and inserting "November 1, 2011".

SEC. 1541. Notwithstanding section 1101, the level for "Independent Agencies, Administrative Conference of the United States, Salaries and Expenses" shall be \$2,750,000.

SEC. 1542. Notwithstanding section 1101, the level for "Independent Agencies, Christopher Columbus Fellowship Foundation, Salaries and Expenses" shall be \$500,000.

SEC. 1543. Notwithstanding section 1101, the level for "Related Agencies and Food and Drug Administration, Independent Agencies, Commodity Futures Trading Commission" shall be \$202,675,000, to remain available until September 30, 2012: *Provided*, That the proviso under such heading in Public Law 111-80 shall not apply to funds provided by this division: *Provided further*, That not less than \$37,200,000 shall be for the highest priority information technology activities of the Commission.

SEC. 1544. Notwithstanding section 1101, the level for "Independent Agencies, Consumer Product Safety Commission, Salaries and Expenses" shall be \$115,018,000, of which \$1,000,000 shall remain available until September 30, 2012 for the Virginia Graeme Baker Pool and Spa Safety Act grant program.

SEC. 1545. Notwithstanding section 1101, the level for "Independent Agencies, Elec-

tion Assistance Commission, Salaries and Expenses" shall be \$16,300,000, of which \$3,250,000 shall be transferred to the National Institute of Standards and Technology for election reform activities authorized under the Help America Vote Act of 2002 (Public Law 107-252).

SEC. 1546. Notwithstanding section 1101, the level for "Independent Agencies, Election Assistance Commission, Election Reform Programs" shall be \$0.

SEC. 1547. Any expenses incurred by the Election Assistance Commission using amounts appropriated under the heading "Election Assistance Commission, Election Reform Programs" in the Transportation, Treasury, and Independent Agencies Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 327) for any program or activity which the Commission is authorized to carry out under the Help America Vote Act of 2002 shall be considered to have been incurred for the programs and activities described under such heading.

SEC. 1548. Notwithstanding section 1101, the level for "Independent Agencies, Federal Deposit Insurance Corporation, Office of the Inspector General" shall be \$42,942,000.

SEC. 1549. (a) Notwithstanding section 1101, the aggregate amount of new obligational authority provided under the heading "Independent Agencies, General Services Administration, Real Property Activities, Federal Buildings Fund, Limitations on Availability of Revenue" for Federal buildings and courthouses and other purposes of the Fund shall be \$7,597,540,000, of which: (1) \$82,000,000 is for "Construction and Acquisition"; and (2) \$280,000,000 is for "Repairs and Alterations".

(b) The General Services Administration shall submit a detailed plan, by project, regarding the use of funds to the Committees on Appropriations of the House of Representatives and the Senate within 30 days of enactment of this section and will provide notification to the Committees within 15 days prior to any changes regarding the use of these funds.

SEC. 1550. Notwithstanding section 1101, the level for "Independent Agencies, General Services Administration, General Activities, Government-Wide Policy" shall be \$66,621,000.

SEC. 1551. Notwithstanding section 1101, the level for "Independent Agencies, General Services Administration, General Activities, Operating Expenses" shall be \$70,022,000, and matters pertaining to the amount of \$1,000,000 under such heading shall not apply to funds appropriated by this division.

SEC. 1552. Notwithstanding section 1101, the level for "Independent Agencies, General Services Administration, General Activities, Electronic Government Fund" shall be \$8,000,000.

SEC. 1553. Notwithstanding section 1101, the level for "Independent Agencies, General Services Administration, General Activities, Allowances and Office Staff for Former Presidents" shall be \$3,800,000.

SEC. 1554. Notwithstanding section 1101, the level for "Independent Agencies, General Services Administration, General Activities, Federal Citizen Services Fund" shall be \$34,184,000.

SEC. 1555. Of the unobligated balances available under the heading "Independent Agencies, General Services Administration, Real Property Activities, Federal Buildings Fund, Limitations on Availability of Revenue", \$25,000,000 are rescinded and shall be returned to the General Fund of the Treasury.

SEC. 1556. Notwithstanding section 1101, the level for "Independent Agencies, Harry S

Truman Scholarship Foundation, Salaries and Expenses" shall be \$750,000.

SEC. 1557. Notwithstanding section 1101, the level for "Independent Agencies, National Archives and Records Administration, Office of Inspector General" shall be \$4,250,000.

SEC. 1558. Notwithstanding section 1101, the level for "Independent Agencies, National Archives and Records Administration, Electronic Records Archives" shall be \$72,000,000, of which \$52,500,000 shall remain available until September 30, 2013.

SEC. 1559. Notwithstanding section 1101, the level for "Independent Agencies, National Archives and Records Administration, Repairs and Restoration" shall be \$11,848,000.

SEC. 1560. Of the unobligated balances available under the heading "Independent Agencies, National Archives and Records Administration, Repairs and Restoration", \$3,198,000 are rescinded, which shall be derived from amounts made available for a new regional archives and records facility in Anchorage, Alaska.

SEC. 1561. Notwithstanding section 1101, the level for "Independent Agencies, National Archives and Records Administration, National Historical Publications and Records Commission, Grants Program" shall be \$7,000,000.

SEC. 1562. The amounts included under the heading "Independent Agencies, Office of Personnel Management, Salaries and Expenses" in division C of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$97,970,000" for "\$102,970,000".

SEC. 1563. Notwithstanding section 1101, the level for "Independent Agencies, Privacy and Civil Liberties Oversight Board, Salaries and Expenses" shall be \$1,000,000.

SEC. 1564. Of the unobligated balances available for "Independent Agencies, Privacy and Civil Liberties Oversight Board, Salaries and Expenses", \$1,500,000 are rescinded.

SEC. 1565. Notwithstanding section 1101, the level for "Independent Agencies, Securities and Exchange Commission, Salaries and Expenses" shall be \$1,185,000,000, and the proviso under such heading pertaining to prior year unobligated balances shall not apply to funds appropriated by this division.

SEC. 1566. Notwithstanding section 1101, the level provided under section 523 of division C of Public Law 111-117 shall be \$0.

SEC. 1567. Notwithstanding section 1101, the level for "Independent Agencies, Small Business Administration, Surety Bond Guarantees Revolving Fund" shall be \$0.

SEC. 1568. The amounts included under the heading "Independent Agencies, Small Business Administration, Disaster Loans Program Account" in division C of Public Law 111-117 shall be applied to funds appropriated by this division as follows:

- (1) By substituting "\$0" for "\$1,690,000".
- (2) By substituting "\$0" for "\$352,357".
- (3) By substituting "\$0" for "\$1,337,643".
- (4) By substituting "\$45,463,000" for "\$76,588,200".
- (5) By substituting "\$35,463,000" for "\$65,278,200".
- (6) By substituting "\$0" for "\$1,310,000".

SEC. 1569. Notwithstanding section 1118, the amounts included under the heading "Independent Agencies, United States Postal Service, Payment to the Postal Service Fund" in division C of Public Law 111-117 shall be applied to funds appropriated by this division as follows:

- (1) By substituting "\$86,705,000" for "\$118,328,000".
- (2) By substituting "\$74,905,000" for "\$89,328,000".

(3) By substituting "2011" for "2010".

SEC. 1570. Notwithstanding section 1101, the level for "Independent Agencies, United States Tax Court, Salaries and Expenses" shall be \$52,093,000, of which \$2,852,000 shall be for security improvements.

SEC. 1571. Section 617 of Public Law 111-117 is amended by striking "December 31, 2009" and inserting "December 31, 2010".

SEC. 1572. Section 814 of division C of Public Law 111-117 shall be applied to funds appropriated by this division by striking "Federal".

SEC. 1573. (a) The Consumer Financial Protection Act of 2010 is amended by adding after section 1016 the following new sections:

"SEC. 1016A. ANNUAL AUDITS.

"(a) ANNUAL INDEPENDENT AUDIT.—The Bureau shall order an annual independent audit of the operations and budget of the Bureau.

"(b) ANNUAL GAO AUDIT.—The Comptroller General of the United States shall conduct an annual audit of the Bureau's financial statements in accordance with generally accepted government accounting standards.

"SEC. 1016B. GAO STUDY OF FINANCIAL REGULATIONS.

"(a) STUDY.—Not later than the end of the 180-day period beginning on the date of the enactment of this Act, and annually thereafter, the Comptroller General of the United States shall conduct a study of financial services regulations, including activities of the Bureau. Such study shall include an analysis of—

"(1) the impact of regulation on the financial marketplace, including the effects on the safety and soundness of regulated entities, cost and availability of credit, savings realized by consumers, reductions in consumer paperwork burden, changes in personal and small business bankruptcy filings, and costs of compliance with rules, including whether relevant Federal agencies are applying sound cost-benefit analysis in promulgating rules;

"(2) efforts to avoid duplicative or conflicting rulemakings, including an evaluation of the consultative process under subparagraphs (B) and (C) of section 1022(b)(2), information requests, and examinations; and

"(3) other matters related to the operations of financial services regulations deemed by the Comptroller General to be appropriate.

"(b) REPORT.—Not later than the end of the 30-day period following the completion of a study conducted pursuant to subsection (a), the Comptroller General shall issue a report to the Congress containing a detailed description of all findings and conclusions made by the Comptroller General in carrying out such study, together with such recommendations for legislative or administrative action as the Comptroller General may determine to be appropriate."

(b) The table of contents for the Dodd-Frank Wall Street Reform and Consumer Protection Act is amended by inserting after the item relating to section 1016 the following new items:

"Sec. 1016A. Annual audits.

"Sec. 1016B. GAO study of financial regulations."

(c) The initial audits described under section 1016A of the Consumer Financial Protection Act of 2010 shall be completed not later than the end of the 180-day period beginning on the date of the enactment of this Act.

SEC. 1574. The Government Accountability Office is directed to report to the Committees on Appropriations of the House of Representatives and the Senate on the data collected by the Consumer Product Safety Com-

mission (CPSC) under section 6A of the Consumer Product Safety Act (15 U.S.C. 2055a) within 180 days of enactment of this division. This study shall include an analysis of:

(1) Whether the information submitted is required to be from first-hand knowledge.

(2) Whether the information required for submission of a complaint is sufficient to enable the CPSC, where appropriate, to investigate the facts surrounding the incident and determine the material accuracy of the report.

(3) Whether the information submitted to the database with respect to a product is sufficient to enable consumers, the CPSC, and manufacturers to identify such product.

(4) Whether the length of time before posting complaints is a reasonable timeframe for adjudicating pending claims of material inaccuracy.

SEC. 1575. Notwithstanding section 1101, the limits set forth in section 702 of Public Law 111-117 shall not apply to any vehicle that is a commercial item and which operates on emerging motor vehicle technology, including but not limited to electric, plug-in hybrid electric, and hydrogen fuel cell vehicles.

SEC. 1576. (a) Section 1403(8) of the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8002(8)) is amended by adding at the end the following: "For purposes of eligibility for the grants authorized under section 1405, such term shall also include any political subdivision of a State."

(b) Section 1405(e) of the Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. 8004 (e)) is amended by striking "2010" and inserting "2011".

TITLE VI—HOMELAND SECURITY

SEC. 1601. Within 24 days after the date of enactment of this division, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and the House of Representatives an expenditure plan for fiscal year 2011 that displays the level of funding by program, project, and activity consistent with the table of detailed funding recommendations contained at the end of the joint explanatory statement accompanying the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83) and the classified annex accompanying this division: *Provided*, That all plans for expenditure required in Public Law 111-83 shall be updated for fiscal year 2011 budget authority and submitted to the Committees on Appropriations of the Senate and House of Representatives within 45 days after the date of enactment of this division, notwithstanding the specified withholding of funds and associated approval requirements.

SEC. 1602. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of the Secretary and Executive Management" shall be \$136,818,000.

SEC. 1603. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of the Under Secretary for Management" shall be \$239,933,000.

SEC. 1604. Notwithstanding section 1101, for an additional amount under the heading "Department of Homeland Security, Office of the Under Secretary for Management", \$77,400,000, to plan, acquire, construct, renovate, remediate, equip, furnish, and occupy buildings and facilities for the consolidation of the Department of Homeland Security headquarters.

SEC. 1605. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of the Chief Financial Officer" shall be \$53,430,000, of which \$4,000,000 shall remain available until September 30, 2014, for financial systems consolidation efforts.

SEC. 1606. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of the Chief Information Officer" shall be \$333,393,000.

SEC. 1607. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of the Federal Coordinator for Gulf Coast Rebuilding" shall be \$0.

SEC. 1608. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Customs and Border Protection, Salaries and Expenses" shall be \$8,212,626,000: *Provided*, That for fiscal year 2011, the Border Patrol shall achieve an active duty presence of not less than 21,370 agents protecting the border of the United States by September 30, 2011.

SEC. 1609. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Customs and Border Protection, Automation Modernization" shall be \$336,575,000, of which \$148,090,000 shall be for the Automated Commercial Environment.

SEC. 1610. (a) Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology" shall be \$574,173,000.

(b) Paragraph (11) of the first proviso and the third and fourth provisos under the heading "Border Security Fencing, Infrastructure, and Technology" of Public Law 111-83 shall not apply to funds appropriated by this division.

SEC. 1611. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Customs and Border Protection, Air and Marine Interdiction, Operations, Maintenance, and Procurement" shall be \$516,326,000.

SEC. 1612. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Customs and Border Protection, Construction and Facilities Management" shall be \$260,000,000.

SEC. 1613. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Immigration and Customs Enforcement, Salaries and Expenses" shall be \$5,437,643,000: *Provided*, That U.S. Immigration and Customs Enforcement shall maintain a level of not fewer than 33,400 detention beds throughout fiscal year 2011.

SEC. 1614. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Immigration and Customs Enforcement, Automation Modernization" shall be \$74,000,000.

SEC. 1615. Notwithstanding section 1101, the level for "Department of Homeland Security, U.S. Immigration and Customs Enforcement, Construction" shall be \$0.

SEC. 1616. Notwithstanding section 1101, the level for "Department of Homeland Security, Transportation Security Administration, Aviation Security" shall be \$5,219,546,000: *Provided*, That the amounts included under such heading in Public Law 111-83 shall be applied to funds appropriated by this division as follows: by substituting "\$5,219,546,000" for "\$5,214,040,000"; by substituting "\$4,307,793,000" for "\$4,358,076,000"; by substituting "\$629,297,000" for "\$1,116,406,000"; by substituting "\$911,753,000" for "\$855,964,000"; by substituting "\$291,191,000" for "\$778,300,000"; by substituting "9 percent" for "28 percent"; and by substituting "\$3,119,546,000" for "\$3,114,040,000": *Provided further*, That none of the funds in this division may be used for any recruiting or hiring of personnel into the Transportation Security Administration that would cause the agency to exceed a staffing level of 46,000 full-time equivalent

screeners: *Provided further*, That the preceding proviso shall not apply to personnel hired as part-time employees: *Provided further*, That not later than August 15, 2011, the Secretary of Homeland Security shall submit to the Committees on Appropriations of the Senate and House of Representatives a detailed report on: (1) the Department's efforts and the resources being devoted to develop more advanced integrated passenger screening technologies for the most effective security of passengers and baggage at the lowest possible operating and acquisition costs; (2) how the Transportation Security Administration is deploying its existing screener workforce in the most cost effective manner; and (3) labor savings from the deployment of improved technologies for passengers and baggage screening and how those savings are being used to offset security costs or reinvested to address security vulnerabilities.

SEC. 1617. Notwithstanding section 1101, the level for "Department of Homeland Security, Transportation Security Administration, Surface Transportation Security" shall be \$105,961,000.

SEC. 1618. Notwithstanding section 1101, the level for "Department of Homeland Security, Transportation Security Administration, Transportation Threat Assessment and Credentialing" shall be \$162,999,000.

SEC. 1619. Notwithstanding section 1101, the level for "Department of Homeland Security, Transportation Security Administration, Transportation Security Support" shall be \$988,638,000.

SEC. 1620. Notwithstanding section 1101, the level for "Department of Homeland Security, Transportation Security Administration, Federal Air Marshals" shall be \$929,802,000.

SEC. 1621. Notwithstanding section 1101, the level for "Department of Homeland Security, Coast Guard, Operating Expenses" shall be \$6,907,338,000, of which \$254,000,000 is designated as being for contingency operations directly related to the global war on terrorism pursuant to section 3(c)(2) of H. Res. 5 (112th Congress) and as an emergency requirement pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010: *Provided*, That the Coast Guard may decommission one Medium Endurance Cutter, two High Endurance Cutters, four HU-25 aircraft, and one Maritime Safety and Security Team, and may make necessary staffing adjustments at the Coast Guard Investigative Service and other support units, as specified in the budget justification materials for fiscal year 2011 as submitted to the Committees on Appropriations of the Senate and House of Representatives.

SEC. 1622. Notwithstanding section 1101, the level for "Department of Homeland Security, Coast Guard, Acquisition, Construction, and Improvements" shall be \$1,519,783,000, of which \$42,000,000 shall be for vessels, small boats, critical infrastructure, and related equipment; of which \$36,000,000 shall be for other equipment; of which \$69,200,000 shall be for shore, military housing, and aids to navigation facilities, including waterfront facilities at Navy installations used by the Coast Guard, of which \$2,000,000 may be derived from the Coast Guard Housing Fund established pursuant to 14 U.S.C. 687; of which \$106,083,000 shall be available for personnel compensation and benefits and related costs; and of which \$1,266,500,000 shall be for the Integrated Deepwater Systems program: *Provided*, That of the funds made available for the Inte-

grated Deepwater Systems program, \$101,000,000 is for aircraft and \$1,010,000,000 is for surface ships: *Provided further*, That of the funds provided for surface ships, \$692,000,000 is available for the procurement of the fifth National Security Cutter, including procurement of the production of such cutter and production-related activities and post-delivery activities associated with such cutter.

SEC. 1623. Notwithstanding section 1101, the level for "Department of Homeland Security, Coast Guard, Alteration of Bridges" shall be \$0.

SEC. 1624. Notwithstanding section 1101, the level for "Department of Homeland Security, Coast Guard, Research, Development, Test, and Evaluation" shall be \$24,745,000, of which \$4,000,000 shall be for research, development, test, and evaluation of technologies to prevent and respond to oil and hazardous substance spills.

SEC. 1625. Notwithstanding section 1101, the level for "Department of Homeland Security, United States Secret Service, Salaries and Expenses" shall be \$1,514,361,000.

SEC. 1626. Notwithstanding section 1101, the level for "Department of Homeland Security, National Protection and Programs Directorate, Management and Administration" shall be \$43,577,000.

SEC. 1627. Notwithstanding section 1101, the level for "Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Protection and Information Security" shall be \$840,444,000.

SEC. 1628. Notwithstanding section 1101, under the heading "Department of Homeland Security, National Protection and Programs Directorate, Federal Protective Service", the revenues and collections of security fees credited to this account shall be available until expended for necessary expenses related to the protection of federally-owned and leased buildings and for the operations of the Federal Protective Service: *Provided*, That, no later than September 30, 2011, the Federal Protective Service shall maintain not fewer than 1,250 full-time staff and 935 full-time Police Officers, Inspectors, Area Commanders, and Special Agents who, while working, are directly engaged on a daily basis protecting and enforcing laws at Federal buildings (referred to as "in-service field staff").

SEC. 1629. Notwithstanding section 1101, the level for "Department of Homeland Security, National Protection and Programs Directorate, United States Visitor and Immigrant Status Indicator Technology" shall be \$334,613,000.

SEC. 1630. Notwithstanding section 1101, the level for "Department of Homeland Security, Office of Health Affairs" shall be \$139,734,000, of which \$27,053,000 is for salaries and expenses.

SEC. 1631. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, Management and Administration" shall be \$788,400,000, of which \$35,250,000 shall be for the Urban Search and Rescue Response System: *Provided*, That the directed obligations under such heading for capital improvements at the Mount Weather Emergency Operations Center in Public Law 111-83 shall have no force or effect to funds appropriated by this division.

SEC. 1632. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, State and Local Programs" shall be \$2,229,500,000: *Provided*, That of the amount provided by this division for the State Homeland Security Grant Program under such

heading, \$55,000,000 shall be for Operation Stonegarden; \$45,000,000 shall be for the Driver's License Security Grant Program; \$10,000,000 shall be for the Citizen Corps Program; and \$35,000,000 shall be for the Metropolitan Medical Response System: *Provided further*, That the amounts provided by this division for the Citizen Corps Program under such heading shall not be subject to the requirements of subtitle A of title XX of the Homeland Security Act of 2002 (6 U.S.C. 603 et seq.): *Provided further*, That of the amount provided by this division for Public Transportation Security Assistance and Railroad Security Assistance under such heading, no less than \$20,000,000 shall be for Amtrak security and no less than \$5,000,000 shall be for Over-the-Road Bus Security: *Provided further*, That the amounts included under such heading in Public Law 111-83 shall be applied to funds appropriated by this division as follows: in paragraph (1), by substituting "\$725,000,000" for "\$950,000,000"; in paragraph (2), by substituting "\$725,000,000" for "\$887,000,000"; in paragraph (3), by substituting "\$15,000,000" for "\$35,000,000"; in paragraph (4), by substituting "\$0" for "\$41,000,000"; in paragraph (5), by substituting "\$0" for "\$13,000,000"; in paragraph (6), by substituting "\$250,000,000" for "\$300,000,000"; in paragraph (7), by substituting "\$250,000,000" for "\$300,000,000"; in paragraph (8), by substituting "\$0" for "\$12,000,000"; in paragraph (9), by substituting "\$0" for "\$50,000,000"; in paragraph (10), by substituting "\$0" for "\$50,000,000"; in paragraph (11), by substituting "\$0" for "\$50,000,000"; in paragraph (12), by substituting "\$15,000,000" for "\$60,000,000" and by substituting "\$0" for each following amount in such paragraph; in paragraph (13), by substituting "\$249,500,000" for "\$267,200,000", of which \$155,500,000 shall be for training of State, local, and tribal emergency response providers: *Provided further*, That the directed obligations provisions in paragraphs 13(A), 13(B), and 13(C) under such heading in Public Law 111-83 shall have no force or effect to funds appropriated in this division: *Provided further*, That 5.8 percent of the amount provided for "Department of Homeland Security, Federal Emergency Management Agency, State and Local Programs" by this division shall be transferred to "Department of Homeland Security, Federal Emergency Management Agency, Management and Administration" for program administration.

SEC. 1633. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, Firefighter Assistance Grants" for programs authorized by the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2201 et seq.) shall be \$810,000,000, of which \$405,000,000 shall be available to carry out section 33 of that Act (15 U.S.C. 2229) and \$405,000,000 shall be available to carry out section 34 of that Act (15 U.S.C. 2229a): *Provided*, That the proviso included under "Federal Emergency Management Agency, Firefighter Assistance Grants" in the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83) shall have no force or effect: *Provided further*, That 5.8 percent of the amount available under this heading shall be transferred to "Department of Homeland Security, Federal Emergency Management Agency, Management and Administration" for program administration: *Provided further*, That none of the funds made available in this division may be used to enforce the requirements in—

(1) section 34(a)(1)(A) of the Federal Fire Prevention and Control Act of 1974 (15 U.S.C. 2229a(a)(1)(A));

(2) section 34(a)(1)(E) of such Act; and
(3) section 34(c)(1) of such Act.

SEC. 1634. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, Disaster Relief" shall be \$2,650,000,000: *Provided*, That the Administrator of the Federal Emergency Management Agency shall submit quarterly reports to the Committees on Appropriations of the Senate and the House of Representatives providing estimates of funding requirements for "Disaster Relief" for the current fiscal year and the succeeding three fiscal years: *Provided further*, That the report shall provide (a) an estimate, by quarter, for the costs of all previously designated disasters; (b) an estimate, by quarter, for the cost of future disasters based on a five year average, excluding catastrophic disasters; and (c) an estimate of the date on which the "Disaster Relief" balance will reach \$800,000,000.

SEC. 1635. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, Flood Map Modernization Fund" shall be \$182,000,000.

SEC. 1636. Notwithstanding section 1101, in fiscal year 2011, funds shall not be available from the National Flood Insurance Fund under section 1310 of the National Flood Insurance Act of 1968 (42 U.S.C. 4017) for operating expenses in excess of \$110,000,000, and for agents' commissions and taxes in excess of \$963,339,000: *Provided*, That notwithstanding section 1101, for activities under the National Flood Insurance Act of 1968 (42 U.S.C. 4001 et seq.) and the Flood Disaster Protection Act of 1973 (42 U.S.C. 4001 et seq.), the level shall be \$169,000,000, which shall be derived from offsetting collections assessed and collected under 1308(d) of the National Flood Insurance Act of 1968 (42 U.S.C. 4015(d)), of which not to exceed \$22,145,000 shall be available for salaries and expenses associated with flood mitigation and flood insurance operations; and not less than \$146,855,000 shall be available for floodplain management and flood mapping, which shall remain available until September 30, 2012.

SEC. 1637. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, National Predisaster Mitigation Fund" shall be \$50,000,000: *Provided*, That the directed obligations under such heading in Public Law 111-83 shall have no force or effect to funds appropriated in this division.

SEC. 1638. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Emergency Management Agency, Emergency Food and Shelter" shall be \$120,000,000.

SEC. 1639. Notwithstanding section 1101, the level for "Department of Homeland Security, United States Citizenship and Immigration Services" shall be \$146,593,000, of which \$25,000,000 is for processing applications for asylum and refugee status, and of which \$103,400,000 shall be for the E-Verify Program.

SEC. 1640. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Law Enforcement Training Center, Salaries and Expenses" shall be \$235,919,000.

SEC. 1641. Notwithstanding section 1101, the level for "Department of Homeland Security, Federal Law Enforcement Training Center, Acquisitions, Construction, Improvements, and Related Expenses" shall be \$35,456,000.

SEC. 1642. Notwithstanding section 1101, the level for "Department of Homeland Se-

curity, Science and Technology, Management and Administration" shall be \$141,200,000.

SEC. 1643. Notwithstanding section 1101, the level for "Department of Homeland Security, Science and Technology, Research, Development, Acquisition, and Operations" shall be \$688,036,000, of which \$40,000,000 shall remain available until September 30, 2013, for construction of the National Bio- and Agro-defense Facility central utility plant: *Provided*, That the final proviso included under the heading "Department of Homeland Security, Science and Technology, Research, Development, Acquisition, and Operations" in the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83) shall have no force or effect: *Provided further*, That funding for university programs shall not be reduced by more than twenty percent from the fiscal year 2010 enacted level.

SEC. 1644. Notwithstanding section 1101, the level for "Department of Homeland Security, Domestic Nuclear Detection Office, Management and Administration" shall be \$36,992,000.

SEC. 1645. Notwithstanding section 1101, the level for "Department of Homeland Security, Domestic Nuclear Detection Office, Research, Development, and Operations" shall be \$275,437,000.

SEC. 1646. Notwithstanding section 1101, the level for "Department of Homeland Security, Domestic Nuclear Detection Office, Systems Acquisition" shall be \$30,000,000.

SEC. 1647. (a) Section 560 of Public Law 111-83 shall not apply to funds appropriated by this division.

(b) No funding provided in this division shall be used for construction of the National Bio- and Agro-defense Facility until the Department of Homeland Security has, pursuant to the schedule submitted by the Department of Homeland Security on March 31, 2011, to the Committees on Appropriations of the Senate and House of Representatives—

(1) completed 50 percent of design planning for the National Bio- and Agro-defense Facility; and

(2) submitted to the Committees on Appropriations of the Senate and the House of Representatives a revised site-specific biosafety and biosecurity mitigation risk assessment that describes how to significantly reduce risks of conducting essential research and diagnostic testing at the National Bio- and Agro-defense Facility and addresses shortcomings identified in the National Academy of Sciences' evaluation of the initial site-specific biosafety and biosecurity mitigation risk assessment.

(c) The revised site-specific biosafety and biosecurity mitigation risk assessment required by subsection (b) shall—

(1) include a quantitative risk assessment for foot-and-mouth disease virus, in particular epidemiological and economic impact modeling to determine the overall risk of operating the facility for its expected 50-year life span, taking into account strategies to mitigate risk of foot-and-mouth disease virus release from the laboratory and ensure safe operations at the approved National Bio- and Agro-defense Facility site;

(2) address the impact of surveillance, response, and mitigation plans (developed in consultation with local, State, and Federal authorities and appropriate stakeholders) if a release occurs, to detect and control the spread of disease; and

(3) include overall risks of the most dangerous pathogens the Department of Homeland Security expects to hold in the National

Bio- and Agro-defense Facility's biosafety level 4 facility, and effectiveness of mitigation strategies to reduce those risks.

(d) The Department of Homeland Security shall enter into a contract with the National Academy of Sciences to evaluate the adequacy and validity of the risk assessment required by subsection (b). The National Academy of Sciences shall submit a report on such evaluation within four months after the date the Department of Homeland Security concludes its risk assessment.

SEC. 1648. Section 503 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83) is amended by adding at the end the following:

“(e) The notification thresholds and procedures set forth in this section shall apply to any use of deobligated balances of funds provided in previous Department of Homeland Security Appropriations Acts.”.

SEC. 1649. For fiscal year 2011, sections 529, 541, and 545 of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83; 123 Stat. 2174, 2176) shall have no force or effect.

SEC. 1650. Section 550(b) of the Department of Homeland Security Appropriations Act, 2007 (Public Law 109-295; 6 U.S.C. 121 note) is amended by striking “on October 4, 2010” and inserting “on October 4, 2011”.

SEC. 1651. Section 831 of the Homeland Security Act of 2002 (6 U.S.C. 391) is amended—

(1) in subsection (a), by striking “Until September 30, 2010” and inserting “Until September 30, 2011”; and

(2) in subsection (d)(1), by striking “September 30, 2010” and inserting “September 30, 2011”.

SEC. 1652. Section 532(a) of Public Law 109-295 (120 Stat. 1384) is amended by striking “2010” and inserting “2011”.

SEC. 1653. For an additional amount for necessary expenses for reimbursement of the actual costs to State and local governments for providing emergency management, public safety, and security at events, as determined by the Administrator of the Federal Emergency Management Agency, related to the presence of a National Special Security Event, \$7,500,000, to remain available until September 30, 2012.

SEC. 1654. Notwithstanding the 10 percent limitation contained in section 503(c) of the Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83), the Secretary of Homeland Security may transfer to the fund established by 8 U.S.C. 1101 note, up to \$20,000,000 from appropriations available to the Department of Homeland Security: *Provided*, That the Secretary shall notify the Committees on Appropriations of the Senate and House of Representatives 5 days in advance of such transfer.

SEC. 1655. Of the funds transferred to the Department of Homeland Security when it was created in 2003, the following funds are hereby rescinded from the following accounts and programs in the specified amounts:

- (1) \$1,692,000 from “Operations”;
- (2) \$4,871,492 from “Violent Crime Reduction Program”;
- (3) \$17,195,677 from “U.S. Customs and Border Protection, Salaries and Expenses”; and
- (4) \$10,568,934 from “Office for Domestic Preparedness”.

SEC. 1656. The following unobligated balances made available to the Department of Homeland Security pursuant to section 505 of Department of Homeland Security Appropriations Act, 2010 (Public Law 111-83; 123 Stat. 2174) are rescinded:

- (1) \$1,437,015 from “Office of the Secretary and Executive Management”;

- (2) \$821,104 from “Office of the Under Secretary for Management”;

- (3) \$242,720 from “Office of the Chief Financial Officer”;

- (4) \$23,143 from “Office of the Chief Information Officer”;

- (5) \$440,847 from “Analysis and Operations”;

- (6) \$76,498 from “Office of the Federal Coordinator for Gulf Coast Rebuilding”;

- (7) \$223,301 from “Office of Inspector General”;

- (8) \$12,503,273 from “U.S. Customs and Border Protection, Salaries and Expenses”;

- (9) \$18,214,469 from “U.S. Immigration and Customs Enforcement, Salaries and Expenses”;

- (10) \$2,429,978 from “Transportation Security Administration, Federal Air Marshals”;

- (11) \$13,508,196 from “Coast Guard, Operating Expenses”;

- (12) \$3,411,505 from “Coast Guard, Reserve Training”;

- (13) \$150,499 from “National Protection and Programs Directorate, Management and Administration”;

- (14) \$861,290 from “National Protection and Programs Directorate, Infrastructure Protection and Information Security”;

- (15) \$602,956 from “United States Secret Service, Salaries and Expenses”;

- (16) \$814,153 from “Federal Emergency Management Agency, Management and Administration”;

- (17) \$831,400 from “Office of Health Affairs”;

- (18) \$7,945,983 from “United States Citizenship and Immigration Services”;

- (19) \$1,010,795 from “Federal Law Enforcement Training Center, Salaries and Expenses”;

- (20) \$425,465 from “Science and Technology, Management and Administration”; and

- (21) \$42,257 from “Domestic Nuclear Detection Office, Management and Administration”.

SEC. 1657. Of the funds appropriated to the Department of Homeland Security, the following unobligated balances are hereby rescinded from the following accounts and programs in the specified amounts:

- (1) \$10,000,000 from “U.S. Customs and Border Protection, Automation Modernization”;

- (2) \$129,000,000 from “U.S. Customs and Border Protection, Border Security Fencing, Infrastructure, and Technology”;

- (3) \$19,603,000 from “Federal Emergency Management Agency, National Predisaster Mitigation Fund”;

- (4) \$60,600,000 from “Science and Technology, Research, Development, Acquisition, and Operations”;

- (5) \$10,886,000 from “Domestic Nuclear Detection Office, Research, Development, and Operations”; and

- (6) \$10,122,000 from “Coast Guard, Acquisition, Construction, and Improvements”.

SEC. 1658. Of the unobligated balances made available under section 44945 of title 49, United States Code, \$800,000 is rescinded.

SEC. 1659. Of the unobligated balances available for “Department of Homeland Security, Transportation Security Administration”, \$15,000,000 is rescinded: *Provided*, that the Transportation Security Administration shall not rescind any unobligated balances from the following programs: explosives detection systems, checkpoint support, aviation regulation and other enforcement, and air cargo.

SEC. 1660. Of the unobligated balances available for “Department of Homeland Security, National Protection and Programs Directorate, Infrastructure Protection and

Information Security”, the following amounts are rescinded—

- (1) \$6,000,000 from Next Generation Networks; and

- (2) \$9,600,000 to be specified in a report submitted to the Committees on Appropriations of the Senate and the House of Representatives no later than 15 days after the date of enactment of this division, which describes the amounts rescinded and the original purpose of such funds.

SEC. 1661. From the unobligated balances of funds made available in the Department of the Treasury Forfeiture Fund established by section 9703 of title 31, United States Code, which was added to such title by section 638 of Public Law 102-393, \$22,600,000 is rescinded.

SEC. 1662. From the unobligated balances of prior year appropriations made available for “Department of Homeland Security, National Protection and Programs Directorate, United States Visitor and Immigrant Indicator Technology”, \$32,795,000 is rescinded.

SEC. 1663. From the unobligated balances of prior year appropriations made available for “Department of Homeland Security, United States Citizenship and Immigration Services”, \$13,000,000 is rescinded: *Provided*, That United States Citizenship and Immigration Services shall not rescind any unobligated balances from the following programs and activities: E-Verify, data center migration, and processing applications for asylum and refugee status.

SEC. 1664. Of the unobligated balances available for “Department of Homeland Security, U.S. Immigration and Customs Enforcement, Construction”, \$10,000,000 is rescinded.

TITLE VII—INTERIOR, ENVIRONMENT, AND RELATED AGENCIES

SEC. 1701. Notwithstanding section 1101, the level for “Department of the Interior, Bureau of Land Management, Management of Lands and Resources” shall be \$963,706,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$963,706,000” for “\$959,571,000” the second place it appears.

SEC. 1702. Notwithstanding section 1101, the level for “Department of the Interior, Bureau of Land Management, Construction” shall be \$4,626,000.

SEC. 1703. Notwithstanding section 1101, the level for “Department of the Interior, Bureau of Land Management, Land Acquisition” shall be \$22,000,000: *Provided*, That the proviso under such heading in division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1704. Notwithstanding section 1101, the level for “Department of the Interior, United States Fish and Wildlife Service, Resource Management” shall be \$1,247,356,000.

SEC. 1705. Notwithstanding section 1101, the level for “Department of the Interior, United States Fish and Wildlife Service, Construction” shall be \$20,846,000.

SEC. 1706. Notwithstanding section 1101, the level for “Department of the Interior, United States Fish and Wildlife Service, Land Acquisition” shall be \$55,000,000.

SEC. 1707. Of the unobligated amounts available for “Department of the Interior, United States Fish and Wildlife Service, Landowner Incentive Program” from prior year appropriations, all remaining amounts are rescinded.

SEC. 1708. Notwithstanding section 1101, the level for “Department of the Interior, United States Fish and Wildlife Service, Cooperative Endangered Species Conservation Fund” shall be \$60,000,000: *Provided*, That

amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting "\$4,987,297" for "\$5,145,706"; and by substituting "\$31,000,000" for "\$56,000,000".

SEC. 1709. Notwithstanding section 1101, the level for "Department of the Interior, United States Fish and Wildlife Service, North American Wetlands Conservation Fund" shall be \$37,500,000.

SEC. 1710. Notwithstanding section 1101, the level for "Department of the Interior, United States Fish and Wildlife Service, Neotropical Migratory Bird Conservation" shall be \$4,000,000.

SEC. 1711. Notwithstanding section 1101, the level for "Department of the Interior, United States Fish and Wildlife Service, Multinational Species Conservation Fund" shall be \$10,000,000.

SEC. 1712. Notwithstanding section 1101, the level for "Department of the Interior, United States Fish and Wildlife Service, State and Tribal Wildlife Grants" shall be \$62,000,000.

SEC. 1713. Before the end of the 60-day period beginning on the date of enactment of this Act, the Secretary of the Interior shall reissue the final rule published on April 2, 2009 (74 Fed. Reg. 15123 et seq.) without regard to any other provision of statute or regulation that applies to issuance of such rule. Such reissuance (including this section) shall not be subject to judicial review and shall not abrogate or otherwise have any effect on the order and judgment issued by the United States District Court for the District of Wyoming in Case Numbers 09-CV-118J and 09-CV-138J on November 18, 2010.

SEC. 1714. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, Operation of the National Park System" shall be \$2,254,559,000.

SEC. 1715. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, Park Partnership Project Grants" shall be \$0 and the matters pertaining to such account in division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1716. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, National Recreation and Preservation" shall be \$57,986,000, of which \$0 shall be for projects authorized by section 7302 of Public Law 111-11.

SEC. 1717. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, Historic Preservation Fund" shall be \$54,500,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting "\$0" for "\$25,000,000": *Provided further*, That the proviso under such heading in division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1718. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, Construction" shall be \$210,066,000: *Provided*, That the last proviso under such heading in division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1719. The contract authority provided for fiscal year 2011 by 16 U.S.C. 4601-10a is rescinded.

SEC. 1720. Notwithstanding section 1101, the level for "Department of the Interior, National Park Service, Land Acquisition and State Assistance" shall be \$95,000,000: *Provided*, That section 113 of division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1721. Of the unobligated amounts available for "Department of the Interior, National Park Service, Urban Park and Recreation Fund," \$625,000 is rescinded.

SEC. 1722. Notwithstanding section 1101, the level for "Department of the Interior, United States Geological Survey, Surveys, Investigations, and Research" shall be \$1,085,844,000: *Provided*, That none of the matter after "September 30, 2011" and before the first proviso under such heading in division A of Public Law 111-88 shall apply to funds appropriated by this division.

SEC. 1723. Notwithstanding section 1101, the level for "Department of the Interior, Minerals Management Service, Royalty and Offshore Minerals Management" shall be \$239,478,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting "\$109,494,000" for "\$89,374,000"; by substituting "\$154,890,000" for "\$156,730,000" each place it appears; and by substituting "2011" for "2010" each place it appears.

SEC. 1724. Notwithstanding section 1101, the level for "Department of the Interior, Minerals Management Service, Oil Spill Research" shall be \$11,768,000.

SEC. 1725. During fiscal year 2011, the Secretary of the Interior, in order to implement a reorganization of the Bureau of Ocean Energy Management, Regulation and Enforcement, may establish accounts and transfer funds among and between the offices and bureaus affected by the reorganization only in conformance with the Committees on Appropriations of the House of Representatives and the Senate reprogramming guidelines described in the joint explanatory statement of managers accompanying Public Law 111-88.

SEC. 1726. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Indian Affairs, Operation of Indian Programs" shall be \$2,334,515,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting "\$220,000,000" for "\$166,000,000"; by substituting "\$585,411,000" for "\$568,702,000"; and by substituting "\$46,373,000" for "\$43,373,000".

SEC. 1727. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Indian Affairs, Construction" shall be \$210,000,000.

SEC. 1728. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Indian Affairs, Indian Land and Water Claim Settlements and Miscellaneous Payments to Indians" shall be \$46,480,000, of which \$0 shall be for the matter pertaining to Public Law 109-379.

SEC. 1729. Notwithstanding section 1101, the level for "Department of the Interior, Bureau of Indian Affairs, Indian Land Consolidation" shall be \$0.

SEC. 1730. Notwithstanding section 1101, the level for "Department of the Interior, Departmental Offices, Insular Affairs, Assistance to Territories" shall be \$84,295,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting "\$75,015,000" for "\$75,915,000".

SEC. 1731. Notwithstanding section 1101, the level for "Department of the Interior, Departmental Offices, Office of the Special Trustee for American Indians, Federal Trust Programs" shall be \$161,000,000: *Provided*, That the amounts included under such head-

ing in division A of Public Law 111-88, as amended by Public Law 111-212, shall be applied to funds appropriated by this division by substituting "\$31,534,000" for "\$47,536,000".

SEC. 1732. Notwithstanding section 1101, the level for "Department of the Interior, Department-wide Programs, Wildland Fire Management" shall be \$919,897,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting "\$0" for "\$125,000,000": *Provided further*, That of the unobligated balances available under such heading in division A of Public Law 111-88 and prior appropriations Acts, \$200,000,000 is rescinded: *Provided further*, That no amounts in this section may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget Emergency Deficit Control Act of 1985.

SEC. 1733. Section 121 of division A of Public Law 111-88 (123 Stat. 2930), concerning joint ticketing at the Pearl Harbor Naval Complex, is amended in subsection (b)(1) by striking "may enter" and inserting "may, for this fiscal year and each fiscal year thereafter, enter".

SEC. 1734. Notwithstanding section 1101, the level for "Environmental Protection Agency, Science and Technology" shall be \$815,110,000.

SEC. 1735. Notwithstanding section 1101, the level for "Environmental Protection Agency, Environmental Programs and Management" shall be \$2,761,994,000: *Provided*, That of the funds included under this heading \$416,875,000 shall be for Geographic Programs: *Provided further*, That of such amounts for Geographic Programs, \$300,000,000 shall be for the Great Lakes Restoration Initiative.

SEC. 1736. Notwithstanding section 1101, the level for "Environmental Protection Agency, Buildings and Facilities" shall be \$36,501,000, of which \$0 shall be for the planning and design of a high-performance green building to consolidate the multiple offices and research facilities of the Environmental Protection Agency in Las Vegas, Nevada.

SEC. 1737. Notwithstanding section 1101, the level for "Environmental Protection Agency, Hazardous Substance Superfund" shall be \$1,283,475,000: *Provided*, That the matter under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting "\$1,283,475,000" for "\$1,306,541,000" the second place it appears; and by substituting "September 30, 2010" for "September 30, 2009".

SEC. 1738. Notwithstanding section 1101, the level for "Environmental Protection Agency, State and Tribal Assistance Grants" shall be \$3,766,446,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting "\$1,525,000,000" for "\$2,100,000,000"; by substituting "\$965,000,000" for "\$1,387,000,000"; by substituting "\$10,000,000" for "\$17,000,000"; by substituting "\$10,000,000" for "\$13,000,000"; by substituting "\$0" for "\$156,777,000"; by substituting "\$50,000,000" for "\$60,000,000"; by substituting "\$0" for "\$20,000,000"; by substituting "\$1,106,446,000" for "\$1,116,446,000"; and by substituting "\$0" for "\$10,000,000" the second place it appears (pertaining to competitive grants for communities).

SEC. 1739. Notwithstanding section 1101, the amounts authorized to transfer under

the heading “Environmental Protection Agency, Administrative Provisions, Environmental Protection Agency” in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$300,000,000” for “\$475,000,000”.

SEC. 1740. Of the unobligated balances available for “Environmental Protection Agency, State and Tribal Assistance Grants”, \$140,000,000 is rescinded: *Provided*, That the Administrator of the Environmental Protection Agency shall submit to the Committees on Appropriations of the House of Representatives and the Senate a proposed allocation of such rescinded amounts among programs, projects, and activities and such allocation shall take effect 30 days after such submission: *Provided further*, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Act of 1985.

SEC. 1741. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, Forest and Rangeland Research” shall be \$307,252,000.

SEC. 1742. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, State and Private Forestry” shall be \$278,151,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$53,000,000” for “\$76,460,000”.

SEC. 1743. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, National Forest System” shall be \$1,545,339,000, of which \$15,000,000 shall be deposited into the Collaborative Forest Landscape Restoration Fund for ecological restoration treatments as authorized by 16 U.S.C. 7303(f), and of which \$336,722,000 shall be for forest products.

SEC. 1744. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, Capital Improvement and Maintenance” shall be \$473,591,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$45,000,000” for “\$90,000,000”.

SEC. 1745. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, Land Acquisition” shall be \$33,000,000.

SEC. 1746. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, Wildland Fire Management” shall be \$2,172,387,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division as follows: by substituting “\$0” for “\$75,000,000”; by substituting “\$11,500,000” for “\$11,600,000”; and by substituting “\$65,000,000” for “\$71,250,000”.

SEC. 1747. Notwithstanding section 1101, the level for “Department of Agriculture, Forest Service, FLAME Wildfire Suppression Reserve Fund” shall be \$291,000,000. *Provided*, That of the unobligated balances available under such heading in division A of Public Law 111-88, \$200,000,000 is rescinded.

SEC. 1748. The authority provided by section 337 of the Department of the Interior and Related Agencies Appropriations Act, 2005 (Public Law 108-447; 118 Stat. 3102), as amended, shall remain in effect until September 30, 2011.

SEC. 1749. Notwithstanding section 1101, the level for “Department of Health and

Human Services, Indian Health Service, Indian Health Services” shall be \$3,672,618,000.

SEC. 1750. Notwithstanding section 1101, the level for “Department of Health and Human Services, Indian Health Service, Indian Health Facilities” shall be \$404,757,000.

SEC. 1751. Notwithstanding section 1101, the level for “Chemical Safety and Hazard Investigation Board, Salaries and Expenses” shall be \$10,799,000: *Provided*, That the matter pertaining to methyl isocyanate in the last proviso under such heading in division A of Public Law 111-88 shall not apply to funds appropriated by this division.

SEC. 1752. Notwithstanding section 1101, the level for “Smithsonian Institution, Legacy Fund” shall be \$0.

SEC. 1753. Notwithstanding section 1101, the level for “National Gallery of Art, Repair, Restoration and Renovation of Buildings” shall be \$48,221,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$42,250,000” for “\$40,000,000”.

SEC. 1754. Notwithstanding section 1101, the level for “John F. Kennedy Center for the Performing Arts, Operations and Maintenance” shall be \$22,500,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$0” for “\$500,000”: *Provided further*, That the first proviso under such heading in division A of Public Law 111-88 is amended by striking “until expended” and all that follows and inserting “until September 30, 2011”.

SEC. 1755. Notwithstanding section 1101, the level for “John F. Kennedy Center for the Performing Arts, Capital Repair and Restoration” shall be \$13,920,000.

SEC. 1756. Notwithstanding section 1101, the level for “Woodrow Wilson International Center for Scholars, Salaries and Expenses” shall be \$11,225,000.

SEC. 1757. Notwithstanding section 1101, the level for “National Foundation on the Arts and the Humanities, National Endowment for the Arts, Grants and Administration” shall be \$155,000,000.

SEC. 1758. Notwithstanding section 1101, the level for “National Foundation on the Arts and the Humanities, National Endowment for the Humanities, Grants and Administration” shall be \$155,000,000: *Provided*, That the amounts included under such heading in division A of Public Law 111-88 shall be applied to funds appropriated by this division by substituting “\$140,700,000” for “\$153,200,000”.

SEC. 1759. Notwithstanding section 1101, the level for “Commission of Fine Arts, National Capital Arts and Cultural Affairs” shall be \$3,000,000.

SEC. 1760. Notwithstanding section 1101, the level for “Presidio Trust, Presidio Trust Fund” shall be \$15,000,000.

SEC. 1761. Notwithstanding section 1101, the level for “Dwight D. Eisenhower Memorial Commission, Salaries and Expenses” shall be \$0.

SEC. 1762. Notwithstanding section 1101, the level for “Dwight D. Eisenhower Memorial Commission, Capital Construction” shall be \$0.

SEC. 1763. Section 409 of division A of Public Law 111-88 (123 Stat. 2957) is amended by striking “and 111-8” and inserting “111-8, and 111-88”, and by striking “2009” and inserting “2010”.

SEC. 1764. Notwithstanding section 1101, the level for section 415 of division A of Public Law 111-88 shall be \$0.

SEC. 1765. Section 423 of division A of Public Law 111-88 (123 Stat. 2961), concerning the distribution of geothermal energy receipts, shall have no force or effect and the distribution formula contained in section 3003(a) of Public Law 111-212 (124 Stat. 2338) shall apply for fiscal year 2011.

SEC. 1766. Section 433 of division A of Public Law 111-88 (123 Stat. 2965) is amended by striking “2010” and “2009” and inserting “2011” and “2010”, respectively.

SEC. 1767. Section 7 of Public Law 99-647, as amended by section 702(d) of Public Law 109-338, is further amended by striking “5 years” and inserting “6 years”.

SEC. 1768. Not later than 30 days after the date of enactment of this division, each of the following departments and agencies shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2011 at a level of detail below the account level:

- (1) Department of the Interior.
- (2) Environmental Protection Agency.
- (3) Department of Agriculture, Forest Service.
- (4) Department of Health and Human Services, Indian Health Service.
- (5) Smithsonian Institution.
- (6) National Endowment for the Arts.
- (7) National Endowment for the Humanities.

SEC. 1769. For the fiscal year ending September 30, 2011, none of the funds made available by this division or any other Act may be used to implement, administer, or enforce Secretarial Order No. 3310 issued by the Secretary of the Interior on December 22, 2010.

TITLE VIII—LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, AND RELATED AGENCIES

SEC. 1801. (a) Notwithstanding section 1101, the level for “Department of Labor, Employment and Training Administration, Training and Employment Services” shall be \$1,575,648,000 plus reimbursements, of which—

(1) \$543,079,000 shall be available for obligation for the period July 1, 2011, through June 30, 2012, of which \$59,040,000 shall be available for adult employment and training activities, \$203,840,000 shall be available for dislocated worker employment and training activities, \$24,160,000 shall be available for the dislocated worker assistance national reserve, \$10,000,000 shall be available for pilots, demonstrations, and research activities of which no funds shall be available for Transitional Jobs activities, and \$85,561,000 shall be available for reintegration of ex-offenders of which no funds shall be available for Transitional Jobs activities: *Provided*, That the amounts included for national activities under such heading in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$48,889,000”;

(2) \$907,569,000 shall be available for obligation for the period April 1, 2011, through June 30, 2012, including \$827,569,000 for youth activities and \$80,000,000 for YouthBuild;

(3) \$125,000,000 shall remain available until September 30, 2012, and shall be available to the Secretary of Labor for the Workforce Innovation Fund, as established by this division to carry out projects that demonstrate innovative strategies or replicate effective evidence-based strategies that align and strengthen the workforce investment system in order to improve program delivery and education and employment outcomes for program beneficiaries: *Provided*, That amounts shall be available for awards to

States or State agencies that are eligible for assistance under any program authorized under the Workforce Investment Act of 1998 ("WIA"), consortia of States, or partnerships, including regional partnerships: *Provided further*, That notwithstanding section 128(a)(1) of the WIA, the amount available to the Governor for statewide activities shall not exceed 5 percent of the amount allotted to the State from the appropriation under this subparagraph;

(4) no funds shall be available for the Green Jobs Innovation Fund; and

(5) no funds shall be available for the Career Pathways Innovation Fund.

(b) Of the funds made available in division D of Public Law 111-117 for the Career Pathways Innovation Fund, \$125,000,000 is rescinded.

SEC. 1802. Of the funds made available by section 1101 of this division for "Department of Labor, Departmental Management, Office of Job Corps" for construction, rehabilitation, and acquisition of Job Corps centers, the Secretary of Labor may transfer up to 25 percent to meet the operational needs of Job Corps centers: *Provided*, That no funds shall be available to initiate a competition for any new Job Corps center not previously approved through a competitive selection process by the Secretary of Labor: *Provided further*, That of the unobligated balances of the funds made available for "Department of Labor, Departmental Management, Office of Job Corps", \$75,000,000 is rescinded.

SEC. 1803. Notwithstanding section 1101, the level for "Department of Labor, Employment and Training Administration, Community Service Employment for Older Americans" shall be \$450,000,000, and for purposes of funds appropriated by this division, the amounts under such heading in division D of Public Law 111-117 shall be applied by substituting "\$0" for "\$225,000,000", and the first and second provisos under such heading in such division shall not apply.

SEC. 1804. Notwithstanding section 1101, the level which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund for administrative expenses of "Department of Labor, Employment and Training Administration, State Unemployment Insurance and Employment Service Operations" shall be \$4,024,490,000 (which includes all amounts available to conduct in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews), of which \$3,245,645,000 shall be available for unemployment compensation State operations, \$50,519,000 shall be available for Federal administration of foreign labor certifications, and \$15,129,000 shall be available for grants to States for the administration of such activities. For purposes of this section, the first proviso under such heading in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "2011" and "6,180,000" for "2010" and "5,059,000", respectively.

SEC. 1805. Funds appropriated by section 1101 of this division to the Department of Labor's Employment and Training Administration for technical assistance services to grantees may be transferred to "Department of Labor, Employment and Training Administration, Program Administration" if it is determined that those services will be more efficiently performed by Federal staff.

SEC. 1806. Notwithstanding section 1101, the level for "Department of Labor, Employment Standards Administration, Salaries and Expenses" shall be \$485,255,000, together with \$2,124,000 which may be expended from

the Special Fund in accordance with sections 39(c), 44(d), and 44(j) of the Longshore and Harbor Workers' Compensation Act: *Provided*, That funds provided in this section may be allocated among the agencies included in this account and may be transferred to any other account within the Department of Labor for program direction and support of the agencies funded in this section.

SEC. 1807. Notwithstanding section 1101, the level for "Department of Labor, Mine Safety and Health Administration, Salaries and Expenses" shall be \$363,843,000, of which up to \$3,000,000 shall be available to the Secretary of Labor to be transferred to "Departmental Management, Salaries and Expenses" for activities related to the Department of Labor's caseload before the Federal Mine Safety and Health Review Commission, and the amounts included under the heading "Department of Labor, Mine Safety and Health Administration, Salaries and Expenses" in division D of Public Law 111-117 shall be applied to funds appropriated in this division by substituting "\$0" for "\$1,450,000" and by substituting "\$1,350,000" for "\$1,000,000".

SEC. 1808. Notwithstanding section 1101, the level for "Department of Labor, Departmental Management" shall be \$367,827,000, together with not to exceed \$327,000, which may be expended from the Employment Security Administration Account in the Unemployment Trust Fund, and the third proviso under such heading in division D of Public Law 111-117 shall not apply to funds appropriated in this division: *Provided*, That of the funds made available by this section, not less than \$21,332,000 may be used by the Secretary of Labor for the purposes of program evaluation, initiatives related to the identification and prevention of worker misclassification, and other worker protection activities, and may be transferred by the Secretary (in addition to any other transfer authority available by this division) to other agencies of the Department subject to a 15-day advance notification to the Committees on Appropriations of the House of Representatives and the Senate.

SEC. 1809. (a) Of the unobligated balances available in "Department of Labor, Working Capital Fund", \$3,900,000 is rescinded, to be derived solely from amounts available in the Investment in Reinvention Fund (other than amounts that were designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985).

(b) The language under the "Working Capital Fund" heading in Public Law 85-67, as amended, is further amended by striking "*Provided further*, That within the Working Capital Fund," through and including "to be available without further appropriation action:".

SEC. 1810. (a) Notwithstanding section 1101, the level for "Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services" shall be \$6,274,790,000 of which (1) not more than \$100,000,000 shall be available until expended for carrying out the provisions of Public Law 104-73 and for expenses incurred by the Department of Health and Human Services pertaining to administrative claims made under such law; (2) \$300,000,000 shall be for the program under title X of the Public Health Service Act ("PHS Act") to provide for voluntary family planning projects; (3) not less than \$1,982,865,000 shall remain available through

September 30, 2013 for parts A and B of title XXVI of the PHS Act, of which not less than \$885,000,000 shall be for State AIDS Drug Assistance Programs under the authority of section 2616 or 311(c) of such Act; and (4) no funds are provided for section 340G-1 of the PHS Act.

(b) The sixteenth, eighteenth, nineteenth, twenty-second, and twenty-fifth provisos under the heading "Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

(c) Sections 747(c)(2), and 751(j)(2) of the PHS Act, and the proportional funding amounts in paragraphs (1) through (4) of section 756(e) of such Act shall not apply to funds made available by this division for "Department of Health and Human Services, Health Resources and Services Administration, Health Resources and Services".

(d) For any program operating under section 751 of the PHS Act on or before January 1, 2009, the Secretary of Health and Human Services may waive any of the requirements contained in sections 751(d)(2)(A) and 751(d)(2)(B) of such Act.

(e) For purposes of this section, section 10503(d) of Public Law 111-148 shall be applied as if "over the fiscal year 2008 level," were stricken from such section.

SEC. 1811. (a) Notwithstanding section 1101, the level for the first undesignated paragraph under the heading "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research, and Training" in division D of Public Law 111-117 shall be \$5,660,291,000, of which \$523,533,000 shall remain available until expended for the Strategic National Stockpile under section 319F-2 of the PHS Act.

(b) The matter included before the first proviso under the heading "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research, and Training" in division D of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$0" for "\$20,620,000", by substituting "\$22,000,000" for "\$70,723,000", and as if "of which \$69,150,000 shall remain available until expended for acquisition of real property, equipment, construction and renovations of facilities," were stricken from such paragraph.

(c) Paragraphs (1) through (3) of section 2821(b) of the PHS Act shall not apply to funds made available by this division.

(d) Notwithstanding section 1101, funds appropriated for "Department of Health and Human Services, Centers for Disease Control and Prevention, Disease Control, Research, and Training" shall also be available to carry out title II of the Immigration and Nationality Act.

(e) Notwithstanding section 1101, funds made available by this division may be available for acquisition of real property and necessary repairs of facilities owned, leased, or operated by the Centers for Disease Control and Prevention: *Provided*, That such facilities relate to mine safety research: *Provided further*, That the Committees on Appropriations of the House of Representatives and the Senate are notified of the amounts to be obligated no less than 15 days in advance.

SEC. 1812. Notwithstanding section 1101, the level for "Department of Health and Human Services, National Institutes of Health, National Institute of Allergy and Infectious Diseases" shall be \$4,818,275,000, and

the requirement under “National Institute of Allergy and Infectious Diseases” in division D of Public Law 111–117 for a transfer from Biodefense Countermeasures funds shall not apply.

SEC. 1813. The amount provided by section 1101 for “Department of Health and Human Services, National Institutes of Health” is reduced by \$210,000,000, through a pro rata reduction in all of the Institutes, Centers, and Office of the Director accounts within “Department of Health and Human Services, National Institutes of Health” based on the total funding provided.

SEC. 1814. Notwithstanding section 1101, the level for “Department of Health and Human Services, National Institutes of Health, Buildings and Facilities” shall be \$50,000,000.

SEC. 1815. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Substance Abuse and Mental Health Services” shall be \$3,386,311,000, of which (1) not less than \$40,800,000 shall be for the National Child Traumatic Stress Initiative; and (2) no funds shall be available for the National All Schedules Prescription Electronic Reporting system.

(b) The amount included before the first proviso under the heading “Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Substance Abuse and Mental Health Services” in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$14,518,000”.

(c) The second proviso under the heading “Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, Substance Abuse and Mental Health Services” in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1816. Notwithstanding section 1101, the amount included under the heading “Department of Health and Human Services, Agency for Healthcare Research and Quality, Healthcare Research and Quality” in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$372,053,000” for “\$397,053,000”.

SEC. 1817. Notwithstanding section 1101, for payment to the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund, as provided under sections 217(g), 1844, and 1860D–16 of the Social Security Act, sections 103(c) and 111(d) of the Social Security Amendments of 1965, section 278(d) of Public Law 97–248, and for administrative expenses incurred pursuant to section 201(g) of the Social Security Act, \$229,464,000,000.

SEC. 1818. (a) Notwithstanding section 1101, the level for amounts transferred from the Federal Hospital Insurance Trust Fund and the Federal Supplementary Medical Insurance Trust Fund for “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Program Management” shall be \$3,470,242,000, of which the level for the Research, Demonstration, and Evaluation program shall be \$35,600,000.

(b) The amount under the third proviso under the heading “Department of Health and Human Services, Centers for Medicare and Medicaid Services, Program Management” in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$9,120,000” for “\$65,600,000”.

(c) The sixth proviso under the heading “Department of Health and Human Services,

Centers for Medicare and Medicaid Services, Program Management” in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1819. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance” shall be \$4,710,000,000, of which \$4,509,672,000 shall be for payments under subsections (b) and (d) of section 2602 of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8621); and of which \$200,328,000 shall be for payments under subsection (e) of such Act, to be made notwithstanding the designation requirements of such subsection.

(b) The second proviso under the heading “Department of Health and Human Services, Administration for Children and Families, Low Income Home Energy Assistance” in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1820. Of the unobligated balances available for “Department of Health and Human Services, Administration for Children and Families, Refugee and Entrant Assistance” from funds appropriated under this heading in fiscal year 2010 and prior fiscal years, \$25,000,000 is rescinded.

SEC. 1821. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” shall be \$2,227,081,000.

(b) The amount included in the first proviso under the heading “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$1,000,000”.

(c) The amounts included in the second proviso under the heading “Department of Health and Human Services, Administration for Children and Families, Payments to States for the Child Care and Development Block Grant” in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$284,160,000” for “\$271,401,000”, and by substituting “\$104,213,000” for “\$99,534,000”.

SEC. 1822. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration for Children and Families, Children and Families Services Programs” shall be \$9,538,433,000, of which (1) \$7,574,783,000 shall be for making payments under the Head Start Act; and (2) \$703,000,000 shall be for making payments under the Community Services Block Grant (“CSBG”) Act, of which \$23,350,000 shall be for sections 680 and 678E(b)(2), of which \$18,000,000 shall be for section 680(a)(2), and not less than \$5,000,000 shall be for section 680(a)(3)(B) of the CSBG Act.

(b) For purposes of allocating such funds under the Head Start Act, the term “base grant” as used in subsection (a)(7)(A) of section 640 of such Act with respect to funding provided to a Head Start agency (including each Early Head Start agency) for fiscal year 2010 shall be deemed to include 50 percent of the funds appropriated under “Department of Health and Human Services, Administration for Children and Families, Children and Families Services Programs” in Public Law 111–5 provided to such agency for carrying out expansion of Head Start programs, as that phrase is used in subsection (a)(4)(D) of such section 640, and provided to such agency

as the ongoing funding level for operations in the 12 month budget period beginning in fiscal year 2010.

(c) The fourteenth and fifteenth provisos under the heading “Department of Health and Human Services, Administration for Children and Families, Children and Families Services Programs” in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1823. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Administration on Aging, Aging Services Programs” shall be \$1,500,323,000, of which \$440,783,000 shall be for congregate nutrition, \$217,676,000 shall be for home-delivered nutrition, and \$27,708,000 shall be for Native American nutrition: *Provided*, That the total amount available for fiscal year 2011 under this and any other Act to carry out activities related to Aging and Disability Resource Centers under subsections (a)(20)(B)(iii) and (b)(8) of section 202 of the Older Americans Act shall not exceed the amount obligated for such purposes for fiscal year 2010 from funds available under Public Law 111–117.

(b) The first proviso under the heading “Department of Health and Human Services, Administration on Aging, Aging Services Programs” in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

(c) None of the funds appropriated by this division for “Department of Health and Human Services, Administration on Aging, Aging Services Programs” shall be used to carry out sections 1701 and 1703 of the PHS Act (with respect to chronic disease self-management activity grants), except that such funds may be used for necessary expenses associated with administering any such grants awarded prior to the date of the enactment of this division.

SEC. 1824. Notwithstanding section 1101, the level for “Department of Health and Human Services, Office of the Secretary, General Departmental Management” from the General Fund shall be \$651,786,000: *Provided*, That amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$5,789,000”: *Provided further*, That the second and seventh provisos under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this division: *Provided further*, That none of the funds made available in this division shall be for carrying out activities specified under section 2003(b)(2) or (3) of the PHS Act: *Provided further*, That of the amount included under the heading “Department of Health and Human Services, Office of the Secretary, General Departmental Management” up to \$175,905,000 may be transferred to other appropriation accounts within the Department of Health and Human Services to carry out the Secretary’s responsibilities: *Provided further*, That amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting in the third proviso “\$105,000,000” for “\$110,000,000”.

SEC. 1825. (a) Notwithstanding section 1101, the level for “Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund” shall be \$676,180,000, of which \$65,578,000 shall be for expenses necessary to prepare for and respond to an influenza pandemic, none of which shall be available past September 30, 2011, and \$35,000,000, to remain available until expended, shall be for expenses necessary for fit-out and other costs

related to a competitive lease procurement to renovate or replace the existing headquarters building for Public Health Service agencies and other components of the Department of Health and Human Services: *Provided*, That in addition, \$415,000,000 of the funds transferred to the account under the heading "Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund" in Public Law 111-117 under the fourth paragraph under such heading may be used to support advanced research and development pursuant to section 319L of the PHS Act and other administrative expenses of the Biomedical Advanced Research and Development Authority: *Provided further*, That the first proviso in the first paragraph under such heading in division D of Public Law 111-117 and the language in such paragraph designating \$10,000,000 to support delivery of medical countermeasures shall not apply to funds provided in this section: *Provided further*, That the fourth paragraph under such heading shall not apply to funds appropriated by this division.

(b) Of the amounts provided under the heading "Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund" in Public Laws 111-8 and 111-117 and available for expenses necessary to prepare for and respond to an influenza pandemic, \$170,000,000 may also be used—

(1) to plan, conduct, and support research to advance regulatory science to improve the ability to determine safety, effectiveness, quality, and performance of medical countermeasure products against chemical, biological, radiological, and nuclear agents including influenza virus; and

(2) to analyze, conduct, and improve regulatory review and compliance processes for such products.

SEC. 1826. Of the funds made available for "Department of Health and Human Services, Office of the Secretary, Public Health and Social Services Emergency Fund" in Public Law 111-32, \$1,259,000,000 is rescinded, to be derived only from those amounts which have not yet been designated by the President as emergency funds.

SEC. 1827. Hereafter, no funds appropriated by this division or by any previous or subsequent Act shall be subject to the allocation requirements of section 1707A(e) of the PHS Act.

SEC. 1828. Hereafter, no funds appropriated by this division or by any previous or subsequent Act shall be available for transfer under section 274 of the PHS Act.

SEC. 1829. (a) Notwithstanding section 1101, the level for "Department of Education, Education for the Disadvantaged" shall be \$4,725,891,000, of which \$4,628,056,000 shall become available on July 1, 2011, and remain available through September 30, 2012 for academic year 2011-2012: *Provided*, That not more than \$8,167,000 shall be available to carry out sections 1501 and 1503 of the Elementary and Secondary Education Act of 1965 ("ESEA").

(b) The seventh proviso under the heading "Department of Education, Education for the Disadvantaged" in division D of Public Law 111-117 shall be applied by substituting "\$535,633,000" for "\$545,633,000" and the tenth, eleventh and twelfth provisos shall not apply to funds appropriated by this division.

SEC. 1830. For purposes of this division, the proviso under the heading "Department of Education, Impact Aid" in division D of Public Law 111-117 shall be applied by substituting "2010-2011" for "2009-2010".

SEC. 1831. (a) Notwithstanding section 1101, the level for "Department of Education, School Improvement Programs" shall be \$2,924,791,000, of which \$2,754,244,000 shall become available on July 1, 2011, and remain available through September 30, 2012 for academic year 2011-2012: *Provided*, That of the amounts available for such heading: (1) no funds shall be available for activities authorized under part D of title II of the ESEA, or subpart 6 of part D of title V of the ESEA, or part Z of title VIII of the Higher Education Act of 1965; (2) \$26,928,000 shall be available to carry out part D of title V of the ESEA; (3) for purposes of this section, up to \$11,500,000 shall be available for activities described in the twelfth proviso under such heading in division D of Public Law 111-117; (4) \$380,732,000 shall be for State assessments authorized under section 6111 of the ESEA and \$10,000,000 shall be for enhanced assessment instruments authorized under section 6112 of the ESEA; and (5) up to 1 percent of the funds for subpart 1 of part A of Title II of the ESEA shall be reserved by the Secretary of Education for competitive awards for teacher training or professional enhancement activities to national not-for-profit organizations.

(b) The seventh proviso shall be applied by substituting "\$51,313,000" for "\$56,313,000" and the second, third, fifth, sixth, eighth and thirteenth provisos under the heading "Department of Education, School Improvement Programs" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

SEC. 1832. (a) Notwithstanding section 1101, the level for "Department of Education, Innovation and Improvement" shall be \$1,859,899,000, of which—

(1) \$850,000,000 shall become available on the date of enactment of this division, and remain available through December 31, 2011, \$440,982,000 shall be available to carry out part D of title V of the ESEA, and no funds shall be available for activities authorized under section 2151(c) of the ESEA, section 1504 of the ESEA, or part F of title VIII of the Higher Education Act of 1965; and

(2) not more than \$150,000,000 may be used to make awards under section 14007 of division A of Public Law 111-5 and not more than \$700,000,000 may be used to make awards to States under section 14006 of division A of Public Law 111-5, as amended by subsection (b) of this section: *Provided*, That none of such funds shall be made available prior to the submission of a detailed spending plan outlining the proposed competitions and priorities to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That awards may be made on the basis of previously submitted applications: *Provided further*, That the Secretary of Education shall administer grants for improving early childhood care and education jointly with the Secretary of Health and Human Services on such terms as such Secretaries set forth in an interagency agreement: *Provided further*, That the Secretary of Education shall be responsible for obligating and disbursing funds and ensuring compliance with applicable laws and administrative requirements with regard to such awards: *Provided further*, That the Secretary shall provide, on a timely and periodic basis, the findings from evaluations, including impact evaluations and interim progress evaluations, of activities conducted using funds previously obligated under sections 14006 and 14007 of division A of Public Law 111-5, including Race to the Top and the Investing in Innovation Fund, to the Committees on Ap-

propriations of the House of Representatives and the Senate.

(b) Division A of Public Law 111-5, as amended, is further amended—

(1) in section 14005(d), by adding at the end the following:

"(6) IMPROVING EARLY CHILDHOOD CARE AND EDUCATION.—The State will take actions to—
“(A) increase the number and percentage of low-income and disadvantaged children in each age group of infants, toddlers, and preschoolers who are enrolled in high-quality early learning programs;

“(B) design and implement an integrated system of high-quality early learning programs and services; and

“(C) ensure that any use of assessments conforms with the recommendations of the National Research Council's reports on early childhood.”; and

(2) in section 14006—

(A) in subsection (b), by striking “and (5)” and inserting “(5), or (6)”; and

(B) in subsection (c)(2), by inserting before the period “, or to a State or States for improving early childhood care and education”.

(c) The first, third, fourth, seventeenth and eighteenth provisos under the heading "Department of Education, Innovation and Improvement" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

SEC. 1833. (a) Notwithstanding section 1101, the level for "Department of Education, Safe Schools and Citizenship Education" shall be \$289,043,000, of which, notwithstanding section 2343(b) of the ESEA, \$1,157,000 is for the continuation costs of awards made on a competitive basis under section 2345 of the ESEA, \$161,500,000 shall be available to carry out part D of title V, and \$126,386,000 shall be for subpart 2 of part A of title IV of the ESEA: *Provided*, That \$30,000,000 shall be available for Promise Neighborhoods and be available through December 31, 2011.

(b) The first, second, and third provisos under the heading "Department of Education, Safe Schools and Citizenship Education" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

SEC. 1834. Notwithstanding section 1101, the level for "Department of Education, English Language Acquisition" shall be \$735,000,000.

SEC. 1835. (a) Notwithstanding section 1101, the level for "Department of Education, Special Education" shall be \$3,975,665,000, of which \$3,726,354,000 shall become available on July 1, 2011, and remain available through September 30, 2012 for academic year 2011-2012.

(b) The first and second provisos under the heading "Department of Education, Special Education" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

(c) The third proviso under such heading shall be applied by substituting "2010" for "2009".

SEC. 1836. (a) Notwithstanding section 1101, the level for "Department of Education, Rehabilitation Services and Disability Research" shall be \$3,475,500,000.

(b) The second proviso under the heading "Department of Education, Rehabilitation Services and Disability Research" in division D of Public Law 111-117 shall not apply to funds appropriated by this division.

SEC. 1837. Notwithstanding section 1101, the level for "Department of Education, Special Institutions for Persons with Disabilities, National Technical Institute for the Deaf" shall be \$65,677,000, of which \$240,000 shall be available for construction.

SEC. 1838. (a) Notwithstanding section 1101, the level for "Department of Education, Career, Technical, and Adult Education" shall be \$951,432,000 which shall become available on July 1, 2011, and remain available through September 30, 2012 for academic year 2011–2012: *Provided*, That of the amounts available for such heading, no funds shall be available for activities authorized under subpart 4 of part D of title V of the ESEA, or part D of title VIII of the Higher Education Amendments of 1998.

(b) The first, second, third, seventh and eighth provisos under the heading "Department of Education, Career, Technical, and Adult Education" in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1839. (a) Notwithstanding section 1101, the level for "Department of Education, Student Financial Assistance" shall be \$24,719,957,000, of which \$23,002,000,000 shall be available to carry out subpart 1 of part A of title IV of the Higher Education Act of 1965 and no funds shall be available for activities authorized under subpart 4 of part A of title IV of the Higher Education Act of 1965.

(b) The maximum Pell grant for which a student shall be eligible during award year 2011–2012 shall be \$4,860.

SEC. 1840. Of the unobligated balances of funds made available in subparagraphs (A) through (E) of section 401A(e)(1) of the Higher Education Act of 1965, \$560,000,000 is rescinded.

SEC. 1841. Notwithstanding sections 1101 and 1103, the level for "Department of Education, Student Aid Administration" shall be \$994,000,000, which shall remain available through September 30, 2012.

SEC. 1842. (a) Notwithstanding section 1101, the level for "Department of Education, Higher Education" shall be \$1,907,760,000, of which no funds shall be available for activities authorized under section 428L of part B of title IV of the Higher Education Act of 1965 ("HEA"), subpart 6 of part A of title IV of the HEA, subpart 1 of part D of title VII of the HEA, subpart 3 of part A of title VII of the HEA, section 1543 of the Higher Education Amendments of 1992, part H of title VIII of the Higher Education Amendments of 1998, or part I of subtitle A of title VI of the America COMPETES Act: *Provided*, That the first proviso under the heading "Department of Education, Higher Education" in division D of Public Law 111–117 shall be replaced by the following: "*Provided*, That \$8,100,000, to remain available through September 30, 2012, shall be available to fund fellowships for academic year 2012–2013 under subpart 1 of part A of title VII of the Higher Education Act, under the terms and conditions of such subpart 1": *Provided further*, That the last proviso under such heading in division D of Public Law 111–117 shall not apply to funds appropriated by this division, except that \$1,000,000 shall be available for competitive grants under section 872 of the HEA.

(b) The seventh, eighth, ninth, tenth, eleventh, twelfth, and thirteenth provisos under the heading "Department of Education, Higher Education" in division D of Public Law 111–117 shall not apply to funds appropriated by this division.

SEC. 1843. Notwithstanding section 1101, the level for "Department of Education, Historically Black College and University Capital Financing Program Account" shall be \$20,582,000: *Provided*, That these funds are available to subsidize total loan principal, any part of which is to be guaranteed, not to exceed \$279,393,000.

SEC. 1844. (a) Notwithstanding section 1101, the level for "Department of Education, In-

stitute of Education Sciences" shall be \$610,006,000 and shall remain available through September 30, 2012.

(b) Notwithstanding subsections (d) and (e) of section 174 of the Education Sciences Reform Act of 2002, up to \$57,650,000 may be used to extend any contracts to administer the Regional Educational Laboratories that were in effect on, or entered into, after January 1, 2011, for a period of not more than 12 months.

SEC. 1845. Notwithstanding section 1101, the level for "Corporation for National and Community Service, Operating Expenses" shall be \$782,374,000, of which \$307,374,000 shall be to carry out the Domestic Volunteer Service Act of 1973 and \$475,000,000 shall be to carry out the National and Community Service Act of 1990 and notwithstanding sections 198B(b)(3), 198S(g), 501(a)(4)(C), and 501(a)(4)(F) of the 1990 Act.

SEC. 1846. Notwithstanding section 1101, the level for "Corporation for National and Community Service, National Service Trust" shall be \$199,659,000.

SEC. 1847. The amounts included under the heading "Corporation for Public Broadcasting" in division D of Public Law 111–117 shall be applied to funds appropriated by this division as follows: by substituting "\$6,000,000" for "\$86,000,000"; by substituting "\$0" for "\$25,000,000"; by substituting "\$6,000,000" for "\$36,000,000"; and by substituting "\$0" for "\$25,000,000".

SEC. 1848. Notwithstanding section 1101, the level for "Institute of Museum and Library Services, Office of Museum and Library Services: Grants and Administration" shall be \$237,869,000: *Provided*, That the amounts included under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting "\$0" for "\$16,382,000".

SEC. 1849. Notwithstanding section 1101, the level for "Medicare Payment Advisory Commission, Salaries and Expenses" shall be \$12,450,000.

SEC. 1850. Notwithstanding section 1101, the level for "Railroad Retirement Board, Dual Benefits Payments Account" shall be \$57,000,000.

SEC. 1851. Notwithstanding section 1101, the level for "Social Security Administration, Payments to Social Security Trust Funds" shall be \$21,404,000, and in addition such funds may be used to carry out section 217(g) of the Social Security Act.

SEC. 1852. Notwithstanding section 1101, the level for the first paragraph under the heading "Social Security Administration, Supplemental Security Income Program" in division D of Public Law 111–117 shall be \$39,983,273,000, of which \$3,493,273,000 shall be for administrative expenses.

SEC. 1853. Notwithstanding section 1101, the level for the first paragraph under the heading "Social Security Administration, Limitation on Administrative Expenses" in division D of Public Law 111–117 shall be \$10,775,500,000. In addition, the amount included in the fourth paragraph under such heading in division D of Public Law 111–117 shall be applied to funds appropriated by this division by substituting "\$186,000,000" for "\$160,000,000" each place it appears.

SEC. 1854. Of the funds appropriated for "Social Security Administration, Limitation on Administrative Expenses" for fiscal years 2010 and prior years and available without fiscal year limitation (other than funds appropriated in Public Law 111–5) for investment in information technology and telecommunications hardware and software infrastructure, \$75,000,000 is rescinded.

SEC. 1855. All funds transferred under the authority of section 4002 of Public Law 111–148 shall be subject to the terms and conditions of section 503 of division D of Public Law 111–117.

GAO REPORTS AND AUDITS ON PPACA IMPLEMENTATION AND COMPARATIVE EFFECTIVENESS RESEARCH FUNDING AND MEDICARE ACTUARIAL ANALYSIS OF IMPACT OF CERTAIN PPACA INSURANCE CHANGES ON PREMIUMS

SEC. 1856. (a) GAO REPORT ON PPACA IMPLEMENTATION.—Not later than 90 days after the date of the enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the costs and processes of implementing PPACA. Such report shall include the following (as of the date of preparation of the report):

(1) A list of the contracts, including the name of the contractors, their general areas of expertise, and the amount of money expended on each such contract, entered into by the Department of Health and Human Services and other Federal departments and agencies to provide services related to authority under PPACA that was not previously authorized.

(2) A list of any firms hired by such a Department or agency to facilitate contracting with such contractors.

(3) A list of consultants who have been hired by such a Department or agency to assist in implementing PPACA, including their areas of expertise and the total cost for such consultants.

(b) GAO AUDIT OF ANNUAL LIMIT WAIVER REQUESTS.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report that includes the results of an audit of requests for administrative waiver of the annual limit requirements of section 2711(a) of the Public Health Service Act (as inserted by section 1001(5) of the Patient Protection and Affordable Care Act). Such report shall include an analysis of the number of approvals and denials of such requests and the reasons for such approval or denial.

(c) MEDICARE ACTUARIAL ANALYSIS OF PROJECTED PREMIUM IMPACTS OF APPLYING CERTAIN REQUIREMENTS.—Not later than 90 days after the date of the enactment of this Act, the Chief Actuary of the Centers for Medicare & Medicaid Services shall submit to Congress a report that contains an estimate of the impact of the guaranteed issue, guaranteed renewal, and community rating requirements under sections 2701 through 2703 of the Public Health Service Act, as inserted by section 1201 of the Patient Protection and Affordable Care Act, on premiums for individuals and families with employer-sponsored health insurance. Such estimate shall cover the 10-year period beginning with 2014 and shall include an estimate of the number of such individuals and families who will experience a premium increase as a result of such requirements and the number of such individuals and families who will experience a premium decrease as a result of such requirements.

(d) GAO AUDIT OF COMPARATIVE EFFECTIVENESS RESEARCH FUNDING.—Not later than 60 days after the date of the enactment of this Act, the Comptroller General shall submit to Congress a report that includes the results of an audit of expenditures made for comparative effectiveness research through funds provided to the Agency for Healthcare Research and Quality, the National Institutes of Health, or any other agency within the Department of Health and Human Services under title VIII of the American Recovery and Reinvestment Act of 2009 (Public Law

111-5) or under PPACA. Such report shall include a description of the expenditures made, the entities who received such funding, and the purpose of the funding.

(e) PPACA DEFINED.—In this section, the term “PPACA” means the Patient Protection and Affordable Care Act (Public Law 111-148) and includes the amendments made by such Act, title I and subtitle B of title II of the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152), and the amendments made by such title and subtitle.

SEC. 1857. Of the funds made available for the Consumer Operated and Oriented Plan Program under Section 1322(g) of the Patient Protection and Affordable Care Act, \$2,200,000,000 are hereby permanently cancelled.

FREE CHOICE VOUCHERS

SEC. 1858. (a) IN GENERAL.—Subsections (a), (b), (c), (d), and (e) of section 10108 of the Patient Protection and Affordable Care Act are repealed.

(b) CONFORMING CHANGES TO TAX CODE.—

(1) Section 36B(c)(2) of the Internal Revenue Code of 1986 is amended by striking subparagraph (D).

(2)(A) Section 139D, as added by section 10108 of PPACA, of such Code is repealed.

(B) The table of sections for part III of subchapter B of chapter 1 of such Code is amended by striking the item relating to section 139D, as added by section 10108 of PPACA.

(3) Section 162(a) of such Code is amended by striking the last sentence.

(4) Section 4980H(b) of such Code is amended by striking paragraph (3).

(5) Section 6056 of such Code is amended—

(A) by striking “and every offering employer” in subsection (a),

(B) in subsection (b)(2)(C)—

(i) by striking “in the case of an applicable large employer,” in clause (i),

(ii) by inserting “and” at the end of clause (iii),

(iii) by striking “and” at the end of clause (iv), and

(iv) by striking clause (v),

(C) by striking “or offering employer” in subsections (d)(2) and (e), and

(D) by amending subsection (f) to read as follows:

“(f) DEFINITIONS.—For purposes of this section, any term used in this section which is also used in section 4980H shall have the meaning given such term by section 4980H.”.

(c) OTHER CONFORMING CHANGE.—Section 18B(a)(3) of the Fair Labor Standards Act of 1938 (29 U.S.C. 218B) is amended by striking “and the employer does not offer a free choice voucher”.

(d) EFFECTIVE DATE.—The amendments made by this section shall take effect as if included in the provisions of, and the amendments made by, the provisions of the Patient Protection and Affordable Care Act to which they relate.

SEC. 1859. Of the funds made available for performance bonus payments under section 2105(a)(3)(E) of the Social Security Act, \$3,500,000,000 are hereby permanently cancelled.

SEC. 1860. (a) Section 401(b) of the Higher Education Act of 1965 (20 U.S.C. 1070a(b)) is amended—

(1) in paragraph (2)(A)(ii), by striking “paragraph (8)(B)” and inserting “paragraph (7)(B)”;

(2) by striking paragraph (5);

(3) in paragraph (8)—

(A) in subparagraph (A), by amending clause (iv) to read as follows:

“(iv) to carry out this section—

“(I) \$13,500,000,000 for fiscal year 2011;

“(II) \$3,183,000,000 for fiscal year 2012;

“(III) \$0 for fiscal year 2013;

“(IV) \$0 for fiscal year 2014;

“(V) \$0 for fiscal year 2015;

“(VI) \$0 for fiscal year 2016;

“(VII) \$1,060,000,000 for fiscal year 2017;

“(VIII) \$1,125,000,000 for fiscal year 2018;

“(IX) \$1,125,000,000 for fiscal year 2019;

“(X) \$1,140,000,000 for fiscal year 2020; and

“(XI) \$1,145,000,000 for fiscal year 2021 and each succeeding fiscal year.”; and

(B) in subparagraph (C)—

(i) in clause (i)(I), by striking “clause (v)(II)” and inserting “clause (iv)(II)”;

(ii) in clause (ii)(I), by striking “clause (v)(II)” and inserting “clause (iv)(II)”;

(4) by redesignating paragraphs (6), (7), and (8) as paragraphs (5), (6), and (7), respectively.

(b) The amendment made by subsection (a)(2) shall be effective with respect to the 2011-2012 award year and succeeding award years.

(c) Sections 482(c) and 492 of the Higher Education Act of 1965 (20 U.S.C. 1089(c), 1098a) shall not apply to the amendments made by subsection (a)(2), or to any regulations promulgated under those amendments.

(d) The requirements of 34 C.F.R. 690.64(b) shall not apply with respect to 2011 cross-over payment periods.

SEC. 1861. Section 101 of Public Law 111-226 (124 Stat. 2389) is amended by striking paragraph (11).

SEC. 1862. Of the unobligated balances of funds made available in section 458(a)(7)(B) of the Higher Education Act of 1965, \$31,000,000 is rescinded.

SEC. 1863. Within 30 days of the enactment of this division, each of the departments and related agencies funded in this title shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending, expenditure, or operating plan for fiscal year 2011 at a level of detail below the account level.

TITLE IX—LEGISLATIVE BRANCH

SEC. 1901. Notwithstanding section 1101, the level for each of the following accounts of the Senate shall be as follows: “Salaries, Officers and Employees”, \$185,982,000; “Salaries, Officers and Employees, Office of the Sergeant at Arms and Doorkeeper”, \$77,000,000; “Contingent Expenses of the Senate, Secretary of the Senate”, \$6,200,000, of which \$4,200,000 shall remain available until September 30, 2015; and “Contingent Expenses of the Senate, Sergeant at Arms and Doorkeeper of the Senate”, \$142,401,000.

SEC. 1902. Notwithstanding section 1101, the level for each of the following accounts of the Senate under the heading “Contingent Expenses of the Senate” shall be as follows: “Miscellaneous Items”, \$21,145,000; “Senators’ Official Personnel and Office Expense Account”, \$410,000,000: *Provided*, That each Senator’s official personnel and office expense allowance (including the allowance for administrative and clerical assistance, the salaries allowance for legislative assistance to Senators, as authorized by the Legislative Branch Appropriation Act, 1978 (Public Law 95-94), and the office expense allowance for each Senator’s office for each State) in effect immediately before the date of enactment of this section shall be reduced by 5 percent.

SEC. 1903. Of the unobligated amounts appropriated for fiscal year 2009 under the heading “Senate”, \$33,500,000 are rescinded.

SEC. 1904. Section 8 of the Legislative Branch Appropriations Act, 1990 (31 U.S.C. 1535 note) is amended by striking paragraph (3) and inserting the following:

“(3) Agreement under paragraph (1) shall be in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.”.

SEC. 1905. Notwithstanding section 1101, the level for “House of Representatives, Salaries and Expenses” shall be \$1,314,025,000.

SEC. 1906. Notwithstanding section 1101, the level for “House of Representatives, House Leadership Offices” shall be \$24,861,969, and the levels under that heading shall be as follows:

(1) For the Office of the Speaker, \$4,877,851.

(2) For the Office of the Majority Floor Leader, \$2,432,808.

(3) For the Office of the Minority Floor Leader, \$4,378,238.

(4) For the Office of the Majority Whip, \$2,105,373.

(5) For the Office of the Minority Whip, \$1,628,873.

(6) For the Speaker’s Office for Legislative Floor Activities, \$497,619.

(7) For the Republican Steering Committee, \$940,674.

(8) For the Republican Conference, \$1,679,970.

(9) For the Republican Policy Committee, \$344,485.

(10) For the Democratic Steering and Policy Committee, \$1,319,273.

(11) For the Democratic Caucus, \$1,659,696.

(12) For nine minority employees, \$1,487,455.

(13) For the training and program development—majority, \$277,807.

(14) For the training and program development—minority, \$277,439.

(15) For Cloakroom Personnel—majority, \$477,469.

(16) For Cloakroom Personnel—minority, \$476,939.

SEC. 1907. Notwithstanding section 1101, the level for “House of Representatives, Members’ Representational Allowances” shall be \$613,052,000.

SEC. 1908. Notwithstanding section 1101, the level for “House of Representatives, Committee Employees, Standing Committees, Special and Select” shall be \$134,549,103, and the period of applicability referred to in the proviso under that heading shall be December 31, 2012.

SEC. 1909. Notwithstanding section 1101, the level for “House of Representatives, Committee on Appropriations” shall be \$28,483,000, and the period of applicability referred to in the proviso under that heading shall be December 31, 2012.

SEC. 1910. Notwithstanding section 1101, the level for “House of Representatives, Salaries, Officers and Employees” shall be \$193,326,000, and the level under that heading—

(1) for the Office of the Clerk shall be \$28,589,000;

(2) for the Office of the Sergeant at Arms shall be \$9,034,000; and

(3) for the Office of the Chief Administrative Officer shall be \$127,782,000.

SEC. 1911. Notwithstanding section 1101, the level for “House of Representatives, Allowances and Expenses” shall be \$319,752,928, and the level under that heading—

(1) for Government contributions for health, retirement, Social Security, and other applicable employee benefits shall be \$282,976,856;

(2) for Business Continuity and Disaster Recovery shall be \$22,912,072, of which \$5,000,000 shall remain available until expended; and

(3) for the Wounded Warrior Program shall be \$2,000,000.

SEC. 1912. Notwithstanding section 1101, the level for "Joint Items, Joint Economic Committee" shall be \$4,499,000.

SEC. 1913. Notwithstanding section 1101, the level for "Joint Items, Joint Committee on Taxation" shall be \$10,551,150.

SEC. 1914. Notwithstanding section 1101, the level for "Office of the Attending Physician" shall be \$3,407,000, and the level under that heading for reimbursement to the Department of the Navy for expenses incurred for staff and equipment shall be \$2,426,000.

SEC. 1915. Notwithstanding section 1101, the level for "Capitol Police, Salaries" shall be \$277,688,000.

SEC. 1916. Notwithstanding section 1101, the level for "Office of Compliance, Salaries and Expenses" shall be \$4,085,150, and the period of availability referred to under such heading shall be September 30, 2012.

SEC. 1917. Notwithstanding section 1101, the level for "Congressional Budget Office, Salaries and Expenses" shall be \$46,865,000.

SEC. 1918. Notwithstanding section 1101, the period of availability for each item under the heading "Architect of the Capitol" may not extend beyond September 30, 2015.

SEC. 1919. Of the unobligated amounts appropriated from prior year appropriations under the heading "Architect of the Capitol" for the Capitol Visitor Center project, \$14,600,000 are rescinded.

SEC. 1920. Notwithstanding section 1101, the level for "Library of Congress, Salaries and Expenses" shall be \$439,000,000, and the amount applicable under the fifth and seventh provisos under that heading shall be \$0.

SEC. 1921. Notwithstanding section 1101, the level for "Library of Congress, Copyright Office, Salaries and Expenses" shall be \$54,476,000, of which not more than \$30,751,000, to remain available until expended, shall be derived from collections credited to such appropriation during fiscal year 2011 under section 708(d) of title 17, United States Code, and the amount applicable under the third proviso under such heading shall be \$36,612,000.

SEC. 1922. Notwithstanding section 1101, the level for "Library of Congress, Congressional Research Service, Salaries and Expenses" shall be \$111,240,000.

SEC. 1923. Notwithstanding section 1101, the level for "Library of Congress, Books for the Blind and Physically Handicapped, Salaries and Expenses" shall be \$68,182,000.

SEC. 1924. Notwithstanding section 1101, the level for "Government Printing Office, Government Printing Office Revolving Fund" shall be \$1,659,000.

SEC. 1925. Notwithstanding section 1101, the level for "Government Printing Office, Office of Superintendent of Documents, Salaries and Expenses" shall be \$39,911,000, and the amounts authorized for producing and disseminating Congressional serial sets and other related publications to depository and other designated libraries shall apply to publications for fiscal years 2009 and 2010.

SEC. 1926. (a) Section 309(c) of the Legislative Branch Appropriations Act, 1999 (44 U.S.C. 305 note) is amended by striking paragraph (5).

(b) The amendment made by subsection (a) shall take effect as if included in the enactment of the Legislative Branch Appropriations Act, 1999.

SEC. 1927. Notwithstanding section 1101, the level for "Government Accountability Office, Salaries and Expenses" shall be \$547,349,000, the amount applicable under the first proviso under that heading shall be \$9,400,000, the amount applicable under the second proviso under that heading shall be

\$3,100,000, and the amount applicable under the third proviso under that heading shall be \$7,000,000.

SEC. 1928. Notwithstanding section 1101, the level for "Open World Leadership Center Trust Fund" shall be \$11,400,000.

TITLE X—MILITARY CONSTRUCTION, VETERANS AFFAIRS, AND RELATED AGENCIES

SEC. 2001. Notwithstanding section 1101, the level for each of the following accounts of the Department of Defense for funding, including incremental funding, of programs, projects and activities authorized in division B of Public Law 111-383, excluding funds designated by section 1110 of this division, shall be as follows: "Military Construction, Army", \$3,787,598,000; "Military Construction, Navy and Marine Corps", \$3,303,611,000; "Military Construction, Air Force", \$1,106,995,000; "Military Construction, Defense-Wide", \$2,873,062,000; "Military Construction, Army National Guard", \$873,664,000; "Military Construction, Air National Guard", \$194,986,000; "Military Construction, Army Reserve", \$318,175,000; "Military Construction, Navy Reserve", \$61,557,000; and "Military Construction, Air Force Reserve", \$7,832,000: *Provided*, That not later than 30 days after the date of the enactment of this section, the Secretary of Defense shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for fiscal year 2011 at a level of detail below the account level.

SEC. 2002. Notwithstanding section 1101, the level for each of the following accounts of the Department of Defense shall be as follows: "Family Housing Construction, Army", \$92,369,000; "Family Housing Construction, Navy and Marine Corps", \$186,444,000; "Family Housing Construction, Air Force", \$78,025,000; "Family Housing Construction, Defense-Wide", \$0; and "Family Housing Improvement Fund", \$1,096,000.

SEC. 2003. Notwithstanding section 1101, the level for each of the following accounts of the Department of Defense shall be as follows: "North Atlantic Treaty Organization Security Investment Program", \$258,884,000; "Homeowners Assistance Fund", \$16,515,000; "Chemical Demilitarization Construction, Defense-Wide", \$124,971,000; "Department of Defense Base Closure Account 1990", \$360,474,000; and "Department of Defense Base Closure Account 2005", \$2,354,285,000.

SEC. 2004. Notwithstanding section 1101, the level for each of the following accounts of the Department of Defense shall be as follows: "Family Housing Operation and Maintenance, Army", \$518,140,000; "Family Housing Operation and Maintenance, Navy and Marine Corps", \$366,346,000; "Family Housing Operation and Maintenance, Air Force", \$513,792,000; and "Family Housing Operation and Maintenance, Defense-Wide", \$50,464,000.

SEC. 2005. Of the funds designated by section 1110 of this division, funds available for the Department of Defense shall be as follows: "Military Construction, Army", \$981,346,000; "Military Construction, Air Force", \$195,006,000; and "Military Construction, Defense-Wide", \$46,500,000.

SEC. 2006. Notwithstanding any other provision of this division, the following provisions included in title I of division E of Public Law 111-117 shall not apply to funds made available by this division: the first, second, and last provisos, and the set-aside of \$350,000,000, under the heading "Military Construction, Army"; the first and last provisos under the heading "Military Construction, Navy and Marine Corps"; the first, sec-

ond, and last provisos under the heading "Military Construction, Air Force"; the second, third, fourth, and last provisos under the heading "Military Construction, Defense-Wide"; the first, second and last provisos, and the set-aside of \$30,000,000, under the heading "Military Construction, Army National Guard"; the first, second, and last provisos, and the set-aside of \$30,000,000, under the heading "Military Construction, Air National Guard"; the first, second, and last provisos, and the set-aside of \$30,000,000, under the heading "Military Construction, Army Reserve"; the first, second, and last provisos, the set-aside of \$20,000,000, and the set-aside of \$35,000,000, under the heading "Military Construction, Navy Reserve"; the first, second, and last provisos, and the set-aside of \$55,000,000, under the heading "Military Construction, Air Force Reserve"; the proviso under the heading "Family Housing Construction, Army"; the proviso under the heading "Family Housing Construction, Navy and Marine Corps"; the proviso under the heading "Family Housing Construction, Air Force"; the proviso under the heading "Family Housing Construction, Defense-Wide"; and the proviso under the heading "Chemical Demilitarization Construction, Defense-Wide".

SEC. 2007. Notwithstanding any other provision of this division, the following provisions included in title IV of division E of Public Law 111-117 shall not apply to funds appropriated by this division: the proviso under "Military Construction, Army" and the proviso under "Military Construction, Air Force".

SEC. 2008. Of the funds made available for "Military Construction, Defense-Wide" in title I of division E of Public Law 110-329, \$23,000,000 are rescinded.

SEC. 2009. Of the funds made available for "Military Construction, Defense-Wide" in title I of division E of Public Law 111-117, \$125,500,000 are rescinded.

SEC. 2010. Of the funds made available for "Military Construction, Army" in title I of division E of Public Law 111-117, \$263,000,000 are rescinded.

SEC. 2011. Of the funds made available for "Military Construction, Navy and Marine Corps" in title I of division E of Public Law 111-117, \$61,050,000 are rescinded.

SEC. 2012. Of the funds made available for "Military Construction, Air Force" in title I of division E of Public Law 111-117, \$121,700,000 are rescinded.

SEC. 2013. Of the unobligated balances available for "Department of Defense Base Closure Account 2005" from prior appropriations (other than appropriations designated by law as being for contingency operations directly related to the global war on terrorism or as an emergency requirement), \$232,363,000 are rescinded.

SEC. 2014. (a) Of the funds made available in title II of division E of Public Law 111-117, the following amounts which became available on October 1, 2010 are hereby rescinded from the following accounts in the amounts specified:

(1) "Department of Veterans Affairs, Medical Services", \$1,000,000,000;

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$100,000,000; and

(3) "Department of Veterans Affairs, Medical Facilities", \$100,000,000.

(b) In addition to amounts provided elsewhere in this Act, an additional amount is appropriated to the following accounts in the amounts specified, to remain available until September 30, 2012:

(1) "Department of Veterans Affairs, Medical Services", \$1,000,000,000;

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$100,000,000; and

(3) "Department of Veterans Affairs, Medical Facilities", \$100,000,000.

SEC. 2015. Notwithstanding section 1118, the levels for each of the following accounts for fiscal year 2012 shall be as follows:

(1) "Department of Veterans Affairs, Medical Services", \$39,649,985,000, which shall become available on October 1, 2011, and shall remain available until September 30, 2012.

(2) "Department of Veterans Affairs, Medical Support and Compliance", \$5,535,000,000, which shall become available on October 1, 2011, and shall remain available until September 30, 2012.

(3) "Department of Veterans Affairs, Medical Facilities", \$5,426,000,000, which shall become available on October 1, 2011, and shall remain available until September 30, 2012.

SEC. 2016. Of the discretionary funds made available to the Department of Veterans Affairs for fiscal year 2011, \$34,000,000 are rescinded from "Medical Support and Compliance" and \$15,000,000 are rescinded from "Medical Facilities", which shall be derived from amounts estimated for the January 2011 civilian pay raise.

SEC. 2017. Of the amounts appropriated to the Department of Veterans Affairs for fiscal year 2011 for "Medical Services", "Medical Support and Compliance", "Medical Facilities", "Construction, Minor Projects", and "Information Technology Systems", up to \$235,360,000, plus reimbursements, may be transferred to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of division A of Public Law 111-84 and may be used for operation of the facilities designated as combined Federal medical facilities as described by section 706 of Public Law 110-417: *Provided*, That additional funds may be transferred from accounts designated in this section to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund upon written notification by the Secretary of Veterans Affairs to the Committees on Appropriations of both Houses of Congress.

SEC. 2018. Such sums as may be deposited to the Medical Care Collections Fund pursuant to section 1729A of title 38, United States Code, for health care provided at facilities designated as combined Federal medical facilities as described by section 706 of Public Law 110-417 shall also be available: (1) for transfer to the Joint Department of Defense-Department of Veterans Affairs Medical Facility Demonstration Fund, established by section 1704 of title XVII of division A of Public Law 111-84; and (2) for operations of the facilities designated as combined Federal medical facilities as described by section 706 of Public Law 110-417.

SEC. 2019. Notwithstanding section 1101, the level for "Department of Veterans Affairs, Departmental Administration, General Operating Expenses" shall be \$2,534,276,000, of which not less than \$2,136,776,000 shall be for the Veterans Benefits Administration: *Provided*, That no funds shall be available for the printer on every desk initiative.

SEC. 2020. Notwithstanding section 1101, the level for "Department of Veterans Affairs, Departmental Administration, Information Technology Systems" shall be \$3,146,898,000.

SEC. 2021. Of the funds made available for "Department of Veterans Affairs, Depart-

mental Administration, Information Technology Systems" in title II of division E of Public Law 111-117, \$147,000,000 are rescinded.

SEC. 2022. Notwithstanding section 1101, the level for "Department of Veterans Affairs, Departmental Administration, Construction, Major Projects" shall be \$1,151,036,000: *Provided*, That not later than 30 days after the date of the enactment of this section, the Secretary of Veterans Affairs shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spending plan for fiscal year 2011 at a level of detail below the account level: *Provided further*, That the last proviso included in title II of division E of Public Law 111-117 under the heading "Department of Veterans Affairs, Departmental Administration, Construction, Major Projects" shall not apply to funds appropriated by this division.

SEC. 2023. Of the unobligated balances available under "Department of Veterans Affairs, Departmental Administration, Construction, Major Projects" to be derived from accounts in prior appropriations Acts and that were not designated by the Congress in such Acts as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985, \$75,000,000 are rescinded.

SEC. 2024. Notwithstanding section 1101, the level for "Department of Veterans Affairs, Departmental Administration, Construction, Minor Projects" shall be \$467,700,000.

SEC. 2025. Notwithstanding section 1101, the level for "Department of Veterans Affairs, Departmental Administration, Grants for Construction of State Extended Care Facilities" shall be \$85,000,000.

SEC. 2026. Notwithstanding section 1101, the level for "American Battle Monuments Commission, Salaries and Expenses" shall be \$64,200,000, to remain available until expended.

SEC. 2027. Notwithstanding section 1101, the level for "United States Court of Appeals for Veterans Claims, Salaries and Expenses" shall be \$27,615,000, of which \$2,320,000 shall be available for the purpose of providing financial assistance as described under this heading in Public Law 102-229.

SEC. 2028. Notwithstanding section 1101, the level for "Department of Defense—Civil, Cemeterial Expenses, Army, Salaries and Expenses" shall be \$45,100,000, to remain available until expended.

SEC. 2029. Notwithstanding section 1101, the level for "Armed Forces Retirement Home, Trust Fund" shall be \$71,200,000, of which \$2,000,000 shall be for construction and renovation of physical plants.

SEC. 2030. In the Senate, section 902 of Public Law 111-212, the Supplemental Appropriations Act, 2010, shall be subject to section 3002 of that Act and accordingly is designated as an emergency requirement and necessary to meet emergency needs pursuant to section 403(a) of S. Con. Res. 13 (111th Congress), the concurrent resolution on the budget for fiscal year 2010.

TITLE XI—DEPARTMENT OF STATE, FOREIGN OPERATIONS, AND RELATED PROGRAMS

SEC. 2101. For purposes of this title, the term "division F of Public Law 111-117" means the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2010 (division F of Public Law 111-117).

SEC. 2102. Notwithstanding section 1101, the level for each of the following accounts

shall be as follows: "Administration of Foreign Affairs, Diplomatic and Consular Programs", \$8,790,000,000, of which \$1,500,000,000 is for Worldwide Security Protection (to be available until expended); "Administration of Foreign Affairs, Capital Investment Fund", \$59,499,000; "Administration of Foreign Affairs, Emergencies in the Diplomatic and Consular Service", \$9,499,000; "Administration of Foreign Affairs, Representation Allowances", \$7,499,000; "Administration of Foreign Affairs, Payment to the American Institute in Taiwan", \$21,150,000; and "Administration of Foreign Affairs, Civilian Stabilization Initiative", \$35,000,000.

SEC. 2103. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Related Programs, United States Institute of Peace", \$39,499,000, which shall not be used for construction activities; "Related Programs, East-West Center", \$21,000,000; "International Commissions, International Fisheries Commissions", \$50,500,000; "International Organizations, Contributions to International Organizations", \$1,581,815,000; and "International Organizations, Contributions for International Peacekeeping Activities", \$1,887,706,000.

SEC. 2104. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "International Commissions, International Boundary and Water Commission, United States and Mexico, Salaries and Expenses", \$43,300,000; "International Commissions, International Boundary and Water Commission, United States and Mexico, Construction", \$26,500,000; and "Related Programs, The Asia Foundation", \$17,900,000.

SEC. 2105. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Related Agency, Broadcasting Board of Governors, International Broadcasting Operations", \$731,500,000; and "Related Agency, Broadcasting Board of Governors, Broadcasting Capital Improvements", \$6,875,000.

SEC. 2106. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Administration of Foreign Affairs, Educational and Cultural Exchange Programs", \$600,000,000; "Bilateral Economic Assistance, Independent Agencies, Inter-American Foundation", \$22,499,000; and "Bilateral Economic Assistance, Independent Agencies, African Development Foundation", \$29,500,000.

SEC. 2107. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "United States Agency for International Development, Funds Appropriated to the President, Operating Expenses", \$1,350,000,000; "United States Agency for International Development, Funds Appropriated to the President, Civilian Stabilization Initiative", \$5,000,000; "United States Agency for International Development, Funds Appropriated to the President, Capital Investment Fund", \$130,000,000; and "United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General", \$45,000,000.

SEC. 2108. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Bilateral Economic Assistance, Funds Appropriated to the President, Development Assistance", \$2,525,000,000; "Bilateral Economic Assistance, Funds Appropriated to the President, Complex Crises Fund", \$40,000,000; "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia", \$697,134,000; "Bilateral Economic Assistance, Independent

Agencies, Peace Corps", \$375,000,000; and "Bilateral Economic Assistance, Independent Agencies, Millennium Challenge Corporation", \$900,000,000.

SEC. 2109. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund", \$5,958,101,000; "Bilateral Economic Assistance, Funds Appropriated to the President, Democracy Fund", \$115,000,000; "Department of the Treasury, International Affairs Technical Assistance", \$25,499,000; and "Department of the Treasury, Debt Restructuring", \$50,000,000.

SEC. 2110. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Bilateral Economic Assistance, Funds Appropriated to the President, International Disaster Assistance", \$865,000,000; "Bilateral Economic Assistance, Department of State, Migration and Refugee Assistance", \$1,690,000,000; and "Bilateral Economic Assistance, Department of State, United States Emergency Refugee and Migration Assistance Fund", \$50,000,000: *Provided*, That the authorities and requirements under section 2(c)(1) of the Migration and Refugee Assistance Act of 1962 (22 U.S.C. 2601(c)(1)) may be exercised and fulfilled by the Secretary of State for the purpose of meeting unexpected, urgent refugee and migration needs, and with respect to funds appropriated to carry out section 2(c) of such Act in this division and in prior Acts making appropriations for the Department of State, foreign operations, and related programs.

SEC. 2111. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "International Security Assistance, Department of State, Nonproliferation, Anti-terrorism, Demining and Related Programs", \$740,000,000; and "International Security Assistance, Department of State, Peacekeeping Operations", \$305,000,000: *Provided*, That division F of Public Law 111-117 shall be applied to funds appropriated by this division under the heading "Peacekeeping Operations" by adding the following at the end: "*Provided further*, That funds appropriated under this heading that are available for assistance for Chad, Sudan, Somalia, and the Democratic Republic of the Congo should not be used to support any military training or operations that include child soldiers".

SEC. 2112. (a) Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "International Security Assistance, Funds Appropriated to the President, International Military Education and Training", \$106,000,000; and "International Security Assistance, Funds Appropriated to the President, Foreign Military Financing Program", \$5,385,000,000, of which not less than \$3,000,000,000 shall be available for grants only for Israel, \$1,300,000,000 shall be available for grants only for Egypt, \$300,000,000 shall be available for assistance for Jordan, and up to \$50,000,000 should be available for assistance for Colombia: *Provided*, That the dollar amount in the fourth proviso of the first paragraph under the heading "International Security Assistance, Funds Appropriated to the President, Foreign Military Financing Program" of division F of Public Law 111-117 shall be deemed to be for the purposes of this Act, \$789,000,000: *Provided further*, That the second paragraph under the heading "International Security Assistance, Funds Appropriated to the President, Foreign Military Financing Program" in division F of Public Law 111-117

shall be applied to funds appropriated by this division by inserting after the second proviso in such paragraph the following: "*Provided further*, That funds appropriated under this heading shall not be disbursed for assistance for Chad until the Secretary of State reports to the Committees on Appropriations on steps being taken by the Government of Chad to implement a plan of action to end the recruitment and use of child soldiers, including the demobilization of child soldiers".

(b) The authorities contained under the heading "International Security Assistance, Funds Appropriated to the President, Pakistan Counterinsurgency Capability Fund" in title XI of Public Law 111-32 shall remain in effect until September 30, 2012.

SEC. 2113. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Multilateral Assistance, Funds Appropriated to the President, International Organizations and Programs", \$355,000,000, of which up to \$10,000,000 may be made available for the International Panel on Climate Change/United Nations Framework Convention on Climate Change; "Multilateral Assistance, International Financial Institutions, Global Environment Facility", \$90,000,000; "Multilateral Assistance, International Financial Institutions, Contribution to the International Development Association", \$1,235,000,000; "Multilateral Assistance, International Financial Institutions, Contribution to the Clean Technology Fund", \$185,000,000; "Multilateral Assistance, International Financial Institutions, Contribution to the Strategic Climate Fund", \$50,000,000; "Multilateral Assistance, International Financial Institutions, Contribution to the Inter-American Development Bank", \$21,000,000; "Multilateral Assistance, International Financial Institutions, Contribution to the African Development Fund", \$110,000,000; and "Multilateral Assistance, International Financial Institutions, International Fund for Agricultural Development", \$29,499,000.

SEC. 2114. Notwithstanding section 1101, the level for each of the following accounts shall be as follows: "Export and Investment Assistance, Overseas Private Investment Corporation, Program Account", \$18,115,000; and "Export and Investment Assistance, Funds Appropriated to the President, Trade and Development Agency", \$50,000,000.

SEC. 2115. (a) Notwithstanding section 1101, the amounts included under the heading "Administration of Foreign Affairs, Embassy Security, Construction and Maintenance" in division F of Public Law 111-117 shall be applied to funds appropriated by this division as follows: by substituting "\$825,000,000" for "\$876,850,000" in the first paragraph; and by substituting "\$795,000,000" for "\$847,300,000" in the second paragraph.

(b) Notwithstanding section 1101, the amounts included under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Development Credit Authority" in division F of Public Law 111-117 shall be applied to funds appropriated by this division as follows: by substituting "\$30,000,000" for "\$25,000,000" in the first paragraph; and by substituting "\$8,300,000" for "\$8,600,000" in the second paragraph.

SEC. 2116. Notwithstanding section 1101, the amounts included under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Global Health and Child Survival" in division F of Public Law 111-117 shall be applied to funds appropriated by this division as follows: by substituting in the first paragraph "\$2,500,000,000" for "\$2,420,000,000"; and by substituting in the

second paragraph "\$5,345,000,000" for "\$5,359,000,000".

SEC. 2117. Notwithstanding section 1101, the level for each of the following accounts shall be \$0: "Administration of Foreign Affairs, Buying Power Maintenance Account"; "Bilateral Economic Assistance, Funds Appropriated to the President, International Fund for Ireland"; and "Multilateral Assistance, International Financial Institutions, Contribution to the Asian Development Fund".

SEC. 2118. (a) Of the unobligated balances available from funds appropriated under the heading "Export and Investment Assistance, Export-Import Bank of the United States, Subsidy Appropriation" in the Department of State, Foreign Operations, and Related Programs Appropriations Act, 2009 (division H of Public Law 111-8) and under such heading in prior Acts making appropriations for the Department of State, foreign operations, and related programs, \$275,000,000 are rescinded.

(b) Of the unobligated balances from funds appropriated or otherwise made available for the Buying Power Maintenance Account, \$17,000,000 are rescinded.

(c) Of the unobligated balances available for the Development Assistance account, as identified by Treasury Appropriation Fund Symbols 7206/111021, \$1,000,000 are rescinded.

(d) Of the unobligated balances available for the Assistance for the Independent States of the Former Soviet Union account, as identified by Treasury Appropriation Fund Symbols 7206/111093, 7207/121093, and 72X1093, \$11,700,000 are rescinded.

(e) Of the unobligated balances available for the International Narcotics Control and Law Enforcement account, as identified by Treasury Appropriation Fund Symbols, 11X1022, 1106/121022, and 191105/111022, \$7,183,000 are rescinded.

(f) Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Diplomatic and Consular Programs", \$55,000,000, which shall be from amounts made available for Worldwide Security Protection, are rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(g) Of the funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund", \$120,000,000 are rescinded: *Provided*, That no amounts may be rescinded from amounts that were designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

(h) Of the unobligated funds made available to the Secretary of State pursuant to section 286(v)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1356(v)(2)(A)), \$140,000,000 are hereby permanently canceled.

(i) Of the unobligated funds appropriated in prior Acts making appropriations for the Department of State, foreign operations, and related programs under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia", \$19,000,000 are rescinded: *Provided*, That no amounts may be rescinded from amounts that were

designated by Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 2119. (a) Notwithstanding section 653(b) of the Foreign Assistance Act of 1961 (22 U.S.C. 2413(b)), the President shall transmit the report required under section 653(a) of that Act with respect to the provision of funds appropriated or otherwise made available by this division for the Department of State, foreign operations, and related programs: *Provided*, That such report shall include a comparison of amounts, by category of assistance, provided or intended to be provided from funds appropriated for fiscal years 2010 and 2011, for each foreign country and international organization.

(b) Not later than 30 days after the date of enactment of this Act, each department, agency or organization funded by this title or by division F of Public Law 111-117 shall submit to the Committees on Appropriations an operating plan for such funds that provides details at the program, project, and activity level: *Provided*, That the report required under subsection (a) shall be considered to have met the requirements of this subsection with respect to funds made available to carry out the Foreign Assistance Act of 1961 and the Arms Export Control Act: *Provided further*, That the spending reports required in division F of Public Law 111-117 for assistance for Afghanistan, Pakistan, Iraq, the Caribbean Basin, Lebanon, Mexico, and Central America, and spending reports required for funds appropriated under the headings "Diplomatic and Consular Programs", "Embassy Security, Construction, and Maintenance", "International Narcotics Control and Law Enforcement", "Civilian Stabilization Initiative", and "Peace Corps" shall be considered to have met the requirements of this subsection.

(c) The reports required under subsection (b) shall not be considered as meeting the notification requirements under section 7015 of division F of Public Law 111-117 or under section 634A of the Foreign Assistance Act of 1961.

(d) The Secretary of State shall consult with the Committees on Appropriations prior to implementing the rescissions made pursuant to section 2118 of this division, other than rescissions made pursuant to subsection (a) of such section.

SEC. 2120. (a) Notwithstanding any other provision of this division, the dollar amounts under paragraphs (1) through (4) under the heading "Administration of Foreign Affairs, Diplomatic and Consular Programs" in division F of Public Law 111-117 shall not apply to funds appropriated by this division: *Provided*, That the dollar amounts to be derived from fees collected under paragraph (5)(A) under such heading shall be "\$1,702,904" and "\$505,000", respectively.

(b)(1) Division F of Public Law 111-117 shall be applied to funds appropriated by this division under the heading "International Organizations, Contributions for International Peacekeeping Activities" by adding at the end before the period the following: "*Provided further*, That the Secretary of State should work with the United Nations and governments contributing peacekeeping troops to develop effective vetting procedures to ensure that such troops have not violated human rights: *Provided further*, That notwithstanding any other provision of law, funds provided under the heading "International Organizations, Contributions for International Peacekeeping Activities" shall be available for United States assessed con-

tributions up to the amount specified in Annex IV accompanying United Nations General Assembly Resolution 64/220: *Provided further*, That such funds may be made available only if the Secretary of State determines that it is in the national interest of the United States".

(2) Division F of Public Law 111-117 shall be applied to funds appropriated by this division under the heading "United States Agency for International Development, Funds Appropriated to the President, Operating Expenses" by substituting "USAID mission, bureau, or office" for "USAID overseas mission or office" in the sixth proviso.

(3) Division F of Public Law 111-117 shall be applied to funds appropriated by this division under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Development Assistance" by substituting "should" for "shall" each place it appears.

(c) Division F of Public Law 111-117 shall be applied to funds appropriated by this division under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund"—

(1) by substituting—

(A) "should" for "shall" in the fourth proviso;

(B) "\$200,000,000" for "\$150,000,000" in the seventh proviso; and

(C) "\$195,000,000 should" for "\$209,790,000 shall" in the sixteenth proviso; and

(2) by adding at the end before the period the following: "*Provided further*, That funds appropriated under this heading may be made available for activities to support the economic and social development and reconciliation goals of Public Law 99-415, and should not be made available for a contribution: *Provided further*, That not less than \$15,500,000 of the funds appropriated under this heading should be made available for remediation activities, and not less than \$3,000,000 should be made available for related health activities, referenced in section 7071(j) of this Act".

(d) Notwithstanding any other provision of this division, the following provisions in division F of Public Law 111-117 shall not apply to funds appropriated by this division:

(1) Section 7034(l).

(2) Section 7042(a), (b)(1), (c), and (d)(1).

(3) Section 7044(d).

(4) In section 7045:

(A) Subsection (b)(2).

(B) The first sentence of subsection (c).

(C) The first sentence of subsection (e)(1).

(D) The first sentence of subsection (f).

(E) Subsection (h).

(5) Section 7070(b).

(6) Section 7071(f)(6).

(7) The third proviso under the heading "Administration of Foreign Affairs, Civilian Stabilization Initiative".

(8) The fourth proviso under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia".

(e) Section 7060 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$575,000,000" for "\$648,457,000": *Provided*, That notwithstanding section 1101, section 7078(a) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting in lieu thereof the matter contained in section 660(a) of division J of Public Law 110-161, the Consolidated Appropriations Act, 2008, except that "\$40,000,000 should" shall be substituted for "not less than \$7,000,000 shall".

(f) Sections 7045(a), 7061, 7064(a)(1) and (b), and 7071(g)(3) of division F of Public Law 111-

117 shall be applied to funds appropriated by this division by substituting "should" for "shall" each place it appears.

(g)(1) Section 7081 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting—

(A) "should" for "shall" each place it appears in subsections (b), (c), and (d);

(B) "\$35,000,000" for "\$25,000,000" in the first sentence of subsection (d); and

(C) "For fiscal year 2011, up to \$185,000,000" for "For fiscal year 2010, up to \$300,000,000" in subsection (g)(1).

(2) The second proviso of section 7081(d) of division F of Public Law 111-117 is amended to read as follows: "*Provided further*, That funds appropriated by this division that are made available for tropical forest programs shall be used for purposes including to implement and enforce section 8204 of Public Law 110-246, shall not be used to support or promote the expansion of industrial logging into primary tropical forests, and shall be subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations".

(h) Section 7042 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$552,900,000" for the dollar amount in subsection (f)(1).

(i) The third proviso of section 7034(s) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "shall include, in a manner the Secretary determines appropriate," for "should include".

(j) Section 7070(1)(2) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "health, education, and macroeconomic growth" for "macroeconomic growth".

(k) Notwithstanding any other provision of this division, section 7015(c) of division F of Public Law 111-117 shall not apply to funds appropriated by this division under the headings "Complex Crises Fund" and "Migration and Refugee Assistance".

(l) Section 7046(a) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$459,000,000" for "\$521,880,000".

(m) Not later than 90 days after enactment of this Act, and prior to the obligation of funds appropriated in this division under the headings "Administration of Foreign Affairs, Diplomatic and Consular Programs", "Bilateral Economic Assistance, Funds Appropriated to the President, Development Assistance", "Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund", and "Bilateral Economic Assistance, Funds Appropriated to the President, Assistance for Europe, Eurasia and Central Asia" for historic and cultural preservation projects, the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), shall submit to the Committees on Appropriations a report detailing, by agency, account, purpose, and amount, all historic and cultural preservation projects supported in fiscal year 2010 and planned for fiscal year 2011 by the Department of State and USAID.

SEC. 2121. (a) Notwithstanding section 1101, the amounts included under the heading "Administration of Foreign Affairs, Office of Inspector General" in division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "\$22,000,000" for "\$23,000,000" for the Special Inspector General for Iraq Reconstruction, and "\$24,000,000" for "\$23,000,000" for the Special Inspector General for Afghanistan Reconstruction.

(b) The tenth proviso under the heading "Economic Support Fund" in division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting the following: "Provided further, That funds appropriated or otherwise made available by this division for assistance for Afghanistan and Pakistan may not be made available for direct government-to-government assistance unless the Secretary of State certifies to the Committees on Appropriations that the relevant implementing agency has been assessed and considered qualified to manage such funds and the Government of the United States and the government of the recipient country have agreed, in writing, to clear and achievable goals and objectives for the use of such funds, and have established mechanisms within each implementing agency to ensure that such funds are used for the purposes for which they were intended."

(c) The second proviso under the heading "International Security Assistance, Department of State, Peacekeeping Operations" in division F of Public Law 111-117 shall be applied by substituting the following: "Provided further, That up to \$55,918,000 may be used to pay assessed expenses of international peacekeeping activities in Somalia, except that up to an additional \$35,000,000 may be made available for such purpose subject to prior consultation with, and the regular notification procedures of, the Committees on Appropriations."

(d) Section 7004 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by adding at the end the following new subsection:

"(d) For the purposes of calculating the fiscal year 2011 costs of providing new United States diplomatic facilities in accordance with section 604(e) of the Secure Embassy Construction and Counterterrorism Act of 1999 (22 U.S.C. 4865 note), the Secretary of State, in consultation with the Director of the Office of Management and Budget, shall determine the annual program level and agency shares in a manner that is proportional to the Department of State's contribution for this purpose."

(e) The second proviso in the second paragraph under the heading "International Security Assistance, Funds Appropriated to the President, Foreign Military Financing Program" in division F of Public Law 111-117 shall be applied to funds appropriated by this division by inserting "Bahrain, Yemen," after "Nepal,".

(f) Section 7034(n) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by adding at the end before the period the following: "Provided, That none of the funds appropriated or otherwise made available by this division or any other Act making appropriations for the Department of State, foreign operations, and related programs may be used to implement phase 3 of such authority."

(g) Section 7034(m) of division F of Public Law 111-117 shall be applied to funds appropriated by this division by—

(1) substituting "not less than \$20,000,000" for "\$30,000,000" in paragraph (5); and

(2) adding the following new paragraph at the end:

"(6) The level otherwise provided by this Act for 'Related Agency, Broadcasting Board of Governors, International Broadcasting Operations' is hereby increased by \$10,000,000, to remain available until September 30, 2012, to expand unrestricted access to information on the Internet."

(h) Section 7042 of division F of Public Law 111-117 shall be applied to funds appropriated

by this division by substituting the following for the proviso in subsection (d)(2): "Provided, That funds may not be made available for obligation until the Secretary of State determines and reports to the Committees on Appropriations that such funds to be provided are in the national security interest of the United States and provides the Committees on Appropriations a detailed spending plan".

(i) Section 7043 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting the following for subsection (b):

"(b) LIMITATION.—None of the funds appropriated or otherwise made available in this Act under the heading 'Export-Import Bank of the United States' may be used by the Export-Import Bank of the United States to provide any new financing (including loans, guarantees, other credits, insurance, and reinsurance) to any person that is subject to sanctions under paragraph (2) or (3) of section 5(a) of the Iran Sanctions Act of 1996 (Public Law 104-172)."

(j) For purposes of the amount made available by this division for "Export and Investment Assistance, Export-Import Bank of the United States, Administrative Expenses", project specific transaction costs, including direct and indirect costs incurred in claims settlements, and other costs for systems infrastructure directly supporting transactions, shall not be considered administrative expenses: *Provided*, That the Export-Import Bank of the United States may expend not more than \$5,000,000 in fiscal year 2011 for such transaction costs.

(k) The first proviso under the heading "Department of the Treasury, Debt Restructuring" in division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting "should" for "shall".

(l) Section 7059 of division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting—

(1) "should" for "may" in subsection (c); and

(2) "65" for "30" the first place it appears in subsection (l).

(m) The Foreign Operations, Export Financing, and Related Programs Appropriations Act, 1990 (Public Law 101-167) is amended—

(1) in section 599D (8 U.S.C. 1157 note)—

(A) in subsection (b)(3), by striking "and 2010" and inserting "2010, and 2011"; and

(B) in subsection (e), by striking "October 1, 2010" each place it appears and inserting "June 1, 2011"; and

(2) in section 599E (8 U.S.C. 1255 note) in subsection (b)(2), by striking "2010" and inserting "2011".

SEC. 2122. (a) IN GENERAL.—Subsections (b) through (d) of this section shall apply to funds appropriated by this division in lieu of section 7076 of division F of Public Law 111-117.

(b) LIMITATION.—None of the funds appropriated or otherwise made available by this division under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" may be obligated for assistance for the Government of Afghanistan until the Secretary of State, in consultation with the Administrator of the United States Agency for International Development (USAID), certifies and reports to the Committees on Appropriations the following:

(1) The Government of Afghanistan is—

(A) demonstrating a commitment to reduce corruption and improve governance, in-

cluding by investigating, prosecuting, and sanctioning or removing corrupt officials from office and to implement financial transparency and accountability measures for government institutions and officials (including the Central Bank);

(B) taking significant steps to facilitate active public participation in governance and oversight; and

(C) taking credible steps to protect the internationally recognized human rights of Afghan women.

(2) There is a unified United States Government anti-corruption strategy for Afghanistan.

(3) Funds will be programmed to support and strengthen the capacity of Afghan public and private institutions and entities to reduce corruption and to improve transparency and accountability of national, provincial, and local governments, as outlined in the spending plan submitted to the Committees on Appropriations on October 26, 2010 (CN 10-298).

(4) Representatives of Afghan national, provincial, or local governments, local communities, and civil society organizations, as appropriate, will be consulted and participate in the design of programs, projects, and activities, including participation in implementation and oversight, and the development of specific benchmarks to measure progress and outcomes.

(5) Funds will be used to train and deploy additional United States Government direct-hire personnel to improve monitoring and control of assistance.

(6) A framework and methodology is being utilized to assess national, provincial, local, and sector level fiduciary risks relating to public financial management of United States Government assistance.

(c) ASSISTANCE AND OPERATIONS.—(1) Funds appropriated by this division under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" that are available for assistance for Afghanistan—

(A) shall be made available, to the maximum extent practicable, in a manner that emphasizes the participation of Afghan women, and directly improves the security, economic and social well-being, and political status, and protects the rights of, Afghan women and girls and complies with sections 7062 and 7063 of division F of Public Law 111-117, including support for the Afghan Independent Human Rights Commission, the Afghan Ministry of Women's Affairs, and women-led nongovernmental organizations;

(B) may be made available for a United States contribution to an internationally-managed fund to support the reconciliation with and disarmament, demobilization, and reintegration into Afghan society of, former combatants who have renounced violence against the Government of Afghanistan: *Provided*, That funds may be made available to support reconciliation and reintegration activities only if—

(i) Afghan women are participating at national, provincial, and local levels of government in the design, policy formulation and implementation of the reconciliation or reintegration process, and such process upholds steps taken by the Government of Afghanistan to protect the internationally recognized human rights of Afghan women; and

(ii) such funds will not be used to support any pardon or immunity from prosecution, or any position in the Government of Afghanistan or security forces, for any leader of an armed group responsible for crimes

against humanity, war crimes, or other violations of internationally recognized human rights;

(C) may be made available as a United States contribution to the Afghanistan Reconstruction Trust Fund (ARTF) unless the Secretary of State determines and reports to the Committees on Appropriations that the World Bank Monitoring Agent of the ARTF is unable to conduct its financial control and audit responsibilities due to restrictions on security personnel by the Government of Afghanistan; and

(D) may be made available for a United States contribution to the North Atlantic Treaty Organization/International Security Assistance Force Post-Operations Humanitarian Relief Fund.

(2) Funds appropriated under the headings "Economic Support Fund" and "International Narcotics Control and Law Enforcement" by this division that are available for assistance for Afghanistan that provide training for foreign police, judicial, and military personnel shall address, where appropriate, gender-based violence.

(3) The authority contained in section 1102(c) of Public Law 111-32 shall continue in effect during fiscal year 2011 and shall apply as if included in this division.

(4) The Coordinator for Rule of Law at the United States Embassy in Kabul, Afghanistan, shall be consulted on the use of all funds appropriated by this division for rule of law programs in Afghanistan.

(5) None of the funds made available by this division may be used by the United States Government to enter into a permanent basing rights agreement between the United States and Afghanistan.

(6) The Secretary of State, after consultation with the USAID Administrator, shall submit to the Committees on Appropriations not later than 45 days after enactment of this division, and prior to the initial obligation of funds for assistance for Afghanistan, a detailed spending plan for such assistance which shall include clear and achievable goals, benchmarks for measuring progress, and expected results: *Provided*, That such plan shall not be considered as meeting the notification requirements under section 7015 of division F of Public Law 111-117 or under section 634A of the Foreign Assistance Act of 1961.

(d) OVERSIGHT.—(1) The Special Inspector General for Afghanistan Reconstruction, the Inspector General of the Department of State, and the Inspector General of the United States Agency for International Development, shall jointly develop and submit to the Committees on Appropriations within 45 days of enactment of this division a coordinated audit and inspection plan of United States assistance for, and civilian operations in, Afghanistan.

(2) Of the funds appropriated by this division under the heading "Economic Support Fund" for assistance for Afghanistan, \$3,000,000 shall be transferred to, and merged with, funds appropriated by this division under the heading "Administration of Foreign Affairs, Office of Inspector General", for increased oversight of programs in Afghanistan and shall be in addition to funds otherwise available for such purposes: *Provided*, That \$1,500,000 shall be for the activities of the Special Inspector General for Afghanistan Reconstruction.

(3) Of the funds appropriated by this division under the heading "Economic Support Fund" for assistance for Afghanistan, \$1,500,000 shall be transferred to, and merged with, funds appropriated by this division

under the heading "United States Agency for International Development, Funds Appropriated to the President, Office of Inspector General" for increased oversight of programs in Afghanistan and shall be in addition to funds otherwise available for such purposes.

(e) MODIFICATION TO PRIOR PROVISIONS.—(1) Section 1004(c)(1)(C) of Public Law 111-212 is amended to read as follows:

"(C) taking credible steps to protect the internationally recognized human rights of Afghan women."

(2) Section 1004(d)(1) of Public Law 111-212 is amended to read as follows:

"(1) Afghan women are participating at national, provincial, and local levels of government in the design, policy formulation, and implementation of the reconciliation or reintegration process, and such process upholds steps taken by the Government of Afghanistan to protect the internationally recognized human rights of Afghan women; and"

(3) Section 1004(e)(1) of Public Law 111-212 is amended to read as follows:

"(1) based on information available to the Secretary, the Independent Electoral Commission has no members or other employees who participated in, or helped to cover up, acts of fraud in the 2009 presidential election in Afghanistan, and the Electoral Complaints Commission is a genuinely independent body with all the authorities that were invested in it under Afghan law as of December 31, 2009; and"

SEC. 2123. (a) The first and second provisos under the heading "Bilateral Economic Assistance, Funds Appropriated to the President, Economic Support Fund" in division F of Public Law 111-117 shall be applied to funds appropriated by this division by substituting the following: "*Provided*, That of the funds appropriated under this heading, up to \$250,000,000 shall be made available for assistance for Egypt for activities that support democratic elections, promote representative and accountable governance, protect human rights, strengthen civil society and the rule of law, reduce poverty, promote equitable economic development, and expand educational opportunities for disadvantaged Egyptian youth, including through scholarship programs: *Provided further*, That the Secretary of State shall submit a spending plan, including a comprehensive strategy to promote democracy and development, to the Committees on Appropriations for funds provided for Egypt under this heading: *Provided further*, That such plan shall not be considered as meeting the notification requirements under section 7015 of division F of Public Law 111-117 or under section 634A of the Foreign Assistance Act of 1961: *Provided further*, That such funds shall be subject to the regular notification procedures of the Committees on Appropriations: *Provided further*, That funds appropriated under this heading shall be made available to support democratic transitions in the Middle East and North Africa, including assistance for civil society organizations and the development of democratic political parties:"

(b) Not later than 45 days after enactment of this Act, the Secretary of State shall submit to the Committees on Appropriations a report on Egypt detailing whether—

(1) a transparent, political transition is occurring that includes the participation of a wide range of democratic opposition and civil society leaders and is responsive to their views;

(2) the emergency law and other laws restricting human rights have been abrogated;

protesters, political and social activists and journalists are not being arrested, detained or prosecuted for the peaceful exercise of their rights; and the government is respecting freedoms of expression, assembly and association; and

(3) legal and constitutional impediments to free and fair presidential and parliamentary elections are being removed.

SEC. 2124. Notwithstanding section 1101, the level for "Multilateral Assistance, International Financial Institutions, Contribution to the Global Agriculture and Food Security Program", shall be \$100,000,000 for payment to the Global Agriculture and Food Security Program by the Secretary of the Treasury, to remain available until expended.

SEC. 2125. None of the funds made available in this division for the United Nations Capital Master Plan may be used for the design, renovation, or construction of the United Nations Headquarters in New York in excess of the agreed upon assessments of the United States pursuant to paragraph 10 of United Nations General Assembly Resolution 61/251.

SEC. 2126. (a) CONTRIBUTION TO THE ASIAN DEVELOPMENT BANK.—In addition to amounts otherwise made available by this division, \$106,586,000, to remain available until expended, is appropriated for payment to the Asian Development Bank by the Secretary of the Treasury for the United States share of the paid-in portion of the increase in capital stock.

(b) LIMITATION ON CALLABLE CAPITAL SUBSCRIPTIONS.—The United States Governor of the Asian Development Bank may subscribe without fiscal year limitation to the callable capital portion of the United States share of such capital stock in an amount not to exceed \$2,558,048,769.

(c) REPORTING ON REFORMS.—Funds shall not be made available for a United States contribution to the Asian Development Bank (ADB) until the Secretary of the Treasury reports to the Committees on Appropriations that the ADB is making substantial progress toward the following policy goals—

(1) implementing procurement guidelines that maximize international competitive bidding in accordance with sound procurement practices, including transparency, competition, and cost-effective results for Borrowers;

(2) providing greater public disclosure of loan documents, with particular attention to persons affected by ADB projects;

(3) implementing best practices in domestic laws and international conventions against corruption for whistleblower and witness disclosures, and protections against retaliation for internal and lawful public disclosures by ADB employees and others affected by ADB operations who report illegality or other misconduct that could threaten the ADB's mission, including best practices for legal burdens of proof; access to independent adjudicative bodies; and results that eliminate the effects of proven retaliation;

(4) ensuring that the Investigations Office, Auditor General Office, and Evaluation Office are functionally independent, free from interference when determining the scope of investigations and audits, performing work and communicating results, and regularly report to the ADB's board of directors and, as appropriate and in a manner consistent with such functional independence of the Investigations Office and the Auditor General Office, to the ADB President;

(5) requiring that each candidate for adjustment or budget support loans provide an

assessment of reforms to budgetary and procurement processes to encourage transparency, including budget publication and public scrutiny, prior to loan or grant approval;

(6) ensuring that the ADB's Accountability Mechanism provides transparency and protects local residents affected by ADB projects; and

(7) making publicly available external and internal performance and financial audits of ADB projects on the ADB's website.

(d) REPORT DATES.—Not later than 180 days after enactment of this Act, and every 6 months thereafter until September 30, 2013, the Secretary of the Treasury shall submit to the Committees on Appropriations a report detailing the extent to which the ADB has made progress on each policy goal listed in subsection (c).

(e) AMENDMENT.—The Asian Development Bank Act (22 U.S.C. 285 et seq.), is amended by adding at the end the following:

“SEC. 33. NINTH REPLENISHMENT.

“(a) The United States Governor of the Bank is authorized to contribute, on behalf of the United States, \$461,000,000 to the ninth replenishment of the resources of the Fund, subject to obtaining the necessary appropriations.

“(b) In order to pay for the United States contribution provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$461,000,000 for payment by the Secretary of the Treasury.

“SEC. 34. FIFTH CAPITAL INCREASE.

“(a) SUBSCRIPTION AUTHORIZED.—

“(1) The United States Governor of the Bank may subscribe on behalf of the United States to 1,104,420 additional shares of the capital stock of the Bank.

“(2) Any subscription by the United States to capital stock of the Bank shall be effective only to such extent or in such amounts as are provided in advance in appropriations Acts.

“(b) AUTHORIZATION OF APPROPRIATIONS.—

“(1) In order to pay for the increase in the United States subscription to the Bank provided for in subsection (a), there are authorized to be appropriated, without fiscal year limitation, \$13,323,173,083, for payment by the Secretary of the Treasury.

“(2) Of the amount authorized to be appropriated under paragraph (1)—

“(A) \$532,929,240 is authorized to be appropriated for paid-in shares of the Bank; and

“(B) \$12,790,243,843 is authorized to be appropriated for callable shares of the Bank, for payment by the Secretary of the Treasury.”.

TITLE XII—TRANSPORTATION, HOUSING AND URBAN DEVELOPMENT, AND RELATED AGENCIES

SEC. 2201. Notwithstanding section 1101, the level for “Department of Transportation, Office of the Secretary, Transportation Planning, Research, and Development” shall be \$9,819,000.

SEC. 2202. Notwithstanding section 1101, the level for “Department of Transportation, Office of the Secretary, National Infrastructure Investments” shall be \$528,000,000: *Provided*, That the amounts included under such heading in division A of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$0” for “\$35,000,000”.

SEC. 2203. Notwithstanding section 1101, the level for “Department of Transportation, Federal Aviation Administration, Operations” shall be \$9,533,028,000, of which

\$4,559,000,000 shall be derived from the Airport and Airway Trust Fund, of which not less than \$7,473,299,000 shall be for air traffic organization activities and not less than \$1,253,020,000 shall be for aviation safety activities.

SEC. 2204. Notwithstanding section 1101, the level for “Department of Transportation, Federal Aviation Administration, Facilities and Equipment” shall be \$2,736,203,000, of which \$2,226,203,000 shall remain available through September 30, 2013, and of which \$470,000,000 shall remain available through September 30, 2011.

SEC. 2205. Notwithstanding section 1101, the amounts included under the heading “Department of Transportation, Federal Aviation Administration, Grants-in-Aid for Airports, Liquidation of Contract Authorization” in division A of Public Law 111–117 shall be applied to funds appropriated by this division by substituting “\$3,550,000,000” for “\$3,000,000,000”.

SEC. 2206. Notwithstanding section 1101, the level for “Department of Transportation, Federal Aviation Administration, Research, Engineering, and Development” shall be \$170,000,000.

SEC. 2207. Of the unobligated balances of funds apportioned to each State under chapter 1 of title 23, United States Code, \$2,500,000,000 are permanently rescinded: *Provided*, That such rescission shall not apply to the funds distributed in accordance with sections 130(f) and 104(b)(5) of title 23, United States Code; sections 133(d)(1) and 163 of such title, as in effect on the day before the date of enactment of Public Law 109–59; and the first sentence of section 133(d)(3)(A) of such title: *Provided further*, That notwithstanding section 1132 of Public Law 110–140, in administering the rescission required under this heading, the Secretary of Transportation shall allow each State to determine the amount of the required rescission to be drawn from the programs to which the rescission applies.

SEC. 2208. Notwithstanding section 1101, no funds made available by this division shall be for activities described in section 122 of title I of division A of Public Law 111–117.

SEC. 2209. Notwithstanding section 1101, the level for “Department of Transportation, Federal Highway Administration, Surface Transportation Priorities” shall be \$0.

SEC. 2210. Unobligated balances of funds made available for obligation under section 320 of title 23, United States Code, section 147 of Public Law 95–599, section 9(c) of Public Law 97–134, section 149 of Public Law 100–17, and sections 1006, 1069, 1103, 1104, 1105, 1106, 1107, 1108, 6005, 6015, and 6023 of Public Law 102–240 are permanently rescinded.

SEC. 2211. The unobligated balance available on September 30, 2011, under section 1602 of the Transportation Equity Act for the 21st Century (Public Law 105–178) for each project for which less than 10 percent of the amount authorized for such project under such section has been obligated is permanently rescinded.

SEC. 2212. Of the amounts authorized for fiscal years 2005 through 2009 in section 1101(a)(16) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (Public Law 109–59) to carry out the high priority projects program under section 117 of title 23, United States Code, that are not allocated for projects described in section 1702 of such Act, \$8,190,335 are permanently rescinded.

SEC. 2213. Notwithstanding section 1101, the level for “Department of Transportation, Federal Motor Carrier Safety Administra-

tion, Motor Carrier Safety Operations and Programs, (Liquidation of Contract Authorization), (Limitation on Obligations), (Highway Trust Fund)” shall be \$245,000,000.

SEC. 2214. Of the amount made available for “Department of Transportation, Motor Carrier Safety Grants, (Liquidation of Contract Authorization), (Limitation on Obligations), (Highway Trust Fund)” for the commercial driver's license information system modernization program, \$3,000,000 shall be made available for audits of new entrant motor carriers to carry out section 4107(b) of Public Law 109–59, and 31104(a) of title 49, United States Code, and \$5,000,000 shall be made available for the commercial driver's license improvements program to carry out section 31313 of title 49, United States Code.

SEC. 2215. Of the unobligated amounts available for Safety Belt Performance Grants under section 406 of title 23, United States Code, \$76,000,000 are permanently rescinded.

SEC. 2216. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Railroad Safety Technology Program” shall be \$0.

SEC. 2217. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Safety and Operations” shall be \$176,950,000.

SEC. 2218. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Railroad Research and Development” shall be \$35,100,000.

SEC. 2219. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Rail Line Relocation and Improvement Program” shall be \$10,532,000.

SEC. 2220. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Capital and Debt Service Grants to the National Railroad Passenger Corporation” shall be \$923,625,000.

SEC. 2221. Notwithstanding section 1101, the level for “Department of Transportation, Federal Railroad Administration, Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service” shall be \$0.

SEC. 2222. Of the prior year unobligated balances available for “Department of Transportation, Federal Railroad Administration, Capital Assistance for High Speed Rail Corridors and Intercity Passenger Rail Service”, \$400,000,000 is rescinded.

SEC. 2223. Notwithstanding section 1101, the level for “Department of Transportation, Federal Transit Administration, Grants for Energy Efficiency and Greenhouse Gas Reductions” shall be \$50,000,000.

SEC. 2224. Notwithstanding section 1101, the level for “Department of Transportation, Federal Transit Administration, Capital Investment Grants” shall be \$1,600,000,000.

SEC. 2225. Of the funds made available for “Department of Transportation, Federal Transit Administration, Capital Investment Grants” in division A of Public Law 111–117, \$280,000,000 is rescinded.

SEC. 2226. Notwithstanding section 1101, the level for “Department of Transportation, Federal Transit Administration, Research and University Research Centers” shall be \$59,000,000.

SEC. 2227. Notwithstanding section 1101, the level for “Department of Transportation, Maritime Administration, Operations and Training” shall be \$151,750,000, of which \$11,240,000 shall remain available until expended for maintenance and repair of training ships at State Maritime Academies;

\$15,000,000 shall remain available until expended for capital improvements at the United States Merchant Marine Academy; and \$59,057,000 shall be available for operations at the United States Merchant Marine Academy: *Provided*, That of the funds made available under such heading in division A of Public Law 111-117, up to \$6,000,000 may be used for the reimbursement of overcharged midshipmen fees for academic years 2003-2004 through 2008-2009, to remain available until expended: *Provided further*, That the reimbursement decisions of the Secretary pursuant to the previous proviso shall be final and conclusive: *Provided further*, That of the funds made available under such heading by this division, \$1,000,000 shall be for the information technology requirements of Public Law 111-207, to be available until expended.

SEC. 2228. Notwithstanding section 1101, the level for "Department of Transportation, Maritime Administration, Assistance to Small Shipyards" shall be \$10,000,000.

SEC. 2229. Notwithstanding section 1101, the level for each of the following accounts under the heading "Department of Transportation, Pipeline and Hazardous Materials Safety Administration" shall be as follows: "Operational Expenses, (Pipeline Safety Fund)", \$21,496,000; "Hazardous Materials Safety", \$39,098,000, of which \$1,699,000 shall remain available until September 30, 2013; and "Pipeline Safety (Pipeline Safety Fund) (Oil Spill Liability Trust Fund)", \$106,919,000, of which \$18,905,000 shall be derived from the Oil Spill Liability Trust Fund and shall remain available until September 30, 2013, and of which \$88,014,000 shall be derived from the Pipeline Safety Fund, of which \$47,332,000 shall remain available until September 30, 2013.

SEC. 2230. Notwithstanding section 1101, section 186 of title I of division A of Public Law 111-117 shall not apply in fiscal year 2011.

SEC. 2231. Notwithstanding section 1101, none of the funds made available by this division shall be available for activities described in section 195 of title I of division A of Public Law 111-117.

SEC. 2232. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Management and Administration, Administration, Operations and Management" shall be \$525,040,000: *Provided*, That the Secretary shall adjust other amounts specified under this heading to stay within the level provided under this section.

SEC. 2233. Notwithstanding section 1101, section 231 of title II of division A of Public Law 111-117 (123 Stat. 3105) is amended to read as follows: "The Secretary of Housing and Urban Development is authorized to transfer up to 5 percent or \$5,000,000, whichever is less, of the funds made available for personnel or nonpersonnel expenses under any account under this title under the general heading 'Personnel Compensation and Benefits', or under any set-aside within the accounts under the headings 'Executive Direction' and 'Administration, Operations and Management', to any other such account or set-aside: *Provided*, That no appropriation for personnel or non-personnel expenses in any such account or set-aside shall be increased or decreased by more than 5 percent or \$5,000,000, whichever is less, without prior written approval of the House and Senate Committees on Appropriations."

SEC. 2234. Notwithstanding section 1101, the level for each of the following accounts under the heading "Department of Housing and Urban Development, Personnel Compensation and Benefits" shall be as follows:

"Public and Indian Housing", \$189,074,000; "Community Planning and Development", \$96,989,000; "Housing", \$381,887,000; and "Policy Development and Research", \$19,138,000.

SEC. 2235. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Tenant-Based Rental Assistance" shall be \$14,407,688,000, to remain available until expended, which shall be available on October 1, 2010 (in addition to the \$4,000,000,000 previously appropriated under such heading that became available on October 1, 2010), and, notwithstanding section 1118, an additional \$4,000,000,000, to remain available until expended, shall be available on October 1, 2011: *Provided*, That of the amounts available for such heading, \$16,702,688,000 shall be for activities specified in paragraph (1) under such heading of title II of division A of Public Law 111-117; \$110,000,000 shall be for activities specified in paragraph (2) under such heading in such Public Law; \$1,450,000,000 shall be for activities specified in paragraph (3) under such heading in such Public Law, of which \$1,400,000,000 shall be allocated as provided in the first proviso of such paragraph (3); and \$50,000,000 shall be for activities specified in paragraph (6) under such heading in such Public Law: *Provided further*, That paragraph (5) under such heading in such Public Law is amended by striking "\$15,000,000" and all that follows through the end of such paragraph and inserting "\$35,000,000 for amendment and renewal of tenant-based assistance contracts under section 811 of the Cranston-Gonzalez National Affordable Housing Act (42 U.S.C. 8013), including necessary administrative expenses";

SEC. 2236. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Public Housing Operating Fund" shall be \$4,626,000,000.

SEC. 2237. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Revitalization of Severely Distressed Public Housing (HOPE VI)" shall be \$100,000,000.

SEC. 2238. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Public Housing Capital Fund" shall be \$2,044,200,000.

SEC. 2239. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Public and Indian Housing, Native American Housing Block Grants" shall be \$650,000,000.

SEC. 2240. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, Community Development Fund" shall be \$3,508,000,000, of which \$3,343,000,000 shall be for carrying out the community development block grant program under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.): *Provided*, That none of the funds made available under such heading by this division may be used for grants for the Economic Development Initiative or Neighborhood Initiatives activities, Rural Innovation Fund, or for grants pursuant to section 107 of the Housing and Community Development Act of 1974 (42 U.S.C. 5307): *Provided further*, That of the amounts made available under such heading by this division, \$100,000,000 shall be for a Sustainable Communities Initiative, of which \$70,000,000 shall be for Regional Integrated Planning Grants and \$30,000,000 shall be for Community Challenge Planning Grants: *Provided further*, That of

such amount made available for Regional Integrated Planning Grants, \$17,500,000 shall be for activities specified in the second proviso of the last paragraph under such heading in title II of division A of Public Law 111-117 and \$0 shall be for activities specified in the sixth proviso of such paragraph.

SEC. 2241. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, Homeless Assistance Grants" shall be \$1,905,000,000, of which at least \$225,000,000 shall be for the Emergency Solutions Grant program.

SEC. 2242. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, HOME Investment Partnerships Program" shall be \$1,610,000,000.

SEC. 2243. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Community Planning and Development, Brownfields Redevelopment" shall be \$0.

SEC. 2244. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Project-Based Rental Assistance" shall be \$8,882,328,000, to remain available until expended, which shall be available on October 1, 2010 (in addition to \$393,672,000 previously appropriated under such heading that became available on October 1, 2010), and, notwithstanding section 1118, an additional \$400,000,000, to remain available until expended, shall be available on October 1, 2011: *Provided*, That of the amounts available for such heading, \$8,950,000,000 shall be for activities specified in paragraph (1) under such heading of title II of division A of Public Law 111-117 and \$326,000,000 shall be available for activities specified in paragraph (2) under such heading of such Public Law.

SEC. 2245. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Housing Counseling Assistance" shall be \$0.

SEC. 2246. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Housing for the Elderly" shall be \$400,000,000: *Provided*, That of such amounts, up to \$100,000,000 shall be available for capital advance and project-based rental assistance awards, and none of such amounts shall be available for activities specified in the third proviso under such heading in title II of division A of Public Law 111-117.

SEC. 2247. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Housing for Persons with Disabilities" shall be \$150,000,000, of which up to \$50,000,000 shall be for capital advances and project-based rental assistance contracts and up to \$32,000,000 shall be available for amendments or renewal of tenant-based assistance contracts entered into prior to fiscal year 2007.

SEC. 2248. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Energy Innovation Fund" shall be \$0.

SEC. 2249. The heading "Department of Housing and Urban Development, Housing Programs, Other Assisted Housing Programs, Rental Housing Assistance" shall be applied by also being available for extensions of up to one year for expiring contracts under such sections of law.

SEC. 2250. Notwithstanding section 1101, the level for "Department of Housing and Urban Development, Housing Programs, Rent Supplement (Rescission)" shall be \$40,600,000.

SEC. 2251. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Federal Housing Administration, Mutual Mortgage Insurance Program Account” for administrative contract expenses shall be \$207,000,000.

SEC. 2252. The first proviso in the first paragraph under the heading “Department of Housing and Urban Development, Federal Housing Administration, General and Special Risk Program Account” in division A of Public Law 111–117 shall be applied in fiscal year 2011 by substituting “\$20,000,000,000” for “\$15,000,000,000”.

SEC. 2253. Notwithstanding section 1101, the level for “Department of Housing and Urban Development, Office of Lead Hazard Control and Healthy Homes, Lead Hazard Reduction” shall be \$120,000,000.

SEC. 2254. Notwithstanding section 1101, the level under the heading “Related Agencies, United States Interagency Council on Homelessness, Operating Expenses” shall be \$2,680,000.

SEC. 2255. Section 209 of the McKinney-Vento Homeless Assistance Act (42 U.S.C. 11319) is amended by striking all that follows “on” and inserting “October 1, 2013.”.

SEC. 2256. The first proviso under the heading “Housing for the Elderly” and under the heading “Housing for Persons with Disabilities” in division A of Public Law 111–117 are each amended to read as follows: “*Provided*, That amounts obligated for initial project rental assistance contracts from amounts appropriated in fiscal year 2003 and thereafter shall remain available for the purpose of paying such obligations incurred prior to the expiration of such amounts for a 10 year period following such expiration.”.

SEC. 2257. The amounts provided by section 1101 for “Department of Housing and Urban Development, Housing Programs, Housing for Persons with Disabilities” shall, in addition to use as provided under such heading in title II of division A of Public Law 111–117, be available for project assistance contracts pursuant to section 202(h) of the Housing Act of 1959 (12 U.S.C. 1701q).

SEC. 2258. Notwithstanding section 1101, the level under the heading “Department of Housing and Urban Development, Management and Administration, Transformation Initiative” for combating mortgage fraud shall be \$0.

SEC. 2259. The heading “Department of Housing and Urban Development, Management and Administration, Transformation Initiative” in title II of division A of Public Law 111–117 is amended by striking the second paragraph and inserting the following: “For necessary expenses of information technology modernization, including development and deployment of a Next Generation of Voucher Management System and development and deployment of modernized Federal Housing Administration systems, \$71,000,000, to remain available until September 30, 2013: *Provided*, That not more than 35 percent of the funds made available for information technology modernization may be obligated until the Secretary submits to the Committees on Appropriations a plan for expenditure that (1) identifies for each modernization project (A) the functional and performance capabilities to be delivered and the mission benefits to be realized, (B) the estimated lifecycle cost, and (C) key milestones to be met; (2) demonstrates that each modernization project is (A) compliant with the Department’s enterprise architecture, (B) being managed in accordance with applicable lifecycle management policies and guidance, (C) subject to the Department’s capital plan-

ning and investment control requirements, and (D) supported by an adequately staffed project office; and (3) has been reviewed by the Government Accountability Office. In addition, of the amounts made available in this division under each of the following headings under this title, the Secretary may transfer to, and merge with, this account up to 1 percent from each such account, and such transferred amounts shall be available until September 30, 2013, for (1) research, evaluation, and program metrics; (2) program demonstrations; (3) technical assistance and capacity building; and (4) information technology: ‘Revitalization of Severely Distressed Public Housing’, ‘Section 108 Loan Guarantees’, ‘Housing Opportunities for Persons With AIDS’, ‘Community Development Fund’, ‘HOME Investment Partnerships Program’, ‘Self-Help and Assisted Homeownership Opportunity Program’, ‘Housing for the Elderly’, ‘Housing for Persons With Disabilities’, ‘Payment to Manufactured Housing Fees Trust Fund’, ‘Mutual Mortgage Insurance Program Account’, ‘General and Special Risk Program Account’, ‘Research and Technology’, ‘Lead Hazard Reduction’, ‘Rental Housing Assistance’, and ‘Fair Housing Activities’: *Provided further*, That of the amounts made available under this heading, not less than \$45,000,000 shall be available for technical assistance and capacity building: *Provided further*, That technical assistance activities shall include, technical assistance for HUD programs, including HOME, Community Development Block Grant, homeless programs, HOPWA, HOPE VI, Public Housing, the Housing Choice Voucher Program, Fair Housing Initiative Program, Housing Counseling, Healthy Homes, Sustainable Communities, Energy Innovation Fund and other technical assistance as determined by the Secretary: *Provided further*, That any amounts available for research, evaluation, and program metrics and program demonstrations shall be used to complete ongoing projects, evaluations, and assessments: *Provided further*, That the Secretary shall submit a plan to the House and Senate Committees on Appropriations for approval detailing how the funding provided under this section will be allocated to each of the four categories identified under this section and for what projects or activities funding will be used: *Provided further*, That following the initial approval of this plan, the Secretary may amend the plan with the approval of the House and Senate Committees on Appropriations.”.

SEC. 2260. Notwithstanding section 1101, the level for “National Railroad Passenger Corporation, Office of Inspector General, Salaries and Expenses” shall be \$19,350,000.

SEC. 2261. No rescission made in this title shall apply to any amount previously designated by the Congress as an emergency requirement pursuant to a concurrent resolution on the budget or the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 2262. None of the funds made available by this division may be used to pay the salaries and expenses for the following positions: (1) Director, White House Office of Health Reform.

(2) Assistant to the President for Energy and Climate Change.

(3) Senior Advisor to the Secretary of the Treasury assigned to the Presidential Task Force on the Auto Industry and Senior Counselor for Manufacturing Policy.

(4) White House Director of Urban Affairs.

This division may be cited as the “Full-Year Continuing Appropriations Act, 2011”.

DIVISION C—SCHOLARSHIPS FOR OPPORTUNITY AND RESULTS ACT

SEC. 3001. SHORT TITLE.

This division may be cited as the “Scholarships for Opportunity and Results Act” or the “SOAR Act”.

SEC. 3002. FINDINGS.

Congress finds the following:

(1) Parents are best equipped to make decisions for their children, including the educational setting that will best serve the interests and educational needs of their child.

(2) For many parents in the District of Columbia, public school choice provided under the Elementary and Secondary Education Act of 1965, as well as under other public school choice programs, is inadequate. More educational options are needed to ensure all families in the District of Columbia have access to a quality education. In particular, funds are needed to provide low-income parents with enhanced public opportunities and private educational environments, regardless of whether such environments are secular or nonsecular.

(3) While the per student cost for students in the public schools of the District of Columbia is one of the highest in the United States, test scores for such students continue to be among the lowest in the Nation. The National Assessment of Educational Progress (NAEP), an annual report released by the National Center for Education Statistics, reported in its 2009 study that students in the District of Columbia were being outperformed by every State in the Nation. On the 2009 NAEP, 56 percent of fourth grade students scored “below basic” in reading, and 44 percent scored “below basic” in mathematics. Among eighth grade students, 49 percent scored “below basic” in reading and 60 percent scored “below basic” in mathematics. On the 2009 NAEP reading assessment, only 17 percent of the District of Columbia fourth grade students could read proficiently, while only 13 percent of the eighth grade students scored at the proficient or advanced level.

(4) In 2003, Congress passed the DC School Choice Incentive Act of 2003 (Public Law 108–199; 118 Stat. 126), to provide opportunity scholarships to parents of students in the District of Columbia to enable them to pursue a high-quality education at a public or private elementary or secondary school of their choice. The DC Opportunity Scholarship Program (DC OSP) under such Act was part of a comprehensive 3-part funding arrangement that also included additional funds for the District of Columbia public schools, and additional funds for public charter schools of the District of Columbia. The intent of the approach was to ensure that progress would continue to be made to improve public schools and public charter schools, and that funding for the opportunity scholarship program would not lead to a reduction in funding for the District of Columbia public and charter schools. Resources would be available for a variety of educational options that would give families in the District of Columbia a range of choices with regard to the education of their children.

(5) The DC OSP was established in accordance with the Supreme Court decision, *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002), which found that a program enacted for the valid secular purpose of providing educational assistance to low-income children in a demonstrably failing public school system is constitutional if it is neutral with respect to religion and provides assistance to

a broad class of citizens who direct government aid to religious and secular schools solely as a result of their genuine and independent private choices.

(6) Since the inception of the DC OSP, it has consistently been oversubscribed. Parents express strong support for the opportunity scholarship program. Rigorous studies of the program by the Institute of Education Sciences have shown significant improvements in parental satisfaction and in reading scores that are more dramatic when only those students consistently using the scholarships are considered. The program also was found to result in significantly higher graduation rates for DC OSP students.

(7) The DC OSP is a program that offers families in need, in the District of Columbia, important alternatives while public schools are improved. This program should be reauthorized as 1 of a 3-part comprehensive funding strategy for the District of Columbia school system that provides new and equal funding for public schools, public charter schools, and opportunity scholarships for students to attend private schools.

SEC. 3003. PURPOSE.

The purpose of this division is to provide low-income parents residing in the District of Columbia, particularly parents of students who attend elementary schools or secondary schools identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316), with expanded opportunities for enrolling their children in other schools in the District of Columbia, at least until the public schools in the District of Columbia have adequately addressed shortfalls in health, safety, and security, and the students in the District of Columbia public schools are testing in mathematics and reading at or above the national average.

SEC. 3004. GENERAL AUTHORITY.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—From funds appropriated under section 3014(a)(1), the Secretary shall award grants on a competitive basis to eligible entities with approved applications under section 3005 to carry out a program to provide eligible students with expanded school choice opportunities. The Secretary may award a single grant or multiple grants, depending on the quality of applications submitted and the priorities of this division.

(2) DURATION OF GRANTS.—The Secretary may make grants under this subsection for a period of not more than 5 years.

(b) DC PUBLIC SCHOOLS AND CHARTER SCHOOLS.—From funds appropriated under paragraphs (2) and (3) of section 3014(a), the Secretary shall provide funds to the Mayor of the District of Columbia, if the Mayor agrees to the requirements described in section 3011(a), for—

(1) the District of Columbia public schools to improve public education in the District of Columbia; and

(2) the District of Columbia public charter schools to improve and expand quality public charter schools in the District of Columbia.

SEC. 3005. APPLICATIONS.

(a) IN GENERAL.—In order to receive a grant under section 3004(a), an eligible entity shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

(b) CONTENTS.—The Secretary may not approve the request of an eligible entity for a grant under section 3004(a) unless the entity's application includes—

(1) a detailed description of—

(A) how the entity will address the priorities described in section 3006;

(B) how the entity will ensure that if more eligible students seek admission in the program of the entity than the program can accommodate, eligible students are selected for admission through a random selection process which gives weight to the priorities described in section 3006;

(C) how the entity will ensure that if more participating eligible students seek admission to a participating school than the school can accommodate, participating eligible students are selected for admission through a random selection process;

(D) how the entity will notify parents of eligible students of the expanded choice opportunities in order to allow the parents to make informed decisions;

(E) the activities that the entity will carry out to provide parents of eligible students with expanded choice opportunities through the awarding of scholarships under section 3007(a);

(F) how the entity will determine the amount that will be provided to parents under section 3007(a)(2) for the payment of tuition, fees, and transportation expenses, if any;

(G) how the entity will seek out private elementary schools and secondary schools in the District of Columbia to participate in the program;

(H) how the entity will ensure that each participating school will meet the reporting and other program requirements under this division;

(I) how the entity will ensure that participating schools submit to site visits by the entity as determined to be necessary by the entity, except that a participating school may not be required to submit to more than 1 site visit per school year;

(J) how the entity will ensure that participating schools are financially responsible and will use the funds received under section 3007 effectively;

(K) how the entity will address the renewal of scholarships to participating eligible students, including continued eligibility; and

(L) how the entity will ensure that a majority of its voting board members or governing organization are residents of the District of Columbia; and

(2) an assurance that the entity will comply with all requests regarding any evaluation carried out under section 3009(a).

SEC. 3006. PRIORITIES.

In awarding grants under section 3004(a), the Secretary shall give priority to applications from eligible entities that will most effectively—

(1) in awarding scholarships under section 3007(a), give priority to—

(A) eligible students who, in the school year preceding the school year for which the eligible students are seeking a scholarship, attended an elementary school or secondary school identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316);

(B) students who have been awarded a scholarship in a preceding year under this division or the DC School Choice Incentive Act of 2003 (sec. 38-1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this division, but who have not used the scholarship, including eligible students who were provided notification of selection for a scholarship for school year 2009-2010, which was later rescinded in accordance with direction from the Secretary of Education; and

(C) students whose household includes a sibling or other child who is already participating in the program of the eligible entity under this division, regardless of whether such students have, in the past, been assigned as members of a control study group for the purposes of an evaluation under section 3009(a);

(2) target resources to students and families that lack the financial resources to take advantage of available educational options; and

(3) provide students and families with the widest range of educational options.

SEC. 3007. USE OF FUNDS.

(a) OPPORTUNITY SCHOLARSHIPS.—

(1) IN GENERAL.—Subject to paragraphs (2) and (3), an eligible entity receiving a grant under section 3004(a) shall use the grant funds to provide eligible students with scholarships to pay the tuition, fees, and transportation expenses, if any, to enable the eligible students to attend the District of Columbia private elementary school or secondary school of their choice beginning in school year 2011-2012. Each such eligible entity shall ensure that the amount of any tuition or fees charged by a school participating in such entity's program under this division to an eligible student participating in the program does not exceed the amount of tuition or fees that the school charges to students who do not participate in the program.

(2) PAYMENTS TO PARENTS.—An eligible entity receiving a grant under section 3004(a) shall make scholarship payments under the entity's program under this division to the parent of the eligible student participating in the program, in a manner which ensures that such payments will be used for the payment of tuition, fees, and transportation expenses (if any), in accordance with this division.

(3) AMOUNT OF ASSISTANCE.—

(A) VARYING AMOUNTS PERMITTED.—Subject to the other requirements of this section, an eligible entity receiving a grant under section 3004(a) may award scholarships in larger amounts to those eligible students with the greatest need.

(B) ANNUAL LIMIT ON AMOUNT.—

(i) LIMIT FOR SCHOOL YEAR 2011-2012.—The amount of assistance provided to any eligible student by an eligible entity under the entity's program under this division for school year 2011-2012 may not exceed—

(I) \$8,000 for attendance in kindergarten through grade 8; and

(II) \$12,000 for attendance in grades 9 through 12.

(ii) CUMULATIVE INFLATION ADJUSTMENT.—Beginning with school year 2012-2013, the Secretary shall adjust the maximum amounts of assistance described in clause (i) for inflation, as measured by the percentage increase, if any, from the preceding fiscal year in the Consumer Price Index for All Urban Consumers, published by the Bureau of Labor Statistics of the Department of Labor.

(4) PARTICIPATING SCHOOL REQUIREMENTS.—None of the funds provided under this division for opportunity scholarships may be used by an eligible student to enroll in a participating private school unless the participating school—

(A) has and maintains a valid certificate of occupancy issued by the District of Columbia;

(B) makes readily available to all prospective students information on its school accreditation;

(C) in the case of a school that has been operating for 5 years or less, submits to the eligible entity administering the program proof of adequate financial resources reflecting the financial sustainability of the school and the school's ability to be in operation through the school year;

(D) agrees to submit to site visits as determined to be necessary by the eligible entity pursuant to section 3005(b)(1)(I);

(E) has financial systems, controls, policies, and procedures to ensure that funds are used according to this division; and

(F) ensures that each teacher of core subject matter in the school has a baccalaureate degree or equivalent degree, whether such degree was awarded in or outside of the United States.

(b) **ADMINISTRATIVE EXPENSES.**—An eligible entity receiving a grant under section 3004(a) may use not more than 3 percent of the amount provided under the grant each year for the administrative expenses of carrying out its program under this division during the year, including—

(1) determining the eligibility of students to participate;

(2) selecting eligible students to receive scholarships;

(3) determining the amount of scholarships and issuing the scholarships to eligible students;

(4) compiling and maintaining financial and programmatic records; and

(5) conducting site visits as described in section 3005(b)(1)(I).

(c) **PARENTAL ASSISTANCE.**—An eligible entity receiving a grant under section 3004(a) may use not more than 2 percent of the amount provided under the grant each year for the expenses of educating parents about the entity's program under this division, and assisting parents through the application process, under this division, including—

(1) providing information about the program and the participating schools to parents of eligible students;

(2) providing funds to assist parents of students in meeting expenses that might otherwise preclude the participation of eligible students in the program; and

(3) streamlining the application process for parents.

(d) **STUDENT ACADEMIC ASSISTANCE.**—An eligible entity receiving a grant under section 3004(a) may use not more than 1 percent of the amount provided under the grant each year for expenses to provide tutoring services to participating eligible students that need additional academic assistance. If there are insufficient funds to provide tutoring services to all such students in a year, the eligible entity shall give priority in such year to students who previously attended an elementary school or secondary school that was identified for improvement, corrective action, or restructuring under section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316).

SEC. 3008. NONDISCRIMINATION AND OTHER REQUIREMENTS FOR PARTICIPATING SCHOOLS.

(a) **IN GENERAL.**—An eligible entity or a school participating in any program under this division shall not discriminate against program participants or applicants on the basis of race, color, national origin, religion, or sex.

(b) **APPLICABILITY AND SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, the prohibition of sex discrimination in subsection (a) shall not apply to a participating school that is oper-

ated by, supervised by, controlled by, or connected to a religious organization to the extent that the application of subsection (a) is inconsistent with the religious tenets or beliefs of the school.

(2) **SINGLE SEX SCHOOLS, CLASSES, OR ACTIVITIES.**—Notwithstanding subsection (a) or any other provision of law, a parent may choose and a school may offer a single sex school, class, or activity.

(3) **APPLICABILITY.**—For purposes of this division, the provisions of section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) shall apply to this division as if section 909 of the Education Amendments of 1972 (20 U.S.C. 1688) were part of this division.

(c) **CHILDREN WITH DISABILITIES.**—Nothing in this division may be construed to alter or modify the provisions of the Individuals with Disabilities Education Act (20 U.S.C. 1400 et seq.).

(d) **RELIGIOUSLY AFFILIATED SCHOOLS.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of law, a school participating in any program under this division that is operated by, supervised by, controlled by, or connected to, a religious organization may exercise its right in matters of employment consistent with title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e-1 et seq.), including the exemptions in such title.

(2) **MAINTENANCE OF PURPOSE.**—Notwithstanding any other provision of law, funds made available under this division to eligible students, which are used at a participating school as a result of their parents' choice, shall not, consistent with the first amendment of the Constitution, necessitate any change in the participating school's teaching mission, require any participating school to remove religious art, icons, scriptures, or other symbols, or preclude any participating school from retaining religious terms in its name, selecting its board members on a religious basis, or including religious references in its mission statements and other chartering or governing documents.

(e) **RULE OF CONSTRUCTION.**—A scholarship (or any other form of support provided to parents of eligible students) under this division shall be considered assistance to the student and shall not be considered assistance to the school that enrolls the eligible student. The amount of any scholarship (or other form of support provided to parents of an eligible student) under this division shall not be treated as income of the child or his or her parents for purposes of Federal tax laws or for determining eligibility for any other Federal program.

(f) **REQUESTS FOR DATA AND INFORMATION.**—Each school participating in a program funded under this division shall comply with all requests for data and information regarding evaluations conducted under section 3009(a).

(g) **RULES OF CONDUCT AND OTHER SCHOOL POLICIES.**—A participating school, including the schools described in subsection (d), may require eligible students to abide by any rules of conduct and other requirements applicable to all other students at the school.

(h) **NATIONALLY NORM-REFERENCED STANDARDIZED TESTS.**—

(1) **IN GENERAL.**—Each participating school shall comply with any testing requirements determined to be necessary for evaluation under section 3009(a)(2)(A)(i).

(2) **MAKE-UP SESSION.**—If a participating school does not administer a nationally norm-referenced standardized test or the Institute of Education Sciences does not receive data on a student who is receiving an opportunity scholarship, then the Secretary (through the Institute of Education Sciences

of the Department of Education) shall administer such test at least one time during a school year for each student receiving an opportunity scholarship.

SEC. 3009. EVALUATIONS.

(a) **IN GENERAL.**—

(1) **DUTIES OF THE SECRETARY AND THE MAYOR.**—The Secretary and the Mayor of the District of Columbia shall—

(A) jointly enter into an agreement with the Institute of Education Sciences of the Department of Education to evaluate annually the performance of students who received scholarships under the 5-year program under this division;

(B) jointly enter into an agreement to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this division; and

(C) make the evaluations described in subparagraphs (A) and (B) public in accordance with subsection (c).

(2) **DUTIES OF THE SECRETARY.**—The Secretary, through a grant, contract, or cooperative agreement, shall—

(A) ensure that the evaluation under paragraph (1)(A)—

(i) is conducted using the strongest possible research design for determining the effectiveness of the opportunity scholarship program under this division; and

(ii) addresses the issues described in paragraph (4); and

(B) disseminate information on the impact of the program—

(i) in increasing the academic growth and achievement of participating eligible students; and

(ii) on students and schools in the District of Columbia.

(3) **DUTIES OF THE INSTITUTE OF EDUCATION SCIENCES.**—The Institute of Education Sciences of the Department of Education shall—

(A) use a grade appropriate, nationally norm-referenced standardized test each school year to assess participating eligible students;

(B) measure the academic achievement of all participating eligible students; and

(C) work with the eligible entities to ensure that the parents of each student who applies for a scholarship under this division (regardless of whether the student receives the scholarship) and the parents of each student participating in the scholarship program under this division, agree that the student will participate in the measurements given annually by the Institute of Educational Sciences for the period for which the student applied for or received the scholarship, respectively, except that nothing in this subparagraph shall affect a student's priority for an opportunity scholarship as provided under section 3006.

(4) **ISSUES TO BE EVALUATED.**—The issues to be evaluated under paragraph (1)(A) shall include the following:

(A) A comparison of the academic growth and achievement of participating eligible students in the measurements described in paragraph (3) to the academic growth and achievement of the eligible students in the same grades who sought to participate in the scholarship program under this division but were not selected.

(B) The success of the program in expanding choice options for parents of participating eligible students, improving parental and student satisfaction of such parents and

students, respectively, and increasing parental involvement of such parents in the education of their children.

(C) The reasons parents of participating eligible students choose for their children to participate in the program, including important characteristics for selecting schools.

(D) A comparison of the retention rates, high school graduation rates, and college admission rates of participating eligible students with the retention rates, high school graduation rates, and college admission rates of students of similar backgrounds who do not participate in such program.

(E) A comparison of the safety of the schools attended by participating eligible students and the schools in the District of Columbia attended by students who do not participate in the program, based on the perceptions of the students and parents.

(F) Such other issues with respect to participating eligible students as the Secretary considers appropriate for inclusion in the evaluation, such as the impact of the program on public elementary schools and secondary schools in the District of Columbia.

(G) An analysis of the issues described in subparagraphs (A) through (F) by applying such subparagraphs by substituting “the subgroup of participating eligible students who have used each opportunity scholarship awarded to such students under this division to attend a participating school” for “participating eligible students” each place such term appears.

(5) PROHIBITION.—Personally identifiable information regarding the results of the measurements used for the evaluations may not be disclosed, except to the parents of the student to whom the information relates.

(b) REPORTS.—The Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate—

(1) annual interim reports, not later than April 1 of the year following the year of the date of enactment of this division, and each subsequent year through the year in which the final report is submitted under paragraph (2), on the progress and preliminary results of the evaluation of the opportunity scholarship program funded under this division; and

(2) a final report, not later than 1 year after the final year for which a grant is made under section 3004(a), on the results of the evaluation of the program.

(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable report under subsection (b), except that personally identifiable information shall not be disclosed or made available to the public.

(d) LIMIT ON AMOUNT EXPENDED.—The amount expended by the Secretary to carry out this section for any fiscal year may not exceed 5 percent of the total amount appropriated under section 3014(a)(1) for the fiscal year.

SEC. 3010. REPORTING REQUIREMENTS.

(a) ACTIVITIES REPORTS.—Each eligible entity receiving funds under section 3004(a) during a year shall submit a report to the Secretary not later than July 30 of the following year regarding the activities carried out with the funds during the preceding year.

(b) ACHIEVEMENT REPORTS.—

(1) IN GENERAL.—In addition to the reports required under subsection (a), each eligible entity receiving funds under section 3004(a) shall, not later than September 1 of the year during which the second school year of the entity's program is completed and each of the next 2 years thereafter, submit to the Secretary a report, including any pertinent data collected in the preceding 2 school years, concerning—

(A) the academic growth and achievement of students participating in the program;

(B) the high school graduation and college admission rates of students who participate in the program, where appropriate; and

(C) parental satisfaction with the program.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information.

(c) REPORTS TO PARENTS.—

(1) IN GENERAL.—Each eligible entity receiving funds under section 3004(a) shall ensure that each school participating in the entity's program under this division during a school year reports at least once during the year to the parents of each of the school's students who are participating in the program on—

(A) the student's academic achievement, as measured by a comparison with the aggregate academic achievement of other participating students at the student's school in the same grade or level, as appropriate, and the aggregate academic achievement of the student's peers at the student's school in the same grade or level, as appropriate;

(B) the safety of the school, including the incidence of school violence, student suspensions, and student expulsions; and

(C) the accreditation status of the school.

(2) PROHIBITING DISCLOSURE OF PERSONAL INFORMATION.—No report under this subsection may contain any personally identifiable information, except as to the student who is the subject of the report to that student's parent.

(d) REPORT TO CONGRESS.—Not later than 6 months after the first appropriation of funds under section 3014, and each succeeding year thereafter, the Secretary shall submit to the Committees on Appropriations, Education and the Workforce, and Oversight and Government Reform of the House of Representatives and the Committees on Appropriations, Health, Education, Labor, and Pensions, and Homeland Security and Governmental Affairs of the Senate, an annual report on the findings of the reports submitted under subsections (a) and (b).

SEC. 3011. DC PUBLIC SCHOOLS AND DC PUBLIC CHARTER SCHOOLS.

(a) CONDITION OF RECEIPT OF FUNDS.—As a condition of receiving funds under this division on behalf of the District of Columbia public schools and the District of Columbia public charter schools, the Mayor shall agree to carry out the following:

(1) INFORMATION REQUESTS.—Ensure that all the District of Columbia public schools and the District of Columbia public charter schools comply with all reasonable requests for information for purposes of the evaluation under section 3009(a).

(2) AGREEMENT WITH THE SECRETARY.—Enter into the agreement described in section 3009(a)(1)(B) to monitor and evaluate the use of funds authorized and appropriated for the District of Columbia public schools and the District of Columbia public charter schools under this division.

(3) SUBMISSION OF REPORT.—Not later than 6 months after the first appropriation of funds under section 3014, and each succeeding

year thereafter, submit to the Committee on Appropriations, the Committee on Education and the Workforce, and the Committee on Oversight and Government Reform of the House of Representatives, and the Committee on Appropriations, the Committee on Health, Education, Labor, and Pensions, and the Committee on Homeland Security and Governmental Affairs of the Senate, information on—

(A) how the funds authorized and appropriated under this division for the District of Columbia public schools and the District of Columbia public charter schools were used in the preceding school year; and

(B) how such funds are contributing to student achievement.

(b) ENFORCEMENT.—If, after reasonable notice and an opportunity for a hearing for the Mayor, the Secretary determines that the Mayor has not been in compliance with 1 or more of the requirements described in subsection (a), the Secretary may withhold from the Mayor, in whole or in part, further funds under this division for the District of Columbia public schools and the District of Columbia public charter schools.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to reduce, or otherwise affect, funding provided under this division for the opportunity scholarship program under this division.

SEC. 3012. TRANSITION PROVISIONS.

(a) REPEAL.—The DC School Choice Incentive Act of 2003 (sec. 38-1851.01 et seq., D.C. Official Code) is repealed.

(b) SPECIAL RULES.—Notwithstanding any other provision of law—

(1) funding appropriated to provide opportunity scholarships for students in the District of Columbia under the heading “Federal Payment for School Improvement” in title IV of division D of the Omnibus Appropriations Act, 2009 (Public Law 111-8; 123 Stat. 653), the heading “Federal Payment for School Improvement” in title IV of division C of the Consolidated Appropriations Act, 2010 (Public Law 111-117; 123 Stat. 3181), or any other Act, may be used to provide opportunity scholarships under section 3007(a) for the 2011-2012 school year to students who have not previously received such scholarships;

(2) the fourth and fifth provisos under the heading “Federal Payment for School Improvement” of title IV of Division C of the Consolidated Appropriations Act, 2010 (Public Law 111-117; 123 Stat. 3181) shall not apply; and

(3) any unobligated amounts reserved to carry out the provisos described in paragraph (2) shall be made available to an eligible entity receiving a grant under section 3004(a)—

(A) for administrative expenses described in section 3007(b); or

(B) to provide opportunity scholarships under section 3007(a), including to provide such scholarships for the 2011-2012 school year to students who have not previously received such scholarships.

(c) MULTIYEAR AWARDS.—The recipient of a grant or contract under the DC School Choice Incentive Act of 2003 (sec. 38-1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this division, shall continue to receive funds in accordance with the terms and conditions of such grant or contract, except that—

(1) the provisos relating to opportunity scholarships in the Acts described in subsection (b)(1) shall not apply; and

(2) the memorandum of understanding described in subsection (d), including any revision made under such subsection, shall apply.

(d) **MEMORANDUM OF UNDERSTANDING.**—The Secretary and the Mayor of the District of Columbia shall revise the memorandum of understanding entered into under the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of the enactment of this division, to address—

(1) the implementation of the opportunity scholarship program under this division; and

(2) how the Mayor will ensure that the District of Columbia public schools and the District of Columbia public charter schools comply with all the reasonable requests for information as necessary to fulfill the requirements for evaluations conducted under section 3009(a).

(e) **ORDERLY TRANSITION.**—Subject to subsections (c) and (d), the Secretary shall take such steps as the Secretary determines to be appropriate to provide for the orderly transition to the authority of this division from any authority under the provisions of the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this division.

SEC. 3013. DEFINITIONS.

As used in this division:

(1) **ELEMENTARY SCHOOL.**—The term “elementary school” means an institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under District of Columbia law.

(2) **ELIGIBLE ENTITY.**—The term “eligible entity” means any of the following:

(A) A nonprofit organization.

(B) A consortium of nonprofit organizations.

(3) **ELIGIBLE STUDENT.**—The term “eligible student” means a student who is a resident of the District of Columbia and comes from a household—

(A) receiving assistance under the supplemental nutrition assistance program established under the Food and Nutrition Act of 2008 (7 U.S.C. 2011 et seq.); or

(B) whose income does not exceed—

(i) 185 percent of the poverty line; or

(ii) in the case of a student participating in the opportunity scholarship program in the preceding year under this division or the DC School Choice Incentive Act of 2003 (sec. 38–1851.01 et seq., D.C. Official Code), as such Act was in effect on the day before the date of enactment of this division, 300 percent of the poverty line.

(4) **MAYOR.**—The term “Mayor” means the Mayor of the District of Columbia.

(5) **PARENT.**—The term “parent” has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(6) **PARTICIPATING ELIGIBLE STUDENT.**—The term “participating eligible student” means an eligible student awarded an opportunity scholarship under this division, without regard to whether the student uses the scholarship to attend a participating school.

(7) **PARTICIPATING SCHOOL.**—The term “participating school” means a private elementary school or secondary school participating in the opportunity scholarship program of an eligible entity under this division.

(8) **POVERTY LINE.**—The term “poverty line” has the meaning given that term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(9) **SECONDARY SCHOOL.**—The term “secondary school” means an institutional day or residential school, including a public secondary charter school, that provides secondary education, as determined under District of Columbia law, except that the term does not include any education beyond grade 12.

(10) **SECRETARY.**—The term “Secretary” means the Secretary of Education.

SEC. 3014. AUTHORIZATION OF APPROPRIATIONS.

(a) **IN GENERAL.**—There are authorized to be appropriated \$60,000,000 for fiscal year 2012 and for each of the 4 succeeding fiscal years, of which—

(1) one-third shall be made available to carry out the opportunity scholarship program under this division for each fiscal year;

(2) one-third shall be made available to carry out section 3004(b)(1) for each fiscal year; and

(3) one-third shall be made available to carry out section 3004(b)(2) for each fiscal year.

(b) **APPORTIONMENT.**—If the total amount of funds appropriated under subsection (a) for a fiscal year does not equal \$60,000,000, the funds shall be apportioned in the manner described in subsection (a) for such fiscal year.

The **SPEAKER** pro tempore. The gentleman from Kentucky (Mr. **ROGERS**) and the gentleman from Washington (Mr. **DICKS**) each will control 30 minutes.

The Chair recognizes the gentleman from Kentucky.

GENERAL LEAVE

Mr. **ROGERS** of Kentucky. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 1473, and that I may include tabular material on the same.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. **ROGERS** of Kentucky. I yield myself such time as I may consume.

Madam Speaker, I'm pleased to bring to the floor today H.R. 1473, the full year spending agreement for fiscal year 2011.

This final CR makes nearly \$40 billion of real spending cuts compared to fiscal year 2010 levels while funding the government's critical services and programs and supporting our Nation's troops for the rest of this fiscal year.

After weeks of hard fought negotiations, all sides were able to come together in this final agreement to find common ground and take steps to help balance our budget.

This legislation is a bold move for Congress, one that points us in the right direction on Federal spending. Never before has any Congress made dramatic cuts such as these that are in this final bill.

The near \$40 billion reduction in non-defense spending is tens of billions of dollars larger than any other cut in history and is the result of this new Republican majority's commitment to bring about real change in the way Washington spends the people's money.

My committee went line-by-line through agency budgets to execute the agreement reached by our Speaker crafting deep but responsible reductions in virtually all areas of government. Our bill targets wasteful and duplicative spending, makes strides to rein in out-of-control Federal bureaucracies, and will help bring our Nation one step closer to eliminating our job-crushing level of debt.

This led to the following cuts from the President's budget request: Agriculture accounts were reduced by 14 percent; Commerce, Justice, and Science reduced by 12 percent; Energy and Water reduced by 10 percent; Financial Services, General Government, 13 percent; Interior and Environment by 9 percent; Labor, Health and Human Services, Education, 8 percent; Legislative Branch, 11 percent cut; State and Foreign Operations, 15 percent cut; and Transportation and HUD, 19 percent cut.

The Department of Defense is funded at \$513 billion, which is a \$5 billion increase over fiscal year 2010 to provide the necessary resources for our troops and the success of our Nation's military actions.

□ 1320

In this bill, Madam Speaker, we've defunded Obama administration czars—we said, “Nyet”—ended unsuccessful education programs, advanced efforts to repeal ObamaCare, and reduced Congress's own budget. We've also put into place mandatory audits for the Consumer Financial Protection Bureau, banned taxpayer funding of abortion in Washington, D.C., and continued the global fight against terrorism.

In addition, with this legislation we have ended the stimulus spending spree and have taken the next step to cutting trillions of dollars in the years to come. We stood by our commitment to eliminate earmarks, terminated unnecessary and ineffective programs, and made real spending cuts that will help right our fiscal ship. And we will continue to hold the government to a standard of responsible, sustainable spending in the future.

Our goal is and has been to keep precious taxpayer dollars where they are needed most—in the hands of our small businesses and individuals so they can create jobs and grow our economy. I hope, Madam Speaker, that my colleagues will take the opportunity to support this historic bill and finally close the book on the fiscal year 2011 budget.

For those who have been saying in their career here in this body, “I came here to cut spending and to bring down the size of the government,” I say to them here's your chance. If you believe in cutting spending, you can vote for \$40 billion of it today, the largest any Member of Congress has ever been able to vote for.

This is historic, a historic reduction in Federal spending after a 2-year spending spree that increased discretionary spending by 82 percent. This bill will reverse that rise and will start us back down toward responsible spending in the government.

Madam Speaker, before I close, I would like to take a moment and thank these hardworking individuals who have been toiling behind the scenes now on this bill for the last several months, with little fanfare, and they get no credit in public, that made this legislation possible. Our legislative counsels deserve our appreciation.

I want to say thanks to Ira Forstater, Tom Cassidy, Ryan Greenlaw, and their group of appropriations coordinators. I would like also to thank Janet Airis and the staff at the CBO. I also want to thank the floor staff, the parliamentarians, the Capitol Police, and all those support staff who have put in the extra hours to keep this institution running at its very best.

Finally, I want to offer a special thanks to the Appropriations Committee's fine staff on both sides of this aisle, those in our full committee, the subcommittee clerks, the subcommittee staffs in both majority and minority. They have been given impossible task after impossible task, facing untenable deadlines, gone for days and weeks working around the clock, and yet have miraculously produced all that we have asked of them and more.

I want to especially say a real thanks to the clerk of the committee, Bill Inglee; the deputy clerk, Will Smith; and all of the other staff that's worked on the majority side. And Mr. DICKS and his wonderful staff have been just magnanimous in their support and hard work. I want to say thank you to them as well.

Mr. DICKS. If you would yield just for a brief second.

Mr. ROGERS of Kentucky. I yield to the gentleman from Washington.

Mr. DICKS. I just want to commend the chairman for the way the two staffs have worked together, and the leadership of Bill Inglee and David Pomerantz and all the staff members. They have really done a phenomenal job under very difficult circumstances, and we applaud all of them. And I appreciate the chairman mentioning this.

Mr. ROGERS of Kentucky. Well, they have hardly slept in 3 months. And they worked around the clock, on weekends, at 4 o'clock in the morning you would find them still there. It's an amazing performance that they have contributed to this great body.

I reserve the balance of my time.

Mr. DICKS. I yield 3 minutes to the gentleman from Virginia (Mr. MORAN), the ranking member of the Interior Subcommittee on Appropriations.

Mr. MORAN. Madam Speaker, I also share the chairman's congratulatory

sentiments to all those who made this happen, particularly the staff, who did work 24/7 around the clock.

Madam Speaker, politics is the art of compromise, and this continuing resolution is the epitome of compromise. Members on the other side of the aisle dislike many aspects of this deal, as many Members on this side of the aisle dislike other aspects of this deal. The compromise reached by the negotiators produced a bill that was imperfect at best. However, it was the responsible thing to do with a government shutdown looming.

It does fund the Department of Defense for the remainder of the fiscal year, which is absolutely necessary for our troops currently in combat around the world. In the Interior and Environment portion, where I serve as ranking member, the details of the deal do show constructive compromise at work. I am pleased that all of EPA's environmental riders were dropped. But the agency was cut by \$1.6 billion, mostly on the backs of States, with cuts to the safe drinking water and wastewater infrastructure programs. I guess when many Republican Governors have claimed that the stimulus money was wasteful spending, then they will not object too much to a reduction in these important infrastructure programs, even though it's coming out of the pockets of their States.

In a compromise agreement, we have accepted delisting of the gray wolves from the endangered species list, but we have also secured increased funding for Indian Health, which is certainly the right thing to do. As Mo Udall once said, if you can find something everyone agrees on, you can count on it being wrong. Well, everyone in this body, as I said, can find something, in fact many things even, that they disagree with in this resolution. But in my judgment, it does contain more good than bad.

It may represent the only kind of legislation that can be enacted in this time of heightened partisanship and fundamental differences in political philosophy. The deal reached is a vast improvement from what this House voted on on H.R. 1 just a few weeks ago. For example, Women, Infants and Children's, the WIC nutrition programs, are funded at \$6.7 billion, nearly \$250 million above H.R. 1; Legal Services Corporation at \$405 million, that's \$55 million over H.R. 1; Head Start is \$7.6 billion, \$34 million above the enacted level and \$1.4 billion above H.R. 1; title X Family Planning is funded at \$300 million, \$17 million below the enacted level. But this is in stark contrast to H.R. 1, which zeroed out title X.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DICKS. I yield the gentleman an additional 15 seconds.

Mr. MORAN. Only because H.R. 1 set such a low bar could this CR be looked

at as a significant improvement. While far from perfect, we need to bring the fiscal year 2011 to a conclusion and provide agencies with some certainty and stability so they can go about conducting the people's business. Members will have to decide for themselves whether elements that disappoint them outweigh the good in this bill, but this may not be the time to let the perfect be the enemy of the good, Madam Speaker.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1 minute to the distinguished Speaker of the House, the gentleman from Ohio, who toiled long and hard to bring us the largest spending cut in the history of the country, Speaker JOHN BOEHNER.

Mr. BOEHNER. Let me thank the chairman of the Appropriations Committee, Mr. ROGERS, and his staff, and all the staff for the sacrifices and hard work that they have put forward over the last several months in order to get us to this point.

□ 1330

For years now, our economy has been stalled and stumbling. In the private sector, jobs are not being created. Something's clogging the engine of our economy. That "something" is uncertainty, uncertainty being caused by the actions that are being taken in this town.

One of the prime causes of uncertainty is spending. Our failure to deal with the spending binge has been chipping away at the economic confidence that Americans want to have in their country.

Washington's spending addiction is a bipartisan problem. It didn't start under the current administration, but the current administration clearly made it worse.

This problem is not going to be fixed overnight, and this bill does not fix it. The budget proposed by the chairman of the Budget Committee, Mr. RYAN, the Path to Prosperity, does deal with the long-term problem.

What this bill does is stop the bleeding. It halts the spending binge and starts us moving back in the right direction.

Does it cut enough? No. Do I wish it cut more? Absolutely. And do we need to cut more? Absolutely.

There are some who claim that the spending cuts in this bill aren't real, that they are gimmicks. I just think that's total nonsense. A cut is a cut, and this bill will cut an estimated \$315 billion over the next 10 years, the largest non-defense discretionary cut in the history of our country.

You want discretionary cuts? This bill has billions of them.

You want mandatory cuts? They are in here too, clearing out some of the underbrush in the Federal budget while we get ready to debate the Path to Prosperity.

Every dime in this bill that is cut is a dime that Washington will spend if we leave it on the table. And if you vote “no” on this bill, you are voting to do exactly that, leaving this money on the table to be spent by unelected bureaucrats.

There are some who say that the spending cuts in this bill aren’t real, that they were “already scheduled.”

Let me show you what was “already scheduled.” This chart is based on a chart produced last week by an economist at Stanford University, John Taylor. What it shows is the difference between what President Obama wanted to spend this year and what we will actually spend this year when this bill passes.

The difference? It is \$78.5 billion less than what the President requested.

Now, there are some who want to say that this bill is just more of the same. Well, if you believe that it’s more of the same, this chart will show you the direction of Federal spending over the last couple of years, on that one-third of the budget that we call discretionary spending that we fight over all year.

It couldn’t be more stark. It’s like driving down the highway and throwing your car into reverse. Instead of spending more and more and more, guess what? We are actually going to spend less in the discretionary budget this year.

Now, there are some press articles that have picked up on some spin from our colleagues across the aisle, suggesting that the bill will result in smaller savings than advertised between now and September, and it’s just not the case.

It comes down to the fact that there is a difference between budget authority and budget outlays. Budget authority is how much an agency is allowed to spend on a given program; it’s the license to spend taxpayer dollars.

Outlays show how much an agency will spend over time based on current and prior budget authority. These are the results of how quickly taxpayer dollars are spent.

The final agreement cuts nearly \$40 billion in budget authority, taking away the license to spend the money, which will result in deficit savings of an estimated \$315 billion over next decade. When we pass this bill, Washington will spend \$315 billion less than it is currently on track to spend over the next 10 years, and it is just that simple.

The Path to Prosperity is the plan that will take us where we truly need to go. This bill doesn’t do that, but this bill starts us moving in the right direction.

It eliminates one program from the President’s health care law and cuts another program in his health care law nearly in half.

It eliminates funding for some of the administration’s czars, bureaucrats

that were charged with implementing the bailouts and takeovers, and guarantees that they won’t be coming back.

It bans taxpayer funding of abortion in the District of Columbia, ensuring that taxpayer funds won’t be used to fund the destruction of human life.

It saves the D.C. Opportunity Scholarship Program, giving thousands of children here in this city a chance at a decent education. Is it perfect? No. I would be the first one to admit that it’s flawed. Welcome to divided government.

The negotiations that went on over the last 4 or 5 weeks weren’t easy, especially when you’ve got another body on the other side of this Capitol that doesn’t want to cut spending and clearly an administration that doesn’t want to cut spending. But I will tell you that this is the best we could get out of divided government.

The gentleman referred to it earlier as a compromise. Well, I would say it was a hard fight to get the kinds of spending cuts that we got, but these are real spending cuts.

I think this bill sets the stage for us to begin making the fundamental changes that need to be made to put our Nation back on a path to prosperity, and I would urge all of you to join me in supporting this bill.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind all persons in the gallery that they are here as guests of the House and that any manifestation of approval or disapproval of proceedings is in violation of the rules of the House.

Mr. DICKS. I yield 3 minutes to the distinguished gentlewoman from Connecticut (Ms. DELAURO), ranking member of the Appropriations Labor-HHS Subcommittee.

Ms. DELAURO. Madam Speaker, governing is about choices. Everyone in this body agrees that we need to get our fiscal house in order, bring down the deficit and cut programs that do not work. The question before us is how we choose to get there.

Unfortunately, at almost every turn of this continuing resolution, the majority has chosen to keep special interest giveaways to big corporate lobbyists while making middle class and working families bear the brunt of the spending cuts.

Instead of ending \$40 billion in oil company subsidies that this country gives out every year—they are giving them out right now—this resolution cuts \$1.6 billion from our attempts to protect the environment, prevent climate change; and it slashes education and infrastructure funding, biomedical research, and food safety.

The chairman of the full committee said a moment ago that we are going to cut this deficit by \$40 billion by cutting those programs. We could have made up that difference with the \$40 billion

in the subsidies that we give to the oil companies today.

Instead of ending billions in subsidies to big agribusiness, it cuts funding for food safety inspections, women’s health care under Title X and virtually eliminates the National Health Service.

Instead of ending billions in tax loopholes for corporations who ship our jobs overseas, it slashes funding for vital job training services by a billion dollars.

It ends education programs that our children rely on like Even Start and Teach for America. It ends literacy programs for children in the United States, and at the same time we are providing dollars in Afghanistan to train their youngsters in literacy by cutting it out in the United States of America.

Instead of ending the billions in tax breaks for the wealthiest Americans, it guts community health centers by \$600 million. It cuts funding for Women with Infant Children by \$500 million. It shortchanges public safety. It cuts biomedical research and cuts the Centers for Disease Control by 11 percent.

The American people expect better from us. They want our budget to reflect commonsense, mainstream priorities that are good for our country and good for the middle class. Instead, this resolution offers the status quo on special-interest waste, and that hurts people who are trying to do the right thing.

This budget will hurt our economy, cost us jobs, and put the health and the safety of middle class and working class families at risk. It may be an improvement on the Tea Party budget that this House passed several weeks ago, but that was not the standard we should apply here.

This resolution still gives oil companies and special interests a pass while hurting American families. These are not the right choices for the American people.

I urge my colleagues to oppose this misguided resolution. That would be the right thing to do. We can and must do better.

□ 1340

Mr. ROGERS of Kentucky. Madam Speaker, I yield 3 minutes to the chairman of the Defense Subcommittee on Appropriations, the gentleman from Florida (Mr. YOUNG).

Mr. YOUNG of Florida. Madam Speaker, today I will limit my comments to the Division A of this bill, which is basically the Defense Appropriations bill for fiscal year 2011. This is a bill that should have been passed last year, but for some strange reason, it didn’t get passed. And I would tell you that as chairman of the Defense Subcommittee this year, I’m happy that it’s going to become law under my watch. But it wouldn’t be fair if I

didn't point out that the bill basically is the one that we crafted together with Chairman NORMAN DICKS last year. And as I said, it should have been passed.

We have been functioning, our Defense Department and our national defense, on a continuing resolution since last year. That is not good. A CR is not good period. But a CR for national defense could become extremely serious. We were getting very close to the point of affecting readiness, of affecting our troops and of affecting our families. And so passing this bill into law today is something that we will do that is right, and hopefully it will go through the process and go to the President, everybody will keep their deal and sign off on the bill.

I compliment Speaker BOEHNER and his leadership team, and I compliment Chairman ROGERS and his team. We looked at this bill very closely, and they asked me if we in the subcommittee could reduce some of the Defense spending in this bill. The answer is yes. We were diligent. We spent hours, days, and weeks making sure that we found sources of money that we really could eliminate without having a negative effect.

And I will say to my colleagues I would never support an appropriations bill or any other bill that will affect our readiness or that will affect our troops. I just won't do it. I can't do it. The defense of this Nation and our soldiers who provide the defense is too important. But when Chairman ROGERS asked if we could go to this number, we were very careful. There is a reduction in the Defense bill in this bill. And for those of you who are concerned that it might have had an adverse effect on our Nation's defense, it will not.

We don't want to make very many more cuts in the Defense bill because today we don't know what the requirement is. There is discussion at the White House and with the Secretary of Defense, who almost seems to disagree now that there should be more cuts, more draconian cuts. You can't do that. You can't just pick out a number for Defense out of the air. You can't roll the dice. You can't spin the wheel. You've got to make your funding and your investment in national defense based on what is the threat to this country.

Mr. DICKS. I yield 3 minutes to Congressman MIKE ROSS, a distinguished leader here in the House from Arkansas.

Mr. ROSS of Arkansas. I've heard several references this afternoon to this 2-year spending spree, and I would take issue with that, Madam Speaker. It took George Washington through Jimmy Carter to put this country \$1 trillion in debt. We've added the other \$13 trillion not in the last 2 years, but we have added it since 1981. So I think if we're going to be honest with the

American people, we've got to say we've been on a 30-year spending spree, with the exception of 4 years during the Clinton administration where we had back-to-back balanced budgets.

I rise today to discuss the importance of education funding to our children and our Nation's future success and prosperity. While I commend all sides for coming together to make spending cuts, I also believe that there are important investments in education that must be protected, prioritized, and maintained. Proven programs like Title I, IDEA, TRIO and education technology should be maintained and prioritized because they provide essential services to the students with the greatest needs throughout our Nation.

I'm concerned that we are moving away from basic education aid to all States and increasingly relying on competitive grants, which often disadvantage rural school districts and rural students in many States like my home State of Arkansas.

Ultimately, I believe that how we choose to invest our Nation's resources reflects our priorities as a people and as a nation, and if we truly want to grow our economy and create jobs in an ever-increasing global economy, our priority must be on our Nation's education system and ensuring that all students receive a world class education.

As we continue working together to reduce our debt and to reduce spending, I hope that we can put an emphasis on the educational needs of our children and continue to invest in their futures. Our children did not get us in this fiscal mess. Let's not punish them. Rather, let's make the difficult choices and the tough decisions that the people sent us here to make to ensure that we can put this Nation on a path toward a balanced budget.

Mr. ROGERS of Kentucky. I yield 2 minutes to the distinguished gentleman from Virginia, FRANK WOLF, who is chair of the Commerce, Justice, Science appropriations subcommittee.

Mr. WOLF. I want to begin by acknowledging and thanking the Speaker and his staff—I think JOHN BOEHNER has done an incredible job—and also Mr. ROGERS and the appropriations staff on both sides of the aisle for their good work. This has never really been done before.

I rise in very strong support of the bill that provides the appropriations for the Defense Department and other agencies. The bill before the House is the long-overdue conclusion to the fiscal year 2011 appropriations process which the previous Congress had failed to really address. The new Congress has crafted a package of thoughtful and necessary reductions to discretionary spending which will put the country back on a path of fiscal responsibility.

The bill includes a total of \$53.4 billion under the jurisdiction of the Commerce, Justice, Science Subcommittee, a reduction of \$11 billion, or 17 percent, from fiscal year 2010 and a reduction of \$7 billion, or 12 percent, from the President's request.

At the same time, the bill preserves strong funding levels for critical national priorities, such as FBI national security programs and the basic scientific research supported by the National Science Foundation, NIST and others.

Also, the bill includes the funding and language needed to allow NASA to move forward with the new space exploration programs that were outlined in the authorization bill. This takes care of NASA, and Members on both sides asked for it with regard to that.

There's also, I will let Members know, language prohibiting NASA and the Office of Science and Technology in the White House from participating in bilateral cooperation with China. The Chinese regime is engaged in an aggressive espionage program to steal sensitive technologies from the Federal Government and American companies. Every day, they engage in cyberattacks against sometimes almost all of the agencies, but also the Defense Department and Congress included.

This bill contains the tough but responsible decisions on discretionary spending that are necessary. It's easy to condemn and complain, but this is a good bill, and I urge all Members to support it.

Mr. DICKS. I yield 2 minutes to the distinguished gentlelady from Ohio, Congresswoman KAPTUR, who is a senior member of the Appropriations Committee and the senior woman in the House.

Ms. KAPTUR. I thank the gentleman for yielding.

Now, Madam Speaker, here ends the slow, sad, and silly fiscal year 2011 appropriations process. It ends on a day when unemployment claims are going up, not down, when gas prices are rising and when food prices are dramatically on the rise. I say to my colleagues that it is mathematically impossible to balance a \$1.5 trillion deficit by only cutting from the 12 percent of total federal discretionary spending and with no tax-breaks' spending on the table.

For the largest accounts, Defense and Homeland Security, they're not even included in the reductions. Yet job-creating accounts like Transportation and Housing are cut by 18 percent, one-fifth. How does this make sense when 40 percent of America's building trades' workers are out work, and when housing is in the doldrums? Agriculture's food programs for the unemployed, seniors, children, and the needy are cut by 13 percent when Wall Street is walking away with billions.

If we are going to be serious in this Congress about balancing the Federal budget, then we need to put everything on the table, all programs, all revenue accounts, entitlement programs, mandatory programs, farm subsidies, and outdated direct federal subsidies to the West.

□ 1350

We must address tax expenditure spending and nonpayment of taxes by some of the most well-endowed corporations and individuals in our country. Corporate profits are at all-time highs; yet they're not hiring. Shareholders benefit but not workers.

The chairman of the Appropriations Committee, Mr. ROGERS, and the ranking member, Mr. DICKS, have tried to do everything they can to get us to this point. They are to be highly commended for holding an open process and for working with both sides of the aisle. It is now time for the other chairmen of this institution to look at their accounts as well as tax spending under their jurisdictions and make the necessary cuts to bring our accounts into balance.

I have been part of a Congress that in the past has balanced budgets year after year; but back in the '90s, what we did was we focused on jobs and job creation, and we used the budget and appropriations bills to aid in the creation of jobs and in the revenue they generate.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. DICKS. I yield the gentlewoman an additional 15 seconds.

Ms. KAPTUR. For the sake of this institution and our Republic, I hope a final vote on this CR can end the slow, sad, and silly process we have endured. I will not be able to support the bill because it really is a bill that will cost jobs, not create jobs; but at least we will end the budget whiplash we've been through, and have subjected the American public to, in our country for the last several months.

The American people want to work. This Congress needs to act to that end. A focus on jobs is what is lacking in this legislation before us today. The bill cuts vital transportation projects, like the elimination of High Speed Rail (\$2.9 Billion in funding cut), that will cost America new jobs, not create them. Cutting back on food to children and needy families by half a billion dollars (\$504 million cut) will not save money—it will result in less healthy citizens, more illnesses and higher medical costs as diabetes, poor health, and hypertension rise. Meanwhile Lloyd Blankfien, the head of Wall Street GS just scooped another \$25 million from stock options.

Mr. ROGERS of Kentucky. I yield 2 minutes, Madam Speaker, to the distinguished chairman of the Energy and Water Subcommittee on Appropriations, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the gentleman for yielding.

Madam Speaker, at the outset, let me say I share the desire to apply additional spending cuts to this continuing resolution. However, even though this measure cuts more Federal spending than any other bill in the history of our Nation, I recognize the President and the Senate will not support additional reductions. This is unfortunate because, like many of us in this House, I recognize that our Nation has compiled a public debt of \$14 trillion and that our annual budget deficit will total \$1.5 trillion into the foreseeable future—an unsustainable amount. Simply put, we are broke, and this bill is but a first step toward putting us on a much more sound fiscal path.

The 2012 appropriations package lies ahead, and we need to take another critical step to cut spending and to do it in a rational way to promote jobs and economic growth. The Energy and Water portion of this legislation totals \$31.75 billion, a 10 percent cut from the President's budget request. Our approach was simple: Every program in our jurisdiction was scrutinized for savings while protecting national security and while providing appropriate support for job growth and a balanced energy supply.

Overall funding for the National Nuclear Security Administration is \$697 million, a 7 percent increase from fiscal year 2010, the only significant increase in this section. This funding will ensure that our nuclear weapons remain reliable and that our programs to stop the spread of fissile material overseas stay strong. There is no more important mandate for the Department of Energy.

Funding for the Army Corps of Engineers is \$4.9 billion, \$48 million below the fiscal year 2011 request. Program dollars were concentrated where they should be—in the operation, maintenance and construction accounts—to ensure that the Corps had sufficient funding for its key missions.

Madam Speaker, these cuts are only the beginning. We need to do more, and I support the measure.

Mr. DICKS. I yield 3 minutes to the distinguished gentleman from Pennsylvania (Mr. FATTAH), the ranking member of the Appropriations Subcommittee on Commerce, Justice, and Science.

Mr. FATTAH. Let me thank the ranking member, the gentleman from Washington, and let me thank the chairman.

I have had the opportunity to work with Chairman WOLF on the Commerce, Science, Justice activities contained in this CR. I think, notwithstanding the very challenging fiscal circumstances, Chairman WOLF has worked towards a set of priorities that will help move our country forward, and I thank him for working with me on a bipartisan basis.

I want to point out our highest priority within that section of the Com-

merce Department, which is that of the Manufacturing and Extension Partnerships, which will see an increase above the 2010 enacted and also the Senate amendment, or H.R. 1. I am very pleased about that. There are major increases for the FBI in its important role related to national security.

There have been a lot of discussions about the cuts here. We passed an omnibus on the floor of the House on December 10, which was when the Democratic Party was in the majority. We cut some \$45 billion from the President's request in appropriate ways that we felt were necessary. The new majority has reduced some accounts—some we would agree with, some we would disagree with. What is critically important is to focus on the fact that the CR, even though it makes cuts, actually authorizes appropriations of over \$1 trillion. These are needed appropriations in critical areas facing our country.

In our section of this bill, which is relative to NASA and the International Space Station, to NOAA and its severe weather warnings and tsunami predictions, and which focuses on the Commerce Department and a whole range of agencies, it's very, very important that we get out of the temporary CR business. We can't run the greatest country on the face of the Earth on a week-by-week basis. The bill will bring this to its final conclusion.

Finally, as we approach FY12, even though there has been a lot of talk about cutting, I would hasten to add that we are not shadowboxing as a Nation. We are in an international, global competition with countries that are investing a great deal of money in research, innovation and technology. We cannot sell future generations of our country short by being unwilling to make decisions to appropriate money where we need to appropriate it—in educating future generations and in investing in technology, innovation and research—so that we can both provide for our national security as well as for our national prosperity.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to the distinguished chairman of the Homeland Security Subcommittee on Appropriations, the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Thank you, Mr. Chairman, for yielding.

Madam Speaker, as many have said here today, our government has a spending problem, and the American people are demanding we find a solution. The bill before us today is a step toward finding that solution.

The bill that we are voting on this afternoon is truly historic. It contains discretionary spending cuts that are nearly five times larger than any other cuts in history. The Homeland Security title of this CR strikes the right

balance between funding priority programs that are essential to our Nation's security and keeping our discretionary spending in check. In fact, this bill marks the first time the annual discretionary budget for the Department of Homeland Security has been reduced from the previous fiscal year. This CR provides a total of \$41.75 billion in discretionary funding for the Department of Homeland Security. This funding level is \$784 million below the FY 2010 and \$1.89 billion below the President's FY 2011 request.

In contrast to previous annual spending bills, this CR provides funding for the actual costs of disasters from within the existing budget. So, rather than our relying upon an emergency supplemental to fund the disaster relief fund the White House was maneuvering for, the CR responsibly addresses the shortfall in disaster relief costs that the President failed to address in the FY 2011 budget request. Supporting the cost of security demands truth in budgeting, and this Congress is delivering where the President and OMB have failed.

Having said that, the Department of Homeland Security is not immune from fiscal discipline, and underperforming programs have been significantly cut in this CR. By implementing these cuts, we are not choosing between homeland security and fiscal responsibility. Both are serious national security issues that must be dealt with immediately.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ROGERS of Kentucky. I yield the gentleman an additional 30 seconds.

Mr. ADERHOLT. This is precisely why this CR also includes sufficient funding to sustain the critical operations at front line agencies, such as CBP, the Coast Guard, ICE, the Secret Service, TSA, and the department's intelligence office.

Madam Speaker, homeland security is far too important to be subjected to budget gimmicks and to inadequate justifications. The Homeland Security title of this CR responsibly funds programs that are vital to our Nation's security, programs that will help get our Federal budget on track.

□ 1400

Mr. DICKS. I yield 3 minutes to the distinguished gentleman from California (Mr. FARR), the ranking member of the Appropriations Subcommittee on Agriculture and Rural Development.

Mr. FARR. I thank the gentleman from Washington for yielding me this time.

Madam Speaker, I rise today in appreciation for the hard work that has gone on in our Appropriations Committee. When you think about it, this Saturday will mark 2 months from the day this House passed H.R. 1, which was a really draconian bill that put all

kinds of riders and eliminated all kinds of family planning money for things like Planned Parenthood. It sort of knew the price of everything and the value of nothing.

I would like to compliment the Republican leadership for coming around on this agricultural bill. It certainly is an improvement over what it was in H.R. 1. It also shows that they are not wedded to H.R. 1. The message goes out that they make adjustments. They restored nearly all of the \$1.9 billion, 9 percent higher than H.R. 1, in overall spending.

The WIC program, the program that feeds low-income women expecting children or who have children, is funded at a level sufficient to support what we think will be the participation levels this year when a lot of people are unemployed and in poverty.

The food safety activities at the USDA are increased by more than 8 percent over H.R. 1. They broke the H.R. 1 hold and have come up, and I compliment them for that.

The Food and Drug Administration was increased by nearly 17 percent; 17 percent in an era when we are really worried about food safety and the issues of food safety.

The McGovern-Dole program, which is food aid to foreign countries, provides our American food to needy countries. It is nearly twice what it was in H.R. 1.

The rural water and waste programs are 30 percent higher than they were in H.R. 1.

But the agriculture title really falls short from the President's request of 2011, particularly for emergency food for people around the world who are in desperate need. We take surplus American food and give it to countries that are really starving. When we are trying to win the hearts and minds of people and fight the war on poverty, we need to have this program not decreased but increased when the world is in a lot of hurt.

Lastly, I would just like to point out that what really bothers me is we are putting \$5 billion more in the Defense Department, at the same time cutting \$25 million from the Peace Corps. The Peace Corps is only \$400 million. It is a small weapons system for the military, the entire thing. We have 7,000 Peace Corps volunteers in 77 countries. Ten more countries want us; 14,000 Americans want to be in the Peace Corps, and we're cutting it? You can't win the war without winning the hearts and minds. The war corps with \$5 billion isn't going to do as much as the Peace Corps with another \$25 million.

Mr. ROGERS of Kentucky. I yield 2 minutes to the distinguished gentleman from Missouri (Mrs. EMERSON), chairwoman of the Financial Services Subcommittee on Appropriations.

Mrs. EMERSON. Madam Speaker, when I took hold of the gavel of the

Subcommittee on Financial Services and General Government, I took to heart the responsibility to reduce Federal spending on behalf of future generations of Americans.

The Financial Services section of this act provides a total of \$22 billion, a \$2.4 billion or 10 percent reduction from fiscal year 2010 levels, and a reduction of \$3.4 billion, or 14 percent, from the President's fiscal year 2011 request.

Deciding how and where to apply these reductions was challenging but necessary. Our propensity to spend now and repay later with interest has already saddled our children and grandchildren with \$14 trillion of debt. As such, the funding in this act is directed at high priority programs such as court security, counterterrorism, drug control task forces, and small business assistance. Funding for new construction by the General Services Administration is dramatically reduced to gain control over the management and operation of the Federal building inventory. Other programs are selectively reduced, including programs within the Executive Office of the President and the Treasury Department because these two agencies should be the model of efficiency and economy for the rest of the executive branch.

The act measurably improves oversight and accountability of the executive branch by requiring a new annual GAO study of all financial services regulations, including the Consumer Finance Protection Bureau; a new GAO study on the usefulness and accuracy of the Consumer Product Safety Commission's flawed consumer complaint database; and the elimination of four executive branch czars who are not confirmed by the Senate and, therefore, not accountable to the people.

The act also includes \$77.7 million for school improvement in the District of Columbia, including a \$2.3 million increase for Opportunity Scholarships. This funding, along with the Speaker's language to reauthorize the program, will increase educational opportunities for low-income students in the Nation's capital.

This effort represents an important starting point for our committee and our Congress, and I look forward to continuing to work with my colleagues on both sides of the aisle.

Mr. DICKS. I yield 3 minutes to the distinguished gentleman from Georgia (Mr. BISHOP), the ranking member on the Appropriations Subcommittee on Military Construction and Veterans Affairs.

Mr. BISHOP of Georgia. I thank the gentleman from Washington for yielding.

Madam Speaker, today marks the end of the FY11 process, a process that should have been completed a long,

long time ago. Failing to stop a government shutdown would have destroyed the American people's confidence in the ability of Congress to govern.

Thankfully, with only minutes to spare last week, the House, the Senate, and the White House came together to avoid a government shutdown, striking a compromise to keep our Federal Government running for the remainder of FY11.

This bill is by no means perfect. I am particularly concerned about the impact of funding reductions to several areas, including a \$35 billion cut in Pell Grants for our students; \$700 million in cuts for our local and State law enforcement personnel, the people who keep us safe; and I am also very concerned about our rural agricultural communities and the \$433 million cut to the Farm Service Agency for direct and indirect loans.

But, Madam Speaker, this bill is a far cry from the draconian meat-cleaver approach of H.R. 1, and I hope my colleagues will think about what we just went through and use this final resolution as an example of how we should approach FY12. Our country cannot afford to repeat the irresponsible process going forward that we resolve here today. Democrats and Republicans on both sides of Capitol Hill must work in a bipartisan fashion to produce a responsible budget that will help grow our economy and responsibly reduce our deficit.

If this spending package becomes law, Congress will have made the largest cut to discretionary spending in the history of this body, cutting nearly \$40 billion from the FY10 budget.

The CR provides \$73.1 billion for Military Construction and Veterans Affairs, which is \$3.4 billion below the FY10 enacted level.

Construction accounts are conformed to the FY11 National Defense Authorization Act, which included reductions to the budget request for FY11. Savings were found by taking reductions in unobligated appropriations from years past, as well as capturing bid savings from projects that have been coming in under budget.

The CR also includes a reduction of \$160 million below both the request and the FY10 level for the Department of Veterans Affairs to reflect cancellation of information technology development programs as well as IT program pauses resulting from portfolio management reviews.

The CR also removes funding for the civilian pay raise that was included in the FY11 advances for the VA following the President's decision to freeze pay. In addition, the bill rescinds \$75 million from prior year unobligated construction balances. It also rescinds \$12 million from the Veterans Benefits Administration for an initiative to place a printer on every desk. Some of these

are commonsense reforms that save taxpayer dollars and help put us on a path to fiscal sustainability, and many of these reductions in MilCon-VA were taken in the full year CR passed in the last Congress.

Now, Madam Speaker, the American people want to know that Congress can come together, bridge the partisan differences, and get the country's business done. I sincerely hope that as we finally move on to FY 2012, we remember what we learned in this process and apply it to FY 2012 because no Member of this body wants to go through this ordeal again.

□ 1410

Mr. ROGERS of Kentucky. I yield 1½ minutes to the distinguished chairman of the Military Construction and VA Subcommittee on Appropriations, the gentleman from Texas (Mr. CULBERSON).

Mr. CULBERSON. Thank you, Mr. Chairman.

Madam Speaker, the Military Construction and Veterans Affairs portions of this bill vividly illustrate the importance of passing our appropriations bill as soon as possible. Our war fighters in the field cannot afford to have any air bubbles in the logistical pipeline that supports their operations. Their families, their loved ones cannot afford to have the barracks, the living quarters in which they are housed, be delayed any longer. The Marine Corps urgently needs the Bachelor Enlisted Quarters to get done as fast as possible. The Marines have already had several billion dollars' worth of projects already delayed.

As a fiscal conservative, of course I want to see more cuts. I'm committed, as our chairman is, as our Speaker is, to balancing the budget as fast as humanly possible. But this is simply the first step in a long war to get us back onto a balanced budget, to restrain Federal spending.

We've dramatically reduced, with the chairman's leadership and the Speaker's leadership, the national credit card limit by \$38 billion, the largest non-warfare cut in the history of the United States after the drawdown after World War II. We've actually seen reductions for the first time, Madam Speaker, in this bill.

I asked the staff, when I came in brand new to this job in January, to find savings that would not impact the quality of health care for our veterans or reduce the quality of the housing provided to our men and women in uniform, and we've done that with construction bid savings. We've done it by taking money that was not yet used for information technology. We've done it by reducing money that was already there and unspent both at the Veterans Affairs Committee and in construction accounts. But above all, we have preserved the quality of life for our veterans and the quality of their health care while saving money.

It's an important bill and we need to pass it today.

Mr. DICKS. I yield 2 minutes to the distinguished gentlewoman from California (Ms. LEE), a valued member of the Appropriations Committee.

Ms. LEE. I want to thank the gentleman from Washington for yielding and also for his leadership.

Madam Speaker, I rise in strong opposition to this continuing resolution.

Budgets are moral documents that reflect who we are as a Nation. They're not just about dollars and cents.

These cuts won't create jobs, foster economic opportunity, or provide pathways out of poverty. Instead, this bill eliminates billions in investments in our workforce, our transportation infrastructure, our small businesses and, most importantly, in our people. It's a bold assault on millions of people who rely on our safety net.

These budget cuts and warped priorities should be a moral outrage to every Member of this body. That's why 36,000 people and approximately 30 Members of Congress have joined the faith community in a 24-hour fast to highlight the enormous impact, the devastating impact of these budget cuts.

This bill is nothing more than a tea party checklist targeting programs that help the most vulnerable: \$504 million from the WIC Program, \$300 million from COPS, \$125 million from Dislocated Worker Assistance programs, \$49 million for mentoring children of inmates, \$17 million for Title X family planning programs, and \$25 million for Veterans Affairs Supportive Housing vouchers.

Instead of targeting low-income and middle-income individuals and the residents of the District of Columbia particularly, and especially low-income women and women of color, we should be serious about getting our bloated military budget together and reduced and end these three wars in Iraq, Afghanistan, and Libya. We could save billions, mind you, billions of dollars by ending these wars.

Madam Speaker, we should reject these cuts which hurt our most vulnerable populations and the residents of the District of Columbia. It's shameful. It's a moral disgrace. And I urge a "no" vote on it.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1½ minutes to the chairman of the Legislative Branch Subcommittee on Appropriations, the gentleman from Florida (Mr. CRENSHAW).

Mr. CRENSHAW. I thank the gentleman for yielding.

Madam Speaker, let me just remind my colleagues that when we vote "yes" on this resolution, we will be able to say that we have led by example.

We were told that we should take the budget-cutting knife and look at every agency and make them do more with

less, to be more efficient, and we thought we should lead by example. And the best way to lead by example is to take that budget-cutting knife and turn it on ourselves. And that is exactly what we did.

Over one-half of the cuts that were made by the Legislative Branch Subcommittee, which I chair, were made to this House itself. We cut the office account of every Member of this House by 5 percent. We cut the budget of all the leadership offices by 5 percent. We cut the budget of all the committees by 5 percent, except the Appropriations Committee, which we cut by 9 percent. So we have led by example. We have taken that budget-cutting knife and we've directed it at ourselves.

Now, some people will say we cut too much. Some people will say we didn't cut enough. But, frankly, when this is all over, people are not going to remember the numbers. But what they will long remember is this is the day that we changed the direction of this country. This is the day we turned the ship of state in the right direction. They'll remember that this is the day that we stopped this culture of spending and we started a culture of savings. They'll remember that, the day that we stopped spending our future and we started saving our future.

There's a lot of work to be done. But let's clean up this mess. Let's move ahead, and let's get ourselves on the path to permanent prosperity.

Mr. DICKS. Madam Speaker, I yield myself 2½ minutes.

Well, it's another week here in Congress, and we're voting on this appropriations bill, H.R. 1473. I am pleased that at the 11th hour last week we were able to reach an agreement, an agreement that made it possible for military wives and husbands around the country to be sure that they would get their paycheck. This had to be done. We kept our parks open. We supported our men and women in uniform around the world. And at the same time, I think we minimized the damage of H.R. 1 in this bill.

The bill that is now before us contains current levels of Head Start enrollments, including the increased spots for newborns to 2-year-olds. It helps us protect the Pell Grant program.

It is a good bill on defense. My good friend BILL YOUNG has done an amazing job, and I appreciate so much Mr. ROGERS taking our bill from last year and putting it into this bill. The Community Services Block Grant program is restored. WIC is restored. Head Start is restored.

Yes, there are some things I don't like. No high-speed rail money, some other investment accounts. Literacy programs, some of them were taken away. Some of the cuts in homeland security were not the best.

But, as with any compromise, some Members will see a glass half full and

some will see a glass half empty. Members will have to consider all the ramifications of this compromise and vote their conscience. We need to move on to the fiscal year 2012 appropriations bill.

The bottom line is this bill must pass today. Let's get it done so we can fight against the Road to Ruin Ryan Republican budget.

Mr. ROGERS of Kentucky. I yield 1 minute to a new member of our committee, the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Madam Speaker, I rise today in support of this legislation, H.R. 1473, the fiscal year 2011 spending agreement.

Clearly, this is not a perfect bill, but it is a good one, and we should not let the perfect be the enemy of the good.

Just 6 months ago, cutting even \$2 billion in Federal spending seemed impossible. But today we're cutting non-defense spending by nearly \$45 billion, or 7.7 percent, from the fiscal year 2010 level.

Madam Speaker, we have, in fact, turned the proverbial ship around, the aircraft carrier around, when it comes to Federal spending. We're no longer debating about how much we're going to increase spending; we're debating today, rather, how we're going to cut spending and how much we're going to cut in spending. That really represents an enormous shift in the culture of this place.

From the transportation accounts, we have cut \$2.9 billion from the high-speed rail initiative. From HUD, the bill will force public housing agencies to operate more efficiently, eliminate duplicative housing counseling efforts, and reins in spending for development programs with a history of inconsistent results.

So we have a lot here to celebrate today. In November the American people voted for change, and the culture of that change is occurring.

□ 1420

Mr. DICKS. I reserve the balance of my time.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 2 minutes to a new member of our committee, the gentleman from Ohio (Mr. AUSTRIA).

Mr. AUSTRIA. Madam Speaker, I would like to thank Chairman ROGERS for his hard work and his leadership to finally get us here, to finally get a package before us that should have been done last year that officially ends the stimulus spending binge that funds our troops, that represents the largest non-defense cuts in actual spending in American history with nearly \$40 billion in real cuts.

Certainly, many of us would have liked to have seen more cuts included in this final package; but as the Speaker mentioned earlier, unfortunately, Republicans only control half of one-

third of the Federal Government. And until the Senate Democrats and the administration and the President decide to get serious about stopping the borrowing and cutting spending, we're never going to achieve the spending cuts that the American people have demanded.

So what does this CR mean for us today? For starters, it means approximately \$40 billion of less borrowing. This package sets the stage for trillions more in spending cuts that we will vote on later this week. It reduces our own budget here in Congress by \$100 million. It defunds four of the administration czars. It fulfills our commitments to our troops by fully funding our men and women serving our country—many in harm's way—during three wars.

This CR provides critical, necessary resources for veterans, health benefits, and resources to reduce the backlog. And it fully funds our commitment to Israel—one of our most important allies—while cutting nearly \$78.5 billion from the President's 2011 budget.

Madam Speaker, is this a perfect spending cut package? No. But it is a real \$40 billion start towards the 2012 budget bill that will begin reducing trillions in spending and begin digging out our Nation from unmanageable budget deficits and putting our Nation on a path to prosperity once again.

Mr. ROGERS of Kentucky. Madam Speaker, I yield 1½ minutes to a new Member of this body, the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Madam Speaker, I am a Tea Partier. I was supported by the Tea Party. I have a Tea Party poster in my office. My constituents at home gave me a chain saw to use to cut the government spending. I am extremely pro-life. This CR will prohibit the use of Federal funds for abortions in D.C., and if I have to save the unborn one city at a time, I will. This CR will finally allow an up-or-down vote on the defunding of Planned Parenthood and ObamaCare in the Senate.

The fact that the last Congress did not pass a budget has left us in a mess, and sometimes we need to wring the mop out a few times to clean up the mess.

The bill we consider today cuts real money, money that would have surely been spent by the Democrats had we not taken control of this body. Do I think the cuts are big enough? No. But my mother used to warn me about being penny wise and pound foolish.

We have another problem: If we don't pass this CR, our brave men and women in uniform will not be paid. I am incensed that the President and Democrats in the Senate held the funding for our troops hostage until they cut this deal. I served in the National Guard for 11 years. As a veteran, I understand the sacrifices our brave men and women and their families make to preserve our freedom.

The Army Ranger Creed states, among other things, that they shall never fail their comrades, that they will never leave a fallen comrade, and they will not embarrass their country. Well, I will not fail them, I will not leave them, and I will not embarrass them and their families who are caught as political pawns in this game. We must not let this happen again.

I urge my colleagues to support the concurrent resolution, get the ball rolling, hang in there, wring out the mop this time, and together we continue to make history and clean up all the mess.

Mr. DICKS. Madam Speaker, I yield 5 minutes to the distinguished Democratic whip, the gentleman from Maryland (Mr. HOYER), who has been a real leader in our House.

Mr. HOYER. I thank the gentleman for yielding.

This piece of legislation will provide for the funding of our government from now until September 30 of this year.

While I do not want to engage in a debate looking at the past, we are here because we did not fund the government in the last Congress through September 30. And, frankly, there is not much use in pointing fingers at one another as we've been doing. There was an omnibus that was on the floor at the urging of the leader in the Senate, and it was not able to get the 60 votes necessary because those of you on the minority side in the Senate did not give votes to do that. Notwithstanding that, the issue today is not what happened yesterday, but what's going to happen today.

We have a choice to make. We have a choice to make in a divided House, in a divided Congress, in a divided government—the Speaker talked about divided government—and that choice is whether we will come together, work together, try to make the best possible agreement that we can make and then move together. I think the American public expects us to do that.

During the course of the debate some days ago, I referenced with the chairman of the Appropriations Committee, who comes from Kentucky, another famous Kentuckian, Henry Clay. Henry Clay came to this Congress and was elected Speaker on the first day of his service in this Congress. Interestingly enough, he was Speaker during the 8th Congress, during the 10th Congress, and during the 13th Congress. He served for some 10 years as the Speaker. He served also in the United States Senate and in fact was deemed to be one of the most outstanding Members of the United States Senate.

He is unique in history. And he said this, and I will repeat it: "If you cannot compromise, you cannot govern." And what he meant by that, of course, was that the American people, in 435 districts and 50 States—not 50 States, of course, when he was Speaker—go to

the polls and they elect people to come to Washington to represent them. And not surprisingly in a democracy they have different points of view. They have different perspectives. They have different priorities. They come from different geographical locations. Their States have different interests. So it should not shock any of us that there is not agreement in 100 percent of the cases, or sometimes 70 percent, or sometimes 60, and perhaps not even in 50 percent. But there does come a time when the American public expects us to be able to act. Gridlock is not what they voted for.

Madam Speaker, I will vote for this resolution. I do not vote for this resolution anymore than anybody else on this House floor will vote for or against this resolution because they like everything that's in it or dislike everything that's in it. If I were writing this resolution, the priorities would be different. I heard my friend, ROSA DELAURO, who is now the ranking Democrat on the Labor, Health and Human Services Subcommittee. Very frankly, if I were on a committee—I am the second ranking member of the Appropriations Committee—I would be the ranking member of the Labor Health Committee—and I would share her views. I do share her views. I think the priorities that we have agreed to in this resolution are not my priorities.

But we have reached agreement. The President of the United States, elected by all the people, the majority leader of the United States Senate, and the Speaker of this House worked for literally weeks to try to come together to forge an agreement so that we could fund government for the balance of this year. It's not useful to blame anybody as to why we're so late on this, but it is useful to say that we are about to embark—after we pass this piece of legislation—on a critical debate on the differences we do have in the priorities of this country, very substantive, deeply held beliefs on the differences that exist between our two parties. And the budgets that will be offered after we pass this resolution on the budget for the 2012 year are going to be the substance of our debate.

I would hope at this period of time, Madam Speaker, that we pass this resolution, keep our government functioning, and come together to debate the real priorities of this country in the next bill.

□ 1430

Mr. DICKS. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentleman from Washington is recognized for 30 seconds.

Mr. DICKS. I want to thank the chairman. I look forward to FY12 and getting on to our appropriation bills and our commitment to the House that

we're going to have open rules, we're going to have subcommittee markups, full committee markups, and give people a chance to be involved in the process as they've not been in the past.

I would be glad to yield to the chairman.

Mr. ROGERS of Kentucky. And I join you in that commitment. That's what we're planning to do. I just want this bill over with.

Mr. DICKS. I'm with you. Let's get it over with.

I yield back the balance of my time.

Mr. ROGERS of Kentucky. Mr. Speaker, I yield the balance of my time to the chairman of the Interior Subcommittee on Appropriations, the gentleman from Idaho (Mr. SIMPSON).

The SPEAKER pro tempore (Mr. BASS of New Hampshire). The gentleman from Idaho is recognized for 2½ minutes.

Mr. SIMPSON. I thank the chairman for yielding, and let me thank you for all the hard work that you've done on this appropriation bill in bringing it to the floor. I know it's been a tough task.

Mr. Speaker, the budget for fiscal year 2011 is now 6 months and 2 weeks overdue. It's time to finish this budget.

Through this legislation, Chairman ROGERS and the Appropriations Committee achieved what some thought would be impossible. We have succeeded in cutting \$40 billion—that's \$40 billion—from current spending levels. No other single bill in history has cut more spending. Think about that for just a minute.

While the \$40 billion reduction in spending—and it is \$40 billion, contrary to some of the reports that have been out there that it is \$300 and-some-odd million or something like this. This is \$40 billion in real reductions in spending. While this is \$40 billion, it is just a step. But it is a step in the right direction.

We should also think about how the nature of this national conversation on spending has changed. For several years, we debated in Congress how much we were going to increase spending each year. Our debate today centers not on whether we should cut spending but how much spending should be cut. That is a sea change in the debate—both in Congress and in the Nation. And it's a change in the right direction.

The Interior Subcommittee, which I am privileged to chair, has cut spending by 8.1 percent, or \$2.62 billion below the FY10 enacted level. Virtually every agency within the budget has been cut. The CR cuts EPA funding by \$1.6 billion, or 16 percent below the FY10 enacted level. Funding levels for land acquisition programs are reduced by \$149 million, or 33 percent, and on and on.

Even with these deep cuts, funding levels for operational accounts are sustained to prevent employee furloughs

and the closure of national parks and forests, wildlife refuges, Smithsonian museums, and other sites.

Let me just say for a minute about the Energy and Water appropriation. Although no funds were included in the Energy and Water appropriation to continue and proceed to build Yucca Mountain, I don't want anyone—and I'm speaking particularly to the NRC and the Department of Energy—to misinterpret this vote. Congress has voted and spoke many times on the issue of Yucca Mountain. Do not misinterpret this vote that this is a vote against Yucca Mountain. What we are saying to the NRC is proceed with Yucca Mountain, and NRC, do your job, which they have failed to do.

As I close my remarks, I want to echo what both Chairman ROGERS and Ranking Member DICKS said about the staff. Unless you've been on this committee or on any of the committees, the public generally doesn't know the hard work that goes on behind the scenes to make this all possible. I want to thank the staff of both the Appropriations Committee, and really the staff of the House, the staff who sits up here on the dais. They do a tremendous job for us for which this Congress would not be able to operate as effectively as we do. Some people think that's not too effectively. But, actually, we wouldn't be able to do our job.

And most people don't understand that when we went home last Friday after extending the government funding for a week, we went home. They were here all day Saturday until well into Sunday morning, and then all day Sunday until well into Monday morning in order to get the job done so that we could do this for the American people.

So I want you to vote for this budget. I urge an "aye" vote so that we can get on debating what the minority whip mentioned, the important priorities for the FY12 budget in the Ryan Republican budget. We appreciate that.

Mr. ROGERS of Kentucky. Mr. Speaker, pursuant to section 8120 of Division A of H.R. 1473 as passed the House on April 14, 2011, I submit the following explanatory statement:

REPROGRAMMING GUIDANCE

For fiscal year 2011, the Department of Defense is directed to adhere to the definition of Program, Project and Activity, and to fol-

low the guidance for Congressional Special Interest Items, Reprogrammings, Reprogramming Reporting Requirements, and Funding Increases, as specified in the Explanatory Statement, Division A, Department of Defense Appropriations Act Fiscal Year 2010, Public Law 111-118.

CLASSIFIED ANNEX

A classified annex accompanying this Act will be forwarded under separate cover.

Rescissions

Language is included that rescinds \$2,013,536,000 from the following programs:

2009 Appropriations:

Weapons and Tracked Combat Vehicles, Army:	
Future Combat Systems	\$86,300,000
Other Procurement, Army:	
Armored Security Vehicles	55,000,000
Force XXII Battle Command Brigade and Below	30,600,000
Semi-trailers, Flatbed	62,000,000
Aircraft Procurement, Navy:	
KC-130J	12,000,000
F/A-18E/F	14,100,000
Aircraft Procurement, Air Force:	
Global Hawk excess funds	49,000,000
C-130 AMP	31,900,000
HC/MC updated pricing	36,000,000
Joint Strike Fighter alternate engine	35,000,000
C-17	207,800,000
F-22	28,000,000

2010 Appropriations:

Aircraft Procurement, Army:	
Tactical SIGINT Payload	14,000,000
Weapons and Tracked Combat Vehicles, Army:	
Future Combat Systems spin-outs	19,600,000
Improved Recovery Vehicle	8,700,000
MK-19 Grenade Machine Gun Modifications	7,700,000
Missile Procurement, Army:	
GMLRS	9,171,000
Other Procurement, Army:	
FMTV	50,000,000
Aircraft Procurement, Navy:	
EA-18G MYP savings	89,120,000
F/A-18E/F MYP savings	72,727,000

F-18 Series ECO	17,000,000
E-6 Series	6,000,000
Joint Strike Fighter ...	280,000,000
Procurement of Ammunition, Navy and Marine Corps:	
General Purpose Bombs	11,576,000
Shipbuilding and Conversion, Navy:	
DDG-51 main reduction gear savings	22,000,000
Other Procurement, Navy:	
Minesweeping System Replacement	5,400,000
Aircraft Launch Recovery	3,642,000
Aircraft Procurement, Air Force:	
B-2A	5,900,000
B-52	39,300,000
C-17 Modifications	12,200,000
C-130J updated pricing	7,000,000
C-130 AP updated pricing	15,100,000
HC/MC-130 AP	46,900,000
HC/MC-130 updated pricing	13,200,000
Initial Spares—Joint Stars Re-engining	11,700,000
C-17	115,100,000
Joint Strike Fighter tooling	39,200,000
Joint Strike Fighter alternate engine	35,000,000
Other Procurement, Air Force:	
FAB-T	36,600,000
Research, Development, Test and Evaluation, Army:	
Aircraft Avionics—JTRS AMF	10,200,000
HFDS	15,000,000
Future Combat System—Class IV UAV Program of Record	12,000,000
TUAV—TSP	16,300,000
Future-Combat System—Manned Ground Vehicle	109,900,000
Research, Development, Test and Evaluation, Air Force:	
B-2	90,000,000
Classified Program	10,000,000
Alternative Fuels	10,000,000
Small Diameter Bomb	22,000,000
Engine CIP	15,000,000
JSTARS	14,600,000
RQ-4 UAV	18,000,000
C-5 Airlift Squadrons	19,000,000
Research, Development, Test and Evaluation, Defense-Wide:	
BMD Hercules	10,000,000

M-1	Budget Request	Recommendation
MILITARY PERSONNEL, ARMY		
BA-1: PAY AND ALLOWANCES OF OFFICERS.		
BASIC PAY	6,392,861	6,392,861
RETIRED PAY ACCRUAL	2,088,308	2,088,308
BASIC ALLOWANCE FOR HOUSING	1,854,718	1,854,718
BASIC ALLOWANCE FOR SUBSISTENCE	255,925	255,925
INCENTIVE PAYS	97,698	97,698
SPECIAL PAYS	300,939	300,939
ALLOWANCES	198,601	198,601
SEPARATION PAY	61,798	61,798
SOCIAL SECURITY TAX	487,469	487,469
TOTAL, BA-1	11,738,317	11,738,317
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL.		
BASIC PAY	13,682,488	13,682,488
RETIRED PAY ACCRUAL	4,470,859	4,470,859
BASIC ALLOWANCE FOR HOUSING	4,395,850	4,395,850
INCENTIVE PAYS	102,851	102,851
SPECIAL PAYS	1,269,047	1,129,047

M-1	Budget Request	Recommendation
Enlistment Bonuses—Excess to Requirement		— 40,000
Re-enlistment Bonuses—Excess to Requirement		— 100,000
ALLOWANCES	806,471	806,471
SEPARATION PAY	255,127	255,127
SOCIAL SECURITY TAX	1,046,710	1,046,710
TOTAL, BA-2	26,029,403	25,889,403
BA-3: PAY AND ALLOWANCES OF CADETS.		
ACADEMY CADETS	74,773	74,773
TOTAL, BA-3	74,773	74,773
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL.		
BASIC ALLOWANCE FOR SUBSISTENCE	1,313,309	1,313,309
SUBSISTENCE-IN-KIND	817,691	817,691
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	748	748
TOTAL, BA-4	2,131,748	2,131,748
BA-5: PERMANENT CHANGE OF STATION TRAVEL.		
ACCESSION TRAVEL	202,699	202,699
TRAINING TRAVEL	142,749	142,749
OPERATIONAL TRAVEL	494,937	494,937
ROTATIONAL TRAVEL	674,831	674,831
SEPARATION TRAVEL	198,439	198,439
TRAVEL OF ORGANIZED UNITS	12,137	12,137
NON-TEMPORARY STORAGE	12,639	12,639
TEMPORARY LODGING EXPENSE	38,931	38,931
TOTAL, BA-5	1,777,362	1,777,362
BA-6: OTHER MILITARY PERSONNEL COSTS.		
APPREHENSION OF MILITARY DESERTERS	2,233	2,233
INTEREST ON UNIFORMED SERVICES SAVINGS	648	648
DEATH GRATUITIES	45,500	45,500
UNEMPLOYMENT BENEFITS	188,778	188,778
EDUCATION BENEFITS	30,879	30,879
ADOPTION EXPENSES	610	610
TRANSPORTATION SUBSIDY	8,007	8,007
PARTIAL DISLOCATION ALLOWANCE	338	338
RESERVE OFFICERS TRAINING CORPS (ROTC)	138,731	138,731
JUNIOR R.O.T.C.	50,201	50,201
TOTAL, BA-6	465,925	465,925
LESS REIMBURSABLES	— 245,251	— 245,251
UNDISTRIBUTED ADJUSTMENTS	0	— 428,624
Undistributed Transfer to Title IX		— 428,624
TOTAL, MILITARY PERSONNEL, ARMY	41,972,277	41,403,653
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS.		
BASIC PAY	3,680,703	3,680,703
RETIRED PAY ACCRUAL	1,202,462	1,202,462
BASIC ALLOWANCE FOR HOUSING	1,263,675	1,263,675
BASIC ALLOWANCE FOR SUBSISTENCE	143,344	143,344
INCENTIVE PAYS	155,148	155,148
SPECIAL PAYS	355,821	355,821
ALLOWANCES	104,291	104,291
SEPARATION PAY	25,353	25,353
SOCIAL SECURITY TAX	278,666	278,666
TOTAL, BA-1	7,209,463	7,209,463
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL.		
BASIC PAY	8,257,803	8,257,803
RETIRED PAY ACCRUAL	2,700,204	2,700,204
BASIC ALLOWANCE FOR HOUSING	3,682,915	3,682,915
INCENTIVE PAYS	100,499	100,499
SPECIAL PAYS	839,787	814,787
Re-enlistment Bonuses—Excess to Requirement		— 5,000
Enlistment Bonuses—Excess to Requirement		— 20,000
ALLOWANCES	498,621	498,621
SEPARATION PAY	127,343	127,343
SOCIAL SECURITY TAX	631,722	631,722
TOTAL, BA-2	16,838,894	16,813,894
BA-3: PAY AND ALLOWANCES OF MIDSHIPMEN.		
MIDSHIPMEN	74,950	74,950
TOTAL, BA-3	74,950	74,950
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	685,085	685,085
SUBSISTENCE-IN-KIND	419,333	419,333
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	12	12
TOTAL, BA-4	1,104,430	1,104,430
BA-5: PERMANENT CHANGE OF STATION TRAVEL.		
ACCESSION TRAVEL	76,220	76,220
TRAINING TRAVEL	71,814	71,814
OPERATIONAL TRAVEL	219,685	219,685
ROTATIONAL TRAVEL	354,275	354,275
SEPARATION TRAVEL	103,806	103,806
TRAVEL OF ORGANIZED UNITS	39,368	39,368
NON-TEMPORARY STORAGE	5,760	5,760
TEMPORARY LODGING EXPENSE	6,386	6,386
OTHER	6,406	6,406
TOTAL, BA-5	883,720	883,720
BA-6: OTHER MILITARY PERSONNEL COSTS.		
APPREHENSION OF MILITARY DESERTERS	261	261
INTEREST ON UNIFORMED SERVICES SAVINGS	1,427	1,427
DEATH GRATUITIES	17,700	17,700
UNEMPLOYMENT BENEFITS	88,350	88,350
EDUCATION BENEFITS	21,515	21,515
ADOPTION EXPENSES	271	271
TRANSPORTATION SUBSIDY	8,030	8,030
PARTIAL DISLOCATION ALLOWANCE	190	190
RESERVE OFFICERS TRAINING CORPS (ROTC)	27,345	27,345
JUNIOR R.O.T.C.	14,093	14,093
TOTAL, BA-6	179,182	179,182
LESS REIMBURSABLES	— 339,690	— 339,690
UNDISTRIBUTED ADJUSTMENT	0	— 13,500
Unobligated/Unexpended Balances		— 13,500
TOTAL, MILITARY PERSONNEL, NAVY	25,950,949	25,912,449

M-1	Budget Request	Recommendation
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS.		
BASIC PAY	1,433,200	1,433,200
RETIRED PAY ACCRUAL	465,072	465,072
BASIC ALLOWANCE FOR HOUSING	462,438	462,438
BASIC ALLOWANCE FOR SUBSISTENCE	59,613	59,613
INCENTIVE PAYS	50,011	50,011
SPECIAL PAYS	27,921	27,921
ALLOWANCES	34,404	34,404
SEPARATION PAY	13,299	13,299
SOCIAL SECURITY TAX	109,014	109,014
TOTAL, BA-1	2,654,972	2,654,972
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL.		
BASIC PAY	4,910,560	4,910,560
RETIRED PAY ACCRUAL	1,591,322	1,591,322
BASIC ALLOWANCE FOR HOUSING	1,660,161	1,660,161
INCENTIVE PAYS	9,158	9,158
SPECIAL PAYS	288,654	288,654
ALLOWANCES	278,060	278,060
SEPARATION PAY	65,101	65,101
SOCIAL SECURITY TAX	372,411	372,411
TOTAL, BA-2	9,175,427	9,175,427
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL.		
BASIC ALLOWANCE FOR SUBSISTENCE	489,789	489,789
SUBSISTENCE-IN-KIND	324,565	324,565
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	750	750
TOTAL, BA-4	815,104	815,104
BA-5: PERMANENT CHANGE OF STATION TRAVEL.		
ACCESSION TRAVEL	79,378	79,378
TRAINING TRAVEL	10,079	10,079
OPERATIONAL TRAVEL	239,442	239,442
ROTATIONAL TRAVEL	115,330	115,330
SEPARATION TRAVEL	55,528	55,528
TRAVEL OF ORGANIZED UNITS	742	742
NON-TEMPORARY STORAGE	6,305	6,305
TEMPORARY LODGING EXPENSE	13,818	13,818
OTHER	2,683	2,683
TOTAL, BA-5	523,305	523,305
BA-6: OTHER MILITARY PERSONNEL COSTS.		
APPREHENSION OF MILITARY DESERTERS	1,823	1,823
INTEREST ON UNIFORMED SERVICES SAVINGS	19	19
DEATH GRATUITIES	17,200	17,200
UNEMPLOYMENT BENEFITS	69,359	69,359
EDUCATION BENEFITS	4,249	4,249
ADOPTION EXPENSES	159	159
TRANSPORTATION SUBSIDY	2,853	2,853
PARTIAL DISLOCATION ALLOWANCE	278	278
JUNIOR R.O.T.C.	5,573	5,573
TOTAL, BA-6	101,513	101,513
LESS REIMBURSABLES	-20,160	-20,160
UNDISTRIBUTED ADJUSTMENT	0	-40,000
Unobligated/Unexpended Balances		-40,000
TOTAL, MILITARY PERSONNEL, MARINE CORPS	13,250,161	13,210,161
MILITARY PERSONNEL, AIR FORCE		
BA-1: PAY AND ALLOWANCES OF OFFICERS.		
BASIC PAY	4,687,593	4,687,593
RETIRED PAY ACCRUAL	1,522,644	1,522,644
BASIC ALLOWANCE FOR HOUSING	1,347,403	1,347,403
BASIC ALLOWANCE FOR SUBSISTENCE	182,253	182,253
INCENTIVE PAYS	239,121	239,121
SPECIAL PAYS	322,642	322,642
ALLOWANCES	128,157	128,157
SEPARATION PAY	64,974	64,974
SOCIAL SECURITY TAX	355,711	355,711
TOTAL, BA-1	8,850,498	8,850,498
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL.		
BASIC PAY	8,540,083	8,540,083
RETIRED PAY ACCRUAL	2,781,402	2,781,402
BASIC ALLOWANCE FOR HOUSING	3,038,904	3,038,904
INCENTIVE PAYS	36,980	36,980
SPECIAL PAYS	396,103	380,103
Re-enlistment Bonuses—Excess to Requirement		-16,000
ALLOWANCES	570,857	570,857
SEPARATION PAY	124,411	124,411
SOCIAL SECURITY TAX	653,317	653,317
TOTAL, BA-2	16,142,057	16,126,057
BA-3: PAY AND ALLOWANCES OF CADETS.		
ACADEMY CADETS	75,383	75,383
TOTAL, BA-3	75,383	75,383
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL.		
BASIC ALLOWANCE FOR SUBSISTENCE	872,055	872,055
SUBSISTENCE-IN-KIND	169,924	169,924
FAMILY SUBSISTENCE SUPPLEMENTAL ALLOWANCE	37	37
TOTAL, BA-4	1,042,016	1,042,016
BA-5: PERMANENT CHANGE OF STATION.		
ACCESSION TRAVEL	87,377	87,377
TRAINING TRAVEL	72,521	72,521
OPERATIONAL TRAVEL	296,604	296,604
ROTATIONAL TRAVEL	505,198	505,198
SEPARATION TRAVEL	176,549	176,549
TRAVEL OF ORGANIZED UNITS	23,561	23,561
NON-TEMPORARY STORAGE	40,772	40,772
TEMPORARY LODGING EXPENSE	28,936	28,936
TOTAL, BA-5	1,231,518	1,231,518
BA-6: OTHER MILITARY PERSONNEL COSTS.		
APPREHENSION OF MILITARY DESERTERS	131	131
INTEREST ON UNIFORMED SERVICES SAVINGS	2,179	2,179
DEATH GRATUITIES	19,900	19,900
UNEMPLOYMENT BENEFITS	49,143	49,143
SURVIVOR BENEFITS	1,760	1,760

M-1	Budget Request	Recommendation
EDUCATION BENEFITS	484	484
ADOPTION EXPENSES	395	395
TRANSPORTATION SUBSIDY	6,903	6,903
PARTIAL DISLOCATION ALLOWANCE	1,578	1,578
RESERVE OFFICERS TRAINING CORPS (ROTC)	45,571	45,571
JUNIOR ROTC	16,185	16,185
TOTAL, BA-6	144,229	144,229
LESS REIMBURSABLES	-363,946	-363,946
TOTAL, MILITARY PERSONNEL, AIR FORCE	27,121,755	27,105,755
RESERVE PERSONNEL, ARMY		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	1,249,133	1,249,133
PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	44,460	36,460
Projected Underexecution		-8,000
PAY GROUP F TRAINING (RECRUITS)	268,215	268,215
PAY GROUP P TRAINING (PIPELINE RECRUITS)	8,830	8,830
MOBILIZATION TRAINING	21,460	10,460
Projected Underexecution		-11,000
SCHOOL TRAINING	177,121	177,121
SPECIAL TRAINING	293,439	283,439
Excessive Growth		-10,000
ADMINISTRATION AND SUPPORT	2,129,646	2,129,646
EDUCATION BENEFITS	57,633	57,633
HEALTH PROFESSION SCHOLARSHIP	66,940	66,940
OTHER PROGRAMS	80,288	80,288
TOTAL, BA-1	4,397,165	4,368,165
UNDISTRIBUTED ADJUSTMENT	0	-35,000
Unobligated/Unexpended Balances		-35,000
TOTAL, RESERVE PERSONNEL, ARMY	4,397,165	4,333,165
RESERVE PERSONNEL, NAVY		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	626,657	626,657
PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	9,070	9,070
PAY GROUP F TRAINING (RECRUITS)	45,603	45,603
PAY GROUP P TRAINING (PIPELINE RECRUITS)	8,434	8,434
MOBILIZATION TRAINING	45,930	45,930
SCHOOL TRAINING	89,647	89,647
SPECIAL TRAINING		
ADMINISTRATION AND SUPPORT	1,061,128	1,061,128
EDUCATION BENEFITS	3,780	3,780
HEALTH PROFESSION SCHOLARSHIP	53,942	53,942
TOTAL, BA-1	1,944,191	1,944,191
UNDISTRIBUTED ADJUSTMENT	0	-4,000
Unobligated/Unexpended Balances		-4,000
TOTAL, RESERVE PERSONNEL, NAVY	1,944,191	1,940,191
RESERVE PERSONNEL, MARINE CORPS		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	196,974	196,974
PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	36,116	36,116
PAY GROUP F TRAINING (RECRUITS)	96,138	96,138
PAY GROUP P TRAINING (PIPELINE RECRUITS)	3,724	3,724
MOBILIZATION TRAINING	16,810	16,810
SCHOOL TRAINING	27,688	27,688
SPECIAL TRAINING		
ADMINISTRATION AND SUPPORT	216,537	216,537
PLATOON LEADER CLASS	12,256	12,256
EDUCATION BENEFITS	11,198	11,198
TOTAL, BA-1	617,441	617,441
UNDISTRIBUTED ADJUSTMENTS	0	-5,250
Unobligated/Unexpended Balances		-1,250
MIP Marine Corps Reserve Intelligence Program		-4,000
TOTAL, RESERVE PERSONNEL, MARINE CORPS	617,441	612,191
RESERVE PERSONNEL, AIR FORCE		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	670,341	670,341
PAY GROUP B TRAINING (BACKFILL FOR ACTIVE DUTY)	101,951	101,951
PAY GROUP F TRAINING (RECRUITS)	54,850	54,850
PAY GROUP P TRAINING (PIPELINE RECRUITS)	50	50
MOBILIZATION TRAINING	447	447
SCHOOL TRAINING	163,272	163,272
SPECIAL TRAINING	243,233	243,233
ADMINISTRATION AND SUPPORT	378,772	378,772
EDUCATION BENEFITS	18,295	18,295
HEALTH PROFESSION SCHOLARSHIP	51,331	51,331
OTHER PROGRAMS (ADMINISTRATION and SUPPORT)	4,255	4,255
TOTAL, BA-1	1,686,797	1,686,797
UNDISTRIBUTED ADJUSTMENTS	0	-36,000
Unobligated/Unexpended Balances		-15,000
Below Budgeted End Strength		-21,000
TOTAL, RESERVE PERSONNEL, AIR FORCE	1,686,797	1,650,797
NATIONAL GUARD PERSONNEL, ARMY		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		
PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	2,010,867	1,980,867
Unjustified Growth		-30,000
PAY GROUP F TRAINING (RECRUITS)	510,859	510,859
PAY GROUP P TRAINING (PIPELINE RECRUITS)	71,222	71,222
SCHOOL TRAINING	577,600	577,600
SPECIAL TRAINING	534,954	521,954
Recruiter Mandays—Excess to Requirement		-13,000
ADMINISTRATION AND SUPPORT	3,788,954	3,788,954
EDUCATION BENEFITS	129,840	129,840
TOTAL, BA-1	7,624,296	7,581,296
UNDISTRIBUTED ADJUSTMENTS	0	-70,000
Unobligated/Unexpended Balances		-70,000
TOTAL, NATIONAL GUARD PERSONNEL, ARMY	7,624,296	7,511,296
NATIONAL GUARD PERSONNEL, AIR FORCE		
BA-1: RESERVE COMPONENT TRAINING AND SUPPORT		

M-1		Budget Request	Recommendation
.....	PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	939,636	931,636
.....	Inactive Duty Training—Unjustified Growth .....	.....	— 8,000
.....	PAY GROUP F TRAINING (RECRUITS)	99,839	99,839
.....	PAY GROUP P TRAINING (PIPELINE RECRUITS)	298	298
.....	SCHOOL TRAINING	209,944	209,944
.....	SPECIAL TRAINING	131,226	131,226
.....	ADMINISTRATION AND SUPPORT	1,692,112	1,682,112
.....	Bonuses—Unjustified Requirement .....	.....	— 10,000
.....	EDUCATION BENEFITS	30,543	30,543
.....	TOTAL, BA-1	3,103,598	3,085,598
.....	UNDISTRIBUTED ADJUSTMENTS	0	— 25,500
.....	Unobligated/Unexpended Balances .....	.....	— 17,500
.....	Lower than Budgeted Pay Grade Mix .....	.....	— 8,000
.....	TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	3,103,598	3,060,098
.....	TOTAL, MILITARY PERSONNEL	127,668,630	126,739,756
O-1		Budget Request	Recommendation
OPERATION AND MAINTENANCE, ARMY			
111	MANEUVER UNITS	1,087,321	1,087,321
112	MODULAR SUPPORT BRIGADES	114,448	113,790
.....	Deployment Offset .....	.....	658
113	ECHELONS ABOVE BRIGADES	773,540	769,338
.....	Deployment Offset .....	.....	— 4,202
114	THEATER LEVEL ASSETS	794,806	767,727
.....	Aircraft Lease for Casualty Evacuation Funded in fiscal year 2011 OCO .....	.....	— 18,500
.....	Transfer to Title IX—Chemical Defense Equipment Sustainment .....	.....	— 8,579
115	LAND FORCES OPERATIONS SUPPORT	1,399,332	1,392,912
.....	Transfer to Title IX—MRAP Vehicle Sustainment at Combat Training Centers .....	.....	— 6,420
116	AVIATION ASSETS	897,666	867,666
.....	Deployment Offset .....	.....	— 30,000
121	FORCE READINESS OPERATIONS SUPPORT	2,520,995	2,314,041
.....	Unjustified Increase for Travel .....	.....	— 91,000
.....	Removal of One-Time fiscal year 2010 Costs .....	.....	— 35,000
.....	Transfer to Title IX—Body Armor Sustainment .....	.....	— 71,660
.....	Transfer to Title IX—Rapid Equipping Force Readiness .....	.....	— 9,294
122	LAND FORCES FORCES SYSTEMS READINESS	596,117	574,946
.....	Transfer to Title IX—Fixed Wing Life Cycle Contract Support .....	.....	— 21,171
123	LAND FORCES DEPOT MAINTENANCE	890,122	950,122
.....	UH-60 A to L Conversions .....	.....	+60,000
131	BASE OPERATIONS SUPPORT	7,563,566	7,281,191
.....	Transfer from the Defense Health Program for Centralized Management of the Substance Abuse Program .....	.....	+30,625
.....	Army Tenant Pentagon Rent Requirements .....	.....	— 33,000
.....	Reduced Requirement for Collateral Equipment in fiscal year 2011 .....	.....	— 50,000
.....	Transfer to Title IX—Overseas Security Guards .....	.....	— 200,000
.....	Transfer to Title IX—Senior Leader Initiative—Comprehensive Soldier Fitness Program .....	.....	— 30,000
132	FACILITIES SUSTAINMENT, RESTORATION, & MODERNIZATION	2,500,892	2,500,892
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	390,004	390,004
134	COMBATANT COMMANDER'S CORE OPERATIONS	167,758	167,758
138	COMBATANT COMMANDER'S DIRECT MISSION SUPPORT	464,851	464,851
.....	SUBTOTAL, BUDGET ACTIVITY 1	20,161,418	19,642,559
211	STRATEGIC MOBILITY	333,266	333,266
212	ARMY PREPOSITIONED STOCKS	102,240	102,240
213	INDUSTRIAL PREPAREDNESS	5,736	5,736
.....	SUBTOTAL, BUDGET ACTIVITY 2	441,242	441,242
311	OFFICER ACQUISITION	129,902	129,902
312	RECRUIT TRAINING	74,705	74,705
313	ONE STATION UNIT TRAINING	63,223	63,223
314	SENIOR RESERVE OFFICER TRAINING CORPS	479,343	479,343
321	SPECIALIZED SKILL TRAINING	1,082,517	1,027,334
.....	Unjustified Growth in Supply and Equipment Purchases .....	.....	40,000
.....	Transfer to Title IX—Survivability and Maneuverability Training .....	.....	— 15,183
322	FLIGHT TRAINING	1,046,124	1,032,124
.....	Budget Justification Does not Match Summary of Price and Program Changes .....	.....	— 14,000
323	PROFESSIONAL DEVELOPMENT EDUCATION	163,607	163,607
324	TRAINING SUPPORT	695,200	695,200
331	RECRUITING AND ADVERTISING	544,014	524,014
.....	Budget Justification Does not Match Summary of Price and Program Changes .....	.....	— 20,000
332	EXAMINING	153,091	153,091
333	OFF-DUTY AND VOLUNTARY EDUCATION	241,170	241,170
334	CIVILIAN EDUCATION AND TRAINING	220,771	220,771
335	JUNIOR RESERVE OFFICER TRAINING CORPS	175,347	183,347
.....	Program Increase—Junior ROTC .....	.....	+8,000
.....	SUBTOTAL, BUDGET ACTIVITY 3	5,069,014	4,987,831
411	SECURITY PROGRAMS	1,030,355	1,030,355
421	SERVICEWIDE TRANSPORTATION	587,952	557,826
.....	First Destination Transportation Cost of New Equipment is Financed in the Cost of Equipment .....	.....	30,126
422	CENTRAL SUPPLY ACTIVITIES	669,853	669,853
423	LOGISTIC SUPPORT ACTIVITIES	503,876	503,876
424	AMMUNITION MANAGEMENT	435,020	435,020
431	ADMINISTRATION	912,355	902,355
.....	Unjustified Growth for Headquarters Accounts .....	.....	— 10,000
432	SERVICEWIDE COMMUNICATIONS	1,528,371	1,528,371
433	MANPOWER MANAGEMENT	368,480	328,480
.....	Unsupported Request for 712 Temporary Hires .....	.....	— 40,000
434	OTHER PERSONNEL SUPPORT	261,829	261,829
435	OTHER SERVICE SUPPORT	1,145,902	1,149,822
.....	Capitol 4th .....	.....	+3,920
436	ARMY CLAIMS ACTIVITIES	205,967	205,967
437	REAL ESTATE MANAGEMENT	168,664	168,664
441	INTERNATIONAL MILITARY HEADQUARTERS	462,488	476,888
.....	Outfitting of NATO SOF Headquarters Building .....	.....	+14,400
442	MISCELLANEOUS SUPPORT OF OTHER NATIONS	19,179	16,179
.....	Information Operations .....	.....	— 3,000
.....	SUBTOTAL, BUDGET ACTIVITY 4	8,300,291	8,235,485
.....	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT .....	.....	— 1,000
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY	33,971,965	33,306,117
OPERATION AND MAINTENANCE, NAVY			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	4,429,832	4,429,832

0-1		Budget Request	Recommendation
1A2A	FLEET AIR TRAINING	81,345	1,605,720
	Transfer of Fleet Air Training funding from SAG 3B2K		+958,200
	Unjustified Administrative Overhead Cost Growth		- 4,225
	Transfer of Chief of Naval Air Training from SAG 3B2K		+570,400
1A3A	AVIATION TECHNICAL DATA AND ENGINEERING SERVICES	38,932	38,932
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	100,485	100,485
1A4N	AIR SYSTEMS SUPPORT	355,520	355,520
1A5A	AIRCRAFT DEPOT MAINTENANCE	1,221,410	1,221,410
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	27,448	27,448
1B1B	MISSION AND OTHER SHIP OPERATIONS	3,696,913	3,666,913
	Unjustified Growth in Per Diem Days		- 30,000
1B2B	SHIP OPERATIONS SUPPORT AND TRAINING	728,983	728,983
1B4B	SHIP DEPOT MAINTENANCE	4,761,670	4,761,670
1B5B	SHIP DEPOT OPERATIONS SUPPORT	1,344,844	1,338,844
	Transfer to RDTE, DW per Memorandum of Agreement		- 1,500
	NAVSEA Process Requirements and Improvement Office Budget Realignment and Consolidation Justified as Program Growth		- 4,500
1C1C	COMBAT COMMUNICATIONS	615,069	550,069
	Overstatement of DISA Pricing Adjustment		- 65,000
1C2C	ELECTRONIC WARFARE	89,340	89,340
1C3C	SPACE SYSTEMS AND SURVEILLANCE	177,397	177,397
1C4C	WARFARE TACTICS	416,068	416,068
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	316,525	316,525
1C6C	COMBAT SUPPORT FORCES	1,083,618	870,817
	Unjustified Growth for Naval Expeditionary Combat Command		- 20,000
	Transfer to Title IX—Naval Expeditionary Combat Command Increases		- 192,801
1C7C	EQUIPMENT MAINTENANCE	165,985	165,985
1C8C	DEPOT OPERATIONS SUPPORT	2,836	2,836
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	208,250	208,250
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	274,071	274,071
1D1D	CRUISE MISSILE	130,219	130,219
1D2D	FLEET BALLISTIC MISSILE	1,138,418	1,138,418
1D3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	89,184	89,184
1D4D	WEAPONS MAINTENANCE	459,561	459,561
1D7D	OTHER WEAPON SYSTEMS SUPPORT	366,751	361,751
	Civilian Personnel Over-Pricing		- 5,000
BSIT	ENTERPRISE INFORMATION TECHNOLOGY	820,507	1,031,207
	Requested Transfer from OP.N line 147 for NGEN Funding		+217,700
	Overstatement of DISA Pricing Adjustment		- 7,000
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,900,386	1,900,386
BSS1	BASE OPERATING SUPPORT	4,502,857	4,452,857
	Transfer to Title IX—Regional/Emergency Operations Center		- 50,000
	SUBTOTAL, BUDGET ACTIVITY 1	29,544,424	30,910,698
2A1F	SHIP PREPOSITIONING AND SURGE	424,047	424,047
2B1G	AIRCRAFT ACTIVATIONS/INACTIVATIONS	7,593	7,593
2B2G	SHIP ACTIVATIONS/INACTIVATIONS	177,482	180,682
	Program Increase—Ship Disposal Program		+3,200
2C1H	FLEET HOSPITAL PROGRAM	70,990	70,990
2C2H	INDUSTRIAL READINESS	2,707	2,707
2C3H	COAST GUARD SUPPORT	23,845	23,845
	SUBTOTAL, BUDGET ACTIVITY 2	706,664	709,864
3A1J	OFFICER ACQUISITION	141,057	141,057
3A2J	RECRUIT TRAINING	10,853	10,853
3A3J	RESERVE OFFICERS TRAINING CORPS	143,504	143,504
3B1K	SPECIALIZED SKILL TRAINING	533,004	530,004
	Transfer to Title IX—NAVSEA YSSS/EOD Training		- 3,000
3B2K	FLIGHT TRAINING	1,538,171	9,571
	Transfer of Fleet Air Training funding to SAG 1A2A		- 958,200
	Transfer of Chief of Naval Air Training to SAG 1A2A		- 570,400
3B3K	PROFESSIONAL DEVELOPMENT EDUCATION	162,844	162,844
3B4K	TRAINING SUPPORT	171,153	171,153
3C1L	RECRUITING AND ADVERTISING	261,287	261,922
	Program Increase—Naval Sea Cadet Corps		+635
3C3L	OFF-DUTY AND VOLUNTARY EDUCATION	145,560	145,560
3C4L	CIVILIAN EDUCATION AND TRAINING	109,865	109,865
3C5L	JUNIOR ROTC	50,369	53,369
	Program Increase—Junior ROTC		+3,000
	SUBTOTAL, BUDGET ACTIVITY 3	3,267,667	1,739,702
4A1M	ADMINISTRATION	829,010	829,010
4A2M	EXTERNAL RELATIONS	7,632	7,632
4A3M	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	118,838	111,838
	Overstated Requirement for Other Intragovernmental Purchases		- 7,000
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	194,775	194,775
4A5M	OTHER PERSONNEL SUPPORT	282,580	282,580
4A6M	SERVICEWIDE COMMUNICATIONS	503,067	496,089
	Nuclear Command, Control and Communications Systems Budget Realignment and Consolidation Justified as Program Growth		- 6,978
4B1N	SERVICEWIDE TRANSPORTATION	230,294	230,294
4B2N	PLANNING, ENGINEERING AND DESIGN	259,990	259,990
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	868,069	856,069
	Civilian Personnel Over-Pricing		- 12,000
4B5N	HULL, MECHANICAL AND ELECTRICAL SUPPORT	55,217	55,217
4B6N	COMBAT/WEAPONS SYSTEMS	19,053	19,053
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	77,702	77,702
4C1P	NAVAL INVESTIGATIVE SERVICE	549,484	546,484
	Civilian Personnel Over-Pricing		- 3,000
4D1Q	INTERNATIONAL HEADQUARTERS AND AGENCIES	5,567	5,567
999	OTHER PROGRAMS	614,275	607,475
	Classified Adjustment		- 6,800
	SUBTOTAL, BUDGET ACTIVITY 4	4,615,553	4,579,775
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		- 127,200
	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT		- 3,600
	TOTAL, OPERATION AND MAINTENANCE, NAVY	38,134,308	37,809,239
OPERATION AND MAINTENANCE, MARINE CORPS			
1A1A	OPERATIONAL FORCES	745,678	745,678
1A2A	FIELD LOGISTICS	658,616	658,616
1A3A	DEPOT MAINTENANCE	78,891	78,891
1B1B	MARITIME PREPOSITIONING	72,344	72,344
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	594,904	594,904
BSS1	BASE OPERATING SUPPORT	2,206,137	2,198,437
	Collateral Equipment Decrease in fiscal year 2011 not Properly Accounted for in Budget Documentation		- 7,700
	SUBTOTAL, BUDGET ACTIVITY 1	4,356,570	4,348,870
3A1C	RECRUIT TRAINING	16,096	16,096
3A2C	OFFICER ACQUISITION	420	420
3B1D	SPECIALIZED SKILLS TRAINING	91,197	91,197
3B3D	PROFESSIONAL DEVELOPMENT EDUCATION	32,379	32,379
3B4D	TRAINING SUPPORT	319,742	319,742

0-1		Budget Request	Recommendation
3C1F	RECRUITING AND ADVERTISING	233,663	233,663
3C2F	OFF-DUTY AND VOLUNTARY EDUCATION	61,980	61,980
3C3F	JUNIOR ROTC	19,497	19,497
	SUBTOTAL, BUDGET ACTIVITY 3	774,974	774,974
4A3G	SERVICEWIDE TRANSPORTATION	29,569	29,569
4A4G	ADMINISTRATION	341,657	335,657
	Administrative Efficiencies		- 6,000
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	87,570	87,570
	SUBTOTAL, BUDGET ACTIVITY 4	458,796	452,796
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		- 34,400
	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT		- 2,500
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS	5,590,340	5,539,740
OPERATION AND MAINTENANCE, AIR FORCE			
011A	PRIMARY COMBAT FORCES	4,261,115	4,218,222
	Unjustified Growth for Programming/ Execution		- 34,408
	Unsupported Request for Civilian Personnel		- 8,485
011C	COMBAT ENHANCEMENT FORCES	2,995,278	2,933,353
	Unjustified Growth for Programming/ Execution		- 61,925
011D	AIR OPERATIONS TRAINING	1,573,602	1,508,352
	Unjustified Growth for Programming/ Execution		- 13,598
	Transfer of Range Maintenance funding to SAG 011R		- 33,652
	Removal of One-Time fiscal year 2010 Cost for F-35A Beddown Costs		- 18,000
011M	DEPOT MAINTENANCE	2,189,481	2,176,793
	Program Increase—Warner Robins Air Logistics Center Aircraft Depot Maintenance		+4,000
	Air Force Requested Transfer to OM,ANG for C-130s		- 10,879
	Air Force Requested Transfer to OM,AFR for C-130s		- 5,809
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,556,234	1,664,886
	Transfer of Range Maintenance from SAG 011D		+33,652
	Adjustments to Meet Life, Health, Safety and ADA Compliance Standards		+75,000
011Z	BASE OPERATING SUPPORT	3,088,003	2,937,621
	Unjustified Growth for Programming/ Execution		- 91,675
	Unsupported Request for Civilian Personnel		- 58,707
012A	GLOBAL CSI AND EARLY WARNING	1,511,243	1,450,927
	Unsupported Request for Civilian Personnel		- 16,013
	Unjustified Growth for Programming/ Execution		- 44,303
012C	OTHER COMBAT OPERATIONS SUPPORT PROGRAMS	1,035,291	1,020,300
	Unjustified Growth for Programming/ Execution		- 12,268
	Unsupported Request for Civilian Personnel		- 2,723
012F	TACTICAL INTELLIGENCE AND SPECIAL ACTIVITIES	595,028	595,028
013A	LAUNCH FACILITIES	342,355	342,355
013C	SPACE CONTROL SYSTEMS	811,022	811,022
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	797,754	791,754
	Information Operations		- 6,000
015B	COMBATANT COMMANDERS CORE OPERATIONS	233,021	225,865
	Unsupported Request for Civilian Personnel		- 7,156
	SUBTOTAL, BUDGET ACTIVITY 1	20,989,427	20,676,478
021A	AIRLIFT OPERATIONS	2,975,663	2,975,663
021D	MOBILIZATION PREPAREDNESS	158,647	158,647
021M	DEPOT MAINTENANCE	140,286	140,286
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	348,231	348,231
021Z	BASE SUPPORT	683,286	635,231
	Unsupported Request for Civilian Personnel		- 45,577
	Unjustified Growth for Programming/ Execution		- 2,478
	SUBTOTAL, BUDGET ACTIVITY 2	4,306,113	4,258,058
031A	OFFICER ACQUISITION	114,403	114,403
031B	RECRUIT TRAINING	28,195	28,195
031D	RESERVE OFFICER TRAINING CORPS (ROTC)	90,453	90,453
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	411,570	400,652
	Unsupported Request for Civilian Personnel		- 10,918
031Z	BASE SUPPORT (ACADEMIES ONLY)	902,323	845,576
	Unjustified Growth for Programming/ Execution		- 16,216
	Unsupported Request for Civilian Personnel		- 40,531
032A	SPECIALIZED SKILL TRAINING	510,065	470,584
	Unsupported Request for Civilian Personnel		- 11,481
	Growth in Overhead Expenses not Justified by Increases to Training Metrics		- 28,000
032B	FLIGHT TRAINING	1,012,816	1,012,816
032C	PROFESSIONAL DEVELOPMENT EDUCATION	221,553	221,553
032D	TRAINING SUPPORT	126,784	123,260
	Unsupported Request for Civilian Personnel		- 3,524
032M	DEPOT MAINTENANCE	619	619
033A	RECRUITING AND ADVERTISING	150,222	143,635
	Unsupported Request for Civilian Personnel		- 1,487
	Air Force Recruiting Information Support System—Air Force Requested Transfer to RDTE,AF		- 5,100
033B	EXAMINING	409	409
033C	OFF DUTY AND VOLUNTARY EDUCATION	172,643	172,643
033D	CIVILIAN EDUCATION AND TRAINING	208,872	208,872
033E	JUNIOR ROTC	77,692	81,692
	Program Increase—Junior ROTC		+4,000
	SUBTOTAL, BUDGET ACTIVITY 3	4,028,619	3,915,362
041A	LOGISTICS OPERATIONS	1,110,471	1,082,427
	Unsupported Request for Civilian Personnel		- 28,044
041B	TECHNICAL SUPPORT ACTIVITIES	949,018	937,913
	Unjustified Growth for Programming/ Execution		- 5,866
	Unsupported Request for Civilian Personnel		- 5,239
041M	DEPOT MAINTENANCE	7,365	7,365
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	368,349	367,651
	Unsupported Request for Civilian Personnel		- 698
041Z	BASE SUPPORT	1,363,230	1,292,621
	Unsupported Request for Civilian Personnel		- 30,609
	Pentagon Reservation Maintenance Fund Pricing		- 40,000
042A	ADMINISTRATION	657,268	657,268
042B	SERVICEWIDE COMMUNICATIONS	693,379	672,562
	Unjustified Growth for Programming/ Execution		- 20,817
042G	OTHER SERVICEWIDE ACTIVITIES	1,152,877	1,138,670
	Unsupported Request for Civilian Personnel		- 22,207
	Analytical Support for the Executive Agent for Space—Transfer from RDTE,AF line 216		+8,000
042I	CIVIL AIR PATROL CORPORATION	22,848	27,048
	Civil Air Patrol Program Increase		+4,200
043A	SECURITY PROGRAMS	1,159,342	1,141,160
	Unsupported Request for Civilian Personnel		- 18,182
044A	INTERNATIONAL SUPPORT	36,206	36,206
	SUBTOTAL, BUDGET ACTIVITY 4	7,520,353	7,360,891
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		- 134,300
	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT		- 13,500

0-1		Budget Request	Recommendation
.....	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE	36,844,512	36,062,989
OPERATION AND MAINTENANCE, DEFENSE-WIDE			
.....	JOINT CHIEFS OF STAFF	420,940	420,940
.....	SPECIAL OPERATIONS COMMAND	3,944,330	3,930,330
.....	Non-Standard Aviation Platforms Sustainment and Logistical Support .....	.....	- 5,000
.....	Removal of One-Time fiscal year 2010 Congressional Increases .....	.....	- 9,000
.....	SUBTOTAL, BUDGET ACTIVITY 1	4,365,270	4,351,270
.....	DEFENSE ACQUISITION UNIVERSITY	145,896	145,896
.....	NATIONAL DEFENSE UNIVERSITY	97,633	97,633
.....	SUBTOTAL, BUDGET ACTIVITY 3	243,529	243,529
.....	CIVIL MILITARY PROGRAMS	156,043	164,043
.....	STARBASE Youth Program .....	.....	+8,000
.....	BUSINESS TRANSFORMATION AGENCY	143,441	143,441
.....	DEFENSE CONTRACT AUDIT AGENCY	486,143	482,643
.....	Removal of One-Time fiscal year 2010 Cost for Renewing Three Year License for Software .....	.....	- 3,500
.....	DEFENSE FINANCE AND ACCOUNTING SERVICE	1,593	1,593
.....	DEFENSE INFORMATION SYSTEMS AGENCY	1,384,450	1,374,450
.....	Multinational Information Sharing Programs .....	.....	- 10,000
.....	DEFENSE LEGAL SERVICES AGENCY	42,404	42,404
.....	DEFENSE LOGISTICS AGENCY	448,043	396,395
.....	Facilities Sustainment .....	.....	- 58,848
.....	Procurement Technical Assistance Program .....	.....	+7,200
.....	DEFENSE MEDIA ACTIVITY	255,878	255,878
.....	DEFENSE POW /MISSING PERSONS OFFICE	24,155	24,155
.....	DEFENSE TECHNOLOGY SECURITY AGENCY	37,624	37,624
.....	DEFENSE THREAT REDUCTION AGENCY	463,522	445,682
.....	Core Operational Support Activities—unnecessary increase .....	.....	- 17,840
.....	DEFENSE DEPENDENTS EDUCATION	2,514,537	2,679,537
.....	Military Spouse Career Advancement Accounts .....	.....	+165,000
.....	DEFENSE HUMAN RESOURCES ACTIVITY	824,153	794,353
.....	Joint Advertising, Market Research and Studies .....	.....	- 29,800
.....	DEFENSE CONTRACT MANAGEMENT AGENCY	1,112,849	1,107,849
.....	Overstatement of NSPS to GS Conversion .....	.....	- 5,000
.....	DEFENSE SECURITY COOPERATION AGENCY	683,853	539,369
.....	Global Train and Equip (1206) .....	.....	- 139,507
.....	Stability Operations Fellowship Program—not authorized .....	.....	- 4,977
.....	DEFENSE SECURITY SERVICE	518,743	518,743
.....	OFFICE OF ECONOMIC ADJUSTMENT	50,811	50,811
.....	OFFICE OF THE SECRETARY OF DEFENSE	2,245,300	2,232,986
.....	Battlefield Information Collection and Exploitation System .....	.....	- 15,000
.....	Combatant Commander's Exercise Engagement and Training Transformation (CE2T2) .....	.....	- 26,500
.....	Readiness and Environmental Protection Initiative .....	.....	+60,186
.....	Overstatement of Civilian Personnel Pay Requirements .....	.....	- 24,500
.....	AT&L—Integrated Acquisition Environment Internal Realignment not Properly Accounted for in Budget Documentation .....	.....	- 6,500
.....	WASHINGTON HEADQUARTERS SERVICES	604,130	594,330
.....	Overstatement of Civilian Personnel Pay Requirements .....	.....	- 9,800
.....	SUBTOTAL, BUDGET ACTIVITY 4	11,997,672	11,886,286
.....	OTHER PROGRAMS	13,977,425	13,685,725
.....	Classified Adjustments .....	.....	- 291,700
.....	IMPACT AID .....	.....	40,000
.....	IMPACT AID FOR CHILDREN WITH SEVERE DISABILITIES .....	.....	4,000
.....	TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE	30,583,896	30,210,810
OPERATION AND MAINTENANCE, ARMY RESERVE			
111	MANEUVER UNITS	1,282	1,282
112	MODULAR SUPPORT BRIGADES	12,413	12,413
113	ECHELONS ABOVE BRIGADES	460,814	460,814
114	THEATER LEVEL ASSETS	168,020	168,020
115	LAND FORCES OPERATIONS SUPPORT	555,944	555,944
116	AVIATION ASSETS	70,378	70,378
121	FORCES READINESS OPERATIONS SUPPORT	391,326	381,326
.....	Decrease Requested Growth for Travel .....	.....	- 10,000
122	LAND FORCES SYSTEM READINESS	108,093	108,093
123	DEPOT MAINTENANCE	136,854	136,854
131	BASE OPERATIONS SUPPORT	577,146	567,146
.....	Unjustified Increase in Motor Pool Operations Costs .....	.....	- 10,000
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	234,486	234,486
.....	SUBTOTAL, BUDGET ACTIVITY 1	2,716,756	2,696,756
421	SERVICEWIDE TRANSPORTATION	12,717	12,717
431	ADMINISTRATION	74,685	74,685
432	SERVICEWIDE COMMUNICATIONS	3,797	3,797
433	PERSONNEL/FINANCIAL ADMINISTRATION	9,245	9,245
434	RECRUITING AND ADVERTISING	61,877	61,877
.....	SUBTOTAL, BUDGET ACTIVITY 4	162,321	162,321
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION .....	.....	- 18,650
.....	TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE	2,879,077	2,840,427
OPERATION AND MAINTENANCE, NAVY RESERVE			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	599,649	599,649
1A3A	INTERMEDIATE MAINTENANCE	13,209	13,209
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	2,668	2,668
1A5A	AIRCRAFT DEPOT MAINTENANCE	140,377	140,377
1A6A	AIRCRAFT DEPOT OPERATIONS SUPPORT	309	309
1B1B	MISSION AND OTHER SHIP OPERATIONS	65,757	62,757
.....	Mismatch of OPTempo and Steaming Day Performance Data .....	.....	- 3,000
1B2B	SHIP OPERATIONAL SUPPORT AND TRAINING	587	587
1B4B	SHIP DEPOT MAINTENANCE	91,054	91,054
1C1C	COMBAT COMMUNICATIONS	15,882	15,882
1C6C	COMBAT SUPPORT FORCES	140,186	140,186
1D4D	WEAPONS MAINTENANCE	5,492	5,492
BSIT	ENTERPRISE INFORMATION TECHNOLOGY	56,046	56,046
BSMR	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	81,407	81,407
BSSR	BASE OPERATING SUPPORT	131,988	131,988
.....	SUBTOTAL, BUDGET ACTIVITY 1	1,344,611	1,341,611
4A1M	ADMINISTRATION	3,276	3,276
4A4M	MILITARY MANPOWER & PERSONNEL	13,698	13,698
4A6M	SERVICEWIDE COMMUNICATIONS	2,628	2,628
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	3,551	3,551
.....	SUBTOTAL, BUDGET ACTIVITY 4	23,153	23,153
.....	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION .....	.....	- 20,500
.....	TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE	1,367,764	1,344,264
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE			
1A1A	OPERATING FORCES	104,566	104,566

0-1		Budget Request	Recommendation
1A3A	DEPOT MAINTENANCE	16,392	16,392
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	38,762	38,762
BSS1	BASE OPERATING SUPPORT	99,924	92,424
	Eliminate Growth in Administrative Costs		-7,500
	SUBTOTAL, BUDGET ACTIVITY 1	259,644	252,144
BSM1	SERVICEWIDE TRANSPORTATION	835	835
BSS1	ADMINISTRATION	15,871	15,871
3A1C	RECRUITING AND ADVERTISING	8,884	8,884
	SUBTOTAL, BUDGET ACTIVITY 4	25,590	25,590
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		-2,250
	TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE	285,234	275,484
OPERATION AND MAINTENANCE, AIR FORCE RESERVE			
011A	PRIMARY COMBAT FORCES	2,275,407	2,276,450
	Air Force Requested Transfer to OM,ANG for C-130s		-2,017
	Air Force Requested Transfer from OM,AF for C-130s		+3,060
011G	MISSION SUPPORT OPERATIONS	111,742	111,742
011M	DEPOT MAINTENANCE	415,687	418,436
	Air Force Requested Transfer from OM,AF for C-130s		+2,749
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	88,822	88,822
011Z	BASE OPERATING SUPPORT	277,985	277,985
	SUBTOTAL, BUDGET ACTIVITY 1	3,169,643	3,173,435
042A	ADMINISTRATION	80,526	80,526
042J	RECRUITING AND ADVERTISING	24,353	24,353
042K	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	19,716	19,716
042L	OTHER PERSONNEL SUPPORT	6,071	6,071
042M	AUDIOVISUAL	726	726
	SUBTOTAL, BUDGET ACTIVITY 4	131,392	131,392
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		-13,800
	TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE	3,301,035	3,291,027
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD			
111	MANEUVER UNITS	807,193	807,193
112	MODULAR SUPPORT BRIGADES	166,474	166,474
113	ECHELONS ABOVE BRIGADE	607,567	607,567
114	THEATER LEVEL ASSETS	249,930	249,930
115	LAND FORCES OPERATIONS SUPPORT	35,657	35,657
116	AVIATION ASSETS	838,895	854,895
	Aircraft Maintenance Program Increase		+16,000
121	FORCE READINESS OPERATIONS SUPPORT	570,119	544,119
	Distance Learning—Transfer from OCO OM,ARNG SAG 135		+9,000
	Realignment of Funding for the Organizational Clothing and Equipment Enterprise Environment not Properly Accounted for in Budget Documentation		-35,000
122	LAND FORCES SYSTEMS READINESS	121,980	121,980
123	LAND FORCES DEPOT MAINTENANCE	380,789	380,789
131	BASE OPERATIONS SUPPORT	933,514	853,514
	Unjustified Growth for Information Management Systems		-80,000
132	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	621,843	661,843
	Army National Guard Program Increase		+40,000
133	MANAGEMENT AND OPERATIONAL HEADQUARTERS	540,738	549,626
	Transfer from Defense Health Program for Psychological Health—State Directors for the National Guard		+8,888
	SUBTOTAL, BUDGET ACTIVITY 1	5,874,699	5,833,587
421	SERVICEWIDE TRANSPORTATION	17,771	17,771
431	ADMINISTRATION	183,781	151,463
	Pay and Benefits Mismatch Between Op-5 and Op-32		-32,318
432	SERVICEWIDE COMMUNICATIONS	48,188	48,188
433	MANPOWER MANAGEMENT	8,020	8,020
434	RECRUITING AND ADVERTISING	440,245	440,245
	SUBTOTAL, BUDGET ACTIVITY 4	698,005	665,687
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		-36,650
	FIVE PERCENT COST SAVINGS FOR INVESTMENT IN ENERGY AND UTILITIES PROJECTS THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT		-8,000
	TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD	6,572,704	6,454,624
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD			
011F	AIRCRAFT OPERATIONS	3,519,452	3,525,525
	Air Force Requested Transfer from OM,AF for C-130s		+2,017
	Air Force Requested Transfer from OM,AF for C-130s		+4,056
011G	MISSION SUPPORT OPERATIONS	762,937	762,937
011M	DEPOT MAINTENANCE	598,779	605,602
	Air Force Requested Transfer from OM,AF for C-130s		+6,823
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	315,210	355,210
	Air National Guard Program Increase		+40,000
011Z	BASE OPERATING SUPPORT	668,176	668,176
	SUBTOTAL, BUDGET ACTIVITY 1	5,864,554	5,917,450
042A	ADMINISTRATION	41,930	41,930
042J	RECRUITING AND ADVERTISING	34,659	34,659
	SUBTOTAL, BUDGET ACTIVITY 4	76,589	76,589
	UNDISTRIBUTED REDUCTION DUE TO HISTORIC UNDEREXECUTION		-30,200
	TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD	5,941,143	5,963,839
MISCELLANEOUS			
	OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	5,000	0
	Unjustified Request		-5,000
	U.S. COURT OF APPEALS FOR THE ARMED FORCES	14,068	14,068
	ENVIRONMENTAL RESTORATION, ARMY	444,581	464,581
	Program Increase		+20,000
	ENVIRONMENTAL RESTORATION, NAVY	304,867	304,867
	ENVIRONMENTAL RESTORATION, AIR FORCE	502,653	502,653
	ENVIRONMENTAL RESTORATION, DEFENSE-WIDE	10,744	10,744
	ENVIRONMENTAL RESTORATION, FUDS	276,546	316,546
	Program Increase		+40,000
	OVERSEAS HUMANITARIAN, DISASTER, AND CIVIC AID	108,032	108,032
	COOPERATIVE THREAT REDUCTION PROGRAM	522,512	522,512
	ACQUISITION WORKFORCE DEVELOPMENT FUND	217,561	217,561
	TOTAL, OPERATION AND MAINTENANCE	167,878,542	165,560,124

P-1		Budget Request	Recommendation
AIRCRAFT PROCUREMENT, ARMY			
3	AERIAL COMMON SENSOR (ACS) (MIP)	88,483	0

P-1		Budget Request	Recommendation
.....	Program Adjustment for Schedule Slip		- 88,483
4	MQ-1 UAV	459,310	434,310
.....	Contract Savings		- 25,000
5	RQ-11 (RAVEN)	20,152	20,152
6	BCT UNMANNED AERIAL VEH (UAVS) INCR 1	44,206	26,568
.....	Program Reduction		- 17,638
8	HELICOPTER, LIGHT UTILITY (LUH)	305,272	305,272
9	AH-64 APACHE BLOCK III	332,681	332,681
10	AH-64 APACHE BLOCK III (AP-CY)	161,150	161,150
11	UH-60 BLACKHAWK (MYP)	1,250,566	1,250,566
12	UH-60 BLACKHAWK (MYP) (AP-CY)	100,532	100,532
13	CH-47 HELICOPTER	1,101,293	1,101,293
14	CH-47 HELICOPTER (AP-CY)	57,756	57,756
15	HELICOPTER NEW TRAINING	9,383	0
.....	Unjustified Request		- 9,383
17	MQ-1 PAYLOAD—UAS	100,413	80,413
.....	Tactical SIGINT Payload Schedule Adjustment		- 20,000
18	MQ-1 WEAPONIZATION—UAS	14,729	14,729
19	GUARDRAIL MODS (MIP)	29,899	25,799
.....	Airborne Precision Geolocation		- 4,100
20	MULTI SENSOR AIRBORNE RECON (MIP)	16,981	16,981
21	AH-64 MODS	393,769	393,769
23	CH-47 CARGO HELICOPTER MODS	66,207	66,207
25	UTILITY/CARGO AIRPLANE MODS	13,716	13,716
26	AIRCRAFT LONG RANGE MODS	814	814
27	UTILITY HELICOPTER MODS	63,085	80,085
.....	UH-60 A to L conversions		+17,000
28	KIOWA WARRIOR	94,400	42,300
.....	Cockpit and Sensor Upgrade Program Funding Ahead of Need		- 52,100
29	AIRBORNE AVIONICS	219,425	207,425
.....	Contract Savings		- 12,000
30	GATM ROLLUP	100,862	100,862
31	RQ-7 UAV MODS	505,015	2,515
.....	Funding Ahead of Need for Installation		- 5,000
.....	Transfer to Title IX		- 497,500
34	SPARE PARTS (AIR)	7,328	9,956
.....	Transfer from O.P.A line 195 at Army request		+2,628
35	AIRCRAFT SURVIVABILITY EQUIPMENT	24,478	24,478
36	ASE INFRARED COUNTER MEASURES	174,222	163,722
.....	Excess to Requirement		- 10,500
37	AVIONICS SUPPORT EQUIPMENT	4,885	4,885
38	COMMON GROUND EQUIPMENT	76,129	76,129
39	AIRCRAFT INTEGRATED SYSTEMS	52,423	52,423
40	AIR TRAFFIC CONTROL	82,844	82,844
41	INDUSTRIAL FACILITIES	1,567	1,567
42	LAUNCHER, 2.75 ROCKET	2,892	2,892
.....	TOTAL, AIRCRAFT PROCUREMENT, ARMY	5,976,867	5,254,791
MISSILE PROCUREMENT, ARMY			
1	PATRIOT SYSTEM SUMMARY	480,247	613,847
.....	PAC-3 Launchers and Missiles—Army UFR		+133,600
2	SURFACE-LAUNCHED AMRAAM SYS SUMMARY	116,732	102,732
.....	Program Reduction		- 14,000
4	HELLFIRE SYS SUMMARY	31,881	31,881
5	JAVELIN (AAWS-M) SYSTEM SUMMARY	163,929	163,929
6	TOW 2 SYSTEM SUMMARY	30,326	24,326
.....	Program Adjustment for Growth in Management and Administration Costs		- 6,000
7	TOW 2 SYSTEM SUMMARY (AP-CY)	48,355	0
.....	Excess to Requirement		- 48,355
8	BCT NON LINE OF SIGHT LAUNCH SYSTEM	350,574	0
.....	Program Termination		- 350,574
9	GUIDED MLRS ROCKET (GMLRS)	291,041	266,041
.....	Program Reduction		- 25,000
10	MLRS REDUCED RANGE PRACTICE ROCKETS (RRPR)	15,886	15,886
11	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	211,517	204,517
.....	Program Adjustment, Carriers Procured in fiscal year 2010		- 7,000
12	PATRIOT MODS	57,170	57,170
13	ITAS/TOW MODS	13,281	13,281
14	MLRS MODS	8,217	8,217
15	HIMARS MODIFICATIONS	39,371	39,371
16	HELLFIRE MODIFICATIONS	10	10
17	SPARES AND REPAIR PARTS	19,569	19,569
18	AIR DEFENSE TARGETS	3,613	3,613
19	ITEMS LESS THAN \$5.0M (MISSILES)	1,208	1,208
20	PRODUCTION BASE SUPPORT	4,510	4,510
.....	TOTAL, MISSILE PROCUREMENT, ARMY	1,887,437	1,570,108
PROCUREMENT OF WEAPONS AND TRACKED COMBAT VEHICLES, ARMY			
4	STRYKER VEHICLE	299,545	350,945
.....	Transfer from O.P.A line 9		+61,300
.....	Adjust Program Management Costs		- 9,900
9	STRYKER (MOD)	146,352	85,052
.....	Transfer to O.P.A line 4		- 61,300
10	FIST VEHICLE (MOD)	31,083	31,083
11	BRADLEY PROGRAM (MOD)	215,133	204,133
.....	Program Reduction		- 11,000
12	HOWITZER, MED SP FT 155MM M109A6 (MOD)	105,277	5,277
.....	Program Adjustment for Schedule Slip		- 70,000
.....	Transfer to RDTEA line 116 for Paladin PIM		- 30,000
13	IMPROVED RECOVERY VEHICLE (M88A2 HERCULES)	69,609	69,609
14	ARMORED BREACHER VEHICLE	77,930	77,930
15	M88 FOV MODS	9,157	9,157
16	JOINT ASSAULT BRIDGE	44,133	0
.....	Funded Ahead of Need		- 44,133
17	M1 ABRAMS TANK (MOD)	230,907	230,907
18	ABRAMS UPGRADE PROGRAM	183,000	183,000
19	PRODUCTION BASE SUPPORT (TCV-WTCV)	3,145	3,145
20	HOWITZER, LIGHT, TOWED, 105MM, M119	5,575	0
.....	Funds Excess to Requirement		- 5,575
21	M240 MEDIUM MACHINE GUN (7.62MM)	28,179	20,479
.....	Pricing Correction		- 7,700
22	MACHINE GUN, CAL .50 M2 ROLL	79,496	0
.....	Transfer to Title IX		- 79,496
23	LIGHTWEIGHT .50 CALIBER MACHINE GUN	18,941	18,941
25	MK-19 GRENADE MACHINE GUN (40MM)	4,465	4,465
26	MORTAR SYSTEMS	17,082	17,082
27	M107, CAL .50, SNIPER RIFLE	235	235

P-1		Budget Request	Recommendation
28	XM320 GRENADE LAUNCHER MODULE (GLM)	16,282	16,282
29	M110 SEMI-AUTOMATIC SNIPER SYSTEM (SASS)	5,159	5,159
30	M4 CARBINE	20,180	20,180
31	SHOTGUN, MODULAR ACCESSORY SYSTEM (MASS)	7,153	7,153
33	HANDGUN	3,371	0
	Program Reduction		-3,371
35	MK-19 GRENADE MACHINE GUN MODS	4,286	2,986
	Tactical Engagement Simulator Terminated		-1,300
36	M4 CARBINE MODS	14,044	14,044
38	M249 SAW MACHINE GUN MODS	5,922	5,922
39	M240 MEDIUM MACHINE GUN MODS	15,852	15,852
40	M119 MODIFICATIONS	39,810	39,810
41	M16 RIFLE MODS	3,855	3,855
43	MODIFICATIONS LESS THAN \$5.0M (WOCV-WTCV)	6,083	6,083
45	PRODUCTION BASE SUPPORT (WOCV-WTCV)	7,869	7,869
46	INDUSTRIAL PREPAREDNESS	409	409
47	SMALL ARMS EQUIPMENT (SOLDIER ENH PROG)	4,042	4,042
TOTAL, PROCUREMENT OF W&TCV, ARMY		1,723,561	1,461,086
PROCUREMENT OF AMMUNITION, ARMY			
1	CTG, 5.56MM, ALL TYPES	195,406	195,406
2	CTG, 7.62MM, ALL TYPES	79,622	79,622
3	CTG, HANDGUN, ALL TYPES	5,377	5,377
4	CTG, .50 CAL, ALL TYPES	160,712	160,712
6	CTG, 25MM, ALL TYPES	15,887	15,887
7	CTG, 30MM, ALL TYPES	95,222	95,222
8	CTG, 40MM, ALL TYPES	167,632	167,632
9	60MM MORTAR, ALL TYPES	14,340	14,340
10	81MM MORTAR, ALL TYPES	24,036	24,036
11	CTG, MORTAR, 120MM, ALL TYPES	96,335	67,735
	APMI Unit Cost Savings		-28,600
12	CTG TANK 105MM: ALL TYPES	7,794	7,794
13	CTG, TANK, 120MM, ALL TYPES	114,798	114,798
14	CTG, ARTY, 75MM: ALL TYPES	7,329	7,329
15	CTG, ARTY, 105MM: ALL TYPES	76,658	76,658
16	CTG, ARTY, 155MM, ALL TYPES	45,752	45,752
17	PROJ 155MM EXTENDED RANGE XM982	62,114	30,700
	Exceeds Revised Requirement		-31,414
18	MODULAR ARTILLERY CHARGE SYSTEM (MACS), ALL T	29,309	21,909
	Decrease to Reduce Backlog in MACS M232 Production		-7,400
19	ARTILLERY FUZES, ALL TYPES	25,047	15,047
	Program Delay, Precision Guidance Kit		-10,000
20	MINES, ALL TYPES	817	817
21	MINE, CLEARING CHARGE, ALL TYPES	8,000	8,000
22	ANTIPERSONNEL LANDMINE ALTERNATIVES	53,005	8,317
	FRD Slipped to fiscal year 2012		-44,688
23	INTELLIGENT MUNITIONS SYSTEM (IMS), ALL TYPES	10,246	0
	Program Adjustment for Schedule Slip		-10,246
24	SHOULDER LAUNCHED MUNITIONS, ALL TYPES	43,873	43,873
25	ROCKET, HYDRA 70, ALL TYPES	120,628	120,628
26	DEMOLITION MUNITIONS, ALL TYPES	19,824	19,824
27	GRENADES, ALL TYPES	41,803	41,803
28	SIGNALS, ALL TYPES	39,472	39,472
29	SIMULATORS, ALL TYPES	11,389	11,389
30	AMMO COMPONENTS, ALL TYPES	17,499	17,499
31	NON-LETHAL AMMUNITION, ALL TYPES	5,266	5,266
32	CAD/PAD ALL TYPES	5,322	5,322
33	ITEMS LESS THAN \$5 MILLION	9,768	9,768
34	AMMUNITION PECULIAR EQUIPMENT	12,721	12,721
35	FIRST DESTINATION TRANSPORTATION (AMMO)	11,786	11,786
36	CLOSEOUT LIABILITIES	100	100
37	PROVISION OF INDUSTRIAL FACILITIES	144,368	144,368
38	LAYAWAY OF INDUSTRIAL FACILITIES	9,504	9,504
39	MAINTENANCE OF INACTIVE FACILITIES	9,025	9,025
40	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL	178,367	178,367
41	ARMS INITIATIVE	3,261	3,261
TOTAL, PROCUREMENT OF AMMUNITION, ARMY		1,979,414	1,847,066
OTHER PROCUREMENT, ARMY			
1	TACTICAL TRAILERS/DOLLY SETS	25,560	0
	Army Requested Program Adjustment		-25,560
2	SEMITRAILERS, FLATBED:	38,713	0
	Funded Ahead of Need		-38,713
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV)	918,195	693,495
	Pricing Adjustment		-224,700
6	FIRETRUCKS & ASSOCIATED FIREFIGHTING EQUIPM	21,317	21,317
7	FAMILY OF HEAVY TACTICAL VEHICLES (FHTV)	549,741	549,741
8	PALLETIZED LOAD SYS—EXTENDED SERVICE PGM	100,108	56,208
	Program Adjustment for Schedule Slip		-43,900
9	ARMORED SECURITY VEHICLES (ASV)	114,478	114,478
10	MINE PROTECTION VEHICLE FAMILY	230,978	0
	Transfer to Title IX		-230,978
12	TRUCK, TRACTOR, LINE HAUL, M915/M916	37,519	21,519
	Excess to Need		-16,000
13	HVY EXPANDED MOBILE TACTICAL TRUCK EXT SERV	173,565	173,565
15	MODIFICATION OF IN SVC EQUIP	349,256	0
	Funded Ahead of Need		-56,300
	Transfer to Title IX		-292,956
17	TOWING DEVICE-FIFTH WHEEL	234	234
18	AMC CRITICAL ITEMS, OPA1	746	746
19	HEAVY ARMORED SEDAN	1,875	0
	Slow Execution		-1,875
20	PASSENGER CARRYING VEHICLES	3,323	1,323
	Slow Execution		-2,000
21	NONTACTICAL VEHICLES, OTHER	19,586	19,586
23	JOINT COMBAT IDENTIFICATION MARKING SYSTEM	11,411	11,411
24	WIN-T—GROUND FORCES TACTICAL NETWORK	421,798	391,798
	Program Adjustment, Increment 2 Slow Execution		-20,000
	Program Adjustment, Area Common User System Modernization Slow Execution		-10,000
25	JCSE EQUIPMENT (USREDCOM)	4,690	4,690
26	DEFENSE ENTERPRISE WIDEBAND SATCOM SYSTEMS	115,744	115,744
27	SHF TERM	14,198	14,198
28	SAT TERM, EMUT (SPACE)	662	662
29	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE)	32,193	32,193
30	SMART-T (SPACE)	10,285	10,285
31	SCAMP (SPACE)	930	930
32	GLOBAL BRDCST SVC—GBS	4,586	4,586

P-1		Budget Request	Recommendation
33	MOD OF IN-SVC EQUIP (TAC SAT)	1,506	1,506
34	MOD-IN-SERVICE PROFILER	938	938
35	ARMY GLOBAL CMD & CONTROL SYS (AGCCS)	20,387	20,387
36	ARMY DATA DISTRIBUTION SYSTEM (DATA RADIO)	700	700
37	JOINT TACTICAL RADIO SYSTEM	209,568	159,468
	Program Reduction in Small Form Factor-C Radio		- 5,000
	Funded Ahead of Need		- 45,100
38	RADIO TERMINAL SET, MIDS LVT(2)	5,796	5,796
39	SINCGARS FAMILY	14,504	12,604
	Unjustified Growth		- 1,900
40	AMC CRITICAL ITEMS—OPA2	3,860	3,860
41	MULTI-PURPOSE INFORMATION OPERATIONS SYSTEMS	9,501	9,501
42	COMMS-ELEC EQUIP FIELDING	5,965	5,965
43	SPIDER APLA REMOTE CONTROL UNIT	26,358	6,758
	Army Requested Program Adjustment		- 19,600
44	INTELLIGENT MUNITIONS SYSTEM REMOTE CONTROL UNIT	6,603	0
	Funded Ahead of Need		- 6,603
45	SOLDIER ENHANCEMENT PROGRAM COMM AND ELECTRONICS	5,125	5,125
46	COMBAT SURVIVOR EVADER LOCATOR (CSEL)	2,397	2,397
47	RADIO, IMPROVED HF (COTS) FAMILY	9,983	9,983
48	MEDICAL COMM FOR CBT CASUALTY CARE (MC4)	23,606	23,606
49	CI AUTOMATION ARCHITECTURE (MIP)	1,465	1,465
50	TSEC—ARMY KEY MGT SYS (AKMS)	25,959	25,959
51	INFORMATION SYSTEM SECURITY PROGRAM—ISSP	63,340	54,858
	Protected Information—Biometrics—Transfer to OPA line 51x		- 8,482
51x	FAMILY OF BIOMETRICS	0	8,482
	Non-MIP Biometrics—Transfer from OPA line 51		+ 8,482
52	TERRESTRIAL TRANSMISSION	137	137
53	BASE SUPPORT COMMUNICATIONS	28,406	28,406
54	WW TECH CON IMP PROG (WWTCIP)	11,566	11,566
55	INFORMATION SYSTEMS	201,081	201,081
56	DEFENSE MESSAGE SYSTEM (DMS)	6,264	6,264
57	INSTALLATION INFO INFRASTRUCTURE MOD PROGRAM	178,242	178,242
58	PENTAGON INFORMATION MGT AND TELECOM	10,427	10,427
64	JTT/CIBS—M (MIP)	3,321	3,321
65	PROPHET GROUND (MIP)	71,517	71,517
68	DIGITAL TOPOGRAPHIC SPT SYS (DTSS) (MIP)	441	441
70	DCGS—A (MIP)	137,424	0
	Transfer to Title IX		- 137,424
71	JOINT TACTICAL GROUND STATION (JTGS)	9,279	9,279
72	TROJAN (MIP)	28,345	28,345
73	MOD OF IN-SVC EQUIP (INTEL SPT) (MIP)	7,602	7,602
74	CI HUMINT AUTO REPRTING AND COLL(CHARCS)(MIP)	7,416	7,416
75	ITEMS LESS THAN \$5.0M (MIP)	18,721	18,721
76	LIGHTWEIGHT COUNTER MORTAR RADAR	32,980	80,080
	Program Adjustment		+ 47,100
77	WARLOCK	24,127	16,127
	Excess to Need		- 8,000
78	BCT UNATTENDED GROUND SENSOR	29,718	14,718
	Program Reduction		- 15,000
79	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURE	1,394	1,394
80	CI MODERNIZATION (MIP)	1,263	1,263
81	FORWARD AREA AIR DEFENSE—GROUND BASED SENSOR	91,467	91,467
82	SENTINEL MODS	30,976	30,976
83	SENSE THROUGH THE WALL (STTW)	24,939	24,939
84	NIGHT VISION DEVICES	70,528	70,528
85	LONG RANGE ADVANCED SCOUT SURVEILLANCE SYS	255,641	230,641
	Excess to Need		- 25,000
86	NIGHT VISION, THERMAL WPN SIGHT	248,899	248,899
87	SMALL TACTICAL OPTICAL RIFLE MOUNTED MLRF	8,520	8,520
89	COUNTER-ROCKET, ARTILLERY & MORTAR	2,088	2,088
91	ARTILLERY ACCURACY EQUIP	6,042	0
	Funded Ahead of Need		- 6,042
94	PROFILER	4,408	4,408
95	MOD OF IN-SVC EQUIP (FIREFINDER RADARS)	2,843	2,843
96	FORCE XXI BATTLE CMD BRIGADE & BELOW (FBCB2)	39,786	39,786
97	JOINT BATTLE COMMAND—PLATFORM (JBC-P)	147	147
98	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER	65,970	65,970
99	COMPUTER BALLISTICS: LHMCB XM32	815	815
100	MORTAR FIRE CONTROL SYSTEM	16,475	16,475
101	COUNTERFIRE RADARS	275,867	0
	Transfer to Title IX		- 275,867
102	ENHANCED SENSOR & MONITORING SYSTEM	2,062	2,062
103	TACTICAL OPERATIONS CENTERS	53,768	43,768
	Program Reduction		- 10,000
104	FIRE SUPPORT C2 FAMILY	49,077	49,077
105	BATTLE COMMAND SUSTAINMENT SUPPORT SYSTEM	25,866	25,866
106	FAAD C2	42,511	32,511
	Program Reduction		- 10,000
107	AIR & MSL DEFENSE PLANNING & CONTROL SYS	57,038	57,038
108	KNIGHT FAMILY	120,723	120,723
109	LIFE CYCLE SOFTWARE SUPPORT (LCSS)	1,710	1,710
110	AUTOMATIC IDENTIFICATION TECHNOLOGY	10,858	10,858
111	TC AIMS II	10,457	10,457
113	TACTICAL INTERNET MANAGER	1,594	1,594
114	NETWORK MANAGEMENT INITIALIZATION AND SERVICE	18,492	18,492
115	MANEUVER CONTROL SYSTEM (MCS)	96,162	96,162
116	SINGLE ARMY LOGISTICS ENTERPRISE (SALE)	99,819	99,819
117	RECONNAISSANCE AND SURVEYING INSTRUMENT SET	15,466	15,466
119	GENERAL FUND ENTERPRISE BUSINESS SYSTEM	97,858	97,858
120	ARMY TRAINING MODERNIZATION	36,158	36,158
121	AUTOMATED DATA PROCESSING EQUIPMENT	203,864	203,864
122	CSS COMMUNICATIONS	39,811	39,811
123	RESERVE COMPONENT AUTOMATION SYS (RCAS)	39,360	39,360
124	ITEMS LESS THAN \$5.0M (A/V)	663	663
125	ITEMS LESS THAN \$5M (SURVEYING EQUIPMENT)	6,467	6,467
128	PRODUCTION BASE SUPPORT (C-E)	542	542
129	BCT NETWORK	176,543	136,543
	Program Reduction		- 40,000
130	PROTECTIVE SYSTEMS	2,489	2,489
131	FAMILY OF NON-LETHAL EQUIPMENT (FNLE)	9,305	9,305
132	CBRN SOLDIER PROTECTION	180,351	180,351
133	SMOKE & OBSCURANT FAMILY: SOF (NON AAO ITEM)	831	831
134	TACTICAL BRIDGING	62,817	62,817
135	TACTICAL BRIDGE, FLOAT-RIBBON	105,837	105,837
136	HANDHELD STANDOFF MINEFIELD DETECTION SYS	43,871	43,871
137	GROUND STANDOFF MINE DETECTION SYSTEM	35,002	35,002
138	EXPLOSIVE ORDNANCE DISPOSAL EQUIPMENT	54,093	54,093
139	ITEMS LESS THAN \$5M, COUNTERMINE EQUIPMENT	3,655	3,655

P-1		Budget Request	Recommendation
141	HEATERS AND ECU'S	20,610	20,610
143	SOLDIER ENHANCEMENT	5,416	5,416
146	PERSONNEL RECOVERY SUPPORT SYSTEM (PRSS)	7,813	7,813
147	GROUND SOLDIER SYSTEM	110,524	96,024
	Program Reduction		-14,500
148	MOUNTED SOLDIER SYSTEM	38,872	38,872
149	FORCE PROVIDER	41,539	41,539
150	FIELD FEEDING EQUIPMENT	23,826	23,826
151	CARGO AERIAL DELIVERY AND PERSONNEL PARACHUTE SYSTEM	69,496	69,496
152	MOBILE INTEGRATED REMAINS COLLECTION SYSTEM	26,532	26,532
153	ITEMS LESS THAN \$5M (ENGINEER SUPPORT)	31,420	31,420
154	DISTRIBUTION SYSTEMS, PETROLEUM AND WATER	175,069	164,369
	Program Adjustment		-10,700
155	WATER PURIFICATION SYSTEMS	3,597	0
	Funded Ahead of Need		-3,597
156	COMBAT SUPPORT MEDICAL	30,365	30,365
157	MOBILE MAINTENANCE EQUIPMENT SYSTEMS	159,285	139,985
	Unjustified Growth		-19,300
158	ITEMS LESS THAN \$5.0M (MAINT EQ)	3,702	3,702
159	GRADER, ROAD MOTORIZED, HVY, 6X4 (CCE)	48,379	48,379
160	SKID STEER LOADER (SSL) FAMILY OF SYSTEM	17,498	17,498
161	SCRAPERS, EARTHMOVING	12,452	12,452
163	MISSION MODULES—ENGINEERING	62,111	54,111
	Unjustified Growth		-8,000
164	LOADERS	7,205	7,205
165	HYDRAULIC EXCAVATOR	8,458	8,458
166	TRACTOR, FULL TRACKED	64,032	64,032
167	PLANT, ASPHALT MIXING	10,783	10,783
168	HIGH MOBILITY ENGINEER EXCAVATOR (HME) FOS	64,959	60,959
	Unjustified Growth		-4,000
169	CONSTRUCTION EQUIPMENT ESP	11,063	11,063
170	ITEMS LESS THAN \$5.0M (CONSTRUCTION EQUIP)	20,565	17,565
	Unjustified Growth		-3,000
171	JOINT HIGH SPEED VESSEL (JHSV)	202,764	202,764
172	HARBORMASTER COMMAND AND CONTROL CENTER(HCCC)	37,683	37,683
173	ITEMS LESS THAN \$5.0M (FLOAT/RAIL)	8,052	8,052
174	GENERATORS AND ASSOCIATED EQUIPMENT	113,573	113,573
175	ROUGH TERRAIN CONTAINER HANDLER (RTCH)	29,460	29,460
176	FAMILY OF FORKLIFTS	12,936	12,936
177	ALL TERRAIN LIFTING ARMY SYSTEM	17,352	17,352
178	COMBAT TRAINING CENTERS SUPPORT	23,400	23,400
179	TRAINING DEVICES, NONSYSTEM	297,200	322,200
	Training Range Upgrades		+25,000
180	CLOSE COMBAT TACTICAL TRAINER	64,912	64,912
181	AVIATION COMBINED ARMS TACTICAL TRAINER	26,120	26,120
182	GAMING TECHNOLOGY IN SUPPORT OF ARMY TRAINING	4,964	4,964
183	CALIBRATION SETS EQUIPMENT	38,778	38,778
184	INTEGRATED FAMILY OF TEST EQUIPMENT (IFTE)	104,472	104,472
185	TEST EQUIPMENT MODERNIZATION (TEMOD)	19,166	18,166
	Funded Ahead of Need		-1,000
186	RAPID EQUIPPING SOLDIER SUPPORT EQUIPMENT	42,229	21,229
	Excess to Need		-21,000
187	PHYSICAL SECURITY SYSTEMS (OPA3)	56,195	56,195
188	BASE LEVEL COMMERCIAL EQUIPMENT	1,873	1,873
189	MODIFICATION OF IN-SVC EQUIPMENT (OPA-3)	103,046	82,046
	Program Adjustment		-21,000
190	PRODUCTION BASE SUPPORT (OTH)	2,233	2,233
192	SPECIAL EQUIPMENT FOR USER TESTING	44,483	44,483
193	AMC CRITICAL ITEMS OPA3	13,104	13,104
194	MA8975	3,894	3,894
195	BCT UNMANNED GROUND VEHICLE	20,046	20,046
196	BCT TRAINING/LOGISTICS/MANAGEMENT	61,581	31,581
	Program Reduction		-30,000
197	INITIAL SPARES—C&E	38,707	36,079
	Transfer to AP.A line 34 at Army request		-2,628
	CLASSIFIED PROGRAMS	2,560	2,560
xx	PROCUREMENT INNOVATION	0	15,000
	Procurement Innovation		+15,000
	TOTAL, OTHER PROCUREMENT, ARMY	9,765,808	8,145,665
AIRCRAFT PROCUREMENT, NAVY			
1	EA-18G	1,028,801	971,241
	Multi-year Procurement Savings		-49,836
	Support Funding Carryover		-7,724
2	EA-18G (AP-CY)	55,081	55,081
3	F/A-18E/F (FIGHTER) HORNET (MYP)	1,784,894	1,684,086
	Multi-year Procurement Savings		-92,746
	Support Funding Carryover		-8,062
4	F/A-18E/F (FIGHTER) HORNET (MYP) (AP-CY)	2,295	2,295
5	JOINT STRIKE FIGHTER	1,667,093	1,653,093
	Support Funding Carryover		-14,000
6	JOINT STRIKE FIGHTER ADVANCE PROCUREMENT (CY)	219,895	219,895
7	JSF STOVL	2,289,816	555,716
	Support Funding Carryover		-42,500
	Delete Two Aircraft		-391,600
	Transfer Eight Aircraft to CTOL Variant		-1,300,000
8	JSF STOVL (AP-CY)	286,326	286,326
9	V-22 (MEDIUM LIFT)	2,121,036	2,121,036
10	V-22 (MEDIUM LIFT) (AP-CY)	81,875	81,875
11	UH-1Y/AH-1Z	738,709	738,709
12	UH-1Y/AH-1Z (AP-CY)	69,360	58,560
	Unjustified Cost Growth		-10,800
13	MH-60S (MYP)	478,591	478,591
14	MH-60S (MYP) (AP-CY)	70,080	66,280
	Unexecutable EOQ		-3,800
15	MH-60R	897,933	897,933
16	MH-60R (AP-CY)	162,006	129,006
	Unexecutable EOQ		-33,000
17	P-8A POSEIDON	1,824,437	1,820,560
	Operational Flight Trainer Cost Growth		-2,155
	Weapons Tactics Trainer Cost Growth		-1,722
18	P-8A POSEIDON (ADVANCED PROCUREMENT)	166,153	147,653
	Funded Ahead of Need		-18,500
19	E-2C (EARLY WARNING) HAWKEYE (MYP)	819,184	819,184
20	E-2C (EARLY WARNING) HAWKEYE (MYP) (AP-CY)	118,619	118,619
21	C-40A		74,100
	Add One Aircraft		+74,100
22	JPATS	266,065	26,274

P-1		Budget Request	Recommendation
	Contract Delay		-234,849
	Support Funding Carryover		-4,942
26	MQ-8 UAV	47,484	43,984
	Support Funding Carryover		-3,500
27	STUASLO UAV	23,912	0
	Program Delay		-23,912
29	EA-6 SERIES	14,891	0
	Unjustified Request in Avionics and Structural Improvements OSIP		-8,900
	ICAP III OSIP Unjustified Request		-5,991
30	AEA SYSTEMS	33,772	29,972
	Low Band Transmitter Modification Kit Pricing		-1,400
	ECO growth		-2,400
31	AV-8 SERIES	19,386	19,386
32	F-18 SERIES	492,821	443,806
	ECP 904 Modification Kit Cost Growth		-2,310
	ECP 583R2 Installation Equipment Kit Cost Growth		-3,780
	ATFLIR Installation Equipment Kit Cost Growth		-11,745
	Mission Planning/Unique Planning Component Growth		-2,400
	OSIP 002-07 Excess ECO Funding		-9,000
	ECP6279 Radar Modification Kits Ahead of Need		-7,880
	OSIP 001-10 Integrated Logistics Support Growth		-2,500
	Unjustified Cost Growth		-9,400
33	H-46 SERIES	17,685	17,685
34	AH-1W SERIES	11,011	11,011
35	H-53 SERIES	25,871	25,871
36	SH-60 SERIES	67,779	67,779
37	H-1 SERIES	3,060	3,060
38	EP-3 SERIES	90,323	90,323
39	P-3 SERIES	221,982	186,982
	Unjustified Cost Growth		-35,000
40	E-2 SERIES	47,046	67,046
	Reliability Enhancements for E-2C		+20,000
41	TRAINER A/C SERIES	23,999	23,999
42	C-2A	16,020	16,020
43	C-130 SERIES	17,839	17,839
44	FEWSG	21,928	16,696
	AN/ALQ-167 Modification Kit Cost Growth		-5,232
45	CARGO/TRANSPORT A/C SERIES	16,092	16,092
46	E-6 SERIES	149,164	121,194
	Block 1 Upgrade Training Kit Cost Growth		-5,040
	Block 1 Upgrade OSIP Support Funding Growth		-3,000
	SLEP Installation Delay		-2,630
	Funded Ahead of Need		-17,300
47	EXECUTIVE HELICOPTERS SERIES	43,443	43,443
48	SPECIAL PROJECT AIRCRAFT	14,679	14,679
49	T-45 SERIES	61,515	46,215
	Engine Surge OSIP Installation Funding Ahead of Need		-500
	Engine Surge OSIP Contract Delay		-2,800
	Required Avionics Modernization Program Modification Kit Cost Growth		-3,900
	Synthetic Aperture Radar OSIP Contract Delay		-8,100
50	POWER PLANT CHANGES	19,948	19,948
51	JPATS SERIES	1,831	1,831
52	AVIATION LIFE SUPPORT MODS	8,084	2,984
	Transfer to RDTE.N line 93 for Common Mobile Aircrew Restraint System		-5,100
53	COMMON ECM EQUIPMENT	21,947	21,947
54	COMMON AVIONICS CHANGES	101,120	79,820
	CNS/ATM Installation Equipment Contract Savings		-12,400
	CNS/ATM Installation Funding Ahead of Need		-1,400
	Tactical Moving Map Capability Modifications Funding Ahead of Need		-7,500
56	ID SYSTEMS	20,397	20,397
57	RQ-7 SERIES	18,121	18,121
58	V-22 (TILT/ROTOR ACFT) OSPREY	21,985	21,985
59	SPARES AND REPAIR PARTS	1,244,673	1,234,084
	JPATS Contract Delay		-10,589
60	COMMON GROUND EQUIPMENT	322,063	322,063
61	AIRCRAFT INDUSTRIAL FACILITIES	17,998	17,998
62	WAR CONSUMABLES	25,248	25,248
63	OTHER PRODUCTION CHARGES	7,579	7,579
64	SPECIAL SUPPORT EQUIPMENT	45,916	45,916
65	FIRST DESTINATION TRANSPORTATION	1,752	1,752
TOTAL, AIRCRAFT PROCUREMENT, NAVY		18,508,613	16,170,868
WEAPONS PROCUREMENT, NAVY			
1	TRIDENT II MODS	1,106,911	1,106,911
2	MISSILE INDUSTRIAL FACILITIES	3,446	3,446
3	TOMAHAWK	300,178	288,278
	Production Engineering Support Growth		-1,900
	Support Funding Carryover		-10,000
4	AMRAAM	155,553	145,553
	Support Funding Carryover		-10,000
5	SIDEWINDER	52,293	52,293
6	JSOW	131,141	129,641
	Support Funding Carryover		-1,500
7	STANDARD MISSILE	295,922	248,222
	Support Funding Carryover		-5,700
	Smooth Production Ramp—SM 6		-42,000
8	RAM	74,976	68,046
	Contract Savings		-1,930
	Program Rebaselined—Milestone C Slip for Block II		-5,000
9	HELLFIRE	43,495	41,995
	Support Funding Carryover		-1,500
10	AERIAL TARGETS	43,988	42,888
	ECM/Emitter Equipment Cost Growth		-1,100
11	OTHER MISSILE SUPPORT	3,981	3,981
12	ESSM	48,152	45,515
	Support Funding Carryover		-2,637
13	HARM MODS	53,543	52,191
	Support Funding Carryover		-1,352
14	STANDARD MISSILES MODS	61,896	61,896
15	WEAPONS INDUSTRIAL FACILITIES	3,281	3,281
16	FLEET SATELLITE COMM FOLLOW-ON	505,734	505,734
18	ORDNANCE SUPPORT EQUIPMENT	52,152	52,152
19	ASW TARGETS	10,123	5,197
	Contract Delay		-4,926
20	MK-46 TORPEDO MODS	42,144	42,144
21	MK-48 TORPEDO ADCAP MODS	43,559	29,859
	Contract Delay—Funds for 15 kits and NRE		-13,700
22	QUICKSTRIKE MINE	6,090	6,090

P-1		Budget Request	Recommendation
23	TORPEDO SUPPORT EQUIPMENT	43,766	43,766
24	ASW RANGE SUPPORT	9,557	9,557
25	FIRST DESTINATION TRANSPORTATION	3,494	3,494
26	SMALL ARMS AND WEAPONS	14,316	14,316
27	CIWS MODS	41,408	29,022
	Block 1B Systems Ahead of Need		-12,386
28	COAST GUARD WEAPONS	20,657	13,259
	CIWS Ahead of Need		-5,698
	MK160 Ahead of Need		-1,700
29	GUN MOUNT MODS	43,991	40,791
	Installation Funding Ahead of Need		-3,200
30	LCS MODULE WEAPONS	9,808	0
	NLOS Program Termination		-9,808
31	CRUISER MODERNIZATION WEAPONS	52,426	50,626
	Support Funding Carryover		-1,800
32	AIRBORNE MINE NEUTRALIZATION SYSTEMS	23,007	23,007
35	SPARES AND REPAIR PARTS	58,806	58,806
TOTAL, WEAPONS PROCUREMENT, NAVY		3,359,794	3,221,957
PROCUREMENT OF AMMO, NAVY & MARINE CORPS			
1	GENERAL PURPOSE BOMBS	80,028	77,928
	Direct Attack Moving Target Capability Program Cost Growth		-2,100
3	AIRBORNE ROCKETS, ALL TYPES	38,721	23,171
	MK 66 Rocket Motor (Mod 4) Unit Cost Efficiencies		-6,000
	2.75" Launcher Unit Cost Efficiencies		-9,550
4	MACHINE GUN AMMUNITION	21,003	21,003
5	PRACTICE BOMBS	33,666	31,666
	Support Funding Carryover		-2,000
6	CARTRIDGES & CART ACTUATED DEVICES	53,667	52,167
	Program Execution Delays		-1,500
7	AIR EXPENDABLE COUNTERMEASURES	59,626	59,626
8	JATOS	2,869	2,869
9	5 INCH/54 GUN AMMUNITION	34,492	33,492
	Product Improvement Growth		-1,000
10	INTERMEDIATE CALIBER GUN AMMUNITION	37,234	37,234
11	OTHER SHIP GUN AMMUNITION	36,275	36,275
12	SMALL ARMS & LANDING PARTY AMMO	46,192	46,192
13	PYROTECHNIC AND DEMOLITION	11,310	10,079
	MK-62 Firing Device Contract Delay		-1,231
14	AMMUNITION LESS THAN \$5 MILLION	4,105	4,105
15	SMALL ARMS AMMUNITION	64,839	64,839
16	LINEAR CHARGES, ALL TYPES	15,329	15,329
17	40 MM, ALL TYPES	62,835	62,835
18	60MM, ALL TYPES	17,877	17,877
19	81MM, ALL TYPES	41,053	41,053
20	120MM, ALL TYPES	6,458	6,458
21	CTG 25MM, ALL TYPES	2,937	2,937
22	GRENADES, ALL TYPES	9,298	8,092
	Funded Ahead of Need for Scorpion		-1,206
23	ROCKETS, ALL TYPES	13,995	13,995
24	ARTILLERY, ALL TYPES	70,423	67,546
	Decrease to Reduce Backlog in MACS M232 Production		-2,877
25	DEMOLITION MUNITIONS, ALL TYPES	19,464	19,464
26	FUZE, ALL TYPES	18,032	18,032
27	NON LETHALS	3,009	3,009
28	AMMO MODERNIZATION	8,985	8,985
29	ITEMS LESS THAN \$5 MILLION	4,269	4,269
TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS		817,991	790,527
SHIPBUILDING & CONVERSION, NAVY			
1	CARRIER REPLACEMENT PROGRAM	1,731,256	1,721,969
	Consolidated Afloat Navy Enterprise System Increment 1		-2,600
	Surface Electronic Warfare Improvement		-4,900
	AN/UPX-29		-1,787
2	CARRIER REPLACEMENT PROGRAM (AP-CY)	908,313	908,313
3	VIRGINIA CLASS SUBMARINE	3,441,452	3,430,343
	Sonar System Hardware Cost Growth		-5,795
	Modular Mast Cost Growth		-1,430
	Propulsor Cost Growth		-3,884
4	VIRGINIA CLASS SUBMARINE (AP-CY)	1,691,236	1,691,236
5	CVN REFUELING OVERHAUL	1,255,799	1,248,999
	SSDS Program Management Excess		-1,800
	SSDS Software Growth		-2,000
	CEC Testing and Evaluation Excess		-3,000
6	CVN REFUELING OVERHAULS (AP-CY)	408,037	408,037
9	DDG 1000	186,312	77,512
	Volume Search Radar		-108,800
10	DDG-51	2,922,190	2,868,454
	MK-12 IFF Cost Growth		-4,986
	CIWS Block 1B Cost Growth		-2,256
	Exterior Communication System Cost Growth		-6,294
	Main Reduction Gear Systems Engineering Growth		-10,200
	Main Reduction Gear Contract Savings		-30,000
11	DDG-51 (AP-CY)	47,984	47,984
12	LITTORAL COMBAT SHIP	1,230,984	1,168,984
	Cost Savings		-62,000
13	LITTORAL COMBAT SHIP (AP-CY)	278,351	190,351
	Program Reduction		-88,000
16	LHA REPLACEMENT (AP-CY)	949,897	942,837
	C4ISR Cost Growth		-5,174
	Rolling Airframe Missile System Cost Growth		-1,886
18	INTRATHEATER CONNECTOR	180,703	180,703
19	OCEANOGRAPHIC SHIPS	88,561	88,561
20	OUTFITTING	306,640	295,570
	JHSV-1 Outfitting Funding Phasing		-3,426
	LPD-25 Outfitting Funding Phasing		-2,500
	DDG-1000 Post-Delivery Phasing		-1,757
	LPD-23 Post-Delivery Phasing		-3,387
21	SERVICE CRAFT	13,770	13,770
22	LCAC SLEP	83,035	83,035
TOTAL, SHIPBUILDING & CONVERSION, NAVY		15,724,520	15,366,658
OTHER PROCUREMENT, NAVY			
1	LM-2500 GAS TURBINE	12,137	10,525
	Turbine Digital Fuel Controls Cost Growth		-1,612
2	ALLISON 501K GAS TURBINE	14,923	14,923

P-1		Budget Request	Recommendation
4	OTHER NAVIGATION EQUIPMENT	23,167	23,167
5	SUB PERISCOPES & IMAGING EQUIP	85,619	73,559
	AN/BVS-1 Mast Tech Insertion Spares		-1,849
	ISIS Tech Insertion Kits Ahead of Need		-2,769
	Support Funding Carryover		-1,700
	Contractor Repair Funding Growth		-5,742
6	DDG MOD	296,691	289,691
	Multi-Mission BMD Capability Upgrade Kits Cost Growth		-1,000
	Engineering Services Unjustified Cost Growth		-6,000
7	FIREFIGHTING EQUIPMENT	11,974	9,304
	Self-Contained Breathing Apparatus Kits Excess to Requirements		-1,570
	Support Funding Carryover		-1,100
8	COMMAND AND CONTROL SWITCHBOARD	3,962	2,362
	Unjustified Request		-1,600
9	POLLUTION CONTROL EQUIPMENT	25,614	25,614
10	SUBMARINE SUPPORT EQUIPMENT	7,730	7,730
11	VIRGINIA CLASS SUPPORT EQUIPMENT	132,039	130,039
	Spare Main Propulsion Shaft Ahead of Need		-2,000
12	SUBMARINE BATTERIES	44,057	31,057
	Support Funding Carryover		-1,500
	Excess Installation Funding		-11,500
13	STRATEGIC PLATFORM SUPPORT EQUIP	22,811	22,811
14	DSSP EQUIPMENT	3,869	3,869
15	CG-MODERNIZATION	356,958	350,958
	Engineering Services Unjustified Cost Growth		-6,000
16	LCAC	9,142	2,642
	Personnel Transport Module Contract Delay		-6,500
18	UNDERWATER EOD PROGRAMS	15,908	15,908
19	ITEMS LESS THAN \$5 MILLION	126,842	119,698
	LCS Waterjets Spares Ahead of Need		-5,296
	Voltage Regulators Ahead of Need		-1,848
20	CHEMICAL WARFARE DETECTORS	7,470	7,470
21	SUBMARINE LIFE SUPPORT SYSTEM	13,016	13,016
22	REACTOR POWER UNITS	438,503	438,503
23	REACTOR COMPONENTS	266,469	266,469
24	DIVING AND SALVAGE EQUIPMENT	10,227	10,227
25	STANDARD BOATS	27,725	49,225
	Range Support Craft		+21,500
26	OTHER SHIPS TRAINING EQUIPMENT	16,094	16,094
27	OPERATING FORCES IPE	49,856	91,476
	Program Increase—Shipyard Capital Investment Program		+41,620
28	NUCLEAR ALTERATIONS	116,829	116,829
29	LCS MODULES	82,951	41,369
	MCM Module Production Support Growth		-6,000
	Consulting Services Growth		-3,064
	Excess Remote Multi-Mission Vehicle Funding		-7,600
	Mission Package Computer Environment Units Ahead of Need		-2,268
	AN/AQS-20A—Ahead of Need		-22,650
30	LSD MIDLIFE	106,612	102,612
	60-ton Deck Crane Contract Delay		-1,000
	Boat Davit and Ballast Control System Installations Ahead of Need		-3,000
31	RADAR SUPPORT	12,030	7,000
	Periscope Detection Radar Installation Funding Ahead of Need		-3,500
	Excess Miscellaneous Funding		-1,530
32	SPQ-9B RADAR	8,887	5,687
	Excess Antenna Funding		-2,200
	Support Funding Carryover		-1,000
33	AN/SQQ-89 SURF ASW COMBAT SYSTEM	87,219	85,219
	Support Funding Carryover		-2,000
34	SSN ACOUSTICS	237,015	234,015
	Installation Costs Unjustified Growth		-3,000
35	UNDERSEA WARFARE SUPPORT EQUIPMENT	29,641	27,241
	Common Data Link Modification Installation Funding Ahead of Need		-2,400
36	SONAR SWITCHES AND TRANSDUCERS	14,056	13,056
	TR-317 Module Cost Growth		-1,000
37	SUBMARINE ACOUSTIC WARFARE SYSTEM	20,739	18,539
	Next Generation Countermeasure Funding Ahead of Need		-2,200
38	SSTD	2,206	0
	AN/SLQ-25D Ahead of Need		-2,206
39	FIXED SURVEILLANCE SYSTEM	57,481	57,481
40	SURTASS	8,468	8,468
41	TACTICAL SUPPORT CENTER	18,586	18,586
42	AN/SLQ-32	49,677	23,257
	Support Funding Carryover		-2,000
	Block 1B3 Incremental Funding		-7,520
	Block 2 Incremental Funding		-16,900
43	SHIPBOARD IW EXPLOIT	105,624	105,624
44	AUTOMATED IDENTIFICATION SYSTEM (AIS)	1,299	1,299
45	SUBMARINE SUPPORT EQUIPMENT PROG	71,558	70,108
	ESM Capability Insertion (CI-06) Kits Ahead of Need		-1,450
46	COOPERATIVE ENGAGEMENT CAPABILITY	31,091	25,691
	Planar Antenna Funding Ahead of Need		-5,400
47	TRUSTED INFORMATION SYSTEM (TIS)	338	338
48	NAVAL TACTICAL COMMAND SUPPORT SYSTEM (NTCSS)	33,358	33,358
49	ATDLS	2,273	2,273
50	NAVY COMMAND AND CONTROL SYSTEM (NCCS)	8,920	8,920
51	MINESWEEPING SYSTEM REPLACEMENT	81,441	60,710
	Remote Minehunting System (RMS)		-5,027
	Support Funding Carryover		-2,272
	Expendable Mine Neutralization System Funding Ahead of Need		-12,432
	Assessment and Identification of Mine Susceptibility Growth		-1,000
52	SHALLOW WATER MCM	9,236	1,261
	Cobra Block 1 Contract Delay		-7,975
53	NAVSTAR GPS RECEIVERS (SPACE)	9,319	9,319
54	ARMED FORCES RADIO AND TV	3,328	3,328
55	STRATEGIC PLATFORM SUPPORT EQUIP	4,248	4,248
56	OTHER TRAINING EQUIPMENT	29,061	27,761
	COTS Obsolescence Growth		-1,300
57	MATCALS	16,747	14,747
	ASPARCS Cost Growth		-2,000
58	SHIPBOARD AIR TRAFFIC CONTROL	7,658	7,658
59	AUTOMATIC CARRIER LANDING SYSTEM	15,169	10,782
	AN/SPN-46 Radar Modification Kits Ahead of Need		-4,387
60	NATIONAL AIR SPACE SYSTEM	17,531	17,531
61	AIR STATION SUPPORT EQUIPMENT	6,851	6,851
62	MICROWAVE LANDING SYSTEM	8,551	8,551
63	ID SYSTEMS	29,572	23,122
	AN/URN-25 TACAN Upgrade Kits Ahead of Need		-2,450
	Support Funding Carryover		-4,000

P-1		Budget Request	Recommendation
64	TAC A/C MISSION PLANNING SYS (TAMPS)	9,098	7,798
	Support Funding Carryover		-1,300
65	DEPLOYABLE JOINT COMMAND AND CONT	8,542	8,542
66	TADIX-B	6,909	2,944
	AN/USC-151 Upgrade Kit Ahead of Need		-3,965
67	GCOS-M EQUIPMENT TACTICAL/MOBILE	9,832	9,832
68	DCGS-N	16,634	16,634
69	CANES	34,398	10,264
	Funded Ahead of Need		-24,134
70	RADIAC	6,104	5,197
	Air Particulate Detector Contract Delay		-907
71	CANES-INTELL	10,432	3,140
	Ahead of Need		-7,292
72	GPETE	5,861	5,861
73	INTEG COMBAT SYSTEM TEST FACILITY	4,445	4,445
74	EMI CONTROL INSTRUMENTATION	4,737	4,737
75	ITEMS LESS THAN \$5 MILLION	51,048	29,307
	SPS-73 Tech Refresh/Obsolescence Growth		-741
	SPS-48 ECO and Support Cost Growth		-3,000
	SPS-48 Upgrade Kits Ahead of Need		-13,600
	Installation Funding Ahead of Need		-4,400
78	SHIP COMMUNICATIONS AUTOMATION	260,551	230,174
	Support Funding Carryover		-1,500
	ISNS Upgrade Kits Installation Funding Ahead of Need		-9,000
	CENTRIXS Installation Funding Ahead of Need		-1,425
	SCI Network Installation Funding Ahead of Need		-2,100
	ADNS Units Ahead of Need		-16,352
79	MARITIME DOMAIN AWARENESS (MDA)	9,250	7,650
	CENTRIXS Modification Kit Installation Funding Ahead of Need		-1,600
80	COMMUNICATIONS ITEMS UNDER \$5M	39,846	31,169
	Battle Force Tactical Network Ahead of Need		-8,677
82	SUBMARINE COMMUNICATION EQUIPMENT	59,013	55,737
	Common Submarine Radio Room Modification Kit Cost Growth		-1,029
	CSSR Seawolf Ahead of Need		-2,247
83	SATELLITE COMMUNICATIONS SYSTEMS	28,665	28,665
84	NAVY MULTIBAND TERMINAL (NMT)	161,021	161,021
85	JCS COMMUNICATIONS EQUIPMENT	2,256	2,256
86	ELECTRICAL POWER SYSTEMS	1,309	1,309
87	NAVAL SHORE COMMUNICATIONS	3,422	3,422
88	INFO SYSTEMS SECURITY PROGRAM (ISSP)	120,529	114,357
	SV-21 Unit Cost Growth		-1,672
	Support Funding Carryover		-2,000
	CND Increment 2 Ahead of Need		-2,500
89	CRYPTOLOGIC COMMUNICATIONS EQUIP	18,322	18,322
90	COAST GUARD EQUIPMENT	20,189	20,189
92	SONOBUOYS—ALL TYPES	87,846	83,846
	Support Funding Carryover		-4,000
93	WEAPONS RANGE SUPPORT EQUIPMENT	51,742	59,700
	East Coast USWTR Support Funding Carryover		-3,500
	East Coast USWTR Ahead of Need		-8,542
	Training Range Upgrades		+20,000
94	EXPEDITIONARY AIRFIELDS	8,429	8,429
95	AIRCRAFT REARMING EQUIPMENT	11,134	11,134
96	AIRCRAFT LAUNCH & RECOVERY EQUIPMENT	37,063	28,881
	Advanced Recovery Control and Aviation Data Management and Control Systems Cost Growth		-1,782
	Support Funding Carryover		-1,400
	Production Engineering Unjustified Cost Growth		-5,000
97	METEOROLOGICAL EQUIPMENT	25,581	25,581
98	OTHER PHOTOGRAPHIC EQUIPMENT	1,573	1,573
99	AVIATION LIFE SUPPORT	40,696	24,796
	JHMCS Ahead of Need		-15,900
100	AIRBORNE MINE COUNTERMEASURES	35,855	35,855
101	LAMPS MK III SHIPBOARD EQUIPMENT	20,662	16,382
	Units Ahead of Need		-4,280
102	PORTABLE ELECTRONIC MAINTENANCE AIDS	12,812	10,612
	Production Support Growth		-2,200
103	OTHER AVIATION SUPPORT EQUIPMENT	12,018	12,018
104	NAVAL FIRES CONTROL SYSTEM	1,086	1,086
105	GUN FIRE CONTROL EQUIPMENT	8,076	8,076
106	NATO SEASPARROW	11,121	10,161
	ECP and Production Support Growth		-960
107	RAM GMLS	11,805	6,800
	GMLS Ordalts Contract Delay		-5,005
108	SHIP SELF DEFENSE SYSTEM	54,290	45,902
	Ship Self Defense System Modification Kits Ahead of Need		-8,388
109	AEGIS SUPPORT EQUIPMENT	162,307	82,307
	COTS Tech Refresh Growth		-3,000
	Ship Change Documentation Growth		-4,500
	Navy Requested Transfer to RDTE,DW line 84 for Ballistic Missile Defense		-72,500
110	TOMAHAWK SUPPORT EQUIPMENT	88,698	88,698
111	VERTICAL LAUNCH SYSTEMS	5,698	5,698
112	STRATEGIC MISSILE SYSTEMS EQUIP	184,034	159,034
	Fire Control Tech Refresh Growth		-5,000
	Contract Delays		-20,000
113	SSN COMBAT CONTROL SYSTEMS	88,004	77,390
	TI-04 Modification Contract Savings		-2,214
	Excess TI-04 and Out Modification Installation Funding		-8,400
114	SUBMARINE ASW SUPPORT EQUIPMENT	5,282	5,282
115	SURFACE ASW SUPPORT EQUIPMENT	8,323	8,323
116	ASW RANGE SUPPORT EQUIPMENT	7,121	7,121
117	EXPLOSIVE ORDNANCE DISPOSAL EQUIP	58,288	58,288
118	ITEMS LESS THAN \$5 MILLION	3,546	2,480
	Industrial Facilities Contract Delay		-1,066
119	ANTI-SHIP MISSILE DECOY SYSTEM	36,588	36,588
120	SURFACE TRAINING DEVICE MODS	7,337	7,337
121	SUBMARINE TRAINING DEVICE MODS	34,519	34,519
122	PASSENGER CARRYING VEHICLES	3,719	3,719
123	GENERAL PURPOSE TRUCKS	584	584
124	CONSTRUCTION & MAINTENANCE EQUIP	13,935	10,435
	Contract Delays		-3,500
125	FIRE FIGHTING EQUIPMENT	12,853	12,853
126	TACTICAL VEHICLES	31,741	25,241
	FMTV Contract Savings		-2,300
	Energy Initiative Unjustified Requirement		-4,200
127	AMPHIBIOUS EQUIPMENT	3,132	3,132
128	POLLUTION CONTROL EQUIPMENT	5,154	5,154
129	ITEMS UNDER \$5 MILLION	24,770	24,770
130	PHYSICAL SECURITY VEHICLES	1,128	1,128
131	MATERIALS HANDLING EQUIPMENT	15,504	14,030

P-1		Budget Request	Recommendation
.....	General Purpose Forklift Cost Growth		-1,474
132	OTHER SUPPLY SUPPORT EQUIPMENT	6,655	6,655
133	FIRST DESTINATION TRANSPORTATION	6,315	6,315
134	SPECIAL PURPOSE SUPPLY SYSTEMS	66,549	66,549
135	TRAINING SUPPORT EQUIPMENT	11,429	11,429
137	COMMAND SUPPORT EQUIPMENT	47,306	37,840
.....	BUPERS Software Cost Growth		-2,500
.....	SPAWAR Hardware Items Cost Growth		-1,080
.....	ERP Kits Cost Growth		-900
.....	JFCOM National Small Unit Center		-3,075
.....	Future Pay and Personnel System Ahead of Need		-1,911
138	EDUCATION SUPPORT EQUIPMENT	2,067	2,067
139	MEDICAL SUPPORT EQUIPMENT	7,679	5,679
.....	Fleet Allowance List Outfitting Cost Growth		-2,000
141	NAVAL MIP SUPPORT EQUIPMENT	1,433	1,433
143	OPERATING FORCES SUPPORT EQUIPMENT	12,754	12,754
144	CAISR EQUIPMENT	5,317	5,317
145	ENVIRONMENTAL SUPPORT EQUIPMENT	20,033	20,033
146	PHYSICAL SECURITY EQUIPMENT	154,805	141,475
.....	Shipboard Protection System Installation Costs Excess to Need		-5,500
.....	Shipboard Protection System Support Cost Growth		-6,000
.....	Biometrics Ahead of Need		-1,830
XX	PROCUREMENT INNOVATION		15,000
.....	Procurement Innovation		+15,000
147	ENTERPRISE INFORMATION TECHNOLOGY	377,353	159,653
.....	Navy Requested Transfer to OM,N AGSAG BSIT for NGEN		-217,700
149	SPARES AND REPAIR PARTS	215,906	215,906
.....	CLASSIFIED PROGRAMS	19,767	19,767
.....	TOTAL, OTHER PROCUREMENT, NAVY	6,450,208	5,804,963
PROCUREMENT, MARINE CORPS			
1	AAV7A1 PIP	7,749	7,749
2	LAV PIP	41,277	41,277
4	EXPEDITIONARY FIRE SUPPORT SYSTEM	9,723	9,723
5	155MM LIGHTWEIGHT TOWED HOWITZER	10,356	10,356
6	HIGH MOBILITY ARTILLERY ROCKET SYSTEM	22,230	22,230
7	WEAPONS AND COMBAT VEHICLES UNDER \$5 MILLION	26,091	26,091
9	MODIFICATION KITS	40,916	30,559
.....	Unexecutable Program—M1A1 Survivability Kits		-10,357
10	WEAPONS ENHANCEMENT PROGRAM	13,115	13,115
11	GROUND BASED AIR DEFENSE	5,175	3,855
.....	Program Adjustment		-1,320
13	FOLLOW ON TO SMAW	21,570	21,570
14	ANTI-ARMOR WEAPONS SYSTEM-HEAVY (AAWS-H)	20,315	20,315
15	MODIFICATION KITS	3,798	3,798
16	COMBAT OPERATIONS CENTER	10,776	10,776
17	REPAIR AND TEST EQUIPMENT	25,636	25,636
18	COMBAT SUPPORT SYSTEM	32,877	32,877
20	ITEMS UNDER \$5 MILLION (COMM & ELEC)	3,405	3,405
21	AIR OPERATIONS C2 SYSTEMS	67,568	67,568
22	RADAR SYSTEMS	860	860
23	FIRE SUPPORT SYSTEM	3,906	3,906
24	INTELLIGENCE SUPPORT EQUIPMENT	92,377	92,377
25	RQ-11 UAV	32,490	16,490
.....	Program Delay—Tier 2 UAS		-16,000
26	DCGS-MC	4,582	0
.....	DCGS-MC Program Delay		-4,582
28	COMMON COMPUTER RESOURCES	258,947	218,947
.....	Unjustified Request—MC Intranet		-40,000
29	COMMAND POST SYSTEMS	33,021	33,021
30	RADIO SYSTEMS	40,551	20,051
.....	Program Delay—JTRS handheld		-20,500
31	COMM SWITCHING & CONTROL SYSTEMS	32,279	22,279
.....	Execution Delay—WNS-T		-10,000
32	COMM & ELEC INFRASTRUCTURE SUPPORT	15,278	15,278
33	COMMERCIAL PASSENGER VEHICLES	1,157	1,157
34	COMMERCIAL CARGO VEHICLES	12,696	12,696
35	5/4T TRUCK HMMVV (MYP)	4,849	0
.....	Service Requested Reduction		-4,849
36	MOTOR TRANSPORT MODIFICATIONS	5,253	5,253
37	MEDIUM TACTICAL VEHICLE REPLACEMENT	11,721	11,721
38	LOGISTICS VEHICLE SYSTEM REPLACEMENT	133,827	133,827
39	FAMILY OF TACTICAL TRAILERS	19,156	19,156
40	TRAILERS	8,075	8,075
41	ITEMS LESS THAN \$5 MILLION	6,016	6,016
42	ENVIRONMENTAL CONTROL EQUIP ASSORT	5,110	5,110
43	BULK LIQUID EQUIPMENT	10,743	10,743
44	TACTICAL FUEL SYSTEMS	29,330	29,330
45	POWER EQUIPMENT ASSORTED	19,419	19,419
46	AMPHIBIOUS SUPPORT EQUIPMENT	11,718	11,718
47	EOD SYSTEMS	64,093	64,093
48	PHYSICAL SECURITY EQUIPMENT	16,419	16,419
49	GARRISON MOBILE ENGR EQUIP	10,976	10,976
50	MATERIAL HANDLING EQUIP	24,376	24,376
51	FIRST DESTINATION TRANSPORTATION	2,748	2,748
52	FIELD MEDICAL EQUIPMENT	6,722	6,722
53	TRAINING DEVICES	5,668	5,668
54	CONTAINER FAMILY	897	897
55	FAMILY OF CONSTRUCTION EQUIPMENT	18,261	18,261
57	BRIDGE BOATS	12,567	12,567
58	RAPID DEPLOYABLE KITCHEN	4,283	4,283
59	ITEMS LESS THAN \$5 MILLION	7,572	7,572
60	SPARES AND REPAIR PARTS	13,524	13,524
.....	TOTAL, PROCUREMENT, MARINE CORPS	1,344,044	1,236,436
AIRCRAFT PROCUREMENT, AIR FORCE			
1	F-35	3,729,242	4,064,442
.....	Air Force Requested Transfer from AP,AF line 43		+29,700
.....	Production Support Carryover		-60,000
.....	Delete Five Aircraft		-608,500
.....	Transfer Eight Aircraft from STOVL Variant		974,000
2	F-35 (AP-CY)	257,000	257,000
3	F-22A	158,039	158,039
5	C-17A (MYP)	14,283	48,683
.....	Air Force Requested Transfer from AP,AF line 88		+114,400
.....	Slow Execution		-80,000
6	C-130J	463,267	455,267

P-1		Budget Request	Recommendation
.....	Updated Pricing		— 8,000
7	C-130J ADVANCE PROCUREMENT (CY)	48,000	40,000
.....	Updated Pricing		— 8,000
8	HC-130J	349,300	307,800
.....	Updated Pricing		— 41,500
9	HC-130J (AP-CY)	10,000	10,000
10	MC-130J	467,465	415,465
.....	Updated Pricing		— 52,000
11	MC-130J (AP-CY)		60,000
14	JOINT CARGO AIRCRAFT	351,200	351,200
15	LIGHT MOBILITY AIRCRAFT	65,699	65,699
16	USAF POWERED FLIGHT PROGRAM	4,099	4,099
18	COMM VERT LIFT SPT PLATFORM (UH-1N)	6,432	0
.....	Air Force Requested Transfer to RDTE,AF line 113		— 6,432
19	V-22 OSPREY	393,098	393,098
20	V-22 OSPREY (AP-CY)	13,621	13,621
24	CIVIL AIR PATROL A/C	2,424	2,424
25	HH-60M OPERATIONAL LOSS REPLACEMENT	104,447	104,447
27	STUASLO	3,253	3,253
28	TARGET DRONES	85,505	85,505
29	C-37A	52,000	52,000
30	RQ-4 UAV	649,629	503,029
.....	Air Force Requested Transfer to AP,AF line 31		— 25,600
.....	Unjustified Cost Increase, Sensors		— 11,000
.....	Unjustified Request, Spares		— 110,000
31	RQ-4 UAV (AP-CY)	90,200	72,300
.....	Air Force Requested Transfer from AP,AF line 30		+25,600
.....	Air Force Adjustment		— 43,500
32	MC 130 IN BA 04	9,932	0
.....	Air Force Requested Transfer to AC-130 Recap Program		— 9,932
xx	AC-130 Recap		9,932
.....	Air Force Requested Transfer from MC-130 program		+9,932
34	MQ-9	863,595	318,131
.....	Spares		— 167,788
.....	Support Equipment—Forward Funding		— 42,000
.....	Production Support—Forward Funding		— 98,376
.....	Funded Ahead of Need		— 21,300
.....	Transfer 12 Aircraft to Title IX		— 216,000
35	B-2A	63,371	63,371
37	B-1B	200,090	200,090
38	B-52	69,074	21,074
.....	CONECT—Funded Ahead of Need		— 35,000
.....	Transfer to RDTE,AF line 117 for Internal Weapons Bay		— 13,000
39	A-10	165,361	187,361
.....	Program Increase—Helmet Mounting Cueing System		+22,000
40	F-15	302,235	337,041
.....	C/D Flight Data Recorder—Early to Need		— 11,408
.....	E-model Flight Data Recorder—Early to Need		— 11,786
.....	Program Reduction		— 4,000
.....	AESA Radar for ANG F-15Cs		+62,000
41	F-16	167,188	167,188
42	F-22A	492,199	437,739
.....	Unjustified Request		— 54,460
43	F-35 MODIFICATIONS	123,936	4,636
.....	Funded Ahead of Need		— 82,000
.....	Air Force Requested Transfer to AP,AF line 1		— 29,700
.....	Air Force Requested Transfer to RDTE,AF line 81 for Auto GCAS		— 7,600
44	C-5	740,369	37,252
.....	Block Upgrade—Ahead of Need		— 21,260
.....	Funded Ahead of Need		— 5,400
.....	Transfer C-5 RERP to New AP,AF Line		— 676,457
45	C-5 (AP-CY)	166,900	106,900
.....	Funded with fiscal year 2009 and 2010 funds		— 60,000
xx	C-5 RERP		676,457
.....	Transfer C-5 RERP from AP,AF line 44		+676,457
46	C-9C	10	0
.....	Program Terminated		— 10
47	C-17A	351,614	217,547
.....	OBIGGS Kits—Reduction of Four kits		— 13,800
.....	Extended Range Retrofits Kits—Reduction of One Kit		— 5,267
.....	Excess to Need		— 98,000
.....	Funded Ahead of Need		— 17,000
48	C-21	339	339
49	C-32A	12,113	12,113
50	C-37A	12,162	12,162
51	GLIDER MODS	120	120
52	T6	24,644	24,644
53	T-1	83	83
54	T-38	28,288	26,288
.....	Funded Ahead of Need		— 2,000
56	KC-10A (ATCA)	13,777	11,777
.....	Funded Ahead of Need		— 2,000
57	C-12	7,645	7,645
58	MC-12W	10,826	10,826
59	C-20 MODS	736	736
60	VC-25A MOD	13,175	13,175
61	C-40	10,697	10,697
62	C-130	257,339	296,939
.....	Air Force Requested Transfer from RDTE,AF line 220 for Avionics Upgrades to Special Mission Aircraft		+65,000
.....	Excess to Need		— 25,400
63	C-130 MODS INTEL	3,963	3,963
64	C130J MODS	80,205	64,205
.....	Contract Slip—Crashworthy Seats		— 16,000
65	C-135	44,228	37,428
.....	Block 45 Contract Delay		— 8,400
.....	Low Cost Modifications		+1,600
66	COMPASS CALL MODS	176,558	101,558
.....	EC-130 Program Full Funding Violation		— 75,000
67	DARP	105,540	105,540
68	E-3	195,163	195,163
69	E-4	37,526	37,526
70	E-8	188,504	6,397
.....	E-8 Reengining—Ahead of Need		— 120,407
.....	Engine Installs—Ahead of Need		— 5,000
.....	Funded Ahead of Need		— 56,700
71	H-1	2,457	2,457
72	H-60	11,630	41,930
.....	Funded Ahead of Need		— 1,700
.....	Simulators and Low Cost Modifications		+32,000

P-1		Budget Request	Recommendation
73	RQ-4 UAV MODS	119,415	116,415
	Unjustified Cost Increase—ASIP sensors		—3,000
74	HC/MC-130 MODIFICATIONS	1,944	1,944
75	OTHER AIRCRAFT	159,423	15,723
	Transfer FAB-T Funds to RDTEAF line 180		—119,700
	Delete FAB-T Funds—Early to Need		—24,000
76	MQ-1 MODS	208,213	20,213
	Excess to Need		—188,000
77	MQ-9 MODS	108,922	0
	Contract Delay—GCS		—50,884
	Contract Delay—Reaper Retrofits		—58,038
78	MQ-9 PAYLOAD—UAS	115,383	0
	Transfer to Title IX		—115,383
79	CV-22 MODS	13,964	13,964
80	INITIAL SPARES/REPAIR PARTS	622,020	698,220
	Unjustified Request—Joint Stars Re-engining Spares		—11,700
	Program Increase—F-22 Engine Spares		+100,000
	Excess to Need		—12,100
81	AIRCRAFT REPLACEMENT SUPPORT EQUIP	91,701	58,301
	Underexecution		—20,000
	Funded Ahead of Need		—13,400
82	B-1	6,791	6,791
83	B-2A	26,217	26,217
84	B-52	3,443	1,743
	Funded Ahead of Need		—1,700
85	C-5	195	195
87	KG-10A (ATCA)	5,702	5,702
88	C-17A	153,347	20,947
	Air Force Requested Transfer to AP,AF line 5		—114,400
	Unjustified Funding for Shutdown Activities		—18,000
89	C-130	28,295	28,295
91	F-15 POST PRODUCTION SUPPORT	21,599	17,599
	Excess to Need		—4,000
92	F-16 POST PRODUCTION SUPPORT	17,838	12,738
	Excess to Need		—5,100
93	T-6	9,450	9,450
94	OTHER AIRCRAFT	53,953	53,953
96	INDUSTRIAL PREPAREDNESS	24,619	24,619
97	WAR CONSUMABLES	92,939	92,939
98	OTHER PRODUCTION CHARGES	1,079,742	912,372
	Funded Ahead of Need		—6,732
	Transfer to Title IX		—160,638
99	OTHER PRODUCTION CHARGES—MQ-1	37,500	37,500
104	DARP	19,117	19,117
	CLASSIFIED PROGRAMS	12,981	12,981
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE		15,366,508	13,483,739
MISSILE PROCUREMENT, AIR FORCE			
1	MISSILE REPLACEMENT EQ-BALLISTIC	60,647	60,647
2	JASSM	215,825	215,825
3	SIDEWINDER (AIM-9X)	64,523	64,523
4	AMRAAM	355,358	348,358
	Support Funding Carryover		—7,000
5	PREDATOR HELLFIRE MISSILE	44,570	44,570
6	SMALL DIAMETER BOMB	134,884	119,884
	Accounting Error		—15,000
7	INDUSTRIAL PREPAREDNESS/POLLUTION PREVENTION	833	833
8	ADVANCED CRUISE MISSILE	48	48
9	MM III MODIFICATIONS	123,378	133,178
	Air Force Requested Transfer from RDTE, AF line 175 for MEECN		+9,800
10	AGM-65D MAVERICK	260	260
11	AGM-88A HARM	4,079	4,079
12	AIR LAUNCH CRUISE MISSILE	10,795	10,795
13	INITIAL SPARES/REPAIR PARTS	43,192	43,192
14	ADVANCED EHF	38,078	38,078
15	ADVANCED EHF (AP-CY)	208,520	208,520
16	WIDEBAND GAFILLER SATELLITES	517,601	517,601
17	WIDEBAND GAFILLER SATELLITES (AP-CY)	58,110	58,110
18	GPS III SPACE SEGMENT	122,490	122,490
19	SPACEBORNE EQUIP (COMSEC)	14,894	14,894
20	GLOBAL POSITIONING (SPACE)	64,609	64,609
23	DEF METEOROLOGICAL SAT PROG (SPACE)	88,719	88,719
24	EVOLVED EXPENDABLE LAUNCH VEH (SPACE)	1,153,976	1,153,976
26	SBIR HIGH (SPACE)	700,704	700,704
27	SBIR HIGH (SPACE) (AP-CY)	270,000	270,000
28	NATL POLAR-ORBITING OP ENV SATELLITE	26,308	0
	Program Termination—Early to Need		—26,308
33	SPECIAL UPDATE PROGRAMS	247,584	247,584
	CLASSIFIED PROGRAMS	893,287	893,287
TOTAL, MISSILE PROCUREMENT, AIR FORCE		5,463,272	5,424,764
PROCUREMENT OF AMMUNITION, AIR FORCE			
1	ROCKETS	19,106	19,106
2	CARTRIDGES	141,049	141,049
3	PRACTICE BOMBS	34,094	23,442
	BDU-56A/B CDI Program Delay		—10,652
4	GENERAL PURPOSE BOMBS	183,845	183,845
5	JOINT DIRECT ATTACK MUNITION	104,642	179,361
	Additional JDAM for War Reserve Stockpile		+74,719
6	CAD/PAD	37,016	37,016
7	EXPLOSIVE ORDINANCE DISPOSAL (EOD)	3,383	3,383
8	SPARES AND REPAIR PARTS	1,000	1,000
9	MODIFICATIONS	1,112	1,112
10	ITEMS LESS THAN \$5,000,000	5,015	5,015
11	FLARES	72,758	72,758
12	FUZES	57,337	57,337
13	SMALL ARMS	7,063	7,063
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE		667,420	731,487
OTHER PROCUREMENT, AIR FORCE			
1	PASSENGER CARRYING VEHICLE	29,207	29,207
2	FAMILY MEDIUM TACTICAL VEHICLE	45,618	37,618
	Contract Savings		—8,000
3	CAP VEHICLES	902	902
4	ITEMS LESS THAN \$5M (CARGO)	31,773	31,773
5	SECURITY AND TACTICAL VEHICLES	52,867	48,867

P-1		Budget Request	Recommendation
.....	Up-Armored HMMWV Unjustified Cost Growth .....	.....	- 4,000
6	ITEMS LESS THAN \$5M	18,358	18,358
7	FIRE FIGHTING/CRASH RESCUE VEHICLES	26,924	26,924
9	ITEMS LESS THAN \$5,000,000	14,501	14,501
10	RUNWAY SNOW REMOVAL & CLEANING EQUIP	25,404	25,404
11	ITEMS LESS THAN \$5M	54,570	54,570
13	COMSEC EQUIPMENT	216,381	180,381
.....	Unjustified Growth .....	.....	- 36,000
14	MODIFICATIONS (COMSEC)	1,582	0
.....	Undefined Requirement .....	.....	- 1,582
15	INTELLIGENCE TRAINING EQUIPMENT	2,634	2,634
16	INTELLIGENCE COMM EQUIP	30,685	30,685
17	TRAFFIC CONTROL/LANDING	6,517	6,517
18	NATIONAL AIRSPACE SYSTEM	112,056	88,940
.....	Site Activation Ahead of Need .....	.....	- 23,116
19	THEATER AIR CONTROL SYS IMPRO	55,326	55,326
20	WEATHER OBSERVATION FORECAST	21,018	18,045
.....	OS-21 Contract Delays .....	.....	- 2,973
21	STRATEGIC COMMAND AND CONTROL	28,164	28,164
22	CHEYENNE MOUNTAIN COMPLEX	18,416	15,716
.....	Contract Delays .....	.....	- 2,700
23	TAC SIGINT SPT	377	377
25	GENERAL INFORMATION TECHNOLOGY	74,285	74,285
26	AF GLOBAL COMMAND & CONTROL SYSTEM	9,210	9,210
27	MOBILITY COMMAND AND CONTROL	8,688	7,388
.....	Contract Delays .....	.....	- 1,300
28	AIR FORCE PHYSICAL SECURITY SYSTEM	99,281	99,281
29	COMBAT TRAINING RANGES	29,637	49,637
.....	Training Range Enhancements .....	.....	+ 20,000
30	C3 COUNTERMEASURES	11,112	11,112
31	GCSS-AF FOS	53,349	31,335
.....	ECSS Ahead of Need .....	.....	- 20,914
.....	CMOS Excess to Need .....	.....	- 1,100
32	THEATER BATTLE MGT C2 SYS	20,525	20,525
33	AIR OPERATIONS CENTER (AOC)	58,284	38,534
.....	Technical Refresh Unjustified Growth .....	.....	- 15,000
.....	Recurring Events Unjustified Growth .....	.....	- 4,750
34	INFORMATION TRANSPORT SYSTEMS	101,993	56,993
.....	Unjustified Growth .....	.....	- 45,000
35	BASE INFORMATION INFRASTRUCTURE	193,830	113,830
.....	Unjustified Growth .....	.....	- 80,000
36	AFNET	151,643	91,643
.....	Unjustified Growth .....	.....	- 60,000
37	VOICE SYSTEMS	25,399	15,399
.....	Unjustified Growth .....	.....	- 10,000
38	USCENTCOM	36,020	36,020
39	SPACE BASED IR SENSOR PROG SPACE	24,804	24,804
40	NAVSTAR GPS SPACE	5,279	5,279
41	NUDET DETECTION SYS (NDS) SPACE	5,926	5,926
42	AF SATELLITE CONTROL NETWORK SPACE	60,383	60,383
43	SPACELIFT RANGE SYSTEM SPACE	91,004	91,004
44	MILSATCOM SPACE	221,545	190,717
.....	FAB-T Early to Need .....	.....	- 7,538
.....	AFWET Modernization Enterprise Terminal Ahead of Need .....	.....	- 23,290
45	SPACE MODS SPACE	18,384	18,384
46	COUNTERSPACE SYSTEM	18,801	18,801
47	TACTICAL C-E EQUIPMENT	268,140	242,995
.....	JTC Training and Rehearsal System Ahead of Need .....	.....	- 25,145
48	COMBAT SURVIVOR EVADER LOCATER	34,925	34,925
49	RADIO EQUIPMENT	14,541	7,041
.....	Contract Delays .....	.....	- 7,500
50	CCTV/AUDIOVISUAL EQUIPMENT	11,613	11,613
51	BASE COMM INFRASTRUCTURE	108,308	108,308
52	COMM ELECT MODS	74,356	68,538
.....	ILS Ahead of Need .....	.....	- 2,300
.....	BMEWS Ahead of Need .....	.....	- 2,000
.....	OS-21 Contract Delays .....	.....	- 1,518
53	NIGHT VISION GOGGLES	20,873	14,573
.....	Night Vision Cueing and Display Contract Delays .....	.....	- 6,300
54	ITEMS LESS THAN \$5,000,000 (SAFETY)	14,292	14,292
55	MECHANIZED MATERIAL HANDLING	12,853	12,853
56	BASE PROCURED EQUIPMENT	4,788	4,788
57	CONTINGENCY OPERATIONS	28,390	27,190
.....	Rapid Airfield Damage Assessment System Ahead of Need .....	.....	- 1,200
58	PRODUCTIVITY CAPITAL INVESTMENT	1,879	1,879
59	MOBILITY EQUIPMENT	38,558	38,558
60	ITEMS LESS THAN \$5M (BASE SUPPORT)	4,989	4,989
62	DARP RC135	23,296	23,296
63	DISTRIBUTED GROUND SYSTEMS	271,015	264,015
.....	Program Reduction .....	.....	- 7,000
65	SPECIAL UPDATE PROGRAM	489,680	439,680
.....	Classified Adjustment .....	.....	- 50,000
66	DEFENSE SPACE RECONNAISSANCE PROGRAM	32,668	32,668
XX	PROCUREMENT INNOVATION .....	.....	15,000
.....	Procurement Innovation .....	.....	+ 15,000
70	SPARES AND REPAIR PARTS	19,046	19,046
.....	CLASSIFIED PROGRAMS	14,258,508	14,396,445
.....	Classified Adjustment .....	.....	+ 137,937
.....	TOTAL, OTHER PROCUREMENT, AIR FORCE	17,845,380	17,568,091
PROCUREMENT, DEFENSE-WIDE			
1	MAJOR EQUIPMENT, BTA	4,000	4,000
2	MAJOR EQUIPMENT, DCCA, ITEMS LESS THAN \$5M	1,477	1,477
3	MAJOR EQUIPMENT, DCMA	2,052	2,052
4	MAJOR EQUIPMENT, DHRA, PERSONNEL ADMINISTRATION	32,263	32,263
17	INFORMATION SYSTEMS SECURITY	14,625	14,625
18	GLOBAL COMMAND AND CONTROL SYS	5,275	5,275
19	GLOBAL COMBAT SUPPORT SYSTEM	2,803	2,803
20	TELEPORT PROGRAM	78,227	78,227
21	ITEMS LESS THAN \$5M	153,288	153,288
22	NET CENTRIC ENTERPRISE SERVICES (NCES)	4,391	4,391
23	DEFENSE INFORMATION SYSTEMS NETWORK	86,206	86,206
24	PUBLIC KEY INFRASTRUCTURE	1,710	1,710
27	CYBER SECURITY INITIATIVE	22,493	22,493
28	MAJOR EQUIPMENT, DLA	4,846	4,846
29	MAJOR EQUIPMENT, DMACT, A—WEAPON SYSTEM COST MAJOR EQUIPMENT, DODEA	10,478	10,478
30	AUTOMATION/EDUCATIONAL SUPPORT & LOGISTICS	1,451	1,451
31	VEHICLES	50	50

P-1		Budget Request	Recommendation
32	OTHER MAJOR EQUIPMENT	12,007	12,007
34	TERMINAL HIGH ALTITUDE AREA DEFENSE FIELDING	858,870	586,870
	Production Delay Due to Investigation of Failed Safety Component		-272,000
35	AEGIS FIELDING	94,080	94,080
35A	ISRAELI COOPERATIVE PROGRAMS	0	205,000
	Iron Dome Program		+205,000
45	INFORMATION SYSTEMS SECURITY PROGRAM (ISSP)	2,546	2,546
50	MAJOR EQUIPMENT, OSD	124,050	124,050
51	MAJOR EQUIPMENT, INTELLIGENCE	20,138	20,138
53	MAJOR EQUIPMENT, TJS	11,526	11,526
54	MAJOR EQUIPMENT, WHS	27,179	27,179
55	SOF ROTARY WING UPGRADES AND SUSTAINMENT	79,840	79,840
55A	MH-47G	0	100,449
	SOCOM Requested Transfer from P.DW line 56		+100,449
56	MH-47 SERVICE LIFE EXTENSION PROGRAM	107,934	7,485
	SOCOM Requested Transfer to P.DW line 55A		-100,449
57	MH-60 SOF MODERNIZATION PROGRAM	179,375	137,875
	SOCOM Requested Transfer to RDE.DW line 268		-25,100
	Quantity Reduction Due to Program Delay		-16,400
58	NON-STANDARD AVIATION	179,949	58,681
	Medium NSAV—Transfer to Title IX		-121,268
60	SOF TANKER RECAPITALIZATION	19,996	4,996
	Contract Delays		-15,000
61	SOF U-28	404	404
62	RQ-11 UAV	2,090	2,090
63	CV-22 SOF MODIFICATION	124,035	124,035
64	MQ-1 UAV	1,948	1,948
65	MQ-9 UAV	1,965	1,965
66	STUASLO	12,148	12,148
67	C-130 MODIFICATIONS	22,500	9,261
	Low Cost Modifications—Execution		-7,039
	Aircrew Situational Awareness System		-6,200
68	AIRCRAFT SUPPORT	489	489
69X	PROCUREMENT INNOVATION	0	15,000
	Procurement Innovation		+15,000
70	MK VIII MOD 1—SEAL DELIVERY VEH	823	823
71	SOF ORDNANCE REPLENISHMENT	79,608	79,608
72	SOF ORDNANCE ACQUISITION	24,215	24,215
73	COMM EQUIPMENT & ELECTRONICS	58,390	44,390
	SOF Deployable Node Delays Due to Protests		-14,000
74	SOF INTELLIGENCE SYSTEMS	75,892	81,092
	Program Increase—Unfunded Requirement		+5,200
75	SMALL ARMS & WEAPONS	30,094	30,094
76	DCGS—SOF	5,225	5,225
77	MARITIME EQUIPMENT MODS	206	206
79	SOF COMBATANT CRAFT SYSTEMS	11,706	8,306
	Unvalidated Requirement—Large SFA Craft		-3,400
80	SPARES AND REPAIR PARTS	977	977
81	TACTICAL VEHICLES	30,965	33,365
	Program Increase—AFSOC Unfunded Requirement		+2,400
82	MISSION TRAINING AND PREPARATIONS SYSTEMS	28,354	18,354
	MH-60M Simulator Modernization Program		-10,000
83	COMBAT MISSION REQUIREMENTS	20,000	20,000
84	MILCON COLLATERAL EQUIPMENT	102,556	102,556
88	SOF AUTOMATION SYSTEMS	52,353	52,353
89	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	9,714	9,714
90	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	30,900	30,900
91	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	221	5,661
	Program Increase—Unfunded Requirement		+5,440
92	SOF VISUAL AUGMENTATION, LASERS AND SENSOR SYSTEM	18,626	18,626
93	SOF TACTICAL RADIO SYSTEMS	35,234	37,554
	Program Increase—Unfunded Requirement		+2,320
94	SOF MARITIME EQUIPMENT	804	804
96	MISCELLANEOUS EQUIPMENT	7,774	7,774
97	SOF OPERATIONAL ENHANCEMENTS	269,182	263,182
	Program Increase—HSAC Unfunded Requirement		+4,000
	Program Adjustment		-10,000
98	PSYOP EQUIPMENT	25,266	25,266
99	INSTALLATION FORCE PROTECTION	90,635	90,635
100	INDIVIDUAL PROTECTION	74,686	74,686
101	DECONTAMINATION	21,570	21,570
102	JOINT BIOLOGICAL DEFENSE PROGRAM	19,389	10,389
	Reduction for Anthrax Vaccine Purchased by HHS		-9,000
103	COLLECTIVE PROTECTION	27,542	27,542
104	CONTAMINATION AVOIDANCE	136,114	136,114
	CLASSIFIED PROGRAMS	682,643	681,643
	Classified Adjustment		-1,000
	TOTAL, PROCUREMENT, DEFENSE-WIDE	4,280,368	4,009,321
DEFENSE PRODUCTION ACT			
	GALLIUM NITRIDE X-BAND MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,000	2,000
	GALLIUM NITRIDE RADAR AND ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	8,579	8,579
	GALLIUM NITRIDE ADVANCED ELECTRONIC WARFARE MONOLITHIC MICROWAVE INTEGRATED CIRCUITS	2,000	2,000
	BERYLLIUM SUPPLY INDUSTRIAL BASE	6,897	6,897
	SPACE	770	770
	NATIONAL SECURITY SPACE INDUSTRIAL AND SUPPLY BASE RISK MITIGATION PROGRAM	8,500	10,900
	Program Increase		+2,400
	ALTERNATIVE ENERGY FROM ORGANIC SOURCES		3,200
	TOTAL, DEFENSE PRODUCTION ACT	28,746	34,346
	TOTAL, PROCUREMENT	111,189,951	102,121,873

R-1		Budget Request	Recommendation
RESEARCH, DEVELOPMENT, TEST AND EVALUATION, ARMY			
1	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	21,780	21,780
2	DEFENSE RESEARCH SCIENCES	195,845	195,845
3	UNIVERSITY RESEARCH INITIATIVES	91,161	87,561
	V72—Transfer to D55		-3,300
	D55—Transfer from V72		+3,300
	V72—Non-Department of Defense funding		-3,600
4	UNIVERSITY AND INDUSTRY RESEARCH CENTERS	98,087	98,087
5	MATERIALS TECHNOLOGY	29,882	29,882

R-1		Budget Request	Recommendation
6	SENSORS AND ELECTRONIC SURVIVABILITY	48,929	48,929
7	TRACTOR HIP	14,624	14,624
8	AVIATION TECHNOLOGY	43,476	43,476
9	ELECTRONIC WARFARE TECHNOLOGY	17,330	17,330
10	MISSILE TECHNOLOGY	49,525	49,525
11	ADVANCED WEAPONS TECHNOLOGY	18,190	18,190
12	ADVANCED CONCEPTS AND SIMULATION	20,582	20,582
13	COMBAT VEHICLE AND AUTOMOTIVE TECHNOLOGY	64,740	64,740
14	BALLISTICS TECHNOLOGY	60,342	60,342
15	CHEMICAL, SMOKE AND EQUIPMENT DEFEATING TECHNOLOGY	5,324	10,924
	Emerging Chemical Agent Threat		+5,600
16	JOINT SERVICE SMALL ARMS PROGRAM	7,893	7,893
17	WEAPONS AND MUNITIONS TECHNOLOGY	42,645	42,645
18	ELECTRONICS AND ELECTRONIC DEVICES	60,859	60,859
19	NIGHT VISION TECHNOLOGY	40,228	40,228
20	COUNTERMINE SYSTEMS	19,118	19,118
21	HUMAN FACTORS ENGINEERING TECHNOLOGY	21,042	21,042
22	ENVIRONMENTAL QUALITY TECHNOLOGY	18,364	22,364
	Research, Development and Engineering Command		+4,000
23	COMMAND, CONTROL, COMMUNICATIONS TECHNOLOGY	25,573	25,573
24	COMPUTER AND SOFTWARE TECHNOLOGY	6,768	6,768
25	MILITARY ENGINEERING TECHNOLOGY	79,189	75,184
	Joint Integrated Base Defense Program Office transfer to line 60 at request of the Army		-4,005
26	MANPOWER/PERSONNEL/TRAINING TECHNOLOGY	22,198	22,198
27	WARFIGHTER TECHNOLOGY	27,746	27,746
28	MEDICAL TECHNOLOGY	96,797	96,797
29	WARFIGHTER ADVANCED TECHNOLOGY	37,364	37,364
30	MEDICAL ADVANCED TECHNOLOGY	71,510	115,510
	Peer-Reviewed Neurotoxin Exposure Treatment Parkinsons Research Program		+20,000
	Neurofibromatosis Research		+16,000
	Military Burn Trauma Research Program		+8,000
31	AVIATION ADVANCED TECHNOLOGY	57,454	57,454
32	WEAPONS AND MUNITIONS ADVANCED TECHNOLOGY	64,438	64,438
33	COMBAT VEHICLE AND AUTOMOTIVE ADV TECHNOLOGY	89,499	125,819
	Alternative Energy		+36,320
34	COMMAND, CONTROL, COMMUNICATIONS ADV TECH	8,102	8,102
35	MANPOWER, PERSONNEL AND TRAINING ADV TECH	7,921	7,921
36	ELECTRONIC WARFARE ADVANCED TECHNOLOGY	50,359	50,359
37	TRACTOR HIKE	8,015	8,015
38	NEXT GENERATION TRAINING & SIMULATION SYSTEMS	15,334	15,334
39	TRACTOR ROSE	12,309	12,309
41	MILITARY HIV RESEARCH	6,688	26,688
	HIV Research		+20,000
42	COMBATING TERRORISM, TECHNOLOGY DEVELOPMENT	10,550	10,550
43	ELECTRONIC WARFARE TECHNOLOGY	18,350	18,350
44	MISSILE AND ROCKET ADVANCED TECHNOLOGY	84,553	79,053
	P 704 excessive growth without strategy		-5,500
45	TRACTOR CAGE	9,986	9,986
46	LANDMINE WARFARE AND BARRIER ADVANCED TECH	26,953	26,953
47	JOINT SERVICE SMALL ARMS PROGRAM	9,151	9,151
48	NIGHT VISION ADVANCED TECHNOLOGY	39,912	39,912
49	ENVIRONMENTAL QUALITY TECHNOLOGY DEMO	15,878	15,878
50	MILITARY ENGINEERING ADVANCED TECHNOLOGY	27,393	24,393
	Program reduction		-3,000
51	ADVANCED TACTICAL COMPUTER SCIENCE AND SENSOR TECHNOLOGY	24,873	24,873
53	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION	11,455	11,455
54	ARMY MISSILE DEFENSE SYSTEMS INTEGRATION (SPACE)	27,551	27,551
56	LANDMINE WARFARE AND BARRIER—ADV DEV	15,596	15,596
57	SMOKE, OBSCURANT AND TARGET DEFEATING SYS-ADV DEV	2,425	2,425
58	TANK AND MEDIUM CALIBER AMMUNITION	42,183	37,183
	AKA 120mm cartridge EMD Phase II contract award delay		-5,000
59	ADVANCED TANK ARMAMENT SYSTEM (ATAS)	136,302	207,702
	S-MOD milestone B delay		-57,000
	Stryker DVH		+128,400
60	SOLDIER SUPPORT AND SURVIVABILITY	18,556	8,239
	Joint Integrated Base Defense Program Office—Transfer from line 25 at request of the Army		+4,005
	REF funded in Title IX		-14,322
61	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—AD	17,962	12,162
	Unsustained growth		-5,800
62	NIGHT VISION SYSTEMS ADVANCED DEVELOPMENT	0	5,159
	CSP—Transfer from line 177 at request of the Army		+5,159
63	ENVIRONMENTAL QUALITY TECHNOLOGY	4,695	4,695
64	WARFIGHTER INFORMATION NETWORK-TACTICAL	190,903	190,903
65	NATO RESEARCH AND DEVELOPMENT	5,060	5,060
66	AVIATION—ADV DEV	8,355	8,355
67	LOGISTICS AND ENGINEER EQUIPMENT—ADV DEV	80,490	65,315
	JLTV EMD contract award delay		-15,175
68	COMBAT SERVICE SUPPORT CONTROL SYSTEM EVALUATION	14,290	14,290
69	MEDICAL SYSTEMS—ADV DEV	28,132	28,132
70	SOLDIER SYSTEMS—ADVANCED DEVELOPMENT	48,323	48,323
71	INTEGRATED BROADCAST SERVICE	970	970
72	ENDURANCE UAVS	93,000	93,000
73	AIRCRAFT AVIONICS	89,210	74,210
	SOSCOE Apache Block III integration change in requirements		-15,000
74	ARMED, DEPLOYABLE OH-58D	72,550	72,550
75	ELECTRONIC WARFARE DEVELOPMENT	172,269	149,755
	CIRCM test and evaluation funds requested ahead of need		-22,514
76	JOINT TACTICAL RADIO	784	784
77	ALL SOURCE ANALYSIS SYSTEM	22,574	18,074
	EMD contract award delay		-4,500
78	TRACTOR CAGE	23,194	23,194
79	INFANTRY SUPPORT WEAPONS	80,337	70,337
	S62—Milestone B delay		-10,000
80	MEDIUM TACTICAL VEHICLES	3,710	3,710
81	SMOKE, OBSCURANT AND TARGET DEFEATING SYS—SDD	5,335	5,335
82	JAVELIN	9,999	0
	Lack of acquisition strategy		-9,999
83	FAMILY OF HEAVY TACTICAL VEHICLES	3,519	3,519
84	AIR TRAFFIC CONTROL	9,892	9,892
85	LIGHT TACTICAL WHEELED VEHICLES	1,990	1,990
86	NON-LINE OF SIGHT LAUNCH SYSTEM	81,247	0
	Program termination		-81,247
89	FCS SYSTEMS OF SYSTEMS ENGR & PROGRAM MGMT	568,711	498,711
	Program reduction		-70,000
90	FCS RECONNAISSANCE (UAV) PLATFORMS	50,304	50,304
91	FCS UNMANNED GROUND VEHICLES	249,948	200,000
	Program reduction		-49,948
92	FCS UNATTENDED GROUND SENSORS	7,515	7,515
93	FCS SUSTAINMENT & TRAINING R&D	610,389	610,389
95	NIGHT VISION SYSTEMS—SDD	52,549	52,549

R-1		Budget Request	Recommendation
96	COMBAT FEEDING, CLOTHING, AND EQUIPMENT	2,118	2,118
97	NON-SYSTEM TRAINING DEVICES—SDD	27,756	27,756
98	AIR DEFENSE COMMAND, CONTROL AND INTELLIGENCE -SDD	34,209	34,209
99	CONSTRUCTIVE SIMULATION SYSTEMS DEVELOPMENT	30,291	30,291
100	AUTOMATIC TEST EQUIPMENT DEVELOPMENT	14,041	14,041
101	DISTRIBUTIVE INTERACTIVE SIMULATIONS (DIS)—SDD	15,547	15,547
103	COMBINED ARMS TACTICAL TRAINER (CATT) CORE	27,670	27,670
105	WEAPONS AND MUNITIONS—SDD	24,345	15,345
	PGK Increment II EMD delay		-9,000
106	LOGISTICS AND ENGINEER EQUIPMENT—SDD	41,039	41,039
107	COMMAND, CONTROL, COMMUNICATIONS SYSTEMS—SDD	90,736	75,736
	JBC-P unsustained growth		-15,000
108	MEDICAL MATERIEL/MEDICAL BIOLOGICAL DEFENSE EQUIPMENT	34,474	34,474
109	LANDMINE WARFARE/BARRIER—SDD	95,577	49,577
	Project 016—Scorpion acceleration funded in prior approval reprogramming		-16,000
	Project 415—ASTAMIDS/GSTAMIDS lack of acquisition strategy		-30,000
110	ARTILLERY MUNITIONS	26,371	26,371
111	COMBAT IDENTIFICATION	29,884	3,000
	Unexecutable request		-26,884
112	ARMY TACTICAL COMMAND & CONTROL HARDWARE & SOFTWARE	60,970	60,970
113	GENERAL FUND ENTERPRISE BUSINESS SYSTEM (GFEBS)	13,576	13,576
114	FIREFINDER	24,736	24,736
115	SOLDIER SYSTEMS—WARRIOR DEM/VAL	20,886	20,886
116	ARTILLERY SYSTEMS	53,624	103,624
	Program Increase		+20,000
	Transfer from WTCVA line 12 for Paladin PIM		+30,000
117	PATRIOT/MEADS COMBINED AGGREGATE PROGRAM	467,139	467,139
118	NUCLEAR ARMS CONTROL MONITORING SENSOR NETWORK	7,276	7,276
119	INFORMATION TECHNOLOGY DEVELOPMENT	23,957	23,957
120	ARMY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM (A-IMH)	100,500	60,500
	Excessive growth without acquisition strategy		-40,000
121	JOINT AIR-TO-GROUND MISSILE (JAGM)	130,340	130,340
122	SLAMRAAM	23,700	23,700
123	PAC-2/MSE MISSILE	62,500	62,500
124	ARMY INTEGRATED AIR AND MISSILE DEFENSE (AIAMD)	251,124	251,124
125	MANNED GROUND VEHICLE	934,366	461,100
	Program adjustment		-473,266
126	AERIAL COMMON SENSOR	211,500	211,500
127	TROJAN—RH12	3,697	3,697
128	ELECTRONIC WARFARE DEVELOPMENT	21,571	13,571
	EW5—Unsustained growth		-8,000
129	THREAT SIMULATOR DEVELOPMENT	26,158	26,158
130	TARGET SYSTEMS DEVELOPMENT	8,614	8,614
131	MAJOR T&E INVESTMENT	42,102	42,102
132	RAND ARROYO CENTER	20,492	20,492
133	ARMY KWAJALEIN ATOLL	163,788	163,788
134	CONCEPTS EXPERIMENTATION PROGRAM	17,704	17,704
136	ARMY TEST RANGES AND FACILITIES	393,937	412,257
	Army Test Range Infrastructure unfunded requirement		+18,320
137	ARMY TECHNICAL TEST INSTRUMENTATION AND TARGETS	59,040	67,760
	Test and Evaluation Instrumentation unfunded requirement		+8,720
138	SURVIVABILITY/LETHALITY ANALYSIS	41,812	43,412
	Test and Evaluation Instrumentation unfunded requirement		+1,600
139	DOD HIGH ENERGY LASER TEST FACILITY	4,710	4,710
140	AIRCRAFT CERTIFICATION	5,055	5,055
141	METEOROLOGICAL SUPPORT TO RDT&E ACTIVITIES	7,185	7,185
142	MATERIEL SYSTEMS ANALYSIS	18,078	19,278
	Test and Evaluation Instrumentation unfunded requirement		+1,200
143	EXPLOITATION OF FOREIGN ITEMS	5,460	5,460
144	SUPPORT OF OPERATIONAL TESTING	68,191	68,191
145	ARMY EVALUATION CENTER	61,450	64,090
	Test and Evaluation Instrumentation unfunded requirement		+2,640
146	SIMULATION & MODELING FOR ACQ, RQTS, & TNG (SMART)	3,926	3,926
147	PROGRAMWIDE ACTIVITIES	73,685	73,685
148	TECHNICAL INFORMATION ACTIVITIES	48,309	48,309
149	MUNITIONS STANDARDIZATION, EFFECTIVENESS AND SAFETY	53,338	44,042
	Project 862—155mm HE projectile underfunded new start		-9,296
150	ENVIRONMENTAL QUALITY TECHNOLOGY MGMT SUPPORT	3,195	3,195
151	MANAGEMENT HEADQUARTERS (RESEARCH AND DEVELOPMENT)	16,154	16,154
153	MLRS PRODUCT IMPROVEMENT PROGRAM	51,619	25,619
	GMLRS AW EMD contract award delay		-26,000
154	AEROSTAT JOINT PROJECT OFFICE	372,493	372,493
155	INTELLIGENCE SUPPORT TO CYBER (ISC) MIP	2,360	2,360
156	ADV FIELD ARTILLERY TACTICAL DATA SYSTEM	24,622	24,622
157	COMBAT VEHICLE IMPROVEMENT PROGRAMS	204,481	204,481
158	MANEUVER CONTROL SYSTEM	25,540	25,540
159	AIRCRAFT MODS/PRODUCT IMPROVEMENT PROGRAMS	134,999	124,856
	P430—Chinook RW crashworthy seating previously fully funded		-10,143
160	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROG	710	710
161	DIGITIZATION	6,329	6,329
162	FORCE XXI BATTLE COMMAND, BRIGADE AND BELOW (FBCB2)	3,935	3,935
163	MISSILE/AIR DEFENSE PRODUCT IMPROVEMENT PROGRAM	24,280	24,280
165	TRACTOR CARD	14,870	14,870
167	JOINT TACTICAL GROUND SYSTEM	12,403	12,403
168	JOINT HIGH SPEED VESSEL (JHSV)	3,153	3,153
171	INFORMATION SYSTEMS SECURITY PROGRAM	54,784	11,905
	Protected Information—Biometrics—Transfer to line 171x		-42,879
171x	FAMILY OF BIOMETRICS	0	42,879
	Protected Information—Biometrics—Transfer from line 171		+42,879
172	GLOBAL COMBAT SUPPORT SYSTEM	125,569	125,569
173	SATCOM GROUND ENVIRONMENT (SPACE)	33,694	33,694
174	WMCCS/GLOBAL COMMAND AND CONTROL SYS	13,024	13,024
177	TACTICAL UNMANNED AERIAL VEHICLES	54,300	49,141
	CSP—Transfer of HD IR funds to line 62 at request of the Army for execution		-5,159
178	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	103,002	103,002
179	MQ-1 SKY WARRIOR A UAV	123,156	123,156
180	RQ-11 UAV	1,599	1,599
181	RQ-7 UAV	7,805	7,805
183	BIOMETRICS ENABLED INTELLIGENCE	14,114	2,114
	Protected Information—Biometrics		-12,000
185	END ITEM INDUSTRIAL PREPAREDNESS ACTIVITIES	61,098	61,098
xx	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
	Research and Development Innovation		+105,000
	CLASSIFIED PROGRAMS	4,447	4,447
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	10,333,392	9,710,998
	RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY		
1	UNIVERSITY RESEARCH INITIATIVES	108,679	108,679
2	IN-HOUSE LABORATORY INDEPENDENT RESEARCH	17,979	17,979

R-1		Budget Request	Recommendation
3	DEFENSE RESEARCH SCIENCES	429,767	429,767
4	POWER PROJECTION APPLIED RESEARCH	98,150	98,150
5	FORCE PROTECTION APPLIED RESEARCH	107,448	147,448
	Alternative Energy		+40,000
6	MARINE CORPS LANDING FORCE TECHNOLOGY	43,776	43,776
8	COMMON PICTURE APPLIED RESEARCH	70,168	70,168
9	WARFIGHTER SUSTAINMENT APPLIED RESEARCH	113,724	113,724
10	RF SYSTEMS APPLIED RESEARCH	83,902	83,902
11	OCEAN WARFIGHTING ENVIRONMENT APPLIED RESEARCH	49,491	49,491
12	JOINT NON-LETHAL WEAPONS APPLIED RESEARCH	6,002	6,002
13	UNDERSEA WARFARE APPLIED RESEARCH	69,186	69,186
14	MINE AND EXPEDITIONARY WARFARE APPLIED RESEARCH	36,833	36,833
15	POWER PROJECTION ADVANCED TECHNOLOGY	117,908	117,908
16	FORCE PROTECTION ADVANCED TECHNOLOGY	61,877	61,877
17	COMMON PICTURE ADVANCED TECHNOLOGY	96,720	96,720
18	WARFIGHTER SUSTAINMENT ADVANCED TECHNOLOGY	98,261	98,261
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY	82,143	82,143
20	MARINE CORPS ADVANCED TECHNOLOGY DEMONSTRATION (ATD)	115,089	115,089
21	JOINT NON-LETHAL WEAPONS TECHNOLOGY DEVELOPMENT	11,131	11,131
22	WARFIGHTER PROTECTION ADVANCED TECHNOLOGY	55,336	55,336
	C.W. Bill Young Bone Marrow Donor Recruitment and Research Program	18,076	+31,500
	Program Increase—Tactical Athlete Program		+5,760
23	UNDERSEA WARFARE ADVANCED TECHNOLOGY	49,276	53,276
	Program Increase—ASW Research		+4,000
24	NAVY WARFIGHTING EXPERIMENTS AND DEMONSTRATIONS	53,177	53,177
25	MINE AND EXPEDITIONARY WARFARE ADVANCED TECHNOLOGY	21,941	21,941
XX	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
	Research and Development Innovation		+105,000
26	AIR/OCEAN TACTICAL APPLICATIONS	123,331	118,331
	JMAPS program delay		—5,000
27	AVIATION SURVIVABILITY	9,480	9,480
28	DEPLOYABLE JOINT COMMAND AND CONTROL	4,275	4,275
29	ASW SYSTEMS DEVELOPMENT	8,249	8,249
30	TACTICAL AIRBORNE RECONNAISSANCE	6,452	6,452
31	ADVANCED COMBAT SYSTEMS TECHNOLOGY	1,658	1,658
32	SURFACE AND SHALLOW WATER MINE COUNTERMEASURES	81,347	79,247
	Unmanned Surface Sweep System program delay		—2,100
33	SURFACE SHIP TORPEDO DEFENSE	57,796	50,796
	Milestone B delay		—7,000
34	CARRIER SYSTEMS DEVELOPMENT	93,830	91,830
	Navy requested transfer to line 49 for Automatic Test and Re-Test		—2,000
35	SHIPBOARD SYSTEM COMPONENT DEVELOPMENT	51	51
36	PILOT FISH	81,784	81,784
37	RETRACT LARCH	142,858	142,858
38	RETRACT JUNIPER	134,497	134,497
39	RADIOLOGICAL CONTROL	1,358	1,358
40	SURFACE ASW	21,673	21,673
41	ADVANCED SUBMARINE SYSTEM DEVELOPMENT	608,566	559,266
	Execution delays		—49,300
42	SUBMARINE TACTICAL WARFARE SYSTEMS	5,590	5,590
43	SHIP CONCEPT ADVANCED DESIGN	17,883	17,883
44	SHIP PRELIMINARY DESIGN & FEASIBILITY STUDIES	1,796	1,796
45	ADVANCED NUCLEAR POWER SYSTEMS	366,509	366,509
46	ADVANCED SURFACE MACHINERY SYSTEMS	5,459	5,459
47	CHALK EAGLE	447,804	447,804
48	LITTORAL COMBAT SHIP (LCS)	226,288	189,588
	LCS-2 post shakedown availability delay		—15,800
	LCS-1 post shakedown availability planning funding excess		—500
	NLOS missile termination		—15,400
	Program Increase—Mine Warfare Testing Disruption		+4,000
	Navy requested transfer to line 49 for Automatic Test and Re-Test		—2,000
	Program Increase—Small Business Technology Insertion (Mine Warfare Modules)		+8,000
	Savings from accelerated DT		—15,000
49	COMBAT SYSTEM INTEGRATION	24,344	34,344
	Navy requested transfer from lines 34, 48, 107, 122 and 136 for Automatic Test and Re-Test		+10,000
50	CONVENTIONAL MUNITIONS	5,388	5,388
51	MARINE CORPS ASSAULT VEHICLES	242,765	222,765
	Expeditionary Fighting Vehicle		—165,000
	Termination Liability, or SDD if certified by the Secretary		+145,000
52	MARINE CORPS GROUND COMBAT/SUPPORT SYSTEM	40,505	28,505
	JLTV EMD contract award delay		—12,000
53	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	25,873	25,873
54	COOPERATIVE ENGAGEMENT	52,282	52,282
55	OCEAN ENGINEERING TECHNOLOGY DEVELOPMENT	13,560	13,560
56	ENVIRONMENTAL PROTECTION	20,207	20,207
57	NAVY ENERGY PROGRAM	30,403	34,403
	Program Increase—Alternative Energy from Organic Sources		+4,000
58	FACILITIES IMPROVEMENT	3,746	3,746
59	CHALK CORAL	71,920	71,920
60	NAVY LOGISTIC PRODUCTIVITY	4,139	4,139
61	RETRACT MAPLE	219,463	219,463
62	LINK PLUMERIA	58,030	58,030
63	RETRACT ELM	183,187	183,187
64	SHIP SELF DEFENSE	4,385	4,385
65	LINK EVERGREEN	41,433	41,433
66	SPECIAL PROCESSES	36,457	36,457
67	NATO RESEARCH AND DEVELOPMENT	9,196	9,196
68	LAND ATTACK TECHNOLOGY	905	905
69	NONLETHAL WEAPONS	43,272	43,272
70	JOINT PRECISION APPROACH AND LANDING SYSTEMS	159,151	159,151
73	DIRECTED ENERGY AND ELECTRIC WEAPON SYSTEMS		8,000
	Directed Energy Development and Test		+8,000
74	TACTICAL AIR DIRECTIONAL INFRARED COUNTERMEASURES	51,693	51,693
75	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE	56,542	50,242
	Program delay		—6,300
76	PRECISION STRIKE WEAPONS DEVELOPMENT PROGRAM	25,121	25,121
77	SPACE & ELECTRONIC WARFARE (SEW) ARCHITECTURE/ENGINE	34,793	34,793
78	ASW SYSTEMS DEVELOPMENT—MIP	2,161	2,161
79	SUBMARINE TACTICAL WARFARE SYSTEMS—MIP	4,253	4,253
80	ELECTRONIC WARFARE DEVELOPMENT—MIP	663	663
81	OTHER HELO DEVELOPMENT	44,329	44,329
82	AV-8B AIRCRAFT—ENG DEV	22,867	22,867
83	STANDARDS DEVELOPMENT	45,667	45,667
84	MULTI-MISSION HELICOPTER UPGRADE DEVELOPMENT	55,792	55,792
85	AIR/OCEAN EQUIPMENT ENGINEERING	5,735	5,735
86	P-3 MODERNIZATION PROGRAM	3,574	3,574
87	WARFARE SUPPORT SYSTEM	3,733	3,733
88	TACTICAL COMMAND SYSTEM	89,955	87,955
	Systems engineering growth		—2,000
89	ADVANCED HAWKEYE	171,132	171,132

R-1		Budget Request	Recommendation
90	H-1 UPGRADES	60,498	60,498
91	ACOUSTIC SEARCH SENSORS	64,834	64,834
92	V-22A	46,070	44,425
	Fuel forward funded in fiscal year 2010 supplemental		-1,645
93	AIR CREW SYSTEMS DEVELOPMENT	8,689	11,189
	Transfer from AP,N line 52 for Common Mobile Aircrew Restraint System		+2,500
94	EA-18	22,042	21,773
	Fuel forward funded in fiscal year 2010 supplemental		-269
95	ELECTRONIC WARFARE DEVELOPMENT	80,819	80,819
96	VH-71A EXECUTIVE HELO DEVELOPMENT	159,785	159,785
97	NEXT GENERATION JAMMER (NGJ)	120,602	90,602
	Technology development contract delay		-30,000
98	JOINT TACTICAL RADIO SYSTEM—NAVY (JTRS-NAVY)	687,723	627,723
	Airborne Maritime Fixed unjustified increase		-60,000
100	SURFACE COMBATANT COMBAT SYSTEM ENGINEERING	193,933	193,933
101	LPD-17 CLASS SYSTEMS INTEGRATION	1,373	1,373
102	SMALL DIAMETER BOMB (SDB)	44,091	24,091
	Program delay		-20,000
103	STANDARD MISSILE IMPROVEMENTS	96,186	96,186
104	AIRBORNE MCM	45,885	45,885
105	NAVAL INTEGRATED FIRE CONTROL—COUNTER AIR SYSTEMS ENG	21,517	21,517
106	ADVANCED ABOVE WATER SENSORS	274,371	274,371
107	SSN-688 AND TRIDENT MODERNIZATION	118,897	112,197
	Navy requested transfer to line 49 for Automatic Test and Re-Test		-2,000
	Communications at Speed and Depth		-4,700
108	AIR CONTROL	5,665	5,665
109	SHIPBOARD AVIATION SYSTEMS	70,117	70,117
110	COMBAT INFORMATION CENTER CONVERSION	5,044	5,044
111	NEW DESIGN SSN	155,489	171,489
	Program Increase—Small Business Technology Insertion		+16,000
112	SUBMARINE TACTICAL WARFARE SYSTEM	50,537	50,537
113	SHIP CONTRACT DESIGN/LIVE FIRE T&E	153,686	166,686
	Full Ship Shock Trial Alternative transfer from line 136		+13,000
114	NAVY TACTICAL COMPUTER RESOURCES	4,443	4,443
115	MINE DEVELOPMENT	5,455	5,455
116	LIGHTWEIGHT TORPEDO DEVELOPMENT	25,282	25,282
117	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT	10,489	10,489
118	PERSONNEL, TRAINING, SIMULATION, AND HUMAN FACTORS	10,759	10,759
119	JOINT STANDOFF WEAPON SYSTEMS	12,567	12,567
120	SHIP SELF DEFENSE (DETECT & CONTROL)	45,930	45,930
121	SHIP SELF DEFENSE (ENGAGE: HARD KILL)	5,860	5,860
122	SHIP SELF DEFENSE (ENGAGE: SOFT KILL/EW)	84,525	82,525
	Navy requested transfer to line 49 for Automatic Test and Re-Test		-2,000
123	INTELLIGENCE ENGINEERING	6,820	6,820
124	MEDICAL DEVELOPMENT	12,337	29,137
	Wound Care Research		+10,400
	Military Dental Research		+6,400
125	NAVIGATION/ID SYSTEM	66,636	66,636
126	JOINT STRIKE FIGHTER (JSF)—EMD	667,916	613,864
	Block IV capabilities funding ahead of need		-29,052
	Underexecution of test program		-25,000
127	JOINT STRIKE FIGHTER (JSF)	707,791	676,806
	Block IV capabilities funding ahead of need		-29,000
	Fuel forward funded in fiscal year 2010 supplemental		-1,985
128	INFORMATION TECHNOLOGY DEVELOPMENT	22,783	22,783
129	INFORMATION TECHNOLOGY DEVELOPMENT	28,280	28,280
130	NAVY INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	27,444	15,444
	Reduction to pre-development activities		-12,000
131	CH-53K	577,435	577,435
133	JOINT AIR-TO-GROUND MISSILE (JAGM)	100,846	100,846
134	MULTI-MISSION MARITIME AIRCRAFT (MMA)	929,240	941,240
	Program Increase—Small Business Technology Insertion		+12,000
136	DDG-1000	549,241	534,241
	Navy requested transfer to line 49 for Automatic Test and Re-Test		-2,000
	Full Ship Shock Trial Alternative transfer to line 113		-13,000
137	TACTICAL COMMAND SYSTEM—MIP	1,318	1,318
138	SSN-688 AND TRIDENT MODERNIZATION—MIP	1,415	1,415
139	TACTICAL CRYPTOLOGIC SYSTEMS	17,019	12,387
	Execution delays		-4,632
140	THREAT SIMULATOR DEVELOPMENT	18,755	18,755
141	TARGET SYSTEMS DEVELOPMENT	66,066	66,066
142	MAJOR T&E INVESTMENT	37,522	37,522
143	STUDIES AND ANALYSIS SUPPORT—NAVY	8,149	8,149
144	CENTER FOR NAVAL ANALYSES	49,165	49,165
146	TECHNICAL INFORMATION SERVICES	662	662
147	MANAGEMENT, TECHNICAL & INTERNATIONAL SUPPORT	58,329	58,329
148	STRATEGIC TECHNICAL SUPPORT	3,451	3,451
149	RD&E SCIENCE AND TECHNOLOGY MANAGEMENT	72,094	72,094
150	RD&E SHIP AND AIRCRAFT SUPPORT	95,332	93,871
	Fuel forward funded in fiscal year 2010 supplemental		-1,461
151	TEST AND EVALUATION SUPPORT	376,418	376,418
152	OPERATIONAL TEST AND EVALUATION CAPABILITY	15,746	15,746
153	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT	4,013	4,013
154	SEW SURVEILLANCE/RECONNAISSANCE SUPPORT	19,700	19,700
155	MARINE CORPS PROGRAM WIDE SUPPORT	17,721	17,721
156	TACTICAL CRYPTOLOGIC ACTIVITIES	1,859	1,859
157	SERVICE SUPPORT TO JFCOM, JNJC	4,260	4,260
161	UNMANNED COMBAT AIR VEHICLE (UCAV) ADVANCED COMPONENT	266,368	266,368
162	STRATEGIC SUB & WEAPONS SYSTEM SUPPORT	81,184	71,184
	Conventional Trident Modification		-10,000
163	SSBN SECURITY TECHNOLOGY PROGRAM	34,997	34,997
164	SUBMARINE ACOUSTIC WARFARE DEVELOPMENT	6,815	6,815
165	NAVY STRATEGIC COMMUNICATIONS	10,331	10,331
166	RAPID TECHNOLOGY TRANSITION (RTT)	35,120	35,120
167	F/A-18 SQUADRONS	148,438	148,438
168	E-2 SQUADRONS	19,011	19,011
169	FLEET TELECOMMUNICATIONS (TACTICAL)	26,894	26,894
170	TOMAHAWK AND TOMAHAWK MISSION PLANNING CENTER (TMPC)	10,587	10,587
171	INTEGRATED SURVEILLANCE SYSTEM	23,464	23,464
172	AMPHIBIOUS TACTICAL SUPPORT UNITS	4,357	4,357
173	CONSOLIDATED TRAINING SYSTEMS DEVELOPMENT	50,750	50,750
174	CRYPTOLOGIC DIRECT SUPPORT	1,519	1,519
175	ELECTRONIC WARFARE (EW) READINESS SUPPORT	39,398	39,398
176	HARM IMPROVEMENT	14,207	12,207
	Systems engineering growth		-2,000
177	TACTICAL DATA LINKS	28,854	28,854
178	SURFACE ASW COMBAT SYSTEM INTEGRATION	32,877	36,877
	Program Increase—Small Business Technology Insertion		+4,000
179	MK-48 ADCAP	26,234	34,234
	Program Increase—Small Business Technology Insertion		+8,000

R-1		Budget Request	Recommendation
180	AVIATION IMPROVEMENTS	133,611	100,890
	F-135 engine ahead of need		-27,000
	Multi-purpose bomb rack program delay		-5,721
181	NAVY SCIENCE ASSISTANCE PROGRAM	3,535	3,535
182	OPERATIONAL NUCLEAR POWER SYSTEMS	74,229	74,229
183	MARINE CORPS COMMUNICATIONS SYSTEMS	245,298	232,898
	Joint Cooperative Target Identification—Ground		-12,400
184	MARINE CORPS GROUND COMBAT/SUPPORTING ARMS SYSTEMS	100,424	76,424
	Marine personnel carrier program delay		-20,000
	LAV-AT contract delay		-4,000
185	MARINE CORPS COMBAT SERVICES SUPPORT	19,466	19,466
186	USMC INTELLIGENCE/ELECTRONIC WARFARE SYSTEMS (MIP)	20,316	20,316
187	TACTICAL AIM MISSILES	912	912
188	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	2,633	2,633
189	JOINT HIGH SPEED VESSEL (JHSV)	3,586	3,586
194	SATELLITE COMMUNICATIONS (SPACE)	422,268	422,268
195	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES	63,563	44,563
	Increment 1 transition contract delay		-19,000
196	INFORMATION SYSTEMS SECURITY PROGRAM	25,934	25,934
199	CONSOLIDATED AFLOAT NETWORK ENTERPRISE SERVICES—MIP	8,375	8,375
201	COBRA JUDY	36,527	36,527
202	NAVY METEOROLOGICAL AND OCEAN SENSORS—SPACE (METOC)	63,878	63,878
203	JOINT MILITARY INTELLIGENCE PROGRAMS	4,435	4,435
204	TACTICAL UNMANNED AERIAL VEHICLES	35,212	18,912
	Marinized UAS		-16,300
206	AIRBORNE RECONNAISSANCE SYSTEMS		50,200
	Program increase		+5,200
	EP-3/SPA systems development		+45,000
207	MANNED RECONNAISSANCE SYSTEMS	19,263	19,263
208	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	8,377	8,377
209	DISTRIBUTED COMMON GROUND SYSTEMS/SURFACE SYSTEMS	16,665	16,665
210	RQ-4 UAV	529,250	529,250
211	MQ-8 UAV	10,665	10,665
212	RQ-11 UAV	512	512
213	RQ-7 UAV	934	934
214	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	26,209	26,209
215	SMALL (LEVEL 0) TACTICAL UAS (STUASLO)	18,098	12,710
	STUAS Lite termination		-5,388
218	MODELING AND SIMULATION SUPPORT	8,158	8,158
219	DEPOT MAINTENANCE (NON-IF)	18,649	18,649
220	AVIONICS COMPONENT IMPROVEMENT PROGRAM	3,250	3,250
221	INDUSTRIAL PREPAREDNESS	46,173	46,173
	CLASSIFIED PROGRAMS	1,284,901	1,499,901
	Classified adjustment		+215,000
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	17,693,496	17,736,303
RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE			
1	DEFENSE RESEARCH SCIENCES	350,978	350,978
2	UNIVERSITY RESEARCH INITIATIVES	136,297	136,297
3	HIGH ENERGY LASER RESEARCH INITIATIVES	13,198	13,198
4	MATERIALS	137,273	137,273
5	AEROSPACE VEHICLE TECHNOLOGIES	144,699	144,699
6	HUMAN EFFECTIVENESS APPLIED RESEARCH	87,452	87,452
7	AEROSPACE PROPULSION	207,049	204,049
	Unjustified program growth		-3,000
8	AEROSPACE SENSORS	157,497	159,897
	Program Increase—Materials for Structures, Propulsion, and Subsystems		+2,400
9	SPACE TECHNOLOGY	111,857	111,857
10	CONVENTIONAL MUNITIONS	61,330	61,330
11	DIRECTED ENERGY TECHNOLOGY	103,596	122,396
	Re-alignment of funding for ground optical imaging research and technology		+18,800
13	DOMINANT INFORMATION SCIENCES AND METHODS	117,283	115,783
	Transfer to line 11		-1,500
14	HIGH ENERGY LASER RESEARCH	53,384	53,384
15	ADVANCED MATERIALS FOR WEAPON SYSTEMS	33,414	40,414
	Transfer to line 11		-1,000
	Metals Affordability Initiative		+8,000
16	SUSTAINMENT SCIENCE AND TECHNOLOGY (S&T)	2,935	2,935
17	ADVANCED AEROSPACE SENSORS	44,677	44,677
18	AEROSPACE TECHNOLOGY DEV/DEMO	53,588	52,588
	Transfer to line 11		-1,000
19	AEROSPACE PROPULSION AND POWER TECHNOLOGY	136,135	134,135
	Transfer to line 11		-2,000
21	ELECTRONIC COMBAT TECHNOLOGY	16,992	16,992
22	ADVANCED SPACECRAFT TECHNOLOGY	83,705	80,115
	Transfer to line 11		-3,590
23	MAUI SPACE SURVEILLANCE SYSTEM (MSSS)	5,899	5,899
24	HUMAN EFFECTIVENESS ADVANCED TECHNOLOGY DEVELOPMENT	24,814	24,814
25	CONVENTIONAL WEAPONS TECHNOLOGY	15,755	15,755
26	ADVANCED WEAPONS TECHNOLOGY	17,461	17,461
27	MANUFACTURING TECHNOLOGY PROGRAM	39,701	47,701
	Program Increase—Best Industrial Process for Department of Defense Depots		+8,000
28	BATTLESPACE KNOWLEDGE DEVELOPMENT & DEMONSTRATION	32,382	32,382
30	HIGH ENERGY LASER ADVANCED TECHNOLOGY PROGRAM	1,847	1,847
XX	RESEARCH AND DEVELOPMENT INNOVATION	0	105,000
	Research and Development Innovation		+105,000
31	INTELLIGENCE ADVANCED DEVELOPMENT	5,019	5,019
32	PHYSICAL SECURITY EQUIPMENT	3,576	1,000
	Unjustified program request		-2,576
33	GPS III—OPERATIONAL CONTROL SEGMENT	0	356,867
	Operational Control Segment (OCX)—Transfer from line 212		+356,867
34	ADVANCED EHF MILSATCOM (SPACE)	351,817	394,817
	Program Increase—Capabilities Insertion Program		+43,000
35	POLAR MILSATCOM (SPACE)	164,232	164,232
36	SPACE CONTROL TECHNOLOGY	45,012	45,012
37	COMBAT IDENTIFICATION TECHNOLOGY	26,172	36,172
	Program Increase—Automatic Dependent Surveillance—Broadcast		+10,000
38	NATO RESEARCH AND DEVELOPMENT	4,372	4,372
39	INTERNATIONAL SPACE COOPERATIVE R&D	635	635
40	SPACE PROTECTION PROGRAM (SPP)	8,349	8,349
42	INTEGRATED BROADCAST SERVICE	20,580	20,580
43	INTERCONTINENTAL BALLISTIC MISSILE	66,745	66,745
44	WIDEBAND GAPFILLER SYSTEM RDT&E (SPACE)	36,123	79,123
	Program Increase—Capabilities Insertion Program		+43,000
45	POLLUTION PREVENTION (DEM/VAL)	2,534	2,534
46	JOINT PRECISION APPROACH AND LANDING SYSTEMS	13,952	13,952
47	NEXT GENERATION BOMBER	198,957	198,957
48	BATTLE MGMT COM & CTRL SENSOR DEVELOPMENT	0	12,000
	Program Increase—GMTI Radar Development		+12,000

R-1		Budget Request	Recommendation
49	HARD AND DEEPLY BURIED TARGET DEFEAT SYSTEM	22,389	22,389
50	JOINT DUAL ROLE AIR DOMINANCE MISSILE	9,799	9,799
51	REQUIREMENTS ANALYSIS AND MATURATION	34,339	34,339
52	NEXT-GENERATION MILSATCOM TECHNOLOGY DEVELOPMENT	0	20,000
	Program Increase—Acquisition Planning and Studies		+20,000
53	GROUND ATTACK WEAPONS FUZE DEVELOPMENT	32,513	22,513
	Program delay		—10,000
54	ALTERNATIVE FUELS	24,064	24,064
55	AUTOMATED AIR-TO-AIR REFUELING	85	85
56	OPERATIONALLY RESPONSIVE SPACE	93,978	125,978
	Program Increase—Responsive Launch Capabilities		+32,000
57	TECH TRANSITION PROGRAM	12,260	12,260
58	NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SAT	325,505	100,000
	Program Reduction		—225,505
58A	DEFENSE WEATHER SATELLITE SYSTEM (DWSS)		75,000
	DWSS-only for defense sensor development		+75,000
59	GLOBAL BROADCAST SERVICE (GBS)	18,171	18,171
60	NUCLEAR WEAPONS SUPPORT	60,545	60,545
62	SPECIALIZED UNDERGRADUATE FLIGHT TRAINING	8,066	8,066
64	ELECTRONIC WARFARE DEVELOPMENT	89,966	89,966
65	JOINT TACTICAL RADIO	631	631
66	TACTICAL DATA NETWORKS ENTERPRISE	102,941	102,941
67	PHYSICAL SECURITY EQUIPMENT	50	50
68	SMALL DIAMETER BOMB (SDB)	153,505	100,505
	SDB II—Contract Award Delay		—53,000
69	COUNTERSPACE SYSTEMS	40,276	40,276
70	SPACE SITUATION AWARENESS SYSTEMS	426,525	350,425
	SBSS Follow On		—45,100
	Space Fence		—35,000
	Integration of Missile Defense Agency radar systems into Space Surveillance Network		+4,000
71	AIRBORNE ELECTRONIC ATTACK	25,937	25,937
72	SPACE BASED INFRARED SYSTEM (SBIRS) HIGH EMD	530,047	530,047
74	ARMAMENT/ORDNANCE DEVELOPMENT	6,693	6,693
75	SUBMUNITIONS	1,622	1,622
76	AGILE COMBAT SUPPORT	37,987	37,987
77	LIFE SUPPORT SYSTEMS	10,650	10,650
78	COMBAT TRAINING RANGES	36,905	36,905
79	INTEGRATED COMMAND & CONTROL APPLICATIONS (IC2A)	10	10
80	INTELLIGENCE EQUIPMENT	1,364	1,364
81	JOINT STRIKE FIGHTER (JSF)	883,773	1,051,210
	Air Force requested transfer from line 135		+159,837
	Air Force requested transfer for Auto GCAS from AP,AF line 43		+7,600
82	INTERCONTINENTAL BALLISTIC MISSILE	71,843	71,843
83	EVOLVED EXPENDABLE LAUNCH VEHICLE PROGRAM (SPACE)	30,245	55,245
	Program Increase—EELV Common Upper Stage		+25,000
85	NEXT GENERATION AERIAL REFUELING AIRCRAFT	863,875	0
	Transfer to Tanker Transfer Fund		—863,875
86	CSAR HH-60 RECAPITALIZATION	12,584	0
	Program Termination		—12,584
86A	HH-60 RDT&E	0	1,934
	Terrain and Traffic Avoidance Systems—Transfer from line 86		+1,934
88	HC/MC-130 RECAP RDT&E	15,536	15,536
91	SINGLE INTEGRATED AIR PICTURE (SIAP)	1,832	0
	Program termination		—1,832
92	FULL COMBAT MISSION TRAINING	57,393	57,393
94	JOINT CARGO AIRCRAFT (JCA)	26,407	26,407
95	CV-22	18,270	18,270
96	AIRBORNE SENIOR LEADER C3 (SLC3S)	15,826	7,826
	Contract award delay for SLC3S—A Communications Program (SCP)		—8,000
97	THREAT SIMULATOR DEVELOPMENT	21,245	21,245
98	MAJOR T&E INVESTMENT	61,587	61,587
99	RAND PROJECT AIR FORCE	26,752	26,752
101	INITIAL OPERATIONAL TEST & EVALUATION	20,665	20,665
102	TEST AND EVALUATION SUPPORT	759,868	759,868
103	ROCKET SYSTEMS LAUNCH PROGRAM (SPACE)	23,551	23,551
104	SPACE TEST PROGRAM (STP)	47,623	47,623
105	FACILITIES RESTORATION & MODERNIZATION—TEST & EVAL	46,327	46,327
106	FACILITIES SUSTAINMENT—TEST AND EVALUATION SUPPORT	27,579	27,579
107	MULTI-SERVICE SYSTEMS ENGINEERING INITIATIVE	18,901	18,901
108	ACQUISITION AND MANAGEMENT SUPPORT	24,968	24,968
109	GENERAL SKILL TRAINING	1,544	1,544
111	INTERNATIONAL ACTIVITIES	3,764	3,764
113	COMMON VERTICAL LIFT SUPPORT PLATFORM	0	4,000
	Air Force requested transfer from AP,AF line 18		+4,000
114	AIR FORCE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	43,300	23,300
	Funding ahead of need		—20,000
115	ANTI-TAMPER TECHNOLOGY EXECUTIVE AGENCY	42,255	42,255
117	B-52 SQUADRONS	146,096	140,896
	EHF Request—early to need		—24,700
	Program Increase to continue advanced targeting pod integration		+6,500
	Air Force requested transfer from AP,AF line 38 for Internal Weapons Bay		+13,000
118	AIR-LAUNCHED CRUISE MISSILE (ALCM)	3,631	3,631
119	B-1B SQUADRONS	33,234	33,234
120	B-2 SQUADRONS	260,466	276,466
	Program Increase—Mixed Loads and Other Capabilities		+16,000
121	STRAT WAR PLANNING SYSTEM—USSTRATCOM	28,441	28,441
122	NIGHT FIST—USSTRATCOM	5,359	5,359
125	REGION/SECTOR OPERATION CONTROL CENTER MODERNIZATION	23,732	23,732
126	STRATEGIC AEROSPACE INTELLIGENCE SYSTEM ACTIVITIES	15	15
127	WARFIGHTER RAPID ACQUISITION PROCESS (WRAP) RAPID TRAN	10,580	10,580
128	MQ-9 UAV	125,427	125,427
129	MULTI-PLATFORM ELECTRONIC WARFARE EQUIPMENT	15,574	15,574
130	A-10 SQUADRONS	5,661	5,661
131	F-16 SQUADRONS	129,103	129,103
132	F-15E SQUADRONS	222,677	207,677
	Contract award delays		—15,000
133	MANNED DESTRUCTIVE SUPPRESSION	12,937	12,937
134	F-22 SQUADRONS	576,330	511,330
	Modernization program		—100,000
	MADL—Transfer from line 155		+35,000
135	F-35 SQUADRONS	217,561	0
	Block 4 Development		—57,724
	Air Force requested transfer to line 81		—159,837
136	TACTICAL AIM MISSILES	6,040	6,040
137	ADVANCED MEDIUM RANGE AIR-TO-AIR MISSILE (AMRAAM)	62,922	62,922
138	JOINT HELMET MOUNTED CUEING SYSTEM (JHMCS)	2,407	2,407
139	COMBAT RESCUE AND RECOVERY	944	944
140	COMBAT RESCUE—PARARESCUE	2,921	2,921
141	AF TENCAP	11,648	11,648
142	PRECISION ATTACK SYSTEMS PROCUREMENT	3,017	3,017

R-1		Budget Request	Recommendation
143	COMPASS CALL	20,652	20,652
144	AIRCRAFT ENGINE COMPONENT IMPROVEMENT PROGRAM	147,396	120,626
	F-135 Component Improvement Program—premature request		– 26,770
146	JOINT AIR-TO-SURFACE STANDOFF MISSILE (JASSM)	20,000	20,000
147	AIR AND SPACE OPERATIONS CENTER (AOC)	93,102	93,102
148	CONTROL AND REPORTING CENTER (CRC)	58,313	58,313
149	AIRBORNE WARNING AND CONTROL SYSTEM (AWACS)	239,755	229,755
	Contract award and schedule delays for Block 40/45 EMD and DRAGON		– 10,000
151	ADVANCED COMMUNICATIONS SYSTEMS	67,532	67,532
153	COMBAT AIR INTELLIGENCE SYSTEM ACTIVITIES	3,310	3,310
154	THEATER BATTLE MANAGEMENT (TBM) C4I	15,170	15,170
155	FIGHTER TACTICAL DATA LINK	85,492	23,992
	MADL—Transfer to line 134		– 61,500
157	C2ISR TACTICAL DATA LINK	1,584	1,584
158	COMMAND AND CONTROL (C2) CONSTELLATION	24,229	24,229
159	JOINT SURVEILLANCE AND TARGET ATTACK RADAR SYSTEM	168,917	168,917
160	SEEK EAGLE	19,263	19,263
161	USAF MODELING AND SIMULATION	21,638	21,638
162	WARGAMING AND SIMULATION CENTERS	6,020	6,020
163	DISTRIBUTED TRAINING AND EXERCISES	2,863	2,863
164	MISSION PLANNING SYSTEMS	79,112	79,112
165	INFORMATION WARFARE SUPPORT	2,294	2,294
166	CYBER COMMAND ACTIVITIES	1,117	1,117
173	SPACE SUPERIORITY INTELLIGENCE	10,006	10,006
174	E-4B NATIONAL AIRBORNE OPERATIONS CENTER (NAOC)	12,532	12,532
175	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	78,784	68,984
	MMPU Production—Air Force requested transfer to MP/AF line 9		– 9,800
176	INFORMATION SYSTEMS SECURITY PROGRAM	140,017	140,017
177	GLOBAL COMBAT SUPPORT SYSTEM	3,393	3,393
178	GLOBAL COMMAND AND CONTROL SYSTEM	3,055	5,212
	Air Force requested transfer from line 179		+2,157
179	JOINT COMMAND AND CONTROL PROGRAM (JC2)	2,157	0
	Air Force requested transfer to line 178		– 2,157
180	MILSATCOM TERMINALS	186,582	306,282
	FAB-T—Air Force requested transfer from AP/AF line 75		+119,700
182	AIRBORNE SIGINT ENTERPRISE	149,268	144,268
	Program execution		– 5,000
185	GLOBAL AIR TRAFFIC MANAGEMENT (GATM)	5,708	5,708
186	CYBER SECURITY INITIATIVE	2,030	2,030
187	DOD CYBER CRIME CENTER	279	279
188	SATELLITE CONTROL NETWORK (SPACE)	21,667	21,667
189	WEATHER SERVICE	32,373	32,373
190	AIR TRAFFIC CONTROL, APPROACH, & LANDING SYSTEM (ATC)	33,268	33,268
191	AERIAL TARGETS	63,573	58,573
	Program execution		– 5,000
194	SECURITY AND INVESTIGATIVE ACTIVITIES	469	469
196	DEFENSE JOINT COUNTERINTELLIGENCE ACTIVITIES	40	40
198	NAVSTAR GLOBAL POSITIONING SYSTEM (USER EQUIPMENT)	165,936	165,936
199	NAVSTAR GLOBAL POSITIONING SYSTEM (SPACE AND CONTROL)	34,471	34,471
201	SPACE AND MISSILE TEST AND EVALUATION CENTER	4,572	4,572
202	SPACE WARFARE CENTER	2,929	2,929
203	SPACELIFT RANGE SYSTEM (SPACE)	9,933	9,933
204	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS	1,254	1,254
206	AIRBORNE RECONNAISSANCE SYSTEMS	168,963	90,263
	Wide Area Airborne Surveillance Program of Record—ahead of need		– 78,700
207	MANNED RECONNAISSANCE SYSTEMS	15,337	15,337
208	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	93,398	85,898
	Program Reduction		– 7,500
209	PREDATOR UAV (JIMP)	28,913	23,913
	Program execution		– 5,000
210	RQ-4 UAV	251,318	220,318
	Execution adjustment		– 31,000
211	NETWORK-CENTRIC COLLABORATIVE TARGET (TIARA)	7,267	7,267
212	GPS III SPACE SEGMENT	828,171	446,304
	Operational Control Segment (OCX)—Transfer to line 33		– 381,867
213	JSPC MISSION SYSTEM	132,706	109,506
	JSPC Mission System		– 28,000
	Karnac		+4,800
214	INTELLIGENCE SUPPORT TO INFORMATION WARFARE	5,512	5,512
215	NUDET DETECTION SYSTEM (SPACE)	72,199	72,199
216	NATIONAL SECURITY SPACE OFFICE	10,630	0
	Program termination—Funding transferred to Executive Agent for Space, OM/AF		– 10,630
217	SPACE SITUATION AWARENESS OPERATIONS	43,838	43,838
218	INFORMATION OPS TECHNOLOGY INTEGRATION & TOOL DEVELOP	21,912	21,912
219	SHARED EARLY WARNING (SEW)	2,952	2,952
220	C-130 AIRLIFT SQUADRON	113,107	43,472
	Air Force requested transfer to AP/AF line 61		– 69,635
221	C-5 AIRLIFT SQUADRONS	58,990	58,990
222	C-17 AIRCRAFT	177,212	162,212
	Contract award delays		– 15,000
223	C-130J PROGRAM	26,770	26,770
224	LARGE AIRCRAFT IR COUNTERMEASURES (LAIRCM)	17,227	17,227
225	KC-135S	20,453	20,453
226	KC-105	56,669	41,669
	Milestone B slip		– 15,000
227	OPERATIONAL SUPPORT AIRLIFT	4,988	4,988
228	C-STOL AIRCRAFT	1,283	1,283
230	SPECIAL TACTICS / COMBAT CONTROL	7,345	7,345
231	DEPOT MAINTENANCE (NON-IF)	1,514	1,514
234	LOGISTICS INFORMATION TECHNOLOGY (LOGIT)	227,614	227,614
235	SUPPORT SYSTEMS DEVELOPMENT	6,141	38,141
	Alternative energy research and integration		+32,000
235A	AIR FORCE RECRUITING INFORMATION SUPPORT SYSTEM	0	5,100
	Air Force Recruiting Information Support System—Air Force requested transfer from OM/AF		+5,100
236	OTHER FLIGHT TRAINING	667	667
237	JOINT NATIONAL TRAINING CENTER	9	9
239	OTHER PERSONNEL ACTIVITIES	116	116
240	JOINT PERSONNEL RECOVERY AGENCY	6,107	6,107
242	CIVILIAN COMPENSATION PROGRAM	7,811	7,811
243	PERSONNEL ADMINISTRATION	11,179	11,179
244	FINANCIAL MANAGEMENT INFORMATION SYSTEMS DEVELOPMENT	49,816	49,816
	CLASSIFIED PROGRAMS	12,406,781	12,915,571
	Classified Adjustment		+508,790
TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE		27,247,302	26,517,405
RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE			
1	DTRA UNIVERSITY STRATEGIC PARTNERSHIP BASIC RESEARCH	47,412	47,412
2	DEFENSE RESEARCH SCIENCES	328,195	295,695
	Excessive growth		– 32,500

R-1		Budget Request	Recommendation
5	NATIONAL DEFENSE EDUCATION PROGRAM	109,911	94,311
	Unexecutable growth		-15,600
6	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	49,508	49,508
7	INSENSITIVE MUNITIONS—EXPLORATORY DEVELOPMENT	22,448	20,448
	Excessive growth		-2,000
8	HISTORICALLY BLACK COLLEGES & UNIV (HBCU) SCIENCE	15,067	23,067
	Program Increase		+8,000
9	LINCOLN LABORATORY RESEARCH PROGRAM	32,830	32,830
10	INFORMATION AND COMMUNICATIONS TECHNOLOGY	281,262	253,262
	DISCOVER contract award delays		-10,000
	Extreme Computing contract award delays		-18,000
11	COGNITIVE COMPUTING SYSTEMS	90,143	90,143
12	MACHINE INTELLIGENCE	44,682	44,682
13	BIOLOGICAL WARFARE DEFENSE	32,692	32,692
14	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	169,287	174,287
	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department		+5,000
15	JOINT DATA MANAGEMENT ADVANCED DEVELOPMENT	3,261	0
	Duplicate effort		-3,261
16	CYBER SECURITY RESEARCH	10,000	5,000
	Lack of authorization		-5,000
17	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) APP	9,499	7,999
	Excessive growth		-1,500
18	TACTICAL TECHNOLOGY	224,378	224,378
19	MATERIALS AND BIOLOGICAL TECHNOLOGY	312,586	307,586
	Unsustained growth		-5,000
20	ELECTRONICS TECHNOLOGY	286,936	266,936
	Excessive growth		-20,000
21	WEAPONS OF MASS DESTRUCTION DEFEAT TECHNOLOGIES	212,742	212,742
22	SPECIAL OPERATIONS TECHNOLOGY DEVELOPMENT	26,545	36,745
	Program Increase—Unfunded Requirement		+15,200
	Unexecutable growth		-5,000
24	JOINT MUNITIONS ADVANCED TECH INSENSITIVE MUNITIONS AD	20,556	15,556
	Unjustified growth		-5,000
25	SO/LIC ADVANCED DEVELOPMENT	44,423	44,423
26	COMBATING TERRORISM TECHNOLOGY SUPPORT	85,299	85,299
27	COUNTERPROLIFERATION INITIATIVES—PROLIF PREV & DEFEAT	295,163	295,163
28	BALLISTIC MISSILE DEFENSE TECHNOLOGY	132,220	92,220
	SM-3 Block IIB Development transfer to line 84, AEGIS BMD		-40,000
29	JOINT ADVANCED CONCEPTS	6,808	6,808
30	JOINT DOD-DOE MUNITIONS TECHNOLOGY DEVELOPMENT	22,700	22,700
31	AGILE TRANSPRO FOR THE 21ST CENTURY (AT21)—THEATER CA	750	750
32	ADVANCED AEROSPACE SYSTEMS	303,078	241,378
	ArcLight		-5,000
	ISIS lack of transition partner		-21,700
	MoTr program delays		-15,000
	Vulture program descope and delays		-20,000
33	SPACE PROGRAMS AND TECHNOLOGY	98,130	98,130
34	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM—ADVANCED DEVELOPMENT	177,113	222,713
	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department		+45,600
35	JOINT ELECTRONIC ADVANCED TECHNOLOGY	8,386	8,386
36	JOINT CAPABILITY TECHNOLOGY DEMONSTRATIONS	206,917	191,917
	Unjustified growth		-15,000
37	NETWORKED COMMUNICATIONS CAPABILITIES	30,035	25,035
	Unjustified growth		-5,000
38	JOINT DATA MANAGEMENT RESEARCH	6,289	4,289
	Excessive growth		-2,000
39	BIOMETRICS SCIENCE AND TECHNOLOGY	11,416	11,416
40	CYBER SECURITY ADVANCED RESEARCH	10,000	5,000
	Lack of authorization		-5,000
41	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) ADV	11,510	10,510
	Excessive growth		-1,000
42	DEFENSE-WIDE MANUFACTURING SCIENCE AND TECHNOLOGY PROG	18,916	42,916
	Industrial Base Innovation Fund		+24,000
43	JOINT ROBOTICS PROGRAM/AUTONOMOUS SYSTEMS	9,943	9,943
44	GENERIC LOGISTICS R&D TECHNOLOGY DEMONSTRATIONS	20,542	20,542
45	DEPLOYMENT AND DISTRIBUTION ENTERPRISE TECHNOLOGY	29,109	29,109
46	STRATEGIC ENVIRONMENTAL RESEARCH PROGRAM	68,021	64,021
	Unexecutable growth		-4,000
47	MICROELECTRONIC TECHNOLOGY DEVELOPMENT AND SUPPORT	26,878	26,878
48	JOINT WARFIGHTING PROGRAM	10,966	10,966
49	ADVANCED ELECTRONICS TECHNOLOGIES	197,098	197,098
52	HIGH PERFORMANCE COMPUTING MODERNIZATION PROGRAM	200,986	240,986
	Program adjustment		+40,000
53	COMMAND, CONTROL AND COMMUNICATIONS SYSTEMS	219,809	219,809
54	CLASSIFIED DARPA PROGRAMS	167,008	150,308
	Poor justification materials		-16,700
55	NETWORK-CENTRIC WARFARE TECHNOLOGY	234,985	227,985
	Unsustained growth		-7,000
56	SENSOR TECHNOLOGY	205,032	205,032
58	DISTRIBUTED LEARNING ADVANCED TECHNOLOGY DEVELOPMENT	13,986	13,986
59	SOFTWARE ENGINEERING INSTITUTE	30,910	30,910
61	QUICK REACTION SPECIAL PROJECTS	78,244	58,244
	Excessive growth		-13,000
	P826—Excess to Quick Reaction Fund requirements		-7,000
62	JOINT EXPERIMENTATION	111,946	91,946
	Excessive growth		-20,000
63	MODELING AND SIMULATION MANAGEMENT OFFICE	38,140	33,140
	Unexecutable growth		-5,000
64	DIRECTED ENERGY RESEARCH	98,688	123,688
	Program Increase		+25,000
65	TEST & EVALUATION SCIENCE & TECHNOLOGY	97,642	97,642
66	TECHNOLOGY TRANSFER	23,310	17,310
	Unjustified growth		-6,000
67	SPECIAL OPERATIONS ADVANCED TECHNOLOGY DEVELOPMENT	30,806	38,806
	SOF ACTD Programs		+8,000
68	AVIATION ENGINEERING ANALYSIS	4,234	4,234
69	SOF INFORMATION & BROADCAST SYSTEMS ADVANCED TECHNOLOG	4,942	4,942
69X	INNOVATIVE RESEARCH	0	124,200
	Program adjustment		+124,200
70	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	32,132	32,132
71	RETRACT LARCH	21,592	21,592
72	JOINT ROBOTICS PROGRAM	9,878	9,878
73	ADVANCE SENSOR APPLICATIONS PROGRAM	18,060	18,060
74	ENVIRONMENTAL SECURITY TECHNICAL CERTIFICATION PROGRAM	30,419	30,419
75	BALLISTIC MISSILE DEFENSE TERMINAL DEFENSE SEGMENT	436,482	431,482
	Funding no longer required for transition to Reagan Test Site		-5,000
76	BALLISTIC MISSILE DEFENSE MIDCOURSE DEFENSE SEGMENT	1,346,181	1,311,181
	Excess Award Fee and Test and Integration Delays		-35,000
78	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	277,062	271,062
	Improved Nerve Agent Treatment System—slow obligation rate in fiscal year 2010		-5,000

R-1		Budget Request	Recommendation
.....	Lightweight Chemical/Biological Ensemble execution delays		— 1,000
79	BALLISTIC MISSILE DEFENSE SENSORS	454,859	392,159
.....	Transfer to line 88 for Concurrent Test, Training and Operations		— 35,900
.....	Transfer to line 88 for TPY-2 C2BMC Fielding		— 13,000
.....	Transfer to line 88 for BMDS Radars Communications Sustainment (TPY-2)		— 13,800
81	BALLISTIC MISSILE DEFENSE TEST & TARGETS	1,113,425	1,008,525
.....	Transfer to lines 82 and 88		— 94,900
.....	Funding no longer required for move to Reagan Test Site		— 5,000
.....	Program Growth in Program Operations Systems Engineering and Systems Management		— 5,000
82	BALLISTIC MISSILE DEFENSE ENABLING PROGRAMS	402,769	406,269
.....	Transfer from line 81		+43,500
.....	Excessive contractor support, advisory services and program growth		— 40,000
83	SPECIAL PROGRAMS—MDA	270,189	245,189
.....	Transfer to higher priority near-term MDA procurement programs		— 25,000
84	AEGIS BMD	1,467,278	1,569,278
.....	Program growth		— 12,000
.....	Navy requested transfer from OP,N line 109		+72,500
.....	Aegis BMD Ships—Navy requested transfer from OM,N line 1B5B		+1,500
.....	SM-3 Block IIB Development—transfer from line 28		+40,000
85	SPACE SURVEILLANCE & TRACKING SYSTEM	112,678	112,678
87	BALLISTIC MISSILE DEFENSE SYSTEM SPACE PROGRAMS	10,942	10,942
88	BALLISTIC MISSILE DEFENSE C2BMC	342,625	456,725
.....	Transfer from line 81 for Concurrent Test, Training and Operations		+51,400
.....	Transfer from line 79 for Concurrent Test, Training and Operations		+35,900
.....	Transfer from line 79 for TPY-2 C2BMC Fielding		+13,000
.....	Transfer from line 79 for BMDS Radar Communications Sustainment (TPY-2)		+13,800
90	BALLISTIC MISSILE DEFENSE JOINT WARFIGHTER SUPPORT	68,726	58,726
.....	Duplication of effort with MDA core programs		— 10,000
91	CENTER (MDIOC)	86,198	86,198
92	REGARDING TRENCH	7,529	7,529
93	SEA BASED X-BAND RADAR (SBX)	153,056	153,056
98	ISRAELI COOPERATIVE PROGRAMS	121,735	209,935
.....	David's Sling Weapons Program		+38,000
.....	Arrow System Improvement Program (ASIP)		+42,000
.....	Arrow 3 Upper Tier Interceptor Program		+8,200
99	HUMANITARIAN DEMINING	14,735	14,735
100	COALITION WARFARE	13,786	13,786
101	DEPARTMENT OF DEFENSE CORROSION PROGRAM	4,802	39,502
.....	Department of Defense Corrosion Prevention and Control Program		+34,700
102	DOD UNMANNED AIRCRAFT SYSTEM (UAS) COMMON DEVELOPMENT	49,292	49,292
104	HUMAN, SOCIAL AND CULTURE BEHAVIOR MODELING (HSCB) RES	7,459	7,459
105	JOINT SYSTEMS INTEGRATION COMMAND (USIC)	19,413	19,413
106	JOINT FIRES INTEGRATION & INTEROPERABILITY TEAM	16,637	16,637
107	LAND-BASED SM-3 (LBSM3)	281,378	281,378
108	AEGIS SM-3 BLOCK IIA CO-DEVELOPMENT	318,800	318,800
109	PRECISION TRACKING SPACE SYSTEM RDT&E	66,969	36,969
.....	Transfer to higher priority near-term MDA procurement programs		— 30,000
110	AIRBORNE INFRARED (ABIR)	111,671	76,671
.....	Transfer to higher priority near-term MDA procurement programs		— 35,000
111	REDUCTION OF TOTAL OWNERSHIP COST	20,310	20,310
112	JOINT ELECTROMAGNETIC TECHNOLOGY (JET) PROGRAM	4,027	4,027
113	DEFENSE ACQUISITION CHALLENGE PROGRAM (DACP)	24,344	24,344
114	NUCLEAR AND CONVENTIONAL PHYSICAL SECURITY EQUIPMENT	7,973	7,973
115	PROMPT GLOBAL STRIKE CAPABILITY DEVELOPMENT	239,861	239,861
116	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	407,162	300,562
.....	Plague Vaccine—slow obligation rate in fiscal year 2010		— 5,000
.....	TMTI BA 5 unexecutable funding transferred back to S&T at request of the Department		— 65,600
.....	Bioscavenger Increment II schedule delays		— 12,000
.....	Decontamination Family of Systems schedule delays		— 9,000
.....	Next Generation Chemical Standoff Detection schedule delays		— 9,000
.....	SSI NBCRS growth without acquisition strategy		— 6,000
117	JOINT ROBOTICS PROGRAM	4,155	4,155
118	ADVANCED IT SERVICES JOINT PROGRAM OFFICE (AITS-JPO)	49,364	23,695
.....	Technology Initiatives Investment Fund		— 25,669
119	JOINT TACTICAL INFORMATION DISTRIBUTION SYSTEM (JTIDS)	20,954	20,954
120	WEAPONS OF MASS DESTRUCTION DEFEAT CAPABILITIES	7,307	7,307
121	INFORMATION TECHNOLOGY DEVELOPMENT	11,937	11,937
122	DEFENSE INTEGRATED MILITARY HUMAN RESOURCES SYSTEM	11,800	11,800
123	BUSINESS TRANSFORMATION AGENCY R&D ACTIVITIES	184,131	181,166
.....	VIPS Increment II contract award in fiscal year 2012		— 2,965
124	HOMELAND PERSONNEL SECURITY INITIATIVE	391	391
125	OUS(D) IT DEVELOPMENT INITIATIVES	5,000	5,000
126	TRUSTED FOUNDRY	35,512	35,512
128	GLOBAL COMBAT SUPPORT SYSTEM	17,842	17,842
130	WOUNDED ILL AND INJURED SENIOR OVERSIGHT COMMITTEE	1,590	1,590
132	DEFENSE READINESS REPORTING SYSTEM (DRRS)	5,113	5,113
133	JOINT SYSTEMS ARCHITECTURE DEVELOPMENT	8,052	8,052
134	CENTRAL TEST AND EVALUATION INVESTMENT DEVELOPMENT	162,286	162,286
135	ASSESSMENTS AND EVALUATIONS	2,500	2,500
136	THERMAL VICAR	8,851	8,851
137	JOINT MISSION ENVIRONMENT TEST CAPABILITY (JMETC)	10,287	10,287
138	TECHNICAL STUDIES, SUPPORT AND ANALYSIS	49,282	49,282
139	USD(A&T)—CRITICAL TECHNOLOGY SUPPORT	4,743	4,743
140	FOREIGN MATERIAL ACQUISITION AND EXPLOITATION	95,520	95,520
141	JOINT THEATER AIR AND MISSILE DEFENSE ORGANIZATION	94,577	94,577
142	CLASSIFIED PROGRAM USD(P)	0	106,000
.....	Classified Program USD(P)		+106,000
143	FOREIGN COMPARATIVE TESTING	32,755	27,755
.....	Unjustified growth		— 5,000
144	SYSTEMS ENGINEERING	29,824	37,024
.....	Sustainment of fiscal year 2010 level		+7,200
145	NUCLEAR MATTERS—PHYSICAL SECURITY	6,264	6,264
146	SUPPORT TO NETWORKS AND INFORMATION INTEGRATION	15,091	15,091
147	GENERAL SUPPORT TO USD (INTELLIGENCE)	6,227	6,227
147X	DEFENSE-WIDE ELECTRONIC PROCUREMENT CAPACITY	0	12,000
.....	Program Increase—contract management services program		+12,000
148	CHEMICAL AND BIOLOGICAL DEFENSE PROGRAM	120,995	120,995
155	SMALL BUSINESS INNOVATION RESEARCH/CHALLENGE ADMINSTR	2,189	2,189
156	DEFENSE TECHNOLOGY ANALYSIS	13,858	11,158
.....	P796—Technical Grand Challenge Program		— 2,700
157	FORCE TRANSFORMATION DIRECTORATE	19,701	19,701
158	DEFENSE TECHNICAL INFORMATION CENTER (DTIC)	61,054	58,554
.....	Excessive growth		— 2,500
159	R&D IN SUPPORT OF DOD ENLISTMENT, TESTING & EVALUATION	64,737	64,737
160	DEVELOPMENT TEST AND EVALUATION	18,688	25,888
.....	Sustainment of fiscal year 2010 level		+7,200
161	DARPA AGENCY RELOCATION	11,000	11,000
162	MANAGEMENT HEADQUARTERS (RESEARCH & DEVELOPMENT)	56,257	56,257
163	BUDGET AND PROGRAM ASSESSMENTS	6,099	6,099
164	AVIATION SAFETY TECHNOLOGIES	10,900	10,900

R-1		Budget Request	Recommendation
165	JOINT STAFF ANALYTICAL SUPPORT	23,081	8,081
.....	Growth without acquisition strategy		-15,000
168	SUPPORT TO INFORMATION OPERATIONS (IO) CAPABILITIES	31,500	31,500
169	INFORMATION TECHNOLOGY RAPID ACQUISITION	5,135	5,135
170	CYBER SECURITY INITIATIVE	10,000	10,000
171	INTELLIGENCE SUPPORT TO INFORMATION OPERATIONS (IO)	21,272	21,272
173	WARFIGHTING AND INTELLIGENCE-RELATED SUPPORT	845	845
174	COCOM EXERCISE ENGAGEMENT AND TRAINING TRANSFORMATION	92,253	48,688
.....	P 754—Initiatives funded by Services		-33,315
.....	P 764—NPSUE funding without program		-10,250
175	PENTAGON RESERVATION	20,482	20,482
176	MANAGEMENT HEADQUARTERS—MDA	29,754	29,754
177	IT SOFTWARE DEV INITIATIVES	278	278
.....	CLASSIFIED PROGRAMS	61,577	61,577
178	DEFENSE INFORMATION SYSTEM FOR SECURITY (DISS)	5,522	1,000
.....	Unjustified program		-4,522
179	REGIONAL INTERNATIONAL OUTREACH & PARTNERSHIP FOR PEACE	2,139	2,139
180	OVERSEAS HUMANITARIAN ASSISTANCE SHARED INFORMATION SYSTEM	290	290
181	CHEMICAL AND BIOLOGICAL DEFENSE (OPERATIONAL SYSTEMS DEVELOPMENT)	6,634	6,634
183	JOINT INTEGRATION AND INTEROPERABILITY	44,139	44,139
185	CLASSIFIED PROGRAMS	2,288	2,288
186	C4I INTEROPERABILITY	74,023	74,023
188	JOINT/ALLIED COALITION INFORMATION SHARING	9,379	9,379
195	NATIONAL MILITARY COMMAND SYSTEM-WIDE SUPPORT	467	467
196	DEFENSE INFO INFRASTRUCTURE ENGINEERING AND INTEGRATION	16,629	36,629
.....	Cyber Security Pilot Programs		+20,000
197	LONG HAUL COMMUNICATIONS (DCS)	9,130	9,130
198	MINIMUM ESSENTIAL EMERGENCY COMMUNICATIONS NETWORK	9,529	9,529
199	PUBLIC KEY INFRASTRUCTURE (PKI)	8,881	8,881
200	KEY MANAGEMENT INFRASTRUCTURE (KMI)	45,941	45,941
201	INFORMATION SYSTEMS SECURITY PROGRAM	14,077	14,077
202	INFORMATION SYSTEMS SECURITY PROGRAM	388,827	388,827
205	C4I FOR THE WARRIOR	2,261	2,261
206	GLOBAL COMMAND AND CONTROL SYSTEM	26,247	25,047
.....	Fiscal year 2012 testing		-1,200
207	JOINT SPECTRUM CENTER	20,991	20,991
208	NET-CENTRIC ENTERPRISE SERVICES (NCES)	3,366	3,366
209	JOINT MILITARY DECEPTION INITIATIVE	1,161	1,161
210	TELEPORT PROGRAM	6,880	6,880
211	SPECIAL APPLICATIONS FOR CONTINGENCIES	16,272	16,272
214	CYBER SECURITY INITIATIVE	501	501
216	CYBER SECURITY INITIATIVE	2,251	2,251
217	CYBER SECURITY INITIATIVE	10,486	10,486
221	POLICY R&D PROGRAMS	9,136	9,136
223	NET CENTRICITY	29,831	14,831
.....	Unjustified growth		-15,000
227	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	1,290	1,290
230	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS	3,513	3,513
232	MQ-1 PREDATOR A UAV	98	98
234	HOMELAND DEFENSE TECHNOLOGY TRANSFER PROGRAM	2,988	2,988
235	INT'L INTELLIGENCE TECHNOLOGY ASSESSMENT, ADVANCEMENT	1,416	1,416
245	INDUSTRIAL PREPAREDNESS	21,798	21,798
246	LOGISTICS SUPPORT ACTIVITIES	2,813	2,813
247	MANAGEMENT HEADQUARTERS (JCS)	2,807	2,807
249	NATO AGS	93,885	93,885
250	MQ-9 UAV	98	98
252	SPECIAL OPERATIONS AVIATION SYSTEMS ADVANCED DEVELOPMENT	68,691	68,691
253	SPECIAL OPERATIONS TACTICAL SYSTEMS DEVELOPMENT	1,582	1,582
254	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT	23,879	25,479
.....	Program Increase—Unfunded Requirement		+1,600
255	SOF OPERATIONAL ENHANCEMENTS	62,592	63,692
.....	Program Increase—Unfunded Requirement		+4,000
.....	Program termination		-2,900
256	SPECIAL OPERATIONS CV-22 DEVELOPMENT	14,406	14,406
257	JOINT MULTI-MISSION SUBMERSIBLE	14,924	0
.....	SOCOM requested transfer to line 269		-14,924
259	MISSION TRAINING AND PREPARATION SYSTEMS (MTPS)	2,915	2,915
261	MC130J SOF TANKER RECAPITALIZATION	7,624	7,624
262	SOF COMMUNICATIONS EQUIPMENT AND ELECTRONICS SYSTEMS	1,922	922
.....	Execution delays		-1,000
263	SOF TACTICAL RADIO SYSTEMS	2,347	2,347
264	SOF WEAPONS SYSTEMS	479	479
265	SOF SOLDIER PROTECTION AND SURVIVAL SYSTEMS	593	593
267	SOF TACTICAL VEHICLES	1,994	994
.....	Change in requirements		-1,000
268	SOF ROTARY WING AVIATION	14,473	33,715
.....	SOCOM requested transfer from P.DW line 57		+19,242
269	SOF UNDERWATER SYSTEMS	13,986	28,910
.....	SOCOM requested transfer from line 257		+14,924
270	SOF SURFACE CRAFT	2,933	18,933
.....	Program Increase—CCM Unfunded Requirement		+16,000
271	SOF PSYOP	4,193	4,193
272	SOF GLOBAL VIDEO SURVEILLANCE ACTIVITIES	5,135	5,135
273	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE	9,167	9,167
.....	CLASSIFIED PROGRAMS	3,832,019	4,011,571
.....	Classified adjustment		+179,552
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	20,661,600	20,797,412
OPERATIONAL TEST & EVALUATION, DEFENSE			
1	OPERATIONAL TEST AND EVALUATION	59,430	59,430
2	LIVE FIRE TEST AND EVALUATION	12,899	12,899
3	OPERATIONAL TEST ACTIVITIES AND ANALYSES	122,581	122,581
.....	TOTAL, OPERATIONAL TEST & EVALUATION, DEFENSE	194,910	194,910
.....	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	76,130,700	74,957,028

P-1		Budget Request	Recommendation
NATIONAL DEFENSE SEALIFT FUND			
.....	STRATEGIC SHIP ACQUISITION	411,202	911,202
.....	Additional Mobile Landing Platform		+500,000
.....	DoD MOBILIZATION ASSETS	158,647	158,647
.....	STRATEGIC SEALIFT SUPPORT	4,875	4,875
.....	SEALIFT RESEARCH AND DEVELOPMENT	28,012	28,012

P-1	Budget Request	Recommendation
READY RESERVE FORCE OPERATIONS AND MAINTENANCE	332,130	332,130
MARITIME ADMINISTRATION SHIP FINANCING GUARANTEE PROGRAM		40,000
TOTAL, NATIONAL DEFENSE SEALIFT FUND	934,866	1,474,866
DEFENSE HEALTH PROGRAM		
OPERATION AND MAINTENANCE	29,915,277	29,671,764
IN-HOUSE CARE	7,781,877	7,791,077
Army Substance Abuse Program—Transfer to OMA line 131	2,800	— 2,800
Pain Management Task Force		+12,000
PRIVATE SECTOR CARE	16,034,745	15,673,745
TRICARE Underexecution		— 236,000
Global Deployment of the Force medical research funding—DOD requested transfer to maintain full funding for the program		— 125,000
CONSOLIDATED HEALTH CARE	2,122,483	2,085,770
Army Substance Abuse Program—Transfer to OMA line 131	27,825	— 27,825
Psychological Health—State Directors for the National Guard—Transfer to OMARNG line 133		— 8,888
INFORMATION MANAGEMENT/IT	1,452,330	1,452,330
MANAGEMENT HEADQUARTERS	293,698	288,698
MHS Strategic Communications efficiencies		— 5,000
EDUCATION AND TRAINING	632,534	632,534
BASE OPERATIONS AND COMMUNICATIONS	1,597,610	1,747,610
Medical Facilities Sustainment, Restoration and Modernization		+150,000
PROCUREMENT	519,921	534,921
Procurement of Medical Equipment and IO&T—Navy		+15,000
RESEARCH AND DEVELOPMENT	499,913	1,175,513
ALS		+8,000
Armed Forces Institute of Regenerative Medicine		+4,800
Autism Research		+6,400
Bone Marrow Failure Disease Research Program		+4,000
Duchenne Muscular Dystrophy		+4,000
Global HIV/AIDS Prevention		+10,000
Traumatic Brain Injury and Psychological Health		+100,000
Global Deployment of the Force medical research funding—Department of Defense requested transfer to maintain full funding for the program		+125,000
Gulf War Illness Peer-Reviewed Research Program		+8,000
Multiple Sclerosis		+4,800
Peer-Reviewed Alzheimer Research		+15,000
Peer-Reviewed Breast Cancer Research Program		+150,000
Peer-Reviewed Cancer Research Program		+16,000
Peer-Reviewed Lung Cancer Research Program		+12,800
Peer-Reviewed Orthopedic Research Program		+24,000
Peer-Reviewed Ovarian Cancer Research Program		+20,000
Peer Reviewed Vision research in conjunction with the DoD Vision Center of Excellence		+4,000
Peer-Reviewed Prostate Cancer Research Program		+80,000
Peer-Reviewed Spinal Cord Research Program		+12,000
Research in Alcohol and Substance Use Disorders		+5,200
SBIR to the core funded RDT&E		+1,200
Tuberous Sclerosis Complex (TSC)		+6,400
Pain Management Task Force Research		+4,000
Peer Reviewed Medical Research Program		+50,000
TOTAL, DEFENSE HEALTH PROGRAM	30,935,111	31,382,198
CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE		
OPERATION AND MAINTENANCE	1,067,364	1,067,364
PROCUREMENT	7,132	7,132
RESEARCH, DEVELOPMENT, TEST AND EVALUATION	392,811	392,811
TOTAL, CHEMICAL AGENTS AND MUNITIONS DESTRUCTION, DEFENSE	1,467,307	1,467,307
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE		
PC1293 Supplies and Materials (non-fund)—NSA		— 1,000
PC1329 Other Intra-Governmental Purchases—Navy		— 2,500
PC6501 Other Intra-Governmental Purchases—OSD		— 2,000
PC9206 Other Intra-Governmental Purchases—OSD		— 4,000
PC9205 EUCOM Counternarcotics Operations Support excessive growth		— 3,000
PC1293 International crime and narcotics analytic tools excessive growth		— 1,000
PC2360 EUCOM Tactical Analysis Team Support unauthorized new Start		— 1,500
FFRDC cost growth and CN indicated no need		— 11,394
National Guard Counter-Drug Program-State Plans		+50,000
Young Marines-Drug Demand Reduction		+2,000
TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	1,131,351	1,156,957
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND		
4 STAFF AND INFRASTRUCTURE	215,868	0
Transfer to Title IX		— 215,868
TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	215,868	0
OFFICE OF THE INSPECTOR GENERAL		
OPERATION AND MAINTENANCE	282,354	305,794
Program Increase		+23,440
PROCUREMENT	1,000	1,000
TOTAL, OFFICE OF THE INSPECTOR GENERAL	283,354	306,794
TOTAL, OTHER DEPARTMENT OF DEFENSE PROGRAMS	34,032,991	34,313,256

M-1	Budget Request	Recommendation
MILITARY PERSONNEL, ARMY		
BA-1: PAY AND ALLOWANCES OF OFFICERS.		
BASIC PAY	1,237,779	1,237,779
RETIRED PAY ACCRUAL	313,278	313,278
BASIC ALLOWANCE FOR HOUSING	349,839	349,839
BASIC ALLOWANCE FOR SUBSISTENCE	44,752	44,752
INCENTIVE PAYS	2,835	2,835
SPECIAL PAYS	159,261	159,261
ALLOWANCES	56,632	56,632
SEPARATION PAY	1,303	1,303
SOCIAL SECURITY TAX	94,650	94,650
TOTAL, BA-1	2,260,329	2,260,329
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		

M-1	Budget Request	Recommendation
BASIC PAY	2,708,271	2,708,271
RETIRED PAY ACCRUAL	693,325	693,325
BASIC ALLOWANCE FOR HOUSING	1,113,877	1,113,877
INCENTIVE PAYS	6,714	6,714
SPECIAL PAYS	574,120	574,120
ALLOWANCES	241,921	241,921
SEPARATION PAY	26,276	26,276
SOCIAL SECURITY TAX	207,174	207,174
TOTAL, BA-2	5,571,678	5,571,678
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	329,046	329,046
SUBSISTENCE-IN-KIND	1,871,805	1,871,805
TOTAL, BA-4	2,200,851	2,200,851
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	45,512	45,512
OPERATIONAL TRAVEL	107,025	107,025
ROTATIONAL TRAVEL	45,514	45,514
TOTAL, BA-5	198,051	198,051
BA-6: OTHER MILITARY PERSONNEL COSTS		
INTEREST ON UNIFORMED SERVICES SAVINGS	16,102	16,102
DEATH GRATUITIES	66,220	66,220
UNEMPLOYMENT BENEFITS	192,223	192,223
RESERVE INCOME REPLACEMENT PROGRAM	1,895	1,895
SGLI EXTRA HAZARD PAYMENTS	171,060	171,060
TOTAL, BA-6	447,500	447,500
UNDISTRIBUTED ADJUSTMENT		428,624
Undistributed Transfer from Title I		+428,624
TOTAL, MILITARY PERSONNEL, ARMY	10,678,409	11,107,033
MILITARY PERSONNEL, NAVY		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	213,340	213,340
RETIRED PAY ACCRUAL	59,067	59,067
BASIC ALLOWANCE FOR HOUSING	67,023	67,023
BASIC ALLOWANCE FOR SUBSISTENCE	7,315	7,315
INCENTIVE PAYS	1,543	1,543
SPECIAL PAYS	16,667	16,667
ALLOWANCES	16,754	16,754
SEPARATION PAY	14	14
SOCIAL SECURITY TAX	16,320	16,320
TOTAL, BA-1	398,043	398,043
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	262,656	262,656
RETIRED PAY ACCRUAL	74,338	74,338
BASIC ALLOWANCE FOR HOUSING	121,913	121,913
INCENTIVE PAYS	325	325
SPECIAL PAYS	80,007	80,007
ALLOWANCES	27,692	27,692
SEPARATION PAY	3,535	3,535
SOCIAL SECURITY TAX	20,093	20,093
TOTAL, BA-2	590,559	590,559
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	28,639	28,639
SUBSISTENCE-IN-KIND	14,546	14,546
TOTAL, BA-4	43,185	43,185
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	5,214	5,214
OPERATIONAL TRAVEL	23,903	23,903
ROTATIONAL TRAVEL	30,110	30,110
SEPARATION TRAVEL	3,132	3,132
TOTAL, BA-5	62,359	62,359
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	3,800	3,800
UNEMPLOYMENT BENEFITS	29,662	29,662
SGLI EXTRA HAZARD PAYMENTS	51,111	51,111
TOTAL, BA-6	84,573	84,573
UNDISTRIBUTED ADJUSTMENT		130,000
Higher than Budgeted Mobilization Levels		+110,000
Increased Deployment Levels		+20,000
TOTAL, MILITARY PERSONNEL, NAVY	1,178,719	1,308,719
MILITARY PERSONNEL, MARINE CORPS		
BA-1: PAY AND ALLOWANCES OF OFFICERS		
BASIC PAY	40,079	40,079
RETIRED PAY ACCRUAL	13,308	13,308
BASIC ALLOWANCE FOR HOUSING	18,565	18,565
BASIC ALLOWANCE FOR SUBSISTENCE	1,760	1,760
SPECIAL PAYS	10,747	10,747
ALLOWANCES	4,805	4,805
SOCIAL SECURITY TAX	4,176	4,176
TOTAL, BA-1	93,440	93,440
BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
BASIC PAY	190,013	190,013
RETIRED PAY ACCRUAL	43,090	43,090
BASIC ALLOWANCE FOR HOUSING	45,977	45,977
SPECIAL PAYS	95,395	95,395
ALLOWANCES	40,431	40,431
SEPARATION PAY	3,017	3,017
SOCIAL SECURITY TAX	13,435	13,435
TOTAL, BA-2	431,358	431,358
BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
BASIC ALLOWANCE FOR SUBSISTENCE	21,420	21,420
TOTAL, BA-4	21,420	21,420
BA-5: PERMANENT CHANGE OF STATION TRAVEL		
ACCESSION TRAVEL	3,270	3,270
TOTAL, BA-5	3,270	3,270
BA-6: OTHER MILITARY PERSONNEL COSTS		
DEATH GRATUITIES	27,000	27,000
UNEMPLOYMENT BENEFITS	19,942	19,942

M-1	Budget Request	Recommendation
..... SGLI EXTRA HAZARD PAYMENTS	48,345	48,345
..... TOTAL, BA-6	95,287	95,287
..... UNDISTRIBUTED ADJUSTMENT		88,145
..... Over Budgeted End Strength		+88,145
..... TOTAL, MILITARY PERSONNEL, MARINE CORPS	644,775	732,920
MILITARY PERSONNEL, AIR FORCE		
..... BA-1: PAY AND ALLOWANCES OF OFFICERS		
..... BASIC PAY	188,334	188,334
..... RETIRED PAY ACCRUAL	45,953	45,953
..... BASIC ALLOWANCE FOR HOUSING	58,889	58,889
..... BASIC ALLOWANCE FOR SUBSISTENCE	7,320	7,320
..... SPECIAL PAYS	13,613	13,613
..... ALLOWANCES	5,760	5,760
..... SOCIAL SECURITY TAX	14,408	14,408
..... TOTAL, BA-1	334,277	334,277
..... BA-2: PAY AND ALLOWANCES OF ENLISTED PERSONNEL		
..... BASIC PAY	472,896	472,896
..... RETIRED PAY ACCRUAL	115,387	115,387
..... BASIC ALLOWANCE FOR HOUSING	177,545	177,545
..... SPECIAL PAYS	49,964	49,964
..... ALLOWANCES	16,254	16,254
..... SOCIAL SECURITY TAX	36,177	36,177
..... TOTAL, BA-2	868,223	868,223
..... BA-4: SUBSISTENCE OF ENLISTED PERSONNEL		
..... BASIC ALLOWANCE FOR SUBSISTENCE	39,090	39,090
..... SUBSISTENCE-IN-KIND	61,805	61,805
..... TOTAL, BA-4	100,895	100,895
..... BA-5: PERMANENT CHANGE OF STATION TRAVEL		
..... OPERATIONAL TRAVEL	5,957	5,957
..... TOTAL, BA-5	5,957	5,957
..... BA-6: OTHER MILITARY PERSONNEL COSTS		
..... DEATH GRATUITIES	2,000	2,000
..... UNEMPLOYMENT BENEFITS	27,978	27,978
..... SGLI EXTRA HAZARD PAYMENTS	67,057	67,057
..... TOTAL, BA-6	97,035	97,035
..... UNDISTRIBUTED ADJUSTMENT		437,055
..... Higher than Budgeted Mobilization Levels		+378,000
..... Over Budgeted End Strength		+59,055
..... TOTAL, MILITARY PERSONNEL, AIR FORCE	1,406,387	1,843,442
RESERVE PERSONNEL, ARMY		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	104,230	104,230
..... SCHOOL TRAINING	9,886	9,886
..... SPECIAL TRAINING	153,915	153,915
..... TOTAL, BA-1	268,031	268,031
..... TOTAL, RESERVE PERSONNEL, ARMY	268,031	268,031
RESERVE PERSONNEL, NAVY		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... SCHOOL TRAINING	7,019	7,019
..... SPECIAL TRAINING	38,683	38,683
..... ADMINISTRATION AND SUPPORT	3,210	3,210
..... TOTAL, BA-1	48,912	48,912
..... TOTAL, RESERVE PERSONNEL, NAVY	48,912	48,912
RESERVE PERSONNEL, MARINE CORPS		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... SCHOOL TRAINING	5,467	5,467
..... SPECIAL TRAINING	24,797	24,797
..... ADMINISTRATION AND SUPPORT	373	373
..... TOTAL, BA-1	30,637	30,637
..... UNDISTRIBUTED ADJUSTMENT		14,800
..... Over Budgeted End Strength		+14,800
..... TOTAL, RESERVE PERSONNEL, MARINE CORPS	30,637	45,437
RESERVE PERSONNEL, AIR FORCE		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... SPECIAL TRAINING	27,002	27,002
..... TOTAL, BA-1	27,002	27,002
..... TOTAL, RESERVE PERSONNEL, AIR FORCE	27,002	27,002
NATIONAL GUARD PERSONNEL, ARMY		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... PAY GROUP A TRAINING (15 DAYS and DRILLS 24/48)	231,547	231,547
..... SPECIAL TRAINING	550,090	550,090
..... ADMINISTRATION AND SUPPORT	46,485	46,485
..... TOTAL, BA-1	828,122	828,122
..... UNDISTRIBUTED ADJUSTMENT		24,900
..... Support to Southwest Border		+24,900
..... TOTAL, NATIONAL GUARD PERSONNEL, ARMY	828,122	853,022
NATIONAL GUARD PERSONNEL, AIR FORCE		
..... BA-1: UNIT AND INDIVIDUAL TRAINING		
..... SPECIAL TRAINING	21,060	11,060
..... Excess to Need		-10,000
..... TOTAL, BA-1	21,060	11,060
..... UNDISTRIBUTED ADJUSTMENT		5,800
..... Support to Southwest Border		+5,800
..... TOTAL, NATIONAL GUARD PERSONNEL, AIR FORCE	21,060	16,860
..... TOTAL, MILITARY PERSONNEL	15,132,054	16,251,378

0-1		Budget Request	Recommendation
OPERATION AND MAINTENANCE, ARMY			
131	BASE OPERATIONS SUPPORT	0	950,000
	Increased Peacetime Base Operations Support Costs to Redeployment of Soldiers from Iraq		+950,000
135	ADDITIONAL ACTIVITIES	47,638,208	44,608,615
	Reduced Deployment Level		-2,500,000
	Transfer to SAG 421 for Subsistence Transportation Costs		-1,013,000
	Transfer from Overseas Contingency Operations Transfer Fund for Detainee Operations		+80,000
	Transfer from JIEDDO—Synchronization and Integration WTI Cell		+3,200
	Transfer from JIEDDO—Thermal Station (National IED Exploitation Facility (NIEF))		+13,000
	Transfer from JIEDDO—Beachcomber		+3,000
	Transfer from JIEDDO—Counter Bomber		+1,500
	Transfer from JIEDDO—CREW-SSM Universal Test Set		+3,000
	Transfer from JIEDDO—Subtle Magnetic Anomaly Detection Network Systems		+1,000
	Transfer from JIEDDO—Technical Collection Training Program		+16,400
	Transfer from Title II—Chemical Defense Equipment Sustainment		+8,579
	Transfer from Title II—MRAP Vehicle Sustainment at Combat Training Centers		+6,420
	Transfer from Title II—Body Armor Sustainment		+71,660
	Transfer from Title II—Rapid Equipping Force Readiness		+9,294
	Transfer from Title II—Fixed Wing Life Cycle Contract Support		+21,171
	Transfer from Title II—Overseas Security Guards		+200,000
	Transfer from Title II—Senior Leader Initiative—Comprehensive Soldier Fitness Program		+30,000
	Transfer from Title II—Survivability and Maneuverability Training		+15,183
136	COMMANDERS EMERGENCY RESPONSE PROGRAM	1,300,000	500,000
	Program reduction		-400,000
	Transfer to Afghanistan Infrastructure Fund		-400,000
137	RESET	7,840,211	6,261,568
	Army-Identified Excess Reset Requirement		-1,578,643
411	SECURITY PROGRAMS	2,358,865	2,364,265
	Transfer from JIEDDO—Air Vigilance		+5,400
421	SERVICEWIDE TRANSPORTATION	3,465,334	4,478,334
	Transfer from SAG 135 for Subsistence Transportation Costs		+1,013,000
TOTAL, OPERATION AND MAINTENANCE, ARMY		62,602,618	59,162,782
OPERATION AND MAINTENANCE, NAVY			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	1,839,918	1,839,918
1A2A	FLEET AIR TRAINING	3,453	3,453
1A3A	AVIATION TECHNICAL DATA & ENGINEERING SVCS	1,400	1,400
1A4A	AIR OPERATIONS AND SAFETY SUPPORT	26,837	26,837
1A4N	AIR SYSTEMS SUPPORT	44,567	44,567
1A5A	AIRCRAFT DEPOT MAINTENANCE	233,114	281,114
	Aircraft Depot Maintenance Increase		+48,000
1B1B	MISSION AND OTHER SHIP OPERATIONS	1,151,465	1,151,465
1B2B	SHIP OPERATIONS SUPPORT & TRAINING	27,472	27,472
1B4B	SHIP DEPOT MAINTENANCE	1,266,556	1,290,556
	Ship Depot Maintenance Increase		+24,000
1C1C	COMBAT COMMUNICATIONS	38,468	38,468
1C4C	WARFARE TACTICS	82,801	32,801
	Navy Identified Excess to Requirement for CENTCOM Operations		-50,000
1C5C	OPERATIONAL METEOROLOGY AND OCEANOGRAPHY	24,855	24,855
1C6C	COMBAT SUPPORT FORCES	2,737,727	2,930,528
	Transfer from Title II—Naval Expeditionary Combat Command Increases		+192,801
1C7C	EQUIPMENT MAINTENANCE	3,677	3,677
1CCH	COMBATANT COMMANDERS CORE OPERATIONS	7,000	7,000
1CCM	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	7,455	7,455
1O3D	IN-SERVICE WEAPONS SYSTEMS SUPPORT	99,118	100,118
	Transfer from JIEDDO—CREW-SSM Universal Test Set		+1,000
1O4D	WEAPONS MAINTENANCE	82,519	82,519
1O7D	OTHER WEAPON SYSTEMS SUPPORT	16,938	16,938
BSIT	ENTERPRISE INFORMATION	10,350	0
	ONE-NET Baseline Budget Requirement		-10,350
BSM1	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	28,250	49,250
	Continuing Operations at Guantanamo Bay—Transfer from Overseas Contingency Operations Transfer Fund		+21,000
BSS1	BASE OPERATING SUPPORT	381,749	436,249
	Continuing Operations at Guantanamo Bay—Transfer from Overseas Contingency Operations Transfer Fund		+4,000
	Transfer from JIEDDO—Counter Bomber		+500
	Transfer from Title II—Regional/Emergency Operations Center		+50,000
2A1F	SHIP PREPOSITIONING AND SURGE	27,300	27,300
2C1H	FLEET HOSPITAL PROGRAM	4,400	4,400
2C3H	COAST GUARD SUPPORT	254,461	0
	Transfer to Department of Homeland Security		-254,461
3B1K	SPECIALIZED SKILL TRAINING	81,454	84,454
	Transfer from Title II—NAVSEA VSSS/EOD Training		+3,000
3B4K	TRAINING SUPPORT	5,400	0
	Training Support Baseline Budget Requirement		-5,400
4A1M	ADMINISTRATION	4,265	4,265
4A2M	EXTERNAL RELATIONS	467	467
4A3M	CIVILIAN MANPOWER AND PERSONNEL MANAGEMENT	450	450
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	11,214	11,214
4A5M	OTHER PERSONNEL SUPPORT	2,706	2,706
4A6M	SERVICEWIDE COMMUNICATIONS	28,671	28,671
4B1N	SERVICEWIDE TRANSPORTATION	300,868	300,868
4B3N	ACQUISITION AND PROGRAM MANAGEMENT	6,091	6,091
4B7N	SPACE AND ELECTRONIC WARFARE SYSTEMS	2,153	2,153
4C1P	NAVAL INVESTIGATIVE SERVICE	78,464	78,464
9999	OTHER PROGRAMS	22,581	22,581
TOTAL, OPERATION AND MAINTENANCE, NAVY		8,946,634	8,970,724
OPERATION AND MAINTENANCE, MARINE CORPS			
1A1A	OPERATIONAL FORCES	2,448,572	2,317,572
	Excess to Requirement for Cargo UAS		-90,400
	Transfer to RDTE.N for Cargo UAS		-36,000
	Transfer to OP.N for AM-2 Matting		-4,600
1A2A	FIELD LOGISTICS	514,748	517,248
	Transfer from JIEDDO—Counter Bomber		+1,000
	Transfer from JIEDDO—CREW-SSM Universal Test Set		+1,000
	Transfer from JIEDDO—Subtle Magnetic Anomaly Detection Network Systems		+500
1A3A	DEPOT MAINTENANCE	523,250	523,250
1B1B	MARITIME PREPOSITIONING	7,808	7,808
BSS1	BASE OPERATING SUPPORT	55,301	55,301
3B4D	TRAINING SUPPORT	223,071	223,071
4A3G	SERVICEWIDE TRANSPORTATION	360,000	360,000
4A4G	ADMINISTRATION	3,772	3,772
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS		4,136,522	4,008,022
OPERATION AND MAINTENANCE, AIR FORCE			
011A	PRIMARY COMBAT FORCES	1,896,647	1,896,647

0-1		Budget Request	Recommendation
011C	COMBAT ENHANCEMENT FORCES	1,954,759	1,954,759
011D	AIR OPERATIONS TRAINING	113,948	113,948
011M	DEPOT MAINTENANCE	297,623	379,983
	Weapons System Sustainment		+82,360
011R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	704,463	504,463
	Unjustified Growth from fiscal year 2010 Baseline		-200,000
011Z	BASE OPERATING SUPPORT	1,780,052	1,780,052
012A	GLOBAL C3I AND EARLY WARNING	128,632	128,632
012C	OTHER COMBAT OPS SPT PROGRAMS	397,894	397,894
013A	LAUNCH FACILITIES	28,975	28,975
013C	SPACE CONTROL SYSTEMS	34,091	34,091
015A	COMBATANT COMMANDERS DIRECT MISSION SUPPORT	127,861	127,861
021A	AIRLIFT OPERATIONS	4,403,800	4,403,800
021D	MOBILIZATION PREPAREDNESS	240,394	240,394
021M	DEPOT MAINTENANCE	217,023	217,023
021R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	20,360	20,360
021Z	BASE SUPPORT	57,362	57,362
031R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	1,948	1,948
031Z	BASE SUPPORT	6,088	6,088
032A	SPECIALIZED SKILL TRAINING	45,893	45,893
032B	FLIGHT TRAINING	20,277	20,277
032C	PROFESSIONAL DEVELOPMENT EDUCATION	1,500	1,500
032D	TRAINING SUPPORT	1,820	1,820
041A	LOGISTICS OPERATIONS	292,030	292,030
041R	FACILITIES SUSTAINMENT, RESTORATION & MODERNIZATION	10,500	10,500
041Z	BASE SUPPORT	31,985	31,985
042A	ADMINISTRATION	5,438	5,438
042B	SERVICEWIDE COMMUNICATIONS	247,149	247,149
042G	OTHER SERVICEWIDE ACTIVITIES	113,082	113,082
043A	SECURITY PROGRAMS	305,689	305,689
	REDUCED DEPLOYMENT LEVELS		-400,000
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE		13,487,283	12,969,643
OPERATION AND MAINTENANCE, DEFENSE-WIDE			
IPL1	JOINT CHIEFS OF STAFF	20,500	20,500
IPL2	SPECIAL OPERATIONS COMMAND	3,012,026	2,903,126
	Information Operations		-49,400
	Leased Aircraft—Unjustified Request		-65,500
	Transfer from JIEDDO—Wolfhound II		+6,000
ES18	DEFENSE MEDIA ACTIVITY	14,799	14,799
4GT6	DEFENSE CONTRACT AUDIT AGENCY	27,000	27,000
4GT9	DEFENSE INFORMATION SYSTEMS AGENCY	136,316	144,316
	Increase Afghanistan FOB Fiber Connectivity		+8,000
4GTJ	DEFENSE CONTRACT MANAGEMENT AGENCY	74,862	74,862
4GTA	DEFENSE LEGAL SERVICES AGENCY	120,469	116,969
	Overstatement of Habeas Corpus Civilian Personnel Pricing		-3,500
4GTJ	DEFENSE DEPENDENTS EDUCATION	485,769	501,769
	Additional Funding for Outreach and Reintegration Services Under the Yellow Ribbon Reintegration Program		+16,000
4GTD	DEFENSE SECURITY COOPERATION AGENCY	2,000,000	2,000,000
4GTI	DEFENSE THREAT REDUCTION AGENCY	1,218	1,218
4GTN	OFFICE OF THE SECRETARY OF DEFENSE	188,099	173,099
	Knowledge Management		-15,000
9999	OTHER PROGRAMS	3,345,300	3,299,332
	Classified Adjustments		-49,168
	Transfer from JIEDDO—Synchronization and Integration WTI Cell		+3,200
TOTAL, OPERATION AND MAINTENANCE, DEFENSE-WIDE		9,426,358	9,276,990
OPERATION AND MAINTENANCE, ARMY RESERVE			
135	ADDITIONAL ACTIVITIES	286,950	206,784
	Army Reserve Identified Excess to Requirement		-80,166
TOTAL, OPERATION AND MAINTENANCE, ARMY RESERVE		286,950	206,784
OPERATION AND MAINTENANCE, NAVY RESERVE			
1A1A	MISSION AND OTHER FLIGHT OPERATIONS	49,089	49,089
1A3A	INTERMEDIATE MAINTENANCE	400	400
1A5A	AIRCRAFT DEPOT MAINTENANCE	17,760	17,760
1B1B	MISSION AND OTHER SHIP OPERATIONS	9,395	9,395
1B4B	SHIP DEPOT MAINTENANCE	497	497
1C1C	COMBAT COMMUNICATIONS	3,185	3,185
1C6C	COMBAT SUPPORT FORCES	12,169	12,169
4A4M	MILITARY MANPOWER AND PERSONNEL MANAGEMENT	1,064	1,064
TOTAL, OPERATION AND MAINTENANCE, NAVY RESERVE		93,559	93,559
OPERATION AND MAINTENANCE, MARINE CORPS RESERVE			
1A1A	OPERATING FORCES	23,571	23,571
BSS1	BASE OPERATING SUPPORT	6,114	6,114
TOTAL, OPERATION AND MAINTENANCE, MARINE CORPS RESERVE		29,685	29,685
OPERATION AND MAINTENANCE, AIR FORCE RESERVE			
011M	DEPOT MAINTENANCE	116,924	176,124
	Weapons System Sustainment		+59,200
011Z	BASE OPERATING SUPPORT	12,683	12,683
TOTAL, OPERATION AND MAINTENANCE, AIR FORCE RESERVE		129,607	188,807
OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD			
135	ADDITIONAL ACTIVITIES	544,349	497,849
	Distance Learning—Transfer to Baseline OM, ARNG SAG 121		-9,000
	Air OPTEMPO Duplicate Request		-44,000
	Support to Southwest Border		+6,500
TOTAL, OPERATION AND MAINTENANCE, ARMY NATIONAL GUARD		544,349	497,849
OPERATION AND MAINTENANCE, AIR NATIONAL GUARD			
011F	AIRCRAFT OPERATIONS	152,896	152,896
011G	MISSION SUPPORT OPERATIONS	57,800	59,400
	Support to Southwest Border		+1,600
011M	DEPOT MAINTENANCE	140,127	190,687
	Weapons System Sustainment		+50,560
TOTAL, OPERATION AND MAINTENANCE, AIR NATIONAL GUARD		350,823	402,983
OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND			
OVERSEAS CONTINGENCY OPERATIONS TRANSFER FUND		1,551,781	0

0-1	Budget Request	Recommendation
Transfer to OMA SAG 135		— 80,000
Transfer to OM,N SAGs BSS1 and BSM1		— 25,000
Unjustified Program Change		— 1,446,781
TOTAL, OVERSEAS CONTINGENCY OPERATIONS TRANSFER ACCOUNT	1,551,781	0
AFGHANISTAN INFRASTRUCTURE FUND		
Afghanistan Infrastructure Fund—Transfer from CERP		+400,000
TOTAL, AFGHANISTAN INFRASTRUCTURE FUND	0	400,000
AFGHANISTAN SECURITY FORCES FUND		
Afghan National Army	7,467,014	7,467,014
Infrastructure	1,790,933	1,790,933
Equipment and Transportation	1,846,623	1,846,623
Training and Operations	836,842	836,842
Sustainment	2,992,616	2,992,616
Afghan National Police	4,085,437	4,085,437
Infrastructure	1,078,413	1,078,413
Equipment and Transportation	917,966	917,966
Training and Operations	990,213	990,213
Sustainment	1,098,845	1,098,845
Related Activities	66,832	66,832
Detainee Operations—Sustainment	6,037	6,037
Detainee Operations—Training and Operations	1,530	1,530
Detainee Operations—Infrastructure	58,265	58,265
COIN Activities	1,000	1,000
TOTAL, AFGHANISTAN SECURITY FORCES FUND	11,619,283	11,619,283
IRAQ SECURITY FORCES FUND		
Defense Security Forces	1,656,906	1,656,906
Equipment and Transportation	1,067,706	1,067,706
Training	248,075	248,075
Sustainment	341,125	341,125
Interior Security Forces	268,094	268,094
Equipment and Transportation	220,469	220,469
Sustainment	47,625	47,625
Related Activities	75,000	75,000
Authorization Reduction		— 500,000
TOTAL, IRAQ SECURITY FORCES FUND	2,000,000	1,500,000
PAKISTAN COUNTERINSURGENCY FUND		
Pakistan Counterinsurgency Fund		+800,000
TOTAL, PAKISTAN COUNTERINSURGENCY FUND	0	800,000
TOTAL, OPERATION AND MAINTENANCE	115,205,452	110,127,111

P-1	Budget Request	Recommendation
AIRCRAFT PROCUREMENT, ARMY		
2 C-12 CARGO AIRPLANE (OCO)	78,060	78,060
4 MQ-1 UAV (OCO)	47,000	24,000
Reduction to Projected Battle Losses		— 23,000
5 RQ-11 (RAVEN) (OCO)	17,430	17,430
9 AH-64 APACHE BLOCK III		34,600
War Replacement Aircraft		+34,600
11 UH-60 BLACKHAWK (OCO)	40,500	373,400
Program Increase for Army National Guard		+80,000
Three Combat Loss UH-60		+52,500
Accelerate 12 Aircraft		+200,400
13 CH-47 HELICOPTER (OCO)	70,600	258,400
Accelerate Six Aircraft		+187,800
16 C12 AIRCRAFT MODS (OCO)	122,340	122,340
17 MQ-1 PAYLOAD—UAS (OCO)	3,600	3,600
19 GUARDRAIL MODS (MIP) (OCO)	30,200	6,000
Authorization Adjustment		— 24,200
20 MULTI SENSOR ABN RECON (MIP) (OCO)	86,200	86,200
21 AH-64 MODS (OCO)	199,200	654,200
AH-64A to AH-64D Conversion for the Texas and Mississippi National Guard		+455,000
23 CH-47 CARGO HELICOPTER MODS (OCO)	82,900	66,900
Cargo On/Off Loading System (COOLS) ahead of need		— 16,000
27 UTILITY HELICOPTER MODS (OCO)	14,530	14,530
28 KIOWA WARRIOR (OCO)	187,288	160,378
Fielded Fleet Upgrades		+20,000
Limit Ramp Rate on Replacement Aircraft		— 46,910
29 AIRBORNE AVIONICS (OCO)	24,983	24,983
31 RQ-7 UAV MODS (OCO)	97,800	546,500
Funding Ahead of Need		— 1,000
Transfer from Title III		+497,500
Ahead of Need		— 47,800
36 ASE INFRARED CM (OCO)	197,990	182,990
Excess to Need		— 15,000
38 COMMON GROUND EQUIPMENT (OCO)	65,627	65,627
40 AIR TRAFFIC CONTROL (OCO)	7,555	0
Unjustified Request		— 7,555
TOTAL, AIRCRAFT PROCUREMENT, ARMY	1,373,803	2,720,138
MISSILE PROCUREMENT, ARMY		
4 HELLFIRE SYS SUMMARY (OCO)	190,459	190,459
6 TOW 2 SYSTEM SUMMARY (OCO)	112,769	112,769
13 ITAS/TOW MODS (OCO)	40,600	40,600
TOTAL, MISSILE PROCUREMENT, ARMY	343,828	343,828
PROCUREMENT OF W&TCV, ARMY		
4 STRYKER VEHICLE (OCO)		545,000
Transfer from Stryker Modifications, line 9		+445,000
Increase for Stryker Double V Hull		+100,000
9 STRYKER VEHICLE MODS (OCO)	445,000	0
Transfer to Stryker Vehicle, line 4		— 445,000
22 MACHINE GUN, CAL .50, M2 ROLL		79,496
Transfer from Title III		+79,496

P-1		Budget Request	Recommendation
26	MORTAR SYSTEMS (OCO)	8,600	8,600
28	XM320 GRENADE LAUNCHER MODULE (OCO)	22,500	22,500
32	COMMON REMOTELY OPERATED WEAPONS STATION (OCO)	100,000	100,000
34	HOWITZER LT WT 155MM (T) (OCO)	62,000	62,000
36	M4 CARBINE MODS (OCO)	12,900	42,900
	Program Increase		+30,000
37	M2 50 CAL MACHINE GUN MODS (OCO)	15,000	15,000
40	M119 MODIFICATIONS (OCO)	21,500	21,500
TOTAL, PROCUREMENT OF W&TCV, ARMY		687,500	896,996
PROCUREMENT OF AMMUNITION, ARMY			
2	CTG, 7.62MM, ALL TYPES (OCO)	32,604	13,000
	Per Army Request		-19,604
4	CTG, .50 CAL, ALL TYPES (OCO)	128,876	47,000
	Per Army Request		-81,876
5	CTG, 20MM, ALL TYPES (OCO)	20,056	10,500
	Per Army Request		-9,556
7	CTG, 30MM, ALL TYPES (OCO)	23,826	9,500
	Per Army Request		-14,326
8	CTG, 40MM, ALL TYPES (OCO)	62,700	25,000
	Per Army Request		-37,700
11	120MM MORTAR, ALL TYPES (OCO)	120,160	26,900
	APMI Unit Cost Savings		-50,100
	Per Army Request		-43,160
15	CTG, ARTY, 105MM: ALL TYPES (OCO)	37,620	15,000
	Per Army Request		-22,620
16	CTG, ARTY, 155MM: ALL TYPES (OCO)	37,620	15,000
	Per Army Request		-22,620
18	MODULAR ARTILLERY CHARGE SYS, ALL TYPES (OCO)	15,048	6,000
	Per Army Request		-9,048
19	ARTILLERY FUZES, ALL TYPES (OCO)	12,540	5,000
	Per Army Request		-7,540
24	SHOULDER LAUNCHED MUNITIONS, ALL TYPES (OCO)	17,556	0
	Per Army Request		-17,556
25	ROCKET, HYDRA 70, ALL TYPES (OCO)	139,285	139,285
26	DEMOLITION MUNITIONS, ALL TYPES (OCO)		20,000
	Per Army Request		+20,000
27	GRENADES, ALL TYPES (OCO)	2,000	0
	Per Army Request		-2,000
31	NON-LETHAL AMMUNITION, ALL TYPES (OCO)	15,000	0
	Per Army Request		-15,000
40	CONVENTIONAL MUNITIONS DEMILITARIZATION, ALL TYPES (OCO)	37,700	37,700
TOTAL, PROCUREMENT OF AMMUNITION, ARMY		702,591	369,885
OTHER PROCUREMENT, ARMY			
5	FAMILY OF MEDIUM TACTICAL VEH (FMTV) (OCO)	516,350	398,925
	Battle Loss Replacement		+8,875
	Contract Savings		-126,300
7	FAMILY OF HEAVY TACTICAL VEHICLES (OCO)	188,677	199,809
	Battle Loss Replacement		+11,132
9	ARMORED SECURITY VEHICLES (ASV) (OCO)	52,780	52,780
10	MINE PROTECTION VEHICLE FAMILY (OCO)	136,700	345,678
	Transfer from Title III		+230,978
	Program Adjustment		-22,000
14	HMMWV RECAPITALIZATION PROGRAM (OCO)	989,067	989,067
15	MODIFICATION OF IN SVC EQUIP (OCO)	20,000	312,956
	Transfer from Title III		+292,956
24	WIN-T -GROUND FORCES TACTICAL NETWORK (OCO)	8,163	8,163
27	SHF TERM (OCO)	62,415	62,415
29	NAVSTAR GLOBAL POSITIONING SYSTEM (OCO)	13,500	63,500
	Additional DAGRs		+50,000
40	AMC CRITICAL ITEMS—OPA2 (OCO)	3,946	3,946
47	RADIO, IMPROVED HF (COTS) FAMILY (OCO)	78,253	78,253
48	MEDICAL COMM FOR CBT CASUALTY CARE (OCO)	15,000	15,000
51x	FAMILY OF BIOMETRICS		38,172
	Non-MIP Biometrics—Transfer from RDTEA line 171		+38,172
53	BASE SUPPORT COMMUNICATIONS (OCO)	70,000	47,500
	Excess to Need		-22,500
55	INFORMATION SYSTEMS (OCO)		55,000
	Program Adjustment for Tactical Local Area Network (TACLAN)		+55,000
57	INSTALLATION INFO INFRASTRUCTURE MOD (OCO)	413,200	413,200
65	PROPHET GROUND (OCO)	18,900	18,900
70	DCGS-A (MIP) (OCO)	197,092	334,516
	Transfer from Title III		+137,424
74	CI HUMINT AUTO REPRTING AND COLL (OCO)	52,277	47,377
	Excess to Need		-4,900
75	ITEMS LESS THAN \$5.0M (MIP) (OCO)	5,400	5,400
76	LIGHTWEIGHT COUNTER MORTAR RADAR (OCO)	25,000	10,000
	Program Decrease		-15,000
77	WARLOCK (OCO)	225,682	225,682
79	COUNTERINTELLIGENCE/SECURITY COUNTERMEASURES (OCO)	455,639	455,639
81	FAAD GBS (OCO)	167,460	167,460
84	NIGHT VISION DEVICES (OCO)	5,019	5,019
89	COUNTER-ROCKET, ARTILLERY & MORTAR (C-RAM) (OCO)	291,400	251,200
	Funded Ahead of Need		-40,200
90	BASE EXPEDITIONARY TARGETING & SURV SYS (OCO)	486,050	408,050
	Program Decrease		-78,000
95	MOD OF IN-SVC EQUIP (FIREFINDER RADARS) (OCO)	69,800	69,800
96	FORCE XXI BATTLE CMD BRIGADE & BELOW (OCO)	135,500	135,500
98	LIGHTWEIGHT LASER DESIGNATOR/RANGEFINDER (OCO)	22,371	22,371
99	COMPUTER BALLISTICS: LHMBG XM32 (OCO)	1,800	1,800
101	COUNTERFIRE RADARS (OCO)	20,000	285,867
	Transfer from Title III		+275,867
	Funded Ahead of Need		-10,000
103	TACTICAL OPERATIONS CENTERS (OCO)	43,800	43,800
104	FIRE SUPPORT C2 FAMILY (OCO)	566	13,566
	Advanced Field Artillery Tactical Data System		+13,000
105	BATTLE COMMAND SUSTAINMENT SUPPORT SYS	420	420
108	KNIGHT FAMILY (OCO)	49,744	49,744
110	AUTOMATIC IDENTIFICATION TECHNOLOGY (OCO)	2,222	2,222
114	NETWORK MANAGEMENT INITIALIZATION & SERVICE (OCO)	5,000	5,000
115	MANEUVER CONTROL SYSTEM (OCO)	60,111	60,111
121	AUTOMATED DATA PROCESSING EQUIP (OCO)	10,500	10,500
130	PROTECTIVE SYSTEMS (OCO)	5,690	5,690
135	TACTICAL BRIDGING, FLOAT RIBBON (OCO)	3,220	3,220
136	HANDHELD STANDOFF MINEFIELD DETECTION SYSTEM	0	28,000
	Transfer from JIEDDO for Proper Execution		+28,000
137	GRND STANDOFF MINE DETECTION SYSTEM (OCO)	191,000	191,000

P-1		Budget Request	Recommendation
141	HEATERS AND ECU'S (OCO)	8,708	8,708
149	FORCE PROVIDER (OCO)	261,599	52,499
	Excess to Need		-209,100
150	FIELD FEEDING EQUIPMENT (OCO)	29,903	29,903
154	DISTRIBUTION SYSTEMS, PETROLEUM & WATER (OCO)	55,105	55,105
155	WATER PURIFICATION SYSTEMS (OCO)	12,086	0
	Funded Ahead of Need		-12,086
156	COMBAT SUPPORT MEDICAL (OCO)	8,680	8,680
157	MOBILE MAINTENANCE EQUIPMENT SYSTEMS (OCO)	41,398	41,398
159	GRADER, ROAD MTZD, Hvy, 6X4 (CCE) (OCO)	3,390	3,390
161	SCRAPERS, EARTHMOVING (OCO)	3,195	3,195
164	LOADERS (OCO)	1,157	1,157
168	HIGH MOBILITY ENGINEER EXCAVATOR FOS (OCO)	3,750	3,750
170	ITEMS LESS THAN \$5.0M (CONST EQUIP) (OCO)	4,140	4,140
174	GENERATORS AND ASSOCIATED EQUIP (OCO)	37,480	37,480
175	ROUGH TERRAIN CONTAINER HANDLER (OCO)	4,562	4,562
177	ALL TERRAIN LIFTING ARMY SYSTEM (OCO)	56,609	58,049
	Battle Loss Replacement		+1,440
179	TRAINING DEVICES, NONSYSTEM (OCO)	28,624	28,624
180	CLOSE COMBAT TACTICAL TRAINER (OCO)	8,200	0
	Funded Ahead of Need		-8,200
184	INTEGRATED FAMILY OF TEST EQUIPMENT (OCO)	622	622
186	RAPID EQUIPPING SOLDIER SUPT EQUIPMENT (OCO)	58,590	38,590
	Excess to Need		-20,000
187	PHYSICAL SECURITY SYSTEMS (OPA3) (OCO)	77,000	77,000
192	SPECIAL EQUIPMENT FOR USER TESTING (OCO)	1,987	1,987
	CLASSIFIED PROGRAMS (OCO)	775	775
	TOTAL, OTHER PROCUREMENT, ARMY	5,827,274	6,401,832
AIRCRAFT PROCUREMENT, NAVY			
3	F/A-18E/F (FIGHTER) HORNET (MYP)		495,000
	Strike Fighter Shortfall Mitigation—Nine Aircraft		+495,000
11	UH-1Y/AH-1Z (OCO)	88,500	88,500
19	E-2C (EARLY WARNING) HAWKEYE (MYP)		175,000
	Program Increase—Combat Loss Replacement		+175,000
29	EA-6 SERIES (OCO)	15,000	12,700
	Install Equipment Program Adjustment		-2,300
31	AV-8 SERIES (OCO)	72,100	65,371
	Pod Upgrade Kits Cost Growth		-1,529
	GEN4 Pod Cost Growth		-5,200
32	F-18 SERIES (OCO)	43,250	43,250
34	AH-1W SERIES (OCO)	35,510	35,510
35	H-53 SERIES (OCO)	36,248	27,148
	Funded Ahead of Need		-9,100
36	SH-60 SERIES (OCO)	6,430	6,430
39	P-3 SERIES (OCO)	6,000	6,000
48	SPECIAL PROJECT AIRCRAFT (OCO)	6,100	6,100
53	COMMON ECM EQUIPMENT (OCO)	38,700	31,020
	Directed Infrared Countermeasures Installation Kit Cost Growth		-7,680
54	COMMON AVIONICS CHANGES (OCO)	14,100	14,100
55	COMMON DEFENSIVE WEAPON SYSTEM (OCO)	10,500	10,500
57	RQ-7 SERIES (OCO)	8,000	8,000
58	V-22 (TILT/ROTOR ACFT) OSPREY (OCO)	36,420	36,420
59	SPARES AND REPAIR PARTS (OCO)	3,500	108,500
	Aviation Spares		+105,000
	TOTAL, AIRCRAFT PROCUREMENT, NAVY	420,358	1,169,549
WEAPONS PROCUREMENT, NAVY			
5	SIDEWINDER (OCO)	2,923	0
	Non-combat Expenditures		-2,923
9	HELLFIRE (OCO)	85,504	85,504
26	SMALL ARMS AND WEAPONS (OCO)	4,998	4,998
	TOTAL, WEAPONS PROCUREMENT, NAVY	93,425	90,502
PROCUREMENT OF AMMO, NAVY & MARINE CORPS			
1	GENERAL PURPOSE BOMBS (OCO)	6,060	0
	Contract Delay		-6,060
3	AIRBORNE ROCKETS, ALL TYPES (OCO)	76,043	76,043
4	MACHINE GUN AMMUNITION (OCO)	69,660	68,660
	20mm Linked TP, PGU-27 Cost Growth		-1,000
7	AIR EXPENDABLE COUNTERMEASURES (OCO)	33,632	33,632
11	OTHER SHIP GUN AMMUNITION (OCO)	455	455
12	SMALL ARMS & LANDING PARTY AMMO (OCO)	7,757	7,757
13	PYROTECHNIC AND DEMOLITION (OCO)	1,209	1,209
15	SMALL ARMS AMMUNITION (OCO)	19,498	19,498
16	LINEAR CHARGES, ALL TYPES (OCO)	4,677	4,677
17	40 MM, ALL TYPES (OCO)	11,307	11,307
18	60MM, ALL TYPES (OCO)	17,150	17,150
19	81MM, ALL TYPES (OCO)	27,738	27,738
20	120MM, ALL TYPES (OCO)	96,895	96,895
21	CTG 25MM, ALL TYPES (OCO)	990	990
22	GRENADES, ALL TYPES (OCO)	6,137	6,137
23	ROCKETS, ALL TYPES (OCO)	13,543	13,543
24	ARTILLERY, ALL TYPES (OCO)	137,118	137,118
25	DEMOLITION MUNITIONS, ALL TYPES (OCO)	9,296	9,296
26	FUZE, ALL TYPES (OCO)	25,888	25,888
27	NON LETHALS (OCO)	31	31
	TOTAL, PROCUREMENT OF AMMO, NAVY & MARINE CORPS	565,084	558,024
OTHER PROCUREMENT, NAVY			
25	STANDARD BOATS (OCO)	30,706	23,706
	Riverine Patrol Boats—Unjustified Request		-7,000
57	MATCALS (OCO)	27,080	25,080
	ASPARCS—Unjustified Cost Growth		-2,000
74	EMI CONTROL INSTRUMENTATION (OCO)	1,800	1,800
94	EXPEDITIONARY AIRFIELDS (OCO)	0	4,600
	AM-2 Matting Expeditionary Airfield—Requested Transfer from OM,MC		+4,600
99	AVIATION LIFE SUPPORT (OCO)	26,024	10,024
	CSEL Excess to Need		-16,000
117	EXPLOSIVE ORDNANCE DISPOSAL EQUIP (OCO)	132,386	10,386
	JCREW—Funding No Longer Required		-122,000
122	PASSENGER CARRYING VEHICLES (OCO)	1,234	1,234
123	GENERAL PURPOSE TRUCKS (OCO)	420	420
124	CONSTRUCTION & MAINTENANCE EQUIP (OCO)	55,474	41,474
	Contract Delays		-14,000
126	TACTICAL VEHICLES (OCO)	91,802	91,802

P-1		Budget Request	Recommendation
129	ITEMS UNDER \$5 MILLION (OCO)	26,016	26,016
131	MATERIALS HANDLING EQUIPMENT (OCO)	33,659	33,659
137	COMMAND SUPPORT EQUIPMENT (OCO)	2,775	2,775
146	PHYSICAL SECURITY EQUIPMENT (OCO)	46,417	38,917
149	ATFP Afloat—Ahead of Need	—	7,500
	SPARES AND REPAIR PARTS (OCO)	4,942	4,942
TOTAL, OTHER PROCUREMENT, NAVY		480,735	316,835
PROCUREMENT, MARINE CORPS			
2	LAV PIP (OCO)	152,333	37,573
	Baseline Budget Requirement		—114,760
5	155MM LIGHTWEIGHT TOWED HOWITZER (OCO)	103,600	103,600
6	HIGH MOBILITY ARTILLERY ROCKET SYSTEM (OCO)	145,533	145,533
7	WEAPONS & COMBAT VEHICLES UNDER \$5 M (OCO)	7,329	7,329
9	MODIFICATION KITS (OCO)	12,000	12,000
10	WEAPONS ENHANCEMENT PROGRAM (OCO)	18,571	18,571
16	UNIT OPERATIONS CENTER (OCO)	112,424	112,424
17	REPAIR AND TEST EQUIPMENT (OCO)	15,962	38,762
	OCO Shortfall—ETMS and Obsolescence Upgrades		+22,800
19	MODIFICATION KITS (OCO)	18,545	5,345
	Unexecutable Funding—CESAS		—15,200
20	ITEMS UNDER \$5 MILLION (COMM & ELEC) (OCO)	11,549	11,549
21	AIR OPERATIONS C2 SYSTEMS (OCO)	41,031	41,031
22	RADAR SYSTEMS (OCO)	5,493	10,993
	OCO Shortfall—TPS-59		+5,500
23	FIRE SUPPORT SYSTEM (OCO)	4,710	4,710
24	INTELLIGENCE SUPPORT EQUIPMENT (OCO)	82,897	82,897
26	DCGS-MC (OCO)	21,789	21,789
28	COMMON COMPUTER RESOURCES (OCO)	29,412	29,412
29	COMMAND POST SYSTEMS (OCO)	36,256	36,256
30	RADIO SYSTEMS (OCO)	155,545	110,545
	E-LMR—Not an OCO Requirement		—45,000
31	COMM SWITCHING & CONTROL SYSTEMS (OCO)	63,280	28,280
	Previously Funded UUNS		—35,000
35	5/4T TRUCK HMMVV (MYP) (OCO)	12,994	0
	Service Requested Reduction		—12,994
37	MEDIUM TACTICAL VEHICLE REPLACEMENT (OCO)	80,559	80,559
38	LOGISTICS VEHICLE SYSTEM REP (OCO)	109,100	109,100
39	FAMILY OF TACTICAL TRAILERS (OCO)	22,130	22,130
42	ENVIRONMENTAL CONTROL EQUIP ASSORT (OCO)	17,799	27,399
	OCO Shortfall—ECU and SFRS		+9,600
43	BULK LIQUID EQUIPMENT (OCO)	1,628	16,758
	OCO Shortfall—Tank and Pump Modules		+15,130
44	TACTICAL FUEL SYSTEMS (OCO)	83,698	89,498
	OCO Shortfall—Liquid Fuel Storage		+5,800
45	POWER EQUIPMENT ASSORTED (OCO)	41,536	41,536
47	EOD SYSTEMS (OCO)	213,985	188,985
	Excess to Requirement		—25,000
48	PHYSICAL SECURITY EQUIPMENT (OCO)	5,200	5,200
50	MATERIAL HANDLING EQUIP (OCO)	58,264	58,264
53	TRAINING DEVICES (OCO)	55,864	55,864
54	CONTAINER FAMILY (OCO)	8,826	8,826
56	FAMILY OF INTERNALLY TRANSPORTABLE VEHICLE (OCO)	28,401	28,401
TOTAL, PROCUREMENT, MARINE CORPS		1,778,243	1,589,119
AIRCRAFT PROCUREMENT, AIR FORCE			
1	F-35 (OCO)	204,900	0
	Unjustified Request		—204,900
19	CV-22 (OCO)		70,000
	Program Increase—Provides for One Additional Combat Loss Aircraft		+70,000
25	HH-60M OPERATIONAL LOSS REPLACEMENT (OCO)	114,000	417,400
	Program Increase (Adds 10 Aircraft, Not Less Than Four for the Air National Guard)		+303,400
26	RQ-11 (OCO)	9,380	9,380
34	MQ-9 (OCO)	216,000	376,814
	Spares		—55,186
	Transfer 12 Aircraft from Title III		+216,000
37	B-1B (OCO)	8,500	8,500
39	A-10 (OCO)	16,500	16,500
44	C-5 (OCO)	73,400	73,400
47	C-17A (OCO)	224,450	176,450
	Program Decrease		—48,000
56	MC-10A (ATCA) (OCO)	3,540	3,540
62	C-130 (OCO)	166,720	166,720
63	C-130 MODS INTEL (OCO)	10,900	10,900
66	COMPASS CALL MODS	10,000	10,000
72	H-60 (OCO)	81,000	153,200
	Excess to Need for Radars		—61,000
	Program Increase—Transportable Blackhawk Operation Simulators		+92,800
	Program Increase—Control Display Unit Mission Processors		+12,500
	Program Increase—GPS/Inertial Navigation Units		+27,900
75	OTHER AIRCRAFT (OCO)	61,600	61,600
78	MQ-9 PAYLOAD—UAS	45,000	160,383
	Transfer from Title III		+115,383
79	CV-22 MODS (OCO)	830	830
80	INITIAL SPARES/REPAIR PARTS	10,900	10,900
98	OTHER PRODUCTION CHARGES (OCO)	57,500	218,138
	Transfer from Title III		+160,638
104	DARP (OCO)	47,300	47,300
TOTAL, AIRCRAFT PROCUREMENT, AIR FORCE		1,362,420	1,991,955
MISSILE PROCUREMENT, AIR FORCE			
5	PREDATOR HELLFIRE MISSILE (OCO)	41,621	41,621
10	AGM-65D MAVERICK (OCO)	15,000	15,000
TOTAL, MISSILE PROCUREMENT, AIR FORCE		56,621	56,621
PROCUREMENT OF AMMUNITION, AIR FORCE			
2	CARTRIDGES (OCO)	30,801	30,801
4	GENERAL PURPOSE BOMBS (OCO)	53,192	53,192
5	JOINT DIRECT ATTACK MUNITION (OCO)	147,991	147,991
11	FLARES (OCO)	20,486	20,486
12	FUZES (OCO)	24,982	24,982
13	SMALL ARMS (OCO)	15,507	15,507
TOTAL, PROCUREMENT OF AMMUNITION, AIR FORCE		292,959	292,959
OTHER PROCUREMENT, AIR FORCE			
2	MEDIUM TACTICAL VEHICLE (OCO)	7,350	5,350

P-1		Budget Request	Recommendation
5	Contract Savings		—2,000
	SECURITY AND TACTICAL VEHICLES (OCO)	15,540	13,540
	Up armored HMMWV—Unjustified Cost Growth		—2,000
11	ITEMS LESS THAN \$5,000,000(VEHICLES)(OCO)	690	690
16	INTELLIGENCE COMM EQUIPMENT (OCO)	1,400	1,400
19	THEATER AIR CONTROL SYS IMPROVEMEN	4,354	4,354
20	WEATHER OBSERVATION FORECAST (OCO)	9,825	0
	OS-21 Contract Delays		—9,825
28	AIR FORCE PHYSICAL SECURITY SYSTEM (OCO)	6,100	6,100
38	USCENTCOM (OCO)	28,784	28,784
44	MILSATCOM SPACE (OCO)	4,300	4,300
46	COUNTERSPACE SYSTEM (OCO)	8,200	8,200
47	TACTICAL C-E EQUIPMENT (OCO)	2,552	2,552
52	COMM ELECT MODS (OCO)	470	470
53	NIGHT VISION GOGGLES (OCO)	8,833	4,433
	NVCD—NSL Contract Delays		—4,400
57	CONTINGENCY OPERATIONS (OCO)	131,559	16,759
	JCREW Ahead of Need		—114,800
56	BASE PROCURED EQUIPMENT (OCO)	9,070	9,070
59	MOBILITY EQUIPMENT (OCO)	16,588	16,588
66	DEFENSE SPACE RECONNAISSANCE PROG (OCO)	9,700	9,700
	OTHER PROGRAMS (OCO)	2,822,166	2,736,303
	Classified Adjustment		—85,863
TOTAL, OTHER PROCUREMENT, AIR FORCE		3,087,481	2,868,593
PROCUREMENT, DEFENSE-WIDE			
5	DIA SUPT TO CENTCOM INTELLIGENCE ACT (OCO)	27,702	27,702
18	GLOBAL COMMAND AND CONTROL SYS (OCO)	1,000	1,000
20	TELEPORT PROGRAM (OCO)	6,191	6,191
23	DEFENSE INFORMATION SYSTEM NETWORK (OCO)	520	520
35	AEGIS FIELDING	0	189,720
	SM-3 Block IA—Additional 20 Interceptors		+189,720
50	MAJOR EQUIPMENT, OSD (OCO)	5,700	5,700
52	UNDISTRIBUTED, INTELLIGENCE	15,000	15,000
XX	OTHER PROGRAMS (OCO)	323,486	333,675
	Classified Adjustment		+10,189
55	ROTARY WING UPGRADES & SUSTAINMENT (OCO)	5,600	5,600
55A	MH-47G	0	28,500
	Combat Loss Replacement Aircraft		+28,500
56	MH-47 SERVICE LIFE EXTENSION PROG (OCO)	4,222	15,222
	Modifications for Combat Loss Replacement Aircraft		+11,000
57	MH-60 SOF MODERNIZATION (OCO)	0	7,800
	Modifications for Combat Loss Replacement Aircraft		+7,800
58	NON-STANDARD AVIATION	0	121,268
	Medium NSAV Transfer from Title III		+121,268
63	CV-22 SOF MODIFICATION	0	15,000
	Modifications for Combat Loss Replacement Aircraft		+15,000
64	MQ-1 UAS(OCO)	8,202	8,202
65	MQ-9 UAV (OCO)	4,368	4,368
71	SOF ORDNANCE REPLENISHMENT (OCO)	75,878	65,878
	Execution Delays		—10,000
72	SOF ORDNANCE ACQUISITION (OCO)	49,776	49,776
73	COMMUNICATIONS EQUIPMENT & ELECTRONICS (OCO)	9,417	31,817
	Program Increase—Unfunded Requirement		22,400
74	SOF INTELLIGENCE SYSTEMS (OCO)	149,406	81,306
	Leased Aircraft—Unjustified Request		—42,800
	HF-TTL Baseline Budget Requirement		—25,300
81	TACTICAL VEHICLES (OCO)	36,262	91,262
	Program Increase—Unfunded Requirement		+55,000
83	COMBAT MISSION REQUIREMENTS (OCO)	30,000	0
	OCO Program Growth		—30,000
88	SOF AUTOMATION SYSTEMS (OCO)	1,291	1,291
90	SOF OPERATIONAL ENHANCEMENTS INTELLIGENCE (OCO)	25,000	25,000
92	SOF VISUAL AUGMENTATION, LASERS & SENSORS (OCO)	3,200	22,700
	Program Increase—Unfunded Requirement		+19,500
93	SOF TACTICAL RADIO SYSTEMS (OCO)	3,985	3,985
96	MISCELLANEOUS EQUIPMENT (OCO)	5,530	5,530
97	SOF OPERATIONAL ENHANCEMENTS (OCO)	79,869	95,545
	Program Increase—Unfunded Requirement		+51,376
	Requirement Addressed by Reprogramming		—35,700
	CLASSIFIED PROGRAMS	2,941	2,941
TOTAL, PROCUREMENT, DEFENSE-WIDE		874,546	1,262,499
NATIONAL GUARD AND RESERVE EQUIPMENT			
	NATIONAL GUARD AND RESERVE EQUIPMENT	0	850,000
	Program Increase—Army Reserve		+140,000
	Program Increase—Navy Reserve		+70,000
	Program Increase—Marine Corps Reserve		+70,000
	Program Increase—Air Force Reserve		+70,000
	Program Increase—Army National Guard		+250,000
	Program Increase—Air National Guard		+250,000
MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND			
	MINE RESISTANT AMBUSH PROTECTED VEHICLE FUND	3,415,000	3,415,000
TOTAL, PROCUREMENT		21,361,868	25,194,335

R-1		Budget Request	Recommendation
RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY			
48	NIGHT VISION ADVANCED TECHNOLOGY (OCO)	0	23,100
	Program increase—Aviation night and limited visibility sensor demonstration		+23,100
60	SOLDIER SUPPORT AND SURVIVABILITY (OCO)	57,900	14,900
	HFDS—Transfer to line 75 for execution at request of the Army		—48,000
	REF—Transfer from Title IV for OCO requirement		+5,000
61	TACTICAL ELECTRONIC SURVEILLANCE SYSTEM—ADV DEV	0	7,800
	Transfer from JIEDDO—Air Vigilance		+7,800
75	ELECTRONIC WARFARE DEVELOPMENT (OCO)	5,400	48,000
	HFDS—Transfer from line 60 for execution at request of the Army		+48,000
	Long-term development effort		—5,400
77	ALL SOURCE ANALYSIS SYSTEM (OCO)	8,100	8,100
171	INFORMATION SYSTEMS SECURITY PROGRAM (OCO)	63,306	0
	Protected Information—Biometrics—Transfer to line 171x		—25,134
	Transfer to OP.A line 51 at request of the Army		—38,172

R-1		Budget Request	Recommendation
171x	FAMILY OF BIOMETRICS	0	25,134
	Non-MIP Biometrics—Transfer from line 171		+25,134
178	DISTRIBUTED COMMON GROUND/SURFACE SYSTEMS (OCO)	16,200	16,200
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, ARMY	150,906	143,234
RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY			
19	ELECTROMAGNETIC SYSTEMS ADVANCED TECHNOLOGY (OCO)	14,100	10,680
	Unjustified request		– 3,420
53	JOINT SERVICE EXPLOSIVE ORDNANCE DEVELOPMENT (OCO)	1,000	1,000
75	JOINT COUNTER RADIO CONTROLLED IED ELECTRONIC WARFARE (OCO)	0	11,800
	Network Enabled EW—Transfer from JIEDDO		+11,800
124	MEDICAL DEVELOPMENT (OCO)	300	300
153	NAVY SPACE AND ELECTRONIC WARFARE (SEW) SUPPORT (OCO)	5,200	5,200
204	TACTICAL UNMANNED AERIAL VEHICLES	0	36,000
	Transfer from OM,MC for Qualitative Risk Assessment		+36,000
213	RQ-7 UAV (OCO)	6,900	6,900
999	OTHER PROGRAMS (OCO)	32,901	32,901
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, NAVY	60,401	104,781
RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE			
17	ADVANCED AEROSPACE SENSORS	0	56,000
	Blue Devil Block 2—Transfer from JIEDDO		+56,000
36	SPACE CONTROL TECHNOLOGY (OCO)	16,000	16,000
66	TACTICAL DATA NETWORKS ENTERPRISE (OCO)	30,000	30,000
128	MQ9 UAV (OCO)	0	88,500
	VADER/DDR on MQ-9—Transfer from JIEDDO		+88,500
145	CSAF INNOVATION PROGRAM (OR ISR INNOVATIONS)	0	112,000
	ISR Sensor Pilot Program		+112,000
164	MISSION PLANNING SYSTEMS (OCO)	4,443	4,443
211	NETWORK-CENTRIC COLLABORATIVE TARGETING (OCO)	6,100	6,100
230	SPECIAL TACTICS/COMBAT CONTROL (OCO)	10,325	10,325
999	OTHER PROGRAMS (OCO)	199,373	161,014
	Classified Adjustment		– 38,359
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, AIR FORCE	266,241	484,382
RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE			
56	DARPA SENSOR TECHNOLOGY	0	40,000
	Transfer from JIEDDO—Wide Area Surveillance Development Roadmap		+40,000
197	LONG-HAUL COMMUNICATIONS DCS (OCO)	23,125	23,125
202	INFORMATION SYSTEMS SECURITY PROGRAM (OCO)	750	750
254	SPECIAL OPERATIONS INTELLIGENCE SYSTEMS DEVELOPMENT (OCO)	9,440	9,440
255	SOF Operational Enhancements	0	14,500
	Transfer from JIEDDO—EW Family of Systems		+14,500
999	OTHER PROGRAMS (OCO)	123,925	134,801
	Classified Adjustment		+3,376
	Transfer from JIEDDO—Wallaby		+7,500
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION, DEFENSE-WIDE	157,240	222,616
	TOTAL, RESEARCH, DEVELOPMENT, TEST & EVALUATION	634,788	955,013
DEFENSE HEALTH PROGRAM			
	OPERATION AND MAINTENANCE	1,398,092	1,398,092
	IN-HOUSE CARE	709,004	709,004
	PRIVATE SECTOR CARE	538,376	538,376
	CONSOLIDATED HEALTH CARE	128,412	128,412
	INFORMATION MANAGEMENT/IT	2,286	2,286
	MANAGEMENT HEADQUARTERS	518	518
	EDUCATION AND TRAINING	18,061	18,061
	BASE OPERATIONS AND COMMUNICATIONS	1,435	1,435
	RESEARCH AND DEVELOPMENT	0	24,000
	Blast Recovery Monitors—Transfer from JIEDDO		+8,000
	Body Blood Flow Monitor—Transfer from JIEDDO		+9,000
	EMF Blast Pulse Effects—Transfer from JIEDDO		+7,000
	TOTAL, DEFENSE HEALTH PROGRAM	1,398,092	1,422,092
DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE			
	AFGHANISTAN AIR MOBILITY	141,634	141,634
	AFGHANISTAN BORDER FACILITIES	5,000	5,000
	AFGHANISTAN BORDER POLICE EQUIP	19,500	19,500
	AFGHANISTAN BORDER TRAINING	20,000	20,000
	CENTCOM SUPPORT—AFGHANISTAN	3,000	3,000
	COUNTER NARCOTICS POLICE AFGHANISTAN FACILITIES	25,295	25,295
	COUNTER NARCOTICS POLICE AFGHANISTAN TRAINING	50,250	50,250
	COUNTER NARCOTICS POLICE AFGHANISTAN (CNP-A) EQUIPMENT	1,241	1,241
	INTELLIGENCE AND TECHNOLOGY	61,500	56,900
	Program Adjustment		– 4,600
	PAKISTAN	49,590	49,590
	KAZAKHSTAN	7,850	7,850
	KYRGYZSTAN	27,900	27,900
	TAJIKISTAN	8,500	8,500
	TURKMENISTAN	10,350	10,350
	UZBEKISTAN	8,500	8,500
	YEMEN	17,000	17,000
	PROGRAM ADJUSTMENT		– 12,000
	TOTAL, DRUG INTERDICTION AND COUNTER-DRUG ACTIVITIES, DEFENSE	457,110	440,510
JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND			
1	ATTACK THE NETWORK	1,434,400	765,200
	Transfer to Staff and Infrastructure for proper execution		– 238,800
	Air Vigilance—outside JIEDDO mission—Transfer to RDTE,A line 61 and OM,A line 411 for proper execution		– 13,200
	Blue Devil Block 2—Transfer to RDTE,AF line 17 for proper execution		– 56,000
	Copperhead—program terminated		– 125,000
	Electronic Warfare Family of Systems (EW FoS)—Transfer to SOCOM, RDTE,DW for proper execution		– 14,500
	JUON Reserve		+100,000
	Solar ISE—outside JIEDDO mission		– 7,000
	Synchronization and Integration WTI Cell—Transfer to OM,A SAG 135 and OM,DW for proper execution		– 6,400
	Thermal Station (National IED Exploitation Facility (NIEF))—Transfer to OM,A SAG 135 for proper execution		– 13,000
	VADER development—Transfer \$88.5 million to RDTE,AF line 128		– 241,800
	Wallaby—Transfer to RDTE,DW for proper execution		– 7,500
	Wide Area Surveillance Development Roadmap (WASDP)—Transfer to DARPA for proper execution		– 40,000
	Wolfhound II—Transfer to OM,DW for proper execution		– 6,000
2	DEFEAT THE DEVICE	1,529,390	1,223,090
	ACES HY Roadmap—Program terminated		– 28,000
	Transfer to Staff and Infrastructure for proper execution		– 105,000

R-1	Budget Request	Recommendation
Beachcomber—Transfer to OMA SAG 135 for proper execution		— 3,000
Counter Bomber—Transfer to OMA SAG 135, OM,N, OM,MC and OM,AF for proper execution		— 3,000
CREW—SSM—Universal Test Set—Transfer to OMA SAG 135, OM,N and OM,MC for proper execution		— 5,000
JUON Reserve		— 105,000
Networked Enabled EW—Transfer to RTE,N line 75 for proper execution		— 11,800
Personnel Borne IED/Vehicle Borne IED (PBIED/VBIE)—Transfer to OP,A line136 for proper execution		— 28,000
Starlite Development Program—Program terminated		— 16,000
Subtle Magnetic Anomaly Detection Networked Systems—Transfer to OMA SAG 135 and OM,MC for proper execution		— 1,500
3 TRAIN THE FORCE	286,210	170,410
Transfer to Staff and Infrastructure for proper execution		— 75,400
Blast Recovery Monitors—Transfer to DHP RTE for proper execution		— 8,000
Body Blood Flow Monitor—Transfer to DHP RTE for proper execution		— 9,000
EMF Blast Pulse Effects—Transfer to DHP RTE for proper execution		— 7,000
Technical Collection Training Program—Transfer to OMA SAG 135 for proper execution		— 16,400
4 STAFF AND INFRASTRUCTURE	0	635,068
Transfer from Title VI		+215,868
Transfer from Attack the Network for proper execution		+238,800
Transfer from Defeat the Device for proper execution		+105,000
Transfer from Train the Force for proper execution		+75,400
TOTAL, JOINT IMPROVISED EXPLOSIVE DEVICE DEFEAT FUND	3,250,000	2,793,768
OFFICE OF THE INSPECTOR GENERAL		
OFFICE OF THE INSPECTOR GENERAL	10,529	10,529
OFFICE OF THE INSPECTOR GENERAL	10,529	10,529
TOTAL, OTHER DEPARTMENT OF DEFENSE PROGRAMS	5,115,731	4,666,899

Mr. STARK. Mr. Speaker, I rise today in strong opposition to the continuing appropriations bill that will cut investments in health and education and will do nothing to create jobs or cut our bloated defense budget.

I agree with the President that shutting down the government was not an option and this bill is certainly better than the tea party budget, H.R. 1, which was passed earlier this year. However, I cannot support a bill that shifts the burden of deficit reduction onto the backs of the working class. This legislation would cut \$504 million from the WIC nutrition program that helps to provide nutritious meals to thousands of families in my district. It would reduce funding for the Children's Health Insurance Program by \$3.5 billion and for community health centers by \$600 million, eliminating the primary source of health care for many low-income families.

At the same time, the bill actually increases defense spending by \$5 billion and cuts funds for local law enforcement. I know the President and Senator REID had to make tough decisions during this process, but ignoring our massive defense budget is unacceptable.

Not satisfied with the cuts to health programs for women and children that made it into H.R. 1473, Republican leaders are also bringing up bills to eliminate funds to implement health reform (H. Con. Res. 35) and support Planned Parenthood (H. Con. Res. 36). The Republican message is clear: if you are poor or struggling to gain a foothold in the middle class, the deficit is your fault and you will pay so we can continue to fund two wars and pay for tax cuts for the wealthy.

I urge all of my colleagues to oppose the Continuing Appropriations Act and efforts to defund Planned Parenthood and health reform.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to H.R. 1473, a bill that will underfund critical health, education and public safety programs and undermine America's fragile economic recovery.

To those celebrating the depth and severity of the Republican budget cuts, allow me to highlight a few uncomfortable truths.

This legislation won't create jobs. It won't improve America's long-term fiscal outlook. And it certainly won't make life any easier for the working families who have borne the brunt of the worst recession since the 1930s.

My Republican colleagues should acknowledge what mainstream economists have maintained for years: that the anemic 18 percent of the budget we allocate to social programs isn't a threat to our national solvency.

We should reject the false choice between repairing our finances and preserving our social safety net. Shrinking the national debt doesn't require starving programs that provide for the poor, protect our planet and empower our young people.

While these savage cuts won't meaningfully reduce the deficit, they will imperil economic growth and endanger American competitiveness. Unfortunately, instead of making investments in our country's future, H.R. 1473 represents a return to the discredited theory that we can cut our way to prosperity.

However, reckless Republican demands reveal more than just a misunderstanding of basic economics—they expose the majority's misguided priorities and misplaced values.

H.R. 1473 condemns literacy programs and grants to improve teacher quality to the chopping block, exacerbating the impact of state and local education cuts.

The Centers for Disease Control (CDC) will be forced to absorb reductions unprecedented in the agency's history, compromising our ability to vaccinate our children and stem the rising tide of chronic disease.

In addition, Community Health Centers, primary providers of health care to millions of low-income Americans, will be dealt a \$600 million dollar blow.

Unfortunately, even critical funding for America's police, firefighters and EMTs isn't exempt from Republican irresponsibility: H.R. 1473 slashes grants to first responders by almost \$800 million.

So the next time an epidemic emerges or a disaster strikes and our government's response is inadequate, we can thank H.R. 1473.

The next time graduation rates fall and the achievement gap grows, we can thank H.R. 1473.

The next time a mother loses her job and her health care coverage and finds the doors of the local community clinic closed to new patients, we can thank H.R. 1473.

Sadly, there are those who argue that we should simply accept the damage to vital pro-

grams and services and move on to the next political battle. "To compromise," they say, "is to govern."

Yet comprising our principles isn't real leadership and cutting aid to the most vulnerable is no way to govern.

In these trying economic times, Congress should certainly take a hard look at every tax dollar our government spends, but as President Roosevelt once said, "A nation doesn't have to be cruel to be tough."

For all of these reasons, I call on my colleagues to join me in voting "no" on H.R. 1473.

Mrs. LOWEY. Mr. Speaker, the fiscal challenges our nation faces are the result of the irresponsible policies of the Bush administration and costly wars in Afghanistan and Iraq as well as necessary measures that continue helping our economic recovery after the most severe financial crisis since the Great Depression. The high federal deficit is not, as some claim, due to over-investment in Head Start, schools, roads, bridges, medical research, or other critical priorities.

The federal government must operate more efficiently, eliminate waste, and find cost-savings and efficiencies that jeopardize neither vital services on which Americans rely, nor critical investments in our economic growth. The administration and congressional negotiators made progress toward that end in this bill.

We were successful in restoring funding for critical programs like Head Start, Pell Grants, public broadcasting, and Title I aid to local schools, and that the damage was mitigated for programs like family planning and medical research at the National Institutes of Health. The draconian cuts prescribed in H.R. 1 for these and other vital initiatives would have hurt our ability to grow the economy, create jobs, and compete in the future.

I commend President Obama and Senator REID for refusing to give in to Republican demands to de-fund Planned Parenthood and Title X family planning programs, which would have denied millions of women access to contraception, breast exams, Pap tests, and other critical health services.

While the bill is a significant improvement over H.R. 1, it is far from perfect. Among its flaws, I am extremely disappointed that the

Urban Areas Security Initiative (UASI) and State Homeland Security Grant Program (SHSGP) have been slashed by 18 percent and 24 percent, which will hurt New York's preparedness. It is shameful that my amendment to restrict UASI funding to 25 at-risk, densely populated cities, passed by the House of Representatives, was removed, allowing the program's recipients to continue to balloon and further dilute this already insufficient account. A unified House position and common sense should have been enough to convince the Senate to provide the most at-risk areas like New York adequate anti-terror funds before areas that face minimal threat. I call on Secretary Napolitano to use her authority to limit the number of grant recipients to 25 and will introduce stand-alone legislation today to make it a statutory requirement.

Many will reject this agreement on the grounds that the cuts are not severe enough while others will oppose it based on what they consider excessive reductions. However, to govern is to make tough choices, and I am working with my colleagues in a responsible and bipartisan way to protect vital services and investments in our future while reducing spending. My vote in support of this bill is not an endorsement of cuts to many important programs I believe are beneficial to economic growth, health, education, and public safety, and I will continue fighting against drastic and irresponsible proposals like H.R. 1.

As difficult as it was to reach agreement for 2011 spending levels, the challenges ahead are even greater. Moving forward, Democrats and Republicans must work together to eliminate wasteful or duplicative spending while protecting investments in our future and essential services like Social Security, Medicare, and Medicaid.

Mr. QUIGLEY. Mr. Speaker, I rise today in opposition to H.R. 1473, the continuing resolution for FY11.

We cannot stand here, in good faith, and call this legislation a compromise.

This bill includes a provision that will prohibit the District of Columbia from spending its own money to provide abortions to low-income women.

D.C. Mayor Vincent Gray certainly wasn't at the table for this compromise.

This bill includes a provision that would remove wolves from the endangered species list in Montana.

This science-based decision, a decision that's central to the Endangered Species Act, is not a compromise for politicians to make.

This bill includes a provision that guarantees Senate debate on healthcare repeal and defunding Planned Parenthood.

And, this bill includes a provision that would block a funding increase for the IRS to hire additional agents for oversight and enforcement activities.

I cannot stand here, in good faith, and support this legislation.

I would be compromising my constituents' trust in my ability to represent their beliefs, their values and their best interests.

Mr. DINGELL. Mr. Speaker, I rise in support of H.R. 1473 and urge my colleagues to vote for this imperfect compromise. This is not the spending bill I would have written, and it is safe to say that not one Member of Congress

believes this bill is perfect. However, Democrats and Republicans have spent endless hours negotiating across the aisle to form something that is at least satisfactory to most, and I appreciate their efforts.

Congress has passed seven interim continuing resolutions (CRs) in fiscal year (FY) 2011 and has funded most of the year with stopgap spending bills. On the same day we are voting on FY 2011 funding, we are considering the FY 2012 budget. The time has passed for us to enact a full-year spending measure for FY 2011 that will allow us to focus on the future and bring stability back to the federal government.

While I am pleased this CR is a significant improvement from H.R. 1, the previous full-year CR, this bill still includes hazardous cuts that threaten many important federal programs. I believe Congress's spending legislation should reflect what our Nation values most, and I do not like what this bill says about our priorities.

The current CR includes cuts that will fall on the backs of our most vulnerable populations, including low-income women and children, dislocated workers, and those in need of affordable health care. I also do not support its cuts to law enforcement and emergency responsiveness, nor its massive reduction in environmental conservation funding. The current CR also fails to prioritize innovation and development, and I believe such reduced funding for critical government programs will delay our economic recovery.

In all, the bill cuts over \$40 billion from FY 2010 spending levels. Yet it actually increases defense spending. Mr. Speaker, this bill is not an accurate portrayal of my priorities, nor those of the majority of my constituents. That said, this bill is a significant improvement from H.R. 1, and only includes about a quarter of the cuts included in the original spending bill. I am happy to see that the current CR will increase investments in education, providing our children with the tools they need to succeed. Race to the Top education reforms, Head Start programs, and Pell Grants for low-income college students will receive the funding they need. I also am happy to see adequate investments in Wall Street oversight, food safety inspection, and infrastructure grants to spur local economies.

While I believe this bill cuts too far into many important government programs, I also acknowledge that everyone will need to make sacrifices if we are to adequately address our increasing level of federal debt. These spending reductions will not be easy to swallow, but we will face many difficult choices as we begin to return this country to a solid financial footing.

I urge my colleagues to vote in favor of H.R. 1473.

Mr. PASCRELL. Mr. Speaker, the bill before us certainly isn't perfect. It contains cuts to many programs important to New Jersey families and several policy riders that I do not support. Cuts to Community Development Block Grants (CDBG) and the Women and Infant Children (WIC) program will be hard to swallow, especially in these tough economic times. Reducing the Environmental Protection Agency's budget will make it harder to keep our air and water clean and protect us from the threat

of climate change. And I am skeptical of reducing government spending in a way that could negatively impact our economic recovery.

However, the deal does restore many of the Republican's most draconian cuts contained in H.R. 1. We were able to restore a billion dollars to CDBG, almost \$250 million to WIC and \$250 million to the COPS hiring program. The deal includes my amendment—that was passed by a large bipartisan majority—to restore funding for our firefighters to fiscal year 2010 levels. We have maintained the maximum Pell Grant award that makes higher education affordable and actually increased funding for early childhood education. The Securities and Exchange Commission will receive an increase in funding so it can more effectively police Wall Street and implement the reforms in the landmark financial regulation bill passed last year.

My job as a Member of Congress is to find ways that we can come together to bridge our partisan differences for the good of the country. I believe that this bill meets that test. I will be voting in support of it so that we can avoid a government shutdown that could hurt our recovery far more than the cuts contained in this bill.

Passage of this deal will allow us to turn our sights to the 2012 budget and have a broad discussion of our country's future. Make no mistake: the Republican budget is dead on arrival. A budget is a statement of priorities, and I will never vote for any budget that pays for tax cuts for the wealthiest by ending Medicare for our seniors. Yesterday, the President began what I hope will be an adult conversation about our future, and I intend to be a loud voice for protecting our seniors, veterans and the middle class.

Mr. PRICE of North Carolina. Mr. Speaker, I rise today in reluctant opposition to this measure. I do so with a keen awareness that it reflects a bipartisan agreement reached to avert a government shutdown, and I commend the President and congressional leadership for negotiating a deal that avoided the most extreme aspects of H.R. 1, the Republican continuing resolution passed by the House in February. I also commend Chairman ROGERS and the Appropriations Committee majority staff for soliciting input from the minority as they finalized the details of this proposal.

But ultimately, I must judge this bill on its merits and not by the process that produced it. And I cannot in good conscience support a measure that will threaten our fragile economic recovery and undermine key investments in our future, while doing little to address our long-term fiscal challenges and requiring little in the way of shared sacrifice. It is simply not enough to observe that this bill could have been much worse.

As the Ranking Member of the Homeland Security Appropriations Subcommittee, I have concerns about the cuts the bill would impose on the Department of Homeland Security (DHS), but this is not the primary reason for my opposition. This area of the budget was spared the sort of drastic reductions the bill makes to investments in infrastructure, innovation and the health and well-being of the American people. I commend our Subcommittee Chairman, ROBERT ADERHOLT, for

protecting the core operational functions of the Department—from Customs and Border Protection personnel to transportation security investments to the Coast Guard.

Chairman ADERHOLT was not operating without constraints, of course. Overall funding for DHS will drop by two percent from last year's funding level, and the majority's decision to increase the Disaster Relief Fund by \$1 billion to cover a shortfall that has traditionally been met through emergency supplemental appropriations only exacerbates this reduced allocation. Unfortunately, state and local first responder grants received the brunt of this blow, taking a 25 percent reduction overall. Not only does this adversely impact the efforts of communities across the country to keep their people safe by preparing for natural disasters and terrorist attacks, but it does so at a time when state and local budgets are already contracting, making federal assistance all the more vital.

The bill also reverses course on a decision to fund the processing of asylum seekers and refugees out of general funds, rather than asking other immigrant petitioners to pay fees to fund a service they don't receive. A reduced allocation for the National Protection and Programs Directorate is likely to delay the critical effort to secure government cyberspace, and a cut to the flood hazard mapping program will make it difficult for FEMA to meet its legal obligation to update our nation's flood maps every five years.

The bill does avoid significant cuts to most of the core DHS components, including the Coast Guard, TSA, ICE, Secret Service, and Customs and Border Protection. Importantly, the bill maintains level funding for firefighter equipment and staffing grants, which are critical to mitigate the impacts of widespread local budget cuts to public safety personnel. And because of the dire fiscal straits that local fire chiefs are facing, the bill maintains flexibility Congress has given FEMA in recent years to waive certain restrictions on SAFER grants that are difficult for most fire departments to achieve right now.

Specifically, the bill waives the requirement that SAFER grants be used to increase the number of firefighters on staff, thus allowing these grants to be used to rehire laid off firefighters and to retain firefighters who face the prospect of being laid off. In discussions over these provisions, negotiators realized that allowing these grants to be used for retention was clearly one of the most important measures that should be maintained for fiscal year 2011 SAFER grants. Second, the bill waives local cost-share requirements, which vary from 10 percent of a firefighter's salary in the first year to 70 percent in the fourth year of the personnel grant. Third, the bill waives a provision in the SAFER authorizing statute prohibiting the grants from being used to supplant state or local funds. While I believe a more comprehensive set of waivers would have served the program well, in the judgment of the bill's negotiators, provisions allowing for the rehiring and retention of firefighters, the waiver of cost-share requirements, and the supplanting of local funds simply had to be maintained for the current fiscal year.

Unfortunately, these homeland security provisions offer little consolation when we turn to

other areas of the bill. The strength and security of our country are about much more than how much we spend on weapons systems or how thoroughly we police the border. They are about the investments we make in our people—in our nation's ability to recover from the current economic downturn, compete in the global economy, and build a future of greater prosperity for our children and grandchildren. The bill before us risks pulling the rug out from under the current recovery and compromising our future competitiveness.

To be sure, it could have been worse. Some of the most reckless cuts included in H.R. 1—such as a 17 percent cut to Pell Grants, a \$1.6 billion cut to NIH, and an \$800 million cut to the National Science Foundation—have been avoided, while the measure contains modest increases for programs such as Head Start and homeless assistance grants. Most of the extreme, ideologically driven policy riders being pushed by my Republican colleagues have been dropped.

But the bill still cuts nutrition assistance to Women, Infants and Children (WIC) by over \$500 million, Community Health Centers by \$600 million, and public housing programs by \$700 million—leading to more hungry children, reduced access to health care, and fewer families with a roof over their heads at a time when many are still struggling to make ends meet. It cuts Career Education programs, Dislocated Worker Assistance programs, and a range of highway and infrastructure projects—making it harder for out-of-work Americans to find jobs at a time when our economic recovery is still fragile. And it includes drastic cuts to high-speed rail (\$2.9 billion), the EPA (\$1.6 billion), energy efficiency and renewable energy research (\$438 million), and other key investments in our long-term economic competitiveness. The federal budget is a statement of our priorities and values. These cuts will slow economic growth, as economists across the spectrum have warned, and cost hundreds of thousands of jobs. They will inflict pain on the most vulnerable and restrict opportunities for the middle class.

Make no mistake: in order to preserve our economy competitiveness in the future, we must also put our country back on a path toward fiscal balance. As a veteran of the balanced budget agreements of the 1990s, I take a backseat to no one in my conviction that we must rein in our current deficits and put our long-term obligations on a more sustainable trajectory. And while some may claim that this bill is a necessary first step on this path, this view ignores the fact that by threatening the recovery, this bill could perversely exacerbate our fiscal troubles, all the while failing to address the real budget crisis—the massive imbalance in projected revenues and government obligations in the long-term.

Addressing this much more vexing challenge will require making targeted reductions in spending, but it should phase these adjustments in at a pace that does not jeopardize the fragile economic recovery. I have supported a series of measures in recent months that included real cuts to programs I care about. I helped draft an omnibus bill last fall that would have cut over \$20 billion below the President's request, and when that wasn't enough to satisfy my Republican colleagues, I

helped draft a yearlong Continuing Resolution (CR) that would have cut nearly \$40 billion below the request (and \$10 billion below last year's enacted level). Senate Republicans blocked both measures, choosing instead to threaten a March government shutdown. In recent weeks I supported three short-term continuing resolutions to give leaders time to negotiate our way out of this mess. These bills cut another \$12 billion off of last year's level.

But we will never balance the budget through cuts to domestic discretionary spending alone. What is needed is a comprehensive approach that includes reforms to entitlements and revenue, as well as targeted spending cuts—the kind of serious approach outlined by President Obama yesterday—instead of focusing myopically on just 12 percent of the budget, as the bill before us does. Twelve percent of the budget—programs that invest in our people and our future—is not 100 percent of the problem. A real budget solution requires shared sacrifice from all Americans, instead of seeking to balance the budget on the backs of lower- and middle-income Americans while cutting taxes for the wealthy.

And so I cannot in good conscience support a measure that would threaten our economic recovery and undermine our long-term competitiveness while doing next to nothing to address our long-term fiscal challenges. This bill may have been a necessary step to avert the irresponsible shutdown of the government, but that does not make it a step in the right direction. I urge my colleagues to oppose this measure.

Mr. WEST. Mr. Speaker, this past weekend I had an important milestone occur in my life. My oldest daughter, Aubrey, turned 18 years old. It seems like it was only yesterday that I held this small baby in the palm of my hand and now she is a grown mature woman about to start college and begin the next phase of her life.

I flew back to Florida last Saturday so that I could be with her on this very special day in her life. Turning 18 is important for every American. Because at 18 years old, under the law, you are now considered an adult and she was proud to register for the most important right—the right to vote for our elected leaders.

When my daughter was born in 1993 the Federal Government debt was \$4.3 trillion. Just 18 years later, I will shortly be faced with a vote on whether to raise the debt limit to over \$15 trillion. When I held my daughter as a baby, I never thought that our Nation would be in such financial distress and on its way to a major economic catastrophe.

Over the weekend, as I celebrated with my daughter, I thought even harder about what the United States will be like when she will be my age and what would her son or daughter, my grandchildren, think when they look back in the history books at this critical time in our Republic's history.

Last November, the citizens of the 22nd congressional district, and millions of Americans, voted for a new direction for our country. They sent a message to our elected representatives that we needed to end out-of-control government spending, reduce our national debt, and get our fiscal house in order.

The Democrat majority and President Obama over the last two years have produced

deficits of \$1.4 and \$1.25 trillion, and the President has produced a budget for fiscal year 2012 which would add another \$1.6 trillion. The American people know that the Federal Government is collecting \$2.2 trillion and spending \$3.7 trillion this year.

The American people know that forty cents of every dollar the Federal Government spends is borrowed, much of it from China. The American people also know our Nation is piling up new debt at the rate of \$4 billion a day.

The Era of Big Government Spending is Over! In 100 days the debate in Washington has gone from a freeze in government spending to addressing cuts in spending.

As we are all aware, the 111th Congress was controlled by overwhelming Democrat majorities in the House of Representatives and the U.S. Senate. Yet even with these enormous majorities, Congress failed to pass a budget or any of the appropriations bills.

Members of the former majority party in the House of Representatives have now resorted to the political rhetoric that the Republican Party is trying to kill women, starve seniors, and the budget deal is the functional equivalent of bombing innocent civilians. They make these statements even after Majority Leader REID and President Obama recognize that we need to cut Federal spending.

This type of political rhetoric is beneath us. We can disagree on the direction we are taking our nation, but let us have a debate on the facts and policies. The American people demand an adult conversation instead of childish name calling.

Mr. Speaker, I want to take a moment to briefly summarize my thoughts and votes during the negotiations for the budget for fiscal year 2011. I voted for the first short term Continuing Resolution in the 112th Congress in order to provide Speaker BOEHNER the necessary time to negotiate with an intransigent U.S. Senate and White House.

I voted against the second Continuing Resolution because I believed that we were continuing to kick a can down the road, and that the Obama administration and Members of the Democrat Party wanted to force the Federal Government into a shutdown in order to win political points. It seems their goal is the hope that by shutting down the Federal Government, the American people will perceive an inflexible Republican Party and return the Democrats to power in the next election.

I voted for the Department of Defense Appropriations bill, which contained another short term Continuing Resolution, in order to support my brothers and sisters in uniform. However, I made the leadership of the Republican Party aware that I believed using the military as a bargaining chip in the negotiations as a way to pass yet another continuing resolution was indefensible.

As the clock approached the time to shut down the Federal Government, an agreement was finally reached. In order to draft the bill and provide time for the American people to review the bill, the House considered, and I voted in favor of another Short Term Continuing Resolution. I always stated it was never my intention to shut down the Federal Government.

At the Army Airborne school in 1984 I had a black hat instructor say, "If you set the bar

low, you will jump low!" Today, I will be voting against the negotiated agreement because I believe that we set the bar too low and it does not fulfill the promise I made to the constituents of the 22nd congressional district of Florida. While this bill is a step in the right direction, I am voting against the Department of Defense and Full-Year Continuing Appropriations Act for fiscal year 2011, H.R. 1473 because it is important for elected leaders to stand by the pledges we make to the American people.

It takes five miles to turn an aircraft carrier. I am pleased, that finally, the Republican leadership has finally taken control of the helm and begun to turn the wheel. However, I believe we need to turn the wheel a little harder. At this moment in our Nation's history, when the facts are so clear and the political hyperbole is so hollow, my vote reflects that we need more to get our ship of state on the right course.

That is what my adult daughter Aubrey expects, that is what my teenage daughter, Austen expects, that is what my wife Angela expects and that is what every American expects.

Mr. SMITH of Texas. Mr. Speaker, I support this bill because it represents a fundamental shift in the debate here in Washington. The question is no longer about how much to increase Federal spending as it has been these last few years. And it isn't even whether or not to cut Federal spending. Instead, the question is now by how much to cut Federal spending.

I know that in order to cut the budget, hard choices must be made. Unfortunately, this bill makes two incorrect choices.

First, H.R. 1473 rescinds \$13 million from funding for the REAL ID hub. Second, the bill cuts \$25 million from the exit portion of U.S.—VISIT.

The 9/11 hijackers each used fraudulently obtained drivers' licenses and identification cards from several different states. In response, the 9/11 Commission recommended that, "The federal government should set standards for the issuance of birth certificates and sources of identification, such as drivers licenses."

So Congress passed, and the President signed into law, the "REAL ID Act of 2005." Unfortunately this administration does not take this law seriously. In fact, the administration tries at every opportunity to undercut the congressional mandate.

Most recently the Obama administration issued a 20-month extension for states to comply with REAL ID. Such extensions simply leave Americans vulnerable to those who want to do us harm.

We should do whatever we can to ensure that the administration and states implement REAL ID. Taking funds away from it is a mistake.

It is also a mistake to take funds away from the development of the exit portion of U.S.—VISIT.

The "Illegal Immigration Reform and Immigrant Responsibility Act of 1996," required, within 2 years, the creation of an automated system to track the entry and departure of every alien entering the United States in order to identify those aliens who overstay their visas. That system is known as United States

Visitor and Immigrant Status Indicator Technology (U.S.—VISIT).

Fifteen years later, the exit portion of that system is nowhere near completion. In fact, other than several prior pilot programs at land, sea and air ports of entry, the exit portion doesn't even really exist.

Without the "exit" portion of U.S.—VISIT, there is no way to tell whether people who entered on short-term visas returned home. And such visa overstayers account for nearly 40 percent of all illegal immigrants in the United States. It is a matter of national security to know who is coming and going from the U.S.

Taking \$25 million from U.S.—VISIT gives the administration the impression that we are not serious about its implementation. And that is wrong.

I plan to support passage of H.R. 1473, but I hope that in the future, the choices we made to cut federal spending that might put this country's national security at risk will be reconsidered.

Mr. BLUMENAUER. Mr. Speaker, I will be voting against the continuing resolution because it reflects seriously misplaced priorities. What we are having right now is not just a budget battle; it is a fundamental debate about the direction and values of this country. Cutting nutrition aid for women and children during an economic recession is heartless. Cutting programs that not only benefit farmers but help protect the environment, wildlife, water quality, and erosion control is stupid. Reducing funding the state revolving fund that helps rebuild local sewer and water systems around the country is folly. These programs create jobs and improve the health of the community.

I also will be voting against the CR because it endorses Republican brinkmanship that encourages political "hostage taking" with disastrous results far in excess of any potential advantage gained. The fact that a minority of Congress feels empowered to do things to government operations that are truly irrational destroys the credibility of this legislative body. It must stop. The only way it will stop is if the attention and resulting fury of the American public is focused on it.

This legislation represents a failure to deal with entrenched political interests at a time of heightened awareness, attention, and controversy around our budgets. We should be doing better not worse.

The next act in this sad drama—dealing with the increase of the debt ceiling, which will absolutely be approved—is already underway. The United States has no choice. Even pretending that we won't raise the debt ceiling risks consequences far more serious than the added interest costs that the U.S. would face, which would total approximately two thirds of a billion dollars a day for every percentage increase in our national debt interest rate.

We should call the question as soon as possible to attempt to rein in an ongoing political strategy that will simply move us from one crisis to the next, whether it be a future increase in the debt ceiling, expiring tax provisions, or the next budget cliff. We must stop now. The best step is to draw the line before it goes any further to increase the likelihood that people will begin to act responsibly.

Ms. HIRONO. Mr. Speaker, I rise in opposition to H.R. 1473, the FY2011 Department of

Defense and Full-Year Continuing Appropriations Act.

American families in each and every one of our congressional districts are relying on Congress and the White House to avoid a government shutdown and agree on a budget that funds the government for the rest of the fiscal year. While this bill is far better than H.R. 1, the Republican's FY2011 continuing resolution that passed the House earlier this year, I am voting against H.R. 1473 because far too many people will be adversely impacted by the cuts it will make.

Compared with the draconian cuts proposed under H.R. 1, H.R. 1473 provides additional funding for many programs that people in Hawaii and across this country rely on for support—including Head Start, community services, and public broadcasting. H.R. 1473 also invests in our economic future by supporting Race to the Top and funding key science and energy R&D programs.

This legislation is also a better bill than H.R. 1 because it doesn't include legislative riders that defund the Affordable Care Act or prohibit funding to Planned Parenthood. I fundamentally disagree with these riders on a substantive and procedural basis. Members of Congress should have the opportunity to debate and vote on these issues separately and deliberately on their own merit rather than have them be rammed through an appropriations measure.

But H.R. 1473 falls short in many respects. Many families in Hawaii and across the country are barely scraping by and will get little help from this legislation.

What is most alarming about this compromise bill is that it asks working- and middle-class Americans to bear the brunt of the budget cuts without asking the wealthiest Americans to do the same. Where is the shared sacrifice? Where is the aloha?

This continuing resolution takes a meat ax approach by slashing funding for so many programs that I can't even name all of them here. Cuts to community health centers? Check. Cuts to workforce training programs? Check. Cuts to law enforcement grant programs? Check. What about programs for low-income college students? Those programs are cut, too.

The bill also cuts Community Development Block Grant funding by \$950 million from the enacted FY2010 level despite wide bipartisan support from counties in Hawaii and across the country. CDBG supports economic development, job creation, and facility needs for the most disadvantaged. The CDBG program has given thousands of Americans a much needed hand up when times were tough—a hand they wouldn't have received without sufficient levels of funding.

In fact, just a few weeks ago, representatives from Hawaii's counties were in town. Their message was simple: preserve CDBG funding.

Not only that, but they were also keen on preserving federal programs that are helping them to upgrade their emergency communications systems to comply with federal law. Instead, this bill terminates the Interoperable Emergency Communications Grants program and cuts \$45 million from the Emergency Operations Center Grants program, both run by

FEMA. Not only are we reducing resources our communities need, but we are making them less able to comply with the requirements that we at the federal level are forcing them to meet.

In addition to cutting funds that our communities depend on to help people, it also cuts funding for programs that help to keep our communities healthy and safe.

For example, we're reducing allocations for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund by almost \$1 billion. These are two of the most important federal sources of funding for improving our wastewater and drinking water infrastructure. This cut reduces Hawaii's Clean Water State Revolving Fund by \$4.4 million. Access to clean water should be one of our highest priorities, as it is one of the most basic needs of all of our people. Yet, we are making cuts to these programs, which provide federal funds that ensure clean, safe water for our communities.

Of course, these are two major federal programs. This legislation is even crueler when it comes to smaller federal programs—like the Watershed and Flood Prevention Operations program run by the Department of Agriculture, which is zeroed out in this bill. This program is one of the only federal programs available for flood prevention and watershed development programs in America's rural communities. Even though it is a relatively small program, it has a big impact in communities that receive funding—like those on the islands of Maui and Hawaii.

My colleagues may be aware that Hawaii recently received a Presidential Disaster Declaration to assist with rebuilding the communities that sustained damage in the recent tsunami. Certainly, providing assistance to communities affected by disasters should be a national priority. Unfortunately, this bill cuts Pre-Disaster Mitigation Grant funding by 50 percent. Thanks to the Declaration we recently received, Hawaii's counties are eligible to apply for this funding, which can be used to help prevent damage in the event of the next natural disaster. This is the kind of forward-thinking investment in preparedness we should be prioritizing. Instead, we are cutting funding in half.

I am concerned about the economic impact that this bill will have on Hawaii and our nation. I am concerned about what it says about our priorities as a people. At the same time, I understand the pressures that President Obama and our Senate colleagues were under. America's families already have enough to worry about—they shouldn't have to be concerned that their government is going to shut down.

However, the negotiations over this important decision were hijacked—as this House has been—by an extreme, ideological minority. This faction has adopted an irresponsible “my way or the highway” negotiating position. They believe that because they have the majority in this chamber, that they can drown out the voices of those of us who want to work to ensure that our government works for our constituents and reflects the priorities of our communities.

I support the President and know that this is a deal he didn't want to have to make. As a

member of the House, I want him to know that these extremists do not represent the full will of the American people—so I feel that it is my duty to vote against this deal.

I will continue to oppose legislation that weakens our economy when it is already fragile, increases the burden on our families when they are struggling, and fails to adequately invest in our nation's future success.

Our priority needs to be jobs. H.R. 1473 doesn't create jobs or help the middle class, which is why I must vote against this bill.

Ms. McCOLLUM. Mr. Speaker, despite reservations about certain aspects of this appropriations bill, I will vote in favor of funding the federal government for the remainder of Fiscal Year 2011. The process over the past year, that has led us to this vote, has been filled with missed opportunities, disappointments, and extreme political posturing. This compromise agreement is a success for President Obama who prevented a government shutdown and defended America's seniors, students, working families, and the fragile economic recovery. Federal funding for Planned Parenthood and implementation of the Affordable Care Act, both under constant attack from Republicans, were prevented from being eliminated to the benefit of Americans in need of access to health care.

The Republican Tea Party crusade to eliminate \$100 billion in 2011 from domestic discretionary spending and their threats to shut down the federal government failed. At the end of the day, this compromise cuts \$38.5 billion from the budget. Yet, will yield only \$352 million in reduced federal outlays in 2011, according to the Congressional Budget Office, CBO. This is because much of the funding eliminated in H.R. 1473 was excess program funds that were never going to be spent anyway.

H.R. 1473 is a compromise between Democrats and Republicans. Many onerous, destructive cuts proposed by the Tea Party Republican House majority in H.R. 1 were eliminated from this compromise. Investments in job creation, health care reform implementation, voluntary family planning services, public broadcasting, international development assistance, and services for homeless veterans are all included in this bill. Despite Republican efforts to gut services for the unemployed, the sick, women, and the poorest of the poor around the world, many harmful cuts were avoided in this final bill.

Still, there are budget cuts and policy riders in this bill, which I strongly disagree with and have a long record of opposing. The cuts to the Environmental Protection Agency, EPA, of \$1.6 billion or 16 percent will diminish the ability of this agency to protect human health, pursue polluters, and address the grave challenges presented by global climate change. These cuts to EPA are wrongheaded and reflect a perspective that corporate profits are more important than regulating pollution and protecting human health. I find this objectionable, and I will work to continue to fund EPA's vital regulatory role in the 2012 Fiscal Year.

Deep cuts to community health centers are of great concern to me. The \$503 million cut to the Women, Infants, and Children, WIC, program—which provides nutritional assistance to young children and pregnant,

postpartum and breast-feeding women—is a direct Republican attack on our society's most vulnerable. These are two examples of senseless, mean-spirited cuts that target low-income Americans.

Funding school vouchers in the District of Columbia is a policy I strongly oppose because it undermines public schools and diverts scarce resources away from public education. Another rider which I strongly opposed prohibits the District of Columbia from using its own local tax revenue to provide legal health care services to women. This intrusion into the affairs of local government is an example of Republican hypocrisy as they impose their ideological agenda on struggling citizens.

There is no doubt that the federal government is facing a fiscal threat that must be addressed. Deficit reduction is a priority for the American people, for the financial markets, and for Congress. The House Republicans' hard line on spending masks their policies of increasing the deficit by hundreds of billions by cutting taxes for millionaires and billionaires, protecting the defense contractors from cuts to eliminate waste and abuse, and heaping generous tax breaks on oil companies and other special interests. By focusing all spending cuts on domestic discretionary programs which makes up only 12 percent of the federal budget the Republicans advance an ideological agenda, but do nothing to repair our nation's fiscal situation or strengthen the economy.

I will not celebrate the passage of this bill, but the process that lead us to this point should be instructive to the many sectors of our community that depend on the federal government as an equal partner. The consequence of last November's election victory by the Tea Party means every federal investment in education, health care access, services to the poor, the disabled, and the homeless is at risk of being eliminated. Federal support for job creating investments in community development, the arts, green technology, workforce training, and life-saving medical research are all at risk by this Tea Party majority that is determined to slash federal programs.

Since January the American people have witnessed the Tea Party Republican majority in Congress and the accompanying agenda. The passage of H.R. 1 should be indicative of how destructive their agenda would be to America if it were not for a Democratic majority in the U.S. Senate and the leadership of President Obama in the White House. Between now and November 2012 the American people need to decide what role they want the federal government to play in their lives. The future of America is being debated now, but it will be decided in the next election. I strongly urge my fellow citizens—especially those who believe government plays a valuable role in our society—to become fully engaged in the policy and political process.

The outcome of this year's appropriations process, H.R. 1473, is a compromise agreement. I support this agreement, but compromise does not mean I cede my values or priorities. In this political environment, I believe this compromise is the best deal possible to keep the federal government working, and I will not vote to shutdown the government.

Congress needs to pass H.R. 1473, fund the federal government for the remainder of

2011, and get serious about meeting the priorities of the American people, like creating jobs, preventing a fiscal crisis, and making America competitive in this global economy.

Mr. HOLT. Mr. Speaker, I rise in opposition to the bill before us today to fund the federal government for the remainder of fiscal year 2011.

The budget for the federal government is a moral document. It reflects, in dollars and cents, our priorities as a nation. My priorities include supporting programs that create jobs, promote American competitiveness, and strengthen our communities.

The spending bill before us demonstrates a different set of priorities. This bill slashes \$150 million from the National Science Foundation, \$260 million from the National Institutes of Health, \$109 million from the National Institute of Standards and Technology, \$35 million from Department of Energy's Office of Science, and eliminates the summer Pell Grant program I helped establish for students who work while trying to earn a college degree. In order to out-innovate, out-educate, and out-build the rest of the world, we must preserve these investments.

As our economy slowly recovers, local governments and social service agencies continue to struggle to provide critical services to their communities. This bill irresponsibly cuts state and local law enforcement grants by \$414 million and cuts the COPS program, which helps police departments hire and retain officers, by nearly \$300 million. These programs are not wasteful, rather they keep our neighborhoods safe and secure.

This bill cuts by \$600 million—or 27 percent—funding for community health centers. It cuts programs that provide food assistance to women, infants and children by half of a billion dollars and cuts nearly \$1 billion from the Community Development Block Grant program. These programs are part of the safety-net that assists the most vulnerable among us in obtaining housing, health care, food and are necessary for a humane society.

Inexplicably, while my Republican colleagues talk about shared sacrifice to justify these cuts, this bill increases by \$5 billion funding for the Department of Defense. I am disappointed that this figure includes the \$1.5 billion for Iraqi police and security forces that I attempted to save on behalf of taxpayers on the House floor earlier this year.

This bill contains the wrong priorities for the middle-class New Jersey and across America, and I urge my colleagues to oppose it.

Mr. WAXMAN. Mr. Speaker, it is with reluctance that I oppose this legislation. The President and Senator REID worked as hard as they possibly could to blunt the extreme Republican agenda. As everyone knows, these spending cuts are before us today because the Republicans did not hesitate to resort to the most irresponsible tactics to try to enforce their radical agenda.

While there are some program cuts I can support, others harm programs affecting millions of Americans. I am particularly concerned by the cuts to Community Health Centers (\$600 million from last year's spending levels), Health Care Facilities and Activities (\$338 million), Women and Infant Children programs (\$504 million), Energy Efficiency and

Renewable Energy programs (\$438 million), Clean Water and Safe Drinking Water State Revolving funds (\$997 million), Climate Change programs (\$49 million), HIV AIDS, Viral Hepatitis, STD and TB Prevention (\$730 million), LIHEAP (Low income energy assistance) (\$390 million), U.S. Agency for International Development (\$39 million), International Clean Technology Fund (\$115 million), Highway Construction (\$2.5 billion), and High Speed Rail (\$2.9 billion).

For all the effort made, these cuts in funding do not have any significant impact on the deficit. Because of the Republicans' ideological blinders, taxes and revenues get no consideration here. The deficit cannot be solved without addressing revenues, and the silence on this issue from the Republican Party is deafening.

I also must register my profound objection to the rider attached in this bill that prohibits the District of Columbia Government from funding abortions. By what moral right does the Republican leadership override unilaterally the sovereign decisions taken by the government and people of the District of Columbia? This is shameful and deeply offensive and I hope Congress can find the strength ultimately to reverse it.

Again, I believe President Obama and Senator REID did the very best they could under near-impossible circumstances deliberately engineered by the Republican leadership. Unfortunately, this bill will inflict too big a price on many programs the American people and our country need. I must therefore vote against it.

Ms. GRANGER. Mr. Speaker, I rise in support of this Continuing Resolution. We must pass this bill today to begin to get this Nation on a path of fiscal stability. I want to make a few brief remarks about the State-Foreign Operations title of the bill. State-Foreign Operations is reduced by 8.4 billion dollars from the fiscal year 2011 request. While some of my colleagues might say these funding levels mean that diplomacy and development take a large reduction, we need to keep in mind that the State-Foreign Operations bill grew by more than 33% from FY08 to FY10. We simply cannot allow these programs to continue to grow at this rate. The reductions taken in this bill are targeted, so that we can remain focused on our highest national security priorities. The bill provides critical funds for the frontline States of Iraq, Afghanistan, and Pakistan. It supports security assistance to some of our strongest allies—like Israel, Jordan, Mexico, and Colombia. It also addresses unexpected humanitarian crises around the world. I want to thank my colleague, Ranking Member LOWEY, for working with me to address these high priority needs. I know we will continue to work together to address problems of bipartisan concern.

Mr. COSTA. Mr. Speaker, I rise to express my concern regarding the partisan direction our budget debate has taken this week. Although there is near unanimous agreement that we must reduce our deficit, there has been no productive discussion in this chamber as to how we can work together to accomplish that goal. We all have our own ideas about our nation's fiscal priorities, but what is missing in today's discussion is a bipartisan, centrist approach to addressing our nation's fiscal

health, such as the recommendations in the report by the Simpson-Bowles National Commission on Fiscal Responsibility and Reform.

It is unfortunate that the House will not consider the Cooper amendment, mirroring the Simpson-Bowles suggestions, as an alternative to the extreme partisan proposals that have been put forth. Responsibly reducing our nation's deficit will require shared sacrifice and bipartisan consensus, and will not be accomplished if the two parties are unable to work together.

In March, I joined with my colleagues in the Blue Dog Coalition to offer a comprehensive and aggressive set of benchmarks for fiscal reform that include the largest deficit cuts in history by 2014, entitlement and tax reform, and a reduction in the overall size of government. This proposal put everything on the table, cutting the deficit by \$4 trillion dollars over the next 10 years, returning to 2008 spending levels by 2013, and addressing entitlement programs.

No one party has all the answers, and no one party can do this alone. It's time to put our economy back on the path to fiscal sustainability, and this House should consider the Simpson-Bowles recommendations that aim to accomplish that goal.

Mr. VAN HOLLEN. Mr. Speaker, today's legislation is the eighth—and I hope final—Continuing Resolution the Congress as a whole will be considering this fiscal year.

Throughout this debate, I have rejected the false choice between deep cuts that harm our fragile economic recovery or shutting down the government. Rather, as Ranking Member of the Budget Committee, I have argued for a middle ground of graduated and predictable fiscal reform that both supports our recovery and reflects our values and priorities as a nation. In that regard, I am pleased that today's agreement reduces non-emergency outlays by only \$352 million for the rest of FY 2011—and then spreads the next \$20 billion in cuts over the next five years.

I have also made clear that our nation's fiscal imbalance cannot be addressed solely through reductions in the 12 percent of the budget representing non-security discretionary spending. Like the Bipartisan Fiscal Commission, I believe the final solution must include savings from our defense budget, adjustments to mandatory spending, and increased revenue. In my judgment, that revenue can and should come from comprehensive tax reform that eliminates tax loopholes and reinstates the Clinton era marginal rates for upper income earners.

Mr. Speaker, to govern is to choose, and today's legislation contains choices I would not have made. For example, because I believe the United States should be second to none when it comes to medical and scientific research, I do not think it makes sense to cut \$260 million from the National Institutes of Health. Additionally, because our economy needs more clean energy, reducing energy efficiency and renewable energy research, development and deployment by \$407 million is a visible step in the wrong direction. Finally, because our nation deserves a 21st century infrastructure and the jobs that go with it, slashing nearly \$1 billion from the Clean Water and Drinking Water Revolving Funds is

clearly misguided. In my view, medical research, clean energy and infrastructure are all examples of investments we can and should be willing to make in order to build a healthier, cleaner and stronger America.

While I am acutely aware of this bill's shortcomings, I also believe today's agreement contains some important victories. In a very challenging fiscal environment, we have been able to fund critical educational priorities. The Head Start program serving our youngest Americans will get a \$340 million increase, and the maximum Pell Grant award will be maintained at \$5500 so deserving low-income students can go to college. Additionally, with our unemployment rate at 8.8%, we have largely protected vital job training funds at a level of \$2.8 billion. Finally, while I do not believe the Republican party has any right to impose its ideological agenda on the District of Columbia, this bill eliminates the vast majority of extreme policy riders in HR 1 ranging from women's health to public broadcasting to the Dodd-Frank Wall Street Reform Law to the EPA's efforts to combat climate change.

Mr. Speaker, this has been a far from perfect process, and not surprisingly, today's legislation is a far from perfect measure. But it is apparently the best we can do in this sharply divided Congress—and in the final analysis, I believe it is preferable to shutting down the government.

Mr. COSTELLO. Mr. Speaker, I rise today in support of the budget agreement for the rest of fiscal year 2011. This bill, which contains nearly \$40 billion in spending cuts, brings a much-needed conclusion to this year's budget debate.

While I have concerns about some of the cuts in this bill—particularly to the Army Corps of Engineers and the Federal Aviation Administration—doing nothing is simply not an option. The American people expect us to cut spending and reduce the deficit, and this agreement represents a compromise that moves us forward.

As we take up next year's budget and raising the debt limit, it is my hope that we will do so carefully without undermining our nation's economic recovery. And, as President Obama noted yesterday during his budget address, there must be shared sacrifice. Upper income Americans, corporations and the Department of Defense must be part of the process of cutting spending and increasing revenues, while we ensure that our social safety net remains intact. Programs for our seniors and the poor must not be singled out during this debate.

Mr. Speaker, we can find budget savings across all departments of the government while still making strategic investments and protecting the safety and security of the American people, and I look forward to continuing this work.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 218, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

Pursuant to clause 10 of rule XX, the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on H.R. 1473 will be followed by a 5-minute vote on House Concurrent Resolution 43.

The vote was taken by electronic device, and there were—yeas 260, nays 167, not voting 6, as follows:

[Roll No. 268]

YEAS—260

Aderholt	Fincher	McMorris
Akin	Fitzpatrick	Rodgers
Alexander	Fleischmann	Meehan
Altmire	Flores	Mica
Andrews	Fortenberry	Michaud
Austria	Fox	Miller (FL)
Baca	Frelinghuysen	Miller, Gary
Bachus	Gallegly	Moran
Barletta	Gerlach	Murphy (PA)
Barrow	Gibbs	Myrick
Bass (NH)	Gibson	Neal
Benishek	Goodlatte	Noem
Berg	Gosar	Nugent
Berkley	Granger	Nunes
Berman	Graves (MO)	Nunnelee
Biggert	Griffin (AR)	Olson
Bilbray	Grimm	Owens
Billirakis	Guinta	Palazzo
Bishop (GA)	Guthrie	Pascarell
Bishop (NY)	Hall	Paulsen
Bishop (UT)	Hanabusa	Perlmutter
Black	Hanna	Peters
Boehner	Harper	Peterson
Bonner	Hartzler	Petri
Bono Mack	Hastings (WA)	Pitts
Boren	Hayworth	Platts
Boswell	Heck	Pompeo
Boustany	Heinrich	Posey
Brady (TX)	Hensarling	Price (GA)
Brooks	Herger	Rahall
Buchanan	Herrera Beutler	Reed
Bucshon	Himes	Renacci
Buerkle	Hinojosa	Ribble
Burgess	Holden	Rivera
Burton (IN)	Hoyer	Roby
Calvert	Hultgren	Roe (TN)
Camp	Hunter	Rogers (AL)
Campbell	Inslee	Rogers (KY)
Canseco	Israel	Rogers (MI)
Cantor	Issa	Rohrabacher
Capito	Jenkins	Rokita
Cardoza	Johnson (GA)	Rooney
Carnahan	Johnson (OH)	Ros-Lehtinen
Carney	Johnson, Sam	Roskam
Carter	Jones	Ross (AR)
Cassidy	Keating	Rothman (NJ)
Castor (FL)	Kelly	Royce
Chandler	Kildee	Runyan
Cicilline	Kind	Ruppersberger
Coble	King (NY)	Ryan (WI)
Coffman (CO)	Kinzinger (IL)	Sarbanes
Cole	Kissell	Scalise
Conaway	Kline	Schiff
Connolly (VA)	Lance	Schilling
Cooper	Landry	Schock
Costa	Langevin	Schrader
Costello	Lankford	Schwartz
Courtney	Larsen (WA)	Scott, Austin
Crawford	Latham	Scott, David
Crenshaw	LaTourette	Sensenbrenner
Critz	Latta	Sessions
Cuellar	Levin	Sewell
Culberson	Lewis (CA)	Sherman
Davis (CA)	Lipinski	Shimkus
Davis (KY)	LoBiondo	Shuler
DeFazio	Lowey	Shuster
Denham	Lucas	Simpson
Dent	Luetkemeyer	Sires
DesJarlais	Lummis	Smith (NE)
Diaz-Balart	Lungren, Daniel	Smith (NJ)
Dicks	E.	Smith (TX)
Dingell	Manzullo	Smith (WA)
Dold	Marchant	Speier
Donnelly (IN)	Marino	Stearns
Dreier	Matheson	Stivers
Duffy	McCarthy (CA)	Sullivan
Ellmers	McCarthy (NY)	Terry
Emerson	McCollum	Thompson (CA)
Eshoo	McIntyre	Thompson (PA)
Farenthold	McKeon	Thornberry
Fattah	McKinley	Tiberi

Tsongas
Turner
Upton
Van Hollen
Visclosky
Walberg
Walden

Walz (MN)
Wasserman
Schultz
Webster
Westmoreland
Whitfield
Wittman

Wolf
Womack
Woodall
Young (AK)
Young (FL)
Young (IN)

tion of House Concurrent Resolution 43, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 243, nays 178, not voting 11, as follows:

[Roll No. 269]

YEAS—243

Ackerman
Adams
Amash
Bachmann
Baldwin
Bartlett
Barton (TX)
Bass (CA)
Becerra
Blackburn
Blumenauer
Brady (PA)
Braley (IA)
Broun (GA)
Brown (FL)
Butterfield
Capps
Capuano
Carson (IN)
Chabot
Chaffetz
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Cravaack
Crowley
Cummings
Davis (IL)
DeGette
DeLauro
Deutch
Doggett
Doyle
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Engel
Farr
Filner
Flake
Fleming
Forbes
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gardner
Garrett
Gingrey (GA)
Gonzalez
Gowdy

NOT VOTING—6

Giffords
Gohmert

□ 1500

Mr. HINOJOSA changed his vote from “nay” to “yea.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. MCCAUL. Mr. Speaker, I was unavoidably delayed and was unable to vote on H.R. 1473, rollcall vote No. 268. Had I been present I would have voted “yea.”

PROVIDING FOR AN ADJOURNMENT OR RECESS OF THE TWO HOUSES

The SPEAKER pro tempore. The unfinished business is the vote on adop-

Pastor (AZ)
Paul
Payne
Pearce
Pelosi
Pence
Pingree (ME)
Poe (TX)
Polis
Price (NC)
Quayle
Quigley
Rangel
Rehberg
Reyes
Richardson
Richmond
Rigell
Ross (FL)
Roybal-Allard
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Schakowsky
Schmidt
Schweikert
Scott (SC)
Scott (VA)
Serrano
Slaughter
Southernland
Stark
Stutzman
Sutton
Thompson (MS)
Tierney
Tipton
Tonko
Townes
Velázquez
Walsh (IL)
Waters
Watt
Waxman
Weiner
Welch
West
Wilson (FL)
Wilson (SC)
Woolsey
Wu
Yarmuth
Yoder

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggett
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cassidy
Chabot
Chaffetz
Chandler
Clay
Coble
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garamendi
Gardner
Garrett

Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hanna
Harper
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)

Webster
Welch
West
Westmoreland
Whitfield

Wilson (SC)
Wittman
Wolf
Womack
Woodall

Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—178

Ackerman
Baca
Bachmann
Baldwin
Barrow
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Burgess
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coffman (CO)
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Fudge

Gerlach
Gonzalez
Graves (MO)
Green, Al
Grijalva
Gutierrez
Hanabusa
Harris
Hastings (FL)
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McColum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal

Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schiff
Schradner
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Stark
Sutton
Terry
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Weiner
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—11

Andrews
Bass (CA)
Carter
Denham

Giffords
Hall
Herger
Meeks

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1507

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. GOHMERT. Mr. Speaker, on roll-call 268, passage of H.R. 1473, I was detained. I got here right at the close of the vote. I missed voting "no" because I believed the vote did not live up to our promise.

CORRECTING THE ENROLLMENT
OF H.R. 1473

Mr. ALEXANDER. Mr. Speaker, pursuant to House Resolution 218, I call up the concurrent resolution (H. Con. Res. 35) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 35

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 1473) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, the Clerk of the House of Representatives shall make the following correction: At the end of title VIII of division B, insert the following new section: "SEC. 18. Notwithstanding any other provision of law, none of the funds made available in this Act or any previous Act may be used to carry out the provisions of Public Law 111-148, or any amendment made by such Public Law, or title I or subtitle B of title II of Public Law 111-152, or any amendment made by such title or subtitle."

The SPEAKER pro tempore. Pursuant to House Resolution 218, the gentleman from Louisiana (Mr. ALEXANDER) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 10 minutes.

The Chair recognizes the gentleman from Louisiana.

GENERAL LEAVE

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 35.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

□ 1510

Mr. ALEXANDER. I yield myself 3 minutes.

Mr. Speaker, House Concurrent Resolution 35, if adopted, will add provisions to the continuing resolution, H.R. 1473, to prohibit any funds in this act or any previous act from being used to implement the Patient Protection and Affordable Care Act. Most importantly, the resolution will guarantee that our colleagues in the Senate will take an up-or-down vote on this important issue. I think we can agree that this is a vote that the American people

have called for and is a vote that we owe the American public.

Mr. Speaker, today the House approved an historic spending agreement that cuts nearly \$40 billion in Federal spending. When signed into law, Congress will have achieved the first step in addressing our Nation's ballooning debt. Our economy still suffers from apathetic growth, and millions of individuals remain unemployed. At a time like today, when the Federal Government is running record deficits, coupled with significant unsustainable liabilities like Medicare and Medicaid, we simply cannot afford this \$2.6 trillion new entitlement program. It only seems fair that a vote on the billions of dollars in both mandatory and discretionary money required to implement the health reform law is part of the discussion.

I, along with my colleagues in the House, have long argued for the repeal of this law. Several Members have also maintained that, for this strategy to be successful, it must include efforts to defund the enforcement and implementation of the law through the appropriations process. With the inclusion of this language in the CR, we will move one step closer to reaching that goal.

Under new leadership, the House has already begun to tackle the health care law on various fronts. In January of this year, the Chamber approved a full repeal of the health care law. Additionally, during the historic open debate on a previous continuing resolution, H.R. 1, this Chamber debated and approved various provisions that would prohibit or slow the implementation of the health care law by restricting annual appropriations from going toward implementation. In fact, just yesterday, we passed a measure that would repeal just one section of the health care law that included \$17.5 billion in mandatory "automatic" appropriations.

This resolution will go further by eliminating all of the funding, both mandatory and discretionary, which, it is clear, we presently cannot afford. It will also allow time for us to offer up new solutions to our Nation's health care challenges that will not have long-term negative consequences on job creation and economic growth.

Putting all arguments on the merits of the health care law aside, this resolution simply ensures that accountability is restored over how hard-earned taxpayer dollars are being spent. The health care law turned hundreds of billions of dollars in discretionary spending into mandatory spending.

I reserve the balance of my time.

Ms. DELAURO. I yield myself 2 minutes.

Mr. Speaker, instead of working to create jobs, reduce the deficit and do the business of the American people, this majority has been consumed for months now with trying to repeal

health care reform. Like the attempted repeal we saw in the first week of this Congress, like the Tea Party budget passed in February and like the many attempts we have seen to decimate health care reform piece by piece since, this concurrent resolution, once again, tries to take away the consumer protection of the Affordable Care Act and tries to put insurance companies back in charge. It is a further demonstration of the majority's special interest priorities and of their hypocrisy on job creation and deficit reduction.

Passing this resolution will destroy jobs in the health professions. It will slow job growth by 250,000 to 400,000 jobs a year. It will increase medical spending and add nearly \$2,000 to the average family's insurance premium. According to the nonpartisan Congressional Budget Office, it will add \$230 billion to the deficit within 10 years and \$1 trillion more within 20 years. Let me repeat that. This amendment adds billions and ultimately trillions of dollars to the deficit, starting with \$5.5 billion this year.

This is not what we promised the American people. They want us to cut the deficit, to get rid of special interest waste, like oil company subsidies and breaks for corporate lobbyists. Instead, the majority wants to let insurance companies discriminate against people with preexisting conditions, even children with preexisting conditions once again. They want to see women denied coverage because they survived breast cancer or were victims of domestic violence or had c-sections. They want to see 4 million small businesses lose \$40 billion in tax credits and seniors' health care and drug costs continue to rise at staggering rates.

We are here to serve the needs of the American people, not the whims of the health insurance companies. This resolution will cost money and cost lives, and I urge my colleagues to vote against it.

Mr. DICKS. Will the gentlelady yield?

Ms. DELAURO. I yield to the gentleman from Washington.

Mr. DICKS. I want to associate myself with the gentlelady's remarks, and I rise in strong opposition to this concurrent resolution.

Ms. DELAURO. I reserve the balance of my time.

Mr. ALEXANDER. Mr. Speaker, I yield 3 minutes to the gentleman from Montana (Mr. REHBERG).

Mr. REHBERG. I thank the gentleman from Louisiana for his leadership on this issue to repeal the funding of ObamaCare, and I rise in support of the resolution.

It is impossible in the short time I have to describe the many reasons that justify defunding, repealing and replacing ObamaCare. Today, I want to mention one—the adverse impacts for those on Medicare.

In Montana, this is a huge issue because our population is quite a bit older than in other States. Folks have paid into Medicare all their lives, and they rightfully expect the benefits to be there for them, but Medicare is going broke and will be bankrupt in 11 years. Supporters of the new health care law say they've strengthened Medicare, and point to the closing of the doughnut hole on prescription drugs.

Let's examine that a little more carefully.

The cost to the government to fix the doughnut hole is about \$27 billion between now and 2019, but ObamaCare cuts Medicare benefits and reimbursements by more than \$500 billion. These cuts aren't being used to save Medicare. They're being used to pay for the cost of the new entitlements in ObamaCare. For seniors in Montana and in the rest of America, this is not a good trade.

But that's not all.

Most people aren't even aware that ObamaCare includes a \$210 billion tax increase on Medicare. Again, that money isn't going to be used to save Medicare. This tax will go to pay for the cost of new entitlements. ObamaCare cuts Medicare benefits, increases Medicare taxes, and doesn't do anything to protect Medicare; and the new Medicare cuts and taxes, along with hundreds of billions of dollars in new taxes, penalties and fees, won't take effect until after the 2012 election.

That's not a coincidence.

This is a classic bait and switch. We get all the small benefits up front and get hit with a pile of burdens after the 2012 election—just one of the many reasons to defund ObamaCare now. That's the first step toward replacing it with real reform in order to rein in health care costs and to improve access.

Ms. DELAURO. I am delighted to hear the gentleman from Montana say he opposes cuts to Medicare. That means, I am going to assume, that he will vote against the Ryan budget as well.

With that, I yield 1 minute to the gentlelady from New York (Mrs. LOWEY).

Mrs. LOWEY. I rise in strong opposition to the resolution. The House should be debating legislation to create jobs, not procedural tricks to repeal health reform and increase our deficit.

Under this resolution, pregnant women and cancer survivors could lose coverage when they most need it. Young adults would lose coverage on their parents' plans. Seniors would pay higher drug costs. Businesses and families would not receive tax credits for affordable coverage; and accountability for large insurers to spend at least 85 percent of premiums on health benefits would end.

Vote against this resolution in order to preserve vital consumer protections

in health reform, reduce costs, and decrease the deficit.

Mr. ALEXANDER. Mr. Speaker, I yield 2 minutes to the gentleman from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman from Louisiana for his work and for yielding me time.

I want to also thank the gentleman from Montana, who has drilled into this deeply, and it is a big reason why we are able to be here today. I appreciate his representation of seniors in Montana as I may well have the privilege of representing the most senior congressional district in all of America.

I've watched what has happened not just with Medicare but with ObamaCare entirely, and when I hear the comments about the whims of the health insurance industry, that may well have been what helped write this bill in the first place—large health insurance companies. Yet we had 1,300 of them when we started this process over a year ago, and we have fewer today.

□ 1520

We had 100,000 possible health insurance policy varieties. We have fewer today. We are looking at \$2.6 trillion in outlays over ObamaCare for the first full decade of its implementation, and we have seen two Federal courts rule ObamaCare unconstitutional.

We have uncovered what I think were intentionally hard-to-find numbers that were hidden in the automatic appropriations of ObamaCare to the tune of \$105.5 billion to be laid out. We are sitting right now on top of \$23.6 billion that is being used intensively to implement ObamaCare, all the while we expect, and the President surely must expect, the Supreme Court will rule it unconstitutional.

ObamaCare has been rejected by the American people. It sent 87 freshmen Republicans here to Congress to repeal it. Every Republican in not only the House of Representatives but in the United States Senate has voted to repeal ObamaCare in H.R. 2 and voted to cut off everything that could be ruled in order on the floor in H.R. 1 that would be used to implement or enforce ObamaCare.

This is the language that cuts off the automatic spending to ObamaCare. It puts a freeze on it so the courts can decide, so the will of the people can be reflected not just in the House of Representatives, but eventually in the United States Senate. And also, let's bring a President that will sign this repeal, this unconstitutional taking of American liberty that is known as ObamaCare.

Ms. DELAURO. I yield 1 minute to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague.

Mr. Speaker, I rise in strong opposition to this misguided resolution. It is

another attempt by the Republicans to take away important consumer protections, return to a health care system that is clearly broken. I strongly oppose this amendment because it is harmful to the American people and to our economy.

The majority of Americans, and certainly those in my district, are opposed to this defunding stunt. Seniors do not want to go back to a life of worry about how they will make it through the doughnut hole. Parents don't want to go back to worrying that their child will be uninsured this summer because she graduates. And small businesses do not want to cancel their employees health care coverage because they would lose the tax credits to pay for it.

The Affordable Care Act is law, and attempts by my Republican colleagues to repeal it have failed. Instead of debating the past, we need to focus on the future. Let's work on creating jobs and strengthening our economy. Vote "no" on this foolish resolution.

Mr. ALEXANDER. Mr. Speaker, I reserve the balance of my time.

Ms. DELAURO. Mr. Speaker, can you tell me how much time is left?

The SPEAKER pro tempore. The gentlewoman from Connecticut has 6½ minutes remaining, and the gentleman from Louisiana has 2½ minutes remaining.

Ms. DELAURO. I would ask the gentleman from Louisiana if he has additional speakers.

Mr. ALEXANDER. No.

Ms. DELAURO. I yield 2 minutes to the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, this resolution would defund the implementation of the Affordable Care Act. This is just another way the Republicans are trying to repeal that law. The very first week of this Congress, they voted to repeal the health care law. They said they want to repeal it and replace it. We still have not seen what they propose. They are not proposing reforms to help the middle class. In effect what they would do is increase the number of uninsured in this country by 50 million people. This is a particularly reprehensible way to end health reform—to stop paying for its implementation.

Americans are already benefiting from the law. Seniors are getting discounts on their prescription drugs. Adult children will be able to stay on their parents' insurance until 26. They would reverse the prohibition against preexisting condition denials for children, and they would stop allowing consumers access to preventive care with no cost-sharing.

They pulled the rug out from under current State efforts to develop vibrant, competitive exchange marketplaces, which is the centerpiece for competition in insurance plans to give the consumers choice. But what is

most distressing is the dangers it poses to Medicare, Medicaid, and the Children's Health Insurance Program, or health care safety net.

According to a letter from Secretary Sebelius: "The Affordable Care Act modifies and improves almost every Medicare payment system. If this resolution were enacted, the Centers for Medicare and Medicaid Services would not be able to use any funds to administer payments based on any rate calculated on the basis of provisions of the Affordable Care Act," which is to say virtually all rates.

Medicare and Medicaid could grind to a halt. The Secretary goes on to say: "This resolution would adversely affect health care in rural areas. CMS would no longer be able to provide the bonus payments to primary care and general surgeons for eligible services."

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. DELAURO. I yield the gentleman an additional 30 seconds.

Mr. WAXMAN. She also says about fraud, waste, and abuse: "The Affordable Care Act also gives CMS new tools to fight fraud, and helps us move from a pay-and-chase system to a comprehensive, prevention-focused strategy. This resolution would substantially impede CMS's proven and successful efforts to reduce waste and fraud in the health care system, resulting in increased erroneous payments."

This is a harmful resolution to the interests of the American people, and I urge my colleagues to oppose it.

Ms. DELAURO. I yield 1 minute to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. All I hear from the other side, the gentleman from Iowa is trying to rehash the campaign, talking about who got elected in November, saying the President should be defeated so we have a new President.

What are you doing to create jobs? It's 100 days of the Republican majority, and I don't see a single job creation bill.

Now, the Democrats, with our health care reform, we're trying to expand options, give people low-cost insurance, end discrimination, and look for new ways of training doctors so we have more doctors to cover people. We're trying to give the American people options and choices, and eliminate all of the problems that they have had with the health care system. And the Republicans say, No, get rid of it. Defund it.

How many times are we going to vote on this same thing? And then later today you're going to come back and try to destroy Medicare and say the elderly should not have health care options and should have to go out and buy their insurance, and maybe get a little help from the government. Or if they have to go to a nursing home, you're going to block grant Medicaid and say, well, the nursing home may

not be available to them, or the quality of the nursing home care will be really terrible again, as it may have been years ago.

So I don't understand what you're up to. Look to the American people. Look to create jobs for them. Look to create health care options. Don't destroy. Don't destroy.

Ms. DELAURO. I yield 1 minute to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Speaker, among the many programs which others have talked about that would be blown up with this measure is the Early Retiree Reinsurance Program, which is one of the most successful aspects of the health care law. Over 5,000 employers all across America, over half of the Fortune 500 companies—like Coca-Cola, General Electric, UTC, General Dynamics—have all signed up with this program, which, using the same principles as flood insurance, is buttressing and strengthening early retiree benefits which have been collapsing over the last 20 years.

These are the companies that are going to go out and hire people, particularly young people, because early retirement allows their workforce to have a natural change so that young people can find jobs. The economy created 200,000 last month. It is because of programs, like the Early Retiree Reinsurance Program, which the health care law created. We should not end that program by passing this resolution. These employers have signed up in good faith, and that good faith deserves our commitment to follow through on the program that this country offered them. That's a strategy. That's a winning strategy to create jobs for this country.

□ 1530

Ms. DELAURO. Mr. Speaker, I yield 1 minute to the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. Mr. Speaker, I feel like I'm in the movie "Groundhog Day." This is the conversation that we had last year. It's the conversation that we had the year before.

I cannot believe that we're standing here today when we should be talking about creating jobs in this country for the millions of people who are unemployed instead of taking away their health care, instead of taking away the ability of a young person up to age 26 to stay on their parents' health care plan. We're talking about taking away the ability of children who have pre-existing conditions—to be denied coverage once again instead of creating jobs.

Instead of creating jobs, Mr. Speaker, we're here telling seniors that we want them to reach into their pockets and into their retirement to pay for outrageous prescription drug coverage.

We're standing here, instead of creating jobs, and we are telling small

businesses that they're not going to get a tax credit to provide health care insurance for their business.

I mean, this is ridiculous. And, Mr. Speaker, I have to tell you the American people must be wondering what it is that this Republican majority is doing when they want to rip off seniors, rip off children, and stop health care for the American people.

Ms. DELAURO. I yield the balance of my time to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

The SPEAKER pro tempore. The gentlewoman from Illinois is recognized for 1 minute.

Ms. SCHAKOWSKY. Finally, the United States of America made real the possibility of life, liberty, and the pursuit of happiness—all of which are literally impossible unless health care is a right for all in our great country.

This resolution goes in the opposite direction. A vote in favor of this resolution tells Americans and small businesses that they will be left to do battle with insurance companies on their own, insurance companies that will once again refuse coverage, deny claims, and subject them to double-digit premium increases. And under their budget plan, they now want to end Medicare and leave seniors and disabled people to the mercy of private insurers.

Enough is enough.

The SPEAKER pro tempore. The gentlewoman from Connecticut has 15 seconds remaining.

Ms. DELAURO. In that 15 seconds, let me just say they will defund health care. They will end Medicare. They're going to kick seniors out of nursing homes and send our health care back to the insurance companies. It shows you where my colleagues on the other side of the aisle are.

I urge my colleagues to vote against this measure.

Mr. ALEXANDER. Mr. Speaker, in closing, a key component of this spending agreement is a guaranteed up-or-down vote in the Senate on a provision that would prohibit any funds in this act or any previous act from being used to carry out the Patient Protection and Affordable Care Act.

Let's return to Congress its power to review this funding annually and exercise full oversight.

House Concurrent Resolution 35 does just that. At a time when we are being called on to rein in government spending, the American taxpayer deserves this vote.

I urge my colleagues to support this enrolled resolution to deliver on that promise today and call on the Senate to do the same.

Ms. MATSUI. Mr. Speaker, I rise today in strong opposition to this resolution.

Mr. Speaker, the enactment of the Affordable Care Act was historic. It made the necessary steps to reform our health care delivery system and put patients first. A full repeal of

this law will nullify all of the popular provisions it put in place, and will once again leave Americans at the mercy of insurance companies.

Young adults in their 20s who are looking for jobs in this difficult economic climate, for instance, would suddenly find themselves without insurance and without the option of staying on their parent's plan.

Recently, I heard from Michael, a Sacramento native. Michael has a 23-year-old son who was kicked off of his health plan at the age of 22. A few months later, still unable to obtain affordable coverage, he had to undergo an emergency tonsillectomy—a fairly common procedure that can cost thousands for those without coverage. Because Michael's son was kicked off of his plan his son now has massive medical debt and is still only in his early twenties.

Mr. Speaker, we passed the Affordable Care Act last Congress because our health care system needed to be reformed. We spend \$2 trillion a year on health care costs—far more than any other country—and we are by no means a healthier nation; far from it!

My colleagues on the other side of the aisle say they are for reducing spending. Well, Mr. Speaker, repealing the Affordable Care Act will only increase the amount we spend every year on health care, both at the federal level, and on the personal level. It will leave millions without insurance and end up costing all of us more.

I urge my colleagues to oppose this harmful legislation.

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise on behalf of the millions of Americans, many of whom are in my Congressional district, who through the passage of President Obama's Affordable Care Act, have for the first time been given more freedom and control over their health care.

Before the passage of this law nearly 40 percent of my constituents were uninsured.

Now I hear from young adults who are grateful to be able to remain on their parent's insurance plans until age 26.

I hear relief from seniors who once lived in fear of not being able to afford their medication once they reached the donut hole.

I hear from struggling families who are thankful their child with a preexisting condition can be part of new high risk pool insurance.

And I hear from those facing serious illness how relieved and grateful they are their insurers can no longer drop them when they need coverage the most.

The Affordable Care Act is working—I urge my colleagues to vote “no” on this resolution.

Mr. ALEXANDER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 218, the concurrent resolution is considered read and the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. ALEXANDER. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

CORRECTING THE ENROLLMENT OF H.R. 1473

Mr. NUNNELEE. Mr. Speaker, pursuant to House Resolution 218, I call up the concurrent resolution (H. Con. Res. 36) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473, and ask for its immediate consideration.

The Clerk read the title of the concurrent resolution.

The text of the concurrent resolution is as follows:

H. CON. RES. 36

Resolved by the House of Representatives (the Senate concurring), That, in the enrollment of the bill (H.R. 1473) making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes, the Clerk of the House of Representatives shall make the following correction: At the end of title VIII of division B, insert the following new section:

“SEC. 1864. None of the funds made available by this Act may be made available for any purpose to Planned Parenthood Federation of America, Inc. or any affiliate of Planned Parenthood Federation of America, Inc.”.

The SPEAKER pro tempore. Pursuant to House Resolution 218, the gentleman from Mississippi (Mr. NUNNELEE) and the gentlewoman from Connecticut (Ms. DELAURO) each will control 10 minutes.

The Chair recognizes the gentleman from Mississippi.

GENERAL LEAVE

Mr. NUNNELEE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 36.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. NUNNELEE. Mr. Speaker, I yield myself 2 minutes.

This resolution would deny funding to Planned Parenthood. It's morally wrong to have taxpayer dollars from my constituents in Mississippi, or from any other State, go towards organizations that provide abortions. Since 1977 Planned Parenthood has assisted in aborting the lives of over 5 million children.

This resolution before the House is simple and straightforward.

Now, there will be those who frame the resolution as a debate over denying health care benefits for women. This isn't the case. In fact, in this resolution not one dime of women's health or family health planning funding is reduced. It simply says those dollars cannot go to Planned Parenthood.

This is an organization that has protected those who prey on our children and has protected those who rape our granddaughters. Planned Parenthood holds itself to be above the law by ignoring mandatory reporting requirements, by skirting parental consent, by aiding and abetting child trafficking. They put quick and secret abortions ahead of the welfare of victimized young girls. And it has to stop.

Those who oppose this resolution are enabling them.

I refuse to reach into the pockets of our taxpayers to fund this sort of activity. I have always viewed these young women as much victims as the unborn child, and I want to go after those corrupt and immoral businesses that exploit them.

We did a pretty good job of running them out of the State of Mississippi. In fact, in November Mississippi will have on its ballot an initiative that defines personhood, and over 106,000 Mississippians put their signatures on the initiative to get this on the ballot. And Planned Parenthood is a political organization and is funding the opposition to this ballot.

Bottom line: We need to deny funding to those agencies that support abortions, and this resolution will do that.

I reserve the balance of my time.

Ms. DELAURO. I yield myself 2 minutes.

I rise in opposition to this concurrent resolution. It has nothing to do with the budget and everything to do with ideology.

This is an attempt to turn back the clock on women's health and basic rights. The majority wants to impose their traditional view of a woman's role and take us back to a day when family planning was not available. With this resolution, the majority aims to exclude one specific health care provider, Planned Parenthood, from all Federal resources. This will needlessly put lives in danger.

Planned Parenthood carries out millions of lifesaving preventative and primary care services every year. They deliver immunizations, routine gynecological exams, nearly 1 million screenings for cervical cancer, 830,000 breast exams, and nearly 4 million tests and treatments for sexually transmitted infections like HIV every single year. If this resolution passes, all of these services would be lost.

Seventy-five percent of their more than 3 million patients live at or below 150 percent of the poverty level, make less than \$33,000 for a family of four. One of every five women in America has gone to Planned Parenthood for access to health care. Sixty percent of these women consider Planned Parenthood their main source of care. And, in fact, even the number of men Planned Parenthood serves has doubled over the past decade. All of these women and men would lose access to these services if this should pass.

This resolution guts a primary source of care for millions of American families. We all know this has nothing to do with Federal funding of abortion. Federal funds are already banned from going towards abortion services under the Hyde amendment.

We should not be playing political games with women's lives. I urge my colleagues to oppose this dangerous resolution and to stand for women's health and, above all, to trust women to make the right decisions.

Mr. DICKS. Will the gentlelady yield?

Ms. DELAURO. I yield to the gentleman from Washington.

Mr. DICKS. I rise in very strong support of the gentlelady's position on Planned Parenthood and urge a "no" vote on this current resolution.

Mr. NUNNELEE. Mr. Speaker, I yield 2 minutes to the gentlelady from Tennessee, the principal sponsor of the bill, Mrs. BLACK.

Mrs. BLACK. Mr. Speaker, as a nurse for over 40 years, I have spent my entire career protecting life. And those who need the greatest protection are those who have the least voice, that is, children born and unborn.

□ 1540

Now as a Member of Congress, I will continue to fight for the rights of the unborn through this legislation we have here today. And today, I am here as a sponsor of this resolution to ensure that no Federal funds are used for either the promotion or the performance of abortions.

There are people around who would lead you to believe that this bill is about Republicans wanting to deny women access to preventative care, but they are using scare tactics and their lies are distracting you from the real facts. As a matter of fact, Title X funds which fund these types of preventative care for women will continue to fund those organizations and agencies that provide preventative care but do not promote or provide abortion services. What my colleagues and I are here doing today is standing up and saying we do not support Federal funding of any organization—any organization—that promotes or performs abortions.

There is an urgent need to stop taxpayer dollars from funding abortions. And the Republican majority in the House has already made clear our commitment to ending the funding for Planned Parenthood, which is, by the way, America's largest abortion provider. The Senate has ducked this legislation and this important discussion for this legislation for too long. It's time that the Senators debate this in the open, as we have here in the House in H.R. 1, and take a vote to end taxpayer funding of Planned Parenthood.

Ms. DELAURO. Mr. Speaker, I yield 1 minute to the Democratic leader, the gentlewoman from California (Ms. PELOSI).

Ms. PELOSI. I thank the gentlelady for yielding and for her forceful leadership in promoting women's health.

Mr. Speaker and my colleagues, when I was in high school—a long time ago—I participated in an extemporaneous debate contest. One of the contestants there, a friend of mine, drew from the bowl a slip that said, "Do women think?" "Do women think?" Now, this was a long time ago, but even then we thought that was a startling question, "Do women think?" The young lady who drew it—she was really a girl in high school—spoke with great grace and strength about women and won the debate, which we hope to do today.

I hadn't thought of that debate for a long time, but it came rushing down on me as I heard our Republican colleagues put forth their cuts on women's health, especially eliminating funding for Planned Parenthood. The arguments which the Republicans have put forth sound like the same question of a decade ago, do women think? It's an assault on the judgment of women. It bespeaks a lack of respect for women to determine the size and the timing of their families.

It's clear that Republicans do not support family planning—it's hard to understand, but it's clear that they don't—and have used debate on this bill to spread misinformation about the critical work that Planned Parenthood does on behalf of America's women every day. So let us be clear, Planned Parenthood health centers currently provide preventive services to millions of women in need of health care, including the provision of contraception, cancer screening, breast exams, and HIV testing.

Further, this debate is not about abortion. That is because Federal funding for abortion is already prohibited. That is the law of the land. This debate is about women's health.

Every year, Planned Parenthood health centers provide the following for women's health: Contraception to nearly 2.5 million patients; nearly 1 million pap tests identifying about 93,000 women at risk for developing cervical cancer; 830,000 breast exams, helping alert patients to possible cancers. That is why cutting off Federal funding for Planned Parenthood would have a devastating impact on women's health across the country.

Indeed, more than 90 percent of the health care provided by Planned Parenthood is preventative care. For a majority of the women who use Planned Parenthood health centers, the centers are the primary source of receiving health care services. Elimination of funding means that these women do not have health care of any kind.

Today's legislation—which has no chance of passing the Senate and becoming law, thank God—is just part of the Republican agenda that is the most comprehensive and radical assault on

women's health and reproductive freedom in our lifetime. And that's saying something.

Further, I point out that today on the floor of this House, this is the 100th day of the Republicans having the majority, here we are again debating legislation that has nothing to do with the number one priority of the American people: creating jobs. Indeed, after 100 days, the Republicans have not created one job and have not offered a jobs agenda and are instead on the march against women's health and to end Medicare in order to give tax breaks to Big Oil and millionaires.

Some Republicans say that we're here because we did not pass a bill last year. It was shocking to hear even some members of the Appropriations Committee—who should know better—on the Republican side say that. But indeed we did. It was held up by Republicans in the Senate. We passed it in the House without one Republican vote, the omnibus bill, but it was held up by the Republicans in the Senate. And in that bill we cut \$41 billion from the President's budget.

So today when I hear our colleagues say we are cutting \$78 billion—\$37.5 today. The other \$41 billion, which is the largest amount, was cut by the Democrats without one Republican vote at the end of last year.

Today, in this latest partisan maneuver, Republicans are perpetrating an attack on the health of women across the country, and I rise in strong opposition to their efforts. We must all stand strong against that agenda against women's health. We must all continue to work to create a healthier America. And that is why I urge a "yes" to women's judgment, a "yes" to respect their decision on the size and timing of their families, and a "no" for this vote, which is an attack on women's health.

Mr. NUNNELEE. Mr. Speaker, I yield 2 minutes to the other principal sponsor of this bill, the gentlelady from Alabama (Mrs. ROBY).

Mrs. ROBY. Mr. Speaker, it is an honor today to stand on the House floor as one of the sponsors of House Concurrent Resolution 36.

Since coming to Congress, I have come to the floor several times to talk about my stance on abortion and the need to defund Planned Parenthood, and I am pleased to be a part of the lead on this important issue today.

Mr. Speaker, I am unapologetically pro-life and will continue to do what is necessary to protect the lives of the unborn. Every 2 minutes, a life is lost because of an abortion. That adds up to 3,300 lives a day or 1.2 million a year.

I believe I have an obligation to do everything I can to fight for the unborn and to prevent taxpayer money from funding abortions. Therefore, I urge my colleagues to vote in favor of the piece of legislation in front of us

today. It would prevent Federal funds in H.R. 1473 from going to Planned Parenthood, an organization that provides more abortions than any other organization in the United States.

About one of every four U.S. abortions is performed at a Planned Parenthood location or one of their affiliates. Data shows that since 1970, Planned Parenthood has performed at least 5.3 million abortions, and that includes over 332,000 abortions in 2009 alone. Planned Parenthood has made plain the centrality of abortion to its mission, mandating that every affiliate have at least one clinic performing abortions within the next 2 years.

My colleagues opposed to this piece of legislation will claim that the money that Planned Parenthood has been receiving is not used for abortion. I disagree. Money is fungible. By taking away Federal funds from Planned Parenthood, they will have to spend more of their private money on basic services and overhead costs rather than diverting those funds toward abortions.

From 2000 to 2009, Planned Parenthood saw an 80 percent increase in taxpayer funding that resulted in a 69 percent increase in the number of abortions and a 61 percent decrease in the number of adoption referrals.

I urge my colleagues to vote "yes" on preventing Planned Parenthood access to Federal funds in fiscal year 2011.

Ms. DELAURO. Mr. Speaker, I yield 1 minute to the gentlewoman from New York (Mrs. LOWEY).

□ 1550

Mrs. LOWEY. I rise in strong opposition to the resolution. The right wing's failed radical attempt to block funding for Planned Parenthood has now devolved to procedural games instead of a renewed focus on creating jobs. Federal law prohibits Federal dollars for abortion, and family planning saves taxpayers nearly \$4 for every \$1 spent.

If Republicans were serious about deficit reduction, they would increase these investments instead of demonizing those who provide affordable access to Pap tests, breast exams, routine gynecological exams, flu vaccinations, smoking cessation services, cholesterol screening, contraceptives, and all of the other services that Planned Parenthood provides.

Vote "no" on this assault on women's health.

Mr. NUNNELEE. Mr. Speaker, I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

Mr. PENCE. I thank the gentleman for yielding.

I believe ending an innocent unborn human life is morally wrong. I also believe it's morally wrong to take the taxpayer dollars of millions of pro-life Americans and use them to subsidize the largest abortion provider in America. Today Congress will vote to do something about that.

Planned Parenthood is the largest abortion provider in America. As this chart shows, in 2009 Planned Parenthood made 977 adoption referrals, had 7,021 prenatal care counseling sessions, and performed 332,278 abortions. During that time, Planned Parenthood received \$363.2 million in taxpayer money. Planned Parenthood received \$1 million a day and performed about a thousand abortions a day.

H. Con. Res. 36 will only put an end to taxpayer subsidy of Planned Parenthood. Despite the hyperbolic rhetoric of the left, this resolution will not cut one penny from Title X women's health services. It merely denies funds to the largest abortion provider in the land.

I want to thank the leadership of Speaker BOEHNER. I want to urge my colleagues to stand with all of us, to stand for life, to stand for taxpayers. Let's end public funding of the largest abortion provider in America once and for all.

Ms. DELAURO. I yield 1 minute to the gentlewoman from Colorado (Ms. DEGETTE).

Ms. DEGETTE. Mr. Speaker, I don't know how many times this Republican leadership is going to make the House take the same vote again and again to deny women the basic health care they need. But repeating these votes just exposes the extreme agenda that the American people didn't ask for and that they don't want.

Continuing to debate defunding women's health care clinics like Planned Parenthood is not getting less offensive; it's getting more offensive every day. And the American public won't stand for this extreme agenda.

Not one Federal dollar goes to fund abortions—not by Planned Parenthood, not by anybody.

The last speaker was just plain wrong when he said this resolution would not reduce money for women's health. It would cut millions of dollars for women's health.

Let me tell you about a young woman from my district in Denver, Colorado. She hasn't ever had health insurance, but she took responsibility for her own health care, and she had her first annual exam and Pap smear at Planned Parenthood when she was 18 years old. Now she's pregnant and she depends on Planned Parenthood for her prenatal care so she and her baby can be healthy. Planned Parenthood is the only health care provider that she's ever had.

Vote "no" on this extreme resolution.

Mr. NUNNELEE. I yield 1 minute to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Thank you very much for yielding.

Mr. Speaker, in its slick TV ads and PR blitz, the multi-billion-dollar-a-year abortion giant Planned Parenthood appears to be hiding something.

Could it be that they're hiding the dismaying fact that just one organization—Planned Parenthood—performs over 25 percent of all abortions in America? No other chain of abortion mills even comes close.

Or is it the fact that 97 percent of all of the so-called services rendered to a woman with child end in an abortion, or the fact that since 1977 Planned Parenthood has deliberately caused the brutal death of well over 5.4 million babies—a staggering loss of child life? And in 2009 alone, 332,278 babies were killed in Planned Parenthood clinics.

There is no organization in America, Mr. Speaker, perhaps even on Earth, that stabs, dismembers, decapitates, or chemically poisons more unborn children to death than Planned Parenthood. And that's the reality of what abortion does to a child.

For the innocent and perhaps inconvenient child in the womb, a Planned Parenthood clinic is a house of horrors, a place where abortion has brutally destroyed children and deceived and hurt their mothers.

Vote for the resolution.

Ms. DELAURO. I yield 1 minute to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Speaker, this is about prevention. This is about women's health. And this is about making sure that we reduce the need for abortion in the United States of America.

And how we got so illogical to think that if we could give poor and middle class women access to birth control, that somehow is going to increase the abortion rates in the United States is beyond me.

We see our friends time and time again talk about respecting life, and I see in many instances on the other side of the aisle, that ends once the baby is actually born.

Respecting life means early childhood health care. It means affordable health care for families. Those are life issues. Early childhood education, Head Start, Pell Grants. Those are about making sure that citizens in the United States of America can have life, liberty, and the pursuit of happiness.

In this bill, if we pass and defund this organization, we will have more problems on our hands, more breast cancer, more cervical cancer. And it's going to be more expensive. And all of these folks on the other side that want to run government like a business and make good investments, you can't make better investments than preventative health care like this organization provides.

Mr. NUNNELEE. Mr. Speaker, I reserve the balance of my time.

Ms. DELAURO. I yield 1 minute to the gentlelady from California (Ms. LEE).

Ms. LEE. Mr. Speaker, I rise in strong opposition to the Republican war on women, and that is what this is.

Republicans have already moved to ban the District of Columbia from using its own money for abortions. Shameful. Now they want to go after America's most trusted provider of health care services for women. Shameful.

In many underserved communities, Planned Parenthood is the principal source of basic primary health services for poor and low-income women. Last year, millions of women received breast and cervical cancer screenings, testing, treatment for sexually transmitted infections, HIV and AIDS, and family planning, and contraception, mind you, through Planned Parenthood.

Planned Parenthood saves lives.

This is not about abortions. Only 3 percent of the services they provide involve abortions, and the law already prohibits Federal funding for abortions, though this law really should be repealed. This does not reduce the deficit nor create jobs. Family planning programs actually save taxpayers \$4 for every \$1 we invest in them.

This is really about pandering to the extreme right wing that wants to take us back to the days of back-alley abortions. They want to deny family planning and basic health care services for women.

This is a war on women.

Mr. NUNNELEE. Mr. Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. I rise today in strong support of the resolution.

While I respect my colleagues who are against this resolution, let me say that I believe that Federal funds should be cut off from Planned Parenthood.

As previously stated on the floor by my colleagues, the resolution does not reduce funding for women's health services. It simply ensures that funds are directed to other organizations. Not a dime of women's health or family planning funding is reduced by this resolution. We simply want to ensure that Federal funds are being used in a way that protects the will of our constituents, not to help subsidize Planned Parenthood.

Planned Parenthood is the largest abortion provider in the Nation, providing over 300,000 abortions in 2009.

□ 1600

Over the years, Planned Parenthood has increased their abortion numbers every year, while adoption and prenatal care remains way too low.

Mr. Speaker, I urge my colleagues to vote "yes" on this resolution.

Ms. DELAURO. If I might inquire, Mr. Speaker, how much time is left on both sides.

The SPEAKER pro tempore (Mr. TERRY). The gentlewoman from Connecticut has 3 minutes, and the gentleman from Mississippi has 1 minute remaining.

Ms. DELAURO. I yield 1 minute to the gentlewoman from California (Ms. ROYBAL-ALLARD).

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise in strong opposition to this concurrent resolution.

Planned Parenthood is a safety net that helps Americans stay healthy by providing primary care services such as breast cancer screenings, immunizations, and annual exams. Women also receive preventive care that helps lower cancer deaths, heart attacks, and cases of undiagnosed and untreated STDs.

As the largest provider of family planning, it helps women and men become parents when it makes the most sense for them. The attacks on Planned Parenthood are underhanded tactics using inaccurate statements and statistics. A perfect example is the recent claim that abortions make up 90 percent of their services. This gross misstatement has been refuted by hard numbers which show these services were less than 3 percent of the care provided in 2009. At the expense of critical health care for millions of Americans, these attacks are another irresponsible diversion from the fact that Republicans have failed to take one action to create jobs.

I urge my colleagues to oppose this resolution.

Mr. NUNNELEE. Mr. Speaker, I yield 30 seconds to the gentlelady from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. Mr. Speaker, you know, times are tough, including in Congress. And we have to find wise ways to spend our taxpayer dollars. For every 33 pregnant women that walk into a Planned Parenthood clinic, 32 receive an abortion. Planned Parenthood does over 1,000 abortions a day, and they receive \$1 million a day from taxpayers. The time has come to stop funding Planned Parenthood. We have better ways to spend our taxpayer dollars. Let's put it back to the Treasury and reduce the deficit.

Ms. DELAURO. I yield 1 minute to the gentlewoman from California (Mrs. CAPPs).

Mrs. CAPPs. Mr. Speaker, I rise in strong opposition to this mean-spirited resolution, yet another attempt by the Republicans to play politics with women's health care, part of their broader priority to reopen the culture wars. But the lies that have been tossed around in this debate are an insult to the 3 million Americans who used Planned Parenthood services this year.

Nearly two-thirds of those who visit a Planned Parenthood consider it to be their main source of health care, their mainstay, their lifeline. In my own district, Planned Parenthood of Santa Barbara, Ventura and San Luis Obispo Counties serves over 31,000 patients a year. I must ask the supporters of this mean-spirited resolution, where should these 31,000 people go? They have no

answer. Just inaccurate talking points and a demonizing "we know best" attitude.

Instead of taking away women's access to health care, let's turn to working on what they really need: a stronger economy and meaningful job opportunities. So please join me in voting "no" on this mean-spirited resolution.

Ms. DELAURO. I yield myself the balance of my time.

The SPEAKER pro tempore. The gentlewoman from Connecticut is recognized for 1 minute.

Ms. DELAURO. My Republican colleagues were prepared to shut down the Federal Government over women's health. If you can imagine that. Turn this country into chaos because of women's health issues. Today they continue to treat women as second-class citizens. They would treat women with a lack of respect, denigrate them, and undervalue women in our society today. That is what this debate is all about.

They would deny women basic health care. And because we in this House of Representatives have health care, they don't care much about what's happening to those whose primary care is at this facility, for cancer screenings. I am a survivor of ovarian cancer. I know what it means to be screened, to be diagnosed, and to be told I have a serious illness, and that I have the opportunity to get well. Trust the women of this Nation. Trust them. Vote against this misguided resolution.

Mr. NUNNELEE. Mr. Speaker, the House has before it today an important question, but it's not a new question. It's a question of old. This day I put before you the choice of life or death. Today we choose life.

Mrs. DAVIS of California. Mr. Speaker, budget resolutions are about funding the needs of our country. We should be talking fund initiatives to create jobs.

Instead, we're wasting time on divisive social issues.

Some want to make this a fight about abortion. But this is a fight for women's health. For ourselves, for our daughters, and for our granddaughters.

This resolution won't save taxpayer dollars or create jobs.

What it will do is undermine women's health.

More than 90 percent of the care those health centers provide is primary and preventive.

And one in five American women has been to a Planned Parenthood health center for services like breast cancer screening, cervical cancer screening, and well-women exams.

Mr. Speaker, I will not let San Diego families lose these valuable health services.

I listen to my constituents about how important Planned Parenthood's services have been in their lives.

Just last week, I held a telephone town hall, and a woman waited on the line for over an hour to ask me about my support for Planned Parenthood.

Anna started going to Planned Parenthood when she first moved to San Diego because as a young woman she was unemployed and had nowhere else to go for health care.

Decades later, she is in her 60s and still uses them for breast and cervical cancer screenings.

I also want to tell you about Jamie, a single working woman who was laid off 2 years ago during the recession and started using Planned Parenthood for her health care.

Even now that she has a job, she can't afford health insurance and continues to use their services.

Without Planned Parenthood, she would not have had a pap smear and would not know she has a high-risk type of HPV, which could lead to cervical cancer.

In her words, "Planned Parenthood has not only potentially saved my life but millions of others as well."

These are only two of the nearly 800,000 patients seen by California Planned Parenthoods every year.

I am not willing to deny them access to life-saving care.

I'm shocked and outraged that the majority is willing to do so, especially when 65 percent of Americans favor continued support for Planned Parenthood.

I will be voting against this resolution, and I hope you will all join me.

Ms. MATSUI. Mr. Speaker, I rise today in strong opposition to this resolution.

Millions of Americans across the country rely on Planned Parenthood as their only source of medical care. More than 90 percent of the care that Planned Parenthood provides in our communities is primary and preventive services. Such care keeps our communities healthier, and keeps health care costs down.

However, my colleagues on the other side of the aisle are attempting to misrepresent federal funding for Planned Parenthood as federal subsidization of abortions. Federal law already prohibits federal dollars from funding abortions. And today's resolution would take funds from cancer screenings, birth control, HIV testing, and other life saving care.

It would effectively cripple the largest provider of reproductive health services in our country and it would take funding away from health care that primarily serves low-income Americans. It would take away health care services from women in my hometown. Women like Kari.

Kari shared with me that she did not have health insurance when she went to Planned Parenthood to receive a free cancer screening. The screening showed that Kari had cervical cancer. But Planned Parenthood—in addition to offering the free screening—continued to provide Kari free care through subsequent visits. Today, Kari is a cancer survivor.

Without Planned Parenthood's services Kari's story could have had a very different ending. And while this Congress should be working to improve access to health care services to help millions of men and women just like Kari, this resolution does just the opposite. Today's resolution is an attack on women, on low-income Americans, on community health centers, and on primary care.

I urge my colleagues to oppose this harmful bill.

Ms. SCHAKOWSKY. Mr. Speaker, House Republicans have made their extreme agenda abundantly clear—undermine women's access to reproductive health care and attack the local women's health providers they rely on to provide cancer screenings, routine gynecological examinations, contraceptive services, immunizations, and testing and treatment for sexually-transmitted infections.

One in five American women has received care from a Planned Parenthood health center at some point in her life, making it one of the largest women's health care providers in the country. Planned Parenthood clinics serve over 3 million Americans every year and plays a critical role in our Nation's health care system. The Republican budget would deny them any funding.

Bonnie S. from Evanston, IL, wrote:

"I found myself without health care in my early twenties even though I was still working. I was in a committed, long-term relationship and needed birth control and a yearly pap smear. Planned Parenthood was my main healthcare provider for nearly ten years."

"I have only had one sexual partner in my life. I have never had an abortion. Without Planned Parenthood, I would not have been able to afford birth control and a yearly pap smear, things that no woman should have to go without. I'm sure there are many women out there with a story like mine. Stopping funding for Planned Parenthood would be a horrible thing."

Lesley W. from Evanston, IL, wrote:

"I was shocked and horrified to learn that Congress has voted to defund Planned Parenthood. As an 18 year old college freshman, Planned Parenthood was the difference for me between getting reliable, high quality birth control and gynecological care, and leaving my reproductive health to chance. Now at age 49, married and a mother, I credit Planned Parenthood with giving me the tools for a healthy and responsible sex life. I never had an unplanned pregnancy. I never got an STD. When AIDS came around, I knew how to protect myself and my partners. Planned Parenthood may well have saved my life, as it has saved the lives of thousands of women (and men) over the years. To not fund it is not only cruel and unethical, it is remarkably short sighted. How many more unplanned pregnancies, abortions, and STDs will we now see? How many young women will avoid prenatal care because they are afraid of a gynecologist's office? How many will avoid screenings for cervical cancer?"

"Planned Parenthood was there when I needed it, and I want it to be there for my daughter and the next generation of young women. It plays a crucial role in our national healthcare, and must be funded."

Poll after poll has shown that Americans support the work of Planned Parenthood centers because investing in commonsense, proven, effective prevention and primary health care is smart health policy.

Republicans need to stop attacking Planned Parenthood and they need to end their war on women's health.

The SPEAKER pro tempore. All time for debate has expired.

Pursuant to House Resolution 218, the concurrent resolution is considered

read and the previous question is ordered.

The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. NUNNELEE. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed.

Votes will be taken in the following order:

House Concurrent Resolution 35 and House Concurrent Resolution 36.

The first electronic vote will be conducted as a 15-minute vote. The remaining electronic vote will be conducted as a 5-minute vote.

CORRECTING THE ENROLLMENT OF H.R. 1473

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the concurrent resolution (H. Con. Res. 35) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

The vote was taken by electronic device, and there were—yeas 240, nays 185, not voting 7, as follows:

[Roll No. 270]

YEAS—240

Adams	Buchanan	Diaz-Balart
Aderholt	Bucshon	Dold
Akin	Buerkle	Dreier
Alexander	Burgess	Duffy
Amash	Burton (IN)	Duncan (SC)
Austria	Calvert	Duncan (TN)
Bachmann	Camp	Ellmers
Bachus	Campbell	Emerson
Barletta	Canseco	Farenthold
Bartlett	Cantor	Fincher
Barton (TX)	Capito	Fitzpatrick
Bass (NH)	Carter	Flake
Benishek	Cassidy	Fleischmann
Berg	Chabot	Fleming
Biggert	Chaffetz	Flores
Bilbray	Coble	Forbes
Bilirakis	Coffman (CO)	Fortenberry
Bishop (UT)	Cole	Fox
Black	Conaway	Frelinghuysen
Blackburn	Cravaack	Gallegly
Bonner	Crawford	Gardner
Bono Mack	Crenshaw	Garrett
Boren	Culberson	Gerlach
Boustany	Davis (KY)	Gibbs
Brady (TX)	Denham	Gibson
Brooks	Dent	Gingrey (GA)
Broun (GA)	DesJarlais	Gohmert

Goodlatte Lungren, Daniel
 Gosar E.
 Gowdy Mack
 Granger Manzullo
 Graves (GA) Marchant
 Graves (MO) Marino
 Griffin (AR) McCarthy (CA)
 Griffith (VA) McCaul
 Grimm McClintock
 Guinta McCotter
 Guthrie McHenry
 Hall McIntyre
 Hanna McKeon
 Harper McKinley
 Harris McMorris
 Hartzler Rodgers
 Hastings (WA) Meehan
 Hayworth Mica
 Heck Miller (FL)
 Heller Miller (MI)
 Hensarling Miller, Gary
 Herger Mulvaney
 Herrera Beutler Murphy (PA)
 Huelskamp Myrick
 Huizenga (MI) Neugebauer
 Hultgren Noem
 Hunter Nugent
 Hurt Nunes
 Issa Nunnelee
 Jenkins Olson
 Johnson (IL) Palazzo
 Johnson (OH) Paul
 Johnson, Sam Paulsen
 Jordan Pearce
 Kelly Pence
 King (IA) Petri
 King (NY) Pitts
 Kingston Platts
 Kinzinger (IL) Poe (TX)
 Kline Pompeo
 Labrador Posey
 Lamborn Price (GA)
 Lance Quayle
 Landry Reed
 Lankford Rehberg
 Latham Renacci
 LaTourette Ribble
 Latta Rigell
 Lewis (CA) Rivera
 LoBiondo Roby
 Long Roe (TN)
 Lucas Rogers (AL)
 Luetkemeyer Rogers (KY)
 Lummis Rogers (MI)

NAYS—185

Ackerman Critz
 Altmire Crowley
 Baca Cuellar
 Baldwin Cummings
 Barrow Davis (CA)
 Bass (CA) Davis (IL)
 Becerra DeFazio
 Berkley DeGette
 Berman DeLauro
 Bishop (GA) Deuth
 Bishop (NY) Dicks
 Blumenauer Dingell
 Boswell Doggett
 Brady (PA) Donnelly (IN)
 Braley (IA) Doyle
 Brown (FL) Edwards
 Butterfield Ellison
 Capps Engel
 Capuano Eshoo
 Cardoza Farr
 Carnahan Fattah
 Carney Filner
 Carson (IN) Frank (MA)
 Castor (FL) Fudge
 Chandler Garamendi
 Chu Gonzalez
 Cicilline Green, Al
 Clarke (MI) Green, Gene
 Clarke (NY) Grijalva
 Clay Gutierrez
 Cleaver Hanabusa
 Clyburn Hastings (FL)
 Cohen Heinrich
 Connolly (VA) Higgins
 Conyers Himes
 Cooper Hinchey
 Costa Hinojosa
 Costello Hirono
 Courtney Holden

Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Napolitano
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

Miller, George
 Moore
 Moran
 Murphy (CT)
 Roskam
 Neapolitano
 Neal
 Owens
 Pallone
 Pascrell
 Pastor (AZ)
 Payne
 Pelosi
 Perlmutter
 Peters
 Peterson
 Pingree (ME)
 Polis
 Price (NC)
 Quigley
 Rahall
 Rangel
 Reyes
 Richardson

Andrews
 Franks (AZ)
 Giffords

Richmond
 Rothman (NJ)
 Roybal-Allard
 Ruppersberger
 Rush
 Ryan (OH)
 Sanchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Schakowsky
 Schiff
 Schrader
 Schwartz
 Scott (VA)
 Scott, David
 Serrano
 Sewell
 Sherman
 Shuler
 Sires
 Slaughter
 Smith (WA)
 Speith

NOT VOTING—7

Jones
 Meeks
 Oliver

□ 1629

Ms. JACKSON LEE of Texas changed her vote from “yea” to “nay.”

Mr. KINGSTON changed his vote from “nay” to “yea.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. JONES. Mr. Speaker, on rollcall No. 270 I was unavoidably detained. Had I been present, I would have voted “yea.”

□ 1630

MARKEY CASTS 20,000TH VOTE

(Mr. DINGELL asked and was given permission to address the House for 1 minute.)

Mr. DINGELL. Mr. Speaker, I take pride in announcing to the House that our good friend and colleague, Mr. MARKEY of Massachusetts, is joining a select group of Members who have cast 20,000 votes in this great body.

I know, Mr. Speaker, that the Members wish to congratulate this distinguished Member for a long period of outstanding service to the public.

CORRECTING THE ENROLLMENT OF H.R. 1473

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the concurrent resolution (H. Con. Res. 36) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 185, answered “present” 1, not voting 5, as follows:

[Roll No. 271]

YEAS—241

Adams
 Aderholt
 Akin
 Alexander
 Austria
 Bachmann
 Bachus
 Barletta
 Bartlett
 Barton (TX)
 Benishek
 Berg
 Bilbray
 Bilirakis
 Bishop (UT)
 Black
 Blackburn
 Bonner
 Boren
 Boustany
 Brady (TX)
 Brooks
 Broun (GA)
 Buchanan
 Bucshon
 Buerkle
 Burgess
 Burton (IN)
 Calvert
 Camp
 Campbell
 Canseco
 Cantor
 Capito
 Carter
 Cassidy
 Chabot
 Chaffetz
 Coble
 Coffman (CO)
 Cole
 Conaway
 Costello
 Cravaack
 Crawford
 Crenshaw
 Critz
 Culberson
 Davis (KY)
 Denham
 DesJarlais
 Diaz-Balart
 Donnelly (IN)
 Dreier
 Duffy
 Duncan (SC)
 Duncan (TN)
 Ellmers
 Emerson
 Farenthold
 Fincher
 Fitzpatrick
 Flake
 Fleischmann
 Fleming
 Flores
 Forbes
 Fortenberry
 Fox
 Franks (AZ)
 Gallegly
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Goodlatte
 Gosar
 Gowdy

Granger
 Graves (GA)
 Graves (MO)
 Griffin (AR)
 Griffith (VA)
 Grimm
 Guinta
 Guthrie
 Hall
 Harper
 Harris
 Hartzler
 Hastings (WA)
 Hayworth
 Heck
 Heller
 Hensarling
 Herger
 Herrera Beutler
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Issa
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Johnson, Sam
 Jones
 Jordan
 Kelly
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Lankford
 Latham
 LaTourette
 Latta
 Lewis (CA)
 Lipinski
 LoBiondo
 Long
 Lucas
 Luetkemeyer
 Lummis
 Lungren, Daniel
 E.
 Mack
 Manzullo
 Marchant
 Marino
 McCarthy (CA)
 McCaul
 McClintock
 McCotter
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 Meehan
 Mica
 Miller (FL)
 Miller (MI)
 Miller, Gary
 Mulvaney
 Murphy (PA)
 Myrick
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee

Olson
 Palazzo
 Paul
 Paulsen
 Pearce
 Pence
 Peterson
 Petri
 Platts
 Poe (TX)
 Pompeo
 Posey
 Price (GA)
 Quayle
 Rahall
 Reed
 Rehberg
 Renacci
 Ribble
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita
 Rooney
 Ros-Lehtinen
 Roskam
 Ross (AR)
 Ross (FL)
 Royce
 Runyan
 Ryan (WI)
 Scalise
 Schilling
 Schmidt
 Schock
 Schweikert
 Scott (SC)
 Scott, Austin
 Sensenbrenner
 Sessions
 Shimkus
 Shuler
 Shuster
 Simpson
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Terry
 Thompson (PA)
 Thornberry
 Tiberi
 Tipton
 Turner
 Upton
 Walberg
 Walden
 Walsh (IL)
 Webster
 West
 Westmoreland
 Whitfield
 Wilson (SC)
 Wittman
 Wolf
 Womack
 Woodall
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NAYS—185

Ackerman
 Altmire
 Baca

Baldwin
 Barrow
 Bass (CA)

Bass (NH)
 Becerra
 Berkley

Berman
Biggart
Bishop (GA)
Bishop (FL)
Blumenauer
Bono Mack
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney
Crowley
Cueellar
Cummins
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Dent
Deutch
Dicks
Dingell
Doggett
Dold
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Frelinghuysen
Fudge
Garamendi
Gonzalez
Green, Al

Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Pallone

Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

ANSWERED "PRESENT"—1

Amash

NOT VOTING—5

Andrews
Giffords

Meeks
Oliver

Reichert

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes left in this vote.

□ 1639

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ANDREWS. Mr. Speaker, on the vote for H. Con. Res. 35 and H. Con. Res. 36, I am not recorded because I was absent. Had I been present, I would have voted "no."

MOTION TO ADJOURN

Mr. JACKSON of Illinois. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER pro tempore. The question is on the motion to adjourn.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. JACKSON of Illinois. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 11, noes 412, not voting 9, as follows:

[Roll No. 272]

AYES—11

Bartlett
Clay
Critz
Ellison

Filner
Garamendi
Grijalva
Heinrich

Huelskamp
Johnson (OH)
Speier

NOES—412

Ackerman
Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishak
Berg
Berkley
Berman
Berman
Biggart
Bilbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Capito
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chaffetz
Chandler

Chu
Cicilline
Clarke (MI)
Clarke (NY)
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Cravack
Crawford
Crenshaw
Crowley
Cueellar
Culbertson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeGette
DeLauro
Denham
Dent
DesJarlais
Hayworth
Heck
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellmers
Emerson
Engel
Eshoo
Farenthold
Farr
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foss
Frank (MA)
Franks (AZ)
Frelinghuysen
Fudge

Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Gutierrez
Hall
Hanabusa
Hanna
Harper
Harris
Hartzler
Hastings (FL)
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Henger
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jackson (IL)
Jackson Lee
(TX)
Jenkins
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones
Jordan
Kaptur
Keating

Kelly
Kildee
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Langevin
Lankford
Larsen (WA)
Larson (CT)
Latham
LaTourette
Latta
Lee (CA)
Levin
Lewis (CA)
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Long
Lowey
Lucas
Luetkemeyer
Lujan
Lummis
Lungren, Daniel
E.
Lynch
Mack
Maloney
Manzullo
Marchant
Marino
Markey
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCollum
McCotter
McDermott
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Murphy (PA)

Myrick
Nadler
Napolitano
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Pallone
Pascarell
Pastor (AZ)
Paul
Paulsen
Payne
Pearce
Pelosi
Pence
Perlmutter
Peters
Peterson
Petri
Pingree (ME)
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Price (NC)
Quayle
Quigley
Rahall
Rangel
Reed
Rehberg
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Rothman (NJ)
Roybal-Allard
Royce
Runyan
Ruppersberger
Rush
Ryan (OH)
Ryan (WI)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Scalise
Schakowsky
Schiff

Schilling
Schmidt
Schock
Schradler
Schwartz
Schweikert
Scott (SC)
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sessions
Sewell
Sherman
Shimkus
Shuler
Shuster
Sires
Slaughter
Smith (NE)
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stark
Stearns
Stivers
Stutzman
Sullivan
Sutton
Terry
Thompson (CA)
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Tonko
Towns
Tsongas
Turner
Upton
Van Hollen
Velázquez
Visclosky
Walberg
Walden
Walsh (IL)
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Webster
Weiner
Welch
West
Westmoreland
Whitfield
Wilson (FL)
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Woolsey
Wu
Yarmuth
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Andrews
Cantor
DeFazio

Giffords
Meeks
Oliver

Reichert
Simpson
Waters

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

□ 1655

So the motion to adjourn was rejected.

The result of the vote was announced as above recorded.

GENERAL LEAVE

Mr. RYAN of Wisconsin. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H. Con. Res. 34.

The SPEAKER pro tempore (Mr. SCOTT of South Carolina). Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The SPEAKER pro tempore. Pursuant to House Resolution 223 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution, H. Con. Res. 34.

□ 1655

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the concurrent resolution (H. Con. Res. 34) establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021, with Mr. TERRY in the chair.

The Clerk read the title of the concurrent resolution.

The CHAIR. Pursuant to the rule, the concurrent resolution is considered read the first time.

General debate shall not exceed 4 hours, with 3 hours confined to the congressional budget, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget, and 1 hour on the subject of economic goals and policies, equally divided and controlled by the gentleman from Texas (Mr. BRADY) and the gentleman from New York (Mr. HINCHAY) or their designees.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 90 minutes of debate on the congressional budget.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. I yield myself 5 minutes.

Mr. Chairman, earlier today we passed a continuing resolution that will ultimately save billions of dollars of taxpayer money. Today we are converting and switching this debate to now saving trillions of dollars.

Mr. Chairman, let me just begin by saying this: The spending spree is over. We cannot keep spending money we don't have.

The American people deserve the truth. They deserve an honest, fact-based conversation about this budget.

We have got to get on to the days of no more budget gimmicks, timing shifts, accounting tricks. And we've got to get on to fixing our country's fiscal problems while we still can and while they're still within our control.

Mr. Chairman, specifically what our budget does is it cuts \$6.2 trillion in spending from the President's budget. It brings the government's spending as a share of our economy back down to where it historically has been, contrary to where the President is taking it.

Mr. Chairman, we do not have a revenue problem in Washington. The problem here today is not that people don't pay enough taxes; the problem is Washington borrows and spends too much money.

This shows you where Washington is headed, where the President's budget goes, the path we are on.

Mr. Chairman, I am 41 years old. My wife and I have three beautiful kids who are 6, 7, and 9 years old. By the time our children are my age, the government will be twice the size it is today. When they're my age, double the government, double the taxes just to keep this current government afloat.

What we are really trying to do, Mr. Chairman, at the end of the day is fulfill the legacy that we have been given by our parents and by our predecessors in Congress. We're going to have a vigorous debate about how to do this. We're going to have a vigorous debate of our priorities and processes, and it's going to be emotional.

At the end of the day, this is what we are trying to do: We know, according to every fiscal expert out there, that we are giving the next generation a mountain of debt. So we have a choice of two futures, Mr. Chairman. Which future do you want your children to have? One, where the debt gets so large, it crushes the economy and it gives them a diminished future, a stagnant economy; or, two, this budget, using CBO numbers, that literally not only gets us on the way to balancing the budget but pays off our debt, gets our debt manageable, preempts and prevents a debt crisis, and fixes this so we can preserve this great legacy of giving the next generation a higher standard of living.

□ 1700

Now, Mr. Chairman, we had a speech yesterday from the President—not a plan, so to speak, but a speech. And unfortunately, I think the speech, which was a framework with no details, was really not about solutions but about partisanship.

I'm concerned, Mr. Chairman, that leaders here in town are more concerned about the next election than the next generation. I hope that that's not the case. I hope that leaders in this town change their tune so we can fix

this problem, but it's going to require them to change their tune. We don't need good politicians; we don't need clever politics.

We need real leadership and real solutions to fix this country's problem because, Mr. Chairman, if we don't make some tough decisions today, our children are going to have to face much, much tougher decisions tomorrow.

I want to talk about one particular program, and I will yield myself 2 additional minutes to do that.

Medicare. Medicare is one of the most important programs we have; it's one of the most successful programs we have. Medicare is in trouble. Medicare is going broke. CBO tells us that in 9 years it has exhausted its trust fund. We need to save Medicare. This budget doesn't change anything for anybody on Medicare now and within 10 years of retiring, and it saves the system for the next generation.

Contrary to what the President proposed yesterday, he wants to delegate more authority to 15 people on a bureaucracy that was created in his new health care law to do price controlling and rationing of Medicare for current seniors. He wants these 15 people—without a consent of Congress, just to do it directly—to impose more price controls and more limitations on providers, which will end up cutting services to current seniors.

We repeal this agency. We don't think Congress should be delegating this kind of power and authority to unelected people to make unilateral decisions on senior health care. So we preserve, protect, and save Medicare for current seniors and those 10 years away from retiring, and then I'll get into the details about how we save it for future generations.

Mr. Chairman, at the end of the day, this budget is about choices. We do four things. We want to grow the economy so we create jobs and have a climate for job creation with tax reform. We want to save the mission and preserve the mission of health and retirement security. We do that. We want to preserve our social safety net and make it more sustainable, more reliable, more adaptive, and more conducive to the 21st century and geared not toward keeping people on welfare, but getting people back on their feet and into jobs and careers to have flourishing lives. At the end of the day, Mr. Chairman, what it's really about is giving our children a debt-free Nation.

Mr. Chairman, I reserve the balance of my time.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, everyone in this Chamber loves America and everybody in this Chamber wants to preserve the dynamism of this country and American exceptionalism. We also all agree that we have to reduce our deficits in a

steady and predictable way. The question is how we do that, and we have very different views of how we should do that.

Later this evening and tomorrow, we will debate a Democratic alternative budget which will strengthen our economy, promote job growth, and decrease the deficit in a steady, predictable and responsible way, but the Republican budget is the wrong choice for America. I urge every American to read this budget because if you do, no amount of spin can hide the fact that this is a wrong turn for America. It is a yellow brick road for the already prosperous, but it's a dead end for the rest.

Just today, we had an analysis come out from the former economic adviser to JOHN MCCAIN when he was running for President, Mark Zandi, the chief economist at Moody's Analytics, who said that the Republican plan will cost Americans 1.7 million jobs by the year 2014, with 900,000 jobs lost next year. And the Republican budget violates the warning from the bipartisan commission that we need to do the cuts and the deficit reduction in a responsible way.

The cochairs of the President's fiscal commission stated that the Republican budget "falls short of the balanced, comprehensive approach that we need for a responsible plan." They are absolutely right. It is not balanced; it is a totally one-sided approach to deficit reduction. Because when you sweep away all the soothing, sweet-sounding talk of reform, at its core this Republican budget is not bold. In fact, it's the same old formula of increasing tax breaks to the very wealthy in this country and to the special interests, like Big Oil, at the expense of the good of the rest of the country, except this time it's the same old plan on steroids.

We all know that to govern is to choose, and the choices made in the Republican budget are wrong for America. It is not bold to give tax giveaways to the oil companies and executive board rooms while slashing investments in our kids' classrooms, in scientific research, and in critical infrastructure for this country.

It is not courageous to provide additional tax breaks for millionaires while ending the Medicare guarantee for seniors and sticking seniors with the cost of the rising health care. It is not visionary to reward corporations that ship American jobs instead of products overseas while we terminate health care for tens of millions of Americans here at home. It is not brave to give Governors a blank check of Federal taxpayer money and a license to cut support for seniors and nursing homes, individuals with disabilities, and low-income kids on Medicaid. And it's not fair to give yet another tax break to the very wealthy and ask middle-income Americans to pay for it. Yet, if you read the Republican budget, those are the choices they make.

We ask, where is the shared sacrifice? We have American men and women putting their lives on the line as we speak in Iraq and Afghanistan while others hide their income in the Cayman Islands and Switzerland and refuse to pay their fair share to support our Nation. That is not right.

The pattern is clear: first you cut taxes for special interests and the very wealthy, and then mathematically what happens? Yeah, when you do that, the deficits go up. You drive up the deficit, and then you say, well, we've got to handle this—not by going back and asking the folks at the very top to do more, but by cutting investments for working families and violating our commitments to seniors and others.

Let me turn to the Republican plan for Medicare because what the Republican plan does is it ends the Medicare guarantee. It forces seniors to go into the private insurance market and have to deal with the rising costs of health care that they face there, and the seniors have to eat that cost. And since the chairman raised this specifically in his opening statement, I would like to just take a look at this chart based on the numbers from the Congressional Budget Office—and the President did mention this in his speech yesterday.

What this shows is what happens to Medicare under the Republican budget versus current Medicare and how much of the increased cost will now be shifted to seniors instead of Medicare. As you can see, compared to current Medicare, senior citizens are going to have to pay more than \$6,000 on top of what they would have had to pay in the year 2022. And the problem gets worse and worse over time so that by the time you're out in the year 2030, you're talking about in the range of \$11,000 more paid by seniors.

□ 1710

Now, let me say this. One of the talking points we've heard from our colleagues on the other side of the aisle is, Don't worry, seniors, we're just giving you the same health care deal Members of Congress have.

That's not true. What Members of Congress have is what's called a fair share deal agreement, just as other Federal employees do and as many employees around the country do where the risk of rising premiums is shared.

So for every dollar increase in premiums, the Federal Government puts in 72 cents, thereabouts, and the Member of Congress or the Federal employee puts in the rest. But the point is, no matter how fast the costs go up, you share that risk equally. That's not what happens in the Republican plan.

There's much more to talk about, but let me just say that we welcome this debate. Fundamentally, this is a debate about choices for our country, and as the bipartisan fiscal commission said, the choice made in the Republican

budget is not balanced and it is not comprehensive. We agree, and we should reject this budget.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds simply to say the gentleman is talking about Medicare. If he had read that CBO letter a little later, he would see it says that Medicare is on such an unsustainable path that there's no way it can sustain itself where it is.

So we're making comparisons to fiscal myths. We're making comparisons to futures that aren't going to exist. The greatest threat to Medicare is the status quo and those who cling to it.

I would also simply say the President yesterday said he wants this unelected board of bureaucrats to cut a trillion dollars out of Medicare. We don't want to see that happen.

With that, Mr. Chairman, I yield 3 minutes to the distinguished chairman of the Appropriations Committee, the gentleman from Kentucky (Mr. ROGERS).

Mr. ROGERS of Kentucky. I rise today to commend Chairman RYAN in this effort to craft a sustainable and responsible budget proposal.

This budget represents a valiant effort to effect real change in the way Washington spends taxpayer dollars. This plan couples tangible spending cuts with the entitlement reform necessary to get our budget back into balance starting now and continuing into the long term.

This Republican majority understands that we must end the skyrocketing budgets of the last several years, and this budget reiterates our commitment to smart but limited government spending.

The resolution includes an annual discretionary spending level of \$1.019 trillion for next year, bringing us back to the fiscal year 2006 funding levels for non-security programs. This is a reduction of an additional \$31 billion from the level that we just passed in the CR.

Based on the experience we've just had in bringing the fiscal year 2011 budget to a close, this will present significant challenges to the Appropriations Committee and the body in the weeks and months ahead. It will not be an easy task, but I know that with the support of House Members, we will rise to that challenge.

In addition, while I commend the budget resolution for making such significant strides to rein in spending and address long-term budget challenges, I do have some concerns over various budget process changes that may have unintended consequences.

For example, the Appropriations Committee may be faced with challenges related to our emergency authority after May 31, the beginning of the hurricane season, due to limitations on the committee's ability to respond to natural disasters and other emergencies.

Along these same lines, there may be challenges related to the committee's flexibility to provide for additional funding—beyond expected needs—for the global war on terror and our military efforts overseas.

I look forward to working with Chairman RYAN and the leadership to address these as well as other process concerns as we go forward.

These matters aside, I applaud this budget proposal. It will help put us back on a path of sustainable spending, allow for job creation and economic growth, and help us make the right fiscal decisions for our Nation's future.

I thank the chairman for the time.

Mr. VAN HOLLEN. Mr. Chairman, the chairman of the committee mentioned the IPAB, and it is true that the President indicated yesterday that that is a mechanism for trying to reduce the rise in Medicare costs. The chairman said they repeal the IPAB, which we believe will result in higher Medicare costs, which will mean that seniors have to absorb an even greater amount of the increase.

With that, I yield 5 minutes to the gentleman from Maryland (Mr. HOYER), the minority whip.

Mr. HOYER. I think at the beginning of this debate we need to put it in context. I know that I must bore my friends on the majority side of the aisle, but during my 30 years in this body, there have been essentially three economic programs adopted: One was in 1981 when we adopted what is referred to as Reaganomics. The second was in 1993 when we adopted the Clinton economic program. The third, of course, was in 2001 and 2003 when we adopted what was the Bush economic program.

During the first economic program, we ran up \$2.4 trillion of deficits. During the second, the Clinton economic program, which lasted for 8 years, we had \$62.9 billion of surplus over 96 months. \$2.4 trillion during the 12 years of the Reagan/Bush administrations, \$62.9 billion surplus during the Clinton administration, and then another \$2.8 trillion of deficits during the Bush economic program.

The reason I raise that as we begin is because I want to tell my friends, and I know we will tell our constituents, that the message that we hear today from my good friend, Mr. RYAN—for whom I have a great deal of respect. We have a disagreement, but I do not believe that he speaks with a forked tongue, if you will. He speaks what he believes—he first of all says, correctly, that we have a deficit problem that must be dealt with by us all, those of us who serve here and with those whom we represent. We must with courage, with honesty, and, yes, with discipline address this deficit. In order to do so, we must address all items of expenditures and revenues. Revenues, of course, are what we use to pay for things we buy.

Why did we run up deficits during the Reagan administration when one person could have stopped spending in its tracks, Ronald Reagan; or the George Bush, I, administration where one person could have stopped spending in its tracks? Because we bought more than we paid for—\$2.4 trillion worth.

During the Clinton administration, what happened? Well, we had divided government, we constrained spending, and we constrained cutting revenues so that we were able to pay for what we bought.

During the second Bush administration, we spent some \$2.4 trillion more than we paid for. Every American knows that if you do that, you're going to run deficits. That's how we got to that \$4.8 trillion of deficit because, as the gentleman today will argue, if we only adopt this program, we will bring down deficits, we will grow employment.

Well, that's the argument used in 2001 and 2003. You didn't do either. In fact, employment disappeared—the worst employment record of any administration since Herbert Hoover—so that the arguments that you made in 2001 and 2003 that this would magnify employment did not prove to be the case.

You also made the argument when you inherited a \$5.6 trillion surplus, according to George Bush himself, you said that we could cut revenues, increase spending, and, by golly, we would have growing employment and a surplus. We had neither. We had lost employment, the worst economy of any administration since Herbert Hoover, an almost depression-like response that was called upon by President Bush in his last year, and an exploding deficit.

□ 1720

So now we will debate between two perspectives. We will have a number on our side; you will have a number on your side. Now, I think at least two on your side. But basically, we adopt the premise on our side first of all you've got to protect the most vulnerable. You've got to make sure that we apply the resources that we have to make sure that every American is in a place where we want them to be in the richest country on the face of the Earth. We want to grow the economy and we want to bring the deficit down.

The CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman 1 additional minute.

Mr. HOYER. That will be the proposition on our side. Very frankly, I tell my friend from Wisconsin the premise on your side, in my view, has been consistently for the 30 years that I have been here, if you simply reduce revenues somehow magically the economy will recover.

When we adopted the Clinton program in 1993, not a single Republican

voted for it, unanimous in your conviction that it would have an adverse effect because we raised revenues, as you will recall, on the upper 1 percent. In fact, of course, what happened is exactly the opposite of what you argued in 1993.

So in that context, as we have this budget debate, I hope the American public understands that if you repeat the same mistakes of the past you will be condemned to live in the same problems that were created then by those mistakes.

I urge my colleagues to listen to this debate very carefully. Listen to the debate of the consequences of the actions that are proposed on both sides of the aisle, and remember what happened when that rhetoric was carried to fruition.

Mr. RYAN of Wisconsin. Mr. Chairman, I will just simply say we choose to reduce spending. And we don't reduce revenue; we reform the tax system.

With that, I would like to yield 2 minutes to a member of the Budget Committee and the Appropriations Committee, the gentleman from California (Mr. CALVERT).

Mr. CALVERT. Mr. Chairman, I rise in strong support of Chairman RYAN's FY 2012 budget. For the first time in several years, this budget tackles our fiscal reality and stops burying our collective heads in the sand. Let's start where we all agree: We are in dire financial trouble. But if we make some adjustments now, we will set our country on a long-term path of fiscal solvency. That's exactly what the Republican budget does.

President Obama and my friends on the other side of the aisle lament the lack of tax increases in our budget. First, let's remember that we already have a deeply progressive tax structure. The top 5 percent of earners pay 60 percent of Federal income taxes collected. Yet our President and my friends on the left want to tax them even more.

There seems to be a trifecta of economic strangulation under President Obama: increased regulation without congressional consent, skyrocketing energy prices and the doubling of gas prices, and now an attempt to increase taxes. How can businesses survive in this environment? We're not just talking about a precipice of fiscal solvency in our country; we're talking about the death of the American entrepreneur as we know it if we go down the path outlined by the President.

Thankfully, there is a better way, the only way. The Republican budget recognizes that we must end the relentless drive to seize wealth and redistribute it. This is an alternative to the class warfare tactics of the left that pits one American against another. The Republican budget is a fair, pro-growth plan rather than a punitive tax

plan. Make no mistake, the budget includes tax reforms to simplify our Tax Code, broaden the tax base, create a more fair and equitable system that will provide certainty.

The Ryan budget reflects the most basic American principles. It provides for the strong defense of our Nation, ensures the safety net for our most vulnerable citizens remains solvent, and it gets government out of the way of the American free enterprise system and makes sure that entrepreneurs can survive.

The budget demands that we as leaders step up and make a choice between what's popular and what's right. I choose right.

Mr. VAN HOLLEN. Mr. Chairman, yes, we do ask the big oil companies to give up their taxpayer subsidies. And yes, we do ask the very top 2 percent of income earners in the country to go back to the same tax rate they were paying during the Clinton years when the economy was roaring and 20 million jobs were created, instead of the dramatic job loss we saw between 2000 and 2008.

With that, I yield 2 minutes to a distinguished member of the Budget Committee, the gentleman from Texas (Mr. DOGGETT).

Mr. DOGGETT. This budget is just not my cup of tea. When the Republicans use the terms "modernize" or "reform," what they really have in mind is a four letter word: less—less retirement security, less health security, less economic security.

This budget does not share the sacrifice. It focuses the pain on the young, on the very old, on those who are trying to climb up the economic ladder, or just barely prevent themselves from slipping backward.

"Fair and balanced," that's a most inaccurate media logo, but it's a spot-on description of the budgetary path we ought to be on. Our budget should be balanced, but not unfairly on the backs of those least able to bear it, like our elderly in nursing homes. It's troubling enough that this Republican budget demands even more tax cuts for those at the top and our largest corporations. But what's truly outrageous is that they seek balance by cutting the opportunity for our young people to get all the education they are willing to work for.

How can our economy be second to none when Republicans again and again turn to education to cut first? Nor can you fix this budget or make up revenue lost by squeezing so much out of those on fixed incomes. We need to be creating jobs with job training and education and infrastructure investment.

The size of our deficit, the level of our taxes, those are important, but they are not the sole lens through which the strength of America should be viewed. We want an America where

the young have educational opportunity, where the not so young have the dignity of their old age, and a bigger middle class shares in the success of our country. To secure our long-term future, every American can give a little. But this unfair proposal asks little from those with much, and so much from those who have so little.

Mr. RYAN of Wisconsin. I yield myself 10 seconds to simply say, yeah, less spending, less government, less debt; more jobs, more prosperity.

With that, Mr. Chairman, I yield 2 minutes to a member of the Appropriations and Budget Committees, the gentleman from Oklahoma (Mr. COLE).

Mr. COLE. Mr. Chairman, we've heard it all before. In the 1990s, when Republicans proposed welfare reform, we were told that it was going to lead to poverty and starvation. Instead, it was the most successful poverty reduction program in modern American history. And when we pushed through Medicare part D over the opposition of our opponents, we were told that drug prices would go up and it was an unsustainable program. The reality is it came in 40 percent under cost for both the individual and for the government, something no other health care program has done. The reason why those two programs were successful were flexibility for States, choice, and competition for individuals.

I am proud to support the Ryan budget, the only serious budget proposal that either party has offered. Frankly, it's quite a contrast to what we heard yesterday, which was long on political rhetoric and partisanship by the President and very short on specifics and solutions.

In Medicare, my friends won't tell you that nobody on Medicare is going to have anything other than the programs that they already enjoy, that there is no reduction for seniors in the near term, and that we actually make the changes that are necessary to protect and save the program for the long term. If we stay on the course that they currently advocate, there will be no Medicare for people in their twenties and thirties and forties.

The same thing's true with Medicaid. My friends on the other side of the aisle, frankly, forget that we are not the laboratories for innovation; the States are. We'll provide them with block grants, more flexibilities, more opportunity for change and innovation. We'll end up with a better program that actually protects more people.

So I urge my colleagues to support this budget. We know we're on an unsustainable path. Mr. RYAN has offered us an alternative. Sadly, my friends on the other side of the aisle and the President of the United States have not.

Mr. VAN HOLLEN. Mr. Chairman, the Medicaid program is one where the costs of health care have actually

grown much more slowly compared to the growth in health care costs elsewhere. Cutting \$1.4 trillion out of an already stretched program is not a recipe for helping more people. It will definitely hurt those who depend on Medicaid. You are just giving Governors a blank check with no accountability.

With that, I yield 2 minutes to the gentleman from Kentucky (Mr. YARMUTH).

□ 1730

Mr. YARMUTH. I thank the gentleman.

Mr. Chairman, we know that budgets are about values. As the chairman of the Budget Committee has mentioned, they are about choices.

And we know that this reckless Republican budget makes a very disastrous choice. It chooses to sacrifice the safety net of millions and millions of Americans in favor of millionaires and billionaires.

Every time we mention that, the other side says, class warfare. Oh, the Democrats are engaged in class warfare. Guess what, Mr. Chairman? That war is over. The wealthy class has won.

The wealthy class has already declared victory. That's why the 1 percent of income earners, the top 1 percent, now has as much wealth in this country as the bottom 90 percent. So when we are talking about what we can do to try and get our fiscal house in order, the idea that we would ask that 1 percent that has accumulated enormous wealth, the greatest disparity of wealth in the history of this country, to pay a little bit more, the Republicans say "no," that's class warfare. Instead, they would rather cut security for seniors, for our students, for our struggling families, because millionaires and billionaires, left to their own devices, will make everybody's boat rise.

We have been down that road before, Mr. Chairman. We have seen what has resulted when that choice was made. This budget, when we asked for millionaires, people making a million dollars or more to pay a little bit more, to pay that 39.6 percent, the highest rate under the Clinton administration, the Republicans all said "no."

We can't even ask people making a million dollars or more to pay a little extra to help balance this budget. This is unbalanced, this is unfair. It doesn't call for shared sacrifices. It ends Medicare. And while the Budget chairman says, and I know he believes this, that he is trying to preserve Medicare for the next generation, he does nothing. The Republicans do nothing in this budget to make sure that the people who are now in Medicare, or somebody who is 56 or 57, is going to have that program 30 years from now, not one reform measure to help save Medicare.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 3 minutes to a senior

member of the Budget Committee, the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. Thank you, Mr. Chairman.

I want to commend you and all of my colleagues for their tremendous work that has been done on this budget. It's a bold vision for our country and a remarkable accomplishment. It's inspiring to have the opportunity to participate in this reform.

As we have heard many times over the past couple of weeks, to govern is to choose. Last year, as the Nation well knows, the choice by our friends across the aisle was to do no budget at all. The Democrats failed in perhaps their most basic responsibility.

Now continuing in this line of inaction, the President gave a speech yesterday with much preceding hype, but again the defining aspect of the speech was no plan. Our rudderless President decided to take the two biggest drivers of our national debt, Medicare and Social Security, and take them off the table. His solution to addressing health care costs is further empowering the Independent Payment Advisory Board to ration health care instead of dealing with structural reforms.

What this all means is that we have a stark choice, a choice of two futures. One future is the President's plan, the one in red here, Mr. Chairman, the plan by the House Democrats that's a path to national bankruptcy. The other choice is a Path to Prosperity, the green, that gets us on a path to a balanced budget.

It's time to address the American people in an honest and a factual manner. Let's face it. The American people are sick and tired of Washington's gimmicks and empty promises, and the Path to Prosperity is a bold vision for the future which relies upon facts, not dishonesty.

As a physician, I could tell you that ObamaCare is a threat to the affordability and accessibility and quality of health care, all the principles that we hold dear in American medicine.

The facts are that ObamaCare is a violation of these principles, and it takes away choices from patients and doctors while saddling workers and job creators and taxpayers with trillions of dollars in costs.

So, we completely repeal and defund ObamaCare. Further, we will save and preserve Medicare for future generations by providing commonsense solutions so that folks have essentially the same kinds of health care choices that Members of Congress have. It's imperative that people recognize that no changes are made that would affect those in or near retirement.

Now many folks on the other side of the aisle would rather bury their heads in the sand and ignore the reforms that need to be made to Medicare. The President has even decided to take it off the table, but the facts are that the

current Medicare spending is growing at a rate twice as fast as the Nation's economy.

Ten thousand baby boomers are reaching retirement age every single day. As a physician, when I talk to Medicare patients in my district back home, they tell me that they can't even find a doctor who is taking new Medicare patients.

The system is broken and unsustainable. The status quo is unacceptable. By completely repealing and defunding ObamaCare and by saving Medicare, we advance this Nation in a positive direction, a Path to Prosperity.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

In the Republican budget, I want to make it clear, they took some of the savings that we gained through Medicare reform last year. We gained those savings by ending the overpayments to some of the Medicare Advantage insurance companies that were being overpaid compared to others. They demagogued it when we did it, but they kept that in their budget, but they got rid of our initiative to close the prescription drug doughnut hole for seniors.

So if you pass that budget, the moment it passes, there goes the big doughnut hole all opened up again because they took the money but didn't keep our effort to close the doughnut hole.

With that, I yield 2 minutes to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, I rise in opposition to this Frankenstein monster of accounting that the Republicans call a budget. The Republican budget, endorsed by every member of the Republican Conference, from JOHN BOEHNER down to the rank and file, has two goals: One, end Medicare, and, two, provide hundreds of billions in tax cuts to the rich.

A lot will be said about these two things by my colleagues, so I want to discuss some of the more dangerous cuts that may not make it to the front page of USA Today, but will still hurt every working family and their children. If you look at this chart beside me you will see that in the red that the Republicans provide the rich with \$800 billion, with a B, in tax cuts over the next 10 years.

How do they pay for this spending? On the backs of working families and children.

We will show you charts that are very explicit with details. You will see other charts that may not be very explicit. But right here we show you the cuts to vital services to our people. The column on our right shows the cuts to every American in this country that needs day-to-day services, things like roads, access to health care and, above

all, great schools for all our children. The Republican budget is nothing short of a disaster for our children.

I am a classroom teacher, and I should know. The Republican budget cuts over a quarter of funding for education. This Republican budget cut means huge cuts for Head Start. This is the Republican budget paying for tax cuts for the rich on the backs of 1 million poor children. The Republican budget means huge cuts for K-12 education. This is how the Republican budget pays for tax cuts for the rich—on the backs of 20 million elementary and secondary students.

The Republican budget means huge cuts to Pell Grants to help working class kids pay for college and secure the American Dream. This is how the Republican budget pays for tax cuts for the rich—on the backs of 9 million college students.

In short, the Republican budget requires heavy sacrifices for everyone except the richest Americans and the richest corporations. It's like the billionaire CEO who cuts a thousand jobs and gives himself a bonus. This is not right.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana (Mr. STUTZMAN).

Mr. STUTZMAN. Mr. Chairman, we are 1 day away from Tax Day, and I believe that this is an appropriate time to be talking about the budget for our country. Many folks back in Indiana and across this country are talking about how they are going to meet the demands of their budget.

I believe that this is a jobs bill. There is a lot of talk on this House floor about what are we doing about American jobs. I believe that this is the jobs bill of this Congress.

We hear a lot from the other side of the aisle that we are going to revise and reform Medicare as we know it. Well, folks, we are facing \$14.2 trillion of debt right now. We are facing a \$1.6 trillion deficit in the current budget. Just as many families in Indiana and across this country do with their family budget, when the bottom line hits red, they start to make changes.

□ 1740

We have to start controlling spending. I would encourage every American to read this budget. This budget bravely saves \$6.2 trillion over the next decade. It also calls to simplify the Tax Code and lower the rates for individuals and businesses. This budget not only stops the growth in government, it actually grows the economy and starts to create jobs.

Furthermore, we eliminate hundreds of duplicative programs, ban earmarks, and curb corporate welfare. In addition to the trillions in savings, this budget will put our Nation on a sustainable path, keep the sacred trust of our seniors, and presents to the American people real leadership in the absence of

any from our executive branch. If you look at the President's budget, his budget proposes \$9.1 trillion of new debt over the next decade.

Let's talk about job creation. As a small business owner from Indiana, I don't need government to take more money away from the people that live in Indiana who are working hard. Let them keep that money so they can apply it to their businesses in order to grow jobs and grow the economy. There's no reason for more of our dollars to come to Washington, D.C., and be redistributed through our government.

Mr. Chairman, I ask the people of this Congress to support this budget.

Mr. VAN HOLLEN. Mr. Chairman, we agree that you've got to make cuts. We just think you need a balanced approach where you also deal with the revenue side. And because yours doesn't deal with that piece at all, that's why the fiscal commission said it was unbalanced and lacked the comprehensive solutions that we need.

With that, I yield 2 minutes to the gentlelady from Pennsylvania (Ms. SCHWARTZ).

Ms. SCHWARTZ. For decades, Medicare has been a lifeline for older Americans, providing quality and affordable health coverage to all seniors in this country. The creation of the Medicare program in 1965 addressed the fundamental challenge of ensuring aging seniors access to essential health care. Before Medicare, almost half of all seniors over 65 had no insurance at all. Seniors were just not a good risk for private insurers, and they still aren't.

Medicare is a promise to American seniors that we would not abandon them even as they age, even as they need medical care—until now. The Republican budget will end Medicare as we know it, offering a limited voucher and expecting seniors to find insurance no matter how sick they are or how expensive it is.

Every day, 48 million elderly and disabled Americans count on Medicare for their lifesaving medications, doctor visits, and hospital care. Seniors know that changing Medicare to a voucher program means they will no longer have access to a guaranteed set of health benefits. Seniors know that privatizing Medicare means limits on benefits; obstacles to care; and uncertain reimbursements, copayments for primary care and specialty care; exclusions for certain services; discrimination based on income, illness or age; and uncertainty if serious illness or need for long-term care occurs. Seniors know that privatizing and voucherizing Medicare will mean that they pay more in premiums or do without.

And it doesn't end there. The Republican budget also threatens Medicaid for nearly 6 million disabled and frail elderly who depend on it for their nursing home and home health services.

American seniors are not looking for handouts. They're looking for the security that they have earned and we have promised.

Budgets are about choices. In this very same budget where Republicans end Medicare as we know it, they protect billions of dollars in tax subsidies to the oil and gas industry. They protect billions in tax breaks to the wealthiest 2 percent of Americans.

Budgets are about our priorities and our values. Yes, we should get serious about our deficit. But let's get our priorities right and not threaten our obligation to our seniors, our children, and our future.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds simply to say the only part of this budget that mentions oil is that we want to drill for it in our own country so we can actually lower gas prices and get ourselves off foreign oil.

The second point I would simply say, Mr. Chairman, is this budget saves Medicare as we know it. The President is proposing to ration Medicare as we know it.

With that, Mr. Chairman, I would like to yield 2 minutes to the chairman of the Financial Services Committee, the gentleman from Alabama (Mr. BACHUS).

Mr. BACHUS. I thank the chairman.

Imagine that you are on the bank of a river. It's deep in winter. It's a peaceful scene. You look out on the river, and it's frozen. There's a deep current of cold water under the ice. But then you see a small child, and he is walking out onto the ice. He doesn't fall, and he walks further out. You begin to warn the child, but he walks further out. As we know, the ice gets thinner the further out we go. And we are on that ice today as a country, and every day we take one step further out. And tragically, the young child falls through the ice and is swept away.

That's what we're here to talk about. We're here to talk about the repeated warnings that we've received.

Chairman Bernanke told us just last week that unless we act immediately in a long-term way, we will not have economic growth nor will we have financial stability.

The Chairman of the Joint Chiefs of Staff, Admiral Mullen, told us that the greatest threat to our economy and to our national security is our debt.

The IMF yesterday—this is unthinkable. They said of all the advanced countries in the world, our debt was growing the fastest, it was unsustainable, and it would lead to instability both here and across the world.

Now, imagine those pictures of countries where the children are in economic distress where there's no stability. Those could be our children. Those could be our grandchildren. So with the warning today is a vote for

our children and our grandchildren. We've heard the warning. We're not children. Let's save our children and grandchildren from that fall through the ice.

Mr. VAN HOLLEN. Mr. Chairman, we share the gentleman's concern and view. As I said, the question is not whether we reduce the deficits but how we do it and the choices we make in the process.

With that, I yield 2 minutes to Mr. BLUMENAUER, the gentleman from Oregon.

Mr. BLUMENAUER. The chair of the Budget Committee is a friend of mine, a man of sunny disposition, but he has helped shepherd to the floor of the House the most profoundly negative view of America's future that I have heard in my 15 years in Congress. They cannot reform Medicare, so they dismantle it for 230 million Americans who will be shifted to higher costs and given a voucher to insurance companies.

It will, in fact, according to independent analysts, increase overall health care costs for all America while it reduces some of the burden for the Federal Government. It doesn't deal with the reform of the military. It turns an opportunity for tax reform to more tax benefits for those who need it the least.

Their America and their budget cannot afford to improve our fraying infrastructure, and, in fact, envisions a massive \$100 billion cut, according to the CBO. It will shortchange environmental protections and make college education more expensive for our young people.

The Democratic alternative that you will hear will provide progress with some hard decisions, but by having shared sacrifice, by not giving up on health reform but by moving forward with it, to provide infrastructure investment and educational support.

Mr. Chairman, this is an opportunity, and we welcome people looking at independent appraisals of the visions of America: one which basically gives up and forces the costs on middle income, elderly, poor and children; the alternative is to invest in our future in a responsible fashion, making some hard choices, to be sure, but with the opportunity to reform areas like the military, like health care, and like the tax system.

Things that America has done in the past we think America can do in the future.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. SHUSTER).

Mr. SHUSTER. I thank the gentleman for yielding.

Yesterday, President Obama had an opportunity to put forth a serious budget proposal, but instead, again, he called for higher taxes and trillions of dollars in spending we just can't afford.

□ 1750

The President offered nothing but lip service to serious spending cuts and real reform. We can't tax our way to prosperity or ignore the unsustainable future of Medicare and Medicaid. The President's plan fails to recognize that Washington has a spending problem, not a revenue problem. This is a time that demands leadership, and the President answered with a plan to nowhere.

Today, the House is debating a serious budget that will address our dangerous debt and deficit while strengthening Medicare and Medicaid. The President missed another opportunity to engage in this debate in a meaningful way. He chose, instead, to deliver a campaign speech, filled with class warfare and scare tactics, hoping the American people wouldn't know any better.

He was wrong.

Mr. Chairman, before I came to Congress, for 12 years, I was in business, and there were two things I learned in business: One, if you spend more than you take in, you're headed towards financial ruin. Second, if the government continues to take away more and more from small businesses, they won't create jobs; they will eliminate jobs. This budget deals with those two fundamental issues.

The American people are demanding real change and an honest budget with no gimmicks, and that is what Chairman RYAN has produced. This week, the House is going to deliver for future generations by putting our government on a path to fiscal responsibility and prosperity.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to the gentlelady from Minnesota (Ms. MCCOLLUM).

Ms. MCCOLLUM. Thank you.

Mr. Chairman, contrary to what Republicans have said on the floor, the Republican budget will impose new cuts on today's seniors.

The Republican plan repeals the Affordable Care Act, which strengthens Medicare and reduces costs. For seniors on Medicare today, the Republican plan brings back the doughnut hole, forcing seniors to pay more for their prescription drugs. It repeals seniors' free annual checkups and gets rid of reforms to better manage their chronic conditions. The Republican plan eliminates Medicare altogether and, instead, hands seniors vouchers and kicks them into the black hole of health insurance.

All Americans, pay attention. If you're 54 and younger, you've been put on notice. Start saving now. In addition to saving for your retirement, you'll need to save for the new out-of-pocket expenses your health care will incur.

The nonpartisan Congressional Budget Office estimates seniors will be forced to pay an additional \$6,000 a year on health care—that's \$12,000 for a

couple—which is the best case scenario seniors can expect. The plan in front of us tonight begins to double out-of-pocket spending for seniors, and it's only going to increase from there.

When you dig a little deeper, you realize that more than half of the Medicare beneficiaries today have five or more chronic conditions. What awful choices will seniors be forced to make when their health care costs are greater than their vouchers? Will they be able to afford their diabetes care? Will they be able to afford to go to their doctors for colonoscopies or mammographies?

It seems to me that the only seniors who will benefit from the Republican proposal will be senior insurance executives.

Vote "no" on the Republican plan. Vote "no" in order to protect and save Medicare.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute to simply say, if the gentlelady had taken the time to read the CBO report, it's not a voucher program. In a voucher program, the money goes to the people, and then they go to the market. It's a premium support program.

What does this look like?

It looks just like the plan that you and I have as Members of Congress and that all Federal employees have. It works like the prescription drug benefit, which has come in 40 percent below cost. More to the point, it saves Medicare. It applies to people 54 and below, and it occurs in 2022. Guess what happens 2 years before that under the status quo? Medicare goes bankrupt.

We want to prevent Medicare from going bankrupt. We want a system that's sustainable. We want a system that's solvent and that people can rely upon: guaranteed coverage options just like we have in Congress. That's what we are proposing.

More to the point, what we are opposing is delegating to 15 people the ability and the power to ration over \$1 trillion of Medicare against current seniors. We repeal that. The President proposes that. That's the big difference between us.

With that, Mr. Chairman, I yield 2 minutes to the gentleman from Colorado (Mr. GARDNER).

Mr. GARDNER. I thank the gentleman from Wisconsin.

Mr. Chairman, I rise today to support this fiscally responsible budget plan.

For the past few weeks, Congress has been occupied, arguing over a continuing resolution because the previous Congress failed to put in place a spending bill for this year. We cannot afford to make the same mistakes that they did in the last Congress. We are facing a record \$1.6 trillion deficit, a \$14 trillion debt, and we need a plan to get spending under control—a plan, not a campaign speech and not partisan bickering. We've taken positive steps in the

right direction. However, we must move from saving billions to saving trillions, and this budget will let us do just that.

At the same time, we must fulfill our promises to our constituents and pass policies that will spur job creation and economic growth to strengthen and preserve Medicare and Medicaid. The proposed budget would create nearly 1 million new private sector jobs next year. Additionally, according to the studies, it would bring the unemployment rate down to 4 percent by 2015. It would spur economic growth by increasing the GDP by \$1.5 trillion over the next 10 years. It does this by creating a less burdensome Tax Code for families and small businesses and by incentivizing job growth and investment.

We will get out of debt only when we focus on pro-growth policies and budget-tightening plans. This plan will do that by reforming Medicare and Medicaid to ensure that those programs are still available for our children. It is the safety net that we have promised. Without reform, those programs are unsustainable and will cease. The plan we will vote on tomorrow represents a fundamental shift in how the government does business—a shift back to fiscal sanity. The budget proposal saves \$6.2 trillion compared to President Obama's plan. If a person spent \$1 million a day, every day, since the first day of year 1 A.D., he still would not have spent \$1 trillion by today. We will save six times that amount in 10 years.

Mr. Chairman, I was taught a valuable lesson as a kid. If you weren't responsible with your allowance, you didn't get it again. No taxes. Save money.

Mr. VAN HOLLEN. Mr. Chairman, I just want to go back to the point that was raised again with respect to what Members of Congress have in terms of health insurance plans. We have what's called a "premium support plan." The idea behind a premium support plan is that the employer and employee share the premium, and the employer—in this case, the U.S. Government—pays a certain percent. I have right here the Federal Employees Health Benefits Program handbook, and it reads: The government's share of premiums paid is set by law.

So Members of Congress have protected themselves by law. For most employees, the government contribution equals the lesser of 72 percent or 75 percent of the total premium for the particular plan. In other words, the Member of Congress/Federal employee has 72 cents for every premium dollar paid for. Whenever premiums go up, 72 percent of the cost of that premium is picked up by the government.

The Republican plan gives seniors a raw deal. It does not give seniors the deal that Members of Congress give to themselves, and that should be put to

rest right now. Just look at the Federal Employees Health Benefits Program handbook.

With that, I yield 2 minutes to the gentlelady from Florida (Ms. CASTOR).

Ms. CASTOR of Florida. Mr. Chairman, the vote on the Republican budget is one of the most important votes that I and my colleagues will cast as Members of Congress. The vote will tell the story of two distinct visions for America: how we reduce our debt, our economic future, and what we value as Americans.

The Republican plan to destroy Medicare, to replace it with a voucher system, and to saddle our older neighbors and hardworking families with nearly the entire burden of reducing the Federal deficit betrays our American values. Medicare has allowed our parents and grandparents and our older neighbors to live in dignity in their retirement years. Medicare has kept families out of poverty for decades. It has worked well. With the baby boomers coming, we need to be mindful of necessary reforms.

The Republicans should not use these difficult economic times as a reason to destroy Medicare. After all, the Republican plan will not save any money. It will simply shift the cost to older Americans and their families. The non-partisan Congressional Budget Office released an analysis, which reads: In 2022, with an increase of nearly \$7,000 per year, the Republicans would double the cost per person. Not \$1 of that increase in beneficiary cost goes to reducing the deficit. It all goes to cover the higher costs of private plans that the Republicans would force you to join.

□ 1800

The President said yesterday this debate over budgets and deficits is about more than just numbers on a page. It is about the kind of future that we want. It is about the kind of country that we believe in, and I agree. Each one of us deserves some basic measure of security and dignity. He said that we recognize no matter how responsibly we live our lives, hard times or bad luck or a crippling illness or a layoff may strike any one of us. There but for the grace of God go I.

And let me say, back home in Florida under this Republican plan to end Medicare, life will be very different. We need to reject this pessimistic Republican plan. On this most important vote, I urge my colleagues to save Medicare and keep the promise of health security and dignity for older Americans.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 2 minutes.

Let me say a couple of things. Let's look at current law that was passed here not too long ago, the President's health care law. We've all done town hall meetings where people have said:

Why do you keep raiding the Social Security trust fund? Stop the raid of Social Security. We agree; that was wrong. We shouldn't have done it, and now we're out of surplus.

Well, guess what, the current health care law raids Medicare. The current President's health care law takes \$682 billion out of Medicare to spend on the ObamaCare entitlement. We're ending the raid of Medicare. We're making sure that those savings go to making Medicare solvent. It only gets it to 2021.

More to the point, Mr. Chairman, we believe that seniors should be in charge. We believe that the best way to make Medicare better is to give seniors more choices. Give them the ability to make choices and have providers compete against each other for their business.

Here's the difference: The President wants 15 people to make the choices in Medicare. We say let 40 million seniors have choice, have power, and have those providers compete against each other for their business so they're in charge of their Medicare.

The President's law, the law today, has him appoint 15 people to ration Medicare, and Congress can't even do a thing about it. Their decisions go right into law. That's the future of Medicare under the current law. The President said, let's throw another trillion on top. So here's what happens: When the President is coming up with a need for more savings, what does he do, he calls up his Medicare rationing board and says, go find another \$480 billion.

That is not the future we want for Medicare. There's a difference between us. We don't want to have government ration health care. We want people to be in charge of their own health care.

The Acting CHAIR (Mr. YODER). The Committee will rise informally.

The Speaker pro tempore (Mr. TERRY) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Secretary of the Senate is directed to inform the House of Representatives that the Senate failed to agree to the resolution of the House (H. Con. Res. 35) entitled "Concurrent Resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473."

The message also announced that the Secretary of the Senate is directed to inform the House of Representatives that the Senate failed to agree to the resolution of the House (H. Con. Res. 36) entitled "Concurrent Resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1473."

The SPEAKER pro tempore. The Committee will resume its sitting.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The Committee resumed its sitting.

The Acting CHAIR. The gentleman from Wisconsin is recognized.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from California (Mr. MCCLINTOCK), a member of the Budget Committee.

Mr. MCCLINTOCK. I thank the gentleman for yielding, and I thank him for his heroic work on this issue.

Mr. Chairman, history walks with us as we debate this budget. History offers us not a single example of a nation that has ever spent and borrowed and taxed its way to prosperity, not one. But it offers us many, many examples of nations that have spent and borrowed and taxed their way to economic ruin and bankruptcy.

And history is screaming this warning at us: that nations that bankrupt themselves aren't around very long because before you can provide for the common defense and promote the general welfare, you have to be able to pay for it, and the ability of our Nation to do so is now in grave danger.

Yesterday, the President attacked this budget because he says it lowers taxes on the rich while raising Medicare costs for seniors. In fact, this budget ends many of the loopholes that have allowed some of the wealthy to pay less than their fair share of taxes, while it lowers the overall rate for those who have paid more. And since 82 percent of small business income is affected, economists tell us that the tax relief provided by this plan will produce a million new jobs next year. I say to the gentleman from Maryland, that's the healthy way to produce new revenue.

The President apparently believes that by taking more money from small businesses, somehow they will create more jobs. That is the economic folly that misguides this administration.

As my friends to my left know, Medicare and Medicaid will collapse if we continue business as usual. This budget saves those systems by putting them on a sound financial foundation. It reverses the growing trend of doctors refusing to treat Medicare patients, and it assures future seniors a far wider choice of physicians and plans than is available today.

This budget brings Federal spending back under control, and it places our Nation on a path so that when my children retire, their retirement systems will be safe and secure and their Nation will be debt free and prosperous.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I remind the gentleman that what we're saying is that the top 2 percent income earners should go back to the same rates they were paying during the

Clinton administration, a period of time when the economy was roaring and 20 million jobs were created. When we moved to the current rates for the folks at the very top, we saw at the end of 8 years, 2000 to 2008, a loss of over 625,000 private jobs.

Let me just say something about this Medicare issue because what the Republican plan does will result in rationing by income. Let me be clear. Seniors, you will no longer be able to choose to stay in the Medicare program. You've got to go into the private health insurance market. You're going to be given a voucher, premium, whatever you want to call it, that doesn't keep pace with rising health care costs. That means that the plan you may be able to afford may not cover the very benefits you need, and your doctor certainly may not be on that plan. So you lose your choice of doctor if you can't happen to afford the plan that they're on, or you lose your benefits. This Republican plan is rationing by the insurance industry.

With that, I yield 2 minutes to the gentlelady from Ohio (Ms. KAPTUR).

Ms. KAPTUR. I thank the gentleman from Maryland for yielding.

Mr. Chairman, the best way to balance any budget for our country is to get everyone back to work who wants to work. The President's bipartisan fiscal commission also shows any responsible effort requires a balanced approach that addresses both spending and revenues. By contrast, this budget from the Republicans fails the simple test of addressing both programs—program spending as well as tax break spending—and it fails it badly.

The Republican budget increases tax breaks for millionaires and billionaires while ending the Medicare guarantee for seniors, doubling their out-of-pocket costs for their insurance premium. And at the same time Republicans are doling out a trillion dollars of tax breaks over the next 10 years to the wealthiest people in our country, to multinational corporations and to those on Wall Street who pay as little as 11 percent of taxes.

Meanwhile, the Republican budget will end Medicare as we know it, and it will throw America's seniors at the mercy of insurance companies. Seniors love Medicare, and their families love Medicare. Social Security and Medicare are compacts of trust between generations, and I would not want the next generation to have any less than our generation has had, and I disagree with the Ryan proposal because it divides generations.

The Democratic alternative stands in clear contrast. It reduces the deficit while preserving the social safety net. In fact, the plan of House Democrats would cut the deficit by an additional \$1.2 trillion more than the President's budget. It achieves primary balance as early as fiscal year 2018, and puts our economy on a full path to recovery.

The Ryan budget fails to say the reasons for the deficit we face—the \$1.4 trillion in the cost of the Afghan and Iraqi wars and the billions and billions spent on Wall Street in bailing them out and all of the costs of unemployment and housing foreclosure that has gone with it.

The Republican budget gives up on jobs and working Americans and caters mainly to the upper 1 percent. And, frankly, it gives up on America's future. The Ryan budget is the roadmap to ruin. It won't create jobs. In fact, it will cause more job loss. It's a dead end budget for America, and I ask my colleagues to oppose it.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 30 seconds to simply say that it is well known that our budget doesn't touch Medicare, change it for people in or near retirement, 55 years old or above. But under the President's plan, if the 15-person board says your doctor can't give you the care he wants to, or your hospital can't do it, then they can't. That's the government doing this, unelected bureaucrats, to current seniors; and we oppose that.

□ 1810

With that, Mr. Chairman, I yield 2 minutes to the distinguished gentleman from the distinguished State of Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. Mr. Chairman, as a member of the House Budget Committee and former small business owner, I rise today in strong support of the Budget Committee's 2012 budget resolution.

I would like to begin today with a quote from a famous American:

"At what point can we have a serious conversation about Medicare and its long-term liability, or a serious conversation about Social Security or serious conversation about budget and debt where we aren't simply trying to position ourselves politically? That's what I'm committed to doing."

Mr. Chairman, that was President Barack Obama just last year. As we debate this budget, I would urge my colleagues on the other side of the aisle to heed the words of our President. Let's stop the demagoguery and the political jockeying and actually work toward a solution together. Our children—my grandchildren—deserve no less.

Even most Democrats agree that our current spending is on an unsustainable trajectory. So wouldn't you agree that finger-pointing and making false claims to scare seniors while offering no solutions of your own is counterproductive?

This budget has real solutions and real ideas. We cut spending by \$6.2 trillion and shrink the size of government to historically normal—historically normal—levels. We start to get our deficits under control and put our budget on a path to prosperity.

As a small business owner, I know what high taxes mean to job creators in this country. That's why our budget calls for a flatter, fairer tax—now wait for it—that closes loopholes and increases the incentives of corporations to keep jobs right here in America.

I know what small businesses look for when they look to spend and invest. They look for certainty. And this budget, more than anything else, puts our country back on a certain path of sustainability. Job creators and business owners will stand up and cheer when they see real ideas like this put forth.

There are many more ideas of merit in this budget, and we all want a vigorous debate. But I hope it will be a debate on policy differences, not political maneuvering.

Mr. VAN HOLLEN. Mr. Chairman, I would just point out again that the choice is whether we want to ask for shared sacrifice. The fact of the matter is the reason the bipartisan fiscal commission said that the Republican budget isn't balanced was, among other things, because it asks for nothing from the folks at the very top who got the big tax cuts.

With that, I yield 2 minutes to the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ).

Ms. WASSERMAN SCHULTZ. Mr. Chairman, I rise today in opposition to the Republican budget plan, which is not, as they characterize, a pathway to prosperity but a true pathway to poverty for our Nation.

The Republicans' explicit choice to protect millionaires and special interests at the expense of job creation is dangerous and forsakes our future.

I'm particularly concerned about the reckless and shameful cuts to the National Institutes of Health for the research of cures to cancer, stroke, diabetes, heart disease, and all the other illnesses that fall under its jurisdiction. That is why last week I introduced an amendment in committee that would stop these cuts. Yet each and every one of our Republican colleagues voted against it.

For just half a percent—half a percent—of the cost of extending tax cuts for millionaires and billionaires, we could completely reject the Republicans' devastating cuts to medical research for next year. Cuts of this magnitude will slow research progress while squandering critical scientific opportunities that may one day save lives.

Yet beyond the dangers posed to our Nation's health, these cuts prevent us from winning the future.

The Republicans' cut to NIH kills jobs. NIH grants support more than 350,000 highly skilled jobs in all 50 States, plus an additional 800,000 supporting jobs created in the private sector. This means that the Republican budget puts over 1 million American jobs at risk—from pharmaceutical jobs

to medical device manufacturers to technicians working in medical labs. At the same time, the Republican path to poverty ignores the NIH's role in reducing the rising cost of chronic disease and the ballooning costs that compound our debt.

We must make smart investments in our Nation's medical and fiscal health. And we must make these kinds of investments now so that we may stem the tide of future disease rates.

Cancer incidence is projected to nearly double by 2020, particularly among the aging baby boomer population. As one of the 11 million cancer survivors in the United States, I am living proof of the vital gains made by research at NIH.

We can't stop now. Don't turn your back on the millions of Americans who are desperately holding out hope that treatments and cures are coming to them soon.

Prevent these deadly cuts. Oppose this Republican path to poverty.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Utah (Mr. CHAFFETZ), a member of the Budget Committee.

Mr. CHAFFETZ. Mr. Chairman, I rise in support of this budget.

At the end of the day, this is about jobs, it's about our economy, and it's about the people's money.

You see, all too often Congress talks about its money, talks about the way it wants to spend the people's money. No. It's the people's money. It's not Congress's to just go and allocate and pull their money out of their wallets to hand to somebody else. What we have to recognize each and every time a decision is made about where and how to spend money is that they're pulling money out of people's pockets and handing it to somebody else. And right now we're on a trajectory where 25 cents—25 cents—out of every dollar spent in this country is spent by the Federal Government.

Fundamentally that's wrong. We have to change the trajectory. We have to have systemic changes. And that's what I like about this budget. Because not only does it put us on a pathway to balance the budget but to actually pay off the debt.

I ran for Congress because I was sick and tired of what was happening. I wanted to be part of the solution, not part of the problem.

We have to recognize that our national debt just 48 months ago was \$8.67 trillion. Yet with the Democrats in control of the House and the Senate, it rose to over \$14 trillion, a rise of more than 60 percent in just 48 months. We can't continue to do that.

What I like about this budget is that it's an adult conversation that says we're going to have to change the trajectory, everything from entitlement reform to the discretionary spending.

This budget cuts \$6.2 trillion in government spending over the next decade

compared to the President's budget. It eliminates hundreds of duplicative programs and brings government spending to below 20 percent of the economy—its proper role, its proper level.

We can no longer continue to borrow, tax, and spend our way. We have to reduce spending. We have to produce a responsible Federal budget. That's what this budget does. That's why I'm in support of it. And I urge the passage of this budget.

Mr. VAN HOLLEN. Mr. Chairman, I would remind my colleagues that those hardworking American workers paid their payroll taxes, including their Medicare contributions, and they should have the benefit of the bargain and keep the Medicare guarantee.

With that, I yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank my distinguished colleague for yielding.

Mr. Chairman, as indicated in the chart to my right, the Republican Road to Ruin budget ends Medicare and other investments to pay for tax breaks to millionaires and some of the most profitable corporations in the world.

Forty-six million Americans rely on Medicare for their health care today. Under the Road to Ruin plan to end Medicare, seniors and the disabled will lose their guaranteed health benefits. They will be left with a voucher. By design, the voucher cannot and will not keep up with rising health care costs.

□ 1820

The private market views seniors and the disabled as a risky and expensive investment. That's why Medicare was created in the first place. As a result, when the Road to Ruin health plan takes effect—and as this chart again to my right reveals—seniors will see their health costs double. By conservative estimates, seniors will pay more than \$12,000 in out-of-pocket expenses for the same coverage Medicare provides today. Facing dramatically higher health costs with less help, our seniors will be forced into life-and-death decisions—do I buy groceries or do I buy prescriptions? Do I pay rent or do I pay medical bills?

Never fear, my Republican colleagues say to seniors, you will get the same care as a Member of Congress. Well, as a Member of Congress, I know that congressional health plans cost about \$9,000 this year. Seniors will be getting a ration of \$8,000 10 years from now for health care that will cost over \$20,000. With all due respect, I must say that the Republican talking point that seniors will get the same coverage as a Member of Congress is not just political hyperbole, it is a lie. The non-partisan Congressional Budget Office estimates that seniors will pay 68 percent of their health costs under the Republican plan. Members of Congress only pay 28 percent of their premiums.

Seniors will pay more than double the share that Members of Congress pay and more than double the amount that they pay today under Medicare.

We have balanced a budget before without ending Medicare. We can do it again. I ask my colleagues to vote "no" on the Road to Ruin plan that would end Medicare.

Mr. RYAN of Wisconsin. Mr. Speaker, I yield 2 minutes to a member of the Budget Committee, the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Mr. Chairman, for the last several weeks—and my guess is for the next couple of days—we will be hearing a lot of things from our colleagues across the aisle about the relationship between cutting spending and jobs. They have taken the position from the very beginning that if we cut government spending, we are going to lose jobs.

We heard earlier this evening my esteemed colleague from Maryland talk about the Zandi report that suggested that maybe if we cut \$60 billion from the budget—as we did in the CR, H.R. 1, a few weeks ago—that that would cost us somehow 500,000 jobs. I've seen a similar report suggesting that that same \$60 billion cut would shave 2 percentage points off of GDP. Mr. Chairman, those numbers sort of expose the absurdity of the Democrat argument.

If you took those same numbers and applied it to the \$800 billion stimulus program, that \$800 billion stimulus program should have created or would have created over 6.5 million jobs and added 26 percent to the GDP. It's just wrong. It's misleading.

I think for the first time maybe in this generation the American people are starting to accept the fact that government spending does not create jobs. We've seen it. It was an expensive lesson for us to learn as a Nation, but we are learning it. If government spending created jobs, then I wouldn't have 15 percent unemployment in my district. People back home are starting to accept, they are starting to learn, starting to agree that what creates jobs in this Nation is private investment. It's private businesses investing in their business, and it's private individuals putting people to work.

We've got a graph going back another 20 years here—and I've got another one that goes back another 40 years, and another one that goes back to World War II—that shows that the only thing that creates jobs in this Nation is private investment. You are not going to find a graph more directly correlated than this. When private investment goes up, the unemployment rate goes down. When private investment goes down, the unemployment rate goes up. That is what we are facing as a Nation. And until we recognize the fact that government spending does not create jobs, we will continue to muddle through, but with too many of our

folks out of work. This budget allows private industry to get back in the job of investing in this country and putting people back to work.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, of course, the private sector is the engine of opportunity and the economy in this country. But we also know that there are some investments that no individual or corporation takes on by themselves. For example, the highway system and some of the big infrastructure, you've got 20 percent unemployment in the construction industry right now. If you're telling me that a greater investment in our infrastructure, roads, and bridges doesn't help generate job creation, then you should tell that to the folks who are looking for a job right now.

I would also point out that the same folks—the Heritage Foundation—who said that the Republican plan that we're talking about tonight was going to miraculously increase jobs are the same people who, back at the beginning of the Bush administration, predicted that those tax cuts were going to generate all sorts of jobs in the country. Here's what they predicted in blue; cut those taxes for the folks at the very top, jobs are going to go up and up and up. Here's the reality in red. We know what happened. So I would be careful about talking about how a budget is going to produce jobs.

We have an alternative budget that has the right balance between cuts and shared sacrifice and will generate jobs.

With that, I yield 2 minutes to the gentlelady from California (Ms. BASS).

Ms. BASS of California. Mr. Chairman, on behalf of our seniors, I rise in strong opposition to the Republican budget that ends Medicare.

The Republican budget ends the Medicare guarantee in 11 short years. In 11 years, reliable care for our seniors will be replaced with the risky voucher scheme.

The Republican plan supposedly generously gives senior citizens a gift, an \$8,000-a-year voucher. Seniors then must identify an insurance carrier that will take it. This is called choice. Since the Republicans also want to repeal the Affordable Care Act, there is nothing to protect seniors from being excluded from coverage if they have a pre-existing condition. This is called choice. I don't know too many people 55 years and older who don't have some health-related problem.

There is nothing that protects seniors from insurance companies canceling their coverage if an illness becomes too expensive, so I don't know where the choice is. There is nothing that will protect taxpayers from incurring massive costs when uninsured seniors show up in emergency rooms around the country with untreated diabetes leading to kidney failure and heart disease, and untreated hyper-

tension leading to strokes. This isn't much of a choice.

We are simply fooling ourselves if we think all seniors will be able to just write a check and pay the difference. A more likely scenario is seniors will simply not have medical coverage.

I often say that you can judge a society by how it treats its elderly and its children. And the Republican budget plan kicks our seniors to the curb while the wealthiest Americans will continue to get wealthier.

I urge my colleagues to vote against the Republican budget and protect the Medicare benefit.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding.

These are serious times that we're in right now with regard to the debt and deficit. Serious times call for a serious budget, and this is a serious budget. This is one that can actually lead us out of the problems we're in. That is what we need.

For those on the other side of the aisle who are saying that they want to preserve Medicare by sticking to the status quo, as I think it was George Will said on Sunday, Your problem isn't Mr. RYAN, it's Mr. Arithmetic. It just doesn't work. You just can't do it.

So for all this talk about preserving Medicare, preserving Medicare as it currently is means that you are consigning it to history. It won't survive. You have to change it. You have to change it in ways that make it sustainable and solvent for the long-term future.

What we are hearing now is that we need more investment, and that we've got to maintain current spending levels to have more investment. I would refer you to the stimulus that we just passed a year or so ago. What good has that done? Sure, it's a lot more investment or spending—or whatever you call it—government to government, or the government spending, but it is not enabling the private sector to create jobs.

The job of the Federal Government should be to set a conducive tax and regulatory environment so that the private sector can produce jobs. That's what this budget does. That is why I support it.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Now we have two cities here—St. Augustine talked about it. We are looking at a city very optimistically, and unfortunately we have to go back to your figures.

We have had exactly six quarters of growth in this administration. You want to know what the last two quarters of the last administration's growth was? It wasn't very good, was it, Mr. RYAN?

The point of the matter is that you have two different visions of America's future, two different cities on that hill. You continue to use the payroll tax, which pays for Medicare A, and you continue to say all those under 55 years of age are going to go to a new plan, yet you continue the payroll tax. This is somewhat like—this is exactly like, not somewhat like—what you did with the doughnut hole. You forced seniors to pay premiums and they got no benefits. You know it, I know it, and the proof is what it is.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman is reminded to address his remarks to the Chair.

The gentleman from New Jersey is recognized.

Mr. PASCRELL. Sorry, Mr. Chairman.

This misguided budget is a doubling down on the same failed policies that we know don't work and brought us to the brink.

□ 1830

What our ranking member did not point out is that there was a loss of 653,000 jobs in those 8 years where there was in the previous 8 years a gain of 20.8 million jobs.

You want to go back and use the same policies? You tried it in privatization. We're going to have it over and over again. You don't know what to bring up so you go back to the old playbook, which didn't work. You're saying that it's going to happen. It's going to work. One of these years we're going to try it.

The American people rejected privatization of Social Security, and they reject this. Every poll. Even your polls show that the American people do not want to do away with Medicare as it is.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman is reminded to address his remarks to the Chair and not to other Members in the second person.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a member of the Budget Committee, the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Chairman, coming from the private sector to Congress, I know that America can and will become prosperous again and millions of new private sector jobs will be created if we just go back to our founding free market principles.

We must also end big government and wasteful spending. We're faced with two very distinct and different directions in which we can lead our country. It is clear that we cannot continue on the misguided and irresponsible path endorsed by the other side of the aisle of higher taxes, reckless spending, and bigger government, explosive debt and deficits, and unacceptably high unemployment.

They've had their chance to make things right, and it has not worked.

Over the past 4 years that the Democrats had control of Congress, they lost 7 million jobs and raised our Federal debt by over \$5 trillion. Now, it's our turn, and we will do better.

That's why this Republican budget plan comes at just the right time, because we can no longer afford to accept what has unfortunately become status quo. Rather than locking in reckless spending sprees that have cost our government, our budget plan cuts \$6.2 trillion in wasteful Washington spending over the next decade. The Democrats' plan, which if left unchecked, will raise the deficit by over \$9 trillion over the next 10 years.

We will put the Federal budget on a path to balance.

The President's own fiscal commission said that we need to lower tax rates and broaden the tax base in order to stabilize our Nation's finances and help grow our economy. The Democrats' plan ignores these recommendations and would impose job-crushing tax increases on our economy.

Nearly 1 million new private sector jobs will be created under our plan to lower taxes and expand the tax base, and our total employment will grow by an annual average of 1.2 million jobs per year over the next decade.

We have a clear choice, Mr. Chairman. We can take Obama's odyssey to American oblivion, or we can adopt a plan that restores America's promise and prosperity and security for our children and grandchildren.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. CHAFFETZ) assumed the chair.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 1473. An act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

The message also announced that pursuant to Public Law 94-118, section 4(a)(3), the Chair, on behalf of the President pro tempore, appoints the Senator from Alaska (Ms. MURKOWSKI) to the Japan-United States Friendship Commission.

The message also announced that pursuant to section 1295(b) of title 46, United States Code, as amended by Public Law 101-595, the Chair, on behalf of the Vice President, and upon the recommendation of the Chairman of the Committee on Commerce, Science and Transportation, appoints the following Senators to the Board of Visitors of the United States Merchant Marine Academy:

The Senator from Georgia (Mr. ISAKSON), from the Committee on Commerce, Science and Transportation.

The Senator from Arkansas (Mr. BOOZMAN), At Large.

The message also announced that pursuant to the provisions of S. Res. 105 (adopted April 13, 1989), as amended by S. Res. 149 (adopted October 5, 1993), as amended by Public Law 105-275 (adopted October 21, 1998), further amended by S. Res. 75 (adopted March 25, 1999), amended by S. Res. 383 (adopted October 27, 2000), and amended by S. Res. 355 (adopted November 13, 2002), and further amended by S. Res. 480 (adopted November 21, 2004), the Chair announces, on behalf of the Republican Leader, the appointment of the following Senators as members of the Senate National Security Working Group for the 112th Congress:

The Senator from Arizona (Mr. KYL), Administrative Co-Chairman.

The Senator from Kentucky (Mr. MCCONNELL), Co-Chairman.

The Senator from Mississippi (Mr. COCHRAN), Co-Chairman.

The Senator from South Carolina (Mr. GRAHAM), Co-Chairman.

The Senator from Indiana (Mr. LUGAR).

The Senator from Alabama (Mr. SESSIONS).

The Senator from Tennessee (Mr. CORKER).

The Senator from Arizona (Mr. MCCAIN).

The Senator from Idaho (Mr. RISCH).

The Senator from Missouri (Mr. BLUNT).

The message also announced that pursuant to section 4355(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the Senator from Texas (Mrs. HUTCHISON), from the Committee on Appropriations, and the Senator from North Carolina (Mr. BURR), At Large, to the Board of Visitors of the United States Military Academy.

The message also announced that pursuant to section 6968(a) of title 10, United States Code, the Chair, on behalf of the Vice President, appoints the following Senators to the Board of Visitors of the United States Naval Academy:

The Senator from Illinois (Mr. KIRK), from the Committee on Appropriations.

The Senator from Arizona (Mr. MCCAIN), from the Committee on Armed Services.

The message also announced that pursuant to Public Law 93-642, the Chair, on behalf of the Vice President, appoints the following Senator to be a member of the Board of Trustees of the Harry S Truman Scholarship Foundation:

The Honorable ROY BLUNT of Missouri vice the Honorable Kit Bond of Missouri.

The message also announced that pursuant to Public Law 70-770, the

Chair, on behalf of the Vice President, appoints the Senator from Mississippi (Mr. COCHRAN) to the Migratory Bird Conservation Commission.

The message also announced that pursuant to Public Law 96-388, as amended by Public Law 97-84, the Chair, on behalf of the President pro tempore, appoints the following Senator to the United States Holocaust Memorial Council for the One Hundred Twelfth Congress:

The Senator from Utah (Mr. HATCH).

The message also announced that pursuant to provisions of Public Law 106-79, the Chair, on behalf of the President pro tempore, appoints the following Senator to the Dwight D. Eisenhower Memorial Commission:

The Senator from Kansas (Mr. MORAN).

The SPEAKER pro tempore. The Committee will resume its sitting.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The Committee resumed its sitting.

The Acting CHAIR. The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. I yield 2 minutes to the distinguished ranking member of the Education and Workforce Committee, the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, we've been hearing for days about how the House Republican budget is courageous and bold. But this budget is neither courageous nor bold. It's not courageous to throw poor kids out of their Head Start classrooms but continue subsidies to Big Oil and their record profits.

It's not bold to slash Pell Grant scholarships to millions of students and to keep the incentives for companies that ship jobs overseas.

It's not bold nor smart to slash funds for new clean energy research and make future generations of Americans more dependent, not less, on dictators and dangerous fossil fuels.

And it's neither bold nor courageous to end Medicare for seniors, shifting thousands of dollars of costs onto the backs of the elderly to pay for tax cuts for millionaires and billionaires.

For 45 years, seniors have relied on Medicare to provide health care during their retirement years. The Republican budget would end that guarantee. Seniors would no longer be guaranteed the coverage for basic health services like diabetes and cancer screenings. Instead, seniors would have to scrounge to find higher cost private health policies. What insurance company is going to write an individual policy for a 70-year-old that is even remotely affordable?

Because of these high costs, more and more seniors will go into debt under this plan. They will be forced to sell

their homes and rely on their children to pay for basic medical costs. That is not a dignified retirement. That is not America.

Yes, we need to ensure that Medicare is sustainable for seniors and sustainable for the taxpayers. But one thing is certain—the Republican budget does not save Medicare; it ends it.

Mr. Chairman, this budget is not bold, and it's not courageous. It might be easy for the Republicans to make cuts on the backs of those who can't afford high-priced lobbyists. But it is not easy for the middle class working people and seniors on whose back the burden is being placed.

The Democratic budget is a fair and balanced approach, and it asks all Americans to share in the burdens in reducing the deficit and the debt and strengthening our economy.

I urge my colleagues to vote down the Republican budget to end Medicare and to vote for the Democratic budget that is fair and balanced.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the senior Member from Indiana (Mr. PENCE).

Mr. PENCE. I thank the gentleman for yielding.

This country's in a lot of trouble. We're facing a fiscal crisis of unprecedented proportions. They say the first step toward ending an addiction is recognizing you're an addict. After spending 10 years here in Washington, D.C., after witnessing runaway Federal spending by both political parties, one thing is clear: Washington, D.C., is addicted to spending.

It's high time for Congress to own up to its spending addiction and institute long-term, sustainable budget and spending reforms that will permanently limit the size and scope of the Federal Government.

Happily, the budget resolution today offered by the distinguished Chairman PAUL RYAN of the committee puts our Nation back on a pathway toward fiscal solvency and prosperity. This Republican budget represents a bold step toward fiscal responsibility and limited government. It cuts \$6.2 trillion in spending over the next 10 years, reins in government spending below 20 percent, includes tax reforms to increase competitiveness for American companies, and ensures that Medicare will be solvent for future retirees.

It even ends the one-size-fits-all approach to Medicaid, giving States more flexibility.

It also stands in stark contrast to the President's budget, which includes a \$1.6 trillion tax increase on families, small businesses, and family farms, and adds \$13 trillion to the national debt. This budget resolution renews our commitment to finally forcing Congress to live within our means. We must succeed in this cause. Because if we fail, the American Dream will fail.

We will burden our children and our grandchildren with a mountain range

of debt, robbing opportunities and prosperity, and leaving, for the first time in American history, the next American generation worse off than the generation that went before.

This we must not do. I urge my colleagues to offer strong support for the Ryan budget resolution. Let's put our Nation on a pathway toward fiscal solvency and prosperity.

Mr. VAN HOLLEN. Mr. Chairman, we do need to reduce the deficit in a predictable, responsible way. That will require spending cuts, and it will also require shared sacrifice. The reason that the fiscal commission said that the Republican plan was unbalanced is they try and do it all one way. History has shown that doesn't work.

I yield 2½ minutes to the gentleman from Ohio (Mr. RYAN).

□ 1840

Mr. RYAN of Ohio. Mr. Chairman, we've heard this afternoon our debt is unsustainable, it's a warning, it's a fiscal crisis of unprecedented proportions. But heaven forbid to try to solve those great problems that our country has right now, the problem that we have, we ask the wealthiest in the country to just pay a few more thousand dollars, those people who have seen tremendous gains. You know, cry me a river.

Here we have David Stockman, former head of the OMB under Ronald Reagan, talking about the budget being presented by the Republicans: "It's simply unrealistic to say that raising revenue isn't part of the solution. It's a measure of how far off the deep end Republicans have gone with this religious catechism about taxes."

We're asking for shared sacrifice. You're getting into Medicaid, you're getting into Medicare, you're getting into Pell Grants, but the wealthiest are going to walk away not sacrificing one thing. Three wars we're in, and we can't ask the wealthiest to pay a few bucks.

This ends Medicare, Mr. Chairman. Let's be honest. It ends Medicare. These people 55 and under, whose wages have been stagnant for 30 years, now when they get into the Medicare program, they're going to have a voucher or premium support that increases by 2.2 percent indexed to CPI, or 2.5 percent, and the GDP in health care will grow between 4 and 5 percent. So every single year that this person that's 55 is in Medicare, they will lose 2 to 3 percent ground in being able to pay for their own health care.

We need to go back and remember why Medicare started in the first place. It is not a good business proposition to provide health insurance to older people in the United States of America. You can't make money off it. So we're going to give these folks a voucher that doesn't keep up with health care inflation and send them into the private market and somehow think we're

doing them a favor? No shared sacrifice.

Again, we're putting the burden on the middle class person who has paid into Medicare, depends on Medicare, has been getting wages that have been stagnant, probably doesn't have health insurance between 55 and 65. So you want to talk about driving up Medicare costs, now we add someone who doesn't have health insurance into a market that they won't be able to afford when they do turn 65.

This budget is wrong. We need balance. We need shared sacrifice. And we need investments in the United States. This budget comes up short, and David Stockman says the same thing.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute to simply say there is a new definition, and I want to explain it. Here is what a tax cut now means. If you're not in favor of the forthcoming tax increases, you're cutting taxes. That's the new math around here. What we don't do is we don't sign up for all these new tax increases that are being proposed by the President in his budget that are coming in the future. And so by not supporting new taxes, we're all of a sudden for tax cuts.

Mr. RYAN of Ohio. Will the gentleman yield?

Mr. RYAN of Wisconsin. No, I will not yield.

What we are saying is keep the revenues where they are and fix the Tax Code, clear out the loopholes and the deductions so we can lower the rates to create jobs and economic growth.

With that, Mr. Chairman, I yield 2 minutes to a member of the Budget Committee, the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Mr. Chairman, I would like to also continue on this same conversation. The central question that we have to answer is do we have a debt and deficit problem in America or do we have a spending problem in America? Words like balanced approach, investment in America's future, and the often quoted "shared sacrifice" confuse the real issue. The focus of the House of Representatives is not about just reducing the deficit; it is about reducing spending so we can pay off the debt that we have.

Raising taxes on Americans now would be like the man who ran up a huge credit card bill and then went to his boss to tell him that he needed a raise to pay off his bills. His boss would most likely respond, You don't need a raise. You need to get your family on a budget and cut your spending to what is essential.

For the past 50 years, the Federal Government has taxed Americans at around 18.5 percent of GDP, no matter what the rate is. The current proposal from the President suggests a tax requirement closer to 22 percent of GDP. To close the deficit gap, all income

taxes will have to double or corporate taxes will have to increase five fold. A tax increase on the wealthy may make some people feel better that they're sticking it to the man; but, historically, tax increases only lead to more government spending. And, ultimately, it will not solve the debt crisis.

Washington likes handing out other people's money for noble causes. Here is a novel idea: How about dealing with our existential problem? We spend too much. In 2009, 140,000 new Federal employees were hired. During the previous 10 years there was no change in employment in the Federal Government. The number of Federal contractors has increased 25 percent since 2006. In 4 years, discretionary spending has increased 25 percent. In that same 4 years, Medicare and Medicaid spending has increased by 50 percent. None of that includes the special TARP or stimulus funding, which would make the cost to the taxpayers even higher.

We cannot spend our way to prosperity. We have to get back to getting a handle on our debt and deficit and our basic spending. The reason the House budget has gained so much traction is that it does what Americans know in their gut must be done. It cuts spending.

Finally, someone is saying what many have felt. We cannot solve the budget problems quickly without significant spending changes.

Mr. VAN HOLLEN. Mr. Chairman, this is simple mathematics. When you went from the Clinton rates for the folks at the very top and you dropped the tax rate, we ended up losing a lot of jobs because of the economy. You also lose revenue. And when you do that, you shift the burden onto other people, whether you do it by cutting Medicaid, whether you do it by terminating the Medicare guarantee, or whether you do it by cutting education. That's just mathematics.

I yield 30 seconds to the gentleman from Ohio (Mr. RYAN).

Mr. RYAN of Ohio. Mr. Chairman, I would just like to ask a question of the chairman. Where in this budget is the sacrifice that is being made by the top 1 percent of the people? On the wealthiest 1 percent.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. RYAN of Ohio. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. First of all, we think we should go after corporate welfare. Let's stop subsidizing wealthy individuals and corporations with taxpayer dollars.

Mr. RYAN of Ohio. Reclaiming my time, you are lowering the corporate income tax. What sacrifice is being made?

Mr. RYAN of Wisconsin. Like the fiscal commission, we believe that it's better for economic growth to broaden the tax base and lower the tax rate.

If I can continue on the gentleman's time.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, there are two parts to the Tax Code. There is the corporate Tax Code. We need to clean up the corporate Tax Code. We agree with the fiscal commission. You've got to get out a lot of clutter, a lot of the tax breaks. In fact, we don't think you need a study to decide to get rid of the tax breaks that reward corporations for shipping American jobs overseas. We don't think you need to study the question about whether we get rid of big taxpayer subsidies for the oil companies.

So, yes, we should take a look at the corporate Tax Code. But in the other part of the Tax Code, the individual Tax Code, what the Republican plan does is actually give the folks at the very top another 30 percent break. We have been talking about going back to the Clinton rates. The Republican plan gives you another 30 percent break. You know what? They say we are going to do this in a revenue-neutral way. Well, the result is middle income taxpayers are going to pay more to give the folks at the top another big break.

With that, I yield 2½ minutes to somebody who knows a lot about this subject, the ranking member of the Ways and Means Committee, the gentleman from Michigan (Mr. LEVIN).

Mr. LEVIN. We do not need to tear up what America has built in the past in order to build for the future. We should not confront present and future problems, including the Nation's deficit, as we must, by repealing America's past. The Republican budget tries to tear up and repeal 75 years of American experience, and the supreme example is Medicare. It tears it up. It repeals it. And contrary to what we've heard today, they would not save Medicare, but end it. They would not change it, but they would end it. Our Nation would be a different Nation without it. Millions today would be less healthy without Medicare.

□ 1850

One of my constituents wrote to me recently to say Medicare saved her life and her life savings when she was diagnosed with breast cancer, and there are tens of thousands of people like her in this country.

What the Republicans want to do is to give seniors a voucher for health care, an underfunded voucher, for 10 years. It would double health care costs for seniors, a voucher that in 20 years would pay only a third of senior health care costs.

There is no place to hide for anyone who votes for the Republican budget.

And what happens with the savings? Tax cuts for the wealthy. The average

income of the bottom 90 percent of the families in America have fallen in the last decade.

The opposite is true for the wealthy. The top 1 percent have seen their incomes climb by more than a quarter of a million dollars.

In my district alone, extending the Bush tax cuts for the wealthiest Americans means giving 182 households that earn more than \$1 million annual tax cuts averaging \$103,000. At the same time, future seniors would be paying \$6,000 more in health costs.

If what we have built in our Nation needs to be adjusted, fix it, don't destroy it. We must address the deficit without deepening deficits in the availability for our citizens of jobs, health care, and education.

The choice today could not be more decisive. A vote against the Republican budget is a vote for basic American values. Vote "no."

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a member of the Budget and Ways and Means Committees, the gentlelady from Tennessee (Mrs. BLACK).

Mrs. BLACK. Mr. Chairman, I stand here today as a proud member of the Budget Committee supporting our Path to Prosperity budget that was introduced on time and takes real steps to get the country's finances back on track focusing on real economic growth and job creation.

Lately we have heard a lot of demagoguery and scare tactics about this budget. First it came from the other side of the aisle, and yesterday we heard those same remarks by the President.

But my constituents don't want to hear the same old partisan attacks and rhetoric. They want Washington to tell them the truth. The truth is this about our budget:

Number one, it's a jobs budget, and in the first year this budget creates 1 million new jobs.

Number 2, it cuts \$6.2 trillion in government spending.

Number 3, it eliminates duplicative government programs.

Number 4, it preserves Medicare for the next generation.

Number 5, it puts caps on spending for the coming year and the next decade.

And, number 6, it takes us on a path to pay down our debt.

House Republicans are working to get this country back on track on a sound financial footing, and I am proud to be here today as part of the Republican majority that will lead where the President has failed and restore America's future growth and prosperity.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to the distinguished ranking member of the Small Business Committee, the gentlewoman from New York (Ms. VELÁZQUEZ).

Ms. VELÁZQUEZ. I rise in strong opposition to this ill-conceived, mean-spirited Republican budget.

Mr. Chairman, all of us recognize the need to reduce the deficit, but it must be done responsibly. This budget fails that test, cutting services we need in favor of tax breaks for the wealthy.

For New Yorkers, these cuts will be particularly unfair. Ten billion dollars will be taken from low-income housing programs. Rental assistance will be reduced, making it harder for New Yorkers to find affordable apartments. This at a time when we are facing the worst housing crisis ever.

Housing is just one area where this budget fails our country. With Medicaid spending reduced by \$735 billion, millions of Americans will find it harder to afford health care. Instead of tackling rising health care costs, this budget ends Medicare as we know it. Medicare is a promise to America's seniors. Whether we honor that promise defines us as a Nation.

Just as seniors will face tough times, this budget will visit hardship on young people. Head Start, child care and nutritional assistance for low-income families will be squeezed, and 26,000 college students from New York's 12th Congressional District will see tuition assistance reduced, putting college education out of reach.

Beyond slashing social services, this budget undermines our economic recovery. Small business lending would drop by \$3 billion, depriving 5,000 firms of capital they need to create jobs. Is this the way we are going to create jobs in this country? Twelve thousand entrepreneurs and 9,000 veterans, those coming back from Afghanistan and Iraq, will lose business counseling services to help them launch or expand their businesses.

Mr. Chairman, we need a serious, thoughtful discussion about how to cut spending. Vote "no" against this bill.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to a member of the Ways and Means Committee and former member of the Budget Committee, the gentleman from California (Mr. NUNES).

Mr. NUNES. Mr. Chairman, this budget stops in its tracks the efforts of Democrat leaders to trap the American people on a high-speed train trip with the false promise of green jobs. This is a trip, a one-way ticket to bankruptcy.

However, if you support the Ryan budget, you will help this government recover from a debilitating and life-threatening illness that started when our leaders threw out the American way of life in favor of a left-wing agenda. Let's be clear. We have two choices: we can look forward and pave a path to economic prosperity, or we can become the world's most heavily taxed Nation in a dangerous, dangerous zone of bankruptcy.

Mr. Chairman, throughout modern history, socialists have been searching for the last exit to Utopia, of Big Government collectivism. Unfortunately,

for the socialist utopians in this town that support President Obama's spending plan, this last exit to Utopia will remain a mystery, a relic of 1960s radicals.

Mr. VAN HOLLEN. Mr. Chairman, Republicans originally fought the creation of Medicare on the grounds that it was socialism. Apparently, they haven't changed their minds about that as they try and terminate it and put seniors into the private insurance market.

I yield 2 minutes to the gentlelady from Wisconsin (Ms. MOORE).

Ms. MOORE. Mr. Chair, health care costs are a crisis in every American family. Every family is one surgery, one heart attack, one cancer diagnosis, one aging spouse away from financial ruin. But health care costs are also a crisis for business, both small and large.

General Motors pays more for health care than for steel. That is why the Affordable Care Act is needed, to bend the health care cost curve downward for all American health care consumers.

Americans, including those who are consumers of Medicare and Medicaid, simply cannot afford the insurance and drug companies' runaway profits.

These companies are reaping record-breaking profits. In 2009, while we were debating the bill, the Nation's five largest for-profit health insurance companies saw a combined profit of \$12.2 billion, and that's just for five companies.

Their executives did well, too. The top execs at these companies pulled in almost \$200 million in compensation. At the same time, there were double-digit premium increases.

So no matter where you get your health care, through Medicare, Medicaid, your employer's policy, wherever you get it, you can't afford that kind of rate increase year after year.

These rates are going up faster than any other part of the family budget. For many people, these costs are crowding out housing and other basic needs.

In 2009, the top 10 pharmaceutical companies made over \$60 billion in profits, and the profit margin in this industry is out of control. In 2007, profits ranged as high as 36 percent.

The health care reform law also curbed some of these outrageous profits of the insurance and pharmaceutical industries. Yes, Medicare and Medicaid are large portions of our Federal budget, but we can only rein in their costs if we fully implement the Affordable Care Act and tackle outrageous profiteering in health care—something the Republican budget refuses to do.

□ 1900

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a member of

the Budget Committee, the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Mr. Chairman, the good people of Indiana want jobs. And we know how to create them. In Indiana, under Governor Mitch Daniels, we've seen a government that spends less and taxes modestly. We've seen that that leads to job growth. That's why Indiana, during these tough economic times, is a national leader in private sector job growth.

The Budget Committee crafted a budget for our Federal Government that, like Indiana, spends less and keeps a lid on taxes. The result is a plan that will help create 2½ million private sector jobs by the end of this decade.

Recent economic history isn't good to the big spenders. It shows that borrowing and spending trillions of dollars that we don't have doesn't create jobs. And jobs won't be created if we go along with the President's plan and, seemingly, the plan of sorts from the other side of the aisle to increase taxes.

It's no great secret that the job creators in this country aren't hiring because unchecked spending, of course, leads to fears. It leads to fears that we're going to have to raise taxes in the future. It leads to fears of future inflation. And we know, of course, that it leads to fears that interest rates are going to go up.

By calling for a measure of spending discipline as we do, we replace that fear with hope—hope that we can restore conditions where private sector job creators can go out and put Americans back to work. That's what the people of southern Indiana want.

Now, I mentioned Indiana a minute ago and the success we've had in creating those private sector jobs. We didn't do it all through our policies with respect to spending. Instead, we also looked at tax policy. We understood that it just didn't make sense to jack up taxes during a down economy. Instead, we kept them steady and we made our tax code more efficient, just as some of our neighboring States were doing the opposite. As a result, many businesses chose to move back to Indiana or to move to Indiana for the first time.

We see the reverse trend nationally. Unfortunately, many businesses are leaving this great country or just not getting off the ground because of our job-destroying Tax Code and because of our punitive corporate tax rates.

Mr. Chairman, we improve upon those previous policies. We learn from the errors of the past. I urge my colleagues to help us create jobs by voting "yes" on the Republican budget.

Mr. VAN HOLLEN. Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Chairman, at the heart of the Republicans' budget

proposal is the thought, “the number of makers diminishes and the number of takers grows.” As a result, our government, economy and country will collapse. Forget about the impoverished view that this offers us, a vision of an America that can’t be bothered or is unable to care for anyone who needs help.

So let’s have a discussion about who truly would be the “taker” and who truly would be the “maker.”

People who manipulate an unfair tax system at the expense of millions of others, makers, when you look at the Republican proposal. Corporations that don’t invest in their own country, paying a lower tax rate on their profits than their employees would pay on a \$40,000 salary, those are makers under the Republican plan. Wall Street firms that ruined our financial system, then asked working families to bail them out while they pay billions in bonuses, those are also makers under the Republican plan.

Yes, that’s who the Republicans have identified as the makers, and it rewards them quite handsomely in their proposal. Their budget would perpetuate a taxation and employment system that has resulted in stagnant wages for workers and allows 5 percent of the wealthiest among us to enjoy 66 percent of all the wealth while 80 percent of Americans share only less than 13 percent.

Now, who would be the takers under this Republican plan? The 9.4 million students working towards a college degree so they can get a good job and contribute to this economy, whose Pell Grants would be slashed; 218,000 low-income kids and families who will be removed from Head Start, depriving them of a decent education, again, takers under the Republican plan; 2,400 schools that serve 1 million low-income students across the country that would have to shut their doors, takers under the Republican plan; countless seniors who would no longer be able to remain in nursing homes because of cuts in Medicaid funding. Those are the takers.

You decide, America, who are the takers and who are the makers? This is not a Pathway to Prosperity. It’s a dead end.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Indiana, a member of the Budget Committee, Mr. ROKITA.

Mr. ROKITA. Mr. Chairman, where the President has failed to lead and be honest with us, we’ve had the courage to tell the truth about America’s debt crisis. And we’ve proposed honest solutions required to fix it.

As a new Member of Congress, I have already learned that the rules in Washington are stacked in favor of people who want to spend more money. In contrast, in Indiana, we have a balanced budget, we have a AAA bond rat-

ing, and we have not raised taxes because we know taxes are not the problem.

The problem is, Mr. Chair, our colleagues who continue to push for more government spending knowing that our debt is over \$14 trillion and growing. And they haven’t offered one alternative except to confiscate more of the people’s money.

They have tried to scare a lot of people. But this time, Mr. Chairman, I don’t think the people are buying it. As you can see from this chart, our reliance on foreign countries to supply our reckless spending is growing dramatically over the past decades to where nearly half of the debt we owe as a country we owe to foreign countries, China being the best.

In fact, Mr. Chairman, China can buy three Joint Strike Fighters every week for the money we pay them in interest for the money they loan us and still have \$50 million left over. Eventually, they and other countries are going to stop loaning us money or make us pay more to borrow. And as Treasury rates increase, rates on mortgages, credit cards and car loans are soon going to follow. We are no longer kicking the can down the road; we’re kicking it off a cliff.

This budget addresses the real drivers of our debt: Medicare, Medicaid, and Social Security. In 1970, these kinds of entitlements consumed 31 percent of our budget. Today they are nearly 60 percent, and they continue to grow. In just a few decades when our kids are raising their children, literally every single dollar this government takes in revenue will go towards paying these entitlement programs. This budget makes the changes necessary to save these programs so that they’re around for my kids and your grandchildren.

I know a little about government agencies—I used to run one. One that had no more employees in 2010 than it did in the early ‘80s. But, since the President took office, he has added 155,000 new bureaucrats. Spending on government agencies has increased 84 percent in just the last few years.

This budget stops us from spending money we do not have. It brings spending back to pre-stimulus, pre-bailout levels and shrinks the federal bureaucrats by 10 percent over the next three years. It also takes the ideas of the Fiscal Commission and the Government Accountability Office and eliminates over \$100 billion in wasteful spending on dozens of duplicative federal programs. Money we don’t take from the American people, they will spend much wiser and create jobs along the way. Americans are finally getting an honest and fact-based budget that has eluded them for years.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Members will refrain from engaging in personalities toward the President.

Mr. VAN HOLLEN. Mr. Chairman, one of the other things that China is

doing is they’re investing an awful lot of their resources in clean energy like solar power and like wind power. The United States should be winning that battle and not our international competitors. Someone who knows a whole lot about that is the next speaker, the ranking member on Natural Resources, Mr. MARKEY of Massachusetts. I yield the gentleman 2 minutes.

Mr. MARKEY. I thank the gentleman.

The Republicans are allowing nostalgia for a time before Medicare and Medicaid were ever on the books to replace the idealism that we need to have in order to deal with the real challenges of the future. But for the poor, the sick, the elderly and the disabled, the past is just a memory and the future is their hard reality. And that’s what this budget will be for those people, a hard reality.

It takes no courage for the Republicans to stand here on the House floor and to call for an evisceration of the Medicare budget, of the Medicaid budget and all the other programs for the poor, the sick, the elderly and the disabled in our country that they opposed ever having been put on the books in the first place. If you kicked this budget in the heart, you’d break your toe. GOP used to stand for “Grand Old Party.” Now it stands for “Get Old People.” And that’s what this budget is. It is a targeting of the poor, the sick and the elderly in our country.

Do they ask sacrifice from the defense budget? Do they ask for the defense budget to go down? No, it just keeps going up year after year. Do they ask for sacrifice from the wealthy? No, they say tax breaks for the wealthy year after year after year. Who do they target? They target Grandma. They don’t even have the ability—the courage—to stand up and say to the oil companies, who at \$100 a barrel are making \$100 billion in profits a year, “We’re going to take away your tax breaks.” No. Tax breaks for oil companies stay on the books.

What do they do? They say to the clean energy industry, We’re cutting your tax breaks by 70 percent, but we’re leaving the tax breaks for the oil industry on the books and we are slashing the programs for wind, for solar and for all those energy technologies that are now the future.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 30 seconds.

□ 1910

Mr. MARKEY. I thank the gentleman.

That’s your formula. It’s a formula of the past. It’s a formula for the nostalgic amongst the Republicans who wish we could go back to a time before Medicare and Medicaid and wind and solar and new energy technologies and their taking us on to a future.

Let me tell you something.

Fifty percent of the people who are in nursing homes in our country have Alzheimer's, and they are on Medicaid. That's how we pay for the bills. You people slash the budget for those people with Alzheimer's who are in nursing homes. That's 50 percent. That's grandma, ladies and gentlemen. You don't touch the wealthy. You don't touch the Defense Department. This budget is so cruel that, if you kicked it in the heart, you'd break your toe.

Mr. RYAN of Wisconsin. I yield myself 1 minute to respond to the warm, even-handed comments of my friend from Massachusetts.

Do you know what's really cruel, Mr. Chairman? It's if we give our children a lower living standard.

Do you know what's really cruel? It's if we give our children a debt-ridden Nation. It's if we give our children a debt that they can't afford.

Do you know what's really cruel? It's if we don't save Medicare. It's if we don't keep the promises to our current seniors, like we do in this budget, so that all of these programs they've organized their lives around, which are going bankrupt, are preserved. Medicare goes bankrupt in 9 years. We're preserving it for current seniors.

With that, Mr. Chairman, I yield 2 minutes to the gentleman from New Hampshire (Mr. GUINTA).

Mr. GUINTA. Mr. Chairman, I rise today to speak in favor of The Path to Prosperity.

Our budget offers more than a spending blueprint for the next fiscal year and beyond. It is truly a job creator. The Path to Prosperity provides a framework for creating nearly 1 million new private sector jobs next year alone. How does it do this?

It doesn't involve advanced economic theory—just basic math. When you lower taxes, you put more money into people's hands. They spend it and it circulates, making businesses prosper and allowing them to hire new employees. It's just that simple. When I think of the opportunities that The Path to Prosperity will create, I think of countless small business owners who will benefit from this plan in my State. Small businesses are the backbone of New Hampshire's economy, much like they are across our great Nation.

I think of people like Craig Leonard, who owns Bonsai Craftsmen in Londonderry, New Hampshire. He remodels houses and kitchens. With the ongoing fiscal uncertainty, people are keeping their wallets closed because nobody knows what the next fiscal year will bring. Craig recently had to lay off three employees, and barely has enough work to keep himself busy. Without the confidence that can come from passing The Path to Prosperity, there is no telling when his business will return to prosperity, itself, and when he can dare to hire again.

I think of people like Charlie and Laura Morgan. They own a storage company in Manchester, New Hampshire. They've lost tenants in this down economy, causing them to reduce the rents they charge. This is simply keeping them from hiring additional employees and creating greater opportunities for our fellow Granite Staters.

The examples of hard-pressed small business owners I've cited are located not just in New Hampshire but all over the country. The Path to Prosperity provides confidence by charting a responsible course so that creditors can loan with confidence and so that people can borrow money knowing they'll be able to repay it.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1 minute to the gentleman from Michigan (Mr. CLARKE).

Mr. CLARKE of Michigan. Mr. Chairman, I want to talk on behalf of the people I represent in Michigan.

Many of them have lost their jobs, and when they become seniors, they're likely going to have to survive on fixed incomes. If they get Medicare on vouchers, which won't fully cover the costs of their health services, they're going to have to pay for that out-of-pocket. Do you know what? Folks on fixed incomes, they don't have the money to pay for these services out-of-pocket. They will likely end up bankrupt.

The other issue is that a lot of the folks I represent have got multiple health conditions: heart disease, diabetes, arthritis. They all go to different doctors, and very few of the providers actually talk to each other. They also don't coordinate with hospitals or with other long-term health care providers. All of these services by the Medicare providers will be coordinated under our new Affordable Care Act. That's why we need those provisions in place—to better coordinate health care.

I urge my colleagues to table putting Medicare on the voucher. Let's keep our Affordable Care Act. That's the best way our seniors on fixed incomes can get the best health care possible.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. GINGREY).

Mr. GINGREY of Georgia. I thank the chairman of the Budget Committee for yielding to me.

Mr. Chairman, I was listening to my colleagues on the other side of the aisle. The ranking member of the Budget Committee, our friend from Maryland, talked about the fact that, according to his poster, the Bush tax cuts in the years 2000 to 2006 caused the loss of an untold number of jobs. I have my own statistics which basically show, during that period of time and despite those tax cuts, we had an increased revenue of something like \$700 billion.

Now, I'll check my facts with his facts later on, Mr. Chairman, but how

in the world could you produce \$700 billion of additional revenue when you lose jobs? It's not possible. The fact is that those tax cuts created a broader base, albeit at a lower rate, and they generated more revenue. That's exactly what the chairman of the Budget Committee is talking about in his Path to Prosperity.

Another one of our colleagues on the other side of the aisle stood up and said, according to this budget plan—at least, thank God, we have one. The Democrats couldn't produce one last year because of their fear of the political consequences—Medicare as we know it, by the year 2022, will disappear. How is that possible when, by that time, there will probably be 75 million people on Medicare as we know it before we will go to this premium support plan that Chairman RYAN has proposed?

Our friends on the other side keep saying, You keep giving tax breaks to the rich. Well, according to this plan, the people who are in the top 2 percent of income will only get 30 percent of the premium support, an average of \$8,000 a year. The people in the top 8 percent would get 50 percent. So you keep wanting to beat on the producers in society that create the jobs.

Support this plan. It's a great budget.

Mr. VAN HOLLEN. Mr. Chairman, I would remind my friend Mr. GINGREY that, when Mr. Bush became President, he inherited a \$5.6 trillion surplus. By the end of the 8 years, it was gone.

Now, with respect to tax rates and jobs, what this chart shows is that, when the highest income earners in the country were paying the lower rates during the Bush administration, you actually lost jobs versus during the Clinton administration when, at the higher rates, 20 million jobs were created.

The point is not that higher tax rates increase jobs. The point is that small differences in the top tax rates are not the main drivers of our economy. They are not the main engines of job growth. The figures tell the story. Trying to tell another story is just anti-historical. The reality is that the numbers show, during the Clinton administration, we had very strong growth. During the Bush years, we ended up losing over 600,000 jobs. So let's at least get our history straight.

With that, I yield 1½ minutes to the gentlelady from California (Mrs. CAPPS).

□ 1920

Mrs. CAPPS. I thank the gentleman for yielding.

Mr. Chairman, I rise in strong opposition to the Republicans' misguided budget and attack on Medicare. The issue is not whether we reduce the deficit, but how we do it. Simply put, the Republican plan uses our deficit as an excuse to end Medicare as we know it.

Medicare is a cornerstone of the American Dream, a promise that health care will always be there for our seniors and permanently disabled citizens. But the Republican budget takes away that guarantee, and what does it give our future seniors in return? No guarantee of coverage; a real chance of being denied insurance due to pre-existing conditions; and around \$6,000 a year in additional out-of-pocket costs, as well as the knowledge that the insurance companies will be well taken care of while they are struggling to get by on their fixed income. And not one aspect of the plan will do anything to reduce the costs of care—it just passes the buck.

This is not a plan for our future. It is a recipe for disaster for our seniors. Forty-five years ago, when seniors were the most uninsured group in our country, we made a promise that health care for seniors would be guaranteed. The Republican voucher proposal breaks that promise.

I urge a “no” vote on the Republican budget proposal.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 2 minutes.

I have heard a lot of debate today about how we’re slashing taxes, slashing revenues for the rich and for everybody else, and bad oil companies and things like that. Let me just show you a little chart.

Under our budget, revenues rise. Revenues go up over \$12 trillion. So revenues still increase. Even keeping the Tax Code where we are today, revenues increase.

Now, the President’s plan says he wants to raise them another \$1.5 trillion. The gentleman from Maryland’s plan wants to raise them another \$1.7 trillion. But let’s not kid ourselves: Revenues, even under our plan, continue to increase.

Now, we don’t have a revenue problem, we have a spending problem. The green line is the revenue line. The red line is the spending line. Revenues are stable, increasing; spending is on a tear, Mr. Chairman. Spending is growing at an unsustainable rate. We can’t keep spending money we don’t have. If we keep doing this, we’re going to have a debt crisis. People are going to get hurt. Interest rates will go up. We will have to cut indiscriminately across the board at the time it happens. We want to avoid that.

The Acting CHAIR. The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself 1 more minute, Mr. Chairman.

Let’s talk about the Bush tax cuts, or what happened. Let’s talk about the distribution of the tax burden. In 2001, the top 1 percent of earners paid 34 percent of the tax burden. Now they pay 38 percent; a higher tax burden. The top 5 percent in 2001 paid 53 percent of the taxes. Today, the top 5 percent pay 59 percent of the taxes. So on and so forth.

We don’t have a revenue problem, a tax problem; we have a spending problem. But here’s the real problem. If we don’t get our situation under control, we really go in the hole. In 2009, the Government Accountability Office is telling us our fiscal gap, the unfunded promises we are making to current Americans, was \$62.9 trillion.

The Acting CHAIR. The time of the gentleman has again expired.

Mr. RYAN of Wisconsin. I yield myself 1 more minute to explain, Mr. Chairman.

That means we would have to take \$62.9 trillion, set it aside, invest it at Treasury rates, just so government can keep the promises that it is now making to everybody in America. In 2009, we owed more than we were worth as total households in America. Last year, 2010, that fiscal gap grew to \$76.4 trillion. Now, \$99.4 trillion.

We are digging our hole more than \$10 trillion a year by kicking the can down the road. Every year we fail to fix this problem, we are submitting our children to a worse future, a diminished country. So the sooner we get our act together, the sooner we fix this problem, the better off we’re going to be. If we keep ignoring this, if we keep spending on the path we are on, this fiscal gap, the pile of empty promises that politicians from both parties have been making to Americans gets that much higher.

We have about \$100 trillion of empty promises Washington is making to Americans. It is time we tell people the truth. It is time we get government to live within its means, and it is time we get Washington to honor its promises, fix these programs, get spending under control, and give our children a debt-free Nation.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

The gentleman is absolutely right. We need to come up with a plan that puts the country on a predictable, steady course of deficit reduction, and we need to do it in a balanced way.

The chart the chairman showed about revenues presumed we wouldn’t have certain changes in the revenue. For example, that we wouldn’t say to the wealthiest, we want you to pay the same rates you were paying during the Clinton administration when the economy was roaring and jobs were being created.

There is a reason the bipartisan fiscal commission called the Republican plan unbalanced. And this is what it is. Under the commission plan, they have a balance of spending cuts and revenue increases. For example, they say the folks at the top, they should be paying a little more. In fact, \$2.5 trillion more over the next 10 years than the Republican plan. Because they don’t do what the commission recommended, they

have to cut into Medicaid, which will hurt seniors in nursing homes, disabled individuals, poor kids, everybody who depends on that already stretched program. They have to terminate Medicare. So those are choices they are making. They have made a one-sided, lopsided choice.

I yield 1½ minutes to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, we are in a debate of generational proportions. The promises that were made during the 1960s and before that, and even after that, about expanding our country, making it a greater country, widening its embrace, are now being abdicated. We are seeing a budget, offered by our Budget Committee chairman, that says to our seniors who have cut a path for all of us younger people, You know what? We can’t be there for you any more.

We are seeing a budget where we say to our students, who are the intellectual drivers of our economy, we cannot be there for you any more. As a matter of fact, two-thirds of this budget, two-thirds of this budget, two-thirds of the cuts are from low-income programs that serve people who are making it, hardworking Americans who are trying to make it every single day. But that’s where the cuts come from.

The question on the table is: What’s the proper role of government? We believe the proper role of government is to look after our seniors. They believe grandma has to figure out what she is going to do. We believe that young people have to have an opportunity, and things like the Pell Grant are going to help them and help us. They believe if you are smart enough to go to college, you should pay for it by yourself, or maybe get a high-cost loan to do that.

We have a different vision of America. As a matter of fact, we have a vision that the people who are well to do and the corporations who have done so well should help out more. We believe in equity and a shared burden.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 15 seconds.

Mr. ELLISON. We believe in equity and a shared burden. In fact, the big five oil companies have received profits that are enormous when you look at them on this chart.

The gentleman keeps talking about tax reform. I would love to know, what corporate loopholes are you going to close? Are you going to close these Big Oil subsidies, or not?

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON), a senior member of the Appropriations Committee.

Mr. KINGSTON. I thank the gentleman for yielding, and let me say that I want to be the first one to say we do want to close the tax loopholes

for Big Oil. In fact, for the 4 years the Democrats were in charge, we're not sure why they didn't take it on. We are ready to take it on after this 4-year negligence on it.

Think about this, Mr. Chairman: For every dollar we spend, 40 cents is borrowed. Now, if that was happening in your family, you would bring everybody to the kitchen table and you would say, Look, we have got to make some changes here. We can't continue to spend money the way we are doing.

Today, the national debt is 90 percent of the GDP. Spending is approaching 24 percent of the GDP. That's a historic high. We can't get to a balanced budget with a spending gap that high above revenues, and yet that is what we are doing. That is why the Republican budget, the Ryan budget, not just reduces spending by \$4 trillion, but changes the trajectory of spending. Because unless we change the pattern and we make some choices for the next generation, important programs like Social Security, like Medicaid, like Medicare, will not be there.

□ 1930

Too often we hear from the liberals in Washington, D.C., the scare tactics: Well, Republicans hate seniors, they hate clean air, they hate education. And that's what we're seeing here tonight. In fact, yesterday the President tried to claim a mulligan on his budget. He actually introduced a budget in February and did not bring in one recommendation of his own deficit reduction commission. Even though I've seen a chart on the floor tonight about it. It sounds great, but it's not in the President's budget because it wasn't presented.

We think it might be a good idea to use some of the recommendations of the deficit reduction commission, and that's what the Ryan budget does. But more importantly, it doesn't do anything to the important entitlement programs for anybody over the age of 55. Medicare will be there for them as it is today. But for younger people, it is not going to be there because it is going broke. That's why we need to make some changes. And giving them a subsidy to help them have more choices in Medicare is the way to save the program.

That's just one of the many aspects of the Ryan budget, and it's well worth supporting.

Mr. VAN HOLLEN. Mr. Chairman, I was pleased to hear my friend is interested in getting rid of the subsidies for Big Oil. We can do it tonight or tomorrow. All you've got to do is vote for the Democratic alternative. And, by the way, you can, at the same time, get rid of the tax breaks that reward companies for shipping American jobs overseas. We don't have to study about it. We don't have to send it to the Ways and Means Committee. We can instruct

them tomorrow, tonight, and we will get it done if you vote for the Democratic alternative.

With that, I yield 1½ minutes to the gentleman from New York (Mr. ENGEL). Mr. ENGEL. I thank the gentleman.

Mr. Chairman, as Ronald Reagan used to say, "There you go again."

My Republican friends want to repeal the 20th century. They want to use the budget deficit to kill and destroy every program they have hated all these years, including Medicare and Medicaid.

This budget would roll back 50 years of progress on Medicare and Medicaid and destroy these two programs, which are two of the most important social programs of the past century. It's unconscionable that we would take an ax to these programs to pay for tax cuts for millionaires and billionaires.

This budget shifts the burden from the wealthiest Americans and puts the burden on the poor and middle class. I understand that my Republican colleagues want to protect their rich friends, but on the Democratic side of the aisle, we care about working people, the middle class, poor people, seniors, and children.

The Republicans last year promised they'd focus on two things if they got the majority: jobs and spending. But all we have seen are repeated attacks on the middle class and lower-income people. We haven't seen a single jobs bill, and their idea of cutting spending is to kill Medicare and Medicaid. Instead of passing this budget, we would be more likely to create jobs by waving a magic wand and saying "abracadabra."

In this time of divided government, the American people want us to come together and compromise. But all the legislation we're seeing from the other side is extreme. We need to come together. We do have difficulty. We don't want our children to have a diminished standard of living. But this is not the way to do it, to try to balance the budget on the backs of poor people, on seniors, on children. We need to have a fair and balanced budget.

I urge a "no" vote.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a distinguished member of the Rules and Budget Committees, the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. I thank the chairman for yielding.

I tell you we see a lot of shrill things here on the House floor. I want to have a slightly different voice. I just want to tell you how proud I am to be here—how proud I am to be here because, as the gentleman who previously said very accurately, I ran on two things: I ran on cutting spending and I ran on creating jobs. And tonight, because of the hard work of my chairman on the Budget Committee, my colleagues on the Budget Committee, I get to vote

tomorrow to do just that—just that. I have been here a hundred days, and I get a vote to change the direction of this country, from driving us off the edge of the cliff to restoring the freedom and economic success that we're known for the world around. A hundred days and I get to make that choice.

Now, I'm thrilled, in the spirit of openness, that we have some alternatives. If you want to raise taxes, you're going to have budgets to get to do that. But if you want to close \$2.9 trillion in tax expenditures, in loopholes, in lobbyist-funded giveaways, you've got one budget to choose from, and that's the Ryan budget.

We go after those items that, for whatever reason, folks hadn't gone after in years past. We do those things that, for whatever reason, people couldn't find the courage to do in years past. Vote after vote after vote I presume people had to vote on things they didn't like to vote on. They didn't want to run up spending. They didn't want to increase the debt limit. They didn't want to do those things. But they had to do it.

Folks, tonight I'm here to talk about something I want to do. I cannot wait to come to this floor tomorrow and cast a vote for my children, for America's grandchildren, for the future of this land. And that's a vote in favor of the Ryan budget. I am grateful to my colleagues for giving me that opportunity.

Mr. VAN HOLLEN. Mr. Chairman, I welcome our friend from Georgia, and I would just say that we agree on one thing: that this budget does pose a fundamental choice. And that's what we're here to debate about. And we believe that it's just wrong to be providing another round of big tax breaks to the wealthiest Americans when you're ending the Medicare guarantee, when you're cutting investments in kids' education. Those are choices that we shouldn't be making.

We are going to present, and have presented, a Democratic alternative that we think provides a balanced approach.

With that, I yield 2 minutes to the distinguished gentleman from New York (Mr. RANGEL).

Mr. RANGEL. I am so glad you picked me at this time because I want to join the previous speaker in saying that the atmosphere and the attitude here is just too shrill. If we're dealing with the lives and the futures of the generations to follow, it should be in a different way. We should not just be fighting with each other.

So I make an appeal to ministers and priests and rabbis and imams to try to figure out, as we go into these holy holidays, whether or not the screaming is going to help or whether or not we're going to find ourselves with the lesser among us.

I don't know the whole story, but it runs something like: I was hungry, and

you didn't give me anything to eat; I was thirsty, and you didn't give me anything to drink; I was sick, and you didn't visit.

Well, it sounds like the answer that's going to be given is: Well, I told the State to take care of you. I'm sorry they didn't. Or, Don't you remember? I'm the guy that gave you a voucher. Or, I pulled myself up by my own bootstraps. Why can't you do it without a scholarship?

No, I think not. This great Nation was built to believe in God we trust. And it just seems to me when you're talking about the lives of our mothers and our grandmothers and the future of our children that all of the things we hoped and dreamed about, it's not going to be shattered by political budget ventures put together by the majority. If it's not stopped here, it's going to be stopped in the Senate or stopped in the White House. But I hope those that are listening that are involved in providing spiritual care, that recognize how important health care is for our sick and our poor, why don't you just write your Congressperson and share with us whether or not you think that we have an obligation to protect the wealthy among us rather than the lesser of our brothers and sisters.

We will be going home for a couple of weeks during these Easter holidays, and I do hope that all of us try to find out which side are we on: the rich or the lesser among us.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I appreciate Chairman RYAN for bringing this issue to the floor.

Mr. Chairman, basically the entire discussion that we're having in Washington right now centers around two figures: We spend 3.5 T, trillion, and we bring in 2.2 T, trillion, in revenues to the government from taxes. Now, it's the bringing together of those numbers that's a difference of opinion here in Washington.

I read the text of the President's speech yesterday—I did not get a chance to listen—and he says that we can close that gap by taxing the millionaires and billionaires. And it sounds so fluid. It comes off so easy. But I will tell you, it's a process that many nations have followed before: tax the millionaires.

I don't know what Bill Sweat in Artesia is worth, but he tells me to create a job it costs \$340,000 to buy a new bulldozer and he needs a new pickup truck. So he needs \$400,000 in the bank to create a job.

□ 1940

Now our friends on the other side of the aisle—and the President's speech—said we need to be taxing that money away from him. NANCY PELOSI said a couple of years ago we need to tax the

profits of the corporations and spend them. But what you do is you take away Mr. Sweat's \$400,000 and he doesn't get a new bulldozer, and we don't get a job.

So what we have here is this differential, \$1.3 trillion in deficit on these top line figures. That's what we're accruing. Then that goes into our debt barrel, \$15 trillion. That's what we have over the life of our country, from George Washington until today, approximately \$15 trillion, and we're bringing in 2.2.

Now if we begin to give the tax increases that the President says, we're actually going to squeeze down to 2.2 because companies will not be hiring people. For instance, off the shore of Louisiana, we are now choking off those jobs. And so every job off Louisiana that the government kills takes one person from paying taxes and puts them up here receiving welfare, unemployment and food stamps.

Economic growth is the only thing that can cure this Nation's economic problems. The Ryan budget does that. The President's budget does not do it. Let's support the Ryan budget.

Mr. VAN HOLLEN. Mr. Chairman, I have to show us this chart again because I just need to remind the body that during the Clinton administration, when we had the folks at the very top paying a little bit higher rate, 20 million jobs were created. When that rate was dropped for the high-income earners at the beginning of the Bush administration, not only did it contribute to deficits going up, but at the end of that period over 653,000 jobs were lost.

Now the point isn't, again, that by changing the tax rate that was the driver. The point is that small differences in tax rates are not the main engines of economic opportunity. And we need to make choices here. Again, they choose to provide tax breaks to the folks at the very top and end the Medicare guarantee.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), who has been a champion of Medicare, Medicaid, and a whole number of other issues important to our seniors and Americans.

Ms. SCHAKOWSKY. I thank the gentleman for yielding.

The Republicans are trying to claim the mantle of fiscal responsibility today. It's just ridiculous. They are the party responsible for a decade of fiscal recklessness with two unpaid-for wars, two unpaid-for tax cuts, and a blind eye to Wall Street leading to a disastrous recession. And as the President said yesterday, "There's nothing serious about a plan that claims to reduce the deficit by spending \$1 trillion on tax cuts for millionaires and billionaires."

This chart illustrates that, from 1979 to 2005, the bottom 20 percent of house-

holds saw their incomes increase by a grand total of \$200. Over the same period, the top .1 percent here in the red saw income growth of nearly \$6 million each year.

There is nothing courageous about a plan that would protect the wealthy and Big Oil and big corporations that ship jobs overseas at the expense of elderly and their Medicare and their Medicaid and the disabled and children.

The Republican budget resolution does not reflect the values of Americans, and I urge my colleagues to reject it soundly.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 1 minute.

Unshared prosperity, spending money on tax cuts. Mr. Chairman, the presumption behind that is that all the money out there made in America is the government's, and then the government decides who they spend it back to.

We do have different philosophies. The money that people make is their money. And then the question is: How much of it does the government take?

The money made in America by individuals, by businesses, is their money. It's not the government's money. So we don't spend money on tax cuts.

By the way, Mr. Chairman, we're not even cutting taxes in this bill; we're just not raising them. So the new definition of cutting taxes apparently is: If you're against raising taxes, you're cutting them.

I don't even know where to start with this, but I'm going to start by yielding 2 minutes to the gentleman from Kansas (Mr. HUELSKAMP), a member of the Budget Committee.

Mr. HUELSKAMP. Mr. Chairman, we clearly have a choice here in Washington: We can maintain the same old status quo, which favors more spending, more taxes, and more Washington control, or the real American choice, making good on promises made to voters last year by cutting spending and creating jobs. The choice is ours; the opportunity is now.

The Path to Prosperity offers a long, overdue fix to Medicaid. There are many problems with the program, and the costs are out of control, hemorrhaging the budgets of State after State and our Federal Government. Clearly, the answer is not more money; instead, the solution is spending money more wisely and more efficiently.

Governors from all across America have expressed their desires for more flexibility with Medicaid, and this budget offers exactly that. In converting Federal spending on Medicaid to block grants, folks closest to the American people—Governors, legislators and local officials, not some bureaucrat sitting in Washington—will make decisions best for their citizens and design programs that work best for their States and for their people. They will have the freedom to adapt Medicaid to their own State's unique needs and priorities.

Also, because this budget defunds ObamaCare, we are preventing the Federal Government from imposing another mandate on the States. ObamaCare forces States to expand Medicaid eligibility but leaves it up to them how they will pay for it. By supporting this budget, we put a stop to this intrusion of the Federal Government and make Medicaid better for those who truly need it.

This Path to Prosperity will increase the Medicaid budget and provide much needed regulatory reform for the 50 States of this great Union. Only those committed to the status quo—including many of our colleagues across the aisle—can make the ridiculous claim that somehow spending more taxpayer money and pushing more Washington red tape is somehow a solution. By lifting the heavy hand of Washington from Medicaid, we make this program more effective and more efficient for the States to manage these programs and provide compassionate care for the Americans who truly deserve assistance.

Mr. VAN HOLLEN. Mr. Chairman, hardworking American people have been paying their Medicare payroll taxes day in, day out, month in, month out. The choice we have here is whether we are going to make good on that Medicare guarantee or whether we're going to say to the folks at the very top, We just can't take you back to the tax rates that were in place during the Clinton administration.

Why would we say that to people who have been putting their payroll taxes into Medicare? Why would we say we're going to end the Medicare guarantee?

With that, I yield 2 minutes to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Chairman, unlike the gentleman from Wisconsin who just doesn't know what to do and seems to be confused on his side of the aisle as to what his budget is all about, I will say that I am getting unconfused because his budget is a destruction of the fabric and the way of life of all Americans.

Do you want to know what the Republican budget does? It cuts food assistance for struggling families; it takes away affordable health care coverage for working families; and, of course, it dismantles the health care safety net. But also, it deals with the education of our children.

As the cochair and founder of the Congressional Children's Caucus, let me show you what happens when we don't educate our children. We can see the numbers of individuals who are unemployed who have not had a high school degree. Our friends and the Republican budget are going to cut education, and they're going to wind up with increasing unemployment because you can see that less of our Americans are being able to go to college, and,

therefore, without college, without a high school education, we just undermine a growing child's opportunity.

Let me tell you what else we do. We go from children to their grandparents. I remember standing on the floor of this House trying to prevent the doughnut hole from coming about, but Republicans again established a doughnut hole that millions of seniors have fallen through. In fact, the Republican budget causes seniors to pay some \$12,000 on their Medicare. Listen to me clearly, seniors, you will be paying an extra \$12,000 with the Republican budget plan. And of course we will open up the doughnut hole again, the very doughnut hole that has been taken care of by the Affordable Care Act.

On the other hand, the Democratic budget balances the budget, and of course it recognizes the value of a shared sacrifice. I just visited Texas soldiers, National Guard. They understand about shared sacrifice; they support each other. But this is a suicidal budget. It has no shared sacrifice, and all of the cuts come from the most vulnerable.

The Republican plan is all about turning back the clock and throwing the poor people over the bridge. That is what it's all about. It is a disgrace. Vote for the Democratic Budget.

Mr. Chair, I rise in opposition to the Republican Budget for Fiscal Year 2012 and beyond. Unlike the proposed Democratic Budget, the Republican Budget purports to reduce our nation's deficit by making disturbingly deep cuts to important programs and will have an adverse affect on our nation's families, children, and the health of women.

The Republican Budget:

Guts Food Assistance for Struggling Families. The budget resolution calls for \$127 billion in cuts to SNAP (formerly called food stamps) in a six-year period (2015 through 2021). This proposal to block-grant and reduce funding represents a cut of 25 percent in food benefits for some of the most vulnerable Americans. States will be forced to cut benefits to some households or create waiting lists for needy families.

Takes Away Affordable Health Coverage for Millions of Working Families. The majority's budget resolution calls for \$1.4 trillion in savings from repealing coverage provisions of the Affordable Care Act, which Congress enacted a year ago to hold insurance companies accountable and extend health coverage to more than 30 million Americans who would otherwise be uninsured. This would mean repealing \$777 billion in tax credits to help low- and middle-income families afford health insurance coverage.

Dismantles Health Care Safety Net for Vulnerable Populations. The majority's budget devastates health security for 28 million poor children, 5 million seniors, and 10 million disabled individuals who rely on Medicaid for a basic safety net of health care.

To protect tax cuts for the wealthy, the budget includes the absurd idea to dismantle the Medicaid program and to let the chips fall where they may, no matter who might get

hurt. The real hard choices are left to others: state governors, who will decide which populations or health services to drop; health care providers, whose Medicaid payments might get cut so low they will have to decide whether they can afford to continue providing services to Medicaid beneficiaries; low-income families, who may have to decide between buying groceries and taking a sick child to a doctor; and adults with aging parents, who may have to decide between sending a child to college or paying for their parents' long-term care.

The Democratic Budget:

Democratic budget reduces the deficit responsibly, reaches primary balance by 2018. The Democratic budget reduces the deficit by \$1.2 trillion more than the President's budget over ten years.

Includes Pell grant and Supplemental Nutrition Assistance (SNAP) initiatives. The Democratic budget includes two mandatory initiatives that are fully paid for with spending reductions. First, it includes the President's proposed mandatory funding to sustain the maximum Pell grant award at \$5,550, in contrast to the Republican budget, which cuts Pell grant funding substantially.

The Democratic Budget protects Medicaid and the Medicare guarantee for seniors. The Democratic budget protects Medicare's guarantee of health care coverage for seniors and disabled workers. It also preserves the existing structure of Medicaid that provides a health care safety net for vulnerable children, families, seniors, and persons with disabilities. In contrast, the Republican budget dismantles Medicaid and ends Medicare by converting it into an inadequate voucher for the purchase of private insurance.

I would urge all Members of Congress to oppose the Republican Budget and instead support the Democratic Budget to responsibly cut spending and give America's families, women and children a chance.

□ 1950

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma, a member of the Budget Committee, Mr. LANKFORD.

Mr. LANKFORD. This is a little surreal to walk in the Chamber and be able to hear that somehow Republicans are interested in throwing old people off the bridge and that somehow old people—that we're focused on all of these things: that we hate those in poverty, and we hate our own parents, and we hate all of these other things.

In reality, as a newcomer walking into this body, I walk into a Chamber saying, We came to get things done. And the driving factor that I walked in this Chamber with is the reality that we have \$14 trillion in debt. Now, that's hard to be able to wrap your head around, \$14 trillion in debt. So the way I try to wrap my head around it is with an old illustration from me personally.

I remember being 9 years old watching the Voyager spacecraft take off and thinking it will take forever for the Voyager spacecraft to get all the way up to Saturn and to Jupiter. It would

take all of 10 years to get out there. But I remember when those pictures were done, and they were sent back, and how significant they were.

Now, just imagine this: in 1977 when the Voyager 1 spacecraft took off, if it started dropping a dollar a mile from the time it took off, how long would it take it to drop \$14 trillion? Now, remember, the Voyager spacecraft has been out 34 years. It is still operating. It has left the solar system now. It is past Pluto, headed out of the solar system. If it dropped a dollar a mile since the time it took off, it will drop \$14 trillion 41,801 years from now. A spacecraft that's already flown out of our solar system will have to continue flying at the same speed another 41,801 years from now.

It is surreal for us to stand here and to be able to not take seriously the amount of spending that we do and how out of control we really are. This is not just a tax problem. This is a long-term issue that's not Republican and Democrat. We have both spent too much money. It is time for us to pull our own budget back and to take this seriously.

Mr. VAN HOLLEN. I, too, remember the Voyager spacecraft and also the Apollo program and Moon launch. Great examples of things that individuals and corporations can't do by themselves, things that we have to do by coming together as a people behind a purpose.

The Republican budget, if you look at the long-term forecast provided by CBO, essentially says when you project out here, given the assumptions they were given, you eliminate all of the Federal Government except defense—and even defense is at a smaller share of GDP when you get out there than it is today. That is the kind of result that you get.

Mr. RYAN of Wisconsin. Will the gentleman yield?

Mr. VAN HOLLEN. I yield to the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. That is because GDP growth grows at a faster pace than government. So it is not as if government goes away. Government keeps spending; government keeps defense and education. It's just that the economy outgrows the size of government, and we're on a virtuous path to more prosperity, more opportunity.

Mr. VAN HOLLEN. Reclaiming my time, look, the issue here is what is the appropriate role and size of government. There is no doubt that we have to take what we think should be a balanced approach that involves both cuts and, as the fiscal commission, the bipartisan fiscal commission says, you've got to deal with the revenue piece if you're going to do deal with this problem in a realistic way.

With that, I yield 2 minutes to the gentleman from Georgia (Mr. SCOTT).

Mr. DAVID SCOTT of Georgia. Thank you very much, Mr. VAN HOL-

LEN. I appreciate it. Let me commend you for the excellent leadership that you are providing in this fight.

Ladies and gentlemen of the Congress, this is America. This is the greatest country in the world. And we are great because we have certain values. Paramount among those values is the sense of fairness.

Now, let me tell you what the flaw is in the Republican budget. The flaw in the Republican budget is it is not fair. Whatever polls we read, wherever we look, the American people are beginning to see it. How can you justify cutting seniors, cutting young people, cutting the low-income, cutting the middle class while at the same time giving over a trillion dollars to billionaires and millionaires in this country? That is the disconnect, Mr. Speaker.

I don't care which side you're on or where you are in this country. The American people know that we, yes, must bring down our deficit and cut this debt. It has become a national security issue.

For 8 years since I've been in Congress I have been arguing for that, standing up for paying down our debt. During the years of the Bush administration, which, let's tell the truth, was a primary cause of us being in the position that we're in now to have three wars going at the same time.

And so ladies and gentlemen, in conclusion I'm just saying that the point we have to make is it is not fair to cut this budget on the backs of the poor, the elderly, and the young while at the same time giving billionaires over a trillion dollars.

Mr. RYAN of Wisconsin. Mr. Chairman, I will give myself a minute to simply say again just to clear up for the record, if you're a person who is 55 years of age or older, there's no change in Medicare for you. The Medicare you're on or that you're organizing your life and getting ready to prepare for when you retire will be there as it is forever for your life under our proposal.

Contrary to the status quo, Medicare goes bankrupt in 9 years. Status quo, the President has a new board called the Independent Payment Advisory Board; 15 people he appoints. They ration Medicare. They put price controls in Medicare. They decide what Medicare can do or what it can't do. Congress is out of the loop. Unelected bureaucrats by the President, his people, they do it. And the President just yesterday said, You know what? Go cut more. Go get more savings. That's the status quo.

With that, Mr. Chairman, I yield 2 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Wisconsin for the exceptional leadership he has been bringing to this House on this issue of the budget.

I want to say I agree with my colleague from Georgia. We are the great-

est country in the world. We also have the smartest people in the world, and they're not going to buy this demagoguery anymore.

The President and Democratic political strategists are engaged in demagoguery of the worst sort. Yesterday the President accused us of wanting to leave sick kids to fend for themselves. But we've heard this before.

On the eve of the 1996 welfare reform, Senator FRANK LAUTENBERG voiced his concern that the bill would transform America into a Third World nation leaving "children hungry and homeless, begging for money, begging for food and even at 8 and 9 years old engaging in prostitution."

Senator Carol Moseley-Braun trumped LAUTENBERG by wondering aloud whether the welfare reform bill would prompt the widespread auctioning of abandoned children into slavery. Jill Nelson of The Nation did them one better by predicting that "working- and middle-class communities all over America will become scary, violent wastelands." Representative JIM MCDERMOTT made a more prosaic prediction that within 2 years of enactment, the bill would "put 1.5 million to 2.5 million children into poverty." Even Daniel Patrick Moynihan warned that the law would "have children sleeping on grates."

□ 2000

What happened? Child poverty rates fell by 1 percent per year in the 5 years following the passage of the 1996 Personal Responsibility and Work Opportunity Act, and they remain below 1995 levels, even though the Nation is still emerging from a severe recession. Transforming welfare, by among other things block granting the program and giving States more control over its implementation, cut caseloads in half against a backdrop of falling poverty rates. In almost every particular, the critics were wrong.

The aim of the social safety net should be to empower individuals, putting them in stronger position to achieve. Government can play a positive role in this area with policies aimed at helping those who are down on their luck get back on their feet.

The Acting CHAIR. The time of the gentlewoman has expired.

Mr. RYAN of Wisconsin. I yield the gentlewoman an additional 30 seconds.

Ms. FOXX. This budget strengthens the social safety net and promotes policies that help people recover from poverty and lead self-sufficient lives.

Mr. VAN HOLLEN. I yield myself such time as I may consume.

Mr. Chairman, we ask every American to read this budget, this Republican budget, and see whether or not it reflects their values and the choices that they would make. We believe when they do that they will reach the same conclusion that the bipartisan

fiscal commission did, which is that it's simply unbalanced, it's simply unfair. It puts all the burden of the sacrifice on working men and women. And it does provide those folks at the very top once again—we've seen it before—with a big tax break.

When it comes to Medicare, it's a fact seniors are no longer going to be able to choose to stay in Medicare. They're going to be forced into the private insurance market with ever-increasing costs and ever-declining support. That is rationing care. That's what insurance companies do. If you don't have enough money to buy the benefits that they are offering, you don't get them. If your doctor's not on that plan, tough luck.

So those are the choices that we're making this evening. And I hope as we go forward the American people will look very closely at this proposal. I'm confident they'll reach the same conclusion the bipartisan fiscal commission did, which is it's just not balanced, and it doesn't reflect American values and priorities.

Mr. RYAN of Wisconsin. I yield myself 2 minutes, Madam Chair.

Now, let's take a look at what our drivers of the debt are: Social Security, Medicaid, Medicare. The health care entitlements are the biggest drivers. The black line here shows our revenues. These three programs alone take up all Federal revenues. You throw interest on top, which you have to pay interest, by 2035 they consume every single penny of every Federal tax everybody pays.

Now, why are we proposing what we're proposing on Medicare? Because we have experience that this kind of thing works. Giving people more choices, having more competition works. Prescription drugs. That's a program, very successful, very popular. When that program was passed, it was projected to cost \$634 billion over the budget window. It ended up costing \$373 billion. It came in 41 percent below budget. Premiums are lower than were anticipated. Name me one other government program that actually came in 41 percent below cost projections. There isn't one. Why did this one do that? Choice, competition. The senior is in charge.

We are not interested, Madam Chair, in giving control over Medicare to 15 unelected people to decide where, when, how, and under what circumstances they get their Medicare. We protect Medicare for current seniors. We deny the 15 people on the board the ability to ration their care. And we want 40 million seniors to have the choices. We want them to be in control of their Medicare.

The Acting CHAIR (Ms. Foxx). The time of the gentleman has expired.

Mr. RYAN of Wisconsin. I yield myself an additional 30 seconds.

Because what we have learned is that giving them more control, the senior,

the beneficiary, the patient, not the government—competition works. We've tried so many different plans at rationing care. They don't work. One person does work to reduce prices: The consumer. That is why we are saving Medicare.

Mr. VAN HOLLEN. Madam Chairman, I yield myself such time as I may consume.

I have to say that to say this plan saves Medicare is in my view Orwellian. It does remind me of the phrase from many years ago that you have to destroy the village in order to save it. I have to say that if you look at what we're doing here, you're saying to seniors you've got to go into the private insurance market.

Now, the chairman mentioned a couple other examples of the private market. But in this case we've already experimented, through Medicare Advantage, with that kind of private plan within Medicare. And you know what we discovered? That you had to subsidize them at 114 percent of the fee-for-service program. It cost us more for Medicare Advantage. In fact, one of the reforms that we made as part of the Affordable Care Act was to say we're not going to ask the taxpayers and folks who are on Medicare fee-for-service to subsidize those private plans that are running over cost. And you know what? In this budget our Republican colleagues kept that reform. If it was so great to have the Medicare Advantage plan, how come they took part of the savings from that plan? They did not.

So it is a big mistake to say to seniors we're going to throw you into the private insurance market with an ever-declining voucher premium. The reason this isn't premium support, it doesn't support the premium. What Federal employees and Members of Congress have is a premium support system through a fair share formula. This is not a fair share for seniors.

I reserve the balance of my time.

Mr. RYAN of Wisconsin. Madam Chair, I will just simply say we do actually put \$10 billion back into Medicare Advantage to make sure the program stays alive.

I yield 2 minutes to a member of the Budget Committee, the gentleman from Kansas (Mr. HUELKAMP).

Mr. HUELKAMP. Madam Chairman, as a freshman I guess I am a little confused here on the floor of the House listening to this debate about the budget. And I guess I am a little confused which party was in charge of this Chamber for the last 4 years as we ran up trillions and trillions and trillions of deficits. The concern wasn't about deficits. The concern was about spending and how much more could we do, and how much more could we throw into the economy. We look at the results today: Unemployment levels that we haven't seen for a long time, Madam Chairman.

I guess as we debate and discuss this budget, of course we might be a little bit rusty. It's my understanding it's been a couple years since we even allowed a budget debate on the floor. I welcome that debate. But one thing that was mentioned, read the Path to Prosperity. I agree. I agree with my colleagues, please read the bill. Please do. And here is what you will find.

A Path to Prosperity we believe runs not through Washington, not through this floor, certainly not through the other Chamber, but the Path to Prosperity in this country runs through the hard work of entrepreneurs, a flatter, fairer tax system, closed tax loopholes, regulatory reform, work rather than welfare.

The result is this, Madam Chairman. We expect a million new jobs potentially might be created if we get Washington out of the way, as we see in the Path to Prosperity.

Madam Chairman, ideas have consequences. And we believe, this plan believes in one thing, in the power of the American people, not Washington elites. This plan, this budget is about liberty and freedom, Madam Chairman. I hope and pray 2011 will be remembered not for what we do here, but for whether or not the end result of our actions will help us restore the American Dream in this country.

Mr. VAN HOLLEN. Madam Chairman, I yield 1½ minutes to the gentleman from California (Mr. GARAMENDI), former insurance commissioner for the State of California.

Mr. GARAMENDI. Madam Chair, for 8 years I was the insurance commissioner in California. And for 8 years I battled the health insurance industry. What we heard on the floor was that 2011, what will we remember? What it will be remembered for is the death of Medicare, the demise, the death of Medicare. The most successful insurance program, the most successful health insurance program in this Nation.

□ 2010

It works. It is efficient. It is effective. It is a nationwide standard policy available to every American 65 years of age and older and some of those who are younger.

I heard the author of this bill a moment ago saying competition would make it better. In fact, it does not. In fact, it does not.

The private health insurance industry is inefficient. It is ineffective, it is discriminatory and it clearly, clearly harms customers. There is a profit motive that has to be paid for. There are compensations for the sale and compensations for those who sell the insurance. All of that adds up.

It is also extremely inefficient in that there are multiple policies, multiple people that have to be paid, insurance companies that have to be paid,

different deductions, different copays. All of that is out there.

The Acting CHAIR. The time of the gentleman has expired.

Mr. VAN HOLLEN. I yield the gentleman an additional 15 seconds.

Mr. GARAMENDI. My Republican colleagues have done everything they can to repeal the Affordable Health Care Act, which had insurance reform in it. Without the insurance reform, which clearly they want to do away with, you are throwing senior citizens to the sharks, to health insurance.

I urge us not to do that.

Mr. RYAN of Wisconsin. Madam Chair, I yield myself 30 seconds.

I would simply say we have new data from the Centers for Medicare and Medicaid Services on national health care expenditures. In 2009, the last year we have data available, Medicare costs grew by 7.9 percent. Private health insurance plans costs grew by 1.3 percent.

Mr. GARAMENDI. Will the gentleman yield?

Mr. RYAN of Wisconsin. I will not yield to the gentleman.

With that, Madam Chair, I yield 2 minutes to the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Madam Chairwoman, as a freshman in this House, it has been unique to sit and see one of the age-old tactics that takes place, scaring seniors, not to move the ball down the field, but for political points. The gentleman was just referencing Medicare and telling the American people that it's not broken, that it's going to continue to work.

These are CBO charts. If you take a look at them, it's broken. We can't afford it.

We have to reform this program to save it, and to deny that is trying to scare seniors for your own political gain, and I think that's shameless.

Mr. GARAMENDI. Will the gentleman yield?

Mr. DUFFY. No, I won't.

I think we have to be honest with the American people, come out and say you know what, this is a program that if we can reform it, we can save it for our retirees. But not only that, those who are about to retire, 55 and older, we can save the program for them as well. And we can modify the program for those of us in later generations.

But let's not try to scare our seniors tonight and tell them that this plan is going to take away their care, because it's not. This plan, and its proposal, is that those who are 55 and older are going to continue to get the same plan that exists today.

The reforms are for future generations, and with those reforms we are guaranteeing that current retirees get the benefits that we promised them. If you say you care about our seniors, you would join with us, and we would all work to resolve this issue and make sure our grandmas and our grandpas

continue to get the benefits that our country has promised them.

Mr. VAN HOLLEN. Madam Chairman, may I inquire how much time remains?

The Acting CHAIR. The gentleman from Maryland has 2¼ minutes. The gentleman from Wisconsin has 7¾ minutes.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. I yield 2 minutes to the gentleman from Georgia (Mr. WOODALL).

Mr. WOODALL. Madam Chair, I am glad I had the opportunity to speak after my freshman colleague from Wisconsin.

I was down on the floor earlier. I walked back to my office. I asked Mr. Maroney, who is answering the phones in my office, What are you hearing about? Are you hearing about the continuing resolution?

He said, No. I said, Are you hearing about the budget debate? He said, Not really. I said, What are you hearing about? He said, I am hearing from seniors who are scared. I am hearing from folks on Medicare who are scared.

Now, who does that surprise? It doesn't surprise me, and I don't know what the goal was when we went down this scare tactic path. I will say to the ranking member, I know you know better.

You've got a persuasive case to make, a persuasive case to make for why your vision is better than our vision, but you're scaring people.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I will yield to have the gentleman tell me if anyone age 55 or older will be affected.

Mr. VAN HOLLEN. Isn't it true that the Republican budget reopens the prescription—

Mr. WOODALL. If the ranking member is not going to answer my question, I will not yield. You should be ashamed.

I reclaim my time.

Mr. VAN HOLLEN. And that's because you don't like the answer you're going to hear.

The Acting CHAIR. The gentleman from Georgia controls the time.

Mr. WOODALL. I reclaim my time to say we have honest debates here. We have honest disagreements here. But folks are scared because you're scaring them and you know good and well you don't need to.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I want to associate myself with Mr. DUFFY's comments that we could get together and solve this problem, or we can just choose to scare people.

Mr. GARAMENDI. If the gentleman would yield, I will answer his question.

Mr. VAN HOLLEN. Will the gentleman yield?

Mr. WOODALL. I will yield to the gentleman to tell me if anyone age 55 years of age or over will have their benefits changed in any way.

The Acting CHAIR. Will all Members please suspend.

Mr. VAN HOLLEN. Yes, they will have their prescription drug benefit changed.

Mr. GARAMENDI. Point of order ma'am.

The Acting CHAIR. Will Members please suspend.

Mr. RYAN of Wisconsin. Madam Chair, the House is not in order.

Mr. GARAMENDI. Madam Chair, a point of order.

The Acting CHAIR. All Members are reminded to address their remarks to the Chair.

Mr. GARAMENDI. Thank you.

Mr. RYAN of Wisconsin. I yield 1½ minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Madam Chairwoman, I wanted to speak very briefly to a topic that was raised earlier tonight by my colleague, Mr. ELLISON from Minnesota. It is a comment, a message that has been repeated several times tonight and was, in fact, repeated several times during the committee process, which dealt with the subsidies that we give to Big Oil, to oil and gas.

I will tell my folks, especially my colleague from Maryland (Mr. VAN HOLLEN), that I share the frustrations that you have with those types of subsidies. I also share the frustrations that I have with other members of my conference that alternative energies receive seven times as many subsidies in the Tax Code as oil and gas. In fact, if you take the subsidy, the excise tax credit for ethanol, that number rises to 10 times.

So I do share your frustrations with the amount of tax credits that the code currently gives to oil and gas. But I am 10 times as frustrated, Madam Chairwoman, with the subsidies that we give to alternative energies.

I would invite, Madam Chairwoman, my colleagues on the other side of the aisle who have that same frustration to join us and vote for the budget. It's the best chance they are going to get this year to get rid of these subsidies as part of this process of closing the loopholes, lowering the tax rates and broadening the base.

Mr. VAN HOLLEN. Madam Chair, I yield myself the balance of my time.

The Acting CHAIR. The gentleman from Maryland is recognized for 2¼ minutes.

Mr. VAN HOLLEN. We've had a spirited debate this evening about fundamental choices that we need to make as a country. We all agree that we have to reduce our deficits in a predictable, steady way. The question is how do you do it, and we believe, as did the co-chairs of the bipartisan fiscal commission, that the Republican plan is unbalanced; and it's unbalanced because it

asks very little of the folks at the very top and reduces dramatically our investments in our kids' education and it does end the Medicare guarantee.

Seniors will no longer be able to stay in the Medicare program. They will be forced into the insurance program. It immediately does end the prescription drug benefit, something we worked hard to close, the doughnut hole.

□ 2020

It ends the effort that was put in place under the Affordable Care Act to end the doughnut hole. So I would say to the gentleman from Georgia who spoke earlier, those seniors who are calling his office, they will lose that benefit in closing the doughnut hole right away if this Republican budget passes.

For other seniors and people who have been paying in the Medicare system through their payroll taxes, we want to make sure they have the benefit of the Medicare guarantee. Throwing them into the private insurance market and giving them a deal that Members of Congress do not give ourselves is wrong. It is absolutely wrong.

We have a fair share deal, and we are asking seniors to take a raw deal. We have a true premium support system for Members of Congress where the Federal Government shares the risk of increasing costs. Under the Republican plan, they are asking seniors to do what they don't want Members of Congress to do: take all the risk of the rising costs.

Those are not choices that reflect American values and priorities. We should not be giving tax breaks to the folks at the top and ending the Medicare guarantee.

Mr. RYAN of Wisconsin. Madam Chair, I yield myself the remainder of the time.

First, let me say with respect to the Medicare guarantee, we keep hearing that. As you know, because we've said it over and over again, in our budget—by the way, go to budget.house.gov if you want to read the plan. I encourage people to please do that.

With the new Medicare plan with people 54 and below, it's a Medicare guarantee. The plan you will be given to select from, just like a system that works like the one we have, like the prescription drug benefit plan, they are guaranteed plans. You are guaranteed to get them if you want them, and your subsidy is guaranteed.

Now, we simply say, wealthy people shouldn't get as much of a subsidy as everyone else. Lower income people should get a bigger subsidy. And as people get sicker, they, too, should get a bigger subsidy to protect their premiums.

And I would simply say the greatest danger, enemy and threat to Medicare is the status quo. Medicare goes insolvent in 9 years.

But let me look at this from a different perspective. We've had a lot of debt before in our country. When you buy a house or a car or get a business loan, you get debt. What matters is how big is your debt relative to your ability to pay it. What also matters is: Who are you borrowing it from? Are you borrowing it from your local community bank? Are you borrowing it from your brother-in-law? Fine.

Where are we borrowing our money from? We used to lend it to ourselves. Americans would buy T-bills and lend it to ourselves. In 1970, 5 percent was held by foreigners, 95 percent by Americans. In 1990, 19 percent of our debt was held by foreigners. Today, 47 percent of our debt is held by other countries. Number one is China. We are borrowing 42 cents of every dollar today, and half of that from other countries, the number one being China.

Look at where we're headed. We have a crushing burden of debt. The debt goes to double the size of the economy, then triple the size of the economy, to eight times the size of the economy. The CBO tells us the economy crashes in 2037. Their computers can't figure out how the American economy can grow past the year 2037 because of the debt burdens.

We can't keep borrowing money from other countries to cash flow our government. We are giving them our sovereignty. We are losing control of our own destiny. We are giving our children a debt prison.

Why is this happening? Because politicians from both political parties have been making promises and promises that are empty. We need to get government to live within its means. We can't keep spending money we don't have.

By the way, you don't fix this by raising taxes and raising taxes and raising taxes. You fix this by cutting spending—novel idea. I know it is in Washington.

So we're going to start. We're going to start by cutting \$6.2 trillion in spending. We're going to start by putting the right policies in place to grow the economy. We're going to start by keeping the promise to people who have retired so that their Medicare and Social Security is there for them. We're going to start by saving these programs for future generations so they're not empty promises. We're going to start by preserving our social safety net and making it more adaptive, resilient and sustainable for the 21st century.

We want to repair the social safety net so it works. And we want to gear it not toward keeping people on welfare, but getting them back on their feet into lives of self-sufficiency so they, too, can flourish and reach the American Dream. We're going to start by passing this budget so that we can give our children a debt-free nation, so we can maintain the legacy of America,

which every generation prior to ours upheld, which has given the next generation a more prosperous America, a better chance, a better chance at securing the American Dream.

If we don't do this, if we don't fix this, if we don't make the tough choices now to get this under control, we will be the first generation to sever that legacy. And, Madam Chair, that's a disgrace. It is within our control. We see this coming. We know what's happening. We know why it's happening. And if we don't fix this before it gets out of control, shame on us.

The Acting CHAIR. The gentleman from Texas (Mr. BRADY) and the gentleman from New York (Mr. HINCHEY) each will control 30 minutes on the subject of economic goals and policies.

The Chair recognizes the gentleman from Texas.

Mr. BRADY of Texas. Madam Chair, on behalf of the Joint Economic Committee, I yield myself as much time as I may consume.

This country is starved for truth-tellers, people in Congress who will just tell them what the problems are that this country faces, give them options and help them make the right choice, people who are strong enough to lead and bold enough to lead at a time when the country needs leadership. When it comes to the budget, when it comes to the economy where the President has failed, House Republicans will lead.

The Paul Ryan budget helps spur job creation in America today. It stops spending money the government doesn't have. It lifts the crushing burden of debt. This plan puts the budget on the path to balance in paying down the debt over the long term, and it puts the economy on the path to prosperity.

Let's talk about the economy. It is the number one concern of most people, and the debt and deficit have a lot to do with it.

We are undergoing one of the worst recoveries we've seen in a long time. It is two to three times slower than the Reagan recovery, and there is reason for that. We were told by the President and congressional Democrats that if we just spent money, spend it in the stimulus and spend it in increased deficits, that the economy would recover. And they were wrong. After spending hundreds of billions of dollars on the stimulus, we have 2 million fewer jobs in America today than when the stimulus began. We have fewer jobs today than when all that spending took off.

We were told if Congress passed all the stimulus bills that our unemployment rate today would be 6.8 percent. It's 8.8 percent. And it's only that low because so many people have given up simply looking for work anymore. They've lost hope. And then finally, for those who say we just spend more to create this economy, they were off, their predictions, by 7 million American jobs.

It's time to stop listening to the economists who got it wrong and start listening to economists who got it right.

□ 2030

Let's take a look at what spending has done to our economy in America. Here is a chart. It looks back on the last 40 years in America, and it tracks Federal Government spending against job creation along Main Street, not government jobs but jobs in the private sector, the small-, medium-, and large-sized businesses that our economy depends upon. The blue line is government spending. The red line represents jobs along Main Street. You can tell with the blue line. Look at how different job creation is. In fact, over each of these four decades, not only is there no correlation between Federal spending and jobs along Main Street, but it's a negative correlation in each of the 4 decades. As government spending goes up, jobs along Main Street go down.

Look at this next chart. We also went back the last four decades in America and asked about private business investment. What happens when companies large and small buy new equipment, buy new software, buy new buildings, and invest back in the economy? Here is the chart. The blue is the private, fixed investment from business. The red is job creation along Main Street. As you can tell, it's a very close correlation.

In fact, there is no substitute in America for private investment in the economy—no substitute, no rebates, no stimulus, no shovel-ready projects. Nothing is a substitute for creating jobs like getting businesses to invest back in their workforces, in their workplaces and in the economy.

Recently, I had the Joint Economic Committee take a look at the economic studies over the last 40 years of our competitors around the world, competitor countries that got themselves into debt trouble but that worked their way out of it. You would be interested in the results of this study, and there are three key points to it.

One is that the countries that were most successful in getting their debt down, in getting ahold of their financial paths, didn't do it by raising taxes. That didn't succeed. They did it by reducing spending. That's how they best and most successfully got ahold of their debt. There were 21 times that 10 different of our global competitor countries got a handle on their debt successfully by reducing spending.

The second takeaway from this study, called "Spend Less, Owe Less, Grow the Economy," was that countries that got ahold of their debt the right way also grew the economy as well. Economists agree that the countries that get their financial houses in order grow their economies over the

long term. What this study shows is that, with our competitors, if you get a handle on your spending the right way, you grow your economy in the short term as well.

Here is Canada. Neighboring Canada got themselves in financial trouble. Their economy was growing at a paltry pace, less than 1 percent a year. They lowered their debt as a nation by about 12 percentage points, and their economy took off. For almost 16 years, they've averaged economic growth of almost 3½ percent.

Sweden, another developed country with an economy like ours, actually had an economy that was shrinking. It was actually contracting. They got ahold of their financial house and put that in order as well, reducing their debt by more than 11 percentage points. Their economy took off, growing 3½ percent a year, on average, for almost a decade. New Zealand did the same.

You may say, Look, we're not Canada; we're not New Zealand; we're not Sweden. Yet 26 times, nine of our competitor countries around the world that lowered their debt by reducing spending grew their economies strongly, not just in the long term but in the short term. They didn't grow them a little. Those countries rocketed to the top quarter of economic growth in the world. Countries that reduce their spending and do it the right way grow their economies.

Here is a third and another, again, telling point about this, which is that not all spending cuts are the same. When it comes time to grow the economy, not all spending cuts are the same.

What these economists showed is that the nations that grew their economies the most successfully undertook cuts that were large, credible and difficult to reverse. So they made cuts in savings that mattered, and the cuts in savings that grew their economies made sense. They shrunk their Federal workforces. They right-sized them to what they could afford. They eliminated duplicate programs, obsolete programs—as a business would—programs that waste money. They reduced subsidies to corporations which were interfering in the free marketplace. Finally, they tackled their entitlement reforms in health care and in pensions. What is interesting is that, even if the reforms they made in their entitlements didn't affect their current beneficiaries and even if they phased those reforms in over time, the reforms sent the right signals to the marketplace.

Then what happened in each of these countries is that businesses, in no longer facing higher taxes because of all that spending, felt comfortable getting to reinvest back into their workforces, back into their countries' economies. Households like ours, in no longer facing higher taxes to pay for

all these spending sprees, felt more comfortable buying larger ticket items, like cars and houses. As we know, when businesses invest, jobs along Main Street grow. It has been made clear time and time and time again, like businesses, countries that can get ahold of their debt, that can do it the right way and that can put themselves on financially sound paths grow. America's economy can grow as well.

The budget resolution presented tonight by Chairman PAUL RYAN meets the test that spending reductions must be large, credible and difficult to reverse once made to boost our economy:

The Ryan budget attacks the medical entitlements that are driving Federal spending higher. It attacks corporate welfare by phasing out government guaranties to Fannie Mae and Freddie Mac. It eliminates subsidies for green energy, and it reduces agriculture subsidies by \$30 billion over the next decade. The Ryan budget rolls back non-security discretionary spending to its 2008 levels and then freezes it for 5 years.

It adopts a number of the recommendations from the President's own fiscal commission to eliminate waste and to achieve real savings in our budget. It eliminates agencies and programs identified by our own government as wasteful and duplicative. That alone will save over \$100 billion in the next decade.

It reduces the Federal workforce. It right-sizes the Federal workforce by 10 percent over the next 5 years by attrition, simply by hiring only one new Federal employee for every three employees who leave or retire. Together, that saves almost \$400 billion.

The Ryan budget envisions a pro-growth tax reform that lowers the top income tax rate for both individuals and companies to 25 percent and makes us competitive again in this world.

The Ryan budget is a fiscally responsible plan that accelerates economic growth and job creation. It is a game-changer for this Nation and tells the truth about our challenges, and addresses them with ideas and proven solutions that move us forward.

Madam Chair, I reserve the balance of my time.

Mr. HINCHEY. I yield myself such time as I may consume.

Madam Chair, I think it's very important for us to understand and remember how the economy here grew and how it became much more positive and progressive during those 8 years of the Clinton administration. The deficit that Clinton inherited when he came into office was dramatically reduced and brought back a surplus. When he left office, the national debt was in the neighborhood of a little over \$5 trillion. By the time the next President left, George W. Bush, the deficit was about \$10.7 trillion. So it's important for us not to have the same kind of experience now that the opposition here on

the other side of the aisle is trying to push on us.

The most critical challenge that we face as a country, of course, is the need to create new jobs. If Congress hopes to get the economy moving at the right pace, we are going to have to take this challenge of job creation very seriously. The question is: What should we do? What should we not do to reform government so that we can better compete in the world economy and yield strong, sustainable, long-term growth and prosperity?

After 100 days, Republicans have failed to put forward a single plan to create jobs. Instead, they have laid out a budget plan that shows us exactly what not to do.

□ 2040

We must remember how we got into this budget mess in the first place. While my friends on the other side would like to pretend that our economic woes began the very second that President Obama took his hand off the Bible and was sworn into office, we know that is not the truth at all.

In fact, it was quite the opposite. The things he did as President were positive for the economy, and we are seeing that today. We are seeing the economy growing. We are seeing unemployment declining. We are seeing employment going up, all of that as a positive effect of the actions of this President.

My friends on the other side pushing this budget are the same people who carried President George W. Bush's agenda through Congress, and in doing so nearly doubled our national debt, as I said, from about \$5.7 trillion to \$10.7 trillion over the 8 years of the Bush Presidency.

We need to make sure that they are not able to do that again. They did so then by recklessly lowering taxes on the wealthy with the promise that doing so would create jobs and strengthen our economy. Well, we know that neither of those happened. In fact, just the opposite occurred. They did so by passing a prescription drug plan that is a major giveaway to the pharmaceutical industry without finding a way to pay for it. And they did so by taking us into Iraq under false pretenses and committing us to what will ultimately be several trillions of dollars.

Now we are seeing economic inequality at record levels. The wealthiest 10 percent of the population here in the United States of America receives nearly half of all income in our country. And the richest 1 percent has seen its share of the national income increase by nearly 10 percent; and they are now at about 35 percent of all income, all of that increasing for the richest and declining for working people across this country.

This trend has consequences, and it is no coincidence that the last time we

saw inequality at this level was during the Great Depression in the 1930s. But instead of working to correct this problem, the House Republican proposal acts as a huge wealth transfer program from the working class Americans to the rich. Overall, two-thirds of the cuts the Republicans propose take dead aim at working class Americans to lower their economy and lower their economic conditions.

The Republicans' budget plan eliminates Medicare, forcing seniors to buy insurance in the private marketplace, using a coupon that barely covers a fraction of the cost of care. It cuts food stamps, Pell Grants, and low-income housing. And at the same time, our friends across the aisle here, their plan would give away \$2.9 trillion in tax cuts to the hugest, biggest corporations and to the wealthiest Americans.

This is the exact wrong approach, and it will severely damage our economy, hurt the middle class, and impoverish senior citizens.

Let's take a closer look at how this plan hurts seniors. Their budget eliminates Medicare. It eliminates Medicare and creates a new voucher program that would saddle seniors with a large portion of their health care costs. They would then be more responsible for it, and the whole health care system would decline.

The Republican budget also makes prescription drugs more expensive for seniors. The health care law we passed last year is gradually eliminating the gaps in prescription drug coverage. The Republican plan undoes this essential reform, forcing seniors to pay out of pocket. The Republican budget also threatens to make nursing home care unaffordable by cutting \$771 billion from Medicaid over a 10-year period. Medicaid currently covers nearly half of all long-term care costs, and we know what would happen if their plan was to be successful. All of that would be essentially eliminated. The Republican budget also cuts \$10 billion from Social Security's administrative budget, which will impact service to seniors.

What this plan does to America's seniors is absolutely unacceptable; but the worst part of it is that while they cut Medicare and Medicaid and they cut prescription drug coverage and the Social Security Administration, they also cut taxes on the very wealthy, reducing substantially the amount of taxes that the wealthiest people in this country pay while at the same time raising taxes on everyone else.

Now, 10 years ago, the conservative Heritage Foundation projected that in 2011, 1.6 million more Americans would be working as a result of the Bush tax cuts. They were wrong. They were wrong then, and they are wrong now. We know what happened then, just the opposite of what they predicted.

The Republican debate isn't about good policy or the facts. It is about a

dogmatic approach to governing and doing what's best for the very rich, doing what's best for the very rich regardless of how it affects everyone else who are the main promoters of the economy. Working class people, middle-income people are the people who drive the economic growth here in America. If they are forced to decline their economic conditions, then the whole economy of this country declines. All of that is needed to be understood, and the actions that they are proposing must be avoided.

Even President Reagan's budget director, David Stockman, recently said that he finds it "unconscionable that the Republican leadership, faced with a \$1.5 trillion deficit, could possibly believe that good public policy is to maintain tax cuts for the top 2 percent of the population."

We know that isn't the case. We know that is going to be just the opposite. We know that tax cuts for the wealthiest, making the wealthiest people in this country even wealthier and driving down the economy of the working people, is going to have a deadly effect on the economic circumstances across this country.

Tax rates are now lower than they were, even under President Reagan; and yet the Republicans are actually proposing to cut taxes again for the very rich, lower the corporate rate, and keep special tax earmarks for Big Oil, tax earmarks for Big Oil which is now growing to be one of the highest growing economic aspects of this country that we have to deal with. Tax earmarks for Big Oil and for the biggest companies, and the biggest companies particularly that export jobs overseas, continuing to give tax cuts to those economic companies that take jobs out of the United States and exports them to other countries. What a big mistake that is in the context of rescinding this economy.

Overall, the Republican budget plan for 2012 will not balance the budget; and while it does not balance the budget, it eliminates Medicare by replacing it with a private voucher program that will make it impossible for seniors to get health care. It also provides huge new tax breaks for the wealthy while cutting key investments in our economy.

All of these proposals that we are facing here are clearly deadly. If they were to be successful, the economic circumstances that are now just getting better in this economy as a result of the actions by the Obama administration would be reversed, and it would be reversed dramatically, and we would see a downslide in the economic circumstances here in our country.

□ 2050

We need to oppose this effectively, and we need to have a policy that is going to focus its attention on working

class people, on the need to create more jobs, and to create more jobs more effectively.

I reserve the balance of my time.

Mr. BRADY of Texas. Madam Chair, I yield myself 30 seconds.

I would remind the listeners that it was Democrats who fought the prescription drug program for our seniors; who last year slashed a half-trillion dollars from our seniors programs, which will hurt our local hospitals, our nursing homes, our hospice programs. They're going to drive 7 million American seniors out of their Medicare Advantage plan. And yet they failed to lead to preserve Medicare for every generation once and for all. They failed; we're going to lead.

At this time I would like to yield 3 minutes to a new member of the Joint Economic Committee, the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. Madam Chair, when I travel my district, I have tried to figure out a way to explain to people, and to myself, how to make sense out of these trillions of dollars. And I do it this way. I put it in numbers that I can understand.

I tell folks to assume that you're a family who brings home \$46,000 a year, and you sit down at the beginning of the year to do your budget, and when you add up all of the things that you spend money on, you're spending \$78,000. And then I say to them, When you're doing that and you're making \$46,000 and you're spending \$78,000, I want you to realize the Visa bill in the drawer is \$281,000. And that's where we are as a Nation.

And I tell them, as we try to figure out a way to save money, I remind them that the first thing that we did in this Congress was we cut \$35 million from our own budgets. To lead by example, we cut our own budgets in this House by \$35 million. And in that world where you're making \$46,000 and you're spending \$78,000, and you're trying to find \$32,000 of savings in your household, that \$35 million represents 70 cents.

That's how big the numbers are. And I think the folks back home have started to grasp it. I certainly have started to grasp it.

But I do get some good questions when I give that presentation on the road. Some folks will ask me and say, If I was in that position at my household, not only would I try to cut expenditures, but I'd also try to get another job. I'd try to make a little bit more money.

And I said, That's a really good point and that's what most families would do. With government it's different. With government the only chance they have to get that additional job, to get more money to come in, is to raise taxes. And when they ask me why don't we just raise taxes, I say because it simply doesn't work. It simply does not work. It has never worked.

This graph shows the top marginal tax rates going back to the 1950s. For those of you who were around or studied the era, the top marginal rates in the 1950s were actually above 90 percent. The top marginal income tax rate in the 1950s was above 90 percent. And the government was still only able to take from the economy about 20 percent of the economy; 18½ percent is the average over the course of the last 50 years. So even when tax rates were as high as 90 percent, the government took only about 18, 19 percent of the economy out in taxes.

That number has stayed bizarrely stable over the course of the last 50 years. We've lowered marginal tax rates; we've raised marginal tax rates. Yet the government only takes out 18, 19, at the most 20 percent.

Raising taxes does not bring in more money to the government over the long haul. It may for a short period of time. It may for a year or two. But the world doesn't work on a static model. The world works on a dynamic model. And when you raise taxes, the economy grows slower, and eventually we get back to this 18, 19 percent average.

By the way, I made this presentation in a debate to a former member of the Clinton administration. And the moderator, after I had mentioned that we've never been able to get more than 18, 19 percent out of the economy, turned to that member of the administration and said, Is that true? How do you respond to that?

And the member of the Clinton administration said, You know, he's absolutely right. We have not been able to figure out a way to do it in the United States of America, even with high top marginal tax rates.

But they do it in Europe. They do it in Europe. In Europe the governments can get 30, 40, even 50 percent of the economy away from the private sector, away from people, and put it in the pockets of the government.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield the gentleman an additional minute.

Mr. MULVANEY. And I put it to you, Madam Chairwoman, that that's what this debate is really about. That's what this debate is really about. Are we going to maintain the American system, or are we trying to move towards a European system? And I will tell you that that's really what this fight is all about.

And the budget that we're here defending tonight, as members of the Joint Economic Committee, is the budget that defends the American system, that defends the system that says the government really should only take 18 or 19 percent away from the private sector, that that's enough, that we don't want to be Europe, where people pay VAT taxes and people pay much higher rates of taxation. The

government takes 30, 40, or 50 percent. And what the opposition is offering is a European-style model.

So I simply ask my friends on both sides to consider what kind of country we want to be. Do we want to continue on as the America that we've known for years, or do we want to become Europe? And I suggest, Madam Chair, that the former is the better course of action.

Mr. HINCHEY. Madam Chair, I yield 5 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chair, we've heard a lot of discussion here this evening about what economic policy works, where do the deficits come from. Let's just figure it out.

Beginning with this man over here—I think we would all recognize him—that would be Ronald Reagan. After every year, at the end of the year, the Congressional Budget Office, non-partisan, makes a projection of what's going to happen in the next 10 years. At the end of Ronald Reagan's period, they did their projection, and they said, voila, a \$1.4 trillion deficit in the years ahead. Followed by George Bush the senior. At the end of his 4 years, they did another estimate: What's going to happen in the next 10 years? Well, let's see. That says a \$3.3 trillion deficit. How about that?

We were just talking about some economic policy here a minute ago. Well, let's talk about the Clinton period. At the end of the Clinton period, 8 years, another projection was made by the Congressional Budget Office: What's going to happen in the next 10 years? A \$5.6 trillion surplus, enough to pay off all of the American debt.

How did it happen? How did it happen?

It happened this way: Early in his administration, they set about to deal with the deficit. There was a tax increase. It cost my Democratic colleagues the House. But they did it. They put it in place. And they also put in place PAYGO and the balanced budget amendment. What happened was that in those 8 years was the largest job growth in America's history except in the 1950-1960 period. It was enormous job growth. More than 20 million jobs were created and extraordinary revenue growth.

So much for the argument we just heard.

In fact, a combination of holding tight on the budget together with a tax increase worked. I was part of that administration, and we were told to reinvent government. We did. At the Department of the Interior, we reduced the number of employees from 90,000 to 75,000, and we maintained and actually increased the efficiency and the effectiveness of that Department. It can and it was done.

However, let's take a look at George W. Bush, the most recent Bush presidency. At the end of his presidency, the

Congressional Budget Office did their estimate, and they came up with an \$11.5 trillion deficit in the years ahead.

How did it happen? It happened this way: He cut taxes year one, 2001, cut taxes. Year two, 2002, cut taxes. Two wars unpaid for, borrowed money from China, and then backed away from all regulation of Wall Street, and the great crash. The result: An \$11.5 trillion deficit. The day Barack Obama came into office, he was handed a \$1.3 trillion bill due. That's what the Republican President gave to this Nation and to this Congress. So we've set about solving it.

Now I want to move to another issue here, which happens to be this debate about Medicare. You're not going to solve the Medicare problem, which is one of ever-increasing cost in the underlying health sector of America. When I first got into this in 1991 as insurance commissioner, 9 percent of the American economy was in medical services. This year it's approaching 18 percent. You cannot solve this problem by throwing senior citizens off Medicare. It does not solve it.

□ 2100

Do not throw the seniors to the wolves. The wolves are the insurance companies. I know. I was the insurance commissioner for 8 years, and I fought those characters every year I was in office. I know what they will do to seniors. They will rip them off, they will deny benefits, they will deny coverage, and they will not control cost.

In California this year, insurance companies are raising costs by 20 to 40 percent. Medicare went up 6 percent. Medicare is efficient. Medicare is efficient. It is a nationwide policy. You can get it anywhere in this Nation. There is no administrative cost that even comes close to what the insurance companies' administrative costs are, perhaps 30 percent of the premium. Profit, sales, expenses, all of those things added up, and that includes the chaos at the delivery, the medical delivery. We need to change that.

You want to deal with something more? Take a look at this. This is Medicaid. In Medicaid, the Republican budget intends to cut Medicaid by three-quarters of \$1 trillion in the next decade. Who gets Medicaid? Senior citizens and the disabled. The aged, blind and disabled get Medicaid. And this is immediate.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HINCHEY. I yield the gentleman 1 additional minute.

Mr. GARAMENDI. I'm just getting warmed up.

Who gets Medicaid? The aged, the blind and the disabled get Medicaid.

The Republican budget cuts Medicaid three-quarters of \$1 trillion. Seniors will be—not 10 years from now, but immediately, as those budget reductions

take place, according to the Republicans—thrown out of nursing homes.

I just finished a conversation not more than 2 hours ago with the owner of nursing homes in California. He said, Don't let them do it. We're just hanging on. Any further reductions, any reductions in the Republican bill will force us to send out of our nursing homes the Medi-Cal, which are people covered by Medicaid.

Who are these children? These are the children in poverty. The children in poverty get medical services from Medicaid, and Medi-Cal in California, 20 percent. Are those the people you want to throw out in the street? You will do it.

Mr. BRADY of Texas. Yielding myself 30 seconds, I would remind our colleagues that are Democrats that Congress slashed a half trillion dollars from our seniors' care, including nursing homes, just last year. I will also remind our colleagues that Medicare is insolvent. The biggest threat to our seniors today is to do nothing.

Democrats and the President failed to lead. Republicans are not only going to preserve Medicare as it is today for those 55 and older, but for the younger generation, we are going to give them the choices and the options to preserve that program for them for their entire life.

Madam Chair, I yield 5 minutes to a new member of the Joint Economic Committee who understands that government doesn't create jobs, it is the private sector that creates jobs, the gentleman from Wisconsin (Mr. DUFFY).

Mr. DUFFY. Madam Chairwoman, in reference to one of the charts we just saw from the gentleman from California, I found it interesting that he laid out many different debts and deficits from prior Presidents, but the one he failed to present to this House was the one from President Obama. On the day that the President took office, we were projected, over the course of 10 years, to borrow \$1.8 trillion, from the CBO, and today we are projected to borrow \$9.4 trillion. We have inherited now a fiscal mess.

Let's review where we're at. This country owes \$14 trillion. This year we are going to borrow \$1.6 trillion. Last year we borrowed over \$1 trillion. The year before that we borrowed over \$1 trillion. Let's look out 10 years. For the next 10 years, on average, we're going to borrow \$1 trillion every single year. This is unsustainable. We cannot continue on this course.

Listen, I wasn't a big fan of President Bush's spending, but his biggest year of deficit spending was \$460 billion. That pales in comparison to the \$1.6 trillion we're going to borrow today. I mean, I know we've all seen these charts so often, but this is our debt chart from the CBO. We have a sea of red, a sea of debt that we are going to leave off to

the next generation. This is unconscionable.

What does this mean for future generations? This means higher interest rates. This means massive tax increases. This means a lower standard of living for our next generation. And I guess I will present to this House, if you were to ask your grandma and grandpa what they thought about leaving this off to our next generation, they would be outraged. They would be furious that this is their legacy, that this is what their grandchildren are going to inherit. We need to fix the problem.

Let's talk about the budget proposal that has been made.

Congressman PAUL RYAN and the Budget Committee, they propose reducing spending by \$6.2 trillion over the course of 10 years. Yes, they also talk about tax reform, a fair, flatter Tax Code. And you know what? We have to realize this isn't 1980. We are in a global marketplace. We compete against China and India, Mexico, Vietnam.

And you know what? This isn't just against Kansas and Kentucky. We have to engage. We have to have an environment where our businesses can compete, succeed, and win. And when they do, who benefits? The people that benefit are our families because they have jobs, they have opportunity. But if we build walls around this country with more mandates and more regulation and more taxes, we are going to see more businesses go overseas and fewer jobs for our families. And as we've been talking about tonight, we will have less revenue in the Federal Reserve.

I've heard a lot this evening, Madam Chairwoman, about Medicare and a lot of demagoguery across the aisle about what it's going to do. Let's be clear with the American people. Let's be honest with the American people that if we don't reform Medicare, the CBO says it's going broke in 9 years. We have to fix it. We have to fix it to make sure we can preserve it for our current seniors. So let's not sit here and scare people and tell our seniors we're taking away their Medicare. We are not. We are working on solutions that are going to preserve it.

And so when we talk about reform, to be clear, we're not talking about reform for our current seniors or even those who are about to retire. The reforms we are talking about are for my generation. And what's beautiful about this is if we reform Social Security, we get to guarantee the benefits for our current seniors, but then you allow me to plan for the benefits I'm going to have when I retire. And if we do it, we can succeed in this reform.

We've heard a lot about taxes as well. And so we all know here that the top tax rate, 35 percent, and a family who makes \$350,000 a year falls into that tax category. And so I would, Madam Chairwoman, suggest to my friends on

the left, why don't we do this. Let's bump that tax rate up—not to 35 percent, maybe 50 percent. No, let's go 100 percent. Let's take every dollar of a family that makes \$350,000 a year or more, let's take every single dollar from them. And if we do that, we still can't balance the budget. So let's go to the next level. Let's go to the next highest rung of income earners, those who make \$200,000 or more as a family. A mom makes \$100,000; a dad makes \$100,000. We would all agree they're wealthy. Let's take 100 percent of every dollar they make as well.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield the gentleman 1 additional minute.

Mr. DUFFY. And if you do that, you still can't balance the budget.

You cannot tax your way out of this problem. We have to reduce our spending. If we reduce our spending and we reform our Tax Code, we can bring prosperity back to this country. But to sit here in this House and tell the American people that we can tax our way out, the bottom line is you can tax every penny of every profit of the wealthiest Americans and you can't balance the budget.

Madam Chairwoman, I think we have to take a serious look at Congressman RYAN's budget. I'm willing to consider other commonsense solutions that are going to get this country back on track, but ones where we are going to demagogue plans and say we just have to raise taxes and not reform are not real solutions. That is going to give us more of the same.

Mr. HINCHEY. Madam Chairman, may I inquire as to the time remaining?

The Acting CHAIR. The gentleman from New York has 12 minutes remaining. The gentleman from Texas has 9 minutes remaining.

Mr. HINCHEY. I yield 5 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. I thank my colleague.

The gentleman from Texas mentioned the fact that as part of the Affordable Care Act last year we made some reforms in Medicare. Yes, we did. We got rid of the overpayments to the private plans, the Medicare Advantage plans. Why did we do that? Because they were costing the taxpayer 114 percent of the fee-for-service, which is why this notion, frankly, that by saying to seniors you can't stay in Medicare now, you've got to go into the private insurance market, has been disproven by our experience most recently.

□ 2110

So we said we're not going to overpay them. And you know what? We used some of those savings to close the prescription drug doughnut hole that sen-

iors fall in. We used some of those savings.

Now, it's important to understand that the Republican budget, even though there was a lot of demagoguery about that, you kept those savings, but what you didn't do is continue to close the doughnut hole. Immediately upon passage of the Republican budget, that doughnut hole will stop closing for seniors.

I want to pick up on a point Mr. GARAMENDI made about Medicaid because, as this chart indicates, the great majority of funds for Medicaid go to seniors and individuals with disabilities. Make no mistake, this happens immediately. We're not talking about 10 years from now, 8 years from now. This happens right away.

Now, Medicaid is a program where actually the costs of care have grown much slower than the rest of the health care market, including the private market, and yet it is a program that is stretched very thin. You take \$700 billion-plus out of that system, you are going to be putting people at serious risk, already overstretched programs.

So what choice did you make? Well, this is what choice you made with respect to Medicaid.

You cut about \$771 billion. Guess what? You returned to the tax rates that were in effect on the top 2 percent income earners during the Clinton administration; over 10 years, \$800 billion. Those are the choices you're making. Put all of these individuals at risk—seniors in nursing homes, assisted living facilities, poor kids—so that you can provide that tax break.

I've heard it said on the floor that, oh, boy, if we do that, if we go back to the Clinton-era tax rates, that's going to really hurt the economy. That's going to hurt jobs.

Look at this. Here's the Clinton-era tax rate: 20 million jobs were created during that period of time. Here's the current tax rate, end of the Bush administration: 653,000 jobs lost.

The history tells the story. The reason is because there are lots of factors that go into decisions by businesses how to invest. And while, obviously, tax rates are a part of it, they are not the major driver in the economy.

I've heard it said that this is going to hurt small businesses. I hope one thing that we can agree on is that small businesses are the engine of our economy. They're what make this economy go.

And so we always hear from our Republican colleagues, well, you go back to the Clinton era rates for the top, you're going to hurt small businesses. Well, I hope everybody will look at the Joint Committee on Taxation. What they say is that there are only 3 percent of small businesses who fall into that higher income category, because we're talking about taxable income. Only 3 percent of small businesses fall into those rates.

Now, we hear from our Republican colleagues, oh, that's true it's only 3 percent, but it's 50 percent. Well, here. Fifty percent of the income comes from those 3 percent. Why do you think that is? Well, look at the same Joint Committee on Taxation report. Many such businesses are hardly "small."

In 2005, over 12,000 S corporations and over 6,000 partnerships grossed more than \$50 million. There's your mom-and-pop store. There's your mom-and-pop store working hard as a small business trying to make ends meet. Those are what Republicans are calling small businesses.

I'm going to give you some examples of those small businesses. And there are lots of them, but just to give people an idea of the Republican definition of small businesses: major Wall Street investment house KKR; one of the big four accounting firms, Pricewaterhouse—these are S corporations—Fortune 100; Pipeline Company; Enterprise GP Holdings; Washington law firms.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HINCHEY. I yield the gentleman an additional 1 minute.

Mr. VAN HOLLEN. Washington law firms.

I want to point out, these firms are doing good work. There is nothing wrong with what these firms are doing. But don't tell the American people that these are small businesses. Over \$50 million a year. They can help do their share to get our deficit under control.

Go back to the Clinton administration rates. Let's have a balanced approach. Yes, we need to do cuts. We understand that. But as the bipartisan fiscal commission said, you've got to do revenues, too, and if you don't, here's what happened:

President Bush inherited a \$5.6 trillion surplus from the Clinton administration, and where did it go? When President Obama was sworn in, the day he put his hand on the Bible, he faced a deficit in that year of over \$1.3 trillion and a 10-year deficit of over \$10 trillion.

Let's have a balanced approach. Let's have shared sacrifice. Let's be serious about getting our deficits under control.

Mr. BRADY of Texas. Yielding myself 30 seconds, I can't help but think many Democrats are eager for everyone else to sacrifice. What about government? Why can't government sacrifice a little? All of those obsolete agencies and all of those wasteful programs, the money they spit away on stimulus programs and to bail out anyone who needs it. Maybe it is time for shared sacrifice, and it can start with the big, fat, bloated Federal Government.

At this time, I'd like to yield 5 minutes to a physician who has delivered

more than 3,000 babies in his life, is a valued member of the Joint Economic Committee, and expert on health care and many of our health care entitlements, the gentleman from Texas (Mr. BURGESS).

Mr. BURGESS. I thank the gentleman for the recognition, and it is an important debate that we're having tonight. Madam Chairwoman, I hope that people are watching the debate because this really does set the tone, set the course, set the compass for the future of our country. And this is a debate that really should not be partisan, although we certainly have heard some partisan references. I may even make one or two myself.

But right now intergenerational expectations are down. And in that murky environment, we now have PAUL RYAN come forward and bringing us a fact-based budget that provides a pathway for America's future. Everyone knows the rising cost of health care is a serious threat—not just to our Federal Government but to our prosperity in general. Unfortunately, the President last year, and the Democratic majority that was present in Congress last year, made the problem worse.

Here's the simple truth. Instead of reforming Medicaid and Medicare and using the savings for deficit reduction, the Democrats spent every penny of savings, every single penny of savings and then a lot more on a new entitlement program. Incredibly, they accelerated the crisis, and Medicare and Medicaid are even more in peril today than they were before this all started in 2009. They found a fire, and they put it out with gasoline, and is it a surprise that it's worse?

In contrast, the budget that we're debating tonight, the Ryan budget, saves Medicare and Medicaid for future generations and uses reforms to make the programs financially sustainable.

Now, according to the Congressional Budget Office, the Democratic plan that we know as the Patient Protection and Affordable Care Act would increase spending by almost \$1½ trillion, primarily by expanding Medicaid and creating new subsidies to buy health insurance. The so-called Affordable Care Act would increase coverage for the insured and uninsured, provide coverage for the uninsured, but that also is going to create greater demand for health care. But at the same time we put in constraints. We limit physician education and training. We limit testing and patents for drugs and devices. We restrict the very supply of health care. And, consequently, much of the increased demand will in fact deliver us higher prices, not more services.

The Congressional Budget Office and chief actuary at the Center for Medicare and Medicaid Services who scored the legislation readily admit that they did not include the price effects of the increased demand for services.

□ 2120

In fact, the chief actuary at the Center for Medicare and Medicaid Services, his report wasn't even released until 3½ weeks after you passed the bill a little over a year ago and signed it into law. Thus, the official budget estimates understate the true cost of the amount of spending that was contained within this health care law.

Secondly, the available budget estimates ignore the negative impact of higher taxes on economic growth. An almost 4 percent surtax on interest, dividends, and capital gains for those earning over \$250,000 a year will reduce business investment and employment. Thus, the new tax will reduce economic growth and generate less revenue than expected. This problem cannot be fixed by simply raising taxes on the American people.

Thirdly, the budget estimates assume a 29 percent across the board reduction in Medicare physician payments in 2012 and beyond, as well as continual reductions in other Medicare provider payments, but both the CBO and the Medicare actuary have called the reductions unrealistic. In fact, Chief Actuary Foster said if you believe this, then I have got good news for you about the future of Medicare. But we all know that the reality does not match the expectations.

Then here is the other problem, the Independent Payment Advisory Board. And I have got a great deal of sympathy with my colleagues on the Democratic side of the aisle. When you passed the Affordable Care Act the first time, you did not include the Independent Payment Advisory Board because you saw through that. You saw that as a trick, a trap. Yet when you got the bill from the Senate that you in turn felt you had to pass, it contained the Independent Payment Advisory Board.

What does the Independent Payment Advisory Board do? Well, it gets 15 people, goodness knows who they are, goodness knows who selects them, and they are going to deliver to Congress a menu of cuts. We either get to vote them up or down. Sure enough, we get to participate in that. But if we vote them down, we have got to come forward with an identical dollar figure on cuts. And if we are unable to do that, and when has that ever happened in this body, if we are unable to do that, the Secretary of Health and Human Services the following April 15, that is tomorrow, gets to implement those cuts anyway.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield the gentleman 1 additional minute.

Mr. BURGESS. Then what happened yesterday? The President, in talking about his vision for the budget—by the way, his second vision for the budget this year—doubled down on the Inde-

pendent Payment Advisory Board and said it's such a good idea we're going to do even more.

You know Elias Zerhouni, the former head of the National Institutes of Health, talked about a day medicine is going to become much more personalized, personalized, predictive, therefore more preventive and requiring more participation by patients. Wouldn't it be great, following Chairman RYAN's vision, that we personalized Medicare to match that personalized medicine that our children and our grandchildren are going to enjoy in the future?

Instead, we are going to end up with more of the same, which is a benevolent, albeit benevolent central planner, moving those data points around on a spreadsheet. Why not put the power back in the hands of the American people? That's what the Ryan budget plan does. We ought to support his effort and be grateful for its presence.

Mr. HINCHEY. Madam Chair, can you tell us how much time we have left on both sides?

The Acting CHAIR. The gentleman from New York has 6 minutes remaining. The gentleman from Texas has 2½ minutes remaining.

Mr. HINCHEY. Madam Chair, I yield 3 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman for yielding.

Madam Chair, one of the great companies in this Nation, and a big company in Vermont, is International Business Machines. This year they are about to celebrate their 100th anniversary. I was speaking to some folks from IBM in my office a few days ago, and they told me the story of what happened to them in 1992.

The world was turning upside down in the tech industry. Companies that wanted to survive had to make big decisions. They had 400,000 employees, and there was some question as to whether they were going to make payroll. They had to make changes. They did two things. They looked at every single element of their operation. They looked at every single line item in their spending. In every single place they could make a cut, tough as it was, they did. They made cuts. But they also said where do we have to be in 10 years, and what do we have to do to get there?

As nerve-wracking as it was for those folks at IBM, they made decisions to invest money in acquisitions, in research and development, to meet a plan that required investment, that required spending at a time when they were doing every single thing they could to save every single nickel.

Now IBM is stronger than ever, and it's going to celebrate its 100th anniversary. This country has to make similar decisions. We have to cut. There is not an argument here. I listened to PAUL RYAN when he gave his

opening statement, and he said we have to leave this country and its fiscal state better off for our kids and grandkids. He is right. There is no question about it. That means like companies that look at a balance sheet, we have to look every single place we can to save money.

The criticism about many governmental programs you know is right, we know is right. Wherever we can find that waste, fraud, or abuse, let's get rid of it. That serves nobody, Republican or Democrat. But on the other hand, we have to make investments. There are places we in fact do have to spend money. And we have seen that in the history of our country. So judgments have to be made.

My question about the Republican budget is basically the premise in the budget. It's not the goal. Mr. RYAN stated that well. He speaks for me when he says about that obligation to leave our kids better off. But there are two premises in the budget as I see it. One is that lower taxes are always better and will lead to growth. Sometimes that's true, but not always. We have to have revenues to pay for infrastructure, to pay for things like broadband deployment, to pay for the National Institute of Science, things that we might argue about where is the best priority, but we need revenues to do things like a company needs revenues to make investments.

The second premise is that less spending is always better than more investment. Those, as I see it, are the two premises that are in the Ryan budget. And those are debatable.

Now, the other aspect of the budget that in my view, Madam Chair, is lacking is what's off the table. It's not what's on the table. I don't agree with the Medicare proposal in the Ryan budget. But it's fair to put Medicare on the table for debate. We've got to make that more affordable.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HINCHEY. I yield the gentleman an additional 30 seconds.

Mr. WELCH. What is the problem is that the Pentagon is off the table, the war in Iraq and Afghanistan are still on the credit card and off the table. Whatever our positions are on some of these matters, including military, we will all stand up, we have to pay our way.

Mr. BRADY of Texas. Madam Chairman, I reserve the balance of my time.

Mr. HINCHEY. Madam Chair, I yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Madam Chair, I want to speak directly to the senior citizens of America and to those who want to become senior citizens. The Republican budget destroys, terminates Medicare as we know it today. Under the Republican budget, in 10 years Medicare will no longer exist as

it is today, a guaranteed benefit available to every American who turns 65. It will be over. Instead, you will be given a voucher, a voucher that will be insufficient to pay for your health insurance, and there is no guarantee what that health insurance will be.

Let me speak also to those who are on Medicare today. The Republican budget over the next 10 years removes three-quarters of a trillion dollars, \$771 billion, from Medicaid. Medicaid provides services to the aged, blind, and disabled. Those senior citizens that are in nursing homes stand the risk of being thrown out of the nursing homes.

I want to now speak to those who want to become 65, who want to live long enough to get into Medicare. If you are 55 years of age and younger, you will not have Medicare if the Republican budget becomes law. It is over. It is terminated. It is gone. Instead, you will be given a voucher to go talk to the insurance companies. And what will you talk about? You will talk about pain, pain, pain.

They say that there is no tax shift in this. In fact, there is a \$6,000 tax equivalent to every person 55 and younger. You are going to wind up paying an additional \$6,000.

□ 2130

Mr. BRADY of Texas. Madam Chair, I yield myself 30 seconds.

I would remind our listeners that it was our Democrats who fought the prescription drug program that has been so critical for seniors to buy their medicine. They slashed half a trillion dollars from Medicare to pay for the new ObamaCare plan, and they did nothing to preserve Medicaid for our seniors.

The exaggerations today that are flying through this Chamber really are shameful. What the Republicans are intent on doing is preserving Medicare for every generation. We are not going to bury our heads in the sand.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BRADY of Texas. I yield myself an additional 15 seconds.

The Democrats have failed to lead on these important entitlement programs. They had their chance. They failed. The Republicans will lead, and we will preserve those programs.

Mr. HINCHEY. Madam Chair, how much time remains?

The Acting CHAIR. The gentleman has 30 seconds remaining.

Mr. HINCHEY. I yield myself the balance of my time.

The circumstance that we are dealing with is to continue the progress that we have made. We have provided health care for people through Medicare and Medicaid.

The opposition here in this district wants to eliminate that. They want to cut back on Medicare and make it more difficult and more expensive.

We have expanded the opportunity for people to get jobs. They want to

eliminate that. We have tried to make this whole system more equitable, more fair, and more genuine. They are trying to provide more funding for the wealthiest people and less for the working people and fewer opportunities for the working people.

For all of those reasons, we oppose this legislation, and we hope that most of the population of this district will oppose it as well.

The Acting CHAIR. The time of the gentleman has expired.

The gentleman from Texas is recognized for 1¾ minutes.

Mr. BRADY of Texas. Madam Chair, how many Americans really think this country is heading in the right direction? How many Americans, middle class Americans, believe that these deficits, trillion-dollar deficits, can go on and on as far as the eye can see? Although Americans believe that they have better lives and opportunities than their parents, how many of them question whether their children will have the same opportunities in America today?

You know, we can't continue to go down this path, and that's what the Ryan Republican budget is all about, a new direction for America where we no longer hide our heads in the sand and ignore the problems facing America.

PAUL RYAN and the Republican budget tell the truth to the American public about how serious a problem we face as a Nation. It offers real commonsense solutions to address them. It gives them ideas that work, solutions that work. It creates economic growth and job creation by fostering the right business climate for growth in America.

It tackles our spending, dangerous spending deficits, by reducing those over time, implying and imposing discipline on our Federal Government. So they have to live within the same means our families and small businesses have to. It provides real security for our seniors and Medicare and Medicaid and Social Security.

More importantly, it offers hope for young people who don't think those programs will ever be around again. PAUL RYAN and the Republican budget offer some hope that they don't have today, and it repeals this terrible ObamaCare and gives America hope again.

I strongly support this budget.

Mr. COOPER. Madam Chair, I believe that America should solve its biggest problems in a bipartisan fashion. It takes Democrats, Republicans and Independents working together to find the best solutions. This is particularly true of budgets, which determine so much of the future of our great Nation. Unfortunately, budget season is one of the most partisan times in Congress, despite the fact that the public has been demanding that we stop the bickering.

I have been working hard to offer this House the chance to vote on a budget that is

modeled on the President's Fiscal Commission, known as the Bowles-Simpson Report. I support this approach to budgeting because it is, so far at least, the only serious, bipartisan plan for reducing our runaway federal budget deficits. The Bowles-Simpson Commission received the support of Commission members as diverse as the liberal Democratic Senator DICK DURBIN and the conservative Republican Senator TOM COBURN. The Commission received such widespread support because it did three things:

Cut the deficit by \$4 trillion over the next ten years;

Shared the sacrifice: put every federal program on the table; and

Provided a balanced approach: 2/3 spending cuts and 1/3 tax reform.

While there are many other important features of the Bowles-Simpson Report, it is important to understand that budget resolutions never include detailed recommendations of any reform plan. Budget resolutions only include a broad framework and mandate that the committees of jurisdiction figure out ways to achieve the necessary savings and reform. That's why the Cooper Substitute makes House committees reduce the deficit by as much as Bowles-Simpson recommends, but does not tell them exactly how to do it.

I am proud to have the full support and vote of my Republican colleague, the gentleman from Virginia FRANK WOLF, who worked with me to pass the Cooper-Wolf SAFE Commission Act to form a Fiscal Commission last Congress. The SAFE Act became the model for the Bowles-Simpson Commission. FRANK WOLF has worked harder than any member I know to get the leadership of both parties, in both houses, and the White House, to take our budget deficit problems seriously and to act promptly in order to reduce their burden on future generations. FRANK WOLF is a true leader, and he is, in my opinion, a genuine American hero on fiscal responsibility.

I appreciate the Rules Committee making the Cooper Substitute in order. I hope that this return to more open debates in the House becomes the norm so that the best ideas, not just the most partisan ideas, can reach the House floor. Chairman DREIER has already taken important steps in this regard so that the House can once again work its will, regardless of politics or party.

Madam Chair, I had hoped to offer my Substitute tonight, even though the hour is late, not believing that it ever had a ghost of a chance of passage, but believing that the votes deserved to be counted on this important proposal. The timing is not right, however, for several unforeseeable reasons.

Yesterday, the President made an important speech on the budget that, temporarily at least, has inflamed partisan passions on both sides of the aisle, making a vote tomorrow less likely to be a reasoned one. I think the President should be complimented for moving the debate in a positive direction, regardless of the spin that each side has given it. For example, if the President had called for \$4 trillion of deficit reduction as recently as two months ago, he would have been denounced by many people. Yesterday, he was more favorably received. I give Republicans, particularly my friend, the gentleman from Wisconsin and

Chairman of the Budget Committee PAUL RYAN, credit for having moved the debate so far. Mr. RYAN, just like the President, has been unfairly vilified, which does nothing to reduce the debt burden on future generations. Fingerprinting does not solve problems.

Another crucial development is the sensitive nature of the quiet Senate negotiations on deficit reduction, particularly the so-called Gang of Six. We all realize that, because the other body is less partisan than today's House, a comprehensive solution is more likely to originate in that chamber. The fact that Senators ranging from DURBIN to COBURN have already supported Bowles-Simpson is proof. I do not think it is wise to risk doing anything to derail or impair those behind-the-scenes negotiations, which I am told by key senators in both parties could be the result of a premature House vote.

The day will come, probably with the necessary debt ceiling increase this summer, for a comprehensive, bipartisan solution to our deficit problem. For that to happen, the partisan passions of this budget debate must burn out. Members must go back home and brag about their favorite budget before they get realistic and agree on a spending plan that can actually pass the House and Senate and be signed into law by the President. Every day we wait to solve these problems costs us dearly; by some estimates, as much as \$8 billion a day. I wish that this cycle of additional politics were not necessary—and I have done everything I can to avoid it—but there are no shortcuts in a democracy.

The time spent on the Cooper Substitute has not been wasted. Countless members in both parties have learned the contents of the Bowles-Simpson Report because they thought they might have to vote for a budget that embodies spending cuts of such size and tax reforms of such nature that it would actually make a difference. Nothing so concentrates the mind as the fear of voting. Numerous members of both parties have told me that they intended to support Bowles-Simpson either on a stand-alone basis or in addition to supporting another budget of their choice. I appreciate the interest and genuine goodwill that so many members have shown in asking questions, comparing alternatives, and making the tough decisions that are required by budgeting. I think that the work that I, and my allies like FRANK WOLF, have done is important for laying the groundwork for an eventual bipartisan budget that will be required, no later than this summer, in order to start solving our Nation's deficit problems.

Madam Chair, this Congress must act very soon indeed to start solving our Nation's fiscal problems. I wish today were that day. I voted today for \$38 billion in cuts to appropriations for the remaining few months of this year, but that is only a tiny beginning and only affects 12% of our federal budget. Serious reform means getting the House to pass something as large, as important, and as bipartisan as Bowles-Simpson-sized reforms. Bowles-Simpson is not the only solution for our problems, but it is the fastest, fairest, and most feasible solution that we know of today. As soon as this House is able to consider it calmly and sensibly, the House must do so.

COOPER BUDGET SUBSTITUTE

The Cooper Budget Substitute takes the benchmarks set by the President's bipartisan National Commission on Fiscal Responsibility and Reform and puts them into a budget resolution framework. It would reduce the deficit by \$4 trillion over the next 10 years with 2/3 spending cuts and 1/3 tax reform. The Commission proposed a series of specific recommendations for achieving these benchmarks, but these are not included in the Cooper Substitute. Instead, like all budgets, this resolution provides a blueprint for committees of jurisdiction to determine how spending cuts of this size should be made.

The Cooper Substitute embodies the only bipartisan approach for getting America back on track. The U.S. federal budget is on an unsustainable path. For years, members have talked about fiscal responsibility. It's time for those who claim to be fiscally responsible to walk the walk, not just talk the talk.

OVERVIEW

	2021 Deficit as % GDP	2021 Debt as % GDP
Ryan	-1.6%	67.5%
Cooper	-1.6%	69.4%

Details of the Cooper Budget Substitute are as follows:

Shared sacrifice: everything is on the table
Big enough to matter: Cuts the deficit by over \$4 trillion over the next 10 years

Balanced approach: Achieves deficit reduction with 2/3 spending cuts, 1/3 tax reform
Fast enough to matter: Reaches primary balance in 2015

Reduces the size of government: Returns to 2008 spending levels by 2013

Caps revenue at 21% of GDP; gets spending below 22% and on a path to 21% of GDP
Bipartisan cooperation to ensure 75-year solvency of Social Security

Tax reform:

Reduces tax rates for individuals, small businesses, and corporations

Reduces the \$1.1 trillion in annual tax expenditures and tax give-aways

Mr. RAHALL. Madam Chair, I rise in strong opposition to the Republican's "Road to Ruin" Budget Resolution for a variety of reasons, including because it will destroy hundreds of thousands of American transportation jobs—jobs lost in every state—and will severely jeopardize our Nation's economic competitiveness.

This Budget slashes investments in our people—from ending Medicare as we know it to destroying the family-wage jobs of highway construction—all the while, providing a double-digit percentage tax break for millionaires that most of them will not even notice. It makes Big Oil smile from ear to ear knowing that they can exploit \$40 billion in tax loopholes, yet the Budget completely neglects millions of American potholes.

As the Ranking Member on the Committee on Transportation and Infrastructure, and given that Congress faces major surface transportation reauthorization legislation this year, let me focus for a moment on what this Budget does to highway and transit infrastructure investment.

Consider this for a moment. Today, China spends nine percent of its GDP per year on infrastructure. India spends five percent of its GDP per year on infrastructure. Yet, the

United States of America only spends 1.9 percent of its GDP per year on infrastructure. Woefully inadequate as it stands.

Yet, the Republican Budget cuts highway, highway safety, and transit investment by about one-third: one-third less bridge repair, one-third less safety improvement, and one-third less bus service is where this Budget leads us—destroying family-wage highway and transit construction jobs all along the way. And placing us in an even less competitive position than we already are against countries like China and India. Incredible. Simply incredible.

Over the next six years, the current budget baseline investment level for highway, highway safety, and public transit investments is \$331 billion, including \$316 billion of contract authority from the Highway Trust Fund and \$15 billion from the General Fund.

Based on the assumptions included in the Republican Budget, the nonpartisan Congressional Budget Office estimates that the Republican Budget provides only \$219 billion of Highway Trust Fund funding over the next six years. In effect, the Republican Budget slashes surface transportation investment by more than \$100 billion over the next six years.

Let me repeat that, because I want my colleagues to be very aware of what this budget proposes to do in this area. Today is the

100th day that the Republicans have been in control of the House and today they are proposing to cut more than \$100 billion from investments in America's future. Investments that keep our economy moving and help to ensure that America remains a good place to do business. One hundred days in control of the House and they want to slash \$100 billion from transportation investments. They haven't brought a single jobs bill to the Floor of this House, and yet, today, to mark their 100th day anniversary, here we are debating a Budget that will destroy half a million highway jobs. Amazing.

According to a CBO analysis of the Republican Budget assumptions, this Budget will slash current year highway funding from \$41.1 billion to approximately \$27 billion in fiscal year 2012. A 34 percent cut in year one of the reauthorization bill will destroy more than 490,000 jobs over the coming years. West Virginia cannot afford a \$143 million cut in highway investment next year. This investment and its 5,000 good-paying jobs are critical to our mountain economy and ensuring that rural America shares in the great opportunities provided by our country. Put simply, middle class Americans cannot afford the Republican "Road to Ruin" budget.

Finally, the Republican Budget destroys any pretext that Republicans will restore the high-

way and transit budget firewalls that they wiped away on the first day of their new majority in the 112th Congress. When Congress enacted those firewalls in 1998 to restore the trust to the Highway Trust Fund and keep faith with the traveling public, I stood shoulder-to-shoulder with former Republican Committee Chairman Bud Shuster. We lost that battle on the Budget at 3:00 a.m. in May 1997, but, one year later, won the war with enactment of the Transportation Equity Act for the 21st Century establishing the budget firewalls, which have served the traveling public for the past 14 years. As their very first act in the majority, Republicans broke the "trust" of the Highway Trust Fund.

There was a time when Republicans were proud of their heritage in leading the way on infrastructure investment. They were the party of Lincoln and Eisenhower.

To my good friends across the aisle, do not let infrastructure investment become a mere footnote in the legacy of your party.

Join with me and let us rebuild America.

Let us provide the building blocks to ensure that every community and all of our people have an opportunity to succeed.

I urge my colleagues to join with me and defeat H. Con. Res. 34, the Republican Budget Resolution.

REPUBLICAN BUDGET RESOLUTION STASHES FEDERAL-AID HIGHWAY INFRASTRUCTURE INVESTMENT

[FY 2012 Highway Cuts Destroy More than 490,000 Jobs, April 15, 2011]

State	FY 2011 Estimated (P.L. 112-5 & H.R. 1473)	FY 2012 Republican Budget Res. (H. Con. Res. 34)	FY 2011 Estimated & Republican Budget Res. Difference	Jobs Lost under Republican Budget Resolution (FY 2012 Cuts Only)
Alabama	\$723,817,235	462,250,406	- 566,829	- 9,097
Alaska	428,269,900	285,374,201	- 142,895,699	- 4,970
Arizona	693,234,143	447,806,436	- 245,427,707	- 8,536
Arkansas	482,477,889	308,255,243	- 174,222,646	- 6,059
California	3,431,126,457	2,171,036,650	- 1,260,089,807	- 43,825
Colorado	510,719,211	322,886,021	- 187,833,190	- 6,533
Connecticut	471,433,185	301,400,538	- 170,032,647	- 5,914
Delaware	158,128,144	99,887,076	- 58,241,068	- 2,026
District of Columbia	153,577,571	95,065,701	- 58,511,870	- 2,035
Florida	1,789,644,393	1,165,594,138	- 624,050,255	- 21,704
Georgia	1,220,785,141	791,842,153	- 428,942,988	- 14,918
Hawaii	162,407,438	101,173,351	- 61,234,087	- 2,130
Idaho	271,135,551	174,914,534	- 96,221,017	- 3,346
Illinois	1,351,823,020	863,482,496	- 488,340,524	- 16,984
Indiana	901,039,828	585,100,712	- 315,939,116	- 10,988
Iowa	457,309,004	287,486,787	- 169,822,217	- 5,906
Kansas	363,077,071	225,819,716	- 137,257,355	- 4,774
Kentucky	632,175,735	404,926,310	- 227,249,425	- 7,904
Louisiana	647,903,984	410,682,482	- 237,221,502	- 8,250
Maine	178,205,952	109,980,962	- 68,224,990	- 2,373
Maryland	573,449,606	361,042,525	- 212,407,081	- 7,387
Massachusetts	583,187,497	363,290,346	- 219,897,151	- 7,648
Michigan	1,003,912,719	637,456,986	- 366,455,733	- 12,745
Minnesota	600,731,686	382,954,688	- 217,776,998	- 7,574
Mississippi	452,174,362	286,047,250	- 166,127,112	- 5,778
Missouri	858,241,416	549,923,220	- 308,318,196	- 10,723
Montana	364,842,726	236,468,527	- 128,374,199	- 4,465
Nebraska	276,860,675	173,666,205	- 103,194,470	- 3,589
Nevada	345,191,710	221,019,688	- 124,172,022	- 4,319
New Hampshire	157,856,187	99,692,079	- 58,164,108	- 2,023
New Jersey	945,386,072	603,896,272	- 341,489,800	- 11,877
New Mexico	341,222,251	217,735,976	- 123,486,275	- 4,295
New York	1,606,218,296	1,010,339,801	- 595,878,495	- 20,724
North Carolina	987,134,805	634,033,049	- 353,101,756	- 12,281
North Dakota	237,776,846	149,197,373	- 88,579,473	- 3,081
Ohio	1,250,956,575	800,549,144	- 450,407,431	- 15,665
Oklahoma	605,192,291	383,540,118	- 221,652,173	- 7,709
Oregon	468,329,024	294,096,576	- 174,232,448	- 6,060
Pennsylvania	1,568,798,108	991,784,840	- 577,013,268	- 20,068
Rhode Island	207,603,230	128,123,683	- 79,479,547	- 2,764
South Carolina	595,668,018	383,573,586	- 212,094,432	- 7,376
South Dakota	262,505,740	167,067,361	- 95,438,379	- 3,319
Tennessee	785,406,105	504,632,610	- 280,773,495	- 9,765
Texas	2,987,661,091	1,933,957,611	- 1,053,703,480	- 36,647
Utah	307,014,758	195,286,348	- 111,728,410	- 3,886
Vermont	191,887,512	118,612,958	- 73,274,554	- 2,548
Virginia	948,805,255	608,667,388	- 340,137,867	- 11,830
Washington	634,850,084	395,948,876	- 238,901,208	- 8,309
West Virginia	407,534,178	264,177,667	- 143,356,511	- 4,986
Wisconsin	686,452,037	445,591,025	- 240,861,012	- 8,377
Wyoming	232,719,377	147,196,966	- 85,522,411	- 2,974
Federal Lands and Other Allocated Programs	\$4,603,138,911	\$3,695,463,345	-\$907,675,566	- 31,568

REPUBLICAN BUDGET RESOLUTION STASHES FEDERAL-AID HIGHWAY INFRASTRUCTURE INVESTMENT—Continued

[FY 2012 Highway Cuts Destroy More than 490,000 Jobs, April 15, 2011]

State	FY 2011 Estimated (P.L. 112-5 & H.R. 1473)	FY 2012 Republican Budget Res. (H. Con. Res. 34)	FY 2011 Estimated & Republican Budget Res. Difference	Jobs Lost under Republican Budget Resolution (FY 2012 Cuts Only)
Total	\$41,107,000,00	\$27,000,000,00	— 14,107,000,000	— 490,627

Note: This table was prepared by Committee on Transportation and Infrastructure Democratic Staff based on technical assistance from the Federal Highway Administration (FHWA). The FY 2011 Estimated column represents the state-by-state distribution of the Federal-aid Highway obligation limitation assuming enactment of H.R. 1473. Based on the Highway Trust Fund parameters included in H. Con. Res. 34, the Congressional Budget Office estimates that the FY 2012 Federal-aid Highway obligation limitation would be \$27 billion. The FY 2012 Republican Budget Resolution column reflects the state-by-state distribution of these funds under current FHWA apportionment factors. The Jobs Lost column is based on the 2007 FHWA model on the correlation between highway infrastructure investment and employment: \$1 billion of Federal-aid Highway investment creates or sustains 34,779 jobs over a seven-year period.

Ms. RICHARDSON. Madam Chair, the Republican budget for FY 2012 continues the reckless Republican fiscal policy. It takes a slash and burn approach to the budget, rather than going line by line to see where we can afford to cut and where we cannot. This is a budget that favors Big Oil over the middle class, asks for sacrifice from seniors who can barely make ends meet, and fundamentally alters the social contract in our America.

The budget would open an enormous hole in our country's social safety net by turning Medicare into a voucher program. These fixed-value vouchers do not account for the yearly increases in health care costs and will increase seniors' annual out-of-pocket expenses by nearly \$7,000. Their budget would decimate our primary assistance to the poor by turning Medicaid into a block grant. This is the Republican vision: to balance the budget on the backs of the seniors and the poor.

Madam Chair, Democrats have a better way. We understand that our current economic situation calls for a balanced approach that protects our fragile recovery. Our plan would take on our deficits in a responsible way, while continuing to invest in the things that make our country strong: education, health care, innovation, and clean energy. Democrats will balance the budget without renegeing on the bedrock promise of Social Security and Medicare.

Madam Chair, this Republican budget moves us backwards. I urge my colleagues to join me in voting against it and taking a more sensible approach.

Mr. CARNAHAN. Madam Chair, my Republican colleagues have introduced a bill to end Medicare as we know it in order to pay for tax giveaways to millionaires and profitable companies.

Listening to the President's speech yesterday, and to my colleagues on the floor today, I'm convinced that this debate is about no less than the values we hold as Americans. As the President said, the Republican budget is less about reducing the deficit than it is about changing the basic social compact in America.

Do we want to live in an America where opportunity is snatched away from young people who want an education, or one where any student who works hard enough can find a way to succeed?

Do we want to live in an America where our seniors can retire with dignity after a lifetime of hard work, or one where the elderly must ask their children for the spare room they might not even have to give?

Much of what the President has proposed has yet to be fleshed out in detail, and I hope we can come together to develop a serious budget plan.

But for now, let us debate the values underpinning this discussion—the fundamental choice between a vision that offers extreme

ideology, out-of-touch with the everyday struggles and hopes of American families, versus one that offers a path to future competitiveness in the global economy, and a renewed opportunity to achieve the American Dream.

I know which one I'll choose.

Mr. WAXMAN. Madam Chair, I would like to draw your attention to a letter from Secretary Sebelius on the impact of H. Con. Res. 34.

THE SECRETARY OF HEALTH
AND HUMAN SERVICES,
Washington, DC, April 14, 2011.

HON. HENRY A. WAXMAN,
Ranking Member, House Energy and Commerce
Committee, Washington, DC.

DEAR RANKING MEMBER WAXMAN: We received your letter today requesting our assessment of the impact of the enactment of House Concurrent Resolution 35 (H. Con. Res. 35) on Medicare, Medicaid, and the other affected health programs at the Department of Health and Human Services. We have not yet had an opportunity to fully evaluate the extensive impact that the language of the resolution would have, but offer a few initial observations.

As you know, the Affordable Care Act modifies and improves almost every Medicare payment system—including the inpatient hospital prospective payment system, the outpatient hospital prospective payment system, the physician fee schedule, Medicare Advantage plan payments, and prescription drug plan payments. If this resolution were enacted, the Centers for Medicare and Medicaid Services (CMS) would not be able to use any funds to carry out these payment provisions based on any rate calculated on the basis of provisions of the Affordable Care Act—which is to say virtually all rates.

In a system in which millions of claims are paid each week, millions of claims would accumulate, which CMS and its contractors would be prohibited from paying. As a result, providers and suppliers of services to Medicare beneficiaries—many of which are small businesses—would experience significant disruption.

H. Con. Res. 35 would adversely affect health care in rural areas as well. As an example, as a means to encourage physicians to provide services in rural areas, the Affordable Care Act established a new 10 percent bonus payment for primary care services furnished by primary care practitioners and for major surgical procedures furnished by general surgeons in shortage areas. Without available funding, CMS would no longer be able to provide the bonus to primary care and general surgery physicians for eligible services.

The Affordable Care Act also gives CMS new tools to fight fraud and helps us move from a pay-and-chase system to a comprehensive prevention-focused strategy. By precluding the use of funds for such efforts, H. Con. Res. 35 would substantially impede CMS's proven and successful efforts to reduce fraud and waste in the health care system resulting in increased erroneous payments. H. Con. Res. 35 would effectively re-

quire CMS to cease enforcing new screening and enrollment standards, diminish CMS's ability to suspend payments when credible allegations of fraud are uncovered, and reduce resources that have been made available for investments in anti-fraud work.

The Affordable Care Act also includes numerous other policies to make health care more affordable, accessible, and accountable for seniors, individuals with disabilities, children, and all other Americans, as well as businesses large and small. Its improvements are already woven into the fabric of our health care system. A broad prohibition on the use of funds would halt, among other things, the operation of the Early Retiree Reinsurance Program, the Pre-existing Condition Insurance Plan, and the health insurance rate review, consumer assistance, and health insurance Exchange grant programs.

I hope this information is helpful. We would be pleased to answer any additional questions you may have. I have sent an identical letter to Ranking Member Levin.

Sincerely,

KATHLEEN SEBELIUS.

Mr. SENSENBRENNER. Madam Chair, there is no doubt in the mind of anyone in this Chamber that America is the greatest country the world has ever known. America has the most innovative people and continues to be a lure to others seeking greater opportunities and a better and brighter life in the largest and most spectacular economy in the world.

I'm sure many of us know the story of something else that was considered to be the largest and most spectacular thing the world has ever seen. It was considered to be UNSINKABLE. While there has been a lot of talk about America's "Sputnik moment," I think we should be as focused on the possibility of facing America's TITANIC moment, today being the 99th anniversary of the sinking of the Titanic.

It may be a coincidence that we are debating America's future on this anniversary. However, we must keep this disaster in mind as we debate America's fiscal future, Mr. Chair, because unsinkable ships do sink! If we do not pass Chairman RYAN's budget then America will continue down a path that will sink the most vibrant economy that has served as a beacon for people looking for a brighter future.

Mr. WOLF. Madam Chair, as we debate the House budget resolution today, I ask my colleagues: are you here to make a point, or are you here to make a difference?

We have reached a tipping point in our country's financial future. Our nation is pushed to the edge of a fiscal cliff. We are over \$14 trillion in debt. CBO projects that the President's budget request will cause net interest payments to skyrocket over the next 10 years—from \$260 billion in 2012 to \$931 billion in 2021. If we continue on our current path, Social Security, Medicare, Medicaid, and interest payments to service the debt will consume all government revenues within 14

years. We're borrowing 41 cents on every dollar. And we're borrowing from nations such as China and Saudi Arabia that do not share our values or national priorities. Moody's has warned that our coveted AAA bond rating could be at risk in as little as a year. We've seen what a downgrade can do to foreign economies, and we must not let that happen here.

Seeing the signs about our nation's financial future, I introduced legislation almost five years ago—during the last Republican House majority—to create an independent bipartisan commission to address unsustainable federal spending, putting everything on the table for discussion—entitlements, all other spending programs and tax policy—and like the Department of Defense's Base Realignment and Closure Commission process, Congress would be required to vote up or down on the commission's recommendations. An iteration of this legislation became the blueprint for President's National Commission on Fiscal Responsibility and Reform, or the Bowles-Simpson Commission.

The President appointed the Bowles-Simpson Commission. He established their working parameters in a manner that, quite frankly, I believed was designed to doom it to failure. Despite this, the report released last December by the commission was supported by a bipartisan majority of the commission's 18 members. It makes clear that addressing the debt and the deficit isn't just a simple exercise in rooting out waste, fraud and abuse, eliminating earmarks, and reining in discretionary spending. Those, to be sure, are important reforms, but alone don't come close to solving the debt and the deficit crisis. Reform must begin with entitlements and other mandatory spending and must also include all other sacred cows, including tax reform and defense spending.

Until two days ago, the President barely acknowledged the work of his commission. He didn't help them assemble the necessary 14 votes to send their recommendations to Congress. Then, he walked away from his commission's recommendations, first by not expressing any views on their report, then silence during the State of the Union, and again silence in his FY 2012 budget request. On Wednesday, the President finally started to recognize the seriousness of this problem. His leadership is needed. But I was disappointed that he failed to offer specific solutions, and seemed more interested in staking out political positions than finding common ground. I hope his call for negotiations across the aisle to develop a legislative framework are successful, but this seems like yet another instance where the President is sidestepping the recommendations of his own fiscal commission.

I believe that the Bowles-Simpson proposal offers the way forward for the most comprehensive and realistic solution to our nation's fiscal problems. I have repeatedly said that, while there are some changes I would make in the plan, if a version of the Bowles-Simpson plan were given a vote on the House floor, I would vote for it. But we don't have that choice in the House.

My friend JIM COOPER, whom I have partnered with over the past four years to offer a bipartisan way forward to address the na-

tion's financial crisis, initially planned to offer the principals of the Bowles-Simpson proposal as a substitute amendment to be considered today. Recognizing that the President's recent speech has inflamed partisan passions, he withdrew the amendment so as not to undercut efforts underway in the Senate by the so-called Gang of Six. Had the Cooper substitute been offered, I would have voted for it, even though I did not agree with every part of it, such as the reconciliation instructions Mr. COOPER had for the committee of jurisdiction over the federal workforce. I would have voted yes to indicate my continued support for the principals of the Bowles-Simpson commission. Mr. COOPER has engaged in the kind of bipartisan cooperation that we must have, the kind of forthright, realistic conversation about our nation's fiscal future in which we must engage across the aisle, across the Capitol and down Pennsylvania Avenue if we are to have any hope of coming up with a credible plan to protect the future of our children and grandchildren.

I see the Ryan proposal as an honest attempt to provide a blueprint to continue the conversation on our country's financial future and move forward so that a conference with the Senate can produce a budget plan that ensures our national security and protects the programs on which so many Americans rely. The Ryan bill may not pass the Senate, but I commend the chairman of the House Budget Committee for his courage in putting forth a bold proposal to address our nation's skyrocketing and unfunded financial obligations. While his focus is not the "everything on the table" approach I prefer, I believe Mr. RYAN could provide an opening to force both chambers and the President to deal with entitlement spending that is consuming the federal budget. He deserves credit for taking on an issue so many in Congress would rather continue to kick down the road.

It's easy to stand in the well of the House and criticize any legislation. As I look at Chairman RYAN's measure, I don't agree with every provision. I believe there are some critical issues that are missing and things that must be changed, and there are several things that I do not support and will not support if authorizing legislation is offered to implement his budget blueprint.

As I have stated, I believe everything must be on the table for discussion, starting with all entitlement spending, discretionary program spending, and tax policy. But we have reached the moment of truth for the kind of country we will leave to our children and grandchildren. Therefore, I will vote for the Ryan budget so that we can continue to move this process forward and continue the discussion.

This proposal would put our nation on course to reduce all of the publicly held debt by 2060, a feat not reached since Andrew Jackson's presidency. Relative to the President's proposal, it cuts \$6.2 trillion. Under this plan, within four years, we would reach primary balance on our debt, which the President's proposal never attains.

Reaching primary balance, which is when revenue is greater than spending less interest payments, is an important milestone that reduces a grave national security threat. This

budget blueprint calls for significant reductions in discretionary spending, for reduced tax rates, and for repeal of the health care reform law. Significantly, Mr. RYAN's plan says we can no longer ignore the trillions of dollars in unfunded liabilities that consume our budget. There may be disagreement on the significant changes in Medicare and Medicaid entitlement programs that he proposes, and while his plan is silent on changes needed to reform Social Security entitlements, it does recognize that need. Mr. RYAN has pulled the curtain back on the mandatory spending elephant in the room that we can no longer ignore.

As I have stated, I will vote for the Ryan budget so that we can move forward to fulfill our responsibility to come up with a budget for this fiscal year. We must avoid the recent fiasco we endured which brought us to the brink of a government shutdown because of the failure by the majority in the last Congress to produce a budget.

That being said, I believe the Ryan budget comes up short in a number of areas. I will mention just a few.

First, it misses an opportunity by not fully addressing the Social Security program's growing deficit. For the first time this year, with the Baby Boom generation starting to retire, more is being paid out in benefits than is coming in. I always ask students whether or not they expect to receive Social Security benefits upon retirement. Three years ago, one or two students would answer in the affirmative. Now, no one does. In calling for Social Security to be on the table, my sole motivation is to protect all those in or near retirement and to ensure that the Social Security program remains strong for future generations. The Ryan budget is lacking here.

Second, the Ryan plan, I believe, unfairly targets the federal workforce. I believe that federal employees know that spending must be reduced to ensure that our country's financial future remains strong, and I believe that public servants would be the first in line to make the sacrifices needed. But the massive budget situation we face, I believe, calls for shared sacrifice that does not single out any one area of the federal budget.

I regret that the Ryan proposal seeks to make government service an unattractive career choice by freezing pay levels, which the President has already frozen for two years, for an additional three years; by imposing drastic hiring restrictions, and by changing retirement plans. Unlike their counterparts in state government, federal employees pay Social Security taxes and contribute to their pensions. The Civil Service Retirement and Disability Fund is not facing insolvency.

Federal employees are on the front lines working to ensure that our government is running as efficiently and effectively as possible to provide the services taxpayers expect. We must be careful in budget plans that we first do no harm in our vital efforts to attract, recruit and retain the best and brightest for public service. Day in and day out, federal employees make our nation a safer and better place.

The FBI agent working to find a kidnapped child, the DEA agent keeping drugs out of schools, the DOJ attorney prosecuting a child molester, other law enforcement and intelligence agents risking their lives every day on

the front lines side by side with our armed forces in Iraq, Afghanistan, and other fronts in the Global War on Terror—all are federal employees. The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent from my congressional district. Imagine how a CIA employee or an FBI agent working side by side in Afghanistan with the U.S. military would feel knowing that his or her pay would be frozen for five years. A year ago January, I attended funerals for some of the seven CIA agents who were killed by a Taliban suicide bomber at Forward Operative Base Chapman near the Afghanistan-Pakistan border. The Washington Post has reported on “the post 9/11 brain drain at the CIA.”

The Border Patrol agent shot and killed in Arizona this past December who was working to stop the flow of illegal immigrants across our southern border, the Immigration and Customs Enforcement agent who was killed and the two who were shot this past February outside of Mexico City, doctors who tend to our veterans and wounded warriors in veterans hospitals and who are developing new prosthetic devices to help them recover, medical researchers at NIH working to develop cures for cancer, diabetes, Alzheimer's, and autism—all are dedicated federal employees who I'm sure could find more lucrative jobs in the private sector, but who are committed to public service. Dr. Francis Collins, the physician who mapped the human genome and serves as director of the National Institutes of Health, is a federal employee. The National Weather Service meteorologist who tracks hurricanes, the SBA staffer who helps a new business start up, the FDA inspector working to stop a salmonella outbreak—all are federal employees. As we consider ways to find budget savings, it is important to remember the jobs federal employees perform.

The third area in which I believe the Ryan budget could be improved is providing for the needs of the most vulnerable in our society. As the Congress deals with the budget, we must always do it in a way that does not neglect the needs of the poor. Scripture (Proverbs 19:17) tells us, “He who is kind to the poor lends to the Lord.” And in the New Testament Jesus talks a lot about the poor. In Matthew 25 he says that if we ignore the poor and hungry it is the same as ignoring him.

Are we giving false hope to the neediest of our society by refusing to acknowledge that society's safety nets have such gaping holes in their finances that they will collapse within 20 years? We must carefully consider proposals that impact the most vulnerable. The budget before us assumes that program cuts can be absorbed by projecting that unemployment levels will drop to an unheard of 2.8 percent in 10 years. This would be the lowest levels since 1953. I believe this is unrealistic when considering the unemployment rate has historically been 5 percent.

The fourth area of concern with the Ryan budget is its lack of a reform plan to make the tax code fairer and simpler. This budget takes some steps forward, but it could be improved by forcefully calling for a closer examination of tax expenditures, as was detailed by the Bowles-Simpson Commission.

Our colleagues across the Capitol may have the comprehensive Bowles-Simpson plan as a

budget choice, and I applaud the efforts of six senators who are working across the aisle to translate this proposal into legislative text. I wholeheartedly support the work of SAXBY CHAMBLISS, Republican of Georgia; MARK WARNER, Democrat of Virginia; MIKE CRAPO, Republican of Idaho; RICHARD DURBIN, Democrat of Illinois; TOM COBURN, Republican of Oklahoma, and KENT CONRAD, Democrat of North Dakota.

It is disappointing that some have attacked these senators for daring to engage in a discussion putting everything on the table. Regretfully, this seems to be a tried and true technique whenever an attempt to reform the tax code is made.

Senator TOM COBURN is an honest, ethical, decent, member of Congress with whom I served when he was in the House. One of our nation's leading conservative budget hawks, who may have as good, if not a better record than most members of the House and Senate on tax policy, he is currently leading an effort to eliminate one of the more recognizable tax expenditures, the credit given to the producers of ethanol. This is a tax credit that many, such as the editorial board of the Wall Street Journal, think should be eliminated. Ethanol, through tax credits, tariffs, and friendly regulations, is one of the most subsidized industries in the United States. The government has created a perverse policy in which farmers are incentivized to grow corn to produce a “dirty fuel.” Food prices rise because this domestic crop does not enter our food supply.

Yet Americans for Tax Reform, led by Grover Norquist, has been engaging in bullying tactics designed to stop Senator COBURN's effort and exert undue influence on this process. This is the same Grover Norquist who, according to Senate Report 109-325, “Gimmie Five—An Investigation of Tribal Lobbying Matters, allowed disgraced and convicted lobbyist Jack Abramoff to use ATR as a conduit to finance grassroots lobbying campaigns. When this occurred, ATR kept a cut for itself. Watch the documentary Casino Jack It's all there.

We will never be able to reform the tax code if any attempt to eliminate a tax expenditure—spending through the tax code—is equated to a tax increase. Senator COBURN has called out ATR and Mr. Norquist, pointing out that by this logic, “reducing provisions in the code such as the Earned Income Tax Credit would constitute a violation of your pledge [to oppose tax increases] unless it was ‘offset’ by another so-called ‘tax cut,’ such as an expansion of the ethanol subsidy. That is hardly sound conservative economics.”

On March 24, the New York Times reported that General Electric, which posted a profit of \$14.2 billion, of which \$5.1 billion came from operations within the United States, did not pay any taxes to the federal government. Not only did they owe nothing to the federal government, they claimed a tax benefit of \$3.2 billion. Many provisions used by their accountants were initially designed as short-term tax breaks to spur economic growth. But as frequently happens, such as with the ethanol subsidy, once a tax cut is enacted, it is nearly impossible to eliminate. If this is not an example of the need to fully reexamine our tax code, I don't know what is. That's why everything in our budget discussion must be on the table.

There is never a convenient time to make hard decisions, but the longer we put off fixing the problem, the worse the medicine will be and greater the number of Americans will be hurt.

America is living on borrowed dollars and borrowed time. As a nation we are moving closer and closer to the edge of the financial cliff. A few steps forward and we will start a free fall into a canyon of debt which could be the economic death of America as we know it.

Is that what we want for our children and grandchildren?

Have we lost the national will to make tough decisions that may require sacrifice?

Have we lost the political courage to reject the partisan and special interest demands and do what is right for our country?

This is an American issue; not a Republican issue or a Democrat issue. I will continue to work to try to achieve balance in our budget plan. Our goal must be a bipartisan document that can pass the House and the Senate. Is the Ryan plan perfect? No. But it at least recognizes the road that we must take. How we get there is the conversation we must continue to have because the financial future for our children and grandchildren is at stake.

I urge my colleagues to heed the wisdom of the father of our country at his farewell address in 1796. President George Washington admonished his fellow countrymen: “We should avoid ungenerously throwing upon posterity the burden of which we ourselves ought to bear.”

Ms. JACKSON LEE of Texas. Madam Chair, Congressman PAUL RYAN's budget goes beyond what is necessary to restore fiscal solvency. It unfairly targets our nation's low income communities and senior citizens, while protecting the interests of the wealthiest Americans.

My colleague's budget, which has been embraced by his party returns to the “trickle down” economics that contributed to the recent recession by cutting the tax rate for the wealthiest individuals and corporations from 35 to 25%.

This ten percent decrease represents \$800 billion dollars in new tax cuts for the wealthiest among us at a time when so many are struggling. The \$800 billion in tax cuts represents \$115 billion dollars cut from healthcare, \$119 billion from income security, \$223 billion from education, job training and social services, and \$276 billion dollars in cuts to transportation initiatives that provide jobs.

There is absolutely no justification for these huge tax cuts. The wealthiest tax brackets should not profit at the expense of programs keeping struggling families from poverty.

The Economic Policy Institute states that “A study just released by the Heritage Center for Data Analysis projects that The Path to Prosperity [Republican Budget Plan] will help create nearly one million new private-sector jobs next year, bring the unemployment rate down to 4% by 2015, and result in 2.5 million additional private-sector jobs in the last year of the decade.” This is an overwhelmingly presumptuous estimation.

Unemployment fell to 4% for only one relatively brief episode in recent memory, and that was after nearly a decade of strong economic growth. So the Heritage Center's claim is very bold.

The Congressional Budget Office predicts that the unemployment rate will be 5.9% in 2015. The Heritage Center's forecasts for the Ryan plan are even bolder in the out years: It predicts unemployment will fall to an unprecedented 2.8% by 2021. Simply put, this is incredible and wholly unrealistic.

The Economic Policy Institute calls "the Ryan budget a job killer," and goes on to say, "The chances that this plan would drive the U.S. economy to 2.8% unemployment are near zero, but the chances of it repeating the mistakes of the Bush tax cuts and driving the economy into a ditch are very real."

The Republican's 2012 budget cuts \$2 trillion dollars more than President Obama's Debt Commission advised, and those cuts come from vital social services and safety nets for low income families, children and seniors.

Since 1965, Americans have relied on the Federal government to provide healthcare security. The changes and cuts to Medicare proposed in this budget deeply threaten the security of our senior citizens. The proposed repeal of guaranteed eligibility means that Americans who are 54 years old today will not be guaranteed to receive Medicare when they turn 65.

The Congressional Budget Office estimates that these changes to Medicare will triple the cost for new beneficiaries by 2030 and increase costs for current recipients, including the 2.9 million people in Texas who received Medicare in 2010.

The Republican proposal will enact damaging changes to Medicaid, threatening healthcare resources for the 60 million people, half of them children that rely on this program to stay healthy. A block grant for funding or a cap on federal Medicaid spending would increase the cost for states and the low income families who benefit from the program.

Harris County has one of the highest Medicaid enrollment records in Texas. Limits and cuts to Medicaid funds would significantly hurt the citizens of Texas's 18th District. Harris County averages between 500,000 and 600,000 Medicaid recipients monthly, thousands of people who may not have access to healthcare under this budget.

Changes to Medicaid advocated by Republicans would be devastating to senior citizens who rely on the Medicaid safety net for long term care and nursing home costs not covered by Medicare. The AARP estimates cutting this safety net would put 54,000 Texas nursing home residents in jeopardy.

The Majority party's budget cuts do not just impact those who rely on Medicaid and Medicare; they also prevent 32 million Americans from obtaining health insurance under the Affordable Care Act. By inserting a repeal of this historic legislation into a budget, Republicans threaten millions seeking insurance, including the 6.2 million Texans who do not have health care coverage.

Underserved and low income Americans will see deep cuts to the programs that keep them safe and healthy, like the Supplemental Nutrition Assistance Program (SNAP), which provides food assistance to 44.3 million people, would be transferred to a block grant under the Republican plan. Shifting the cost to the states would force them to cut benefits to current recipients or create a waiting list of families that can't afford food on their own. This

would certainly harm the 554,000 people in Harris County receiving SNAP benefits in December of 2010.

This legislation would cut Federal housing aid, and impose unfair work or job training requirements that give no consideration to job market diversity or extenuating circumstances. It will also deeply reduce the LIHEAP contingency fund will affect the 500,000 low income households in Houston that were receiving heating and energy discounts last year.

Republicans may be willing to pass a budget that reduces Pell Grants by 60%. They may be comfortable eliminating \$75 million dollars to provide housing and other services to homeless veterans, but I cannot support a budget that leaves so many Americans behind.

In order to move America forward, we must give all citizens equal opportunity for success. We must invest in future generations by funding education and job training programs, not cutting this funding by \$250 billion dollars. We need to invest in clean energy, and environmentally sound technology that will foster job growth, and continue to improve our infrastructure.

Ms. MATSUI. Madam Chair, I rise today in strong opposition to the Republican budget plan.

The federal budget should reflect the priorities and values of our nation, but the Republican plan instead looks out for the likes of big corporations who would get enormous tax breaks. What's more, the Republicans are asking America's seniors to pay for it. In fact, the Republican budget would end Medicare as we know it. And it would devastate Medicaid. Moreover, the Republican budget hurts our economy and in particular investments in innovation.

Madam Chair, the Republican budget proposal will severely unravel our nation's gains in the clean energy economy. At the same time, it proposes significant tax subsidies for Big Oil. There is something not right with that picture. In fact, I believe the Republican budget is severely short-sighted. It offers our competitors, China and Germany, a free-pass to dominate an ever-growing clean energy manufacturing economy and job creation.

The Sacramento area has over 220 clean energy companies, and I can tell you that many of those small business CEOs are seeking continued investment and support from this Congress.

Madam Chair, we should be promoting policies like the Make It in America agenda to boost America's manufacturing industry and make products here this country. In order for America to remain competitive, innovative, and a global leader, we must make responsible choices.

Unfortunately, the Ryan budget does not. I urge my colleagues to vote against this misguided Republican budget plan.

Ms. HIRONO. Madam Chair, I rise in strong opposition to H. Con. Res. 34, the FY 2012 Budget Resolution. Instead of having the wealthiest pay their fair share, this budget just helps the "haves" at the expense of everyone else.

The Republican majority has brought this bill to the floor for a vote today, claiming that this budget will resolve our fiscal crisis and lead

our country back on the "path to prosperity." Sadly, this path to prosperity only applies to those who already have a lot and don't need more. Millionaires and billionaires will like the tax breaks that they'll get from this budget. The wealthiest Americans will get the Bush tax cuts permanently extended to the tune of \$1 trillion. Big Oil companies will get tens of billions of dollars in subsidies. Special interests that send jobs overseas will also like this budget's tax giveaways.

What should scare us most about this FY2012 budget is that it pays for all of these tax breaks—over \$4 trillion in tax cuts—on the backs of working and middle-class people. It asks those who are struggling the most to sacrifice even more.

The recession has increased the child poverty rate in Hawaii to its highest level in years. This reverse Robin Hood budget would drastically cut food programs for poor children, Head Start, and child care for working families. Today, my staff and I are fasting in solidarity with the 50 million people in America who don't know where their next meal is coming from. HungerFast.org is coordinating this effort with over 30,000 people, including Members of Congress, Ambassador Tony Hall, faith leaders, MoveOn and SEIU members, Moby, and others.

H. Con. Res. 34 ends Medicare as we know it. All of you under the age of 55 will not be able to enroll in the original Medicare program. In Hawaii, the under-55 population is slightly less than a million. When you are age 67—yes, that's right, Republicans are raising the Medicare enrollment age by two more years—you will receive a voucher that you will use to buy insurance from a private company. We don't know what the amount of the voucher will be or whether it will keep up with the rising costs of health care. This scheme privatizes Medicare.

You're 67 years old. Is trying to buy health insurance with your voucher what you want to be doing? Every year? And who knows if the doctor you like is even going to participate in your private insurance plan. One thing is for certain—privatizing Medicare will mean more business for the insurance companies.

The Republican plan doesn't take on the 48 million Americans already on Medicare or those that will enter the program in 10 years because the Republicans know that this voucher plan would make these seniors mad as hell. Many of you have parents on Medicare. My mom is on Medicare. Without Medicare, we would be worried sick about how our parents will pay for health care.

Before Medicare became law in 1965, half of all seniors had no health insurance. The Republican budget is not only out of step with the priorities of the nation, but it is also a step backwards when it comes to health care for those who need it the most.

This budget also takes away important health care reform benefits for seniors who are already on Medicare. It repeals the gradual elimination of the Medicare "donut hole" in prescription drug coverage. It also repeals free access to key preventive services and annual checkups. Over 48 million seniors with Medicare, including 208,500 in Hawaii, would have to pay more if they want to stay healthy by getting regular check-ups.

Another group most in need of medical care in our country—the poor—would see cuts of about \$771 billion from Medicaid over 10 years. Medicaid would be converted into a block grant program, which won't reflect the actual need for Medicaid services. Converting Medicaid into a fixed funding stream would raise the cost of nursing home care for millions of families, potentially reducing the quality of care. It would also impact seniors and disabled individuals who want home- or community-based support as opposed to expensive institutional care.

Seventeen governors, including our former colleague and now Governor of Hawaii Neil Abercrombie, have written to the Speaker in opposition to the Republican plan to block grant Medicaid. They know that this would place an unfair burden on the cost of health care on the states. Under the Republican plan, Hawaii alone would lose \$2.8 billion in federal Medicaid dollars over 10 years. This means that 29,600 seniors could lose their Medicaid coverage or see reduced benefits due to the proposed Republican cut, resulting in 161,500 children losing their Medicaid coverage.

In addition to the problematic changes that this budget makes to Medicare and Medicaid, this short-sighted budget prevents us from investing in our workforce and growing our economy. The Republican budget cuts education and job training by more than 25 percent below current levels. Pell grants, funding for low-income elementary and secondary schools, and workforce training programs would be targeted for steep cuts. The bill also makes drastic cuts to local law enforcement and first responder programs at a time when many states, including Hawaii, are dealing with severe budget deficits.

This short-sighted budget also fails to invest in infrastructure or create jobs in the transportation sector. While I'm working with my colleagues in the House Transportation and Infrastructure Committee to approve a new multi-year highway and transit program, this Republican budget withdraws about \$318 billion in resources from highway, transit, and other transportation initiatives over the next 10 years. In the meantime, commuters are paying higher gas prices at the pump, seeking alternative modes of transportation, and dealing with congestion on our nation's roads, which along with our public transportation, were given a grade of "D" by the American Society of Civil Engineers.

The resolution offered by the Republicans further fails to make critical investments in research and development (R&D) in science, health, and renewable energy, undermining our global competitiveness in R&D. Hawaii's families pay higher energy costs than anyone else in the country. Under this bill, oil companies can continue to get subsidies while making record profits. Funding for development of renewable energy sources is slashed by 60 percent, ensuring that we will remain dependent on imported fossil fuels and sending a signal to the markets that clean energy jobs are not a priority.

Instead of supporting the draconian cuts proposed by this Republican plan, I will vote for the fairer and more balanced plans proposed as alternatives to H. Con. Res. 34. These alternatives address our deficit in a

more responsible way by assisting our most vulnerable during a time of fragile economic recovery. I will support investments that will create jobs and ensure that our country remains the leader in innovation and the engine driving the global economy.

I urge my colleagues to vote against H. Con. Res. 34.

Ms. ROYBAL-ALLARD. Madam Chair, I rise in strong opposition to the Ryan budget. There are many reasons to oppose this budget.

Among them is the unconscionable provision that ends the Medicare guarantee of health care for our nation's seniors.

Since many of my colleagues have already spoken about the serious negative impact the Ryan Budget will have on Medicare, I will focus my comments on another egregious provision that unravels the Medicaid safety net.

The Republican budget before this House cuts support for seniors in nursing homes, disabled individuals and low-income children who depend on Medicaid.

This proposal to starve Medicaid of funds is nothing more than a heartless assault on America's poorest and most vulnerable—our children, seniors, the disabled and minority communities who rely on Medicaid for their health care.

Last year alone, 60 million Americans were served by Medicaid. Thirty million of those were children.

According to the non-partisan Congressional Budget Office, if the Republican budget were to become law, states which are already buried in debt would face significant challenges in achieving enough cost savings to mitigate the loss of Federal funding.

As a result, states would likely begin to limit eligibility; Medicaid enrollees would have limited access to care and higher out-of-pocket costs and health care providers would lose money due to more uncompensated care and lost coverage.

In my district, where more than 250,000 residents are uninsured and tens of thousands more rely on Medicaid for their health care, this extreme Republican budget will be disastrous.

There are better and fairer ways to address our country's deficit that will protect the Medicaid safety net, create jobs, protect our seniors and invest in our children and the future of our country.

It is a mystery to me why Republicans are willing to fight to protect the tax cuts for big oil and the super wealthy and sacrifice millions of the poorest and most vulnerable Americans who will lose their medical and long-term care.

Democrats will fight to ensure this proposal is never enacted, and I encourage all my colleagues to oppose this cruel and shortsighted budget.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Chair, I rise today to speak in opposition to the Fiscal Year 2012 Budget Resolution that is before the House today, H. Con. Res. 34. As a senior member of the Transportation and Infrastructure Committee and as a Texan that cares deeply about adequately providing for our Nation's Transportation system, I cannot support the Republican Budget proposal that has been brought before us today.

I share my colleague's concern regarding our national debt but this irresponsible bill

makes drastic cuts to our Nation's infrastructure that will harm the American economy in the long run. This bill cuts nationwide funding for highway, safety, and public transportation investments over the next six years from \$331 billion to \$219 billion.

This drastic cut of more than \$100 billion over six years of Highway funding means that the State of Texas alone will lose over \$1.9 billion in Highway funding at a time when revenue from the Highway Trust Fund is stretched thinner than ever.

Additionally, assuming the widely accepted 2007 Federal Highway Administration model that every \$1 billion of federal highway-aid investment creates or sustains 34,779 jobs over a seven-year period, this bill would destroy more than 490,000 jobs at a time when Congress should be helping grow and strengthen our economy, not stifling it as this Republican budget does.

I am proud to support the Congressional Black Caucus Alternative Budget for 2012 that does honor our country's commitment to support and invest not only in transportation and infrastructure but also in education, job training, and research and development for Science and Technology.

I must emphasize that our future economic growth, and therefore our ability to reduce our debt in the future, is tied very strongly to the investments we make in science and innovation today.

Although the cuts to our Nation's Science programs are much less severe in the FY 2011 Continuing Resolution than H.R. 1, they still are damaging to our Science agencies, especially considering that current fiscal year is already half over.

Across the world, growth in jobs in Science and Technology are increasing at a high rate and America should be supplying an adequate education and training for talented people to enter these industries.

We are jeopardizing our country's future by threatening funding for programs which are helping American students develop the right combination of skills for these jobs.

Madam Chair, we cannot afford to shut the doors on America's ability to compete in these growing industries and we cannot afford to stifle maintaining and growing our transportation system by neglecting much needed investment in these sectors. I urge my colleagues to support the Democratic alternative budget that is before us and reject the Republican budget that destroys jobs and is no plan for the future.

Mr. GRIMM. Madam Chair, I applaud Chairman PAUL RYAN for his bold leadership in finally addressing solutions to our debt crisis in terms of deficit reduction and entitlement reform. There is no question that our health care entitlement programs are on an unsustainable path, and bold action must be taken if we are going to improve our nation's financial stability and preserve these health safety nets for future generations. Medicare costs are growing twice the speed of our economic growth, and elected officials who choose to turn a blind eye to our nation's economic distress are doing current and future beneficiaries an enormous disservice.

Chairman RYAN's budget plan shows a clear vision of our choice between two futures. I believe he has found innovative solutions to curb

the unsustainability of Medicare and Medicaid, balance the budget, and pay off the debt, without raising taxes. Our social safety net is clearly ripping at the seams and reforms must be made if we intend to protect our most vulnerable populations. Many governors have urged Congress to institute block grants for their state health programs in exchange for more flexibility and freedom to find efficient, effective ways to cut Medicaid costs without denying essential health care services for those most in need.

Health care is clearly not a one-size-fits-all issue. In my home state of New York, Governor Cuomo has already shown leadership and found innovative ways to control Medicaid costs in his Medicaid Redesign Team. New York has an extremely diverse demographic in our Medicaid pool, and transforming the federal government's role into a solid Medicaid block program could seriously hamper efforts by state agencies that are already working hard to redesign the program and cut costs on their own. A block program in New York could result in additional cuts in Medicaid reimbursement for hospitals and physicians, and possibly cut services to institutions that serve the disabled. In the last two years, the state has cut Medicaid reimbursement by \$5.3 billion, and further cuts would only create more hurdles in their efforts to provide quality health care to New Yorkers who need it.

If a block grant is adopted, I believe states should have the ability to opt out of the program in exchange for benchmarks to cut costs. New York should have a chance to continue their efforts to fundamentally redesign the Medicaid system. If New York is forced into a block program, the state may not have time to truly fix the system for the long haul. Nearly 686,000 hospital and health system jobs fuel New York's economic activity in communities across the state. Officials must balance the need for reform, and pragmatic approaches to secure services for current Medicaid beneficiaries.

Mr. YOUNG of Indiana. Madam Chair, the good people of Indiana want jobs. And you know what? We know how to create them. In Indiana, under Gov. Mitch Daniels, we've seen a government that spends less and taxes modestly. And we've seen that lead to job growth. That's why Indiana, during these tough economic times, is a national leader in private sector job growth. The Budget Committee crafted a budget for our Federal Government that, like Indiana, spends less and taxes less. The result is a plan that will help create 2.5 million jobs by the end of this decade. Recent economic history isn't good to the big spenders. It shows that borrowing and spending trillions of taxpayer dollars we don't have doesn't create jobs. And jobs won't be created if we go along with the President's plan, or the plan from the other side of the aisle, to increase taxes. It's no great secret that the job creators in this country aren't hiring because unchecked spending, of course, leads to fears. It leads to fears that we're going to have to raise taxes in the future. It leads to fears of future inflation. And it leads to fears that interest rates are going to go up. By calling for a measure of spending discipline, as we do, we replace fear with hope—hope that we can restore conditions where job

creators can go out and put Americans back to work. That's what the people of southern Indiana want. Now, I mentioned Indiana a minute ago and the success we've had there in creating private sector jobs. We didn't do it all with respect to our policies on spending. Instead, we also looked at tax policy. We understood that it just didn't make sense to jack up taxes during a down economy. Instead, we kept them steady, and we made our tax code more efficient—just as some of our neighboring States were doing the opposite. As a result, many businesses chose to move back to Indiana, or to move to Indiana for the first time. We see the reverse trend nationally, unfortunately. Many businesses are leaving this great country, or are not getting off the ground because of our job-destroying tax code and our punitive corporate tax rates. Madam Chair, we improve upon those previous policies, we learn from the errors of the past. I urge my colleagues to help us create those jobs by voting yes on this House Republican budget.

Mr. BRADY of Texas. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in part A of House Report 112-62 is considered as an original concurrent resolution for the purpose of amendment and is considered read.

The text of the amendment in the nature of a substitute is as follows:

H. CON. RES. 34

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012.

(a) *DECLARATION.*—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2012 and sets forth appropriate budgetary levels for fiscal years 2013 through 2021.

(b) *TABLE OF CONTENTS.*—

Sec. 1. Concurrent resolution on the budget for fiscal year 2012.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.

Sec. 102. Major functional categories.

TITLE II—RECOMMENDED LEVELS AND AMOUNTS FOR FISCAL YEARS 2030, 2040, AND 2050

Sec. 201. Policy statement on long-term budgeting.

TITLE III—RESERVES AND CONTINGENCIES

Sec. 301. Costs of the global war on terrorism.

Sec. 302. Effective date.

Sec. 303. Reserve fund for health care reform.

Sec. 304. Reserve fund for the sustainable growth rate of the Medicare program.

Sec. 305. Reserve fund for deficit-neutral revenue measures.

Sec. 306. Deficit-neutral reserve fund for rural counties and schools.

TITLE IV—BUDGET ENFORCEMENT

Sec. 401. Discretionary spending limits.

Sec. 402. Limitation on advance appropriations.

Sec. 403. Concepts and definitions.

Sec. 404. Adjustments of aggregates and allocations for legislation.

Sec. 405. Limitation on long-term spending.

Sec. 406. Budgetary treatment of certain transactions.

Sec. 407. Application and effect of changes in allocations and aggregates.

Sec. 408. Fair value estimates.

Sec. 409. Exercise of rulemaking powers.

TITLE V—POLICY

Sec. 501. Policy Statement on Medicare.

Sec. 502. Policy Statement on Social Security.

Sec. 503. Policy statement on budget enforcement.

TITLE VI—SENSE OF THE HOUSE PROVISIONS

Sec. 601. Sense of the House on a responsible deficit reduction plan must consider all programs, including those at the Pentagon and the other national security agencies.

Sec. 602. Sense of the House regarding the importance of child support enforcement.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2021:

(1) *FEDERAL REVENUES.*—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: \$1,866,454,000,000.

Fiscal year 2013: \$2,127,981,000,000.

Fiscal year 2014: \$2,324,503,000,000.

Fiscal year 2015: \$2,425,363,000,000.

Fiscal year 2016: \$2,522,695,000,000.

Fiscal year 2017: \$2,693,493,000,000.

Fiscal year 2018: \$2,807,893,000,000.

Fiscal year 2019: \$2,958,678,000,000.

Fiscal year 2020: \$3,119,794,000,000.

Fiscal year 2021: \$3,286,942,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: -\$25,000,000,000.

Fiscal year 2013: -\$227,000,000,000.

Fiscal year 2014: -\$346,000,000,000.

Fiscal year 2015: -\$406,000,000,000.

Fiscal year 2016: -\$448,000,000,000.

Fiscal year 2017: -\$482,000,000,000.

Fiscal year 2018: -\$527,000,000,000.

Fiscal year 2019: -\$544,000,000,000.

Fiscal year 2020: -\$561,000,000,000.

Fiscal year 2021: -\$597,000,000,000.

(2) *NEW BUDGET AUTHORITY.*—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$2,858,545,000,000.

Fiscal year 2013: \$2,835,737,000,000.

Fiscal year 2014: \$2,905,952,000,000.

Fiscal year 2015: \$2,970,061,000,000.

Fiscal year 2016: \$3,114,578,000,000.

Fiscal year 2017: \$3,224,937,000,000.

Fiscal year 2018: \$3,330,942,000,000.

Fiscal year 2019: \$3,490,088,000,000.

Fiscal year 2020: \$3,639,728,000,000.

Fiscal year 2021: \$3,767,274,000,000.

(3) *BUDGET OUTLAYS.*—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$2,947,916,000,000.

Fiscal year 2013: \$2,915,241,000,000.

Fiscal year 2014: \$2,902,944,000,000.

Fiscal year 2015: \$2,949,301,000,000.

Fiscal year 2016: \$3,097,060,000,000.

Fiscal year 2017: \$3,193,477,000,000.

Fiscal year 2018: \$3,271,881,000,000.

Fiscal year 2019: \$3,450,742,000,000.

Fiscal year 2020: \$3,587,701,000,000.

Fiscal year 2021: \$3,726,564,000,000.

(4) *DEFICITS (ON-BUDGET).*—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: \$1,081,462,000,000.

Fiscal year 2013: \$787,260,000,000.

Fiscal year 2014: \$578,441,000,000.

Fiscal year 2015: \$523,938,000,000.

Fiscal year 2016: \$574,365,000,000.

Fiscal year 2017: \$499,984,000,000.

Fiscal year 2018: \$463,988,000,000.

Fiscal year 2019: \$492,064,000,000.

Fiscal year 2020: \$467,907,000,000.

Fiscal year 2021: \$439,622,000,000.

(5) **DEBT SUBJECT TO LIMIT.**—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,204,000,000,000.

Fiscal year 2013: \$17,177,000,000,000.

Fiscal year 2014: \$17,951,000,000,000.

Fiscal year 2015: \$18,697,000,000,000.

Fiscal year 2016: \$19,503,000,000,000.

Fiscal year 2017: \$20,245,000,000,000.

Fiscal year 2018: \$20,968,000,000,000.

Fiscal year 2019: \$21,699,000,000,000.

Fiscal year 2020: \$22,408,000,000,000.

Fiscal year 2021: \$23,102,000,000,000.

(6) **DEBT HELD BY THE PUBLIC.**—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,418,000,000,000.

Fiscal year 2013: \$12,216,000,000,000.

Fiscal year 2014: \$12,797,000,000,000.

Fiscal year 2015: \$13,319,000,000,000.

Fiscal year 2016: \$13,876,000,000,000.

Fiscal year 2017: \$14,351,000,000,000.

Fiscal year 2018: \$14,787,000,000,000.

Fiscal year 2019: \$15,242,000,000,000.

Fiscal year 2020: \$15,673,000,000,000.

Fiscal year 2021: \$16,068,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) **National Defense (050):**

Fiscal year 2012:

(A) New budget authority, \$582,626,000,000.

(B) Outlays, \$593,580,000,000.

Fiscal year 2013:

(A) New budget authority, \$600,283,000,000.

(B) Outlays, \$597,211,000,000.

Fiscal year 2014:

(A) New budget authority, \$616,451,000,000.

(B) Outlays, \$606,903,000,000.

Fiscal year 2015:

(A) New budget authority, \$628,847,000,000.

(B) Outlays, \$618,837,000,000.

Fiscal year 2016:

(A) New budget authority, \$641,976,000,000.

(B) Outlays, \$635,475,000,000.

Fiscal year 2017:

(A) New budget authority, \$653,695,000,000.

(B) Outlays, \$643,275,000,000.

Fiscal year 2018:

(A) New budget authority, \$665,679,000,000.

(B) Outlays, \$650,246,000,000.

Fiscal year 2019:

(A) New budget authority, \$677,884,000,000.

(B) Outlays, \$666,959,000,000.

Fiscal year 2020:

(A) New budget authority, \$690,273,000,000.

(B) Outlays, \$679,088,000,000.

Fiscal year 2021:

(A) New budget authority, \$702,903,000,000.

(B) Outlays, \$691,494,000,000.

(2) **International Affairs (150):**

Fiscal year 2012:

(A) New budget authority, \$36,575,000,000.

(B) Outlays, \$36,102,000,000.

Fiscal year 2013:

(A) New budget authority, \$35,653,000,000.

(B) Outlays, \$34,545,000,000.

Fiscal year 2014:

(A) New budget authority, \$31,694,000,000.

(B) Outlays, \$34,178,000,000.

Fiscal year 2015:

(A) New budget authority, \$30,316,000,000.

(B) Outlays, \$32,613,000,000.

Fiscal year 2016:

(A) New budget authority, \$29,356,000,000.

(B) Outlays, \$32,161,000,000.

Fiscal year 2017:

(A) New budget authority, \$30,729,000,000.

(B) Outlays, \$31,926,000,000.

Fiscal year 2018:

(A) New budget authority, \$31,978,000,000.

(B) Outlays, \$31,594,000,000.

Fiscal year 2019:

(A) New budget authority, \$32,824,000,000.

(B) Outlays, \$30,487,000,000.

Fiscal year 2020:

(A) New budget authority, \$33,698,000,000.

(B) Outlays, \$30,123,000,000.

Fiscal year 2021:

(A) New budget authority, \$34,572,000,000.

(B) Outlays, \$30,740,000,000.

(3) **General Science, Space, and Technology (250):**

Fiscal year 2012:

(A) New budget authority, \$27,452,000,000.

(B) Outlays, \$29,798,000,000.

Fiscal year 2013:

(A) New budget authority, \$27,316,000,000.

(B) Outlays, \$28,242,000,000.

Fiscal year 2014:

(A) New budget authority, \$27,312,000,000.

(B) Outlays, \$27,763,000,000.

Fiscal year 2015:

(A) New budget authority, \$27,312,000,000.

(B) Outlays, \$27,469,000,000.

Fiscal year 2016:

(A) New budget authority, \$27,311,000,000.

(B) Outlays, \$27,506,000,000.

Fiscal year 2017:

(A) New budget authority, \$27,652,000,000.

(B) Outlays, \$27,646,000,000.

Fiscal year 2018:

(A) New budget authority, \$28,341,000,000.

(B) Outlays, \$28,114,000,000.

Fiscal year 2019:

(A) New budget authority, \$29,049,000,000.

(B) Outlays, \$28,684,000,000.

Fiscal year 2020:

(A) New budget authority, \$29,758,000,000.

(B) Outlays, \$29,344,000,000.

Fiscal year 2021:

(A) New budget authority, \$30,472,000,000.

(B) Outlays, \$29,946,000,000.

(4) **Energy (270):**

Fiscal year 2012:

(A) New budget authority, \$6,996,000,000.

(B) Outlays, \$16,174,000,000.

Fiscal year 2013:

(A) New budget authority, \$3,850,000,000.

(B) Outlays, \$10,053,000,000.

Fiscal year 2014:

(A) New budget authority, \$1,215,000,000.

(B) Outlays, \$4,547,000,000.

Fiscal year 2015:

(A) New budget authority, \$1,101,000,000.

(B) Outlays, \$1,360,000,000.

Fiscal year 2016:

(A) New budget authority, \$1,021,000,000.

(B) Outlays, \$340,000,000.

Fiscal year 2017:

(A) New budget authority, \$1,010,000,000.

(B) Outlays, \$460,000,000.

Fiscal year 2018:

(A) New budget authority, \$1,075,000,000.

(B) Outlays, \$539,000,000.

Fiscal year 2019:

(A) New budget authority, \$1,211,000,000.

(B) Outlays, \$497,000,000.

Fiscal year 2020:

(A) New budget authority, \$1,179,000,000.

(B) Outlays, \$470,000,000.

Fiscal year 2021:

(A) New budget authority, \$1,195,000,000.

(B) Outlays, \$476,000,000.

(5) **Natural Resources and Environment (300):**

Fiscal year 2012:

(A) New budget authority, \$31,921,000,000.

(B) Outlays, \$36,818,000,000.

Fiscal year 2013:

(A) New budget authority, \$29,414,000,000.

(B) Outlays, \$33,386,000,000.

Fiscal year 2014:

(A) New budget authority, \$25,296,000,000.

(B) Outlays, \$28,943,000,000.

Fiscal year 2015:

(A) New budget authority, \$26,893,000,000.

(B) Outlays, \$29,271,000,000.

Fiscal year 2016:

(A) New budget authority, \$25,231,000,000.

(B) Outlays, \$26,070,000,000.

Fiscal year 2017:

(A) New budget authority, \$26,156,000,000.

(B) Outlays, \$26,307,000,000.

Fiscal year 2018:

(A) New budget authority, \$26,618,000,000.

(B) Outlays, \$25,308,000,000.

Fiscal year 2019:

(A) New budget authority, \$26,956,000,000.

(B) Outlays, \$25,439,000,000.

Fiscal year 2020:

(A) New budget authority, \$27,787,000,000.

(B) Outlays, \$25,990,000,000.

Fiscal year 2021:

(A) New budget authority, \$27,756,000,000.

(B) Outlays, \$25,992,000,000.

(6) **Agriculture (350):**

Fiscal year 2012:

(A) New budget authority, \$19,819,000,000.

(B) Outlays, \$19,559,000,000.

Fiscal year 2013:

(A) New budget authority, \$18,396,000,000.

(B) Outlays, \$21,989,000,000.

Fiscal year 2014:

(A) New budget authority, \$16,717,000,000.

(B) Outlays, \$16,469,000,000.

Fiscal year 2015:

(A) New budget authority, \$17,355,000,000.

(B) Outlays, \$16,688,000,000.

Fiscal year 2016:

(A) New budget authority, \$17,235,000,000.

(B) Outlays, \$16,505,000,000.

Fiscal year 2017:

(A) New budget authority, \$16,859,000,000.

(B) Outlays, \$16,069,000,000.

Fiscal year 2018:

(A) New budget authority, \$17,025,000,000.

(B) Outlays, \$16,180,000,000.

Fiscal year 2019:

(A) New budget authority, \$17,159,000,000.

(B) Outlays, \$16,283,000,000.

Fiscal year 2020:

(A) New budget authority, \$17,469,000,000.

(B) Outlays, \$16,579,000,000.

Fiscal year 2021:

(A) New budget authority, \$17,755,000,000.

(B) Outlays, \$16,873,000,000.

(7) **Commerce and Housing Credit (370):**

Fiscal year 2012:

(A) New budget authority, \$14,317,000,000.

(B) Outlays, \$16,275,000,000.

Fiscal year 2013:

(A) New budget authority, \$4,040,000,000.

(B) Outlays, \$2,611,000,000.

Fiscal year 2014:

(A) New budget authority, \$508,0

<i>Fiscal year 2020:</i> (A) New budget authority, -\$128,000,000. (B) Outlays, -\$17,992,000,000.	(A) New budget authority, \$73,314,000,000. (B) Outlays, \$73,310,000,000.	(A) New budget authority, \$487,498,000,000. (B) Outlays, \$487,248,000,000.
<i>Fiscal year 2021:</i> (A) New budget authority, -\$196,000,000. (B) Outlays, -\$19,650,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$75,371,000,000. (B) Outlays, \$75,665,000,000.	<i>Fiscal year 2014:</i> (A) New budget authority, \$457,308,000,000. (B) Outlays, \$456,072,000,000.
(8) Transportation (400): <i>Fiscal year 2012:</i> (A) New budget authority, \$64,316,000,000. (B) Outlays, \$80,431,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$76,798,000,000. (B) Outlays, \$77,013,000,000.	<i>Fiscal year 2015:</i> (A) New budget authority, \$431,150,000,000. (B) Outlays, \$429,143,000,000.
<i>Fiscal year 2013:</i> (A) New budget authority, \$64,515,000,000. (B) Outlays, \$71,264,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$78,314,000,000. (B) Outlays, \$78,385,000,000.	<i>Fiscal year 2016:</i> (A) New budget authority, \$436,659,000,000. (B) Outlays, \$438,896,000,000.
<i>Fiscal year 2014:</i> (A) New budget authority, \$64,265,000,000. (B) Outlays, \$67,722,000,000.	<i>Fiscal year 2020:</i> (A) New budget authority, \$79,629,000,000. (B) Outlays, \$79,806,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$436,985,000,000. (B) Outlays, \$434,795,000,000.
<i>Fiscal year 2015:</i> (A) New budget authority, \$60,377,000,000. (B) Outlays, \$66,084,000,000.	<i>Fiscal year 2021:</i> (A) New budget authority, \$80,952,000,000. (B) Outlays, \$81,047,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$441,467,000,000. (B) Outlays, \$434,302,000,000.
<i>Fiscal year 2016:</i> (A) New budget authority, \$68,563,000,000. (B) Outlays, \$65,957,000,000.	(11) Health (550): <i>Fiscal year 2012:</i> (A) New budget authority, \$341,873,000,000. (B) Outlays, \$346,636,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$457,183,000,000. (B) Outlays, \$454,448,000,000.
<i>Fiscal year 2017:</i> (A) New budget authority, \$65,916,000,000. (B) Outlays, \$67,036,000,000.	<i>Fiscal year 2013:</i> (A) New budget authority, \$343,733,000,000. (B) Outlays, \$340,608,000,000.	<i>Fiscal year 2020:</i> (A) New budget authority, \$468,308,000,000. (B) Outlays, \$465,565,000,000.
<i>Fiscal year 2018:</i> (A) New budget authority, \$70,578,000,000. (B) Outlays, \$67,451,000,000.	<i>Fiscal year 2014:</i> (A) New budget authority, \$338,064,000,000. (B) Outlays, \$320,444,000,000.	<i>Fiscal year 2021:</i> (A) New budget authority, \$480,687,000,000. (B) Outlays, \$477,942,000,000.
<i>Fiscal year 2019:</i> (A) New budget authority, \$66,719,000,000. (B) Outlays, \$69,869,000,000.	<i>Fiscal year 2015:</i> (A) New budget authority, \$327,012,000,000. (B) Outlays, \$315,117,000,000.	(14) Social Security (650): <i>Fiscal year 2012:</i> (A) New budget authority, \$54,439,000,000. (B) Outlays, \$54,624,000,000.
<i>Fiscal year 2020:</i> (A) New budget authority, \$67,472,000,000. (B) Outlays, \$71,551,000,000.	<i>Fiscal year 2016:</i> (A) New budget authority, \$320,409,000,000. (B) Outlays, \$325,200,000,000.	<i>Fiscal year 2013:</i> (A) New budget authority, \$29,096,000,000. (B) Outlays, \$29,256,000,000.
<i>Fiscal year 2021:</i> (A) New budget authority, \$68,936,000,000. (B) Outlays, \$76,853,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$339,663,000,000. (B) Outlays, \$342,703,000,000.	<i>Fiscal year 2014:</i> (A) New budget authority, \$32,701,000,000. (B) Outlays, \$32,776,000,000.
(9) Community and Regional Development (450): <i>Fiscal year 2012:</i> (A) New budget authority, \$11,572,000,000. (B) Outlays, \$23,559,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$349,840,000,000. (B) Outlays, \$347,303,000,000.	<i>Fiscal year 2015:</i> (A) New budget authority, \$36,261,000,000. (B) Outlays, \$36,311,000,000.
<i>Fiscal year 2013:</i> (A) New budget authority, \$11,344,000,000. (B) Outlays, \$20,609,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$371,826,000,000. (B) Outlays, \$368,558,000,000.	<i>Fiscal year 2016:</i> (A) New budget authority, \$40,171,000,000. (B) Outlays, \$40,171,000,000.
<i>Fiscal year 2014:</i> (A) New budget authority, \$11,280,000,000. (B) Outlays, \$18,127,000,000.	<i>Fiscal year 2020:</i> (A) New budget authority, \$395,908,000,000. (B) Outlays, \$382,056,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$44,263,000,000. (B) Outlays, \$44,263,000,000.
<i>Fiscal year 2015:</i> (A) New budget authority, \$11,206,000,000. (B) Outlays, \$14,176,000,000.	<i>Fiscal year 2021:</i> (A) New budget authority, \$404,674,000,000. (B) Outlays, \$400,682,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$48,717,000,000. (B) Outlays, \$48,717,000,000.
<i>Fiscal year 2016:</i> (A) New budget authority, \$11,117,000,000. (B) Outlays, \$12,257,000,000.	(12) Medicare (570): <i>Fiscal year 2012:</i> (A) New budget authority, \$481,521,000,000. (B) Outlays, \$481,816,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$53,508,000,000. (B) Outlays, \$53,508,000,000.
<i>Fiscal year 2017:</i> (A) New budget authority, \$11,219,000,000. (B) Outlays, \$11,231,000,000.	<i>Fiscal year 2013:</i> (A) New budget authority, \$519,903,000,000. (B) Outlays, \$520,406,000,000.	<i>Fiscal year 2020:</i> (A) New budget authority, \$58,552,000,000. (B) Outlays, \$58,552,000,000.
<i>Fiscal year 2018:</i> (A) New budget authority, \$11,497,000,000. (B) Outlays, \$10,860,000,000.	<i>Fiscal year 2014:</i> (A) New budget authority, \$550,105,000,000. (B) Outlays, \$550,248,000,000.	<i>Fiscal year 2021:</i> (A) New budget authority, \$64,053,000,000. (B) Outlays, \$64,053,000,000.
<i>Fiscal year 2019:</i> (A) New budget authority, \$11,779,000,000. (B) Outlays, \$11,028,000,000.	<i>Fiscal year 2015:</i> (A) New budget authority, \$573,252,000,000. (B) Outlays, \$573,333,000,000.	(15) Veterans Benefits and Services (700): <i>Fiscal year 2012:</i> (A) New budget authority, \$128,339,000,000. (B) Outlays, \$127,140,000,000.
<i>Fiscal year 2020:</i> (A) New budget authority, \$12,065,000,000. (B) Outlays, \$11,294,000,000.	<i>Fiscal year 2016:</i> (A) New budget authority, \$618,945,000,000. (B) Outlays, \$619,385,000,000.	<i>Fiscal year 2013:</i> (A) New budget authority, \$130,024,000,000. (B) Outlays, \$130,025,000,000.
<i>Fiscal year 2021:</i> (A) New budget authority, \$12,354,000,000. (B) Outlays, \$11,524,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$637,938,000,000. (B) Outlays, \$638,059,000,000.	<i>Fiscal year 2014:</i> (A) New budget authority, \$134,143,000,000. (B) Outlays, \$134,055,000,000.
(10) Education, Training, Employment, and Social Services (500): <i>Fiscal year 2012:</i> (A) New budget authority, \$67,122,000,000. (B) Outlays, \$100,012,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$657,067,000,000. (B) Outlays, \$657,111,000,000.	<i>Fiscal year 2015:</i> (A) New budget authority, \$138,167,000,000. (B) Outlays, \$137,851,000,000.
<i>Fiscal year 2013:</i> (A) New budget authority, \$63,887,000,000. (B) Outlays, \$73,071,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$711,486,000,000. (B) Outlays, \$711,897,000,000.	<i>Fiscal year 2016:</i> (A) New budget authority, \$147,410,000,000. (B) Outlays, \$146,868,000,000.
<i>Fiscal year 2014:</i> (A) New budget authority, \$66,076,000,000. (B) Outlays, \$68,044,000,000.	<i>Fiscal year 2020:</i> (A) New budget authority, \$758,271,000,000. (B) Outlays, \$758,376,000,000.	<i>Fiscal year 2017:</i> (A) New budget authority, \$146,323,000,000. (B) Outlays, \$145,704,000,000.
<i>Fiscal year 2015:</i> (A) New budget authority, \$69,446,000,000. (B) Outlays, \$70,450,000,000.	<i>Fiscal year 2021:</i> (A) New budget authority, \$809,106,000,000. (B) Outlays, \$809,201,000,000.	<i>Fiscal year 2018:</i> (A) New budget authority, \$145,412,000,000. (B) Outlays, \$144,751,000,000.
<i>Fiscal year 2016:</i>	(13) Income Security (600): <i>Fiscal year 2012:</i> (A) New budget authority, \$501,664,000,000. (B) Outlays, \$501,006,000,000.	<i>Fiscal year 2019:</i> (A) New budget authority, \$155,091,000,000. (B) Outlays, \$154,407,000,000.
	<i>Fiscal year 2013:</i>	<i>Fiscal year 2020:</i> (A) New budget authority, \$159,680,000,000.

(B) Outlays, \$158,979,000,000.

Fiscal year 2021:

(A) New budget authority, \$164,381,000,000.

(B) Outlays, \$163,622,000,000.

(16) Administration of Justice (750):

Fiscal year 2012:

(A) New budget authority, \$56,946,000,000.

(B) Outlays, \$53,931,000,000.

Fiscal year 2013:

(A) New budget authority, \$45,326,000,000.

(B) Outlays, \$50,482,000,000.

Fiscal year 2014:

(A) New budget authority, \$45,093,000,000.

(B) Outlays, \$48,664,000,000.

Fiscal year 2015:

(A) New budget authority, \$44,928,000,000.

(B) Outlays, \$47,337,000,000.

Fiscal year 2016:

(A) New budget authority, \$47,009,000,000.

(B) Outlays, \$48,519,000,000.

Fiscal year 2017:

(A) New budget authority, \$45,731,000,000.

(B) Outlays, \$46,650,000,000.

Fiscal year 2018:

(A) New budget authority, \$46,669,000,000.

(B) Outlays, \$46,957,000,000.

Fiscal year 2019:

(A) New budget authority, \$47,768,000,000.

(B) Outlays, \$47,649,000,000.

Fiscal year 2020:

(A) New budget authority, \$50,848,000,000.

(B) Outlays, \$50,415,000,000.

Fiscal year 2021:

(A) New budget authority, \$52,863,000,000.

(B) Outlays, \$52,407,000,000.

(17) General Government (800):

Fiscal year 2012:

(A) New budget authority, \$22,762,000,000.

(B) Outlays, \$27,205,000,000.

Fiscal year 2013:

(A) New budget authority, \$22,185,000,000.

(B) Outlays, \$23,460,000,000.

Fiscal year 2014:

(A) New budget authority, \$22,232,000,000.

(B) Outlays, \$22,619,000,000.

Fiscal year 2015:

(A) New budget authority, \$22,183,000,000.

(B) Outlays, \$22,021,000,000.

Fiscal year 2016:

(A) New budget authority, \$22,217,000,000.

(B) Outlays, \$21,643,000,000.

Fiscal year 2017:

(A) New budget authority, \$22,453,000,000.

(B) Outlays, \$21,718,000,000.

Fiscal year 2018:

(A) New budget authority, \$22,979,000,000.

(B) Outlays, \$22,016,000,000.

Fiscal year 2019:

(A) New budget authority, \$23,559,000,000.

(B) Outlays, \$22,295,000,000.

Fiscal year 2020:

(A) New budget authority, \$23,915,000,000.

(B) Outlays, \$22,606,000,000.

Fiscal year 2021:

(A) New budget authority, \$24,356,000,000.

(B) Outlays, \$23,024,000,000.

(18) Net Interest (900):

Fiscal year 2012:

(A) New budget authority, \$372,558,000,000.

(B) Outlays, \$372,558,000,000.

Fiscal year 2013:

(A) New budget authority, \$435,109,000,000.

(B) Outlays, \$435,109,000,000.

Fiscal year 2014:

(A) New budget authority, \$508,435,000,000.

(B) Outlays, \$508,435,000,000.

Fiscal year 2015:

(A) New budget authority, \$578,063,000,000.

(B) Outlays, \$578,063,000,000.

Fiscal year 2016:

(A) New budget authority, \$648,083,000,000.

(B) Outlays, \$648,083,000,000.

Fiscal year 2017:

(A) New budget authority, \$712,300,000,000.

(B) Outlays, \$712,300,000,000.

Fiscal year 2018:

(A) New budget authority, \$769,605,000,000.

(B) Outlays, \$769,605,000,000.

Fiscal year 2019:

(A) New budget authority, \$818,115,000,000.

(B) Outlays, \$818,115,000,000.

Fiscal year 2020:

(A) New budget authority, \$864,371,000,000.

(B) Outlays, \$864,371,000,000.

Fiscal year 2021:

(A) New budget authority, \$899,690,000,000.

(B) Outlays, \$899,690,000,000.

(19) Allowances (920):

Fiscal year 2012:

(A) New budget authority, -\$6,299,000,000.

(B) Outlays, -\$2,626,000,000.

Fiscal year 2013:

(A) New budget authority, -\$4,386,000,000.

(B) Outlays, -\$5,545,000,000.

Fiscal year 2014:

(A) New budget authority, -\$10,247,000,000.

(B) Outlays, -\$11,263,000,000.

Fiscal year 2015:

(A) New budget authority, -\$16,340,000,000.

(B) Outlays, -\$16,946,000,000.

Fiscal year 2016:

(A) New budget authority, -\$22,243,000,000.

(B) Outlays, -\$22,809,000,000.

Fiscal year 2017:

(A) New budget authority, -\$27,786,000,000.

(B) Outlays, -\$27,637,000,000.

Fiscal year 2018:

(A) New budget authority, -\$33,072,000,000.

(B) Outlays, -\$32,959,000,000.

Fiscal year 2019:

(A) New budget authority, -\$38,404,000,000.

(B) Outlays, -\$38,286,000,000.

Fiscal year 2020:

(A) New budget authority, -\$43,684,000,000.

(B) Outlays, -\$43,594,000,000.

Fiscal year 2021:

(A) New budget authority, -\$49,060,000,000.

(B) Outlays, -\$48,947,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2012:

(A) New budget authority, -\$84,517,000,000.

(B) Outlays, -\$84,517,000,000.

Fiscal year 2013:

(A) New budget authority, -\$81,449,000,000.

(B) Outlays, -\$81,449,000,000.

Fiscal year 2014:

(A) New budget authority, -\$82,695,000,000.

(B) Outlays, -\$82,695,000,000.

Fiscal year 2015:

(A) New budget authority, -\$84,857,000,000.

(B) Outlays, -\$84,857,000,000.

Fiscal year 2016:

(A) New budget authority, -\$85,946,000,000.

(B) Outlays, -\$85,946,000,000.

Fiscal year 2017:

(A) New budget authority, -\$91,248,000,000.

(B) Outlays, -\$91,248,000,000.

Fiscal year 2018:

(A) New budget authority, -\$97,099,000,000.

(B) Outlays, -\$97,099,000,000.

Fiscal year 2019:

(A) New budget authority, -\$101,718,000,000.

(B) Outlays, -\$101,718,000,000.

Fiscal year 2020:

(A) New budget authority, -\$105,645,000,000.

(B) Outlays, -\$105,645,000,000.

Fiscal year 2021:

(A) New budget authority, -\$110,174,000,000.

(B) Outlays, -\$110,174,000,000.

(21) Global War on Terrorism and related activities (970):

Fiscal year 2012:

(A) New budget authority, \$126,544,000,000.

(B) Outlays, \$117,835,000,000.

Fiscal year 2013:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$92,661,000,000.

Fiscal year 2014:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$64,878,000,000.

Fiscal year 2015:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$54,401,000,000.

Fiscal year 2016:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$50,929,000,000.

Fiscal year 2017:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$50,147,000,000.

Fiscal year 2018:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$49,851,000,000.

Fiscal year 2019:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$49,784,000,000.

Fiscal year 2020:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$49,769,000,000.

Fiscal year 2021:

(A) New budget authority, \$50,000,000,000.

(B) Outlays, \$49,769,000,000.

TITLE II—RECOMMENDED LEVELS AND AMOUNTS FOR FISCAL YEARS 2030, 2040, AND 2050

SEC. 201. POLICY STATEMENT ON LONG-TERM BUDGETING.

The following are the recommended budget levels for each of fiscal years 2030, 2040, and 2050 as a percent of the gross domestic product of the United States:

(1) FEDERAL REVENUES.—The appropriate levels of Federal revenues are as follows:

Fiscal year 2030: 19 percent.

Fiscal year 2040: 19 percent.

Fiscal year 2050: 19 percent.

(2) BUDGET OUTLAYS.—The appropriate levels of total budget outlays are as follows:

Fiscal year 2030: 20.75 percent.

Fiscal year 2040: 18.75 percent.

Fiscal year 2050: 14.75 percent.

(3) DEFICITS.—The appropriate amounts of deficits are as follows:

Fiscal year 2030: -1.75 percent.

Fiscal year 2040: 0.25 percent.

Fiscal year 2050: 4.25 percent.

(4) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2030: 64 percent.

Fiscal year 2040: 48 percent.

Fiscal year 2050: 10 percent.

TITLE III—RESERVES AND CONTINGENCIES

SEC. 301. COSTS OF THE GLOBAL WAR ON TERRORISM.

In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2012 for the global war on terrorism and other activities and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations and the discretionary spending limits set forth in section 401 may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 102(21) for fiscal year 2012 and the new outlays resulting therefrom.

SEC. 302. EFFECTIVE DATE.

Section 3(c) of House Resolution 5 (112th Congress) shall have force and effect through May 31, 2011.

SEC. 303. RESERVE FUND FOR HEALTH CARE REFORM.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for the budgetary effects of any bill, joint resolution, amendment, or conference report that repeals the Patient Protection and Affordable Care Act or the Health Care and Education Reconciliation Act of 2010.

SEC. 304. RESERVE FUND FOR THE SUSTAINABLE GROWTH RATE OF THE MEDICARE PROGRAM.

In the House, the chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for the budgetary effects of any bill, joint resolution, amendment, or conference report that includes provisions amending or superseding the system for updating payments under section 1848 of the Social Security Act, if such measure does not increase the deficit in the period of fiscal years 2012 through 2021.

SEC. 305. RESERVE FUND FOR DEFICIT-NEUTRAL REVENUE MEASURES.

If any bill reported by the Committee on Ways and Means, or amendment thereto or conference report thereon, decreases revenue, the chair of the Committee on the Budget may adjust the allocations and aggregates of this concurrent resolution, if such measure would not increase the deficit over the period of fiscal years 2012 through 2021.

SEC. 306. DEFICIT-NEUTRAL RESERVE FUND FOR RURAL COUNTIES AND SCHOOLS.

In the House, the chairman of the Committee on the Budget may revise the allocations of a committee or committees, aggregates, and other appropriate levels and limits in this resolution for one or more bills, joint resolutions, amendments, motions, or conference reports that make changes to or provide for the reauthorization of the Secure Rural Schools and Community Self Determination Act of 2000 (Public Law 106-393) or make changes to the Payments in Lieu of Taxes Act of 1976 (Public Law 94-565), or both, by the amounts provided by that legislation for those purposes, provided that such legislation would not increase the deficit or direct spending over either the period of the total of fiscal years 2012 through 2021 or the period of the total of fiscal years 2012 through 2016, or for fiscal year 2022.

TITLE IV—BUDGET ENFORCEMENT

SEC. 401. DISCRETIONARY SPENDING LIMITS.

(a) DISCRETIONARY SPENDING LIMITS.—Spending limits for total discretionary Federal spending are—

- fiscal year 2012—
- (1) new budget authority, \$1,019,402,000,000; and
- (2) outlays, \$1,170,384,000,000;
- fiscal year 2013—
- (1) new budget authority, \$1,027,896,000,000; and
- (2) outlays, \$1,113,298,000,000;
- fiscal year 2014—
- (1) new budget authority, \$1,038,537,000,000; and
- (2) outlays, \$1,094,740,000,000;
- fiscal year 2015—
- (1) new budget authority, \$1,046,680,000,000; and
- (2) outlays, \$1,089,081,000,000;
- fiscal year 2016—
- (1) new budget authority, \$1,055,779,000,000; and
- (2) outlays, \$1,093,043,000,000;
- fiscal year 2017—
- (1) new budget authority, \$1,067,794,000,000; and
- (2) outlays, \$1,098,357,000,000;
- fiscal year 2018—
- (1) new budget authority, \$1,085,259,000,000; and
- (2) outlays, \$1,105,668,000,000;
- fiscal year 2019—
- (1) new budget authority, \$1,103,802,000,000; and
- (2) outlays, \$1,126,521,000,000;
- fiscal year 2020—
- (1) new budget authority, \$1,122,611,000,000; and
- (2) outlays, \$1,145,102,000,000; and

fiscal year 2021—

- (1) new budget authority, \$1,141,640,000,000; and
- (2) outlays, \$1,167,939,000,000.

(b) ENFORCEMENT.—In the House, it shall not be in order to consider any bill or joint resolution, or amendment thereto or conference report thereon, that causes discretionary budget authority to exceed any level set forth in subsection (a).

SEC. 402. LIMITATION ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill, joint resolution, an amendment thereto or conference report thereon, making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—An advance appropriation may be provided for programs, projects, activities, or accounts referred to in subsection (c)(1) or identified in the report to accompany this resolution or the joint explanatory statement of managers to accompany this resolution under the heading “Accounts Identified for Advance Appropriations”.

(c) LIMITATIONS.—For fiscal year 2013, the aggregate amount of advance appropriation shall not exceed—

- (1) \$52,541,000,000 for the following programs in the Department of Veterans Affairs—
- (A) Medical Services;
- (B) Medical Support and Compliance; and
- (C) Medical Facilities accounts of the Veterans Health Administration; and
- (2) \$28,852,000,000 in new budget authority for all other programs.

(d) DEFINITION.—In this section, the term “advance appropriation” means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2013.

(e) ADJUSTMENTS.—The chairman of the Committee on the Budget may adjust the list referred to in subsection (b) or the amount set forth in subsection (c)(2) to accommodate the enactment of general or continuing appropriation Acts for fiscal year 2011.

SEC. 403. CONCEPTS AND DEFINITIONS.

Upon the enactment of any bill or joint resolution providing for a change in budgetary concepts or definitions, the chairman of the Committee on the Budget may adjust any appropriate levels and allocations in this resolution accordingly.

SEC. 404. ADJUSTMENTS OF AGGREGATES AND ALLOCATIONS FOR LEGISLATION.

(a) ENFORCEMENT.—For purposes of enforcing this resolution, the revenue levels shall be those set forth in the March 2011 Congressional Budget Office baseline. The total amount of adjustments made under subsection (b) may not cause revenue levels to be below the levels set forth in paragraph (1)(A) of section 101 for fiscal year 2012 and the period comprising fiscal years 2012 to 2021.

(b) ADJUSTMENTS.—(1) The chairman of the Committee on the Budget may adjust the allocations and aggregates of this concurrent resolution for—

(A) the budgetary effects of measures extending the Economic Growth and Tax Relief Reconciliation Act of 2001;

(B) the budgetary effects of measures extending the Jobs and Growth Tax Relief Reconciliation Act of 2003;

(C) the budgetary effects of measures that adjust the Alternative Minimum Tax exemption amounts to prevent a larger number of taxpayers as compared with tax year 2008 from being subject to the Alternative Minimum Tax or of allowing the use of nonrefundable personal

credits against the Alternative Minimum Tax, or both as applicable;

(D) the budgetary effects of extending the estate, gift, and generation-skipping transfer tax provisions of title III of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010;

(E) the budgetary effects of measures providing a 20 percent deduction in income to small businesses;

(F) the budgetary effects of measures implementing trade agreements;

(G) the budgetary effects of measures repealing the tax increases set forth in the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010;

(H) the budgetary effects of measures reforming the Patient Protection and Affordable Care Act and the Health Care and Education Affordability Reconciliation Act of 2010; and

(I) the budgetary effects of measures reforming the tax code and lowering tax rates.

(2) A measure does not qualify for adjustments under paragraph (1)(H) if it—

(A) increases the deficit over the period of fiscal years 2012 through 2021; or

(B) increases revenues over the period of fiscal years 2012 through 2021, other than by—

(i) repealing or modifying the individual mandate (codified as section 5000A of the Internal Revenue Code of 1986); or

(ii) modifying the subsidies to purchase health insurance (codified as section 36B of the Internal Revenue Code of 1986).

(c) OTHER ADJUSTMENTS.—If a committee other than the Committee on Appropriations reports a bill or joint resolution, or an amendment thereto or a conference report thereon, providing for a decrease in direct spending (budget authority and outlays flowing therefrom) for any fiscal year and also provides for an authorization of appropriations for the same purpose, upon the enactment of such measure, the chairman of the Committee on the Budget may decrease the allocation to such committee and increase the allocation of discretionary spending (budget authority and outlays flowing therefrom) to the Committee on Appropriations for fiscal year 2012 and the applicable discretionary spending limits by an amount equal to the new budget authority (and the outlays flowing therefrom) provided for in a bill or joint resolution making appropriations for the same purpose.

SEC. 405. LIMITATION ON LONG-TERM SPENDING.

(a) IN GENERAL.—In the House, it shall not be in order to consider a bill or joint resolution reported by a committee (other than the Committee on Appropriations), or an amendment thereto or a conference report thereon, if the provisions of such measure have the net effect of increasing mandatory spending in excess of \$5,000,000,000 for any period described in subsection (b).

(b) TIME PERIODS.—(1) The applicable periods for purposes of this section are any of the first four consecutive 10-fiscal-year periods beginning with the first fiscal year following the last fiscal year for which the applicable concurrent resolution on the budget sets forth appropriate budgetary levels.

(2) In this paragraph, the applicable concurrent resolution on the budget is the one most recently adopted before the date on which a committee first reported the bill or joint resolution described in paragraph (1).

SEC. 406. BUDGETARY TREATMENT OF CERTAIN TRANSACTIONS.

(a) IN GENERAL.—Notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on

the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and the United States Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

(c) **ADJUSTMENTS.**—The chairman of the Committee on the Budget may adjust allocations and aggregates for legislation reported by the Committee on Oversight and Government Reform that reforms the Federal retirement system, but does not cause a net increase in the deficit for fiscal year 2012 and the period comprising fiscal years 2012 to 2021.

SEC. 407. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) **BUDGET COMMITTEE DETERMINATIONS.**—For purposes of this resolution, the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the Committee on the Budget.

(d) **EXEMPTIONS.**—Any legislation for which the chairman of the Committee on the Budget makes adjustments in the allocations and aggregates of this concurrent resolution on the budget and complies with the Congressional Budget Act of 1974 shall not be subject to the points of order set forth in clause 10 of rule XXI of the Rules of the House of Representatives or section 405.

SEC. 408. FAIR VALUE ESTIMATES.

(a) **REQUEST FOR SUPPLEMENTAL ESTIMATES.**—Upon the request of the chairman or ranking member of the Committee on the Budget, any estimate prepared for a measure under the terms of title V of the Congressional Budget Act of 1974, “credit reform”, as a supplement to such estimate of the Congressional Budget Office shall, to the extent practicable, also provide an estimate of the current actual or estimated market values representing the “fair value” of assets and liabilities affected by such measure.

(b) **ENFORCEMENT.**—If the Congressional Budget Office provides an estimate pursuant to subsection (a), the chairman of the Committee on the Budget may use such estimate to determine compliance with the Congressional Budget Act of 1974 and other budgetary enforcement controls.

SEC. 409. EXERCISE OF RULEMAKING POWERS.

(a) **IN GENERAL.**—The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

(b) **LIMITATION ON APPLICATION.**—The following provisions of H. Res. 5 (112th Congress) shall no longer have force or effect:

(1) Section 3(e) relating to advance appropriations.

(2) Section 3(f) relating to the treatment of off-budget administrative expenses.

(3) Section 3(g) relating to a long-term spending point of order.

TITLE V—POLICY

SEC. 501. POLICY STATEMENT ON MEDICARE.

(a) **FINDINGS.**—The House finds the following:

(1) More than 46 million Americans depend on Medicare for their health security.

(2) The Medicare Trustees report has repeatedly recommended that Medicare’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Medicare becomes more precarious and the threat to those in and near retirement becomes more pronounced. According to the Congressional Budget Office—

(A) the Hospital Insurance Trust Fund will be exhausted in 2020 and unable to pay scheduled benefits; and

(B) Medicare spending is growing faster than the economy. Medicare outlays are currently rising at a rate of 7.2 percent per year, and under CBO’s alternative fiscal scenario, mandatory spending on Medicare is projected to reach 7 percent of GDP by 2035 and 14 percent of GDP by 2080.

(3) Failing to address this problem will leave millions of American seniors without adequate health security and younger generations burdened with enormous debt to pay for spending levels that cannot be sustained.

(b) **POLICY ON MEDICARE REFORM.**—It is the policy of this resolution to protect those in and near retirement from any disruptions to their Medicare benefits and offer future beneficiaries the same health care options available to Members of Congress.

(c) **ASSUMPTIONS.**—This resolution assumes reform of the Medicare program such that:

(1) Current Medicare benefits are preserved for those in and near retirement, without changes.

(2) For future generations, when they reach eligibility, Medicare is reformed to provide a premium support payment and a selection of guaranteed health coverage options from which recipients can choose a plan that best suits their needs.

(3) Medicare will provide additional assistance for lower-income beneficiaries and those with greater health risks.

(4) Medicare spending is put on a sustainable path and the Medicare program becomes solvent over the long-term.

SEC. 502. POLICY STATEMENT ON SOCIAL SECURITY.

(a) **FINDINGS.**—The House finds the following:

(1) More than 50 million retirees and individuals with a disability depend on Social Security for a key part of their income. Since enactment, Social Security has served as a vital leg on the “three-legged stool” of retirement security, which includes employer provided pensions as well as personal savings.

(2) The Social Security Trustees report has repeatedly recommended that Social Security’s long-term financial challenges be addressed soon. Each year without reform, the financial condition of Social Security becomes more precarious and the threat to seniors and those receiving Social Security disability benefits becomes more pronounced:

(A) In 2018, the Federal Disability Insurance Trust Fund will be exhausted and will be unable to pay scheduled benefits.

(B) In 2037, the combined Federal Old-Age and Survivors Insurance Trust Fund and Federal Disability Insurance Trust Fund will be ex-

hausted, and will be unable to pay scheduled benefits.

(C) With the exhaustion of the Trust Funds in 2037, benefits will be cut 22 percent across the board, devastating those currently in or near retirement and those who rely on Social Security the most.

(3) The current recession has exacerbated the crisis to Social Security. The most recent CBO projections find that Social Security has entered into permanent cash deficits.

(4) Lower-income Americans rely on Social Security for a larger proportion of their retirement income. Therefore, reforms should take into consideration the need to protect lower-income Americans’ retirement security.

(5) Americans deserve action by their elected officials on Social Security reform. It is critical that the Congress and the administration work together in a bipartisan fashion to address the looming insolvency of Social Security. In this spirit, this resolution creates a bipartisan opportunity to find solutions by requiring policymakers to ensure that Social Security remains a critical part of the safety net.

(b) **POLICY ON SOCIAL SECURITY.**—It is the policy of this resolution that Congress should work on a bipartisan basis to make Social Security permanently solvent. This resolution assumes reform of a current law trigger, such that—

(1)(A) if in any year the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund in its annual Trustees’ Report determines that the 75-year actuarial balance of the Social Security Trust Funds is in deficit, and the annual balance of the Social Security Trust Funds in the 75th year is in deficit, the Board of Trustees should, not later than September 30 of the same calendar year, submit to the President recommendations for statutory reforms necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year; and

(B) such recommendations provided to the President should be agreed upon by both Public Trustees of the Board of Trustees;

(2)(A) not later than December 1 of the same calendar year in which the Board of Trustees submits its recommendations, the President shall promptly submit implementing legislation to both Houses of Congress, including recommendations necessary to achieve a positive 75-year actuarial balance and a positive annual balance in the 75th year; and

(B) the Majority Leader of the Senate and the Majority Leader of the House should introduce such legislation upon receipt;

(3) within 60 days of the President submitting legislation, the committees of jurisdiction to which the legislation has been referred should report such legislation, which should be considered by the full House or Senate under expedited procedures; and

(4) legislation submitted by the President should—

(A) protect those in and near retirement;

(B) preserve the safety net for those who rely on Social Security, including survivors and those with disabilities;

(C) improve fairness for participants; and

(D) reduce the burden on, and provide certainty for, future generations.

SEC. 503. POLICY STATEMENT ON BUDGET ENFORCEMENT.

(a) **FINDINGS.**—The House finds the following:

(1) The President’s fiscal year 2012 budget requests a \$13 trillion increase in the debt subject to limit over the period of years covered by the budget.

(2) Under the President’s fiscal year 2012 budget, according to the Congressional Budget Office, debt held by the public will rise to 69 percent of gross domestic product in 2011 and will

reach 87.4 percent of gross domestic product by 2021.

(3) The Congressional Budget Office, the Federal Reserve, the General Accountability Office, the President's National Commission on Fiscal Responsibility and Reform, and ten former Chairmen of the Council of Economic Advisors all concluded that debt is growing at unsustainable rates and must be brought under control.

(4) Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, stated, "Our national debt is our biggest national security threat."

(5) According to the Congressional Budget Office, if entitlements are not reformed, entitlement spending on Social Security, Medicare, and Medicaid will exceed the historical average of revenue collections as a share of the economy within forty years.

(6) According to the Congressional Budget Office, under current policies, debt would reach levels that the economy could no longer sustain in 2037 and a fiscal crisis is likely to occur well before that date.

(7) To avoid a fiscal crisis, Congress must enact legislation that makes structural reforms to entitlement programs.

(8) Instead of automatic debt increases (the "Gephardt rule" was repealed by the House in House Resolution 5) and automatic spending increases, Congress needs to put limits on spending with automatic reductions if spending limits are not met.

(9) The adoption of a conference report on this concurrent resolution will not cause the automatic passage of an increase in the debt limit by the House of Representatives.

(10) Changes in debt levels assumed in this resolution are contingent upon its proposed spending reductions being achieved.

(11) From 1990 to 2002, there were statutory enforceable limits on discretionary spending.

(12) The budget lacks controls over spending in the short-term and the long-term. Greater transparency and controls, particularly for entitlement spending in the long-term, are needed to provide Congress with tools to tackle this growing threat of a fiscal crisis.

(b) **POLICY ON DEBT CONTROLS.**—It is the policy of this concurrent resolution on the budget that in order to begin to bring debt under control the following statutory spending and debt controls are needed:

(1) Enforceable statutory caps on discretionary spending at levels set forth in this fiscal year 2012 concurrent resolution on the budget for the period of fiscal years 2012 through 2021.

(2) Any increase in the statutory debt limit be accompanied by the enactment of a budget enforcement mechanism to ensure that if spending reductions are not achieved there would be—

(A) an across-the-board reduction in spending at the end of the year;

(B) a fast-track process or failsafe mechanism to give Congress the ability to expedite consideration of legislation to reduce spending and avoid the automatic across-the-board spending reductions; and

(C) an exemption of Social Security from these enforcement mechanisms, with Social Security solvency ensured as provide in section 502.

(3) Limits on total spending with long-term structural reforms that—

(A) require—

(i) the Office of Management and Budget and the Congressional Budget Office to make long-term budget projections (similar to the timeframes of projections made by the Social Security and Medicare trustees);

(ii) the inclusion of the estimated long-term fiscal impact of the President's budget in the President's annual budget submission;

(iii) in the Congressional Budget Office's re-estimate of the President's budget, an estimate

of the long-term impact of the President's budget; and

(iv) in Congressional Budget Office estimates on legislation, an estimate of the long-term impact of legislation that has a significant impact on the long-term budget;

(B) require enactment of enforceable caps on total spending as a share of gross domestic product as set forth in this resolution;

(C) require the review by Congress of Congressional Budget Office projections relative to the statutory caps and enactment of legislation to reduce spending to meet those caps;

(D) require enactment of an enforcement mechanism to ensure that if these spending reductions are not achieved, there would be an across-the-board reduction in spending at the end of the year;

(E) require enactment of a fast-track process or failsafe mechanism to provide Congress with the ability to expedite consideration of legislation to reduce spending and avoid the automatic across-the-board spending reductions; and

(F) exempt Social Security from these enforcement mechanisms, with Social Security solvency ensured as provided in section 501.

TITLE VI—SENSE OF THE HOUSE PROVISIONS

SEC. 601. SENSE OF THE HOUSE ON A RESPONSIBLE DEFICIT REDUCTION PLAN MUST CONSIDER ALL PROGRAMS, INCLUDING THOSE AT THE PENTAGON AND THE OTHER NATIONAL SECURITY AGENCIES.

It is the sense of the House that the Nation's debt is an immense security threat to our country, just as Admiral Mullen, Chairman of the Joint Chiefs of Staff, has stated; the Government Accountability Office has recently issued a report documenting billions of dollars of waste and duplication at Government agencies, including the Department of Defense, and the Department of Defense has never passed a clean audit; the bipartisan National Commission on Fiscal Responsibility and Reform and the bipartisan Rivlin-Domenici Debt Reduction Task Force were correct in concluding that all programs, including national security, should be "on the table" as part of a deficit reduction plan; and any budget plan serious about reducing the deficit must follow this precept to consider all programs, including national security programs, the largest segment of discretionary spending.

SEC. 602. SENSE OF THE HOUSE REGARDING THE IMPORTANCE OF CHILD SUPPORT ENFORCEMENT.

It is the sense of the House that—

(1) additional legislative action is needed to ensure that States have the necessary resources to collect all child support that is owed to families and allow them to pass 100 percent of support on to families without financial penalty; and

(2) when 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

The Acting CHAIR. No amendment to that amendment in the nature of a substitute shall be in order except those printed in part B of the report.

Each amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to amendment.

After conclusion of consideration of the concurrent resolution for amend-

ment, there shall be a final period of general debate which shall not exceed 20 minutes, equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

AMENDMENT NO. 1 OFFERED BY MR. CLEAVER

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112–62.

Mr. CLEAVER. Madam Chairman, I have an amendment at the desk in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012.

(a) **DECLARATION.**—The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2012 and sets forth appropriate budgetary levels for fiscal years 2013 through 2021.

(b) **TABLE OF CONTENTS.**—

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2021:

(1) **FEDERAL REVENUES.**—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012: \$2,205,595,000,000.
Fiscal year 2013: \$2,508,371,000,000.
Fiscal year 2014: \$2,802,758,000,000.
Fiscal year 2015: \$3,010,095,000,000.
Fiscal year 2016: \$3,178,229,000,000.
Fiscal year 2017: \$3,338,407,000,000.
Fiscal year 2018: \$3,492,151,000,000.
Fiscal year 2019: \$3,651,546,000,000.
Fiscal year 2020: \$3,828,074,000,000.
Fiscal year 2021: \$4,015,043,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012: \$314,184,000,000.
Fiscal year 2013: \$153,416,000,000.
Fiscal year 2014: \$131,883,000,000.
Fiscal year 2015: \$179,193,000,000.
Fiscal year 2016: \$207,037,000,000.
Fiscal year 2017: \$163,096,000,000.
Fiscal year 2018: \$157,689,000,000.
Fiscal year 2019: \$148,730,000,000.
Fiscal year 2020: \$147,564,000,000.
Fiscal year 2021: \$131,460,000,000.

(2) **NEW BUDGET AUTHORITY.**—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$3,140,298,000,000.
Fiscal year 2013: \$3,050,251,000,000.
Fiscal year 2014: \$3,232,125,000,000.
Fiscal year 2015: \$3,401,789,000,000.
Fiscal year 2016: \$3,607,488,000,000.
Fiscal year 2017: \$3,760,946,000,000.
Fiscal year 2018: \$3,897,468,000,000.
Fiscal year 2019: \$4,096,228,000,000.
Fiscal year 2020: \$4,294,254,000,000.
Fiscal year 2021: \$4,459,973,000,000.

(3) **BUDGET OUTLAYS.**—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,114,000,000,000.
Fiscal year 2013: \$3,109,045,000,000.

Fiscal year 2014: \$3,218,907,000,000.
Fiscal year 2015: \$3,363,248,000,000.
Fiscal year 2016: \$3,573,640,000,000.
Fiscal year 2017: \$3,706,838,000,000.
Fiscal year 2018: \$3,830,523,000,000.
Fiscal year 2019: \$4,043,926,000,000.
Fiscal year 2020: \$4,228,332,000,000.
Fiscal year 2021: \$4,402,622,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: \$908,405,000,000.
Fiscal year 2013: \$600,674,000,000.
Fiscal year 2014: \$416,149,000,000.
Fiscal year 2015: \$353,153,000,000.
Fiscal year 2016: \$395,411,000,000.
Fiscal year 2017: \$368,431,000,000.
Fiscal year 2018: \$338,372,000,000.
Fiscal year 2019: \$392,380,000,000.
Fiscal year 2020: \$400,258,000,000.
Fiscal year 2021: \$387,579,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,060,000,000,000.
Fiscal year 2013: \$16,845,000,000,000.
Fiscal year 2014: \$17,548,000,000,000.
Fiscal year 2015: \$18,037,000,000,000.
Fiscal year 2016: \$18,675,000,000,000.
Fiscal year 2017: \$19,305,000,000,000.
Fiscal year 2018: \$19,932,000,000,000.
Fiscal year 2019: \$20,604,000,000,000.
Fiscal year 2020: \$21,301,000,000,000.
Fiscal year 2021: \$22,018,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,276,000,000,000.
Fiscal year 2013: \$11,891,000,000,000.
Fiscal year 2014: \$12,315,000,000,000.
Fiscal year 2015: \$12,673,000,000,000.
Fiscal year 2016: \$13,066,000,000,000.
Fiscal year 2017: \$13,435,000,000,000.
Fiscal year 2018: \$13,781,000,000,000.
Fiscal year 2019: \$14,186,000,000,000.
Fiscal year 2020: \$14,615,000,000,000.
Fiscal year 2021: \$15,043,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2021 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:
(A) New budget authority, \$585,002,000,000.
(B) Outlays, \$598,671,000,000.
Fiscal year 2013:
(A) New budget authority, \$602,632,000,000.
(B) Outlays, \$598,619,000,000.
Fiscal year 2014:
(A) New budget authority, \$618,636,000,000.
(B) Outlays, \$606,563,000,000.
Fiscal year 2015:
(A) New budget authority, \$613,259,000,000.
(B) Outlays, \$618,381,000,000.
Fiscal year 2016:
(A) New budget authority, \$644,497,000,000.
(B) Outlays, \$633,438,000,000.
Fiscal year 2017:
(A) New budget authority, \$656,109,000,000.
(B) Outlays, \$642,414,000,000.
Fiscal year 2018:
(A) New budget authority, \$668,181,000,000.
(B) Outlays, \$650,635,000,000.
Fiscal year 2019:
(A) New budget authority, \$680,395,000,000.
(B) Outlays, \$667,965,000,000.
Fiscal year 2020:
(A) New budget authority, \$692,600,000,000.
(B) Outlays, \$679,989,000,000.
Fiscal year 2021:
(A) New budget authority, \$705,330,000,000.

(B) Outlays, \$692,257,000,000.

(2) International Affairs (150):

Fiscal year 2012:
(A) New budget authority, \$63,212,000,000.
(B) Outlays, \$53,294,000,000.
Fiscal year 2013:
(A) New budget authority, \$59,982,000,000.
(B) Outlays, \$57,193,000,000.
Fiscal year 2014:
(A) New budget authority, \$56,518,000,000.
(B) Outlays, \$58,033,000,000.
Fiscal year 2015:
(A) New budget authority, \$56,252,000,000.
(B) Outlays, \$57,515,000,000.
Fiscal year 2016:
(A) New budget authority, \$56,452,000,000.
(B) Outlays, \$58,087,000,000.
Fiscal year 2017:
(A) New budget authority, \$59,018,000,000.
(B) Outlays, \$59,239,000,000.
Fiscal year 2018:
(A) New budget authority, \$61,083,000,000.
(B) Outlays, \$59,852,000,000.
Fiscal year 2019:
(A) New budget authority, \$62,194,000,000.
(B) Outlays, \$59,320,000,000.
Fiscal year 2020:
(A) New budget authority, \$63,327,000,000.
(B) Outlays, \$59,343,000,000.
Fiscal year 2021:
(A) New budget authority, \$64,511,000,000.
(B) Outlays, \$60,294,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, \$37,566,000,000.
(B) Outlays, \$34,511,000,000.
Fiscal year 2013:
(A) New budget authority, \$33,473,000,000.
(B) Outlays, \$34,569,000,000.
Fiscal year 2014:
(A) New budget authority, \$33,400,000,000.
(B) Outlays, \$33,802,000,000.
Fiscal year 2015:
(A) New budget authority, \$33,528,000,000.
(B) Outlays, \$33,475,000,000.
Fiscal year 2016:
(A) New budget authority, \$34,587,000,000.
(B) Outlays, \$34,149,000,000.
Fiscal year 2017:
(A) New budget authority, \$35,411,000,000.
(B) Outlays, \$34,905,000,000.
Fiscal year 2018:
(A) New budget authority, \$36,190,000,000.
(B) Outlays, \$34,682,000,000.
Fiscal year 2019:
(A) New budget authority, \$36,969,000,000.
(B) Outlays, \$36,439,000,000.
Fiscal year 2020:
(A) New budget authority, \$37,695,000,000.
(B) Outlays, \$37,227,000,000.
Fiscal year 2021:
(A) New budget authority, \$38,607,000,000.
(B) Outlays, \$37,944,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, \$16,289,000,000.
(B) Outlays, \$22,201,000,000.
Fiscal year 2013:
(A) New budget authority, \$11,610,000,000.
(B) Outlays, \$17,719,000,000.
Fiscal year 2014:
(A) New budget authority, \$8,602,000,000.
(B) Outlays, \$11,449,000,000.
Fiscal year 2015:
(A) New budget authority, \$7,288,000,000.
(B) Outlays, \$8,127,000,000.
Fiscal year 2016:
(A) New budget authority, \$7,262,000,000.
(B) Outlays, \$7,069,000,000.
Fiscal year 2017:
(A) New budget authority, \$7,267,000,000.
(B) Outlays, \$6,782,000,000.
Fiscal year 2018:

(A) New budget authority, \$7,408,000,000.

(B) Outlays, \$6,983,000,000.

Fiscal year 2019:
(A) New budget authority, \$7,667,000,000.
(B) Outlays, \$6,871,000,000.
Fiscal year 2020:
(A) New budget authority, \$7,686,000,000.
(B) Outlays, \$6,802,000,000.
Fiscal year 2021:
(A) New budget authority, \$7,825,000,000.
(B) Outlays, \$6,918,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, \$38,299,000,000.
(B) Outlays, \$41,305,000,000.
Fiscal year 2013:
(A) New budget authority, \$36,382,000,000.
(B) Outlays, \$39,000,000,000.
Fiscal year 2014:
(A) New budget authority, \$36,729,000,000.
(B) Outlays, \$37,871,000,000.
Fiscal year 2015:
(A) New budget authority, \$36,794,000,000.
(B) Outlays, \$37,796,000,000.
Fiscal year 2016:
(A) New budget authority, \$37,803,000,000.
(B) Outlays, \$37,709,000,000.
Fiscal year 2017:
(A) New budget authority, \$38,616,000,000.
(B) Outlays, \$38,289,000,000.
Fiscal year 2018:
(A) New budget authority, \$40,044,000,000.
(B) Outlays, \$38,449,000,000.
Fiscal year 2019:
(A) New budget authority, \$40,817,000,000.
(B) Outlays, \$39,161,000,000.
Fiscal year 2020:
(A) New budget authority, \$42,184,000,000.
(B) Outlays, \$40,347,000,000.
Fiscal year 2021:
(A) New budget authority, \$42,651,000,000.
(B) Outlays, \$40,884,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, \$21,466,000,000.
(B) Outlays, \$20,821,000,000.
Fiscal year 2013:
(A) New budget authority, \$21,880,000,000.
(B) Outlays, \$23,750,000,000.
Fiscal year 2014:
(A) New budget authority, \$22,220,000,000.
(B) Outlays, \$21,857,000,000.
Fiscal year 2015:
(A) New budget authority, \$21,773,000,000.
(B) Outlays, \$21,172,000,000.
Fiscal year 2016:
(A) New budget authority, \$21,973,000,000.
(B) Outlays, \$21,388,000,000.
Fiscal year 2017:
(A) New budget authority, \$22,027,000,000.
(B) Outlays, \$21,397,000,000.
Fiscal year 2018:
(A) New budget authority, \$22,303,000,000.
(B) Outlays, \$21,652,000,000.
Fiscal year 2019:
(A) New budget authority, \$22,559,000,000.
(B) Outlays, \$21,891,000,000.
Fiscal year 2020:
(A) New budget authority, \$22,873,000,000.
(B) Outlays, \$22,204,000,000.
Fiscal year 2021:
(A) New budget authority, \$23,154,000,000.
(B) Outlays, \$22,494,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, \$28,301,000,000.
(B) Outlays, \$28,782,000,000.
Fiscal year 2013:
(A) New budget authority, \$16,460,000,000.
(B) Outlays, \$14,886,000,000.
Fiscal year 2014:
(A) New budget authority, \$14,909,000,000.
(B) Outlays, -\$329,000,000.

Fiscal year 2015:
 (A) New budget authority, \$14,724,000,000.
 (B) Outlays, -\$3,102,000,000.

Fiscal year 2016:
 (A) New budget authority, \$15,193,000,000.
 (B) Outlays, -\$5,647,000,000.

Fiscal year 2017:
 (A) New budget authority, \$17,275,000,000.
 (B) Outlays, -\$6,557,000,000.

Fiscal year 2018:
 (A) New budget authority, \$18,584,000,000.
 (B) Outlays, -\$7,780,000,000.

Fiscal year 2019:
 (A) New budget authority, \$20,922,000,000.
 (B) Outlays, \$2,830,000,000.

Fiscal year 2020:
 (A) New budget authority, \$28,282,000,000.
 (B) Outlays, \$8,645,000,000.

Fiscal year 2021:
 (A) New budget authority, \$21,546,000,000.
 (B) Outlays, \$3,019,000,000.

(8) Transportation (400):
 Fiscal year 2012:
 (A) New budget authority, \$164,397,000,000.
 (B) Outlays, \$107,900,000,000.

Fiscal year 2013:
 (A) New budget authority, \$118,785,000,000.
 (B) Outlays, \$115,243,000,000.

Fiscal year 2014:
 (A) New budget authority, \$124,490,000,000.
 (B) Outlays, \$117,996,000,000.

Fiscal year 2015:
 (A) New budget authority, \$131,785,000,000.
 (B) Outlays, \$122,061,000,000.

Fiscal year 2016:
 (A) New budget authority, \$138,597,000,000.
 (B) Outlays, \$126,993,000,000.

Fiscal year 2017:
 (A) New budget authority, \$145,552,000,000.
 (B) Outlays, \$132,000,000,000.

Fiscal year 2018:
 (A) New budget authority, \$142,463,000,000.
 (B) Outlays, \$135,940,000,000.

Fiscal year 2019:
 (A) New budget authority, \$144,362,000,000.
 (B) Outlays, \$139,111,000,000.

Fiscal year 2020:
 (A) New budget authority, \$146,317,000,000.
 (B) Outlays, \$141,571,000,000.

Fiscal year 2021:
 (A) New budget authority, \$148,332,000,000.
 (B) Outlays, \$142,908,000,000.

(9) Community and Regional Development (450):
 Fiscal year 2012:
 (A) New budget authority, \$20,304,000,000.
 (B) Outlays, \$27,416,000,000.

Fiscal year 2013:
 (A) New budget authority, \$16,284,000,000.
 (B) Outlays, \$25,635,000,000.

Fiscal year 2014:
 (A) New budget authority, \$16,460,000,000.
 (B) Outlays, \$23,894,000,000.

Fiscal year 2015:
 (A) New budget authority, \$16,745,000,000.
 (B) Outlays, \$19,920,000,000.

Fiscal year 2016:
 (A) New budget authority, \$17,152,000,000.
 (B) Outlays, \$17,873,000,000.

Fiscal year 2017:
 (A) New budget authority, \$17,584,000,000.
 (B) Outlays, \$17,244,000,000.

Fiscal year 2018:
 (A) New budget authority, \$18,038,000,000.
 (B) Outlays, \$17,038,000,000.

Fiscal year 2019:
 (A) New budget authority, \$18,509,000,000.
 (B) Outlays, \$17,401,000,000.

Fiscal year 2020:
 (A) New budget authority, \$18,967,000,000.
 (B) Outlays, \$17,844,000,000.

Fiscal year 2021:
 (A) New budget authority, \$19,475,000,000.
 (B) Outlays, \$18,316,000,000.

(10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2012:
 (A) New budget authority, \$127,785,000,000.
 (B) Outlays, \$122,797,000,000.

Fiscal year 2013:
 (A) New budget authority, \$110,681,000,000.
 (B) Outlays, \$116,536,000,000.

Fiscal year 2014:
 (A) New budget authority, \$116,163,000,000.
 (B) Outlays, \$115,420,000,000.

Fiscal year 2015:
 (A) New budget authority, \$120,943,000,000.
 (B) Outlays, \$119,708,000,000.

Fiscal year 2016:
 (A) New budget authority, \$127,863,000,000.
 (B) Outlays, \$124,875,000,000.

Fiscal year 2017:
 (A) New budget authority, \$131,741,000,000.
 (B) Outlays, \$129,545,000,000.

Fiscal year 2018:
 (A) New budget authority, \$133,533,000,000.
 (B) Outlays, \$132,131,000,000.

Fiscal year 2019:
 (A) New budget authority, \$135,410,000,000.
 (B) Outlays, \$133,923,000,000.

Fiscal year 2020:
 (A) New budget authority, \$137,767,000,000.
 (B) Outlays, \$135,540,000,000.

Fiscal year 2021:
 (A) New budget authority, \$138,562,000,000.
 (B) Outlays, \$137,127,000,000.

(11) Health (550):
 Fiscal year 2012:
 (A) New budget authority, \$369,493,000,000.
 (B) Outlays, \$365,443,000,000.

Fiscal year 2013:
 (A) New budget authority, \$384,710,000,000.
 (B) Outlays, \$380,637,000,000.

Fiscal year 2014:
 (A) New budget authority, \$458,629,000,000.
 (B) Outlays, \$445,506,000,000.

Fiscal year 2015:
 (A) New budget authority, \$524,185,000,000.
 (B) Outlays, \$153,567,000,000.

Fiscal year 2016:
 (A) New budget authority, \$572,119,000,000.
 (B) Outlays, \$576,975,000,000.

Fiscal year 2017:
 (A) New budget authority, \$615,385,000,000.
 (B) Outlays, \$618,309,000,000.

Fiscal year 2018:
 (A) New budget authority, \$657,150,000,000.
 (B) Outlays, \$654,695,000,000.

Fiscal year 2019:
 (A) New budget authority, \$703,207,000,000.
 (B) Outlays, \$700,159,000,000.

Fiscal year 2020:
 (A) New budget authority, \$758,257,000,000.
 (B) Outlays, \$744,694,000,000.

Fiscal year 2021:
 (A) New budget authority, \$802,020,000,000.
 (B) Outlays, \$798,239,000,000.

(12) Medicare (570):
 Fiscal year 2012:
 (A) New budget authority, \$484,111,000,000.
 (B) Outlays, \$483,780,000,000.

Fiscal year 2013:
 (A) New budget authority, \$520,430,000,000.
 (B) Outlays, \$520,624,000,000.

Fiscal year 2014:
 (A) New budget authority, \$548,261,000,000.
 (B) Outlays, \$548,183,000,000.

Fiscal year 2015:
 (A) New budget authority, \$570,614,000,000.
 (B) Outlays, \$570,466,000,000.

Fiscal year 2016:
 (A) New budget authority, \$617,637,000,000.
 (B) Outlays, \$617,836,000,000.

Fiscal year 2017:
 (A) New budget authority, \$639,232,000,000.
 (B) Outlays, \$639,114,000,000.

Fiscal year 2018:
 (A) New budget authority, \$661,919,000,000.
 (B) Outlays, \$661,747,000,000.

Fiscal year 2019:
 (A) New budget authority, \$721,678,000,000.
 (B) Outlays, \$721,870,000,000.

Fiscal year 2020:
 (A) New budget authority, \$773,720,000,000.
 (B) Outlays, \$773,596,000,000.

Fiscal year 2021:
 (A) New budget authority, \$827,773,000,000.
 (B) Outlays, \$827,625,000,000.

(13) Income Security (600):
 Fiscal year 2012:
 (A) New budget authority, \$567,181,000,000.
 (B) Outlays, \$556,666,000,000.

Fiscal year 2013:
 (A) New budget authority, \$534,400,000,000.
 (B) Outlays, \$532,449,000,000.

Fiscal year 2014:
 (A) New budget authority, \$532,748,000,000.
 (B) Outlays, \$530,980,000,000.

Fiscal year 2015:
 (A) New budget authority, \$530,252,000,000.
 (B) Outlays, \$527,489,000,000.

Fiscal year 2016:
 (A) New budget authority, \$537,507,000,000.
 (B) Outlays, \$538,348,000,000.

Fiscal year 2017:
 (A) New budget authority, \$537,892,000,000.
 (B) Outlays, \$534,372,000,000.

Fiscal year 2018:
 (A) New budget authority, \$542,056,000,000.
 (B) Outlays, \$533,620,000,000.

Fiscal year 2019:
 (A) New budget authority, \$557,509,000,000.
 (B) Outlays, \$553,333,000,000.

Fiscal year 2020:
 (A) New budget authority, \$569,122,000,000.
 (B) Outlays, \$564,783,000,000.

Fiscal year 2021:
 (A) New budget authority, \$581,727,000,000.
 (B) Outlays, \$577,158,000,000.

(14) Social Security (650):
 Fiscal year 2012:
 (A) New budget authority, \$54,745,000,000.
 (B) Outlays, \$54,930,000,000.

Fiscal year 2013:
 (A) New budget authority, \$29,094,000,000.
 (B) Outlays, \$29,256,000,000.

Fiscal year 2014:
 (A) New budget authority, \$32,699,000,000.
 (B) Outlays, \$32,776,000,000.

Fiscal year 2015:
 (A) New budget authority, \$36,259,000,000.
 (B) Outlays, \$36,311,000,000.

Fiscal year 2016:
 (A) New budget authority, \$40,171,000,000.
 (B) Outlays, \$40,171,000,000.

Fiscal year 2017:
 (A) New budget authority, \$44,265,000,000.
 (B) Outlays, \$44,263,000,000.

Fiscal year 2018:
 (A) New budget authority, \$48,721,000,000.
 (B) Outlays, \$48,717,000,000.

Fiscal year 2019:
 (A) New budget authority, \$53,514,000,000.
 (B) Outlays, \$53,508,000,000.

Fiscal year 2020:
 (A) New budget authority, \$58,560,000,000.
 (B) Outlays, \$58,552,000,000.

Fiscal year 2021:
 (A) New budget authority, \$64,063,000,000.
 (B) Outlays, \$64,053,000,000.

(15) Veterans Benefits and Services (700):
 Fiscal year 2012:
 (A) New budget authority, \$133,332,000,000.
 (B) Outlays, \$132,353,000,000.

Fiscal year 2013:
 (A) New budget authority, \$135,012,000,000.
 (B) Outlays, \$134,811,000,000.

Fiscal year 2014:
 (A) New budget authority, \$139,125,000,000.
 (B) Outlays, \$138,965,000,000.

Fiscal year 2015:
 (A) New budget authority, \$143,143,000,000.

(B) Outlays, \$142,792,000,000.
Fiscal year 2016:
(A) New budget authority, \$152,382,000,000.
(B) Outlays, \$151,805,000,000.
Fiscal year 2017:
(A) New budget authority, \$151,311,000,000.
(B) Outlays, \$150,657,000,000.
Fiscal year 2018:
(A) New budget authority, \$150,399,000,000.
(B) Outlays, \$149,703,000,000.
Fiscal year 2019:
(A) New budget authority, \$160,078,000,000.
(B) Outlays, \$159,359,000,000.
Fiscal year 2020:
(A) New budget authority, \$164,666,000,000.
(B) Outlays, \$163,930,000,000.
Fiscal year 2021:
(A) New budget authority, \$169,367,000,000.
(B) Outlays, \$168,573,000,000.
(16) Administration of Justice (750):
Fiscal year 2012:
(A) New budget authority, \$57,432,000,000.
(B) Outlays, \$58,751,000,000.
Fiscal year 2013:
(A) New budget authority, \$62,315,000,000.
(B) Outlays, \$58,121,000,000.
Fiscal year 2014:
(A) New budget authority, \$56,543,000,000.
(B) Outlays, \$58,513,000,000.
Fiscal year 2015:
(A) New budget authority, \$57,239,000,000.
(B) Outlays, \$59,275,000,000.
Fiscal year 2016:
(A) New budget authority, \$60,732,000,000.
(B) Outlays, \$61,852,000,000.
Fiscal year 2017:
(A) New budget authority, \$60,411,000,000.
(B) Outlays, \$60,803,000,000.
Fiscal year 2018:
(A) New budget authority, \$61,848,000,000.
(B) Outlays, \$62,738,000,000.
Fiscal year 2019:
(A) New budget authority, \$63,427,000,000.
(B) Outlays, \$63,075,000,000.
Fiscal year 2020:
(A) New budget authority, \$67,045,000,000.
(B) Outlays, \$66,425,000,000.
Fiscal year 2021:
(A) New budget authority, \$69,682,000,000.
(B) Outlays, \$69,034,000,000.
(17) General Government (800):
Fiscal year 2012:
(A) New budget authority, \$28,320,000,000.
(B) Outlays, \$31,424,000,000.
Fiscal year 2013:
(A) New budget authority, \$29,002,000,000.
(B) Outlays, \$29,997,000,000.
Fiscal year 2014:
(A) New budget authority, \$31,090,000,000.
(B) Outlays, \$31,666,000,000.
Fiscal year 2015:
(A) New budget authority, \$33,356,000,000.
(B) Outlays, \$33,609,000,000.
Fiscal year 2016:
(A) New budget authority, \$35,943,000,000.
(B) Outlays, \$35,951,000,000.
Fiscal year 2017:
(A) New budget authority, \$38,226,000,000.
(B) Outlays, \$38,019,000,000.
Fiscal year 2018:
(A) New budget authority, \$40,614,000,000.
(B) Outlays, \$40,324,000,000.
Fiscal year 2019:
(A) New budget authority, \$43,098,000,000.
(B) Outlays, \$42,557,000,000.
Fiscal year 2020:
(A) New budget authority, \$45,450,000,000.
(B) Outlays, \$44,952,000,000.
Fiscal year 2021:
(A) New budget authority, \$47,860,000,000.
(B) Outlays, \$47,266,000,000.
(18) Net Interest (900):
Fiscal year 2012:
(A) New budget authority, \$373,298,000,000.

(B) Outlays, \$373,298,000,000.
Fiscal year 2013:
(A) New budget authority, \$429,008,000,000.
(B) Outlays, \$429,008,000,000.
Fiscal year 2014:
(A) New budget authority, \$495,067,000,000.
(B) Outlays, \$495,067,000,000.
Fiscal year 2015:
(A) New budget authority, \$556,504,000,000.
(B) Outlays, \$556,504,000,000.
Fiscal year 2016:
(A) New budget authority, \$617,248,000,000.
(B) Outlays, \$617,248,000,000.
Fiscal year 2017:
(A) New budget authority, \$673,242,000,000.
(B) Outlays, \$673,242,000,000.
Fiscal year 2018:
(A) New budget authority, \$723,073,000,000.
(B) Outlays, \$723,073,000,000.
Fiscal year 2019:
(A) New budget authority, \$765,358,000,000.
(B) Outlays, \$765,358,000,000.
Fiscal year 2020:
(A) New budget authority, \$806,789,000,000.
(B) Outlays, \$806,789,000,000.
Fiscal year 2021:
(A) New budget authority, \$838,786,000,000.
(B) Outlays, \$838,786,000,000.
(19) Security Allowances (930):
Fiscal year 2012:
(A) New budget authority, -\$15,000,000,000.
(B) Outlays, -\$8,592,000,000.
Fiscal year 2013:
(A) New budget authority, -\$20,000,000,000.
(B) Outlays, -\$15,405,000,000.
Fiscal year 2014:
(A) New budget authority, -\$25,000,000,000.
(B) Outlays, -\$21,052,000,000.
Fiscal year 2015:
(A) New budget authority, -\$30,000,000,000.
(B) Outlays, -\$26,235,000,000.
Fiscal year 2016:
(A) New budget authority, -\$35,000,000,000.
(B) Outlays, -\$31,385,000,000.
Fiscal year 2017:
(A) New budget authority, -\$35,692,000,000.
(B) Outlays, -\$33,860,000,000.
Fiscal year 2018:
(A) New budget authority, -\$36,409,000,000.
(B) Outlays, -\$35,217,000,000.
Fiscal year 2019:
(A) New budget authority, -\$37,142,000,000.
(B) Outlays, -\$36,167,000,000.
Fiscal year 2020:
(A) New budget authority, -\$37,884,000,000.
(B) Outlays, -\$36,982,000,000.
Fiscal year 2021:
(A) New budget authority, -\$38,653,000,000.
(B) Outlays, -\$37,728,000,000.
(20) Undistributed Offsetting Receipts (950):
Fiscal year 2012:
(A) New budget authority, -\$79,779,000,000.
(B) Outlays, -\$79,779,000,000.
Fiscal year 2013:
(A) New budget authority, -\$81,619,000,000.
(B) Outlays, -\$81,619,000,000.
Fiscal year 2014:
(A) New budget authority, -\$85,164,000,000.
(B) Outlays, -\$85,164,000,000.
Fiscal year 2015:
(A) New budget authority, -\$90,854,000,000.
(B) Outlays, -\$90,854,000,000.
Fiscal year 2016:
(A) New budget authority, -\$92,630,000,000.
(B) Outlays, -\$92,630,000,000.
Fiscal year 2017:
(A) New budget authority, -\$93,926,000,000.
(B) Outlays, -\$93,926,000,000.
Fiscal year 2018:
(A) New budget authority, -\$99,730,000,000.
(B) Outlays, -\$99,730,000,000.
Fiscal year 2019:
(A) New budget authority, -\$104,303,000,000.
(B) Outlays, -\$104,303,000,000.

Fiscal year 2020:
(A) New budget authority, -\$108,178,000,000.
(B) Outlays, -\$108,178,000,000.
Fiscal year 2021:
(A) New budget authority, -\$112,645,000,000.
(B) Outlays, -\$112,645,000,000.
(21) Overseas contingency operations (970):
Fiscal year 2012:
(A) New budget authority, \$64,544,000,000.
(B) Outlays, \$88,028,000,000.
Fiscal year 2013:
(A) New budget authority, \$0.
(B) Outlays, \$48,016,000,000.
Fiscal year 2014:
(A) New budget authority, \$0.
(B) Outlays, \$16,911,000,000.
Fiscal year 2015:
(A) New budget authority, \$0.
(B) Outlays, \$5,271,000,000.
Fiscal year 2016:
(A) New budget authority, \$0.
(B) Outlays, \$1,535,000,000.
Fiscal year 2017:
(A) New budget authority, \$0.
(B) Outlays, \$587,000,000.
Fiscal year 2018:
(A) New budget authority, \$0.
(B) Outlays, \$351,000,000.
Fiscal year 2019:
(A) New budget authority, \$0.
(B) Outlays, \$265,000,000.
Fiscal year 2020:
(A) New budget authority, \$0.
(B) Outlays, \$250,000,000.
Fiscal year 2021:
(A) New budget authority, \$0.
(B) Outlays, \$100,000,000.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Missouri (Mr. CLEAVER) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Missouri.

Mr. CLEAVER. Madam Chair, the Congressional Black Caucus has offered an alternative resolution to the budget proposals every year since 1981. This year marks the 40th anniversary of the Congressional Black Caucus, and we have over those years served as the conscience of this body.

I stand in front of you today to say that this is perhaps the most important of all of the alternative budgets offered by the Congressional Black Caucus. And the reason is, Madam Chairman, that we believe someone must stand up for the vulnerable population. The vulnerable population is not what we generally like to think; it's not the stereotypical view of a person who doesn't work and is shiftless and is a parasite.

The vulnerable population today consists of firefighters, police officers, municipal workers, State workers, factory workers who have been laid off through no fault of their own because of this weak economy. Those men and women have been struggling trying to make it.

Somebody must stand up for them. They are black, white, brown, they are elderly. Some of them are at an age where it will be difficult for them to get another job. And so somebody must stand up for them, and we have decided that it will be us.

Now, let me just say that these are some weird times. We do have a budget

deficit, and we would not at all suggest that we don't need to deal with the budget deficit. What we need to do, however, is deal with it in a way that will protect the vulnerable populations.

Madam Chair, I have a left knee that is artificial, it is a prosthetic, the result of football injuries. And once I recovered and left the hospital after the surgery, my brain automatically forced the rest of my body to pay attention to the sick side of my body. So I automatically, even though I tried not to, did everything I could do to protect my left knee. I even put most of my weight on my right knee.

What I am saying is that our bodies provide us with a message that when some part of our body is vulnerable, is weak, the other part, the strong part, needs to do everything it can to protect the weak part.

The Congressional Black Caucus is saying that our alternative budget does exactly that when you consider the fact that the gap in after-tax income between the richest 1 percent of Americans and the middle and poorest fifths of our country more than doubled between 1979 and 2009.

So we can see that the rich are getting richer, the poor are getting poorer. And when I hear people say we must have shared sacrifice, I disagree.

The poorest people don't need to sacrifice. I am not sure that you can find a single poor person who is responsible for the economic collapse of the last 2 years. Mark Zandi, an economist with unimpeachable Republican credentials, said that 1.7 million people will lose their jobs in the first 2 years if this budget is enacted.

So, Madam Chair, we intend to present our budget now to demonstrate how this body can protect its weak side and still maintain the best of this Republic for the protection of its people.

I reserve the balance of my time.

□ 2140

Mr. CHAFFETZ. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Utah is recognized for 15 minutes.

Mr. CHAFFETZ. I yield myself 3 minutes.

Madam Chair, I am so glad that we are going through this process this year. I think this is a healthy part of what we do as the United States, what separates us from a lot of other countries. And I'm glad that we are actually doing this. This is my second term in Congress. So last Congress last year, we didn't even go through this process. I think this is healthy.

I think we all care deeply, and we are very patriotic about this country, but I happen to have a vision that says that the proper role of government is somewhat limited and that there is a proper role for government, and that we need to adhere to that proper role.

It's funny, sometimes I hear opposition to the Republican proposal or the Republican budget, and I hear that we're going to sacrifice this and we're going to cut all that. Let's also understand that we're still going to spend \$3.5 trillion with a capital T. That's a lot of money. People often ask me, they say how much is \$1 trillion? It's kind of a hard number to get your arms around, but if you were to spend \$1 million a day, every day, it would take you almost 3,000 years to get to \$1 trillion, to \$1 trillion.

Well, we're \$14 trillion in debt. We're paying more than \$600 million a day in interest on that debt. It's on its way to \$1 billion a day in just the interest on that debt, and we're going to have to deal with the fact that we've got to pay that debt. We've got to cut up the government credit card. We have spent far too much money.

What I like about what we have proposed in the Republican budget is that we start to rein in the out-of-control spending; yet we still fulfill a lot of the obligations that we have to this country, particularly for seniors and others. We will still spend an exorbitant amount of money, but over the course of time, we will be on the proper trajectory to live within our means.

I think that is one of the foundations of this country, the idea of personal responsibility, the idea that we have to live within our means, that we are self-sufficient. And we have to deal with the fact that in Congresses previous, in generations previous, they have racked up this debt. And we go through and blame each other for that. But the reality moving forward is we have to put ourselves on a trajectory to balance the budget and pay off the debt. And that, I think, is one of the great moral responsibilities that we have in the United States Congress, the adult conversation that we have.

There are a lot of needs in this country, but we're broke, ladies and gentlemen. We're broke. And we have got to rein in the spending. And we have got to make the United States as competitive as we can possibly be. Because when we're competitive on the world stage—the United States of America is still the greatest country on the face of the planet—but if we're going to be the military and economic superpower, we have a responsibility to live within our means and to become self-sufficient.

I reserve the balance of my time, Madam Chair.

Mr. CLEAVER. I yield myself 10 seconds to just say, when progress is made, someone is always left behind. And my concern is that it's always the vulnerable.

I yield 3 minutes to the gentleman from Virginia, Mr. BOBBY SCOTT.

Mr. SCOTT of Virginia. Madam Chair, the Congressional Black Caucus has a long history of submitting fiscally responsible budget alternatives

regardless of who may be sitting in the White House or which party holds the majority in Congress.

This year's budget alternative continues this long tradition by putting forth a plan that significantly reduces our deficit over the next decade while increasing economic opportunities and promoting job creation in every corner of our society.

Unlike the Republican budget, the CBC budget brings the deficit to 1.4 percent of GDP by 2015, better than so-called primary balance, which was the goal of the President's fiscal commission, and achieves primary balance even earlier than the commission, itself. While I commend the Republican chairman of the Budget Committee for proposing a budget that reduces our long-term debt, he only achieves this by shifting medical costs to lower-income Americans and seniors.

The CBC budget is much more responsible. Our budget makes tough choices. But unlike the Republican budget, it doesn't jeopardize Social Security, undermine Medicaid by turning it into a block grant, or shift Medicare costs to seniors by creating a voucher program that doesn't keep pace with medical inflation. Our budget protects these vital programs, and compared to the Republican budget, it has \$1.3 trillion more in deficit reduction over the next decade.

The CBC budget proposes responsible revenue increases by closing corporate loopholes and preferences, deterring aggressive stock speculation, which helped contribute to the 2008 financial crisis, and ensuring that the wealthiest Americans who benefited most from the tax cuts and bailouts in the last decades pay their fair share.

Now, with the additional revenues and assuming some of the cuts proposed in the President's budget, the CBC budget uses 80 percent of the additional revenue for deficit reduction, and then invests the rest to protect from making the cuts in our safety net programs, like WIC or Community Health Centers, avoiding cuts in investments in our future like Head Start, Pell Grants, high-speed rail, and NASA, reducing cuts in critical functions like clean water, FBI agents and food inspections, and has more for national defense, homeland security and our veterans. Our budget also fully funds an additional 14 weeks of emergency unemployment benefits for those who have exhausted their benefits, often referred to as the 99ers.

Now, Madam Chair, the CBC budget protects our social safety net. It invests in our future. It maintains essential services in national security. It does all of this and has more deficit reduction than the underlying Republican budget. So we have a choice. We can have lower deficits and a better future, or we can have tax cuts for multimillionaires and oil companies.

I urge my colleagues to make the right choice and support the Cleaver amendment.

Mr. CHAFFETZ. Madam Chair, I yield 3 minutes to the freshman gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. Madam Chair, the House budget that we're proposing tonight from Republicans is a budget that will take discretionary spending back to the pre-2008 level and begin to deal with our spending issue that we have as a Nation. We have increased our discretionary spending 25 percent over the last 2 years. We're trying to move it back to where we were a few years ago and then allow that to be able to grow with inflation.

We're focusing on freezing in the Federal workforce. It's a recommendation done by the President's own debt commission. And taking that issue on that the President and the debt commission gave to say, how do we need to handle our Federal workforce? It has increased by 140,000 just in a single year. And it begins to walk through the process of what do we do with our social safety net to make sure that the social safety net is still there in the years to come.

We believe there needs to be a social safety net, but as our chairman has said multiple times, that social safety net should be a safety net and not a hammock. And it should allow people to be able to go through that process to find a safe place and a safe harbor for a period of time until they're able to get back on their feet. That's a good thing for us to be able to do as Americans, and we need to find ways to be able to protect that in the days to come.

But part of the struggle that we have with that is finding ways that that doesn't become a place where people are trapped indefinitely. So we would like to be able to implement some of the reforms of the Clinton-era time when temporary assistance for needy families was transitioned in, and it has become such a great success on helping families be able to transition into work. The best way we can take care of families that are in the poverty area is not through a program from the government; it is with a great job so they have great self-esteem and they can be engaged and be a part of our ongoing economy.

The President's own debt commission made the comment that the Nation is broke, and what we need to do is focus on reducing spending and dealing with how we handle what we do as a Nation and what we're trying to accomplish.

As far as the issues about Medicare, we've been very clear through this process. We're dealing with Medicare changes for those that are 54 years old and younger. And for those that are in poverty and facing disability, those individuals would have full coverage, and as they're more wealthy, yes, we would

means test that. We have an expectation that wealthier senior adults would be able to help cover more of their own Medicare; but for those that are in poverty or near the poverty range, they would be supplemented more to make sure that we're taking care of them, and it would be a guaranteed coverage like they have now so that they don't have to worry about not being able to get Medicare. They would be able to have it, and that would be secured for them.

We have one more major thing that we've all discussed. We all want taxes to be more simple in the process. Tomorrow is April 15, all of our favorite day in America, dealing with the taxes and dealing with the process. And it's not a matter of being a great citizen. It's just a matter of going through the tax forms. We need to simplify this process and make it more flat, more level and more fair for people across the board. So that's a major part of it. We're not talking about raising taxes \$6 trillion. We're talking about keeping tax rates where they are and finding a way to be able to honor people and honor families.

□ 2150

Mr. CLEAVER. Madam Chair, how much time remains, please?

The Acting CHAIR. The gentleman from Missouri has 8½ minutes remaining.

Mr. CLEAVER. I now yield 2 minutes to the gentlelady from Wisconsin, Ms. GWENDOLYNNE MOORE.

Ms. MOORE. The Congressional Black Caucus, the conscience of the Congress, rejects cuts that wage war on the poor and war on the working class. There are 43 of us from 21 States, and we represent over 30 million people. We are aggrieved that two-thirds of the Republican budget cuts come from programs that serve low-income and working class people while there is no sacrifice from the uber-wealthy class.

It is our job to be a voice in the wilderness and to point out that it is downright immoral to choose tax cuts for the wealthiest Americans and billions of dollars of tax breaks and tax subsidies rather than preserving the dignity of a life with decent housing, food security, and access to health care for all Americans.

The gentleman who spoke previously just pointed out that they're cutting welfare because they believe that people need self-esteem. Well, you cannot eat self-esteem, and you cannot live in a house built on self-esteem. We want you to know that half of all Americans in this country are barely making it without any governmental support, and they need Medicaid. They don't need you to block grant it. "Block granting" means a cut. "Block granting food stamps" means a cut. Privatizing Medicare is a cut. Inflicting deep cuts to the Low Income Home

Energy Assistance Program and denying extended benefits to the unemployed is a cut.

Yet the Congressional Black Caucus prioritizes controlling the debt and deficit. We cut it by \$4 trillion over 10 years. We, the CBC, submit that conservative fiscal policy is compatible with compassion for the invisible, voiceless majority of Americans who need their government to respond.

Mr. CHAFFETZ. Madam Chair, I yield 3 minutes to the gentleman from Indiana (Mr. YOUNG).

Mr. YOUNG of Indiana. Madam Chair, there has been much discussion today about shared sacrifice. The notion of shared sacrifice, let's disaggregate that for a moment.

We might have shared sacrifice for the next generation. We certainly are contemplating that right now if we fail to act in a responsible manner and address our Nation's debt crisis.

Shared sacrifice for the currently unemployed and underemployed in our country, that is what we are contemplating. If our solution to our Nation's problems is merely to increase taxes, we're going to see a decrease in job creation in this country. We will actually see our going the other direction in terms of employment in this country if we implement, as is proposed in this substitute, a tax increase of almost \$6 trillion as compared to the budget that we are embracing on the Republican side.

We are imposing all manner of unnecessary sacrifice under this substitute on those Americans who are currently working and middle class. It contemplates a tax increase on capital gains and dividends at ordinary income rates. What that means, essentially, is we're thinking of taxing pensions and mutual funds at a rate as high as 49 percent. That would adversely impact our seniors. It's not the responsible thing to do.

Here in this proposal, we are also contemplating allowing all tax provisions of the 2001 and 2003 deals to expire for all taxpayers. In other words, this is a proposed tax increase on middle class Americans. I don't think that's the right thing to do right now.

Let's remind ourselves that we cannot tax our way out of this spending problem. Washington, once again, does not have a tax problem. We are not in this mess because we're not taxing the American people enough. Instead, we are in this mess because we're spending far too much.

This will become a familiar chart for Americans around the country, I hope, but let's look at this:

This is the ski slope of future spending projections, according to our Office of Management and Budget and Congressional Budget Office, if we do nothing. Those on the other side are seemingly proposing that we continue along this course or that we try and remedy

this situation through job-constraining tax increases. That's not the way to go.

Finally, one statistic that was cited earlier tonight bears reiterating. If we were to tax everyone in this country who makes \$250,000 or more—every family in this country, so that's just two income earners—at the \$125,000 level and at 100 percent of their incomes, we still could not improve our financial situation enough to restore private sector job creation and put ourselves back on the path to prosperity. That is why I think we need to embrace this Ryan budget.

Mr. CLEAVER. Madam Chair, I yield 1 minute to the gentleman from Texas, AL GREEN.

Mr. AL GREEN of Texas. Madam Chair, the American people are confronting a dilemma, and the dilemma is simply this: to privatize or not to privatize. When all is said and done, that's the dilemma that we face based upon what the opposing party proposes.

The simple solution to education is to simply privatize and to give them vouchers. The simple solution to Social Security is to privatize and to place it in the stock market. The simple solution to health care is to privatize and to give them vouchers. For every complicated problem, there is a simple solution that's usually wrong.

As the economy continues to emerge from the worst recession in generations, the CBC budget understands the increased need for income security programs such as the Supplemental Nutrition Assistance Program (SNAP), Unemployment insurance, Medicaid, and Section 8 housing vouchers.

As a member of the House Financial Services Committee, I have worked hard over many years to ensure adequate funding levels for housing and community development programs, such as the Fair Housing Initiatives program and the HUD–Veterans Affairs Supportive Housing program. I am pleased that the CBC budget supports investment in these key programs.

For Fiscal Year 2012, the Administration has requested \$75 million for new HUD–Veterans Affairs Supportive Housing (VASH) vouchers, which will end homelessness for an estimated 11,538 of our nation's veterans.

HUD–VASH combines tenant-based voucher assistance for homeless veterans with case management and clinical services provided by the Department of Veterans Affairs (VA) at its medical centers in local communities.

Public housing authorities who are awarded HUD–VASH vouchers develop partnerships with VA medical centers to help homeless veterans find permanent supportive housing.

It is estimated that approximately 60,000 homeless veterans will need HUD–VASH vouchers. A recent report issued by HUD and the VA indicated that on a single night in January 2009, 75,609 veterans were homeless.

Over the past three fiscal years, Congress has appropriated \$75 million a year for 10,000 new vouchers—for a total of 30,000 vouchers.

To continue moving towards the goal of ending veterans' homelessness, Congress should provide an additional 11,538 vouchers in FY 2012.

I am pleased that the CBC Budget makes homeless veterans a priority by providing additional funding to Section 8 which will ultimately ensure adequate vouchers in FY 2012.

The CBC Budget also provides additional funding for community and regional development programs. I am pleased that the Fair Housing Initiatives Program is listed among programs targeted to receive additional support.

This week marked the forty-third anniversary of the signing of the federal Fair Housing Act which was signed into law because of the efforts of Dr. Martin Luther King Jr. to bring civil rights and justice in housing to all Americans. The Fair Housing Act outlawed discrimination in housing based upon race, color, religion, and national origin.

Despite its passage more than 40 years ago, approximately 4 million fair housing violations are estimated to occur each year, many of which involve veterans and military personnel.

However, according to the National Fair Housing Alliance, just 30,000 are reported to federal, state, and local fair housing authorities and only a handful are investigated with less than 120 actually resulting in charges.

This number appears low given that housing discrimination is perceived to be one of the root causes of the current foreclosure crisis.

Fair housing education and enforcement, primarily provided by private, non-profit fair housing organizations, play an important role in fighting housing discrimination and predatory lending.

With support from the federal Fair Housing Initiatives Program (FHIP), these organizations investigate over half of the nation's reported housing discrimination complaints, counsel people who have been victims of housing discrimination, and enforce fair housing laws through housing testing programs.

The President's Budget proposes \$42.5 million in funding for the FHIP program in FY2012 which provides level funding from the previous year.

FHIP is a key federal program that provides funds to enforce the nation's fair housing laws, combat housing discrimination and ensure equal housing opportunities at the state and local level.

Given the ongoing foreclosure crisis, which has forced many families to enter the rental market, strengthened fair housing programs are more important than ever.

As the housing market slowly recovers, the need for sustained funding for fair housing enforcement is critically important. I am pleased that the CBC budget recognizes the importance of this program by providing additional funding for it as well.

In addition, I have introduced H.R. 284, the Veterans, Women, Families with Children, and Persons with Disabilities Housing Fairness Act of 2011, which aims to provide the necessary enforcement to guarantee equal opportunities and prosecute housing discrimination, as well as to be a deterrent for this kind of behavior.

It is my hope that these combined efforts will bring us closer to ending housing discrimination, especially against disabled persons and particularly against our veterans.

I ask my colleagues to vote "aye" on final passage of the Congressional Black Caucus Alternative Budget for Fiscal Year 2012.

Mr. CHAFFETZ. Madam Chair, I yield myself such time as I may consume in order to say that we don't offer a proposal to privatize Social Security. We do not do the things that were just said on this floor.

Nevertheless, I yield 3 minutes to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Madam Chair, I rise tonight to also talk a little bit about the size and the scope and the number of employees that this Federal Government has. Earlier tonight, I talked about the State from which I come, Indiana—a AAA bond rating, not raising taxes on anybody, and a budget that year after year has been in the black.

As Secretary of State for Indiana for the last 8 years, I had operated a bureaucracy, and I know a little bit about them. What we had in Indiana, at least in the Secretary of State's office, was a pretty darned good one. We had no more employees in the Indiana Secretary of State's office than we did in the early '80s, and we were running on a 1987 budget, unadjusted for inflation.

I can tell by the reaction of some of the Members here in the House tonight that it's one of derision. It's one of scoffing. It can be done. The States know how to do it. Let's look to them.

In contrast to Indiana, what do we see here at the Federal level? We see 155,000 more bureaucrats than just a few years ago, an 80-plus-percent increase in the size and scope of this Federal Government, Madam Chairman—and that's just the personnel. We can have cuts in each of these departments. Every bureaucrat we don't hire after one retires will cause a 10 percent decrease in the Federal workforce over just a few years. That's responsible governing, especially when you're talking about a \$14 trillion debt—\$1 trillion year after year deficits.

As the previous Republican speaker pointed out, my friend TODD YOUNG, it's just getting worse. The red menace is upon us, and it's the red ink produced in this Federal Government, right here from the well of this House, to begin with. The Ryan proposal that came out of the Budget Committee addresses this in a responsible manner. The smaller we make this Federal Government, the more the private sector grows. It's correlational. It's definitional.

□ 2200

I urge my colleagues to pass this budget proposal, the Ryan proposal.

Mr. CLEAVER. Madam Chair, I yield 1 minute to the gentlewoman from New York (Ms. CLARKE).

Ms. CLARKE of New York. Madam Chair, I rise in strong support of the Congressional Black Caucus budget alternative which lays out what I truly believe to be a more responsible way forward. In stark contrast to the irresponsible and reckless cuts proposed by the majority in the Ryan budget, the

CBC budget alternative recognizes that not only can we not cut and slash our way to prosperity on the backs of our Nation's most vulnerable while protecting tax cuts for multimillionaires, but we also must invest in our Nation's future.

Our proposal creates jobs by investing in the green economy, diminishing our dependence on foreign oil, invests in our future by supporting programs that make education from the cradle to college more affordable, and protects the most vulnerable Americans.

Madam Chair, it is time we have an honest conversation with the American people about where we are: the greatest wealth transfer from the poor and the middle class to the rich and the wealthy in our lifetime. How we got here: Bush tax cuts, subprime scamming, and financial sector greed. And how we get to fiscal solvency: By supporting the CBC budget alternative. We are the conscience of the Congress.

Mr. CHAFFETZ. Madam Chair, I would like to inquire of the remaining time. We have no additional speakers except myself.

The Acting CHAIR. The gentleman from Utah has 3 minutes remaining. The gentleman from Missouri has 4½ minutes remaining.

Mr. CHAFFETZ. I reserve the balance of my time.

Mr. CLEAVER. Madam Chair, I yield 1 minute to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN), a certified physician.

Mrs. CHRISTENSEN. Madam Chair, I rise today in strong support of the Congressional Black Caucus' budget, which is responsible and responsive to the needs of all Americans, especially those who have been ignored and underserved in these hard economic times.

We reject the Republican budget that, while providing giveaways to the rich and corporations, sends seniors and people with disabilities out into the private insurance market with vouchers that will not cover, and so will increase, their costs, and that reopens the dreaded doughnut hole.

The CBC budget preserves Medicare, strengthens and extends it, and ends the doughnut hole. Republicans would cut Medicaid, denying health care to Americans who need prevention and care most, continuing the spiral of excess disabilities, illness, and premature death.

Our budget fully funds Medicaid and the Prevention and Public Health Fund, ensuring health care and the chance for wellness which many would not have without them.

We robustly fund HIV/AIDS, WIC, maternal and child health, and other programs to close gaps and bring better health to minorities, the poor, and Americans in rural areas and the territories.

Unlike the Republicans budget, we create millions of jobs, bring down

costs, and further reduce the deficit. Vote for the CBC budget. Reject the harmful Republican budget.

Mr. CHAFFETZ. I have no further requests for time, and I reserve the balance of my time.

Mr. CLEAVER. Madam Chair, I yield 1 minute to the gentleman from Maryland (Mr. CUMMINGS), the ranking member of the Committee on Oversight and Government Reform.

Mr. CUMMINGS. I thank the gentleman for yielding, and I rise in strong support of the Congressional Black Caucus budget. As a senior member of the Committee on Transportation and Infrastructure, and as a former chairman of the committee's Subcommittee on the Coast Guard and Maritime Transportation, I know that budget cuts do not build bridges. They also do not repair roads, and they do not expand our transit systems.

Unlike the majority's proposed budget which threatens to bring our transportation networks to a standstill, the Congressional Black Caucus alternative budget invests \$20 billion above the President's budget in highways, transit, high-speed rail, and bridges. Such an investment in our Nation's infrastructure will move our recovering economy forward while creating at least 1 million jobs. Such investments will also ensure the mobility of our constituents so they can keep moving forward.

The CBC alternative budget makes investments in economic growth, and our Nation's needs, and I urge all Members to vote in favor of the Congressional Black Caucus budget.

Mr. CHAFFETZ. I continue to reserve the balance of my time.

Mr. CLEAVER. I yield 1 minute to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Chair, I rise in strong opposition to the Ryan plan and in favor of the CBC budget. The CBC budget invests heavily in the education of our youngest citizens, from preschool to graduate school. This investment is necessary to ensure that all children receive the world class education they so greatly need and rightly deserve.

This investment is necessary to build the early childhood education system. We need to improve school readiness and reduce achievement gaps among students from different backgrounds. This investment is necessary to teach critical math and science skills, to improve graduation rates, and to provide for crucial college preparation programs such as TRIO and GEAR UP, all of which are essential for success in our technological world.

Madam Chair, education is a civil rights issue, and unless we educate all of our children, this country will never be what it ought to be. I support the CBC budget.

Mr. CHAFFETZ. Madam Chair, I understand the gentleman has additional

speakers. I am happy to yield an additional minute to the gentleman.

The Acting CHAIR. The gentleman from Missouri now controls 2½ minutes.

Mr. CLEAVER. I thank the gentleman from Utah, and I yield 1 minute to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Madam Chair, I thank the gentleman from Utah for yielding to the CBC.

The CBC budget saves \$325 billion in interest over 10 years which the Republican budget does not. I am glad to stand here and talk about ports and public transit, but I am even more glad to talk about the \$5 billion that goes into general sciences, space and technology, and the \$5 billion for community development.

The reason I want to say that is for all of the tax cuts to the wealthy, \$800 billion, the CBC budget understands that they can invest in health, income security, education, and transportation.

In addition, may I say to you that this is the face of what we are trying to fight for: a hardworking nurse and a beautiful child. This is what America is all about. And I would just say to my good friends, the CBC budget does not engage in slash-onomics. It does not engage in losing jobs, jobs, jobs. We create jobs through community block grants, through space, science, and technology, through transportation. And all the bill for the Republicans will do to America is slash jobs; slash-onomics. Vote for the CBC budget.

Madam Chair, I rise in support of the Congressional Black Caucus Alternative Budget for Fiscal Year 2012. The CBC Alternative Budget provides a far superior alternative to the Republican Budget in general and especially in the areas of job creating area of transportation and infrastructure.

IN GENERAL

The CBC Alternative Budget for FY 2012 puts forth a plan that reduces the deficit over the next decade, and increases economic opportunities and job creation while ensuring sustained investments in education, job training, transportation and infrastructure, and advanced research and development.

Deficit reduction and the path to fiscal sustainability must not be on the backs of the vulnerable. We cannot win the future by leaving our most vulnerable behind. Our success as a nation is interwoven in the success of every community. The CBC Alternative Budget is an honest and responsible path to prosperity.

Unlike the Republican Budget, the CBC Budget achieves all this by making tough but responsible decisions to raise new revenue by broadening the tax base, make our tax system fairer, and close corporate tax loopholes and preferences that have only contributed to the loss of American jobs. Instead of recklessly swinging the budget axe like the Republican leadership, the CBC budget makes targeted investments that will pay dividends for decades.

Compared to the President's budget, the CBC budget saves \$5.7 trillion on the deficit over the next decade.

Compared to the Republican budget, the CBC budget saves \$1.3 trillion on the deficit over the next decade.

EDUCATION

The CBC budget invests \$20 billion over the President's Budget in Education and Job Training Programs.

The CBC Budget support the President's targeted investments towards education programs, but also restores the proposed cuts to the Community Services Block Grant and the \$7.6 billion cut to year round Pell grants.

JOB CREATION & SOCIAL SAFETY NET

In the name of cutting spending, Republicans in Congress have recklessly swung the axe at programs that help vulnerable Americans. The blade did not spare Community Development Block Grants, food assistant programs, etc. The Republican budget all but wipes out these necessary programs at the time when more and more families are being pushed into poverty.

CBC budget provides states with the resources necessary to continue to preserve the social safety net while promoting sustainable job creation and economic growth. This proposed investment in infrastructure is supported by business, specifically the United States Chamber of Commerce.

CBC budget also provides \$16 billion for H.R. 589, the Emergency Unemployment Compensation Expansion and \$2.5 billion for the TANF Emergency Contingency Fund.

DEFICIT REDUCTION

For FY 2012, the CBC Budget sets aside \$283.4 billion for deficit reduction. Over a 10 year period, the CBC budget sets aside \$3.96 trillion of deficit reduction. Compared to the Republican budget, the CBC budget save \$172 billion on the deficit in FY2012 and \$1.34 trillion over the next decade.

TRANSPORTATION

The CBC budget provides \$20 billion for Transportation Investment.

COMMUNITY & REGIONAL DEVELOPMENT

The CBC budget provides \$5 billion for Community & regional Development.

CONCLUSION

By investing in infrastructure and other job creating areas, the CBC Alternative Budget offers the best and most fiscally responsible proposal to take America forward to economic prosperity.

Mr. CHAFFETZ. I continue to reserve the balance of my time.

Mr. CLEAVER. Madam Chair, in closing, I am not accusing anybody of being mean-spirited and wanting to hurt people. I am absolutely convinced that those who support the Republican budget are good and decent Americans. They want the best things for this country. I will never stand on this floor and do that.

But what I am saying is I believe and our caucus believes that their program, their budget, is one that does damage to the vulnerable population of this country. We believe that somebody must stand up and speak for those who are hurting and cannot speak for themselves.

□ 2210

A budget is a moral document. It is a photograph of what we believe. It is a look into the somebodiness of the United States of America. And when we look at this budget that this Congress will ultimately approve, some budget, it is who we are. It is a biography of who we are. And I am absolutely convinced that the wrong budget—and I think that the budget that is before us is the wrong budget—could create a gash on the soul of America and leave a scar for a long, long time.

Madam Chair, this is a time that we must be careful because if we are not, great damage will be done to the people who can afford the damage the least. I'm talking about children. I'm talking about the elderly. And I'm talking about Americans who live next door to us, people who sit on the pew with us in church. These are people who are going to be hurt by this budget. And I think that the American public, when they come to understand this budget, will come to the conclusion that we're right.

The Acting CHAIR. The time of the gentleman has expired.

Mr. CHAFFETZ. Madam Chair, the United States of America is the greatest country on the face of the planet. We have overcome challenge after challenge for hundreds of years.

What makes America great is that entrepreneurial spirit, that can-do attitude, that idea that was inspired in the Constitution. See, I believe that the Constitution is an inspired, sacred document. But if we are going to continue to maintain our being the world's economic and military superpower, we're going to have to change the trajectory in which we are doing business.

Taxing, spending, borrowing money—that is not the pathway to prosperity. The American Dream is built upon the ideal that people need to take care of themselves. There is a proper role of government. And what we truly need in this country is fiscal discipline, limited government, accountability, and a strong national defense.

The Republican budget that has been put forward puts us on that trajectory, to retain and regain that fiscal sanity that we so desperately need in this country. Not only does our budget balance over the course of time, but it actually pays off the debt. And that, I think and I believe, is what we should be doing and what this budget that is put forth by the Budget Committee on the Republican side of the aisle truly does.

We have a moral obligation to leave this country better than how we found it. And if we are going to truly drive jobs and the economy forward, we are going to have to recognize that we need to empower the individual. We need to empower the entrepreneur so that they can be the very best they can in a very competitive global climate.

So, Madam Chair, I would urge the passage of the Republican budget, and I would urge my colleagues to vote "no" on this alternative that has been put forward during this last half hour.

I have enjoyed the debate. That's what makes this country great.

Ms. RICHARDSON. Madam Chair, I rise today in support of the alternative budget of the Congressional Black Caucus. This budget makes smart investments in our future by focusing on education, workforce training, and advanced research and development for clean energy technologies.

As you all know, minority communities took the hardest hit during the economic recession. In my district, we suffer from rates of unemployment and home foreclosure that are significantly higher than the rest of the country. Although our nation's economy is showing positive signs of growth, we must continue to make critical investments in our communities to facilitate our recovery. The CBC's alternative budget does this by investing \$20 billion more than the President's Budget in education and job training programs that will prepare our young leaders to win the future.

While the CBC recognizes the importance of creating a budget that is fiscally responsible, we cannot slash spending and investment on the backs of the most vulnerable Americans. The CBC's alternative budget reduces the deficit over the next decade and makes smart investments in education, job creation, and transportation and infrastructure. Without these investments, the United States will lose its competitive edge.

Unlike the Republican budget proposal, the CBC's alternative budget protects Medicare and Medicaid, and ensures that the most vulnerable in our society have access to quality healthcare services. The CBC's alternative budget also restores cuts to programs like the Low Income Heating Assistance Program, Community Development Block Grants and Pell Grants for students.

The CBC's alternative budget will also provide \$20 billion more than the President's Budget for needed transportation and infrastructure projects. These investments will help to create jobs, facilitate the movement of goods, and help keep our economy moving forward.

I urge my colleagues to support the CBC's alternative budget plan, which reduces our deficit responsibly over the next decade and invests in the future prosperity of every American.

Mr. CHAFFETZ. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Missouri (Mr. CLEAVER).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CLEAVER. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Missouri will be postponed.

The Chair is advised that amendment No. 2 printed in part B of House Report 112-62 will not be offered.

Mr. CHAFFETZ. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Ms. FOXX, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 34) establishing the budget for the

United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021, had come to no resolution thereon.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. REICHERT (at the request of Mr. CANTOR) for today and the balance of the week on account of family reasons.

ADJOURNMENT

Mr. ROKITA. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Friday, April 15, 2011, at 9 a.m.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the fourth quarter of 2010 and the first quarter of 2011 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO BELGIUM FOR THE JOINT COMMITTEE MEETING OF THE NATO PARLIAMENTARY ASSEMBLY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN FEB. 19 AND FEB. 23, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Michael Turner	2/20	2/24	Belgium		1,333.62		845.30				2,178.92
Hon. Jeff Miller	2/20	2/23	Belgium		847.99		1,854.10				2,702.09
Hon. Gus Bilirakis	2/20	2/23	Belgium		819.56		1,851.90				2,671.46
Doug Seay	2/19	2/23	Belgium		1,373.62		1,734.90				3,108.52
Riley Moore	2/20	2/23	Belgium		970.56		1,734.90				2,705.46
Committee total					5,345.35		8,021.10				13,366.45

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. MICHAEL R. TURNER, Chairman, Apr. 5, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. PAUL RYAN, Chairman, Apr. 7, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN KLINE, Chairman, Apr. 9, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ETHICS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²

HOUSE COMMITTEES

Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. ☒

¹ Per diem constitutes lodging and meals.

² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JO BONNER, Chairman, Apr. 5, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE JUDICIARY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Sandy Adams	3/28	3/29	Cuba, Haiti		267.00		³				267.00
Committee total					267.00						267.00

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military air transportation.

HON. LAMAR SMITH, Chairman, Apr. 7, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON WAYS AND MEANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2010

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Kevin Brady	11/10	11/12	Japan		956.00		9,036.70				9,992.70
David Thomas	11/9	11/12	Japan		1,083.46		9,452.20				10,535.66
Geoffrey Antell	11/6	11/12	Korea		1,926.00		5,015.64				6,941.64
	11/12	11/13	Japan		996.00				55.00		444.52
Angela Ellard	11/8	11/12	Korea		1,226.00		9,570.90		186.69		10,983.59
	11/12	11/13	Japan		996.00						996.00
George York	11/9	11/13	Japan		1,350.00		11,165.20				12,515.20
Alexander Perkins	11/6	11/12	Korea		1,576.45		7,519.80				9,096.25
Vijaya Rangaswami	11/6	11/12	Korea		1,770.00		9,618.80				11,388.80
Committee total					11,879.91		61,379.24		241.69		73,500.84

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. SANDER M. LEVIN.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1265. A letter from the Under Secretary, Department of Defense, transmitting the National Guard Youth Challenge Program Annual Report for Fiscal Year 2010; to the Committee on Armed Services.

1266. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — System Restoration Reliability Standards [Docket No.: RM10-16-000; Order No. 749] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1267. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Withdrawal of Regulatory Guide 8.5, "Critically and Other Interior Evacuation Signals." [7590-01-P] received March 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1268. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Control of Stainless Steel Weld Cladding of Low-Alloy Steel Components [Regulatory Guide 1.43] received March 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1269. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Control of Preheat Temperature for Welding of Low-Alloy Steel [Regulatory Guide 1.50] received March 30, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1270. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's Fifth Annual No FEAR Report to Congress for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

1271. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-51; Small Entity Compliance Guide [Docket No.: FAR 2011-0077, Sequence 3] received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1272. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Clarification of Standard Form 26 — Award/Contract [FAC 2005-51; FAR Case 2009-029; Item II; Docket 2010-0096, Sequence 1] (RIN: 9000-AL72) received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1273. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Federal Acquisition Circular 2005-51; Introduction [Docket FAR: 2011-0076, Sequence 3] received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1274. A letter from the Senior Procurement Executive/Deputy Chief Acquisition Officer, General Services Administration, transmitting the Administration's final rule — Federal Acquisition Regulation; Women-Owned Small Business (WOSB) Program [FAC 2005-51; FAR Case 2010-015; Item I; Docket 2010-0015, Sequence 1] (RIN: 9000-AL97) received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Oversight and Government Reform.

1275. A letter from the Director, Office of Civil Rights, International Broadcasting Bureau, transmitting the Bureau's annual report for fiscal year 2010 on the Notification and Federal Employee Antidiscrimination and Retaliation (No FEAR) Act of 2010; to

the Committee on Oversight and Government Reform.

1276. A letter from the Director, Equal Employment Opportunity, National Endowment of the Humanities, transmitting Notification that the National Endowment for the Humanities is in compliance with the No FEAR Act for fiscal year 2010 and that there were no incidents of discrimination reported; to the Committee on Oversight and Government Reform.

1277. A letter from the Director, Office of Personnel Management, transmitting the Office's Fiscal Year 2010 Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1278. A letter from the Acting Chair, Federal Subsistence Board, Department of the Interior, transmitting the Department's final rule — Subsistence Management Regulations for Public Lands in Alaska-2011-12 and 2012-13 Subsistence Taking of Fish and Shellfish Regulations [Docket No.: FWS-R7-SM-2009-0061] [70101-1261-0000L6] (RIN: 1018-AW71) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1279. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the "21st Century Department of Justice Appropriations Authorization Act", related to certain settlements and injunctive relief for the Fourth Quarter 2010, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

1280. A letter from the Federal Register Liaison Officer, Department of Commerce, transmitting the Department's final rule — Changes to Implement the Prioritized Examination Track (Track I) of the Enhanced Examination Timing Control Procedures [Docket No.: PTO-P-2010-0092] (RIN: 0651-AC52) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1281. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Prohibition Against Certain Flights Within the Tripoli (HLLL) Flight Information Region (FIR) [Docket No.: FAA-2011-0246; Amendment No. 91-321; SFAR No. 112] (RIN: 2120-AJ93) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1282. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30772; Amdt. No. 3416] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1283. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30773; Amdt. No. 3417] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1284. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Specified Tax Return Preparers Required to File Individual Income Tax Returns Using Magnetic Media [TD 9518] (RIN: 1545-BJ52) received March 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. POLIS (for himself, Mr. ROTHMAN of New Jersey, and Mrs. DAVIS of California):

H.R. 1532. A bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. TIBERI (for himself, Mr. HIGGINS, and Mr. LATOURETTE):

H.R. 1533. A bill to amend the Internal Revenue Code of 1986 to exempt certain shipping from the harbor maintenance tax; to the Committee on Ways and Means.

By Mr. KIND (for himself and Mr. REICHERT):

H.R. 1534. A bill to amend the Internal Revenue Code of 1986 to encourage retirement savings by modifying requirements with respect to employer-established IRAs, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. FARENTHOLD (for himself, Mr. OLSON, Mr. GOHMERT, Mr. HALL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. HINOJOSA, Mr. REYES, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, Mr.

CUELLAR, Mr. GONZALEZ, Mr. DOGGETT, Mr. MCCAUL, Mr. CARTER, Ms. GRANGER, Mr. BARTON of Texas, Mr. NEUGEBAUER, Mr. SAM JOHNSON of Texas, Mr. THORNBERRY, Mr. CANSECO, Mr. SMITH of Texas, Mr. CULBERSON, Mr. BURGESS, Mr. SESSIONS, Mr. MARCHANT, Mr. POE of Texas, Mr. CONAWAY, Mr. BRADY of Texas, Mr. FLORES, Mr. HENSARLING, and Mr. PAUL):

H.R. 1535. A bill to amend the Intermodal Surface Transportation Efficiency Act of 1991 with respect to the identification of high priority corridors and the inclusion of certain route segments on the Interstate System, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ (for himself, Mr. OLSON, Mr. CALVERT, Mr. POSEY, Mr. NUGENT, Mrs. ADAMS, Mr. POE of Texas, Mr. GENE GREEN of Texas, Ms. JACKSON LEE of Texas, and Mr. AL GREEN of Texas):

H.R. 1536. A bill to provide for the disposition of the retiring Space Shuttles; to the Committee on Science, Space, and Technology, and in addition to the Committee on House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Ms. ZOE LOFGREN of California, Mr. FRANK of Massachusetts, Ms. BALDWIN, Mr. POLIS, Mr. CICILLINE, Mr. CONYERS, Ms. PELOSI, Mr. HOYER, Mr. CLYBURN, Mr. HONDA, Mr. GUTIERREZ, Mr. ACKERMAN, Ms. BASS of California, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BISHOP of New York, Mr. BLUMENAUER, Mr. BRADY of Pennsylvania, Ms. CAPPS, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Ms. CHU, Mr. CLAY, Ms. CLARKE of New York, Mr. CONNOLLY of Virginia, Mr. CROWLEY, Mrs. DAVIS of California, Mr. DEFazio, Ms. DEGETTE, Ms. DELAUNO, Mr. DEUTCH, Mr. DOYLE, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FARR, Mr. FILNER, Mr. GRIJALVA, Mr. HASTINGS of Florida, Mr. HEINRICH, Mr. HIMES, Mr. HINCHAY, Ms. HIRONO, Mr. HOLT, Mr. INSLEE, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. KUCINICH, Mr. LANGEVIN, Mr. LARSEN of Washington, Ms. LEE of California, Mr. LEWIS of Georgia, Mrs. LOWEY, Mrs. MALONEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. MCDERMOTT, Mr. MCGOVERN, Mr. MEEKS, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mrs. NAPOLITANO, Ms. NORTON, Mr. OLIVER, Mr. PASCRELL, Mr. PALLONE, Mr. PASTOR of Arizona, Ms. PINGREE of Maine, Mr. PRICE of North Carolina, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SERRANO, Mr. SIRE, Mr. SMITH of Washington, Ms. SPEIER, Mr. STARK, Ms. SUTTON, Mr. TOWNS, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, Ms. WATERS, Mr. WAXMAN, Mr. WEINER, Mr. WELCH, Ms. WOOLSEY, Mr. WU, Mr. TONKO, and Mr. COURTNEY):

H.R. 1537. A bill to amend the Immigration and Nationality Act to promote family

unity, and for other purposes; to the Committee on the Judiciary.

By Mr. PETRI (for himself, Mr. DONNELLY of Indiana, Mr. CHAFFETZ, Mr. GRIMM, Mr. ALTMIRE, Mr. LONG, Mr. LATHAM, and Mr. JONES):

H.R. 1538. A bill to amend the Internal Revenue Code of 1986 to permit the Secretary of the Treasury to disclose certain return information related to identity theft, and for other purposes; to the Committee on Ways and Means.

By Mr. STIVERS (for himself, Mr. RENACCI, and Mr. CLARKE of Michigan):

H.R. 1539. A bill to repeal section 939G of the Dodd-Frank Wall Street Reform and Consumer Protection Act and to restore Securities and Exchange Commission Rule 436(g) repealed by such section; to the Committee on Financial Services.

By Mr. MCKEON (for himself and Mr. SMITH of Washington) (both by request):

H.R. 1540. A bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes; to the Committee on Armed Services.

By Mr. CAMPBELL (for himself, Mr. RIGELL, Mr. STUTZMAN, Mr. YODER, Mr. PEARCE, Mr. FLAKE, Mr. BARTLETT, Mr. LAMBORN, Mr. GIBBS, Mr. DANIEL E. LUNGREN of California, Mr. BENISHEK, Mr. FLEMING, Mr. KING of Iowa, Mr. BURTON of Indiana, Mr. GOHMERT, Mr. HUIZENGA of Michigan, Mr. GINGREY of Georgia, Mr. MCKINLEY, Mr. GOSAR, and Mr. WALBERG):

H.R. 1541. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to make contributions to the Federal Government on their income tax returns; to the Committee on Ways and Means.

By Mr. COHEN (for himself, Ms. FUDGE, Ms. RICHARDSON, Mr. JOHNSON of Georgia, Mr. CLARKE of Michigan, Ms. NORTON, Mr. BRADY of Pennsylvania, and Mr. BOSWELL):

H.R. 1542. A bill to amend the Internal Revenue Code of 1986 to provide tax incentives for the establishment of supermarkets in certain underserved areas; to the Committee on Ways and Means.

By Mr. COURTNEY (for himself and Mr. LATHAM):

H.R. 1543. A bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CRITZ:

H.R. 1544. A bill to extend Corridor N of the Appalachian development highway system from its current northern terminus at Corridor M, near Ebensburg, Pennsylvania, to Corridor T, near Salamanca, New York, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. FLORES:

H.R. 1545. A bill to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; to the Committee on Natural Resources.

By Mr. GERLACH (for himself and Mr. BECERRA):

H.R. 1546. A bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIJALVA (for himself, Ms. MCCOLLUM, Mr. HOLT, Mr. SCOTT of Virginia, Mr. DAVIS of Illinois, and Mr. FATTAH):

H.R. 1547. A bill to provide grants to States to ensure that all students in the middle grades are taught an academically rigorous curriculum with effective supports so that students complete the middle grades prepared for success in secondary school and postsecondary endeavors, to improve State and district policies and programs relating to the academic achievement of students in the middle grades, to develop and implement effective middle grades models for struggling students, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GRIJALVA (for himself, Ms. BROWN of Florida, Ms. CLARKE of New York, Mr. CONYERS, Mr. CLAY, Mr. ELLISON, Mr. FILNER, Mr. HOLT, Ms. KAPTUR, Mr. KUCINICH, Ms. NORTON, Mr. JACKSON of Illinois, Mr. STARK, and Ms. WOOLSEY):

H.R. 1548. A bill to allow homeowners of moderate-value homes who are subject to mortgage foreclosure proceedings to remain in their homes as renters; to the Committee on Financial Services.

By Mr. GRIMM:

H.R. 1549. A bill to amend the Internal Revenue Code of 1986 to repeal the unearned income medicare contribution; to the Committee on Ways and Means.

By Mr. PIERLUISI (for himself, Mr. GRIMM, Mr. SERRANO, Ms. NORTON, Ms. BORDALLO, and Mr. QUIGLEY):

H.R. 1550. A bill to establish programs in the Department of Justice and in the Department of Homeland Security to help States that have high rates of homicide and other violent crime, and for other purposes; to the Committee on the Judiciary.

By Mr. HUNTER:

H.R. 1551. A bill to prioritize certain Government obligations for continued payment in the event that the statutory debt limit is reached, to appropriate funds for the pay and allowances of all members of the Armed Forces, and for those civilian employees of the Department of Defense and the Coast Guard serving in a combat zone, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ISRAEL:

H.R. 1552. A bill to amend chapter 44 of title 18, United States Code, to prohibit the possession of a firearm by a person who is adjudicated to have committed a violent act while a juvenile; to the Committee on the Judiciary.

By Mr. JOHNSON of Illinois (for himself, Mr. MANZULLO, and Mr. COSTELLO):

H.R. 1553. A bill to include Livingston, Union, and Stephenson Counties in Illinois to the Lincoln National Heritage Area, and

for other purposes; to the Committee on Natural Resources.

By Mrs. LOWEY (for herself, Mr. THOMPSON of Mississippi, and Ms. JACKSON LEE of Texas):

H.R. 1554. A bill to amend title 49, United States Code, to prohibit advance notice to certain individuals, including security screeners, of covert testing of security screening procedures for the purpose of enhancing transportation security at airports, and for other purposes; to the Committee on Homeland Security.

By Mrs. LOWEY (for herself and Mr. ISRAEL):

H.R. 1555. A bill to amend the Homeland Security Act of 2002 to limit the number of Urban Area Security Initiative grants awarded and to clarify the risk assessment formula to be used when making such grants, and for other purposes; to the Committee on Homeland Security.

By Mr. LUJAN:

H.R. 1556. A bill to amend the Omnibus Indian Advancement Act to allow certain land to be used to generate income to provide funding for academic programs, and for other purposes; to the Committee on Natural Resources.

By Mrs. MALONEY (for herself, Mr. KING of New York, Mr. NADLER, Mr. ACKERMAN, Mr. HOLT, Mr. GRIJALVA, Ms. CLARKE of New York, Mr. WEINER, Mr. ENGEL, and Mr. ISRAEL):

H.R. 1557. A bill to provide the spouses and children of aliens who perished in the September 11 terrorist attacks an opportunity to adjust their status to that of an alien lawfully admitted for permanent residence; to the Committee on the Judiciary.

By Mr. MILLER of Florida (for himself, Mr. ROSS of Arkansas, Mr. LATTA, Mr. SHULER, Mr. BONNER, Mr. BROWN of Georgia, Mr. BUCHANAN, Mr. CARTER, Mr. COFFMAN of Colorado, Mr. COLE, Mr. CULBERSON, Mr. DUNCAN of Tennessee, Mr. GARDNER, Mr. GRIFFIN of Arkansas, Mr. HUNTER, Ms. JENKINS, Mr. KLINE, Mrs. McMORRIS RODGERS, Mr. NUGENT, Mr. PALAZZO, Mr. ROSS of Florida, Mr. TIPTON, Mr. WESTMORELAND, Mr. YOUNG of Alaska, Mr. MCKINLEY, Mr. POSEY, Mr. SIMPSON, Mr. ROGERS of Alabama, Mr. REHBERG, Mr. YODER, Mrs. MILLER of Michigan, Mr. LONG, Mr. CRAWFORD, and Mr. DUNCAN of South Carolina):

H.R. 1558. A bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 1559. A bill to authorize the Benjamin Harrison Society to establish a memorial in the District of Columbia to honor the patriots of the American Revolutionary War and the War of 1812; to the Committee on Natural Resources.

By Mr. REYES:

H.R. 1560. A bill to amend the Ysleta del Sur Pueblo and Alabama and Coushatta Indian Tribes of Texas Restoration Act to allow the Ysleta del Sur Pueblo Tribe to determine blood quantum requirement for membership in that tribe; to the Committee on Natural Resources.

By Mr. REYES (for himself, Mr. BILBRAY, Mrs. DAVIS of California, Mr. GRIJALVA, Mr. ROTHMAN of New Jersey, Mr. CUELLAR, Mr. HINOJOSA,

Mr. PASTOR of Arizona, Mr. FILNER, Ms. JACKSON LEE of Texas, Ms. ROYBAL-ALLARD, Mr. GENE GREEN of Texas, Mr. DOGGETT, Mr. SABLAN, Mr. BACA, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. LEE of California, Ms. HIRONO, Mr. MCCAUL, and Mr. CALVERT):

H.R. 1561. A bill to enhance the safety of ports of entry in the United States, and for other purposes; to the Committee on Homeland Security, and in addition to the Committees on Ways and Means, Agriculture, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROYBAL-ALLARD (for herself, Mr. WOLF, and Ms. DELAUNO):

H.R. 1562. A bill to provide for programs and activities with respect to the prevention of underage drinking; to the Committee on Energy and Commerce.

By Mr. SCHOCK (for himself, Mr. JACKSON of Illinois, Mr. THOMPSON of Mississippi, Mr. JOHNSON of Illinois, Mr. QUIGLEY, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. CLAY, and Mr. MEEKS):

H.R. 1563. A bill to authorize the Secretary of the Interior to conduct a special resource study of the archeological site and surrounding land of the New Philadelphia town site in the State of Illinois, and for other purposes; to the Committee on Natural Resources.

By Mr. SHERMAN:

H.R. 1564. A bill to establish the Commission on Freedom of Information Act Processing Delays; to the Committee on Oversight and Government Reform.

By Mr. WALZ of Minnesota (for himself and Mr. HANNA):

H.R. 1565. A bill to amend title 23, United States Code, to incorporate regional transportation planning organizations into statewide transportation planning, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. WALZ of Minnesota (for himself, Mr. MICHAUD, and Mr. KISSELL):

H.R. 1566. A bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WATERS:

H.R. 1567. A bill to amend the Real Estate Settlement Procedures Act of 1974 to require mortgagees for mortgages in default to engage in reasonable loss mitigation activities, and for other purposes; to the Committee on Financial Services.

By Ms. WOOLSEY (for herself and Mr. LUJAN):

H.R. 1568. A bill to amend title VII of the Oil Pollution Act of 1990, and for other purposes; to the Committee on Science, Space, and Technology.

By Mr. ISSA (for himself and Ms. ESHOO):

H. Con. Res. 42. Concurrent resolution entitled the "Creativity and Innovation Resolution"; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each

case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCOTT of South Carolina:

H. Con. Res. 43. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate; considered and agreed to.

By Ms. RICHARDSON (for herself, Ms. LORETTA SANCHEZ of California, Mrs. NAPOLITANO, Ms. LINDA T. SANCHEZ of California, Mr. FILNER, Ms. ZOE LOFGREN of California, Mr. ROHR-ABACHER, Mr. ISSA, Mr. CALVERT, and Mr. GARAMENDI):

H. Res. 224. A resolution recognizing the 100th anniversary of the Port of Long Beach; to the Committee on Transportation and Infrastructure.

By Ms. RICHARDSON (for herself, Ms. BORDALLO, Mr. FALEOMAVAEGA, and Mr. AL GREEN of Texas):

H. Res. 225. A resolution honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979; to the Committee on Foreign Affairs.

By Mr. KING of New York (for himself, Mr. DIAZ-BALART, Mr. GRIMM, Mr. GARRETT, and Mr. RIVERA):

H. Res. 226. A resolution calling for the immediate extradition or rendering to the United States of convicted felon William Morales and all other fugitives from justice who are receiving safe harbor in Cuba in order to escape prosecution or confinement for criminal offenses committed in the United States; to the Committee on Foreign Affairs.

By Mr. GRAVES of Missouri (for himself and Mr. LOEBSACK):

H. Res. 227. A resolution recognizing the roles and contributions of America's teachers to building and enhancing our Nation's civic, cultural, and economic well-being; to the Committee on Education and the Workforce.

By Mr. REED (for himself, Mr. GINGREY of Georgia, and Mr. FRANKS of Arizona):

H. Res. 228. A resolution directing the Clerk of the House of Representatives to place a real time display of the United States gross national debt in the House Chamber; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. GUTIERREZ introduced a bill (H.R. 1569) for the relief of Simeon Simeonov, Stela Simeonova, Stoyan Simeonov, and Vania Simeonova; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. POLIS:

H.R. 1532.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. TIBERI:

H.R. 1533.

Congress has the power to enact this legislation pursuant to the following:

This bill makes changes to existing law relating to Article 1, Section 7 which provides that "All bills for raising Revenue shall originate in the House of Representatives."

By Mr. KIND:

H.R. 1534.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. FARENTHOLD:

H.R. 1535.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Mr. CHAFFETZ:

H.R. 1536.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department or Officer thereof.

By Mr. NADLER:

H.R. 1537.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 4 and 18.

By Mr. PETRI:

H.R. 1538.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 which, in part, states: The Congress shall have

Power to lay and collect Taxes, Duties, Imposts and Excises, . . .

and the Sixteenth Amendment which states: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration.

By Mr. STIVERS:

H.R. 1539.

Congress has the power to enact this legislation pursuant to the following:

clause 3 of section 8 of article I of the Constitution

By Mr. McKEON:

H.R. 1540.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to "provide for the common defense," "raise and support armies," and "provide and maintain a navy," as enumerated in Article I, Section 8 of the United States Constitution.

By Mr. CAMPBELL:

H.R. 1541.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution of the United States.

By Mr. COHEN:

H.R. 1542.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3 (relating to the power to interstate commerce).

By Mr. COURTNEY:

H.R. 1543.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1. The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CRITZ:

H.R. 1544.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1 of the Constitution.

By Mr. FLORES:

H.R. 1545.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GERLACH:

H.R. 1546.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 7 of Section 9 of Article I of the United States Constitution.

By Mr. GRIJALVA:

H.R. 1547.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. I, §§1 and 8.

By Mr. GRIJALVA:

H.R. 1548.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art., I, §§1 and 8.

By Mr. GRIMM:

H.R. 1549.

Congress has the power to enact this legislation pursuant to the following:

The Sixteenth Amendment (Amendment XVI) to the United States Constitution allows the Congress to levy, or repeal, an income tax without apportioning it among the states or basing it on Census results.

By Mr. PIERLUISI:

H.R. 1550.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Mr. HUNTER:

H.R. 1551.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the U.S. Constitution sets for the power of appropriations states that "No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law. . . ." In addition, Article I, Section 8, Clause 1 states that "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States. . . ."

Also, Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. ISRAEL:

H.R. 1552.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. JOHNSON of Illinois:

H.R. 1553.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 providing for the general Welfare of the United States.

By Mrs. LOWEY:

H.R. 1554.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution

By Mrs. LOWEY:

H.R. 1555.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution

By Mr. LUJÁN:

H.R. 1556.

Congress has the power to enact this legislation pursuant to the following:

The United States Constitution specifically mentions the relationship between the United States federal government and Native American tribes three times:

Article I, Section 2, Clause 3

Article I, Section 8

The Fourteenth Amendment, Section 2

By Mrs. MALONEY:

H.R. 1557.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States

By Mr. MILLER of Florida:

H.R. 1558.

Congress has the power to enact this legislation pursuant to the following:

Amendment II to The Constitution of the United States

By Ms. NORTON:

H.R. 1559.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, and 18 of section 8 of article I, and clause 2 of section 3 of article IV of the Constitution.

By Mr. REYES:

H.R. 1560.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

Text:

Article I, Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for lim-

ited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;— And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. REYES:

H.R. 1561.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Article I, Section 8 of the United States Constitution.

Text:

Article I, Section. 8.

Clause 1: The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Clause 2: To borrow Money on the credit of the United States;

Clause 3: To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes;

Clause 4: To establish a uniform Rule of Naturalization, and uniform Laws on the subject of Bankruptcies throughout the United States;

Clause 5: To coin Money, regulate the Value thereof, and of foreign Coin, and fix the Standard of Weights and Measures;

Clause 6: To provide for the Punishment of counterfeiting the Securities and current Coin of the United States;

Clause 7: To establish Post Offices and post Roads;

Clause 8: To promote the Progress of Science and useful Arts, by securing for limited Times to Authors and Inventors the exclusive Right to their respective Writings and Discoveries;

Clause 9: To constitute Tribunals inferior to the supreme Court;

Clause 10: To define and punish Piracies and Felonies committed on the high Seas, and Offences against the Law of Nations;

Clause 11: To declare War, grant Letters of Marque and Reprisal, and make Rules concerning Captures on Land and Water;

Clause 12: To raise and support Armies, but no Appropriation of Money to that Use shall be for a longer Term than two Years;

Clause 13: To provide and maintain a Navy;

Clause 14: To make Rules for the Government and Regulation of the land and naval Forces;

Clause 15: To provide for calling forth the Militia to execute the Laws of the Union, suppress Insurrections and repel Invasions;

Clause 16: To provide for organizing, arming, and disciplining, the Militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress;

Clause 17: To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings;— And

Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. ROYBAL-ALLARD:

H.R. 1562.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. SCHOCK:

H.R. 1563.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8, and Amendment X of the United States Constitution.

By Mr. SHERMAN:

H.R. 1564.

Congress has the power to enact this legislation pursuant to the following:

Clause 18 of section 8 of article I of the Constitution.

By Mr. WALZ of Minnesota:

H.R. 1565.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. WALZ of Minnesota:

H.R. 1566.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Ms. WATERS:

H.R. 1567.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution of the United States

By Ms. WOOLSEY:

H.R. 1568.

Congress has the power to enact this legislation pursuant to the following:

Article I

Mr. GUTIERREZ:

H.R. 1569.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. FARENTHOLD.
H.R. 25: Mr. FRANKS of Arizona.
H.R. 100: Mr. BILBRAY.
H.R. 102: Mr. BILBRAY.
H.R. 104: Ms. CASTOR of Florida and Mr. MCINTYRE.
H.R. 114: Mr. RIBBLE, Mr. BUCSHON, and Mr. JOHNSON of Illinois.
H.R. 125: Mr. WITTMAN.
H.R. 152: Mr. OLSON.
H.R. 178: Mr. HOLDEN and Mr. GUTHRIE.
H.R. 181: Mr. HOLDEN.
H.R. 186: Mr. ROSS of Florida.
H.R. 210: Ms. ROYBAL-ALLARD, Mr. FALEOMAVAEGA, Ms. RICHARDSON, Ms. CHU, and Mr. SCOTT of Virginia.
H.R. 286: Mr. SMITH of Texas.
H.R. 324: Mrs. MILLER of Michigan.
H.R. 337: Mr. WITTMAN.
H.R. 365: Mr. COBLE, Mr. GIBSON, and Mrs. MILLER of Michigan.
H.R. 374: Mr. WITTMAN.
H.R. 396: Mr. YOUNG of Alaska.
H.R. 412: Mr. SCHILLING.
H.R. 420: Mr. DESJARLAIS, Mr. MICHAUD, Mr. DUNCAN of South Carolina, Mr. HOLDEN, Mr. ROE of Tennessee, Mr. SMITH of Nebraska, Mr. FARENTHOLD, Mr. DONNELLY of Indiana, Mr. BISHOP of Georgia, Mr. LAMBORN, Mr. BARLETTA, Mr. LEWIS of California, and Mr. HUIZENGA of Michigan.
H.R. 452: Mr. AUSTRIA, Ms. JENKINS, Mr. CALVERT, Mr. FARENTHOLD, Mr. STIVERS, Mr. WITTMAN, and Mr. HENSARLING.
H.R. 456: Mr. MCKINLEY.
H.R. 459: Mr. FRELINGHUYSEN.
H.R. 466: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. STARK.
H.R. 507: Mr. BLUMENAUER.
H.R. 572: Mr. PASCRELL.
H.R. 601: Ms. MCCOLLUM and Ms. NORTON.
H.R. 607: Mr. BARROW and Mr. LOEBSACK.
H.R. 615: Mr. HOLDEN, Mr. FARENTHOLD, Mr. BARLETTA, Mr. LEWIS of California, and Mr. DUNCAN of South Carolina.
H.R. 639: Mr. CLAY, Mr. CUMMINGS, Mr. FARR, Mr. INSLEE, Mr. JOHNSON of Ohio, Mr. MARINO, Ms. RICHARDSON, Mr. SHERMAN, Mr. WESTMORELAND, and Mr. WHITFIELD.
H.R. 645: Mr. BISHOP of Georgia, Mr. WILSON of South Carolina, Mr. LAMBORN, Mr. AKIN, Mr. LONG, Mr. CALVERT, Mr. LEWIS of California, Mr. BARLETTA, Mr. HUIZENGA of Michigan, Mr. FARENTHOLD, Mr. CUELLAR, Mr. HOLDEN, Mr. MICHAUD, Mr. DUNCAN of South Carolina, and Mr. DESJARLAIS.
H.R. 653: Ms. NORTON.
H.R. 654: Ms. NORTON and Ms. SCHAKOWSKY.
H.R. 656: Mr. CARSON of Indiana, Mr. THOMPSON of Mississippi, Mr. WATT, Mr. CLAY, Ms. BASS of California, Mr. BISHOP of Georgia, Mr. CLYBURN, Mr. JOHNSON of Georgia, Mr. BUTTERFIELD, and Mr. DAVID SCOTT of Georgia.
H.R. 680: Ms. BUERKLE, Mrs. LUMMIS, Mr. CARTER, Mr. SAM JOHNSON of Texas, and Mrs. EMERSON.
H.R. 692: Mr. BILBRAY.

H.R. 704: Mr. NUGENT, Mr. ROSS of Florida, Mr. POE of Texas, Ms. HAYWORTH, and Mr. HERGER.

H.R. 709: Ms. BERKLEY, Mr. GRIJALVA, and Mr. BRADY of Pennsylvania.

H.R. 721: Mrs. NOEM and Mr. DEFazio.

H.R. 735: Mr. BUCSHON and Mr. BOUSTANY.

H.R. 740: Mr. MCHENRY and Mr. WITTMAN.

H.R. 750: Mr. HERGER and Mr. COFFMAN of Colorado.

H.R. 763: Mr. HINOJOSA, Mr. YOUNG of Alaska, and Mr. ROSS of Florida.

H.R. 782: Mr. HENSARLING.

H.R. 801: Mr. YOUNG of Alaska.

H.R. 820: Mr. WELCH, Mr. WAXMAN, and Ms. ESHOO.

H.R. 822: Mr. CULBERSON, Mr. SCHILLING, Mr. BOUSTANY, Mr. FARENTHOLD, Mr. SMITH of Nebraska, Mr. ROE of Tennessee, Mr. NEUGEBAUER, Mr. CUELLAR, Mr. LONG, Mr. MCCAUL, Mr. MATHESON, Mr. MICHAUD, Mr. DEFazio, Mr. WHITFIELD, Mr. DESJARLAIS, Mr. AUSTRIA, and Mr. HARPER.

H.R. 825: Mr. COBLE.

H.R. 838: Mr. BENISHEK.

H.R. 862: Mr. SHERMAN.

H.R. 876: Mr. COURTNEY.

H.R. 879: Mr. LATTI.

H.R. 895: Ms. BUERKLE.

H.R. 931: Mrs. ELLMERS.

H.R. 938: Mrs. MILLER of Michigan and Mr. GONZALEZ.

H.R. 946: Mr. SCHRADER.

H.R. 961: Mr. MILLER of Florida, Mr. GRIMM, Mr. LANGEVIN, Mr. COURTNEY, Mr. LOBIONDO, Ms. WILSON of Florida, Mr. CUMMINGS, Mr. PLATTS, and Mr. MORAN.

H.R. 977: Mr. BENISHEK, Mr. KILDEE, and Mr. PETERS.

H.R. 984: Mr. AUSTRIA.

H.R. 998: Mr. PAYNE.

H.R. 1001: Mr. KILDEE, Mr. PLATTS, Mr. SCHIFF, Mr. LARSEN of Washington, Mr. ENGEL, Mrs. MALONEY, and Ms. BERKLEY.

H.R. 1006: Mr. WEST.

H.R. 1031: Mr. SCHOCK.

H.R. 1041: Mr. FITZPATRICK.

H.R. 1057: Mr. TOWNS, Mr. RANGEL, Ms. JACKSON LEE of Texas, and Mr. MCDERMOTT.

H.R. 1058: Mr. AUSTRIA.

H.R. 1081: Mr. JORDAN, Mr. FLAKE, Mr. TONKO, Mr. MICHAUD, Mr. DENT, and Mr. DUNCAN of South Carolina.

H.R. 1089: Ms. BERKLEY.

H.R. 1093: Mr. AKIN, Mr. BILBRAY, Mr. DESJARLAIS, Mr. HUIZENGA of Michigan, Mr. LEWIS of California, Mr. ROSS of Arkansas, Mr. JORDAN, Mr. MICA, Mr. FARENTHOLD, Mr. BARLETTA, Mr. GRAVES of Missouri, Mr. OLSON, Mr. MICHAUD, Mr. BISHOP of Georgia, Mr. DONNELLY of Indiana, and Mr. WALZ of Minnesota.

H.R. 1119: Ms. BERKLEY and Mr. WELCH.

H.R. 1123: Mr. STARK and Ms. CHU.

H.R. 1145: Mr. WESTMORELAND.

H.R. 1159: Mr. CULBERSON.

H.R. 1161: Mr. CRITZ, Ms. MCCOLLUM, Mr. RYAN of Ohio, Mrs. BACHMANN, Mr. BOREN, Mr. PASCRELL, Mrs. NOEM, and Mr. SCHWEIKERT.

H.R. 1173: Mr. HENSARLING.

H.R. 1179: Mr. LANKFORD, Ms. BUERKLE, and Mr. HUELSKAMP.

H.R. 1181: Mr. GUTHRIE and Mr. HOLDEN.

H.R. 1182: Mr. SAM JOHNSON of Texas, Mr. HURT, and Mr. SCHWEIKERT.

H.R. 1195: Mr. GERLACH, Ms. CASTOR of Florida, Mr. PERLMUTTER, Mr. LOEBSACK, and Mr. FARR.

H.R. 1196: Mr. BILBRAY.

H.R. 1206: Mr. BARLETTA, Mr. MCINTYRE, Mr. FLEMING, Mr. STEARNS, Mr. CHANDLER, Mr. COFFMAN of Colorado, and Mr. HARPER.

H.R. 1211: Mr. DUNCAN of South Carolina.

H.R. 1219: Ms. EDDIE BERNICE JOHNSON of Texas, Ms. CASTOR of Florida, and Mr. PERLMUTTER.

H.R. 1234: Mr. GEORGE MILLER of California and Mr. SABLAN.

H.R. 1236: Ms. WOOLSEY and Mrs. EMERSON.

H.R. 1244: Mr. ROSKAM.

H.R. 1254: Mr. DEFazio.

H.R. 1259: Mr. THOMPSON of Pennsylvania, Mr. SMITH of Nebraska, and Mr. DESJARLAIS.

H.R. 1262: Mr. ACKERMAN, Ms. SLAUGHTER, and Mr. NADLER.

H.R. 1278: Mr. MEEKS.

H.R. 1281: Mr. HULTGREN.

H.R. 1297: Mr. GUINTA, Ms. BASS of California, Mr. DUNCAN of South Carolina, Mr. DEFazio, and Mr. MCKEON.

H.R. 1299: Mr. SCOTT of South Carolina, Mr. Bartlett, and Mr. OLSON.

H.R. 1319: Ms. PINGREE of Maine.

H.R. 1323: Mr. FINCHER, Mr. DANIEL E. LUNGREN of California, Mr. KING of Iowa, Mr. BILBRAY, Mr. LUCAS, Mr. GINGREY of Georgia, Mr. LANCE, and Mr. JORDAN.

H.R. 1325: Mr. COSTA, Mr. MICHAUD, Mr. HOLDEN, and Mr. MATHESON.

H.R. 1327: Mr. WEST, Mr. CHABOT, Ms. ZOE LOFGREN of California, Mr. COURTNEY, Mr. WILSON of South Carolina, and Mr. LAMBORN.

H.R. 1329: Mr. FRANK of Massachusetts.

H.R. 1380: Ms. SEWELL, Mr. LEWIS of Georgia, Ms. CLARKE of New York, Mr. POSEY, Mr. YOUNG of Alaska, Mr. HUNTER, Mr. POE of Texas, Mr. GOHMERT, Mr. CASSIDY, Mr. MILLER of Florida, Mr. DANIEL E. LUNGREN of California, Mr. LATOURETTE, Mr. PEARCE, Mr. DENHAM, Mr. MCCOTTER, and Mr. PLATTS.

H.R. 1391: Mr. MATHESON and Mr. BARROW.
H.R. 1418: Mr. KISSELL, Mr. BISHOP of Georgia, and Mr. POSEY.

H.R. 1463: Mr. BURTON of Indiana and Mr. HASTINGS of Florida.

H.R. 1466: Mr. PIERLUISI and Mr. BOREN.

H.R. 1476: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1477: Mr. MCDERMOTT and Mr. GUTIERREZ.

H.R. 1483: Mr. MCGOVERN, Mr. CLARKE of Michigan, and Mrs. CAPPs.

H.R. 1485: Mr. LABRADOR.

H.R. 1501: Mr. SCOTT of South Carolina, Mr. HULTGREN, and Mr. WILSON of South Carolina.

H.R. 1506: Mr. MORAN and Mr. FARR.

H.R. 1508: Mr. RIVERA and Mr. LAMBORN.

H.R. 1514: Mr. SHULER.

H.R. 1517: Mr. PLATTS.

H.R. 1520: Mr. HINCHEY.

H.R. 1527: Mr. ISRAEL.

H.R. 1528: Mr. DUNCAN of Tennessee.

H.R. 1529: Mr. PLATTS, Mr. HEINRICH, Ms. NORTON, Mr. LOBIONDO, and Mr. RUNYAN.

H.J. Res. 1: Mr. FLORES and Mr. DAVIS of Kentucky.

H.J. Res. 2: Mr. PAULSEN.

H.J. Res. 56: Mr. CONAWAY, Mr. COBLE, Mr. MCKINLEY, Mr. DUNCAN of South Carolina, Mr. SIMPSON, and Mr. LAMBORN.

H. Con. Res. 36: Mr. FLORES.

H. Con. Res. 37: Mr. CHAFFETZ, Mr. WALSH of Illinois, Mr. BARTON of Texas, and Mr. LAMBORN.

H. Res. 16: Mr. CONNOLLY of Virginia and Mr. AL GREEN of Texas.

H. Res. 60: Mr. BACHUS, Mr. LEWIS of Georgia, Mr. LATHAM, and Mr. GRIJALVA.

H. Res. 83: Mr. THOMPSON of California, Mr. GUTHRIE, Mr. CUMMINGS, Mr. ENGEL, Mr. YARMUTH, and Ms. SCHWARTZ.

H. Res. 100: Mr. LEWIS of Georgia and Mr. FILNER.

H. Res. 111: Mr. DAVIS of Kentucky, Mr. YOUNG of Alaska, and Mr. ROGERS of Kentucky.

H. Res. 137: Mr. KILDEE, Mr. YARMUTH, and Mr. CROWLEY.

H. Res. 163: Mr. CUMMINGS, Mrs. MALONEY, Mr. KUCINICH, and Mr. CLAY.

H. Res. 177: Mr. ELLISON and Ms. WOOLSEY.

H. Res. 185: Ms. BORDALLO and Mr. GARAMENDI.

H. Res. 193: Mr. TIERNEY.

H. Res. 208: Mr. GOODLATTE, Mr. POMPEO, and Mr. BROUN of Georgia.

H. Res. 209: Mr. GOODLATTE, Mr. POMPEO, and Mr. BROUN of Georgia.

H. Res. 211: Mr. CANSECO, Mr. OLSON, Mr. GARRETT, and Mr. FORBES.

EXTENSIONS OF REMARKS

SUPPORT THE DEPARTMENT OF
ENERGY'S LOAN GUARANTEE
PROGRAM**HON. MAURICE D. HINCHEY**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. HINCHEY. Mr. Speaker, President Obama recently unveiled a new plan to reduce foreign oil imports by one-third over the next decade, which is timely given the instability sweeping across oil producing countries in the Middle East. To achieve that goal necessarily involves more fully developing renewable energy which his Administration and the Congress are committed to achieving. In my district, I am pleased that over a dozen new solar and solar-related companies have opened in the last three years, creating hundreds of jobs while reducing our reliance on foreign sources and protecting our environment.

The Department of Energy's Loan Guarantee Program is a critical factor in our country's effort to be a world leader in renewable energy. I would like to place in the RECORD a recent article in the Huffington Post on the importance of DOE's loan guarantee program and the potential loss of thousands of megawatts of bankable electricity and the tens of thousands of jobs if it is not allowed to continue.

A WIN-WIN FOR CLEAN ENERGY

(By Uwe T. Schmidt)

The nuclear tragedy in Japan and the disturbing upheaval in Libya and the Middle East have dominated the headlines, but it also serves as a haunting reminder that America's own energy security may be in peril unless we accelerate efforts to more fully develop energy alternatives that are reliable, safe and sufficient to meet our future needs.

Achieving energy independence has been a laudable but daunting goal since the first energy crisis in 1979. Fortunately, the Obama administration and Congress have embraced policies intended to spur investment and development in renewable energy projects, but it will take a major effort by the private sector and the support of government at all levels.

The private sector is doing its part. They have invested heavily in new, innovative technologies, assembled the engineering and technical support, arranged the necessary financing, and have been engaged at all levels to secure the Federal and local permitting and ultimately the requisite utility and distribution outlets.

Solar Trust of America (STA) is one of many American companies that are investing millions and utilizing proven technology to achieve California's ambitious goal of 33 percent renewable energy by year 2020. Such goals are unlikely without private-public collaboration. It is our job to harness the solar potential in areas like STA's thermal solar project site near Blythe in South-

eastern California, utilizing our parabolic trough technology that will ultimately produce 1,000 megawatts of bankable electricity that is sufficient to supply 300,000 households with electricity, avoiding over 2,000,000 tons of carbon dioxide emissions.

Our business model is unique in that it encompasses the entire American-based supply chain that involves engineering and technology specialists, financing through private equity funds, creating new demands for steel and other metals, project development and construction of the facilities, and management and operation of the plants.

Finally, it is a job producer. The first two of our four MW Blythe plants will employ 1,000 union construction jobs, another 7,500 supply chain jobs throughout the country, 100 on-going plant operations and post construction positions and, of course, the residual economic benefits to the local communities.

What is the government's role and how can it partner with STA and other companies to achieve these goals? Congress previously authorized a renewable energy loan guarantee program which is vital to securing the necessary financing to build large scale, sophisticated solar power plants and other renewable projects.

Without it, U.S. companies will be confronted with the sudden reversal of a national policy that two years ago encouraged them to invest in energy alternatives. Our Blythe plant is one of several major solar projects that has advanced through a diligent DOE review process for over a year and has met all the Federal and state permitting requirements.

STA and other solar companies have commenced preliminary site work just as Congress is considering legislation that would all but eliminate the loan guarantee program. Ironically, the House of Representatives passed a spending bill last month that would delete the loan guarantee program for renewable and clean coal technologies but left untouched loan guarantees for building nuclear plants.

This is not a government grant but simply a guarantee to facilitate the financing on loans to bring advanced technology to the market. Every dollar appropriated by Congress to DOE's Loan Guarantee Program spurs \$13 dollars in private investments and indeed whatever taxpayer funds are involved are repaid in full with interest.

The DOE loan guarantee is a "win-win" for government and the companies involved and will not only advance the cause of energy independence but will create hundreds of thousands of jobs across the country.

Yet all this is at risk if Congress rolls back the program and put into jeopardy the enormous amounts of private capital already committed and the tens of thousands of sustainable jobs involved in the construction and operation of the plants. Apparently there are no guarantees when the Congress acts in a politically charged atmosphere.

For our nation to fully develop renewable energy, it is clear that neither the private sector nor government can do it alone. It requires a partnership.

As we advance into this new millennium, it is now understood that our raw resources are

finite, the planet is fragile, and that energy consumption to sustain growth globally is our greatest challenge. The answer to all this is renewable energy. There are no boundaries or limits to what we can accomplish if we work together.

HONORING OUR NATION'S NURSES

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. PETERS. Mr. Speaker, I rise today on behalf of our nation's nurses, and in recognition of the exemplary healthcare they provide to patients all across our country. Nurses represent the largest group of healthcare professionals, standing at the front lines of our nation's healthcare system. They are our brothers, our daughters, our neighbors and friends. My own sister was a nurse and my mother was a nurse's aide, and I remember the dedication and sense of service they brought to their job every day.

I'm sure that everyone in this chamber can remember one time, if not many, when a loved one needed medical help or felt ill. Often, a nurse is the first person by our side when we need it most. Often, their compassion, their expertise, and their decisions make all the difference.

Recently, my office had the chance to welcome my constituent Grace Paranzino, as a part of the Nurse in Washington Internship Program. She spoke of her experiences in nursing, and how we as a nation can better serve the needs of those who so often serve ours. For all the vital services they provide, nurses are severely short-staffed across the country: 2.5 million nursing positions are currently waiting to be filled. The Health Resources and Services Administration predicts that by 2030, that number could climb even higher to nearly 30%.

Nurses across this country need our help. They need lawmakers here in Washington to enact smart policies that don't impede their ability to save lives and ease suffering. They also need us to encourage qualified, professional, and educated citizens like themselves to take up the profession of nursing.

Therefore, I ask my colleagues to join me today in applauding these nurses from my home state of Michigan and across the country.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING THE IMPORTANCE
OF THE NATIONAL MATH AND
SCIENCE INITIATIVE

HON. CHAKA FATTAH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. FATTAH. Mr. Speaker, I rise today to draw the attention of my colleagues to the National Math and Science Initiative (NMSI). This initiative, focusing on recommendations put forth by the National Academies of Science's 2005 report, "Rising above the Gathering Storm," seeks to enhance science and technology enterprise in the United States. Specifically, NMSI and the National Academies argue that the most effective way to do this is to dramatically improve K-12 math and science education. They will achieve this end through increasing the production of more, and more effective, math and science educators, strengthening the skills of existing classroom teachers through training programs, and expanding the pipeline of students with the desire and preparation to pursue science, technology, engineering and mathematics (STEM) in higher education.

As the Commerce, Justice, Science Subcommittee Ranking Member, I have had the opportunity to hear witnesses testify to the incredible discoveries and innovations currently underway to address some of our nation's most pressing concerns—energy security, global climate change and human health and development. These same experts have repeated the same refrain—absent a significant change in course, the United States is poised to lose our global supremacy in scientific discovery and enterprise. I am greatly encouraged that NMSI has taken on this challenge and is engaging a diverse range of partners to develop a new generation of mathematicians, engineers and researchers.

I would specifically like to take this opportunity to recognize one of NMSI's founding sponsors, the ExxonMobil Foundation. In a show of great community-mindedness and corporate responsibility, ExxonMobil has committed \$125 million to NMSI. These funds, among other purposes, will go to increase access to and successful completion of Advanced Placement courses in the nation's high schools. I have long been an advocate of the AP program, and other efforts to increase rigor and college-readiness for all students in all schools. I am grateful to have such a partner, and to have the opportunity to engage with NMSI, ExxonMobil and others committed to addressing this critical question of global competitiveness.

Difficult budget times call for creative solutions and I believe it would serve Members of this body well to turn attention to these innovative public-private partnerships which serve our nation's young people and economic future well.

IN HONOR OF KENNETH H.
COOPER, M.D., M.P.H.

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Kenneth H. Cooper, M.D., M.P.H., my friend, renowned physician, and the Father of Aerobics.

The importance of cardiovascular exercise and fitness in our world today can be attributed to the dedicated efforts of Dr. Cooper. Throughout his career, Dr. Cooper has focused on preventive medicine and his work has revolutionized the physical fitness world. Aside from working with the National Aeronautics Space Administration (NASA) to create a fitness program for astronauts and designing the "Cooper test" used by the military to assess fitness, Dr. Cooper also trained the 1970 Brazilian soccer team to a World Cup victory. At the local, national, and international levels, Dr. Cooper has educated numerous individuals about the importance of diet and exercise and motivated them to adopt healthy lifestyles. He is also aggressively combating the childhood obesity epidemic with the Our Kids' Health initiative and by working with legislators to bring physical education back into our schools. The impact of Dr. Cooper's work spans across the globe; I know he has made our world a healthier place.

His family, friends, colleagues, and patients will gather to honor him at Health Needs a Hero on May 22, 2011 in Austin, Texas. I am delighted to join them in recognizing Dr. Cooper's many achievements and contributions to the health and medical fields. Mr. Speaker, I ask my esteemed colleagues to join me in recognizing Dr. Cooper.

IN RECOGNITION OF THE 2011 VIENNA
VOLUNTEER RECOGNITION
DAY HONOREES

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, it is my great honor to recognize outstanding citizens of our community. Each year, the Town of Vienna celebrates the extraordinary contributions of its residents with a "Volunteer Recognition Day" to honor those individuals and organizations who have been nominated by members of the community for their commitment to improving the community.

Communities are only as strong as the residents who live there. Through their selfless actions, civic activists improve the quality of life for all and help improve their towns and neighborhoods. The recipients of the 2011 Vienna Volunteer Recognition Honors are shining examples of how each of us can contribute to the betterment of our communities.

I am pleased to recognize the following individuals for their accomplishments: Robert Borgatti, Harold Bonacquist, Miles Bowen, Sydney Bowen, Linda Collins, Mike Davis,

Alma Frank, Laurie Harmon, L.F. Jennings, Steve Kenney, Mark Lander, Ann Martin, Marjorie Midili, John "Jack" Reichert, Jr., Mr. and Mrs. Tim Sampson and family, John Shults, Susan Stillman, Anne Stuntz, Howard Svigals, Dorothy Evans, Bill Farrell, Mike Garbacz, Julius Hankin, Jean Jennings, Marcie Lee, Harry Mason, Ralph Nider, Eileen (Casey) Tarr, June Terry, Maria Alvarez-Lundie, Diane Eckert, Sara Freund, Cynthia Kohrmann, Sharmila Rao, Deborah Roney, Katie Wolffe, Liz DiFrancisco, Barbara Mackie Franklin and Dan Mulville.

Mr. Speaker, I ask my colleagues to join me in thanking these individuals and in congratulating them on their contributions to their community. Civic engagement is what defines a community, and it is thanks to these individuals that Vienna will remain a wonderful place to call home. Their contributions and leadership have been a great benefit to our community and truly merit our highest praise.

HONORING TOMMY MARSH FOR
WINNING THE LESSONS OF THE
AFRICAN-AMERICAN EXPERIENCE
WRITING CONTEST

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to recognize Tommy Marsh as a winner of the second annual Lessons of the African-American Experience Creative Writing Contest. Tommy is currently in the fifth grade at North Stonington Elementary School, which is located in North Stonington, Connecticut.

In celebration of Black History Month, I sponsored a creative writing contest for all third through eighth grade students within the Second District. As we know, Black History Month is a time to reflect on the struggles and triumphs of our nation's past. The lessons learned during this month continue to serve as the stepping stones of our nation's future. Tommy's essay eloquently embraces this belief.

Tommy's essay shows a remarkable enthusiasm for learning that is inspiring to all. He creatively discusses Rosa Parks and Wael Ghonim, describing how one defiant act has the power to affect an entire nation. For this, his essay was among the winners selected.

PERSONAL EXPLANATION

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. SLAUGHTER. Mr. Speaker, I was unavoidably detained on official business and missed rollcall vote No. 263. Had I been present, I would have voted "aye" on rollcall vote No. 263.

IN RECOGNITION OF MS. TERI
O'CONNOR

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. PALLONE. Mr. Speaker, I rise today to recognize Ms. Teri O'Connor, the recipient of the 2011 Women of Distinction Award presented by the Girl Scouts of the Jersey Shore. Ms. O'Connor has demonstrated unwavering commitment to serving the people of Monmouth County. Ms. O'Connor's devotion is undoubtedly deserving of this body's recognition.

Ms. O'Connor is currently the County Administrator for Monmouth County and manages the day-to-day operations of 60 county departments comprised of over 3,000 employees. Her responsibilities include supervising, directing and managing all county administrative departments, divisions and offices. She is also responsible for carrying out the policies and directives of the Board of Chosen Freeholders. In addition to her duties as County Administrator, Ms. O'Connor admirably serves as Administrator and Freeholder Representative to the Emergency Management Homeland Security Working Group since 2002. She has also supervised the County Insurance Office for 13 years. Ms. O'Connor is currently Freeholder Liaison to the Freehold Center Partnership as well as County Representative to Freehold's Downtown Planning & Design Committee. Through her personal, professional and community achievements, Ms. O'Connor embodies the mission of the Girl Scouts to help young girls build courage, confidence and character.

Mr. Speaker, please join me in leading this body in congratulating Ms. O'Connor for receiving the prestigious Women of Distinction Award, presented by the Girl Scouts of the Jersey Shore. Her steadfast dedication is an example of what hard work and determination can accomplish.

APPLAUDING SUSAN G. KOMEN
FOR THE CURE®

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, understanding the basics regarding risk factors, diagnosis, and treatment of breast cancer, has made a positive continuous journey towards better management and victory over the disease. The American Cancer Society in 2010 estimated that among U.S. women there would be more than 207,000 new cases of invasive breast cancer and nearly 40,000 breast cancer deaths.

However, despite the alarming numbers, there remains hope for a cure of this disease. Because of the efforts of Nancy G. Brinker who lost her sister to the fight of breast cancer, Ms. Brinker has done everything in her power to fulfill her promise of ending breast cancer forever. And, I am proud that the Susan G. Komen for the Cure®, is

headquartered in my District, the 30th Congressional District of Texas.

Beyond leading the charge of eradicating breast cancer for women in the United States, Susan G. Komen for the Cure® remains the premier global leader at the forefront of the breast cancer movement since their 1982 inception. Komen has significantly contributed to the advancement of breast cancer research, education, advocacy, health services and social support programs in the United States and through partnerships in more than 50 countries as sustained by more than 100,000 volunteers who work in a network of 124 affiliates worldwide. Further, the organization is attributed to investing more than \$1.9 billion to the fight for breast cancer for women. I applaud the Susan G. Komen for the Cure® for their accomplishments, dedication, and commitment to unparalleled breast cancer advocacy efforts. As global citizens, by educating women about the available predictive screening and preventive care, we can successfully help our women, mothers, sisters and daughters to live longer, healthier lives.

A MAN OF GRACE

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. WILSON of South Carolina. Mr. Speaker, I submit the following:

A
A man
A man of grace
Our Lord, upon this place
Had so placed
As a true reflection of His face
All in this temple of democracy's faith
This shrine our forefathers had so embraced
For America was founded on such faith
For no other experiment has since been raised
For Father Dan, you were a pioneer
As America's first Catholic chaplain so here
To spread the word, upon each morning heard
To council and to inspire, lifting hearts higher
All for our Nation's leaders, you never tired
As an instrument of our Lord's heart
Oh how you fine faith, has so done its part
To bring a Congress through storms and dark
All but with, the light of your fine heart
And our Lord's word, casting out the dark
And we will miss your kind warm face
And your inspiring call to God, on each new day
And your warm heart, filled with such grace
Forever, in our hearts you shall hold a place
For your blessings bestowed upon us all
Answering our Lord's call, call to faith
For such people, Heaven so holds a place
For such men of grace

In honor of Father Dan Coughlin, and all of the hearts you have touched over the years . . . bless you—Albert Carey Caswell.

INTRODUCTION OF THE MEDICARE
ACCESS TO REHABILITATION
ACT OF 2011

HON. XAVIER BECERRA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. BECERRA. Mr. Speaker, I rise in support of the bipartisan Medicare Access to Rehabilitation Act of 2011 which Representative JAMES GERLACH and I are introducing today. This important bill repeals the monetary caps that limit beneficiary access to medically necessary outpatient physical therapy, occupational therapy, and speech-language pathology services. Senators BEN CARDIN and SUSAN COLLINS are introducing this legislation in the Senate.

To remove all uncertainty for Medicare beneficiaries about being able to receive the appropriate therapy, the bipartisan Medicare Access to Rehabilitation Act of 2011 creates a stable payment environment so that health professionals can focus on providing quality health care. Rehabilitation services provided by physical therapists, occupational therapists, and speech-language pathologists are essential to assisting individuals reach their highest functional level possible and the monetary caps are inconsistent with this objective.

A March 2008 Center for Medicare and Medicaid Services, CMS, study provided evidence that enforcement of the monetary caps could cause Medicare beneficiaries harm since it may require them to delay necessary medical care, force others to assume higher out-of-pocket costs, and disrupt the continuum of care for many seniors and individuals with disabilities. Specifically, the study demonstrated that the sickest patients who suffered from Parkinson's disease or who have multiple medical problems were most likely to exceed the monetary caps.

Since inclusion of the caps in the Balanced Budget Act of 1997, both Democratic and Republican Congresses and Administrations have interceded to prevent their implementation and enforcement citing the negative impact the caps would have on elderly patients' access to necessary services. Most recently, Congress extended through 2011 the existing medical exceptions process that gives the Secretary of Health and Human Services the authority to allow patients to exceed the monetary caps if deemed medically necessary.

Mr. Speaker, I urge my colleagues to continue ensuring that Americans have access to the highest quality physical therapy, occupational therapy, and speech and language pathology services by supporting this legislation.

INTRODUCTION OF THE IMPROVING
ACCESS TO MEDICARE COV-
ERAGE ACT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. COURTNEY. Mr. Speaker, today I am reintroducing legislation to improve a component of our Medicare program that has left

many without coverage of needed services and guaranteed benefits. My legislation, the Improving Access to Medicare Coverage Act, will allow time spent on hospital observation status to count towards a three-day qualifying hospital stay requirement for skilled nursing care services. Under current regulations established by the Centers for Medicare and Medicaid Services (CMS), only those that have received an inpatient designation and have a hospital stay of at least three days, qualify for Medicare coverage of skilled nursing care. Those on observation status, which is often indistinguishable from inpatient care, are excluded from this coverage because of an outdated and unfair CMS policy.

Our systems of care have changed, and so should our Medicare policies. This point has been reiterated in cases heard by administrative law judges involving Medicare coverage of skilled care and observation status designations. Many of these cases have supported the notion that Medicare should cover skilled nursing care, regardless if the patient's qualifying hospital stay is as an inpatient or on observation status. While administrative law judges have often supported patients in these cases, the CMS policy creates a system with arbitrary winners and losers, based on access to legal appeals. My legislation will fix this broken system.

The Improving Access to Medicare Coverage Act will count time spent in hospital observation status towards the three-day hospital stay requirement for skilled nursing care. My bill will also establish a 90-day appeals period following passage for those that have been denied coverage after January 1, 2011 due to this CMS policy. The appeals process will allow those that have a qualifying hospital stay—either as an inpatient or on observation status—after January 1, 2011 to be eligible for skilled nursing care. While I believe that the legislative text clarifies that the appeals process is available to any Medicare beneficiary that has been denied coverage after January 1, 2011 due to this policy, there should be no doubt as to my congressional intent. It is my intent that any individual, regardless of whether an initial appeals process has expired, can appeal during the 90-day window following passage so long as their hospital stay and subsequent denial of skilled care occurred after January 1, 2011.

I also want to thank the Center for Medicare Advocacy for bringing to light the impact of this broken policy. I look forward to working with the Center and the other organizations that have expressed their support of this legislation to bring resolution to this issue that has negatively impacted many of my constituents, and patients and families across the country, for far too long.

IN RECOGNITION OF THE LIFE
AND LEGACY OF JOHN A. SMITH

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mrs. DAVIS of California. Mr. Speaker, I rise today to recognize a leader in San Diego's

veterans' community, and a treasured member of the San Diego family.

Mr. Smith was buried today in Miramar National Cemetery. My thoughts are with his family and friends as they mourn the loss of this honorable and dedicated man.

Mr. Smith joined the Army in 1966 and served as a medic with the 1st Air Cavalry Division in Vietnam. He was wounded three times while serving and was medically retired as a disabled veteran in 1972.

Following his time in military service, Mr. Smith became committed to honoring and advocating for veterans. His involvement with the Veterans Village of San Diego, and its annual Stand Down event to provide services to homeless veterans, exemplify his personal dedication to helping veterans experience an improved quality of life.

Through his active membership with the United Veterans Council, U.S. Veterans of Foreign Wars (VFW), American Legion, Military Order of the Purple Heart, Vietnam Veterans of America, and other organizations helping veterans, Mr. Smith touched many lives. He was also a special representative for the California Department of Veterans Affairs. His admirable reputation in San Diego is known far and wide in the veteran community. In 2004, Mr. Smith was honored as the San Diego County Veteran of the Year.

Mr. Smith's sense of integrity, dedication to service, and commitment to his community should serve as examples to us all. He will be missed.

RECOGNIZING AND HONORING
GREATER KALAMAZOO ASSOCIATION
OF REALTORS

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. UPTON. Mr. Speaker, it is with great pleasure I rise today to recognize and honor the Greater Kalamazoo Association of REALTORS. For 100 years, this organization and its members have proudly served the people of southwest Michigan, while setting the bar for excellence within the real estate industry.

What began a century ago as a group of 29 individuals with the common purpose of promoting real estate in Kalamazoo, Michigan, the Greater Kalamazoo Association of REALTORS has grown to an organization with hundreds of members representing over 100 real estate firms.

Since 1911, the Greater Kalamazoo Association of REALTORS has been a leader in real estate, all the while maintaining the same professional and ethical standards upon which it was founded. From creating the first exchange of real estate listings in the State of Michigan to helping usher new industry technologies, Kalamazoo realtors represent the best in their field.

As we know, any organization or body is only as strong as the sum of its members. I would like to thank all of the members of the Greater Kalamazoo Association of REALTORS for their longstanding commitment to local economic growth as well as their work to

improve housing standards and home financing, and promote private property rights and commonsense, pro-growth policies. They are truly leaders in putting Michigan back on track.

HONORING THE COMBAT SERVICE
OF CORPORAL COLBEY YAZZIE

HON. PAUL A. GOSAR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. GOSAR. Mr. Speaker, I rise today to honor one of our country's wounded warriors.

Corporal Colbey Yazzie, a resident of Kayenta, Arizona and a 2007 graduate of Monument Valley High School, volunteered to serve our nation and joined the elite ranks of the United States Marine Corps just after high school graduation. We have spoken to Corporal Yazzie's father, Henry, who we know could not be more proud of his son. Corporal Yazzie is also a member of the Navajo Nation, a tribe that has provided our country with brave warriors year after year for decades. For this sacrifice, I stand here and pay our respects as a nation and I ask for a moment of prayer.

Today I want to specifically honor Corporal Colbey Yazzie. Corporal Colbey Yazzie was deployed in support of Operation Enduring Freedom in Afghanistan. He was assigned to the Marine Corps Combat Engineers. Corporal Yazzie was seriously wounded while supporting combat operations while engaged in a dismounted marine force patrol in Helmand Province, Afghanistan. He detonated a push plate improvised explosive device while on this combat patrol, and the resulting explosion severed his right leg above the knee.

Just shortly before Corporal Colbey Yazzie was injured, author Bing West travelled with Corporal Yazzie's unit, and described the high level of professionalism, determination and bravery these Marines demonstrated day in and day out. I truly wished everyone in America understood the sacrifice, bravery and diligence our Marines embody. The article is called "With the Warriors: Patrol Base Fires, Sangin District, Helmand Province, Afghanistan" and was published in the March 7th edition of the National Review. Let me excerpt some of what Mr. West wrote about Corporal Yazzie and his unit, again, shortly before Corporal Yazzie was injured:

The view from this platoon outpost in southern Afghanistan is unobstructed, both visually and strategically. On all sides stretch flat, bare, winter farmlands dotted with walled compounds. The strategy is aggressive patrolling to kill and drive out the Taliban, who have acted as the rural government here for 15 years. . . .

The patrol base, named Fires because of the intensity of the daily fighting, was at the northern edge of the Marine advance. When I arrived in mid-January, Lt. Vic Garcia, the seasoned platoon commander, handed me two tourniquets. "If someone goes down near you on patrol," he said, "wrap him real tight and watch where you step." Garcia explained that the Taliban roam in small gangs among the farm compounds, sow mines, and attack from the flanks. When we set out on a combat patrol, the 15 Marines

walked in single file across brown, furrowed farmlands suggestive of New England in early spring. Lance Cpl. Colbey Yazzie, a full-blooded Navajo Indian, swept a narrow path with his metal detector, while his Irish-American partner, Lance Cpl. Kyle Doyle, watched out for snipers.

Near a footbridge across an irrigation canal, Yaz clenched his fist to halt the platoon, then knelt down and scratched at the dirt. He took out wire cutters, snipped a few wires, and held up two small boards wrapped in tape. Glued to the underside of each board was a sliver of metal. When a foot pressed down on the boards, the metal plates came together, completing an electrical circuit connecting a flashlight battery to a plastic jug filled with explosives. Yaz attached a small charge to the IED (improvised explosive device) and blew it up, and the patrol continued.

In 100 days of patrolling four kilometers north of the Sangin district center, Kilo Company of the 3rd Battalion, 5th Marine Regiment had found 115 IEDs. Another 14 had exploded. Of the 136 Marines in Kilo, nine had been killed and 35 severely wounded. Of four platoon commanders, one had been killed and another had lost a leg to a mine. . . .

After discovering the first IED, we walked north at a steady, careful pace. Not one farmer was out tilling the lands sown with mines. Yaz again clenched his fist, knelt down, disarmed and blew up an IED. The patrol continued for a while, then halted suspiciously at the edge of a large field. On the far side were two long compound walls, dotted with "murder holes"—small peepholes for the Taliban rifle barrels.

The Marines peered at the wall through the telescopic sights on their rifles. Suddenly, the squad leader, Sgt. Philip McCulloch, fired a single shot. The Marines' counter is equally simple. One element peels off to flank the enemy, while another keeps aimed fire on the enemy position. If the Taliban remains too long in a fixed location, indirect fire (fire without a line of sight to the target, as from artillery) is called in. Every Marine has a telescopic rifle, and most of the fleeting targets are about 400 meters distant.

Yaz was leading the patrol back by a different route across a furrowed field when he stopped a third time. Again he uncovered a pressure-plate IED. "That's crazy," McCulloch said. "An IED in the middle of nowhere." That IED was sure to blow the legs off a passing farmer—or a Marine. Yaz pointed to three small rocks several feet away, a tipoff for a passing Taliban gang that there was a mine in the vicinity.

A few minutes later, we walked past a crumbled wall, startling two dark brown coyotes. Again Yaz stopped, knelt, and disarmed a pressure plate. Four mines in the path of one patrol, and he had found them all.

Bing West, "With the Warriors" (emphasis added). What Mr. West has described here is an amazing act of bravery and professionalism by Corporal Yazzie and his fellow Marines. In just one patrol, on one afternoon, Corporal Yazzie located and disarmed four IEDs. Four hidden bombs designed to kill or maim indiscriminately, whether it is a child, a farmer, or a Marine. By doing his job, Corporal Yazzie can be credited with saving lives and limbs that day, and likely on many other days.

But Corporal Yazzie's service was not free. There is a high cost that has been paid, and continues to be paid. On March 26, 2011, in

an effort to save lives, Corporal Yazzie detonated an IED and sacrificed his right leg.

Corporal Yazzie, we honor your service. To the others in your unit, and the rest of the Marine Corps, please know, we honor your service and sacrifice as well. You are not forgotten. You are appreciated more than you know.

INTRODUCTION OF THE SOCIAL SECURITY IDENTITY DEFENSE ACT OF 2011

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. PETRI. Mr. Speaker, today, along with Rep. JOE DONNELLY of Indiana, I am introducing the Social Security Identity Defense Act of 2011, legislation to enhance the ability of the Internal Revenue Service to fight identity theft when that agency becomes aware of the fraudulent use of a taxpayer's personal information.

This legislation is a direct response to the experience of constituents of mine in Princeton, Wisconsin. After a routine review of his credit report, this constituent found accounts opened by another person that had used his Social Security number. This discovery raised many concerns, not the least of which that this person's income might be reported to the IRS under his Social Security number. Upon contacting the IRS, he was told that the IRS was aware of the situation and that they had known about it for some time.

Not surprisingly, this answer was not altogether comforting. The IRS knew that someone else had been using his Social Security number, but kept that information to themselves. While the IRS remained silent, additional frauds were committed, resulting in the credit accounts opened using my constituent's personal information. When he raised this issue with the IRS, he was astounded by the agency's answer. Privacy statutes prevent the IRS from discussing the return information of one taxpayer with anyone else. In the view of the IRS, the fraudulent use of my constituent's Social Security number was the personal return information of another taxpayer, and this fraud could not be disclosed to the rightful owner of that personal identifier.

This policy makes no sense and actually puts the IRS on the wrong side in the fight against identity theft. Our legislation aims to correct this problem by changing the privacy statutes to direct the IRS to inform a taxpayer when it learns through its normal course of business that a Social Security number assigned to that taxpayer has been used fraudulently by another worker.

In May 2006, President George W. Bush signed an executive order establishing the Identity Theft Task Force made up of the U.S. Attorney General, the Chairman of the Federal Trade Commission, several heads of cabinet-level departments, and various other officers of the U.S. Government. The Task Force was directed to implement a policy "effectively to deter, prevent, detect, investigate, proceed against, and prosecute unlawful use by persons of the identifying information of other per-

sons." Elaborating on this policy goal, the Executive Order went on to specify actions to increase safeguards that Federal departments and agencies could implement to better secure government-held personal data.

In responding to the President's charge, the Task Force issued a strategic plan, including numerous specific recommendations focused on improvements in four key areas. Keeping sensitive consumer data out of the hands of identity thieves; increasing the obstacles to the fraudulent use of any personal data obtained by an identity thief; assistance for victims of identity theft; and deterring this crime by aggressive prosecution and punishment of identity thieves.

Combating identity theft is an important and difficult job. I believe that the Task Force has made a commendable contribution to this effort and that implementation of its recommendations by public and private entities will help in fighting this crime. As the report itself notes, "Only an approach that encompasses effective prevention, public awareness and education, victim assistance, and law enforcement measures, and fully engages federal, state, and local authorities will be successful in protecting citizens and private entities from the crime."

The recommendations included in this strategic plan, however, do not include improved efforts by the IRS in assisting honest taxpayers in fighting identity theft. For this reason, the Social Security Identity Defense Act picks up where this strategic plan left off and provides an additional vital tool for our government to deploy.

Under this legislation, the IRS would be required to share any information in its possession about the fraudulent use of a taxpayer's personal information with that information's rightful owner. The agency also would be directed to transmit information that may be evidence of an identity theft to the FBI so that the Bureau can make this material available to state and local law enforcement agencies upon their request. Finally, the Social Security Identity Defense Act calls for the IRS to direct employers not to include a Social Security number on a W-2 form when that agency is aware that the employee is making fraudulent use of that number.

These are important steps forward. They will empower both citizens and law enforcement agencies in their efforts to combat identity theft, and they will limit the use of personal identifiers in the commission of future crimes. I urge my colleagues to join me and Rep. DONNELLY in this effort by cosponsoring the Social Security Defense Act.

INTRODUCING THE NATIONAL PATRIOTS MEMORIAL ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. NORTON. Mr. Speaker, today I introduce the National Patriots Memorial Act. The bill will authorize the establishment of a memorial on federal land in the District of Columbia to honor the patriots of the Revolutionary

War and the War of 1812, as well as our international allies that fought in support of gaining and then preserving our nation's freedom during these wars. Funding for the memorial will come entirely from private funds.

The National Patriots Memorial will be an important addition to the nation and to the District of Columbia alike. The memorial will preserve the history of the Revolutionary War and the War of 1812, and celebrate the patriots and allies who fought in them. The National Patriots Memorial also will remind the nation that DC residents fought in the Revolutionary War, the war that created the nation itself, and the War of 1812, just as our residents have served in all of the nation's wars, and are doing so today. The memorial also will serve to educate visitors to the nation's capital about the early years of our country's issues, conflicts, and growth.

I urge my colleagues to support the bill.

HONORING RICHARD E. WINNIE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. LEE. Mr. Speaker, I rise today with my colleague, Mr. STARK to honor the extraordinary life of Mr. Richard E. Winnie, a brilliant legal mind whose combination of integrity, acumen and good humor made him an outstanding public servant and invaluable in his role as County Counsel for the County of Alameda. With Richard E. Winnie's passing on March 28, 2011 at the age of 63, we look to the remarkable legacy of his life's work and the joy he inspired in his many friends and loved ones.

Richard E. Winnie was born April 14, 1947 to Emily and H. Edward Winnie in Oakland, California. The family eventually settled in Eureka, California, where Richard attended high school. He graduated magna cum laude with a B.A. in Economics from Humboldt State University, HSU, received his master's degree in Public Policy at the University of California, Berkeley, and his law degree from the University of San Francisco. Mr. Winnie's early interest in civic service and local municipalities began while still a student at HSU in his work for the Eureka City Manager's office and the Associated Students Council.

His next destination was Washington, DC, where from 1971 to 1977, he served the Urban Institute's State and Local Government Research Program as a policy analyst. During his time there, Mr. Winnie authored several publications on municipal government, one of which became the Institute's largest-selling published text.

In 1975, Mr. Winnie was admitted to the California Bar. He returned to his roots to serve as Oakland City Attorney from 1981 to 1987, and also worked for the cities of Berkeley, Palo Alto, and Santa Rosa. For the next 6 years, he specialized in property, business and municipal law as a partner with Jacobs, Spotswood, Ryken, and Winnie, and in 1993 began a 4-year stint as an advisor to the Government of Armenia in its transition to independence and a market economy. In fact, Mr.

Winnie's penchant for international legal guidance had a global reach. Over the course of his career in the Bay Area, he also helped to develop local property laws for emerging governments throughout the South Caucasus, Central Asia, Southeastern Europe, and small parts of South America and the Middle East.

After specializing in public law as a partner of Oakland's Wendel, Rosen, Black, and Dean from 1994 to 1997, Mr. Winnie began his 13-year tenure as Alameda County's top legal advisor to the Board of Supervisors, County Administration and the Oakland-Alameda County Coliseum Authority. In his role as County Counsel, Mr. Winnie's many accomplishments included successful litigation to restrict gun shows at the Alameda County Fair, to allow public access to Oakland's waterfronts and to confront legal clashes with local professional sports teams. Among his many accolades and associations, Mr. Winnie served numerous local boards, was a member of the U.S. Supreme Court Bar, worked to promote micro-enterprise with the New America Foundation, and received HSU's Distinguished Alumni Award in 2009.

Richard E. Winnie was known for fostering mutual relationships of respect and pride among his talented staff and colleagues. In his legal dealings, he was skilled at eliciting an agreement through logic, diplomacy, and steady professionalism. And in his free time, he enjoyed being a youth mentor, an avid baseball fan, an accomplished mountain climber and a prolific party host. Mr. Winnie will be remembered as much for his ability to inspire people, as his ability to make them laugh.

Today, the residents of California's 9th and 13th Congressional Districts salute and honor a stalwart member of our community and a dear friend, Mr. Richard E. Winnie. The countless contributions he made to others throughout his life are lasting and significant. We express our sincere condolences to his extended group of loved ones, friends and colleagues. He will be deeply missed.

PERSONAL EXPLANATION

HON. CHARLES F. BASS

OF NEW HAMPSHIRE

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. BASS of New Hampshire. Mr. Speaker, while I was present for rollcall vote 200 on March 30, 2011, my vote was not recorded. This vote was on H. Res. 186, the rule providing for consideration of H.R. 471 to reauthorize the DC opportunity scholarship program.

Had my vote been recorded, I would have voted in favor of H. Res. 186.

HONORING NICOLE PASSONNO STOTT

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor NASA Astronaut Nicole Passonno Stott,

who served on the final mission of the Space Shuttle *Discovery*.

So many Americans look to the space program with pride and admiration. Many children aspire to one day become astronauts, which is where Mrs. Stott found her calling. Mrs. Stott is alumna of Clearwater High School, which is in my congressional district. She began her career at NASA in 1988, holding various positions within NASA Shuttle Processing, the Space Station Hardware Integration Office, the NASA Aircraft Operations Division, and the Astronaut Office Station Operations Branch.

In 2000, Mrs. Stott began astronaut candidate training and in 2009 completed her first long duration space flight on the International Space Station. She returned to the International Space Station in 2010, as part of the 39th and final mission for *Discovery*.

The space program is a huge economic engine for the state of Florida. Not only are breakthroughs made in science and technology, but the byproducts of this research also spur tremendous advancements in the medical field. I am particularly intrigued by the work NASA has done with prosthetics research that has benefitted our wounded warriors.

I look forward to watching the continued success of the space program in the future and watching future generations of my constituents advance science and technology, just as Mrs. Stott has done.

CONGRATULATING LAURA ELIZABETH HAHN

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to recognize and congratulate Laura Elizabeth Hahn from Colchester, Connecticut on her selection into the Army Reserve Teen Panel. The honorable members of the Army Reserve make enormous sacrifices to guarantee the security of our great nation. In addition, their family members bravely make sacrifices every day in order to allow the soldiers to continue serving the nation. We recognize that this environment is often the hardest on children, who have to deal with unique pressures at a young age. This is why the Army Reserve Teen Panel, a select group of 30 high school students who represent and advocate for Army Reserve youth globally, exists and this is why Laura's selection should be honored.

Laura is currently a sophomore at Bacon Academy in Colchester, where she is an honors student. At Bacon Academy, Laura is also a varsity cross-country runner, a member of the Junior Engineering Technology Society, and a participant in the Science, Technology, Engineering, Math Club. Prior to her selection as a member of the Army Reserve Teen Panel, Laura has had experience serving as an ambassador; first with People to People in England and France, and more recently with the Trinity Lutheran Church as a youth delegate to the ELCA youth gathering in New Orleans. These experiences have well prepared Laura to fulfill all of her responsibilities as a member of the Army Reserve Teen Panel.

As a member of the Army Reserve Teen Panel, Laura will attend national panel conferences and serve as a junior mentor during Army Reserve Youth, Leadership, Education, and Development summits. Laura will also be expected to volunteer in her community, write articles for the Army Reserve Teen Panel's quarterly newspaper, and prepare presentations to inform Army Reserve Leadership about the issues of Army Reserve youth. I am confident that Laura will excel in her position as a member of the Army Reserve Teen Panel.

I would like to offer my continued support of the Army Reserve Teen Panel and the bright young men and women like Laura who represent our Army Reserve youth. I would like to express my gratitude, once again, to the Army Reserve members who fight for America. Once again congratulations to Laura Hahn and thank you to the military personnel and their families who sacrifice so much for our Nation.

REINTRODUCTION OF THE SEPTEMBER 11 FAMILY HUMANITARIAN RELIEF AND PATRIOTISM ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mrs. MALONEY. Mr. Speaker, today, I am reintroducing the bipartisan September 11 Family Humanitarian Relief and Patriotism Act with Representatives PETER KING, JERROLD NADLER, GARY ACKERMAN, RUSH HOLT, RAUL GRIJALVA, YVETTE CLARKE, ANTHONY WEINER, ELIOT ENGEL and STEVE ISRAEL.

The losses that resulted from terrorist attacks of September 11, 2001 are tremendous. For a dozen individuals, the turmoil of the attacks continues as they remain in jeopardy of being deported since their immigration status was linked to a family member who was employed at the World Trade Center. To address this situation, I am reintroducing the September 11 Family Humanitarian Relief and Patriotism Act, which would provide for the adjustment of status or the cancellation of removal for those who are the spouse, child, dependent son, or dependent daughter of victims who were killed on 9/11.

The Department of Homeland Security under the Bush administration and the Obama administration has allowed the affected spouses and children to stay here while a permanent solution is crafted by Congress. Nearly ten years later, the surviving spouses and children of legal employment-based visa holders and undocumented workers who were killed during the attacks should no longer be in limbo.

I urge my colleagues to support this legislation. Those who lost so much on 9/11 deserve answers and should be given legal status in the U.S.

CELEBRATING THE SRI LANKAN NEW YEAR

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. WILSON of South Carolina. Mr. Speaker, having just ended a decades long conflict in which the government finally defeated terrorist forces within its borders, the Republic of Sri Lanka recently celebrated its second New Year at complete peace.

In his New Year address, President Mahinda Rajapaksa stated celebrating the New Year is a "time when all enjoy the freedom achieved in our Motherland. Therefore, this New Year will help bring a renewal in spirit and new expectations to the people about future progress."

I would like to wish a happy new year to the 250,000 Sri Lankan-Americans, along with the 21 million citizens of Sri Lanka, a dynamic nation of South Asia.

During this time of national reconciliation, I look forward to a new era of Sri Lankan-American relations built on economic, strategic, and political cooperation between our two democratic societies.

CELEBRATING EARTH DAY

HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. SIRE. Mr. Speaker, on April 22nd, we celebrate the 41st Earth Day and recognize the achievements Americans have made to improve our environment.

Since the first Earth Day in 1970, Americans have worked to improve the air we breathe and the water we drink. Four decades later, we have made great strides towards protecting our planet for future generations by making investments in a clean energy economy to create millions of American jobs, lower energy costs for American families and businesses, and reduce our dependence on foreign oil and our carbon foot print

We must tackle tough environmental challenges, such as climate change, through investments in a clean energy economy to wean our nation off of our dangerous dependence on foreign oil and create green American jobs. It is also important that as we find ways to reduce our deficit that we do not jeopardize the safeguards in place to protect our air and water.

It is necessary to continue to push forward with a clean energy plan, but the environmental challenges we face cannot be solved by laws alone. That is why it is important on this day for every American to take a moment and recognize the simple things that they can do within their own homes and communities to contribute to a cleaner and healthier planet Earth.

GASOLINE PRICES

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. BARLETTA. Mr. Speaker, I'm angry.

This week, I drove down to Washington from my hometown of Hazleton—a commute I make each week. As I filled up my tank, I got angry.

At home right now, gas prices average about \$3.80 a gallon. That's almost a dollar a gallon more than just six months ago.

In some parts of my district, gas is now at \$4 a gallon.

Mr. Speaker, I am angry. People back home are angry, and this Congress should be angry.

For too long, Washington has been ignoring our nation's need for liquid fuel.

Let's be completely honest: We need liquid fuel, and we will always need liquid fuel—in my lifetime, in my children's lifetimes, in my grandson's lifetime.

So why isn't Washington doing anything to address that need?

Alternative energy is fine. Solar power, wind power, even nuclear power—those are all well and good, but they're not going to move our nation's cars. They're not going to move our nation's trucks and trains. They're not going to keep our planes in the air.

Why does every energy plan we have seem to downplay our need for liquid fuel—liquid fuel that can be and should be produced here at home?

Instead, we rely on foreign sources for our liquid fuel. The United States may be the richest, most powerful nation in the world, but we ask other countries to provide the resources we need to power our factories, drive our vehicles, heat our homes, and live our lives.

And when there is a problem virtually anywhere in the world, we pay for it here at the pump. We pay for it when we buy milk, bread and eggs. We pay for it when we pick up our kids at school. We pay for it when a police car patrols our neighborhoods. We pay for it when we go on vacation.

So much of our economy is tied to the rise and fall of gas prices. And every single sign we see—the unrest in the Middle East, the economic tiger in the Far East, the coming seasonal spike in energy prices as Americans head into the summer vacation season—compels us to act.

And what is Washington doing? Nothing.

And that's what makes me—and the American people—so angry about this problem.

It's not that we don't have the resources. We do. From the Arctic to the Gulf of Mexico, we have plenty of liquid fuel here in the United States. We also have plenty of other natural resources that can be used to free up liquid fuel to move our cars, trucks, trains, and planes.

For example, in my home state of Pennsylvania, we have up to 500 trillion cubic feet of natural gas available in the Marcellus shale. In northeastern Pennsylvania, we're sitting on more natural gas than Saudi Arabia has oil! What's more, there's research that indicates there is another, deeper layer of different shale that can yield even more natural gas in the future.

It's not that we don't have the innovators. We do. In and near my district, we have brilliant people figuring out ways to extract natural gas from Marcellus shale, and make our abundant coal cleaner, and turn that hard coal into liquid fuel.

So what's the problem?

To me, the answer is simple: Washington.

At a time when gas prices are crushing our economy, we must use all the ways we can to provide people with some relief.

Instead, we tie up liquid fuel producers in red tape.

We need to cut that tape. We need to tap in to our nation's vast natural liquid fuel resources. And we must encourage innovation for new liquid fuel sources.

Every day I come here, we talk about continuing resolutions and budgets and taxes and creating jobs.

But absolutely nothing we can do right now will stimulate our economy as much as putting more gasoline, diesel, home heating oil, aviation fuel, and other liquid fuel into the market.

What in the world is Washington waiting for?

COMMEMORATING THE 25TH ANNIVERSARY OF THE CHERNOBYL NUCLEAR DISASTER

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. QUIGLEY. Mr. Speaker, on behalf of more than 111,000 of my constituents who are of Polish descent, I rise to commemorate the 25th anniversary of the nuclear disaster at Chernobyl. We remember those in Russia, Belarus, and Ukraine, many of whom suffered the loss of life, health, and home as a result of this tragedy.

The accident at the nuclear power plant in Chernobyl occurred on April 26, 1986, and is considered to be the most serious nuclear disaster in human history. A flawed reactor ruptured, causing a cloud of highly radioactive smoke to be spread over a wide geographic area. Unaware of the seriousness of the situation, firemen and emergency workers were summoned to the catastrophe. Many received high doses of radiation and later died as a result.

The entire town of Pripjat was forced to evacuate, and, in total, it is believed that more than 200,000 people were forced to relocate due to the Chernobyl disaster. An area of more than 150,000 square kilometers is considered to be contaminated, and the immediate area around the plant is still, for the most part, uninhabited.

This tragedy came at a huge human and environmental cost, and so it is of the utmost importance that it not be forgotten. For this reason, I would like to acknowledge the work of the Kyiv Committee of the Chicago Sister Cities International Program which is working to commemorate the anniversary of this tragedy through a program highlighting response and recovery efforts.

Mr. Speaker, on this, the 25th anniversary of the Chernobyl tragedy, I invite my col-

leagues to remember those who suffered as a result of this disaster, as well as recognize the efforts of the Chicago Sister Cities International Program. Only by commemorating and learning from this catastrophe will we be able to move forward towards a safe and productive future for nuclear energy.

IN RECOGNITION OF WILLIAM P. HITE AND THE UNITED ASSOCIATION

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. FILNER. Mr. Speaker, I rise today to congratulate General President William P. Hite for his selection as the 2011 recipient of the Military Officers Association of America's Distinguished Service Award.

This most recent recognition and honor are well deserved. As General President of the 350,000 members of the United Association of Plumbers, Pipe Fitters, Welders, Sprinkler Fitters, and HVAC Technicians, Bill has worked tirelessly to ensure members of our armed forces have access to the very best careers in his industry.

His organization provides one of the best services available to our veterans. The Veterans in Piping Program trains veterans for the finest careers in the industry. The United Association's Veterans in Piping partnership with the Marines at Camp Pendleton is considered by many to be the most successful military transition program in the country. Secretary of Labor Hilda Solis described it as "an awesome program" and one that "should be expanded throughout the United States." It differs from other programs in that it trains Marines prior to discharge—at no cost to the individual—in a certifiable skill, and then provides the network and connections to ensure job placement. Every graduate of the program has been successfully placed in the position of second year Apprentice or higher with the exception of a handful who have either re-enlisted or gone on to college.

General President Hite's service to our armed forces and veterans is accentuated by a distinguished career in public service. He was appointed by President George W. Bush to the Task Force on Rebuilding the Gulf Coast and to the Committee for Trade Policy and Negotiations; and, by President Barack Obama to the President's Export Council. He has been called upon by the leaders of both of our political parties in recognition of his fidelity, objectivity, and candor. These characteristics have made him among the most respected labor leaders in the United States.

As we recognize General President Hite and the United Association today, I wish to point out that he is a third generation union member and the membership of the United Association voluntarily bears all of the costs of its veterans programs. The membership supports the men and women of our armed forces with a record of commitment that is second to none. I am particularly and personally proud of the work that San Diego based Local 230 has done to implement this successful and innovative program at Camp Pendleton.

HONORING YAZMIN SPEARMAN FOR WINNING THE LESSONS OF THE AFRICAN-AMERICAN EXPERIENCE WRITING CONTEST

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to recognize Yazmin Spearman as a winner of the second annual Lessons of the African-American Experience Creative Writing Contest. Yazmin is currently in the eighth grade at the Interdistrict School for Arts and Communication, which is located in New London, Connecticut.

In celebration of Black History Month, I sponsored a creative writing contest for all third through eighth grade students within the Second District. As we know, Black History Month is a time to reflect on the struggles and triumphs of our nation's past. The lessons learned during this month continue to serve as the stepping stones of our nation's future. Yazmin's essay "African American Music History: The Reason I Remember Black History Month" eloquently embraces this belief.

Yazmin's essay shows a remarkable enthusiasm for learning that is inspiring to all. She identifies the principles of perseverance and discipline as embodied by Marion Anderson and Stevie Wonder. Yazmin creatively discusses how their successes and failures encourage her dreams of becoming a musician. For this, her essay was among the winners selected.

RECOGNIZING MONICA GUZMAN ON BEING NAMED THE 2011 U.S. SMALL BUSINESS ADMINISTRATION'S WOMEN IN BUSINESS CHAMPION OF THE YEAR FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Ms. Monica Okada Guzman for her years of outstanding business leadership and community involvement on Guam. Ms. Guzman is the Chief Executive Officer and Managing Partner of Galaide Group, a full service communications and public relations firm on Guam. She was recently named the 2011 U.S. Small Business Administration's Women in Business Champion of the Year for Guam.

Ms. Guzman partnered with local artist Ron Castro in 1998 to form the Galaide Group, which provides services that combine Chamorro culture, art, and language with public relations and advertising campaigns on Guam. Under Ms. Guzman's leadership, the Galaide Group has grown to 45 employees, more than half of whom are women. The Group has expanded its services to provide a full range of communications and public relations services to public and private sector clients on Guam. Ms. Guzman's efforts with the

"We Are Guam" project through the Guam Visitors Bureau identified many women leaders on Guam to serve as Village Ambassadors and promote Chamorro cultural traditions. Her business has also focused on developing small business opportunities on Guam, and it helped to coordinate the Guam Industry Forum series and the Guam Economic Forum. These projects promoted awareness of business opportunities on Guam and helped to form partnerships between local small businesses and off-island firms.

Ms. Guzman is actively involved in a variety of community organizations on Guam. She has worked with the Guam Women's Club, Women in Movement, and the Guam Make-a-Wish Foundation. She is also a member of the Board of Directors for the Guam Council on the Arts and Humanities and TASI, an organization dedicated to the preservation of traditional canoe construction, sailing, and navigation practices.

I congratulate Monica Guzman on being named the 2011 U.S. Small Business Administration's Women in Business Champion of the Year for Guam. I join the people of Guam in commending her for her award and thanking her for her contributions to our community.

THIRD ANNUAL DC TAP FESTIVAL

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in celebrating the third annual DC Tap Festival, taking place in Washington, DC from April 15–April 17, 2011. I also ask the House to recognize its founders, Chloe and Maud Arnold, both of whom are natives of the District of Columbia, for their contributions to our great city and to the art form, tap dance.

The third annual DC Tap Festival will attract over four generations of tap dancers from around the world, and will heighten global respect and appreciation for a rich American art form, tap dance. The mission of the DC Tap Festival is to unite the global tap community, bringing people together from around the world to celebrate dance, while bridging the gap between the hip-hop and jazz generations through the classic, timeless art form of tap dance. The DC Tap Festival is a forum for the creative and artistic processes.

We acknowledge the founders, sisters Chloe and Maud Arnold, for their commitment to this city. They have received international acclaim for tap dancing, after studying at two Washington-based dance companies, DC Dance Collective and Duke Ellington School of the Arts, and performing at highly acclaimed D.C. venues such as Dance Place and the Kennedy Center. The Arnold sisters have returned to their hometown, every year for the past three years, to celebrate tap dance and to encourage the next generation of tappers to pursue their dreams. This year, the DC Tap Festival welcomes groups from as far away as Taiwan, and will showcase a fabulous array of tap-dance techniques and styles in a variety of musical genres through workshops, jam ses-

sions, cutting contests, and an all-star concert performance.

Chloe and Maud Arnold were fortunate to grow up in D.C. during a time when funding for arts programs was available. They have trained with tap-dance legends such as Harold Nicholas of the Nicholas Brothers, Pegleg Bates, Buster Brown, Gregory Hines, Savion Glover, and with dancer and arts patron extraordinaire Debbie Allen. Both sisters are graduates of Columbia University's Film School, and performers, choreographers, and teachers worldwide.

In addition to being an art form, dance can be an aerobic activity that helps to improve heart health, strengthen muscles, increase flexibility, and burn calories. As I work to celebrate dance as an art form and to promote the health benefits of dancing, I will reintroduce a resolution to recognize July 31st as National Dance Day, both in the nation's capital and throughout the United States.

On July 31, 2010, with a few thousand District residents and tourists, we gathered on the National Mall to watch, learn from and dance with Fluria Flamenco, Step Afrika, Beat Ya Feet Kings, Capitol Movement Project, DCypher, Banneker Ball Room Dancing Club, and many more. I was joined on the Mall by "So You Think You Can Dance" co-creator, executive producer, and judge Nigel Lythgoe, by Dominique Dawes, the U.S. Olympic gymnast and a member of the President's Council on Fitness, Sports & Nutrition, and by the Dizzy Feet Foundation to promote dance as an avenue for physical fitness and artistic expression. Our country has an adult and childhood overweight and obesity epidemic, and we need to promote physical activity among children and adults, especially dancing, the exercise that many of us most enjoy!

I ask the House to join me in celebrating the third annual DC Tap Festival, taking place in Washington, DC from April 15–April 17, 2011, and to recognize Chloe and Maud Arnold's lifetime of passion for tap dancing and hard and productive work and service to the community.

RECOGNIZING ALBERT WU ON BEING NAMED THE 2011 U.S. SMALL BUSINESS ADMINISTRATION'S MINORITY SMALL BUSINESS CHAMPION OF THE YEAR FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Mr. Albert Wu for his years of outstanding business leadership and community involvement on Guam. Mr. Wu is the Executive Partner of FADA Investment LLC, a small business that owns and manages numerous real estate properties on Guam. He was recently named the 2011 U.S. Small Business Administration's Minority Small Business Champion of the Year for Guam.

Albert Wu was born in Taipei, Taiwan to Chuck C. Wu and Shiu Fong Wu. He and his family moved to Guam in 1972—when he was

just 11 years old. After completing his secondary education in the Guam public school system, Mr. Wu went on to attend California State University in Los Angeles; he graduated in 1983 with a Bachelor of Science degree in Civil Engineering. After graduation, Mr. Wu worked for several California businesses, but he returned to Guam to assist with his family's business, Sunny Wholesalers. In 1991, Mr. Wu married Shana Wu, and they have three children: Stephanie, Alexander, and Sophia.

In the early 1990s, Mr. Wu founded AAA Cellular, which later became HafaTel GSM Telephone, a wireless communications company on Guam. HafaTel provided affordable telecommunication rates to over 15,000 subscribers and revolutionized Guam's wireless communications industry as the first provider of GSM and SMS texting services on the island. Mr. Wu helped to serve minority groups on Guam by providing multi-lingual services and offering affordable fees for clients to communicate with family and friends off-island. In 2007, Mr. Wu sold HafaTel and founded FADA Investment LLC, a real estate property management firm.

Mr. Wu is an active member of our island community. He has been involved in several charitable and civic organizations, including the Chinese Chamber of Commerce, the Chinese School Foundation, and the Make-a-Wish Foundation. Through his involvement in these organizations he has helped to improve our island community.

I congratulate Alfred Wu on being named the 2011 U.S. Small Business Administration's Minority Small Business Champion of the Year for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

TRIBUTE TO MR. CHARLIE STILLITANO

HON. BILL PASCRELL, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention to the work of a man I am proud to represent in Congress and prouder still to call friend, Mr. Charlie Stillitano. Charlie has been named Man of the Year by the Milan Club and was recognized in a ceremony on Saturday, March 26, 2011.

It is only fitting that he be honored in this, the permanent record of the greatest freely elected body on earth, for he has a long history of dedication and commitment to his community.

Charlie Stillitano is a man who has led a most distinguished career in the world of professional sports. He is a great American who has found a way to put his passion for soccer and love for others into all that he does. Charlie began this journey at Princeton University where he was a four-year starter, three-time All-Ivy, All-American Captain of the Men's Varsity Soccer Team. He also received his Juris Doctorate Degree from Rutgers University.

His unparalleled career took off in 1992, serving as the Venue Executive Director for the FIFA World Cup right here in the tri-state New York area.

Following the 1994 FIFA World Cup Mr. Stillitano was named Vice President and General Manager of the NY/NJ MetroStars' Major League Soccer Team. Under Charlie, the MetroStars were able to secure the services of some of the world's top Managers including Carlos Alberto Parreira (former Brazilian National Team World Champion Coach), Carlos Queiroz (2-time World Youth Champion Coach with the Portuguese National Team) and Bora Milutinovich (former U.S. National Team Coach); and international stars such as Roberto Donadoni (of Italy), Branco (Brazil), Anthony De Avila (Colombia), Lothar Matthaus (Germany), Shaun Bartlett (South Africa), Tony Meola (USA), Tab Ramos (USA) and Nicola Caricola (Italy).

During this time, Mr. Stillitano created and established an international division which became responsible for implementing numerous successful football events such as the 1995 Parmalat Cup, 1996 FIFA World All-Star Game, 1996 U.S. Cup, 1998 Colombia vs. Scotland and Jamaica vs. The Caribbean All-Stars Matches.

Following five successful years as Vice President and General Manager with the MetroStars, Charlie continued his work with Metromedia Company as the Managing Director of the newly formed Metromedia Soccer Properties, LLC.

Metromedia Soccer Properties was responsible for the development of Metromedia's international soccer business, including exploring the acquisition of soccer clubs, stadium development and the international match business.

Charlie's influence in the soccer world cannot be overstated. Over the course of fifteen years, from 1993–2007, Charlie also served as an inaugural Board Member of the U.S. Soccer Foundation; as its Vice Chairman for 11 years and Chairman of the Grants Committee for 14 years until his retirement from the U.S. Soccer Foundation in 2007.

Mr. Stillitano currently serves as an esteemed soccer agent at CAA Sports (a division of Creative Artists Agency), which represents more than 400 of the world's best athletes in team sports such as baseball, football, hockey and soccer, in addition to icons in individual sports, on-air broadcasters and numerous other sports personalities. Based out of CAA's New York office, Charlie represents many of the world's leading athletes and sports personalities, including Cristiano Ronaldo, Jose Mourinho, Deco, Chelsea FC, the English Premier Club and the 2009 European Champions-FC Barcelona.

The job of a United States Congressman involves much that is rewarding, yet nothing compares to recognizing the accomplishments of community leaders like Charlie Stillitano. I applaud the Milan Club for its initiative in naming Charlie the 2011 Man of the Year.

Mr. Speaker, I ask that you join our colleagues, the members of the Milan Club, Charlie's family and friends, all those who have been touched by Charlie and me in recognizing the outstanding and invaluable achievements of Charlie Stillitano.

RECOGNIZING REANNA A. CRUZ ON BEING NAMED THE 2011 U.S. SMALL BUSINESS ADMINISTRATION'S FINANCIAL SERVICES CHAMPION OF THE YEAR

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Ms. Reanna A. Cruz for her years of outstanding financial expertise, business leadership, and community involvement on Guam. Ms. Cruz is Assistant Vice President and Commercial Loan Officer for the Bank of Guam. She was recently named the Guam Financial Services Champion of the Year for 2011 by the U.S. Small Business Administration (SBA).

Ms. Cruz graduated from the University of Guam in 2001, with a Bachelor of Arts in Finance and Economics. Shortly thereafter, she joined the Bank of Guam as a management trainee. In 2003, she joined the Commercial Banking Group and helped increase its SBA lending portfolio. Ms. Cruz was selected to receive special training in SBAExpress and Community Express Loan Programs. Helped in part by her expertise, the Bank earned the SBA Lender of the Year in 2010. Further, in her role as an assistant vice president, she assisted community organizations and the Small Business Development Center assess ways to improve the relationship between financial institutions and small businesses.

Ms. Cruz also serves as a mentor to junior loan officers, one of whom was named the 2010 SBA Loan Officer of the Year. Her contributions to the small business community and her understanding of modern financial services tools have helped the Bank of Guam grow and adapt to changes in the industry. Additionally, Ms. Cruz is an active volunteer for the Soroptimist International of the Marianas, where she helps women entrepreneurs navigate the challenges that many small business owners encounter.

I congratulate Reanna Cruz on being named the 2011 U.S. Small Business Administration's Financial Services Champion of the Year for Guam. I join the people of Guam in commending her for her award and thanking her for her contributions to our community.

HONORING COLONEL JOHN LAZAR

HON. THADDEUS G. MCCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. MCCOTTER. Mr. Speaker, today I rise to honor and acknowledge Colonel John Lazar, upon his retirement after having served this great Nation since 1981, most recently as Director of Operational Contracting Support and Policy with the Office of the Deputy Assistant Secretary of the Army.

In 1981 John Lazar enlisted in the United States Army. Upon his graduation with a Bachelor of Science from the United States Military Academy at West Point in 1986, he

was commissioned as an Armor officer. Colonel Lazar went on to serve as a Tank Platoon Leader, Scout Platoon Leader and Assistant Battalion Operations Officer in the 1st Battalion 68th Armor Regiment at Wildflecken, Germany. He commanded Alpha Troop 5th Squadron 12th U.S. Cavalry at Fort Knox, Kentucky, served as an Assistant Professor as a member of the faculty at West Point, as Chief of the Joint Contracting Center in Hungary and as a Brigade Operations Officer for the United States Army Contracting Command Europe. Colonel Lazar commanded the Defense Contract Management Agency of both Canada and Central Iraq. He also served as Military Deputy to the Director of Acquisition Resources and Analysis in the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics.

Colonel Lazar has earned several graduate degrees including a Master of Science in Kinesiology from Indiana University in 1994, a Master of Arts in Procurement and Acquisition Management from Webster University in 2000, and a Master of Science in Strategic Studies from the United States Army War College in 2007. He has a vast military education consisting of Armor Officer Basic and Advanced Courses, Combined Arms Services Staff School, Command and General Staff College as well as the aforementioned United States Army War College. Colonel Lazar holds acquisition certificates of Level II in Program Management and Level III in Contracting.

Highly decorated and awarded in his career, Colonel John Lazar has earned the Defense Superior Service Medal, Bronze Star, Defense Meritorious Service Medal, Meritorious Service Medal with three Oak Leaf Clusters, Armed Forces Expeditionary Medal, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, and the NATO Medal with Yugoslavia Bar.

Mr. Speaker, since 1981 Colonel John Lazar has faithfully served the citizens of the United States. As he enters the next phase of his life with his beloved wife Renee and their three children Erika, Jacob and Matthew, he leaves behind a legacy of dedication, integrity, and excellence. Today, I ask my colleagues to join me in congratulating Colonel John Lazar upon his retirement and recognizing his years of loyal service to our community and country.

RECOGNIZING VICENTE D. ADA ON BEING NAMED THE 2011 U.S. SMALL BUSINESS ADMINISTRATION'S JEFFREY BUTLAND FAMILY-OWNED SMALL BUSINESS OF THE YEAR FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Mr. Vicente D. Ada for many years of outstanding business leadership and contributions to our island community. Mr. Ada is the founder of Ada's Mortuary, Inc., a family-run funeral service on Guam. His company was recently named the 2011 U.S. Small Business Administration's Jeffrey Butland Family-Owned Small Business of the Year for Guam.

In 1972 Mr. Ada founded Pacific Funeral Home, which was renamed Ada's Mortuary, Inc. in the mid-1990s. Under his leadership, the mortuary has grown from a small, home-based business with limited inventory into a full-service operation that provides funeral services for more than 300 families on Guam every year. Throughout its history and growth, Mr. Ada has maintained Ada's Mortuary as a family-run business—with many of his children, grandchildren, great-grandchildren, and their spouses getting their first real-work experience there. Mr. Ada has successfully guided Ada's Mortuary from a small, family-run, operation into Guam's most successful funeral service business.

Mr. Ada has been actively involved in public service to our nation and on Guam. He is a veteran of the U.S. Air Force and a former Senator in the 11th, 12th, 13th and 14th Guam Legislatures. Mr. Ada has also focused his business to support youth development by participating in school-to-work programs, which allows youth to gain work experience at the company. Ada's Mortuary also provides caskets and funeral services, at no cost, to certain religious orders, unborn children, and families who cannot afford to bury their loved ones.

I congratulate Vicente Ada on being named the U.S. Small Business Administration's Jeffrey Butland Family-Owned Small Business of the Year for Guam. I join the people of Guam in commending him on this award and thanking him for his contributions to our community.

**HONORING RAMON CORTINES FOR
HIS EXTRAORDINARY CAREER
EDUCATING OUR NATION'S CHILDREN**

HON. LAURA RICHARDSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. RICHARDSON. Mr. Speaker, I rise today to honor Ramon Cortines, a great educator who has spent more than a half century serving America's youth at the elementary, middle, and high school levels. His remarkable career as an educator dates back to 1956 when he began teaching in the small town of Aptos, California. Since then he has worked for seven school districts, spanning the country from New York to Los Angeles.

In his 55 years as an educator, Mr. Cortines has held many titles: professor, administrator, principal, chancellor, senior advisor, deputy mayor, superintendent—you name it, he's done it. But if you were to walk up to him on the street and ask him what he does, his response would be simple: "I'm a teacher." Now the Superintendent of the Los Angeles Unified School District, Mr. Cortines will soon begin a much-deserved retirement. It is therefore my pleasure to publicly thank him for all he has done for our children. I highlight his career with the hope that many bright young Americans follow his example of service.

Mr. Cortines earned a bachelor's degree in speech and education as well as a pair of master's degrees in school administration and adult learning, from Pasadena College. After

serving in the U.S. Army from 1953 to 1955, he took his first teaching job in Aptos, CA. In the following years he served as a teacher and administrator in Covina, CA; an administrator and superintendent in Pasadena, CA; a superintendent in San Jose, CA; and a superintendent in San Francisco, CA.

In 1993, he was appointed Chancellor of the New York City Schools, where he served for two years. He soon went on to become the Senior Advisor to U.S. Secretary of Education Richard Riley under the Clinton Administration.

For several months in 2000 he served as the interim superintendent of the Los Angeles Unified School District, then went on to become Los Angeles' Deputy Mayor for Education, Youth, and Families. In addition to advising numerous non-governmental organizations and working at Harvard, Columbia, Stanford, and Brown universities, Mr. Cortines accepted his most recent post as the Superintendent of the Los Angeles Unified School District on January 1, 2009.

Superintendent Cortines assumed this position with the same goals that he advanced as its interim director in 2000. He consistently challenged Los Angeles' lowest-performing students and schools to perform at a higher level, improving overall academic achievement and ensuring that every classroom and child is properly equipped to learn. He streamlined internal operations and encouraged greater decision-making among the administration of every school in the nation's second largest school district.

Mr. Speaker, Superintendent Ramon Cortines is one of this country's great educators, and though we are sad to see him go, we are thankful for his years of service and the impact he has made on the American system of education. I commend him for his remarkable achievements.

**40TH ANNIVERSARY OF THE GAY
AND LESBIAN ACTIVISTS ALLIANCE
OF WASHINGTON, DC
(GLAA)**

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in celebrating the 40th anniversary of the Gay and Lesbian Activists Alliance of Washington, DC (GLAA), a valued organization that has become a local leader in the struggle for equal rights for the gay, lesbian, bisexual, and transgender (GLBT) community.

Since its founding in April 1971, GLAA has been a respected and tireless advocate for full and equal rights for the District of Columbia, and has been at the forefront of efforts to strengthen enforcement of the landmark D.C. Human Rights Act of 1977. One of GLAA's most significant achievements, on which it worked with coalition partners, D.C. elected officials, and District residents, was the enactment of the District of Columbia Religious Freedom and Civil Rights Equality Amendment, which permits same-sex couples to marry in the District of Columbia.

In addition to its leadership on GLBT rights in the District, GLAA has always provided leadership on a wide range of civil rights issues, such as family rights, police accountability, and access to condoms in prisons and D.C. public schools. GLAA also emphasizes effective public health strategies and accountability in the fight against HIV/AIDS in the District.

At GLAA's 40th anniversary reception on April 20, 2011, the recipients of its 2011 Distinguished Service Awards will be recognized, including The Right Reverend John Bryson Chane, an Episcopal Bishop of Washington since 2002, a leader on issues of faith, politics and religion, an advocate for seniors, homeless and GLBT citizens, and a leader on interfaith dialogue and study; Sharon Farmer, a native of the District of Columbia and the first African American and woman to serve as Director of White House Photography, where she shot news stories, political campaigns, cultural events, conferences and portraits, including of President Bill Clinton and First Lady Hillary Rodham Clinton; David Friedman, Director of the D.C. Regional Office of the Anti-Defamation League of B'nai B'rith, a co-founder of the Bias Crimes Task Force, and a long-standing ally of the GLBT community who advocates for victims of hate crimes and legislation to address bullying and harassment of GLBT students in D.C. public schools; Theodore "Teddy" Guerrant, the longest serving accompanist in the gay and lesbian choral movement, including with the Gay Men's Chorus of Washington, DC since 1983, an accompanist for the Central Maryland Chorale for eleven years, a member of the National Philharmonic Chorale at Strathmore Music Center for twenty-nine years, and an Organist-Chor-master at St. Margaret's Episcopal Church in Washington, DC for thirteen years; Ronald King, a longtime public servant in the District of Columbia who served as a Director of Prevention and Intervention Services for the HIV/AIDS Administration, a Government Co-Chair of the D.C. HIV Prevention Community Planning Group, a manager of the first Centers for Disease Control & Prevention-funded outreach program in the District of Columbia for Black and Latino sexual minorities and of several HIV/AIDS programs, and co-founder of the DC Needle Exchange Coalition and the award-winning AIDS Program of the National Basketball Players Association; and David C. Ward, co-curator, with Jonathan Katz, of the National Portrait Gallery's landmark "Hide/Seek" exhibition who defended the integrity of the show in the face of censorship and controversy, an author, poet, and literary critic, as well as an historian at the Smithsonian's National Portrait Gallery.

I ask the House to join me in honoring the recipients of GLAA's 2011 Distinguished Service Award and celebrating GLAA's 40th anniversary of contributions to the GLBT community in the District of Columbia.

RECOGNIZING CENCIO VY ON
BEING NAMED THE 2011 U.S.
SMALL BUSINESS ADMINISTRA-
TION'S SMALL BUSINESS PER-
SON OF THE YEAR FOR GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to recognize Mr. Cencio Tan C. Vy for his years of outstanding business leadership on Guam. Mr. Vy is the President of Benson Guam Enterprises, a locally-owned construction materials and hardware supplier. He was recently named the 2011 U.S. Small Business Administration's Small Business Person of the Year for Guam.

Cencio Vy came to Guam in 1980 to help manage Benson Guam Enterprise, a construction materials supplier founded by his father, Tan Beng Chiat, in 1976 to help rebuilding efforts in the wake of Super Typhoon Pamela. One year later, at the age of 19, Mr. Vy was given full responsibility for business operations, and he grew the company, developing his business model through mentoring by his father and his own innovations. Under his leadership, Bensons has grown from five employees to 50, and his company is one of the largest construction materials suppliers on Guam. Over the years, Bensons has been able to weather both natural and economic headships, including several devastating ty-

phoons and economic recessions in the Asia-Pacific region and the United States.

Mr. Vy is married to Noriko Vy and they have three children: Hardy, Mikkell (deceased), and Cefani. Aside from managing Bensons, he opened and operates Guam's only commercial golf driving range, which he opened in 1991. In 1997, Mr. Vy entered into a joint venture with his brother-in-law and Japanese investors to open two semi-conductor factories in Japan.

I congratulate Cencio Vy on being named the 2011 U.S. Small Business Administration's Small Business Person of the Year for Guam. I join the people of Guam in commending him for his award and thanking him for his contributions to our community.

**REMEMBERING BEA MOTEN-
FOSTER**

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, April 14, 2011

Mr. PENCE. Mr. Speaker, I rise today to honor a kind-hearted and generous woman who will forever be remembered by Hoosiers in my district. Bea Moten-Foster was the owner and publisher of the Muncie Times, and she will be greatly missed by those in the community.

Bea was born in Selma, Alabama. Her media career began soon after she graduated from high school when she took a position as

a radio announcer in Birmingham, Alabama. She went on to work in television and radio in Miami, New York City and Indianapolis.

Bea moved to Muncie in the early 1980's and later married a professor at Ball State University, Robert O. Foster. Bea immediately began to impact the Muncie community. She organized Muncie's city-wide celebration of Black History Month, helped launch the Muncie coalition of 100 Black Women, and helped establish the Muncie Black Expo.

Some of Bea's other accomplishments include founding the Muncie Times, an African-American newspaper in 1991. The twice monthly publication now has a circulation of over 10,000 readers. She was also awarded the Indiana Black Expo 2010 Trail Blazer Award, the Sagamore of the Wabash, the Spirit of Chief Muncie Award, and the Indiana State Chamber of Commerce's Outstanding Business Person of the Year for 1996.

Those who were closest to Bea will remember her commitment to faith and family. Bea's daughter, the Reverend Pamela Emmanuel, said the motto her mother passed on to her was "Never accept 'No,' from somebody who doesn't have the power to say 'Yes.'" Bea's leadership in the Muncie community as well as her compassion for troubled youth will be sorely missed. I offer my sincere condolences to her beloved family, daughter Reverend Pamela Emmanuel, who will be continuing Bea's legacy and leading the Muncie Times, and her two grandchildren, Ebonye Endsley and Korey Van Horn.

HOUSE OF REPRESENTATIVES—*Friday, April 15, 2011*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. KINGSTON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
April 15, 2011.

I hereby appoint the Honorable JACK KINGSTON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer:
A personal "Te Deum":

You are God; we praise You.
You are the Lord; we acclaim You.
You are the eternal Father;
All creation worships You.
Save Your people, Lord, and bless Your inheritance.
Govern and uphold these now and always.
Day by day we bless You.
We praise Your name forever.
Keep us today, Lord, from all sin.
Have mercy on us, Lord have mercy.
Lord, show us Your love and mercy;
For we put our trust in You.
In You, Lord, is our hope;
And we shall never hope in vain.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. POE of Texas. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POE of Texas. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further pro-

ceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Rhode Island (Mr. CICILLINE) come forward and lead the House in the Pledge of Allegiance.

Mr. CICILLINE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

OUR CHAPLAIN, DANIEL COUGHLIN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, our House Chaplain, Father Daniel Coughlin, is retiring from his duties after 11 years of serving the United States House of Representatives.

Since our forefathers established this tradition in Congress in 1789, the House Chaplain has provided spiritual guidance, hope, and heavenly blessings through prayer every day.

Each new day, Father Coughlin enters the House Chamber with his happy Irish spirit and a twinkle in his eyes, and prays to the Almighty so that Members will walk humbly and wise in the Lord's sight. Father Coughlin has been here during the troubling days of 9/11, during good times, and times that aren't so good.

Father Coughlin, from Chicago, has been ordained for 50 years, and has found time to be an angel to the poor in Calcutta, India, where he lived with members of Mother Teresa's community. Over the years, this House has needed Father Coughlin's guidance, for, after all, you have to be in good with the Lord to pray for politicians every day.

My prayer for Father Coughlin is that he continues to be a blessing to our Nation and to the people he encounters who need spiritual help—and as he often says when ending his prayers—"both now and forever."

And that's just the way it is.

THE REPUBLICAN MISINFORMATION MISSION

(Mr. LEVIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LEVIN. We've heard your last prayer, Father Dan. We wish you the best. You have served us very well.

Mr. Speaker, I was on the floor last night, and I heard the debate. Clearly, there is a massive misinformation mission on the part of the Republicans.

I heard repeatedly that they want to save Medicare. No. They want to end it with a voucher, costing seniors in the future at least \$6,000 a year. They say they want to preserve the safety net. No. They want to shred it.

According to nonpartisan analysis, their proposal calls for spending on items other than Social Security, Medicare and Medicaid—but including defense—to fall from 12 percent of GDP last year to 6 percent in 2022 and just 3.5 percent of GDP in the long run. We are not going to shred defense. What their proposal means in shredding the safety net is that they have become radicals instead of conservatives.

THE PRESIDENT STILL STANDS FOR THE TAX MAN

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Thank you, Father Dan Coughlin, for your service.

Mr. Speaker, as Americans know, today is the annual Tax Day, April 15. I bring this up because, finally, the President has joined in the discussion of our country's dangerous deficits. On Wednesday, he announced his scheme to reduce the out-of-control deficits his administration promoted—raising taxes—proving yet again that liberals still look to the tax man to solve their inability to manage a budget.

Americans do not want this. The tea party is correct; taxed enough already, T-E-A. Raising taxes on small businesses does nothing but kill jobs while keeping unemployment levels above 9 percent.

Liberals miss the point: The Federal Government does not have a revenue problem; it has a spending problem. Cutting spending and borrowing needs to be the topic of discussion. Raising taxes does not.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

House Republicans continue to lead the way to limit spending. Courageous Budget Committee Chairman PAUL RYAN has presented a commonsense plan which brings current reckless spending under control.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

HONORING THE LIFE AND SERVICE OF NATIONAL GUARDSMAN SPECIALIST DENNIS POULIN

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise to honor National Guardsman Specialist Dennis Poulin, a recently fallen hero of our country.

Dennis "Danny" Poulin, a 26-year-old native of Cumberland, Rhode Island, gave his life for our Nation, on Thursday, March 31, 2011, while serving in Afghanistan.

He, like so many of our brave men and women in uniform, executed the mission in Afghanistan with dedication and extraordinary competence. Specialist Poulin certainly did all we asked of him. This brave young man served our country with honor and made the ultimate sacrifice. He served as a mortarman in the Guard's Headquarters Company, 1st Battalion, 181st Infantry Regiment.

I want to take a moment to recognize Specialist Poulin's parents and family and to thank them for his service to our country. Besides his parents, Doris Poulin and Richard Renau, Specialist Poulin leaves his son, Nikolous Cullen Poulin; fiancée, Ashley Shylene Simon; two sisters, Jennifer Poulin and Angelique Renau; and extended family, all who mourn his loss.

Let us honor his life, service and sacrifice, and let us help those who mourn by joining together in thanks for Specialist Poulin's valor and courage on behalf of our great Nation. All who knew him, and those who didn't but who know the sacrifice he has made, will miss him and will remain grateful for his service to our country.

BANKRUPTCY OR PROSPERITY

(Mr. McCOTTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOTTER. I too would like to join in the chorus we've heard today to thank Father Coughlin for bearing the cross that is Congress.

Mr. Speaker, as we hear the debates that will continue on into today on the budget, we will hear much hue and cry; but when we look at the reality, the Ryan House Republican proposal is really a very modest attempt to sustain the welfare state, and I believe it is an important one.

When history looks back after the momentous changes in which we find ourselves, it will view the Ryan House Republican budget as but a baby step in escaping Big Government's implosion. It is a responsible course; it is a responsible choice because it is between bankruptcy or prosperity; and I and the American people will choose prosperity.

□ 0910

NATIONAL DAY OF SILENCE

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Mr. Speaker, I join the chorus of those thanking Father Coughlin for his service and dedication and wishing him well.

I also rise today in observance of the National Day of Silence.

Today is the 14th year we have commemorated the National Day of Silence, a time when students across the country remain silent for the whole day to draw attention to discrimination toward their LGBT peers.

Lesbian, gay, bisexual, transgender, intersex and questioning youth and their allies face verbal and physical bullying on a daily basis just for being who they are, for expressing their sexuality, or for demonstrating a non-normative gender identity. I am proud that my constituents are calling for a stop to this harassment, and I encourage all Americans to join them.

Our Nation is at her best when we are celebrating our differences, not punishing individuals for being different. I am proud to say that in my district Queer Youth and allies work together to make life better for queer youth. Middle schools and high schools in my district host student-run Gay-Straight Alliances, which create a supportive space so that queer youth do not feel isolated. My district also hosts Queer Youth conferences and award events that celebrate our queer youth.

Though many lesbian, gay, bisexual, and transgender advocates and straight allies are silent today, we in Congress must never be silent.

CONSUMER PRIVACY PROTECTION ACT

(Mr. STEARNS asked and was given permission to address the House for 1 minute.)

Mr. STEARNS. Mr. Speaker, earlier this week, JIM MATHESON and I introduced H.R. 1528, the Consumer Privacy Protection Act. Our legislation attempts to strike the proper balance between consumer privacy and innovation by requiring entities to provide consumers, in clear and easy to understand language, what information is being collected and how the informa-

tion is being used. By giving the consumer more notice and choice, we can encourage strong Internet commerce while protecting consumer privacy.

Overreaching privacy regulations could have a significant, negative economic impact at a time when many small businesses are struggling today. Only the consumer knows how he or she feels about the information being collected, the parties doing the collecting, and the purpose for which the information is collected. Congress cannot and should not make that decision for them. We need to place the control over consumer information with the actual consumer, and our legislation does this.

STANDING IN SOLIDARITY WITH WORKERS AT EAST MILLINOCKET PAPER MILL

(Mr. MICHAUD asked and was given permission to address the House for 1 minute.)

Mr. MICHAUD. Mr. Speaker, I rise today in solidarity with the people of the Katahdin region in my home State of Maine.

The paper mill in East Millinocket is shutting down and taking with it hundreds of jobs and much of the tax base. Like so many other mills and factories across this country, it couldn't keep its doors open.

In the last decade, our Nation has lost nearly 6 million manufacturing jobs and seen 50,000 factories closed. It's because we haven't prioritized our manufacturing sector and haven't made an effort to keep good-paying, blue collar jobs in the United States.

I worked at this mill for over 29 years alongside the hardworking people of the Katahdin region. In solidarity, I stand with them today, confident that if we are pulling together, we can find a way to put this mill back online.

I urge my colleagues in Congress to help me and workers in Maine and all across this country by supporting a national manufacturing strategy and a new trade policy.

PUTTING OUR COUNTRY ON THE PATH TO PROSPERITY

(Mr. WITTMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WITTMAN. Mr. Speaker, I would like to begin by recognizing Father Coughlin and his service and sacrifice to our Nation.

As we look at this Nation today, we are at a tipping point, and we have two paths that we can choose. We can choose to talk in a meaningful and thoughtful way about the deficits we have before us in this national debt, or we can continue to demagogue issues and ideas that will get us to long-term prosperity for this country. I know the

American people prefer us to have that thoughtful, meaningful conversation about how we get this Nation on the right path, how we rein in spending, and how we control the growth of government.

Folks, today the issues are about growing our economy, not about growing government. We have seen that past efforts to grow government have not resulted in prosperity for this Nation. The time is now for us to have a meaningful, thoughtful discussion about all aspects of the budget. Let's not demagogue the issue. Let's prove to the American people that we can make the tough decisions to move this Nation in the right direction, to get this spending under control, to reduce our debt, and make sure the long-term care of this country is put first and foremost, that we are on the path to prosperity.

ANNIVERSARY OF ARMENIAN GENOCIDE

(Mr. COSTA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COSTA. Mr. Speaker, I too rise to thank Father Coughlin, Father Dan, for his spiritual sustenance and guidance that he has given all the Members of the House during his service to our country.

Mr. Speaker, I am pleased to be here today to commemorate the 96th anniversary of the start of the Armenian genocide, which was the first genocide in the 20th century and, sadly, the template for a cycle of genocide that continues to this day around the world.

Next week, in Fresno and around the country, there will be thousands of Armenian Americans, many who are sons and daughters and grandchildren of the survivors of the Armenian genocide. As a young man, I grew up listening to my friends the Kezirians, the Kolligians, the Bakers, the Abrahams, the Karabians and the Kashians, and many others who told the story of their parents and grandparents.

We are quickly approaching the 100th anniversary of the start of the Armenian genocide. I am hopeful we don't have to wait until then to bring justice to the Armenian nation and our friends and neighbors who sadly recognize that event.

There is never a right time to recognize genocide. More than 90 years have passed since the start of these events, and we cannot wait for a convenient moment to recognize this truly catastrophic historical event. I will continue to stand for us to properly recognize this tragic event.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The SPEAKER pro tempore (Mr. STEARNS). Pursuant to House Resolution 223 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution, H. Con. Res. 34.

□ 0917

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the concurrent resolution (H. Con. Res. 34) establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021, with Mr. KINGSTON (Acting Chair) in the chair.

The Clerk read the title of the concurrent resolution.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, April 14, 2011, a request for a recorded vote on amendment No. 1 printed in part B of House Report 112-62 by the gentleman from Missouri (Mr. CLEAVER) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on that amendment.

AMENDMENT NO. 1 OFFERED BY MR. CLEAVER

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Missouri (Mr. CLEAVER) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 103, noes 303, not voting 26, as follows:

[Roll No. 273]

AYES—103

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berman
Blumenauer
Brady (PA)
Brown (FL)
Butterfield
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)

Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (IL)
DeLauro
Deutch
Doyle
Edwards
Ellison
Engel
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi

Gonzalez
Green, Al
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Hirono
Holt
Honda
Hoyer
Jackson (IL)
Jackson Lee
(TX)
Johnson, E. B.
Kaptur
Kildee
Larson (CT)
Lee (CA)
Lewis (GA)

Luján
Lynch
McCollum
McDermott
McGovern
Miller (NC)
Miller, George
Moore
Nadler
Napolitano
Neal
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Pingree (ME)

Price (NC)
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Rush
Sánchez, Linda
T.
Sarbanes
Schakowsky
Scott (VA)
Scott, David
Serrano
Sewell
Sires
Slaughter

Sutton
Thompson (MS)
Tierney
Tonko
Towns
Van Hollen
Velázquez
Wasserman
Schultz
Waters
Watt
Welch
Wilson (FL)
Woolsey
Yarmuth

NOES—303

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Berg
Biggert
Bilbray
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Crawaack
Crawford
Crenshaw
Critz
Cuellar
Davis (CA)
Davis (KY)
DeFazio
DeGette
Denham
Dent
DesJarlais
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)

Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Eshoo
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Frelinghuysen
Gallegly
Gardner
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heinrich
Heller
Hensarling
Herger
Herrera Beutler
Higgins
Himes
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Inslee
Israel
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Keating
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich

Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
Latta
Levin
Lewis (CA)
Lipinski
LoBiondo
Loebach
Lofgren, Zoe
Long
Lowe
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Manzullo
Marchant
Marino
Matheson
Matsui
McCarthy (CA)
McCarthy (NY)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
McNerney
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Moran
Mulvaney
Murphy (CT)
Murphy (PA)
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Quigley
Reed
Rehberg
Renacci

Reyes	Schrader	Tiberi
Ribble	Schwartz	Tipton
Riggell	Schweikert	Tsongas
Rivera	Scott (SC)	Turner
Roby	Scott, Austin	Upton
Roe (TN)	Sensenbrenner	Visclosky
Rogers (KY)	Sessions	Walberg
Rogers (MI)	Sherman	Walden
Rohrabacher	Shimkus	Walsh (IL)
Rokita	Shuler	Walz (MN)
Rooney	Shuster	Waxman
Ros-Lehtinen	Simpson	Webster
Roskam	Smith (NE)	Weiner
Ross (AR)	Smith (NJ)	West
Ross (FL)	Smith (TX)	Westmoreland
Royce	Smith (WA)	Whitfield
Runyan	Southerland	Wilson (SC)
Ruppersberger	Speier	Wittman
Ryan (OH)	Stearns	Wolf
Ryan (WI)	Stivers	Womack
Sanchez, Loretta	Stutzman	Woodall
Scalise	Sullivan	Wu
Schiff	Terry	Yoder
Schilling	Thompson (CA)	Young (FL)
Schmidt	Thompson (PA)	Young (IN)
Schock	Thornberry	

NOT VOTING—26

Benishek	Graves (MO)	Meeks
Berkley	Hinchey	Myrick
Bishop (GA)	Hinojosa	Olver
Bono Mack	Johnson (GA)	Rahall
Clay	Langevin	Reichert
Culberson	LaTourette	Rogers (AL)
Franks (AZ)	Mack	Stark
Garrett	Maloney	Young (AK)
Giffords	Markey	

□ 0941

Mr. COFFMAN of Colorado, Ms. HERERA BEUTLER, Ms. SPEIER, and Mr. LEVIN changed their vote from “aye” to “no.”

Mr. NEAL changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BISHOP of Georgia. Mr. Chair, on rollcall No. 273, I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. HINOJOSA. Mr. Chair, during rollcall vote No. 273, I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. MARKEY. Mr. Chair, on rollcall No. 273, I was unavoidably detained, but had I voted I would have voted “aye.”

Stated against:

Mr. BENISHEK. Mr. Chair, on rollcall No. 273, I was at a doctors appointment across town. Had I been present, I would have voted, “no.”

Mr. FRANKS of Arizona. Mr. Chair, I missed rollcall vote No. 273. If I were here, I would have voted “no.”

Mr. RAHALL. Mr. Chair, on April 15, 2011, I was unavoidably detained and missed rollcall No. 273. Had I voted I would have voted “no” on the Cleaver/Scott (VA) Amendment in the nature of a Substitute, rollcall 273.

The Acting CHAIR. The Committee will rise informally.

The Speaker pro tempore (Mr. MCHENRY) assumed the chair.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1473. An act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and the other purposes.

The SPEAKER pro tempore. The Committee will resume its sitting.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The Committee resumed its sitting.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR (Mr. KINGSTON). It is now in order to consider amendment No. 3 printed in part B of House Report 112–62.

Mr. GRIJALVA. Mr. Chairman, I have an amendment in the nature of a substitute at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012.

The Congress determines and declares that this concurrent resolution establishes the budget for fiscal year 2012 and sets forth appropriate budgetary levels for fiscal years 2013 through 2021.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2012 through 2021:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012:	\$2,931,000,000.
Fiscal year 2013:	\$3,394,000,000.
Fiscal year 2014:	\$3,705,000,000.
Fiscal year 2015:	\$3,922,000,000.
Fiscal year 2016:	\$4,124,000,000.
Fiscal year 2017:	\$4,388,000,000.
Fiscal year 2018:	\$4,607,000,000.
Fiscal year 2019:	\$4,828,000,000.
Fiscal year 2020:	\$5,056,000,000.
Fiscal year 2021:	\$5,309,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be increased are as follows:

Fiscal year 2012:	\$373,000,000.
Fiscal year 2013:	\$307,000,000.
Fiscal year 2014:	\$265,000,000.
Fiscal year 2015:	\$280,000,000.
Fiscal year 2016:	\$299,000,000.
Fiscal year 2017:	\$317,000,000.
Fiscal year 2018:	\$335,000,000.
Fiscal year 2019:	\$345,000,000.
Fiscal year 2020:	\$353,000,000.
Fiscal year 2021:	\$358,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012:	\$3,986,000,000.
Fiscal year 2013:	\$3,900,000,000.
Fiscal year 2014:	\$4,036,000,000.
Fiscal year 2015:	\$4,147,000,000.
Fiscal year 2016:	\$4,368,000,000.
Fiscal year 2017:	\$4,537,000,000.
Fiscal year 2018:	\$4,707,000,000.
Fiscal year 2019:	\$4,905,000,000.

Fiscal year 2020: \$5,115,000,000.

Fiscal year 2021: \$5,305,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012:	\$3,804,000,000.
Fiscal year 2013:	\$3,938,000,000.
Fiscal year 2014:	\$4,033,000,000.
Fiscal year 2015:	\$4,160,000,000.
Fiscal year 2016:	\$4,361,000,000.
Fiscal year 2017:	\$4,503,000,000.
Fiscal year 2018:	\$4,645,000,000.
Fiscal year 2019:	\$4,874,000,000.
Fiscal year 2020:	\$5,068,000,000.
Fiscal year 2021:	\$5,263,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012:	\$873,000,000.
Fiscal year 2013:	\$544,000,000.
Fiscal year 2014:	\$328,000,000.
Fiscal year 2015:	\$238,000,000.
Fiscal year 2016:	\$237,000,000.
Fiscal year 2017:	\$115,000,000.
Fiscal year 2018:	\$39,000,000.
Fiscal year 2019:	\$46,000,000.
Fiscal year 2020:	\$12,000,000.
Fiscal year 2021:	—\$46,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012:	\$16,092,000,000.
Fiscal year 2013:	\$16,909,000,000.
Fiscal year 2014:	\$17,522,000,000.
Fiscal year 2015:	\$18,078,000,000.
Fiscal year 2016:	\$18,652,000,000.
Fiscal year 2017:	\$19,120,000,000.
Fiscal year 2018:	\$19,531,000,000.
Fiscal year 2019:	\$19,933,000,000.
Fiscal year 2020:	\$20,302,000,000.
Fiscal year 2021:	\$20,632,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012:	\$11,309,000,000.
Fiscal year 2013:	\$11,955,000,000.
Fiscal year 2014:	\$12,379,000,000.
Fiscal year 2015:	\$12,714,000,000.
Fiscal year 2016:	\$13,043,000,000.
Fiscal year 2017:	\$13,250,000,000.
Fiscal year 2018:	\$13,380,000,000.
Fiscal year 2019:	\$13,514,000,000.
Fiscal year 2020:	\$13,616,000,000.
Fiscal year 2021:	\$13,658,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2021 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:

(A) New budget authority, \$672,883,000,000.

(B) Outlays, \$683,936,000,000.

Fiscal year 2013:

(A) New budget authority, \$539,678,000,000.

(B) Outlays, \$614,983,000,000.

Fiscal year 2014:

(A) New budget authority, \$531,171,000,000.

(B) Outlays, \$560,652,000,000.

Fiscal year 2015:

(A) New budget authority, \$535,020,000,000.

(B) Outlays, \$542,554,000,000.

Fiscal year 2016:

(A) New budget authority, \$547,842,000,000.

(B) Outlays, \$547,770,000,000.

Fiscal year 2017:

(A) New budget authority, \$556,868,000,000.

(B) Outlays, \$550,059,000,000.

Fiscal year 2018:

(A) New budget authority, \$566,902,000,000.

(B) Outlays, \$553,733,000,000.

<p>Fiscal year 2019: (A) New budget authority, \$579,207,000,000. (B) Outlays, \$569,566,000,000. Fiscal year 2020: (A) New budget authority, \$588,753,000,000. (B) Outlays, \$579,729,000,000. Fiscal year 2021: (A) New budget authority, \$599,264,000,000. (B) Outlays, \$590,067,000,000. (2) International Affairs (150): Fiscal year 2012: (A) New budget authority, \$110,322,000,000. (B) Outlays, \$73,947,000,000. Fiscal year 2013: (A) New budget authority, \$102,807,000,000. (B) Outlays, \$89,258,000,000. Fiscal year 2014: (A) New budget authority, \$92,324,000,000. (B) Outlays, \$93,324,000,000. Fiscal year 2015: (A) New budget authority, \$76,932,000,000. (B) Outlays, \$86,525,000,000. Fiscal year 2016: (A) New budget authority, \$73,326,000,000. (B) Outlays, \$80,487,000,000. Fiscal year 2017: (A) New budget authority, \$72,391,000,000. (B) Outlays, \$77,889,000,000. Fiscal year 2018: (A) New budget authority, \$74,735,000,000. (B) Outlays, \$75,842,000,000. Fiscal year 2019: (A) New budget authority, \$68,575,000,000. (B) Outlays, \$70,893,000,000. Fiscal year 2020: (A) New budget authority, \$66,214,000,000. (B) Outlays, \$66,540,000,000. Fiscal year 2021: (A) New budget authority, \$63,879,000,000. (B) Outlays, \$63,660,000,000. (3) General Science, Space, and Technology (250): Fiscal year 2012: (A) New budget authority, \$31,317,000,000. (B) Outlays, \$31,981,000,000. Fiscal year 2013: (A) New budget authority, \$31,863,000,000. (B) Outlays, \$31,852,000,000. Fiscal year 2014: (A) New budget authority, \$32,441,000,000. (B) Outlays, \$32,271,000,000. Fiscal year 2015: (A) New budget authority, \$32,778,000,000. (B) Outlays, \$32,535,000,000. Fiscal year 2016: (A) New budget authority, \$33,685,000,000. (B) Outlays, \$33,354,000,000. Fiscal year 2017: (A) New budget authority, \$34,441,000,000. (B) Outlays, \$34,045,000,000. Fiscal year 2018: (A) New budget authority, \$35,230,000,000. (B) Outlays, \$34,799,000,000. Fiscal year 2019: (A) New budget authority, \$36,006,000,000. (B) Outlays, \$35,522,000,000. Fiscal year 2020: (A) New budget authority, \$36,798,000,000. (B) Outlays, \$36,299,000,000. Fiscal year 2021: (A) New budget authority, \$37,595,000,000. (B) Outlays, \$36,995,000,000. (4) Energy (270): Fiscal year 2012: (A) New budget authority, \$45,893,000,000. (B) Outlays, \$30,456,000,000. Fiscal year 2013: (A) New budget authority, \$38,741,000,000. (B) Outlays, \$35,415,000,000. Fiscal year 2014: (A) New budget authority, \$31,206,000,000. (B) Outlays, \$31,636,000,000. Fiscal year 2015: (A) New budget authority, \$20,200,000,000.</p>	<p>(B) Outlays, \$27,880,000,000. Fiscal year 2016: (A) New budget authority, \$17,737,000,000. (B) Outlays, \$21,507,000,000. Fiscal year 2017: (A) New budget authority, \$15,230,000,000. (B) Outlays, \$17,852,000,000. Fiscal year 2018: (A) New budget authority, \$15,347,000,000. (B) Outlays, \$15,356,000,000. Fiscal year 2019: (A) New budget authority, \$10,576,000,000. (B) Outlays, \$12,860,000,000. Fiscal year 2020: (A) New budget authority, \$8,141,000,000. (B) Outlays, \$9,966,000,000. Fiscal year 2021: (A) New budget authority, \$5,748,000,000. (B) Outlays, \$7,714,000,000. (5) Natural Resources and Environment (300): Fiscal year 2012: (A) New budget authority, \$57,242,000,000. (B) Outlays, \$52,941,000,000. Fiscal year 2013: (A) New budget authority, \$55,176,000,000. (B) Outlays, \$54,425,000,000. Fiscal year 2014: (A) New budget authority, \$53,466,000,000. (B) Outlays, \$54,061,000,000. Fiscal year 2015: (A) New budget authority, \$49,206,000,000. (B) Outlays, \$51,830,000,000. Fiscal year 2016: (A) New budget authority, \$49,154,000,000. (B) Outlays, \$50,171,000,000. Fiscal year 2017: (A) New budget authority, \$49,029,000,000. (B) Outlays, \$49,515,000,000. Fiscal year 2018: (A) New budget authority, \$50,767,000,000. (B) Outlays, \$49,417,000,000. Fiscal year 2019: (A) New budget authority, \$49,348,000,000. (B) Outlays, \$48,695,000,000. Fiscal year 2020: (A) New budget authority, \$49,725,000,000. (B) Outlays, \$48,804,000,000. Fiscal year 2021: (A) New budget authority, \$49,171,000,000. (B) Outlays, \$48,348,000,000. (6) Agriculture (350): Fiscal year 2012: (A) New budget authority, \$21,905,000,000. (B) Outlays, \$20,931,000,000. Fiscal year 2013: (A) New budget authority, \$22,776,000,000. (B) Outlays, \$24,641,000,000. Fiscal year 2014: (A) New budget authority, \$23,298,000,000. (B) Outlays, \$22,896,000,000. Fiscal year 2015: (A) New budget authority, \$22,980,000,000. (B) Outlays, \$22,383,000,000. Fiscal year 2016: (A) New budget authority, \$23,219,000,000. (B) Outlays, \$22,618,000,000. Fiscal year 2017: (A) New budget authority, \$23,330,000,000. (B) Outlays, \$22,684,000,000. Fiscal year 2018: (A) New budget authority, \$23,669,000,000. (B) Outlays, \$22,997,000,000. Fiscal year 2019: (A) New budget authority, \$23,984,000,000. (B) Outlays, \$23,298,000,000. Fiscal year 2020: (A) New budget authority, \$24,351,000,000. (B) Outlays, \$23,666,000,000. Fiscal year 2021: (A) New budget authority, \$24,680,000,000. (B) Outlays, \$24,002,000,000. (7) Commerce and Housing Credit (370): Fiscal year 2012:</p>	<p>(A) New budget authority, \$24,761,000,000. (B) Outlays, \$25,352,000,000. Fiscal year 2013: (A) New budget authority, \$14,114,000,000. (B) Outlays, \$12,578,000,000. Fiscal year 2014: (A) New budget authority, \$12,777,000,000. (B) Outlays, — \$2,528,000,000. Fiscal year 2015: (A) New budget authority, \$13,679,000,000. (B) Outlays, — \$4,079,000,000. Fiscal year 2016: (A) New budget authority, \$14,094,000,000. (B) Outlays, — \$6,692,000,000. Fiscal year 2017: (A) New budget authority, \$17,517,000,000. (B) Outlays, — \$6,276,000,000. Fiscal year 2018: (A) New budget authority, \$18,067,000,000. (B) Outlays, — \$8,139,000,000. Fiscal year 2019: (A) New budget authority, \$19,515,000,000. (B) Outlays, \$16,120,000,000. Fiscal year 2020: (A) New budget authority, \$21,088,000,000. (B) Outlays, \$2,580,000,000. Fiscal year 2021: (A) New budget authority, \$22,467,000,000. (B) Outlays, \$2,304,000,000. (8) Transportation (400): Fiscal year 2012: (A) New budget authority, \$146,070,000,000. (B) Outlays, \$98,614,000,000. Fiscal year 2013: (A) New budget authority, \$111,004,000,000. (B) Outlays, \$107,044,000,000. Fiscal year 2014: (A) New budget authority, \$117,413,000,000. (B) Outlays, \$110,481,000,000. Fiscal year 2015: (A) New budget authority, \$124,802,000,000. (B) Outlays, \$115,416,000,000. Fiscal year 2016: (A) New budget authority, \$131,732,000,000. (B) Outlays, \$120,586,000,000. Fiscal year 2017: (A) New budget authority, \$138,785,000,000. (B) Outlays, \$125,503,000,000. Fiscal year 2018: (A) New budget authority, \$135,799,000,000. (B) Outlays, \$129,935,000,000. Fiscal year 2019: (A) New budget authority, \$137,806,000,000. (B) Outlays, \$133,322,000,000. Fiscal year 2020: (A) New budget authority, \$139,808,000,000. (B) Outlays, \$135,946,000,000. Fiscal year 2021: (A) New budget authority, \$141,837,000,000. (B) Outlays, \$137,422,000,000. (9) Community and Regional Development (450): Fiscal year 2012: (A) New budget authority, \$33,268,000,000. (B) Outlays, \$30,280,000,000. Fiscal year 2013: (A) New budget authority, \$30,850,000,000. (B) Outlays, \$32,042,000,000. Fiscal year 2014: (A) New budget authority, \$28,636,000,000. (B) Outlays, \$33,983,000,000. Fiscal year 2015: (A) New budget authority, \$23,932,000,000. (B) Outlays, \$30,924,000,000. Fiscal year 2016: (A) New budget authority, \$23,002,000,000. (B) Outlays, \$27,265,000,000. Fiscal year 2017: (A) New budget authority, \$22,132,000,000. (B) Outlays, \$24,473,000,000. Fiscal year 2018: (A) New budget authority, \$22,527,000,000. (B) Outlays, \$22,716,000,000. Fiscal year 2019:</p>
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(A) New budget authority, \$20,405,000,000.
 (B) Outlays, \$21,676,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$19,550,000,000.
 (B) Outlays, \$20,834,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$18,694,000,000.
 (B) Outlays, \$19,871,000,000.
 (10) Education, Training, Employment, and Social Services (500):
 Fiscal year 2012:
 (A) New budget authority, \$162,170,000,000.
 (B) Outlays, \$137,087,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$156,253,000,000.
 (B) Outlays, \$157,082,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$150,772,000,000.
 (B) Outlays, \$154,070,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$136,408,000,000.
 (B) Outlays, \$145,567,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$138,450,000,000.
 (B) Outlays, \$139,096,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$138,547,000,000.
 (B) Outlays, \$138,321,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$140,926,000,000.
 (B) Outlays, \$139,220,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$133,294,000,000.
 (B) Outlays, \$136,944,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$130,228,000,000.
 (B) Outlays, \$132,292,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$127,437,000,000.
 (B) Outlays, \$129,047,000,000.
 (11) Health (550):
 Fiscal year 2012:
 (A) New budget authority, \$391,582,000,000.
 (B) Outlays, \$372,462,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$403,799,000,000.
 (B) Outlays, \$396,254,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$481,153,000,000.
 (B) Outlays, \$464,525,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$535,769,000,000.
 (B) Outlays, \$529,619,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$580,937,000,000.
 (B) Outlays, \$588,216,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$624,655,000,000.
 (B) Outlays, \$629,475,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$666,014,000,000.
 (B) Outlays, \$663,822,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$706,403,000,000.
 (B) Outlays, \$706,147,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$759,310,000,000.
 (B) Outlays, \$747,759,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$800,808,000,000.
 (B) Outlays, \$798,972,000,000.
 (12) Medicare (570):
 Fiscal year 2012:
 (A) New budget authority, \$484,164,000,000.
 (B) Outlays, \$483,987,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$526,142,000,000.
 (B) Outlays, \$526,322,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$555,844,000,000.
 (B) Outlays, \$555,703,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$578,812,000,000.
 (B) Outlays, \$578,618,000,000.

Fiscal year 2016:
 (A) New budget authority, \$624,585,000,000.
 (B) Outlays, \$624,750,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$648,117,000,000.
 (B) Outlays, \$647,966,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$672,500,000,000.
 (B) Outlays, \$672,290,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$734,998,000,000.
 (B) Outlays, \$735,149,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$787,821,000,000.
 (B) Outlays, \$787,654,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$840,868,000,000.
 (B) Outlays, \$840,674,000,000.
 (13) Income Security (600):
 Fiscal year 2012:
 (A) New budget authority, \$604,346,000,000.
 (B) Outlays, \$576,197,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$584,859,000,000.
 (B) Outlays, \$576,682,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$538,868,000,000.
 (B) Outlays, \$536,493,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$519,260,000,000.
 (B) Outlays, \$522,884,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$520,528,000,000.
 (B) Outlays, \$525,409,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$515,553,000,000.
 (B) Outlays, \$516,539,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$519,548,000,000.
 (B) Outlays, \$513,537,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$525,122,000,000.
 (B) Outlays, \$526,160,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$531,706,000,000.
 (B) Outlays, \$531,781,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$539,225,000,000.
 (B) Outlays, \$539,155,000,000.
 (14) Social Security (650):
 Fiscal year 2012:
 (A) New budget authority, \$54,439,000,000.
 (B) Outlays, \$54,624,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$29,096,000,000.
 (B) Outlays, \$29,256,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$32,701,000,000.
 (B) Outlays, \$32,776,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$36,261,000,000.
 (B) Outlays, \$36,311,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$40,171,000,000.
 (B) Outlays, \$40,171,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$44,263,000,000.
 (B) Outlays, \$44,263,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$48,717,000,000.
 (B) Outlays, \$48,717,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$55,275,000,000.
 (B) Outlays, \$55,275,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$60,397,000,000.
 (B) Outlays, \$60,397,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$65,979,000,000.
 (B) Outlays, \$65,979,000,000.
 (15) Veterans Benefits and Services (700):
 Fiscal year 2012:
 (A) New budget authority, \$162,813,000,000.
 (B) Outlays, \$156,565,000,000.

Fiscal year 2013:
 (A) New budget authority, \$158,896,000,000.
 (B) Outlays, \$158,024,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$157,578,000,000.
 (B) Outlays, \$157,877,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$151,153,000,000.
 (B) Outlays, \$152,405,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$157,556,000,000.
 (B) Outlays, \$157,708,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$153,844,000,000.
 (B) Outlays, \$153,717,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$147,817,000,000.
 (B) Outlays, \$147,987,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$157,337,000,000.
 (B) Outlays, \$156,862,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$160,667,000,000.
 (B) Outlays, \$160,195,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$164,532,000,000.
 (B) Outlays, \$163,950,000,000.
 (16) Administration of Justice (750):
 Fiscal year 2012:
 (A) New budget authority, \$79,444,000,000.
 (B) Outlays, \$71,155,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$71,187,000,000.
 (B) Outlays, \$72,396,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$69,823,000,000.
 (B) Outlays, \$72,175,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$66,095,000,000.
 (B) Outlays, \$68,593,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$68,518,000,000.
 (B) Outlays, \$69,819,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$67,289,000,000.
 (B) Outlays, \$67,995,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$69,071,000,000.
 (B) Outlays, \$69,083,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$68,541,000,000.
 (B) Outlays, \$68,612,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$71,174,000,000.
 (B) Outlays, \$70,936,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$72,773,000,000.
 (B) Outlays, \$72,477,000,000.
 (17) General Government (800):
 Fiscal year 2012:
 (A) New budget authority, \$25,647,000,000.
 (B) Outlays, \$29,209,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$25,562,000,000.
 (B) Outlays, \$26,496,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$26,146,000,000.
 (B) Outlays, \$26,644,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$26,685,000,000.
 (B) Outlays, \$26,937,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$27,361,000,000.
 (B) Outlays, \$27,407,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$28,146,000,000.
 (B) Outlays, \$27,948,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$29,025,000,000.
 (B) Outlays, \$28,709,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$29,991,000,000.
 (B) Outlays, \$29,453,000,000.
 Fiscal year 2020:

(A) New budget authority, \$30,700,000,000.
 (B) Outlays, \$30,241,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$31,497,000,000.
 (B) Outlays, \$30,922,000,000.
 (18) Net Interest (900):
 Fiscal year 2012:
 (A) New budget authority, \$371,094,000,000.
 (B) Outlays, \$371,094,000,000.
 Fiscal year 2013:
 (A) New budget authority, \$426,859,000,000.
 (B) Outlays, \$426,859,000,000.
 Fiscal year 2014:
 (A) New budget authority, \$490,720,000,000.
 (B) Outlays, \$490,720,000,000.
 Fiscal year 2015:
 (A) New budget authority, \$546,940,000,000.
 (B) Outlays, \$546,940,000,000.
 Fiscal year 2016:
 (A) New budget authority, \$599,622,000,000.
 (B) Outlays, \$599,622,000,000.
 Fiscal year 2017:
 (A) New budget authority, \$642,573,000,000.
 (B) Outlays, \$642,573,000,000.
 Fiscal year 2018:
 (A) New budget authority, \$675,253,000,000.
 (B) Outlays, \$675,253,000,000.
 Fiscal year 2019:
 (A) New budget authority, \$696,767,000,000.
 (B) Outlays, \$696,767,000,000.
 Fiscal year 2020:
 (A) New budget authority, \$714,066,000,000.
 (B) Outlays, \$714,066,000,000.
 Fiscal year 2021:
 (A) New budget authority, \$718,317,000,000.
 (B) Outlays, \$718,317,000,000.
 (19) Undistributed Offsetting Receipts (950):
 Fiscal year 2012:
 (A) New budget authority, -\$77,917,000,000.
 (B) Outlays, -\$77,917,000,000.
 Fiscal year 2013:
 (A) New budget authority, -\$80,329,000,000.
 (B) Outlays, -\$80,329,000,000.
 Fiscal year 2014:
 (A) New budget authority, -\$81,798,000,000.
 (B) Outlays, -\$81,798,000,000.
 Fiscal year 2015:
 (A) New budget authority, -\$84,857,000,000.
 (B) Outlays, -\$84,857,000,000.
 Fiscal year 2016:
 (A) New budget authority, -\$85,946,000,000.
 (B) Outlays, -\$85,946,000,000.
 Fiscal year 2017:
 (A) New budget authority, -\$91,248,000,000.
 (B) Outlays, -\$91,248,000,000.
 Fiscal year 2018:
 (A) New budget authority, -\$97,099,000,000.
 (B) Outlays, -\$97,099,000,000.
 Fiscal year 2019:
 (A) New budget authority, -\$101,718,000,000.
 (B) Outlays, -\$101,718,000,000.
 Fiscal year 2020:
 (A) New budget authority, -\$105,645,000,000.
 (B) Outlays, -\$105,645,000,000.
 Fiscal year 2021:
 (A) New budget authority, -\$110,174,000,000.
 (B) Outlays, -\$110,174,000,000.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Arizona (Mr. GRIJALVA) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Arizona.

Mr. GRIJALVA. Mr. Chairman, the amendment, the budget substitute that we have before you, the people's budget, is an honest document consistent with our country's values and our country's desires.

The people's budget does not tell the American people what they want to hear; it gives the American people what they want: Fairness, protection of our social net for Americans in retirement and at the beginning of their lives, jobs, an immediate infusion of job creation to put people back to work, investments in education. And this budget is balanced by 2021, the deficit is eliminated. It is the only budget that accomplishes that that is before you today.

It does not balance the budget on the backs of the middle class, those who aspire to be in the middle class, and those that are vulnerable in our society.

It reverses a practice and it taxes those corporations and the very, very 2 percent rich in this country so they pay their just sacrifice to keeping this country healthy and turning our country around.

We end the wars that are draining our national Treasury and our people. The Progressive Caucus listened to the American people, and the people's budget is what they want.

I urge approval of this budget. It is a document that represents the very best of what the people need, and it represents a departure from a practice that has brought us to the brink of a deep recession, to a practice that has brought us to joblessness across this country and to a practice that has given the privileged all they want and transferred that responsibility to working Americans in this country.

Our budget is a document that is honest, it is straightforward and merits your support.

I reserve the balance of my time.

Mr. ROKITA. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Indiana is recognized for 15 minutes.

Mr. ROKITA. The "people's budget"? This budget, if enacted, would end this country as we know it. This budget increases spending. Mr. Chairman, by \$13 trillion over 10 years. It takes \$16 trillion more from the American people over 10 years through the biggest tax increase this country has ever seen. It increases our debt \$3.5 trillion over 10 years.

This isn't the people's budget. This country was founded on equal opportunity for everyone, not equal outcome. History is littered with countries and nations that have failed because they tried for equal outcome.

This country remains the greatest Nation the world has ever seen because we pride ourselves and enforce equal opportunity.

I yield 2 minutes to the gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. I am honored to get a chance to comment. I am very grateful we have an honest dialogue back and forth on different options.

This is a unique moment for us as a Nation to be able to look at the direction of our country and at the way we are going to do budgeting, and I have great respect for those that will come and say let's look at other ideas, and I think that's how we should come to the table. Both the President, the Senate, and the House should be coming and saying, here are the options, here are the voices, because there are different voices in America that have different perspectives, and I think that's a good, healthy debate.

Now, there are several areas that we will disagree on with this budget. We do agree that we should be working on deficit reduction. We do agree that debt is a serious problem in our Nation and we need to be able to work it down. It's how to do that.

The budget that's being presented here, the amendment in the nature of a substitute, does tax heavily those that are wealthy, but it also has a burden that's on those most vulnerable as well. And let me give you an example of that: It increases the transportation tax, that gas tax.

It not only adds an excise tax on gas companies, energy companies, so that the tax goes up, but it also adds 25 cents per gallon to the actual gas tax, and then at this time removes any other tax subsidies that are being piled on to any energy company. All those together are going to add a significant amount per gallon at the pump, beginning with just the basic option that's there of adding 25 cents. In addition, their recommendation is 43.4 cents for the gas tax itself.

That is clearly a tax that's going to hit very hard on those that are most vulnerable in our society, the people that are driving to work, that are moms commuting back and forth. I think that's the wrong direction to go. That's such a large tax on a group of people that are vulnerable.

So we do want to deal with the nature of our great deficits and of our great debt, but I don't think we need to be able to add that additional tax burden on the people that are very vulnerable.

Mr. GRIJALVA. I encourage the gentlemen at their next opportunity, the gentlemen across the aisle, to explain to the American taxpayer why they have to pay thousands of dollars on Tax Day when GE didn't have to pay a single cent and, in fact, got money back on Tax Day. Our budget is about shared sacrifice.

I yield 1½ minutes to the gentleman from California (Ms. WOOLSEY).

□ 0950

Ms. WOOLSEY. Mr. Chairman, there is one proposed budget that ends the war in Afghanistan, cuts Cold War-era weapons systems, completely eliminates the deficit within 10 years and aligns the Tax Code with the values of

working families. And that's the people's budget submitted by the Congressional Progressive Caucus.

Instead of taking away health care from seniors by gutting Medicare, the people's budget provides more affordable health care with a robust public option that would save this Nation's taxpayers \$68 billion over 7 years.

The majority's budget will cost Americans 1.7 million jobs over the next 3 years. Our budget puts America back to work with badly needed investments in transportation, infrastructure, and a 21st-century education system.

We have a choice. The majority budget which demands more sacrifice from struggling families and gives the wealthy a free ride; or the progressive budget which invests in people, creates a budget surplus, and brings our troops home.

I urge my colleagues, make a smart, fiscally responsible choice. Vote for the people's budget.

Mr. ROKITA. Mr. Chairman, I yield 2 minutes to the gentlewoman from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. I appreciate the chairman for yielding to me, and I appreciate the opportunity to stand and speak against the Progressive Caucus budget because it is a budget that, once again, will spend too much money.

Mr. Chairman, one of the things that we have heard from the American people is this: they are tired of the Federal Government spending taxpayer money for programs they don't want and spending money that they don't have. And it is time for us to put this fiscal house in order.

Now, quite frankly, I think that today is a really great day. When we get to the end of this legislative day and the end of this legislative week, we will have passed the Ryan budget, which turns an enormous corner for our Nation. Over the next 10 years, it will reduce spending not by millions and billions, but by trillions—\$6.2 trillion over the next 10 years.

Those are the kinds of first steps that the American people are wanting to see. That's the kind of fiscal responsibility that the American people are holding us accountable for: controlling spending, limiting spending, and making certain that there is a stable and secure environment in which economic growth and job creation can take place.

They have spoken loudly and clearly. And they have said reduce what you are spending, get your fiscal house in order, begin to focus not on the next 6 weeks or 6 months but the next 60 years, and focus on our children and our grandchildren, making certain that we are not tapping their futures and trading it to the nations that hold our debt. I think that it's so important that we begin to arrest this and get it under control and to pass the Ryan budget today.

Mr. GRIJALVA. I yield 15 seconds to the distinguished cochair of the Progressive Caucus, the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chairman, the point was made earlier that the Progressive Caucus' budget, which addresses a gas tax, is somehow not a good thing to deal with our Nation. But the infrastructure needs of our country, over \$3 trillion—according to the Society of Engineers, says that we need \$3 trillion in infrastructure spending.

Let's do something and put America back to work by rebuilding our Nation's infrastructure.

Mr. GRIJALVA. Mr. Chairman, I yield 1½ minutes to the distinguished gentlewoman from California, Ms. BARBARA LEE.

Ms. LEE. Let me thank our cochairs, Congressmen ELLISON and GRIJALVA, for their tremendous leadership.

Budgets are not just dollars and cents. They are moral documents that reflect who we are and what we believe in. The Republican budget is an assault on women, seniors, the underserved poor and low-income families. It's a shameless attempt to finance tax breaks for millionaires on the backs of the most vulnerable. The people's budget, however, offers a commonsense fiscally responsible plan that protects critical programs and services that millions of Americans depends on.

Our plan would eliminate the deficit in the next decade, put people back to work, and restore our economic competitiveness. In these difficult times, it includes additional funding for unemployment insurance to help those who've maxed out at 99 weeks to get additional benefits, recognizing there are five people to one job.

Our proposal eliminates the true drivers of our deficit, the unpaid-for Bush tax cuts and the wars in Iraq and Afghanistan, and it restates the law that no permanent bases will be built in Iraq. And we protect and preserve Medicare and Social Security for the future, and it includes a public option which saves money. The people's budget invests in our people, in our communities, and in our Nation.

I urge a "yes" vote.

Mr. ROKITA. Mr. Chairman, I yield myself 10 seconds.

There has been a lot of talk about budgets being moral instruments. The budget that we've proposed through the Budget Committee, the Ryan budget, is a responsible budget. And let me say, Mr. Chairman, what is immoral is balancing these choices on the backs of our children and grandchildren, Americans who haven't even been born yet. That's what's immoral.

I yield 3 minutes to the gentleman from South Carolina (Mr. MULVANEY).

Mr. MULVANEY. I thank Mr. ROKITA for the time.

I want to applaud my colleagues in the Progressive Caucus for doing some-

thing which I think is intellectually honest. In fact, I think if you look at a couple of budgets that we're going to be looking at over the next 2 days, the budget that the Budget Committee has offered, I think is a fair and honest representation of where the Republican Party is. The Republican Study Committee budget that we'll see in just a few minutes is a fair and honest representation of where the Republican Study Committee stands. And this budget, I think, is offered as a true and honest position, a policy statement, of where the progressives in this body and in this country stand. And for that I thank them.

That being said, it's hard to imagine a document that is more different from our document. There are \$16 trillion worth of tax increases in this document. To the extent that the progressives do stand and are honest in their belief that taxing and spending is the way to fix the Nation, this document certainly does contain that.

All of the 2001, 2003 tax cuts, which we affectionately refer to around here as the Bush tax cuts, are gone, not just the ones on the highest income earners, everybody. This is a tax increase on almost everybody. In fact, it is a tax increase on everybody in the entire Nation. The top marginal rates under this proposal go from 45 percent up to 49 percent. The capital gains rate goes up to as high as 49 percent.

We introduced a new concept in this budget, apparently, the progressives do, that takes the estate tax to a progressive model, where you get estate tax rates that range from 45 percent up to 65 percent. We heard a few minutes ago, my colleague, Mr. LANKFORD, talk about the fact that there's a 25-cent gas tax increase in this particular document.

This is an avalanche of new taxes. At every single turn, the motivation behind the progressives seems to be that the government needs more money, that the government needs more money and it is our obligation to give it to the government. And we simply, wholeheartedly, dismiss that idea.

But, again, I think it is nice for a change to have honest and open debate on an intellectual basis in this Chamber. I thank the progressives for at least laying out where they stand. And I think it's a good process to go through. I think we'll have a chance later on today in just a few minutes to see where we stand as a Nation, at least as a body, here on these types of changes.

I very much hope that this amendment is defeated. I think that the Republican Budget Committee alternative is a better course of action. And I would like to see this amendment defeated.

Mr. GRIJALVA. I again yield 15 seconds to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. I have a question for the gentleman: When does the Ryan budget create a surplus?

Mr. ROKITA. Will the gentleman yield?

Mr. ELLISON. I yield to the gentleman from Indiana.

Mr. ROKITA. The budget proposed and voted on by the committee—

Mr. ELLISON. I reclaim my time.

Mr. ROKITA. Do you want me to answer the question or not?

Mr. ELLISON. I will yield for an answer to the question, not for a filibuster.

□ 1000

Mr. ROKITA. With responsible, gradual reforms to the drivers of our debt, like Medicare and Social Security, the Ryan budget will balance.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. I yield an additional 15 seconds to the gentleman from Minnesota.

Mr. ELLISON. I asked the gentleman when the Ryan budget created a surplus. He could have given me a year; he didn't. That's because he's probably embarrassed about when that is.

Let me tell you when the Progressive Caucus budget comes to surplus: 2021. That is known as a responsible budget. We are making a surplus by 2021. And by the way, that is Heritage Foundation mathematics. It's not \$16 trillion; it is \$3.9 trillion over 10 years.

Mr. ROKITA. Mr. Chairman, I see where the gentleman from Minnesota is going with his question, and I yield myself 10 seconds just to answer it.

He claims responsibility in this budget. The only way they can possibly balance, and I don't agree that they will balance in that time, is by drastically raising taxes on every American. That's not responsibility because it doesn't pose a choice. That is the definition of irresponsibility, Mr. Chairman.

I yield 3 minutes to the gentleman from Alabama (Mr. BROOKS).

Mr. BROOKS. Mr. Chairman, I have a chart before me, and I hope everyone will look at it. It is based on Congressional Budget Office numbers. If you go to fiscal year 2001, you'll see that we enjoyed a \$128 billion surplus. At that time we had a Republican House, a Republican Senate, and a Democrat President. Then if you'll notice, looking at the bottom, that we had a Republican Congress and a Republican President, and we had the beginning of a series of deficits, \$158 billion in FY 2002, which was immediately after the 9/11 and the ramp-up as a result of our efforts to protect Americans from terrorism.

Then we go to FY '03, '04, '05, '06 and '07, you can see how the deficits have increased to a peak of \$413 billion, but then the Republicans start getting things back under control. \$161 billion is the deficit that America suffered in

FY 2007, and that's not good. As a matter of fact, one of the reasons I was dissatisfied with the George Bush administration is because of these deficits.

But let's look at what happened after the elections in November of 2006 in which NANCY PELOSI became House Speaker and HARRY REID became majority leader of the United States Senate. These deficits, which we were getting under control, in FY '08, \$459 billion; in FY '09, we almost go off the chart, \$1.4 trillion. Then we lose the White House. The Democrats are in total control. In FY '10, a deficit of \$1.3 trillion. In FY '11, a projected deficit of 1.6 or \$1.5 trillion, depending upon who you pay attention to.

Folks, we are here today forcing this issue because America is at risk. We are at risk of insolvency and bankruptcy because the * * * Members of this body choose to spend money that we do not have. They believe in wealth transfer programs.

Mr. ELLISON. Mr. Chair, point of order.

The Acting CHAIR. The gentleman from Alabama will suspend.

The gentleman from Minnesota will state his point of order.

Mr. ELLISON. I would like the gentleman's words taken down for the reference to certain Members of this body as socialists.

The Acting CHAIR. The gentleman will suspend. The gentleman from Alabama will please take his seat.

The Clerk will report the words.

Mr. BROOKS. Mr. Chairman, I ask unanimous consent to strike the particular use of one word that the folks on the other side of the aisle have objected to.

The Acting CHAIR. Is there objection to the request of the gentleman from Alabama?

Without objection, the word is withdrawn.

There was no objection.

The Acting CHAIR. The gentleman from Alabama may proceed.

Mr. BROOKS. Thank you, Mr. Chairman.

Ladies and gentlemen of America, we all know what we're talking about here, and we all know what the definitional terms are, and I am more than happy to resume this discussion off the House floor. But for whatever reason, I'm not permitted to use one word.

Having said that, you can look at this chart and you can see the kind of deficits that we have sustained over the last 4 years, and the threat that this poses to the United States of America.

Now, this Progressive people's budget, I submit to you, is nothing more than a Trojan horse. There is an old saying: Those who do not learn from history are doomed to repeat it. Why should anyone believe that the folks who have racked of these massive deficits that put America at risk are now going to change their stripes?

Mr. GRIJALVA. Mr. Chairman, I thank the gentleman for withdrawing the word "socialist" from his commentary.

I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. I thank the gentlemen.

Mr. Chairman and Members, the gentleman from Alabama evidently has amnesia. Clinton administration eliminated the deficit and left a balanced budget. It was the Bush administration that created the deficit.

I rise in strong support for this, the Progressive Caucus alternative balanced people's budget. During the last administration, my colleagues on the other side of the aisle maxed out our Nation's credit card for wars and tax cuts for the rich, all the while saying deficits don't matter. Now they are using our deficit crisis as a rationale to undermine programs that they have never supported and push a divisive social agenda that is a sideshow to our budget debate.

Mr. Chairman, this country is not broke. We have spent our money on wars and tax credits for the very rich, and now it is time to entertain the people's budget, a balanced budget.

The Ryan budget breaks our promise to these American families by expecting them to bear the entire burden of deficit reduction, neglecting the fact that just 4 months ago my colleagues on the opposite side of the aisle insisted on \$80 billion in tax cuts for the richest 2 percent of individuals in this country.

This is a balanced budget. I ask my colleagues to support this very responsible, balanced budget.

Mr. ROKITA. Mr. Chairman, I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. LEWIS).

□ 1010

Mr. LEWIS of Georgia. I thank my colleague from Arizona for yielding.

Mr. Chairman, I have never been one to stand silent in the face of injustice. Today, I see before us one of the greatest betrayals in American history—the betrayal of our seniors and the disabled who rely on Medicare for their health care. We have made a social compact with our seniors, and the Republican budget breaks that compact. It is a disgrace and a shame.

Where is our sense of fairness? Where is our outrage? We can and we must do better.

Republicans head down a very dangerous path. We cannot, we must not, and we will not balance our budget on the backs of people who can least afford it. Our seniors, the disabled, the poor, the hungry—they have done nothing wrong. They do not deserve to bear the burden of these budget cuts.

Support and vote for the people's budget. It is the right budget, it is fair, and it is just.

Mr. ROKITA. I continue to reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentlelady from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. My heart pains me for this day and this budget for America. Some of us might feel as the President does, that it's a question of whether or not we are saying to the American people that they are not understanding, or that we who are fighting simply are stupid.

It's a time when you want to reflect on how great a country we live in, and it hurts my heart when I see individuals putting on the floor of the House a budget that unfairly targets low-income communities and senior citizens while protecting the wealthiest Americans, Americans who I care about, and simply eliminating any sense of responsibility for working and middle class Americans.

The people's budget saves Medicare. Those are working Americans. Those are Americans that are middle class. And then, of course, what about our disabled persons? Do you think that they are only classified as low-income? These are individuals who become seniors or disabled who need to have the kind of sacrifice. Look what happens. The people's budget protects those who cannot protect themselves.

Finally, I ask the individuals, is there any shared sacrifice that you can see in the Republican budget. The Republican budget fails to help all those who are in need? This is a good budget. Support the people's budget.

Recommendation from CPC:

Every Member mentions the first talking point below re: deficits. Then Members can address the remaining TPs below, as they feel comfortable.

Deficit: Our Budget Eliminates the Deficit by 2021.

We eliminate the deficit by 2021. Instead of eroding America's hard-earned retirement plan and social safety net, our budget targets the true drivers of deficits in the next decade: the Bush Tax Cuts, the wars overseas, and the causes and effects of the recent recession.

Jobs: Our Budget Puts America Back to Work & Restores America's Competitiveness.

We rebuild America and make it competitive again. We make smart investments. We put America back to work. You can't grow the economy by slashing programs. Our plan will spark new job growth, improve education, accelerate clean energy development and modernize the nation's infrastructure.

Taxes: Our Budget Implements a Fair Tax System.

We ask the richest and most fortunate Americans to contribute more. We stop giving handouts and huge tax giveaways to corporate special interests. The "People's Budget" implements a fair tax system, based on the notion that fairness and equality are integral to our society. Our budget restores fairness to a system that unfairly benefits a few while hurting the majority of Americans.

Defense: Our Budget Brings Our Troops Home.

We bring the troops back home. We ensure that our country's defense spending does not continue to contribute significantly to our current fiscal burden. It's time to stop bankrupting the country fighting unwinnable wars. We end these wars not simply to save massive amounts of money or because the majority of Americans favors it, but because these wars are making America less safe, reduce our standing in the world, and do nothing to reduce America's burgeoning energy security crisis.

Health: Our Budget Keeps Americans Healthy.

We allow real competition in health care. We will never see health care costs decrease until the government can compete and use its bargaining power to strike a better deal for Americans.

Mr. ROKITA. Mr. Chair, may I inquire as to the time on both sides?

The Acting CHAIR. The gentleman from Indiana has 3¾ minutes remaining, and the gentleman from Arizona has 6¼ minutes remaining.

Mr. ROKITA. I continue to reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. We have been greeted with a Republican budget that is a profoundly negative view of the future, and you've heard some of the reasons. I want to focus on just one. It doesn't just ignore the infrastructure deficit of an America that is falling apart—over \$2 trillion of unmet needs as referenced by my friend from Minnesota. It makes it worse. A 31 percent cut in already inadequate funding for national infrastructure. The Progressive Budget hears the needs of the American public and actually agrees with the truckers, the U.S. Chamber, local governments, AAA of America, indeed, the deficit commission, all suggested that, for the first time since 1993, we raise the gas tax.

My Republican friends have lost track of their Republican roots, for Republicans used to believe in infrastructure. Lincoln. Eisenhower. Eisenhower raised the gas tax. Even Reagan raised the gas tax. This progressive budget is a profound investment in infrastructure. It will put millions to work renewing and rebuilding America.

Mr. GRIJALVA. I yield 30 seconds to the gentleman from Minnesota (Mr. ELLISON).

Mr. ELLISON. Mr. Chair, the people's budget contains a provision for infrastructure development and the National Infrastructure Bank. I want to agree wholeheartedly with Congressman BLUMENAUER. We can not only put America back to work but we can strengthen the infrastructure that will make it safe to go across a bridge. We cannot neglect the bridges and the roads, the high-speed optical fiber cables and all these things that our country needs for a 21st century infrastructure. It's a jobs program. The people's budget is talking about jobs.

Mr. GRIJALVA. I yield 1 minute to the gentlelady from Hawaii (Ms. HIRONO).

Ms. HIRONO. Mr. Chairman, I rise in support of the people's budget.

I heard mention that our country was based on the goal of equal opportunity. Yes. But what about "and justice for all"? That is in our Pledge of Allegiance. We pledge that on the floor of this House every single day. This budget is not justice for all.

I was visited by advocates from Hawaii, eighth graders, who support funding for the disabled, for the blind, for our seniors. They were astounded by the anti-people priorities in the Ryan budget.

A budget has to be fair. That means the multi-millionaires in our country have to pay their fair share. That means the oil industry that's making money hand over fist, getting billions of dollars, has to pay their fair share. That means the companies that ship our jobs overseas have to pay their fair share.

Then we can invest in the future. That means education, energy self-sufficiency, infrastructure. I urge my colleagues to vote for this people's budget.

Aloha.

Mr. GRIJALVA. Mr. Chairman, I yield 1 minute to the gentlelady from California (Ms. CHU).

Ms. CHU. I rise to support the people's budget. It will create millions of jobs and turn the deficit into a surplus in 10 years. Republicans have unveiled their 2012 Road to Ruin budget, but instead of focusing on creating jobs, Republicans are ripping the bandage off our economy before the scar has even healed.

The people's budget focuses on real solutions. Instead of billion-dollar handouts to Big Oil, we're investing in job creation and loans for higher education. Instead of ending Medicare as we know it, we keep our promise of secure health care for seniors. Instead of giving more tax breaks to millionaires and billionaires, we're committed to tax relief for the middle class.

We must eliminate the deficit, but we must do it responsibly, and that means taking the Republican target off the backs of working families.

Mr. ROKITA. Mr. Chair, I yield 2½ minutes to the gentleman from Wisconsin (Mr. RIBBLE).

Mr. RIBBLE. Mr. Chairman, I rise today in opposition to the Congressional Progressive Caucus substitute budget. One of the concerns I have as an American citizen and a small business owner for 30 years is this document right here. This is the Internal Revenue Code. It is 9,959 pages long. This plan that is offered up today will add hundreds if not thousands of pages of additional complexity.

Recently, we all heard about a large U.S. corporation that had billions of dollars in profits and paid zero taxes.

Mr. Chairman, the reason they were able to do that is because their attorneys knew what was buried in this document. Do we really need to make it more complicated and more complex? I think not.

I also oppose this because they talk about the benefits to lower income Americans. Yet by removing the 2001 and 2000 tax credits and tax rates and returning them to their previous levels, you will increase on the poorest Americans from 10 percent to 15 percent, a full 50 percent increase in their tax rates. On top of it, small business owners will see their tax rates go to 45 percent.

Think of the small business owner in northeast Wisconsin, who will also pay an 8 percent State income tax, will pay a 5 or 6 percent sales tax, will pay 50 cents a gallon gasoline tax, will pay property tax, will pay FICA tax, will pay Social Security tax. I'm beginning to wonder if all they will do in their life is pay taxes.

I urge my colleagues to reject this proposal.

□ 1020

Mr. GRIJALVA. I yield myself 10 seconds.

If I may, I have a simple inquiry for the gentleman from Wisconsin.

As part of the fairness in our Tax Code, I would like to ask, is it fair that, let's say, Warren Buffett should pay a lower income tax rate than his receptionist? Is that fairness in our Tax Code?

Mr. RIBBLE. Will the gentleman yield?

Mr. GRIJALVA. I yield to the gentleman from Wisconsin.

Mr. RIBBLE. I would concur that it's not fair.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GRIJALVA. I yield 1 minute to the gentleman from New York, Congressman RANGEL.

Mr. RANGEL. Thank you for giving me this opportunity.

This substitute budget is listed as the "Progressive budget." For reasons that clearly anyone can take a deep breath and see, as opposed to what Mr. RYAN is presenting to us as Republican, this is really what our country is all about: building on the great things that we've done and making certain that the young people who follow us will be able to say that we have improved their opportunities.

Make no mistake about it: Borrowing trillions of dollars and paying interest on that money puts us in a very bad economic position, not only in our country, but throughout the world. I assume that none of us here wants to spend a lot of time pointing fingers at each other about how we got to be where we are.

One thing is abundantly clear: If America is going to be progressive, it

has to find a progressive solution in order to get out of that.

The Acting CHAIR. The time of the gentleman has expired.

The gentleman from Arizona has 1½ minutes remaining, and the gentleman from Indiana has 2 minutes remaining. The gentleman from Indiana has the right to close.

Mr. ROKITA. I reserve the balance of my time.

Mr. GRIJALVA. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Pennsylvania (Mr. FATTAH).

Mr. FATTAH. Mr. Chairman, I rise in support of the Progressive budget substitute.

The Acting CHAIR. The gentleman from Arizona has 1½ minutes remaining.

Mr. GRIJALVA. I yield the balance of my time to the gentleman from California (Mr. HONDA).

Mr. HONDA. Mr. Chairman, in closing, budgets are more than collections of numbers; they are a statement of our values. The Congressional Progressive Caucus budget is a reflection of the values and priorities of working families in this country. Our budget charts a path that keeps America exceptional while addressing the most pressing problems facing the Nation today.

Our budget eliminates the deficit and stabilizes the debt by 2021. It does this in a manner consistent with the aspirations of the American people. It does this by restoring our economic competitiveness so that we can all experience the fullest definition of the American Dream: that each of our children will do better than we did.

We did not set these goals arbitrarily. Our budget was crafted by listening to the American people. In poll after poll, they are telling us that they want us to preserve Social Security, Medicare, Medicaid; to make higher education more affordable; to expand job training programs; to invest in roads, research and, above all, in great schools for our children.

We can do all of these things and eliminate our deficit. We have a moral imperative to do so. The people's budget is fair; it is just; it is a step towards moving this debate back to the true center.

I urge a "yes" vote on the Progressive budget. It is the people's budget. Please vote for our amendment.

The Acting CHAIR. The gentleman from Indiana has 2 minutes remaining.

Mr. ROKITA. In closing, I would like to recall the words of the gentleman from South Carolina, who spoke about the honesty of this proposed amendment.

I think it was an appropriate thing to say. This is an honest proposal. I believe that the proponents of this amendment believe everything that's

in the amendment as a possible solution—but honesty, Mr. Chairman, does not equal responsibility.

This isn't the people's budget that is being proposed. It is the "blank check" budget. You see, it doesn't force any choices. It spends \$13 trillion over 10 years. It taxes the American people. It has the Federal Government confiscate from the American people an additional \$16 trillion over 10 years. That's not forcing choices. That's not being responsible. Every family in this Nation understands, when they prepare their budgets, they have to make choices. There are different priorities. This just opens up by fiat the right of the Federal Government to dip into the wallets of every American.

I heard a lot about tax cuts for the rich, Mr. Chairman. I want to be clear that the budget that came out of the Budget Committee calls for revenue-neutral tax reform. We are motivated by the same reform principles that are in the President's fiscal commission: to broaden the tax base and to lower tax rates for everybody.

I was looking at some statistics. The bottom 50 percent of taxpayers pays less than 3 percent of the income taxes. In fact, 47 percent of individuals pay no Federal income tax whatsoever.

Our idea is tax neutral. It's revenue neutral. It lowers the tax rates for everybody. It makes all of us pay something, and it doesn't give tax cuts to the rich. We are planning to take away the loopholes so that those who are better off than we are can't take advantage of high-priced lobbyists.

I ask my colleagues to vote "no" on this proposed amendment.

Mr. STARK. Mr. Chairman, the Republican budget proposal pulls a bait and switch on seniors, people with disabilities, the poor, and anyone who hopes to grow old with dignity in this country. It dismantles bedrock American programs—Medicare and Medicaid—and opens Social Security to future attack.

The Republican plan takes Medicare's promise of guaranteed health benefits and swaps it out for a voucher for private insurance—one that's intentionally structured to diminish in value. Seniors will be at the mercy of big insurance companies and left to pay bigger bills out-of-pocket.

The Republican plan changes Medicaid to a block grant program. States' funding will fall far short. They'll be forced to slash programs that now cover much-needed health care for kids, the poor, and the disabled.

The Republican plan is morally bankrupt and takes the most cynical view of our country's future. It says we should reward the wealthiest Americans and corporations with trillions in tax breaks and pay for them by slashing essential programs that work.

I applaud the President for attacking the Republican budget proposal and calling it what it is: a plan to reduce the deficit on the backs of our most vulnerable populations and middle class families.

We know there is a better, fairer way.

The People's Budget—put forth by the Congressional Progressive Caucus—works for all Americans and puts people back to work.

In contrast to the House Republican budget, it balances our budget in 10 years—while preserving Medicare, improving health reform, maintaining our commitment to education, and making the investments in our infrastructure that will create jobs.

It does so by ending the wars in Iraq and Afghanistan and bringing sanity to our bloated defense budget.

Rather than destroying our safety net like the Republican budget does, the People's Budget ensures that the wealthiest Americans and Wall Street pay their fair share of taxes.

The People's Budget would end tax breaks for oil companies and corporations that ship jobs offshore, and it would require Wall Street to pay for the damage it did to our economy.

I recently sent a survey to my constituents asking how we should cut the deficit. The results show that 85 percent want to close loopholes benefiting Wall Street and corporations; 78 percent want the Bush tax cuts for the wealthy to end; and 64 percent want defense spending cut. In contrast, only 13 percent think we should cut domestic spending for education and children, and only 12 percent want cuts to Medicare or Social Security.

The People's Budget represents the priorities of my constituents and is the real path to prosperity. I'm proud to support it and urge all of my colleges to do the same while voting no on the reckless Republican budget.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GRIJALVA. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Arizona will be postponed.

The Committee will rise informally. The Speaker pro tempore (Mr. MCCLINTOCK) assumed the chair.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 1308. An act to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

H. Con. Res. 33. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the days of remembrance of victims of the Holocaust.

H. Con. Res. 43. Concurrent resolution providing for a conditional adjournment of the House of Representatives and a conditional recess or adjournment of the Senate.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 216. An act to increase criminal penalties for certain knowing and intentional

violations relating to food that is misbranded or adulterated.

The message also announced that pursuant to Public Law 106-286, the Chair, on behalf of the President of the Senate, and after consultation with the Majority Leader, appoints the following Members to serve on the Congressional-Executive Commission on the People's Republic of China:

The Senator from Montana (Mr. BAUCUS).

The Senator from Michigan (Mr. LEVIN).

The Senator from California (Mrs. FEINSTEIN).

The Senator from Ohio (Mr. BROWN).

The Senator from Oregon (Mr. MERKLEY).

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Majority Leader, announces the reappointment of Steve Zink of Nevada to the Advisory Committee on the Records of Congress.

The message also announced that pursuant to Public Law 106-554, the Chair, on behalf of the President pro tempore and upon the recommendation of the Majority Leader, appoints the Senator from Connecticut (Mr. BLUMENTHAL) to the Board of Directors of the Vietnam Education Foundation, vice the Senator from Virginia (Mr. WEBB).

The message also announced that pursuant to Public Law 100-696, the Chair, on behalf of the President pro tempore, appoints the Senator from North Dakota (Mr. HOEVEN) as a member of the United States Capitol Preservation Commission, vice the Senator from Alaska (Ms. MURKOWSKI).

The SPEAKER pro tempore. The Committee will resume its sitting.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012

The Committee resumed its sitting.

AMENDMENT NO. 4 OFFERED BY MR. GARRETT

The Acting CHAIR (Mr. KINGSTON). It is now in order to consider amendment No. 4 printed in part B of House Report 112-62.

Mr. GARRETT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012.

(a) DECLARATION.—Congress declares that the concurrent resolution on the budget for fiscal year 2012 is hereby established and that the appropriate budgetary levels for fiscal year 2011 and for fiscal years 2013 through 2021 are set forth.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2012.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RECONCILIATION SUBMISSIONS

Sec. 201. Reconciliation in the House of Representatives.
Sec. 202. Submission of reports on mandatory savings.

TITLE III—BUDGET ENFORCEMENT

Sec. 301. Restrictions on advance appropriations.
Sec. 302. Emergency spending.
Sec. 303. Changes in allocations and aggregates resulting from realistic scoring of measures affecting revenues.
Sec. 304. Prohibition on using revenue increases to comply with budget allocations and aggregates.
Sec. 305. Application and effect of changes in allocations and aggregates.
Sec. 306. Budget Protection Mandatory Account.
Sec. 307. Budget discretionary accounts.
Sec. 308. Treatment of rescission bills in the House.
Sec. 309. Sense of the House regarding baseline revenue projections.
Sec. 310. Sense of the House regarding long-term budget projections.

TITLE IV—EARMARK MORATORIUM

Sec. 401. Earmark moratorium.
Sec. 402. Limitation of authority of the House Committee on Rules.

TITLE V—POLICY

Sec. 501. Policy statement on health care law repeal.
Sec. 502. Policy statement on bailouts of State and local governments.
Sec. 503. Policy statement on means tested welfare programs.
Sec. 504. Policy statement on reforming the Federal budget process.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.

The following budgetary levels are appropriate for each of fiscal years 2011 through 2021:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2011: \$1,664,000,000,000.
Fiscal year 2012: \$1,866,000,000,000.
Fiscal year 2013: \$2,128,000,000,000.
Fiscal year 2014: \$2,325,000,000,000.
Fiscal year 2015: \$2,426,000,000,000.
Fiscal year 2016: \$2,523,000,000,000.
Fiscal year 2017: \$2,694,000,000,000.
Fiscal year 2018: \$2,809,000,000,000.
Fiscal year 2019: \$2,959,000,000,000.
Fiscal year 2020: \$3,120,000,000,000.
Fiscal year 2021: \$3,287,000,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2011: —\$0.
Fiscal year 2012: —\$25,000,000,000.
Fiscal year 2013: —\$227,000,000,000.
Fiscal year 2014: —\$346,000,000,000.
Fiscal year 2015: —\$406,000,000,000.
Fiscal year 2016: —\$448,000,000,000.
Fiscal year 2017: —\$482,000,000,000.
Fiscal year 2018: —\$527,000,000,000.
Fiscal year 2019: —\$544,000,000,000.
Fiscal year 2020: —\$561,000,000,000.
Fiscal year 2021: —\$597,000,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2011: \$2,961,000,000,000.
 Fiscal year 2012: \$2,617,000,000,000.
 Fiscal year 2013: \$2,502,000,000,000.
 Fiscal year 2014: \$2,540,000,000,000.
 Fiscal year 2015: \$2,624,000,000,000.
 Fiscal year 2016: \$2,744,000,000,000.
 Fiscal year 2017: \$2,808,000,000,000.
 Fiscal year 2018: \$2,862,000,000,000.
 Fiscal year 2019: \$2,975,000,000,000.
 Fiscal year 2020: \$3,067,000,000,000.
 Fiscal year 2021: \$3,154,000,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2011: \$3,117,000,000,000.
 Fiscal year 2012: \$2,740,000,000,000.
 Fiscal year 2013: \$2,673,000,000,000.
 Fiscal year 2014: \$2,650,000,000,000.
 Fiscal year 2015: \$2,706,000,000,000.
 Fiscal year 2016: \$2,818,000,000,000.
 Fiscal year 2017: \$2,872,000,000,000.
 Fiscal year 2018: \$2,919,000,000,000.
 Fiscal year 2019: \$3,038,000,000,000.
 Fiscal year 2020: \$3,131,000,000,000.
 Fiscal year 2021: \$3,219,000,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2011: \$1,453,000,000,000.
 Fiscal year 2012: \$874,000,000,000.
 Fiscal year 2013: \$545,000,000,000.
 Fiscal year 2014: \$325,000,000,000.
 Fiscal year 2015: \$280,000,000,000.
 Fiscal year 2016: \$295,000,000,000.
 Fiscal year 2017: \$179,000,000,000.
 Fiscal year 2018: \$111,000,000,000.
 Fiscal year 2019: \$78,000,000,000.
 Fiscal year 2020: \$11,000,000,000.
 Fiscal year 2021: —\$68,000,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2011: \$14,969,000,000,000.
 Fiscal year 2012: \$15,992,000,000,000.
 Fiscal year 2013: \$16,722,000,000,000.
 Fiscal year 2014: \$17,243,000,000,000.
 Fiscal year 2015: \$17,750,000,000,000.
 Fiscal year 2016: \$18,287,000,000,000.
 Fiscal year 2017: \$18,727,000,000,000.
 Fiscal year 2018: \$19,127,000,000,000.
 Fiscal year 2019: \$19,485,000,000,000.
 Fiscal year 2020: \$19,792,000,000,000.
 Fiscal year 2021: \$20,053,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2011: \$10,348,000,000,000.
 Fiscal year 2012: \$11,208,000,000,000.
 Fiscal year 2013: \$11,768,000,000,000.
 Fiscal year 2014: \$12,100,000,000,000.
 Fiscal year 2015: \$12,385,000,000,000.
 Fiscal year 2016: \$12,678,000,000,000.
 Fiscal year 2017: \$12,857,000,000,000.
 Fiscal year 2018: \$12,976,000,000,000.
 Fiscal year 2019: \$13,066,000,000,000.
 Fiscal year 2020: \$13,106,000,000,000.
 Fiscal year 2021: \$13,078,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2011 through 2021 for each major functional category are:

(1) National Defense (050):

Fiscal year 2011:

(A) New budget authority, \$733,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, \$696,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, \$646,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, \$662,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, \$674,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, \$687,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, \$699,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, \$711,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, \$723,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, \$735,000,000,000.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, \$747,000,000,000.

(B) Outlays, an amount to be derived from function 920.

(2) International Affairs (150):

Fiscal year 2011:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(3) General Science, Space, and Technology (250):

Fiscal year 2011:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(4) Energy (270):

Fiscal year 2011:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

[illegible]

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(18) Net Interest (900):

Fiscal year 2011:

(A) New budget authority, \$213,000,000,000.

(B) Outlays, \$213,000,000,000.

Fiscal year 2012:

(A) New budget authority, \$254,000,000,000.

(B) Outlays, \$254,000,000,000.

Fiscal year 2013:

(A) New budget authority, \$310,000,000,000.

(B) Outlays, \$310,000,000,000.

Fiscal year 2014:

(A) New budget authority, \$372,000,000,000.

(B) Outlays, \$372,000,000,000.

Fiscal year 2015:

(A) New budget authority, \$426,000,000,000.

(B) Outlays, \$426,000,000,000.

Fiscal year 2016:

(A) New budget authority, \$477,000,000,000.

(B) Outlays, \$477,000,000,000.

Fiscal year 2017:

(A) New budget authority, \$518,000,000,000.

(B) Outlays, \$518,000,000,000.

Fiscal year 2018:

(A) New budget authority, \$549,000,000,000.

(B) Outlays, \$549,000,000,000.

Fiscal year 2019:

(A) New budget authority, \$570,000,000,000.

(B) Outlays, \$570,000,000,000.

Fiscal year 2020:

(A) New budget authority, \$586,000,000,000.

(B) Outlays, \$586,000,000,000.

Fiscal year 2021:

(A) New budget authority, \$591,000,000,000.

(B) Outlays, \$591,000,000,000.

(19) Allowances (920):

Fiscal year 2011:

(A) New budget authority, \$2,015,000,000,000.

(B) Outlays, \$2,904,000,000,000.

Fiscal year 2012:

(A) New budget authority, \$1,667,000,000,000.

(B) Outlays, \$2,486,000,000,000.

Fiscal year 2013:

(A) New budget authority, \$1,546,000,000,000.

(B) Outlays, \$2,363,000,000,000.

Fiscal year 2014:

(A) New budget authority, \$1,506,000,000,000.

(B) Outlays, \$2,278,000,000,000.

Fiscal year 2015:

(A) New budget authority, \$1,524,000,000,000.

(B) Outlays, \$2,280,000,000,000.

Fiscal year 2016:

(A) New budget authority, \$1,580,000,000,000.

(B) Outlays, \$2,341,000,000,000.

Fiscal year 2017:

(A) New budget authority, \$1,591,000,000,000.

(B) Outlays, \$2,354,000,000,000.

Fiscal year 2018:

(A) New budget authority, \$1,602,000,000,000.

(B) Outlays, \$2,370,000,000,000.

Fiscal year 2019:

(A) New budget authority, \$1,682,000,000,000.

(B) Outlays, \$2,468,000,000,000.

Fiscal year 2020:

(A) New budget authority, \$1,746,000,000,000.

(B) Outlays, \$2,545,000,000,000.

Fiscal year 2021:

(A) New budget authority, \$1,816,000,000,000.

(B) Outlays, \$2,628,000,000,000.

(20) Undistributed Offsetting Receipts (950):

Fiscal year 2011:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

(21) Global War on Terrorism and related activities (970):

Fiscal year 2011:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2012:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2013:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2014:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2015:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2016:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2017:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2018:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2019:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2020:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

Fiscal year 2021:

(A) New budget authority, an amount to be derived from function 920.

(B) Outlays, an amount to be derived from function 920.

TITLE II—RECONCILIATION SUBMISSIONS

SEC. 201. RECONCILIATION IN THE HOUSE OF REPRESENTATIVES.

(a) SUBMISSIONS TO SLOW THE GROWTH IN MANDATORY SPENDING AND TO ACHIEVE DEFICIT REDUCTION.—(1) Not later than September 15, 2011, the House committees named in paragraph (2) shall submit their recommendations to the House Committee on the Budget. After receiving those recommendations, the House Committee on the Budget shall report to the House a reconciliation bill carrying out all such recommendations without any substantive revision.

(2) INSTRUCTIONS.—

(A) COMMITTEE ON AGRICULTURE.—The House Committee on Agriculture shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$436,000,000,000 in outlays for the period of fiscal years 2012 through 2021.

(B) COMMITTEE ON EDUCATION AND THE WORKFORCE.—The House Committee on Education and the Workforce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$103,000,000,000 in outlays for the period of fiscal years 2012 through 2021.

(C) COMMITTEE ON ENERGY AND COMMERCE.—The House Committee on Energy and Commerce shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$3,007,000,000,000 in outlays for the period of fiscal years 2012 through 2021.

(D) COMMITTEE ON FINANCIAL SERVICES.—The House Committee on Financial Services shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$49,000,000,000 in outlays for the period of fiscal years 2012 through 2021.

(E) COMMITTEE ON NATURAL RESOURCES.—The House Committee on Natural Resources shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$18,000,000,000 in outlays for the period of fiscal years 2012 through 2021.

(F) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—The House Committee on Oversight and Government Reform shall report changes in laws within its jurisdiction sufficient to reduce the level of direct spending for that committee by \$28,000,000,000 in

outlays for the period of fiscal years 2012 through 2021.

(G) COMMITTEE ON WAYS AND MEANS.—The House Committee on Ways and Means shall report changes in laws within its jurisdiction sufficient to reduce the deficit by \$320,000,000,000 for the period of fiscal years 2012 through 2021.

(H) SPECIAL RULE.—The chairman of the Committee on the Budget may take into account legislation enacted after the adoption of this resolution that is determined to reduce the deficit and may make applicable adjustments in reconciliation instructions, allocations, and budget aggregates and may also make adjustments in reconciliation instructions to protect earned benefit programs.

(b) SUBMISSION PROVIDING FOR CHANGES IN REVENUE.—The House Committee on Ways and Means shall report a reconciliation bill not later than September 15, 2011, that consists of changes in laws within its jurisdiction sufficient to reduce revenues by not more than \$4,163,000,000,000 for the period of fiscal years 2012 through 2021.

(c) REVISION OF ALLOCATIONS.—(1) Upon the submission to the Committee on the Budget of the House of a recommendation that has complied with its reconciliation instructions solely by virtue of section 310(b) of the Congressional Budget Act of 1974, the chairman of that committee may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(2) Upon the submission to the House of a conference report recommending a reconciliation bill or resolution in which a committee has complied with its reconciliation instructions solely by virtue of this section, the chairman of the Committee on the Budget of the House may file with the House appropriately revised allocations under section 302(a) of such Act and revised functional levels and aggregates.

(3) Allocations and aggregates revised pursuant to this subsection shall be considered to be allocations and aggregates established by the concurrent resolution on the budget pursuant to section 301 of such Act.

SEC. 202. SUBMISSION OF REPORTS ON MANDATORY SAVINGS.

In the House, not later than September 15, 2011, all House committees shall identify savings amounting to one percent of total mandatory spending under its jurisdiction from activities that are determined to be wasteful, unnecessary, or lower-priority. For purposes of this section, the reports by each committee shall be inserted in the Congressional Record by the chairman of the Committee on the Budget not later than September 15, 2011.

TITLE III—BUDGET ENFORCEMENT

SEC. 301. RESTRICTIONS ON ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—(1) In the House, except as provided in subsection (b), an advance appropriation may not be reported in a bill or joint resolution making a general appropriation or continuing appropriation, and may not be in order as an amendment thereto.

(2) Managers on the part of the House may not agree to a Senate amendment that would violate paragraph (1) unless specific authority to agree to the amendment first is given by the House by a separate vote with respect thereto.

(b) EXCEPTION.—In the House, an advance appropriation may be provided for fiscal year 2013 and fiscal years 2014 for programs, projects, activities or accounts identified in the joint explanatory statement of managers

accompanying this resolution under the heading “Accounts Identified for Advance Appropriations” in an aggregate amount not to exceed \$23,565,000,000 in new budget authority.

(c) DEFINITION.—In this section, the term “advance appropriation” means any discretionary new budget authority in a bill or joint resolution making general appropriations or continuing appropriations for fiscal year 2012 that first becomes available for any fiscal year after 2012.

SEC. 302. EMERGENCY SPENDING.

(a) DESIGNATIONS.—

(1) GUIDANCE.—In the House, if a provision of legislation is designated as an emergency requirement under this section, the committee report and any statement of managers accompanying that legislation shall include an explanation of the manner in which the provision meets the criteria in paragraph (2). If such legislation is to be considered by the House without being reported, then the committee shall cause the explanation to be published in the Congressional Record in advance of floor consideration.

(2) CRITERIA.—

(A) IN GENERAL.—Any such provision is an emergency requirement if the underlying situation poses a threat to life, property, or national security and is—

(i) sudden, quickly coming into being, and not building up over time;

(ii) an urgent, pressing, and compelling need requiring immediate action;

(iii) subject to subparagraph (B), unforeseen, unpredictable, and unanticipated; and

(iv) not permanent, temporary in nature.

(B) UNFORESEEN.—An emergency that is part of an aggregate level of anticipated emergencies, particularly when normally estimated in advance, is not unforeseen.

(b) ENFORCEMENT.—It shall not be in order in the House of Representatives to consider any bill, joint resolution, amendment or conference report that contains an emergency designation unless that designation meets the criteria set out in subsection (a)(2).

(c) ENFORCEMENT IN THE HOUSE OF REPRESENTATIVES.—It shall not be in order in the House of Representatives to consider a rule or order that waives the application of subsection (b).

(d) DISPOSITION OF POINTS OF ORDER IN THE HOUSE.—As disposition of a point of order under subsection (b) or subsection (c), the Chair shall put the question of consideration with respect to the proposition that is the subject of the point of order. A question of consideration under this section shall be debatable for 10 minutes by the Member initiating the point of order and for 10 minutes by an opponent of the point of order, but shall otherwise be decided without intervening motion except one that the House adjourn or that the Committee of the Whole rise, as the case may be.

SEC. 303. CHANGES IN ALLOCATIONS AND AGGREGATES RESULTING FROM REALISTIC SCORING OF MEASURES AFFECTING REVENUES.

(a) Whenever the House considers a bill, joint resolution, amendment, motion or conference report, including measures filed in compliance with section 201(b), that propose to change Federal revenues, the impact of such measure on Federal revenues shall be calculated by the Joint Committee on Taxation in a manner that takes into account—

(1) the impact of the proposed revenue changes on—

(A) Gross Domestic Product, including the growth rate for the Gross Domestic Product;

(B) total domestic employment;

(C) gross private domestic investment;

(D) general price index;

(E) interest rates; and

(F) other economic variables; and

(2) the impact on Federal Revenue of the changes in economic variables analyzed under paragraph (1).

(b) The chairman of the Committee on the Budget may make any necessary changes to allocations and aggregates in order to conform this concurrent resolution with the determinations made by the Joint Committee on Taxation pursuant to subsection (a).

SEC. 304. PROHIBITION ON USING REVENUE INCREASES TO COMPLY WITH BUDGET ALLOCATIONS AND AGGREGATES.

(a) For the purpose of enforcing this concurrent resolution in the House, the chairman of the Committee on the Budget shall not take into account the provisions of any piece of legislation which propose to increase revenue or offsetting collections if the net effect of the bill is to increase the level of revenue or offsetting collections beyond the level assumed in this concurrent resolution.

(b) Subsection (a) shall not apply to any provision of a piece of legislation that proposes a new or increased fee for the receipt of a defined benefit or service (including insurance coverage) by the person or entity paying the fee.

SEC. 305. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) APPLICATION.—Any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates contained in this resolution.

(c) BUDGET COMMITTEE DETERMINATIONS.—For purposes of this resolution—

(1) the levels of new budget authority, outlays, direct spending, new entitlement authority, revenues, deficits, and surpluses for a fiscal year or period of fiscal years shall be determined on the basis of estimates made by the appropriate Committee on the Budget; and

(2) such chairman may make any other necessary adjustments to such levels to carry out this resolution.

SEC. 306. BUDGET PROTECTION MANDATORY ACCOUNT.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the “Budget Protection Mandatory Account”. The Account shall be divided into entries corresponding to the allocations under section 302(a) of the Congressional Budget Act of 1974 in the most recently adopted concurrent resolution on the budget, except that it shall not include the Committee on Appropriations.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution (other than an appropriation bill), the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Mandatory Account by the amounts specified in paragraph (2); and

(B) reduce the applicable section 302(a) allocations by the amount specified in paragraph (2).

(2) Each amount specified in paragraph (1)(A) shall be the net reduction in mandatory budget authority (either under current law or proposed by the bill or joint resolution under consideration) provided by each amendment that was adopted in the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of the Committee on the Budget shall, upon the engrossment of a House bill or joint resolution or a House amendment to a Senate bill or joint resolution, other than an appropriation bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in mandatory authority (either under current law or proposed by a bill or joint resolution under consideration) provided by each amendment adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: “The amount of mandatory budget authority reduced by this amendment may be used to offset a decrease in revenues.”

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term—

(1) “appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2008 or any subsequent fiscal year, as the case may be.

(2) “mandatory budget authority” means any entitlement authority as defined by, and interpreted for purposes of, the Congressional Budget Act of 1974.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 307. BUDGET DISCRETIONARY ACCOUNTS.

(a)(1) The chairman of the Committee on the Budget shall maintain an account to be known as the “Budget Protection Discretionary Account”. The Account shall be divided into entries corresponding to the allocation to the Committee on Appropriations, and the committee’s suballocations, under section 302(a) and 302(b) of the Congressional Budget Act of 1974.

(2) Each entry shall consist only of amounts credited to it under subsection (b). No entry of a negative amount shall be made.

(b)(1) Upon the engrossment of a House appropriations bill, the chairman of the Committee on the Budget shall—

(A) credit the applicable entries of the Budget Protection Discretionary Account by the amounts specified in paragraph (2).

(B) reduce the applicable 302(a) and (b) allocations by the amount specified in paragraph (2).

(2) Each amount specified in subparagraph (A) shall be the net reduction in discretionary budget authority provided by each amendment adopted by the House to the bill or joint resolution.

(c)(1) If an amendment includes a provision described in paragraph (2), the chairman of

the Committee on the Budget shall, upon the engrossment of a House appropriations bill, reduce the level of total revenues set forth in the applicable concurrent resolution on the budget for the fiscal year or for the total of that first fiscal year and the ensuing fiscal years in an amount equal to the net reduction in discretionary budget authority provided by each amendment that was adopted by the House to the bill or joint resolution. Such adjustment shall be in addition to the adjustments described in subsection (b).

(2)(A) The provision specified in paragraph (1) is as follows: “The amount of discretionary budget authority reduced by this amendment may be used to offset a decrease in revenues.”

(B) All points of order are waived against an amendment including the text specified in subparagraph (A) provided the amendment is otherwise in order.

(d) As used in this rule, the term “appropriation bill” means any general or special appropriation bill, and any bill or joint resolution making supplemental, deficiency, or continuing appropriations through the end of fiscal year 2012 or any subsequent fiscal year, as the case may be.

(e) During the consideration of any bill or joint resolution, the chairman of the Committee on the Budget shall maintain a running tally, which shall be available to all Members, of the amendments adopted reflecting increases and decreases of budget authority in the bill or joint resolution.

SEC. 308. TREATMENT OF RESCISSION BILLS IN THE HOUSE.

(a)(1) By February 1, May 1, July 30, and November 11 of each session, the majority leader shall introduce a rescission bill. If such bill is not introduced by that date, then whenever a rescission bill is introduced during a session on or after that date, a motion to discharge the committee from its consideration shall be privileged after the 10-legislative day period beginning on that date for the first 5 such bills.

(2) It shall not be in order to offer any amendment to a rescission bill except an amendment that increases the amount of budget authority that such bill rescinds.

(b) Whenever a rescission bill passes the House, the Committee on the Budget shall immediately reduce the applicable allocations under section 302(a) of the Congressional Budget Act of 1974 by the total amount of reductions in budget authority and in outlays resulting from such rescission bill.

(c)(1) It shall not be in order to consider any rescission bill, or conference report thereon or amendment thereto, unless—

(A) in the case of such bill or conference report thereon, it is made available to Members and the general public on the Internet for at least 48 hours before its consideration; or

(B)(i) in the case of an amendment to such rescission bill made in order by a rule, it is made available to Members and the general public on the Internet within one hour after the rule is filed; or

(ii) in the case of an amendment under an open rule, it is made available to Members and the general public on the Internet immediately after being offered; in a format that is searchable and sortable.

(2) No amendment to an amendment to a rescission bill shall be in order unless germane to the amendment to which it is offered.

(d) As used in this section, the term “rescission bill” means a bill or joint resolution which only rescinds, in whole or in part,

budget authority and which includes only titles corresponding to the most recently enacted appropriation bills that continue to include unobligated balances.

SEC. 309. SENSE OF THE HOUSE REGARDING BASELINE REVENUE PROJECTIONS.

For purposes of constructing its baseline revenue projections, the Congressional Budget Office should assume that any tax provision which is scheduled to expire under current law will be extended through the duration of any budget forecast by Congressional Budget Office so as to ensure that expiring tax provisions and expiring spending programs (other than direct appropriations) are treated in like fashion.

SEC. 310. SENSE OF THE HOUSE REGARDING LONG-TERM BUDGET PROJECTIONS.

For purposes of constructing its ten-year and long-term budget projection reports, the Congressional Budget Office should include an alternative scenario that assumes that mandatory spending programs grow at the same rate as average, projected nominal gross domestic product (GDP).

TITLE IV—EARMARK MORATORIUM

SEC. 401. EARMARK MORATORIUM.

(a) POINT OF ORDER.—It shall not be in order to consider—

(1) a bill or joint resolution reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit; or

(2) a bill or joint resolution not reported by any committee, or any amendment thereto or conference report thereon, that includes a congressional earmark, limited tax benefit, or limited tariff benefit

(b) DEFINITIONS.—For the purposes of this resolution, the terms “congressional earmark”, “limited tax benefit”, and “limited tariff benefit” have the meaning given those terms in clause 9 of rule XXI of the Rules of the House of Representatives.

(c) SPECIAL RULE.—The point of order under subsection (a) shall only apply to legislation providing or authorizing discretionary budget authority, credit authority, or other spending authority, providing a Federal tax deduction, credit, or exclusion, or modifying the Harmonized Tariff Schedule in fiscal year 2011 or fiscal year 2012.

(d) INAPPLICABILITY.—This resolution shall not apply to any authorization of appropriations to a Federal entity if such authorization is not specifically targeted to a State, locality, or congressional district.

SEC. 402. LIMITATION OF AUTHORITY OF THE HOUSE COMMITTEE ON RULES.

The House Committee on Rules may not report a rule or order that would waive the point of order set forth in the first section of this resolution.

TITLE V—POLICY

SEC. 501. POLICY STATEMENT ON HEALTH CARE LAW REPEAL.

It is the policy of this resolution that—

(1) the Patient Protection and Affordable Care Act (Public Law 111-148), and the Health Care and Education Reconciliation Act of 2010 (Public Law 111-152) should be repealed; and

(2) in its place, health care reform that empowers patients should be enacted.

SEC. 502. POLICY STATEMENT ON BAILOUTS OF STATE AND LOCAL GOVERNMENTS.

It is the policy of this resolution that the Federal Government should not bailout State and local governments, including State and local government employee pension plans and other post-employment benefit plans.

SEC. 503. POLICY STATEMENT ON MEANS TESTED WELFARE PROGRAMS.

(a) FINDINGS.—The House finds that:

(1) In 1996, President Bill Clinton and congressional Republicans enacted reforms that have moved families off of Federal programs and enabled them to provide for themselves.

(2) According to the most recent projections, over the next 10 years we will spend approximately \$10 trillion on means-tested welfare programs.

(3) Today, there are currently 77 Federal programs that provide benefits specifically to poor and low-income Americans.

(4) Taxpayers deserve clear and transparent information on how well these programs are working, and how much the Federal Government is spending on means-tested welfare.

(b) POLICY ON MEANS TESTED WELFARE PROGRAMS.—It is the policy of this resolution that the President's budget should disclose, in a clear and transparent manner, the aggregate amount of Federal welfare expenditures, as well as an estimate of State and local spending for this purpose, over the next ten years.

SEC. 504. POLICY STATEMENT ON REFORMING THE FEDERAL BUDGET PROCESS.

It is the policy of this resolution that the Federal budget process should be reformed so that it is easier to reduce Federal spending than it is to increase it by enacting reforms included in the Spending, Deficit, and Debt Control Act of 2009 (H.R. 3964, 111th Congress).

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from New Jersey (Mr. GARRETT) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1030

Mr. GARRETT. Mr. Chairman, I yield myself 1 minute.

Mr. Chairman, I rise today in support of the Republican Study Committee's substitute that is now on the floor. This substitute amends and builds upon the great work of Chairman RYAN and the entire House Budget Committee.

And while I do come to the floor and support Chairman RYAN's proposal, the RSC wanted to put forth a proposal on the floor today that went even a step further. We named our budget today the Honest Solutions budget because we know that what we are proposing will not be easy. Why? Because real solutions are not necessarily easy solutions. But given the dangerous conditions of our Nation's fiscal situation, we must recognize that tough choices must be made and must be made now.

The RSC believes that we can do better than any of the budgets on the floor today. So we have a budget that will, first of all, ensure that our Nation spends responsibly by freezing total discretionary spending at 2008 levels. The RSC budget further ensures that our Nation's security will be met by meeting Defense Secretary Gates's defense request. The RSC budget puts nondefense discretionary spending on a sustainable path.

In addition, the RSC budget strengthens Medicare's long-term finances. And most importantly, our budget, unlike any other budget on the floor today, will balance within our lifetime.

Mr. PASCRELL. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from New Jersey is recognized for 15 minutes.

Mr. PASCRELL. I reserve the balance of my time.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from Ohio (Mr. JORDAN), the chairman of the Republican Study Committee.

Mr. JORDAN. I thank the gentleman for yielding.

And I want to thank all the members of the Republican Study Committee, Mr. Chairman, for their work on this budget. I also want to thank Chairman RYAN for the work on his budget and the committee's work there too, and in particular, the gentleman from New Jersey (Mr. GARRETT), the gentleman from South Carolina (Mr. MULVANEY), and the gentleman from California (Mr. MCCLINTOCK) for their work in putting this together.

The RSC budget, as the gentleman from New Jersey has mentioned, keeps tax rates low because we believe in economic growth; starts the process of saving Medicare and Social Security; protects national defense, which, after all, is that area we are supposed to constitutionally spend taxpayer dollars on.

But most importantly, what the Republican Study Committee budget does is it balances. It does what every single family, every single small business owner, every single State government and local government has to do: it actually puts forth a budget that balances, lives within your means, doesn't spend more than you take in, gets to balance within a definable period of time. That is why we think this is appropriate, particularly when you think about the fiscal situation our Nation is in.

So I stand here in support of the budget and commend the gentleman from New Jersey for the great work that he has done.

Mr. PASCRELL. Mr. Chairman, I yield myself such time as I may consume.

If the Republican budget is a doubling down on the policies that brought us to the brink, which is contained in this budget, my brother from New Jersey presents a budget which I think quadruples down on the economic policies and lack of optimism in the American people.

The budget believes we cannot, as President Kennedy said a little over 50 years ago, "bear any burden and meet any hardship" in order to better our Nation. That's what America is all about, regardless of your party persuasion.

This budget gives trillions in income tax breaks to the wealthiest Americans, we both agree on that—you think it's a good policy, we think it's a horrible policy—and at the same time cuts \$18 billion. Let me just take one example, the SCHIP program: \$18 billion cut to our children—our own children, our grandchildren. You must be kidding me. This budget gives trillions in estate breaks to the wealthiest Americans. Many people having estates pay no taxes, yet this slashes funding for Pell Grants for our kids, our grandchildren to go to college.

This budget gives trillions in tax breaks to corporations that have been shipping jobs overseas, but ask our constituents, in your district and my district and everybody's district, to take a 20 percent cut in the scheduled benefits to Social Security. It's easy to sit here as a Congressman waiting until you turn 70—why are you smiling?—to retire with benefits you've earned, but you're asking this of our asphalt layers, our secretaries, and our teachers.

It comes down to a clear set of priorities, Mr. Chairman. If your priorities are to cut taxes for the wealthy on the backs of the retirees, then I think this second budget is the budget for you. But if you believe in an America that protects our seniors, our children, the disabled, our veterans, levels the playing field and invests in future generations, then I urge you to stand with us.

Mr. Chairman, I reserve the balance of my time.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from South Carolina (Mr. MULVANEY), who recognizes the fact that we must live within our means now and, unlike the gentleman from New Jersey, does not want to put additional burdens on future generations.

Mr. MULVANEY. To the gentleman from New Jersey, Mr. Chairman, I would say that it's not easy to do.

Why are we here? We're here for a single purpose: we take what the Republican Committee has done and simply lay out for the American people how hard it is to balance the budget within 10 years. It is not easy to do. But to sit and hear these onslaughts about how we're giving tax breaks—from a group of people that promised they would not raise taxes on folks who make less than \$250,000 and then repeatedly violated that promise over the course of the last 2 years—is simply hard to take.

This is the only budget that we will get a chance to vote on this week that both balances the budget within 10 years and does not raise taxes. We take what the Republican Committee has done, we build on it to show exactly how deep the hole is that we have dug for ourselves and how hard it is to get out. But to suggest that we do it on the backs of the poor is simply disingenuous.

Mr. PASCRELL. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER), who is absolutely on target on most of these issues dealing with the budget as we move forward.

Mr. BLUMENAUER. I appreciate my colleague's courtesy.

The words ringing in my ears for a moment about the Democrats having increased taxes, there is this collective amnesia on the side of our Republican friends who forget that a critical part of President Obama's Recovery Act that was passed by the last Congress—42 percent of which was tax cuts or relief—included a tax cut for every working American. The kind of forgot about that.

As a practical matter, Mr. Chairman, what we have done is to move forward under our initiative with something that will enable us to rebuild and renew America. What we have been given from our friends here with this alternative budget from my good friend from New Jersey which I do appreciate, this is where the Republican Party wants to go.

The Ryan budget is bad enough. It will be dead on arrival in the Senate, and will be resoundingly rejected as Americans see what is happening, taking away the retirement, health care security of Americans—230 million Americans will be returned to the tender mercies of the private insurance market. Remember, the private insurance market didn't want to insure senior citizens in an affordable fashion with comprehensive coverage; that's why we had to have Medicaid in the first place. And now the trick is to provide a voucher to insurance companies, hoping that they will step up and fill the gap. When you look at how private insurance premiums have more than doubled in the last 10 years, you see what a hollow promise this is and what a serious problem it is going to be for American families trying to plan for their future.

This is the vision that we have from our Republican friends, not only take the Republican Budget Committee, go beyond it in terms of more benefits for those who need it the least.

The Acting CHAIR. Without objection, the gentleman from Maryland (Mr. VAN HOLLEN) will control the time.

There was no objection.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK), who has no amnesia but recognizes the fact that we do no favor for this generation by putting the burden for future constraints on our children and our grandchildren.

□ 1040

Mr. MCCLINTOCK. This Nation is on a collision course with a sovereign debt crisis the magnitude of which has

never been known to this country. This is not some moonless night on the Atlantic. We are barreling full speed toward that iceberg of debt in the full light of day, and we can all see it dead ahead.

The Ryan budget turns the ship around just enough to avoid hitting that iceberg. The RSC budget does it with an added safety margin by incorporating more of the debt commission's recommendations and implementing them faster.

Mr. Chairman, we know the challenge. We see the American dream at risk, and we know that we have but a fleeting moment in history to avoid the hardest times our Nation has ever known. We can act now, place our retirement systems on sound financial footings, arrest the debilitating spiral of debt that threatens the very survival of our Nation, and return our economy to the prosperity that it has known when it enjoyed what Jefferson called a wise and frugal government. Or we can continue on our present course until we crash into the ice cold and hard reality that we can all see dead ahead.

Mr. VAN HOLLEN. I yield 3 minutes to the vice chairman of the Democratic Caucus, the gentleman from California (Mr. BECERRA).

Mr. BECERRA. Mr. Chairman, budgets are a reflection of our values and our priorities: jobs, economic growth, fiscal discipline, fairness, shared sacrifice. Most Americans talk about this all the time when they're at their kitchen table. It's not that difficult.

So quite honestly the question before us is not whether to reduce the deficit, but how. Budgets involve tradeoffs. The Republican budget that is presented to us today along with this Republican Study Committee alternative would say that we must continue the tax cuts for the wealthiest Americans in this country. We must continue to give a millionaire about \$130,000 in tax cuts in this budget even though we are facing the largest deficits our country has experienced.

At the same time, the choice that this Republican budget makes is to say to seniors, We must end Medicare as we know it; we must eliminate the guarantee that you, as a senior, have had for more than 35 years under Medicare to choose your doctor and your hospital; and we must impose upon you an additional \$6,000 in health care costs because these deficits are so big.

So as the President said a couple of days ago, under the Republican budget, you would need to take 22 seniors paying 6,000 additional dollars to cover the costs of giving one millionaire in this country the \$130,000 tax cut. We must do that under the Republican budget.

Democrats have said we must not do that. We must do this differently. And we must invest again in our people.

On health care, we don't believe that Americans who are seniors should be

given a coupon instead of a guarantee. But that's what the Republican budget does. It says, You're going to get a voucher, a coupon, essentially. Once you've used it, the extent of the value of that coupon, the rest of the money to pay for your health care, comes out of your pocket. That's why the President said 6,000 additional dollars for each senior under Medicare under the Republican plan. Coupon care instead of Medicare. That's what you must have under the Republican budget.

Democrats say we must invest in Medicare and find the cuts to get rid of the waste in Medicaid that we know exists. The duplication of services that seniors don't need. We can do this without denying seniors guaranteed benefits.

And finally, we must create jobs, but the Republican budget, most of the leading economists tell us, will cost us 1.7 million jobs. Not create. Cost us 1.7 million jobs. Under the Bush recession, 8 million Americans lost their job. The month that George Bush handed the keys to Barack Obama, we hemorrhaged nearly 800,000 jobs.

We must do this right. Reject the Republicans' budget proposal.

Mr. GARRETT. At this time, Mr. Chairman, I would like to yield 1 minute to the gentleman from Georgia (Mr. GRAVES), who, just like the gentleman from California, understands that we must not sink the ship of state, as the other side of the aisle would do, by excessive tax burdens and debt.

Mr. GRAVES of Georgia. You know what's great about being here today and talking about the Ryan plan is it's a blueprint. And blueprints you can do a couple things to. You can add to, and you can take away from.

And what we've heard from the progressives a minute ago is, plunder the people's plan rips the pages out of the future of this Nation for our children and our grandchildren. But the Republican Study Committee, it adds to it. It actually takes it a step further. It saves the taxpayers more money by providing savings starting with 2006 levels and going to 2008 levels.

But what we have to recognize is the debt and the deficit problems we have here today are not because we are taxed too little; it's because we have spent too much. And it is a result of 2 failed years of more government, more taxes, and more spending that we've seen. It's time to put that in history. Let's put it in the drawer.

Let's move on, and let's pass the Republican Study Committee plan because I can assure you this: It doesn't go where the President and the liberals of this House want to go, and that's into the wallets of the taxpayers of this Nation.

Mr. VAN HOLLEN. Mr. Chairman, the bipartisan fiscal commission—no fringe group—said that the Republican plan was unbalanced because it doesn't

ask for shared sacrifice. It's a lopsided approach. This budget takes us farther off the deep end.

I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS.)

Mr. ANDREWS. There is no question that the country has to reduce the deficit by restraining spending. That's why we favor having Medicare get the same deal on prescription drugs the VA does—which would save \$24 billion a year.

But there is a question about the future of Medicare. And today we're going to take a vote. Will Medicare prosper or perish? Will Medicare survive or die? That's the issue before the House today.

The fact is the Republican plan puts an insurance company between our seniors and their doctors—and that is wrong. The fact is that the Republican plan does not reduce health care costs. Hospitals will not charge less. Doctors will not charge less. The government will pay less, and seniors will pay more—\$6,000 per senior per year.

The fact is that this is all being done not to reduce the deficit, but to reduce taxes of the wealthiest people in America. The fact is we should not have this.

And the fact is this: We can have an America that doesn't have red ink in its budget but does have Medicare for its seniors.

Let's make the choice that our constituents sent us here to make. Yes, let's sensibly reduce spending—as we did yesterday on a bipartisan basis. But this is the wrong time to end Medicare. We will fight this effort, and we will prevail.

Mr. GARRETT. I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Mr. Chairman, I rise to support the RSC budget because we cannot wait, as the other side seems to indicate, to get our fiscal house in order. And the RSC budget will put us on that path even faster.

Mr. Chairman, the American people are tired of their tax dollars going to Washington, D.C., with nothing in return but empty promises and Federal strings. They are tired of adding to the National debt with none of the promised jobs.

People across my State of Kansas, indeed all across the country, want their power back from Washington. Our Founding Fathers got this concept of federalism right, and it's time we return government power from Washington bureaucrats and politicians back to the American people.

Block grants of Federal Medicaid dollars to the States will do just that by allowing States and those closest to the people to use their ingenuity and creativity to make Medicaid dollars work more effectively.

The Acting CHAIR. The time of the gentleman has expired.

Mr. GARRETT. I yield the gentleman an additional 15 seconds.

Mr. HUELSKAMP. If we really care about the people, Mr. Chairman, there are currently 455 Medicaid waivers, and I ask that we allow the flexibility in the Medicaid system through a block grant system that returns the powers of federalism back to the States. And the RSC budget will do just that, Mr. Chairman. It's the right thing to do. It's the right time now to balance our budget in this way.

Mr. VAN HOLLEN. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. RANGEL).

□ 1050

Mr. RANGEL. Thank you for this opportunity.

Unlike so many of my colleagues, I don't have any charts or anything to point out the direction in which I would want my great country to go, but I do have 40 young minds that come from the Frederick Douglass Academy, come from my alma mater on Lenox Avenue, come from Harlem. And in these minds are the dreams and the aspirations of all the young people that want to be a part of the progress that this Nation has made.

Most of them, their parents have never had an opportunity to go to college, but have been the recipients of Pell Grants and other kinds of educational benefits. Most of their parents and grandparents have depended on Medicaid and Medicare. Most of these kids have dreams that most of your kids have today. It just seems to me that when they go home they should not be able to say that they witnessed the protection of the wealthiest people in the United States; but they should go home to say their dreams can be acquired, our Nation can be stronger, and they want to be partners in making certain that America can be all that she can be.

So as we welcome them, they are only symbolic, they are only representative of the young people of our great country, and I hope we can see clear to support them. Thank you for the opportunity.

Mr. GARRETT. Mr. Chairman, at this time I yield 1 minute to the gentleman from Arizona (Mr. FLAKE), who realizes that the young people would do best if we not put additional tax burdens of over \$40,000 or \$50,000 on their birth coming into this country by the actions of not living responsibly.

Mr. FLAKE. I thank the gentleman for yielding.

I rise in support of the RSC budget. With a deficit of \$1.6 trillion, a debt of \$14 trillion, it's no surprise that we've got to do something. We have to do something dramatic. This budget actually balances over a 9-year period, and it reforms the programs that are important to many Americans, to make them solvent and sustainable over time.

The proposals from the other side of the aisle simply don't do that. They ignore the time bomb that we have in these programs. So I commend the RSC staff and Members for putting this together. This is a good budget. We ought to support it to put our Nation on a path of financial stability and security.

Mr. VAN HOLLEN. Mr. Chairman, the time bomb that's ticking is the time bomb on the Medicare guarantee.

With that, I yield 2 minutes to the gentleman from California (Mr. WAXMAN), the ranking member of the Energy and Commerce Committee.

Mr. WAXMAN. Mr. Chairman, I can't express my concern with greater alarm about this budget. It is a budget that's going to inflict terrible harm on Americans from all walks of life, while protecting the wealthiest taxpayers in America, both individuals and Republicans.

Now, if I give the benefit of the doubt to the Republican sponsors of their budget proposal that they're sincere, they are speaking from an ideological point of view, they want to try a social experiment in this country. But if they fail to live up to what they say they're going to accomplish, there is going to be tremendous harm.

We have a social contract with seniors to provide affordable, accessible, comprehensive health care under Medicare. And they want to take Medicare and end it, and tell those people to go to private insurance companies. We have estimates that the average senior will face cost increases of \$6,000 when the program begins, and it could be over \$11,000 per beneficiary in later years. But right away, to add insult to injury, they would reopen the doughnut hole under the part D prescription drug benefit, meaning people still have to pay all of the cost of their drugs, reversing what the Affordable Care Act provided.

But most of their cuts are coming from the Medicaid program. They want to take Medicaid and turn it into a block grant. Medicaid accounts for 43 percent of total long-term care spending in the U.S. Most of it goes to seniors and disabled people who are in nursing homes. If the States don't have enough money in their block grants, are they going to dump these people? These are human beings, and you are playing with their lives. This means real harm will be inflicted where Medicaid spending is the greatest.

By cutting reimbursement rates, Medicaid will lose providers. Nursing home quality and staffing levels will decline.

Reject this budget. Don't experiment on the most vulnerable of our population.

Mr. Chair, I strongly oppose the Republican Budget Resolution for fiscal year 2012. Their budget inflicts terrible harm on Americans from all walks of life—while protecting the wealthiest taxpayers in America, both individuals and corporations.

I am particularly disturbed by what the Republican budget does to Medicare and Medicaid.

There is no other way to put it: the Republican budget is the end of Medicare as we know it, and it is devastating for Medicare beneficiaries.

Medicare is a social contract with our seniors to provide affordable, accessible, comprehensive health care. The Republicans want to turn Medicare over to the private insurance industry, with payments to seniors that will fall far short of what they need to get the health care they deserve.

The Congressional Budget Office analysis of the Republican budget shows that, over the next decade, it will more than double beneficiary cost for new enrollees.

The average senior will face increased costs of over \$6,000 annually when the program begins. And all of that extra spending by seniors and people with disabilities will go to private health insurance plans.

The transfer of seniors into private plans will raise costs by over \$11,000 per beneficiary by 2030.

To add insult to injury, the Republican budget reopens the donut hole under the Part D prescription drug benefit, increasing the burden on seniors starting today.

For Medicaid, the Republican budget is even worse. Medicaid covers 60 million of the country's most vulnerable people, one in 3 low income children, 5 million seniors, and 10 million disabled individuals.

It accounts for 43 percent of total long term care spending in the U.S.

But the Republican budget cuts Medicaid in half by 2022, and turns it into a block grant for the states right away.

And since the Medicaid block grant would grow by only 1 percent per year, while inflation is over 2 percent and health inflation and enrollment growth is even higher.

This means real harm will be inflicted where Medicaid spending is the greatest: on seniors and individuals with disabilities in nursing homes and those receiving benefits to live independently in their home.

By cutting reimbursement rates, Medicaid will lose health providers.

Nursing home quality and staffing levels will inevitably decline.

Medicaid cuts will mean job losses in the health professions.

The Republican budget utterly fails the basic test of humane government. It is extreme, it is mean, and it must be defeated.

Mr. GARRETT. Mr. Chair, I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN), who does not believe it's a social experiment to do what all families have to do: live within our means.

Mr. DUNCAN of South Carolina. Mr. Chairman, folks, no prepared remarks, no fancy speeches. I brought with me a financial calculator. And regardless of how you calculate the numbers, America is spending too much money.

You know, for 3 years in a row we spent over a trillion dollars more than we were bringing in as a Nation. We are over \$14 trillion in debt. This budget puts us on a very clear path to paying

back the national debt, to reducing and ending deficits in a very timely manner, to protecting the future for our children and our grandchildren, our most precious resource as Americans.

I urge my colleagues to get behind this budget, vote for it, and let's put the American spending in priority. Let's stop the spending insanity here in Washington, D.C., and let's do what we tell the folks back home we are going to do, and let's get our fiscal house in order.

Mr. VAN HOLLEN. We can get our fiscal house in order and do this in a balanced way without ending the Medicare guarantee.

With that, I yield 30 seconds to the gentleman from New York (Mr. ISRAEL).

Mr. ISRAEL. I thank my friend from Maryland for yielding.

Mr. Chairman, every budget is about the bottom line, and here is the Ryan budget bottom line: If you are making over a million dollars, you get a \$100,000 tax cut. If you are a senior on Medicare, you get an extra \$12,000 medical bill. If you make over a million dollars, you win the lottery. If you are a senior citizen, you lose your Medicare.

Mr. Chairman, they say this is about balancing the budget, but they are trying to balance the budget by giving tax cuts to people earning over a million dollars and taking Medicare away from our seniors. That is no way to balance the budget.

Mr. GARRETT. May I ask the Chair how much time remains.

The Acting CHAIR. The gentleman from New Jersey has 7 minutes remaining, and the gentleman from Maryland has 2 minutes remaining.

Mr. GARRETT. At this time I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), who recognizes the fact that the solutions to all the problems in the world, as the other side may think, is not raising taxes on anyone and certainly not raising the taxes on those who produce the jobs in this country.

Mr. GOODLATTE. I thank the gentleman for yielding.

I rise in strong support of the Republican Study Committee budget alternative.

The fact of the matter is we're broke. The Federal budget deficit is projected to exceed \$1 trillion for the next 2 fiscal years and exceed \$800 billion annually for at least the next decade. We cannot sustain this path without bankrupting our country.

Congressman RYAN's budget proposal is a great start and sets us on a path to bringing the budget into balance. However, that proposal takes 28 years to do so. I support and will vote for his budget, but I am concerned about what will happen to it if future Congresses are not as willing to make the tough choices that are necessary to see this

budget path to completion. That's why I strongly support the RSC budget, which balances the Federal budget within 9 years.

Ultimately, we need a constitutional amendment to require a balanced budget to force all future Congresses to make these tough decisions, but the RSC budget does the best job of getting our fiscal house in order as quickly as possible. And now I urge all Members to support it.

The RSC Budget Proposal:

Puts forward commonsense reforms to improve Medicare and Medicaid by offering increased choices and improved services, and takes steps to save Social Security.

Repeals ObamaCare to eliminate \$677 billion in additional spending over 10 years.

Freezes total discretionary spending at 2008 levels (\$933 billion) beginning in 2013.

Prevents any new tax increases, repeals the unaffordable \$813 billion tax increase included in ObamaCare, and proposes a smarter tax code that would lower rates while broadening the tax base.

Reduces unnecessary mandatory spending—other than Medicare, Medicaid, and Social Security—by \$1.9 trillion between 2012 and 2021.

Mr. GARRETT. I yield 1 minute to the gentleman from Indiana (Mr. PENCE).

□ 1100

Mr. PENCE. Mr. Chairman, I rise in strong support of the Republican Study Committee budget alternative. Today I want to commend the gentleman from New Jersey for his courageous leadership on this issue.

You know, they say that the first step in dealing with addiction is recognize that you have got a problem. After 10 years of fighting runaway Federal spending by both political parties here in Washington, DC, I am convinced Washington, DC is addicted to spending, and it's time that we got serious.

I am a strong supporter of the Republican budget authored by PAUL RYAN, and I am a strong supporter of the Republican Study Committee alternative offered by Mr. GARRETT.

The legislation before us today would actually put us on a pathway to achieve a balanced Federal budget by the year 2020. There are hard choices in this budget, but it's time the American people broke this addiction. It's a time that people in both political parties came together and played it straight with the American people and said there are tough choices ahead, we can do them in a way that's humane, we can do them in a way that represents fiscal discipline and reform.

But we have to act; we have to act now. I urge my colleagues to support this important amendment.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from Indiana (Mr. ROKITA).

Mr. ROKITA. Mr. Chairman, I rise in strong support of this budget amendment.

As a member of the Budget Committee, I also support the Ryan budget. Both these budget proposals are steps in the right direction. They make reforms that are needed. They are honest proposals. They are not trying to demagog, they are not trying to fear-monger, they are not trying to fib to the American people.

We have got to address, Mr. Chairman, the drivers of our debt. We could have no Defense Department. I could work for free; our staffs can work for free. We can get rid of 167 agencies, and we still wouldn't get rid of this debt.

Our debt is driven by these programs of Social Security, Medicare and Medicaid. And the reason is because reckless politicians who came before this new Member made promises that can't possibly be kept. We are here to tell the truth, Mr. Chairman.

These budgets do this job gradually, they do it humanely, and they allow people to prepare so that these programs can be saved for my kids and our grandkids.

Mr. VAN HOLLEN. Mr. Chairman, may I inquire as to how much time remains on each side.

The Acting CHAIR. The gentleman from Maryland has 2 minutes remaining, and the gentleman from New Jersey has 3¾ minutes remaining.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from Florida (Mr. SOUTHERLAND), who recognizes we must keep our promises, especially to the youth of tomorrow.

Mr. SOUTHERLAND. I would like to thank the gentleman from New Jersey for the time this morning.

I rise today in support of the RSC budget, as well as the Ryan budget.

You know, my friends on the other side of the aisle make quick talk about the very most wealthy. Well, unfortunately, most of those file as individuals because they own LLCs and they own S corporations, as my family does. So you file those on your individual tax return. I think the American people deserve the truth regarding that number.

The second thing, I will tell you something, as a new freshman to this body, it's amazing that we want to talk about how the Republicans want to harm Medicare on the heels of a health care bill that cut \$500 billion out of Medicare. I have little patience, little patience with such talk.

I will tell you the American people deserve the truth. They need this body, rather than to propose and push forth debt, doubt and despair, they must, they require us to give them certainty, safety, and security.

I rise in support of the Ryan budget as well as RSC budget.

Mr. VAN HOLLEN. Mr. Chairman, I yield myself such time as I may consume.

I would remind the body that the \$500 million in Medicare reform savings,

which we got from ending some of the big breaks to the insurance industry, are kept in the Republican budget. You keep those savings.

What you do not do is what we did: use some of those savings to close the prescription drug doughnut hole. So you took the savings, but you left the seniors with the doughnut hole.

I yield 1½ minutes to the gentlewoman from Connecticut (Ms. DELAURO).

Ms. DELAURO. I strongly oppose this budget proposal. The choices the majority is making are ill considered and wrong.

Instead of working to reduce the deficit in a commonsense way, this budget ends Medicare—it ends Medicare—throws seniors to the wolves. Instead of working to control health care costs, this budget shifts them on to seniors and families.

The proposal repeals health care reform, dismantles Medicaid, throwing seniors out of nursing homes while providing giveaways to the insurance industry. It gives tax breaks to corporations that shift jobs overseas, cuts critical investments in education, research, job training and infrastructure. It provides subsidies to big oil companies, while cutting services to the most vulnerable Americans, including \$350 billion in food stamps.

Programs such as Medicaid, Pell Grants, WIC would be gutted. It cuts taxes for the wealthiest while raising taxes on the middle class. Millionaires, billionaires get a lower top tax rate and extended estate tax giveaway.

Everyone else sees deductions and credits, like the child tax credit, eliminated. This budget is Robin Hood in reverse. It takes from seniors, the middle class, working families and gives all that money to the rich and to corporate special interests.

I urge my colleagues, stand up for the middle class today and for America's seniors and oppose this budget.

Mr. GARRETT. Mr. Chairman, I yield 1 minute to the gentleman from Alabama (Mr. BROOKS), who actually read this amendment and understands that it makes absolutely no changes whatsoever for seniors 60 years of age and over and actually strengthens health care for seniors in generations to come.

Mr. BROOKS. Mr. Chairman, by way of background, for the listeners and the people in this House, I graduated from Duke University with highest honors with distinction in economics. I say that to give you an idea, to have a little bit of insight as to what I am talking about when I talk about the two principal economic theories of our day.

One is free enterprise and the other is socialism. Let's talk about socialism for a moment. It's greater and greater government micromanaging our lives. It's higher taxes to pay for it.

Let's talk about free enterprise. Free enterprise is belief in the individual, in

freedom and opportunity. It's what has helped make America one of the greatest nations this world has ever seen.

This Republican budget, the two of them—you can go with the RSC or you can go with the Ryan one—they are premised on free enterprise solutions. They will create real jobs and wealth for all Americans.

I urge this body to go with what our Founding Fathers went with, free enterprise. That's the ticket to success.

Mr. VAN HOLLEN. I have no further requests for time, and I reserve the balance of my time.

Mr. GARRETT. Mr. Chairman, I yield myself the balance of my time.

So we stand before you, as I said before, with clear distinctions on the course that this country will lead in the future. Shall we continue to make the same bad policy that we have made in the past which sets us on a fiscal crisis, which not only this side of the aisle but the President of the United States recently stated as well?

Or should we change the direction of the ship of State? Should we direct ourselves on a path towards fiscal sanity? Should we go in the direction that every single family in this country has to go in, that is to say, that we will live within our means, that we will not put an additional burden on our children and our grandchildren?

Shall we go in a direction that we can say to the seniors 60 years of age or older that we will not change your entitlements, we will not change your health care but, rather, that we will put in place today's programs that will make sure that they are here for you and for your children and future generations as well?

Shall we go on a path that says to our children of today and of tomorrow that we will not put additional burdens onto you today or in the future by putting in programs that we cannot afford?

□ 1110

The Republican Study Committee chooses the latter. The Republican Study Committee decides that we should live within our means. The Republican Study Committee ensures that our Nation spend responsibly by freezing the total discretionary spending at 2008 levels, ensures our national security by meeting Defense Secretary Gates' defense request. Our budget puts non-defense discretionary spending on a sustainable path for the future.

We reduce unnecessary mandatory spending other than Medicare, Medicaid, and Social Security as opposed to what my friends on the other side of the aisle say. We strengthen Medicare's long-term finances. This budget would slowly phase in increases to Medicare eligibility and make it stronger for the future.

And most of all, unlike any other budget that will come to the floor

today, this budget will actually balance, we will actually come with a balanced budget within the lifetimes of all the Members here sitting today.

Mr. Chairman, we believe that the solutions outlined in our budget proposal will put our Nation on a greater, surer footing, address the fiscal crisis and set the course for dynamic innovation, job creation, and economic growth for the future.

Mr. VAN HOLLEN. I yield myself the balance of my time.

Mr. Chairman, we do need to make tough choices. The question is what choices do we make? You choose to give another round of tax cuts to millionaires at the same time you're cutting investments in our kids' education. You choose not to get rid of the subsidies, taxpayer subsidies for oil companies while you end the Medicare guarantee, while you immediately eliminate the effort to close the doughnut hole, and while you cut funding for seniors in nursing homes by slashing Medicaid. Those are the choices you have made.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair will remind Members that remarks in debate must be addressed to the Chair.

The question is on the amendment offered by the gentleman from New Jersey (Mr. GARRETT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. GARRETT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 3 by Mr. GRIJALVA of Arizona.

Amendment No. 4 by Mr. GARRETT of New Jersey.

The Chair will reduce to 5 minutes the time for the second electronic vote after the first vote in this series.

AMENDMENT NO. 3 OFFERED BY MR. GRIJALVA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Arizona (Mr. GRIJALVA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 77, noes 347, not voting 8, as follows:

[Roll No. 274]

AYES—77

Baca	Frank (MA)	Payne
Baldwin	Fudge	Pingree (ME)
Bass (CA)	Grijalva	Rangel
Becerra	Gutierrez	Richardson
Blumenauer	Hastings (FL)	Richmond
Brady (PA)	Hinchey	Roybal-Allard
Brown (FL)	Hirono	Rush
Butterfield	Holt	Sánchez, Linda
Capuano	Honda	T.
Carson (IN)	Jackson (IL)	Sarbanes
Chu	Jackson Lee	Schakowsky
Cicilline	(TX)	Serrano
Clarke (MI)	Johnson (GA)	Slaughter
Clarke (NY)	Johnson, E. B.	Stark
Clay	Kucinich	Thompson (MS)
Cleaver	Lee (CA)	Tierney
Clyburn	Lewis (GA)	Tonko
Cohen	Markey	Towns
Conyers	McCollum	Velázquez
Cummings	McDermott	Waters
Davis (IL)	McGovern	Watt
Doyle	Miller, George	Welch
Edwards	Moore	Wilson (FL)
Ellison	Nadler	Woolsey
Farr	Napolitano	Wu
Fattah	Pallone	
Filner	Pastor (AZ)	

NOES—347

Ackerman	Coffman (CO)	Goodlatte
Adams	Cole	Gosar
Aderholt	Conaway	Gowdy
Akin	Connolly (VA)	Granger
Alexander	Cooper	Graves (GA)
Altmire	Costa	Graves (MO)
Amash	Costello	Green, Al
Andrews	Courtney	Green, Gene
Austria	Cravaack	Griffin (AR)
Bachmann	Crawford	Griffith (VA)
Bachus	Crenshaw	Grimm
Barletta	Critz	Guinta
Barrow	Crowley	Guthrie
Bartlett	Cuellar	Hall
Barton (TX)	Culberson	Hanabusa
Bass (NH)	Davis (CA)	Hanna
Benishak	Davis (KY)	Harper
Berg	DeFazio	Harris
Berkley	DeGette	Hartzler
Berman	DeLauro	Hastings (WA)
Biggart	Denham	Hayworth
Bilbray	Dent	Heck
Bilirakis	DesJarlais	Heinrich
Bishop (GA)	Deutch	Heller
Bishop (NY)	Diaz-Balart	Hensarling
Bishop (UT)	Dicks	Herger
Black	Dingell	Herrera Beutler
Blackburn	Doggett	Higgins
Bonner	Dold	Himes
Bono Mack	Donnelly (IN)	Hinojosa
Boren	Dreier	Holden
Boswell	Duffy	Hoyer
Boustany	Duncan (SC)	Huelskamp
Brady (TX)	Duncan (TN)	Huizenga (MI)
Braley (IA)	Ellmers	Hultgren
Brooks	Emerson	Hunter
Broun (GA)	Engel	Hurt
Buchanan	Eshoo	Inslee
Bucshon	Farenthold	Israel
Buerkle	Fincher	Issa
Burgess	Fitzpatrick	Jenkins
Burton (IN)	Flake	Johnson (IL)
Calvert	Fleischmann	Johnson (OH)
Camp	Fleming	Johnson, Sam
Campbell	Flores	Jones
Canseco	Forbes	Jordan
Cantor	Fortenberry	Kaptur
Capito	Fox	Kelly
Capps	Franks (AZ)	Kildee
Cardoza	Frelinghuysen	Kind
Carnahan	Gallegly	King (IA)
Carney	Gardner	King (NY)
Carter	Garrett	Kingston
Cassidy	Gerlach	Kinzinger (IL)
Castor (FL)	Gibbs	Kissell
Chabot	Gibson	Kline
Chaffetz	Gingrey (GA)	Labrador
Chandler	Gohmert	Lamborn
Coble	Gonzalez	Lance

Landry	Nunnelee	Schweikert
Langevin	Olson	Scott (SC)
Lankford	Owens	Scott (VA)
Larsen (WA)	Palazzo	Scott, Austin
Larson (CT)	Pascarell	Scott, David
Latham	Paul	Sensenbrenner
LaTourette	Paulsen	Sessions
Latta	Pearce	Sherman
Levin	Pelosi	Shimkus
Lewis (CA)	Pence	Shuler
Lipinski	Perlmutter	Shuster
LoBiondo	Peters	Simpson
Loebbeck	Peterson	Sires
Lofgren, Zoe	Petri	Smith (NE)
Long	Pitts	Smith (NJ)
Lucas	Platts	Smith (TX)
Luetkemeyer	Poe (TX)	Smith (WA)
Lujan	Polis	Southerland
Lummis	Pompeo	Speier
Lungren, Daniel	Posey	Stearns
E.	Price (GA)	Stivers
Lynch	Price (NC)	Stutzman
Mack	Quayle	Sullivan
Maloney	Quigley	Sutton
Manzullo	Rahall	Terry
Marchant	Reed	Thompson (CA)
Marino	Rehberg	Thompson (PA)
Matheson	Renacci	Thornberry
Matsui	Reyes	Tiberi
McCarthy (CA)	Ribble	Tipton
McCarthy (NY)	Rigell	Tsongas
McCaul	Rivera	Turner
McClintock	Roby	Upton
McCotter	Roe (TN)	Van Hollen
McHenry	Rogers (AL)	Visclosky
McIntyre	Rogers (KY)	Walberg
McKeon	Rogers (MI)	Walden
McKinley	Rohrabacher	Walsh (IL)
McMorris	Rokita	Walz (MN)
Rodgers	Rooney	Wasserman
McNerney	Ros-Lehtinen	Schultz
Meehan	Roskam	Waxman
Mica	Ross (AR)	Webster
Michaud	Ross (FL)	Weiner
Miller (FL)	Rothman (NJ)	West
Miller (MI)	Royce	Westmoreland
Miller (NC)	Runyan	Whitfield
Miller, Gary	Ruppersberger	Wilson (SC)
Moran	Ryan (OH)	Wittman
Mulvaney	Ryan (WI)	Wolf
Murphy (CT)	Sanchez, Loretta	Womack
Murphy (PA)	Scalise	Woodall
Myrick	Schiff	Yarmuth
Neal	Schilling	Yoder
Neugebauer	Schmidt	Young (AK)
Noem	Schock	Young (FL)
Nugent	Schrader	Young (IN)
Nunes	Schwartz	

NOT VOTING—8

Garamendi	Lowey	Reichert
Giffords	Meeks	Sewell
Keating	Olver	

□ 1135

Mr. PETRI changed his vote from "aye" to "no."

Mr. WATT changed his vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. BOEHNER was allowed to speak out of order.)

ON THE RETIREMENT OF THE CHAPLAIN

Mr. BOEHNER. I think all of the Members should be aware that today is Father Coughlin's last day as our Chaplain after 11 years of service.

I think all of us, not just the Members but the officers and the staff, owe a giant debt of gratitude to Father Dan. He has been an invaluable part of our community, not just with the opening prayer but his counsel and his guidance that he's offered to all of us. In the House's darkest hours, he's been there to gently lead us back to safe haven. In between, when things get

really noisy around here, he tries to encourage us to stop, find some quiet time, and reflect.

He was appointed by Speaker Hastert 11 years ago. He comes from Chicago, where he will return. I am sure that there's one person that's real happy he's returning, and that's his mother, who's 96 years young.

So, Father Dan, on behalf of the whole House, I want to thank you for your service. I know we haven't always been the most cooperative congregation. I hope that you will keep this House and the people who serve here in your prayers. We will keep you in ours.

With that, I am happy to yield to my colleague from California.

Ms. PELOSI. Thank you very much, Mr. Speaker.

As is very evident by the response to your remarks in praise of Father Coughlin, if there's one thing that Democrats and Republicans in the House of Representatives agree on, it is that God has truly blessed us with the service of Father Coughlin as our Chaplain for the past 11 years.

When we talk about him being our Chaplain, it's not that he's just the Chaplain of the Members, he's the Chaplain for the staff, for the carpenter that we see in the hall, for the service employees who are here. He ministers to the needs of all of us here, sometimes in a very macro way.

□ 1140

When 9/11 struck, or in Tucson most recently, or with the anthrax threat, those kinds of things had an impact on all of us. Father was there for us as a group, and he was there for us individually. We never know what joys or pain our colleagues or our workers here are undergoing or suffering. Father Dan knows more than most of us, and his discretion is something that we all value and respect.

Father Dan has ministered to the needs of the poor with the Missionaries of Charity in Calcutta, India. He has meditated with the Trappist monks in the monastery, and I think he's going back to do some of that again. He has been a scholar-in-residence at the North American College in Rome, exchanging ideas there. He has ministered to the needs of his parishioners in LaGrange, Illinois, and that probably serves him best for ministering to the diverse needs of the flock that he shepherds here. We are very, very, very honored.

Last year, many of us in a bipartisan way stood up and sang the praises. It seems so recent, but it was a year ago. Then after that, Father was honored in Illinois for serving as a priest for 50 years. For some of us, it was really a special source of pride. Although we respect all of our Chaplains, it was a source of personal pride that he was the first Roman Catholic Chaplain in the House of Representatives, and he

showed that he could minister to the needs of all of the Members of all faiths here.

So, yes, we are very blessed by his service in the Congress. We are going to miss him a great deal. We wish him well as he goes forth. The legacy that he left us is one that was not only of opening prayer each day to inspire us and lift us to a higher place in our deliberations, but he set an example of civility in the Congress of confidentiality of relationships. He was a great Chaplain. We will miss him greatly, and we are enormously grateful to him.

Thank you, Father Coughlin.

Mr. BOEHNER. Father Dan, may God be with you.

AMENDMENT NO. 4 OFFERED BY MR. GARRETT

The Acting CHAIR (Mr. GINGREY of Georgia). Without objection, 5-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. GARRETT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 119, noes 136, answered “present” 172, not voting 5, as follows:

[Roll No. 275]

AYES—119

Akin	Gallegly	Mack
Amash	Garrett	Manzullo
Austria	Gingrey (GA)	Marchant
Bachmann	Goodlatte	McCaul
Bachus	Gosar	McClintock
Bartlett	Gowdy	McHenry
Barton (TX)	Granger	Mica
Bishop (UT)	Graves (GA)	Miller (FL)
Blackburn	Griffith (VA)	Miller, Gary
Brady (TX)	Guinta	Mulvaney
Brooks	Hall	Myrick
Broun (GA)	Harper	Neugebauer
Buerkle	Harris	Nunnelee
Burgess	Hartzler	Olson
Burton (IN)	Hensarling	Palazzo
Calvert	Herger	Paul
Campbell	Huelskamp	Pence
Carter	Huizenga (MI)	Poe (TX)
Cassidy	Hunter	Pompeo
Chabot	Issa	Posey
Chaffetz	Johnson (IL)	Price (GA)
Coble	Johnson, Sam	Quayle
Coffman (CO)	Jordan	Ribble
Cole	Kelly	Rigell
Conaway	King (IA)	Roe (TN)
Culberson	Kingston	Rohrabacher
Denham	Kline	Rokita
Duncan (SC)	Labrador	Ross (FL)
Duncan (TN)	Lamborn	Royce
Flake	Lance	Scalise
Fleischmann	Landry	Schmidt
Fleming	Lankford	Schweikert
Flores	Latta	Scott, Austin
Foxx	Long	Sessions
Franks (AZ)	Lummis	Shimkus

Smith (NE)
Smith (TX)
Southerland
Stearns
Stutzman

Sullivan
Terry
Thornberry
Walberg
Walsh (IL)
West
Westmoreland
Wilson (SC)
Woodall

NOES—136

Adams	Gibbs	Nunes
Aderholt	Gibson	Paulsen
Alexander	Gohmert	Pearce
Altmire	Graves (MO)	Petri
Barletta	Griffin (AR)	Pitts
Barrow	Grimm	Platts
Bass (NH)	Guthrie	Reed
Benishek	Hanna	Rehberg
Berg	Hastings (WA)	Renacci
Biggert	Hayworth	Rivera
Billbray	Heck	Roby
Billirakis	Heinrich	Rogers (AL)
Black	Heller	Rogers (KY)
Bonner	Herrera Beutler	Rogers (MI)
Bono Mack	Hultgren	Rooney
Boswell	Hurt	Ros-Lehtinen
Boustany	Jenkins	Roskam
Braley (IA)	Johnson (OH)	Runyan
Buchanan	Jones	Ryan (WI)
Bucshon	Kildee	Schilling
Camp	King (NY)	Schock
Canseco	Kinzinger (IL)	Schrader
Cantor	Latham	Scott (SC)
Capito	LaTourette	Sensenbrenner
Courtney	Lewis (CA)	Shuler
Cravaack	LoBiondo	Shuster
Crawford	Loeback	Simpson
Crenshaw	Lucas	Smith (NJ)
Davis (KY)	Luetkemeyer	Smith (WA)
Dent	Lungren, Daniel	Stivers
DesJarlais	E.	Thompson (PA)
Diaz-Balart	Marino	Tiberi
Dold	Matheson	Tipton
Donnelly (IN)	McCarthy (CA)	Turner
Dreier	McCotter	Upton
Duffy	McIntyre	Walden
Ellmers	McKeon	Watt
Emerson	McKinley	Webster
Farenthold	McMorris	Whitfield
Fincher	Rodgers	Wittman
Fitzpatrick	Meehan	Wolf
Forbes	Miller (MI)	Womack
Fortenberry	Murphy (CT)	Yoder
Frelinghuysen	Murphy (PA)	Young (AK)
Gardner	Noem	Young (FL)
Gerlach	Nugent	Young (IN)

ANSWERED “PRESENT”—172

Ackerman	Davis (CA)	Jackson Lee
Andrews	Davis (IL)	(TX)
Baca	DeFazio	Johnson (GA)
Baldwin	DeGette	Johnson, E. B.
Bass (CA)	DeLauro	Kaptur
Becerra	Deuth	Kind
Berkley	Dicks	Kissell
Berman	Dingell	Kucinich
Bishop (GA)	Doggett	Langevin
Bishop (NY)	Doyle	Larsen (WA)
Blumenauer	Edwards	Larson (CT)
Boren	Engel	Lee (CA)
Brady (PA)	Eshoo	Levin
Brown (FL)	Farr	Lewis (GA)
Butterfield	Fattah	Lipinski
Capps	Filner	Lofgren, Zoe
Capuano	Frank (MA)	Lowe
Cardoza	Fudge	Lujan
Carnahan	Garamendi	Lynch
Carney	Gonzalez	Maloney
Carson (IN)	Green, Al	Markey
Castor (FL)	Green, Gene	Matsui
Chandler	Grijalva	McCarthy (NY)
Chu	Gutierrez	McCollum
Cicilline	Hanabusa	McDermott
Clarke (MI)	Hastings (FL)	McGovern
Clarke (NY)	Higgins	McNerney
Clay	Himes	Michaud
Cleaver	Hinchey	Miller (NC)
Clyburn	Hinojosa	Miller, George
Cohen	Hirono	Moore
Connolly (VA)	Holden	Moran
Conyers	Holt	Nadler
Cooper	Honda	Napolitano
Costa	Hoyer	Neal
Costello	Inlee	Owens
Critz	Israel	Pallone
Crowley	Jackson (IL)	Pascarell
Cuellar		Pastor (AZ)
Cummings		Payne

Pelosi	Sánchez, Linda	Tierney
Perlmutter	T.	Tonko
Peters	Sánchez, Loretta	Towns
Peterson	Sarbanes	Tsongas
Pingree (ME)	Schakowsky	Van Hollen
Polis	Schiff	Velázquez
Price (NC)	Schwartz	Visclosky
Quigley	Scott (VA)	Walz (MN)
Rahall	Scott, David	Wasserman
Rangel	Serrano	Schultz
Reyes	Sewell	Waters
Richardson	Sherman	Waxman
Richmond	Sires	Weiner
Ross (AR)	Slaughter	Welch
Rothman (NJ)	Speler	Wilson (FL)
Roybal-Allard	Stark	Woolsey
Ruppersberger	Sutton	Wu
Rush	Thompson (CA)	Yarmuth
Ryan (OH)	Thompson (MS)	

NOT VOTING—5

Giffords	Meeks	Reichert
Keating	Oliver	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Less than 2 minutes remain in this vote.

□ 1158

Mrs. McMORRIS RODGERS, Mrs. BONO MACK and Mr. DREIER changed their vote from “aye” to “no.”

Mr. GALLEGLY changed his vote from “no” to “aye.”

Messrs. ELLISON, TIERNEY, GUTIERREZ, DINGELL, SARBANES, BECERRA, RICHMOND, GRIJALVA, DEFAZIO, FRANK of Massachusetts, GEORGE MILLER of California, McDERMOTT, PAYNE, HONDA, LYNCH, McNERNEY, WAXMAN, CLYBURN, ROTHMAN of New Jersey, PASCRELL, MICHAUD, Ms. MCCOLLUM, and Messrs. LIPINSKI and RUSH changed their vote from “no” to “present.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 5 OFFERED BY MR. VAN HOLLEN

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in part B of House Report 112–62.

Mr. VAN HOLLEN. Mr. Chairman, I move to put in order the Democratic substitute budget.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the resolving clause and insert the following:

SECTION 1. CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2012.

(a) DECLARATION.—Congress declares that this resolution is the concurrent resolution on the budget for fiscal year 2012 and that this resolution sets forth the appropriate budgetary levels for the fiscal years 2013 through 2021.

(b) TABLE OF CONTENTS.—

Sec. 1. Concurrent resolution on the budget for fiscal year 2012.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS

Sec. 101. Recommended levels and amounts.
Sec. 102. Major functional categories.

TITLE II—RESERVE FUNDS

Sec. 201. Reserve fund for job creation through investments and incentives.

Sec. 202. Deficit-neutral reserve fund for increasing energy independence.

Sec. 203. Deficit-neutral reserve fund for America's veterans and servicemembers.

Sec. 204. Deficit-neutral reserve fund for Medicare improvement.

Sec. 205. Deficit-neutral reserve fund for Transitional Medical Assistance.

Sec. 206. Deficit-neutral reserve fund for initiatives that benefit children.

Sec. 207. Deficit-neutral reserve fund for the reauthorization of Trade Adjustment Assistance.

Sec. 208. Deficit-neutral reserve fund for the Affordable Housing Trust Fund.

Sec. 209. Deficit-neutral reserve fund for college affordability.

Sec. 210. Reserve fund for additional tax relief for individuals and families.

TITLE III—ENFORCEMENT PROVISIONS

Sec. 301. Point of order against advance appropriations.

Sec. 302. Adjustments to discretionary spending limits.

Sec. 303. Costs of overseas contingency operations and emergency needs.

Sec. 304. Budgetary treatment of certain discretionary administrative expenses.

Sec. 305. Application and effect of changes in allocations and aggregates.

Sec. 306. Exercise of rulemaking powers.

TITLE IV—POLICY

Sec. 401. Policy of the House on Social Security reform that protects workers and retirees.

Sec. 402. Policy of the House on protecting the Medicare guarantee for seniors.

Sec. 403. Policy of the House on affordable health care coverage for working families.

Sec. 404. Policy of the House on Medicaid.

Sec. 405. Policy of the House on health care for military servicemembers and their families and veterans.

Sec. 406. Policy of the House on overseas contingency operations.

Sec. 407. Policy of the House on national security.

Sec. 408. Policy of the House on tax reform and deficit reduction.

Sec. 409. Policy of the House on agriculture spending.

TITLE I—RECOMMENDED LEVELS AND AMOUNTS**SEC. 101. RECOMMENDED LEVELS AND AMOUNTS.**

The following budgetary levels are appropriate for each of fiscal years 2012 through 2021:

(1) FEDERAL REVENUES.—For purposes of the enforcement of this resolution:

(A) The recommended levels of Federal revenues are as follows:

Fiscal year 2012:	\$1,874,821,000,000.
Fiscal year 2013:	\$2,160,696,000,000.
Fiscal year 2014:	\$2,427,909,000,000.
Fiscal year 2015:	\$2,617,442,000,000.
Fiscal year 2016:	\$2,766,457,000,000.
Fiscal year 2017:	\$2,912,862,000,000.
Fiscal year 2018:	\$3,088,525,000,000.
Fiscal year 2019:	\$3,265,724,000,000.
Fiscal year 2020:	\$3,440,495,000,000.
Fiscal year 2021:	\$3,621,001,000,000.

(B) The amounts by which the aggregate levels of Federal revenues should be changed are as follows:

Fiscal year 2012:	–\$16,590,000,000.
Fiscal year 2013:	–\$194,259,000,000.
Fiscal year 2014:	–\$242,966,000,000.

Fiscal year 2015: –\$213,460,000,000.

Fiscal year 2016: –\$204,735,000,000.

Fiscal year 2017: –\$262,449,000,000.

Fiscal year 2018: –\$245,937,000,000.

Fiscal year 2019: –\$237,092,000,000.

Fiscal year 2020: –\$240,015,000,000.

Fiscal year 2021: –\$262,582,000,000.

(2) NEW BUDGET AUTHORITY.—For purposes of the enforcement of this resolution, the appropriate levels of total new budget authority are as follows:

Fiscal year 2012: \$3,019,682,000,000.

Fiscal year 2013: \$3,020,663,000,000.

Fiscal year 2014: \$3,211,158,000,000.

Fiscal year 2015: \$3,343,359,000,000.

Fiscal year 2016: \$3,558,413,000,000.

Fiscal year 2017: \$3,724,776,000,000.

Fiscal year 2018: \$3,883,519,000,000.

Fiscal year 2019: \$4,098,979,000,000.

Fiscal year 2020: \$4,314,542,000,000.

Fiscal year 2021: \$4,497,789,000,000.

(3) BUDGET OUTLAYS.—For purposes of the enforcement of this resolution, the appropriate levels of total budget outlays are as follows:

Fiscal year 2012: \$3,056,448,000,000.

Fiscal year 2013: \$3,077,023,000,000.

Fiscal year 2014: \$3,199,401,000,000.

Fiscal year 2015: \$3,342,246,000,000.

Fiscal year 2016: \$3,549,501,000,000.

Fiscal year 2017: \$3,691,037,000,000.

Fiscal year 2018: \$3,828,322,000,000.

Fiscal year 2019: \$4,056,925,000,000.

Fiscal year 2020: \$4,258,952,000,000.

Fiscal year 2021: \$4,452,330,000,000.

(4) DEFICITS (ON-BUDGET).—For purposes of the enforcement of this resolution, the amounts of the deficits (on-budget) are as follows:

Fiscal year 2012: \$1,181,627,000,000.

Fiscal year 2013: \$916,327,000,000.

Fiscal year 2014: \$771,492,000,000.

Fiscal year 2015: \$724,804,000,000.

Fiscal year 2016: \$783,044,000,000.

Fiscal year 2017: \$778,175,000,000.

Fiscal year 2018: \$739,797,000,000.

Fiscal year 2019: \$791,201,000,000.

Fiscal year 2020: \$818,457,000,000.

Fiscal year 2021: \$831,329,000,000.

(5) DEBT SUBJECT TO LIMIT.—Pursuant to section 301(a)(5) of the Congressional Budget Act of 1974, the appropriate levels of the public debt are as follows:

Fiscal year 2012: \$16,316,000,000,000.

Fiscal year 2013: \$17,417,000,000,000.

Fiscal year 2014: \$18,385,000,000,000.

Fiscal year 2015: \$19,336,000,000,000.

Fiscal year 2016: \$20,362,000,000,000.

Fiscal year 2017: \$21,403,000,000,000.

Fiscal year 2018: \$22,433,000,000,000.

Fiscal year 2019: \$23,505,000,000,000.

Fiscal year 2020: \$24,622,000,000,000.

Fiscal year 2021: \$25,784,000,000,000.

(6) DEBT HELD BY THE PUBLIC.—The appropriate levels of debt held by the public are as follows:

Fiscal year 2012: \$11,533,000,000,000.

Fiscal year 2013: \$12,463,000,000,000.

Fiscal year 2014: \$13,241,000,000,000.

Fiscal year 2015: \$13,972,000,000,000.

Fiscal year 2016: \$14,753,000,000,000.

Fiscal year 2017: \$15,533,000,000,000.

Fiscal year 2018: \$16,282,000,000,000.

Fiscal year 2019: \$17,087,000,000,000.

Fiscal year 2020: \$17,936,000,000,000.

Fiscal year 2021: \$18,810,000,000,000.

SEC. 102. MAJOR FUNCTIONAL CATEGORIES.

The Congress determines and declares that the appropriate levels of new budget authority and outlays for fiscal years 2012 through 2021 for each major functional category are:

(1) National Defense (050):

Fiscal year 2012:

(A) New budget authority, \$585,002,000,000.

- (B) Outlays, \$598,671,000,000.
Fiscal year 2013:
(A) New budget authority, \$602,362,000,000.
(B) Outlays, \$598,619,000,000.
Fiscal year 2014:
(A) New budget authority, \$618,636,000,000.
(B) Outlays, \$606,563,000,000.
Fiscal year 2015:
(A) New budget authority, \$631,159,000,000.
(B) Outlays, \$618,331,000,000.
Fiscal year 2016:
(A) New budget authority, \$644,397,000,000.
(B) Outlays, \$633,353,000,000.
Fiscal year 2017:
(A) New budget authority, \$656,009,000,000.
(B) Outlays, \$642,314,000,000.
Fiscal year 2018:
(A) New budget authority, \$668,081,000,000.
(B) Outlays, \$650,535,000,000.
Fiscal year 2019:
(A) New budget authority, \$680,295,000,000.
(B) Outlays, \$667,865,000,000.
Fiscal year 2020:
(A) New budget authority, \$692,600,000,000.
(B) Outlays, \$679,939,000,000.
Fiscal year 2021:
(A) New budget authority, \$705,330,000,000.
(B) Outlays, \$692,242,000,000.
(2) International Affairs (150):
Fiscal year 2012:
(A) New budget authority, \$57,212,000,000.
(B) Outlays, \$50,595,000,000.
Fiscal year 2013:
(A) New budget authority, \$57,982,000,000.
(B) Outlays, \$54,638,000,000.
Fiscal year 2014:
(A) New budget authority, \$55,518,000,000.
(B) Outlays, \$56,105,000,000.
Fiscal year 2015:
(A) New budget authority, \$55,252,000,000.
(B) Outlays, \$56,081,000,000.
Fiscal year 2016:
(A) New budget authority, \$55,452,000,000.
(B) Outlays, \$57,002,000,000.
Fiscal year 2017:
(A) New budget authority, \$58,018,000,000.
(B) Outlays, \$58,049,000,000.
Fiscal year 2018:
(A) New budget authority, \$60,083,000,000.
(B) Outlays, \$58,820,000,000.
Fiscal year 2019:
(A) New budget authority, \$61,194,000,000.
(B) Outlays, \$58,325,000,000.
Fiscal year 2020:
(A) New budget authority, \$62,327,000,000.
(B) Outlays, \$58,348,000,000.
Fiscal year 2021:
(A) New budget authority, \$63,511,000,000.
(B) Outlays, \$59,299,000,000.
(3) General Science, Space, and Technology (250):
Fiscal year 2012:
(A) New budget authority, \$32,566,000,000.
(B) Outlays, \$31,940,000,000.
Fiscal year 2013:
(A) New budget authority, \$31,473,000,000.
(B) Outlays, \$31,783,000,000.
Fiscal year 2014:
(A) New budget authority, \$31,400,000,000.
(B) Outlays, \$31,616,000,000.
Fiscal year 2015:
(A) New budget authority, \$31,378,000,000.
(B) Outlays, \$31,380,000,000.
Fiscal year 2016:
(A) New budget authority, \$32,367,000,000.
(B) Outlays, \$32,049,000,000.
Fiscal year 2017:
(A) New budget authority, \$33,151,000,000.
(B) Outlays, \$32,711,000,000.
Fiscal year 2018:
(A) New budget authority, \$33,970,000,000.
(B) Outlays, \$33,471,000,000.
Fiscal year 2019:
(A) New budget authority, \$34,819,000,000.
(B) Outlays, \$34,235,000,000.
Fiscal year 2020:
(A) New budget authority, \$35,695,000,000.
(B) Outlays, \$35,079,000,000.
Fiscal year 2021:
(A) New budget authority, \$36,607,000,000.
(B) Outlays, \$35,875,000,000.
(4) Energy (270):
Fiscal year 2012:
(A) New budget authority, \$12,878,000,000.
(B) Outlays, \$18,240,000,000.
Fiscal year 2013:
(A) New budget authority, \$9,720,000,000.
(B) Outlays, \$13,682,000,000.
Fiscal year 2014:
(A) New budget authority, \$7,280,000,000.
(B) Outlays, \$9,103,000,000.
Fiscal year 2015:
(A) New budget authority, \$6,188,000,000.
(B) Outlays, \$6,477,000,000.
Fiscal year 2016:
(A) New budget authority, \$6,262,000,000.
(B) Outlays, \$5,723,000,000.
Fiscal year 2017:
(A) New budget authority, \$6,267,000,000.
(B) Outlays, \$5,827,000,000.
Fiscal year 2018:
(A) New budget authority, \$6,408,000,000.
(B) Outlays, \$5,953,000,000.
Fiscal year 2019:
(A) New budget authority, \$6,667,000,000.
(B) Outlays, \$5,923,000,000.
Fiscal year 2020:
(A) New budget authority, \$6,686,000,000.
(B) Outlays, \$5,857,000,000.
Fiscal year 2021:
(A) New budget authority, \$6,825,000,000.
(B) Outlays, \$5,974,000,000.
(5) Natural Resources and Environment (300):
Fiscal year 2012:
(A) New budget authority, \$37,368,000,000.
(B) Outlays, \$40,740,000,000.
Fiscal year 2013:
(A) New budget authority, \$35,981,000,000.
(B) Outlays, \$38,587,000,000.
Fiscal year 2014:
(A) New budget authority, \$36,157,000,000.
(B) Outlays, \$37,448,000,000.
Fiscal year 2015:
(A) New budget authority, \$36,225,000,000.
(B) Outlays, \$37,306,000,000.
Fiscal year 2016:
(A) New budget authority, \$37,218,000,000.
(B) Outlays, \$37,184,000,000.
Fiscal year 2017:
(A) New budget authority, \$38,031,000,000.
(B) Outlays, \$37,714,000,000.
Fiscal year 2018:
(A) New budget authority, \$39,456,000,000.
(B) Outlays, \$37,871,000,000.
Fiscal year 2019:
(A) New budget authority, \$40,229,000,000.
(B) Outlays, \$38,583,000,000.
Fiscal year 2020:
(A) New budget authority, \$41,599,000,000.
(B) Outlays, \$39,772,000,000.
Fiscal year 2021:
(A) New budget authority, \$42,066,000,000.
(B) Outlays, \$40,309,000,000.
(6) Agriculture (350):
Fiscal year 2012:
(A) New budget authority, \$21,035,000,000.
(B) Outlays, \$20,419,000,000.
Fiscal year 2013:
(A) New budget authority, \$20,260,000,000.
(B) Outlays, \$22,047,000,000.
Fiscal year 2014:
(A) New budget authority, \$20,309,000,000.
(B) Outlays, \$19,942,000,000.
Fiscal year 2015:
(A) New budget authority, \$19,463,000,000.
(B) Outlays, \$18,863,000,000.
Fiscal year 2016:
(A) New budget authority, \$19,564,000,000.
(B) Outlays, \$18,980,000,000.
Fiscal year 2017:
(A) New budget authority, \$19,518,000,000.
(B) Outlays, \$18,889,000,000.
Fiscal year 2018:
(A) New budget authority, \$19,795,000,000.
(B) Outlays, \$19,144,000,000.
Fiscal year 2019:
(A) New budget authority, \$20,052,000,000.
(B) Outlays, \$19,384,000,000.
Fiscal year 2020:
(A) New budget authority, \$20,267,000,000.
(B) Outlays, \$19,598,000,000.
Fiscal year 2021:
(A) New budget authority, \$20,549,000,000.
(B) Outlays, \$19,889,000,000.
(7) Commerce and Housing Credit (370):
Fiscal year 2012:
(A) New budget authority, \$24,201,000,000.
(B) Outlays, \$24,682,000,000.
Fiscal year 2013:
(A) New budget authority, \$13,610,000,000.
(B) Outlays, \$12,036,000,000.
Fiscal year 2014:
(A) New budget authority, \$12,159,000,000.
(B) Outlays, —\$3,079,000,000.
Fiscal year 2015:
(A) New budget authority, \$13,124,000,000.
(B) Outlays, —\$4,620,000,000.
Fiscal year 2016:
(A) New budget authority, \$13,693,000,000.
(B) Outlays, —\$7,122,000,000.
Fiscal year 2017:
(A) New budget authority, \$17,275,000,000.
(B) Outlays, —\$6,557,000,000.
Fiscal year 2018:
(A) New budget authority, \$18,584,000,000.
(B) Outlays, —\$7,780,000,000.
Fiscal year 2019:
(A) New budget authority, \$20,922,000,000.
(B) Outlays, \$2,830,000,000.
Fiscal year 2020:
(A) New budget authority, \$28,482,000,000.
(B) Outlays, \$8,763,000,000.
Fiscal year 2021:
(A) New budget authority, \$21,746,000,000.
(B) Outlays, \$3,194,000,000.
(8) Transportation (400):
Fiscal year 2012:
(A) New budget authority, \$92,997,000,000.
(B) Outlays, \$92,985,000,000.
Fiscal year 2013:
(A) New budget authority, \$93,428,000,000.
(B) Outlays, \$93,367,000,000.
Fiscal year 2014:
(A) New budget authority, \$93,560,000,000.
(B) Outlays, \$93,954,000,000.
Fiscal year 2015:
(A) New budget authority, \$94,344,000,000.
(B) Outlays, \$95,487,000,000.
Fiscal year 2016:
(A) New budget authority, \$95,319,000,000.
(B) Outlays, \$96,910,000,000.
Fiscal year 2017:
(A) New budget authority, \$96,329,000,000.
(B) Outlays, \$98,070,000,000.
Fiscal year 2018:
(A) New budget authority, \$97,374,000,000.
(B) Outlays, \$99,368,000,000.
Fiscal year 2019:
(A) New budget authority, \$98,462,000,000.
(B) Outlays, \$100,766,000,000.
Fiscal year 2020:
(A) New budget authority, \$99,607,000,000.
(B) Outlays, \$103,033,000,000.
Fiscal year 2021:
(A) New budget authority, \$100,797,000,000.
(B) Outlays, \$104,951,000,000.
(9) Community and Regional Development (450):
Fiscal year 2012:
(A) New budget authority, \$15,768,000,000.
(B) Outlays, \$25,957,000,000.

Fiscal year 2013:
 (A) New budget authority, \$15,850,000,000.
 (B) Outlays, \$24,312,000,000.

Fiscal year 2014:
 (A) New budget authority, \$16,136,000,000.
 (B) Outlays, \$22,510,000,000.

Fiscal year 2015:
 (A) New budget authority, \$16,432,000,000.
 (B) Outlays, \$19,044,000,000.

Fiscal year 2016:
 (A) New budget authority, \$16,752,000,000.
 (B) Outlays, \$17,581,000,000.

Fiscal year 2017:
 (A) New budget authority, \$17,132,000,000.
 (B) Outlays, \$16,900,000,000.

Fiscal year 2018:
 (A) New budget authority, \$17,527,000,000.
 (B) Outlays, \$16,726,000,000.

Fiscal year 2019:
 (A) New budget authority, \$17,905,000,000.
 (B) Outlays, \$17,027,000,000.

Fiscal year 2020:
 (A) New budget authority, \$18,300,000,000.
 (B) Outlays, \$17,410,000,000.

Fiscal year 2021:
 (A) New budget authority, \$18,694,000,000.
 (B) Outlays, \$17,802,000,000.

(10) Education, Training, Employment, and Social Services (500):

Fiscal year 2012:
 (A) New budget authority, \$111,660,000,000.
 (B) Outlays, \$117,278,000,000.

Fiscal year 2013:
 (A) New budget authority, \$103,601,000,000.
 (B) Outlays, \$105,183,000,000.

Fiscal year 2014:
 (A) New budget authority, \$106,767,000,000.
 (B) Outlays, \$105,243,000,000.

Fiscal year 2015:
 (A) New budget authority, \$111,512,000,000.
 (B) Outlays, \$110,265,000,000.

Fiscal year 2016:
 (A) New budget authority, \$118,367,000,000.
 (B) Outlays, \$115,349,000,000.

Fiscal year 2017:
 (A) New budget authority, \$122,925,000,000.
 (B) Outlays, \$120,086,000,000.

Fiscal year 2018:
 (A) New budget authority, \$124,810,000,000.
 (B) Outlays, \$123,162,000,000.

Fiscal year 2019:
 (A) New budget authority, \$126,741,000,000.
 (B) Outlays, \$125,134,000,000.

Fiscal year 2020:
 (A) New budget authority, \$128,251,000,000.
 (B) Outlays, \$126,917,000,000.

Fiscal year 2021:
 (A) New budget authority, \$130,037,000,000.
 (B) Outlays, \$128,515,000,000.

(11) Health (550):

Fiscal year 2012:
 (A) New budget authority, \$356,454,000,000.
 (B) Outlays, \$358,345,000,000.

Fiscal year 2013:
 (A) New budget authority, \$371,025,000,000.
 (B) Outlays, \$368,610,000,000.

Fiscal year 2014:
 (A) New budget authority, \$452,921,000,000.
 (B) Outlays, \$435,868,000,000.

Fiscal year 2015:
 (A) New budget authority, \$518,204,000,000.
 (B) Outlays, \$506,510,000,000.

Fiscal year 2016:
 (A) New budget authority, \$565,854,000,000.
 (B) Outlays, \$570,405,000,000.

Fiscal year 2017:
 (A) New budget authority, \$612,933,000,000.
 (B) Outlays, \$615,828,000,000.

Fiscal year 2018:
 (A) New budget authority, \$654,725,000,000.
 (B) Outlays, \$652,292,000,000.

Fiscal year 2019:
 (A) New budget authority, \$700,813,000,000.
 (B) Outlays, \$697,785,000,000.

Fiscal year 2020:
 (A) New budget authority, \$755,915,000,000.
 (B) Outlays, \$742,356,000,000.

Fiscal year 2021:
 (A) New budget authority, \$799,717,000,000.
 (B) Outlays, \$795,946,000,000.

(12) Medicare (570):

Fiscal year 2012:
 (A) New budget authority, \$483,906,000,000.
 (B) Outlays, \$483,575,000,000.

Fiscal year 2013:
 (A) New budget authority, \$520,906,000,000.
 (B) Outlays, \$521,100,000,000.

Fiscal year 2014:
 (A) New budget authority, \$548,999,000,000.
 (B) Outlays, \$548,921,000,000.

Fiscal year 2015:
 (A) New budget authority, \$571,619,000,000.
 (B) Outlays, \$571,471,000,000.

Fiscal year 2016:
 (A) New budget authority, \$618,727,000,000.
 (B) Outlays, \$618,926,000,000.

Fiscal year 2017:
 (A) New budget authority, \$640,386,000,000.
 (B) Outlays, \$640,268,000,000.

Fiscal year 2018:
 (A) New budget authority, \$663,131,000,000.
 (B) Outlays, \$662,959,000,000.

Fiscal year 2019:
 (A) New budget authority, \$722,938,000,000.
 (B) Outlays, \$723,130,000,000.

Fiscal year 2020:
 (A) New budget authority, \$775,021,000,000.
 (B) Outlays, \$774,897,000,000.

Fiscal year 2021:
 (A) New budget authority, \$829,118,000,000.
 (B) Outlays, \$828,970,000,000.

(13) Income Security (600):

Fiscal year 2012:
 (A) New budget authority, \$536,350,000,000.
 (B) Outlays, \$531,078,000,000.

Fiscal year 2013:
 (A) New budget authority, \$523,956,000,000.
 (B) Outlays, \$522,361,000,000.

Fiscal year 2014:
 (A) New budget authority, \$520,920,000,000.
 (B) Outlays, \$519,386,000,000.

Fiscal year 2015:
 (A) New budget authority, \$518,437,000,000.
 (B) Outlays, \$516,335,000,000.

Fiscal year 2016:
 (A) New budget authority, \$525,765,000,000.
 (B) Outlays, \$527,558,000,000.

Fiscal year 2017:
 (A) New budget authority, \$526,227,000,000.
 (B) Outlays, \$523,584,000,000.

Fiscal year 2018:
 (A) New budget authority, \$530,452,000,000.
 (B) Outlays, \$523,054,000,000.

Fiscal year 2019:
 (A) New budget authority, \$546,089,000,000.
 (B) Outlays, \$543,158,000,000.

Fiscal year 2020:
 (A) New budget authority, \$557,719,000,000.
 (B) Outlays, \$554,766,000,000.

Fiscal year 2021:
 (A) New budget authority, \$570,308,000,000.
 (B) Outlays, \$567,314,000,000.

(14) Social Security (650):

Fiscal year 2012:
 (A) New budget authority, \$54,439,000,000.
 (B) Outlays, \$54,624,000,000.

Fiscal year 2013:
 (A) New budget authority, \$29,094,000,000.
 (B) Outlays, \$29,256,000,000.

Fiscal year 2014:
 (A) New budget authority, \$32,699,000,000.
 (B) Outlays, \$32,776,000,000.

Fiscal year 2015:
 (A) New budget authority, \$36,259,000,000.
 (B) Outlays, \$36,311,000,000.

Fiscal year 2016:
 (A) New budget authority, \$40,171,000,000.
 (B) Outlays, \$40,171,000,000.

Fiscal year 2017:
 (A) New budget authority, \$44,265,000,000.
 (B) Outlays, \$44,263,000,000.

Fiscal year 2018:
 (A) New budget authority, \$48,721,000,000.
 (B) Outlays, \$48,717,000,000.

Fiscal year 2019:
 (A) New budget authority, \$53,514,000,000.
 (B) Outlays, \$53,508,000,000.

Fiscal year 2020:
 (A) New budget authority, \$58,560,000,000.
 (B) Outlays, \$58,552,000,000.

Fiscal year 2021:
 (A) New budget authority, \$64,063,000,000.
 (B) Outlays, \$64,053,000,000.

(15) Veterans Benefits and Services (700):

Fiscal year 2012:
 (A) New budget authority, \$128,339,000,000.
 (B) Outlays, \$128,114,000,000.

Fiscal year 2013:
 (A) New budget authority, \$130,024,000,000.
 (B) Outlays, \$130,024,000,000.

Fiscal year 2014:
 (A) New budget authority, \$134,143,000,000.
 (B) Outlays, \$134,055,000,000.

Fiscal year 2015:
 (A) New budget authority, \$138,167,000,000.
 (B) Outlays, \$137,851,000,000.

Fiscal year 2016:
 (A) New budget authority, \$147,410,000,000.
 (B) Outlays, \$146,868,000,000.

Fiscal year 2017:
 (A) New budget authority, \$146,323,000,000.
 (B) Outlays, \$145,704,000,000.

Fiscal year 2018:
 (A) New budget authority, \$145,412,000,000.
 (B) Outlays, \$144,751,000,000.

Fiscal year 2019:
 (A) New budget authority, \$155,091,000,000.
 (B) Outlays, \$154,407,000,000.

Fiscal year 2020:
 (A) New budget authority, \$159,680,000,000.
 (B) Outlays, \$158,979,000,000.

Fiscal year 2021:
 (A) New budget authority, \$164,381,000,000.
 (B) Outlays, \$163,622,000,000.

(16) Administration of Justice (750):

Fiscal year 2012:
 (A) New budget authority, \$55,182,000,000.
 (B) Outlays, \$57,072,000,000.

Fiscal year 2013:
 (A) New budget authority, \$61,315,000,000.
 (B) Outlays, \$57,008,000,000.

Fiscal year 2014:
 (A) New budget authority, \$55,543,000,000.
 (B) Outlays, \$57,426,000,000.

Fiscal year 2015:
 (A) New budget authority, \$56,239,000,000.
 (B) Outlays, \$58,230,000,000.

Fiscal year 2016:
 (A) New budget authority, \$59,732,000,000.
 (B) Outlays, \$60,823,000,000.

Fiscal year 2017:
 (A) New budget authority, \$59,411,000,000.
 (B) Outlays, \$59,808,000,000.

Fiscal year 2018:
 (A) New budget authority, \$60,848,000,000.
 (B) Outlays, \$61,743,000,000.

Fiscal year 2019:
 (A) New budget authority, \$62,427,000,000.
 (B) Outlays, \$62,080,000,000.

Fiscal year 2020:
 (A) New budget authority, \$66,045,000,000.
 (B) Outlays, \$65,430,000,000.

Fiscal year 2021:
 (A) New budget authority, \$68,682,000,000.
 (B) Outlays, \$68,039,000,000.

(17) General Government (800):

Fiscal year 2012:
 (A) New budget authority, \$27,419,000,000.
 (B) Outlays, \$30,492,000,000.

Fiscal year 2013:
 (A) New budget authority, \$26,927,000,000.
 (B) Outlays, \$27,930,000,000.

Fiscal year 2014:

- (A) New budget authority, \$27,510,000,000.
- (B) Outlays, \$28,103,000,000.

Fiscal year 2015:

- (A) New budget authority, \$28,157,000,000.
- (B) Outlays, \$28,464,000,000.

Fiscal year 2016:

- (A) New budget authority, \$29,173,000,000.
- (B) Outlays, \$29,198,000,000.

Fiscal year 2017:

- (A) New budget authority, \$29,798,000,000.
- (B) Outlays, \$29,598,000,000.

Fiscal year 2018:

- (A) New budget authority, \$30,502,000,000.
- (B) Outlays, \$30,191,000,000.

Fiscal year 2019:

- (A) New budget authority, \$31,275,000,000.
- (B) Outlays, \$30,735,000,000.

Fiscal year 2020:

- (A) New budget authority, \$31,841,000,000.
- (B) Outlays, \$31,377,000,000.

Fiscal year 2021:

- (A) New budget authority, \$32,511,000,000.
- (B) Outlays, \$31,931,000,000.

(18) Net Interest (900):

- Fiscal year 2012:
- (A) New budget authority, \$373,659,000,000.
- (B) Outlays, \$373,659,000,000.

Fiscal year 2013:

- (A) New budget authority, \$439,991,000,000.
- (B) Outlays, \$439,991,000,000.

Fiscal year 2014:

- (A) New budget authority, \$519,615,000,000.
- (B) Outlays, \$519,615,000,000.

Fiscal year 2015:

- (A) New budget authority, \$598,459,000,000.
- (B) Outlays, \$598,459,000,000.

Fiscal year 2016:

- (A) New budget authority, \$678,904,000,000.
- (B) Outlays, \$678,904,000,000.

Fiscal year 2017:

- (A) New budget authority, \$756,129,000,000.
- (B) Outlays, \$756,129,000,000.

Fiscal year 2018:

- (A) New budget authority, \$827,473,000,000.
- (B) Outlays, \$827,473,000,000.

Fiscal year 2019:

- (A) New budget authority, \$890,592,000,000.
- (B) Outlays, \$890,592,000,000.

Fiscal year 2020:

- (A) New budget authority, \$953,210,000,000.
- (B) Outlays, \$953,210,000,000.

Fiscal year 2021:

- (A) New budget authority, \$1,006,915,000,000.
- (B) Outlays, \$1,006,915,000,000.

(19) Non-Security Allowances (920):

- Fiscal year 2012:
- (A) New budget authority, \$20,374,000,000.
- (B) Outlays, \$13,539,000,000.

Fiscal year 2013:

- (A) New budget authority, \$16,513,000,000.
- (B) Outlays, \$10,639,000,000.

Fiscal year 2014:

- (A) New budget authority, \$22,316,000,000.
- (B) Outlays, \$18,381,000,000.

Fiscal year 2015:

- (A) New budget authority, \$22,402,000,000.
- (B) Outlays, \$19,208,000,000.

Fiscal year 2016:

- (A) New budget authority, \$25,768,000,000.
- (B) Outlays, \$23,209,000,000.

Fiscal year 2017:

- (A) New budget authority, \$28,411,000,000.
- (B) Outlays, \$26,537,000,000.

Fiscal year 2018:

- (A) New budget authority, \$30,325,000,000.
- (B) Outlays, \$29,013,000,000.

Fiscal year 2019:

- (A) New budget authority, \$32,186,000,000.
- (B) Outlays, \$31,172,000,000.

Fiscal year 2020:

- (A) New budget authority, \$33,734,000,000.
- (B) Outlays, \$32,954,000,000.

Fiscal year 2021:

- (A) New budget authority, \$35,241,000,000.

- (B) Outlays, \$34,708,000,000.

(20) Security Allowances (930)

Fiscal year 2012:

- (A) New budget authority, \$15,000,000,000.
- (B) Outlays, \$8,592,000,000.

Fiscal year 2013:

- (A) New budget authority, \$20,000,000,000.
- (B) Outlays, \$15,405,000,000.

Fiscal year 2014:

- (A) New budget authority, \$25,000,000,000.
- (B) Outlays, \$21,052,000,000.

Fiscal year 2015:

- (A) New budget authority, \$30,000,000,000.
- (B) Outlays, \$26,235,000,000.

Fiscal year 2016:

- (A) New budget authority, \$35,000,000,000.
- (B) Outlays, \$31,385,000,000.

Fiscal year 2017:

- (A) New budget authority, \$35,692,000,000.
- (B) Outlays, \$33,860,000,000.

Fiscal year 2018:

- (A) New budget authority, \$36,409,000,000.
- (B) Outlays, \$35,217,000,000.

Fiscal year 2019:

- (A) New budget authority, \$37,142,000,000.
- (B) Outlays, \$36,167,000,000.

Fiscal year 2020:

- (A) New budget authority, \$37,884,000,000.
- (B) Outlays, \$36,982,000,000.

Fiscal year 2021:

- (A) New budget authority, \$38,653,000,000.
- (B) Outlays, \$37,728,000,000.

(21) Undistributed Offsetting Receipts (950):

- Fiscal year 2012:
- (A) New budget authority, \$77,923,000,000.
- (B) Outlays, \$77,923,000,000.

Fiscal year 2013:

- (A) New budget authority, \$80,329,000,000.
- (B) Outlays, \$80,329,000,000.

Fiscal year 2014:

- (A) New budget authority, \$81,798,000,000.
- (B) Outlays, \$81,798,000,000.

Fiscal year 2015:

- (A) New budget authority, \$84,857,000,000.
- (B) Outlays, \$84,857,000,000.

Fiscal year 2016:

- (A) New budget authority, \$85,946,000,000.
- (B) Outlays, \$85,946,000,000.

Fiscal year 2017:

- (A) New budget authority, \$91,248,000,000.
- (B) Outlays, \$91,248,000,000.

Fiscal year 2018:

- (A) New budget authority, \$97,099,000,000.
- (B) Outlays, \$97,099,000,000.

Fiscal year 2019:

- (A) New budget authority, \$101,718,000,000.
- (B) Outlays, \$101,718,000,000.

Fiscal year 2020:

- (A) New budget authority, \$105,645,000,000.
- (B) Outlays, \$105,645,000,000.

Fiscal year 2021:

- (A) New budget authority, \$110,174,000,000.
- (B) Outlays, \$110,174,000,000.

(22) Overseas Contingency Operations (970):

- Fiscal year 2012:
- (A) New budget authority, \$126,544,000,000.
- (B) Outlays, \$118,036,000,000.

Fiscal year 2013:

- (A) New budget authority, \$50,000,000,000.
- (B) Outlays, \$92,862,000,000.

Fiscal year 2014:

- (A) New budget authority, \$50,000,000,000.
- (B) Outlays, \$65,077,000,000.

Fiscal year 2015:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$30,301,000,000.

Fiscal year 2016:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$10,179,000,000.

Fiscal year 2017:

- (A) New budget authority, \$0,000,000.

- (B) Outlays, \$3,497,000,000.

Fiscal year 2018:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$1,201,000,000.

Fiscal year 2019:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$515,000,000.

Fiscal year 2020:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$250,000,000.

Fiscal year 2021:

- (A) New budget authority, \$0,000,000.
- (B) Outlays, \$100,000,000.

TITLE II—RESERVE FUNDS

SEC. 201. RESERVE FUND FOR JOB CREATION THROUGH INVESTMENTS AND INCENTIVES.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides for a robust Federal investment in America's infrastructure, incentives for businesses, and support for communities that creates jobs for Americans and boosts the economy. The revisions may include measures that:

(1) Provide for additional investments to improve energy efficiency, develop renewable energy sources, and provide the training for workers in these industries ("clean energy jobs") by the amounts in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

(2) Reauthorize Federal highway and transit programs by providing new contract authority by the amounts provided in such measure if such measure establishes or maintains a solvent Highway Trust Fund over the period of fiscal years 2012 through 2017. "Solvency" is defined as a positive cash balance. Such measure may include a transfer into the Highway Trust Fund from other Federal funds, as long as the transfer of Federal funds is fully offset.

(3) Create a National Infrastructure Bank to pool Federal, State, local, tribal, and private-sector resources for a wide range of investments of national or regional significance by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

(4) Provide for additional investments in rail, aviation, harbors, seaports, public housing, broadband, energy, water, and other infrastructure by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

(5) Provide additional incentives, including tax incentives, to small businesses, non-profits, States, and communities to expand investment and to train, hire, and retain private-sector workers and public service employees by the amounts provided in such measure if such measure does not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 202. DEFICIT-NEUTRAL RESERVE FUND FOR INCREASING ENERGY INDEPENDENCE.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) provides tax incentives for or otherwise encourages the production of renewable energy or increased energy efficiency;

(2) encourages investment in emerging energy or vehicle technologies or carbon capture and sequestration;

(3) limits and provides for reductions in greenhouse gas emissions;

(4) assists businesses, industries, States, communities, the environment, workers, or households as the United States moves toward reducing and offsetting the impacts of greenhouse gas emissions; or

(5) facilitates the training of workers for these industries ("clean energy jobs");

by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 203. DEFICIT-NEUTRAL RESERVE FUND FOR AMERICA'S VETERANS AND SERVICEMEMBERS.

The chairman of the Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that—

(1) enhances health care for military personnel, military retirees, or veterans;

(2) maintains the affordability of health care for military personnel, military retirees, or veterans;

(3) improves disability benefits or evaluations for wounded or disabled military personnel or veterans, including measures to expedite the claims process;

(4) expands eligibility to permit additional disabled military retirees to receive both disability compensation and retired pay (concurrent receipt); or

(5) eliminates the offset between Survivor Benefit Plan annuities and veterans' dependency and indemnity compensation;

by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016, or fiscal year 2011 to fiscal year 2021.

SEC. 204. DEFICIT-NEUTRAL RESERVE FUND FOR MEDICARE IMPROVEMENT.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that make improvements to Medicare, including making reforms to the Medicare payment system for physicians that build on delivery reforms underway, such as advancement of new care models, and—

(1) change incentives to encourage efficiency and higher quality care in a manner consistent with the goals of fiscal sustainability;

(2) improve payment accuracy to encourage efficient use of resources and ensure that patient-centered primary care receives appropriate compensation;

(3) support innovative programs to improve coordination of care among all providers serving a patient in all appropriate settings; and

(4) hold providers accountable for their utilization patterns and quality of care;

by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 205. DEFICIT-NEUTRAL RESERVE FUND FOR TRANSITIONAL MEDICAL ASSISTANCE.

The chairman of the House Committee on the Budget may revise the allocations, ag-

gregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends the Transitional Medical Assistance program in title XIX of the Social Security Act through fiscal year 2012, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 206. DEFICIT-NEUTRAL RESERVE FUND FOR INITIATIVES THAT BENEFIT CHILDREN.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that improves the lives of children by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021. Improvements may include:

(1) Extension and expansion of child care assistance.

(2) Changes to foster care to prevent child abuse and neglect and keep more children safely in their homes.

(3) Changes to child support enforcement to encourage increased parental support for children, particularly from non-custodial parents, including legislation that results in a greater share of collected child support reaching the child or encourages States to provide access and visitation services to improve fathers' relationships with their children. Such changes could reflect efforts to ensure that States have the necessary resources to collect all child support that is owed to families and to allow them to pass 100 percent of support on to families without financial penalty. When 100 percent of child support payments are passed to the child, rather than administrative expenses, program integrity is improved and child support participation increases.

SEC. 207. DEFICIT-NEUTRAL RESERVE FUND FOR THE REAUTHORIZATION OF TRADE ADJUSTMENT ASSISTANCE.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that extends Trade Adjustment Assistance and the 2009 reforms to Trade Adjustment Assistance, which expired earlier this year, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 208. DEFICIT-NEUTRAL RESERVE FUND FOR THE AFFORDABLE HOUSING TRUST FUND.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that capitalizes the existing Affordable Housing Trust Fund by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 209. DEFICIT-NEUTRAL RESERVE FUND FOR COLLEGE AFFORDABILITY.

The chairman of the House Committee on the Budget may revise the allocations, ag-

gregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that makes college more affordable, including efforts to maintain the maximum Pell grant award, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

SEC. 210. RESERVE FUND FOR ADDITIONAL TAX RELIEF FOR INDIVIDUALS AND FAMILIES.

The chairman of the House Committee on the Budget may revise the allocations, aggregates, and other appropriate levels in this resolution for any bill, joint resolution, amendment, or conference report that provides additional tax relief to individuals and families, such as expanding tax relief provided by the refundable child credit, by the amounts provided in such measure if such measure would not increase the deficit for either of the following time periods, fiscal year 2011 to fiscal year 2016 or fiscal year 2011 to fiscal year 2021.

TITLE III—ENFORCEMENT PROVISIONS

SEC. 301. POINT OF ORDER AGAINST ADVANCE APPROPRIATIONS.

(a) IN GENERAL.—In the House, except as provided in subsection (b), any bill, joint resolution, amendment, or conference report making a general appropriation or continuing appropriation may not provide for advance appropriations.

(b) EXCEPTIONS.—Advance appropriations may be provided—

(1) for fiscal year 2013 for programs, projects, activities, or accounts identified in the joint explanatory statement of managers to accompany this resolution under the heading "Accounts Identified for Advance Appropriations" in an aggregate amount not to exceed \$28,852,000,000 in new budget authority, and for 2014, accounts separately identified under the same heading; and

(2) for the Department of Veterans Affairs for the Medical Services, Medical Support and Compliance, and Medical Facilities accounts of the Veterans Health Administration.

(c) DEFINITION.—In this section, the term "advance appropriation" means any new discretionary budget authority provided in a bill or joint resolution making general appropriations or any new discretionary budget authority provided in a bill or joint resolution making continuing appropriations for fiscal year 2012 that first becomes available for any fiscal year after 2012.

SEC. 302. ADJUSTMENTS TO DISCRETIONARY SPENDING LIMITS.

(a) PROGRAM INTEGRITY INITIATIVES.—

(1) SOCIAL SECURITY ADMINISTRATION PROGRAM INTEGRITY INITIATIVES.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2012 that appropriates \$315,000,000 for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration and provides an additional appropriation of up to \$623,000,000, and that amount is designated for continuing disability reviews and Supplemental Security Income redeterminations for the Social Security Administration, the allocation to the House Committee on Appropriations shall be increased by the amount of the additional budget authority and outlays resulting from that budget authority for fiscal year 2012.

(2) INTERNAL REVENUE SERVICE TAX COMPLIANCE.—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for

fiscal year 2012 that appropriates \$7,233,000,000 for the Internal Revenue Service for enhanced enforcement to address the Federal tax gap (taxes owed but not paid) and provides an additional appropriation of up to \$1,257,000,000, to the Internal Revenue Service and the amount is designated for enhanced tax enforcement to address the tax gap, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2012.

(3) **HEALTH CARE FRAUD AND ABUSE CONTROL PROGRAM.**—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2012 that appropriates up to \$581,000,000, and the amount is designated to the health care fraud and abuse control program at the Department of Health and Human Services, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2012.

(4) **UNEMPLOYMENT INSURANCE PROGRAM INTEGRITY ACTIVITIES.**—In the House, prior to consideration of any bill, joint resolution, amendment, or conference report making appropriations for fiscal year 2012 that appropriates \$10,000,000 for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor and provides an additional appropriation of up to \$60,000,000, and the amount is designated for in-person reemployment and eligibility assessments and unemployment insurance improper payment reviews for the Department of Labor, the allocation to the House Committee on Appropriations shall be increased by the amount of additional budget authority and outlays resulting from that budget authority for fiscal year 2012.

(b) **PROCEDURE FOR ADJUSTMENTS.**—Prior to consideration of any bill, joint resolution, amendment, or conference report, the chairman of the House Committee on the Budget shall make the adjustments set forth in this subsection for the incremental new budget authority in that measure and the outlays resulting from that budget authority if that measure meets the requirements set forth in this section.

SEC. 303. COSTS OF OVERSEAS CONTINGENCY OPERATIONS AND EMERGENCY NEEDS.

(a) **OVERSEAS CONTINGENCY OPERATIONS.**—In the House, if any bill, joint resolution, amendment, or conference report makes appropriations for fiscal year 2011 or fiscal year 2012 for overseas contingency operations and other activities and such amounts are so designated pursuant to this paragraph, then the allocation to the House Committee on Appropriations may be adjusted by the amounts provided in such legislation for that purpose up to the amounts of budget authority specified in section 102(22) for fiscal year 2011 or fiscal year 2012 and the new outlays resulting therefrom.

(b) **EMERGENCY NEEDS.**—If any bill, joint resolution, amendment, or conference report makes appropriations for discretionary amounts and such amounts are designated as necessary to meet emergency needs pursuant to this subsection, then new budget authority and outlays resulting therefrom shall not count for the purposes of the Congressional Budget Act of 1974, or this resolution.

SEC. 304. BUDGETARY TREATMENT OF CERTAIN DISCRETIONARY ADMINISTRATIVE EXPENSES.

(a) **IN GENERAL.**—In the House, notwithstanding section 302(a)(1) of the Congressional Budget Act of 1974, section 13301 of the Budget Enforcement Act of 1990, and section 4001 of the Omnibus Budget Reconciliation Act of 1989, the joint explanatory statement accompanying the conference report on any concurrent resolution on the budget shall include in its allocation under section 302(a) of the Congressional Budget Act of 1974 to the House Committee on Appropriations amounts for the discretionary administrative expenses of the Social Security Administration and of the Postal Service.

(b) **SPECIAL RULE.**—For purposes of applying section 302(f) of the Congressional Budget Act of 1974, estimates of the level of total new budget authority and total outlays provided by a measure shall include any off-budget discretionary amounts.

SEC. 305. APPLICATION AND EFFECT OF CHANGES IN ALLOCATIONS AND AGGREGATES.

(a) **APPLICATION.**—In the House, any adjustments of allocations and aggregates made pursuant to this resolution shall—

(1) apply while that measure is under consideration;

(2) take effect upon the enactment of that measure; and

(3) be published in the Congressional Record as soon as practicable.

(b) **EFFECT OF CHANGED ALLOCATIONS AND AGGREGATES.**—Revised allocations and aggregates resulting from these adjustments shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations and aggregates included in this resolution.

(c) **APPLICABILITY.**—Clause 10 of rule XXI of the Rules of the House of Representatives shall not apply to measures for which the chairman of the Committee on the Budget has made an adjustment contemplated under title II of this resolution.

(d) **ADJUSTMENTS.**—The chairman of the House Committee on the Budget may adjust the aggregates, allocations, and other levels in this resolution for legislation which has received final congressional approval in the same form by the House of Representatives and the Senate, but has yet to be presented to or signed by the President at the time of final consideration of this resolution.

SEC. 306. EXERCISE OF RULEMAKING POWERS.

The House adopts the provisions of this title—

(1) as an exercise of the rulemaking power of the House of Representatives and as such they shall be considered as part of the rules of the House, and these rules shall supersede other rules only to the extent that they are inconsistent with other such rules; and

(2) with full recognition of the constitutional right of the House of Representatives to change those rules at any time, in the same manner, and to the same extent as in the case of any other rule of the House of Representatives.

TITLE IV—POLICY

SEC. 401. POLICY OF THE HOUSE ON SOCIAL SECURITY REFORM THAT PROTECTS WORKERS AND RETIREES.

(a) **FINDINGS.**—The House finds that—

(1) Social Security is America's most important retirement resource, especially for seniors, because it provides an income floor to keep them, their spouses and their survivors out of poverty during retirement—benefits earned based on their past payroll contributions;

(2) in 2010, 53 million people relied on Social Security;

(3) Social Security benefits are modest, with an average annual benefit for retirees of about \$14,000, while the average total retirement income is only about \$25,000 per year;

(4) diverting workers' payroll contributions toward private accounts undermines retirement security and the social safety net by subjecting the workers' retirement decisions and income to the whims of the stock market;

(5) diverting trust fund payroll contributions toward private accounts jeopardizes Social Security because the program will not have the resources to pay full benefits to current retirees; and

(6) privatization increases Federal debt because the Treasury will have to borrow additional funds from the public to pay full benefits to current retirees.

(b) **POLICY.**—It is the policy of this resolution that Social Security should be strengthened for its own sake and not to achieve deficit reduction. Because privatization proposals are fiscally irresponsible and would put the retirement security of seniors at risk, any Social Security reform legislation shall reject partial or complete privatization of the program.

SEC. 402. POLICY OF THE HOUSE ON PROTECTING THE MEDICARE GUARANTEE FOR SENIORS.

(a) **FINDINGS.**—The House finds that—

(1) senior citizens and persons with disabilities highly value the Medicare program and rely on Medicare to guarantee their health and financial security;

(2) in 2010, more than 40 million people relied on Medicare for coverage of hospital stays, physician visits, prescription drugs, and other necessary medical goods and services;

(3) the Medicare program has lower administrative and program costs than private insurance for a given level of benefits;

(4) excess health care cost growth is not unique to Medicare or other Federal health programs, it is endemic to the entire health care system;

(5) destroying the Medicare program and replacing it with a voucher or premium support for the purchase of private insurance that fails to keep pace with growth in health costs will expose seniors and persons with disabilities on fixed incomes to unacceptable financial risks; and

(6) shifting excess health care cost growth onto Medicare beneficiaries would not reduce overall health care costs, instead it would mean beneficiaries would face higher premiums, eroding coverage, or both.

(b) **POLICY.**—It is the policy of the House that the Medicare guarantee for seniors and persons with disabilities should be preserved and strengthened, and that any legislation to end the Medicare guarantee and shift rising health care costs onto seniors by replacing Medicare with vouchers or premium support for the purchase of private insurance should be rejected.

SEC. 403. POLICY OF THE HOUSE ON AFFORDABLE HEALTH CARE COVERAGE FOR WORKING FAMILIES.

(a) **FINDINGS.**—The House finds that—

(1) making health care coverage affordable and accessible for all American families will improve families' health and economic security, which will make the economy stronger;

(2) the Affordable Care Act signed into law in 2010 will expand coverage to more than 30,000,000 Americans and bring costs down for families and small businesses;

(3) consumers are already benefiting from the Affordable Care Act's provisions to hold

insurance companies accountable for their actions and to end long-standing practices such as denying coverage to children based on pre-existing conditions, imposing lifetime limits on coverage that put families at risk of bankruptcy in the event of serious illness, and dropping an enrollee's coverage once the enrollee becomes ill based on a simple mistake in the enrollee's application;

(4) the Affordable Care Act reforms Federal health entitlements by using nearly every health cost-containment provision experts recommend, including new incentives to reward quality and coordination of care rather than simply quantity of services provided, new tools to crack down on fraud, and the elimination of excessive taxpayer subsidies to private insurance plans, and as a result will slow the projected annual growth rate of national health expenditures by 0.3 percentage points after 2016, the essence of "bending the cost curve"; and

(5) the Affordable Care Act will reduce the Federal deficit by more than \$1,000,000,000,000 over the next 20 years.

(b) **POLICY.**—It is the policy of the House that the law of the land should support making affordable health care coverage available to every American family, and therefore the Affordable Care Act should not be repealed.

SEC. 404. POLICY OF THE HOUSE ON MEDICAID.

(a) **FINDINGS.**—The House finds that—

(1) Medicaid is a central component of the Nation's health care safety net, providing health coverage to 28 million low-income children, 5 million seniors, and 10 million disabled individuals who would otherwise be unable to obtain health insurance;

(2) senior citizens and persons with disabilities account for two-thirds of Medicaid program spending and consequently would be at particular risk of losing access to important health care assistance under any policy to sever the link between Medicaid funding and the actual costs of providing services to the currently eligible Medicaid population;

(3) Medicaid pays for 43 percent of long-term care services in the United States, providing a critical health care safety net for senior citizens and disabled individuals facing significant costs for long-term care; and

(4) at least 70 percent of persons over age 65 will likely need long-term care services at some point in their lives.

(b) **POLICY.**—It is the policy of the House that the important health care safety net for senior citizens, persons with disabilities, and other vulnerable populations provided by Medicaid should be preserved and should not be dismantled by converting Medicaid into a block grant that is incapable of responding to increased need that may result from trends in health care costs or economic conditions.

SEC. 405. POLICY OF THE HOUSE ON HEALTH CARE FOR MILITARY SERVICEMEMBERS AND THEIR FAMILIES AND VETERANS.

(a) **FINDINGS.**—The House finds that active duty military servicemembers and their families value the high-quality health care they receive through Tricare and other programs run by the Defense Department, and veterans rely on the health service network run by the Department of Veterans Affairs to address their unique health needs.

(b) **POLICY.**—It is the policy of the House that the Congress should reject legislation that would damage the excellent care provided to the men and women who are serving and who have served the country in uniform; and that any future health care legislation that eliminates quality Federal health care programs for military servicemembers and

veterans and replaces them with vouchers or premium support for the purchase of private insurance should be rejected.

SEC. 406. POLICY OF THE HOUSE ON OVERSEAS CONTINGENCY OPERATIONS.

(a) **FINDINGS.**—The House finds that—

(1) it is the stated position of the Administration that all troops will be redeployed from Iraq by the end of 2011; and

(2) it is the stated position of the Administration that Afghan troops will take the full lead for security operations in Afghanistan by the end of 2014.

(b) **POLICY.**—It is the policy of this resolution that—

(1) consistent with the Administration's stated position, no funding shall be provided for operations in Iraq and Afghanistan through the Overseas Contingency Operations budget beyond 2014; and

(2) any future operations should be funded through the base budget.

SEC. 407. POLICY OF THE HOUSE ON NATIONAL SECURITY.

(a) **FINDINGS.**—The House finds that—

(1) the country's national security depends upon a well-coordinated strategy that involves the Department of Defense, the National Nuclear Security Administration, the Department of Homeland Security, and international affairs programs—including those at the Department of State and the Agency for International Development;

(2) a growing economy is the foundation of our security and enables the country to provide the resources for a strong military, sound homeland security agencies, and effective diplomacy and international development;

(3) because it puts our economy at risk, the Nation's debt is an immense security threat to our country, just as Chairman of the Joint Chiefs of Staff Admiral Mullen has stated, and we must have a deficit reduction plan that is serious and realistic;

(4) the bipartisan National Commission on Fiscal Responsibility and Reform and the bipartisan Rivlin-Domenici Debt Reduction Task Force concluded that a serious and balanced deficit reduction plan must put national security programs on the table;

(5) the House Budget Committee voted and passed on a bipartisan vote of 33-5 an amendment to the 2012 budget resolution recognizing that national security programs should be considered as part of a serious deficit reduction plan;

(6) the national security recommendations of the National Commission on Fiscal Responsibility and Reform contained a number of suggestions for savings that could be made without jeopardizing our troops, military families, veterans, or the country's security and global standing;

(7) more can be done to rein in wasteful spending at the Nation's security agencies, including the Department of Defense—an agency that has been unable to pass a clean audit—and the Department of Homeland Security, such as the elimination of programs the Government Accountability Office recently reported as duplicative, which could save billions of dollars;

(8) effective implementation of weapons acquisition reforms at the Department of Defense can help control excessive cost growth in the development of new weapons systems and help ensure that weapons systems are delivered on time and in adequate quantities to equip our servicemen and servicewomen;

(9) the Department of Defense should continue to review defense plans to ensure that weapons developed to counter Cold War-era threats are not redundant and are applicable to 21st century threats;

(10) the State Department, the U.S. Agency for International Development (USAID), and other U.S. international affairs agencies can save money and improve cost-effectiveness by ensuring that their workforces have the appropriate mix of direct-hire personnel and contractors, as identified by the Administration's 2010 Quadrennial Diplomacy and Development Review;

(11) the Department of Defense and the Department of Homeland Security should perform a comprehensive review of the role that contractors play in their operations, including the degree to which contractors are performing inherently governmental functions, to ensure they have the most effective mix of government and contracted personnel;

(12) ballistic missile defense technologies that are not proven to work through adequate testing and that are not operationally viable should not be deployed, and that no funding should be provided for the research or development of space-based interceptors;

(13) cooperative threat reduction and other nonproliferation programs (securing "loose nukes" and other materials used in weapons of mass destruction), which were highlighted as high priorities by the 9/11 Commission, need to be funded at a level that is commensurate with the evolving threat; and

(14) the Department of Defense should make every effort to investigate the national security benefits of energy independence, including those that may be associated with alternative energy sources and energy efficiency conversions.

(b) **POLICY.**—It is the policy of this resolution that after thorough review, the Committee on Appropriations shall determine savings within the Nation's security programs as identified in subsection (a)(1) below the levels in the President's 2012 budget equal to the amounts in section 102(20).

SEC. 408. POLICY OF THE HOUSE ON TAX REFORM AND DEFICIT REDUCTION.

(a) **FINDINGS.**—The House finds that—

(1) the House must pursue deficit reduction through reform of the tax code, which contains numerous tax breaks for special interests;

(2) these special tax breaks can greatly complicate the effort to administer the code and the taxpayer's ability to fully comply with its terms, while also undermining our basic sense of fairness;

(3) the corporate income tax does include a number of incentives that help spur economic growth and innovation, such as extending the research and development credit and clean energy incentives;

(4) but tax breaks for special interests can also distort economic incentives for businesses and consumers and encourage businesses to ship American jobs and capital overseas;

(5) the President's National Commission on Fiscal Responsibility and Reform observed that the corporate income tax is riddled with special interest tax breaks and subsidies, is badly in need of reform and proposed to streamline the code, capturing some of the savings in the process, to achieve deficit reduction in a more balanced way.

(b) **POLICY.**—

(1) **IN GENERAL.**—This resolution's revenue policies achieve the same net savings as the revenue policies in the President's budget. It does not endorse any of the President's specific proposals unless expressly stated in this resolution.

(2) **POLICY ON INDIVIDUAL INCOME TAXES.**—

(A) The President and this resolution extend the middle class tax cuts, provide long-term relief from the Alternative Minimum

Tax for tens of millions of middle class American families, and provide estate tax relief at the 2009 levels.

(B) The President and this resolution apply President Clinton's top two tax rates to persons with adjusted gross incomes above \$200,000 (\$250,000 for married couples). The National Commission on Fiscal Responsibility and Reform plan also assumes revenue from returning to those top two tax rates for top earners.

(C) The President and this resolution extend policies that support saving and capital formation.

(D) This resolution encourages the House Committee on Ways and Means to consider the various proposals made by the National Commission on Fiscal Responsibility and Reform to limit tax expenditures and raise revenue for deficit reduction; and expressly rejects the approach in the Republican resolution that provides millionaires with even larger tax cuts at the expense of middle-income taxpayers. This resolution protects middle-income taxpayers and encourages the House Committee on Ways and Means to consider tax expenditure reform proposals that would apply to households with over \$1 million in adjusted gross income, consistent with the National Commission on Fiscal Responsibility and Reform's proposals to limit tax expenditures.

(3) POLICY ON CORPORATE INCOME TAXES.—

(A) The President and this resolution assume elimination of subsidies for the major integrated oil and gas companies, and pernicious tax breaks that reward U.S. corporations that ship American jobs—rather than products—overseas.

(B) This resolution adopts those and other pro-growth corporate tax incentives in the President's budget, such as extending the research and development credit and clean energy incentives.

(C) This resolution therefore urges the House Committee on Ways and Means to consider the full range of different corporate tax reform proposals to determine which one can most effectively optimize economic growth and provide for necessary revenues.

SEC. 409. POLICY OF THE HOUSE ON AGRICULTURE SPENDING.

(a) FINDINGS.—The House finds that—

(1) the current looming Federal deficit threatens our Nation's economic security and continued growth;

(2) the Committee on Agriculture reduced spending in programs under its jurisdiction when writing the 2008 farm bill;

(3) as directed by the 2008 Farm Bill, the Department of Agriculture realized an additional \$6 billion in crop insurance savings by renegotiating the Standard Reinsurance Agreement;

(4) soaring crop prices and a booming farm sector make agriculture subsidies—particularly those originally designed to be temporary—difficult to defend in a time of fiscal constraint; and

(5) farm policy is vital to rural communities and protects food and energy security around the country.

(b) POLICY.—It is the policy of this resolution that the Committee on Agriculture should reduce spending in farm programs that provide direct payments to producers even in robust markets and in times of bumper yields. The Committee should also find ways to focus assistance away from wealthy agribusinesses and toward struggling family farmers in a manner that protects jobs and economic growth while preserving the farm and nutrition safety net.

The Acting CHAIR. Pursuant to House Resolution 223, the gentleman from Maryland (Mr. VAN HOLLEN) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, our top priority in this Congress should be to support a robust economic recovery and put America back to work. That is what the Democratic plan does. It reduces the deficit in a steady, predictable way without slashing important investments in our kids' education and strategic national investments, without ending the Medicare guarantee, and without putting seniors, disabled individuals and kids at risk who rely on Medicare, and it reduces the deficit in a balanced way by \$1.2 trillion more than the President's budget and achieves primary balance in the year 2018.

The Republican plan we've been discussing is a narrow vision of America—a place with no shared sacrifice, a place where those who have benefited the most from what our country has to offer give little in return.

The Democrats have a different vision for our country. We believe our strength springs not only from the undisputed benefits of a free people pursuing their ambitions and their dreams but also from sometimes harnessing those talents for important national purposes.

We believe America's greatness is rooted not only in a collection of individuals acting alone but from our capacity to work together for the common good. We believe that is a patriotic vision of America. We do not see the government as an enemy but as the imperfect instrument by which we can accomplish together as a people what no individual or single corporation can do alone.

Small business owners recognize that they must make certain investments to build a successful enterprise. Similarly, our Nation must make the strategic national investments necessary to keep our country strong in an increasingly global economic marketplace. Our plan does that.

We also believe we can do that while making cuts, and we make sensible, targeted cuts. But we do it in a smart way, not with a meat ax that threatens the fragile recovery.

We also agree with the fiscal commission that security spending should be part of this debate. Admiral Mullen, the Chairman of the Joint Chiefs of Staff, has stated, and I quote, that the most significant threat to our national security is our national debt. There is growing bipartisan consensus that those security agencies must themselves be part of our effort to reduce our debt and strengthen our country.

Our approach is a balanced one. We take cuts in the discretionary and

bring down that part of the budget to the lowest point as a percentage of the economy since the Eisenhower administration. We take cuts in other areas. We take cuts in mandatory programs, including agriculture subsidies.

But we make different choices than the Republican budget. We end the subsidies to Big Oil rather than keeping those as we cut education for our kids. We ask the folks at the very top to pay the same tax rate they paid during the Clinton administration rather than end the Medicare guarantee and slash funding for seniors in nursing homes and others who rely on that support.

We make very different choices in this budget, but we accomplish the goal in a fiscally responsible way.

With that, Mr. Chairman, I reserve the balance of my time.

Mr. RYAN of Wisconsin. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 15 minutes.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself 2 minutes.

First of all, I want to start off by commending Mr. VAN HOLLEN. It's not always that the minority offers an alternative budget. In fact, I know there are a lot of pressures not to do that. So I think Mr. VAN HOLLEN is to be commended, and his very capable staff, for actually proposing an alternative. That's important. It's important that we bring ideas to the table so we can have a real debate about ideas. I want to start with saying that.

Number two, we just have a different definition of "fiscal responsibility," I suppose. This budget, relative to the mark, to the base budget we're talking about, increases spending by \$4.5 trillion, raises taxes by \$2 trillion, and it adds \$2.4 trillion to the deficit compared to the base bill we're talking about here.

It does exceed the President's budget in debt reduction, in deficit reduction, and so the gentleman is to be commended for that, but I personally think the President's budget is a pretty low water mark. It exceeds it by raising taxes another \$210 billion and also cutting defense by \$614 billion above the cuts that are in the base, our budget, and in the President's budget.

Secretary Gates has warned us that such cuts would leave the military unable to meet its current missions. And using his words: "Setting indiscriminate targets to scrimp on defense is math, not strategy."

I think it's very important that we recognize our priorities. Number one, national defense is the primary responsibility of the Federal Government. When our war fighters tell us this doesn't allow them to have the tools to keep them safe, the equipment they need to prosecute their jobs, I think that's not responsible.

When our economy is struggling to get out of a very deep recession, over \$2

trillion in tax increases I just don't think is responsible.

□ 1210

On the alternative, I think what we are offering is responsible. Our budget does four basic things. It gets the economy growing. It keeps taxes where they are and prevents massive tax increases. It saves our Medicare and Medicaid programs. It fulfills the mission of health and retirement security for all Americans by guaranteeing that people who have retired and are about to retire keep what they have, what they have organized their lives around, and then reforms these programs so that they're solvent and sustainable for the next generation. Number three, it repairs our social safety net so that it works. And it, number four, pays off our debt. That's what we do.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, the fiscal commission said of the Republican plan it was an unbalanced approach. Our approach is a balanced approach. Secretary Gates' comments were directed to the fiscal commission's recommendations. Our proposals are in line with what the President outlined just the other day. I would point out that Governor Haley Barbour said, "If we Republicans don't propose some savings of money on defense, we will have no credibility on anything else." Of course the Pentagon has never passed a GAO budget, and I think everybody who does budgets recognizes there is some savings to be found there.

With that, I yield 3 minutes to the distinguished assistant leader, the gentleman from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. I thank my friend from Maryland for yielding me this time.

Mr. Chairman, we have heard from our Republican friends that they're transforming Medicare. They call it a move to premium support. They also say they're just fixing the flaws in Medicaid. They say they're being brave, and finally tackling entitlement reform. But earlier today, on one of the morning shows, I heard my friend from Texas, JEB HENSARLING, being finally candid about the Republicans' view of Medicare, Medicaid, and Social Security. He called them cruel Ponzi schemes. So there we have it.

This isn't about being brave, or transformative, or making a few changes to save the economy. Republicans are pushing the same agenda they have always had, ending the safety net programs that they view as fraudulent. And the Republican budget does exactly that. It ends Medicare, results in a huge cost shift, and forces seniors to pay \$6,000 per year out of pocket.

It block grants Medicaid, slashes nursing home aid, and would lead to 50 different benefit programs across the

country. That takes us back to my childhood, when benefits in our country were determined by what State you may have been fortunate or unfortunate to have been born in.

But the greatest fraud being committed is that these drastic and unfair changes don't even bring the Republican budget to balance. In fact, the Republican budget adds \$8 trillion to the deficit over the next decade. Then where is all that money going, one might ask. While Republicans are gutting Medicare and Medicaid with one hand, they're giving tax breaks to big oil companies and making tax cuts for the wealthy with the other hand. That's what I call a Ponzi scheme.

Now, if you're wealthy or a special interest group, this is surely a pathway to prosperity. But if you're in your golden years, it's the Road to Ruin. Democrats have a plan to reduce the deficit in a steady, responsible way as we build a foundation for shared prosperity and long-term economic growth. In fact, the Democratic budget achieves primary balance by fiscal year 2018, and cuts the deficit by \$1.2 trillion more than the President's budget. I proudly support the Democratic alternative budget.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 15 seconds to the gentleman from Michigan (Mr. MCCOTTER).

Mr. MCCOTTER. I thank the gentleman from Wisconsin for yielding.

We have heard from the minority party that their budget seeks to harness the American people. Why? They have already saddled the American people with record spending deficits and debt. Just say "neigh."

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from Arkansas (Mr. GRIFFIN).

Mr. GRIFFIN of Arkansas. Mr. Chairman, I would just like to say a few words about Medicare if I can. First and foremost, I want to make it very clear that if you are 55 and over, there are no changes to you whatsoever. We hear a lot about Medicare as we know it. Unfortunately, Medicare as we know it is going bankrupt. If you are for the status quo with regard to Medicare, you're on the side of the elimination of Medicare as we know it.

Another point I want to make is, we hear a lot about cuts. These are Washington cuts. This is Washington cut-speak. Where I'm from, if you get \$5 on a Monday and the next day you get \$10, that's an increase, not a cut. Most Americans would be appalled to know, Mr. Chairman, that the increases we are seeing are being called cuts. And I'm going to explain it to my folks when I get back to Arkansas. Medicare has not one penny of cuts in this budget. It continues to grow.

With regard to the language about vouchers, there is no voucher here. We're trying to give the folks that are 55 and under health care like Members

of Congress have. Have you ever, Mr. Chairman, heard anyone in Congress describe their own health care plan as a voucher? No. Of course you haven't. Because it's not. That word has been rolled out with the other tested words, "privatization," all this other nonsense, for the purposes of politics. You don't want the American people, Mr. Chairman, to have the same health care that you have.

I support this budget because it will keep our promise to seniors, it will save Social Security, Medicare, and Medicaid, and it will preserve this country for my kids.

Mr. VAN HOLLEN. Mr. Chairman, I urge Republican Members to read their own budget. It does not give seniors the same deal as Members of Congress. Members of Congress have a fair share formula. Seniors do not under their bill. Seniors get an immediate cut to the prescription drug benefit to the extent that we closed the doughnut hole, and they don't. Let's get our facts straight.

With that, I yield 3 minutes to the chairman of the Democratic Caucus, the gentleman from Connecticut (Mr. LARSON).

Mr. LARSON of Connecticut. I want to thank Chairman VAN HOLLEN and I want to thank Mr. RYAN for the conduct of this debate that's taking place. They are two exemplary examples of how debate and discussion should move forward and emanate here in the House of Representatives.

Harry Truman said, "Every segment of our population, and every individual, has a right to expect from his government a fair deal." I rise in strong support of the fair deal that's being proposed by the Democratic side in this debate. I rise because it helps us out with jobs and the economy, and recognizes that we must deal with the deficit, but deal with it in a manner that makes sense.

In my hometown we go to a place called Augie & Ray's. In Augie & Ray's, they want to know, whose side are you on in this? When you take Medicare and end the program as we know it, and shift the burden of the deficit at a time when we need shared sacrifice to the elderly, it is just flatly unfair. The social contract that the governed, that the people have with their government is about shared sacrifice, but it's also about the guarantee.

□ 1220

This is not about charts and statistics and flow charts; it's about people at the end of the day who are impacted by the decisions that we make; not by some economist's theory, but about a guarantee from their government, a guarantee that if they pay in, at the end of the day they are going to receive the benefits they have worked so hard for all of their lives.

That guarantee shouldn't be two-tiered. That guarantee shouldn't cut

off benefits immediately to some and postpone it for others. That's a guarantee we should be working to fix, not to end. That is the fundamental difference in what's going on here today.

My distinguished colleague, the leader, Mr. CLYBURN, said let's recognize what's going on here, the extreme differences that have existed in this party since Roosevelt became President. An end of Social Security, an end of Medicare, an end to Medicaid, that has been the goal of the other side.

I stand in strong support of the Democratic alternative.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to our distinguished chief deputy whip, the gentleman from Illinois (Mr. ROSKAM).

Mr. ROSKAM. I thank the gentleman for yielding.

My colleague from Connecticut talked about a guarantee. Well, there is one guarantee that is for sure, Mr. Chairman, and that is the guarantee that Medicare as we know it is a pipe dream into perpetuity. It's going broke. The guarantee that the Democratic House has brought us in the past is a guarantee that says 47 percent of our debt obligations are to foreigners.

We are guaranteed right now to borrow 40 cents on every dollar unless we do something about it. So what do we do about it? There are famous themes in literature that fast-forward into the future. You get a glimpse of the reality of the future, and then we always love it when the hero comes back and says, Oh, here's what's going on. There's a choice. Let's make a good choice and let's move forward.

Well, we don't need fiction today. What we need is the clear-eyed reality of what these numbers present to us, and they present to us a choice:

We can either choose to do nothing, and I would say that is choosing, or we can choose to do something. We can choose to do a historic plan that brings a brightness to the economy, that creates jobs and opportunity, that doesn't mortgage our children's future to China and ultimately puts the U.S. on a global competitive basis, the likes of which the world will have never seen.

This is a time of choosing. Let's move forward and choose the House Republican plan, which makes guarantees and makes promises that we can keep with.

Mr. VAN HOLLEN. Mr. Chairman, this is a time of choosing. Our budget chooses to make investments in our kids rather than choosing to provide even bigger tax breaks to the very wealthy, and we choose to get rid of subsidies for oil companies instead of cutting nursing homes funding through Medicare for seniors and disabled individuals.

With that, I yield 1 minute to the distinguished ranking member of the Foreign Affairs Committee, the gentleman from California (Mr. BERMAN).

Mr. BERMAN. Mr. Chairman, the Republican budget cuts the President's 2012 request for international affairs by \$20 billion. That's 39 percent of the amount in diplomacy and development outside of Iraq, Afghanistan and Pakistan. While diplomacy and development account for only about 1 percent of the overall budget, under the Republican plan this tiny portion of the budget would absorb a wildly disproportionate share of the cuts.

Here's what it means on the ground: Taking AIDS patients off lifesaving medication, withholding bed nets from children in malaria zones, and standing idly by during humanitarian emergencies.

I know the chairman of the committee, I know he doesn't want to see those things happen, but the effect of his plan would make them happen.

The Democratic alternative takes a wise and responsible approach to reducing the deficit. I urge my colleagues to support it.

Mr. RYAN of Wisconsin. I yield myself 2 minutes.

Mr. Chairman, let's talk about Medicare for a moment. It's not as if we don't have a problem. We know Medicare is going broke in 9 years. We want to make sure that the people who have retired and who are 10 years away from retiring can bank on the promises that have been made for them.

But to keep that promise, we have to reform it and save it for the next generation. So that's why we have a plan that says for people 54 and below, you too will have a plan of guaranteed Medicare coverage from guaranteed Medicare plans that you get to choose from. Choice and competition works.

A prescription drug benefit, a bunch of plans that compete against each other for the seniors' business, came in 41 percent below cost projections. Why? Because it's not a government-run program. It's not a bunch of bureaucrats.

What is the President proposing? What are the Democrats proposing? Here's what they have proposed for current seniors. The President just gave us a glimpse of it 2 days ago. He wants to take this board of 15 people he appoints on this rationing board, and they make the decisions. They price-control Medicare. They ration Medicare, \$480 billion, almost \$10,000 per senior on current seniors.

We are saying, don't do this to seniors, get rid of the rationing board and don't delegate Medicare decision-making to 15 people appointed by the President with no congressional oversight. Let the 40 million seniors in Medicare be in charge of their Medicare program. More importantly, we save Medicare, prevent its bankruptcy.

What does the other side do? They sit by and watch the program go bankrupt.

I reserve the balance of my time.

Mr. VAN HOLLEN. Mr. Chairman, I would remind my colleagues that the

reason Medicare was created in the first place was because the private insurance industry wouldn't cover seniors' affordable care. That's what they want to go back to.

I yield 1 minute to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL. Mr. Chairman, I rise in support of the Democratic resolution.

Last week on the floor of the House, the Republican leader, ERIC CANTOR, asked a very important question. He asked, How did we get here? So I took the challenge. I went back and have carefully chronicled a series of vote steps and quotes from Newt Gingrich, Dick Armey, John Kasich and others who argued against the Clinton plan for balancing the budget.

Remember when Clinton left office, the clock in Times Square had been turned off. Alan Greenspan said, you're paying down the debt too quickly.

We've had five balanced budgets since 1969; four of them came with Bill Clinton. The prescription that was offered on January 20 of the Bush inauguration was massive tax cuts and the invasion of Iraq and Afghanistan.

And our Republican friends ask, How did we get here?

I am very optimistic about engaging in this conversation now and as we get to the debt ceiling. When Clinton walked out on January 19, 2001, 22 million jobs had been created. Economic growth averaged 4 percent per quarter. It was the greatest period of economic prosperity in the history of America. And our friends on the other side of the aisle want to turn the clock back on that reality.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a member of the Budget Committee, the distinguished gentleman from Oklahoma (Mr. LANKFORD).

Mr. LANKFORD. I do appreciate the conversation about the balanced budgets in the past.

Yes, Bill Clinton was the President there. He did sign that budget. But as this House knows, above any other place, this House is very aware that budgets originate in the House of Representatives. So Republicans were leading the House of Representatives pulling that budget together.

We are proposing a similar thing again, that a Republican House can propose a budget, send it to a Democrat President, and we work together to start balancing the budget again.

So that formula that we just discussed, I believe, is a very good formula. We should initiate that again and say, once again, a Republican House, do a great budget, send it over to a Democrat President, and be able to work their way through it.

I would disagree with the cuts in defense. I think it is a very common statement that we can look and say there are issues with defense systems. There are issues with our acquisition process in defense.

□ 1230

Where I would disagree is we should then take our defense and where we find savings, then move it over to deficit reductions. I represent an area around Tinker Air Force Base in Midwest City. It is a great base that is strategic to us. Those planes that fly out of there are 50-plus years old. There are some airmen that are flying with the same tail number that their grandfather flew 50 years ago. This is a moment when we should not be robbing from defense and saying we are going to use that for deficit reduction that we need to be reinvesting.

Robert Gates, our Secretary of Defense, has said there's \$178 billion that he can find, and \$78 billion of that savings is applied to deficit reduction in the Republican plan, and \$100 billion of it is reinvested back into the Defense Department. There are good ways to do this that leave America safe and that make strategic sense. We think we should do those things.

Mr. VAN HOLLEN. May I inquire as to how much time remains?

The Acting CHAIR. The gentleman from Maryland has 1¾ minutes remaining, and the gentleman from Wisconsin has 6½ minutes remaining.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from South Carolina, a member of the Budget Committee, Mr. MULVANEY.

Mr. MULVANEY. Mr. Chairman, I would like to start by thanking my own chairman, Mr. RYAN, and also the ranking member, Mr. VAN HOLLEN, for the entire process. It has been my first year. I have enjoyed it. We've had some spirited debates. I know that we have disagreed more than we agree, but I have appreciated the opportunity to do this.

I'll close with this. This will be the last opportunity I'll have to speak on this year's budget. We've heard a lot about the benefits that accrued to this Nation during the Clinton administration. I for one am willing to give partial credit to the President at that time. It was a Democrat President. Yes, it was. It was a House of Representatives controlled by my party. And I think it was a formula that worked for the Nation.

We've heard a lot of things, though, about the importance of raising the tax rates back to the Clinton era in order to solve our problems. I would suggest to you it was not the tax rates during the Clinton era that drove our prosperity at the time.

Let me show you what President Clinton did to the size of the government workforce. President Clinton was elected right about here. There was a dramatic reduction in the size of the Federal workforce, a dramatic reduction in the size of Federal spending on

people who work for the Federal Government. In fact, unprecedented in the last 30 years, done again under a Democrat President and a Republican House.

What happened as a result? As spending as a percentage of our economy went down, the unemployment rate went down. As the government spent less, more people went back to work. As we sit here, we all agree that the discussion is really about jobs. There's nothing more telling than what happened during the Clinton administration as a formula for how to create jobs—the government needs to spend less.

My question to my esteemed colleagues on this side of the aisle is, where is this type of leadership out of the White House these days? Where is this generation's Bill Clinton saying let's spend less on government spending so that people go back to work? If we put President Obama's proposals, his current budget, up here, it would be almost the exact opposite of what your party proposed only 20 years ago. Where is that type of leadership out of the White House?

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to a distinguished member of the Budget Committee, Mr. GARRETT of New Jersey.

Mr. GARRETT. I thank the gentleman.

Mr. Chairman, I rise in opposition to the Democrat substitute amendment. Let me just quickly here sum up. The Democrats' prescription, if you will, for our Nation's fiscal troubles basically includes what? More spending, more debt and more taxes, more taxes on hardworking families and small businesses. And so while the Democrat budget has lower deficits than, well, the President's budget, you really need to take a closer look at how they achieve this and how they achieve the deficit reduction compared to the White House's budget.

Let's take a look at it. First, well, they raise taxes again. How much? By \$208 billion more than the President's budget on all Americans. Then what do they do next? They cut the defense budget. By how much? By \$614 billion again relative to the President's budget over the 10-year window. Now, at the same time, you already had Secretary Gates who has said that we need to cut the Defense budget by \$78 billion. They want to cut Defense by \$614 billion on top of that.

What about in addition to that? Well, in their budget, if you go into it and look, there's about \$400 billion in unspecified savings. Unspecified? Here at the 12th hour they still can't decide how they want to try to rein in spending? Of course not, because they really honestly don't want to do so.

I believe that budgets must be credible, and the Democrats' budget doesn't pass that test at all. The only specific savings in the budget come from how?

Raising taxes again on Americans and cutting the defense budget. The Democrat budget does not tackle even the drivers behind our deficits. What are they? It does not address the pending bankruptcy—yes, bankruptcy—of Medicare and Medicaid. The Democrat budget is nothing more than punting, which is exactly what the administration and the White House have been doing as well.

Now, look, the American people want Congress to do the right thing. The American people want us to get spending, want us to get deficits, and they want us to get our debt here in Washington under control, just as American families have to get their spending, deficit and debt under control, just as small businesses across this country have to get it under control. The Democrats' budget is frankly an embarrassment and shows that the other side is not serious about taking our fiscal challenges seriously.

Mr. VAN HOLLEN. I yield myself 45 seconds.

What we heard just doesn't fit the facts. In fact, our budget does make cuts to domestic programs, but we do not do it in a meat ax way. We make cuts to agriculture subsidies. We do tax reform as the commission recommended, getting rid of a lot of clutter in the Tax Code for special interests. That is what we do.

With respect to defense, our numbers track what the President was saying the other day, but we do get rid of a so-called overseas contingency fund which we think our Republican friends would like to join us on which gives the executive branch a blank check to undertake any military operations whatsoever for the next 10 years and doesn't have to ask Congress. That's what we do.

What we don't do? We don't end the Medicare guarantee. What we don't do is we don't keep giving subsidies to oil companies while we cut education for kids. That's what we don't do.

Mr. Chairman, I yield the balance of my time to the very distinguished Democratic leader, Ms. PELOSI.

The Acting CHAIR. The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Thank you, Mr. Chairman.

I thank the gentleman for yielding. I commend him and the members of the Budget Committee for their hard work to bring legislation to the floor to enable us to have this debate yesterday and today and I think for a long time to come.

We have said it over and over again: A Federal budget should be a statement of our national values. It should reflect what is important to us as we allocate the resources of investments for the future. Much has been said about this deficit, and I want to join the distinguished ranking member before I go any further in correcting the record.

I listened with great interest as Members on the other side are taking credit for the Clinton administration balanced, or budgets in surplus. And I remind them or tell them, because many of them may not know, that those budgets were a result of the 1993 budget vote that we took on this floor of the House without one Republican vote which was the source of that fiscal discipline and job creation, again, as other speakers have said, over 20 million jobs created.

So when I hear the Republicans say it was the Clinton Presidency and the Republican Congress, no, it was the Democratic Congress, because we know that deficit reduction is essential. We had to stop the budget deficits that President Clinton inherited, and now we have to stop the budget deficits that President Obama inherited.

Budget deficits, I've heard our colleagues say, are immoral. I quite agree. We have a responsibility and an obligation to our children and our grandchildren not to send them any bills, personal or official. And we do not intend to do so. But they were immoral during the Bush years, too, when they were giving tax cuts to the rich, two unpaid-for wars and a prescription drug benefit that gave away the store to the private sector and sent the bill to the taxpayer.

So here we are with a choice on the floor. Some of it was spoken; a vision of it was shared with the Nation by President Obama the other day. He talked about an America of greatness that cared about its people. He talked about the essential need for us to reduce the deficit. He talked about growth, investments, and job creation.

□ 1240

He talked about being fair to our seniors and keeping our promise to them. In the budgets that we have before us today, one presented by Mr. VAN HOLLEN, one presented by the Republicans, we see a sharp contrast, one that supports the vision that the President puts forth, and one that definitely does not.

Mr. Chairman, we are talking about the budget deficit; but we also in doing so, if we are going to do right by the American people, have to recognize that there are other deficits. We have a deficit in education. We have a deficit in innovation because innovation begins in the classroom. We have a deficit in investments in our infrastructure. All of these investments have a payoff back to us. They create growth. They bring revenue to the Treasury, and they help reduce the deficit.

It is a false economy to think that we can write a budget that cuts serious investments in education, infrastructure, innovation and the rest and think that we are going to end the deficit. You cannot cut your way out of it. You cut, you grow, and you increase rev-

enue. That's a subject I will hold for when we talk about the Republican budget more specifically.

What is important to note, if you had one thing to know about the difference between the Democrats and the Republicans in terms of these budgets, if you had just one thing, it would be on the subject of Medicare. The Republican budget breaks the promise that this country has made to seniors that after a lifetime of work, they will be able to depend on Medicare to protect them in retirement. But the plan here ends Medicare as we know it and dramatically reduces benefits for seniors. It forces seniors to buy their insurance from the health insurance companies where the average senior would be forced to pay twice as much for half the benefit—as much for some as \$20,000 a year.

I want to call the attention of my colleagues to this chart, "Senior Citizens Health Cost Skyrockets Under Republican Budget." Blue is the government share, red is the beneficiary share. Health care spending for a typical 65-year-old in 2022 dollars, the Republican budget would have \$8,000 from the Federal Government, \$12,500 from the individual, which is more than twice what the Medicare cost should be to a senior, \$6,150; twice as much for less in benefit.

Now, this chart is not our chart. This information was conveyed to the Republican chairman of the Budget Committee, Mr. RYAN, by the Director of the Congressional Budget Office, the nonpartisan Congressional Budget Office, in a letter to him describing what the cost would be to seniors under his plan. I just don't think that is fair to our seniors. This plan has the wrong priorities. It is focused on helping corporate special interests and Wall Street, not reducing the deficit or helping the country.

It raises taxes for the middle class while cutting them for the wealthiest in our country. It repeals Wall Street reforms for the big banks. It abolishes Medicare as we know it, cuts funding for education, health care, alternative energy and job training programs, and uses the money not for reducing the deficit but to help the most privileged, help the most privileged and negate what we did in our health care bill, which was to start to close the doughnut hole.

If you are a senior and you see that your prescription drug costs will come down under the health care bill and the doughnut hole will close, this budget reverses that.

There are so many reasons for seniors and people with disabilities and people who care about Medicare to be concerned. Medicare is a bedrock of stability for our seniors, for their health, for their economic security, and for those with disabilities who depend on it. We must make sure that it

is solvent, but we must not charge seniors more while giving bigger tax cuts to the wealthy.

Just remember these three points. First of all, it abolishes Medicare as we know it, increasing costs to seniors, while it gives tax breaks of tens of billions of dollars to Big Oil.

Changes in Medicaid will send seniors out of nursing homes while we give tax breaks to companies that send jobs overseas. This Ryan budget, the Republican budget, will hurt education, cut the education of our children, increase the cost of higher education for young adults, 10 million young adults, while we give tax cuts to the wealthiest. That's just not the American way.

The President said in his remarks that we are about shared responsibility and shared sacrifice. We are about a sense of community in our country. And so as we want to reduce the deficit, the fiscal deficit, and we must, and we have proven, Democrats have proven that we can, this proposal does not.

But what Mr. VAN HOLLEN is proposing in the positive sense is recognizing that we need to reduce the deficit, growth is a part of that and so we have investments in education and the innovation that springs from that, and other initiatives that grow our economy, that strengthen the middle class, that creates jobs as it reduces the deficit.

I urge our colleagues to vote "yes" on Mr. VAN HOLLEN's budget and "no" on the Ryan budget to strengthen the middle class.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield myself the balance of my time.

First, let me start off by saying that the only way the word "oil" is mentioned in this budget—it is not in the Tax Code—it is that we want to drill for more of it in this country so we can lower gas prices and get ourselves off foreign oil.

Let me address Medicare briefly. I have here the Federal Employee Benefit Handbook that everybody in Congress, every Federal employee has. Nowhere in this book does it say voucher. Look at all of these plans we get to choose from: Kaiser, Aetna, Humana, Blue Cross/Blue Shield, Coventry, pages and pages of choices and options. This is what we're talking about for people 54 and below.

Guess what, the biggest threat to Medicare is the status quo. Medicare goes bankrupt in 9 years. And so, is this exactly like the Federal employee health plan? No, it is not. It is the same kind of plan because what we say is in the future, people who are wealthy don't need as much of a subsidy. People who are sick need more, people who are low-income need more, and they get complete out-of-pocket coverage. More for the sick, more for the poor, less for the wealthy, and a solvent Medicare system.

But more importantly, the people choose. Medicare beneficiaries choose. What's the President's plan? What's the Democrats' plan? Appoint 15 people to do the choosing. It is a different philosophy. Should we have 15 unelected bureaucrats run Medicare, ration Medicare, or should we allow 40 million to 50 million seniors make the decision?

Let's talk about taxes. Look at all of these budgets we've been looking at today. By the way, our budget doesn't even cut taxes. I wish I could say it does. Revenues still rise, about \$12 trillion under this budget. We just don't want to go up and up and up.

The budget we have here is a \$2 trillion tax increase; the plan we had before, the Progressive plan, a \$16 trillion tax increase; the Congressional Black Caucus budget, a \$6 trillion tax increase.

This budget cuts defense \$619 billion; the Progressive budget, \$1.2 trillion; the CBC budget cuts defense \$469 billion.

The CBC budget increases spending on domestic spending \$4.1 trillion. The Progressive Caucus increases domestic spending \$11.4 trillion. The Democratic budget increases, relative to the mark, \$4.6 trillion.

So we've got it. We know where they are. More spending. More spending on everything, but cut and gut defense, and raise taxes a lot.

Ms. RICHARDSON. Mr. Chairman, I rise today in support of the Democratic alternative budget for FY 2012. With this budget, Congressman VAN HOLLEN has offered a responsible alternative to the dangerous Republican approach.

The Democratic alternative offers a dramatically different vision of America's future. It takes on our deficits, but not in a reckless way. It does so responsibly, so that we can continue investing in our economy and our people. It took us years to get into this fiscal challenge, and economists agree that it would be disastrous to try to get out of it overnight. But that is exactly what Republicans want to do. Democrats believe in a balanced approach that keeps our economy growing while getting us back to living within our means.

The Democratic alternative also allows us to keep the promise of Social Security, Medicare, and Medicaid to our seniors, the disabled, and the poor. What our country needs is to get on a more responsible fiscal path. But we cannot afford to remake the social contract in a way that harms the least advantaged in our society. Democrats want to strengthen these programs—do not destroy them.

Mr. Chairman, the Democratic budget is a responsible alternative to a Republican plan that would fundamentally alter the kind of society that we live in. Democrats reject the false choice between fiscal responsibility and our values. We are offering an opportunity to get serious about our deficits without turning our backs on those who can least afford it.

I urge my colleagues to join me in supporting the Democratic budget.

The Acting CHAIR. All time for debate has expired.

The question is on the amendment offered by the gentleman from Maryland (Mr. VAN HOLLEN).

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. VAN HOLLEN. Mr. Chairman, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 166, noes 259, not voting 7, as follows:

[Roll No. 276]

AYES—166

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Costello
Courtney
Critz
Crowley
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al

Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markley
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Owens
Fallone
Pascrell
Pastor (AZ)

Payne
Pelosi
Perlmutter
Peterson
Pingree (ME)
Pollis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Conaway
Cooper
Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
DeFazio
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt

Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, Sam
Jones
Jordan
Kelly
Kind
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Kucinich
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peters
Petri
Pitts
Platts
Poe (TX)
Pompeo

Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradner
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Visclosky
Walberg
Walden
Walsh (IL)
Waters
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Petri
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—7

King (IA) Reichert
Meeks
Oliver

□ 1312

Mr. COBLE changed his vote from "aye" to "no."

Mr. RICHMOND, Ms. BALDWIN, Messrs. POLIS, COSTELLO, and Ms. CLARKE of New York changed their vote from "no" to "aye."

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KING of Iowa. Mr. Chair, on rollcall No. 276, I was detained by two (2) elevators which were in use by non-Members during votes. Had I been present, I would have voted "nay."

NOES—259

Adams
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishchek
Berg
Biggert

Bilbray
Bilirakis
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Brown (GA)
Buchanan
Buchson
Buerkle
Burgess
Burton (IN)

Calvert
Camp
Campbell
Cansco
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole

The Acting CHAIR (Mr. BASS of New Hampshire). Pursuant to the rule, it is now in order to consider a final period of general debate, which shall not exceed 20 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Budget.

The gentleman from Wisconsin (Mr. RYAN) and the gentleman from Maryland (Mr. VAN HOLLEN) each will control 10 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. McCARTHY), the distinguished majority whip.

Mr. McCARTHY of California. Mr. Chairman, I want to begin by first thanking the chairman of the Budget Committee, Mr. RYAN, and the entire Budget staff. I would also like to thank the Democrat members on the Budget Committee as well.

What we are taking up today is the point of where this country goes. Because this debate has gone on for quite some time, there is probably not one person in America that has not watched the news and watched the clock of our debt of \$14 trillion.

I want you all to imagine for one moment, just imagine for one moment, what the future of this country would hold in the dreams if that clock was zero. What could we invest in? What could we build? And what would our children become? But because that clock does not say zero and that clock continues to climb in the wrong direction, that's why we are here today. But it is a good day because today is the day that we turn that clock back around.

We have a plan and a Path to Prosperity that will create jobs—even those on the outside that looked at it said there will be more than 1 million jobs, a plan that will make us energy independent, but also a plan that does something the rest of America has to do as well: tighten our belts.

So today, when we come and have to put our card in the voting slot, I want you to think of one thing: Today could be the day that we create the great America comeback, or it could be the day that America goes into the long fade into history. The floor is made up of a microcosm of America, and all of America knows that we have to control the situation we are in.

So today, a “yes” vote is for jobs, for energy independence, and a new Path to Prosperity.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, we are turning back the clock. We're turning back the clock on progress and we're turning back the clock—

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The gentleman will suspend.

The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, what the Republican budget does is turn back the clock on a fair deal for the American people.

Every person in this body today loves this great Nation of ours and believes it's a special place. We have to maintain the dynamism and exceptionalism of this country. We see different paths and make different choices to accomplish that goal.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

POINT OF ORDER

Mr. JACKSON of Illinois. Point of order, Mr. Chairman.

The Acting CHAIR. The gentleman from Illinois will state his point of order.

Mr. JACKSON of Illinois. Mr. Chairman, my question is about the clarification of the rules. The rules also, for our visiting guests, allow the Sergeant at Arms to clear the Chamber, if necessary. Is that correct, Mr. Chairman?

The Acting CHAIR. It is within the authority of the Chair to clear the gallery.

Mr. JACKSON of Illinois. I thank the Chairman.

I would just encourage those to continue the civil conversation that we are having about a very difficult conversation in our country.

The Acting CHAIR. The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, if I—

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order, and would affirm to all Members that the Chair has the authority to clear the gallery.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Mr. Chairman, may I inquire as to how much time remains.

The Acting CHAIR. The gentleman from Maryland has 9½ minutes remaining.

Mr. VAN HOLLEN. Mr. Chairman, we all agree we have to act now to put in place a plan to reduce our deficit.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

□ 1320

Mr. VAN HOLLEN. Mr. Chairman, I ask unanimous consent to begin my remarks from the beginning and reset the clock.

The Acting CHAIR. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleagues.

As I said, nobody doubts that every person in this Chamber loves this country and wants to do the right thing.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery, which is in contravention of the laws and rules of the House. The Sergeant-at-Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The Chair recognizes the gentleman from Maryland.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

I'm tempted to reserve my time and yield it back to the other—

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery which is in contravention of the laws and rules of the House. The Sergeant-at-Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The Chair makes this announcement for purposes of possible prosecution.

The gentleman from Maryland may proceed.

Mr. VAN HOLLEN. Thank you, Mr. Chairman.

As I said, I was tempted to reserve my time and allow my colleague to proceed. But as I understand the Chamber is now quiet, let me begin where I left off and say that all of us agree, everybody in this Chamber agrees, we need to put in place a plan to reduce our deficit in a predictable, steady manner. The question throughout this debate has been not whether, but how we do that. And as the bipartisan fiscal commission has indicated, any responsible effort requires a balanced approach.

And the Republican plan simply fails on that score. And that's what the co-chairs of the bipartisan fiscal commission said. They said it, “falls short of

the balanced, comprehensive approach needed for a responsible plan.” And when you peel off the layers, what you find is the Republican plan is not bold. It’s just the same old, tired formula we’ve seen before of providing big tax breaks to the very wealthy and powerful special interests at the expense of the rest of America—except this time it’s dressed up with a lot of sweet-sounding talk of reform. But at the end, it’s the same old ideological agenda—except this time on steroids.

To govern is to choose. Each of us is sent here to make difficult choices, and the choices that are made in the Republican plan we believe are wrong for America.

We do not believe it’s courageous to protect tax giveaways to big oil companies and other special interests when we’re slashing investments in our kids’ education, scientific research, and critical investments in the future.

We don’t think it’s bold to provide another tax break to millionaires while ending the Medicare guarantee for seniors and sticking seniors with the bill for ever-rising health care costs.

We do not believe it’s visionary to award corporations that ship American jobs rather than American products overseas while we’re terminating affordable health care for tens of millions of Americans right here at home.

And we don’t think it’s brave to give Governors a blank check of Federal taxpayer dollars and then a license to cut support for seniors in nursing homes, individuals with disabilities, and poor kids.

And we don’t think it’s fair to raise taxes on middle-income Americans to pay for additional tax breaks for the folks at the very top.

□ 1330

Yet those are the choices that are made in the Republican budget. Where is the shared sacrifice? We have American men and women putting their lives on the line in Iraq, in Afghanistan, while others hide their income in the Cayman Islands and Switzerland and refuse to pay their fair share to support our national efforts. And that is why the bipartisan commission, among other reasons, said that the Republican plan is just not balanced. It’s not.

Let’s say “no” to the Republican plan. Let’s say “yes” to finding a balanced way to reduce our deficits in a way that protects the values and priorities of the American people and in a way that gets our economy moving and America back to work.

With that, I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 2 minutes to the distinguished chairman of the House Republican Conference, the gentleman from Texas (Mr. HENSARLING).

Mr. HENSARLING. Mr. Chairman, earlier this week, USA Today reported

that we have the fewest participants in our workforce than at any time in 30 years. And my Democratic colleagues announced their plan to increase taxes \$1.5 trillion on our economy, much of it on our small businesses.

The Congressional Budget Office has announced that Medicare is going broke in 2020. And my Democratic colleagues announced their plan to double down on the rationing of health care for our seniors.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. The Chair notes a disturbance in the gallery in contravention of the law and rules of the House. The Sergeant at Arms will remove those persons responsible for the disturbance and restore order to the gallery.

The gentleman may proceed.

Mr. HENSARLING. Mr. Chairman, the Congressional Budget Office has announced that Social Security will go broke in 2037. And my Democratic colleagues have announced this is not a problem. We’re ready to implement the 22 percent benefit cut that’s already in our statute.

Survey after survey shows that our fellow citizens believe that their children will be worse off than they are, and yet my Democrat colleagues announced their plan to add \$9.1 trillion to the national debt.

Mr. Chairman, it’s time to quit spending money we don’t have. It’s time to quit borrowing 42 cents on the dollar, much of it from the Chinese, and then send the bill to our children and grandchildren.

The Republican budget will help us create jobs with fundamental tax reform in preventing these tax increases. It will save our social safety net programs. Programs that have been of a great comfort to my parents and grandparents before our eyes are morphing into cruel Ponzi schemes for my third-grade daughter and my first-grade son. And, Mr. Chairman, the Republican budget will put us on the path to pay off the national debt.

Mr. Chairman, I heard from one of my constituents recently. He said, I never felt so embarrassed and ashamed of anything I have done in my life as I do about leaving this mess in the laps of Tyler and Caitlyn, my precious grandkids. I have written them both a heartfelt apology for them to read when they get old enough to understand what I allowed our country’s governing authority to do to them.

Mr. Chairman, I have got a message for Mr. Calhoun. Put that letter away. House Republicans are going to stand for Tyler and Caitlyn. We’re going to put America back to work. We’re going to save the social safety net and preserve the American Dream for ourselves and our posterity.

Mr. VAN HOLLEN. Mr. Chairman, it’s hard to see how someone would define saving the social safety net by

ending the Medicare guarantee for seniors, by slashing Medicaid by over \$750 billion, a program that disproportionately helps seniors in nursing homes and disabled individuals. It’s really hard to understand how that is preserving the social safety net. It reminds me of that strange statement we once heard that you have to destroy the village in order to save it.

Now, let’s understand what happens under this budget to Medicare. This budget ends the Medicare guarantee for seniors. It doesn’t reform Medicare; it deforms and dismantles it because it forces seniors off the Medicare program, into the private insurance market.

And it does nothing, as it dumps the seniors into the private insurance market, to control the rate of increase in health care costs. Instead, it transfers to the senior all those risks and all those costs. Seniors will pay a lot more, while the insurance companies will get all their Medicare payroll taxes. They’ll get a bonanza out of this thing, but seniors will be left holding the bag.

If your voucher amount, call it whatever you want, is not sufficient to pay for the increased cost, you eat it. And we saw earlier the fact that by the year 2022 seniors will have to pay more than \$6,000 above what they would have had to pay under the regular Medicare program. If your doctor’s not on a private plan that you can afford, tough luck. This is rationing health care by income, nothing more.

And I want to say something just to clear the record one more time. We keep hearing that they’re offering seniors exactly what Members of Congress get. It simply is not true. What Members of Congress get is what’s called a fair share deal. I encourage my colleagues on all sides of the aisle just to look at the Federal Employees Benefit Plan. And you look in the Office of Personnel and it says: “This formula is known as the fair share formula because it will maintain a consistent level of government contributions as a percentage of program costs regardless of what plan the enrollees elect.” And it says that the government contribution equals the lesser of 72 percent of the amounts OPM determines are program-wide, or 75 percent.

The point is Members of Congress get a fair share formula. The Republican budget does not give a fair share formula to seniors on Medicare. It just doesn’t. In fact, the way it saves money is to give them an unfair deal. It unconnects the support we give to seniors from rising health care costs. That’s why seniors will end up paying so much more and more and more, because you make the savings—health care costs are going up like this, and the support, if you want to call it support, it’s really not coming from the Medicare program or the Federal Government, is going like this. That’s why

the seniors are having to eat those additional costs. That is what the Republican budget does. At the same time they do provide additional tax breaks for the folks at the very top.

If you want to get rid of some of the junk in the Tax Code, you can support the Democratic plan, because we got rid of subsidies for the oil companies. We got rid of those perverse tax incentives to reward corporations that are shipping American jobs instead of American products overseas.

So if you want to start with tax reform, vote for the Democratic plan. Those are the choices we made, not ending the Medicare guarantee.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to the distinguished majority leader, the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I want to thank the gentleman from Wisconsin (Mr. RYAN) for his outstanding leadership and all the hard work he has shown in leading this effort to put together a budget for this House. I also want to commend the hard work of his members in the committee for bringing this forward.

Mr. Chairman, the Federal Government is broke. We borrow nearly 40 cents of every dollar we spend. Our debt is more than \$14 trillion and is averaging yearly trillion-dollar deficits. We simply cannot afford to keep spending money we don't have, and we must bring down the debt.

Now, for years this House, including legislators on both sides of the aisle, has kicked the can down the road. Americans were led to believe that we could spend hundreds of billions of dollars that we don't have and that there would be no consequences. And when it came to fostering an environment where American business could compete in a global economy, we became complacent. This must stop.

□ 1340

It's time to be honest with the American people.

Mr. Chairman, we stand at a crossroads. Before us lie two divergent paths: one defined by crushing debt, slow growth and diminished opportunity; and one defined by achievement, innovation and American leadership.

By demonstrating courage and directly confronting our challenge at this critical moment, we can fulfill the promise of America and pass on to our children a Nation that offers everyone a fair shot at earning their success.

The House Republican budget is an honest, fact-based proposal that details our vision for managing down our debt and growing our way back to prosperity.

First, we will stop spending money that we don't have. This budget cuts non-security discretionary spending to below 2008 levels and freezes it for 5

years. Overall, we reach \$6.2 trillion in savings against the President's budget.

Second, we will lead where the President has failed by finally addressing our insolvent entitlement programs. We know that these programs are the biggest drivers of our debt, and the Congressional Budget Office acknowledges that if we don't take action, these important safety net programs will go broke.

We cannot afford to ignore this oncoming fiscal train wreck any longer. While it may be seen by some as politically risky, we Republicans are willing to lead, because, to be frank, complacency is not an option.

To be clear, our plan will not touch benefits for today's seniors and those nearing retirement. For those of us 54 and below, it calls for reforms that will restructure Medicare and Medicaid to ensure that these safety nets will still be there for those who need it, not for those who don't.

Unlike the lofty outline the President gave in his speech this week, our budget is not a political document. We do not dream up imaginary savings and dodge specifics in an effort to lull people into the belief that they can actually get things for nothing. Our budget is a concrete plan for getting our fiscal house in order, and we do not resort to tax increases on the very small businesses and job creators we need to put America back to work.

Bringing down the debt sends a message to American families. It sends a message to businessmen and -women, to entrepreneurs and to investors. It gives them the confidence that they won't face a future plagued by inflation, higher taxes and higher interest rates.

We understand that cutting spending alone is not enough. That's why our budget calls for pro-growth policies to get our economy growing and get people back to work.

Families and small business people are struggling, and today, Tax Day, millions of them will send their hard-earned money to Uncle Sam. The last thing we should be asking them to do is to send yet again more. Instead, our budget calls for a more competitive tax system that will encourage the economy to grow, create jobs and spur investment in the private sector.

We call for the end of crony capitalism that allows privileged industries to gain competitive advantage in our Tax Code, and we call for a more simple system that lowers rates for all but makes sure everyone pays their fair share.

Mr. Chairman, with this budget, House Republicans are changing the culture in Washington from one of spending to one of savings.

Finally, Mr. Chairman, America will see that it can get its fiscal house in order after years of mismanagement. We are finally doing what families and

small business people have been doing for years: tightening the belt and learning how to do more with less.

Again, Mr. Chairman, I thank Chairman RYAN and his committee for their outstanding leadership.

I urge my colleagues to support this resolution.

Mr. VAN HOLLEN. I reserve the balance of my time.

Mr. RYAN of Wisconsin. Mr. Chairman, I yield 1 minute to the Speaker of the House, the gentleman from Ohio (Mr. BOEHNER).

Mr. BOEHNER. Mr. Chairman, the American people understand that we can't continue to spend money that we don't have. Our national debt has now surpassed \$14.2 trillion, and it's on a track to eclipse the entire size of our economy.

This massive debt that we are incurring hurts private sector job creation, eroding confidence, spreading uncertainty amongst employers big and small, and discouraging private investment in our economy that is sorely needed in order for us to create jobs.

This debt is also a moral threat to our country. In my opinion, it is immoral to rob our children's and grandchildren's future and leave them beholden to countries around the world who buy our debt. We have a moral obligation to speak the truth and to do something about it.

Yesterday, we took the first step in beginning to address this massive debt by passing legislation that will reduce our deficit by \$315 billion over the next 10 years. It was an imperfect bill, but it was a positive step that has cleared the decks and allowed us to focus on cutting trillions of dollars, not just billions.

Chairman RYAN and the members of the Budget Committee have done an excellent job of putting together a budget that's worthy of the American people. This budget will help job creation today, lift the crushing burden of debt that threatens our children's future, and preserve and protect programs like Medicare and Medicaid. Most importantly, the budget shows families and small businesses that we're serious about dealing with America's spending illness so we can put our country on a path to prosperity.

The Ryan budget sets the bar for the debate going forward. President Obama had an opportunity to match it. Unfortunately, he gave a partisan speech about the need for more spending, more taxing, and more borrowing. He said he wants to target our debt problem through a so-called "debt fail-safe," but exempts the major entitlement programs that account for most of the long-term debt problems. And he proposed yet another commission, though he ignored the recommendations of this last one.

Instead of offering serious solutions, the President asked Congress to raise

the debt limit without addressing Washington's spending problem. The President wants a clean bill, and the American people will not tolerate it.

Now, let me be clear: There will be no debt limit increase unless it's accompanied by serious spending cuts and real budget reforms.

We delivered this message on Wednesday morning to the President. We cannot continue to borrow recklessly and dig ourselves a deeper hole and mortgage the future of our children and grandchildren. The American people are looking for leadership to address this debt crisis. Unfortunately, the President has failed to put a serious proposal on the table. If the President won't lead, we will.

□ 1350

No more kicking the can down the road. No more whistling past the graveyard. Now is the time to address the serious challenges that face the American people. And we will.

Mr. VAN HOLLEN. Mr. Chairman, I would point out that even if we adopt the Republican budget, we're going to have to lift the debt ceiling for years and years to come. So let's not play Russian roulette with the economy and the full faith and credit of the United States Government.

Now, on the question of jobs—the question of jobs—during the Clinton administration, we asked the very wealthiest for a little bit more sacrifice than they have today. And do you know what happened to jobs? Twenty million jobs were created during the Clinton administration. Under the current tax rates, after 8 years of George Bush, the private sector lost 630,000 jobs.

So you see the pattern here. During the Clinton administration, economic growth was booming, and 20 million jobs were created. During the 8 years of the Bush administration, there was a net loss of 653,000 jobs. We need to continue to invest in this country and make sure that the entrepreneurs of this country can continue to thrive. We need to do this in a balanced way.

I would point out that the folks who said that this Republican plan we are debating would increase jobs are the same people who predicted that the Bush tax cuts would create jobs. That's the blue line. That's the prediction of the Heritage Foundation about what would happen. The red is the reality. If we want to create jobs and reduce the deficit, we need to do it in a balanced way. That's what the fiscal commission said. That's what the Democratic plan does.

We urge everyone, respectfully, to vote "no" on the Republican plan. It's the wrong choice for America.

With that, I yield the balance of my time to the distinguished Democratic leader, Ms. PELOSI.

The Acting CHAIR. The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Thank you very much, Mr. Chairman.

I thank the gentleman for yielding. I thank him for bringing a budget proposal to the floor today that is a statement of our national values and about what we care about: investing in our children, honoring our seniors, creating jobs, growing the economy and strengthening the middle class. Thank you, Mr. VAN HOLLEN, for your great leadership in that regard.

Mr. Chairman, today we will be taking a vote that is very, very important for the health and security of American seniors. A great deal is at stake. I'm just going to focus on one part of this Republican budget. I want to say to my Republican colleagues, Do you realize that your leadership is asking you to cast a vote today to abolish Medicare as we know it? Because that is the vote that we have. This is not about an issue; this is about a value. This is about an ethic. Medicare is a core value of our social compact with the American people. Yet this budget shreds that contract which is part of the strength of our country. The Republican proposal breaks the promise that our country has made to our seniors that after a lifetime of work, they will be able to depend on Medicare to protect them in retirement.

This plan, the Republican plan, ends Medicare as we know it and dramatically reduces benefits for seniors. It forces them to pay more to buy their insurance from health insurance companies, where the average senior will be forced to pay twice as much for half the benefit. I want to repeat that: the Republican plan forces seniors to buy their insurance from health insurance companies where the average senior will be forced to pay twice as much for half the benefits, as much as \$20,000 per year more for some seniors.

This plan has the wrong priority for our seniors and for all Americans. Just remember these three things about the Republican budget: It ends Medicare as we know it as it gives big tax breaks and subsidies—tens of billions of dollars—to Big Oil. This budget reduces Medicaid for our seniors in nursing homes, sending them away from nursing homes, while it gives tax breaks to companies that send jobs overseas. This budget hurts our children's education. In fact, it increases the cost of higher education for nearly 10 million of our young adults, while it gives tax breaks to America's wealthiest families. That's just not fair. It is just not the American way.

Here we are. Yesterday, we observed the 100th day of the Republican majority in Congress. In those 100 days, not one job has been created. Not one job agenda is in the works. And what are we doing? We are here to abolish Medicare instead.

I have heard our colleagues say that the budget deficit is immoral. It's been

immoral for the 8 years of the Bush administration, and I didn't hear anybody say "boo" while we were giving tax cuts to the rich, having two wars unpaid for, and giving prescription drug bills to the private sector.

Democrats are committed to reducing the deficit. We have demonstrated that we can during the Clinton administration, and we will. We are committed to strengthening the middle class, to growing our economy as we reduce the deficit, and to creating jobs. The Republican budget fails to do that, and the Republican budget will not have Democratic support.

We are here, and as one of the previous speakers said, now is the time. Now is the time to preserve Medicare. And Democrats will. I urge a "no" vote on the Republican plan.

Mr. RYAN of Wisconsin. I yield myself the remainder of my time.

First of all, Mr. Chairman, I want to thank our staffs, the Democratic staff and the Republican staff, for all of their hard work in getting us to this moment.

I want to ask my colleagues a question. I want to ask the American people a question. I remember one of the worst moments I had in Congress was the financial crisis of 2008. It seems like it was yesterday. We had the Treasury Secretary and we had the Federal Reserve chairman coming here talking about crisis and talking about bank collapses. And what came out of that was really ugly legislation that we passed on a bipartisan basis but no one enjoyed. That crisis caught us by surprise. It was unpredictable. We didn't see it coming.

Let me ask you this. What if your President and your Member of Congress saw it coming? What if they knew why it was happening, when it was going to happen, and more importantly, they knew what to do to stop it and they had time to stop it, but they didn't? Because of politics? What would you think of that person?

Mr. Chairman, that is where we are right now.

This is the most predictable economic crisis we've ever had in the history of this country. Yet we have a President who is unwilling to lead. We have too many politicians worried about the next election and not worried about the next generation. Every politician in this town knows we have a debt crisis. They know that we are in danger.

We cannot avoid this choice. To govern is to choose. We are making a choice even if we don't act. And that's the wrong choice. In the words of Abraham Lincoln, we cannot escape history. We of this Congress and this administration will be remembered in spite of ourselves. Will we be remembered as the Congress that did nothing as the Nation sped toward a preventable debt crisis and irreversible decline? Or will

we instead be remembered as a Congress that did the hard work of preventing that crisis, the one that chose this Path to Prosperity? This Path to Prosperity charts a different course. It gets us off this wrong track.

It achieves four objectives:

Number one, grow the economy and get people back to work.

Number two, fulfill the mission of health and retirement security. We don't want to ration Medicare. We don't want to see Medicare go bankrupt. We want to save Medicare.

Number three, repair the social safety net. Get it ready for the 21st century. We don't want a welfare system that encourages people to stay on welfare. We want them to get back on their feet and into flourishing, self-sufficient lives. So let's reform welfare for people who need it, and let's end corporate welfare for people who don't need it.

□ 1400

Number four, let's do the work of lifting this crushing burden of debt from our children.

This is what we achieve. We have a choice of two futures, but we have to make the right choice. We must not leave this Nation in decline. We must not be the first generation of this country to leave the next generation worse off. Decline is antithetical to the American idea. America is a Nation conceived in liberty, dedicated to equality and defined by limitless opportunity. Equal opportunity, upward mobility, prosperity; this is what America is all about.

In all the chapters of human history, there has never been anything quite like America. This budget keeps America exceptional. It preserves its promise for the next generation. Colleagues, this is our defining moment. We must choose this Path to Prosperity.

I yield back the balance of my time.

The Acting CHAIR. All time for debate has expired.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SMITH of Nebraska) having assumed the chair, Mr. BASS of New Hampshire, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the concurrent resolution (H. Con. Res. 34) establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021, and, pursuant to House Resolution 223, reported the concurrent resolution back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment in the nature of a substitute.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the concurrent resolution.

Under clause 10 of rule XX, the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 235, nays 193, not voting 4, as follows:

[Roll No. 277]

YEAS—235

Adams	Gardner	McMorris
Aderholt	Garrett	Rodgers
Akin	Gerlach	Meehan
Alexander	Gibbs	Mica
Amash	Gibson	Miller (FL)
Austria	Gingrey (GA)	Miller (MI)
Bachmann	Gohmert	Miller, Gary
Bachus	Goodlatte	Mulvaney
Barletta	Gosar	Murphy (PA)
Bartlett	Gowdy	Myrick
Barton (TX)	Granger	Neugebauer
Bass (NH)	Graves (GA)	Noem
Benishek	Graves (MO)	Nugent
Berg	Griffin (AR)	Nunes
Biggert	Griffith (VA)	Nunnelee
Bilbray	Grimm	Olson
Bilirakis	Guinta	Palazzo
Bishop (UT)	Guthrie	Paulsen
Black	Hall	Pearce
Blackburn	Hanna	Pence
Bonner	Harper	Petri
Bono Mack	Harris	Pitts
Boustany	Hartzler	Platts
Brady (TX)	Hastings (WA)	Poe (TX)
Brooks	Hayworth	Pompeo
Broun (GA)	Heck	Posey
Buchanan	Heller	Price (GA)
Bucshon	Hensarling	Quayle
Buerkle	Herger	Reed
Burgess	Herrera Beutler	Renacci
Burton (IN)	Huelskamp	Ribble
Calvert	Huizenga (MI)	Rigell
Camp	Hultgren	Rivera
Campbell	Hunter	Roby
Canseco	Hurt	Roe (TN)
Cantor	Issa	Rogers (AL)
Capito	Jenkins	Rogers (KY)
Carter	Johnson (IL)	Rogers (MI)
Cassidy	Johnson (OH)	Rohrabacher
Chabot	Johnson, Sam	Rokita
Chaffetz	Jordan	Rooney
Coble	Kelly	Ros-Lehtinen
Coffman (CO)	King (IA)	Roskam
Cole	King (NY)	Ross (FL)
Conaway	Kingston	Royce
Cravaack	Kinzinger (IL)	Runyan
Crawford	Kline	Ryan (WI)
Crenshaw	Labrador	Scalise
Culberson	Lamborn	Schilling
Davis (KY)	Lance	Schmidt
Denham	Landry	Schock
Dent	Lankford	Schweikert
DesJarlais	Latham	Scott (SC)
Diaz-Balart	LaTourette	Scott, Austin
Dold	Latta	Sensenbrenner
Dreier	Lewis (CA)	Sessions
Duffy	LoBiondo	Shimkus
Duncan (SC)	Long	Shuster
Duncan (TN)	Lucas	Simpson
Ellmers	Luetkemeyer	Smith (NE)
Emerson	Lummis	Smith (NJ)
Farenthold	Lungren, Daniel	Smith (TX)
Fincher	E.	Southerland
Fitzpatrick	Mack	Stearns
Flake	Manzullo	Stivers
Fleischmann	Marchant	Stutzman
Fleming	Marino	Sullivan
Flores	McCarthy (CA)	Terry
Forbes	McCaul	Thompson (PA)
Fortenberry	McClintock	Thornberry
Fox	McCotter	Tiberi
Franks (AZ)	McHenry	Tipton
Frelinghuysen	McKeon	Turner
Galleghy		Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland

Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall

Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—193

Ackerman	Gonzalez	Pastor (AZ)
Altmire	Green, Al	Paul
Andrews	Green, Gene	Payne
Baca	Grijalva	Pelosi
Baldwin	Gutierrez	Perlmutter
Barrow	Hanabusa	Peters
Bass (CA)	Hastings (FL)	Peterson
Becerra	Heinrich	Pingree (ME)
Berkley	Higgins	Polis
Berman	Himes	Price (NC)
Bishop (GA)	Hinchey	Quigley
Bishop (NY)	Hinojosa	Rahall
Blumenauer	Hirono	Rangel
Boren	Holden	Rehberg
Boswell	Holt	Reyes
Brady (PA)	Honda	Richardson
Braley (IA)	Hoyer	Richmond
Brown (FL)	Inslee	Ross (AR)
Butterfield	Israel	Rothman (NJ)
Capps	Jackson (IL)	Roybal-Allard
Capuano	Jackson Lee	Ruppersberger
Cardoza	(TX)	Rush
Carnahan	Johnson (GA)	Ryan (OH)
Carney	Johnson, E. B.	Sanchez, Linda
Carson (IN)	Jones	T.
Castor (FL)	Kaptur	Sanchez, Loretta
Chandler	Keating	Sarbanes
Chu	Kildee	Schakowsky
Ciilline	Kind	Schiff
Clarke (MI)	Kissell	Schrader
Clarke (NY)	Kucinich	Schwartz
Clay	Langevin	Scott (VA)
Cleaver	Larsen (WA)	Scott, David
Clyburn	Larson (CT)	Serrano
Cohen	Lee (CA)	Sewell
Connolly (VA)	Levin	Sherman
Conyers	Lewis (GA)	Shuler
Cooper	Lipinski	Sires
Costa	Loebsock	Slaughter
Costello	Lofgren, Zoe	Smith (WA)
Courtney	Lowey	Speier
Critz	Lujan	Stark
Crowley	Lynch	Sutton
Cuellar	Maloney	Thompson (CA)
Cummings	Markey	Thompson (MS)
Davis (CA)	Matheson	Tierney
Davis (IL)	Matsui	Tonko
DeFazio	McCarthy (NY)	Towns
DeGette	McCollum	Tsongas
DeLauro	McDermott	Van Hollen
Deutch	McGovern	Velázquez
Dicks	McIntyre	Visclosky
Dingell	McKinley	Walz (MN)
Doggett	McNerney	Wasserman
Donnelly (IN)	Michaud	Schultz
Doyle	Miller (NC)	Waters
Edwards	Miller, George	Watt
Ellison	Moore	Waxman
Engel	Moran	Weiner
Eshoo	Murphy (CT)	Welch
Farr	Nadler	Wilson (FL)
Fattah	Napolitano	Woolsey
Filner	Neal	Wu
Frank (MA)	Owens	Yarmuth
Fudge	Pallone	
Garamendi	Pascrell	

NOT VOTING—4

□ 1423

Mr. LAMBORN changed his vote from “nay” to “yea.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

EXPRESSING APPRECIATION OF MEMBERS OF STAFF

(Mr. RYAN of Wisconsin asked and was given permission to address the House for 1 minute.)

Mr. RYAN of Wisconsin. Mr. Speaker, I simply want to thank all of our hardworking staff in our office and on the House Budget Committee, who put in long hours, dedicated years of expertise to making this budget possible, to making this budget passable—to making this moment happen.

I want to thank Budjon Burks, Eric Davis, Vanessa Day, Marsha Douglas, Tim Flynn, Nicole Foltz, Jose Guillen, Jim Herz, Matt Hoffmann, Charlotte Ivancic, Pat Knudsen, Jane Lee, Dick Magee, Ted McCann, Andy Morton, Courtney Reinhard, Paul Restuccia, Jon Romito, Austin Smythe—our staff director—Jenna Speakman, Stephen Spruiell, Conor Sweeney, Dennis Teti, Dana Wade. I call him “John Z,” but it's John Zakrajsek. That's an inside joke. Brad Butler, Jonathan Golster, Spencer Pepper, Alex Stoddard.

I also want to thank from our personal office:

Smythe Anderson, Laurie Krmpotich, Joyce Meyer, Sarah Peer, Mark Positano, Kevin Seifert, Martin Skold, Andy Speth—my chief of staff—Allison Steil; our interns: Brad Kirschbaum, Jane McEarney, David Pelsue, Greg Spevacek, and John Watts.

Mr. Speaker, I just want to thank all of the hardworking staff for making this possible.

PERMISSION TO FILE REPORTS TO ACCOMPANY H.R. 1213, H.R. 1214, H.R. 1215, AND H.R. 1216

Mr. UPTON. Mr. Speaker, I ask unanimous consent that the Committee on Energy and Commerce be permitted to file its reports to accompany H.R. 1213, H.R. 1214, H.R. 1215, and H.R. 1216 at any time through Wednesday, April 27, 2011.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

APPOINTMENT OF MEMBER TO BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION

The SPEAKER pro tempore. Pursuant to sections 5580 and 5581 of the re-

vised statutes (20 U.S.C. 42–43), and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Member of the House to the Board of Regents of the Smithsonian Institution:

Mr. BECERRA, California

APPOINTMENT OF MEMBERS TO UNITED STATES HOLOCAUST MEMORIAL COUNCIL

The SPEAKER pro tempore. Pursuant to 36 U.S.C. 2302, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the United States Holocaust Memorial Council:

Mr. GRIMM, New York
Ms. HAYWORTH, New York
Mr. MEEHAN, Pennsylvania
Mr. WAXMAN, California
Ms. GIFFORDS, Arizona

APPOINTMENT OF MEMBERS TO THE DWIGHT D. EISENHOWER MEMORIAL COMMISSION

The SPEAKER pro tempore. Pursuant to 16 U.S.C. 431 note, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Dwight D. Eisenhower Memorial Commission:

Mr. THORNBERRY, Texas
Mr. SIMPSON, Idaho
Mr. BOSWELL, Iowa

APPOINTMENT OF MEMBERS TO HOUSE COMMISSION ON CONGRESSIONAL MAILING STANDARDS

The SPEAKER pro tempore. Pursuant to 2 U.S.C. 501(b), and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the House Commission on Congressional Mailing Standards:

Mr. SCHOCK, Illinois, Chairman
Mr. PRICE, Georgia
Mr. LATTA, Ohio
Mrs. DAVIS, California
Mr. SHERMAN, California
Mr. RICHMOND, Louisiana

APPOINTMENT OF MEMBERS TO MIGRATORY BIRD CONSERVATION COMMISSION

The SPEAKER pro tempore. Pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a), and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Migratory Bird Conservation Commission:

Mr. WITTMAN, Virginia
Mr. DINGELL, Michigan

APPOINTMENT OF MEMBERS TO MEXICO-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276h, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Mexico-United States Interparliamentary Group:

Mr. DREIER, California, Chairman
Mr. MCCAUL, Texas

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES MERCHANT MARINE ACADEMY

The SPEAKER pro tempore. Pursuant to 46 U.S.C. 51312(b), and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Merchant Marine Academy:

Mr. KING, New York
Mrs. MCCARTHY, New York

APPOINTMENT OF MEMBER TO CANADA-UNITED STATES INTER-PARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Member of the House to the Canada-United States Interparliamentary Group:

Mr. MANZULLO, Illinois, Chairman

APPOINTMENT OF MEMBERS TO BOARD OF VISITORS TO UNITED STATES COAST GUARD ACADEMY

The SPEAKER pro tempore. Pursuant to 14 U.S.C. 194, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Members of the House to the Board of Visitors to the United States Coast Guard Academy:

Mr. COBLE, North Carolina
Mr. COURTNEY, Connecticut

CONGRATULATING THE BAYLOR UNIVERSITY WOMEN'S BASKETBALL TEAM

(Mr. FLORES asked and was given permission to address the House for 1 minute.)

Mr. FLORES. Mr. Speaker, I rise today to commend the Baylor University women's basketball team on an outstanding 2011 season. I don't believe that there are many Members of this body who have the honor to represent two great schools that made it to the NCAA Elite Eight in this year's NCAA Women's Tournament. This trip to the Elite Eight is part of their winning tradition that includes a national championship in 2005.

Coach Kim Mulkey and the Lady Bears deserve high praise on winning this year's Big 12 Championship and advancing to the Elite Eight for the second straight year. Sophomore post Brittany Griner was also named as a first-team All American.

Congratulations to the Baylor Lady Bears on a great season, and Sic'em Bears.

□ 1430

HONORING JUDGE WILLIAM HART RUFÉ III

(Mr. FITZPATRICK asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FITZPATRICK. Mr. Speaker, I rise today to honor Judge William Hart Rufe III for 36 years of outstanding service to the Heritage Conservancy based in my home of Bucks County.

Headquartered in the county seat of Doylestown, the Heritage Conservancy is an organization that specializes in open space preservation, planning for sustainable communities and natural resource protection. As a vocal advocate for the preservation of farmland, parkland and critical natural areas during my time as county commissioner, I have a personal appreciation for the mission of the conservancy.

Judge Rufe has been an important partner in working to stop suburban sprawl from transforming the beauty of the Bucks County landscape. His decades of leadership in this organization have been invaluable, and he will be missed as the Heritage Conservancy continues its important work.

AMERICAN FILM COMPANY

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, recent studies have shown that there is an epidemic of historical and political ignorance in our country and that an alarming 83 percent of Americans fail a basic test on knowledge of the American Revolution and the principles that have united all Americans. It is for this reason that I rise today to acknowledge the exciting work of the American Film Company, founded in 2008 by entrepreneur Joe Ricketts.

Mr. Ricketts founded the company on the belief that real life is often more compelling than fiction, and so he set out to produce films about the incredible true stories from America's past. Central to the company's filmmaking are prominent historians, assuring that each production remains true and historically accurate.

As a resident of the great State of Illinois, I was pleased that the first film produced by the American Film Com-

pany was "The Conspirator," which tells the true story of Mary Surratt, the lone woman accused of participating in the conspiracy to assassinate President Abraham Lincoln. Fittingly, the film premiered last Sunday at Ford's Theater.

I commend the American Film Company for finding an entertaining way to encourage and educate Americans about our country's important history, and I congratulate Mr. Ricketts as well.

BUDGET

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE of Texas. Mr. Speaker, over the last 48 hours, this House engaged in its constitutional right of creating a pathway for revenue for the United States of America. Sadly, we ended just a few minutes ago on a Republican budget that cannot claim that it will, in essence, reduce the deficit or create a surplus in any given year.

I am delighted to have supported the Democratic budget that reduces the deficit and reaches a primary balance by 2018. But more importantly, I think I am very delighted that the American people will see a heart in this budget: that we will not destroy Medicare; that we will not burden on seniors the extra \$12,000 that seniors will have to pay—that is right, \$12,000—in the Medicare program under the Republican plan; and that young people will not be prevented at the doors of colleges from going to school, and that Head Start will end and Medicaid for the disabled and seniors will end.

I do have faith in this country, and I believe we will get a budget that is both merciful and balanced the right way for the American people, not the wrong way. Today, unfortunately, we made a wrong step, but I believe together we will make it right.

BUDGET

The SPEAKER pro tempore (Mr. STIVERS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Illinois (Mr. JACKSON) is recognized for 60 minutes as the designee of the minority leader.

Mr. JACKSON of Illinois. Mr. Speaker, recently I have given several Special Order speeches about my view of the Constitution, making the argument for why I think it should be amended to include certain basic rights for the American people that they currently lack. These include: the right to a high-quality education, the right to health care, and equal rights for women.

Equal rights for women, alone, Mr. Speaker, would be responsible for pro-

viding an extraordinary amount of income for 51 percent of households headed by women if women in our society were simply paid at the same rate that their counterparts in the workforce are paid. Equal rights. Equal rights for women, alone, as a fundamental right, would strengthen our economy.

This afternoon, my Special Order time will be used to discuss the continuing resolution for fiscal year 2011, the Republican proposed fiscal year 2012 budget, which we just voted on, and the balanced budget amendment, or what I've taken to call the "imbalanced budget" amendment. All three of them have something in common.

In an ideal world, my colleague PAUL RYAN would support the idea of a balanced budget amendment to the Constitution, but such an amendment would have extraordinary implications for our country, extraordinary implications for our Federal Government, and it would be fundamentally in the wrong direction.

And while the Republican proposed budget of fiscal year 2012 does not have the strength of the Constitution of the United States, it is clear to me that Republicans and conservatives in the Republican Party—and some conservatives within the Democratic Party—are forcing the Nation's politics into a consideration of a balanced budget amendment for the Constitution. And I want to talk about that in the context of the 2011 debate, the context of the 2012 debate, and such an amendment.

Before I begin, I want to set the framework for my Special Order.

President Harry Truman, in 1946, said, "All of the policies of the Federal Government must be geared to the objective of sustained full production and full employment."

Today, our country has unemployment that is nearing 9 percent; unemployment nearing 9 percent. Nearly 13 to 14 million Americans are presently unemployed—many of whom are chronically unemployed—and yet, in 1946, President Harry Truman said that the objective of the Federal Government must be "sustained full production and full employment to raise consumer purchasing power and to encourage business investment." There has not been a single bill in this Congress since the 112th Congress has begun to address the issue of full employment.

Secondly, I want to remind the American people, Mr. Speaker, of what William Jennings Bryan said in 1896. He said: I am in favor of an income tax. When I find a man or a woman who is not willing to bear his share of the burdens of the government which protects him or her, I find a man or a woman who is unworthy to enjoy the blessings of a government like ours.

Not long ago, Mr. Speaker, the House passed H.R. 1, a continuing resolution that would have forced middle class and working class Americans to carry

the burden of spending cuts. My colleagues across the aisle simplified the impacts of this measure by describing it as "tightening our belts." They seem to be oblivious to the fact that these cuts went deep for those Americans who could least afford them.

H.R. 1—tightening our belts—slashed programs like community health centers specifically designed to provide access to basic health and dental services to underserved communities that may not be otherwise able to care for them.

H.R. 1 tightened our belts through cuts to the National Institutes of Health, setting back development of cancer treatments and cures for other diseases, the impact of which we will feel for years to come as medical professionals are forced to shut down promising research projects.

H.R. 1 tightened our belts by hacking away at training of health professions, reducing this funding by more than 23 percent. Cuts to title VII and title VIII programs that help to train primary health professionals for underserved areas would limit the access of low-income individuals to quality doctors, nurses and physician assistants in their areas.

H.R. 1 tightened our belts by severing title X family planning programs. In doing so, we stepped back in time, preventing lifesaving care from being offered to our Nation's women, specifically women who wouldn't otherwise have access to this kind of care.

The programs I've listed so far provide health services to our Nation, and especially to our most underprivileged populations.

□ 1440

H.R. 1 also tightened our belts with cuts to job-training programs, Head Start, and after-school programs, Pell Grants, Hope VI housing programs, and high-speed rail. These programs were systematically sent to the guillotine.

REMOVAL OF NAME OF MEMBER AS COSPONSOR
OF H.R. 1081

Mr. DUNCAN of South Carolina. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 1081.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. The gentleman from Illinois may proceed.

Mr. JACKSON of Illinois. The people that they serve are not millionaires to whom we generously extended tax cuts. They are not the corporations that eagerly navigate tax loopholes, navigate the walls and the Halls of this Congress every year, costing our Nation billions in revenue. They are everyday, hard-working, middle class, public school educated, checkbook balancing, minimum wage earning mothers and fathers and grandparents who elected each of us, hoping we'd find a way to

decrease unemployment and bring America back from the brink.

Mr. Speaker, thankfully our colleagues across the Capitol thought we went a few notches too tight in our belt with H.R. 1, as the Senate refused to take up these cuts. Much of our future long-term budget decisions and discussions to reduce our deficit and get America back on track remain in limbo.

Recently, this discussion had reached a fevered pitch. After multiple short-term extensions of the fiscal year 2011 appropriations legislation, the negotiations between Speaker BOEHNER, Leader REID, and the President had broken down many times throughout the week. We were faced with the threat of the first government shutdown since 1996. Agencies were planning which workers to furlough, national parks and museums were prepared to shut their doors for the weekend, and the brave men and women in active duty and service to our Nation were prepared to continue their work without pay.

Then at the 11th hour, there was a breakthrough. The 5½-month continuing resolution agreed to by the leadership of the House and the Senate and the President included a total of \$39 billion worth of cuts.

But these cuts that were agreed to late into Friday have real consequences. There are significant cuts to programs like WIC, Women, Infants and Children, the special supplemental nutrition program for Women, Infants and Children; Community Health Centers; Low-income Heating and Energy Assistance Programs, LIHEAP; international disaster assistance; and Head Start.

And after the President and congressional leadership agreed to giving \$800 billion in tax cuts to America's top wage earners last December, we turned around and cut programs that working families and seniors depend on. It just doesn't make sense to me, Mr. Speaker.

Again, while I was relieved that the Federal Government did not shut down, I am deeply disappointed in the process that has brought us this so-called "compromise," if you can even call it that. Like the negotiations that held up tax cuts for the middle class at the end of last year to hold out for tax cuts for the wealthy, our leadership has again demonstrated that they're willing to hold up programs that provide for the most vulnerable Americans. And this Congress is only just beginning.

As for next fiscal year's budget, there are a variety of solutions that have been presented—some with potential to succeed, others destined to fail.

Among the proposals lie Budget Committee Chairman PAUL RYAN's recent offering. Look at the facts. His proposal will reduce our Nation's deficit, but leaves us asking the question, At what cost?

First and foremost, Mr. RYAN intends to place the burden of ending our Nation's debt on the citizens least capable of caring for themselves, the most reliant on the help of others—our seniors. The Budget Committee's proposal will end the Medicare our senior citizens have come to know and rely on, replacing it with what can only be described as a coupon, a voucher, that, according to the nonpartisan Congressional Budget Office, would leave our eldest Americans shouldering 68 percent of their health care costs in the next 20 years.

Who else pays the cost of balancing our budget within the Ryan proposal? The burden falls next to working American families. The Ryan proposal will lower tax rates for individuals with the highest income as well as corporations, relying on raising taxes for the average Americans to pay for it.

If it sounds familiar, it's because it's the same standby trickle-down failure that we placed our faith in in the past decade. Despite what Majority Leader CANTOR says, during an economic downturn, decreasing the deficit does not create jobs. Also, cutting taxes does not create jobs. Both Presidents Bush and Obama have cut taxes so much that if Majority Leader ERIC CANTOR's theory were correct, we would have zero unemployment, which we do not have. This is what the Ryan plan aims to do.

For 10 years our economy has stagnated. The gap between the median wage and average wage is growing because the highest earners are the only ones receiving wage increases. Unfortunately, balancing our Nation's budget on the backs of the middle class does not end there.

Where else would the burden of balancing the budget fall under the Ryan plan? Education. Cuts to K-12 education are just the starting point in disadvantaging the future of America. The proposal also makes significant cuts to Pell Grants. These cuts will prevent the educated generation of young Americans our country needs to compete in a global economy. The proposed cuts to Pell Grants would return the maximum award allowable to pre-stimulus levels, impacting millions of young Americans depending on financial assistance to attend college. This will stretch the time it will take for them to earn their degrees and enter the workforce.

Finally, RYAN's budget continues to provide tax loopholes to big oil companies and cuts all Federal support for clean energy, shortsighting our economic investments in the future of energy.

Mr. Speaker, I am not promoting constant Federal debt. I am not advocating against hoping or trying for a balanced budget. But when you look through history and the history of our Nation, we see that when Americans were in most need during war or recession, during the Great Depression, we

focused on solving these problems, not just on reducing our debt.

Mr. Speaker, we are currently engaged in two wars and fighting our way out of the worst recession of the modern era. The Ryan budget is a new attempt at an age-old ploy to mandate a balanced budget for the Federal Government. Ending our Nation's deficit and returning our country to prosperity should, of course, be the goal. But we must also ask the question, At what cost? Where do our priorities lie?

The Ryan proposal, like the myriad of constitutional amendments before it, attempts to balance our budget on the backs of those Americans who can least bear the burden.

Here's the history of the balanced budget amendment. The current budget situation is most poignant when looking at the origins of the balanced budget amendment and its history. Mr. Speaker, after listening to my colleagues across the aisle present the Republican Study Committee's budget this morning, I'm apt to wonder what it is that they're actually studying over there. Hopefully, we will be able to set the record straight.

As a reaction to FDR's New Deal, Republican Congressman Harold Knutson of Minnesota introduced the first version of the amendment in 1936. Like many constitutional amendments, this resolution did not receive a hearing or a vote.

During President Dwight D. Eisenhower's first term, the Judiciary Committee of a barely Democratic Senate held its first hearing on this amendment. It again did not receive a vote.

After these partial defeats, the balanced budget amendment supporters shifted their focus to the States. From 1975 to 1980, 30 State legislatures passed resolutions calling for a constitutional convention to propose this amendment directly to the States; that is, they sought to bypass Congress and the congressional amendment process.

The election of President Reagan and a Republican Senate in 1980 renewed hopes for a balanced budget amendment and passage by Congress. While the Senate did adopt the amendment in 1982, it failed to garner the necessary three-fifths majority in the House. This failure energized conservative groups such as the National Taxpayers Union and the National Tax Limitation Committee to refocus on State action.

In 1982 and 1983, the Alaska and Missouri legislatures passed a resolution supporting the BBA, bringing the total number of these resolutions to 32, two short of the 34 needed for a convention.

However, a growing concern about the scope of a constitutional convention led some States to withdraw their resolutions, reshifting focus to congressional action.

□ 1450

From 1990 to 1994, Congress would make three additional attempts to cod-

ify this amendment. All failed to garner the necessary three-fifths majority. However, the BBA made a comeback when it was included in Newt Gingrich's Contract with America. Twenty-six days after taking office, the newly empowered Republican majority adopted the balanced budget amendment, giving conservatives their first congressional win in a decade. Disappointment awaited in the Senate, however, where two separate votes fell just short of adoption. This failure, along with the balanced budget and the budget surplus at the end of the decade, sapped any remaining congressional support for a balanced budget amendment.

There was renewed energy from Republican support for the amendment in 2000 as it was included in their party's platform. The Bush tax cuts, wars in Afghanistan and Iraq, and the massive deficit spending created by them eventually led Republicans to sweep the idea of a balanced budget amendment back under the rug. By 2004, the Republican Party left any mention of a balanced budget out of their political platform.

Again in recent years, with the advent of the tea party and the return of extreme fiscal conservatism in the Republican Party, there are currently 12 balanced budget amendments in the House of Representatives, and in the Senate there are three. I had my staff double-check that for me. Twelve balanced budget amendments in the House. They are all basically the same. Some have even been offered by Members of my own party. I understand these Members' frustrations. Mr. Speaker, I have been trying to pass my nine amendments to the Constitution for 10 years now, and my amendments are based on FDR's second bill of rights, which he proposed back in 1944. Today, 67 years later, here we are.

Mr. Speaker, I fundamentally believe that conservatives in Congress are pushing for this amendment, not to force a vote in Congress, but to rally States to act. Mr. Speaker, we have a troubling national debt and deficit, but the balanced budget amendment is not the solution.

The argument proponents of a balanced budget amendment make is as follows: Like families, businesses, and States, the Federal Government should balance its budget. But since it does not, we need a constitutional amendment to guarantee that it will do so.

Nearly every State in this Union has some form of a balanced budget requirement, but those States are not out of debt. Their amendments have restricted the ability of those States to care for their citizens in time of austerity or emergency, but their budgets are not balanced.

According to a Forbes analysis of the global debt crisis in January of 2010, every single State in the country is carrying some form of debt. These

debts range from as little as \$17 per capita in Nebraska to \$4,490 in Connecticut. How can this be, Mr. Speaker? It's because the infrastructure of these States allows them to hide debt in capital funds. The Federal Government cannot, and I would argue the Federal Government should not follow this path. Congress should never seek to hide the fiscal realities from the public that bears the burden of the costs nor should we sell the public magic beans that a balanced budget amendment will somehow make the national debt and other problems go away.

Debt will exist just as new problems will arise. Just as there are new threats to America, unforeseen threats, just as there are future economic calamities that we cannot see, the Federal Government must play some role in addressing a national crisis. A balanced budget amendment would simply prohibit the Federal Government from exercising precisely the authority that it needs to exercise on behalf of the American people.

In fiscal year 2012, approximately 44 States will face revenue shortfalls. Many are desperately looking for ways to declare their State bankrupt. Bankrupt. I say it again, Mr. Speaker, because this proposed amendment would place the Federal Government in a similar predicament. The effect on many States is calamitous. For instance, in Rhode Island, judges and court workers have cut pay and left 53 positions unfilled. This is still not enough to balance their budgets. As a desperate last resort, the chief justice has begun to dispose of cases on backlog, literally tossing them out. Florida is in the same predicament.

Mr. Speaker, a balanced budget amendment would force the Federal Government to deny Americans the right to seek redress and justice in Federal courts for the sake of balancing their budgets. In my home State of Illinois, mental health services have been cut by \$91 million. Human service directors are fearful that these cuts will cause a real public health and public safety crisis. Iowa, Idaho, Alabama, and Ohio are considering drastic cuts to education.

My colleagues across the aisle are so concerned about handing our children and grandchildren any amount of national debt that they fail to realize we are setting future generations up for failure. States are already cutting too many services that the American people and the American workforce need in order to remain strong and competitive. Should the Federal Government do the same, our legacy will be an America that is uneducated, ill-equipped to compete on a global level.

Mr. Speaker, as exemplified by its effects on the States, this amendment may sound good on its face, but it falls flat when examined more critically.

Like an optical illusion, the image of which carries and changes as you draw closer, the balanced budget amendment masquerades as the savior of our budget; yet in reality it threatens to permanently destroy it.

According to the Center on Budget and Policy Priorities, Citizens for Tax Justice, and others, a Federal balanced budget amendment would do five very damaging things. It would damage our economy by making recessions deeper and more frequent. It would heighten the risk of default and jeopardize the full faith and credit of the U.S. Government. It would lead to reductions in needed investments for the future. It would favor wealthy Americans over middle- and low-income Americans by making it far more difficult to raise revenues on people who can afford to pay, and easier to cut programs for people who need them most. And lastly, Mr. Speaker, it would weaken the principle of majority rule. Therefore, passing a balanced budget amendment is not prudent. It's not the right path for our Nation to follow.

So let's return for a few moments to the five faults outlined by the Center on Budget and Policy Priorities and Citizens for Tax Justice. These arguments will bring to light the dangers with which a balanced budget amendment would threaten our Nation.

The first fault. A balanced budget amendment would damage the economy and make recessions deeper and more frequent. Under a balanced budget amendment, Congress would be forced to adopt a rigid fiscal policy, not just under the amendment, but also under the Ryan budget, requiring the budget to be balanced or in surplus every year, regardless of the current economic situation or threat to our Nation's security.

A sluggish economy, with less revenue and more outgoing expenditures, creates a deficit, as we've seen from recent events. A deficit necessitates economic stimulation to reverse negative growth. That is why in the last session of Congress the American Recovery and Reinvestment Act invested in roads, bridges, mass transit, and other infrastructure, provided 95 percent of working Americans with an immediate tax cut, and extended unemployment insurance and COBRA for Americans hurt by the economic downturn through no fault of their own.

If Congress were forced to function under a balanced budget amendment, deficit reduction would be mandated, even more so during periods of slow or stalled economic growth, which is the opposite of what is needed in such a situation. This consistently proposed constitutional amendment risks making recessions more common and more catastrophic for middle class families, seniors, veterans, and the poor. Under such an amendment, Congress is stripped of any power to adequately respond.

The second fault. A balanced budget amendment would risk default and jeopardize the full faith and credit of the U.S. Government while simultaneously challenging the separation of powers. A balanced budget amendment would bar the government from borrowing funds unless a three-fifths vote in both Houses of Congress permitted a raise in the debt limit. Under such a scenario, a budget crisis in which a default becomes a threat is more likely because of the limits placed on the fluidity of the debt ceiling. We are about to enter into a national conversation about what to do about the debt ceiling. That default under such a scenario becomes more likely to occur.

After a default of only a few days, the long-term impacts would quickly appear. Confidence in the ability of the U.S. to meet binding financial obligations would erode almost immediately. The government pays relatively low interest rates on its loans because it pays its debts back in full and on time. A default would mimic an earthquake, shaking confidence in the United States on a global scale, resulting in exploding interest rates and aftershocks felt in our national economy.

□ 1500

The international economy would also succumb to the rumblings of this potential disaster, and our deep connection to it would cause even further chaos here at home.

Other balanced budget proponents argue that since States have to balance their budgets, so should the Federal Government. Indeed, many States are required to balance their operating budgets but not their total budgets. No such distinction is made by a balanced budget amendment.

Rainy day, or reserve funds, which States can draw on to balance their budgets, are prohibited by a BBA. Many States operating under a BBA require the Governors to submit a balanced budget, but do not require the actual achievement of it. Some States allow Governors to act unilaterally to cut spending in the middle of the fiscal year. This condition of the BBA would violate the Federal Constitution's separation of powers.

The Founding Fathers were deliberate in their construction of our government, and the separation of powers serves as a cornerstone in our democracy. Each branch has certain powers and limitations. Congress, the courts, and the President worked together but in distinct ways to move America forward. The threat of judicial involvement in matters of the budget is a real problem under the balanced budget amendment. The BBA would weaken the balance of power. It diminishes the authority of Congress, as the elected representatives of the people, to have the final say on taxes and spending.

Mr. Speaker, what purpose does this body serve if this amendment passes?

Should we broaden the scope of judicial review granted to our Federal courts? By subverting the balance of power between the branches, this body steps onto a slippery slope of reassigning authority and moving away from the values inherent in our Constitution.

The third fault. A balanced budget amendment would lead to reductions in needed investments for the future.

Since the 1930s, our Nation has consistently made public investments that improve long-term productivity growth in education, in infrastructure, in research and development. All of the Federal highways in this country are paid for by this Congress. They have helped build a more perfect union between the States, within States.

When we take off from O'Hare airport in Chicago or from Reagan airport, all of the airports are Federal facilities run by the Federal Aviation Administration. When you visit your Nation's Capital and you take off from an airport, because airports function under the rigid guidelines of the FAA, there is a reasonable assurance, when your plane takes off from one airport and lands at another airport, that the length of the runway that you take off from and land on are reasonably the same. States don't determine the lengths of runways.

If we are going to build a national government, if we are going to build one country, if we are going to form a more perfect union, only the Federal Government has the power to do that. It simply cannot be done one State at a time. In a global economy and in a global economic environment, we must move as one Nation to challenge Europe, to challenge the Japanese, to challenge the Chinese, to challenge cheap labor and cheap labor markets abroad.

We must have one national standard, not 50 individual State sovereign standards to move our Nation—our education system, our infrastructure and our research and development—forward. These efforts encourage increased private sector investment, leading to a surplus and a thriving economy.

A balanced budget amendment, which requires a balanced budget each and every year, would limit the government's ability to make public investments, thereby hindering our future growth and thereby hindering our ability as a Nation to be competitive nationally and internationally—a very important point, Mr. Speaker, for which I want to deviate from my prepared remarks.

You see, it is just simply impossible to go one State at a time or to assume that the private sector, acting on its own, has the capacity to address the question of sustained full production and full employment on their own. President Truman made it perfectly clear: All of the policies of the Federal

Government must be geared to the objective of sustained, full production and full employment, to raise consumer purchasing power and to encourage business investment. In the 112th Congress, unemployment is at 9 percent, and not a single piece of legislation considered by the 112th Congress has done anything to address 13 million unemployed Americans.

A few short weeks ago, I came to the House floor after having purchased an iPad, and I said that I happen to believe, Mr. Speaker, that at some point in time this new device, which is now probably responsible for eliminating thousands of American jobs—now Borders is closing stores, because why do you need to go to Borders anymore? Why do you need to go to Barnes & Noble? Buy an iPad and download your book, download your newspaper, download your magazine.

At Chicago State University in my congressional district, in the freshman class, they are not being given textbooks any longer. They are all being given iPads as they enter school. President Wayne Watson hopes to have a textbook-less campus within 4 years where at this State university they no longer have textbooks.

Well, what becomes of publishing companies and publishing company jobs? What becomes of bookstores and librarians and all of the jobs associated with paper?

Well, in the not-too-distant future, such jobs simply will not exist. Steve Jobs is doing pretty well. He created the iPad. Certainly it has made life more efficient for Americans, but the iPad is produced in China. It's not produced here in the United States. So the Chinese get to take advantage of our First Amendment value, that is, to provide freedom of speech through the iPad to the American people, but there is no protection for jobs here in America to ensure that the American people are being put to work.

I would suggest to you, Mr. Speaker, that the Congress and the direction of this Congress, in its obsession with debts and deficits, is heading in the opposite direction of sustained full production. Again, iPads are made in China, and full employment. There are 13 million unemployed Americans counting on this Congress to do something.

They certainly can't count on the State of Illinois; it's broke. They can't count on the State of Idaho; it's broke. They can't count on the State of Alabama; the State of Alabama is broke. They can't count on Mississippi; Mississippi is broke. Louisiana is broke. The States are broke.

So the Federal Government is under an obligation to sustain full production and full employment to raise consumer purchasing power and to encourage business investment in the United States, not in China.

The third fault of the BBA would lead to reductions in needed investments for the future. Since the 1930s, our Nation has consistently made public investments that have improved long-term productivity growth in education, in infrastructure, and in research and development.

These efforts encourage increased private sector investment, leading to a budget surplus and a thriving economy. A balanced budget amendment, which requires a balanced budget each and every year, would limit the government's ability to make public investments, thereby hindering future growth.

For years, conservatives have abused the debt and the deficit as a springboard from which to argue for smaller government and cuts to programs that serve as social safety nets for American families. Although we must consider the debt and the deficit, the larger and more significant issue is the nature of the debt that we create.

If you invest \$50,000 in a business, in a house or in your education, you can expect future returns on your investment. If you "invest" the same \$50,000 in a gun collection or ammunition, what are the future investment returns? Both investments result in \$50,000 of debt, but only one results in returns that can transform that debt into long-term gain. Social investments provide the potential for greater returns in the long run in the same fashion as personal investments. Even small expenditures on social programs lay a foundation for great wealth in the long term.

If the Nation chooses to invest \$1.5 trillion over a 5-year period in the building of bridges and roads and airports and railroads and mass transit and schools and housing and health care, we could create some debt.

□ 1510

But the increased ability of companies to interact and to ship their goods over well-paved and planned roads, the new businesses that would sprout around the freshly built or newly expanded airport, the higher wages of a student who is well-educated and able to attend college, resulting in more tax revenue, and the improved productivity of employees at their healthiest would eventually result in greater returns for our country.

The extension of the Bush-era tax cuts for corporations and the rich brought about some short-term stimulus of consumer spending. But similar to Reagan's tax cuts, which resulted in record government deficits, the long-term damage outweighs the immediate effects. Reagan's tax cuts for the rich came at the expense of investing in our Nation's need for long-term balanced economic growth. The Reagan administration neglected and cut back on our Nation's investment in infrastructure,

education, health care, housing, job training, transportation, energy conservation, and much more.

The inclination of most conservatives in both parties is to cut the debt by cutting programs for the most vulnerable among us—our poor, our children, our elderly, and our minorities. This approach, however, has been proven false too many times. A balanced budget amendment would take us back to this archaic and ineffective system permanently.

The fourth fault. A balanced budget amendment favors wealthy Americans over middle- and low-income Americans by making it harder to raise revenues and easier to cut programs.

Again, a BBA ultimately favors wealthier Americans over middle- and lower-income Americans. Under current law, legislation can pass by a majority of those present and voting by a recorded vote. The BBA requires, however, that legislation that raises taxes be approved on a rollcall vote by a majority of the full membership of both Houses. Thus, the BBA would make it harder to cut the deficit by curbing special interest tax breaks of the oil and gas industries, and it would make it easier to reduce programs such as Medicare, Medicaid, Social Security, veterans' benefits, education, environmental programs, and assistance for poor children. Wealthy individuals and corporations receive most of their government benefits in the form of tax entitlements while low-income and middle-income Americans receive most of their government benefits through programs.

As evidenced by the cuts that both parties agreed upon recently, it is far easier to cut social welfare programs than to cut spending for our military or to increase taxes. As long as spending is a political issue, cuts to those programs that assist those with the smallest voice in our government will always happen first.

Raising taxes, the only option to address a budget deficit aside from cutting programs, is already a burdensome political issue. The additional requirements of a BBA further complicate the process of raising taxes. This means that the richest Americans will likely keep the benefits they receive from our government via tax cuts. Meanwhile, the poor lose the programs that provide them with housing, with food, with job training, with health care, and the very means to survive. This will further reinforce the growing gap between the rich and the rest of our society, middle class, working poor, and the destitute alike.

Aside from this already distressing point, when the baby boom generation retires, Mr. Speaker, the ratio of workers to retirees will fall to very low levels. This poses difficulties for Social Security since Social Security has been a pure pay-as-you-go system, with

the payroll taxes of current workers paying for the benefits of current retirees. This was acceptable as long as today's workers could pay for today's retirees. But in the future, when there are fewer workers to pay for more retirees, the system is going to be out of balance.

So in 1977 and 1983, the Social Security Administration took important and prudent steps towards addressing this issue. It allowed the accumulation of reserves to be used later when needed. These changes were akin to what families do by saving for retirement during their working years and then by drawing down on their savings after they reach retirement. The balanced budget amendment insists that total government expenditures in any year, including those for Social Security benefits, not exceed total revenues collected in that same year, including revenues from Social Security payroll taxes. Thus, the benefits of the baby boomers would have to be financed in full by the taxes of those working and paying into the system then. This undercuts the central reforms of 1983. Drawing down on any part of accumulated reserves under a BBA, required under present law, means that the trust funds were spending more in benefits in those years than they were receiving in taxes. Under a BBA, that would be impermissible deficit spending.

The fifth fault. A BBA weakens the principle of majority rule and makes balancing the budget more difficult.

Most balanced budgets require that unless three-fifths of the Members of Congress agree to raising the debt ceiling, the budget must be balanced at all times. They also require that legislation raising taxes must be approved on a rollcall vote by a majority of the full membership of both Houses, not just those present and voting.

Currently, this provision weakens the principle of majority rule, and that's exactly what the tea party and my conservative colleagues want. Why do they want it? Because a three-fifths requirement empowers a minority, 40 percent plus one, in any given year. It creates a small group of people willing to threaten economic turmoil and disruption unless they get their way, i.e., the Republican freshmen, with the ability to extort concessions or exercise unprecedented leverage over our national economic and fiscal policy. Mr. Speaker, haven't the last few weeks demonstrated how difficult it already is to reach a compromise on a budget? This provision will simply make it impossible.

The final argument, Mr. Speaker, is what I'm calling the Ezra Klein argument. There is a final fault which is not on my list, but it is significant enough to mention. Ezra Klein of The Washington Post cleverly points out in a recent article, entitled "The Worst

Idea in Washington," that under a balanced budget amendment, not a single budget of the Bush or Reagan administration would have qualified as constitutional. In fact, the only recent administration which would not violate the requirements of a balanced budget amendment would have been President Clinton's, and that would have been for only two of his budgets. Mr. Speaker, if President Reagan's budgets wouldn't qualify, is this something we should even be considering in this Congress? I don't think so.

I have listed a few, and certainly not an exhaustive list, of the arguments against the balanced budget amendment. The truth is the Federal budget is quite unlike fiscal practices of businesses, families, and States even though we keep hearing the argument: The Federal Government needs to balance its budget like I do at home. The Federal Government needs to balance its budget like our families do. The Federal Government needs to balance its budget like the States do. But contrary to popular myth, except in times of war and recession, the country has a conservative record of keeping deficits actually in line. It's when the States fail, it's when there are wars that we are fighting, and it's when we are looking at unforeseen economic calamity that we need a Federal Government that can reach into the deep recesses of her bounty to bring about a more perfect Union and keep the Nation moving forward. Without the Federal Government, the States cannot do it on their own, and the private sector has shown a reluctance to do it without regulation from the Federal Government to make the Union more perfect.

Let me add one final quote, Mr. Speaker. In 1963, Martin Luther King, Jr., stood not very far from this auspicious location and delivered a speech at the feet of Abraham Lincoln, at the feet of Abraham Lincoln's memorial at the end of our Mall. He began by saying, today I stand in the shadow of a man who 100 years ago set the slave free. But 100 years later, they find themselves still trapped and still isolated in the ghettos and the barrios and the rural areas of our Nation. He said, Mr. Speaker, today we have come here, in a sense, to cash a check. Now imagine that. Martin Luther King, Jr., at the other end of this Mall, is looking in the direction of Democrats and Republicans in the Congress of the United States. And he says, Mr. Speaker, we've come here to cash a check, a check that should give us upon demand the riches of security and of freedom and justice. But America, Dr. King says, has issued us a bounced check. It keeps coming back marked "insufficient funds." But I refuse to believe that there are no funds in the great vault of opportunity of this Nation.

Mr. Speaker, I am 46 years old, and I've had the privilege of serving in this

Congress for nearly 16 years. I remember on September 10, 2001 when we stood here on the floor of this Congress, my dear colleagues, and this Congress declared that it was broke, that it couldn't find money for anything. We took a vote on September 10, 2001, to defund education programs for the most vulnerable children in our Nation.

□ 1520

Every Member of Congress, mostly from conservatives, and many conservative Democrats, came and made the argument that we could no longer afford to provide high-quality education for your children, that we could no longer afford to provide health care for all of the American people, that we could no longer afford it. And just 24 hours later, the tragedy, the great tragedy of the 20th century, terrorists attacked the World Trade Center and flew a plane into the ground in Pennsylvania and landed a plane on our Nation's defense system at the Pentagon. Just 24 hours later, the Congress of the United States that did not have the money to provide for education for our children, the Congress of the United States that did not have the money to provide health care for all of the American people, suddenly it found an unlimited amount of money to chase down Saddam Hussein. And we are spending an unlimited amount of money, just 24 hours later, to find Osama bin Laden in a cave in Afghanistan. Ten years later, we haven't found him yet. Yet we continue to spend billions and billions and billions of dollars.

So on one day the government is broke. Twenty-four hours later, Dr. King says the Nation has issued us a promissory note, and it keeps coming back marked "insufficient funds" for priorities that matter to the American people.

Our government, Mr. Speaker, needs the flexibility to respond in times of economic downturn or in war in a way that businesses, that families, and that States never have to consider.

I have been in the House long enough to know now that when my colleagues on the other side of the aisle came into the majority with large deficits and debt, I knew their first response would be to cut social spending, to weaken government regulation and underfund protection of workers' rights and civil rights and environmental protections. You name it.

I wish I could say I didn't see this coming, but conservative politicians want to get government off the backs of finance, off the backs of finance and industry. They are willing and ready to use the current economic situation to do it, and they intend to place the burden on the backs of the middle class, of seniors, of children, of veterans and the poor.

The Republican budget that we voted on today does just that. The balanced budget amendment aims to make it a permanent fixture.

Mr. Speaker, I know we can do better. We cannot balance the budget on the backs of middle class Americans. We need to achieve the America of everyone's dreams. The burden of that dream must rest squarely on the shoulders of every American that can carry it.

I find it offensive that some of the most profitable corporations in this country pay no taxes and some even get a refund. I find it offensive that the richest 400 people in this country who have more wealth than half of all Americans combined have an effective tax rate of only 16.6 percent.

In the words of William Jennings Bryan: "When I find a man who is not willing to bear his share of the burdens of the government which protects him, I find a man who is unworthy to enjoy the blessings of a government like ours."

With those wise words, Mr. Speaker, I yield back the balance of my time.

REAPPOINTMENT OF MEMBER TO COMMISSION ON CIVIL RIGHTS

The SPEAKER pro tempore. Pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), the order of the House of January 5, 2011, and upon the recommendation of the minority leader, the Chair announces the Speaker's reappointment of the following member on the part of the House to the Commission on Civil Rights for a term expiring December 15, 2016:

Mr. Michael Yaki, San Francisco, California.

The Chair announces that the term of appointment of Mr. Todd Gaziano to the Commission on Civil Rights expires on December 15, 2013.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 216. An act to increase criminal penalties for certain knowing and intentional violations relating to food that is misbranded or adulterated; to the Committee on Energy and Commerce; in addition to the Committee on the Judiciary for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

ENROLLED BILL SIGNED

Karen L. Haas, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1308. An act to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

ADJOURNMENT

Mr. RUNYAN. Mr. Speaker, pursuant to House Concurrent Resolution 43, 112th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 26 minutes p.m.), the House adjourned until Monday, May 2, 2011, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1285. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — U.S. Honey Producer Research, Promotion, and Consumer Information Order; Termination of Referendum Procedures [Document Number: AMS-FV-07-0091; FV-07-706-FR] (RIN: 0581-AC78) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1286. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — National Organic Program; Amendment to the National List of Allowed and Prohibited Substances (Livestock) [Document Number: AMS-NOP-10-0051; NOP-10-04FR] (RIN: 0581-AD04) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1287. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Walnuts Grown in California; Decreased Assessment Rate [Doc. No.: AMS-FV-10-0060; FV10-984-1FIR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1288. A letter from the Assistant Administrator, Department of Agriculture, transmitting the Department's final rule — Marketing Order Regulating the Handling of Spearmint Oil Produced in the Far West; Revision of the Salable Quantity and Allotment Percentage for Class 3 (Native) Spearmint Oil for the 2010-2011 Marketing Year [Docket Nos.: AMS-FV-09-0082; FV10-985-1A IR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1289. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Country of Origin Labeling of Packed Honey [Document No.: AMS-FV-08-0075] (RIN: 0581-AC89) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1290. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Blueberry Promotion, Research, and Information Order; Section 610 Review [Document Number: AMS-FV-10-0006] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1291. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Avocados Grown

in South Florida; Increased Assessment Rate [Doc. No.: AMS-FV-10-0067; FV10-915-1FIR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1292. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Tart Cherries Grown in the States of Michigan, et al.; Final Free and Restricted Percentages for the 2010-2011 Crop Year for Tart Cherries [Doc. No.: AMS-FV-10-930-4FR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1293. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the National Emergency with respect to persons who commit, threaten to commit, or support terrorism that was declared in Executive Order 13224 of September 23, 2001, pursuant to 50 U.S.C. 1641(c); to the Committee on Foreign Affairs.

1294. A letter from the Director, International Cooperation, Department of Defense, transmitting Pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, Transmittal No. 4-11 informing of an intent to sign a Memorandum of Agreement with the Kingdom of Sweden; to the Committee on Foreign Affairs.

1295. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Pursuant to section 527(f) of the Foreign Relations Authorization Act for FY 1994 and 1995 (Pub. L. 103-236), a report listing outstanding expropriation cases; to the Committee on Foreign Affairs.

1296. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-028, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1297. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-013, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1298. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-141, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1299. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's fiscal year 2010 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1300. A letter from the Commissioner, International Boundary and Water Commission United States and Mexico, transmitting the Commission's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1301. A letter from the Chairman, Railroad Retirement Board, transmitting a copy of the annual report for Calendar Year 2010, in compliance with the Government in the Sunshine Act, pursuant to 5 U.S.C. 552(b); to the

Committee on Oversight and Government Reform.

1302. A letter from the Secretary, Railroad Retirement Board, transmitting the Board's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1303. A letter from the Acting Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure [Docket No.: 001005281-0369-02] (RIN: 0648-XA245) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1304. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Bering Sea and Aleutian Islands; Final 2011 and 2012 Harvest Specifications for Groundfish [Docket No.: 101126521-0640-02] (RIN: 0648-XZ90) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1305. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska; Final 2011 and 2012 Harvest Specifications for Groundfish [Docket No.: 101126522-0640-02] (RIN: 0648-XZ89) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

TIME LIMITATION OF REFERRED BILL PURSUANT TO RULE XII

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 358. Referral to the Committee on Ways and Means extended for a period ending not later than May 20, 2011.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BILIRAKIS:

H.R. 1570. A bill to amend the Internal Revenue Code of 1986 to provide a tax credit to employers for the value of the service not performed during the period employees are performing service as members of the Ready Reserve or the National Guard; to the Committee on Ways and Means.

By Mrs. ADAMS (for herself, Mr. SMITH of Texas, Mr. CONYERS, Mr. SENSENBRENNER, Mr. DIAZ-BALART, Mr. POSEY, Ms. FUDGE, Ms. WILSON of Florida, Mr. STIVERS, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. ELLMERS, Ms. BUERKLE, Mr. WEST, Ms. ROS-LEHTINEN, Mr. ROSS of Florida, Mr. BUCHANAN, Mr. GOWDY, Mr. MICA, Mr. WESTMORELAND, Mr. ROSKAM, Mr. YOUNG of Florida, Mrs. BLACKBURN, Mr. SOUTHERLAND, Mr.

BILIRAKIS, Mr. MCHENRY, Ms. WASSERMAN SCHULTZ, Ms. BROWN of Florida, Mr. NUGENT, Mr. RIVERA, Mr. BARLETTA, Mr. QUIGLEY, Mr. MILLER of Florida, and Mr. BACHUS):

H.R. 1571. A bill to ban the sale of certain synthetic drugs; referred to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANDRY:

H.R. 1572. A bill to amend the Outer Continental Shelf Lands Act to improve safety at manned offshore installations, and for other purposes; referred to the Committee on Natural Resources, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUCAS (for himself, Mr. BACHUS, Mr. CONAWAY, and Mr. GARRETT):

H.R. 1573. A bill to facilitate implementation of title VII of the Dodd-Frank Wall Street Reform and Consumer Protection Act, promote regulatory coordination, and avoid market disruption; referred to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCGOVERN (for himself, Mr. WOLF, Ms. ROS-LEHTINEN, Mrs. NAPOLITANO, Mr. BACHUS, Mr. NADLER, and Mr. CAPUANO):

H.R. 1574. A bill to amend titles 23 and 49, United States Code, concerning length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. MCGOVERN (for himself, Mr. HASTINGS of Florida, Mr. WOLF, Mr. PITTS, Mrs. MYRICK, Mr. COHEN, and Mr. SMITH of New Jersey):

H.R. 1575. A bill to make certain individuals ineligible for visas or admission to the United States and to revoke visas and other entry documents previously issued to such individuals, and to impose certain financial measures on such individuals, until the Russian Federation has thoroughly investigated the death of Sergei Leonidovich Magnitsky and brought the Russian criminal justice system into compliance with international legal standards, and for other purposes; referred to the Committee on the Judiciary, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself, Mr. RANGEL, Mr. PAUL, Mr. GRIMM, Mr. MEEKS, Mr. HUIZENGA of Michigan, and Mr. TIBERI):

H.R. 1576. A bill to amend the Internal Revenue Code of 1986 to allow penalty-free withdrawals from individual retirement plans for adoption expenses; to the Committee on Ways and Means.

By Mr. RIGELL:

H.R. 1577. A bill to amend title 10, United States Code, to authorize advance appropriations for military personnel, reserve personnel, and National Guard personnel accounts of the Department of Defense, gen-

erally title I of the annual Department of Defense appropriations Act; to the Committee on Armed Services.

By Ms. SLAUGHTER (for herself, Mrs. LOWEY, Ms. ROYBAL-ALLARD, Ms. MOORE, Ms. NORTON, Ms. SCHAKOWSKY, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HOLDEN, and Ms. DELAUNO):

H.R. 1578. A bill to amend the Public Health Service Act to improve the health care system's assessment and response to domestic violence, dating violence, sexual assault, and stalking, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GEORGE MILLER of California (for himself, Ms. WOOLSEY, Mr. RAHALL, Mr. HOLT, Ms. HIRONO, Ms. SUTTON, Mr. PAYNE, and Mr. GRIJALVA):

H.R. 1579. A bill to improve compliance with mine safety and health laws, empower miners to raise safety concerns, prevent future mine tragedies, and for other purposes; to the Committee on Education and the Workforce.

By Mr. GONZALEZ (for himself, Mr. PIERLUISI, Mr. BUCHANAN, Mr. ALTMIRE, Mr. DAVIS of Kentucky, Mr. HANNA, Mr. BURGESS, Ms. RICHARDSON, Mr. CUELLAR, Mr. KIND, Mrs. McMORRIS RODGERS, Mr. SESSIONS, Mr. KELLY, Mr. CRITZ, Mr. AUSTRIA, Mr. SHUSTER, Ms. JACKSON LEE of Texas, Mr. RENACCI, Mr. SHULER, Mr. GUTHRIE, Ms. HAYWORTH, Mr. SHIMKUS, Mr. BILBRAY, Mr. HALL, Mr. MEEHAN, Mr. CANSECO, Mr. ALEXANDER, Mr. PAUL, Mr. HINOJOSA, and Mr. BRADY of Texas):

H.R. 1580. A bill to preserve Medicare beneficiary choice by restoring and expanding the Medicare open enrollment and disenrollment opportunities repealed by section 3204(a) of the Patient Protection and Affordable Care Act; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY of California (for himself, Mr. MCKEON, Mrs. LUMMIS, Mr. NUNES, Mr. DENHAM, Mrs. NOEM, Mr. BISHOP of Utah, Mr. PEARCE, Mr. MCCLINTOCK, Mr. CHAFFETZ, Mr. HERGER, Mrs. McMORRIS RODGERS, Mr. HELLER, Mr. GOODLATTE, Mr. THOMPSON of Pennsylvania, Mr. JOHNSON of Ohio, Mr. GALLEGLY, Mr. TIPTON, Mr. LEWIS of California, Mr. HUNTER, Mr. LABRADOR, Mr. CALVERT, and Mr. COFFMAN of Colorado):

H.R. 1581. A bill to release wilderness study areas administered by the Bureau of Land Management that are not suitable for wilderness designation from continued management as de facto wilderness areas and to release inventoried roadless areas within the National Forest System that are not recommended for wilderness designation from the land use restrictions of the 2001 Roadless Area Conservation Final Rule and the 2005 State Petitions for Inventoried Roadless Area Management Final Rule, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCARTHY of California (for himself, Mr. NUNES, Mr. DENHAM, and Mr. ISSA):

H.R. 1582. A bill to address the application of the national primary ambient air quality standard for ozone with respect to extreme nonattainment areas, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCDERMOTT (for himself, Mr. RANGEL, Mr. STARK, Ms. HIRONO, Mr. WEINER, Mr. MORAN, Mr. QUIGLEY, Mr. BLUMENAUER, and Mr. FARR):

H.R. 1583. A bill to amend the Internal Revenue Code of 1986 to require that the Secretary of the Treasury provide a Tax Receipt to each taxpayer who files a Federal income tax return; to the Committee on Ways and Means.

By Mr. LANKFORD:

H.R. 1584. A bill to amend title 23, United States Code, to exempt maintenance activities from certain analysis requirements; referred to the Committee on Transportation and Infrastructure, and in addition to the Committees on Energy and Commerce, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LANKFORD:

H.R. 1585. A bill to allow States to elect to receive contributions to the Highway Trust Fund in lieu of participating in the Federal-aid highway program or certain public transportation programs; to the Committee on Transportation and Infrastructure.

By Mr. KING of New York (for himself, Mr. ROGERS of Alabama, and Mr. MCCAUL):

H.R. 1586. A bill to amend title 49, United States Code, concerning approval of applications for the airport security screening opt-out program, and for other purposes; to the Committee on Homeland Security.

By Mr. CONYERS (for himself, Mr. NADLER, Mr. COHEN, and Mr. MILLER of North Carolina):

H.R. 1587. A bill to amend title 11 of the United States Code with respect to modification of certain mortgages on principal residences, and for other purposes; to the Committee on the Judiciary.

By Mr. CANSECO (for himself, Mr. CLAY, Mr. MANZULLO, Mr. DOLD, Mr. WESTMORELAND, Mr. HENSARLING, Mr. MCINTYRE, Mr. JONES, Mr. ROSS of Arkansas, Mr. BACA, Mr. HOLDEN, Mr. SESSIONS, Mr. DAVIS of Illinois, Mr. MEEKS, and Mr. TOWNS):

H.R. 1588. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide certain substantive rights to consumers under such agreements, and for other purposes; to the Committee on Financial Services.

By Mr. BLUMENAUER (for himself, Mr. HOLT, Mr. WU, Ms. BALDWIN, Ms. SCHAKOWSKY, Mr. KIND, Mrs. CAPPS, and Ms. LINDA T. SANCHEZ of California):

H.R. 1589. A bill to amend the Social Security Act to provide for coverage of voluntary advance care planning consultation under Medicare and Medicaid, and for other purposes; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas (for herself, Mr. AL GREEN of Texas, Mr. GONZALEZ, Mr. DOGGETT, and Mr. CHAFFETZ):

H.R. 1590. A bill to provide for the disposition of the Space Shuttle Discovery upon retirement; to the Committee on Science, Space, and Technology.

By Mr. BASS of New Hampshire (for himself and Mr. MATHESON):

H.R. 1591. A bill to guarantee that military funerals are conducted with dignity and respect; to the Committee on the Judiciary, and in addition to the Committees on Veterans' Affairs, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BERKLEY (for herself and Mr. ENGEL):

H.R. 1592. A bill to limit United States assistance to the Palestinian Authority if the Palestinian Authority unilaterally declares a Palestinian state; to the Committee on Foreign Affairs.

By Mr. BISHOP of New York (for himself and Mr. HANNA):

H.R. 1593. A bill to amend the Internal Revenue Code of 1986 to allow an unlimited exclusion from transfer taxes for certain farmland and land of conservation value, and for other purposes; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself and Mr. HANNA):

H.R. 1594. A bill to amend the Internal Revenue Code of 1986 to clarify that installment sales treatment shall not fail to apply to property acquired for conservation purposes by a State or local government or certain tax-exempt organizations merely because purchase funds are held in a sinking or similar fund pursuant to State law; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Ms. BALDWIN, Mr. BILBRAY, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. FILNER, Mr. GARAMENDI, Mr. AL GREEN of Texas, Ms. JACKSON LEE of Texas, Mr. SCHRADER, Mr. WALDEN, Mr. WU, Mr. YOUNG of Alaska, and Mr. KIND):

H.R. 1595. A bill to amend the Internal Revenue Code of 1986 to make all veterans eligible for home loans under the veterans mortgage revenue bond program; to the Committee on Ways and Means.

By Mr. BLUMENAUER (for himself, Mr. BISHOP of New York, and Mr. PALLONE):

H.R. 1596. A bill to provide for the use of funds in the Hazardous Substance Superfund for the purposes for which they were collected, to ensure adequate resources for the cleanup of hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. CAPPS:

H.R. 1597. A bill to permanently prohibit oil and gas leasing off the coast of the State of California, and for other purposes; to the Committee on Natural Resources.

By Mr. CARDOZA (for himself and Mr. LUJAN):

H.R. 1598. A bill to amend the Public Utility Regulatory Policies Act of 1978 to promote energy independence and self-sufficiency by providing for the use of net metering by certain small electric energy generation systems, and for other purposes; referred to the Committee on Energy and Commerce, and in addition to the Committees on Oversight and Government Reform, Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE:

H.R. 1599. A bill to facilitate economic growth and development in Indian country, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committees on Education and the Workforce, Natural Resources, Financial Services, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas:

H.R. 1600. A bill to direct the Secretary of Transportation to take actions to ensure that not fewer than 2 air traffic controllers are on duty and physically situated within the air traffic control room or tower of certain airports at all times during periods of airfield operations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CUELLAR:

H.R. 1601. A bill to amend the Internal Revenue Code of 1986 to permanently extend certain expiring provisions; to the Committee on Ways and Means.

By Mr. DAVIS of Illinois:

H.R. 1602. A bill to amend title 31 of the United States Code to require that Federal children's programs be separately displayed and analyzed in the President's budget; to the Committee on the Budget.

By Mr. DEFAZIO (for himself, Mr. MICHAUD, Ms. SUTTON, Mr. JONES, Mr. CONYERS, Mr. FILNER, Mr. GRIJALVA, and Ms. SLAUGHTER):

H.R. 1603. A bill to establish the Emergency Trade Deficit Commission, and for other purposes; to the Committee on Ways and Means.

By Mr. DENHAM (for himself, Mr. NUNES, Mr. CARDOZA, Mr. HERGER, and Mr. MCCARTHY of California):

H.R. 1604. A bill to facilitate certain activities, alleviate the extra regulatory burdens, and reduce costs related to carrying out projects of the Central Valley Project, and for other purposes; referred to the Committee on Natural Resources, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee (for himself, Mr. COOPER, Mrs. BLACK, Mrs. BLACKBURN, Mr. DESJARLAIS, Mr. FINCHER, Mr. FLEISCHMANN, and Mr. ROE of Tennessee):

H.R. 1605. A bill to reduce Federal spending in a responsible manner; referred to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ENGEL (for himself and Ms. SCHAKOWSKY):

H.R. 1606. A bill to amend title XIX of the Social Security Act to require States to provide oral health services to aged, blind, or disabled individuals under the Medicaid Program, and for other purposes; to the Committee on Energy and Commerce.

By Mr. FINCHER:

H.R. 1607. A bill to amend the Farm Security and Rural Investment Act of 2002 to extend the suspension of the limitation on the period for which certain borrowers are eligible for guaranteed assistance; to the Committee on Agriculture.

By Mr. FRANKS of Arizona:

H.R. 1608. A bill to include the county of Mohave, in the State of Arizona, as an affected area for purposes of making claims under the Radiation Exposure Compensation Act based on exposure to atmospheric nuclear testing; to the Committee on the Judiciary.

By Mr. GIBSON:

H.R. 1609. A bill to amend the War Powers Resolution to limit the use of funds for introduction of the Armed Forces into hostilities, and for other purposes; referred to the Committee on Foreign Affairs, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself, Mr. NEUGEBAUER, and Mr. GARRETT):

H.R. 1610. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; referred to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRIMM (for himself and Mr. BARTLETT):

H.R. 1611. A bill to amend the Internal Revenue Code of 1986 to provide for the designation of Clean Energy Business Zones and for tax incentives for the construction of, and employment at, energy-efficient buildings and clean energy facilities, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUTHRIE (for himself, Mr. STIVERS, and Mr. KING of New York):

H.R. 1612. A bill to direct the Secretary of Defense to establish a commission on urotrauma; referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK (for himself, Mr. MATHEWSON, Ms. BERKLEY, Mr. DANIEL E. LUNGREN of California, and Mr. HELLER):

H.R. 1613. A bill to amend title VI of the Clean Air Act to make a restriction on the use of class II substances inapplicable to certain fire suppression agents; to the Committee on Energy and Commerce.

By Mr. HERGER (for himself, Mr. KIND, Mr. SAM JOHNSON of Texas, Mr. LEWIS of Georgia, Mr. AKIN, Mrs. BLACKBURN, Mr. CALVERT, Mr. DUN-

CAN of Tennessee, Mr. PITTS, and Mr. WOLF):

H.R. 1614. A bill to amend the Internal Revenue Code of 1986 to treat amounts paid for umbilical cord blood banking services as medical care expenses; to the Committee on Ways and Means.

By Mr. HIMES:

H.R. 1615. A bill to suspend temporarily the duty on Gallium metal; to the Committee on Ways and Means.

By Mr. HOLT (for himself and Mr. GRIJALVA):

H.R. 1616. A bill to amend the Workforce Investment Act of 1998 to integrate public libraries into State and local workforce investment boards, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HONDA (for himself, Ms. BORDALLO, Ms. CHU, Ms. CLARKE of New York, Mr. ELLISON, Mr. FALEOMAVAEGA, Mr. FILNER, Mr. AL GREEN of Texas, Mr. GRIJALVA, Mr. GUTIERREZ, Ms. HIRONO, Ms. LEE, Ms. MATSUI, Mr. POLIS, Mr. QUIGLEY, Ms. ROYBAL-ALLARD, Mr. SABLON, Mr. STARK, Ms. ZOE LOFGREN of California, Mrs. NAPOLITANO, Mr. GENE GREEN of Texas, and Ms. HANABUSA):

H.R. 1617. A bill to strengthen communities through English literacy and civics education for new Americans, and for other purposes; to the Committee on Education and the Workforce.

By Ms. KAPTUR (for herself and Mr. CONYERS):

H.R. 1618. A bill to require the filing of certain information regarding a residential mortgage in any proceeding for foreclosure of the mortgage; to the Committee on Financial Services.

By Mr. KILDEE (for himself, Mr. KISSELL, Mr. JACKSON of Illinois, and Mr. LIPINSKI):

H.R. 1619. A bill to amend chapter 89 of title 40, United States Code, to require commemorative works in the District of Columbia and its environs to be constructed of materials that are grown, produced, or manufactured in the United States; to the Committee on Natural Resources.

By Mr. KIND (for himself, Mr. BISHOP of Utah, Mr. CONNOLLY of Virginia, Mr. CHAFFETZ, Mrs. LUMMIS, and Mr. PLATTS):

H.R. 1620. A bill to improve Federal land management, resource conservation, environmental protection, and use of Federal real property, by requiring the Secretary of the Interior to develop a multipurpose cadastre of Federal real property and identifying inaccurate, duplicate, and out-of-date Federal land inventories, and for other purposes; to the Committee on Natural Resources.

By Mr. KLINE (for himself, Mr. GRIMM, Mr. RUNYAN, Mr. COFFMAN of Colorado, Mr. RYAN of Ohio, Ms. BORDALLO, Mr. CRITZ, Mr. PALAZZO, Mr. CRAVAACK, Mr. JONES, and Mr. YOUNG of Indiana):

H.R. 1621. A bill to require the Secretary of the Treasury to mint coins in commemoration of the Centennial of Marine Corps Aviation, and to support construction of the Marine Corps Heritage Center; to the Committee on Financial Services.

By Mr. LATTA:

H.R. 1622. A bill to amend the Communications Act of 1934 to provide for voluntary incentive auction revenue sharing; to the Committee on Energy and Commerce.

By Mr. LEWIS of Georgia (for himself, Mr. STARK, Ms. FUDGE, Mr.

MCDERMOTT, Mr. ELLISON, Mr. CLEAVER, Ms. TSONGAS, Mr. GRIJALVA, Mrs. CHRISTENSEN, Mr. DAVIS of Illinois, Ms. NORTON, Mr. JOHNSON of Georgia, Mr. JACKSON of Illinois, Mr. COHEN, Mr. PAYNE, Ms. JACKSON LEE of Texas, Ms. MOORE, Mr. BRADY of Pennsylvania, Ms. LEE, Ms. BERKLEY, Mr. TOWNS, Mr. CLARKE of Michigan, Mr. CARSON of Indiana, Ms. BROWN of Florida, and Mr. SERRANO):

H.R. 1623. A bill to reauthorize the Assets for Independence Act, to provide for the approval of applications to operate new demonstration programs and to renew existing programs, to enhance program flexibility, and for other purposes; to the Committee on Ways and Means.

By Mr. LUJÁN (for himself, Mr. INSLEE, Mr. GRIJALVA, Mr. HEINRICH, Mr. TONKO, and Mr. POLIS):

H.R. 1624. A bill to amend the Public Utility Regulatory Policies Act of 1978 to establish uniform national standards for the interconnection of certain small power production facilities; to the Committee on Energy and Commerce.

By Mr. MANZULLO (for himself, Mr. BURTON of Indiana, Mr. CHAFFETZ, Mr. CONAWAY, Mr. KING of Iowa, Mr. GOHMERT, and Mr. POSEY):

H.R. 1625. A bill to prohibit funding for the Development Innovation Ventures (DIV) program; to the Committee on Foreign Affairs.

By Mrs. MILLER of Michigan (for herself, Mr. GRIMM, Ms. BORDALLO, Mr. PAUL, Mr. COBLE, Ms. HAYWORTH, and Mr. POSEY):

H.R. 1626. A bill to amend chapter 9 of title 44, United States Code, to limit the printing of the Congressional Record, and for other purposes; to the Committee on House Administration.

By Mr. MILLER of Florida (for himself, Mr. ROE of Tennessee, Mr. LAMBORN, and Mr. JOHNSON of Ohio):

H.R. 1627. A bill to amend title 38, United States Code, to provide for certain requirements for the placement of monuments in Arlington National Cemetery, and for other purposes; referred to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MORAN (for himself and Ms. NORTON):

H.R. 1628. A bill to amend the Internal Revenue Code of 1986 to impose a retail tax on disposable carryout bags, and for other purposes; referred to the Committee on Ways and Means, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MURPHY of Pennsylvania (for himself, Mr. DOLD, Mr. MANZULLO, Mr. SHUSTER, Mr. DIAZ-BALART, Mr. FITZPATRICK, Mr. BURGESS, Mr. BROWN of Georgia, Mr. SCHOCK, Mr. ISSA, Ms. HERRERA BEUTLER, Mrs. CAPITO, Ms. LINDA T. SANCHEZ of California, Mr. SCOTT of South Carolina, Mr. STEARNS, Mr. FORTENBERRY, Mr. JOHNSON of Ohio, Mr. KELLY, Ms. HANABUSA, Mr. HECK, Mr. ROE of Tennessee, and Mr. GENE GREEN of Texas):

H.R. 1629. A bill to amend the Public Health Service Act to provide liability protections for volunteer practitioners at health

centers under section 330 of such Act; to the Committee on Energy and Commerce.

By Mr. MURPHY of Pennsylvania (for himself, Mr. KISSELL, Mr. MCKINLEY, Mr. GERLACH, and Mr. HECK):

H.R. 1630. A bill to establish a procedure to safeguard the surpluses of the Social Security and Medicare hospital insurance trust funds; referred to the Committee on Rules, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NADLER (for himself, Mrs. LOWEY, and Mr. ISRAEL):

H.R. 1631. A bill to amend the Internal Revenue Code of 1986 to provide for adjustments in the individual income tax rates to reflect regional differences in the cost-of-living; to the Committee on Ways and Means.

By Mr. NEUGEBAUER (for himself, Mr. BARTON of Texas, Mr. BRADY of Texas, Mr. BURGESS, Mr. CANSECO, Mr. CARTER, Mr. CONAWAY, Mr. CUELLAR, Mr. CULBERSON, Mr. DOGGETT, Mr. FARENTHOLD, Mr. FLORES, Mr. GOHMERT, Mr. GONZALEZ, Ms. GRANGER, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HALL, Mr. HENSARLING, Mr. HINOJOSA, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. OLSON, Mr. PAUL, Mr. POE of Texas, Mr. REYES, Mr. SESSIONS, Mr. SMITH of Texas, and Mr. THORNBERRY):

H.R. 1632. A bill to designate the facility of the United States Postal Service located at 5014 Gary Avenue in Lubbock, Texas, as the "Sergeant Chris Davis Post Office"; to the Committee on Oversight and Government Reform.

By Mrs. NOEM (for herself, Mr. HURT, Mr. BOSWELL, and Mr. KISSELL):

H.R. 1633. A bill to establish a temporary prohibition against revising any national ambient air quality standard applicable to coarse particulate matter, to limit Federal regulation of nuisance dust in areas in which such dust is regulated under State, tribal, or local law, and for other purposes; to the Committee on Energy and Commerce.

By Mr. PALLONE (for himself and Mr. BLUMENAUER):

H.R. 1634. A bill to amend the Internal Revenue Code of 1986 to extend the financing of the Superfund; to the Committee on Ways and Means.

By Mr. PASCRELL (for himself, Mr. BOUSTANY, Ms. BERKLEY, Mr. GARRETT, Mrs. MALONEY, Mr. KING of New York, Mr. ROTHMAN of New Jersey, Mr. ROONEY, Ms. SCHWARTZ, Ms. ROS-LEHTINEN, Mr. WEINER, and Mr. SESSIONS):

H.R. 1635. A bill to amend the Internal Revenue Code of 1986 to provide special rules for investments lost in a fraudulent Ponzi-type scheme; to the Committee on Ways and Means.

By Mr. PAYNE (for himself, Mr. CHABOT, and Mr. HONDA):

H.R. 1636. A bill to establish expanded learning time initiatives, and for other purposes; to the Committee on Education and the Workforce.

By Mr. POE of Texas (for himself, Mr. COSTA, Mr. PAUL, Mr. GRIJALVA, Mr. LOEBSACK, and Ms. NORTON):

H.R. 1637. A bill to safeguard the Crime Victims Fund; referred to the Committee on

the Budget, and in addition to the Committees on Rules, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POE of Texas:

H.R. 1638. A bill to stimulate the economy, provide for a sound United States dollar by defining a value for the dollar, to remove the authority of Federal Reserve banks to pay earnings on certain balances maintained at such banks, and for other purposes; referred to the Committee on Financial Services, and in addition to the Committees on Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POSEY (for himself, Ms. CASTOR of Florida, Mr. COLE, Mr. CALVERT, and Mrs. MILLER of Michigan):

H.R. 1639. A bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars; to the Committee on Energy and Commerce.

By Mr. POSEY:

H.R. 1640. A bill to amend the Consumer Financial Protection Act of 2010 to bring the Bureau of Consumer Financial Protection into the regular appropriations process, and for other purposes; to the Committee on Financial Services.

By Mr. POSEY (for himself, Ms. JACKSON LEE of Texas, Mr. WOLF, Mr. BISHOP of Utah, and Mr. OLSON):

H.R. 1641. A bill to direct the National Aeronautics and Space Administration to plan to return to the Moon and develop a sustained human presence on the Moon; to the Committee on Science, Space, and Technology.

By Mr. QUIGLEY (for himself, Ms. CHU, Ms. NORTON, Mr. JACKSON of Illinois, and Mr. MORAN):

H.R. 1642. A bill to prevent the illegal sale of firearms; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 1643. A bill to amend title 40, United States Code, to direct the Administrator of General Services to incorporate bird-safe building materials and design features into public buildings, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RIVERA:

H.R. 1644. A bill to amend section 412(e) of the Immigration and Nationality Act to prohibit the provision of cash assistance or medical assistance to any refugee who, after entering the United States, travels to a country that supports international terrorism; to the Committee on the Judiciary.

By Mr. ROTHMAN of New Jersey (for himself, Mr. PIERLUISI, Mr. THOMPSON of Mississippi, and Mr. GUTIERREZ):

H.R. 1645. A bill to construct a specialty hospital and toxins research center on the island of Vieques, Puerto Rico, and for other purposes; referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUNYAN:

H.R. 1646. A bill to amend the Magnuson-Stevens Fishery Conservation and Manage-

ment Act to preserve jobs and coastal communities through transparency and accountability in fishery management, and for other purposes; to the Committee on Natural Resources.

By Mr. RUNYAN (for himself and Mr. JOHNSON of Ohio):

H.R. 1647. A bill to direct the Secretary of Veterans Affairs to carry out a pilot program under which certain veterans may submit claims for benefits under laws administered by the Secretary to any regional office of the Department of Veterans Affairs; to the Committee on Veterans' Affairs.

By Ms. LINDA T. SANCHEZ of California (for herself, Mr. ACKERMAN, Mr. BACA, Ms. BALDWIN, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Ms. BORDALLO, Mr. CAPUANO, Mr. CARNAHAN, Mr. CARSON of Indiana, Mr. CICILLINE, Ms. CLARKE of New York, Mr. CONNOLLY of Virginia, Mr. COSTELLO, Mr. COURTNEY, Mr. CROWLEY, Ms. DELAURO, Mr. DEUTCH, Mr. ELLISON, Mr. ENGEL, Ms. ESHOO, Mr. FILNER, Mr. AL GREEN of Texas, Mr. GRIJALVA, Ms. HANABUSA, Mr. HANNA, Mr. HASTINGS of Florida, Ms. HIRONO, Ms. NORTON, Mr. HOLT, Mr. HONDA, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. KILDEE, Mr. KUCINICH, Ms. LEE, Mrs. MALONEY, Ms. MATSUI, Mrs. MCCARTHY of New York, Ms. MCCOLLUM, Mr. MCGOVERN, Mr. MEEKS, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. NEAL, Mr. OLVER, Mr. PASCRELL, Mr. PAYNE, Ms. PINGREE of Maine, Mr. PLATTS, Mr. POLIS, Mr. PRICE of North Carolina, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. SABLON, Ms. LORETTA SANCHEZ of California, Mr. SHERMAN, Ms. SLAUGHTER, Mr. STARK, Ms. SUTTON, Mr. TONKO, Mr. TOWNS, Mr. VAN HOLLEN, Ms. WASSERMAN SCHULTZ, Mr. YARMUTH, and Mr. YOUNG of Alaska):

H.R. 1648. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Education and the Workforce.

By Mr. SARBANES (for himself, Mr. VAN HOLLEN, and Mr. MORAN):

H.R. 1649. A bill to amend the Chesapeake Bay Initiative Act of 1998 to provide for the continuing authorization of the Chesapeake Bay Gateways and Watertrails Network; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 1650. A bill to reauthorize the Chesapeake Bay Office of the National Oceanic and Atmospheric Administration, and for other purposes; to the Committee on Natural Resources.

By Mr. SARBANES:

H.R. 1651. A bill to amend the Federal Water Pollution Control Act to create a designation for property owners who take actions to reduce nutrient and sediment runoff into the Chesapeake Bay watershed, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SARBANES (for himself, Mr. CONNOLLY of Virginia, Ms. NORTON, Mr. SCOTT of Virginia, and Mr. HOLDEN):

H.R. 1652. A bill to amend the Water Resources Development Act of 1996 to make modifications to the Chesapeake Bay environmental restoration and protection program; to the Committee on Transportation and Infrastructure.

By Mr. SCHOCK (for himself, Mr. CROWLEY, and Mr. OWENS):

H.R. 1653. A bill to amend the Tariff Act of 1930 to increase the dollar amount requirements for articles and merchandise under the administrative exemptions and entry under regulations provisions of that Act; to the Committee on Ways and Means.

By Mr. SCHRADER (for himself, Mr. KISSELL, Mr. LARSON of Connecticut, Ms. BALDWIN, Mr. KUCINICH, and Mr. FARR):

H.R. 1654. A bill to amend title XVIII of the Social Security Act to provide for additional opportunities to enroll under part B of the Medicare Program, and for other purposes; referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHERMAN (for himself, Mr. ROYCE, Ms. BERKLEY, Mr. SHULER, Mrs. MALONEY, and Mr. POE of Texas):

H.R. 1655. A bill to enhance United States diplomatic efforts with respect to Iran by imposing additional economic sanctions against Iran, and for other purposes; referred to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SMITH of New Jersey (for himself and Mr. DEUTCH):

H.R. 1656. A bill to amend title XVIII of the Social Security Act to preserve access to urban Medicare-dependent hospitals; to the Committee on Ways and Means.

By Mr. STUTZMAN:

H.R. 1657. A bill to amend title 38, United States Code, to revise the enforcement penalties for misrepresentation of a business concern as a small business concern owned and controlled by veterans or as a small business concern owned and controlled by service-disabled veterans; to the Committee on Veterans' Affairs.

By Mr. TIPTON (for himself, Ms. DEGETTE, Mr. POLIS, Mr. GARDNER, Mr. LAMBORN, Mr. COFFMAN of Colorado, and Mr. PERLMUTTER):

H.R. 1658. A bill to name the Department of Veterans Affairs telehealth clinic in Craig, Colorado, as the "Major William Edward Adams Department of Veterans Affairs Clinic"; to the Committee on Veterans' Affairs.

By Mr. TONKO (for himself and Mr. GIBSON):

H.R. 1659. A bill to amend the Internal Revenue Code of 1986 to modify the credit for qualified fuel cell motor vehicles and to allow the credit for certain off-highway vehicles, and for other purposes; to the Committee on Ways and Means.

By Ms. TSONGAS (for herself, Ms. SPEIER, and Ms. WILSON of Florida):

H.R. 1660. A bill to amend the Expedited Funds Availability Act, to adjust dollar limits on check hold policies, and for other purposes; to the Committee on Financial Services.

By Ms. TSONGAS (for herself, Ms. RICHARDSON, Mr. KILDEE, Mr. KEATING, Mr. COURTNEY, and Ms. CLARKE of New York):

H.R. 1661. A bill to amend the Internal Revenue Code of 1986 to allow loans from certain

retirement plans for the payment of certain small business expenses; to the Committee on Ways and Means.

By Mr. WEINER:

H.R. 1662. A bill to encourage financial institutions to meet the needs of borrowers in low- to moderate-income communities, and for other purposes; to the Committee on Financial Services.

By Mr. WEST (for himself, Mr. WALSH of Illinois, Ms. RICHARDSON, and Ms. ROS-LEHTINEN):

H.R. 1663. A bill to amend the Internal Revenue Code of 1986 to temporarily provide the work opportunity tax credit for small businesses hiring unemployed individuals; to the Committee on Ways and Means.

By Mr. YOUNG of Florida:

H.R. 1664. A bill to amend the Outer Continental Shelf Lands Act and the Federal Water Pollution Control Act to modernize and enhance the Federal Government's response to oil spills, to improve oversight and regulation of offshore drilling, and for other purposes; referred to the Committee on Transportation and Infrastructure, and in addition to the Committee on Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KING of New York (for himself and Mr. MCCOTTER):

H. Con. Res. 44. A concurrent resolution calling for an independent international investigation of the April 10, 2010, plane crash that killed President of Poland Lech Kaczynski and 95 other individuals; to the Committee on Foreign Affairs.

By Mr. MILLER of Florida (for himself, Mr. FILNER, Mr. ROE of Tennessee, Mr. BILIRAKIS, Mr. LAMBORN, Mr. MICHAUD, Mr. JOHNSON of Ohio, Mr. BARROW, Mr. DENHAM, Mr. RUNYAN, and Mr. HUELSKAMP):

H. Con. Res. 45. A concurrent resolution honoring the service and sacrifice of members of the United States Armed Forces who are serving in, or have served in, Operation Enduring Freedom, Operation Iraqi Freedom, and Operation New Dawn; referred to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JONES (for himself and Mr. BUTTERFIELD):

H. Res. 229. A resolution honoring the Air Force Mortuary Affairs Operations at Dover Air Force Base, Delaware, for its service in providing dignified transfer of our Nation's fallen heroes to their families and loved ones; to the Committee on Armed Services.

By Mr. PETERS (for himself, Mr. QUIGLEY, and Mr. POLIS):

H. Res. 230. A resolution amending the Rules of the House of Representatives to provide that the House may not consider any reported bill until at least 72 hours after it is reported; to the Committee on Rules.

By Ms. ROS-LEHTINEN (for herself and Mr. SHERMAN):

H. Res. 231. A resolution urging that the United States, the Government of Iraq, and other responsible actors ensure that humanitarian protections are upheld for the residents of Camp Ashraf in Iraq; to the Committee on Foreign Affairs.

By Mr. DOLD (for himself and Mr. PETERS):

H. Res. 232. A resolution recognizing the recent admission by Richard Goldstone of

the deeply-flawed conclusions in his report to the United Nations Human Rights Council and urging the Administration to take steps to reverse the damage done by the Goldstone Report; to the Committee on Foreign Affairs.

By Mr. HASTINGS of Florida:

H. Res. 233. A resolution welcoming the new state of Southern Sudan, encouraging Sudan and Southern Sudan to resolve separation issues and the future of the Abyei region, and urging the Governments of Sudan and Southern Sudan to abide by the principles of peace, democracy, and human rights; to the Committee on Foreign Affairs.

By Mrs. MYRICK (for herself, Ms. WASSERMAN SCHULTZ, Mr. DUNCAN of Tennessee, Mr. HALL, Mr. KISSELL, and Mrs. SCHMIDT):

H. Res. 234. A resolution recognizing the importance of breast cancer early detection efforts; to the Committee on Energy and Commerce.

By Mr. TOWNS:

H. Res. 235. A resolution recognizing April 23 as National Sovereignty and Children's Day in Turkey; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. DAVIS of Illinois introduced a bill (H.R. 1665) for the relief of Ewa Mozdzen, Jaroslaw Mozdzen, and Sylwia Mozdzen; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BILIRAKIS:

H.R. 1570.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution reads, "The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and general Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States."

By Mrs. ADAMS:

H.R. 1571.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3: The Congress shall have Power to . . . regulate Commerce with foreign Nations and among the several States, and with the Indian Tribes. . . ."

By Mr. LANDRY:

H.R. 1572.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. LUCAS:

H.R. 1573.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MCGOVERN:

H.R. 1574.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Clause 18

By Mr. MCGOVERN:

H.R. 1575.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

Article I, Section 8, Clause 4

Article I, Section 8, Clause 18

By Mr. KING of New York:

H.R. 1576.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. RIGELL:

H.R. 1577.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. SLAUGHTER:

H.R. 1578.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 18 of Section 8 of Article I of the Constitution

By Mr. GEORGE MILLER of California:

H.R. 1579.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 & 18 of Section 8, Article I, of the U.S. Constitution

By Mr. GONZALEZ:

H.R. 1580.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MCCARTHY of California:

H.R. 1581.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2 relating to the power of Congress to "dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States."

By Mr. MCCARTHY of California:

H.R. 1582.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. McDERMOTT:

H.R. 1583.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18 of the United States Constitution

By Mr. LANKFORD:

H.R. 1584.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment to the Constitution:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

By Mr. LANKFORD:

H.R. 1585.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment of the Constitution:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

By Mr. KING of New York:

H.R. 1586.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 & Clause 18

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

Article I, Section 8, Clause 18

The Congress shall have Power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in any Department of Officer thereof.

By Mr. CONYERS:

H.R. 1587.

Congress has the power to enact this legislation pursuant to the following:

Art. I, sec. 8, cl.4 (the Bankruptcy Clause), and Art. I, sec. 8, cl. 18 (the Necessary and Proper Clause).

By Mr. CANSECO:

H.R. 1588.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BLUMENAUER:

H.R. 1589.

Congress has the power to enact this legislation pursuant to the following:

This bill modifies the Social Security Act, which Congress enacted pursuant to its powers under the commerce clause of the U.S. Constitution, as well as its powers to tax and spend for the general welfare. Congress has the power under those provisions to enact this legislation as well.

By Ms. JACKSON LEE of Texas:

H.R. 1590.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause of the United States Constitution.

By Mr. BASS of New Hampshire:

H.R. 1591.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 12, 13, 14, 16, 18 of Section 8 of Article 1 of the Constitution

By Ms. BERKLEY:

H.R. 1592.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 1 of the U.S. Constitution states that all legislative powers are vested in the Congress of the United States.

By Mr. BISHOP of New York:

H.R. 1593.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7 of the U.S. Constitution

By Mr. BISHOP of New York:

H.R. 1594.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 7 of the U.S. Constitution

By Mr. BLUMENAUER:

H.R. 1595.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that "Congress shall have power to lay and collect taxes on incomes, from whatever source derived . . ." (Sixteenth Amendment). This legislation, which relates to income taxes, modifies the income tax code enacted by Congress pursuant to this constitutional authority.

By Mr. BLUMENAUER:

H.R. 1596.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that "Congress shall have power to lay and collect taxes on incomes, from whatever source derived . . ." (Sixteenth Amendment).

By Mrs. CAPPS:

H.R. 1597.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State."

By Mr. CARDOZA:

H.R. 1598.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to its authority under Clause 3 of Section 8 of Article I of the Constitution to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. COLE:

H.R. 1599.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8 which allows Congress to regulate trade amongst the Indian Tribes.

This bill is enacted pursuant to treaties lawfully entered into and ratified pursuant to the power granted to Congress under Article II, Section 2, Clause 2.

By Ms. JACKSON LEE of Texas:

H.R. 1600.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause of the United States Constitution.

By Mr. CUELLAR:

H.R. 1601.

Congress has the power to enact this legislation pursuant to the following:

THE U.S. CONSTITUTION ARTICLE I, SECTION 8: POWERS OF CONGRESS
CLAUSE 18

The Congress shall have power . . . To make all laws which shall be necessary and proper for carrying into execution the foregoing powers, and all other powers vested by this Constitution in the government of the United States, or in any department or officer thereof.

By Mr. DAVIS of Illinois:

H.R. 1602.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clauses 1 and 18 and Article 1 Section 9 Clause 7.

By Mr. DEFazio:

H.R. 1603.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the constitution.

By Mr. DENHAM:

H.R. 1604.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3—Power to Regulate Commerce

“The power to regulate commerce is the power to prescribe conditions and rules for the carrying-on of commercial transactions, the keeping-free of channels of commerce, the regulating of prices and terms of sale.”

“If, as has always been understood, the sovereignty of congress, though limited to specified objects, is plenary as to those objects, the power over commerce with foreign nations, and among the several states, is vested in congress as absolutely as it would be in a single government, having in its constitution the same restrictions on the exercise of the power as are found in the constitution of the United States.”

Gibbons v. Ogden, 22 U.S. (9 Wheat.) 1, 196–197 (1824).

By Mr. DUNCAN of Tennessee:

H.R. 1605.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of Article 1 of the United States Constitution which reads: “The Congress shall have Power to lay and collect Taxes, Duties, Imposts, and Excises, to pay the Debts, and provide for the common Defense and General Welfare of the United States; but all Duties and Imposts and Excises shall be uniform throughout the United States.”

By Mr. ENGEL:

H.R. 1606.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 Section 8 Article 1 of the Constitution

By Mr. FINCHER:

H.R. 1607.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause 18.

By Mr. FRANKS of Arizona:

H.R. 1608.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

By Mr. GIBSON:

H.R. 1609.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 11, 12, 13, 14, and 18.

By Mr. GRIMM:

H.R. 1610.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. GRIMM:

H.R. 1611.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GUTHRIE:

H.R. 1612.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 12

The Congress shall have Power to raise and support Armies, but no Appropriation of Money to that Use shall be for a longer term than two Years;

By Mr. HECK:

H.R. 1613.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. HERGER:

H.R. 1614.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. HIMES:

H.R. 1615.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HOLT:

H.R. 1616.

Congress has the power to enact this legislation pursuant to the following:

Article I of the United States Constitution

By Mr. HONDA:

H.R. 1617.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I; and

Clause 4 of Section 8 of Article I of the Constitution, which grants Congress the power “[t]o establish a uniform Rule of Naturalization . . . throughout the United States.”

By Ms. KAPTUR:

H.R. 1618.

Congress has the power to enact this legislation pursuant to the following:

Article. I. Section. 8.

By Mr. KILDEE:

H.R. 1619.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, To exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings; And

To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. KIND:

H.R. 1620.

Congress has the power to enact this legislation pursuant to the following:

Article Section 8.

By Mr. KLINE:

H.R. 1621.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to clause 5 of section 8 of article I of the Constitution which states, “The Congress shall have the Power to . . . coin Money, regulate the Value thereof and of foreign Coin . . .”

By Mr. LATTA:

H.R. 1622.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3: Congress shall have the Power . . . “to regulate Commerce with foreign Nations, and among the several States, and with the Indian tribes.”

By Mr. LEWIS of Georgia:

H.R. 1623.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUJÁN:

H.R. 1624.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8

By Mr. MANZULLO:

H.R. 1625.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mrs. MILLER of Michigan:

H.R. 1626.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 5, Each House may determine the Rules of it Proceedings.

By Mr. MILLER of Florida:

H.R. 1627.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, of the United States Constitution reserves to Congress the power to raise and support Armies and provide and maintain a Navy, as well as make Rules for the Government and Regulation of the land and naval Forces.

By Mr. MORAN:

H.R. 1628.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8 of the United States Constitution, which provides that the Congress shall have Power:

“To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States;”

“To regulate Commerce . . . among the several States, and with the Indian Tribes;” and

“To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MURPHY of Pennsylvania:

H.R. 1629.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clauses 3 and 18 of the Constitution of the United States.

By Mr. MURPHY of Pennsylvania:

H.R. 1630.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7. No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

By Mr. NADLER:

H.R. 1631.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, sec. 8, cl. 1 "Congress shall have the Power to lay and collect Taxes, Duties, Imposts and Excises. . . ."

Art. 1, sec. 8, cl. 18 Necessary and proper clause.

By Mr. NEUGEBAUER:

H.R. 1632.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

The Congress shall have Power to establish Post Offices and post roads.

By Mrs. NOEM:

H.R. 1633.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. PALLONE:

H.R. 1634.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. PASCRELL:

H.R. 1635.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, of the United States Constitution.

By Mr. PAYNE:

H.R. 1636.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the Constitution

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. POE of Texas:

H.R. 1637.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8 Clause I.

By Mr. POE of Texas:

H.R. 1638.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 6

By Mr. POSEY:

H.R. 1639.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

Article 1, Section 8, Clause 18

By Mr. POSEY:

H.R. 1640.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1

Article 1, Section 8, Clause 3

By Mr. POSEY:

H.R. 1641.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 7 of Section 8 of Article I of the United States Constitution.

By Mr. QUIGLEY:

H.R. 1642.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. QUIGLEY:

H.R. 1643.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. RIVERA:

H.R. 1644.

Congress has the power to enact this legislation pursuant to the following:

The Interstate Travel Regulation of the U.S. Constitution, Article I, Section 8, Clause 3

By Mr. ROTHMAN of New Jersey:

H.R. 1645.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. RUNYAN:

H.R. 1646.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article 1, Section 8, Clause 3 of the Constitution

By Mr. RUNYAN:

H.R. 1647.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Ms. LINDA T. SANCHEZ of California:

H.R. 1648.

Congress has the power to enact this legislation pursuant to the following:

This bill in enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 3 of the United States Constitution.

By Mr. SARBANES:

H.R. 1649.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. SARBANES:

H.R. 1650.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. SARBANES:

H.R. 1651.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. SARBANES:

H.R. 1652.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. SCHOCK:

H.R. 1653.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7 and Article I, section 8 of the United States Constitution.

By Mr. SCHRADER:

H.R. 1654.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SHERMAN:

H.R. 1655.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution.

By Mr. SMITH of New Jersey:

H.R. 1656.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. STUTZMAN:

H.R. 1657.

Congress has the power to enact this legislation pursuant to the following:

Clauses 12, 13, 14, and 18 of Section 8 of Article I of the Constitution

By Mr. TIPTON:

H.R. 1658.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 (to make rules for the regulation of land)

By Mr. TONKO:

H.R. 1659.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. TSONGAS:

H.R. 1660.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 (relating to the power to regulate foreign and interstate commerce) of the United States Constitution.

By Mr. TSONGAS:

H.R. 1661.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 ("The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises . . ."), and the 16th Amendment.

By Mr. WEINER:

H.R. 1662.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 3 and 18 of the United States Constitution.

By Mr. WEST:

H.R. 1663.

Congress has the power to enact this legislation pursuant to the following:

"The Constitutional authority of Congress to enact this legislation is provided by Article 1, Section 8 of the United States Constitution, which grants Congress the Power to lay and collect Taxes, Duties, Imposts and excises to, pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and excises shall be uniform throughout the United States."

By Mr. YOUNG of Florida:

H.R. 1664.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article I of the Constitution.

By Mr. DAVIS of Illinois:

H.R. 1665.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. HULTGREN.
H.R. 23: Mr. FARR.
H.R. 24: Mr. PASCRELL, Mr. BLUMENAUER, Mr. SHULER, Mr. BARTLETT, Mr. PENCE, Mr. STARK, Mrs. LUMMIS, Mr. POE of Texas, Mr. BILBRAY, Mr. LANCE, Mr. CHAFFETZ, Mr. WALZ of Minnesota, Mr. GARRETT, Mr. ADERHOLT, Mr. ROHRBACHER, Mr. NEAL, Mr. COSTELLO, Mr. WELCH, Mrs. BIGGERT, Mr. SHIMKUS, Mr. GALLEGLY, Mr. DOGGETT, Mr. DREIER, Mr. MCGOVERN, Mr. HASTINGS of Florida, Mr. CLAY, Mr. BROUN of Georgia, Mr. DICKS, Mr. CONYERS, Mr. LYNCH, and Mr. CAPUANO.
H.R. 58: Mr. ROSS of Arkansas, Mr. BARLETTA, Mr. LAMBORN, Mr. FARENTHOLD, Mr. HOLDEN, Mr. DUNCAN of South Carolina, Mr. MICHAUD, Mr. DESJARLAIS, Mrs. BLACKBURN, Mr. PETERSON, and Mr. WALSH of Illinois.
H.R. 59: Mr. CALVERT, Mr. SENSENBRENNER, and Mr. NUNNELEE.
H.R. 64: Ms. DELAURO, Mr. HINCHEY, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Ms. LEE of California, and Mr. NEAL.
H.R. 65: Mr. BLUMENAUER, Mr. GRIJALVA, Mr. HINCHEY, Ms. LEE of California, Mr. McDERMOTT, Mr. MORAN, Mr. THOMPSON of California, and Mr. VAN HOLLEN.
H.R. 100: Mr. PRICE of Georgia and Mrs. BLACK.
H.R. 112: Mr. BILIRAKIS, Mr. CHANDLER, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GENE GREEN of Texas, Mr. HOLDEN, and Ms. LEE of California.
H.R. 114: Mr. CLARKE of Michigan and Mr. KIND.
H.R. 154: Mr. NUNNELEE.
H.R. 177: Ms. HERRERA BEUTLER.
H.R. 178: Mr. HONDA and Mr. HINOJOSA.
H.R. 181: Mr. ROSS of Florida and Mr. FILNER.
H.R. 190: Mr. BISHOP of New York.
H.R. 210: Mr. GARAMENDI, Mrs. NAPOLITANO, Ms. ESHOO, Mr. HONDA, and Ms. WOOLSEY.
H.R. 287: Ms. SCHAKOWSKY.
H.R. 289: Mr. FRANK of Massachusetts.
H.R. 303: Mr. MURPHY of Connecticut.
H.R. 320: Mr. LANCE, Mr. WITTMAN, Mr. GRIFFIN of Arkansas, and Mrs. MILLER of Michigan.
H.R. 321: Ms. LINDA T. SÁNCHEZ of California, Mr. MICHAUD, and Mr. TOWNS.
H.R. 329: Ms. BROWN of Florida.
H.R. 361: Mr. CHABOT and Mr. CRAWFORD.
H.R. 365: Mr. DIAZ-BALART.
H.R. 374: Mr. CRAWFORD.
H.R. 412: Mrs. BIGGERT.
H.R. 420: Mr. PETERSON, Mr. JORDAN, Mrs. BLACKBURN, and Mr. BILBRAY.
H.R. 426: Mr. GOODLATTE.
H.R. 432: Mrs. LOWEY.
H.R. 436: Mr. HALL, Mr. MCCAUL, Mr. FINCHER, Mrs. NOEM, Mr. DAVIS of Kentucky, Mr. CRITZ, Mr. POMPEO, Mr. SENSENBRENNER, Mr. WESTMORELAND, Mr. BROOKS, Mr. CULBERSON, Mr. FARENTHOLD, Ms. GRANGER, Mr. HENSARLING, Mr. SESSIONS, Mr. PITTS, and Mr. THORNBERRY.
H.R. 452: Mr. CHAFFETZ, Mr. LANCE, Ms. SCHWARTZ, Mr. BOUSTANY, Mr. BRADY of Texas, and Mr. SMITH of Texas.
H.R. 458: Ms. HANABUSA.
H.R. 459: Mr. HERGER, Mr. DUNCAN of South Carolina, Mr. PLATTS, and Mr. GUINTA.
H.R. 466: Mr. LIPINSKI, Mr. KISSELL, Mr. LANCE, Mr. DOLD, Mrs. SCHMIDT, Mr. BILBRAY, Mr. HALL, Mr. BOSWELL, Mr. DINGELL, Mr. GRAVES of Missouri, Mr. CONNOLLY

of Virginia, Mr. GRIJALVA, Ms. NORTON, Ms. BORDALLO, Mr. CRENSHAW, Mr. POSEY, Ms. CASTOR of Florida, Mr. FILNER, Mr. CARDOZA, Mr. SIRES, Ms. MOORE, and Mr. CALVERT.
H.R. 517: Mr. DUNCAN of South Carolina.
H.R. 527: Mr. GIBBS and Mr. GRIMM.
H.R. 558: Mr. BARTON of Texas, Mr. BRADY of Texas, Mr. BURGESS, Mr. CANSECO, Mr. CARTER, Mr. CONAWAY, Mr. CUELLAR, Mr. CULBERSON, Mr. DOGGETT, Mr. FARENTHOLD, Mr. FLORES, Mr. GOHMERT, Mr. GONZALEZ, Ms. GRANGER, Mr. AL GREEN of Texas, Mr. GENE GREEN of Texas, Mr. HALL, Mr. HENSARLING, Mr. HINOJOSA, Ms. JACKSON LEE of Texas, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SAM JOHNSON of Texas, Mr. MARCHANT, Mr. MCCAUL, Mr. OLSON, Mr. PAUL, Mr. POE of Texas, Mr. REYES, Mr. SESSIONS, Mr. SMITH of Texas, and Mr. THORNBERRY.
H.R. 567: Mr. HENSARLING.
H.R. 591: Mr. DOYLE.
H.R. 594: Mrs. CAPPS, Mr. FILNER, and Mr. FRANK of Massachusetts.
H.R. 605: Mrs. BIGGERT, Mr. BOUSTANY, Mr. BRADY of Texas, Mr. CALVERT, Mr. CONAWAY, Mr. DOLD, Mr. LANCE, Mr. MARCHANT, Mr. McHENRY, Mr. PENCE, Mr. ROONEY, Mr. WESTMORELAND, Mr. BERG, Mr. LATTA, Mr. AKIN, Mr. AUSTRIA, Mr. WITTMAN, Mr. GUTHRIE, Mr. LUETKEMEYER, Ms. BUERKLE, Mr. POSEY, Mr. SAM JOHNSON of Texas, Mrs. BONO MACK, Mr. SHIMKUS, Mr. BASS of New Hampshire, Mr. BURGESS, and Mr. SCHOCK.
H.R. 614: Mr. AL GREEN of Texas.
H.R. 615: Mr. HEINRICH, Mr. BILBRAY, and Mr. DESJARLAIS.
H.R. 616: Ms. CHU.
H.R. 640: Mr. FRANK of Massachusetts.
H.R. 645: Mr. CULBERSON, Mr. BILBRAY, Mrs. BLACKBURN, Mr. HEINRICH, Mr. PETERSON, Mr. WALSH of Illinois, Mr. CRAVAACK, and Mr. DINGELL.
H.R. 664: Ms. BROWN of Florida.
H.R. 672: Mr. MARCHANT and Mr. NUGENT.
H.R. 674: Mr. SIMPSON and Mr. PAUL.
H.R. 695: Mr. DUNCAN of South Carolina.
H.R. 709: Ms. WOOLSEY.
H.R. 718: Mr. WOLF, Mr. PLATTS, Mr. CHAFFETZ, Mr. ROGERS of Kentucky, Mr. GERLACH, and Ms. BROWN of Florida.
H.R. 719: Mr. COLE and Ms. PINGREE of Maine.
H.R. 721: Mr. WOMACK.
H.R. 750: Mrs. MILLER of Michigan.
H.R. 757: Mrs. MCCARTHY of New York.
H.R. 763: Mr. NUNNELEE.
H.R. 787: Mr. RAHALL.
H.R. 800: Mr. KISSELL, Mr. NUNNELEE, Mr. SCOTT of South Carolina, and Mr. PEARCE.
H.R. 822: Mr. BACA, Mr. BILBRAY, Mr. HANNA, Mr. SCHWEIKERT, Mr. WALSH of Illinois, Mr. CRAVAACK, Mr. MARINO, and Mr. DINGELL.
H.R. 827: Mr. FITZPATRICK.
H.R. 831: Ms. WOOLSEY and Mrs. NAPOLITANO.
H.R. 835: Ms. BALDWIN, Mr. DAVIS of Illinois, Mr. WAXMAN, Mr. CICILLINE, and Mr. PLATTS.
H.R. 849: Mr. POSEY.
H.R. 870: Ms. WOOLSEY.
H.R. 879: Ms. EDDIE BERNICE JOHNSON of Texas.
H.R. 883: Mr. LUJÁN and Ms. ROYBAL-ALLARD.
H.R. 909: Mr. MEEHAN.
H.R. 938: Mr. AL GREEN of Texas.
H.R. 942: Mr. PRICE of Georgia.
H.R. 948: Mr. HEINRICH.
H.R. 960: Mr. LONG and Mr. GUTHRIE.
H.R. 965: Mr. LIPINSKI and Mrs. MALONEY.
H.R. 984: Mr. LONG.
H.R. 985: Mr. AL GREEN of Texas.
H.R. 1004: Mr. TIBERI.

H.R. 1012: Mr. DUFFY.
H.R. 1027: Mr. GUTIERREZ, Mr. STEARNS, Mr. HALL, Mr. RYAN of Ohio, Mr. HOLDEN, Mr. BRADY of Pennsylvania, Mr. MORAN, Mr. CRITZ, Ms. ESHOO, Mr. COHEN, Mr. COURTNEY, Mr. AL GREEN of Texas, and Mr. QUIGLEY.
H.R. 1041: Mr. NUNNELEE, Ms. CASTOR of Florida, and Mr. MATHESON.
H.R. 1063: Mr. MICHAUD and Mr. JONES.
H.R. 1065: Mr. AUSTRIA and Mr. RAHALL.
H.R. 1082: Mr. GARRETT.
H.R. 1089: Ms. WOOLSEY.
H.R. 1090: Mr. CONNOLLY of Virginia, Ms. BORDALLO, Mr. COURTNEY, and Ms. CHU.
H.R. 1091: Mr. DUNCAN of South Carolina.
H.R. 1092: Mr. GENE GREEN of Texas, Mr. PAUL, and Mr. RAHALL.
H.R. 1112: Mr. PLATTS, Mr. ROSKAM, and Mr. ANDREWS.
H.R. 1123: Ms. BASS of California.
H.R. 1133: Mr. BENISHEK.
H.R. 1134: Mrs. BLACK and Mr. MCCOTTER.
H.R. 1138: Mr. HINCHEY and Ms. CHU.
H.R. 1161: Mr. BOSWELL and Mr. RAHALL.
H.R. 1167: Mr. GUINTA and Mrs. MILLER of Michigan.
H.R. 1181: Mrs. HARTZLER, Mr. HARPER, Mr. PALAZZO, Mr. FARENTHOLD, and Mr. DUNCAN of Tennessee.
H.R. 1182: Mr. FORBES and Mr. MCCOTTER.
H.R. 1187: Mr. FARR.
H.R. 1190: Mr. ROTHMAN of New Jersey, Mr. KUCINICH, Mr. MICHAUD, and Ms. WOOLSEY.
H.R. 1195: Mr. QUIGLEY.
H.R. 1206: Mr. DeFAZIO and Mr. HULTGREN.
H.R. 1214: Mr. BRADY of Texas.
H.R. 1218: Mr. THOMPSON of Pennsylvania and Mr. CRITZ.
H.R. 1219: Mr. QUIGLEY and Mr. BOSWELL.
H.R. 1229: Mr. PAUL, Mr. COFFMAN of Colorado, Mr. FORBES, and Mr. CASSIDY.
H.R. 1230: Mr. PAUL, Mr. COFFMAN of Colorado, and Mr. CASSIDY.
H.R. 1231: Mr. PAUL and Mr. COFFMAN of Colorado.
H.R. 1234: Mr. HEINRICH and Mr. MCGOVERN.
H.R. 1236: Mr. PETERSON, Mr. DUNCAN of Tennessee, and Mr. LANCE.
H.R. 1240: Mr. LANGEVIN.
H.R. 1249: Mr. GALLEGLY.
H.R. 1259: Mr. POSEY, Mr. GUINTA, and Mr. PLATTS.
H.R. 1265: Mr. AUSTRIA and Mr. STIVERS.
H.R. 1281: Mr. POSEY.
H.R. 1285: Mr. NUGENT.
H.R. 1286: Mr. COFFMAN of Colorado, Mr. AUSTRIA, Mr. CRAVAACK, and Mr. GARY G. MILLER of California.
H.R. 1287: Mr. SCOTT of South Carolina.
H.R. 1288: Mrs. MYRICK.
H.R. 1299: Mr. FORBES.
H.R. 1309: Mr. HINOJOSA and Mr. RAHALL.
H.R. 1310: Mr. TIBERI and Mr. MCCOTTER.
H.R. 1322: Mr. FRANK of Massachusetts.
H.R. 1323: Mrs. EMERSON, Mr. BONNER, Mr. RUNYAN, and Mr. SESSIONS.
H.R. 1327: Mr. ROTHMAN of New Jersey, Mr. PAUL, Ms. JENKINS, and Mr. MCCOTTER.
H.R. 1332: Mr. LARSEN of Washington, Mr. LATOURETTE, Mrs. DAVIS of California, Ms. WATERS, Mr. PALLONE, Mr. BURGESS, Ms. WOOLSEY, Mr. McNERNEY, Mr. CALVERT, Mr. FITZPATRICK, Mr. FRANK of Massachusetts, Mr. FARR, and Ms. CHU.
H.R. 1337: Mr. GARRETT, Mr. LIPINSKI, and Mr. GRIMM.
H.R. 1340: Ms. BUERKLE.
H.R. 1341: Mr. POSEY.
H.R. 1342: Mr. CONYERS, Mr. GRIJALVA, Mr. LARSEN of Washington, Mr. DOLD, Ms. MATSUI, Mr. HONDA, Mr. SABLAN, Ms. BERKLEY, Mr. PETERSON, Ms. HANABUSA, Mr. SIRES, Mr. RYAN of Ohio, Mr. YOUNG of Alaska, Mr. FILNER, Mr. HOLT, Mrs. HARTZLER, and Mrs. McMORRIS RODGERS.

H.R. 1351: Mr. WELCH, Mr. GARAMENDI, Mr. COURTNEY, Mrs. MCCARTHY of New York, Mr. SHERMAN, Mr. NADLER, Mr. CROWLEY, Mr. THOMPSON of California, Mr. FARR, Mr. KILDEE, Mr. FILNER, Mr. ACKERMAN, Ms. WOOLSEY, Ms. SLAUGHTER, Ms. ZOE LOFGREN of California, Mr. YOUNG of Alaska, Mrs. MALONEY, and Ms. SPEIER.

H.R. 1375: Mr. WELCH, Ms. MCCOLLUM, Mr. WAXMAN, Mr. COHEN, and Mr. DEUTCH.

H.R. 1377: Mr. FRANK of Massachusetts.

H.R. 1380: Mr. PAUL, Mr. FARENTHOLD, Mr. MARINO, Mr. BARLETTA, Mr. NUGENT, and Mr. MEEHAN.

H.R. 1390: Mr. KELLY and Mr. BUCSHON.

H.R. 1391: Mr. REHBERG, Mr. ROSS of Arkansas, Mr. SHUSTER, and Mr. WILSON of South Carolina.

H.R. 1397: Mr. BLUMENAUER, Mr. MURPHY of Connecticut, and Ms. EDWARDS.

H.R. 1404: Mr. KILDEE, Mrs. LOWEY, Mr. ENGEL, and Mr. WELCH.

H.R. 1416: Mr. HOLDEN, Mr. CHANDLER, Mr. LATOURETTE, Mr. LARSON of Connecticut, and Mr. UPTON.

H.R. 1417: Mr. MCGOVERN, Mr. BERMAN, Mr. HINCHEY, Mr. PETERS, Mr. MORAN, Mr. ACKERMAN, and Ms. NORTON.

H.R. 1418: Mr. CULBERSON, Mr. KILDEE, and Mr. HUNTER.

H.R. 1425: Mr. COBLE.

H.R. 1426: Mr. LANGEVIN and Mr. HOLT.

H.R. 1427: Mr. BISHOP of Utah, Mr. MCINTYRE, Mr. WELCH, and Mr. COURTNEY.

H.R. 1433: Mr. POSEY.

H.R. 1440: Mr. FRANK of Massachusetts.

H.R. 1449: Mr. GERLACH and Mr. THOMPSON of Pennsylvania.

H.R. 1463: Mr. LEVIN.

H.R. 1474: Mr. HULTGREN.

H.R. 1482: Mr. SABLAN.

H.R. 1497: Mr. CARTER.

H.R. 1506: Mr. ROTHMAN of New Jersey.

H.R. 1508: Mr. GIBBS.

H.R. 1510: Mr. AMASH.

H.R. 1517: Mr. MCGOVERN.

H.R. 1520: Mr. HOLT.

H.R. 1527: Mr. PETERS.

H.R. 1533: Mr. LEVIN.

H.R. 1536: Mr. BARTON of Texas, Mr. CARTER, and Mr. PAUL.

H.R. 1537: Mr. LEVIN and Mr. OWENS.

H.R. 1539: Mr. GARRETT.

H.R. 1546: Mr. CARSON of Indiana.

H.R. 1547: Mr. PAYNE and Mr. HINOJOSA.

H.R. 1551: Mr. LABRADOR, Mr. JORDAN, Mr. FILNER, and Mr. MCCLINTOCK.

H.R. 1558: Mr. POMPEO, Mr. CHAFFETZ, Mr. BARLETTA, Mrs. NOEM, and Mr. CRAVAACK.

H.R. 1563: Mr. MANZULLO, Mr. CARSON of Indiana, and Mr. CLEAVER.

H.J. Res. 20: Mr. DUFFY.

H.J. Res. 56: Mr. HENSARLING, Mr. CHABOT, Mr. GARY G. MILLER of California, Mr. AKIN, and Mr. FARENTHOLD.

H. Con. Res. 12: Mr. MILLER of Florida, Mr. GARRETT, Mr. WALZ of Minnesota, and Mr. SMITH of New Jersey.

H. Con. Res. 14: Mr. PENCE, Mr. FLORES, and Mr. CAMPBELL.

H. Con. Res. 21: Mr. HUNTER.

H. Con. Res. 37: Mr. BRADY of Texas.

H. Con. Res. 40: Mr. MCGOVERN and Mr. STARK.

H. Res. 25: Ms. HERRERA BEUTLER, Mr. WESTMORELAND, and Mr. HULTGREN.

H. Res. 47: Mrs. MCCARTHY of New York and Mr. DEFazio.

H. Res. 86: Mr. POE of Texas.

H. Res. 98: Mr. NEUGEBAUER and Mr. REHBERG.

H. Res. 111: Mr. JORDAN, Mrs. MCCARTHY of New York, and Mr. RAHALL.

H. Res. 134: Mr. FRANK of Massachusetts and Mr. COFFMAN of Colorado.

H. Res. 137: Mr. CAPUANO.

H. Res. 180: Mr. MCGOVERN and Mr. FRANK of Massachusetts.

H. Res. 184: Mr. PEARCE and Ms. DELAURO.

H. Res. 187: Ms. NORTON, Mr. MCGOVERN, Ms. MCCOLLUM, and Mr. LOEBSACK.

H. Res. 211: Mr. POSEY.

H. Res. 222: Ms. PELOSI.

H. Res. 225: Mr. MCGOVERN and Ms. MCCOLLUM.

H. Res. 227: Mr. WALZ of Minnesota, Mr. GUTHRIE, Mr. SIMPSON, Ms. MCCOLLUM, Mr. CONNOLLY of Virginia, and Mr. NEAL.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1081: Mr. DUNCAN of South Carolina.

EXTENSIONS OF REMARKS

HONORING FATHER DAN
COUGHLIN

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BRALEY of Iowa. Mr. Speaker, I submit this statement on behalf of Albert Caswell, in honor of Father Dan Coughlin.

A MAN OF GRACE

A
A man . . .
A man of grace . . .
Our Lord, upon this place . . .
Had so placed . . .
As a true reflection of his face . . .
All in this temple of democracy's faith . . .
This shrine our forefathers had so
embraced . . .
For America was founded on such faith . . .
For no other experiment has since so been
raised . . .
For Father Dan, you were a pioneer . . .
As America's first Catholic Chaplin so
here . . .
To so spread the word, upon each and every
morning heard . . .
To counsel and to inspire . . .
Lifting hearts higher . . .
All for our nation's leaders, you never
tired . . .
As an instrument of our Lord's heart . . .
Oh how your faith, has so done its part . . .
To bring a Congress through such storms and
the dark . . .
All but with, the light of your fine heart . . .
And our Lord's word, casting out the
dark . . .
And Father we will miss your kind warm
face . . .
And your inspiring call to God, on each new
day . . .
And your warm heart, filled with such
grace . . .
Forever, in our hearts you shall hold a
place . . .
For your blessings bestowed upon us all . . .
Answering our Lord's, call to faith . . .
For such people, Heaven so holds a place . . .
For such men of grace . . .
In honor of Father Dan, and all of the
hearts you have touched over the years . . .
Bless you—Albert Carey Caswell.

A TRIBUTE TO THE CITY OF BELL
GARDENS ON THE OCCASION OF
THE CITY'S 50TH YEAR ANNIVER-
SARY CELEBRATION

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize the City of Bell Gardens and ask my colleagues to join me in congratulating its 42,000 residents on the city's 50th

Anniversary. I am proud to represent this growing city—aptly characterized by its motto “A City that Works”—as part of my 34th Congressional District of California.

While we honor the city's 50 years of official incorporation, its intriguing history dates back to the late 18th century when a Spanish soldier, Antonio Lugo, received a land grant that included the present-day Bell Gardens. Today's residents need only stroll down to 7000 Gage Avenue to admire one of Lugo's homes. Built about 1810, Casa de San Antonio, also known as the Gage Mansion, is California Historical Landmark number 984 and holds claim to being the oldest standing building in Los Angeles County.

The “Gage” Mansion is named after another notable Bell Gardens resident. A lawyer who married one of Lugo's great, great granddaughters, Henry T. Gage served as California's 29th Governor from 1898–1903. After Gage acquired and occupied the mansion, he worked extensively to restore the Los Angeles farmhouse and its magnificent early architectural designs.

Boasting some of the richest agricultural land in the country, Bell Gardens remained a farming community until the 1930s. During the Depression era, when farming became less profitable, the character of the community began to change as developers bought up the land to build affordable housing for struggling families.

During World War I and World War II, area defense plants spurred local growth and economic prosperity throughout the community. Attracted by the defense jobs, families moved to Bell Gardens, leading to the construction of new homes, more schools, and a prosperous business climate.

Today, Bell Gardens continues to be a dynamic and hardworking community. The city prides itself on its beautiful parks, emerald green soccer fields, childcare centers, a sparkling lake stocked with fish and waterfowl, and a community golf course.

The state-of-the-art renovation of John Anson Ford Park to include the Bell Gardens Sports Center is one of the city's crowning achievements. The multi-million-dollar facility is open to the community for soccer, baseball, tennis, golf and other sports. The city also entered into an agreement with the professional soccer organization Chivas Regal USA, which uses the complex as a practice facility.

The city's successful efforts to revitalize Downtown Bell Gardens is also a great source of pride for the community. Families now have many more retail and entertainment options. Completed in April 2004, Los Jardines Shopping Center replaced a blighted, underused commercial block with a vibrant, village-like, attractively landscaped shopping center that provides a pedestrian-friendly environment for the community. In addition, the shopping center houses nationally recognized merchants to serve the city's growing but largely under-

served Latino community. Los Jardines is located within the city's bustling Central City Redevelopment Project Area, adjacent to the popular Bicycle Casino, one of the most successful card clubs in Los Angeles County, the Marketplace shopping center, and the Village Square Shopping Center.

Affordable housing for the city's residents is also a priority. Housing communities ushered in by the city such as Las Casas de Bell Gardens, Clara Vista Housing Development, and the City of Bell Gardens Senior Housing and Community Center offer families and seniors affordable, comfortable and attractive units to call home. Addressing the need for additional affordable housing for seniors, the city developed Park View Terrace which provides 75 affordable units to seniors. The city is currently undertaking another affordable housing development project, Terra Bella Senior Housing Center, which is planned to start construction in the fall of 2011. It will provide 65 affordable units for seniors. These developments clearly represent the city's strong commitment to providing quality programs and services to the residents of the Bell Gardens community.

Mr. Speaker, as the city commemorates its 50th Anniversary with a free weekend celebration April 22–24 that includes carnival rides, food vendors, business booths, live entertainment and the Miss Bell Gardens Pageant, I ask my colleagues to please join me in commending this “city that works” on its historic milestone, and in extending our best wishes for many more years of progress ahead.

TED SMITH TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ted Smith, of Trinidad Colorado. Mr. Smith recently taught at the Trinidad State Junior College, where he established the now famous aquaculture program. He is moving on to the Native Aquatic Species Restoration Facility in Alamosa, Colorado, and will surely bring the same culture of excellence and success.

During his tenure with the Junior College, Mr. Smith mentored a number of students who have graduated to various wildlife jobs. Indeed, the Colorado Division of Wildlife currently employs many of his former students.

Mr. Smith's new job with the NASRF allows him to expand his oversight of Colorado aquatic life. The Facility houses 14 endangered species and is one of the foremost organizations for aquatic research.

Mr. Speaker, it is an honor to recognize Ted Smith today. There is no doubt his success

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

with Trinidad State Junior College will translate to the NASRF. His past and future contributions to Colorado's environmental research are immeasurable and he will continue his conservation efforts of wildlife across the state.

SEVERE WEATHER TRAGEDY IN TUSHKA, OKLAHOMA

HON. DAN BOREN

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BOREN. Mr. Speaker, I rise this afternoon with a heavy heart.

Last night, powerful storms ripped through my district and the State of Oklahoma killing multiple people and causing millions of dollars in damage.

According to the National Weather Service, yesterday at 8:16 pm Oklahoma time, a tornado touched down near the town of Tushka, Oklahoma in Pushmataha County, killing at least two of my constituents and causing millions of dollars in damage.

This is a terrible tragedy.

Oklahomans are well aware of the threat they face every year from severe weather.

But this tragedy and these types of storms are never easy for anyone to bear.

In fact, the damage caused by yesterday's storm is very personal to me.

During my time representing eastern Oklahoma in the House of Representatives, I have visited the school in Tushka that has been destroyed by this storm.

Tushka is a small rural town in Southeastern Oklahoma.

A town much like many of the small communities each of us represent here in Congress.

The people of Tushka are a group of hardworking and resilient Oklahomans who will undoubtedly get through this tragedy.

But at this difficult moment, I want to pause and let the victims and families who are suffering because of these storms know that my wife Andrea and I are praying for them during this difficult hour.

RECOGNIZING ACCOMPLISHMENTS OF GINA L. BLEAN AND KELLY A. HEYSINGER

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to recognize the outstanding accomplishments of Dubuque business owners Gina L. Blean and Kelly A. Heysinger for winning the Small Business Administration's (SBA's) Iowa "Small Business Person of the Year" award. Gina and Kelly are co-owners of Unified Therapy Services, Inc. in Dubuque, Iowa.

Small businesses are the driving force behind our economy and I couldn't be prouder of this one. This prestigious award is only bestowed upon the nation's top entrepreneurs—and I'm glad to see the entrepreneurial spirit

flourishing in eastern Iowa. We must continue to promote our small businesses and make sure that they can thrive and create new jobs.

In May, the SBA will honor Gina, Kelly, and other winners from across the country in Washington, DC, during National Small Business Week. The SBA will also select the "National Small Business Person of the Year" from the state "Small Business Persons of the Year." I will be rooting for them to win this prestigious national award.

FIRST LEGACY COMMUNITY CREDIT UNION

HON. MELVIN L. WATT

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. WATT. Mr. Speaker, I rise today to congratulate a credit union located in my Congressional District, First Legacy Community Credit Union, on 70 years of service to its members. First Legacy, originally named School Workers Federal Credit Union, was founded in Charlotte, North Carolina, on February 14, 1941, by a group of educators in the Charlotte-Mecklenburg School System. At its beginning, First Legacy offered a simple savings and loan program; today, it offers a broad range of financial services to its members. First Legacy Community Credit Union's continued dedication to serving the community, as well as efforts to increase financial literacy in North Carolina, is worthy of special recognition. I commend the work that First Legacy Community Credit Union continues to do and wish this outstanding community credit union another 70 years of success.

HONORING GOODWILL INDUSTRIES OF MID-MICHIGAN

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Goodwill Industries of Mid-Michigan as they celebrate their 80th anniversary. A celebration will be held on April 29th in my hometown of Flint, Michigan, to commemorate this milestone.

In 1931 the Oak Park Methodist Church established an agency to assist people with disabilities and Goodwill Industries of Mid-Michigan was born. The agency's heart is centered on serving the needs of persons facing a variety of barriers, including physical and mental disabilities, illiteracy, substance abuse, inadequate education, ex-felons, and welfare dependency. Headquartered in Flint, the agency currently serves clients in ten Mid-Michigan counties. With their ultimate goal of placing individuals in productive employment, Goodwill Industries has several Workforce Development programs, a retail division, and an e-commerce program. As a private, non-profit 501(c)(3) charity, the agency remains focused on their clients' future.

Mr. Speaker, it is with great pride that I ask the House of Representatives to join me in

congratulating Goodwill Industries of Mid-Michigan for 80 years of successfully serving the community. The ten Mid-Michigan counties served by Goodwill Industries have benefited from the work, dedication and enthusiasm of their clients, staff, volunteers and supporters. I wish them the best and hope they continue their success for many, many years.

REX THORNE TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Rex Thorne of Huntington, Indiana. Mr. Thorne was a war hero, an incredibly successful engineer and community leader in a life that touched people all over the United States.

Following high school, Mr. Thorne enlisted in the U.S. Navy where he served on the USS *Heyliger* during World War II. Mr. Thorne's bravery and that of his fellow servicemen contributed to America's victory in the Pacific Theater.

After serving his country abroad, he returned to attend Purdue University. He graduated with a degree in chemical engineering and quickly joined the Union Camp paper company. During his tenure with the company, he advanced from working in the lab to his eventual position as Corporate Director for Environmental Affairs. His work took him across the country and gave others an opportunity to meet and work with him.

Mr. Thorne also lent much of his time to volunteer work for clubs, charities and non-profit organizations. He enjoyed fund raising and organizing events for many groups, most notably the Boy Scouts, the Safe Shelter Board and the Salvation Army. He was an active member of the Rotary Club Savannah West and the Skidaway Island United Methodist Church, where he taught Sunday School for several years.

Mr. Speaker, it is an honor to recognize the life of Rex Thorne. From his service in World War II, his life as a businessman and his volunteer work, he had a profound impact on many people. There is no doubt that his legacy will continue to inspire others.

IN SPECIAL RECOGNITION OF STEPHEN PAVELKO ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTI

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTI. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Stephen Pavelko of Perrysburg, Ohio, has been offered an appointment to attend the United States Military Academy in West Point, New York.

Stephen brings an enormous amount of leadership, service and dedication to the incoming Class of 2015. While attending Perrysburg High School in Perrysburg, Ohio, Stephen earned honors in multiple fields of study, taking a number of advanced placement courses. Stephen was inducted into the National Honor Society, was involved in a number of athletic activities and held various leadership positions.

Throughout high school, Stephen participated in athletic activities, including football, basketball and baseball. He earned a varsity letter in football. I am confident that Stephen will carry the lessons of his student and athletic leadership to West Point.

Mr. Speaker, I ask my colleagues to join me in congratulating Stephen Pavelko on the acceptance of his appointment to the United States Military Academy in West Point where he will gain a world-class education and invaluable leadership experiences. I am positive that Stephen will excel during his career at West Point, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the nation.

ADA LAUNCHES JOBS-SOCIAL SECURITY-MINIMUM WAGE CAMPAIGN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. WOOLSEY. Mr. Speaker, Americans for Democratic Action has launched a Progressive agenda for jobs, rejuvenating the American economy, saving Social Security, and raising the minimum wage.

JOBS

Workers without jobs can't provide adequately for the basic needs of their families. The unemployment crisis is damaging families and contributing to a multitude of economic and social ills, including:

The highest poverty rate for working-age people between 18 and 64—12.9% in 2009—since 1965. Today, 43.6 million Americans are living in poverty, 19 million of whom are in deep poverty.

Workers who have lost their jobs through no fault of their own often cannot pay mortgages and rent, even when receiving unemployment benefits, which are not equivalent to wages lost. The foreclosure crisis—primarily the outcome of misdeeds of bankers and mortgage brokers—is driving further declines in home values while destroying once-vibrant neighborhoods. Joblessness also contributes to increased homelessness, which is not only tragic for families who lose their homes, but is accompanied by broader social harms and increased budget pressures on already strapped local and state governments.

Unemployed workers—along with many who are still employed—are losing employer-based health insurance coverage. In 2009, 50.7 million people were without health insurance—the highest number of uninsured since the Census started collecting the data in 1987. Joblessness is increasing pressure on public programs such as Medicaid, while increased use

of uncovered emergency services by those with no other option for care is driving further increases in healthcare costs for small businesses and those still fortunate enough to have jobs and healthcare coverage.

Workers without jobs can't pay taxes that provide the resources to hire teachers, police and firefighters, build and maintain roads, provide for appropriate national security, ensure product safety, protect the environment, and fill urgent long- and short-term national needs.

We condemn the folly of deficit slashing while 15 million Americans remain unemployed—plus 11 million more who are underemployed or have dropped from the labor force. Insufficient economic demand and idle productive capacity in the economy, in the short-term, bleeds federal and state budgets, whether or not current economic conditions meet the official definition of "recession." Reckless spending (except perhaps for ill-conceived and poorly executed wars) is not the cause of our budget woes. This is made obvious as conservatives decry the deficit, but cannot or will not name any specific government program they would slash in order to meet their demands for deficit reduction.

Job creation—and the economic growth that spurs job creation—is the only way to reduce a budget deficit that is primarily the result of high unemployment. Unemployed workers represent idle productive capacity—lost wages and lost economic output. Lost wages reduce demand for goods, services, and investment, and depress tax receipts. Without consumers with money to spend, firms don't invest or hire, leading to more joblessness and still lower output. That leads to declining tax receipts along with growing demand for automatic stabilizers (such as unemployment benefits) and safety net services (such as Medicaid, food stamps, and housing assistance). Government deficits are inevitable in economic downturns with high unemployment.

Since firms will not hire or invest where demand is lacking, and unemployed workers cannot expand consumption and increase demand, only the government can spur growth—through deficit spending and investment. Tax cuts may be helpful, but in the current climate, direct spending and investment will more quickly and more strongly stimulate demand. Investing now in America's current and future prosperity is the remedy for both joblessness and the long-term budget deficit.

Conservatives argue that austerity will spur economic growth. That argument is based on evidence that fiscal austerity reduces interest rates (borrowing costs) for firms, and thus stimulates investment. But the evidence for this model does not mirror current conditions. Interest rates in the U.S. are already at historically low levels, yet firms are not investing or hiring. Moreover, few of the countries that experienced rapid growth while practicing fiscal austerity adopted austerity when the economy was operating far below its potential level of output, and in no case was a country as far below its potential as the U.S. is today.

Furthermore, all of the evidence that austerity fosters growth comes from countries with a much larger percentage of their economy involved in export industries than is the case with the U.S. Trade provides a source of demand for countries with a large export sector.

The U.S. currently cannot rely on export-led growth to stimulate sufficient demand to reduce unemployment. For unemployment to be reduced in the short run, domestic demand must be increased. Thus, arguments for slashing government budgets in order to stimulate jobs and economic growth are not credible under current economic conditions.

The American Recovery and Reinvestment Act (ARRA) may have created or saved up to 3.3 million jobs and averted a second Great Depression, according to the independent Congressional Budget Office (CBO) estimates. But simple math shows that it was woefully insufficient to offset the loss of \$2.1 trillion in economic activity, \$3.4 trillion in lost home values, and \$7.4 trillion in lost stock values in 2009 and 2010. Not only was \$787 billion in stimulus insufficient to offset the losses, it was also swamped by an estimated \$570 billion in spending cuts by state and local governments over the 2009–10 period.

Thus, the stimulus provided by ARRA and other measures amounted to only about \$126 billion per year for 2009 and 2010. The total effective stimulus was perhaps only 10% of the output lost.

By 2014, the CBO projects that total lost output will reach \$3.4 trillion—more than \$11,000 per person—assuming unemployment returns to normal levels by then. That figure will be worse if unemployment remains high. Additional and substantial economic stimulus that more realistically accounts for current economic realities is required, both to create jobs and to begin building the foundation for a prosperous future in which budget deficits can be reduced without causing economic contraction during a period of record unemployment.

The way to achieve a balanced federal budget is with a sound banking system and rational monetary policy; government investment (recognizing the difference between spending and investment); and full employment at decent wages and benefits.

We need jobs, and we have much work to do. A great nation can't remain great with crumbling bridges and schools, bursting water mains, leaking untreated sewage, grossly inadequate transportation systems, over-dependence on foreign oil, unaffordable higher education, and broadband preparedness that ranks 15th among OECD countries. ADA calls for restoring America's global competitive position with a restored manufacturing base, and rebuilt and expanded public infrastructure including broadband, throughout the nation.

A great nation consists of livable cities and towns that work for people, with decent affordable housing, quality public schools, well-designed and functioning public transportation systems, and jobs that provide decent wages. Cities cannot be warehouses for vast numbers of homeless and impoverished people who have no prospects and no hope.

A great nation will be at the forefront of addressing global problems that have resulted from past mistakes. Global warming, polluted water, and energy insecurity require investment in high-speed railroads and mass transit systems; emission-free vehicles and the infrastructure to power them; research, development, and construction of renewable energy sources, such as solar, wind, and waterpower.

America, with enforced fair labor standards and collective bargaining rights. To begin the

process of restoring America's industrial-employment base, ADA calls for fair trade policies that promote economic activity and lift wages in all nations, including our own; reformed tax policies that reward companies for creating jobs here, rather than for shipping them overseas; and national and local purchasing goals that support American manufacturing.

For community restoration and further job growth, ADA calls for doubling funding for programs to employ youth—including high school dropouts, high school graduates, and college graduates. This includes expanding AmeriCorps, the Job Corps, and the Peace Corps, a renewed Civilian Conservation Corps to restore our national parks and forests, a Neighborhood Corps to protect, maintain and revitalize (or as necessary demolish) distressed housing, and Home Care Corps providing services to the elderly in their own homes.

These ambitious programs, sparked by public investments, will generate millions of jobs that pay middle-class wages, serving urgent national needs and restoring the private economy. These are the necessary underpinning of a strong America.

SOCIAL SECURITY

Social Security is under siege on multiple fronts, most of them familiar.

Social Security is not part of the budget deficit. It's been made a scapegoat by long-time enemies of the program. Social Security payments are, in fact, not government spending at all. Government spending includes the purchases of goods and services by government. Social Security payments are direct transfers from working people with more income to the elderly, disabled, widows and orphans who have less income, and who mostly contributed to the program during their working years. As such, a dollar reallocated from one final consumer to another has no direct effect on GDP whatsoever. Such transfers are fair and effective, increasing security and reducing poverty.

The Commission on Deficit Reduction is co-chaired by millionaire Erskine Bowles and former Senator Alan Simpson, who calls Social Security retirees "Greedy Geezers," as if either man would consider living on the average benefit of \$13,860 per year. The Commission includes only one economist; the rest are career politicians, most of whom have supported cuts to Social Security. And the Commission has accepted support from Peter G. Peterson, who has waged a relentless, decades-long campaign to cut Social Security and Medicare. The composition of the Commission is deeply flawed, including bias and conflicts of interest. Any proposal by the Commission regarding Social Security cuts should be rejected.

For two-thirds of the elderly, Social Security is at least half their income. About a third of the elderly rely on Social Security for most of their income. Social Security isn't in jeopardy, except from the Commission, other privatizers, and unemployment—jobless workers don't pay payroll taxes.

With no changes, Social Security can pay full benefits until 2039, and thereafter about 80% of currently scheduled benefits. Simple changes that don't damage the program, and make contributions more progressive, can be

made. Changes in FICA tax policies for higher-income earners would make it possible to reduce contributions by lower income earners, making the system less regressive and helping to address the enormous income gap that has developed in the U.S. over the past 30 years. Policy options include:

Raising the cap on which the payroll tax (FICA) is applied above the current \$106,800; Removing the cap entirely; or

Applying the cap to all taxable income, including interest, dividends, and capital gains.

The payroll tax, currently accumulating a \$2.6 trillion surplus, is invested in U.S. government bonds, about the safest investment in the world.

Proposals to allow workers to contribute a portion of their FICA contributions to individual accounts are a sure way to undermine the entire Social Security system, and must be off the table. It may sound harmless, but siphoning off funds earmarked for Social Security makes it impossible to pay for current benefits. Individual accounts held in investment funds would be subject to the ups and downs of the business cycle. For those fortunate enough to retire in good times, the accounts may be a good deal. For those reaching retirement in a downturn, the effect could be disastrous. They may have little more than a much-reduced Social Security benefit to survive on and face years of poverty in retirement. We should not forget the last two years and the disastrous effect of the recession on 401(k)s.

Baby boomers are retiring; our population is aging. Legislators noticed that in 1987 and took care of it by increasing the payroll tax, and by gradually increasing the retirement age to 67 by 2022. That increase in the normal retirement age cut benefits by 13%. Postponing retirement is tough for people who've had physically demanding jobs (unlike doctors, lawyers, economists, professors, and legislators). Recent data on longer life expectancy, the principal argument for raising the retirement age still further, have shown that longer life spans in the U.S. are principally a luxury for the well-off. Further, the life expectancy numbers are skewed because of declines in infant and young-adult mortality. Ordinary working Americans aren't living appreciably longer lives, and thus longer retirements are largely a myth.

We should also attract more young workers by creating an economically rational immigration policy.

Current undocumented workers should be given a path to citizenship. This will ensure that they are appropriately contributing taxes, while affording them protections they now lack, including protection from workplace discrimination, wage and overtime protections, workplace safety, and collective bargaining rights.

The Dream Act, a bill to provide citizenship to young people who were brought to this country as children, should be made law immediately. This would provide a path to citizenship for those who attend college or serve two years in the U.S. Armed Forces, and would help the U.S. retain the most successful, productive young immigrants.

Large numbers of the brightest students from around the world come to earn degrees from U.S. universities. Many wish to remain in

the U.S., but our broken immigration system makes it nearly impossible for them to do so. We should be encouraging these graduates to remain in the U.S. on completion of their studies.

MINIMUM WAGE

The third prong of ADA's program is increasing and indexing the minimum wage. It lags at a shameful \$7.25 per hour, while Republicans call for tax cuts for millionaires and billionaires. At its current level, the minimum wage barely provides an annual income above the individual poverty level, and many minimum wage earners are trying to raise families. It is unconscionable that anyone working full time in America should be mired in poverty, unable to meet basic needs of shelter, food, heat, and clothing.

The minimum wage should be increased, and should in future be indexed to the Consumer Price Index, to ensure that it keeps pace with the rising cost of living.

Opponents of raising the minimum wage will say that it increases unemployment. The evidence for this is extremely spotty. In some states that have increased their minimum wage, unemployment has declined relative to neighboring states that have maintained minimum wage at the federal level. In others, very small increases in unemployment were seen for the lowest-wage workers, and even those increases were temporary. Most of the economic research indicates that modest increases to the minimum wage have a negligible effect on employment, which is much more affected by other economic factors. The benefit of an increase to those workers at the minimum wage level outweighs the negligible effect on employment levels, and ADA strongly supports action on legislation to adjust the current minimum. ADA forged the coalition that led to the last increase in the minimum wage, and we can do so again.

All three prongs of ADA's program—JOBS, SOCIAL SECURITY, and MINIMUM WAGE—are of a piece, and are essential to restoring the American middle class. The Republicans are raring to enact slashing cuts that mirror those of the Tories of the UK, a formula for a double-dip recession or worse. We know better. Americans need jobs. Our country needs refurbishing. Workers need jobs that pay for housing, food, education, and a decent standard of living. Workers pay Social Security taxes, so the elderly, disabled, widows, and orphans can survive above poverty. And minimum wage workers must not be left behind. ADA stands ready to build the Liberal movement to carry out this agenda.

JESSICA JERKE TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, it is an unmatched honor for me to stand and pay tribute to the short, yet remarkable, life of Jessica Jerke of La Salle, Colorado. She was a young woman who accomplished more in her 21 years than most people can achieve in a lifetime. Jessica truly devoted herself to a life of

selflessness and compassion to everyone she interacted with.

Ms. Jessica Jerke was born in Greeley, Colorado, and was an inspiration to her friends and family throughout her life. She was a member of the Greeley Children's Chorale, as well as a member of the Continental Singers. Jessica had even written and recorded some of her own music. Jessica graduated from University High School in 2008 where she was a member of the choir, the dance team, and the tennis team. She was also a devout Christian who possessed a deep faith, and had a strong relationship with God. Jessica was so committed to her faith that she went on two mission trips to Costa Rica and India to try to help those that were less fortunate than her.

Jessica attended Colorado Christian University where she studied music education, and in her 2nd semester of college she began to show symptoms of the unknown disease that she would fiercely battle for the next two years. Physicians from around the nation could not diagnose what was wrong with her. As her condition worsened, Jessica continued to flash her beautiful smile, never losing her winning attitude, and grew closer to her Lord. Jessica wanted no gifts as she celebrated her 21st birthday from a wheel chair, but asked that people make donations to the Christian mission in India instead. Jessica was a true embodiment of the Christian ideals that she held so closely.

Jessica Jerke demonstrated true grace in the face of misfortune, and our nation has lost a great citizen of the world. Mr. Speaker it has been a privilege to stand before you and pay tribute to the life of this extraordinary young lady.

HONORING ARMY STAFF SERGEANT JORGE ANTONIO SCATLIFFE

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mrs. CHRISTENSEN. Mr. Speaker, I rise today to honor the life and memory of Army Staff Sergeant Jorge Antonio Scatliffe, who died in Mosul, Iraq, on April 3, 2011, in support of Operation New Dawn. Staff Sergeant Scatliffe was the 7th soldier from my district, the U.S. Virgin Islands, to die in the Middle East since the outbreak of hostilities in the wake of the tragedy of September 11, 2001.

Staff Sergeant Scatliffe, 32, was assigned to E Company, 27th Brigade Support Battalion, 1st Cavalry Division, Fort Hood, Texas. He grew up on the island of St. Croix and attended the Lew Muckle Elementary School, the Elena Christian Junior High School, St. Croix Central High School and was one of the first graduates of the St. Croix Educational Complex.

Staff Sergeant Scatliffe joined the Army in April of 1998 as a Bradley Fighting Vehicle system maintenance man. His first deployments to Iraq began in April 2003 and ended in 2004. He was redeployed in December 2005 and served until December 2006 and once again from June 2008 to May 2009. Staff

Sergeant Scatliffe was on his fourth tour of duty in Iraq, which he began in 2010 and ended tragically on April 3rd of this year, when he gave the ultimate sacrifice for his country, his precious life.

Staff Sergeant Scatliffe received many awards and decorations which includes two Army Commendation Medals, three Army Achievement Medals, four Army Good Conduct Medals, a National Defense Service Medal, an Iraqi Campaign Medal with campaign stars, a Global War on Terrorism Medal, Overseas Service Ribbons, an Army Service Ribbon, a Driver and Mechanic Badge for Mechanics, a Driver and Mechanic Badge for Wheel Vehicle Drivers and a Driver and Mechanic Badge for Tracked Vehicle Drivers.

Mr. Speaker, Staff Sergeant Scatliffe was a man who deeply loved his family, especially his mother, Sarah, with whom he maintained a close relationship. He is also mourned by his brothers, Robert and Raymond, and a circle of family, friends and fellow soldiers who are broken hearted at the loss of an exceptional young man.

I extend my sincere condolences to the family, friends and fellow soldiers of Staff Sergeant Jorge Scatliffe on behalf of the people of the U.S. Virgin Islands, the U.S. Congress and the entire nation. Your service and your sacrifice will not be forgotten.

IN SPECIAL RECOGNITION OF
JAMES KEYGES ON HIS OFFER
OF APPOINTMENT TO ATTEND
THE UNITED STATES AIR FORCE
ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that James Keyges of Greenwich, Ohio has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

James brings an enormous amount of leadership, service, and dedication to the incoming Class of 2015. He is the recipient of a Falcon Foundation Scholarship and recently graduated from the Northwestern Preparatory School in Santa Barbara, California. James is an active member of Ripley Church and spent many of the past years participating in the church's youth group. He subsequently was employed as a member of the church's staff where he was responsible for audio and technical support.

Mr. Speaker, I ask my colleagues to join me in congratulating James Keyges on the acceptance of his appointment to the United States Air Force Academy where he will gain a world-class education and invaluable leadership experience. I am positive that James will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the nation.

GAINES WYLIE SHULTS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Gaines Wylie Shults of Mosca, Colorado. Mr. Shults owned and operated a number of small businesses in Texas and Colorado and was one of the founding members of the National Rifle Association.

Mr. Shults was born and raised in Rising Star, Texas, before eventually deciding to join the Texas National Guard. He had a zest for flying and took every opportunity to do so during his service. After the bombing of Pearl Harbor he was transferred to the Navy as a flight instructor, where his efforts contributed to our country's victory in the Pacific Theater.

Mr. Shults' love of flying brought him to Colorado, where he eventually ran the Alamosa Airport. On his way he founded Silver State Aviation, a crop dusting and charter business. It was a natural outlet for his skills in aviation and knowledge of agriculture.

His career pursuits were not limited to aviation, however. Mr. Shults had a talent for ranching and operated Broken Heart Land and Cattle Company for several years. He loved the outdoors and spent as much free time as possible hunting, fishing and flying.

Mr. Speaker, it is an honor to recognize Gaines Shults today. He was a veteran, entrepreneur and leader. There is no doubt his legacy will continue to impact rural Colorado.

A TRIBUTE TO RAMON C. CORTINES, SUPERINTENDENT OF LOS ANGELES UNIFIED SCHOOL DISTRICT

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. SCHIFF. Mr. Speaker, I rise today to honor Ramon C. Cortines for his lengthy and distinguished career as an educator. Mr. Cortines will be retiring shortly as the Superintendent of the Los Angeles Unified School District. His tenure as Superintendent of the LAUSD has capped off a 55-year career in education that has taken Mr. Cortines to schools all across the country and has demonstrated his passion for both education and public service. His dedication to our Nation's children is admirable, and I stand today to commend his service as a teacher, mentor, administrator and advocate.

The breadth of Mr. Cortines' experience in education is impressive. His work both in and out of the classroom has focused on improving education in this country. As an administrator and public servant at the State and Federal levels, Mr. Cortines used the perspective he gained in the classroom to address the educational challenges this country faces from a big-picture perspective.

While Mr. Cortines has worked for schools all across the country, he spent a considerable portion of his career in California. He started

in 1956 as a teacher in Aptos, California and went on to hold numerous positions in schools and districts across the State. This service included time as superintendent in Pasadena, San Jose, San Francisco and finally Los Angeles.

Mr. Cortines has also lent his expertise to many taskforces and governmental agencies. He worked at both the State and Federal levels on education policy, as well as for many non-profit foundations dedicated to improving education. Mr. Cortines has also held numerous positions in academia at Universities across the country, sharing his expansive knowledge with the next generation of educators and policy makers.

I ask all Members to join me in honoring Ramon C. Cortines for his exceptional service to the community.

HONORING NANCY KURK, THE DEPARTMENT PRESIDENT OF THE AMERICAN LEGION AUXILIARY DEPARTMENT OF NEW YORK

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. REED. Mr. Speaker, I rise today to recognize Nancy Kurk, who is the Department President of the American Legion Auxiliary Department of New York. Department President Kurk is currently serving as the Department President for the 2010–2011 term. Nancy has selflessly served the American Legion Auxiliary and her community for over 30 years.

As Department President, one of her main initiatives is the "Hats Off to Homeless Veterans," which is expected to raise \$50,000. All the money raised during this endeavor will either be designated to a specific shelter by the donor or, if unspecified, will be donated to the Zion House, a shelter for homeless female veterans from all across New York.

Raising funds for homeless veterans is only the latest in a long line of accomplishments for Department President Kurk. For over 30 years she has demonstrated commendable service and dedication towards the American Legion Auxiliary and has devoted her time to numerous hours of volunteer service to helping our Veterans. In fact, during the current term, she has visited all 62 counties in the State of New York in support of American Legion Auxiliary activities.

Department President Kurk is a 34-year member of the Robson-Savage Unit No. 546 and also currently serves Yates County as Legislative and Past President's Parley Chairman. Among her many notable achievements, Department President Kurk has served twice as Field Day Chairman at the Canandaigua VAMC. Additionally, she has also serviced the American Legion Auxiliary Department as VAVS Deputy and Poppy Supervisor at the Canandaigua Veterans Affairs Medical Center.

Nancy is also an Independent Living Skills Trainer with Sibley Nursing Personnel, Inc., where she helps individuals who have suffered from traumatic brain injury to regain their personal independence both at home and within the community.

So in conclusion, I am proud to recognize and honor one of the finest servants of the 29th District of New York, Nancy Kurk. The years of service she has rendered to the American Legion Auxiliary and to our local communities is invaluable, and I commend her for all of her accomplishments.

WILMINGTON, NORTH CAROLINA BEING RECOGNIZED AS "AMERICA'S WORLD WAR II CITY"

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. MCINTYRE. Mr. Speaker, it is my great pleasure to rise today to pay tribute to the City of Wilmington, North Carolina, for its remarkable contributions to the U.S. war efforts during World War II. Its rich World War II legacy reminds us not only of its unique and pivotal role in the war, but also of the honorable dedication of all North Carolinians during our nation's time of need. As a reflection of its unique and pivotal role, and its deep and unmatched sacrifice, I stand to proclaim that Wilmington, North Carolina, should be recognized as "America's World War II City." In fact, both the New Hanover County Commissioners and City Council have proclaimed it so!

During World War II, Wilmington was the country's unique wartime boomtown, aptly and officially named "The Defense Capital of the State." The once-quiet seaside city, geographically isolated for decades, suddenly found itself an exploding center for military life and defense production.

Wilmington's wartime efforts were extensive and honorable. Wilmington based and trained all five military services—the Air Force at the Wilmington Airport, the Army at Camp Davis and Fort Fisher, the Navy at Fort Caswell, the Coast Guard at Wrightsville Beach, and the Marine Corps at Camp Lejeune. The North Carolina Shipbuilding Company of Wilmington, the state's largest employer at that time, constructed 243 cargo vessels with which to provide goods and equipment to our soldiers. Additionally, Wilmington provided the Atlantic Coast Line Railroad headquarters, three housing camps for German prisoners of war, a major training base for P-47 fighters, defense industries producing goods and equipment, a British patrol base, and a shipping point for Lend Lease supplies to the Allies.

Wilmington's most important contribution by far, though, was its dispatch of thousands of its sons and daughters to fight the enemy. These New Hanover County men and women served in uniform, fighting on land, sea, and air as Navy frogmen, P-51 fighter aces, Tuskegee airmen, submarine skippers, bomber pilots, Marine riflemen, Army artillerymen, physicians and nurses, and volunteers of all sorts. Tragically, 248 Wilmington men bravely lost their lives as a result of their courageous efforts to defend America. Two New Hanover High School graduates received the Congressional Medal of Honor and numerous others received high decorations for valor, including Navy Crosses, Distinguished Service Crosses, and Distinguished Flying Crosses.

Furthermore, Wilmington's strategic position made it vulnerable to enemy attack by German U-boats, which marauded shipping off our beaches. In July 1943 a U-boat fired at the Ethel-Dow chemical plant in Wilmington, perhaps the only German attack on America. Wilmington endured this attack, as well as constant civilian defense restrictions and air raid drills, including black-outs and dim-outs. The city's population more than doubled with the influx of military personnel, forcing locals to cope with strain on housing and schools, transportation, medical and social services, law enforcement, and food supply.

Mr. Speaker, Wilmingtonians sacrificed in every imaginable way when our nation needed them during World War II. I ask my colleagues to join me in recognition and appreciation of Wilmington's contributions to the U.S. war effort during World War II. Now, in the spirit of that appreciation, let it be known that Wilmington, North Carolina, should be recognized as "America's World War II City."

HONORING REVEREND JAMES C. HARRIS

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor Reverend James C. Harris, a great man of God, for his 60 years of service as the pastor of Mt. Pilgrim Baptist Church in Columbus, Georgia.

James Calvin Harris was born in Lee County, Georgia, on April 7, 1925, to the late Elijah and Viola Harris. He was the seventh of eight children and first became a member of St. Matthew Baptist Church of Lee County, Georgia under the late Rev. Allen A. Green. Rev. Green licensed James Harris into the Christian ministry on July 9, 1939, and later ordained him on August 10, 1949.

Rev. Harris served our country in the United States Navy during World War II, and married Miss Maggie Jefferson in 1944. He later attended Albany State College (now Albany State University), and finished his seminary work at the American Baptist Theological Seminary in Nashville, Tennessee.

He first became a pastor at New Point Baptist Church in Arlington, Georgia, and preached at six other churches before finding his home at Mt. Pilgrim in 1951. Throughout his tenure, Mt. Pilgrim has become more involved in the community because of Rev. Harris' belief that the church and its congregation have a responsibility to be there for those in the community who are less fortunate or downtrodden.

In 1985, he received the Best Congress Award for excellence in execution of the Program of Christian Education Department from the National Baptist Convention's Sunday School Publishing Board—the highest award in the field of Christian Education. In 1991, he received the Sergeant Major Award for spiritual personnel at Fort Benning, GA, and in 2004, the National Baptist Convention again recognized him with the Service Award for his 50 years of service as a pastor to the same church.

There is a reason Reverend Harris is known as the "sharing minister." Because of his dedication to serving the community, Mt. Pilgrim is known as the caring and sharing church. He has always been available to mentor young ministers trying to find their way, providing guidance and direction whenever needed.

Under Rev. Harris' leadership, the outreach ministries he created have helped establish a Baptist Church in Camp Long, Korea, a jail-house ministry at the Muscogee County Jail in Columbus, and several Christian education programs. By reaching out to those in need and comforting those who are suffering, the church has become a source of spiritual support for people all across the world.

Rev. Harris has been a friend, advisor, counselor and supporter from the time I first met him in 1972. My wife and I truly cherish his friendship and support.

On the occasion of his 60th anniversary as pastor of Mt. Pilgrim Baptist Church, it is a privilege to recognize Reverend Harris for his decades of service to the Columbus community and to God. His unwavering commitment to the ministry and the Columbus community should be celebrated, and I hope that he continues to sing "He's a Battle Ax" and spread the word of God for years to come. To God Be The Glory!

ERNEST AND LOUISE ANITA
EVANS ROMERO TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Ernest and Louise Anita Evans Romero, of Pueblo Colorado. Mrs. Romero, a very successful nurse for many years, passed away in 1994 but is remembered by the immensely successful scholarship fund created by Mr. Romero in her honor.

The Romero Nurse Scholarship Fund awards grants to St. Mary-Corwin nurses so that they might study more advanced nursing techniques. The Fund has given 17 scholarships to St. Mary-Corwin nurses since it was created. It is an appropriate honor for those who display the same talent and dedication to nursing as Louise Romero did for so many years.

Mr. Speaker, it is an honor to recognize Mr. and Mrs. Romero for their longtime service to the community. Through the Fund created by Ernest Romero, deserving nurses will be able to pursue the same excellence Louise Romero strived towards during her life. There is no doubt their impact will be felt in Colorado for many years.

IN SPECIAL RECOGNITION OF ASHLEY MOHR ON HER OFFERS OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY, THE UNITED STATES NAVAL ACADEMY, AND THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young woman from Ohio's fifth congressional district. I am happy to announce that Ashley Mohr of Van Wert, Ohio has been offered appointments to attend the United States Military Academy, the United States Naval Academy, and the United States Merchant Marine Academy. Ashley has accepted the offer to attend the United States Military Academy in West Point, New York.

Ashley brings an enormous amount of leadership, service and dedication to the incoming Class of 2015. While attending Van Wert High School in Van Wert, Ohio, Ashley attained a 4.0 GPA, was a member and vice president of Student Council, Senior Class president, member of BETA Club, French Club, Varsity V-Club and participated in choir and journalism. She received numerous academic awards.

Throughout high school, Ashley was a team member of the track, basketball and soccer teams, where she received varsity letters. Ashley demonstrated her dedication and service to her community and peers by being active in Junior Rotarians as a Cougar Mentor Team member, as a member of First Presbyterian Church and volunteer referee for the Upward Soccer Program. I am confident that Ashley will carry the lessons of her student leadership to West Point.

Mr. Speaker, I ask my colleagues to join me in congratulating Ashley Mohr on the acceptance of her appointment to the United States Military Academy in West Point where she will gain a world-class education and invaluable leadership experience. I am positive that Ashley will excel during her career at West Point, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the nation.

REMEMBERING BRAVE PATRIOTS
OF BRIGADE 2506

HON. MARIO DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DIAZ-BALART. Mr. Speaker, I rise to remember the brave patriots of Brigade 2506, and their American co-fighters, on the fiftieth anniversary of the Bay of Pigs Invasion.

On April 17, 1961, 1,400 brave Cuban men landed along the beaches of the Bay of Pigs. Although the Brigade was outnumbered and out-supplied, it managed to inflict massive damages on Castro's military. Those brave

fighters were a cross-section of Cuban society. They were doctors, students, and farmers. Some were only teenagers. They were supported by four brave Alabama pilots who ignored their superiors' orders to abandon the brigade and their mission. When the smoke cleared and the fighting ended, the survivors endured nearly two years of torture by some of the most sadistic, expertly trained torturers the world has ever known—on the direct orders of Cuba's cruel dictator.

Today, that dictatorship is failing. When that oppressive regime finally dies, the Cuban people will be rid of the shackles that have burdened them for decades. The heroes of the Bay of Pigs invasion were early warriors in the struggle for the freedom of the Cuban people. History will remember them not only for their heroism on the beaches of Playa Girón, but also for their role in the ultimate liberation of the homeland of José Martí.

The U.S. Congress is an especially fitting venue to commemorate a day of such importance to both Cuban and American history. It is appropriate that on this day, and in this place, we remember the Cuban people's call for a true democratic transition, the recognition of basic human rights, the adherence to the rule of law, those heroic freedom fighters of Brigade 2506 and the four brave Alabama pilots who refused to abandon their Cuban brothers. We free Americans must continue to stand with the long-suffering Cuban people at this critical time in their history.

I humbly and with gratitude salute the brave patriots who attempted to liberate the Cuban people from tyranny fifty years ago. Their sacrifice, and their valor, will never be forgotten.

HONORING THE 40TH ANNIVERSARY OF THE NISEI FARMERS LEAGUE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. COSTA. Mr. Speaker, I rise today with my colleague Mr. CARDOZA to congratulate the Nisei Farmers League on the occasion of its 40th anniversary celebration. The Nisei Farmers League has made a significant impact on the San Joaquin Valley and throughout California by representing the interest of growers, packers, processors and their employees. Over its 40 years of service, the Nisei Farmers League has helped to create a strong support network that helps western agricultural interests meet the many challenges faced in today's international marketplace.

The Nisei Farmers League was founded in 1971 by a small group of Japanese-American growers who met to discuss the increasing challenges facing California agriculture. Within months of the original meeting more growers joined the group and the decision was made to take the name of "Nisei," the term for second-generation Americans of Japanese ancestry. Under the direction of founder Mr. Harry Kubo, who served as leader of the league for 25 years, the organization worked to confront the challenges faced by small growers during farm union activities in the 1970s. Acting as a

mutual protection society, the Nisei Farmers League has proven to be extremely effective in advocating on behalf of its members.

Evolving over the years, the league is now a sophisticated voice for more than a thousand members representing the broad diversity of California and the western United States' farmers and ranchers, and advocates on an array of issues at the local, State and Federal levels.

Today, led by Mr. Manuel Cunha, the Nisei Farmers League serves more than 1,100 growers, packers, and processors who grow and pack a diverse range of crops throughout California and the western United States. From the bountiful fields of California to the halls of the United States Congress, the Nisei Farmers League is respected and should be honored for its tireless efforts on behalf of western agriculture.

Mr. Speaker, I ask my colleagues to join me and Mr. CARDOZA in recognizing the hard work and dedication that the Nisei Farmers League has put forth throughout its many years of service to growers throughout California. I congratulate the Nisei Farmers League on its many years of dedicated and successful work in California, and wish the group many successful years to come.

CONGRESSIONAL VICTIMS' RIGHTS CAUCUS AWARDS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. POE of Texas. Mr. Speaker, I rise today, during National Crime Victims' Rights Week, to congratulate the winner of the Congressional Victims' Rights Caucus Awards.

Congressman JIM COSTA of California and I are the co-founders and co-chairs of the Victims' Rights Caucus, a bi-partisan group of 60 members who work to be a voice for victims' rights in Congress and before the administration.

Last week, we honored six incredible individuals who have made a real difference in the lives of victims and have greatly influenced the victims' rights movement.

Some of the award recipients, including my nominee, Jess Smochek, were victims themselves and are now fighting for other victims' rights and changes in the system.

Jess was terribly beaten, raped, and left for dead while volunteering for the Peace Corps in Bangladesh.

The Peace Corps basically ignored Jess and did nothing to aid her in a time of great need.

Jess found out that other volunteers in the Peace Corps, who were victimized during their service, were treated the same way.

Instead of letting this go on, Jess took her awful experience and decided to advocate for a change in the Peace Corps policy toward victims.

Because of her bravery in speaking out about this tough issue, the national media and Congress are aware of this unacceptable matter and are working with her to push for changes in the Peace Corps.

We honored her with the Suzanne McDaniel Public Awareness Award because of her hard work to ensure no other selfless volunteer in the Peace Corps has to endure this treatment.

Helga Luest is another award recipient who chose to seek change in the system after having a traumatic experience as a crime victim.

After a brutal attack that almost cost her and her mother's lives, Helga began an organization called Witness Justice that works to help victims seek justice and experience healing.

She is able to help countless victims with her first-hand knowledge of trauma and its direct impact on the well being of the individual.

Helga received the Eva Murillo Unsung Hero Award because it truly takes a hero to rise up and use lessons from a terrible situation to help others.

We also recognized heroes in the victims' rights community that directly aid crime victims through their work at shelters and with programs that assist victims and facilitate healing.

Pam Kallsen, nominated by Victims' Rights Caucus Co-Chair Congressman JIM COSTA, is the Executive Director of the Marjaree Mason Center in California's Central Valley.

Through her leadership, the Center goes above and beyond traditional services providing legal representation, hotline services, and counseling sessions all of which are critical in responding to and preventing domestic and sexual abuse.

Another exceptional leader in the field is Mary Ellen Stone, the Executive Director of the King County Sexual Assault Resource Center (KCSARC) in Washington State, a position in which she has served since 1979.

Mary Ellen has not only helped KCSARC grow to be the largest sexual assault victims' service organization in the state but has also been involved in transforming the legal and political landscape of sexual assault violence in Washington and throughout the nation.

Without these exemplary individuals, many victims would have nowhere to turn when facing a difficult situation and that is why these two wonderful women received the Ed Stout Memorial Award for Outstanding Victim Advocacy.

A leader on the public policy front, receiving the the Lois Haight Award for Excellence and Innovation is Susan Smith Howley, Director of Public Policy for the National Center for Victims of Crime.

She has devoted the past 20 years to the development and implementation of major crime victim related public policy initiatives at the local, state and national levels.

Not long ago crime victims had few to no rights, and we are still working hard to ensure victims receive all the care and compensation they deserve.

People like Susan, who work to ensure that the government protects innocent victims through creating and promoting innovative policies, are invaluable to victims throughout the country.

Our last award, the Allied Professional Award was presented to Nilda Valmores who has dedicated her life to helping victims of domestic violence.

The shelter where she serves as Executive Director, My Sister's House, focuses on the needs of immigrant Asian/Pacific Islander women and children.

Through Nilda's collaborations with organizations throughout her community, My Sister's House and the larger issue of domestic violence facing immigrant women has received much needed attention.

Congratulations to these amazing people, who are the reason why the victims' rights movement has made so much progress.

And that's just the way it is.

A TRIBUTE TO ELIZABETH REDENBAUGH

HON. MIKE MCINTYRE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. MCINTYRE. Mr. Speaker, I rise today to pay tribute to Elizabeth Redenbaugh, of Wilmington, North Carolina, who has been named an honoree of the John F. Kennedy Profile in Courage Award. On May 23, 2011, Mrs. Redenbaugh will be recognized for standing up to racial and socioeconomic segregation perceived in the New Hanover County school system.

The John F. Kennedy Library Foundation will be presenting the award. Caroline Kennedy, the President of the Foundation, has said of Mrs. Redenbaugh: "She boldly challenged the citizens of her community to preserve quality public education for all of New Hanover County's children regardless of race." In light of these acts, the foundation's committee saw fit to bestow upon Elizabeth Redenbaugh what is generally seen as the highest honor available to United States public servants.

As well as serving on the New Hanover County School Board, Mrs. Redenbaugh practices as an attorney with Redenbaugh & Risser, PLLC. So committed is she to public service that she serves as a member of Parsley Elementary School's Site Based Management Team and PTA Board of Directors and also as a member of the New Hanover County Council of PTAs' Executive Board. Her tenacious efforts in Southeastern North Carolina are those of a true leader utterly dedicated to the betterment of local education, and her community as a whole.

Mrs. Redenbaugh's personal courage and political courage are to be congratulated. Mr. Speaker, I ask that you join me in recognizing a local heroine, whose principled efforts in the face of robust opposition might serve as an example to us all. Let us celebrate a noble public servant, soon to be the recipient of an award intent on decorating those who choose principle over partisanship, a quality we should all strive to emulate for the good of the United States.

DR. DAVID SVALDI TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Dr. David Svaldi of Alamosa, Colorado. Dr. Svaldi was recently appointed to El

Pomar Foundation's San Luis Valley Regional Council. As one of southern Colorado's most esteemed residents he will undoubtedly thrive in that position.

Dr. Svaldi is president of Adams State College, a job he balances with his other volunteer work. He sits on the boards of the area's Boys and Girls Club, Health Education Council and the Southern Colorado Education Consortium.

The education and health industries in southern Colorado are growing quickly. It is important that people like Dr. Svaldi, who have a history of involvement and success in those areas, lend their expertise to the growing infrastructure.

Mr. Speaker, it is a honor to recognize Dr. David Svaldi today. He will continue to be a leader in his community and work to better the lives of his neighbors.

MEDICAL COMMUNITY UNDER ATTACK IN BAHRAIN

HON. JAMES P. McGOVERN

OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Friday, April 15, 2011

Mr. McGOVERN. Mr. Speaker, I would like to express my deep concern regarding a serious human rights crisis that is currently unfolding in Bahrain, a strategic ally of the United States in the Middle East.

As Physicians for Human Rights has reported, the medical community in that country has come under attack by Bahraini authorities during the currently ongoing unrest, and doctors, nurses and emergency medical technicians have been arrested, detained, harassed and prevented from fulfilling their ethical obligations of providing medical care.

In doing so, the government of Bahrain is violating well-established laws of medical neutrality.

Just this Monday, April 11, at least six physicians were arrested by the government of Bahrain in its sweeping campaign against medical professionals over the past several weeks. Those arrested on that day include Dr. Abdulshaheed Fadhel, Dr. Jawad Khamees, Dr. Zahra Alsammak, Dr. Arif Rajab, Dr. Nabeel Hameed, and Dr. Nabeel Tamam.

I call on the State Department to do everything in its power to facilitate the release of these individuals and to bring an end to similar attacks on the medical profession in Bahrain.

INTRODUCTION OF THE VIOLENCE AGAINST WOMEN HEALTH INITIATIVE ACT

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Friday, April 15, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise in support of The Violence Against Women Health Initiative Act, legislation that will bring the resources and expertise of the health sector to bear on the persistent problem of domestic and sexual violence.

I invite you to join me today in the fight to preserve the fundamental dignity and safety of women across this great nation—a right to safety and security that should never be abrogated, and yet is under threat every day.

Every nine seconds, a woman is abused in the United States. And every year, women are subjected to 4.8 million assaults and rapes by their intimate partners. According to 2009 statistics from the Federal Bureau of Investigation, of the 1,928 women murdered, 609 were wives murdered by their husbands; and 472 were girlfriends murdered by their significant other.

While no sector of society is left untouched by violence against women, the health care system is particularly impacted by violence and abuse.

Recent studies show that abuse victims use health care services between 2 and 2.5 times that of those who are not victims of abuse. More than 20 years of research connects child and adult exposure to domestic and sexual violence to asthma, stroke, heart disease, cancer, and depression. Intimate partner rape, physical assault, and stalking costs the health care system over \$8.3 billion annually.

In this period of elevated unemployment rates, there is particular cause for concern. The rate of violence in a relationship nearly doubles when a man is unemployed at least once. The rate of violence almost triples when a man experiences multiple periods of unemployment. In this economic recession, we have to be even more vigilant to prevent violence against women.

The health care system is uniquely positioned to take a leading role in fighting and responding to the prevalence of violence.

Victims know and trust their health care providers. Almost three-quarters of survivors say that they would like their health care providers to ask them about violence and abuse.

Multiple clinical studies have shown that short interventions in the medical environment protect the health and safety of women. These interventions are short—between two and ten minutes—and effective. In repeated clinical trials, violence decreased and health status improved following simple assessment and referral protocols. Integrating these effective protocols into our health care system will save lives.

Indeed, routine assessment for intimate partner violence has been recommended for health care settings by the American Medical Association, American Psychological Association, American Nurses Association, American College of Obstetricians and Gynecologists, American Academy of Pediatrics, and the Joint Commission on the Accreditation of Health Care Organizations.

Efforts by the health care system to prevent and respond to violence and abuse against women are built upon the success of the Violence Against Women Act (VAWA), first passed in 1994.

Since its passage, the Violence Against Women Act has transformed our criminal justice and social service system. Between 1993 and 2008, the rate of intimate partner violence dropped 53%. Clearly, we are on the right track.

Yet we need to do more.

Despite the commitment of the health field to help victims of violence and abuse, a critical

gap remains in the delivery of health care to victims. Health care providers often only address current injuries, without tackling the underlying cause of those injuries. This highlights the need to ensure that health care providers have the necessary training and support in order to assess, refer, and support victims of domestic violence, dating violence, sexual assault, and stalking.

Today, I introduced the "Violence Against Women Health Initiative Act" as the first step in reauthorizing the Violence Against Women Act, helping the health care system to become a major player in the fight against violence against women. This bill would reauthorize three health programs; changes in the legislation will prioritize evaluation and accountability, as well as to expand the types of medical stakeholders engaged in this important effort.

There should be no safe harbor for those who perpetrate domestic violence and sexual assault in the twenty-first century.

TWENTY-FIFTH ANNIVERSARY OF THE CHERNOBYL NUCLEAR DISASTER

HON. SANDER M. LEVIN

OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Friday, April 15, 2011

Mr. LEVIN. Mr. Speaker, today, as we conclude legislative business for the month of April in Washington, D.C., it is appropriate that we mark an important milestone in Ukraine: On April 26th, 2011, we recognize the twenty-fifth anniversary of the Chernobyl nuclear disaster.

On this date in 1986, Reactor Four at the Soviet-designed Chernobyl Nuclear Power Plant in northern Ukraine exploded, releasing more than 100 tons of lethally radioactive material into the environment. The human cost of this disaster is staggering. It is unlikely we will ever know how many deaths can be directly attributed to the Chernobyl disaster, but the loss of life of even one life is truly a tragedy.

Twenty-five years later, the consequences of the world's worst nuclear accident continue to plague Eastern Europe. Ukraine has been especially impacted. The World Health Organization estimates that over 6,000 people have been diagnosed with thyroid cancer from the radioactive materials in the atmosphere. The concrete and steel sarcophagus that encases the ruined Nuclear Reactor Four is deteriorating and in need of replacement. In addition, the loss of Chernobyl's generating capacity exacerbates an already difficult energy shortage in Ukraine, which depends heavily on energy imports, especially during harsh winters.

We must be mindful that Chernobyl's legacy remains a heavy burden for the people of Ukraine. The fatally flawed nuclear technology that built Chernobyl resulted in lasting harm to Ukraine's people and the environment. The sole consolation is that we can yet hope to redress the damage.

We must continue to support U.S. and international efforts to address the lingering health, social, and economic consequences from the disaster, including the permanent encasement of the damaged nuclear Reactor Four in

Chernobyl. I call on every Member of the House to join with me in remembering the victims of this tragedy and to support these efforts. Let us resolve to do our part to help Ukraine build a better future.

CONGRESSMAN FRANK EVANS
TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Congressman Frank Evans of Pueblo, Colorado. Mr. Evans represented Colorado's third district for 14 years and was considered one of the most professional and courteous members of the House of Representatives. In fitting tribute, Pueblo's Government Printing Office will be renamed after the Congressman next month.

Mr. Evans was responsible for bringing the distribution center to his hometown and was proud of the recognition it gave to what was, at the time, a very small town. It is a testament to his hard work while in office. He fought diligently for residents of the district and never forgot those who elected him to Congress. He enjoyed great success in office, never lost an election, and took great care to avoid making enemies on either side of the aisle.

Mr. Evans grew up in Colorado and went to Pomona College before enlisting in the Navy at the outbreak of World War II. During the War he became a pilot and flew seaplanes in the Pacific theater. After his service, he returned to Colorado and graduated from the University of Denver with a law degree. He specialized in labor law and workers' rights was one of his lifelong concerns. It prompted him, in fact, to move back to Pueblo, so that he might better understand factory life at the district's mills and plants.

In Pueblo he met his wife Eleanor Trefz, whom he loved dearly. Together they raised four children and nine grandchildren. Mr. Evans was proud of his family and their accomplishments.

Mr. Speaker, Congressman Frank Evans left a sizable mark on Colorado and there is no doubt his legacy will continue to impact the state. Renaming the Government Printing Office after the Congressman is an appropriate tribute to a man who was central to its construction.

IN SPECIAL RECOGNITION OF NATHAN KRUSE ON HIS APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce

that Nathan Kruse, of Ottawa, Ohio has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

Nathan brings an enormous amount of leadership, service and dedication to the incoming class of Air Force cadets. While a gifted athlete, having earned varsity and junior varsity letters in football and track, Nathan has also maintained the highest standards of excellence in his academics. He attained a 4.0 GPA at Ottawa-Glandorf High School and is a member of and president of the National Honor Society. Nathan also participated in the German Club, Academic Quiz Bowl and Science Olympiad.

Outside the classroom, Nathan is an Eagle Scout, Junior Optimist Club member and has volunteered for numerous tutoring opportunities. Nathan's dedication and service to his community and his peers has proven his ability to excel among the leaders at the Air Force Academy. I have no doubt that Nathan will take the lessons of his student leadership with him to Colorado Springs.

Mr. Speaker, I ask my colleagues to join me in congratulating Nathan Kruse on his acceptance of appointment to the United States Air Force Academy where he will gain a world-class education and receive invaluable leadership experience. I am positive that Nathan will excel during his career at the Air Force Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the nation.

INTRODUCTION OF THE PERSONALIZE YOUR CARE ACT OF 2011

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BLUMENAUER. Mr. Speaker, today I am proud to introduce the Personalize Your Care Act of 2011.

Advances in healthcare have led to increasingly complex health care decisions and more treatment options than we have ever before had the benefit—or the burden—of choosing between. Both Democrats and Republicans agree that individuals should be fully involved in decisions related to their own health care and should be able to make informed decisions about that care reflecting their values and their needs. We also agree that when people have expressed their wishes, particularly in a formal and legally binding manner, those wishes should be known and respected.

While there is widespread agreement regarding these principles, too often this is not the reality. Most adults have not completed an advance directive; if documents are completed, they are not regularly revisited and can be difficult to locate. Because these issues are difficult to discuss, surrogates often feel ill-prepared to interpret their loved ones' written wishes.

These shortcomings can leave families and healthcare proxies faced with the burden of determining their loved ones' wishes in the midst of crisis, sometimes with little or no information about how best to direct care. This

adds not only stress and anxiety to an already difficult situation, but studies show that lack of advance care planning actually prolongs the grieving process after losing a loved one.

One of the greatest misconceptions about advance care planning is that it is a one-time event. Attempting to plan for all possibilities in a single document or within a single conversation is overwhelming and, quite likely, impossible. Where possible, this should be an ongoing conversation. Careful, early advance care planning is important because a person's ability to make decisions may diminish over time and he or she may suddenly lose the capability to participate in his or her health care decisions.

Successful advance care planning is less about legal documentation and more about facilitating ongoing communication about future care wishes among individuals, their health care providers, and surrogates. This approach recognizes that advance care documents like advance directives are not the "ends," but the "means"—they are the tools for documenting care preferences based on informed decisions that incorporate an individual's values, personal goals, and current circumstances.

This process not only provides higher quality care, but personalized care.

The Personalize Your Care Act aims to support advance care planning by providing Medicare and Medicaid coverage for voluntary consultations about advance care planning every 5 years or in the event of a change in health status. This periodic revisiting of advance care documents and goals of care recognizes that an individual's preferences can change over time. It also recognizes that the advance care plan should be updated if an individual develops a serious or chronic illness, if additional curative and palliative treatment options become available, and to consistently reflect the individual's current circumstances and preferences.

Honoring the expressed wishes of individuals must also be a priority. For this to occur, advance care planning documents must be accessible wherever care is provided. The legislation ensures that an individual's electronic health record is able to display his or her current advance directive and/or physician orders for life sustaining treatment (POLST), so that his or her wishes are easily accessible and respected. Furthermore, under the legislation, advance directives would be portable, ensuring that advance directives completed in one state are honored in another state, in the event care needed to be provided there.

The legislation also provides grants to states to establish or expand physician orders for life sustaining treatment programs. These programs have a track record of promoting patient autonomy through documenting and coordinating a person's treatment preferences, clarifying treatment intentions and minimizing confusion, reducing repetitive activities in complying with the Patient Self Determination Act, and facilitating appropriate treatment by emergency personnel.

These investments in advance care planning will reinforce patient-centered care—engaging individuals in planning and decision-making about their future care and ensuring that those preferences are documented, accessible, and can be honored in any state and in any care setting.

I am proud to introduce the Personalize Your Care Act with the support of patient advocates, physicians, nurses, and the faith community who see every day how advance care planning improves individuals' and families' peace of mind and the quality of their care.

**TERRORIST ATTACKS ON ISRAELIS
MARK NEW ESCALATION**

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. REED. Mr. Speaker, the recent bombing in Jerusalem and sharp rise in unprovoked rocket attacks from Gaza have marked an escalation in violence by the Palestinian terrorists backed by Hamas and Iran. These attacks are a stark reminder of the constant threat Israel faces from those who want to destroy the Israeli state. It is also a reminder that the friendship and partnership the United States has with Israel is one that must always be protected and enhanced. Israel must be able to count on the continued support of the United States and the American people as they endeavor to live in a democracy free from the threat of attack.

In just the first 3 months of 2011, terrorists have fired more than 150 mortars and rockets into Israel and murdered five members of an Israeli family in their West Bank home. More frightening, Israeli forces intercepted 50 tons of Iranian arms, including advanced anti-ship missiles and radar, 2,500 mortar rounds, and 67,000 AK-47 rounds destined for Hamas in Gaza. The acquisition of these kinds of weapons makes it clear that Palestinian terrorists do not intend to back down from their campaign of terror.

This violence against the Israeli people is aided by the tacit compliance of the Palestinian Authority, which thus far has not stepped up its anti-terrorism efforts to root out Hamas and other terrorist elements associated with the Fatah Party. Instead, the Palestinians are generally accepting of this continued violence, martyring those who kill innocent civilians. Recently, the terrorist Dalal Mughrabi, who killed 35 Israelis after hijacking a bus, had a town square named in his honor. This behavior—and general popular acceptance of terror—only encourages further violence.

We cannot allow this escalated level of violence to be dismissed as just more back and forth in a protracted conflict between Israel and Palestine. There is never justification for attacks on innocent civilians, and we must demand that the anti-Israel sentiment that pervades Palestine be addressed.

The Israelis remain committed to the peace process, and Prime Minister Benjamin Netanyahu has done his part in making concessions that pave the way for substantive talks. This has been met by a refusal by the Palestinians to even recognize Israel's right to exist.

Every sovereign nation has a duty and right to defend its citizens. As a result, the United States must continue to support Israel's right to self-defense. Congress must ensure that

the administration does not call on Israel to make concessions that endanger its security without demanding similar changes from the Palestinians. Congress must make clear its support for Israel's right to defend its citizens and demand the United Nations enforce a ban on Iranian exports of sophisticated weapons to Hamas and other terrorist groups.

SIDNEY HARMAN

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. HOYER. Mr. Speaker, this week, Sidney Harman—a good friend to me and to so many—died at the age of 92. Sidney was the husband of my friend, Congresswoman Jane Harman; he lived a full, rich life, and he will be deeply missed. Sidney was a pioneering entrepreneur in the field of hi-fi stereo systems—but after his business success, he went on to make outstanding contributions to our country's civic life for decades. He was a strong advocate of civil rights who pitched in as a public school teacher; he was Under Secretary of Commerce under President Carter; he was a dynamic philanthropist who made his mark as a patron of education, the arts, and journalism. His many accomplishments, and the admiration of so many who knew him, are certain to long outlive him. But in the wake of his loss, my sincere condolences are with his wife, Congresswoman Harman, his children; and all those who mourn his passing.

IN SPECIAL RECOGNITION OF JENNIFER GUZOWSKI ON HER OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MILITARY ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young woman from Ohio's Fifth Congressional District. I am happy to announce that Jennifer Guzowski of Tiffin, Ohio has been offered an appointment to attend the United States Military Academy in West Point, New York.

Jennifer brings an enormous amount of leadership, service, and dedication to the incoming Class of 2015. While attending Tiffin Columbian High School in Tiffin, Ohio, Jennifer earned academic letters and attained a grade point average that placed her in the top fifteen percent of her graduating class. Jennifer was also inducted into the National Honor Society, was a student representative on the school board and held various leadership positions in the school band.

Throughout high school, Jennifer was a member of the junior varsity and varsity soccer teams, displaying her leadership skills as captain of the junior varsity soccer team. She was also awarded a varsity letter for soccer

during her senior year and was the recipient of two Golden Shoe Awards. I am confident that Jennifer will carry the lessons of her student and athletic leadership to West Point.

Mr. Speaker, I ask my colleagues to join me in congratulating Jennifer Guzowski on the acceptance of her appointment to the United States Military Academy in West Point where she will gain a world-class education and invaluable leadership experience. I am positive that Jennifer will excel during her career in West Point, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the nation.

HONORING COLONEL JACK POTTER

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor a loyal friend, a brave hero, and a caring individual who recently turned 92 years young. Retired Colonel Jack Potter of San Rafael California, was born March 20, 1919, served in the Army from World War II through 1974, and has consistently worked for the benefit of veterans since his retirement.

It has been my privilege to work closely with Col. Potter for 18 years. His friendship and assistance have been invaluable to me over those years. Through Jack, I learned about veterans' issues, from the importance of national legislation to ensure they get the benefits they deserve to some of the challenges faced by local vets in Marin County. On Memorial Day, 2008, we authored a column together in the local newspaper calling for better benefits and health treatment for our veterans.

Jack was drafted into the Army in 1941. He was commissioned as an Infantry 2nd Lt. after Pearl Harbor and commanded an Infantry Rifle company seeing combat in the South Pacific. He remained in the Army after the war, serving in Europe, Korea, and South America, as well as in many positions stateside. He also attended The Industrial College of the Armed Forces and earned an MBA at George Washington University.

During the Vietnam conflict, Jack was assigned as the Commander of the Vietnam Region Exchange which operated more than 150 exchange activities with a total of more than 10,000 personnel. He continued his service stateside, in California, where his assignment as Deputy Chief of Staff for Logistics for the Sixth U.S. Army brought him to the Presidio in the Bay Area. He retired on August 1, 1974, after serving 33 years, 4 months, and 15 days on active duty. On the date of his retirement ceremonies, Jack was testifying in Nebraska in the federal trial of the American Indian Movement. At 12:01 a.m. on August 2, the U.S. Attorney General purchased Jack's first drink as a civilian.

After 31 changes of station, Jack and his wife now live in Marin County, California where Jack became active in veteran's affairs. Serving in various positions in the Military Officers Association of America, and the Marin County United Veterans Council, Jack has been a whirlwind for veterans' causes—he advocated personally for a number of vets who

needed help, organized Veterans and Memorial Day events and a Tricare information session with me, and still found time to regularly bring doughnuts to my office staff.

One of Jack's most prominent roles was that of Master of Ceremonies at Marin County's Memorial Day celebrations. He last served that function in 2009, before retiring for health reasons. At that emotional event, 500 people honored Army Spc. Jake Velloza who had recently been killed in Iraq. Jake's name was added to a veteran's monument that had been built at Jack's urging. And Jack was thrilled to learn that recently the House of Representatives passed my bill to name the local post office in Inverness after Jake Velloza.

Mr. Speaker, it has been a privilege to work with and work for Col. Jack Potter. His quiet determination on behalf of all veterans is a reminder of the daily heroism and sacrifice of all our troops. Thank you, Jack, for all your efforts.

NATIONAL CRIME VICTIMS WEEK

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. POE of Texas. Mr. Speaker, this week is National Crime Victims' Rights Week.

And the month of April is Sexual Assault Awareness Month.

These two occasions remind us of the importance of educating our fellow citizens about how we can help victims of this terrible crime and how we can stop sexual assault before it happens.

According to the National Institute for Justice and the CDC, every two minutes someone in the United States is sexually assaulted.

And one out of every six women has been the victim of an attempted or completed rape in her lifetime.

As both a prosecutor and a judge back in Texas, I dealt with rape cases for 30 years.

I learned firsthand the devastation sexual assault victims experience.

Sexual Assault does not just physically harm the victim but is an assault on their entire being.

We need to promote justice for sexual assault victims here in Congress and throughout this great nation because justice is what we do in America.

JUSTICE FOR SERGEI MAGNITSKY ACT

HON. JAMES P. McGOVERN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. McGOVERN. Mr. Speaker, on November 16, 2009—almost a year and a half ago now—Sergei Magnitsky died in a Russian detention center. While deaths in detention centers do occur all over the world, and the United States is no exception, what sets Mr. Magnitsky's case apart from many of the others are two remarkable facts.

The first remarkable fact is that Mr. Magnitsky was imprisoned not because he had committed a crime, but because he reported one—he just reported it to the wrong people, the very Russian government officials who had orchestrated a massive tax fraud scheme, and continued to report them increasingly louder the more he was threatened by Russian officials to keep quiet.

The second remarkable fact is that with all the necessary medical intervention, his death most likely could have been prevented—but this medical intervention was purposely withheld as punishment. These two facts make Sergei Magnitsky an emblematic victim of much larger human rights problems in the Russian Federation, the utter corruption and the complete lack of the rule of law in that country. This is what makes the Justice for Sergei Magnitsky Act not just an urgent intervention and attempt to establish accountability in an individual case, but it makes this Act a true Russian Human Rights Act. And I could not be prouder to name the act after this great man, Sergei Magnitsky.

After becoming aware of a massive financial crime, Mr. Magnitsky testified before the official authorities about the largest tax fraud scheme in Russian history. He demonstrated how 230 million dollars were stolen from the Russian Treasury and he implicated a number of public officials who allegedly participated in this scheme. What would be a welcomed treasure of information to any tax fraud investigator in most countries around the world, not so in Russia, where other rules apply. Flying in the face of international legal standards and practices, it was Mr. Magnitsky who found himself arrested and charged with the crimes he helped expose. He was kept in pre-trial detention for almost one year, as the prosecutor's office appeared to have trouble finding any evidence to support their case.

Even more troubling questions relate to Mr. Magnitsky's death. Why did he die, what happened to him? Was he sick? And even then, was he so terribly sick that physicians could not have saved his life? In the absence of a formal and independent investigation into his death, the exact circumstances leading to his death remain shrouded under a veil of government secrecy. What we do know is that when Mr. Magnitsky was sent to prison, he was in general good health and showed no signs of medical problems.

We also know that Mr. Magnitsky—who diligently kept a record of his treatment in prison—was denied urgent medical care when he requested it from his captors, who were aware of his medical needs and deteriorating health.

Many of those unanswered questions deserve an answer—Mr. Magnitsky's family deserves an answer, as do the Russian people. Many of my colleagues and friends in Congress, on both sides of the aisle, and in both chambers, would like to see these questions answered. European Members of Parliament would like to see these questions answered. Russian human rights defenders would like to see these questions answered.

Up until now, no serious investigation into these matters has been undertaken, and most worrisome, no one has been held accountable. Not for the fraud, not for the abuse, not for the death.

Mr. Speaker, Sergei Magnitsky was a remarkable person, although he would certainly have disputed this claim. He was a husband, and a father of two children; he was a hard-working attorney; he was trying to provide for his family, a friendly and caring man, like many ordinary citizens in Russia.

What was special about Sergei was that in the face of threats, he had the courage to stand up for what is right. Sergei Magnitsky was special, because he was undeterred in the face of an enormous state apparatus that only served the interests of those people whom he had implicated. Consequently, the state arrested him and detained him for almost one year without bringing any charges. The prosecutor used his imprisonment to soften him up; to make him change or retract his testimony—and when he refused, he paid the ultimate price.

For his contributions to the fight against corruption in Russia, Mr. Magnitsky posthumously received the Transparency International Integrity reward 2009–2010. I quote the chair of the awards committee who said “He [Mr. Magnitsky] believed in the rule of law and integrity, and died for his belief. Sergei, his heroic fight, and the ideals he stood for must never be forgotten.”

Mr. Speaker, all too often have the deaths of critics or whistleblowers of the Russian regime been swept under the carpet in Russia—Anna Politkovskaya and Natalia Estemirova are just two such famous examples of brave Russians who have died in search of truth. Now, Sergei Magnitsky's name will be added to this illustrious list of brave individuals.

Mr. Speaker, Russia has ratified numerous international human rights treaties. These include the International Covenant on Civil and Political Rights, the Convention against Torture and the International Covenant on Economic, Social and Cultural Rights. The Russian Federation is also a contracting party to the European Convention on Human Rights and has subjected itself to the jurisdiction of the European Court on Human Rights, where it is all too frequently a defendant.

These internationally incurred obligations are binding. When Russia signed those treaties it made a public pledge—with the world as its witness—to uphold the inalienable rights enshrined in those very documents. But Russia not only signed a contract with the global community; but first and foremost, Russia signed a contract with its own people, these international commitments are a public expression of the Federation's desire to protect the individual rights of the Russian people.

If we do not want these human rights treaties to become hollow documents, if we want to maintain an international legal order in which these documents have any meaning at all, we need to speak up and demand that they be observed. What is the use of these treaties, when states can choose to ignore them at will; when they get in the way; when they find them inconvenient? Are we to allow that the signing of human rights treaties becomes a purely cosmetic action? No. I do not think so. I will not stand for that.

But Mr. Speaker, let me be clear. It is not only the formality of observing the treaty that matters. My primary concern is with the content of these documents, for what they represent. They say no to torture and abuse.

They say no to arbitrary detention. They say no to murder, either actively or through utter medical neglect. They demand that people are protected from the abuse of the state. They promise that people are treated with dignity.

We need to be candid and frank with our friends and allies. We need to be able to look each other in the eyes and tell the truth. We need to question one another, and call each other out. That is what you do when you are a member of a larger society. For when we fail to do so, we have truly lost touch; we resign to our faith and show we care no longer. Russia, as a most important member of the family of nations, can do better and should do better than that.

I am not alone in this criticism. Senator CARDIN has voiced his concern about Sergei's abuse and death. And most recently during a visit to Moscow on March 10, 2011, Vice President BIDEN also criticized Russia: 'a country in which—a company which can be seized, or an owner imprisoned on a politician's whim; in which a lawyer like Sergei Magnitsky [. . .] can be arrested after accusing the police of fraud and then die in detention before being tried'. He went on to say "We will continue to object when we think human rights are violated or democracy and the rule of law are undermined."

I could not agree more with this statement, Mr. Speaker. And it is to reinforce this message, a message that asks Russia to stop these human rights abuses, to reform their justice system, to address their prison conditions, and to root out corruption and the abuse of power, that I have introduced legislation. I am deeply grateful to Mr. ALCEE HASTINGS, FRANK WOLF, JOSEPH PITTS, SUE MYRICK, STEVE COHEN and CHRIS SMITH, for their strong support and input.

The bill I introduced today imposes travel bans and financial sanctions on those involved in the fraud scheme and Mr. Magnitsky's abuse and death in prison. The bill further will fully restore if possible what is rightfully the property of the Russian people. By targeting the Russian Treasury, this fraud was committed against all Russian people; they are the true owners of the stolen 5.4 billion rubles.

ALAMOSA COOLSUNSHINE
WRESTLING TEAM TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize the participants of the 2011 Rocky Mountain Nationals Youth Wrestling Tournament in Denver, Colorado. As in the Colorado State High School Tournament, the San Luis Valley was well represented and enjoyed immense success.

Known for its high degree of difficulty, the Tournament can be one of the most challenging in the area. That reputation underscores the accomplishments of the wrestlers from the San Luis Valley. Three members of the Alamosa Coolsunshine Team placed in the top five for their respective weight divisions, most notably Isaiah DeLaCorda who grabbed

second place in the 82 pound 12 & Under Bracket. Dozens of other wrestlers from southern Colorado also placed, including Dante Martinez, Michael Valdez and Austin Vance of Monte Vista.

Mr. Speaker, it is an honor to recognize the success grapplers from around Colorado enjoyed in the Rocky Mountain Nationals Youth Wrestling Tournament. There is no doubt they will continue to represent their community admirably for many years.

HONORING WESLEY HENRY
SCHERLER McDOWELL

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Wesley Henry Scherler McDowell. Wesley is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 175, and earning the most prestigious award of Eagle Scout.

Wesley has been very active with his troop, participating in many scout activities. Over the many years Wesley has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Wesley has contributed to his community through his Eagle Scout project. Wesley scraped, painted and replaced the floor molding in the front entryway and men's bathroom for St. Rita's school at St. Munchin in Cameron, Missouri.

Mr. Speaker, I proudly ask you to join me in commending Wesley Henry Scherler McDowell for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

CONGRATULATIONS TO MRS. PAT
STELLA

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Pat Stella, a recipient of the 2011 Volunteers of America Pennsylvania's Spirit of Youth award.

The Spirit of Youth award is given to those who instill hope and belief in the advancement of all. Their support of the community and of Volunteers of America ranges from helping children to helping those who are young at heart. Pat has dedicated herself to doing just that through her business and volunteer efforts.

Pat Stella is the owner and operator of 11 McDonald's restaurants throughout Luzerne, Carbon, Lackawanna, and Wayne counties in Pennsylvania. Growing up in Chicago, Pat's mother started working as a secretary in the McDonald's corporate office. Her family moved

to Pennsylvania after selling everything they had to buy a McDonald's franchise. Pat, a former elementary school teacher, began working for McDonald's when her family opened a second restaurant more than 30 years ago. She became the owner-operator of the enterprise in 1980.

Pat's work ethic and service has been recognized in many ways. In 2003, Pat received the McDonald's Street Fighter Award for her superior marketing and business sales. She has also received the Women Operators' Network 2003 Shining Star Award. Most notably, Pat earned the highest award a McDonald's owner can receive, the Golden Arch Award.

Pat not only dedicates herself to her work, but she also dedicates herself to her husband and three children, and to her community. In addition to working with Volunteers of America, Pat serves on the boards of the Pittston Chamber of Commerce and Scranton's Ronald McDonald House. She is a past member of McDonald's National Operators Advisory Board and its Steering Committee, and she has served as the co-chair of the Philadelphia McDonald's Owner/Operator Association.

Mr. Speaker, Pat Stella's work ethic is not the only trait to make her stand out in our community. Pat's service to our area has touched many lives. Mr. Speaker, today, I ask my colleagues to join me in congratulating Mrs. Pat Stella, a recipient of this year's Volunteers of America Pennsylvania's Spirit of Youth award.

GOD'S CHILD PROJECT 20TH
ANNIVERSARY

HON. RICK BERG

OF NORTH DAKOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BERG. Mr. Speaker, today, I would like to recognize the 20th anniversary of the God's Child Project, a North Dakota-based program to combat international human trafficking.

Human trafficking is among the largest criminal industries in the world, second only to the illegal drug trade.

It is also the fastest growing, with an estimated 12 million people enslaved worldwide—including many in the United States.

God's Child Project has been providing education, medical care, and other critical aid to children and families around the world since 1991.

For the past 10 years, this non-profit has worked with an affiliate in Guatemala to combat international human trafficking and exploitation.

This month, as the program celebrates its 20th anniversary, I want to commend the good and selfless work being done through God's Child Project.

I am proud that this program has given so much to help the victims of human trafficking, and I'm happy that the program is able to call North Dakota home.

IN SPECIAL RECOGNITION OF MATTHEW SLOCUM ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Matthew Slocum of Perrysburg, Ohio, has been offered an appointment to attend the United States Merchant Marine Academy in Kings Point, New York.

Matthew brings an enormous amount of leadership, service and dedication to the incoming Class of 2015. While attending Perrysburg High School in Perrysburg, Ohio, Matthew consistently achieved honor roll. Matthew involved himself in a number of athletic activities, including football and baseball, in which he earned varsity letters. He also served as a volunteer at youth football and baseball camps.

On top of this, he excelled academically and served his church on its Youth Leadership Committee.

I am confident that Matthew will carry the lessons of his student and athletic leadership to the United States Merchant Marine Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Matthew Slocum on the acceptance of his appointment to the United States Merchant Marine Academy where he will gain a world-class education and invaluable leadership experience. I am positive that Matthew will excel during his career at the United States Merchant Marine Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the nation.

RECOGNIZING THE ACCOMPLISHMENTS OF AMERICAS HIGH SCHOOL MOCK TRIAL TEAM

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. REYES. Mr. Speaker, I rise today to recognize the outstanding accomplishments of the Americas High School Mock Trial team from my congressional district in El Paso, Texas. On March 5, 2011, at the Texas High School Mock Trial Competition, the Americas High School Mock Trial team became the first team from El Paso in the competition's 32-year history to win the Texas state title. This is a remarkable achievement that I am proud to recognize.

Mock Trial offers students across the nation the opportunity to develop critical thinking and public speaking skills, as well as knowledge of legal practices and procedures, in a real courtroom setting. Teams devote long hours to work on case theories and examinations to prepare for competition.

Undefeated in the regional competition for three years in a row, the Americas High School Mock Trial team's dedication secured their victory as they defeated the defending state champions. The team members include Enrique Esparza, Edwin Felix, Zach Fields, Joshua Monarez, Nayell Palomino, Jacob Parson, Texas Quezada, Chris Ramos, Savannah Rappe, and Anabella Tarango. In addition to the team victory, Zach Fields was awarded the Outstanding Advocate Award at the competition in a unanimous decision by the judges.

The Americas High School Mock Trial team is coached by Mr. Robert Almonte II, Assistant City Attorney for the City of El Paso, and Mr. Jaime Esparza, the District Attorney for the 34th Judicial District of Texas. The team's teacher sponsor, Teresa Candelaria, has served as their sponsor for seven seasons since 2004. I commend these three outstanding professionals for their dedication to the educational development of El Paso students.

Americas High School, located in east El Paso, is one of seven high schools in the Socorro Independent School District. The school opened in September 1996, serving a predominantly Hispanic student population.

In early May, the Americas High School Mock Trial team will travel to Phoenix, Arizona, to represent the State of Texas at the National High School Mock Trial Championship. I am pleased to honor this team for their impressive accomplishments, and wish all team members the very best in their future endeavors.

REFLECTS ON THE 100th ANNIVERSARY OF THE TRIANGLE FIRE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. DELAURO. Mr. Speaker, from Wisconsin to Washington, we are at a crossroads right now about the kind of America we want to be. At this important moment, it would do us well to reflect on our shared past, when our nation reached a similar crossroads—after the Triangle Shirtwaist Fire, one of the worst industrial accidents in American history, which occurred a century ago last month.

I say "accident," but really there was more at work here. If you do not know the story, the Triangle Fire resulted in the death of 146 garment workers—17 men and 129 women—most of them young immigrant women under the age of 25. In the months before the fire—until they successfully struck for shorter hours and better pay—they had been working 13-hour days, and getting paid 13 cents an hour.

The fire happened in a garment factory that took up the eighth, ninth, and tenth floors of a New York City building, one with poor ventilation and no real safety measures in place. When the fire started, likely due to a cigarette or match, the owners of the Triangle Company were notified by phone and escaped.

But nobody told the workers. And so, when the fire began to rage, these women could not get out. Fire blocked many of the exits, and one of the main stairways had been locked

shut by the Triangle Company—the foreman with the key had also left. And so many women tried to escape by jumping to their deaths. Those who did not leap burned.

The Triangle Fire was a nightmare that unfolded before the entire nation. Because of this tragedy, church leaders called for a renewed commitment to the principles of social justice, known as the Social Gospel. And a generation of progressives was moved to reform. Within three years, 36 new state laws passed to regulate fire safety and workplace safety, and New York became a model for the nation.

Because of the Triangle Fire, all of America saw firsthand what happens when women and workers are left without basic protections. And we as a people realized that government has an important role to play in ensuring the life, health, and dignity of workers.

That is why I am concerned about the many attempts by the majority to cut basic protections, or to see the assaults on employees' rights taking place in states like Wisconsin and Ohio. We know where all of this leads—Our nation has lived it, a century ago.

Before us are two different visions of America. I know which I want to live in, and which I want to strive for.

HONORING THE LIFE OF VIRGINIA BRAUN

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DREIER. Mr. Speaker, today I would like to pay tribute to Virginia Bradley Braun—a philanthropist, a civic leader, a proud Californian, and a patriot. She was very active in politics and a long-time friend and supporter of Governor and President Ronald Reagan. It was a privilege to call her a friend as well.

Ginie, as she was known to all, contributed enormously to her adopted home in the greater Los Angeles area. Like me, Ginie grew up a Midwesterner, then came to California at a young age, and quickly called it home.

She and her husband Henry gave generously to the community, supporting a vast array of worthy causes, from education to the arts to children's health. But Ginie was most generous with her time. She spent a lifetime volunteering for civic organizations, political causes, and charities that helped to improve the lives of those who shared her community.

One of her most dedicated endeavors was her support for Pepperdine University, a tremendous institution that has served Southern California since 1937. Ginie joined the Pepperdine University Board in 1983 and was named to the University's Board of Regents in 1995. Her legacy lives on in the Henry A. and Virginia B. Braun Center for Public Policy, which was dedicated in 2003. The Braun Center will continue to advance the academic excellence to which Ginie was so devoted.

But Ginie's greatest generosity to the university was reserved for institutions and programs that did not bear her name. From athletics to arts, Ginie was a very proud supporter of Pepperdine, its facilities, its faculty and its students.

As University President Andrew Benton said, "Ginie radiated life." Her energy and charisma were irrepressible. She brought them to every one of her life's endeavors, and inspired those around her with her love of life and generosity of spirit. I know that I am joined by countless others in celebrating the tremendous life of Ginie Braun.

CONGRATULATIONS TO MR. AND
MRS. JOHN AND TINA DOWD

HON. LOU BARLETTA

OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Mr. and Mrs. John and Tina Dowd, recipients of the 2011 Volunteers of America Pennsylvania's Spirit of Youth award.

The Spirit of Youth award is given to those who instill hope and belief in the advancement of all. Their support of the community and of Volunteers of America ranges from helping children to helping those who are young at heart. John and Tina Dowd exemplify these traits, and have used their own lives to help others.

John Dowd grew up in Sunbury, Pennsylvania. He attended Shikellamy High School before studying engineering at the Pennsylvania State University. John is the president of Sundance Vacations, which he grew from one small office in Pocono Lake, Pennsylvania, into a national company that was named one of the Inc 500 fastest-growing companies two years in a row. As he grew his business, he also dedicated himself to giving back to his community. In addition to his work with Volunteers of America, John donates to the Luzerne Foundation and the Wyoming Valley Children's Association. His company sponsors local Little League and booster club sports teams, and he participates in many other local and national charitable causes.

Tina Dowd co-founded Sundance Vacations with her husband, John. Tina is a graduate of Kutztown University of Pennsylvania. She has been an integral part of growing the business. In November 2010, Tina accepted the Employer of the Year Award at the seventh annual Stevie Awards for Women in Business. In addition to managing and training employees, Tina oversees all of the firm's communications. John and Tina spend a lot of time with their three daughters, but like her husband, Tina volunteers for many organizations. Tina serves as vice president of an organization serving homeless children and their families in Carbon County—an organization she helped found. She is a member of the Lehigh Area School District Board of Directors, the Community Action Council of Palmerton Area Churches, and the Luzerne Foundation Millennium Circle. She is a past board member of the Northeast Pennsylvania Better Business Bureau.

Mr. Speaker, Mr. and Mrs. Dowd have not only grown a business that employs more than 700 people, but they have used their talents to give back to the community they love so much. Their philanthropic efforts and vol-

unteerism have helped so many of our neighbors. John and Tina are extraordinary both as a couple and as individuals. Mr. Speaker, today, I ask my colleagues to join me in congratulating John and Tina Dowd, recipients of this year's Volunteers of America Pennsylvania's Spirit of Youth award.

RETIREMENT OF LAUSD SUPER-
INTENDENT RAMON CORTINES

HON. HENRY A. WAXMAN

OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. WAXMAN. Mr. Speaker, I rise today to honor the distinguished 55-year career of Los Angeles Unified School District (LAUSD) Superintendent Ramon Cortines.

Superintendent Cortines began his career as an educator in 1956, teaching a class of 44 sixth graders, in Aptos, California. He taught at the elementary, middle and high school levels before becoming a school Administrator and ultimately serving as Superintendent of Schools in Pasadena, San Jose, San Francisco, New York City and Los Angeles.

Superintendent Cortines is one of our nation's most experienced educators. He has advised every President or his Education Secretary since the Carter Administration, and in 1992 he chaired the Department of Education transition team for President Clinton. Cortines served as Superintendent of LAUSD briefly in 2000 and returned to the position in 2008, during which time he steered the district through unprecedented fiscal challenges while improving pupil attendance, school safety and student achievement.

Upon his retirement today, I ask my colleagues to join me in recognizing the distinguished career of this dedicated public servant.

IN SPECIAL RECOGNITION OF ASHTON GENZMAN ON HER OFFER
OF APPOINTMENT TO ATTEND
THE UNITED STATES NAVAL
ACADEMY

HON. ROBERT E. LATTA

OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young woman from Ohio's Fifth Congressional District. I am happy to announce that Ashton Genzman of Perrysburg, Ohio has been offered an appointment to attend the United States Naval Academy in Annapolis, Maryland.

Ashton brings an enormous amount of leadership, service, and dedication to the incoming Class of 2015. She has served in several leadership roles: student government, Junior Induction Committee, Culinary Club and in a variety of other groups and extracurricular activities. While attending Notre Dame Academy in Toledo, Ohio, Ashton consistently achieved high honors, with an exceptional grade point average.

Throughout high school, Ashton participated in a number of athletic activities, including tennis, in which she received a varsity letter. She has also been involved in crew and track and field. I am confident that Ashton will carry the lessons of her student and athletic leadership to the United States Naval Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Ashton Genzman on the acceptance of her appointment to the United States Naval Academy in Annapolis, where she will gain a world-class education and invaluable leadership experience. I am positive that Ashton will excel during her career at the United States Naval Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the nation.

INTRODUCTION OF THE "VET-
ERANS HOME LOAN IMPROVE-
MENT ACT"

HON. EARL BLUMENAUER

OF OREGON
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BLUMENAUER. Mr. Speaker, today I am introducing the bipartisan "Veterans Home Loan Improvement Act of 2011" along with Reps. TAMMY BALDWIN, BRIAN BILBRAY, SUSAN DAVIS, PETER DEFazio, BOB FILNER, JOHN GARAMENDI, AL GREEN, SHEILA JACKSON LEE, KURT SCHRADER, GREG WALDEN, DAVID WU, and DON YOUNG. Together we represent each of the states that would benefit from an expansion of the Qualified Veterans Mortgage Bond program.

This program was originally created after World War II to promote homeownership among our returning troops. Together, our states offer veterans mortgage loans at more favorable interest rates as a reward for their service to our Nation. As part of a comprehensive review of veterans' services in the state of Oregon, the Oregon Governor's Veterans Task Force recommended a further expansion of this highly effective program.

This Act is based on one particularly timely recommendation to expand eligibility for our state programs and bring affordable mortgages to an additional 264,000 veterans. I look forward to continuing to work on behalf of Oregon and the nation's veterans to ensure that we provide the best possible quality of care and service, and so that we can make this a true lifetime benefit for all qualified veterans.

96TH ANNIVERSARY OF THE
ARMENIAN GENOCIDE

HON. STENY H. HOYER

OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. HOYER. Mr. Speaker, I would like to submit for the RECORD these remarks I gave at a Capitol Hill ceremony commemorating the 96th anniversary of the Armenian Genocide.

Tonight we commemorate a truly unjust and tragic chapter in human history—and just as

importantly, we acknowledge that chapter as an historic fact. From 1915 to 1923, officials of the Ottoman Empire carried out a systematic campaign of massacres and forced deportations of Armenians from their historic homeland. In the end, this genocide cost the lives of one and a half million murdered men, women, and children. Another half million lost their homes.

In a July 24, 1915 cable, American Consul Leslie Davis said of the genocide, "I do not believe there has ever been a massacre in the history of the world so general and thorough as that which is now being perpetrated in this region or that a more fiendish, diabolical scheme has ever been conceived by the mind of man."

We commemorate the 20th century's first genocide not only to honor the lives of the dead, but because its effects are still very much with us. The Armenian Genocide has been a terrifying inspiration for mass murderers from Cambodia to Rwanda to the former Yugoslavia to Darfur. As early as 1897, a French Jew named Bernard Lazare reflected on the massacres of Armenians that had already taken place and speculated that the Jew-haters of Europe might one day turn to an "Armenian solution" of their own. Four decades later—the Holocaust.

At the same time, the Armenian Genocide reminds us of our collective responsibility in the face of such crimes. In fact, it was in a statement from the Allied Powers denouncing the massacres that the phrase "crime against humanity" first appeared. The Armenian Genocide helped set a precedent that a murderous crime against a minority is a crime against us all—that there is a collective responsibility to prevent genocide.

That precedent and that responsibility came too late to save 1.5 million Armenians—along with all those killed in genocides that stopped too late. We have lived up to the responsibility first formulated in the wake of the Armenian Genocide all too imperfectly. But may this commemoration remind us of that responsibility—as the United Nations Genocide Convention tells us, a responsibility not only to address genocide after the fact, but to prevent it. We have a responsibility for action, not apathy: action to end crimes against humanity and punish the perpetrators.

We share the same goal: seeing the truth of the Armenian Genocide recognized by Congress. I hope to see a bill recognizing the genocide pass, and I wish that had happened in December. Unfortunately, by our count, the votes were not there—and in our opinion, a loss would have been a set-back cheered by genocide deniers. But I applaud the work you to do preserve the memory and the lessons of this historic truth. And I believe the day will come when Congress recognizes that truth, as well. You can count on my vote.

The evil of the first recognized crime against humanity can never be undone, and the dead cannot be restored to their families and their homeland. But may the memory of their lives inspire us to speak out and take action against crimes against humanity in our own time, and to pursue the justice that was denied to those 1.5 million.

REMEMBERING ROBERT W.
WELLER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. PENCE. Mr. Speaker, I rise with great sadness to honor the passing of a dear friend, Bob Weller.

Bob was a retired certified public accountant who was a managing partner of the George S. Olive & Company's Richmond office in my district. Bob began his distinguished career with George S. Olive, now BKD LLC CPAs and Advisors, in Indianapolis in 1950, and he later moved to Richmond with his wife, Margie, and their young family to open a new office. He went on to serve as the managing partner there for thirty years.

But Bob was more than just a working man; he was a community man. He gave freely of his time and resources to benefit those around him. Bob served as President of the Wayne County Chamber of Commerce, President of the Boys Club, and President of Green Acres (now Achieva). During his time at the Chamber, he was instrumental in leading efforts to rebuild Richmond, Indiana, following a devastating double explosion in 1968.

Some of Bob's other involvements included the Forest Hills Country Club, Kiwanis International, Reid Memorial Presbyterian Church, Central United Methodist Church, and the Indiana University Alumni Association. Like many Hoosiers, Bob was an avid Indiana University basketball and football fan, and he greatly enjoyed fishing, hunting, traveling, and spending time with his family.

I give my sincere condolences to Bob's loving wife of 62 years, Margie Walraven Weller; his sister Laverne; his three children Marcia Enslen, Robert Weller Jr., Mark Weller and their spouses; and his seven grandchildren. May I offer the Lord's comfort that we find in the Good Book that "Because of the Lord's great love we are not consumed, for his compassions never fail."

HONORING MR. ABRAHAM
BREEHEY

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. HIGGINS. Mr. Speaker, I rise today with a heavy heart to honor the life of my friend Abraham Breehey, who passed away yesterday at the young age of 35.

Abe was a champion for working men and women throughout his career. As Legislative Director for the International Brotherhood of Boilermakers, Abe was a leader among his colleagues representing the building and construction trades. He fought for labor and economic policies that would promote a fairer economy, and was an early leader in making the case that an energy policy to combat climate change would also be economically beneficial to those who, like boilermakers, are engaged in energy production.

I got to know Abe before coming to Congress. We served together in Albany, where I was a Member of the New York State Assembly and Abe was a legislative aide to my Western New York colleague Sam Hoyt. We bonded over our shared love of music, and Abe gave me my first lessons on the guitar, a fact he never grew tired of reminding me about.

Abe's life was tragically cut short, a victim of brain cancer. He leaves behind a wife and daughter. He had much more left to give the people he fought for, but he had already given so much. His advocacy will be missed by the labor movement, and his warm heart will be missed by his friends.

For my part, I will honor Abe by drawing inspiration from his work on behalf of those working in the building trades, and by redoubling my commitment to support cancer research.

Abe was a gentleman, a professional, an optimist and a good, kind friend. He is missed.

INTRODUCTION OF THE CREATING
REAL OPPORTUNITIES FOR
PROSPERITY (CROP) ACT

HON. STEPHEN LEE FINCHER

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. FINCHER. Mr. Speaker, I rise today to discuss an issue that greatly affects agricultural employment in my district and across the country. Against the backdrop of a beleaguered economy still recovering from the recession many small community banks have been unable to extend loans to farmers. Credit is needed to hire new employees, purchase seed, fertilizer, and fuel, all of which creates economic opportunity and subsequently produces jobs. The Farm Service Administration in the United States Department of Agriculture makes direct loans and loan guarantees to farmers who cannot qualify for regular credit. These loans allow farmers to continue growing rural economies and producing a safe and secure food supply.

The Farm Security and Rural Investment Act of 1992 provided banking institutions to extend credit to farmers for a 15 year period. During the 111th Congress, the extension of term limits was allowed to expire on December 31, 2010, leaving family farmers without the ability to receive much needed operating loans to run the farm and hire employees. That is a why I am proud to introduce the Creating Real Opportunities for Prosperity Act, otherwise known as the CROP Act, which suspends the term limits and extends the period for guaranteed credit to December 13, 2013. This will provide much needed access to loans for farmers.

Farm operating loan term limits will be addressed by the next Farm Bill and this suspension of term limits will allow the members of the House Committee on Agriculture to determine what solution or changes need to be made while providing the security for community banks and farmers.

Mr. Speaker, I urge my colleagues in the House (and Senate) to support me in passing

the CROP Act and bring stability to rural economies.

THE PROPOSED ELIMINATION OF
LEARN AND SERVE

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. DELAURO. Mr. Speaker, I rise in strong opposition to the proposed elimination of Learn and Serve America, the only Federal program dedicated to investing in service-learning in local schools and communities, in this budget. This decision is reckless and short-sighted, and I do not believe it reflects our values as a nation.

We live in a world full of challenges that require the collective attention and action of citizens of all ages. Through service-learning, young people across the country learn to apply knowledge and skills they pick up in the classroom to address these challenges in their community. Thanks to Learn and Serve, students have conducted energy audits in their schools and homes, preserved the histories of their towns, tested the quality of water in local streams, refurbished homes of the elderly, confronted bullying and teen violence, promoted financial literacy, and helped communities prepare for disasters.

By getting involved in the community in this manner, students not only learn valuable citizenship skills, they learn to succeed. Research has shown that service-learning increased academic engagement and civic engagement. It prepares young men and women for the transition to adulthood and gives them the skills they need to succeed in the careers of their choosing.

Service, citizenship, community, opportunity—these are all values we treasure as a Nation, and values our budget should work to promote. That is one of the many reasons why I have been a longtime supporter of the Summer of Service, which works to increase the number of intensive summer service-learning programs for middle school youth. And yet, this budget resolution eliminates support for service-learning, and abolishes a clear pathway for youth under age 16 to engage as participants in national service.

As a result of this short-sighted cut, nearly 1 million students will lose the opportunity to take part in service-learning. At a time when State and local budgets are shrinking, nearly 600 individual schools, 450 school districts, 985 community colleges, and 240 colleges and universities—as well as 35,000 of our nation's most innovative K–12 teachers and higher education faculty—will lose desperately needed funding. Almost 16,000 community-based organizations will lose more than 14 million volunteer service hours provided by students engaged in service-learning, diminishing their capacity to deliver urgently needed health and human services to those most in need. And towns and cities across the country will lose access to student volunteers, who contribute services valued at up to \$310 million.

In short, this cut is penny-wise and pound-foolish. I urge the administration to encourage

the Corporation for National and Community Service to identify cost savings and provide a competitive innovation fund for high impact service-learning programs. Our students cannot afford to lose these opportunities. Our schools cannot afford to ignore their civic mission. Our local communities cannot afford to lose the critical support. And our future as a nation cannot afford to lose these values of citizenship.

HONORING THE LIFE OF WAYNE
GRISHAM

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DREIER. Mr. Speaker, Wayne Grisham was a business leader and a public servant who spent a lifetime enriching the communities of the San Gabriel Valley and the Gateway Cities. As a La Mirada city councilman, a California assemblyman and a U.S. Congressman, he brought civility and good humor to his public service. As a small businessman, he contributed to the entrepreneurial spirit that forms the backbone of the Southern California economy. He is greatly missed by all who had the pleasure of knowing him and serving with him.

In the 1982 Congressional election, Wayne and I had the misfortune of finding our districts drawn together. No elected representative hopes to face one of his own colleagues in a primary election, but I will never forget the civility with which Wayne conducted himself when we found ourselves in those unexpected circumstances. While we engaged in a very rigorous campaign, Wayne was always a true gentleman. That election exemplified the strength of character for which Wayne has always been known.

Before Wayne served his community as an elected representative, he served his country in World War II with honor and distinction. As a fighter pilot his plane was shot down over Germany, where he became a prisoner of war. When he returned home, he was recognized with a Purple Heart.

Wayne continued to serve his country not only through elected office, but as director of the Peace Corps in Kenya. He was appointed by President Reagan to this post in 1983.

I was very saddened by the news of his passing, but I count it a privilege to have served with him and I join his family and friends to honor the life of Wayne Grisham.

RECOGNIZING THE CONTRIBUTIONS OF THE WOMEN'S RESOURCE CENTER DURING SEXUAL ASSAULT AWARENESS MONTH

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. REYES. Mr. Speaker, I rise today to recognize the Women's Resource Center at

the University of Texas at El Paso (UTEP) for highlighting Sexual Assault Awareness Month.

It is reported that worldwide, one out of every three women will be physically abused during her lifetime. In the United States, nearly two million women are assaulted each year, and more than half of all women will be physically assaulted during their lifetime. Last year in Texas, there were over 15,000 pending cases involving sexual assault or indecency with a child. In El Paso alone, there were over 850 pending cases reported.

These numbers indicate the severity of a widespread problem that can have devastating social and health-related consequences. To highlight the problem of violence against women and to support the survivors of sexual violence, the Women's Resource Center at UTEP, in collaboration with the Take Back the Night Foundation, will be one of ten partners throughout the nation that will participate in the second annual 10 Points of Light to Take Back the Night initiative on April 28th. This national initiative has assembled community organizers, campus advocates, and student leaders to illuminate the darkness of abuse, domestic violence, and sexual assault.

Take Back the Night is a powerful movement that started in the 1970s to combat sexual violence and abuse on campuses and in communities around the world. The UTEP Women's Resource Center provides supportive services for students, faculty, staff, and administrators at the university.

Today, I am proud to recognize the Women's Resource Center at UTEP, the Take Back the Night Foundation, and everyone who is helping with this important initiative. As a husband, father, and grandfather, I am proud to lend my voice to this effort. I encourage all Americans to raise awareness of sexual assault in our nation and help empower individuals to "end the silence and stop the violence."

COMMEMORATING NISEI FARMERS
LEAGUE'S 40TH ANNIVERSARY

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. NUNES. Mr. Speaker, I rise today on behalf of myself and my colleagues the Majority Whip (Mr. MCCARTHY) and the Gentleman from California (Mr. DENHAM), to extend my congratulations to Nisei Farmers League as they celebrate their 40th anniversary on April 16, 2011.

Farming in the San Joaquin Valley witnessed dramatic changes in the 1960s and 1970s. A small group of Japanese-American growers met near Fresno to discuss the need to unify growers and establish a robust network to protect their rights and property. As more growers joined the group, the Nisei Farmers League was established, taking its name "Nisei" from the term for second-generation Japanese-Americans.

Today, the Nisei Farmers League works to keep its members informed on important issues and is a strong voice for valley growers. Together with my colleagues, I recognize

the commitment the Nisei Farmers League has provided to its members for 40 years.

INTRODUCING A RESOLUTION WELCOMING THE NEW STATE OF SOUTHERN SUDAN, ENCOURAGING SUDAN AND SOUTHERN SUDAN TO RESOLVE SEPARATION ISSUES AND THE FUTURE OF THE ABYEI REGION, AND URGING THE GOVERNMENTS OF SUDAN AND SOUTHERN SUDAN TO ABIDE BY THE PRINCIPLES OF PEACE, DEMOCRACY, AND HUMAN RIGHTS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce a resolution welcoming the new state of Southern Sudan, encouraging Sudan and Southern Sudan to resolve separation issues and the future of the Abyei region, and urging the Governments of Sudan and Southern Sudan to abide by the principles of peace, democracy, and human rights.

Sudan is geographically the largest country in Africa and one of the least developed regions of the world. Sudan has been ravaged by civil war intermittently for four decades and ethnic, religious, and economic conflicts have ensued between the Muslim north and Christian-animist south. These past twenty years, an estimated two million people have died and four million people have been displaced. The Comprehensive Peace Agreement (CPA), signed in January 2005, put an end to the long-lasting conflict between the north and the south by establishing a semi-autonomous government for Southern Sudan for a duration of six years, after which Southern Sudan would vote for secession or unity.

From January 9 to 15, 2011, Sudan held a referendum to decide if Southern Sudan would become a sovereign and independent country, or remain part of Sudan. Approximately 3.8 million Southern Sudanese exercised their right to self determination, and on February 7, 2011, the Southern Sudan Referendum Commission (SSRC) announced the final results, with almost 99 percent voting for independence from the north.

On February 7, 2011, Sudan's President Omar Al-Bashir officially accepted the final results of the referendum, and the United States announced on the same day its intention to formally recognize Southern Sudan. On July 9, 2011, Southern Sudan will become the sovereign and independent Republic of Southern Sudan.

While I applaud these recent accomplishments, several issues pertaining to the separation of the two states remain and must be resolved prior to the conclusion of the transition period. These include and are not limited to: the legal status of populations in the north and south, wealth sharing, resource management—especially oil revenues, division of assets and debt, currency, security arrangements, and infrastructure and institutions building. The future status of the oil rich region of

Abyei—full integration with Sudan or Southern Sudan, or partition of the region in two—also needs to be determined.

My resolution congratulates the people of Southern Sudan for exercising their right to self determination and welcomes the new nation of Southern Sudan. In addition, it calls on both parties to resolve separation issues prior to the conclusion of the transition period, including the status of Abyei. It also urges Sudan to put an end to repression and violence, and Southern Sudan to create democratic institutions and plan elections. Lastly, the resolution pledges that the United States will work with both governments to ensure a peaceful transition to independence and encourages other nations to do so.

Mr. Speaker, the United States has played a major role in bringing this devastating conflict to an end. I will continue to monitor the issue and advocate for a peaceful and non-violent separation. Not only do the people of northern and southern Sudan deserve it, but it is in the interest of our nation and the world to establish peace and stability in the region. Therefore, I encourage other nations to welcome the new state of Southern Sudan and assist with their transition process.

IN SPECIAL RECOGNITION OF RYAN PIERSON ON HIS OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES MERCHANT MARINE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young man from Ohio's Fifth Congressional District. I am happy to announce that Ryan Pierson of Perrysburg, Ohio has been offered an appointment to attend the United States Merchant Marine Academy in Kings Point, New York.

Ryan brings an enormous amount of leadership, service and dedication to the incoming Class of 2015. While attending Perrysburg High School in Perrysburg, Ohio, Ryan consistently achieved high honors. He was also an active member of his high school band.

Throughout high school, Matthew played and received his varsity letter playing football. Ryan also recently became an Eagle Scout, following years of participation as a member of Boy Scouts of America. He also served in a number of leadership capacities throughout his years as a Boy Scout. I am confident that Ryan will carry the lessons of his student and athletic leadership to the United States Merchant Marine Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Ryan Pierson on the acceptance of his appointment to the United States Merchant Marine Academy where he will gain a world-class education and invaluable leadership experience. I am positive that Ryan will excel during his career at the United States Merchant Marine Academy, and I ask my colleagues to join me in extending their best wishes to him as he begins his service to the nation.

HONORING COLONEL MARGUERITE C. GARRISON

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. HIGGINS. Mr. Speaker, I rise today in honor of Colonel Marguerite C. (McDonald) Garrison who will be retiring from the U.S. Army after more than thirty years of service.

Col. Garrison was born and raised in South Buffalo, NY. Upon graduating from St. Bonaventure University in 1981 with a Bachelor of Science in Psychology/Biology, she was commissioned as a Second Lieutenant in the Military Police Corps through the ROTC.

After completing the Military Police Officer Basic Course, Col. Garrison spent nearly six years stationed in Germany, where she served as the Commander of Headquarter and Headquarters Detachment in Kornwestheim, Platoon Leader of the 194th Military Police Company in Neu Ulm, Assistant S3/Training Officer in the 385th Military Police Battalion, and finally as Commander of the 630th Military Police Company in Bamberg.

In 1987 Col. Garrison returned to the United States for the Military Police Officer Advanced Course and was assigned to Fort McPherson, GA. From 1987 to 1991 she served as the Force Structure Officer in the Forces Command Provost Marshal Office, Assistant Secretary to the Joint, Forces Command, and the Executive Officer in the Forces Command Provost Marshal Office.

In 1992 she attended the 170th session of the FBI National Academy, one of only twelve army personnel selected annually, and after graduating from the eleven week program became the Deputy Program Director of the World University Games held in Buffalo, New York. In this position, Col. Garrison coordinated joint security planning between the military, state, and local police.

Col. Garrison went on to attend the U.S. Army Command and General Staff College, and was assigned as Executive Officer of the 705th Military Police Battalion. She earned a Master of Science in Administration from Central Michigan University in 1995, and in recognition of her expertise in public safety was selected as a Security Liaison for the 1996 Summer Olympic Games in Atlanta, GA.

Col. Garrison next assigned as the Inspector General of the United States Total Army Personnel Command in Alexandria, VA. From 2000 to 2002 she commanded the 5th Military Police Battalion, Criminal Investigation Command, in Kaiserslautern, Germany, and went on to serve as the Inspector General for the Army Criminal Investigation Command. Following her graduation from the Industrial College of the Armed Forces, Col. Garrison was assigned to the Office of the Assistant Secretary of Defense as the Deputy Director for Antiterrorism Policy.

In her next position, Col. Garrison served as Garrison Commander at Fort McPherson and Fort Gillem, GA. Following her time in GA, she was deployed to Iraq and served in the Multi-National Force-Iraq CJ3 as the Director for Protections, Chief of Staff and Deputy Director, of Current Operations. Upon her redeployment in 2009, Col. Garrison was assigned to

her current position as the Army's Chief, Initiatives Group, Vice Chief of Staff.

During her career, Col. Garrison graduated the United States Army Command and General Staff College, the Industrial College of the Armed Forces, and, at the time of her induction, was the youngest member of the St. Bonaventure University ROTC Hall of Fame. She is married to LTC (Ret.) Kevin Garrison, and is the proud mother of her twin sons, Sean and Kieran, and her daughter, Kelsea.

Her awards include the Distinguished Service Medal, Defense Superior Service Medal, Legion of Merit (Oak Leaf Cluster), Bronze Star Medal, Defense Meritorious Service Medal, Meritorious Service Medal (with 5 Oak Leaf Clusters), Joint Service Commendation Medal, Army Commendation Medal, Joint Service Achievement Medal, Army Achievement Medal, National Defense Service Medal (with Bronze Star), Iraqi Campaign Medal (with two stars), the Global War on Terrorism Medal, the Armed Forces Reserve Medal, the Army Service Ribbon, the Overseas Service Ribbon (Numeral 3), and the NATO Medal (Kosovo). Col. Garrison was also authorized to wear the Secretary of Defense and Army Staff Identification Badges and the Order of the Marechaussee in Silver.

Mr. Speaker, Col. Marguerite Garrison is a proud soldier, patriot, and Western New Yorker. I ask my colleagues to join me in honoring Col. Garrison and thanking her for her years of dedicated service in the defense of our country.

HONORING HRANT ZEITOUNZIAN

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DREIER. Mr. Speaker, last month, one of my constituents, Hrant Zeitounian, passed away at the age of 101. Mr. Zeitounian was one of the last remaining survivors of the Armenian Genocide. While Mr. Zeitounian spent most of his life in Europe, he moved with his wife Osana to the United States in 1986 and was living in Sierra Madre, California. I wanted to take this opportunity to commemorate Mr. Zeitounian's amazing life and to express my condolences to his family and friends. Below is a 2010 press release from the Armenian National Committee—Pasadena celebrating Mr. Zeitounian's 100th birthday.

PASADENA, CA.—With strength and purpose, Hrant Zeitounian, a survivor of the Armenian Genocide, celebrated his 100th birthday with family and friends on January 15, 2010. Zeitounian marked his centennial as his family reflected on a remarkable life that began in 1910 in Gurin, a city in the Sepastia region of Western Armenia. Along with his mother, brother and sister, Hrant, at the age of five, was exiled from his homeland and sent on a death march. The Pasadena Armenian National Committee participated in the celebration of Hrant Zeitounian's life and praised him and his family for being staunch supporters of the Armenian Cause.

For much of his life Hrant Zeitounian has been involved in efforts to advance the Ar-

menian Cause. As a youth in Lebanon he was very active in the Armenian Youth Federation and has long been a staunch supporter of the Armenian Revolutionary Federation. Over the past several years he has regularly attended the Armenian National Committee—Western Region's banquet. Several years ago he received singular praise from U.S. Senator Robert Menendez (D-NJ), who cited Zeitounian as an enduring symbol of the Armenian Cause.

Following his exile from Gurin in 1915, Zeitounian managed to settle in Beirut, Lebanon after Turkish soldiers started hunting down innocent Armenians in and around Aintab, where his mother had found temporary shelter for her family. After graduating from elementary school, Hrant was reunited with his mother in Aleppo, Syria, where he would later become enrolled in and graduate with high honors from Aleppo College. He would go on to have a successful career at the Iraq Petroleum Company and later at the American Tapline Company in Lebanon. Following his "formal" retirement, the ever-industrious genocide survivor would successfully open a store in Beirut that specialized in selling Kodak cameras, film and supplies.

After enduring Lebanon's civil war, Hrant Zeitounian moved to the United States in 1986 with his wife of over sixty years, Osana. Here in the United States he was reunited with his four children, his sons Vahe, Vartan and Kevork and his daughter Haiganoush (Anoush).

A TRIBUTE IN RECOGNITION OF THE LOS ANGELES CONSERVATION CORPS' 25TH ANNIVERSARY OF PROVIDING SKILLS AND OPPORTUNITIES TO AT-RISK YOUNG ADULTS

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize the Los Angeles Conservation Corps, a non-profit organization based in the Greater Los Angeles area that is dedicated to providing at-risk young adults with opportunities through job skills training, education and work experience emphasizing conservation and service projects that benefit the community.

The organization was founded by former United States Secretary of Commerce and Trade Ambassador, Mickey Kantor in 1986. He charged a team of conservation professionals—including Bruce Saito, a founding staff member—with bringing the successful model of the California Conservation Corps (CCC) of the 1970s to an impoverished, crime-blighted South Central Los Angeles neighborhood. This team recruited 27 high-school dropouts who, before the Corps, had few career options besides gang life and drug dealing. Equipping these new "corps members" with the tools of conservation, the Corps gave them opportunities to recognize and focus their assets on building up their communities. In alignment with the CCC model, on alternating weeks, these young men and women attended school at the Corps.

Today, this tradition continues through the Young Adult Corps (YAC) program, which

seeks to transform young adult high school dropouts with negative or nonexistent employment into responsible, skilled employees. Corps members work in teams led by crew supervisors who are adept at training young adults. They engage them in conservation work that is challenging, skill-building and prepares them for entry-level positions in fields such as green construction, renewable energy generation, energy efficiency, environmental remediation, forestry and firefighting.

Since its inception, the Corps' focus has been on improving job skills and education. More than 1,000 Corps members without a diploma have been assigned to the Young Adult Corps High School to complete the necessary credits for an accredited high school diploma. Supporting them throughout the process is a team of case managers and transition staff who assist them in focusing on their goals while helping to eliminate previous barriers to their success. Upon graduation, the Corps' Russell Kantor Memorial Fund continues to support these young adults by providing more than \$1.3 million in scholarships for college or advanced training.

Mr. Speaker, in recognition of their 25th Anniversary, I ask my congressional colleagues to please join me and the residents of the 34th Congressional District in congratulating the Los Angeles Conservation Corps for providing an invaluable service to the City of Los Angeles and our young people. I congratulate Corps Executive Director, Bruce Saito, the members of the Corps' Board of Directors and all of the many supporters who make the Corps the treasure that it is today. I wish them and everyone involved in its growth and mission many more years of continued success.

IN HONOR OF ABRAHAM BREEHEY

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. FARR. Mr. Speaker, I rise today to honor the life of Abraham Breehey, who recently passed away at the age of 35. I am honored that I have this opportunity to recognize this bright, caring and loving man.

Through his role as the Director of Legislative Affairs for the International Brotherhood of Boilermakers, Abe proved to be a strong force within the labor movement. He was able to transcend political differences and generate consensus for many noble causes.

Not only was Abe committed to improving the lives of all Americans, but he was also an outstanding leader in the fight against global warming and involved many unions in that effort. Abe's dedication to the labor movement and the promotion of environmental stewardship has been an inspiration. Abe's sense of civic duty even led him to testify several times before Congress, and was especially supportive of the Clear Skies Act before the Senate Environment and Public Works Committee.

He is survived by his loving wife, Sonya and his daughter, Abigail.

Mr. Speaker, Abraham Breehey touched many lives in his community and around our nation. Abe was a champion for progressive

causes who loved the Grateful Dead and Phish and it is a privilege to recognize his life. He will be missed and I know I speak for the whole House in honoring the life of this dedicated and loving man.

A TRIBUTE TO NITIN DOSHI

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TOWNS. Mr. Speaker, I rise today in recognition of the achievements of Nitin Doshi.

Nitin Doshi's international roots, professional training and zest for life have all contributed towards his well deserved reputation as an entrepreneur, a philanthropist and a leader. Although born in Africa, Dr. Doshi is of Indian descent and was schooled in India as a foreign student. After graduating from Dental School in Bombay, he came to the United States in 1973 and enrolled in the NYU School of Dentistry, becoming licensed to practice in New York in 1975. He was a pioneer among Indian dentists helping many of them start and expand their practices. He was a very successful dentist and an entrepreneur who established many dental practices of his own. In 1992, due to the growing radiology practice of his wife of 40 years, Dr. Leena Doshi, he sold his dental practices and joined her in expanding the radiology practice.

Today the family is involved in a number of varied investment ventures under the umbrella of Doshi Capital Partners, including a real estate private equity fund formed in 2005, an Indian hedge fund consisting of a long/short equity fund founded in 2008, and a partnership begun in 2008 with a private equity firm concentrating in investments in chemicals, specialty materials and healthcare.

They believe in a well balanced life and making time for everything in life. They are proud parents of Neely and her husband Todd and Nishat and his wife Fran, but the true joys of their lives are now their grandchildren, Nile, Denali and Escher, and a new granddaughter on the way. They are also part of very tight-knit group of over 30 Indian couples that all immigrated to the United States in the seventies and eighties and have supported each other and embraced the American spirit and contributed to their adopted country with enthusiasm and gratitude.

They are active and athletic and love all sorts of sports, as spectators as well as participants, with tennis and golf being their personal passion. Both have run many half marathons and Leena has also run the Long Island and New York City Marathon.

They are strong believers of social causes and support many charities. Examples of Indian organizations that the Doshi Family Foundation has partnered with include Pratham, which fulfills a mission to ensure the "Every Child in School and Learning Well" program; American Indian Foundation, committed to accelerate India's social and economic growth; and Veerayatan, which helps to rehabilitate earthquake victims, especially children, by immediately providing the basic necessities of life. The Foundation has also established two

colleges in Kutch, India, one for computer science, the other for business administration, with classes having begun in June 2008.

The Doshi Family Foundation founded and funded since 1998 a New York based high school program called The Doshi Difference geared towards immigrant children's success in math and science. The program guides hand selected children through high school and has been such a success that its curriculum has recently been offered to all students at every high school in New York.

The Doshis believe in a concentric circle of giving starting from family, to employees, to communities and believe strongly that each one of us has the ability to spread goodwill to those around us and to make a difference if we only have the desire to do so.

Mr. Speaker, I urge my colleagues to join me in recognizing the work of Nitin Doshi.

IN SPECIAL RECOGNITION OF ANDREA WYANT ON HER OFFER OF APPOINTMENT TO ATTEND THE UNITED STATES AIR FORCE ACADEMY

HON. ROBERT E. LATTA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LATTA. Mr. Speaker, it is my great pleasure to pay special tribute to an outstanding young woman from Ohio's Fifth Congressional District. I am happy to announce that Andrea Wyant of Fostoria, Ohio, has been offered an appointment to attend the United States Air Force Academy in Colorado Springs, Colorado.

Andrea brings an enormous amount of leadership, service and dedication to the incoming Class of 2015. While attending Fostoria High School in Fostoria, Ohio, Andrea attained a grade point average that placed her in the top ten percent of her graduating class. Andrea was inducted into the National Honor Society, was a member of the Quiz Bowl team, served as president of the Fostoria High School band and served on student council for three years. Throughout high school, Andrea was also a member of the varsity swim team, which she was captain of her senior year, and the varsity tennis team. I am confident that Andrea will carry the lessons of her student leadership to the Air Force Academy.

Mr. Speaker, I ask my colleagues to join me in congratulating Andrea Wyant on the acceptance of her appointment to the United States Air Force Academy where she will gain a world-class education and invaluable leadership experience. I am positive that Andrea will excel during her career at the United States Air Force Academy, and I ask my colleagues to join me in extending their best wishes to her as she begins her service to the nation.

CELEBRATING THE 100TH ANNIVERSARY OF THE ALABAMA CO-OPERATIVE EXTENSION SERVICE ON HOME ECONOMICS

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BONNER. Mr. Speaker, I rise to pay tribute to one of my home state's success stories. I wish to congratulate Alabama's Cooperative Extension Service on Home Economics as it celebrates 100 years of serving the people with valuable economic and nutrition education.

The Alabama Extension Service has its origins in Walker and Pike counties in 1911 when two part-time home agents with a budget of \$300 enrolled 240 girls in popular Girl's Tomato Clubs where they were taught to grow tomatoes and can them.

In 1914, the program was made a part of the land grant college system, giving instructions and demonstrations to persons not enrolled in colleges or universities.

Through the years, many of the Alabama Extension Home Economics programs have been innovative and successful, capturing the attention of other states which have replicated them. These include Master Money Manager, expanded food and nutrition education, Parents Encouraging Parents and Project HELP.

During World Wars I and II, the Alabama Extension Home Economics programs provided valuable instruction in substituting rationed food items, supervised canning centers, salvaging scrap metal and rubber, and selling war bonds.

Today, such home economics programs range from family life, nutrition and health, clothing, housing and family resource management, and are constantly updated to meet new challenges, serve expanding and new audiences, and responding to local problems and opportunities.

The Alabama Extension Home Economics programs have paralleled the history of our country and state for the last 100 years. Through boom times and bust, the program has met the needs of Alabama homemakers and families.

I join with my fellow Alabamians in thanking the Alabama Cooperative Extension Service on Home Economics for its many valuable contributions to our state and I congratulate the program on its 100th anniversary.

RECOGNIZING THE LIFE OF DR. OLYN KELLY MATTHEWS

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. MILLER of Florida. Mr. Speaker, on behalf of the United States Congress, it is an honor for me to rise today to recognize the life of Dr. Olyn Kelly Matthews.

Dr. Matthews was an integral part of the Northwest Florida community. For 45 years, Dr. Matthews practiced veterinary medicine in

Escambia, Santa Rosa and Okaloosa counties. He began practicing in Northwest Florida in 1944, when he took a job as an assistant state veterinarian. Dr. Matthews was born on a farm, and he dedicated his veterinary practice to helping farmers keep their livestock healthy and productive. Dr. Matthews was the veterinarian for 26 dairies and multiple farms throughout the area.

Dr. Matthews was a true family man. In 1947 he married Elizabeth Campbell. Dr. and Mrs. Campbell immersed themselves in the lives of their children and their local community through church activities and sports.

The impact Dr. Matthews had on the Northwest Florida community extended far beyond his veterinary practice. A pivotal leader in the local community, Dr. Matthews was elected to the Santa Rosa County School Board in 1966. He also served as president of the Milton Kiwanis Club, Milton Quarterback Club and the Northwest Florida Veterinary Medical Association, and he was campaign chairman of the United Way of Santa Rosa County for two years. In 1990, he was selected as "Man of the Year" by the Santa Rosa County Chamber of Commerce.

To some Dr. Olyn Matthews will be remembered as a community leader and to others as a dedicated doctor of veterinary medicine. To his family, he will forever be remembered as a loving husband, father and grandfather.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the life of Dr. Olyn Matthews of Milton, Florida. My wife Vicki and I offer our prayers for his entire family. He will be truly missed by all of us.

IN RECOGNITION OF EARTHFEST
2011

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of the Earth Day Coalition of Cleveland, as they celebrate EarthFest 2011 on April 17, 2011—a date that also commemorates the 22nd annual celebration of EarthFest in Cleveland, Ohio.

Cleveland's Earth Day Coalition was formed in 1990 to celebrate the twentieth anniversary of Earth Day in Ohio. EarthFest is now Ohio's largest environmental educational event and the longest running Earth Day celebration in the nation. I stand in recognition of the staff and volunteers of the Earth Day Coalition for all their effort and dedication in creating such an innovative, exciting and educational event for the Greater Cleveland community to enjoy. This year, EarthFest's theme is "Climate Change Solutions." Over 175 environmental exhibits are expected from environmental and community organizations, government entities and businesses. EarthFest is just one of Earth Day Coalition's many nationally-recognized programs and promises once again to be a significant aspect of the world celebration of Earth Day.

Mr. Speaker and colleagues, please join me in honor and recognition of the staff, volunteers, and members of the Earth Day Coalition

as we celebrate EarthFest 2011 on April 17, 2011. EarthFest 2011 promises to educate, inspire and motivate all of us to join together as a community and work toward a more healthy Earth for future generations.

HONORING DR. JOSÉ RIZAL

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. QUIGLEY. Mr. Speaker, I rise today to honor the legacy of Dr. José Rizal in celebration of the 150th anniversary of his birth on June 19, 1861. His writings and dedication to his country continue to inspire Filipinos, who widely regard him as the national hero of the Philippines. His allegiance to his homeland resonates with Filipino-Americans, and stirs a renewed patriotism in the hearts of all Americans.

A doctor, philosopher, historian, and artist, Dr. Rizal is best known for his influential writings during the Philippine struggle for independence. Born in the Philippine province of Laguna in 1861, he traveled throughout the world for his studies and medical practice, earning degrees from universities in the Philippines and Europe. While studying in Spain in 1887, he wrote two novels, *Noli Me Tangere* and its sequel *El Filibusterismo*, depicting the Filipinos' devotion to their country and yearning for freedom from colonial rule. These works inspired the struggle for independence in the Philippines but also placed Rizal's life in danger of persecution by the ruling government.

Eager to be of service to his country's cause, Dr. Rizal returned to the Philippines in 1892. Upon his return, he was exiled to the South of the Philippines. Despite great struggles, he sought to improve the lives of those around him by building a medical clinic, conducting religious classes, and teaching agricultural practices. Four years later, as the Philippine Revolution began to strengthen, he was convicted of inciting the rebellion with his writings and was sentenced to death. On the eve of his execution, Dr. Rizal wrote *Mi Último adiós*, a poem bidding farewell to his beloved country, attesting to his dedication to seeking a free and independent country.

Dr. Rizal's legacy lives on in his writings, and Filipinos throughout the world remember him as the idealistic force behind their struggle for independence. He fought for his country not with the sword, but with the peaceful power of his ideas.

Mr. Speaker, I ask my colleagues to join me in honoring Dr. José Rizal. We remember his legacy in honor of the Filipino-Americans in our communities. May his legacy continue to instill in all of us a renewed dedication to serving our country.

TRIBUTE TO TEXAS STATE REPRESENTATIVE
SENFRONIA THOMPSON

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to pay tribute to a friend of mine, a maverick, a community visionary, a leader, and a true Texan and recognize the achievements and outstanding service of a very special person, Senfronia Thompson.

Senfronia will be "roasted" by the Texas Southern University and Governor Rick Perry, Speaker Joe Straus, Senators Rodney Ellis and John Whitmire, Representative Sylvester Turner, former Representative Debra Danburg, former Representative Mark Stiles and others to raise funds for a wonderful cause, the Texas Legislative Internship Program (TLIP) administered by The Mickey Leland Center at the University. The event will be held at the Mickey Leland Center at Texas Southern University on April 11, 2011, at the University of Texas Alumni Center.

The TLIP is a premier internship program that introduces the best and brightest of our Texas youth to the innerworkings of government and the true value of public service. The program, developed in 1990, is sponsored by Senator Rodney Ellis. Since its inception, more than 400 students accepted into the TLIP program have interned with members of the Texas Legislature, the Governor, Lieutenant Governor and the Chief Justice of the Supreme Court. This year, 63 interns are working in and around the Texas State Capitol during the current legislative session.

In 1973, Senfronia Thompson was elected to the Texas State House of Representatives from Houston. She has continued to serve her constituents in honor ever since. She now ranks as the longest-serving woman and the longest-serving African-American in Texas State legislature history.

Representative Thompson authored and passed Texas' first alimony law, the James Byrd, Jr. Hate Crimes Act, laws prohibiting racial profiling, the state minimum wage, the Durable Powers of Attorney Act, the Uniform Interstate Family Support Act, the Sexual Assault Program Fund, the Model School Records Flagging Act, the Uniform Child Custody and Jurisdiction Enforcement Act, contraceptive parity, prohibiting small print in cell phone ads, and scores of other reforms benefiting women, children and the elderly.

The former chair of one of the Legislature's most active committees, Judicial Affairs, Representative Thompson pushed through major reforms in child support enforcement, simplified probate proceedings, and complete overhauls of statutes dealing with statutory courts and municipal courts. Representative Thompson continues to be among the most successful House members in passing bills into laws.

Representative Thompson has been in the forefront of every major campaign against discrimination in the last three decades. Ms. Thompson has among the highest ranks of

any legislator for her voting record on issues of concern to women, minorities, labor, consumers, reform advocates, domestic violence victims, the elderly, teachers and civil libertarians. Among many other honors, she was named "Woman of the Year" by bipartisan Texas Women's Political Caucus in 1995.

Mr. Speaker, I am proud to call Senfronia Thompson my friend and my colleague in public service. I had the pleasure of serving beside Senfronia Thompson, a champion of civic participation, when we were both freshman legislators together in 1973. It was an honor to serve with her then and it is an honor for me to be able to recognize her today. I ask my colleagues to join me in honoring and thanking Representative Thompson for her extraordinary service to Texas and our country.

HONORING UNIVERSITY OF PACIFIC
McGEORGE SCHOOL OF
LAW TEAM

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DENHAM. Mr. Speaker, I rise today to again acknowledge and honor a University of Pacific McGeorge School of Law team that participated at the American Bar Association National Appellate Advocacy 34th annual competition held April 7-9, 2011, at the U.S. District Courthouse for the Northern District of Illinois in Chicago.

The team of Caitlin Urie Christian, '11, Jill Larrabee, '12, and Leo Moniz, '12, advanced to the round of 16 and took ninth place. They also won the Best Brief Award; an outstanding accomplishment in its own right, considering over two hundred teams participated in the competition.

The competition involved two issues this year: whether a pre-enforcement challenge under the First Amendment is ripe for judicial review and whether a state statute, passed as a means to tackle a crystal methamphetamine epidemic, is constitutional under the Supreme Court's commercial speech jurisprudence.

They were coached by Professors Ed Telfeyan, '75, and Erich Shiner, '06, and assisted by Andrea Dupray, '11, a member of the 2009-2010 Moot Court Honors Board.

Previously the winners of a similar award in the San Francisco regional, this time the writing of Christian, Larrabee and Moniz faced an entire new battery of graders who read all 24 briefs for the finals in Chicago. To put the award in perspective, their work was judged the best out of 217 teams competing nationally.

Mr. Speaker, please join me in honoring the students and coaches from McGeorge School of Law on their outstanding performance at the 2011 regional competition in San Francisco and at the national finals in Chicago. I'm pleased to honor their hard work and dedication to the study of the law.

IN HONOR OF THE ASSOCIATION
OF INDIAN PHYSICIANS OF
NORTHERN OHIO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of the Association of Indian Physicians of Northern Ohio.

The Association of Indian Physicians of Northern Ohio (AIPNO) is a non-profit organization that was founded in 1983, with the mission of using its united resources and knowledge for the welfare and healthier living of the community that they serve. The organization hosts bi-annual Health-Fairs where member physicians volunteer their time and skills to those of the community free of charge. Their continued service to both the nation and the state of Ohio exemplify responsibility and civic virtue.

In addition to their health fairs, the Association of Indian Physicians of Northern Ohio is a supporter of medical camps in India, such as the Medical and Surgical Camp of Bidada Sarvodaya Trust in Kachchh. These camps provide medical and surgical treatment to over 1200 villages and impoverished areas.

The Association of Indian Physicians of Northern Ohio runs various continuing education and learning programs for its members and students. The organization also has its own medical journal, AIPNO Pulse, and provides medical advice to residents of Northern Ohio through their contributions to Lotus, a community publication.

Mr. Speaker and Colleagues, please join me in honor of the Association of Indian Physicians of Northern Ohio, which works to unite Indian physicians in order to achieve their mission of providing their combined skills and knowledge for the betterment of Ohio and service to the community.

TRIBUTE TO TELACU FOR ITS
COMMITMENT TO THE ADVANCE-
MENT AND EMPOWERMENT OF
LATINOS

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BACA. Mr. Speaker, it is with great honor that I rise today and ask Congress to recognize May 20th as TELACU Scholars Day.

The TELACU Education Foundation was established in 1983 to respond to crisis-level dropout rates for Latino Students and has since grown into the largest community and economic development corporation in the United States. TELACU is a pioneering institution committed to service, empowerment, advancement and the creation of self-sufficiency within the Latino community.

To address the distinct struggles many Latino youth face, TELACU established the LINC TELACU Education Foundation (LTEF). For upwards of two decades, the Education

Foundation has been working towards removing the formidable barriers that could prevent Latino youth from achieving academic success and providing them with professional and academic role models. I am proud of the way the LINC TELACU Education Foundation has contributed to the development of our future Latino leaders.

The TELACU Education Foundation realized that there is no more vital asset in any community than its human capital and began their efforts to reverse these trends. For instance, The LINC TELACU Scholarship Program is an exemplary program that helps students realize their dream of a college education by providing scholarships and supplemental support.

Although TELACU understands that financial assistance is a vital component for college students to achieve academic success, they also recognize the underlying challenges many young adults face including socioeconomic factors, family responsibilities, cultural identity, and financial solvency. Students who are the first member of their families to pursue a college degree often must make their own academic support system in order to achieve their dreams. TELACU understands these challenges.

The LINC TELACU Scholarship Program provides its youth not only with monetary assistance, but with the counseling, leadership training, and time management training necessary to help students achieve their dreams.

Mr. Speaker, I ask my colleagues to join me today to honor TELACU, the LINC TELACU Education Foundation and for Scholarship programs like this one, for believing in the dream of higher education for all of America's next generation of leaders. I extend my congratulations to the TELACU scholars and the people who make their dreams a reality as they celebrate the 28th Annual TELACU Education Foundation Scholarship Awards Dinner, Building the Dream, on Friday May 20th, 2011.

ARMENIA REMEMBRANCE DAY

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. LAMBORN. Mr. Speaker, on April 24, 2011, the world will commemorate Armenian Remembrance Day and remember the one-and-a-half million Armenians that endured unspeakable suffering and loss at the hand of the Ottoman Empire during World War I.

In addition to the loss of so many Armenian lives, the twentieth century also bore witness to the loss of six-million Jews and four-hundred thousand other persons deemed "undesirable" by the Nazis, the loss of millions of lives in Russia and in China by communist tyrannies, and modern day horrors in Cambodia, Rwanda, and Darfur. All too often, we have not learned from past genocides. As the Universal Declaration of Human Rights states "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment" and that "Everyone has the right to life, liberty and security of person."

Though nothing changes the fact that mass killings and unspeakable acts of brutality occurred, today I wish to learn from the past to

better bring about hope for a brighter, more peaceful future and reconciliation of the people of Armenia and Turkey.

Only with a thorough examination of history and open acknowledgement of the past will the plight of the Armenians be fully understood.

As we continue confronting atrocities taking place today, and seek to prevent them from occurring in the future, we must also be resolute in acknowledging genocides of the past.

A TRIBUTE TO SARAH SAVAGE
RAYMOND

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. TOWNS. Mr. Speaker, I rise today to recognize Sarah Savage Raymond.

Sarah Savage Raymond has been a resident of Brooklyn since 1927, when, at the age of 22, she moved from her home in Baltimore. During her more than 80 years in Brooklyn and the Tenth Congressional district, Mrs. Raymond has been a positive example for all and a valued member of her community.

Mrs. Sarah Savage Raymond has been involved with the First AME Zion Church, originally the Fleet Street Church, since she first moved to New York and remains an active participant. The First AME Zion Church is where Sarah met and married her husband, Mr. Robert Raymond and where she became involved in her adopted community, becoming a member in the lodge and on the committee visiting the sick.

Through more than a century of life, Mrs. Raymond has kept her indomitable spirit and remains alert and energetic. Although Mrs. Raymond has no biological children, she has three very close relatives that are extremely supportive of her who live in the Bronx, New Jersey and Pennsylvania. She also has five nieces and nephews that reside in Maryland that also keep in touch with her. Mrs. Sarah Savage Raymond has seen and heard what most of us could only read in history books and she is always willing to share her experiences with those who are interested in listening.

Mrs. Raymond says that she is "thankful" to be one hundred six years of age because she did not expect to live this long. She adds, "I appreciate every year and did the best that I could." It is precisely this humble and exemplary attitude that has preserved Mrs. Raymond in health and happiness for so long.

Mr. Speaker, I would like to recognize Mrs. Raymond for her extraordinary accomplishments and her spirit which reflect the best our nation has to offer.

RECOGNIZING THE 30TH ANNIVERSARY OF THE FIRST FLIGHT OF THE SPACE SHUTTLE

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, Chairman RALPH HALL joins me as I rise today to recognize this week's 30th anniversary of the first flight of the Space Shuttle. On April 12, 1981, Space Shuttle *Columbia* was successfully launched from the Kennedy Space Center's Launch Pad 39A at 7 a.m. Under the capable control of Commander John W. Young and pilot Robert L. Crippen, the STS-1 mission showed that a safe launch into orbit and safe return of the orbiter and crew was possible. In performing the test flight, Space Shuttle *Columbia* traveled over 1 million miles at an orbital altitude of 166 nautical miles. This was the first of over 130 shuttle missions over a period of 30 years during which astronauts recovered and repaired satellites including the Hubble Space Telescope, conducted cutting-edge research, and built and supported the largest structure in space, the International Space Station.

Mr. Speaker, on this 30th anniversary of the first flight of the Space Shuttle, we are also on the verge of retiring the Space Shuttle fleet. It is appropriate to honor the brave individuals who have paid the ultimate price so that the Nation could pursue its goals, vision, and leadership in human spaceflight and exploration and to recognize the bravery and heroism of all astronauts who have flown on the Space Shuttle. It is also appropriate to acknowledge the tireless and dedicated work of the men and women of the National Aeronautics and Space Administration ("NASA"), its field centers, and its contractors without whom these achievements would not have been possible.

The Space Shuttle has been a source of pride and inspiration for the American people. It sparked interest in many fields of engineering and science which benefitted the United States economy, inspired successive generations, and contributed to our leadership in science and technology. We must continue to provide our children and grandchildren with a similar source of inspiration. As the chapter on the Space Shuttle closes later this year, a new chapter in the book of human exploration begins.

Today, unlike 30 years ago, our leadership in space is being contested by many other nations. Mr. Speaker, I urge my colleagues to join me in reaffirming our support for NASA and in committing to a robust national program of human space flight and exploration. That will be the best way to mark this historic anniversary.

HONORING SHRINERS HOSPITAL FOR CHILDREN—CHICAGO

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. QUIGLEY. Mr. Speaker, on the 85th anniversary of its founding, I rise today to honor and recognize the outstanding impact that the Shriners Hospital for Children has had on the lives of children in Chicago. It is their mission to provide the highest quality health care to all children with orthopedic and neuromusculoskeletal conditions.

The Shriners founded their first children's hospital in Shreveport, Louisiana in 1922, and since then, their network has grown to include 21 more hospitals. The Chicago facility was founded on March 20, 1926 in the historic Oak Park District. Here, children are treated for a host of orthopedic and neuromusculoskeletal conditions, spinal cord injuries, as well as cleft lip and palate. Not only do they provide for the needs of the children, the hospital takes into account the needs of the whole family throughout all phases of the child's injury and recuperation, including free transportation to and from the hospital if necessary. Once children are accepted for treatment, they become part of the Shriners Hospital System and are provided treatment for all facets of their condition.

All care is provided by an interdisciplinary team which works together to integrate the expertise of all appropriate healthcare disciplines in one center. In addition to providing treatment for these conditions, all Shriners Hospitals for Children are dedicated to continuing research in their specific fields and discovering new knowledge to better improve the quality of the lives of their patients and their families.

Mr. Speaker, I would like to recognize the Shriners Hospital for Children in Chicago for its dedication to providing healthcare to suffering children without regard to religion, race, nationality, disability, or ability of the family to pay. This organization provides an invaluable service to the city and has improved the lives of countless Chicago children. I thank them once again for their 85 years of exceptional services to children in need and their families.

PROCLAMATION FOR DR. JOHN
LOGAN CASHIN, JR.

HON. TERRI A. SEWELL

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. SEWELL. Mr. Speaker, I rise to recognize a great American, Dr. John Logan Cashin, Jr., a visionary civil rights leader and extraordinary Alabamian.

Dr. Cashin was born in Huntsville, AL on April 16, 1928 to John Logan Sr., a dentist, and the former Grace Brandon, a school principal. His parents were active in social justice and civil rights work. His paternal grandfather, Herschel V. Cashin, served in the Alabama Legislature during Reconstruction. Dr. Cashin received his B.A. degree from Fisk University

and D.D.S. degree from Meharry Medical College in Nashville, Tennessee and joined his father in dental practice. He was a devoted member of the Omega Psi Phi Fraternity, Inc. Dr. John L. Cashin, Jr. was drafted into the U.S. Army, where he was made a first lieutenant and Chief of dental services for soldiers stationed near Fountainebleau, France. Dr. Cashin Jr.'s wife of 39 years, Joan Carpenter Cashin, died in 1997. They are survived by their children, Sheryll Cashin Esq., Professor of Law at Georgetown University, John M. Cashin of Lagos, Nigeria and Carroll L. Cashin of Huntsville, Alabama. Dr. Cashin has five grand-children: Winton, Etalvia, Jasmine, Langston and Logan. He is also survived by his wife, the former Dr. Louise R. White of Washington, D.C. whom he married in 1998.

As a visionary leader in the struggle for social justice and equal rights for African Americans, Dr. John L. Cashin, Jr. founded the National Democratic Party of Alabama in 1968 and served as its Chairman until it disbanded in 1976.

Under the leadership of Dr. John L. Cashin, Jr., the National Democratic Party of Alabama changed the face of local political leaders in office throughout the state. In November of 1968, seventeen of the party's candidates won local offices in Alabama's Black Belt region, comprising seventeen counties in the central and western part of the state.

In 1970, Dr. John L. Cashin Jr., ran for Governor of the State of Alabama as the first African American candidate since Reconstruction. His courage paved the way for numerous African American candidates to win and hold elected offices. Dr. John L. Cashin, Jr. passed away on March 21, 2011 at the age of 82 in Washington, D.C.

Therefore I, Terri A. Sewell, Representative to the United States Congress from the 7th District of Alabama, do hereby recognize Dr. John Logan Cashin, Jr. for his numerous contributions to the region, state, and nation. I do hereby extend deepest sympathy to the family of Dr. John L. Cashin, Jr., a visionary leader for the Civil Rights movement who never forgot his roots, and who fought for equalities for all mankind. I stand on the shoulders of Dr. John L. Cashin, Jr. and for that I am eternally grateful.

STATEMENT ON H.R. 658, THE FAA
REAUTHORIZATION AND REFORM
ACT OF 2011

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today in strong support of the amendment offered by my colleagues Messrs. Garret, Engel, Andrews, and Himes.

Since the publication of the Federal Aviation Administration's (FAA) "preferred alternative" for the New York/New Jersey/Philadelphia Metropolitan Airspace Redesign project, I have sponsored and cosponsored several similar amendments that have sought to rectify this deeply flawed project that will increase aircraft noise over Northern New Jersey.

Throughout my tenure in Congress and the New Jersey legislature, I have been a staunch advocate for reducing aircraft noise. I have attended dozens of public hearings, had meetings with officials from the FAA, and responded to thousands of calls from constituents whose lives have been affected by existing air traffic patterns and related noise.

While the safety of passengers is paramount, and the vitality of the air transport system is important, people on the ground have a right to a quality of life with a minimum exposure to aircraft noise overhead.

I understand the need for improving the efficiency of our Nation's aviation infrastructure to better accommodate the high demand for flights.

However, the FAA has continually turned a "deaf ear" to the issue of aircraft noise, which affects all citizens on the ground, regardless of whether they travel by plane or not.

Again, I have long fought against such noise increases. In particular, I strongly opposed the FAA's original redesign proposal in 2005, which would have had substantial noise increases throughout the New Jersey and New York metropolitan areas.

The FAA's amended plan included some noise reductions from their original proposal, but did not go far enough.

Now, despite strong opposition from Members of Congress and citizens throughout the region, the FAA is plowing ahead with its redesign plan, despite its flaws with respect to increased aircraft noise exposure. The FAA must cease this flawed redesign plan and come back to the drawing board to develop a proposal that strikes the proper balance between airspace efficiency and preventing noise increases, as well as any other environmental impacts.

I urge the FAA to carefully consider alternatives that accomplish this goal. We must not forget about the "silent majority" of constituents on the ground!

I urge support for this amendment and any effort to reduce the impact of aircraft noise above New Jersey.

RECOGNIZING THE DC 41

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing the 41 District of Columbia elected officials and residents who stood up for the self-governing rights of the American citizens who reside in the nation's capital by sitting down in a peaceful act of civil disobedience on Constitution Avenue in front of the Dirksen Senate Office Building on Monday, April 15, 2011. The rally, organized by DC Vote, protested the final 2011 continuing resolution (CR) which contains two anti-home-rule riders. The CR prohibits the District from spending its local taxpayer-raised funds on abortions for low-income women, even though many state and local jurisdictions have done so for decades. Without consultation with any District of Columbia elected official, the CR

also mandates a D.C.-only private school voucher program, while the House Republican majority refuses to bring a bill to the floor that would allow districts that desire this alternative to select it on a home-rule basis. The District of Columbia is almost alone in the nation in establishing a robust alternative to our local public schools, our public charter schools, which educate almost 40 percent of the city's children and have long waiting lists. The House voted to approve these riders while denying voting representation in this body to District of Columbia residents.

The D.C. elected officials who engaged in civil disobedience were D.C. Mayor Vincent Gray, Council Chair Kwame Brown, At-Large Council members Sekou Biddle and Michael Brown, Council members Yvette Alexander, Muriel Bowser, and Thomas Wells, and House Shadow Representative Michael Panetta. The District residents were Ann Aldrich, Lafayette Barnes, Peter Bishop, Robert Brannum, Jason Cross, Billie Day, Jack Evans, Marc Ferrara, Corryn Freeman, Mary Gosselink, Lawrence Harris, Karen Hixson, Anise Jenkins, Eugene Kinlow, John Klenert, Rachel Madelham, Adam Maier, George Marion, Jr., Nicholas McCoy, Martin Moulton, Brian Pate, Joseph Perta, Jeffrey Richardson, Deangelo Scott, Deborah Shore, Carly Skidmore, Daniel Solomon, Bruce Spiva, Jay Tamboli, Maceo Thomas, Ryan Velasco, Patricia Vrandenburg, and Ilir Zherka.

The city has long advocated its rights through the usual channels and official responses. However, from the day the 112th Congress convened, the House Republican majority has repeatedly introduced bills to violate the rights of our citizens, beginning with the approval of new rules that summarily stripped the District of the only vote on the House floor it has achieved, the House Committee of the Whole vote, approved by the federal courts.

The DC 41, as they are called, recognized that the House Republican majority intends to return with more anti-home-rule riders. An additional anti-home-rule rider was included in the original Republican spending bill, H.R. 1, but failed this time to become a part of the final agreement. The message of the DC 41 was that DC elected officials and residents will not walk away from the infringement of their rights to govern themselves and to spend their taxpayer-raised local funds as they choose.

I ask the House to join me in saluting the DC 41, who acted in the long American tradition of incurring arrests during peaceful civil disobedience to protect and to further their right to full equality with the residents of the 50 states.

RECOGNIZING RONALD
MCNAMARA'S 25 YEARS OF SERV-
ICE ON THE COMMISSION ON SE-
CURITY AND COOPERATION IN
EUROPE

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. SMITH of New Jersey. Mr. Speaker, today I am pleased to pay tribute to Ron

McNamara, and to thank him for 25 years of faithful and dedicated service to the Commission on Security and Cooperation in Europe, the Helsinki Commission. Ron joined the staff of the Helsinki Commission on April 14, 1986, at a time when many OSCE countries suffered under Soviet repression and widespread violations of human rights and fundamental freedoms.

Ron's relationship with the Helsinki Commission actually precedes 1986, having served as the liaison to the Commission for the former Senator from New York, Alfonse D'Amato. Perhaps as a result of this experience, Ron got up to speed quickly. He was soon negotiating human rights and humanitarian issues at the Vienna Follow-Up Meeting of the Conference on Security and Cooperation in Europe, which is today the Organization for Security and Cooperation in Europe, or OSCE. From late 1986 to 1989 he was stationed in Vienna and participated in this multilateral negotiation—progress in the respect of human rights in the Soviet Union and its East European allies had suddenly become possible. As part of the team that translated that potentiality into reality, Ron stayed on top of ever-changing developments, networked with our European allies on strategy, and pressed the one-party communist governments to adopt a new set of human rights commitments. When the Berlin Wall fell and multi-party elections were scheduled, Ron's diplomatic skills helped produce landmark documents which solidified democracy as the chosen form of government and clarified the understanding that a government's treatment of its citizens is not an internal matter but rather a legitimate concern to all. Ron was especially instrumental in negotiating new commitments in the area of cross-border human contacts, which led to greater freedom of movement for those previously denied permission to emigrate to reunite with their families or travel to visit family members.

Throughout the years, he has been deeply involved with preparations for the annual sessions of the OSCE Parliamentary Assembly. He has served as a member of numerous U.S. delegations to various OSCE conferences and as an OSCE election observer in Georgia, Belarus, Ukraine, Russia and Azerbaijan. Ron also participated in Commission efforts to respond to the genocidal and other atrocities in Bosnia-Herzegovina. He was particularly active in legislative efforts to lift the arms embargo on that country, which had denied it the capacity to exercise its rights of self-defense in the face of Bosnian Serb aggression. Ron's portfolio has also included work with Turkey, Greece and Cyprus, religious liberty issues and combating anti-Semitism. A notable result of Ron's work was the willingness of the Turkish government to allow a more open dialogue on human rights and civil society in return for agreement on holding the 1999 OSCE Summit in Istanbul. In addition to his ongoing human rights work, Ron at times has had the Commission staff portfolio for security issues and for economic cooperation.

During 2001–2002, Ron served with distinction as Chief of Staff under the Chairmanship of Senator Ben Nighthorse Campbell, and in both 1999–2000 and 2003–2004 served as Deputy Chief of Staff under my Chairmanship.

I have often benefited from Ron's counsel and have always been impressed by his deep integrity. Since Senator Campbell's retirement, he has served in a variety of capacities, including International Policy Advisor. His knowledge and insight into the workings of the U.S. government and various OSCE institutions has proved invaluable to the work of the Commission. He is a man of great prudence and justice.

Mr. Speaker, as Chairman of the Helsinki Commission, I am very pleased to commend and thank Ron McNamara for his faithful, dedicated and tireless service to the Helsinki Commission and to the cause of human dignity and freedom.

CELEBRATING THIRTY YEARS OF BEAUTILLION COMMUNITY INVOLVEMENT

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today in honor of Ms. Donna LaVerne Daniels Rice, a community activist, businesswoman, councilmember, and founder of the Columbia, Maryland chapter of Jack and Jill of America's Beautillion Ball. For the past 30 years, outstanding high school juniors and seniors from Columbia, Maryland; Baltimore, Maryland; and Washington, D.C. have been selected, honored and praised for their accomplishments as they move from one stage of their lives to the next.

Through stimulating educational workshops, mentoring, culturally enriching experiences, and positive self-concept development, the Beautillion philosophy helps to prepare young men so that they can prosper as contributing members of society. In order to be selected as a "beau," these young men must have at least a "C" average and excel in one of four areas: academics, the arts, community service, and sports. Of course, most of the young men honored excel in more than one area.

The tireless dedication and devotion of my friend, Donna Rice, ensures that wonderful events that transform young people's lives happen each and every year. For that, I thank her. As a fellow Fisk University graduate, and member of Alpha Kappa Alpha Sorority, Inc., Ms. Rice has a long list of other achievements, honors, and awards. None are more valuable, however, than the experience and honor we both share of mentoring young black boys and teenagers. We share the same concern for the plight of young African American boys, and from this concern, Ms. Rice began her community leadership and scholarship project. Her once meager project has now been duplicated in 53 other cities throughout the United States and the Bahamas.

Tonight, as ten young men are honored as the leaders of tomorrow, let us also honor a leader of today—Ms. Donna LaVerne Daniels Rice, devoted wife to Dr. William Rice and the mother of three adult children. I thank my friend for her devotion to saving our young black boys.

PERSONAL EXPLANATION

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, as you know I had been granted medical leave to recover from hip replacement surgery for the legislative weeks of March 28 and April 4. While I was unable to place recorded votes on legislation considered by the House, I would like to state what my votes would have been.

On Tuesday, March 29, the House considered H.R. 839, the HAMP Termination Act of 2011, introduced by Representative MCHENRY of North Carolina. On rollcall vote No. 194, H. Amdt. 199 offered by Representative HANNA of New York, I would have voted "yes."

On rollcall vote No. 195, H. Amdt. 204 offered by Representative JACKSON LEE of Texas, I would have voted "no."

On rollcall vote No. 196, H. Amdt. 206 offered by Representative MALONEY of New York, I would have voted "no."

On rollcall vote No. 197, the Motion to Recommit with Instructions offered by Representative LARSEN of Washington, I would have voted "no."

On rollcall vote No. 198, on Passage, I would have voted "yes."

On Wednesday, March 30, the House considered H. Res. 186, introduced by Representative BISHOP of Utah, Providing for consideration of the bill (H.R. 471) to reauthorize the DC opportunity scholarship program, and for other purposes. On rollcall vote No. 199, on ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 200, on Agreeing to the Resolution, I would have voted "yes."

On rollcall vote No. 201, on Approving the Journal, I would have voted "yes."

Also on March 30, the House considered H.R. 471, the Scholarships for Opportunity and Results Act, introduced by Speaker BOEHNER. On rollcall vote No. 202, H. Amdt. 209 offered by Delegate NORTON of the District of Columbia, I would have voted "no."

On rollcall vote No. 203, the Motion to Recommit with Instructions offered by Representative CUMMINGS of Maryland, I would have voted "no."

On rollcall vote No. 204, on Passage, I would have voted "yes."

On Thursday, March 31, the House considered H. Res. 189, introduced by Representative WEBSTER of Florida, Providing for consideration of the bill (H.R. 658) to amend title 49, United States Code, to authorize appropriations for the Federal Aviation Administration for fiscal years 2011 through 2014, to streamline programs, create efficiencies, reduce waste, and improve aviation safety and capacity, to provide stable funding for the national aviation system, and for other purposes. On rollcall vote 205, on Agreeing to the Resolution, I would have voted "yes."

Also on March 31, the House considered H.R. 872, the Reducing Regulatory Burdens Act of 2011, introduced by Representative GIBBS (OH), under a suspension of the Rules. On rollcall vote 206, on Motion to Suspend the Rules and Pass, as Amended, I would have voted "yes."

Further on March 31, the House began consideration of H.R. 658, the FAA Reauthorization and Reform Act of 2011, introduced by Representative MICA of Florida. On rollcall vote 207, H. Amdt. 210 offered by Representative MICA of Florida, I would have voted "yes."

On rollcall vote No. 208, H. Amdt. 216 offered by Representative GARRETT of New Jersey, I would have voted "yes."

On rollcall vote No. 209, H. Amdt. 217 offered by Representative DEFazio of Oregon, I would have voted "no."

On rollcall vote No. 210, H. Amdt. 218 offered by Representative HIRONO of Hawaii, I would have voted "no."

On rollcall vote No. 211, H. Amdt. 225 offered by Representative CAPUANO of Massachusetts, I would have voted "no."

On rollcall vote No. 212, H. Amdt. 226 offered by Representative GINGREY of Georgia, I would have voted "yes."

On Friday, April 1, the House considered H. Res. 194, offered by Representative WOODALL of Georgia, Providing for consideration of the bill (H.R. 1255) to prevent a shutdown of the government of the United States, and for other purposes. On rollcall vote 213, On Consideration of the Resolution, I would have voted "yes."

Also, the House continued consideration of H.R. 658. On rollcall vote No. 214, H. Amdt. 235 offered by Representative PEARCE of New Mexico, I would have voted "yes."

On rollcall vote No. 215, H. Amdt. 236 offered by Representative SCHIFF of California, I would have voted "no."

On rollcall vote No. 216, H. Amdt. 228 offered by Representative SESSIONS of Texas, I would have voted "yes."

On rollcall vote No. 217, H. Amdt. 229 offered by Representative LATOURETTE of Ohio, I would have voted "no."

On rollcall vote No. 218, H. Amdt. 232 offered by Representative SHUSTER of Pennsylvania, I would have voted "yes."

On rollcall vote No. 219, the Motion to Recommit with Instructions offered by Representative SANCHEZ of California, I would have voted "no."

On rollcall vote No. 220, on Passage, I would have voted "yes."

The House then resumed consideration of H. Res. 194. On rollcall vote No. 221, on Ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 222, on Agreeing to the Resolution, I would have voted "yes."

The House then considered H.R. 1255, the Government Shutdown Prevention Act of 2011, introduced by Representative STEVE WOMACK of Arkansas. On rollcall vote No. 223, On Motion to Recommit with Instructions, offered by Representative WALZ of Minnesota, I would have voted "no."

On rollcall vote No. 224, on Passage, I would have voted "yes."

On Monday, April 4, the House considered H.R. 1246, to reduce the amounts otherwise authorized to be appropriated to the Department of Defense for printing and reproduction, introduced by Representative ALLEN WEST, under a Suspension of the Rules. On rollcall vote 225, On Motion to Suspend the Rules and Pass, I would have voted "yes."

On Tuesday, April 5, the House considered H. Res. 200, introduced by Representative WOODALL (GA), providing for consideration of the joint resolution (H.J. Res. 37) disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices. On rollcall vote No. 226, on Ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 227, on Agreeing to the Resolution, I would have voted "yes."

On rollcall vote No. 228, on Approving the Journal, I would have voted "yes."

On Wednesday, April 6, the House voted on a Motion to Adjourn by Representative JACKSON of Illinois. On this rollcall vote No. 229, I would have voted "no."

The House then considered H. Res. 203, providing for consideration of the bill (H.R. 910) to amend the Clean Air Act to prohibit the Administrator of the Environmental Protection Agency from promulgating any regulation concerning, taking action relating to, or taking into consideration the emission of a greenhouse gas to address climate change, and for other purposes, introduced by Representative SESSIONS of Texas. On rollcall vote No. 230, On Ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 231, on Agreeing to the Resolution, I would have voted "yes."

On rollcall vote No. 232, on Approving the Journal, I would have voted "yes."

Also on Wednesday, the House began consideration of H.R. 910, the Energy Tax Prevention Act of 2011, introduced by Representative UPTON of Michigan. On rollcall vote No. 233, H. Amdt. 240 offered by Representative JACKSON LEE of Texas, I would have voted "no."

On rollcall vote No. 234, H. Amdt. 241 offered by Representative JACKSON LEE of Texas, I would have voted "no."

On rollcall vote No. 235, H. Amdt. 244 offered by Representative MURPHY of Connecticut, I would have voted "no."

On rollcall vote No. 236, H. Amdt. 245 offered by Representative WAXMAN of California, I would have voted "no."

On rollcall vote No. 237, H. Amdt. 247 offered by Representative POLIS of Colorado, I would have voted "no."

On rollcall vote No. 238, H. Amdt. 248 offered by Representative MARKEY of Massachusetts, I would have voted "no."

On rollcall vote No. 239, H. Amdt. 249 offered by Representative RUSH of Illinois, I would have voted "no."

On rollcall vote No. 240, H. Amdt. 250 offered by Representative DOYLE of Pennsylvania, I would have voted "no."

On rollcall vote No. 241, H. Amdt. 251 offered by Representative KIND of Wisconsin, I would have voted "no."

On Thursday, April 7, the House considered H. Res. 206, offered by Representative FOX of Virginia, providing for consideration of the bill (H.R. 1363) making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes; and waiving a requirement of clause 6(a) of rule XIII with respect to consideration of certain resolutions reported from the Committee on Rules. On rollcall vote No. 242, on Ordering the Previous Question, I would have voted "yes."

On rollcall vote No. 243, on Agreeing to the Resolution, I would have voted "yes."

On rollcall vote No. 244, on Approving the Journal, I would have voted "yes."

Also on April 7, the House considered H.R. 1363, the Department of Defense and Further Additional Continuing Appropriations Act, 2011, introduced by Representative ROGERS of Kentucky. On rollcall vote No. 245, Table Appeal of the Ruling of the Chair, I would have voted "yes."

On rollcall vote No. 246, on Motion to Recommit with Instructions offered by Representative OWENS of New York, I would have voted "no."

On rollcall vote No. 247, on Passage, I would have voted "yes."

Then the House completed consideration of H.R. 910. On rollcall vote No. 248, on Motion to Recommit with Instructions offered by Representative MCNERNY of California, I would have voted "no."

On rollcall vote No. 249, on Passage, I would have voted "yes."

On Friday, April 8, the House considered H.J. Res. 37, Disapproving the rule submitted by the Federal Communications Commission with respect to regulating the Internet and broadband industry practices, introduced by Representative WALDEN of Oregon. On rollcall vote No. 250, On Consideration of the Joint Resolution, I would have voted "yes."

On rollcall vote No. 251, Table Appeal of the Ruling of the Chair, I would have voted "yes."

On rollcall vote No. 252, on Passage, I would have voted "yes."

On Saturday, April 9, the House considered H.R. 1363, Making appropriations for the Department of Defense for the fiscal year ending September 30, 2011, and for other purposes, introduced by Representative ROGERS of Kentucky. On rollcall vote No. 253, on Motion to Concur in the Senate Amendment, I would have voted "yes."

REMEMBERING THE TRAGIC GULF OIL SPILL AND WORKING TO PREVENT FUTURE SPILLS

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. YOUNG of Florida. Mr. Speaker, I rise today to commemorate a tragic event. One year ago, next Wednesday, an oil rig explosion in the Gulf of Mexico resulted in eleven families losing their loved ones. The explosion started what soon became the largest oil spill in United States history. It took far too long to stop this spill and the environmental and economic impacts will be felt for years to come. Twelve months later, Congress has not enacted any legislation to address the policy and management issues that contributed to the severity of last year's spill. This is unacceptable. We owe it to those who perished in the explosion, as well as those whose lives and businesses were impacted in the months that followed, to address the deficiencies in current federal policy.

That is why I am reintroducing the SAFE-GUARDS Act, legislation I drafted last year to

prevent and respond to future oil spills. I was not surprised that a report by the National Commission on the BP Deepwater Horizon Oil Spill and Offshore Drilling (Oil Spill Commission) highlighted the need for the changes I recommend, as the measure was developed following a series of meetings and regular phone calls with the on-the-ground incident commanders, local research teams and community emergency response personnel. It is my hope that the solutions put forth in this measure will be included in a wider legislative response to ensure that we impose rigorous safety standards on any off-shore platforms, while also establishing a fully thought out plan to respond to future disasters.

As I said last Congress, an uncontrolled discharge of oil is truly a worst-case scenario that oil companies and the federal government should be required to have an established plan for. While the National Environmental Policy Act (NEPA) has established specific safeguards to take into account the effects that drilling has on our environment, BP was permitted categorical exclusions from these requirements. No oil company should be exempt from addressing the environmental impact that their drilling activities impose. The SAFEGUARDS Act will ensure that NEPA requirements are not ignored again by, first, prohibiting categorical exclusions from NEPA, and second, extending the time period regulatory agencies have to review oil explorations proposals. Regulatory agencies currently have only a 30-day period to review extensive and intricate drilling proposals, however this bill will give regulatory agencies up to 150 days to ensure exploration plans are properly reviewed.

Not only was BP granted exemptions from environmental standards, they were also allowed to move forward without a prepared response plan for the failure of the blowout preventer. As recommended by the Oil Spill Commission "oil spill response plans should be required to include detailed plans for source control [which] demonstrate that an operator's containment technology is immediately deployable and effective." The SAFEGUARDS Act would require all oil spill response plans to account for a true worst possible scenario, including the uncontrolled discharge of oil resulting from the failure of a blowout preventer or other containment devices.

The oil disaster in the Gulf has also brought much attention to the leadership and organization of the response and containment efforts currently in place. While the Coast Guard is ultimately responsible for leading the government's response to an oil spill in America's coastal waters, they are not required to approve oil spill response plans submitted by oil rigs. Instead, each rig was only required to submit their spill response plans to the now disbanded Minerals Management Service, an agency with many well-documented problems administering rig safety standards. The Oil Spill Commission notes that "oil spill response plans, including source-control measures, should be subject to interagency review and approval by the Coast Guard." The SAFEGUARDS Act will make this a requirement for all current and future oil rigs, as well as establish the Commandant of the Coast Guard as the National Incident Commander to oversee the federal government's response to large oil spills in coastal waters.

Finally, the SAFEGUARDS Act will address some of the inadequacies in federal response efforts highlighted by last year's spill. The framework of the National Contingency Plan, which is the federal government response plan for all oil spills, has not been updated since 1994. The SAFEGUARDS Act will require the response plan to be updated at least every five years and to have unique plans for responding to oil spills in our coastal waters. Further, this bill will require the EPA to begin monitoring water quality within forty-eight hours after an oil spill is discovered. It is important for the public to have accurate information about how our water, our wildlife and our beaches are being affected as quickly as possible.

After finally stopping the flow of oil we now need to address the systematic breakdowns that led to the BP Deepwater Horizon catastrophe. The SAFEGUARDS Act presents commonsense solutions to help prevent a disaster of this magnitude from ever happening again, and improves the federal response in the event it ever does. Mr. Speaker, I ask my colleagues to support this measure. The Congress must get to work on oil spill response legislation; we owe it to the American people and the entire Gulf Coast.

IN RECOGNITION OF CAPTAIN RAY MARTINI

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. SPEIER. Mr. Speaker, I rise to honor Ray Martini, a World War II veteran and distinguished resident of Half Moon Bay, California.

Mr. Martini entered the European theater of war at age 23. In his five months of deployment, this young plumber accomplished extraordinary achievements. He arrived as a lieutenant in the Air Force and left as a Captain. He won an Air Medal, the Distinguished Flying Cross and eleven Oak Leaf Clusters.

He flew over 50 bombing and strafing missions as a one-man crew of a Thunderbolt Fighter. One of the challenges of these missions was the weather, as Captain Martini described in his letters from France: "It's the worst weather to fly in. We've lost four boys in bad weather flying . . . The weather man said the ceiling was 700 ft. but I believe he meant 70 ft. because as soon as we got air borne we lost sight of the ground. Well, we climbed up through the stuff and got above it a 5,000 ft. and proceeded to the target. Once over the target area it was clear. We bombed a rail bridge and knocked it out. Then started home. Well, over the base it was raining and we were flying right on the tree tops and could hardly see the ground. Lucky we found a field on the way home and we landed . . . That's the kind of weather we run into and lose good men in it. Sometimes we climbed from ground to 20,000 ft. in solid clouds before we break out of it. Boy, that's hard on your nerves."

In 1998 France allowed one of its highest honors to be awarded to Veterans from Allied Countries fighting in defense of France. Today, Mr. Martini receives the Medal of

Chevalier of the French Legion of Honor by Deputy Consul General Mrs. Corinne Pereira.

After his military career, Mr. Martini returned to his trade as a plumber. For many years he ran "Reliable Plumbing" and he has trained just about every plumber on the coast.

Mr. Martini is the loving husband of Cathy Martini and proud father of his son, Mark Martini.

Mr. Speaker, I ask this body to rise with me to honor Captain Martini for his service to our country and our Allies on the day he receives the Medal of Chevalier of the French Legion of Honor, April 1, 2011.

INTRODUCING THE CHESAPEAKE BAY GATEWAYS NETWORK

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. SARBANES. Mr. Speaker, I rise today to introduce several pieces of legislation to help restore the Chesapeake Bay. Marylanders have a strong tradition of environmental advocacy rooted in a passion for the Chesapeake Bay. The Chesapeake Bay is our Nation's largest estuary and, in many ways, the soul of my home state. It is a national environmental treasure and an economic catalyst for Maryland's tourism and seafood industries.

Unfortunately, the Bay's health has been negatively impacted by multiple factors, most notably nutrient runoff from our neighborhoods, farms and roadways. The legislation I am introducing today will help restore the Bay by enhancing outdoor recreation, improving access to the Bay, expanding environmental education, rehabilitating vital wetlands and providing incentives for citizens to make their homes more "Bay friendly."

The first bill would reauthorize the Chesapeake Bay Gateways Network (CBGN), a program that connects those who live in the Bay watershed to the natural, cultural and historic resources of the Bay and thereby encourages individual stewardship of these resources. This legislation is identical to the bill that passed the House of Representatives by an overwhelming and bipartisan vote during the 110th and 111th Congresses. Since 2000, Gateways has grown to include more than 150 sites and over 1500 miles of established and developing water trails in six states and the District of Columbia. Through grants to parks, volunteer groups, wildlife refuges, historic sites, museums, and water trails, the Network ties these sites together to provide meaningful experiences and foster citizen stewardship of the Chesapeake Bay. For a very modest investment, the Gateways program helps promote citizen stewardship that will be necessary to advance Bay cleanup and maintain the gains we hope to make in the coming years.

I am also introducing the Chesapeake Bay Science, Education and Ecosystem Enhancement Act of 2011, which reauthorizes the National Oceanic and Atmospheric Administration's (NOAA) Chesapeake Bay Office that provides much of the scientific expertise to support Bay restoration. This legislation also authorizes NOAA's Chesapeake Bay Watershed Education and Training (BWET) program

which provides environmental education grants in the Chesapeake Bay watershed. Finally, the bill enhances the Chesapeake Bay Interpretative Buoy System (CBIBS), which provides vital scientific and historical information to boaters, scientists and teachers about conditions in the Chesapeake Bay. The Chesapeake Bay Science, Education and Ecosystem Enhancement Act also passed the House of Representatives during the 111th Congress by a bipartisan vote.

The third bill would strengthen and expand the Army Corps of Engineers' role in Chesapeake Bay restoration—a mission they first began in 1996. It would provide the Corps with continuing authority to engage in this work; expand the Corps' work to all six states in the Bay watershed and the District of Columbia; and provide flexibility for the Corps to work with other federal agencies, state and local governments, and not-for-profit groups engaged in Bay cleanup. The Chesapeake Bay Environmental Restoration and Protection Program, which was established in section 510 of the Water Resources Development Act (WRDA) in 1996, authorizes the Army Corps of Engineers to provide design and construction assistance to state and local authorities in the environmental restoration of the Chesapeake Bay. These projects range from shoreline buffers to oyster reef construction.

The final piece of legislation is the Save the Bay Homeowner Act of 2011. This legislation would allow the 17 million citizens of the Chesapeake Bay watershed to become citizen stewards of the Bay and give them an active role in restoring it. The bill directs the Environmental Protection Agency (EPA) to develop a "Save the Chesapeake Bay Home" designation program that identifies various steps homeowners could voluntarily take around their property to reduce nutrient and sediment runoff and improve water quality in local streams and rivers that feed into the Bay. If a participating home meets certain standards, such as installing rain barrels or reducing fertilizer on their lawns, that home could be designated a "Save the Chesapeake Bay Home." The legislation further directs the EPA to give credit to states and local jurisdictions for nutrient and sediment level reduction based upon the number of homeowners that achieve the "Save the Chesapeake Bay Home" designation.

To truly save the Chesapeake Bay, we need the 17 million people who live in the Bay's watershed to become citizen stewards of the streams and rivers in their community. If each individual within the watershed were to contribute to clean-up efforts, even in small ways, the aggregate would yield significant results in moving Bay restoration forward.

Mr. Speaker, these four pieces of legislation will help improve the federal government's role in restoring the Chesapeake Bay. I hope my colleagues will join me in supporting each of these pieces of legislation.

RECOGNIZING THE ACCOMPLISHMENTS OF THE RIO GRANDE SAFE COMMUNITIES COALITION

HON. SILVESTRE REYES

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. REYES. Mr. Speaker, I rise today to recognize the accomplishments of the Rio Grande Safe Communities Coalition. The Coalition serves the Paso del Norte region which includes the City of El Paso, Texas, Southern New Mexico and Ciudad Juárez, Chihuahua, Mexico to build a safe drug-free environment for youth and adults. I want to honor the members of this Coalition for their tireless efforts in making a positive difference in our nation.

By implementing substance abuse preventative strategies within these communities, the Rio Grande Safe Communities Coalition helps individuals to avoid the negative consequences of drug and alcohol abuse. In order to do this effectively, the Coalition proactively identifies unsafe conditions in the community that contribute to the problem of substance abuse, and implements programs that aim to stop the behaviors creating these conditions. One such example is the Communities Against Reckless Endangerment or CARE initiative.

The CARE initiative was established in 2002 by the Coalition in response to troubling data from University Medical Center of El Paso and the El Paso Police Department regarding alcohol-related incidents among youth ages 12–17. The Coalition's response to this problem was to build a program that engages high school students to become part of the solution through peer-to-peer learning and educational awareness campaigns that warn of the dangers of substance abuse. Through this initiative, which was funded through the Office of Juvenile Justice & Delinquency Program and monitored by the Office of National Drug Control Policy, high school students created public service announcements and billboards aimed at preventing alcohol and drug abuse.

Since the establishment of the Rio Grande Safe Communities Coalition in 1999, there have been a number of initiatives to prevent and combat substance abuse. Initiatives include Operation B.R.I.D.G.E., which helped curb the problem of underage drinking by local teens who would cross into Mexico to consume alcohol, and the "DARE 2 CARE," campaign that placed warnings at convenience store windows and on alcohol packages throughout El Paso regarding unsafe and illegal consumption of alcohol.

The efforts of the Rio Grande Safe Communities Coalition have helped save the lives and improve the health of countless individuals in the community. Today, I am proud to recognize their efforts in improving the quality of life for youth and adults living in the Paso del Norte region, and congratulate the Coalition for recently marking 10 years of community collaboration.

CENTER FOR MEDICARE ADVOCACY'S 25TH ANNIVERSARY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to celebrate the Center for Medicare Advocacy's 25th anniversary and recognize their staff that has worked tirelessly on behalf of Medicare beneficiaries in Connecticut and around the country.

In 1986, the Center for Medicare Advocacy was founded in Mansfield, Connecticut by Judy Stein who has been a fierce advocate and leader for quality health care for Medicare beneficiaries. Over the past 25 years, Judy has transformed the Center into an unparalleled, national education and advocacy organization that supports Medicare beneficiaries. Today, the Center serves as an invaluable resource for our constituents and provides us with much needed, quality information on Medicare policies.

With a team of attorneys, nurses, legal assistants, and information management specialists, the Center for Medicare Advocacy works to provide assistance to seniors by simplifying Medicare policies and challenging the Medicare system to provide affordable quality health care with due process and rights of appeal. The Center offers consultations, training, and education to individuals and organizations in order to promote an affordable and fair Medicare system.

My colleagues and I owe Judy and the Center much gratitude for their vigilance of Medicare and the millions of beneficiaries it serves. It is my distinct pleasure to recognize their fine work and celebrate 25 years of service and many more to come.

IN RECOGNITION OF ABRAHAM BREEHEY, 1976–2011

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, it is with deep sadness that I inform my colleagues that Abraham Breehey, Director of Legislative Affairs and Special Assistant to the International President of the International Brotherhood of Boilermakers, passed away yesterday, Thursday, April 14, 2011 at INOVA Fairfax Hospital, in Falls Church, Virginia, from complications related to a brain tumor and subsequent stroke.

Abe, only 34 years old, was born in 1976 in Binghamton, New York. He is survived by his wife, Sonya and beloved young daughter, Abigail, his father Ray, his mother Carol, his sister Rachel, 3 nieces, a nephew and, of course, his dog Kesey.

His death is a tragedy for his family and a loss for the working men and women of America on whose behalf he was so deeply committed.

Abe received his Bachelor's Degree from Siena College in Loudonville, NY and Master's

Degree in Public Policy from the Rockefeller College of Public Affairs and Policy at the University of Albany. Prior to joining the Boilermakers in 2004, he served as Legislative Assistant for Representative LLOYD DOGGETT (TX-25).

Abe was a leading voice in the labor movement, representing the Boilermakers on issues related to energy policy and climate change, and their impact on workers. He was widely respected for his passion, intellect, and ability to build consensus across ideological and political lines.

Abe has testified in front of multiple U.S. Senate Committees and represented the Boilermakers in international negotiations regarding the United Nations Framework Convention on Climate Change.

Abe also advised the AFL-CIO Building and Construction Trades Department as Chairman of the Department's Legislative Task Force.

And Abe is a graduate of the Trade Union Program at Harvard Law School.

A staunch advocate on behalf of every Boilermaker member, Abe was a colleague and a friend to each of us.

My thoughts and prayers are with the entire Breehey family. I hope they receive a small degree of comfort in knowing that Abe was so well liked and so well respected in his professional world.

HONORING CERRITOS
COUNCILMEMBER LAURA LEE

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise today to recognize the Honorable Laura Lee for her 8 years of public service to the people of Cerritos, California.

Laura and her husband Charles have called Cerritos home since 1979 and raised their two talented children in the city. Prior to her election to the Cerritos City Council in 2003, Laura had been an active member of the community and served as a city planning commissioner from 1999 to 2001. As a testament to her leadership, the residents of Cerritos elected Laura to serve the maximum amount of terms, fulfilling the duties of Mayor once and Mayor Pro Tempore twice.

Throughout her tenure on the Cerritos City Council, Laura worked tirelessly with her fellow councilmembers to launch the city to new heights. During Laura's tenure on the city council, Cerritos experienced unmatched growth, including the addition of a fitness center at the city's Senior Center, the erection of a beautiful sculpture garden, and the construction of the Fountain Walk senior housing community.

Under 2008, with Laura's leadership, the City of Cerritos received the prestigious All-America City Award. Laura also worked to ensure Cerritos remains a place where small businesses thrive, helping the City to earn "Most Business-Friendly City in Los Angeles County" recognition by the Los Angeles County Economic Development Corporation.

Laura's passion for serving others extended well beyond her Council duties. She has

served as director of the American Red Cross Long Beach Chapter Board, advisor of the Su Casa Domestic Abuse Network, director general of the Southern California Chinese Women's League, and a steadfast volunteer at the Cerritos Senior Center. A real estate broker by trade, Laura has also led the Rancho Southeast Association of Realtors as president and served as chairwoman of the Equal Opportunity and Cultural Diversity Committee of the California Association of Realtors.

Perhaps Laura's most profound contribution to Cerritos is her immeasurable kindness and compassion. Her heart has always made certain her decisions at the City Council dais were generous as well as pragmatic. Her smile is ever present and exemplifies the city's vibrancy. It is with great pleasure that I commend Laura for her dedication to public service and leadership by example.

INTRODUCTION OF THE
CHILDREN'S BUDGET ACT

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. DAVIS of Illinois. Mr. Speaker, Forest Witcraft is reported to have said, "A hundred years from now it will not matter what my bank account was, the sort of house I lived in, or the kind of car I drove, but the world may be different because I was important in the life of a child." Children make up one-quarter of our population, and they form the foundation of our nation's future. Every parent hopes that their children will fare better than they did—achieve more, experience greater success, and realize the American Dream more fully. As policymakers, we have the ability and responsibility to provide a strong foundation for our youngest citizens to grow into the achievers and leaders of tomorrow.

Today, I introduce the Children's Budget Act. It is a bill that is simple in concept—require the President to provide a detailed account of all the Federal funding for children and children's programs. What funding do we actually spend on children? Are we properly addressing the national needs and problems confronting children? Accounting for Federal dollars in this way will help us understand how well we are making the health and well-being of our children a national priority.

Currently, even experienced policy analysts have a difficult time determining how much the government invests in children, and therefore how the needs of our children might better be addressed. A few independent groups—such as First Focus, the Brookings Institution, and the Urban Institute—have worked to understand the Federal investment in our children. It is only through their efforts that we have been able to comprehend how recent Federal funding choices have affected children. For example, the children's advocacy group First Focus recently commissioned a report by the Urban Institute to detail how Federal spending on children has changed over the past 45 years. The results of the Kids Share report were startling. In 1960, the children's share of Federal domestic spending—tax policies in-

cluded—was 20.1 percent. In 2009, that share had declined to 14 percent—a 30.3 percent overall decline. Together, the Democratically-controlled 111th Congress and the President substantially increased funding for children by \$25 billion. The President's FY11 Budget proposed important increases of \$6.2 billion in children's spending. In contrast, the Republican FY12 Budget proposal would eliminate all gains from the last several years. To illustrate, the Ryan Budget would create a \$150 billion funding gap in the Children's Health insurance program between 2014 and 2021, resulting in an 80 percent hole in the CHIP program and a loss of coverage for approximately 7 million children. Similarly, children bore 22 percent of the cuts in the second Continuing Resolution this year.

If children are a national priority, we need to measure our Federal spending so that we can understand if our choices disproportionately harm or protect our children. Without this analysis, policymakers and the public are limited in our ability to know how children fare in funding proposals. I strongly believe the Federal Government should embrace examining our Federal budget by our investment in children. Already, there are several State and local governments who produce a children's budget annually, including Louisiana, Ohio, the District of Columbia, Oklahoma, New Mexico, Oregon, and the Cities of Philadelphia and San Francisco. These budgets provide invaluable sources of information that help us understand whether we are meeting our goals for children. Precedent already exists for examining the Federal budget based on key areas of interest, including spending on programs related to homeland security, meteorology, climate, and drug control. By creating a children's budget at the Federal level, we can bring a renewed attention to children's issues and programs and guarantee a fair look at our national investment priorities.

A Children's Budget is critical now more than ever, with so many of our children and youth bearing the brunt of our Nation's economic hardship. In 2009, 20.7 percent of children and 23.8 percent of children under age 6 lived below the poverty line in our Nation. My Congressional District—the Seventh District of Illinois—had a staggering 35.5 percent poverty rate among children in 2009. These statistics reflect the need for a children's budget so that policymakers and voters understand whether our investments match the needs of our Nation's youngest citizens.

As our Nation continues to face difficult economic times, we should be able to answer the fundamental question "Is it good for the children?" The Children's Budget Act would ensure that children are given due consideration whenever the budget is discussed and would provide policymakers, program administrators, and parents with a clear picture of the overall Federal investment in our children. Careful analysis of our spending today helps us improve our efforts for tomorrow. The well-being of our children should be at the top of our national agenda. I hope my colleagues will join me in sponsoring this important legislation.

IN RECOGNITION OF MICHAEL P.
MURPHY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. SPEIER. Mr. Speaker, I rise to celebrate the retirement of Mike Murphy, the San Mateo County Counsel.

I had the great privilege to work with Mike when I was a member of the San Mateo County Board of Supervisors. He is an exceptional public servant, legal expert, human being and a dear friend.

Mike was born in Yokohama, Japan on November 17, 1948 as the son of a military family. He went to Pacific Grove High School from where he graduated in 1966. He then attended the U.S. Military Academy at West Point and graduated in 1970. He later served on the Military Academy Advisory Committee.

Mike laid the ground work for his legal career at Boalt Hall School of Law at UC Berkeley. He graduated in May of 1978 and just six months later was admitted to the California Bar.

In May of 1982, Mike started serving in the office of the San Mateo County District Attorney. In 1987, the civil division of the office became the San Mateo County Counsel where Mike continued to serve. He was appointed one of two Chief Deputies in 1998 and Assistant County Counsel in 2006. In 2007, he became Counsel until his retirement on March 18, 2011.

Mike served as the principal land use attorney for 22 years, a pressure cooker of a job that he made appear effortless. Among his highest achievements were the defense of the County's Local Coastal Program and Measure A, a coastal protection initiative and the defense of Measure T, authorizing the Devil's Slide tunnel bypass. During his entire career, Mike worked as a legal advisor on the San Bruno Mountain Habitat Conservation Plan, a landmark environmental document that he demonstrated his legal skill in drafting.

In 1988, Mike and San Mateo County celebrated a true David vs. Goliath victory. The Port of Oakland was about to dump 7 million tons of dredged spoils into the ocean off the San Mateo coast. The Half Moon Bay Fishermen's Marketing Association filed a lawsuit to stop the dumping but lost in federal court. Mike and his colleague Stephen Toben studied the case and filed a suit for injunctive and declaratory relief. It was their legal expertise and perseverance that resulted in a victory in front of the California State Court of Appeals.

While I was in the California Senate in 2003, Mike defended my financial privacy legislation and faced strong opposition from multinational conglomerates. Again, his outstanding legal acumen succeeded in protecting the rights of San Mateo County residents.

Mike has also been serving on the Military Academy Advisory Committee for the 12th Congressional District for many years, helping select the next generation of America's officers.

Mike is the loving husband of Gayle Murphy, his wife of 28 years, and the proud parent of their two daughters Erin and Shannon.

In his well deserved retirement, Mike will undoubtedly enjoy the additional time he will have to read and attend San Francisco Giants games.

Mr. Speaker, I ask this body to rise with me to honor an extraordinary man, Mike Murphy, for his dedication to public service and justice in San Mateo County.

**CELEBRATION OF ANTIQUE
TRACTOR PRESERVATION DAY**

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mrs. EMERSON. Mr. Speaker, I rise to recognize the celebration of Antique Tractor Preservation Day in West Plains, Missouri. West Plains, Missouri represents a growing community that is creating a new tradition for tractor enthusiasts across the country.

Antique tractors and farm machinery serve as a reminder of a key part of our nation's agricultural heritage. Antique Tractor Preservation Day provides an opportunity to display these tractors in a venue where enthusiasts can share their stories with one another. Enthusiasts who share this common interest can share their passions for buying and restoring Antique Tractors.

Antique Tractor Preservation Day also provides others, who might not be enthusiasts, an opportunity to learn more about agricultural history and to better understand and appreciate the significant advancements American agriculture has made over the last century. It is important to carry on this legacy by preserving our antique tractors for generations into the future.

Mr. Speaker, I commend Michael Hinton and the West Plains community for their work in creating an opportunity for enthusiasts to come together and to celebrate this proud heritage and rich history.

TRASH REDUCTION ACT OF 2011

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. MORAN. Mr. Speaker, our 308 million American citizens throw away nearly 496 billion pounds of trash each year, a staggering amount by any analysis. And a sizable contribution is from disposable items, including plastic and paper bags. That's why today I am introducing the "Trash Reduction Act of 2011" along with my co-sponsor, Congresswoman ELEANOR HOLMES NORTON. We're asking for your support in moving this bill favorably through the House.

Just how bad is the problem? According to the U.S. EPA, the average American throws away about 4.4 pounds of trash each day or 1,600 pounds per year. That's nearly 248 million tons of American garbage each year. To put that in perspective, it's enough trash to fill a football-field-sized hole over 93 miles deep. Or create a similar-sized stack of garbage that

reaches low earth orbit. This amount of trash could cover the state of Texas two and half times or fill enough trash trucks to form a line to the moon.

We consume an estimated 12 million barrels of oil and copious amounts of natural gas annually to make plastic bags that are used once or twice, then tossed into the garbage. The U.S. International Trade Commission reported in 2009 that 102 billion plastic bags were used in the U.S. Much of the oil and natural gas used in those bags comes from foreign countries and it's all non-renewable. Once it's used for plastic bags and thrown away, that energy is gone forever.

Disposable paper bags are no better. In 1999, 14 million trees were cut to produce the 10 billion paper grocery bags used by Americans that year alone. Paper and paperboard products made up 20.7% of the municipal waste discarded in 2008—more than any other type of refuse measured by tonnage. According to the Environmental Paper Network, the pulp and paper industry is the fourth largest emitter of greenhouse gases among manufacturing industries, contributing 9% of total manufacturing-related carbon dioxide emissions. Most of energy use comes from powering paper mills.

There is no doubt that disposable retail plastic and paper bags are bad for the environment. Both paper and plastic bags consume valuable natural resources, generate profuse waste, and pollute the environment. They keep us dependent on nonrenewable resources like foreign oil and impose burdens that Americans bear in the form of higher garbage costs, visual blight, and the destruction of wildlife. Millions of animals are entangled in or ingest plastic waste. That same waste leaches toxins into the ground and our drinking water.

While recycling efforts should be applauded, recycling rates are dismally low. Only between one and three percent of all plastic bags are recycled, with a slightly higher ten to 15 percent paper-bag-recycling rate. Plus, the recycling process uses energy, water, and generates additional greenhouse gasses.

But we can do something about this gargantuan garbage nightmare. We can reduce the number of bags we use with market-based incentives. Requiring shoppers to internalize the costs of disposable bags has been shown to dramatically reduce their use and substantially increase reusable bag utilization. For example, after placing a fee on plastic bags, Ireland reportedly reduced consumption by 90%. China, after banning the use of ultra-thin plastic bags, is estimated to have eliminated 40 billion bags in the first year.

Critics have called this a regressive tax that falls on poor communities. This is simply untrue. Wealthy Americans consume substantially more resources and disposable shopping bags than the poor. Additionally, Americans of all incomes can purchase or be given a reusable bag and avoid this fee altogether. Plus, this fee is good for business. Business will be able to recoup their investment of time and effort through a tax credit and profits from reusable bag sales.

One need look no further than the District of Columbia to measure success. In 2009 the District imposed a five-cent tax on plastic bags

that led to spectacular reductions in disposable bag use. The number of plastic bags dropped from the 2009 monthly average of 22.5 million to just 3 million per month by the end of 2010. River cleanup volunteers reported over a 60% decrease in the volume of plastic bags they collected during cleanup activities—and this was only three months after the fee took effect.

DC businesses approve of the fee as well. 78% of businesses interviewed report either a positive or neutral impact on their business. People keep shopping and keep buying. 58% of DC business owners say the law has not affected their sales. And it's those dire predictions of falling sales that were used to scare business owners into opposing the fee. It's one of the many false predictions of bag-fee opponents.

While we can be proud of our environmental achievements and landmark laws, we need to do more to reduce our mountains of trash madness. Nothing is more fitting for this year's Earth Day celebration than helping reduce garbage.

This small disposable bag charge helps people understand that paper and plastic bags are not without cost. They impact the environment, support foreign dictators, and make Everests of trash. Our bill begins to shift America away from its current disposable culture back to a simpler time when Americans understood the value of reusing what they bought.

HONORING MRS. NORA LEE ADAMS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, One hundred years ago a virtuous woman of God was born in Houston County, Georgia on April 15, 1911; and

Whereas, Mrs. Nora Lee Adams moved to Dooly County, Georgia, where she married Mr. Henry Adams and through their union was blessed with 12 children, 27 grandchildren, 29 great-grandchildren and 31 great-great-grandchildren; and

Whereas, this phenomenal Proverbs 31 woman has shared her time and talents as a wife, mother and motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who want to advance the lives of others; and

Whereas, Mrs. Adams has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Adams, along with her family and friends, is celebrating this day a remarkable milestone, her 100th birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Adams on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 15th, 2011 as Mrs. Nora Lee Adams Day in the 4th Congressional District.

Proclaimed, this 15th day of April, 2011.

IN RECOGNITION OF RACHEL ANDRES

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. SPEIER. Mr. Speaker, I rise to honor Rachel Andres, the 2011 San Mateo County Teacher of the Year.

At a time when our country lags behind other nations in math and science achievement instruction, Rachel Andres has established a teaching approach in high school that is slashing the math gap. In her own words: "I respect my students and listen to the voice of each one, but then I set high standards, challenge each one to excel, provide the necessary support and require that they take responsibility for learning and be accountable for demonstrating master." She is clearly a task master with compassion.

Rachel earned a Bachelor of Arts Degree with a double major in Mathematics and Secondary Education from Lake Forest College in Illinois. After teaching four years at Winthrop High School in Massachusetts, she accepted her current position at Menlo-Atherton High School in 2005. She teaches Geometry and other math classes.

She is the coordinator of her school's effort to prepare students for college. In fact, she speaks at middle-schools for the purpose of attracting incoming freshmen to what is called the Advancement Via Individual Determination program. She meets with parents and nurtures partnerships with local Boys and Girls Clubs and recruits tutors all in the name of nurturing a college-going culture in the community. Most significantly, a high percentage of students in the program are successful in becoming the first in their family to attend college.

Further, Rachel has expanded learning boundaries for her students through creative curriculum development. For example, she has designed strategies to enable students to use writing as a means to solve math problems. While her teaching has been recognized with local awards, she is quick to say that the most important recognition comes from students who thank her for helping them succeed.

Mr. Speaker, I ask this body to rise with me to honor a teacher who has raised the bar of excellence in the classroom. Our country simply needs more math teachers like Rachel Andres.

TRIBUTE TO HONOR FLIGHT OF OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. WALDEN. Mr. Speaker, I rise today to honor the 27 World War II veterans of Oregon who will visit their memorial here in Washington, DC, later this month. On behalf of a grateful state and country, we welcome the Honor Flight of Oregon.

The following are the distinguished veterans who will be representing the Honor Flight of

Oregon: Elbert Bales, Donald Cameron, Kenneth Deacon, Henry Dorig, Robert Eddings, Noel Eng, William Grisso, Paul Potts, Eugene Sheffler and Harold Weigand, U.S. Navy; Ruth Waldruff, U.S. Marine Corps; Calvin Clayton, Stephen Graves, Warren Lancaster, John Lortz, John Mast, Laurel McClelland, Hans Running, Donald Smith and Don West, U.S. Army; John Couch, Calvin Hanscom, Jerry Johnson and James Johnson, U.S. Army Air Corps; Barbara Euler and Baldwin Thurman, U.S. Women's Army Corps; Shirley Marcy, U.S. Cadet Nurse Corps.

Mr. Speaker, these 27 veterans from Oregon are joining a camaraderie of over 63,000 veterans from across the country who, since 2005, have been transported from their home states to our nation's capital at absolutely no cost to them or their families, to visit and reflect at memorials built here in their honor.

The fact that these soldiers, sailors, airmen, and marines would uproot themselves from their homes and families and put themselves in harm's way for our country is very humbling. The debt of gratitude we owe them can never be repaid, for without their honor, courage, commitment, and—above all—sacrifice we would not be able to enjoy the freedoms we have today.

Please join me in thanking these Oregon veterans and the volunteers of Honor Flight of Oregon for their dedication, commitment, and service to this great nation.

PERSONAL EXPLANATION

HON. TRENT FRANKS

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. FRANKS of Arizona. Mr. Speaker, I missed rollcall vote No. 270 for H. Con. Res. 35. If I were here, I would have voted "yea."

INTRODUCTION OF THE SUPERFUND REINVESTMENT ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. BLUMENAUER. Mr. Speaker, today, I am pleased to introduce the "Superfund Reinvestment Act" along with my colleagues Rep. FRANK PALLONE and TIMOTHY BISHOP. This legislation will provide resources to communities across the country to clean up hazardous waste sites and at the same time will save taxpayers more than \$20 billion over 10 years.

The Superfund program was enacted in 1980 to provide money to clean up toxic waste sites where the responsible party was out of business or could not be identified. Before they expired in 1995, the money for Superfund cleanup came from taxes on the polluters themselves. However, Congress has never reauthorized the tax, making the burden of funding cleanups of toxic waste sites fall on the shoulders of taxpaying Americans. It is time to make public health, not protection for polluters, a priority.

This legislation will simply reinstate the Superfund taxes to their previous levels. This includes excise taxes of 9.7 cents per barrel on crude oil or refined oil products, excise taxes of \$0.22 to \$4.87 per ton on certain chemicals, and a corporate income tax of 0.12 percent on the amount of a corporation's modified alternative minimum taxable income that exceeds \$2 million. The President's FY 2012 budget, which calls for reauthorization of these taxes, estimates that these fees would raise about \$2 billion per year and \$20.8 billion over 10 years.

Superfund sites are some of the most contaminated in the nation. 70 million Americans—including 10 million children, live within four miles of a Superfund site. They are exposed to toxic waste such as arsenic, benzene, PCBs, mercury and a range of solvents, leading to health problems such as infertility, low birth weight, birth defects, leukemia and respiratory difficulties. Communities home to these sites can face restrictions on water use and recreational activities as well as economic losses as property values decline due to contaminated land.

My community of Portland, Oregon, has been struggling to clean up one of the nation's most complex Superfund sites, the Portland Harbor site on the Willamette River. I hope that this bill to reinvest in the Superfund program will provide additional resources to the Environmental Protection Agency to keep the cleanup on track.

HONORING REVEREND OBBIE L. BURNS

HON. HENRY C. "HANK" JOHNSON, JR. OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, Reverend Obbie L. Burns today begins a new chapter in his life and the life of New Macedonia Missionary Baptist Church in Lithonia, Georgia; and

Whereas, Reverend Obbie L. Burns under the guidance and favor of God, will this day be installed as Pastor of the New Macedonia Baptist Church and under his leadership he will be charged to pioneer and sustain New Macedonia Baptist Church, as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless, fed the hungry and is a beacon of light to those in need; and

Whereas, Reverend Burns is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the world his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend Obbie L. Burns on his installation as Pastor;

Now therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 17, 2011 as Reverend Obbie L. Burns Day in the 4th Congressional District.

Proclaimed, this 17th day of April, 2011.

HONORING MS. ISABEL AFANADOR

HON. FREDERICA S. WILSON

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. WILSON of Florida. Mr. Speaker, I rise today to honor a remarkable woman, Ms. Isabel Afanador. Isabel Afanador was born in Bogota, Colombia. Quite accomplished, she has two Bachelor's degrees in Social Work, from the University Externado de Colombia and Florida International University. Additionally, she earned her Masters of Social Work from Florida International University.

Upon graduation in Colombia, she was hired as the Director of Social Services of Laminas del Caribe S.A.

In 1978, Isabel Afanador made South Florida her home. One year later she began to work for the Florida Department of Health and Rehabilitative Services as a caseworker in mental health. She was later promoted to the Program Manager position, which she held from 1988 to 1994.

From 1995 to 1998 she was the Department of Children and Families District Licensing Coordinator, whose responsibility it was to ensure quality licensure of all residential providers and day care facilities.

In 1998, Isabel left the child welfare arena to work for the Department of Juvenile Justice, where for two years she managed an operational division responsible for intake, assessment, detention screening, and case management of the Miami-Dade district.

In August 2000, she was promoted to Chief Probation Officer for the Miami-Dade Juvenile Justice Program, and held the position of South Regional Director from 2008–2011.

Ms. Isabel Afanador has used her many talents and skills for the benefit of the community. This includes freely sharing her time serving with the Children's Trust Board, Neat Stuff board, Abriendo Puertas board, Youth Task Force board, Criminal Justice Council and a member of St. Brendan's Parish.

Mr. Speaker, I ask those present today to join me in honoring Ms. Isabel Afanador and commending her many achievements and service on behalf of the state of Florida.

HONORING STUDENT VETERAN AND COMMUNITY LEADER MATT RANDLE

HON. RAÚL M. GRIJALVA

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. GRIJALVA. Mr. Speaker, I am honored to recognize former United States Army Combat Medic and current University of Arizona student Matt Randle.

Over the course of his career in the Army, Matt received two Army Commendation Medals, three Army Achievement Medals and two Good Conduct Medals for his service.

Following his distinguished service to our country Matt returned to his hometown of Tuc-

son, Arizona and enrolled at the University of Arizona. Once on the UA campus, Matt began working with UA President Robert Shelton and his staff to develop and implement an initiative for returning veterans. I am proud to say that today the University of Arizona, located in my congressional district, has one of the most progressive and impressive veteran education and service models in the country including a student run veteran's office.

Matt's leadership has also played an integral role in the prosperity of the UA Veterans club. This club has received numerous awards including the "club" and "Philanthropic Group" of the year awards for the 2009–2010 academic school year on the UA campus and the Student Veterans of America "club of the year award."

Additionally, Matt will receive the UA's 2011 Robie Award which is issued to students who show personal integrity, initiative, cooperativeness, enthusiasm, humility, well-rounded interests, active participation in student affairs, service to the university and willingness to give more than required, and show a love of God and country. Thankfully, upon graduation Matt will not be leaving Tucson; he will be attending the University of Arizona Rogers College Of Law in the fall of 2011.

Each day more veterans return home from the Middle East conflicts. Matt Randle's ambition and leadership both at the UA and nationally will certainly be of great benefit to our returning veterans.

I am pleased to acknowledge and thank my constituent and friend, Matt Randle of the University of Arizona for his leadership, service and outstanding contributions to our community.

HONORING MRS. MARY KELLOGG BELL FOR HER DEDICATION TO HER FELLOW NORTH CAROLINIANS

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Mrs. Mary Kellogg Bell for a life dedicated to helping others in North Carolina.

Mary Bell was born on May 4, 1916. After graduating from the University of Georgia in 1937 with a degree in physical education, she worked as Head Counselor for Merrywood Camp for girls and in 1939, married her husband, Joseph Oscar Bell, Jr.

In 1951, Mrs. Bell founded the Glen Arden Camp for girls, which has enriched the lives of children around the country by exposing them to the natural beauty of Western North Carolina. In 1955, Mrs. Bell went on to become the first woman to serve on the Henderson County School Board. Mrs. Bell continues to volunteer as the Chair of the Welcoming Committee at her retirement home and helps organize transportation for retirees to get to the dialysis clinic.

It is an honor to represent selfless, hard-working citizens like Mrs. Mary Kellogg Bell. Her devotion is a great source of pride to me and to Western North Carolina. I ask my colleagues to join me today in recognizing Mrs.

Mary Kellogg Bell for her lasting impact on society.

REMEMBERING AND HONORING
THE LIFE OF ABRAHAM BREEHEY

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to mourn the passing of Abraham Breehey, Director of Legislative Affairs and Special Assistant to the International President of the International Brotherhood of Boilermakers. A loving father, husband, and friend, Abe passed away, at just 35, on Thursday, April 14, 2011, at INOVA Fairfax Hospital in Virginia from brain tumor complications.

Abe was born in 1976 in Binghamton, New York to Ray and Carol Breehey. He received his Bachelor's Degree from Sienna College in Loudonville, NY, his Master's Degree in Public Policy from the Rockefeller College of Public Affairs and Policy at the University of Albany, and graduated from the Trade Union Program at Harvard Law School. Prior to joining the Boilermakers in 2004, Abe served as Legislative Assistant for Representative LLOYD DOGGETT (TX-25).

Throughout his life, Abe championed fundamental labor rights. He represented the Boilermakers on issues regarding the effects of energy policy and climate change on workers. Abe also testified in front of multiple U.S. Senate Committees and represented the Boilermakers in international negotiations regarding the United Nations Framework Convention on Climate Change. In addition, Abe advised the AFL-CIO Building and Construction Trades Department as Chairman of the Department's Legislative Task Force.

Abe was a leading voice in the labor movement and was widely respected by his friends and colleagues. He was known for his passion, his warm personality, and his negotiating skill to merge both ideological and political goals into a practical solution.

Abe is survived by his wife, Sonya, his beloved daughter, Abigail, his father, Ray, his mother, Carol, and his sister, Rachel. My thoughts and prayers go out to the Breehey family. Abe was a good man who will be dearly missed by his family, friends, and the labor movement which he represented.

HONORING THE LIFE OF ABRAHAM
BREEHEY, 1976-2011

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. HIRONO. Mr. Speaker, I was saddened to learn that Abraham Breehey passed away yesterday from a brain tumor and stroke. Abe was the Director of Legislative Affairs and Special Assistant to the International President of the International Brotherhood of Boilermakers. Abe also served as Chairman of the AFL-CIO Building and Construction Trades Department's Legislative Task Force.

Abe was only 34 years old.

His death is a tragedy for his family and a loss for the working men and women of America on whose behalf he was so deeply committed.

I share in sadness and reflection with Hawaii's members of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, Locals 90 and 627.

It is always sad when we lose a labor leader, especially one so young and with such promise. I have been told that Abe was a passionate advocate for working people around the world. He was well-respected in the labor community for using his sharp intellect to build consensus across party lines.

Abe has testified in front of several U.S. Senate Committees, and he represented the Boilermakers in international negotiations on the United Nations Framework Convention on Climate Change.

My thoughts and prayers are with the entire Breehey family and the U.S. labor movement.

RECOGNIZING COLONEL BILL WILLIAMS AND GEORGIA ARMY NATIONAL GUARD AGRICULTURAL DEVELOPMENT TEAM

HON. ROB WOODALL

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. WOODALL. Mr. Speaker, I rise today to recognize Colonel Bill Williams and the Georgia Army National Guard Agricultural Development Team. Colonel Williams will be leading the Guard's Agricultural Development Team on a year-long deployment to Afghanistan at the end of April 2011. These brave citizen-soldiers are not only going into the theater to assist our men and women on the ground as they engage insurgents and terrorists but also improve the lives of Afghani citizens. They will work to build an agricultural and irrigation system where local Afghani farmers can grow fruit and vegetables, raise livestock, and better manage limited water resources. Their efforts will create a stable, vital agricultural base and water resources system that can support the Afghani people and serve as a springboard for further economic growth in rural Afghan villages.

I cannot emphasize enough the importance of this kind of development and reconstruction. A stable, productive Afghani agricultural sector will be a counter-balance to the Taliban and the illicit production of opium, both of which are prevalent in rural parts of that nation and a threat to the security of the Afghan people and our military mission there. We have a chance to counteract these activities by collaborating with the Afghani people to find the tools and the seeds to grow their own democracy. In partnership with the U.S. Army Corps of Engineers, the Georgia Army National Guard will also deliver clean water to more and more Afghani communities. By simply treating and transporting clean water to these communities, we will dramatically improve the health of the overall population, helping to win the hearts and minds of the Afghani people.

We have a real chance to turn the tide, and the Georgia Army National Guard Agricultural Development Team will continue that fight. I am so proud to see our Georgia military men and women meeting this challenge and leading the effort in the coming year to further transform Afghani society. It is my hope that through the work of the Agricultural Development Team and their Afghani partners, Afghanistan will develop an agrarian foundation that will not only bear food, but also the fruits of liberty, prosperity, and security in the coming years.

Mr. Speaker, I ask my colleagues to join me in recognizing the Georgia Army National Guard Agricultural Development Team for their outstanding service to our country and for their commitment to growing the seeds of democracy. May God bless them on their mission in Afghanistan and return them safely home.

TAIWAN F-16 SALES

HON. KAY GRANGER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Ms. GRANGER. Mr. Speaker, as a longtime friend of Taiwan and as a Member of Congress who has frequent interaction with Taiwanese American constituents, I rise today to bring a timely issue to your attention.

My support for Taiwan, and especially for arms sales to Taiwan, is well-known and well-documented. As a matter of fact, I inserted a statement into the CONGRESSIONAL RECORD last spring calling for the expedient sale of F-16s to Taiwan.

Recently, I read an article in the Taipei Times that left me rattled.

On February 20, 2011, the director of the American Enterprise Institute's Program on Advanced Strategic Studies, Mr. Gary Schmitt, wrote in the Taipei Times, "When your girlfriend refuses to set a date for a wedding, and does so over several years, it's probably a good idea to start looking around for another fiancé. So it is today with Taiwan's efforts to procure more than five dozen F-16s from the U.S. This is a courtship from Taipei's end that has been going on since 2006. After nearly five years, it's time to consider moving on."

I believe it is critical that we do not drive Taiwan to the point where they have to start looking for fighters elsewhere. This situation is especially concerning because it will cost the U.S. jobs at a time when the domestic economy—particularly my home state of Texas—could use all the help it can get.

Mr. Speaker, let's not forget that today's Taiwan continues to be under an ominous shadow cast by the over 1,600 short- and medium-range ballistic missiles that the People's Republic of China (PRC) has aimed at it. The PRC continues to refuse to renounce the use of force against Taiwan, continues to claim Taiwan as a renegade province, and, to add insult to injury, passed an "Anti-Secession Law" on March 14, 2005, mandating military action if Taiwan moves toward formal de jure independence. We strongly condemned passage of this "Anti-Secession Law" when we passed House Concurrent Resolution 98 on March 16, 2005.

Section 3(a) and (b) of the 1979 Taiwan Relations Act, which is the cornerstone of United States-Taiwan relations and the law of the land, stipulates that both the President and the Congress shall determine the nature and quantity of defense articles and services that we are legally bound to provide to Taiwan, based solely upon their judgment of the needs of Taiwan.

Mr. Speaker, let me conclude my remarks by urging my esteemed colleagues to join me in requesting the President move ahead with the sale of F-16s to Taiwan at this time.

TAXPAYER RECEIPT ACT OF 2011

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. McDERMOTT. Mr. Speaker, in the recent months, taxes and spending have become a central topic in our national debate. How much federal income tax people pay and what those taxes pay for is not well understood by many Americans.

Very little information about how tax revenues are spent is ever made available to the American people. This results in significant misinformation. For example, a Washington Post and Kaiser Foundation poll found that by a margin of two to one, Americans believe that the federal government spends more on foreign aid than on either Social Security or Medicare. This is why I am reintroducing the Taxpayer Receipt Act of 2011. This bill requires the Secretary of the Treasury to provide each taxpayer with a simple annual statement explaining how his or her federal income tax dollars were spent.

In the previous session I introduced this bill to bring transparency to government spending. Today, in tandem with the President's launch of the official federal taxpayer receipt, I will reintroduce this legislation to require by law that this critical information be provided to the American people for years to come.

The taxpayer receipt act provides an unbiased objective receipt that details federal spending based on the same budget functions used in the appropriations process and rarely changed. This ensures accuracy and consistency from year to year, to ensure that the tax receipt is used to inform the American people objectively and not be used as a political document.

Thomas Jefferson once said, "Information is the currency of democracy." To that end, providing Americans with information and transparency on government spending is essential to maintaining the strength and health of our democracy.

THE INDEMNIFICATION PROVISIONS OF THE DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

HON. JACK KINGSTON

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. KINGSTON. Mr. Speaker, swap data repositories have the ability to provide regulators and markets with information on aggregate data positions that can assist them in evaluating and managing risk. However, that ability can be substantially diminished if important information is excluded from them. One risk of fragmentation or exclusion of data is if a country's laws in practice provide disincentives, or even prohibitions, to the sharing of such data to a repository located in another jurisdiction.

Sections 728 and 763 of the Dodd-Frank Act require that repositories obtain indemnifications from foreign regulators before sharing information with them. There was no legislative history behind this provision, which was incorporated late in the legislative process, without having been considered in the hearing process. As a result, it was not subject to extensive discussion and consideration prior to the enactment of the Dodd-Frank Act, and its negative consequences must not have been clear to the conferees or the relevant regulatory bodies. I believe that the indemnification provision will significantly impede global regulatory cooperation.

Foreign regulators are not likely to grant Derivative Clearing Organizations, DCO's, or Swap Data Repositories, SDRs, indemnification in exchange for access to information. Accordingly, regulators may be less willing to access the aggregated market data, resulting in a reduction of information consumption, domestically and internationally, which jeopardizes market stability.

Further, the provision could have an immediate negative impact on the ability of U.S. regulators to obtain information from repositories located in foreign countries should reciprocal indemnification provisions be enacted in foreign laws. U.S. regulators, like foreign regulators, might be legally or practically precluded from signing such agreements.

This is not a theoretical concern. Just a few days ago in March, Jean-Paul Gauzes, a French Member of Parliament from the Conservative Party included in a package of 950 amendments put forth by the European Parliament to the European Commission language that would mirror the indemnification clauses in Dodd-Frank Act. The amendment was a deliberate response to the extra-territoriality provisions of "indemnity" contained in Dodd-Frank, and adoption of the package is anticipated in May of this year.

The proposed European language would require the United States government to indemnify EU trade repositories for any expenses arising from litigation relating to the information provided by the trade repository. The provision, which could well be adopted, has the potential to create numerous problems for the United States. For starters, it is not clear that U.S. regulators have the legal authority to enter into such an indemnification. Were they

to do so, the indemnification becomes an invitation to such litigation by third-parties, domestic or foreign.

These problems mirror precisely the problems for EU governments created by the indemnification clauses in Dodd-Frank. In practice, while governments worked to address the issues raised by such requirements, the default position for any SDR would have to refuse to provide such information absent the indemnification, creating fragmentation and information gaps that could meaningfully harm global safety and soundness.

Preventing the exchange of information between regulators will frustrate efforts to mitigate international financial risk and fragment regulatory oversight on a jurisdiction-by-jurisdiction basis.

The goal is to ensure that in situations where foreign regulators are carrying out their regulatory responsibilities in a manner consistent with international agreements, which includes maintaining the confidentiality of data, can be appropriately exchanged without Sections 728 and 763 becoming an impediment to the goals of transparency and sound policy.

In light of the EU calendar on indemnification, swift action to prevent the unintended consequences of this inadequately considered provision of Dodd-Frank is needed.

STATEMENT OF REP. EDWARD J. MARKEY ON THE NINETY-SIXTH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. EDWARD J. MARKEY

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Friday, April 15, 2011

Mr. MARKEY. Mr. Speaker, today, we remember and honor the victims of the Armenian Genocide, and we call, once again, for passage of a resolution affirming the Armenian Genocide in the U.S. Congress.

Between 1915 and 1923, a campaign conceived and executed by the Ottoman Empire forcibly deported nearly 2 million Armenians from their homes, resulting in the deaths of 1.5 million innocent children, women and men. The history surrounding this issue is abundantly clear—genocide did occur.

While the target of this campaign of extermination was the Armenian people, it was indeed a crime against all people—and we must not forget lest we let it happen again. On this day every year, communities across our nation and across the world come together to remember this great tragedy. On this day, we are all Armenians.

The term "genocide" had not yet been coined in 1915, when the first Armenians were driven from their homes. The definition of this most profound crime against humanity came in 1944 from Raphael Lemkin, a Polish Jew who survived the Holocaust by fleeing to America after the fall of Warsaw to the Nazis. In the wake of World War Two, Lemkin led the international community to establish the United Nations Convention on the Prevention and Punishment of Genocide. Lemkin's definitive example of genocide was the crimes against the Armenians.

And as we commemorate the Armenian Genocide, we must redouble our efforts to stop similar crimes being committed today. The scorched towns of Darfur, in western Sudan, continue to suffer mass murder, displacement, rape, and torture at the hands of the government and its militia allies. In the Democratic Republic of the Congo, armed forces continue to target ethnic populations with abductions and violence, leading to more than 5.4 million civilian deaths in the past 15 years. And just weeks ago, the humanitarian group Doctors Without Borders was forced to suspend clinics in eastern Congo due to attacks from armed Congolese soldiers. These ongoing genocides must be stopped. Immediately.

In order to eliminate these genocides in the future, we must keep alive the memories of genocides past.

The U.S. House of Representatives has had before it, for many years now, a resolution which clearly affirms the United States record on the Armenian Genocide. I have been a strong supporter and vocal cosponsor of this resolution in every Congress, and I remain so today.

Last year, when the Foreign Affairs Committee voted in support of the resolution, Turkey recalled its Ambassador to the United States. Turkey's leaders continue to say that properly recognizing the Armenian Genocide will harm U.S.-Turkey relations—that it is not

the right time to pass this resolution. But it is always “the right time” for the truth.

Already, 43 states and 20 nations have officially recognized the Armenian Genocide, and it is time for the United States to do the same. After all, how can we have the moral authority to call out and condemn the genocides in Darfur or Rwanda when we are unable to acknowledge the tragedy of Armenia? I look forward to the day that this truth can be spoken aloud, in one voice, by our government, and by governments around the world. Because it is the truth.

In 2009, the governments of Turkey and Armenia announced a roadmap for normalizing relations between the two countries. In a process brokered by Secretary of State Hillary Clinton, the two countries signed protocols to resume diplomacy and end the Turkish blockade of Armenia. However, before the ink had dried on those accords, the Turkish government backtracked on its commitment by adding additional preconditions.

The people of Armenia continue to face the devastating hardships wrought by the dual blockades of Turkey and Azerbaijan. These blockades severely impede Armenia's ability to export goods, restricting the country's GDP by almost 40 percent of what it could be. In the face of these ongoing blockades, the United States must fully restore its economic aid to Armenia while working to reestablish the Turk-

ish government's commitment to normalized relations.

Armenia has come a long way to free itself from terror and tyranny—free from the Ottoman Empire, free from the Soviet Union, and free from the horrors of the genocide that we remember every April 24th. This journey continues today, with our shared responsibility to ensure that the Armenian people are able to build their own, independent and prosperous future. If Armenians want to stay in Armenia and make a life there, they should be able to do so in peace and prosperity, and we should support them. And so, I look forward to continuing to work with the Armenian-American community and Members of the Congressional Caucus on Armenia to address the issues facing this longtime friend and important ally of the United States, so that together we can build something positive, something hopeful, something good for the future—an Armenia that is respected and honored by its allies and neighbors. And this cannot come without universal acknowledgement of the great humanitarian horror that was the Armenian Genocide.

Elie Wiesel once wrote, “A destruction, an annihilation that only man can provoke, only man can prevent.” Nearly one century later, that is our responsibility—to remember the Armenian Genocide so that we can prevent such atrocities from happening again, and to continue standing together with the Armenian people in building a better future.

SENATE—Monday, May 2, 2011

The Senate met at 2 p.m. and was called to order by the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, Father of all mercy, let Your presence be felt today by all on Capitol Hill and beyond. May the awareness of Your nearness make a positive impact upon our thoughts, speech, and actions. As we learn to cultivate companionship with You, may it improve our decisions, our relationships, and our aspirations. Teach us Your ways and lead us in Your truth.

Lord, as millions react to the death of Osama bin Laden, may we remember Your mercies to our Nation and our accountability to You. Bless the many who have sacrificed so much to keep us free. We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable CHRISTOPHER A. COONS led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 2, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable CHRISTOPHER A. COONS, a Senator from the State of Delaware, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. COONS thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be

in a period of morning business until 4:30 p.m. today. Following that morning business, the Senate will be in executive session to consider Calendar No. 74, Roy Bale Dalton, of Florida, to be U.S. District Judge for the Middle District of Florida; Calendar No. 76, Kevin Hunter Sharp, of Tennessee, to be U.S. District Judge for the Middle District of Tennessee.

There will be an hour of debate, equally divided and controlled between Senators LEAHY and GRASSLEY or their designees.

At 5:30 this evening, there will be a rollcall vote on the Sharp nomination. The Dalton nomination will be confirmed by unanimous consent.

OSAMA BIN LADEN

Mr. REID. Mr. President, late last night, we learned the news we have been longing to hear since the worst morning in our memory: an American operation brought Osama bin Laden to justice. This was an American mission ordered by President Obama and accomplished by America's brave and brilliant military and intelligence professionals.

Last night's news stunned the world. But this operation's success should surprise no one. America's special forces and intelligence operatives are the best—the best trained, the best equipped, the best led.

Every day of every year they risk their lives for our sake, for our safety. They are the most professional and proficient forces on the planet. Yesterday, they brought down the most wanted mass murderer on Earth. Their success is the most significant victory yet in the fight against al-Qaida and terrorism and sends a strong and unmistakable message to terrorists who threaten our country, our people, and our interests.

This success is a direct result of President Obama's leadership and the national security priorities he outlined when he took office and the green light he gave our forces this weekend. President Obama insisted that we refocus on Afghanistan and Pakistan as the central battlefields in our fight against terrorism.

Those tremendous military, diplomatic, intelligence, and economic efforts are the reason we woke up this morning in a world that is no longer home to Osama bin Laden. But the end of his life is not the end of the fight. Yesterday's operation is indeed a measure of justice, but it is only one measure of justice. Absolutely it is a definitive victory, but it does not define ab-

solute victory. America welcomes the success of our fellow citizens' extraordinary mission.

Even as we breathe a sigh of relief, though, we are not relieved of our duty to be vigilant, to be persistent and defeat our enemy and to make our Nation stronger. The leader of al-Qaida is gone, but his organization is not. We know our enemy is widespread and motivated. The truth is, it may be more motivated today than it was yesterday.

Our troops continue to fight. Our intelligence professionals continue to work. Their families continue to sacrifice. We continue to support all of them and support each other.

We also pause today to, once again, lend a shoulder to those whose grief never ends, not with time, not with bin Laden's demise, not ever. This significant measure of justice is but a small measure of comfort for those who lost loved ones in America and around the world, in New York and Virginia and Pennsylvania, aboard the USS *Cole*, and in American Embassies in Africa, on trains in London and Madrid, and in so many other places.

Bin Laden's death does not bring back the thousands of innocent people his thugs killed or make whole families who will be forever incomplete. But it is an important milestone that reminds the world America does not suffer the wicked and will not submit to evil. Our resolve is strengthened when it is challenged and our unity, though it too is often tested, is unbreakable.

Because of the hard work of courageous Americans and our military, intelligence, diplomatic, and law enforcement communities, a long evil chapter in our Nation's history closed yesterday. Today, we welcome the spring of a new optimism and renewed patriotism. The chapter now behind us ended with justice. We hope the chapter ahead of us will bring security and peace.

WORK CONTINUES

While the Nation and the world absorb this crucial development, the work of the Senate continues. Today, we begin a new month and a new work period and a new opportunity to come together to create jobs. I hope this month will be a productive month. There are several important and time-sensitive items on our plate. One, I hope to wrap up the small business jobs bill. This has been on the floor for weeks and weeks and weeks—far too long—and we need to resolve it so we can move on to other matters.

Two, we will have the same debate in the Senate that the American people are having at home; that is, the question of whether we should keep giving

away money to oil companies that clearly do not need taxpayer handouts. That will be part of a larger debate we will continue having about how best to reduce our reliance on foreign oil and invest better and smarter in clean energy.

Three, we will vote on the House-passed budget. A majority of the House has embraced it, a majority of the American people have rejected it, and the Senate will soon have its say.

Finally, we will confirm judicial nominees, many of whom we have waited a long time for in the Senate. If the minority forces us to file cloture on those nominees in order to get a final vote, I will file cloture. I think it is too bad if we get involved in this with trial court judges. We cannot waste any more time or play these games for a longer period of time. The country needs these empty benches filled.

We also have other nominations to confirm, including the Attorney General's top Deputy, No. 1 Deputy, Jim Cole. The Deputy Attorney General runs the day-to-day operations of the Department of Justice. He is also the person who signs the critical warrants to permit our intelligence officials to conduct surveillance on suspected terrorists. But he cannot do that unless the Senate confirms him. So we must do that soon.

Especially given last night's developments, it is unthinkable that partisanship and legislative ploys would keep a well-qualified nominee out of this important national security role.

A moment ago we began this remarkable new day in the Senate the same way we begin every day in session. We begin it with the Pledge of Allegiance to our flag. Its closing words were the powerful closing words of President Obama's address to the Nation last night. Their meaning is even more profound today, the first day of this new era.

The words "liberty and justice for all" represent America's purpose. This weekend, in the name and pursuit of liberty, heroic Americans halfway around the world secured justice for an evil man's victims, for the survivors of his terror, for Americans, their allies, and the entire world. "Liberty and justice for all."

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

OSAMA BIN LADEN

Mr. McCONNELL. Mr. President, today, Americans and all who long for justice woke to the good news: nearly 10 years after the United States set out to kill or capture Osama bin Laden, justice has been done. The man who or-

chestrated the 9/11 attacks and who reveled in the horror of that day is dead. And those who follow his twisted vision are again on notice: America is in pursuit.

This was a long time coming. For two decades, Osama bin Laden and the al-Qaida network he created, sustained, and led has been at war with the United States.

The path of terror extended from the first World Trade Center bombing to the bombing of the Khobar Towers and the U.S. embassies in Kenya and Tanzania, to the bombing of the USS *Cole*, to the horrors of 9/11, and through two long and difficult wars that followed. 9/11 may have been the day that this pattern of violence became suddenly and undeniably clear. But bin Laden's destructive path was already long by then, and for the past 10 years, America has been determined to bring this monster to justice.

From the beginning of this fight, the mission has been clear: to deny al-Qaida and any of its affiliates around the world a sanctuary from which they could plan, prepare, or launch another attack on U.S. soil. And the effort to prevent that long-feared attack has been an undeniable success under two administrations in the ongoing war on terror.

Yet despite this success, and our early success in Afghanistan, al-Qaida's senior leadership was able to find a safe-haven in Afghanistan. A few short years after 9/11 al-Qaida had regained enough strength to once again pose a serious threat to the United States. Meanwhile, the Taliban had re-established its headquarters in Pakistan and had gained enough strength to return to Afghanistan and to risk the success of our mission there.

And as the years went by, Osama bin Laden's ability to elude capture had become a greater source of frustration to us, and a source of propaganda to his followers.

Over the years, Americans had become all too familiar with bin Laden's dark pronouncements, from his perverse declaration 3 years before 9/11 that it was the obligation of every Muslim "to kill and fight Americans and their allies, whether civilian or military in any country" . . . to his declaration after 9/11 that he had calculated the number of innocents he could kill that morning, and that he was the most optimistic planner of them all.

Last night, those proud pronouncements ended at the barrel of a gun. The last thing Osama bin Laden saw on this earth was the small team of Americans who shot him.

So Americans can be proud of the efforts of our military and intelligence communities, and the focused efforts of two administrations in fighting al-Qaida, and now, in capturing, its self-appointed leader.

This is indeed a signal achievement, a huge victory in the war against terrorism, and a day of great pride for our country. The President made the right call, and we thank him for it.

We can never bring back those who died on 9/11 or those who have given their lives in this long and difficult war, but all Americans can say with renewed confidence today that we have kept our pledge, and that this is a war we will win.

Some will recall that Osama bin Laden launched this war many years ago on the false assumption that America didn't have the stomach for the fight. While it may have taken longer than we hoped, last night he and his followers learned just how wrong he was. We take great satisfaction in knowing that Osama bin Laden will no longer be able to carry out his evil plans, that he has made his last video, and that whenever someone suggests the United States has grown weary, complacent in this war, we have shown how determined we are to fight it to the end.

History is full of fallen despots and madmen who underestimated the resolve of the United States. Last night, we added one more to their ranks. But we don't rest, because we know al-Qaida's determination to attack the United States didn't end on September 11, 2001, and it didn't end last night. We continue to fight, knowing that al-Qaida remains committed to attacking our homeland and our allies. We were reminded of this last week when police in Germany arrested three men associated with al-Qaida who were planning an attack there.

Since the beginning of Operation Enduring Freedom, we have matched the terrorist threat with the valor of our armed services and counterterrorism professionals. The men and women of the Central Intelligence Agency's Counterterrorism Center have unselfishly devoted themselves to preventing attacks against us and in hunting down bin Laden. Last night, their determined efforts met with success, and we are deeply grateful for their efforts.

As for the broader war, the death of bin Laden may create the opportunity to renew our efforts with Pakistan to bring fresh pressure on al-Qaida's senior leadership. President Obama noted in his remarks of last night that it is essential for Pakistan to join us in this fight. Today is the day to redouble our efforts in pursuit of al-Qaida.

In the coming weeks and months, these same counterterrorism professionals will focus on determining what bin Laden's death means for the threat posed by al-Qaida affiliates in Somalia, Yemen, North Africa, and for the remainder of al-Qaida's senior leadership. But today the world knows once again that wherever al-Qaida lurks—wherever they lurk—we will find them. It may not be days from now; it may not

be months. But those who plot harm to innocent Americans and our allies will be captured or killed. For them too justice will be done.

Anyone who lived through the horror of 9/11 remembers exactly where they were on that terrible September day. Now they will remember where they were when they first heard the news that the man behind it had been killed by brave American forces inside Pakistan. We will remember where we were when, after years of effort, we finally got our man. America didn't seek this fight; it came to us. But ever since 9/11, we have been determined to fight al-Qaida to the end. We knew from the start it would require patience and great sacrifice, and that effort has paid off. Thanks to the skill and perseverance of many brave men and women, we have done what we said. America has not wavered, it has not lost sight of the mission, and we will prevail.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. McCONNELL. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

DEATH OF OSAMA BIN LADEN

Mr. TESTER. Mr. President, it was a little less than 10 years ago that I was in northern Wyoming driving home. It was the day of September 11, 2001. On that drive home that evening, I heard the press report saying that Osama bin Laden was behind the terrorist attack on the trade center, the Pentagon, and in that field in Pennsylvania where the plane went down. I said to myself then that it was just a matter of time before the United States would catch him and justice would be served.

Mr. President, across the remote mountains and dingy suburbs of Afghanistan and Pakistan, thousands of American troops dedicated themselves to stamping out Osama bin Laden and the evil he defined. All of those Americans made painful sacrifices at home,

and many still are. Many are struggling with injuries, seen and unseen, and thousands have given their precious lives.

Of course, we will never forget the innocent lives taken in cold blood on that day of September 11, 2001. We all know how that day changed the course of world history. One man was behind it all. We have hunted him for the better part of a decade.

Now, thanks to the hard, diligent work of America's Special Forces and intelligence agents, that man is dead. At long last, catching him in a corner, a handful of American troops delivered justice to the entire world.

The price for Osama bin Laden's death was enormous. Although yesterday's precision strike was executed by the toughest, smartest, and most effective special operations force on Earth, its justice is the result of all the countless soldiers, marines, airmen, sailors, and intelligence agents and their families who went "all in" for us over the past decade.

This country—now and among future generations—will never forget their sacrifices.

Thirty-six Montanans have been killed in worldwide operations since 9/11. Dozens more have been seriously wounded, and a few were longtime servicemembers, but many of them joined the military specifically because of that awful day and what happened on September 11, 2001.

We are so thankful to them for all they gave and for all their families gave.

While Osama bin Laden's death is a true victory, our vigilance in the worldwide fight against terrorism doesn't end here. The hundreds of Montanans still serving abroad today remind us of that every day.

Yesterday we blotted out Osama bin Laden forever, and that will make our world safer. But working together with the international community, our Nation will continue to be steadfast in our commitment to security, safety, and opportunity for all Americans.

Security and opportunity and freedom aren't just American values, they are human values. As Americans, we will never be afraid to fight for them.

In the days and months ahead, I expect we will refine and recalibrate the future of U.S. involvement in Afghanistan. As this next chapter unfolds, my thoughts and prayers will always remain with the hundreds of Montanans serving there. We are grateful for their service. We are anxious to bring them home.

With that, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ENSIGN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FAREWELL TO THE SENATE

Mr. ENSIGN. Mr. President, I rise today to deliver a very difficult speech. This will be my farewell speech to the Senate. Serving as Nevada's 24th Senator has truly been the greatest professional privilege of my life. Growing up with a single mom in very humble surroundings, I simply never imagined that one day I would end up as a Member of such an august body.

Unfortunately, the amazing experiences that stem from the more than 10 years of my Senate service cannot be summed up in one single speech. I owe a humble thank you to many people who helped to get me here and who have helped me serve effectively, from campaign volunteers, staff, and donors, to some of the best people with whom I have ever worked, my Senate staff. I cannot thank you enough for the honor of the past many years. Each of you has helped me to achieve more than my individual talents alone could have ever accomplished. When I look back over my time, both here and in the House of Representatives, I am very proud of the many accomplishments that we together have been able to achieve. I wish to take a moment to mention a few.

The beauty of the State of Nevada has been greatly enhanced and protected for the enjoyment of future generations because of my work in authoring the Southern Nevada Public Land Management Act and several other important lands bills. Because of these lands bills, Nevada has been able to keep over \$3 billion that has been raised from land sales in southern Nevada. This is money that did not have to come out of the U.S. Treasury.

In the past, BLM land; that is, the public land in Nevada, was exchanged for sensitive land around the State. But as a result of the lands bills we worked on, we were able to, instead, auction this BLM land, raising far more money for the State of Nevada than the land exchanges ever were able to do. This land revenue has been used to purchase sensitive land to protect it for future generations, but also to construct over 100 beautiful parks and trails in southern Nevada. I cannot tell you how proud I am when I drive around Las Vegas and see so many families enjoying these beautiful areas. These lands bills have made the great quality of life we enjoy in Nevada that much better.

Additionally, for those in northern Nevada, my love for Lake Tahoe has been evident throughout the years. I have worked hard to ensure that the beauty of those tranquil waters and surroundings will be just as beautiful decades from now as they are today,

and our lands bills helped to achieve this goal. Through this legislation, hundreds of millions of dollars have been devoted to preserve its ecosystem, and important fuel reduction projects around our State will help prevent catastrophic wildfires that so threaten the future of our State and its breathtaking landscape.

Additionally, I have been a passionate advocate for education reform. Our lands bills have directed millions of dollars to Nevada schools as an endowment our State will benefit from for many years yet to come. I thank Senators REID and Bryan for their cooperation in helping draft this legislation that so greatly benefits our State. I also thank the folks on my staff, especially John Lopez, who worked so hard to turn these pieces of legislation into law.

Speaking of legislation that became law, I wish also to highlight another accomplishment of which I am so proud.

As the only bipartisan provision in the so-called ObamaCare bill, Senator TOM CARPER and I worked against some powerful interest groups to get the Healthy Behaviors Act added to the health reform bill.

Our provision was modeled after efforts by Safeway in the private sector to both improve health care quality and to reduce the cost of health care. Essentially, our provision rewards people in the form of lower health care premiums for making healthy choices, such as quitting smoking. If we as Americans continue to eat too much, exercise too little, and to smoke, it really does not matter what kind of health care reform we enact in this country; costs will continue to escalate. I hope this provision will highlight the individual contribution we can all make to reduce our health care costs.

Certainly this legislation would not have become law if it were not for the spectacular job Michelle Spence from my office did. As I mentioned earlier, I simply cannot list the number of things or the number of people on my staff who have helped me with legislation. We have accomplished a lot. I wish I could do it in just one speech, but it is not possible. I could speak at length about my fight for lower taxes and individual freedoms, protection of constitutional rights, the dignity of our service men and women, education reform, and so much more, but there is not enough time. I hope my voting record and legislative record in the Senate will continue to speak for me long after I have left this Chamber. I would like to speak, though, about a few observations I have made through the course of my time here.

When I first ran for office back in 1994, I was rather naive. I was also very idealistic. I simply wanted to make a difference in this great country.

Throughout the years, I may have lost my naivete, but I never lost my idealism. I still strongly believe the United States is the greatest country in the history of the world, and it is worth fighting for and worth protecting.

I will leave this place knowing there are some really outstanding people here who are just as idealistic or maybe more so than I ever was, and they are willing to take the tough political votes that are necessary to save this country from total bankruptcy. My prayer is that more people will join them in that courage. Our children and our grandchildren deserve to have the same country we enjoyed, and it is up to the House, the Senate, and the White House to stand together with the American people to save the future of the United States from self-destruction.

When I first arrived in the Senate, I observed several people who were so caught up in their own self-importance and busyness that arrogance literally dripped from them. Unfortunately, they were blind to it, and everyone could see it but them. When one takes a position of leadership, there is a very real danger of getting caught up in the hype surrounding that status. Oftentimes, the more power and prestige a person achieves, the more arrogant a person can become.

As easy as it was for me to view this in other people, unfortunately, I was blind to how arrogant and self-centered I had become. I did not recognize that I thought mostly of myself. The worst part about this is that I even tried not to become caught up in my own self-importance. Unfortunately, the urge to believe in it was stronger than the power to fight it. This is how dangerous the feeling of power and adulation can be.

My caution to all of my colleagues is to surround yourselves with people who will be honest with you about how you really are and what you are becoming, and then make them promise to not hold back no matter how much you may try to prevent them from telling you the truth. I wish I had done this sooner, but this is one of the hardest lessons I have had to learn. I believe that if I had learned this lesson earlier, I would have prevented myself from judging two of my colleagues when I had no place to do so.

When I was chairman of the National Republican Senatorial Committee, I was confronted with the personal issues facing Senator Larry Craig and Senator Ted Stevens. Following Larry's admission and Ted's guilty verdict, I too believed in the power of my leadership position, and I called on both of them to resign. I sincerely struggled with those decisions afterward, so much so that I went to each of them a few weeks afterward and admitted what I did was wrong, and I asked both of them for forgiveness. Each of

these men was gracious enough to forgive me even though publicly I did not show them the same grace. I am very grateful to both of these men. When I announced my personal failure 2 years ago, Larry Craig was one of the first to call and to express his support. I truly cannot tell you what that meant then and what it means to me today.

The purpose of me speaking about this is to humbly show that in life a person understands mercy a lot more when they need it and when it is shown to them. Again, this is a hard lesson I have had to learn, but I hope I can now show mercy to people who come into my life who truly need it.

As I conclude, I have a few others I want to thank.

My colleague from the State of Nevada, Senator REID. I ran against Senator REID in 1998. He beat me by a little over 400 votes. Afterward, 2 years later, when I was fortunate enough to win the election, Senator REID and I sat down and we kind of made a pact between us that we were going to get along even though we were of different parties, we were going to put the past behind us, and we were going to work together for the people of the State of Nevada. A funny thing happened along the way over these last 10-plus years: Senator REID and I developed a friendship—two people with opposite voting records, opposite views on major national issues, but we worked together on a lot of issues that affected our State. A friendship formed between our staffs, and a true friendship formed between Senator REID and myself. And for that, I want to thank him.

To my Senate colleagues, I would like to take a moment to apologize for what you have had to go through as a result of my actions. I know many of you were put in difficult situations because of me, and for that I sincerely apologize.

My wife Darlene, who has been through so much with me and has fought through so many struggles, is owed more than I could ever repay. I do not deserve a woman like her, but I love her, and I am so grateful the Lord has put her in my life.

Our children, Trevor, Siena, and Michael, have never known anything other than their dad leaving each week to come back to Washington, DC, for my work. All three of them are incredible, and it has been a blessing and a privilege just to be their dad.

I have also been very blessed with a great set of parents who have stood by me through thick and thin, and also the rest of my extended family. I also have wonderful friends who have been there with me and my family through the highs and the lows.

Lastly, most importantly, I want to thank God for allowing me to be here. I have been encouraged by some not to mention God because it looks hypocritical because of my own personal

failings, but I would argue that I have not mentioned Him enough. I am glad the Lord not only forgives, but he actually likes it when we give Him thanks. So, Lord, thank You for all You have done in my life. I hope I can do better in the future. I hope I can learn to love You with all my heart, soul, and to love others as myself.

My colleagues, I bid you farewell. Know that you will all be in my prayers.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BLUMENTHAL.) The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DURBIN. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ILLINOIS FLOODING

Mr. DURBIN. Mr. President, we have heard some terrible stories about severe weather and the damage it is causing across the United States. My heart goes out to the people of Tuscaloosa, AL, and all the communities in the South that were ravaged by tornadoes of record force and velocity.

In the Midwest, our problems are more subtle but also devastating in terms of the impact of floodwaters. It is nothing new in our part of the world. We have the confluence of the Mississippi and Ohio Rivers at the southern tip of our State, further north on the Mississippi, the Illinois River and the Missouri River. Whenever there is heavy rainfall in one area or more, it ends up raising the levels of those rivers to perilous heights, which can inundate communities.

I can't tell my colleagues how proud I am of the people who come forward in the midst of this type of challenge every single year. Thank goodness it seems as though there is never a lack of volunteers. People are always willing to step up, starting with the National Guard. They always do the best job possible, and I thank them over and over for what they do. Then, local law enforcement works overtime—the firefighters, the police, and all the rest. Then there is the extra work that is going on in hospitals and clinics and nurses and doctors working overtime.

In my part of the world too, State and Federal employees have pitched in at every level, starting with the Army Corps of Engineers, the Department of Natural Resources of the State of Illinois, the Illinois Emergency Management Agency, and the Federal Emergency Management Agency. It is an amazing outpouring of support.

Last Friday, I boarded a plane in Chicago and flew down to Marion, IL, and took a helicopter into Cairo. Cairo, of course, is at the southern tip of our State, as I mentioned earlier, at the confluence of the Ohio and the Mississippi Rivers. I saw there some things going on in the town of Cairo, IL, which were truly frightening and disturbing.

This is a town which in its heyday was one of the major port cities in Middle America. Cairo, as the Ohio and Mississippi Rivers came together and then coursed on down to the Gulf of Mexico, was a major city with major economic activity. Over the years, as river traffic changed and the economy changed, Cairo changed too. Now it has a population of a little less than 3,000 people. Many of them are very poor. They have an African-American mayor, Mayor Childs. I believe he is their first, if not their second, African-American mayor. They have had issues of racial strife over the last 50 years. They struggle to keep businesses in place. Their schools are always challenged, and now, on top of that, comes a flood.

If you went along the Ohio River leading up to Cairo, you would see an amazing levee. It is the kind of wall of protection, concrete wall of protection, which every river community would love to have—on the Mississippi side, not so much. But the interesting thing I found when I went down there is even that side of the river, the Ohio River, with this huge concrete levee, has serious problems. It turns out that the water table is so high in Cairo, IL, that the pressure of the rising Ohio River is forcing the water into what are known as sand boils. So out of nowhere, in the midst of a lot or a street, up pops a geyser of river water. You think, what is going on here? It is 10, 15, 20–50 feet away from the levee. That is because the entire ground is so saturated and the river is working its way underneath, eating up the underlayment.

I walked along there with a National Guardsman who was taking pictures of the scene. We went to one street that had been closed with two major openings where water was bubbling, and as the National Guardsman was taking my photograph, the street collapsed under him and he fell 2 or 3 feet down because all of this water has eaten out all of the substrata under this street. That is why this has become so serious that the mayor, Mayor Childs, started with the voluntary evacuation and then last Saturday night said: Let's everybody leave this town. We don't know what is going to happen next. That is the reality not only of Cairo but of several other communities.

The 2,800 people of Cairo, IL, were evacuated Saturday when the Ohio River reached its highest level since 1937. It rose above the 15½-foot level this weekend and is expected to go higher. Five other Illinois communities

are now under a voluntary evacuation order. The people of Old Shawneetown, Junction, Brookport, and Golconda are being asked to clear out for their own safety.

The biggest threat of major damage is still at Cairo. I was in Cairo just a few days ago, and I can tell you the water levels there were continuing to rise.

I show you a picture of a home in Cairo, IL. The water level is already so high that the home is uninhabitable. I saw many homes like this, but I also saw some superhuman efforts which are hard to even describe, where people decided, even with a home that close to the river, they were going to build a wall of sandbags around their home and save it. It sounds impossible, but they are doing it. The sandbags are up to 5 feet high, holding back the water which, if they were not there, would have inundated the home. The pumps are pumping water out from the home into the surrounding areas, and people are up night and day, 24 hours a day, in rowboats, going back and forth trying to preserve the one thing on Earth that means so much to them—their home. That is the kind of battle that is taking place in homes all around Alexander County and Cairo. The sustained high water level has put an unprecedented amount of pressure on the levees.

As I mentioned earlier, these giant sand boils are forming, and they are working all night to try to contain them. Local volunteers and National Guardsmen are doing all they can, but the Ohio River is expected to stay at or above flood stage for the foreseeable future, and the levee may not withstand that pressure. If Cairo's levee bursts, the Army Corps estimates the town will be inundated with as much as 15 feet of water.

The entire State of Illinois is operating under a state of emergency; 320 National Guardsmen are on hand to help evacuate people and monitor water levels. The State has issued and helped fill more than 1 million sandbags, working with the Guard, the Army Corps of Engineers, and local responders to put in generators and supplies where they are needed.

My thoughts are with the people and families affected by the floodwaters in southern Illinois, especially those who had to leave their homes. I am grateful for all the people, military and civilian alike, who are working around the clock to control the Ohio River.

General Walsh is in charge of the Army Corps of Engineers' operations in this area. I talked to him several times over the weekend. He has a very, very difficult decision to make. I have seen it made in the past. It is never easy. The decision he has to make is, if a city is threatened, like Cairo, IL, he has to determine whether it is the right thing to do to open a levee to relieve the water pressure of the rivers

by flooding adjoining farmland. So people who are now perhaps only minor victims of flooding would see their farmlands inundated. That is in Missouri, and they do not like the idea. Who would? They resisted it in court, and at two levels now the court has said it is an Army Corps of Engineers' decision.

I spoke to General Walsh all through the weekend, and he walked me through this decision. What I said to him I will repeat on the floor. I said: This is a difficult, hard decision you have to make. You will get no pressure from me. I believe that Cairo, IL, is right now teetering on the edge and could be inundated with floodwater and 2,800 people could lose their homes. That is my side of the equation, along with these other communities. But I know you have to make the calculation on rainfall, the level of the rivers, and trying to make some calculation about critical infrastructure in both instances. And I said: Just use your best engineering and scientific judgment. I will back you up, whatever you decide.

Well, he has put in place the explosives to blow the levee downriver on the Missouri side to relieve the pressure not only in Illinois but in Kentucky and I think parts of Tennessee as well. I think that may be a decision to be made within the next few minutes. Whatever his decision, whatever the Army Corps decides, I will stand by it because I know it is a good-faith effort to do the right thing. And this I will say: If they end up flooding some farmland in Missouri, I will stand by my colleagues in that State, as well as all others in the Midwest, to make sure that those people are made whole, that they have some recovery through our government for losses in farm profits and the like. It is the least we can do. If they end up saving a city, then the cost to the government will be dramatically less than it might otherwise have been. It is a hard, hard decision. Having seen it firsthand, my sympathy goes to the Army Corps of Engineers and all the professionals who are fighting this battle every single day.

DEATH OF OSAMA BIN LADEN

Mr. DURBIN. Mr. President, last night at about 9 o'clock, I received a call at my home in Springfield, IL, from Vice President BIDEN. It was kind of a surprising call on a Sunday night, and I was even more surprised when he said Osama bin Laden had been captured and killed and President Obama would be making a statement very shortly. I waited up to hear that statement. I was catching a plane early this morning, but I wanted to hear it firsthand.

I guess every single one of us can remember where we were on 9/11. I know where I was. I was just a few feet away from here. We were in an office, a room

just off the Capitol floor here—the Senate floor—in a meeting with Senator Daschle when we heard about a plane crashing into the Trade Center in New York and then another one. And then we realized this was not an accident. We watched, as America watched, and we wondered would we be next, this building, this big target of a building, the U.S. Capitol. Thank goodness the courage of passengers on a plane that was brought down in Pennsylvania probably saved many lives, maybe my own.

But we came to know that behind it all was a man named Osama bin Laden who declared war on the United States of America and was prepared to kill thousands of innocent people to push his terrible extremist agenda. For 10 years, we have been engaged in the largest global manhunt in history to find this man. President Bush, I am sure, used every resource of the government to do that job, and I commend him for that effort even though he was not successful. But last night, because of the courage of Navy SEALs and our military, who stepped up, Osama bin Laden was captured and killed.

I know, having spoken to people in the White House, that the President stuck his neck out on this because there was a question as to whether he was actually there. They believed there was enough evidence, and the President said: Go forward. We did it without any loss of life on the American side or any loss of innocent life of civilians.

But it appears now that we have taken away the leader of al-Qaida. That is a good development for all of us. I do not know if it means there will be a more peaceful world. We probably should assume the opposite for at least the time being, that these terrorist organizations will now strike at the United States to establish they are still credible. Well, we have to be vigilant. We have to stop them before it happens. And we have to pursue every single one of them for whatever it takes to bring them to justice.

Perhaps, though, it will go in another direction. Perhaps we will find that once al-Qaida, the head of the snake, has been chopped off, perhaps al-Qaida will start to wither, and I hope it does. If it does, maybe some other organizations will have second thoughts about the terrorism business. That would be the best outcome, even better if we could start bringing our troops home from Afghanistan.

I commend the men and women in uniform, those yesterday who showed such courage, those in the intelligence community who have worked night and day for almost 10 years trying to find this man. I commend the President for showing the kind of leadership we needed to bring to justice the most dangerous terrorist criminal on the face of the Earth. It is something that I think speaks well for our government and for our people.

There is one other point I would like to make, and the President made it last night in his statement. He repeated what had been said by President George W. Bush after 9/11. I had my differences with President Bush, but there were moments when I could not have agreed with him more and particularly the moment when he made it clear that our war against terrorism was not a war against Islam. It was not a war against Muslims or Muslim Americans. I was so glad he did it because we have seen ample evidence of discrimination against people of that religion who have had nothing to do with terrorism but, unfortunately, have been discriminated against. Last night, the President repeated what we all believe: Islam is not the enemy. Extremism and terrorism are the enemies. We will work with Muslim Americans and Muslims around the world to protect their religion, their honored religion, and will work with them to reduce terrorism.

The President also reminded everyone listening last night that when it came to the victims of Osama bin Laden's terrorism, Muslim people were the victims time and time again. He was no friend of the Muslim community himself. His life, unfortunately, of killing and violence took its toll in many communities, including Muslim communities around the world.

I commend those who continue to work night and day, at every single level—Federal, State, and local—to deal with the threat of terrorism. This eradication of Osama bin Laden is an important step, but there is still much more to be done in terms of fighting this battle. I take pride in the work that has been done, a pride that is shared, I am certain, by every resident of Illinois and people all across the United States.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I ask unanimous consent to proceed in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, every one of us knows where we were at the moment we heard the tragic news of the attacks on this Nation on September 11. And I trust that all of us will long treasure the moment we first heard the great news last night that Osama bin Laden, after a decade of determined and diligent work by our Armed Forces and by the men and women of the American intelligence community, had

at long last been captured and killed. The successful operation by the Navy SEALs team yesterday was the capstone of 10 years of distinguished and honorable service by our brave men and women in uniform.

In Afghanistan, in Iraq, and around the world, literally tens of thousands of Americans over this past decade have faced battle resolutely, carried out their mission with valor, and made all of us proud. When I visited our troops in Afghanistan in February, I saw firsthand their determination, their level of professionalism, and their commitment to this important and long task.

I hope, as we face the days ahead and the uncertainty of what will be the path forward in our continuing conflict with al-Qaida and all who would do us harm, there is no doubt about the determination of the American people about our resolve to pursue, capture, and kill all who would plan attacks on the United States and on innocent civilians around the world.

I wanted to pause today and simply reflect on all who have sacrificed so much. There are hundreds of Delawareans currently serving in Afghanistan, some on active duty, some with the Reserves, some with the National Guard. My wife and I and our family pray every night, as so many do in our Nation, for those who serve us overseas, including personal friends of ours, Brooke James, Troy Baucus, and Jeff Steinberg, who are folks who are on repeat deployment, whose families we know, along with hundreds of others. They have made the sacrifice of deployment. There are many others—17 in the case of Delaware—who have made the ultimate sacrifice in this decade of conflict in Iraq and Afghanistan, including SGT Sean Moudy, who grew up next door to me, and SrA Liz Loncki, the first Delaware woman lost in combat, and many others who are mourned by their families and communities.

Tomorrow, the Senate Foreign Relations Committee begins a series of six hearings on our path forward in Afghanistan and a review of our relationship with Pakistan, our alliances in the region, and the incredible investments that we need to continue to make to sustain our effort to take the fight to those around the world who would do us harm.

I wanted to come to the floor today and, for a brief moment, pause and think about what this historic moment means to the American people.

It was just a decade ago in the attacks of 9/11 that a group of determined and hardened terrorists, led by Osama bin Laden, believed they had struck a blow, believed they had hit their target when four aircraft that had been commandeered were turned into missiles and aimed at principal targets that they thought were the centerpieces of

America. Two of them succeeded in striking the Twin Towers—knocking down columns of steel and glass. One of them succeeded in striking the Pentagon and setting ablaze the center of our military might. One more, were it not for the intervention of incredibly brave American citizens, might well have struck this very building we meet in today or the White House.

They did succeed in tragically taking thousands of innocent lives. They did succeed in striking a tough blow to our economy. They did succeed in surprising us with an unexpectedly vicious attack on thousands of innocent civilians. But they utterly failed to strike at our spirit. They failed to knock down our resolve. I know that around the world many marveled while thousands of folks flooded out of the Pentagon and the Twin Towers, as hundreds of determined volunteers and public servants flooded in, risking their lives and, in many cases, sacrificing their own lives to try to save some of their fellow countrymen. Most important, in the months afterward, millions of Americans took up the cause of volunteering to rebuild and restore our communities, and thousands volunteered to serve in our Armed Forces.

It is their resolve, their commitment, their professionalism, the great leadership of our Armed Forces, and the decisions made by President Obama and Vice President BIDEN in leading our Nation today that have brought us to this moment.

I want to close by saying that ultimately those who struck us on 9/11 missed their target. They misunderstood our spirit and our resolve as a nation. Last night, on the other side of the world, justice was served. The tragedy of those who were lost and the sacrifice of those who chose to serve have never been forgotten. But last night, on the other side of the world, justice was served.

Let there be no doubt among anyone around the world who would wish us harm, who would today plot to carry forward the terrible terrorist dreams of this now-dead man, Osama bin Laden: Our spirit is not broken. Our resolve is unbending. Justice will be served.

Mr. BAUCUS. Mr. President, John D. Rockefeller once said, "I do not think there is any other quality so essential to success of any kind as the quality of perseverance. It overcomes almost everything, even nature."

The hunt for bin Laden seemed to battle against the force of nature itself. And the perseverance of those that hunted bin Laden—our brave troops, our intelligence officers, and countless other Americans—was essential to their success.

The brave Americans that hunted bin Laden battled a vast expanse of ungoverned territory across Afghanistan and Pakistan, central Asia's frigid mountains, endless villages in the most

remote part of the globe. Their mission at times seemed impossible.

But the perseverance of America's bin Laden hunters helped them conquer these challenges: perseverance; hard work; quiet dedication to duty. So many Americans worked so hard for so long to make this possible. I am so grateful to all those that serve, these quiet professionals have made all Americans very, very proud.

Today, we must pause to reflect on what this means. We remember the suffering of the families who lost loved ones on 9/11. We remember the sacrifice by our troops serving in harm's way to keep us safe.

It is fitting that bin Laden lived long enough to witness the utter failure of the strategy he masterminded. From his hideout, he saw a peaceful revolution in Tunisia. He watched as millions of young Egyptians peacefully and proudly demanded change. He learned of peaceful protesters embracing democracy, refusing violent extremism in every corner of the Middle East—without bombs, without violence, using their intellect, their courage, and their pride, these young protesters took a path bin Laden had failed to imagine—a path of peaceful, democratic change. The future of the Arab world is now in their hands.

The success of these young democrats stands in stark contrast to the ideology of hate and violence that bin Laden dedicated his life to. How fitting it is that he saw this Arab spring with his own eyes; that he could witness such a thorough defeat to violent extremism.

We must work hard in the coming years to see that the young demonstrators in Tahrir square and across the Middle East succeed. Their success will erase the narrative that radical Islam seeks to write. These peaceful demonstrations must lead to change and violent extremism must continue to fail.

Looking forward, we face great challenges across the Middle East and Central Asia. Osama bin Laden's hideout location raises serious questions about our relationship with Pakistan.

Since 2002, the United States has provided over \$18 billion in foreign assistance to Pakistan. In 2009, Congress authorized up to \$1.5 billion a year for civilian assistance to Pakistan from 2010 through 2014. U.S. economic and military assistance to Pakistan was the highest of any other country in 2009 except Iraq and Afghanistan.

In spite of these massive investments, the U.S.-Pakistan relationship continues to fray. We seem to be near a breaking point. The Pew Research Center found that in 2010 the "favorable rating" of U.S. among Pakistanis hit 17 percent, the lowest opinion of the U.S. among any population on earth.

During a visit to Pakistan last year, I made it clear to President Zardari

and General Kayani that Pakistan must do more to eliminate safe havens within their own borders. We cannot accept excuses. We need results.

Without progress in Pakistan, we cannot succeed in Afghanistan. American troops continue to serve bravely under the most difficult conditions every day, without weekends or holidays, carrying heavy loads over mountain passes, hunting down the Taliban and protecting villages.

This July, the U.S. will begin to hand over security responsibilities to the Army and police force of Afghanistan. I urge the President to make this transition robust, orderly, and persistent until all of our troops come home. It is time for the Afghan government to step up and take responsibility for this mission. American troops should not be doing the work that Afghans should be doing for themselves.

Beyond Afghanistan and Pakistan, our world is rapidly changing. Popular movements are transforming the Middle East. Breathtaking Chinese growth rates are reshaping East Asia. New technology is bringing citizens across the globe closer together: to cooperate, and to compete.

Amid these changes we are facing enormous challenges at home—massive deficits, bitter partisanship, rising health care costs, high unemployment. We need to work together to make sure the 21st Century is the American century. We need to focus on improving education, rebuilding roads and bridges, and making the American economy the best place to do business in the world.

The death of Osama bin Laden marks a turning point in history. Today is indeed a great day for America. I salute the brave men and women who made this day possible. My thoughts are with the hundreds of Montanans serving our country overseas. May God Bless America and may He keep our brave troops safe.

Mr. LEAHY. Mr. President, today is a memorable day in our Nation's history. Osama bin Laden, the man responsible for the deaths of thousands of innocent victims, including so many Americans who were lost on September 11, 2001, has been killed.

I commend President Obama and his national security team for the careful planning of this operation, as well as the members of our intelligence agencies who have spent years collecting information that made it possible.

As many of us know, when the President nominated Leon Panetta to be the Director of the CIA, he told him that his first directive must be to find Osama bin Laden. I have known Director Panetta for nearly 30 years. I know this is a man who, when he takes on a task, takes it very seriously. I commend him and all those men and women who have worked with him on this. I know he gave singular attention to this issue.

I join Americans across the country in praising the brave team that stormed the compound where bin Laden appears to have been hiding for years. They completed their mission without loss of American lives, while taking care to avoid civilian casualties.

I have had the privilege of watching the special forces train. I have seen the tremendous level of training the SEALs and the Joint Special Operational Command undergo to prepare for dangerous missions like the one conducted yesterday. They are remarkable people. Every member of that team had to go into the compound yesterday knowing that they may not return.

We remember today the victims of all of the attacks perpetrated by the man who more than any other represents the face of international terrorism. The September 11 attacks are at the forefront of our minds. Nearly 3,000 lives were lost, including those victims of the World Trade Center, in the Pentagon, and on the four airplanes. I remember that day as vividly as though it were yesterday.

We remember with gratitude the first responders who rushed in to save lives, even knowing they were risking their own. Many died while trying to save others in amazing acts of heroism. And we remember the passengers on Flight 93, who put the lives of Americans on the ground ahead of their own.

We also remember the 6 victims of the 1993 World Trade Center bombing, and the victims of the embassy bombings in Kenya and Tanzania in 1998, which left 224 dead, including 12 Americans. We remember the lives of the 17 sailors killed in the bombing of the USS *Cole* in October of 2000. The death of Osama bin Laden will not bring them back to us, but we all hope it may help bring closure to family members and friends who still grieve their loss.

Today we remember the lives of the brave American servicemembers who have served in the wars in Afghanistan and Iraq, and the sacrifices made by their families, who mourn their loss, or help them recover from their injuries.

Vermonters have answered the call to serve—some for multiple deployments with the Vermont National Guard and many most recently with the 86th Infantry Brigade, which returned last December. Of course, we thank the brave men and women who have worked tirelessly to protect American soil from additional attacks.

Osama bin Laden cloaked his attacks in anti-American rhetoric, but his murderous and criminal path took the lives of innocents around the world, including many of his own faith. He proved himself to be a cold-blooded murderer whose indiscriminate attacks led to the deaths or maiming of Muslims and people of other faiths all around the

world. Regrettably, he leaves behind followers who are committed to the same message of hate and destruction. They have no regard for the values that unite the rest of humanity in common cause.

President Obama pledged that we would bring bin Laden to justice. Last night, we learned that bin Laden has suffered the consequences of his atrocities. Justice has been served. Now I hope that Americans will claim this moment to stand side by side, as we did in the weeks and months following the September 11 attacks. We must transcend our differences and stand in unity, unified in our support for the victims of bin Laden's crimes and in our resolve to keep our great Nation safe. We should also stand united in our commitment to the rights and principles that define us as a democratic nation that respects the rule of law. That respect is what distinguishes us from those who seek to harm us. It is what will ultimately enable us to succeed against them, and it is what people around the world expect of America.

Regrettably, the September 11 attacks, and other acts of international terrorism, have often been used to justify policies which strayed dangerously from those rights and principles. This has damaged our global reputation, hurt our credibility, and made it more difficult to build the broadest alliances against terrorism.

We must also remember, as so many military leaders have told us, that military force, while at times necessary, as it was in the operation against bin Laden, is not in and of itself a counterterrorism strategy.

We have seen how, nearly 10 years after 9/11, and after spending hundreds of billions of dollars to combat terrorism, the recruitment of terrorists among disaffected youth continues apace around the world, including in our own country.

We have also seen how much more we have to do to counter the misperceptions and misinformation fomented by extremists about the United States and our intentions. Addressing these challenges should be a priority as we go forward.

I urge all Americans to support our President in this continuing effort, and I urge all of us in Congress to join together for the good of the country and all Americans.

It is remarkable what this country accomplishes, and how strong and brave we are, when we stand together. Now is the time to stand together. We have done it before. We can do it now. And we are a better country when we do it.

Mr. President, I see the very distinguished Senator from California on the floor. I yield to her.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I thank Senator LEAHY for his eloquent statement he made about the capture and killing of Osama bin Laden and the impact and the need for us to come together as one Nation.

Mr. President, almost 10 years ago after the horrific attacks of 9/11, I voted to go after Osama bin Laden, as all of us did in the Senate at that time, to make sure justice would prevail. Now we know and the world knows that Osama bin Laden has paid the ultimate price for what he did.

His death does not lessen the tragic loss of all those killed by al-Qaida or the pain of their loved ones, but it closes a chapter on his unspeakable acts, and there were more than one. They go back to October 2000. They go back to 1998 when their operatives attacked our people on the USS *Cole* and the U.S. Embassy in Nairobi, Kenya, and there are other attacks that occurred as well.

What I want to do in a few minutes today is go back to some of the things I said on September 12, 2001, from a different seat, because I did not have much seniority. I was somewhere over on the front row. The reason I want to restate and read from the RECORD as to what I said on that day is because I think it is important for me, for myself, to get the type of closure I wanted to get when I cast that vote to go after Osama bin Laden, to go to war and get him. It reminds me of that thirst for justice we all had on that day and that we still have.

This is what I said on September 12, 2001:

Today I rise with pain in my heart and great emotion to offer my prayers and my condolences for the people in this country who have been directly hit by an act of war, people in the State of my birth, New York, looking at that skyline, the people who work at the Pentagon every day who have chosen to work to protect our Nation, and the people of California, my State, who were on those planes that were hijacked and, of course, to every other individual who was directly affected and to all of us who have been affected.

I went on to say this:

One of our colleagues said we remember where we were when tragedy hit this country. I remember too many things—not as many perhaps as Senators who are older, but I certainly remember where I was when I saw John Kennedy go down and Martin Luther King go down, the Challenger disaster, and yesterday the image of those planes, commercial and American planes, four of them going down, crashing into buildings, being used as lethal weapons against our people—an image that has shaken us but has not shaken our resolve.

I went on to say:

I am going to make a very strong statement. When we look back into history and what happened in Bosnia, people suffered genocide because of their nationality, and to the Holocaust, people suffered annihilation because of their nationality. People were killed yesterday because they were Americans. People were killed not because they

were bad people—they were good people—they were killed because they were Americans.

That is what I said on the day after 9/11/2001. Then I said:

It is time for us to say we will fight and stand up for them and their memories. We will take a stand against inhumanity that occurred on our own soil. We are resolved to honor those who died. We are resolved to make our Nation as safe as it can be from those acts. We are resolved to hold those who planned these attacks and who harbor these people absolutely 100 percent accountable. We will hold them accountable.

That is what I said on September 12, 2001.

They must pay because this is the test of a civilized nation. We lead the civilized nations of the world. We will not back down.

I stand proudly with my colleagues on both sides of the aisle and with our President. We will be resolved to do everything—and do it well and do it right—to bring justice in the world.

Later that day, to the press I said:

I've never been at ground zero in a war, but, after this, war is not an overstatement. The people who perpetrated this are the scum of the Earth, and their views, their philosophy, their version of civilization, if you can call it that, will not stand.

I am going to conclude my remarks by saying that in my heart, the flames of justice are burning bright today. I thank our President for his resolve, for ordering this attack—a successful attack—on bin Laden's compound. To the bravest of the brave, I understand they were Navy Seals who went in there, not thinking 1 second about their own lives. The fact that the President ordered this, that he kept it quiet while he had to be distracted from things that, let us say, he should not have been distracted with—but he did it. He kept his focus.

It is an important moment in our history. The message is going out to anyone who would hurt us: They will be held accountable. They can run, but they are never going to hide from us and from justice.

We know we cannot let down our guard. We know that. But we also know we are not going to cower in a corner because we are fearful that somebody may try to hurt us. We are prepared. We are going to do everything we can to be prepared. But this is quite a moment.

I will never forget seeing the Pentagon on fire, flames shooting out. I was in an office right near here and looked out the window. We were told to evacuate the Capitol. That is seared in my memory.

Anyone who cares about justice, anyone who cares about the truth, anybody who cares about fairness and responsibility has to say that yesterday was a day when justice was done.

I am going to close by reading the names of the Californians who lost their lives because I told their families I will honor each one in every way I can. I think that ending my statement

by paying tribute to them is important: David Angell of Pasadena; Lynn Angell of Pasadena; Seima Aoyama of Los Angeles; Barbara Aresteguis of Los Angeles; Melissa Barnes of Redlands; Alan Beaven of Emeryville; Berry Berenson of Los Angeles; Carolyn Beug of Los Angeles; Yeneneh Betru of Burbank; Mark Bingham of San Francisco; Deora Bodley of Santa Clara; Touri Bolourchi of Beverly Hills; Daniel Brandhurst of Hollywood Hills; David Brandhurst of Hollywood Hills; Thomas Burnett of San Ramon; Suzanne Calley of San Martin; Jefferey Collman of Novato; Dorothy Dearaujo of Long Beach; Darlene Flagg of Corona; Dee Flagg of Corona; Wilson Flagg of Corona; Lisa Frost of Rancho Santa Margarita; Ronald Gamboa of Los Angeles; Andrew Garcia of Portola Valley; Edmund Glazer of Chatsworth; Lauren Grandcolas of San Rafael; Andrew Curry Green of Los Angeles; Richard Guadagno of Humboldt County; Stanley Hall of Rancho Palos Verdes; Gerald Hardacre of Carlsbad; John Hofer of Bellflower; Stephen Hyland of Claremont; Barbara Keating of Palm Springs; Chandler Keller of El Segundo; Jude Larson of Los Angeles; Natalie Larson of Los Angeles; Daniel John Lee of Van Nuys; Maclovio Lopez of Norwalk; Dora Menchaca of Santa Monica; Nicole Miller of San Jose; Laurie A. Neira of Los Angeles; Ruben Ornela of Los Angeles; Jerrold Paskins of Anaheim Hills; Thomas Pecorelli of Los Angeles; Robert Penniger of Poway; Mari-Rae Sopper of Santa Barbara; Alicia Titus of San Francisco; Otis Tolbert of Lemoore; Pandyala Vamsikrishna of Los Angeles; Timothy Ward of San Diego; and John Wenckus of Torrance.

I said then on September 12, in the name of these Californians and in the name of the other innocent victims, it is time for the terrorism to stop.

I yield the floor.

The PRESIDING OFFICER. The Senator from Washington State.

Mrs. MURRAY. Mr. President, I come to the floor today to talk about the tremendous news our country received last night from President Obama.

Almost 10 years ago on September 11, 2001, I too remember looking out a window in the Nation's Capitol and seeing the black smoke billowing in the air over the Pentagon. On that day, America was brutally attacked by terrorists who took aim at the financial, military, and political centers of our country. And although these evil men killed thousands of Americans and caused great devastation, they were unable to do what they wanted to do most: break our country's spirit.

We came together as a community. We mourned, we rallied around the families of those who were lost, and we struck back against those who did us harm.

Last night's tremendous news is the close of a major chapter in the war on

terror. It is a great day for justice and for all Americans to remember the strength and resolve of our Nation. I applaud the superb work of our intelligence communities and the work of this administration that brought the mastermind of the worst attack in our Nation's history to justice.

But today I want to pay special tribute to the men and women in uniform who have answered the call to serve after that fateful day 10 years ago. Since the attacks on New York and Washington, DC, more than 2 million American servicemembers have stepped forward to serve our Nation. Nearly half of these servicemembers have done more than one tour of duty abroad. Many who have served have come from the ranks of our National Guard and Reserves and have turned a part-time commitment into a full-time job protecting our Nation. These men and women who chose to join our all-volunteer force come from all walks of life and from every corner of our Nation. In my home State, thousands have come forward to serve while thousands more have come to Washington State to train and make their home at our major military installations. These servicemembers have done everything we have asked of them and more.

While it appears that yesterday's raid came without American casualties, that, of course, has not been the case for so many missions in our fight against terrorism. Since 9/11, nearly 6,000 servicemembers have made the ultimate sacrifice for our country, and more than 40,000 have been wounded. For many of our servicemembers, the scars of their service are visible and for others they are invisible. Many have lost those closest to them on the battlefield and have come home with a burden that few others know. Others will need a lifetime of care from the Department of Defense and the VA. All have left families behind, who love and miss them, to protect our country. We cannot forget these families and the fact they have sacrificed right by our servicemembers' side. Moving from base to base, giving up jobs, putting their loved ones and their country before their own needs is a gift we must repay.

As the chairman of the Senate Committee on Veterans' Affairs, it is my job to ensure that the lifetime of care that these servicemembers and their caregivers need will be delivered.

So, today, as we appropriately take pride in the most significant victory yet in our fight against al-Qaida and terrorism, we should also take pause to honor all of the veterans and Active-Duty servicemembers who have paved the way to this day. We must also remember that this tremendous victory has come with a tremendous cost, a cost that we must bear as a nation for many years to come as our servicemembers return home.

Mr. President, this is, of course, also a particularly meaningful day for the thousands of Americans who lost a family member or a friend or a loved one on September 11. We know this news can't bring back their loved ones, but our hope is that it can help ease the pain they live with each day.

Like many Americans, my first thought last night after this news was of the victims and their families, and my thoughts and prayers remain with them during this time.

Going forward we must remain vigilant and focused on the protection of the American people from terrorism wherever it may be, and we must continue to work in the interest of peace and security for all Americans.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I would like to congratulate the men and women of our military for a courageous mission, and our intelligence community for accurate and important intelligence.

I would like to congratulate the President for his persistence in bringing a mass murderer to justice, and I would especially like to salute the men and women of our military services who, for the last 10 years, have fought the indispensable consequences of the actions of terrorism.

All of us, as has been said by many Senators today, especially have in our hearts and minds the families of the victims of 9/11 and hope that somehow, in some small way, this event helps bring some closure to what has happened to their lives.

EASTERN TENNESSEE DISASTERS

Mr. ALEXANDER. Mr. President, I have just returned from visiting east Tennessee where there were devastating tornadoes last week. The President, at the request of our entire congressional delegation, has declared four of our counties—Washington, Greene, Hamilton, and Bradley—as disaster areas, and we thank him for his prompt attention to that.

I visited today northern Hamilton County, just north of Chattanooga, north of where the new Volkswagen plant will be located. In Tennessee last week 36 men and women lost their lives as a result of these storms. The area I visited is one of the two areas most affected, the other being Washington and Greene Counties, where our Governor was today.

Someone asked me following my visit if anything about it shocked me. I said: It always shocks me when I see the consequences of a devastating flood or especially a massive tornado. This one had winds of nearly 200 miles an hour. Wherever you stand, you try to put yourself in the shoes of someone who might have been there when the

tornado came through and try to imagine what it would be like. You see this funnel coming and know it will only interfere with your life for about 20 or 30 seconds; but after that, it will all be devastation. There is no way you cannot be shocked by it, and there is no way I can put myself in the shoes of those who were there.

I saw one man who was there, Arthur Bates, 70 years old, and I saw his house which was completely demolished. His upright piano was upside-down. He told me he had killed a calf and left to take some meat to the preacher. He had been gone for about 5 minutes when the tornado hit his house.

Not so lucky was another family not very far away. All of the members of that family were killed except for an 8-year-old boy who was found in a tree and survived.

Not far away, several families had signs that said: The Lord was with us. Surely, it had to seem to them providential that there could be such devastation almost in their front yards and yet their homes would be safe.

Ironically, today, as I went from Nashville to Chattanooga, I was reading about a commemoration of the floods that hit Tennessee almost exactly 1 year ago—on May 2, 2010. These were floods that affected counties from Nashville to Memphis. In Nashville alone there was \$2 billion worth of damage. People are still recovering from that flood a year later. Businesses have closed in some cases, but most have opened. The Grand Ole Opry was shut, but it was opened again. The Opryland Hotel is open again.

Nashville is thriving again, and people are coming back to Nashville. But the commemoration today was for the large number of families in Tennessee who are hurting and some who are still in recovery.

Then, if that weren't enough, in the western part of our State, along the Mississippi River, we have reports that the water is rising and will rise to levels that will be higher than at any time since the flood of 1937. People are already preparing shelters. Tributaries of the Mississippi are already rising.

On Friday I will be going to Memphis to meet with the Army Corps of Engineers and local officials to make sure we are doing all we can. None of us in the Federal Government believe we can make anyone whole after a disaster like this, but we can help. As I said to those I saw today in Chattanooga, north of Chattanooga, there is a telephone number to call—2-1-1—which is a local number for help. There is a FEMA number to call—1-800-621-FEMA (3362). We found in the flooding of a year ago from Nashville to Memphis that was a big help to many Tennesseans. I hope the same will be true in east Tennessee and across our State today.

A year ago Tennesseans distinguished themselves by not looting and

complaining, but by cleaning up and helping one another. I saw that again today in Hamilton County. The sheriff told me within a few hours after the devastation there were 500 or so men with chainsaws out clearing debris and trees from the roads and from the yards helping one another.

So, Mr. President, I speak today on behalf of all Members of the Senate in expressing to those in Tennessee our concern and our willingness to continue to do all we can to help.

Mr. President, I ask unanimous consent to have printed in the RECORD following these remarks a summary of the actions that we are taking in the events that are happening in Tennessee, as well as a letter from the congressional delegation to the President requesting disaster relief, which he granted promptly, and another to the general who was president of the Mississippi River Commission urging him to take every action possible to help the communities along the Mississippi River as water rises there.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, April 30, 2011.

THE PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: On behalf of the State of Tennessee, we respectfully request that you declare a federal disaster in Bradley, Greene, Hamilton, and Washington counties as a result of the severe storms, flash flooding and tornadoes that struck the state beginning on April 25, 2011.

Governor Bill Haslam has requested federal disaster assistance to respond to the devastation caused throughout Tennessee due to this historic tornado outbreak, and we expect a separate request will be forthcoming to respond to the flooding along the Mississippi River and its tributaries. Flooding in many of our communities will only get worse in the coming days, and the unprecedented river stages are threatening the entire levee system.

State and local officials are only beginning to be able to assess the level of damage to infrastructure, private property and our economy. Many of the communities affected by these storms and rising flood waters are the same areas devastated by the May 2010 floods. In addition to all of the homes and businesses destroyed by the tornadoes, the flooding along the Mississippi River is forecast to exceed the great flood of 1937 in some areas, and reach the third highest level on record in Memphis by May 10.

Federal assistance is critical to help our state and local governments initiate recovery efforts and to start repairing infrastructure. Like so many areas throughout the Southeast ravaged by these storms, our communities are overwhelmed by the destruction and need federal assistance. Public and Individual Assistance in Bradley, Greene, Hamilton, and Washington counties will help communities with debris removal and make victims eligible for a number of vital disaster assistance programs. The Tennessee delegation and state and local officials stand

ready to work together with federal officials to make sure that Tennesseans receive the help they need to get back on their feet.

Thank you for your expedited consideration of our State's request, and we will provide you with more information about our State's needs as information is available.

Sincerely,

LAMAR ALEXANDER,
U.S. Senator.
BOB CORKER,
U.S. Senator.
STEVE COHEN,
Congressman.
MARSHA BLACKBURN,
Congressman.
JIM COOPER,
Congressman.
CHUCK FLEISCHMANN,
Congressman.
STEPHEN L. FINCHER,
Congressman.
DIANE BLACK,
Congressman.
SCOTT DESJARLAIS,
Congressman.
JOHN J. DUNCAN, Jr.,
Congressman.
PHIL ROE,
Congressman.

CONGRESS OF THE UNITED STATES,
Washington, DC, April 27, 2011.
Maj. Gen. MICHAEL J. WALSH,
President, Mississippi River Commission, Vicksburg, MS.

DEAR MAJOR GENERAL WALSH: We urgently request you take every action possible to protect communities in Tennessee and throughout the Mississippi River Valley from rising floodwaters. The State of Tennessee has already declared a State of Emergency, and if necessary, we implore you to take preventative action rather than wait until it is too late to act.

The rising flood waters in the Mississippi River are historical in context, threatening approximately 110 miles of Tennessee riverbank. If the Mississippi River overtops or breaches the levees along Tennessee's river banks, thousands of people and acres of farmland are at tremendous risk of flooding.

We understand the Governor of Missouri, Jay Nixon, is seeking a temporary restraining order in the U.S. District Court to prevent the U.S. Army Corps of Engineers from artificially crevassing the levee at Birds Point and using the Birds Point-New Madrid Floodway.

While we understand that you are facing an extremely difficult decision, we are concerned about the potential devastation that could be felt by nearly 160,000 Tennesseans. It is our understanding that the 8th Circuit Court of Appeals in the case of *Story v. Marsh*, 732 F.2d 1375, 1383 (8th Cir. 1984), regarding the operation of the Birds Point-New Madrid floodway, stated that the operation of the floodway is within the discretion of the U.S. Army Corps of Engineers. We hope that the U.S. Army Corps of Engineers will move forward with crevassing the levee, if such a decision becomes necessary.

It is our sincere hope that there will not be a need to artificially crevasse the Birds Point levee, but we urge you not to delay and to take appropriate actions to protect the people and property of Tennesseans that live along the Mississippi River, as well as those throughout the Mississippi Valley.

Sincerely,

SENATOR LAMAR
ALEXANDER.
SENATOR BOB CORKER.

CONGRESSMAN STEPHEN L.
FINCHER.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ROY BALE DALTON, JR., TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA

NOMINATION OF KEVIN HUNTER SHARP TO BE U.S. DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nominations, which the clerk will report.

The legislative clerk read the nominations of Roy Bale Dalton, Jr., of Florida, to be U.S. District Judge for the Middle District of Florida, and Kevin Hunter Sharp, of Tennessee, to be United States District Judge for the Middle District of Tennessee.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate, equally divided and controlled between the two leaders or their designees.

The Senator from Vermont.

Mr. LEAHY. Mr. President, as we return from Easter recess, judicial vacancies around the country remain at historically alarming levels, as they have for the last 3 years. With 1 out of every 9 Federal judgeships still vacant, and judicial vacancies around the country remaining at 95, we have serious work to do.

I thank the majority leader for scheduling votes on two more nominations to fill judicial emergency vacancies. Roy Bale Dalton, Jr., has been nominated to fill a judgeship in the Middle District of Florida and Kevin Hunter Sharp has been nominated to fill a judgeship in the Middle District of Tennessee. Each nomination was reported unanimously by the Judiciary Committee more than a month ago. They both could be confirmed unanimously.

With cooperation from both sides of the aisle, the Senate could consider the

additional 13 judicial nominees ready for final Senate action. I had hoped that the Senate would have considered a number of them before taking its Easter recess 2 weeks ago. Among those nominees are another five to fill additional judicial emergency vacancies, three of them reported by the Judiciary Committee with bipartisan support, including one which was reported unanimously but remains stalled on the calendar awaiting final action.

We should certainly have proceeded with the judicial nominees for whom there is no opposition and no reason for delay. That would have allowed us to confirm another seven nominees. They have all been thoroughly reviewed by the members of the Judiciary Committee in a hearing and have all been recommended to the Senate unanimously. They are Arenda L. Wright Allen to fill a vacancy in the Eastern District of Virginia; Michael Francis Urbanski, to fill a vacancy in the Western District of Virginia; Clair C. Cecchi to fill a vacancy in New Jersey; Esther Salas to fill another vacancy in New Jersey; Paul Oetken and Paul Engelmayer to fill vacancies in the Southern District of New York; and Ramona Manglona to fill a vacancy in the Mariana Islands. The Virginia nominees have been waiting for final consideration longer than those nominees who are being allowed to be considered today.

Two of the nominees currently awaiting a Senate vote have twice been considered by the Judiciary Committee and have twice been reported with strong bipartisan support, first last year and again in February. They are Susan Carney of Connecticut to fill a judicial emergency vacancy on the United States Court of Appeals for the Second Circuit, and Michael Simon to fill a judicial emergency vacancy on the District Court in Oregon. Two of the nominations have been reported favorably by the Committee three times—that of Goodwin Liu to fill a judicial emergency vacancy on the Ninth Circuit and that of Jack McConnell, reported with bipartisan support to fill a vacancy for the District of Rhode Island. Another currently pending nomination has been reported favorably four times, that of Judge Edward Chen to a judicial emergency vacancy on the Northern District of California. All of these nominations have long been ready for a Senate vote. So is the nomination of Caitlin Halligan to fill a judicial vacancy on the DC Circuit.

All 15 of the pending nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All should have an up-or-down vote after being considered by the Judiciary Committee, and without weeks and months of needless delay.

If we join together, we can make real progress by considering all of the judicial nominations now on the Senate's

Executive Calendar. If the Senate were to take favorable action on the 15 judicial nominations currently pending and awaiting final Senate consideration, we could reduce vacancies to below 90. In fact, we would be able to reduce them to 80 for the first time since July 2009.

Federal judicial vacancies around the country still number too many, and they have persisted for too long. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first 2 years, judicial vacancies still number 95 more than 26 months into President Obama's term. By now, judicial vacancies should have been cut in half, but we have barely kept up with attrition.

Regrettably, the Senate has not reduced vacancies dramatically as we did during the Bush administration. In fact, the Senate has reversed course during the Obama administration, with the slow pace of confirmations keeping judicial vacancies at crisis levels. Over the 8 years of the Bush administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies staying above 90 since August 2009. The vacancy rate—which we reduced from 10 percent at the end of President Clinton's term to 6 percent by this date in President Bush's third year, and ultimately to less than 4 percent in 2008—has now swelled to nearly 11 percent.

The two nominations we consider today demonstrate that there is no reason the Senate cannot consider and confirm the President's nominations to the Federal bench in a timely manner. Both nominees show President Obama's commitment to working with home State Senators of both parties to identify superbly qualified nominees in districts with vacancies. I thank Senators NELSON, RUBIO, ALEXANDER and CORKER for working with President Obama on these nominations and congratulate them along with the nominees and their families.

I have thanked the Ranking Republican on the Judiciary Committee, Senator GRASSLEY, for his cooperation this year. I am glad to see him echo my call to turn the page and end the days of tit for tat on judicial nominations. That is what I did from the first days of the Bush administration in spite of how President Clinton's nominees had been treated.

My friend from Iowa often speaks about the positive action we are taking on nominations. In order to make these statements meaningful, the Senate needs to consider and confirm the 15 judicial nominations that are awaiting final consideration and action by the Senate. That the Senate Judiciary Committee is doing its work is good, but to send judicial nominations to the Senate is not enough. It means nothing if they are not considered by the Senate. More than a dozen continue to languish without positive action by the

Senate. Some have been stalled since last year and one from two years ago. They all are waiting for what I would call "positive action."

I ask unanimous consent that a column by Ashley Belleau, the National President of the Federal Bar Association be printed in the RECORD at the end of my statement, which, in part, says:

The business of America is business, and when business can't figure out if their patents are good, their contracts are good, they can't figure out what to do about their tax situation, things bog down. Businesses need a strong rule of law and prompt rulings by judges. Vacancies desperately need to be filled; new judges desperately need to be added. We owe that to our citizens. We owe that to our Constitution. We owe that to the rule of law. And we owe it to the cause of justice.

Prompt and thoughtful justice, not endless delay, is what the American people expect from their legal system. It is what we deserve. It is what due process requires. And it is the most cost-efficient approach to the resolution of lawsuits in our nation's courts.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. I also ask unanimous consent that an editorial from the Arizona Range News entitled "Lack of Federal Judges a Serious Issue" be printed in the RECORD at the end of my statement. It mentions a resolution by the Phoenix Chapter of the Federal Bar Association urging Arizona's congressional representatives to work to fill the vacancies plaguing the Arizona courts.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. LEAHY. The Senate must do better. We must work together to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country. Judicial vacancies throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. They create a backlog of cases that prevents people from having their day in court in a timely fashion. This is unacceptable. That is why Chief Justice Roberts, Attorney General Holder, and the President of the United States have spoken out and urged the Senate to act.

Just before the Senate adjourned for its two-week Easter recess, the White House Counsel spoke to the American Bar Association about the need for a sense of greater urgency in filling these judicial vacancies. I hope that we will follow this advice and make real progress to ensure that the Federal courts are able to function for all Americans.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations, bringing the vacancy rate down from 10 percent to 4 percent. We confirmed 100 of those judicial nominations during the 17 months

I was Chairman during President Bush's first 2 years in office. So far, well into President Obama's third year in office, the Senate has only been allowed to consider 79 of President Obama's Federal circuit and district court nominees. We remain well short of the benchmarks we set during the Bush administration; 79 is well short of 205.

EXHIBIT 1

[From the Atlanta Journal-Constitution, Apr. 27, 2011]

BUSINESS, DEFENDANTS HARMED IN COST-CUTTING AT FEDERAL COURTS

(By Ashley L. Belleau)

Just as budgets matter, so does justice. The two are connected. Making sure we have enough judges in our federal courts will save dollars, not waste them.

The insufficient number of judges in our federal courts is costing our country in dollars and protracted litigation. Manpower and money are foolishly wasted. Record case-loads in many federal judicial districts cause trials to be delayed, especially civil cases. This is not good for the state of justice in our nation.

The fact that we don't have enough judges to decide promptly the federal civil and criminal lawsuits in our country owes itself to the Congress and the president. Both have failed to create enough judgeships in high-caseload areas of the country, like California and the border courts in Texas. Both have failed to keep the process moving by timely providing capable, qualified individuals to fill judgeships as they open up due to retirement, death or resignations.

As a result our federal court system is bursting at the seams. With 12 percent of judgeships vacant, temporary judgeships expiring, and more courts in emergency mode than ever, there is an unprecedented crisis in our third branch of government. The phrase "justice delayed is justice denied" describes the dire situation in many federal court-houses. Judicial vacancies plainly undermine the capacity of our courts to render justice within a reasonable period of time.

Sadly, few Americans understand the impact these judicial vacancies have on their lives. Those of us who try federal cases know its impact in the continuance of cases for months, even years, without decision. Vacancies and delay add greater costs to already high litigation expenses. For business clients, these costs get passed on to customers. And when the United States is a party to the case, it means that the public is paying that higher tab.

For criminal defendants awaiting trial, it can mean more detention time, adding even more costs to the taxpayer. Just last year, the federal cost of pretrial detention alone was \$1.4 billion, according to the Department of Justice.

At a recent forum sponsored by the Federal Bar Association and the Brookings Institution, Federal District Judge Royal Furgeson commented on the enormous impact that vacancies on the federal bench have on the pace of litigation and ultimately the American economy: The business of America is business, and when businesses can't figure out if their patents are good, their contracts are good, they can't figure out what to do about their tax situation, things bog down. Businesses need a strong rule of law and prompt rulings by judges. Vacancies desperately need to be filled; new judges desperately need to be added. We owe

that to our citizens. We owe that to our Constitution. We owe that to the rule of law. And we owe it to the cause of justice.

Prompt and thoughtful justice, not endless delay, is what the American people expect from their legal system. It is what we deserve. It is what due process requires. And it is the most cost-efficient approach to the resolution of lawsuits in our nation's courts.

EXHIBIT 2

[From the Arizona Range News, Apr. 27, 2011]

LACK OF FEDERAL JUDGES A SERIOUS ISSUE

At the beginning of the year, Judge John Roll, the presiding federal judge in Arizona, was seeking permission to delay bringing felons to trial from the usual 70-day requirement to up to 180 days. That's the same Judge Roll who was gunned down just days later in Tucson by a deranged assassin.

Roll termed the problem a "judicial emergency" prompted by the number of cases flooding the judicial docket in Arizona and the federal court's inability to handle them all in a speedy fashion.

The problem is and remains a lack of judges and court staff to handle the caseload.

According to news reports, based on its caseload, the judicial district of Arizona is eligible for five more judgeships. The state is authorized for 13, but has three vacancies, two in the Tucson division.

As a direct result of illegal immigration prosecutions, two years ago there were 3,023 felony cases filed in federal court in Arizona. That increased to 4,311 the next year and 5,219 last year. In just Tucson, felony filings went from 1,564 two years ago to 3,289 last year.

The power to appoint more judges lies with Congress, but our representatives and senators, while reportedly supportive, have not been proactive.

The problem prompted the Phoenix Chapter of the Federal Bar Association to issue last month a resolution to congressional members to get the vacancies filled and to add to the court staff and its facilities.

In fact, judicial vacancies are a problem across the nation. According to a CNN report, there are 99 vacancies in the 857 federal district and appeals court judgeships, amounting to about 12 percent of the judicial seats. Just 46 names have been put forth by President Obama to fill those openings. The Administrative Office of the U.S. courts predicts at least 15 more vacancies this year.

We urge you to contact your congressional members to champion a solution to the very real needs of the judge and staff shortages facing the federal courts in Arizona.

And we would ask you to ask them to act not only for our state's sake, but in memory of Judge Roll who served his state and country well.

Mr. ALEXANDER. Mr. President, I rise today to support the nomination of Kevin Sharp to fill a judicial vacancy on the U.S. District Court for the Middle District of Tennessee. The Senate will be voting on the President's nomination within a few minutes. Kevin is an outstanding individual. I am pleased to be able to support his nomination today.

As a Governor, I appointed about 50 judges. I tried to determine in doing that if he or she had the character and the intelligence and the temperament to be a judge, whether that person would treat people before the bench

with courtesy, and most important whether they were determined to be impartial to litigants before the court. I believe Kevin Sharp meets these qualifications, and I am pleased that he will bring that character and skill to his service on the bench. I congratulate the President for nominating him.

Kevin is a native of Tennessee. He is a founding partner of the national law firm of Drescher and Sharp where he has been an expert in employee law, employee benefits, and commercial disputes. He is a graduate of two Tennessee institutions of higher education. He earned his bachelor of science degree from Christian Brothers College, graduating summa cum laude. He earned his juris doctorate from Vanderbilt, where he was a Weldon B. White Scholar, an Associate Problem Editor on the Moot Court Board, a recipient of the Appellate Advocacy Award, and a research assistant on issues of constitutional law and habeas corpus.

As a lawyer, Kevin Sharp has repeatedly earned recognition from his peers, being named one of the Nashville Business Journal's best of the bar in 2003, and each year from 2005 to 2009.

Prior to becoming a lawyer, Kevin served in the U.S. Navy as a flight crew member on the P-3 *Orion* operating in patrol/reconnaissance, and the antisubmarine warfare capacities as part of the U.S. Pacific fleet.

Kevin has broad support in Tennessee. Both the White House and my office and Senator CORKER's office have received numerous letters from Republicans, Democrats, and those who didn't indicate any sort of partisan leaning, which is the way it ought to be.

Although the President nominated Kevin on November 17 of last year for the first time, the seat that he has been nominated to fill is designated as a judicial emergency. It has been vacant for 4 years, since March 1, 2007. This is the third longest vacancy on the list of judicial emergencies, and the people of Tennessee deserve to have this vacancy filled.

I thank the President for the nomination and the Judiciary Committee's prompt consideration of that nomination. I am grateful for the opportunity to join in support of the nomination of Kevin Sharp, and I encourage my colleagues to join me in supporting the nomination today.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Mr. President, today, the Senate will confirm two more of President Obama's judicial nominees. I continue to work with the chairman of the committee to ensure nominees are afforded a fair but thorough process and in a timely manner.

Today's vote marks the 19th nominee to be confirmed in just 42 days the Senate has been in session this Congress.

The Judiciary Committee is holding a nominations hearing on Wednesday. On Thursday we will report additional judicial and executive nominees to the floor. Thus far we have taken positive action on 43 of 63 nominees submitted this Congress, or 68 percent of all nominees.

Let me repeat that, because I am going to say something that makes it very disgusting to me, some things that are coming out of the White House. Thus far we have taken positive action on 43 of 63 nominees submitted to this Congress, or 68 percent of the nominees. With this progress, I was then surprised at the recent remarks of the White House Counsel before the American Bar Association members this past April 14.

This counsel addressed the group and complained about the pace of judicial appointments. He encouraged the group to escalate the general sense of urgency regarding judicial appointments. Press reports indicate that he asked them to play a larger role to "bring home the impact or the effects of gridlock."

So, Mr. President, not only do I think these remarks are unjustified, given the pace of confirmations this year—and that is the 68 percent I have referred to—but they also reflect a failure on the part of the White House Counsel to acknowledge where the problem begins. It begins with the President of the United States and his staff—the White House Counsel particularly.

This brings me to the point: If we are acting so slowly, why has the President failed to send to the Senate a nomination for 55 percent of the current judicial vacancies? This statistic certainly does not indicate any sense of urgency on the part of the White House, and it brings further attention to the intellectual dishonesty of the White House in its speech to the ABA members that we are not acting fast enough on the Hill.

Well, having said that, I want to say a few words about the two nominees we are going to be voting on today. Roy Dalton, Jr. is nominated to be U.S. District Court judge for the Middle District of Florida. Mr. Dalton received his BA with high honors and his JD from the University of Florida.

Following law school, he joined the firm of Dean, Ringers, Morgan & Lawton as an associate where he later became a principal of the firm.

In 1982, the nominee founded his first law firm, Roy B. Dalton, Jr., P.A. He would later form other practices where he would serve as a principal. In 1999 he began working as "of counsel" for the firm Gray, Harris & Robinson, where his practice area grew to include civil litigation, government relations, appellate practice, and business practice for individuals. As a former Senate staffer, Mr. Dalton spent most of 2005

serving as counsel to his former legal partner and U.S. Senator, Mel Martinez. Mr. Dalton has also practiced in appellate matters as "of counsel" for the Carlyle appellate law firm, a post he has held since 2004. The ABA Standing Committee on the Federal Judiciary gave him the rating of: substantial majority "Well Qualified"; minority "Qualified." I am pleased to support Mr. Dalton today.

I also rise in support of Kevin Sharp to be U.S. District Court Judge for the Middle District of Tennessee. Mr. Sharp enlisted in the U.S. Navy following high school and received an honorable discharge in 1986. The nominee received his B.S. from Christian Brothers College and a J.D. from Vanderbilt University School of Law. He began his legal career as an associate with the firm of Stokes & Bartholomew. After a yearlong stint working as an attorney for the U.S. Congressional Office of Compliance, Mr. Sharp returned to Stokes, Bartholomew, Evans & Petree, eventually making partner. Since 2003, he has been a shareholder and partner at Drescher & Sharp, where he has focused his legal practice on employment, labor, and disability law. The ABA Standing Committee on the Federal Judiciary has rated him "Qualified" and I urge my colleagues to support this nominee.

I note that the vacancy Mr. Sharp will fill was created by the retirement of Judge Echols in March of 2007. A few months later, on June 13, 2007, President Bush nominated Gus Puryear to fill the vacancy. Mr. Puryear waited 8 months before he had a hearing. That was the last action the committee took on the nomination. His nomination languished in committee for another 10 months before being returned to the President in January 2009, at the end of President Bush's term. It is both unfortunate and unnecessary that this seat has remained vacant for so long.

I congratulate each of these men for their achievements and commend them for the public service they have given and that they will provide to the people of this country, and particularly to their respective States in the future.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I yield back all remaining time.

The PRESIDING OFFICER. Without objection, it is so ordered.

Under the previous order, the Dalton nomination is confirmed.

The question now occurs on the Sharp nomination.

Mrs. BOXER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Kevin Hunter Sharp, of Tennessee, to be United States District Judge for the Middle District of Tennessee?

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. MENENDEZ), the Senator from Florida (Mr. NELSON), the Senator from Vermont (Mr. SANDERS), and the Senator from Colorado (Mr. UDALL) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK), the Senator from Kansas (Mr. MORAN), the Senator from Florida (Mr. RUBIO), the Senator from Louisiana (Mr. VITTER), the Senator from Utah (Mr. HATCH), the Senator from Georgia (Mr. ISAKSON), and the Senator from Nevada (Mr. ENSIGN).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "yea."

The PRESIDING OFFICER (Mr. MANCHIN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 89, nays 0, as follows:

[Rollcall Vote No. 62 Ex.]

YEAS—89

Akaka	Durbin	McConnell
Alexander	Enzi	Merkley
Ayotte	Feinstein	Mikulski
Barrasso	Franken	Murkowski
Baucus	Gillibrand	Murray
Begich	Graham	Nelson (NE)
Bennet	Grassley	Paul
Bingaman	Hagan	Portman
Blumenthal	Harkin	Pryor
Blunt	Hoeven	Reed
Boozman	Hutchison	Reid
Boxer	Inhofe	Risch
Brown (MA)	Inouye	Roberts
Brown (OH)	Johanns	Rockefeller
Burr	Johnson (SD)	Schumer
Cantwell	Johnson (WI)	Sessions
Cardin	Kerry	Shaheen
Carper	Klobuchar	Shelby
Casey	Kohl	Snowe
Chambliss	Kyl	Stabenow
Coats	Landrieu	Tester
Coburn	Lautenberg	Thune
Cochran	Leahy	Toomey
Collins	Lee	Udall (NM)
Conrad	Levin	Warner
Coons	Lieberman	Webb
Corker	Lugar	Whitehouse
Cornyn	Manchin	Wicker
Crapo	McCain	Wyden
DeMint	McCaskill	

NOT VOTING—11

Ensign	Menendez	Sanders
Hatch	Moran	Udall (CO)
Isakson	Nelson (FL)	Vitter
Kirk	Rubio	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table. The President will be immediately notified of the Senate's action, and the Senate will resume legislative session.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

SBIR/STTR REAUTHORIZATION ACT OF 2011

Mr. REID. Mr. President, what is the pending business?

The PRESIDING OFFICER. S. 493, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 493) to reauthorize and improve the SBIR and STTR programs, and for other purposes.

Pending:

Vitter amendment No. 178, to require the Federal Government to sell off unused Federal real property.

Cornyn amendment No. 186, to establish a bipartisan commission for the purpose of improving oversight and eliminating wasteful government spending.

Paul amendment No. 199, to cut \$200,000,000 in spending in fiscal year 2011. Sanders modified amendment No. 207, to express the sense of the Senate that Social Security benefits for current and future beneficiaries should not be cut and that the Social Security program should not be privatized as part of any legislation to reduce the Federal deficit.

Hutchison amendment No. 197, to delay the implementation of the health reform law in the United States until there is final resolution in pending lawsuits.

Pryor amendment No. 229, to establish the Patriot Express Loan Program under which the Small Business Administration may make loans to members of the military community wanting to start or expand small business concerns.

Landrieu (for Cardin) amendment No. 240, to reinstate the increase in the surety bond guarantee limits for the Small Business Administration.

Landrieu (for Snowe) amendment No. 253, to prevent fraud in small business contracting.

The PRESIDING OFFICER. The majority leader.

CLOTURE MOTION

Mr. REID. Mr. President, at the beginning of this Congress, we entered into an agreement with the minority. One of the things we wanted to do was to make sure there was a process for allowing amendments to bills. We have had the small business jobs bill on the calendar for weeks. I believe this is the fifth week this bill has been around. We have had votes on a lot of amendments. But each time we think we can see the way to closure, my friends on the other side of the aisle come forward with other amendments, making it impossible for us to move forward on this bill that creates jobs. It is a jobs bill.

I do not know how much more good faith we can show than what we have shown. Before the recess, we had, I think, nine amendments. We said: OK, let's vote on these. Senator SNOWE from Maine objected because she wanted to have a vote on a bill on which the

chairman of the Small Business Committee said there had not even been a hearing.

We spent days working on an agreement to have votes on amendments to the small business bill to get us closer to passage. Included in this agreement was a Cornyn amendment having absolutely nothing—no relevance—nothing being germane to this bill. We had one from Senator HUTCHISON—same thing—dealing with health care. It has nothing to do with this legislation that is before the Senate.

We had all kinds of amendments. Very few had anything to do with the subject matter of the legislation. During the course of many weeks of debating the bill, we made efforts to accommodate Senator SNOWE and the rest of the Republicans on amendments, but there has been no way of ending this, so we are going to file cloture tonight.

We had a vote on another amendment offered by Senator SNOWE. She has already had one vote on this amendment, as well as multiple Republican amendments, nearly all of which, I repeat, have nothing to do with this underlying bill.

In light of the accommodation of extraneous amendments, it is difficult for me to understand why we cannot finish debate on this bill. But, obviously, the Republicans feel differently. We have been more than fair. We should be able to reach agreement on considering the remaining amendments and voting on final passage, but that is not what the Republican leader said is going to happen. I am sure he will tell his Senators we need more amendments and will vote to not allow cloture to take place.

There is only a limited amount of time we can spend on this legislation. We believe jobs is the key to what we do in the Senate. That is why I worked hard to get the FAA bill done and a bill dealing with patents, to get that bill done, because they create about 750,000, 800,000 jobs. This bill would create thousands of jobs. But I guess my friends on the other side of the aisle are more interested in messages than they are trying to get something done that will be good for the American people. So I have to file cloture on this bill.

I send a cloture motion to the desk.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 17, S. 493, the SBIR and STTR Reauthorization Act of 2011.

Harry Reid, Mary L. Landrieu, John F. Kerry, Robert P. Casey, Jr., Michael F. Bennet, Al Franken, Jon Tester, Patrick J. Leahy, Carl Levin, Tom Harkin,

Charles E. Schumer, Jack Reed, Maria Cantwell, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Sheldon Whitehouse, Ron Wyden.

EXECUTIVE SESSION

NOMINATION OF JOHN J. MCCONNELL, JR., TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND

Mr. REID. Mr. President, I now ask unanimous consent to proceed to executive session and the nomination of John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

CLOTURE MOTION

Mr. REID. Mr. President, I send a cloture motion to the desk dealing with John McConnell.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

Harry Reid, Patrick J. Leahy, John F. Kerry, Dianne Feinstein, Frank R. Lautenberg, Jack Reed, Sheldon Whitehouse, Robert Menendez, Amy Klobuchar, Barbara Boxer, Daniel K. Inouye, Mark Begich, Mark R. Warner, Kent Conrad, John D. Rockefeller IV, Richard J. Durbin, Ron Wyden.

Mr. REID. Mr. President, I ask unanimous consent that it be in order at this time to waive the mandatory quorums under rule XXII with respect to both cloture motions.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate now resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

JUDICIAL NOMINATION

Mr. REID. Mr. President, I hope, as I mentioned this morning, we are not in a situation where we have to file cloture on district court judges. That is a little much. I filed cloture on this because I couldn't get agreement not to

do it, but I hope we don't have to have cloture on all the district court judges whom somebody has some concern about.

This is a very good man. Morally his record is impeccable. As a lawyer, he is certainly one of the two or three best lawyers in the State of Rhode Island, and I would hope we could get this done on Wednesday when this cloture motion ripens.

TRIBUTE TO LAWRENCE ELSWICK

Mr. McCONNELL. Mr. President, I rise today to pay tribute to Mr. Lawrence Elswick for his service to the United States. Mr. Elswick serves as a prime example of a man who truly puts others before himself.

Having spent the majority of his life in the small town of Big Creek, KY, Mr. Elswick has touched the lives of several Kentuckians. Whether he is fixing the plumbing in a neighbor's bathroom or giving away free vegetables from his garden, Lawrence never hesitates when offering a helping hand.

Although Lawrence came from a humble background, he allowed his upbringing to inspire him rather than hold him back. Having grown up as the oldest in a family with 8 children, Lawrence was molded into the leader that he still is today. Furthermore, Lawrence knows what it means to be truly dedicated. He has dedicated his life to serving his church, the people of the Commonwealth, and his country.

Because Lawrence has always selflessly given to others, it came as no surprise when he joined the Army during World War II and willingly risked his life to defend our country. He was among the heroes who bravely fought on Normandy Beach in 1944. At one point in time, Lawrence went missing in action and remained behind enemy lines for a week. It is because of his immense courage and great service to this Nation that I stand here today honoring his achievements. Lawrence has been awarded numerous medals because of his service in the U.S. Army. His collection of medals include the Purple Heart, the Bronze Star, the Combat Infantry Badge, the Good Conduct Medal, the European Theater of Operations Ribbon with four major stars, the Honorable Service Lapel Button, and the Presidential Citation Ribbon. Several of these medals are among the greatest honors that are bestowed upon our men and women in the service.

It is because of Lawrence's strong character, his dedication to his family and friends, and his giving spirit that the Commonwealth of Kentucky is so proud to call him one of our own.

The Appalachian News Express recently published an article commemorating Mr. Lawrence Elswick's service to the Commonwealth of Kentucky and to the Nation, and I ask unanimous

consent that the full article be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Appalachian News Express, Mar. 2, 2011]

ELSWICK SAYS HE IS BLESSED
(By Nancy M. Goss)

"I've been here all my life, on this creek," says 88-year-old Lawrence Elswick. "My dad bought this place back in 1943 when I was in the service. All my kids were born here but my youngest."

Lawrence was born Sept. 30, 1922, the oldest of eight children. He and two brothers, Bill Elswick of Elyria, Ohio, and Sonny Elswick of London, are the only ones still living.

He attended a one-room school on Meathouse Fork. His dad taught school for two years and was a deputy clerk for Bessie Arnold Riddle. He was killed in a mining accident just a few days after Lawrence returned from the service.

Lawrence Elswick and Rachel Fuller were married Feb. 21, 1942. They had five children: Lawrence Jr. of Meathouse Fork of Big Creek, Judith Gail Baker (deceased), Connie Sue Chapman of Meathouse Fork of Big Creek and Patsy Blackburn and Madonna Kaye Williamson, both of Stratton Fork of Canada. They have 12 grandchildren and 16 great-grandchildren. Rachel died Aug. 15, 2007.

"Mom was known countywide for her biscuits," Patsy said. "And she would cook for anybody who would show up."

Lawrence's nickname is Curly. He has naturally curly hair, but admits to getting perms. "I was black headed," he says. "They used to call me Dean Martin."

Lawrence is a World War II veteran.

In the beginning of his Army career, he was stationed in Mississippi.

"I was put in the 99th Division, then after my training, I came to Camp Shanks, New York, and caught a ship—The George Washington. I was 14 days getting over there, to France." He was then in the 4th Infantry Division. Later, he was also part of the military police at Fort Campbell.

His medals include The Purple Heart, The Bronze Star, Combat Infantry Badge, the American Campaign, Good Conduct, ETO, Ruptured Duck, Presidential Citation Ribbon, four major battle stars on ETO ribbon, World War II, and Expert Rifleman.

"I had a rough life in the service," he says. "I went in on Normandy Beach. I was missing in action . . . cut off behind enemy lines for a week."

"I got out on Oct. 3, 1945," Lawrence says. "I was supposed to get out on my birthday, up at Camp Breckinridge. But they held me in the hospital for three days because I was a diabetic—the sugar showed up on me, you know."

"Dad worked in the mines for a while when he first came out of the service," Patsy said. "And he's put plumbing and bathrooms in every house all up and down Meathouse."

"I'm one of the best blessed men on Big Creek," Lawrence says. "I never drew an unemployment check and I never was cut off from a job in my life. I worked 38 years for the gas company. I was the maintenance man and worked in four counties. I was a compressor engineer, is what they called it. I'd take care of these pump stations."

Lawrence did plumbing on the side in the evenings while working for the gas company. He said Al Reed helped him plumb every house.

"I'd get him to help me. He was a real nice friend of mine. Another good friend was Sonny Hall of Pikeville. He was like a son to me," Lawrence said. "And I can't not mention Willie B. Thacker and Bethel Thacker. They were just like a daddy and mother to me."

Lawrence says he's always been involved in politics.

"I've been a politician all my life and voted Democrat all my life. Paul Patton came to my house and sat right down there in that chair when he started to run for county judge the first time. And Rick Bartley sat on my porch when he was running . . . and Ira Branham, and Keith Hall, and Eddy Coleman and his wife . . ."

"Dad's friends with all of them," Patsy said. I had an anniversary party for him and mom on their 50th wedding anniversary and we had over 300 people show up! I was afraid I would run out of food."

Many years ago, Lawrence also had about 50 game cocks, roosters, on strings at one time.

"That was back before Daddy ever belonged to church . . . he'd referee. He had a colorful life!" Patsy said.

"That was over in McDowell in Floyd County. I was the head referee over there," Lawrence said. "Now, I'm against it the worst in the world . . . and I used to do it all the time."

Lawrence is a Kentucky Colonel. He's also an ordained deacon in the Big Creek Primitive Baptist Church. He and Rachel were baptized in 1996, but attended church long before that.

"I love my church," Lawrence says. "There ain't but one church and one God and he controls all of it. That's the way I see it. You've got different denominations, but God controls it all."

Today, Lawrence lives alone, but Patsy comes everyday to check on him. She and her husband, Thomas, a Vietnam veteran, have four children: Jenny Rebecca Hatfield of Stratton Fork, Thomas Patrick of Columbus, Ohio, Zachary Slade and Rebecca Cheyenne Webb, both of the home. They have five grandchildren.

Although he had a stroke in 2002, Lawrence appears to be in excellent health. He has a wonderful sense of humor, good eyesight, still drives, still goes out and "gins" and does favors for neighbors and friends. He works on everything from lawn mower motors to car engines.

"I just gin all the time," he said. "And I raise a garden every year and I give it all away . . . to anybody that wants it."

Patsy says people just come and take the vegetables right out of the garden.

"And when he gets a lot, he'll take it to the service station and give it away!" she says with a laugh.

To echo what Lawrence said earlier, he's "one of the best blessed men on Big Creek!"

TRIBUTE TO ETHEL MARTIN

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a Kentuckian who has led a remarkable and inspirational life, Ms. Ethel Richardson Martin. In 1911 in Kenton County, KY, Ethel Martin was born—meaning that this March, she celebrated her 100th birthday. And she has much to be proud of, looking back at a century of a life well lived.

Ms. Martin came from a large family; her parents Eugene and Frances had 11

children. Ethel and her sisters liked to sing, and I am told they once sang at Renfro Valley, site of many great Kentucky music performances. Ms. Martin graduated from Western Kentucky State Teachers College—now Western Kentucky University—and served as a missionary in Georgia, mostly in the area of Macon. In 1943, with America at war with the Axis Powers, she enlisted in the Women's Army Corps, the branch of our country's Armed Forces that GEN Douglas MacArthur once called "my best soldiers."

Ms. Martin began her WAC training in Des Moines, IA. She served her country with distinction and rose to the rank of captain. When the war ended, she participated in the prosecution of the Germany's war criminals. She was one of the first Americans to see the inside of Adolf Hitler's mountain retreat called the Eagle's Nest, and she served as an adjunct to an attorney who worked on the Nuremburg Trials.

In 1947, Ms. Martin was discharged from Army service. She returned to America, and she earned her master's degree and her doctorate from the University of Cincinnati. She also met and married the love of her life, Ansel C. Martin. Ansel was a music teacher, and he has been missed by all who knew him since his passing in 1991.

Ethel found a career in education, and she and Ansel lived in North Carolina for a time. She was a leader in the efforts of her church, the First United Methodist Church located in Hendersonville, NC, to sponsor Cambodian refugees to the United States in the 1970s and 1980s. In 2001, she returned to her native Kentucky. We are lucky to have her back in the Bluegrass State and happy to help celebrate her 100th birthday. Her long life of service to her country and her community are an inspiration to us all.

FALL CASES BEFORE THE SUPREME COURT

Mr. WHITEHOUSE. Mr. President, I wish to alert my colleagues to an important set of cases that will be heard by the Supreme Court this fall. The cases—consolidated under the caption *Maxwell-Jolly v. Independent Living Center*—concern the ability of Americans to assert their constitutional rights in court. The issue before the Court is important not just to the parties involved but to the effective functioning of our constitutional system.

The cases come to the Court out of California. In 2008, the State announced a plan to sharply reduce the reimbursements paid to medical providers under Medi-Cal, the State's Medicaid program. A broad range of parties—including pharmacies, medical clinics, hospitals, doctors, health care providers, senior citizens' groups, and Medicaid beneficiaries—brought suit asking for an injunction to stop the

change from going into effect. They are not looking for money, just an order requiring California to follow Federal law.

They argued that the California plan violated—and was preempted by—the Federal Medicaid statute. In particular, they contended that the plan failed to "assure that payments are consistent with efficiency, economy, and quality of care and are sufficient to enlist enough providers so that care and services are available . . . at least to the extent that such care and services are available to the general population," as required by 42 U.S.C. § 1396a(a)(30)(A). In other words, they took California to court to make the State obey Federal law and ensure patients have access to the Medicaid benefits required by Congress.

The court of appeals agreed with the plaintiffs' claims that the California plan was preempted by Federal law. But that wasn't the end of it. The Supreme Court decided to review the case. Denying review on the underlying issue of whether California's action is, in fact, preempted by Federal law, the Court has taken up the question whether the parties should be allowed to assert that California's plan is unconstitutional. The California attorney general has argued that they should not, claiming that private parties cannot have a day in court to raise a preemption claim, regardless whether the State's action is illegal under Federal law.

This case will be significant for our country, and Constitution, for years to come.

As my colleagues know, it is foundational to our system of government that States must comply with duly enacted laws of this Congress. The supremacy clause, in article VI of the Constitution, makes clear that the Constitution and "the Laws of the United States which shall be made in Pursuance thereof . . . shall be the supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary notwithstanding."

Our carefully balanced Federal system, designed by the Framers, would fall apart without the supremacy clause. As James Madison wrote in *Federalist No. 44*, without that clause we would be left "a system of government founded on an inversion of the fundamental principles of all government; it would have seen the authority of the whole society every where subordinate to the authority of the parts; it would have seen a monster, in which the head was under the direction of the members." For this reason, the Supreme Court has enforced the supremacy clause since 1796, striking down State measures incompatible with Federal law.

It has previously been widely accepted in the courts of appeals, legal treatises, and filings by the United States—that the American people can go to court to protect themselves from preempted State law.

The Supreme Court has repeatedly allowed big corporations to argue in court that State actions are preempted by Federal laws and regulations. To take one example, in *Chamber of Commerce of the United States v. Brown*, 2008, business interests sued to enjoin enforcement of a California law that prohibited employers in that State from spending State funds to deter union organizing. The Supreme Court held that the National Labor Relations Act, NLRA, preempted the California law. It didn't tell the corporation that it could not assert this argument in the first place. So too, in *Rowe v. New Hampshire Motor Transport Association*, 2008, a group of transport carrier associations brought suit to argue that a Maine statute regulating tobacco delivery in order to protect minors was preempted by Federal law. Again, the Supreme Court found that the State law was preempted, striking it down without prohibiting the corporate interests from making their argument in court. And in *Watters v. Wachovia Bank*, 2007, the Court allowed a big national bank to argue that Federal law preempted Michigan's State banking regulations, once again without denying the corporate interest the chance to raise such an argument in court.

Now is not the time to inhibit the supremacy clause and preclude regular Americans from having their Federal rights enforced in court, particularly when that privilege has been respected for corporations.

If the Court does take that step, it will create a legal loophole that invites states to ignore Federal law, and weaken the supremacy clause. It will put Americans at risk, weakening hard-won statutory protections. Most important, it will warp the carefully balanced Federal system that has served us so well through the centuries.

HONORING OUR ARMED FORCES

SPECIALIST DONALD L. NICHOLS

Mr. GRASSLEY. Mr. President, it is with deep regret that I must inform the Senate about the passing of a soldier from my home State, specialist Donald L. Nichols of Shell Rock, IA. He was 21 years old. Specialist Nichols enlisted in the Iowa National Guard in March of 2008 and was assigned to the Iowa Army National Guard's Headquarters and Headquarters Company, 1st Battalion, 133rd Infantry, 2nd Brigade Combat team, 34th Infantry Division, based in Waterloo, IA. Specialist Nichols was killed by an improvised explosive device that struck the armored vehicle while he was patrolling in the Mehtar Lam District, Laghman Province, Afghanistan.

Specialist Nichols is survived by his mother Becky Pook; his father Jeff

Nichols; his fiance Chelsey Bliss; two brothers, and many other family and friends.

The family and friends of Specialist Nichols remember him as a dedicated soldier who truly loved serving his country. His fellow soldiers remember him as a "studious soldier who took his duty with zeal." Donald had decided that he wanted to join the Armed Forces even before he graduated high school. He showed a dedication to service that is typical of all of the men and women fighting for our Nation but one that is so rare in the common man. The memory of his sense of humor and his love for family, friends, and country will remain constantly with his loved ones.

SPC Donald L. Nichols will be missed by all that were privileged to know him and my thoughts and prayers go out to his loved ones in this incredibly difficult time.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

Mrs. FEINSTEIN. Mr. President, since 1978 we have set aside the month of May to honor Americans who are of Asian and Pacific Islander descent. Today I am pleased to join the celebration of Asian Pacific American Heritage Month and the many accomplishments and contributions of such an inspiring, spirited, and industrious group of people.

Efforts to establish an Asian Pacific American Heritage Month first took shape in 1977 when U.S. Representatives Frank Horton and Norman Y. Mineta introduced a resolution calling on the President to declare a weeklong commemoration. Senators DANIEL INOUE and Spark Matsunaga followed suit in the Senate. Both resolutions were ultimately passed, and President Carter in 1978 officially designated a weeklong celebration to honor the first Japanese immigrants to the United States and the Chinese laborers who completed the Transcontinental Railroad.

In 1990, President George H.W. Bush extended the event to a month-long celebration, and in 1992 the designation of May as Asian Pacific American Heritage Month was signed into law.

More than 17 million Asian Pacific Americans live in the United States today, with more than 5 million living in California. Together, these Americans represent more than 30 countries and ethnic groups and enhance the diversity that is a hallmark of our Nation. Asian Pacific Americans enrich California through their famous and iconic communities including Chinatown in San Francisco, Filipino Town and Little Tokyo in Los Angeles, Little Cambodia in Long Beach, and Little Saigon in Westminster.

Asian Pacific Americans have also left a large imprint on the economy of

the United States, although in this time of economic challenge, it is important that we offer as much support as possible to keep those businesses thriving. This is why I support the White House Initiative on Asian Americans and Pacific Islanders, which is focused on increasing Asian Pacific American participation in areas such as commerce, labor and employment, and economic and community development. I am also a cosponsor of legislation that will help create small businesses and improve small business owners' access to capital.

This year's theme, "Leadership to Meet the Challenge of a Changing World," is especially fitting given the many challenges we face today. The leadership of many Asian Pacific Americans who have dedicated their lives to public service is especially notable. These trailblazers have been a strong voice for the community and have empowered Asian Pacific Americans to break barriers and pursue the American dream.

Among these respected Americans are my esteemed colleagues in Congress, Senators DANIEL INOUE and DANIEL AKAKA, and nine Members of the U.S. House of Representatives, including California Representatives JUDY CHU, DORIS MATSUI, and MIKE HONDA. In the executive branch, we are lucky to have the services of Energy Secretary Steven Chu, Commerce Secretary Gary Locke, and Veterans Affairs Secretary Eric Shinseki.

In particular, I would like to recognize Representative CHU on her new position as chairman of the Congressional Asian Pacific American Caucus. I would also like to congratulate Secretary Locke on his recent nomination by President Obama to serve as the next U.S. Ambassador to the People's Republic of China. These individuals are all leaders in the Asian Pacific American community, and their service inspires future generations to follow in their footsteps.

In addition to their cultures, entrepreneurial skills and dedication to public service, Asian Pacific Americans have also made great sacrifices to ensure our nation remains strong and secure. There are thousands of Asian Pacific Americans serving overseas in our Armed Forces and here at home in our law enforcement agencies. These admirable citizens risk their lives every day to protect their communities. They deserve our thanks.

I also want to praise the leadership and hard work of the Asian Pacific American legal community. Since the beginning of 2009, we have made significant progress in our work to diversify Federal courts. Six new Asian Pacific American judges have been confirmed to the Federal bench. These include U.S. District Judges Jacqueline Nguyen and Dolly Gee in Los Angeles and U.S. District Judge Lucy Koh in

San Jose. Two highly qualified nominees still await votes—Professor Goodwin Liu, nominated for the U.S. Court of Appeals for the Ninth Circuit, and U.S. Magistrate Judge Edward Chen, nominated for the U.S. District Court in San Francisco. I will continue to do what I can to further diversify the judiciary and ensure that qualified Asian Pacific American judges are nominated and confirmed to the Federal bench.

Unfortunately, this month also brings with it the reminder that my good friend and political strategist Mr. Kam Kuwata is no longer with us. Kam was well known and well respected by those in California politics and journalism. He tirelessly pursued civil rights and achieved remarkable success in campaigns and State initiatives. He carried with him many of the difficulties Asian Pacific Americans have faced, as his mother's family was interned during World War II. But he also embodied the many accomplishments that Asian Pacific Americans have achieved. Kam was truly one of the most intelligent and sharp people I have ever met. I would like to extend my heartfelt and deepest condolences to his family and friends. He will be dearly missed by all of us whose lives he touched.

Today, it is my honor to acknowledge the remarkable strength, character, and accomplishments of Asian Pacific Americans during Asian Pacific American Heritage Month.

BICENTENNIAL CELEBRATION OF THE NATIONAL ROAD

Mr. CARDIN. Mr. President, I rise today to recognize the importance of investment in our national infrastructure on the occasion of the bicentennial anniversary of the National Road.

On May 7, 2011, Americans will gather in Cumberland, MD, to celebrate the bicentennial of the groundbreaking for the construction of this first federally financed road. Congress approved The National Road in 1806 and construction was completed in 1818, connecting Cumberland, MD, with Wheeling, WV, located on the Ohio River. This road would connect East to West, allowing for economic growth and opportunity as a young nation sought to unite a diverse country and facilitate the flow of people, goods, services, information, and Federal authority in new territory.

The National Road's completion created a flow of goods and people to and from the Port of Baltimore, along privately developed turnpikes to Cumberland, and across the mountains to the Ohio River Valley. The road was extended to Vandalia, IL, in the early 1840s. For more than a century, The National Road was this Nation's only federally funded interstate highway, making its importance to commercial and political enterprise unparalleled.

By the 1850s, the lure of trade and migration to the West led to the development of the "horseless carriage," running parallel to the road, connecting the Port of Baltimore to the West right through Cumberland, MD, over the mountains and westward. While The National Road remained important, trains began to transport the bulk of goods and people travelling West. In the 1900s, it was the invention of the automobile that brought The National Road back to popularity as travelers and tourists explored America and the natural beauty of western Maryland and truckers transported goods along with the trains.

I would encourage my colleagues and their constituents to take a journey on The National Road. The National Road has been designated a Maryland Scenic Byway and is marked by signs and historical markers, connecting heritage areas, arts and entertainment districts, and historic landscapes and structures. A National Register of Historic Places Travel Itinerary can be found at www.crnps.gov/nr.

I ask my colleagues to join me in celebrating this national achievement, which reminds us of the importance of supporting infrastructure investments that promote trade and commerce, and in thanking the people of Cumberland, MD, for celebrating this national achievement.

TRIBUTE TO PETER FISCHER

Mr. CRAPO. Mr. President, I rise today to recognize and honor Peter Fischer, who is retiring from Senate service. Peter has been an essential member of my staff for more than a decade, and he currently serves as chief of staff for my Washington, DC, office. I cannot thank him enough for his dedicated counsel and friendship. Time and time again, he has provided helpful insight and contagious optimism that have been instrumental in overcoming even the most difficult challenges.

I have been extremely blessed to have Peter as part of my team through multiple, valuable roles. He joined my 1998 Senate campaign as campaign finance director following his service as an economic development specialist with Idaho's department of commerce and industry. Then, in January of 1999, I was fortunate to have Peter join my congressional staff as State director for economic development. He utilized his economic development experience and profound understanding of the needs of Idaho communities to help communities navigate the Federal bureaucracy and identify partnership opportunities. He continued this outstanding advocacy after he moved to Washington, DC, nearly 2 years later, to become legislative director prior to becoming my Washington, DC, chief of staff.

Peter has a remarkable "can-do" spirit and resourcefulness, and he has

contributed greatly to advancing countless legislative and policy priorities for Idaho. For example, his commitment to the Owyhee Initiative played a major role in the successful passage of the authorizing legislation and continued implementation efforts. As a hunter, fisher and sportsman, Peter also provided valuable perspective in enactment of electronic duck stamp legislation. He has also been very active in representing me in countless ways on Capitol Hill. For example, he is a senior Stennis fellow, serves on the Steering Committee for the Bipartisan Chiefs of Staff organization, is the Republican chair of the bipartisan Foreign Policy Study Group, has attended numerous chiefs of staff retreats and manages my Washington campaign activities during his free time.

A 1971 graduate of the University of California—Santa Barbara with a degree in history, Peter has a fascinating personal and professional life that has taken him across the country and around the world. His myriad of experiences in the private sector and across the globe has made him such an innovative economic development expert and a valued contributor to me. Peter is kind and courteous to a fault. We would be hard pressed to find anyone who has met him who doesn't like him. He has a great capacity to put people at ease, and people just generally like to be around him, as evidenced by his multitude of friends and acquaintances. It is probably because the best friendship qualities run deep in Peter: He is loyal and can be tough when needs be, but he is also a cheerful encourager.

Peter has been a great asset to me, my staff and the Senate throughout his service to Idaho and the Nation, and I will miss him greatly. However, I wish my friend and his wife Kris great happiness throughout his retirement. I am hopeful that retirement will provide them more time to spend with their family, including their two children Katy and Paul, son-in-law, daughter-in-law, and three grandchildren. Peter's retirement is a well-deserved respite for his years of hard work for Idahoans and our country. Thank you, Peter, for your great service and extraordinary friendship.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE BRICKLAYERS AND ALLIED CRAFT WORKERS LOCAL 04

• Mr. JOHNSON of South Dakota. Mr. President, today I recognize the 100th anniversary of the Bricklayers and Allied Craft Workers, BAC, Local 04 of South Dakota Local 04 has served the western region of South Dakota with a sterling dedication to the rights of its

members. The Bricklayers and Allied Craft Workers is nationally recognized as the oldest continuous union serving both the United States and Canada. The Local 04 unites trowel trades craftworkers throughout West River South Dakota.

Throughout their existence, Local 04 has served the West River region of South Dakota with a steadfast commitment to its trade. Its membership has always been modest in size, today consisting of 72 members, yet the BAC is dedicated to protecting the working rights of its members. To date, Local 04 has negotiated fair wages, safe working conditions and retirement benefits.

I applaud Local 04 for its dedication to ensuring its members' rights and working towards a higher quality of life. I am honored to recognize this historic milestone of 100 years.●

TRIBUTE TO COLONEL JEFFREY TALIAFERRO

• Mr. JOHNSON of South Dakota. Mr. President, today I wish to recognize the work and military service of COL Jeffrey Taliaferro, who is concluding a 2-year stint as commander of the 28th Bomb Wing, Ellsworth Air Force Base. During the past 2 years, Colonel Taliaferro has commanded the largest B-1 combat wing in the U.S. Air Force and will now move on to the Pentagon as Chief, Combat Forces Division at Headquarters, USAF-A8PC.

Colonel Taliaferro's command tenure at Ellsworth Air Force Base is the latest in a long line of impressive assignments. He received his commission from the U.S. Air Force Academy in 1989 and has served in a variety of flying and staff positions. His staff experience includes positions with U.S. Air Force headquarters, Office of the Secretary of Defense, and U.S. Central Command. He is a command pilot with over 2,400 flight hours in the B-1 and T-38.

During his 2 years at Ellsworth Air Force Base, a large number of base personnel have been deployed to support Operation Iraqi Freedom, Operation Enduring Freedom and Operation Odyssey Dawn, as well as numerous other missions. During my years in Congress, I have always been impressed with the high degree of patriotism, expertise, commitment and dedication of the Ellsworth personnel and the base's leadership command. Those qualities have been continued in the great leadership of Colonel Taliaferro.

I have appreciated Colonel Taliaferro's work on a number of issues impacting Ellsworth Air Force Base and the Air Force in general. He has promoted and developed great relationships with the South Dakota congressional delegation and their staffs, with South Dakota State officials, Black Hills mayors and local officials, as well as the media and local citizens. He has

worked to communicate the intricacies and details of a number of issues to officials and the general public, including the proposed expansion of the Powder River Training Complex, privatization of base housing to the local community, the status and effectiveness of the B-1 Lancer fleet, the status of the new MQ-9 mission at Ellsworth, and efforts to support deployed personnel and their families.

Colonel Taliaferro has provided oversight on a number of infrastructure changes at Ellsworth during his command and has continued to enhance the great relationship between Ellsworth Air Force Base and the local communities. Few bases enjoy such a friendly working relationship with local businesses and the general public as Ellsworth does with the Black Hills communities, and I commend Colonel Taliaferro for his ability to promote this relationship.

I have appreciated the insight and input from Colonel Taliaferro and his staff over the past 2 years. I have had the opportunity to visit the base on a number of occasions during Colonel Taliaferro's time at Ellsworth, and I appreciated his candor. He is a true patriot and a tremendous asset to the U.S. Air Force. I commend Colonel Taliaferro for his service to Ellsworth Air Force Base and wish him, Ellie, and their family all the best in future endeavors.●

REMEMBERING BETTY HOLLANDER

● Mr. LIEBERMAN. Mr. President, on April 7, a pall passed over my hometown of Stamford, CT, when the news began to spread that Mrs. Betty Ruth Hollander, one of its leading citizens and a good friend of mine and my family, had passed away peacefully. A pioneer, entrepreneur, philanthropist, inventor, and a devoted wife, mother, and grandmother, Mrs. Hollander lived a truly remarkable life that touched and inspired almost everyone she met. Her passing is a great loss not just for those of us who were lucky enough to know her personally, but for the entire Stamford community and well beyond.

In 1962, while raising four young children, Betty Hollander founded Omega Engineering out of her kitchen in Stamford. At a time when women faced pervasive discrimination in many industries, Betty utilized her steady work ethic and sharp business acumen to grow Omega from a firm focused on manufacturing a single line of thermocouples to a globally recognized business that produces over 100,000 state-of-the-art products for measurement and control.

Omega's record of success gave Betty the opportunity to serve on a number of corporate boards, including Target Corporation—then Dayton Hudson Corporation—Peoples United Bank and

Southern New England Telephone. She was also deeply involved with many charities, and served on the boards of Yale New Haven Hospital, St. Joseph's Hospital and St. Vincent Hospital, Bridgeport, CT, among many other corporations and nonprofit organizations.

Alongside all her success and busy schedule, Betty remained deeply committed to her family. Even when serving as corporate executive officer of Omega, when asked her occupation Mrs. Hollander would reply that she was "a wife and mother." Later, she was able to add "grandmother" to the title. These, she insisted, were the most important roles she ever played. In 1952, she married Milton Bernard Hollander, her best friend since high school, beginning a strong 58-year marriage characterized by extraordinary mutual devotion. Together, they had four children, Eva Lynn, Steven, Aaron, and Joel, and nine grandchildren.

To get a sense of the truly exemplary person that Betty Hollander was, all you need to do is look over an online forum set up to honor her memory. Already, over 100 individuals from all walks of life have taken the time to express their condolences and share their favorite memories of Betty. One longtime employee in Omega's shipping department remembers that, no matter how busy she was as CEO, Betty would always take the time out to get to know all of her employees personally. Others fondly recalled how she was never too busy to mentor younger employees and helped inspire them to pursue their dreams and demonstrate their fullest potential. In addition, there are testimonials from those who worked with her on her charitable endeavors, those who were friends, and even those who had never met her, but who were inspired by her success in business and her service to the community. On a personal level, Betty Hollander and my mother were great friends—two great Jewish mothers—and I have always treasured having had the opportunity to know her.

If we are to be judged in life by the effect we have on others, than Betty Hollander's life was a sterling success!

We honor Betty Hollander's memory and cherish her decency and friendship. I extend my deepest sympathies to Betty's beloved "Miltie" Hollander and all of Betty's friends and family on their irreplaceable loss. They will be in my thoughts and prayers during this difficult period.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and two treaties which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on April 15, 2011, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 1473. An act making appropriations for the Department of Defense and the other departments and agencies of the Government for the fiscal year ending September 30, 2011, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. ROCKEFELLER) on April 15, 2011.

ENROLLED BILL SIGNED

Under the authority of the order of the Senate of January 5, 2011, the Secretary of the Senate, on April 18, 2011, during the adjournment of the Senate, received a message from the House of Representatives announcing that the Speaker had signed the following enrolled bill:

H.R. 1308. An act to amend the Ronald Reagan Centennial Commission Act to extend the termination date for the Commission, and for other purposes.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. ROCKEFELLER) on April 29, 2011.

MESSAGE FROM THE HOUSE

At 2:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 34. Concurrent resolution establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021.

The message also announced that pursuant to 22 U.S.C. 276d, clause 10 of rule I, and the order of the House of January 5, 2011, the Speaker appoints the following Member of the House of Representatives to the Canada-United States Interparliamentary Group: Mr. MANZULLO of Illinois, Chairman.

The message further announced that pursuant to 14 U.S.C. 194, and the order

of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Coast Guard Academy: Mr. COBLE of North Carolina and Mr. COURTNEY of Connecticut.

The message also announced that pursuant to 46 U.S.C. 51312(b), and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Board of Visitors to the United States Merchant Marine Academy: Mr. KING of New York and Mrs. MCCARTHY of New York.

The message further announced that pursuant to 22 U.S.C. 276h, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Mexico-United States Interparliamentary Group: Mr. DRIER of California, Chairman, and Mr. MCCAUL of Texas.

The message also announced that pursuant to section 2 of the Migratory Bird Conservation Act (16 U.S.C. 715a) and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Migratory Bird Conservation Commission: Mr. WITTMAN of Virginia and Mr. DINGELL of Michigan.

The message further announced that pursuant to 16 U.S.C. 431 note, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the Dwight D. Eisenhower Memorial Commission: Mr. THORNBERRY of Texas, Mr. SIMPSON of Idaho, and Mr. BOSWELL of Iowa.

The message also announced that pursuant to 36 U.S.C. 2302, and the order of the House of January 5, 2011, the Speaker appoints the following Members of the House of Representatives to the United States Holocaust Memorial Council: Mr. GRIMM of New York, Ms. HAYWORTH of New York, Mr. MEEHAN of Pennsylvania, Mr. WAXMAN of California, and Ms. GIFFORDS of Arizona.

The message further announced that pursuant to sections 5580 and 5581 of the Revised Statutes (20 U.S.C. 42-43), and the order of the House of January 5, 2011, the Speaker appoints the following Member of the House of Representatives to the Board of Regents of the Smithsonian Institution: Mr. BECERRA of California.

The message also announced that pursuant to section 2 of the Civil Rights Commission Amendments Act of 1994 (42 U.S.C. 1975 note), the order of the House of January 5, 2011, and upon the recommendation of the Minority Leader, Speaker reappoints the following members on the part of the House to the Commission on Civil Rights: Mr. Michael Yaki of San Francisco, California for a term expiring on

December 15, 2016, and Mr. Todd Gaziano for a term expiring on December 15, 2013.

MEASURES DISCHARGED

The following concurrent resolution was discharged from the Committee on the Budget pursuant to Section 300 of the Congressional Budget Act, and placed on the calendar:

H. Con. Res. 34. Concurrent resolution establishing the budget for the United States Government for fiscal year 2012 and setting forth the appropriate budgetary levels for fiscal years 2013 through 2021.

MEASURES REFERRED

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 34. Concurrent resolution establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021; to the Committee on the Budget.

MEASURES PLACED ON THE CALENDAR

The following concurrent resolution was read, and placed on the calendar:

H. Con. Res. 34. Concurrent resolution establishing the budget for the United States Government for fiscal year 2012 and setting forth appropriate budgetary levels for fiscal years 2013 through 2021.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1362. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting three legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1363. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting three legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1364. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of Additional Changes from the Annual Review of the Entity List; Removal of Person Based on Removal Request" (RIN0694-AF13) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1365. A communication from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Television Broadcasting Services; Decatur, IL" (MB Docket No. 10-264; DA 11-572) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1366. A communication from the Assistant Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz" ((ET Docket No. 10-142)(FCC 11-57)) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1367. A communication from the Division Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Review of the Emergency Alert System" (FCC 11-12) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1368. A communication from the Attorney Advisor, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Section 90.617 Frequencies in the 809.750-824/854.750-869 MHz, and 896-901/935-940 MHz Bands Available for Trunked, Conventional or Cellular System Use in Non-border Areas. Section 90.677 Reconfiguration of the 806-824/851-869 MHz Band in Order to Separate Cellular Systems from Non-cellular Systems" (DA 11-315) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1369. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for Deaf-Blind Individuals, Report and Order" (FCC 11-56) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1370. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Structure and Practices of the Video Relay Service Program, Report and Order and Further Notice of Prospect Rulemaking" (FCC 11-54) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1371. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries Off West Coast States; Modifications of the West Coast Commercial and Recreational Salmon Fisheries; Inseason Actions No. 1, No. 2, No. 3, and No. 4" (RIN0648-XA293) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1372. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Closure of the Penaeid Shrimp Fishery Off South Carolina" (RIN0648-XA305) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1373. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 620 in the Gulf of Alaska" (RIN0648-XA319) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1374. A communication from the Inspector General, Department of Health and Human Services, transmitting, pursuant to law, a report entitled "Fiscal Year 2010 Office of Inspector General Medicaid Integrity Report"; to the Committee on Finance.

EC-1375. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Applicable Federal Rates—May 2011" (Rev. Rul. 2011-11) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Finance.

EC-1376. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2011 Final Wage Indices Implementing the Medicare and Medicaid Extenders Act" (RIN0938-AQ97) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Finance.

EC-1377. A communication from the Program Manager, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Federal Funding for Medicaid Eligibility Determination and Enrollment Activities" (RIN0938-AQ53) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Finance.

EC-1378. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Documents Acceptable for Employment Eligibility Verification" (RIN1615-AB69) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on the Judiciary.

EC-1379. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, two legislative proposals: first, a proposal to implement international agreements concerning nuclear terrorism and nuclear materials; and second, a proposal to implement international agreements on maritime terrorism and the maritime transportation of weapons of mass destruction; to the Committee on the Judiciary.

EC-1380. A communication from the Assistant Secretary of Defense, Legislative Affairs, Department of Defense, transmitting three legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on the Judiciary.

EC-1381. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Bankruptcy Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1382. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the

amendments to the Federal Rules of Appellate Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1383. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Criminal Procedure that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1384. A communication from the Chief Justice of the Supreme Court of the United States, transmitting, pursuant to law, the amendments to the Federal Rules of Evidence that have been adopted by the Supreme Court of the United States; to the Committee on the Judiciary.

EC-1385. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Report of the Attorney General to the Congress of the United States on the Administration of the Foreign Agents Registration Act of 1938, as amended for the six months ending June 30, 2010"; to the Committee on the Judiciary.

EC-1386. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, reports entitled "2010 Annual Report of the Director of the Administrative Office of the U.S. Courts" and "2010 Judicial Business of the United States Courts"; to the Committee on the Judiciary.

EC-1387. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XA301) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1388. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Occupational Radiation Protection" (RIN1992-AA45) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Energy and Natural Resources.

EC-1389. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Decision and Order Granting 180-Day Extension of Compliance Date for Residential Furnaces and Boilers Test Procedure Amendments; Correction" (RIN1904-AB89) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Energy and Natural Resources.

EC-1390. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program for Consumer Products: Test Procedures for Walk-in Coolers and Walk-in Freezers" (RIN1904-AB85) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Energy and Natural Resources.

EC-1391. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the

report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Approval of Section 110(a)(1) Maintenance Plans for the 1997 8-Hour Ozone Standards for the Edmonson County, KY; Greenup County Portion of the Huntington-Ashland, WV-KY; Lexington-Fayette, KY; and Owensboro, KY" (FRL No. 9295-9) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Environment and Public Works.

EC-1392. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 8-hour Ozone and 1997 PM2.5 NAAQS: 'Interference with Visibility' Requirement" (FRL No. 9297-1) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Environment and Public Works.

EC-1393. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; State of Nevada; PM-10; Determinations Regarding Attainment for the Truckee Meadows Non-attainment Area and Applicability of Certain Clean Air Act Requirements" (FRL No. 9296-9) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Environment and Public Works.

EC-1394. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision to the South Coast Portion of the California State Implementation Plan, CPV Sentinel Energy Project AB 1318 Tracking System" (FRL No. 9293-6) received in the Office of the President of the Senate on April 14, 2011; to the Committee on Environment and Public Works.

EC-1395. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the Caloosahatchee River (C-43) West Basin Storage Reservoir project in Hendry County, Florida; to the Committee on Environment and Public Works.

EC-1396. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to coastal storm damage reduction for Surf City and North Topsail Beach; to the Committee on Environment and Public Works.

EC-1397. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed agreement for the export of defense articles, to include technical data, and defense services to support the design, manufacture, delivery and in-orbit support of the INMARSAT-5 Commercial Communication Satellite Program for the United Kingdom in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-1398. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including technical data, and defense services to France and the United Kingdom for the production of the

VT-1 Missile, the related launch pod container, and certain tooling, test equipment, and related hardware in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-1399. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1400. A communication from the Associate Special Counsel, Office of Special Counsel, transmitting, pursuant to law, the Office of Special Counsel's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-10. A resolution adopted by the Senate of the Legislature of the State of West Virginia urging the United States Congress to grant pregnancy care centers assistance for medical equipment and abstinence education in a manner that does not compromise the mission or religious integrity of these organizations; to the Committee on Health, Education, Labor, and Pensions.

SENATE RESOLUTION NO. 40

Whereas, the life-affirming impact of pregnancy care centers on the women, men, children, and communities they serve is considerable and growing; and

Whereas, pregnancy care centers serve women in West Virginia and across the United States with integrity and compassion with more than 2,500 centers across the United States providing comprehensive care to women and men facing unplanned pregnancies, including resources to meet their physical, psychological, emotional and spiritual needs; and

Whereas, pregnancy care centers offer women free, confidential and compassionate services, including pregnancy tests, peer counseling, 24-hour hotlines, childbirth and pregnancy classes, and referrals to community, healthcare and other support services; and

Whereas, many pregnancy care centers offer ultrasounds and other medical services, information on adoption and adoption referrals while encouraging women to make positive life choices by equipping them with complete and accurate information regarding their pregnancy options and the development of the unborn; and

Whereas, pregnancy care centers ensure that women are receiving prenatal information and services that lead to the birth of healthy infants; and

Whereas, pregnancy care centers provide important support and resources for women and their children; and

Whereas, many pregnancy care centers work to prevent unplanned pregnancies by teaching effective abstinence education in public schools; and

Whereas, pregnancy care centers operate primarily through the designation of public funds for such organizations; therefore, be it

Resolved by the Senate: That the Senate hereby recognizes the many contributions of

the thousands of volunteers and paid staff at pregnancy care centers in West Virginia and across the United States; and, be it, further

Resolved, That the Senate extends its sincere appreciation to these committed volunteers and staff who unselfishly work to educate, assist and contribute to the many women, men, children, families and babies that are in their need across West Virginia and the entire United States; and, be it further

Resolved, That the Senate strongly encourages the United States Congress and other federal and state governmental agencies to grant pregnancy care centers assistance for medical equipment and abstinence education in a manner that does not compromise the mission or religious integrity of these organizations; and, be it further

Resolved, That the Clerk is hereby directed to forward a copy of this resolution to each pregnancy care center in West Virginia, to the President of the United States, and to the President of the United States Senate and Speaker of the United States House of Representatives.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mrs. BOXER, from the Committee on Environment and Public Works, with amendments:

S. 680. A bill to authorize the Administrator of General Services to convey a parcel of real property in the District of Columbia to provide for the establishment of a National Women's History Museum (Rept. No. 112-14).

By Mrs. BOXER, from the Committee on Environment and Public Works, with an amendment:

S. 782. A bill to amend the Public Works and Economic Development Act of 1965 to reauthorize that Act, and for other purposes (Rept. No. 112-15).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. BOXER (for herself, Mrs. FEINSTEIN, and Mr. NELSON of Florida):

S. 864. A bill to designate a Distinguished Flying Cross National Memorial at the March Field Air Museum in Riverside, California; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself and Mr. COCHRAN):

S. 865. A bill to provide grants to promote financial literacy; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. GRAHAM, Mr. LEAHY, Ms. SNOWE, Mr. BLUMENTHAL, Mr. WICKER, Mr. BEGICH, and Mr. CHAMBLISS):

S. 866. A bill to amend title 10, United States Code, to modify the per-fiscal year calculation of days of certain active duty or active service used to reduce the minimum age at which a member of a reserve component of the uniformed services may retire for non-regular service; to the Committee on Armed Services.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KIRK, Mr. LIEBERMAN, and Mr. VITTER):

S. Res. 158. A resolution congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 12th annual National Charter Schools Week; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BURR:

S. Con. Res. 14. A concurrent resolution calling for an independent international investigation of the April 10, 2010, plane crash that killed President of Poland Lech Kaczynski and 95 other individuals; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 44

At the request of Ms. KLOBUCHAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 44, a bill to amend part D of title XVIII of the Social Security Act to require the Secretary of Health and Human Services to negotiate covered part D drug prices on behalf of Medicare beneficiaries.

S. 146

At the request of Mr. BAUCUS, the names of the Senator from Missouri (Mrs. MCCASKILL) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S. 146, *supra*.

S. 186

At the request of Mrs. BOXER, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 186, a bill to provide for the safe and responsible redeployment of United States combat forces from Afghanistan.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 245

At the request of Mr. CORKER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 245, a bill to reduce Federal spending in a responsible manner.

S. 277

At the request of Mr. BURR, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 277, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, and for other purposes.

S. 328

At the request of Mr. BROWN of Ohio, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 328, a bill to amend title VII of the Tariff Act of 1930 to clarify that countervailing duties may be imposed to address subsidies relating to fundamentally undervalued currency of any foreign country.

S. 344

At the request of Mr. REID, the names of the Senator from Maine (Ms. SNOWE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 344, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 350

At the request of Mr. LEAHY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 350, a bill to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, and for other purposes.

S. 382

At the request of Mr. UDALL of Colorado, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 382, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits.

S. 383

At the request of Mr. UDALL of Colorado, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 383, a bill to promote the domestic production of critical minerals and materials, and for other purposes.

S. 384

At the request of Mrs. HUTCHISON, the name of the Senator from Massachu-

setts (Mr. BROWN) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

At the request of Mrs. FEINSTEIN, the names of the Senator from Louisiana (Ms. LANDRIEU), the Senator from Vermont (Mr. LEAHY), the Senator from Wyoming (Mr. ENZI), the Senator from Missouri (Mr. BLUNT), the Senator from Montana (Mr. BAUCUS), the Senator from Iowa (Mr. GRASSLEY), the Senator from Florida (Mr. NELSON), the Senator from Indiana (Mr. LUGAR), the Senator from Michigan (Ms. STABENOW), the Senator from West Virginia (Mr. MANCHIN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 384, *supra*.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 431

At the request of Mr. PRYOR, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Washington (Mrs. MURRAY) and the Senator from New Mexico (Mr. UDALL) were added as cosponsors of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 434

At the request of Mr. COCHRAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 434, a bill to improve and expand geographic literacy among kindergarten through grade 12 students in the United States by improving professional development programs for kindergarten through grade 12 teachers offered through institutions of higher education.

S. 435

At the request of Mr. BURR, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 435, a bill to amend the Internal Revenue Code of 1986 to increase the exclusion for employer-provided dependent care assistance.

S. 481

At the request of Mr. HARKIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 481, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 506

At the request of Mr. CASEY, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 507

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 507, a bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths.

S. 534

At the request of Mr. KERRY, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 536

At the request of Mr. WEBB, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 536, a bill to amend title 38, United States Code, to provide that utilization of survivors' and dependents' educational assistance shall not be subject to the 48-month limitation on the aggregate amount of assistance utilizable under multiple veterans and related educational assistance programs.

S. 557

At the request of Mr. SCHUMER, the names of the Senator from New Mexico (Mr. BINGAMAN) and the Senator from Nebraska (Mr. JOHANNIS) were added as cosponsors of S. 557, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts for charitable purposes.

S. 567

At the request of Mr. CONRAD, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 567, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Connecticut

(Mr. BLUMENTHAL) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 671

At the request of Mr. SESSIONS, the name of the Senator from Idaho (Mr. RISCHE) was added as a cosponsor of S. 671, a bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders.

S. 685

At the request of Mr. LUGAR, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 685, a bill to repeal the Federal sugar program.

S. 687

At the request of Mr. CONRAD, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 687, a bill to amend the Internal Revenue Code of 1986 to permanently extend the 15-year recovery period for qualified leasehold improvement property, qualified restaurant property, and qualified retail improvement property.

S. 696

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 696, a bill to amend title 38, United States Code, to treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities, and for other purposes.

S. 699

At the request of Mr. BINGAMAN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 699, a bill to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, and for other purposes.

S. 700

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 701

At the request of Mr. BENNET, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 701, a bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students.

S. 702

At the request of Mr. LIEBERMAN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 702, a bill to authorize funding for, and increase accessibility to, the National Missing and Unidentified Persons System, to facilitate data sharing between such system and the National Crime Information Center database of the Federal Bureau of Investigation, to provide incentive grants to help facilitate reporting to such systems, and for other purposes.

S. 720

At the request of Mr. THUNE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 726

At the request of Mr. RUBIO, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 731

At the request of Mr. BEGICH, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 731, a bill to amend title 37, United States Code, to provide travel and transportation allowances for members of the reserve components for long distance and certain other travel to inactive duty training.

S. 752

At the request of Mrs. FEINSTEIN, the names of the Senator from Nebraska (Mr. NELSON) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 775

At the request of Mr. CASEY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 775, a bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes.

S. 778

At the request of Mr. MORAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 780

At the request of Mr. TESTER, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 780, a bill to amend title 38, United States Code, to exempt reimbursements of expenses related to accident, theft, loss, or casualty loss from determinations of annual income with respect to pensions for veterans and surviving spouses and children of veterans, and for other purposes.

S. 797

At the request of Ms. MIKULSKI, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 797, a bill to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

S. 815

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

At the request of Ms. SNOWE, the names of the Senator from West Virginia (Mr. MANCHIN) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 815, supra.

S. 821

At the request of Mr. LEAHY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 821, a bill to amend the Immigration and Nationality Act to eliminate discrimination in the immigration laws by permitting permanent partners of United States citizens and lawful permanent residents to obtain lawful permanent resident status in the same manner as spouses of citizens and lawful permanent residents and to penalize immigration fraud in connection with permanent partnerships.

S. 829

At the request of Mr. CARDIN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 863

At the request of Ms. SNOWE, the names of the Senator from Idaho (Mr. CRAPO), the Senator from Nebraska (Mr. JOHANNES), the Senator from South Dakota (Mr. JOHNSON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 863, a bill to amend title XVI of the Social Security Act to clarify that the value of certain funeral and burial arrangements are not to be considered available resources under the supplemental security income program.

S. RES. 80

At the request of Mr. KIRK, the names of the Senator from Maine (Ms.

COLLINS), the Senator from Connecticut (Mr. LIEBERMAN) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 87

At the request of Mr. JOHNSON of South Dakota, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 87, a resolution designating the year of 2012 as the "International Year of Cooperatives".

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 133

At the request of Mr. FRANKEN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 133, a resolution to require that new war funding be offset.

S. RES. 148

At the request of Mr. CORNYN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. Res. 148, a resolution calling on the President to submit to Congress a detailed description of United States policy objectives in Libya, both during and after Muammar Qaddafi's rule, and a plan to achieve them, and to seek congressional authorization for the use of military force against Libya.

S. RES. 152

At the request of Mr. MENENDEZ, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. Res. 152, a resolution designating April 30, 2011, as "Día de los Niños: Celebrating Young Americans".

AMENDMENT NO. 293

At the request of Mr. BLUNT, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of amendment No. 293 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 299

At the request of Ms. AYOTTE, her name was added as a cosponsor of amendment No. 299 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

At the request of Ms. SNOWE, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Illinois (Mr. KIRK) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of amendment No. 299 intended to be proposed to S. 493, supra.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 158—CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS ACROSS THE UNITED STATES FOR ONGOING CONTRIBUTIONS TO EDUCATION, AND SUPPORTING THE IDEALS AND GOALS OF THE 12TH ANNUAL NATIONAL CHARTER SCHOOLS WEEK

Ms. LANDRIEU (for herself, Mr. ALEXANDER, Mr. BURR, Mr. CARPER, Mr. DURBIN, Mrs. FEINSTEIN, Mr. KIRK, Mr. LIEBERMAN, and Mr. VITTER) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 158

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas in 2011, close to 5,000 charter schools are serving more than 1,600,000 children;

Whereas in the past 17 fiscal years, Congress has provided a total of more than \$2,600,000,000 in financial assistance to the charter school movement through grants for planning, program design, initial implementation, replication, expansion, dissemination, evaluation, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the

total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools;

Whereas the President has called for doubling the Federal support for charter schools, including replicating and expanding the highest performing charter models to meet the dramatic demand created by the more than 420,000 children on charter school waiting lists; and

Whereas the 12th annual National Charter Schools Week is scheduled to be held May 1, through May 7, 2011: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 12th annual National Charter Schools Week, a week-long celebration to be held May 1 through May 7, 2011, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

SENATE CONCURRENT RESOLUTION 14—CALLING FOR AN INDEPENDENT INTERNATIONAL INVESTIGATION OF THE APRIL 10, 2010, PLANE CRASH THAT KILLED PRESIDENT OF POLAND LECH KACZYNSKI AND 95 OTHER INDIVIDUALS

Mr. BURR submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 14

Whereas, on April 10, 2010, an airplane carrying President of Poland Lech Kaczynski crashed near Smolensk, Russia, killing everyone onboard;

Whereas the individuals onboard the airplane included President Lech Kaczynski and his wife, Maria Kaczynski, the chief of the Polish General Staff, senior Polish military officers, the Deputy Foreign Minister of Poland, 12 members of the Parliament of Poland, the president of the National Bank of Poland, senior members of the Polish clergy, and relatives of victims of the Katyn massacre;

Whereas President Lech Kaczynski and passengers were traveling to attend a ceremony commemorating the 70th anniversary of the Katyn Massacre to honor the 22,000 Polish officers killed at Katyn by the Soviet Secret Police in 1940 when the plane crashed just six miles from Katyn;

Whereas, on April 10, 2010, President of Russia Dmitry Medvedev ordered the establishment of a State Commission headed by Russian Prime Minister Vladimir Putin to investigate the circumstances of the disaster;

Whereas Prime Minister Vladimir Putin delegated supervision to Tatyana Anodina, Chairwoman of the Interstate Aviation Committee in Russia, to investigate the circumstances of the crash;

Whereas Alexei Morozov was designated as head of the Interstate Aviation Committee's technical commission;

Whereas Edmund Klich, the head of the State Commission for Aircraft Accident Investigations in Poland, was put in charge of the Polish investigative committee;

Whereas, on May 19, 2010, the Russian Interstate Aviation Committee released preliminary reports that the plane did not suffer from any mechanical failures and ruled out a terrorist attack, explosion, or fire;

Whereas Russian investigators in preliminary reports stated that the crash was the fault of the Polish pilots who did not listen to air traffic controllers;

Whereas Polish investigators released preliminary reports concluding that the crash was the fault of the air traffic controllers who gave delayed commands to the pilots;

Whereas only the transcripts of flight recorders have been given to Polish investigators;

Whereas the black boxes have not been handed over to Polish investigators;

Whereas, on January 12, 2011, the Russian Interstate Aviation Committee released its final report concluding that pilot error was the cause of the crash and dignitaries on the plane pressured the pilots to land;

Whereas the Interstate Aviation Committee's final report did not include any information regarding actions of Russian air traffic controllers communicating with the plane;

Whereas requests for certain additional information by Polish investigators have been denied;

Whereas, on January 12, 2011, Tatyana Anodina, Chairwoman of the Interstate Aviation Committee, stated that Russia is prepared to provide results of its final report to an international investigation or auditors if necessary;

Whereas, on January 13, 2011, Prime Minister Donald Tusk of Poland called for intervention by international institutions in the event authorities from Poland and Russia cannot produce a report that satisfies both sides;

Whereas, according to the Convention on International Civil Aviation, signed at Chicago December 7, 1944 (also known as the "Chicago Convention"), if one country does not agree with an aviation disaster report drafted by another country, they may meet to reach consensus on the matter; and

Whereas over 300,000 Poles have signed a petition calling for an international investigation: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress calls for an independent international investigation of the April 10, 2010, plane crash near Smolensk, Russia.

NOTICE OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 3, 2011, at 10:00 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the proposal for a Clean Energy Deployment Administration as contained in Title I, Subtitle A of the American Clean Energy Leadership Act of 2009. (S. 1462 of the 111th Congress)

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Abigail.Campbell@energy.senate.gov.

For further information, please contact Mike Carr or Abigail Campbell.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 5, 2011, at 9:30 a.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on a joint staff Discussion Draft pertaining to cyber security of the bulk-power system and electric infrastructure and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Meagan.Gins@energy.senate.gov.

For further information, please contact Kevin Huyler or Meagan Gins.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, I wish to announce that the Committee on Rules and Administration will meet on Wednesday, May 4, 2011, at 10:30 a.m., to conduct an executive business meeting to consider the nomination of William J. Boorman, of Maryland, to be the public printer, followed by a legislative business meeting to consider S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee.

REMOVAL OF INJUNCTION OF SECRECY—TREATY DOCUMENT NOS. 112-2 AND 112-3

Mr. REID. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from the following treaties transmitted to the Senate on May 2, 2011, by the President of the United States:

Protocols 1, 2, and 3 to the South Pacific Free Zone Treaty, which is document No. 112-2. Protocols I and II, to the African Nuclear-Weapon-Free Zone Treaty, document No. 112-3.

I further ask that the treaties be considered as having been read the first

time; that they be referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed; and that the President's messages in regard to both be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The messages of the President are as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith Protocols I and II to the African Nuclear-Weapon-Free Zone Treaty ("the Treaty"), signed on behalf of the United States at Cairo, Egypt, on April 11, 1996. I also transmit for the information of the Senate the Treaty to which these Protocols relate, a third Protocol to the Treaty, and the Department of State's Overview of the Protocols, which includes a detailed article-by-article analysis of both the Protocols and the Treaty.

I am convinced that it is in the best interest of the United States to ratify Protocols I and II to the Treaty. This step will strengthen our relations with our African friends and allies, enhance U.S. security by furthering our global nonproliferation and arms control objectives, demonstrate our commitment to the decisions taken at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, and contribute significantly to the realization of the African Nuclear-Weapon-Free Zone in all its aspects. As the Department of State's Overview of the Protocols explains, entry into force of Protocols I and II for the United States would require no changes in U.S. law, policy, or practice.

I recommend that the Senate give early and favorable consideration to Protocols I and II to the African Nuclear-Weapon-Free Zone Treaty, and give its advice and consent to their ratification, subject to the statements contained in the Department of State's Overview of the Protocols.

BARACK OBAMA.

THE WHITE HOUSE, May 2, 2011.

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith Protocols 1, 2, and 3 to the South Pacific Nuclear Free Zone Treaty ("the Treaty"), signed on behalf of the United States at Suva on March 25, 1996. I also transmit for the information of the Senate the Treaty to which these Protocols relate and the Department of State's Overview of the Protocols, which includes a detailed article-by-article analysis of both the Protocols and the Treaty.

Ratification of Protocols 1, 2, and 3 to the Treaty would fully support U.S. nonproliferation policy and goals, and I

am convinced that it is in the best interest of the United States to ratify these Protocols. This step will strengthen our relations with our South Pacific friends and allies and enhance U.S. security by furthering our global nonproliferation and arms control objectives. As the Overview of the Department of State explains, entry into force of Protocols 1, 2, and 3 for the United States would require no changes in U.S. law, policy, or practice.

I recommend that the Senate give favorable consideration to Protocols 1, 2, and 3 to the South Pacific Nuclear Free Zone Treaty and give its advice and consent to their ratification, subject to the statements described in the Overview of the Department of State.

BARACK OBAMA.
THE WHITE HOUSE, May 2, 2011.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President of the Senate, and after consultation with the majority leader, pursuant to Public Law 106-286, appoints the following Member to serve as Co-Chairman of the Congressional-Executive Commission on the People's Republic of China: the Honorable SHERROD BROWN of Ohio.

COMMUNICATION FROM THE HONORABLE JOHN ENSIGN

Mr. REID. I understand, Mr. President, you are going to make a report to the Senate.

The PRESIDING OFFICER. The Chair lays before the Senate a communication regarding the resignation of Senator ENSIGN.

Without objection, the letter will be printed in the RECORD and spread upon the Journal.

The letter is as follows:

U.S. SENATE,
Washington, DC, April 22, 2011.
Vice President JOE BIDEN,
The White House, Pennsylvania Avenue, NW,
Washington, DC.

DEAR MR. VICE PRESIDENT: I am writing to submit my resignation from the United States Senate, effective close of business May 3, 2011. The short time before I leave is necessary to ensure the smooth transition of my office and to assist the dedicated people who work in the office the time to arrange their next positions.

The decision to leave the Senate before my term has expired is the most difficult decision I have had to make in public life. I am immensely proud and honored to have served the people of Nevada for more than 10 years. I do not easily or lightly forego the obligation to fulfill the term to which I was elected. However, as my colleagues, friends, and constituents know, my family, my staff and I have gone through an emotional, personal and professional rollercoaster of inquiries by the Department of Justice, the Federal Election Commission, and the Senate Ethics Committee. These inquiries have been time-consuming and distracting to everyone involved and, not unimportantly to me, have been financially very costly.

I am gratified that, after extended investigations, both the Department of Justice and the Federal Election Commission saw no grounds on which to charge me with improper conduct. I was hopeful that, with the closure of these investigations against me the wear and tear on me and on my family and staff would soon be over. That was not the case.

As is its right, the Senate Ethics Committee is continuing its investigation of issues into which it has been inquiring for the past year and a half. Indeed, the Committee even decided recently to devote more resources to its investigation by hiring an outside special counsel, even though the issues have been viewed and reviewed by so many others.

I firmly believe that I have not violated any law, rule, or standard of conduct of the Senate. But even to prove this publicly I will not subject my family, my staff, my constituents, or the Senate to any further rounds of investigation, depositions, drawn out proceedings, or, especially, potential public hearings. For my family, my staff and me, the continuing personal cost would simply be too great. For my constituents, for the Senate, and for my colleagues and friends in this great institution, they should not have to endure any further distraction from the many, many critical issues on America's agenda. Not another day of effort should be spent on my case when we face the pressing issues of the National debt, tax reform, the next budget, and military conflicts in so many places in the world.

Therefore, with the greatest personal sadness and reluctance, I am taking this step of resignation to allow my family and me finally to move on and so that the Senate, in the months to come, may attend fully to the crucial business of the Nation. I cannot thank all my colleagues and constituents enough for the honor of serving and of contributing whatever I have been able to contribute to this body and to the people of the State of Nevada and of the United States of America.

Sincerely,

JOHN ENSIGN,
United States Senator.

ORDERS FOR TUESDAY, MAY 3, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Tuesday, May 3; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, the Senate proceed to a period of morning business until 5 p.m. for debate only, with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes; and, finally, the Senate recess from 12:30 until 2:15 p.m. for their weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, we are working with the Republican leader on a resolution commending the Armed Forces and the intelligence community regarding the death of Osama bin Laden. We may have a rollcall vote on adoption of this resolution tomorrow afternoon.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand adjourned under the previous order.

There being no objection, the Senate, at 6:47 p.m., adjourned until Tuesday, May 3, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS OF THE COAST GUARD PERMANENT COMMISSIONED TEACHING STAFF FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 188:

To be lieutenant commander

MICHAEL J. PLUMLEY

To be lieutenant

VICTORIA C. FUTCH
MARIETTE C. OGG

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. JOHN G. KING

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. REBECCA J. MCCORMICK-BOYLE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. RAQUEL C. BONO

IN THE AIR FORCE

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be lieutenant colonel

MATTHEW J. BRONK

To be major

PETER S. AIREL
JOY C. TABER

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

PAUL L. DANDREA

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES REGULAR ARMY UNDER TITLE 10, U.S.C., SECTION 531:

To be major

KEITH W. ALFEIRI
ROLAND N. AWAH
GARY S. BLOUNT
WADE P. DAKIN
WAYNE A. FOGEL
KURT A. HENSE
CHARLES J. KARELS
MICHAEL V. KINCAID

AMANDA L. MACWHIRTER
ALAN R. MANZO
ALEXANDER J. MUSEL
RICHARD A. PRIER
BENJAMIN J. STEICHEN
DIANA TORRES

IN THE NAVY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be captain

DAVID T. CARPENTER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

BRENT J. KYLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

PETER W. WARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

PABLITO V. QUIATCHON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

ROBERT H. BUCKINGHAM

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

JOSE AYALA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRYAN F. BUTLER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MICHAEL B. TANNER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KENNETH S. MITCHELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

GREGORY D. MITCHELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THERESA H. DEWITT

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS J. LOPEZ
GREGORY D. ROWE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

RANDY L. CRYSEL
SUSAN M. HELLER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

KATHERINE A. MCCABE
JAY M. STANDRING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

MARK G. BENTON
THOMAS M. CESEAR
PETER G. DUNN
FREDERICK N. HOWARD
WENDELL B. MANSEL
SCOTT W. THOMAS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS M. ADKINS
JANET A. DAHLE
ANASTASIA B. QUANBECK
CHRISTOPHER T. SCHOLL

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

PETER B. BELL
LISA I. BOARD
BRIAN W. BOOKER
SEAN A. BUTCHER
RUSSELL J. CORTAZZO, JR.
WILLIAM L. CRUMP III
DANIEL A. DAGLIO
JAMES W. FORRESTER, JR.
STEVEN E. HARTMAN
KENNETH E. HOBMANN
DAVID S. HUDSON
STEVEN L. IRVINE
JEFFREY L. JUHALA
KENN M. KNITTEL
CHRISTOPHER F. LAMOUREAUX
JEFFREY B. LEHNERTZ
STEPHEN P. LINDELL
JOHN R. MADRIL
STEVEN J. MARINELLO
CHARLES B. MILLER
JAMES K. MITCHELL
ROBERT D. MODDERMAN
JOHN B. MUSTIN
BRUCE C. RASCHE
MARK S. RAWLINS
CORNELIUS R. REED
PHILIP G. ROBERTS III
CRAIG T. SCHORR
MICHAEL S. SHACKELFORD
THAD M. SHELTON
CHRISTOPHER P. SIEGLE
MARK A. SOUSA
JEFFREY S. SPIVEY
NEYLAND T. SPRINGER
ERIC C. STAATS
TIMOTHY P. STLAURENT
LAWRENCE J. STROBEL
WILLIAM P. SULLIVAN
BRIAN J. TALAY
JOSEPH TARDIBONO
JAMES P. THOMAS
DAVID A. TUCKER
GUY O. VILARDI
STACEY S. WHITEHEAD
ERIC A. WILLS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

ERRIN P. ARMSTRONG
MARK O. BAILEY
KEVIN P. BOYLE
BRETT M. COTTRELL
EDWARD J. EDER
JAMES D. FOWLER
DAVID T. FRITZ
KYLE R. GATZMEYER
PAUL GILMARTIN
PAUL A. LAUBE
JEFFREY S. MCIRVIN
GILBERT J. MILLER
PETER M. RYAN
TAMARA S. RYLEY
EDWARD J. SALLEE
WILLIAM H. SHEEHAN
LYLE D. STUFFLE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRIAN M. ACKERMAN
MICHAEL W. BACHER
JOHN F. CAREY
SCOTT D. CARTER

BRIAN L. COOK
JOSEPH W. GELHAUS
ELIZABETH A. GRACIA
MARTIN W. HUGHES
RALPH U. LOSCH
GLENN MACARIO
MARY J. MUSTELLO
DOHN J. PISCIONIERE
ORRIS H. SCRIBNER
SCOTT E. SHACKLETON
LAWRENCE C. TRACE
JAMES L. WORKING
FRANK J. ZELENKA

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

BRADLEY H. BOYER
CHRISTOPHER S. CREWS
THERESA J. GEIERRODRIGUEZ
DAVID C. HAGEN
ROBERT B. JASKOWIAK
KURT W. JUENGLING
EILEEN H. LAUBACHER
DEBORAH A. LESHINSKI
RUTH A. NEUGEBAUER
JOHN J. SHANLEY III
THOMAS J. VONKOLNITZ

THE FOLLOWING NAMED OFFICERS FOR TEMPORARY APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 5721:

To be lieutenant commander

WILLIAM H. ALBERT
MATTHEW H. BEACH
UBIE S. BRANTLEY
ADAM R. CADOVITUS
GREGORY T. CISELL
WILLIAM M. COLLINS
MATTHEW J. DILLON
WILLIAM J. FIACK
JOHN GARRETT
DANA S. GIBSON
JASON V. JAVORSKY
RUSSELL W. JONES
JOHN R. KAJMOWICZ
BRIAN J. LADIEU
MICHAEL A. LILLEBERG
WILLIAM F. MARTIN
TAMMY S. MCCREARY
DANIEL P. MORRISON
BRAD W. MUSKOPF
PATRICIA A. PALMER
REGINALD D. RAHMING
JEREMY J. RANDALL
WILLIAM ROBERTS
CHRISTOPHER D. ROETTGEN
JOHANNAH G. SCHUMACHER
JOSHUA SIMS
RICHARD A. SMITH
JOE M. TOWLES
MICHAEL A. WHITE
NICHOLAS E. WISSEL
MICHAEL WITHERILL

IN THE ARMY

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

MARK J. BERGLUND
MICHAEL S. FERGUSON
MICHAEL T. HESTON
ERICH W. RANDALL
DAVID R. ROUTHIER
MICHAEL S. SARVER

CONFIRMATIONS

Executive nominations confirmed by the Senate May 02, 2011:

THE JUDICIARY

ROY BALE DALTON, JR., OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF FLORIDA.

KEVIN HUNTER SHARP, OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE MIDDLE DISTRICT OF TENNESSEE.

THE ABOVE NOMINATIONS WERE APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

HOUSE OF REPRESENTATIVES—Monday, May 2, 2011

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. POE of Texas).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 2, 2011.

I hereby appoint the Honorable TED POE to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Andrew Walton, Capitol Hill Presbyterian Church, Washington, D.C., offered the following prayer:

We come together in thanks and gratitude; thankful for the wonder and mystery of life itself and grateful for the abundance of the universe in which our lives unfold.

We return today to a familiar yet changed place. Gone are the dormant days of winter and fading blossoms of early spring. Still with us are days of transition as seasons collide too often in fury, chaos, and even death.

Yet beyond the storms, once again we see the rich fullness of creation, feel the warmth of the sun, touch fresh Earth, smell fragrant breezes, and taste the produce of the land.

As individuals, but more so collectively, we remember that we are called as caretakers of the cosmic home humanity shares, that when one suffers, we all suffer, when one falls we all fall.

May our response to this call be one of possibility and potential inspired by imagination, wisdom, and trust—but mostly by love unveiled in our common spirit, both human and divine.

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from Michigan (Mrs. MILLER) come forward and lead the House in the Pledge of Allegiance.

Mrs. MILLER of Michigan led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WE REJOICE IN THE TRIUMPH OF JUSTICE

(Mr. McCOTTER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. McCOTTER. Mr. Speaker, today we do not revel over the death of bin Laden, the butcher; we rejoice in the triumph of justice. We thank our citizen soldiers, the intelligence community, and the Obama administration for finishing this mission; and we forever remember the fallen and comfort the families who so grievously suffered on September 11, 2001.

Now let us press our efforts against al Qaeda and their terrorist cohorts, including Hamas, Hezbollah, and the tyrannical Iranian regime. For while our world has witnessed justice, our world remains dangerous; and we must be ever vigilant against such clear and present threats to our liberty and security.

We have dispatched a murderer, not his movement. We have won a battle, not our struggle. But in so succeeding, we have served notice to every terrorist, tyrant, and tyrannical regime that we will win.

MISSION ACCOMPLISHED

(Mr. COHEN asked and was given permission to address the House for 1 minute.)

Mr. COHEN. Mr. Speaker, I think every Member of the House probably wants to do the same thing that Mr. McCOTTER did and I am going to do, and that is to congratulate and thank the Commander in Chief, the President; our Armed Forces, our men and women in the military, and particularly SEAL Team 6 for the outstanding job that they accomplished. Finally, the mission is accomplished. The mission after 9/11 was to get Osama bin Laden, and our troops did it, and they did it in a spectacular fashion.

I've always been proud to be a Member of this House and to be an American. Never more proud than last night and today when I think about our soldiers who put themselves in harm's way to truly protect our country and to keep our freedoms, because Osama bin Laden did all he could to hurt our country and take away those freedoms. And he has taken freedoms away.

As Mr. McCOTTER said, we will win, we will endure, victory will be ours. And I thank the men and women of the United States Armed Forces for the mission that they accomplished.

MILITARY'S RESOLVE IS KEY TO VICTORY IN THE GLOBAL WAR ON TERRORISM

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last night the President hailed the success of Navy SEALs to achieve the death of mass murderer Osama bin Laden. Bin Laden declared war on America and British citizens years ago by serving as the architect for terrorist attacks worldwide that culminated with the September 11 attacks that killed nearly 3,000 innocent civilians on American soil.

His death is a testament to the resolve of our professional military, counterterrorism and intelligence officials to achieve ultimate victory over terrorism. Their combined sacrifice and commitment played a pivotal role in closing this chapter of the global war on terrorism. The entire Nation will be forever indebted for their service which promotes victory and peace.

American families still face many threats of extremist challenges in places like Afghanistan and Iraq, which bin Laden identified as the central fronts in the global war on terrorism. Bin Laden's death does not end the war, but it does serve as evidence that the American forces can penetrate the heart of the most extreme terrorist organizations and bring their leaders to justice worldwide.

In conclusion, God bless our troops, and we will never forget September 11th in the global war on terrorism.

JUSTICE IS DONE

(Mrs. MILLER of Michigan asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. MILLER of Michigan. Mr. Speaker, nearly 10 years ago, 19 cowardly terrorists, acting on the orders of Osama bin Laden, murdered nearly 3,000 innocents. And yesterday, justice was delivered to Osama bin Laden at the hands of Navy SEAL Team 6 and the incredible professionals at the CIA.

This justice, Mr. Speaker, has been long in coming and is a direct result of

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the eternal vigilance of our intelligence professionals, the brave men and women in our military, our national security leaders, our President, and the American people.

This Nation will always stand strong and united against our enemies. We will not back down, and we will never surrender.

This should stand as a message to our terrorist enemies. If you choose to stand against freedom and liberty, and if you choose to murder the innocent, no matter how long it takes, we will hunt you down and bring you to the same justice that was received by Osama bin Laden.

Mr. Speaker, today let us all say a prayer of remembrance for those we lost on 9/11 and those we have lost in defense of freedom. And let us say a prayer of thanksgiving for those brave American men and women who have continued to protect liberty, freedom, and democracy around the globe.

God bless America.

CONGRATULATIONS TO ALL OF THOSE WHO ENSURE OUR SAFETY

(Mr. DREIER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DREIER. Mr. Speaker, as we all, understandably, join in extending congratulations to the President and Navy SEAL Team 6 and all those who have been involved in the amazing accomplishment of last night, I think it's very important for us to look back almost 10 years ago.

I have just gotten off the phone with former Speaker Dennis Hastert, who reminded me that when the attack took place on September 11 of 2001, President Bush and he and others came together to do everything that we possibly could to ensure that the United States of America would never face the kind of attack that we had on September 11. Our former colleague Porter Goss, who was chairman of the Intelligence Committee, went on to serve as Director of Central Intelligence, and our former colleague, Jane Harman, of course, going back to the time when President Clinton was President—so many people have been involved in this effort to ensure that we would not face the kind of attack that we did.

And, Mr. Speaker, I think it's very important to note on this day that we have been successful in the past 10 years. We, of course, as reports have come forward, need to remain vigilant. But I want to extend congratulations to all those who have played a role in ensuring our safety.

□ 1410

THE CHILDREN'S HOME PROTECTION ACT OF 2011

(Mr. BACHUS asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. BACHUS. I just returned from my home State of Alabama, where we have lost over 250 of our citizens. The loss of life would have been much greater had NOAA and Dr. Jane Lubchenco and her wonderful staff not given us an early warning. But some of our storms hit at night, and people were unaware of it.

I am joining several of my colleagues today to reintroduce legislation that Brad Ellsworth and I have introduced in the last two Congresses, to have weather radios installed in manufactured housing. This would save many lives. One of the advocates of this lost her 2-year-old child. The Senate has not passed this legislation, but we are going to try again this year, and if we are successful, we will save lives.

The cost of these radios is less than \$10, but the cost of not having them, as we found out this weekend in Alabama, is the loss of many lives.

A GREAT DAY

(Mr. GINGREY of Georgia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GINGREY of Georgia. Mr. Speaker, today is a great day in the history of our country. I can't remember a better day.

Thinking back to maybe 1980, when our ice hockey team beat Russia in the semifinals and went on to win the gold, that was at the height of the Cold War. Shortly after, Nikita Khrushchev took off his shoe and said, "We will bury you." Yes, that was a great day that we had back in 1980. But today, the "Finally, we got him" moment in regard to, yes, I am talking about Osama bin Laden.

I want to take an opportunity, Mr. Speaker, to commend the President, commend the CIA, commend our military, commend the Navy SEALs, the brave men and women that effected this. They have been working hard.

And let's not forget the intelligence officers that worked so diligently at Guantanamo Bay, at Gitmo, not torturing but getting intelligence, finding out who that courier was, the best friend of Osama bin Laden that lived in his neighborhood in Pakistan. Intelligence is how we got him.

It's a great day. Let's all take credit. Let's commend the President. We should be tremendously proud today of this accomplishment—this guy, the monster that caused 3,000 people to die on 9/11 and 17 on the USS *Cole*. And the men and women that have given their lives defending this country since then, God bless them.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair

declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 13 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1800

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PAULSEN) at 6 p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Record votes on postponed questions will be taken after 6:30 p.m. today.

SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

Mr. LANKFORD. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1423

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPECIALIST MICHEAL E. PHILLIPS POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, shall be known and designated as the "Specialist Micheal E. Phillips Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Specialist Micheal E. Phillips Post Office".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oklahoma (Mr. LANKFORD) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Oklahoma.

GENERAL LEAVE

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. LANKFORD. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 1423, introduced by the gentleman from Oklahoma (Mr. COLE), would designate the facility of the United States Post Office located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the Specialist Micheal E. Phillips Post Office. This bill is cosponsored by the entire Oklahoma State delegation and was favorably reported without amendment by the Committee on Oversight and Government Reform on April 13.

Mr. Speaker, it's altogether fitting and proper that we name this post office in Ardmore for Army Specialist Phillips to honor a true American hero and his service to country. At this moment in our war on terrorism, with the recent death of Osama Bin Laden, this is a moment to remember those who have been fighting the war on terror for years.

Micheal E. Phillips hailed from Ardmore, Oklahoma, and graduated from Ardmore High School in 2006. At Ardmore High, Specialist Phillips excelled in both academics and athletics, playing football, track, and cross country. He loved history as well as drawing, and was so talented he was offered admission to the San Francisco Art Institute. Instead, however, Specialist Phillips felt a calling to serve his country.

His mother recalled that, "He came home one day and said he wanted to join the Army, and we got in the car and went down to the recruiting station."

With this motivation and inspiration to serve and protect the country he loved, Specialist Phillips enlisted in the Army in 2006 and was assigned to the Army's 1st Battalion, 502nd Infantry Regiment, 2nd Brigade Combat Team, 101st Air Division, based in Fort Campbell, Kentucky.

Tragically, on February 24, 2008, Specialist Phillips was killed when the vehicle he was riding in was hit by an improvised explosive device in Baghdad. He was 19 years old, and he left behind his parents, Angela and Steve, as well as two younger brothers and a younger sister.

As a Representative from Oklahoma, it is an honor to stand before this body and pay tribute to a fellow Oklahoman who made the ultimate sacrifice courageously defending our freedom.

I am truly grateful for the service of Specialist Phillips and for all of those who serve and protect us each and every day. I urge all Members to join me in strong support of this bill.

I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in strong support of H.R. 1423, a bill to rename the 4th Avenue post office in Ardmore, Oklahoma, after Army Specialist Micheal E. Phillips, who died at the young age of 19 while serving our country in Iraq.

Specialist Phillips was a member of the 101st Airborne Division based in Fort Campbell, Kentucky. He died on February 24, 2008, in Baghdad from wounds sustained when his vehicle encountered an improvised explosive device.

Specialist Phillips loved history and was a true student athlete who ran cross country and played football while attending Ardmore High School. He also excelled at drawing and had been offered admission to the San Francisco Art Institute.

But Specialist Phillips had other plans. He volunteered to serve his country before attending college and, by all accounts, was an excellent soldier, always willing to go the extra mile and constantly trying to improve himself.

Specialist Phillips made the ultimate sacrifice defending our freedom. We honor his sacrifice today by naming the Post Office on 4th Avenue in Ardmore, Oklahoma, the Specialist Micheal E. Phillips Post Office.

Mr. Speaker, I urge my colleagues to support this bill.

I reserve the balance of my time.

Mr. LANKFORD. Mr. Speaker, I yield such time as he may consume to the gentleman from the great State of Oklahoma (Mr. COLE), a distinguished colleague and friend and the sponsor of this legislation.

Mr. COLE. Mr. Speaker, I rise today in support of H.R. 1423, a bill I sponsored, to designate the post office in Ardmore, Oklahoma, as the Specialist Micheal E. Phillips Post Office.

Micheal was driven by a personal sense of duty and honor. He joined the Army because he recognized injustice and terror in our world and sought to make a difference. Specialist Micheal Phillips lived out that sense of duty through military service and made the ultimate sacrifice to ensure our Nation remained secure and free.

Mr. Speaker, Micheal turned down an opportunity to attend the San Francisco Art Institute to volunteer for the United States Army. When asked why he wanted to join the Army, Micheal simply stated, "I want a career and we are at war." Specialist Phillips saw terrorists as thugs, often referring to them as the "ultimate bullies in the world." A fervent student of history, Micheal knew that his service would be against a tough and formidable enemy, still he enthusiastically embraced what he believed was the right decision and enlisted in the United States Army.

Mr. Speaker, Micheal Phillips was only 17 years of age when he joined the military via the delayed entry program. He left for boot camp on June 24, 2006. Upon finishing advanced infantry training, Micheal was assigned to Bravo Company 1 of the 502nd Strike Brigade of the 101st Airborne Division, one of the most storied divisions in the

United States Army. On October 13, 2007, Micheal and his brothers in arms were deployed to Iraq for combat operations.

Micheal's enthusiasm for his work inspired members of his platoon. In addition to his enthusiasm, Specialist Phillips also endeavored to foster real camaraderie amongst his fellow soldiers. Even in the middle of a war, it was said that Micheal made bad times good and good times better. Micheal's team leader, Sergeant Matthew Whalen praised his abilities in terrain association, map reading, and his tremendous bravery in combat. Sergeant Whalen reflected on Specialist Phillips' leadership skills, noting, "I know that soldiers that did serve with him have taken away with them, as I have, the undoubted and unmistakable values that he always possessed and always portrayed."

Mr. Speaker, Specialist Micheal E. Phillips was killed in action on February 24, 2008, in Shula, Iraq, just outside of Baghdad. An explosively formed penetrator, a so-called EFP, hit the driver's side of the door on the vehicle that he was driving. Despite the severity of his injuries, he continued to smile and reassure those taking care of him. Even in the most grim and serious times, Micheal still fought and lifted up those around him.

□ 1810

For his service, Specialist Micheal Phillips was awarded a Bronze Star. He was also designated as a Distinguished Member of the 502nd Infantry Regiment. The Distinguished Member award is for those who display honorable service, loyalty on active duty in peace or war. These are qualities Micheal Phillips lived with each and every day of his service career.

Mr. Speaker, Micheal always gave more than his share back to his community. When he did have time away from his duty, he would often visit his high school to speak with students and encourage them to pursue their goals.

Never without a smile, Micheal fought for his country, his community, and his family with valor and with honor. He wanted others in the world to have the freedoms and opportunities that we enjoy here in the United States, and he risked his life to achieve that end.

Like many who have made the ultimate sacrifice, Specialist Micheal Phillips leaves behind loved ones, friends, and comrades in arms who treasure his memory and honor his service. Micheal is survived by his parents, Steven and Angelia Phillips; his brothers, David and Anthony; and his sister, Barbara—all of Ardmore, Oklahoma. He also leaves behind a Nation and a community that will never forget his courage, his sacrifice, and his devotion to duty.

Mr. Speaker, I urge the passage of this legislation.

Ms. NORTON. Mr. Speaker, I note that we are honoring Specialist Phillips the day after we learned that the

Nation has met its commitment to kill or capture Osama bin Laden. We could not have known when this bill was placed on the calendar that it would come at a time like this when we honor men and women who have served in Iraq or Afghanistan. We cannot help but be grateful for their service, especially today.

I yield back the balance of my time. Mr. LANKFORD. Mr. Speaker, this weekend I spoke with Specialist Micheal Phillips' mom. She reminded me that Micheal was the first student in 10 years to sign up for the Army from Ardmore High School. He was recognized as the Distinguished Member of the Regiment because of his capacity to keep up morale among his peers.

I would like to leave the House with two quotes from Specialist Phillips. The first comes from a letter that Specialist Phillips sent to the assistant principal at Ardmore High School. Phillips wrote, "I am doing this for my family, for you, for everyone, for America, to protect it from the bad guys."

The second, as recalled by his mother: "He said terrorism was like a virus. It had to be stopped. It had to be contained."

Mr. Speaker, in light of yesterday's events in Pakistan with the death of Osama bin Laden, these words, both spoken and written by Specialist Phillips, couldn't be more timing or fitting. This young man's passion was to protect this country from the bad guys, the terrorists who then and now want to do us harm.

Specialist Phillips ended up making the ultimate sacrifice, combating terrorism, protecting the country that he loved. For that, Mr. Speaker, I am eternally grateful and so is his Nation.

The soldiers who carried out the operation yesterday, as well as the members of our intelligence community who have spent nearly 10 years hunting down the mastermind behind 9/11, are much like Specialist Phillips, brave and courageous individuals who sacrifice so much and risk it all, keeping us safe and preventing the bad guys from harming more innocent people.

I have the utmost respect for each and every person in our Armed Forces and intelligence community, and I would like to express my sincere gratitude for what they do and have done. They truly make me proud to be an American.

Again, I urge Members to join me in support of H.R. 1423.

I yield back the balance of my time. The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LANKFORD) that the House suspend the rules and pass the bill, H.R. 1423.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. LANKFORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

GEORGE H. W. BUSH AND GEORGE W. BUSH UNITED STATES COURTHOUSE AND GEORGE MAHON FEDERAL BUILDING

Mr. HULTGREN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 362) to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building".

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 362

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REDESIGNATION.

The Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, known as the George Mahon Federal Building, shall be known and designated as the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States Courthouse referred to in section 1 shall be deemed to be a reference to the "George H. W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Illinois (Mr. HULTGREN) and the gentleman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Illinois.

GENERAL LEAVE

Mr. HULTGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 362.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HULTGREN. Mr. Speaker, I yield myself such time as I may consume.

H.R. 362 would redesignate the Federal Building and Courthouse at 200 East Wall Street in Midland, Texas, as the George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building.

I would like to take this opportunity to thank the gentleman from Texas (Mr. CONAWAY) for introducing this legislation. I also want to thank the bill's 25 cosponsors, who all represent var-

ious districts throughout the State of Texas.

The former Presidents George H.W. Bush and George W. Bush have honorably served this Nation for many decades.

President George H.W. Bush dedicated his life to public service. His public service began when he was just 18 and enlisted in the Armed Forces. He became the youngest pilot in the Navy when he earned his wings and flew 58 combat missions, receiving the Distinguished Flying Cross for bravery in action after getting shot down by anti-aircraft fire.

Later, he was elected to Congress as a representative from the State of Texas and served in this Chamber for two terms. Subsequently, he served in various other public service positions critical to our Nation, including as ambassador to the United Nations, as chief of the U.S. Liaison Office to China, and as Director of the Central Intelligence Agency. He was elected Vice President in 1980 and stood by President Ronald Reagan's side for 8 years, contributing to the policies that brought the Cold War to an end, and in 1988 was elected as the 41st President of the United States.

During his term in office, he skillfully navigated the diplomacy with new nations created following the breakup of the Soviet Union, and helped to overthrow and bring to justice the corrupt Manuel Noriega regime in Panama.

A few months ago, in February, President George H.W. Bush was awarded the Presidential Medal of Freedom by President Obama. This award is the highest civilian honor given for an especially meritorious contribution to the security of the national interests of the United States, world peace, cultural, or other significant public or private endeavors.

In 2000, his son, George W. Bush, followed in his footsteps when he was elected the 43rd President of the United States, after serving 6 years as the Governor of Texas. President George W. Bush led our Nation in response to the worst terrorist attack on our soil. He helped to unite the Nation after the 9/11 terrorist attacks and, under his leadership, led the reforms of our intelligence and securities capabilities to better counter this unconventional threat.

During his two terms, he effectuated the overthrow of a dictator in Iraq and removed the Taliban from power in Afghanistan, upsetting a key staging ground for al Qaeda and bringing democracy to an oppressed country. And, yesterday, this groundwork led to our Nation bringing justice to Osama bin Laden when, during a raid by one of our Special Operations teams, he was killed in a compound in Pakistan. And I want to recognize the work of our Special Operations teams and our intelligence community, including the

CIA, which were critical in locating Osama bin Laden and executing this mission.

□ 1820

With the help of intelligence that was gathered from detainees from Guantanamo Bay, our intelligence community was able to gather the key information needed to locate Osama bin Laden. With these events comes a sense of closure. However, we must remain vigilant in protecting our Nation from the threat of terrorism.

President George W. Bush helped to realign our intelligence and military capabilities to set the framework for our Nation to better respond to this new threat. I think that it is appropriate for us to honor their service to our Nation by naming this courthouse after them, as both former Presidents have lived in Texas for some time and George W. Bush calls Midland his hometown.

I support passage of this legislation and urge my colleagues to do the same.

I reserve the balance of my time.

Ms. NORTON. I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 362, a bill that honors the 41st and 43rd Presidents of the United States, President George H.W. Bush and President George W. Bush, by naming a United States courthouse located in Midland, Texas, after both of them. This honor is highly fitting, given their devotion to public service and their unique status as only the second father and son pair to serve in our Nation's highest office.

Former President George Herbert Walker Bush was the 41st President of the United States. He served our country in many capacities, first as the youngest naval aviator at the time in the United States Navy, and later as a Member of Congress representing the Seventh Congressional District of Texas. After leaving Congress, President Bush served in many prominent public service positions, including ambassador to the United Nations, Chief of the U.S. Liaison Office of the People's Republic of China and Director of the Central Intelligence Agency. In 1980, President Bush was elected Vice President of the United States under President Ronald Reagan. He was reelected Vice President in 1984. President Bush was then elected President of the United States in 1988.

Former President George Walker Bush was the 43rd President of the United States. President George W. Bush was a graduate of Yale University. After his service in the Texas Air National Guard, he graduated from Harvard Business School and began a career in the oil industry. President Bush became the principal owner of the Texas Rangers, a Major League Baseball team. In 1994, he was elected Governor of Texas, a position to which he

was reelected in 1998. He was elected President of the United States in 2000 and again in 2004.

Upon passage of this legislation, what is now known as the George Mahon Federal Building will be renamed the George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building.

I urge my colleagues to support the passage of H.R. 362.

I reserve the balance of my time.

Mr. HULTGREN. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas (Mr. CONAWAY).

Mr. CONAWAY. I thank the gentleman for allowing me the time.

I rise, Mr. Speaker, to pay tribute to the renaming of this courthouse for two of west Texas's favorite sons, President George Herbert Walker Bush and his son, George W. Bush. The community I call home could not be prouder of our two most famous residents. We are grateful for their faithful service and stewardship of the powers entrusted to them and their legacy in advancing freedom, human dignity and the rule of law across the globe.

Texas ought to be rightly proud of our neighbors who rose to lead our Nation. These two men, bound by blood, but bonded by an unshakeable commitment to human liberty, shared a vision for America and the world that was mined in Philadelphia and forged at the Alamo. It is a vision that is rooted first and foremost in liberty and all her attendants—individual rights, free markets, and fair elections.

Both Presidents understood that America's wealth and power are not what make us an exceptional Nation. It is those faded words written large across four sheets of parchment over 200 years ago that form the soul of this Nation. In those words, the rights that we cherish are forever set apart from the machinations of man. In those words, we became a Nation of laws, of discourse, and of reason.

It is fitting that we are choosing to name a courthouse in their honor today because it is fidelity to the law, above all else, that secures the blessings of liberty these men worked so hard to promote. This courthouse will be a symbol of the triumph of law over violence, the triumph of free minds over the iron wills of dictators.

From the dissolution of the Soviet Union to the liberation of Kuwait, and from the first shoots of democratic order in Afghanistan to the parliamentary elections in Iraq, both father and son have helped to lift the crushing burdens of tyranny from millions of people. In each effort, the nations liberated have embarked on the difficult path of making laws and holding one another accountable. These are not easy steps; but in the end, with the continued support of the United States, these efforts will prove to be an endur-

ing and lasting legacy for both these men and our Nation.

Mr. Speaker, in my life I have had the privilege to work alongside the Bush family, both in Texas and in Washington; and today I am humbled and grateful for the opportunity to work here in Congress and to represent the people of west Texas. On behalf of the people of District 11, I would like to extend my humblest gratitude to President George Herbert Walker Bush and President George W. Bush for their service to their community, our State and our Nation. We are a better Nation for their service.

I would also like to acknowledge the role that Federal District Judge Rob Junell played in getting this courthouse renamed in honor of these two fine gentlemen.

I urge my colleagues to support this legislation.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. HULTGREN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. HULTGREN) that the House suspend the rules and pass the bill, H.R. 362.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

SPECIALIST MICHEAL E. PHILLIPS POST OFFICE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

The unfinished business is the vote on the motion to suspend the rules and pass the bill (H.R. 1423) to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office", on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oklahoma (Mr. LANKFORD) that the House suspend the rules and pass the bill.

The vote was taken by electronic device, and there were—yeas 399, nays 0, not voting 33, as follows:

[Roll No. 278]

YEAS—399

Ackerman	Baldwin	Berkley
Adams	Barletta	Berman
Akin	Barrow	Biggert
Altmire	Bartlett	Bilirakis
Amash	Barton (TX)	Bishop (GA)
Andrews	Bass (CA)	Bishop (NY)
Austria	Bass (NH)	Bishop (UT)
Baca	Becerra	Black
Bachmann	Benishke	Blackburn
Bachus	Berg	Blumenauer

Bonner	Gallegly	Lummis	Rothman (NJ)	Shuster	Visclosky
Bono Mack	Garamendi	Lungrén, Daniel E.	Roybal-Allard	Simpson	Walberg
Boustany	Gardner		Royce	Sires	Walden
Brady (TX)	Garrett	Lynch	Runyan	Slaughter	Walsh (IL)
Braley (IA)	Gerlach	Mack	Ruppersberger	Smith (NE)	Walz (MN)
Brooks	Gibbs	Manzullo	Ryan (OH)	Smith (TX)	Wasserman
Brown (FL)	Gibson	Marino	Ryan (WI)	Smith (WA)	Schultz
Buchanan	Gingrey (GA)	Markey	Sánchez, Linda T.	Southerland	Waters
Bucshon	Gohmert	Matheson	Sanchez, Loretta	Speier	Watt
Buerkle	Gonzalez	Matsui	Sarbanes	Stark	Waxman
Burgess	Goodlatte	McCarthy (CA)	Scalise	Stearns	Webster
Burton (IN)	Gosar	McCarthy (NY)	Schakowsky	Stivers	Weiner
Calvert	Gowdy	McCaul	Schiff	Stutzman	Welch
Camp	Granger	McClintock	Schilling	Sullivan	West
Campbell	Graves (GA)	McCollum	Schmidt	Sutton	Westmoreland
Canseco	Graves (MO)	McCotter	Schock	Terry	Whitfield
Cantor	Green, Al	McDermott	Schrader	Thompson (CA)	Wilson (FL)
Capito	Green, Gene	McGovern	Schwartz	Thompson (MS)	Wilson (SC)
Capps	Griffith (VA)	McHenry	Schweikert	Thompson (PA)	Wittman
Capuano	Grimm	McIntyre	Scott (SC)	Thornberry	Wolf
Carnahan	Guinta	McKeon	Scott (VA)	Tiberi	Womack
Carney	Guthrie	McKinley	Scott, Austin	Tierney	Woodall
Carson (IN)	Hall	McMorris	Scott, David	Tipton	Woolsey
Cassidy	Hanabusa	Rodgers	Sensenbrenner	Tonko	Wu
Castor (FL)	Hanna	McNerney	Serrano	Tsongas	Yarmuth
Chabot	Harper	Meehan	Sessions	Turner	Yoder
Chaffetz	Harris	Meeks	Sherman	Upton	Young (FL)
Chandler	Hartzler	Mica	Shimkus	Van Hollen	Young (IN)
Chu	Hastings (FL)	Michaud		Velázquez	
Cicilline	Hastings (WA)	Miller (FL)			
Clarke (MI)	Hayworth	Miller (MI)			
Clarke (NY)	Heck	Miller (NC)			
Clay	Heinrich	Miller, Gary			
Cleaver	Hensarling	Miller, George			
Clyburn	Herger	Moore			
Coble	Herrera Beutler	Moran			
Coffman (CO)	Himes	Mulvaney			
Cohen	Hinchee	Murphy (CT)			
Cole	Hinojosa	Murphy (PA)			
Conaway	Hirono	Myrick			
Connolly (VA)	Holden	Napolitano			
Conyers	Holt	Neal			
Cooper	Honda	Neugebauer			
Costa	Hoyer	Noem			
Courtney	Huelskamp	Nugent			
Cravaack	Huizenga (MI)	Nunes			
Crawford	Hultgren	Nunnelee			
Crenshaw	Hunter	Olson			
Critz	Hurt	Olver			
Crowley	Inslee	Owens			
Cuellar	Israel	Palazzo			
Culberson	Issa	Pallone			
Cummings	Jackson (IL)	Pascarell			
Davis (CA)	Jackson Lee	Pastor (AZ)			
Davis (IL)	(TX)	Paul			
Davis (KY)	Jenkins	Paulsen			
DeFazio	Johnson (GA)	Payne			
DeGette	Johnson (IL)	Pearce			
DeLauro	Johnson (OH)	Pelosi			
Denham	Johnson, E. B.	Pence			
Dent	Jones	Perlmutter			
DesJarlais	Jordan	Peters			
Deutch	Kaptur	Peterson			
Diaz-Balart	Keating	Petri			
Dicks	Kelly	Pingree (ME)			
Dingell	Kildee	Pitts			
Doggett	Kind	Platts			
Dold	King (IA)	Poe (TX)			
Donnelly (IN)	Kingston	Polis			
Doyle	Kinzinger (IL)	Pompeo			
Dreier	Kissell	Posey			
Duffy	Kline	Price (GA)			
Duncan (SC)	Kucinich	Price (NC)			
Duncan (TN)	Labrador	Quayle			
Edwards	Lamborn	Quigley			
Ellison	Lance	Rahall			
Ellmers	Landry	Rangel			
Engel	Langevin	Reed			
Eshoo	Lankford	Rehberg			
Farenthold	Larsen (WA)	Reichert			
Farr	Larson (CT)	Renacci			
Fattah	Latham	Reyes			
Filner	LaTourette	Ribble			
Fincher	Latta	Richardson			
Fitzpatrick	Lee (CA)	Richmond			
Flake	Levin	Rigell			
Fleischmann	Lewis (CA)	Rivera			
Fleming	Lewis (GA)	Rogers (AL)			
Flores	LoBiondo	Rogers (KY)			
Forbes	Loeback	Rogers (MI)			
Fortenberry	Lofgren, Zoe	Rokita			
Fox	Long	Rooney			
Frank (MA)	Lowey	Ros-Lehtinen			
Franks (AZ)	Lucas	Roskam			
Frelinghuysen	Luetkemeyer	Ross (AR)			
Fudge	Lujan	Ross (FL)			

NOT VOTING—33

Aderholt	Emerson	Marchant
Alexander	Giffords	Nadler
Bilbray	Griffin (AR)	Roby
Boren	Grijalva	Roe (TN)
Boswell	Gutierrez	Rohrabacher
Brady (PA)	Heller	Rush
Broun (GA)	Higgins	Sewell
Butterfield	Johnson, Sam	Shuler
Cardoza	King (NY)	Smith (NJ)
Carter	Lipinski	Towns
Costello	Maloney	Young (AK)

□ 1853

Mrs. LOWEY changed her vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GUTIERREZ. Mr. Speaker, I was unavoidably absent for votes in the House Chamber today. Had I been present, I would have voted “yea” on rollcall vote No. 278.

OSAMA BIN LADEN MEETS HIS MAKER

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the long arm of American justice has found the pawn of Satan. The father of al Qaeda, the leader of terrorists, has met his maker, and May 1, 2011, was judgment day. Osama bin Laden was the emblem of all the evil and hatred that exists in this world. The men and women of our military and intelligence community are to be commended for their persistent, relentless dedication to finding and eliminating this monster from the Earth.

This news brings some comfort to the families of the thousands of people who died in the attacks on September 11 and those who have died in the war on terror.

Bin Laden's death is a decisive victory for America. While this momen-

tous event brings us a sense of satisfaction, we must remember that there are more evildoers in the world who want to continue a crusade of hate and murder.

Those people have heard our message loud and clear today: If you attack America, justice will be done, because justice is what we do in the U.S.A.

And that's just the way it is.

MOVING ON TO A MORE PEACEFUL WORLD

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute.)

Mr. GARAMENDI. Mr. Speaker, I rise today to congratulate the United States military for carrying out an extraordinarily difficult and extraordinarily important task. Osama bin Laden is no more, and we thank them for their duration of this long and very necessary task; and for President Obama, he said he would get it done and he did. President Bush worked at this long and hard. And for all that have been involved in this very important task of ridding this world of the world's most notorious and dangerous terrorist, I congratulate them, and I think all America does, also.

We need to continue to focus like a laser on al Qaeda wherever they may be across this world. This is our task, and we will not relent until we have finally succeeded in putting al Qaeda aside and moving on to a more peaceful world.

RECOGNITION OF THE COUDERSPORT MOON TREE

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, Apollo 14 launched on January 31, 1971, on its third trip to the Moon. Alan Shepard, Stuart Roosa, and Edgar Mitchell composed the Apollo's eighth manned mission to the lunar surface.

Also on board were seeds from several common varieties of trees, part of a joint project with NASA and the U.S. Forest Service, known as the “Moon trees,” to see whether spaceflight affected seeds' ability to sprout. The resulting seedlings were planted throughout the United States as a tribute to the Apollo program.

One of the surviving trees is in Pennsylvania's Fifth District, in Coudersport, Potter County. The Coudersport Moon tree, a sycamore, is among dozens reported as missing by NASA, until a local resident became aware of NASA's attempts to track down the remaining national treasures.

Today, Potter County's Moon tree is alive and well, and members of the Coudersport Area Lions Club have agreed to partner with the local government for a dedication ceremony

that will bring long-overdue attention to our Moon tree.

We collectively should recognize the importance of NASA's Apollo program, and I want to thank my constituents in Coudersport for working to ensure the Moon trees continue to serve as a living monument to our Nation's first visit to the Moon.

□ 1900

JUSTICE BROUGHT TO OSAMA BIN LADEN

(Mr. LANGEVIN asked and was given permission to address the House for 1 minute.)

Mr. LANGEVIN. Mr. Speaker, I rise today as we, as a Nation, commemorate this historic day that Osama bin Laden was brought to justice or, more appropriately, justice was brought to him. I want to take this occasion to congratulate President Obama and his team, CIA Director Leon Panetta and the members of the CIA and our intelligence community as well as our Nation's military who have worked diligently and tirelessly over the last nearly 10 years to hunt down and eliminate Osama bin Laden. I know that countless man hours and millions of dollars—an incredible effort was put together to make sure that Osama bin Laden and al Qaeda were held accountable for the horrific attacks on the United States of America on 9/11.

Let me say that my heart and my thoughts and prayers are with the victims and their families of that horrific day on 9/11. We hope that this, in some way, brings closure to them, as we hope also that it now closes a painful chapter in U.S. history with the elimination of Osama bin Laden. I thank, again, all of those that had a hand in this, particularly the members of our military and intelligence community who worked so hard and carried out this mission flawlessly.

WE WILL PREVAIL IN THE WAR ON TERROR

(Mr. DESJARLAIS asked and was given permission to address the House for 1 minute.)

Mr. DESJARLAIS. Like all Americans, I was relieved to hear the news that the world's most notorious terrorist would no longer be able to pose a threat to those who seek peace and freedom. We owe a great deal of gratitude to our brave men and women serving in uniform, as well as our intelligence officers, for successfully bringing down Osama bin Laden and scoring a major victory in the fight against terrorism. These individuals truly deserve our Nation's deepest appreciation for the selfless work they do in order to keep us safe.

Unfortunately, this occasion is bittersweet. As we reflect on those that

laid down their lives in defending our freedom, these individuals made the ultimate sacrifice to ensure that we enjoy the precious blessings of liberty. While there is nothing that can replace the lives that have been lost, I hope that their loved ones can take some solace in the fact that the man responsible for September 11 has been brought to justice. Yesterday should send a clear message to those that engage in terrorist activities that we will find you and you will pay for your crimes. We are America, a Nation built by and defended by heroes, and we will prevail in the war on terror.

ENDING OUR MILITARY PRESENCE IN THE MIDDLE EAST

(Ms. WOOLSEY asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. WOOLSEY. Mr. Speaker, my first thought when watching the news last night was about the people who have a hole in their hearts and in their homes because of the senseless brutal violence perpetrated by Osama bin Laden. There was 9/11, of course, but also the 1993 World Trade Center bombing, the embassy bombings in east Africa, and the attack on the USS *Cole*. Osama bin Laden is responsible for so much evil, and I hope that the families of his victims can now find some measure of peace and closure.

Bin Laden is dead, but the terrorism threat that he represents remains alive and well. The network he created continues to thrive. And I believe, Mr. Speaker, that al Qaeda will remain strong as long as we continue our policy of aggressive militarism in the Middle East. I would like to see what happened on Sunday be the beginning of bringing our troops home and removing the very need for military action in the Middle East.

MEDICARE REFORM AND THE DEBT

(Mrs. BLACK asked and was given permission to address the House for 1 minute.)

Mrs. BLACK. Last week I held three town hall meetings back in my community, throughout my district; and the number one topic was the staggering national debt. People in my district are angry at Washington that they have allowed the debt to balloon so far out of control. Many understand that big changes have to be made to reduce spending and to address our debt. And while the problem includes billions that have been spent to grow agencies and bloat programs over the years, the big problem is the auto-pilot programs.

Medicare spending is growing at an unsustainable rate of 7.2 percent every year; and unless we start now, Medicare goes bankrupt in 9 years, accord-

ing to the CBO, and in 7 to 19 years, according to the Medicare Trustees Report. Left unchecked, the explosive growth of these programs, especially Medicare, threatens not only the ability of government to keep its promises to the beneficiaries but also the solvency of the Federal Government and the health of the U.S. economy.

Our Republican plan addresses this unsustainable growth while ensuring that our current seniors, those 55 and older, are still taken care of. Our Republican plan attacks the growth. And when we hear the political fodder, I ask, Where is your plan to address Medicare and reduce our debt? The time for leadership on this issue is now, not in 5 to 10 years when Medicare is almost bankrupt. Let us seize this moment and do what is necessary to preserve this vital program and save America from our looming debt crisis.

ELIMINATING OSAMA BIN LADEN

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Let me begin by commending our Commander in Chief, President Barack Obama, and his team of experts who debated and discussed the exercise that eliminated Osama bin Laden. On an issue like this, there are many different points of view, and it takes a person who has the ability to evaluate to take charge. And he made a decision.

We certainly would like to commend the Navy SEALs who did another extraordinary job, just as they did in Somalia when I was there. I was in Somalia the day after the Navy SEALs eliminated the pirates who had hijacked a ship. And I was at a press conference in Mogadishu where I said that when you tread on Americans, this is the result. In the middle of Mogadishu as I left, as you may recall, my plane was fired on by persons who are related to al Qaeda.

Well, let me once again comment that New Jersey, who lost so many people in 9/11 going to the World Trade Center where many of them work, we hope that they will have some peace.

NATIONAL PHYSICAL FITNESS MONTH AND WELLNESS CAUCUS

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I want to take a moment to recognize the month of May as National Physical Fitness and Sports Month. Since 1983, various individuals and organizations have focused on May as a time to promote awareness of the value of physical activity and the pursuit of happier, healthier, and more productive lives.

Chronic diseases, including preventable illnesses like heart disease and stroke, cause 70 percent of U.S. deaths and are responsible for three-quarters of health care spending. The great majority of these conditions are linked to risky health behavior such as obesity and lack of exercise.

Congress should be drawing attention to the benefits of a healthy lifestyle and the good work being done by many employers to encourage healthy behaviors through workplace wellness programs.

Mr. Speaker, that's why I am partnering with my colleague, RON KIND from Wisconsin, to create a Congressional Wellness Caucus that I encourage my colleagues to join.

THE END OF OSAMA BIN LADEN'S REIGN OF TERROR

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. Mr. Speaker, for those of us who were here on 9/11 in this humble place and saw the building smoke, we know what today and the last 24 hours have meant. Thank you to the Navy SEALs for their bravery, for their strategic genius, for providing a safety net to bring them all out, to make sure that the women and children were protected.

Thank you to President Clinton, President Bush, President Obama, the continuing chain of those who experienced terrorism who worked together. Thank you, President Obama. And, again, to the families of the victims, no one knows the story, those who were victims whose family members died at the USS *Cole* or in Africa or on 9/11 or in 1993.

So I ask us not to move forward in this country as Democrats or Republicans but as Americans, not as conservative radio talk show listeners who seemingly cannot find a glimmering of hope. But come together as Americans. Osama bin Laden is dead, and we have the opportunity to thank the Navy SEALs and the United States military. And we have the ability to move forward as Americans, to move forward for peace and democracy and to be able to thank those who have laid down their lives, who sacrifice so that our flag can fly and justice can prevail in our Nation and around the world.

□ 1910

THE KILLING OF OSAMA BIN LADEN

The SPEAKER pro tempore (Mr. TIPPON). Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for 60 minutes as the designee of the majority leader.

Mr. BURTON of Indiana. Thank you, Mr. Speaker.

This is a momentous occasion. The headlines all across the country say the same thing: Osama bin Laden has been killed and justice has been done. I think everybody ought to celebrate the tenacity of the American military and this administration as well as the Bush administration for being dedicated to bringing this man to justice for the things that he has done not only to the United States but to the entire world.

I would like to start off this Special Order by giving a little bit of history of Osama bin Laden and what he has done. In 1990, he started criticizing the Saudi regime for allowing the Americans to establish a base of operations there. In 1991, he was expelled from Saudi Arabia and disenfranchised or disowned by his family. He immediately went out and started working to establish al Qaeda, to establish a terrorist network that would kill people who didn't agree with his views and to terrorize the world until they started acceding to his wishes.

Let me just read a few of these things, and these are widely attributed to al Qaeda, or al Qaeda-inspired groups, which was headed by Osama bin Laden.

In December of 1992, there was a bomb attack that killed two people at Gold Mohor Hotel in Aden, Yemen. One hundred U.S. military personnel were stationed in the hotel awaiting deployment into Somalia for Operation Restore Hope.

In February of 1993, a 500-kilogram bomb was detonated beneath the World Trade Center—we all remember that—in New York City. Six were killed and 1,000 were injured.

In March of 1993, 250 people were killed and 700 injured in a series of 13 bomb explosions that took place in Bombay, India.

In October of 1993, 18 U.S. servicemen were killed in the Black Hawk Down incident in Somalia. Al Qaeda claimed responsibility for arming the Somali factions who battled and killed those U.S. forces.

In November of 1995, five Americans were killed in the bombing of the U.S. military advisory facility in Riyadh, Saudi Arabia.

In June of 1996, 19 U.S. airmen were killed in the bombing of Khobar Towers near Dhahran, Saudi Arabia.

In November of 1997, 62 people were killed by gunmen in the massacre at Luxor in Egypt.

In August of 1998, 223 people were killed when the U.S. Embassies in Kenya and Tanzania were attacked.

In October of 2000, 17 U.S. sailors aboard the USS *Cole* were killed in a ship-borne suicide bombing while the *Cole* was docked in Aden, Yemen.

On September 11, 2001, 2,974 Americans and others were killed when hijacked planes are flown into the World Trade Center and the Pentagon. I don't think America will ever forget that day.

In December of 2001, attempted bombing of an American Airlines flight from Paris to Boston by al Qaeda operative Richard Reid, a/k/a the Shoe Bomber.

In October of 2002, 200 people killed and 240 injured in a series of bombings in the tourist district of Kuta, Bali, Indonesia.

In November of 2003, 57 people killed and 700 injured by four truck bombs in Istanbul, Turkey.

In February 2004, 116 people killed in the bombing and subsequent sinking of the ferry SuperFerry 14 in the Philippines.

In March 2004, 191 people were killed and 2,000 wounded in a bombing of the Madrid commuter train system.

In May of 2004, 22 people killed and 25 injured in attacks on two oil industry installations, the Arab Petroleum Investments Corporation building and the Petroleum Centre near Al-Khobar, Saudi Arabia.

In July 2005, 56 killed and 700 injured in an attack on the London transportation sector. Three bombs were detonated on the London Underground and one on a double decker bus.

In July 2005, 88 killed and 200 injured in a series of bomb blasts in the Egyptian resort city of Sharm el-Sheikh, located on the southern tip of the Sinai Peninsula.

In November 2005, 60 were killed and hundreds wounded in a suicide bomber attack on three hotels in Amman, Jordan.

In July 2006, 209 killed and 700 injured in a series of seven bomb blasts on the Suburban Railway in Mumbai (Bombay) India.

In April 2007, 33 people killed in twin bombings in Algiers, Algeria.

In June of 2008, six people killed and several injured in a car bomb attack against the Danish Embassy in Pakistan. Al Qaeda issued a statement after the bombings claiming that the attack was a response to the 2005 publication of the Mohammed cartoons.

In December 2009, an attempted bombing of Northwest Airlines Flight 253 to Detroit by Umar Farouk Abdulmutallab.

In May 2010, an attempted car bomb in Times Square, New York. Faisal Shahzad, a 30-year-old Pakistan-born resident of Bridgeport, Connecticut, admitted attempting the car bombing and said he had trained at a Pakistani terrorist training camp.

In October 2010, an attempted bombing of a U.S.-bound cargo plane. Two packages, each containing a bomb consisting of 300 to 400 grams of plastic explosives and a detonating mechanism, were found on separate cargo planes. Al Qaeda in the Arabian Peninsula took responsibility for that plot.

April 28, 2011, 16 killed in a bomb attack on a market in Marrakesh, Morocco.

April 29, 2011, an attempted attack in Germany. Police arrested three alleged

members of al Qaeda who had been planning attacks in the country.

This is the legacy that Osama bin Laden leaves behind: blood, murder, maiming, all across the world because he had radical views that he did not believe the rest of the world should not encompass and enjoy. This is a terrible tragedy, a terrible thing that occurred in this world by one human being. He has been brought to justice now, and we should compliment President Bush and President Obama for being tenacious in going after this man.

One of the things—and I will talk about this later after I yield to my colleague—that I think should be sent around the world is this message: No matter where you go, no matter where you hide, if you're a terrorist who attacks the free world, we will come and get you. The allied countries who fight terrorism, including the United States, will not rest until you're brought to justice. It took us 10 years to get Osama bin Laden, but we got him. I want to thank once again President Bush for taking the initiative originally and President Obama for signing the attack message just a couple of days ago to make sure we brought him to justice.

With that, I would like to yield to my colleague from Indiana's Third District for whatever time he may consume.

Mr. STUTZMAN. I thank my colleague, Congressman BURTON, for his comments.

What a momentous day, as he said, that we can all take courage and to look to the future, but as well as celebrate the ending of a chapter that has caused so much pain and so much fear in the lives of many Americans.

Three weeks after my wife and I had our first born child, our American homeland was attacked by terrorists on September 11, 2001. As I held my baby boy, I knew that I had to do something, and ensuring the future security of my two sons is the reason I ran for the U.S. Congress.

The terrorist attacks on 9/11 tested our security, our defense, and our fortitude in protecting our country, but we have not stood idly by. For nearly 10 years now, our American soldiers have given their lives every day in Operation New Dawn, Operation Enduring Freedom, and now Operation Odyssey Dawn to protect our Nation and to secure justice. Their service demands respect and admiration.

□ 1920

Last night, justice was served. bin Laden has been the leader and the symbol of al Qaeda for more than 20 years, continually plotting attacks against the United States and its allies.

The word "Qaeda" means foundation or base. Osama bin Laden was the head of this foundation, the face of terrorism around the world, a foundation

upon which its members expected to erect a vigorous, widespread network spreading terror around the world.

Well, folks, we have beheaded their foundation. We have beheaded al Qaeda. And should they continue, we will be glad to bring justice and help them join their leader once again if they so choose.

We must continue to fight. Our third President, Thomas Jefferson, said this: "Eternal vigilance is the price of freedom."

We must use our strength and cultivate our relationships with the people around the world to ensure we take a stand against cruel dictatorships, tyranny and radical Islam.

As I work with Congress and military commanders, I will fight to honor those who have died to secure our freedom because they deserve our utmost respect, and we should only be so grateful.

I congratulate the men and the women of our military and intelligence communities who have devoted their lives to this mission. For this, our soldiers have America's boundless gratitude.

I also want to commend and congratulate President Obama and President Bush for their determination and their willingness to continue the fight, to pursue Osama bin Laden, who has been the eluding terrorist, the face of terrorism around this world. And today, freedom has been victorious.

I am honored to represent the people of Indiana's Third District and am proud of Indiana's 14,700 members of the Indiana Army and Air National Guard. It is the dedication of these men and women and their families who have brought the leader of al Qaeda to justice and will continue to bring justice to those who seek to destroy freedom and destroy America.

As Winston Churchill once said: We sleep safe in our beds because rough men stand ready in the night to visit violence on those who would do us harm.

So, Mr. Speaker, today is one of those days that I didn't know that I would ever see, but stand here knowing that we have been victorious, but also know that the fight in front of us is not over with; that we will continue to be vigilant; that we will support our troops, our men and our women, our Commander-in-Chief in this fight on terrorism.

Mr. BURTON of Indiana. I thank my good friend, Congressman STUTZMAN, for his remarks, and I really appreciate you taking your time to come down here tonight.

Congressman STUTZMAN talked a little bit about the military, and I really appreciate that because we have thousands, hundreds of thousands of men and women in the military defending our freedoms all around the world, in Afghanistan and in Iraq, and we have

them in Germany and we have them in Korea. We have them in bases all around the world making sure that the freedoms we enjoy today and tonight will be there tomorrow for us and our kids and our grandkids.

But tonight I'd like to read a little bit of an article that was written just yesterday by a fellow named Marc Ambinder with the National Journal. And I think it's really well done, and it points out all the hard work that went into going after Osama bin Laden.

The team that killed Osama bin Laden were members of the counterterrorism unit for the Navy, known as the Navy SEAL Team 6. It's a highly elusive group that was developed in the 1980s to rescue American hostages in Iran. They exist outside the military protocol and engage in operations that are at the highest level of classification. The fact that Team 6 is front page news today is a measure of how important the publicity about bin Laden's killing is to the U.S., because normally you don't hear about these guys.

The President gave the order on Friday morning for the operation to pursue bin Laden. The strike began early Sunday morning, at the Ghazi Air Base in Pakistan, the MH-60 helicopters made their way to Osama bin Laden's tightly guarded compound, which is 70 miles from the center of Islamabad.

The helicopter carrying the team of SEALs malfunctioned. Can you imagine that? They're over their target and the helicopter stops working. As it hovered outside the high walls, the pilot gently landed inside the walls of the 3-story condo, but he couldn't get the helicopter going again.

And yet the assault team disembarked to raid the massive, walled compound, prepared to take bin Laden dead or alive, even though they knew there was a chance they wouldn't have a ride back. Their lives were at risk, and yet they went ahead and carried out their mission.

Bin Laden was discovered using women as human shields as American forces fired at him. One of the women was his wife. Bin Laden was shot in the face by the SEALs during a firefight after resisting capture. Three other males were killed along with bin Laden. One of them was his adult son.

With the team still in the compound, the commander on the ground told a remote commander that they had found bin Laden. The Special Forces blew up the malfunctioned chopper, helicopter, then escaped in a reinforcement close to 4:15 p.m., just 40 minutes after they landed.

The West Wing staff worked most of the day on the operation. President Obama joined senior national security officials in the Situation Room that afternoon as the firefight was monitored.

Leon Panetta, one of our old colleagues here, was in his conference

room at the CIA headquarters, which he had turned into a conference center to give him constant contact with the tactical leaders of the strike team. And I want to compliment Leon as well. I hope he's paying attention to this.

Less than 12 hours after the raid, bin Laden's body was taken to the aircraft carrier, USS *Carl Vinson*, and he was buried in the North Arabian Sea overnight. A DNA match from the remains confirmed that bin Laden was dead at age 54.

And of course President Obama made the official announcement of his death from the East Room of the White House at 11:35 p.m., and he said what all of us really agree with: "Justice has been done."

But we still have a lot of those guys out there that we have to watch out for; and the message needs to be sent again and again today and in the days to come that anybody that takes up the mantle of leadership like Osama bin Laden, we're going to go after them. And we have the elite military people, the Special Forces, the people in the Air Force, the Marines, and the Navy SEALs, that will get the job done. They know how to do it, and they are willing to risk their lives to get it done.

Mr. Speaker, I would now like to go through a minute-by-minute description of what happened. And once again, it's an article that was written on national security by the secret team that killed bin Laden. It was an article written for the *National Journal* by Marc Ambinder, and it's very well done. I'd like to go through this with my colleagues because it tells almost everything that took place during this operation.

"The two sides of the Joint Special Operations Command Challenge Coin, which was given out by the JSOC Commander, Vice Admiral William McRaven.

"From Ghazi Air Base in Pakistan, the modified MH-60 helicopters made their way to the garrison suburb of Abbottabad, about 70 miles from the center of Islamabad."

□ 1930

"Aboard were Navy SEALs, flown across the border from Afghanistan, along with tactical signals, intelligence collectors, and navigators using highly classified hyperspectral imagers.

"After bursts of fire of over 40 minutes, 22 people were killed or captured. One of the dead was Osama bin Laden, done in by a double tap—boom, boom—to the left side of his face. His body was aboard the choppers that made the trip back. One had experienced mechanical failure and was destroyed by U.S. forces, military and White House officials tell *National Journal*.

"Were it not for this high-value target, it might have been a routine mis-

sion for the specially trained and highly mythologized SEAL Team Six, officially called the Naval Special Warfare Development Group, but known even to the locals at their home base Dam Neck in Virginia as just DevGru.

"This HVT was special, and the raids required practice, so they replicated the 1-acre compound. Trial runs were held in early April.

"DevGru belongs to the Joint Special Operations Command, an extraordinary and unusual collection of classified standing task forces and special missions units. They report to the President and operate worldwide based on the legal (or extra-legal) premises of classified Presidential directives. Though the general public knows about the special SEALs and their brothers in Delta Force, most JSOC missions never leak. We only hear about JSOC when something goes bad (a British aid worker is accidentally killed) or when something really big happens (a merchant marine captain is rescued at sea), and even then, the military remains especially sensitive about their existence. Several dozen JSOC operatives have died in Pakistan over the past several years."

These are heroic people that go in and risk their lives on a daily basis on special operations to kill and destroy the enemy before they get to us.

"Their names are released by the Defense Department in the usual manner, but with a cover story—generally, they were killed in training accidents in eastern Afghanistan. That's the code."

So they don't get the glory that is due them because they know that they have gone into a secret mission that cannot be exposed, and they risk their lives defending this country. And many of them will never be known, but they fought and died to save us all.

"How did the helicopters elude the Pakistani air defense network? Did they spoof transponder codes? Were they painted and tricked out with Pakistan Air Force equipment? If so—and we may never know—two other JSOC units, the Technical Application Programs Office and the Aviation Technology Evaluation Group, were responsible. These truly are the silent squirrels, never getting public credit and not caring one whit. Since 9/11, the JSOC units and their task forces have become the U.S. government's most effective and lethal weapon against terrorists and their networks, drawing plenty of unwanted, and occasionally unflattering, attention to themselves in the process."

When things don't go exactly right, they get criticized, even though they are going in and risking their lives without being glorified or being well-known. And yet, when something goes wrong, they are criticized, but they rarely get the credit that's due them.

"JSOC costs the country more than \$1 billion annually. The command has

its critics, but it has escaped significant congressional scrutiny and has operated largely with impunity since 9/11. Some of its interrogators and operators were involved in torture and rendition"—and I don't believe that's the case. I would take issue with this part of the article, because I never did think waterboarding was torture. I think it was a system that was used to get information that would save us from terrorists, and that waterboarding may very well have led to the information that got Osama bin Laden a couple of days ago—"and the line between its intelligence-gathering activities and the CIA's has been blurred.

"But Sunday's operation provides strong evidence that the CIA and JSOC work well together. Sometimes intelligence needs to be developed rapidly, to get inside the enemy's operational loop. And sometimes it needs to be cultivated, grown as if it were a delicate bacteria in a petri dish.

"In an interview at CIA headquarters 2 weeks ago, a senior intelligence official said the two proud groups of American secret warriors had been 'deconflicted and basically integrated'—finally—10 years after 9/11. Indeed, according to accounts given to journalists by five senior administration officials Sunday night, the CIA gathered the intelligence that led to bin Laden's location. A memo from CIA Director Leon Panetta sent Sunday night provides some hints of how the information was collected and analyzed. In it, he thanked the National Security Agency and the National Geospatial-Intelligence Agency for their help. NSA figured out, somehow, that there was no telephone or Internet service in the compound. How it did this without Pakistan's knowledge is a secret. The NGIA makes the military's maps but also develops their pattern recognition software—no doubt used to help establish, by February of this year, that the CIA could say 'with high probability' that bin Laden and his family were living there.

"Recently, JSOC built a new Targeting and Analysis Center in Rosslyn, Virginia. Where the National Counterterrorism Center tends to focus on threats to the homeland, TAAC, whose existence was first disclosed by the Associated Press, focuses outward, on active 'kinetic'—or lethal—counterterrorism missions abroad.

"That the Center could be stood up under the nose of some of the Nation's most senior intelligence officials without their full knowledge testifies to the power and reach of JSOC, whose size has tripled since 9/11. The command now includes more than 4,000 soldiers and civilians. It has its own intelligence division, which may or may not have been involved in last night's effort, and has gobbled up a number of free-floating Defense Department entities that allowed it to rapidly acquire, test, and field new technologies.

"Under a variety of standing orders, JSOC is involved in more than 50 current operations spanning a dozen countries, and its units, supported by so-called 'white' or acknowledged, special operations entities like Rangers, Special Forces battalions, SEAL teams, and Air Force special ops units from the larger Special Operations Command, are responsible for most of the 'kinetic' actions in Afghanistan.

"Pentagon officials are conscious of the enormous stress that 10 years of war have placed on the command. JSOC resources are heavily taxed by the operational tempo in Afghanistan and Pakistan, officials have said. The current commander, Vice Admiral William McRaven, and Major General Joseph Votel, McRaven's nominated replacement, have been pushing to add people and intelligence, surveillance, and reconnaissance technology to areas outside the war theater where al Qaeda and its affiliates continue to thrive.

"Earlier this year, it seemed that the elite units would face the same budget pressures that the entire military was experiencing. Not anymore. The military found a way, largely by reducing contracting staff and borrowing others from Special Operations Command, to add 50 positions to the JSOC. And Votel wants to add several squadrons to the 'Tier One' units—Delta and the SEALs." And, boy, he will have my vote for that.

"When General Stanley McChrystal became JSOC's commanding general in 2004, he and his intelligence chief, Major General Michael Flynn, set about transforming the way the subordinate units analyze and act on intelligence. Insurgents in Iraq were exploiting the slow decision loop that coalition commanders used, and enhanced interrogation techniques were frowned upon after the Abu Ghraib scandal. But the hunger for actionable tactical intelligence on insurgents was palpable."

I want to add one more time, and this was not in the article, but I really believe when we are talking about dealing with terrorists and getting information that will stop terrorists from attacking us in the United States or elsewhere in the world, we ought to use whatever techniques that we possibly can to get that information. And I'm not talking about torture. Some of the newspaper people and news people that we see on television have actually experienced waterboarding on television to show how it works, and it was not torture and it is not torture, and we

ought to use those techniques to make sure we protect our homeland and our people here and abroad.

"The way JSOC solved this problem remains a carefully guarded secret, but people familiar with the unit suggest that McChrystal and Flynn introduced hardened commandos to basic criminal forensic techniques and then used highly advanced and still-classified technology to transform bits of information into actionable intelligence."

□ 1940

"One way they did this was to create forward-deployed fusion cells, where JSOC units were paired with intelligence analysts from the NSA and the NGA. Such analysis helped the CIA to establish with a high degree of probability that Osama bin Laden and his family were hiding in that compound where he was hit.

"These technicians could 'exploit and analyze' data obtained from the battlefield instantly, using their access to the government's various biometric, facial-recognition, and voice-print databases. These cells also used highly advanced surveillance technology and computer-based pattern analysis to layer predictive models of insurgent behavior into real-time observations.

"The military has begun to incorporate these techniques across the services. And Flynn will soon be promoted to a job within the Office of the Director of National Intelligence, where he will be tasked with transforming the way intelligence is gathered, analyzed, and utilized."

That article tells just about everything about how this all came about and how it was carried out. But the one thing that isn't really hit hard enough, in my opinion, is the men and women in the military who do the job for us every single day. Sometimes we fight about spending in this body. We fight about who gets the money. But the one thing we should never fight about is the money that goes to our Armed Forces, our men and women who do risk their lives every single day.

My hat goes off to those who were in the command that got Osama bin Laden, and the people, the Navy SEALs that got the job done, even though their helicopter failed to work. They went in, 40 of them, and risked their lives, knowing that they might not come out. They got Osama bin Laden, they got 22 others, they got his body out of there, and they got back to freedom without any casualties.

So my hat goes off to you, Navy SEALs, and to all of those in the mili-

tary who risk their lives every single day protecting and preserving our freedoms. And for those Special Ops guys in all the branches of the service, well done.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1213, REPEALING MANDATORY FUNDING FOR STATE HEALTH INSURANCE EXCHANGES, AND PROVIDING FOR CONSIDERATION OF H.R. 1214, REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

Mr. REED (during the Special Order of Mr. BURTON of Indiana), from the Committee on Rules, submitted a privileged report (Rept. No. 112-70) on the resolution (H. Res. 236) providing for consideration of the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, and providing for consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 3, NO TAXPAYER FUNDING FOR ABORTION ACT

Mr. REED (during the Special Order of Mr. BURTON of Indiana), from the Committee on Rules, submitted a privileged report (Rept. No. 112-71) on the resolution (H. Res. 237) providing for consideration of the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes, which was referred to the House Calendar and ordered to be printed.

ADJOURNMENT

Mr. BURTON of Indiana. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 42 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, May 3, 2011, at 10 a.m. for morning-hour debate.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-Authorized Official Travel during the first quarter of 2011 pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO ITALY AND AFGHANISTAN, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN MAR. 18 AND MAR. 23, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
Hon. Nancy Pelosi	3/18	3/19	Italy		1,257.00		(³)				1,257.00
Hon. Rosa DeLauro	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Hon. John Mica	3/18	3/19	Italy		1,257.00		(³)				1,257.00
Hon. Leonard Boswell	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Hon. William Pascrell	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Wilson Livingood	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Dr. Brian Monahan	3/18	3/19	Italy		1,248.66		(³)				1,248.66
John Lawrence	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Jim Coon	3/18	3/19	Italy		1,248.66		(³)				1,248.66
Bridget Fallon	3/18	3/23	Italy		3,790.93		(³)				3,790.93
Kate Knudson	3/18	3/23	Italy		3,790.93		(³)				3,790.93
Nadeam Elshami	3/18	3/23	Italy		3,790.93		(³)				3,790.93
Hon. Nancy Pelosi	3/19	3/20	Afghanistan				(³)				
Hon. Rosa DeLauro	3/19	3/20	Afghanistan				(³)				
Hon. John Mica	3/19	3/20	Afghanistan				(³)				
Hon. Leonard Boswell	3/19	3/20	Afghanistan				(³)				
Hon. William Pascrell	3/19	3/20	Afghanistan				(³)				
Wilson Livingood	3/19	3/20	Afghanistan				(³)				
Dr. Brian Monahan	3/19	3/20	Afghanistan				(³)				
John Lawrence	3/19	3/20	Afghanistan				(³)				
Jim Coon	3/19	3/20	Afghanistan				(³)				
Hon. Nancy Pelosi	3/20	3/23	Italy		1,860.28		(³)				1,860.28
Hon. Rosa DeLauro	3/20	3/23	Italy		1,565.83		(³)				1,565.83
Hon. John Mica	3/20	3/23	Italy		2,060.28		(³)				2,060.28
Hon. Leonard Boswell	3/20	3/23	Italy		1,851.94		(³)				1,851.94
Hon. William Pascrell	3/20	3/23	Italy		1,801.94		(³)				1,801.94
Wilson Livingood	3/20	3/23	Italy		1,521.94		(³)				1,521.94
Dr. Brian Monahan	3/20	3/23	Italy		1,719.94		(³)				1,719.94
John Lawrence	3/20	3/23	Italy		1,851.94		(³)				1,851.94
Jim Coon	3/20	3/23	Italy		2,051.94		(³)				2,051.94
Committee total											38,913.44

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.³ Military airtransportation.

HON. NANCY PELOSI, Apr. 20, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return.☒											

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JOHN L. MICA, Chairman, Apr. 21, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON VETERANS' AFFAIRS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input type="checkbox"/>											

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. JEFF MILLER, Chairman, Apr. 12, 2011.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, JOINT COMMITTEE ON TAXATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 1 AND MAR. 31, 2011

Name of Member or employee	Date		Country	Per diem ¹		Transportation		Other purposes		Total	
	Arrival	Departure		Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²	Foreign currency	U.S. dollar equivalent or U.S. currency ²
HOUSE COMMITTEES											
Please Note: If there were no expenditures during the calendar quarter noted above, please check the box at right to so indicate and return. <input type="checkbox"/>											

¹ Per diem constitutes lodging and meals.² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

HON. DAVE CAMP, Chairman, Apr. 18, 2011.

EXECUTIVE COMMUNICATIONS,
ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1306. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Kiwifruit Grown in California; Order Amending Marketing Order No. 920; Correction [Doc. No.: AO-FV-08-0174; AMS-FV-08-0085; FV08-920-3 C] received April 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1307. A letter from the Under Secretary, Department of Defense, transmitting the Department's annual report for 2010 on the STARBASE Program, pursuant to 10 U.S.C. 2193b(g); to the Committee on Armed Services.

1308. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to Hong Kong pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

1309. A letter from the Chief, Publications and Regulations Branch, Joint Board for the Enrollment of Actuaries, transmitting the Board's final rule — Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974 [TD 9517] (RIN: 1545-BC82) received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1310. A letter from the Secretary, Department of Health and Human Services, transmitting second quarterly report on Progress Toward Promulgating Final Regulations for the Menu and Vending Machine Labeling Provisions of the Patient Protection and Affordable Care Act of 2010; to the Committee on Energy and Commerce.

1311. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — Secondary Direct Food Additives Permitted in Food for Human Consumption [Docket No.: FDA-2010-F-0200] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1312. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — List of Approved Spent Fuel Storage Casks: HI-STORM Flood/Wind Addition [NRC-2011-0007] (RIN: 3150-A190) received April 19, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1313. A communication from the President of the United States, transmitting notification of the expansion of the scope of the national emergency declared with respect to Syria declared in Executive Order 13338 of May 11, 2004, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-17); to the Committee on Foreign Affairs and ordered to be printed.

1314. A communication from the President of the United States, transmitting notification of an Executive Order that takes additional steps with respect to the national emergency by the government of North Korea declared by Executive Order 13466 of June 26, 2008, and expanded in Executive Order 13551 of August 30, 2010 that will ensure implementation of the import restrictions contained in UNSCRs 1718 and 1874 and complement the import restrictions provided for

in the Arms Export Control Act, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-18); to the Committee on Foreign Affairs and ordered to be printed.

1315. A communication from the President of the United States, transmitting notification that the national emergency with respect to blocking property of certain persons and prohibiting the exportation and reexportation of certain goods to Syria, originally declared on May 11, 2004, by Executive Order 13338, is to continue in effect beyond May 11, 2011, pursuant to 50 U.S.C. 1622(d); (H. Doc. No. 112-19); to the Committee on Foreign Affairs and ordered to be printed.

1316. A letter from the Chairman, Consumer Product Safety Commission, transmitting the Commission's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1317. A letter from the Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1318. A letter from the Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1319. A letter from the Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1320. A letter from the Chief Human Capital Officer, Department of Energy, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1321. A letter from the Chairman, Federal Labor Relations Authority, transmitting the Authority's fiscal year 2010 annual report prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1322. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1323. A letter from the Senior Vice President, Diversity and Labor Relations, Tennessee Valley Authority, transmitting the Authority's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1324. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA260) received March 28, 2011,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1325. A letter from the Fiscal Assistant Secretary, Department of the Treasury, transmitting 2010 annual report on the management of debt collection activities by Federal agencies; to the Committee on the Judiciary.

1326. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Illinois Waterway Systems located within the Ninth Coast Guard District; Stay (Suspension) [USCG-2011-0003] (RIN: 1625-AA11) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1327. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Sabine Bank Channel, Sabine Pass Channel and Sabine-Neches Waterway, TX [Docket No.: USCG-2009-0316] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1328. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; San Diego Parade of Lights Fireworks, San Diego, CA [Docket No.: USCG-2010-1011] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1329. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Lake Mead Intake Construction, Lake Mead, Boulder City, NV [Docket No.: USCG-2010-1112] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1330. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; On the Waters in Kailua Bay, Oahu, HI [Docket No.: USCG-2010-1111] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1331. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone: Fleet Industrial Supply Center Pier, San Diego, CA [Docket No.: USCG-2010-0423] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1332. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Columbia River, The Dalles Lock and Dam [Docket No.: USCG-2010-1109] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1333. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Potential Unexploded Ordinance, Pier 91, Seattle, WA [Docket No.: USCG-2010-1098] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1334. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security

Zones; Moored Cruise Ships, Port of San Diego, California [Docket No.: USCG-2010-1129] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1335. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Mississippi River, Iowa and Illinois [CGD08-06-001] (RIN: 1625-AA09) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1336. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Large Passenger Vessel Crew Requirements [USCG-2007-27761] (RIN: 1625-AB16) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1337. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; Atlantic Ocean Five Miles South of Boca Chica, FL [COPT Key West 06-029] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1338. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulations; New Jersey Intracoastal Waterway, Manasquan River [CGD05-05-079] (RIN: 1625-AA09) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1339. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 1000 yard radius from position 29 degrees 48.77'N 091 degrees 33.02'W, Charenton Drainage and Navigational Canal, St. Mary Parish, LA [Docket No.: USCG-2010-0979] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1340. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 737-300, -400, and -500 Series Airplanes [Docket No.: FAA-2010-0379; Directorate Identifier 2009-NM-210-AD; Amendment 39-16609; AD 2011-04-10] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1341. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Thielert Aircraft Engines GmbH Models TAE 125-02-99 and TAE 125-02-114 Reciprocating Engines [Docket No.: FAA-2010-0892; Directorate Identifier 2010-NE-32-AD; Amendment 39-16615; AD 2011-05-06] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1342. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes and Model A340-200, -300, -500, and -600 Series Airplanes [Docket No.: FAA-2010-0859; Directorate Identifier 2010-NM-113-AD; Amendment 39-16614; AD 2011-05-05] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1343. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; The Boeing Company Model 757 Airplanes [Docket No.: FAA-2010-0698; Directorate Identifier 2009-NM-264-AD; Amendment 39-16613; AD 2011-05-04] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1344. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 & 440) Airplanes [Docket No.: FAA-2010-1039; Directorate Identifier 2010-NM-002-AD; Amendment 39-16612; AD 2011-05-03] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1345. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Turbomeca Model Arriel 1E2, 1S, and 1S1 Turboshaft Engines [Docket No.: FAA-2011-0141; Directorate Identifier 2011-NE-06-AD; Amendment 39-16617; AD 2011-05-08] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1346. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Various Transport Category Airplanes Equipped with Chemical Oxygen Generators Installed in a Lavatory [Docket No.: FAA-2011-0157; Directorate Identifier 2010-NM-261-AD; Amendment 39-16630; AD 2011-04-09] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1347. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited (BHCTC) Model 206A, 206B, 206L, 206L-1, 206L-3, 206L-4, 222, 222B, 222U, 230, 407, 427, and 430 Helicopters [Docket No.: FAA-2011-0079; Directorate Identifier 2010-SW-108-AD; Amendment 39-16587; AD 2010-26-51] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1348. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Bell Helicopter Textron Canada Limited Model 427 Helicopters [Docket No.: FAA-2010-0866; Directorate Identifier 2010-SW-065-AD; Amendment 39-16586; AD 2011-03-03] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1349. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; EUROCOPTER FRANCE Model SA330F, SA330G, and SA330J helicopters [Docket No.: FAA-2010-0891; Directorate Identifier 2009-SW-055-AD; Amendment 39-16585; AD 2011-03-02] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1350. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Eclipse Aerospace, Inc. Model EA500 Airplanes Equipped With a Pratt and Whitney Canada, Corp. (PWC) PW610F-A En-

gine [Docket No.: FAA-2011-0199; Directorate Identifier 2011-CE-005-AD; Amendment 39-16631; AD 2011-06-06] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1351. A letter from the Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; Airbus Model A330-243F Airplanes [Docket No.: FAA-2011-0156; Directorate Identifier 2010-NM-231-AD; Amendment 39-16628; AD 2011-06-04] (RIN: 2120-AA64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1352. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Standard Instrument Approach Procedures, and Takeoff Minimums and Obstacle Departure Procedures; Miscellaneous Amendments [Docket No.: 30771; Amdt. No. 3415] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1353. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Clarification of Reciprocal Waivers of Claims for Multiple-Customer Commercial Space Launch and Reentry [Docket No.: FAA-2010-1150; Amendment No. 440-2] (RIN: 2120-AJ85) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1354. A letter from the Secretary, Federal Maritime Commission, transmitting the Commission's final rule — Service Contracts and Non-vessel-operating Service Arrangements; Transmission of Approved Log-in ID and Passwords [Docket No.: 11-03] (RIN: 3072-AC42) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1355. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Administrative Exemptions to the Specified Tax Return Preparer Electronic Filing Requirement Under Internal Revenue Code Sub-section 6011(e)(3) and Regulations Under Sub-section 6011(e)(3) [Notice 2011-26] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1356. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Announcement and Report Concerning Advance Pricing Agreements received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1357. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit, or abatement; determination of correct tax liability (Rev. Proc. 2011-26) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1358. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Industry Director's Directive #2 — Employment Tax and the Employees on the U.S. Outer Continental Shelf (LB&I-4-0211-005) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1359. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule

— Undue Hardship Waivers and Taxpayers Choice Statement (Rev. Proc. 2011-25) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1360. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — The Mailing of Individual Income Tax Returns By Specified Tax Return Preparers in Calendar Year 2011 [Notice 2011-27] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1361. A letter from the Chief Privacy Officer, Department of Homeland Security, transmitting the Department's first quarterly report for fiscal year 2011 from the Office of Security and Privacy; to the Committee on Homeland Security.

1362. A letter from the Assistant Secretary of Defense, Legislative Affairs, Department of Defense, transmitting a draft of proposed legislation entitled the "National Defense Authorization Act for Fiscal Year 2012", pursuant to 31 U.S.C. 1110; jointly to the Committees on the Budget, Armed Services, Financial Services, Energy and Commerce, Transportation and Infrastructure, the Judiciary, House Administration, Intelligence (Permanent Select), Appropriations, Veterans' Affairs, Oversight and Government Reform, and ***

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

[Pursuant to the order of the House on April 15, 2011 the following reports were filed on April 27, 2011]

Mr. UPTON: Committee on Energy and Commerce. H.R. 1215. A bill to amend title V of the Social Security Act to convert funding for personal responsibility education programs from direct appropriations to an authorization of appropriations (Rept. 112-63). Referred to the Committee of the Whole House on the State of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1216. A bill to amend the Public Health Service Act to convert funding for graduate medical education in qualified teaching health centers from direct appropriations to an authorization of appropriations (Rept. 112-64). Referred to the Committee of the Whole House on the State of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1213. A bill to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges (Rept. 112-65). Referred to the Committee of the Whole House on the State of the Union.

Mr. UPTON: Committee on Energy and Commerce. H.R. 1214. A bill to repeal mandatory funding for school-based health center construction (Rept. 112-66, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

[Submitted May 2, 2011]

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1229. A bill to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico; with an amendment (Rept. 112-67, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1230. A bill to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes (Rept. 112-68). Referred to the Committee of the Whole House on the State of the Union.

Mr. HASTINGS of Washington: Committee on Natural Resources. H.R. 1231. A bill to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes; with an amendment (Rept. 112-69). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED: Committee on Rules. House Resolution 236. Resolution providing for consideration of the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, and providing for consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction (Rept. 112-70). Referred to the House Calendar.

Mr. NUGENT: Committee on Rules. House Resolution 237. Resolution providing for consideration of the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes (Rept. 112-71). Referred to the House Calendar.

DISCHARGE OF COMMITTEE

[The following action occurred on April 27, 2011]

Pursuant to clause 2 of rule XIII the Committee on Education and the Workforce discharged from further consideration. H.R. 1214 referred to the Committee of the Whole House on the State of the Union.

[Submitted May 2, 2011]

Pursuant to clause 2 of rule XIII the Committee on the Judiciary discharged from further consideration. H.R. 1229 referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. SIMPSON (for himself and Mr. ROSS of Arkansas):

H.R. 1666. A bill to amend part B of title III of the Public Health Service Act to improve essential oral health care for lower-income individuals by breaking down barriers to care; to the Committee on Energy and Commerce.

By Mrs. CAPITO (for herself, Mr. ROYCE, Mr. CANSECO, Mr. HUIZENG of Michigan, Mr. NEUGEBAUER, Mr. BACHUS, Mr. HENSARLING, Mr. GARY G. MILLER of California, Mrs. BIGGERT, Mr. GARRETT, Mr. SCHWEIKERT, Mr. POSEY, Mr. STIVERS, Mr. CAMPBELL, and Mr. RENACCI):

H.R. 1667. A bill to postpone the date for the transfer of functions to the Bureau of Consumer Financial Protection if the Bureau does not yet have a Director in place; to the Committee on Financial Services.

By Mr. FITZPATRICK:

H.R. 1668. A bill to include nonprofit and volunteer ground and air ambulance crew

members and first responders for certain benefits; to the Committee on the Judiciary.

By Mr. ACKERMAN:

H.R. 1669. A bill to amend title 23, United States Code, to establish a disincentive with respect to States funneling proceeds from license plate sales to partisan political organizations, and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. BORDALLO:

H.R. 1670. A bill to amend the Sikes Act to improve the application of that Act to State-owned facilities used for the national defense; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRALEY of Iowa:

H.R. 1671. A bill to amend title 38, United States Code, to extend the authority of the Secretary of Veterans Affairs to provide specially adapted housing assistance to individuals residing temporarily in housing owned by a family member; to the Committee on Veterans' Affairs.

By Mrs. CAPPS (for herself and Mr. TERRY):

H.R. 1672. A bill to expand the research and awareness activities of the National Institute of Arthritis and Musculoskeletal and Skin Diseases and the Centers for Disease Control and Prevention with respect to scleroderma, and for other purposes; to the Committee on Energy and Commerce.

By Ms. FUDGE:

H.R. 1673. A bill to designate the facility of the United States Postal Service located at 16300 Broadway Avenue in Maple Heights, Ohio, as the "Daniel Kondas Post Office"; to the Committee on Oversight and Government Reform.

By Mr. GALLEGLY (for himself and Mr. PAYNE):

H.R. 1674. A bill to amend the Elementary and Secondary Education Act of 1965 to aid gifted and talented learners, including high-ability learners not formally identified as gifted; to the Committee on Education and the Workforce.

By Mr. LATHAM (for himself, Mr.

KIND, Mr. NUNES, Mr. REHBERG, Mr. MCCOTTER, Mr. AKIN, Mr. GRAVES of Missouri, Mr. SENSENBRENNER, Mr. COLE, Mrs. EMERSON, Mr. SAM JOHNSON of Texas, Mr. HELLER, Mrs. MILLER of Michigan, Mr. HOLDEN, Mr. CROWLEY, Mr. TIPTON, Mr. OLSON, Mr. ANDREWS, Mr. BOUSTANY, Mr. LARSON of Connecticut, Mr. LATOURETTE, Mr. THOMPSON of Mississippi, Mr. BUTTERFIELD, Mr. CARTER, Mr. COFFMAN of Colorado, Ms. BERKLEY, Mr. CARNAHAN, Ms. LINDA T. SANCHEZ of California, Mr. MICHAUD, Mr. SCHRAEDER, Mr. LONG, Mr. LUETKEMEYER, Ms. LORETTA SANCHEZ of California, Mr. MARCHANT, Mr. DENT, Mr. MEEKS, Mr. TOWNS, Mr. WITTMAN, Mr. GARDNER, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CLAY, Mr. COURTNEY, Mr. BOSWELL, Mr. ROSS of Arkansas, Mrs. CAPITO, Mr. PAUL, and Ms. ROS-LEHTINEN):

H.R. 1675. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level, and for other purposes; to the Committee on Ways and Means.

By Mrs. MALONEY (for herself, Mr. DENT, and Mr. JACKSON of Illinois):

H.R. 1676. A bill to help prevent the occurrence of cancer resulting from the use of ultraviolet tanning lamps by imposing more

stringent controls on the use of such devices, and for other purposes; to the Committee on Energy and Commerce.

By Mrs. MILLER of Michigan:

H.R. 1677. A bill to direct the Administrator of the Environmental Protection Agency to convene a task force to develop recommendations on the proper disposal of unused pharmaceuticals, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. SMITH of New Jersey:

H.R. 1678. A bill to encourage States to expand the protections offered to victims of sex offenses who are not in a familiar or dating relationship with the perpetrators of such offenses; to the Committee on the Judiciary.

By Ms. TSONGAS:

H.R. 1679. A bill to direct the Secretary of Defense to conduct a comprehensive review of the health care services available for female members of the Armed Forces; to the Committee on Armed Services.

By Mr. WEINER:

H.R. 1680. A bill to amend the Internal Revenue Code of 1986 to provide commuter flexible spending arrangements; to the Committee on Ways and Means.

By Mr. DENHAM (for himself and Ms. NORTON):

H. Con. Res. 46. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; to the Committee on Transportation and Infrastructure.

By Mr. DENHAM (for himself and Ms. NORTON):

H. Con. Res. 47. Concurrent resolution authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; to the Committee on Transportation and Infrastructure.

By Mr. KISSELL:

H. Res. 238. A resolution urging the people of the United States to observe National Scots, Scots-Irish Heritage Month; to the Committee on Oversight and Government Reform.

By Mr. SENSENBRENNER (for himself, Mr. RYAN of Wisconsin, Mr. PETRI, Mr. REHBERG, Mr. PAUL, Mr. CALVERT, Mr. WALBERG, Mr. JONES, Mr. RUNYAN, and Mr. FRANK of Massachusetts):

H. Res. 239. A resolution supporting efforts to retain the ban on the National Highway Traffic Safety Administration's (NHTSA's) ability to lobby State legislators using Federal tax dollars and urging NHTSA to focus on motorcycle crash prevention and rider education and training; to the Committee on Transportation and Infrastructure.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

12. The SPEAKER presented a memorial of the Senate of the State of New Mexico, relative to Senate Memorial 81 urging the Congress to appropriate twenty-six millions for FY 2012 budget for the construction of Block 9 of the Navajo Indian Irrigation Project; to the Committee on Appropriations.

13. Also, a memorial of the House of Representatives of the State of Michigan, relative to House Concurrent Resolution No. 4 memorializing the United States Department of Energy and the Nuclear Regulatory Commission to do everything necessary to allow the Yucca Mountain Repository to

begin accepting high-level nuclear waste; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SIMPSON:

H.R. 1666.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clauses 1 and 18 of Section 8 of Article 1 referring to general welfare authority and necessary and proper authority.

By Mrs. CAPITO:

H.R. 1667.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause, Article I, Section 8, Clause 3 of the Constitution states that Congress shall have power to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. FITZPATRICK:

H.R. 1668.

Congress has the power to enact this legislation pursuant to the following:

Article One, Section 8, Clause One:

The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;

By Mr. ACKERMAN:

H.R. 1669.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 1

By Ms. BORDALLO:

H.R. 1670.

Congress has the power to enact this legislation pursuant to the following:

Clause 14 of Section 8 of Article I of the Constitution.

By Mr. BRALEY of Iowa:

H.R. 1671.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mrs. CAPPS:

H.R. 1672.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Ms. FUDGE:

H.R. 1673.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 7

The Congress shall have Power . . . To establish Post Offices and post roads.

By Mr. GALLEGLY:

H.R. 1674.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article 1, Section 8, Clause 18 of US Constitution, to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by

this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. LATHAM:

H.R. 1675.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 1 of the United States Constitution "The Congress shall have Power To lay and collect Taxes, Duties, Imposts, and Excises".

By Mrs. MALONEY:

H.R. 1676.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mrs. MILLER of Michigan:

H.R. 1677.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this legislation is found in Article I, Section 8.

By Mr. SMITH of New Jersey:

H.R. 1678.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause 1 of the Constitution.

By Ms. TSONGAS:

H.R. 1679.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8, of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.

By Mr. WEINER:

H.R. 1680.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 56: Mr. LANCE and Mr. PAULSEN.

H.R. 58: Mr. BACA, Mr. LANKFORD, Mr. DEFazio, Mr. DAVIS of Kentucky, Ms. FOXX, Mr. HANNA, and Mr. GRAVES of Georgia.

H.R. 114: Mr. WALDEN.

H.R. 198: Ms. LINDA T. SANCHEZ of California.

H.R. 218: Mr. HONDA.

H.R. 282: Mr. NUNNELEE.

H.R. 303: Mr. FRANK of Massachusetts, Mr. VISCLOSKEY, Mr. CONYERS, Mr. PLATTS, and Mr. LARSEN of Washington.

H.R. 361: Mr. FITZPATRICK, Mr. HARPER, and Mr. DAVIS of Kentucky.

H.R. 374: Mr. FRANKS of Arizona.

H.R. 388: Mr. BACHUS.

H.R. 396: Mr. RYAN of Ohio.

H.R. 409: Mr. TIERNEY and Ms. BROWN of Florida.

H.R. 420: Mr. GRAVES of Georgia, Mr. DAVIS of Kentucky, Mr. HANNA, Mr. HENSARLING, Mr. BARTLETT, Mr. DEFazio, Mr. NUGENT, Mr. LANKFORD, Mr. BACA, and Mrs. EMERSON.

H.R. 435: Mr. RIGELL, Mrs. ADAMS, and Mr. WALDEN.

H.R. 436: Mr. NUNNELEE and Mr. MULVANEY.
H.R. 451: Mr. STIVERS, Mr. COBLE, Mr. CUELLAR, Mr. BUTTERFIELD, and Mrs. MCCARTHY of New York.

H.R. 452: Mr. MEEHAN, Mr. GRIFFIN of Arkansas, Mr. BUCSHON, Mrs. BACHMANN, Mr. CHABOT, Mr. HUELSKAMP, Mr. DENT, Mr. PALAZZO, and Mr. GUTHRIE.

H.R. 459: Mr. CULBERSON and Mr. GARDNER.
H.R. 466: Ms. SHAKOWSKY, Mr. SERRANO, Mr. COSTA, Mr. PAULSEN, Mr. WU, Mr. MCGOVERN, Ms. RICHARDSON, Mr. FARR, Mr. PIERLUISI, Mr. DOGGETT, Mr. GONZALEZ, Mr. KILDEE, Mr. COFFMAN of Colorado, Mr. MICHAUD, Ms. LINDA T. SÁNCHEZ of California, Mr. LEVIN, Mr. TIERNEY, Mr. SABLON, Mr. FITZPATRICK, Ms. LORETTA SANCHEZ of California, Mr. PAYNE, Mr. ELLISON, Mr. KING of New York, Mr. BRALEY of Iowa, Mr. BUCHANAN, Mr. JACKSON of Illinois, Ms. HIRONO, Mrs. MILLER of Michigan, Mr. ALEXANDER, Mr. COSTELLO, Ms. LEE of California, Mr. CHAFFETZ, Ms. BERKLEY, Mr. HINCHEY, Mr. MORAN, and Mr. ISRAEL.

H.R. 478: Mr. BACHUS.
H.R. 499: Mr. AUSTRIA.
H.R. 535: Mr. MARKEY.
H.R. 539: Ms. CHU, Mr. BACA, Mr. WU, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 573: Mr. TIERNEY.
H.R. 601: Ms. HIRONO, Ms. KAPTUR, Mr. COURTNEY, Ms. DELAURIO, and Mr. BISHOP of New York.

H.R. 605: Mr. NUNNELEE, Mr. SCALISE, and Mr. COFFMAN of Colorado.

H.R. 616: Mr. JOHNSON of Georgia.
H.R. 640: Mr. VAN HOLLEN.
H.R. 651: Mr. TIERNEY and Mr. MARKEY.

H.R. 674: Mr. HULTGREN, Mr. TOWNS, Mr. HUIZENGA of Michigan, Mr. WOLF, Mrs. SCHMIDT, Mr. PITTS, Mr. SESSIONS, Mr. MICHAUD, Mr. LARSON of Connecticut, Mr. TIBERI, and Mr. TERRY.

H.R. 675: Mr. AUSTRIA.
H.R. 700: Mr. PEARCE.

H.R. 709: Mr. CAPUANO, Mr. BACA, and Mr. MCGOVERN.

H.R. 721: Mr. ALEXANDER, Mr. RAHALL, Mr. ALTMIRE, Mr. BOSWELL, Mr. LOEBSACK, Mr. WHITFIELD, Mr. TIBERI, and Mr. WALDEN.

H.R. 733: Mr. BRALEY of Iowa, Ms. ROYBAL-ALLARD, and Mr. ENGEL.

H.R. 735: Mr. SOUTHERLAND and Mr. BURTON of Indiana.

H.R. 740: Mr. HOLT, Mr. TIBERI, and Mr. WEST.

H.R. 822: Mr. MCCLINTOCK, Mr. GRIFFIN of Arkansas, Mr. TIPTON, Mr. WALDEN, Mr. GOSAR, Mr. LARSEN of Washington, Mr. NUNNELEE, Mr. COHEN, Mrs. MYRICK, Mr. LANKFORD, Mr. LABRADOR, Mr. HULTGREN, Mr. RENACCI, Mr. SCOTT of South Carolina, Mr. GOODLATTE, Mr. BASS of New Hampshire, Mr. GRAVES of Georgia, and Mr. MCHENRY.

H.R. 831: Mr. LANGEVIN and Ms. BORDALLO.
H.R. 853: Mr. POLIS.

H.R. 854: Mr. SCHIFF, Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. KEATING, Mr. ACKERMAN, Mr. COHEN, Mr. PIERLUISI, Mr. AL GREEN of Texas, Mr. KILDEE, Mr. CICILLINE, Mr. COOPER, and Mr. MEEKS.

H.R. 865: Mr. TIERNEY, Mr. BOREN, and Mr. CICILLINE.

H.R. 878: Mr. MEEKS.
H.R. 879: Mrs. EMERSON, Mr. CALVERT, and Mr. HECK.

H.R. 881: Mr. NUNES.
H.R. 905: Mr. DENT and Mr. ALTMIRE.

H.R. 913: Mr. VISCLOSKEY and Mr. DUNCAN of South Carolina.

H.R. 920: Mr. CANSECO, Ms. BUERKLE, Mr. FLEMING, Mr. PITTS, and Mr. STUTZMAN.

H.R. 926: Ms. BORDALLO.

H.R. 942: Ms. BERKLEY.

H.R. 948: Mr. BOREN and Mr. HONDA.

H.R. 959: Mr. GRIMM.

H.R. 972: Mr. CHAFFETZ, Mr. MCKEON, Mr. HELLER, Mr. DUNCAN of Tennessee, Mr. CRAWFORD, and Mr. FLORES.

H.R. 1009: Ms. MATSUI.

H.R. 1025: Mr. SCHIFF.

H.R. 1041: Mr. TIERNEY and Mr. BRADY of Pennsylvania.

H.R. 1063: Ms. LINDA T. SÁNCHEZ of California.

H.R. 1070: Mr. DAVID SCOTT of Georgia and Mr. NEUGEBAUER.

H.R. 1081: Mr. CARTER, Mr. THOMPSON of Pennsylvania, Mr. ALEXANDER, Mr. MULVANEY, and Mr. AMASH.

H.R. 1124: Mr. JOHNSON of Georgia, Mr. CONYERS, Ms. LEE of California, and Mr. FRANK of Massachusetts.

H.R. 1137: Ms. PINGREE of Maine.

H.R. 1148: Mr. LOEBSACK.

H.R. 1154: Ms. PINGREE of Maine, Mr. KLINE, and Ms. DEGETTE.

H.R. 1164: Mr. KINGSTON.

H.R. 1167: Mr. WALSH of Illinois.

H.R. 1175: Mr. DENHAM and Mr. WU.

H.R. 1181: Mr. CALVERT.

H.R. 1186: Mr. ROKITA.

H.R. 1187: Ms. CHU.

H.R. 1196: Mr. PLATTS and Mr. ROYCE.

H.R. 1206: Mr. HARRIS, Mr. SCHOCK, Mr. LUETKEMEYER, Mr. NUNNELEE, and Mr. GERLACH.

H.R. 1229: Mr. PENCE, Mr. POE of Texas, Mr. PEARCE, Mr. DOLD, Mrs. BLACK, Mr. SCOTT of South Carolina, Mr. BRADY of Texas, Mr. CARTER, Mr. FARENTHOLD, Mrs. BACHMANN, Mrs. ELLMERS, Mr. AKIN, and Mr. CALVERT.

H.R. 1230: Mr. POE of Texas, Mr. PENCE, Mr. PEARCE, Mrs. BLACK, Mr. SCOTT of South Carolina, Mr. BRADY of Texas, Mr. CARTER, Mr. FARENTHOLD, Mrs. BACHMANN, Mrs. ELLMERS, Mr. AKIN, and Mr. CALVERT.

H.R. 1231: Mr. POE of Texas, Mr. PEARCE, Mr. PENCE, Mrs. BLACK, Mr. CASSIDY, Mr. SCOTT of South Carolina, Mr. BRADY of Texas, Mr. CARTER, Mr. FARENTHOLD, Mrs. BACHMANN, Mrs. ELLMERS, Mr. AKIN, and Mr. CALVERT.

H.R. 1242: Mr. KUCINICH, Ms. SLAUGHTER, and Mr. MCGOVERN.

H.R. 1244: Mr. TIBERI, Ms. JENKINS, and Mr. GRAVES of Missouri.

H.R. 1252: Mr. HIMES.

H.R. 1259: Mr. BISHOP of Georgia, Mr. MARCHANT, and Mr. HELLER.

H.R. 1274: Mrs. BLACKBURN, Mr. BILIRAKIS, and Mr. BILBRAY.

H.R. 1277: Mr. GENE GREEN of Texas.

H.R. 1278: Mr. RUSH, Mr. CONNOLLY of Virginia, Mr. WEST, and Mr. CUMMINGS.

H.R. 1284: Mr. STARK.

H.R. 1288: Mr. ISSA, Ms. BROWN of Florida, Mr. MILLER of North Carolina, and Mr. MCHENRY.

H.R. 1297: Mr. HOLDEN, Mrs. NAPOLITANO, Mr. KELLY, Mr. MARINO, Mr. HARPER, and Mr. CHABOT.

H.R. 1299: Mr. GINGREY of Georgia.

H.R. 1309: Mr. MCKINLEY.

H.R. 1366: Mr. FORBES.

H.R. 1380: Ms. CASTOR of Florida.

H.R. 1383: Mr. RUNYAN.

H.R. 1385: Mr. PLATTS.

H.R. 1386: Ms. CLARKE of New York, Mr. FRANK of Massachusetts, and Mr. RAHALL.

H.R. 1388: Mr. WITTMAN and Mrs. MYRICK.

H.R. 1397: Mr. DOGGETT, Mr. WALZ of Minnesota, Mr. ELLISON, Mr. YARMUTH, and Mr. GONZALEZ.

H.R. 1398: Mrs. EMERSON and Mr. WELCH.

H.R. 1401: Mr. MILLER of Florida.

H.R. 1409: Mr. PRICE of Georgia.

H.R. 1416: Mr. SIRES, Mr. MICHAUD, Mr. HULTGREN, Mr. RAHALL, Ms. MCCOLLUM, Mr. WU, Mr. ELLISON, Ms. BROWN of Florida, and Mr. WALDEN.

H.R. 1418: Ms. NORTON, Mr. SCHRADER, Mr. LANGEVIN, Mr. CALVERT, Mr. LEWIS of Georgia, Mr. YOUNG of Alaska, and Mr. ANDREWS.
H.R. 1425: Mr. WEST.

H.R. 1469: Mrs. NAPOLITANO.

H.R. 1477: Mr. KUCINICH, Mr. CONYERS, and Ms. VELÁZQUEZ.

H.R. 1483: Ms. SLAUGHTER.

H.R. 1489: Mr. CONYERS.

H.R. 1500: Mr. FRANK of Massachusetts.

H.R. 1501: Mr. PRICE of Georgia and Mr. TIBERI.

H.R. 1506: Mr. MEEKS, Mrs. MCCARTHY of New York, Ms. RICHARDSON, Ms. SLAUGHTER, and Mr. VAN HOLLEN.

H.R. 1529: Mr. MCGOVERN, Mr. WEINER, Mr. JONES, Ms. MCCOLLUM, Mr. STARK, Ms. RICHARDSON, Ms. MOORE, and Mr. HINCHEY.

H.R. 1536: Mr. GOHMERT and Mr. CULBERSON.

H.R. 1547: Mr. POLIS.

H.R. 1549: Mr. BURTON of Indiana.

H.R. 1550: Mr. ROGERS of Michigan and Mr. CONYERS.

H.R. 1555: Mr. NADLER and Mr. KING of New York.

H.R. 1558: Mr. WALDEN.

H.R. 1571: Mr. MCKINLEY.

H.R. 1578: Ms. LEE of California, Mr. NADLER, Mr. MCGOVERN, Mr. STARK, Mrs. CAPPS, and Ms. RICHARDSON.

H.R. 1579: Mr. BISHOP of New York, Mr. KUCINICH, Mr. JACKSON of Illinois, and Ms. LINDA T. SÁNCHEZ of California.

H.R. 1585: Mr. FLAKE.

H.R. 1588: Mr. SAM JOHNSON of Texas, Mr. SHIMKUS, Ms. JENKINS, Mr. HALL, Mrs. BLACKBURN, Mr. PLATTS, and Mr. AKIN.

H.R. 1590: Mr. CONAWAY.

H.R. 1595: Ms. MOORE.

H.R. 1614: Ms. RICHARDSON, Mr. CONNOLLY of Virginia, Mr. PASCRELL, and Mr. GOODLATTE.

H.R. 1619: Mr. HINCHEY.

H.R. 1621: Mr. TURNER, Mr. KISSELL, and Mr. PLATTS.

H.R. 1630: Mr. AUSTRIA.

H.R. 1637: Mr. WALDEN.

H.R. 1649: Mr. CUMMINGS, Mr. CONNOLLY of Virginia, Mr. RUPPERSBERGER, and Mr. SCOTT of Virginia.

H.R. 1652: Mr. CUMMINGS.

H.R. 1661: Mr. SIMPSON.

H. J. Res. 13: Mr. REHBERG.

H. J. Res. 56: Mr. SCALISE, Mr. RIBBLE, Mr. ROKITA, and Mr. KLINE.

H. Con. Res. 4: Mr. HIGGINS.

H. Con. Res. 45: Mr. WALZ of Minnesota.

H. Res. 20: Mr. WELCH.

H. Res. 25: Mr. UPTON, Mr. AKIN, Mr. PAYNE, Mr. WALDEN, Ms. NORTON, Mrs. CHRISTENSEN, Mr. HOLT, and Mr. SHUSTER.

H. Res. 60: Mr. HALL, Mr. JOHNSON of Georgia, and Mr. PERLMUTTER.

H. Res. 83: Ms. RICHARDSON, Mr. STIVERS, Mr. COBLE, Mr. BARLETTA, Mr. GERLACH, Ms. ROYBAL-ALLARD, Ms. HANABUSA, and Ms. CHU.

H. Res. 111: Mrs. SCHMIDT, Ms. TSONGAS, Mr. CHANDLER, Mr. BOSWELL, Mr. WESTMORELAND, Mr. SAM JOHNSON of Texas, Mr. LOEBSACK, Ms. BORDALLO, Mr. KELLY, and Mr. NUGENT.

H. Res. 137: Mr. PASCRELL, Ms. WATERS, Mr. PAYNE, Ms. CASTOR of Florida, Mr. LOEBSACK, Mr. HIMES, Mr. LARSON of Connecticut, Mr. DENT, Ms. CHU, Mr. CHANDLER, Mr. CARNAHAN, Mr. DOYLE, and Ms. JENKINS.

H. Res. 148: Mr. LOEBSACK.

H. Res. 177: Mr. TIERNEY, Mr. STARK, Ms. SPEIER, Ms. ESHOO, and Mr. NADLER.

H. Res. 207: Mr. HINCHAY and Mr. CROWLEY.

H. Res. 226: Mr. BURTON of Indiana.

H. Res. 227: Mr. ROE of Tennessee, Ms. BORDALLO, Ms. RICHARDSON, Mr. GRIJALVA, Ms. CASTOR of Florida, Ms. HIRONO, Mr. HINCHAY, Mr. MEEKS, Mr. HANNA, and Mr. TERRY.

AMENDMENTS

Under clause 8 of rule XVII, proposed amendments were submitted as follows:

H.R. 1214

OFFERED BY: MS. JACKSON LEE OF TEXAS

AMENDMENT No. 1: In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public website of the Department of Health and Human Services a notice of—

(1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)); and

(2) the amount of such funds so rescinded.

H.R. 1214

OFFERED BY: MRS. CAPPS

AMENDMENT No. 2: In section 1, add at the end the following:

(c) GAO STUDY TO DETERMINE SCHOOL DISTRICTS MOST IN NEED OF CONSTRUCTING OR RENOVATING SCHOOL-BASED HEALTH CENTERS.—The Comptroller General of the United States shall conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers (as defined in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9))). Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

H.R. 1214

OFFERED BY: MRS. CAPPS

AMENDMENT No. 3: In section 1, add at the end the following:

(c) GAO STUDY TO DETERMINE SCHOOL DISTRICTS MOST IN NEED OF CONSTRUCTING OR RENOVATING SCHOOL-BASED HEALTH CEN-

TERS.—The Comptroller General of the United States shall conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers (as defined in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9))), using the funding made available under section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4) if such funding were not repealed and rescinded under subsections (a) and (b). Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 4: In section 1, add at the end the following:

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall not take effect if the Secretary of Health and Human Services certifies that a significant number of public school children do not have health insurance.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 5: In section 1, add at the end the following:

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall not take effect if the Secretary of Health and Human Services certifies that a significant number of public school children do not have access to primary health care facilities or services outside of school.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 6: In section 1, add at the end the following:

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall not take effect if the Secretary of Education certifies that existing school-based health centers have a demonstrable and positive impact on the educational performance or development of students.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 7: In section 1, add at the end the following:

(c) REPORT ON NUMBER OF CHILDREN IN PUBLIC SCHOOLS WHO DO NOT HAVE HEALTH INSURANCE.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Congress a report on the number of children in public schools who do not have health insurance.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 8: In section 1, add at the end the following:

(c) REPORT ON EXTENT TO WHICH CHILDREN IN PUBLIC SCHOOLS ARE ABLE TO ACCESS PRIMARY HEALTH CARE FACILITIES AND SERVICES IN THEIR COMMUNITIES.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to the Congress a report on the extent to which children in public schools are able to access primary health care facilities and services in the communities in which they live.

H.R. 1214

OFFERED BY: MS. WATERS

AMENDMENT No. 9: In section 1, add at the end the following:

(c) REPORT ON IMPACT OF SCHOOL-BASED HEALTH CENTERS ON STUDENT ACHIEVEMENT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Education shall submit to the Congress a report on the impact of school-based health centers on student achievement.

H.R. 1214

OFFERED BY: MR. PALLONE

AMENDMENT No. 10: In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public website of the Department of Health and Human Services a notice of—

(1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)); and

(2) the amount of such funds so rescinded.

H.R. 1214

OFFERED BY: MR. PALLONE

AMENDMENT No. 11: In section 1, add at the end the following:

(c) EFFECTIVE DATE.—Subsections (a) and (b) shall not take effect until the date that the following health objective specified in Healthy People 2020, relating to access to health services, is met: 100 percent of individuals in the United States who are under 17 years of age have a specific source of ongoing health care.

EXTENSIONS OF REMARKS

HONORING GEORGIA SUSTAINABLE
COMMUNITIES ALLIANCE**HON. HENRY C. "HANK" JOHNSON, JR.**

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, the Georgia Sustainable Communities Alliance was created to build an alliance of professionals with various skill sets to build Green sustainable communities throughout the state; and

Whereas, Mr. Derold McIver, BB&T's CRA/Community Development, and many others held its first meeting of the Georgia Sustainable Communities Alliance on November 5, 2010; and

Whereas, this unique board has given of themselves tirelessly and unconditionally to preserve integrity, advocate for the betterment of citizens as it relates to Economic Development, Housing Development, Education and Healthcare; and

Whereas, the Georgia Sustainable Communities Alliance consists of members from the Not For Profit Sector, For Profit Sector, Commercial Lenders, Corporations, Government, Educational Institutions and many more; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize the Georgia Sustainable Communities Alliance for their outstanding service to our District;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim December 8, 2010 as Georgia Sustainable Communities Alliance Day in the 4th Congressional District.

Proclaimed, this 8th day of December, 2010.

COMMEMORATING THE ARMENIAN
GENOCIDE**HON. HENRY A. WAXMAN**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. WAXMAN. Mr. Speaker, each year on April 24, we gather to honor the memory of those lives that were destroyed in the events of the Armenian Genocide. Because this year a Congressional recess coincided with that date, I take the opportunity today to commemorate the atrocious acts of genocide that occurred 96 years ago.

It is notable that today also happens to be Yom Hashoah, Holocaust Remembrance Day.

The history of these two genocides remains tragically intertwined by the world's intransigence at the suffering of the victims while the atrocities took place and the ongoing efforts of those who seek to deny what happened.

It is said that the trajectory from Armenia to Auschwitz was direct. It is said that when asked if the world would tolerate the "Final Solution" to annihilate the Jews, Hitler remarked "Who remembers the Armenians?"

We remember the Armenians. More than 1.5 million men, women and children systematically murdered, chased from their communities and in many cases marched to death. The suffering of the victims, the courage of the survivors, and the battle of their descendants to preserve this history deserves full recognition. Silence only inflicts more pain and leaves those who suffer to suffer alone. Silence encourages those willing to engage in genocide to believe their actions will be met with impunity.

Nearly 100 years later, we are still learning from this tragedy. The United States must embrace and encourage international recognition of the Armenian genocide not only for the peace of mind of those who suffered, but to reaffirm our commitment to preventing the genocides of the future.

Let us raise our voice so that the Armenian Genocide will be mourned and remembered for generations to come.

CONGRATULATIONS TO LIEUTENANT
COLONEL MICHAEL PATRICK
GOYNE**HON. LOU BARLETTA**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge Lieutenant Colonel Michael Patrick Goynes, who is retiring from the United States Army Reserves after 29 years of active and reserve service.

LTC Goynes was born in Scranton, Pennsylvania. He earned his Bachelor of Science degree in Administration of Justice at the Pennsylvania State University. He then went on to earn his Master of Public Administration degree from Marywood University, and his Master of Science degree in Community Counseling from the University of Scranton. LTC Goynes has also attended many military schools, including Telecommunications Operator School, the Air Assault School, the Quatermaster Officer Basic and Advanced Courses, the Ordnance Officer Advanced Course, Combined Arms Services and Staff School, and Command and General Staff School.

LTC Goynes's non-active duty has taken him across Pennsylvania. While serving on active

duty, LTC Goynes was deployed to Saudi Arabia during Operation Desert Shield/Desert Storm. For his second deployment, LTC Goynes served in Iraq as a part of Operation Iraqi Freedom.

LTC Goynes has earned the Bronze Star (with 1 Oak Leaf Cluster), the Meritorious Service Medal (with 2 Oak Leaf Clusters), the Army Commendation Medal (with 2 Oak Leaf Clusters), the Army Achievement Medal (with 1 Oak Leaf Cluster), the Army Good Conduct Medal, the Army Reserve Components Achievement Medal (with Silver Oak Leaf Cluster), the National Defense Service Medal (with 1 Bronze Service Star), the Armed Forces Reserve Medal (with Silver Hour Glass, M Device and number 2 numeral), the Iraq Campaign Medal, the Southwest Asia Service Medal (with 3 Bronze Service Stars), the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon (with number 3 numeral), the Army Reserve Components Overseas Training Ribbon, the Kuwait Liberation Medal (Kingdom of Saudi Arabia), the Kuwait Liberation Medal (Government of Kuwait), the Joint Meritorious Unit Award, the Meritorious Unit Commendation, the Combat Action Badge, and the Air Assault Badge.

Mr. Speaker, Lieutenant Colonel Michael Patrick Goynes has served our country with distinction. His 29 years of commitment to protecting our freedom should be honored and respected. Mr. Speaker, today, I ask my colleagues to join me in thanking Lieutenant Colonel Michael Patrick Goynes for his service, and in recognizing his retirement from the United States Army Reserves after 29 years of active and reserve service.

HONORING THE LEAGUE OF
WOMEN VOTERS OF MARIN
COUNTY**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor a valued institution that has been part of the fabric of life in Marin County for 75 years—the local chapter of the League of Women Voters.

A nonpartisan organization of women and men with over 200 members, the Marin League has worked for many years to encourage informed participation of citizens in government, to increase the understanding of public issues, and to influence policy through education and advocacy.

Over the years the League has hosted hundreds of Pros and Cons presentations on ballot measures for the public, organized live, televised and webcast debates for almost every elected office in the county, sponsored

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

voter registration drives in local high schools and colleges, and mailed thousands of postcards advising voters on how to evaluate negative candidate mailers. In addition, it has been involved in supporting local ballot measures and hosting guest speakers from a variety of organizations to help educate the public as well as continuing a tradition of monthly Action meetings.

The League has worked with local organizations dedicated to improving life in Marin County and has actively studied many issues crucial to the community. These include affordable housing, transportation and land use measures, early childhood education, college scholarships, health care, and water supply.

As a Congressional candidate, I have participated in the League's debates and have truly appreciated its balanced, non-partisan approach. Questions from League moderators are invariably thoughtful, balanced, and germane, allowing voters to hear positions on the important issues of the day.

Mr. Speaker, I congratulate the League of Women Voters of Marin County on this important anniversary. For 75 years, it has encouraged voter participation and education while promoting good government for Marin.

HONORING GLENDA F. BRITTON

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, in the Fourth Congressional District of Georgia, there are many individuals who are called to contribute to the needs of our community through leadership and service; and

Whereas, Mrs. Glenda F. Britton has answered that call by giving of herself as an educator at Edward L. Bouie, Sr., Traditional Theme Elementary School, and as a beloved wife, daughter, mother and friend; and

Whereas, Mrs. Britton has been chosen as the 2011 Teacher of the Year, representing Edward L. Bouie, Sr., Traditional Theme Elementary School; and

Whereas, this phenomenal woman has shared her time and talents for the betterment of our community and our nation through her tireless works, motivational speeches and words of wisdom; and

Whereas, Mrs. Britton is a virtuous woman, a courageous woman and a fearless leader who has shared her vision, talents and passion to help ensure that our children receive an education that is relevant not only for today, but well into the future, as she truly understands that our children are the future; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Glenda F. Britton for her leadership and service for our District and in recognition of this singular honor as 2011 Teacher of the Year at Edward L. Bouie, Sr., Traditional Theme Elementary School;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 22, 2011 as

Mrs. Glenda F. Britton Day in the 4th Congressional District.

Proclaimed, this 22nd day of April, 2011.

DEDICATING THE CORETTA SCOTT KING MEMORIAL

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. VAN HOLLEN. Mr. Speaker, I rise today to celebrate a special event that occurred on April 28, 2011—the dedication of the Coretta Scott King Memorial Garden at Sojourner Douglass College in Baltimore, Maryland.

With this dedication, brought about through the hard work of the Dr. Martin Luther King Jr. Committee and Maryland's Office of the Attorney General, we celebrate the legacy of Coretta Scott King. We reflect upon the life of this visionary leader and her efforts to advance the ideals that she shared with Dr. King, including advocating for equality and spreading the doctrine of pacifism in her work for world peace.

Sojourner Douglass College first opened as a branch of Antioch College, Mrs. King's alma mater and one of the first schools in the country to admit women and African-Americans for undergraduate degrees. It is only fitting that such a magnificent memorial be located there. As one of the first memorials in the country honoring Coretta Scott King, this garden will be a testament to values that we hold dear—civil rights, non-violent social action, and human compassion—values that Mrs. King championed.

Mr. Speaker, this memorial is a fitting tribute to an extraordinary woman. Just as we did at her funeral, which I was honored to attend, we must use this opportunity to celebrate her life and legacy and to recommit ourselves to preserving and honoring the values and ideals of Mrs. Coretta Scott King.

CELEBRATING THE LEAGUE OF BLACK WOMEN'S "BRING A GIRL INTO YOUR WORLD" MENTORING PROGRAM AND EIGHTH ANNUAL LEADERSHIP CONFERENCE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to celebrate the extraordinary efforts of the League of Black Women on their annual leadership conference that commences on May 17, 2011. The conference will commemorate the amazing work this organization continues to do in order to equip women with strong leadership skills and invaluable life experiences.

The League of Black Women was founded in the 1970's by Dr. Arnita Young Boswell, and in the intervening years it has set itself apart as a powerful vehicle for lasting impact by evolving to fit the needs of its membership as they navigate a world in flux. Indeed, our

globalized society is anything but stagnant, and neither is the League. With nearly 10,000 members worldwide, each decade has ushered new service themes for the organization. From a higher education and community service focus, to career development, to networking, to its current concentration on leadership research, education, and joyful living, it takes a pervasive approach to promoting leadership and success amongst its membership.

Mr. Speaker, I am most impressed with the League's efforts to reach youth through its "Bring a Girl into Your World" mentoring program. This initiative pairs middle school girls in low-income, at-risk school districts with league members to help broaden their minds, horizons, and visions for the future. So many young people underperform through crucial high school years, because they have not been challenged to consider the reality, let alone the opportunity, of their future career paths. Through their strategic focus on this age group, the League provides young girls with this invaluable insight at a critical juncture in their lives.

I am firmly committed to serving the underserved and to promoting diversity in all avenues of society. This program falls perfectly in line with those objectives by opening doors for African American girls to reach their full potential. Our society has so much to gain from the unique talents and perspectives of these remarkable young women, and I offer my heartfelt gratitude to the League for their enduring work to raise their chances at leading full, successful lives.

Important initiatives like the "Bring a Girl into Your World" program facilitate the League's goal of achieving global impact and leadership through the development of strong, genuine interpersonal relationships and networks. This aim is showcased in the theme of its eighth national strategic leadership conference entitled "Black Women 2011: New World Power . . . When Your World Is Not Enough." This conference will be held in May 17–20, 2011 in Tampa, FL and promises the continued empowerment of the League's membership through nuanced and expert guidance in a host of vital topics that address both professional and personal betterment.

Again, congratulations to the League of Black Women on their strides toward bringing equality and opportunity to the disadvantaged youth of this nation, and on this year's conference. Your efforts are truly inspiring.

CONGRATULATIONS TO THE VICTOR ALFIERI SOCIETY

HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. BARLETTA. Mr. Speaker, today I rise to honor and acknowledge the Victor Alfieri Society of Scranton, Pennsylvania, on its 100th anniversary.

The Victor Alfieri Society was started by eight men in 1908, and it received its charter three years later. The Victor Alfieri Society was founded to help Italian immigrants become citizens of the United States while preserving their Italian heritage. The society did

serve as a social club, but its primary mission was to help immigrants newly arrived in America.

The Victor Alfieri Society has grown to include more than 600 members, and it boasts diverse membership and leadership. Originally a men-only club, the Victor Alfieri Society today counts both men and women as its members. Additionally, members of other ethnic groups have joined its ranks. The society is dedicated to helping the entire community while continuing to honor and spread Italian culture.

Mr. Speaker, the Victor Alfieri Society has become a well-known place of fun, values, culture, and community outreach. What began as a small gathering place for Italian immigrants is now a large and vital part of Scranton, and it benefits countless residents. Mr. Speaker, today, I ask my colleagues to join me in recognizing and congratulating the Victor Alfieri Society's 100th anniversary.

HONORING REVEREND OBBIE L.
BURNS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, Reverend Obbie L. Burns today begins a new chapter in his life and the life of New Macedonia Missionary Baptist Church in Lithonia, Georgia; and

Whereas, Reverend Obbie L. Burns under the guidance and favor of God, will this day be installed as Pastor of the New Macedonia Baptist Church and under his leadership he will be charged to pioneer and sustain New Macedonia Baptist Church, as an instrument in our community that uplifts the spiritual, physical and mental welfare of our citizens; and

Whereas, this remarkable and tenacious man of God has given hope to the hopeless, fed the hungry and is a beacon of light to those in need; and

Whereas, Reverend Burns is a spiritual warrior, a man of compassion, a fearless leader and a servant to all, but most of all a visionary who has shared not only with his Church, but with our District and the world his passion to spread the gospel of Jesus Christ; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Reverend Obbie L. Burns on his installation as Pastor;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 17, 2011 as Reverend Obbie L. Burns Day in the 4th Congressional District.

Proclaimed, this 17th day of April, 2011.

WILLIAM CHESTER HUTCHISON
TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize William Chester Hutchison of Cor-

tez, Colorado. Mr. Hutchison was one of the area's most prominent citizens, serving his community through business, philanthropy and military service.

Before moving to his beloved hometown of Cortez, Mr. Hutchison joined the U.S. Air Force where he served his country during World War II. Following the war, Mr. Hutchison returned to his life in Colorado. He became a certified public accountant and opened his own accounting firm. Though he worked in a small town, he served on a number of national accounting committees.

His great love was interacting with the community. He was a member of Montezuma Valley Presbyterian Church, the Elks, Masons and Rotary Clubs, and was a pyrotechnic display operator. He worked hard to bring fairs, parades and light shows to the area. Among many other pursuits, Mr. Hutchison also sat on several area boards, most notably the Hospital Board and the Citizens State Bank. He also helped institute the Roland Schneider Scholarship Fund.

Mr. Speaker, it is an honor to recognize one of Cortez's foremost citizens. Colorado was greatly influenced by Mr. Hutchison's life and his legacy will continue to impact the state.

RECOGNITION OF THE 250TH ANNI-
VERSARY OF THE CITY OF
PITTSFIELD, MASSACHUSETTS

HON. JOHN W. OLVER

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. OLVER. Mr. Speaker, on April 26, 1761, at the urging of Colonel William Williams, the official incorporation and names of Pittsfield and Berkshire County, Massachusetts were approved by the colonial governor of the Commonwealth of Massachusetts, Sir Francis Bernard. The name Berkshire reflected a connection with the English Berkshire, while the naming of Pittsfield reflects an admiration for William Pitt, Earl of Chatham. Pitt, dubbed the "Great Commoner," was a supporter of the colonies in America.

For 250 years the people of Pittsfield have been innovative, resourceful and resilient. The first agricultural fair was held in Pittsfield, and the first written reference to our national pastime of baseball is found in a 1791 city ordinance. William Stanley set up the transformer business in Pittsfield that eventually became the General Electric corporation.

Today, Pittsfield is once again a city on the rise. Fueled by the creative economic sector, Pittsfield is thriving by embracing diversity, art and culture.

I congratulate the citizens of Pittsfield on this occasion of their city's remarkable 250th anniversary, and I wish them the best as we embark together on a bright future.

HONORING THE 30TH
ANNIVERSARY OF 10,000 DEGREES

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize the 30th anniversary of 10,000 Degrees, a unique Marin County nonprofit formed to connect low-income students with the resources necessary to make their college dreams a reality. Established on the principle that educational equity is both the foundation and the responsibility of a strong community, 10,000 Degrees has already made an invaluable contribution to the future of Marin County.

Originally known as Marin Education Fund, 10,000 Degrees targets youth of all ages to ensure that their image of a college education is one of possibility. No one should be denied the opportunity to excel in school simply because of personal or financial circumstances, and no society can afford to squander the talent and ambition of its young people simply because they are allowed to question their future.

10,000 Degrees offers programs to empower our students. For those in elementary or middle school, it makes introductions to local college campuses and to positive role models pursuing higher education. For those in high school, it offers scholarships, financial aid training, and a number of intensive college preparation and mentorship seminars that set students on the path to college.

In keeping with its commitment to equity, 10,000 Degrees is particularly effective in targeting those students most at risk of leaving the educational system. It tailors programs to low-income and first-generation graduates, building linkages between peers struggling with the same barriers to success, and earning an enviable track record in the process. Every one of the students in its mentorship program has graduated high school, 98 percent have enrolled in college, and 84 percent have graduated.

Mr. Speaker, I ask you to join me in congratulating 10,000 Degrees on its 30th anniversary in Marin. It is organizations such as these that strengthen and enrich our county, and we are grateful to them for their passion, their expertise, and their dedication to our community.

HONORING NORA LEE ADAMS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following proclamation:

Whereas, one hundred years ago a virtuous woman of God was born in Houston County, Georgia, on April 15, 1911; and

Whereas, Mrs. Nora Lee Adams moved to Dooly County, Georgia, where she married Mr. Henry Adams and through their union was blessed with 12 children, 27 grandchildren, 29 great-grandchildren and 31 great-great grandchildren; and

Whereas, this phenomenal Proverbs 31 woman has shared her time and talents as a wife, mother and motivator, giving the citizens of Georgia a person of great worth, a fearless leader and a servant to all who wants to advance the lives of others; and

Whereas, Mrs. Adams has been blessed with a long, happy life, devoted to God and credits it all to the Will of God; and

Whereas, Mrs. Adams along with her family and friends is celebrating this day a remarkable milestone, her 100th birthday, we pause to acknowledge a woman who is a cornerstone in our community in DeKalb County, Georgia; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Mrs. Adams on her birthday and to wish her well and recognize her for an exemplary life which is an inspiration to all;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim April 15th, 2011 as Mrs. Nora Lee Adams Day in the 4th Congressional District.

Proclaimed, this 15th day of April, 2011.

COMMEMORATING THE 96TH ANNIVERSARY OF THE ARMENIAN GENOCIDE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. COSTELLO. Mr. Speaker, 96 years ago this month, the Ottoman Empire began a brutal campaign against its Armenian citizens, marking the beginning of the Armenian Genocide. At the end of this atrocity in 1923, more than 1.5 million Armenians had perished.

Once again, despite the absence of an official recognition on behalf of the American government, I stand to commemorate the Armenian Genocide. This injustice deserves recognition by the U.S. For years, a resolution affirming the U.S. position on Armenian Genocide has been introduced in the U.S. House of Representatives and, as a member of the House Armenian Issues Caucus, I have cosponsored that resolution.

Over two dozen countries and 43 states, including my home state of Illinois, have affirmed the Armenian Genocide, demonstrating unwavering support for this position. As I have said before, there will never be a convenient time to officially recognize the Armenian Genocide, but we must do what is right and officially declare these atrocities as genocide.

The official commemoration of the Armenian Genocide also provides an opportunity to recognize the indomitable spirit of the Armenian people. Their daily contributions to our communities are the best testament of their kindness, strength and commitment to justice and peace. As a member of the Tom Lantos Human Rights Commission, I call on my colleagues in Congress and the Obama administration to join me in recognizing the 96th anniversary of the Armenian Genocide and the significant contributions of the Armenian people.

NEAL STANLEY TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Neal Stanley of western Colorado. Mr. Stanley is the director of the Great Western Oil and Gas Company, and will receive "Wildcatter of the Year" for his work in the field of natural resources.

There are few people who possess the level of experience and knowledge that Mr. Stanley provides both his company and the state of Colorado. He has spent over 35 years working in the oil and gas industry, serving on several public and private boards. Most notably, he was president of the Independent Petroleum Association of Mountain States from 1999 to 2001 and Senior Vice President—Western Region for Forest Oil Corporation.

Mr. Stanley will join a long list of distinguished recipients of the "Wildcatter of the Year" award. His devotion to the oil and gas industry is proven by his exemplary career, and the expertise he has provided through decades of work. There is little doubt that he has contributed to the success and prominence of the industry and all the companies he worked for.

Mr. Speaker, it is an honor to recognize Neal Stanley today. He has given years of service to a number of companies and the state of Colorado. He will be appropriately honored with the "Wildcatter of the Year" award and will continue to lead our country's charge into its wealth of natural resources.

HONORING THE LIFE OF MITCHELL MULAS

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. THOMPSON of California. Mr. Speaker, it is with both great sadness and a sense of great honor that I rise today, along with my colleague, LYNN WOOLSEY, to honor and pay tribute to Mitchell "Mitch" Mulas, of Sonoma, California, who passed away March 31, 2011 of complications following heart surgery.

It is no exaggeration to say that Mitch Mulas was an icon in Sonoma County and a role model for generations of fire fighters, teachers and students, and farmers. He represented the best in community service and in devotion to his family.

Mitch was born in 1928 in Sonoma, California, the son of an Italian immigrant father and a mother who survived the 1906 San Francisco earthquake. He met his wife, Nilda when he was 15 and she was 13. They had their first date three years later, and three years following that, they were married. Nilda was his partner, friend and soul mate and survives him in his passing.

Mitch was a dairy farmer and a leader in the county's agricultural organizations. He joined the Farm Bureau after he graduated from high school and served as President from 1965–

1967 and 1985–1986. He was inducted into the Sonoma County Farm Bureau Hall of Fame in 2002.

He took a brief hiatus from leadership positions within the Farm Bureau to serve on the Sonoma Valley Unified School Board for 12 years from 1969 to 1981. His influence stretched from the classroom to the football field, where he anchored a favorite spot in the bleachers each season. Not only did he receive the district's "Salute to Education" award but the Sonoma Valley High School Athletic Hall of Fame created the Mulas Family Recognition Award in his honor, which is presented annually to persons or businesses in the Sonoma Valley who have contributed time and resources to student athletes and coaches.

Mitch was also the "Chief," a title he wore with distinction and pride. In 1942, at the age 14, he helped his father start what later became the Shell-Vista Fire Protection District. He served first as a volunteer firefighter, was named Assistant Chief in 1955 and served in that position until he was named Chief in 1968. He served in that position until his death.

Mr. Speaker, Mitch Mulas was a farmer, educator, activist and sports enthusiast who also protected his community for 69 years as a fire fighter. But above all else, he was a devoted family man who is survived by his wife, Nilda, four children, six grandchildren and two great grand children. An entire community mourns his passing, and it is appropriate that we honor him at this time.

HONORING THE LIFE OF MITCHELL MULAS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

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HONORING THE LIFE OF DENNIS
KOEHLER

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the life of Mr. Dennis Koehler and express my deepest condolences to his family. Dennis died Sunday evening at the age of 69 following a battle with melanoma.

South Florida has lost a true hero with the passing of Dennis Koehler. Dennis served our Nation courageously during the war in Vietnam. After coming home to Palm Beach County, he ran for and was elected to a seat on the Palm Beach County Commission. During those 8 years, he selflessly worked to help improve the lives of Palm Beach County citizens. He was well-known for his compassion and dedication to the community.

Additionally, Dennis was a major advocate for veterans' rights. He is one of the founding members of Vietnam Veterans of America, VVA, and served on VVA's first National Board of Directors from 1983 to 1985. A veteran himself, Dennis understood the importance of taking care of those who have served our Nation with dignity and respect.

As an attorney in private practice, Dennis has earned the gratitude of veterans throughout Florida by using his legal skills to fight for their rights and benefits. Two years ago, when one of my constituents lost his pension following a road accident, Dennis volunteered his time and knowledge to work with my Congressional office to have the Department of Vet-

erans' Affairs reinstate my constituent's benefits.

Dennis' activism on this tragic issue prompted me to introduce the Veterans Pensions Protection Act to ensure that veterans, and their surviving spouses and children, will never again face the threat of losing their pensions because they received payments to cover expenses incurred after an accident. I wish to dedicate the Veterans Pensions Protection Act in honor of Dennis Koehler for his lifetime commitment and service to this Nation.

Mr. Speaker, Dennis was a true patriot, a community leader, and an outstanding American. I am deeply saddened by his passing, which is more than a personal loss for just myself, but also a loss to the South Florida community.

MAC MCFADDEN TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Mac McFadden of Grand Junction, Colorado. Mr. McFadden is one of the proud Americans who served his country during World War II. It is because of his service, and that of so many of his generation, that we can celebrate our freedoms today.

Mr. McFadden chose to enlist in the Army, but was initially turned away because of his poor vision. Rather than accept the results, however, he memorized the eye test and passed after a second attempt. Upon finally joining the Army, he became a mechanic, ultimately reaching the level of Technician Grade 5, in the 3156th Ordnance Base Artillery & Fire Control Maintenance Battalion.

During his nearly four years of duty, he distinguished himself quickly. Among his many decorations, he received an American Theater Campaign Medal, EAME Campaign Medal with two Bronze Stars, a Good Conduct Medal, Victory Ribbon, Service Stripe and five Overseas Service Bars.

Mr. Speaker, it is an honor to recognize one of the many brave men who served our country during its time of need. Mr. McFadden's efforts helped ensure our victory and the success we have enjoyed since World War II.

LET US EAT FISH

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. FRANK of Massachusetts. Mr. Speaker, I have for some time been pointing out the inconsistency between those who would restrict our ability to catch fish in a responsible way, and the argument that we should be encouraging the American people to eat in a healthier manner. In the New York Times for April 14, 2011, Ray Hilborn makes this case very well. As he notes, we have made great progress in reducing overfishing, but the law has not yet been written with enough flexibility

to recognize that fact. As Mr. Hilborn notes, "the Magnuson Act . . . has been successful, but it needs to be revised. The last time it was reauthorized, in 2006, it required the rebuilding of overfished stocks within ten years. That rule is too inflexible and hurts fishing communities from New England to California."

Mr. Speaker, that is the major reason that I voted against the Magnuson Act, although I agree that there were some useful things in it. And I welcome this very thoughtful explanation by Mr. Hilborn of why the time has come to provide that flexibility.

Mr. Speaker, as he says, "we are caught between the desire for oceans as pristine ecosystems and the desire for sustainable seafood." People who argue for greater and greater restrictions of fish claim to have the moral high ground, but they can only make their argument if they ignore the negative impact this has not just on the livelihoods of a lot of working people in the communities in which they live, but on our ability to make a very healthy part of a diet—good seafood—available at prices that people of moderate income can afford.

[From The New York Times, Apr. 4, 2011]

LET US EAT FISH

(By Ray Hilborn)

SEATTLE, WA.—This Lent, many ecologically conscious Americans might feel a twinge of guilt as they dig into the fish on their Friday dinner plates. They shouldn't.

Over the last decade the public has been bombarded by apocalyptic predictions about the future of fish stocks—in 2006, for instance, an article in the journal *Science* projected that all fish stocks could be gone by 2048.

Subsequent research, including a paper I co-wrote in *Science* in 2009 with Boris Worm, the lead author of the 2006 paper, has shown that such warnings were exaggerated. Much of the earlier research pointed to declines in catches and concluded that therefore fish stocks must be in trouble. But there is little correlation between how many fish are caught and how many actually exist; over the past decade, for example, fish catches in the United States have dropped because regulators have lowered the allowable catch. On average, fish stocks worldwide appear to be stable, and in the United States they are rebuilding, in many cases at a rapid rate.

The overall record of American fisheries management since the mid-1990s is one of improvement, not of decline. Perhaps the most spectacular recovery is that of bottom fish in New England, especially haddock and redfish; their abundance has grown sixfold from 1994 to 2007. Few if any fish species in the United States are now being harvested at too high a rate, and only 24 percent remain below their desired abundance.

Much of the success is a result of the Magnuson Fishery Conservation and Management Act, which was signed into law 35 years ago this week. It banned foreign fishing within 200 miles of the United States shoreline and established a system of management councils to regulate federal fisheries. In the past 15 years, those councils, along with federal and state agencies, nonprofit organizations and commercial and sport fishing groups, have helped assure the sustainability of the nation's fishing stocks.

Some experts, like Daniel Pauly of the University of British Columbia Fisheries Center, who warns of "the end of fish," fault the systems used to regulate fisheries worldwide. But that condemnation is too sweeping, and his prescription—closing much of

the world's oceans to fishing—would leave people hungry unnecessarily.

Many of the species that are fished too much worldwide fall into two categories: highly migratory species that are subject to international fishing pressures, and bottom fish—like cod, haddock, flounder and sole—that are caught in “mixed fisheries,” where it is impossible to catch one species but not another. We also know little about the sustainability of fish caught in much of Asia and Africa.

The Atlantic bluefin tuna is emblematic of the endangered migratory species; its numbers are well below the target set by the International Commission for the Conservation of Atlantic Tunas, and the catches in the Eastern Atlantic are too high. Many species of sharks also fall into this category. Because these stocks are fished by international fleets, reducing the catch requires global cooperation and American leadership. But not all highly migratory fish are in danger; the albacore, skipjack and yellowfin tuna and swordfish on American menus are not threatened.

Managing the mixed fisheries in American waters requires different tactics. On the West Coast, fish stocks have been strongly revived over the past decade through conservative management: fleet size reductions, highly restrictive catch limits and the closing of large areas to certain kinds of nets, hooks and traps. Rebuilding, however, has come at a cost: to prevent overharvesting and protect weak species, about 30 percent of the potential sustainable harvest from productive species (those that can be harvested at higher rates) goes untapped.

A similar tradeoff is going on in New England, where the management council, made up of federal and state representatives, restricts the harvesting of bottom fish like cod and yellowtail flounder in both the Gulf of Maine and Georges Bank, off Cape Cod. In trying to rebuild the cod, regulators have had to limit the catch of the much more abundant haddock, which are caught in the same nets.

The Magnuson Act regulating federal fisheries has been successful, but it needs to be revised. The last time it was reauthorized, in 2006, it required the rebuilding of overfished stocks within 10 years. That rule is too inflexible and hurts fishing communities from New England to California. A better option is to give the management councils greater discretion in setting targets and deadlines for rebuilding fish stocks.

We are caught between the desire for oceans as pristine ecosystems and the desire for sustainable seafood. Are we willing to accept some depleted species to increase long-term sustainable food production in return? After all, if fish are off the menu, we will likely eat more beef, chicken and pork. And the environmental costs of producing more livestock are much higher than accepting fewer fish in the ocean: lost habitat, the need for ever more water, pesticides, fertilizer and antibiotics, chemical runoff and “dead zones” in the world's seas.

Suddenly, that tasty, healthful and environmentally friendly fish on the plate looks a lot more appetizing.

HELEN “TADDY” SWINSON TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Helen “Taddy” Swinson of Brush, Colorado. Ms. Swinson was a mother, grandmother, volunteer and philanthropist. Her devotion to her family and work for the less fortunate left an indelible mark on the community.

Ms. Swinson was a longtime member of the Red-Cross and volunteered much of her time to the Meals and Friendship program. She also worked tirelessly for the Alter and Rosary Society at her church, St. Mary's Catholic Church. Her family was always a priority and it shows in the happiness and success that they enjoy today.

Mr. Speaker, it is an honor to recognize a woman who did so much for her community and country today. There is no doubt that the values she demonstrated will live on through those who knew her and those she cared for during her life.

HONORING THE LIFE OF MR. PETER VAGI FOR SHARING HIS STORY OF HOLOCAUST SUR- VIVAL

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to pay tribute to Mr. Peter Vagi, an 83 year-old Holocaust survivor from Palm Beach County. His inspirational story was recently documented in a film about the Holocaust entitled *The Rescuers*. Mr. Vagi has shared his story with countless others. I hope that by the telling his story we never witness such atrocities as the Holocaust ever again. The world cannot forget. We must remember. We must remember every story, every victim, and every survivor.

Mr. Vagi's story begins when he was 17 years old and the Germans took control of Hungary. He was almost immediately forced from school into a work camp to perform laborious tasks. Mr. Vagi was one of the few who was prevented from boarding the train to Auschwitz right on the platform. Soon after, he was moved to a Jewish Ghetto and stayed there until the Russians liberated Budapest. However, it wasn't long before the evils of Communism became apparent and Mr. Vagi decided to move first to Austria and then finally to the United States.

Mr. Vagi's story, along with all the other survivors serve as a reminder of the terrible period of human history that must never happen again. Mr. Speaker, I am proud to honor Mr. Vagi's life and all that he has done to ensure that history is not forgotten.

HONORING TOMMY SMOTHERS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor an American hero, Tom Smothers of Kenwood, California, who is receiving the Jack Green Civil Liberties Award from the Sonoma County Chapter of the American Civil Liberties Union.

Tommy Smothers is a fitting recipient for an award that has been presented for more than two decades to community members who have transformed their life-long commitment to civil liberties, human rights and social justice into action. Well known for battling censors while producing television's acclaimed *Smothers Brothers Comedy Hour*, Tommy has long been a symbol of resistance to censorship, fighting to present matters of vital interest to a wide American audience.

Working with his brother Dick, his career as an entertainer, comedian, and musician, began in 1959 with the formation of The Smothers Brothers, a folk-singing and comedy act. In 1967, The Smothers Brothers Comedy Hour debuted on CBS-TV and quickly established itself as something unique during a time when variety/comedy shows were television staples. The show revolutionized prime-time by using comedy to delve into taboo subjects—drugs, racism, police brutality—and to satirize politicians and criticize the Vietnam War. Singers like Pete Seeger, who had been blacklisted since the 1950s, were frequent guests.

CBS soon realized that these topics were hotter than the network could handle. As the show's producer, Tom fought against censorship, but The Smothers Brothers were fired in April, 1969, ostensibly for failing to comply with rules for submitting tapes of the show for review before broadcasting. The brothers then won a case against CBS for breach of contract. They continued to tour and perform until 2010, becoming the longest-running comedy act in U.S. history.

Forty years later, Tom received an Emmy award for his writing on the show which he dedicated “to all of the people who feel compelled to speak out and not afraid to speak to power and won't shut up and refuse to be silenced.”

This certainly describes Tom Smothers who continues to speak out to this day. Now living in Sonoma County with his wife Marcy, he is an inspirational model for our community and people across the nation.

Mr. Speaker, Tom Smothers' receipt of the Jack Green Civil Liberties Award reminds us of his statement, “The only valid censorship of ideas is the right of people not to listen.” This is a lesson we can all take to heart today as we celebrate Tom's talents and leadership in defense of our rights.

PEDIATRIC INTERIM CARE CENTER

HON. DAVID G. REICHERT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. REICHERT. Mr. Speaker, I rise today in recognition of an organization that my family and I hold close to our hearts: the Pediatric Interim Care Center (PICC). PICC opened its doors in 1990 in Kent, Washington, and since that time has saved the lives of more than 2,500 drug-addicted newborns. An organization like PICC—with visionary leaders and founders like Barbara Drennen and Barbara Richards—reminds us every day just how fragile and precious life is, and how much promise it holds. For 20 years PICC and its leadership, staff, and volunteers have transformed lives, bettered communities, and served a purpose greater than self.

Simply perusing PICC's website is enough to make an individual know with heart, mind, and soul that the work being done down there is good and life-altering. Going to PICC in Kent and having the opportunity to hold the beautiful and precious babies there can change one's life. I know it did mine, in many ways. My daughter Tabitha and her husband Ken adopted two beautiful babies from PICC. There is no doubt that raising a drug-addicted baby is difficult. Tabitha and Ken endured many sleepless nights, countless frustrations, and more than a few tears. Of course, life's biggest struggles so often bring life's biggest blessings. And what a blessing those beautiful babies have been. Tabitha, Ken, my wife, Julie, and I, and the rest of my family feel incredibly blessed everyday to have received gifts from PICC in the form of Emma and Briar. Emma is now seven and Briar is nine. They've blessed our family and our friends immensely. They've grown from fragile babies into energetic and precocious kids who play and enjoy life everyday with the intensity and wonder reserved for youth. While making discoveries and investigating life with my two remarkable grandchildren, I thank PICC staff and volunteers for the life-altering and truly beautiful work they do. Over the course of 20 years, PICC has provided countless memories to thousands and continue to expand on their legacy.

The scourge of drug use and abuse afflicts families and communities in every part of our nation. Children born into drug abuse start life at a distinct disadvantage. Children exposed to illegal drugs are more likely to ingest drugs themselves, abuse alcohol, fail in their relationships, and fall short of being an asset in their community. Sometimes it's easy to give in and think the cycle of abuse and failure will never end. That's when an organization like PICC provides hope. Hope for families looking to adopt. Hope for mothers ready to turn their lives around. Hope for innocent babies who only need love and an opportunity to grow. The heartwarming stories of hope and love at PICC can be found on their website and in homes across this country. PICC provides safety, education, and a helping hand to those who need it and don't ask for much in return. PICC succeeds on a shoestring budget and a lot of hard work and dedication. Kent is a bet-

ter place because of PICC. The Eighth District is a better place because of PICC. The state of Washington is a better place because of PICC, and our nation is a better place because of PICC.

In the end, why does Barbara Drennen do it? Why do the staff and volunteers at PICC spend countless hours holding babies, working in the community, and educating? Because everyone at PICC believes in their mission: protecting and serving the least among us. They believe in a purpose bigger than themselves. I'm so happy that mission and that purpose is still alive and well 20 years after it was conceived by Barbara Drennen and Barbara Richards. PICC's mission and purpose is Emma and Briar and the thousands of other children that enrich our lives every day. We're all thankful for that.

**HONORING MRS. MARSHA MORRIS
FOR HER RETIREMENT AFTER 23
YEARS OF EDUCATING THE
YOUTH OF ILLINOIS**

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Marsha Morris as she retires after 23 years of exemplary teaching in Illinois School District 101. Educators like Mrs. Morris are responsible for shaping America's youth, and her passion for her profession has contributed to the development of countless students into civic-minded Americans. With great pride, I honor her today for her tireless dedication to public service.

In her 23 years as a Western Springs educator, Marsha Morris has been instrumental in the growth of students in Illinois' 3rd Congressional District. After earning her undergraduate degree at Benedictine University, Mrs. Morris pursued graduate studies at Aurora University, graduating with a Master of Arts in Teaching. As an educator at Forest Hills Elementary School, and later as the Library Learning Center Director for Forest Hills and Field Park Schools, Mrs. Morris encouraged students to engage their curiosities, explore their creative sides, and above all, she encouraged every student to read. As an educator, Mrs. Morris channeled her love of books into the classroom where, by sharing her favorite stories with students, she inspired them to discover favorite stories of their own.

Mrs. Morris' excellence in teaching has encouraged and inspired many young men and women of Cook County to embrace and engage with the world around them. The Western Springs community has been fortunate to have Mrs. Morris, who dedicated her career to enriching the lives of children.

On behalf of the residents of the Third District of Illinois and all those whose lives she has touched, I am proud to honor Mrs. Marsha Morris for her years of excellence in District 101. I thank her for dedicating her career to students aspiring to leadership and civic accomplishment, and I wish her a long and happy retirement. Mrs. Morris will be greatly missed by the students of District 101, but I

know she will continue to be an asset to her community.

**HONORING THE METROPOLITAN
FIRE SPRINKLER, LLC**

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in honoring the Metropolitan Fire Sprinkler, LLC, as the 2011 District of Columbia Small Business of the Year, and its founder and president, District of Columbia native Walter "Merrill" Smith.

After working in the fire protection industry for over 30 years, Merrill Smith started his own business, Metropolitan Fire Sprinkler, in 2005, and in only a few years, has built one of the fastest growing and most successful small businesses in the District of Columbia. Metropolitan Fire Sprinkler, a minority-owned D.C. business, installs fire protection systems in buildings throughout the Washington metropolitan region. Most recently, Metropolitan Fire Sprinkler was successful in competing to install sprinkler systems in the vast Coast Guard building now under construction at the site of the future U.S. Department of Homeland Security (DHS) headquarters, located on the old St. Elizabeths grounds. Metropolitan Fire Sprinkler had already established a stellar track record on large projects, including the National Naval Medical Center, Gaylord National Harbor, and the Washington Nationals Stadium garage.

Merrill Smith sought to establish his own business not only for entrepreneurial reasons, but also because he wanted to provide jobs for residents in his hometown. His initial sources for employees are the District's Department of Employment Services, which serves D.C. residents seeking jobs, and the Road Sprinkler Fitters Local Union 669. Merrill Smith has embraced union labor and is about to train his first female apprentice.

Merrill Smith first built his own skills, and then built a business based on his first-hand knowledge of the industry. In the process, he has become an inspiration for young people and unemployed residents, and a model for the community for what hard work, with high quality, can accomplish.

Metropolitan Fire Sprinkler is rendering outstanding service to the larger community, to the small business community, and to individuals in our community, all at the same time. Merrill Smith's company makes important contributions to the District of Columbia economy. In competing successfully for contracts, particularly high-quality federal contracts such as the DHS project, Merrill Smith has become a living example for local small businesses that aim high. In searching for minority and union laborers, Metropolitan Fire Sprinkler is both training and employing a high-quality workforce.

I ask the House to join me in honoring the Metropolitan Fire Sprinkler, LLC for its outstanding accomplishments as the 2011 District of Columbia Small Business of the Year, and

its founder and president, Walter "Merrill" Smith.

CONDEMNING THE RECENT
TERRORIST ATTACK IN MOROCCO

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to condemn the terrorist attack that took the lives of at least 16 innocent people and wounded 23 others on April 28, 2011 in Marrakesh, Morocco. The Argana Café, the site of the bombing, overlooks the city's bustling Jamaa el-Fnaa square, which is a lively hub of cultural exchange and celebration. Moroccan, French, and British lives were lost in this senseless act, indicating that this was not a protest of local concerns, but of global ideals.

This disgraceful demonstration of ill will is considered an attack not only on Moroccan, French and British civilians, but on the human right to freedom, security, and happiness. No human being should have to live in constant fear of such needless violence, and I firmly stand with the people of Morocco as they strive to cope with this blow. I would also like to express my most heartfelt sympathies to all who have suffered from this tragedy, whether through their direct presence on the scene or indirectly through the suffering of a loved one.

Mr. Speaker, acts of cowardice and violence must not be allowed to prevail. It is my hope that the people of Morocco and the victims of this attack find peace and healing, and that we continue to work toward a global society that values every human life.

HONORING MRS. LINDA WINFIELD
FOR HER RETIREMENT AFTER 33
YEARS OF TEACHING

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today to recognize Linda Winfield, one of Illinois School District 101's most beloved teachers, who will retire at the end of this school year in May. For 33 years, Mrs. Winfield has blessed the Forest Hills community with her compassion and her commitment to educating children.

Raised in the small town of Assumption, Illinois, Mrs. Winfield understood the importance and lasting impact of education in small town communities. After graduating from nearby Millikin University, she began her career as a teacher at Forest Hills. In 1990 she became the kindergarten teacher at Forest Hills Elementary after spending several years in other teaching roles. Her ever-present smile and dedication to elementary school education have made her a favorite teacher in her local community. Her love of music, which she infuses into each class by singing and playing the piano, has endeared her to parents and left lifelong impressions on her students. Mrs.

Winfield has made a tradition of the kindergarten students hosting a Mother's Day tea for their mothers; this event is truly one of the highlights of the year for Forest Hills kindergarten families.

Mrs. Winfield's engagement with her students and their families always lasted long after the ring of the school bell. Active in the local community, Mrs. Winfield set a positive example for her students and neighbors within and outside the classroom, teaching extra-curricular music lessons.

I ask you to join me in honoring Mrs. Winfield on her retirement after 33 years of teaching in District 101. Mrs. Winfield will be greatly missed at Forest Hills Elementary by parents, students, and co-workers alike. Her contributions to the community exemplify her commitment to her students and their families. May she enjoy a long and productive retirement, and continue to put a smile on the faces of those around her.

RECOGNIZING THE LIFE OF STAFF
SERGEANT JEFFREY HAWTHORNE

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. MILLER of Florida. Mr. Speaker, it is with great sadness that I rise today to recognize the life of Staff Sergeant Jeffrey Hawthorne. Staff Sergeant Hawthorne was a true patriot who exemplified the honor and valor of our Armed Forces. His passing is an enormous loss for Northwest Florida and the United States Army.

Staff Sergeant Hawthorne was a native of Chumuckla in Santa Rosa County, Florida. His love for his country was unparalleled. As a junior at Central High School he signed a commitment to serve his country in the U.S. Army. Immediately following his graduation in 1995, Staff Sergeant Hawthorne enlisted, serving 16 years on active duty until his recent passing.

As a member of the Army, Staff Sergeant Hawthorne served with honor and distinction, receiving numerous medals and commendations. He served as a military policeman throughout the U.S. and in Korea. He also served as a special agent with the protective services detachment at NATO Headquarters in Brussels, Belgium.

The United States of America is a bastion of liberty and freedom, and it is because of the indefatigable dedication and professionalism of servicemembers like Staff Sergeant Hawthorne, who put themselves in danger to protect our country, that we continue to prosper as the world's greatest nation. Staff Sergeant Hawthorne has gone home to the Lord; however, his dedication and service to our nation will not be forgotten.

Staff Sergeant Hawthorne is survived by his parents, Joseph and Ruth Hawthorne; sisters, Cynthia Bloyd and Diane (John) Marceau; nephews, Kevin and Sean Carroll; aunts, Marian Hendrix, Loretta McCrory, Ann Blanton, Cora Abel and Irene Joyner; uncles, Ralph Jr. Bailey and James Hawthorne and many other nieces and nephews and his military family,

and he remains in the hearts and minds of all those who knew him.

Mr. Speaker, on behalf of the United States Congress, I extend my deepest condolences to Staff Sergeant Hawthorne's family. Staff Sergeant Hawthorne was a true patriot, and his willingness to serve our nation will endure as an example for our community. My wife Vicki joins me in extending our thoughts and prayers to the entire Hawthorne family.

IN HONOR OF EDITH WILKIE
EDWARDS

HON. SAM FARR

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. FARR. Mr. Speaker, I rise today to honor the life of Edith Wilkie Edwards. Most often known as Edie, I am honored that I have this opportunity to recognize such a caring, giving and loving woman.

Edie's tireless and dedicated work towards making the world a safer and more humane place is remarkable. She was an activist on peace and arms control issues, a former congressional staff member and wife of former Congressman Don Edwards, (D-CA). Edie passed away in Carmel, California at the age of 64. She had cancer and pulmonary disease.

Edie will forever be remembered as one of Capitol Hill's most talented, driven and selfless individuals. She directed Congress' bipartisan and bicameral Arms Control and Foreign Policy Caucus from 1978 to 1995. In that role, she worked to halt the development of new nuclear weapons, strengthen congressional support for the United Nations, end funding for proxy wars in Central America and expand and encourage human rights around the world. Prior to directing the caucus, she served as chief of staff to Reps. Fortney (Pete) Stark (D-CA) from 1975 to 1978; and Ogden R. Reid (R-NY) from 1968 to 1975.

Additionally, Edie served as president of the Peace Through Law Education Fund, a spin-off of the Arms Control and Foreign Policy Caucus, where she co-authored two reports examining the views of key military leaders on peace operations. The reports, "A Force for Peace" (1999) and "A Force for Peace and Security" (2002), foresaw the increasing need for U.S. troops to participate in multi-lateral peace operations in failed states.

Edie was also an active board member of the Ploughshares Fund, the San Francisco-based foundation that is the largest U.S. grant-making organization focused on peace and security issues; Council for a Livable World, a leading nuclear arms control lobbying organization in Washington; Peace-PAC, which supports arms control activists seeking election to the House of Representatives and the Center for International Policy, an organization started after the war in Vietnam by former diplomats and peace activists to promote human rights and international cooperation. She was a member of the Council on Foreign Relations.

In 1981, after 11 years together, she married Rep. Edwards, the 32-year Member of

Congress from San Jose, CA, who chaired the Civil and Constitutional Rights Subcommittee of the House Judiciary Committee. They were married at Martha's Vineyard in a small and beautiful ceremony.

After they both retired from their careers on Capitol Hill in 1995, the Edwards decompressed by living in the village of Loumarin in Southern France. For more than a decade, the Edwards lived half the year in Carmel-by-the-Sea in California and half at Holly Point, their home overlooking the Chesapeake Bay in Edgewater, Maryland. They settled in Carmel for the last three years.

Born in New York on October 5, 1946 to the late John and Dorothea J. Wilkie, Edie graduated from Concord Academy and Vassar College. Tall and slim and athletic, she was an avid tennis player with a forehand her opponents considered lethal.

In addition to Mr. Edwards, she is survived by five stepsons; a sister and two brothers, Rennie Wilkie Lieber, John McNeil Wilkie and Peter Wilkie, and their families. She is also survived by her stepmother, Margot Loines Wilkie, of New York and Martha's Vineyard and two stepsisters, Faith Morrow Williams and Constance Morrow Fullenweider and their families.

Mr. Speaker, Edith Wilkie Edwards touched many lives in her community and devoted her life to building a more peaceful world. It is a privilege and a high honor to recognize her life. She will be missed and I know I speak for the whole House in honoring the life of this dedicated and loving woman.

HONORING ABRAHAM BREEHEY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor Abraham (Abe) Breehey, a devoted husband, father, son, and brother and to mourn him upon his sudden passing at the age of 34. Abe was the Government Affairs Director of the International Brotherhood of Boilermakers. Born in Binghamton, New York in 1976, Abe Breehey graduated with a Bachelor's Degree from Sienna College in Loudonville, NY. He earned a Master's Degree in Public Policy from Rockefeller College of Public Affairs and Policy at the University of Albany and went on to serve as a Legislative Assistant during the 107th Congress and 108th Congress. He joined the IBB legislative staff in 2004. Abe was a sagacious voice for labor, widely respected on Capitol Hill and throughout the ranks of his union for his intellect, passion and commitment. He had the innate ability to build consensus across political and ideological lines.

On April 14, 2011, Abe passed from this earthly world to his eternal reward. He will long be remembered as a husband devoted to his beloved wife, Sonya and his treasured young daughter, Abigail. He is survived by his parents, Ray and Carol, his sister Rachel, three nieces, a nephew, and his loyal dog Kesey. Abe leaves behind a legacy of many friends whose lives were bettered for having

known him. Mr. Speaker, during his lifetime, Abe enriched the lives of everyone around him. As we bid farewell to this vibrant man, I ask my colleagues to join me in mourning his passing and honoring his unwavering patriotism and legendary service to the working men and women of our community and our country.

OUR UNCONSCIONABLE NATIONAL DEBT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,287,630,052,323.12.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,649,204,306,029.30 since then.

This debt and its interest payments we are passing to our children and all future Americans.

ADA LAUNCHES JOBS-SOCIAL SECURITY-MINIMUM WAGE CAMPAIGN

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. WOOLSEY. Mr. Speaker, Americans for Democratic Action has launched a Progressive agenda for jobs, rejuvenating the American economy, saving Social Security, and raising the minimum wage.

JOBS

Workers without jobs can't provide adequately for the basic needs of their families. The unemployment crisis is damaging families and contributing to a multitude of economic and social ills, including:

The highest poverty rate for working-age people between 18 and 64—12.9% in 2009—since 1965. Today, 43.6 million Americans are living in poverty, 19 million of whom are in deep poverty.

Workers who have lost their jobs through no fault of their own often cannot pay mortgages and rent, even when receiving unemployment benefits, which are not equivalent to wages lost. The foreclosure crisis—primarily the outcome of misdeeds of bankers and mortgage brokers—is driving further declines in home values while destroying once-vibrant neighborhoods. Joblessness also contributes to increased homelessness, which is not only tragic for families who lose their homes, but is accompanied by broader social harms and increased budget pressures on already strapped local and state governments.

Unemployed workers—along with many who are still employed—are losing employer-based health insurance coverage. In 2009, 50.7 million people were without health insurance—the highest number of uninsured since the Census started collecting the data in 1987. Jobless-

ness is increasing pressure on public programs such as Medicaid, while increased use of uncovered emergency services by those with no other option for care is driving further increases in healthcare costs for small businesses and those still fortunate enough to have jobs and healthcare coverage.

Workers without jobs can't pay taxes that provide the resources to hire teachers, police and firefighters, build and maintain roads, provide for appropriate national security, ensure product safety, protect the environment, and fill urgent long- and short-term national needs.

We condemn the folly of deficit slashing while 15 million Americans remain unemployed—plus 11 million more who are underemployed or have dropped from the labor force. Insufficient economic demand and idle productive capacity in the economy, in the short-term, bleeds federal and state budgets, whether or not current economic conditions meet the official definition of "recession." Reckless spending (except perhaps for ill-conceived and poorly executed wars) is not the cause of our budget woes. This is made obvious as conservatives decry the deficit, but cannot or will not name any specific government program they would slash in order to meet their demands for deficit reduction.

Job creation—and the economic growth that spurs job creation—is the only way to reduce a budget deficit that is primarily the result of high unemployment. Unemployed workers represent idle productive capacity—lost wages and lost economic output. Lost wages reduce demand for goods, services, and investment, and depress tax receipts. Without consumers with money to spend, firms don't invest or hire, leading to more joblessness and still lower output. That leads to declining tax receipts along with growing demand for automatic stabilizers (such as unemployment benefits) and safety net services (such as Medicaid, food stamps, and housing assistance). Government deficits are inevitable in economic downturns with high unemployment.

Since firms will not hire or invest where demand is lacking, and unemployed workers cannot expand consumption and increase demand, only the government can spur growth—through deficit spending and investment. Tax cuts may be helpful, but in the current climate, direct spending and investment will more quickly and more strongly stimulate demand. Investing now in America's current and future prosperity is the remedy for both joblessness and the long-term budget deficit.

Conservatives argue that austerity will spur economic growth. That argument is based on evidence that fiscal austerity reduces interest rates (borrowing costs) for firms, and thus stimulates investment. But the evidence for this model does not mirror current conditions. Interest rates in the U.S. are already at historically low levels, yet firms are not investing or hiring. Moreover, few of the countries that experienced rapid growth while practicing fiscal austerity adopted austerity when the economy was operating far below its potential level of output, and in no case was a country as far below its potential as the U.S. is today.

Furthermore, all of the evidence that austerity fosters growth comes from countries with a much larger percentage of their economy involved in export industries than is the case

with the U.S. Trade provides a source of demand for countries with a large export sector. The U.S. currently cannot rely on export-led growth to stimulate sufficient demand to reduce unemployment. For unemployment to be reduced in the short run, domestic demand must be increased. Thus, arguments for slashing government budgets in order to stimulate jobs and economic growth are not credible under current economic conditions.

The American Recovery and Reinvestment Act, ARRA, may have created or saved up to 3.3 million jobs and averted a second Great Depression, according to the independent Congressional Budget Office, CBO, estimates. But simple math shows that it was woefully insufficient to offset the loss of \$2.1 trillion in economic activity, \$3.4 trillion in lost home values, and \$7.4 trillion in lost stock values in 2009 and 2010. Not only was \$787 billion in stimulus insufficient to offset the losses, it was also swamped by an estimated \$570 billion in spending cuts by state and local governments over the 2009–10 period.

Thus, the stimulus provided by ARRA and other measures amounted to only about \$126 billion per year for 2009 and 2010. The total effective stimulus was perhaps only 10% of the output lost.

By 2014, the CBO projects that total lost output will reach \$3.4 trillion—more than \$11,000 per person—assuming unemployment returns to normal levels by then. That figure will be worse if unemployment remains high. Additional and substantial economic stimulus that more realistically accounts for current economic realities is required, both to create jobs and to begin building the foundation for a prosperous future in which budget deficits can be reduced without causing economic contraction during a period of record unemployment.

The way to achieve a balanced federal budget is with a sound banking system and rational monetary policy; government investment (recognizing the difference between spending and investment); and full employment at decent wages and benefits.

We need jobs, and we have much work to do.

A great nation can't remain great with crumbling bridges and schools, bursting water mains, leaking untreated sewage, grossly inadequate transportation systems, over-dependence on foreign oil, unaffordable higher education, and broadband preparedness that ranks 15th among OECD countries. ADA calls for restoring America's global competitive position with a restored manufacturing base, and rebuilt and expanded public infrastructure including broadband, throughout the nation.

A great nation consists of livable cities and towns that work for people, with decent affordable housing, quality public schools, well-designed and functioning public transportation systems, and jobs that provide decent wages. Cities cannot be warehouses for vast numbers of homeless and impoverished people who have no prospects and no hope.

A great nation will be at the forefront of addressing global problems that have resulted from past mistakes. Global warming, polluted water, and energy insecurity require investment in high-speed railroads and mass transit systems; emission-free vehicles and the infrastructure to power them; research, develop-

ment, and construction of renewable energy sources, such as solar, wind, and waterpower.

America, with enforced fair labor standards and collective bargaining rights. To begin the process of restoring America's industrial-employment base, ADA calls for fair trade policies that promote economic activity and lift wages in all nations, including our own; reformed tax policies that reward companies for creating jobs here, rather than for shipping them overseas; and national and local purchasing goals that support American manufacturing.

For community restoration and further job growth, ADA calls for doubling funding for programs to employ youth—including high school dropouts, high school graduates, and college graduates. This includes expanding AmeriCorps, the Job Corps, and the Peace Corps, a renewed Civilian Conservation Corps to restore our national parks and forests, a Neighborhood Corps to protect, maintain and revitalize (or as necessary demolish) distressed housing, and Home Care Corps providing services to the elderly in their own homes.

These ambitious programs, sparked by public investments, will generate millions of jobs that pay middle-class wages, serving urgent national needs and restoring the private economy. These are the necessary underpinning of a strong America.

SOCIAL SECURITY

Social Security is under siege on multiple fronts, most of them familiar.

Social Security is not part of the budget deficit. It's been made a scapegoat by long-time enemies of the program. Social Security payments are, in fact, not government spending at all. Government spending includes the purchases of goods and services by government. Social Security payments are direct transfers from working people with more income to the elderly, disabled, widows and orphans who have less income, and who mostly contributed to the program during their working years. As such, a dollar reallocated from one final consumer to another has no direct effect on GDP whatsoever. Such transfers are fair and effective, increasing security and reducing poverty.

The Commission on Deficit Reduction is co-chaired by millionaire Erskine Bowles and former Senator Alan Simpson, who calls Social Security retirees "Greedy Geezers," as if either man would consider living on the average benefit of \$13,860 per year. The Commission includes only one economist; the rest are career politicians, most of whom have supported cuts to Social Security. And the Commission has accepted support from Peter G. Peterson, who has waged a relentless, decades-long campaign to cut Social Security and Medicare. The composition of the Commission is deeply flawed, including bias and conflicts of interest. Any proposal by the Commission regarding Social Security cuts should be rejected.

For two-thirds of the elderly, Social Security is at least half their income. About a third of the elderly rely on Social Security for most of their income. Social Security isn't in jeopardy, except from the Commission, other privatizers, and unemployment—jobless workers don't pay payroll taxes.

With no changes, Social Security can pay full benefits until 2039, and thereafter about 80

percent of currently scheduled benefits. Simple changes that don't damage the program, and make contributions more progressive, can be made. Changes in FICA tax policies for higher-income earners would make it possible to reduce contributions by lower income earners, making the system less regressive and helping to address the enormous income gap that has developed in the U.S. over the past 30 years. Policy options include:

- Raising the cap on which the payroll tax (FICA) is applied above the current \$106,800;

- Removing the cap entirely; or

- Applying the cap to all taxable income, including interest, dividends, and capital gains.

The payroll tax, currently accumulating a \$2.6 trillion surplus, is invested in U.S. government bonds, about the safest investment in the world.

Proposals to allow workers to contribute a portion of their FICA contributions to individual accounts are a sure way to undermine the entire Social Security system, and must be off the table. It may sound harmless, but siphoning off funds earmarked for Social Security makes it impossible to pay for current benefits. Individual accounts held in investment funds would be subject to the ups and downs of the business cycle. For those fortunate enough to retire in good times, the accounts may be a good deal. For those reaching retirement in a downturn, the effect could be disastrous. They may have little more than a much-reduced Social Security benefit to survive on and face years of poverty in retirement. We should not forget the last two years and the disastrous effect of the recession on 401(k)s.

Baby boomers are retiring; our population is aging. Legislators noticed that in 1987 and took care of it by increasing the payroll tax, and by gradually increasing the retirement age to 67 by 2022. That increase in the normal retirement age cut benefits by 13 percent. Postponing retirement is tough for people who've had physically demanding jobs (unlike doctors, lawyers, economists, professors, and legislators). Recent data on longer life expectancy, the principal argument for raising the retirement age still further, have shown that longer life spans in the U.S. are principally a luxury for the well-off. Further, the life expectancy numbers are skewed because of declines in infant and young-adult mortality. Ordinary working Americans aren't living appreciably longer lives, and thus longer retirements are largely a myth.

We should also attract more young workers by creating an economically rational immigration policy.

Current undocumented workers should be given a path to citizenship. This will ensure that they are appropriately contributing taxes, while affording them protections they now lack, including protection from workplace discrimination, wage and overtime protections, workplace safety, and collective bargaining rights.

The Dream Act, a bill to provide citizenship to young people who were brought to this country as children, should be made law immediately. This would provide a path to citizenship for those who attend college or serve two years in the US Armed Forces, and would help the U.S. retain the most successful, productive young immigrants.

Large numbers of the brightest students from around the world come to earn degrees from U.S. universities. Many wish to remain in the U.S., but our broken immigration system makes it nearly impossible for them to do so. We should be encouraging these graduates to remain in the U.S. on completion of their studies.

MINIMUM WAGE

The third prong of ADA's program is increasing and indexing the minimum wage. It lags at a shameful \$7.25 per hour, while Republicans call for tax cuts for millionaires and billionaires. At its current level, the minimum wage barely provides an annual income above the individual poverty level, and many minimum wage earners are trying to raise families. It is unconscionable that anyone working full time in America should be mired in poverty, unable to meet basic needs of shelter, food, heat, and clothing.

The minimum wage should be increased, and should in future be indexed to the Consumer Price Index, to ensure that it keeps pace with the rising cost of living.

Opponents of raising the minimum wage will say that it increases unemployment. The evidence for this is extremely spotty. In some states that have increased their minimum wage, unemployment has declined relative to neighboring states that have maintained minimum wage at the federal level. In others, very small increases in unemployment were seen for the lowest-wage workers, and even those increases were temporary. Most of the economic research indicates that modest increases to the minimum wage have a negligible effect on employment, which is much more affected by other economic factors. The benefit of an increase to those workers at the minimum wage level outweighs the negligible effect on employment levels, and ADA strongly supports action on legislation to adjust the current minimum. ADA forged the coalition that led to the last increase in the minimum wage, and we can do so again.

All three prongs of ADA's program—JOBS, SOCIAL SECURITY, and MINIMUM WAGE—are of a piece, and are essential to restoring the American middle class. The Republicans are raring to enact slashing cuts that mirror those of the Tories of the UK, a formula for a double-dip recession or worse. We know better. Americans need jobs. Our country needs refurbishing. Workers need jobs that pay for housing, food, education, and a decent standard of living. Workers pay Social Security taxes, so the elderly, disabled, widows, and orphans can survive above poverty. And minimum wage workers must not be left behind. ADA stands ready to build the Liberal movement to carry out this agenda.

HONORING WAYMON SIMS

HON. HENRY C. "HANK" JOHNSON, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. JOHNSON of Georgia. Mr. Speaker, I submit the following Proclamation:

Whereas, the accomplishments of many start with the works and words of one; and

Whereas, Waymon Sims was born and raised in Athens, Georgia, where he began his athletic career as a teenager participating in football, track and basketball earning varsity letters while maintaining his membership in the National High School Honor Society at Athens High & Industrial School; and

Whereas, upon his graduation from Athens High & Industrial School in 1959, Waymon Sims entered Morris Brown College in Atlanta, Georgia wherein he continued his athletic career in track and football while earning his Bachelor of Science degree in Mathematics; and

Whereas, Waymon Sims served our country honorably in the U.S. Navy during a time of war, he returned home to Georgia, entered John Marshall Law School, coached little league softball and baseball in DeKalb County, Georgia, won numerous championships for his girls and boys teams but most of all, he shared his time and talents for the betterment of his community and his nation through his tireless works, words of encouragement and inspiration that have and continue to be a beacon of light to those in need; and

Whereas, the U.S. Representative of the Fourth District of Georgia has set aside this day to honor and recognize Waymon Sims the Athlete, Coach, Attorney and Community Leader on his induction into the Athens Athletic Hall of Fame in his hometown of Athens, Georgia and to congratulate him as a constituent who now lives in our District;

Now Therefore, I, HENRY C. "HANK" JOHNSON, JR. do hereby proclaim May 18, 2009 as Waymon Sims Day in the Fourth Congressional District.

Proclaimed, this 18th day of May, 2009.

HONORING THE INTERNATIONAL EYE FOUNDATION MAY 2, 2011

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. VAN HOLLEN. Mr. Speaker, I rise today to honor the outstanding achievements of the International Eye Foundation as it celebrates its 50th anniversary. IEF, which I am proud to say is based in my congressional district, is dedicated to the prevention of blindness and restoration of sight worldwide. In 2010, together with its partner eye care providers in Africa, Asia, Latin America, and the Middle East, IEF treated over 2 million people.

The history of IEF's work is fascinating. Dr. John Harry King, Jr., IEF's founder and a pioneer of corneal transplantation, sought to address the high rates of blindness in the developing world and established the International Eye Bank in 1961 under the auspices of CARE/Medico. American eye surgeons were posted to the St. John Eye Hospital in Jerusalem to perform corneal transplant operations and train local surgeons. Dr. King soon realized, however, that much of the blindness in the developing world was preventable and that care could be provided before people became blind. The name of the organization was changed in 1965 to the International Eye Foundation, which sharpened its focus on blindness prevention and primary eye care.

In order to remedy the dearth of eye specialists in developing countries, volunteer ophthalmologists were posted by IEF to countries throughout Asia, Africa and Latin America. Through IEF's Society of Eye Surgeons, Dr. King hosted a World Congress every four years, one of the earliest international eye meetings, bringing together distinguished leaders in ophthalmology and development specialists from around the world.

Throughout the 1970's, IEF facilitated many ophthalmic training and exchange programs in Africa, the Middle East, and Asia. In 1972, U.S. eye surgeons were posted to Ethiopia and Kenya and, from 1976–1984, the USAID-supported "IEF Kenya Rural Blindness Prevention Project" became a model for East Africa. The training of ophthalmologists and Ophthalmic Clinical Officers was expanded while countless general physicians, nurses, and village health workers were trained in primary eye care. IEF facilitated an exchange program that exposed U.S. Navy residents to the challenges of providing eye care in Africa and the Middle East and brought doctors from Egypt and Ethiopia to the U.S. for fellowships. Ophthalmic and nurse training programs and vitamin A deficiency control programs were also conducted in Afghanistan, Pakistan, India, Bangladesh and Indonesia. IEF started Malawi's Ophthalmic Medical Assistants training program in 1980. Importantly, the Queen Elizabeth Central Hospital in Blantyre had no eye specialist, so IEF posted a series of American ophthalmologists there to provide care, surgery and training over 15 years.

IEF helped establish Eye Banks in Amman, Jordan in 1979 and in Cairo, Egypt in 1980. Throughout the following decade, U.S. ophthalmologists were posted to a number of Caribbean nations for one year at a time. In 1985, IEF became the first eye care development organization to be accepted into "official relations" with the World Health Organization. In 1986, USAID awarded child survival grants for programs in Africa and Latin America that focused on reducing blindness from vitamin A deficiency, the leading cause of blindness in children in developing countries at that time. The availability of Mectizan® (the anti-parasitic drug ivermectin) from Merck & Company in 1990 allowed IEF to pioneer the first community-based ivermectin distribution programs in Guatemala, in collaboration with Africare in Nigeria, and in 1992 in Cameroon and Malawi.

In the early 1990's, IEF was awarded a USAID grant for programs in Bulgaria and Albania. The grant enabled 18 U.S. ophthalmologists to provide training and technology for vitreo-retinal surgery and retinopathy of prematurity to save the sight of newborns. IEF also collaborated with the Dana Center for Preventive Ophthalmology at Johns Hopkins University to conduct the first random sample epidemiological blindness prevalence survey in Bulgaria.

In the mid-1990's, IEF recognized that eye hospitals in developing countries were still underperforming and lacked management capacity and revenue sources. The SightReach® Management program was then established, reorienting the organization's mission to sustainability planning for eye care institutions. This included developing a model that can be adopted by eye units in different

regions of the world. In 1999, with seed money from USAID, IEF focused on reducing blindness from unoperated cataract and addressing refractive error by improving efficiency, productivity and revenue-generating services. IEF is now a global leader in sustainability programming for eye care with hospital partners in 15 countries.

In 1999, IEF established its SightReach® Surgical (SRS) program, making available a wide range of ophthalmic products from manufacturers worldwide to eye care providers and international developing organizations. The program has reduced the cost of technology and provided valuable procurement and advisory services to nations that would otherwise have limited access to such resources.

Over the last 50 years, IEF has been instrumental in facilitating the tremendous growth in eye care services throughout the developing world, especially in Asia and Latin America. Cases of blindness due to trachoma, onchocerciasis, cataract, and blinding malnutrition have been reduced while the number of training programs, well-trained ophthalmologists, and modern technology has increased in developing countries. IEF has played a significant role in these achievements and has been supported by USAID, private foundations and the hundreds of thousands of individuals who support its mission.

Mr. Speaker, I am honored to recognize the International Eye Foundation for its 50 years of extraordinary work and wish it continued success in making a difference in the lives of millions of people throughout the world.

TRIBUTE TO THE HISPANIC ASSOCIATION ON CORPORATE RESPONSIBILITY (HACR) ON ITS 25TH ANNIVERSARY

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. BACA. Mr. Speaker, I stand here today to commemorate a significant milestone and to commend the leadership of the Hispanic Association on Corporate Responsibility (HACR) for its work as one of the most influential advocacy organizations for Hispanic inclusion in Corporate America.

This year marks the 25th anniversary of HACR's founding in 1986, with a mission to advance the inclusion of Hispanics in Corporate America at a level commensurate with Hispanic economic contributions.

Thanks to the profound efforts and devotion of its exceptional and visionary leaders, in 25 years HACR grew from an original 7 coalition members to now representing 16 national Hispanic organizations in the United States and Puerto Rico.

For more than two decades, HACR's innovative work with corporate partners, stakeholders, elected officials, and community leaders has created a partnership that provides the expertise necessary to ensure the inclusion of Hispanics in corporate social responsibility and market reciprocity.

HACR's Commitment to Hispanic inclusion in the areas of corporate responsibility and

community reciprocity include a focus on employment, procurement, philanthropy, and governance.

With a pioneering focus to meet unmet needs, HACR's signature programs, including the Annual HACR Symposium, HACR CEO Roundtable, and HACR Corporate Directors Summit, present a unique opportunity for some of the nation's most forward-thinking companies to share best practices and continue advancing Hispanic inclusion.

Additional signature programs tailored to young Hispanics, including the HACR Corporate Executives Forum and the HACR Young Hispanic Corporate Achievers Program, lay the foundation for generations of Latino corporate leaders to come.

It is with great pride that I recognize HACR on this important anniversary. Since its founding, to its first corporate agreement, to its now extensive work with the nations' most prosperous companies and leaders of all levels, HACR continues to be a passionate and committed organization with a mission to achieve economic parity and reciprocity for the Hispanic community.

HONORING JUNE RUSSELL WRIGHT

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor a woman of grace, class, and dignity, Mrs. June Russell Wright.

Mrs. Wright passed away on April 22, 2011. She and her husband, Dr. Robert L. Wright, Jr. have been my friends of longstanding for over 40 years.

June was born on November 7, 1939 in Columbus, Georgia to the late Mrs. Ollie Russell Carter.

She graduated from William H. Spencer High School in 1957 and Grady Hospital School of Nursing in 1960 as a registered nurse. Her nursing career spanned over 40 years, with 34 of those years spent at the Columbus Health Department. She worked in numerous clinics and retired as a nurse supervisor of the Tuberculosis clinic.

George Washington Carver once said that: "How far you go in life depends on your being tender with the young, compassionate with the aged, sympathetic with the striving, and tolerant of the weak and strong. Because some day in life you will have been all these." June went far in life because she never forgot this lesson and she always wanted to help other people. Her involvement with her church and social civic organizations dedicated to the betterment of all people is a testament to this fact.

June was an active member of the St. Benedict Catholic Church where she served faithfully and worked with the Liturgy Committee, the Project 2004 Committee and sang in the church choir for over 30 years. She was an active member of the Columbus Chapter of the Links and an honorable Archchouse of Gamma Psi Boule. One of her greatest achievements was her induction as a Life Partner in the Horatio Alger Association of dis-

tinguished Americans. June truly believed in the mission of the Association that hard work, honesty and determination can conquer all obstacles. She lived her life this way and gave her all to making the world a better place to live.

But, her greatest role in life was that of dedicated wife and loving mother. She has supported and served as the greatest cheerleader to her husband through his career as an optometrist, elected official and successful entrepreneur. Moreover, she has supported her children, Kimberly Wright Lavender and Russell T. Wright in all of their endeavors.

June was truly one of a kind who left an indelible mark on the world that will never be forgotten.

I am proud to have known a woman who has dedicated her life to uplifting others and I am proud to honor her life and legacy with this statement. To God be the glory for blessing the world with a woman such as June Russell Wright. We all are better because she travelled this way.

REINTRODUCTION OF THE TANNING BED CANCER CONTROL ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mrs. MALONEY. Mr. Speaker, today, in honor of Melanoma Monday, I am reintroducing bipartisan legislation with my colleagues Representative CHARLIE DENT and Rep. JESSE JACKSON, JR.: the Tanning Bed Cancer Control Act. This legislation will empower the Food and Drug Administration (FDA) to determine whether the current performance standards and regulations placed on tanning beds accurately reflect their safety and effectiveness.

Despite the known health risks associated with indoor tanning, more than two million people, the vast majority of whom are women and young girls, tan indoors every day. The United States Department of Health and Human Services and the World Health Organization's International Agency for Research on Cancer have classified indoor tanning beds as a known carcinogen (cancer-causing substance), the same category as tobacco smoke, asbestos and uranium. Research shows people who tan indoors are 75 percent more likely to develop melanoma, the deadliest form of skin cancer, which is now the most common form of cancer among young adults 25–29 years old. We can no longer ignore the startling health effects of indoor tanning.

In spite of the facts, the FDA currently classifies tanning beds in the lowest risk category, Class I. Other examples of Class I devices are Band Aids and tongue depressors, devices that pose no risk to consumers at all. The Tanning Bed Cancer Control Act requires the FDA to examine two sides of tanning bed regulation. First, it requires a study be conducted to determine whether or not tanning beds are appropriately classified in accordance with the risks of their use. The bill also addresses performance standards—factors such as the strength of the UV rays emitted and the recommended amount of time a consumer should

remain in the bed. These standards have not been updated since 1985. Finally, the legislation calls on the FDA to carry out its own findings published in a 2008 Report to Congress and to edit the warning label requirements to clearly and more effectively inform consumers of the health risks associated with tanning bed use.

The link between skin cancer and indoor tanning is undeniable and we need to protect Americans from harmful UV rays. We cannot afford to stand by and watch people suffer as a result of misinformation and poor regulation.

IN HONOR OF DR. ROBERT E.
JONES OF WHEELING, WV

HON. DAVID B. MCKINLEY

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. MCKINLEY. Mr. Speaker, this week a great honor is bestowed on a great man, Dr. Robert E. Jones of Wheeling, West Virginia. In addition to his great abilities in the medical profession, Dr. Jones was an extraordinarily successful athlete for the Wheeling Ironmen from 1964–67. Due to his tremendous abilities, he is now being honored through induction into the Minor League Football Hall of Fame.

Dr. Jones was born in Scribner, Nebraska and played college football under legendary Nebraska coach, Bob Devany. He graduated with a Bachelor's Degree and obtained his Medical Degree from West Virginia University. Before enrolling at West Virginia University's Medical School, he spent time as a Washington Redskins.

His accomplishments on the professional football field and in the medical field are a true inspiration to our youth in America. Dr. Jones is an example to all that whatever your passions may be, with heart and dedication you can achieve anything. I am honored to have the opportunity to be a part of this celebration and congratulate Dr. Robert Jones on his great accomplishment.

HONORING PUBLIC SAFETY
OFFICER ERIC ZAPATA

HON. FRED UPTON

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. UPTON. Mr. Speaker, I rise today to honor the memory of Public Safety Officer Eric Zapata of Kalamazoo, Michigan, who was killed in the line of duty on the night of April 18th, 2011. Our heartfelt prayers and condolences go out to his family and loved ones.

A ten-year veteran of the Kalamazoo Department of Public Safety, Zapata was a tireless public servant who put the wellbeing of his community above himself. Like so many in local law enforcement, Zapata was a father, a son, a brother, and a friend—he will be greatly missed.

We are all deeply indebted to those brave men and women in public safety, whose countless sacrifices allow us to go about our

daily lives and take our own safety for granted. The pain of this tragic loss is felt by every member of our southwest Michigan community.

PSO Zapata's ultimate sacrifice in the name of freedom and security will never be forgotten. He leaves a legacy of distinguished service and selfless heroism.

Officer Zapata was the first Kalamazoo Public Safety Officer killed in the line of duty. Let's all pray he will also be the last.

HONORING THE ST. CLOUD AREA
CHAMBER OF COMMERCE SMALL
BUSINESS PERSON OF THE
YEAR, BERNARD "BROWNIE"
WILLIAMS

HON. MICHELE BACHMANN

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mrs. BACHMANN. Mr. Speaker, I rise today to acknowledge the St. Cloud Area Chamber of Commerce Small Business Person of the Year, the Mark of Excellence, and the Entrepreneurial Success Award recipients. These individuals have stood out to the Chamber as "those who have the courage to aspire to a higher level" as business owners and community members.

Bernard "Brownie" Williams opened up a chiropractic practice in Sartell, Minnesota in 1981. Like many business owners, Brownie ran a family business where he and his wife were the only employees. However, as the community grew and changed, the needs of his patients changed as well. Brownie currently runs a full health clinic meeting the whole-body needs of the St. Cloud area. From family care to specialty therapies, Brownie is an image of what passion and dedication can accomplish. I congratulate Brownie Williams as the 2011 St. Cloud Area Chamber of Commerce Small Business Person of the Year.

Miller Architects and Builders of St. Cloud is a fifth-generation business. Dan Miller, the current owner, was raised in the family business and today runs it as a one-stop shop for his customers. Overseeing everything from design and financing to construction management, Dan has a legacy that now serves the entire upper Midwest. I am proud to honor Dan Miller as the St. Cloud Area Chamber of Commerce Mark of Excellence Award winner.

Especially in a tough economy, entrepreneurs are the oil to America's job and economic engine. John Schlecht opened up Crafts Direct after spending most of his career with other craft companies and supply stores. After a successful opening in 1990 and consistent growth despite the ups and downs of the economy, John is perfectly suited to be a model to other entrepreneurs and I'm pleased to praise him as the 2011 St. Cloud Area Chamber of Commerce Entrepreneurial Success Award winner.

Mister Speaker, I ask that this body also congratulate and recognize these men and their businesses as examples of America's unwavering spirit of success. Brownie Miller, Dan Miller and John Schlecht are just three of the many businesses that are adapting and thriving

in our Nation, and they all deserve our gratitude.

HONORING MAYOR ABRAHAM
BREEHEY

HON. LINDA T. SÁNCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. LINDA T. SÁNCHEZ of California. Mr. Speaker, I rise with deep sadness to honor the life of Abraham Breehey, Director of Legislative Affairs and Special Assistant to the International President of the International Brotherhood of Boilermakers. Abe passed away on Thursday, April 14, 2011, from complications related to a brain tumor and subsequent stroke.

Abe, 34, was born in 1976 in Binghamton, New York and is survived by his wife, Sonya, daughter, Abigail, father Ray, mother Carol, sister Rachel, 3 nieces, a nephew, and his friendly dog Kesey.

Abe received his Bachelor's Degree from Siena College in Loudonville, NY, and Master's Degree in Public Policy from the Rockefeller College of Public Affairs and Policy at the University of Albany. He also attended the Trade Union Program at Harvard Law School. Prior to joining the Boilermakers in 2004, he served as Legislative Assistant for labor and other issues for my friend and colleague Representative LLOYD DOGGETT (TX-25).

Abe was a leading voice in the labor movement, representing the Boilermakers on issues related to energy policy and climate change, and their impact on workers. He was widely respected for his passion, intellect, and ability to build consensus across ideological and political lines. He advised the AFL-CIO Building and Construction Trades Department as Chairman of the Department's Legislative Task Force. He acted as a trusted friend and advisor to advocates for working families both on and off Capitol Hill.

Abe had a genial nature, a ready smile, and was always a pleasure to work with. The labor and working families movement has lost a friend, a brother, and rising star. My thoughts and prayers go out to his family.

THE SIKES ACT AMENDMENTS
ACT OF 2011

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Ms. BORDALLO. Mr. Speaker, today I reintroduce a bill to amend the Sikes Act to improve natural resources management planning for State-owned installations used for the national defense. I reintroduce this bill, with minor technical changes, at the request of the Department of Defense (DOD). The amendments proposed by DOD will improve coordination between DOD, the Department of the Interior and State, Territorial and local partners for the protection of fish and wildlife resources on DOD lands and State-owned installations used for the national defense.

In the 111th Congress, as then Chairwoman of the Subcommittee on Insular Affairs, Oceans and Wildlife and as a member of the Committee on Armed Services, I held an oversight hearing on this legislation. During testimony, the DOD and U.S. Fish and Wildlife Service highlighted the significance of codifying this language as an important step forward with an agenda of promoting responsible environmental stewardship. DOD controls nearly 25 million acres of valuable fish and wildlife habitat at approximately 400 military installations nationwide. These lands contain a wealth of plant and animal life, vital wetlands for migratory birds and habitat for nearly 300 federally listed threatened and endangered species. For 50 years, the Sikes Act has helped the commanders of these installations balance their use of air, land and water resources for military training and testing with the need to conserve and rehabilitate these important ecosystems. In past National Defense Authorization Acts, Congress has made improvements to the Sikes Act and my bill, the Sikes Act Amendments Act of 2011, continues this progress by proposing two significant improvements to the law.

First, my bill clarifies the scope of the Sikes Act by extending its provisions to State-owned National Guard installations, including the requirement to develop and implement Integrated Natural Resources Management Plans (INRMP) that are already required for federally-owned military installations. Another provision in this bill would make several technical and clarifying changes to the U.S. Code to make it consistent with other subheadings and titles.

As the NDAA and this legislation advance through the legislative process, I will continue to work with the DOD, and my colleagues in Congress, to modify this language to make permanent the successful invasive species management pilot program on Guam, authorized into law in 2004, and appropriately expand its scope to all military installations. The Department of Defense has supported this initiative and it is an important part of the ecosystem approach of the Sikes Act.

I want to thank Chairman BUCK MCKEON of the House Armed Services Committee for his leadership on issues affecting management of military installations and the readiness of our military forces. I also thank Chairman DOC HASTINGS of the House Natural Resources Committee for his working with me to provide additional hearings and input on the effect of this legislation. I look forward to working with my colleagues in both the Natural Resources Committee and the Armed Services Committee in receiving testimony, support and views on the Sikes Act Amendments Act of 2011.

REGARDING THE DEATH OF OSAMA BIN LADEN

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. KING of New York. Mr. Speaker, I rise to tell the American people and especially the

9/11 family members that we have kept our promise. Today, the American people have seen justice. Osama bin Laden, the leader of the United States' top enemy, has gotten what he deserves for orchestrating the deaths of nearly 3,000 innocent Americans on September 11, 2001.

First, let me express my admiration and gratefulness to the brave men and women of our military and intelligence services who performed so valiantly during yesterday's operation. It makes me proud to know that we have so many dedicated individuals who risk their lives every day to keep us safe. These professionals succeeded in their mission to hunt down and execute al-Qaeda's leader, something we have been trying to do for the past ten years.

I want to commend President Obama for his resolve and his decision to keep the pressure on al-Qaeda and its leadership. He performed his duties as Commander in Chief brilliantly. I also want to give credit to President Bush for promising to bring the 9/11 terrorists to justice and doing so much to keep America safe in the years following the 9/11 attacks. Both these men deserve great credit for their actions.

Today is a great day for America. It is a great day for the men and women of our military and intelligence services. It's also a great day for the family members who lost loved ones on 9/11 and have been waiting for this day for so long.

We are safer today because Osama bin Laden is no longer on this earth. He and so many of his collaborators have been hunted down, captured or killed. And while this is another highly positive development in the global war on terrorism that we are winning, we realize it is not over. We must continue to be vigilant and counter the diabolical threat of Islamic extremism.

May God Bless America and all the brave men and women who protect us at home and overseas. And may the death of Osama bin Laden bring some peace and closure to those who lost loved ones on September 11th, 2001.

HOLOCAUST REMEMBRANCE DAY 2011

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. WAXMAN. Mr. Speaker, today is Holocaust Remembrance Day, known in Israel as Yom Ha'Shoah U'Gvura—a day to commemorate Holocaust victims and heroes. It is observed each year on the anniversary of the beginning of the Warsaw Ghetto uprising.

It cannot escape us that this year, this observance coincides with the killing of Osama Bin Laden, a ruthless murderer who embodied the worst hatred and cruelty that was a trademark of the Nazi era. It is also coincides with the anniversary of Hitler's death.

As we remember the victims of the Holocaust and the victims of 9/11, we reflect on the hatred and violence indoctrinated by Bin Laden and Hitler to fuel their murders.

We pay tribute to the heroes who risked their lives to bring the perpetrators of these crimes to justice.

We memorialize innocent lives cut short and we strengthen our resolve to fight the extremism and intolerance that foster terrorism and genocide.

I join my colleagues in marking this momentous confluence of events with grief for the past and hope for the future, so that we may proclaim with conviction: "Never Again."

RECOGNIZING THE LIFE OF DR. VINCENT PAUL BRUNO

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise today to recognize the life of Northwest Florida's beloved Dr. Vincent Paul Bruno. Vincent Paul Bruno was a native of Florida's First Congressional District. After graduating from Pensacola Catholic High School in 1943, Dr. Bruno joined the Navy, serving his country with honor and distinction in the Pacific Theater during World War II. After returning from combat, Dr. Bruno attended the University of Florida for his undergraduate studies, and in 1954, he received his doctorate from Loyola University School of Dentistry in New Orleans, Louisiana. After his graduation from Loyola, Dr. Bruno returned to his hometown of Pensacola, Florida where he practiced dentistry for 48 years.

In addition to his dental practice, Dr. Bruno was also an esteemed leader in the civic community. From 1965 to 1977, he served on the Pensacola City Council. Dr. Bruno also served a term as Mayor Pro Tem of Pensacola. In addition to his civic duties, Dr. Bruno was also a member of the American Dental Association, the Escambia Santa-Rosa County Dental Association, where he served a term as President, the Knights of Columbus and St. Michael's Parish Council.

Dr. Bruno is survived by his wife, Anita Faye Fowler Bruno; his sister, Angela Fishburn of Pensacola; his daughters: the Honorable Patricia Sheppard (the Reverend Dr. Thomas Mikelson) of North Adams, MA, Margaret LeBeau (Dr. Jacques) of Navarre, Ann Ferretti (Dr. Thomas) of Pensacola, Barbara del Castillo (Dr. Hector) of Houston, TX and his sons: V. Paul Bruno, Jr., Harry S. Bruno, and Peter F. Bruno (Sue) all of Pensacola; stepdaughter, Dawn Cagle of Madisonville, KY; and 19 grandchildren and 16 great grandchildren.

To some Dr. Vincent Paul Bruno will be remembered as a professional and caring dentist, and to others, as a civic leader in the Northwest Florida community. He will forever be remembered by his family and friends as a loving and devoted husband, father, grandfather and great grandfather, and his impact on Northwest Florida will not be forgotten.

Mr. Speaker, on behalf of the United States Congress, it is my honor to recognize the life of Dr. Vincent Paul Bruno. My wife Vicki joins me in extending our thoughts and prayers to the entire Bruno family.

HONORING DR. ROBERT C.
MESSINA JR.'S SERVICE

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Monday, May 2, 2011

Mr. ANDREWS. Mr. Speaker, I rise today to honor Dr. Robert C. Messina, Jr., as he enters his 25th year of visionary leadership as President of Burlington County College.

During Dr. Messina's leadership, Burlington County College has grown substantially, now educating more than 11,000 students per year. The College received 22 commendations in its recent reaccreditation by the Middle States Commission on Higher Education, more than any other college in New Jersey. Their recent achievements are a strong reflection of Dr. Messina's tireless efforts. His work has benefitted the entire South Jersey community, enriching residents' quality of life through sponsorship of cultural and regional activities.

Dr. Robert C. Messina, Jr. should also be recognized as a humanitarian. He frequently volunteers his time on local, regional, state, and national boards and committees related to improving higher education. His dedication to exceptional and accessible educational opportunities makes him a role model to Burlington County and the rest of the country.

Mr. Speaker, Dr. Robert C. Messina, Jr.'s commitment to Burlington County College and the local community merits recognition. I commend him for his achievements, and extend sincere best wishes in all his future endeavors as he enters his 25th year as president of Burlington County College.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 3, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 4

Time to be announced

Veterans' Affairs

Business meeting to consider the nominations of Allison A. Hickey, of Vir-

ginia, to be Under Secretary for Benefits, and Steve L. Muro, of California, to be Under Secretary for Memorial Affairs, both of the Department of Veterans Affairs.

Room to be announced

10 a.m.

Finance

To hold hearings to examine budget enforcement mechanisms.

SD-215

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine proposed budget estimates and justification for fiscal year 2012 for the Commodity Futures Trading Commission and for the Securities and Exchange Commission.

SD-138

Homeland Security and Governmental Affairs

To hold hearings to examine securing the border, focusing on progress at the Federal level.

SD-342

Judiciary

To hold an oversight hearing to examine the Department of Justice.

SD-226

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Department of Labor.

SD-124

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold closed hearings to examine proposed budget estimates for fiscal year 2012 for national and military intelligence programs.

SVC-217

Rules and Administration

Business meeting to consider S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent, and the nomination of William J. Boarman, of Maryland, to be Public Printer, Government Printing Office.

SR-301

2 p.m.

Armed Services

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-222

2:30 p.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates and justification for fiscal year 2012 for the National Nuclear Security Administration.

SD-192

Judiciary

To hold hearings to examine the nominations of John Andrew Ross, to be United States District Judge for the Eastern District of Missouri, Timothy M. Cain, to be United States District Judge for the District of South Carolina, Nannette Jolivet Brown, to be United States District Judge for the Eastern District of Louisiana, Nancy

Torresen, to be United States District Judge for the District of Maine, and William Francis Kuntz II, to be United States District Judge for the Eastern District of New York.

SD-226

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

To hold hearings to examine inspiring students to Federal service.

SD-342

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine implementation of the New START Treaty and plans for future reductions in nuclear warheads and delivery systems post-New START Treaty; with the possibility of a closed session in SVC-217 following the open session.

SR-232A

2:45 p.m.

Foreign Relations

To hold hearings to examine the nominations of Daniel Benjamin Shapiro, of Illinois, to be Ambassador to Israel, Stuart E. Jones, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan, George Albert Krol, of New Jersey, to be Ambassador to the Republic of Uzbekistan, and Henry S. Ensher, of California, to be Ambassador to the People's Democratic Republic of Algeria, all of the Department of State.

SD-419

MAY 5

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine a joint staff discussion draft pertaining to cyber security of the bulk-power system and electric infrastructure and for other purposes.

SD-366

Appropriations

Transportation and Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Federal Railroad Administration and the National Railroad Passenger Corporation.

SD-138

9:45 a.m.

Armed Services

Emerging Threats and Capabilities Subcommittee

To receive a closed briefing on Department of Defense plans and programs relating to counterterrorism, counter-narcotics, and building partnership capacity.

SVC-217

10 a.m.

Homeland Security and Governmental Affairs

Disaster Recovery Subcommittee

To hold hearings to examine understanding the power of social media as a communication tool in the aftermath of disasters.

SD-342

Banking, Housing, and Urban Affairs

To hold hearings to examine legislative proposals in the United States Department of Housing and Urban Development's fiscal year 2012 budget.

SD-538

Commerce, Science, and Transportation Business meeting to consider pending calendar business.		ies of duplication in the Federal government.		MAY 12
	SR-253	Intelligence	SD-342	10:30 a.m. Appropriations
Foreign Relations To hold hearings to examine assessing United States policy and its limits in Pakistan.		To hold closed hearings to examine certain intelligence matters.	SH-219	Department of Defense Subcommittee To receive a closed briefing on the United States Special Operations Command (SOCOM), and the United States European Command (EUCOM).
	SD-419			SVC-217
Health, Education, Labor, and Pensions To hold hearings to examine improving health quality and patient safety.				MAY 17
	SD-430	Joint Economic Committee To hold hearings to examine the employment situation for April 2011.	SD-106	10:30 a.m. Appropriations
Judiciary Business meeting to consider S. 350, to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, S. 623, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, and the nominations of Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit, Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Kathleen M. Williams, to be United States District Judge for the Southern District of Florida, Nelva Gonzales Ramos, to be United States District Judge for the Southern District of Texas, Richard Brooke Jackson, to be United States District Judge for the District of Colorado, Sara Lynn Darrow, to be United States District Judge for the Central District of Illinois, and Virginia A. Seitz, of the District of Columbia, and Lisa O. Monaco, of the District of Columbia, both to be an Assistant Attorney General, Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance, and Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, all of the Department of Justice.				Department of Defense Subcommittee To receive a closed briefing on the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).
				SVC-217
				MAY 18
				10 a.m. Veterans' Affairs
				To hold hearings to examine seamless transition, focusing on improving Veterans Affairs and Department of Defense collaboration.
				SR-418
				MAY 25
				10:30 a.m. Appropriations
				Department of Defense Subcommittee To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.
				SD-192
				MAY 26
				10:30 a.m. Appropriations
				Department of Defense Subcommittee To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).
				SVC-217
				JUNE 15
				10:30 a.m. Appropriations
				Department of Defense Subcommittee To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.
				SD-192
				POSTPONEMENTS
				MAY 4
				10 a.m. Finance
				To hold hearings to examine the United States-China relationship, focusing on charting a new course forward.
				SD-215

SENATE—Tuesday, May 3, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty and eternal God, we desire to honor Your holy name. Thank You for blessing us to see the sunlight of a new day. Today, lift the minds of our lawmakers above the things that distract them from doing Your will. May their hearts be fully focused on fulfilling Your purposes as they strive to live for Your glory. Lord, give them the wisdom to use all their powers to serve You, seeking Your approval for each critical decision they make. Let Your favor delight them and Your presence sustain them in every season of life.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 3, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate

will be in a period of morning business until 5 p.m. this evening. The Republicans will control the first 30 minutes, the majority will control the next 30 minutes.

The Senate will recess from 12:30 to 2:15 to allow for our weekly caucus meetings. We expect to have a rollcall vote this afternoon on the adoption of the resolution commending our Armed Forces and the intelligence community regarding the death of bin Laden. Senators will be notified when that vote is scheduled.

Additionally, there is a Senators-only briefing today—it is classified—on the U.S. operation that killed Osama bin Laden. That will be at 5 p.m. today in the Visitor Center.

CIA Director Leon Panetta will be there; Vice Chairman of the Joint Chiefs of Staff James Cartwright will be there; National Counter Terrorism Center Director Michael Leiter will be there; and Deputy Secretary of State James Steinberg.

ORDER OF PROCEDURE

Last night I filed cloture on the small business jobs bill, S. 493. Senators should expect a cloture vote to occur tomorrow morning. I ask unanimous consent that the filing deadline for all first-degree amendments be at 2:30 p.m. today for S. 493.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Additionally, I also filed cloture on the nomination of John McConnell of Rhode Island to be a district judge for the District of Rhode Island. This vote may also occur tomorrow morning.

SBIR/STTR

The bill before this body today, the small business innovation bill, is the latest in a series of bills we have written to help small businesses grow. It supports a research and development program—the Small Business Innovation Research Program—that has helped tens of thousands of small businesses create jobs and shape the future.

This bill is an adaptation of the bill that President Reagan created 30 years ago. It is a continuation of that program. It has been proven that these investments work. It helped get great new ideas off the ground. For example, the electric toothbrush was invented with a small business grant, the satellite antenna that helped our first responders in Haiti, to technologies that keep our food safe and our military tanks from overheating in the desert. These are all the result of what this legislation has done over the years. There are success stories in virtually every State and nearly every industry.

Before the recess, we spent days working on an agreement to have votes on three amendments on this bill so we could move forward and finally pass it. We have voted on many amendments. This legislation started on March 10. It is now the first part of May. We have had some breaks in time because of our going back to our States, but there is no excuse for not completing this important legislation.

Every time we get one problem taken care of another Republican raises their head. The latest is Senator SNOWE. Of all people who should understand the importance of small business, it is the Senator from Maine, who was at one time chairman of the Small Business Committee. Yet she has been unmoving in wanting a vote on a piece of legislation that has not even had a hearing.

The chairman of the Small Business Committee said she is happy to work with Senator SNOWE. Senator LANDRIEU said she will work with her to hold hearings, whatever is appropriate. But it is unfair that we have not been able to move forward on this bill.

As I indicated, we spent days before the recess working on an agreement to have votes on amendments to move this bill forward. Included in this agreement were Senator CORNYN's amendment, which would establish a commission on government waste, and Senator HUTCHISON's amendment, which related to health care reform litigation. This agreement was objected to by Senator SNOWE while everyone else in the Senate has signed off on it.

During the course of many weeks debating this bill, we have made significant efforts to accommodate Senator SNOWE and the rest of the Republican caucus on amendments. She has had one. We voted on it already. We even had a vote, as indicated, on an amendment offered by Senator SNOWE, as well as many other Republican amendments, nearly every one of which had nothing to do with the underlying legislation. They were not relevant. They were not germane.

In light of our accommodation of extraneous amendments, it is difficult for me to understand why we cannot finish debate on this bill. We have been more than fair. We should be able to reach agreement on considering the remaining amendments and voting on final passage. I hope that my friends on the other side of the aisle would recognize how unfair it is that one Senator would hold up this legislation.

There are amendments pending, I repeat, that are not germane or relevant to this piece of legislation. We are willing to take votes on those. It would

seem to me that Senators such as CORNYN and HUTCHISON, who have worked hard to get votes, should vote with us on our ability to move forward on this legislation. We should be able to get this done. It is the right thing for the country. It appears that we are not going to be able to do that. So I had no choice but to file cloture in order to bring this debate to a close. That is what I did last night.

If this job-producing legislation is not passed, there is only one problem with it: the Republicans on the other side of the aisle. It is unfair that we have worked so hard to get this important piece of legislation done, and because of one Senator it is not going to happen. I hope that is wrong. I hope my prediction is wrong. This has been on the Senate floor for far too long. We need to resolve it so we can move to other matters.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

RIGHT TO WORK PROTECTION ACT

Mr. ALEXANDER. Madam President, I rise today to talk about a piece of legislation which will be both a bill that Senator GRAHAM and Senator DEMINT and I will introduce tomorrow and an amendment that I have filed to the small business bill on behalf of the three of us.

We are calling it the Right to Work Protection Act, and it is our intent to preserve the right of each State to make a decision for itself about whether it will have a right-to-work law and have an ability to enforce it. This is in direct response to an action that the National Labor Relations Board has taken against the Boeing Company and the plant they are building in South Carolina.

The National Labor Relations Board has moved to stop Boeing from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations into one of 22

States with right-to-work laws. These laws protect a worker's right to join or not to join a union. In fact, the New Hampshire Legislature has just approved its becoming the 23rd such State.

This reminds me, this action by the National Labor Relations Board reminds me of a White House dinner in February 1979 when I was Governor of Tennessee. The occupant of the chair has been to those dinners. The President has them every year. The only ones invited are the Governors themselves and spouses. For me, it was always one of the highlights of the year.

So my first such dinner was with President Carter in 1979. As a new Governor, I was paying close attention to what the President of the United States had to say. This is what he said:

Governors, go to Japan. Persuade them to make here what they sell here.

I walked 1,000 miles across Tennessee to be Governor the year before, and I don't remember one single Tennessean who said to me: Lamar, the first thing you do when you get in office is go to Japan. That was not on our minds. But it was tough economic times. Not many people were investing anywhere in the United States at that time. I thought, Well, if the President of the United States says, Governors, go to Japan and persuade them to make here what they sell here, I should do that.

"Make here what they sell here" was then the union battle cry. It was part of an effort to slow the tide of Japanese cars and trucks entering the U.S. market. At that time, Americans were very worried about Japan. There were books about Japan being No. 1, and the fear was that Japan would overwhelm us economically. Cars and trucks from Japan were fuel efficient, they were attractive, they were selling, and manufacturers and the United Auto Workers here were concerned that we would lose a lot of jobs. So the cry was to the Japanese: If you are going to sell it in the United States, you need to make it in the United States.

So off I went to Tokyo to meet with the Nissan executives who were then deciding where to put their first U.S. manufacturing plant. At that time, Japan had very few manufacturing plants in the United States. They made there what they sold here. I carried with me on that trip a photograph taken at night from a satellite showing the country with all of its lights on. Try to visualize that. Because what you see if you look at a photograph of the United States at night are a lot of lights east of the Mississippi River, but it is pretty dark almost until you get to California, and there are a lot of lights down around Texas. I was trying to make a point. The Japanese executives, who didn't know very much about Tennessee and I didn't know very much about Japan, would say to me, Where is Tennessee? I would point

to our State and say, We are right in the middle of the lights.

My argument, of course, was that locating a plant in the population center of the United States would reduce the cost of transporting cars to customers. That population center 70 or 80 years ago was in the Midwest where the American automobile was literally invented, and it made a lot of sense to build almost all the plants there, because transportation costs were less when you send these heavy cars and trucks to the customers. So you locate your plant near the population center. Gradually, that population center migrated south from the Midwest, where most U.S. plants have been, to Kentucky and Tennessee.

Then the Japanese to whom I was talking examined a second consideration: Tennessee has a right-to-work law and Kentucky does not. That meant that in Kentucky, workers would have to join the United Auto Workers Union. Workers in Tennessee had a choice. In 1980, Nissan chose Tennessee, then a State with almost no auto jobs. Today, auto assembly plants and suppliers provide one-third of our State's manufacturing jobs. Tennessee is home for the production of the Leaf, Nissan's all-electric vehicle, and the batteries that power them. I am happy to report it works well. I have bought one, parked in the garage of the apartment where I live here. Recently Nissan announced that 85 percent of the cars and trucks it sells in the United States will be made in the United States, making it one of the largest so-called "American" auto companies and nearly fulfilling Mr. Carter's request of 30 years ago.

But now unions want to make it illegal for a company that has experienced repeated strikes to move production to a State with a right-to-work law. What would this mean for the future of American auto jobs? Jobs would flee overseas as manufacturers look for a competitive environment in which to make and sell cars around the world.

It has happened before. David Halberstam's 1986 book "The Reckoning"—about the decline of the domestic American auto industry—tells the story. Halberstam quotes American Motors president George Romney who criticized the "shared monopoly" consisting of the Big Three Detroit auto manufacturers and the United Auto Workers. Romney warned, "There is nothing more vulnerable than entrenched success." Detroit ignored upstarts such as Nissan which in the 1960s began selling funny little cars to American customers. We all know what happened to employment in the Big Three companies.

Even when Detroit sought greener pastures in a right-to-work State, its partnership with the United Auto Workers could not compete. In 1985 General Motors located its \$5 billion

Saturn plant in Spring Hill, TN, 40 miles from the Nissan plant, hoping side-by-side competition would help the Americans beat the Japanese. After 25 years, nonunion Nissan operated the most efficient plant in North America. The Saturn/UAW partnership never made a profit. Last year, GM closed Saturn.

Nissan's success is one reason why Volkswagen recently located in Chattanooga and why Honda, Toyota, BMW, Kia, Mercedes-Benz, Hyundai, and thousands of suppliers have chosen southeastern right-to-work States for their plants. Under right-to-work laws, employees may join unions, but mostly they have declined. Three times workers at the Nissan plant in Smyrna, TN, rejected organizing themselves like Saturn employees a few miles away.

Our goal should be to make it easier and cheaper to create private-sector jobs in this country. Giving workers the right to join or not to join a union helps to create a competitive environment in which more manufacturers such as Nissan can make here 85 percent of what they sell here.

Madam President, I ask unanimous consent to have printed in the RECORD the amendment and bill that I and Senator GRAHAM and Senator DEMINT will be introducing tomorrow and which we filed as an amendment today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

At the appropriate place, insert the following:

SEC. ____ . PROTECTION OF RIGHT TO WORK.

(a) **APPLICABILITY OF NLRA TO STATE RIGHT TO WORK LAWS.**—Section 14 of the National Labor Relations Act (29 U.S.C. 164) is amended by striking subsection (b) and inserting the following:

“(b) Nothing in this Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and employers that make membership in the labor organization, or that require the payment of dues or fees to such organization, a condition of employment either before or after hiring.”

(b) **APPLICABILITY OF RAILWAY LABOR ACT TO STATE RIGHT TO WORK LAWS.**—Title II of the Railway Labor Act (45 U.S.C. 181 et seq.) is amended by adding at the end the following:

“SEC. 209. EFFECT ON STATE RIGHT TO WORK LAWS.

“Nothing in this Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and carriers that make membership in the labor organization, or that require the payment of dues or fees to such organization, a condition of employment either before or after hiring.”

Mr. ALEXANDER. I thank the Chair. I wish to add that I saw today a representative of the Whirlpool Company which has 2,500 employees in Tennessee. He said Whirlpool makes 82 percent of what they sell in the United States here in the United States, but

that they have a choice. They have plants in Mexico as well. It is one more example of why allowing States to have a right-to-work law keeps jobs in our country.

I see on the floor Senator DEMINT, whose State is directly affected by this NLRB decision. He and I are working together on this legislation. I am sure he has comments on the legislation and on the decision of the NLRB.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. DEMINT. Thank you, Madam President. I wish to associate myself with the remarks of the Senator from Tennessee. I appreciate him bringing this up. It is important for us here in the Senate as well as everyone around the country to understand what this administration is doing to hurt jobs in America.

This has been a good week for America. We have worked together building on a lot of the common principles of our country of a strong defense and a robust intelligence system to track down an enemy of freedom and to render justice as we had promised. This was done over two administrations and many Congressmen and Senators. So this is a good day for America. I think we need to take this time to maybe think about how we can apply the principles that work in America to our challenges back home with our economy and our jobs and our culture, because it is a bigger issue we are dealing with in the context of this decision by the National Labor Relations Board. We need to use the principles that work, but it appears this administration and my colleagues on the other side are afraid to let these principles work. They seem to be afraid of freedom itself.

We see in their record over the last 2 years being afraid for Americans to make their own decisions about their children's education and about their health care. They are afraid of death of letting senior citizens manage their own retirement funds and health care plans. They are certainly afraid to let States manage their own energy resources or decide what roads and bridges to build and where to build them. They clearly don't want businesses to make their own decisions about hiring and firing. They won't let even community banks make their own decisions about who to lend money to, even though these small banks have nothing to do with the financial collapse. Clearly, from this decision, this administration and the Democratic Party is afraid to give employees—workers—the freedom not to join a union.

It is amazing what this National Labor Relations Board, which has been stacked with union folks by the administration, is doing to jobs in our States and all across the country. Twenty-two

States have right-to-work laws. In the last few months, my State, along with several others, has passed a constitutional amendment that would protect the freedom of workers to have a secret ballot when union bosses are trying to organize their workplace. A secret ballot is so fundamental to American principles and the principles of freedom, but the AFL-CIO is suing our State and others to stop us from protecting that freedom of workers.

In the last few weeks, a truly extraordinary thing has happened, as this National Labor Relations Board has actually filed suit against Boeing, which has located a new facility in South Carolina, claiming it was retribution for a strike in Washington. People need to understand that Boeing has added 2,000 jobs in Washington since they decided to build this new production line in South Carolina. But this administration—and I am afraid the majority here in the Senate—is so afraid companies will have the freedom to locate new facilities, new businesses, in States where their workers are not required to join a union.

Let's put this in a different context. A few weeks ago, a delegation from California went to Texas to try to figure out why hundreds of businesses are moving from California, taking tax revenue and jobs with them to Texas and other States. They didn't need to make the trip. It was pretty obvious that the business environment that has been created in California by the unions and the politicians has made it very difficult for world-class companies to be competitive. What takes a few weeks in Texas could take 2 years as far as getting a permit to open a new business.

This is a small look at what is happening to our country, because we need to look at why so many companies are moving from our country to other countries to do business. It is because of decisions such as this and decisions by this administration over the last couple of years that have made America a place that is very difficult to do business in.

I appreciate what the Senator from Tennessee is doing, because this is not just about one employer or one State. Twenty-two States are right-to-work States. Twenty-two States have decided they are going to provide the freedom to their workers not to have to join a union. So much of this is political and retribution, not just against Boeing for putting a site in a right-to-work State, but it is political retribution. The administration, I believe, is acting like thugs that one might see in a Third World country, trying to bully and intimidate employers who are trying to get out from under this cloud of union control. It is a political deal of this administration trying to expand unionization and union benefits because the unions give the contributions

to the Democratic Party and get out the vote for the Democrats.

This is crazy. In an environment where this administration and all of us here are saying we are trying to create jobs, there is no question what they are doing in South Carolina and around this country by trying to force unionization is hurting our business climate in America, it is hurting employment, it is diminishing our future as a country, and it is all for political purposes.

It is amazing to see that the unions have such a control over this administration, even in passing the stimulus bill. With it went requirements that a lot of the contractors who use this money had to follow union rules or be unionized. We saw in the health plan that the unions were the big proponent of it, but as soon as it passed, they are the ones asking for waivers so they don't have to live by it.

What this administration is doing to one company is a threat to every company, every employer, and every worker in this country. It goes back to their fear of freedom. The command-and-control paranoia we see in this administration is antithetical to everything we understand about freedom in our country—of individual responsibility and individual freedom—and free markets and free enterprise. They are attacking it on every front.

This decision by the National Labor Relations Board cannot stand. We must challenge it here in the Congress; employers need to challenge it; states are already challenging it, because it is clearly outside of the authority of this Federal Government to be threatening and bullying and trying to intimidate companies such as Boeing, which should have the freedom to locate their plants anywhere they want. This is intimidation. Many of Boeing's contracts are military contracts, and we know that is being held over their head.

This is not the way we should do business in America. This is not the way our government should operate. We need to get back to those first principles that made us great. Clearly, what this administration is doing in this case and many others is way outside the realm of what we should expect of a good and decent government, and we are not getting it here.

With that, Madam President, I see the other Senator from South Carolina is here, and I will yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Carolina.

Mr. GRAHAM. Madam President, I thank my colleague from South Carolina, who has been terrific in trying to bring reason to this issue. Senator DEMINT has been a very strong voice for free enterprise, and that is really what this is all about.

To Senator ALEXANDER from Tennessee, thank you for listening to what is going on in South Carolina and un-

derstanding this is not just about our State, it is about the Nation as a whole.

The Right to Work Protection Act is a very solid piece of legislation that is going to serve the country as a whole. When a State chooses to be a right-to-work State, what does that mean? That means no one can be forced to join a union. The union can ask for your vote. If you say no, that is your decision to make, and if the group says yes, you do not have to join. In a lot of States, that is not true. If 51 percent of the workforce or 60 percent of the workforce says: We are going to go union, everybody else is drafted whether they want to be or not.

So the concept of right to work is really at stake here, and I do appreciate this legislation because it would preserve the ability of the State to go down that road without suffering at the Federal level. It would prohibit Federal Government contracts, Federal Government action from punishing a State that chose to adopt right-to-work laws. That is why Senator ALEXANDER's legislation is so important. We are not making anyone become a right-to-work State. We are saying: If you choose to do that, your Federal Government in the NLRB and other organizations of the Federal Government cannot use that against you. We are protecting that status. I think that is the balanced approach to this dilemma we face.

Now, what is this dilemma?

Boeing is one of the great companies in the world. They have a history of producing terrific airplanes. They have been located in Washington for decades. As a South Carolinian who is very happy Boeing has come to South Carolina, I want to acknowledge the Washington workforce as one of the best in the world. We hope to build great airplanes in South Carolina, but the first thing I want to do is acknowledge that my complaint or concern is not with the people of Washington, not with the workforce in Washington, it is with the actions of the NLRB and this complaint filed by the machinists union. So I hope to be in partnership with my colleagues from the State of Washington in the Senate and on the House side to pursue good policies that not only will be good for Boeing but for the country as a whole.

South Carolina is going to enjoy the status of being a teammate with the people of Washington when it comes to trying to help Boeing and manufacturing in general. But what happened is that in October of 2009, Boeing decided to create a second assembly plant in South Carolina. This is a new assembly plant because the orders for the 787 were so large, it necessitated building a second line. Boeing, under the contract with the machinists union, reserved in that contract the right to locate new business wherever they thought it

would be best for Boeing. They negotiated with the people in Seattle about producing the second line in Seattle, and they went all over the country looking for other locations to create a second line.

They came to South Carolina, and I can assure you, after a lot of negotiations, the reason they chose South Carolina was because it was the best business deal for Boeing. They negotiated in Washington. They negotiated everywhere in the country, really, where they thought they could do good business, and South Carolina won out. And there is criticism back home that the package we gave Boeing was too generous. So I can assure you this was a legitimate business deal, and the idea that moving to South Carolina somehow was retaliation that violated the National Labor Relations Act section 883 is legally absurd. Under that act, a company cannot retaliate against a group of employees or a location that decides to unionize.

You would have to prove in a retaliation complaint that the people suffered. Well, in this case, not one person in Puget Sound or in the State of Washington lost their job. Because of the additional business being generated in South Carolina, 2,000 people have been hired in the State of Washington. Not one benefit was cut from the workforce in Washington. Nobody's pay was cut. Nobody's benefits were reduced because they moved to South Carolina. So this complaint is just frivolous. It is motivated by all the wrong reasons.

Let's just for a moment assume that it is granted and this is the new business model. It would mean basically that if you decide to do work in a union plant, you are locked into that location forever; you could never move. That is crazy. That is not what the law is all about. The law prevents retaliation, and that is a specific concept in the law, and none of the factors that would lead to that conclusion exist in this case. There is new work. No one lost a job. This is a new line of business. And we are arguing about the right of a company to be able to make a business decision when it comes to new production. That is why this complaint, if it ever gets to Federal court, will fail. It is sad that Boeing may have to spend millions of dollars defending itself against what I think is a very frivolous complaint.

But let me tell my colleagues a little bit about this if they are wondering about it. Here is something I want to put on the table for you to consider. One of the members of the Boeing board at the time they chose to come to South Carolina—after a lot of negotiations in different places, including Washington and South Carolina—one of the board members who approved the second assembly line in South Carolina was Bill Daley, the Chief of Staff of the President of the United

States. At the time, he was not Chief of Staff, he was a member of the Boeing board, and they voted unanimously to create a second assembly plant in the State of South Carolina. I would argue that Mr. Daley, when he cast that vote, understood it was best for Boeing to make this decision to locate new business, and he did not believe he was violating the law or retaliating against unions. One thing you can say about the Daley family, it is not in their DNA to retaliate against unions. This was in 2009.

In March 2010, the machinists union filed its complaint with the NLRB. Now, the general counsel, the person holding that title a few weeks ago, submitted the complaint to the board. But the story is even more interesting. In March of 2010, the complaint was filed by the machinists union. The vote to come to South Carolina was in October 2009. In January of 2011, Mr. Daley was chosen to be President Obama's Chief of Staff—a decision I supported and thought was a good decision for the administration and the country as a whole because Mr. Daley is a Democrat, but he is a very well respected member of the business community, someone who has a lot of skill and talent, and the President chose wisely. I would assume that in the vetting process they looked at Mr. Daley's record of involvement in business and other matters. I am assuming the vetting team knew the complaint had been filed by the machinists union in March of 2010 and that Mr. Daley voted along with the rest of the members of the board to come to South Carolina. And they must have concluded that this complaint was frivolous. I assume that because if they did not know about the complaint, that was one of the worst vetting jobs in the history of the world. And if they thought he did engage in illegal activity, it made no sense to hire him.

So, to my colleagues, I want you to consider the fact that Mr. Daley, the current Chief of Staff, voted to come to South Carolina. After he voted—a year and a half later—he was chosen to be the Chief of Staff of the President of the United States. The Boeing CEO, Jim McNerney, was chosen by President Obama to lead his Export Council to create jobs for Americans by looking at export opportunities. I would argue that President Obama would not have chosen Mr. McNerney if he thought he led an effort to retaliate against Washington unions.

All I can say is this complaint is frivolous. It is taking time and money away from creating jobs in South Carolina and Washington. And it has national implications. To Senator ALEXANDER, you have found the right way for the Congress to address this issue. We are not forcing anybody to be a member of a union. We are just saying, if a State such as South Carolina or

Tennessee chooses to be a right-to-work State, that cannot be held against them. This legislation would say to the country and the business community as a whole: When you look at where to locate, you can consider a right-to-work State without violating the law. That is an important concept.

I can assure you, Boeing came to South Carolina because it was the best business deal. They had a lot of choices. They chose South Carolina not to retaliate but to create a second line. And here is the logic of it: Would you put everything you own in one location in today's world? So the idea that they expanded into the second plant in a different State, in a different location, makes perfect sense. The fact that South Carolina is a low-cost right-to-work State I am sure they considered. But under the law, no one in Washington lost one benefit they had. No one in Washington lost a job they already had with Boeing. The goal of this decision by Boeing is to grow their company. If we do well in South Carolina, Boeing does well in Washington.

This complaint is dangerous. This complaint is a dangerous road to go down. This complaint is politics at its worst. The law is designed to protect us, and it is being abused, in my view. Politics is about 50 plus 1. The law is something that should protect us all.

This complaint filed by the general counsel at the NLRB sets a dangerous precedent, and the Congress should speak. The administration should speak out and say this is frivolous; they are an independent agency; nobody can tell them what to do. But we have an independent duty to speak out in a constructive way.

Senator ALEXANDER's legislation is the appropriate way to address this issue, and I wish to thank him on behalf of the people of South Carolina and the country as a whole, and I look forward to working with him to have this passed.

To my colleagues on the other side, what is going on in this complaint is dangerous for us all and not just South Carolina.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

The Senator from Ohio.

WORKERS MEMORIAL DAY

Mr. BROWN of Ohio. Madam President, I rise and will be joined in a few moments by Senator HARKIN, who is the chair of the Health, Education, Labor, and Pensions Committee; Senator MURRAY, the chair of the Veterans' Committee; and Senator BLUMENTHAL, a new Member of the Senate from Connecticut. Each of them, especially Senator HARKIN, has devoted their careers to worker rights, worker safety, decent benefits, pensions—in short, creating the middle

class—and their efforts have been legion, all three of them, in doing that.

I rise today to commemorate Workers Memorial Day. Last Thursday, April 28, our Nation observed Workers Memorial Day. It is an occasion for us to pause and remember those Americans who have lost their lives while on the job.

I wear on my lapel a pin given to me at a Workers Memorial Day rally in Lorain, OH, a city west of Cleveland on Lake Erie—steel town, people like to call us—and this lapel pin I wear is a picture of a canary in a birdcage. We know that mine workers 100 years ago took a canary down in the mines. If the canary died from lack of oxygen or toxic gas, the mine worker knew he had to get out of the mine. He had to depend on himself. He had no union strong enough nor a government which cared enough to protect him in those days.

As we celebrate Workers Memorial Day, we look back at the progress we have made as a country.

This year is the 100th anniversary of the Triangle Shirtwaist Factory fire in New York. That tragedy claimed the lives of 146 workers—123 women and 23 men—while they labored in sweatshop conditions in this textile plant in New York City. They were mostly young immigrants who came to this country in pursuit of a better life. Instead, they were killed because of the workplace, the incredibly unsafe conditions in that workplace. That tragedy marked a significant turning point in the struggle to advance worker rights and safety in our country. The day after the fire, 15,000 shirtwaist workers walked off the job demanding a 20-percent pay raise and a 52-hour week—a 52-hour week they were demanding.

Nearly 20 years later, in 1930, Ohio experienced its deadliest mining explosion in our history, the Millfield mine disaster in Athens County.

Methane gases were ignited by a short circuit between a trolley wire and rail, killing more than 80 men.

Four years later, in 1934, thousands of workers stood up to the Electric Auto-Lite company in Toledo, OH. Workers recognized they were underpaid and undervalued. They went on strike and clashed with members of the Ohio National Guard. The so-called "Battle of Toledo," unfortunately, resulted in over 200 injuries. The strike brought together union brothers and sisters across the city in solidarity, fighting for middle-class rights.

Similar strikes in Minneapolis and San Francisco followed the one in Toledo that year, generating a new momentum across our country toward treating U.S. workers with respect and dignity. Ultimately, we know what happened. President Roosevelt's New Deal established critical rights and benefits for working Americans. It is why we have a 40-hour work week, why

we have a minimum wage, and why we have collective bargaining rights.

Congress passed the National Labor Relations Act, the Wagner Act, in 1935, which guaranteed workers the right to form a union and bargain collectively.

The Labor Standards Act passed in 1938, which established a minimum wage, guaranteed overtime pay in certain jobs, established recordkeeping standards, and created child labor protections.

We now have OSHA, which was created by the Occupational Safety and Health Act of 1970, to ensure safe working conditions. It was signed by a Republican President. In those days, Republicans worked with Democrats to increase worker safety standards and actually help workers join the middle class.

When OSHA was established 41 years ago, in 1970, an average of 38 workers died on the job in this country every day. We have cut that by two-thirds, not just because of OSHA but certainly in large part because of OSHA. Deaths in the workplace continue but not with the frequency of 100 years ago, or even 50 years ago, prior to OSHA, but they continue.

Last week, another mine accident claimed the life of an Ohioan. Jason Gudat was killed while working at an underground limestone mine in eastern Ohio, in Salem.

This past year, I received a letter from Crystal of Adams County, who lost her husband Terry in a construction accident. Terry was the father of five. He was killed at his construction job last year due to a lack of safety lighting during his nighttime shift. Crystal, his widow, explained that "the circumstances of his death were completely preventable if there had been better safety laws regarding his line of work. There was no lighting where my husband lost his life. . . . You never realize how important these things are until it happens to you."

In the case of garment workers, it was fire safety. In the case of mine workers, like Jason, it was unsafe conditions that are too often found in mines. In the case of Terry and other construction workers, it was basic safety lighting.

We ask our workers to build our roads, make our cars, produce our energy, and to serve as the backbone of our Nation's economic competitiveness. We should do more to protect them while they do so.

Last month, I had a roundtable meeting with a group of workers in Columbus, near State House Square, in an Episcopal church. We were talking about worker rights. We had a police officer, a firefighter, a nurse, a teacher, and several other workers there. These are public employees. But they have seen the same assault on their rights as we are seeing all too often in this body—an assault on union rights and

nonunion worker rights—far too many times.

We must stop these blatant efforts to strip teachers, sanitation workers, police officers, firefighters, and others from collectively bargaining for fair pay and safety equipment. That has been a right in this country for 75 years, since the Wagner Act, the 1938 labor act. It has been a right for workers that has created a middle class, and it brought up the living standards not just for union workers who organize and bargain collectively, but it brought up the living standards for both white-collar and blue-collar workers, management and labor, throughout our society. It has created a much more prosperous society.

The New York Times had an article written last week by someone who said that when we fail at war in a battle, we don't turn around and blame the soldiers; we give them better equipment with which to do their job. So why, when our public education system sometimes fails, do we blame teachers? Why don't we give those teachers better tools to do their jobs? Why don't we do the same with firefighters, police officers, nurses, and others, instead of blaming these workers and public employees?

In my State, the Governor signed legislation a month or so ago that stripped these public workers of their collective bargaining rights. I think in this society, with this kind of pressure on the middle class, the last thing we should do is strip anybody of their rights that enable them to make a decent living, put food on their table, have a decent pension, and have decent health care—especially in retirement. It makes no sense to me, as we honor workers and Workers Memorial Day, which was commemorated last week, that we would ever move in the wrong direction when it comes to workers' rights and building a more prosperous middle class.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Iowa is recognized.

Mr. HARKIN. Madam President, I join with my good friend, the Senator from Ohio, Senator BROWN, in commemorating Workers Memorial Day, which actually was last week. Since we weren't in session then, we wanted to take the time today to commemorate Workers Memorial Day. I am always greatly appreciative of my friend wearing the canary pin on his lapel because, as the Senator from Ohio knows, my father was a coal miner for over 20 years. A lot of people still don't know we had coal mines in Iowa. At one time, back in those days, Iowa was the third largest coal-producing State in the Nation. He worked there a long time ago, before there were safety laws or anything. In fact, most of the time he worked there was before I was born.

I can remember him, later on, telling stories about the mines and how many people would be injured or killed—it was sort of an accepted thing—every day, week, or month. People would die and cave-ins would happen. Of course, almost everybody of his generation who worked in those coal mines eventually got miners' cough, as they called it back then—miners' lung or black lung disease, as we know it now. They all virtually had that later on in their lives.

I appreciate my friend from Ohio commemorating Workers Memorial Day.

More than 20 years ago, family members of workers killed on the job joined with safety advocates to launch Workers Memorial Day—a day of remembrance and advocacy. To honor the creation of the Occupational Safety and Health Administration—OSHA, as it is called—April 28 was chosen as Workers Memorial Day. This year, that day takes on special significance because it marks the 40th anniversary of the creation of OSHA.

The passage of the Occupational Safety and Health Act, which created OSHA, was one of the monumental legislative achievements of the 20th century. This landmark legislation reflects the values that all Americans share, which is that workers should not have to risk their lives to earn their livelihood, and that workers, employers, and the government must all work together to keep people safe and healthy on the job. Signed into law by President Nixon, this bipartisan legislation has been a tremendous success, saving the lives and the health of hundreds of thousands of American workers.

Here are the facts. Immediately prior to the creation of OSHA in 1970, an average of 14,000 workers died annually from occupational injuries. In 2009, despite a workforce that is twice as large as the workforce of 1970, 4,340 workers were killed on the job. Before OSHA, about 11 workers were killed for every 100,000 people working. Now roughly 3.3 workers are killed per 100,000 people working. Again, these figures are still too large. We can and must do better. We should also take a moment to reflect on how many tragedies have been prevented and lives saved because of the Occupational Safety and Health Act.

I fear that this simple truth—that workplace safety has been a phenomenal success—is being ignored in Washington these days. Nowadays some people would have us believe that workplace safety regulations are something bad. They claim that OSHA standards are "job killers." But just because some special interest groups with highly paid lobbyists keep repeating this absurd mantra, that doesn't mean it is true. In fact, the opposite is true. Smart safety regulations administered by active, unbiased regulators

improve and stabilize our economy. They save workers' lives, prevent catastrophic accidents, reduce health care costs, and ensure that industries are responsible for their actions instead of dumping the cost of their mistakes on workers and taxpayers.

In addition to the more than 4,000 workers killed on the job every year, which I mentioned, almost 50,000 Americans die every year from occupational illnesses. Let me repeat that. Almost 50,000 Americans die every year from occupational illnesses. More than 4.1 million workers are injured every year. The cost of these injuries and illnesses is enormous. It is estimated at somewhere between \$160 billion to \$318 billion a year for the direct and indirect costs of these injuries. Additional safeguards to prevent these injuries and illnesses, along with strong enforcement of existing laws, would save thousands of lives and thousands of injuries from happening and would save the taxpayers billions of dollars.

To accomplish this, it is clear that our safety laws need to be updated. We have learned much in the 40 years since the Occupational Safety and Health Act was passed, and it is past time to use this knowledge for meaningful reform. For example, we know that whistleblowers are critical to bringing safety problems to light. But these whistleblowers won't come forward unless the law contains stronger protections against retaliation. Right now, we have stronger protections for financial whistleblowers under the Sarbanes-Oxley law than we do for workers blowing the whistle and trying to save lives. Repeating that, we have stronger whistleblower protections for financial whistleblowers under the existing Sarbanes-Oxley financial reform law than we do for workers who are trying to save lives by blowing the whistle. That is not right. That should be corrected.

We also know that while most responsible companies make worker safety a top priority, there are some unscrupulous employers who cut corners on safety to save costs. Unfortunately, as a past Health, Education, Labor and Pensions Committee report demonstrated, when the negligence of these companies results in workers being killed on the job, these irresponsible companies walk away with a slap on the wrist. OSHA penalties are pitifully low. The average fine for a worker being killed on the job is \$5,000. The average fine for an irresponsible company—and they have to be found as not acting prudently and that they were skimping on safety regulations and not adhering to well-defined safety regulations. But when somebody gets killed, the average fine is \$5,000. What we need is real penalties to ensure that all employers have real incentives to comply with safety and health laws.

These and other changes in the law are desperately overdue, which is why I

have consistently sponsored and supported the Protecting America's Workers Act. This bill makes commonsense reforms to bring worker laws into the 21st century, with minimal burden on the vast majority of employers that comply with the law. In this Congress, once again, I plan to do everything possible to fight for this important legislation.

In addition to these much-needed updates to the Occupational Safety and Health Act, we also must recognize the key role that vigilant enforcement plays in keeping workers safe. Safety laws don't work unless there is a legitimate expectation that they will actually be enforced. In recent years, we made real progress in ensuring adequate funding for our workplace safety agencies.

For example, increases in funding for the Mine Safety and Health Administration in recent years have enabled us to meet health inspections for 3 years in a row. MSHA and the Department of Labor have funds to attack a backlog of appeals filed by mine operators. These appeals have helped some operators avoid heightened enforcement actions. OSHA has received funds to restore the number of inspectors that it had over a decade ago.

However, we in the Senate have recently had to fend off efforts to roll back this progress. H.R. 1, the Republican fiscal year 2011 appropriations bill, cut the Occupational Safety and Health Administration by 18 percent—18 percent. This would have paralyzed the agency and allowed unscrupulous employers to ignore worker safety and health protections.

This bill would have allowed the backlog of mine safety and health citations to increase. It would have prevented MSHA from moving forward on improvements it has initiated in mine emergency response and other areas. Thankfully, Senate Democrats and the President are standing firm and refusing to cut workplace safety funding to finance tax breaks for millionaires and billionaires.

As we continue the budget debates, we should keep in mind the budget reflects moral choices about the kind of country and society we want to be. Personally, I am committed to upholding the bipartisan values reflected in the passage of the Occupational Safety and Health Act. All Americans have the right to a safe workplace.

While we have made tremendous progress, as I pointed out, in the last 40 years under OSHA, there is much more work to be done. Over 4,000 lives lost each year is still unacceptably high. We owe the 4,340 workers we lost just last year our best efforts to ensure that such tragic losses are dramatically reduced. We should not rest until all of our fathers, mothers, brothers, sisters, families can go to work each day knowing they can come home safely each night.

Once again, on April 28, we commemorate Workers Memorial Day, and we renew our commitment to making sure workers all across America have the protections of the Occupational Safety and Health Act, that we provide the funding for these agencies to make sure the law is enforced, and to make sure we reassure every working American that they have a right—they have a right—to a safe workplace.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TAX BENEFITS AND BURDENS

Mr. GRASSLEY. Madam President, I have had the privilege over most of my tenure in the Senate of serving on the Finance Committee and working with a good Senate leader such as Senator BAUCUS. I now have the privilege of serving on the committee but not as ranking member or chairman, just as a member. I compliment Senator BAUCUS for his leadership on this whole business of tax reform and for holding the hearings he is holding.

Today, a very important hearing is being held on the question of is the distribution of tax burdens and benefits equitable. The topic of today's hearing—whether the distribution of tax benefits and burdens is equitable—is very appropriate and is a very important topic. However, I would argue there is a more important question we should be debating, and we should be answering this question: What is the purpose of the Federal income tax? We can't talk about whether taxpayers are paying their fair share if we don't know why we want them paying taxes in the first place.

We are in a situation now where people are talking about increasing taxes on higher income people because, supposedly, they can afford it. Probably they can afford it, but I get sick and tired of the demagoguery that goes on in Washington not just by Members of Congress but by too many people who think higher income people ought to be paying more taxes. According to the Joint Committee on Taxation's latest analysis, 49 percent of households are paying 100 percent of the taxes coming in to the Federal Government, while 51 percent are not paying any income tax whatsoever.

How high do taxes have to go to satisfy the appetite of people in this Congress to spend money? In particular, how high do marginal tax rates have to go to satisfy those clamoring for higher taxes from the wealthiest; how high

to satisfy you? And you know who you are.

There is an article by Investors Business Daily to which I want to refer. According to this article—not talking about the taxation of a certain amount of income—if the government confiscated all the income of the people earning \$250,000 a year or more, that money would fund the Federal Government today for a mere 140 days. Do you know what you would have? You wouldn't have those people trying to maximize their income because why would they maximize it if the government was going to confiscate it.

So that is a very basic question: How high do taxes have to go to satisfy the appetite of people in this Congress to spend money?

Funding the government should be one of if not the primary goal of our income tax laws. Of course, that leaves out this whole business of whether the Federal Government's purpose is the purpose of redistributing income.

Note here that I am specifically focusing on the income tax. This is because payroll taxes are not used to fund the government. Social Security and Medicare taxes are, in fact, insurance programs. Because they are insurance programs, the taxes they pay are insurance premiums because individuals who pay them expect to benefit when they reach a certain age.

It is clear some believe the Tax Code should be used to reduce the growing income disparity between the lowest and highest income quintiles. This assumes a key objective of the Federal Government, through the Federal income tax laws, should be to ensure that income is distributed equally throughout our citizenry. In other words, these folks actually believe the Federal Government is the best judge of how income should be spent. That is not what our Founding Fathers or original authors of the tax laws intended.

In addition to considering the purpose of tax revenue, we ought to, in fact, have some principles of taxation by which we abide. These principles of taxation would be a much stronger foundation than the day-to-day decisions about whether we ought to raise taxes on a certain number of people. So I abide by the principle that has been a fact of our tax laws for 50 years—that an average of 18.2 percent of the GDP of this country is good enough for what the government needs to spend.

Now, I say that because with a 50-year average it hasn't been harmful to the economy, as we have seen this country expand and expand and expand economically over that period of time.

Quite frankly, it ought to be clear that 18.2 percent of the GDP of this country coming in for us to spend is not a level of expenditures that taxpayers have revolted against. So we take in that 18.2 percent for 535 of us to decide how to spend, and the other 82

percent is in the pockets of the taxpayers to decide how to spend or to save. If 535 Members of Congress were to decide how to divide up the resources of this country, we would not have the economic growth that we have had in our economy. With 137 million taxpayers deciding how to spend or how to save, and how much of each, the economic growth of this country is enhanced tremendously because of the dynamics of the free-market system. If we were going to go the greater route of increasing that 18 percent very dramatically, we would be moving increasingly toward the Europeanizing of our economy, and I think that would be very bad.

In evaluating whether people are paying their fair share, experts frequently look at whether a proposal improves the progressivity of our tax system. Critics of lower tax rates continue to attempt to use distribution tables to show that tax relief proposals disproportionately benefit the upper income. We keep hearing that the rich are getting richer while the poor are getting poorer. This is not an intellectually honest statement because it implies that those who are poor stay poor throughout their lifetimes, and those who are rich stay rich throughout their lifetimes. And that is just not the case.

To illustrate this point, I quote from a 2007 report from the Department of the Treasury titled, "Income Mobility in the U.S. from 1996 to 2005." I quote the key findings:

There was considerable income mobility of individuals in the U.S. economy during 1996 through 2005 period as over half of the taxpayers moved to a different income quintile over this period.

Roughly half of taxpayers who began in the bottom income quintile in 1996 moved up to a higher income group by 2005.

Among those with the very highest incomes in 1996—the top 1/100 of 1 percent—only 25 percent remained in this group in 2005. Moreover, the median real income of these taxpayers declined over this period.

The degree of mobility among income groups is unchanged from the prior decade.

The prior decade meaning the prior study by the Treasury Department from 1987 through 1996.

Economic growth resulted in rising incomes for most taxpayers for the period of 1996 to 2005. Median income of all taxpayers increased by 24 percent after adjusting for inflation. The real incomes of two-thirds of all taxpayers increased over this period. In addition, the median incomes of those initially in the lower income groups increased more than the median incomes of those initially in the higher income groups.

Therefore, whoever is saying—and we hear it every day on the floor of the Senate—that once rich, Americans stay rich; and once poor, they stay poor, is purely mistaken. The Internal Revenue Service data supports this analysis. A report on the 400 tax returns with the highest income reported over 14 years shows that in any given year, on average, about 40 percent of

the returns were filed by taxpayers who are not in any of the other 14 years.

In other words, 40 percent of those people who are in the highest brackets are not in the highest brackets ever in that 14-year period of time. So once rich, not always rich.

I welcome this data on this important matter for one simple reason: It sheds light on what America is all about: vast opportunities and income mobility. Built by immigrants from all over the world, our country truly provides unique opportunities for everyone. These opportunities include better education, health care services, and financial security. But, most importantly, our country provides people with the freedom to obtain the necessary skills to climb the economic ladder and live better lives.

We are a free nation. We are a mobile nation. We are a nation of hard-working, innovative, skilled, and resilient people who like to take risks when necessary in order to succeed. Bottom line, we have an obligation as lawmakers to incorporate these fundamental principles into our tax system instead of just asking: Are the rich paying enough?

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Madam President, I ask unanimous consent to speak for up to 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF JACK McCONNELL

Mr. CORNYN. Madam President, I rise to speak on a nomination that is pending before the Senate, and I do so with some degree of trepidation because, as someone who has been a member of the legal profession for about 30-plus years, I believe it is imperative that I voice my strong concerns and, indeed, my objections to the nomination of Jack McConnell to become a U.S. district judge prior to the vote we will have tomorrow morning on a cloture vote.

The reason I was attracted, like so many others, I think, to law school and the legal profession was because of the majesty of the notion of the rule of law, its importance to our democracy, the responsibilities that lawyers owe not just to themselves, to enrich themselves, but to their clients—the fiduciary duty that a lawyer has to represent a client. Then, of course, the ethical standards, which some might scoff at but which actually work pretty well. They keep lawyers, for the most part, accountable to the high ethical standards imposed by the legal profession.

Unfortunately, and I am sorry to have to say this, but the hard truth is

Mr. McConnell's record—which I will describe in a moment—is one of not upholding the rule of law but perverting the rule of law, ignoring the responsibilities he had to his client, and manipulating those ethical standards in order to enrich himself and his law partners.

First, let me just say that Mr. McConnell, when he came before the Senate Judiciary Committee, intentionally misled the committee during the confirmation process. I don't know how I can say it any more gently. The fact is, he lied to the Senate Judiciary Committee during his confirmation process: Regardless of who nominates an individual, party affiliation aside, I don't think the Senate, as an institution, should tolerate a nominee who essentially misrepresents the facts in the context of a confirmation process. This involved his participation in or involvement with a set of stolen confidential documents his law firm obtained in a lawsuit against the Sherman-Williams Company.

In 2010, in his answers to written questions to the committee, Mr. McConnell told members of the committee: "I would not say I was familiar with the documents in any fashion." Only a few months later, in September 2010, this same nominee gave a deposition in an Ohio court, where he testified he was the first attorney at his firm to review the documents in question, that he had drafted a newspaper editorial citing information that had come from those documents, and that portions of those documents were incorporated in a brief filed under his signature. Despite this obvious contradiction and given an opportunity to correct his misleading statement, Mr. McConnell has unequivocally stood by his original statement to committee members.

I reiterate, this body should not approve or confirm, for a lifetime appointment, someone who wants to serve as a judge, in particular, but anyone who would lie to or, at best, intentionally mislead the Senate by downplaying his role in a serious controversy involving, in this case, stolen confidential documents.

During the time I practiced law and served on the State court bench in my State of Texas, I have come to respect lawyers who handle all sorts of cases—lawyers who prosecute criminal cases, lawyers who defend criminal cases, lawyers who defend citizens, including companies, sued for money damages, and those who bring those lawsuits—constrained, again, by the rule of law, duty to the client, and high ethical standards. But based on his long career as a lawyer, Mr. McConnell has advocated—it is clear from the evidence—a results-oriented view of the law and manipulated it for his personal gain. These theories he has advanced, ostensibly on behalf of his client, have been

rejected, not just by people like me but by a very broad range of people in the legal community.

For example, Mr. McConnell and his firm sued paint manufacturers based on an unprecedented theory of public nuisance that allowed them to circumvent longstanding legal doctrine and receive a huge jury award in a sympathetic judge's courtroom.

Ultimately, the Rhode Island Supreme Court rejected unanimously this theory, declaring it "at odds with centuries of American law and antithetical to the common law," to quote the court. As one Iowa attorney general who happens to be a Democrat said: "Mr. McConnell's lead paint litigation was a lawsuit in search of a legal theory."

Mr. McConnell's lead paint litigation scheme required the complicity, unfortunately, of State and local officials, a practice I will speak more on in just a moment. But Mr. McConnell's reaction to the decision of the Rhode Island Supreme Court also demonstrates his lack of judicial temperament, something very important, particularly for a judge. It showed that not only does he still adamantly believe in these radical, unprecedented legal theories, rejected by the highest court in Rhode Island, but he also lacks the temperament to serve on the Federal bench. Instead of respecting the decision made by the highest court in the State, Mr. McConnell wrote a strident op-ed piece condemning the court and stating he believed their decisions "let the wrongdoers off the hook." In other words, Mr. McConnell made clear he believes the law should be manipulated to serve his agenda, not to uphold the rule of law, nor to respect the very bodies that are responsible under our system for interpreting law and rendering judgment.

Mr. McConnell's outburst was not particularly surprising, given his public admission previously that he is "an emotional person about injustice at any level, personal, societal, or global," as he put it. This lack of temperament and novel view of the law is indicative of the type of judge Jack McConnell would be, I am sorry to say: biased against a certain class of people and untethered to the rule of law.

Mr. McConnell's practices also existed under an ethical cloud throughout his career. He and his law firm made billions of dollars and a name for themselves through their pioneering practice of soliciting no-bid, contingent-fee contracts from State officials. For example, Mr. McConnell and his firm played a central role in litigating lawsuits brought by State attorneys general, first against tobacco companies and then lead-based paint manufacturers. Of course, I am not saying tobacco companies and other companies should not be held accountable for harmful products, but the purpose of

the law should be to compensate those people who have been aggrieved and to deter others from acting in the same fashion in the future. The litigation he constructed and devised, the scheme he literally created, did none of that. The question is, ultimately, where did the money go?

Under these contracts, Mr. McConnell and his partners have repeatedly sued American businesses, pocketing billions of dollars for themselves in attorney's fees, while leaving taxpayers on the hook for the resulting costs. In the word of one respected legal commentator, Mr. McConnell and lawyers like him have "perverted the legal system for personal and political gain at the expense of everyone else."

In several lawsuits, Mr. McConnell and his partners received contingent-fee contracts from State officials, to whom they later contributed tens of thousands of dollars. I think there are a lot of very important public policy reasons why State officials should not be able to outsource their responsibilities to private lawyers based on a contingency fee, where their only incentive is one of a profit motive, untethered by the sorts of checks and balances that elected or other appointed government officials would ordinarily have.

Our system of justice relies on financially disinterested officials who take an oath to uphold the law and not those whose sole motive is not to uphold the law but to twist it and manipulate it in order to maximize their economic gain.

Some of these lawyers, including Mr. McConnell's firm, have pocketed what amounts to hundreds of thousands of dollars per hour for their work in lawsuits against tobacco companies. Mr. McConnell and lawyers like him are the big winners in these lawsuits, taking home large sums of money that rightfully belong to the taxpayer, the client I mentioned at the outset. Imagine if these billions of dollars were spent on cancer research or improving public health, instead of lining the pockets of a few politically well-connected lawyers. More important, however, the outsourcing of suits to private trial lawyers on a contingent-fee basis creates both the opportunity and appearance for corruption by allowing State officials to reward their friends and campaign contributors.

One reason I have taken such a strong personal interest in this issue is because of my service as attorney general of Texas, following that of Dan Morales, my predecessor. Mr. Morales served over 3 years in the Federal penitentiary for attempting to illegally channel millions of dollars in a tobacco settlement, money that was due to the State of Texas, but he steered it to a lawyer friend of his by trying to backdate a contract, to make it appear to be something it was not. The actions of

Mr. McConnell and his partners, by funneling tens of thousands of dollars into campaign accounts of State officials who hired them, raise concerns about pay-to-play dealings.

In the State of Washington, for example, Mr. McConnell and members of his small South Carolina-based law firm contributed \$23,200 to the reelection of the attorney general in the State of Washington. By the way, that was the very same lawyer who hired them on a contingency basis to represent the State.

In North Dakota, Mr. McConnell and his wife contributed \$30,000 to the gubernatorial campaign of the attorney general who appointed him as special assistant attorney general, for purposes of representing that State in tobacco litigation. Mr. McConnell and his law firm contributed an additional \$73,000 to that same attorney general's State political party during the campaign cycle, making them the No. 4 campaign contributor to that organization.

There is nothing wrong with people contributing money to political candidates or parties or causes they believe in. But it is another matter when these contributions are made in connection with no-bid contracts or apparent political favors. It is no small matter that Mr. McConnell has a lucrative, ongoing financial arrangement as a product of his previous work as a trial lawyer. In fact, he will receive \$2.5 to \$3.1 million a year through 2024 as part of his payout for his work in the tobacco litigation I mentioned a moment ago—\$2.5 to \$3.1 million a year through 2024. For anyone who would praise Mr. McConnell for giving up a successful legal career in order to serve as a Federal judge, remember he would be reaping huge windfalls at the expense of taxpayers long into his tenure as a Federal judge.

Some Senators will say that whatever his past, Mr. McConnell deserves the benefit of the doubt and that he would be an impartial judge if confirmed by the Senate to this lifetime appointment. I cannot agree and neither does, by the way, the U.S. Chamber of Commerce. They have taken an unprecedented step of opposing this nomination.

I ask unanimous consent that letter be printed in the RECORD following my remarks.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. The Chamber has taken this unprecedented step of opposing his nomination and declaring him "unfit to serve." In fact, this is the first time in its 99-year history they have opposed a district court nominee.

My colleagues have asked me whether I believe that Texas businesses and businesspeople would get a fair shake

in Jack McConnell's courtroom, and I absolutely do not believe they could.

To my colleagues who may doubt what I am saying or look for some proof, I would just say: Read the record. I am convinced you would have trouble looking your constituents in the eye and telling them you believe Mr. McConnell would be fair to all litigants in his courtroom and, in this case, especially businesses that may be sued for money damages, as he did throughout his legal career. In fact, Mr. McConnell, during the Judiciary Committee deliberations, described his legal philosophy by saying: "There are wrongs that need to be righted and that is how I see the law." That doesn't cite any applicable legal standard. It doesn't actually take into account law as we know it, just wrongs he believes need to be righted.

Similarly, Mr. McConnell has said that based upon his experience he has "absolutely no confidence" that certain industries will ever do the right thing and that they will only do the right thing "when they're sued and forced to by a jury."

Given his tendency to view lawsuits against businesses as a movement against societal injustice, it is difficult to see how Mr. McConnell could put those personal views aside and give all litigants in his courtroom a fair trial, a right which they are guaranteed under our Constitution and laws. I believe a vote to support Mr. McConnell's nomination is a vote to create yet another court where trial lawyers will repeatedly prevail in frivolous litigation against American businesses. That is something we ought not allow.

Mr. McConnell's behavior during his career and confirmation procession demonstrates a lack of ethics and temperament necessary to serve as a Federal judge. I hope a President would never appoint someone such as Jack McConnell, but apparently everyone makes mistakes, including this nomination by this President. Instead of stubbornly digging in his heels, usually the President has agreed to withdraw nominees whose confirmation process produces extraordinary controversy, but since he has failed to do so here, the President has forced me and others to stand our ground and to fight Mr. McConnell's appointment to the Federal bench.

Based on his deeply troubling ethical record and poor judicial temperament and the fact he intentionally misled, if not lied to, the Judiciary Committee during his confirmation process, I believe we must fight this nomination with every tool at our disposal.

I yield the floor.

EXHIBIT 1

CHAMBER OF COMMERCE OF THE
UNITED STATES OF AMERICA,
Washington, DC, March 30, 2011.

Hon. PATRICK LEAHY,
Chairman, Committee on the Judiciary,
U.S. Senate, Washington, DC.
Hon. CHARLES GRASSLEY,
Ranking Member, Committee on the Judiciary,
U.S. Senate, Washington, DC.

DEAR CHAIRMAN LEAHY AND RANKING MEMBER GRASSLEY: The U.S. Chamber of Commerce, the world's largest business federation representing the interests of more than three million businesses and organizations of every size, sector, and region, strongly opposes the nomination of John "Jack" McConnell to serve on the United States District Court for the District of Rhode Island.

Mr. McConnell's past statements, conduct as a personal injury plaintiffs' lawyer, and lackluster ABA rating raise serious concerns about his fitness to be confirmed to a lifetime appointment to the federal bench. Although the Chamber has historically stayed away from debates surrounding federal district court nominees, we believe that a response is warranted in this circumstance given Mr. McConnell's record.

Our opposition begins with Mr. McConnell's mediocre "substantial majority qualified, minority unqualified" rating from the American Bar Association. For a practicing lawyer with 25 years of experience to obtain such a low rating speaks poorly of his legal abilities. It is likely that he generated negative comments from judges before whom he appeared and/or from lawyers who know him.

Mr. McConnell's ABA rating should come as no surprise given his past statements, which raise serious questions about whether he will follow precedent and the rule of law. For example, in 1999, Mr. McConnell was hired on a contingency fee basis by the State of Rhode Island to sue paint companies under theories of liability that exceeded the bounds of well-settled law. After nine years of protracted litigation, and after millions of dollars spent by defendants, the Rhode Island Supreme Court unanimously (4-0) rejected Mr. McConnell's misguided interpretation of public nuisance law. Mr. McConnell demonstrated little respect for the Supreme Court's ruling and publicly attacked the decision in an op-ed that he penned for *The Providence Journal*, claiming that the justices "got [the decision] terribly wrong" by letting "wrongdoers off the hook."

Mr. McConnell's public criticism of the Rhode Island Supreme Court's lead paint ruling should also give the Committee pause because it casts light on a judicial philosophy that appears to be outcome-driven rather than based on interpreting and applying the law. Indeed, Mr. McConnell has publicly affirmed his support for "an active government" that should not "stand on the sidelines" and that "[he] see[s] the law" as a mechanism to redress "wrongs that need to be righted." Considering these statements together, a picture of a judicial nominee who will legislate from the bench begins to emerge.

The Chamber is equally concerned that Mr. McConnell lacks the capacity to be an impartial jurist, especially against business defendants who may appear before him. Mr. McConnell has defined his career by suing business defendants. As his own Committee questionnaire indicates, of the top ten cases he views as the "most significant" litigations of his legal career, all but two involve

actions against businesses, and none involved him representing or defending a business. Worse still, when asked by the *Columbus Post Dispatch* in 2006 about the possibility of future lead paint litigation, he said that, based on history, he had “absolutely no confidence” that defendant paint companies would do the right thing. He added “[t]he only time is when they’re sued and forced to by a jury.” How could a business hope to receive an impartial hearing in Mr. McConnell’s courtroom when these statements show that the deck is already stacked so heavily against them?

Moreover, Mr. McConnell’s ability to render fair and impartial rulings from the bench should be seriously questioned in light of the potentially significant financial windfalls that he stands to recover for the next 15 years. According to Mr. McConnell’s questionnaire, he is scheduled to receive millions of dollars annually through 2024 from an organization closely tied with his current employer, the Motley Rice plaintiffs’ firm. This has all the appearance of a conflict of interest and it is difficult to see how Mr. McConnell could render impartial judgments in matters involving plaintiffs’ law firms while simultaneously receiving millions of dollars in compensation from another plaintiffs’ firm.

Ultimately, we are concerned that Mr. McConnell’s apparent bias against business defendants, underlying judicial philosophy, and questionable respect for the rule of law, will lead to the multiplication of baseless lawsuits in his courtroom with untold consequences to businesses large and small across the country. Given the limited number of judges who currently serve in the District of Rhode Island, it is not hard to imagine a generation of enterprising personal injury lawyers flocking to a new “magnet jurisdiction” at the federal level with a chance to draw such a plaintiff-lawyer friendly judge. State courts like those in Madison County, Illinois have amply demonstrated the problems that can arise from courts that accept plaintiffs’ claims no matter their merits. Finally, as most litigators understand, federal judges exercise virtually unreviewable discretionary authority in many circumstances, and the chance of the appellate courts correcting every misstep is unrealistic. As such, the Chamber must urge the Committee to resist the confirmation of a lawyer with an animus against one type of defendant.

As Mr. McConnell has not demonstrated that he would provide the kind of fair and impartial judicial temperament needed to be a federal judge, as well as his demonstrated bias against a clear class of litigants, the Chamber urges you to oppose this nomination. Should Mr. McConnell’s nomination be considered on the Senate floor, the Chamber may consider votes on, or in relation to, his nomination in our annual *How They Voted* scorecard.

Sincerely,

R. BRUCE JOSTEN.

Mr. CORNYN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, last night, Majority Leader REID was forced

to file another cloture petition on a Federal judicial nominee, the fifth required to be filed during President Obama’s term. Among the highly qualified nominees being stalled is Jack McConnell, who is nominated to a vacancy on the United States District Court for the District of Rhode Island.

I am concerned that we have to file cloture on nominations that should simply have an up-or-down vote. I hope we are not returning to the situation we had during the Clinton administration when my friends on the Republican side of the aisle pocket filibustered 61 of his nominees.

We tried to change that in the 17 months I was chairman during the first 2 years of President Bush’s first term when I moved 100 of President Bush’s nominees through the Senate. In the remaining 2½ years, the Republicans were in charge, and the Senate confirmed another 105. We tried to change what had been an unfortunate procedure. I hope we are not going back to that.

Jack McConnell has the strong support of his home State Senators, bipartisan support from those in his home State, and his nomination has been reported favorably by a bipartisan majority of the Judiciary Committee multiple times. This nomination is one of many that have been stranded on the Senate’s Executive Calendar for many months stalled by Republican objection to proceeding to debate and vote.

Just a few years ago, Republican Senators argued that filibusters of judicial nominees were unconstitutional, and that every nominee was entitled to an up-or-down vote. They unsuccessfully filibustered President Obama’s first judicial nominee, and have stalled many others. Cloture is now being required to overcome another in a series of Republican filibusters in order to vote up or down on a judicial nominee at a time when extensive, and extended, judicial vacancies are creating a crisis for the Federal justice system and all Americans.

With these filibusters, the Senate’s Republican leadership seems determined to set a new standard for obstruction of judicial nominations. I cannot recall a single instance in which a President’s judicial nomination to a Federal trial court, a Federal district court, was blocked by a filibuster.

When I came to the Senate, the President of the United States was Gerald Ford, whose statue we just unveiled in the Rotunda. We did not filibuster any of his Federal district court nominees. We did not filibuster any of President Jimmy Carter’s district court nominees. We did not filibuster any of President George H. W. Bush’s district court nominees.

We did not filibuster on the floor any of President Clinton’s or any of President George W. Bush’s nominees.

Somehow the rules have changed for President Obama.

This is troubling as chairman of the Judiciary Committee, but also troubling to the Federal judiciary nationwide. So I did a little research. Looking back over the last six decades, I found only three district court nominations—three in over 60 years—on which cloture was even filed. For two of those, the cloture petitions were withdrawn after procedural issues were resolved. For a single one, the Senate voted on cloture and it was invoked. All three of those nominations were confirmed. I trust that the nomination of Jack McConnell will also be confirmed.

From the start of President Obama’s term, Republican Senators have applied a heightened and unfair standard to President Obama’s district court nominees. Senate Republicans have chosen to depart dramatically from the long tradition of deference on district court nominees to the home State Senators who know the needs of their States best. Instead, an unprecedented number of President Obama’s highly qualified district court nominees have been targeted for opposition and obstruction.

That approach is a serious break from the Senate’s practice of advice and consent. Since 1945, the Judiciary Committee has reported more than 2,100 district court nominees to the Senate. Out of these 2,100 nominees, only five have been reported by party-line votes. Only five total in the last 65 years. Four of these five party-line votes have been against President Obama’s highly qualified district court nominees. Indeed, only 19 of those 2,100 district court nominees were reported by any kind of split rollcall vote at all, and five of those, more than a quarter, have been President Obama’s nominees, including Mr. McConnell.

Democrats never applied this standard to President Bush’s district court nominees, whether in the majority or the minority. And certainly, there were nominees to the district court put forth by that administration that were considered ideologues. All told, in 8 years, the Judiciary Committee reported only a single Bush district court nomination by a party line vote. Somehow President Obama is being treated differently than any President, Democratic or Republican, before him.

That was the controversial nomination of Leon Holmes, which Senators opposed because of the nominee’s strident, intemperate, and insensitive public statements over the years. Judge Holmes argued that “concern for rape victims is a red herring because conceptions from rape occur with the same frequency as snow in Miami,” and called concerns about pregnant rape victims “trivialities.” He suggested that it was correct to say that slavery was just God’s way of teaching White

people the value of servitude. He wrote that he did not believe the Constitution "is made for people of fundamentally differing views." We opposed Judge Holmes nomination, strongly, but we did not block it from consideration by the Senate. He was not filibustered. His nomination was confirmed without the need for a cloture vote.

With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 13 judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. No one should be playing partisan games and obstructing while vacancies remain above 90 in the Federal courts around the country. With one out of every nine Federal judgeships still vacant, and judicial vacancies around the country at 93, there is serious work to be done.

Regrettably, Senate Republicans seem intent on continuing with the practices they began when President Obama first took office, engaging in narrow, partisan attacks on his judicial nominations.

These unfair attacks started with President Obama's very first judicial nomination, David Hamilton of Indiana, a 15-year veteran of the Federal bench. President Obama nominated Judge Hamilton in March 2009, after consultation with the most senior and longest-serving Republican in the Senate, Senator DICK LUGAR of Indiana, who then strongly supported the nomination. Rather than welcome the nomination as an attempt by President Obama to step away from the ideological battles of the past, Senate Republicans ignored Senator LUGAR's support, caricaturing Judge Hamilton's record and filibustering his nomination. The Senate was not able to have an up-or-down vote on his nomination until we overcame a Republican filibuster 8 months after he was nominated. After rejecting the filibuster with an overwhelming vote of 70 to 29, Judge Hamilton was confirmed.

Republican Senators who just a few years ago protested that such filibusters were unconstitutional, Republican Senators who joined in a bipartisan memorandum of understanding to head off the "nuclear option" and agreed that nominees should only be filibustered under "extraordinary circumstances," abandoned all that they said they stood for and joined together in an attempt to prevent an up-or-down vote on President Obama's very first judicial nominee.

In other words, the standard they said should be applied to every single President in the history of this country suddenly was changed when this President came in. They chose to ignore their own standards outlined in a letter sent to President Obama not long after he took office, and before he had made

a single judicial nomination, in which Senate Republicans threatened to filibuster any nomination made without consultation. Of course, President Obama did consult with the senior-most Republican Senator on a nomination to fill a vacancy in his home State, but still they filibustered. In fact, he has consistently consulted with home State Senators, both Republicans and Democrats. It makes you wonder what it is about President Obama which makes Republicans want to change the rules for him, rules that existed for every President prior to him.

Since the filibuster of Judge Hamilton, Senate Republicans have required the majority leader to file cloture on three more highly qualified circuit court nominees. This is a far cry from Republican insistence that every nominee is required by the Constitution to have an up-or-down vote, or even from the "extraordinary circumstances" Republican Senators now claim to be the basis for a filibuster.

The PRESIDING OFFICER. The Senator has used his 10 minutes.

Mr. LEAHY. Mr. President, I ask unanimous consent for 5 minutes more. I know there are other Senators waiting to speak.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. No Senator could claim the circumstances surrounding the filibusters of President Obama's circuit court nominations to be extraordinary. Republicans filibustered the nomination of Judge Barbara Keenan, a nominee with nearly 30 years of judicial experience, and who had the distinction of being the first woman to hold a number of important judicial roles in Virginia. She was ultimately confirmed 99-0 as the first woman from Virginia to serve on the Fourth Circuit. Senate Republicans filibustered the nomination of Judge Thomas Vanaskie, whose 16 years of experience as a Federal district court judge in Pennsylvania are now being used in service to the Third Circuit Court of Appeals, after his overwhelming confirmation. Senate Republicans filibustered Judge Denny Chin of the Second Circuit, another nominee with 16 years of experience as a Federal district court judge. He is now the only active Asian Pacific American judge to serve on a Federal appellate court, after being confirmed unanimously.

In addition, the Republicans' across-the-board practice of refusing consent and delaying consideration of even nominations with unanimous support has led to a steady backlog of pending nominations. The refusal of Republicans to give consent to consideration meant that 19 judicial nominations were stranded on the Senate's Executive Calendar at the end of last Congress. There are 13 judicial nominations now on the calendar that Democrats are prepared to consider.

Each of these nominations should be considered without unnecessary delay. If we do that, we can reduce the judicial vacancies to 80 for the first time since July 2009. Yet we are forced to overcome filibusters even to have a debate and vote on district court nominations.

These filibusters stand in stark contrast to the views of Republican Senators about the role of the Senate in considering judicial nominees when the President was from their own party. In 2005, when the Republican majority threatened to blow up the Senate to ensure up-or-down votes for each of President Bush's judicial nominations, Senator MCCONNELL, then the Republican whip, said:

Any President's judicial nominees should receive careful consideration. But after that debate, they deserve a simple up-or-down vote. . . . It's time to move away from advise and obstruct and get back to advise and consent. The stakes are high. . . . The Constitution of the United States is at stake.

Other Republican Senators made similar statements back then. Many declared that they would never support the filibuster of a judicial nomination. Others subscribed to the standard that the so-called gang of 14 formulated that they would only filibuster in "extraordinary circumstances." The only extraordinary circumstance in this case is the judicial vacancies crisis that has prompted the President, the Chief Justice, the Attorney General, bar associations and many others to call for prompt consideration and confirmation of judicial nominees.

Yet rather than applying consistent standards and debating and voting on judicial nominations favorably reported by the Judiciary Committee, we see Republican Senators adopting a double standard and engaging in a dramatic break from the Senate's tradition by filibustering this district court nomination.

Jack McConnell is an outstanding lawyer. President Obama has nominated him three times to serve as a Federal district court judge in Rhode Island. With more than 25 years of experience as a lawyer in private practice, Mr. McConnell has the strong support of both Rhode Island Senators, Senator REED and Senator WHITEHOUSE. He has been reported by a bipartisan majority of the Judiciary Committee three times.

Individuals and organizations from across the political spectrum in that State have called for Mr. McConnell's confirmation. The Providence Journal endorsed his nomination by saying

in his legal work and community leadership [he] has shown that he has the legal intelligence, character, compassion, and independence to be a distinguished jurist.

Leading Republican figures in Rhode Island have endorsed his nomination. They include First Circuit Court of Appeals Judge Bruce Selya; Warick

Mayor Scott Avedisian; Rhode Island Chief Justice Joseph Weisberger; former Rhode Island Attorney General Jeffrey Pine; former Director of the Rhode Island Department of Business, Barry Hittner; former Rhode Island Republican Party Vice-Chair John M. Harpootian; and Third Circuit Court of Appeals Judge Michael Fisher.

Some oppose him because he successfully represented plaintiffs, including the State of Rhode Island itself, in lawsuits against lead paint manufacturers. Some here in the Senate may support the lead paint industry. That is their right. I support those who want to go after the people who poison children. That is what Mr. McConnell did. But nobody should oppose Mr. McConnell for doing what lawyers do and vigorously representing his clients in those lawsuits.

The Senate has finally begun to debate this nomination, and some have wasted no time in coming to the Floor and distorting, I believe, Mr. McConnell's testimony before the committee. I disagree with Senator CORNYN's characterization of Mr. McConnell's testimony. As chairman, I take seriously the obligation of nominees appearing before the Judiciary Committee to be truthful. I would be the first Senator to raise an issue if there were any legitimate question as to the accuracy of Mr. McConnell's testimony. But there is not.

The accusation stems from Mr. McConnell's recent testimony as a witness deposed in a lawsuit brought by one of the paint companies engaged in litigation with Mr. McConnell's client. That lawsuit alleges that Motley Rice, the law firm where Mr. McConnell is employed, improperly obtained a 34-page confidential company document from one of the lead paint companies. Mr. McConnell is not a party to the lawsuit, but was deposed last September only as a witness. His answers at his deposition concerning his knowledge of the confidential document were the same as his responses to written questions from Senator KYL following his hearing nearly a year ago, and the same as his responses to Senator LEE in written questions this February. At no time has there been a suggestion of wrongdoing by Mr. McConnell in this lawsuit.

Far from establishing that Mr. McConnell was untruthful with the committee, the deposition transcript obtained by the Committee after it was unsealed by the Court only further validates Mr. McConnell's account of his knowledge of this document. To believe that Mr. McConnell was untruthful with the committee, some Senators would have to disbelieve not just his answers to written questions from committee members, but also Mr. McConnell's sworn testimony as a witness being deposed in a lawsuit. Some Senators may feel strongly that Mr.

McConnell and his firm were wrong to sue lead paint companies, but there is simply no basis believing that Mr. McConnell was untruthful with the committee. I reject those conclusions.

These Republican filibusters of district court nominations are unprecedented. The consequences for the American people and their access to justice in our Federal courts are real. I urge the Senate to reject these efforts and reject this filibuster.

Mr. President, I appreciate the courtesy of my colleagues in giving me the extra time, the distinguished senior Senator from Delaware and the distinguished Senator from Connecticut.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I am always happy to yield a little more time to the chairman of the Judiciary Committee.

COMMENDING THE NAVY SEALS

Mr. CARPER. Mr. President, I want to start off today—I did not plan on saying this; I am here to talk about small businesses and how to incentivize job creation and job preservation—but before I do that, I want to take a moment of personal privilege to talk about the Navy SEALs.

I am a retired Navy captain. I spent about 23 years of my life as a naval flight officer. Before that, I was a midshipman, a Navy ROTC midshipman out of Ohio State. We would do our summer tours as midshipmen being trained to be junior naval officers. One of our tours was down at Little Creek, where we learned a little bit about storming the beaches of Virginia and we learned how to become marines, or pretended we were. We also, later on, I guess as a lieutenant JG at Coronado, before we went over to Southeast Asia, had a chance to see—in both places, both the Little Creek Naval Station and over at the Coronado, North Island Naval Station—the Navy SEALs train. I remember talking with some of my compadres who were going through training with us, saying: We would not want to mess with those guys—and for good reason.

They have made us proud. They have taken on an incredibly difficult task and I think handled themselves splendidly, and I want to start off today saying how proud we are of them.

JOB CREATION

Mr. CARPER. I am not quite as proud, however, when it comes to one of our responsibilities; that is, the responsibility to provide and nurture a climate for job creation and job preservation. I talk a lot with small business folks, and I talk in my work with people who run pretty big businesses. One of the things I have heard again and

again—not just this year but last year and the year before—large businesses are making a fair amount of money these days and a lot of them are sitting on a pile of cash. When you ask them, why are you sitting on a pile of cash and not hiring people, what we hear from a lot of them—particularly large businesses—is businesses like certainty and predictability. In too many areas—areas we actually have something to do with—there is not the kind of predictability and certainty those businesses need.

For example, are we going to get serious about reducing our deficit? I hope so. I think the Deficit Commission, led by Erskine Bowles and Alan Simpson, gives us a pretty good roadmap to take \$4 trillion out of the deficit over the next 10 years. I hope in the end we will use that as a roadmap, not to use it with precision but to use it as a roadmap. But that is a big uncertainty.

The Tax Code. What about our Tax Code? We are running sort of a 2-year extension of the previous Tax Code, but that will end at the end of next year. What are we going to do about it? There is a lot of uncertainty there.

We have worked long and hard to try to pass health care legislation that is designed not just to extend coverage to people who do not have it but also designed to get us to better health care outcomes, to achieve better health care outcomes for less money, or at least better health care outcomes for the same amount of money.

We have the prospect of the Federal courts, with a number of litigations that are underway around the country, either at the circuit court of appeals level or maybe someday at the Supreme Court level, taking apart pieces of the health care bill. We need some certainty there, and we need the courts to act on it. I am not a lawyer, but some of my friends are, and some of them, who are a lot smarter than I am on these things, suggest that as far as they are concerned, this meets constitutional muster. We need an answer and we need to get on with it. To the extent we need to change the health care legislation to fix it and make it better, let's do that. But there is a lot in the legislation that enables us to get better health care results for less money. We need to do more of what works.

There is a lot of uncertainty with respect to transportation policy, on the series of extensions of the transportation programs for this country.

The way it works, if you will, Mr. President: Looking at my podium here, we will say right here is the transportation trust fund, and right here in the middle is the general fund for our country, our Treasury, and over here on the other side is sources of capital from the rest of the world. We do not have enough money in our transportation trust fund over here to build transportation projects. We end up borrowing

from the general fund right here, moving funds over to the transportation trust fund. Unfortunately, we do not have enough money in the trust fund to run the general government, so we go overseas and borrow money from everybody we can to replenish the general fund, in order to put money in the transportation trust fund. It is crazy, and it is one of the reasons why we have a big budget deficit. We have uncertainty. The transportation system in this country has been awarded a grade "D" as in "dealt," actually a grade "D" as in "decaying" because that is what is going on in our transportation system. I think things worth having are worth paying for. We need to get on with it. That is a source of uncertainty.

The last one is energy policy. As we see runups in energy prices—the price of fuel at the pump—people are wondering, What are we going to do about it? Part of what we tried to do is say, we want more energy efficient cars, trucks, and vans to be built in this country. We changed the CAFE legislation to raise the fuel efficiency standards for cars, trucks, and vans. So now, by 2016, the overall average has to be 36 miles per gallon—a huge increase from where it has been since 1975.

That is being ramped up, and that will help. But beyond that, we do not have, really, the kind of energy policy we need. That is another uncertainty.

So those are five reasons why large businesses, especially, sit on a pile of cash and are not hiring. One of our obligations is to address those uncertainties. My hope is we will do it. We actually got off to a pretty good start this year in a couple ways. No. 1, we passed the FAA reauthorization, the Federal Aviation Administration reauthorization. In doing so, we agreed on a revenue package—agreed to by the industry—to be able to modernize the air traffic control system—that is great—to be able to put some extra money toward airport construction—that is good as well—as part of our infrastructure system.

We passed in the Senate patent reform legislation. If the Presiding Officer from Montana were—and he is a very clever fellow, but if he invents or thinks he has invented a product or technology, and he goes, under current law, to the patent office and files for a patent, I can come along, even if I had nothing to do with that technology or that product, and say I had that idea first and draw him into a lawsuit and maybe make it difficult for him to actually get his patent.

We changed that in this patent reform legislation. If he is the first one to file, then he is the first one to file, and a patent troll like me would not be able to get in the way and create mischief and simply maybe ultimately get bought out. So the idea of changing that is very encouraging.

We have a deficit reduction agreement for this fiscal year, which took about \$40 billion or so out of our spending, and that is encouraging.

We have actually another piece of encouraging legislation that I think passed by unanimous consent in the last Congress on small businesses and how to help small businesses do more innovative research and how to help them ease their ability to do technology transfer. I think it passed by unanimous consent last year.

And now, so far this year, we have been working on this legislation off and on since March, since the early part of March, and we have a whole lot of amendments that have been offered to the bill. One of them is from myself and Senator VITTER, Senator COBURN, and Senator MCCASKILL, Senator BEGICH, and a bunch of other people. It is not related to small business but it is certainly related to the deficit. What it does is—as the President mentioned in his State of the Union Address, we have thousands, maybe tens of thousands of pieces of surplus property the Federal Government owns that we are not using. We pay money to keep them secure. We pay money for their utilities, for their upkeep. We are not using them. We ought to sell them. We cannot give them away to State and local governments, homeless groups. We ought to sell them, at least get them off our books. That is going to be offered as an amendment to this small business bill. My hope is my colleagues will support it. Senator LANDRIEU, who chairs the Small Business Committee, and Senator SNOWE, who is the ranking Republican member—previously the chair—have worked on the underlying bill for something like 6 years—6 years. It passed, again I will say, I am pretty sure, last year, by unanimous consent. We need to get it done. My hope is that those of us who have amendments, especially those that are not controversial, will have an opportunity to offer our amendments to this bill, and then we need to move on.

It is interesting, if you look at small businesses, an inordinate number of scientists actually work for small businesses. Something like, I want to say, 40 percent of America's scientists and engineers actually are employed by small businesses. We have some studies that show the small business innovation and research programs actually are responsible for something like 25 percent of our Nation's crucial innovations over the past decade and account for, again, something like 40 percent of America's patents.

For us to be successful in the 21st century, we need to, as the President likes to say, outeducate, outinnovate, and outcompete the rest of the world. Part of what we need to do is make sure we are creating a world class workforce, we are producing a world class infrastructure, and, finally, we

are making sure we are making research and development investments that will lead to products that can be commercialized, ideas that can be commercialized, turned into products we can be making here in this country and selling around the world.

I think if we can somehow figure out how to resolve our differences so the people who want to offer amendments to this bill, especially noncontroversial ones, maybe they can be successful, and let's save the controversial stuff for another day. We may disagree on 20 percent. That is Senator ENZI's 80 percent/20 percent rule. Let's agree to the 80 percent and put it in the bill. The 20 percent that we don't agree on, let's work on that and save it and have additional hearings and deal with that later.

In the meantime, why don't we pass this bill. Why don't we make it easier for small businesses to get R&D money, to be able to do technology transfers. In some cases where that is noncontroversial, why don't we make that happen. If we do that, we can show the American people we can work together and get stuff done, and we will actually help small businesses get stuff done. We will help them make money and hire more people and, in the end, some of those people and businesses will pay more taxes, which will bring down the deficit. That is a pretty good outcome. It is worth pursuing.

I commend Senator LANDRIEU and Senator SNOWE for working on this legislation for 6 years. We need to put that good work to the vote and move on.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut is recognized.

Mr. BLUMENTHAL. Mr. President, I thank the Senator from Delaware for those very important and insightful comments both on the Navy SEALs and on the small business legislation that is pending before this body.

Mr. President, as my colleague, the distinguished Senator from Delaware, has mentioned, over the last 36 or so hours, our Nation and its allies around the globe have rightly celebrated an extraordinary military triumph, a great victory in the war on terror, a turning point, perhaps, toward peace: Osama bin Laden, the heinous mastermind of the 9/11 attacks, who murdered thousands of Americans, has been finally brought to justice.

We are rightly celebrating the extraordinary service, bravery, and skill of the Navy SEALs who were the tip of the spear—an American military that has brought to justice one of the worst war criminals of our time.

We celebrate not only, of course, the Navy SEALs, but all of the men and women who have given their lives and their service over the past years, and their families. We celebrate also the intelligence community's support of this effort, which was so crucial.

Yet even as the celebration has been conducted, on one small beach in Connecticut this news was greeted with solace and somber remembrance. It is the beach at Sherwood Island, in Connecticut, which is home to the living memorial for the Connecticut victims of 9/11, a memorial to 152 victims of this tragedy, this murderous attack by the man who has now been brought to justice. It is a beautiful place—exquisitely and heartbreakingly beautiful. The skyline of New York is visible from this point, jutting out from Westport. The skyline of New York could be seen in flames on the day of 9/11. This place provided a staging area for many of the relief efforts that happened on that day and succeeding days. Now it is a place where the community of Westport, the State of Connecticut, and the world can remember that tragedy and the people who lost their lives. It is also the place where every year Connecticut gathers to honor their memories and their families.

Many come—as some did yesterday—with very mixed feelings. The recent news, while welcome indeed, brings forth anew the agony of their loss. I know there are mixed feelings because I talked, a short while ago, with Lee Hanson, who is the father of Peter Hanson. Peter, his wife Sue Kim and their daughter Christine Lee Hanson all lost their lives on that day. Christine was only two and a half years old. People came to that place yesterday and on many other days to pay their respects and reflect on the tragedy of 9/11. They have felt ambivalence, mixed feelings, and their grief is renewed. For them there is no celebration because the legacy of their loss remains.

At the memorial, on a granite marker in Westport, there reads the following:

The citizens of Connecticut dedicate this living memorial to the thousands of innocent lives lost on September 11, 2001, and to the families that loved them.

Today, while there are many voices who celebrate this victory—and rightly so—there are voices that are harder to hear, perhaps unheard: the victims and their families whose memory I wish to honor today. I wanted to take a moment of our time to recognize those that cannot speak, but in whose memory justice was served.

I ask unanimous consent to have printed in the RECORD the names of those 152 men and women from Connecticut who died on September 11, 2001, as they are recorded on the memorial that honors their legacy at Sherwood Island.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONNECTICUT VICTIMS ON SEPTEMBER 11TH,
2001

FIRST ROW OF STONES (SOUTH OR LEFT LOOKING
TOWARD MONUMENT)

Richard M. Keane; Peter R. Kellerman; Stacey Leigh Sanders; Joshua Piver; Law-

rence Getzfred; Jonathan J. Uman; Scott Thomas Coleman; Keith Eugene Coleman; Richard S. Gabrielle; Thomas M. Brennan; Ronald Gilligan; Jeffrey D. Bittner; John Florito; William J. Meehan, Jr.; Eskedar Melaku; Glenn Davis Kirwin; Joel Miller; Adam J. Lewis; Michael M. Miller; Steven Lawrence Glick; Eamon McEneaney; Craig William Staub; James Thomas Waters, Jr.; Frederick Varacchi; James Andrew O'Grady; Edward "Teddy" F. Maloney; Charles A. Zion; Michael J. Lyons; Amy King; Michael C. Farrou; Heather L. Smith; Raymond Joseph Metz, III; Jason E. Sabbag; Candace Lee Williams; Maurice Patrick Kelly; Peter Alan Gay; Stephen Lamantia; Thomas E. Galvin.

SECOND ROW OF STONES (SOUTH OR LEFT
LOOKING TOWARD MONUMENT)

Francis Henry (Frank) Brennan; Thomas Anthony Palazzo; James A. Greenleaf, Jr.; Mike A. Pelletier; Michael C. Rothberg; David H. Winton; Allen V. Upton; Peter C. Fry; Kevin P. Connors; Christopher William White Murphy; Madeline Sweeney; Cheryl Ann Monyak; Francis McGuinn; Ada Maason; Robert A. Lawrence, Jr.; Martin Phillips Wohlforth; Joseph A. Lenihan; Jesus Sanchez; Amy E. Tuyen; Jeffrey David Wiener; Cesar A. Murillo; Gary E. Lasko; Margaret Quinn Orloske; Derek J. Statkevicius; Randy Scott; Lindsay S. Morehouse; Dianne Bullis Snyder; Sean P. Rooney; George E. Spencer, III; Christopher Orgielewicz; Garry W. Lozier; Gregory T. Spagnoletti; Jude Moussa; James Matthew Patrick; Sean Schielke; Tyler Ugolyn; Ulf Ramm Ericson; Juan Ceballos.

THIRD ROW OF STONES (2ND FROM RIGHT
LOOKING TOWARD MONUMENT)

Edwin J. Graf, III; Timothy John Hargrave; Christopher W. Wodenshek; Dolores Costa; Geoffrey W. Cloud; Edward T. Fergus, Jr.; Michael Egan; Bradley Fetchet; Andrew Stergiopoulos; James D. Halvorson; John Bruce Eagleson; Edward Calderon; Margaret Connor; Peter Gelinas; Paul M. Fiori; Robert Hingley, II; Robert W. Noonan; Michael Grady Jacobs; Patrick Danahy; Christopher Samuel Gardner; Robert Gerlich; John Works; Laurence Abel; John P. Williamson; Michael John Simon; Kiran Kumar Reddy Gopu; John Henwood; Judith Florence Hofmiller; Bradley H. Vadas; Bryan C. Bennett; Timothy M. O'Brien; Kevin Michael McCarthy; Thomas Edward Hynes; John F. Iskyan; H. Joseph Heller; Stephen P. Cherry; Edward Raymond Vanacore; Eric B. Evans.

FOURTH ROW OF STONES (RIGHT MOST ROW
WHEN LOOKING TOWARD MONUMENT)

Paul Curioli; Scott J. O'Brien; William Christopher Hunt; Alexander Braginski; Paul R. Hughes; Donald F. Greene; Pedry Grehan; Edward P. York; James J. Hobin; Ruth McCourt; Juliana McCourt; Osseni Mama Garba; William Hill Kelly, Jr.; Brian Thomas Cummins; Eric (Rick) R. Thorpe; Sandra Campbell; John B. Schwartz; Bennett Lawson Fisher; Mark Steven Jardim; Joseph John Coppo; Richard Peter Gabriel, Sr.; Allen Patrick Boyle; Christopher J. Blackwell, FDNY; Roger Mark Rasweiler; Evan Hunter Gillette; Peter Burton Hanson; Sue Kim Hanson; Christine Lee Hanson; Jean Destrehan Roger; Sean S. Hanley; Wilder A. Gomez; Robert Thomas Jordan; Wendy R. Faulkner; Michael G. McGinty; Michele Heidenberger; Daniel Robert Nolan; James A. Gadiel; Thomas F. Theurkauf, Jr.

Mr. BLUMENTHAL. Mr. President, we should be ever mindful of the people whose lives have been changed forever.

The families of the victims and survivors need our help. Their children may have grown. Some may have children of their own. Their lives have moved on. Some have come to peace. But their lives, like the lives of the emergency responders who ran into the buildings—the firefighters, the police—have been changed forever. Whether by maintaining a memorial in your community, helping to meet the needs of their children, or just listening to their voices, it is an honor to help those who have already given so much.

Many questions will arise in the days ahead over what will be the course of action for our Nation, but today let us give pause and reflect on how America's military has kept focused on justice for the victims of terror for almost 10 years. We have lost many servicemen and women in the line of duty and many more have been injured in this war. The lives of our veterans who have fought and served and sacrificed in the war on terror have been changed forever. We owe it to them to never forget as we celebrate this victory. We owe it to our veterans who have served and sacrificed to honor that service, not just in rhetoric but in deed. Our veterans have fought for a Nation that keeps faith with them.

We must make sure to leave no veteran behind in education, jobs, and health care—to provide for them what we have obligated and promised to provide. While we hope for peace from this day forward, we must do everything we can to support the brave American men and women in uniform and those of our allies whose relentless service and sacrifice have helped us to win this victory. So too do we support the brave first responders who are always poised, always ready, to respond when their city, State or the Nation calls. They should know they each have the thanks of a grateful Nation.

My hope is that the memory of the victims of 9/11 will bring us together in a time of unity and purpose just as that heinous act did on that day almost 10 years ago. The brutal murderers of September 11, 2001, hit the World Trade Center and hit the Pentagon, but they missed America, as was remarked at the time. They missed what makes America great. They brought us together in a time that we can remember with pride because it was a time of resolve and unity.

I hope the memory of those victims—the 152 from Connecticut and thousands more from around the country—as well as their families can bring us together now in a renewed sense of unity and purpose to face the challenges that lie ahead.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—S. RES. 159

Mr. REID. Mr. President, I ask unanimous consent that at 2:15 p.m. today, the Senate proceed to consideration of S. Res. 159, which is at the desk; that there be up to 75 minutes of debate on the resolution equally divided between the two leaders or their designees prior to a vote on adoption of the resolution, with the final 10 minutes reserved for the two leaders, with the Republican leader controlling 5 minutes and the majority leader controlling the final 5 minutes; further, that upon disposition of the resolution, the preamble be agreed to; that there be no amendments in order to either the resolution or the preamble; that the motions to reconsider be considered made and laid upon the table, with no intervening action or debate, and that the Senate then proceed to a period for the transaction of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, with this agreement, the vote on adoption of the resolution will occur at 3:30 p.m. today. I encourage Senators to vote from their desks. Senator MCCONNELL and I have talked about this important resolution. We ask everyone to be in their seats 10 minutes before 3:30 so we can vote at 3:30 in a dignified manner on this most important resolution.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

The PRESIDING OFFICER. The Senator from Maryland.

DEATH OF OSAMA BIN LADEN

Mr. CARDIN. Mr. President, late on Sunday evening, the world was told of news we had been waiting to hear for almost 10 years. Osama bin Laden was a murderer who devoted his life to the destruction of freedom, democracy, and our way of life. His death is an important milestone in the fight against global extremist violence and a relief to the millions of Americans and others around the world who have felt his murderous destruction.

I, first and foremost, wish to thank the military and the intelligence pro-

fessionals who carried out this daring mission, which was executed flawlessly and will go down in our history books as to how we should do our work.

I wish to take a moment to compliment all of our military and intelligence people who were involved in this effort. I take great pride in representing the State of Maryland and our intelligence agencies that are located at Fort Meade. They do incredible work for our national security and for our Nation. They do a lot of work that keeps us safe, but they can never issue a press release because of the nature of their work. Many times I believe their work goes basically unappreciated by the vast majority of Americans. But I wish to take a moment to congratulate all the men and women in our intelligence agencies and in our military who have devoted their lives to keeping us safe. This mission demonstrates the type of work they do in order to make this a safer nation.

This successful interagency operation illustrates intelligence sharing at its best and the commitment of the men and women of our Armed Forces as well as our political leadership. As you know, after the attack on our country on September 11, we had commissions do work, we had a lot of congressional investigations, and there was one theme that came out very clearly in regard to the way we collected intelligence information to keep this Nation safe; that is, there was too much stovepiping and not enough sharing of information. Information that could have been shared, that could have been used in a way to keep us safe was not. This effort demonstrates the advantages of sharing information. Our intelligence agencies acted upon information that was made available through various sources and using that to be able to conduct this mission.

Truly, bin Laden was brought to justice as a result of President Obama's deliberative planning, coordination, and communication, his leadership, partnership, and dogged persistence. Because of that, we were able to accomplish this mission.

I wish to congratulate President Obama. He had to make a tough call. The intelligence information was not conclusive. Much of it was circumstantial. Yet he evaluated the best information we had to determine that bin Laden was at this location. He then had to make another tough choice, as to what type of mission to use—whether to use a sophisticated bomb in order to destroy the property, which would have caused the loss of some innocent life, or whether to use a higher risk mission of sending our SEALs into Pakistan. The President made the right call. He made the right decision, and I congratulate him on his leadership.

All Americans were affected by bin Laden's evil actions. We all remember

that fateful day in September of 2001. I was on the other side of the Capitol as a Congressman in my office in the Rayburn Building. I remember receiving information that we thought there was a plane that could be heading to our own building. The Capitol Police ushered us out of the building so we could try to get out of harm's way. We all began to understand our Nation was under attack and the world was changing.

While we are still living in that changed world, this event reminds us again the strength of America is freedom and that its persistence can prevail. As a lifelong proponent of human rights, I know we do not rejoice in killing, but this death rids the world of a man who was committed to intolerance, destruction, hatred, and the desecration of human dignity. Bringing bin Laden to justice helps heal the wounds of those who lost their loved ones and to a nation who lived through 9/11.

We must remain vigilant as the fight against al-Qaida and other extremists goes on. While al-Qaida is increasingly marginalized—particularly as we see so many in the Arab world exercise their desires for change—the threat posed by terrorist organizations will remain with us. We must remain on our highest guard, working with our allies around the world, in order to fight these extremists.

Once again, I wish to congratulate the tremendous efforts of our President, our military, and our intelligence community, especially as their hard work continues, and may this event bring some sense of peace to the families affected by bin Laden's evil, as well as to all in the world who love freedom and peace.

Mr. President, I ask unanimous consent that the time spent in quorum calls be equally charged against the majority and the minority.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE MEMBERS OF THE MILITARY AND INTELLIGENCE COMMUNITY WHO CARRIED OUT THE MISSION THAT KILLED OSAMA BIN LADEN

The PRESIDING OFFICER. Under the previous order, the clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 159) honoring the members of the military and intelligence community who carried out the mission that killed Osama bin Laden, and for other purposes.

Mr. CARDIN. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, at 10 o'clock Sunday night, I was at the terminal at the Detroit airport, and there I had gone through the usual airport security drill—shoes off, liquids in plastic bags, and all the other inconveniences designed to keep us safe. It was at that same airport on Christmas of 2009 that a would-be terrorist sought to bomb an airliner. So I was surrounded by reminders, large and small, of how the threat of terrorism has affected our lives when Defense Secretary Gates called me with the momentous news that our forces had succeeded in raiding a compound in Pakistan and killing Osama bin Laden.

A few hours later, my wife Barbara and I joined a different scene—thousands of cheering young people waving American flags and singing patriotic songs in the early morning darkness outside the White House—part of an outpouring of relief and emotion across the Nation. What had happened is Osama bin Laden could not avoid the long memory and the long arm of justice, and he could not hope to triumph against the indomitable spirit of the American people.

The news President Obama delivered to the Nation on Sunday evening gives us many reasons to reflect. We should first turn to those who still carry the grief and loss of that September morning about 10 years ago—to those who had lost loved ones in the fight against terror and the years since and to those who carry wounds of body, mind or spirit from that war. The death of Osama bin Laden cannot bring back the lives lost through his monstrous acts, but it can, I hope, bring some measure of relief from those lost.

We first turn, with thanks and admiration, to the men and women of our Armed Forces and the intelligence community. For them and their families, the last decade has been one of long separations, uncertainty, and danger. Yet time and time again they have answered their Nation's call with courage, with competence, and with skill. Once again, they have earned our utmost gratitude.

We should also commend the President for his courage and for his care in ordering a military mission to capture or kill Osama bin Laden. There was no direct evidence that bin Laden was in the compound that the CIA had determined housed two al-Qaida couriers. Instead, the evidence was circumstantial, and there were differing views within the intelligence community as to the likelihood that bin Laden or perhaps some other high-value target was there. Moreover, the mission required the military helicopters to enter into Pakistani airspace, to land in Pakistan's sovereign territory, and for Navy SEALs to use lethal force on a compound in a city that was home to

two Pakistani armed regiments. The President courageously rejected the alternative options of launching a bombing mission or waiting until there was more evidence of bin Laden's presence. He rejected both of those alternatives.

With his bold decision and with the heroism and skill of our military and intelligence professionals, our Nation struck a tremendous blow not just against a single depraved individual but against the hateful ideology he espoused. Let there be no mistake, al-Qaida is weaker today. Its leader is dead and so is the myth surrounding him.

Osama bin Laden sent his followers to hide in dark, dank mountain caves and often to their own suicides, from the comfort of his million-dollar villa. His death has dealt al-Qaida a major blow. The mystique of Osama bin Laden has been punctured.

The victory over hate-inspired terrorism is not yet complete. Our successful mission against bin Laden will no doubt lead to al-Qaida's remaining leaders issuing calls for retaliation. It is critical our intelligence and military strength continue to seek out those elements and franchises of al-Qaida that remain in Afghanistan, Pakistan, the Arabian Peninsula, Africa, and other places, such as al-Qaida in the Arabian Peninsula in Yemen. The threat may be diminished, but it remains.

Further, it is critical we ensure our military and intelligence communities continue to adapt to the threat of our irregular and unconventional enemy. The interagency cooperation that helped make this mission a success is impressive, and it remains a potent weapon in our effort to weaken the al-Qaida network.

This is an effort worthy not just of this Nation but of all nations. That is why it is important that we find answers to the significant questions raised by the news from Sunday night. Thirty-five miles from the Pakistani capital and a comfortable walk from the Pakistani military's most important academy, in a town where the Pakistani military and intelligence services own a large share of the property, al-Qaida appears to have built a massive complex, ringed by walls as high as 18 feet, protected by barbed wire, as the dedicated hiding place for Osama bin Laden. It is difficult to believe all this occurred without at least arousing the suspicions of Pakistan's security forces or their local officials.

The American people, who have provided billions of dollars of aid to the Pakistani Government, deserve to know whether elements of Pakistan's military and intelligence services or local officials knew of bin Laden's location over the 5 years or so he was there and if they did not know, how that could possibly be the case. Hopefully just as important, the Pakistani people

deserve these answers, for they have suffered greatly from al-Qaida's violent extremism. Assassinations, bombings, death of civilian and military personnel alike—all these losses show that al-Qaida and its hate-filled terrorism and its terrorist allies threaten Pakistan's very existence. I believe some of Pakistan's leaders know this to be true, and I was heartened by the reaction of Prime Minister Gilani to bin Laden's death. He said, "I think it's a great victory and I congratulate the success of this operation."

It is urgent that the Pakistani Government get answers to the questions about what its military and intelligence agencies and local officials knew and share the answers to those questions with the world and with their own people.

Pakistan can be an important ally in the fight against terror. It has as much, if not more, at stake in that fight as anybody. All the more important, then, that we openly and honestly address the questions which have been raised by the presence of terrorist No. 1, public enemy No. 1, the world's enemy No. 1—the presence of that person in Pakistan in such a central place for all these years. It is important that those questions be honestly answered so we can continue this fight together.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. Mr. President, I ask unanimous consent that the time for debate on the resolution that is pending be extended by 15 minutes, with the additional time being equally divided between the two leaders or their designees, with all other provisions under the previous order remaining in effect.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEVIN. With this agreement, the vote will now occur around 3:45 p.m.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mrs. FEINSTEIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I rise in strong support of this resolution and offer my congratulations to the men and women responsible for developing the intelligence and carrying out the operation that led to the death of Osama bin Laden on Sunday, May 1.

This is perhaps the most important, and certainly the most stunning, intelligence operation I have seen in my 10

years on the Intelligence Committee. I wanted to congratulate, first and foremost, President Obama. As he stated in his Sunday night address to the Nation, he directed Leon Panetta shortly after taking office to "make the killing or capture of bin Laden the top priority of our war against al-Qaida."

When the effort to collect and analyze intelligence on this compound in Abbottabad bore fruit, President Obama made a courageous and very gutsy decision to order the strike, even though the intelligence community could not assure him with certainty that bin Laden was there.

At the operational level, the hunt for bin Laden and the read on his compound has shown the greatly improved collaboration and cooperation across the intelligence community and, of course, the Department of Defense.

The CIA has received and well deserved the lion's share of the credit. The agency collected the human intelligence and carried out other missions that found and characterized the Abbottabad compound, and CIA analysts took the lead in analyzing and re-analyzing that information.

The CIA's Counterterrorism Center has a banner on the wall that reads, "Today is September 12, 2001." It has been nearly 10 years, but their perseverance and dedication has truly paid off.

I also want to recognize the efforts of the National Security Agency which provided signals intelligence and the National Geospatial Intelligence Agency which conducted the imagery analysis on the compound. It was truly a team effort.

I also commend and give thanks to the Joint Special Operations Command, or JSOC, the team that flew to the compound under cover of night and conducted the raid. It was not a picture perfect operation, and changes to the plan were necessary as the lead helicopter was forced to land unexpectedly. But the highly trained and skilled members of the Navy SEAL team adjusted, reached their target, and they killed Osama bin Laden without taking any casualties themselves.

I was first briefed on the compound and the possibility that it housed Osama bin Laden in the beginning of last December along with Senator Kit Bond who was vice chairman of the Intelligence Committee at that time. Since then, the current vice chairman, Senator SAXBY CHAMBLISS, and I have been regularly briefed and updated on the intelligence.

I thank Director Panetta and his team for keeping the Intelligence Committee leadership informed. As one who is regularly critical of our government's inability to keep secrets, it is very reassuring that this highly sensitive and sensational intelligence was kept under wraps for months.

There is no doubt that Sunday's operation gives rise to a number of ques-

tions. Among the most important of them are, one, what did Pakistan know about bin Laden's presence and this compound in the up to 6 years he was there? It has to be pointed out that this compound was eight times bigger than any home in the vicinity. It was just a quarter of a mile away from another home. It was a mile away from a major military academy. It had razor wire on the top of very large walls, and it was very large in itself. Trash was not picked up, it was burned. No one really came in and out except the two couriers who went about delivering messages from a distance from the compound.

It should have been an issue of curiosity, and neighbors surely would have been interested in who lived there. Why is it so big? What is going on there? But there was virtually no reaction.

The second point is, what does bin Laden's death mean for al-Qaida and for the affiliate groups and lone wolves he has inspired and led? As the chairman of the Intelligence Committee, I will be looking for answers to those questions and get more of the details of the operation itself. Tomorrow morning, in a joint classified hearing with the Armed Services Committee, we will be looking into these and other issues. But this resolution is about commending the men and women of our intelligence community and the U.S. military for their dedication and years of work that led to 40 minutes of incredible success. It should also recognize the fact that since 9/11, intelligence has been streamlined, stove pipes have been taken down, and analysts have greatly improved in their trade craft.

As a matter of fact, the intelligence having to do with this one facility was red-teamed once, red-teamed twice, and red-teamed at least a third time. The red-teaming process gives the ability of our analysts to debunk the intelligence, to try to indicate what might be a lapse, an "inconclusion," a false judgment. It is a very valuable process.

This resolution also recognizes the measure of justice now delivered to those who mourn and remember the thousands of men, women, and children claimed as victims on 9/11 and in the other attacks carried out by al-Qaida under Osama bin Laden both here and around the world.

This will not end terror as we know it today, but it surely is a monumental step to be able to put an end to the man who championed the cause, the man who provided the inspiration, the man who raised the money, and the man who was purely and simply the major leader.

Osama bin Laden is no more, and the time is upon us. I hope the world will be listening to try to consider a better path, to move away from acts of terror, move away from the killing of innocent men, women and children, and be-

come part of the councils of government, whatever they may be, across the world, to debate, to discuss, to vote, and to put forward principled policies.

I very much appreciate the efforts of the majority leader and the Republican leader in bringing this resolution to the floor, and I urge its adoption.

I notice my distinguished vice chairman on the Senate floor. I particularly want to thank him, Senator CHAMBLISS, for all of the cooperation we have been able to effect together.

You truly have been wonderful. It has been a great joy for me to work with you, and I only wish I could give you a glass of California wine to salute this very special day.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia is recognized.

Mr. CHAMBLISS. Mr. President, let me just say that California wine being a favorite of mine, I am available any time. Thanks for those kind comments.

Let me just say to my good friend from California what a pleasure it has been to work with her. The Intelligence Committee has always been a very bipartisan committee, and nobody exhibits that more so than our current chairman, DIANNE FEINSTEIN. She is tough when she needs to be tough, and she is fair at all times.

She and I have a unique relationship in contrast to the other committees in the Senate in that we jointly hire all of our staff, and she has been extremely cooperative to me in the hiring process. Again, she has just been a pleasure to work with. I have to say that DIANNE and I have been on the committee together for several years, and I am very proud of the work our committee has done and our relationship with the intelligence community.

One of the big reasons we have the successes that we had on Sunday in the takedown of bin Laden is because of the oversight that DIANNE and others have carried out on the Intelligence Committee and because of our relationship with the community.

It is not a combative relationship. We have the Director of the CIA, the heads of NSA, the DNI, and others on a regular basis both formally and informally. All of that is done under DIANNE's leadership.

Those are the times when we found out the needs of the intelligence community. Had they not exhibited that and had the Senator not provided the right kind of leadership, they would not have had all of the tools necessary to carry out this very important and very sophisticated mission. So thanks for your great work. Thanks for your friendship. I look forward to that glass of California wine.

I rise today in support of the resolution with respect to the takedown of Osama bin Laden and also to praise the men and women of our intelligence and

our military communities with regard to Sunday's successful operation. We have been pursuing the world's most infamous terrorist for over a decade, but it was ultimately the hard work and tireless dedication of these professional men and women that led to this significant achievement.

I am always proud of our military and intelligence men and women, but most especially today I am truly proud of their great work.

As we approach the 10-year anniversary of September 11, I am thankful that the families and loved ones of the victims of 9/11, as well as all Americans, can have some closure. The leader of al-Qaida and murderer of thousands of Americans and allies can never again sponsor a terrorist attack.

It is also important to point out that this operation was made possible by information provided by enemy combatants that had been detained and interrogated by the United States. There has been a lot of debate in this country about our detention and interrogation policy, but this is probably one of the clearest examples of the extraordinary value of the information we have been able to gather from the CIA's detention and interrogation program. If we had not had access to this information, Osama bin Laden would likely still be operating undetected today. It is because of the information gained from these detainees, pursued and analyzed over the years by the intelligence community, that led us to bin Laden's compound. It is almost unimaginable that he was located not in a cave in a Pakistani no man's land, but in a city just miles outside of Islamabad with a large Pakistani Government and military presence.

This is an amazing achievement and one that will be remembered for decades, but we must remember that al-Qaida is a diffuse and decentralized network that continues to threaten Americans both at home and abroad. A number of dangerous leaders associated with al-Qaida, including Ayman al-Zawahiri and Anwar al-Aulaqi, are still out there, no doubt plotting their next attack as we speak.

We also face a growing number of threats from other radical organizations and individuals, including homegrown terrorists and extremists. Although bin Laden's death is an enormous blow to al-Qaida, we must make sure we remain vigilant in all our efforts to defeat terrorism and never lose sight of our objectives, which is not the death of one man, but the dismantling of all terrorist networks that seek to do us harm.

In closing, I want to again thank our intelligence professionals and military personnel for their service and dedication. I also want to remind everyone that while this is our greatest success to date in our efforts to combat al-Qaida, we still have a lot of work to do

and cannot rest until all of that work is done.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Arizona.

Mr. MCCAIN. Mr. President, I rise to speak in support of S. Res. 159, honoring the members of the military and intelligence community who carried out the mission that killed Osama bin Laden. I am as happy to rise today as at any time in the past 10 years—and it has been for the last 10 years that I have eagerly awaited the moment when my colleagues and I could take to this floor and celebrate the news we got this Sunday: that we got Osama bin Laden. Justice has been done. The world has become a better place now that bin Laden is no longer in it.

This is a time for national unity and celebration. It is a time to finally close a painful chapter in the history of our Nation, even as our larger fight continues. And, most of all, it is a time to give thanks and recognition to a distinguished group of our fellow citizens who will forever occupy an honored place in our history.

I want to echo my colleagues in offering my humble thanks to the brave men who carried out the daring operation, as well as to the men and women in uniform who enabled their success. I have been involved in national security my entire life, and I am hard pressed to come up with another military operation that demonstrated such sophistication, such professionalism, such precise and lethal effectiveness to accomplish such a momentous and consequential objective. I am truly in awe of what these young men have accomplished, and I thank God that our Nation continues to produce heroic warriors such as them who are willing to give everything, to sacrifice everything, to devote their lives not to the quest for wealth or fame but to the service of a just and noble cause that is greater than their self-interests. We do not yet know their names, but we honor their achievements and we celebrate their heroism. They have made history and earned their place in it.

I want to offer the same praise for our intelligence professionals. It is a truism that intelligence fails in public and succeeds in private. So it is a great day indeed when we can celebrate such a public success of our intelligence professionals. There are men and women across our intelligence community who have devoted the past 10 years, and many more before that, to finding bin Laden. Despite setbacks and sacrifice, despite the loss of leads and the death of friends, regardless of whether the trail was hot or cold, they woke up every day and carried on the fight. And now we honor the fruits of their perseverance and sacrifice, even as they themselves remain hard at work—exploiting the new information we have recovered, analyzing the new data, and setting up the next operation.

I also want to offer my deepest congratulations and appreciation to the President and his national security team. I credit them with making the elimination of Osama bin Laden their top priority—and for accomplishing it so impressively. Regardless of the myriad groups and parties and factions into which we Americans divide ourselves on a daily basis, the killing of Osama bin Laden is a national triumph and all Americans should feel proud and appreciative of the leadership shown by President Obama and his team on this matter.

I specifically want to credit the President with ordering an airborne assault by ground forces rather than aerial bombardment. It would have been a lot easier to simply turn bin Laden's compound into a smoldering crater, but it would have denied us the certainty we now have that bin Laden is dead. It took real courage to assume the many risks associated with putting boots on the ground, and I strongly commend the President for it.

I would be remiss if I did not also thank President Bush and the many officials who labored with him for 8 years to do what has now been done. I know it is one of President Bush's regrets that he could not eliminate bin Laden on his watch, but he and his team should take solace in the knowledge that they laid the foundation for Sunday's operation, and they deserve credit for that.

Finally, I want to say a word to the many American families for whom this celebration is bittersweet because it recalls memories of the mothers and fathers, spouses and siblings, sons and daughters, who were stolen from them, and from us all—not just in the September 11 attacks but in the many acts of mass murder for which Osama bin Laden was guilty. No act of man can fill the aching emptiness of a loved one lost. For that there is only the grace of God. But it is my sincerest hope that the elimination of Osama bin Laden—this act of justice done—will help to ease the pain and bring closure to what has surely been a decade of torment, as we were daily reminded that the world's most wanted terrorist was still free.

I also want to credit the families of the victims of September 11, 2001. Had it not been for their relentless efforts and advocacy, Congress would not have established the 9/11 Commission and adopted many of its important reforms of our national security establishment—reforms that no doubt were instrumental in facilitating the joint and collaborative operation to find and kill Osama bin Laden. I could not imagine a greater contribution that the 9/11 families could have made.

Of course, the death of Osama bin Laden does not portend the elimination of al-Qaida or the end of terrorist plots and attacks against our country. We

must remain vigilant in our pursuit of every enemy who would do harm to us and our friends and allies. And we shall do so. But there is no denying that the death of Osama bin Laden will have a significant impact in this long war. It will enable us to focus more of our time and attention and resources on others who would do us harm. Perhaps more importantly, it will enable our country to look more fully forward—to focus more completely on supporting the peaceful democratic awakenings that are sweeping the Middle East and North Africa, which are the greatest repudiation of al-Qaida that we ever could have imagined or hoped for.

If there is any consolation in the fact that Osama bin Laden lived as long as he did, it is that he got to witness Arabs and Muslims by the tens of millions rising up to demand justice and dignity, not through suicide bombings and mass murder, but through peaceful change, political freedom, and economic opportunity—the very ideas that bin Laden's perverse and murderous ideology seeks to destroy. That could be the truest death knell of al-Qaida, and I for one am very happy that Osama bin Laden got to hear it—just before a team of American heroes ended his wretched life.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANCHIN. Mr. President, Osama bin Laden's death is a historic and just victory for this Nation.

While this is a profound victory in the war on terror, our thoughts must go to the thousands of innocent men and women who lost family members and whose lives were forever changed by the tragedy of September 11.

The families of those lost and our Nation as a whole can take great pride that our brave servicemembers and intelligence community successfully carried out this mission. I could not be more proud of the outstanding men and women of our military who put their lives on the line daily to defend this Nation.

Each and every one of us has a deeply personal connection to the tragic events of September 11. At the time, I was West Virginia's secretary of state. I remember staff coming into my office, and they said: Did you see what is going on? That is all they had to say, and that is all they did say.

So many Americans have similar stories. We watched in horror on live television as the second plane hit the World Trade Center and I knew something we could never anticipate and

imagine had just happened to our great country. We didn't know how our lives would change, but we knew they would.

In West Virginia, similar to States all over the country, we are still mourning those we lost: a former WVU quarterback and a WVU economics graduate who were both killed in the World Trade Center's North Tower, a Parkersburg High School graduate, a young lady who perished in the South Tower, and a Marshall University medical school graduate, a doctor who practiced, was killed when the airliner he was on crashed into the Pentagon. Our thoughts and prayers will always be with them and their families.

Just like our world changed that terrible day, it has changed yet again with the killing of Osama bin Laden. It means something different to each of us. Osama bin Laden's death cannot bring back the thousands of lives that were lost that fateful day or the ones who have been lost at the hands of al-Qaida since. It cannot repair the anguish so many have suffered as a result of the evil and hatred Osama bin Laden espoused.

But it is justice, and I hope this Nation and the families of those who were lost on September 11 can take solace in that fact.

Let me also say I am so proud of the resolve, the strength, and the fortitude this Nation showed in pursuing the mission to its end.

With the killing of Osama bin Laden, the United States sent a message loudly and clearly: acts of terrorism against this Nation will not go unpunished. If you seek to do harm to this country or if you plan to hurt the people of our great Nation, we will find you and, I assure you, justice will be served.

While this success belongs to all of us, I especially thank the teams of people who united to accomplish this most important goal. President Obama and his advisers completed the mission, and I congratulate him for that. He was the one who made the difficult decision to order this mission, and he made the right call.

Immense credit must also be given to all the people in the intelligence community who have worked tirelessly to track down the world's most wanted terrorist. I also congratulate Presidents Clinton and Bush and the commitment their teams showed in fighting the war on terror.

Finally, I hope we sustain the spirit of unity we all feel at this moment to put politics aside and remind Americans that as a great nation, we become greater when we unite behind a common purpose.

For these reasons, I strongly support S. Res. 159. May God continue to bless the United States of America.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I think most Americans are proud that the man who orchestrated the 9/11 attacks and then reveled in the horror of that day is dead.

Today, we recognize the dedicated work of the many intelligence professionals, law enforcement officials, and the many men and women in our armed services who brought us to this day.

The pursuit of Osama bin Laden spanned more than a decade. Following the attacks of September 11, the Senate voted 98 to 0 to authorize the use of force against al-Qaida—an authorization that is still in force today.

At the time, President Bush enjoyed the support of a nation united behind the decision to pursue al-Qaida and to drive the Taliban from power.

We should be equally united today in honoring those brave Americans who are committed to preventing further attacks upon our homeland.

While bin Laden and his followers were building their terror networks, we were patiently and diligently building our intelligence capabilities.

Following the successful raid on Sunday, those who remain committed to al-Qaida and associated terrorist groups should know that one day they too will share bin Laden's fate.

Some might think the success of this raid means the end of the war on terror. But as the President has said, the death of Osama bin Laden does not mean the death of al-Qaida. Our intelligence community and armed services must keep up the pressure on al-Qaida and associated terror networks.

Osama bin Laden launched this war on the false assumption that America didn't have the stomach for the fight. On Sunday night, he learned how wrong he was.

This week, America showed the world we meant it when we said we would not rest until justice was done to those who carried out the 9/11 attacks.

A generation of patriots has pursued al-Qaida for more than a decade, driven by the idea that every day is September 12, 2001. That spirit must persist.

Once again, I commend the President on his decision to go through with this mission. Above all, I thank the remarkable group of men who carried it out.

Not to be forgotten are the thousands of uniformed Americans in Afghanistan, Iraq, and across the globe, defending America's interests as we consider this resolution today.

The resolution reaffirms the Senate's commitment to eliminating safe havens for terrorists in Afghanistan and

Pakistan, and we are reminded of the difficult work that remains. But today, those who remember the horror of 9/11 take a certain satisfaction knowing that the last thing Osama bin Laden saw in this world was a small team of Americans who shot him dead. The brave team who killed bin Laden made their Nation proud, and they deserve the Senate's recognition and its praise.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I stand, as every Member of this Senate does today, I am sure, in support of not only this resolution but everything this resolution stands for.

The elimination of Osama bin Laden as a symbol of murder, of tyranny, of repression is an important moment. It is a moment that came 10 years after it should have. If we could have found Osama bin Laden 10 years ago when we were looking for him, 9/11 might not have occurred. But it did occur.

The message for him and the message for others is you cannot hide from the forces of freedom and democracy. This was a moment when the forces of freedom and democracy triumphed over the forces of repression. This was a moment when the symbol of one view of the future was eliminated with the kind of violence he himself had perpetrated on so many others.

The President made a great decision to send this team of the best of the best into this compound to find Osama bin Laden, to know for sure face to face that he was either going to be captured by Americans or, in this case, killed by Americans, to be able to take the hard drive, the documents. The information he had surrounding him will tell us a lot about his contacts, and who knows what it might tell us about the network of al-Qaida. The President could have made a decision to bomb the compound. I guess we would be sifting through the ashes today to see if Osama bin Laden was there. We might have been able to confirm that, but we would not have been able to confirm all the information the SEAL team was able to take with them. These are two important decisions made by the President. I think the decision to bury Osama bin Laden in an unknown spot but with the kind of respect his own religion required was also another good decision. I want to be supportive of the President and the decisions made.

There are times when a Predator missile is the right thing to use and times when it is not. One of the things we see from the death of bin Laden is that there is value to capturing our enemies and getting information from them. That thread of information that began maybe as long as 9 years ago finally was able to unravel in a way that made the connection that needed to be made so that Osama bin Laden could be found, so that justice could be done, so

that the price would be paid by him, as it has been paid by so many others in defense of freedom.

Certainly, there are questions today about Pakistan, but there is no question that Pakistanis have died fighting alongside Americans in the last decade. There is no question that Pakistanis have been the victim of terrorism. Hopefully, this will be a moment that brings all of those who should want freedom to the same side.

I just returned from a quick visit to Egypt, which could very well be on the right path in the Middle East, a path where, without violence, people stand and want more freedom, they want democracy. That is not the goal of the extremists of Islam, for whom Osama bin Laden became the great symbol.

We do not believe Osama bin Laden has been in operational control of al-Qaida for some time. It would be wonderful if we find out in the next few days that he was and the terror of al-Qaida would be eliminated. I do not think we will find that out. But we do know he was a symbol in a way that is unique, in the way he symbolizes this wrong view of the future, the way he symbolizes the wrong view of the requirement that everybody living together be exactly the same. We, unlike any other country in the world, defy that view of the future. We have proven like no other country has ever proven that people can live together in great diversity, that people can live together with different points of view, and we can live in a society that still flourishes. Of course, we are the enemy of a world view that that is not possible. It is not because of anything we have done to the extremists in the world community; it is because of who we are.

Yesterday, the message of who we are was registered again in a powerful way as we all over this country and people all over the world talked about what happened the evening before, certainly not only the SEALs who went into the compound to see that justice was done but also all of those who are willing to serve, those who could have been among the elite who went in or all those who have served, the over 4,000 Americans, including many Missourians, whose lives have been lost in the last decade, in addition to the 3,000 lives that were brutally taken by the operatives of al-Qaida and Osama bin Laden on September 11, 2001.

This resolution that recognizes the courage to bring justice, that recognizes the evil that was done by Osama bin Laden and his followers, that recognizes the importance of freedom and democracy in a society is a resolution I am proud to support. I am proud of what the men and women did for us in executing this well-planned mission, but also of everybody who serves every day, for all the families who have a missing place in their hearts, for some-

one whose life was lost serving this country, for all the families who live with someone with a disability because of the kind of war we are in now.

I am pleased to stand here representing my State but hopefully representing, as all of us do, the forces of freedom and democracy that will ultimately triumph over the forces of repression and murder and chaos that one-world view would try to perpetuate. We recognize today another step against that view of the world.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant Daily Digest editor proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, those watching around the world may not be able to see on their screens the scene in the Senate today. We have all come to the floor in a way we rarely do. We have come this afternoon to express with one voice our endless respect and admiration for the men and women of our military and our intelligence organizations.

"Resolution" is an appropriate name for this legislation that is now before this body. It honors the resolution to a problem that has lingered for nearly a decade, one whose weight has grown heavier each day on the shoulders of the families whose lives were traumatized and the many more bin Laden terrorized. It honors the resolve with which our bravest stared down danger.

The world is still absorbing America's astounding accomplishment—the mission to bring Osama bin Laden to justice, one that began more than 9½ years ago and was accomplished just a little more than a day and a half ago. Mr. President, 9½ years after the worst morning in our memory, we woke up yesterday morning to a world without Osama bin Laden and with a palpable sense of justice.

Our military and intelligence operatives are the best in the world at what they do. As they set out to kill or capture our most valuable target, they captivated us with their skill and expertise, their patriotism, and their professionalism.

A flood of thoughts and emotions and analyses have been shared over the past 36 hours by many. As I said from this desk yesterday, the end of his life is not the end of this fight. It is a victory, but it is not "the victory."

A lot has already been said about what bin Laden's death means. So before we vote on this resolution, let me speak briefly about the American men and women who carried out this critical successful mission—a mission that was historically significant and tactically stunning.

Osama bin Laden was the most wanted and most hunted man in the entire world. His was the face of our enemy and the face of evil. There were few faces more recognizable to the American people and to the citizens of the world. Those who carried out the orders of the Commander in Chief this weekend could not be more different. The world doesn't know their names. We wouldn't recognize them if we passed them on the street today. That is exactly how they would want it.

This is the newest proud page in a long story of the American hero—the unknown soldiers, the unsung saviors who sacrifice for our country's flag and our country's freedom. They do not ask for recognition, and they do not ask questions. They just answer the Nation when it calls.

Today the Senate stands in awe of the countless men and women who have toiled in obscurity, in the field and in every corner of the world; professionals who gather one small shred of evidence here and another clue there and pursue another lead somewhere else; the men and women who, over the course of 10 long years, pieced together the most meaningful of puzzles so that a few dozen of their fellow heroes could execute an operation the world will never forget.

These heroes confronted fear with brilliance and bravery. They met the worst of humanity with the best of America. The terrorists who carried out the 9/11 attacks did so with cowardice. The Americans who carried out this mission did so with unflinching courage.

No one has asked how these men and women vote or what their politics are. So we have come to the floor today to vote together on this resolution not as two parties, not even as 100 Senators, but as one body representing one grateful country.

Mr. President, on this resolution, Senator MCCONNELL and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The question is on agreeing to the resolution.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Illinois (Mr. KIRK) and the Senator from Nevada (Mr. ENSIGN).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 63 Leg.]

YEAS—97

Alexander	Gillibrand	Murkowski
Ayotte	Graham	Murray
Barrasso	Grassley	Nelson (NE)
Baucus	Hagan	Nelson (FL)
Begich	Harkin	Paul
Bennet	Hatch	Portman
Bingaman	Hoeben	Pryor
Blumenthal	Hutchison	Reed
Blunt	Inhofe	Reid
Boozman	Inouye	Risch
Boxer	Isakson	Roberts
Brown (MA)	Johanns	Rockefeller
Brown (OH)	Johnson (SD)	Rubio
Burr	Johnson (WI)	Sanders
Cantwell	Kerry	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coats	Lautenberg	Stabenow
Coburn	Leahy	Tester
Cochran	Lee	Thune
Collins	Levin	Toomey
Conrad	Lieberman	Udall (CO)
Cooms	Lugar	Udall (NM)
Corker	Manchin	Vitter
Cornyn	McCain	Warner
Crapo	McCaskill	Webb
DeMint	McConnell	Whitehouse
Durbin	Menendez	Wicker
Enzi	Merkley	Wyden
Feinstein	Mikulski	
Franken	Moran	

NOT VOTING—3

Akaka Ensign Kirk

The resolution (S. Res. 159) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 159

Whereas, on May 1, 2011, United States personnel killed terrorist leader Osama bin Laden during the course of a targeted strike against his secret compound in Abbottabad, Pakistan;

Whereas Osama bin Laden was the leader of the al Qaeda terrorist organization, the most significant terrorism threat to the United States and the international community;

Whereas Osama bin Laden was the architect of terrorist attacks which killed nearly 3,000 civilians on September 11, 2001, the most deadly terrorist attack against our Nation, in which al Qaeda terrorists hijacked four airplanes and crashed them into the World Trade Center in New York City, the Pentagon in Washington, D.C., and, due to heroic efforts by civilian passengers to disrupt the terrorists, near Shanksville, Pennsylvania;

Whereas Osama bin Laden planned or supported numerous other deadly terrorist attacks against the United States and its allies, including the 1998 bombings of United States embassies in Kenya and Tanzania and the 2000 attack on the U.S.S. Cole in Yemen, and against innocent civilians in countries around the world, including the 2004 attack on commuter trains in Madrid, Spain and the 2005 bombings of the mass transit system in London, England;

Whereas, following the September 11, 2001, terrorist attacks, the United States, under President George W. Bush, led an international coalition into Afghanistan to dismantle al Qaeda, deny them a safe haven in Afghanistan and ungoverned areas along the Pakistani border, and bring Osama bin Laden to justice;

Whereas President Barack Obama in 2009 committed additional forces and resources to efforts in Afghanistan and Pakistan as “the

central front in our enduring struggle against terrorism and extremism”;

Whereas the valiant members of the United States Armed Forces have courageously and vigorously pursued al Qaeda and its affiliates in Afghanistan and around the world;

Whereas the anonymous, unsung heroes of the intelligence community have pursued al Qaeda and affiliates in Afghanistan, Pakistan, and around the world with tremendous dedication, sacrifice, and professionalism;

Whereas the close collaboration between the Armed Forces and the intelligence community prompted the Director of National Intelligence, General James Clapper, to state, “Never have I seen a more remarkable example of focused integration, seamless collaboration, and sheer professional magnificence as was demonstrated by the Intelligence Community in the ultimate demise of Osama bin Laden.”;

Whereas, while the death of Osama bin Laden represents a significant blow to the al Qaeda organization and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to United States national security; and

Whereas President Obama said, “For over two decades, bin Laden has been al Qaeda's leader and symbol, and has continued to plot attacks against our country and our friends and allies. The death of bin Laden marks the most significant achievement to date in our Nation's effort to defeat al Qaeda.”: Now, therefore, be it

Resolved, That the Senate—

(1) declares that the death of Osama bin Laden represents a measure of justice and relief for the families and friends of the nearly 3,000 men and women who lost their lives on September 11, 2001, the men and women in the United States and around the world who have been killed by other al Qaeda-sponsored attacks, the men and women of the United States Armed Forces and the intelligence community who have sacrificed their lives pursuing Osama bin Laden and al Qaeda;

(2) commends the men and women of the United States Armed Forces and the United States intelligence community for the tremendous commitment, perseverance, professionalism, and sacrifice they displayed in bringing Osama bin Laden to justice;

(3) commends the men and women of the United States Armed Forces and the United States intelligence community for committing themselves to defeating, disrupting, and dismantling al Qaeda;

(4) commends the President for ordering the successful operations to locate and eliminate Osama bin Laden; and

(5) reaffirms its commitment to disrupting, dismantling, and defeating al Qaeda and affiliated organizations around the world that threaten United States national security, eliminating a safe haven for terrorists in Afghanistan and Pakistan, and bringing terrorists to justice.

The PRESIDING OFFICER. Under the previous order, the preamble is agreed to and the motions to reconsider are considered made and laid upon the table.

MORNING BUSINESS

The PRESIDING OFFICER. The Senate will proceed to a period of morning business, with Senators permitted to speak for up to 10 minutes each.

The Senator from Illinois.

Mr. DURBIN. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NOMINATION OF JOHN J. MCCONNELL

Mr. REED. Madam President, I rise today in support of the nomination of John "Jack" McConnell to serve as a district court judge in the State of Rhode Island. We have heard and we will hear a number of very strong statements about this nomination. I would argue very vociferously that many assertions that have been made are inaccurate at best and they are not shared by the legal and business community in Rhode Island. In fact, Jack McConnell is supported publicly and enthusiastically by the two former Republican attorneys general of Rhode Island, Arlene Violet and Jeffrey Pine. He is not opposed by the Greater Providence Chamber of Commerce, which knows him and has worked with him. He is supported by our legal community and our business community. He has received the strong endorsement of our leading newspaper, the Providence Journal, which has a record of moderation, indeed if not conservatism, in terms of their judgments about judicial candidates and some issues, but certainly moderation.

Later, Senator WHITEHOUSE and I will respond specifically about the assertions and concerns, but I think it is time at this juncture to make a few brief points about where we are at this Senate. We are at a point where we might be crossing a bridge from which we cannot return; that, unlike our previous history, district judges will be subject routinely to cloture motions because one faction or another decides, not on the merits but procedurally, they should not go forward.

Let me make a few points. Senator WHITEHOUSE and I recommended Mr. McConnell to the President after publicly seeking applicants, talking to attorneys throughout our State, interviewing almost every single applicant. We took this decision seriously, as you would expect. We know it is a reflection both upon ourselves and upon our State. From this pool of applicants we selected Mr. McConnell because we found him to be among the best attorneys of the State, a pillar of our community, one of the most generous philanthropists in our State—and in most cases anonymously—and in many cases not simply writing a check but standing in a soup line early in the morning handing out food to people who need it, without acclaim, without fanfare. This

is the character of the individual, and character, I think, ultimately is the test of a judge. He has a true desire to serve this country.

Indeed, Mr. McConnell has practiced law for decades. He has never been subject to an ethics claim, a malpractice claim, a rule 11 motion, and most importantly he has never had a motion for sanctions filed against him concerning his conduct in any litigation in which he has been involved. He has a spotless record.

Moreover, we selected Mr. McConnell because we knew, based upon all of his personal background, his sworn testimony, that he will follow the precedents of the law and of the First Circuit Court of Appeals and of the United States Supreme Court. This is not something we take lightly and it is not something Mr. McConnell takes lightly. We know and he knows that when you step upon the bench you assume huge responsibilities. You have to not only appear to be impartial, you have to in every word and deed go the extra mile to demonstrate that impartiality, that you are not favoring anyone. He is prepared to do that. In fact, I think that is part and parcel of the nature of this gentleman.

Now, we have to stop here and ask ourselves collectively, do we want to go ahead and take this step of cloture for district court nominees? Do we really want to add another front in the battle of partisan political "gotcha"? Do they really want to cast aside, for example, the blue slip process which allows Senators from a home State, particularly with a district judge, to say yea or nay? It is a process that has been in the Senate, in the informal culture of the Senate for years and years. Do they want to deny a nominee who has been reported out of committee on a bipartisan vote three times, not once, an up-or-down vote? I heard and I have heard for years—particularly under President Bush—many people coming to this floor and claiming everyone who is nominated and comes out of committee deserves an up-or-down vote, particularly a district court nominee, especially a district court nominee. So this is where we are poised—to reject all of them, to enter a new dimension of controversy and conflict in the Senate.

We have a long history in the Senate of precedents and tradition when it comes to nominations, particularly district court nominations. In my State, my predecessors, men such as John Chafee and Claiborne Pell and Lincoln Chafee and John Pastore, clearly adhered to those standards. And we have a record—a strong record of judges in our State, and they have come from different backgrounds. They have come from the practice of corporate law. They have come from being a former Federal attorney. They have come from being a significant and prin-

cipal attorney for a major insurance company. They have come from a vast array of legal backgrounds and professions. One thing they have had in common, and which is shared by Jack McConnell, is integrity and commitment to the law. And that we insist upon.

We have long recognized that these district judges serve a critical role, and I think we all recognize, too, here as Senators that this is a special role of the home State Senator. We understand that at the circuit level, when judges have to consider issues of constitutionality, where major policies issues could be resolved—in fact, finally resolved, at least for that circuit—we understand there is another added dimension. But with district courts, we have traditionally recognized the judgment of not only the local Senators but the judgment of the local legal community. And once again, here, both the legal community in Rhode Island and, I cannot emphasize enough, two former Republican Attorneys General, who know him well, who have observed him closely, have come forward of their own volition and enthusiastically supported his candidacy. They know him as a lawyer. They know him as a man of integrity and honor and decency.

There are a number of my colleagues on the other side who recognize this, and they have been very forthright in making the point about the precipice that we are on and how that is not a precedent we want to establish. I thank them for that. I thank them for their consideration. They have literally adhered to consistently—not just in the past but now—the notion that when a judge is given a qualified approval by the ABA, when a nominee goes through the committee, comes to this floor at the district level, that is when a vote should take place. And how you vote on final passage is a function of many things—your judicial philosophy versus their judicial philosophy, your view of the judgment they have and the responsibility a district judge has.

Now, I think we have again been engaged in difficult debates, and they have been particularly difficult when it has come to the circuit court. I do think we recognize collectively that because of the nature of the circuit court, there is a difference. This is the gateway, and many times, the cases never go beyond the circuit court. Constitutional law, principles that apply to whole circuits are affirmed by these panels of judges, and there is a different standard. But we have never really applied that standard to the district court. We have relied—all my colleagues have—on the ability of home State Senators, together with their local lawyers, together with their local communities, to make recommendations to serve on the district court.

Let me point out how extraordinarily unusual the vote tomorrow will be.

From our reference, talking to the Congressional Research Service and the Senate Library, as far as we can consider, there have been only three cloture votes on Senate nominees for district courts in the history of the Senate—three times. Tomorrow will be the fourth. Oh, by the way, all three of those individuals ultimately received confirmation. It appears from our reconstruction that they were caught up in a procedural discussion of who should go first; this person should not go first until others had been considered. All three, after the procedural votes on cloture, were confirmed.

But it is quite clear that at least on the part of some, this cloture vote tomorrow is designed to stop and end the confirmation of Mr. McConnell. That would be a first as far as we know in our reconstruction of the history of the Senate.

So we are facing this question, the question of whether we want to establish this precedent, whether we want to disregard the record of this individual, who is a man of integrity and honor, who is strongly supported by our local business community, who is strongly supported by Republican officeholders as well as Democratic officeholders, who has gained the trust and the respect of those who know him best, and who will serve with distinction and integrity on the District Court for the District of Rhode Island.

That is the big issue we face tomorrow. Later, we will come down and we will respond to those issues of specific detail. But I can recall not too long ago when there was a group of Republicans and Democrats who came together and decided that these types of decisions should not be subject to procedural defeats, but they should be based on the merits. That was the Gang of 14's work on trying to pull together a consensus on judges. I also know that both Senator REID and Senator McConnell are working with a group of people on a bipartisan understanding regarding executive nominations—not judicial nominations but executive nominations. These are very hopeful and positive signs. I hope we can build on that process and not tomorrow take a step which I think historically is atypical, unique, in fact, a step in the very wrong direction.

We will come back again, and we will talk about the specifics of Mr. McConnell's nomination and these assertions. But all of these allegations cast, again, not only a cloud upon Mr. McConnell but on the ABA process which looks very carefully at a candidate in terms of their judicial skill but also their character, their integrity, their ability to serve, and the process here in the Senate through the committee process.

So I would hope that we can favorably consider—in fact, I would hope, as is typical, that we would move quickly to a final passage vote, as we do with 99 out of 100 district court nominees.

But this is a serious issue. I fear we are on the precipice of taking a step that will come back repeatedly to haunt us and undercut a custom and a tradition and a sense of this Senate which is necessary to maintain, not to abandon.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, I know I am in Senator LANDRIEU's time. I appreciate my friend's willingness to allow me just a moment to associate myself with the eloquent and thoughtful remarks of my senior Senator and to urge all of my colleagues, before we steer this body off the precipice to which he referred, to give his words their very careful and objective consideration.

I thank the distinguished Senator from Louisiana.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana.

SBIR/STTR

Ms. LANDRIEU. Madam President, I would like to speak for the next few minutes as in morning business about the subject that has been before the Senate now for 5 weeks. In some ways, it is unprecedented that a bill of only 100 pages would actually take up 5 weeks of the Senate's time. And you know as a member of the Small Business Committee, Madam President, how important, although only 100 pages and although only in the law since 1982, this program is not just to the Federal Government but to the taxpayers who are relying on this to spend their money wisely on their behalf, and they are looking to us to promote and extend the life of programs that actually work and return a great investment to them, particularly in these challenging budget times and economic times.

This program, which was created by Senator Warren Rudman for the specific purpose of stimulating technological innovation, encouraging greater utilization of small businesses to meet Federal research and development needs, and to increase private sector commercialization of innovations derived from Federal research and development, is a law that we must find a way to reauthorize. We are well overdue. We have now passed the authorization point by 3 years.

We have been unable to reauthorize this important program. It looks as if we may be stuck again although the major arguments about this bill have been resolved. We are actually not arguing over the nuts and bolts of this bill. Is that not sad, that all of the arguments about what percentage venture capitalists should get, by what amount we should increase the allocation—we have worked through all of

those because we have worked in good faith. We have compromised, Democrats and Republicans.

The bill passed out of our committee I believe 18 to 1. Authoring this piece of legislation is myself, the chairperson, Senator SNOWE, a strong supporter of the underlying bill—let me get the other cosponsors. Senator LEVIN is a cosponsor. Senator BROWN of Massachusetts is a cosponsor. Senator KERRY, the former chair, is a cosponsor. The Presiding Officer is an original cosponsor. I thank you. The new Senator, your junior Senator from New Hampshire, is an original cosponsor. Senator CARDIN. Senator PRYOR. So we have a good number of Republican and Democratic Senators.

This is the bill. It is 100 pages. The sad thing is that in 5 weeks, we have had over 150 amendments filed on this bill. Very few of them have anything to do with this bill. That is more amendments than there are pages of the original bill. And you can understand why the majority leader, Senator REID, cannot allow a vote on all 150 amendments. We might be here for another year, which is not fair to the Senate, it is not fair to Congress. There are other important issues we have to get to. So we are trying to compromise. Senator REID has been extremely patient trying to work with Republicans and Democrats. And I think the last offer that was being considered would have made both sides even—with 12 amendments, an equal amount, for both sides, most of which have nothing to do with this bill but that we will accept votes on.

Actually, one big amendment, significant amendment that had nothing to do with this bill has already been voted on, agreed to, detached from this bill, and sent to the President, and he has already signed it. And we are still on this bill. That was the repeal of 1099, which was almost unanimously supported to repeal a very onerous provision of paperwork and regulation that was not proper to put on the backs of small businesses. And I am proud that I led, with others, the effort to repeal that. That has been done. Yet we find ourselves still not in complete agreement that it is time to move on.

I just wish to say a few more things. No. 1, every State will benefit when this program is reauthorized. Most important, taxpayers will see significant results. Let me just tell you one that is quite startling but true and I want it to be in the RECORD.

One company that participated in this program and received a small grant many years ago and then received another grant to help them get started, Qualcomm, is now one of the most successful businesses in the world. That one company pays more taxes to the Federal Government every year than the entire budget of the Small Business Administration. Let me repeat: One company, started in large

measure—not solely, but they testified on the record in large measure—because of this program, was created. It grew and grew and grew and now pays more in taxes annually to the Federal Government than the entire budget of the SBA.

You would ask yourself: So what is the problem? Why can't we get this bill passed? I can only say we have Members who think they need to have votes or discussion on 187 amendments that have nothing to do with this bill, and they think the majority leader is being unreasonable when he tries to bring this to an end.

As chair of this committee, I have to say again—and I am going to end with this—this recession we are in will never end—never end—and the budget deficit that is crushing the economic potential of this Nation will never be eliminated if we do not create jobs in America.

This program is a job-creating machine that is being shut down by this inability of us to come to terms over this debate. It is a shame because everyone is counting on us—not just my committee, but the Small Business Committee is one of the important committees here—to put this recession in the rearview mirror. I cannot do it if I cannot pass legislation.

If we want jobs, if we want innovation, if we want to create the kind of jobs the SBIR Program—you can see here: SBIR-awarded firms add five times as many employees. These are kind of our supercompanies. These are companies, the smartest. They are on the edge. They are the best. They have gotten the attention of many smart people in the government. Yes, we do have smart people who work for the Federal Government. These companies and their technology have become known, and they say: Gee, this is the kind of technology that could change this situation, save taxpayer money, and it has such commercial application. Let's give it an award. We might not be able to give it an award because we are stuck talking about 150 amendments that have nothing to do with this program, and the extension to operate this program expires on May 31st.

I am sorry I cannot solve all the problems of the world in the Small Business Committee. I am very sorry. I cannot solve all the health care problems. I cannot resolve the debt situations. I cannot talk about sunset commissions and the Gang of 6 and put every piece of legislation in this bill. We have to stay focused. We have been moving some very good legislation out of this committee, completely with bipartisan support, with a few little bumps here and there.

The small business lending program was not supported by the Republicans. We only had two Senators who crossed the aisle to give us the 60 votes to do it. I understand it is controversial. Not

everything here is done in such perfect precision, but we still have high hopes for that program. Six hundred banks have applied. We believe billions of dollars will be lent out and that debate is still going on as the administrators come up. But other than that, everything we have passed in our committee has been with bipartisan support. The same with this bill: It comes out 18 to 1.

I will finally say for the record—and will submit this letter for the RECORD—I was asked by Senator COBURN, who has been cooperative actually—although he has had quite a few amendments, he has been very open to negotiation—but he sent me a letter on January 26, and it basically says: I would like to help you pass your SBIR bill, but would you please get it out of your committee clean because I do not want other extraneous things attached to it because there are “less-er” programs—he said—that I do not support. But I support this one.

He is not a member of the committee. He said: Senator, if you can get it out clean, then maybe I can support it on the floor.

So what do I do? I tell all my Members: I am sorry. You cannot have the amendments in committee. I am sorry. We cannot attach anything to this bill because I am trying to move a clean bill to the floor—only to get to the floor and have more than 150 amendments, most of which have nothing to do with this bill put on this bill under the guise of: Well, we have to do it. We need time on the floor to debate our issue.

Madam President, I ask unanimous consent that the letter I referenced from Senator COBURN be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
RUSSELL SENATE OFFICE BUILDING,
Washington, DC, January 26, 2011.

HON. MARY LANDRIEU,
Small Business Committee Chairman, U.S. Senate, Washington, DC.

DEAR SENATOR LANDRIEU: I wanted to thank you for your letter regarding passage of the SBIR/STTR reauthorization bill and oversight of the Small Business Administration (SBA). I appreciate your commitment to review and eliminate fraud within programs such as 8(a) and HUBZone, to streamline federal regulations and their burden on small businesses, and to eliminate wasteful and duplicative SBA programs that increase our debt and limit expenditures to more worthy SBA programs.

Thank you also for your letters, co-signed by Senator Olympia Snow, Ranking Member of the Committee, to SBA Administrator Karen Mills and SBA Inspector General Peggy Gustafson regarding possible terminations of wasteful and duplicative SBA programs. I applaud your oversight and look forward to working with you and Senator Snow to eliminate waste, fraud and duplication within SBA and to help small businesses excel.

I believe that should there be another broad extension of SBA programs such as H.R. 366 in four months, any programs that are not fulfilling their purpose, fail to consistently encourage sustainable private growth, or have significant overhead costs should be eliminated. I do not believe long-standing and popular SBA programs like SBIR/STTR should be lumped with lesser SBA programs. It is my hope that we can come to an agreement before another temporary extension bill is considered on what programs at SBA should be terminated.

Again, thank you for your oversight and for your consideration of my concerns. I look forward to working with you this Congress.

Sincerely,
TOM A. COBURN, M.D.,
U.S. Senator.

Ms. LANDRIEU. I have tried to be patient. I understand that. But I am asking one last time—I am asking my ranking member, I am asking the other members of my committee, I am asking my Democratic colleagues and Republican colleagues—please, in the next few hours, please, let your voice be heard to your leaders—the minority leader and the majority leader—and please try to come to some reasonable agreement.

I think the cloture motion is quite reasonable, the cloture motion Senator REID has put down. If we could agree to that, get 60 votes or more, we could move on and pass this reauthorization, which is so important for job creation in America.

We are 3 years behind schedule—not 6 months, not 8 months, but 3 years behind schedule. We have been operating this program—a very good program, one of the best—every 3 months, sometimes one month, sometimes a bit longer, but people have to guess whether we are going to extend it. That is no way to run an airline or a train or a bus or even a two-seated car, for that matter. You have to have a long runway here to get good things done and to stop wasting taxpayer money and their time.

So I am going to ask, please, let's try to get cloture.

Finally, the States that are most affected—the Senators who represent these States might want to be heads up—but Colorado, Maryland, Virginia, California, Ohio, Pennsylvania, New York, Florida, Texas and Alabama are among the States that benefit the most from this program. All our States benefit. Companies in my own State of Louisiana have received some of these awards and have gone on to hire hundreds, if not thousands, of people. But these other States have managed to actually get themselves to the front of the line.

I thank Senator BROWN for his co-sponsorship of this bill. I thank other Senators from these States. But the Texas and Florida and Alabama Senators, the New York Senators, the Senators from Ohio and Pennsylvania, particularly, Massachusetts and California—the top of the list—have a lot

to lose if we cannot get this program reauthorized.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SHELBY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SHELBY. Madam President, I ask unanimous consent to proceed in morning business for 8 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

TORNADO SYSTEM DISASTER IN ALABAMA

Mr. SHELBY. Madam President, I rise to thank my colleagues in the Senate and countless others across the country for their outpouring of support and offers of assistance to my State of Alabama in this time of need.

On April 27—this last week—an unprecedented tornado system struck the State of Alabama, claiming hundreds of lives and destroying thousands of homes and businesses. At last count, 236 people in Alabama alone were dead, with thousands more injured and a lot missing. It will take many years and potentially billions of dollars for my State to fully recover from this catastrophic disaster.

We have received calls from my fellow Senators, many of whom recently experienced destruction in their own States due to floods and deadly storms, with offers of help. To those who have reached out, I wish to offer my sincere gratitude on behalf of the people of Alabama. I also wish to thank President Obama and FEMA Administrator Craig Fugate for their swift response and commitment to restoring our State.

Their words of encouragement to disaster victims during their visit to Alabama helped ease the grief burdening local families, and their work with Gov. Robert Bentley and Alabama Emergency Management Agency Director Art Faulkner has provided vital assistance during these difficult times. This continued level of Federal coordination is critical to ensuring that Alabama gets back on its feet as quickly as possible.

I have never in my life seen such devastation to the extent I saw during my visit to my home State of Alabama recently. Giant oaks lie flattened and splintered. Homes throughout the State were demolished, leaving thousands homeless and reliant on the Red Cross, the Salvation Army, and others for shelter. At one point last week, over 1 million Alabama residents were

without power—almost one-quarter of the State's population. It was gut-wrenching to walk through scattered rubble and realize it was once the site of someone's home or someone's business. The scale and the magnitude of destruction can only be described as hell on Earth.

In our State, while larger cities such as Birmingham and Tuscaloosa—my hometown—suffered extensive damage, so did other rural areas. Communities such as Pratt City, Pleasant Grove, Concord, Rainsville, Hackleburg, Cullman, and many others also incurred the wrath of the storm system and are now trying to assess the extent of their damage.

In DeKalb, Marion and Franklin Counties alone, we have seen nearly 100 deaths. Virtually every part of the State was touched by storms, and all of us were affected. The pain and loss that families are experiencing are still fresh. Many remain in shock.

However, we must also recognize that Alabama was not the lone victim of the storm. As we continue our cleanup and recovery efforts, so do the people of Tennessee, Mississippi, Georgia, Virginia, Louisiana, and Kentucky. Our thoughts and prayers are with all of the affected States. We stand willing and able to assist you, as you have offered similar support to us.

I want to reassure the people of Alabama and all the affected States that we will do everything we can on the Federal level to restore life as it was before. My staff and I are working with the State, FEMA, and the other Federal agencies to ensure as quick and efficient a recovery as possible.

Thousands of Alabamians have opened their homes, donated supplies, made contributions, and rushed to help in any way they could. After witnessing the selfless generosity of complete strangers and the sheer resilience of those affected by the storms, I have never been more proud to call Alabama my home.

It will take a lot of work and help from volunteers, but I am convinced that, together, we can overcome this terrible tragedy.

Madam President, I yield the floor.

CONFIRMATION OF KEVIN HUNTER SHARP AND SKIP DALTON

Mr. NELSON of Florida. Madam President, yesterday the Senate confirmed the nominations of Kevin Hunter Sharp to fill a judicial emergency vacancy on the U.S. District Court for the Middle District of Tennessee and Roy "Skip" Dalton to fill a judicial emergency vacancy on the U.S. District Court for the Middle District of Florida. Though I was necessarily absent from the vote, if present and voting I would have voted "yea." I fully support the nomination of Mr. Sharp to fill a vacancy in Tennessee, and I am

pleased that Mr. Dalton was confirmed by unanimous consent.

Roy Dalton, nominee for the Middle District of Florida, is currently a partner at Dalton & Carpenter. Mr. Dalton previously worked as a counsel to my friend, Senator Mel Martinez of Florida, and had a long career in private practice in Orlando, FL. I have known Mr. Dalton for many years, and I am pleased that the Senate has acted on his nomination.

Madam President, the high level of judicial vacancies puts at serious risk the ability of all Americans to have a fair hearing in court. I congratulate Senator LEAHY and Senator GRASSLEY on their leadership and hope that we can all continue to work together to address the backlog of judicial nominations.

VOTE EXPLANATION

Mr. UDALL of Colorado. Madam President, I was unable to return to Washington, DC, and was therefore unable to cast a vote for rollcall vote No. 62, the nomination of Kevin Hunter Sharp, of Tennessee, to be U.S. District Judge for the Middle District of Tennessee. Had I been present, I would have voted yea to confirm the nominee.

HONORING OUR ARMED FORCES

STAFF SERGEANT JAMES A. JUSTICE

Mr. GRASSLEY. Madam President, it is with a solemn heart that I must honor the life and service of a soldier from my home State today, SSG James A. Justice of Grimes, IA. He was killed by enemy small arms fire in Kapisa Province, Afghanistan, at the age of 32. Staff Sergeant Justice died trying to rescue the crew of a downed helicopter that made a hard landing in Alah Say District, Kapisa Province, Afghanistan.

Staff Sergeant Justice has served in the U.S. Armed Forces since September of 1998. He was assigned to Troop A, 1st Squadron, 113th Cavalry, Camp Dodge, Johnston, IA. He was deployed to Kuwait as part of Operation Desert Spring in 2001, the Multinational Force Observer peacekeeping mission in the Sinai Peninsula, Egypt in 2003-2004, and Operation Iraqi Freedom in 2005-2006. He volunteered to deploy to Afghanistan in November of 2010. In Afghanistan, he was one of approximately 2,800 members of the 2nd Brigade Combat Team, 34th Infantry Division.

Staff Sergeant Justice is survived by his wife Amanda Jo and daughter Caydence Lillian; his father and mother Larry and Lillian Justice; a brother and two sisters; as well as many other family and friends.

Sergeant Justice's family remembers him as a caring individual who was proud of the work he was doing for his country. He wanted nothing more than to serve side by side with his brothers and sisters in arms. His fellow soldiers

remember him as a charismatic, natural leader and an integral part of his unit's community. The loss of Sergeant Justice is one that will be felt not only by his family and loved ones but by the entire Iowa Army National Guard and all those that were privileged enough to have known him.

My thoughts and prayers are with the Justice family in this incredibly trying time. While words cannot express the debt that we as a Nation owe to Sergeant Justice and his family, I would like to take this time to remember the sacrifice that he made so that we can enjoy the freedoms that this Nation provides.

TRIBUTE TO JOE RICHARDSON

Mr. HARKIN. Madam President, when most people think of how our government works, they tend to think of the elected officials, the President, Senators, House Members, and of the institutions in which they serve. However, in order for elected officials to fulfill their constitutional duties, Members of Congress rely on many individuals and institutions whose work is vital to the basic functions of government. These are individuals who often work in relative obscurity, but whose contributions are often no less important than those of the more visible actors and institutions who stand before the public.

I rise today to recognize one such individual who, over his decades-long career of service at the Congressional Research Service, the nonpartisan research branch of the U.S. Congress, has had provided a profound and lasting contribution to the U.S. Congress. That individual, Joe Richardson, the food and nutrition policy analyst of CRS, will soon be leaving CRS and I, for one, feel that it is not only important, but vital, for Joe to be recognized for his decades of public service to the U.S. Congress and to the American public.

As a long-time member of the Agriculture Committee, on which I served as both the chair and ranking Democrat on several occasions, my staff and I relied heavily on Joe Richardson on numerous occasions. He provided technical assistance and professional judgment in the formulation of the nutrition title of the 2002 and 2007 farm bills, and also played a key role in the committee's successful enactment of the 2004 and 2010 child nutrition reauthorization. In each of these cases, Joe went above and beyond the call of duty—in many cases enduring, like the rest of us, long, late night conference committee meetings that would carry on for weeks, even months. As a result of his efforts, I can say with confidence that, absent Joe's efforts, the legislation that we produced would not have been nearly as sound. More importantly, because of Joe's help, each of

these pieces of legislation succeeded in its core mission—helping to ensure that millions of Americans are able to obtain a sufficient and nutritious diet.

Each of us, in one way or another, takes for granted the work of others as we do our own jobs. This is not because their efforts are not noticeable, but rather, because the efforts are so consistent and steadfast, carried out with humility and without any expectation of praise or recognition. This is exactly how Joe has carried out his duties over the years. But I would be remiss in not taking the opportunity to stand up and thank Joe for his truly remarkable service to the Congressional Research Service, to Congress, and to the country. I have no doubt, after such long service, that moving on to new opportunities and challenges is not without its bittersweet moments for Joe. But I know that Joe can move on to these challenges secure in his knowledge that he has discharged his duties with the utmost professionalism and competence. He has been a pillar of the food and nutrition assistance policy community for years. For his service, I am grateful.

Mr. COCHRAN. Madam President, I am pleased to recognize and commend Joe Richardson for his dedicated service as a Specialist in Social Policy at the Congressional Research Service.

The Congressional Research Service, CRS, was formed in 1914 as a Federal agency within the legislative branch to provide Congress with a nonpartisan source of information. For nearly a century, CRS has supplied valuable policy analysis to committees and Members of both the House and Senate, and it continues to play a vital role in all stages of the legislative process.

Joe Richardson has been with CRS for nearly 40 years and has proven himself to be an expert agricultural policy analyst, particularly with regard to our domestic food assistance programs. These programs address many needs of America's poor, youth, and elderly, and continue to be very important in assisting our rural and underserved communities. Joe's contributions throughout his tenure have been invaluable in this effort, and his insightful input will undoubtedly be missed.

As a member and former chairman of the Senate Agriculture Committee, I have greatly benefitted from Joe's knowledge and experience. His expertise has helped the committee formulate and pass a number of important pieces of legislation, such as the past several farm bills which authorize a wide range of agricultural and food assistance programs. His timely reports and analyses have allowed Congress to better monitor, update, and improve nutrition programs as economic conditions change and the need for efficiency greatens.

We are forever grateful for Joe's service and commitment to agriculture

policy and the U.S. Congress, and I wish him the very best in his future endeavors.

Mr. LUGAR. Madam President, from 1987 until 2002, I served as either the chairman or ranking minority member of the Senate Committee on Agriculture, Nutrition and Forestry. The jurisdiction of the committee is quite broad. One important portion of that jurisdiction is food and nutrition programs.

During my years of service on the Agriculture Committee, the committee has considered several significant changes in the food and nutrition programs. However, one constant presence throughout all those changes was Joe Richardson of the Congressional Research Service. Now, after 40 years at the Congressional Research Service, Joe has decided to retire.

Joe's thorough knowledge of the history and programmatic details of nutrition programs was vitally important in those deliberations. Moreover, his cogent, thoughtful, and nonpartisan analysis was respected on, and sought after by, both sides of the aisle, both chambers of Congress, and within the administrations of both parties. During deliberations on important legislation, Joe's willingness to be available to committee staff on evenings, weekends and holidays was much appreciated.

I am pleased to join my colleagues in thanking Joe Richardson for his 40 years of service and wishing him well in his future endeavors.

Mr. ROBERTS. Madam President, I rise to congratulate Joe Richardson on his pending retirement. Joe exemplifies the meaning of public servant. I have served as chairman and ranking member of the House Committee on Agriculture, and today I serve as the ranking member of the Senate Committee on Agriculture, Nutrition, and Forestry. All along the way, Joe has served the Congressional Research Service and thereby the Congress with excellence and distinction over the course of 40 years. His focus has included the nutrition assistance programs, almost from their inception. From programs ranging from SNAP, WIC, school meals, and faith-based initiatives, Joe is a recognized expert, a prolific writer, and unparalleled in his field.

A nonpartisan professional, Joe has been an invaluable resource for Members and staff and has regularly been relied upon to navigate the complexities of statutes, rules, and regulations, and the myriad of forms public assistance has taken over the last several decades. From farm bills to child nutrition reauthorizations and related legislation in-between, he has been a compendium of information on the ideas generated, efforts attempted, reforms enacted, and the effects and changes to society our laws have made. He is a tribute to his profession, and our Nation is a better place to live for all

Americans as a direct result of his efforts.

I and my staff have greatly appreciated Joe's counsel. Whenever called upon, Joe would answer, be it during regular business hours, late into the night, or early the next morning, always helpful, and always forthright. I appreciate the dedication demonstrated by public servant Joe Richardson. Thank you Joe, you will be missed.

Ms. STABENOW. Madam President, as the chairwoman of the Committee on Agriculture, Nutrition and Forestry, I know we will sorely miss the expertise and dedication of Joe Richardson as we work this year to write the next farm bill. Since 1971, Joe has shared his expertise on a wide range of issues with Members of the House and Senate. He has an incredible understanding of social policy programs, and knows their history inside and out. He seems to know everything about everything. His expertise has been absolutely invaluable to my staff over the years.

In his four decades of service, Joe has played a key role in writing seven farm bills in 1977, 1981, 1985, 1990, 1996, 2002, and 2008. His understanding of Federal nutrition programs, which represent a significant majority of the farm bill, has helped the committee address the issues of hunger in America and has helped keep millions of Americans out of poverty.

While Joe is leaving us to spend time closer to his family in California, his work will continue to guide and inform us as we begin work on the 2012 farm bill. He is a wonderful example of a great public servant, and I wish him well in his retirement.

Mr. LEAHY. Madam President, there is an old saying that "where there is a will there is a way." That was very true of the many pieces of legislation I worked on as chairman and ranking member of the Senate Agriculture Committee. The Senate Agriculture Committee has proven time and again that Congress can work together when it wants to get a job done.

But I have to share with you that we had a secret weapon, at least when it came to the farm bill nutrition titles and the child nutrition bills. I know that we would have had a much tougher time getting that job done successfully without the assistance and technical expertise of Joe Richardson of the Congressional Research Service. Since 1971 Joe has played an important part of nutrition policy discussions and has played a key role behind the scenes working on countless pieces of legislation over these past four decades, including seven farm bills. As a member of the Agriculture Committee during most of those 40 years, including turns as chairman and ranking member of the Agriculture Committee, I have been fortunate to benefit innumerable

times from Joe's institutional memory and impressive encyclopedic knowledge of our Nation's critical nutrition programs.

Very few Americans have ever heard about the Congressional Research Service, but for the men and women who served in the U.S. Senate and for all of our staff, we know the important role that this branch of the Library of Congress plays. The Congressional Research Service is a legislative branch agency within the Library of Congress and works exclusively and directly for Members of Congress, their committees and staff on a confidential, nonpartisan basis. The Congressional Research Service, Congress, and the American people have been well served by Joe Richardson and his impressive public career.

For the last four decades Joe Richardson has gone above and beyond to serve the Senate and House of Representatives with his objective and always helpful information and often 24 hours a day if needed. I know that Members of both sides of the aisle have the highest regard for his work, attention to detail, and dedication.

With the retirement of Joe Richardson, we are losing an important perspective and historical knowledge that I fear that no other single person will be able to fill. To say that he will be missed is a true understatement. While I wish Joe all the best in retirement, I certainly hope that he will make sure his replacement at the Congressional Research Service and the Senate Agriculture Committee still know how to get ahold of him during development of the next farm bill.

WORLD PRESS FREEDOM DAY 2011

Mr. LEAHY. Madam President, today, people from across the country and around the world celebrate World Press Freedom Day—a time to commemorate and honor the principles of freedom of expression. World Press Freedom Day was established by the United Nations General Assembly in 1993 and provides an important opportunity for us all to remember the journalists and other members of the news media—of all nationalities—who have sacrificed their personal safety, and in some cases their lives, to ensure the free flow of information to the public.

The Nation's Founders prized and protected a free and vibrant press. Its prominence is found in the first amendment of the Constitution. Since the founding of this great Nation, American journalists have courageously documented volatile turning points in our history and the world's history. Elijah Lovejoy, the first of too many American journalists who have paid the ultimate price in service to press freedom, remains a stalwart figure in media history, even today.

The International Federation of Journalists reports that at least 94

journalists and other members of the media have been killed in the line of duty during 2010. Countless others have been detained or arrested simply for performing their professional duties.

In recent months, we have witnessed the troubling case of American and foreign journalists being detained, assaulted, and even killed in their efforts to tell the world about the democratic uprisings in the Middle East. Last month, Oscar-nominated war-film director and photojournalist Tim Hetherington and photojournalist Chris Hondros were both killed while reporting on a battle between Libyan Government forces and rebels in the city of Misrata. In February, CBS war correspondent Lara Logan was brutally attacked and sexually assaulted while reporting on the historic uprising in Egypt. The recent news that Osama bin Laden has been killed—a price paid for his crimes against the American people and the world—has focused even more attention on the unrest in the Middle East. The efforts of journalists and members of the media in that region now have even greater significance.

Preserving press freedoms and freedom of expression remains one of my highest legislative priorities as chairman of the Judiciary Committee. That is why I have once again joined with Republican Senator JOHN CORNYN to introduce the Faster FOIA Act. This bill would create a bipartisan Commission to help ensure that the Freedom of Information Act one of the most important tools by which the press can obtain critical information about what our government is doing is not hindered by excessive delays.

A few days ago, President Obama observed that "in the last months, we've seen journalists threatened, arrested, beaten, attacked, and in some cases even killed simply for doing their best to bring us the story, to give people a voice, and to hold leaders accountable. And through it all, we've seen daring men and women risk their lives for the simple idea that no one should be silenced, and everyone deserves to know the truth."

As we celebrate World Press Freedom Day, we are reminded that an open and accountable society comes with not only the right of its citizens to know the truth but the duty to empower themselves with that knowledge. All of us—Democrats, Republicans, and Independents—have an interest in preserving press freedoms and protecting the public's right to know. Enacting the Faster FOIA Act will help to accomplish this goal. For this reason, I strongly encourage all Members to join me in celebrating World Press Freedom Day and in supporting this very important bipartisan bill.

THE CIVIL RIGHTS OF ALL AMERICANS

Mr. LEAHY. Madam President, I recently joined Senator DURBIN and Senator GRAHAM at an important Senate Judiciary Committee hearing focused on the civil rights of American Muslims. This bipartisan hearing was a positive statement from the committee that its members believe strongly that all Americans enjoy the rights and freedoms provided by our Constitution and our civil rights laws.

Today, I wanted to highlight a recent column written by the U.S. attorney in Cleveland, OH, Steven Dettelbach, which addressed the same subject. As one of our leading Federal prosecutors, Mr. Dettelbach is known for protecting the people of northern Ohio by enforcing our Federal laws. But he is also known for his wise counsel which is no doubt why the Attorney General selected him to serve on his advisory committee.

At the Attorney General's direction, several U.S. attorneys have been trying to better understand the needs of American Muslims. This is a laudable initiative, given that there have been attacks targeting the American Muslim community in the past few years.

To make matters worse, some leaders have sought to sow fear and divisiveness against American Muslims. Fanning the flames of hate against those with different faith traditions runs contrary to our American values because this Nation was founded in large part on the importance of religious freedom.

In his April 29 piece, Mr. Dettelbach wrote, "Our enemies seek not only to kill our citizens and destroy our cities, they also want to attack the most fundamental American principle of all—our free, open and diverse society. We cannot and will not let them succeed."

I could not agree more.

All Americans deserve civil rights protections and the freedoms provided in the Constitution. This does not end with the vital protections afforded by the first amendment. It continues to ensure due process and equal protection. It is bolstered by important civil rights laws that we have passed to protect the practice of religion without discrimination.

Religious freedom has long been a bipartisan issue in the Senate, but more importantly it has been a consistent American value. American Muslims, like all Americans, must be protected by the rule of law that upholds these constitutional and statutory protections.

I agree with Mr. Dettelbach when he noted that, "[w]e find ourselves facing foreign-based terrorists, including al-Qaida, seeking to radicalize people here in the United States in new ways. Using sleek ad campaigns on the Internet, these terrorists try to recruit Americans to attack their neighbors.

We must counter these efforts, but must do it wisely and without sacrificing our ideals."

As the President said when he announced the news that the world's No. 1 terrorist was dead, Osama bin Laden was not a Muslim leader. He had killed scores of Muslims. I hope that in the coming days, we will not see misguided passions lead to more attacks on American Muslims. In order to live up to our American values we must protect all Americans from attack. I thank the President and the Attorney General for their unwavering leadership on civil rights issues.

I ask unanimous consent that Mr. Dettelbach's short article be printed in the RECORD. I hope all Senators will read it.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Cleveland Plain Dealer, Apr. 29, 2011]

OHIO'S MUSLIM, ARAB NEIGHBORS (By Steven M. Dettelbach)

Those of us in law enforcement know all too well that terrorists continue to target the United States. We have seen the dangerous consequences take hold in places like Fort Hood, Texas, and Times Square in New York, and even reach here in Ohio, where our office and the FBI prosecuted a homegrown terror cell plotting to kill Americans abroad. Preventing these kinds of attacks is our top priority.

Our enemies seek not only to kill our citizens and destroy our cities, they also want to attack the most fundamental American principle of all—our free, open and diverse society. We cannot and will not let them succeed.

We find ourselves facing foreign-based terrorists, including al-Qaida, seeking to radicalize people here in the United States in new ways. Using sleek ad campaigns on the Internet, these terrorists try to recruit Americans to attack their neighbors. We must counter these efforts, but must do it wisely and without sacrificing our ideals.

Some, however, have wrongly resorted to portraying American Arab or Muslim communities, or the Islamic faith itself, as a threat to our country. While we must repel attempts by foreign terrorists to radicalize Americans, vilifying Islam or all Arab-Americans will not make our nation safer. Indeed, suggesting these Americans are less loyal than their countrymen is not only inaccurate and irresponsible, it also adds an air of legitimacy to violent extremism of another kind: directed not by American Muslims and Arabs, but at them.

In the past year, a passenger stabbed a New York cabbie after learning he was Muslim, and an arsonist in Tennessee burned a mosque, among other examples. Such acts are not only illegal, they are also profoundly at odds with one of our nation's bedrock values: "E pluribus unum," or "Out of many, one."

Stigmatizing Muslim communities not only contradicts our nation's commitment to religious freedom, it also makes it easier for al-Qaida to radicalize Americans. Since the day a band of religious refugees stumbled off their ship near Cape Cod in what eventually would become the commonwealth of Massachusetts, practitioners of every faith have come and worshiped freely in this country.

Acts of violence and hostility against American Muslims risk obscuring these truths and feeding the enemy's false narrative that America is at war with Islam.

We must recognize that American Muslim and Arab communities are a vital part of the solution to the problem of radicalization. Terrorists do not radicalize entire communities; they recruit individuals. American Muslims and Arabs who recognized threats have worked with law enforcement when they suspect a problem. For this we owe them gratitude, not sideways glances.

In an effort to improve communication, collaboration and trust with Muslims and Arab-Americans, I have been part of a group of U.S. attorneys across the country having a series of conversations to better understand the needs of these American communities. The people of these communities should understand that the Department of Justice is here to protect them.

I have met with hundreds of American Muslims in Northern Ohio over the past few months. Not surprisingly, they want for their children what everyone wants—a good education, freedom from bullying and the opportunity for their children to grow and become productive citizens.

I heard troubling stories from parents whose children's trust in this country was shaken by various indignities suffered in our community, which they perceived to have stemmed from their religion or ethnicity. This is wrong. It is not the Ohio I know and love, and none of us should stand silently by and tolerate such intolerance.

I heard from doctors, architects and workers who have a deep love for their nation. I spoke with their American-born children who, just like the youth in our Irish, Italian and Eastern European communities, are working on their resumes, fiddling far too much with their Blackberrys and who think of themselves as American more than anything else—because that is who they are.

Law enforcement alone cannot eradicate the root causes of terrorism and hate crimes. Each of us must do all we can to forge lasting relationships with our Muslim and Arab neighbors. We need to affirm loudly that they, too, are Ohioans, our neighbors in a wonderfully diverse state that thrives on its many faiths, languages and ethnicities.

2011 AMERICAN AMBULANCE ASSOCIATION STARS OF LIFE

Mr. LEAHY. Madam President, I rise today to honor the brave men and women of the emergency medical services, EMS, profession all across the country who dedicate their lives to providing lifesaving health care and first responder services to people in need.

In particular, I would like to recognize the 81 EMS professionals being recognized today by the American Ambulance Association as "Stars of Life." These 81 Stars of Life will be on Capitol Hill for the next couple of days, and I strongly encourage my colleagues to take the time to meet with these exceptional individuals.

Every year, the dispatch of an ambulance is the first response to millions of medical emergencies. Often, the survival of a patient is enhanced by the prompt medical attention provided by paramedics and emergency medical

technicians, EMTs, prior to the arrival at an emergency room. As a result of the selfless acts of these courageous and devoted men and women, the lives of thousands of Americans are saved each year. While these professionals do not expect to receive recognition for their work, they deserve our outmost gratitude.

For the past 20 years, the American Ambulance Association has honored those paramedics, EMTs, dispatchers, and other ambulance service personnel who exemplify what is best about the EMS field. The American Ambulance Association has appropriately designated these individuals as "Stars of Life." Past Stars of Life have included paramedics and EMTs who were part of the rescue efforts at the terrorist attacks on the World Trade Center or provided evacuation and response to the victims of Hurricanes Katrina and Rita and the recent flooding and

storms in the South and Midwest. Of equal importance, this program also pays tribute to those ambulance service personnel whose heroic acts or community service activities may not have made the news but were just as meaningful to the people they aided. I consider myself fortunate to have met with many Vermont paramedics and EMTs over the years, and I have heard firsthand accounts of the tireless efforts that they perform on a daily basis for their communities. They are truly America's health care safety net.

One of the Stars of Life from Vermont left a lasting impression on me. His name was Dale Long—a 2008 Stars of Life awardee. Just several weeks after I had the opportunity to meet him, Dale was killed in the line of duty as a paramedic with the Bennington Rescue Squad. Since Dale was employed by a private nonprofit agency, he was not covered by the De-

partment of Justice's Public Safety Officer Benefit, PSOB, program—even though his agency is the 9-1-1 emergency ambulance service agency for Bennington, VT. In honor of Dale, I introduced the Dale Long Emergency Medical Services Provider Protection Act, S. 385, which would make paramedics and EMTs who work for a private nonprofit EMS agency eligible for the PSOB program. In February, the Senate unanimously approved the Dale Long Act as an amendment to the FAA reauthorization bill, and I am hopeful that the Dale Long provision will be retained in the final conference report.

Madam President, I ask unanimous consent that the names of the 2011 American Ambulance Association Stars of Life honorees be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

FIRST NAME	LAST NAME	COMPANY	CITY	STATE
Daniel	Griswold	Arizona Ambulance Transport	Sierra Vista	AZ
John	Sullivan	Arizona Ambulance Transport	Sierra Vista	AZ
Michael	Atwell	American Medical Response	Victorville	CA
Michael	O'Grady	American Medical Response	San Mateo	CA
Kevin	Smith	American Medical Response	Sonoma	CA
Gary	Smotrys	American Medical Response	Palm Springs	CA
Forrest	Uhlend	American Medical Response	San Mateo	CA
Thomas	Westbrook	American Medical Response	Concord	CA
Matt	Berckfeldt	American Medical Response	Pueblo	CO
Autumn	DePolo	American Medical Response	Colorado Springs	CO
Chris	Erickson	Ute Pass Regional Ambulance District	Woodland Park	CO
Jim	Hollman	Ute Pass Regional Ambulance District	Woodland Park	CO
William	Broadbridge	Hunter's Ambulance Service	Meriden	CT
Kelly	Brunell	Hunter's Ambulance Service	Meriden	CT
Marisa	Carriveau	American Medical Response	West Hartford	CT
Katrina	Perrelli	Hunter's Ambulance Service	Meriden	CT
John	Pourciau	American Medical Response	Waterbury	CT
Jared	Yager	Hunter's Ambulance Service	Meriden	CT
Donald	Anderson	American Medical Response	Broward County	FL
Thomas	Dawickowski	Nature Coast EMS	Lecanto	FL
Marvin "Happy"	Montgomery	Mid Georgia Ambulance	Macon	GA
Tito	Villanueva	American Medical Response	Lihue	HI
Jane	Hagen	Iowa EMS Association	Urbandale	IA
Nathan	Wilzbacher	American Medical Response	Evansville	IN
Steven	Simon	Acadian Ambulance Service	Lafayette	LA
Todd	Weir	Acadian Ambulance Service	Lafayette	LA
Michelle	Borden	Action Ambulance Service	Wilmington	MA
Christopher	Borges	Cataldo Ambulance Service	Somerville	MA
Theodore	Crosby	Action Ambulance Service	Wilmington	MA
Clayton	Davis	Cataldo Ambulance Service	Somerville	MA
Kris	Keraghan	Armstrong Ambulance Service	Arlington	MA
Ann	McGrath	Armstrong Ambulance Service	Arlington	MA
Jeff	Simmons	Cataldo Ambulance Service	Somerville	MA
Angela	Spofford	Action Ambulance Service	Wilmington	MA
Martin	Tyrrell	American Medical Response	Brockton	MA
Rachael	Goeman	American Medical Response	Grand Rapids	MI
Robert	Kirkland	Community EMS	Southfield	MI
Matt	Mills	LifeCare Ambulance Service	Battle Creek	MI
Erik	Olsen	Life EMS Ambulance	Grand Rapids	MI
Velvet	Whitt	Tri-Township EMS	Atlanta	MI
Tracy	Woodard	Huron Valley Ambulance	Ann Arbor	MI
Michelle	Anderson	Lakes Region EMS	North Branch	MN
Todd	Fisk	Lakes Region EMS	North Branch	MN
Brian	Murley	Mayo Clinic Medical Transport	Rochester	MN
Tommy	Walker	American Medical Response/Abbott EMS	St. Louis	MO
Derek	Poole	American Medical Response	Jackson	MS
Thomas	White	American Medical Response	Natchez	MS
Cathy	Jordan	Medic, Mecklenburg EMS Agency	Charlotte	NC
Virgil	Leggett	Medic, Mecklenburg EMS Agency	Charlotte	NC
Jamie	Stanford	Medic, Mecklenburg EMS Agency	Charlotte	NC
Marnie	Olson	North Dakota EMS Association	Bismarck	ND
Keith	Monaghan	American Medical Response	Egg Harbor Township	NJ
Jessica	Bauer	REMSA	Reno	NV
Debi	Kubiak	REMSA	Reno	NV
Leonard	Spice	American Medical Response	Las Vegas	NV
Mark	Campease	Community Care Ambulance	Ashtabula	OH
Jason	Fellows	Community Care Ambulance	Ashtabula	OH
Shane	McKenzie	Community Ambulance Service	Zanesville	OH
Beth	Sundman	Community Care Ambulance	Ashtabula	OH
Ron	Causby	EMS	Tulsa	OK
Mark E.	Hopping	Life EMS	Enid	OK
Mike	McWilliams	Oklahoma Ambulance Association	Muskogee	OK
Preston	White	EMS	Tulsa	OK
Robert	Breihof, III	Metro West Ambulance	Hillsboro	OR
Rose	Durschmidt	Woodburn Ambulance Service	Woodburn	OR
Daren	Groff	Bay Cities Ambulance	Coos Bay	OR
Christopher	Pfingsten	Metro West Ambulance	Hillsboro	OR
Philip	Reid	Metro West Ambulance	Hillsboro	OR
Tracy	Schroeder	Medix Ambulance	Warrenton	OR
Monica	Stephens	Pacific West Ambulance	Newport	OR
Nicholas	Yoder	American Medical Response	Milwaukie	OR
Andy	Brijmohansingh	Global Medical Response	Santa Rosa Heights, Arima	Trinidad & Tobago
Rick	Dodd	LifeNet	Texarkana	TX

FIRST NAME	LAST NAME	COMPANY	CITY	STATE
David	Macias	Life Ambulance Service	El Paso	TX
Alejandro	Munoz	Life Ambulance Service	El Paso	TX
Pablo	Rios	American Medical Response	San Antonio	TX
Bryan	Shelton	LifeNet	Texarkana	TX
William	Mapes	Regional Ambulance Service	Rutland	VT
Lawrence J.	Salisbury	Bennington Rescue Squad	Bennington	VT
Rebecca	Ainley	American Medical Response	Seattle	WA
Niccole	Gibbs	American Medical Response	Vancouver	WA

WOMEN'S PREVENTIVE HEALTH SERVICES

Ms. CANTWELL. Madam President, I join my colleagues to come to the floor this afternoon and talk about tomorrow's votes on two different resolutions and to say that I am proud to join my female Senate Democratic colleagues in this effort and to speak out about this important issue.

To me the American people have sent us a clear message. They want us to focus on job creation, promoting innovation and putting Americans back to work. But instead tomorrow we will be on the Senate floor trying to defend access to health care for women. We will vote tomorrow on whether to defund Planned Parenthood, an agency that serves hundreds of thousands of people in my State on important exams such as breast examination and helping to prevent infections and various things.

And just a few weeks ago I talked about one of our constituents, a 22-year-old woman from Seattle, who was diagnosed with an abnormal growth on her cervix at Planned Parenthood and was able to receive life-saving treatment. She was uninsured, and without Planned Parenthood, she would not have been able to get that kind of treatment and certainly her health would have been in major danger in the future. I tell her story to emphasize the importance of Planned Parenthood on prevention and that they are centers of prevention for many, many women who have no other access to health care.

And so we cannot jeopardize the access to that preventive health care at a time when it is so important for us to reduce long-term costs. In fact, even in the investment area, every dollar invested in family planning and publicly funded family planning clinics saves about \$4 in Medicaid-related costs alone. So prevention of health care is good for us in saving dollars and it is certainly good for our individual constituents who have a lack of access to health care.

That is why I am so disappointed and the situation that we are having now where our colleagues are saying to us, you can get a budget deal, but you have to defund women's health care access to do so. The avoidance of a government shutdown has also brought on, I think, a challenge on the backs of women in the District of Columbia because it included a provision denying

DC leaders the option of using locally raised funds to provide abortion services to low-income women.

For those who argue against big government this is a contradiction because this is a real imposition on the ability of elected officials in the District of Columbia to decide what to do with their locally raised funds. I know because I am in the Hart Building, what the Mayor and others on the council had to say about this. This is an imposition on the health services of low-income women in the District of Columbia and certainly has gone almost unnoticed in the eleventh hour. And I think sets a precedent for a dangerous slippery slope with what we are telling local governments to do.

But it is time for us to focus on our budget, living within our means, and getting back to work, but certainly not to try to do all of that on the backs of women. And it is not time to shut down access to women's health care. Republicans in the house have decided to wage war and to say women should be a bargaining chip.

Well, I think the American people have sent us a clear message. They want us to get back to work and they support Planned Parenthood and the efforts of Planned Parenthood on preventive health care and health care delivery services. A recent CNN poll showed that 65 percent of Americans polled support continued funding of Planned Parenthood.

And I know my colleagues on the other side of the aisle would like to say that these funds are used and helped in funding organizations that may be involved in doing full reproductive choice services. But I ask them to think about that issue and that logic. Where will they stop? It is Planned Parenthood today, but are they going to stop every institution in America from receiving Federal dollars?

It is illegal for Planned Parenthood to use Federal dollars for the full reproductive choice including abortion. It is illegal. You cannot use those funds. And yet the other side would like to say that this is an issue where they would like to stop Planned Parenthood today and then they will try to stop other organizations in the future.

It is time to say no to this tomorrow and to say no on trying to pull back from the full health care funding bill at a time when we need to implement the reforms to keep costs down and to

increase access for those who currently don't have access to health care and come back to the system with much more expensive health care needs in the future.

So I am very disappointed that at the eleventh hour of a budget debate that is about living within our means, about how we take the limited recovery we have had and move it forward economically, that instead we are saying we cannot move forward on a budget in a recovery until we take everything that we can away from women and access to women's health care.

We will fight this tomorrow and I am proud to be here with my colleagues to say we will be the last line of defense for women in America who are going about their busy lives right now, taking their kids to school, trying to juggle many things at home and work and they are every day as the budget people within their own homes trying to figure out how to live within their means and the national budget debate has broken to this point? We can only have a budget agreement if you defund women's full access to health care. That is wrong and we will be here tomorrow to fight this battle and speak up for women.

I just want to point out to my colleague, Senator KIRSTEN GILLIBRAND, that I remember in 1993, in the "year of the woman," when so many women got elected to Congress, it was the first time in the House of Representatives we had a woman on every single committee.

And the end result of that is we had an increase in funding for women's health research. So much of the research had been up to this point focused on men. Why? Because there wasn't anybody on the committee to speak up about how women had uniquely different health care needs and deserved to have a bigger share of funding for health care needs of women than were currently being funded.

That is what you get when you get representation and the women Senators will be here tomorrow to fight, to say that women deserve to have access to health care through Planned Parenthood and title X and, please, for those working moms who are out there juggling dealing with children and childcare, dealing with their jobs, dealing with pay equity at work, dealing with all of these other issues that women are struggling with, that they don't have to be a pawn in the debate

on the budget. That there are people who believe just like the majority of Americans do that we should move forward with this kind of preventive health care for women in America.

REMEMBERING MAX VAN DER STOEL

Mr. CARDIN. Madam President, as the Senate chairman of the U.S. Helsinki Commission, I rise today to pay tribute to Max van der Stoel, the first High Commissioner on National Minorities at the Organization for Security and Cooperation in Europe, OSCE, who died last week at his home in The Hague at the age of 86. Van der Stoel, a two-time Dutch foreign minister, worked tirelessly throughout the OSCE region as High Commissioner from 1992 to 2001 to prevent crises involving minority issues.

Max van der Stoel had a life-long commitment to human rights. From his early life in Nazi-occupied Netherlands to defining moments spent with Soviet-era dissidents, van der Stoel was deeply affected by the abuses he witnessed. He described one such encounter, in then-Czechoslovakia in 1977, when as foreign minister he met with Charter 77 activist, Jan Patocka in full view of Czechoslovak authorities. Van der Stoel commented that, "This support was of great concern to the Communist authorities. After our short meeting, Professor Patocka was arrested and rigorously interrogated. He died of a heart attack the next day."

Following the first gulf war, van der Stoel was appointed U.N. Human Rights Representative for Iraq, and he continued to raise human rights concerns in Iraq throughout the 1990s.

In 1992, he was appointed as the OSCE's first High Commissioner on National Minorities, HCNM, with a mandate aimed at preventing conflict through quiet diplomacy and early warning to the OSCE countries. His successes in that role are largely unrecognized, as they lie in what did not happen rather than in what did. He traveled to countries where tensions were rising, encouraged dialogue, and made practical recommendations to address underlying issues related to ethnic tension.

He worked in Estonia and Latvia in the early 1990s to address the processing for acquiring citizenship—which at the time disadvantaged particularly ethnic Russians in the newly independent states because of stringent language testing. He was the OSCE Chairmanship's Personal Representative on Kosovo—although unfortunately his early warnings in 1997 and 1998 went unheeded by policymakers. His work on inter-ethnic relations and education in Macedonia resulted in the establishment of the South Eastern European University in Tetovo in 2001,

which is still a model for integrated education. Throughout his time as HCNM, he promoted rights for Roma, the single largest minority in the OSCE region as a whole.

His job was not easy, but his integrity, commitment, and diplomatic skills paved the way for his successors and built the position of the HCNM into one of the most effective OSCE tools for conflict prevention. His legacy to the OSCE is not only the work he did as HCNM, but the advice he left behind on the importance of early action to prevent conflict.

In his last statement to the OSCE Permanent Council in 2001, he said:

Governments should see the self-interest in protecting minority rights and living in peaceful and prosperous multi-ethnic states. The only people who profit from inter-ethnic conflict are nationalist entrepreneurs. That is not a business that reaps long term profits. In the end, intolerance, violence and instability hurt us all.

I maintain that preventing inter-ethnic conflict will continue to be one of the organization's biggest challenges in the near future. Despite improvements in many OSCE states, conflicts still rage and tensions boil below the surface. We have to sharpen our tools and invest sufficient resources to ensure that we remain on the cutting edge of conflict prevention. . . . Collectively, we must do more to act in response to the warning signs. It is not enough to admonish States for falling short of their commitments. A concerted response by the international community must be resolute, targeted, and timely.

. . . When a crisis becomes acute, everyone wonders what went wrong or what steps should be taken to contain the situation. Things do not need to get to that point. While Foreign Ministries seem to be increasingly sensitive to the benefits of relatively limited funding, treasuries are still hesitant to invest in preventing the conflicts of tomorrow. We need to put our money where our mouth is. It makes political and financial sense to put resources into keeping multi-ethnic states together, rather than bailing them out after they have fallen apart.

His words are as timely and relevant today as they were 10 years ago. It is my hope that, inspired by the dedication and accomplishments of Max van der Stoel, the United States and its allies will strive to ensure that ethnic tension and human rights violations are not allowed to fester until they erupt into conflict.

TRIBUTE TO ROBERT MCCARTHY

Mr. BROWN of Massachusetts. Madam President, today I wish to recognize Robert McCarthy of Watertown, MA, who is retiring after 23 years as president of the Professional Fire Fighters of Massachusetts. As a fire fighter, Bob McCarthy fought to save lives and property from fires and accidents. As head of the PFFM, Bob fought to protect and defend his 12,000 PFFM brothers and sisters.

Thanks to his leadership, the Commonwealth's professional fire fighters

are healthier, safer, better equipped and better trained. And of course, better equipped, better trained fire fighters mean increased public safety.

For Bob McCarthy, fire fighting came naturally; you might say it was in his blood. Like his father and grandfather before him, Bob was a Watertown fireman, rising through the ranks to become captain of the Watertown Fire Department. When he retired from actively fighting fires, he dedicated his life to fighting for his fellow firemen.

Bob McCarthy served as the union's legislative agent for 2 years before being elected president of the PFFM in 1987. As president, Bob was a highly effective advocate for Massachusetts' professional fire fighters. Believe me; as soon as an issue arose that impacted his members, it was usually about thirty seconds before my office phone rang.

I would like to note just a few of Bob McCarthy's many accomplishments as president of the PFFM. Bob McCarthy was a major force in the passage of a cancer presumption law which protects firefighters for 5 additional years after they retire. He worked diligently to maintain laws pertaining to fire fighters' heart and lung health and to preserve grants for better safety gear. He played a major role in funding critical incident stress management for the fire service. And one of his greatest legacies are the biennial educational seminars which play a vital role in ensuring that Massachusetts' professional fire fighters receive ongoing education on the latest safety issues.

Bob McCarthy hasn't limited his service to fire fighters; he was also a valued member of numerous boards of directors of leading firms and organizations in my State. It is hard to gauge just how many people's lives he has not only impacted but actually saved. All too often the focus is on what is lost in fires. What goes unreported is what professional firefighters save. Not only thousands of lives and homes, but pets and items of sentimental value.

Bob leaves the PFFM in the very able hands of Mr. Ed Kelly who was sworn in as president last month. This evening, the Professional Firefighters of Massachusetts will celebrate Bob's 26 years of service to his community at their annual dinner. I join their 12,000 members in honoring Bob McCarthy for his service to the PFFM and my Commonwealth, and wish Bob and his wife Dorothy all the very best in the years ahead.

FRATERNAL BENEFIT SOCIETIES

Mr. KOHL. Madam President, I rise today to praise the work of fraternal benefit societies, little-known but critical nonprofit organizations that meet the needs of millions of Americans day in and day out. There are over 9 million fraternal members across the country.

Every day, their volunteers supplement the social services provided by overburdened government agencies—serving children, the elderly, veterans, and others who need help. In the past year alone, fraternal members invested 91 million hours in community service and contributed \$400 million to charitable programs. In the State of Wisconsin, there are 252,232 fraternal members, and in the last year, these members spent over 4 million hours volunteering and donated over \$25 million throughout the state.

Fraternal benefit societies are tax-exempt organizations that sell financial products such as life insurance and annuities, and use the profits to meet community needs. From a small Federal investment of \$50 million a year, over \$400 million is put back directly into communities. A recent study found that fraternal benefit societies contribute more than \$3 billion annually to society. The fraternal benefit societies leverage additional community resources through fund matching programs and by bringing people together to do good. These community needs would not be met without fraternal benefit societies, especially at this time of shrinking federal, state and local resources.

From acting as a first-response network in the face of natural disasters, to building homes for families in need, to assisting families struggling with overwhelming medical bills, to providing scholarships to deserving students, fraternal are dedicated to improving the lives of their members, families, and communities.

Many of these societies have been around for over a century. They began, in large part to meet needs of immigrant populations that could not otherwise be met—helping families when a breadwinner got sick or died; helping a community member find a place to stay or meet medical needs. While the organizations have evolved, today they still meet needs that are otherwise not met. They help pay for medical bills, have scholarship funds, assist in neighborhood playground builds, clean up after disasters, stock food pantries and bring meals to seniors.

I want to honor these groups during their annual meeting. I want to take the opportunity to thank the 9 million fraternal members for all of the great work they do around the country.

ADDITIONAL STATEMENTS

TRIBUTE TO MAJOR GENERAL ALLEN E. TACKETT

• Mr. MANCHIN. Madam President, I would like to take this opportunity to pay tribute to MG Allen E. Tackett, a great West Virginian who shepherded an evolutionary change in the role of the West Virginia National Guard dur-

ing his 15-year tenure as adjutant general.

Across our Nation, the Guard mission has been synonymous with being the first on the scene for disaster relief and keeping the peace at home—that mission remains true today. However, since the terrorist attacks of September 11, 2001, the members of the National Guard have pulled double duty, becoming the essential soldiers in our military missions overseas.

This new role for the Guard often means long and frequent deployments away from home, disruption to civilian careers, and new readiness challenges for the Guard's leadership. For global peacekeeping missions in Bosnia, Kosovo, and for the wars in Iraq and Afghanistan, Guard leadership has to ensure their troops have the right equipment at the right time, the proper training for uncommon dangers, and as needed, be the glue that mends and holds together the families of Guard members. Under General Tackett's leadership, the West Virginia National Guard has received all this and more. With tenacious grace, the General asked for—and received—new training facilities, planes, new runways, and congressional backing for family support programs.

Under General Tackett's leadership, the readiness of the West Virginia National Guard skyrocketed to the best in the Nation.

Under General Tackett's leadership, the soldier, especially the new and uninitiated, took center stage. General Tackett believes a soldier's success depends on higher education, the best training, and personal initiative.

Under General Tackett's guidance, future leaders of the West Virginia National Guard have a head start because of his dogged support for the National Guard Youth Challenge Program, the Guard's Tuition Assistance Program, and the technical skills program known as Helmets to Hard Hats.

And, under General Tackett's leadership and vision, our Nation's Guard and Reserve components, Active-Duty servicemembers, and our first responders use state-of-the-art training resources at the Memorial Tunnel and Camp Dawson to prepare defenses in response to 21st century national security threats.

Like other Golden Gloves champions, General Tackett struck his own path in his youth; he honed his individual athletic skills and refined the meaning of a disciplined work ethic. His pride in his home State of West Virginia kept him giving back to the Mountaineer State with years of civilian successes while rising in the ranks of the Special Forces.

His stellar leadership as Adjutant General for the West Virginia National Guard began on September 11, 1995, under Governor Gaston Caperton. I would like to recall a list of his accom-

plishments in order to recognize the contributions of MG Allen E. Tackett.

Upon his retirement on January 31, 2011, MG Allen E. Tackett remains the longest serving Adjutant General in the history of the State of West Virginia and the United States.

As Adjutant General of the West Virginia National Guard, General Tackett commanded more than 6,000 soldiers and airmen, including more than 10,000 West Virginia National Guard, soldiers, and airmen that have deployed since September 11, 2001 in support of the global war on terrorism.

General Tackett directed the West Virginia National Guard in response to more than 80 emergencies in the State of West Virginia.

General Tackett has served five Governors of the State of West Virginia, representing both political parties.

The West Virginia National Guard, under the leadership of General Tackett, rose from the rank of 24th in the United States in readiness to first in an 18-month period, has continued to demonstrate its superior level of readiness as judged by the Army readiness criteria, and has remained at or near the top rank in readiness for 15 years.

Under the leadership of General Tackett, the West Virginia National Guard undertook a significant modernization program to ensure that modern facilities are constructed to meet the demands placed upon soldiers and airmen in the 21st century, including projects to replace outdated armories, build new hangars, acquire ramp space to protect the 130th Airlift Wing from the base realignment and closure process, and to convert the Martinsburg Air National Guard base for a fleet of C-5s.

Under the leadership of General Tackett, the Joint Interagency Training and Education Center was built to provide homeland security training to Department of Defense assets, other Federal agencies, and first responders at Camp Dawson and the Memorial Tunnel. As a result, he was described in a 2001 U.S. News & World Report article as someone who could soon be "the nation's defacto chief of anti-terror preparedness."

Under the leadership of General Tackett, the West Virginia National Guard maintained 36 armories and was present in 34 communities.

Under the leadership of General Tackett, the West Virginia National Guard has had a significant positive economic impact across the State of West Virginia, including the addition of nearly 1,500 full-time jobs.

Under the leadership of Major General Tackett, the West Virginia National Guard sponsored and operated the Mountaineer Challenge Academy, which provides at-risk youth with an opportunity to earn a general education diploma.

And, under the leadership of Major General Tackett, 43 percent of the

members of the West Virginia National Guard have earned a degree from an institution of higher education or are enrolled in an institution of higher education and participate in the State of West Virginia tuition assistance program.

As his one-time commander, I am proud to share with the American people General Tackett's distinguished and exemplary career, to take this opportunity to publicly thank him, and to wish him continued success and future happiness in his well-deserved retirement.●

VERMONT'S JUNIOR IRON CHEF COMPETITION

● Mr. SANDERS. Madam President, today I wish to honor the students who participated in Vermont's fourth annual Junior Iron Chef Competition. Forty Vermont middle schools and 16 Vermont high schools sent teams to the day-long event, a cooking competition which promotes local agriculture and healthy choices in school nutrition. I was very impressed, when I attended the competition, to see the creativity and energy the students brought to this endeavor.

Vermont's Junior Iron Chef Competition brings aspiring chefs together for a timed "cook-off." Middle schools face off in one division and high schools in another. Each team is composed of up to five students and is accompanied by an adult supervisor who is allowed to offer guidance but not take part in the actual cooking.

Contestants must use their culinary skills to create original school lunch dishes using at least five ingredients produced by local farmers. Prizes were awarded in three categories. I would like to recognize the winners from each category and commend the students from all competing schools for their excellent effort. Teams from Twin Valley swept the Best in Show prizes; Team Murdock winning at the middle school level and Hakuna Matata for high school. The Barre City Chefs of Barre City Elementary Middle School won the award for Most Creative Dish for middle schools and the Food Fighters from Centerpoint School won in the high school category. The awards for Greatest Number and Best Use of Local Ingredients went to the Barretown Bobcats of Barre Town Middle School and the Rebel Chefs from South Burlington High School.

In addition to extending education beyond the traditional classroom, I admire the competition for promoting local agriculture and healthy eating choices. Junior Iron Chef attempts to change the often stale homogeneity of school lunches by bolstering what is now a statewide effort, led by groups like Vermont Food Education Every Day, FEED, and the Burlington School Food Project. It attempts, successfully,

to reconnect young Vermonters with our state's agricultural roots and to restore a bond between our schools and the food that Vermont produces.

Vermont is, I believe, among the leaders in promoting small scale agriculture. While Vermont has long been known for its dairy farms, smaller scale agriculture is growing rapidly in our State.

Scientific studies have shown that the health of Americans is threatened by an overdependence on fast food, on sugar-enhanced drinks, on snacks low in nutrition and high in fats. Too often we, adults and children alike, turn to processed fast foods instead of eating nutritionally balanced meals. Our national diet is, unfortunately, responsible for many unhealthy results, including a surge in both childhood obesity and childhood diabetes. Creative efforts like Vermont's Junior Iron Chef Competition are terribly important in the effort to effectively combat unhealthy diets and the rise of childhood obesity and childhood diabetes.

To the Junior Iron Chef Competition sponsors, Vermont's agriculture community and its forward thinking school systems, to those who organized the event, to the adult supervisors, and especially to the Vermont students who participated in the Junior Iron Chef Competition, let me offer my congratulations.●

MESSAGE FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 362. An act to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building".

H.R. 1423. An act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office".

MEASURES REFERRED

The following bills were read the first and the second times by unanimous consent, and referred as indicated:

H.R. 362. An act to redesignate the Federal building and United States Courthouse located at 200 East Wall Street in Midland, Texas, as the "George H.W. Bush and George W. Bush United States Courthouse and George Mahon Federal Building"; to the Committee on Environment and Public Works.

H.R. 1423. An act to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office"; to the Committee on Homeland Security and Governmental Affairs.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. MENENDEZ:

S. 867. A bill to fight criminal gangs; to the Committee on the Judiciary.

By Mr. HATCH (for himself, Mr. ALEXANDER, Mr. BARRASSO, Mr. BURR, Mr. COBURN, Mr. CORNYN, Mr. JOHANNES, and Mr. KYL):

S. 868. A bill to restore the longstanding partnership between the States and the Federal Government in managing the Medicaid program; to the Committee on Finance.

By Mr. GRAHAM:

S. 869. A bill to provide for an exchange of land between the Department of Homeland Security and the South Carolina State Ports Authority; to the Committee on Energy and Natural Resources.

By Mr. TESTER:

S. 870. A bill to amend the Federal Water Pollution Control Act to modify oil and hazardous substance liability, and for other purposes; to the Committee on Environment and Public Works.

By Mr. COBURN (for himself, Mrs. FEINSTEIN, Mr. WEBB, Mr. BURR, Ms. COLLINS, Mr. CARDIN, and Mr. RISCH):

S. 871. A bill to repeal the Volumetric Ethanol Excise Tax Credit; to the Committee on Finance.

By Mrs. FEINSTEIN:

S. 872. A bill to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is considered to be held in trust and to provide for the conduct of certain activities on the land; to the Committee on Indian Affairs.

By Mr. AKAKA:

S. 873. A bill to amend title 38, United States Code, to provide benefits for children with spina bifida of veterans exposed to herbicides while serving in the Armed Forces during the Vietnam era outside Vietnam, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. AKAKA:

S. 874. A bill to amend title 38, United States Code, to modify the provision of compensation and pension to surviving spouses of veterans in the months of the deaths of the veterans, to improve housing loan benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. LAUTENBERG:

S. 875. A bill to amend the Safe Drinking Water Act to require additional monitoring of certain contaminants, and for other purposes; to the Committee on Environment and Public Works.

By Mr. LAUTENBERG:

S. 876. A bill to amend title 23 and 49, United States Code, to modify provisions relating to the length and weight limitations for vehicles operating on Federal-aid highways, and for other purposes; to the Committee on Environment and Public Works.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. REID (for himself, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr.

BINGAMAN, Mr. BLUMENTHAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 159. A resolution honoring the members of the military and intelligence community who carried out the mission that killed Osama bin Laden, and for other purposes; submitted and read.

By Mr. BURR (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. Res. 160. A resolution designating May 6, 2011, as "Military Spouse Appreciation Day"; considered and agreed to.

By Mr. LEAHY (for himself, Mr. GRASSLEY, and Mr. COONS):

S. Res. 161. A resolution designating May 2011, as "National Inventors Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 164

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 219

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 219, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 253

At the request of Mr. ROCKEFELLER, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 253, a bill to establish a commission to ensure a suitable observance of the centennial of World War I, and to designate memorials to the service of men and women of the United States in World War I.

S. 325

At the request of Mrs. MURRAY, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 325, a bill to amend title 10, United States Code, to require the provision of behavioral health services to members of the reserve components of the Armed Forces necessary to meet pre-deployment and post-deployment readiness and fitness standards, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 490

At the request of Mr. AKAKA, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 490, a bill to amend title 38, United States Code, to increase the maximum age for children eligible for medical care under the CHAMPVA program, and for other purposes.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 530

At the request of Mrs. FEINSTEIN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 530, a bill to modify certain subsidies for ethanol production, and for other purposes.

S. 539

At the request of Mr. WHITEHOUSE, the names of the Senator from Maine (Ms. COLLINS), the Senator from Rhode Island (Mr. REED), the Senator from New Mexico (Mr. BINGAMAN) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 539, a bill to amend the Public Health Services Act and the Social Security Act to extend health information technology assistance eligibility to behavioral health, mental health, and substance abuse professionals and facilities, and for other purposes.

S. 570

At the request of Mr. TESTER, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 570, a bill to prohibit the Department of Justice from tracking and cataloguing the purchases of multiple rifles and shotguns.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 587

At the request of Mr. CASEY, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 587, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 595

At the request of Mrs. MURRAY, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 596

At the request of Mr. WYDEN, the names of the Senator from Massachusetts (Mr. BROWN), the Senator from Washington (Ms. CANTWELL) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 596, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Arizona (Mr.

KYL) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 665

At the request of Mr. BROWN of Ohio, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 665, a bill to promote industry growth and competitiveness and to improve worker training, retention, and advancement, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 712

At the request of Mr. DEMINT, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 745

At the request of Mr. SCHUMER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 745, a bill to amend title 38, United States Code, to protect certain veterans who would otherwise be subject to a reduction in educational assistance benefits, and for other purposes.

S. 747

At the request of Mr. CRAPO, the names of the Senator from Utah (Mr. HATCH) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 747, a bill to amend title 23, United States Code, with respect to vehicle weight limitations applicable to the Interstate System, and for other purposes.

S. 752

At the request of Mrs. FEINSTEIN, the names of the Senator from California (Mrs. BOXER) and the Senator from Virginia (Mr. WEBB) were added as cosponsors of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to

pay for restitution and other State judicial debts that are past due.

S. 770

At the request of Mr. BROWN of Ohio, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 770, a bill to amend the Fair Labor Standards Act of 1938 to ensure that employees are not misclassified as non-employees, and for other purposes.

S. 778

At the request of Mr. MORAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 818

At the request of Mr. KERRY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 818, a bill to amend title XVIII of the Social Security Act to count a period of receipt of outpatient observation services in a hospital toward satisfying the 3-day inpatient hospital requirement for coverage of skilled nursing facility services under Medicare.

S. 829

At the request of Mr. CARDIN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 829, a bill to amend title XVIII of the Social Security Act to repeal the Medicare outpatient rehabilitation therapy caps.

S. 830

At the request of Mrs. MURRAY, the names of the Senator from Vermont (Mr. SANDERS) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 830, a bill to establish partnerships to create or enhance educational and skills development pathways to 21st century careers, and for other purposes.

S. 838

At the request of Mr. TESTER, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S.J. RES. 4

At the request of Mr. SHELBY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S.J. Res. 4, a joint resolution proposing an amendment to the Constitution of the United States which requires (except during time of war and subject to suspension by Congress) that the total amount of money expended by the United States during any fiscal year not exceed the amount of certain revenue received by the United States during such fiscal year

and not to exceed 20 per cent of the gross national product of the United States during the previous calendar year.

S. RES. 80

At the request of Mr. DURBIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 116

At the request of Mr. SCHUMER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. Res. 116, a resolution to provide for expedited Senate consideration of certain nominations subject to advice and consent.

S. RES. 144

At the request of Mrs. HUTCHISON, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Montana (Mr. TESTER), the Senator from Maine (Ms. SNOWE) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. Res. 144, a resolution supporting early detection for breast cancer.

AMENDMENT NO. 212

At the request of Ms. AYOTTE, her name was added as a cosponsor of amendment No. 212 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

AMENDMENT NO. 299

At the request of Ms. SNOWE, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of amendment No. 299 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. TESTER:

S. 870. A bill to amend the Federal Water Pollution Control Act to modify oil and hazardous substance liability, and for other purposes; to the Committee on Environment and Public Works.

Mr. TESTER. Mr. President, on April 20, 2010, an explosion and fire destroyed BP's Deepwater Horizon oil rig, killing 11 workers and causing the largest oil spill in American history.

A year later, the well is capped and Americans who live near and rely on the Gulf of Mexico are still struggling with the ramifications of the Deepwater Horizon spill, while facing destruction from unprecedented storms ripping across the region. Meantime, BP, the second largest oil company in the United States who just reported 7.1 billion dollars in profits last quarter, is attempting to skirt their fines for this unprecedented disaster.

In early April, BP indicated it is exploring wording in the Federal Water Pollution Prevention Act or the Clean Water Act which allows the court to determine the fines by either the number of days of the incident, or by the number of barrels of oil spilled. Current law leaves the determination of which metric to use up to the court. In this case, the difference between these two metrics is enormous. At the low end, using the per-day charge of \$32,500, BP could pay less than \$3 million for the whole incident. This amount of money isn't sufficient to change BP's safety culture and improve its workplace and environmental safety.

Per barrel fines range from \$1,000 to \$4,300 per barrel. Under this metric, BP's fines would total between \$5 billion and \$18 billion, which is a much more appropriate fine for the environmental damage that was done.

We must address this outrageous loophole to prevent corporate polluters from skirting accountability and responsibility if they wreak havoc on our land and in our water. We must speak the only language that corporations understand and that is profit. These fines, which are the only penalties the corporation cannot write off on their taxes, are critically important to sending a message that pollution doesn't profit; that corporations act responsibly to protect workers and the resources they use. If we accept minimal fines, we are condoning this irresponsible behavior.

Many will argue that we don't need this legislation, because the court will fine them accordingly. But to date, the largest Clean Water Act fine ever levied was \$13 million. \$13 million is less than BP spent in 2009 on lobbying.

That is why I am introducing the Pollution Accountability Act of 2011, which requires the court to fine violators of the Clean Water Act whichever fine is higher, per day or per barrel. If you pollute, there will be consequences. There will be accountability. We will demand responsibility.

I urge my colleagues to join me in supporting this legislation and expeditiously passing it into law.

By Mrs. FEINSTEIN:

S. 872. A bill to amend the Omnibus Indian Advancement Act to modify the date as of which certain tribal land of the Lytton Rancheria of California is considered to be held in trust and to provide for the conduct of certain activities on the land; to the Committee on Indian Affairs.

Mrs. FEINSTEIN. Mr. President, I rise today to reintroduce the Lytton Gaming Oversight Act. This legislation will ensure that regular process under Federal law is followed when Native American tribes take land into trust for operating gaming facilities.

Congress passed the Omnibus Indian Advancement Act in 2000, which in-

cluded a provision to re-recognize the Lytton Band of Pomo Indians and allow them to acquire trust land in the San Francisco Bay area.

The Lytton Band has had a long and difficult history in my state, and by all accounts the Tribe deserved to be recognized and have a homeland.

But the Omnibus Indian Advancement Act did so in a way that was both controversial and unfair in how it granted an individual tribe an unprecedented exemption to the law.

The land taken into trust for the Lytton Band was miles away from their historical homeland and it treated the acquisition as if it was completed before 1988.

Why would something like that matter?

The answer is simple: the land the tribe acquired was home to an existing casino and 1988 is the year that Congress passed the Indian Gaming Regulatory Act.

Therefore, by treating the land as if it were taken into trust before 1988, the Tribe is able to operate the casino outside the framework set up by Congress to govern how and where tribes may open casinos.

The Omnibus Indian Advancement Act set aside well-established rules and procedures, and left the government with little ability to regulate the Lytton Band's gaming operation.

The result: the Lytton Band acquired land and a casino without having to go through the normal oversight process. No local input. No community feedback and no consideration for the best interest of the region.

The Lytton Gaming Oversight Act would implement a reasonable solution to this problem.

It does so by taking two simple steps.

It protects the sovereignty of the Tribe by allowing continued operation of existing gaming activities, provided the tribe follows standards established by the Indian Gaming Regulatory Act for gaming on newly-acquired lands in the future.

Secondly it protects the interest of the surrounding community by precluding any physical or operational expansion of the Tribe's current gaming facility unless the Tribe consults with locals and obtains the consent of the Governor and the Secretary of the Interior as required by current law.

The bill does not modify or eliminate the tribe's federal recognition status. It does not alter the trust status of the Tribe's land. It does not take away the Tribe's ability to conduct gaming through the standard process prescribed by current law.

Circumventing the Indian Gaming Regulatory Act process deprives local and tribal governments the ability to weigh in on this incredibly important issue.

A 2006 report entitled Gambling in the Golden State found serious problems associated with gambling establishments; casinos are associated with a 10 percent increase in violent crime,

a 10 percent increase in bankruptcy rates, and a per capita increase of \$15.34 for law enforcement.

If this bill is not approved, the Lytton Tribe could take the existing casino that serves as their reservation and turn it into a large Nevada-style gambling complex. In fact, this is exactly what was proposed in the summer of 2004. I am pleased that the tribe has abandoned the plan seeking a sizable Class III casino, but without this legislation the tribe could reverse their decision at any time.

Identical legislation passed this body in the past two Congresses. It had unanimous approval from both Democrats and Republicans. This is in large part because I have worked and negotiated with the Tribe to ensure that this legislation is fair and balanced.

The bill is simple, straightforward, and reasonable. It restores the intent of Congress and preserves the sovereignty of the Lytton Band.

I urge my colleagues to support this bill, and look forward to working with you to ensure its passage again in the coming year.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 872

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. LYTTON RANCHERIA OF CALIFORNIA.

Section 819 of the Omnibus Indian Advancement Act (Public Law 106-568; 114 Stat. 2919) is amended—

(1) in the first sentence, by striking "Notwithstanding" and inserting the following:

"(a) ACCEPTANCE OF LAND.—Notwithstanding";

(2) in the second sentence, by striking "The Secretary" and inserting the following:

"(b) DECLARATION.—The Secretary"; and

(3) by striking the third sentence and inserting the following:

"(c) TREATMENT OF LAND FOR PURPOSES OF CLASS II GAMING.—

"(1) IN GENERAL.—Subject to paragraph (2), notwithstanding any other provision of law, the Lytton Rancheria of California may conduct activities for class II gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)) on the land taken into trust under this section.

"(2) REQUIREMENT.—The Lytton Rancheria of California shall not expand the exterior physical measurements of any facility on the Lytton Rancheria in use for class II gaming activities on the date of enactment of this paragraph.

"(d) TREATMENT OF LAND FOR PURPOSES OF CLASS III GAMING.—Notwithstanding subsection (a), for purposes of class III gaming (as defined in section 4 of the Indian Gaming Regulatory Act (25 U.S.C. 2703)), the land taken into trust under this section shall be treated, for purposes of section 20 of the Indian Gaming Regulatory Act (25 U.S.C. 2719), as if the land was acquired on October 9, 2003, the date on which the Secretary took the land into trust."

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 159—HONORING THE MEMBERS OF THE MILITARY AND INTELLIGENCE COMMUNITY WHO CARRIED OUT THE MISSION THAT KILLED OSAMA BIN LADEN, AND FOR OTHER PURPOSES

Mr. REID of Nevada (for himself, Mr. McCONNELL, Mr. AKAKA, Mr. ALEXANDER, Ms. AYOTTE, Mr. BARRASSO, Mr. BAUCUS, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTAL, Mr. BLUNT, Mr. BOOZMAN, Mrs. BOXER, Mr. BROWN of Massachusetts, Mr. BROWN of Ohio, Mr. BURR, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COATS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. COONS, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mr. HOEVEN, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. JOHNSON of South Dakota, Mr. KERRY, Mr. KIRK, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEAHY, Mr. LEE, Mr. LEVIN, Mr. LIEBERMAN, Mr. LUGAR, Mr. MANCHIN, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MILULSKI, Mr. MORAN, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PAUL, Mr. PORTMAN, Mr. PRYOR, Mr. REED of Rhode Island, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. RUBIO, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. TOOMEY, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN) submitted the following resolution; which was submitted and read:

S. RES. 159

Whereas, on May 1, 2011, United States personnel killed terrorist leader Osama bin Laden during the course of a targeted strike against his secret compound in Abbottabad, Pakistan;

Whereas Osama bin Laden was the leader of the al Qaeda terrorist organization, the most significant terrorism threat to the United States and the international community;

Whereas Osama bin Laden was the architect of terrorist attacks which killed nearly 3,000 civilians on September 11, 2001, the most deadly terrorist attack against our Nation, in which al Qaeda terrorists hijacked four airplanes and crashed them into the World Trade Center in New York City, the Pentagon in Washington, D.C., and, due to heroic efforts by civilian passengers to disrupt the terrorists, near Shanksville, Pennsylvania;

Whereas Osama bin Laden planned or supported numerous other deadly terrorist attacks against the United States and its al-

lies, including the 1998 bombings of United States embassies in Kenya and Tanzania and the 2000 attack on the U.S.S. Cole in Yemen, and against innocent civilians in countries around the world, including the 2004 attack on commuter trains in Madrid, Spain and the 2005 bombings of the mass transit system in London, England;

Whereas, following the September 11, 2001, terrorist attacks, the United States, under President George W. Bush, led an international coalition into Afghanistan to dismantle al Qaeda, deny them a safe haven in Afghanistan and ungoverned areas along the Pakistani border, and bring Osama bin Laden to justice;

Whereas President Barack Obama in 2009 committed additional forces and resources to efforts in Afghanistan and Pakistan as “the central front in our enduring struggle against terrorism and extremism”;

Whereas the valiant members of the United States Armed Forces have courageously and vigorously pursued al Qaeda and its affiliates in Afghanistan and around the world;

Whereas the anonymous, unsung heroes of the intelligence community have pursued al Qaeda and affiliates in Afghanistan, Pakistan, and around the world with tremendous dedication, sacrifice, and professionalism;

Whereas the close collaboration between the Armed Forces and the intelligence community prompted the Director of National Intelligence, General James Clapper, to state, “Never have I seen a more remarkable example of focused integration, seamless collaboration, and sheer professional magnificence as was demonstrated by the Intelligence Community in the ultimate demise of Osama bin Laden.”;

Whereas, while the death of Osama bin Laden represents a significant blow to the al Qaeda organization and its affiliates and to terrorist organizations around the world, terrorism remains a critical threat to United States national security; and

Whereas President Obama said, “For over two decades, bin Laden has been al Qaeda’s leader and symbol, and has continued to plot attacks against our country and our friends and allies. The death of bin Laden marks the most significant achievement to date in our Nation’s effort to defeat al Qaeda.”; Now, therefore, be it

Resolved, That the Senate—

(1) declares that the death of Osama bin Laden represents a measure of justice and relief for the families and friends of the nearly 3,000 men and women who lost their lives on September 11, 2001, the men and women in the United States and around the world who have been killed by other al Qaeda-sponsored attacks, the men and women of the United States Armed Forces and the intelligence community who have sacrificed their lives pursuing Osama bin Laden and al Qaeda;

(2) commends the men and women of the United States Armed Forces and the United States intelligence community for the tremendous commitment, perseverance, professionalism, and sacrifice they displayed in bringing Osama bin Laden to justice;

(3) commends the men and women of the United States Armed Forces and the United States intelligence community for committing themselves to defeating, disrupting, and dismantling al Qaeda;

(4) commends the President for ordering the successful operations to locate and eliminate Osama bin Laden; and

(5) reaffirms its commitment to disrupting, dismantling, and defeating al Qaeda and affiliated organizations around the world that threaten United States national security,

eliminating a safe haven for terrorists in Afghanistan and Pakistan, and bringing terrorists to justice.

SENATE RESOLUTION 160—DESIGNATING MAY 6, 2011, AS “MILITARY SPOUSE APPRECIATION DAY”

Mr. BURR (for himself, Mrs. FEINSTEIN, and Mrs. BOXER) submitted the following resolution; which was considered and agreed to:

S. RES. 160

Whereas the month of May marks “National Military Appreciation Month”;

Whereas military spouses provide vital support to men and women in the Armed Forces and help to make the service of such men and women in the Armed Forces possible;

Whereas military spouses have been separated from loved ones because of deployment in support of overseas contingency operations and other military missions carried out by the Armed Forces;

Whereas the establishment of “Military Spouse Appreciation Day” is an appropriate way to honor the spouses of members of the Armed Forces; and

Whereas May 6, 2011, would be an appropriate date to establish as “Military Spouse Appreciation Day”;

Resolved, That the Senate—

(1) designates May 6, 2011, as “Military Spouse Appreciation Day”;

(2) honors and recognizes the contributions made by spouses of members of the Armed Forces; and

(3) encourages the people of the United States to observe “Military Spouse Appreciation Day” to promote awareness of the contributions of spouses of members of the Armed Forces and the importance of the role of military spouses in the lives of members of the Armed Forces and veterans.

SENATE RESOLUTION 161—DESIGNATING MAY 2011, AS “NATIONAL INVENTORS MONTH”

Mr. LEAHY (for himself, Mr. GRASSLEY, and Mr. COONS) submitted the following resolution; which was considered and agreed to:

S. RES. 161

Whereas the first United States patent was issued in 1790 to Samuel Hopkins of the State of Vermont for a process to make better fertilizer;

Whereas American inventors have contributed to advances in life sciences, technology, and manufacturing;

Whereas the Constitution specifically provides for the granting of exclusive rights to inventors for their discoveries;

Whereas the United States patent system is intended to implement that constitutional imperative and incentivize inventions;

Whereas American inventors benefit from an up-to-date and efficient patent system and the economy, jobs, and consumers of the United States benefit from the inventions;

Whereas the next great American invention could be among the 700,000 patent applications pending as of the date of approval of this resolution in the United States Patent and Trademark Office;

Whereas the last changes to the United States patent system were made nearly 60 years ago;

Whereas an updated patent system will unleash innovation and create jobs in the United States without adding to the deficit;

Whereas every May, a new class of inventors is inducted into the National Inventors Hall of Fame;

Whereas in the 112th Congress, a bill was introduced in the House of Representatives entitled the "America Invents Act" (H.R. 1249) to make reforms to the United States patent system; and

Whereas the Senate on March 8, 2011, passed the bill entitled the "America Invents Act" (S. 23), which will make the first comprehensive reforms to the United States patent system in nearly 60 years: Now, therefore, be it

Resolved, That the Senate designates May 2011, as "National Inventors Month".

AMENDMENTS SUBMITTED AND PROPOSED

SA 303. Mr. ALEXANDER (for himself, Mr. GRAHAM, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs; which was ordered to lie on the table.

SA 304. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 305. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 306. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 307. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 308. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 309. Mr. COBURN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. WEBB, Ms. COLLINS, Mr. CARDIN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 310. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 311. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 312. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 313. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 314. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 315. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 316. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

SA 317. Mr. KERRY (for himself, Mr. LUGAR, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 493, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 303. Mr. ALEXANDER (for himself, Mr. GRAHAM, and Mr. DEMINT) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. . . PROTECTION OF RIGHT TO WORK.

(a) APPLICABILITY OF NLRA TO STATE RIGHT TO WORK LAWS.—Section 14 of the National Labor Relations Act (29 U.S.C. 164) is amended by striking subsection (b) and inserting the following:

"(b) Nothing in this Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and employers that make membership in the labor organization, or that require the payment of dues or fees to such organization, a condition of employment either before or after hiring."

(b) APPLICABILITY OF RAILWAY LABOR ACT TO STATE RIGHT TO WORK LAWS.—Title II of the Railway Labor Act (45 U.S.C. 181 et seq.) is amended by adding at the end the following:

"SEC. 209. EFFECT ON STATE RIGHT TO WORK LAWS.

"Nothing in this Act shall be construed to limit the application of any State law that prohibits, or otherwise places restraints upon, agreements between labor organizations and carriers that make membership in the labor organization, or that require the payment of dues or fees to such organization, a condition of employment either before or after hiring."

SA 304. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, line 16, strike "and" and all that follows through line 18 and insert the following:

(B) by striking "SBIR projects" and inserting "SBIR or STTR projects";

(C) in subparagraph (C), by striking "and" at the end;

(D) in subparagraph (D), by striking the period at the end and inserting "; and"; and

(E) by adding at the end the following:

"(E) developing and manufacturing in the United States new commercial products and processes resulting from such projects.";

SA 305. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 83, line 15, strike "and" and all that follows through line 22 and insert the following:

"(viii) the Federal agency to which the application is made, and contact information for the person or office within the Federal agency that is responsible for reviewing applications and making awards under the SBIR program or the STTR program; and

"(ix) whether the small business concern—
"(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of a Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

"(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States";

SA 306. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 90, line 10, strike "and" and all that follows through line 13 and insert the following:

"(C) estimate, to the extent practicable, the number of jobs created by the SBIR program or STTR program of the agency;

"(D) estimate, to the extent practicable, the amount of production and manufacturing in the United States that resulted from awards under the SBIR program or STTR program of the agency; and

"(E) make recommendations, if any, for changes to the SBIR program or STTR program of the agency that would increase production and manufacturing in the United States.

SA 307. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 91, line 20, strike "and" and all that follows through line 22 and insert the following:

"(3) the dollar amount of the Phase III award; and

"(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States."

SA 308. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 115, line 8, insert after "programs" the following: ", including the impact on production and manufacturing in the United States".

SA 309. Mr. COBURN (for himself, Mrs. FEINSTEIN, Mr. BURR, Mr. WEBB, Ms. COLLINS, Mr. CARDIN, and Mr. RISCH) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. ____ . REPEAL OF VEETC.

(a) **SHORT TITLE.**—This section may be cited as the “Ethanol Subsidy and Tariff Repeal Act”.

(b) **ELIMINATION OF EXCISE TAX CREDIT OR PAYMENT.**—

(1) Section 6426(b)(6) of the Internal Revenue Code of 1986 is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”.

(2) Section 6427(e)(6)(A) of such Code is amended by striking “December 31, 2011” and inserting “the later of June 30, 2011, or the

date of the enactment the Ethanol Subsidy and Tariff Repeal Act”.

(c) **ELIMINATION OF INCOME TAX CREDIT.**—The table contained in section 40(h)(2) of the Internal Revenue Code of 1986 is amended—

(1) by striking “2011” and inserting “the later of June 30, 2011, or the date of the enactment of the Ethanol Subsidy and Tariff Repeal Act”;

(2) by adding at the end the following:

“After such date zero zero”.

(d) **REPEAL OF DEADWOOD.**—

“Subchapter XXIII

Alternative Fuels

(1) Section 40(h) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(2) Section 6426(b)(2) of such Code is amended by striking subparagraph (C).

(e) **EFFECTIVE DATE.**—The amendments made by this section shall apply to any sale, use, or removal for any period after the later of June 30, 2011, or the date of the enactment of the Act.

SEC. ____ . REMOVAL OF TARIFFS ON ETHANOL.

(a) **DUTY-FREE TREATMENT.**—Chapter 98 of the Harmonized Tariff Schedule of the United States is amended by adding at the end the following new subchapter:

Heading/ Sub- heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9823.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses	Free	Free	20%”.

(b) **CONFORMING AMENDMENTS.**—Subchapter I of chapter 99 of the Harmonized Tariff Schedule of the United States is amended—

(1) by striking heading 9901.00.50; and

(2) by striking U.S. notes 2 and 3.

(c) **EFFECTIVE DATE.**—The amendments made by this section apply to goods entered, or withdrawn from warehouse for consumption, on or after the later of June 30, 2011, or the date of the enactment of this Act.

SA 310. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. PROHIBITION ON CERTAIN NO-BID CONTRACTS.

(a) **DEFINITIONS.**—In this section—

(1) the term “appropriate official” means the official of the Department who is designated to approve the award of sole-source contracts;

(2) the term “covered participant” means an Indian tribe, Alaska Native Corporation or Alaska Native Village, Native Hawaiian Organization, or community development corporation participating in the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a));

(3) the term “Department” means the Department of Homeland Security; and

(4) the term “Secretary” means the Secretary of Homeland Security.

(b) **IN GENERAL.**—The Federal Acquisition Regulatory Council shall amend the Federal Acquisition Regulation to provide that the Secretary may not award a sole-source contract under the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a)) to a covered participant for an amount exceeding \$4,000,000, if the covered contract is for the procurement of services, or \$6,500,000 if the covered contract is for the procurement of property, unless—

(1) the contracting officer for the contract justifies the use of a sole-source contract in writing;

(2) the justification is approved by the appropriate official designated to approve con-

tract awards for dollar amounts that are comparable to the amount of the sole-source contract; and

(3) the justification and related information are made public.

(c) **ELEMENTS OF JUSTIFICATION.**—The justification of a sole-source contract required under subsection (b) shall include—

(1) a description of the needs of the Department for the matters covered by the contract;

(2) a specification of the statutory provision providing the exception from the requirement to use competitive procedures in entering into the contract;

(3) a determination that the use of a sole-source contract is in the best interest of the Department;

(4) a determination that the anticipated cost of the contract will be fair and reasonable; and

(5) such other matters as the Secretary shall specify for purposes of this section.

(d) **ADJUSTMENT OF AMOUNTS.**—The dollar amounts described in subsection (b) shall be adjusted for inflation in accordance with section 1908 of title 41, United States Code.

SA 311. Mr. DEMINT submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. ____ . NATIONAL RIGHT-TO-WORK.

(a) **AMENDMENTS TO THE NATIONAL LABOR RELATIONS ACT.**—

(1) **RIGHTS OF EMPLOYEES.**—Section 7 of the National Labor Relations Act (29 U.S.C. 157) is amended by striking “except to” and all that follows through “authorized in section 8(a)(3)”.

(2) **UNFAIR LABOR PRACTICES.**—Section 8 of the National Labor Relations Act (29 U.S.C. 158) is amended—

(A) in subsection (a)(3), by striking “: *Provided*, That” and all that follows through “retaining membership”;

(B) in subsection (b)—

(i) in paragraph (2), by striking “or to discriminate” and all that follows through “retaining membership”; and

(ii) in paragraph (5), by striking “covered by an agreement authorized under subsection (a)(3) of this section”; and

(C) in subsection (f), by striking clause (2) and redesignating clauses (3) and (4) as clauses (2) and (3), respectively.

(b) **AMENDMENT TO THE RAILWAY LABOR ACT.**—Section 2 of the Railway Labor Act (45 U.S.C. 152) is amended by striking paragraph Eleven.

SA 312. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. OVERSIGHT BY THE SMALL BUSINESS ADMINISTRATION OF NO-BID CONTRACTS AWARDED TO TRIBALLY-OWNED SMALL BUSINESS CONCERNS.

The Administrator of the Small Business Administration shall amend section 124.604 of title 13, Code of Federal Regulations, to specify that the information required to be submitted under such section 124.604—

(1) is required to be submitted to the Small Business Administration as part of any annual review submission made on or after September 14, 2011; and

(2) shall include, for each contract entered into under the program under section 8(a) of the Small Business Act (15 U.S.C. 637(a))—

(A) the total number of Tribal or native members employed under each contract; and

(B) the ratio of Tribal or native members to other individuals directly employed under each contract.

SA 313. Mr. MCCAIN submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 504. ALASKA NATIVE CORPORATIONS AND ALASKA NATIVE VILLAGES.

(a) IN GENERAL.—Section 29(e) of the Alaska Native Claims Settlement Act (43 U.S.C. 1626(e)) is amended—

(1) in paragraph (1), by striking “For all purposes of” and inserting “Except as provided in paragraph (5), for all purposes of”;

(2) in paragraph (2), by striking “For all purposes of” and inserting “Except as provided in paragraph (5), for all purposes of”;

(3) by adding at the end the following:

“(5) For purposes of sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)), whether a Native Corporation or Native village or a direct and indirect subsidiary corporation, joint venture, or partnership of a Native Corporation or Native village is economically disadvantaged shall be determined in accordance with section 8(a)(6) of the Small Business Act.”.

(b) STANDARDS.—Section 8(a)(6) of the Small Business Act (15 U.S.C. 637(a)(6)) is amended—

(1) in subparagraph (A), in the third sentence, by inserting “including an Alaska Native Corporation or Alaska Native Village,” after “Indian tribe.”; and

(2) by adding at the end the following:

“(F) For purposes of this subsection and section 7(j)(10), the Administrator shall annually determine whether an Alaska Native Corporation or Alaska Native Village is economically disadvantaged in the same manner as for an applicant for or participant in the program under this subsection that—

“(i) is an Indian tribe; and

“(ii) is not an Alaska Native Corporation or Alaska Native Village.”.

(c) REGULATIONS.—Not later than 270 days after the date of enactment of this Act, the Administrator shall amend the regulations issued under sections 7(j)(10) and 8(a) of the Small Business Act (15 U.S.C. 636(j)(10) and 637(a)) in accordance with this section and the amendments made by this section, which shall include establishing criteria for determining whether an Alaska Native Corporation or Alaska Native Village is economically disadvantaged.

SA 314. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 116, strike lines 15 and 16 and insert the following:

SEC. 503. CREATING DOMESTIC MANUFACTURING JOBS.

(a) TECHNICAL ASSISTANCE.—Section 9(q)(1) of the Small Business Act (15 U.S.C. 638(q)(1)), as amended by this Act, is amended—

(1) in subparagraph (C), by striking “and” at the end;

(2) in subparagraph (D), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(E) developing and manufacturing in the United States new commercial products and processes resulting from such projects.”;

(b) SBIR DATA COLLECTION.—Section 9(g)(8)(A) of the Small Business Act, as added by this Act, is amended—

(1) in clause (vi), by striking “or” at the end;

(2) in clause (vii), by striking “and” at the end and inserting “or”;

(3) by adding at the end the following:

“(viii)(I) has a product, process, technology, or service that received funding under the SBIR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and”.

(c) STTR DATA COLLECTION.—Section 9(o)(9)(A) of the Small Business Act, as added by this Act, is amended—

(1) in clause (vi), by striking “or” at the end;

(2) in clause (vii), by striking “and” at the end and inserting “or”;

(3) by adding at the end the following:

“(viii)(I) has a product, process, technology, or service that received funding under the STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and”.

(d) PUBLIC DATABASE.—Section 9(k)(1)(F) of the Small Business Act, as added by this Act, is amended—

(1) in clause (iv), by striking “or” at the end;

(2) in clause (v), by striking the period at the end and inserting “; or”;

(3) by adding at the end the following:

“(vi)(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.”.

(e) GOVERNMENT DATABASE.—Section 9(k)(2)(A) of the Small Business Act (15 U.S.C. 638(k)(2)(A)), as amended by this Act, is amended—

(1) in clause (vii), by striking “and” at the end;

(2) in clause (viii), by adding “and” at the end; and

(3) by adding at the end the following:

“(ix) whether the small business concern—

“(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of a Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.”.

(f) EVALUATION BY NATIONAL ACADEMY OF SCIENCES.—Section 108(e)(1) of the Small Business Reauthorization Act of 2000 (15 U.S.C. 638 note), as added by this Act, is amended—

(1) in subparagraph (B), by striking “and” at the end;

(2) in subparagraph (C), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(D) estimate, to the extent practicable, the amount of production and manufacturing in the United States that resulted from awards under the SBIR program or STTR program of the agency; and

“(E) make recommendations, if any, for changes to the SBIR program or STTR program of the agency that would increase production and manufacturing in the United States.”.

(g) TECHNOLOGY INSERTION REPORTING REQUIREMENTS.—Section 9(ii) of the Small Business Act, as added by this Act, is amended—

(1) in paragraph (2), by striking “and” at the end;

(2) in paragraph (3), by striking the period at the end and inserting “; and”;

(3) by adding at the end the following:

“(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States.”.

(h) INTERAGENCY POLICY COMMITTEE.—In addition to the duties established under section 314 of this Act, the Interagency SBIR/STTR Policy Committee established under section 314 of this Act shall identify ways for Federal agencies to create incentives for recipients of awards under the SBIR program and the STTR program to carry out research, development, testing, production, and manufacturing in the United States.

(i) REPORT ON PROGRAM GOALS.—Section 9(11)(1)(C) of the Small Business Act, as added by this Act, is amended by inserting before the period at the end the following: “, including the impact on production and manufacturing in the United States”.

(j) COMMERCIALIZATION READINESS PILOT PROGRAM FOR CIVILIAN AGENCIES.—Section 9(ff) of the Small Business Act, as added by this Act, is amended—

(1) by redesignating paragraphs (5), (6), and (7) as paragraphs (6), (7), and (8), respectively; and

(2) by inserting after paragraph (4) the following:

“(5) INCREASING DOMESTIC CAPABILITIES.—In carrying out a pilot program, the head of a covered Federal agency shall give preference to applicants that intend to test, develop, manufacture or commercialize a product or service in the United States.”.

SEC. 504. COMPETITIVE SELECTION PROCEDURES FOR SBIR AND STTR PROGRAMS.

SA 315. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 49, line 16, strike “and” and all that follows through page 115, line 8, and insert the following:

(B) by striking “SBIR projects” and inserting “SBIR or STTR projects”;

(C) in subparagraph (C), by striking “and” at the end;

(D) in subparagraph (D), by striking the period at the end and inserting “; and”;

(E) by adding at the end the following:

“(E) developing and manufacturing in the United States new commercial products and processes resulting from such projects.”;

(2) in paragraph (2), by striking “3 years” and inserting “5 years”;

(3) in paragraph (3)—

(A) in subparagraph (A)—

(i) by inserting “or STTR” after “SBIR”;

(ii) by striking “\$4,000” and inserting “\$5,000”;

(B) by striking subparagraph (B) and inserting the following:

“(B) PHASE II.—A Federal agency described in paragraph (1) may—

“(i) provide to the recipient of a Phase II SBIR or STTR award, through a vendor selected under paragraph (2), the services described in paragraph (1), in an amount equal to not more than \$5,000 per year; or

“(ii) authorize the recipient of a Phase II SBIR or STTR award to purchase the services described in paragraph (1), in an amount equal to not more than \$5,000 per year, which shall be in addition to the amount of the recipient’s award.”; and

(C) by adding at the end the following:

“(C) FLEXIBILITY.—In carrying out subparagraphs (A) and (B), each Federal agency shall provide the allowable amounts to a recipient that meets the eligibility requirements under the applicable subparagraph, if the recipient requests to seek technical assistance from an individual or entity other than the vendor selected under paragraph (2) by the Federal agency.

“(D) LIMITATION.—A Federal agency may not—

“(i) use the amounts authorized under subparagraph (A) or (B) unless the vendor selected under paragraph (2) provides the technical assistance to the recipient; or

“(ii) enter a contract with a vendor under paragraph (2) under which the amount provided for technical assistance is based on total number of Phase I or Phase II awards.”.

SEC. 203. COMMERCIALIZATION READINESS PROGRAM AT DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 9(y) of the Small Business Act (15 U.S.C. 638(y)) is amended—

(1) in the subsection heading, by striking “PILOT” and inserting “READINESS”;

(2) by striking “Pilot” each place that term appears and inserting “Readiness”;

(3) in paragraph (1)—

(A) by inserting “or Small Business Technology Transfer Program” after “Small Business Innovation Research Program”; and

(B) by adding at the end the following: “The authority to create and administer a Commercialization Readiness Program under this subsection may not be construed to eliminate or replace any other SBIR program or STTR program that enhances the insertion or transition of SBIR or STTR technologies, including any such program in effect on the date of enactment of the National Defense Authorization Act for Fiscal Year 2006 (Public Law 109-163; 119 Stat. 3136).”;

(4) in paragraph (2), by inserting “or Small Business Technology Transfer Program” after “Small Business Innovation Research Program”;

(5) by striking paragraphs (5) and (6); and

(6) by inserting after paragraph (4) the following:

“(5) INSERTION INCENTIVES.—For any contract with a value of not less than \$100,000,000, the Secretary of Defense is authorized to—

“(A) establish goals for the transition of Phase III technologies in subcontracting plans; and

“(B) require a prime contractor on such a contract to report the number and dollar amount of contracts entered into by that prime contractor for Phase III SBIR or STTR projects.

“(6) GOAL FOR SBIR AND STTR TECHNOLOGY INSERTION.—The Secretary of Defense shall—

“(A) set a goal to increase the number of Phase II SBIR contracts and the number of Phase II STTR contracts awarded by that Secretary that lead to technology transition into programs of record or fielded systems;

“(B) use incentives in effect on the date of enactment of the SBIR/STTR Reauthorization Act of 2011, or create new incentives, to encourage agency program managers and prime contractors to meet the goal under subparagraph (A); and

“(C) include in the annual report to Congress the percentage of contracts described in subparagraph (A) awarded by that Secretary, and information on the ongoing status of projects funded through the Commercialization Readiness Program and efforts to transition these technologies into programs of record or fielded systems.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 9(i)(1) of the Small Business Act (15 U.S.C. 638(i)(1)) is amended by inserting “(including awards under subsection (y))” after “the number of awards”.

SEC. 204. COMMERCIALIZATION READINESS PILOT PROGRAM FOR CIVILIAN AGENCIES.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(ff) PILOT PROGRAM.—

“(1) AUTHORIZATION.—The head of each covered Federal agency may allocate not more than 10 percent of the funds allocated to the SBIR program and the STTR program of the covered Federal agency—

“(A) for awards for technology development, testing, and evaluation of SBIR and STTR Phase II technologies; or

“(B) to support the progress of research or research and development conducted under the SBIR or STTR programs to Phase III.

“(2) APPLICATION BY FEDERAL AGENCY.—

“(A) IN GENERAL.—A covered Federal agency may not establish a pilot program unless the covered Federal agency makes a written application to the Administrator, not later than 90 days before the first day of the fiscal year in which the pilot program is to be established, that describes a compelling reason that additional investment in SBIR or STTR technologies is necessary, including unusually high regulatory, systems integration, or other costs relating to development or manufacturing of identifiable, highly promising small business technologies or a class of such technologies expected to substantially advance the mission of the agency.

“(B) DETERMINATION.—The Administrator shall—

“(i) make a determination regarding an application submitted under subparagraph (A) not later than 30 days before the first day of the fiscal year for which the application is submitted;

“(ii) publish the determination in the Federal Register; and

“(iii) make a copy of the determination and any related materials available to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives.

“(3) MAXIMUM AMOUNT OF AWARD.—The head of a covered Federal agency may not make an award under a pilot program in excess of 3 times the dollar amounts generally established for Phase II awards under subsection (j)(2)(D) or (p)(2)(B)(ix).

“(4) REGISTRATION.—Any applicant that receives an award under a pilot program shall register with the Administrator in a registry that is available to the public.

“(5) INCREASING DOMESTIC CAPABILITIES.—In carrying out a pilot program, the head of a covered Federal agency shall give preference to applicants that intend to test, develop, or manufacture a product or service in the United States.

“(6) REPORT.—The head of each covered Federal agency shall include in the annual report of the covered Federal agency to the Administrator an analysis of the various activities considered for inclusion in the pilot program of the covered Federal agency and a statement of the reasons why each activity considered was included or not included, as the case may be.

“(7) TERMINATION.—The authority to establish a pilot program under this section expires at the end of fiscal year 2014.

“(8) DEFINITIONS.—In this subsection—

“(A) the term ‘covered Federal agency’—

“(i) means a Federal agency participating in the SBIR program or the STTR program; and

“(ii) does not include the Department of Defense; and

“(B) the term ‘pilot program’ means the program established under paragraph (1).”.

SEC. 205. ACCELERATING CURES.

(a) IN GENERAL.—The Small Business Act (15 U.S.C. 631 et seq.) is amended by inserting after section 42, as redesignated by section 201 of this Act, the following:

“SEC. 43. SMALL BUSINESS INNOVATION RESEARCH PROGRAM.

“(a) NIH CURES PILOT.—

“(1) ESTABLISHMENT.—An independent advisory board shall be established at the National Academy of Sciences (in this section referred to as the ‘advisory board’) to conduct periodic evaluations of the SBIR program (as that term is defined in section 9) of each of the National Institutes of Health (referred to in this section as the ‘NIH’) institutes and centers for the purpose of improving the management of the SBIR program through data-driven assessment.

“(2) MEMBERSHIP.—

“(A) IN GENERAL.—The advisory board shall consist of—

“(i) the Director of the NIH;

“(ii) the Director of the SBIR program of the NIH;

“(iii) senior NIH agency managers, selected by the Director of NIH;

“(iv) industry experts, selected by the Council of the National Academy of Sciences in consultation with the Associate Administrator for Technology of the Administration and the Director of the Office of Science and Technology Policy; and

“(v) owners or operators of small business concerns that have received an award under the SBIR program of the NIH, selected by the Associate Administrator for Technology of the Administration.

“(B) NUMBER OF MEMBERS.—The total number of members selected under clauses (iii), (iv), and (v) of subparagraph (A) shall not exceed 10.

“(C) EQUAL REPRESENTATION.—The total number of members of the advisory board selected under clauses (i), (ii), (iii), and (iv) of subparagraph (A) shall be equal to the number of members of the advisory board selected under subparagraph (A)(v).

“(b) ADDRESSING DATA GAPS.—In order to enhance the evidence-base guiding SBIR program decisions and changes, the Director of the SBIR program of the NIH shall address the gaps and deficiencies in the data collection concerns identified in the 2007 report of the National Academy of Science entitled ‘An Assessment of the Small Business Innovation Research Program at the NIH’.

“(c) PILOT PROGRAM.—

“(1) IN GENERAL.—The Director of the SBIR program of the NIH may initiate a pilot program, under a formal mechanism for designing, implementing, and evaluating pilot programs, to spur innovation and to test new

strategies that may enhance the development of cures and therapies.

“(2) CONSIDERATIONS.—The Director of the SBIR program of the NIH may consider conducting a pilot program to include individuals with successful SBIR program experience in study sections, hiring individuals with small business development experience for staff positions, separating the commercial and scientific review processes, and examining the impact of the trend toward larger awards on the overall program.

“(d) REPORT TO CONGRESS.—The Director of the NIH shall submit an annual report to Congress and the advisory board on the activities of the SBIR program of the NIH under this section.

“(e) SBIR GRANTS AND CONTRACTS.—

“(1) IN GENERAL.—In awarding grants and contracts under the SBIR program of the NIH each SBIR program manager shall emphasize applications that identify products, processes, technologies, and services that may enhance the development of cures and therapies.

“(2) EXAMINATION OF COMMERCIALIZATION AND OTHER METRICS.—The advisory board shall evaluate the implementation of the requirement under paragraph (1) by examining increased commercialization and other metrics, to be determined and collected by the SBIR program of the NIH.

“(3) PHASE I AND II.—To the greatest extent practicable, the Director of the SBIR program of the NIH shall reduce the time period between Phase I and Phase II funding of grants and contracts under the SBIR program of the NIH to 90 days.

“(f) LIMIT.—Not more than a total of 1 percent of the extramural budget (as defined in section 9 of the Small Business Act (15 U.S.C. 638)) of the NIH for research or research and development may be used for the pilot program under subsection (c) and to carry out subsection (e).”

(b) PROSPECTIVE REPEAL.—Effective 5 years after the date of enactment of this Act, the Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) by striking section 43, as added by subsection (a); and

(2) by redesignating sections 44 and 45 as sections 43 and 44, respectively.

SEC. 206. FEDERAL AGENCY ENGAGEMENT WITH SBIR AND STTR Awardees THAT HAVE BEEN AWARDED MULTIPLE PHASE I AWARDS BUT HAVE NOT BEEN AWARDED PHASE II AWARDS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(gg) REQUIREMENTS RELATING TO FEDERAL AGENCY ENGAGEMENT WITH CERTAIN PHASE I SBIR AND STTR Awardees.—

“(1) DEFINITION.—In this subsection, the term ‘covered awardee’ means a small business concern that—

“(A) has received multiple Phase I awards over multiple years, as determined by the head of a Federal agency, under the SBIR program or the STTR program of the Federal agency; and

“(B) has not received a Phase II award—

“(i) under the SBIR program or STTR program, as the case may be, of the Federal agency described in subparagraph (A); or

“(ii) relating to a Phase I award described in subparagraph (A) under the SBIR program or the STTR program of another Federal agency.

“(2) PERFORMANCE MEASURES.—The head of each Federal agency that participates in the SBIR program or the STTR program shall develop performance measures for any covered awardee relating to commercializing re-

search or research and development activities under the SBIR program or the STTR program of the Federal agency.”

SEC. 207. CLARIFYING THE DEFINITION OF “PHASE III”.

(a) PHASE III AWARDS.—Section 9(e) of the Small Business Act (15 U.S.C. 638(e)) is amended—

(1) in paragraph (4)(C), in the matter preceding clause (i), by inserting “for work that derives from, extends, or completes efforts made under prior funding agreements under the SBIR program” after “phase”; and

(2) in paragraph (6)(C), in the matter preceding clause (i), by inserting “for work that derives from, extends, or completes efforts made under prior funding agreements under the STTR program” after “phase”; and

(3) in paragraph (8), by striking “and” at the end;

(4) in paragraph (9), by striking the period at the end and inserting a semicolon; and

(5) by adding at the end the following:

“(10) the term ‘commercialization’ means—

“(A) the process of developing products, processes, technologies, or services; and

“(B) the production and delivery of products, processes, technologies, or services for sale (whether by the originating party or by others) to or use by the Federal Government or commercial markets.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—The Small Business Act (15 U.S.C. 631 et seq.) is amended—

(1) in section 9 (15 U.S.C. 638)—

(A) in subsection (e)—

(i) in paragraph (4)(C)(ii), by striking “scientific review criteria” and inserting “merit-based selection procedures”; and

(ii) in paragraph (9), by striking “the second or the third phase” and inserting “Phase II or Phase III”; and

(iii) by adding at the end the following:

“(11) the term ‘Phase I’ means—

“(A) with respect to the SBIR program, the first phase described in paragraph (4)(A); and

“(B) with respect to the STTR program, the first phase described in paragraph (6)(A);

“(12) the term ‘Phase II’ means—

“(A) with respect to the SBIR program, the second phase described in paragraph (4)(B); and

“(B) with respect to the STTR program, the second phase described in paragraph (6)(B); and

“(13) the term ‘Phase III’ means—

“(A) with respect to the SBIR program, the third phase described in paragraph (4)(C); and

“(B) with respect to the STTR program, the third phase described in paragraph (6)(C).”

(B) in subsection (j)—

(i) in paragraph (1)(B), by striking “phase two” and inserting “Phase II”; and

(ii) in paragraph (2)—

(I) in subparagraph (B)—

(aa) by striking “the third phase” each place it appears and inserting “Phase III”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(II) in subparagraph (D)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(III) in subparagraph (F), by striking “the third phase” and inserting “Phase III”; and

(IV) in subparagraph (G)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(V) in subparagraph (H)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “second phase” each place it appears and inserting “Phase II”; and

(cc) by striking “third phase” and inserting “Phase III”; and

(iii) in paragraph (3)—

(I) in subparagraph (A)—

(aa) by striking “the first phase (as described in subsection (e)(4)(A))” and inserting “Phase I”; and

(bb) by striking “the second phase (as described in subsection (e)(4)(B))” and inserting “Phase II”; and

(cc) by striking “the third phase (as described in subsection (e)(4)(C))” and inserting “Phase III”; and

(II) in subparagraph (B), by striking “second phase” and inserting “Phase II”; and

(C) in subsection (k)—

(i) by striking “first phase” each place it appears and inserting “Phase I”; and

(ii) by striking “second phase” each place it appears and inserting “Phase II”; and

(D) in subsection (l)(2)—

(i) by striking “the first phase” and inserting “Phase I”; and

(ii) by striking “the second phase” and inserting “Phase II”; and

(E) in subsection (o)(13)—

(i) in subparagraph (B), by striking “second phase” and inserting “Phase II”; and

(ii) in subparagraph (C), by striking “third phase” and inserting “Phase III”; and

(F) in subsection (p)—

(i) in paragraph (2)(B)—

(I) in clause (vi)—

(aa) by striking “the second phase” and inserting “Phase II”; and

(bb) by striking “the third phase” and inserting “Phase III”; and

(II) in clause (ix)—

(aa) by striking “the first phase” and inserting “Phase I”; and

(bb) by striking “the second phase” and inserting “Phase II”; and

(ii) in paragraph (3)—

(I) by striking “the first phase (as described in subsection (e)(6)(A))” and inserting “Phase I”; and

(II) by striking “the second phase (as described in subsection (e)(6)(B))” and inserting “Phase II”; and

(III) by striking “the third phase (as described in subsection (e)(6)(A))” and inserting “Phase III”; and

(G) in subsection (q)(3)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking “FIRST PHASE” and inserting “PHASE I”; and

(II) by striking “first phase” and inserting “Phase I”; and

(ii) in subparagraph (B)—

(I) in the subparagraph heading, by striking “SECOND PHASE” and inserting “PHASE II”; and

(II) by striking “second phase” and inserting “Phase II”; and

(H) in subsection (r)—

(i) in the subsection heading, by striking “THIRD PHASE” and inserting “PHASE III”; and

(ii) in paragraph (1)—

(I) in the first sentence—

(aa) by striking “for the second phase” and inserting “for Phase II”; and

(bb) by striking “third phase” and inserting “Phase III”; and

(cc) by striking “second phase period” and inserting “Phase II period”; and

(II) in the second sentence—

(aa) by striking “second phase” and inserting “Phase II”; and

(bb) by striking “second phase” and inserting “Phase II”; and

(cc) by striking “second phase” and inserting “Phase II”; and

(dd) by striking “second phase” and inserting “Phase II”; and

(bb) by striking “third phase” and inserting “Phase III”; and

(iii) in paragraph (2), by striking “third phase” and inserting “Phase III”; and

(I) in subsection (u)(2)(B), by striking “the first phase” and inserting “Phase I”; and

(2) in section 34(c)(2)(B)(vii) (15 U.S.C. 657e(c)(2)(B)(vii)), as redesignated by section 201 of this Act, by striking “third phase” and inserting “Phase III”.

SEC. 208. SHORTENED PERIOD FOR FINAL DECISIONS ON PROPOSALS AND APPLICATIONS.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(1) in subsection (g)(4)—

(A) by inserting “(A)” after “(4)”; and

(B) by adding “and” after the semicolon at the end; and

(C) by adding at the end the following:

“(B) make a final decision on each proposal submitted under the SBIR program—

“(i) not later than 90 days after the date on which the solicitation closes; or

“(ii) if the Administrator authorizes an extension for a solicitation, not later than 180 days after the date on which the solicitation closes;”; and

(2) in subsection (o)(4)—

(A) by inserting “(A)” after “(4)”; and

(B) by adding “and” after the semicolon at the end; and

(C) by adding at the end the following:

“(B) make a final decision on each proposal submitted under the STTR program—

“(i) not later than 90 days after the date on which the solicitation closes; or

“(ii) if the Administrator authorizes an extension for a solicitation, not later than 180 days after the date on which the solicitation closes;”.

(b) NIH PEER REVIEW PROCESS.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(hh) NIH PEER REVIEW PROCESS.—The Director of the National Institutes of Health may make an award under the SBIR program or the STTR program of the National Institutes of Health if the application for the award has undergone technical and scientific peer review under section 492 of the Public Health Service Act (42 U.S.C. 289a).”.

(2) TECHNICAL AND CONFORMING AMENDMENTS.—Section 105 of the National Institutes of Health Reform Act of 2006 (42 U.S.C. 284n) is amended—

(A) in subsection (a)(3)—

(i) by striking “A grant” and inserting “Except as provided in section 9(hh) of the Small Business Act (15 U.S.C. 638(hh)), a grant”; and

(ii) by striking “section 402(k)” and all that follows through “(Act)” and inserting “section 402(1) of such Act”; and

(B) in subsection (b)(5)—

(i) by striking “A grant” and inserting “Except as provided in section 9(hh) of the Small Business Act (15 U.S.C. 638(hh)), a grant”; and

(ii) by striking “section 402(k)” and all that follows through “(Act)” and inserting “section 402(1) of such Act”.

TITLE III—OVERSIGHT AND EVALUATION

SEC. 301. STREAMLINING ANNUAL EVALUATION REQUIREMENTS.

Section 9(b) of the Small Business Act (15 U.S.C. 638(b)), as amended by section 102 of this Act, is amended—

(1) in paragraph (7)—

(A) by striking “STTR programs, including the data” and inserting the following: “STTR programs, including—

“(A) the data”; and

(B) by striking “(g)(10), (o)(9), and (o)(15), the number” and all that follows through “under each of the SBIR and STTR programs, and a description” and inserting the following: “(g)(8) and (o)(9); and

“(B) the number of proposals received from, and the number and total amount of awards to, HUBZone small business concerns and firms with venture capital investment (including those majority-owned by multiple venture capital operating companies) under each of the SBIR and STTR programs; and

“(C) a description of the extent to which each Federal agency is increasing outreach and awards to firms owned and controlled by women and social or economically disadvantaged individuals under each of the SBIR and STTR programs; and

“(D) general information about the implementation of, and compliance with the allocation of funds required under, subsection (cc) for firms owned in majority part by venture capital operating companies and participating in the SBIR program; and

“(E) a detailed description of appeals of Phase III awards and notices of noncompliance with the SBIR Policy Directive and the STTR Policy Directive filed by the Administrator with Federal agencies; and

“(F) a description”; and

(2) by inserting after paragraph (7) the following:

“(8) to coordinate the implementation of electronic databases at each of the Federal agencies participating in the SBIR program or the STTR program, including the technical ability of the participating agencies to electronically share data;”.

SEC. 302. DATA COLLECTION FROM AGENCIES FOR SBIR.

Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) by striking paragraph (10);

(2) by redesignating paragraphs (8) and (9) as paragraphs (9) and (10), respectively; and

(3) by inserting after paragraph (7) the following:

“(8) collect annually, and maintain in a common format in accordance with the simplified reporting requirements under subsection (v), such information from awardees as is necessary to assess the SBIR program, including information necessary to maintain the database described in subsection (k), including—

“(A) whether an awardee—

“(i) has venture capital or is majority-owned by multiple venture capital operating companies, and, if so—

“(I) the amount of venture capital that the awardee has received as of the date of the award; and

“(II) the amount of additional capital that the awardee has invested in the SBIR technology; and

“(ii) has an investor that—

“(I) is an individual who is not a citizen of the United States or a lawful permanent resident of the United States, and if so, the name of any such individual; or

“(II) is a person that is not an individual and is not organized under the laws of a State or the United States, and if so the name of any such person; and

“(iii) is owned by a woman or has a woman as a principal investigator; and

“(iv) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator; and

“(v) received assistance under the FAST program under section 34, as in effect on the day before the date of enactment of the

SBIR/STTR Reauthorization Act of 2011, or the outreach program under subsection (s);

“(vi) is a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

“(vii) is located in a State described in subsection (u)(3); or

“(viii)(I) has a product, process, technology, or service that received funding under the SBIR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and

“(B) a justification statement from the agency, if an awardee receives an award in an amount that is more than the award guidelines under this section;”.

SEC. 303. DATA COLLECTION FROM AGENCIES FOR STTR.

Section 9(o) of the Small Business Act (15 U.S.C. 638(o)) is amended by striking paragraph (9) and inserting the following:

“(9) collect annually, and maintain in a common format in accordance with the simplified reporting requirements under subsection (v), such information from applicants and awardees as is necessary to assess the STTR program outputs and outcomes, including information necessary to maintain the database described in subsection (k), including—

“(A) whether an applicant or awardee—

“(i) has venture capital or is majority-owned by multiple venture capital operating companies, and, if so—

“(I) the amount of venture capital that the applicant or awardee has received as of the date of the application or award, as applicable; and

“(II) the amount of additional capital that the applicant or awardee has invested in the SBIR technology; and

“(ii) has an investor that—

“(I) is an individual who is not a citizen of the United States or a lawful permanent resident of the United States, and if so, the name of any such individual; or

“(II) is a person that is not an individual and is not organized under the laws of a State or the United States, and if so the name of any such person; and

“(iii) is owned by a woman or has a woman as a principal investigator; and

“(iv) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator; and

“(v) received assistance under the FAST program under section 34 or the outreach program under subsection (s);

“(vi) is a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001);

“(vii) is located in a State in which the total value of contracts awarded to small business concerns under all STTR programs is less than the total value of contracts awarded to small business concerns in a majority of other States, as determined by the Administrator in biennial fiscal years, beginning with fiscal year 2008, based on the most recent statistics compiled by the Administrator; or

“(viii)(I) has a product, process, technology, or service that received funding under the STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States; and

“(B) if an awardee receives an award in an amount that is more than the award guidelines under this section, a statement from the agency that justifies the award amount;”.

SEC. 304. PUBLIC DATABASE.

Section 9(k)(1) of the Small Business Act (15 U.S.C. 638(k)(1)) is amended—

(1) in subparagraph (D), by striking “and” at the end;

(2) in subparagraph (E), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following:

“(F) for each small business concern that has received a Phase I or Phase II SBIR or STTR award from a Federal agency, whether the small business concern—

“(i) has venture capital and, if so, whether the small business concern is registered as majority-owned by multiple venture capital operating companies as required under subsection (cc)(4);

“(ii) is owned by a woman or has a woman as a principal investigator;

“(iii) is owned by a socially or economically disadvantaged individual or has a socially or economically disadvantaged individual as a principal investigator;

“(iv) received assistance under the FAST program under section 34, as in effect on the day before the date of enactment of the SBIR/STTR Reauthorization Act of 2011, or the outreach program under subsection (s);

“(v) is owned by a faculty member or a student of an institution of higher education, as that term is defined in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001); or

“(vi)(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of the Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States.”.

SEC. 305. GOVERNMENT DATABASE.

Section 9(k) of the Small Business Act (15 U.S.C. 638(k)) is amended—

(1) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking “Not later” and all that follows through “Act of 2000” and inserting “Not later than 90 days after the date of enactment of the SBIR/STTR Reauthorization Act of 2011”;

(B) by striking subparagraph (C);

(C) by redesignating subparagraphs (A) and (B) as subparagraphs (B) and (C), respectively;

(D) by inserting before subparagraph (B), as so redesignated, the following:

“(A) contains, for each small business concern that applies for, submits a proposal for, or receives an award under Phase I or Phase II of the SBIR program or the STTR program—

“(i) the name, size, and location, and an identifying number assigned by the Administration of the small business concern;

“(ii) an abstract of the project;

“(iii) the specific aims of the project;

“(iv) the number of employees of the small business concern;

“(v) the names of key individuals that will carry out the project;

“(vi) the percentage of effort each individual described in clause (iv) will contribute to the project;

“(vii) whether the small business concern is majority-owned by multiple venture capital operating companies;

“(viii) the Federal agency to which the application is made, and contact information for the person or office within the Federal agency that is responsible for reviewing applications and making awards under the SBIR program or the STTR program; and

“(ix) whether the small business concern—

“(I) has a product, process, technology, or service that received funding under the SBIR or STTR program of a Federal agency and that is produced or delivered for sale to or use by the Federal Government or commercial markets; and

“(II) for each product, process, technology, or service described in subclause (I), is testing or producing the product, process, technology, or service in the United States;”;

(E) by redesignating subparagraphs (D), and (E) as subparagraphs (E) and (F), respectively;

(F) by inserting after subparagraph (C), as so redesignated, the following:

“(D) includes, for each awardee—

“(i) the name, size, location, and any identifying number assigned to the awardee by the Administrator;

“(ii) whether the awardee has venture capital, and, if so—

“(I) the amount of venture capital as of the date of the award;

“(II) the percentage of ownership of the awardee held by a venture capital operating company, including whether the awardee is majority-owned by multiple venture capital operating companies; and

“(III) the amount of additional capital that the awardee has invested in the SBIR technology, which information shall be collected on an annual basis;

“(iii) the names and locations of any affiliates of the awardee;

“(iv) the number of employees of the awardee;

“(v) the number of employees of the affiliates of the awardee; and

“(vi) the names of, and the percentage of ownership of the awardee held by—

“(I) any individual who is not a citizen of the United States or a lawful permanent resident of the United States; or

“(II) any person that is not an individual and is not organized under the laws of a State or the United States;”;

(G) in subparagraph (E), as so redesignated, by striking “and” at the end;

(H) in subparagraph (F), as so redesignated, by striking the period at the end and inserting “; and”; and

(I) by adding at the end the following:

“(G) includes a timely and accurate list of any individual or small business concern that has participated in the SBIR program or STTR program that has committed fraud, waste, or abuse relating to the SBIR program or STTR program.”; and

(2) in paragraph (3), by adding at the end the following:

“(C) GOVERNMENT DATABASE.—Not later than 60 days after the date established by a Federal agency for submitting applications or proposals for a Phase I or Phase II award under the SBIR program or STTR program, the head of the Federal agency shall submit to the Administrator the data required under paragraph (2) with respect to each small business concern that applies or submits a proposal for the Phase I or Phase II award.”.

SEC. 306. ACCURACY IN FUNDING BASE CALCULATIONS.

(a) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and every year thereafter until the date that is 5 years after the date of enactment of this Act, the Comptroller General of the United States shall—

(1) conduct a fiscal and management audit of the SBIR program and the STTR program for the applicable period to—

(A) determine whether Federal agencies comply with the expenditure amount requirements under subsections (f)(1) and (n)(1) of section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act;

(B) assess the extent of compliance with the requirements of section 9(i)(2) of the Small Business Act (15 U.S.C. 638(i)(2)) by Federal agencies participating in the SBIR program or the STTR program and the Administration;

(C) assess whether it would be more consistent and effective to base the amount of the allocations under the SBIR program and the STTR program on a percentage of the research and development budget of a Federal agency, rather than the extramural budget of the Federal agency; and

(D) determine the portion of the extramural research or research and development budget of a Federal agency that each Federal agency spends for administrative purposes relating to the SBIR program or STTR program, and for what specific purposes, including the portion, if any, of such budget the Federal agency spends for salaries and expenses, travel to visit applicants, outreach events, marketing, and technical assistance; and

(2) submit a report to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives regarding the audit conducted under paragraph (1), including the assessments required under subparagraphs (B) and (C), and the determination made under subparagraph (D) of paragraph (1).

(b) DEFINITION OF APPLICABLE PERIOD.—In this section, the term “applicable period” means—

(1) for the first report submitted under this section, the period beginning on October 1, 2005, and ending on September 30 of the last full fiscal year before the date of enactment of this Act for which information is available; and

(2) for the second and each subsequent report submitted under this section, the period—

(A) beginning on October 1 of the first fiscal year after the end of the most recent full fiscal year relating to which a report under this section was submitted; and

(B) ending on September 30 of the last full fiscal year before the date of the report.

SEC. 307. CONTINUED EVALUATION BY THE NATIONAL ACADEMY OF SCIENCES.

Section 108 of the Small Business Reauthorization Act of 2000 (15 U.S.C. 638 note) is amended by adding at the end the following:

“(e) EXTENSIONS AND ENHANCEMENTS OF AUTHORITY.—

“(1) IN GENERAL.—Not later than 6 months after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, the head of each agency described in subsection (a), in consultation with the Small Business Administration, shall cooperatively enter into an agreement with the National Academy of Sciences for the National Research Council to, not later than 4 years after the date of

enactment of the SBIR/STTR Reauthorization Act of 2011, and every 4 years thereafter—

“(A) continue the most recent study under this section relating to—

“(i) the issues described in subparagraphs (A), (B), (C), and (E) of subsection (a)(1); and

“(ii) the effectiveness of the government and public databases described in section 9(k) of the Small Business Act (15 U.S.C. 638(k)) in reducing vulnerabilities of the SBIR program and the STTR program to fraud, waste, and abuse, particularly with respect to Federal agencies funding duplicative proposals and business concerns falsifying information in proposals;

“(B) make recommendations with respect to the issues described in subparagraph (A)(ii) and subparagraphs (A), (D), and (E) of subsection (a)(2);

“(C) estimate, to the extent practicable, the number of jobs created by the SBIR program or STTR program of the agency; and

“(D) estimate, to the extent practicable, the amount of production and manufacturing in the United States that resulted from awards under the SBIR program or STTR program of the agency; and

“(E) make recommendations, if any, for changes to the SBIR program or STTR program of the agency that would increase production and manufacturing in the United States.

“(2) CONSULTATION.—An agreement under paragraph (1) shall require the National Research Council to ensure there is participation by and consultation with the small business community, the Administration, and other interested parties as described in subsection (b).

“(3) REPORTING.—An agreement under paragraph (1) shall require that not later than 4 years after the date of enactment of the SBIR/STTR Reauthorization Act of 2011, and every 4 years thereafter, the National Research Council shall submit to the head of the agency entering into the agreement, the Committee on Small Business and Entrepreneurship of the Senate, and the Committee on Small Business of the House of Representatives a report regarding the study conducted under paragraph (1) and containing the recommendations described in paragraph (1).”.

SEC. 308. TECHNOLOGY INSERTION REPORTING REQUIREMENTS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(ii) PHASE III REPORTING.—The annual SBIR or STTR report to Congress by the Administration under subsection (b)(7) shall include, for each Phase III award made by the Federal agency—

“(1) the name of the agency or component of the agency or the non-Federal source of capital making the Phase III award;

“(2) the name of the small business concern or individual receiving the Phase III award;

“(3) the dollar amount of the Phase III award; and

“(4) whether the small business concern or individual receiving the Phase III award is developing, testing, producing, or manufacturing the product or service that is the subject of the Phase III award in the United States.”.

SEC. 309. INTELLECTUAL PROPERTY PROTECTIONS.

(a) IN GENERAL.—The Comptroller General of the United States shall conduct a study of the SBIR program to assess whether—

(1) Federal agencies comply with the data rights protections for SBIR awardees and the

technologies of SBIR awardees under section 9 of the Small Business Act (15 U.S.C. 638);

(2) the laws and policy directives intended to clarify the scope of data rights, including in prototypes and mentor-protégé relationships and agreements with Federal laboratories, are sufficient to protect SBIR awardees; and

(3) there is an effective grievance tracking process for SBIR awardees who have grievances against a Federal agency regarding data rights and a process for resolving those grievances.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Small Business of the House of Representatives a report regarding the study conducted under subsection (a).

SEC. 310. OBTAINING CONSENT FROM SBIR AND STTR APPLICANTS TO RELEASE CONTACT INFORMATION TO ECONOMIC DEVELOPMENT ORGANIZATIONS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(jj) CONSENT TO RELEASE CONTACT INFORMATION TO ORGANIZATIONS.—

“(1) ENABLING CONCERN TO GIVE CONSENT.—Each Federal agency required by this section to conduct an SBIR program or an STTR program shall enable a small business concern that is an SBIR applicant or an STTR applicant to indicate to the Federal agency whether the Federal agency has the consent of the concern to—

“(A) identify the concern to appropriate local and State-level economic development organizations as an SBIR applicant or an STTR applicant; and

“(B) release the contact information of the concern to such organizations.

“(2) RULES.—The Administrator shall establish rules to implement this subsection. The rules shall include a requirement that a Federal agency include in the SBIR and STTR application a provision through which the applicant can indicate consent for purposes of paragraph (1).”.

SEC. 311. PILOT TO ALLOW FUNDING FOR ADMINISTRATIVE, OVERSIGHT, AND CONTRACT PROCESSING COSTS.

(a) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(kk) ASSISTANCE FOR ADMINISTRATIVE, OVERSIGHT, AND CONTRACT PROCESSING COSTS.—

“(1) IN GENERAL.—Subject to paragraph (2), for the 3 full fiscal years beginning after the date of enactment of this subsection, the Administrator shall allow each Federal agency required to conduct an SBIR program to use not more than 3 percent of the funds allocated to the SBIR program of the Federal agency for—

“(A) the administration of the SBIR program or the STTR program of the Federal agency;

“(B) the provision of outreach and technical assistance relating to the SBIR program or STTR program of the Federal agency, including technical assistance site visits and personnel interviews;

“(C) the implementation of commercialization and outreach initiatives that were not in effect on the date of enactment of this subsection;

“(D) carrying out the program under subsection (y);

“(E) activities relating to oversight and congressional reporting, including the waste,

fraud, and abuse prevention activities described in section 313(a)(1)(B)(ii) of the SBIR/STTR Reauthorization Act of 2011;

“(F) targeted reviews of recipients of awards under the SBIR program or STTR program of the Federal agency that the head of the Federal agency determines are at high risk for fraud, waste, or abuse, to ensure compliance with requirements of the SBIR program or STTR program, respectively;

“(G) the implementation of oversight and quality control measures, including verification of reports and invoices and cost reviews;

“(H) carrying out subsection (cc);

“(I) carrying out subsection (ff);

“(J) contract processing costs relating to the SBIR program or STTR program of the Federal agency; and

“(K) funding for additional personnel and assistance with application reviews.

“(2) PERFORMANCE CRITERIA.—A Federal agency may not use funds as authorized under paragraph (1) until after the effective date of performance criteria, which the Administrator shall establish, to measure any benefits of using funds as authorized under paragraph (1) and to assess continuation of the authority under paragraph (1).

“(3) RULES.—Not later than 180 days after the date of enactment of this subsection, the Administrator shall issue rules to carry out this subsection.”.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) IN GENERAL.—Section 9 of the Small Business Act (15 U.S.C. 638) is amended—

(A) in subsection (f)(2)(A), as so designated by section 103(2) of this Act, by striking “shall not” and all that follows through “make available for the purpose” and inserting “shall not make available for the purpose”; and

(B) in subsection (y), as amended by section 203—

(i) by striking paragraph (4);

(ii) by redesignating paragraphs (5) and (6) as paragraphs (4) and (5), respectively.

(2) TRANSITIONAL RULE.—Notwithstanding the amendments made by paragraph (1), subsection (f)(2)(A) and (y)(4) of section 9 of the Small Business Act (15 U.S.C. 638), as in effect on the day before the date of enactment of this Act, shall continue to apply to each Federal agency until the effective date of the performance criteria established by the Administrator under subsection (kk)(2) of section 9 of the Small Business Act, as added by subsection (a).

(3) PROSPECTIVE REPEAL.—Effective on the first day of the fourth full fiscal year following the date of enactment of this Act, section 9 of the Small Business Act (15 U.S.C. 638), as amended by paragraph (1) of this section, is amended—

(A) in subsection (f)(2)(A), by striking “shall not make available for the purpose” and inserting the following: “shall not—

“(i) use any of its SBIR budget established pursuant to paragraph (1) for the purpose of funding administrative costs of the program, including costs associated with salaries and expenses; or

“(ii) make available for the purpose”; and

(B) in subsection (y)—

(i) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(ii) by inserting after paragraph (3) the following:

“(4) FUNDING.—

“(A) IN GENERAL.—The Secretary of Defense and each Secretary of a military department may use not more than an amount equal to 1 percent of the funds available to

the Department of Defense or the military department pursuant to the Small Business Innovation Research Program for payment of expenses incurred to administer the Commercialization Pilot Program under this subsection.

“(B) LIMITATIONS.—The funds described in subparagraph (A)—

“(i) shall not be subject to the limitations on the use of funds in subsection (f)(2); and

“(ii) shall not be used to make Phase III awards.”.

SEC. 312. GAO STUDY WITH RESPECT TO VENTURE CAPITAL OPERATING COMPANY INVOLVEMENT.

Not later than 3 years after the date of enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall—

(1) conduct a study of the impact of requirements relating to venture capital operating company involvement under section 9(cc) of the Small Business Act, as added by section 108 of this Act; and

(2) submit to Congress a report regarding the study conducted under paragraph (1).

SEC. 313. REDUCING VULNERABILITY OF SBIR AND STTR PROGRAMS TO FRAUD, WASTE, AND ABUSE.

(a) FRAUD, WASTE, AND ABUSE PREVENTION.—

(1) GUIDELINES FOR FRAUD, WASTE, AND ABUSE PREVENTION.—

(A) AMENDMENTS REQUIRED.—Not later than 90 days after the date of enactment of this Act, the Administrator shall amend the SBIR Policy Directive and the STTR Policy Directive to include measures to prevent fraud, waste, and abuse in the SBIR program and the STTR program.

(B) CONTENT OF AMENDMENTS.—The amendments required under subparagraph (A) shall include—

(i) definitions or descriptions of fraud, waste, and abuse;

(ii) a requirement that the Inspectors General of each Federal agency that participates in the SBIR program or the STTR program cooperate to—

(I) establish fraud detection indicators;

(II) review regulations and operating procedures of the Federal agencies;

(III) coordinate information sharing between the Federal agencies; and

(IV) improve the education and training of, and outreach to—

(aa) administrators of the SBIR program and the STTR program of each Federal agency;

(bb) applicants to the SBIR program or the STTR program; and

(cc) recipients of awards under the SBIR program or the STTR program;

(iii) guidelines for the monitoring and oversight of applicants to and recipients of awards under the SBIR program or the STTR program; and

(iv) a requirement that each Federal agency that participates in the SBIR program or STTR program include the telephone number of the hotline established under paragraph (2)—

(I) on the Web site of the Federal agency; and

(II) in any solicitation or notice of funding opportunity issued by the Federal agency for the SBIR program or the STTR program.

(2) FRAUD, WASTE, AND ABUSE PREVENTION HOTLINE.—

(A) HOTLINE ESTABLISHED.—The Administrator shall establish a telephone hotline that allows individuals to report fraud, waste, and abuse in the SBIR program or STTR program.

(B) PUBLICATION.—The Administrator shall include the telephone number for the hotline established under subparagraph (A) on the Web site of the Administration.

(b) STUDY AND REPORT.—

(1) STUDY.—Not later than 1 year after the date of enactment of this Act, and every 3 years thereafter, the Comptroller General of the United States shall—

(A) conduct a study that evaluates—

(i) the implementation by each Federal agency that participates in the SBIR program or the STTR program of the amendments to the SBIR Policy Directive and the STTR Policy Directive made pursuant to subsection (a);

(ii) the effectiveness of the management information system of each Federal agency that participates in the SBIR program or STTR program in identifying duplicative SBIR and STTR projects;

(iii) the effectiveness of the risk management strategies of each Federal agency that participates in the SBIR program or STTR program in identifying areas of the SBIR program or the STTR program that are at high risk for fraud;

(iv) technological tools that may be used to detect patterns of behavior that may indicate fraud by applicants to the SBIR program or the STTR program;

(v) the success of each Federal agency that participates in the SBIR program or STTR program in reducing fraud, waste, and abuse in the SBIR program or the STTR program of the Federal agency; and

(vi) the extent to which the Inspector General of each Federal agency that participates in the SBIR program or STTR program effectively conducts investigations of individuals alleged to have submitted false claims or violated Federal law relating to fraud, conflicts of interest, bribery, gratuity, or other misconduct; and

(B) submit to the Committee on Small Business and Entrepreneurship of the Senate, the Committee on Small Business of the House of Representatives, and the head of each Federal agency that participates in the SBIR program or STTR program a report on the results of the study conducted under subparagraph (A).

SEC. 314. INTERAGENCY POLICY COMMITTEE.

(a) ESTABLISHMENT.—The Director of the Office of Science and Technology Policy (in this section referred to as the “Director”), in conjunction with the Administrator, shall establish an Interagency SBIR/STTR Policy Committee (in this section referred to as the “Committee”) comprised of 1 representative from each Federal agency with an SBIR program or an STTR program and 1 representative of the Office of Management and Budget.

(b) COCHAIRPERSONS.—The Director and the Administrator shall serve as cochairpersons of the Committee.

(c) DUTIES.—The Committee shall review, and make policy recommendations on ways to improve the effectiveness and efficiency of, the SBIR program and the STTR program, including—

(1) reviewing the effectiveness of the public and government databases described in section 9(k) of the Small Business Act (15 U.S.C. 638(k));

(2) identifying—

(A) best practices for commercialization assistance by Federal agencies that have significant potential to be employed by other Federal agencies;

(B) proposals by Federal agencies for initiatives to address challenges for small business concerns in obtaining funding after a Phase II award ends and before commercialization; and

(C) ways for Federal agencies to create incentives for recipients of awards under the SBIR program and the STTR program to carry out research, development, testing, production, and manufacturing in the United States; and

(3) developing and incorporating a standard evaluation framework to enable systematic assessment of the SBIR program and STTR program, including through improved tracking of awards and outcomes and development of performance measures for the SBIR program and STTR program of each Federal agency.

(d) REPORTS.—The Committee shall submit to the Committee on Small Business and Entrepreneurship of the Senate and the Committee on Science and Technology and the Committee on Small Business of the House of Representatives—

(1) a report on the review by and recommendations of the Committee under subsection (c)(1) not later than 1 year after the date of enactment of this Act;

(2) a report on the review by and recommendations of the Committee under subsection (c)(2) not later than 18 months after the date of enactment of this Act; and

(3) a report on the review by and recommendations of the Committee under subsection (c)(3) not later than 2 years after the date of enactment of this Act.

SEC. 315. SIMPLIFIED PAPERWORK REQUIREMENTS.

Section 9(v) of the Small Business Act (15 U.S.C. 638(v)) is amended—

(1) in the subsection heading, by striking “SIMPLIFIED REPORTING REQUIREMENTS” and inserting “REDUCING PAPERWORK AND COMPLIANCE BURDEN”;

(2) by striking “The Administrator” and inserting the following:

“(1) STANDARDIZATION OF REPORTING REQUIREMENTS.—The Administrator”;

(3) by adding at the end the following:

“(2) SIMPLIFICATION OF APPLICATION AND AWARD PROCESS.—Not later than one year

after the date of enactment of this paragraph, and after a period of public comment, the Administrator shall issue regulations or guidelines, taking into consideration the unique needs of each Federal agency, to ensure that each Federal agency required to carry out an SBIR program or STTR program simplifies and standardizes the program proposal, selection, contracting, compliance, and audit procedures for the SBIR program or STTR program of the Federal agency (including procedures relating to overhead rates for applicants and documentation requirements) to reduce the paperwork and regulatory compliance burden on small business concerns applying to and participating in the SBIR program or STTR program.”.

SEC. 316. SUBCONTRACTOR NOTIFICATIONS.

Section 8(d) of the Small Business Act (15 U.S.C. 637(d)) is amended by adding at the end the following:

“(13) NOTIFICATION REQUIREMENT.—An offeror with respect to a contract let by a Federal agency that is to be awarded pursuant to the negotiated method of procurement that intends to identify a small business concern as a potential subcontractor in the offer relating to the contract shall notify the small business concern that the offeror intends to identify the small business concern as a potential subcontractor in the offer.

“(14) REPORTING BY SUBCONTRACTORS.—The Administrator shall establish a reporting mechanism that allows a subcontractor to report fraudulent activity by a contractor

with respect to a subcontracting plan submitted to a procurement authority under paragraph (4)(B).”.

TITLE IV—POLICY DIRECTIVES

SEC. 401. CONFORMING AMENDMENTS TO THE SBIR AND THE STTR POLICY DIRECTIVES.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Administrator shall promulgate amendments to the SBIR Policy Directive and the STTR Policy Directive to conform such directives to this Act and the amendments made by this Act.

(b) PUBLISHING SBIR POLICY DIRECTIVE AND THE STTR POLICY DIRECTIVE IN THE FEDERAL REGISTER.—Not later than 180 days after the date of enactment of this Act, the Administrator shall publish the amended SBIR Policy Directive and the amended STTR Policy Directive in the Federal Register.

TITLE V—OTHER PROVISIONS

SEC. 501. RESEARCH TOPICS AND PROGRAM DIVERSIFICATION.

(a) SBIR PROGRAM.—Section 9(g) of the Small Business Act (15 U.S.C. 638(g)) is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “broad research topics and to topics that further 1 or more critical technologies” and inserting “applications to the Federal agency for support of projects relating to nanotechnology, rare diseases, security, energy, transportation, or improving the security and quality of the water supply of the United States, and the efficiency of water delivery systems and usage patterns in the United States (including the territories of the United States) through the use of technology (to the extent that the projects relate to the mission of the Federal agency), broad research topics, and topics that further 1 or more critical technologies or research priorities”;

(B) in subparagraph (A), by striking “or” at the end; and

(C) by adding at the end the following:

“(C) the National Academy of Sciences, in the final report issued by the ‘America’s Energy Future: Technology Opportunities, Risks, and Tradeoffs’ project, and in any subsequent report by the National Academy of Sciences on sustainability, energy, or alternative fuels;

“(D) the National Institutes of Health, in the annual report on the rare diseases research activities of the National Institutes of Health for fiscal year 2005, and in any subsequent report by the National Institutes of Health on rare diseases research activities;

“(E) the National Academy of Sciences, in the final report issued by the ‘Transit Research and Development: Federal Role in the National Program’ project and the report entitled ‘Transportation Research, Development and Technology Strategic Plan (2006–2010)’ issued by the Research and Innovative Technology Administration of the Department of Transportation, and in any subsequent report issued by the National Academy of Sciences or the Department of Transportation on transportation and infrastructure; or

“(F) the national nanotechnology strategic plan required under section 2(c)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(c)(4)) and in any report issued by the National Science and Technology Council Committee on Technology that focuses on areas of nanotechnology identified in such plan;”;

(2) by adding after paragraph (12), as added by section 111(a) of this Act, the following:

“(13) encourage applications under the SBIR program (to the extent that the projects relate to the mission of the Federal agency)—

“(A) from small business concerns in geographic areas underrepresented in the SBIR program or located in rural areas (as defined in section 1393(a)(2) of the Internal Revenue Code of 1986);

“(B) small business concerns owned and controlled by women;

“(C) small business concerns owned and controlled by veterans;

“(D) small business concerns owned and controlled by Native Americans; and

“(E) small business concerns located in a geographic area with an unemployment rates that exceed the national unemployment rate, based on the most recently available monthly publications of the Bureau of Labor Statistics of the Department of Labor.”.

(b) STTR PROGRAM.—Section 9(o) of the Small Business Act (15 U.S.C. 638(o)), as amended by section 111(b) of this Act, is amended—

(1) in paragraph (3)—

(A) in the matter preceding subparagraph (A), by striking “broad research topics and to topics that further 1 or more critical technologies” and inserting “applications to the Federal agency for support of projects relating to nanotechnology, security, energy, rare diseases, transportation, or improving the security and quality of the water supply of the United States (to the extent that the projects relate to the mission of the Federal agency), broad research topics, and topics that further 1 or more critical technologies or research priorities”;

(B) in subparagraph (A), by striking “or” at the end; and

(C) by adding at the end the following:

“(C) the National Academy of Sciences, in the final report issued by the ‘America’s Energy Future: Technology Opportunities, Risks, and Tradeoffs’ project, and in any subsequent report by the National Academy of Sciences on sustainability, energy, or alternative fuels;

“(D) the National Institutes of Health, in the annual report on the rare diseases research activities of the National Institutes of Health for fiscal year 2005, and in any subsequent report by the National Institutes of Health on rare diseases research activities;

“(E) the National Academy of Sciences, in the final report issued by the ‘Transit Research and Development: Federal Role in the National Program’ project and the report entitled ‘Transportation Research, Development and Technology Strategic Plan (2006–2010)’ issued by the Research and Innovative Technology Administration of the Department of Transportation, and in any subsequent report issued by the National Academy of Sciences or the Department of Transportation on transportation and infrastructure; or

“(F) the national nanotechnology strategic plan required under section 2(c)(4) of the 21st Century Nanotechnology Research and Development Act (15 U.S.C. 7501(c)(4)) and in any report issued by the National Science and Technology Council Committee on Technology that focuses on areas of nanotechnology identified in such plan;”;

(2) in paragraph (15), by striking “and” at the end;

(3) in paragraph (16), by striking the period at the end and inserting “; and”; and

(4) by adding at the end the following:

“(17) encourage applications under the STTR program (to the extent that the projects relate to the mission of the Federal agency)—

“(A) from small business concerns in geographic areas underrepresented in the STTR program or located in rural areas (as defined in section 1393(a)(2) of the Internal Revenue Code of 1986);

“(B) small business concerns owned and controlled by women;

“(C) small business concerns owned and controlled by veterans;

“(D) small business concerns owned and controlled by Native Americans; and

“(E) small business concerns located in a geographic area with an unemployment rates that exceed the national unemployment rate, based on the most recently available monthly publications of the Bureau of Labor Statistics of the Department of Labor.”.

(c) RESEARCH AND DEVELOPMENT FOCUS.—Section 9(x) of the Small Business Act (15 U.S.C. 638(x)) is amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

SEC. 502. REPORT ON SBIR AND STTR PROGRAM GOALS.

Section 9 of the Small Business Act (15 U.S.C. 638), as amended by this Act, is amended by adding at the end the following:

“(1) ANNUAL REPORT ON SBIR AND STTR PROGRAM GOALS.—

“(1) DEVELOPMENT OF METRICS.—The head of each Federal agency required to participate in the SBIR program or the STTR program shall develop metrics to evaluate the effectiveness, and the benefit to the people of the United States, of the SBIR program and the STTR program of the Federal agency that—

“(A) are science-based and statistically driven;

“(B) reflect the mission of the Federal agency; and

“(C) include factors relating to the economic impact of the programs, including the impact on production and manufacturing in the United States.

SA 316. Mr. MERKLEY submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 56, strike line 16 and all that follows through page 57, line 4, and insert the following:

“(5) INCREASING DOMESTIC CAPABILITIES.—In carrying out a pilot program, the head of a covered Federal agency shall give preference to applicants that intend to test, develop, or manufacture a product or service in the United States.

“(6) REPORT.—The head of each covered Federal agency shall include in the annual report of the covered Federal agency to the Administrator an analysis of the various activities considered for inclusion in the pilot program of the covered Federal agency and a statement of the reasons why each activity considered was included or not included, as the case may be.

“(7) TERMINATION.—The authority to establish a pilot program under this section expires at the end of fiscal year 2014.

“(8) DEFINITIONS.—In this subsection—

SA 317. Mr. KERRY (for himself, Mr. LUGAR, and Mr. UDALL of Colorado) submitted an amendment intended to be proposed by him to the bill S. 493, to reauthorize and improve the SBIR and

STTR programs, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title V, add the following:

SEC. 504. STARTUP VISA ACT OF 2011.

(a) **SHORT TITLE.**—This section may be cited as the “StartUp Visa Act of 2011”.

(b) **STARTUP VISAS.**—Section 203(b) of the Immigration and Nationality Act (8 U.S.C. 203(b)) is amended—

(1) by redesignating paragraph (6) as paragraph (7); and

(2) by inserting after paragraph (5) the following:

“(A) **SPONSORED ENTREPRENEURS.**—

“(A) **IN GENERAL.**—StartUp visas shall be made available, from the number of visas allocated under paragraph (5), to qualified immigrant entrepreneurs—

“(i)(I) who have proven that a qualified venture capitalist, a qualified super angel investor, or a qualified government entity, as determined by the Secretary of Homeland Security, has invested not less than \$100,000 on behalf of each such entrepreneur; and

“(II) whose commercial activities will, during the 2-year period beginning on the date on which the visa is issued under this subparagraph—

“(aa) create not fewer than 5 new full-time jobs in the United States employing people other than the immigrant’s spouse, sons, or daughters;

“(bb) raise not less than \$500,000 in capital investment in furtherance of a commercial entity based in the United States; or

“(cc) generate not less than \$500,000 in revenue;

“(ii)(I) who—

“(aa) hold an unexpired H1-B visa; or

“(bb) have completed a graduate level degree in science, technology, engineering, math, computer science, or other relevant academic discipline from an accredited United States college, university, or other institution of higher education;

“(II) who demonstrate—

“(aa) annual income of not less than 250 percent of the Federal poverty level; or

“(bb) the possession of assets equivalent to not less than 2 years of income at 250 percent of the Federal poverty level; and

“(III) who have proven that a qualified venture capitalist, a qualified super angel investor, or a qualified government entity, as determined by the Secretary of Homeland Security, has invested not less than \$20,000 on behalf of each such entrepreneur; or

“(iii) who have a controlling interest in a foreign company—

“(I) that has generated, during the most recent 12-month period, not less than \$100,000 in revenue from sales in the United States; and

“(II) whose commercial activities, during the 2-year period beginning on the date on which the visa is issued under this subparagraph, will—

“(aa) create not fewer than 3 new full-time jobs in the United States that employ people other than the immigrant’s spouse, sons, or daughters;

“(bb) raise not less than \$100,000 in capital investment in furtherance of a commercial entity based in the United States; or

“(cc) generate not less than \$100,000 in revenue.

“(B) **REVOCATION.**—If the Secretary of Homeland Security determines that the commercial activities of an alien who received a StartUp visa pursuant to subparagraph (A)(i)(II) fail to meet the requirements under such subparagraph, the Secretary shall, not later than 1 year after the end of the applica-

ble 2-year period described in such subparagraph—

“(i) revoke such visa; and

“(ii) notify the alien that he or she—

“(I) may voluntarily depart from the United States in accordance to section 240B; or

“(II) will be subject to removal proceedings under section 240 if the alien does not depart from the United States not later than 6 months after receiving such notification.

“(C) **DEFINITIONS.**—In this paragraph:

“(i) **QUALIFIED SUPER ANGEL INVESTOR.**—The term ‘qualified super angel investor’ means an individual who—

“(I) is an accredited investor (as defined in section 230.501(a) of title 17, Code of Federal Regulations);

“(II) is a United States citizen; and

“(III) has made at least 2 equity investments of not less than \$50,000 in each of the previous 3 years.

“(ii) **QUALIFIED VENTURE CAPITALIST.**—The term ‘qualified venture capitalist’ means an entity that—

“(I) is classified as a ‘venture capital operating company’ under section 2510.3-101(d) of title 29, Code of Federal Regulations;

“(II) is based in the United States;

“(III) is comprised of partners, the majority of whom are United States citizens;

“(IV) has capital commitments of not less than \$10,000,000;

“(V) has been operating for at least 2 years; and

“(VI) has made at least 2 investments of not less than \$500,000 during each of the most recent 2 years.”.

(c) **CONDITIONAL PERMANENT RESIDENT STATUS.**—Section 216A of the Immigration and Nationality Act (8 U.S.C. 1186b) is amended—

(1) by striking “Attorney General” each place such term appears and inserting “Secretary of Homeland Security”;

(2) in subsection (a)—

(A) in paragraph (1)—

(i) by striking “(as defined in subsection (f)(1))” and inserting “, sponsored entrepreneur”;

(ii) by striking “(as defined in subsection (f)(2)) shall” and inserting “shall each”; and

(B) in paragraph (2)(A), by inserting “sponsored entrepreneur,” after “alien entrepreneur”;

(3) in subsection (b), by adding at the end the following:

“(3) **SPONSORED ENTREPRENEURS.**—The Secretary of Homeland Security shall terminate the permanent resident status of a sponsored entrepreneur and the alien spouse and children of such entrepreneur if the Secretary determines, not later than 3 years after the date on which such permanent resident status was conferred, that—

“(A) the qualified venture capitalist or qualified super angel investor who sponsored the entrepreneur failed to meet the investment requirements under section 203(b)(6)(A)(i); or

“(B) the entrepreneur failed to meet the job creation, capital investment, or revenue generation requirements under section 203(b)(6)(A)(ii).”;

(4) in subsection (c)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by inserting “sponsored entrepreneur,” after “alien entrepreneur”; and

(ii) by striking “alien entrepreneur must” each place such term appears and inserting “entrepreneur shall”; and

(B) in paragraph (3)—

(i) in subparagraph (A)(ii), by inserting “or sponsored entrepreneur” after “alien entrepreneur”;

(ii) in subparagraph (C), by inserting “sponsored entrepreneur,” after “alien entrepreneur”;

(5) in subsection (d)(1)—

(A) in the matter preceding subparagraph (A), by striking “alien” and inserting “alien entrepreneur or sponsored entrepreneur, as applicable”;

(B) in clause (i), by striking “invested, or is actively in the process of investing,” and inserting “has invested, is actively in the process of investing, or has been sponsored by a qualified super angel investor or qualified venture capitalist who has invested,”; and

(C) in clause (ii), by inserting “or 203(b)(6), as applicable” before the period at the end; and

(6) in subsection (f), by adding at the end the following:

“(4) The term ‘sponsored entrepreneur’ means an alien who obtains the status of an alien lawfully admitted for permanent residence under section 203(b)(6).”.

(d) **GOVERNMENT ACCOUNTABILITY OFFICE STUDY.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, the Comptroller General of the United States shall submit a report to Congress on the StartUp Visa Program, authorized under section 203(b)(6) of the Immigration and Nationality Act, as added by subsection (b).

(2) **CONTENTS.**—The report described in paragraph (1) shall include information regarding—

(A) the number of immigrant entrepreneurs who have received a visa under the immigrant entrepreneurs program established under section 203(b)(6) of the Immigration and Nationality Act, listed by country of origin;

(B) the localities in which such immigrant entrepreneurs have initially settled;

(C) whether such immigrant entrepreneurs generally remain in the localities in which they initially settle;

(D) the types of commercial enterprises that such immigrant entrepreneurs have established; and

(E) the types and number of jobs created by such immigrant entrepreneurs.

NOTICE OF INTENT TO SUSPEND THE RULE

Mr. COBURN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend rule XXII, including germaneness requirements, for the purpose of proposing and considering amendment No. 309 on S. 493 (text of the amendment can be found in the section denoted “Text of Amendments”).

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 10, 2011,

at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on new developments in upstream oil and gas technologies.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Abigail Campbell@energy.senate.gov.

For further information, please contact Allyson Anderson at (202) 224-7143 or Abigail Campbell at (202) 224-1219.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 3, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 3, 2011, at 2:30 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 3, 2011, at 10 a.m. in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 3, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "Is the Distribution of Tax Burdens and Tax Benefits Equitable?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 3, 2011, at 10 a.m., to hold a hearing entitled, "Afghanistan: What is an Acceptable End-State and How Do We Get There?"

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 3, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 3, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mr. HARKIN. Mr. President, I ask unanimous consent that Blake Tice Taylor, Emily Wei, and Lynae Gruber of my staff be granted floor privileges for the duration of today's proceedings.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MILITARY SPOUSE APPRECIATION DAY

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 160.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 160) designating May 6, 2011, as "Military Spouse Appreciation Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid on the table.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 160) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 160

Whereas the month of May marks "National Military Appreciation Month";

Whereas military spouses provide vital support to men and women in the Armed Forces and help to make the service of such men and women in the Armed Forces possible;

Whereas military spouses have been separated from loved ones because of deployment in support of overseas contingency oper-

ations and other military missions carried out by the Armed Forces;

Whereas the establishment of "Military Spouse Appreciation Day" is an appropriate way to honor the spouses of members of the Armed Forces; and

Whereas May 6, 2011, would be an appropriate date to establish as "Military Spouse Appreciation Day": Now, therefore, be it

Resolved, That the Senate—

(1) designates May 6, 2011, as "Military Spouse Appreciation Day";

(2) honors and recognizes the contributions made by spouses of members of the Armed Forces; and

(3) encourages the people of the United States to observe "Military Spouse Appreciation Day" to promote awareness of the contributions of spouses of members of the Armed Forces and the importance of the role of military spouses in the lives of members of the Armed Forces and veterans.

NATIONAL INVENTORS MONTH

Mr. REID. Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 161.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 161) designating May 2011 as "National Inventors Month."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 161) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 161

Whereas the first United States patent was issued in 1790 to Samuel Hopkins of the State of Vermont for a process to make better fertilizer;

Whereas American inventors have contributed to advances in life sciences, technology, and manufacturing;

Whereas the Constitution specifically provides for the granting of exclusive rights to inventors for their discoveries;

Whereas the United States patent system is intended to implement that constitutional imperative and incentivize inventions;

Whereas American inventors benefit from an up-to-date and efficient patent system and the economy, jobs, and consumers of the United States benefit from the inventions;

Whereas the next great American invention could be among the 700,000 patent applications pending as of the date of approval of this resolution in the United States Patent and Trademark Office;

Whereas the last changes to the United States patent system were made nearly 60 years ago;

Whereas an updated patent system will unleash innovation and create jobs in the United States without adding to the deficit;

Whereas every May, a new class of inventors is inducted into the National Inventors Hall of Fame;

Whereas in the 112th Congress, a bill was introduced in the House of Representatives entitled the "America Invents Act" (H.R. 1249) to make reforms to the United States patent system; and

Whereas the Senate on March 8, 2011, passed the bill entitled the "America Invents Act" (S. 23), which will make the first comprehensive reforms to the United States patent system in nearly 60 years: Now, therefore, be it

Resolved, That the Senate designates May 2011, as "National Inventors Month".

Mr. LEAHY. Madam President, I am pleased that the Senate has acted quickly to pass a resolution designating May 2011 as National Inventors Month. On May 4, the National Inventors Hall of Fame, in partnership with the United States Patent and Trademark Office, will hold its 39th Annual National Inventors Hall of Fame Induction Ceremony.

Our Nation's inventors are the catalyst of our economy. Their inventions, when protected by a strong, efficient, and balanced patent system lead to new products and processes for American consumers and new jobs for American workers.

Earlier this year, the United States Senate passed overwhelmingly the America Invents Act, to ensure that

our Nation's inventors and innovators have a 21st Century patent system that speeds high quality patents to market. The United States House Committee on the Judiciary recently voted to approve a very similar version of this legislation on a strong bipartisan vote. I look forward to working together to get the America Invents Act to the President's desk and providing our inventors with the legal landscape they need to flourish.

I appreciate the efforts of Inventors Digest Magazine and others who have promoted National Inventors Month.

ORDERS FOR WEDNESDAY, MAY 4, 2011

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Wednesday, May 4; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and the Senate then proceed to a period for the transaction of morning business for debate only until 12 p.m., with Senators permitted to speak for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans control-

ling the next 30 minutes; further, that the filing deadline for all second-degree amendments to S. 493 be at 11 a.m.; finally, I ask unanimous consent that the cloture vote with respect to S. 493 occur at 12 p.m. on Wednesday.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, there will be up to two rollcall votes at noon tomorrow. The first rollcall vote will be on the motion to invoke cloture on S. 493, the small business jobs bill. If cloture is not invoked on the bill, the Senate will immediately proceed to a rollcall vote on the motion to invoke cloture on the nomination of John McConnell to be a U.S. District Judge for the District of Rhode Island.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 4:59 p.m., adjourned until Wednesday, May 4, 2011, at 10 a.m.

HOUSE OF REPRESENTATIVES—Tuesday, May 3, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. MCCLINTOCK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 3, 2011.

I hereby appoint the Honorable TOM MCCLINTOCK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

CONSTITUTIONAL FUNDAMENTALISM

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. On the first day of this Congress, Members took turns reading the Constitution aloud on the floor of this House. It was a worthwhile exercise.

However, some parts were omitted. There was no recital of the Amendment that established prohibition or the clause requiring fugitive slaves to be returned to their owners, or the one equating slaves with three-fifths of a human being. I guess nobody wanted to be the one who was stuck reading those parts, and I can understand that.

But it got me thinking that, lately, there has been a lot of talk about the Constitution, and that's a good thing. The Constitution is our national charter. It protects our basic freedoms, it grants power to the government, and puts limits on those powers.

All of us in this body took an oath to support it. We should talk a lot about the Constitution, but we should talk about it the right way. Some of my colleagues here seem to think that all we

have to do is read the Constitution together and we will all see the light; that the little words on the page will answer all of our questions. For them, the Framers had all the answers. I guess that's the real reason they didn't want to read the embarrassing parts out loud on the House floor.

To do that would be to admit that the Framers got some things wrong, that their document was a first draft of liberty, a blueprint for justice, not the last word.

Some call this way of thinking constitutional fundamentalism. When it comes to the Constitution, fundamentalism is misguided. Let me explain why.

No one doubts that some parts of the Constitution are meant to be read literally and rigidly: every State gets two Senators. You have to be at least 25 years old to be elected to Congress. Cut and dried.

But in many of the most important passages of the Constitution, the Framers deliberately used broad, open-ended language because they wanted their words to be read flexibly as times changed. Freedom of speech, due process of law—these terms don't define themselves.

The Fourth Amendment protects the right of people against unreasonable searches and seizures. The Eighth Amendment outlaws cruel and unusual punishment. What makes a search unreasonable or a punishment cruel? The document itself doesn't tell us.

The constitutional fundamentalists tell us we should interpret the words of the Constitution as they were understood at the time they were written, more than 200 years ago, but they can't really mean that. At that time, all felonies were subject to the death penalty and flogging was a common punishment for crime. Today, we consider such punishments cruel and unusual.

The words the Framers chose are not just broad and open-ended. More importantly, they express basic values. To enforce basic values, you need to make value judgments. And value judgments change as the world changes, even when the underlying values stay the same. The Supreme Court has always understood this.

Almost 200 years ago, the great Chief Justice John Marshall made clear that the Court was going to read the broad phrases of the Constitution differently than it might read a tax statute or bailing code.

Marshall wrote: "If we apply this principle of construction to any of the

powers of government, we shall find it so pernicious in its operation that we shall be compelled to discard it."

Marshall and his successors on the High Court understood that when we freeze the meaning of the Constitution in place, we limit our capacity to make progress as a people.

Progress hasn't come easy. It wasn't until the 1940s that the Court applied the First Amendment's establishment clause to State and local governments, ensuring the separation of church and State. It wasn't until the 1950s in *Brown v. Board of Education* that the Court declared government-sponsored racial segregation unconstitutional. Not until the 1960s did the Court finally represent the principle of one person, one vote. And not until the 1970s did the Court enforce constitutional equality for women.

If we interpreted the document in a static and literal way, we would find ourselves in a country we didn't recognize.

Constitutional fundamentalism makes difficult choices look easy by papering over the ambiguities of the document and ignoring the complexities of our history.

I would much rather acknowledge the ambiguities and debate and discuss and argue about the complexities. I think it's significant that when we amend the Constitution, we don't redact the superseded parts. Leaving them in serves as an anecdote to collective amnesia about our past mistakes; it undermines efforts to sanitize our troubled history, as many in power throughout the world often do with their own history.

I close with the words of Thomas Jefferson: "Some men look at constitutions with sanctimonious reverence and deem them like the ark of the covenant, too sacred to be touched. Let us follow no such examples, nor weakly believe that one generation is not as capable of taking care of itself, and ordering its own affairs."

Thank you.

ALABAMA IMPACTED BY THE APRIL 27, 2011, STORM

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Alabama (Mrs. ROBY) for 5 minutes.

Mrs. ROBY. Mr. Speaker, last week my home State of Alabama faced the worst natural disaster in the history of the State. My immediate thoughts go out to the families impacted by the storm, as well as my thanks to the men

and women on the ground assisting in recovery efforts. As of May 1, the Alabama Emergency Management Agency has confirmed 250 fatalities in Alabama from the April 27 storm.

Although the Second Congressional District dodged the full force of the storm, Elmore County sustained significant damage and, tragically, the loss of six lives. My thoughts and prayers go out to all of those who lost loved ones.

Since the storm, I have had the opportunity to tour the affected areas in my district and meet with the hard-working men and women working on recovery efforts.

Working quickly with Governor Bentley and the Alabama delegation, we requested shortly after the storm for the President to sign a major disaster declaration, which I am grateful that he immediately did.

Over the next coming months, I will continue to work with the Governor, the Alabama delegation, and the administration to ensure that critical resources and assistance is getting to those impacted by this horrific disaster.

Once again, the citizens of Alabama are in my thoughts and my prayers for them to get through such a difficult time.

□ 1010

MISPLACED PRIORITIES OF THE TEA PARTY REPUBLICANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. Mr. Speaker, let me begin by joining my colleagues on both sides of the aisle in praising President Obama and our military and our intelligence teams for their extraordinary work in the culmination of the killing of Osama bin Laden. His death is a very positive step for U.S. counterterrorism efforts. Bin Laden's death will not erase the pain he caused by his evil acts, nor does it mean that Americans are not still the targets of others bent on doing us harm, but hopefully his elimination will offer some comfort to the grieving families all over the world who have suffered at his hand and will diminish the capacity of his network to do us harm.

Mr. Speaker, while Americans are expressing their appreciation over the death of bin Laden, they remain deeply anxious about our economy. They are suffering from high unemployment and high gas prices and they expect and need relief. That is why Americans must be really scratching their heads in disbelief over the choices being made here in the House of Representatives.

While Americans remain focused on jobs and the economy, the tea party

Republican majority has voted to end Medicare and to cut taxes for the richest Americans and the largest oil companies. And this week they will vote to make it harder for students and low-income workers across the country to have access to health care by bringing up two bills to end the funding for new school-based health care centers and for State-based exchanges where workers and small business employees who cannot get insurance through their jobs will be able to look for health care benefits.

Mr. Speaker, they are also bringing up a third bill, a sweeping measure that would, in effect, make abortion inaccessible to most women, despite the fact that the Supreme Court has ruled that women in the United States of America have a constitutional right to receive an abortion if they so choose.

With sky-high gas prices and continued high unemployment, the Republicans must wake up in the morning and think the most important thing to do today is to take away health care from kids and hardworking Americans and trample on women's rights.

Really? Time out, America. Time out.

This Congress, under the control of the tea party, is making the wrong choices for our economy and for our future. They have accomplished nothing for the American people in more than 3 months that they have been in charge. No bill to help create jobs. Not one. Instead, what have they done? They voted to end Medicare. That is right. They voted to end Medicare and shift the cost of health care of current and future seniors onto seniors themselves, in some cases adding nearly \$7,000 more in costs per senior starting in the year 2022. They voted to reduce nursing home care for seniors and for the disabled. And they voted to make prescription drugs for senior citizens more expensive.

To make it all worse, at the same time they voted to end Medicare, they voted to cut taxes for millionaires and billionaires and give tax breaks to the largest oil companies and to extend tax breaks to companies that ship jobs overseas and in fact pay no taxes to the American people, no sense of patriotism for the benefit these companies receive by being American corporations. They chose to give them additional tax breaks, even though they pay no taxes under current law.

Their choices are clear—dangerously clear. End Medicare and make seniors pay more for health care, but give giant oil companies and the wealthiest in our country more tax breaks.

One of the bills that they will bring up this week will eliminate the ability of Americans without insurance, including small business employees, to shop and to compare health plans in the State-based exchanges. They have determined to pursue policies to harm

working families in order to cater to their insurance industry friends and radical right-wing supporters. They don't believe that every American should have access to affordable health coverage.

Health exchanges are one of the most popular and important provisions of the health care law. They are vital for families and small businesses to be able to have access to affordable health care. These exchanges are market based, they foster competition, they reduce costs, and they provide access to health insurance for millions of Americans.

Yes, Mr. Speaker, Americans must scratch their heads every day and wonder why the priorities of the tea party Republicans are not consistent with the needs of their families, their children, their job opportunities, their small businesses' vitality. They must wonder every day: Why can't this Congress start serving the American public?

JUSTICE DELAYED BECAME JUSTICE SERVED

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, Osama bin Laden is dead. Justice delayed became justice served. And I stand to pay a debt of honor and a debt of gratitude to all of those who brought us to this day.

The first time most Americans heard Osama bin Laden's name was perhaps from that podium. Just more than a week after September 11, we gathered here. President George W. Bush spoke that name into history. And every day since, it has been clear to freedom-loving people across this planet that we had to reach this day to answer for the tragic and brutal events visited upon our country on September 11.

I rise to pay a debt of honor and a debt of gratitude. I commend President Barack Obama for his decisive leadership, making the tactical decisions that were made, as well as providing our troops with the resources they needed to get the job done and come home safely. I commend his predecessor, President George W. Bush, whose tenacity and commitment to the war on terror clearly brought us to this day. I also commend our intelligence community, who, year upon year, never lost sight of the demand for justice.

But I mostly rise today to pay a debt of honor and gratitude to the members of our U.S. Armed Forces, past and present. Those Sunday night who slid down the ropes and captured and killed Osama bin Laden are in our hearts, but also those over the last 10 years who have made the necessary sacrifices in the war on terror, and I rise today to particularly pay tribute to them.

I was here on 9/11. After we had the opportunity for the roads to open, I

made my way back to our small home in Northern Virginia, and there, with my wife and our children, 6, 7 and 8, we gathered for a short family meeting and for prayer before I would come back in to the Capitol.

My little 6-year-old daughter stopped me in the kitchen as I was walking to the car and she said, "Daddy, I have to talk to you." I said, "I've got to go." She said, "Daddy, I've got to talk to you." I said, "What?" She said, "If we have to make a war, do you have to go?" And I dropped down on one knee and I threw my arms around that 6-year-old and I said, "Daddy's too old." But every day since I have thought of all the daddies and mommies who looked their little ones in the eye, looked their spouses and their parents in the eye, and they said, "I have to go." And they went. And some of them didn't come home.

In the Sixth Congressional District, we have a roll of the fallen heroes of the war on terror. I recite them today with the deepest respect and gratitude.

Lance Corporal Matthew Smith of Anderson; Private Shawn Pahnke of Shelbyville; Specialist Chad Keith of Batesville; Staff Sergeant Frederick Miller, Jr., of Hagerstown; Sergeant Robert Colvill, Jr., of Anderson; Specialist Raymond White of Elwood; Lance Corporal Scott Zubowski of New Castle; Sergeant Jeremy Wright of Shelbyville; Master Sergeant Mike Heister of Bluffton; Staff Sergeant Michael Bechert of New Castle; Staff Sergeant Brian Keith Miller of Pendleton; Specialist Jonathan Lahmann of Richmond; Lance Corporal Layton Crass of Richmond; Lance Corporal Andrew Whitacre of Bryant; Specialist William Justin McClellan of New Castle; Private First Class Jaicia Pauley of Muncie; Staff Sergeant Phillip Chad Jenkins of Decatur; and Sergeant Jeremy McQueary of my hometown of Columbus.

This was a victory for freedom. And as much as it belongs to those who made the decisions, developed the intelligence, who slid down the ropes and stepped into harm's way Sunday night, this victory belongs to those who lie in earthen graves in my district and all over this country who brought it about.

□ 1020

Winston Churchill said, We sleep soundly in our beds because rough men stand ready to visit violence on those who would do us harm. Today, I pay a debt of gratitude to a Commander in Chief, present and past, but to all the members of the Armed Forces who allow us this day to say: Justice served. Osama bin Laden is dead.

PROTECTING CONSUMERS FROM HIGHER GAS PRICES

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Virginia (Mr. CONNOLLY) is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Let me congratulate my colleague from Indiana on his eloquence. I don't think it could be better said.

Mr. Speaker, 1 year after the Deepwater Horizon oil spill, Americans are paying record gas prices. In northern Virginia, gas that used to cost \$3 a gallon now costs \$4 a gallon. This gas price hike is the result of instability in the Middle East and possible oil speculation, and is a reminder of our dangerous dependence on foreign oil. Sadly, our Republican colleagues are not advancing legislation to help consumers. Their plan would line the pockets of Big Oil, which saw its profits skyrocket 30 percent in line with these rising gas prices. Fortunately, there are positive steps we can take to promote energy independence and protect consumers: Improve vehicle efficiency, boost production of domestic renewable energy, and convert oil industry tax breaks into gas price relief for consumers.

America owns 3 percent of the world's oil but consumes 25 percent of its global reserves. The only way to end our dependence on foreign oil and reduce gas prices is by improving automobile efficiency and developing new sources of clean domestic energy. Energy independence is going to depend on reducing our oil consumption and shifting to domestic forms of energy like wind, solar, biofuels, and, most importantly, improved efficiency. Energy independence will save consumers money and protect us from political instability in the Middle East.

At the end of 2010, Congress extended tax credits for biofuels and the production of wind and solar energy. Those tax credits increased wind energy production by nearly 43 percent in less than 2 years. So extending them now is important for energy independence.

Under the authority of the Clean Air Act amendments, President Obama and automakers recently announced an agreement to improve the efficiency of automobiles by 30 percent by 2016. This agreement will save consumers \$3,000 for each car purchased 5 years from now. Here's another way of looking at it. If you can save 30 percent at the pump, better vehicle efficiency would more than offset recent gas price hikes. Unfortunately, oil companies and their allies in Congress are trying to roll back much of this progress. Our Speaker has forced through legislation which would repeal much of the Clean Air Act, hurting American consumers and undermining our national security. Fortunately, the Senate will not allow that reckless legislation to become law.

This week, the Republican leadership in this House will try to short-circuit safety rules for the production of oil off America's coast, increasing the likeli-

hood of another Deepwater Horizon catastrophe. Their legislation could also allow oil exploration that would impede Naval operations off Virginia's coast and threaten the Chesapeake Bay. I do not support these reckless efforts to allow unregulated oil drilling which endangers our coastal economies and our national security. I will be introducing an amendment in the nature of a substitute. My amendment would strike the anti-safety language and add a provision to repeal \$37 billion in oil company tax loopholes. It would remit this money equally to licensed American drivers. Averaged among licensed drivers, this amendment would give \$185 to each driver—the equivalent of reducing gas prices by 27 cents a gallon.

There are many positive steps we can take to promote energy independence and reduce the burden of gas prices: Improve vehicle efficiency, boost production of renewable domestic energy, and end Big Oil tax breaks in order to help consumers. We should be taking these positive steps instead of endangering our coastal economies with unregulated oil drilling which would do nothing to affect oil prices.

OVERSEAS SECURITY ADVISORY COUNCIL ANNIVERSARY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. SHIMKUS) is recognized for 5 minutes.

Mr. SHIMKUS. Today, May 3, 2011, I would like to take this time to commend the Department of State's Overseas Security Advisory Council, or OSAC, on its 26th anniversary. Since 1985, OSAC, a public-private partnership, has provided accurate, timely, actionable information on global security concerns. Its constituents number over 4,000, and include businesses, schools, faith-based organizations, and non-governmental organizations. OSAC serves as the U.S. Government's primary platform for assisting the U.S. private sector to confront and mitigate security threats overseas. Information is shared via OSAC's Web site and through individual consultations between OSAC analysts and its constituency. OSAC's original reports are posted on their Web site, sent to embassies around the world, and have been requested by numerous U.S. and foreign government agencies.

Through its Country Council program, OSAC provides a mechanism for the U.S. private sector to gather information and share best practices among the world's leading security experts. Country Councils are present in over 140 cities and serve as a forum for the discussion of time-sensitive and country-specific security concerns. Around the world, the London Country Council is gearing up for the immense undertaking of the 2012 Olympic Summer

Games; members of the Lagos Country Council are discussing operating challenges in the Niger Delta; the various Country Councils in Mexico are creating strategies for operating amid the violence caused by the drug trafficking organizations; the Hong Kong Country Council is focusing on deterring cybercrime; the Erbil Country Council is facilitating discussions between the U.S. private sector and Kurdistan government officials.

Over the past 26 years, OSAC has developed into the premier model for public-private partnership. It is the only government-sponsored organization specifically designed to address the private sector's global security concerns. Founded by Secretary of State George Shultz and a handful of CEOs in 1985, OSAC has expanded to include over 4,000 constituents and looks forward to a robust partnership with the U.S. private sector and ensuring the safety of American entities abroad. Congratulations to the OSAC cochairs, Diplomatic Security Service Director Jeff Culver and John McClurg from the Dell Corporation, and the Executive Working Group: Jim Snyder from Conoco Phillips; Brad Brekke from Target Corporation; and Jim Hutton from Procter & Gamble. I also want to thank OSAC's executive director, Peter Ford, and from OSAC, Jackee Schools and Marsha Thurman.

IT'S TIME TO STOP RELYING ON FOREIGN OIL

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, with gas prices skyrocketing to over \$4 and \$5 a gallon, threatening our fragile economic recovery, let me retrace the history of U.S. economic recessions and unemployment since the 1970s and their relation to global oil markets and oil prices. Both in 1973, during the Nixon administration, and then during 1978, during the Presidency of Jimmy Carter, America's economy was subjected to serious harm by global oil kingdoms on whom our Nation already had become too dependent. When gas prices eventually doubled, with the unemployment that followed, President Carter described that major oil price squeeze as the "moral equivalent of war."

This chart very vividly shows, how rising unemployment, which is the blue line, follows every major oil price increase since the 1970s. Yes, every spike of gas price increase creates a path to high unemployment that follows. That certainly was true back in 2008, when in fact the oil prices spiked over \$4 dollars per gallon and unemployment shot up, triggering our current recession as well. President Carter lost his reelection to Ronald Reagan, who won on a

campaign of blaming Carter for a "misery index." Back in those days the misery index was explained as the sum of unemployment and inflation rates but that sum actually was due to gas price sticker shock. When gas prices rise above \$4 a gallon, that very fact triggers major unemployment here at home. How many times does our American economy have to be hit over the head with a baseball bat before we recognize our conundrum? We should be working full steam ahead to become energy independent here at home rather than coveting our neighbor's goods.

If we look at the continuing use of petroleum inside our economy—other than the recession we're now in, where we've had a little bit of a dip in imports due to decreased demand—all the way going back to the 1970s, every year, we've consumed more imported petroleum. The red lines show how much more is imported each year. Rather, why don't we invest those trillions and trillions of dollars we are spending in the Middle East and around the world to import that oil right here in our own country?

□ 1030

We literally could rebuild energy production capacity, and much more, from one end of our country to the other and create millions of jobs doing it.

America's chief strategic vulnerability is our dependence on imported energy. How many more Americans have to die to keep those oil lanes open? It is no coincidence we have sent our soldiers to fight where the greatest global oil deposits are located.

My oath is to protect our Nation against all enemies, foreign and domestic. America's petrol dependence is an enemy on both fronts: foreign and domestic. It is no secret that there are some big business interests, including many global oil companies, oil speculators, and financiers trading in those petrodollars, that are making a killing, in many ways, off of America's dependency.

In 2008, rising oil prices tripwired the Great Recession we are currently enduring. And we know recent price hikes threaten our recovery just as our Nation and our people are struggling to get back on their feet. Look at the profits that the major oil companies are ringing in from gas prices at over \$4 a gallon. Just in the last quarter, Exxon raked in \$10.7 billion, BP brought in \$7.2 billion, Chevron earned over \$6 billion, and the list goes on and on—in one quarter. One quarter. These huge profits at the expense of our people and nation.

The American people suffer great hardship every time this petroleum addiction rears its ugly head, and it has done so every decade, consistently. The situation keeps getting worse, if anyone is paying attention. In effect, our American Republic becomes a gasoline

hostage and a sticker cash cow anytime the global oil markets need an infusion of oil cash or raise prices due to supply aberrations. We simply can't leave America and our people this vulnerable. And we can't keep killing our soldiers to keep those oil lanes open.

The biggest force in the world is inertia. People don't want to change, or don't know how to change our predicament, or don't want to change this losing strategy for our Nation. It's no secret that some interests are making a whole lot of money off the present equation: "I win, you lose."

Mr. Speaker, if these economic interests aren't tamed and aren't enemies of our Republic, I don't know what is. Bill Greider wrote a book, it's time to "Come Home, America." Let's do that by restoring energy independence here at home and, indeed, our very liberty.

THE NATIONAL CONSTITUTION COMPETITION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, it was my great privilege to spend a major portion of the weekend watching young constitutional scholars from Portland's Grant High School compete in the national Constitution competition here in our Nation's Capital.

It was an amazing experience watching these young men and women debating the fine points of our Constitution. While I had a personal interest with one of the students there, it became clear, watching the competition, that everybody was a winner.

As I was watching the finals, where they were one of the top 10 teams in the Nation, it was fascinating to contemplate what was going on in the much broader context in terms of what this represented. Everybody was a winner—the student constitutional scholars, their dedicated coaches and teachers. Most important, America was winning.

They were part of tens of thousands of students across the country who dove into the intricacies of the Constitution over the past year. They delved into its antecedents like the Magna Carta and the Articles of Confederation. They deal with the Civil War and the challenges to our constitutional ideals and the practicality of governance in a time of war. They pondered the struggle to give all Americans the promises embedded in the Constitution and the Declaration of Independence. They explored the conflict between the rule of law and its too often flawed implementation.

It was really heartwarming to be able to witness the discussion between the judges, who were all skilled professionals—professors, lawyers, judges volunteering their time—and these terrific young citizens. Indeed, some of

the exchanges were riveting. I found myself reflecting on how much easier would be our job in Congress if there were more Americans who were part of this extraordinary experience.

These young people have been part of a program making a difference for a quarter century now. We've got data that show its effectiveness. These young people score a third higher than adult citizens on their knowledge of the Constitution and civic affairs. And good news for America: looking at this experience over a quarter century, they are five times more likely to run for public office.

The bad news is that thousands of young people in every State, the District of Columbia, and some of the territories will lose as a result of the inability of Congress to figure out how to finance a small portion of the participation that comes from Federal money. They are a casualty this year of the inability of Congress to figure out how to provide that support. I find that ironic because these young people could give Congress lessons about the congressional power of the purse, the separations of power, to give us a roadmap to make sure that these programs are not sacrificed.

It's particularly important because the flawed "No Child Left Behind" bill that's up for reauthorization doesn't place a premium on civic education. I see my good friend, Congresswoman WOOLSEY, a senior member of that committee, who has fought for years to redirect it.

Well, the least we can do is to restore the money lost this year as we deal with the budget for the next year. Any Member of Congress who takes the time to meet with the outstanding young men and women from their State who are in our Nation's Capital today in the aftermath of that contest would be hard-pressed to explain to them why they wouldn't and, indeed, should be inspired to do all they could to make sure this outstanding program continues.

POST-BIN LADEN: A MOMENT TO RE-THINK OUR NATIONAL SECURITY APPROACH

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Yes, indeed, just to follow up on the gentleman from Oregon, we are, in our efforts to reauthorize elementary and secondary education, expanding to the whole child, we hope, including civics and art and music.

Mr. Speaker, my first thought when watching the news last Sunday night was about the many people, the many people, who have a hole in their hearts and in their homes because of the senseless, brutal violence perpetrated

by Osama bin Laden. There was 9/11, of course, but also the 1993 World Trade Center bombing, the Embassy bombings in East Africa, the attack on the USS *Cole*. Bin Laden is responsible for so much evil, and I hope that the families of his victims can now find some measure of peace and hopefully some closure.

He is dead, but the terrorism threat he represents remains alive and well. The network he created continues to thrive. And I believe, Mr. Speaker, that al Qaeda will remain strong as long as we, the United States of America, continue our policy of aggressive militarism in the Middle East.

□ 1040

The war in Afghanistan remains an epic failure that is bankrupting us morally and fiscally. Our nearly 10-year occupation has emboldened those who hate America instead of defeating them. It has created more terrorists than it has killed. It is undermining our national security interests, not advancing them. It is making us less safe, not more.

None of that changes with the news of Osama bin Laden's death. Just last week, a retired Army lieutenant colonel from my district just north of the Golden Gate Bridge, James McLaughlin, Jr., of Santa Rosa, California, was killed while working as a contractor training military pilots in Afghanistan. He died along with eight others when an Afghan pilot turned on his allies and went on a shooting spree during a meeting at the Kabul airport. Bin Laden's death won't bring Jim McLaughlin back, nor will it bring back the 1,500-plus Americans who have lost their lives in Afghanistan. The horror of this war continues unabated.

So with Osama bin Laden's death, I believe that it is past time for somber reflection—reflection about the policies of the last 10 years and about where we might go from here. It is time to rethink our entire approach to national security.

We can save so much in lives, in money, in global credibility, and in moral authority with a smart security platform that puts diplomacy and development aid before guns and tanks: a platform that uses American power for humanitarian ends, a platform that empowers and invests in the people of Afghanistan instead of invading and occupying their country.

We have a chance now to change course. The trauma of 9/11 was profound, but it also led to some disastrous choices, from the war in Iraq, to roving wiretaps, to waterboarding, to the surge in Afghanistan. Now that the 9/11 mastermind is gone, it is time to turn a new page.

It has to begin with a swift move toward military redeployment out of Afghanistan. We cannot continue down

this road of permanent warfare. The costs are too great. I've never ever felt more strongly, Mr. Speaker, that it is time to bring our troops home.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 43 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

Reverend Dr. Alan Kieran, Office of the U.S. Senate Chaplain, Washington, D.C., offered the following prayer:

Most Holy God, Creator and sustainer of the universe, we come to this Chamber today with humility and expectation.

In humility because we know that You have appointed our elected Members and Capitol Hill staff for such a time as this.

In expectation because faith in You brings untold blessings to hearts, homes, and nations.

You say, O God, that from those to whom You have given much, much is expected.

Endow our leaders with good health. Strengthen them in body, mind, and soul for the busy days ahead. Grant them Your wisdom, peace, and joy in this season of fruitful labor.

And may we all reap a harvest of righteousness as we serve You and our Nation's citizens.

I pray in Your everlasting Name. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from New Jersey (Mr. PAYNE) come forward and lead the House in the Pledge of Allegiance.

Mr. PAYNE led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

DRILLING BILLS

(Mr. PITTS asked and was given permission to address the House for 1 minute.)

Mr. PITTS. Mr. Speaker, where does our oil come from?

Much of it comes from offshore drilling rigs scattered around the globe. From the North Sea to the South China Sea, there are thousands of rigs pumping oil that eventually finds its way to the American market. Exploration for oil and natural gas is growing in Egypt, Brazil, and dozens of other countries.

But here in the United States, we are moving backwards. Leases and permits have been slow-walked and delayed—2011 was almost the first year since 1958 that the Federal Government did not hold an offshore lease sale.

This week we are going to pass legislation to kick-start leases and increase production of American energy. The only reliable way to decrease gasoline prices is to increase domestic supply. If we don't act to expand access to American natural resources, we will see production fall this year.

The American people want to get back to work, but high energy prices are holding back job growth. American jobs are on the line. That's why now is the time to boost American energy.

GAS PRICES

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, over the last several weeks, my Rhode Island constituents and Americans all across this country have been nervously eyeing their neighborhood gas stations, waiting and watching as the gas prices steadily rise, now forcing many to fill their tanks for no less than \$4 per gallon.

This news underscores the concerns voiced by hundreds of men, women, and families throughout Rhode Island and all across this Nation in recent weeks. They can no longer afford the price of gasoline, and urgent help is needed.

Yet as gas prices climb, profits continue to soar for Big Oil. We've got to find solutions now to lower the cost of gasoline and to end the \$4 billion in tax breaks that are paid to Big Oil.

Mr. Speaker, I am delivering a letter today to the Speaker asking him to bring legislation already drafted to the floor for a vote that would release oil from the Strategic Petroleum Reserve and legislation aimed at preventing

Big Oil from engaging in price-gouging schemes which drive up the price of gas at the pumps.

These are just two measures, Mr. Speaker, that have been introduced in the House which would provide immediate relief to consumers from the rising price of gasoline that threatens our economy and the well-being of hard-working middle class Americans all throughout this country.

I certainly hope the Speaker will put these on the calendar so we can vote on them and provide relief immediately to the American people.

CONGRATULATING PRESIDENT
OBAMA ON OSAMA EXECUTION

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, this upcoming September 11 will mark the 10th anniversary of the most horrific act of terrorism, executed under the leadership of the now deceased Osama bin Laden.

We will never forget the images of burning buildings, crashing planes, and Americans running for their lives. Three thousand people never came back home that Tuesday, and families will again remember the last time they hugged their loved ones good-bye. What will be different this September 11 is that Osama bin Laden will no longer be able to celebrate the destruction he caused and the lives he destroyed.

President Obama, we thank you for a superb operation. Thank you for having the courage to make the decision so many would have backed away from.

Because of President Obama's team of experts, this risky mission was backed by sound information, solid facts, and accurate calculations. His goal was clear: Get Osama bin Laden. And that is exactly what happened. This is truly a mission accomplished.

I commend our Commander in Chief, Barack Obama, for his intelligent execution. This is not a celebration of death; this is a celebration of justice, courage, sacrifice, and democracy. And this is a celebration of leadership.

Mr. President, your 40-minute operation has helped bring closure to so many Americans for a lifetime.

THE FIGHT FOR FREEDOM DINNER

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. Mr. Speaker, this past Sunday I participated in one of the largest sit-down dinners ever held. It was hosted by the Detroit branch of the NAACP, and there we heard from and we honored the conscience of this House, Representative JOHN LEWIS.

The event was titled "The Fight for Freedom Dinner." And some of those freedoms worth fighting for are economic in nature: The freedom to own a home that won't be unfairly placed in foreclosure. The freedom to work a job and not be laid off because you're outsourced. The freedom to receive health care, especially health care guaranteed by Medicare, and not have to go broke or bankrupt paying for it.

These opportunities should be available under our legal system to all Americans equally.

WHERE ARE THE JOBS?

(Ms. LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LEE. Mr. Speaker, the American people want to know, Where are the jobs?

After 17 weeks of controlling the House, Republicans have no plan to create jobs and no plan to spur economic growth. Instead, they proposed a budget that puts our country on a road to ruin. They want to end Medicare, gut Medicaid, strip funding for Pell Grants and elementary and secondary education for our students, while hobbling our Nation's transportation infrastructure.

Yet again this week, Republicans are offering slogans instead of solutions: "Drill Baby Drill," "Kill the Bill." These slogans don't amount to a plan to create jobs or guarantee access to health care in America.

Instead of another very cynical attempt to repeal health reform and perpetrate their war on women, and instead of offering oil companies free reign off our coasts, we should be working together to help the unemployed and to create jobs. We must not forget the 99ers and we must help them, people who have moved out of their unemployment benefits. They've actually maxed out. And we must invest in our country to stimulate job creation.

Democrats have a plan while Republicans can only offer rhetoric.

□ 1210

ALL THE CARDS ARE ON THE
TABLE

(Ms. EDWARDS asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. EDWARDS. Mr. Speaker, all the cards are on the table, and the Republicans want to reduce Medicaid to a mere block grant program and drastically alter the Federal-State partnership that has been struck for over 45 years.

The GOP budget argues that under a block grant program, "States will no longer be shackled by federally determined program requirements." Sounds

nice, right? But, Mr. Speaker, what they really mean is that States will no longer have to meet standards that ensure quality, delivery of service, and eligibility.

The GOP budget argues that block grants will improve health care safety for seniors and low-income families. Again, sounds right, Mr. Speaker, sounds wonderful. But they fail to conveniently mention that the States would be required to spend below projected growth, forcing State governments to make up the difference by increasing spending. Again, that's a fat chance in this environment.

And so what they really want to do is to cap enrollment, cut eligibility, limit mandatory benefits, and lower provider reimbursement. Our doctors, our seniors, and our low-income families deserve so much better.

RECOGNIZING TWO SIGNIFICANT ATHLETIC ACHIEVEMENTS IN DELAWARE

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, today, I'd like to recognize two significant athletic achievements that were recently announced in my home State of Delaware.

In March, the St. Mark's High School football team was named Team of the Year by the Delaware Sportswriters and Broadcasters Association. This fall, St. Mark's finished with an undefeated 12-0 record and captured their first football title since 1978.

Also last month, University of Delaware sophomore Elena Delle Donne was named Player of the Year in Delaware after earning First Team All-CAA honors in basketball for the second straight year.

As a St. Mark's alumnus and former high school and college athlete and coach, I know the hard work and commitment that goes into achieving success at such a high level. I also know that high school and college athletes learn lessons about teamwork, competition, and leadership that will serve them well for the rest of their lives.

And so I'd like to once again congratulate Elena Delle Donne, St. Mark's High School football coach Jim Wilson and his staff, and each member of this year's team.

We in Delaware wish you well and hope for your continued success.

PROVIDING FOR CONSIDERATION OF H.R. 1213, REPEALING MANDATORY FUNDING FOR STATE HEALTH INSURANCE EXCHANGES, AND PROVIDING FOR CONSIDERATION OF H.R. 1214, REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

Mr. REED. Mr. Speaker, by direction of the Committee on Rules, I call up

House Resolution 236 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 236

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the State of the Union for consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those received for printing in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII in a daily issue dated May 2, 2011, and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered as read if printed. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and

amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. REED. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purposes of debate only.

GENERAL LEAVE

Mr. REED. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. House Resolution 236 provides one rule for consideration of H.R. 1213 under a structured process, making all five Democratic amendments in order that comply with the rules of the House; and H.R. 1214 under a modified open process that gives all Members an opportunity to preprint their amendments in the CONGRESSIONAL RECORD and have them considered on the floor.

Mr. Speaker, we are here today to offer a rule to allow us to debate H.R. 1213 and H.R. 1214. H.R. 1213 would repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American health benefit exchanges. H.R. 1214 would repeal mandatory spending for school-based health center construction.

Quite simply, our country is broke, and we cannot continue to spend money like we have in the past. Our spending crisis is clear. Slush funds and unlimited tabs on the Treasury must be the first to go, particularly when they are being used to fund government-centered takeover of our Nation's health care system that does not improve care, does not lower costs and, simply, we cannot afford.

The American people sent a clear message last November: ObamaCare is not the answer; stop spending money that our country doesn't have, money we are borrowing and spending on the backs of our children and grandchildren who will be left footing the bill.

H.R. 1213, introduced by the distinguished chairman of the Energy and Commerce Committee who has been a leader in this fight, repeals the provision that gives the Secretary of Health and Human Services a blank check to determine how much to facilitate enrollment in the State health care exchanges set up by the underlying bill. The law includes no definition of what that means. For example, a 100 percent premium subsidy for individuals to enroll in the exchange would not be prohibited under the statute.

In the year since ObamaCare was enacted, it has already become clear the law set up an unworkable and an unaffordable system. There have been countless numbers of waivers given out and slush funds such as this to allow the Federal Government to continue to push more money onto the States, force them to accept provisions that simply don't make sense and don't work. Just because the authors of ObamaCare could not determine the amount necessary to fund these programs does not mean American taxpayers should allow the Secretary to cash this blank check.

□ 1220

Secretary Sebelius, in a March 3 hearing, testified that there are no monetary limitations on the size of the appropriation and the law requires no further congressional action for the Secretary to spend these funds. CBO estimates a reduction in direct spending by an estimated \$14.6 billion over the next 10 years would be achieved by successful passage of this bill. And that is just an estimate. With a blank check, the spending could be much higher.

Mr. Speaker, I submit that giving any executive branch official a blank check is a bad idea, particularly when we already have a \$1.6 trillion deficit this year alone and a \$14 trillion national debt. We must vote to repeal this provision.

In regards to H.R. 1214, introduced by Representative BURGESS of Texas, who is one of the physician members of our Republican Conference, it repeals the school-based health center construction fund. ObamaCare provides \$200 million in direct appropriations through fiscal year 2013, which this legislation would rescind. This money is only for facilities with an express prohibition on using the funds for personnel or to provide health services at these newly constructed facilities. The facilities could be built with no guarantee, therefore, that the center would ever see or care for one single patient.

This fund is yet another example of the wasteful, duplicative spending that caused ObamaCare to have such a huge price tag and another example of spending we simply cannot afford. ObamaCare and the stimulus bill have already made \$3 billion available to the Department of Health and Human Services for facility improvements at community health centers. Providing an additional \$50 million a year is duplicative. We do not need to build for building's sake. Therefore, we must vote to repeal this provision.

With that, Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I thank the gentleman from New York for giving me the customary 30 minutes, and I yield myself such time as I may consume.

It's my understanding this is his first rule that he is managing in his name

on the floor of the House, and I congratulate him in that regard. In the 111th Congress, I had the opportunity to manage a number of rules, and I had a perfect record—I never lost a rule. This Congress as well, I too have a perfect record—I have never won a rule. I wish the gentleman from New York success in his efforts and congratulate him on his appointment to the Rules Committee and look forward to working with him throughout the 112th Congress.

Mr. REED. I thank the gentleman.

Mr. POLIS. Today, while millions of Americans remain unemployed and millions more await the chance to receive affordable health care, the Republicans are spending another week rehashing old debates instead of talking about creating jobs and, in fact, in this case, undermining Americans' access to quality health care.

This rule brings forth two bills. First, the majority brings forth, under this bill, legislation that will prevent Americans from accessing the exchanges which are competitive marketplaces in which to buy private insurance.

Now, there's a lot of subterfuge and misinformation in this debate. For instance, there is no ObamaCare option. There is no public insurance option that we are even discussing here. What is being discussed is a marketplace in which individuals, primarily those who work in small businesses or are self-employed, will have access to choose from the private policy of their choice.

According to the Congressional Budget Office, under this Republican proposal, 2 million fewer Americans will be enrolled in exchanges in 2015. The Congressional Budget Office also says that H.R. 1213 will result in higher premiums in the exchange. Again, a bill that is delivering higher premiums for American citizens—hardly, hardly the outcry that I have heard on the stump.

I had a chance to have public meetings in the last 2 weeks back in our district, as many Members of Congress have. My constituents, Mr. Speaker, did not request that we deliver higher health insurance premiums. They wanted us to deal with the deficit. They wanted us to deal with jobs and the economy. Not a single constituent of mine asked for higher health insurance premiums, which seems to be a priority of this Congress.

Now, there may be a talking point involved, and certainly both of these bills today were also included in H.R. 2, which was a repeal of health care reform, largely. Now we are looking at individual pieces. But this new marketplace has historically been an idea that has had strong bipartisan support: to have competitive health care exchanges; to keep in tact America's employment-based system while expanding access to tens of millions of people, including small businesses and people

who are self-employed. Truly, the exchanges represent an opportunity for a more competitive and a more transparent marketplace that empowers consumers to make the choice between private insurers.

The other bill that is brought forth under this particular rule, after we have dispensed with denying health care to an estimated 2 million more Americans through the exchanges, we are also, in this next bill, eliminating funding for school-based health clinic construction, renovation, and equipment. That would particularly harm our Nation's health care services, especially for children, youth, and families and those with low incomes.

School-based health care clinics serve students whose access to health care is limited; and frequently, the scope of services is determined by school officials in partnership with parents and community-based health care initiatives. Services are designed to identify problems early, provide continuity of care, and improve academic participation. These programs save money by providing access to preventive care that frequently alludes many of the families affected.

And yet also, while we are denying basic preventive care to our Nation's youth, the passage of this bill will also deny job opportunities to Americans all across the country who are ready with shovel-ready projects to begin improving and building school-based health care clinics. So here we are with a bill: less jobs, less health care, less education—hardly the priorities that I think the voters wanted for the 112th Congress.

Democrats believe strongly that we need to make tough choices to end the deficit and end the climbing spiral of debt. But what we are left with with these two bills, as separate from H.R. 2, is actually the worst of both worlds. The Republicans leave in place the taxes that were used to pay for health care reform—they leave in place in these two bills the medical device tax; they leave in place the tax on unearned income—and yet they remove the benefits to the American people from these taxes.

Whenever the American people agree to any degree of taxes, they want to see a tangible result. But what is being done with these bills is leaving in place the taxes of health care reform and removing the benefits to the American people of health care reform. That's hardly a balanced and fair approach, and it's one that the House should reject.

I would remind my colleagues of House Resolution 9, which I supported on the floor of the House of Representatives. It dealt with 13 items out of the original jurisdiction of our Rules Committee before the gentleman from New York joined our Rules Committee. We instructed the House on replacing

health care reform and what some areas for working on it would be.

I would like to submit to the RECORD in the context of this debate, Mr. Speaker, House Resolution 9, which was adopted by the House and, indeed, discusses changing existing health care law within the various committees of jurisdiction to foster economic growth and private sector job creation; to lower health care premiums, preserve a patient's ability to keep their health care plan, provide people with pre-existing conditions affordable access to health care; and many, many other good ideas.

But rather than discussing any of these 13 points that were contained in House Resolution 9, the business of the committees of jurisdiction has apparently been not only to repeal health care reform generally but now to repeal each of the individual components while leaving the taxes in place. We would encourage these committees to comply with House Resolution 9. And I think by rejecting this bill before us today, we are sending a powerful message to the committees of jurisdiction that rather than talking about repeal, repeal, repeal, they need to also discuss replace.

What are we going to do if the exchanges don't exist or are handicapped to provide people with preexisting conditions access to affordable health care? Again, if we repeal the support for the exchanges, how are we fostering economic growth and private sector growth? How are we encouraging small businesses and self-employed people to have access to the same health care services at a similar cost that large employers already have?

I call upon my colleagues to reject this rule and both underlying bills and begin the discussions of how to improve and build upon health care reform, finding a common ground between Members of both parties and saving taxpayers money to help reduce the deficit.

H. RES. 9

In the House of Representatives, U.S., January 20, 2011.

Resolved, That the Committee on Education and the Workforce, the Committee on Energy and Commerce, the Committee on the Judiciary, and the Committee on Ways and Means, shall each report to the House legislation proposing changes to existing law within each committee's jurisdiction with provisions that—

(1) foster economic growth and private sector job creation by eliminating job-killing policies and regulations;

(2) lower health care premiums through increased competition and choice;

(3) preserve a patient's ability to keep his or her health plan if he or she likes it;

(4) provide people with pre-existing conditions access to affordable health coverage;

(5) reform the medical liability system to reduce unnecessary and wasteful health care spending;

(6) increase the number of insured Americans;

(7) protect the doctor-patient relationship;

(8) provide the States greater flexibility to administer Medicaid programs;

(9) expand incentives to encourage personal responsibility for health care coverage and costs;

(10) prohibit taxpayer funding of abortions and provide conscience protections for health care providers;

(11) eliminate duplicative government programs and wasteful spending;

(12) do not accelerate the insolvency of entitlement programs or increase the tax burden on Americans; or

(13) enact a permanent fix to the flawed Medicare sustainable growth rate formula used to determine physician payments under title XVIII of the Social Security Act to preserve health care for the nation's seniors and to provide a stable environment for physicians.

I reserve the balance of my time.

Mr. REED. Mr. Speaker, I now yield as much time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

□ 1230

Mr. DREIER. Mr. Speaker, let me begin by extending congratulations to my good friend from Corning for his stellar management of his first rule on the House floor, and to say that we have managing this two of my favorite Members, including my friend from Boulder who serves on the Rules Committee with such distinction.

I have to say that I'm also glad to see that we have Dr. ROE here, who has, over the past couple of years, regaled us in the Rules Committee of the failures of massive, even State, government involvement in health care and the dramatic increase in costs that he's seen in his State of Tennessee because of the so-called TennCare program that has existed there. I know that we are going to look forward to hearing from him later.

Let me, at the outset, respond as the author of H. Res. 9 to the comments that my friend from Boulder has just offered, Mr. Speaker. First, I want to say that I believe that the measures before us are all about job creation and economic growth, improving health care and improving education, all three of the things that my friend from Boulder indicated that he doesn't believe that we are successfully addressing here.

Second, I have to say that as we looked at the litany of those 13 items included within H. Res. 9, mark my words, the committees of jurisdiction are already working on and focusing on those priority items. I believe that the purchase of health insurance across State lines needs to be a very high priority as we want to ensure that the American people have access to quality health care. We need to make sure that we have pooling to deal with pre-existing conditions. That continues to be a bipartisan priority. And, in fact, on the issue of the purchase of insur-

ance across State lines, and obviously on pooling for preexisting conditions, President Obama, even though he opposed it in the measure, has indicated his support of those items.

We need to expand medical savings accounts so that people can be incentivized to put dollars aside for the purchase of direct health care needs and/or health insurance.

We also need to do what we can to expand something that actually passed the Republican House of Representatives but was killed by our colleagues in the other body 5 years ago, that is, associated health plans that allow for small businessmen and -women to come together and actually get reduced rates as larger corporations and entities have done.

And the fifth item that, of course, we heard the President of the United States say in his State of the Union message he supported but, of course, was not included in the measure and that is real, meaningful lawsuit abuse reform because we continue to see the dramatic increase in health care costs because of the number of frivolous lawsuits out there. We have a load of empirical evidence on that, Mr. Speaker.

Again, the President of the United States stood here and talked about how important it was to deal with it, and yet we hadn't. Those are five among the 13 items that are addressed in H. Res. 9. And I will tell you that the committees of jurisdiction are today working on that.

Why is it that we are here today?

Well, we all know that we did pass the repeal measure out of the House of Representatives. We felt very strongly that the need to focus on some of the most flagrant examples of abuse by passing legislation out of this House needs to continue to be a priority, and that's exactly what we're doing today.

Now, I don't like the use of the word "slush fund" to be thrown around. It makes me a little uncomfortable, I have to admit. But that is a term that has been used by more than a few people to describe the funds that are granted, such funds as may be necessary and open-ended, without congressional oversight to the Secretary of Health and Human Services. And it seems to me that one of the things we need to recognize in a bipartisan way is that enhancing congressional oversight of the executive branch is an institutional issue. We have a responsibility to the American people to make sure that we scrutinize every tax dollar that is being expended, and this legislation is designed to deal with one of the major flaws in the health care bill, that being the granting, without congressional oversight, of such funds as may be necessary.

Similarly, if you look at the expansion in every way of expenditures which are not going to do anything to improve the quality of health care in

this country, it seems to me that this is the right thing for us to do.

Now, procedurally, I know that my friend joins me. I'm not going to ask him to join, as Mr. DICKS has repeatedly in the past in complimenting the work of the Rules Committee, in providing for a process that allows for greater deliberation. But these two items before us are, in fact, making in order every single amendment that was submitted to the Rules Committee that is germane, complies with CutGo, does not waive the rules of the House.

We had amendments that were submitted. One of these measures is going to be considered under a modified open rule, meaning that any Member of the House will have an opportunity, assuming that they submit their amendment into the CONGRESSIONAL RECORD and if it complies with the rules of the House, they will be able to offer their amendment to this measure. We had 13 amendments submitted to the Rules Committee; five were made in order. The other seven did not comply with the rules of the House, whether non-germane or did not comply with the CutGo rule that was put into place at the beginning of this Congress.

So what we've done procedurally here under the rule that my friend from Corning, Mr. REED, is managing is we are, Mr. Speaker, providing for a chance for a free-flowing debate, what Speaker BOEHNER indicated before the election last year was absolutely essential for us to do. These are commitments that were made to the American people throughout the election process. They sent a very strong message by sending 87 new Members of the House on the Republican side, nine Members on the Democratic side, 96 newly elected Members of the House of Representatives.

But their message was to deal with this issue, ensuring that Americans have access to quality health care, but don't expand the Federal Government's involvement in it, and ensure that since we had bills dropped on us in the middle of the night, one very famous one, the cap-and-trade bill, a 300-page amendment given to us that no one had seen at 3 o'clock in the morning as the measure was being reported out, they said, read the bill. They said, make sure that you have a degree of accountability and transparency in your deliberations.

I will say, Mr. Speaker, that if you look at what's happened in the last 4 months, we have had, I believe, more amendments considered, more debate. Just take the beginning of our continuing resolution when we had 200 amendments debated here on the House floor, 90 hours of debate, more Member involvement than we had had in the entire 4 years of the last speakership.

And so, Mr. Speaker, we, today are on the right track. In a very, very responsible, transparent and open way we

are addressing an issue that the American people said they wanted us to address. Our priority with this legislation is to ensure that every American has access to quality, affordable health care. That's something that we want to make happen.

I believe that the legislation that is before us today will enhance our chance to do that as we seek to reduce the size, scope, reach and control of this behemoth, our Federal Government, which has a \$14 trillion debt. With one of these measures, we're going to be saving \$14 billion, a very important step in the direction which both Democrats and Republicans alike say they want us to achieve.

I urge support of the rule.

Mr. POLIS. Mr. Speaker, I yield myself 1 minute to respond before further yielding.

The gentleman from California again identified several areas where there are opportunities for both parties to work together: allowing the sale of insurance across State lines, something I certainly support; pooling for high-risk individuals; reforming the medical liability system.

Again, it really goes to a question of if we are, in fact, repealing in part or all various parts of the health care reform, what is replacing it. When we talk about pooling of high-risk individuals, if we can put together a way of doing that, that can effectively serve as a marketplace or as an exchange.

What this bill simply does is repeal the support for the exchanges, leaving many of these with preexisting conditions, particularly those who work for small businesses or are self-employed, entirely in the lurch. As we discuss how to improve health care for the American people, it's critical to actually have the solution to the policy problem that's been identified.

The gentleman talked about an inadequate selection process with regard to the use of funds, inadequate congressional oversight. Again, why not bring a bill forward that talks about setting the right process in place to allow for the correct oversight of the use of these funds? It's a question of making it work for the American people rather than throwing the baby out with the bath water.

With that, Mr. Speaker, I am proud to yield 2 minutes to my colleague, the gentlewoman from Maryland (Ms. EDWARDS).

Ms. EDWARDS. I thank the gentleman from Colorado for yielding.

Mr. Speaker, here we are, we are at month five, and I thought that we'd be talking about job creation and spurring economic development across this country. Instead, we are yet again talking about how we can repeal elements of a health care bill that passed some time ago.

□ 1240

Nonetheless, today I rise in opposition to the rule and to the underlying

bills. Let me first just say a few words about the exchanges.

In my State of Maryland, our Governor, Martin O'Malley, in working with our legislature, has been in the process of actually trying to make this work—implementing the health insurance exchanges in the State to make sure that people don't fall through the cracks. In fact, our Secretary of Health has come out with a study that shows that, by going through this process of implementing the exchange and moving through reform, we are going to create jobs and provide health care for thousands and thousands of people across the State of Maryland and for our small businesses, which want to do right by their employees by providing health care.

So I don't understand what the problem is here, and I'm a bit confused. On the one hand, the majority doesn't want to pursue a public option for millions who are uninsured. On the other hand, they don't want to make a marketplace, which is what these exchanges are, available to people to get health care in their States. You cannot have it both ways unless you want to continue to leave millions and millions of people uninsured across this country and without health care.

In the underlying bill as well, the majority proposes in the Act to eliminate funding provided to construct, renovate and improve services at school-based health centers. In my district, the elimination of these funds would mean something very specific: The centers at Fairmont Heights High School, one of the poorest communities in our district, would be without a health center. There is Northwestern High School in Adelphi, Maryland; Oxon Hill High School in Oxon Hill, Maryland; and Broad Acres Elementary School in Silver Spring, which are serving very needed communities.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield the gentlewoman an additional 30 seconds.

Ms. EDWARDS. These school-based health care centers offer a wide range of services, from wellness checks to mental health services for our young people, which is care they wouldn't receive otherwise—or maybe they would in expensive emergency room visits in a crisis.

Studies show the link between affordable health care for our students and their education success, so I would urge my colleagues to oppose this legislation. Let's create jobs instead of dismantling a health care system.

Mr. REED. Mr. Speaker, I am pleased to yield 4½ minutes to the gentleman from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, I rise today in support of the rule and of the underlying bills. I would like to draw particular attention to H.R. 1213, which would repeal a

provision in the health care law that gives the Secretary of Health and Human Services unlimited spending authority with regard to State-based exchanges.

Let me start by saying that two years ago, when I came to Congress, I looked at the American health care system, and I asked: What's the problem with it?

The problem with the American health care system is that it costs too much money. It's too expensive to go to the doctor or to go to the hospital to receive medical care. If it were affordable, we could all have it. Number two, we have a segment of our population that doesn't have access to affordable health care coverage. Let's say it's a drywall or a sheetrock worker or a carpenter who may be out, working. Maybe his spouse works in a diner, let's say, and they get along just fine, but they can't afford the high premiums. Number three, we have a liability crisis in this country that is forcing the cost of health care through the roof.

Well, what did the Affordable Health Care Act do? It did do number two. It expanded coverage for some people in this 2,500-page bill—remember, it's this thick—but it did nothing to help curb the costs, and it did nothing for liability, which is forcing the costs of health insurance coverage higher for all of us. I've seen it in my own State of Tennessee. The enactment of this legislation we are talking about today will take \$14 billion that we don't have.

Let me just say this: What worries me about Washington, D.C., is that we didn't get the memo. We're broke here. Number two, what is that \$14 billion going to do? It's not going to put one more patient in my office who I can see and treat. It's going to the bureaucracy. I see it in education. I see it in commerce. I see the beast, the Federal Government beast, just getting larger and larger and larger. The money doesn't actually get down to a patient for whom I can write a prescription so he can then go to a pharmacy, get the prescription filled, and then get his health care.

So we talk about several simple things that the chairman spoke about just a moment ago very eloquently, and let me show you an example.

I have a Health Savings Account. This little card right here is a debit card. I don't have to fool with the insurance company. I don't have to fool with the Federal Government. I don't have to fool with anybody. I fool with me and my doctor; and who should be making health care decisions are patients and their physicians, not an exchange and not all of this. That's just going to complicate it. I go in with this, and I pay for it, and I usually get a significant discount when I do that.

There are a couple of other things that you can do. Just remember, as to

this 2,500-page bill, Mr. Speaker, you could have done two-thirds of it with two paragraphs. One which I agree with, which is in the bill—and it's one of the few things I do agree with—is to simply let children stay on their parents' plans. Pick your age—25, 26, 27. Number two, simply sign up people who are already eligible for government programs. That's SCHIP and Medicaid. If you do those two things, you can cover nearly 20 million people without this complex, almost incomprehensible bill. We have a Secretary who really has a fungible account from which she can spend billions of dollars that are really unaccounted for. Also, we are knee-deep in red ink. That's the major problem with granting the Secretary access to the Federal Treasury.

The exchanges mandated by this affordable health care law are the first step for Washington bureaucrats in really getting more control of our health care system. Don't get me wrong. I am absolutely for consumer choice because I believe consumer-driven health care is the only way to keep costs down. I think, if we don't do that, you will never get the costs going in the right direction. Instead, this creates a top-down mandate for the type of insurance that will be made available in these exchanges. Remember, when you're looking at this Affordable Health Care Act, the government—not you, the patient, as an individual, as a person, and not the doctor—decides what is an adequate health care plan. So these exchanges are basically just an excuse for unelected Washington bureaucrats to really make our health care decisions for us.

Mr. Speaker, this is not a free market system. It's basically central planning. Patients should be allowed to choose which benefits they want when buying their insurance plans. By passing H.R. 1213, Congress would send a message that we want health care reform that puts the patients first.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. REED. I yield the gentleman an additional minute.

Mr. ROE of Tennessee. There are another couple of things that are very simple in lowering the costs of health care.

It is difficult to cover people in small businesses. There is no question about that. Association health plans allow you to do that, to group and become large groups. There is a second thing you can do that really is so simple I don't know why we haven't done it. I spent a year, when I was running for Congress and after I left my medical practice, and I had to buy an individual insurance policy. It was very expensive. Many people out there in small businesses or individuals who work on farms or in other places do the same thing. To make that insurance more affordable, not only could you have an

association health plan, but number two, as an individual, you could have allowed me to deduct my health premiums just like a big business does, just like a huge corporation does, and you would have automatically lowered my cost by 35 percent and would have made insurance more affordable.

So there are many things we could do. This is not what we should be doing. I would urge a vote for the rule.

Mr. POLIS. Mr. Speaker, I yield myself 30 seconds to respond really briefly.

In the minority report from the committee, it discusses the oversight of the exchanges. Specifically, the Government Accountability Office is required to review the operations and the administration of the exchanges. In addition, not one, not two, but three congressional committees—Energy and Commerce, Oversight and Government Reform, and other congressional committees—can provide the oversight of the implementation of the Affordable Health Care Act according to section 1311.

Again, if there is additional oversight, as the gentleman from California seeks, why are we not discussing a bill that provides additional oversight? We all want this money to be spent correctly and well.

With that, I am proud to yield 3 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. Speaker, this is an open dialogue with the American people through their Members of Congress.

I thank the gentleman from Colorado, and I thank the manager of the majority, but this is an open dialogue.

To my good friend from Tennessee, who may not have read the bill the Affordable Health Care Act and who may have missed the fact that Health Savings Accounts are allowed, no one is blocking anyone, and the accounts are considered "sufficient" under that bill. So, if you desire to have a Health Savings Account, so be it, but those savings accounts really adhere to those who are more wealthy and who are more endowed with finances.

□ 1250

What these repeal bills will do, both H.R. 1213 and H.R. 1214—and I was hoping the Rules Committee would have voided these bills and not allow them to go forward, but they did not. I thank them for the amendment that they gave me and the respect they gave me in the time that we were before that committee.

But the fact is that the exchanges are to allow those who do not have means to get into an open market, the same thing that our Republican friends have been talking about, to allow people to go across State lines to buy the cheapest State policy or the policy that they can for families that have

the sickest of the sick, children that are disabled, others that are in need who heretofore have been blocked.

By the way, the Affordable Care Act takes away the bar of anyone who has a preexisting condition, such as pregnancy, from not being able to get insurance. What is wrong with that?

By the way, the Congressional Budget Office, an independent budget office, says that if we repeal these provisions, the exchange, the premiums of the American people, the farmer, the small business will go up and not down. Go up. What more common sense can you have as a reason for voting against these bills and voting against the rule?

H.R. 1214 has to do with school-based clinics. That is an innovative concept. In fact, as a member of the Homeland Security Committee, we have begun to think of schools as a site for individuals if they are built in this new structure, the way they are funded, to be able to be designed in a way to ensure that they are secure as a site for evacuation, a place to go when there is a disaster. That means that a school-based clinic that can be part of the community health system will be available in times of emergencies. What sense does it make to eliminate the opportunity to improve a community's safety and security in these times of trouble and questioning about terrorism, finding a place where the community could go?

I don't know whether there are structures in Alabama that could have withstood these horrible tornados, but we are trying to build schools now to be more safe and secure. So both of these bills make no common sense. Some 1,900 school-based clinics serve our children and their extended families. Do we want a community and a Nation that is healthier, or do we want to have a Nation of sick people?

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. POLIS. I yield an additional 30 seconds.

Ms. JACKSON LEE of Texas. I thank the gentleman from Colorado for his kindness.

This is what these two bills will allow us to become: One, to ignore those who don't have the resources for a health savings account, are not packing big wads of money in their pocket, to be able to say I can independently go out and get insurance based upon the monies that I am going to put into some kind of account.

Fine for those who can do it. But I can assure you, the Nation's farmers and small businesses are glad to be able to know that their employees can go into an exchange. They are also glad to know there are tax incentives just for them in this bill.

And, finally, I would say the Nation's parents, single parents, parents that are making ends meet are glad for school-based clinics.

Vote against the rule and the underlying bill.

Mr. REED. Mr. Speaker, I yield 1 minute to my colleague from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. Mr. Speaker, I have read the bill, all pages of it. I won't say that says a whole lot about my intelligence, but I did read the entire health care bill. When you speak of HSAs only being for wealthy people, that is absolutely not correct.

In my own practice, we have offered the 300 people or so who get insurance through our practice, we allow them to get a traditional health insurance policy or an HSA, and over 3 out of 4 people choose an HSA. And why is that? Because they make the health care decisions, not an insurance company and not a bureaucrat.

Ms. JACKSON LEE of Texas. Will the gentleman yield?

Mr. ROE of Tennessee. I yield to the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman for his correction.

My point would be, is it not okay then for your patients to use the health savings account but also okay for those who still may not have the resources to go into an exchange? Aren't we trying to do the same thing, which is to make sure everyone of all means available can in fact have insurance?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. REED. I yield the gentleman 2 additional minutes.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Absolutely. What our goal is is to provide affordable health insurance coverage for all Americans. There is no question that I would like to see that in my tenure here in this House, in this body. The problem we have is, how do you get there?

I think the Democratic side is to expand the bureaucracy, more government control. IPAB is a perfect example, and the President spoke of that, and our Medicare patients. I think that is a terrible idea. As a matter of fact, it is a terrible idea. We want to do that. I know there is a way to do it. And, again, to hold the costs down. Remember, that is the problem.

The gentlelady from Texas made a point that insurance premiums would go up. Insurance premiums are going up in anticipation of this particular health plan because, why? The government decides what you must have. You don't get to make that decision yourself. That is done by a bureaucrat, it is done by Congress or whoever decides what is in the plan.

I will give you an example, Mr. Speaker. I don't need in my family fertility coverage at my age. I have three grown children that are raised, educated, have health insurance, good jobs. But I probably will have to have that, because that is a plan that someone else will decide I need—to have fertility coverage. There are things in

those bills that I don't need to have personally that I should be able to pick out. And I am just one example. People across this country ought to be making those decisions, not the Federal Government and not a bureaucrat.

Ultimately, what is going to happen in our health care system is, because resources are finite, is that care is going to be rationed. Is the government going to ration it, or are a patient and a doctor going to make those health care decisions? I trust the patient and the doctor to make those health care decisions.

Mr. POLIS. I yield myself 15 seconds just to restate what my colleague, the gentlewoman from Maryland, stated: If the Republicans are against the public option, if they are against the private option in the form of the exchanges, the only option left is pay more insurance premium. That simply is not acceptable to the American people.

With that, Mr. Speaker, I yield 3½ minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Mr. Speaker, I guess I don't understand. I don't understand what our Republican colleagues want to accomplish here.

They talk about free market. They talk about the need to provide options and opportunities. I think that is exactly what an exchange does, so I don't quite understand what this is all about.

I was the insurance commissioner, the elected insurance commissioner in California in 1991, and we set up an exchange. Unfortunately, Governor Wilson vetoed it; otherwise, we would have had this exchange years ago. And 1 year ago, the California legislature, with the signature of a Republican, Governor Schwarzenegger, created an exchange based upon the Affordable Health Care Act and they want to put it into effect.

The Republican proposal here on the floor would make it impossible for California to do what it wants to do; that is, set up a marketplace in which people have access to insurance. The notion being that, by creating the exchange, you spread the risk over many, many different populations so that, like a huge corporation, you have an opportunity as an individual purchaser or a small business to participate in a large pool and accept the lower rate of insurance.

So what is this all about? What are you trying to accomplish here? Is it some ideology that you just simply can't stand the Affordable Health Care Act and you want to rip it apart piece by piece? Apparently so. And you just don't want to stop there. You are going after Medicare, a program that has been in effect for 42 years, that provides a universal insurance policy to anyone over 65. You are going to terminate Medicare. What is that all about? And give it to an insurance company and not have an exchange?

So what is an individual going to do when they are 65 and possessing all kinds of preexisting conditions? Go without insurance? Be at the mercy of the insurance company? And, by the way, you want to repeal all of the insurance reforms, all of the protections that individuals have in the Affordable Health Care Act.

This doesn't make much sense to me. I don't understand what your goal is here, except maybe to have some political scorecard you can say, yeah, we repealed the Affordable Health Care Act. Good for us. But what effect to the population of America? No exchanges? They are gone. No opportunity for small businesses to enjoy a large market, a large pool in which they can have a lower price? They are gone.

Oh, I see. You can have an association health plan. I spent 8 years of my life chasing after association health plans that were frauds. They were out and out frauds, sold across State lines.

□ 1300

Is that what you want? Apparently so. I don't get it.

I don't understand what the goal is here. The Affordable Health Care Act establishes an exchange allowing individuals and small businesses to be part of a large pool, to have four different options on their insurance. And you want to do away with it. I don't get it. You want to do away with clinics in schools so that kids can have access to health care. I don't understand.

You have cut all the money out from the community clinics so that people have to go to the emergency rooms in a more expensive situation. What is this all about? I don't understand what the goal is that our Republican colleagues have in mind. The exchanges make sense. They create a marketplace for small businesses.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I will be happy to yield an additional 30 seconds to the gentleman from California.

Mr. GARAMENDI. The exchanges create a market, ladies and gentlemen. They create a market. It is a market-driven program in which competition occurs, competition between the insurance companies who have to offer quality and price.

Have you got a problem with competition? Apparently so. You want to do away with the exchanges. Apparently what you really want to do is to hand the entire game over to the insurance companies, removing all of the controls, removing all of the necessity for them to compete, and apparently create some sort of an association plan so the public can be ripped off.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are advised to address their comments to the Chair and not to others in the second person.

Mr. REED. Mr. Speaker, I yield 1 minute to my colleague from Tennessee (Mr. ROE).

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Mr. Speaker, in Tennessee, 17, 18 years ago now, we tried TennCare with sort of an exchange. We have had seven or eight different plans competing for your business, and in 10 years the costs tripled in our State because of the intervention of the government.

Medicare, I want to speak to that very quickly. If you're 65 years of age and you have Medicare, you keep it. If you're 55, if the Ryan plan goes through, you keep it. If you're younger and you're a more affluent senior, like I am, you're going to pay for your health insurance. Yes, you are. If you're someone like me with a higher income, you are. If you're lower income and you're sick, you're not. The Federal Government will act like your employer does if you have the employer-based insurance. That part of the premium is paid by them. You pay your part of the premium. Again, it will be means-tested for a higher-income senior.

Why do we think that will work? Because the only plan that I have seen this government ever pass that has come in under budget is Medicare part D. So I think there is a real chance for this to help hold costs down.

Mr. POLIS. I am happy to yield 2 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. Let's be very, very clear about this. The Republican proposal, the Republican budget proposal that is before this Congress, terminates Medicare as we have had it since 1965. For those young men and women who are not yet 55, they will never see Medicare. It's over. And instead of having Medicare, which is a guaranteed health insurance program, when they retire at the age of 65, they will be given a voucher that will be worth a percentage of what the insurance will cost. They will be thrown into the market at an age where they have preexisting conditions. And under the Republican proposal, there are no—there are no ways in which they are going to be protected from the insurance companies, who we know have one motive, and that is profit before people. Profit before people is the way it has been for the health insurance companies from the get-go, and that is precisely what the Republicans want to give us.

We will not have it. While they're at it, they want to take those reductions in Medicare expenditures and continue giving money to the wealthiest people in America so that the wealthiest people in America can continue to enjoy ever more wealth, while the middle class enjoys ever more poverty. It is an abomination, and there is no way this Nation should abandon a proven program that for 42 years has provided quality medical care to seniors.

Now, do you want to go after the cost in medicine? Then let's go after the overall cost of medicine, not deny tomorrow's seniors the benefit of Medicare. It is time to understand precisely what the Republican budget does. It terminates Medicare, while giving benefits to the wealthiest Americans. It should not happen.

Mr. REED. Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

Mr. POLIS. I yield myself the balance of my time.

Mr. Speaker, I want to further discuss the benefits of school-based health centers. A wide range of research and evaluations have demonstrated that school-based health centers are cost-effective investments in our Nation's health care safety net for children and adolescents and also help improve academic performance.

Now, each school-based health program is different, as they should be. Some of the services often include things like well-child and well-adolescent exams, immunizations, treatment for illness or injury, including management of chronic conditions, like obesity, diabetes and asthma; and they also frequently include services like mental health assessment and treatment, prevention programs to help reduce smoking, to help reduce teenage pregnancy rates, to help reduce violence. They frequently include substance abuse counseling and nutrition counseling, as well as dental cleaning.

These are services that prevent costly emergency services and hospitalizations later and help keep kids in school where they should be learning. Most importantly, stronger school-based health centers lead to stronger, more successful children and adolescents across the country. By bringing health care services to the children where they spend most of their day, at school, school-based health centers are a sensible and inexpensive way to deliver basic health care services to children all over the country.

This unwise legislation undermines our fiscal condition by wasting an opportunity to leverage local funding. Providing capital support to school-based health centers is a Federal investment that is a good deal for taxpayers. That is because when we provide modest Federal support to school capital projects, local and State funding, in partnership with nonprofits and community health clinics, is spent on operating activities, staffing and other equipment. What a great value for our Federal dollar.

Likewise, the value of this Federal investment is immense to local districts, many of whom are at their bonding capacity, who can't build school-based health centers on their own. However, many of these districts will benefit tremendously, and the students and families, from school-based health care clinics.

The research is clear, Mr. Speaker. Over a decade of studies consistently find positive benefits of school-based health centers. These benefits include better student academic achievement, increased school attendance and reduced tardiness among inner-city children who receive counseling in the school-based health center, fewer school discipline referrals for students who receive mental health services, and increased learning readiness and parental involvement.

As we discuss in this Congress reducing the learning gap, helping all students achieve, and ensuring that every American, regardless of where they live, has access to hope and opportunity through a quality education, school-based health care clinics are an important part of the solution.

In Colorado alone, there are 46 school-based health care clinics in 18 school districts, including one in the Summit County School District, which I represent, which is applying for funding under this program, and another applicant from Eagle County, Colorado. Eight other Colorado applications are going forward under this opportunity, as they are throughout the Nation.

This is the initiative, Mr. Speaker, that Republicans are seeking to eliminate. They say they want a fiscally responsible budget and more jobs, but what we see instead is their priority to stop programs that save money and create jobs and increase student achievement and learning, like school-based health care centers.

There can be no doubt about how the new majority is going about its business. There are no attempts to find common ground, like we have in House Resolution 9, and to work on ways to improve health care or to implement pooling mechanisms or to allow purchasing across State lines of insurance policies. Rather, we are dealing with press releases disguised as legislation that will neither pass the other body nor be signed into law.

□ 1310

That's not governance. That's immaturity. And the only Americans being asked to sacrifice in the name of deficit reduction are those who have very little, if not nothing, left to lose and no real way to fight back. That's not leadership.

Mr. Speaker, we can and must do better. I urge my colleagues to oppose the rule and the underlying bill.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that immediately after the House adopts this rule, it will bring up H.R. 1366, the National Manufacturing Strategy Act of 2011. This bill, introduced by Mr. LIPINSKI of Illinois, will require the President to develop a national manufacturing strategy in order to boost traditional and high-tech manufacturing,

spur American job growth, and strengthen the middle class.

This bill passed the House on a bipartisan vote of 379-38 in the 111th Congress. Manufacturing is a cornerstone of our Nation's economy. The U.S. Government, through its policies and programs, has major influence on our manufacturing base, and our national security, energy, and transportation systems rely on that base. We must unify government programs, leading to increased efficiency, and promote policies to promote our domestic manufacturing base to help our competitiveness in the global market.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can debate and pass jobs legislation today, rather than legislation to increase the health care premiums that Americans pay.

I urge a "no" vote on the rule and the underlying bill, and I yield back the balance of my time.

Mr. REED. In closing on these two important bills that are now before this House, I say that H.R. 1213 and H.R. 1214 are dealing with an issue that the former Speaker of the House envisioned when she said during the debate on the underlying health care bill, ObamaCare, that Congress needed to pass the bill so the American public could find out what is in it. Well, we're finding out what's in it.

These two bills will address provisions that dictate and mandate billions of dollars of spending without any additional congressional oversight. To me, that is the critical piece. That is the critical piece and why I urge my colleagues to support this rule and pass this legislation, because this body must stand up and adhere to its institutional responsibilities of controlling the spending of our country because we are broke. That's what an army was sent here to do in November, and I'm proud to be part of that freshman class of 87 Republican Members of the House that are coming here and looking at every dime, every dollar that is being spent here in our Nation's capital, because our Nation cannot afford it anymore, and no longer will we pass the buck on to our children and our grandchildren so that they have to pay this bill that we are no longer taking care of here in Washington, D.C.

I would say that what we're trying to do with this health care debate is put back into the debate in front of the American public the focus of this new Republican majority, and that is we are going to deal with this problem by

getting to the root of the problem. The root of this problem is increasing health care costs that are going through the roof. What we're dealing with here when we look at the underlying ObamaCare package is we're trying to minimize and mitigate health insurance costs. That's a piece of the puzzle. But the crux of the issue and the fundamental issue that we face is the increasing costs of health care, and that is what we are doing on this side of the aisle. And we are focusing day and night to make sure that we engage in responsible oversight, we strip the mandatory language of spending that is being created out of these bills, and we go forward so our children and grandchildren will have a greater future than we envisioned and enjoyed in our lifetimes.

Mr. LIPINSKI. Mr. Speaker, while today our Nation continues to confront many challenges, I persist in believing that the primary challenge we must address is job creation and economic growth. So rather than considering more bills to chip away at minor provisions of the Affordable Care Act, we should be debating bills that will stimulate our economy, improve our competitiveness, and help people get back to work. For that reason, I urge my colleagues to oppose the previous question, and allow the House of Representatives to debate the National Manufacturing Strategy Act, H.R. 1366, a bipartisan bill which I was proud to reintroduce earlier this year.

A national manufacturing strategy would help produce more private sector jobs and shore-up America's defense capabilities. My legislation would require the Administration to collaborate with the private sector to conduct a thorough analysis of the various factors that affect American manufacturing, consider the multitude of current government programs related to manufacturing, and identify goals and recommendations for federal, State, local and private sector entities to pursue in order to achieve the greatest economic opportunity for manufacturers in America. The strategy's implementation would be assessed annually and the strategy as a whole would have to be revisited every four years, so that we can reassess the global market and technological development, and plot a revised framework.

Why is a national manufacturing strategy necessary? Because the federal government has significant and broad influence on the domestic environment for manufacturing and our national security, energy, and transportation systems all rely on our manufacturing base. Yet there is little to unify the various programs and policies that exist throughout the government that impact our domestic manufacturing base and its place in world markets. Unfortunately, for too long the government's promotion of manufacturing has been ad hoc, stovepiped and too reactive to economic downturns. Instead, we need to be proactive, organized across the government, and encouraging of those who want to pursue emerging markets and competitive technologies.

Furthermore, it is a matter of international competitiveness for our Nation. A number of our economic competitors—including Brazil, Canada, China, Germany, India, Singapore,

South Africa, Russia, and the United Kingdom, among others—have developed and implemented national manufacturing strategies. As a recent report from the Information Technology and Innovation Foundation, entitled “The Case for a National Manufacturing Strategy”, stated: “But most U.S. manufacturers, small or large, cannot thrive solely on their own; they need to operate in an environment grounded in smart economic and innovation-supporting policies . . . Unfortunately, while many other nations—and indeed many U.S. states—are taking steps to boost the competitiveness of their manufacturing industries, the United States lacks a clear, coherent strategy to bolster the competitiveness of manufacturing firms of all sizes and all sectors, a shortcoming that must be rectified if the United States hopes to ‘win the future’ in manufacturing.”

This legislation enjoys widespread, bipartisan support from a range of industrial sectors, labor, and the public. This bill passed the House last year by an overwhelming vote of 379–38, demonstrating that we have had the commitment to focus on the jobs and economy—a mission that we should be working to restore. This year, my legislation has also garnered the support of a bipartisan group of 26 of our colleagues who have cosponsored the bill, as well as the endorsement by the American Iron and Steel Institute, the Association of Manufacturing Technology, the AFL–CIO, the Precision Metalforming Association and the National Tooling & Machining Association. Finally, a bipartisan poll conducted last year for the Alliance for American Manufacturing found that 78 percent favor “a national manufacturing strategy aimed at getting economic, tax, labor, and trade policies working together,” and 90 percent want some action to revitalize manufacturing.

I urge my colleagues in the House to join me in calling for action on jobs and the economy. While we have witnessed some positive economic progress, we still have a long way to go in getting Americans back to work. We cannot continue to sit idly as our manufacturing base and quality, well-paying jobs depart for China, India or elsewhere. We must take action to provide a competitive and focused foundation for those who will continue to make it in America, and we can do so now by passing the National Manufacturing Strategy Act.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 236 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 3. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1366) to require the President to prepare a quadrennial national manufacturing strategy, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. The bill shall be considered as read. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the Majority Leader and Minority Leader or their respective designees. After general

debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

Sec. 4. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 3 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308–311), describes the vote on the previous question on the rule as “a motion to direct or control the consideration of the subject before the House being made by the Member in charge.” To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that “the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition” in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R–Illinois) said: “The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition.”

Because the vote today may look bad for the Republican majority they will say “the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever.” But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: “Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member

who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment.”

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled “Amending Special Rules” states: “a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate.” (Chapter 21, section 21.2) Section 21.3 continues: “Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon.”

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. REED. Mr. Speaker, I urge the adoption of this rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on ordering the previous question will be followed by a 5-minute vote on adoption of the resolution if it is ordered.

The vote was taken by electronic device, and there were—yeas 234, nays 185, not voting 13, as follows:

[Roll No. 279]

YEAS—234

Adams	Camp	Fleming
Aderholt	Campbell	Flores
Akin	Canseco	Forbes
Alexander	Cantor	Fortenberry
Altmire	Capito	Fox
Amash	Carter	Franks (AZ)
Austria	Chabot	Frelinghuysen
Bachmann	Chaffetz	Gallely
Bachus	Coble	Gardner
Barletta	Coffman (CO)	Garrett
Bartlett	Cole	Gerlach
Barton (TX)	Conaway	Gibbs
Bass (NH)	Cravaack	Gibson
Benish	Crawford	Gingrey (GA)
Berg	Crenshaw	Gohmert
Biggart	Culberson	Goodlatte
Billirakis	Davis (KY)	Gosar
Bishop (UT)	Denham	Gowdy
Black	Dent	Granger
Blackburn	DesJarlais	Graves (GA)
Bonner	Diaz-Balart	Graves (MO)
Bono Mack	Dold	Griffin (AR)
Boren	Dreier	Griffith (VA)
Boustany	Duffy	Grimm
Brady (TX)	Duncan (SC)	Guinta
Brooks	Duncan (TN)	Guthrie
Buchanan	Ellmers	Hall
Bucshon	Farenthold	Hanna
Buerkle	Fincher	Harper
Burgess	Fitzpatrick	Harris
Burton (IN)	Flake	Hartzler
Calvert	Fleischmann	Hastings (WA)

Hayworth	McMorris	Royce	Quigley	Schrader	Tsongas	Hayworth	McKeon	Ross (FL)
Heck	Rodgers	Runyan	Rahall	Schwartz	Van Hollen	Heck	McKinley	Royce
Hensarling	Meehan	Ryan (WI)	Rangel	Scott (VA)	Velázquez	Hensarling	McMorris	Runyan
Herger	Mica	Scalise	Reyes	Scott, David	Visclosky	Herger	Rodgers	Ryan (WI)
Herrera Beutler	Miller (FL)	Schilling	Richardson	Serrano	Walz (MN)	Herrera Beutler	Meehan	Scalise
Huelskamp	Miller (MI)	Schmidt	Richmond	Sewell	Wasserman	Huelskamp	Mica	Schilling
Huizenga (MI)	Miller, Gary	Schock	Ross (AR)	Sherman	Schultz	Huizenga (MI)	Miller (FL)	Schmidt
Hunter	Mulvaney	Schweikert	Rothman (NJ)	Sires	Waters	Hultgren	Miller (MI)	Schock
Hurt	Murphy (PA)	Scott (SC)	Roybal-Allard	Slaughter	Watt	Hunter	Miller, Gary	Schweikert
Issa	Myrick	Scott, Austin	Ruppersberger	Smith (WA)	Waxman	Hurt	Mulvaney	Scott (SC)
Jenkins	Neugebauer	Sensenbrenner	Ryan (OH)	Speier	Weiner	Issa	Murphy (PA)	Scott, Austin
Johnson (IL)	Noem	Sessions	Sánchez, Linda	Sutton	Welch	Jenkins	Myrick	Sensenbrenner
Johnson (OH)	Nugent	Shimkus	T.	Thompson (CA)	Wilson (FL)	Johnson (IL)	Neugebauer	Sessions
Jones	Nunes	Shuler	Sanchez, Loretta	Thompson (MS)	Woolsey	Johnson (OH)	Noem	Shimkus
Jordan	Nunnelee	Shuster	Sarbanes	Tierney	Wu	Jordan	Nugent	Shuler
Kelly	Olson	Simpson	Schakowsky	Tonko	Yarmuth	Kelly	Nunes	Shuster
King (IA)	Palazzo	Smith (NE)	Schiff	Towns		King (IA)	Nunnelee	Simpson
King (NY)	Paul	Smith (NJ)				King (NY)	Olson	Smith (NE)
Kinoston	Paulsen	Smith (TX)				Kinoston	Palazzo	Smith (NJ)
Kinzinger (IL)	Pearce	Southerland				Kinzinger (IL)	Paul	Smith (TX)
Kline	Pence	Stearns				Kline	Paulsen	Southerland
Labrador	Petri	Stivers				Labrador	Pearce	Stearns
Lamborn	Pitts	Stutzman				Lamborn	Pence	Stivers
Lance	Platts	Sullivan				Lance	Petri	Stutzman
Landry	Poe (TX)	Terry				Landry	Pitts	Sullivan
Lankford	Pompeo	Thompson (PA)				Lankford	Platts	Terry
Latham	Posey	Thornberry				Latham	Poe (TX)	Thompson (PA)
LaTourette	Price (GA)	Tiberi				LaTourette	Pompeo	Thornberry
Latta	Quayle	Tipton				Latta	Posey	Tiberi
Lewis (CA)	Reed	Turner				Lewis (CA)	Price (GA)	Tipton
LoBiondo	Rehberg	Upton				LoBiondo	Quayle	Turner
Long	Reichert	Walberg				Long	Reed	Upton
Lucas	Renacci	Walden				Lucas	Rehberg	Walberg
Luetkemeyer	Ribble	Walsh (IL)				Luetkemeyer	Reichert	Walden
Lummis	Rigell	Webster				Lummis	Renacci	Walsh (IL)
Lungren, Daniel	Rivera	West				Lungren, Daniel	Ribble	Webster
E.	Robby	Westmoreland				E.	Rigell	West
Mack	Roe (TN)	Whitfield				Mack	Rivera	Westmoreland
Manzullo	Rogers (AL)	Wilson (SC)				Manzullo	Robby	Whitfield
Marino	Rogers (KY)	Wittman				Marino	Roe (TN)	Wilson (SC)
McCarthy (CA)	Rogers (MI)	Wolf				McCarthy (CA)	Rogers (AL)	Wittman
McCaul	Rohrabacher	Womack				McCaul	Rogers (KY)	Wolf
McClintock	Rokita	Woodall				McClintock	Rogers (MI)	Womack
McCotter	Rooney	Yoder				McCotter	Rohrabacher	Woodall
McHenry	Ros-Lehtinen	Young (AK)				McHenry	Rokita	Yoder
McKeon	Roskam	Young (IN)				McKeon	Rooney	Young (AK)
McKinley	Ross (FL)					McIntyre	Ros-Lehtinen	Young (IN)
							Roskam	

NAYS—185

Ackerman	DeGette	Kissell
Andrews	DeLauro	Kucinich
Baca	Deutch	Langevin
Baldwin	Dicks	Larsen (WA)
Barrow	Dingell	Larson (CT)
Bass (CA)	Doggett	Lee (CA)
Becerra	Donnelly (IN)	Levin
Berkley	Doyle	Lewis (GA)
Berman	Edwards	Loeb sack
Bishop (GA)	Ellison	Lofgren, Zoe
Bishop (NY)	Engel	Lowe y
Blumenauer	Eshoo	Luján
Boswell	Farr	Lynch
Brady (PA)	Fattah	Maloney
Braley (IA)	Filner	Markey
Brown (FL)	Frank (MA)	Matheson
Butterfield	Fudge	Matsui
Capps	Garamendi	McCarthy (NY)
Capuano	Gonzalez	McCollum
Cardoza	Green, Al	McDermott
Carnahan	Green, Gene	McGovern
Carney	Grijalva	McIntyre
Carson (IN)	Gutierrez	McNerney
Castor (FL)	Hanabusa	Meeks
Chandler	Hastings (FL)	Michaud
Chu	Heinrich	Miller (NC)
Ciilline	Higgins	Miller, George
Clarke (MI)	Himes	Moore
Clarke (NY)	Hinche y	Moran
Clay	Hinojosa	Murphy (CT)
Cleaver	Hirono	Nadler
Clyburn	Holden	Napolitano
Cohen	Holt	Neal
Connolly (VA)	Honda	Olver
Conyers	Hoyer	Owens
Cooper	Insee	Pallone
Costa	Israel	Pascarell
Costello	Jackson (IL)	Pastor (AZ)
Courtney	Jackson Lee	Payne
Critz	(TX)	Pelosi
Crowley	Johnson (GA)	Perlmutter
Cuellar	Johnson, E. B.	Peters
Cummings	Kaptur	Peterson
Davis (CA)	Keating	Pingree (ME)
Davis (IL)	Kildee	Polis
DeFazio	Kind	Price (NC)

NOT VOTING—13

Bilbray	Heller	Rush
Broun (GA)	Hultgren	Stark
Cassidy	Johnson, Sam	Young (FL)
Emerson	Lipinski	
Giffords	Marchant	

□ 1340

Messrs. HIGGINS, CLARKE of Michigan, Mrs. MALONEY, Mr. MCINTYRE, Ms. VELÁZQUEZ and Mr. FATTAH changed their vote from “yea” to “nay.”

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. HULTGREN. Mr. Speaker, on rollcall No. 279 I was unavoidably detained. Had I been present, I would have voted “yea.”

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 237, noes 185, not voting 10, as follows:

[Roll No. 280]

AYES—237

Adams	Camp	Fleming
Aderholt	Campbell	Flores
Akin	Canseco	Forbes
Alexander	Cantor	Fortenberry
Altmire	Capito	Foxx
Amash	Carter	Franks (AZ)
Austria	Chabot	Frelinghuysen
Bachmann	Chaffetz	Galle ghy
Bachus	Coble	Gardner
Barletta	Coffman (CO)	Garrett
Bartlett	Cole	Gerlach
Barton (TX)	Conaway	Gibbs
Bass (NH)	Cravacaack	Gibson
Benishak	Crawford	Gingrey (GA)
Berg	Crenshaw	Gohmert
Biggert	Culberson	Goodlatte
Bilirakis	Davis (KY)	Gosar
Bishop (UT)	Denham	Gowdy
Black	Dent	Granger
Blackburn	DesJarlais	Graves (GA)
Bonner	Diaz-Balart	Graves (MO)
Bono Mack	Dold	Griffin (AR)
Boren	Dreier	Griffith (VA)
Boustany	Duffy	Grimm
Brady (TX)	Duncan (SC)	Guinta
Brooks	Duncan (TN)	Guthrie
Buchanan	Elmers	Hall
Bucshon	Farenthold	Hanna
Buerkle	Fincher	Harper
Fitzpatrick	Flake	Harris
Burton (IN)	Fleischmann	Hartzler
Calvert		Hastings (WA)

NOES—185

Ackerman	DeFazio	Kildee
Andrews	DeGette	Kind
Baca	DeLauro	Kissell
Baldwin	Deutch	Kucinich
Barrow	Dicks	Langevin
Bass (CA)	Dingell	Larsen (WA)
Becerra	Doggett	Larson (CT)
Berkley	Donnelly (IN)	Lee (CA)
Berman	Doyle	Levin
Bishop (GA)	Edwards	Lewis (GA)
Bishop (NY)	Ellison	Loeb sack
Blumenauer	Engel	Lofgren, Zoe
Boswell	Eshoo	Lowe y
Brady (PA)	Farr	Luján
Braley (IA)	Fattah	Lynch
Brown (FL)	Filner	Maloney
Butterfield	Frank (MA)	Markey
Capps	Fudge	Matheson
Capuano	Garamendi	Matsui
Cardoza	Gonzalez	McCarthy (NY)
Carnahan	Green, Al	McCollum
Carney	Green, Gene	McDermott
Carson (IN)	Grijalva	McGovern
Castor (FL)	Gutierrez	McNerney
Chandler	Hanabusa	Meeks
Chu	Hastings (FL)	Michaud
Ciilline	Heinrich	Miller (NC)
Clarke (MI)	Higgins	Miller, George
Clarke (NY)	Himes	Moore
Clay	Hinche y	Moran
Cleaver	Hinojosa	Murphy (CT)
Clyburn	Hirono	Nadler
Cohen	Holden	Napolitano
Connolly (VA)	Holt	Neal
Conyers	Honda	Olver
Cooper	Hoyer	Owens
Costa	Insee	Pallone
Costello	Israel	Pascarell
Courtney	Jackson (IL)	Pastor (AZ)
Critz	Jackson Lee	Payne
Crowley	(TX)	Pelosi
Cuellar	Johnson (GA)	Perlmutter
Cummings	Johnson, E. B.	Peters
Davis (CA)	Kaptur	Peterson
Davis (IL)	Keating	Pingree (ME)

Polis	Schiff	Towns
Price (NC)	Schrader	Tsongas
Quigley	Schwartz	Van Hollen
Rahall	Scott (VA)	Velázquez
Rangel	Scott, David	Visclosky
Reyes	Serrano	Walz (MN)
Richardson	Sewell	Wasserman
Richmond	Sherman	Schultz
Ross (AR)	Sires	Waters
Rothman (NJ)	Slaughter	Watt
Roybal-Allard	Smith (WA)	Waxman
Ruppersberger	Speier	Weiner
Ryan (OH)	Stark	Welch
Sánchez, Linda	Sutton	Wilson (FL)
T.	Thompson (CA)	Woolsey
Sanchez, Loretta	Thompson (MS)	Wu
Sarbanes	Tierney	Yarmuth
Schakowsky	Tonko	

NOT VOTING—10

Bilbray	Giffords	Rush
Broun (GA)	Heller	Young (FL)
Cassidy	Johnson, Sam	
Emerson	Lipinski	

□ 1347

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

RE-REFERRAL OF H.R. 1425, CREATING JOBS THROUGH SMALL BUSINESS INNOVATION ACT OF 2011

Mr. HALL of Texas. Mr. Speaker, I ask unanimous consent that H.R. 1425 be re-referred to the Committee on Small Business and, in addition, to the Committees on Science, Space, and Technology and Armed Services.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

GENERAL LEAVE

Mr. UPTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks on H.R. 1213 and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

REPEALING MANDATORY FUNDING FOR STATE HEALTH INSURANCE EXCHANGES

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1213.

□ 1349

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish Amer-

ican Health Benefit Exchanges, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. UPTON) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. UPTON. I yield myself such time as I may consume.

Mr. Chairman, this bill is part of our effort to restore fiscal accountability to the Federal Government. In the rush to pass some kind, any kind of health care reform, the 111th Congress enacted a massive law, 2,000 and some pages, that gave the Secretary of HHS unprecedented new authority.

□ 1350

Although it got little attention at the time, one of those new powers is an unlimited tap on the Federal Treasury.

Section 1311(a) of PPACA provides the Secretary of HHS a direct appropriation of such sums as necessary for grants to states to facilitate the purchase of qualified health plans in newly created exchanges. Shockingly, the Congress gave an executive branch official the sole authority to determine the size of the appropriation. Without any further Congressional action, the Secretary can literally spend hundreds of billions of dollars at the Department's discretion. The only real restriction on this unlimited appropriation is the Secretary's imagination. Given Washington's reckless fiscal habits, Americans concerned about record spending, deficits, and debt have much to fear from section 1311(a) of PPACA.

This unprecedented tap on the Federal Treasury should never have been granted to one individual, and given the huge uncertainty regarding PPACA, it certainly should not be continued now. Two Federal district courts have struck down the law. State AGs have asked for an expedited review of the litigation, but this administration has refused to let it happen. As a result, the future of the law remains certainly murky. Both supporters and opponents should be able to agree that resolving the case expeditiously in the courts, the Supreme Court, is in the best interest of the country.

But, in the interim, we should not be spending billions of dollars, billions of dollars of taxpayers' dollars on something that might never happen. Repealing the fund will protect precious taxpayer resources at a time of record red ink. Rampant spending on the Federal credit card is unsustainable and certainly dangerous. And the Federal Government is now going to be borrowing 42 cents of every dollar for these grants, \$58,000 every second. Just think about this. We're facing a \$1.6 trillion deficit, and the President's budgets

will nearly double the national debt from \$14 trillion to \$26 trillion.

This program in PPACA is a prime example of the hidden costs of the health care law. While the program itself, remember, was billed as costing taxpayers \$2 billion, CBO confirmed to us last week that repealing the program will reduce the deficit by \$14 billion. That's because fewer Americans will be pushed into the exchanges, and a million more Americans will retain their employer-provided health care coverage.

This bill is about accountability to taxpayers and fiscal responsibility in the Congress. I urge my colleagues to support this bill that will reduce the deficit by \$14 billion.

At this point, Mr. Chairman, I would ask unanimous consent that all of my remaining time be given to Dr. BURGESS to manage the bill on the floor.

The CHAIR. Without objection, the gentleman from Texas will control the time.

There was no objection.

Mr. PALLONE. I yield myself 3 minutes.

Mr. Chairman, this is just another in the Republican series of efforts to try to repeal the Affordable Care Act. I don't need to say, but I will say over and over again how effective the Affordable Care Act has been.

We have already put in place most of the anti-discriminatory aspects of the Affordable Care Act so that people now can have their children up to 26 on their insurance policy. They don't have lifetime or annual limits on care. We've ended arbitrary rescissions. We're giving patients access to preventive services without cost. We've begun the process of filling up the doughnut hole by giving seniors a \$250 rebate last year, and now a 50 percent discount on the drugs. The list goes on and on. People are starting to see the benefits of the Affordable Care Act.

But as you know, over the next few years, until 2014, one of the major benefits of it is that we will now cover almost every American; 32 more million Americans that have no insurance now, with a guaranteed good benefits package, lower costs, and help in paying their premiums.

The fact of the matter is, the Republicans want to eliminate all this. And when they talk today about bringing up a bill that would eliminate the grants or the funding for the state exchanges, this is at the core of the Affordable Care Act because, without effective state exchanges, robust state exchanges that are actually tailored, if you will, to individual States, it will be more difficult to do the things that I mentioned that are the commitment and the promise of the Affordable Care Act.

Now, what I don't understand though is that my colleagues on the other side of the aisle have always been advocates

for States' rights. The consequence of their legislation today if it were to become law would mean that States, and 49 States and most of the territories have asked for these grants, would be denied these grants to set up the State exchanges. Most likely, what will happen then is that, rather than have a State exchange which is tailored to their own State and their own constituents, they will end up having a Federal or national exchange.

Now frankly, I don't have a problem with that. But if you're a States rights advocate, which is what a lot of the Republicans have been saying all along, why would you want to force the States to not have their own flexibility, not set up their own State exchanges and instead set up a Federal exchange?

The exchanges aren't going to go away with this legislation. It's simply going to mean that the States can't do a good job, or that they're going to yield that power to the Federal Government and you're going to have a national exchange.

This is the worst time to do this. As we know, States are hurting. They don't have money. Most of them have a crisis in terms of balancing their budget. Why would you want to deny them the money to set up the exchange?

I'll give you an example in my own State. My own State has applied for some of these grants. They are using it to do demographics to find out what kind of people they have, what their health care needs are, so they can tailor the State exchange in a way that's most effective to cover the most Americans and provide them good quality health care at a low cost. That's what this is all about.

And for the Republicans today to bring this bill up in their effort to try to repeal the whole package, it absolutely makes no sense whatsoever. I just don't understand it.

They talk about mandatory funding. Well, we have mandatory funding for Medicare, for Medicaid, for all kind of things in this Congress. All they're going to do with this is make it more difficult for the States to establish their own exchange.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I would just remind the gentleman, the ranking member from New Jersey, in our committee hearing earlier this year we heard from the Governor of Utah who had been setting up a state exchange prior to the passage of the Patient Protection and Affordable Care Act, and now was left with an uncomfortable situation where it has been ruled unconstitutional by two district courts. He's waiting for whatever happens in the court system. But as he told us in committee, "I'm walking on shifting sands. I no longer know where to go. Passage of the Patient Protection and Affordable Care Act has made my life infinitely harder."

I would now yield 2 minutes to the gentleman from New Jersey (Mr. LANCE).

Mr. LANCE. Mr. Chairman, I rise today in support of H.R. 1213. We currently have a debt in this country of \$14 trillion and it is rising rapidly. The annual deficit this year will be \$1.65 trillion, the largest as a percentage of gross domestic product since 1945.

Current levels of Federal spending are simply unsustainable. We cannot continue on this fiscal path that we have been traveling.

To this end, the House Energy and Commerce Committee has spent nearly the entire portion of its spring session identifying excess and unaccounted spending within programs, particularly the President's health care bill, in an effort to decrease Federal expenditures, in an effort to put our Nation on a path of fiscal responsibility.

This is one of the legislative fruits of the committee's efforts. According to the nonpartisan Congressional Budget Office, passage of this bill to repeal the Federal health care insurance exchange funding requirements would save American taxpayers \$14 billion over the next 10 years.

I urge my colleagues here in the House to pass this fiscally responsible piece of legislation that takes an important step in defunding the health care law and reduces Federal spending and the deficit, and I hope that at an early date the Supreme Court will rule on the constitutionality of the health care law.

□ 1400

Mr. PALLONE. Mr. Chairman, I yield 4 minutes to the ranking member of our full Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Chairman, we are not focusing on the big issues that the American people care about with this bill. Instead, what we have before us is not a bill to increase jobs or to help those lives torn apart by the recent natural disaster storms or to address the country's high energy costs. Unfortunately, what the Republican leadership offers up, once again, is a debate on the Affordable Care Act. This is another piece of legislation that is going nowhere. The Senate will never pass it, and the President will never sign it. This bill, H.R. 1213, was analyzed by the Congressional Budget Office, and the budgetary estimate shows this bill diminishes coverage and raises costs. It punishes the States, and especially hurts working Americans and their families.

First, the bill will leave people uninsured. This legislation, according to the Congressional Budget Office, will result in lower enrollment by an estimated 5 percent to 10 percent below the levels expected under current law between 2014 and 2016. In other words,

there would be almost 2 million fewer people enrolled in State exchanges.

Second, it will increase the costs to employers as they continue to fight off a sluggish economy.

Third, it will increase costs to consumers through increased premiums in the individual market.

Fourth, without Federal assistance, fewer States would be able to set up and operate State-run exchanges. Currently, 49 States, the District of Columbia and four territories have gotten beyond the ideological debate that we are having over and over again in this House, and they have responded by asking for funds so they can do the job of setting up a marketplace in which it would be best for families and businesses to choose their health insurance.

Fifth and notably, 85 percent of the total \$14 billion in cuts comes at the expense of low- and moderate-income Americans who are not able to access health insurance through exchanges.

It is time to stop debating bills that move the country in the wrong direction for political reasons. This bill takes a direct shot at the heart of health reform and at the new marketplace that marks the end of insurance company abuses, and it puts Americans in charge of their health care.

This is the wrong bill at the wrong time. It accomplishes nothing. We still don't know what the Republican proposal would be for health care. They said they were going to repeal it and then replace it. We don't know what they would replace it with. What we do know is that, for health care like Medicare and Medicaid, which insure millions of Americans, their proposal would be to decimate those two programs. With this bill, they would like to be sure, evidently, that States and working families don't have access to private insurance and that they don't have the ability to choose the best deal for them and their families.

I urge the defeat of this bill.

Mr. BURGESS. Mr. Chairman, I yield 2 minutes to the subcommittee chairman of the Oversight and Investigations Subcommittee, the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Mr. Chairman, there are two points or arguments that I've heard from the other side.

One, they are talking about States' rights. It's really almost pathetic to think that they are arguing on States' rights, because the health care bill that they and the administration are advocating forces State governments to pay for existing established exchanges. No States rights there. That's part of what the Secretary of Health and Human Services will do, and she will use this money as an incentive to bribe them, which is unlimited to her, to force States to pay for existing established exchanges. But once they do it, the money will stop.

The other point is that they are saying we aren't talking about jobs and that we're focusing on this particular bill that's not really getting us jobs. Yet this bill does focus on spending. It's limiting spending. With the national debt of the United States just increased by \$262 billion at the start of this year, we need to handle our debt here in this country and control spending.

So I am pleased that we are taking up H.R. 1213, which would eliminate uncapped, unlimited programs in the Patient Protection and Affordable Care Act, which is ObamaCare. This provision grants far too much in budgetary authority to the Secretary of Health and Human Services and far too few program requirements to ensure proper oversight. That's why we need to pass this bill. This is fiscal responsibility. It is fiscally irresponsible to argue, as they say, for giving any one in the Administration as an individual unlimited, mandatory spending authority, which is what is in ObamaCare.

I am glad we have an opportunity to correct this legislative error. We must gain fiscal control over our government programs, starting with these exchanges. Whether it's recapturing wasteful stimulus program dollars, eliminating fraud or using the appropriations process to set budgetary priorities rather than mandatory spending, we must all exercise fiscal restraint, and that is what this bill does. Just because we followed Greece into democracy does not mean that we should follow them into bankruptcy.

Mr. PALLONE. I now yield 1½ minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend for yielding to me, and I rise in strong opposition to this bill.

As Ronald Reagan used to say, There you go again.

And there my Republican colleagues go again.

We sat through days and days of this in the Health Subcommittee and in the Energy and Commerce full committee. This is—I don't know—the third or fourth or fifth or sixth bill on the floor which is trying to destroy the health care bill. I proudly support the health care bill, and I think it's time to stop scaring the American people. This is political theater. The Senate is not going to pass this, and the President certainly would veto it if it passes. So all we are having is, once again, another debate about health care on the House floor again and again and again.

I think my friends on the other side of the aisle have made their point. They oppose health care reform. Okay. Fine. How many times do we have to vote on it? It would repeal the Affordable Health Care Act, a bill which puts the American people back in charge of their health care by requiring insurance companies to be more transparent

and accountable for their costs and actions, thus ending many of the worst abuses by the industry and improving the quality of care.

I urge my colleagues to vote against this bill.

Mr. BURGESS. Mr. Chairman, I yield 2 minutes to the gentlelady from Tennessee (Mrs. BLACKBURN).

Mrs. BLACKBURN. Mr. Chairman, I rise in support of the bill because this is the right step at the right time. If you're listening to the American people, one of the things they have said loud and clear is that they do not want the ObamaCare bill on the books. They want this repealed.

When my colleagues ask "how many times do we have to revisit this issue?" we are going to keep revisiting this issue until we get every single piece of this bill off the books, because it is too expensive to afford. A great example of this is exactly what we're dealing with, which is the little slice of it that gives as much as may be needed, as much as may be consumed, as much as the HHS Secretary says they will need for this unlimited slush fund to give money to the States for these grants.

Now, I will remind my colleagues from across the aisle that our former Democrat Governor has called this program the "mother of all unfunded mandates." Mr. Chairman, there is a reason he called this program such. It is because he knows that putting this burden onto the States is far too expensive for the States to afford. It doesn't make it right to set up a slush fund, which will have no congressional oversight. The HHS Secretary can spend as much as she thinks is necessary, and she does not have to come back to us in Congress for this.

We do not need legislation with this nebulous language, and we do not need to give that authority of spending taxpayer money on this to the HHS Secretary. It is important that we distinguish: Are we for reforming health care? There are portions of health care that need to be reformed; but what happened in ObamaCare? PPACA is not health care reform. It is a movement away from patient-centered health care to government control. It is time for us to get back on the right track.

□ 1410

Mr. PALLONE. Mr. Chairman, I yield myself 15 seconds.

I hold the gentlewoman in a lot of respect, but it bothers me that you say we are going to come back and keep voting and voting again on repeal, repeal, repeal. We know this isn't going to pass the Senate.

When I went home the last 2 weeks, all I heard was: What are you doing to create jobs? Deal with the economy.

When we deal with this and keep doing the same thing over and over again, we don't deal with jobs.

I yield now 1½ minutes to the gentlewoman from California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in the strongest opposition to this shortsighted legislation. We all know that the only reason this bill is before us today is to try to derail the Affordable Care Act, which is already helping so many. And the exchanges this bill targets will make a clear impact, making it easier for individuals and small businesses to shop for insurance based on quality and price. They will provide the key structure to ensure the numerous consumer protections in the law are followed, and they will make the health insurance market both more competitive and more transparent.

Furthermore, the exchange program gives States flexibility to build the best plan they can to meet the unique needs of their residents. But this bill would defund that, resulting in an unfunded mandate. Forty-nine States have already received funds to begin this process. Many States are poised to move from planning to implementation. However, repeal would stop this development in its tracks.

What is clear is that a vote for this bill does not reduce costs; it just shifts them onto the backs of already cash-strapped States. It means delays: Delays that CBO has noted will lead to increased costs for consumers; delays that will result in 2 million more Americans being uninsured through 2015 alone.

I find it ironic that my Republican colleagues, who for so long have called for increasing a State's autonomy, are here to vote down a program that does exactly that, especially when their vote will lead to increased costs and more Americans being uninsured.

I urge my colleagues on both sides of the aisle to vote against H.R. 1213.

Mr. BURGESS. Mr. Chairman, I yield 2 minutes to a valuable member of the committee, the gentleman from Kansas (Mr. POMPEO).

Mr. POMPEO. Mr. Chairman, I rise today in strong support of H.R. 1213, a repeal of a mandatory piece of spending inside of ObamaCare that will do a great deal to not only destroy health care in America but destroy jobs in Kansas and all across our country.

I spent the last couple weeks back in the district. I was in Greenwood and Elk and Chautauqua and Montgomery County, in Butler County and Sedgewick County. I heard the ranking member today say he wants us to do the people's work. I will tell you that every day I heard about people that were frightened by ObamaCare. I talked to business leaders that understood that the last thing they wanted to do was to hire a full-time employee because of the burdens and obligations that would come from this piece of legislation.

I was proud at the very beginning of my time in Congress to vote to repeal the entire bill, and I am equally proud

today to attempt to put back in the box this mandatory spending provision. This spending provision gives, without any oversight, any restraints, the Secretary of Health and Human Services powers that are very, very large. I happen to have a special perspective on that.

Today's Secretary of HHS was my Governor for the last 8 years. The last thing that we want to do in health care is to give my former Governor an unlimited checkbook. We have seen what that has done to Kansas. I know what that will do to the United States of America.

This is very clear. When we talk about health care, what we are talking about is trying to find a way to reduce costs. The absolute worst thing you can do if you are trying to reduce costs is give the government an unlimited checkbook. They will spend it. They will spend it every day. They will spend it all the time.

I urge the strong support of H.R. 1213 so that we can stop this horrible piece of mandatory spending.

Mr. PALLONE. Mr. Chairman, I yield 1½ minutes to the gentlewoman from Wisconsin (Ms. BALDWIN).

Ms. BALDWIN. I thank the gentleman.

Mr. Chairman, I rise in opposition to this Republican proposal because it will not create jobs, it will not stimulate our struggling economy, and it will not put the middle class back to work. Instead, the bill that we are considering today would take away funding for States to offer new affordable insurance options for their citizens. And this bill would lead to job loss, hindering our fragile economic recovery.

Bait and switch—that is what it is called when you say one thing and do another, when you run for office promising to create jobs and bolster the economy and get elected and start doing something entirely different.

Last election was about jobs and the economy, and Congress should be at the forefront. But instead of leading and putting Americans back to work, we are considering a bill to repeal funding that will create jobs and provide families and small businesses with access to affordable health care options.

Forty-eight States, including my home State of Wisconsin, have already received up to \$1 million each to get health insurance exchanges up and running, including hiring key staff for implementation. In other words, this funding is creating jobs.

This Republican bill raises a very important question: Are we going to ask cash-strapped States to return the money they have already been awarded? Are we going to prevent these States from receiving further funding that will create jobs?

I fail to see how rescinding these dollars that will be used to create jobs is

the right thing to do to get our economy back on track, and I urge my colleagues to stand up for Americans looking for work and looking for affordable health care and vote against this bill.

Mr. BURGESS. Mr. Chairman, I would just point out that this bill only rescinds monies that have not been obligated. Monies that have been obligated would not be rescinded.

I now yield 2 minutes to the gentleman from Iowa, STEVE KING.

Mr. KING of Iowa. I thank the gentleman from Texas for yielding, and I also thank Dr. BURGESS for the leadership role that he has taken nationally in opposition to ObamaCare. His voice is essential to this and putting this unconstitutional bill behind us one day, taking us down the path of liberty and freedom with a constitutional path.

I rise in strong support for H.R. 1213, Mr. Chairman.

I would point out that much has been made of \$105.5 billion in automatic spending that was written into ObamaCare. That is a number that was kind of like a mirage; it was hard to pin down. Over time and working with CRS, we produced, finally, that number: \$105.5 billion in automatic spending written into a bill that I don't think any Member of Congress—in fact, I am certain not a single Member of Congress—was aware of that figure when ObamaCare was passed about 13 months ago.

However, this bill, H.R. 1213, doesn't address that \$105.5 billion in automatic, irresponsible, unconstitutional spending. It addresses an open slot where the drafters of ObamaCare just simply overlooked writing a figure in when they granted, there, unlimited authority to the Secretary of Health and Human Services, Kathleen Sebelius, to spend the amount of money that she sees fit to carry out the provisions of this section that are repealed by H.R. 1213.

It wasn't just a blank check, Mr. Chairman. It is a series of blank checks—in fact, an infinite number of blank checks that an infinite amount of money could conceivably be written into. That is how bad this is. That's how unquantifiable it is. I know that CBO has attempted to put a number on it, but it requires some assumptions to even do that.

The 112th Congress has been bound by the 111th Congress by this term we call "mandatory spending." I don't concede that there is anything such as mandatory spending in this Congress. No previous Congress can bind a subsequent Congress. This Congress has to approve all spending of every Federal dollar before it can be expended, and we need to stand on that principle, Mr. Chairman, this unlimited and mandatory spending that is unconstitutional.

The CHAIR. The time of the gentleman has expired.

Mr. BURGESS. I yield the gentleman an additional 30 seconds.

Mr. KING of Iowa. I thank the gentleman from Texas.

I would make the point also that the funding that would go to set up the State exchanges, we need to be very well aware of what that can be. If the States take this free money, so to speak, from this unlimited slush fund of Kathleen Sebelius and set up the State exchanges, even though they believe they have control of these exchanges, it sets them up to be nationalized by a far more powerful Federal Government. And even though they oppose ObamaCare, they might be complicit in its implementation if they accept this money.

I urge adoption of H.R. 1213, and I thank the gentleman from Texas.

Mr. PALLONE. Mr. Chairman, I yield myself 30 seconds.

I would just like to point out to the gentleman, 49 States and the District of Columbia, along with 4 territories, have been awarded \$54 million in planning grants. So all you are doing here—these exchanges are still going to exist even if this bill passed and became law. All you are doing is taking away the money, in almost every case, from your own State to try to set up these exchanges and not have it become a national exchange.

So the gentleman can talk all he wants about the funding, but the fact of the matter is it is most likely his own State is asking for this funding so they can get these exchanges established. Why do the Republicans want to take money away from their own State?

I yield now 1½ minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

□ 1420

Mrs. CHRISTENSEN. Mr. Chairman, today I rise with great disappointment to speak out against yet another attempt to repeal an Affordable Care Act provision that is at the very core of increasing access to health care for the over 30 million uninsured Americans.

As my colleague said, almost \$54 million in planning grants have been awarded to help 49 States, the District of Columbia and four territories, including \$1 million to the Virgin Islands, to create unique State and territorial-based solutions to improve our States' and territories' health insurance markets. We must not repeal this funding, as H.R. 1213 would do, because by placing the burden entirely on the already-overburdened States, it will make it more difficult for them to establish changes, and it will increase the costs to families who are seeking to insure themselves. This is really another effort to get rid of exchanges altogether.

In deciding how to vote today, I ask my colleagues to think about all of

their constituents who suffer unduly from health conditions that could be prevented or controlled if only they had access to health insurance, preventive care, and treatment. These constituents, our fellow Americans, demand that we stand up and fight for their access to affordable health insurance, as Democrats have always done and are doing today.

I urge all of my colleagues to vote against this legislation that would undermine the ability of millions of Americans to have access to health insurance and access to needed health care services.

Mr. BURGESS. Mr. Chairman, I yield myself 1 minute.

How many times did we hear over the runup to the passage of the Patient Protection and Affordable Care Act, If you like what you have, you can keep it? It turns out nothing could be further from the truth. In fact, the real truth is they don't want you to keep your current insurance.

We have heard Members on the other side of the aisle claim that 2 million fewer people will be enrolled in the exchange and that the bill will increase costs to the employers. So here is some shocking news: These assertions that during the health care debate many people said repeatedly that under the bill you will not be able to keep your health insurance you like, in spite of promises made by the Democrats, people were concerned that the new law would encourage employers to drop health care coverage for workers.

In fact, we received some memos to that effect as part of an investigation that then-Chairman WAXMAN actually initiated right after the passage of the bill. But then when trying to pass the bill, the Democrats repeatedly denied those claims. Now they seem to relish the fact that employers will drop coverage, and they actually see it as a negative that 1 million people will continue to have employer-sponsored insurance, the coverage that they precisely wanted to keep.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, can I inquire how much time remains on both sides?

The CHAIR. The gentleman from New Jersey has 17¼ minutes remaining. The gentleman from Texas has 15 minutes.

Mr. PALLONE. I yield now 2 minutes to the gentleman from Texas (Mr. GREEN).

Mr. GENE GREEN of Texas. I thank my colleague on the Energy and Commerce Committee for yielding to me.

To follow up what my colleague also from Texas and on Energy and Commerce talked about employers dropping insurance, that is why we need these insurance exchanges. Even before the Affordable Care Act, employers were dropping insurance for their employees or making it cost prohibitive

for them to cover themselves. So that is why we need the exchanges.

Here they are defunding it today, and H.R. 1213 would repeal the section of the Affordable Care Act that provides funding for the creation and facilitation of State-based health insurance exchanges. Those are not government insurance companies. Those are private sector exchanges.

During the health reform debate, the Republicans spent most of their time saying health reform would limit the ability to tailor their own health care systems. The Affordable Care Act would ensure States would have the ability to create their own health insurance exchanges, meet the health care needs of their State, and still provide consistent basic health coverage nationally.

We provided States with planning grants to come up with proposals on how they will run their health insurance exchanges so States will run their own exchanges rather than the Federal Government doing it. Yet here we are today stripping the ability of the States to run their own health insurance exchanges by eliminating those planning grants, just another example of the hypocrisy of the Republican Party.

This is yet further political messaging by the Republican majority in an attempt to defund health reform. They are playing games with funds dedicated to our States, forcing them to spend their own money when State budgets are already limited. The majority has the wrong priorities, and I think the American people know it.

Mr. BURGESS. I yield myself 3 minutes.

Mr. Chairman, States are coming to the realization that there is no flexibility in these grants. They are coming to understand that the mere words that a State gets to develop an exchange that fits their individual needs, in fact, just rings hollow.

The other side has used the word "flexibility" as a big bait-and-switch, just similar to the words "if you like what you have, you can keep it." The authors of the bill praised these words, but they are simply not true. The law clearly puts Washington in control, in firm control, in absolute control, of these exchanges.

For example, section 1302, the Secretary will choose the essential benefits that must be paid for by individuals and families in the State exchange.

Section 1302 (d)(2), the Secretary will control whether an HSA can be offered.

Section 1311(h), the Secretary can by regulation select the doctors and other health professionals that are allowed to provide care in the exchange plans. As a physician, I find this one of the more chilling provisions in this legislation.

Section 1311(i), the Secretary—the Secretary—decides whether a plan pro-

vides linguistically appropriate and culturally sensitive information. If they do not meet the Secretary's approval, they cannot have that plan.

Section 1311(c)(1) and section 1311(e), the Secretary—the Secretary—determines the process and requirements for certifying whether a plan can be sold in the exchange.

Section 1311(c)(1)(I)(6), the Secretary can decide when individuals can enroll in the exchange plan.

Section 1311(d)(4), the Secretary will judge the adequacy of an exchange Internet Web site.

Section 1311(k), the Secretary will determine whether an exchange establishes rules that conflict with or prevent the application of regulations promulgated by the Secretary. In other words, not only do they get to make the rules; they get to be the referee.

Concerns were raised prior to the passage of the Patient Protection Affordable Care Act that the law was designed, designed, for employers to drop coverage so Washington would control health care through ObamaCare exchanges. Now the other side protests when 1 million people will keep their employer-sponsored insurance because they would rather have them under the direct and absolute control of Washington, D.C., rather than their State capitals.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself 30 seconds.

Again, I don't understand what Dr. BURGESS is trying to say, the point he is trying to make. If we don't have this funding under this bill, States are not going to be able to choose the type of marketplace that is best for their families and businesses. By passing this bill, you take away ultimately the States' right to make the decisions about what kind of plans they have and how they want to tailor these plans.

All he is doing with this bill is handing it over to the Federal Government, exactly the opposite of what he is saying. What he is reading is essentially what is going to happen if there is no State exchange and there is a Federal exchange. So why deny the States the money, when they can tailor the exchange with those grants?

I yield now 2 minutes to the gentleman from Connecticut (Ms. DELAURO), the ranking member on the Labor-HHS appropriations subcommittee.

Ms. DELAURO. Mr. Chairman, I rise in opposition to this attempt to defund one of the central cost-cutting reforms of the Affordable Care Act. Like so much in the majority's budget, this bill takes money out of families' pockets and gives it to the health insurance industry.

The exchanges will give all Americans the chance to prosper from what Members of Congress and large employers have enjoyed for years: large group

rates, lower administrative costs, greater transparency. They also expand choices, giving everyone access to a much fuller range of plans. The exchanges work to create real competition in the health industry and thus drive costs down for everyone.

But my colleagues on the other side of the aisle want to place the control again in the hands of the health insurance industry and the insurance companies. Given what they are prepared to do in the Republican budget by ending Medicare and throwing seniors to the private insurance market, this is in the same vein.

□ 1430

This bill wants to eliminate this free market reform and allow insurers to continue to act as monopolies. According to the CBO, the Congressional Budget Office, which is independent and nonpartisan, it will knock 2 million people out of the exchanges, increase health insurance premiums, and leave 50,000 more Americans uninsured. In fact, 85 percent of the so-called savings here comes from cutting off Americans' access to health insurance.

This is not the direction we want to go. We want to cover more people, reduce health care costs. This bill raises premiums; it raises the number of uninsured in America. I urge my colleagues to reject it.

A final point. We in this body are very fortunate. We have health insurance. Our kids have health insurance. When we get ill, we go to the head of the line, the same as our families. Every single time we take to this floor, the majority in this body wants to repeal health care reform, wants to take away the opportunity from millions of Americans to have the same kind of health care coverage that Members of Congress and their families have.

Mr. BURGESS. I yield myself 1 minute, Mr. Chairman.

I would remind my colleagues on the other side of the aisle that the Governor of Utah coming to our committee hearing said that he was setting up exchanges prior to the passage of the Patient Protection and Affordable Care Act. The passage of the Patient Protection and Affordable Care Act has limited his ability to provide those exchanges. In fact, he went so far as to say now, with the nebulous future surrounding the Patient Protection and Affordable Care Act, because of activity in the courts—not in the United States House of Representatives, but in the courts—remember them, the third branch of government that gets to decide if something is constitutional or not—because of the ambiguity surrounding the cases in the courts, the Governor of Utah felt that he could not go forward with the plan that he was implementing, and he worried that the money he had already spent, his own State's money on developing State ex-

changes, would now be for naught. He does not know what the rules will be going forward if the Patient Protection and Affordable Care Act is allowed to stand because those rules have yet to be written. Those rules have yet to be interpreted.

So in a very perverse way, we have made it harder for a State to provide exchanges by passing the Patient Protection and Affordable Care Act.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself 1 minute.

I have heard Dr. BURGESS talk about Governors. I just want to give you some quotes from some Governors—Republican Governors. Nathan Deal, a former member of the Energy and Commerce Committee, former chairman of the Health Subcommittee, this is what he said with regard to the State exchanges and the grants. He says: "One of the real problems that some of us as Governors foresee is if the mandates on States remain in place, the funding from the Federal level to carry out those mandates is withheld. That's the worst possible condition that States could be left in."

That is exactly what my colleague from Texas is proposing. The States will continue to have the mandate to set up the exchange or, without money and therefore not be able to tailor to exchange to the State or alternatively letting it go to the Federal Government, having the Federal Government run a Federal exchange.

Nathan Deal, one of our own Members, chairman of the subcommittee, said, Worst possible scenario. I don't understand. Again, I keep saying the same thing, but I have to repeat it, Mr. Chairman. To say that we're going to have State exchanges without having the funding means the State exchange will either be lousy, or it simply won't exist and the Federal Government takes over.

I yield now 2 minutes to the gentleman from Michigan (Mr. LEVIN), the ranking member on the Ways and Means Committee.

Mr. LEVIN. Thank you, Mr. PALLONE. Thank you for your efforts.

I have been listening to the debate here, and the majority, I would describe it this way: You're so single-minded about the health care reform that you really have become mindless. You come here and talk about Federal control, but essentially what this bill would do would be to increase it. CBO says, Pass this bill and you will have more Federal control—not less—and less State control. It makes no sense. It's mindless. And you come here and say there's one governor who says something about his exchange. But every State but one has applied for and received a grant for their exchange. It's mindless, your position.

My State has already received the grant, the State of Michigan; and they

have used it to bring everybody to the table, including private industry, including consumers, hospitals, et cetera, to develop a plan that's right for our State. It's mindless for you to come here and say you want to pass a bill that withdraws from our States the ability to plan for the health care for our citizens in a way that is helpful to our State. So maybe there will be a mindless "yes" vote here. It's happened before. Where are the jobs bills?

Mr. BURGESS. I yield myself such time as I may consume.

Mr. Chairman, I would not presume to put words into the mouth of the Governor of Georgia, but I do know from a long association with him that he was very abhorrent of any mandates that were placed on the States. So I do not doubt the fact that he said the worst of all possible worlds would be to get the mandate and not get anything else to help him back that mandate. But to be very clear, the mandates themselves are the anathema.

Why would those mandates be a problem for the Governor of Georgia or the Governor of any other State? Because now the decisionmaking does not rest with the State. The State is mandated. The State is mandated to set up these changes. And yet the Health and Human Services Secretary will choose the essential benefits that must be paid for by individuals and their families.

That's no longer a State decision. That's no longer a gubernatorial directive. That is now a directive from the Secretary of Health and Human Services. They would also decide whether their planned provider network is adequate, regardless of whether or not it covers the doctor that you use and you like. The Secretary—not the Governor, not the Governor's chief of staff, not someone in the State legislature—the Secretary of the Department of Health and Human Services, who has that now unprecedented power and is only limited by her own imagination.

The Secretary would impose price controls on health coverage. The Secretary would pick who gets a waiver from the annual limit requirements. The Secretary would establish cost-sharing requirements regardless of their effects on premiums, not a gubernatorial directive, not something established by the State Commission of Insurance, not something contributed to by the Governor's chief of staff, not something decided by any State legislature, but by the Secretary of the Department of Health and Human Services.

Again, Chairman UPTON in his opening remarks said the spending would only be limited by the imagination, by the limits of the imagination of the Secretary of the Department of Health and Human Services. We know who that is this year. We don't know who that is next year. We certainly do not know who that is in 2 years' time.

It is the responsibility of this Congress to exercise the due oversight over these programs. We abnegated that authority by the forward funding of these programs. As Mr. KING pointed out in his remarks, we abnegated that authority. It's now time for Congress to claim that back. That's not mindless. The mindlessness, I might remind the Chair, was when this bill was passed a year ago without due proper authorization and oversight.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself 1 minute.

Again, I listened to the gentlewoman from Tennessee (Mrs. BLACKBURN) before, and basically she said we're just going to keep repealing and repealing and repealing. I understand that you want to get rid of the whole bill. But why do you bring up legislation today that, again, I guess you're doing it because you don't want to keep repealing the whole bill over and over again because it becomes ludicrous. So instead you take pieces out—in this case, the State exchanges—and you say we're not going to give States the grants to actually follow up.

It's obvious, when we talked about Nathan Deal, he doesn't like the law. He'd like to see it repealed. But he's saying if you're not going to repeal it, then don't defund it because then the States can't carry out their functions in an effective way.

So all I'm saying to my colleague from Texas is if you just want to keep repealing and repealing, like Mrs. BLACKBURN said, go ahead and do it. We'll waste time, which doesn't make sense. But if you're going to then take pieces out, then don't say to the States, We're going to defund you and not allow you to do what you're already required to do or set this over to the Federal Government.

You see, this is the absurdity of what the other side of the aisle is trying to do. It's just a complete waste of time.

I yield now 2 minutes to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. I thank the gentleman for yielding.

What is it about the Republican Party that insists that its mandate in Washington, D.C. is to keep the American public away from affordable health care? First, they start by ending Medicare so that senior citizens who retire will have to pay much more for their health care than they would otherwise. Those on Medicare, because they'll be closed in, an aging population, their health care costs will continue to go up in the future far beyond their ability to pay.

They have decided that they're going to raise the price of prescription drugs to senior citizens. They have decided that they're going to decrease the access of young people to health care by not providing for school-based clinics, health care clinics. They've decided

they'll roll back preexisting conditions to prevent women from getting coverage of health care, young children from getting coverage of health care from life-threatening diseases that they were born with.

What is it about the Republican Party that they don't want people to have access to health care in this country that's affordable? They don't mind them being in the lottery. If they can find it and afford it, maybe they can have it. But if they can't, it's tough.

So now we come to a time when they said they don't want one-size-fits-all in Washington. The States should have a right to set up the exchanges. The States have an option: they can set up an exchange or not set up an exchange. Some 49 States have stepped forward and said, We want a right to customize the exchange for the purposes of the people we represent, the nature of our State, the economy of our State, the age of our State. We want to do this.

□ 1440

And now they're saying, well, that's good, but we're not going to give you any money to plan to do that. So what are they doing, according to CBO? They're now threatening, once again, the access to affordable health care for 50,000 or more Americans.

So they've threatened the access to health care for women. They've threatened the access to health care for children. They've threatened the access to health care for seniors. They've threatened the access to health care for those who are about to become seniors. They just can't stop doing this.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 30 seconds.

Mr. GEORGE MILLER of California. They want to say they're just repealing the health care bill that was passed. They're just repealing that.

No, what they are doing is they're standing in the way, the very same rights that they have as Members of Congress to have a federally setup exchange for Federal employees where policies pass muster, that you get real value if you buy one. Whether you buy a health savings account or whether you buy a plan for your family or for an individual, you get real value. You get access. The rights they have as Members of Congress, once again they're stepping into the breach to make sure that their constituents won't have that right at the State level because when there are no State exchanges, they won't have that right.

It's a really strange view of their obligations to the American public, to working families, to children, and to seniors. And it's a real strange view about their position of privilege that they would have all of this for themselves but not for their constituents.

The CHAIR. The time of the gentleman has again expired.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would ask all Members to heed the gavel.

Mr. BURGESS. Mr. Chairman, I will direct my remarks to the Chair and not to anyone in particular, which I believe is one of the habits of the House; and I yield myself 1 minute for this purpose.

I was always taught growing up that if you're going to tell a story, you ought to begin it with "once upon a time." I think I should have heard a few "once upon a times" in that last tirade that was just leveled upon the House.

Their hypocrisy knows no bounds, Mr. Chairman. The other side claims that the health care law is about State flexibility, but they oppose H.R. 1213 because some States might assess a health plan fee to fund the operation of exchanges that the State wants to set up. If you're for flexibility, then eliminate complete control that the Secretary has over the State exchanges. Let States establish exchanges without onerous and costly Federal mandates and finance them according to how each State feels is appropriate.

Now, to talk about hypocrisy, what the other side fails to mention is that the Patient Protection and Affordable Care Act advocates taxing health care plans that sell insurance in the exchanges. Rather than being silent on how States should fund their exchanges once the grant money runs out, the Democrat health care bill actually spells out that the States should consider charging taxes on health insurance premiums for plans sold in the exchange.

The CHAIR. The time of the gentleman has expired.

Mr. BURGESS. I yield myself an additional 30 seconds.

The hypocrisy could be tolerable if it just simply ended there. However, the other side also fails to mention that the Patient Protection and Affordable Care Act directly charges a \$60 billion tax on Americans' health insurance premiums, in section 9010, or that imposes tens of billions of dollars in direct taxes on medical devices and drugs that people will use that will increase their health care premiums, according to the CMS actuary.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. GARAMENDI).

Mr. GARAMENDI. I thank my friend from New Jersey.

Mr. Chairman, this is all about creating a mechanism for competition—fair, open, fully disclosed competition.

The exchanges actually come from maybe 20 years ago. I know that in California when I was elected insurance commissioner in 1991, we established an exchange program. It passed the legislature. Unfortunately, Governor Wilson vetoed that legislation. Had it gone into place, there would have been a

marketplace for insurance consumers. Right now consumers are at the whims of the market. They have no power.

An exchange is simply a way to accumulate the purchasing power of thousands or hundreds of thousands of individuals and small businesses so that their risk is spread out over that large population. Right now small businesses and individuals simply are at the mercy of the insurance companies. They have no way to spread their risk, and, therefore, their rates are exceedingly high, and in many cases it's impossible to get insurance.

For the life of me, I don't understand why the Republicans want to repeal the exchanges. I always hear from them competition and free market. This is exactly that. This is competition, in which the health insurance companies have to compete with a similar policy, four different kinds of policies, a very rich one and a very basic one, and they have to compete on quality. What's the problem with that? And they'll be able to get insurance. Right now they can't. So they're going to repeal it. It makes no sense.

It also makes no sense that the Republicans would go out and terminate Medicare. Hello? You're going to terminate Medicare, a guaranteed insurance policy for everyone over 65? Oh, I know, only those who are below 55 years of age will never see Medicare. It's gone. It's history. Oh, you're going to give them a voucher, a small percentage of the total cost 10 years out? Good luck. And you throw them to the whims of the insurance companies without an exchange.

What's this all about? I think Congressman MILLER may have had it right. How do you view the world? People need health care. Insurance is a way to get health care. An exchange is a way to spread the risk for a large pool of people so the risk isn't there and access to the market.

California has an exchange. California last year established a law to put in place an exchange. It was signed by a Republican Governor, folks. Are you listening? Governor Schwarzenegger signed the exchange program. It's going into operation in a year and a half so that people in California can get insurance. Two million people will not be able to get insurance if this bill were to pass. And the only thing you offer is the termination of Medicare? Oh, and by the way, you're going to reduce Medicaid by \$700 billion.

Mr. BURGESS. Mr. Chairman, I yield myself 1 minute.

Although the issue of Medicare is not the subject of this debate today, I can recall a time about 20 years ago when Paul Tsongas, a former Senator, came to Dallas to talk to a group called the Dallas Business Group on Health. It was the day after President Clinton had come to this House and addressed a joint session of the House and Senate

and unveiled his health care plan in September of 1993. Senator Tsongas came to talk to us in Dallas, and he said, "It was a beautiful speech. There wasn't a dry eye in the house. The only problem was that the President proposed five new entitlement programs, and we cannot pay for the ones that we have."

□ 1450

Former Senator Tsongas then went on to articulate how the rate of rise of entitlement spending was going to cripple this country in the future such that by at some point between 2015 and 2020 this country would see intergenerational conflict the likes of which it had never seen before.

Yes, it is incumbent upon us to recognize that train wreck that is coming and deal with it. Representative RYAN put forward a very thoughtful plan 2 weeks ago. Let's see the plan from the other side. So far that's been lacking.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, may I inquire how much time is remaining?

The CHAIR. The gentleman from New Jersey has 4¼ minutes remaining. The gentleman from Texas has 6½ minutes remaining.

Mr. PALLONE. I yield myself the balance of my time.

Mr. Chairman, I am pleased that my colleague on the other side, Dr. BURGESS, got up and talked about the Ryan budget, or the Republican budget, I should say, because as far as I know every Republican voted for it, and most Democrats voted against it, and he also mentioned, I think, President Clinton's efforts to achieve health care reform.

The Democrats over the years—Harry Truman, President Clinton, President Obama—have all been reaching out to try to achieve health care reform and find a low-cost way of providing a good benefit package to all Americans, and it's sad to think that on the other side of the aisle, when they became the majority, the first thing they did was to pass this Republican budget that actually puts an end to Medicare and really jeopardizes the future of Medicaid as well.

I think it says a lot about the fact that the Democrats are trying to expand health care choices and options and provide low-cost health care with a good benefit package. The Republicans are taking the plans that exist now like Medicare and Medicaid and either ending them in the case of Medicare or in the case of Medicaid really making it so it's going to be very difficult for Medicaid to continue.

We already have in place, as I mentioned in the beginning of this debate, many of the positive aspects of the Affordable Care Act, all those things that eliminate discrimination, let you put your children on your policy, start to plug up the donut hole for prescription drugs for seniors. This is working. This

is legislation that's working and making a difference for the American people and making it possible now with these State exchanges, once they're up and running with the tax credits that are available, for even those other 32 or 30 to 40 million Americans who don't have health insurance insurance now to finally have it.

Now, why do the Republicans want to eliminate this? I listened to Dr. BURGESS. He says it costs too much. The fact of the matter is the CBO said the Affordable Care Act was going to save money, reduce the deficit over 10 years. I know they only like to look at the CBO numbers when they think they're beneficial to their point of view, but the fact of the matter is the CBO is a nonpartisan arm of this Congress and they say that the Affordable Care Act reduces the deficit over 10 years. At the same time, we're covering everyone and we're providing a good benefit package just like, say, Blue Cross or Blue Shield does today.

What this bill does is to eliminate choices, because if the States are allowed to tailor a program in exchange for their own constituents in their State, I believe it will be more robust, it will be a better plan tailored to those people from New Jersey, in my case, or Texas, in the case of Dr. BURGESS. By taking away the money for the exchanges, all you're going to do is make that more and more difficult. States will still have to do it, but they won't have a good plan. They may limit their choices. They may not have a lot of choices which they would have if they have some money to plan and be rational about how this works.

Of course, the more likely scenario is that we will simply have a Federal exchange and a lot of States will opt out and not even have their own State exchange. I think that would be a mistake to do. I really do. As much as I'd rather have a Federal exchange than no exchange, I do think it makes sense to have State exchanges.

So, again, I think that what the Republicans are doing now, and I think that Mrs. BLACKBURN said it earlier—she said we're just going to repeal this, and we're going to take a piece of it and repeal something else until we get rid of the whole thing. Well, don't waste the time of the Congress on doing the same thing over and over again. I was home for the last 2 weeks. We all had a break. We're at home for 2 weeks. All I heard, I didn't hear about health care. I heard about jobs and how the economy was starting to sputter again.

You know, the last quarter was not as good as it could have been, and the fact of the matter is that since the Republicans have come into the majority here they're not doing anything to create jobs. We don't have a bill to create jobs. We keep doing the same thing every day. Today, it's going to be

defund health care; tomorrow it's going to be abortion again. I don't know how many times we're going to have these same bills that come out of our Health Subcommittee and the Energy and Commerce Committee.

It is unfortunate. I urge my colleagues to vote "no" on this bill.

The CHAIR. The time of the gentleman has expired.

Mr. BURGESS. Mr. Chairman, at this point, I would like to yield 4 minutes to the chairman emeritus of the full committee, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Thank you, Congressman BURGESS, and it's good to see you in the Chair there, Mr. Chairman. I feel empowered and confident that you're going to make the right rulings as the day goes on.

We're going to have more amendments offered on this small part of the repeal effort of the new health care law than the Democratic majority allowed in the last Congress on all the health care legislation they brought to the floor. After general debate, we're going to have at least five amendments that were made in order under the rule. That's five more than Speaker PELOSI and then-Rules Committee Chairwoman SLAUGHTER made in order in the last Congress when we were debating these issues.

Republicans are not necessarily opposed to the concept of these exchanges, Mr. Speaker. What we are opposed to is the process in the last Congress where the actual bill that became law was dumped in the dead of night, with no amendments made in order, little debate, in an up-or-down vote as soon the Speaker twisted enough arms on the then-majority side of the Democratic party to move the bill.

So we're trying to repeal it piece by piece; once that's done, then to replace it. This particular bill that's before us is pretty straightforward. It repeals the authority of the Secretary of Health and Human Services to obligate such sums as necessary to fund these exchanges. This "such sums as necessary" could be \$50 million, could be \$100 million, could be \$200 million, could be a half a billion dollars. We just don't know. Those of us on the now-majority side, the Republican side, think that's bad management: such sums as necessary.

So we're not really having a debate on whether exchanges are good or bad. I can agree with my friend from New Jersey that, in concept, exchanges are good. Now, I could have a debate that if you are going to have exchanges you ought to let the market operate and determine what's offered in the exchanges and not mandate what has to be qualified in order to be a part of the exchange. And we could have a debate on what the premiums are and what the coverage is and whether you allow flexibility or whether you put these

Federal mandates on what has to be in the health care plan to be part of the exchange, but that's a different debate.

The debate today, Mr. Chairman, is should the Secretary of Health and Human Services have the ability to obligate, without any constraints by the Congress, such sums as necessary to empower and fund these health exchanges. We say "no." So we're going to urge a "yes" vote at the appropriate time so that we can take away that authority, send this bill to the other body, and hopefully have that pass, and then at some point in the future bring back a reform bill where we have the policy debate which, again, I think you can say that there will be some agreement between the majority and the minority side on the underlying policy. But on the fact that the Secretary of Health and Human Services shouldn't be able to just obligate with no oversight by the Congress how much money goes into the creation and maintenance of these exchanges, we think the answer to that is, the current Secretary or any future Secretary should not have that authority, and that is why we have put forward the bill.

□ 1500

Mr. BURGESS. I urge an "aye" vote on the measure.

Mr. BLUMENAUER. Mr. Chair, I rise in opposition to H.R. 1213, which repeals grant programs established in the Affordable Care Act to support State efforts to set up health insurance marketplaces. The Affordable Care Act calls for these "exchanges" to be established by January 1, 2014. Under H.R. 1213, fewer States will have the resources necessary to create these marketplaces, and in the wake of this legislation, fewer people will get help buying insurance. As a result, 500,000 more people will be uninsured in 2015.

These exchanges are designed to allow Americans to compare prices and health insurance plans and decide which option is right for them. These grants are critical to help States develop and begin operation of exchanges able to perform these functions. In fact, nearly all States have already received grant funding to begin establishing their own marketplaces, including my State of Oregon, which will receive \$48 million. The Affordable Care Act establishes these exchanges to negotiate prices for a large volume of individuals, securing the kind of group discounts that large employers now enjoy. In addition to providing consumer protections, the exchanges actually provide for a robust private insurance market. This price competition plays a critical role in reducing health care costs.

Rather than making refinements to improve the law, H.R. 1213 simply proposes to eliminate funding. It would not advance the key objectives of the Affordable Care Act or offer alternative solutions for meeting these important objectives, and this legislation makes it more difficult to achieve better and more affordable care.

Many of the ill-founded criticisms of the Affordable Care Act stem from concerns about the country's burden of public debt. While I

share many of these concerns about our public debt, I cannot condone this approach to balancing the nation's books. The Congressional Budget Office finds that the vast majority of the bill's \$14 billion in savings results from reduced spending on premium and cost-sharing for low-income people to buy insurance, not from the elimination of the \$1.9 billion in grants to help set up the exchanges. This legislation continues the Republican effort to balance our nation's books on the backs of the poor and I oppose this legislation.

Mr. DINGELL. Mr. Chair, I rise in opposition today to H.R. 1213, which would repeal funding available to States to establish health insurance Exchanges. Repealing this funding will dramatically hamper States' efforts to provide critical access to affordable and high quality insurance for the uninsured or underinsured.

The Exchanges are a vital component to the Affordable Care access in that they will help simplify the process of purchasing insurance for American families and small businesses.

For the first time, individuals, families and small business alike will be able to shop for their coverage like they would for any other product—comparing the benefits, the services and prices side-by-side so that they can make a decision about what coverage will best fit their needs and their budget. These marketplaces will be transparent and competitive.

It is ironic that my colleagues across the aisle continually claim that the States best know the needs and challenges facing their population, yet today's legislation would hamstring the ability of States to plan and prepare their own exchanges.

HHS has already made available more than \$296 million to 48 States, the District of Columbia and four territories to begin this work, and my home State of Michigan received more than \$999,000 to begin their planning.

This funding will help Michigan determine who will be eligible for the Exchange, review the technical components needed to run the Exchange, develop a model and structure, as well as begin stakeholder discussions on implementation.

Repealing this funding will not only hurt Michigan's efforts, but also the efforts of the other States and territories that have already begun planning and building their own marketplace and delaying implementation.

According to CBO, such a delay would prevent almost two million people from enrolling in state exchanges, and increase the number of uninsured by 500,000 in 2015. Further, CBO found that 85 percent of the cuts in H.R. 1213 will come on the backs of low and moderate income families through subsidy reductions for the purchase of health coverage.

More importantly, the successes of critical consumer protections that make up the Patients Bill of Rights in the Affordable Care Act depend on working Exchanges by 2014.

These reforms will end the worst abuses in the insurance industry:

Ending discrimination for pre-existing conditions, gender, health status or family history;

Requiring coverage of preventative care services;

Protecting the patients' choice of doctors;

Preventing rescissions of coverage as a patient is being wheeled into the operating room; and

Prohibiting arbitrary limits on coverage, among other things.

If we want the States to be able to pave their own path forward in creating a robust and successful exchange designed to help employers and consumers to navigate the purchase of health coverage, than we cannot vote in favor of defunding these critical grants.

I urge my colleagues to vote against this attempt to defund the Affordable Care Act.

Mr. STARK. Mr. Chair, I rise in opposition to H.R. 1213, legislation being brought forth by my Republican colleagues in the House as another step in their ongoing march to undo health reform. Like those that have come before it, this bill is going nowhere in the U.S. Senate. Yet, we are here wasting taxpayer dollars and government resources debating it.

This bill would repeal health reform's mandatory funding to states to help them establish health insurance exchanges. Exchanges are the new, fair marketplaces established in health reform to ensure that people have access to quality, affordable health insurance. The law provides grants to states to help them develop these new marketplaces which are to begin operating on January 1, 2014. CBO estimates that HHS will spend \$1.9 billion on these grants between 2012 and 2015, after which grant monies are no longer available.

This legislation is the strangest of the repeal bills they've brought up so far. In fact, it is downright comical. If this bill were to be enacted into law, it would actually create a federal takeover of the American health care system—the very thing Republicans campaigned against in the last election cycle!

That's right. This bill would cause states to lose funding to create health insurance exchanges. However, a key fact that Republicans fail to highlight is that if States don't establish them, the law requires the Federal Government to do so. As most States are facing budget crises, a lack of Federal funds to develop exchanges would lessen the chance that many States move forward with such plans. Therefore, it would fall to the Federal Government to take over. That's what CBO presumes in their analysis as well.

So, we have before us today a bill that I predict all House Republicans will support that would actually mandate a Federal takeover of health care and it's being considered as part of their effort to repeal health reform.

Are you confused? I am too. With this bill before us today, House Republicans have officially "jumped the shark" with their health reform repeal efforts.

It is disgraceful that we are wasting taxpayer dollars and precious time we could use tackling the real issues facing America—like creating jobs, withdrawing our troops from Afghanistan, or addressing rising gas costs by reducing corporate welfare for the oil industry—in order for House Republicans to continue paying lip service to their repeal efforts.

I urge my colleagues to join with me and oppose this Republican bill to repeal funding for health insurance exchanges.

Mr. VAN HOLLEN. Mr. Chair, today we are considering yet another bill in the Republican majority's efforts to repeal the Affordable Care Act. H.R. 1213 would repeal the funding from the Affordable Care Act for States to establish competitive and transparent insurance exchanges.

This legislation will gut meaningful health insurance reform. A critical piece of the Affordable Care Act was to allow States to create insurance exchanges that will allow individuals and small businesses to comparison shop for affordable and quality health insurance coverage, just like what Members of Congress can currently do through the Federal Employees Health Benefits Program.

Many states—including Maryland—have already used Federal funding to set up these exchanges. Repealing this funding would have negative consequences for States and consumers. According to the non-partisan Congressional Budget Office, without Federal assistance, fewer States will be able to establish an insurance exchange, and the establishment of the exchange, enrollment and operations will be significantly delayed.

Mr. Chair, I urge my colleagues to oppose this misguided legislation.

Mr. GUTIERREZ. Mr. Chair, this bill would increase both health care costs and the number of American families who would be unable to purchase health insurance.

A central pillar of the Patient Protection and Affordable Care Act are the flexible, state-based health insurance exchanges that will bring greater competition, consumer protection and choice into the health insurance marketplace. Exchanges drive down premium costs for consumers and small business owners, and will empower all Americans to shop for the best available health insurance plan for their families. If repealed, half a million Americans who would be covered under the current law will find themselves unable to purchase insurance.

For the record, I strongly oppose H.R. 1213 and any effort to de-fund the Health Benefit Exchanges or the Patient Protection and Affordable Care Act.

Ms. SCHAKOWSKY. Mr. Chair, I rise in opposition to H.R. 1213.

This bill would eliminate funding for a key component of the Affordable Care Act's coverage expansion—the State-based health insurance Exchanges.

The Exchanges are the chief vehicle through which we will give millions of individuals and small businesses—currently locked out of the market—access to affordable coverage.

The Affordable Care Act provides each State with the flexibility to design its own Exchange—tailored to meet the needs of its residents, strengthen the private insurance market, and provide consumer protections.

This bill repeals the funding for the Exchanges and eliminates that flexibility.

Repeal would deny Illinois and every other State the funding needed to setup a unique State solution for improving and fixing broken insurance markets.

This bill undermines the work already being done in Illinois and, given the State budget situation, will likely mean Illinois would be unable to run its own State-based health insurance Exchange.

In September, Illinois received a \$1 million grant to begin planning and establishing its Exchange.

Without funding to move to implementation, we won't have the resources to get our Exchange up and running and millions of Illi-

noisians will lose access to affordable, adequate health insurance coverage.

Mr. BURGESS. I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered read.

The text of the bill is as follows:

H.R. 1213

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEALING MANDATORY FUNDING TO STATES TO ESTABLISH AMERICAN HEALTH BENEFIT EXCHANGES.

(a) IN GENERAL.—Section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 13031(a)) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available under such section 1311(a), the unobligated balance is rescinded.

The CHAIR. No amendment to the bill is in order except those printed in House Report 112-70. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON
LEE OF TEXAS

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112-70.

Ms. JACKSON LEE of Texas. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public website of the Department of Health and Human Services a notice of—

(1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(a)); and

(2) the amount of such funds so rescinded.

The CHAIR. Pursuant to House Resolution 236, the gentlewoman from Texas (Ms. JACKSON LEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON LEE of Texas. Mr. Chairman, listening to the general debate, I would have to say that I am concerned and not supportive of this legislation and would hope that we would vote against the underlying bill.

But I have an amendment that I believe my colleagues on both sides of the aisle would appreciate, and it's very

simple. This amendment will provide the public with important information about mandatory funding to States for health benefit exchanges that will no longer be available for the public and small businesses to use in order to obtain competitive health coverage for their necessary health care, post the moneys that are rescinded, and let the public judge for themselves: Good health care or not.

This particular amendment deals directly with the concern that we don't have the ability to move forward on health exchanges that will help the vast numbers of Americans. For example, the American health benefit exchanges make it easier for small businesses and the public to obtain competitive health insurance on the basis of price quality rather than to be subject to the abuses of insurance companies who would charge exorbitant, prohibitive rates. The health care exchange program is a key element of the Affordable Care Act, aimed at providing coverage to the uninsured.

There are 6.2 million residents in my home State of Texas that do not have health care insurance. Of the 26 percent of the Texas population that is uninsured, 18 percent are children. Insurance exchanges would also be available to small businesses with fewer than 100 employees. Texas is home to nearly 400,000 small businesses employing less than 500 people and nearly 2 million self-employed entrepreneurs. Letting everyone know that we are making a good dent in the deficit, which we can do in many, many other ways, will also show them why I don't have good health care. Meaning, why don't small businesses and farmers?

So at this time, Mr. Chairman, I would ask that my colleagues support an amendment that is transparent to let you know what the savings are. But what's the question? What's happening to the accelerating rate of health care and the sick people who are getting sicker?

With that, I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. I supported a seemingly similar amendment 3 weeks ago when the House considered H.R. 1217, a bill related to the public health slush fund in the Patient Protection and Affordable Care Act. However, I have to oppose this amendment because, despite the seeming similarity of the two amendments, this really is an apples-to-oranges comparison. The public health slush fund considered under H.R. 1217 provided a specified amount in mandatory funding for the Secretary in fiscal year 2011 and each year thereafter. In Ms. JACKSON LEE's amendment 3 weeks ago, it would be possible to determine the amount of funds that

would be rescinded in fiscal year 2011 if H.R. 1217 had been enacted into law. But the amendment offered today by Ms. JACKSON LEE actually strengthens the arguments in favor of passing H.R. 1213, the bill before us today.

Section 1311 of the Patient Protection and Affordable Care Act provided the Secretary with an unlimited amount of money with virtually limitless discretion to spend on establishing exchanges or what activities could facilitate enrollment in what are known as qualified health plans. Giving the Secretary a blank check to spend is an abdication of our responsibility here in the House of Representatives. This blank check also makes it impossible to implement the Jackson Lee amendment. There is no dollar figure for how much the Secretary can spend on this program. It is simply an unknown unknown. The Secretary could decide tomorrow to spend another \$100 million or another \$100 billion. In 2013 the Secretary could take the advice of CMS and funnel money into any amount of activities. Congress and, for that matter, the general public won't know that until the money is spent.

I think the gentlelady from Texas has good intentions with her amendment. Unfortunately, because Congress decided to leave it entirely up to the Secretary of Health and Human Services and the Secretary alone to determine the amounts of money that can be spent, the amendment does not work in this circumstance. I urge my colleagues to oppose the amendment.

Ms. JACKSON LEE of Texas. I thank the gentleman from Texas. But he well knows that we have had mandatory appropriations, and it is not difficult to indicate what money you are allegedly saving. So if the American public can juxtapose those so-called savings on the backs of the elderly, losing Medicare of course, on the backs of sick families and sick children, and to see how we can stop the normal primary medical care that you would get for children that are in need that these health exchanges would provide, and as well neonatal care for children who are born prematurely, this is what the Republicans would like us to do as we eliminate our health exchanges.

Frankly, he should look at what has already happened. Forty-nine States, including the State of Dr. BURGESS and myself, the State of Texas, have applied for funding for health exchanges. And so to stop in the middle and suggest that you are now impacting the deficit—no, you are killing and losing and indicating that you want to close down the good health care that we are trying to promote. Insurance exchanges would also be available again to small businesses, and Texas is home to nearly 400,000 of them. The Kaiser Foundation says 23 percent of the Texas population lives in poverty. They would be able to participate in

these exchanges. I would make the argument that it's good to put how much money you are allegedly saving so you can see how much you are losing by all the sick people who would not have care.

I reserve the balance of my time.

Mr. BURGESS. Again, I would just simply point out that the gentlelady's amendment under the legislation that was considered previously was appropriate because there were actually funding levels that were mentioned in the legislation.

Now, reading from the Patient Protection and Affordable Care Act here in section 4002, under the Prevention and Public Health Fund, in paragraph B, which discusses funding: There are hereby authorized to be appropriated and appropriated to the fund out of any moneys in the Treasury not otherwise appropriated, one, for fiscal year 2010 \$500 million; two, for fiscal year 2011 \$750,000, and so on and so forth. In other words, the funding is explicit under the previously considered legislation.

Under the legislation today, which is the health benefits exchange, here is how the funding language reads: For each fiscal year, the Secretary shall determine the total amount that the Secretary will make available for each State for grants under this subsection. Well, we have no earthly idea. Is that \$10, \$100, \$100 million, \$100 billion, \$13 trillion? We have no earthly idea.

So while the intent of this amendment in previous legislation was one which the majority could accept, in this case, it actually becomes meaningless because there is no dollar figure specified as the upper limit as to what the Secretary can spend.

I reserve the balance of my time.

Ms. JACKSON LEE of Texas. I thank my good friend from Texas, and he has made my argument because the Secretary of Health and Human Services can explicitly state the funding that might be used. In addition, isn't it interesting that this is being repealed on the basis of savings, and yet the Republicans can't explain whether there are going to be any savings or not.

At the same time, sick people are going to get sicker. And in my State, 444 people out of every 100,000 have cancer. Of the population, 9.3 percent are diabetic, 32 percent are overweight; and they will not be able to have the coverage. I am going to ask my colleagues to vote on a sensible amendment. Show us what you are going to save. Let it be put on the Web site. Let the American people see it. And explain why you would rather put these dollars on while you raise the cost in an unbelievable way. And because of the fact that people will not have insurance, they will get sicker and sicker and sicker and sicker. God forbid if we take out Medicare and all the seniors will wind up being sick and lose their lives as well.

I reserve the balance of my time.

□ 1510

Mr. BURGESS. I reserve the balance of my time.

Ms. JACKSON LEE of Texas. Mr. Chairman, let me just say that, if H.R. 1213 passes, it will severely harm cash-strapped States who cannot afford to establish the health benefit exchanges which, by the way, will help people of all backgrounds, and particularly our small businesses, our farmers and, yes, the children that you've seen on these posters.

I ask my colleagues to support this important amendment. Show your cards. If we're saving money, let it be on the Web site, and let us compare those savings against the thousands and millions of individuals who will be blocked from having health exchange opportunities. While some of us will have savings accounts, others will have nothing, absolutely zero.

Vote for the Jackson Lee amendment to really show the cards of what happens when you cut out and repeal health care coverage for America.

Mr. Chairman, I would first like to state my clear position that I am adamantly opposed to H.R. 1213 and its Repeal of the Mandatory Funding Provided to States to Establish American Health Benefit Exchanges under the Affordable Care Act. The funding for American health benefit exchanges curbs insurance company abuses, saves lives and saves money.

If H.R. 1213 to Repeal Mandatory Funding Provided to States to Establish American Health Benefit Exchanges Provided under Section 1311(a) of the Patient Protection and Affordable Care Act is enacted into law:

I. WHAT MY AMENDMENT DOES IS

Requires the Department of Health and Human Services to post public notice on its official website that the funds from Section 1311(a) of the Patient Protection and Affordable Care Act that will be rescinded including the amount of the funds rescinded.

This amendment will provide the public with important information about mandatory funding to States for health benefit exchanges that will no longer be available for the public and small businesses to use in order to obtain competitive health coverage for their necessary health care.

This amendment also assists my Republican colleagues by permitting them to easily and transparently show the American public that they are cutting government spending, by how much they are cutting spending, and where they are cutting government spending. So I expect that my Republican colleagues will fully support this amendment.

II. PURPOSE OF THE MANDATORY FUNDING TO STATES FOR AMERICAN HEALTH BENEFIT EXCHANGES CREATED UNDER THE AFFORDABLE CARE ACT (SECTION 1311(A) OF THE AFFORDABLE CARE ACT)

When Congress passed the Affordable Care Act in 2010 and the President signed it into law, the Department of Health and Human Services was mandated to provide funding by making Grants to States for the purpose of establishing "American Health Benefit Ex-

changes," so to make it easier for small businesses and the public to obtain competitive health insurance on the basis of "Price & Quality" rather than be subject to the abuses of insurance companies who would charge exorbitant, prohibitive rates for coverage. This was already a cost cutting measure. This is sorely needed insurance reform.

The health insurance exchange program is a key element of the Affordable Care Act aimed at providing coverage to the uninsured. Six million two hundred thousand residents in my home state of Texas do not have health care coverage. Of the 26 percent of the Texan population that is uninsured, 18 percent are children.

Insurance exchanges would also be available to small businesses with fewer than 100 employees. Texas is home to nearly 400,000 small businesses employing less than 500 people, and nearly 2 million self-employed entrepreneurs who would certainly benefit from a health insurance exchange.

According to the Kaiser Family Foundation, 23 percent of Texas' population lives in poverty. Health insurance exchange programs would provide relief to those living at less than 133 percent of the poverty level, about \$14,484 dollars annually, by making them eligible for Medicaid in all states. More than 30 percent of impoverished Texans would be eligible for Medicaid under this provision.

The Health Benefit Exchange Programs were championed as a means for people to get affordable health care and now they are opposing that very principle in H.R. 1213.

If H.R. 1213 passes, it will severely harm cash-strapped states who cannot afford to establish the health benefit exchanges on their own.

The Affordable Care Act requires all State Health Benefit Exchanges to be self-sustaining by Year 2015 and no further Federal grants will be made to states for health benefit exchanges after January 1, 2015. This sounds like the State's rights that my Republican colleagues have been championing on this Floor for a very long time in the course of debating health care reform. Now, they are opposed to the very State's rights contained in the Affordable Care Act that pertain to health benefit exchanges.

This bill takes away the ability of States to provide cost-saving health coverage through Health Benefit Exchanges.

This bill deals a severe blow to America's middle class and small businesses who simply seek to obtain affordable health insurance so they can do their part to help keep America healthy and contribute to our continued national economic growth.

I urge all of my colleagues to support my amendment to H.R. 1213 to facilitate transparency in government spending cuts and notice of funding that will no longer be available to them.

The CHAIR. The time of the gentlewoman has expired.

The gentleman from Texas has 1½ minutes remaining.

Mr. BURGESS. Mr. Chairman, the real travesty here is the fact that there is no upper limit on what the Secretary of Health and Human Services can spend on the exchanges. It is pointless

to put up on the Web site how much money has been saved when the actual amount of money to be spent equals infinity.

We are borrowing 42 cents out of every dollar that we spend at the Federal level from the Chinese and handing the bill to our children and grandchildren. That has to stop. That's what this legislation is about today. That is why I urge my colleagues to vote against the Jackson Lee amendment and vote for the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Chair announced that the noes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MS. WATERS

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-70.

Ms. WATERS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of section 1, add the following new subsection:

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report on the extent to which States are expected to have difficulties establishing Health Benefit Exchanges without Federal assistance repealed and rescinded under subsections (a) and (b).

The CHAIR. Pursuant to House Resolution 236, the gentlewoman from California (Ms. WATERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from California.

Ms. WATERS. Mr. Chairman, my amendment requires the Secretary of Health and Human Services to submit to Congress a report on the extent to which States are expected to have difficulties establishing health benefit exchanges without the Federal assistance repealed by this bill.

The Affordable Care Act requires the establishment of health benefit exchanges in every State. These exchanges will be a marketplace where individuals, families, and small businesses can purchase health insurance. The exchanges will feature a variety of health plans offered by different insurance companies, all of which must offer a comprehensive set of essential health benefits at affordable prices. The purpose of these exchanges is to enable American consumers to compare premiums, out-of-pocket expenses and benefits, and make informed choices among competing health plans.

The Affordable Care Act places an emphasis on State-based health reform. The Affordable Care Act allows States to set up their own health benefit exchanges and offers grants to States to assist them in doing so. A total of 49 States, the District of Columbia, and four territories have already applied for these exchange grants. These States and territories are working hard to determine what type of health insurance marketplace will be best for their families and businesses.

Without Federal funding, some States could have difficulty establishing exchanges in a timely manner. This could lead to poor management of the exchanges, fewer health plans included on the exchanges, and years of delay in getting the exchanges up and running.

Some States might simply refuse to establish exchanges at all in the absence of Federal assistance. This would result in greater costs for the Federal Government because the Affordable Care Act requires the Federal Government to set up health exchanges in those States that do not set up their own exchanges.

According to the Congressional Budget Office, States that attempt to set up health exchanges without Federal funding may face challenges in making their exchanges fully operational by 2014, as the law requires. These challenges could limit the desirability of the exchanges for consumers and reduce the capacity of some exchanges to process enrollment. As a result, CBO estimates that by 2015, there will be almost 2 million fewer people enrolled in State exchanges.

Many States are already facing declining revenues and budget pressures as a result of the Great Recession. Some States were forced to make painful choices, increasing taxes or cutting spending in order to make ends meet. Budget pressures have forced States to consider closing public health facilities, postpone transportation and infrastructure projects, and lay off teachers, law enforcement officers and other public employees. If the Federal Government expects States to set up health exchanges without any assistance, it will only compound their budgetary problems.

My amendment requires the Secretary of Health and Human Services to report to Congress, within 6 months of enactment, on the difficulties States will encounter while trying to set up these exchanges without Federal help. If Congress is going to deny States the funding that was mandated for them to set up their health exchanges, Congress needs to know the extent of the difficulties States will face without these funds.

I urge my colleagues to support this amendment.

I yield back the balance of my time.

Mr. BURGESS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. I stand in opposition to the Waters amendment because it does perpetuate the fallacy that the Patient Protection and Affordable Care Act will actually provide affordable health care options.

We've had this debate for some time, and my colleagues on the other side of the aisle have argued that the way to provide an affordable coverage option to the uninsured is through a massive 2,700-page law authorizing thousands of pages of new regulations. Yet we've learned that merely one costly requirement of the many contained in the Patient Protection Affordable Care Act has forced the Secretary to issue over 1,200 waivers.

Now, Mr. Chairman, I want you to take a minute with me and to envision in your mind's eye, I want you to visualize a central planner, maybe a very benevolent central planner, but a central planner nevertheless, moving data points around on a spreadsheet. That's what we're going to have under this.

Washington will literally impose thousands of new requirements on plans that kindly bureaucrats are kind enough to allow poor Americans to buy in the Patient Protection and Affordable Care Act's exchanges. The only way to make these federally controlled health plans affordable is through the massive subsidy contained in the Patient Protection and Affordable Care Act. Yet every Member of this body should know that we can no longer afford the "business as usual" spending binge to which my Democrat friends are clearly affixed.

I also reject the premise of this amendment. Remember, a few moments ago when debating the baseline bill, I said, you know, we've given the Secretary of Health and Human Services the ability to write all the rules of the game and then to function as the referee to interpret the rules. That's what we're furthering with this amendment.

The underlying assumption of this amendment is that the Secretary of Health and Human Services should issue a report to judge the benefits of the regulations. Oh, by the way, regulations that her own department writes. Given the politically charged reports being issued by the Department of Health and Human Services since the passage of the Patient Protection and Affordable Care Act, we shouldn't pay for another taxpayer-financed advertisement for their health care law.

I urge my colleagues to oppose the Waters amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Ms. WATERS).

The question was taken; and the Chair announced that the yeas appeared to have it.

Ms. WATERS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

□ 1520

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-70.

Mr. ELLISON. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Add at the end of section 1 the following new subsection:

(c) REPORT.—Not later than 6 months after the date of the enactment of this Act, the Secretary of Health and Human Services shall submit to Congress a report that contains the results of a study on the possible delays and potential enrollment reductions into Health Benefit Exchanges as a result of the repeal and rescission of funds under subsections (a) and (b).

The CHAIR. Pursuant to House Resolution 236, the gentleman from Minnesota (Mr. ELLISON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. ELLISON. Mr. Chair, today I rise to offer an amendment to H.R. 1213, and I rise in opposition to the underlying bill.

My amendment is very simple. It directs the Secretary of Health and Human Services to submit a report to Congress 6 months after the enactment of the bill, a report which examines the possible delays and potential enrollment reductions in the health care exchanges that will result from this bill. Yet, before I dive into my amendment, Mr. Chair, let's review just for a moment.

From the year 2000 to the year 2006, the Republicans controlled the House, the Senate and the White House. They controlled all three of those institutions at a time when Americans were literally going bankrupt because of medical debt. The fact is that the Republicans refused to do anything at all to try to help Americans within our health care system, which was dysfunctional and broken.

They did nothing.

They stood back and watched 60 percent of all bankruptcy filings happen as a result of medical debt. They sat back and watched 47 million uninsured Americans as they faced nothing more than emergency rooms as relief. They sat back and watched small businesses either have to offer no health care insurance at all or have to stomach enormous health care burdens as premiums just galloped along day after day. They sat back and watched while auto companies produced vehicles where as

much as \$2,100 per car went to nothing but health care costs.

This is the Republican Conference that now seeks to try to take away what the Democratic Caucus and the United States Congress passed the last time. Instead of trying to say “we’re here to do something; we’re here to offer some solutions,” all they want to do is to strip away from Americans that little bit of protection from the vicissitudes of the health care insurance industry that they have been subjected to for so many years. Instead of saying “we’re here to help,” they’re here to help the insurance companies. That’s whose side they’re on. It is a shame and a disgrace, and I am very, very sad to see this bill on the floor today. So what I’d like to do is to offer an amendment, Mr. Chairman.

I offer an amendment to say, if we’re going to do this, if we’re going to take away from the American people these exchanges that are going to give them a little bit of relief, let’s at least know what we’re doing. Let’s at least figure out what the effects are going to be on the American people instead of just snatching out of their hands these exchanges that are designed to give them a little bit of relief from the health care insurance companies. Let’s find out who is going to be delayed and what potential enrollment reductions are going to exist. Let’s figure it out.

This is an important and a meritorious amendment, and I think the least the Republican Conference can do is to say, You know what? If we are going to go back to the bad old days, which was before the Affordable Care Act was passed, at least we ought to know what harm we are going to be doing to the American people.

So I urge support of this amendment.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I rise in opposition to the Ellison amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Mr. Chairman, I do feel obligated to point out that the insurance companies of this country love the Patient Protection and Affordable Care Act. Look what happened to their stock on March 24 of 2010. It went through the roof. The reason is that they got individual mandates, not supported by any Republican I’m aware of. They got individual mandates that every man, woman and child in this country now has to purchase their products. They were suddenly released from creating products that people might actually want, and now you have to buy their products because the Federal Government tells you you must, and the Internal Revenue Service is going to be the enforcer; but let’s confine our remarks to the business at hand, which is the Ellison amendment.

The amendment would require the Secretary of Health and Human Serv-

ices to submit a report on the possible delays and potential enrollment reductions in health benefit exchanges. Now, here is a bit of irony. The reason we need this bill is that the authors were either inadvertently providing the Secretary of HHS an unprecedented unlimited tap on the Federal Treasury for these grants or they meant to provide this blank check to the Secretary. Now the amendment would ask the same Secretary to evaluate the impact of taking away their authority to spend unlimited money.

I wonder how they’re going to rule on that?

Not one amendment has been offered this afternoon that would actually ask the Secretary to report on how the Secretary is going to spend these funds or provide information regarding how much money the Secretary actually intends to spend in this section. People should be aware that the amendment does not ask for a report on the benefit of health insurance exchanges. Rather, the amendment asks the Secretary to evaluate only the exchanges contemplated under the Patient Protection and Affordable Care Act, which gives the Secretary the authority to determine what plans can be sold and what benefits must be offered.

The Secretary is even given the authority to limit your choices of doctors. That’s not rhetoric. That’s in section 1311(h) of the Patient Protection and Affordable Care Act. Some States may want to create exchanges that look nothing like the centrally controlled exchanges called for in PPACA. Yet this amendment only wants the Secretary to report on exchanges that the Secretary is charged with creating. Some States may want to create exchanges that actually provide people real choices and that actually let people keep their doctors. Some States may feel that reforms other than exchanges fit their States better.

I also oppose the amendment because it is a conflict of interest to ask the Secretary to report on whether the Secretary believes that unlimited funding and numerous authorities to control the exchanges are a bad or a good thing. I also reject the notion that only an exchange designed and controlled by Washington, D.C., can reduce the number of uninsured.

I reserve the balance of my time.

The CHAIR. The gentleman from Minnesota has 2 minutes remaining.

Mr. ELLISON. Mr. Chair, why all the attacks on the Secretary of Health and Human Services? I believe our Secretary of Health and Human Services is an honorable person, and there is no basis to attack her integrity on the House floor. That again is a disgrace and a very sad occasion. This Secretary of Health and Human Services was appointed by a duly-elected President, and was confirmed by the Senate. Yet the Secretary has to withstand all of these attacks on her integrity.

The fact is that this is still nothing but a diversion and a distraction. This is an attack on the American people’s legislation to fix this health care system. As the gentleman goes on and on about government, look, health insurance companies, which have absolutely no accountability except to their stockholders and their highly paid CEOs, are denying care, denying treatment, denying doctors. This is the tragedy that Americans are living through every single day.

By the way, to the tune of as many as 52 million people, Americans have gone bankrupt, have lost their livelihoods, and have been uninsured. What is the gentleman’s answer to that? We’ve heard nothing about this—only what’s wrong, only blaming government. In this democratic Nation, which I am proud of, he attacks our government, the American people’s government. This again is an abomination and a sad thing.

Let me just say, if the insurance companies love the bill so much, why have they lobbied against it to the tune of \$14 million a day? I remember standing on this House floor, seeing the insurance company lobbyists here every day. They spent as much as \$14 million a day to defeat the Affordable Care Act. This is the bill that, according to the gentleman, they love so much. The fact is that that, again, is not accurate. It’s untrue.

This is a good amendment. It just adds a little bit of sunshine which will help people get into exchanges to get affordable health care insurance policies. As that is stripped away and snatched out of their hands, Americans will at least know why and the impact of it.

I yield back the balance of my time.

The CHAIR. The gentleman from Texas also has 2 minutes remaining.

Mr. BURGESS. Mr. Chairman, I will direct my remarks to you and will try not to make them personal, but I am offended that the previous speaker would say that I am attacking the Secretary of Health and Human Services. Nothing could be further from the truth.

The fact of the matter is, Mr. Chairman, that the Patient Protection and Affordable Care Act that was pushed through this Congress by then-Speaker PELOSI and members of the Democratic Caucus gave the Secretary of Health and Human Services unprecedented power. With regard to every man, woman and child in this country, the most intimate aspects of their lives are now controlled by the Secretary of Health and Human Services. Further, every time in this law where it reads “and the Secretary shall—” and I believe there are almost 2,000 of those phrases—there is a new episode of a Federal rulemaking. There are thousands of pages that go in the Federal Register.

□ 1530

Now, I know most people spend part of their nights reading the Federal Register every evening; but for those who don't, these regulations are coming at you at an alarming rate.

Let's be honest about the insurance companies. The insurance companies love this bill. They get an individual mandate: you've got to buy their product. You have no choice. It is a mandate enforced by the Secretary and, oh, by the way, by the Internal Revenue Service.

Look, this is a bad amendment. Let us defeat this amendment. Support the underlying bill.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Minnesota (Mr. ELLISON).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ELLISON. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Minnesota will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. PALLONE

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-70.

Mr. PALLONE. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:

(c) GAO REPORT ON IMPACTS THAT FUNDING WOULD HAVE ON STATES ESTABLISHING EXCHANGES, IF NOT REPEALED AND RESCINDED.—

(1) STUDY.—The Comptroller General of the United States shall conduct a study to determine the impacts that expenditures by States, using the funding made available under subsection (a) of section 1311 of the Patient Protection and Affordable Care Act (42 U.S.C. 18031), would have in establishing State-run American Health Benefit Exchanges (as described in subsection (b) of such section) that reflect the marketplace of the specific State (as opposed to State exchanges established and operated by the Federal Government), if such funding were not repealed and rescinded under subsections (a) and (b) of this section. In determining such impacts, the Comptroller General shall at a minimum address—

(A) whether employers with over 50 employees are permitted in such Exchanges to purchase insurance over time;

(B) what type financing mechanisms will be used to operate such Exchanges;

(C) whether such Exchanges will be active negotiators in selecting health plans to obtain the best price and quality for citizens;

(D) whether States will operate such Exchanges together with one or more other States; and

(E) whether there will be more than one such Exchange (subsidiary exchanges), each serving a geographically distinct area, in some States.

(2) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the

Congress a report setting forth the results and conclusions of the study under paragraph (1).

The CHAIR. Pursuant to House Resolution 236, the gentleman from New Jersey (Mr. PALLONE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

Mr. PALLONE. I yield myself 3 minutes.

Mr. Chairman, my amendment requires the Comptroller General of the Government Accountability Office to study the impacts of the exchange grants on allowing States to set up State-run exchanges, as opposed to having the Federal Government establish and operate the States' exchanges.

Dr. BURGESS and I have had a colloquy on this back and forth all afternoon, and I know he just mentioned it again. My whole point today has been that if we are going to have exchanges, which I know many of my Republican colleagues would not want to do, but they are not repealing the State exchanges. They are simply saying that they are not going to give them any money to proceed.

I think that is a very shortsighted plan because the fact of the matter is that the State exchanges would work best if they had the flexibility and they had the money so that they could figure out what was the best way to tailor the health care exchange program to their needs in their State. My view is that by denying them that money through the State grants, we are simply letting the Federal Government come in and essentially run the exchange.

My colleague Mr. BURGESS keeps mentioning over and over again, well, the Health and Human Services Secretary is going to do this and is going to do that. Well, if he doesn't like that, then why in the world would he let her do it by saying they are not giving the States the money to do their own thing? I mean, if you believe in States' rights, if you don't want the Health and Human Services Secretary to control the process, then let the States do their thing, and the only way they are going to be able to do that is if they get some money to accomplish that goal.

I mentioned my home State of New Jersey has already received some money through these grants. They are doing demographic surveys. They are trying to find out who the clientele are, what the health concerns are of the clientele so that they can make decisions about what kinds of plans they would have on the exchanges, what they would offer on the exchanges. This is the type of thing that is allowed and encouraged if you have State grants. Without the State grants, that won't be possible.

All I'm saying with my amendment is to let us see what the GAO says

would happen if the Federal Government comes in and runs these exchanges rather than the States. I don't think it is going to be a good thing by comparison, but I would like the GAO to certainly study it.

I would point out, 49 States, the District of Columbia, and four territories have gotten beyond the ideology and have applied for these exchange grants. There is almost nobody on either side of the aisle that doesn't have their State applying for these grants, because the States know that if they are going to set up these exchanges, they might as well have the money so they can have the flexibility to do it the right way. So all you are doing by repealing these grants is pulling the rug out from the States, your own State in almost every case, whether you are a Democrat or a Republican.

I don't want to repeat what Mr. Deal said, now the Governor of Georgia, but my colleague from Texas often mentions the Governor of Utah, and I just wanted to read a quote from the Governor of Utah.

The CHAIR. The time of the gentleman has expired.

Mr. PALLONE. I yield myself an additional 30 seconds, Mr. Chairman.

Governor Herbert of Utah stated at a recent hearing in the Energy and Commerce Committee on March 1—and he was commenting on Governor Barbour, who also appeared before the committee—he said: I am not saying it is the approach. It is an approach. And I would just echo what Governor Barbour said. You know, all States ought to have the opportunities to find the solutions to the problem.

So again, even the Governor of Utah, which Dr. BURGESS has mentioned many times, has said: I may not like the Affordable Care Act; I may not even like exchanges. But if you are going to have exchanges, it certainly makes sense for States to operate them and have the money to do it in a right way.

That is what this bill would stop. That is why we need the GAO report.

Mr. BURGESS. Mr. Chairman, I rise in opposition to the Pallone amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. Mr. Chairman, I yield myself 4 minutes.

The description provided by the author to the Rules Committee states that the amendment "would require the Government Accountability Office to report on benefits of funding in setting up State-run exchanges that reflect the State's marketplace, as opposed to State exchanges established and operated by the Federal Government."

That description sounds appealing enough in its own right; but sort of like the health care reform law of last year, you have to read the amendment to find out what is in it.

The amendment does not ask the Government Accountability Office to examine the benefits of State-run health insurance exchanges. Rather, the amendment asks the GAO to report only the exchanges called for in the Patient Protection Affordable Care Act, whose rules and structure are dominated by Washington rather than States or individuals.

The amendment description speaks to "setting up State-run exchanges that reflect the State's marketplace." However, talk about State flexibility in the Patient Protection and Affordable Care Act is just that: it is merely talk.

I would remind my colleagues about the Golden Rule: He with the gold makes the rules.

So let's once again look at just a few areas where Washington will dictate operation and structures of the exchanges.

For the purposes of comparison, let me use Washington versus Austin, the capital of my State.

So will Washington or Austin choose the essential benefits that must be paid for by the individuals and families? Section 1302 of the Patient Protection Affordable Care Act says that responsibility is Washington's.

Will Washington or Austin control whether health savings accounts and other consumer-driven plans can be offered? Section 1302(d)(2) says Washington wins that round.

What about, will it be Washington or Austin that will select the doctors and other health care professionals that are allowed to provide care in the exchange plans? Well, section 1311(h) gives that authority to Washington, not Austin.

Washington or Austin to decide if your plan's provider network is adequate regardless of whether or not it covers your doctor? Section 1311(c)(1)(B) gives that authority to Washington, DC.

Will it be Washington or Austin to decide whether a plan provides linguistically appropriate and culturally sensitive information? Section 1311(i) gives the nod to Washington.

Will it be Washington or Austin that determines whether a State plan is properly accredited? Well, once again, section 1311(c)(1)(B), Washington wins that round also.

Washington or Austin, who do you think is going to win this one, can decide when individuals can enroll in an exchange plan? Section 1113(c)(1)(I)(6), Washington, DC wins that one.

Washington or Austin, impose certification and decertification plan requirements written by the Department of Health and Human Services? Well, that's hardly fair because HHS is in Washington, and, you guessed it, Washington wins that round.

Washington or Austin, who do you think is going to win this one: judge the adequacy of an exchange Internet

Web site? That's something that the States should be able to decide. After all, who knows the residents of the State better than Austin in the State of Texas? Well, Washington actually wins that round.

How about this one: Washington or Austin, force State government to pay for existing benefit requirements? Well, guess what, Washington, not the State. Washington will be the one making that determination.

□ 1540

Then under section 1321, If the Secretary determines a State has not taken the necessary steps, as determined by the Secretary, to meet all the requirements set forth by the Secretary, then the Secretary will take over the State exchange.

I think, Mr. Chair, you begin to get the impression that this is not State flexibility; this is of and run by Washington, DC.

I reserve the balance of my time.

The CHAIR. The gentleman from New Jersey has 1½ minutes remaining.

Mr. PALLONE. Mr. Chairman, I yield myself such time as I may consume.

My colleague on the other side, I don't understand. You are saying that you want Austin to do it, you want Austin to have the flexibility to frame a program that is done best because you think that Austin and the State are going to do it best. Well, if that is the case, why in the world are you putting this bill on the floor? Because my whole point in this amendment is that, by passing this bill, you are simply abdicating the right of the State to make a decision and to have the flexibility to set up a good program that is tailored to the State. It is the exact opposite of what you are saying you want to do.

If you believe that the Secretary of Health and Human Services in Washington is going to make the wrong decision, I don't think she would, but if you believe that, then you shouldn't be offering this bill, because this bill takes away the flexibility and the power of Austin or the States to make the right decisions. It is totally contrary to the purpose of what you are trying to accomplish. To me, it is mind-boggling.

Now, I think what you are really trying to do, of course, is just say let's forget about the exchanges, let's defund the exchanges, let's get rid of the whole Affordable Care Act. Obviously, that would be very unfortunate because so many more people are going to be covered at a low cost with a good benefit package and all the benefits and the antidiscriminatory practices that have already been in place would be gotten rid of.

I would say again, if you are totally opposed to the bill, that is one thing. But if you feel strongly that the State exchanges should be run by the States, then your legislation today is totally misplaced.

The CHAIR. The time of the gentleman has expired.

ANNOUNCEMENT BY THE CHAIR

The CHAIR. The Chair would remind all Members to address their remarks to the Chair.

The gentleman from Texas has 1 minute remaining.

Mr. BURGESS. I yield myself the balance of my time.

The Patient Protection and Affordable Care Act, as seductive as the title sounds, does not empower the States. In fact, it does just the opposite.

Some States have created or are in the process of creating State exchanges that would not meet the requirements set forth by Washington. For these and other States that don't believe that Washington knows best, I oppose this amendment. I urge my colleagues to oppose the amendment. I urge my colleagues to support the underlying bill. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The amendment was rejected.

AMENDMENT NO. 5 OFFERED BY MR. WELCH

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-70.

Mr. WELCH. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. PRESERVING EXCHANGE GRANTS FOR STATES THAT APPLY FOR EARLY INNOVATOR GRANTS BEFORE 2012, SUBJECT TO AVAILABILITY OF APPROPRIATIONS.

(a) IN GENERAL.—Section 1311(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 18031(a)) is amended—

(1) in paragraph (1)—

(A) by striking "shall be appropriated to the Secretary, out of any moneys in the Treasury not otherwise appropriated" and inserting "is authorized to be appropriated";

(B) by inserting "(not to exceed \$1,900,000,000)" after "an amount"; and

(C) by inserting "that apply for an early innovator grant (as described in the January 20, 2011, Department of Health and Human Services funding opportunity announcement) before December 31, 2011," after "States";

(2) in paragraph (2), by striking "available to each State" inserting "available, subject to the amounts made available by an appropriations Act pursuant to paragraph (1), to each State described in paragraph (1)";

(3) in paragraph (4)(A), by inserting ", subject to the amounts made available by an appropriations Act pursuant to such paragraph," after "under paragraph (1)"; and

(4) in paragraph (5), by striking "provide technical assistance to States" and inserting ", subject to the amounts made available by an appropriations Act pursuant to paragraph (1), provide technical assistance to States described in paragraph (1)".

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds appropriated under such section 1311(a) before the date of the enactment of this Act, the unobligated balance is rescinded.

The CHAIR. Pursuant to House Resolution 236, the gentleman from Vermont (Mr. WELCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Vermont.

Mr. WELCH. Mr. Chairman, this Congress and the last Congress are at odds about health care. It is a fundamental question of fundamental importance to the people of this country.

The last Congress passed the Patient Protection and Affordability Act. The first act of this Congress, of the House of Representatives, was to repeal that act. We have got disagreement about what should be done. The House legislation is pending in the Senate, likely to go nowhere. This legislation before us today is a further effort to unravel the law that was passed by the House, the Senate, and signed by the President last year.

Acknowledging that there is a serious debate within this body about the future direction of health care, this amendment would allow for the State health exchanges, where there have been applications by 13 States for early innovator grants, to go forward. It would exempt from the defunding \$1.9 billion that would be then subject to appropriations up to that amount. It wouldn't guarantee it. It would be subject to appropriations. My preference, quite frankly, was to make that mandatory, as it was in the original bill, but that was not permitted under the rules in order to make this amendment in order.

The advantage to doing this is it does, and I speak to my friend the gentleman from Texas, it allows the local States to be making decisions about how best to design their health care. Just to go through some of the recitation by the gentleman from Texas, the early innovator grants have been awarded to 11 States. Again, it allows them to decide what is the best design of these health exchanges. And these States include what we might call red States and blue States. It is Kansas and Wisconsin. It is Maryland and Massachusetts. It does include Vermont, my State, that has taken on responsibility to try to move forward to design a health care system that is good for business, good for consumers, and good for taxpayers.

So the fundamental question here is: Do you think that States can be a laboratory of experimentation and policy? The States take action. They implement a plan according to the design in Boston if it is Massachusetts, or Hartford if it is Connecticut, or Tulsa if it is Oklahoma, or Montpelier if it is Vermont; and the folks in that State, where they have fundamental responsibility for the citizens of that State, will be making the decision.

This allows us to be partners with the States where they take on this responsibility. They get some help from

the Federal Government to implement these health benefit exchanges, and we are allowed, then, to basically get the benefit of the Federal system where States make decisions and the Federal Government is a partner.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. I yield myself 4 minutes.

My colleagues on the other side of the aisle have argued that these grants encourage flexibility by promoting State control of the exchanges. Yet this argument is based on the premise that States can actually design the right health care plan for their citizens under the Patient Protection and Affordable Care Act. But when you look at the law, you understand that this concept is actually not true.

In reality, the relationship between the States and Washington, the States are the servant, not a partner of Washington under this health care law. The Secretary of Health and Human Services will control what benefits must be bought, must be bought, in an exchange.

A benevolent central planner, and I underscore the word "benevolent," but a benevolent central planner will decide whether you, your doctor, your nurse, your clinic, your hospital can provide care to you through an exchange plan. A regulation writer at the Department of Health and Human Services will decide whether or not your health savings account complies with their rules.

Rather than promote local control, the Patient Protection and Affordable Care Act's exchanges have only the veneer of providing States flexibility, and they certainly rob an individual and they rob families of health care choice, even if they are happy with the coverage that they currently have.

The Welch amendment does not authorize a grant program for States to establish exchanges, that is exchanges written with a lower case E, but, rather, Health Benefit Exchanges, all caps, that are contemplated in the Patient Protection and Affordable Care Act.

Section 1321 of the bill has the title "State Flexibility in Operation and Enforcement of Exchanges," but a reading of that section shows the title could not be anymore misleading. The section is littered with phrases such as "other requirements the Secretary determines appropriate," or words such as "the Secretary determines that an electing State has not taken the actions the Secretary determines necessary."

Section 1311(k), I have referenced that previously, section 1311(k) states that "an exchange may not establish rules that conflict with or prevent the application of regulations issued by the Secretary."

□ 1550

Mr. Chairman, I am encouraged that the supporter of the amendment believes that we should not provide the Secretary with a blank check. However, I oppose this amendment because it perpetuates the idea that the Federal Government should dictate how States establish exchanges.

Last year, we were told we need to read the bill to know what is in it. Today, I ask those here in this body to ignore the rhetoric and actually read the bill. Those who do will clearly see that any suggestion that the Patient Protection and Affordable Care Act provides States flexibility does not hold up to the words in this 2,700-page bill.

I reserve the balance of my time.

Mr. WELCH. How much time do I have remaining?

The CHAIR. The gentleman has 2 minutes remaining.

Mr. WELCH. Thank you.

I want to talk a minute about Social Security. You have access to Social Security whether you live in Texas or you live in Vermont. It's a program that benefits every single citizen of this country. The underlying premise of Social Security is that we're all in it together. We all pay into the benefit program and we all benefit, whether you're rich or whether you're poor. We're all in it together.

Our amendment acknowledges that this is a stronger and better country if all of us have access to affordable health care, whether you live in Texas or you live in Vermont. So, yes, it is true that in the Welch amendment we maintain that national commitment to all Americans being covered and all Americans benefiting by access to health care, which we know they need. But what it also does is say that in the implementation and in the delivery of health care, driving decisions and authority down to the local level will help us be successful. It will allow States to show that maybe they have the better way of achieving this goal of access to health care for every citizen in the country.

So, yes, I say to the gentleman from Texas, we do embrace in my amendment the concept that every American should have access to affordable health care. But what we also do, I say to the gentleman from Texas, is acknowledge that States can experiment; that folks at the local level may have a better way to make decisions and actually to deliver care. And if they design a plan in Texas to do it one way and we design a plan to do it in Vermont another way, why not? Why not let the States figure out how to make good on this promise to America that every one of us can have access to the health care that we need.

I yield back the balance of my time.

The CHAIR. The gentleman from Texas has 2 minutes remaining.

Mr. BURGESS. I thank the chairman.

I would just say, once again, the flexibility does not exist. It's a veneer, it's a falsehood that under this plan the States would maintain flexibility. The Secretary determines whether or not the States are complying. The Secretary determines whether or not the plans are in compliance with what the Secretary thinks is a reasonable plan to be offered. If we want to talk about the ability of people to buy insurance across State lines, that's an argument that we can and should have. I don't know why your side rejected that in the debates over the Patient Protection and Affordable Care Act. The fact of the matter is, they didn't. We are where are. Let's defeat this amendment and support the underlying bill.

I yield back the balance of my time.
The CHAIR. The question is on the amendment offered by the gentleman from Vermont (Mr. WELCH).

The amendment was rejected.

Mr. BURGESS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BURGESS) having assumed the chair, Mr. LATOURETTE, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, had come to no resolution thereon.

REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1214.

□ 1555

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, with Mr. LATOURETTE in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Texas (Mr. BURGESS) and the gentleman from New Jersey (Mr. PALLONE) each will control 30 minutes.

The Chair recognizes the gentleman from Texas.

Mr. BURGESS. Mr. Chairman, I yield myself such time as I may consume.

The Patient Protection and Affordable Care Act included \$105 billion of

directly appropriated mandatory funding of numerous programs and provisions included in the law. For example, section 4101(a) of the Patient Protection and Affordable Care Act provides \$50 million in mandatory spending for construction and expansion of school-based health centers every year, from the inception through 2013, for a total of \$150 million. In our current financial situation, it is not only necessary but it is our responsibility that we examine all of our spending and make all necessary adjustments.

H.R. 1214 is a simple bill aimed at a simple goal—to get some of the spending that the Patient Protection and Affordable Care Act advanced inappropriately. Section 4101(a) of the Patient Protection and Affordable Care Act funds only the construction of school-based health centers. The \$50 million in grants are for construction only and there is an express prohibition on these funds being used to provide health services. No such provision was in the bill passed by the House. You will recall H.R. 3200 was the Health Care Reform Act that the House of Representatives worked through its committees of jurisdiction, on which we held hearings, on which we had debate on the floor of the House, and which passed the House in November of last year. It had no such provision in the House Democrats'-passed bill. Since no such provision was included in the health bill, and if the Senate Democrats considered the school-based health centers important enough to receive mandatory funding, why was the mandatory funding strictly limited to the construction of the buildings? Not one cent is guaranteed to see a child, but automatic checks out of the Treasury to build these centers.

I will point out that section 4101(b) of the Patient Protection and Affordable Care Act created a new discretionary grant program for school-based health centers. But this grant program requires them to use the funding to provide health care services. However, the President's budget did not fund section 4101(b), failing to provide school-based health centers money expressly for the purpose of actually providing the service.

Fundamentally, we might even have some agreement on school-based health centers. I am on record of having supported them in the past, and I believe opening health care points of access is important. I want to do more in this realm. But providing mandatory spending, forced spending to construct facilities without adequate safeguards if they will provide care is irresponsible and it certainly abdicates the pursestring nature of the House of Representatives. We are the people's House. It is our obligation to oversee the money that is spent on behalf of the people of the United States.

Not one guarantee of a doctor, not one cent of payment for an immuniza-

tion, not once ounce of common sense is included in the policy. I will note that this bill does not touch the discretionary program to provide care. I urge my colleagues to support restoring a little fiscal restraint and a little responsible policy to a small part of the law which will destroy the practice of medicine as we know it in the Nation and put the taxpayer on the hook for trillions of dollars in spending.

I reserve the balance of my time.

□ 1600

Mr. PALLONE. I yield myself 3 minutes.

Mr. Chairman, once again I'm listening to my colleague Dr. BURGESS, whom I respect, and he's talking about the common sense being lacking on the Democratic side. After listening to him, I think the rationale and the common sense is lacking on the Republican side.

My colleague from Texas has said over and over again he supports school-based clinics. He even supports Federal funding for school-based clinics. Then what is the possible rationale for posting this bill?

Many of my colleagues on the other side have said today they're opposed to the entire Affordable Care Act. They're opposed to funding the entire Affordable Care Act. Yet somehow today they're taking little pieces of the Affordable Care Act that they even agree with, from my understanding in listening to my colleague from Texas, and still saying we're going to defund them. I defy my colleague to really understand why.

School-based health clinics are a tremendous success story. These programs provide primary care, mental health, dental health services to vulnerable children across the country in every State. Multiple studies have found that these programs are cost-effective investments. They result in lower emergency room usage, hospitalizations, and Medicaid costs. In fact, patients seen at school-based health centers cost Medicaid on average \$30.40 less than comparable non-school-based health center patients.

This is saving the Federal Government money. That's the bottom line. And what we're trying to do here is to basically provide for construction, renovation, and equipment for these centers. Now, in order to get the grant for that, you have to show that you have the funds to operate the center. So when Dr. BURGESS says, why are you paying for construction, why are you paying for renovation, but you're not paying or you're not providing for operations? Every one of these has to show that they have the money to do the operations before they get the money for construction. What does construction and renovation mean? It means jobs.

I repeat again, when I was home for the last 2 weeks, all I heard from my

constituents is, When are you going to improve the economy more? When are you going to create more jobs? This is a program that creates jobs, helps kids, provides for their well-being and their health, and it's all preventative. These projects have to be shovel ready in order to be funded. So we're talking about money that's going to be immediately spent to put these centers together and to renovate them.

I keep hearing my colleagues say repeal and replace. That's the mantra with the health care bill: We want to repeal it and replace it. But I never hear anything about replace. All I hear about is repeal, and in this case repealing a program that is a proven success.

It makes absolutely no sense to pass this bill. I hear my colleagues on the other side say over and over again they're for these clinics, they're for these centers. Then why in the world do you bring this bill to the floor?

I urge my colleagues to oppose this legislation.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I yield myself 1 minute.

This mandatory spending was not in H.R. 3200, the House-passed health care reform bill. Make no mistake, I voted against 3200 just as I voted against 3590. But, nevertheless, the bill that subcommittee Chairman PALLONE last Congress brought through did not have mandatory spending for school-based health centers in his bill.

Some of us get up today and act as if mandatory spending for this program is imperative, that it's the only way to go, that we can't provide care if we don't have mandatory spending for building the exam room. But, again, I remind my colleagues on the other side that simply an exam room with an exam table, a thermometer and a sphygmomanometer does not provide 1 ounce of care to a child. It does not save any money in an emergency room visit. It is simply an exam room sitting unutilized because the President of the United States said, I'm going to zero out the discretionary funding for staffing these clinics. That's why this makes no sense.

I urge, again, support for the underlying bill. It is important to bring this back into the authorization process so our appropriate committees can have the oversight over the expenditure of these funds.

I reserve the balance of my time.

Mr. PALLONE. I yield myself such time as I may consume.

Mr. Chairman, again, Dr. BURGESS talks about how we're spending money on construction, renovation, but we don't provide mandatory spending for operations. As I said, in order to get the grant under the Affordable Care Act for construction of a school-based health center, you have to show that you have the money to operate.

So what does that mean? That means that we are using some Federal dollars

to attract either State or in many cases private dollars to set up these centers. What is wrong with that? They are guaranteed that once the money is spent on construction and creating the jobs that come from the construction or renovation that the money is available to operate the centers. There's nothing wrong with that. It's actually a good thing. It promotes a Federal-State cooperation, and it brings in some private dollars as well.

The other thing I would point out is my colleague from Texas keeps talking about mandatory appropriations. The fact of the matter is that health care initiatives over the years, Democrat and Republican, have provided some mandatory, some discretionary. The same thing we're doing here. The fact of the matter is that Medicare, Medicaid, and a lot of other Federal health programs pay for health care services with mandatory expenditures. And a lot of that is for acute care, acute illness, injury, or chronic diseases. Now, there's no similar approach when it comes to promoting wellness, preventing disease, and protecting against health emergencies. So here for the first time now we're going to have a combination of some mandatory and some discretionary spending for a preventative program, a clinic, a center for kids in their schools that actually helps and prevents them from going to a hospital, to an emergency room, to be institutionalized. So I just think this is false, this notion of mandatory versus discretionary.

The bottom line is if you care about school-based centers and you want to have them, then I think you should oppose this bill because the legislation that this bill is seeking to kill, the Affordable Care Act, for the first time provides funding to put up a lot of these school-based centers. And this is what we need as a preventative measure to prevent these kids from having more serious problems, going to the emergency room. Let's give them primary care up front so they can stay well.

I reserve the balance of my time.

Mr. BURGESS. I yield myself 1 minute.

Mr. Chairman, this language was put in the Senate's health care bill when the Senate was giving out favors, and there really was no rhyme or reason to put this program in as a program under mandatory funding.

Congress has traditionally provided funds to health centers, including school-based health centers, to provide for care, not for construction. To do it the other way around would lead to situations where a center is built but no care is delivered. Both policy choices require local funds to be spent, but only the policy for paying for services, not construction, guarantees that money won't be wasted or, worse yet, never used to deliver 1 ounce of care.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. COURTNEY).

Mr. COURTNEY. Mr. Chairman, I rise again in opposition to this bill.

I do so with somewhat of a personal angle on this. My wife, Audrey, is a pediatric nurse practitioner. At one time she worked in a school-based health center. She doesn't today, presently. But I certainly, through her, have gotten a chance to be exposed to the benefit of school-based health centers.

There is no more efficient delivery system. It makes sure that kids get good, high-quality care at school, gets them back on their feet, back in class where they belong, rather than going to emergency rooms and spending hours waiting for care or being sent home many times in an unsupervised situation out of class. Again, the beauty of a school-based health clinic is that it obviously is in a setting where children are located. Again, the turnaround in terms of making sure that they're back doing what's good for them and good for their future is just smart investment.

I would also just give a small example in my district. I represent southeastern Connecticut. We're the proud location of the Groton sub base, the oldest sub base in America, 8,000 sailors, a lot of families with kids who are located at the base. And at Fitch High School in Groton, there's a school-based health center, which is the primary caregiver for many military families' children. Again, these are kids who move around the country. Oftentimes their care is disrupted from one place to the other. Having a school-based center ensures that these kids are going to have access to health care, that they're going to have their check-ups to make sure that they can enter school, that they can enter school athletic programs. Again, in many instances for these military families, it is the primary health caregiver.

□ 1610

Two hundred twenty-seven families—I checked this morning with the center in Groton—get their care through the center. This program is going to be used to ensure that Fitch High School's footprint in terms of the school building will be expanded. It will be an investment in information technology.

The Acting CHAIR (Mr. YODER). The time of the gentleman has expired.

Mr. PALLONE. I yield the gentleman an additional 30 seconds.

Mr. COURTNEY. They will invest in information technology to, again, make sure that this terrific, efficient, cost-effective, high-quality program is, in fact, going to be there for, again, families who were serving in Libya, in the Mediterranean. Their parents were part of the USS *Providence*, the *Florida*,

the *Scranton*, which were part of the initial attack in Libya.

Again, this is a program which works not only for those kids, for the community, but also for our Nation; and I would, again, respectfully rise in opposition to this measure which, again, I think really heads us in the wrong direction in terms of high-quality care for America's kids.

Mr. BURGESS. I yield myself such time as I may consume.

And nothing in the bill under consideration, H.R. 1214, would change anything about what was just relayed to us about the school-based clinics in the gentleman's district.

Can I just point out, again, that the discussion that we're having today revolves around the use of advance appropriations in the Patient Protection and Affordable Care Act, thereby making that spending mandatory.

Now, just a brief civics lesson. Medicare is mandatory spending. We have no discretion on that. We must fund Medicare to the extent of the number of dollars that are going to be drawn on the Federal Treasury. Same for Medicaid. We have other health care programs that are, in fact, discretionary. Our veterans, who I'm sure the gentleman would argue are no less worthy, are funded under a discretionary program.

The difference between a mandatory and a discretionary program is that the authorizing committee, in this case the Committee on Energy and Commerce of which I am a member, of which the gentleman from New Jersey is a member, the authorizing committee sits down and decides whether or not the spending is useful. If it is, we authorize the expenditure. We send it over to the appropriations committee who, if they agree, writes a check for the amount of money that we have authorized and not one bit more.

But the key here is it goes through a regular order process; and one of the things, I don't know about the gentleman from New Jersey, but what I heard when I went home is the Federal spending is out of control; you've got to get a handle on Federal spending. Well, here's a point where we can get a handle on some Federal spending. It should never have been an advance appropriation in the Patient Protection and Affordable Care Act.

I don't know whether that was carelessness or Machiavellian, but it doesn't matter. It's got to be fixed. The American people want us to fix that. That was one of the reasons they voted en masse against the Patient Protection and Affordable Care Act November 2, 2010. That is one of the reasons that the gentleman is sitting in the Speaker's chair today is the public revulsion to how last Congress conducted its business.

We have a chance now to reclaim a little of our honor, a little of our integ-

rity. Let's bring that funding back into the authorization realm in which it belonged and not simply pass it off to the administration. It's mandatory funding. It has to be done. Whether or not the administration is going to fund a doctor or nurse to work in that clinic, you've got an exam bed, you've got a thermometer, you've got a sphygmomanometer, but you don't have one ounce of care delivered to the people who actually need it. Therefore, you are not saving money. You are only spending money. The American people have asked us to be wiser stewards with their cash.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS) who is probably the most knowledgeable person in this House on this subject of school-based care.

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in very strong opposition to H.R. 1214. As a school nurse who worked in our schools for very many years, it's been 100 days now of Republican rule, and we have not seen a jobs bill yet. Unlike previous efforts that just ignore job creation all together, today's debate is on a bill that will flat out hurt our economy and will keep people out of the workforce.

You know, there are children in each of our States who will, if this bill passes, be deprived of having access to quality health care when they need it most. School-based health centers provide comprehensive and easily accessible preventive and primary health care services for millions of our students nationwide. Services that keep students healthy, in school, and learning almost always these are children who have no other source of care.

And the need is clear: 350 centers from 46 States including many in my Republican colleagues' districts have already applied for these funds. They've taken the time and the resources to compile their applications. They are excited. They are expecting to hear in just a few weeks if their projects can move forward. To pull the rug out from under them now is simply a disgrace.

The centers have long garnered bipartisan support, worked with many of my Republican colleagues on their behalf; and, yes, the majority is now using this as a political football in their obsession to repeal the Affordable Care Act. This is a true disservice to our children and also to our communities.

No matter what my colleagues on the other side of the aisle say, today's vote isn't about types of funding or process. We don't need a civics class about it. H.R. 1214 is just another attempt by them to dismantle the Affordable Care Act.

I encourage my colleagues to stop taking health care away from children to fulfill their political promises.

Vote "no" on this misguided bill.

Mr. BURGESS. I yield myself such time as I may consume.

Mr. Chairman, here is the simple truth. What takes health care away from children is sending checks to localities for land acquisition when you've got no intention of staffing the clinic that is going to be built.

Let me just remind people what the argument is about, and I will stipulate that we are not talking about a vast sum of money here like we were in the previous bill. But every instance of advance appropriation in the Patient Protection and Affordable Care Act represents an opportunity for this Congress to reclaim some of its function as the people's House in being in control of Federal spending.

But here's what the argument is about. Section 4101(a) of the Patient Protection and Affordable Care Act under subtitle B, increasing access to clinical preventive services, paragraph 5 of 4101(a), appropriations: out of any funds in the Treasury, not otherwise appropriated, there is appropriated for each of the fiscal years 2010 through 2013 \$50 million for the purpose of carrying out this subsection. Funds appropriated under this paragraph shall remain available until expended. No funds provided under a grant awarded in this section shall be used for expenditures for personnel or to provide health services.

It could not be clearer. Now, nothing in the bill that we have under consideration today actually does anything to the provision of services because, after all, those are under an authorization. Section 4101(b), authorization of appropriations: for purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for each of the fiscal years 2010 through 2014.

But the operative words here—"there are authorized to be appropriated"—not that there are appropriated from the Treasury. It's okay for us to authorize that appropriation. Our committee is an authorizing committee. We are not an appropriating committee.

Mr. Chairman, I understand the difference between an authorizing committee and an appropriating committee. I take an annual field trip to the National Institutes of Health. At the National Institutes of Health you see all these beautiful buildings. They are all built, and they're named after very famous men who served in the United States Congress. Every one of those men is an appropriator. There is no building named after an authorizer.

Still, the work we do is important—I submit it is vital—to the American people that we do our work to evaluate

whether or not the expenditures are indeed in the best interest of the American people; and, further, if we're really doing our job, we'll come back and do oversight over those authorizations to make sure those funds are expended in the manner in which they were intended. That's the way you guarantee that that care gets to the child that will ultimately save money to keep the child out of the emergency room, not just by sending checks to localities to purchase land.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, can I inquire of the time on both sides?

The Acting CHAIR. The gentleman from New Jersey has 20 minutes remaining. The gentleman from Texas has 18½ minutes remaining.

Mr. PALLONE. I yield 2 minutes to our distinguished ranking member emeritus, the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. I thank my friend.

I rise today in vigorous opposition to H.R. 1214. This bill is not only going to cut access to health care for American children, but it's going to kill jobs in the construction industry and construction projects around the country. More than 1,900 school-based health centers across the country provide access for health care services to over 2 million people right now. For the first time, the Affordable Care Act authorized these centers and also offered a dedicated source of funding for construction, renovation, and equipment.

□ 1620

Three hundred fifty applicants, many of whom are currently running centers at this time, in 46 States and the District of Columbia have applied for the first round of competitive grants, including the Young Adults Health Center located in my 15th District of Michigan. These grants will be used to enhance the capabilities of these centers and will jump-start shovel-ready projects that will create immediate construction jobs and allow for the purchase of necessary supplies and equipment, boosting local businesses, but providing health care for our kids. Until more operating funds are available—and I would hope my colleagues on the other side will support such funding—we need to ensure that at least the facilities that are ready to apply for this kind of grant will be able to do so in order to better serve our children and the communities.

I think that this would be an extremely unwise bill. It's a part of an announced plan by my Republican colleagues to first of all attack the whole of the health care reform bill over the last Congress and then to attack it piece by piece. What they seek to do here today is just a part of another step towards the gutting of the health care bill which will make things better for our people and which is paid for,

which is not going to add to the deficit but which, in fact, is going to save better than \$140 billion this 10 years and in the next 10 years \$1.4 trillion.

This is penny wise and pound foolish. Reject the bill.

Mr. BURGESS. Mr. Chairman, let me respond to something that was just said by the chairman emeritus of the Democratic side of the Committee on Energy and Commerce. Of course I have all respect for the chairman emeritus and certainly treasure every day that I served under his direction as chairman in two Congresses.

But the statement that I cannot let stand is that the Patient Protection and Affordable Care Act saves anyone in any universe, in any dimension, any money at all. This was refuted by the chief actuary for the Centers for Medicare & Medicaid Services less than a month after the President signed the Patient Protection and Affordable Care Act. I do not know why we have to continue to hear this fairy tale about \$142 billion being saved under PPACA.

At this point, I would like to yield 2 minutes to the gentleman from Louisiana, Dr. FLEMING.

Mr. FLEMING. I thank the gentleman.

I appreciate Dr. BURGESS allowing me to speak on this specific bill, but let's just talk about the elephant that's in the room here this afternoon, and that is the so-called Affordability Act, the so-called Patients Affordability Act, PPACA. We call it ObamaCare affectionately.

Folks, we've got a bill here which is now law that is, at best, questionably constitutional. We have a bill that is going to add another trillion dollars, ultimately, to our deficit. It's full of smoke and mirrors. We have got \$500 billion that's going to be taken out of Medicare and then put on both Medicare extension and then on subsidy of the private health plans. Even if we ever saved that \$500 billion, this whole law has questionable financing. And then today we're talking about construction money that may or may not exist.

So, Mr. Chair, I just have to say, as a physician with 30 years of practice, I was here during the health care debate of 2009 where this body has come up with and the President has signed into law something that is really a disgrace. The American people are not behind it. PPACA is, in some surveys, opposed by the American public two to one. It is a complete government takeover of our health care system.

Just the other day, I got questioned from my constituents, physicians, who asked me: What about this IPAB? What is that? What is this board? And I had to explain to them that now when you are not sure how much you are going to be reimbursed for the health care that you provide, you can at least go to Congress and petition Congress.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BURGESS. I yield the gentleman an additional 30 seconds.

Mr. FLEMING. But under ObamaCare, we now have IPAB, which is a special board of unelected, unaccountable, unnamed bureaucrats that serve at the pleasure of the President who will then decide these things, creating a nonmarket responsive health care body out there that will then—we'll see much worse shortages than what we have today.

I stand in support of Congressman BURGESS and his bill and certainly, ultimately, the repeal of ObamaCare.

Mr. PALLONE. I yield 2 minutes to the gentleman from California (Mr. WAXMAN), the distinguished ranking member of the full committee.

Mr. WAXMAN. Thank you very much for yielding to me.

I rise in strong opposition to H.R. 1214, and I urge my colleagues to join me in voting against this very shortsighted and misguided piece of legislation. This bill, of course, is part of a broader Republican strategy to tear down the new health reform law piece by piece. I will also note that they want to tear down the existing health care laws of Medicare and Medicaid in their budget.

Well, I think that's all very disturbing. But what's especially troublesome is that our colleagues on the other side of the aisle are now going after programs where we all agree, Democrats and Republicans agree, that actually work, that actually do a good job and make a difference.

Numerous studies have shown that school-based health centers are enormously successful in helping to improve students' access to care, promote healthy behaviors among children and adolescents, improve students' academic performance, decrease school absenteeism, and reduce health care expenditures. With a report card like that, why wouldn't we want to build or renovate more of these centers?

We should not end the school-based center construction and renovation program before it even has a chance to make its mark. I urge a "no" vote on H.R. 1214.

Mr. BURGESS. Mr. Chairman, I would just point out to the gentleman how shortsighted and misguided that is, that this language was put in by the Senate when they were giving out favors. Sending checks to localities without guaranteeing the actual coverage, without guaranteeing the actual doctor or nurse be there, does not do anything as far as furthering care.

I would now yield 2 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Texas for yielding time.

Mr. Chair, the American people know that we are borrowing 43 cents for

every dollar we spend these days. We do not need to be giving grants of dollars that we have collected from hard-working taxpayers to local entities to build or renovate school-based health centers. This is not a core function of the Federal Government. It is not a core function of our taxpayers. We do not need to be spending this money like the minority wanted to spend it when they were in the majority.

It is also very duplicative, Mr. Chair. Between the stimulus bill and what we affectionately call ObamaCare, \$3 billion in funds have been made available to Health Resources and Services Administration at the Department of HHS for facility improvements at community health centers. Providing an additional \$50 million a year for construction is duplicative and unwarranted.

This bill deserves the support of every Member here. We are soon going to have to have a vote to raise our debt limit. People say over and over again on both sides of the aisle, We have to cut spending. We have to cut spending. What better place to start than in these funds that are going out for a function that is not appropriate for the Federal Government to be involved in so that we don't have to continue to borrow 43 cents for every dollar that we spend. So I think we should cut out duplicative programs.

This bill definitely needs to pass, and I give it my full support.

□ 1630

Mr. PALLONE. I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Mr. Chairman, here we go again, this time attacking a provision in the Affordable Care Act that would help to reach children and especially teens who otherwise might not have access to important health care services.

And so, Mr. Chairman, today I join my Democratic colleagues to speak on behalf of our children and against H.R. 1214. Our future depends on the development of healthy, well-educated children. Unfortunately, often our children miss school, or sit in class too distracted to pay attention because of preventable and treatable health conditions that, if caught early and treated as these school-based health centers would do, would enable them to better learn and to reach higher levels of achievement.

I've heard a lot of talk about protecting our children from future debt, something all of us are working to prevent. But if we really care about our children, why are we now considering this legislation that will harm them, not in the future, but today?

Eliminating funding for school-based health centers would not just prevent a building from being built, but would eliminate the creation of the only med-

ical home that many underserved students know and which creates access to needed mental, physical and dental care, centers that provide services that many students cannot or would not access anywhere else. And these services provide a support to the teachers so that they can focus on teaching these students.

Taking away this funding for school-based health centers, as H.R. 1214 would do, would be a step in the wrong direction, not just for the health and well-being of our children, but for our country's ability to win the future.

Before I close, I want to just say that we did not pass any bill that is unaffectionately known as ObamaCare. The Affordable Care Act is about your, the American people's, care; and this provision is about our children's care.

I urge my colleagues to vote for our children and vote "no" on H.R. 1214.

Mr. BURGESS. Mr. Chairman, I yield 3 minutes to the chairman emeritus of the full Committee of Energy and Commerce, the gentleman from Texas (Mr. BARTON).

Mr. BARTON of Texas. Mr. Chairman, I want to read the section of the law that we're trying to repeal today. It says, subparagraph 5: Appropriations. Out of any funds in the Treasury not otherwise appropriated, there is to be appropriated for each fiscal year 2010 through 2013, \$50 million for the purpose of carrying out this subsection. Funds appropriated under this paragraph shall remain available until expended.

And then in this subsection: Definitions. "School-based health center" and "sponsoring facility" have the meanings given those terms under such and such and such and such.

We're trying to repeal \$50 million a year for 4 fiscal years, 2010, '11, '12 and '13, for these school-based health clinics. I support school-based health clinics. Dr. BURGESS supports school-based health clinics. We both represent parts of Tarrant County. The public hospital in Tarrant County, Texas, is John Peter Smith. There are a number—I don't know the exact number, but I believe in the neighborhood of a dozen school-based health clinics in his district, in my district, Congresswoman GRANGER's district, Congressman MARCHANT's district. We support those health clinics. But we believe that the State and county should provide the facility, and the Federal Government should provide the funds to staff it. We don't believe, when we have a \$1.5 trillion budget deficit each year, that we need to be spending another \$50 million or \$200 million over 4 years to actually provide the facility, to provide construction. So it's not an opposition to the health clinic itself, school-based. I've gone to openings; I support them. I think they do excellent work.

But until we get our budget balanced, Mr. Chairman, I think it's prudent to

not require the Federal Government to not only fund the operation and the staffing, but also fund the construction and the facility itself. So this is a case where we're specifically repealing a specific appropriation, in this case \$50 million a year for the years 2010 through 2013, the fiscal years. And I think that is something that, with a \$1.5 trillion budget deficit, is a prudent thing to do.

So I rise in strong support of the bill and, at the appropriate time, would urge a "yes" vote.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Chairman, as my friends from Texas well know, the potential recipients of this money have already shown that they have the operations and maintenance money available, but they can't establish a school-based health clinic without this funding.

The other thing that I'm sure they are well aware of, is that the need is many times more than the money that is being made available.

25 years ago, when I set up a school-based health clinic across the river in Alexandria, Virginia, people said that it's not needed and we can't afford it. But we now have 25 years' experience throughout the country, and we've found just the opposite. It's absolutely needed, and we can't afford not to have school-based health clinics.

Adolescents have to have accessible, affordable health care. Otherwise, they don't go to hospitals or doctors until it's too late. In fact, we have more than 1,000 students who use our Alexandria school-based clinic. And we're told by the nurses, 80 to 90 percent of them would have to be going to the emergency room if that clinic were not available, at far greater cost.

This saves money, but it also saves lives. Like the young woman who convinced her friend whose leg kept bothering her to have the leg checked, since the clinic was so close. Turned out she had bone cancer. It would have gotten through her whole body. She wouldn't have gone to a doctor. She would have put it aside. That's what adolescents do. That's what we did when we were adolescents.

They go in for the flu. While they're in for the flu, they get checked for sexually transmitted infections. They oftentimes get their physicals. There are hundreds of students, well, actually around the country there are hundreds of thousands who don't have the opportunity to play athletics because they have to have a physical fitness exam, and it's 75 bucks normally to go to a doctor to have a physical exam. They don't get it. But they can afford to go to a school-based health clinic where they get the exam free and then they can fully participate.

A lot of children tell the doctors and nurses in these school clinics things

that they couldn't tell their parents. We're saving lives with this. We're saving money. We're preventing diseases from spreading. We're doing the right thing by the American people, particularly adolescents. They need accessible and affordable health care. This provides it. Let's defeat this amendment.

Mr. BURGESS. Mr. Chairman, I yield 1 minute to the gentleman from Georgia (Mr. GRAVES).

Mr. GRAVES of Georgia. Mr. Chairman, I guess I'd start off by saying only in Washington can spending money lead to saving money. That's what we just heard. But that's not the case.

I think about what the impact that ObamaCare is having on the State of Georgia. This year alone hundreds of millions of dollars it's cost the taxpayers of Georgia, projected to be over \$1 billion here in subsequent years.

While I support full repeal of the program, I've already demonstrated that through my votes, this is specifically getting rid of a slush fund that's in place eliminating funding for the construction of facilities in local communities.

I'm sure this is a laudable program in many areas, and there's probably a lot of laudable programs that folks want to fund. But the fact is we just can't do it. We don't have the resources to do it anymore.

Number one, we need to find out what is the true role and function of this Federal Government. I do not believe this is it. We should allow the States and empower the States who are best equipped to handle the needs of the local community.

So I certainly support this measure and urge my colleagues to vote "yes" on H.R. 1214, and let's move on to repealing the full measure of ObamaCare.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank my friend for yielding to me.

You know, give me a break. I hear speaker after speaker on the Republican side saying we don't have the resources to do these things. It seems that we always have the resources to give tax breaks for the rich. We don't worry so much about the budget deficit when it comes to protecting our rich friends.

The Republicans, 2 weeks ago, spent time passing bills putting Medicare and Medicaid in jeopardy, and now they would deny these community health centers.

□ 1640

The majority doesn't bring bills to help create jobs in this country. So, once again, here we are—God knows how many times—with a bill that's trying to kill the Affordable Health Care Act. Again, it's political theater. It's not going to pass the Senate. The

President would veto it. Let's put our heads together and do something constructive instead of saying "no" to health care.

The value of school-based health centers is well-known. There are 1,900 in the country. They provide access to high-quality, comprehensive medical care to nearly 2 million children and adolescents. Services are provided regardless of a student's ability to pay, and are provided right where they are at school. In my district, these are very important. Even the high school from which I graduated has a wonderful center. It's the kind of program that we should be promoting and replicating; but instead, we are considering a bill that would repeal the funding for the construction of these centers.

The agency monitoring it is concerned about the sustainability of the health center. The Health Resources and Services Administration, or HRSA, is thinking of the sustained success of these programs, and it will only support those school-based health centers that are going to have long-term success.

So, Mr. Chairman, let's be honest. Today's debate is not on the sustainability of these centers or on mandatory spending. Today's theatrics are simply one more attempt by the Republicans to undermine the Affordable Health Care Act. We are wasting time in doing this again and again, and we should stop. The Affordable Health Care Act makes health care affordable for the middle class, and it helps prevent the steady rise in health costs that has led to much of our budgetary woes over the years.

I am for quality health care. We should vote "no" on H.R. 1214.

Mr. BURGESS. I would agree that it is going to be an uphill battle in the Senate, but I believe we can be successful. I would just point out to the gentleman that the President has not issued a veto threat against this legislation.

At this point, I yield 2 minutes to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman, and wanted to speak in support of H.R. 1214 for three reasons.

Number one, we have got to remember that we are now in our third year of a \$1.6 trillion deficit. That's right. The Obama administration has now put us in our third year of a deficit of \$1.6 trillion. For every dollar we spend, 40 cents is borrowed.

At what point will that mean anything to our Democrat colleagues? I don't understand it. At what point will it mean anything to the administration? Do you really believe you can defy gravity over and over again and expect that it's not going to come back to haunt you? I don't understand it. I'm baffled by this.

So, number one, we've got to impact the deficit as we've got to consider future generations.

Number two is duplication. The stimulus bill and ObamaCare had \$3 billion that went to the Health Resources and Services Administration at the Department of Health and Human Services for improvements in community health centers that many of the school-based health care clinics are eligible for. This is strictly a duplication of \$50 million on top of \$3 billion.

Number three, as an appropriator, I believe we have to be very careful about advanced appropriations. This goes to the year 2014. If it is so good, as we have heard—and certainly there is a level at which you can argue the effectiveness of this—why not let them get in line as soldiers have to? as educators have to? as hospitals have to? as researchers have to? As everybody else who gets Federal Government money, let them get in line each and every year, and let them justify their budgets. Then Congress, in weighing it out, will say, Okay. Let's fund it again this year.

But what the Democrats are asking us to do is to obligate future Congresses on money to the year 2014 and to put it on automatic pilot. That's not fair. That's not right. In these budgetary times—again, when we are borrowing 40 cents for every dollar we spend—we do not need to be advance appropriating anything or any entity.

The Acting CHAIR. The time of the gentleman has expired.

Mr. BURGESS. I yield the gentleman an additional 30 seconds.

Mr. KINGSTON. The point is, if it's a good program, then certainly they can justify their budgets each and every year just like the soldiers have to and just like everybody else has to. For those three reasons, I strongly support H.R. 1214.

Mr. PALLONE. Mr. Chairman, I yield myself 30 seconds.

I have listened to my colleague from Georgia (Mr. KINGSTON), and I can't believe he is blaming the deficit on President Obama. We had 8 years and two wars under Bush, all of the giveaways to millionaires and the special interests, and now, all of a sudden, it's Obama who is responsible for the deficit. We are talking about \$50 million a year for probably some of the best schools you could ever imagine with these school-based clinics, and the gentleman is talking about the deficit.

I yield 2 minutes to the gentleman from California (Mr. MILLER).

Mr. GEORGE MILLER of California. Mr. Chairman, I rise in opposition to H.R. 1214 and its impact on our Nation's schoolchildren.

School-based health centers have enjoyed wide bipartisan support because they ensure students are healthy. Healthy students are ready to learn, and in these centers, children can get health services when they need them. Children can't learn when they're chronically sick, when they have a

toothache, when they suffer from other dental diseases or when they suffer from chronic health problems. For too many children, a school-based health center may be the only opportunity to receive needed care. This is particularly the case with oral health. Tooth decay is the most common disease among schoolchildren, and 80 percent of the time this disease occurs in children who have problems accessing care. That's why school-based health programs are so important, and that's why the American Dental Association is a strong supporter of this program.

States also believe that these centers are critically needed. Indiana's Republican Superintendent of Public Instruction recently testified before the Education and the Workforce Committee that districts are prioritizing school-based health centers because "they have made a difference in the lives of those children." Schools in Indiana are not alone in realizing the need and value of school-based health centers.

In my district, West Contra Costa Unified has two operational school-based health centers and four in development. The legislation before us today could essentially halt the development of these health centers by repealing the critical construction and renovation funding made available by the Affordable Health Care Act. This funding is critically important to these schools so that they can provide these centers. The Federal Government shouldn't randomly yank the support for school-based health centers. It should be letting the school districts make the decisions based upon their identified needs.

This bill is nothing more than a continuation of the attack against the beneficiaries of the Affordable Health Care Act. Whether the beneficiaries are senior citizens or whether they're young children, we ought not to support this legislation.

Mr. BURGESS. Mr. Chairman, may I inquire as to the amount of time that is left?

The Acting CHAIR. The gentleman from Texas has 6½ minutes remaining. The gentleman from New Jersey has 8 minutes remaining.

Mr. BURGESS. I yield 30 seconds to the gentleman from Georgia (Mr. KINGSTON).

Mr. KINGSTON. I thank the gentleman for yielding.

I want to respond to my friend from New Jersey. This is very important. If we added up the Bush deficits in those years, certainly the Bush administration overspent. There is absolutely no question about it that the Republican Party overspent. Yet not to be outdone, in 1 year, the Obama administration ran up the deficit numbers higher than the Bush folks did in 8 years. It's outrageous. The year that the Democrats won the majority, the Bush deficit was \$160 billion. I agree that it was

way too high. But what did they do? \$1.6 trillion. That's a lot of money, and that's all the more reason that we need to eliminate duplicative spending, which is what this is.

Support H.R. 1214.

Mr. PALLONE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Mr. Chairman, this bill will not create one job or help one American family cope with high gas or grocery prices, but I'll tell you what it will do. It will make it more difficult for over 1 million children to see a doctor or a nurse.

In December, Central Elementary School in San Diego opened a school-based clinic to give access to 860 children; 25 percent of those children are uninsured. Now Central students will get care when they need it, and they won't have to miss school for an appointment.

"This clinic is a dream come true," said Central's principal, Cindy Marten.

Any principal knows that unaddressed health or mental health problems are enormous obstacles to student learning and student attendance. Many children have ongoing health problems, such as diabetes, causing chronic absenteeism, and they are health problems that you can treat right at a school clinic; and every child will need care for colds, the flu, strep throat, ear infections, and other illnesses that can spread through an entire classroom. My colleagues clearly didn't consult too many school principals while writing this misguided bill.

Please vote against taking health clinics away from kids.

□ 1650

Mr. BURGESS. Mr. Chairman, I yield myself 1 minute.

The Federal deficit is now the biggest concern of business economists and, indeed, the American people at large. Job creators are sitting on the sidelines while Washington continues to spend more money that it doesn't have.

Despite the sobering facts, my colleagues on the other side of the dais in the Energy and Commerce Committee have not proposed a single cut, not one single spending cut under our committee's jurisdiction.

Now, sure I can be criticized today for only trying to save, what, \$200 million? I don't know about New Jersey, but in my district back in Texas, \$200 million is still real money.

When challenged at last week's subcommittee markup, all Mr. WAXMAN could come up with were tax increases and cuts to the farm program. We can and should do more to get our spending under control. Our committee, the Committee on Energy and Commerce, has an obligation to be front and center in that fight.

I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, I yield myself 30 seconds.

From the very beginning today, Dr. BURGESS, I have said, and many of us have said, the Affordable Care Act saves money and that school-based centers save money. The CBO estimates over \$1 trillion in savings from the Affordable Care Act; \$30.40 less than Medicaid costs for a kid that goes to a school-based clinic. By repealing this funding for school-based clinics, you are going to cost the Federal Government more money.

So don't talk to us about the deficit. We save money with our legislation, and you are spending more money by proposing this bill.

I yield 2 minutes now to my colleague from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. I thank my friend for yielding.

There are nearly 15 million unemployed people in America, and I think most of them and those who are employed would tell us that what they want the Congress to be doing is finding ways to work together so that businesses and entrepreneurs can create jobs for the American people.

Here we are again arguing about the health care bill or another piece of it. And this legislation has behind it the novel idea that if children get immunizations and well visits and get to see a nurse or a doctor when they are not feeling well, that somehow is not a wise use of the public's money.

Now, let's put aside for the moment the idea of whether it is right or wrong to deny health care coverage for children in school—I think it is very wrong—and let's look at the balance sheet. Which is more expensive: a child who is hospitalized with pneumonia or 25 or 30 children who get a checkup? Which is more expensive: the outbreak of a flu that affects the entire school or the entire town or the early diagnosis and treatment with antibiotics of a kid with the flu?

Common sense says that primary care for children saves money for everyone. Common sense says that children without insurance can most easily be reached in the school where, hopefully, they already are. Voluntary participation by children in a school with their parents' consent makes perfect sense.

This legislation makes no sense to consider it now; it makes even less sense to pass it. I would urge a "no" vote on this legislation and urge the House to get back to the business of working together to help entrepreneurs create jobs for the American people.

Mr. BURGESS. I yield myself 30 seconds.

Again, let me remind people what we are talking about today. We are talking about taking away advance appropriations in the Patient Protection and Affordable Care Act for construction

purposes—not for running the darned clinic but for construction purposes.

An eligible entity shall use funds provided under a grant ordered under this subsection only for expenditures for facilities. No funds provided under a grant ordered in this section shall be used for expenditures for personnel or to provide for health services.

I yield 1 minute to the gentleman from Indiana, Dr. BUCSHON.

Mr. BUCSHON. Mr. Chairman, I rise today in support of H.R. 1214.

This is just another section of the ObamaCare bill, which, of course, I proposed and promoted the repeal of the entire bill.

This is another slush fund of mandatory spending in the bill, \$200 million, with no congressional oversight over the next 4 years; where the Secretary of Health and Human Services can grant construction and renovation for school-based health centers, again, at their own discretion.

Again, as was just stated, none of this money can go to actually providing health care.

It is deceptive to say that this section of the ObamaCare bill is to promote health for our students and others at schools. This is another indication of uncontrolled Federal Government spending with no congressional oversight, and I speak today on behalf of the bill to rescind that.

The Acting CHAIR. The gentleman from New Jersey has 4 minutes remaining. The gentleman from Texas has 3½ minutes remaining.

Mr. PALLONE. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. BURGESS. I yield myself 30 seconds.

Mr. Chairman, we just heard a moment ago from the gentleman from New Jersey perpetuation of the fantasy that the Patient Protection and Affordable Care Act is going to save anyone in this universe or a parallel universe or a parallel dimension any money.

Make no mistake: This law costs vast sums of money. When the subsidies and the exchanges hit, the tap on the Federal Treasury is going to be unlike anything this country has ever seen.

Congressional Budget Office talk about saving money was pure fantasy. The chief actuary for the Centers for Medicare & Medicaid Services exposed that fantasy for what it was less than 1 month after Congress voted on this bill. We voted on this law without actually having correct information because I believe the Secretary withheld the information from us.

I reserve the balance of my time.

Mr. PALLONE. I will yield myself 2 of the 4 minutes and go back and forth with Dr. BURGESS here.

The fact of the matter is that the Congress uses the CBO as the official statement, if you will, of our budget

and the cost of legislation. That is what we have all agreed on a bipartisan basis we are going to use. I don't always agree with CBO. You have heard me many times say that they don't score prevention enough. The fact of the matter is that is what we are going to use. We have all agreed. And the CBO says that the Affordable Care Act saves over \$1 trillion over the life of the bill.

Everyone knows, and I know that Dr. BURGESS, even himself, believes in preventative care. That is what these school-based health clinics are all about. They work. They get kids into the clinic or the center, they get primary care. They prevent having to go to an emergency room, to a hospital, or any other kind of institutionalization.

This is what we are trying to do with the Affordable Care Act. We are trying to save money by guaranteeing people get to see a doctor when they need one so they don't get sick. It is all about wellness. That is what it is about. And wellness saves money. The Federal Government doesn't have to spend the money when the person goes to the emergency room and doesn't have any insurance coverage. It is that simple.

I have had this argument many times with Dr. BURGESS. I think that, for the most part, he agrees with me, and he has even said today that he thinks the school-based centers are a good thing.

So I really don't understand the basis of this legislation that is being proposed this evening, and I certainly would urge my colleagues to vote against it.

I reserve the balance of my time.

Mr. BURGESS. Mr. Chairman, I reserve the balance of my time.

Mr. PALLONE. Mr. Chairman, how much time is left?

The Acting CHAIR. The gentleman from New Jersey has 2½ minutes. The gentleman from Texas has 3 minutes.

Mr. PALLONE. I yield myself the remainder of my time.

Mr. Chairman, I have said over and over again, I don't understand what the Republicans are up to today. They keep saying that they want to repeal the Affordable Care Act, the health care reform. They keep bringing bills to the floor on a regular basis that would either in a piecemeal or in a large fashion repeal the Affordable Care Act. But the arguments make less and less sense every day as they start to take the pieces of the legislation that they even agree with themselves.

Today, we have been here for many hours. My colleague from Texas and others said that they support school-based clinics. They even went so far to say they wouldn't even have a problem with the Federal Government paying for it.

□ 1700

Support the Federal dollar. Support the concept. Agree that it is a preventative measure.

Then they went on to say that maybe we shouldn't pay for construction; we should only pay for operations. Well, the fact of the matter is that when you submit an application for construction or renovation of the clinic, under this law you have to show that you have the money to operate, and it is pretty clear that if you don't have the building, you are not going to be able to operate.

So, again, I don't understand what they are trying to accomplish here. We all know that these centers make sense. They bring kids who would otherwise not see a doctor to have that opportunity.

I thought my colleague from Virginia (Mr. MORAN) really brought home the point when he said that a lot of kids don't even participate in athletics unless they have a school-based clinic because they have to be certified that they are healthy in order to participate in athletics in the school. Well, doesn't that make sense, because then they don't sit around and become obese. They actually exercise. They participate in team sports. They get to the whole collegiality of being involved in a team sport and the exercise and the health benefits of that.

This is a win-win situation. I wish you had picked something else today to bring to this floor to repeal, because this is the worst thing you could have brought to the floor. No one, including yourself, argues that these school-based centers are not valuable, so stop trying to cut them. Stop trying to come up with some fantasy about how you are going to fund some part of it and not fund the other part of it. It is a good thing. It is probably one of the best things we have in this legislation, the Affordable Care Act. I think it is not rational and makes no common sense to pick this out as something to spend two or three hours on to say that this is something we shouldn't do. We should do it. Oppose this legislation.

Mr. BURGESS. I yield myself the balance of my time.

Mr. Chairman, I'll tell you what's not rational. It's not rational to spend this money and say you're prohibited from providing care. Let's be honest. The money for construction is duplicative. It was offered up in the stimulus bill previously. So we're duplicating a previous Federal expenditure in forward funding, advance funding the Patient Protection and Affordable Care Act. That's what doesn't make sense.

A previous speaker on the Democratic side called me mindless. That is mindless. It was mindless to pass this bill over the objections of the American people, to never listen to the voices of the people that were literally ringed around this Capitol a year ago who said kill this bill. Well, now we have a chance to bring back a little bit of that spending, to bring it back into the arena in which it belongs, which is

the United States House of Representatives, the people's House.

The mandatory spending was not in the bill that passed this House in November of 2009. This language was put in by the United States Senate. And why was it put in by the United States Senate? Because they were playing "Let's Make a Deal." They had to get to 60 votes. They didn't know how to get there. They got there by buying votes, and this small provision, someone must have sold out pretty cheaply, this small provision was one of the provisions that allowed them to do that.

Again, I would remind my colleagues that you cannot use the money that is provided in 4101(a), you cannot use that money to have a doctor or a nurse in the clinic. In fact, you are expressly prohibited from that. I suspect that is why the President has not issued a veto threat on this particular piece of legislation, because he himself included no money on the discretionary side that is actually going to provide the services of a doctor or a nurse.

Look, we've got one small chance to reclaim some small part of our sanity in the United States House of Representatives, in the people's House. The forward funding, the advance funding, the direct appropriations that were contained within the Patient Protection and Affordable Care Act were an anathema to everything that people in this country understand about what is the role of their Federal Government. After all, they willingly give up a little bit of their rights in order to have their lives run more orderly. But they don't ask us to run roughshod over Federal spending and then claim a greater and greater share of their lives.

Yes, it is unfortunate that we have had to spend all day here debating this bill. I don't dispute that fact. We should never have been here in the first place. The advance funding should never have been included in the Patient Protection and Affordable Care Act. And why was it? Because the Democrats knew last year they never intended to do a single appropriations bill, so the only way to get this dog up and running after its passage last year was to push the appropriations out the door in the language of the bill. That's what we've got to correct right now. That's what these arguments are all about.

Yes, it's going to be tough sledding in the Senate. Yes, we don't have an ally down at the White House. But the American people expect us to do this work and they want to see us do that work. I urge an "aye" vote on the underlying bill.

Mr. STARK. Mr. Chair, I rise in strong opposition to H.R. 1214, yet another time-wasting attempt to defund part of health care reform. This bill would deny funding enacted as part of health reform for the construction of school-based health centers. It would effectively deny our most vulnerable kids their best option for

getting critical health, mental health, and dental services. While claiming to save money, its effect would be the opposite. Eliminating preventive services and options for primary care only means that when kids do get sick, they will need Medicaid benefits to pay for far more expensive services that could have been avoided through early intervention at a school-based health clinic.

School-based health centers (SBHCs) are considered one of the most effective strategies for delivering high quality, comprehensive, and culturally-competent primary and preventive health care to adolescents—a population that can be difficult to reach. They remove the barriers that most commonly keep young people away from health services. They are located where students spend most of their waking hours—at school—making them much more accessible than doctor's offices or a clinic. They provide services regardless of a child's ability to pay, eliminating discrimination caused by wealth or the lack thereof. SBHCs reduce absenteeism, tardiness, dropouts, and discipline referrals by helping youth remain in school and engaged in learning.

SBHCs are also vital mental health providers for children and adolescents. Today, May 3rd, is National Children's Mental Health Awareness Day. I cannot think of a more destructive way to mark this day than by passing a bill that eliminates access to mental health services that children desperately need. Bullying, violence, depression and stress are rampant in our school classrooms and playgrounds. SBHC staff are on the scene with the time and resources to address these challenges. More importantly, evidence shows that young people are willing to go to a SBHC for counseling, while the stigma of mental health issues is often enough to keep them from seeking help from other providers. Research shows that students who report depression and past suicide attempts demonstrate greater willingness to seek counseling in a SBHC. Students with perceived weight problems report more willingness to use a school clinic for nutrition information. Sexually active students are more willing to seek information on pregnancy prevention and to have general disease screenings at a SBHC.

More than 350 applications to build school-based health centers have already been received by the Department of Health and Human Services, from 46 states and the District of Columbia, in response to this new funding opportunity enacted as part of health reform. All of these projects are ready to go—which means immediate jobs for construction workers and others involved in building the centers. Defunding this provision is another example of the Republican disconnect from the real issues people care about—creating jobs and protecting children.

Healthy students are better students. Why the Republicans want to eliminate a program that helps kids stay in school and provides opportunities for future success—and creates jobs in the present—is simply beyond my imagination. I urge my colleagues to vote against this bill and give our young people the chance they deserve to succeed.

Mr. LEVIN. Mr. Chair, I rise in strong opposition to this legislation.

This bill is a retreat from a core value: to care for our children. Instead of cutting con-

struction for these school-based health centers, we should be building more clinics to help those in need.

These centers work. They keep our children healthy. I see it at the two school-based clinics in my district in the Hazel Park and the Fitzgerald Public School systems.

For instance, Melissa, the nurse practitioner at the Fitzgerald Clinic, helps those who can't get care in any other place because their families can't afford insurance or can't afford doctor's fees.

Just this past Friday, she saw a 16-year-old boy who didn't have any insurance because his parents' employer doesn't offer a plan, they can't afford private premiums but earn too much for CHIP or Medicaid. He was desperately ill, with a high fever and nausea. Melissa was able to diagnose and treat his strep throat on the spot. He asked her, "How much do I owe you?" Melissa responded "Nothing." The young man burst into tears because he had been so worried that his family wouldn't be able to pay her.

Another boy couldn't afford to go to an emergency room, but Melissa was able to treat a foot infection that could have resulted in an amputation.

I could give you example after example because the team at the Fitzgerald school does it all. She makes sure that students have the vaccinations they need to stay healthy—300 visits this year—and provides the physicals 200 children will need to play sports. They provide counseling for teens coping with their parents' unemployment and groups for those dealing with alcoholism and family violence.

The bottom line is that these clinics work and we need more of them.

I urge Members to vote no on these irresponsible cuts.

Mr. VAN HOLLEN. Mr. Chair, I rise in opposition to this legislation that would eliminate funding for school-based health centers.

School-based health centers provide much-needed health care services to vulnerable children and adolescents, including primary care, mental health, dental, vision, and nutrition services. They not only help improve children's health, but also help improve the academic performance of students. School-based health centers are a win-win for the student, but also for parents and the community.

By repealing funding for school-based health centers, we will be taking away a health care option—and perhaps the only health care option—for low income children and their families. Without these centers, we will not be building a foundation to promote and advance preventive and wellness-based care that will help save health care costs over time.

Mr. Chair, I urge my colleagues to oppose this misguided bill.

Mr. GENE GREEN of Texas. Mr. Chair, I rise in opposition to H.R. 1214, which repeals a provision in the Affordable Care Act that provides funding for the construction of school health centers. It also rescinds any unobligated funds that have already been appropriated to this program.

The Majority has said their top priority is job creation and getting our economy back on track. This legislation is yet another example of the Republicans' misplaced priorities.

If the Republicans cared about job creation, they would support school based health centers.

School-based health centers started in the 1970s with the first centers opening in Dallas, Texas, and St. Paul, Minnesota. Today, there are approximately 1,700 centers across the country located in 45 states plus the District of Columbia.

In Texas, there are approximately 85 school-based health centers. Most of these centers are located in a permanent facility on a school campus. The centers provide primary care, mental health care, and dental care.

The reason these school-based health centers are so important to working families is because they support families. They allow parents to stay at work while attending to their child's routine health care needs and they save money for our economy as a whole by keeping children out of hospitals and emergency rooms.

Once again, the Republicans are claiming they support helping our working families and yet again we are cutting another service that helps keep parents at work and children healthy.

I strongly oppose this legislation.

Mr. BLUMENAUER. Mr. Chair, I voted against H.R. 1214, which would repeal the grants for the construction and expansion of school-based health centers. The Affordable Care Act included funding to expand school-based health programs across America so that we can provide better care for our children. Students who are healthy are ready to learn.

School-based health centers provide our children with quality, comprehensive care that includes mental health services, social services and preventative care. A survey conducted by the National Assembly on School-Based Health Care found that when properly funded, school-based health centers help fill the gap in access to health services, especially for rural and underserved populations.

These centers are accountable to their communities through an advisory board made up of local representatives, family organizations and parents. These programs bring health care to our kids and provide service without concern for whether or not they can afford it.

In my state of Oregon, we are part of the School Mental Health Capacity Building Partnership to examine and improve mental health programs to be used in school-based health centers. As an early-adopter state for these centers, Oregon was selected to be one of four states to lead the way on this research. This important work, focused on tailoring mental health care to better meet our children and youths needs, relies on the school-based health center funding and will be jeopardized by this legislation.

H.R. 1214 would prevent us from investing in our children and driving down future health care costs. At the start of this Congress, the only alternative the Republicans offered to the Affordable Care Act was a repeal-and-do-not-replace approach that is irresponsible at best.

The Affordable Care Act is not perfect, but Congress should be focused on implementing the Act, and refining—not repealing—its provisions. I oppose this legislation.

Mr. DAVIS of Illinois. Mr. Chair, I make a motion to strike the last word. I oppose H.R. 1214, a bill that would repeal mandatory funding for school-based health centers construction.

Funding for the school-based health centers will ensure that nearly 2 million children and adolescents across the country will have access to quality comprehensive medical care, mental health services, oral health services, preventive care, social services, and youth development. These centers typically help children and adolescents who often do not have access to family doctors of their own.

School-based health centers have demonstrated their successes and accomplishments in attracting harder to reach populations, especially minorities and males and providing crucial services such as mental health care and high-risk behavior screens. Some analysts have reported that 10 out of 21 adolescents were more likely to come to school-based health centers for mental health services than other types of health facilities. When students have access to health centers to receive counseling, they are less likely to miss school or be tardy to class versus those students who do not receive access to similar services.

Students perform better in school when they are healthy and ready to learn. Our school-based health centers are cost effective and provide an ideal setting to administer preventative health care to children. Several research studies have shown that school-based health centers help in reducing Medicaid expenditures related to inpatient, drug, and emergency room use, and improvements in health outcome. It is important that we remain committed to funding these health centers and provide the necessary investments in our children and our nation's health.

I urge all my colleagues to vote no on H.R. 1214.

Ms. SCHAKOWSKY. Mr. Chair, I rise in opposition to H.R. 1214.

School-based health centers are a critical component of our nation's health care safety net.

More than 1,900 school-based health centers across the country provide access to care to nearly two million students.

Centers in high schools in my district like Maine East, Evanston Township, and Sullivan and Senn in Chicago, ensure that students can get access to primary, mental, and dental health services.

School-based health centers are often the only source of health care for many children and adolescents who would otherwise go without needed services, and services are provided regardless of students' ability to pay.

They offer treatment to students who lack insurance or whose parents are unable to take time off work to take them to the doctor. They keep children from missing school, and they ensure that children's health care needs are met.

Studies have shown that school-based health centers decrease emergency room visits and Medicaid expenditures while improving grades, school attendance, and graduation rates.

The Affordable Care Act provides grants for construction, renovation, and equipment for school-based health centers to increase access—this bill denies access.

If we are concerned about providing our children with access to health care—we must reject this bill.

Mr. BURGESS. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Mr. BURGESS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CHAFFETZ) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, had come to no resolution thereon.

GENERAL LEAVE

Mr. BURGESS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks on H.R. 1214 and to insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

REPEALING MANDATORY FUNDING FOR STATE HEALTH INSURANCE EXCHANGES

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1213.

□ 1706

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, with Mr. YODER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 5 printed in House Report 112-70 offered by the gentleman from Vermont (Mr. WELCH) had been disposed of.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-70 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. JACKSON LEE of Texas.

Amendment No. 2 by Ms. WATERS of California.

Amendment No. 3 by Mr. ELLISON of Minnesota.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON
LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 177, noes 239, not voting 16, as follows:

[Roll No. 281]

AYES—177

Ackerman	Gibson	Olver
Andrews	Gonzalez	Pallone
Baca	Green, Al	Pastor (AZ)
Bachmann	Green, Gene	Payne
Baldwin	Grijalva	Pelosi
Barrow	Gutierrez	Perlmutter
Bass (CA)	Hanabusa	Peters
Becerra	Hanna	Pingree (ME)
Berkley	Harris	Polis
Berman	Hastings (FL)	Price (NC)
Bishop (GA)	Heinrich	Quigley
Bishop (NY)	Higgins	Rahall
Blumenauer	Himes	Rangel
Boswell	Hinche	Reyes
Brady (PA)	Hinojosa	Richardson
Braley (IA)	Hirono	Richmond
Brown (FL)	Holt	Rothman (NJ)
Butterfield	Honda	Roybal-Allard
Capps	Hoyer	Ruppersberger
Capuano	Inslee	Ryan (OH)
Carnahan	Israel	Sánchez, Linda
Carney	Jackson (IL)	T.
Carson (IN)	Jackson Lee	Sanchez, Loretta
Castor (FL)	(TX)	Sarbanes
Chu	Johnson, E. B.	Schakowsky
Cicilline	Kaptur	Schiff
Clarke (MI)	Keating	Schrader
Clarke (NY)	Kildee	Schwartz
Clay	Kind	Scott (VA)
Cleaver	Kissell	Scott, David
Clyburn	Kucinich	Serrano
Cohen	Langevin	Sewell
Connolly (VA)	Larsen (WA)	Sherman
Costello	Lee (CA)	Sires
Courtney	Levin	Slaughter
Critz	Lewis (GA)	Smith (WA)
Crowley	Lipinski	Speier
Cuellar	Loeb	Stark
Cummings	Loftgren, Zoe	Sutton
Davis (CA)	Lowe	Thompson (CA)
Davis (IL)	Luján	Thompson (MS)
DeFazio	Lynch	Tierney
DeGette	Maloney	Tonko
DeLauro	Markey	Towns
Deutch	Matheson	Tsongas
Dicks	Matsui	Van Hollen
Dingell	McCarthy (NY)	Velázquez
Doggett	McCollum	Visclosky
Donnelly (IN)	McDermott	Walz (MN)
Doyle	McGovern	Wasserman
Edwards	McNerney	Schultz
Ellison	Michaud	Waters
Engel	Miller (NC)	Watt
Eshoo	Miller, George	Waxman
Farr	Moore	Weiner
Fattah	Moran	Welch
Filner	Murphy (CT)	Wilson (FL)
Frank (MA)	Nadler	Woolsey
Fudge	Napolitano	Wu
Garamendi	Neal	Yarmuth

NOES—239

Adams	Altmire	Barletta
Aderholt	Amash	Bartlett
Akin	Austria	Barton (TX)
Alexander	Bachus	Bass (NH)

Benish	Guthrie	Pence
Berg	Hall	Peterson
Biggart	Harper	Petri
Bilirakis	Hartzler	Pitts
Bishop (UT)	Hastings (WA)	Platts
Black	Hayworth	Poe (TX)
Blackburn	Heck	Pompeo
Bonner	Heller	Posey
Bono Mack	Hensarling	Price (GA)
Boren	Herger	Quayle
Boustany	Herrera Beutler	Reed
Brady (TX)	Holden	Rehberg
Brooks	Huelskamp	Reichert
Buchanan	Huizenga (MI)	Renacci
Bushon	Hultgren	Ribble
Buerkle	Hunter	Rigell
Burgess	Hurt	Rivera
Burton (IN)	Issa	Roby
Calvert	Jenkins	Roe (TN)
Camp	Johnson (IL)	Rogers (AL)
Campbell	Johnson (OH)	Rogers (KY)
Canseco	Jordan	Rogers (MI)
Cantor	Kelly	Rohrabacher
Capito	King (IA)	Rokita
Cardoza	King (NY)	Rooney
Carter	Kingston	Ros-Lehtinen
Chabot	Kinzing (IL)	Roskam
Chaffetz	Kline	Ross (AR)
Chandler	Labrador	Ross (FL)
Coble	Lamborn	Royce
Coffman (CO)	Lance	Runyan
Cole	Landry	Ryan (WI)
Conaway	Lankford	Scalise
Cooper	Latham	Schilling
Cravaack	LaTourette	Schmitt
Crawford	Latta	Schweikert
Crenshaw	Lewis (CA)	Scott (SC)
Culberson	LoBiondo	Scott, Austin
Davis (KY)	Long	Sensenbrenner
Denham	Lucas	Sessions
Dent	Luetkemeyer	Shimkus
DesJarlais	Lummis	Shuler
Dold	Lungren, Daniel	Shuster
Dreier	E.	Simpson
Duffy	Mack	Smith (NE)
Duncan (SC)	Manzullo	Smith (NJ)
Duncan (TN)	Marchant	Smith (TX)
Ellmers	Marino	Southerland
Farenthold	McCarthy (CA)	Stearns
Fincher	McCauley	Stivers
Fitzpatrick	McClintock	Stutzman
Flake	McCotter	Sullivan
Fleischmann	McHenry	Terry
Fleming	McIntyre	Thompson (PA)
Flores	McKeon	Thornberry
Forbes	McKinley	Tiberi
Fortenberry	McMorris	Tipton
Fox	Cardoza	Turner
Franks (AZ)	Meehan	Upton
Frelinghuysen	Mica	Walberg
Gallely	Miller (FL)	Walden
Gardner	Miller (MI)	Walsh (IL)
Garrett	Miller, Gary	Webster
Gerlach	Mulvaney	West
Gibbs	Murphy (PA)	Westmoreland
Gingrey (GA)	Myrick	Whitfield
Gohmert	Neugebauer	Wilson (SC)
Goodlatte	Noem	Wittman
Gosar	Nugent	Wolf
Gowdy	Nunes	Womack
Granger	Nunnelee	Woodall
Graves (GA)	Olson	Yoder
Graves (MO)	Owens	Young (AK)
Griffin (AR)	Palazzo	Young (FL)
Griffith (VA)	Paul	Young (IN)
Grimm	Paulsen	
Guinta	Pearce	

NOT VOTING—16

Bilbray	Emerson	Meeks
Broun (GA)	Giffords	Pascarell
Cassidy	Johnson (GA)	Rush
Conyers	Johnson, Sam	Schock
Costa	Jones	
Diaz-Balart	Larson (CT)	

□ 1731

Messrs. SMITH of Nebraska, COFFMAN of Colorado, DUFFY, ROSKAM, MEEHAN, and MULVANEY changed their vote from “aye” to “no.”

Ms. WILSON of Florida, Messrs. KUCINICH, PERLMUTTER, WU, Ms. PINGREE of Maine, and Mr. CUM-

MINGS changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MS. WATERS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from California (Ms. WATERS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 178, noes 242, not voting 12, as follows:

[Roll No. 282]

AYES—178

Ackerman	Fudge	Nadler
Andrews	Garamendi	Napolitano
Baca	Gonzalez	Neal
Baldwin	Green, Al	Olver
Barrow	Green, Gene	Pallone
Bass (CA)	Grijalva	Pascarell
Becerra	Hanabusa	Pastor (AZ)
Berkley	Hastings (FL)	Payne
Berman	Heinrich	Pelosi
Bishop (GA)	Higgins	Perlmutter
Bishop (NY)	Himes	Peters
Blumenauer	Hinche	Pingree (ME)
Boswell	Hinojosa	Polis
Brady (PA)	Hirono	Price (NC)
Braley (IA)	Holt	Quigley
Brown (FL)	Honda	Rahall
Butterfield	Hoyer	Rangel
Capps	Inslee	Reyes
Capuano	Israel	Richardson
Cardoza	Jackson (IL)	Richmond
Carnahan	Jackson Lee	Rothman (NJ)
Carney	(TX)	Roybal-Allard
Carson (IN)	Johnson (GA)	Ruppersberger
Castor (FL)	Johnson, E. B.	Rush
Chu	Kaptur	Ryan (OH)
Cicilline	Keating	Sánchez, Linda
Clarke (MI)	Kildee	T.
Clarke (NY)	Kind	Sanchez, Loretta
Clay	Kissell	Sarbanes
Cleaver	Kucinich	Schakowsky
Clyburn	Langevin	Schiff
Cohen	Larsen (WA)	Schrader
Connolly (VA)	Larson (CT)	Schwartz
Conyers	Lee (CA)	Scott (VA)
Costa	Levin	Scott, David
Costello	Lewis (GA)	Serrano
Courtney	Lipinski	Sewell
Crowley	Loeb	Sherman
Cuellar	Loftgren, Zoe	Sires
Cummings	Lowey	Slaughter
Davis (CA)	Luján	Smith (WA)
Davis (IL)	Lynch	Speier
DeFazio	Maloney	Stark
DeGette	Markey	Sutton
DeLauro	Matheson	Thompson (CA)
Deutch	Matsui	Thompson (MS)
Dicks	McCarthy (NY)	Tierney
Dingell	McCollum	Tonko
Doggett	McDermott	Towns
Donnelly (IN)	McGovern	Tsongas
Doyle	McNerney	Van Hollen
Edwards	Meeks	Velázquez
Ellison	Michaud	Visclosky
Engel	Miller (NC)	Walz (MN)
Eshoo	Miller, George	Wasserman
Fattah	Moore	Schultz
Filner	Moran	Waters
Frank (MA)	Murphy (CT)	Watt

Waxman
Weiner
Welch

Wilson (FL)
Wooley
Wu

Yarmuth

□ 1738

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. WALDEN. Mr. Chairman, on rollcall No. 282, I was inadvertently detained. Had I been present, I would have voted “no.”

(By unanimous consent, Mr. BACHUS was allowed to speak out of order.)

MOMENT OF SILENCE IN REMEMBRANCE OF THE FAMILIES AND VICTIMS OF THE RECENT TORNADOES IN THE SOUTHERN STATES

Mr. BACHUS. Mr. Chairman, I'm joined on the floor today by my colleagues from the southern States. We have Members from Alabama, Mississippi, Tennessee, Georgia, North Carolina, and Virginia together. Families in our States have lost over 300 of their loved ones, and I ask that the House at this time join my colleagues and me in a moment of silence for these families and victims. Our thoughts and prayers go with them.

The Acting CHAIR. The Chair would ask all present to rise for the purpose of a moment of silence.

AMENDMENT NO. 3 OFFERED BY MR. ELLISON

The Acting CHAIR. Without objection, 5-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Minnesota (Mr. ELLISON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 180, noes 242, not voting 10, as follows:

[Roll No. 283]

AYES—180

Ackerman	Clarke (MI)	Donnelly (IN)
Andrews	Clarke (NY)	Doyle
Baca	Clay	Edwards
Baldwin	Cleaver	Ellison
Barrow	Clyburn	Engel
Becerra	Cohen	Eshoo
Berkley	Connolly (VA)	Farr
Berman	Conyers	Fattah
Bishop (GA)	Costa	Filner
Bishop (NY)	Costello	Frank (MA)
Blumenauer	Courtney	Fudge
Boswell	Critz	Garamendi
Brady (PA)	Crowley	Gonzalez
Braley (IA)	Cuellar	Green, Al
Brown (FL)	Cummings	Green, Gene
Capps	Davis (CA)	Grijalva
Capuano	Davis (IL)	Gutierrez
Carnahan	DeFazio	Hanabusa
Carney	DeGette	Hastings (FL)
Carson (IN)	DeLauro	Heinrich
Castor (FL)	Deutch	Higgins
Chandler	Dicks	Himes
Chu	Dingell	Hinchey
Cicilline	Doggett	Hinojosa

Hirono
Holt
Honda
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney

Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes

Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Wooley
Wu
Yarmuth

NOES—242

Adams	Dreier	Johnson (OH)
Aderholt	Duffy	Jones
Akin	Duncan (SC)	Jordan
Alexander	Duncan (TN)	Kelly
Altmire	Ellmers	King (IA)
Amash	Farenthold	King (NY)
Austria	Fincher	Kingston
Bachmann	Fitzpatrick	Kinzinger (IL)
Bachus	Flake	Kline
Barletta	Fleischmann	Labrador
Bartlett	Fleming	Lamborn
Barton (TX)	Flores	Lance
Bass (NH)	Forbes	Landry
Benishkek	Fortenberry	Lankford
Berg	Franks (AZ)	Latham
Biggart	Frelinghuysen	LaTourette
Billirakis	Gallely	Latta
Bishop (UT)	Gardner	Lewis (CA)
Black	Garrett	LoBiondo
Blackburn	Gerlach	Long
Bonner	Gibbs	Lucas
Bono Mack	Gibson	Luetkemeyer
Boren	Gingrey (GA)	Lummis
Boustany	Gohmert	Lungren, Daniel
Brady (TX)	Goodlatte	E.
Brooks	Gosar	Mack
Buchanan	Gowdy	Manzullo
Bucshon	Granger	Marchant
Buerkle	Graves (GA)	Marino
Burgess	Graves (MO)	McCarthy (CA)
Burton (IN)	Griffin (AR)	McCaul
Calvert	Griffith (VA)	McClintock
Camp	Grimm	McCotter
Campbell	Guinta	McHenry
Canseco	Guthrie	McIntyre
Cantor	Hall	McKeon
Capito	Hanna	McKinley
Cardoza	Harper	McMorris
Carter	Harris	Rodgers
Chabot	Hartzler	Meehan
Chaffetz	Hastings (WA)	Mica
Coble	Hayworth	Miller (FL)
Coffman (CO)	Heck	Miller (MI)
Cole	Heller	Miller, Gary
Conaway	Hensarling	Mulvaney
Cooper	Herger	Murphy (PA)
Cravaack	Herrera Beutler	Myrick
Crawford	Holden	Neugebauer
Crenshaw	Huelskamp	Noem
Culberson	Huizenga (MI)	Nugent
Davis (KY)	Hultgren	Nunes
Dent	Hunter	Nunnelee
DesJarlais	Hurt	Olson
Diaz-Balart	Issa	Owens
Dold	Jenkins	Palazzo
	Johnson (IL)	Paul

NOES—242

Adams	Gowdy	Olson
Aderholt	Granger	Owens
Akin	Graves (GA)	Palazzo
Alexander	Graves (MO)	Paul
Altmire	Griffin (AR)	Paulsen
Amash	Griffith (VA)	Pearce
Austria	Grimm	Pence
Bachmann	Guinta	Peterson
Bachus	Guthrie	Petri
Barletta	Hall	Pitts
Bartlett	Hanna	Platts
Barton (TX)	Harper	Poe (TX)
Bass (NH)	Harris	Pompeo
Benishkek	Hartzler	Posey
Berg	Hastings (WA)	Price (GA)
Biggart	Hayworth	Quayle
Billirakis	Heck	Reed
Bishop (UT)	Heller	Rehberg
Black	Hensarling	Reichert
Blackburn	Herger	Renacci
Bono Mack	Herrera Beutler	Ribble
Boren	Holden	Rigell
Boustany	Huelskamp	Rivera
Brady (TX)	Huizenga (MI)	Roby
Brooks	Hultgren	Roe (TN)
Buchanan	Hunter	Rogers (AL)
Bucshon	Hurt	Rogers (KY)
Buerkle	Issa	Rogers (MI)
Burgess	Jenkins	Rohrabacher
Burton (IN)	Johnson (IL)	Rokita
Calvert	Johnson (OH)	Rooney
Camp	Jones	Ros-Lehtinen
Campbell	Jordan	Roskam
Canseco	Kelly	Ross (AR)
Cantor	King (IA)	Ross (FL)
Capito	King (NY)	Royce
Carter	Kingston	Runyan
Chabot	Kinzinger (IL)	Ryan (WI)
Chaffetz	Kline	Scalise
Chandler	Labrador	Schilling
Coble	Lamborn	Schmidt
Coffman (CO)	Lance	Schock
Conaway	Landry	Schweikert
Cooper	Lankford	Scott (SC)
Cravaack	Latham	Scott, Austin
Crawford	LaTourette	Sensenbrenner
Crenshaw	Latta	Sessions
Critz	Lewis (CA)	Shimkus
Culberson	LoBiondo	Shuler
Davis (KY)	Long	Shuster
Denham	Lucas	Simpson
Dent	Luetkemeyer	Smith (NE)
DesJarlais	Lummis	Smith (NJ)
Diaz-Balart	Lungren, Daniel	Smith (TX)
Dold	E.	Southerland
Dreier	Mack	Stearns
Duffy	Manzullo	Stivers
Duncan (SC)	Marchant	Stutzman
Duncan (TN)	Marino	Terry
Ellmers	McCarthy (CA)	Thompson (PA)
Farenthold	McCaul	Thornberry
Fincher	McClintock	Tiberi
Fitzpatrick	McCotter	Tipton
Flake	McHenry	Turner
Fleischmann	McIntyre	Upton
Fleming	McKeon	Walberg
Flores	McKinley	Walsh (IL)
Forbes	McMorris	Webster
Fortenberry	Rodgers	West
Fox	Meehan	Westmoreland
Franks (AZ)	Mica	Whitfield
Frelinghuysen	Miller (FL)	Wilson (SC)
Gallely	Miller (MI)	Wittman
Gardner	Miller, Gary	Wolf
Garrett	Mulvaney	Womack
Gerlach	Murphy (PA)	Woodall
Gibbs	Myrick	Yoder
Gibson	Neugebauer	Young (AK)
Gingrey (GA)	Noem	Young (FL)
Gohmert	Nugent	Young (IN)
Goodlatte	Nunes	
Gosar	Nunnelee	

NOT VOTING—12

Bilbray	Cole	Gutierrez
Bonner	Emerson	Johnson, Sam
Brown (GA)	Farr	Sullivan
Cassidy	Giffords	Walden

Paulsen	Ros-Lehtinen	Sullivan
Pearce	Roskam	Terry
Pence	Ross (AR)	Thompson (PA)
Petri	Ross (FL)	Thornberry
Pitts	Royce	Tiberi
Platts	Runyan	Tipton
Poe (TX)	Ryan (WI)	Turner
Pompeo	Scalise	Upton
Posey	Schilling	Walberg
Price (GA)	Schmidt	Walden
Quayle	Schock	Walsh (IL)
Reed	Schweikert	Webster
Rehberg	Scott (SC)	West
Reichert	Scott, Austin	Westmoreland
Renacci	Sensenbrenner	Whitfield
Ribble	Sessions	Wilson (SC)
Rigell	Shimkus	Wittman
Rivera	Shuster	Wolf
Roby	Simpson	Womack
Roe (TN)	Smith (NE)	Woodall
Rogers (AL)	Smith (NJ)	Yoder
Rogers (KY)	Smith (TX)	Young (AK)
Rogers (MI)	Southerland	Young (FL)
Rohrabacher	Stearns	Young (IN)
Rokita	Stivers	
Rooney	Stutzman	

NOT VOTING—10

Bass (CA)	Cassidy	Hoyer
Billbray	Emerson	Johnson, Sam
Broun (GA)	Fox	
Butterfield	Giffords	

□ 1746

Mr. ROYCE changed his vote from "aye" to "no."

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. SMITH of Nebraska). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. YODER) having assumed the chair, Mr. SMITH of Nebraska, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, and, pursuant to House Resolution 236, reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BOSWELL. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. BOSWELL. In its present form, I am opposed.

Mr. BURGESS. Mr. Speaker, I would like to reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Boswell moves to recommit the bill H.R. 1213 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

In section 1, add at the end the following:

(c) CANCER OR OTHER PREEXISTING CONDITION NON-DISCRIMINATION DISCLOSURE CONDITION.—Section 1311 of the Patient Protection and Affordable Care Act, as amended by subsection (a), is amended by inserting before subsection (b) the following new subsection:

"(a) CANCER OR OTHER PREEXISTING CONDITION NON-DISCRIMINATION DISCLOSURE CONDITION.—As a condition for receipt of assistance under this section and in addition to any other requirements for an Exchange, an Exchange may not offer a qualified health plan of a health insurance issuer if that issuer—

"(1) does not agree to publicly disclose the extent to which coverage under such plan has been denied for any individual (including an individual who is a senior or future recipient of Medicare), and the extent to which there has been any increase in the amount of premiums for coverage under such plan for such an individual, based on the individual having cancer or another preexisting condition; or

"(2) has at least one such disclosure demonstrating an instance of such a denial or premium increase on such basis."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa is recognized for 5 minutes in support of his motion.

□ 1750

Mr. BOSWELL. Mr. Speaker, this motion is very simple. It serves as a final amendment to the underlying legislation and would not kill the bill. What it does do is prohibit insurance companies from participating in health insurance exchanges if they deny coverage for cancer or other preexisting conditions, especially for seniors and future Medicare recipients.

My recommit motion is an opportunity for everyone in this Chamber to put the angry rhetoric surrounding health care reform aside and stand up for seniors and future Medicare recipients and every American who has been diagnosed with cancer and other preexisting conditions.

This recommit motion holds special meaning for me because I am a cancer survivor. I was diagnosed with prostate cancer that was most likely caused by my service in the Vietnam War and exposure to Agent Orange. Fortunately, as a career soldier, I had access to affordable, quality public health insurance to help me beat that nasty disease. Many other Americans are not so lucky.

With this in mind, this final amendment is more important than ever. Medicare accepts all seniors; private insurance companies do not. This must change, and requiring these companies to prove that they do not charge more or deny coverage to seniors and the 129 million people under 65 who have a preexisting condition is an important first step.

I would submit that probably every one of us in this Chamber have received calls from some of our constituents who have been paying for insurance for years and years, they got a malady,

they got cancer, they're in the hospital, they're getting treatment, insurance comes due and they can't renew it because they've got a preexisting condition. That's got to stop.

Health insurance exchanges will be a one-stop shop for tens of millions of Americans who purchase individual policies. This market must be open only to the companies that provide affordable insurance to all Americans, young, old, sick and well, male and female. My recommit motion, this final amendment, would require just that.

Our role as a government is to protect the well-being of our citizens, not the bottom line of insurance companies, which are doing just fine by the way.

America's health insurance companies increased their profits by 56 percent in 2009, while 2.7 million people lost their private coverage. The Nation's five largest for-profit insurers reported a combined profit of \$12.2 billion the same year, according to a report by Health Care for America Now.

I support American companies making profits. However, these numbers indicate there is no reason why private insurance companies should deny coverage to seniors or Americans struggling with cancer and other preexisting conditions.

My amendment would ensure that if they want to expand their insurance pool to include Americans purchasing through health care exchanges and grow their customer base even more, then they must cover everyone fairly—seniors, future Medicare recipients, and cancer patients included.

Let's be clear. The passage of this amendment will not prevent the passage of the underlying bill. If the amendment is adopted, it will be incorporated into the bill, and the bill will be immediately voted upon.

So, even though we may disagree on the bill today, we have the opportunity to stand together for those afflicted with cancer and other preexisting conditions and our Nation's future Medicare recipients who would lose guaranteed health care benefits under the Ryan plan.

It's up to us. I urge everyone to vote "yes" on this final amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. Does the gentleman from Texas have a point of order?

Mr. BURGESS. Mr. Chairman, I will withdraw the point of order.

The SPEAKER pro tempore. The gentleman withdraws the point of order.

The gentleman from Texas is recognized for 5 minutes in opposition.

Mr. BURGESS. Mr. Speaker, H.R. 1213 that we've had under discussion all day does nothing about preexisting conditions; therefore, this motion to recommit is irrelevant and unnecessary.

Members were brought here to get runaway spending under control. Rather than help us avoid a fiscal crisis,

House Democrats have brought forward a motion to recommit that is irrelevant to the points that have been made on the floor of this House today.

As has been pointed out, Section 1113(a) of the Patient Protection and Affordable Care Act gives the Secretary of Health and Human Services an unlimited appropriation to facilitate enrollment in State health exchanges. We simply do not know how the Secretary of Health and Human Services will spend these dollars.

The Center for Medicare and Medicaid Services has indicated that States should look to this fund to plug State budget shortfalls.

Section 1311(h) of the Patient Protection and Affordable Care Act gives the Secretary the ability to regulate which doctors can provide care through exchange plans. This fund can be used to federalize how doctors can practice medicine.

Grants under 1113(a) could also be used to provide a 100 percent subsidy for premiums, driving patients out of employer-sponsored insurance.

Under Section 2705, it is already prohibited for a qualified plan to discriminate, and, thus, the motion to recommit attempts to keep the spending going. Continuing to fund State-based exchanges would jeopardize taxpayer resources.

Given the huge uncertainty regarding the Patient Protection and Affordable Care Act, two Federal District Courts have struck down the law. State attorney generals have asked for an expedited review of the litigation, but the Obama administration has refused to allow that to happen. In the interim, repealing this fund is the best thing we can do to protect taxpayer resources at a time of record red ink.

I urge my colleagues to vote “no” on the motion to recommit.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. BOSWELL. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 190, noes 233, not voting 9, as follows:

[Roll No. 284]

AYES—190

Ackerman	Andrews	Baldwin
Altmire	Baca	Barrow

Bass (CA)	Gutierrez	Pastor (AZ)
Becerra	Hanabusa	Payne
Berkley	Hastings (FL)	Pelosi
Berman	Heinrich	Perlmutter
Bishop (GA)	Higgins	Peters
Bishop (NY)	Himes	Peterson
Blumenauer	Hinchey	Pingree (ME)
Boswell	Hinojosa	Polis
Brady (PA)	Hirono	Price (NC)
Braley (IA)	Holden	Quigley
Brown (FL)	Holt	Rahall
Butterfield	Honda	Rangel
Capps	Hoyer	Reyes
Capuano	Inslee	Richardson
Cardoza	Israel	Richmond
Carnahan	Jackson (IL)	Ross (AR)
Carney	Jackson Lee	Rothman (NJ)
Carson (IN)	(TX)	Roybal-Allard
Castor (FL)	Johnson (GA)	Ruppersberger
Chandler	Johnson, E. B.	Rush
Chu	Jones	Ryan (OH)
Cicilline	Kaptur	Sánchez, Linda
Clarke (MI)	Keating	T.
Clarke (NY)	Kildee	Sanchez, Loretta
Clay	Kind	Sarbanes
Cleaver	Kissell	Schakowsky
Clyburn	Kucinich	Schiff
Cohen	Langevin	Schrader
Connolly (VA)	Larsen (WA)	Schwartz
Conyers	Larson (CT)	Scott (VA)
Cooper	Lee (CA)	Scott, David
Costa	Levin	Serrano
Costello	Lewis (GA)	Sewell
Courtney	Lipinski	Sherman
Critz	Loeb sack	Shuler
Crowley	Lofgren, Zoe	Sires
Cuellar	Lowe	Slaughter
Cummings	Lujan	Smith (WA)
Davis (CA)	Lynch	Speier
Davis (IL)	Maloney	Stark
DeFazio	Markey	Sutton
DeGette	Matheson	Thompson (CA)
DeLauro	Matsui	Thompson (MS)
Deutch	McCarthy (NY)	Tierney
Dicks	McCollum	Tonko
Dingell	McDermott	Towns
Doggett	McGovern	Tsongas
Donnelly (IN)	McIntyre	Van Hollen
Doyle	McNerney	Velazquez
Edwards	Meeke	Visclosky
Ellison	Michaud	Walz (MN)
Engel	Miller (NC)	Wasserman
Eshoo	Miller, George	Schultz
Farr	Moore	Waters
Fattah	Moran	Watt
Finer	Murphy (CT)	Weiner
Frank (MA)	Nadler	Welch
Fudge	Napolitano	Wilson (FL)
Garamendi	Neal	Woolsey
Gonzalez	Olver	Wu
Green, Al	Owens	Yarmuth
Green, Gene	Pallone	
Grijalva	Pascrell	

NOES—233

Adams	Calvert	Fitzpatrick
Aderholt	Camp	Flake
Akin	Campbell	Fleischmann
Alexander	Canseco	Fleming
Amash	Cantor	Flores
Austria	Capito	Forbes
Bachmann	Carter	Fortenberry
Bachus	Chabot	Fox
Barletta	Chaffetz	Franks (AZ)
Bartlett	Coble	Frelinghuysen
Barton (TX)	Coffman (CO)	Gallely
Bass (NH)	Cole	Gardner
Benish	Conaway	Garrett
Berg	Cravaack	Gerlach
Biggart	Crawford	Gibbs
Bilirakis	Crenshaw	Gibson
Bishop (UT)	Culberson	Gingrey (GA)
Black	Davis (KY)	Goodlatte
Blackburn	Denham	Gosar
Bonner	Dent	Gowdy
Bono Mack	DesJarlais	Granger
Boren	Diaz-Balart	Graves (GA)
Boustany	Dold	Graves (MO)
Brady (TX)	Dreier	Griffin (AR)
Brooks	Duffy	Griffith (VA)
Buchanan	Duncan (SC)	Grimm
Bucshon	Duncan (TN)	Guinta
Buerkle	Ellmers	Guthrie
Burgess	Farenthold	Hall
Burton (IN)	Fincher	Hanna

Harper	McCotter	Roskam
Harris	McHenry	Ross (FL)
Hartzler	McKeon	Royce
Hastings (WA)	McKinley	Runyan
Hayworth	McMorris	Ryan (WI)
Heck	Rodgers	Scalise
Heller	Meehan	Schilling
Hensarling	Mica	Schmidt
Herger	Miller (FL)	Schock
Herrera Beutler	Miller (MI)	Schweikert
Huelskamp	Miller, Gary	Scott (SC)
Huizenga (MI)	Mulvaney	Scott, Austin
Hultgren	Murphy (PA)	Sensenbrenner
Hunter	Myrick	Sessions
Hurt	Neugebauer	Shimkus
Issa	Noem	Shuster
Jenkins	Nugent	Simpson
Johnson (IL)	Nunes	Smith (NE)
Johnson (OH)	Nunnelee	Smith (NJ)
Jordan	Olson	Smith (TX)
Kelly	Palazzo	Southerland
King (IA)	Paul	Stearns
King (NY)	Paulsen	Stivers
Kingston	Pearce	Stutzman
Kinzing (IL)	Pence	Sullivan
Kline	Petri	Terry
Labrador	Pitts	Thompson (PA)
Lamborn	Platts	Thornberry
Lance	Poe (TX)	Tiberi
Landry	Pompeo	Tipton
Lankford	Posey	Turner
Latham	Price (GA)	Upton
LaTourette	Quayle	Walberg
Latta	Reed	Walden
Lewis (CA)	Rehberg	Walsh (IL)
LoBiondo	Reichert	Webster
Long	Renacci	West
Lucas	Ribble	Westmoreland
Luetkemeyer	Rigell	Whitfield
Lummis	Rivera	Wilson (SC)
Lungren, Daniel	Roby	Wittman
E.	Roe (TN)	Wolf
Mack	Rogers (AL)	Womack
Manzullo	Rogers (KY)	Yoder
Marchant	Rogers (MI)	Young (AK)
Marino	Rohrabacher	Young (FL)
McCarthy (CA)	Rokita	Young (IN)
McCaul	Rooney	
McClintock	Ros-Lehtinen	

NOT VOTING—9

Bilbray	Emerson	Johnson, Sam
Broun (GA)	Giffords	Waxman
Cassidy	Gohmert	Woodall

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1815

Mr. BECERRA changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. SIMPSON). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. BURGESS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 238, noes 183, not voting 11, as follows:

[Roll No. 285]

AYES—238

Adams	Alexander	Austria
Aderholt	Altmire	Bachmann
Akin	Amash	Bachus

Barletta	Griffith (VA)	Nunnelee	Deutch	Larson (CT)	Richmond
Bartlett	Grimm	Olson	Dicks	Lee (CA)	Ross (AR)
Barton (TX)	Guinta	Palazzo	Dingell	Levin	Rothman (NJ)
Bass (NH)	Guthrie	Paul	Doggett	Lewis (GA)	Roybal-Allard
Benishkek	Gutierrez	Paulsen	Donnelly (IN)	Lipinski	Ruppersberger
Berg	Hall	Pearce	Doyle	Loeb sack	Rush
Biggert	Hanna	Pence	Edwards	Lofgren, Zoe	Ryan (OH)
Billirakis	Harper	Petri	Ellison	Lowey	Sánchez, Linda T.
Bishop (UT)	Harris	Pitts	Engel	Luján	Sanchez, Loretta
Black	Hartzler	Platts	Eshoo	Maloney	Sarbanes
Blackburn	Hastings (WA)	Poe (TX)	Farr	Markey	Schakowsky
Bonner	Hayworth	Pompeo	Fattah	Matheson	Schiff
Bono Mack	Heck	Posey	Filner	Matsui	Schrader
Boren	Heller	Price (GA)	Frank (MA)	McCarthy (NY)	Schwartz
Boustany	Hensarling	Quayle	Fudge	McCollum	Scott (VA)
Brady (TX)	Herger	Reed	Garamendi	McDermott	Scott, David
Brooks	Herrera Beutler	Rehberg	Gonzalez	McGovern	Serrano
Buchanan	Holden	Reichert	Green, Al	McNerney	Sewell
Bucshon	Huelskamp	Renacci	Green, Gene	Meeks	Sherman
Buerkle	Huizenga (MI)	Ribble	Grijalva	Michaud	Sires
Burgess	Hultgren	Rigell	Hanabusa	Miller (NC)	Slaughter
Burton (IN)	Hunter	Rivera	Hastings (FL)	Miller, George	Smith (WA)
Calvert	Hurt	Roby	Heinrich	Moore	Speier
Camp	Issa	Roe (TN)	Higgins	Moran	Stark
Campbell	Jenkins	Rogers (AL)	Himes	Murphy (CT)	Sutton
Canseco	Johnson (IL)	Rogers (KY)	Hinchey	Nadler	Thompson (CA)
Cantor	Johnson (OH)	Rogers (MI)	Hinojosa	Napolitano	Thompson (MS)
Capito	Jones	Rohrabacher	Hirono	Neal	Tierney
Carter	Jordan	Rokita	Holt	Olver	Tonko
Chabot	Kelly	Rooney	Honda	Owens	Towns
Chaffetz	King (IA)	Ros-Lehtinen	Hoyer	Pallone	Tsongas
Coble	King (NY)	Roskam	Inslee	Pascrell	Van Hollen
Coffman (CO)	Kingston	Ross (FL)	Israel	Pastor (AZ)	Velázquez
Cole	Kinzinger (IL)	Royce	Jackson (IL)	Payne	Visclosky
Conaway	Kline	Runyan	Jackson Lee	Pelosi	Walz (MN)
Cravaack	Labrador	Ryan (WI)	(TX)	Perlmutter	Wasserman
Crawford	Lamborn	Scalise	Johnson (GA)	Peters	Schultz
Crenshaw	Lance	Schilling	Johnson, E. B.	Peterson	Waters
Culberson	Landry	Schmidt	Kaptur	Pingree (ME)	Watt
Davis (KY)	Lankford	Schweikert	Keating	Polis	Weiner
Denham	Latham	Scott (SC)	Kildee	Price (NC)	Welch
Dent	LaTourette	Scott, Austin	Kind	Quigley	Wilson (FL)
DesJarlais	Latta	Sensenbrenner	Kissell	Rahall	Woolsey
Diaz-Balart	Lewis (CA)	Sessions	Kucinich	Rangel	Wu
Dold	LoBiondo	Shimkus	Langevin	Reyes	Yarmuth
Dreier	Long	Shuster	Larsen (WA)	Richardson	
Duffy	Lucas	Simpson			
Duncan (SC)	Luetkemeyer	Smith (NE)			
Duncan (TN)	Lummis	Smith (NJ)			
Ellmers	Lungren, Daniel E.	Smith (TX)			
Farenthold	Mack	Southerland			
Fincher	Manzullo	Stearns			
Fitzpatrick	Marchant	Stivers			
Flake	Marino	Stutzman			
Fleischmann	McCarthy (CA)	Sullivan			
Fleming	McCaul	Terry			
Flores	McClintock	Thompson (PA)			
Forbes	McCotter	Thornberry			
Fortenberry	McHenry	Tiberi			
Fox	McIntyre	Tipton			
Franks (AZ)	McKeon	Turner			
Frelinghuysen	McKinley	Upton			
Gallegly	McMorris	Walberg			
Gardner	Rodgers	Walden			
Garrett	Meehan	Walsh (IL)			
Gerlach	Mica	Webster			
Gibbs	Miller (FL)	West			
Gibson	Miller (MI)	Westmoreland			
Gingrey (GA)	Miller, Gary	Whitfield			
Gohmert	Mulvaney	Wilson (SC)			
Goodlatte	Murphy (PA)	Wittman			
Gosar	Myrick	Wolf			
Gowdy	Neugebauer	Womack			
Granger	Noem	Yoder			
Graves (GA)	Nugent	Young (AK)			
Graves (MO)	Nunes	Young (FL)			
Griffin (AR)		Young (IN)			

NOES—183

Ackerman	Butterfield	Cohen
Andrews	Capps	Connolly (VA)
Baca	Capuano	Conyers
Baldwin	Cardoza	Cooper
Barrow	Carnahan	Costa
Bass (CA)	Carney	Costello
Becerra	Carson (IN)	Courtney
Berkley	Castor (FL)	Critz
Berman	Chandler	Crowley
Bishop (GA)	Chu	Cuellar
Bishop (NY)	Cicilline	Cummings
Blumenauer	Clarke (MI)	Davis (CA)
Boswell	Clarke (NY)	Davis (IL)
Brady (PA)	Cleaver	DeFazio
Braley (IA)	Clyburn	DeGette
Brown (FL)		DeLauro

NOT VOTING—11

Bilbray	Giffords	Shuler
Broun (GA)	Johnson, Sam	Waxman
Cassidy	Lynch	Woodall
Emerson	Schock	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Two minutes remain in this vote.

□ 1822

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. GUTIERREZ. Mr. Speaker, due to an error, I incorrectly voted for final passage of H.R. 1213 (rollcall 285), legislation that seeks to repeal mandatory funding provided to states under the Patient Protection and Affordable Care Act to establish Health Benefit Exchanges. My intention was to vote against this bill.

ANNOUNCEMENT BY CHAIRMAN OF PERMANENT SELECT COMMITTEE ON INTELLIGENCE REGARDING AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS AND CLASSIFIED ANNEX

(Mr. ROGERS of Michigan asked and was given permission to address the House for 1 minute.)

Mr. ROGERS of Michigan. Mr. Speaker, I wish to announce to all

Members of the House that the Permanent Select Committee on Intelligence has ordered the bill, H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011, reported favorably to the House with an amendment. The committee's report will be filed today.

Mr. Speaker, the classified Schedule of Authorizations and the classified Annex accompanying the bill will be available for review by Members at the offices of the Permanent Select Committee on Intelligence in room HVC-304 of the Capitol Visitors Center beginning any time after this report is filed. The committee office will be open during regular business hours for the convenience of any Member who wishes to review this material prior to its consideration by the House. I anticipate that H.R. 754 will be considered in the House in the near future, perhaps as early as next week.

I recommend that Members wishing to review the classified Annex contact the committee's director of security to arrange a time and date for that viewing. This will assure the availability of committee staff to assist Members who desire assistance during their review of these classified materials.

I urge interested Members to review these materials in order to better understand the committee's recommendations. The classified Annex to the committee's report contains the committee's recommendations on the intelligence budget for fiscal year 2011 and related classified information that cannot be disclosed publicly.

It is important that Members keep in mind the requirements of clause 13 of House rule XXIII, which only permits access to classified information by those Members of the House who have signed the oath provided for in the rule.

If a Member has not yet signed that oath but wishes to review the classified Annex and Schedule of Authorizations, the committee staff can administer the oath and see that the executed form is sent to the Clerk's office. In addition, the committee's rules require that Members agree in writing to a non-disclosure agreement. The agreement indicates that the Member has been granted access to the classified Annex and that they are familiar with the rules of the House and the committee with respect to the classified nature of the information and the limitations on the disclosure of that information.

I thank the Speaker.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

(Mr. BISHOP of Utah asked and was given permission to address the House for 1 minute.)

Mr. BISHOP of Utah. Mr. Speaker, the Committee on Rules may meet the

week of May 9 to grant a rule that could limit the amendment process for floor consideration of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

Any Member wishing to offer an amendment to the bill must submit an electronic copy of the amendment and description via the Rules Committee Web site. Members must also submit 30 hard copies of the amendment, one copy of a brief explanation of the amendment, and an amendment log in form to the Rules Committee in room H-312 of the Capitol by 12 p.m. on Tuesday, May 10, 2011. Both electronic and hard copies must be received by the date and time specified. Members should draft their amendments to the text of the bill as ordered reported by the Permanent Select Committee on Intelligence, which is available on the Rules Committee Web site.

Members should also use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members should also check with the Office of the Parliamentarian, the Committee on the Budget, and the Congressional Budget Office to be certain their amendments comply with the rules of the House and the Congressional Budget Act.

If you have any questions, please contact Chairman DREIER or the Rules Committee staff.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1081

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent to be removed as a cosponsor of H.R. 1081.

The SPEAKER pro tempore (Mr. WESTMORELAND). Is there objection to the request of the gentleman from South Carolina?

There was no objection.

REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1214.

□ 1825

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, with Mr. SIMPSON (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule, and shall be considered read.

The text of the bill is as follows:

H.R. 1214

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEALING MANDATORY FUNDING FOR SCHOOL-BASED HEALTH CENTER CONSTRUCTION.

(a) IN GENERAL.—Subsection (a) of section 4101 of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4) is repealed.

(b) RESCISSION OF UNOBLIGATED FUNDS.—Of the funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)), the unobligated balance is rescinded.

The Acting CHAIR. No amendment to the bill shall be in order except those received for printing in the portion of the CONGRESSIONAL RECORD designated for that purpose in a daily issue dated May 2, 2011, and except pro forma amendments for the purpose of debate. Each amendment so received may be offered only by the Member who caused it to be printed or a designee and shall be considered read.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON
LEE OF TEXAS

Ms. JACKSON LEE of Texas. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:

(c) NOTICE OF RESCISSION OF UNOBLIGATED FUNDS.—Not later than 10 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall post on the public website of the Department of Health and Human Services a notice of—

(1) the rescission, pursuant to subsection (b), of the unobligated balance of funds made available by section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4(a)); and

(2) the amount of such funds so rescinded.

The Acting CHAIR. The gentlewoman from Texas is recognized for 5 minutes.

Ms. JACKSON LEE of Texas. Mr. Chairman, I ask my colleagues to join me in supporting this amendment. I appreciate very much my friend and colleague from Texas, and I believe that this is an amendment that Republicans and Democrats can join on, maybe for different reasons.

I have indicated that I believe the repealing of the support for school-based health clinics and construction thereof is an unfortunate act on behalf of America's children.

My amendment is very simple. It requires the Department of Health and Human Services to post public notice on its official Web site that the mandated funds from Section 4101(a) of the Patient Protection and Affordable Care Act, including the amounts of the funds, will be rescinded. It explains to the American public just what we are doing and it gives them a line-by-line,

dollar-by-dollar impact of what happens when they take money away that is already being invested, that will be invested, to help build a health care infrastructure in their neighborhood, so that children like this young man and many others who may not have access to health care can have a school-based clinic. The amendment will provide the public with important information about mandatory school-based health center funding that will no longer be available for them to receive these preventative care services.

This amendment also assists my good friends on the other side of the aisle by permitting them to easily show the American public that they are cutting public spending. But yet we must weigh the balance—cutting spending, or alleging that you are going to benefit from these cut funds, and undermining the health care system of America.

□ 1830

When the Congress passed the Affordable Care Act in 2010, and the President signed it into law, the Department of Health and Human Services was given a mandate to provide funding for expanded and sustained national health center construction programs to improve clinical preventive services and help restrain the growth in private and public health costs. Nearly every State has school-based health centers. There are about 2,000. It provides mandatory funds for building and improving school-based health centers. There are now 350 applications for 46 States with shovel-ready projects. It couldn't be all bad.

If H.R. 1214 is passed, it will kill those funds. It will repeal it. And yet this particular amendment will point out Sophie's choices—not really good choices—to take away from our children good health care under the pretense of cutting the deficit. The majority of the funding that is being cut by my friends is from discretionary services, few dollars that represent only a small portion of the Nation's budget, appropriations, and deficit.

And so I ask that we support this amendment because truth is in the pudding. Let's see what they're doing and how you can get good health care and cut school-based clinics.

Let me quickly say this. We're trying to make sure that we have places in neighborhoods for people to evacuate to—schools that are secure enough and strong enough that you could run or you could evacuate or you could be safe in place. School-based clinics, health clinics, provide places to take the wounded from a hurricane or tornado or a disaster unforeseen—or a man-made disaster.

So I would ask my colleagues to vote for this amendment, to support this amendment, because it shows the light

of what we should and should not be doing.

With that, I reserve the balance of my time.

The Acting CHAIR. The gentlewoman may not reserve her time. The Committee is operating under the 5-minute rule, in which case the gentlewoman is recognized for 5 minutes.

The gentlewoman still has 1 minute and 10 seconds remaining.

Ms. JACKSON LEE of Texas. And I am trying to reserve my time.

The Acting CHAIR. The gentlewoman cannot reserve her time.

Ms. JACKSON LEE of Texas. Let me make the point that in earlier debate today, the Chair allowed me to reserve, and so I take issue with the ruling. And what is the basis of the ruling?

The Acting CHAIR. Under the 5-minute rule, the gentlewoman has to use her time or yield back her time. She may not reserve her time.

Ms. JACKSON LEE of Texas. Can I have an explanation as to why I was allowed to do so previously?

The Acting CHAIR. The Chair would tell the gentlewoman that the Committee is operating under the 5-minute rule and the time is not controlled.

Ms. JACKSON LEE of Texas. So to my parliamentary inquiry, the answer is that we're under the 5-minute rule?

The Acting CHAIR. That is right.

Ms. JACKSON LEE of Texas. Let me just indicate that school-based clinics represent a source of homeland security, and in fact what we will find is we will stop States in their tracks for trying to provide the kind of health care not only for the children going to school every day to be able to protect them, but also in a long-range effort.

Does anyone remember H1N1? I do, because I went to my schools where there was an epidemic of H1N1. And we had it all across the Nation. We were panicked. I will tell you that school-based clinics can be a source of relief for children either coming to school with infections or some devastation coming about.

I would ask my colleagues to support this very simple amendment which gives to the American public the reason why we shouldn't cut these funds. Cutting funds, killing health care. Cutting funds, killing health care. Support this very thoughtful amendment that provides you with the reason for us being able to support school-based health clinics, for homeland security, for the ability to evacuate and be secure in times of disaster and, yes, to take care of the millions of children and respond to the States that are not Democratic or Republican who have 350 applications on the record. I ask my colleagues to support the amendment.

Mr. Chairman, I would first like to state my clear position that I am adamantly opposed to H.R. 1214 and its repeal of the important mandatory funding for School-Based Health Center Construction Prevention and Public Health

Fund created under the Affordable Care Act. The funding saves lives and saves money.

If H.R. 1214 to repeal mandatory funding for School-Based Health Center Construction provided under Section 4101(a) of the Patient Protection and Affordable Care Act is enacted into law:

WHAT MY AMENDMENT DOES

Requires the Department of Health and Human Services to post public notice on its official web site that the Mandated Funds from Section 4101(a) of the Patient Protection and Affordable Care Act including the amount of the funds that will be rescinded.

This Amendment will provide the public with important information about Mandatory School-Based Health Center Funding that will no longer be available for them to receive necessary preventive health care services.

This Amendment also assists my Republican Colleagues by permitting them to easily show the American Public that they are cutting government spending, by how much they are cutting spending, and where they are cutting government spending. So I expect that my Republican Colleagues will fully support this Amendment.

Purpose of the Mandatory Funding for School-Based Health Center Construction Prevention and Public Health Fund Created under the Affordable Care Act. (Section 4101 of the Affordable Care Act)

When Congress passed the Affordable Care Act in 2010 and the President signed it into law, the Department of Health of Human Services was given the mandate to provide funding for expanded and sustained national health investment in School-based Health Center construction programs to improve access to Clinical Preventive Services and help restrain the growth in private and public health costs. This was already a cost cutting measure.

Nearly every State has School-based health centers (there are about 2,000 of these)

Provides mandatory funds for building and improving school-based health centers.

There are 350 Applications for 46 States with shovel—ready projects.

If H.R. 1214 is passed it will repeal these funds and kill jobs.

According to the Texas Department of Health Services there are approximately 8 to 10 people employed at the 85 existing health centers. More than 20 of these health centers are currently in Houston.

A study conducted by John Hopkins University found that school-based health centers reduced inappropriate emergency room use among regular users or school-based health centers

A national multi-site study conducted by Mathematica Policy Research Institute found a significant increase in health care access by students who used school-based health centers: 71 percent of students reported having a health care visit in past year compared to 59 percent of students who did not have access to a school-based health center.

This program has been attributed to a reduction in Medicaid expenditures related to inpatient, drug and emergency department use to use of school-based health centers.

FUNDING PROVIDED

Section 4101(a) the Affordable Care Act mandates the Department of Health and

Human Services to use any Funds from the Treasury in the following amounts for School-based health center construction and improvement projects:

Fiscal Years 2010 2013—\$50,000,000 per year for a total of \$200,000,000.

USE OF FUNDS

The mandatory funds appropriated for School-based Health Centers are a cornerstone of the Affordable Care Act.

Section 4101 provides grants to establish school-based health centers. Eligible entities must be a school-based health center or a sponsoring facility of a school-based health center. They must assure that the funds awarded under the grant will only be used for services authorized or allowed by Federal, State, or local law.

Preference is given to school-based health centers that serve a large population of children eligible for medical assistance under the State Medicaid plan.

Further the funds can only be used only for expenditures for facilities, equipment, or similar acquisitions. No funds will be used for expenditures of Personnel or to provide health services.

Appropriations. The funds have already been appropriated for fiscal years 2010 through 2013. \$50,000,000 a year for a total of \$200,000,000.

Grants support the core services offered by school-based health centers includes comprehensive primary health services from health assessments, and treatment of minor, acute, and chronic medical conditions to mental health and substance use disorder assessment including crisis intervention, counseling and treatment.

They do not provide abortion services.

The program is designed to aid children residing in areas designated as medically underserved or has a shortage of health professionals.

Additional factors indicative of the health status of a child living in a medically underserved area include the ability of residents to pay for health services, accessibility of such services, and availability of health professionals.

Children in our proud nation should have access to health services. This is a reasonable solution to a serious problem.

Right now there are children who do not have the financial resources to receive adequate care. Even with the necessary financial resources they would not have adequate access to medical services in their area. Providing grants to build or renovate school-based health centers to protect the health of our children, create jobs and increase access to medical services in underserved areas should be our priority.

Mr. Chairman, my amendment is essential to provide greater consideration to this sensitive issue by affording an opportunity for the public to review the Department of Health and Human Services Web site information about mandatory school-based health center funding. This public notice will include information about rescinded mandatory funds from Section 4101(a) as well as the amount of funds that will be rescinded. This amendment will once again allow the American people to have accurate information about the impact this cut in

government spending will have on our Nation's medically underserved children and jobs created as a result of this program. I urge my colleagues to join me in supporting my amendment.

I yield back the balance of my time.

Mr. BURGESS. I move to strike the last word.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURGESS. Mr. Chairman, the Jackson Lee amendment would require the Secretary of Health and Human Services to post on the HHS public Web site a notice of the rescission of unobligated balances from the mandatory funding for school health center construction provided under section 4101(a) of the Patient Protection and Affordable Care Act, and the amount of that rescission.

Mr. Chairman, I support transparency in government. I actually wish there was more transparency, especially when the last Congress was putting together this new health care law. We still do not know why it is certain projects were given mandatory funding and others were determined to be discretionary programs. No explanation has been given as to why construction of these facilities is mandatory and yet the staffing remains discretionary. Paying for construction of health centers has always been the responsibility of States and localities and the Federal Government would help with the staffing. The Patient Protection and Affordable Health Care Act turned that long-term policy on its head.

I recognize that the Democrats in the House of Representatives, now the House minority, did not write the bill. In fact, the bill was written behind closed doors in the Senate and probably at a coffee shop down by the White House. Yet no one who was in the room or at the coffee shop will explain how the bill came to be.

If the author of this amendment feels that this would increase transparency, then I will support the amendment. I would hope that all Members would take the opportunity to increase transparency and demand transparency on how the backroom deals that sealed the fate of our health care system in the hands of Washington bureaucrats came to pass.

Mr. Chairman, I urge an "aye" vote on the amendment, and yield back the balance of my time.

Mr. PALLONE. Mr. Chairman, I move to strike the last word.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. I yield to the gentleman from Texas.

Ms. JACKSON LEE of Texas. I just rise to thank the gentleman from Texas for accepting this amendment. I think it shows that though we may have positions that differ on the underlying legislation, this is an initiative

for transparency, and it will help explain to the American people.

Let me also conclude by saying that it should be very clear that this funding is not used for health care, in particular, on personnel. But it is to build the structures that will provide and protect children to be able to have these clinics, more access to health care for communities, and a source and site to be able to protect people who are impacted by natural or manmade disaster.

With that, I would ask my colleagues to support this legislation.

Mr. PALLONE. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Ms. JACKSON LEE of Texas. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Texas will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

Mr. PALLONE. Mr. Chairman, I have an amendment preprinted in the RECORD as amendment No. 2 to H.R. 1214, as the designee of Representative CAPPS.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

In section 1, add at the end the following:

(c) GAO STUDY TO DETERMINE SCHOOL DISTRICTS MOST IN NEED OF CONSTRUCTING OR RENOVATING SCHOOL-BASED HEALTH CENTERS.—The Comptroller General of the United States shall conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers (as defined in section 2110(c)(9) of the Social Security Act (42 U.S.C. 1397jj(c)(9))). Not later than 1 year after the date of the enactment of this Act, the Comptroller General shall submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

The Acting CHAIR. The gentleman from New Jersey is recognized for 5 minutes.

Mr. PALLONE. Thank you, Mr. Chairman.

This amendment provides for a GAO study to determine school districts most in need of constructing or renovating school-based health centers. Basically, it asks the Controller—or I should say mandates the Controller—to conduct a study to determine the school districts most in need of construction and renovation, and not later than 1 year after the date of the enactment, the Controller has to submit to the Congress a report setting forth the results and conclusions of the study under this subsection.

Mr. Chairman, I know we've had a lot of debate today about money, but the fact of the matter is that the \$50 million per year doesn't actually cover the costs of all of the schools that have requested and applied for construction or renovation funds. That's why I would like to have this amendment passed and hopefully accepted by the other side so that we can find out exactly how many more of these clinics, or centers, are in need of funding.

I yield back the balance of my time.

Mr. BURGESS. I move to strike the requisite number of words.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. BURGESS. Mr. Chairman, I rise in support of the amendment. The amendment requires the Government Accountability Office to conduct a study to determine the school districts in the United States most in need of constructing or renovating school-based health centers.

Actually, the amendment is refreshing. I only wish we would have had an opportunity to have this discussion in our committee a year and a half ago before the Patient Protection and Affordable Care Act passed. This amendment underscores one of the major flaws in the Patient Protection and Affordable Care Act.

□ 1840

Rather than conduct hearings and markups on this specific program, the school-based health center construction fund was lumped in with hundreds of other programs in a 2,700-page bill. I think the amendment will help the Congress determine whether the need exists and to quantify the target dollars in a careful manner.

My only regret—my only regret—is that in the last Congress the then Democratic majority did not request this study before providing \$200 million in mandatory funding for the school-based health center construction under the Patient Protection and Affordable Care Act.

Congress should determine the need before authorizing and appropriating dollars. That's, after all, regular order. That's the way we are supposed to do it; not simply throw the money out after a program because we feel that it may be a good program or we believe that it may be a good program, no. We're dealing with taxpayer dollars. It is our obligation to show those dollars are going to be wisely spent and then proceed with the authorization and then the appropriation.

I believe this amendment will help in that process, and I urge support of the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. PALLONE).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. PALLONE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

Mr. BURGESS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DUFFY) having assumed the chair, Mr. SIMPSON, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, had come to no resolution thereon.

HONORING THE RECENTLY FALLEN SOLDIERS IN AFGHANISTAN

The SPEAKER pro tempore (Mr. SIMPSON). Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Texas (Ms. JACKSON LEE) is recognized for 60 minutes as the designee of the minority leader.

Ms. JACKSON LEE of Texas. Mr. Speaker, I am delighted to have the opportunity to be on the floor for such an important issue and joined by my colleagues.

I am holding the time until the distinguished gentleman from Louisiana (Mr. RICHMOND) arrives. But let me just indicate that this is an enormous crisis when nine of our soldiers are killed in the way that they were killed in Afghanistan. And for many of us who are concerned about the continuing conflict and the next steps, it is important to be able to offer our sympathy to their families and, as well, to be able to ask for an investigation as to the basis of their loss.

So it is important tonight that we educate our colleagues about the challenges that those brave soldiers faced, the conditions under which they lost their lives, and to say to their families that we will not rest until we have the opportunity to secure all of the facts and to be able to establish a reaction or a basis on seeking a response from the Afghan Government and certainly from those who are in supervision of the Armed Forces in the region, in the theater.

With that in mind, as we offer our sympathy and express our desire for a full understanding and story as to what happened, Mr. Chairman, let me just say I look forward to a full airing of this unfortunate circumstance, and I hope that we will continue to seek information for these families and on behalf of these brave soldiers.

I yield back the balance of my time.

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Lou-

isiana (Mr. RICHMOND) is recognized for the remainder of the minority leader's hour.

Mr. RICHMOND. Mr. Speaker, I want to first, before I start, thank the gentlewoman from Texas, Congresswoman SHEILA JACKSON LEE, not only for introducing this segment tonight but for the work that she has done for people all across the country, and especially when you talk about disasters. She was there for the city of New Orleans in the metropolitan region after Hurricanes Katrina and Rita to make sure that everyone was included in the rebuilding and the reconstruction, and it was a lot of her effort that made sure that we could rebuild the city of New Orleans. And as we have just suffered losses around the country with the tornadoes that hit, I'm reminded of Hurricanes Katrina and Rita, but more importantly, Mr. Speaker, I am reminded of the people in this Congress who go above and beyond to make sure that we take care of everyone in this country. And for that I want to thank Congresswoman SHEILA JACKSON LEE.

Mr. Speaker, tonight I want to focus on our brave soldiers who recently fell in Afghanistan. We want to focus on their sacrifice. We want to focus on their bravery. We want to focus on their legacy.

Last week, on a diplomatic military congressional delegation which was headed up by and whose idea was Congressman BILL SHUSTER's, he also went the extra mile to make sure that he included freshman Members in that so that we would get a chance to see what's going on over there. So last week while on a diplomatic and military delegation in Europe and Afghanistan, I attended a memorial service for the following heroes on this board. They are:

Lieutenant Colonel Frank Bryant, Jr.; Major David Brodeur; Major Philip Ambard; Major Raymond Estelle; Major Jeffrey Ausborn; Captain Charles Ransom; Captain Nathan Nylander; Retired Lieutenant Colonel James A. McLaughlin; Technical Sergeant Tara Brown; Private First Class Jonathan Villanueva; and Staff Sergeant Matthew Hermanson. These are just some of the faces of those who have made the ultimate sacrifice while protecting America's interests abroad and helping to keep our country safe from threats far and wide.

I am joined by a couple of my colleagues who were with me on a fact-finding trip.

□ 1850

We will focus on the sacrifice made by these brave men and women, as well as the sacrifices being made by all of our brave men and women on a daily basis.

With that, Mr. Speaker, I want to yield to Congressman BILL SHUSTER, who will have the opportunity to not

only talk about one or two or three of the individuals who gave the ultimate sacrifice but just on the experience in Afghanistan, where we are, the progress we're making.

Mr. SHUSTER. I thank the gentleman from Louisiana for yielding and thank the gentleman for traveling with us on our codel, which was a bipartisan codel made of up six Members—2 Democrats, 4 Republicans—and we traveled to, obviously as the gentleman from Louisiana said, to Afghanistan. It was, I think, an eye-opening experience for all of us getting to see and hear firsthand from not only our military leaders but also soldiers who were in the field and traveling out to Herat Province and be able to go to a village and talk to the village elders, the people that 18 months ago in this village it was controlled by the Taliban. Today, with the help of the U.S. Special Forces, the Taliban is gone and the people of this community, the people of this village and region are setting up their own police force.

The village elder committed to us that he would never allow the Taliban to come back and how much he appreciated the support of U.S. Special Forces and their training and the fact that they were living with them in the community, 30 of our Special Forces in two different compounds, again offering training and guidance to these folks that live out in a very, very rural part of Afghanistan and actually 50 to 60 miles from the Iranian border. And they're doing good work. So we saw those kinds of positive developments.

Of course, we all know what happened at the end of this weekend. Our Special Forces were able to go in and kill Osama bin Laden and bring justice to him, and America's grateful for their efforts.

As my colleague said, we were also able to participate in two ceremonies. One was a ramp ceremony of one of our fallen heroes. They actually put the coffin on the plane to bring it back to Dover Air Force Base to meet its final destination, and then also a ceremony to honor the nine fallen Americans that were killed by an Afghan pilot, somebody they had been working with for 9 months, somebody they trusted, who came in during a meeting last week, and brought in a weapon and killed nine people. They were not all military. There were eight people that serve in our military and one civilian, a civilian contractor, A retired lieutenant colonel. So there were also officers and enlisted people, and all of them gave the ultimate sacrifice serving for us in Afghanistan, and it was also the largest loss of life for the U.S. Air Force since the Khobar Towers were bombed by Osama bin Laden some 12 or 13 years ago.

Tonight, we are joining here—and I think we are going to be joined by others that were on the trip—to talk about

these individuals and honor these individuals.

With that, the first person that we want to honor is Major Jeffrey O. Ausborn. He was in the NATO Air Training Command in Afghanistan. Major Ausborn was born in August 1969 in Hokes Bluff, Alabama. His military career began on August 9, 1991, after being commissioned as a second lieutenant from the Troy State University Reserve Officer Training Corps. After completing basic communications officer training at Keesler Air Force Base, he remained as an instructor for nearly 4 years, and in 1996, Major Ausborn was selected for undergraduate pilot training and proceeded to Columbus Air Force Base where, as a pilot trainee, he went on to earn the coveted wings of silver.

Major Ausborn went on to fly the C-130, eventually completing two flying tours in the mighty Herk. In 2001, he joined the air education and training command as an instructor pilot. Major Ausborn spent 9 years of that command transitioning through the T-37, the T-6, and T-1 aircraft at Laughlin and Randolph Air Force Bases.

In November of 2010, Major Ausborn joined the NATO Air Training Command in Afghanistan as a C-27 evaluator pilot and the chief of current operations with the 538th Air Expeditionary Advisory Squadron. His awards include the Bronze Star Medal, the Meritorious Service Medal, and the Aerial Achievement Medal.

Major Ausborn is survived by his wife, Suzanna; daughters, Emily and Shelby; son, Eric; and stepchildren, Summer and Mitchell.

Our hearts and prayers go out to that family, for their loved one who gave the ultimate sacrifice. It is with that tonight that we remember Major Jeffrey O. Ausborn.

I yield to my colleague from Wisconsin.

Mr. DUFFY. I'm grateful for the gentleman from Pennsylvania.

You know, we were on a trip together, a bipartisan trip to Afghanistan, and as we were able to tour the country and meet with our military leaders, our CIA and our State Department, it was for me an interesting trip in that you see that support of our young men and women who are overseas fighting for their country does not have political boundaries. Our group on this trip came together and unanimously were supportive of the men and women who we have sent to defend this country, and I think it was quite remarkable to see this team come together.

Before I talk further, I would like to yield to the gentleman from Louisiana.

Mr. RICHMOND. I thank Congressman DUFFY for yielding, and I know that your constituent and the person from Wisconsin was someone that you wanted to talk about and you had the

privilege of performing the ramp act. I wanted to give you chance to switch podiums so that you can go down now that we have the pictures presented, but I also wanted to take a minute to say what a ramp act is.

And it's a ceremony performed in the country of the soldier's death. It's not a funeral but it's a memorial, and it's good-bye to a fallen soldier on their return home. So this solemn ceremony, it may have words by a chaplain or commanding officer, but it's just a very, very surreal experience in the fact that all of the troops are out there, and we had a chance to participate in that, to watch one of our fallen soldiers get put back on a plane to be sent home to his parents and the family that he left behind. So that is our farewell for them, and I will tell you that the ceremony is performed for all coalition forces, not just the U.S. military.

So it was that ceremony that we had a chance to participate in, and it was one that was very humbling, something I will never forget.

With that, I will yield to the gentleman from Wisconsin, Congressman DUFFY, to talk about his constituent who we had the privilege of watching and participating in that ramp act.

Mr. DUFFY. I'm grateful to the gentleman from Louisiana for yielding.

I do want to briefly talk about one of our Wisconsin heroes who last week was fighting for his country in the Wardak Province. It's Matthew Hermanson, who is pictured here in the lower left corner of our diagram. He is from Appleton, Wisconsin, and he is survived by his wife and his parents.

He was, again, last week fighting for his country. He was part of the 2nd Battalion, 4th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division, and the division's 4th Brigade is stationed in Fort Polk.

In Wisconsin, we have like many States suffered losses recently, and our hearts go out to the family, the parents of Matt and to his wife, who at a time when many Americans are celebrating what has happened in Pakistan with Osama bin Laden, this family and other families are grieving the loss of their loved one. And here is a great Wisconsin hero, a great American hero who was fighting for his country who gave us the ultimate sacrifice in his pursuit for freedom. And I am grateful for all that he has given his State and his country, and we are proud of him.

□ 1900

Mr. RICHMOND. Thank you, Congressman DUFFY.

And now, Mr. Speaker, I would like to yield to the gentleman from Connecticut, Congressman CHRIS MURPHY, who was the senior Democrat on the trip who provided an awful lot of guidance as a senior Member of Congress in terms of what we were seeing and the effect of it also.

Mr. MURPHY of Connecticut. Thank you very much, Representative RICHMOND. It is kind of scary that I get senior status in my third term, but things move fast here in the United States House of Representatives.

I want to thank the gentleman from Louisiana for bringing us together for this Special Order hour. I have been here now for 5 years. And when votes are done and you go back to your office to get some work together for the next day, we often flip on the TV, and we watch these Special Order hours as, frankly, millions of Americans do across the country. What you see every night essentially starts to look the same. You see Republicans on one side having 1 hour, and Democrats on the other side having another hour. Too often that time is spent by both parties talking down the other side.

This is unique, to have Members of both the Republican and Democratic side joining together in a testimony to something that binds us as Republicans and Democrats, conservatives and liberals, whatever we are in this Nation. We know how important it is to support our men and women abroad and then to memorialize them when they don't come home. And you know what, if you got any of us individually and asked what our perceptions were of our trip and of the future of the war in Afghanistan, you would probably get different stories. But you won't get different stories when it comes to the respect that we have every day for the men and women who fight for us and I think the new understanding you get of the threats that are posed to these brave soldiers when you spend a little bit of time in theater.

Not only did we have the tragic honor of being part of a ramp ceremony and then a memorial service for the nine airmen and civilians that perished in the attack at the airport, but we got the chance a day later to walk the beat, essentially, with some of our Special Forces units in one of the western provinces of Afghanistan. And that's where you realize how dangerous this job is in a remote outpost with mud walls. A couple dozen of our bravest are trying to do their best to provide some security for Afghans in Herat province who had barely seen a coalition or American soldier before the last year, trying to cobble together the money that they had at their disposal to build some infrastructure projects to make the lives of the community members and the tribe members better.

Whatever you think about the future course of this war, we have got our best and our brightest fighting for us over there. We have 1 percent of Americans fighting for this country, protecting the other 99 percent. And, unfortunately, there are more and more that aren't coming home.

In Connecticut, as I got the chance to remark in a short speech before the

House of Representatives 2 weeks ago, we have taken an abnormally large number of casualties for a small State in the past 2 months. Unfortunately, one of the nine airmen that were killed in the attack at the Kabul International Airport was Raymond Estelle II. Major Estelle was born in Connecticut. Although he had moved away, he was a native of the Nutmeg State.

His military career spanned two decades back to November 1991 with his enlistment in the U.S. Air Force. After completing basic military and technical training, Raymond served as an enlisted aerospace ground equipment technician, rising to the rank of senior airman before earning his commission through the Reserve Officer Training Corps at the University of New Mexico in 1998.

Major Estelle was most recently assigned as the communications adviser to the Afghan Air Force with the 838th Air Expeditionary Advisory Group. It was in that capacity that he was serving in Afghanistan. It was in that capacity that he had befriended the Afghan airman who eventually turned his weapon on nine Americans.

Major Estelle's awards include the Bronze Star Medal, the Meritorious Service Medal, the Air Force Commendation Medal with one oak leaf cluster, the Joint Service Achievement Medal, and the Air Force Achievement Medal with one oak leaf cluster.

He is survived by his wife, Captain N'Keiba Estelle, his daughters Chanelle and Shayla, his son Raymond III, and his mother Regina.

As we sat there listening to the final roll call of that unit with nine of its members missing, we read through the biographies of the nine that were killed. We noted that almost all of them had children, young children, three, four, five kids. And as Representative DUFFY so aptly said, as many Americans are celebrating in the street the heroic achievement of our Special Forces in taking down one of the most evil people ever to walk this Earth, there are other families that are grieving today for those who put their lives on the line to protect the other 99 percent of us. And for my constituent Raymond Estelle, we grieve in Connecticut today.

Mr. RICHMOND. Thank you, Congressman MURPHY. I think that you brought up a very good point, which was the observation of the sacrifice and the fact that as we looked at all of the boots and the helmets of the nine troops during that boot ceremony, the fact that it crossed all lines. It crossed partisan lines. It crossed racial lines. It crossed geographic lines, and it certainly crossed different income levels.

So I just wanted to reiterate that the reason why we are here today with such a bipartisan and diverse group showing our appreciation is because that was one of the things that was so

noticeable when we participated in that ceremony, the fact that it was a very diverse group.

But there was one consistent and one overwhelming issue, one overwhelming purpose, and that was to make sure that the United States of America stays the best country on Earth and to make sure that this next generation, we leave them and we give them the opportunity to succeed and the opportunity to live in peace.

I will just quickly read, and it was one night while we were meeting in Batumi, and we were having a deep conversation about the sacrifice that our children are making, the sacrifice that the troops were making. And there was a parliamentarian from Batumi who used the John Quincy Adams quote, and it was the sentiment of everyone. So I just thought that I would point out that quote and read it to everybody. Mr. Speaker, it is so on point that I thought people needed to hear it: "I must study politics and war, that my sons may have the liberty to study mathematics and philosophy, geography, natural history and naval architecture, navigation, commerce, and agriculture, in order to give their children a right to study painting, poetry, music, architecture, statuary, tapestry, and porcelain." That is John Quincy Adams.

Mr. Speaker, I would just again reiterate the fact that it seems like we have been fighting forever to make sure that we give those next generations the freedom and that they don't have to concentrate on war so much and that they don't have to ship their children off to war and we don't have to welcome our troops back home in caskets. That is the sacrifice we are making, and we hope that we make that sacrifice so that the next generations can study the arts and the culture and all of those things.

With that, Mr. Speaker, I yield to the leader of that congressional delegation, BILL SHUSTER.

Mr. SHUSTER. I thank the gentleman, and I appreciate the gentleman talking about the meeting with other parliamentarians in some of the other countries that we visited, from the Czech Republic to Azerbaijan to Georgia. And one of the things all three of those countries have in common is they are really great allies of the United States of America. All of those countries contribute forces not only to Afghanistan but to Iraq.

Currently, they either have troops there or have troops just returning. And you look at a country like Azerbaijan, which lies in a rough neighborhood between Iran to the south and Russia to the north; Georgia sits on the Russian border and has had problems with Russia; but when those countries send their troops to fight shoulder to shoulder with the Americans, they have no caveats, which means that

their troops are allowed to do whatever the Americans, whatever the NATO forces need them to do, whether it's combat, whether it's Special Forces, whether it's supporting the NATO troops and the American troops in some other way. So it's really important that we, as Americans, know these countries and support what they do for us.

When people think and they hear that Georgia was to provide 900 troops to the effort in Afghanistan just recently, a lot of people would say, Well, that's not a very big force. But when you look that it's a country of about 4.5 million people, that would be the equivalent of the United States contributing 80,000 to 90,000 troops to the effort. So it's really a big contribution, and we owe a debt of gratitude to those countries that do that around the world.

□ 1910

As my colleagues have been talking about, we're honoring those nine that were killed last week in Afghanistan. And of the nine, as I said earlier, eight were in the U.S. Air Force, but one was a civilian, a contractor. That person was Lieutenant Colonel (Ret.) James McLaughlin, or as he was commonly known as "Jimmy Mac," was one of the nine.

James Aloysius McLaughlin, Jr. was born on June 16, 1955. He graduated from Drexel University with a bachelor of science degree and earned a master's degree in business administration from the University of Phoenix. Jim retired from the U.S. Army as a lieutenant colonel in 2007 after service in Iraq.

His civilian career included program manager, product marketing manager, and applications engineer manager with LEMO USA. Jim's most recent service was as a contractor with L3 Communications, MPRI Division, supporting the NATO Training Command mission in Kabul, Afghanistan. During that time, he was a senior mentor to both the Ministry of Defense and the Afghan Air Force. Jim held military and civilian ratings in both rotary and fixed wing aircraft. One of his passions was his ham radio, and he held a current amateur radio license. He had a network of fellow ham radio operators throughout the United States and the world.

James McLaughlin is survived by his wife, Sandra, and their three children, Adam, Eve and James, all of Santa Rosa, California.

All Americans should keep their families in our thoughts and our prayers and we give, again, a thank you not only to James McLaughlin for giving the ultimate sacrifice, but for his family that had to suffer this great, great loss.

Mr. RICHMOND. Thank you, Congressman SHUSTER.

With that, I will yield to Congressman CHRIS MURPHY so that he can

again pay tribute to another one of our fallen American heroes.

Mr. MURPHY of Connecticut. Thank you, Representative RICHMOND. I know we're joined on the floor by a few of our other colleagues here. I would just underscore the remarks of Representative SHUSTER. Although Americans clearly are carrying the burden of operations in Afghanistan, we do have partners there. And many of our partners increased their commitment to Afghanistan, as the United States did. Others have walked away and drawn down their commitment. But we are fortunate that we are not fighting this fight alone there, and that we do have partners. And I think it's important for us to remind Americans of that, but also remind many of our allies that this fight is an international fight because, though the most high-profile of terrorist attacks in this world were those on New York and Washington, D.C., and the fields of Pennsylvania, the next terrorist attack could be anywhere in this world. And our ability to push al Qaeda to the brink of extinction is a global effort, not just an American effort.

In addition to those that we've noted already, there was another airman who we memorialized that day, and I would like to just for a brief moment of time talk about Major Charles A. Ransom. Major Ransom was born in 1979. He attended the Virginia Military Institute, and he earned a baccalaureate of science in computer science. And he received his ROTC commission in the United States Air Force as a second lieutenant on the 18th of May, 2001. It was in that year that he deployed for the first time in support of Operation Enduring Freedom. Then in 2006 he deployed again in Turkey in support of Operations Enduring Freedom, Iraqi Freedom and Fundamental Justice. And then in 2009 he deployed to Baghdad, Iraq, in support of Operation Iraqi Freedom. Finally, in 2011 he deployed for the last time to Afghanistan in Operation Enduring Freedom.

He is survived by his mother and father, SGM (Ret.) Willie and Marysue Ransom, and his brother, Chief Petty Officer Stephen Randolph.

From those that talked about Major Ransom, they talked about what a tremendously important figure he was in our operations in Afghanistan. But his story and his background are not uncommon in two ways.

First, Major Ransom comes from a military family. Both his brother and his father have served and are retired from the armed services. And that's how it goes. This becomes a family occupation, a family passion. There are millions of families around this country who have the kind of commitment that the Ransom family did. And while we pay our respects to those individuals who served, we, frankly, have to remember that this is not just an indi-

vidual commitment. This is not just an individual sacrifice; this is a family sacrifice, that the whole family serves, whether they are serving through brothers and sister and fathers and mothers who have been members of the military, or whether they simply serve by picking up and doing a little bit more for their family while their loved one is away.

But he's also not unique in the fact that this was his fourth deployment. When we talk about the heroes from previous wars, they are no less heroes because they only served one or two tours. But there is something unique about the last 10 years in that there are more and more people like Major Ransom who have gone back, not just for a second time, not just for a third time, but in Major Ransom's case, for a fourth time.

He did it, and I can't speak for the reasons why he did it. But I imagine he did it because he knew of the importance of the work that he was doing. He knew that he didn't want to leave his men and women behind to do it on their own.

And unfortunately, Representative RICHMOND, Major Ransom didn't come back from his fourth deployment. But we owe him and his family, frankly, a degree of gratitude beyond words for their service and their sacrifice as an entire family.

Mr. RICHMOND. Thank you, Congressman MURPHY. I yield to the gentleman from Wisconsin.

Mr. DUFFY. I appreciate the gentleman from Louisiana for yielding. And I would echo the sentiment as stated by the gentleman from Connecticut. I think he's right. You look at the families and how they suffer when they lose one of their sons or daughters or fathers or mothers. It truly is felt. I think it was well said.

Just quickly, as we were on this trip, we had a chance not just to go to Afghanistan, but this bipartisan delegation had a chance to go see many of our great allies in the conflict in Afghanistan. We stopped over in Georgia and Azerbaijan and the Czech Republic. What I thought was so unique as I went to those countries was their unabashed support for American principles, not just American principles, human principles of freedom and liberty and prosperity.

And when we look around the world and people talk about America, oftentimes they pay us great lip service. They tell us they're our friend and they're supportive of what we're doing in the world. But oftentimes their actions don't meet their words. But you look at these three countries that we visited. They just don't express by word their support for what we do here in America, but they show their support. And they've shown that support most definitely by way of sending their troops to Afghanistan to fight for the

freedom of those Afghanis who want to see some form of democracy in their country.

Again, while we were in Afghanistan, we participated in a memorial ceremony for the nine Americans who were shot at the airport and were killed. I want to remember tonight Major Philip Ambard, one of those who lost his life last week in that attack. He was born in Caracas, Venezuela, on the 4th of April, 1967. He lived in Venezuela until he was 12 years old, at which time he moved to America, and he was then living in Edmonds, Washington.

Now, he started his military career in 1985. He enlisted in the United States Air Force. With a stellar enlisted career, he rose to the rank of master sergeant. From there he attended night school, all the while raising a young family, and he obtained his bachelor's degree.

□ 1920

He was then selected to go to Officer Training School in 2000. He was given his most recent assignment as a foreign language professor at the Air Force Academy in Colorado Springs. He taught both Spanish and French.

As we've discussed here, the loss of one of our military men or women is felt throughout the family. Major Ambard was survived not only by his wife, Linda, but by his five children—Alexander, Timothy, Joshua, Patrick, and his daughter, Emily; by his mother and father; and by his sister, Diana.

I know, as they go into this week and into the coming months and years, they will mourn the loss of their father, their son, their brother, their husband. I just want Major Ambard's family to know that we are grateful for his service, that we are grateful for the sacrifice he made for his country, and that we are grateful to them for the sacrifice they are making, for they don't have their loved one at home with them tonight, sharing a meal, and they're not going to have Christmases and birthday parties together. That, most definitely, is a sacrifice they will feel for a lifetime. I am grateful for what he has done in paying the ultimate sacrifice for his country.

Mr. RICHMOND. Thank you, Congressman DUFFY.

With that, I would like to yield to the gentleman from New Jersey, another Member who took the time over the Easter break to go to Afghanistan to visit with our troops. He was certainly a rock star when he appeared on the base and stopped to sign a bunch of autographs. Of course, he was the only one who was asked for an autograph.

Mr. RUNYAN. I would like to thank the gentleman and also all of my colleagues for a great trip, for a really great factfinding trip. It was an opportunity to go over there in a bipartisan nature and to really learn about what our troops go through on a daily basis

and about what they're doing for the Afghani people.

In the same light, it was also an opportunity to learn about some other allied nations we have because, when you boil all of this down, whether it's the Czechs, the Jordanians, the Afghans or the Azerbaijani people, we're all fighting for the same thing. We're all fighting for democracy, and we're all fighting for freedom. So it was truly an honor to go over there and to learn firsthand about everything that's going on there. It was an opportunity to really go out and see what our guys go through on a daily basis.

Being put in a camp there in western Afghanistan and seeing the relationships and the support they're building with the Afghan people was tremendous. Building those friendships really allows our troops and all of our allied troops to go in there, to make friends with them and to help them defend their own country. No matter where we went on this trip, there was a sense of pride that everybody had in themselves, in their country and in their warfighters: that we were all out there, fighting for democracy and freedom.

When you talked to the troops, you could really see it in their eyes even when they asked the question: What is the end? When is the end? You looked at them and said, Well, the end is to give these people the opportunities that we have. The scary thing about it is a lot of the Afghani people don't understand what it is to live in a democracy, what it is to have freedom.

You could always see the twinkle in our troops' eyes when you said that to them because you could sense that some of them were thinking, Well, when is this going to be over? Then you just refresh their memory on what they're fighting for. They're fighting for our freedom. They're fighting for the freedom of other human beings. It was truly an honor to go over there and witness that and experience that and really just say "thanks" to all of them.

As my colleague said, I had somewhat of a rock star mentality over there. Everyone asked me, Can I get a picture? I can't give you enough time in the world for what you're doing for us and for what you're doing for other people around the world with the sacrifices you're making, and I say that on a day-in and day-out basis with every troop I ever meet with.

You go off into the villages, and you see a group of guys who are living together in a camp out there. That's all they have. They're brothers. You could see them all, and they were having beard growing contests throughout the camp. Some of them participated and some of them didn't, but they were taking a lot of pride in that type of stuff, and were just keeping that morale going. It was great to see because you knew what type of desperate situation they were in.

I think when we all got to that boot ceremony there at the end—and many of you have seen it before where there's the boots with the M16s stuck in the middle, with the dog tags wrapped around the weapon, and the helmet on top—it was a somber reminder of the cost of freedom and of the cost of democracy. I really want to, along with my colleagues, say "thank you" to everybody.

The one gentleman I do want to recognize is Major David L. Brodeur, whose call sign was actually "Klepto." Throughout the ceremony, they would call the guys by their call signs; and when they went through the roll call and they kept calling these guys' names, the silence was deafening because they kept calling his name, and there was no one answering as they went through the whole company. I know quite a few of us were really brought to tears in that moment.

Major Brodeur was born on December 10, 1976. He was commissioned through the United States Air Force Academy in 1999 where he majored in political science.

After graduating pilot training in 2001, he was qualified as an F-16 pilot. He was then assigned to Shaw Air Force Base where he served as the Assistant Weapons Officer in his squadron. He next served at Luke Air Force Base as scheduler, flight commander and weapons instructor pilot. At his next assignment to Eielson Air Force Base, he was the Chief of Scheduling, an F-16 Aggressor Pilot, and the Chief of Aggressor Academics. Upon his deployment, he was assigned as Executive Officer to the 11th Air Force Commander at Elmendorf Air Force Base.

Major Brodeur deployed and served in Operation Iraqi Freedom, and was deployed in support of Operation Enduring Freedom as an Air Adviser to the Afghan Air Corps Command Center.

He is survived by his wife, Susan, by his son, David, Jr.—aged 3—and by his daughter, Elizabeth.

It is truly guys like him who make the difference, who are a big reason why people like myself, I really think, get involved in supporting these heroes and in making sure they're known. Yes, we've suffered a loss here, but the true people who have suffered the ultimate loss are his family. His children aren't going to have a father. Myself being a father of three, I realize that. I respect that. May God bless his soul, and may God bless his family. We thank him for his service.

Mr. RICHMOND. Thank you, Congressman RUNYAN.

I will now yield to the CODEL leader, Congressman BILL SHUSTER.

Mr. SHUSTER. I thank the gentleman from Louisiana for securing this hour for us to be able to talk about our experience in Afghanistan and, most importantly, for us to be able to talk about and honor the nine people

who were killed in Afghanistan last week. As I mentioned earlier, it was the largest loss of life in the U.S. Air Force since the Khobar Towers.

□ 1930

As my colleague, Mr. RUNYAN, talked about the somber and powerful experience that we had there at this memorial service, at the ceremony, it was really something to be there. We got there at the last minute, and I think we all were very, very grateful to be able to participate in the ceremony.

Again, nine people were slain. We have already talked about the one that was not a military person but a contractor. He served in the military, but then came back to serve in Afghanistan as a contractor and tried to help develop and train the Afghan Air Force.

Another one of those members that gave the ultimate sacrifice is Lieutenant Colonel Frank D. Bryant, Jr. Lieutenant Bryant was born on August 13, 1973, from Knoxville, Tennessee.

His military career began when he entered the U.S. Air Force Academy in the summer of 1991. After graduating from the U.S. Air Force Academy in 1995 with a bachelor's degree in general engineering, Lieutenant Bryant was assigned at the Columbus Air Force Base initially as a student pilot and then as a T-37 instructor pilot. Lieutenant Colonel Bryant's next aircraft was an F-16.

In the F-16, he completed tours in Korea, Shaw Air Force Base, an exchange pilot with the UAE, and Luke Air Force Base. His last assignment was a CJCS Afghanistan-Pakistan Hand assigned to the 438th Air Expeditionary Wing in Kabul, Afghanistan.

During his career, Lieutenant Bryant earned the Bronze Star, the Purple Heart, Air Force Combat Action Medal, Defense Meritorious Service Medal, Air Medal with one oakleaf cluster, Air Force Commendation Medal with one oakleaf cluster, Air Force Achievement Medal, Joint Meritorious Unit Award, Air Force Outstanding Unit with Valor Device and two oakleaf clusters, Combat Readiness Medal, National Defense Medal, Global War of Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Korean Defense Service Medal, Afghan Campaign Medal, NATO Medal, Air Force Overseas Ribbon, Air Force Expeditionary Service Ribbon with gold border with one oakleaf cluster, and the Air Force Longevity Service with three oakleaf clusters, and, finally, the Air Force Training Ribbon. Somebody who served long and, obviously by all those medals, did a fabulous job serving the United States of America.

Lieutenant Bryant is survived by his wife, Janice; his son, Sean; his father, Frank D. Bryant, Sr.; and his mother, Patricia Bryant. We owe a deep debt of gratitude to his family and also to

Colonel Bryant, for their service to this country, and of course for the ultimate sacrifice that Colonel Bryant gave for his Nation. I would encourage all Americans to remember Colonel Bryant and his family in their thoughts and their prayers.

Mr. RICHMOND. Thank you, Congressman SHUSTER.

I have the privilege to call upon another one of our colleagues who participated in the congressional delegation who has not had an opportunity to talk about one of our fallen soldiers, but I will tell you something about this Member of Congress. He, himself, has put his life on the line and served in our U.S. Air Force, and that is none other than Captain ADAM KINZINGER.

Mr. KINZINGER of Illinois. I thank the gentleman from Louisiana, and I thank him for setting this up.

One of the great things about when you talk about, just, in general, America and what we stand for, there is a lot of disagreement. But when it comes to supporting our troops, when it comes to what America stands for, there is no disagreement.

The gentleman from Louisiana and I have become great friends, and on this mission we got to really see what America stands for. And even though there are differences sometimes in where we should see foreign policy, and that is understandable and that is fine, there is no difference right now in supporting troops and supporting those who put their lives on the line.

As a military pilot, I never would expect to be in a situation where myself and scores of my brothers and sisters would be killed by a mad gunman walking into a room. That is something that I am sure these brave heroes that we are talking about never expected. But it happened. It was tragic. But they stood up and fought for their country, and in the process they lost their lives.

One of those brave heroes who lost his life is a fellow Illinoisan, Captain Nathan Nylander. Captain Nathan Nylander was born outside of Chicago, Illinois, and grew up in Illinois and Texas.

His military career began in August of 1994, with his enlistment in the United States Air Force. After completing basic military training and follow-on technical training in Texas, Florida, and Mississippi, he served as an enlisted weather forecaster, rising to the rank of technical sergeant.

His enlisted assignments include weather forecaster at Luke Air Force Base, Arizona, and Seoul, Republic of South Korea, and culminated as the Presidential Weather Forecaster at Camp David, Maryland.

In 2006, Captain Nylander did what few do: He earned his commission through Officer Training School, and ended as a distinguished graduate.

As a weather officer, Captain Nylander held positions as a weather

flight commander at Joint Base Pearl Harbor-Hickam in Hawaii, and Davis-Monthan Air Force Base, Arizona. Captain Nylander was most recently assigned as the lead weather adviser for the Afghan Air Force with the 438th Air Expeditionary Advisory Group.

His awards include the Bronze Star Medal, Meritorious Service Medal, Air Force Commendation Medal with three oakleaf clusters, Joint Service Achievement Medal, and Air Force Achievement Medal.

He is survived by his wife, two sons, daughter, and his father and mother.

These brave heroes are an example of what is best about our country. And while we mourn their loss, we celebrate the freedom that they passed defending.

So I would say over the next couple of years as we go forward and we debate really big issues here in Washington and we have disagreement, never forget that we are all Americans. That is the most important thing.

So to the nine heroes, and to those who gave their lives already, to those who continue to serve every day, let me just humbly say, on behalf of everybody in the United States Congress, on behalf of Americans, on behalf of a Republican and a Democrat standing here in the Chamber united on this: Thank you. Thank you for defending our country. Thank you for being an example for generations to come. We mourn for your loss, but now we celebrate the freedom that you defended.

Mr. RICHMOND. We have one or two more fallen heroes that we want to honor, and I want to make sure that people understand that this is just a short ceremony, but from the heart, for the 10 people that we had a chance to participate in their ceremony, and for Private First Class Jonathan Villanueva who was killed at the same time as Staff Sergeant Matthew Hermanson.

But I wanted to take a minute to talk about Master Sergeant Tara Brown.

She was born July 21, 1977. She began her military career in 1997, at the Kadena Air Force Base in Japan as an administrative clerk, quickly mastering her skills in communications and embracing a love of travel and adventure.

Master Sergeant Brown completed assignments to Germany, Turkey, Alaska, and Korea before taking charge in numerous high-level communications positions at Andrews Air Force Base right down the street.

Master Sergeant Brown's awards include the Bronze Star posthumously, Joint Service Commendation Medal, Air Force Commendation Medal with three oakleaf clusters, and the Air Force Achievement Medal with three oakleaf clusters.

She is survived by her husband, Ernest Brown; father, Jim Jacobs; moth-

er, Gladys Verren; brother, Jim Jacobs, Jr.; and sister, Laguanda Jacobs.

□ 1940

Mr. Speaker, I will tell you that during this service, and when they talked about Master Sergeant Brown, they talked about her smile, they talked about her status as a newlywed, but, more than anything, they just talked about her love of service and the fact that she was willing to give it all.

So I wanted to make sure that as we continued we included Master Sergeant Tara Brown in our ceremony today, just to make sure that we don't forget any of our troops, that we had the privilege and the opportunity to participate in their service and on their day.

Mr. Speaker, I think that all of my colleagues, and I don't see them now, but I think all of my colleagues have exhausted their time in making sure that they honor all of our fallen soldiers. This was just one thing that we thought we wanted to do to show the country that although we disagree on 20 or 30 percent of things in this body, and those 20 or 30 percent may be very gut-wrenching and they may be very divisive and we may differ on how we cut programs, but every difference in principle is not necessarily a difference in purpose and a difference in our ultimate goal, and that is to make sure that this country continues to be the best country on Earth.

So we as just a small part of this august body, and one that we are honored to be a part of, we are honored to serve with so many senior Members who have taken us under their wing to make sure they nurture us. Mr. Speaker, we can't thank you enough for that and we can't thank Congress and the American people enough for giving us the opportunity to go over to the conflict, to watch Afghans as they start to patrol their own area.

I will tell you, I am not sure if Congressman SHUSTER touched on it, but we had an opportunity to patrol with a group of Afghans and their elders. One of the elders that was over there was a very elderly man who was the commander of this police unit, and they were protecting the entrance into this city and they had their checkpoint.

While walking to the checkpoint, we saw a young man holding arms and protecting us as we walked, and we stopped to talk to him. Then they pointed out to us he lost his father and brother in a firefight just a week and a half ago while they were out patrolling. Then as we talked to him just for a few minutes longer, he talked to us about the vision of freedom, and he was all excited and his eyes were open very wide as he talked about why he was still patrolling after his father and his brother's funeral, which was the fact that he had a love for his country, for Afghanistan, but also because he felt

an obligation because we had so many troops out there fighting and dying that we were joined at the hip, because this was a very important goal. And it is not just to bring freedom to us; it is to bring freedom to people all across this world.

Then as he was telling us that, he told us that just a couple of days before we got there that his daughter drowned in a creek in their little village. So we are talking about a very young man who had tragedy three times in his life who was still out there with his machine gun in the desert, in the heat, patrolling to make sure that this congressional delegation was safe, but also taking the time, and we watched him talk to school kids and other things.

But that is what makes this country great. And the thing that united us all was the fact that what makes this country great, we are inspiring other people so that they want to make their country and their town and their village great, just like America.

So you have people all across this world, and we can talk particularly about Afghanistan, because that is where we saw it, that were going above and beyond, because they appreciated our effort to help them, and they were committed to helping themselves, and they said we are in it with you, and we are going to sacrifice our life and our limbs, just as those brave men and women in the United States are doing.

Mr. Speaker, I want to thank you for allowing us to have this time to talk about the people we lost, and I will just end with reading their names, because I think that we can't give them enough, because they made and paid the ultimate sacrifice so that we can have the freedom that we enjoy and others could have it. And they are: Lieutenant Colonel Frank D. Bryant, Jr.; Major David L. Brodeur; Major Philip D. Ambard; Major Raymond Estelle; Major Jeffrey O. Ausborn, "Oz," as they called him; Captain Charles A. Ransom; Captain Nathan J. Nylander; retired Lieutenant Colonel James A. McLaughlin; Technical Sergeant Tara R. Brown; Private First Class Jonathan Villanueva; and Staff Sergeant Matthew D. Hermanson.

Mr. Speaker, thank you, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. GRAVES of Georgia). The Chair wants to thank the gentleman from Louisiana (Mr. RICHMOND) for this much-needed tribute. Thank you for recognizing those individuals, the defenders of liberty of this great Nation.

REASONS FOR HIGH ENERGY PRICES

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, we just got off two weeks of working in our districts around this country. At least I held about 10 town hall meetings, and I am sure many of my colleagues held more. We talked about the debt, we talked about the deficit, but one of the things that almost every one of these town halls insisted upon talking about was the high price of gasoline.

Let's start with this first exhibit we have here. This just gives the comparison of what the gas prices were somewhere in the United States, I can't tell where. January of 2009: Unleaded, \$1.32; mid-range, \$1.42; super, \$1.52. Here is a picture taken in April of 2011: Regular, \$3.99; mid-range, \$4.09; the high powered stuff, \$4.19 a gallon.

Mr. Speaker, the only party that can be blamed for this, unfortunately, is the Democratic Party, through the leadership of Barack Obama, President of the United States, because a vicious combination of the Obama administration's moratorium on offshore drilling and the devaluation of the American dollar through the administration's quantitative easing have resulted in the highest seasonal gasoline prices in U.S. history.

We have reached a point where if we don't pay attention, we are going to give up our ability to produce our own natural resources and be, as the President said to Brazil when he loaned them \$2 billion or more, "We will be glad to be good customers of yours when you find some oil out in the Gulf."

Mr. Speaker, this is a broken energy policy. In fact, this is no energy policy at all. We are quite aware now that we have found substantial reserves that were unfound in the area of natural gas. In fact, there are those who report that the production of shale gas in the United States could result in us having enough natural gas to operate in this country for at least 100 to 150 years at present or projected usages, and yet we seem to have roadblocks thrown up in front of that production at every step.

We had a deep water accident, a terrible deep water accident, in the Gulf of Mexico. The President and the Energy Department put down a moratorium on drilling in the gulf, both deep water and shallow water. Even though the shallow water, they had had no massive oil leaks in the shallow water, it was included. So the Gulf of Mexico, one of the largest potential oil and gas fields in the world, was shut down for American production. Not for Chinese production, not for Brazilian production, not for anybody else who had an ability to make a deal with Cuba to get a lease offshore to drill, but for American production.

□ 1950

But he promised that after they got all of the cleanup done and after they examined what happened in the BP

case, that they would lift the moratorium, and with a lot of outcry from the Gulf States, because for the first time, at least in the State of Texas, until the moratorium on drilling in the gulf, the State of Texas was looking pretty good on unemployment. We were still in the 6 percent range as the rest of the Nation was in the 10 percent range. But when you shut down potentially 250,000 jobs that relate to the drilling in the Gulf of Mexico, I don't know how many of those jobs are actually lost, but those were the ones at risk. And as a result of that and other factors, we're now up in the 8 percent unemployment range, which is still better than the rest of the country, but still a really direct cause of the moratorium in the gulf.

When the moratorium was lifted, they refused to issue permits. But first, because the Federal court told them to lift the moratorium, they lifted that moratorium and issued a new one the next day, or maybe 2 days later, which was, I would say, fairly much in contempt of the order of the Federal court in Louisiana. That Federal judge, in turn, made several comments about contempt of court. And so, finally, after years, the moratorium was lifted and another 6 months later, or 8 months later, a few permits were issued so that drilling could begin.

Remember this: Barack Obama, when he became President of the United States, President Obama promised that he was going to open up offshore exploration and enhance nuclear energy. He's failed to do both. The only energy policy that he's dealt with is one that we certainly need to develop. And no one here doesn't want to seek alternatives that are economically viable to make this country run. This country is an energy-driven country. Just look at the lights in this room. Think of the amount of windmills it would take just to power up this room almost 24 hours a day. But we're for—and, in fact, I would say the great State of Texas has the largest wind farm in the entire United States.

So when it comes to energy, we don't shy away from any kind of energy in our State. We are an energy State. We have been producing oil and gas in the State of Texas for I guess close to a hundred years, clear back to Spindletop. We are not the experts, but we're as close to experts as you're going to run into because we've been doing it through generations of Americans.

I remember when I was 17 years old, my big desire was to go work on an oil rig because the great pay those people got paid. My daddy wanted me to keep all my fingers so he told me I couldn't do it. But I always wished I could. It is something we grow up with. We don't think oil and gas are evil products, and we don't think that they are the curse of this country. We think they are the

primary clean power source in competition with other power sources of the petroleum age. We think we do a good job of producing clean energy—and energy, we think, that is the cause of the great modern expansion of American Government.

Remember, when we're talking about petroleum products, we're not just talking about power for your automobiles and power for your trucks and power for your power stations and all the other things that we use with oil and gas. We're talking about plastic, we're talking about lifesaving chemicals, we're talking about clothing. There's a list of a hundred different products—I can't even list them all—that have come from the production of petroleum. And now, for some reason, we have an administration that treats petroleum and treats petroleum products like natural gas as if they were some kind of horrible evil poison because of this issue which is unresolved of carbon dioxide.

So we are sitting here on the verge of something that will ultimately shut down our economy. I can tell you from personal experience, because my wife sent me to the grocery store three Sundays ago and one of the things on her list was avocados. And this is in Texas. We're pretty close to Mexico. We're pretty close to California. Two avocados cost a dollar and a quarter. The next week she sent me back to get two more and they were a dollar apiece. So I started watching those things, and holy cow, they have gone up three times since that first purchase of avocados. And you wonder why. Maybe it's weather; maybe it's crop failure. Maybe it's the fact that the cost of energy is going up daily to power the fleet of trucks, to power the diesel-driven trains, to power the automobiles of America. As gas prices go up or diesel prices go up, so do the prices of food. And now the two inflationary prices that we see going forward are food and energy. This is serious stuff.

I'm very pleased to have a fellow Texan join me here today, BLAKE FARENTHOLD. He's a new Member from down on the Texas gulf coast in a city that grew up with petroleum surrounding it, Corpus Christi, Texas. I'm going to yield to my good friend, Mr. FARENTHOLD, whatever time he needs to talk about his views on energy.

Mr. FARENTHOLD. Thank you very much, Judge. I grew up in the oil and gas industry. My great grandfather, Rand Morgan, came to Corpus Christi after the Great Depression and was one of the pioneers in the oil and gas industry in the Saxet field by the Corpus Christi International Airport. We've been a farming ranch and an oil and gas family since before I was born, since before my father was born, and since before my grandmother was born. Rand Morgan was actually my great grandfather.

And we can tell you as landowners, as outdoorsmen, as hunters, and as fishermen, the oil and gas industry is a clean industry. The men and women who work in the oil and gas industry are committed to the environment. The landowners whose land is used for domestic oil and gas production are committed to making sure the oil and gas companies do a good job and keep their land in great shape.

You talk about offshore, too. Corpus Christi is the home to some of the largest fabricators of offshore oil and gas equipment in the world. Port of Brownsville has several industries building and refurbishing offshore oil and gas. And our fishermen love the offshore oil and gas rigs. They're artificial reefs. They're where you go to fish—not fishing for sport, but fishing for the fish you're going to take home and fry and eat. They're clean and they're great for the environment.

And we had a horrible accident with the BP well. Our beaches in some parts of the country suffered with some contamination. I think it's the second time I remember that happening in my lifetime. The first time it happened, there was a blowout of a well in the Gulf of Mexico operated by the state-run oil and gas company of Mexico. Not a whole lot happened with that one. We had tar balls coming up on the beaches of Corpus Christi. It was an annoyance, but we took some wipes and you wiped your feet off after you got off the beach so you didn't get it on the carpet or your cars.

But what we've done now as a result of the BP blowout is we've shut down the oil and gas industry—the American oil and gas industry in the Gulf of Mexico while the Chinese, the Brazilians, and the Mexicans continue to drill in the Gulf of Mexico. And there's not a thing in the world we can do to stop them or regulate how they do it.

Instead, we're penalizing our oil and gas companies in the United States. We're decreasing production that's available to fuel our cars, to power our electrical generating plants, and to create the hundreds of products that rely on oil and gas. Our focus is wrong. We should be looking at ways to increase production and increase safety and increase our ability to respond in the event there is another accident.

We need to be training the Coast Guard. We need to be training our industry personnel. We need to be developing the technology to contain it and to protect our beaches from oil and gas spills that may happen as a result of the activities of any country in the world. We have the opportunity to be the technological leaders in this and get our domestic oil and gas industry back on track and get the price of gasoline back down to reasonable levels.

We're getting to \$4 and \$5 a gallon of gasoline. That doesn't just ruin your summer vacation. It starts to ruin

your life. You can cut down on driving, you can take the bus, you can take public transportation. But those avocados Judge CARTER was talking about, they can't. They have got to get to your grocery store in a truck. Every good or service that you use or buy is affected by the price of oil and gas. It's going to run the price of everything up. We have got to get this under control, and we have got to exploit our domestic energy sources.

I agree with Judge CARTER, Texas is the leader in wind farms. It's a beautiful sight as I drive down Ocean Drive in Corpus Christi, looking across the bay at the windmills across over by Sinton, Taft, and Portland. That's the future. But you can't put a windmill on a car. You have got to have oil and gas to run your cars.

Now, we can get into a discussion about we probably need to be focused on getting cars working on natural gas as a more cost-effective way to do it. We've got a great abundance of natural gas, but we have got to get rid of the moratorium—the de facto moratorium that is crippling the oil and gas industry in the Gulf of Mexico. It's running prices up. It's costing us jobs in Texas.

I want to talk just for a second, if you don't mind, Judge CARTER, about the portrayal of the oil and gas industry as being an evil industry. It's real easy to talk about these big corporations, big oil and gas producers like Exxon and BP. I have got two things to say about that. First of all, I imagine if you have got a retirement plan or pension, you're an owner of one of these oil and gas companies. Your pension plan, your mutual fund, they're all investors in these companies. But that being said, really the bulk of the oil and gas are produced by small businesses, by independent operators who are one, two, three, five, 10, 20-man operations that take a chance, go out there and explore and drill.

□ 2000

And every time they find a prospect, they go out there and raise some money. They put their money on the line. And they are on the line. If they drill a dry hole, they're going to have to struggle to get their next paycheck.

But this is the entrepreneurial spirit that built America. These men and women are not evil. They are our neighbors. They're concerned about the environment. They're concerned about this country. And they want the price of gasoline that you put in your car to be reasonable.

They're not profit gouging. We can show charts about how the price of gas is going up and why it's going up, but it's not that hard a question to look at. If you took a middle school government class and you studied economics and finance, you learned about something called supply and demand. And supply, especially in this country, is

down because we can't drill and produce offshore. We can't drill and produce in massive areas of land that's controlled by the Federal Government. And we've got a regulatory scheme that's looking at making new technologies to produce energy that's more expensive and possibly illegal. So the supply is down.

Then you look across the globe at our competitors—China, India, Korea. All of these countries are seeing newfound wealth. The old movies where the Chinese would ride around on bicycles, that's not the way it is in Beijing anymore. The Chinese are driving cars. Their factories are using oil and gas, and they're competing in the international market for that oil and gas.

Our national security, our economic security, and our very freedom lies in exploring, finding, and producing our domestic energy resources. That's the way we're going to keep America free. That's the way we're going to keep the costs of our goods and services down. And that's the way we're going to keep the price of gasoline in check.

Thank you, Judge.

Mr. CARTER. I thank the gentleman.

And reclaiming my time, as an expansion of what you just said, let's talk about some of the things that the Democrats in this House and the President have talked about as the solution to the high price of gasoline. And that is they're going to cut the tax breaks for the oil producers, and they named Chevron, Exxon, BP—what they call the majors. They're going to cut those tax breaks. Therefore, they're going to make sure that those billion dollars worth of profit are not going to be there because they're going to reduce these tax breaks they have given, which they say are billions of dollars.

Well, let's just stop and look at what these tax breaks are about. All the oil and gas produced offshore in other countries is not subject to American taxation, and that's where the majors now produce somewhere between 80 and 90 percent of all their production. In fact, those drilling inside the continental United States, almost all those people drilling shallow water offshore and a few of those people drilling deep-water offshore, none of those people are majors. They're all from, as you were talking about, the entrepreneurial spirit of the wildcatter and the small producer who is going out in an attempt to expand domestic production. By the way, they're the only ones that take advantage of any tax breaks that are there, and they're not billion dollar companies that we use as examples.

So the cuts, the way I understand it, are not even going to affect ExxonMobil or affect Chevron or these big producers from overseas because those tax breaks don't pertain to that production. They only pertain to production in the United States. And those are done by independents. Al-

most the vast majority are done by independents.

So the only people that get hurt again by the tax policies of the Barack Obama administration are the small business men. Just like everything we see coming down the pike at us seems to be targeted at the small, independent entrepreneur who is trying to make it go.

So don't be misled to think that the majors, where we see all these massive amounts of money they're making, are the targets that are really going to be hit by the shot that our colleagues on the Democrat side of the aisle have proposed that we should take in getting rid of, as they call them, subsidies, which are really tax breaks, to the producers of domestic production.

By the way, all production offshore, they've shut it down. Just recently, Shell Oil Company, after dumping a couple of billion dollars in an offshore operation off the coast of Alaska, pulled out completely because, before they could even get started, after dumping a couple of billion dollars, with a "b," into that production field out there, the EPA came in with more and more stops and stop orders and other things, and they finally threw up their hands and said, We're going somewhere else. We're not drilling in American waters anymore. It's not worth it.

So right now where we know we have production for oil and gas, we have an administration that is fighting that production tooth and nail. This has cost jobs in the industry, as we pointed out. This has made our dependence on foreign oil bigger.

Here's the skyrocketing price of the Obama administration since he's been in office. Here is another chart that shows you the offshore field production of crude oil, thousands of barrels per day. And look at this. This is where that production was: 250,000 barrels up to 400,000 barrels; down again, and I guess that was in 1999 during the Clinton administration that it went down; and back up in the Bush administration. The end of the Bush administration, down to 100,000 barrels of offshore production today. From 400,000 to 100,000 since the Obama administration.

Nobody can argue that the Obama administration is anything but violently opposed to the oil and gas industry. And they are doing everything they can to throw big roadblocks in front of production.

Then you wonder why the speculators are saying the price of a barrel of oil is going up. Because they're speculating. Do you know how many millions of gallons of aviation fuel a company like American Airlines or United Airlines or Continental Airlines, any of these major airlines, burn every week? Do you know what they have to do in order to stay ahead of increasing prices on fuel? They have to speculate on fu-

tures on the cost of fuel. And I'm not blaming the airlines. There are plenty of other people that are speculating because they say, Let's see, what's going on in the world? We're finishing up a war in Iraq, which is one of the major producers, but it's been out of the market for years and is barely getting back in. We're sitting here with a moratorium on all the offshore domestic production. We're not opening up any Federal lands for production anywhere in this country. The Obama administration has shut down the leasing practices on any public lands.

By the way, Texas is the only State in the Union that didn't turn their public lands over to the Federal Government. But the rest of the country, in areas like Idaho, Utah, we know there's production up there, up in Wyoming, up in Montana—all that stuff that the Canadians are now producing across the border, the fields on our side of the border are being curtailed by the administration. They just don't want to produce oil. They just want to buy it from foreign sources.

And about these foreign sources, the people who study the market say, My gosh, Libya is not available anymore; Iraq's not available, and what happens if we've got no production at home?

□ 2010

The market looks shaky. We better buy futures on oil. And guess what, the price goes up. Doesn't take a rocket scientist to say they see a shortage coming down the pike, that competing with India and China, two of the biggest competitors we've got for any kind of energy that's out there, and then we're going to sit here and we're not going to buy the chance to buy fuel at a cheaper price now than what it might be 6 months down the road? Of course, speculators are going to do that. Of course, industry is going to do that.

So as my friend, BLAKE, was pointing out, the lack of production, the lack of faith in what this government is going to do to this industry, and the fear that the shutdown will be complete, it just sets up any situation for the price to go up. When the price goes up, then the price of gasoline goes up; and by the way, if you either add more taxes to the cost of the oil production or you take away the tax breaks for oil production, who do you think's going to pay that increase in cost for the oil industry? Well, I will tell you. It's going to be the guys and the gals that are filling their cars up with gasoline at the pump.

To the extent that any business has an increase in cost of their production, they do the very best they can to pass that cost on to the consumer. That's the way any company whether it's steel, whether it's widgets, whether it's buggy whips, whatever it is that you do produce, if your cost goes up, the manufacturer passes on, to the extent that

he can and still stay within the price limits that are set not by the government but by the demand of the consumer, then the price goes up.

So you're not going to lower prices by taking away subsidies to the oil and gas industry. The only thing you can do is raise prices. They don't want more prices to discourage production. That's ridiculous. If you have the law of supply and demand and we've got a short supply and you are discouraging production, the price is going up. You learned that in the eighth grade, as BLAKE pointed out. This is not hard stuff. This is easy stuff to figure out. Sometimes I think some of these folks that don't understand the oil business, the only oil they know is what's on the end of their dipstick in the crank case.

But the facts are this product is a major product of the modern society of the American public, and I think the American public know it, and I don't think they're going to get fooled by demagoguery on these prices.

Does my colleague wish to have more comments?

Mr. FARENTHOLD. If you don't mind, Judge. I wanted to reiterate what you were saying. You know, demonizing the speculators isn't the way to do it. The speculators are the users. They're the airlines. If you want to double what your vacation is going to cost, you take away the airline's ability to hedge their fuel prices, and you know what, if you want to stick it to the speculators, let's open the spigot and those guys betting on higher prices, they are in trouble. They're going to lose some money on that. So I just wanted to definitely reiterate that fact.

And, you know, if you take a look at what this Nation's policy is today on the oil and gas industry, if you were trying to concoct a way to run up gasoline prices, you probably couldn't come up with a better way to do it than we're doing now. It is like we are intentionally trying to raise oil prices. We're limiting production. We're making production more expensive. We're using a regulatory agency to make it more difficult to drill. We're not leasing any of our land. If somebody had come to my office and said, BLAKE, how can we make gasoline more expensive, I'd list out exactly what the executive branch and the Federal agencies, the regulatory agencies are doing. I can't think of a way to run the prices up that they haven't.

If, as we're hearing, the President's goal is to get prices down, the eighth grade is the answer. Increase the supply. That's all it takes. And it's easy to increase the supply. Sure, we can't flip a switch and do it overnight; but in a matter of months, as we open up Federal lands for leasing, as we open the gulf, as we get the permitting process under control, those prices will turn around, and they will go down.

Helping the oil and gas industry lower prices does not mean we abandon alternative energy. All of the above is the answer. I think some people on the other side of this aisle and in other offices in this town believe that it's either/or. Let's strangle the oil and gas companies so our friends in the alternative energy can thrive.

It's not like that. The energy demands of a modern world are such that all-of-the-above is a correct answer. wind, solar, safe nuclear, and a strong reliance on natural gas that is in the ground in supplies just 5 years ago we couldn't have imagined with the breakthroughs in technology for producing shale gas, coal.

There's no one answer. Every watt of electricity, every BTU, everything we do lowers the cost and raises the standard of living of everybody here and abroad.

I am sick and tired of less, less, less, either/or. This is the United States of America. This is the 21st century. Yes, we can, we can have it all, and we start at the pump.

Thank you, Judge.

Mr. CARTER. There are consequences to any action that you take in this town.

I wanted to point out something I said in a committee hearing one time when we were having this debate. I said those people who want to do away with oil and gas and have a wind industry as the solution better strap a sail on their Volkswagen and hope the wind is blowing towards Washington, or tomorrow morning we're going to have a severe employment shortage in the U.S. Capitol; but, seriously, it's more than that.

Look at this quote from the Heritage Foundation. How many jobs does the anti-drilling agenda of this administration cost? The cost in jobs is startling. A new analysis by Louisiana State University Professor Joseph Mason projects national job losses at 19,000 from the drilling moratorium with wage losses at \$1.1 billion. About one-third of those jobs are located outside the gulf region.

So not only did the people in the gulf lose jobs and do they continue to lose jobs, but these jobs, believe me, there is somebody somewhere within a hundred-mile radius of where we are right now that is producing something that goes into the production of oil and gas because it is a nationwide and a worldwide industry. And all of the machinery, and all of the other complicated gauges and all the modernization of the production of petroleum, all of that is far beyond just the State of Texas and Louisiana and the other Gulf States. It actually circumvents the whole globe.

So jobs is another important reason why we have got to do something about this whole concept that this administration seems to have that we are evil because we produce oil and gas; and yet, guess what, States that were criti-

cizing us for production of natural gas 2 years ago are dancing around campfires in their States now that they learned they've got shale oil in their States and some of our Midwest and eastern friends seem to all of the sudden be really excited about the fact that they've discovered they've got shale gas beneath their land and they can produce good, clean natural gas.

□ 2020

I say, more power to them. And I hope they can, and I hope their States and this Federal Government don't throw up roadblocks to the production of that shale gas because it is safe. This fear of fracking is a hoax because we have been doing fracking in the oil industry for 50 years. It's just amazing how all of a sudden a process that is almost normal to production, to get the second round of production out of almost any oil well that was drilled in Texas is using some form of H₂O fracking, water fracking, to get that second round of production out of a well. And people rework and rework and rework existing wells with all types of processes like fracking. Fracturing is what that means.

But are there solutions that can bring the price of oil and gas down? Yes, I think there are.

Here is one that my good friend DOC HASTINGS has proposed: reversing President Obama's offshore moratorium, establishing a national domestic oil and natural gas offshore production goal to ensure a continued development of America's offshore energy sources. That's H.R. 1231. Hopefully, we are going to have that bill on the floor of the House this week or next week. This is important. This is showing real leadership in real energy production. And you see, nothing on there says let's shut down windmill production or let's shut down solar production or let's shut down nuclear production or hydroelectric or anything else. It's saying, let's produce energy in the form of petroleum products.

Another real gas price solution, Restarting American Offshore Leasing Now, H.R. 1230, DOC HASTINGS again. Require the sale of specific offshore leases within set time limits instead of continued administration delays. It is proposed: central gulf leases in the Gulf of Mexico within 4 months, western gulf within 8 months, offshore Virginia within 1 year, additional central Gulf of Mexico by June 1, 2012. This bill sets out a road map to leasing for production in what we consider our Gulf of Mexico.

You know, when it comes to producing products offshore, the first place it ever happened was offshore Texas. And we have considered that gulf to be sort of our little saltwater lake out there ever since. That's not exactly true. In fact, it's not true at all. But the point is, to stop the production that's been going on in the

gulf, oh, since I was a small child—and I am no young whipper snapper—well, this starts us back to doing what we do well, producing offshore.

Another DOC HASTINGS bill: this is one, Putting the Gulf of Mexico Back to Work, requiring new safety permits to prevent and combat blowouts before drilling. No one in the industry—and I have talked to literally hundreds of people from the industry—everybody agrees. They were very proud of the fact that until the BP oil spill, oil spills looked like they were going to be a thing of the far ancient past because that Mexico blowout was, what, 20-something years old.

Mr. FARENTHOLD. I was a child.

Mr. CARTER. It would require the Secretary to decide on issuing a permit within 30 days of the application with two 15-day extensions possibly being allowed and provide drilling companies with speedy Fifth Circuit Court access if the government violates the law in denying or ignoring the permitting process.

Those are good solutions because not only does it set a standard that the Congress should impose upon the Secretary. In addition, it gives a recourse, the kind of recourse we're supposed to have on these issues of whether or not to drill, and that is to go to the courthouse and let the justice system prevail. So let's go to the Fifth Circuit, who has already spoken once, pretty loudly, and let them speak again.

There is one more that I don't seem to have and that is, we need to open up the leasing for our public lands in the West. The States of Utah and Idaho and Wyoming and Montana, we are well aware and are very knowledgeable about the amount of a certain kind of heavy petroleum that is available in those areas, North Dakota, probably South Dakota. We are already finding a lot in North Dakota.

But all of a sudden, it too is struggling to get permits to continue to drill on federally owned public land. And let's always remember those words "public land." It's not the U.S. Government's land. The U.S. Government is holding it for the American public. And if we need to lower our prices and have efficient production, we should go where the oil is.

I had one of my colleagues one day who said, I don't know why you Texans always just want to drill anywhere. If you want to drill, why don't you just drill in your own backyard where you have a say about it? Well, if there was oil down beneath my backyard, you could bet your soul I would drill back there in a heartbeat because I am not worried about—in fact, I would be glad to cut the grass around a producing oil well all day long in my backyard. It won't hurt my feelings at all. And I don't think anybody that knows anything about the industry would feel any way other than that.

It's almost a comment on the industry. When you pull out of Dallas/Fort Worth Airport, the DFW Airport, at the entrance, right to your right is a pumping oil and gas well that was drilled within the last 3 years. Right there, practically downtown Dallas, because they have discovered a field out their way. So we know it can be done and done safely. We have to get on it.

The New York Times—certainly not any bastion of conservative values—has a little article here: U.S. consumer prices are up 5 percent, pushed mainly by food and gas. They will reaffirm they are going to finish quantitative easing—that's this dollar thing I was talking about—but the central bank would remain concerned about the inflation expectation of consumers who would demand higher wages for businesses. And it could raise prices and perhaps cut spending.

What that's all about is, one of the price gauging things that you got that they are accusing the industry of doing is the fact that we have dumped trillions of dollars into our economy for this quantitative easing of the economy.

You know, as you've heard from this very House floor, is how much this body has spent in stimulus and in TARP and in other things in the last couple of years, trillions and trillions of dollars. More money has this organization spent, the Congress of the United States, signed by the President, than in the history of the country. And yet besides that, our Treasury has been printing money to supposedly ease the economy; and they are literally putting more dollars in circulation which, in turn, devalues the value of the American dollar.

When the value of the American dollar goes down, the price goes up because an apple has a worth. There is a worth, a cost to that apple, and there is a value to that apple on the market. And if the value before we dumped cash into the system was \$2, and you dump all this, then it will be \$3 or maybe \$4, not because the apple's changed but because the dollar's changed, and the dollar is worth less.

Why do you think—and by the way, nobody goes to Mexico in Texas anymore. But if you did, and you went across the border, like some idiot who got shot by the terrorists over there—but if you did, you would find that they won't even take American dollars in border towns anymore in Mexico. This was written up in some of the border papers. The American dollar is not wanted in Mexico because they are concerned about it losing its value. It used to be the peso that we worried about losing its value. Something has gone haywire.

□ 2030

But as we devalue our dollar and we create a shortage of our gas and oil,

it's no surprise at all that the byproducts of those two products, which is gasoline and diesel, is going up. And it has gone up. And if we don't do something about getting back into domestic production, it's going to go up some more.

And if the world perceives that the greatest consumer of energy on this Earth is going to have a huge demand when the supply goes down, and they've bought futures on that supply, they're going to get rich. That's not the oil companies we're talking about; that's the people who speculate and the people who cover their energy needs. And by the way, these same speculators are buying futures on oil and gas from China, from Russia, from India, and from other people and from Western Europe to compete for the world market.

We have the golden opportunity to at least produce what we can produce. And I'm not in any way cutting down any other energy source. I'm saying all of the above is the solution. But drilling anywhere that it is effective, and drilling now is the important thing.

And those people who think that anywhere you stick an oil well down there's oil just don't understand oil. They think there's natural gas under any ground; they just don't understand natural gas. And by the way, when Blake was talking about these independents that drill an oil well, the average cost of an oil well that is not that deep is about a million bucks. So when you go out and gamble \$1 million and come up dry, and you have to drill another well and gamble another million dollars, you know, these guys are the true entrepreneurs of this country, and they can lose their shirt and then get lucky and find an oil well and get their shirt back, but that's the world they live in.

That's the world of exploration for energy. And we're not ashamed of it. We're proud of it. We're proud that we still have people who are willing to take the risks that it takes to prosper in America. Our economy, our world of commerce in this country is built upon the risk takers. It's those who invest their capital and their labor into trying to produce a product and how they, between those two, they have some successes and they live through their failures. And, unfortunately, we've become a world that thinks anybody that slips up on any form or fashion, we need to bail them out. I've got problems with that.

Finally, another newspaper article. The Examiner says: oil imports spike as Obama oil ban decreases domestic production. This was April 29, 2011. This isn't very far past. While oil production in the gulf is down more than 10 percent from April 2010, it estimates net crude oil imports are up by 5 percent. More imported oil also means higher prices at the pumps. So direct

result of the actions of the Obama administration.

We have the price of oil going up. So tomorrow morning, when you go out there and you fill up whatever you're driving, whether it's a SmartCar or a hybrid that runs on both electricity and gasoline, or whether you're filling up your Suburban, you know, we've got fleets of Suburbans in this town. This is supposed to be the conservation capital of the world. Look around Washington, D.C. There's a black Suburban on every corner. Sometimes a whole parade of black Suburbans goes by. Not picking on Suburbans. I've owned five of them. Good cars, but they burn a lot of gas. And you fill one up you'd better have a pretty good size pocket because you fill up an empty Suburban at \$5 a gallon gasoline and you're going to need a bank loan because that sucker will take \$100-something to fill that thing up.

And that's the consequences of trying to curtail one industry to enhance another. And that's not the way Americans are supposed to operate. Let's take our going concern and keep it going, and let's build up these alternative energies, and when they are competitive in the world market, turn them loose, stop subsidizing everybody and let them compete. And may God bless every one of them. That's the way Americans are supposed to operate.

Until we get back to operating that way, we're going to find ourselves in this up-and-down world of shortages. And we're going to find ourselves also in a final world of unemployment because since this recession, there's only one place on Earth in the U.S. where jobs are increasing, and that's right here where we're standing. Federal employment is up 11.7 percent, and the private economy is down 6.1 percent. These are changes of employment since 2007.

So the only people creating jobs are Federal jobs. And I would argue that's not the way it's supposed to work. It's all part of a policy which is misdirected. And I would say, because they don't understand the nature of the industries they're dealing with and they really don't realize how many BTUs of energy it takes to run these lights in this building, but it's a ton of them. And I could tell you, my daddy sold natural gas for 40 years of his life, and he sold it cheap. If he was alive today, he'd crawl out of his grave. If he knew about the price today, he'd crawl out of his grave and start selling natural gas. But that price has been driven up by the demand.

We've got this resource. This resource, we can use it cleanly. We can protect our environment. We can live a good life, and we can live the American Dream. But you can't do it by trying to kill one industry to enhance another. And I would argue that that is what we've been doing under the Obama ad-

ministration. And I have a fervent hope that they see the light and back off and let us go back into production of oil and gas and the other natural resources of this great Nation so that we can maintain our status as the best country on Earth and the best country that cares about the average guy and tries to keep prices affordable to the average guy.

The price gouging that they are accusing of is nothing more than a misinterpretation of the law of supply and demand. And that misinterpretation is hurting the little man in America. It's time to change the policy, and let's all hope and pray that this administration wakes up to many things, but this is one of them. And if they'll wake up to an energy policy that makes sense, we will see the future bright.

Mr. Speaker, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. GRIFFIN of Arkansas (at the request of Mr. CANTOR) for May 2 on account of airline flight delays.

ADJOURNMENT

Mr. CARTER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 38 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 4, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1363. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Flubendiamide; Pesticide Tolerances [EPA-HQ-OPP-2007-0099; FRL-8863-8] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1364. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Aspergillus flavus* AF36; Exemption from the Requirement of a Tolerance [EPA-HQ-OPP-2010-0101; FRL-8868-7] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1365. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hexythiazox; Pesticide Tolerances [EPA-HQ-OPP-2009-0325; FRL-8868-6] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1366. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — Ethiprole; Pesticide Tolerances [EPA-HQ-OPP-2009-0493; FRL-8863-1] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1367. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Final Flood Elevation Determinations [Docket ID: FEMA-2010-0003] received April 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1368. A letter from the Legal Information Assistant, Department of the Treasury, transmitting the Department's final rule — Personal Transaction in Securities [Docket ID: OTS-2007-0010] (RIN: 1550-AC16) received April 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1369. A letter from the Deputy to the Chairman for External Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Deposit Insurance Regulations; Unlimited Coverage for Noninterest-Bearing Transaction Accounts; Inclusion of Interest on Lawyers Trust Accounts (RIN: 3064-AD37) received April 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1370. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Hazardous Waste Management System Identification and Listing of Hazardous Waste; Final Exclusion [EPA-R03-RCRA-2010-0132; FRL-9285-7] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1371. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR); Reconsideration of Inclusion of Fugitive Emissions; Interim Rule; Stay and Revisions [EPA-HQ-OAR-2004-0014; FRL-9280-8] (RIN: 2060-AQ73) received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1372. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2010-0794; FRL-9297-2] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1373. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Gila River Indian Community's Tribal Implementation Plan [EPA-R09-OAR-2007-0296; FRL-9259-9] received March 22, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1374. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Ohio; Volatile Organic Compound Emission Control Measures for Lithographic and Letterpress Printing in Cleveland [EPA-R05-OAR-2010-0259; FRL-9285-4] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1375. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans: Alabama: Final

Disapproval of Revisions to the Visible Emissions Rule [EPA-R04-OAR-2005-AL-0002-201047; FRL-9290-3] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1376. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Clean Alternative Fuel Vehicle and Engine Conversions [EPA-HQ-OAR-2009-0299; FRL-9289-7] (RIN: 2060-AP64) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1377. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — LAND DISPOSAL RESTRICTIONS: Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Treated by U.S. Ecology Nevada in Beatty, NV and Withdrawal of Site-Specific Treatment Variance for Hazardous Selenium-Bearing Waste Issued to Chemical Waste Management in Kettleman Hills, CA [EPA-HQ-RCRA-2010-0851; FRL-9290-6] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1378. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutant Emissions: Group I Polymers and Resins; Marine Tank Vessel Loading Operations; Pharmaceuticals Production; and The Printing and Publishing Industry [EPA-HQ-OAR-2010-0600; FRL-9291-3] (RIN: 2060-AO91) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1379. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Oklahoma: Final Authorization of State Hazardous Waste Management Program Revision [EPA-R06-RCRA-2010-0307; FRL-9291-1] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1380. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Standards of Performance for New Stationary Sources and Emissions Guidelines for Existing Sources; Hospital/Medical/Infectious Waste Incinerators [EPA-HQ-OAR-2006-0534; FRL-9289-6] (RIN: 2060-AQ24) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1381. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Allegheny River, Pittsburgh, PA [Docket No.: USCG-2010-1082] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1382. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone; 23rd Annual North American International Auto Show, Detroit River, Detroit, MI [Docket No.: USCG-2010-1133] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1383. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Reporting Requirements for Barges Loaded With Certain Dangerous Cargoes, Inland Rivers, Eighth Coast Guard District; Stay (Suspension) [USCG-

2010-1115] (RIN: 1625-AA11) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1384. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Traffic Separation Schemes: In the approaches to Portland, ME; in the approaches to Boston, MA; in the approaches to Narragansett Bay, RI and Buzzards Bay, MA; in the approaches to Chesapeake Bay, VA, and in the approaches to the Cape Fear River, NC [Docket No.: USCG-2010-0718] (RIN: 1625-AB55) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1385. A letter from the Attorney-Advisor, Department of Homeland Security, transmitting the Department's final rule — Notice of Arrival on the Outer Continental Shelf [Docket No.: USCG-2008-1088] (RIN: 1625-AB28) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1386. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zone, Michoud Slip Position 30 degrees 0'34.2"N, 89 degrees 55'40.7" W to Position 30 degrees 0'29.5" N, 89 degrees 55'52.6" W [Docket No.: USCG-2010-1087] (RIN: 1625-AA87) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1387. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; New Year's Celebration for the City of San Francisco, Fireworks Display, San Francisco, CA [Docket No.: USCG-2010-1108] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1388. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Beaufort River/Atlantic Intracoastal Waterway, Beaufort, SC [Docket No.: USCG-2010-0995] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1389. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Ice Conditions for the Baltimore Captain of Port Zone [Docket No.: USCG-2010-1136] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1390. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; 500 yards North and South, bank to bank, of position 29 degrees 48.77'N 091 degrees 33.02'W, Charenton Drainage and Navigation Canal, St. Mary Parish, LA [Docket No.: USCG-2010-1120] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1391. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Underwater Hazard, Gravesend Bay, Brooklyn, NY [Docket No.: USCG-2010-1126] (RIN: 1625-AA00) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1392. A letter from the Chief, Publications and Regulations Branch, Internal Revenue

Service, transmitting the Service's final rule — Examination of returns and claims for refund, credit or abatement; determination of correct tax liability (Rev. Proc. 2011-29) received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ROGERS of Michigan: Permanent Select Committee on Intelligence. H.R. 754. A bill to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; with an amendment (Rept. 112-72). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. STARK (for himself, Mr. FILLNER, Ms. MOORE, Mr. JACKSON of Illinois, Ms. CHU, Ms. BERKLEY, Mr. QUIGLEY, Ms. TSONGAS, Mr. WAXMAN, Mr. SERRANO, Mr. SABLAN, Mr. HASTINGS of Florida, Mr. ELLISON, Mrs. DAVIS of California, Mr. OLVER, Ms. LEE of California, Mr. WU, Mr. POLIS, Mr. GRIJALVA, Mr. LEWIS of Georgia, Mr. HINCHEY, Mr. GUTIERREZ, Mr. ROTHMAN of New Jersey, Ms. RICHARDSON, Ms. NORTON, Ms. MATSUI, Mr. MORAN, Ms. BALDWIN, Ms. ESHOO, Mr. NADLER, Ms. DELAULO, Mr. MCDERMOTT, Mr. MCGOVERN, Ms. PINGREE of Maine, and Mr. WEINER):

H.R. 1681. A bill to prohibit discrimination in adoption or foster care placements based on the sexual orientation, gender identity, or marital status of any prospective adoptive or foster parent, or the sexual orientation or gender identity of the child involved; to the Committee on Ways and Means.

By Mr. ROSS of Arkansas:

H.R. 1682. A bill to promote alternative and renewable fuels and domestic energy production, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GINGREY of Georgia (for himself, Mrs. MCMORRIS RODGERS, Mr. UPTON, Mr. PITTS, Mr. HARPER, and Mr. LANCE):

H.R. 1683. A bill to restore the longstanding partnership between States and the Federal Government in managing the Medicaid program; to the Committee on Energy and Commerce.

By Ms. SUTTON (for herself, Mr. MCKINLEY, Mr. LIPINSKI, Mr. BISHOP of New York, Mr. JONES, Mr. BRALEY of Iowa, Mr. DEFazio, Mr. MICHAUD, Ms. DELAULO, Mr. SARBANES, Mr. COHEN, Mr. YARMUTH, Mr. GEORGE MILLER of California, Mr. LYNCH, Ms.

KAPTUR, Mr. GENE GREEN of Texas, Ms. LINDA T. SANCHEZ of California, Ms. HIRONO, Mr. MURPHY of Connecticut, Mr. OLVER, Mr. ANDREWS, Ms. EDWARDS, Mr. LEWIS of Georgia, Mr. TONKO, Mr. COURTNEY, Mr. DINGELL, Mr. FILNER, Mr. GARAMENDI, Mr. DOYLE, Ms. SCHAKOWSKY, and Ms. PINGREE of Maine):

H.R. 1684. A bill to require the use of American iron, steel, and manufactured goods in the construction, alteration, and repair of public water systems and treatment works; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. BIGGERT (for herself, Mr. MARKEY, Mr. MCNERNEY, and Ms. ESHOO):

H.R. 1685. A bill to establish programs to accelerate, provide incentives for, and examine the challenges and opportunities associated with the deployment of electric drive vehicles, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Oversight and Government Reform, Ways and Means, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHIMKUS (for himself, Mr. KINZINGER of Illinois, and Mr. RUSH):

H.R. 1686. A bill to designate the facility of the United States Postal Service located at 200 South Morgan Street in Shelbyville, Illinois, as the "Jesse M. Donaldson Post Office"; to the Committee on Oversight and Government Reform.

By Mr. SHIMKUS (for himself, Mr. ENGEL, Mr. BARTLETT, and Mr. ISRAEL):

H.R. 1687. A bill to amend chapter 329 of title 49, United States Code, to ensure that new vehicles enable fuel competition so as to reduce the strategic importance of oil to the United States; to the Committee on Energy and Commerce.

By Mr. RUNYAN:

H.R. 1688. A bill to provide for pay parity for civilian employees serving at joint military installations; to the Committee on Oversight and Government Reform.

By Mr. BISHOP of New York (for himself, Mr. FILNER, Ms. SCHWARTZ, Ms. LEE of California, Ms. HIRONO, Mrs. MALONEY, Mr. ENGEL, Mr. CARNEY, Mr. MCGOVERN, Mr. ROTHMAN of New Jersey, Ms. MOORE, Ms. LINDA T. SANCHEZ of California, Mr. ACKERMAN, Mr. DEUTCH, Mr. BLUMENAUER, Mr. JACKSON of Illinois, Mr. RUSH, Mr. YARMUTH, Mr. VAN HOLLEN, Mr. HOLT, Ms. CASTOR of Florida, Mr. JOHNSON of Georgia, Mr. CARNAHAN, Mr. HINCHEY, Mr. WELCH, Mr. KILDEE, Mr. TONKO, Mr. FARR, Ms. HANABUSA, Mr. QUIGLEY, Mr. CICILLINE, Mrs. LOWEY, Mr. KEATING, Mr. CONYERS, Mr. NADLER, Ms. KAPTUR, Ms. NORTON, Mr. BRADY of Pennsylvania, Mrs. CAPPS, Ms. BASS of California, Ms. MCCOLLUM, Mr. BRALEY of Iowa, Mr. MEEKS, Ms. SLAUGHTER, Mr. GEORGE MILLER of California, Mr. GRIJALVA, Mr. ISRAEL, Ms. ROYBAL-ALLARD, Mr. ANDREWS, Mr. HIGGINS, Ms. SUTTON, and Mr. SERRANO):

H.R. 1689. A bill to amend the Internal Revenue Code of 1986 to disallow the deduction for income attributable to domestic production activities with respect to oil and gas activities of major integrated oil companies; to the Committee on Ways and Means.

By Mr. ROGERS of Alabama (for himself, Mr. MCCAUL, Mr. WALSH of Illinois, and Mr. BROOKS):

H.R. 1690. A bill to amend titles 49 and 46, United States Code, and the Homeland Security Act of 2002 to provide for certain improvements in surface transportation security, and for other purposes; to the Committee on Homeland Security.

By Ms. RICHARDSON:

H.R. 1691. A bill to clarify the application of section 14501(d) of title 49, United States Code, to prevent the imposition of unreasonable transportation terminal fees; to the Committee on Transportation and Infrastructure.

By Ms. HIRONO:

H.R. 1692. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants to schools for the development of asthma management plans and the purchase of asthma medications and devices for emergency use, as necessary; to the Committee on Education and the Workforce.

By Mr. CARNEY:

H.R. 1693. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent and to increase the alternative simplified research credit; to the Committee on Ways and Means.

By Mr. ENGEL:

H.R. 1694. A bill to require the President to issue guidance on Federal response to a large-scale nuclear disaster; to the Committee on Transportation and Infrastructure.

By Ms. ESHOO (for herself, Mr. WAXMAN, Mr. MARKEY, Ms. MATSUI, and Ms. WOOLSEY):

H.R. 1695. A bill to amend title 23, United States Code, to direct the Secretary of Transportation to require that broadband conduit be installed as part of certain highway construction projects, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. GERLACH:

H.R. 1696. A bill to establish an Office of Public Advocate within the Department of Justice to provide services and guidance to citizens in dealing with concerns involving the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUETKEMEYER:

H.R. 1697. A bill to enhance the ability of community banks to foster economic growth and serve their communities, boost small businesses, increase individual savings, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Financial Services, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MYRICK:

H.R. 1698. A bill to amend the Immigration and Nationality Act to increase penalties for employing illegal aliens; to the Committee on the Judiciary.

By Mr. POE of Texas (for himself and Mr. WEST):

H.R. 1699. A bill to prohibit assistance to Pakistan; to the Committee on Foreign Affairs.

By Mr. PRICE of Georgia (for himself and Mr. SESSIONS):

H.R. 1700. A bill to amend title XVIII of the Social Security Act to establish a Medicare payment option for patients and physicians or practitioners to freely contract, without penalty, for Medicare fee-for-service items and services, while allowing Medicare beneficiaries to use their Medicare benefits; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POLIS:

H.R. 1701. A bill to designate certain lands in the State of Colorado as components of the National Wilderness Preservation System, to designate the Red Table Mountain, Pisgah Mountain, Castle Peak, Tenmile, Hoosier Ridge, and Porcupine Gulch Special Management Areas, and for other purposes; to the Committee on Natural Resources.

By Mr. QUIGLEY (for himself, Mr. WALZ of Minnesota, and Mr. PETERS):

H.R. 1702. A bill to amend the Internal Revenue Code of 1986 to allow the mortgage interest deduction with respect to boats only if the boat is used as the principal residence of the taxpayer; to the Committee on Ways and Means.

By Mr. VISCLOSKEY (for himself and Mr. MURPHY of Pennsylvania):

H.R. 1703. A bill to require certain Federal agencies to use iron and steel produced in the United States in carrying out projects for the construction, alteration, or repair of a public building or public work, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Homeland Security, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY:

H.R. 1704. A bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education; to the Committee on Education and the Workforce.

By Ms. JACKSON LEE of Texas (for herself, Mr. KINGSTON, Mr. RUPPERSBERGER, Mr. DICKS, Ms. KAPTUR, Mr. LIPINSKI, Mr. REYES, Mr. JONES, Mr. LANCE, Mr. WILSON of South Carolina, Mr. LOEBSACK, Mr. WEST, Mrs. MALONEY, Mr. TIERNEY, Mr. MCCAUL, Mr. CUELLAR, Mr. CUMMINGS, Mr. HOYER, Mr. COHEN, Mr. SERRANO, Ms. VELÁZQUEZ, Mr. GONZALEZ, Mr. BOSWELL, Mr. HINOJOSA, Mr. LEWIS of Georgia, Mr. BISHOP of Georgia, Mr. LARSON of Connecticut, Ms. RICHARDSON, Ms. BASS of California, Mr. SMITH of Washington, Mr. SHULER, Mr. LYNCH, Mr. BOREN, Mr. BARROW, Mrs. SCHMIDT, Mr. MATHESON, Mr. SMITH of Nebraska, Mr. CHANDLER, Mr. ROSS of Arkansas, Mr. RANGEL, and Ms. BERKLEY):

H. Res. 240. A resolution commending President Barack Obama and the men and women of the military and intelligence agencies for the successful completion of the operation that led to the death of Osama bin

Laden; to the Committee on Armed Services, and in addition to the Committees on Intelligence (Permanent Select), and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. McCOTTER:

H. Res. 241. A resolution honoring the members of the United States Armed Forces, the intelligence community, and the Obama and Bush Administrations whose dedicated service brought the murderous terrorist leader Osama bin Laden to justice; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BASS of California (for herself and Mr. McDERMOTT):

H. Res. 242. A resolution recognizing May as "National Foster Care Month"; to the Committee on Ways and Means.

By Ms. CHU (for herself, Mr. WU, Ms. LEE of California, Ms. MATSUI, Mr. HONDA, Mr. STARK, Mr. McDERMOTT, Ms. RICHARDSON, Ms. SPEIER, Mr. FALOMAVAEGA, Mr. SCHIFF, Mrs. CHRISTENSEN, Mr. TOWNS, Mr. JACKSON of Illinois, Mr. AL GREEN of Texas, Mr. ELLISON, Mr. RUSH, Mr. CLAY, Mrs. DAVIS of California, Mr. SCOTT of Virginia, Mr. GEORGE MILLER of California, Mr. SABLON, Mr. NADLER, Ms. BORDALLO, Mr. CROWLEY, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HINOJOSA, Mrs. MALONEY, Ms. HANABUSA, Mr. CONNOLLY of Virginia, Ms. HIRONO, Ms. WOOLSEY, Mr. LARSON of Connecticut, Mr. ROTHMAN of New Jersey, Mr. FILNER, Mr. LEWIS of Georgia, Ms. MCCOLLUM, Mr. BLUMENAUER, Ms. ZOE LOFGREN of California, Ms. ROYBAL-ALLARD, Mr. CLARKE of Michigan, Mr. BECERRA, Mr. CONYERS, Ms. SCHAKOWSKY, and Mr. McNERNEY):

H. Res. 243. A resolution celebrating Asian/Pacific American Heritage Month; to the Committee on Oversight and Government Reform.

By Mr. HASTINGS of Florida:

H. Res. 244. A resolution expressing the sense of the House of Representatives that a Palestinian government which includes Hamas should be prohibited from receiving United States aid until that government publicly commits to the Quartet principles; to the Committee on Foreign Affairs.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. STARK:

H.R. 1681.

Congress has the power to enact this legislation pursuant to the following:

Clause 1, Section 8 of article I of the Constitution

Section 5 of Amendment XIV to the Constitution

By Mr. ROSS of Arkansas:

H.R. 1682.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution which states that Congress has the power "... To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Mr. GINGREY of Georgia:

H.R. 1683.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this legislation is based is found in Article I, Section 8, Clause 1 of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Ms. SUTTON:

H.R. 1684.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution.

By Mrs. BIGGERT:

H.R. 1685.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. SHIMKUS:

H.R. 1686.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rests is the power of Congress to establish post offices and post roads as enumerated in Article I, Section 8, Clause 7 of the United States Constitution.

By Mr. SHIMKUS:

H.R. 1687.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 8 Clause 3 of the United States Constitution.

By Mr. RUNYAN:

H.R. 1688.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. BISHOP of New York:

H.R. 1689.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, Clause 1 and the 16th Amendment

By Mr. ROGERS of Alabama:

H.R. 1690.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.

By Ms. RICHARDSON:

H.R. 1691.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Ms. HIRONO:

H.R. 1692.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CARNEY:

H.R. 1693.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of section 8 of article I of the Constitution

By Mr. ENGEL:

H.R. 1694.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1;

Article I, Section 8, Clause 3; and

Article I, Section 8, Clause 18.

By Ms. ESHOO:

H.R. 1695.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1:

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

Article I, Section 8, Clause 18:

"To make all laws which shall be necessary and proper."

By Mr. GERLACH:

H.R. 1696.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 18 of Section 8 of Article I of the United States Constitution.

By Mr. LUETKEMEYER:

H.R. 1697.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the explicit power of Congress to regulate commerce in and among the states, as enumerate in Article 1, Section 8, Clause 3, the Commerce Clause, of the United States Constitution.

Additionally, the constitutional authority on which the tax provisions of this bill rest is the power of Congress to explicitly lay and collect taxes, duties, impost and excises, to pay the Debts and provide for the common defense and general welfare of the United States; and therefore implicitly allows Congress to reduce taxes; as enumerated in Article 1, Section 8, Clause 1 of the United States Constitution.

By Mrs. MYRICK:

H.R. 1698.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 18 of Article 1 of the US Constitution

By Mr. POE of Texas:

H.R. 1699.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 and Article I, Section 9, Clause 7

By Mr. PRICE of Georgia:

H.R. 1700.

Congress has the power to enact this legislation pursuant to the following:

The Fifth Amendment provides that no person shall be deprived of life, liberty, or property, without due process of law. This bill ensures that the rights of Medicare beneficiaries to independently contract are not infringed by the federal government.

By Mr. POLIS:

H.R. 1701.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. QUIGLEY:

H.R. 1702.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution.

By Mr. VISCLOSKEY:

H.R. 1703.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Ms. WOOLSEY:

H.R. 1704.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. NUNNELEE, Mr. GARDNER, and Mr. WOMACK.

H.R. 10: Mrs. BLACK.

H.R. 25: Mr. ROE of Tennessee.

H.R. 49: Mr. GARY G. MILLER of California and Mr. FLEISCHMANN.

H.R. 96: Mr. FARENTHOLD.

H.R. 100: Mr. FRANKS of Arizona, and Mr. ROSS of Florida.

H.R. 104: Mr. GEORGE MILLER of California, Mr. CONNOLLY of Virginia, Mr. KINGSTON, and Mr. CARNAHAN.

H.R. 140: Mr. ADERHOLT.

H.R. 149: Mr. DUNCAN of Tennessee and Mr. ROSS of Florida.

H.R. 150: Mr. DUNCAN of Tennessee and Mr. ROSS of Florida.

H.R. 166: Mr. RYAN of Wisconsin.

H.R. 177: Mr. FLORES.

H.R. 178: Mr. TIERNEY, Mr. GONZALEZ, Ms. PINGREE of Maine, Mr. CUMMINGS, Mr. MILLER of Florida, Mr. PLATTS, Mr. STIVERS, Mr. CICILLINE, Mrs. DAVIS of California, Mr. POSEY, and Mr. GRIFFIN of Arkansas.

H.R. 181: Mr. PLATTS, Mr. STIVERS, Mr. POSEY, and Mr. WEST.

H.R. 198: Mr. WEST.

H.R. 208: Mr. STIVERS.

H.R. 219: Mr. AUSTRIA.

H.R. 234: Mr. GRIFFIN of Arkansas and Mr. WESTMORELAND.

H.R. 245: Mr. JONES.

H.R. 320: Mr. ISSA, Mr. CRENSHAW, Mr. BILBRAY, Mr. LEWIS of California, Mrs. BLACKBURN, Mr. GARY G. MILLER of California, Mr. BACA, Mr. DICKS, Mr. BURTON of Indiana, Mr. PETERSON, Mr. McKEON, Mr. THORNBERRY, and Mr. CAMPBELL.

H.R. 365: Mr. LONG.

H.R. 371: Mr. HULTGREN.

H.R. 421: Mr. HUIZENGA of Michigan, Mr. ROE of Tennessee, Mr. CARTER, Mr. CULBERSON, and Mrs. LUMMIS.

H.R. 452: Mr. DAVIS of Kentucky, Mr. JOHNSON of Ohio, and Mr. CANSECO.

H.R. 458: Mr. CONYERS, Ms. FUDGE, Ms. ZOE LOPGREN of California, and Mr. PAYNE.

H.R. 459: Mr. TIERNEY, Mr. YARMUTH, Mr. STARK, Mr. RUNYAN, and Mr. HUELSKAMP.

H.R. 469: Mr. RUSH.

H.R. 520: Mr. COHEN.

H.R. 521: Mr. FARR.

H.R. 546: Ms. BROWN of Florida, Mr. GARY G. MILLER of California, Mr. COLE, Mr. TURNER, Mr. ELLISON, Mrs. BIGGERT, and Mr. BARTON of Texas.

H.R. 567: Mr. HANNA.

H.R. 574: Mr. FRANK of Massachusetts.

H.R. 598: Mr. VAN HOLLEN.

H.R. 601: Mr. PETERS.

H.R. 612: Mr. BLUMENAUER.

H.R. 613: Ms. SUTTON.

H.R. 615: Mr. GRAVES of Georgia, Mr. HANNA, Mr. LANKFORD, Mrs. BLACKBURN, and Mrs. ADAMS.

H.R. 634: Mr. McCOTTER.

H.R. 676: Mr. WELCH.

H.R. 687: Mr. GINGREY of Georgia.

H.R. 693: Mr. BARLETTA.

H.R. 758: Mr. KLINE.

H.R. 763: Mr. SHUSTER and Mr. OWENS.

H.R. 764: Ms. GRANGER and Mr. HULTGREN.

H.R. 777: Mr. TERRY and Ms. PINGREE of Maine.

H.R. 780: Mr. DAVIS of Illinois.

H.R. 820: Ms. CHU, Mr. CONYERS, Mr. PAS-
TOR of Arizona, and Mr. RYAN of Ohio.

H.R. 822: Mrs. ROBY, Mr. RIGELL, and Mr. CRAWFORD.

H.R. 831: Ms. SCHWARTZ.

H.R. 835: Mr. REICHERT.

H.R. 860: Ms. SUTTON, Mrs. NAPOLITANO, Mr. PASCRELL, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. SCHOCK, Mr. PAUL, Mr. FARR, Mr. LEWIS of Georgia, Mr. McDERMOTT, Mr. GONZALEZ, Mr. CAPUANO, Mr. COURTNEY, Ms. LEE of California, Ms. DELAURO, Ms. ROSELEHTINEN, Mr. JOHNSON of Georgia, Mr. MORAN, Mr. FRANK of Massachusetts, Mr. YARMUTH, and Mr. LUETKEMEYER.

H.R. 870: Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Mr. GRIJALVA, and Mr. PAYNE.

H.R. 883: Mr. PAYNE.

H.R. 885: Ms. PINGREE of Maine and Ms. BALDWIN.

H.R. 890: Mr. ROSS of Florida, Mr. PENCE, Mr. ROTHMAN of New Jersey, Mr. VAN HOLLEN, Mrs. MYRICK, and Mr. SCHIFF.

H.R. 895: Ms. JENKINS.

H.R. 931: Mr. ROSS of Florida.

H.R. 948: Mr. COHEN.

H.R. 964: Ms. CHU, Mr. CICILLINE, Ms. SLAUGHTER, Mr. RUSH, and Mr. ROTHMAN of New Jersey.

H.R. 969: Mr. MARCHANT.

H.R. 971: Mr. RUPPERSBERGER.

H.R. 972: Ms. JENKINS, Mr. NUGENT, and Mr. SCALISE.

H.R. 991: Mr. WITTMAN, Mr. CONAWAY, Mr. CARTER, and Mr. SIMPSON.

H.R. 993: Mr. NEUGEBAUER.

H.R. 998: Mr. REYES and Mr. WALZ of Minnesota.

H.R. 1001: Ms. WOOLSEY, Mr. McGOVERN, Mr. ACKERMAN, Mr. WEINER, Mr. DEUTCH, and Mr. BACA.

H.R. 1004: Mr. MURPHY of Connecticut and Mr. GERLACH.

H.R. 1005: Mr. TIERNEY.

H.R. 1006: Mr. DOLD.

H.R. 1041: Mr. JOHNSON of Ohio, Mr. ISRAEL, and Mrs. MILLER of Michigan.

H.R. 1057: Ms. RICHARDSON, Mr. CONYERS, Mr. CHANDLER, Mrs. EMERSON, and Ms. CASTOR of Florida.

H.R. 1105: Ms. RICHARDSON, Mr. HIGGINS, Ms. BORDALLO, Mr. FILNER, and Ms. MOORE.

H.R. 1112: Mr. HENSARLING.

H.R. 1130: Mr. PLATTS.

H.R. 1134: Mr. GRIFFIN of Arkansas and Mr. ROSS of Florida.

H.R. 1154: Mr. DOLD.

H.R. 1167: Mr. LANKFORD and Mr. LAMBORN.

H.R. 1173: Mr. BURTON of Indiana.

H.R. 1181: Mrs. MILLER of Michigan.

H.R. 1183: Mr. FARR.

H.R. 1185: Mr. PAUL.

H.R. 1206: Mr. WALBERG, Mr. KINZINGER of Illinois, and Mr. RIBBLE.

H.R. 1208: Mr. SARBANES, Ms. KAPTUR, and Mr. FILNER.

H.R. 1211: Mr. KING of Iowa.

H.R. 1254: Mr. DOLD.

H.R. 1259: Mr. POMPEO, Mr. RENACCI, Mr. LAMBORN, and Mr. KELLY.

H.R. 1293: Ms. MCCOLLUM, Mr. GRIJALVA, Mr. RUSH, and Mr. McGOVERN.

H.R. 1319: Mr. FARR.

H.R. 1325: Mr. ROSS of Arkansas and Mr. BARROW.

H.R. 1334: Mr. STARK.

H.R. 1342: Mr. DESJARLAIS, Mr. COSTELLO, and Mr. INSLEE.

H.R. 1356: Mr. ROSS of Florida.

H.R. 1370: Mr. SCHWEIKERT.

H.R. 1380: Mr. COFFMAN of Colorado.

H.R. 1385: Mr. PETRI.

H.R. 1386: Mr. PAYNE.

H.R. 1391: Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. SMITH of Nebraska, Mr. BOSWELL, and Ms. JENKINS.

H.R. 1397: Mr. PAYNE.

H.R. 1398: Mr. KINZINGER of Illinois.

H.R. 1407: Mr. LOBIONDO.

H.R. 1409: Mr. DUNCAN of Tennessee.

H.R. 1422: Mr. COURTNEY.

H.R. 1441: Mr. LOEBSACK.

H.R. 1448: Mr. CONYERS and Mr. VAN HOLLEN.

H.R. 1456: Mr. WELCH.

H.R. 1474: Mr. HALL.

H.R. 1475: Ms. MCCOLLUM and Mr. ELLISON.

H.R. 1479: Mr. PETRI.

H.R. 1501: Mr. JOHNSON of Ohio.

H.R. 1523: Mr. WU, Mr. KILDEE, Mr. PLATTS, Mr. COHEN, and Mr. DIAZ-BALART.

H.R. 1525: Mr. HINOJOSA.

H.R. 1536: Mr. CANSECO.

H.R. 1541: Mr. McCOTTER.

H.R. 1545: Mr. FARENTHOLD.

H.R. 1558: Mr. AUSTIN Scott of Georgia, Mr. CANSECO, and Mr. KISSELL.

H.R. 1571: Mr. LUETKEMEYER.

H.R. 1573: Mr. JOHNSON of Illinois, Mr. NEUGEBAUER, Mrs. SCHMIDT, Mr. THOMPSON of Pennsylvania, Mr. CRAWFORD, Mrs. ELLMERS, Mr. GIBBS, Mr. GIBSON, Mr. HULTGREN, Mr. RIBBLE, Mr. AUSTIN SCOTT of Georgia, Mr. KINGSTON, Mr. HENSARLING, Mr. HANNA, and Ms. JENKINS.

H.R. 1574: Mr. COSTELLO, Mr. FILNER, Mr. WAXMAN, Mr. MORAN, Mr. PAYNE, Mr. OLVER, and Mr. JACKSON of Illinois.

H.R. 1588: Mr. HASTINGS of Florida and Mr. LUETKEMEYER.

H.R. 1596: Mr. NADLER, Mr. GRIJALVA, and Mrs. CAPPAS.

H.R. 1605: Mr. RENACCI.

H.R. 1620: Mr. COFFMAN of Colorado.

H.R. 1639: Mr. ROGERS of Kentucky, Mr. PAUL, and Mr. ROSS of Florida.

H.R. 1646: Mr. MICA.

H.R. 1655: Mr. SIRES.

H.R. 1675: Mr. TIBERI.

H.J. Res. 42: Mr. HUNTER and Mr. GRIFFITH of Virginia.

H.J. Res. 56: Mr. AMASH and Mrs. MILLER of Michigan.

H. Con. Res. 25: Mr. PLATTS.

H. Con. Res. 39: Mr. WESTMORELAND.

H. Con. Res. 40: Mr. LEVIN.

H. Res. 25: Mr. BISHOP of Utah, Mrs. MCCARTHY of New York, Mr. BROOK, Mr. WALSH of Illinois, and Mr. CLEAVER.

H. Res. 81: Mr. HOLT.

H. Res. 137: Mr. HONDA and Ms. PINGREE of Maine.

H. Res. 208: Mr. DUNCAN of Tennessee.

H. Res. 209: Mr. DUNCAN of Tennessee.

H. Res. 227: Mr. HINOJOSA, Mr. HOLDEN, Ms. SUTTON, Mr. PAYNE, Mr. DEUTCH, Mr. ROTHMAN of New Jersey, Mr. LEVIN, and Mr. HOLT.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1081: Mr. WILSON of South Carolina.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 1229

OFFERED BY: Mr. BUCHANAN

AMENDMENT No. 1: At the end of the bill add the following new title:

**TITLE —DENIAL OF LEASES AND PER-
MITS FOR ENGAGING IN ACTIVITIES
WITH FOREIGN GOVERNMENTS SUB-
JECT TO EMBARGO**

**SEC. — 01. AUTHORITY TO DENY OIL AND GAS
LEASES AND PERMITS TO PERSONS
WHO ENGAGE IN ACTIVITIES WITH
CERTAIN FOREIGN COUNTRIES.**

Section 8(Q) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)) is amended by adding at the end the following:

“(9) The Secretary may deny issuance of an oil and gas lease under this Act, or a permit for exploration, development, or production under such a lease, to any person that has engaged in activities with the government of any foreign country that is subject to any sanction or an embargo established by the Government of the United States, including any sanction or embargo established under section 203 of the Emergency Economic Powers Act (50 U.S.C. 1702).”.

EXTENSIONS OF REMARKS

TRIBUTE TO THE LIFE OF
VALERIE POPE-LUDLAM

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to a respected member of the Westside community and civil rights activist, Valerie Pope-Ludlam. Valerie passed away on Sunday, April 24, 2011.

Valerie moved to California from Michigan in 1962. For the following decades Valerie Pope-Ludlam served the community as an outspoken leader and advocate. She began working at Patton State Hospital and continued until 1964 when she started Welfare Rights. The organization advocated for both the rights and educational opportunities for women on welfare.

The following year she started the League of Mothers with Frances Grice and Bonnie Johnson. The three women fought for the rights of African Americans in the educational system and the workplace. They spearheaded a legal battle against the San Bernardino Unified School District to end the de facto segregation in the Westside.

In 1969 Valerie founded the Westside Community Development Corporation (CDC). The CDC trained hundreds of young adults in construction, allowing the organization to rehabilitate houses and sell them to families who would otherwise not be able to afford the down payment. Close friend and niece, Frances Grice, reflects, "She has done so many wonderful things. . . The Governor used to call her 'the Sun Lady.'" Long before green jobs became popular, Valerie built the first Westside solar energy conservation project. The project cost \$2 million and gained national recognition from Ebony Magazine for its success in providing green energy to low income homes.

Valerie will always hold the honor of becoming the first African American female 6th ward council person. Other council members describe her as a sounding board and a valued mentor. She will leave a lasting impact on both the individuals she touched and the community at large. Professionally, Valerie was known for confidence and tenacity. On a more personal note, she was a loving mother and grandmother. She always put her family at the forefront throughout her public service.

Valerie leaves with cherished memories three children: Marshall Griffin, Michelle Beauregard, and George Beauregard as well as nine grandchildren, seventeen great-grandchildren and one great-great-grandchild. My thoughts and prayers, along with those of my wife, Barbara, and my children, Mayor Pro Tem Joe Baca Jr., Jeremy, Natalie, Jennifer are with Valerie's family at this time. Mr. Speaker, I ask my colleagues to join me today

in honoring and remembering a tireless advocate Valerie Pope-Ludlam.

IN HONOR OF DAVID YOST, THE
CHIEF EXECUTIVE OFFICER OF
AMERISOURCEBERGEN

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. GERLACH. Mr. Speaker, I rise to salute the career and many contributions of David Yost, the Chief Executive Officer of AmerisourceBergen, one of the world's largest pharmaceutical distribution and services companies headquartered in my district in Valley Forge, Pennsylvania.

Mr. Yost will retire this July. Following his graduation from the U.S. Air Force Academy and military service, Dave spent most of his professional career with Amerisource Health Corporation and, after the 2001 merger with Bergen Brunswig Corporation in 2001, AmerisourceBergen Corporation. In a career spanning 37 years, he has served as CEO for 14 years and has guided the company successfully through a rapidly changing business environment. The company has experienced astonishing growth from \$40 billion in revenues in 2002 to nearly \$80 billion this year and it continues to handle many challenges presented by our evolving health care system.

David Yost is an exceptional leader with impeccable commitment to the highest ethical standards. He has led a company that is a shining example of how our health care marketplace should operate today—a company that delivers savings, efficiency, security and integrity of product for patients who need these medicines. In addition, he has a history of giving, including as a Founding Director of the U.S. Air Force Academy Endowment Fund which provides cadets with facilities and programs for their professional development. He has generously initiated employee-company match contributions for those affected by disasters such as Hurricane Katrina and the recent Japanese earthquake disaster.

David Yost has provided a long-term vision for the industry, reforming the entire enterprise by reducing inventory size and its associated costs, and stressing the importance of technology and strategic partnerships in moving the company forward. AmerisourceBergen was the first national distributor to announce that it would only purchase pharmaceuticals directly from the manufacturer to ensure the integrity of products to patients. He also instilled pride in the company's workforce for the important work they do. There is a sign over the door of every AmerisourceBergen distribution center that reads "Thank you for what you do. People's lives depend on it."

Through it all, David Yost has been a devoted husband and father and active in his

community. He now prepares for a well-deserved retirement to spend more time with family and pursue other interests.

Mr. Speaker, it is a privilege to represent many of the fine employees of AmerisourceBergen and I join them in saluting David Yost for his vision, leadership and outstanding service during a long and exemplary career.

IN HONOR OF POLISH
CONSTITUTION DAY, 2011

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Poles, Polish-Americans and the Honorable Ambassador from Poland, Robert Kupiecki, and his wife, Malgorzata Kupiecki, on the occasion of Polish Constitution Day, celebrated on May 3, 2011.

Polish Constitution Day is a day when people of all cultures join with the people of Poland to celebrate the rich culture, traditions and history of Poland. After almost five centuries of struggle and perseverance, the Governmental Statute of Poland became the first written constitution in Europe on May 3, 1791. The Polish Constitution established the separation of government powers, freedom of religion, and abolished elements of serfdom, all of these are key elements of freedom and democracy.

The Polish American Congress strives to make Americans of Polish heritage more successful and involved U.S. citizens by encouraging them to assume the responsibilities of leadership. Since its foundation over sixty years ago, the group has created programs to successfully integrate people of Polish decent in the U.S. and enrich Cleveland's social fabric. These programs include the Displaced Persons Program, which allowed almost 150,000 Polish immigrants to enter the U.S. after World War Two. The group also won American veterans benefits for Polish Veterans of both World War One and World War Two. The Polish American Congress has played a crucial role in the Polish Community, and in its many years of support and service has been an invaluable contribution to the City of Cleveland and this nation. This year, the Greater Cleveland Community can celebrate Poland's rich history and culture by joining Cleveland's Polish community in attending events such as the Polonia Ball, the Grand Parade and the Photographic Exhibition.

Mr. Speaker and colleagues, please join me today, Polish Constitution Day, in honoring the struggles, courage and triumphs of the people of Poland and honoring all people of Polish descent. Through their successive struggles for freedom, the people of Poland have given the world hope.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

IN RECOGNITION AND HONOR OF
GREG BUNKER

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. MATSUI. Mr. Speaker, I rise today to honor the memory of Greg Bunker and his remarkable leadership as Executive Director of the Francis House, a Sacramento-based homeless services agency. Greg passed away in December, and his contributions to Sacramento are being recognized at this year's Feast for the Streets fundraiser. For 21 years, he was a tireless advocate for Sacramento's homeless population.

Greg was a remarkable leader who inspired an entire community with his unrelenting optimism. He cared deeply about his work and the people around him. He will be sorely missed.

Born in Ohio, Greg moved to California after serving in the Vietnam War. He intended to make a change in the world, and his unrelenting support for the needy allowed him to do so. He soon joined the Francis House and led it as it grew and prospered.

Through the years, the Francis House has offered a wide range of services and resources for Sacramento's homeless population, and, because of Greg, it has become well-known in the Sacramento area and beyond as a non-profit that passionately fights for the needs of the homeless.

Greg initiated a campaign for a safe place for the city's homeless, and he brought the issue of poverty to the forefront of the public's attention. For over two decades, he made sure that the thousands of people who needed help were not overlooked, and Sacramento is a better place because of him.

Around 30,000 people come to the Francis House each year for assistance, and Greg's daily vigor and hunger for change was a blessing for them. Whether it was through transportation vouchers, emergency housing, or simply emotional support, Greg was always there to help.

His sincere and long-term dedication to the homeless cause truly made a difference to many people. He never turned anyone away from the Francis House, and his kindness was a light for people who rarely encountered true compassion.

Sadly, Greg passed away much too early in December. The outpouring of support has been inspiring, as the tens of thousands of people that he helped through the Francis House, as well as the countless others who have been touched by Greg's selflessness, have shown their gratitude to his family.

In addition to Greg's achievements helping the homeless, he was a loving husband and father. I would like to recognize Greg's wife Stephanie and his two sons, Jesse and Simon, and express my sincere condolences for their loss.

Mr. Speaker, I feel honored to join the many Sacramentans who are paying tribute to this incredible man. I ask all of my colleagues to join me in remembering Greg Bunker, and to continue his work by being passionate about helping those less fortunate.

IN HONOR OF BRENT LARKIN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Brent Larkin, a lifelong resident of Cleveland who is being recognized as Voices of Ohio's Children's 2011 Champion for Children.

Mr. Larkin was born and raised in the greater Cleveland area. He graduated from Brush High School and went on to Ohio University, where he received a degree in journalism in 1969. Soon after graduating, he became a reporter for the Cleveland Press, thus beginning an illustrious career. In 1981, Larkin began working for the Cleveland Plain Dealer, and in 1991, he was named head of the Plain Dealer's opinion page. As head of the opinion page, he wrote many thoughtful editorials addressing the concerns of children within the social welfare and juvenile justice system. He was inducted into the Cleveland Press Club Hall of Fame in 2002.

In addition to his newspaper career, Brent Larkin has long been an advocate for young people. He has worked to raise awareness of the importance of early childhood programs and services. He has also served as a volunteer with Invest in Children, Cuyahoga County's initiative to promote investment in and support of children through programs such as Home Visiting, Early Literacy, Healthy Start Outreach, Universal Pre-Kindergarten, and Special Needs Child Care. It is this dedication to the young people of his community that has prompted Voices for Ohio's Children to name him 2011 Champion for Children.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Brent Larkin, a distinguished journalist dedicated to improving the lives of children within his community.

HONORING THE AFRICAN AMERICAN
EDUCATION TASK FORCE

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. LEE. Mr. Speaker, I rise today to honor the African American Education Task Force, co-chaired by Mr. Oscar Wright and Mrs. Wandra Boyd, for its record of success in encouraging and acknowledging academic achievement by African American youth in California's Oakland Unified School District.

Today, the African American Education Task Force and the Oakland Unified School District will celebrate a successful decade of recognizing our local African American students' Honor Roll status. The African American Education Task Force Academic Achievement Celebration takes place at the ACTS Full Gospel Church, pastored by Bishop Bob Jackson in Oakland, California.

During this year's event, 1,150 African American students from the 8th through 12th grades will be honored for attaining grade point averages of 3.00 or above for the 2010–

2011 school year. This outstanding group of young people has accomplished a great deal, and we are pleased to commend them for their academic dedication and success. Especially in light of the great budgetary challenges faced by the State of California and the City of Oakland, these students have proven themselves to be bright, capable and resourceful.

I would like to take this opportunity to congratulate each and every student for earning this distinction. Thank you for understanding and promoting the importance of staying in school. By continuing to be the best students possible and by making the most of your education, you will enjoy a full range of opportunities to achieve your personal goals, as well as give back to your communities.

Your accomplishments represent the strength of your initiative and a commitment to excellence. The skills and discipline you have developed will be of great use as you continue to follow your dreams toward success. I am so very proud of you for taking personal pride in your studies. Oakland's future leaders are certainly present at this celebration of academic achievement, and I welcome your many civic contributions in the years to come.

On behalf of the residents of California's 9th Congressional District, I again salute you for your exemplary academic performance. I am confident that you will continue this fine record of scholarship, service and success. Keep up the good work, and I wish you the very best in all of your future endeavors.

INTRODUCING THE EVERY CHILD
DESERVES A FAMILY ACT

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. STARK. Mr. Speaker, I rise today to introduce legislation that will give thousands of children in our foster care system a chance at having the one thing many of them say is all they have ever truly wanted—a family. There are approximately 500,000 children in our foster care system right now. Over 125,000 of those are waiting to be adopted, but there are just not enough qualified adoptive and foster parents. That leads to nearly 25,000 youth “aging out” of care each year with no permanent family. These young people are more likely than nearly any other group to become homeless or incarcerated, or to suffer with mental illness or substance abuse.

There is an acute shortage of adoptive and foster parents. Yet, despite this fact and the documented terrible consequences of long stays in the child welfare system, some states have enacted discriminatory bans prohibiting children from being placed with qualified parents due solely to the parent's marital status or sexual orientation. A number of additional states are actively considering similar discriminatory restrictions. Most recently, Arizona enacted a law to restrict the ability of unmarried and gay and lesbian individuals from adopting. Only six states affirmatively allow gay and lesbian couples to adopt jointly.

This is unfair to good people who want to open their homes to youth, unimaginable for

kids who just want a family to love them, and unsafe for children for whom we in this body are responsible. If states will not do the right thing, the Federal government should.

Congress invests over \$7 billion in the child welfare system each year. We should not accept policies that use Federal funds to enact discriminatory barriers to adoption and close the door to thousands of potential homes. Studies suggest that upwards of 2 million gay and lesbian individuals are interested in adopting or fostering a child. There are already approximately 1 million lesbian, gay, bisexual, and transgendered (LGBT) parents raising about 2 million children in the U.S. Leading child welfare, public health, medical and legal organizations agree that opening up the homes of all qualified prospective parents can help support the unique needs of foster youth. Groups including the Child Welfare League of America, the National Association of Social Workers, the American Psychological Association, and the American Bar Association, all support the ability of qualified unmarried and LGBT couples to foster and adopt. More than 30 years of research indicates optimal development for children is based on the stable attachments to committed and nurturing parents, not on the marital status, sexual orientation or gender identity of the parents. This research consistently demonstrates that children raised by same-sex parents exhibit the same level of emotional, cognitive, social and sexual development outcomes as children raised by straight parents.

When considering a potential placement for a child, the only criteria should be what is in the child's best interest and whether the prospective parent can provide a safe and nurturing home. Bigotry should play no part in this decision. That is why I am introducing the "Every Child Deserves a Family Act." This legislation would simply prohibit any entity that receives Federal child welfare funds from denying or delaying adoption or foster care placements based solely on the prospective parent's marital status or sexual orientation. States and child welfare agencies that fail to end discriminatory practices would face financial penalties. This is the same approach that has put an end to race discrimination in adoption and foster care placements.

Children in our foster care system are some of our most precious—and vulnerable—youth. They depend on us to do all we can to find them supportive and loving families, and it is our obligation to act in their best interests when doing so. To fail in our task of opening every possible door to stable, permanent and loving homes is a grave disservice to these children and to our country. We cannot allow divisive politics and the culture war to further harm these children by shrinking the number of prospective adoptive and foster parents. I hope that all of my colleagues will join me in saying yes to children and no to bigotry by co-sponsoring the "Every Child Deserves a Family Act."

IN REMEMBRANCE OF DAVID BRODER

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of the life of David Broder, who was a great servant and patriot to this country.

Mr. Broder was born in Chicago Heights, Illinois in 1929. He received his bachelor's degree in liberal arts and soon began writing for two prominent newspapers, The Chicago Maroon and the Hyde Park Herald. By 1960, he was writing for the New York Times covering the presidential race between John F. Kennedy and Richard Nixon. He soon took a job writing for the Washington Post, where he remained for more than 40 years.

Throughout his career, Mr. Broder achieved many milestones and was recognized for his superb skills in the art of journalism. He won a Pulitzer Prize in 1973 for his political commentary and was the recipient of the 4th Estate Award from the National Press Club in 1988. He was honored by Washingtonian Magazine as one of the best 50 journalists in both 2005 and 2009. Mr. Broder boasted the most appearances for a journalist on Meet the Press with over 400 since 1963.

Though David, unfortunately, left us one month ago, he will always remain in our memories because of his work and service covering the issues that matter most to this country.

Mr. Speaker and colleagues, please join me in remembering the life of David Broder and his devotion to uncovering the truth. David was truly a remarkable individual and a phenomenal asset to all of us here in Washington and around the world.

HONORING SGT. JOHN STONE

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. ENGEL. Mr. Speaker, we go to baseball games to relax, root for our heroes on the field, and enjoy the company of other fans. But on April 14, 2010, for John Stone it was a day to be a hero in the stands at Yankee Stadium when he saw a woman choking on a piece of food.

Mr. Stone, a staff sergeant and medic in the Connecticut National Guard who served in Iraq, was enjoying the game in his Don Mattingly jersey when he saw a crowd of people around a woman 15 rows away who was choking. It was Toby Weiss who came to root for the Yankees but was now choking on a piece of food.

Seeing the crowd, Sgt. Stone assumed all was well, but then he realized no one was able to help the terrified woman who was already turning blue. He ran to her and performed the Heimlich maneuver and jarred loose the food.

Mrs. Weiss, the wife of Rabbi Avi Weiss of the Hebrew Institute of Riverdale, was

checked out at the aid station at the stadium and was well enough to return to the game and to thank Sgt. Stone.

Rabbi Weiss said other people rushed to help his wife but they weren't able to help. "Suddenly," he said, "this kind of Elijah figure appeared from nowhere. He knew exactly what to do." Mrs. Weiss also insisted Sgt. Stone was heaven-sent. "God sent me an angel," she said, noting that her unassuming hero blushed over the praise.

Following the scare, fans applauded, hugged and high-fived Sgt. Stone on his way back up to his seat. Stone, who lives in Montville, Connecticut, was at the Stadium with his brother Jamie, an Army infantry soldier on leave from duty in Afghanistan.

Sgt. Stone is being honored at Rabbi Weiss's Hebrew Institute of Riverdale and I want to join everyone there in congratulating him and thanking him for his heroic deed.

Jews have a saying that to save a life is to save the world. Sgt. John Stone has indeed saved a very large part of our world here in Riverdale. Sgt. Stone, from his service in Iraq treating our wounded to his saving Mrs. Weiss at Yankee Stadium, represents the true character of America. I am proud to join in thanking him for his heroic actions.

RECOGNIZING CHILDREN'S MENTAL HEALTH AWARENESS DAY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. BALDWIN. Mr. Speaker, I rise today to recognize Children's Mental Health Awareness Day, which occurs each year during National Children's Mental Health Awareness Week.

In 2004, the National Federation of Families for Children's Mental Health began designating the first full week of May as Children's Mental Health Awareness Week to promote the positive development of our youth. Additionally, since 2006, the Substance Abuse and Mental Health Services Administration's Center for Mental Health Services has declared one day during the week National Children's Mental Health Awareness Day.

On this special day, a distinguished coalition is gathering in Wisconsin. Groups like Wisconsin Family Ties, the Wisconsin Alliance for Infant Mental Health, Wisconsin United for Mental Health, the Supporting Families Together Association, and Wisconsin Public Broadcasting are joining with affected youth, their families, and others in our community. They stand together at the Madison Children's Museum to focus our attention on this important public health issue.

In Wisconsin the statistics paint a startling picture. One out of every five children who appear healthy is, in fact, suffering from mental health problems. Children with mental illness and disabilities have a far greater likelihood of being suspended or expelled from school, abusing drugs or alcohol, or ending up in the juvenile justice system. In 2008, only 11 percent of Wisconsin children living with serious mental health disorders received any public mental health services, less than one third the rate for adults.

However, not all hope is lost. At the federal level, the passage of the Patient Protection and Affordable Care Act includes numerous provisions that will help diagnose, treat, and support children with mental illness and their families. For example, the law immediately eliminates pre-existing condition clauses for children. This will help ensure that more families can afford to seek treatment for their child and may do so without fear of losing their coverage.

We must continue to pursue a course of action that works to not only identify and diagnose mental illness as early as possible, but also provide comprehensive treatment to those affected. The better we are able to serve the needs of our youth who suffer from mental illness, the sooner we can reduce long term costs associated with dropout rates, substance abuse, homelessness, and the justice system. We know that children with mental illness can live full and productive lives as long as we provide them with the support they need.

In the 1800s, the color green was used to identify people who were labeled "insane." Since then, the color has taken on a very different meaning, one that now signifies new life, new growth, and new beginnings. Today, I join with children, families, and supporters both in south central Wisconsin and across the nation in wearing the color green to show our support. Above all, I salute all those who are working to raise awareness of this crucial issue and hope today serves as a reminder that each one of us can and must do better to address children's mental health issues.

IN HONOR OF LIEUTENANT NICK
DiMARCO

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Lieutenant Nick DiMarco of the Garfield Heights Police Department and his well-deserved retirement. As a long-serving officer of the law, and the founder of the acclaimed Shop with a Cop Program, Lt. DiMarco has served the people of the greater Cleveland area with honor and professionalism.

Lt. Nick DiMarco was appointed to the Garfield Heights Police Department in 1966. On February 1st, 1986, he was promoted to the rank of Sergeant, and on January 11th, 1990, he rose to the rank of Lieutenant. After 45 years of service, Lt. DiMarco retired from a long career of serving the public on February 16th, 2011.

Besides serving valiantly as an officer of the law for so many years, Lt. DiMarco also established the Shop with a Cop Program in 1995. The program, which occurs annually during the holiday season, raises money to purchase gifts for underprivileged children. On the day of the event, children are escorted to a major retail store via a police-accompanied motorcade and allocated \$120 to shop. Each child is accompanied by a police officer from the various participating departments. The program, now in its 15th year, has helped over

1,000 children in the greater Cleveland area, and involves officers from 17 police departments who volunteer their time to share the holiday spirit with those less fortunate. This past year, the program raised \$38,900; 391 children participated.

In addition to his dedicated career with the Garfield Heights Police Department, Lt. Nick DiMarco served as the President of the Fraternal Order of the Police of Ohio from 1990 to 2011, where he fought to protect the rights and privileges of law enforcement officers in Ohio.

Mr. Speaker and colleagues, please join me in honoring Lt. Nick DiMarco's long career of public service and civic virtue.

PERSONAL EXPLANATION

HON. LEONARD L. BOSWELL

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. BOSWELL. Mr. Speaker, I regret my absence in the House yesterday, May 2, 2011, as I was in my district attending to personal business. Had I been present, I would have voted "yes" on rollcall vote 278.

HONORING BILL KNOWLES

**HON. CHARLES J. "CHUCK"
FLEISCHMANN**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. FLEISCHMANN. Mr. Speaker, I rise today to honor an outstanding individual whose commitment and dedication has done so much to provide exceptional government services to the residents of Hamilton County, Tennessee. Those of us who live and work in Hamilton County can be thankful for the tireless efforts of Mr. Bill Knowles in his 36 years of service as Hamilton County Clerk.

First elected in 1974, County Clerk Bill Knowles has made it his priority to not just provide excellent services to his constituents, but to also manage an office that provides innovative ideas and consistently exceeds expectations. Shortly after being elected to his position, Bill Knowles solved the problem of long waits for vehicle registration tags by making it possible to renew tags by mail. Mr. Knowles's initiative was soon followed by the Tennessee legislature, which passed a law requiring tags to be mailed in throughout the state.

The exceptional work ethic and innovative ideas that are the hallmark of Bill Knowles have resulted in many firsts for Hamilton County. Hamilton County was the first county in Tennessee to allow for tag renewal by Internet. It was the first to have on-the-spot vehicle title printing. The county led the way with electronic record keeping and continued this development by computerizing marriage records in 2009.

In recognition of a litany of impressive accomplishments over a 36 year career, I hereby salute Clerk Bill Knowles and thank him for his

service to the people of Hamilton County. I, for one, am grateful for his service, and I know that the fine residents of Hamilton County join me in honoring him.

IN HONOR OF LESLIE L. MEGYERI

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today to honor Leslie L. Megyeri, who is being honored by the American Hungarian Foundation. Leslie will be the recipient of the Abraham Lincoln award for his courageous actions during the 1956 Hungarian Revolution.

During Mr. Megyeri's adolescence he read the great Hungarian poet Petöfi, whose words he took to heart. These words were: "Stand up Hungarians—Your Country is calling, the question is do you want to be a slave or free?" Although he was only a teenager at the time, on October 23rd, 1956, he followed his father and took up arms against the Communists in power. However, the Soviets arrived to support the now collapsed Hungarian Communist government against the revolutionaries. He was one of 10,000 Hungarian freedom fighters who fought to defend his homeland; they were overwhelmed and Mr. Megyeri was driven into Austria.

Following the 1956 Hungarian Revolution Mr. Megyeri emigrated to the United States and embraced freedom with open arms. He attained his extension education at several American universities and worked numerous jobs. Throughout his long career he has worked as an attorney for the Federal Aviation Administration, an audit manager for the Government Accountability Office, and on several congressional committee staffs. After spending several years practicing private law, in 2003, Mr. Megyeri began his tenure as President of the Hungarian Reformed Federation of America.

Among other noteworthy achievements, Leslie has received the Gold Cross of Merit from the President of Hungary for his involvement in assisting Hungary in their efforts to join the North Atlantic Treaty Organization.

Mr. Speaker and colleagues, please join me in honoring an outstanding individual who has committed himself toward the cause of freedom and liberty.

IN RECOGNITION OF PHIL DALY HOSE COMPANY #2

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PALLONE. Mr. Speaker, I rise today to congratulate the Phil Daly Hose Company #2 of Long Branch, New Jersey, as its members gather to celebrate its 125th Anniversary. Since its founding in 1886, Phil Daly Hose Company has faithfully protected the local residents, businesses and visitors of the City. Their honorable and courageous actions are

undoubtedly deserving of this body's recognition.

Phil Daly Hose Company continues to expand their capabilities through the acquisition of new technology. The Art Smeal Pumper, capable of delivering 2000 gallons of water per minute, will provide the fire company with greater capabilities to assist residents and provide greater services to the citizens of Long Branch. Similarly, the addition of the Emergency One Rescue Truck has expanded the fire company's abilities to assist with rescue mission throughout the area. Phil Daly Hose Company has a proud and long standing history of valor and sacrifice. Their heroic actions while serving their community is a testament to the selfless actions of the members to protect and serve the residents of Long Branch. The members of this fire company continue to exemplify their unwavering dedication and service for their fellow citizens and community.

Mr. Speaker, please join me in honoring Phil Daly Hose Company #2 on its 125th Anniversary and thanking the men and women who have served and protected the City of Long Branch.

HONORING JIM WELLEHAN

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to honor Jim Wellehan, the Vice President of Maine's Lamey-Wellehan's shoe stores and the 2011 Auburn Business Association Citizen of the Year Award.

Jim is an exceptional businessman, helping to win Lamey-Wellehan the Boston Shoe Travelers Association award for 2011 Retailer of the Year. More importantly, Jim's commitment to a quality product goes hand in hand with helping to build a quality community.

Jim is committed to the environment, already having cut carbon emissions at Lamey-Wellehan by 23 percent and is on pace to achieve his company's ultimate goal of a 50 percent reduction by 2020. It's no coincidence that among the many honors that Jim has received is the 2007 Maine Sierra Club Business of the Year.

In recent years, Jim has served on the Lewiston Planning Board, the Board of Overseers at St. Joseph's College, the Board of the Finance Authority of Maine, President of the Board of the Lewiston Auburn Occupational Center, a member of the Maine Small Business Coalition and a youth soccer league coach.

There are few individuals more deserving of this award than Jim. His commitment to his state, community and customers is unprecedented, and I am pleased that he is being recognized.

Mr. Speaker, I hope you will join me in honoring Jim Wellehan, the 2011 recipient of the Auburn Business Association Good Citizen Award.

IN HONOR OF CEDRIC THORBES

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Cedric Thorbes, a young man who has displayed outstanding leadership. Mr. Thorbes has been named 2011's Youth Champion by Voices for Ohio's Children.

Cedric Thorbes was born in Liberal, Kansas and raised in Cleveland, Ohio. He is currently a senior at Glenville High School, where he is a merit-roll student and President of his senior class. Outside of school, Mr. Thorbes can often be found giving back to his community. He currently serves as the President of the Cleveland NAACP Youth Council, Chapter President of the Southern Christian Leadership Conference, and the Youth President of the Brotherhood, Respect, Intelligence, Conduct, and Knowledge (BRICK) program. Cedric has also served as a leadership ambassador for the Cleveland Metropolitan School District.

Cedric has been recognized by the Cleveland community for his service and was the recipient of this year's Dr. Martin Luther King Jr. Community Service Award. Cedric was also recently awarded a \$25,000 scholarship after participating in the Maltz Museum of Jewish Heritage's "Stop the Hate! Youth Speak Out" essay contest.

Mr. Speaker and Colleagues, please join me in honoring Mr. Cedric Thorbes for his unwavering dedication to leadership in his community and being named 2011's Youth Champion. I wish him the best in all of his future endeavors.

A TRIBUTE TO DR. DERO G. DOWNING

HON. BRETT GUTHRIE

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. GUTHRIE. Mr. Speaker, I rise today to honor the memory of a remarkable Kentuckian, Dr. Dero G. Downing. On April 4, Dr. Downing, Western Kentucky University's fourth president, passed on at the age of 89, leaving behind a lasting impression that will live on for years to come.

Dr. Downing served many roles throughout his lifetime but was best known for his time spent as WKU's president. Before serving as president, Dr. Downing became the university's registrar in 1959. Three years later, he was named dean of admissions. He then took the administrative affairs vice president position when it was created and held that position until becoming WKU's president in 1969.

During his decade long tenure as president, Dr. Downing could be found socializing with students, staying involved with WKU sports, and consistently keeping the campus in praiseworthy shape. He resigned as president in 1979, but not without first leaving his legacy on the hill.

Dr. Downing always conducted himself as a man of honor, loyalty and spirit. He exemplified

to the fullest extent how indeed "The Spirit Makes the Master."

I ask my colleagues to join me in honoring Dr. Dero G. Downing for his many great contributions to the Commonwealth of Kentucky and as an architect in contributing to the successes of Western Kentucky University throughout his adult life.

SERGEANT KINTERKNECHT, OFFICER RAGSDALE AND OFFICER WITTE TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. TIPTON. Mr. Speaker, it is a true honor to stand and pay tribute to three members of the Montrose Police Community that displayed courage exceeding the call of duty. On July 25th, 2009, Sergeant Kinterknecht, along with Officers Ragsdale and Witte, and other members of the Montrose Police Department and Montrose County Sheriff's Department responded to a domestic violence call that quickly turned violent.

Soon after authorities arrived, gunfire erupted, tragically leaving Sergeant Kinterknecht fatally wounded, and Officers Ragsdale and Witte severely wounded in both of their legs. In the chaos that followed many other police personnel responded boldly providing CPR and other life saving techniques as needed, while securing the crime scene.

Sergeant Kinterknecht, a Montrose native, has been posthumously awarded the Purple Heart and the Medal of Honor by the Montrose Police Department for his valor in the face of great and imminent danger. Sergeant David Kinterknecht had been involved with law enforcement since he was 14, as a member of the Montrose Police Explorers, a local youth group. He was a committed family man who is survived by his wife Kathy and his daughters Andrea and Amanda.

Officer Rodney Ragsdale, who made his way to Montrose from Suburban Denver, was another man who had been deeply involved in law enforcement. Officer Ragsdale was shot in both of his legs, and for his display of bravery he was also awarded the Purple Heart and the Medal of Honor by the Montrose Police Department.

Officer Larry Witte was just 23 at the time of the incident, and only two years out of Western State College in Gunnison. Officer Witte was also severely wounded from gunshot wounds in both of his legs, and for his steadfastness in dire circumstances he was also awarded the Purple Heart and the Medal of Honor. Officer Witte has a lovely wife, Chelsea, and a beautiful young daughter, Julia. He has recovered from his wounds and is back on patrol in Montrose.

Mr. Speaker, it has been an honor to rise in tribute to these three brave men. We should never forget the sacrifices the men and women in law enforcement make every day to insure our safety, and the sacrifices of their families. To Officer Ragsdale and Officer Witte, thank you for your service and gallantry. To the Kinterknecht family, our thoughts and

prayers have, and continue to be, with you all. Sergeant Kinterknecht gave his life in service, and he shall not be forgotten.

KATHRYNN MERRILLS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kathryn Merrills for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kathryn Merrills is a 7th grader at Oberon Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kathryn Merrills is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kathryn Merrills for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING CROATIAN PRESIDENT
IVO JOSIPOVIĆ

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. GALLEGLY. Mr. Speaker, I would first like to thank Croatian President Ivo Josipović for traveling to the United States and taking part in the Congressional Croatian Caucus kick-off event.

Although President Josipović has been in office for little over a year, his record in promoting an environment of genuine regional dialogue, better mutual understanding, across-the-board cooperation, and a Euro-Atlantic perspective for the whole of South East Europe has been noteworthy.

Since taking office he has pursued the path of regional reconciliation, a policy that has been matched with concrete action. For example, President Josipović expressed regret for all the victims of the tragic events of the 1990s irrespective of their ethnic background, religious identity, or country of origin. He has also pursued open dialogue with all the key partners in the region of South East Europe, but in particular with Serbian and Bosnian and Herzegovinian high officials.

His efforts at promoting the eventual membership of all the countries in the region into the EU and NATO, have been widely recognized. President Josipović's effort in realizing "Europe, whole, free and at peace" is acknowledged and has been highly commended by the Administration and prominent members of Congress, as it complements U.S. efforts in that part of the world.

Croatia's two-year-long record of NATO membership already bears his mark. President Josipović showed strong leadership and responsibility at the December 2010 NATO summit in Lisbon, in regard to Croatian contributions to NATO led peace-keeping missions. Moreover, he has offered his strong support to Allied efforts in Afghanistan, where Croatian troops and experts assist in transitioning this country to stability and security, using its own capabilities, which was clearly expressed on his recent visit to Kabul.

Again, on behalf of the Congressional Croatian Caucus, I would like to welcome President Josipović to the United States and for his role in building a closer friendship between our two nations.

LANCE ORTIZ

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lance Ortiz for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lance Ortiz is a 12th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lance Ortiz is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lance Ortiz for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

IN TRIBUTE TO TEMPLE BETH
EMETH V'OHHR PROGRESSIVE
SHAARI ZEDEK ON THE OCCA-
SION OF THEIR CENTENNIAL
YEAR

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. WEINER. Mr. Speaker, I rise to recognize Temple Beth Emeth v'Ohr Progressive Shaari Zedek on their 100th Anniversary. The temple has provided faithful and devoted service to the Brooklyn community and has shown great commitment to the Jewish religion.

For 100 years, Temple Beth Emeth v'Ohr Progressive Shaari Zedek has shown great dedication to the Brooklyn community and has instilled their members with a strong sense of Jewish identity. I commend this outstanding temple and the excellent work they have done in the Brooklyn community and the City of New York.

Temple Beth Emeth v'Ohr Progressive Shaari Zedek represents the best of the

Brooklyn community. They have dedicated their talents to provide their neighbors time for spiritual reflection and renewal with weekly Shabbat services and have improved the quality of life for their neighbors, friends, and family.

Temple Beth Emeth v'Ohr Progressive Shaari Zedek is truly a pillar of strength built on the support of their faithful members. Their members' generous and active involvement has contributed to the many years of phenomenal service that the temple has provided.

I am honored to recognize Temple Beth Emeth v'Ohr Progressive Shaari Zedek on the occasion of their centennial year and further extend my gratitude for their many loyal years of service to the Brooklyn community and I hope they continue to grow and provide the quality service for which they are so well known.

75TH ANNIVERSARY OF ST.
GEORGE ORTHODOX CHURCH

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KILDEE. Mr. Speaker, I rise today to recognize the 75th anniversary of St. George Orthodox Church. The parish celebrated this occasion this past weekend with a banquet and brunch.

The parish was organized in 1936 by families that had immigrated from Lebanon, Syria and Palestine. Due to the success of these immigrants the parish thrived and the first church was built in 1938. Many of the original members remain a vibrant part of parish life to this day. The parish relocated to the existing church 40 years ago in 1971. Currently there are 230 families that make their spiritual home at St. George Orthodox Church. Despite the diversity of cultures among the parishioners, the Church members are united in their Orthodox Faith rooted in Apostolic Succession.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Father Joseph Abud, the parishioners, clergy, staff, and friends of St. George Orthodox Church for 75 years of worship, fellowship, and inspiration. May God continue to bless the parish with enthusiasm and spiritual growth for many, many years to come.

VIVIAN FIELD MIDDLE SCHOOL
CELEBRATING 50 YEARS OF EDU-
CATION

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. MARCHANT. Mr. Speaker, it is with great pride that I rise today to recognize the 50th anniversary of Vivian Field Middle School. As a former student of Carrollton-Farmers Branch ISD, it gives me great satisfaction to recognize Vivian Field Middle School for its five decades of educational excellence.

In 1960, Tom Field, a former county commissioner and staunch supporter of public

education, donated 7.5 acres of land to Carrollton-Farmers Branch ISD for a new school. Mr. Field, however, had one requirement of the school district: the new school had to be named after his wife, Vivian. The school district honored his wish and constructed Vivian Field Junior High School.

Vivian Field Junior High School opened in the fall of 1961. The school consisted of the sixth, seventh, and eighth grades. The main building was structured with three wings which were connected by a gymnasium on the southeast side and a cafeteria on the west side. In 1969, to accommodate its growing student body, Vivian Field Junior High School constructed an additional wing, providing a formal entrance and additional classrooms. Since opening, the school has changed its name to Vivian Field Middle School to better reflect the grades and programs.

Today, Vivian Field Middle School has approximately 900 students across three grades. The middle school has been honored by the Texas Education Agency as a "Recognized" school from 2005 to 2010, and has been commended on the State and National level for continually providing an outstanding education for its students.

Mr. Speaker, on behalf of the 24th District of Texas, I ask all my distinguished colleagues to join me in commending the administrators, teachers, and students of Vivian Field Middle School for its five decades of exemplary education in our community.

LYDIA AGEDE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lydia Agede for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lydia Agede is a 12th grader at Standley Lake High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lydia Agede is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lydia Agede for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

TRIBUTE TO USMC MASTER
SERGEANT FRANK MASON

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. HUNTER. Mr. Speaker, every so often, the heroism of America's greatest generation

is relived through personal accounts, ceremony and celebration. It was these Americans who lead our nation to victory in Europe and the Pacific during World War II, and then returned home to build an economy and set the gold standard for future generations to not only admire, but to follow.

One of these great Americans, Marine Corps Master Sergeant Frank Mason, is celebrating his 90th birthday, a significant milestone that encompasses a lifetime of service and sacrifice. Frank's story, starting with his childhood and carrying through his career in the Marine Corps, is truly inspiring. And his courage as a prisoner of war following the fall of the Philippines is an example of the same American selflessness and fighting spirit that continues to motivate the men and women of the Marine Corps, and every other American who understands that freedom comes at a cost.

Seeing both an obligation of duty and opportunity in the Marine Corps, Frank enlisted in the Marines in 1937 at 17 years of age. Frank was assigned to the 1st Battalion, 4th Marine Regiment and, after a year in Hawaii, he joined the Battalion in Shanghai, China—0a part of the world that, outside of books and maps, was unfamiliar to most Americans—until the threat of a Japanese attack forced the evacuation of all American troops on November 28, 1941—days before the bombing of Pearl Harbor. Frank's next stop was the Philippines, where the Marines would soon put up a valiant fight against a determined and relentless Japanese enemy committed to fighting until the last man.

The Philippines was a strategic asset for both the U.S. and the Japanese during World War II. And the Island of Corregidor was the culmination of the Japanese campaign for the Philippines. It was on Corregidor that Frank and others, cornered and outnumbered, endured multiple waves of attacks. They held their ground. The fighting intensified until Japanese tanks went into action and stacked the odds against the Marines on the Island.

Many were wounded, and under fear that Japanese landings would continue overnight, General Jonathan Wainright made the decision to surrender.

General Wainright's famous words to President Roosevelt provide a clear window into the conditions facing Marines on Corregidor, saying "There is a limit of human endurance, and that point has long passed." On May 6, 1942, the Corregidor garrison, with two officers sent forward with a white flag, surrendered to the Japanese.

Frank's account of these events aptly reflects the attitude of a Marine rifleman. An attitude, in fact, that reflects the tradition and honor of the Marine Corps to this day. Franks asserts that, "we never surrendered. We were ordered to stop fighting."

Frank was put on a "hell ship" and transported to Japan with other Prisoners of War, where he was starved and nearly worked to death in a nickel and lead mine for over three years. Still, Frank did not lose his spirit or his desire to live. With some incredible fortune and personal resourcefulness, Frank survived. And when most people might say they've done their part and try restoring some normalcy to their lives, Frank made the conscious

decision to stay in the Marine Corps. His extraordinary levels of experience, fortitude and resilience, would be needed yet again, this time in Korea.

Less than a decade after the World War II victory parades rolled through America, Frank's next test would come during the Korean War and the historic battle of the Chosin Reservoir—a badge of pride for the Marine Corps, which, once again, faced insurmountable odds against a formidable enemy. Frank showed that the right leadership and experience is invaluable, under even the most difficult and dangerous conditions.

It's impossible to quantify Frank's contribution to the nation, but what's certain is that there are only a few Americans whose experience and sacrifice compare to his. Frank is part of an elite class of Americans who deserve our unending appreciation.

It was Ronald Reagan who famously said, "Some people live an entire lifetime and wonder if they have made a difference in the world. Marines don't have that problem." Mr. Speaker, I believe Frank is an example of the type of Marine President Reagan had in mind. Frank made a difference and we are all thankful for his service.

On the occasion of his 90th birthday, I ask that my colleagues join me in paying tribute to Master Sergeant Frank Mason—a true American hero.

LIZBETH BLANCO-RAMOS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lizbeth Blanco-Ramos for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lizbeth Blanco-Ramos is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Lizbeth Blanco-Ramos is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lizbeth Blanco-Ramos for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING COMMAND SERGEANT
MAJOR ROBERT VAN PELT

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people in New York's 20th District to express our sincere appreciation for the

dedication and sacrifices of one of our own, Command Sergeant Major Robert Van Pelt.

CSM Van Pelt selflessly and courageously served in the United States Army between March 1969 and December 1971, after which he joined the New York National Guard. During his time in both the Army and National Guard, CSM Van Pelt served a vital role as a Fixed Station Autodin Technical Controller and NCO in other units related to Signal corps operations. He served with distinction and honor and achieved the impressive rank of Command Sergeant Major of the NY Army National Guard in 1991. During this period, CSM Van Pelt served in the Vietnam War, most notably in the First Signal Brigade in Phu Lam, Republic of Vietnam and earned numerous medals and commendations, including Meritorious Service Medal with Oak Leaf Cluster, the Vietnam Service Medal with one star, and the Humanitarian Service Medal, among many others.

Outside of this service, CSM Van Pelt also achieved many other milestones, including completing Advanced Signal NCO Course Phase 2 at Ft. Gordon, GA, and the USA Sergeants' Major Academy, Class #37 at Ft. Bliss, TX, as well as receiving a Bachelor of Science Degree at State University of New York. In addition, he has been happily married for almost 40 years to his wife, Deborah, with whom he has two daughters, Stephanie and Sandra. He continues his professional advancement through the electrical industry as an Instrumentation and Controls supervisor and his membership in IBEW Local Union #25.

It is an honor to know that such impressive and dedicated men and women like CSM Van Pelt are willing to sacrifice so much in the name of freedom. It is even more moving that my family and I have the privilege of their protection in our home state and district. I thank CSM Van Pelt and his family for their service.

IN RECOGNITION OF ROBERT
"BOB" FLETCHER, JR.

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. MATSUI. Mr. Speaker, I rise today to recognize and honor Mr. Robert Fletcher, Jr. for his commendable service to Sacramento Japanese-American families during World War II and his work in the Sacramento community.

Bob Fletcher was born on July 26, 1911 in San Francisco, California to Robert Fletcher, Sr. and Olive Barkley. Following his upbringing in Redwood, Bob attended the University of California, Davis, where he received a degree in Agriculture Science in 1933.

Following his graduation from UC Davis, Bob worked as a state fruit and vegetable inspector at various locations, including the Florin Train Station, where he became friends with several local Japanese-American farm owners. In 1940, Bob became the director of the Sacramento County Farm Bureau.

After the December 7, 1941 attack on Pearl Harbor and the subsequent internment of Japanese-Americans, Bob quit his job as a state

agriculture inspector and took control of three Japanese-American family farms belonging to the Tsukamotos, Nittas and Okamotos. He farmed the 90 acres of land until they returned home in 1945, when he returned their land to them and split half the profits.

Bob's desire to improve his community continued, and, in 1953, he helped form the Florin Fire Protection District, a local volunteer fire department at which he served as a volunteer Assistant Chief for 20 years, then served as the Chief for an additional 12 years. He retired in November of 1974.

In October of 1959, Bob helped found the Florin County Water District, to protect the water rights of local farmers and provide clean water to the community. After more than 40 years, Bob continues to serve as a board member to this day.

In 1985, Bob helped form the Florin Historical Society, and donated five acres of his land to build the Florin Community History Center and adjacent park, to preserve the history of the Florin community.

Mr. Speaker, I am honored to recognize Mr. Robert Fletcher, Jr. for his meritorious work in the Sacramento community, his ability to look past racial barriers and help save the farms of three Japanese-American families, and his more than 80 years of outstanding civil service. I ask all my colleagues to join me in commending Bob Fletcher for his truly remarkable service.

KAYLA TREJO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Trejo for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Trejo is a 12th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Trejo is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Trejo for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN HONOR OF M. SHIRLEY AUSTIN,
OF HOLBROOK, MA

HON. STEPHEN F. LYNCH

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. LYNCH. Mr. Speaker, I rise today in honor of M. Shirley Austin, in recognition of

her outstanding civic contributions to Holbrook, Massachusetts, and to commend her for a lifetime of dedicated service to her community.

Shirley has dedicated over 45 years of loyal service to her town, beginning in 1966. For 39 of those years, she has tirelessly served Holbrook as Town Clerk. Shirley was first elected as Town Clerk in 1972, and has been elected in 13 consecutive elections over the 39 year time span.

During her distinct career, Shirley has been a continuous member of the New England Town Clerks Association, and served as the Association's Massachusetts representative. In addition, she was also a member of the Tri-County (Norfolk, Plymouth, Bristol) Town Clerks Association and continued her leadership as the organization's secretary.

An active participant in her community, Shirley has been a member of the Holbrook Town Democratic Committee for over 40 years. Her extensive and impressive resume also includes serving as a member of the Holbrook Rotary Club, a leader of the Holbrook Rotary Club's Student Government Day, and a Director for the Randolph Savings Bank.

Lastly and most importantly, Shirley has been a trusted advisor and mentor to the town of Holbrook, providing citizens with valuable and experienced advice for decades.

Mr. Speaker, it is my distinct honor to take the Floor of the House today to join with Shirley's family, friends, and contemporaries to thank her for her remarkable civic service to her hometown of Holbrook, Massachusetts, and to the United States of America. I hope my colleagues will join me in celebrating Shirley's distinguished career and in wishing her good health and success in all of her future endeavors.

KAYLEEN LAWTON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayleen Lawton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayleen Lawton is an 8th grader at North Arvada Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayleen Lawton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayleen Lawton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING CALIFORNIA STATE
SENATOR LONI HANCOCK

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary career of California State Senator Loni Hancock as we celebrate 40 years of her dedicated public service. Having served on local, state and federal levels of government throughout her career, she made history as the first woman elected to be Mayor of the City of Berkeley. Senator Hancock continues to be a celebrated, invaluable member of the California State Legislature, and we join together in praise of her remarkable contributions to the Bay Area, California, and beyond.

Raised on the East Coast, Loni Hancock received her B.A. from Ithaca College in 1963. After moving to Berkeley with her family upon graduation, she earned an M.A. in Social Psychology from the Wright Institute in 1978. Her four decades of advocacy for social justice, environmental protection, economic development and access to high-quality, affordable education and health care began with her involvement in the historical political movements of the 1960s and 1970s.

Like many involved in Berkeley's hotbed of political activism, Ms. Hancock's opposition to the war in Vietnam and her work championing racial justice and women's equality led her to community organizing. She was active in the Community for New Politics (which later became the Berkeley Coalition), Women for Peace, and Bay Area Women Against Rape.

In 1971, Loni Hancock began eight years of service as an elected member of Berkeley City Council. In that role, she had the opportunity to shape programs and policies that reflected the nation's burgeoning civic reforms, including affirmative action hiring of women and people of color, job and benefits restructuring for city workers, and the administration of parental leave, rent control, recycling programs and campaign finance reform. As a council member, she also successfully pushed to preserve the Berkeley marina and its surrounding wildlife from development.

From 1986 to 1994, she served two terms as the first elected woman Mayor of Berkeley, resulting in the city's urban renaissance and the revitalization of its downtown. During a tough economic climate, she balanced seven consecutive city budgets, forged innovative city partnerships with the school district and led efforts to secure additional open space (including Ohlone Park and the East Shore State Park).

From there, she served President Clinton's administration as head of the Western Regional Office of the U.S. Department of Education, where she helped direct millions in federal funding to launch after-school, early reading preparation, college preparedness and career-to-school programs in California schools. She also oversaw a host of domestic volunteer programs as President Jimmy Carter's Regional Director for ACTION (the precursor of the Corporation for National Service).

In 2002, Loni Hancock began three terms representing the 14th District in the California

State Assembly. She was elected to the California State Senate in 2008, and currently represents the 9th State Senate District. As a State Legislator, Loni Hancock has authored landmark legislation and provided leadership on important issues. Her work has led to policies that improve and preserve our public schools, invest in programs to prevent crime and reduce recidivism, provide multi-faceted protection of our environment and encourage increased efficiency and fair elections in state government.

On behalf of California's 9th Congressional District, State Senator Loni Hancock, I salute you. Your 40 years of public service have made an indelible mark in our community. Thank you for your continued work, and best wishes to you and your loved ones in the years to come.

PERSONAL EXPLANATION

HON. TIM GRIFFIN

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. GRIFFIN of Arkansas. Mr. Speaker, on Monday, May 2, 2011, I missed the rollcall vote No. 278 for unavoidable reasons.

Specifically, my direct flight from Little Rock, Arkansas, to the Baltimore-Washington International Airport (BWI) that was scheduled to depart at 10:40 a.m. (CDT) and to arrive at 2:05 p.m. (EDT) was delayed due to mechanical failure for approximately four hours and did not arrive until 6:15 p.m. (EDT) at BWI. Because of this delay I did not arrive at the Capitol until after rollcall vote No. 278 had concluded.

I would have voted as follows: Rollcall vote No. 278: "yea" (H.R. 1423, to designate the facility of the United States Postal Service located at 115 4th Avenue Southwest in Ardmore, Oklahoma, as the "Specialist Micheal E. Phillips Post Office").

MALOREY BOPP

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Malorey Bopp for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Malorey Bopp is an 8th grader at Arvada K-8 and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Malorey Bopp is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Malorey Bopp for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedi-

cation and character in all her future accomplishments.

HEMP HISTORY WEEK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PAUL. Mr. Speaker, I rise to speak about Hemp History Week. To celebrate the American heritage of growing industrial hemp, the Hemp Industries Association, Vote Hemp, American manufacturers, and allied companies and organizations have declared May 2 to May 8, 2011 to be Hemp History Week. Throughout the week, people will recognize America's legacy of industrial hemp farming and call for reinstating respect for farmers' basic right to grow industrial hemp.

Industrial hemp was legally grown throughout our country for many years. In fact, George Washington and Thomas Jefferson grew industrial hemp and used it to make cloth. During World War II, the federal government encouraged American farmers to grow hemp to help the war effort.

Despite industrial hemp farming being an important part of American history, the federal government has banned cultivation of this crop. In every other industrialized country, industrial hemp, defined to contain less than 0.3 percent THC—the psychoactive chemical found in marijuana, may be legally grown. Nobody can be psychologically affected by consuming industrial hemp. Unfortunately, because of a federal policy that does not distinguish between growing industrial hemp and growing marijuana, all industrial hemp must be imported. The result is high prices, outsourced jobs, and lost opportunities for American manufacturing.

Reintroducing industrial hemp farming in the United States would bring jobs to communities struggling in today's economy, provide American farmers with another crop alternative, and encourage the development of hemp processing factories near American hemp farming.

Industrial hemp is used in many products. For example, industrial hemp is used in protein supplements, non-dairy milk, and frozen desserts. Hemp flour is in breads, crackers, chips, dips, and dressings. Hemp seeds may be eaten plain or added to prepared foods. Additionally, hemp oil is used in a number of cosmetic and body care products, and hemp fiber is used in cloths. Industrial hemp is also present in bio-composite materials used in buildings and automobiles.

I first introduced the Industrial Hemp Farming Act six years ago to end the federal government's ban on American farmers growing industrial hemp. Since then, the industrial hemp industry has grown much larger. Despite its American history, industrial hemp is the only crop that we can buy and sell but not farm in the United States. The federal government should change the law to allow American farmers to grow this profitable crop as American farmers have through most of our nation's history. I plan to reintroduce the Industrial Hemp Farming Act next week. Please cosponsor the Industrial Hemp Farming Act and join me in celebrating Hemp History Week.

IN RECOGNITION OF THE FIRST
ANNUAL ROOSEVELT ISLAND
CHERRY BLOSSOM FESTIVAL

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mrs. MALONEY. Mr. Speaker, I rise to honor the First Annual Roosevelt Island Cherry Blossom Festival, which took place last month on Roosevelt Island in the heart of New York City. This "Celebration of Hope" featured the dedication of a beautiful grove of cherry trees along the Island's west promenade, which offers breathtaking views of the Manhattan skyline, as well as numerous cross-cultural offerings.

Proceeds from the Festival are being donated to the Roosevelt Island Japanese Association relief drive to aid those affected by the recent devastating earthquake and tsunami in Japan, which is also being supported by the Japan Society in New York City and designated charities.

The Roosevelt Island Cherry Blossom Festival featured performances by four different traditional music groups and by Roosevelt Island's own "Karate Kids". It also featured numerous gastronomic exhibits and tastings, including a continuous tea ceremony, a sushi and sake tasting offered by Roosevelt Island's Fuji East Restaurant, and a beer tasting put on by the Roosevelt Island Bar & Grill. In addition, the Festival included many offerings in the visual arts, including origami folding lessons, a photography contest, and an art auction hosted by the Roosevelt Island Visual Art Association (RIVAA) Gallery.

The Roosevelt Island Cherry Blossom Festival truly offered something for everyone: It was free and open to the public, but the proceeds from all sales will be donated toward Japanese earthquake and tsunami relief.

Roosevelt Island holds a unique place in the history of our nation's greatest metropolis. It began to be developed into a largely residential community by the State of New York in 1969 with a master plan designed by the world-renowned architects Philip Johnson and John Burgee as its guideline. This design envisioned a diverse mixed-income community in a largely traffic-free environment, a plan that has been successfully implemented.

The first residential housing complex on Roosevelt Island opened in 1975, followed a year later by three additional developments. Today, Roosevelt Island is famous for its parks, historic landmarks, first-rate health care facilities, and its scenic Tramway, the only commuter tram in the United States. It also offers a warm and comfortable environment to a thriving population of active and involved New Yorkers who call it their home.

Mr. Speaker, I request that my colleagues join me in paying tribute to the first annual Roosevelt Island Cherry Blossom Festival and all its organizers and volunteers. The Festival's mission of serving others offers inspiration to us all.

LORENZO TOLENTINO

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lorenzo Tolentino for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lorenzo Tolentino is an 8th grader at Creighton Middle School and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lorenzo Tolentino is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lorenzo Tolentino for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

IN RECOGNITION OF THE
CENTENNIAL OF DALY CITY

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. SPEIER. Mr. Speaker, I rise to celebrate the 100th birthday of the city of Daly City, California. Known as the "Gateway to the Peninsula," Daly City sits at the northernmost edge of San Mateo County, stretching from the Pacific Ocean to the West to almost San Francisco Bay on the East.

Although the Ohlone Indians occupied much of this area since the 6th century, the Spanish claimed it in the early 16th century. In 1769 the explorer Don Gaspar de Portola learned of the existence of San Francisco Bay and within a few years the Presidio and Mission Dolores were established and European settlers began to inhabit the north peninsula.

After the Mexican-American War, the U.S. government declared the area between San Bruno Mountain and Lake Merced government property that could be acquired by private citizens. This led to a brief land rush by mainly Irish settlers who established ranches and farms in what today are the neighborhoods of Serramonte and Westlake and the cities of Colma and Pacifica. It didn't take the farmers long to discover one of the signature characteristics of the area: fog. Many farmers fled, others converted to dairy and cattle farms. Had Mark Twain visited Daly City instead of San Francisco, he would have changed his well-known statement to "the coldest winter I ever experienced was a summer in Daly City."

The tensions before the American Civil War led to a famous duel in 1859 near Lake Merced. California was divided between pro-slavery and Free Soil advocates. Two of the main figures in this debate were U.S. Senator

David Broderick, a Free Soil advocate, and David Terry, a former state chief justice in favor of extending slavery into California. In the duel Terry mortally wounded Broderick who died three days later. This incident is considered the first shot of the Civil War and the location marked with two granite shafts is a designated California Historical Landmark.

Of course Daly City wouldn't be Daly City without its namesake. John Daly was 13 years old when he came to what is now San Mateo County from Boston in 1853. His mother died during the Panama crossing and young Daly had to fend for himself. He found work on a dairy farm and learned the business quickly. He married his boss' daughter and in 1868 bought his own 250 acres on the "top of the hill." He soon supplied milk and dairy products from his own cows and other dairies in the area and became a prominent businessman.

Populations were growing in San Francisco and on the south peninsula, but not in the Daly City area—until 1906. On the morning of April 18, 1906 a major earthquake off the coast near Mussel Rock destroyed much of San Francisco and displaced thousands of people. John Daly, who had moved to San Francisco, but maintained his business on the top of the hill, opened his farmland up to refugees, offering them temporary shelter, milk, butter and eggs. He realized the value of his land and subdivided his property in 1907. As streets and housing tracts emerged, the need for city infrastructure and services grew. The first attempt to incorporate the city of Vista Grande in 1908 failed. Three years later, on January 16, 1911, a petition was filed with the San Mateo County supervisors to incorporate the city of Daly City. In a special election on March 18, the incorporation narrowly passed in a 132 to 130 vote.

Daly City didn't grow much until the late 1940s when the developer Henry Doelger bought 600 acres of sand dunes and built Westlake. Doelger houses kept spreading West and South. Soon, major Daly City landmarks like Seton Medical Center and Serramonte Shopping Center were added.

Today, Daly City is San Mateo County's largest city with a population of over 108,000. Residents love their town and are proud of its diversity. After Honolulu, Daly City has the second largest Asian American community in the United States—about half of the residents are Asian and most are Filipino which is why the city is commonly called "Pinoy Capital."

Mr. Speaker, I ask this body to join me in celebrating the history and future of the city of Daly City on this day of its Centennial, March 22, 2011.

IN RECOGNITION OF NATIONAL
TEACHER DAY

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. RANGEL. Mr. Speaker, I rise today, on National Teacher Day, to recognize the important work of nearly 4 million teachers in public, private, charter and religious education institutions all throughout our great nation.

Teachers go to work every day to educate, inspire and help children of all backgrounds to achieve their dreams and become successful. Among the eighty thousand educators in New York City is Dr. Althea Bradshaw-Tyson, principal of The Young Women's Leadership School (TYWLS) in my Northern Manhattan congressional district.

I had the privilege of visiting The Young Women's Leadership School (TYWLS) of East Harlem and seeing firsthand the extraordinary impact Dr. Bradshaw-Tyson and the teachers have had on their students. Under their guidance, TYWLS of East Harlem has made history and headlines by providing low-income students of color an outstanding college-prep education and by offering a personalized, dynamic, hands-on learning environment where girls thrive academically. Nearly every student of TYWLS graduates on time and attends four-year colleges.

At a time when our education system needs stronger support, our teachers are faced with innumerable obstacles. They are being blamed for the deficit, their rights taken away and wages slashed. Even worse, their livelihoods are being threatened by mass layoffs in school systems across America. Yet class sizes keep increasing as school budgets keep being cut.

We cannot hope to win the future without an educated and inspired workforce. Throughout this National Teacher Appreciation Week as we honor their invaluable service and efforts, let us remember the life-changing impact of outstanding educators such as Dr. Bradshaw-Tyson, and continue to support our nation's teachers.

DEDICATION OF STATUE OF PRESIDENT GERALD FORD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KILDEE. Mr. Speaker, I rise today to honor the legacy of an extraordinary man, dedicated public servant and proud Michigander: President Gerald Ford.

For 25 years, President Ford served as a Representative from Michigan. As Minority Leader he was respected on both sides of the aisle as a strong and capable leader. As he famously said "I have had a lot of adversaries in my political life, but no enemies that I can remember."

He ascended to the Presidency during a difficult chapter in our nation's history. Through his dedicated leadership, he helped guide the country out of the turmoil caused by Watergate and in the process he distinguished himself as truly one of the most honorable Presidents we have ever had.

I have served under seven Presidents in my 34 years in Congress, but President Ford was the first. His State of the Union Address was the first I had the privilege to attend on the floor of the House of Representatives and it is an experience I will never forget.

Mr. Speaker, I rise today to honor this great American patriot and proud Michigander.

LAWRENCE SALAZAR

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Lawrence Salazar for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Lawrence Salazar is a 9th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Lawrence Salazar is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Lawrence Salazar for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

RECOGNIZING POLISH CONSTITUTION DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize Polish Constitution Day and to commemorate the signing of Europe's first codified constitution on May 3, 1791.

Three years after the adoption of our own constitution, Poland became the second nation in the world to codify a constitution. Under the leadership of King Stanislaw August, Poland approved a constitution that contained many of the groundbreaking democratic principles also embraced by America's founding fathers. Among those was the separation of legislative, executive, and judicial powers. The constitution also placed peasants under the protection of the government and established the concept of political equality.

Since the adoption of the 1791 Constitution, Poland has withstood countless hardships to emerge as a strong U.S. friend and ally. Here in the United States, Polish-Americans have made critical contributions to the development of our nation. This weekend, the city of Chicago's vibrant Polish community, the largest outside of Warsaw, will hold its 120th annual parade in honor of this historic document.

I join with people in the United States, Poland, and around the world in commemorating the anniversary of this historic document, celebrating Polish history, and recognizing the important contributions that the Polish people have made to the development of democracy.

RECOGNIZING NATIONAL MPS
AWARENESS DAY

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. MARCHANT. Mr. Speaker, I would like to recognize the National MPS Society for their 36 years of supporting families while searching for cures. Mucopolysaccharidosis or MPS is a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates. The damage caused by MPS on a cellular level adversely affects the body and damages the heart, respiratory system, bones, internal organs, and central nervous system. MPS often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span.

Symptoms of MPS are usually not apparent at birth and without treatment; the life expectancy of an individual affected begins to decrease at a very early stage in their life. Research has resulted in the development of limited treatments for some of the MPS diseases.

I urge my colleagues and their staff to join me in recognizing May 15, 2011 as National MPS Awareness Day. This is an important time during which the MPS disease community will help increase the awareness of this devastating disease, as well as supporting research to improve treatments, find cures and receive early diagnosis. The MPS families are encouraged to reflect and support each other and to reach out to those families who have lost loved ones to MPS. By wearing their purple ribbons and sharing these ribbons within their community, they are increasing public awareness about this disease. This date is also the start of the national MPS Run/Walk season along with other local community activities to raise awareness along with money for research and for family assistance programs.

I commend the National MPS Society for their unwavering commitment to bring about awareness of this disease and to continue to advocate for federal legislation to streamline the regulatory processes and to speed effective treatments and cures for their loved ones while advocating for funding of respite and enhancing special education. More must be done to find cures and effective treatments.

IN RECOGNITION OF CHARLIE GETZ

HON. JACKIE SPEIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. SPEIER. Mr. Speaker, I rise to congratulate Charlie Getz, a nearly four-decade veteran of the California Attorney General's office, on the occasion of his retirement. Charlie has served the people of the Bay Area and

the entire state of California with great distinction.

I got to know Charlie when I first ran for Congress in 1979 and I've considered him a close and dear friend ever since. He served as co-manager of my successful campaign for San Mateo County Supervisor in 1980 and has played a significant role in legislative victories at all levels of government.

Charlie has worked in the California Attorney General's office for 38 years in numerous high-level positions, and holds the distinction of being the second-youngest person to be appointed as Deputy Attorney General IV. He investigated the Los Angeles Unified School District when it built a high school on a toxic waste site. He successfully shut down a statewide development scam where local government bonds were being used to finance private developers that preyed on seniors and other people on fixed incomes. Mr. Getz won an Attorney General Award for Excellence, among other honors, for his work on litigation surrounding the infestation of Mediterranean fruit flies (Medfly). A University of California-Berkeley study later concluded that his work on the Medfly saved the state's economy \$5 billion per year. During that time, Charlie never lost a single case or motion.

Charlie is an avid model railroader. He is a member of the board of directors of the National Model Railroad Association, has given talks around the world about this popular hobby, and has written for *Narrow Gauge* and *Shortline Gazette* magazine for over 30 years. He is an acknowledged expert on the assassination of President Kennedy, has lectured on this subject on numerous occasions and has a library of volumes on JFK that is extraordinary. He is a highly-talented poet and not so gifted comedian. Charlie could have earned a lot more money over his lifetime if he had gone into writing comedy for late night television. Instead, he dedicated his life to statewide public service. Charlie is also passionate about the public's interest at the local level. Despite a demanding daytime schedule at the California Department of Justice, Charlie served for many years on the planning commissions of two communities in which he lived: South San Francisco and San Carlos. Unbeknownst to most of us, his votes and vision shaped the character of these two cities for many decades.

Charlie Getz is a graduate of the University of California at Los Angeles with a bachelor's degree in history and the University of Southern California School of Law.

In short, Charlie Getz is a Renaissance man in our modern era. He is fortunate to be blessed with a wonderful wife, Margaret, who is also brilliant, a computer specialist, teacher, and a professional chef. Margaret will have her hands full ensuring that Charlie stays on track during retirement. I wish both Charlie and Margaret the very best in the next chapter of their lives.

Mr. Speaker, I ask this body to join me in celebrating the extraordinary career of a dedicated public servant, a wise citizen, and an uncommon friend, Charlie Getz.

HONORING RABBI STEVEN CHESTER

HON. BARBARA LEE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. LEE. Mr. Speaker, I rise today to honor the extraordinary career and long-time spiritual guidance of Rabbi Steven Chester as he retires from over 22 years at the helm of East Bay's oldest Synagogue, Temple Sinai, located in the City of Oakland. Under Rabbi Chester's excellent leadership, Temple Sinai has become even more effective in the promotion of worship, education, service and volunteerism within its large congregation, and throughout our community.

Additionally, with the completion of the new Rabbi Steven and Leona Chester Campus, the Rabbi's work and his family's many contributions have formed a tangible legacy within Temple Sinai. Consistent with his many years of service, Rabbi Chester's namesake is a place of gathering and good works that will serve both the modern and traditional needs of his beloved congregation.

Rabbi Steven Chester's multi-faceted career began long before his tenure at Temple Sinai. After receiving his bachelor's degree in History from the University of California, Los Angeles, he earned a B.H.L. from Hebrew Union College in Los Angeles and an M.H.L. from Hebrew Union College in Cincinnati, Ohio. He spent a seventh year of rabbinical studies in Israel, and was ordained in 1971. By the time of his ordination, Rabbi Chester was already a vocal advocate for many social issues, including supporting civil rights and ending the war in Vietnam. This early penchant for activism and the promotion of peace and human dignity would play a role in Rabbi Chester's spiritual teachings and community service throughout the span of his career.

Spending five years of his rabbinate at Temple Beth Israel in Jackson, Michigan, Rabbi Chester utilized proximity to the state's main prison to provide weekly counseling and spiritual services to its prisoners as the facility's Jewish chaplain. From 1976 to 1989, Rabbi Chester served Temple Israel, located in Stockton, California, where he was also an adjunct professor in the Religious Studies department at the University of the Pacific.

Over two decades ago, he left Stockton to become Rabbi at Temple Sinai. Founded in 1875, the Synagogue is a historic landmark that continues to serve the largest Jewish community in the East Bay and has deep roots in the Oakland community. During Rabbi Chester's tenure, he added a pre-school, introduced adult education programs and supported the congregation's return to more traditional practices, including the re-introduction of Hebrew into the service. He also continued the congregation's history of advocating for social justice by championing local affordable housing and health care for the underserved, supporting women's reproductive rights and protesting the genocide in Darfur.

Whether participating in the Hurricane Katrina prayer service at the Oakland Arena, taking a bold public stance on global conflicts, or sponsoring a school for the poor and or-

phaned in Siem Reap, Cambodia—Rabbi Chester has inspired many through his insight and actions. In fact, among his many accolades, Rabbi Chester was voted the 2006 Reader's Choice for "Minister/Rabbi/Imam with the Biggest Heart" in the *East Bay Express*.

On behalf of the residents of California's 9th Congressional District, Rabbi Steven Chester, I salute you. I thank you and your wife, Leona, for your countless contributions to the well-being of our East Bay community. Your work promoting the values and traditions of Judaism has served our many Jewish community members and enriched the amazing diversity we enjoy in Oakland. I congratulate you on your many achievements, and I wish you and your loved ones all the best in this next chapter of life.

IN RECOGNITION OF THE CHI STATE ORGANIZATION OF THE DELTA KAPPA GAMMA SOCIETY INTERNATIONAL

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. MATSUI. Mr. Speaker, I rise today in recognition of the Chi State Organization of the Delta Kappa Gamma Society International as they join together to celebrate their 75th year in California. It is a great pleasure to recognize the Chi State Organization of the Delta Kappa Gamma International Society's dedication to promoting the professional and personal growth of women educators, and excellence in education. Over 6,000 California members will celebrate this historic milestone at their annual convention this year, themed "Soar on Wings of Transformation." I ask all of my colleagues to join me in honoring their leadership in our community, our state, and throughout the country.

Delta Gamma Society International was founded in 1929 and the Chi State Organization was established in 1936. The seven purposes of the organization are: to bring women educators of the world together; to honor women who are committed to distinctive service in the field of education; to advance the professional interest of women in education; to initiate, endorse and support legislation and public policy that is in the interests of education and of women educators; to endow scholarships to aid outstanding women educators; to stimulate the personal and professional growth of members; and to inform the members of current economic, social, political and educational issues so that they may participate effectively in our society.

Over the last 75 years, the Chi State Organization has funded and participated in a number of literacy projects throughout California, given scholarships to members and grants to non-members to pursue continuing education, and volunteered in classrooms and communities.

Mr. Speaker, I am honored to pay tribute to the Chi State Organization of Delta Kappa Gamma Society International on their 75th anniversary, and their outstanding commitment to California's teachers and students, while promoting excellence in education.

KAYLA KOVAL

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Kayla Koval for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Kayla Koval is a 7th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Kayla Koval is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Kayla Koval for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

CONGRATULATING "TEAM WILSON" OF THE CIVIL AIR PATROL'S ORLANDO, FLORIDA CADET SQUADRON

HON. DANIEL WEBSTER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. WEBSTER. Mr. Speaker, I congratulate "Team Wilson" of the Civil Air Patrol's Orlando, Florida Cadet Squadron for recently earning the Commander in Chief's trophy at the Air Force Association's 2011 CyberPatriot National Championship.

It was almost a year ago that "Team Wilson" began to lay the foundation for the success that I am pleased to recognize. In an era when our national security increasingly relies upon protecting vital networks, these young men are committed to acquiring the skills necessary to defend against a cyber threat. Over four hundred and fifty teams competed in the CyberPatriot III tournament for the opportunity to demonstrate their ability to patch and secure computer systems at the National Championship held this past February. I am pleased to acknowledge the achievement of "Team Wilson," who held themselves to the highest standard of performance throughout several rounds of competition and brought home the Commander in Chief's trophy for First Place in the All Service Division.

The members, coaches, parents and mentors of "Team Wilson" from the Orlando Civil Air Patrol have certainly earned our recognition. I thank coaches Nina Harding and 1stLt. Mark Strobridge for their steady guidance and dedication to the team's success. I also would like to acknowledge the contributions of Mr. Gary Palmer, whose mentorship and expertise provided "Team Wilson" with the tools to match their determination. However, much of the credit for this outstanding victory belongs

with team members C/TSgt. Michael Hudson, C/MSgt. Evan Hamrick, C/SrA. Reid Ferguson, and C/SMSgt. Matt Allen. Team Captains C/SSgt. Isaac Harding and C/2ndLt. Shawn Wilson also deserve special recognition.

Meeting the new global challenges of the 21st century is fast hinging upon the capability to protect our critical telecommunications and network infrastructure. I am encouraged when I learn that so many young people are participating in competitions like CyberPatriot III to prepare themselves to serve our Nation on the front lines of the cyber security effort.

In conclusion, I wish all the best to the members of "Team Wilson" as they apply their technological competency and commendable work ethic to future pursuits.

HONORING REV. ROBERT A. WILD, S.J.

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. MOORE. Mr. Speaker, I rise to honor Rev. Robert A. Wild, S.J., President of Marquette University in Milwaukee, whose leadership has resulted in groundbreaking new educational and research facilities, innovative academic programs, increased donor support, and strong relationships with students, faculty, staff, alumni, and the community.

Rev. Robert A. Wild, S.J., began his duties as president of Marquette University in Milwaukee on June 17, 1996, and will retire on July 31, 2011. During his tenure, Father Wild has built upon the university's core strengths of an academically rigorous, values-centered curriculum; solid, practical preparation of students for work in a world of increasing complexity and diversity; and formation of individuals as ethical and informed leaders in their religious, cultural, professional, and civic communities. Father Wild has also promoted the Catholic, Jesuit identity of Marquette by inspiring its mission of the search for truth, the discovery and sharing of knowledge, the fostering of personal and professional excellence, the promotion of a life of faith, and the development of leadership expressed in service to others, all for the greater glory of God and the common benefit of the human community.

Father Wild has committed Marquette to making a higher education accessible to all students, regardless of financial means, such that more than 20 percent of the student body is now comprised of first-generation students. He has been a tireless supporter of student financial aid and academic support, including the Educational Opportunity Program, which enables low-income and first-generation students to enter and succeed in higher education via four Federal TRIO Programs.

Father Wild has inspired the formation of diverse leaders at an institution that was the first Catholic university in the world to admit women to be educated alongside men in its regular undergraduate programs in 1909. Marquette now receives more than 20,000 undergraduate applications each year to continue to provide a transformative experience for our nation's young men and women.

Numerous faculty and staff have provided their time and talent to serving the city of Milwaukee under Father Wild's leadership including three dental clinics operated by the School of Dentistry that provide oral health care particularly to underserved residents. Father Wild's leadership of the Near West Side of Milwaukee recognizes that the university's success and that of the community are one and that it is important to invest Marquette's work, wisdom and wealth in neighborhood goals. His community involvement has spurred neighborhood investment by numerous others, making a more vibrant and safer community the lasting result. Father Wild has also been a champion for the Milwaukee community through the Milwaukee Water Council, where he serves on the board, and service to the Greater Milwaukee Committee and the Metropolitan Milwaukee Association of Commerce.

Under Father Wild's leadership, Marquette became the first university in the country to partner with the Boys & Girls Clubs of America for full-tuition scholarships; offered the first online master's degree program in Wisconsin; established its first endowed deanship; and received its first eight-figure contribution from an individual. He led Marquette's entry into the BIG EAST Conference in 2005, where intercollegiate athletes vie with the most competitive teams in the country. In the 15 years of Father Wild's tenure, Marquette completed the most successful comprehensive campaign in its history, raising a total of nearly \$800 million. More than 36,000 individuals have received a Marquette degree during Father Wild's tenure, individuals rooted in the university's pillars of excellence, faith, leadership and service.

I extend my thanks to Father Wild upon his retirement from Marquette University for his unparalleled leadership in transforming not only the university and its students, but Milwaukee and Wisconsin in so many ways that will have lasting impact for decades to come.

IN HONOR OF THE VIETNAMESE COMMUNITY OF CLEVELAND AND THE 36TH ANNIVERSARY OF THE FALL OF SAIGON

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance and recognition of the 36th Anniversary of the Fall of Saigon. This historical date commemorates the end of the Vietnam War, and represents the beginning of a new life for tens of thousands of Vietnamese people, as they began their hopeful journey to America.

On April 30, 1975, the ancient city of Saigon fell to the conquest of communist troops. This action solidified the communist takeover of South Vietnam. Thirty-six years later, I rise to honor the memory and sacrifice of the hundreds of thousands of South Vietnamese soldiers, American soldiers and civilians who made the ultimate sacrifice in the name of liberty.

Despite the violent takeover and the rule of repression that followed, the culture, spirit and

hope reflected by the Vietnamese people remained steadfast. After the fall of Saigon, thousands of Vietnamese, determined to rebuild their lives, began a treacherous exodus out of Vietnam. Their daring escape was on foot, through thick jungles and over jagged mountains. They escaped by boat, through snake-infested rivers and across turbulent seas. They became refugees in many nations, including America, with nothing more than the clothes on their backs and the hope for freedom in their hearts.

Mr. Speaker and Colleagues, please join me in honoring and remembering the hundreds of thousands of men and women who struggle for peace and freedom, then and now. We also honor agencies and churches such as The Vietnamese Community of Greater Cleveland and St. Helena Catholic Church, which offer havens of support, services and hope to immigrants from all over the world. The Vietnamese culture, through the care and commitment of its people, has flourished in Cleveland and across America, yet remains forever connected to its ancient cultural and historical traditions that spiral back throughout the centuries, connecting the old world to the new, spanning oceans and borders in the ageless quest for peace—from Vietnam to America.

HONORING TIMOTHY EGAN'S ACHIEVEMENTS IN JOURNALISM

HON. JIM McDERMOTT

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. McDERMOTT. Mr. Speaker, I rise to honor Mr. Timothy Egan today because I, and countless other readers, have learned so much from his first-rate reporting and his terrific books. In well-deserved acknowledgement of Mr. Egan's ongoing contributions to our civic discourse and public understanding, the Rainier Club, one of Seattle's oldest urban institutions, has named Mr. Egan its "Artist Laureate for 2011."

Many in this chamber will recognize Mr. Egan's byline as the Northwest Correspondent of The New York Times. He is a Pulitzer Prize-winning journalist whose insightful reporting and opinion pieces exemplify outstanding journalism. Even more remarkably, Mr. Egan's talents, and achievements, are not limited to newspaper reporting. Hardly. His six successful books include five works of non-fiction (The Good Rain, Breaking Blue, Lasso the Wind, The Worst Hard Time, and The Big Burn) as well as a novel (The Winemaker's Daughter).

Mr. Egan's books are great reads—his subjects range from the distinctive qualities of the Northwest region and an unsolved Spokane murder case to the powerful mythology of the American West and most recently, an early twentieth century wildfire that triggered permanent and far-reaching changes in land management policy and attitude. In 2006, Mr. Egan published perhaps his best-known book, *The Worst Hard Time: The Untold Story of Those Who Survived the Great American Dustbowl*, for which he received the National Book Award. This is a powerful account of a

truly critical episode in our country's history. Mr. Egan details the almost incomprehensible hardships endured by those American families who fought to survive the Dust Bowl of the Thirties, and in so doing, he brings his subjects and their circumstances fully to life.

His newest book, *The Big Burn: Teddy Roosevelt and the Fire that Saved America*, recounts the story of the devastating 1910 wildfire in the Rocky Mountain high country that claimed nearly 100 lives and changed forever our commitment to protect our public lands and their precious resources. His research is painstaking, and his commitment to the story unfaltering. Through his lens, we better understand ourselves and our relationship to the natural world.

In addition to the Pulitzer Prize for outstanding newspaper reporting and the National Book Award, Mr. Egan has twice received the Washington State Book Award and the Pacific Northwest Booksellers' Award.

Mr. Speaker, on the occasion of the honoring of Tim Egan's lifetime achievements, the Rainier Club celebrates a son of Seattle who has reached millions with words of purpose and meaning. I extend to him my congratulations and my appreciation. Thank you.

CONGRATULATING THE CITY OF PERRIS ON THEIR CENTENNIAL CELEBRATION

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. ISSA. Mr. Speaker, I rise today to recognize the City of Perris, California and congratulate them on the occasion of their Centennial Celebration for 100 years of cityhood.

This unique farming town has grown remarkably over the past century. Founded in 1911 in Riverside County, the City of Perris has flourished as a vibrant and growing community that is rich with culture and history. With fewer than 500 people in the early 1900s, today it is home to more than 50,000 Californians and growing.

Perris was built at the connector of The California Southern Railroad which ran from Barstow to San Diego. Perris has taken great pride in maintaining its heritage by renovating and reopening the Santa Fe railway station in 2009 as home to the Orange Empire Railway Museum building. Its city has also become an internationally recognized epicenter for world class skydivers to test the limits of their sport. Lake Perris is a natural wonderland where people celebrate a national icon through the Bald Eagle Count Project.

I commend the City's history of leaders and am honored to represent this community. As they gather to honor the past, celebrate the present and embrace the future, I applaud the City of Perris and its renowned heritage.

Mr. Speaker, I ask that the House recognize the City of Perris on the occasion of its Centennial Celebration.

HONORING ALVIN J. APPOLD

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Alvin J. Appold, retiring after 18 years as the Clerk of Frankenlust Township, Michigan. The township will hold a celebration this evening in his honor at the Township Hall.

Alvin Appold is a lifelong resident of Frankenlust Township. He served as the Township Clerk from 1984–1992 and 2000–2011. Prior to assuming the Clerk's duties, Alvin worked in the construction trade, as a farmer, and as an appraiser. He is an active member of St. Paul Lutheran Church singing in the choir and working as a Sunday Greeter. Alvin enjoys politics and was dedicated to performing his duties in a serious, professional manner. He is very proud of Frankenlust Township and the role he played in its significant development in recent years. Now that he is retired, Alvin plans to spend more time pursuing his leisure activities: working out at Delta College's pool, gardening and playing golf.

Mr. Speaker, I ask the House of Representatives to join me in congratulating Alvin J. Appold as he retires as Frankenlust Township Clerk. I wish him the best in his future endeavors for many, many years to come.

HONORING THE 2011 MAINEBIZ BUSINESS LEADERS OF THE YEAR

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to recognize the honorees of the 2011 MaineBiz Business Leaders of the Year Award. Each year, MaineBiz highlights the most outstanding businessmen and women helping to move Maine's business community forward. This year's honorees, Fletcher Kittredge, Martin Grimnes and Andy Shepard are among the best that Maine has to offer.

Fletcher Kittredge is CEO of Great Works Internet, GWI. In 17 years, GWI has grown from a small dial-up Internet company for one Maine community to a statewide Internet company with more than 50 locations. Fletcher has also been instrumental in the Three Ring Binder project, which has begun utilizing funds from the American Recovery and Reinvestment Act to expand broadband service throughout rural Maine.

Martin Grimnes is the example of a true success story. After leaving his \$50 million dollar composites corporation in 2000, Martin is now at the helm of Harbor Technologies. In just a few years, Harbor Technologies has performed outstanding work on contracts like the new 103-foot composite pilings for use by the Navy in Pearl Harbor. With a product estimated to last 150 years, Harbor is now expanding overseas. Despite the company's overseas work, Martin is ensuring that Harbor Technologies remains based in Maine.

Andy Shepard, from my district, knows how badly northern rural Maine needs economic development. In only a few years since forming the non-profit Maine Winter Sports Center, Andy has helped to bring Olympic Trials, trainers and the World Cup Biathlon to northern Maine. This has contributed to millions in revenue for the northern part of my state.

Mr. Speaker, please join me in honoring some of the best business leaders that Maine and America have to offer. In addition to their success in the private sector, Fletcher Kittredge, Martin Grimnes and Andy Shepard have remained committed to their local communities and used their entrepreneurial skills to develop economic opportunities throughout Maine.

HONORING RUBY WINDRAM

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. ENGEL. Mr. Speaker, public service done honestly and well is a boon to our citizens. For 37 years Ruby Windram has adhered to those principles, serving the people of New York at the Social Security Administration. Ms. Windram is now retiring with her numerous performance awards, including two Commissioner's Citations and three Regional Commissioner's Citations.

Ms. Windram started working for the people on September 10, 1973 as a Claims Representative in the Boro Hall Field Office in New York. Two months later she transferred uptown and in 1978 she was named Operations Analyst and after another 2 months she was promoted to Operations Supervisor in East Harlem. She was named Branch Manager of the West Farms office and 4 years later was named Assistant District Manager in the North Bronx.

She continued her ascent at SSA and in 2003 she joined the Regional Office staff, becoming Deputy Assistant Regional Commissioner for Management and Operations Support. Throughout her career Ms. Windram used her growing and extensive knowledge of field operations to serve the agency and the public.

In retirement, Ms. Windram plans to travel and spend more time with her family. She also plans to share her experience and knowledge by teaching. I join her colleagues in wishing her the very best in retirement and in thanking her for her years of serving the public so admirably and well.

RECOGNIZING MEMBERS OF HONOR FLIGHT SOUTH ALABAMA

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. BONNER. Mr. Speaker, it is with great pride that I rise to commend Honor Flight South Alabama and the 89 World War II veterans this very special organization is bringing to Washington, D.C., on May 4, 2011.

Founded by the South Alabama Veterans Council, Honor Flight South Alabama is an organization whose mission is to fly heroes from Mobile, Baldwin, Washington, Clarke, Monroe, Covington, and Escambia counties in Alabama to see their national memorial.

Over six decades have passed since the end of World War II and, regrettably, it took nearly this long to complete work on the memorial that honors the spirit and sacrifice of the 16 million who served in the U.S. armed forces and the more than 400,000 who paid the ultimate sacrifice. Sadly, many veterans did not live long enough to hear their country say "thank you" yet, for those veterans still living, Honor Flight provides for many their first—and perhaps only—opportunity to see the National World War II Memorial, which honors their service and sacrifice.

This Honor Flight begins at dawn when the veterans will gather at historic Fort Whiting in Mobile and travel to Mobile Regional Airport to board a US Airways flight to Washington. During their time in their nation's capital, the veterans will visit the World War II Memorial, Arlington National Cemetery, and other memorials.

The veterans will return to Mobile Regional Airport Wednesday evening, where a very large crowd of family and friends are expected to greet them.

Mr. Speaker, Wednesday's journey of 89 heroes from South Alabama is an appropriate time for us to pause and thank them—and all of our military who fought in World War II—for they collectively and literally saved the world. They personify the very best America has to offer, and I urge my colleagues to take a moment to pay tribute to their selfless devotion to our country and the freedom we enjoy.

I salute each of the 89 veterans who made the trip on May 4, 2011. May we never forget their valiant deeds and tremendous sacrifices: Clavis Akridge, Mary Balch, Herbert Barnhart, Harry Bennitt, Nathan Beverly, Blake Blakeney, Jim Botts, Sr., Robert Bryant, Howard Carney, Sr., Harold Childers, Charles Christie, Dale Crittenden, Arthur Days, Jr., Donald Delmarter, Gerald Devuyt, William Duffy, Sr., John Elliott, Hardy Eubanks, Osburn Flener, Delbert Ganson, Albert Garrett, James Glisson, George Grant, Bobbie Gwin, James Hathcock, Jr., Allen Honeycutt, Andrew Jackson, Jordan Jackson, Ralph Jackson, Weyman Jobe, Ben Johnson, Henry Jones, Emory Jones, Mathew Kautzer, Robert Killam, Kenneth Kollar, Joseph Kress, William Krist, William Lauten, John Loper, Reginald Loper, Charles Loury, James Maupin, Bruce Maynard, Perry McClure, Bryant McDonald, Jr., Glenn Merrill, Robert Middleton, John Mobley, Tristram Mock, James Mullineaux, Albert Murrell, William Nanney, Jr., James Nettles, John Nettles, Jr., Ronald O'Donnell, John Odom, Morgan Odom, Curtis Outlaw, Sr., John Overbeck, Oliver Palanjian, Orin Parker, Jr., William Patterson, Hurshel Paul, Webster Pedersen, Peter Richardson, Tom Robertson, Albert Roll, Jr., Joe Salzmann, Norman Sannes, Frank Schneider, Louis Spadaro, Lamar Stapleton, Bernie Steele, Rene Stiegler, Jr., Orrin Strickler, Floyd Stringfellow, Irvine Tucker, Waid Turner, Donald VanBeek, James Walker, Sr., Eldred Ward, Jr., Hugh Wiggins, Lewis Wilder, Frederick Witzel,

Vernon Woodcock, Robert Yearty, Joseph Zulofsky, and Eldred Latham.

HONORING MS. CINDY SMITH FOR HER 32 YEARS OF DEDICATED SERVICE TO AMERICAN AGRICULTURE

HON. FRANK D. LUCAS

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Mr. LUCAS. Mr. Speaker, I rise today to recognize Ms. Cindy Smith, the outgoing Administrator of the U.S. Department of Agriculture's Animal and Plant Health Inspection Service (APHIS). She has served as Administrator of APHIS since September 2007, ably carrying out the mission of APHIS: protecting American agriculture.

Ms. Smith has dedicated her life to public service, and is a true success story. She started out at APHIS in 1979 as a clerk-typist. She worked her way from the bottom to the top of the agency, showing a real commitment to its important mission, no matter the job. She understands the value of leadership development. The APHIS Leadership Development Roadmap she inspired has served as a model for other Federal agencies.

As APHIS Administrator, Ms. Smith led a major regulatory agency that protects U.S. plant and animal health, administers the Animal Welfare Act, and conducts wildlife damage and disease management activities, overseeing more than 8,800 employees.

Ms. Smith has a unique ability to identify emerging issues and determine a course of action to attain high-quality outcomes that are technically sound while still respectful of the taxpayers' dollars. She understands how to build momentum for her ideas, while working closely with stakeholders on all sides of an issue to strengthen support and identify consensus.

When H1N1 influenza started gaining international attention in 2009, Ms. Smith provided key leadership in shaping USDA's response. She formulated an effective response plan, recognizing what the impacts and implications of detection in the U.S. livestock population would be, and how it would affect the swine industry. She directed APHIS to align animal health and human health officials at the Federal, State, and local levels to coordinate U.S. policy should H1N1 be identified in the U.S. swine herd, and she ensured the swine industry was included in the discussion. Under her leadership, APHIS and its partners developed action and communication plans that government and industry stakeholders praised for their inclusiveness and transparency. Once a case of H1N1 was identified, government officials spoke with one voice, providing a clear message to the public and stakeholders, assuring them of the safety of pork, and how APHIS and government efforts were protecting the swine industry and human health. Due to the groundwork she laid, the United States was able to avoid trade disruptions with Canada, and address concerns raised by Mexico.

With foresight, vision, and an ability to collaborate and get others behind her ideas, Ms.

Smith demonstrated genuine leadership in what could have been a major crisis. Her efforts dramatically minimized the impact on American agriculture, and were of innumerable value to this country.

Ms. Smith has always demonstrated forward thinking. While she was Deputy Administrator for APHIS' Biotechnology Regulatory Services program, she recognized the growing importance of biotechnology in agriculture, as well as the need for more rigorous requirements for field tests of GE crops. She was instrumental in developing a program to help companies and researchers enhance their compliance with biotechnology regulatory requirements. Through its proactive approach to compliance, companies who participate in the Biotechnology Quality Management System are better able to analyze their operations, identify vulnerabilities, and see that they're addressed. The program she helped implement ensures accountability by confirming that trials of these necessary and beneficial crops are conducted responsibly. The program she created continues to grow, as more and more universities and small and large businesses recognize the value of participation.

Ms. Smith's integrity, dedication, professionalism—and perhaps most importantly, her leadership—have served the United States well in all these endeavors. While she is not retiring from federal service, and has taken a new role as APHIS' Chief Advisor for Government, Academia, and Industry Partnership, I wanted to thank her for her 32 years of serv-

ice with APHIS, her successful tenure as administrator, and her continued commitment to the American people and U.S. agriculture.

INTRODUCTION OF THE ASTHMA MANAGEMENT PLANS IN SCHOOL ACT

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 3, 2011

Ms. HIRONO. Mr. Speaker, today I rise to introduce the Asthma Management Plans in School Act.

Asthma is the most common childhood disease in the United States, affecting 7.1 million children.

Every year, children lose more than 13 million school days due to asthma, and their parents must skip work to take care of them.

Hawaii has a higher rate of childhood asthma than any other state. According to the latest data from the Centers for Disease Control, 18.6% of children in Hawaii have had asthma at some point in their life. This is much higher than the national rate of 13.3%. Along with common allergens and irritants, Hawaii's volcanic fog, or "vog," is a common trigger for asthma attacks, due to the continuous eruption of Kilauea volcano on Hawaii Island.

In Kona on Hawaii Island, 13.8% of people with asthma have needed to go to the emer-

gency room for treatment. In the Nanakuli/Waianae area on Oahu, 10.4% went to the emergency room. Asthma costs Hawaii an estimated \$18.2 million each year in direct medical costs alone.

Although asthma cannot be cured, it can be controlled with education and the right medicine.

The Asthma Management Plans in School Act will help children who suffer from an asthma attack while in school. My bill will provide grants to schools or local public health agencies in high-asthma areas to develop asthma management plans.

Grantees will be able to purchase emergency asthma medication and devices including inhalers, nebulizers, spacers, valved holding chambers (VHCs), and epinephrine to stop anaphylactic shock. School staff will learn about the disease and gain tools to help children if they have an asthma attack at school.

This bill has been endorsed by the Allergy & Asthma Network Mothers of Asthmatics (AANMA), the leading nonprofit organization dedicated to eliminating suffering and death due to asthma, allergies, and related conditions.

I am proud to work with the Hawaii Department of Health Asthma Control Program and the Hawaii Asthma Initiative.

I also thank my colleague Congresswoman Carol Shea-Porter for her work on this legislation in the previous congress.

I urge my colleagues to support the bill.

SENATE—Wednesday, May 4, 2011

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Lord God, the Father of mercies, show mercy to our Nation and the world. In Your mercy, give our Senators a discerning spirit so that they will understand our times and know exactly what they should do. Lord, instruct them in knowledge that transforms, enabling them to guide others through exemplary living. Provide for their needs, lighten their burdens, and fill them with Your joy. Refresh them with Your presence as You equip them to serve You and humanity.

We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE.)

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 4, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. The Senate will be in a period of

morning business for debate only until 12 p.m. with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

SCHEDULE

Mr. DURBIN. Madam President, the filing deadline for all second-degree amendments to S. 493, the small business jobs bill, is at 11 a.m. There will be up to two rollcall votes at noon. The first rollcall vote will be on the motion to invoke cloture on S. 493, the small business jobs bill. If cloture is not invoked on the bill, the Senate will immediately proceed to a second vote on the motion to invoke cloture on the nomination of John McConnell to be U.S. District Judge for the District of Rhode Island.

MIDWEST FLOODING

Mr. DURBIN. Madam President, hundreds of local first responders, 500 National Guardsmen, and hundreds of volunteers in southern Illinois are working around the clock to try to protect homes and communities from the rising waters of the Ohio River and other rivers in the region.

I have a photo that shows the devastation, which I witnessed personally last Friday. This is an area of southern Illinois, one that has been hard pressed economically, has been struggling, and now is inundated with flooding.

A few days ago when I visited Olive Branch and Cairo, IL, near the southern tip of the State, I saw this flooding firsthand. Homes, barns, and roads were covered by floodwater. Voluntary evacuations have been called for in a dozen Illinois towns, and people are scrambling to find a place to stay with friends and family and shelters to wait out the flood.

They worry about what will happen, when they will get back in their homes, and when the kids will get back to school.

This is another photo which demonstrates the kind of floodwaters that people are struggling with in my part of the world in southern Illinois. My colleague, Senator KIRK, was in southern Illinois over the last couple of days and has witnessed this firsthand as well.

We are both prepared to do whatever we can to help our State and all of the

States in the region that have been affected by this terrible flooding. In many cases this flooding is, unfortunately, going to be there for some time.

One of the properties I showed was in Cairo, IL. The water is already waist high and will continue to rise. It can be weeks before people can return home to see what, if anything, they can salvage.

Late Monday night, the Army Corps of Engineers made a very difficult decision. They blew a hole in a levee on the Missouri side of the Mississippi River near Cairo, IL, to relieve pressure on the levee and on other levees along the Ohio and Mississippi Rivers. That decision will flood farmland, and that flooding will relieve some of the pressure on the towns and communities, the families and homes which have been threatened by these rising river waters.

The decision to disable the levee at Birds Point in Missouri, as difficult as it was, may have saved the lives of some of the nearly 3,000 people in Cairo, IL, and surrounding communities. There are early indications that the Army Corps plan is starting to work. The Ohio River has already dropped 1½ feet at Cairo since 10 o'clock Monday night. Engineers estimate the water level may go down as much as 7 feet as a result of the release of water at Birds Point.

I want to make it clear to the people of Missouri, to my colleagues from Missouri, that I will stand with them to make certain there is compensation given to those farmers and homeowners who were affected by this decision to open this levee. Their misfortune is going to spare literally thousands of homes and businesses from the inundation of these floodwaters, and we should stand with them just as if they were the victims of the original flooding.

I am thankful for the good news that the river levels are coming down, but the flooding is far from over. Water continues to rise and overtop levees throughout the southern part of my State. My heart goes out to the men and women piling sandbags, to the National Guard—God love them; every time we have an emergency in our State, they are there working night and day—also to the men and women of the Army Corps of Engineers, the Illinois Department of Natural Resources, the Illinois Emergency Management Agency, and all of the agencies—Federal, State and local—that are pitching in.

I stand ready with Senator KIRK to help in any way we can in Illinois and

here in Washington over the next few days and weeks.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DEBT LIMIT

Mr. McCONNELL. Madam President, although lawmakers returned to Washington this week amidst news of a signal achievement in the war on terror, we also return to many critical debates about the situation here at home.

Gas prices are straining budgets and threatening to stall the economic rebound we have all been waiting for. Millions of men and women across the country still can not find a job.

And the two major parties have now presented competing visions of our economic future.

Republicans have shown that we are committed to creating an environment in which the private sector can flourish and create jobs, the jobs Americans need. As part of that effort, we outlined a comprehensive jobs agenda yesterday.

And today we will oppose prematurely ending debate on the small business bill. The other side has refused to allow votes on some of the best ideas Republicans have offered for creating jobs as a part of this legislation, including an important amendment by the ranking member of the Small Business Committee, Senator SNOWE. And we intend to oppose their efforts to short circuit this debate until they do.

Republicans are also committed to stopping the administration's inexcusable war on American energy at a time of near-record gas prices. And we are committed to repealing the Democrat health care bill that is already raising costs and destroying jobs.

But hovering above all of this is a growing fear about our Nation's debt.

The administration knows this. That is the reason for tomorrow's debt meeting at the White House.

So this morning I would like to start there, because anyone who has felt even the slightest twinge of pain from the recession has a vested interest in this debate.

Here is why: if we do not act to reduce our debt, this country could very well experience a crisis that makes the economic meltdown of 2008 look like a slow day on Wall Street.

That is not my conclusion.

That is the conclusion of the Democrat cochair of President Obama's own debt commission, a man who has spent the last year looking at this issue from every conceivable angle and who is now telling anybody who will listen that

America faces, in his words, "the most predictable economic crisis in history."

Few of us saw the last crisis materialize. This one we can see. And a growing number of people now recognize that the upcoming vote on the debt limit provides us with the single best opportunity we have to avoid this crisis before it strikes.

This is the moment to get serious about preventing this approaching crisis and to show the world that we can come together, not for the sake of party but for all Americans.

The world is waiting for America to get its fiscal house in order. The fact that members of both major parties are now showing a willingness to do it is an encouraging sign.

But if we are actually going to do this, more Democrats in Washington have to acknowledge the problem, and the urgency of addressing it now, in a serious way.

I realize that for some people that is a difficult thing to do. We are all grateful to the President's decisiveness over the weekend in going after Osama bin Laden. He is to be congratulated for it. Yet over the past 2 years, we have had many crises. And all too often, it seemed the hardest decision for the President was not whether to solve these crises but whether or not to give a speech about them.

Last year, we waited for weeks to hear the President's position on one of the biggest ecological disasters in history. And throughout this past winter and spring, we waited to hear what he thought about a debt that had spiraled so out of control that America's economic outlook has been downgraded to "negative" for the first time ever.

We can not wait for the President on this one.

The consequences of sweeping our problems under the rug again are just too great.

So let me be clear: As even some Democrats have conceded, a failure to do anything meaningful about the debt would be far more harmful to our economic future than a failure to raise the debt limit.

The warnings are simply too loud to ignore.

In early 2008 most of us had no idea we were headed for a financial crisis. Only a few prophetic voices were saying anything about the dangers in the housing market.

Over the past few years, we have seen the painful consequences of that crisis: unemployment lines, lost savings, millions of homes foreclosed.

Despite this largely unforeseen economic catastrophe, the American people have dug in. They have worked harder. They have tried to drag the country back to fiscal health.

It has not been easy, but they have struggled every day to get us back on our feet.

What I am saying this morning is that the danger posed by the debt is not uncertain.

It is coming right at us.

It is, as the cochair of the President's Debt Commission put it, the most predictable crisis in history. And anyone who is more concerned about raising the debt ceiling than in using this debate as an opportunity to prevent this most predictable crisis will answer for it. The American people will make sure of it.

Some may continue to deny that we need to do something about the debt; that the only thing we need to do is raise the debt limit and leave it at that. They want people to think this is all just some political exercise, and that we all just vote according to the President's political affiliation anyway.

Those days are over. Anyone who continues to pretend otherwise is not just deluding themselves. They are deluding the American people.

There isn't a single one of us who has not vowed to do everything in our power to prevent the next crisis from happening. Now we know for certain—absolutely certain—it is on the way—unless we act to prevent it. Raising the debt limit alone will not prevent this crisis; it simply avoids it.

That is why the only way we can claim we have actually done something meaningful in this debate is to insist on meaningful reforms as the price of our vote. Yes, we have had clean debt ceiling votes before. That was before S&P gave us a negative outlook for the first time ever and told us we risk a downgrade unless we get our fiscal house in order. That was before the world's largest private holder of U.S. Treasuries dumped its share of U.S. debt. That was before a commission that has spent a year studying this issue told us we are headed for ruin unless we act to prevent it. That was before this administration added trillions to the debt and submitted a budget plan this year that called for another \$13 trillion in debt over the next 10 years alone.

The crisis is here. The time to act is now.

We hear a lot from administration officials about what a catastrophe it would be if we didn't raise the debt ceiling, and there may very well be some merit to that argument. But what good would it do to raise the limit and wait for the disaster to strike? We might as well tell people to move to the second floor in case of a fire on the first floor.

My constituents do not have the jobs to lose. Kentucky doesn't have the wealth to give away. We have seen the consequences of a recession we did not predict. There is no excuse not to do everything in our power to prevent one we know is coming.

So let me suggest a way forward in this debate.

No. 1, pitting one group of Americans against another isn't going to solve the problem. In fact, it is part of the problem. We all know it is going to take all of us working together to get out of this crisis, so why don't we start acting like it?

No. 2, there are not enough taxes Americans, rich or poor, can pay to sustain the kind of spending Democrats in Washington want. The President may say he wants to tax the rich, but sooner or later he is going to have to tax everyone else to pay for his plans. What is more, we all know raising taxes would stall the rebound we all claim we want. So let's admit we do not have a revenue problem; we have a spending problem.

No. 3, we all know entitlements need to be part of this discussion. It is about time everyone starts acknowledging it. I have seen the ads about lawmakers voting to end Medicare. Let's be honest and admit nobody is talking about taking anybody's Medicare. Frankly, it is pathetic to claim otherwise, and it only makes the problems harder to solve.

No. 4, let's discuss the art of the possible. We all know tax increases would not pass the House because of the damage they do to family budgets and businesses, and a bipartisan majority in the Senate opposes raising taxes on families, on energy production, and small businesses across America. So let's set that aside and find common ground.

Everyone has a stake in this debate. If we face up to it as adults, we will not only prevent a crisis, we will preserve our common way of life, and we will show the world the United States can solve its problems head on. Millions of Americans are looking for work and struggling every day to rebuild their lives. Families and small businesses are being squeezed by gas prices and an administration that refuses to do anything about it.

We will have debates about this in the days ahead, and Republicans will continue to make the case for tapping our own energy resources. We will make the case against new taxes and regulations and a health care law that is stifling jobs and creating new burdens. But all these efforts rise or fall on whether we do something about our debt.

It is time to show we can tackle the big stuff. The stakes are too high to let this debate come and go without acting. Denying the problem will not solve it. Avoiding the problem until the next election will not solve it. Giving speeches about the problem will not solve it. The time has come to act.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, are we in morning business?

The ACTING PRESIDENT pro tempore. Morning business.

NOMINATION OF JOHN MCCONNELL

Mr. WHITEHOUSE. Madam President, I rise to speak in support of the nomination of John McConnell to be a U.S. district judge in my home State of Rhode Island. I had the occasion yesterday to be on the floor and to associate myself with the remarks of my senior Senator, JACK REED, but I wish to add some remarks of my own regarding how worthy an addition to the Federal bench Jack McConnell will be and to urge my colleagues to support his nomination and, in particular, to support an up-or-down vote on his nomination.

The McConnell nomination has been reported on three separate occasions by the Senate Judiciary Committee, each time with a bipartisan vote. This bipartisan backing is not a surprise, given the broad support his nomination has found across the political spectrum in my home State of Rhode Island. I will not read all the quotes of support from prominent Republicans back home, but let me just touch on a few.

Republican former Chief Justice Joseph R. Weisberger, an extraordinarily respected jurist of our State's supreme court, stated, for example, that McConnell:

... would be superbly qualified to preside as a Federal judge over the most challenging and complex cases. He is a man of keen intelligence and impeccable integrity. He would be a splendid addition to the distinguished bench of the United States District Court of Rhode Island.

Republican former attorney general of Rhode Island Jeffrey Pine provides equally glowing reviews:

Throughout his career, Jack has demonstrated the kind of legal ability, integrity, dedication to his client, and willingness to fight hard for the cause of justice that makes him a truly outstanding candidate for the Federal judiciary. . . . In my opinion, he would bring the kind of experience to the Federal bench that would make him an outstanding judge presiding at trials, and a fair and impartial arbiter for those who come before him.

I would add that Attorney General Pines' Republican predecessor as attorney general, Arlene Violet, has been equally complimentary.

John Harpootian, the former Republican Party vice-chair, has added:

One of the greatest characteristics that I admire about Jack so much is that, despite political differences of opinion, he never allowed those differences to become personal or to cloud his judgment. As a result, we have always enjoyed spirited conversation regarding political issues, but have remained great friends. These characteristics lead me to unqualifiedly support Jack's confirmation to the United States District Court for Rhode Island.

There has been similar support beyond the Republican Party from the editorial board of our State's leading newspaper, The Providence Journal, owned by the Alexis Belo Corporation. Despite disagreeing with McConnell on major litigation he brought in private

practice, the paper wrote not one but two separate editorials supporting his nomination. The paper opined, for example:

Jack McConnell, in his legal work and community leadership, has shown that he has the legal intelligence, character, compassion, and independence to be a distinguished jurist.

The Providence Chamber of Commerce has weighed in to praise him as a "well-respected member of the local community." Jack certainly has richly deserved that title with all his various community service throughout the years, whether for Crossroads Rhode Island, the State's largest homeless center, Providence's Trinity Repertory Theater, the Providence Tourism Council or other organizations.

In sum, those who know Jack McConnell as a lawyer and as a person recognize that he will be a great district court judge, with a proper understanding of the limited judicial role. A native Rhode Islander and a graduate of Brown University, McConnell will make his State proud in his service on the Federal bench, particularly at a time when our court is straining under the workload caused by the vacancy he would fill.

Unfortunately, out-of-State interest groups have politicized the McConnell nomination. I am not going to spend time now rebutting every argument these special interests and their well-paid lawyers have concocted to attack this nomination. Suffice it to say that Jack McConnell has answered all the questions posed to him by this body, leaving no doubt about his legal skill or his integrity.

I will briefly make two points, however.

No. 1, yes, Jack McConnell brought lawsuits against powerful industries, including tobacco, asbestos, and lead paint. There is nothing wrong with that. There is no dishonor in representing poisoned kids, lung cancer patients or the bereaved widow of a mesothelioma victim. It should not disqualify MCCONNELL or anyone from confirmation. The most important measures of a judicial nominee are legal expertise, strong character, and a proper understanding of the judicial role, and those are qualities that Jack McConnell possesses in abundance.

Yes, Jack McConnell has been active in politics, much like he has been active in many other aspects of Rhode Island public life. The question, however, is not whether he has been politically engaged in the past but, rather, whether he will put aside his political advocacy when he goes on the bench. I know he will. My senior Senator, JACK REED, knows he will. Mr. McConnell testified before the committee that he would. Consider what Judge Bruce Selya of the First Circuit Court of Appeals, a Republican appointee, said when interviewed by The Providence Journal:

It would be a terrible rule to say candidates should be excluded if they donate to their political parties in a perfectly legal fashion.

The paper continued, describing the interview with Judge Selya:

Selya said that when Senators weigh the credentials of political contributors who are nominated to the Federal bench, the proper question is not how much money did they give, but rather, can they make the transition from partisans to impartial jurists. The judge said he believes McConnell can do that.

Judge Selya is not only a leading Republican jurist in Rhode Island, he is also a man of impeccable integrity, and his vouching for Jack McConnell is entitled to considerable weight among all those who know Judge Selya.

We must not disqualify talented and successful advocates merely because of their prior political or legal advocacy. Some of my Republican colleagues may not like the suits McConnell chose to bring. I do not share that view, but fair enough. We should remember, however, that lawyers we disagree with can make the transition from advocate to arbiter. Lawyers nominated by Republican Presidents who defended corporations all their private practices simply do not have a monopoly over the proper judicial mindset.

Let me make a last point before I close. The tradition of this body has been to give up-or-down votes to district court nominations reported favorably by the Judiciary Committee and who have the support of both home State Senators. That is an important tradition in this body. Cloture has not historically been required. The Congressional Research Service reports that from 1949 to 2009—over six decades—only three cloture motions were ever made on district court nominations and, in each case, each nomination ultimately was confirmed without the 30 hours of postcloture time being used. For every other district court nomination in that 60-year stretch, no cloture motion has been necessary.

We have departed from that tradition in this case, and I fear it is a consequential departure. The majority leader has been forced to file a cloture motion on this nomination. I, nevertheless, hold out hope our Republican colleagues will allow the motion to be withdrawn and grant an up-or-down vote to be held in short order. Doing so would be the proper course of action, in keeping with this institution's best traditions and most conducive to future comity on nominations. Indeed, it would be consistent with the clearly held and firmly stated views my Republican colleagues have indicated in the past.

Once again, I urge my colleagues to support the nomination of John McConnell to the U.S. District Court for the District of Rhode Island. I urge them to give deference to the judgment of Senator REED and myself in this

area and, at a minimum, to grant him the up-or-down vote that is Senate tradition for district court nominees backed by both home State Senators who have emerged, in this case in a bipartisan fashion, from the Judiciary Committee with clearance from the ABA and the FBI. Jack has proven himself to be an excellent lawyer and public-minded citizen of the highest integrity and he will be a great district court judge.

I thank the Acting President pro tempore and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

Mr. REED. Madam President, I rise to join my colleague, Senator WHITEHOUSE, in strongly supporting the nomination of Jack McConnell to be a United States district court judge for the District of Rhode Island. Indeed, as my colleague indicated, there is a big issue here beyond Mr. McConnell; which is whether we are going to institute a new threshold of cloture, which could be routinely applied to all district court judge nominees. As my colleague indicated, this is an extraordinary departure from the history of this Senate going back decades.

We have long adhered to the tradition that local Senators and the local legal community and the local civic community are the best judges for a potential nominee, subject, obviously, to the President's action and, quite importantly, to the review by the American Bar Association and, quite importantly, the background checks of the FBI, and, quite importantly and very, very importantly, to the deliberations of the Judiciary Committee here in the Senate. This has been the process for both Republicans and Democrats. It has extended over decades, and it is something I hope we can respect today through our deliberations and the conclusion of these deliberations.

Turning to Mr. McConnell, we are fortunate, I believe, to have an individual of his talent and his character. Jack is a graduate of Brown University and Case Western Reserve University Law School. He clerked for a justice of the Rhode Island Supreme Court. He has received numerous accolades and awards, such as the National Association of Attorneys General President's Award and Case Western Reserve University's Martin Luther King, Jr., Award. He has been named to numerous lists of the best lawyers. He has the top rating in both ethics and achievement from Martindale-Hubbell, which is the service that reviews and lists, practically, every attorney in the United States.

But I do not simply want to repeat Jack's extraordinary resume of hard work and success. I want to share some of my personal judgments. He is fundamentally and extraordinarily a decent and honest person. He started out from very humble beginnings. He has

worked hard for everything he has accomplished in his life. Through his hours of not just legal work but pro bono work and volunteer work, he has contributed more to the community than anyone I can think of in my home State of Rhode Island. And he has done it without fanfare. He has done it without self-promotion.

He was raised by his late father, who served in Korea with the U.S. Marine Corps and continued to serve in the Marine Corps Reserve. His mother Jane was a teacher. They demonstrated to him the values of hard work and integrity and decency and honesty that have been the hallmark of his efforts and career.

While he was also juggling a very demanding legal career and a family and children, he took the time, early every Monday morning, to go to Amos House, which is a soup kitchen in Providence. It is where the poorest of the poor go simply to get some food for the day. He would quietly and anonymously serve breakfast, without publicity, without fanfare, because he saw this as being part of the community—someone responsible not just for personal success, but for contributing back because he has been fortunate in his life.

He was a Big Brother to a young man in the west end of Providence, a poor neighborhood. He has taught first communion classes in his parish for years. He has been a volunteer attorney at homeless legal clinics in Providence and Pawtucket—two of our central cities. He has served on numerous boards—Crossroads Rhode Island, the biggest and largest homeless service in the State of Rhode Island. He has been there working hard, tirelessly. He has chaired the Providence Tourism Council, which has worked with the Greater Providence Chamber of Commerce to promote the city of Providence.

These are the types of attributes, experiences, life experiences, that form a person and also provide the basis for being a judge. Because the quality I think we all have to look for in a person, who is sitting in judgment of complicated civil cases, serious criminal cases, but ultimately cases involving men and women, is that they feel that this person understands them and will be fair to them, regardless of whether they are a large corporation or a poor person before the district court. I am convinced Jack McConnell will do that—impartially, deliberately, and carefully. These are the qualities he has exemplified throughout his career.

Jack enjoys strong support and broad support throughout the State of Rhode Island, and it is a reflection of his work not just as an attorney but as a civic leader. I have heard from members from the business community, the Rhode Island judiciary, the legal community, Republican and Democratic elected officials, members of the clergy, as well as individuals from Rhode

Island's nonprofit sector and academic sector. All of them have submitted letters for the record, but I want to highlight a few.

The Greater Providence Chamber of Commerce called Mr. McConnell "a well-respected member of the local community, leading important civic, charitable and economic development institutions including Crossroads Rhode Island, the Providence Tourism Council and Trinity Repertory Theatre." They do not oppose his nomination. If I were looking at the business community, I would look at the local business community, not the national, organized efforts, whose agenda is sometimes very far removed from the needs of the small business men and women of Rhode Island.

The Providence Journal, as my colleague has cited, has repeatedly editorialized in favor of his nomination. He has received emphatic and consistent endorsements. In May of 2010, they said:

Providence lawyer John J. McConnell Jr., whom President Obama has nominated to serve on the U.S. District Court for Rhode Island, is a very able attorney. He has also demonstrated much civic commitment and leadership as a very generous philanthropist and board member of various nonprofit organizations in our area.

Furthermore:

Jack McConnell, in his legal work and community leadership, has shown that he has the legal intelligence, character, compassion and independence to be a distinguished jurist.

After no action was taken on Mr. McConnell's nomination by this body in the previous session, the Providence Journal wrote, in November 2010, that Mr. McConnell is:

One of America's most able and successful litigators, and has been a very energetic and generous leader in philanthropies and other parts of community life. His character and deep love of the law suggest strongly that he will function as a disinterested judge—one able to look at the facts of each case in the light of a close and rigorous reading of statutory and constitutional law and precedent. Indeed, his legal work and community leadership suggest that he would be a distinguished jurist.

He is a man of tremendous character, recognized by community leaders. The Institute for the Study & Practice of Nonviolence—an innovative organization on the south side of Providence—their executive director, Teny Gross, wrote in strong support.

Rhode Island Supreme Court Justice Joseph Weisberger, one of the most respected jurists in the history of Rhode Island, said of his nomination:

His great experience as a litigator has given him exceptional knowledge of the intricacies of the rules and practice and procedures of federal courts. He would be superbly qualified to preside as a federal judge over the most challenging and complex cases. He would be a splendid addition to the distinguished bench of the United States District Court of Rhode Island.

Justice Weisberger is a former Navy veteran and a 45-year veteran of the Rhode Island bench, and he is a man who commands enormous respect in Rhode Island.

The Republican mayor of Rhode Island's second largest city, Scott Avedisian, has said:

Jack is a man of integrity, a strong sense of community, and a very fair and forward-thinking individual.

This is a Republican elected official: "a very fair and forward-thinking individual."

Business executive Merrill Sherman, an avowed believer in the free market, a very successful entrepreneur and banker, concluded Mr. McConnell "has the temperament, demeanor and capacity to be an excellent federal trial judge."

So if Mr. McConnell is so bad for business, why are business leaders in the State reflecting on his qualities and giving him accolades and predicting he will be a distinguished jurist?

John Harpootian, another major Republican attorney in the State, a distinguished attorney, stated:

In my view, however, the most important attribute is integrity. Time and again, Jack has proven that he is a man of great principle and integrity. While being a vigilant advocate for his clients and the causes that he has taken up during his professional career, Jack has always conducted himself in the most ethical and professional manner; a trait unfortunately sometimes not found among lawyers today.

One of the greatest characteristics that I admire about Jack so much is that despite political differences of opinion, he never allowed those differences to become personal, or to cloud his judgement.

I am hard pressed, again, to believe the suggestions that have been made that in some way Mr. McConnell is not a completely ethical person because every bit of evidence from Rhode Island—Republicans, Democrats, lawyers, business leaders—from a lifetime of observation suggests that he is ethical.

But perhaps the most compelling words are the words of former Rhode Island Republican Attorney General Jeff Pine. As Jeff concluded:

There is no question in my mind that Jack would be an honest, principled, ethical, and fair judge. He would be a credit to our state and judiciary. I enthusiastically support his candidacy for the position on the federal bench.

This is our former Republican attorney general.

If that judgment is not sufficient, let me render another judgment. This is in the form of a colleague, a former Pennsylvania Attorney General, a Republican, who is now a member of the U.S. Court of Appeals for the Third Circuit. This body, at the recommendation of the Pennsylvania Senators, years ago, under President George W. Bush, confirmed unanimously D. Michael Fisher

to serve—after distinguished service as a Republican attorney general in Pennsylvania—as a circuit judge. Here is what Judge Fisher said:

I met and worked with Mr. McConnell when I was the elected Attorney General of Pennsylvania from 1996 to 2003. We worked very closely together on the national tobacco litigation . . . and worked closely with Mr. McConnell. . . . We spent considerable time together in New York and at meetings elsewhere and I had the unique opportunity to assess Mr. McConnell's legal abilities and his character which were both outstanding. . . . John J. McConnell Jr. is an outstanding nominee to serve on the U.S. District Court for the District of Rhode Island, and I enthusiastically support his nomination.

These are the words of a Federal circuit court judge, nominated by President George W. Bush and confirmed unanimously by this Senate.

Again, I implore my colleagues to listen to what people who know Jack McConnell have said and the words they have used: integrity, honesty, character, independence, impartiality. Those are the words used by people who know him, and that is the truth.

I urge not only on the merits, but also in terms of the traditions of the Senate that we allow this vote to come to a final vote and that we vote for Mr. McConnell.

But let my turn briefly to the claims made by some. Frankly, I am a little bit leery to address these supposed criticisms, but they have been leveled and I think there should be some response.

The first claim seems to be that Mr. McConnell is anti-business. Well, outside of the support he has received from business leaders from Rhode Island and the Providence Journal, which has a historic reputation going back several years of being a prominent supporter of business in Rhode Island, I think it is also good to reference the fact that two insurance industry trade associations—the National Association of Mutual Insurance Companies and the Property Casualty Insurers Association of America—originally signed a letter in 2010 that stridently attacked Mr. McConnell.

However, in December of 2010, both of these associations, which represent companies that scrupulously work for their shareholders, withdrew their opposition because they stopped and looked at the facts.

They spoke to their Rhode Island insurance company members. They examined the Republican support for Mr. McConnell. They listened to what the Greater Providence Chamber of Commerce had to say. To quote from the National Association of Mutual Insurance Companies' letter:

Upon further consideration and consultation with our member companies in Rhode Island, and after evaluating support for Mr. McConnell from the local business community and former Rhode Island Attorneys General Arlene Violet and Jeffrey Pine, NAMIC withdraws its opposition to his nomination. . . .

Again, those who have carefully considered Jack McConnell have acknowledged that he will bring no personal agenda to the courtroom, as he has testified truthfully and accurately.

Another insinuation is that Mr. McConnell has not comported himself in an ethical manner. This is a serious charge. If any Senator is going to level this kind of assertion, they have to have clear and compelling facts on their side.

Indeed, in his over two decades of practice, Mr. McConnell has never had an ethics complaint alleged or filed against him. He has never had a malpractice claim alleged or filed against him. He has never had a rule 11 motion filed against him.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. REED. Madam President, I ask unanimous consent for 2 more minutes.

Mr. ALEXANDER. Madam President, reserving the right to object, then we would need to add 2 minutes to the Republican side, and I ask unanimous consent for that.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REED. There is a third claim against Mr. McConnell regarding the State of Rhode Island's lawsuit against a number of companies which, at one time, manufactured lead paint. Let me state for the record that this process had its start under a Republican Attorney General, Jeffrey Pine, and then continued under two succeeding attorneys general.

The lawsuit had precedent under Rhode Island law. While it was a lengthy and difficult trial, Judge Silverstein, a State superior court judge who oversaw this trial and was responsible for the court's business calendar, had nothing but praise for Mr. McConnell's involvement and that of his opposing counsels. Again, Judge Silverstein is one of our most respected judges by all sides and by the entire Rhode Island bar for his judgment, integrity, and his skill. He had nothing but praise for Mr. McConnell's involvement.

A fourth claim is an insinuation that Mr. McConnell received some kind of favoritism when the state selected a legal firm to bring the lead paint lawsuit. The facts are again different from the claim. First, Mr. McConnell and former Attorney General Pine discussed this issue within the context of the global tobacco litigation. Attorney General Pine then asked Mr. McConnell to provide a legal memo on this matter. Attorney General Pine reviewed the materials and believed the case was solid but did not want to undertake the case due to the end of his term. In 1999, AG Pine's successor, who happened to be Senator WHITEHOUSE, asked to be briefed on the matter. Then Attorney General WHITEHOUSE, asked

another firm, DeCof and DeCof, to review the case, and this firm found the merits of the case to be factually and legally sound under Rhode Island law. The case was then actively litigated by the state under AG WHITEHOUSE's tenure. It was then reviewed by AG WHITEHOUSE's successor, who decided after much deliberation to continue the case. So there you have it. A Republican Attorney General chose Mr. McConnell more or less and his Democratic successors retained his firm.

I am also told this proposed arrangement was submitted to the court, the court reviewed it, and did not object to it. I am also told by Senator WHITEHOUSE that, indeed, the judge had the final approval of any type of payments made. That is the type of arrangement I think is well within the consistency and ethics of procedures within Rhode Island and across the Nation.

I could go on and on. I conclude by saying this: This is an individual of integrity, character, decency, education, talent, and skill. Today, we are on the verge, I hope, of confirming a district court judge nominee. If we reject this person through a cloture fight, we are setting up an extraordinarily dangerous precedent that in the future could be used to prevent individuals of character and talent from serving on the bench.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I ask unanimous consent that over the next 30 minutes Republican Senators led by the Senator from Ohio, Mr. PORTMAN, and including the Senator from Wyoming, Mr. BARRASSO, Senator CORNYN from Texas, Senator HOEVEN from North Dakota, and myself be permitted to engage in a colloquy.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RIGHT-TO-WORK LAW

Mr. ALEXANDER. Madam President, it seems as if every day there is some new action by the Obama administration that throws a big wet blanket over job creation in America. Republicans haven't been hesitant to point this out and talk about too many taxes, too many regulations, too much debt, higher gasoline prices, higher health care costs, and the health care law.

Yesterday, Senators GRAHAM and DEMINT and I introduced legislation to reaffirm section 14(b) of the Taft-Hartley Act to permit States, if they so chose, to have a right-to-work law, creating a competitive environment in which we can create more jobs in this country. This is in reaction to the action by the National Labor Relations Board that would basically say the Boeing Company could not expand into a nonunion State.

I ask unanimous consent to have printed in the RECORD an editorial in the Wall Street Journal today called "Congress vs. the NLRB."

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS VS. THE NLRB

President Obama's National Labor Relations Board has spent the year thumbing its nose at Congress by reinterpreting longstanding labor law on behalf of union friends. Congress is finally fighting back.

Tennessee GOP Senator Lamar Alexander along with South Carolina Senators Lindsey Graham and Jim DeMint are this week introducing legislation to rein in the labor board's latest assault on business. The board's complaint against Boeing, filed last month, is the first shot in a new union war on federal right-to-work law, a policy shift that is every bit as threatening as the drive to get rid of secret ballots in union elections.

Boeing decided 17 months ago to invest \$2 billion building a new production plant for its 787 Dreamliner in South Carolina. It made the decision only after talks broke down with the International Association of Machinists and Aerospace Workers, whose members wanted the work at a unionized plant in Washington state. The union's many strikes over the years have cost Boeing a bundle. South Carolina, like 21 other states, has a right-to-work law, which forbids compulsory unionism.

The Obama NLRB nonetheless chose to make Boeing a whipping boy in a new offensive against right-to-work states. It filed a complaint demanding that an administrative law judge halt the South Carolina plant (set to open in July), and force Boeing to move production to Washington.

This despite the fact that Boeing made clear this is a new production facility or that it has added 12,000 jobs in Washington since announcing the South Carolina move.

No matter. The complaint's real target is the federal right-to-work guarantee. Among the most celebrated provisions of the 1947 Taft-Hartley Act is what's known as 14(b)—the section that allows states to pass right-to-work laws. The Boeing complaint guts that guarantee by effectively requiring companies to continue manufacturing in union states—or be found guilty of a rights violation. This is a union dream come true, on par with "card check."

As Senator Alexander tells us, this is a direct attack on a right-to-work law that was "thoroughly debated" by Congress in 1947 and "remains clear today." The Alexander-Graham-DeMint legislation would clarify the existing provision, ensuring that state right-to-work laws cannot be pre-empted by the NLRB or union contracts. We're assuming the 11 Democratic Senators from right-to-work states will stand up for their non-unionized workers—if Senator Majority Harry Reid (from right-to-work Nevada) allows a vote.

Boeing will fight the NLRB complaint, though that might mean a protracted court fight. It also means more uncertainty for every business considering a move of future production facilities to a right-to-work state. Many of them may simply relocate manufacturing overseas.

This is the latest gambit from an Administration that has been ramping up its regulatory and enforcement powers on behalf of special-interest allies such as unions. The only check against this is Congress, so we're glad to see Members speaking up.

Mr. ALEXANDER. Madam President, as important as it is to say what we don't like about the Obama administration's job policy, it is even more important for us to say what Republicans will do to create an environment to make it easier and cheaper to create private sector jobs.

Senator PORTMAN of Ohio has a strong background as a budget director, as a Congressman, and as a trade negotiator in the Bush administration, and he has a good understanding, representing one of our largest and most important manufacturing States, of exactly what kind of policy it takes to create an environment for job growth. He has been working with Republican Senators so that we can clearly state our pro-growth plan. We would like to discuss that.

I ask Senator PORTMAN, what would be the keys to the Republican plan to make it easier and cheaper to create private sector jobs?

Mr. PORTMAN. I thank my colleague from Tennessee. I happen to have the answer to his question. Yesterday—he is correct—we did propose a jobs plan, which is a series of commonsense proposals to get our economy back on track and create jobs across our country.

You will recall that a few years ago there was a stimulus effort in the Congress—the President's \$800 billion stimulus plan—that was passed. The idea was to get the economy back on track. There were estimates that it would have a big impact on job growth and, in fact, reduce our unemployment numbers significantly. That didn't happen.

One of the reasons that didn't happen is because it relied too much on government providing the resources for jobs. Government doesn't create jobs, but government can create the climate for job growth. Our view is that we need to take a different approach. That approach is to stimulate private sector job growth and create that pro-growth environment.

The seven proposals we announced yesterday as part of our jobs plan include being sure that we do indeed deal with the deficit and debt because that is a negative impact today on our economy. In fact, there are economic studies out there showing that our GDP is much smaller than it would otherwise be but for the deficit and debt. Also, we need to reform the Tax Code to spur economic growth. Economists across the spectrum agree that we can stimulate economic growth by having a Tax Code that makes more sense for job creation.

Regulation is a major issue. We will hear from our colleagues who want to make sure we have regulatory relief for small businesses which are not able to create jobs because of the increased regulations coming from Washington.

We need a workforce that is more competitive, and that requires the Fed-

eral Government to do a better job on workforce development. Also, there is the need to increase and expand exports. The President has talked about that. We are eager to get trade agreements in Congress. We can create hundreds of thousands of new jobs immediately through expanding markets.

We also talked yesterday about energy. This is important. There are things we can do right now to get America less dependent upon foreign oil and use our own resources in this country more effectively. Then in terms of the health care circumstances—we will talk about this in a moment—every person I have talked to in Ohio, and I have been on over 200 factory visits in the last couple years—tells me the cost of health care is going up not down, which is making it harder to create jobs. We will talk about the need to reduce health care costs.

This is a commonsense, seven-point plan to get the economy moving and create jobs. It is incredibly important to get the unemployment numbers down and to be sure American families have opportunities. It is also very important, though, in terms of dealing with the debt and deficit because, although we need to restrain spending—and Congress is beginning to take small steps in that regard—we also need to grow the economy.

When we have 1.8 percent economic growth, which we had in the last quarter, which is anemic, weak, and not something we should be satisfied with, it is difficult to create that economic growth to help deal with this huge overhang of deficits and debts.

As the Senator from Tennessee said, we have other colleagues with us today, and Senator JOHN HOEVEN from North Dakota will talk about these issues, as will Senator BARRASSO from Wyoming. Senator CORNYN from Texas has just joined us.

I ask Senator HOEVEN, a former Governor of North Dakota—where there is about 3.6 percent unemployment and is a State that is producing domestic energy to help meet our needs and is a big State for exports—if he will talk about his ideas on job growth and how it fits into this job plan.

Mr. HOEVEN. Madam President, I say to my colleagues, Senators PORTMAN, ALEXANDER, BARRASSO, and CORNYN, that it is great to be here this morning to engage in this colloquy. I want to follow up on the points that my esteemed colleague referred to on both energy and trade. They are very important in terms of job creation for our country.

If I could, I will start for a minute on the comprehensive nature of this jobs plan that Republicans have put together. If we look at it, we will see that it is truly comprehensive. It is about living within our means, about reforming our Tax Code, without raising taxes, to create a pro-growth environ-

ment, create jobs, and get our economy moving. It is about unburdening our economy from the overregulation that is hurting job creation. It is about helping to create a more competitive workforce to compete in a global economy. It is about increasing our exports, and it is about a truly comprehensive approach to energy that will help us develop all of our sources of energy, both traditional and renewable. It is also about commonsense health care reform. We need to do that because we have more than 15 million people who are unemployed. Every day they are unemployed is one day too many. We also have to get on top of this deficit and debt we face. That means controlling our spending, reducing our spending, but it also means growing our economy. That is the way to not only get people back to work but reduce the debt and deficit.

If we look at the 1990s when we were in a somewhat similar situation, that is exactly what we did. We need to go back and do that. North Dakota is a large energy-producing State—oil, gas, clean coal technology, and also the renewables, biofuels, and wind. But the way we did it wasn't through government spending. It was through creating a legal, tax and regulatory environment and creating certainty so that companies and entrepreneurs could invest in energy and advanced manufacturing and technology—the whole gamut. But there are hundreds of millions of dollars today that would go into investments all over this country in the energy patch, both traditional sources and renewable sources of energy, with the latest, greatest technology—more energy, more dependable, and cost effective, with better environmental stewardship.

That is what this is about, creating the right environment. By the same token, we are looking at three different trade agreements: the South Korea Free Trade Agreement, the Colombia Free Trade Agreement, and the Panama Free Trade Agreement. These would create more economic activity. The Korea agreement alone is expected to increase U.S. exports to South Korea by \$10 billion a year. We are talking hundreds of thousands of jobs.

We need to be working on those free-trade agreements right now, today, to approve them. I urge our leadership and the administration to work with us to get those trade agreements to the floor and get them approved as part of this comprehensive jobs plan.

I thank my esteemed colleagues again, and I commend Senator PORTMAN for his outstanding work on this plan. I thank all of the members of our caucus for the contributions they have made to this plan. Also, again, I express our desire to go to work with our friends across the aisle on all of these provisions for the benefit of all of those who are looking for work, for the

benefit of our economy, and for the important role that economic growth, along with spending restraint, will play in helping us get on top of our debt and deficit.

With that, I turn the colloquy back over to Senator PORTMAN for his additional remarks.

Mr. PORTMAN. Madam President, I thank my colleague from North Dakota. He makes great points about the need for us to use our resources at home on energy and for us to expand exports because that immediately creates jobs in this country. He has done it. As a Governor, he rolled up his sleeves and got directly involved in economic development. He knows what it takes. The fact that he has been a champion of this plan and helped put it together gives me confidence that this is going to work.

We need to work on a bipartisan basis. We are reaching out to our colleagues on the other side of the aisle and the administration. So much of this is common sense. These are things we should do now.

We are also joined by our colleague from Wyoming. He is Wyoming's doctor. He is also a leader in the Senate and has taken the lead on a number of issues related to jobs, two of which are part of our jobs plan. One is, of course, the regulatory front, where he has taken the time to really dig into how these regulations affect business growth. He may have comments on that issue today.

I would like to hear Dr. BARRASSO on that point but also on the health care front where, as a doctor, he looked into what the impact of health care reform will be on jobs. This is something that perhaps does not get talked about enough. Unless we figure out a way to get health care costs under control, it will be harder for us to create opportunities in this country because the costs embedded in hiring a new employee under health care alone are so high that many companies are simply not hiring. I would love to hear his thoughts.

Mr. BARRASSO. Madam President, I thank Senator PORTMAN for the incredible job he has been doing as a champion of efforts to create more private sector jobs in this country, to make it easier and cheaper to create private sector jobs, for the private sector to create the jobs we need. Senator PORTMAN showed significant leadership in his campaign last year in Ohio developing the Portman jobs plan. He went to factories and small businesses all across the State of Ohio because he knows small businesses are the engines that drive the economy.

Seventy percent of the jobs created in this country are created by our small businesses one at a time. When there are government rules, regulations, redtape, and increased expenses, it makes it much harder because it

does not provide the certainty the small businesses of this country need to create those new jobs. They may not be willing to take the additional risk and additional expense because of the unknown concerns.

I think that is one of the points that is highlighted in this wonderful plan Senator PORTMAN has put together, along with the members of the Republican Party. A big part of this plan has to do with the rules and regulations that come out of Washington, DC—rules and regulations that may not even be connected to laws that were passed in this body but rules and regulations put forward by this administration, by people who have a different view of how America works.

I was encouraged over 100 days ago when the President said he had an Executive order that would try to eliminate some of the redtape. Here we are 100 days later, and it is just another broken promise from this administration. The redtape continues to hold American small businesses hostage.

We are trying to cut through that redtape. The American people realize it. The administration may not realize it, but the American people realize it. When the American people were questioned just this last month about whether there are too few regulations or too many regulations and the impact on business, a majority said there are too many regulations on our businesses.

How much money does Washington spend on regulations? I will tell you, Madam President. Government spent a record \$55 billion developing and enforcing rules last year—\$55 billion developing and enforcing rules last year. That is just the spending of government. What is the impact on businesses around the country? For every \$1 the government spends to put forth and enforce these rules, it costs businesses of this country \$30. That is over \$1.5 trillion expended by businesses across the country. That is a drag on our economy, making it harder for them—not easier but harder and more expensive for the private sector to create jobs. There is \$30 of business expense for every \$1 spent on rules and regulations out of Washington.

People are worried because it is going to get worse. There are still 224 rules in the pipeline that have been labeled as “economically significant.” What is an economically significant rule? It is a rule that has an impact on the economy of over \$100 million. There are 224 of them coming down the line. Is it a surprise that the unemployment rate continues to be so high? It is because of the rules and regulations of this administration.

What do the American people believe about this situation? Over 70 percent of the American people believe several different things about the effect of the rules. I will tell my colleagues what

they are. This is polling from just last month. They will tell you that additional environmental regulation increases the price of energy for items such as gasoline and electricity. Seventy percent of Americans believe the rules coming out of Washington increase the costs of items such as gasoline and electricity—the energy issues. How much is the pain at the pump costing the American family this year? About \$800 per family this year in higher gasoline rates than last year. If you are a family, that has an impact on your quality of life. It has an impact if you are trying to deal with bills, kids, and a mortgage. But there are a lot of regulations out there. The American people see this.

Also, over 70 percent of the American people know in their hearts and believe that small businesses—the job creators of this country—are impacted much more than the large businesses of the country. But it is the small businesses we want to help.

The other point that more than 70 percent of the American people believe, in a poll by the Tarrance Group, is that if regulations make it too expensive to keep jobs in America, businesses will continue to move overseas. Businesses will continue to move overseas.

There is so much uncertainty with the rules and regulations coming out of this town that it is paralyzing the rest of our country. That is just on the rules and regulations aspect that people can see. There are so many rules and regulations that are still coming.

I was at a hospital in Cody, WY, talking about health care. I practiced medicine for 27 years, taking care of families all across the Cowboy State. I was visiting a hospital in Cody, WY, and they said they were trying to figure out one aspect of the health care law—accountable care organizations. It is 6 pages of the 2,700-page law that was crammed through in the middle of the night, with Americans saying: No we don't want this. The people who do regulations took 6 pages of the law and came up with over 400 pages of regulations. They just came out about a month ago. The hospital administrator said: We are having to take money away from patient care, from helping with nurses and therapists to pay for consultants to try to explain these rules and regulations to us so we can abide by them.

Those are the kinds of regulations and rules on steroids that I continued to hear about as I traveled in the last week or so at home visiting with people, visiting the communities, listening to what people have to say and the concern and the uncertainty because what is coming out of Washington is a drag on our economy. It is preventing us from making it easier and cheaper for the private sector to create more jobs.

People all across the country are concerned, and that is why I am so

happy to be here with Senator PORTMAN today and his efforts, his leadership on a jobs plan that is one that focuses fundamentally on the things that will get government off the backs of the American people and let the American people get back to work. I thank Senator PORTMAN for his leadership at a time when we see a government that is borrowing too much, spending too much, and growing bigger every day. I am very appreciative of his efforts to get things back under control and get the decisionmaking out of Washington and back to the hometowns and States across the country.

Mr. PORTMAN. Madam President, I thank Dr. BARRASSO. I appreciate the amount of time he has put into this regulatory issue and the relief small businesses need on the regulatory front. It is obvious he is out talking to businesses, and it is directly related to jobs because we cannot get the jobs back unless we reduce the cost of doing business that comes from these regulations.

Madam President, how much time do we have remaining in this colloquy?

The ACTING PRESIDENT pro tempore. There is 12 minutes 7 seconds on the Republican side.

Mr. PORTMAN. I thank the Presiding Officer.

Madam President, as I said, we are also joined by Senator CORNYN of Texas. I am going to ask him in a minute to say a few words about the jobs plan. The input he has put into it has been terrific because he is the guy who understands, again, the importance of small business, the importance of us creating an environment through Washington laws and regulations that helps create jobs, and that it is not Washington that is going to create the jobs but the private sector that is going to do it.

I ask my colleague from Texas to say a few words about his thoughts.

Mr. CORNYN. Madam President, I say to my colleague from Ohio, what a welcome idea of refocusing on the No. 1 issue in America today, which is too many Americans out of work. Of course, we saw the growth numbers for the first quarter of this year: 1.8 percent—hardly vigorous enough to create the kind of economic expansion and job creation we need.

As we are dealing with the spending issue, we have to deal with growing the economy. That is exactly what the Senator from Ohio has proposed—a comprehensive plan to try to figure out how to get people back to work and to try to get the kind of economic growth that will help us deal with this debt crisis we are in.

The one thing I especially like about the plan, although I like all of it, is the embracing of a notion of a balanced budget amendment to the Constitution. The Senator from Ohio has had a distinguished career not only in the

House but as U.S. Trade Representative and also as Director of the Office of Management and Budget. He knows the budget numbers and the intricacies of that better than just about anybody here. He knows the difficulty we have had, whether Republican administrations or Democratic administrations, of living within our means.

Now that we are spending so much money we do not have—about 40 cents on every dollar, with \$14.3 trillion in debt and huge deficits—we have to figure a way out of that situation. I think the best way to do that is to put this proverbial straitjacket on Congress and force us to do what every family and every business and 49 States do, either because of constitutional or statutory provisions.

I wish to say in conclusion how much I appreciate the good work he has done. Senator PORTMAN has been here a short time, but he brings a lot of experience and a lot of wisdom on these issues, particularly on getting America back to work.

Mr. PORTMAN. Madam President, I thank my colleague from Texas. He is absolutely right. When we look at the budget deficit and the debt and the impact it is having on our economy today, it is clear we need constraints. Forty-nine States have a balanced budget requirement. When I am back home talking with people in our cities and counties, in their struggles with balancing their own budgets, they ask me: How can Washington continue to spend so much money it does not have? Forty cents of every dollar Washington spends today is borrowed money. Clearly that restraint is needed.

It is important to get the economy back on track. Often we talk about the record budget deficit and the \$14 trillion debt in terms of its impact on future generations. As the father of three, I am very concerned about that, as we all should be, because we are mortgaging their future, the excessive spending today that they are going to have to pay back.

It is not just what is going to happen in the future. Our deficits and debts have gotten so big that there is an impact on the economy. There was a study done recently by a couple of respected economists—Rogoff and Reinhart—which says, in looking around the world, where a country's debt is up to 90 percent of its total economy, you have about a 1-percent decline in the GDP or the growth in the economy. Our growth was only 1.8 percent last quarter. That means it should have been at least 2.8 percent but for our debt and deficit because now our gross debt is 100 percent of our economy. So we are over that 90-percent threshold, and we are impacting our economy today.

When we think about it, with all the government borrowing out there, it is crowding out private borrowing. There

are fewer jobs being created in America because the government is playing a bigger and bigger role, crowding out the ability of small businesses to get a loan.

I also join a lot of other folks in this Chamber on both sides of the aisle in my deep concern about the possibility of a debt crisis if we do not deal with these historic deficits and debts. That could send our economy into a tailspin with sky-high interest rates, with inflation that is already rearing its ugly head again in this country. We need to address this issue because it is the right thing to do for future generations—it is really a moral issue—but also because it does impact what is going on today in our economy and our ability to get this economy back on track and create jobs. It is so important to American families and, as I said earlier, so important for us dealing with the fiscal problems because we have to both restrain spending and grow the economy, increase economic activity, which will increase revenues.

Madam President, can you give me a warning when we have 5 minutes remaining in the colloquy today?

I would like to turn back to my colleague from Tennessee who started this off this morning talking about the importance of this job plan.

Mr. ALEXANDER. Madam President, would the Senator have some more comments on the plan and about what has been said by some of our other colleagues?

Mr. PORTMAN. I thank my colleague very much.

Mr. ALEXANDER. To the Chair, if the 5-minute warning could be for the end of the 25 minutes because I intend to take 5 minutes after that.

The ACTING PRESIDENT pro tempore. There is 6 minutes remaining in total on the Republican side.

Mr. ALEXANDER. I will take 1 minute and then conclude. I wish to thank Senators PORTMAN, CORNYN, and BARRASSO for this. We will be hearing often from Republicans who want to make clear what we are for as well as what we are against, and I thank the Senator from Ohio for his leadership.

I wonder if, in the last 30 seconds or so, he wants to focus on trade and jobs, which has been his specialty.

Mr. PORTMAN. First of all, I thank my colleague from Tennessee for helping to promote this idea. Again, we are looking to reach out to Democrats in this Chamber, in the House, and working with the administration, to actually get this done. We need to get the American economy back on track.

I just heard the Senator talk about trade, and we talked about that earlier. But as was said earlier, we need to increase exports because exports equal jobs. If we look at these three pending trade agreements, which the administration has yet to send to Congress—and we can't move unless they do

that—they would create, alone, between 250,000 and 380,000 jobs, depending on what numbers you look at. Think about that, hundreds of thousands of jobs are ready to be created right now by knocking down barriers to our workers, our farmers, and our service providers just in these three instances alone.

We also need to provide the President with the authority to knock down more barriers by giving him trade promotion authority. So I call on the administration to send us those agreements—free up those agreements—and allow us here in America to be able to create more jobs by expanding our exports, by leveling this playing field between these three countries—Panama, Korea, and Colombia—and then let us get busy on having the United States even more engaged in international trade, expanding exports and, therefore, creating jobs.

Let me review quickly these seven core areas and then turn it back to my colleague from Tennessee.

We do need to focus on the fiscal situation, as we have talked about, to be able to help the economy. Our Tax Code needs to be reformed to create economic growth. We can do that. We know there is a way to do it without raising taxes and by reforming the code and making it more progrowth; the regulations we talked about that are stifling so many small businesses in this country; the competitive workforce, retraining is critical, and we can do a much better job taking the existing Federal resources and directing them toward retraining for jobs that are actually there; expanding exports, we just talked about; of course, powering America's economy by using more of our own domestic resources—renewable but also traditional uses of energy; and, finally, getting health care costs down, as Senator BARRASSO talked about.

If we do these things, we will create more hope and opportunity at a time when it is so desperately needed. We should be able to do it because they are commonsense ideas.

I thank my colleagues.

NOMINATION OF JOHN MCCONNELL

Mr. ALEXANDER. Madam President, we have a vote at noon. I know there are a number of Senators who wish to speak. I will take about 5 minutes, I suspect Senator CORNYN wants to speak, and I know Senator GRASSLEY wants to speak. I also see Senator REID.

The Senate is a body of precedent. One important precedent is that never in the Senate history has a President's district court nomination, reported by the Judiciary Committee, been defeated because of a filibuster; that is, because of a cloture vote. Once a nominee for Federal district judge has got-

ten to the floor, the majority of Senators have made the decision in an up-or-down vote.

Therefore, I will vote for cloture in order to allow an up-or-down vote on the President's nomination of John McConnell, then I will vote "no" on confirmation because I believe he is a flawed nominee.

I know most of my Republican colleagues are going to register their opposition to Mr. McConnell by voting to deny an up-or-down vote. I respect their decision. I understand how they feel. I also was outraged in 2003 when Democratic Senators filibustered President Bush's circuit court nominees simply because they disagreed with their philosophies. I made my first speeches on the floor of the Senate arguing against such a change in precedent.

On February 27, 2003, I said on this floor:

When it comes time to vote, when we finish that whole examination, I will vote to let the majority decide. In plain English, I will not vote to deny a Democratic President's judicial nominee just because the nominee may have views more liberal than mine. That is the way judges have always been selected. That is the way they should be selected.

That is what I said in 2003.

In 2005, Republicans grew so upset with the Democrats' continued filibustering of President Bush's circuit nominees, the Republican majority leader threatened to eliminate the right to filibuster in connection with judicial nominations. That proposal was called the nuclear option because it was said if Republicans succeeded in abolishing the filibuster, their actions would "blow the place up." I suggested, in two Senate speeches, that a small group of Senators, equally divided by party, agree to oppose the filibustering of judges. The result of those remarks was the creation of the Gang of 14—the Gang of 14 Senators who preserved the tradition of up-or-down votes by agreeing to use the filibuster only in extraordinary cases. I have amended my own views to subscribe to the Gang of 14's standard for Supreme Court and circuit court judges.

It is true the Gang of 14 agreement didn't explicitly distinguish between circuit and district judges. But the debate then clearly was only about Supreme Court and circuit judges, and the Senate always thought of district judges differently. District judges are trial judges. Circuit judges also must follow precedent but have broader discretion in interpreting and applying the law. Circuit judges' jurisdictions are broader. Their attitudes and philosophies are much more consequential in the judicial process.

That is why the Senate has never allowed a Federal district court nomination to fail by denying cloture. According to the Congressional Research Service, in the history of the Senate—

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. ALEXANDER. I ask unanimous consent for 1 additional minute.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, it is so ordered.

Mr. ALEXANDER. I thank the Chair.

According to the Congressional Research Service, in the history of the Senate, only three cloture motions have ever been filed on district judge nominations. In each case, the nomination eventually was confirmed.

In 1986 cloture was invoked by a vote of 64-33 on Sidney Fitzwater despite opposition to the nomination by Democratic senators. Mr. Fitzwater was then confirmed 52-42.

In 1999 cloture was not invoked by a vote of 55-44 on Brian Theodore Stewart's nomination because of Democrat opposition. He was confirmed two weeks later by a vote of 95-3.

In 2003 a cloture motion was filed on Marcia G. Cook's nomination but it was withdrawn and she was confirmed 96-0.

I certainly wish President Obama had nominated someone other than Mr. McConnell. During his confirmation hearings, questions arose about a possible role in stolen corporate documents, in soliciting contingency fee legal contracts, and about his judicial temperament. Some senators even feel misled by some of his statements. It was even said he is the only district judge to be opposed by the U.S. Chamber of Commerce in its 99-year history.

Well, the Senate has more than a 200-year history. And that history is not to use the filibuster to defeat a district judge nomination.

I am comfortable with the Gang of 14 precedent in the case of circuit justices and Supreme Court justices. I will continue to reserve the right to vote against allowing an up-or-down vote in an extraordinary case. I also understand the strategy of "They did it to us, so we will do it to them." Unfortunately, that strategy, I am afraid, will lead us to a new and bad precedent, one which will weaken the Senate as an institution and come back one day to bite those who establish it.

I thank the Chair and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. CORNYN. Will the Senator yield for a quick question?

Mr. SCHUMER. I will yield.

Mr. CORNYN. I know there are a number of us who would like to speak on the upcoming cloture vote at noon on the McConnell nomination. I know Senator GRASSLEY would; I presume the Senators from New York and Rhode Island would. I wonder if we could reach some unanimous consent agreement that would allow at least 5 minutes for each of us to speak.

I would pose that as a unanimous consent request; that for the Senators who are currently on the floor, the five of us, we be given up to 5 minutes to speak preceding the cloture vote.

Mr. SCHUMER. Might I ask a question of the Chair? What is the time status? There is 35 minutes until noon; is that divided?

The ACTING PRESIDENT pro tempore. Yes, the time is equally divided. The Democrats control 19 minutes, the Republicans control 18½ minutes.

Ms. LANDRIEU. Madam President, reserving the right to object, I wish to remind the Senators this isn't the only debate on the floor. We are having a cloture vote on SBIR, and we would like some time to close that debate as well. So I am open to work with the other Senators.

Mr. REED. Madam President, reserving my right to object, I would suggest, according to the request of the Senator from Texas, that the Senator from New York be recognized for 5 minutes, the Senator from Texas be recognized for 5 minutes, that I be recognized for 5 minutes, and then Senator GRASSLEY be recognized for 5 minutes.

The question then would be, Is there sufficient time for Senator LANDRIEU and, of course, Senator LEAHY?

Mr. SCHUMER. Could I ask unanimous consent—

Ms. LANDRIEU. I don't know how to do this, but if we could do 3 minutes each and reserve at least 15 minutes for closure.

The ACTING PRESIDENT pro tempore. Time has been consumed during this debate.

The Senator from New York.

Mr. SCHUMER. Madam President, I believe we have 37 minutes remaining; is that right, 19 and 18?

The ACTING PRESIDENT pro tempore. Correct.

Mr. SCHUMER. I know Senator LEAHY wants to close with 5 minutes.

So what we could do, equitably, is give each of the six Members on the floor 5 minutes.

Ms. LANDRIEU. I have to object to that.

Mr. SCHUMER. OK. Madam President, I have the floor and I ask to be recognized.

The ACTING PRESIDENT pro tempore. The Senator from New York.

COURT VACANCIES

Mr. SCHUMER. Madam President, I rise to talk about a serious crisis in the third branch of government; that is, the rate of vacancies in the U.S. district courts.

There is a crisis that is unlike almost all the other issues we grapple with on a daily basis. It has a very simple solution. My colleagues and I deal with a lot of very difficult and very divisive problems every day. Not many of them lend themselves to solutions that are

both politically and economically costless, but this one is easy: confirm these judges.

Take the district court nominees who were passed out of committee with bipartisan support, schedule votes on the floor, and confirm them. It sounds easy. Apparently, it is not. It is not easy because my colleagues on the other side of the aisle have slowed the confirmation of district court judges to a trickle, even those nominees who were passed out of the Judiciary Committee with no objection from Republicans.

This Congress, I am grateful for the hard work of Chairman LEAHY, Ranking Member GRASSLEY, Majority Leader REID, and Minority Leader MCCONNELL in beginning to unclog the pipeline, but we still have a long way to go. To go the rest of the distance, to restore the pace of judicial confirmations before the Federal judiciary faces the worst vacancy crisis in history, we need the consent of our Republican colleagues.

Here are the facts: The targeting of district court nominees is unprecedented. Five of the nineteen district court nominees who have received split votes in the last 65 years have been President Obama's nominees. We have only confirmed 61 of his district court nominees. By this time in their Presidencies, we had confirmed 98 of President Bush's and 114 of President Clinton's.

Judicial vacancies affect nearly 100 Federal courtrooms across the Nation. One in nine seats on the Federal bench is vacant. So we should approve these nominees.

As for the current nominee pending on the floor, he is somebody who deserves nomination. When we ask about nominees, we are concerned the standard used by my colleagues is, would I have nominated this person, rather than is this person whom I might not have nominated in the mainstream? Jack McConnell is clearly in the mainstream. He has more than 25 years' experience as a lawyer in private practice. Leading Republican figures in Rhode Island have endorsed him. But he has garnered opposition not because of his qualifications but because of his clients. That is not fair, that is not right, and that is not how we do judicial nominees.

He has chosen his work as a private lawyer, and that has no bearing on his judicial temperament, his interpretive philosophy or his legal acumen. In the interest of my colleagues who require more time, I would urge, at the very least, that people take the standard of the Senator from Tennessee—don't block cloture on this nominee. If you think he is not qualified, vote against him.

Jack McConnell deserves to be on the bench. I am glad Leader REID has called him, and Senators REED and

WHITEHOUSE have taken the lead. I urge, at least on cloture, that my colleagues let this nominee be voted upon.

I yield the remainder of the time I have been allotted so others of my colleagues might speak.

The ACTING PRESIDENT pro tempore. The Senator from Texas.

Mr. CORNYN. Madam President, I have been conferring with the Senator from Rhode Island and other Senators who want to speak. Maybe if we could try another attempt at a unanimous consent request that would allow all of us a chance to speak.

Since I have the floor, I assume I can speak for up to 10 minutes under the standing order. I am willing to yield some of that time so everybody can have an opportunity.

Ms. LANDRIEU. Madam President, I object to any unanimous consent request.

Mr. CORNYN. Madam President, I have the floor. The Senator is out of order.

The ACTING PRESIDENT pro tempore. The Senator from Texas has the floor.

Mr. CORNYN. I ask unanimous consent that the Senator from Rhode Island, the Senator from—

The ACTING PRESIDENT pro tempore. Is there objection?

Ms. LANDRIEU. I object.

Mr. CORNYN. I will proceed, then, under the standing order which gives me up to 10 minutes, as I understand.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. CORNYN. I regret that the Senator from Louisiana is unwilling to cooperate and provide everybody a chance to be heard, but I will proceed.

I wish to speak to the nomination of Jack McConnell to the Federal district bench. I spoke on this nomination yesterday. I have authored an op-ed piece in the Washington Times expressing my concern. I wish to summarize my concerns for my colleagues' benefit and their consideration.

I serve as a member of the Judiciary Committee, as does the Senator from Iowa, Mr. GRASSLEY. Before the Senate Judiciary Committee, this nominee was asked about allegations of theft of corporate documents arising out of some lead paint litigation that his law firm was pursuing in the State of Rhode Island. That has been the subject of some discussion.

I will ask unanimous consent to have several documents printed in the RECORD at this time.

First, I ask unanimous consent that after my comments, the complaint of the Sherwin Williams Company v. Motley Rice and others be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CORNYN. I ask one further unanimous consent, and that would be that

an article from Legal Newsline about a discovery dispute still delaying the resolution of the theft case against Motley Rice be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

(See exhibit 2.)

Mr. CORNYN. What I think these documents demonstrate is that not only did Mr. McConnell intentionally mislead the Senate Judiciary Committee with regard to his possession of these stolen documents, but now there has been for some years—even after the lead paint cases have been essentially dismissed by the Rhode Island Supreme Court with the State and Mr. McConnell and his law firm having lost—ongoing litigation by one of the defendants in that case suing for tortious interference with their property; also conversion—in other words, theft, as the Presiding Officer knows—of their private, proprietary documents, including their litigation strategy, including their trade secrets and the like.

The article, dated April 21, 2011, that I have made part of the record shows that dispute over the theft of these documents remains unresolved. In other words, Mr. McConnell and his law firm's participation in this ongoing dispute remains unresolved. I don't know why the majority leader would choose to bring up a nomination of somebody for a lifetime appointment to the Federal bench when serious allegations about his law firm's participation and his personal participation in the theft of corporate documents in pursuit of litigation remains unresolved. I think it is a terrible mistake.

I know the Senator from New York suggests we ought to just go ahead and vote on cloture because he knows then that because our Democratic friends control 53 votes in the Senate, Mr. McConnell will be confirmed. But I am concerned that because the ethical allegations made against Mr. McConnell and his law firm remain unresolved, this is a terrible time for us to be voting on a lifetime tenure. If he were to be confirmed and we find out later on that the court actually finds he did participate in this conspiracy to steal these corporate documents, what would that say about the Senate and about this process, our deliberative process? I think it would be a scandal. It would be a scandal.

Finally, let me say I have expressed my concerns previously about the scheme that a group of very smart trial lawyers have dreamed up to sue legal industries for huge amounts of money by making alliances with State attorneys general and then suing in the name of the State but then in the end settling these cases for billions of dollars—in some cases, hundreds of billions of dollars—and these lawyers reaping a windfall of billions of dollars in attorney's fees. That is something

Stuart Taylor—I think one of the more level-headed commentators about legal matters—has said, that this has indeed morphed the rule of law into the rule of lawyers, and ultimately consumers will have to pay more in terms of higher prices and the lawyers reap a windfall.

The very same lawyers who are hired through these no-bid, noncompete contracts are indeed the political supporters of these very same attorneys general, raising at least the appearance of impropriety and a pay-to-play system of providing litigation opportunities to these lawyers from which they reap billions of dollars and after which they funnel campaign contributions back to the very same State officials who have, in fact, authorized them to sue on behalf of the State. This is unseemly, to say the very least about it.

Finally, I would say Mr. McConnell continues by his own admission to be eligible to receive up to \$3.1 million a year in one of these shakedown-industry lawsuits where these trial lawyers have worked with State attorneys general to sue on behalf of the State, not in cases that were actually tried but were actually settled under an existential threat to these businesses and these industries.

At a time when we are talking, as Senator PORTMAN did, about job creation, the idea that we would be confirming a lawyer to a lifetime appointment to the Federal bench where he could then serve as a venue, given the venue shopping that frequently goes on in this type of litigation, we can expect, if Mr. McConnell finds himself confirmed as a Federal judge, that in the future litigants will find a warm reception in his court to these ethically dubious schemes.

I think it is an extraordinary circumstance according to the standards set by the so-called Gang of 14. It is not something we will be doing often. But when an ethically flawed nominee such as this nominee is proposed by the President of the United States on three different occasions, and Senator REID, the majority leader, as is his right, tries to slip this stealth nominee through when people are paying attention to other things, and we have not had adequate time to debate and expose in the record so Senators can make a good judgment about the facts and do their duty as individual Senators, I think it is a terrible shame.

I intend to vote against cloture, and I hope my colleagues will so we can have additional time to review this nominee's credentials and make a good-faith assessment on behalf of all of our constituents.

EXHIBIT 1

IN THE COURT OF COMMON PLEAS CUYAHOGA COUNT, OHIO

THE SHERWIN WILLIAMS COMPANY,
101 Prospect Avenue, N.W., Cleveland, OH
44115 (Plaintiff), v. MOTLEY RICE LLC, Motley Rice LLC, 28 Bridgeside Boulevard,

Mount Pleasant, SC 29464 And JOHN DOES, Defendants.

Complaint
JOHN P. O'DONNELL
CV 09 689237.

The Sherwin-Williams Company ("Sherwin-Williams"), for its Complaint against Motley Rice LLC ("Motley Rice") and other unknown persons, alleges as follows:

INTRODUCTION AND NATURE OF CLAIM

1. The law firm of Motley Rice has represented since 1999 the Rhode Island Attorney General, other government officials, and private individuals in highly contentious public nuisance and personal injury lawsuits filed against Sherwin-Williams and other former manufacturers of lead paint and pigments.

2. Without the knowledge or consent of Sherwin-Williams, Motley Rice has somehow obtained stolen copies of PowerPoint slides used by Sherwin-Williams' Associate General Counsel—Litigation to advise the Company's Board of Directors on the costs of defending the lead paint and pigment litigation, among other information, and his analysis of potentially available insurance coverage for that litigation—an issue that Sherwin-Williams was actively litigating with its insurers in a separate action. Those documents contain highly confidential, proprietary business information and are also protected by the attorney-client privilege and the attorney work product doctrine.

3. It appears that Motley Rice, at the time it received those slides, wrongfully obtained other Sherwin-Williams' confidential, proprietary, and privileged documents from the same person who is unknown to Sherwin-Williams. All of Sherwin-Williams' confidential, proprietary, and privileged documents taken without authorization will be referred to as "Documents" in this Complaint.

4. Despite repeated requests by Sherwin-Williams, and despite Motley Rice's admission that it obtained Sherwin-Williams' Documents through its own efforts, Motley Rice has refused to reveal how it obtained Sherwin-Williams' stolen Documents; to identify all Sherwin-Williams' Documents in its possession; to provide them to a court for in camera review; or to return Sherwin-Williams' Documents.

5. By this action, Sherwin-Williams seeks to uncover how Motley Rice obtained the Documents, to protect and secure the return of its stolen Documents from Motley Rice, to prevent any use of those Documents or information contained in them, and to be compensated for the harm caused to Sherwin-Williams by Motley Rice's wrongful acquisition and use of those Documents.

THE PARTIES

6. Sherwin-Williams is a corporation organized under the laws of the State of Ohio, with its principal place of business in Cleveland, Ohio.

7. Motley Rice LLC is a limited liability company incorporated under the laws of South Carolina. It has its principal place in Mt. Pleasant, South Carolina and has another office in Providence, Rhode Island.

8. The John Does are persons presently unknown to Sherwin-Williams who assisted, aided, and abetted Motley Rice in the tortious acts alleged in this Complaint. The John Does are believed to be residents of the State of Ohio.

JURISDICTION AND VENUE

9. Motley Rice has caused tortious injury in this State by an act or omission in Ohio and by acts outside of Ohio committed with

the purpose of injuring Sherwin-Williams, which resides in Ohio. Motley Rice also regularly conducted business in Ohio during the time of the alleged tortious acts. Thus, this Court has jurisdiction over Motley Rice pursuant to Ohio Revised Code 2307.382(A)(3)–(4), (6), (7).

10. Venue is proper in Cuyahoga County because part of the activity that gave rise to the claim for relief took place in this County. Ohio R. Civ. Pro. 3(B)(3). Additionally, venue is proper in Cuyahoga County because all or part of the claim for relief arose in this County. Ohio R. Civ. Pro. 3(B)(6).

FACTS

11. In the course of conducting its business, Sherwin-Williams creates and maintains confidential, proprietary, and privileged information and documents. Included among those documents are materials generated by Sherwin-Williams' attorneys to provide advice to Sherwin-Williams' Board of Directors concerning ongoing litigation strategy, anticipation of litigation, developments and costs of defense as well as potentially available insurance coverage for litigation liabilities and defense costs.

12. Sherwin-Williams' attorneys have frequently met with the Board of Directors to discuss the lead paint and pigment litigation and the disputes and litigation with its insurers to obtain reimbursement of defense costs and any potential judgments in the lead paint and pigment litigation. The oral and written presentations by Sherwin-Williams' attorneys to the Company's Board of Directors are intended to be confidential and protected by the attorney-client privilege and attorney work product doctrine. Presentations to the Board of Directors may also contain confidential and proprietary business information, such as strategies for other litigation, trade secrets for new products, acquisition plans, employment policies, and other sensitive, competitive information. For these reasons, all minutes of and presentations at Sherwin-Williams' Board of Directors' meetings are kept strictly confidential and are securely maintained with restricted access at the company.

13. Since October 1999, the State of Rhode Island, through its Attorney General, has retained Motley Rice to sue certain former manufacturers of lead pigments used in architectural paints decades ago, including Sherwin-Williams, for allegedly creating a public nuisance ("Rhode Island Litigation"). Under a contingency fee agreement with the Rhode Island Attorney General, Motley Rice and other counsel are responsible for all costs and expenses of prosecuting the claims in the Rhode Island Litigation.

14. Since the commencement of the Rhode Island Litigation, Motley Rice has been retained by local governments in California, New Jersey, and Ohio to bring similar public nuisance lawsuits against Sherwin-Williams and other former lead pigment manufacturers. Motley Rice also tried unsuccessfully to obtain representation of the cities of St. Louis and Milwaukee as part of its continuing campaign to launch public nuisance lawsuits against Sherwin-Williams and other former lead pigment manufacturers all across the country. The public nuisance lawsuits seek to require several, out of many, former lead pigment manufacturers, including Sherwin-Williams, to remediate all lead paint in all buildings.

15. Also, since 1999, Motley Rice has represented dozens of individual plaintiffs in Wisconsin who have sued Sherwin-Williams and other former lead pigment manufacturers alleging personal injuries from elevated blood lead levels.

16. Motley Rice attorneys frequently came into Ohio in 2006 to meet and communicate with mayors and members of the executive and legislative branches of local governments in order to persuade them to retain Motley Rice to bring public nuisance lawsuits against Sherwin-Williams and other former lead pigment manufacturers. Beginning in September 2006, Motley Rice was retained to sue Sherwin-Williams and others on behalf of the cities of Akron, Athens, Canton, Cincinnati, Columbus, Dayton, East Cleveland, Massillon, Lancaster, Toledo, and Youngstown and the Stark County Housing Authority. It signed a contingency fee agreement for each city. Motley Rice moved for, and was allowed, leave to appear as counsel pro hac vice in state court for each Ohio plaintiff. Motley Rice wrote, appeared as counsel, and submitted complaints for each Ohio plaintiff. It wrote and submitted briefs in every Ohio case in which defendants filed a motion to dismiss or other pre-trial papers. Motley Rice attorneys appeared in Ohio Common Pleas Courts located in Canton, Cincinnati, Cleveland, and Toledo to argue motions, and it responded to public records requests on behalf of various cities.

17. Through the public nuisance and personal injury litigation against Sherwin-Williams and others, Motley Rice was and still is attempting to gain millions of dollars in fees for itself.

18. Motley Rice's representation of cities in Ohio continued until at least July 2008. Its representation was ultimately unsuccessful, as every Ohio city's complaint was either voluntarily dismissed or dismissed by court order.

19. In or about 2006, while Motley Rice was soliciting Ohio cities to retain it, one or more attorneys from Motley Rice, including Fidelma Fitzpatrick, met with a former Sherwin-Williams employee at Cleveland Hopkins Airport. This former employee had been responsible for preparing the PowerPoint slides and other graphics used during presentations made to Sherwin-Williams' Board of Directors in 2004, 2005, and earlier years. Sherwin-Williams did not know of this secret meeting.

20. At no time in meeting with the former Sherwin-Williams employee did any Motley Rice attorney caution him not to disclose or discuss any confidential, privileged, or proprietary information or document belonging to Sherwin-Williams.

21. During the meeting, the former Sherwin-Williams employee provided Motley Rice with the names of other former employees, several of whom may have had a role in preparing, or would likely have had access to, Board presentation materials.

22. On July 1, 2008, the Rhode Island Supreme Court unanimously ruled in favor of Sherwin-Williams and other defendants in the Rhode Island Litigation, reversing a jury verdict in favor of the State and holding that the complaint should have been dismissed at the outset.

23. After the Rhode Island Supreme Court's ruling, Sherwin-Williams filed a motion in the trial court, called the Superior Court, for entry of final judgment in its favor, including an award of costs incurred in defending the lawsuit. Although Sherwin-Williams has not yet submitted an itemized bill of costs, Motley Rice submitted a bill of costs for the State exceeding \$1.9 million when it initially prevailed in the trial court.

24. On September 24, 2008, Motley Rice, on behalf of the State of Rhode Island, filed in the Superior Court a Supplemental Memorandum in Opposition to Defendants' Motion

for Costs ("Supplemental Memorandum"). Because Motley Rice is obligated under its contingency fee agreement with the Rhode Island Attorney General to pay all costs of the Rhode Island Litigation, it has a direct, personal financial self-interest in whether the Rhode Island Superior Court awards costs to Sherwin-Williams and, if so, the amount of costs.

25. The State's Supplemental Memorandum, which Motley Rice prepared, signed, and filed, contained as an exhibit a copy of the PowerPoint slides used by Sherwin-Williams' Associate General Counsel—Litigation during his presentation to the Board of Directors in October 2004. The first slide identified the speaker as Sherwin-Williams' Associate General Counsel—Litigation. The second slide showed the company's cost to that date of defending the lead paint and pigment litigation. The third slide presented the Associate General Counsel's analysis and opinion regarding potentially available insurance coverage for that litigation, a matter then and still in dispute with its insurers. The presentation contained confidential information, was prepared to provide legal advice to the Board of Directors, and was intended to be confidential and privileged. The Directors were not allowed to keep copies of those slides (hereinafter "October 2004 Confidential Board Slides"). Because Sherwin-Williams considered the information in the October 2004 Confidential Board Slides to be confidential, proprietary, and privileged, it has not publicly disclosed that information.

26. Sherwin-Williams never produced in any lawsuit the documents or information contained in the October 2004 Confidential Board Slides. Nor has Sherwin-Williams knowingly produced the October 2004 Confidential Board Slides to any person outside the company. On their face, the October 2004 Confidential Board Slides show that they contain confidential and proprietary information and that they were created and used for the purpose of providing legal advice and analysis.

27. The copy of the October 2004 Confidential Board Slides that Motley Rice attached to its Supplemental Memorandum bears a fax line at the top reflecting that it was one page of a 34-page fax sent by an unidentified person from a FedexKinko's in Akron, Ohio. The 34-page fax containing the October 2004 Confidential Board Slides was sent on September 12, 2006 from the fax number (330) 668-1105; the receiving number is not identified.

28. On information and belief, the other 33 pages of the fax contain highly confidential and proprietary business information, including information regarding strategies in other litigation, proposed business strategies, plans for geographic expansion and market growth, potential mergers or acquisitions, retail partnerships, and sensitive information regarding the company's finances.

29. On information and belief, the other 33 pages of this fax are or were in the possession of Motley Rice.

30. To this date, despite Sherwin-Williams' request, Motley Rice has refused to (a) explain how it came into possession of the October 2004 Confidential Board Slides; (b) confirm if it has the other 33 pages of the fax; and (c) identify and return Sherwin-Williams' Documents.

31. Motley Rice deliberately obtained, kept, and used copies of the October 2004 Confidential Board Slides and other documents belonging to Sherwin-Williams while it knew or should have known that those documents had been taken without Sherwin-Williams' authorization and were confidential, proprietary, and privileged. Motley Rice

acted for its own financial self-interest and gain and in conscious disregard of Sherwin-Williams' legal rights and property interests.

COUNT I CONVERSION

32. Sherwin-Williams incorporates by reference its allegations in Paragraph 1 through 31 of this Complaint.

33. Sometime before September 24, 2008, Motley Rice intentionally and wrongfully obtained and kept without Sherwin-Williams' knowledge or permission its Documents, including the October 2004 Confidential Board Slides and, on information and belief, the documents sent with the September 16, 2006 fax. Motley Rice may also have additional Sherwin-Williams' Documents.

34. Motley Rice knew, or should have known, that the October 2004 Confidential Board Slides and the Documents sent with the September 12, 2006 fax are the property of Sherwin-Williams.

35. Motley Rice knew, or should have known, that the Documents were taken from Sherwin-Williams and provided to Motley Rice without Sherwin-Williams' knowledge or permission.

36. Motley Rice also knew, or should have known, that it had no right to possess or use Sherwin-Williams' stolen Documents. Nevertheless, in conscious disregard of Sherwin-Williams' legal rights and property interests, Motley Rice chose to obtain, keep and use those Documents for its own financial benefit in the Rhode Island Litigation and to attempt to cause substantial harm to Sherwin-Williams.

37. At all relevant times until present Motley Rice has acted with malice and conscious disregard of Sherwin-Williams' legal rights and property interests. By wrongfully obtaining, retaining possession of, and using Sherwin-Williams' stolen Documents for Motley Rice's own advantage and self-interest with the intent to harm Sherwin-Williams, Motley Rice has converted and continues to convert Sherwin-Williams' property.

38. By refusing to return Sherwin-Williams' Documents despite Sherwin-Williams' request to identify and return those Documents, Motley Rice continues to the present day to wrongfully convert Sherwin-Williams' property.

39. Wherefore, Sherwin-Williams requests compensatory damages in an amount in excess of \$25,000, punitive damages, costs, and reasonable attorneys' fees.

COUNT II REPLEVIN

40. Sherwin-Williams incorporates by reference the allegations in Paragraphs 1 through 39 of this Complaint.

41. Sherwin-Williams created and is the sole rightful owner of its Documents now wrongfully obtained, possessed, and used by Motley Rice without Sherwin-Williams' permission, including, but not limited to, the October 2004 Confidential Board Slides and, on information and belief, the documents sent with the September 12, 2006 fax.

42. No one has the right to possess, retain, or use Sherwin-Williams' Documents without the permission of its Board or management.

43. Motley Rice has wrongfully obtained, kept, and used Sherwin-Williams' Documents without Sherwin-Williams' permission.

44. Motley Rice knew or should have known that those Documents were taken from Sherwin-Williams without Sherwin-Williams' knowledge or permission, and that

it was wrongfully obtaining, keeping, and using property belonging to Sherwin-Williams.

45. Sherwin-Williams has requested Motley Rice to return Sherwin-Williams' Documents.

46. Motley Rice has deliberately and wrongfully refused to return Sherwin-Williams' property, and it has chosen to use Sherwin-Williams' Documents for its own financial advantage and to the substantial detriment of Sherwin-Williams.

47. Motley Rice continues to retain and refuses to identify and return Sherwin-Williams' Documents without any right or privilege to do so.

48. At all relevant times until present, Motley Rice has acted with malice and conscious disregard of Sherwin-Williams' legal rights and property interests. Motley Rice wrongfully obtained, kept, and used Sherwin-Williams' stolen Documents for the purpose of harming Sherwin-Williams and for Motley Rice's own economic gain.

49. Wherefore, Sherwin-Williams is entitled to the immediate identification and recovery of its Documents in the possession, custody, and control of Motley Rice or its attorneys, employees, and agents, damages in an amount exceeding \$25,000, punitive damages, costs, and reasonable attorneys' fees.

COUNT III AIDING AND ABETTING TORTIOUS CONDUCT

50. Sherwin-Williams incorporates by reference the allegations of Paragraphs 1 through 49 of the Complaint.

51. Each John Doe owed to Sherwin-Williams the duty of loyalty and good faith and the duty to maintain the confidentiality of Sherwin-Williams' proprietary and privileged documents.

52. Each John Doe breached these duties by wrongfully converting Sherwin-Williams' Documents and providing them without Sherwin-Williams' knowledge or permission to Motley Rice, which had no privilege or right to obtain or possess those Sherwin-Williams' Documents.

53. Motley Rice wrongfully obtained, kept, and used Sherwin-Williams' Documents that Motley Rice knew, or should have known, were taken or obtained without Sherwin-Williams' knowledge or permission and in breach of each John Doe's duties to Sherwin-Williams.

54. By using Sherwin-Williams' Documents in the Rhode Island Litigation, Motley Rice assisted, aided, and abetted each John Doe, and each John Doe assisted, aided, and abetted Motley Rice, in tortious conduct harming Sherwin-Williams.

55. By wrongfully obtaining, keeping, and using Sherwin-Williams' Documents that it knew, or should have known, were stolen or wrongfully obtained by each John Doe without Sherwin-Williams' knowledge or permission, Motley Rice assisted, aided and abetted each John Doe's tortious conduct.

56. By wrongfully taking or obtaining Sherwin-Williams' Documents and providing those Documents to Motley Rice without Sherwin-Williams' knowledge or permission, each John Doe assisted, aided, and abetted Motley Rice in its tortious conduct.

57. By wrongfully retaining without permission and refusing to identify and return Sherwin-Williams' Documents, each John Doe has assisted, aided, and abetted Motley Rice's tortious conduct.

58. Each John Doe and Motley Rice have acted at all relevant times until present with conscious disregard for Sherwin-Williams' legal rights and property interests and for

the purpose of causing substantial harm to Sherwin-Williams.

59. Wherefore, Sherwin-Williams requests compensatory damages in an amount exceeding \$25,000, punitive damages, costs, and reasonable attorneys' fees.

COUNT IV REQUEST FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND PERMANENT INJUNCTION

60. Sherwin-Williams incorporates by reference the allegations of Paragraphs 1 through 59 of the Complaint.

61. Pursuant to Ohio Rule of Civil Procedure 65(A), Sherwin-Williams requests the Court to issue a Temporary Restraining Order prohibiting Motley Rice, any of its attorneys, employees, or agents, and each John Doe from:

(a) Using or reproducing Sherwin-Williams' Documents;

(b) transferring, conveying, disclosing, or communicating in any manner Sherwin-Williams' Documents or their contents to any person;

(c) destroying any Sherwin-Williams' Documents or any copies of any such Documents, including electronically stored information;

(d) destroying or disposing of any Documents, including electronically stored information, that constitute, show, or discuss how Motley Rice obtained, received, disclosed, used, or communicated Sherwin-Williams Documents.

In addition, Sherwin-Williams requests that a Temporary Restraining Order require Motley Rice to:

(e) immediately file with the Clerk of Court under seal all originals and copies of Sherwin-Williams' Documents in the possession, custody, or control of Motley Rice or any of its attorneys, employees, or agents; and (f) identify all persons (i) who have possession, custody, or control of Sherwin-Williams' Documents, or (ii) who provided or sent those Documents directly or indirectly to Motley Rice or any of its attorneys, employees, or agents.

62. A temporary restraining order is necessary to preserve Sherwin-Williams' valuable property rights in its Documents and confidential business information.

63. Sherwin-Williams will suffer irreparable harm if Defendants are permitted to transfer, release, possess, use, disclose, or communicate in any manner Sherwin-Williams' Documents and confidential business information.

64. Sherwin-Williams further requests the Court, after appropriate hearing, to enter a preliminary and permanent injunction granting the same relief requested in paragraph 60 (a), (b), (c) and (d) and, in addition, requiring Motley Rice to immediately return all originals and copies of Sherwin-Williams' Documents, all documents discussing the contents of those Documents, and all documents reporting or discussing confidential, proprietary or privileged communications between Sherwin-Williams' attorneys and its directors, officers or employees, in the possession, custody, or control of Motley Rice or any of its attorneys, employees, or agents.

65. Pursuant to Ohio Revised Code §2737.03, Sherwin-Williams requests this Court to issue an order requiring Motley Rice to return all of Sherwin-Williams' Documents, all documents discussing the contents of those Documents, and all documents reporting or discussing confidential, proprietary or privileged communications between Sherwin-Williams' attorneys and its directors, officers or employees, in the possession, custody, or

control of Motley Rice or any of its attorneys, employees, or agents.

Dated: April 3, 2009

Respectfully Submitted,

JAMES R. WOOLEY,
Attorney I.D. No.
0033850.

STEPHEN G. SOZIO,
Attorney I.D. No.
0032405.

JONES DAY,
Counsel for Plaintiff,
The Sherwin-Williams Company.

EXHIBIT 2

[From Legal Newsline.com, Apr. 21, 2011]

DISCOVERY DISPUTE DELAYING THEFT CASE

AGAINST MOTLEY RICE

(By John O'Brien)

CLEVELAND (Legal Newsline)—The court battle over the alleged theft of confidential documents by plaintiffs firm Motley Rice is stagnant as Sherwin-Williams attempts to make the firm respond to its discovery requests.

According to the online docket for the Cuyahoga County Court of Common Pleas, Sherwin-Williams has filed a motion to compel the firm to respond to written discovery deposition requests. Motley Rice, which filed lawsuits against Sherwin-Williams and other paint companies over lead-based paint, allegedly obtained privileged documents stolen by the company from a former employee.

According to a Jan. 31 order, Sherwin-Williams is filing a supplemental brief in support of its motion to compel Motley Rice's answers. Some of the case, which could have an impact on the pending nomination of Motley Rice attorney Jack McConnell to a federal judgeship in Rhode Island, has been filed under seal.

The Wall Street Journal mentioned the case in a recent editorial. McConnell's nomination was recently approved by an 11-7 vote of the Senate Judiciary Committee, and the matter will now go to the full Senate.

"In response to written questions from Arizona Senator Jon Kyle in May 2010, Mr. McConnell told the committee he wasn't very involved in the lead paint case, was not familiar with the documents in question and had no reason to believe he'd be one of the defendants in the Ohio lawsuit. In deposition testimony in September 2010, however, his memory was suddenly refreshed," the editorial says.

"He was the first lawyer in his office to review the documents, signed a brief which incorporated portions of them and even helped write an article about the information."

Because of his "changing story," the WSJ doesn't feel he is worthy of a spot on the bench.

McConnell and Motley Rice's Rhode Island office represented several states and municipalities in the lead paint litigation, which alleged paint companies had created a public nuisance by manufacturing lead paint before its federal ban in 1978. Public nuisance claims have no statute of limitations, like product liability claims do. The suits were largely unsuccessful.

Along the way, Sherwin-Williams claims, Motley Rice obtained a PowerPoint presentation given by the company's attorney's to its board of directors. The presentation outlined litigation costs and possible coverage by its insurers.

The company said the presentation was protected by attorney-client privilege, but Stephen Walker met with Motley Rice at

Cleveland Hopkins Airport in 2006 to hand over the presentation. Walker had been laid off from his job in 2005 and had formerly assisted company officers, attorneys and executives with technical and design aspects of PowerPoint presentations.

Motley Rice did not notify Walker that it could not receive documents protected by privilege, the company says.

A trial was scheduled for last year but it was postponed. No new trial date has been set.

Sens. Sheldon Whitehouse and Jack Reed recommended McConnell to fill a vacancy in U.S. District Court in Rhode Island last year. Whitehouse is a member of the Judiciary Committee.

"Jack McConnell is a brilliant legal mind and an outstanding community leader. We believe he possesses the experience, intellect, and temperament to be a judge on the U.S. District Court for Rhode Island," a statement released by the senators said.

Whitehouse, then the attorney general, hired McConnell and his firm Motley Rice to file lawsuit against the former makers of lead paint in 1999.

The state Supreme Court unanimously struck down a verdict for the plaintiffs in 2008. Sherwin-Williams says Motley Rice produced the part of the PowerPoint presentation concerning litigation costs when the company argued the plaintiffs should be liable for its attorney fees.

After Whitehouse left the Attorney General's Office, McConnell and his wife pumped \$12,600 into his campaign fund. WHITEHOUSE took office in 2007.

Since 2001, the McConnells have given Reed \$13,200, including \$8,800 for his 2008 re-election campaign.

McConnell also represented some states in their lawsuits against the tobacco industry. His work, and the work of other private attorneys, led to the 1998 Tobacco Master Settlement Agreement. It has an estimated worth of \$246 billion over its first 25 years and allows for annual payments made to the attorneys who litigated the case.

A post by Judicial Watch says McConnell will receive between \$2.5 million and \$3.1 million annually until 2024 as a result of the settlement.

Through the years, he and his wife have given more than \$600,000 to the Democratic Party and its candidates, including Obama. Obama nominated him in March 2010.

The Institute for Legal Reform, an affiliate of the U.S. Chamber of Commerce, is one of the groups opposing McConnell's nomination. The ILR owns Legal Newsline.

Mr. REED. Madam President, I propose a unanimous consent agreement that would recognize myself for 5 minutes, Senator GRASSLEY for 5 minutes, Senator LEAHY for 5 minutes, and then Senator SNOWE and Senator LANDRIEU for 10 minutes each.

The ACTING PRESIDENT pro tempore. Is there objection? Without objection, it is so ordered.

Mr. REED. Madam President, this is not a stealth nomination. Mr. McConnell has been approved and voted by the committee three separate times. This has already lasted years. There is nothing stealthy about it. That is an exaggeration and completely inaccurate.

Let me suggest in response to all the ethical claims or allegations, Mr. McConnell has never had an ethics

complaint alleged or filed against him. All of these issues of so-called stolen documents were vetted and reviewed by a court in Rhode Island by Judge Silverstein. Judge Silverstein found no merit to their claims and, in fact, commended Mr. McConnell for his involvement and the involvement of his opposing counsels in this case.

Let me also try to respond to the issue of the so-called shakedown suits. One of the participants in those shakedown suits is a current circuit court judge, whom my colleague voted for. He is on the Third Circuit Court of Appeals in Pennsylvania. He was a Republican Attorney General of Pennsylvania. He worked with Mr. McConnell in a path-breaking suit to bring tobacco companies to justice and to provide States billions of dollars to relieve the dangers and the harm caused by tobacco. This judge, this Federal circuit judge, testifies to the integrity and the character of Jack McConnell. I am indeed appalled that his integrity would be questioned in such a way.

With respect to statements before the Senate Judiciary Committee, they have been consistent. He has said, with respect to these documents, these allegedly stolen documents, "I saw the documents prior to suit being filed in Ohio." Again, this second suit is really retaliation by the companies in order to express their great anger at being sued in Rhode Island. "I saw the documents prior to suit being filed in Ohio. I briefly saw them when they were first faxed to our law firm and then again a few years later, I saw them when we submitted one page of the documents to the court in Rhode Island. I would not say I was familiar with the documents in any fashion." He makes no bones about the fact that he saw those documents. Then the debate seems to be, the quibble seems to be not about a clear misstatement but what—"familiar" means. I think he was being very careful. I think if a lawyer says: I was familiar with the documents, it means they have read them thoroughly, they read them carefully. He couldn't say that. This came over his desk, was quickly out of his hands and quickly in the hands of others.

Again, all these allegations of unscrupulous behavior, unethical behavior have never been supported by any finding. There is a case in Ohio. It is not directly against Jack McConnell. He is not a named party. It is his law firm. He is one of many people in the law firm. There are suits filed against organizations, I would suspect, frequently. Is every member of the organization involved? I suspect not.

Finally, let me just respond to this notion of, well, this is just an elaborate arrangement between attorneys general and Jack McConnell. Again, the process for this suit started with a Republican attorney general. The succeeding attorney general was, indeed,

our colleague SHELDON WHITEHOUSE. They scrupulously had a contract that was reviewed by the court. In fact, the court had to approve any payments to McConnell's firm. That is the judge's call, not the attorney general's call.

Interestingly enough, in response to this whole suggestion that there is this cozy deal going on here—Jack McConnell is such a principled and active Democrat that when my colleague ran for Governor of Rhode Island, Jack McConnell handled the successful campaign of his opponent, a woman with whom he felt more aligned in terms of her philosophy, in terms of her commitment to issues he cared about. Senator WHITEHOUSE lost that race—unfortunate for the State of Rhode Island, fortunate, I think, for the U.S. Senate.

So this suggestion, this notion that this is all a cozy deal that has been worked out is absolutely erroneous.

The overwhelming consensus of lawyers, clergy, everyone in Rhode Island, business leaders, is this is one of the most honest and ethical persons you would ever want to know. Frankly, that was the ultimate issue that prompted me to recommend him to the President of the United States. He is a decent man of character, and I think the assault on his character is unprecedented, as well as this assault on allowing a district court judge to have an up-or-down vote.

Mr. President, I ask unanimous consent to have printed in the RECORD letters of support for Jack McConnell's nomination to the United States District Court for the District of Rhode Island, as well as editorials on the McConnell nomination from the Providence Journal.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Providence Journal, May 14, 2010]

EDITORIAL: CONFIRM MCCONNELL

Providence lawyer John J. McConnell Jr., whom President Obama has nominated to serve on the U.S. District Court for Rhode Island, is a very able attorney. He has also demonstrated much civic commitment and leadership as a very generous philanthropist and board member of various nonprofit organizations in our area.

"Jack" McConnell's nationally known abilities have gotten him hired to press some very big lawsuits. As with most plaintiffs' lawyers who have practiced at the highly competitive national level for a long time, some of these have been very controversial. The most notable example is the case against lead-paint makers pursued at the behest of then-Rhode Island Atty. Gen. (and now U.S. Sen.) Sheldon Whitehouse.

We remain convinced that that action, which was (happily, to us) terminated by the Rhode Island Supreme Court, was unfortunate. But some other cases Mr. McConnell was involved in, such as against tobacco companies, we agreed with. But then, Mr. McConnell has been a hired hand doing as capably as he could the job he has specialized in—pursuing product-liability and other class-action cases. Mr. McConnell, a graduate of Brown and Case Western Reserve

University Law School, has been retained in these high-profile lawsuits because of the ability and strenuous work ethic he has shown time and time again.

Jack McConnell has had very close ties with the Democratic Party, to whose candidates he has given a lot of money. But many federal judges have had close political links before being named to the bench. The judgeship-nomination process can rarely be separated from politics in varying degrees, as even a cursory look at the backgrounds of state and federal judges will demonstrate.

Many over the years had been elected officials and/or highly partisan Democrats or Republicans but have displayed great judicial judgment, disinterestedness and independence when they achieved the protective tenure of the bench.

But in any case, Jack McConnell, in his legal work and community leadership, has shown that he has the legal intelligence, character, compassion and independence to be a distinguished jurist. Indeed, given his understanding of the "little guy," Mr. McConnell could serve as something of a healthy offset to the corporate-lawyer backgrounds and attitudes that so many judges have. And his deep knowledge of environmental law could be of particular importance in coming years as such issues come to the fore more often. We hope that the Senate confirms him.

[From the Providence Journal, Nov. 23, 2010]

EDITORIAL: STILL CONFIRM MCCONNELL

As we have said ("Confirm McConnell," editorial, May 14) Providence lawyer John ("Jack") McConnell is highly qualified to be a U.S. District judge. He's one of America's most able and successful litigators, and has been a very energetic and generous leader in philanthropies and other parts of community life.

But Republicans in the U.S. Senate seem determined to derail his nomination, both because they dislike Mr. McConnell's frequent past support of Democratic candidates and, more generally, because they want to do anything they can to defeat President Obama, who nominated him.

To say that the current mood of Congress is partisan is an understatement.

Yes, like many judicial nominees, Mr. McConnell has taken partisan stands in the past. But his character and deep love of the law suggest strongly that he will function as a disinterested judge—one able to look at the facts of each case in the light of a close and rigorous reading of statutory and constitutional law and precedent. Indeed, his legal work and community leadership suggest that he would be a distinguished jurist.

The Senate should face down a filibuster and approve his nomination.

[From the Greater Providence Chamber of Commerce]

STATEMENT OF THE GREATER PROVIDENCE CHAMBER OF COMMERCE ON THE NOMINATION OF JOHN MCCONNELL TO THE U.S. DISTRICT COURT

On Tuesday May 11, the United States Chamber of Commerce urged the members of the Senate Judiciary Committee to reject the nomination of John J. 'Jack' McConnell for a judgeship on the U.S. District Court in Rhode Island.

The Greater Providence Chamber of Commerce was not consulted at any point in the process by the United States Chamber of Commerce or The Institute for Legal Reform as to our views relative to the nomination of Mr. McConnell.

The Greater Providence Chamber of Commerce has never endorsed nor opposed nominees vying for the federal or state judiciary. In a similar vein, we have never endorsed nor opposed candidates seeking elective office on the federal, state or municipal levels.

The Greater Providence Chamber of Commerce has enjoyed a very positive working relationship with Senator Reed and Senator Whitehouse, and we respect their right and ability to put forth qualified nominees to the United States District Court.

We would point out that Mr. McConnell is a well respected member of the local community, leading important civic, charitable and economic development institutions including Crossroads Rhode Island, the Providence Tourism Council and Trinity Repertory Theatre.

U.S. COURT OF APPEALS
FOR THE THIRD CIRCUIT,
Pittsburgh, PA, May 11, 2010.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee,
Washington, DC.

DEAR CHAIRMAN LEAHY: I write at this time to most favorably recommend John J. McConnell who has been nominated by the President to the U.S. District Court for the District of Rhode Island.

I met and worked with Mr. McConnell when I was the elected Attorney General of Pennsylvania from 1996-2003. We worked very closely together on the national tobacco litigation which resulted in the \$206 Billion 1998 Master Settlement Agreement. I was designated by my Attorney General colleagues to be part of the national negotiating team and worked closely with Mr. McConnell who was part of that team along with his partner from Ness Motley, Joe Rice. We spent considerable time together in New York and at meetings elsewhere and I had the unique opportunity to assess Mr. McConnell's legal abilities and his character, which were both outstanding. He was one of our key people in developing strategy, drafting documents and evaluating various provisions of this landmark settlement.

In addition to his work with the state Attorneys General in that case, Mr. McConnell has been involved in major litigation in the state and federal courts in Rhode Island and elsewhere across the country. He has been honored for his legal skill and acumen by many organizations and has made major contributions to the cause of justice in his state and elsewhere.

John J. McConnell, Jr. is an outstanding nominee to serve on the U.S. District Court for the District of Rhode Island and I enthusiastically support his nomination. If I can provide any additional information, please feel free to contact me.

Very truly yours,

D. MICHAEL FISHER.

LAW OFFICES OF
JEFFREY B. PINE ESQ.,
Providence, RI, May 7, 2010.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR LEAHY: I have the pleasure of writing on behalf of John (Jack) McConnell Jr. for a position on the Federal bench. I served as Rhode Island Attorney General from 1993-1999, as a Republican.

I have known Jack for more than fifteen years, both professionally and personally, and feel very qualified to comment on his credentials for such a prestigious position. Throughout his career, Jack has demonstrated the kind of legal ability, integrity,

dedication to his client, and willingness to fight hard for the cause of justice that makes him a truly outstanding candidate for the Federal Judiciary.

During my tenure as Attorney General I worked closely with Jack during the multi-state tobacco litigation initiated on a bipartisan basis by more than 40 Attorneys General in the mid-1990's. As Attorney General, I was directly involved in the prosecution of our lawsuit and in the settlement negotiations between the Attorneys General and the tobacco industry. In that capacity I had the ability to work with and observe Jack over an extended period of time as he represented many states' interests, including Rhode Island; in short, what I observed was an attorney who was smart, ethical, diligent and absolutely dedicated to the cause of justice on behalf of his client.

Since our interaction in the public sector I have remained very aware of Jack's talents and abilities as an attorney. I closely followed the lead paint litigation in Rhode Island, where Jack led the fight on behalf of the victims of this public health problem.

He has always fought for those less fortunate who might otherwise not have had a voice in the judicial system. Jack has been that effective voice for many people for many years. I also believe that as an experienced litigator Jack has an outstanding ability to look at legal issues from all perspectives, without bias or predisposition, and I have no doubt that he would be fair to all litigants who appear before him. In my opinion he would bring the kind of experience to the federal bench that would make him an outstanding judge presiding at trials, and a fair and impartial arbiter for those who come before him.

I also have the pleasure of knowing Jack outside of legal circles, and while I consider him a friend, my comments about him as a person and family man are not influenced by our friendship—they are objective assessments that are very easy to make.

Jack and his wife Sara have three children who are very close in age to each of my three children. For most of the past fifteen years our children have attended the same schools at the same time. Jack is a devoted and dedicated father who understands the importance of being there for your family even if the demands of a busy career are always present. All three of their children have grown up with strong values, a sense of giving back to society, and the same kind of commitment to others that Jack and Sara have. Jack understands the balance that needs to be struck between career and family, and while he has achieved great success professionally, he retains the strong values of his own upbringing, which he in turn imparts to his children.

In addition to his professional accomplishments and commitment to his family, Jack has always been very active in the community, involved in a number of civic activities, and he has been honored for his efforts on many occasions. He enjoys an outstanding reputation in both the legal community and the community at large, and many organizations have recognized his commitment to his public service.

In conclusion, there is no question in my mind that Jack would be an honest, principled, ethical and fair judge. He would be a credit to our state and to our judiciary. He has earned this prestigious position for his many years of hard work, legal experience and success as an attorney, as well as his position in the community as a respected civic leader and family man.

I enthusiastically support his candidacy for a position on the federal bench.

If I can answer any questions or be of further assistance to you, please don't hesitate to contact me.

Sincerely,

JEFFREY B. PINE.

PASTER & HARPOOTIAN, LTD.,
COUNSELLORS AT LAW,
Cranston, RI, May 7, 2010.

Hon. PATRICK LEAHY,
Chairman, Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR LEAHY: Thank you for allowing me the time to write to you in support of my friend and colleague, John J. McConnell, Jr., for confirmation to the United States District Court for the District of Rhode Island. The Senate Judiciary Committee is scheduled to hold a confirmation hearing on his appointment on May 13, 2010.

I have known Jack McConnell for many years as a professional colleague, fellow dedicated board member of Trinity Repertory Company here in Rhode Island and as a very friendly political rival.

Time and again, Jack has proven that he is a man of great principle and integrity. While being a vigilant advocate for his clients and the causes that he has taken up during his professional career, Jack has always conducted himself in the most ethical and professional manner; a trait unfortunately sometimes not found among lawyers today.

Jack and I also know each other from being on opposite sides of the aisle politically, including some elections as well. As you know, elections can turn bitter and the participants can sometimes allow themselves to get caught up in the bitterness to the extent of it becoming personal. One of the greatest characteristics that I admire about Jack so much is that, despite political differences of opinion, he never allowed those differences to become personal, or to cloud his judgment. As a result, we have always enjoyed spirited conversation regarding political issues, but have remained great friends.

These characteristics lead me to unqualifiedly support Jack's confirmation to the United States District Court for Rhode Island.

Please do not hesitate to contact me if you believe I have information which may be helpful to you in this process.

Thank you very much for your kind consideration.

Very truly yours,

JOHN M. HARPOOTIAN.

EXECUTIVE CHAMBER,
CITY OF WARWICK, RHODE ISLAND,
May 7, 2010.

Hon. JEFF SESSIONS,
Ranking Member, Senate Judiciary Committee,
Washington, DC.

DEAR SENATOR SESSIONS: I am pleased to write this letter in support of John J. "Jack" McConnell, Jr., who is seeking appointment to the United States District Court for the District of Rhode Island.

Jack had been an acquaintance of mine for many years, but it was not until we began serving together for two non-profit agencies—Crossroads Rhode Island's Board of Directors and the Institute for the Study and Practice of Non-Violence that I got to know him well. Jack is a man of integrity, a strong sense of community and a very fair and forward-thinking individual.

As the Republican Mayor of Rhode Island's second largest community, I have always

firmly believed that the ability to reach consensus among people of differing points of view is critical to the well-being of our residents and our state as a whole. In the time I have come to know Jack, I have realized that he shares this same philosophy.

The District Court appointment is a critical one to ensure that our justice system continues to provide victims and their accused with an opportunity to be heard fairly and impartially. I believe that Jack would be a valuable asset to the bench and a good representative of Rhode Island in the federal court system.

I am proud to offer this recommendation and respectfully urge you to give him your serious consideration. Thank you for your attention.

Sincerely,

SCOTT AVEDISIAN,
Mayor.

ARLENE VIOLET, ESQ.,
Barrington, RI, Dec. 10, 2010.

In Re Jack McConnell.

DEAR SENATOR SESSIONS: As a former Republican Attorney General I have followed your career from the day you became the Attorney General for your state. You have acquitted yourself very well and have served the people of Alabama with diligence and competence.

I am writing to you in support of the nomination of Jack McConnell. As an attorney for close to 36 years I have known Jack for about 20 of them. I often appeared in court and on occasion he'd be ahead of me on the docket and I'd be on "standby" for my case. I observed a carefully prepared advocate who had done his homework. He is a highly respected attorney here because his word was his bond. His forthrightness as an attorney along with his competence and honesty have convinced me that he will be a fair and balanced judge on the federal bench.

He has also been on the Board of Trustees at Roger Williams University where I am also a trustee. He has been the voice of reason and analysis on the tough issues facing universities today. His judgment is finely honed and I have no doubt that he will apply his analytical skills in service to the highest standards of jurisprudence. I respectfully ask you to confirm his nomination to the bench.

With every best wish for you and your family, I remain,

Sincerely yours,

ARLENE VIOLET.

SUPREME COURT OF RHODE ISLAND,
FRANK LIGHT JUDICIAL COMPLEX,
Providence, RI, Feb. 9, 2009.

Re John J. McConnell, Jr.

Hon. JACK REED,
U.S. Senate,
Cranston, RI.

DEAR SENATOR REED: I have recently learned that the subject attorney has applied to your office as a candidate for appointment to the United States District Court for the District of Rhode Island. It may be of assistance in evaluating his application if those who are familiar with his professional background write concerning his outstanding qualifications.

I have known Mr. McConnell since 1983 when he served as a law clerk to Justice Donald F. Shea of the Rhode Island Supreme Court. Prior to this service, he graduated from Brown University and Case Western Reserve University School of Law. His talent and personality were outstanding from the earliest stages of his career.

Since he left our court, I have observed, with great admiration, his meteoric rise as a

trial lawyer. He has been lead counsel in a number of extremely high profile cases in both State and Federal Courts. His work in the negotiation of the master settlement agreement with the tobacco industry on behalf of forty-six states is legendary in the annals of litigation. His achievements in asbestos litigation are equally distinguished and involved some of the most complex cases on record. He has been recognized by his peers with numerous awards for service to the profession as well as designation as one of the best lawyers in America. The Rhode Island Bar Association has honored him for his service to the poor and disadvantaged.

His compassion and charitable contributions have benefited agencies in the field of health, education and service to the poor and homeless. His service as a director of Crossroads Rhode Island is only one example of his reaching out to the needy and dispossessed.

He has been active in civic affairs in the City of Providence, the State of Rhode Island as well as on the national level. He is a splendid example of a model citizen whose advice and counsel are sought after and freely given.

His great experience as a litigator has given him exceptional knowledge of the intricacies of the rules of practice and procedure in the federal courts. He would be superbly qualified to preside as a federal judge over the most challenging and complex cases. He is a man of keen intelligence and impeccable integrity. He would be a splendid addition to the distinguished bench of the United States District Court of Rhode Island.

Sincerely yours,

JOSEPH R. WEISBERGER,
Chief Justice (Ret.).

The ACTING PRESIDENT pro tempore. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I rise to oppose the cloture motion on Jack McConnell, who has been nominated to be U.S. district judge for Rhode Island.

In the first few months that I have been ranking member of the Judiciary Committee, I have worked in good faith to move forward with consensus nominees. We have taken positive action on 68 percent of the judicial nominees submitted in this Congress. Despite my efforts, friends on the other side of the aisle and the President's top lawyer continue to claim we are not moving fast enough. There are additional consensus nominees the Senate could turn to. We could confirm additional district judge vacancies, as we have been doing. But rather than continuing to move forward with consensus nominees, the majority leader chose to throw up a detour and proceed to one of the President's most controversial nominees, Mr. McConnell. It seems no good deed goes unpunished.

Before turning to Mr. McConnell's record, I want to say a few words about the use of extended debate in considering judicial nominations. My friends on the other side have made some comments on this issue that are pretty difficult to understand given the record there.

First, with respect to district court nominees, and contrary to what my

colleagues have suggested, there have been in the past filibusters of district court nominees. Most recently, the Democrats successfully filibustered a district court nominee in 1999, Mr. Brian Stewart by a vote of 55 to 44. Judge Stewart was ultimately confirmed.

But the fact of the matter is that district court nominees have been filibustered, and it was Democrats who first took the step. On circuit court nominees, the record is far worse. I would note that I do not necessarily like to vote against cloture on judicial nominees. I do not take these votes lightly. But these are the rules that the other side instituted.

Under the precedent and threshold that the Democrats first established, Members must decide whether they believe they should move forward to a vote on confirmation of this nominee. By any fair measure, Mr. McConnell qualifies as a very extraordinary circumstance. I have reached this conclusion based on a number of factors. I want to discuss a couple of these reasons now.

I am particularly troubled by the way Mr. McConnell handled himself before the committee. I believe Mr. McConnell at best misled the committee when he testified about his familiarity with a set of stolen legal documents that his law firm obtained during the lead paint litigation. When asked about these documents during his committee hearing, he testified that he saw the documents "briefly" but that he was not familiar with them "in any fashion."

But several months after his hearing, Mr. McConnell was deposed under oath about those same documents. In his sworn deposition, Mr. McConnell testified that he was the first lawyer to receive the documents. He drafted a newspaper editorial citing information that came directly from those documents. He testified that he reviewed and signed a legal brief that incorporated the stolen documents. And even though he told the committee that he was not familiar with the documents "in any fashion," during his deposition he testified that he did not see any indication on the documents that they were confidential or secret.

How could he know the documents were not confidential or secret if, as he testified before the committee, he was not familiar with them "in any fashion?"

Given these facts, it is hard to square Mr. McConnell's testimony before the committee with his sworn deposition testimony a couple of months later.

The litigation over these documents remains ongoing. We do not know how it will conclude. We do not know whether Mr. McConnell and his law firm will be held liable for the theft of these documents. But what is the Senate going to do if we confirm this indi-

vidual but at some later date he or his law firm are found liable for theft? At that point, it will be too late. Members will not be able to reconsider their votes.

The Wall Street Journal recently opined that Mr. McConnell's "changing story about his lead paint advocacy is enough by itself to disqualify him from the bench." I could not agree more.

There are other aspects of Mr. McConnell's record that concern me a great deal, which I will outline later. I will just conclude by saying this. I have supported the overwhelming majority of President Obama's judicial nominees. If it were up to me, I would not have nominated many of those individuals. But I supported them nonetheless. Mr. McConnell is in an entirely different category. I believe that he misled the committee when he testified before us. For that reason alone, I do not think he should be rewarded with a lifetime appointment to the Federal bench. But even if I did not have that concern, I could not support this nominee.

I yield back the time that was allotted to me.

The ACTING PRESIDENT pro tempore. The Senator from Vermont.

Mr. LEAHY. Madam President, I hope that all Senators have had a chance to consider the remarks of the Senators from Rhode Island on this nomination. I do not think anyone could listen to the remarks of the distinguished senior Senator from Rhode Island yesterday and today and come away doing anything other than voting for cloture. Likewise, Senator WHITEHOUSE, who spoke this morning and has shepherded this nomination through the Senate Judiciary Committee, has done an outstanding job in his statement not only this week but throughout the course of this nomination, which now extends into a second year. They have set forth not only the merits of this nominee, but also what is at stake for the Senate and the country if Senate Republicans take the virtually unprecedented action of filibustering a Federal district court nominee.

Jack McConnell has bipartisan support from those in his home State. Leading Republican figures in Rhode Island have endorsed his nomination. They include First Circuit Court of Appeals Judge Bruce Selya; Warwick Mayor Scott Avedisian; Rhode Island Chief Justice Joseph Weisberger; former Rhode Island Attorneys General Jeffrey Pine and Arlene Violet; former Director of the Rhode Island Department of Business Barry Hittner; former Rhode Island Republican Party Vice-Chair John M. Harpootian; and Third Circuit Court of Appeals Judge Michael Fisher.

With more than 25 years of experience as an outstanding litigator in private practice, Mr. McConnell has been endorsed by the Providence Journal, which wrote:

In his legal work and community leadership [he] has shown that he has the legal intelligence, character, compassion, and independence to be a distinguished jurist.

That is what Senator REED talked about, the nominee's qualifications, experience, temperament, integrity, and character.

Just a few years ago, Republican Senators argued that filibusters of judicial nominees were unconstitutional, and that every nominee was entitled to an up-or-down vote. Of course, they said that with a Republican President. Now suddenly things have changed. At that time, a number of Republican Senators joined in a bipartisan memorandum of understanding to head off the "nuclear option" and agreed that nominees should only be filibustered under "extraordinary circumstances." No one could seriously argue that this Federal district court nomination presents anything approaching "extraordinary circumstances" that might justify a filibuster to prevent a vote on the nomination.

It would be unfortunate if Senators were to knuckle under to the demand for a filibuster by special interest business lobbies. Mr. McConnell should not be filibustered for being a good lawyer, yet that is at the root of any opposition. The corporate lobby opposes him because he successfully represented plaintiffs, including the State of Rhode Island itself, in lawsuits against lead paint manufacturers. Some here in the Senate may support the lead paint industry. That is their right. I support the right of this attorney to bring legal claims based on the poisoning of children by the lead in paint and to hold those responsible accountable. You can support the lead paint manufacturers or you can support the children who were poisoned. I will stand with the children. That is what Mr. McConnell did. That is why the business lobbies oppose him. No Senator should oppose Mr. McConnell for doing what lawyers do and vigorously representing his clients in lawsuits. That is not a justification to filibuster this nomination. Mr. McConnell has testified and demonstrated that he understands the differences between the role of the judge and the role of an advocate for one of the parties.

With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 13 judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. No one should be playing partisan games and obstructing while vacancies remain above 90 in the Federal courts around the country. With one out of every nine Federal judgeships still vacant, and judicial vacancies around the country at 93, there is serious work to be done.

I have made it a practice as the chairman of the Senate Judiciary Com-

mittee to respect the views of home State Senators from both sides of the aisle. I have encouraged President Obama to work with home State Senators from both sides of the aisle. Republican Senators used to defer to home State Senators on Federal district court nominations. That was their justification for voting both for or against nominations during the last several years. But if Senate Republicans abandon that deference and engage in a filibuster of this Federal district court nominee, and ignore the strongly held views of home State Senators, then they will be undercutting all those understandings and practices.

When home State Senators as widely respected and as serious about the rule of law as the Senators from Rhode Island endorse a Federal district court nominee, that nominee should not be filibustered. They never have been. I have been here 37 years. We used to treat each other, as well as such nominees willing to serve on the bench, with respect. I hope that today the Senate will return to that tradition. I trust that Senate Republicans will not go down the dark path on which they are headed.

Senator REED spoke yesterday of the precipice on which the Senate is poised. Senator WHITEHOUSE, Senator FEINSTEIN, and Senator SCHUMER have spoken eloquently on this issue as well. I urge all Senators, Senators on both sides of the aisle, to do the right thing to honor our constitutional role and traditions, and to vote in favor of ending this filibuster so that the nomination of Jack McConnell can then be considered on the merits and voted up or down.

I reserve the balance of my time and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maine.

SBIR/STTR

Ms. SNOWE. Madam President, I rise today regrettably, as ranking member of the Small Business Committee, to announce that I will be opposing cloture on the pending legislation regarding small business. I have reached this decision after much deliberation, because I support the underlying legislation. In fact, I have championed the Small Business Innovation Research Program since its inception in 1982, when I was serving in the House of Representatives.

But regrettably there has been a disturbing trend in this body over the past several years of disregarding the minority rights and flat out disallowing votes on our amendments. We were informed early this year that we would have an open amendment process on legislation in this Congress. We were told, let's let the Senate be the Senate again. I could not agree more. Let's allow Senators to offer amend-

ments and have votes on them. That is the Senate that I know, and the one that has served our country so well since it first convened in 1789.

As we all well know, the Senate has traditionally been a place where the rights of the minority were protected, and where constructive debate is the rule, not the exception. It is supposed to be the institutional check that ensures all voices are heard and considered. Because while our constitutional democracy is premised on majority rule, it is also grounded in a commitment to minority rights.

The fact of the matter is, we have been considering the small business innovation research legislation since March 14, a month and a half ago. Over the course of that time, when excluding weekends and recesses, the Senate was in session 15 days. And in those 15 days, we had merely 3 days in which the Senate has held votes related to this legislation—3 days.

Furthermore, we have voted on 11 amendments out of 137 amendments filed prior to the Easter recess, which hardly represents an open amendment process. So we have 137 amendments filed. What do we do? We do not hold votes or debate these issues, allowing those amendments to be offered, we go on a 2-week recess, a fact that was not lost on the American people. What they saw was business as usual in Washington, acting as if there is nothing wrong in America today.

So it is disappointing to hear the statements that the Republicans are not allowing this bill to move forward. We are more than ready to move forward with votes on amendments, then onward to final passage. That is how the process works in the Senate.

We could have already been at that point if we had been given the time, instead of having recesses and days off and morning business. Indeed the majority has squandered the time of the past several months not on this legislation but in quorum calls and in morning business. There was nothing else commanding our attention.

There were several days we voted for the continuing resolution. I understand not having votes on those days. But just 3 days for votes out of 15 is unfortunate, not to mention underachieving. We could have held votes on any other day.

Indeed, on April 19, USA Today ran an article titled, "Two chambers work at different paces." It noted that the House of Representatives has held 277 roll call votes as of April 18, the most in that period of time since 1995 following the Republican Revolution. The article then shifted its focus to the Senate, where it noted that our body has held a mere 68 record votes "the fewest roll-call votes since 1997"! One of our colleagues in the House joked last month that the Senate has two paces—"slow and glacial." It would be

humorous if it didn't mean that the American people are getting short-changed by their elected representatives, who were sent here to vote on the critical issues facing our country.

Voting is our primary responsibility, as are amendments to flesh out the legislative process. We should have had a vote on the legislation I was offering as an amendment, in conjunction with Senator COBURN and six other cosponsors on regulatory reform, to reduce the burden on our Nation's small businesses.

This would have had a direct impact, here and now, on the ability of small businesses to create jobs. I am mystified as to why I cannot have a vote on this regulatory reform amendment as the ranking member of the Small Business Committee.

In November, the Senate Small Business Committee held a hearing on regulatory reform. It was noted in that hearing that a 30-percent reduction in regulatory costs in an average 10-person firm would save nearly \$32,000, enough to hire one additional individual. After enduring 26 straight months with unemployment at or above 8 percent, it is more imperative than ever that we finally liberate American small businesses from the regulatory burden that diminishes our ability to compete globally and create jobs at home.

The regulatory reform amendment I am proposing with Senator COBURN is strongly supported by a variety of small business community organizations: the NFIB, the Chamber of Commerce, and 28 other groups.

I ask unanimous consent to have that letter printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 2, 2011.

Hon. OLYMPIA SNOWE,
U.S. Senate,
Washington, DC.
Hon. TOM COBURN,
U.S. Senate,
Washington, DC.

DEAR SENATORS SNOWE AND COBURN: As representatives of small businesses, we are pleased to support Senate Amendment 299, the Small Business Regulatory Freedom Act of 2011. This amendment to S. 493, the SBIR/STTR Reauthorization Act, puts into place strong protections for small business to help ensure that the federal government fully considers the impact of proposed regulation on small businesses.

In an economy with high unemployment, and where almost 2/3 of all net new jobs come from the small business sector, we appreciate that your legislation would require regulators to further analyze the impact of certain proposals on job creation. The annual cost of federal regulation per employee is significantly higher for smaller firms than larger firms. Federal regulations—not to mention state and local regulations—add up and increase the cost of labor. If the cost of labor continues to increase, then job creation will be stifled because small businesses will not be able to afford to hire new employees.

The Small Business Regulatory Freedom Act expands the scope of the Regulatory Flexibility Act (RFA) by forcing government regulators to include the indirect impact of their regulations in their assessments of a regulation's impact on small businesses. The bill also provides small business with expanded judicial review protections, which would help to ensure that small businesses have their views heard during the proposed rule stage of federal rulemaking.

The legislation strengthens several other aspects of the RFA—such as clarifying the standard for periodic review of rules by federal agencies; requiring federal agencies to conduct small business economic analyses before publishing informal guidance documents; and requiring federal agencies to review existing penalty structures for their impact on small businesses within a set timeframe after enactment of new legislation. These important protections are needed to prevent duplicative and outdated regulatory burdens as well as to address penalty structures that may be too high for the small business sector.

The legislation also expands over time the small business advocacy review panel process. Currently, the panels only apply to the Environmental Protection Agency, the Occupational Safety and Health Administration, and the Consumer Financial Protection Bureau. These panels have proven to be an extremely effective mechanism in helping agencies to understand how their rules will affect small businesses, and help agencies identify less costly alternatives to regulations before proposing new rules.

We applaud your efforts to ensure the federal government recognizes the important contributions of job creation by small business, and look forward to working with you on this important legislation.

Sincerely,

Air Conditioning Contractors of America, American Bakers Association, American Chemistry Council, American Farm Bureau Federation, Associated Builders and Contractors, Food Marketing Institute, Hearth, Patio & Barbecue Association, Hispanic Leadership Fund, Independent Electrical Contractors, Institute for Liberty, International Franchise Association, National Association for the Self-Employed, National Association of Home Builders, National Association of REALTORS, National Association of the Remodeling Industry (NARI).

National Automobile Dealers Association (NADA), National Black Chamber of Commerce, National Federation of Independent Business, National Funeral Directors Association, National Lumber and Building Material Dealers Association, National Restaurant Association, National Retail Federation, National Roofing Contractors Association, Plumbing-Heating-Cooling Contractors—National Association, Printing Industries of America, Small Business & Entrepreneurship Council, Snack Food Association, Society of American Florists, U.S. Chamber of Commerce, Window and Door Manufacturers Association.

Ms. SNOWE. We have taken great strides to address the concerns of those from across the aisle. But they keep moving the goalposts. For instance, some did not like our definition of indirect effect and costs with respect to evaluating the impact of regulations on small businesses. So we agreed to take the language that was initially proposed by Dr. Sargeant with the Office of Advocacy at the Small Business

Administration. He is the President's top small business regulatory appointee.

It was expressed that the Office of Advocacy would require more funding to carry out these additional responsibilities. I agreed. We proposed increased authorization for the funding for this office. Moreover, we offset that spending with cuts in the SBA, already proposed in the President's 2012 budget.

There were concerns with language that would require that rules sunset if agencies failed to review them as required by law, by the way. So we developed a compromise. Instead there would be a "stick" of reducing an agency's budget for salaries by 1 percent if it failed to comply with its review requirements under law. Moreover, it includes several safeguards to allow the agency to have multiple bites out of the apple to satisfy their legal requirements. We heard that some Democrats might oppose adding regulatory review panels at every agency, immediately, saying that doing so would be too much, too soon and that a phase-in would be more responsible so we proposed a modest phase-in approach of three additional agencies per year over 3 years. After all, what is wrong with having small business review panels established at agencies, when they are proposing rules? Let's determine whether those rules are going to affect small businesses before they are implemented in the rulemaking process, not after.

You know, I hear in the Senate, well, we will see. We will let the rules take effect, and then see what happens to small businesses afterwards. Does anybody understand what that means for a small business on Main Street in America to have to implement a regulation that is handed down from the Federal Government—the cost of compliance, the added number of employees it requires just to deal with the regulatory burden? They can't afford it. After all, we are in an age of high unemployment. It is persistent.

So we could deal with this issue here and now. We have had a number of hearings over time on regulatory reform. The Homeland Security and Government Affairs Committee has had hearings on regulatory reform. The time is now to address it.

Furthermore, what is the problem with allowing a vote on this amendment? That is what I don't understand. Why can't we have a vote on the amendment on regulatory reform? If those on the other side do not want to support it, they can vote against it. But let's have a vote. Let's have a debate. What else are we doing?

We just came off of a 2-week recess. I cannot imagine anybody that went home and talked to small businesses on Main Street or to the average person who is desperately searching for a job not understanding that we need to do something about these key issues.

We should focus more on issues like this and less on concerns about lunches, or recess. It is about doing our work in the Senate however long and however hard it is, but to do it. That is what this issue is all about. It is about doing things that are going to matter on Main Street, and regulatory reform matters on Main Street. We can talk about it endlessly. The time is now to act. That is what this is all about. Let the Senate work in the traditions of the Senate: an open, deliberative process.

When we had the continuing resolution, we had 700 amendments in the House of Representatives. What amendments did we have? The same is true now. They are shutting down the process. I am told that we had 137 amendments, and what did the Senate do? Go on recess for 2 weeks.

The point is, we have a serious problem in America. It is persistently high unemployment. It is subpar growth. The economic conditions are deeply troubling. We have to get the show on the road, and that means regulatory reform.

It is one of the chief, foremost concerns among small businesses. Among the plethora of concerns they have about what we are doing or not doing, one of the foremost issues is regulatory reform, and we are dithering. I can't even get a vote on the amendment. Vote yes or vote no. Let's debate it.

Is there anything else we are doing in the Senate? Can somebody tell me? We just came off of a 2-week recess, and I am mystified why we are just driving this to a cloture vote and I am denied a vote on an amendment that is so relevant to the well-being, to the survival of small businesses—regulations.

There was a \$26 billion increase in regulation costs last year. That is on new regulations. The total cost is \$1.7 trillion overall. Some have debated that cost saying that is not a true cost. They say: No, it is this cost. It is a lesser cost. Some say: Well, it is less than \$1 trillion. Why? Because they do not count the IRS. Well, ask the small businesses if IRS regulations are hampering their well-being and suffocating the entrepreneurial spirit in America, or the FCC or all the myriad of other independent agencies that are not included. I suggest everybody take Main Street tours and see what is happening.

If we are wondering why we can't create the jobs that are necessary for America, then just look right here. We are shutting down the process with cloture votes. For what? Because we can't have a debate. We can't have votes. We are doing nothing.

The PRESIDING OFFICER (Mr. BLUMENTHAL). The Senator's time has expired.

Ms. SNOWE. Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I urge my colleagues to vote for cloture on this important bill. It is the Federal Government's largest research program for new technologies and innovation. It is a job creator. It is widely supported by many business organizations in this country. It is a bill that should have passed 6 years ago. It is a bill, a statute, that will expire in less than 30 days from now. If we don't vote favorably on this bill today, there will be virtually no chance of this program being extended under law, and we will either have to eliminate the program entirely or we will revert back to no way to do business, which is a 3-month or 6-month rolling extension.

I wish to answer a few of the charges made by my colleague. First of all, I have the greatest respect for my ranking member, and I can understand her frustration as being the ranking member of the Small Business Committee and not getting her amendment on the Senate floor. I would respectfully remind her that we could have had a vote on her amendment in committee except that her side demanded—and I wish to submit a letter to the effect—that the bill come out of our committee clean; that the SBIR bill not be attached to anything else so we could have an open debate on it because it has been going on for 6 years.

No. 2, an open amendment process, which the majority leader has been more than gracious with, considering the fact that 150 amendments have been filed on a bill that is only 116 pages long, and 95 percent of these amendments have nothing to do with this bill—the majority leader has been more than patient. But an open debate does not—on the Senate floor, an open and free debate does not mean eliminating the committee process in the Senate that has existed, to my knowledge, as long as this body has existed, and it never will.

We cannot trample on the rights of our committees, whether it be Homeland Security, which has primary jurisdiction over this issue, or the Small Business Committee, which has some jurisdiction over this issue. But because this regulatory reform bill is so far reaching and a necessary debate to have—not here, not now, not on this Senate floor but in the relevant committees. In fact, there are four other bills besides that of my ranking member. Senator VITTER has one bill, and I will submit for the RECORD other bills that have been filed, in fact, on this exact subject.

The chairman of the Homeland Security Committee, who sits right here at this desk, has already agreed to have a hearing on all of these bills because Senator SNOWE, with all due respect, is not the only Member who has an interest in regulatory reform. My committee, which I chair, does not have complete jurisdiction over this issue.

Commerce is interested in it. Homeland Security is interested in it.

I can't pull a bill—I don't believe it is right to pull a bill from the floor to have a vote that has not had a hearing in any committee of the Senate. That is not an open process. That is an ask that is impossible to agree to.

No. 3 in my argument: If we vote no on cloture, I wish to remind Senators the amendments of Senator CARPER and Senator VITTER will see no light of day. They have good amendments they have been working on for 3 years that have had committee review to help expedite the sale of Federal buildings that could save taxpayers millions of dollars. That amendment will go down.

The Cornyn amendment, which establishes a commission to cut spending which will also save taxpayer money and reduce the burden on taxpayers, that amendment will go down.

Senator PAUL's amendment to reduce spending by \$200 billion, he will not get the majority of our votes, but there will be an interesting debate on whether we can cut \$200 billion out of the Federal Government. We lose that amendment.

Senator HUTCHISON has an amendment for us to debate all of the regulations in the entire universe on health care. People are complaining about regulations for health care. We are giving a vote on that. That amendment will not be voted on.

Senator CARDIN has an amendment to fix surety bonds. We are going to lose that.

Senator SNOWE, herself, has an amendment to prevent fraud in contracting. We are going to lose that.

So, evidently, 95 percent of the loaf is not enough. So we either get 60 votes on this bill or we don't.

Mr. President, I wish to give my last minute to Senator SHAHEEN, and I wish to ask her a question. What actually did the Senator hear in the Armed Services Committee that is relevant to this bill? If I have 2 seconds, go ahead and tell me.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. SHAHEEN. I took the opportunity yesterday in an Armed Services Committee subcommittee to ask Department of Defense officials who have been responsible for maintaining our military technological edge what the impact would be on DOD's research if Congress does not reauthorize the SBIR Program. Assistant Secretary Zachary Lemnios said the SBIR is "something we absolutely need." He spoke of what it is like talking to small innovative companies he works with through SBIR, and he told me:

There are small companies willing to take some risk in areas where larger companies just, for whatever reason, just don't. You spend a day with a small business like that, and your mind explodes with new ideas.

That is the kind of innovative spirit we need to stay competitive. We need

this for America's national security, and as the Senator from Louisiana points out, this is a program that creates jobs.

We need to get this reauthorization done. We need to talk about regulatory reform, but we need to do this first.

In a few minutes we will be voting on whether to move forward with a bill reauthorizing a program that is critically important to my home State of New Hampshire and the entire country—the Small Business Innovation Research program, or SBIR.

As Chair LANDRIEU has pointed out, the Senate has been debating this bill for 5 weeks now. My colleagues and I from the Small Business Committee have come to the floor several times to talk about the importance of this program for the future of our economy. The bottom line is that SBIR promotes innovation among the entrepreneurs that will keep the American economy competitive in the 21st century.

But as we decide whether to move forward with this bill—which has broad bipartisan support—I wanted to talk about the importance of SBIR—not just for our small businesses, but also for our national defense.

Many agencies have come to rely on small, innovative companies to help them think outside the box and solve important problems. This is especially true for agencies that are charged with protecting our national security. Agencies like the Department of Defense rely on small companies to perform R&D that often leads to technologies that help our troops in the battlefield and help secure our country.

I took the opportunity yesterday at an Armed Services Committee hearing to ask the Department of Defense officials responsible for maintaining our military's technological edge what the impact would be on DOD's research if Congress did not reauthorize SBIR. Assistant Secretary Zachary Lemnios said the SBIR is "something we absolutely need." He discussed what it is like talking to the small, innovative entrepreneurs that he works with through the SBIR program. He told me, "there are small companies willing to take some risk in areas where larger companies just, for whatever reason, just don't. You spend a day with a small business like that, and your mind explodes with new ideas."

That is the kind of innovative spirit that we need to stay competitive. And it is the same spirit that agencies like the Department of Defense need to keep America secure. In 2010, the Department of Defense issued nearly 3,000 awards through the SBIR program.

Let me give just one example of a company in my State that has benefited from the SBIR program and has helped the Department of Defense develop a product that is currently helping our troops carry out their missions.

Earlier this year, I visited a firm called Active Shock in Manchester,

NH. Active Shock showed me the suspension technologies that it developed with funding from a competitive SBIR award. These technologies are now used by the Department of Defense to help our troops in the field. They help stabilize our war vehicles in rough terrain.

This is exactly the kind of high-tech product that is developed as a result of SBIR. And SBIR awards are absolutely critical for these small companies. Bill Larkins, the CEO of Active Shock, told me that Active Shock would simply not be here today were it not for the SBIR program. The products that Active Shock developed also have commercial applications, so the SBIR awards have helped them grow and create jobs. Active Shock started with only a few employees; now, it has grown to over 30 employees.

Active Shock is just one of many small firms in New Hampshire that have successfully competed for funding through SBIR in the 28 years it has been in existence. All across New Hampshire, small businesses that otherwise would not be able to compete for federal R&D funding have won competitive SBIR grants that advance technology and science and create good jobs. In just the last 2 years, New Hampshire firms have won 80 SBIR awards.

And many of these companies are helping the Department of Defense meet its R&D needs—in fact, despite its small size, New Hampshire is ranked 22nd in the Nation for total grants awarded from the Department of Defense since SBIR began.

We need to focus on smart ways to create jobs and stay competitive. This program is critical for meeting that goal. But we also need to remember that SBIR also enhances our national security.

I encourage my colleagues to join me in supporting this important program.

Ms. LANDRIEU. Mr. President, I thank the Senator for answering my question.

I would like to submit many more things for the RECORD. But, again, I wish to close, because we are 10 minutes extended from the vote, by asking the Senate to please consider voting for the SBIR Program. If we don't it will expire on May 31 this year.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Republican leader.

Mr. McCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF JOHN McCONNELL

Mr. McCONNELL. Mr. President, the Senate will shortly vote on the cloture motion on the Jack McConnell nomination. We have been working in good faith with our Democratic colleagues to confirm consensus judicial nominees in general and to fill judicial emergencies in particular. So it is disappointing that our Democratic friends have chosen to depart from this bipartisan practice and to press the McConnell nomination which would not fill a judicial emergency and is about as far from a consensus nomination as one could imagine.

Mr. McConnell has described his judicial philosophy in this way:

There are wrongs that need to be righted, and that's how I see the law.

In Mr. McConnell's eyes, the wrongdoers in America are invariably its job creators.

His legal career has been marked by a pervasive and persistent hostility to American job creators. This bias against one part of American society is fundamentally antithetical to the rule of law, and it has led him to take a series of troubling actions that show his unfitness for a lifetime position as a fair and impartial judicial officer.

For example, he has filed what his hometown newspaper described as a "ludicrous" lawsuit against businesses. This case ended up costing not just the companies but Rhode Island taxpayers as well. After the State's supreme court unanimously rejected his frivolous legal theory, his clients—the taxpayers—had to pay a quarter of a million dollars in lawyers' fees.

Rather than be contrite about the damage he had done, he lashed out at his State's supreme court, saying it let "wrongdoers off the hook." He has made other intemperate statements as well that underscore his bias, such as when he insisted that one American industry only does "the right thing" when it is "sued and forced to by a jury."

After such a long record of hostility toward one segment of American society, it is difficult to believe Mr. McConnell can now turn on a dime and "administer justice without respect to persons," as the judicial oath requires. The business community does not think so, and it is easy to see why.

In fact, the U.S. Chamber of Commerce has never before opposed a district court nominee in its 100-year history—not once. Yet it is so troubled by Mr. McConnell's clear disdain for the business community that it has taken the extraordinary step of opposing this nomination.

Senator CORNYN pointed out yesterday that there are also serious ethical issues with Mr. McConnell's nomination. He pioneered the practice of "pay to play" lawsuits, where he solicited lucrative no-bid, contingency fee contracts from public officials.

He has given statements to the Judiciary Committee that are misleading at best and untrue at worst about his familiarity with a case involving stolen litigation documents. There is the outstanding matter of the stolen litigation documents themselves, over which his law firm and several unnamed "John Doe" defendants are being sued.

In light of all the problems with the McConnell nomination, I have listened with interest to the admonishments by the chairman of the Judiciary Committee and other Democratic colleagues against opposing cloture on his nomination. I know my record of supporting up-and-down votes for controversial judicial nominees during the administration of President Clinton, and I am equally aware of the determined efforts by my Democratic colleagues "to change the ground rules" in the Senate confirmation process once there was a Republican President.

My Democratic colleagues ultimately succeeded in their efforts by repeatedly filibustering President Bush's judicial nominees. I wish our friends had not succeeded and not set up that precedent. But they did. And the precedent is the precedent, and their buyer's remorse now that there is again a Democrat in the Oval Office will not change it.

Over the years, there have been bipartisan concerns with judicial nominees, and cloture has been needed to end debate. Abe Fortas is a famous case. He was opposed by Senators from both sides of the aisle because of ethical issues, and his nomination did not even have majority support, let alone the votes needed to invoke cloture.

But the partisan filibuster is a more recent development, and our Democratic colleagues have been the proud pioneers in this area. In 1986, they mounted the first partisan filibuster against a judicial nominee. That nominee, by the way, was a district court nominee, Sidney Fitzwater.

Also in 1986, they mounted the first partisan filibuster against a nominee to be Chief Justice. That was Chief Justice Rehnquist's nomination.

In 1999, they mounted the first successful partisan filibuster of a judicial nominee. That too involved a district court nominee, Brian Stewart. Both the chairman of the Judiciary Committee and the senior Senator from Rhode Island voted to filibuster Mr. Stewart. I, and all Republicans, voted actually against filibustering him.

Our friends' successful filibuster of this nominee is now inconvenient to their narrative about filibuster norms and propriety. They claim that filibuster does not count. I guess they are saying they only filibustered him to leverage floor votes on other judicial nominees, and once they got what they wanted, he was confirmed. I gather this is the "coercion exception" to the body of filibuster precedent they have created.

In 2003, our friends mounted the first successful filibuster of a circuit court nomination. That would be Miguel Estrada's nomination. He was filibustered seven times, in fact. Our Democratic colleagues added to this record by filibustering nine other circuit court nominees, a total of 21 times. That is a record, too. The chairman of the Judiciary Committee and the senior Senator from Rhode Island participated in all of those filibusters as well.

In 2006, led by President Obama himself, our Democratic colleagues mounted the first partisan filibuster of a nominee to be an Associate Justice of the U.S. Supreme Court. That would be the Justice Alito nomination. Our Democratic friends from Vermont and Rhode Island joined in that filibuster, too.

I agree that filibusters of judicial nominees should be used sparingly. Unfortunately, our friends on the other side of the aisle have filibustered judicial nominees whenever it suited their purposes to do so, whether it was to defeat nominees such as Miguel Estrada or to leverage other nominees as with the Stewart nomination. Given their persistent enthusiasm for the judicial filibuster, I do not view our Democratic friends as the arbiters of filibuster propriety.

In this case, I believe the McConnell nomination is an extraordinary one. He should not be confirmed to a lifetime position on the bench. I will oppose cloture, and I urge my colleagues to do the same.

I yield the floor.

Mr. MCCAIN. Mr. President, during my 24 years in the U.S. Senate I have not once voted against cloture for a nominee to the district court, and I will not do so today. As a member of the "Gang of 14" in 2005, I agreed that "Nominees should be filibustered only under extraordinary circumstances." The nomination of Mr. McConnell does not rise to a level of "extraordinary circumstances."

However, I am deeply troubled by Mr. McConnell's less than candid responses to the Senate Judiciary Committee, his liberal judicial philosophy, including his public antipathy toward private enterprise, and his strong political activism. For these reasons, I will not support his nomination.

Shaping the judiciary through the appointment power is one of the most important and solemn responsibilities a President has and certainly one that has a profound and lasting impact. The President is entitled to nominate those whom he sees fit to serve on the Federal bench, and unless the nominee rises to "extraordinary circumstances," I have provided my constitutional duty of "consent" for most nominees.

While I would not have chosen Mr. McConnell as a nominee to the Federal bench if I were in a position to nomi-

nate, I respect the President's ability to do so and therefore will vote for the cloture motion on Mr. McConnell's nomination, but will strongly oppose his nomination to the Federal bench.

SBIR/STTR REAUTHORIZATION ACT OF 2011

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on Calendar No. 17, S. 493, the SBIR and STTR Reauthorization Act of 2011.

Harry Reid, Mary L. Landrieu, John F. Kerry, Robert P. Casey, Jr., Michael F. Bennet, Al Franken, Jon Tester, Patrick J. Leahy, Carl Levin, Tom Harkin, Charles E. Schumer, Jack Reed, Maria Cantwell, Kirsten E. Gillibrand, Benjamin L. Cardin, Bill Nelson, Sheldon Whitehouse, Ron Wyden.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Kentucky (Mr. PAUL).

Further, if present and voting, the Senator from Kentucky (Mr. PAUL) would have voted "nay."

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 52, nays 44, as follows:

[Rollcall Vote No. 64 Leg.]

YEAS—52

Baucus	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Manchin	Udall (NM)
Coons	McCaskill	Warner
Durbin	Menendez	Webb
Feinstein	Merkley	Whitehouse
Franken	Mikulski	Wyden
Gillibrand	Murray	
Hagan	Nelson (NE)	

NAYS—44

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Blunt	Hatch	Portman
Boozman	Hoeven	Risch
Brown (MA)	Hutchison	Roberts
Burr	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kirk	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	

NOT VOTING—3

Akaka	Coburn	Paul
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The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 44. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

EXECUTIVE CALENDAR

CLOTURE MOTION

The PRESIDING OFFICER. By unanimous consent, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will report.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island.

Harry Reid, Patrick J. Leahy, John F. Kerry, Dianne Feinstein, Frank R. Lautenberg, Jack Reed, Sheldon Whitehouse, Robert Menendez, Amy Klobuchar, Barbara Boxer, Daniel K. Inouye, Mark Begich, Mark R. Warner, Kent Conrad, John D. Rockefeller, IV, Richard J. Durbin, Ron Wyden.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call is waived.

The question is, Is it the sense of the Senate that debate on the nomination of John J. McConnell, Jr., to be U.S. District Judge for the District of Rhode Island, shall be brought to a close? The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Oklahoma (Mr. COBURN).

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Are there any other Senators in the Chamber desiring to vote?

The yeas and nays resulted—yeas 63, nays 33, as follows:

[Rollcall Vote No. 65 Ex.]

YEAS—63

Alexander	Graham	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Inouye	Nelson (FL)
Bingaman	Isakson	Pryor
Blumenthal	Johnson (SD)	Reed
Boxer	Kerry	Reid
Brown (MA)	Kirk	Rockefeller
Brown (OH)	Klobuchar	Sanders
Cantwell	Kohl	Schumer
Cardin	Landrieu	Shaheen
Carper	Lautenberg	Snowe
Casey	Leahy	Stabenow
Chambliss	Levin	Tester
Collins	Lieberman	Thune
Conrad	Manchin	Udall (CO)
Coons	McCain	Udall (NM)
Durbin	McCaskill	Warner
Feinstein	Menendez	Webb
Franken	Merkley	Whitehouse
Gillibrand	Mikulski	Wyden

NAYS—33

Ayotte	Enzi	Moran
Barrasso	Grassley	Paul
Blunt	Hoeven	Portman
Boozman	Hutchison	Risch
Burr	Inhofe	Roberts
Coats	Johanns	Rubio
Cochran	Johnson (WI)	Sessions
Corker	Kyl	Shelby
Cornyn	Lee	Toomey
Crapo	Lugar	Vitter
DeMint	McConnell	Wicker

ANSWERED "PRESENT"—1

Hatch

NOT VOTING—2

Akaka	Coburn
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The PRESIDING OFFICER. On this vote, the yeas are 63, the nays are 33, with one Senator responding present. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

EXECUTIVE SESSION

NOMINATION OF JOHN J. MCCONNELL, JR., TO BE U.S. DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND

The PRESIDING OFFICER. The majority leader is recognized.

Mr. REID. Mr. President, I wish to express my appreciation to my friends on the other side of the aisle for allowing cloture to be invoked on this nomination. It is so important that we not get into a position where we have to file cloture on all these district court judges. If there are real problems, there is the hearing process. That is where, when problems arise, it comes out in the committee, and there is ample time to make a case if you don't like them personally for whatever reason. But this is a good man. The biggest problem he had is he is a trial lawyer—a very fine trial lawyer.

But I express my appreciation to those on the other side of the aisle who did the right thing. This is going to make the atmosphere around here so much more pleasant. I am disappointed we weren't able to get cloture on the small business jobs bill. That was an important piece of legislation. I

thought we had been so very fair on this legislation in allowing amendments, and we are going to continue allowing amendments. There will be rare occasions, as Senator MCCONNELL said when we started this new Congress, when he will not, without a cloture vote, allow us to proceed to a bill. But generally speaking, we have been able to move legislation, and that is important. I have said the same thing about filling the tree. I will still fill the tree, but it will be a rare occasion that we will do that. I think that is going to make things around here a lot better.

Again, I say thank you very much for allowing this to go forward. This is very important that we are able to move on and have the nomination process, as relates to judges, move forward expeditiously. There is a lot of blame to go around as to what has transpired in years past. We are past that. Let us move on. There are things that probably we as Democrats could have done a little differently, and there are things the Republicans could have done differently as it relates to judges. But let us start now, as we have been today, with a new day.

Again, I say for the fourth time, this is a good day for the Senate.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I wish to thank all my colleagues, particularly those who supported this motion to invoke cloture. Everyone brought to this floor very vigorous arguments and very clear positions.

I think what has been confirmed today is not just moving forward on the confirmation of one judge but reaffirming a practice in the Senate that if the home State Senators submit a District Court nominee who is then put forth by the President, and if that person—that man or woman—receives the appropriate evaluation by the bar association, the appropriate vetting by the FBI, the appropriate scrutiny of the committee, and then the vote of the committee is to bring that District Court nominee to the floor, that we will move to an up-or-down vote on the merits of the individual District Court nominee.

There were extraordinary individuals engaged in this discussion, and they may view—in fact, I think they do view—the merits quite differently than I. But what they had firmly in mind was not just this moment but the Senate as an institution going forward. I particularly wish to commend Senator ALEXANDER, Senator GRAHAM, Senator COLLINS, Senator BROWN of Massachusetts, Senator MURKOWSKI, Senator MCCAIN, Senator SNOWE, Senator THUNE, Senator SAXBY CHAMBLISS, Senator JOHNNY ISAKSON, and SENATOR KIRK, as well as all my other colleagues who joined.

This vote, I think, to many of my colleagues, was less about an individual and more about whether the

Senate would conduct its business in a time-honored tradition with respect to District Court nominees; whether the viewpoints not just of individual Senators from a particular State but the community of that State—the business leaders, the civic leaders, the members of the bar—whether their views and their evaluation would be weighed successfully.

I thank everyone for the opportunity to move forward on this nomination. Again, I appreciate and respect the principled debate and thoughtful debate of those who took a different position. But I think today is not just a case of an individual nomination; I hope it sets the standard going forward—again, a standard that we as Democrats must respect. If a person is nominated to be a District Court judge, if that person passes through the close scrutiny of the bar association, of the FBI, of the Judiciary Committee, and comes to the floor, that District Court nominee deserves an up-or-down vote. That is something we all have to expect. It cannot be a device of convenience for the moment; it has to be a practice of this institution. I think today we went a long way to institutionalize that.

I yield the floor for my distinguished colleague from Rhode Island.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, I planned to present some similar words—if my senior Senator would stay just for one moment with me on the floor. He spoke so eloquently that I am simply going to associate myself with his remarks, but I also want to add one additional point, which is how much I appreciate his leadership and how hard he worked and the extent to which the credibility he has built over years with his colleagues in this institution has helped to get us to this point. This was not preordained.

There are times here when it feels as if the interest groups that seek our attention and our good wishes control the day around here and there is not much of an institution. Today was a day in which the institution stood up for itself in all the ways Senator REED mentioned. Again, I associate myself with his remarks and add my gratitude and respect for him for his leadership through this process.

The PRESIDING OFFICER. The Senator from New York is recognized.

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak as in morning business and that my time be counted against cloture.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I wish to add my kudos to Senator REED and Senator WHITEHOUSE from Rhode Island for their persistence and their success today in getting a fine person to the bench.

I also thank my Republican colleagues, those who voted for cloture. Maybe that will help break some of the logjams here. I think it is very meaningful to us on this side of the aisle for that to happen. It should happen, of course, but the fact that it did happen maybe says something—that this is a day, after what happened over in Pakistan, that we can come together. It is meaningful.

I thank Senator MCCONNELL as well. He had his strong views, but obviously we know the respect his colleagues have for him and thank him as well for understanding that there will be differing views within both sides of the aisle as well as on both sides of the aisle.

DEATH OF OSAMA BIN LADEN

I rise to speak on a different subject today, and that is about what happened in Pakistan and the aftermath.

First, of course, the killing of Osama bin Laden, the evil mastermind of the world's bloodiest terrorist organization, was a thunderous strike for justice for the thousands of my fellow New Yorkers and citizens from all over the world who were murdered on 9/11. It took almost a decade, but the world's most-wanted terrorist finally met his fate 4 days ago. New York's heart is still broken from the tragedy of 9/11, but at least this brings some measure of closure and consolation to the families and victims.

When I spoke to the families, one of the things that they said galled them almost every day when they woke up was that their father or mother, brother or sister, son or daughter, husband or wife was gone and bin Laden still lived. That kind of galling knowledge is no longer in their hearts and minds because bin Laden, at least, has met his deserved fate.

We owe a massive debt of gratitude to our military. They have done an amazing job. I sat in on the briefings. Your jaw drops at their professionalism, their excellence, their sacrifice, their courage, their dedication—unbelievable.

That is also true of our civilian intelligence. The CIA, led by Leon Panetta, should be incredibly proud. We know they are. It is an agency that gets too little of the acclaim their accomplishments deserve.

Finally, the job President Obama did should not be forgotten. His steely courage, his quiet courage was incredible. All one had to do was look at some of the films from the Situation Room and learn a little bit of the history to know what an amazing feat this was for our President. He could have taken the easy way out, in a certain sense. He didn't. The easy way out probably would have been an air bombardment, but we never would have known certainly that bin Laden is gone, and there might have been—probably would have been many unneces-

sary civilian casualties. The President chose the right path.

I want to say something about this President. He is not a chest thumper. He is not somebody who involves himself in a lot of rhetorical flourishes. He is serious, he is focused, he is factually driven. But let no one mistake the fact that he is fact-driven and often quietly contemplative for a lack of steel or a lack of courage or a lack of strength. This incident showed the true strength of the man. His speech Sunday night—modest but forceful, proud but understated—was President Obama. There has been a lot of talk of lack of determination or taking a side or focus. I think the people who do that mistake the President's steel—often low key, often fact-based, often without chest thumping or big slogans—for a lack of strength. They are so wrong. The actions show it. I think every American, regardless of political party, regardless of political attitude and conviction and ideology, should be proud of our military and of our country but also of our President.

I want to say one more thing about this. I read today's newspapers, and there was a great deal of talk about how some of the facts that were reported in the early moments after this great victory were not exactly correct. There is certainly reason to correct facts, and they certainly are news, but they should not displace the importance of what happened. For critics to dwell on the early discrepancies and over-exaggerate their importance would be an injustice to the magnitude of what really happened. It is only 2 days after we learned early Monday morning of what happened, and all of a sudden, it seems, oh, they messed up this or they didn't do that right or this and that. There were discrepancies and they should be made public, but to dwell on them, to listen to the morning news shows or to look at the headlines blaring, may have us miss the main point, which is that a superb, professional, well-practiced, and almost flawless military mission and civilian accompaniment got rid of the greatest terrorist in the world.

Let's keep our priorities straight. Let's acknowledge, let's find the facts and watch as they come out, let's make sure some of the early comments that were not right are corrected, but let's not let that in any way detract from the greatness and magnitude of what happened. Our focus should be on the successful mission and on the message it sends to the world, which is, to those who would test the resolve of the people of the United States of America: Do not doubt our resolve. If you do us harm, we will find you, we will mete out justice, and we will prevail. That is where our focus should be and should stay.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I would like to take a few minutes to acknowledge the steady efforts of our Armed Forces and our intelligence community to eliminate the leader of al-Qaida and to help bring some peace and relief to our Nation and to those who lost loved ones in the tragedy on 9/11.

I have heard some people say justice has been done because the leader of this terrorist organization has finally been killed. I am not one who is going to say justice has been done. I do not consider taking out the leader of a terrorist organization who killed thousands of Americans who just went to work one day to do their jobs, to add to their quality of life and the lives of their families, an even trade. I do not consider it is enough. However, it is a first step to righting the wrong that was done by not only the leader of al-Qaida but all of those he trained through the years to give up their own lives in order to kill innocent people. He ruined the lives of so many Americans, and he also ruined the lives of so many young Muslim followers who gave up a productive life for one of terrorism and murder.

I thank President George W. Bush for his relentless efforts to put this accomplishment in motion. He is the President who received the shock on 9/11, who had to deal with the immediate aftermath, and he put in place the organizations, the military control, and the intelligence gathering that have brought us to this point today.

I commend President Obama for carrying these principles through to completion. As things are unfolding more and more we know President Obama made a very tough and very decisive and correct decision. I think both President Bush and President Obama deserve praise today.

I also especially say I am proud of the Navy SEALs who knowingly went into harm's way to take down Osama bin Laden. Those are the troops who probably thought there was a chance they might not come back home, but they are among the most highly trained forces in the world. They operate in sea, air, and on land. Each and every day they volunteer for some of the most dangerous missions under the most difficult circumstances, and without recognition. Normally, it is something we never hear about that takes us one step closer to wiping out the

terrorism we know in the world today. They are truly our Nation's heroes.

While much praise, deservedly, goes to the two dozen Navy SEALs who raided the terrorist stronghold using surprise and lethal speed, we should not think that they went there alone because they did not. Shortly after the world saw the brutality of Osama bin Laden's savage plan unfold on American soil nearly 10 years ago, President Bush took the decisive steps to launch an aggressive campaign to hunt down those responsible, including Osama bin Laden.

One such step occurred on October 26, 2001, when President Bush signed into law the PATRIOT Act. It provided the law enforcement and the intelligence community greater authority to track and intercept communications among suspected terrorists. This law has proven to be immeasurably valuable to the intelligence community. It has enhanced our ability to find and capture terrorists. I hope we will be able to reach a bipartisan agreement to extend the provisions of the PATRIOT Act that are set to expire at the end of this month.

As we have seen from various media reports—and I look forward to getting more details—the ability to monitor communications was a crucial lead used by analysts to determine the eventual location of Osama bin Laden. As my colleagues are aware, the provisions that are set to expire include the authorization for the FBI to use roving wiretaps on surveillance targets because at the time we took up the PATRIOT Act, we were still having to get permission from authorities to wiretap a telephone number—not keeping up with the technology advances that allow you to have a cell phone and never have a landline and throw away a cell phone every 15 minutes if you think you are in danger of being under surveillance.

It also has a “lone wolf” provision that allows for the investigation of individuals who are acting alone but who have been radicalized and are sympathetic to terrorist organizations and pose a significant national security threat.

These are just two of the provisions that have enhanced our capabilities to obtain information that has been crucial in capturing not only terrorists we know have already plotted against us but also to uncover their plots before they are able to do harm.

We must not allow the provisions of the PATRIOT Act to expire, especially at a time when al-Qaida is reeling from the death of their leader and could be plotting revenge. Stepping back our intelligence efforts now could allow al-Qaida to regroup and launch additional attacks against our Nation.

Another very important step was taken when President George W. Bush signed the Intelligence Reform and

Terrorism Prevention Act in December 2004. This act created the National Counterterrorism Center. This center is the primary organization in the U.S. Government for integrating, analyzing, and sharing all intelligence from the CIA, FBI, Department of Defense, and others which pertains to counterterrorism. This is a very important tool for compiling the various information that was being gathered by many of the intelligence organizations and putting it through one grid and analysis. It was that painstaking analysis through the last 10 years that allowed actionable intelligence to be the instigator of the effort to take out Osama bin Laden.

Within our military, we have a small group of Tier 1 units that are specially selected and highly trained for this exact type of mission. They have gained fame in the last few decades through books and movies. But these heroes are real.

I wish to point out that the commander of these elite warriors, VADM William McRaven, is a proud Texan from San Antonio, who is also an alumni of the University of Texas. Admiral McRaven is a highly decorated Navy SEAL who lives by the SEAL code and “earns his trident every day.” Vice Admiral McRaven has been nominated by the President to receive his fourth star and, if confirmed, will lead U.S. Special Operations Command. I can think of no one better qualified to lead our special operations than he is. I look forward to supporting his confirmation on the Senate floor.

While these highly skilled commandos deserve every accolade that is bestowed upon them, we cannot forget those who guided them to the target: the direct and indirect support personnel, the technicians, the analysts, the pilots and crews, and all those who have worked meticulously and attentively for years to finally put together all the pieces to get the SEALs to the right place at the right time.

We have seen many changes in the past 10 years. Departments and agencies have been consolidated or created, military commanders have retired, and administrations have changed hands. Most of the soldiers who conducted that first raid in Afghanistan in October of 2001 are no longer wearing uniforms, just as most of those in the military today were still in school in September of 2001. Many of those signed up to go into the military after 9/11 because they felt so much loyalty to our country.

I wish to acknowledge those who devoted so many years to pursuing Osama bin Laden. To those who have retired or moved on to other professions, I want you to know we appreciate you and your work was not in vain.

Our leaders said from the beginning, after September 11—that fateful day—that we would get Osama bin Laden.

Through the efforts of thousands, we did. We have the most professional, the best trained, the best equipped military and intelligence agencies in the world.

While there are sighs of relief now from the public, our work is clearly not done. Al-Qaida is still plotting against our freedom. Other groups are just as zealously dedicated to the mission of destroying our way of life. So while taking down the head of al-Qaida was a victory, it is also a stark reminder that we must remain vigilant.

As we speak right now, our intelligence experts are employing, analyzing, and disseminating the information gleaned from the bin Laden raid, and our special operators are preparing for their next mission, whatever it may be. I believe our country is united in the commitment to protecting what makes America great: our freedom and our way of life.

I look forward to a day when we will not have to walk through a body scan or put our shoes on an x-ray machine to get on an airplane. I look forward to a day when we will not have to fight against an enemy who is living among us, an enemy who is plotting against us in our own country, an enemy who is willing to kill itself in order to kill innocent people and destroy our way of life. I look forward to a day when we never see a casket at Dover, DE—one of our military elite coming home having made the ultimate sacrifice.

That day will only come if we as a nation remain willing to fight to protect the ideals of America—the foundation that was laid by our Founding Fathers and has been protected by every generation since that time. Today is a day we reflect on those principles. It is a day we renew our commitment to uphold them at all costs.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico is recognized.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that I be allowed to speak for up to 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE ECONOMY

Mr. BINGAMAN. Mr. President, the country faces two large economic challenges. The first is growing our economy, creating jobs, getting the economy back on track. The second major challenge is cutting the deficit. I wish to briefly talk about both of those.

I have four charts—one that relates to jobs and growing the economy and three that deal more specifically with the deficit.

Unfortunately, in Washington, the debate has shifted almost entirely to a discussion of the deficit. Too many people in Washington are pretending our efforts to generate growth in the economy have been accomplished, that it is a done deal, that we have recov-

ered from the recession, and we can now focus full time on how to cut the deficit.

The fact is, this is simply not true. Professor Alan Blinder, an economist at Princeton and former Deputy Chair of the Federal Reserve, testified before the Senate Finance Committee a couple weeks ago. He made the following statement:

The economic recovery is mediocre at best and unemployment remains high. To me, those conditions describe a bad time to put the economy on a diet of either spending cuts or tax increases.

Let me point to the first chart to underscore the point professor Blinder made. The recession we have just gone through created a very deep hole. If you look at the number of private sector jobs that were lost between November of 2007 and the end of March of 2010, you can see—it is February of 2010—8.8 million jobs were lost as a result of the recession. While things are getting better, it is clear they have not gotten better enough. We have now created 1.8 million new jobs since we began adding private sector jobs. So we still have a shortfall of about 7 million jobs that need to be created in order to get back to where we were in November of 2007. Of course, there have been a lot of new people who came into the job market since then, so we need to create more jobs than that.

We are encountering some strong headwinds in our effort to dig out of the recession. The strongest headwind is the high price of oil and gas, which is a tax on consumers, a tax on our businesses, and it comes at a very bad time. We are all looking for ways to try to deal with that. Frankly, it is difficult to legislate a solution.

Another headwind is one of our own creation; that is, the constant drumbeat we hear to cut spending at all levels of government—cut it in Washington, cut it at the State level, cut it at the local level. My own strong view is we should heed Professor Blinder's advice. We need to continue to work to keep investing in those things that will help us create good-paying jobs. Timing is important. We clearly need to reduce the deficit, but we should adopt policies this year that will put us on a long-term path to reduce the deficit. I hope these policies will delay major cuts in spending and major increases in taxes, until we can come out of this recession some additional distance.

Let me talk about the deficits, the second challenge I talked about before. We have a chart called "Federal Revenues and Outlays as a Percentage of Gross Domestic Product." This is for a 40-year period, from 1970 to 2010. It is a chart the Congressional Budget Office prepared and presented to us.

Clearly, there are some important points you can take away from this chart. No. 1, on average, over the last 40 years, the Federal Government has

accounted for 20.7 percent of gross domestic product—spending by the Federal Government—on average. Over that same period, on average, we have raised 18.1 percent of GDP in the form of revenues. So, on average, we have been running a deficit of about 3 percent of GDP each year during this 40-year period. Today, that 3 percent of GDP is about \$450 billion.

The one time during this 40 years when we achieved a balanced budget—and even ran a surplus for a 4-year period—was at the end of the 1990s and in the year 2000. How did we manage to do that? Well, beginning in 1990, the Congress passed, and President George H.W. Bush signed, a bill that both restrained spending and raised taxes. Again, in 1993 and again in 1997, Congress passed and, in that case, President Clinton signed, budget plans that did even more to do what had been done in 1990; that is, both of those plans restrained spending and raised revenues.

We enjoyed a strong economy during those years in question and that, of course, helped to bring more revenue into the government and get us to a balanced budget and a surplus.

What went wrong that caused us to, once again, fall into deficit? I will cite three factors:

First, the tax cuts Congress enacted in the last decade. Beginning in 2001 and then again in 2003, Congress passed what have come to be known as the Bush tax cuts. These fairly drastically reduced the revenue coming to the Federal Government. At the same time we were cutting taxes, we ramped up Federal spending, primarily for defense, and that is a result of the Afghanistan war and the Iraq war. The estimate there is that something like \$1.3 trillion has gone into those efforts. In addition to defense, we ramped up spending on health care primarily by including a prescription drug benefit in Medicare. All of that increased spending occurred without any increase in revenues to pay for it. I repeat that none of this spending was offset with increased revenues.

The third factor, of course, that has brought us into the very serious deficit we now face is the slowdown of economic activity. This contributed substantially to increased expenses for the government and some of the entitlement programs—Medicaid, food stamps, and a variety of them—but also the decreased revenues. When people are earning less money, they pay less in taxes and less revenue comes to the government to pay for those services that the government is providing.

The deficit, of course, has worsened substantially in the last 2 years because of, first, reduced Federal taxes being collected, largely a result of the recession; second, increased Federal spending—both because there is more demand for government services as a

result of the recession and also because we passed the Recovery Act to stimulate the economy. I think most economists would conclude it has helped stimulate the economy.

The Pew fiscal analysis initiative analyzed the policies and legislation that have caused the surpluses of the late 1990s to become the deficits we see today. They produced a list showing their conclusions. That list is on this chart. We can see these are in the order of importance, the order in which they contributed to the current deficit situation.

The top two drivers on this list are the 2001 and 2003 tax cuts—they account for about 13 percent of what we face today in deficits—and the Iraq and Afghanistan wars, which account for about 10 percent of what we face.

All told, tax cuts caused 21 percent of deficits since 2001; increased defense spending caused 15 percent of deficits. Two-thirds of that was due to Iraq and Afghanistan. Increased nondefense spending caused 10 percent of the deficits we currently face; the Recovery Act caused 6 percent; Medicare prescription drug caused 2 percent.

The final chart I have shows how these policies have affected the deficit over time. This is a chart which is labeled “Why CBO’s debt projections changed between 2001 and 2011,” the specific policies and drivers. I know this is very difficult for anyone to see on a television. Let me make the main points.

The main points are that the changes caused by the legislation make up the large segments at the top of the chart, including interest charges. They caused 65 percent of the deficits when we look at these policy changes. The remaining 35 percent of deficits are due mainly to the economic and technical adjustments to CBO’s projections primarily to reflect the lower revenue we have enjoyed because of the recessions.

How do we dig out of the hole we are in? I say simple obvious things. No. 1, we need to keep the focus on growing the economy. As Professor Blinder said, do not put the economy on a diet. This is not the right time to do that.

Second, we need to agree, as we did in 1990 and 1993 and 1997, to a balanced package of spending cuts and tax increases that will, once again, put us on a path to a balanced budget. We have some serious proposals to work from in achieving this deficit reduction plan. Of course, the President’s deficit reduction commission, the Simpson-Bowles commission, and Senator Domenici and Alice Rivlin, the former head of the Congressional Budget Office, put out a bipartisan commission report which is very constructive. The President himself has given the framework for a plan. There is a bipartisan group of Senators, the Gang of 6, who are working to come up with a proposal. And, of course, Senator CONRAD, who chairs

the Budget Committee, is putting together a proposed budget plan for that committee’s consideration.

All of these plans I have mentioned follow the model used in the 1990s of combining both spending cuts and revenue increases. The only proposal that does not follow this model of a balanced package of spending cuts and tax increases is the budget that was passed by the House Republicans 2 weeks ago. Rather than raising revenue while cutting spending, it would cut revenue while cutting spending. In my view, this cannot lead us to a lower deficit.

There is a lot of political polarization in Washington. I remain hopeful that we can get a critical mass of right-thinking people to do what is responsible, to come together on a balanced package of spending cuts and revenue increases that we can commit to going forward. We should be able to agree on policies that grow the economy and shrink the long-term deficit.

I pledge my best efforts to achieve these objectives. I urge my colleagues to work to do so as well.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MERKLEY). The clerk will call the roll. The bill clerk proceeded to call the roll.

Mr. FRANKEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mr. FRANKEN. Madam President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

NET NEUTRALITY

Mr. FRANKEN. Madam President, I rise today to talk about the effort of the House last month to repeal the Federal Communications Commission’s net neutrality rules. Net neutrality is the very simple idea that all content and applications on the Internet should be treated the same regardless of who owns the content or the Web site. This is not a radical concept, in large part because it is what we see and experience every time we use the Internet. But the House wants to change all of that and effectively turn control of the Internet over to a handful of very powerful corporations.

I want to take a few moments today to tell you why I think the House’s vote was a mistake, and why I am going to do everything in my power to make sure we don’t make the same mistake in the Senate. But before I get into those details, I think it is important to take a step back and talk about the Internet we have today.

Let’s be clear. The Internet we have exists because it is free and open, because we have always had net neutrality throughout the entire existence

of the Internet. I have to give credit to my opponents on this issue who have done a masterful job of manipulating the American public into believing that net neutrality is something that it is not.

Net neutrality is not about a government takeover of the Internet. It is simply the idea that all content, whether it is a Web page, an e-mail, or a movie we are downloading can load onto our computers at home at the same speed, regardless of who owns or controls that content.

This is not a radical idea. It is what we experience today when we use the Internet. Right now, if we buy Rihanna’s latest song from iTunes, it downloads as quickly as a song from a friend who started a band in his or her garage.

If you send an e-mail to your mother, it arrives in her inbox just as quickly as the e-mail she gets from President Obama. If you start a Web site for your small business, your customers are able to access your Web site and place orders for your products just as quickly as if they were buying from a multinational corporation.

I like to talk about YouTube’s early days as a startup because it is such a powerful example of why net neutrality is so critical and how this simple concept helped create a billion-dollar company practically overnight. YouTube’s early headquarters were situated in a tiny space above a pizzeria and Japanese restaurant in San Francisco, CA. But just 6 months after the site was activated, over 100 million people were using YouTube to watch videos every day. Less than 2 years after it started, YouTube sold their business to Google for \$1.6 billion. Isn’t that incredible?

Well, I am here to tell you it would not have been possible without net neutrality. At that time, Google had a competing product, Google Video, which was the standard at the time but was widely seen as inferior. If Google had been able to pay Comcast or Verizon or any of the others large amounts of money to make its Web site faster than YouTube’s, YouTube would still be floundering over that pizzeria or most likely it would have ceased to exist at all. Fortunately, Google couldn’t pay for priority access, and the rest is history.

What I am saying is, we take, and have taken, this equality that YouTube enjoyed—this basic fairness or neutrality—for granted in large part because that is how the Internet has always been. Unfortunately, many Members of the House have twisted this concept and are misleading the American public into believing that the government wants to take over the Internet. That is simply not true.

One Member of the House actually got up on the House floor and said this:

Over the last 10 years, over \$500 billion—billion with a “b”—of private investment has

been made to develop broadband throughout the country. This is without any kind of taxpayer money.

He is wrong on that point, but let's put that aside for now. He went on to say:

This is private sector money being put into the marketplace to go and create jobs, to go and create the kinds of technologies that allow you to view and use all kinds of apps that are available on these kinds of devices. That was done without net neutrality. They would tell you that they need net neutrality in order to have this innovation. Of course, they fail to point out that net neutrality was not in place when all this innovation happened.

Yes, it was; it was in place. That is the whole point. All of this innovation occurred while net neutrality was in place. We are not trying to change anything. We are keeping the Internet the way it has been during this explosion in innovation.

Now, my fervent hope is that this Member of Congress was just horribly, egregiously misinformed because not only is his statement untrue, it is the opposite of true. It is 180 degrees opposite of the truth.

Please, everyone understand this, I beg you. Net neutrality has been in place since the beginning of the Internet.

From the very beginning, during all of that explosive growth, the Internet operated with an understanding that network providers must treat all content the same and must interconnect the pipes they have to customers' homes with the pipes that are owned by other operators. This was a fundamental design principle that was established by academics, engineers, and computer scientists who designed the earliest protocols for Internet traffic.

The fact is, the Internet started and grew because everyone realized they needed to cooperate and work together for customers to be able to have access to the content they wanted. They realized that is what consumers needed to create demand for Internet service, and they realized that is what would lead to the most innovation on the Internet.

The FCC isn't trying to change that. It has no interest in derailing free enterprise. Quite the contrary. The FCC is interested in protecting the innovators and entrepreneurs who have made the Internet what it is today. Because of the Internet, you no longer need a major studio to like your film or a television show you produce in order to have people see it. You no longer need a major record deal to start distributing your music. You no longer need a high school diploma or a fancy degree to launch a small business and sell your products online. We don't want to change that. We want to preserve that.

The FCC's only goal is to make sure the Internet we know and love does not become corrupted and altered by a small number of large corporations

controlling the last free and open distribution channel we have in this country.

As telecom companies have grown larger and fewer and started owning not just the pipes but also the content, their incentives have changed. They are starting to care more about giving their own content a competitive advantage rather than promoting innovation and competition on the Internet.

The fight for net neutrality isn't about changing the Internet, it is about creating a few rules of the road to keep it open and free, to keep it the same, and to continue the innovation and growth that is such a creator of jobs and wealth.

The fight for net neutrality is about making sure large corporations are not allowed to put tollbooths on the information superhighway. This fight is about making sure that the Internet stays the way it is—free, open, equal, available to everyone regardless of how much they can pay to get their content.

There was a time not so long ago when net neutrality was a bipartisan issue that was not incredibly controversial. Three years ago, Mike Huckabee was talking about the need to keep the Internet a level playing field. In 2006, 11 House Republicans voted in favor of net neutrality on the floor. Rarely do you have the Gun Owners of America and the Christian Coalition joining with moveon.org and the ACLU to advocate for the same policy of nondiscrimination on the Internet. But they all agree on net neutrality. And so do the Catholic bishops.

Later today, I will receive 87,000 letters opposing the House's effort to undo the FCC's open Internet rules. These letters came from Americans across the United States, including 2,000 letters from Minnesotans who are worried about this issue. They want the Internet to stay the way it is—open and free from corporate control.

I am confident as more Americans realize what is at stake, we will hear from more and more constituents who will ask us to protect them from corporate takeover of the Internet.

What is most striking about this issue, which seems to have gotten lost in the rhetoric that my opponents use, is that experts from Bank of America, Merrill Lynch, Goldman Sachs, Citibank, Wells Fargo, and Raymond James have all stated they do not believe the FCC's current rules will hurt investment. Citibank has called the rule "balanced" and Goldman Sachs said it is "a framework with a lot of wiggle room" that is a "light touch" by the FCC. Despite this broad and diverse coalition of businesses and interest groups, we are still arguing about something that should have been settled long ago.

Why is that? A lot has changed in the last couple of years. Control of the

Internet has been placed in the hands of a small number of players. Media consolidation has raised the stakes for certain mega conglomerates which have a lot more to gain in a world without net neutrality. I was last year on the Senate floor talking about net neutrality back in December when the NBC-Comcast merger had not yet been approved by the FCC or the Department of Justice. At the time, I warned this would be the first in a cascade of media consolidation deals. Wouldn't you know it, 2 months later, AT&T announced another record-breaking \$39 billion deal with T-Mobile.

That merger, which Wall Street applauded, is almost assuredly going to be a raw deal for consumers. If approved, we will have a duopoly in wireless telecommunications in this country. Eighty percent of the wireless space will be controlled by two companies—AT&T and Verizon.

I look forward to the hearing next week in the Antitrust Subcommittee of the Judiciary Committee so we can further explore the details of this deal. But I think it is fair to say I am very skeptical because it is likely to raise prices and it certainly will reduce choice for consumers. I have always been skeptical of media consolidation because at the end of the day, when corporations have tremendous amounts of power to control prices and cripple competitors to benefit their bottom line, everyone loses.

But the impact of media consolidation in telecommunications is about more than just consumer prices. We have always known that large corporations have the power to influence elections. Last year, the Supreme Court's decision in *Citizens United* took a situation that was already terrible and made it worse—much worse. Now AT&T, Verizon, Time Warner, and Comcast can spend unlimited amounts of money to support the candidate or campaign they care most about or try to weaken or kill net neutrality. It does not take a rocket scientist to realize that when a single corporation—in this case AT&T—spends \$15.3 million in a single year to influence Congress and has 93 full-time lobbyists on its roster, Congress might churn out legislation that AT&T likes.

How can American consumers, stuck with rising cable, Internet, and cell phone bills, ever be expected to counter that type of lobbying power?

With media consolidation, we have seen a shift in the net neutrality talking points of Members of Congress who are also receiving large checks from Verizon, AT&T, and Comcast. Yet the irony here is that the open Internet rules passed by the FCC earlier this year are actually pretty weak and riddled with loopholes. Actually, I think that is the "wiggle room" to which Goldman Sachs was referring.

These rules are, let's be honest, a mediocre compromise drafted to appease a

handful of powerful Internet service providers.

I was not happy with these rules and thought the FCC should have done more, particularly to cover wireless Internet networks. But it did not. It did not in part because the Commission wanted companies such as AT&T to get on board with its plan, and AT&T did—more or less. AT&T did not think the rules were ideal, but it acknowledged the framework is a compromise that gives its investors certainty.

That has not changed how the House is framing its rhetoric about this rule, which is one of the reasons I think the vote last month was a political stunt designed to misinform Americans and appease a small number of very vocal critics. This is not what most Americans, entrepreneurs, or small businesses want. They and I want a world where the future Twitters, eBays, and Amazons of the world can grow and thrive without interference from big, mega conglomerates.

Finally, regardless of how one feels about the FCC's rules, I think we can all agree this issue requires thoughtful debate and discussion, not the kind of uninformed rhetoric I quoted earlier from the House debate. By forcing an up-or-down vote through the Congressional Review Act, the House leadership short circuited the normal legislative process and ignored the FCC's work on this issue.

The FCC spent months examining this topic and meeting with tons of stakeholders and Internet companies. It carefully considered and compromised on a range of issues that I, frankly, wish they had not budged on. To claim that the FCC engaged in a power grab is unfair and far from the truth.

The White House has said the President will veto this resolution, but I will be working hard in the coming months to make sure that we have enough votes to stop this before it reaches the President's desk.

We are at a pivotal moment. If we do not act to preserve the FCC's open Internet rules, the Internet as we know it today may cease to exist. I hope my colleagues will recognize this and will join with me in voting down the House's resolution of disapproval.

Madam President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. HARKIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE BUDGET

Mr. HARKIN. Madam President, everyone in this body agrees that we must take aggressive action to reduce the deficit, but we have to do it right.

Frankly, the best way to bring down the deficit is to help 15 million unemployed Americans get good middle-class jobs again. Those hard-working Americans would be delighted to be on the tax rolls and to be taxpayers once again. But, regrettably, the tea party budget passed by the House Republicans last month takes us in the opposite direction—it would weaken our economy and destroy jobs.

I have spoken previously on the Senate floor about the grave flaws in the Republican budget. But beyond the misguided priorities in that budget, I object to its premise. The premise of the tea party Republican budget coming over from the House is that America is poor and broke and we can no longer afford the investments that make possible a strong middle-class and world-class economy. Indeed, some House Republicans take the radical view that government has no business investing in the middle class, period. I emphatically reject the defeatist premise of this Republican budget. The United States of America is a wealthy Nation—the wealthiest Nation in world history. The problem is how that wealth has been shared or not shared among the American people, with income inequality that is the highest among developed countries. Let me repeat that. Right now, income inequality in America is the highest among developed countries. So the problem is how our wealth has been invested or misinvested, with trillions of dollars squandered by money manipulators on Wall Street or funneled to those at the top through tax cuts.

Unfortunately, the tea party budget, authored by Congressman RYAN, would make these problems far worse. It lavishes yet more tax cuts on corporations and the wealthy even as it slashes investments that undergird the middle class in this country—everything from education funding to Medicare and Medicaid. Let me state the obvious: If working people in the middle class are going to take a hit in tough times, it shouldn't be to take a hit to pay for tax breaks for millionaires and billionaires.

Let's look at some of the particulars in this so-called deficit reduction plan of the House Republicans. For starters, never before have I heard of a deficit reduction plan that begins by demanding trillions of dollars in new tax cuts, largely for corporations and the wealthy. In addition to allowing the very wealthy to keep all of the benefits of the Bush-era tax cuts and to keep them permanently, the Republican budget would cut the top tax rate from 35 percent down to 25 percent. Let's again state the obvious: This doesn't reduce the deficit; it digs the deficit hole much deeper.

Next, the Republican budget dismantles Medicare and Medicaid and lays the groundwork for deep cuts to Social

Security—changes that will devastate the economic security of the middle class in this country.

The Republican budget says we cannot cut one additional dime from the Pentagon budget because I guess to them there is no waste in the Pentagon, there are no unnecessary weapon systems, no troops based in Japan or Europe or elsewhere who could be brought home. Meanwhile, this tea party Republican budget slashes Federal investments in everything from education to infrastructure to law enforcement back to the levels of the 1920s. Again, let me repeat that. It slashes Federal investments in everything from education to infrastructure to law enforcement back to the levels of the 1920s.

It also repeals Wall Street reform that we passed here, as well as the consumer protections in the affordable care act, including the ban on denying coverage for preexisting conditions. What has that got to do with the deficit?

Their budget cuts funding for food safety, workplace safety, environmental protection, and guts the commonsense regulation of corporate America. It tells Wall Street bankers and speculators, health insurance companies, credit card companies, and mortgage lenders: You are free to go back to the reckless abusive practices of the past. We will just trust you to do what is right for the American people.

To appreciate just how extreme and ideological this budget is, look more closely at the blueprint for replacing Medicare with a voucher system. The nonpartisan Congressional Budget Office estimates that by 2030, future seniors would have to pay two-thirds of the cost of their private health insurance. Their out-of-pocket costs would average in excess of \$12,000 per person, per year—more than double the current cost to seniors. Yet this would pay for private plans that would provide only half of current Medicare coverage. How many seniors can afford to pay \$12,000 annually out of pocket for health insurance that only gives them half the coverage they have right now for Medicare? And good luck finding affordable coverage if you are a 70-year-old with a preexisting condition, such as heart disease. Good luck fighting endless battles with your private health insurance company over that one.

Madam President, does this tea party Republican budget reflect our values and priorities as Americans? Is this the kind of country we want to live in, the kind of country we want to pass on to our children? Of course not. Americans don't want or expect a handout, but they rightfully expect a government that lends a helping hand, not one that stands in their way and not one that destroys the essence of the middle class. The American people want a government that helps them to achieve retirement security, a government that

makes sure that when we put money away for retirement, it is going to be there when we retire. The American people want to maintain strong investments in education and infrastructure.

To reduce deficits, the American people want shared sacrifice, including an increase in revenues from those who can most afford it. They want an end to taxpayer subsidies to oil and gas companies, and they want to cut Pentagon spending. Yet the Republican budget does exactly the opposite in every single respect.

Make no mistake, this tea party Republican budget puts us on a course of disinvestment, drift, and decline. This budget wreaks of pessimism and gloom and doom. As I said, its defeatist premise is that the United States is poor and broke and we can no longer afford a strong and secure middle class, we can no longer afford to prepare our young or care for our elderly. Yet, bizarrely, the Republicans insist that we can afford—we can absolutely afford—another enormous tax cut for millionaires and billionaires.

I totally reject their premise. I reject this defeatist Ryan budget—the premise that America is poor and broke.

Here is the truth: The United States is recovering from the largest economic downturn since the Great Depression and from the damage caused by very unwise budget decisions made over the last decade, and we are growing wealthier by the day. Our entrepreneurial economy, our technology, our universities and the arts are the envy of the world. Americans are still the best educated and most productive people on Earth.

Most importantly, Americans continue to be an optimistic, can-do people. We have faced national trauma, including depressions and wars and national disasters, many times before, and we have always rebounded stronger and better than ever. We can overcome our current challenges without sacrificing our great middle class and without abandoning our seniors or people with disabilities and the less fortunate among us.

There is one important point of agreement on both sides of the aisle here in the Senate: We agree the current budget deficits are unacceptable. We must bring these deficits under control.

However, deficits are by no means our only urgent economic challenge. An even greater challenge—a greater challenge—is our fragile economy and the jobs crisis. Addressing this successfully will help reduce the deficit. Now, the unofficial unemployment rate is 8.8 percent, but the real unemployment rate, including people who are underemployed or who have dropped out of the job market in frustration and are no longer working, is a staggering 16 percent.

Meanwhile, our middle class is under siege. Our middle class is being dismantled as fast as big corporations can shift our manufacturing jobs overseas. People are losing their savings, their health care, their pensions, and in many cases losing even their homes. With good reason, the American people feel they are losing the American dream for themselves and for their children.

That is why we cannot look at the deficit reduction challenge in isolation. We cannot just take a slash-and-burn approach to the budget. Smart countries do not just turn a chainsaw on themselves. Instead of this tea party Republican budget, which is being sold through fear and fatalism, we need a budget that reflects the hopes and aspirations of the American people. We need a budget that brings deficits under control in a way that allows us to continue investments that boost competitiveness, create jobs, and strengthen the middle class.

I would add this: We need a deficit reduction plan that actually attacks the sources of our current deficits. What are those sources? Well, a remarkable article from the front page of Sunday's—May 1—Washington Post by Lori Montgomery documented clearly how the huge budget surpluses of the Clinton years were turned into the \$1 trillion budget deficit President George W. Bush passed on to President Obama. The article states:

Voices of caution were swept aside. Political leaders chose to cut taxes, jack up spending, and, for the first time in U.S. history, wage two wars solely with borrowed funds.

The article cites a new analysis by the nonpartisan Congressional Budget Office which determined that “routine increases in defense and domestic spending account for only about 15 percent of the financial deterioration. The biggest culprit, by far, has been an erosion of tax revenue, triggered largely by two recessions and multiple rounds of tax cuts.”

The article also notes that Federal tax collections now stand at their lowest level as a percentage of the economy in 60 years.

Let me repeat that—their lowest level in 60 years.

Of legislation passed since 2001, when George W. Bush became President, about half of the negative impact on deficits came from reductions in revenue and nearly a quarter came from increases in defense spending. One-half came from reductions in revenue.

I am talking now about what are the sources. What are the sources of the deficit hole we are in? In 2001, we had huge surpluses. CBO said if we maintained the same budget policies that by 2010 we would have paid off the entire national debt. 10 years later, in 2011, we have a \$1.4 trillion deficit. What happened? What decisions were made in those 10 years that put us in that hole?

As I said, the article by Lori Montgomery in the Washington Post clearly points out, and the CBO clearly points out, that half of the hole we are in came from reductions in revenue, one-quarter came from increases in defense spending, and one-quarter from everything else.

As the CBO analysis makes clear, we do not just have a spending problem, we have a revenue problem. The main source of our current deficit problem is not the modest increase in domestic spending beyond the one-time spending in the Recovery Act—which is rapidly coming to an end. The principal source of our deficits is the deep tax cuts and the surging Pentagon budget, 75 percent of our current problems.

Yet now the tea party Republican budget calls for trillions of dollars and yet more new tax cuts, largely for those at the top. It refuses to cut Pentagon spending in any significant way. It places almost the entire burden of deficit reduction on programs that support the middle class, seniors, people with disabilities, and those of low income.

Americans are rightly asking some commonsense questions. If a principal source of our deficit problem has been deep tax cuts largely benefitting those at the top, shouldn't a big part of our deficit reduction plan include allowing those unaffordable tax cuts to expire? If ongoing domestic spending increases are only a minor source of our deficit problem, why does this Republican budget take a slash-and-burn approach to these programs which are so important to the middle class and to working Americans? The answer, of course, is the tea party Republican budget is not principally a deficit reduction plan. It is an ideological manifesto that encompasses the entire party wish list, everything from more tax breaks for the rich to dismantling Medicare and Medicaid.

I have a simple test for judging any budget plan. What does that plan do to give hope and opportunity to middle-class Americans who have been hardest hit by the economic downturn?

To speak in terms specific to my State of Iowa, what did it do for Webster City? Webster City is a community like thousands of others across the United States. It is a town where middle-class families work hard, play by the rules, sacrifice for their children. But it is also a town where a decent middle class way of life is threatened. Recently, in Webster City, IA, the Electrolux plant that has been the town's economic engine for over 80 years closed its doors. Production was moved to Juarez, Mexico. In the final round of layoffs in March, 500 Iowans lost their well-paying, middle-class jobs.

This most recent factory closing comes on the heels of 222 plant closings just in Iowa last year, destroying nearly 12,000 well-paying, middle-class jobs.

As we all know, each of these plant closures reverberated on Main Street, with many local stores and restaurants falling on hard times or going out of business themselves. Let's be clear, the wrong kind of budget plan, one that indiscriminately slashes funding for education and job training, infrastructure and research, will deepen the plight of Webster City and similar communities across America. Indeed, by accelerating the erosion of the middle class in this country, such a plan will make our fiscal situation even worse. There can be no sustainable economic recovery in the United States without the recovery of the middle class. There can be no sustainable solution to our budget challenges without a strong middle class, a middle class that is getting its fair share of rising national income.

As I said earlier, we are growing wealthier by the day in America. We are the wealthiest country in world history, and we are growing wealthier by the day. But what we ought to make sure is that the middle class will get its fair share of that rising national income.

Again, I think the test of a budget plan is this: Will it strengthen the middle class in America? Will it require shared sacrifice with a promise of shared prosperity in the long run? I have applied this test to the tea party Republican budget and it comes up woefully short.

This tea party Republican budget cuts the top tax rate for millionaires and billionaires from 35 percent down to 25 percent. How will that help laid-off workers in Webster City?

The Republican budget dismantling Medicare and replacing it with an absurdly inadequate voucher system, will that strengthen the retirement security of seniors in Webster City?

This budget of the Republican tea party people guts Medicaid. Will that improve the lives of seniors and people with disabilities who depend on Medicaid to pay for nursing home care and home health care assistance?

The tea party Republican budget slashes funding for Pell grants. Will that improve the prospect for kids in Webster City who plan to go to college but whose parents are now unemployed and without resources?

The tea party Republican budget makes Draconian cuts to everything from food safety and law enforcement to environmental protection. How will that improve the quality of life in Webster City and communities across America? We know the answer to these questions. The bottom line is, the Republican's budget offers more pain and no gain to the people of Webster City. Instead of increasing opportunity, it sends a message of surrender and defeat. Indeed, let's speak the plain truth. With this tea party budget, Republicans have taken their class warfare to a new level. They have launched

an unprecedented assault on middle-class and working Americans. Their message to struggling folks in Webster City and communities like it across America is brutally clear: Tough luck. I have mine. You are on your own.

This Republican tea party budget would drive down our standard of living, shred the economic safety net, reduce access to health care and higher education, and do damage to our public schools' ability to prepare our kids for the jobs of the future. We can and must do better.

I have come to the floor to propose an alternative approach to the Federal budget, a planned approach that will discipline the Federal budget and bring deficits under control while continuing to make critical investments in a stronger America. Best of all, we know this approach can work because it is consciously modeled on the successful budget policies of the 1990s.

Under President Clinton's leadership, Congress passed a bold economic plan that combined tough-minded spending cuts with smart investments and, yes, revenue increases. This created large budget surpluses and put us on a track to completely eliminate the national debt within a decade. It created a brief era of shared prosperity for the middle class, with 22 million new jobs and 116 consecutive months of economic expansion, the longest in American history.

I say to the people across America, we can do this again. The key to renewing America and restoring our economy is to revitalize the middle class. This means reducing deficits while continuing to invest in education, innovation, and infrastructure, boosting American competitiveness. It means restoring a level playing field with fair taxation, an empowered workforce, and a strong ladder of opportunity to give every American access to the middle class.

We have the resources, both financial and human, to do these things. I repeat what I said earlier, the central falsehood in the tea party Republican budget is its assumption that America is poor and broke; its assumption that we can no longer afford to invest in a prosperous and secure middle class. Again, I say emphatically, we are not poor and we are not broke. We have the highest per capita income of any major country. As I said earlier, the problem is how our wealth is distributed, how it is managed, and how it has been invested—or should I say “misinvested.”

Income inequality in the United States has reached levels not seen since immediately before the Great Depression. Middle-class Americans are working harder than ever, but they are falling behind. Real average incomes have not gone up since 1979, more than three decades ago. Let me repeat that: Average real incomes haven't gone up since 1979, more than three decades ago. In fact, over the last decade, the

average income of working Americans has actually declined while those in the top 10 percent of income earners and wealthy in America, their incomes and their wealth has soared to new levels. Vast wealth because of tax breaks and other government preferences have flowed to millionaires and money manipulators who pay a tax rate that is lower than that paid by their chauffeurs and secretaries.

In 2007, the top 25 hedge fund managers took home an average income of \$892 million—yes, you heard that right, \$892 million each, average income for 1 year. Over the last decade, the average income of the top 1 percent in America increased by an average of more than one-quarter of a million dollars a year. Again, let me repeat: The top 1 percent of income earners in America, their income increased by an average of more than one-quarter of a million dollars a year for 10 years. I ask, who in their right mind believes these people need another giant tax cut?

People do not hate the rich. To the contrary, most Americans aspire to do well and to achieve financial independence. That is a big part of the American dream. But Americans do resent it when the wealthy and powerful manipulate the political system to reap huge advantages at the expense of working people and the middle class. Ordinary people think the game is rigged and unfair, and you know what? They are right. Yet this tea party Republican budget says to middle-class Americans again: Hey, tough luck. I have mine. You are on your own. Your retirement security is expendable. Your access to health care and college is expendable. Your desire for quality public schools is expendable. Your quest for a modernized transportation system is expendable. All these things, according to the Republican budget, are expendable in order to create a Tax Code even more favorable to the rich and the powerful and the privileged.

This is deeply wrong. The middle class is the backbone of this country, and it is time our leaders showed the backbone to defend it. We need an alternative, a budget that invests in education and opportunity for all Americans, a budget that invests in the retirement security of the middle class and, yes, a budget that does not abandon the less fortunate among us, including seniors and people with disabilities.

As we saw in the 1990s, we can do these things at the same time we are bringing deficits under control. This will require smart, prudent reductions in spending, and it will require reform of the Tax Code to make it fairer and more equitable, a Tax Code that asks more from those at the top whose incomes have skyrocketed in recent decades.

Let me speak first about spending cuts. I hope I have set an example with

my own appropriations subcommittee, the Subcommittee on Labor, Health and Human Services, Education, and Related Agencies of the Appropriations Committee. The fiscal year 2011 spending bill that was enacted last month cuts spending in these areas by almost \$6 billion and eliminates dozens of individual programs. I also serve on the Appropriations Subcommittee on Defense. Of course, I believe we can make major spending cuts without harming our national security. I agree with Secretary Gates, who has urged us to terminate the additional C-17 cargo planes and a new amphibious fighting vehicle. I would also save \$12 billion by terminating the V-22 Osprey, which even Dick Cheney labeled a turkey and tried to cancel it.

I would also save \$80 billion over the next decade by reducing the number of Active-Duty military personnel stationed in Europe and Japan.

Most importantly, it is time to save hundreds of billions of dollars by speeding up the return of our troops from Iraq and Afghanistan. It costs an estimated \$1 million a year to deploy and support each soldier deployed in those wars. That is an extravagance we can do without.

We can also make cuts close to home. I represent a farm State, and I have a strong record of supporting a true farm income safety net. However, in this time of strong commodity prices, record levels of net farm income, the USDA—the Department of Agriculture—is still paying out nearly \$5 billion a year in direct payments to farmers, having no relationship to farm income or commodity prices or to what they are even planting. No question, we can save some money here while still making sure farmers have a good solid income safety net protection system.

We also must find additional deficit reduction in the area of health care. Once again, the tea party Republican budget flunks the test. It does not reduce spending on health care, it just shifts costs. It shifts the costs to seniors and others by making them pay most of the bills themselves.

By contrast, the new health reform law actually cuts health care costs. Again, according to CBO, it reduces the deficit by hundreds of billions in the first decade and by more than \$1 trillion—the health reform bill cuts the deficit by more than \$1 trillion in the second decade, while preserving and strengthening Medicare, not dumping it on the backs of seniors. It does so by rewarding health care providers for the quality of care, not the quantity. It does so by placing a sharp new emphasis on wellness and prevention, keeping people out of the hospital in the first place. It does so by creating an independent commission of doctors, nurses, medical experts, and consumers, to examine patient data and recommend the best ways to reduce wasteful spending

and ineffective procedures, while preserving the quality of care.

We can and must build on the health care savings in the Affordable Care Act. But my friends on the other side of the aisle want to repeal the Health Reform Act. But they do not say where they are going to get the money to make up the \$1 trillion hole it will blow in the budget in the next decade.

The enormously successful deficit reduction campaign of the 1990s insisted on a balanced approach: spending cuts and revenue increases. Revenue increases were concentrated on the most affluent Americans, those who could most easily afford it, and who benefited the most from the strong economy and the stock market that followed. This must be our template as we raise necessary revenues to reduce future deficits.

By all means, we must allow the Bush era tax breaks for the wealthiest 10 percent of Americans to expire immediately. To put it bluntly, they do not need it, and we cannot afford it. The fact is, high-income Americans did extremely well in the 1990s under the higher rates of the Clinton years, and they will continue to do very well in the future, while contributing their fair share to bringing deficits under control.

I also strongly agree with President Obama's proposal to limit itemized deductions for the wealthiest 2 percent of Americans, a reform that would reduce the deficit by \$320 billion over 10 years. We need to end the outrageous gimmicks in our Tax Code. Just one example. The "carried interest" loophole allows many hedge fund managers to pay taxes at just a 15-percent rate on part of their bonuses, a far lower rate than middle-class Americans pay.

As I said earlier, in one recent year, the top 25 hedge fund managers took home an average income of \$892 million a year each. Let's tax this income the same way we tax the income of teachers and truckdrivers.

In addition, I strongly favor a modest speculation tax on certain types of financial transactions, a .25-percent tax—that is one-quarter of 1 percent tax—on each stock transaction, and a similar tax on options, futures, and swap transactions.

In order to minimize the impact on ordinary American investors, this would exclude transactions in tax-benefited pension accounts such as 401(k)s and IRAs and defined benefit plans.

Some might say, well, this sounds kind of a pie in the sky. Well, Great Britain currently levies a tax on stock transactions that is twice as high as what I am proposing—twice as high as what I am proposing. There is no question that Wall Street can easily bear this modest tax.

John Bogle, the legendary founder of the Vanguard Mutual Fund Group, has long advocated such a speculation tax,

in order to "slow the rampant speculation that has created such havoc in our financial markets."

We also should be working to eliminate the tax provisions which promote the shifting of jobs to other countries. The President's budget proposes the elimination of over \$100 billion in international tax breaks in this area.

A prudent but aggressive mix of spending reductions and tax increases, combined with stronger economic growth and an end to the wars in Iraq and Afghanistan, will bring Federal deficits under control. This will restore the fiscal discipline that was squandered in the years after President Clinton left office.

Best of all, this restored fiscal foundation will allow us to continue making critical investments in transportation and infrastructure, education and energy, investments that will put Americans back to work, strengthen our global competitiveness, and prepare our workforce for the future.

Make no mistake, we have no time to waste. While the United States has been distracted and weakened by foolish wars and speculative bubbles, our competitors have been charging ahead. We have lost major ground to China and to other rapidly growing economies, including Brazil, South Korea. We are playing catchup and the stakes are enormous.

Across America, roads are crumbling, bridges are collapsing. Our formerly world-class interstate highway system is increasingly overwhelmed. Mass transit systems, including Washington's once proud Metro system, have fallen into disrepair. We have a backlog of nearly \$300 billion in school construction and modernization.

In infrastructure, we currently invest less than one-third of what Western Europe does as a percentage of GDP. China has tripled its investment in education, and is building hundreds of new colleges and universities at a time when we are slashing school budgets and laying off teachers.

The tea party Republican budget makes this investment gap far worse. It proposes to cut funding for transportation by 25 percent, and for education by 25 percent, and in future years would cut those investments even more deeply. Congressman RYAN has the audacity to tell us this is "a path to prosperity." Common sense tells us it is a bridge to nowhere.

These statistics are not abstractions. Investments in education, infrastructure, and innovation directly translate into more and better jobs, higher incomes, stronger economic growth. That is why we need to get America moving again.

For starters, we need a massive new commitment to infrastructure expansion and modernization, truly a Marshall plan for America. The first step is to adopt a solid 6-year surface transportation reauthorization bill that will

allow us to modernize our transportation system.

We also need robust new investments in clean, renewable, domestically produced energy. This will lower our energy costs in the long term, and will reduce our dependence on some of the most unstable countries in the world.

Early in the 20th century, we provided the emerging oil energy with subsidies to accelerate its growth. Today, we must provide similar policies to accelerate America's transition to a clean energy economy, including long-term tax credits for a renewable energy generation, and for infrastructure investments for biofuels, as well as smart grid technologies to enable broader renewable energy use. The goal should be 25 percent of our energy from renewable resources by 2025.

In the field of education, we need major new investments. This begins with Federal support for universal preschool education to ensure that every child is ready to learn and succeed in school. It means an ambitious reauthorization of the elementary and secondary education bill that close the gap between world-class schools in affluent suburbs, and struggling schools in poor urban and rural communities. It means providing resources to ensure that the goal of graduating students who are college and career ready applies equally to students with disabilities.

In closing, in my remarks today I have offered not just an alternative approach to bringing deficits under control but an alternative vision of the role of the Federal Government. Going back to the 1930s, the American people have supported and strengthened an unwritten social contract. That social contract says we will prepare our young and care for our elderly. That social contract says if you work hard and play by the rules, you will be able to rise to the middle class or even beyond. That social contract says a cardinal role of government is to provide a ladder of opportunity, so every American can realistically aspire to the American dream.

In one fell swoop, this tea party Republican budget rips up that social contract. It replaces it with a winner-take-all philosophy, again, that tells struggling, aspiring people and communities across America: I have got mine. You are on your own.

As I said at the outset, the Republican budget is premised on the idea that America is poor and broke, that our best days are behind us, that we have no choice but to slash investment required in order to keep our middle class strong. I totally disagree.

America remains a tremendously wealthy and resourceful nation. We are an optimistic, forward-looking people. We are a purposeful and can-do people, and we expect our government to be on our side, the side of the middle class.

We expect it to be an instrument of national greatness and purpose, allowing us to come together to achieve the big things we cannot achieve as individuals, things such as building an interstate highway system, mapping the human genome, one day discovering a cure for cancer.

Through our government, we come together to provide a ladder of opportunity to give every citizen a shot at the American dream, a ladder of opportunity that includes quality public schools and universities, Pell grants, the GI bill, job training. Through our government, we come together to ensure that our citizens have a secure retirement with guaranteed access to health care, and to ensure that the less fortunate among us are not abandoned to the shadows of life.

I am convinced that the great majority of Americans share this positive can-do vision. We refuse to be dragged backward into a winner-take-all society where the privileged and the powerful seize even a greater share of the wealth, as the middle class struggles and declines.

Americans are a tough and resilient and optimistic people. We can and will work together to meet the great challenges of our day. We can and will, indeed we must, restore the middle class as the backbone of a stronger, richer and fairer America.

I yield the floor.

The PRESIDING OFFICER (Mr. MANCHIN.) The Senator from Texas.

Mr. CORNYN. Earlier today we had a cloture vote on the nomination of Jack McConnell to be a United States District Judge for Rhode Island, and 63 Senators voted to cut off debate and to move then to a final vote on confirmation which will occur, I am told, around 5:30, shortly.

But first I wanted to come to the floor and expand a little bit on some of my earlier comments with regard to this nomination and why I am so strongly opposed to it just to make a few other comments.

Thirty-three years ago I became a lawyer, a member of the legal profession. While I have heard as many lawyer jokes as a person can stand in a lifetime, I am actually proud of the legal profession. What attracted me to it was study of the law, the rule of law, and the majesty of law being made by elected representatives of the American people speaking for the American people themselves; a profession that observes a rule of ethics, that is not just who can get the most the fastest but one that actually requires lawyers to practice according to a standard of ethics.

Third, the obligation and the responsibility that comes with representing a client; in other words, it is not the lawyer who is speaking on his or her own behalf but a lawyer who is speaking on behalf of a client, whether they have

been arrested and charged with a crime, whether they have been injured in an accident and seeking compensation for some wrongdoing and to deter future acts, similar actions in the future, whether it is a commercial dispute over a contract or some other relationship. I believe it is the rule of law and our adherence to ethical standards and the fact that the legal profession serves the interests of clients who need help, many of whom don't have a voice themselves, or certainly the capability of representing themselves, who need somebody who can help them.

But I have to tell my colleagues that it is because of my respect and admiration for the legal profession that it makes me angry when I see people making a mockery out of the foundational principles I just mentioned: the rule of law, ethics, and the fiduciary duty owed to a client.

After I practiced law for a while, I had the great honor of being elected to and serving as a district judge in my home city of San Antonio. So not only did I represent clients as an advocate in court, I had the responsibility of presiding over trials and making sure people were treated impartially, the same, and according to the rule of law; that it was not a matter of who they were or how much money they had but that everybody could have access to our system of justice.

Later I was honored to be elected to serve on the Texas Supreme Court for 7 years where I was an appellate judge and I wrote legal opinions, basically grading the papers of some of those trial judges and making sure that indeed we had equal justice under the law. Then I served as attorney general for 4 years before I came here, during which time I became acquainted with a certain class of entrepreneurial lawyers whom I think threatened the very rule of law I have been talking about.

I previously talked about my objections to Jack McConnell's nomination and confirmation to serve as a Federal judge because I believe he intentionally misrepresented certain facts before the Senate Judiciary Committee. Mr. McConnell and his firm have been sued in Ohio for stealing and maintaining custody of certain stolen documents in a lead paint lawsuit which I will speak about in a moment. As a matter of fact, earlier today I introduced an article which demonstrates that legal dispute still is raging and is not yet resolved. Yet the Senate is moving ahead and will likely confirm someone to a life-tenured job as a Federal judge who may ultimately be found responsible. I don't know, he could be vindicated. But why are we taking the risk that this individual who will be given a lifetime job as a Federal judge might ultimately be found culpable in something that is certainly disqualifying if he is responsible for it?

But I wish to speak just a little bit more about—well, I wish to tell a story. I think it helps make the point I wish to convey.

Once upon a time there was an enterprising lawyer and some of his law partners who were trying to figure a new way to make a lot of money. One of them said:

“Well, I have a plan to do that. First, we have to pick a product or sector of the economy that is unpopular, even though it is legal. For example, tobacco.”

“Exactly,” one of the lawyers said. “We pick a product like tobacco, and we sue the manufacturer and make a lot of money.”

“The problem is we have already tried to do that in individual lawsuits that are designed to compensate victims and deter wrongdoing, but we lost all of those lawsuits.”

“Well,” the enterprising young lawyer who suggested this plan said, “we did, but now we have a new legal theory. We have a new approach. And it is a legal theory that has never actually been embraced or accepted by the courts.”

One of the other lawyers said, “Well, how does that work? What is the theory?”

To which the other responded, “Well, the theory really doesn’t matter because this case will never be tried, but it will be settled for billions of dollars.”

That takes us to the second part of the plan. The truth is, the client or the person who would be represented is not an individual victim who was harmed as a result of some wrongdoing by the manufacturer of the product, but instead of that it is the State—a State. How do you get hired to represent a State? Well, you have to get the attorney general—my former job. You have to get the attorney general, who is the chief law enforcement officer of the State, to basically hire you and then to delegate to you the sovereign law enforcement power of the State—in this case to sue the makers of a product. Part of this scheme is you sue not just for damages to one individual or a group of individuals, you sue for essentially everyone in the State, alleging billions of dollars in damages.

The key reason this is so important to this scheme, of course, is because this is a break-the-company lawsuit. By that I mean it is an existential threat to the existence of this company, far bigger than any legal threat they may have faced in the past, because the damages are enormous. Every potential juror who would sit in judgment of the case being a constituent, a resident of that State, would stand to benefit in some way or another by any judgment rendered against this company. Then, of course, there is the power of the State itself to launch, perhaps, a negative publicity

campaign against this company or sector to erode the stock value of this company in order to compel them or force them into a settlement posture.

Well, part of this scheme is that even though the chances of winning in court are very slim, even a small risk of losing everything—wiping out shareholders, retirees, pension funds, and employees—even that small risk is enough to cause the defendant to consider coming to the settlement table. True, even if you have a chance—liability is very thin and you think you aren’t responsible—you still have to navigate the maze of litigation through the trial and the appellate and the Supreme Court. You know you might just win if you can outlast their adversaries. But in the meantime, as I indicated earlier, the stock price takes a beating, management is consumed with defending the lawsuit rather than running the business, and millions of dollars are being spent on their own lawyers in order to defend this case.

Well, in this story the law partners of this enterprising young lawyer say: That sounds like a great plan. We could earn a lot of money.

The lawyer proposing this says: Well, we can earn more than you can possibly imagine because our compensation may well exceed \$100,000 an hour.

Well, how do you do that? No one can charge \$100,000 an hour as a legal fee.

Well, this is the best part from their perspective. They would not actually negotiate an hourly fee under the supervision of a judge that reflects prevailing ethical standards. Instead, they will negotiate a deal with this attorney general for the State on a contingency fee basis in a no-bid, noncompetitive contract. So then they would get a percentage of any amount of money recovered in this bet-the-company lawsuit. Since there are no costs up front for the taxpayer, the State attorney general would look like a hero, even if the lawsuit was unsuccessful. But if he succeeds, these lawyers would get a significant percentage of an astronomical sum of money. No funds would be appropriated by the legislature to finance the litigation, so the State official can make the ethically fallacious and ethically dubious claim that no tax dollars will be used to pay legal fees. The official enters into this no-bid contract for legal services with lawyers whose future political support, including campaign contributions, is assured. The official can expect to be lauded as a popular hero in the press by his willingness to take on an unpopular industry.

Now, as part of this scheme and story, to leverage the chances for success, these lawyers then cherry-pick the court where the lawsuit is filed, a court well known for being friendly to these sorts of claims. Seeing the handwriting on the wall, ultimately as part of this scheme, the plan would be that the defendants, even though they are

not—the chances of proving them responsible are very thin, the risk of losing and losing the company are so huge that they decide to go to the settlement table.

Well, here is the deal. The plaintiff’s lawyers say—under this scheme, and in some ways it turns out to be a lifeline to the defendants—first, the good news: The defendants will survive. They won’t be at risk of losing the company—the employees, the stock price, the pensioners, the retirees who depend on the existence of the company.

Secondly, the business will continue to operate and—here is the best part—the judgment that will be entered will ultimately, from the standpoint of the company, bar any future lawsuits. The defendants agree rather than paying a lump sum settlement out of their current assets to pay hundreds of billions of dollars to these lawyers and the State out of future profits.

How do you make sure you don’t have to dip into your current assets? Well, basically, the defendants agree under this arrangement to raise the price of their product for consumers. So, ultimately, the consumers pay, and the defendants will pay the attorney’s fees out of this same income stream.

Now, these lawyers in this story believe this is really a stroke of genius. While no person who has allegedly been injured by this product will receive a penny—and, indeed, as a result, the defendant will not be deterred from engaging in that sort of conduct, nor will, as I say, any victim be compensated—the State recovers a windfall of damages without having to appear to raise taxes, although the increased price for the product is passed along to consumers.

As a result of this deal, the defendant’s stock price rebounds, they can stay in business essentially as a partner with this law firm whose legal fees will be paid out of future sales revenue, and the State official who agrees to this ingenious scheme is elected to higher office in part on the strength of this David v. Goliath story. The only problem with this story is that it is no fairy tale.

So who are these lawyers who dreamed up this ingenious scheme to partner with a State official to be able to be delegated the sovereign power of the State and collect fabulous wealth in the form of attorney’s fees that no judge will award and no jury will award because it is part of this settlement? Jack McConnell, the nominee, and his law firm.

His Web site says: McConnell played a central role in the historic litigation against the tobacco industry in which \$246 million in all was recovered, it says, on behalf of the State attorneys general, serving as a negotiator and primary drafter of the master settlement agreement. As a result, Mr. McConnell told us in the Judiciary

Committee, he expects to collect between \$2.5 million and \$3.1 million a year from now through 2024. What is more, Jack McConnell now finds himself nominated to be a Federal judge in whose court future ingenious but ethically dubious schemes can be expected to have a warm reception.

This is the type of thing Stuart Taylor—a well-respected legal commentator—called, he said: The rule of law has now morphed into these sorts of schemes into the rule of lawyers. He has talked about the sequel to this litigation I have described in this story which was the lead paint lawsuit, which we have talked about a little before, which was unanimously rejected by the Rhode Island Supreme Court—frivolous litigation.

As a matter of fact, Mr. McConnell and his law firm were assessed fees of over \$200,000. But Mr. Taylor said: It is litigation of this type which has perverted the legal system for personal or political gain at the expense of everyone else. Strong words, hard words, but I think the Senate needs to know the type of nominee we are voting on, and the American people need to know what the record of this nominee is, so then they can hold the Senators who vote for his confirmation accountable.

But this is not a partisan issue. It is not. This is not even about ideology. This is about ethics. This is about upholding the rule of law.

Mr. President, I ask unanimous consent that after the close of my remarks, a Wall Street Journal article, dated January 12, 2000, by Robert B. Reich, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

MR. CORNYN. Mr. Reich was Secretary of Labor during the Clinton administration, and he wrote an article in the Wall Street Journal that I think is particularly appropriate to what I am talking about. The lead of the article from this prominent Democrat, a Cabinet Secretary under Bill Clinton, is: "Don't Democrats Believe in Democracy?" That is the title. I will not read all of it, but I will read just a few sentences.

In talking about this kind of government-sponsored litigation by outsourcing the responsibilities of the sovereign government and the elected officials to contingency fee lawyers, whose only motive is maximizing their personal profit, he said:

... the biggest problem is that these lawsuits are end runs around the democratic process. We used to be a nation of laws, but this new strategy presents novel means of legislating—within settlement negotiations of large civil lawsuits initiated by the executive branch. This is faux legislation, which sacrifices democracy to the discretion of administration officials operating in secrecy.

Well, I agree with Secretary Reich. I think this is a threat to our democracy. Again, I do not think it should be

viewed as a partisan issue, even though he has that provocative headline and he is talking about members of his own party who have endorsed and initiated some of this type of litigation.

We had an earlier vote, as I said, where 63 Senators voted to close off debate, and we will have a vote here in short order. I know some Senators have indicated they voted to close off debate because they felt that was the appropriate vote to make, but they were going to vote against Mr. McConnell's nomination. So we will see how many votes he gets. But we know if it is a party-line vote, there are 53 Democrats in this body and 46 Republicans. If it is a party-line vote, Mr. McConnell is going to be a Federal judge. But I think it is important to make the RECORD crystal clear as to the type of nominee Senators are voting on. I think it is my responsibility to my constituents, it is my responsibility to the Senate, to express the strong objections I have to this nominee. Surely—well, I know there are better people for the President to nominate in Rhode Island. Two of them serve in the Senate. There are other qualified people who could be nominated, and I believe this ethically challenged nominee—who, according to the words of Stuart Taylor, is among a class of lawyers who have perverted the legal system for personal and political gain at the expense of everyone else—is the wrong person for this job. So I will be voting against the nomination.

I yield the floor.

EXHIBIT 1

[From the Wall Street Journal, Jan. 12, 2000]

DON'T DEMOCRATS BELIEVE IN DEMOCRACY?

(By Robert B. Reich)

If I had my way there would be laws restricting cigarettes and handguns. But Congress won't even pass halfway measures. Cigarette companies have admitted they produce death sticks, yet Congress won't lift a finger to stub them out. Teenage boys continue to shoot up high schools, yet Congress won't pass stricter gun controls. The politically potent cigarette and gun industries have got what they wanted: no action. Almost makes you lose faith in democracy, doesn't it?

Apparently that's exactly what's happened to the Clinton administration. Fed up with trying to move legislation, the White House is launching lawsuits to succeed where legislation failed. The strategy may work, but at the cost of making our frail democracy even weaker.

The Justice Department is going after the tobacco companies with a law designed to fight mobsters—the 1970 Racketeer Influenced and Corrupt Organizations chapter of the Organized Crime Control Act. Justice alleges that the tobacco companies violated RICO by conspiring to create an illegal enterprise. They did this by agreeing to a "concerted public-relations campaign" to deny any link between smoking and disease, suppress internal research and engage in 116 "racketeering acts" of mail and wire fraud, which included advertisements and press releases the companies knew to be false.

A few weeks ago, the administration announced another large lawsuit, this one

against America's gun manufacturers. Justice couldn't argue that the gun makers had conspired to mislead the public about the danger of their products, so it decided against using RICO in favor of offering "legal advice" to public housing authorities organized under the Department of Housing and Urban Development, who are suing the gun makers on behalf of their three million tenants. The basis of this case is strict liability and negligence. The gun makers allegedly sold defective products, or products they knew or should have known would harm people.

Both of these legal grounds—the mobster-like conspiracy of cigarette manufacturers to mislead the public, and the defective aspects of guns or the negligence of their manufacturers—are stretches, to say the least. If any agreement to mislead any segment of the public is a "conspiracy" under RICO, then America's entire advertising industry is in deep trouble, not to mention health maintenance organizations, the legal profession, automobile dealers and the Pentagon. And if every product that might result in death or serious injury is "defective," you might as well say goodbye to liquor and beer, fatty foods and sharp cooking utensils.

These two novel legal theories give the administration extraordinary discretion to decide who's misleading the public and whose products are defective. You might approve the outcomes in these two cases, but they establish precedents for other cases you might find wildly unjust.

Worse, no judge will ever scrutinize these theories. The administration has no intention of seeing these lawsuits through to final verdicts. The goal of both efforts is to threaten the industries with such large penalties that they'll agree to a deal—for the cigarette makers, to pay a large amount of money to the federal government, coupled perhaps with a steep increase in the price of a pack of cigarettes; and for the gun makers, to limit bulk purchases and put more safety devices on guns. In announcing the lawsuit against the gun makers, HUD Secretary Andrew Cuomo assured the press that the whole effort was just a bargaining ploy: "If all parties act in good faith we'll stay at the negotiating table."

But the biggest problem is that these lawsuits are end runs around the democratic process. We used to be a nation of laws, but this new strategy presents novel means of legislating—within settlement negotiations of large civil lawsuits initiated by the executive branch. This is faux legislation, which sacrifices democracy to the discretion of administration officials operating in secrecy.

It's one thing for cities and states to go to court (big tobacco has already agreed to pay the states \$246 billion to settle state Medicaid suits, and 28 cities along with New York state and Connecticut are now suing the gun manufacturers; it's quite another for the feds to bring to bear the entire weight of the nation. New York state isn't exactly a pushover, but its attorney general, Elliot Spitzer, says the federal lawsuit will finally pressure gun makers to settle. New York's lawsuit is a small dagger, he says. "The feds' is a meat ax."

The feds' meat ax may be a good way to get an industry to shape up, but its a bad way to get democracy to shape up. Yes, American politics is rotting. Special-interest money is oozing over Capitol Hill. The makers of cigarettes and guns have enormous clout in Washington, and they are bribing our elected representatives to turn their backs on these problems.

But the way to fix everything isn't to turn our backs on the democratic process and pursue litigation, as the administration is doing. It's to campaign for people who promise to take action against cigarettes and guns, and against the re-election of House and Senate members who won't. And to fight like hell for campaign finance reform. In short, the answer is to make democracy work better, not to give up on it.

Mr. GRASSLEY. Mr. President, I rise today to speak in opposition to one of President Obama's most controversial nominees, Mr. Jack McConnell, who has been nominated to be U.S. district judge for the District of Rhode Island.

He has dedicated his professional career, and enriched himself in the process, by bringing dubious mass tort litigation. I believe he has demonstrated a result-oriented view of the law. He has repeatedly demonstrated that he is highly partisan. And given his history of intemperate and highly partisan remarks, I do not believe he is capable of being an impartial jurist.

First, Mr. McConnell is an active partisan, a little more so than most nominees recently before the Senate. Mr. McConnell and his wife have donated at least \$700,000 to elect Democrats, over \$160,000 in 2008 alone. He has served as treasurer of the Rhode Island Democratic State Committee. He is a member of Amnesty International USA and has served as a director at Planned Parenthood of Rhode Island. Partisan political activity is not disqualifying on its own. My concern is that Mr. McConnell is so steeped in political activity and ideology that it may be impossible for him to be an impartial jurist—even if he earnestly believes that he can.

We can legitimately question whether his partisanship will influence his judicial philosophy. He has made a number of sharp partisan political statements, including one in which he indicated that only Democrats fight for "economic and social justice and opportunity for all." He has called for a more "active government" and redistribution of wealth, and claimed that "health care should be a right of citizenship." When Republican Gov. Lincoln Almond kept the Rhode Island government open during a snowstorm in 1996, Mr. McConnell commented to the press that the decision was "typical of the cold-hearted Republican attitude of disregarding workers' needs." He went on to argue against the Governor's appeal to the cost efficiency of keeping agencies open by saying that "[we] could bring child labor back, which would be cheaper, too."

Mr. McConnell has often portrayed his mass tort cases as movements against societal injustices. He has said that these cases represent "wrongs that need to be righted and that is how I see the law." He has said that he is "an emotional person about injustice at any level—personal, societal, global." These statements indicate an ac-

tivist viewpoint. This is not what I want in a Federal judge.

Second, Mr. McConnell has a view of the law that I believe is outside the mainstream of legal thought. Much of McConnell's career has been devoted to bringing some of the most controversial mass tort litigation of recent years. He has pursued the manufacturers of asbestos, tobacco, and lead paint, whose actions he believes to be "unjust." In bringing many of these cases, Mr. McConnell has often stretched legal argument beyond its breaking point. An example is the "public nuisance" theory he pursued in the Rhode Island lead paint case. Well-respected attorneys have said Mr. McConnell's theory "just [did not] mesh with centuries of Anglo-American law" and a former attorney general called the lead-paint cases "a lawsuit in search of a legal theory."

The Rhode Island Supreme Court unanimously ruled against him in *State v. Lead Industries Associates, Inc.* In a well-reasoned opinion, the court found that there was no set of facts that he could have proven to establish that the defendants were liable in public nuisance.

Mr. McConnell's reaction to that opinion illustrates my third major concern—that he lacks appropriate judicial temperament. Although the opinion was based firmly in the law, Mr. McConnell saw fit to publicly and harshly criticize the court's decision in a *Providence Journal* editorial. But his criticism made little reference to points of law. Rather, his major complaint was simply that, in his view, "justice was not served." His op-ed lambasted the court for "let[ting] wrongdoers off the hook." Not only were these statements intemperate, even for an advocate, but they reflect a results-oriented view of judging. Mr. McConnell did not focus on the court's analysis or argue that it wrongly applied the law. He argued that the "wrongdoers" weren't punished. In other words, the result didn't fit with his notion of justice, so it was the wrong result.

Mr. McConnell was also deeply involved in State lawsuits against tobacco companies. However, beyond litigation, he has shown an open hostility to tobacco companies. He told the press in 1999 that he would "like Congress to put the Cigarette makers out of business." He has even gone so far as to compare people who opposed smoking bans in restaurants to the supporters of racial segregation, saying "some people might like having all-White restaurants so they don't have to sit with Blacks, but we don't allow it."

A fourth concern relates to the manner in which Mr. McConnell conducts his business. I am not suggesting illegal or unethical behavior, but it is a bit unseemly. He and his firm, Motley Rice, have often brought these con-

troversial mass tort litigations cases while representing State attorneys general on no-bid contingency fee contracts. According to an April 24, 2009, *Wall Street Journal* editorial:

Mr. McConnell and his firm helped pioneer the practice of soliciting public officials to bring lawsuits in which private lawyers are paid a percentage of any judgment or settlement. The law firms front the costs of litigation and are compensated if the suit is successful. But such contingency-fee arrangements inevitably raise questions of pay to play. And private lawyers with state power and a financial stake in the outcome of a case can't be counted on to act in the interest of justice alone.

There are numerous examples of campaign contributions by Mr. McConnell and/or his wife in States where he or his firm was conducting or soliciting litigation. These include Rhode Island, Ohio, Washington, Vermont, and North Dakota.

In another instance, as part of a settlement in the Rhode Island lead paint case, DuPont was to pay \$2.5 million to the International Mesothelioma Program at a Boston hospital, which is run by a former Motley Rice expert asbestos witness, Dr. David J. Sugarbaker. According to press reports, the payment was intended to satisfy a \$3 million pledge previously made by Motley Rice to Dr. Sugarbaker to secure a seat on the executive advisory board of the program.

My problem with this is the way the facts have dribbled out and the spin that Mr. McConnell has tried to put on this payment. Although both Rhode Island and DuPont claimed that the agreement was not a legal settlement, the agreement involved a commitment by DuPont to contribute over \$12 million to charity and a commitment by the State of Rhode Island to dismiss the case against DuPont. DuPont refused to pay any attorneys' fees because they were disputing the permissibility of the State's use of private counsel on a no-bid contingency-fee contract. Nonetheless, DuPont agreed to make a sizeable donation to charity to settle the case.

In my view, the donation to the Boston hospital is highly suspect. Settlement money that was supposed to help reduce lead poisoning in Rhode Island in effect was diverted to offset a debt of Mr. McConnell's law firm. The chairman of the Rhode Island Republican Party described the problem as follows: "McConnell's law firm had a \$3 million obligation to a Boston hospital, and so as part of the settlement, \$2.5 million of that obligation was paid by DuPont."

Mr. McConnell does not dispute this characterization of the \$2.5 million payment. Despite claims by Attorney General Lynch that the payment would not satisfy Motley Rice's obligation to the hospital, he said "I don't see why it

shouldn't, and I don't see anything nefarious or wrong with that." The controversy regarding the settlement intensified when attorneys from another firm who had worked on the case on a contingency fee basis disputed the payment, claiming it was a "legal fee" that they were not being allowed to share in.

Fifth, I am concerned that Mr. McConnell has approached this confirmation process with either a lack of diligence or a lack of candor. I am particularly troubled by the way Mr. McConnell handled himself before the committee. I believe Mr. McConnell, at best, misled the committee when he testified about his familiarity with a set of stolen legal documents that his law firm obtained during the lead paint litigation. When asked about these documents during his committee hearing, he testified that he saw the documents "briefly," but that he was not familiar with them "in any fashion."

But several months after his hearing, Mr. McConnell was deposed, under oath, about those same documents. In his sworn deposition, Mr. McConnell testified that he was the first lawyer to receive the documents. He drafted a newspaper editorial citing information that came directly from those documents. He testified that he reviewed and signed a legal brief that incorporated the stolen documents. And, even though he told the committee that he was not familiar with the documents "in any fashion," during his deposition he testified that he did not see any indication on the documents that they were confidential or secret. How could he know the documents were not confidential or secret, if, as he testified before the committee, he was not familiar with them "in any fashion"? Given these facts, it is hard to square Mr. McConnell's testimony before the committee with his sworn deposition testimony a couple months later.

The litigation over these documents remains ongoing. We do not know how it will conclude. We do not know whether Mr. McConnell and his law firm will be held liable for the theft of these documents. But what is the Senate going to do if we confirm this individual, and at some later date he or his law firm is found liable for theft? At that point, it will be too late. Members will not be able to reconsider their votes. The Wall Street Journal recently opined that Mr. McConnell's "changing story about his lead paint advocacy is enough by itself to disqualify him from the bench." I could not agree more.

In another instance, I asked in written questions the degree of awareness or notification that he or his law firm had regarding rallies that were held outside or near the Superior Court in Providence during the lead-paint trials in September 2002. He replied "None." However, there is email traffic that in-

dicates Mr. McConnell was, in fact, aware of the demonstrations. This email was produced in the lead paint litigation as part of Sherwin Williams's motion for a new trial. In other words, Mr. McConnell and his firm had this in their possession when he was asked about it by the committee.

Inconsistent answers were provided with regard to Mr. McConnell's relationship with the ACLU as well. In response to the question "Did you, in fact, represent the ACLU in the matter?" Mr. McConnell said "I entered an appearance as counsel." Yet in response to another question regarding any matters in which he provided legal services to the ACLU or any affiliate thereof, he replied, "I have never provided legal services to the ACLU or any affiliate thereof." I find this answer confusing at best.

These types of responses indicate, at a minimum, a careless approach in his response to the legitimate inquiries of this committee. They could also be viewed as indicating a lack of candor. Either way, they do not reflect the standard we should expect from an individual who seeks confirmation to the Federal judiciary.

These concerns lead me to believe this nominee is not qualified to serve as a U.S. district judge. Finally, I note Mr. McConnell received a low rating from the ABA—a rating of substantial majority qualified, minority not qualified.

My concerns are shared by the U.S. Chamber of Commerce, and I take their views very seriously because the Chamber only rarely takes positions on judicial nominations. In a letter to this committee, the Chamber wrote:

Mr. McConnell's actions during his career as a personal injury lawyer and past statements demonstrate his disregard for the rule of law, an activist judicial philosophy and obvious bias against businesses.

For the reasons I have articulated—one, his active partisanship which I believe he will carry with him into the judiciary; two, his legal theories being outside the mainstream; three, his lack of judicial temperament; four, his questionable business practices; and five, his lack of candor with the committee—and other concerns which I have not expressed today, I shall oppose this nomination.

I will conclude by saying this. I have supported the overwhelming majority of President Obama's judicial nominees. If it were up to me, I would not have nominated many of those individuals, but I supported them nonetheless. Mr. McConnell is in an entirely different category. I believe he misled the committee when he testified before us. For that reason alone, I do not think he should be rewarded with a lifetime appointment to the Federal bench. Even if I did not have that concern, I could not support this nominee.

Mr. LEAHY. Mr. President, earlier today, the Senate took a step toward restoring a longstanding tradition of deference to home state Senators with regard to Federal District Court nominations. The Senate turned away from what Senator REED rightly called a precipice. Eleven Republican Senators joined in voting to end a filibuster of the nomination of Jack McConnell to the District Court for the District of Rhode Island. A supermajority of the Senate came together to reject a new standard, which I believe is being unfairly applied to President Obama's district court nominees. Now, more than a year after his nomination, nearly a year after his confirmation hearing, and after having had his nomination reported positively by a bipartisan majority of the Judiciary Committee three times, the nomination of Jack McConnell will finally have an up-or-down vote in the Senate.

The Senate should have debate on judicial nominations, and Senators should be free to vote for or against any nomination. A few hours ago the Senate voted to invoke cloture and now we are proceeding to hold a final confirmation vote on this nomination.

There was no need for cloture to be filed on this nomination. There were no "extraordinary circumstances" that held up this nomination for over a year. Why was the Senate not able to reach a time agreement to debate and vote on this nomination last year? It was the obstruction that prevented us from doing so. It was wrong for the Senate to knuckle under to business lobbies and it was right for the Senate to reject that opposition.

In fact, in the days leading up to the filibuster vote and in the hours since, no great number of Senators has spoken in opposition to this nomination. Only a handful of Senators from the minority leadership spoke at all. Only one such Senator has spoken in opposition since cloture was invoked.

With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 13 judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. No one should be playing partisan games and obstructing while vacancies remain above 90 in the Federal courts around the country. With one out of every nine Federal judgeships still vacant, and judicial vacancies around the country at 93, there is serious work to be done.

I will support the nomination of Jack McConnell, just as I have each of the three times it was before the Judiciary Committee. Mr. McConnell is an outstanding lawyer. He is supported by his home State Senators, Senator REED and Senator WHITEHOUSE. Each has spoken passionately and persuasively in support of his nomination.

As I noted earlier, Mr. McConnell's nomination has been reported by a bipartisan majority of the Judiciary Committee three times. His nomination also has bipartisan support from those in his home State. Leading Republican figures in Rhode Island have endorsed his nomination. They include First Circuit Court of Appeals Judge Bruce Selya; Warwick Mayor Scott Avedisian; Rhode Island Chief Justice Joseph Weisberger; former Rhode Island Attorneys General Jeffrey Pine and Arlene Violet; former Director of the Rhode Island Department of Business Barry Hittner; former Rhode Island Republican Party Vice-Chair John M. Harpootian; and Third Circuit Court of Appeals Judge Michael Fisher.

The strident opposition to this nomination has been fueled by the corporate lobby, who oppose Jack McConnell because he is a good lawyer. They oppose him because he successfully represented plaintiffs, including the State of Rhode Island, in lawsuits against lead paint manufacturers. Some in the Senate may support the lead paint industry. Some in the Senate may oppose those who wish to hold lead paint companies accountable for poisoning children. That is their right. But as I said earlier in opposing the filibuster of this nomination, nobody should oppose Mr. McConnell for doing what lawyers do—vigorously represent clients.

I also hope no Senator opposes this nomination based on what I believe to be a distortion of Mr. McConnell's testimony before the committee. As chairman of the Judiciary Committee, I take seriously the obligation of nominees appearing before the Committee to be truthful. I would be the first Senator to raise an issue if there were any legitimate question as to the accuracy of Mr. McConnell's testimony. But there is not.

Far from establishing that Mr. McConnell was untruthful with the committee, the deposition transcript cited by some who oppose his nomination in fact validates Mr. McConnell's testimony to the committee. There has been no inconsistency in Mr. McConnell's testimony, either to the committee or in sworn testimony in a deposition. Jack McConnell is not a party to the lawsuit. He has been accused of no wrongdoing. There is no basis to believe that Mr. McConnell did not answer questions from members of the committee truthfully. Some Senators may feel strongly that Mr. McConnell and his firm were wrong to sue lead paint companies, but there is simply no basis for believing that Mr. McConnell was untruthful with the committee. I hope other Senators will reject those conclusions.

With more than 25 years of experience as an outstanding litigator in private practice, Mr. McConnell has been endorsed by The Providence Journal, which wrote: "In his legal work and

community leadership [he] has shown that he has the legal intelligence, character, compassion, and independence to be a distinguished jurist." This debate should focus on Mr. McConnell's qualifications, experience, temperament, integrity, and character. Any fair evaluation of his qualifications would reveal a nominee worthy of confirmation.

I congratulate Jack McConnell and his family on his confirmation today. I commend Senator REED and Senator WHITEHOUSE for their steadfast support and all they have done to ensure that the Senate vote on this nomination.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. REED. Mr. President, I ask unanimous consent that the remaining time postclosure be yielded back and the Senate proceed to vote on the confirmation of the nomination of John J. McConnell, Jr., to be a U.S. District Judge for the District of Rhode Island; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that the President be immediately notified of the Senate's action; the Senate then resume legislative session and proceed to a period of morning business for debate only until 7:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of John J. McConnell, Jr., of Rhode Island, to be United States District Judge for the District of Rhode Island?

Mr. WHITEHOUSE. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. AKAKA), the Senator from California (Mrs. BOXER), and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

I further announce that, if present and voting, the Senator from Hawaii (Mr. AKAKA) and the Senator from Washington (Mrs. MURRAY) would each vote "yea."

Mr. KYL. The following Senators are necessarily absent: the Senator from Oklahoma (Mr. COBURN) and the Senator from Kansas (Mr. ROBERTS).

The PRESIDING OFFICER (Mr. BENNET). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 50, nays 44, as follows:

[Rollcall Vote No. 66 Ex.]

YEAS—50

Baucus	Bennet	Blumenthal
Beigich	Bingaman	Brown (OH)

Cantwell	Klobuchar	Reed
Cardin	Kohl	Reid
Carper	Landrieu	Rockefeller
Casey	Lautenberg	Sanders
Conrad	Leahy	Schumer
Coons	Levin	Shaheen
Durbin	Lieberman	Stabenow
Feinstein	Manchin	Tester
Franken	McCaskill	Udall (CO)
Gillibrand	Menendez	Udall (NM)
Hagan	Merkley	Warner
Harkin	Mikulski	Webb
Inouye	Nelson (NE)	Whitehouse
Johnson (SD)	Nelson (FL)	Wyden
Kerry	Pryor	

NAYS—44

Alexander	Enzi	McConnell
Ayotte	Graham	Moran
Barrasso	Grassley	Murkowski
Blunt	Hatch	Paul
Boozman	Hoeven	Portman
Brown (MA)	Hutchison	Risch
Burr	Inhofe	Rubio
Chambliss	Isakson	Sessions
Coats	Johanns	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kirk	Thune
Corker	Kyl	Toomey
Cornyn	Lee	Vitter
Crapo	Lugar	Wicker
DeMint	McCain	

NOT VOTING—5

Akaka	Coburn	Roberts
Boxer	Murray	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, the President will be immediately notified of the Senate's action, and the Senate will resume legislative session.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate is now in a period for the transaction of morning business for debate only until 7:30 p.m., with Senators permitted to speak for up to 10 minutes each.

The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for a much longer period of time, for 45 minutes. I may not use all that time, but I would like to have permission to speak for that time.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHANOL

Mr. GRASSLEY. Mr. President, it is not going to surprise any of my colleagues or the public at large that a lot of times I come to the Senate floor to speak about agriculture and to speak about ethanol. What brings me to the floor today is the ongoing crusade by the Wall Street Journal, in an intellectually dishonest way, to put out a lot of facts about ethanol that are not true.

The latest barrage comes from an interview published last Saturday in the Wall Street Journal with C. Larry Pope, CEO of Smithfield Foods. In this article, there are a lot of misstatements about ethanol and about ethanol causing the price of food to rise dramatically. I take the floor now to rebut some of those misstatements and also to set the record straight so that when a very fine CEO such as Mr. Pope, even though I disagree with him on this article—he is a decent person, and he is a good corporate executive—the next time, he will not speak. But I can also say I do not like to have confrontations with Smithfield Foods because they do provide a lot of good-paying jobs in the Middle West, and they do a good job of adding value to agriculture.

There has been a tradition at Smithfield to kind of not appreciate American agriculture. It goes back to some conversations I had with the previous CEO by the name of Joe Luter. I remember Joe Luter coming to my office to try to explain to me some things he thought I had misinterpreted of what he was really talking about regarding the family farmer and about the production of hogs and whether he was wanting to put the family farmer out of business.

I remember just as if it was said to me yesterday a statement he made when I said: You are running the family farmer, the family producer, the independent producer out of the hog business, and you want to control everything. He said to me something along the lines: I do not want to put your farmers out of business; I just want them feeding my pigs. He was basically saying he wanted the family farmer to be an employee of Smithfield and not be an independent producer.

Another point he tried to argue with me—and I am referring to Mr. Pope's predecessor, Mr. Luter—he also argued that Iowa farmers in a sense were not smart enough to run a packing plant. In fact, he offered to give a plant to a group of farmers and guaranteed it would be out of business within 6 months.

I do not know whether I have fault with Mr. Pope as CEO of Smithfield and ethanol in this case as opposed to Mr. Luter, his predecessor, and who is going to raise pigs, but there may be an institutional bias within the corporation of Smithfield.

Anyway, with that as background, I want to go to this article I pointed out that was in the Wall Street Journal. The article says: "It is Getting Hard to Bring Home the Bacon." Basically, what the paper is saying in that headline is that because so much corn is used for ethanol, we are raising the price of corn and that is driving up the price of food.

Well, I am on the floor to say that is a bunch of hogwash. This article was in

the April 30 edition of the Wall Street Journal, so if people want to read it and check it against what I have to say, I am happy to provide that information. The article was based on an interview with C. Larry Pope, CEO of Smithfield Foods, the largest pork producer and the largest pork processor.

The opinion piece was intended to share Mr. Pope's view on rising food prices and also on the price of pork. Mr. Pope puts much of the blame on the Federal ethanol program. But I wish to address a number of the claims made by Mr. Pope, and claims made in the opinion piece presumably based on statements by Mr. Pope.

Mr. Pope claims, and I quote:

Now, 40 percent of the corn crop is directed to ethanol, which equals the amount that is going into livestock food.

Right there, statistically, he is wrong. Let me point out how he is wrong. In 2010, 4.65 billion bushels of corn were used to produce 13 billion gallons of ethanol. But ethanol production uses only the starch from a corn kernel. So I want to hold up a bag of corn kernels. It would be better if I brought in an ear of corn, but this is the best way to transport it. These are corn kernels.

When ethanol uses only the starch from the corn kernel, the result is that more than one-third, or 1.4 billion bushels of corn—and it is called dried distiller's grain, and this is what dried distiller's grain is—was available as a high-value livestock feed. In fact, what is left over after you produce ethanol is of much more value than if you would take the original corn kernels and use that by itself for animal feed.

Let's go back to that quote.

Now, 40 percent of the corn crop is directed to ethanol, which equals the amount that is going into livestock food.

Well, on a net basis now, ethanol production used only 23 percent of the U.S. corn crop—far less than the 40 percent that ethanol detractors claim. So once again, you have a bushel of corn—56 pounds. Out of that 56 pounds of corn, you get 2.8 gallons of ethanol. When you get done making the ethanol, you have 18 pounds of dried distiller's grain that is left over. Anybody who isn't ignorant about ethanol understands there is still an animal feed product left over. So you can't say you are making ethanol out of corn and using it all for ethanol and nothing for food, because this is a very efficient process.

By the way, let me say this. You can tell about the ignorance over ethanol in this town because a lot of people pronounce it E-E-E-T-H-A-N-O-L. It is ethanol. But people who are ignorant about it don't even know how to pronounce it. I don't know whether Mr. Pope pronounced it right or not.

According to the USDA, feed use consumes 37 percent of the U.S. corn supply, much more than the 23 percent consumed by ethanol production. So I

hope Mr. Pope will put that in his pipe and smoke it, because he is wrong on that point. Ethanol is not diverting corn away from feed use.

Next, Mr. Pope claims:

Ethanol policy has impacted the world price of corn.

I am glad Mr. Pope raised that issue. He clearly has no idea how little an impact ethanol has on the global grain market. In fact, U.S. ethanol use represents a mere 3 percent of the world's supply of coarse grain. In addition, the global grain supply in 2010 to 2011 is 11 percent larger than the 2000 to 2001 supply.

U.S. farmers happen to be the most productive in the world. Since 1975, American farmers have doubled U.S. corn production from under 6 billion bushels to over 12 billion bushels last year, and they have done it using essentially the same number of acres. Corn farmers today grow five times as much corn as they did in 1930 on 20 percent less land.

So for all those people out there who think there isn't enough productivity in the American farmer or in our land or in the efficiency of producing, I hope you understand that we are producing five times more corn than we did in 1930 but doing it on 20 percent less land. Let me explain it another way. In 1910, you know what powered agriculture? Horses and mules. And in that day, it took 90 million acres of land to grow the food to keep the animals that powered agriculture alive and productive. That 90 million acres is equal almost to the 92 million acres that will be planted to corn in the United States this year.

Farmers are continuing to meet the growing demand of ethanol, livestock feed, and exports. So I hope that Mr. Pope will put that in his pipe and smoke it, because he needs to understand how productive the American grain farmer is.

The author of the opinion piece then makes a claim that has absolutely no basis in fact, so I guess I can't attribute this to Mr. Pope. The article states:

The EPA has found ethanol production has a neutral to negative impact on the environment.

I have always said that ethanol is good for the environment, but here we have the EPA being quoted stating it has a neutral to negative impact on the environment. The fact is, under the renewable fuels standard created in 2007, corn ethanol was required to reduce greenhouse gas emissions compared to gasoline by at least 20 percent. Corn ethanol has exceeded that threshold. In other words, the law says such and such, and ethanol exceeds what the law even requires.

A reduction of more than 20 percent compared to gasoline is not neutral. So the EPA has found ethanol production has neutral to negative impact on the

environment. Not so. If you remove EPA's use of murky science surrounding emissions from what is called indirect land use—and that is kind of complicated, so I won't go into that—ethanol reduces greenhouse gas emissions by 48 percent compared to gasoline.

I have heard Senators in the last 2 months on the floor of the Senate telling all of us that ethanol was bad for the environment, but a recent peer-reviewed study published in the *Yale Journal of Industrial Ecology*—all those Ivy League people in the Senate ought to have some allegiance to anything done by Yale University—says that ethanol reduces greenhouse gas emissions by up to 59 percent compared to gasoline.

Mr. Pope also asserts that Pilgrim's Pride went bankrupt because of ethanol. Pilgrim's Pride was a food processor. He stated:

The largest chicken processor in the United States, Pilgrim's Pride, filed for bankruptcy. They couldn't raise prices, so their cost of production went up dramatically.

Again, facts are stubborn things. On December 1, 2008, analysts cited the primary cause of bankruptcy was their large debt load, the result of the acquisition of a \$1.3 billion rival they purchased in 2007. Other factors included low chicken demand and prices resulting from the recession and poor commodity hedging. But it had nothing to do with the price of ethanol and corn prices being high. So I hope Mr. Pope will put that in his pipe and smoke it.

Another statement by Mr. Pope seems to place all the blame on corn farmers for rising food prices. He said:

You eat eggs, you drink milk, you get a loaf of bread, and you get a pound of meat. All of those are based on grains.

That last part of the statement is accurate. But let me tell you what is wrong with the relationship between rising food prices and the price of grain. Let us look at the U.S. Department of Agriculture. The farm value of every food dollar is 19 cents. In other words, if you spend \$1 on food at the supermarket, only 19 cents of that goes into the pocket of the farmer. Of that 19 cents, the corn value of that farmer's income is 3 cents.

So let us look at some of these prices. You buy a box of corn flakes—12.9 ounces. Only 5.6 cents goes to a farmer if the corn is \$4 a bushel. If corn is \$6 a bushel, the farmer gets 8.6 cents out of a whole package of corn flakes.

Soft drinks: \$4 a bushel, the farmer gets 6.6 cents. If it is \$6 a bushel, he gets 10 cents.

Beef: The farmer gets 18.2 cents at the low end of corn prices, and 27.8 cents at the higher end.

I could go on with pork and chicken and turkey and eggs and milk. But the point is, don't blame the farmer when you buy a box of corn flakes because

the farmer gets a little over a nickel, or at most, if corn is higher priced, 8.6 cents. So the farmer gets 19 cents in a global way. Corn only accounts for 3 cents out of \$1 of food that you buy. The other 81 cents of that \$1 goes to labor, goes to energy, goes to transportation, goes to marketing, and goes to packaging.

The World Bank, in 2008, stated that biofuels were a large contributor to rising food prices. And you know what, 2 years later, in 2010, they released a more thorough analysis that essentially dismissed that idea. So I want to quote from the World Bank report.

... the effect of biofuels on food prices has not been as large as originally thought. ... the use of commodities by financial investors may have been partly responsible for the 2007–2008 spike.

So, for Mr. Pope, I hope he puts that in his pipe and smokes it because he is wrong about the amount of corn and the price of corn and the impact on food prices, and the World Bank dismisses that as well. We even have the United Kingdom—I like to say Great Britain instead of United Kingdom—their Department for Environment, Food and Rural Affairs concluded in 2010 that “available evidence suggests that biofuels had a relatively small contribution to the 2008 spike in agricultural commodity prices.”

In 2009, the Congressional Budget Office evaluated the increasing demand for corn to produce ethanol on food prices. Maybe I better start with the 5.1-percent increase in food prices for the year 2009. Of that 5.1 percent, just one-half of 1 percent, between that and eight-tenths of 1 percent—I better say it more accurately. We have a 5.1-percent increase in food prices. Only one-half percent, maybe up to .8 percent of that 5.1 percent was due to the demand for ethanol, and about 10 percent of just the increased price of food was because of ethanol.

In 2007, Informa Economics concluded that “it is statistically unsupported to suggest that high and/or rising corn prices are the causative reason behind high and rising retail meat, egg and milk prices.”

Another point raised in this article by Mr. Pope needs to be addressed. He said, “Over the last several years, the cost of corn has gone from a base of \$2.40 a bushel to today at \$7.40 a bushel.” While true, this all needs to be put in context. Over that same period of time, crude oil prices went from \$50 a barrel to nearly \$150 a barrel. Today, it is over \$110 a barrel. Gold prices went from \$500 an ounce to \$1,500 an ounce today.

Mr. Pope would rather pay \$2.40 a bushel for corn rather than \$7.40. I understand that. But does he know what impact that would have on agriculture? If corn were only \$2.40 a bushel, every farmer today would be out of business because the cost of production is around \$4 a bushel.

I can see he wants the farmers to subsidize Smithfield if he wants to continue getting corn for \$2.40 a bushel, but a farmer cannot subsidize the big corporations. Perhaps Mr. Pope would rather have us support government subsidies so long as they would allow him to buy corn below the cost of production.

I can tell you this: A lot of people say ethanol is the reason corn prices are high. It might be part of the reason. But let's suppose you didn't have any ethanol and you had \$2.40 a bushel for corn. You know darn well that a lot more would be coming out of the Treasury to make sure the safety net for the family farmer was working than we give for an ethanol subsidy.

Regardless, at \$7.40 a bushel, the corn costs in a gallon of milk is about 46 cents; the cost of corn in a pound of chicken is about 34 cents; 1 pound of beef takes about 92 cents worth of corn; and relative to Smithfield because they are big in pork, 1 pound of pork requires about 39 cents of corn. So if that \$4.54-a-pound for bacon in the grocery aisle contains only 39 cents worth of corn, perhaps Mr. Pope should explain to all of us—and, most important, to the people who buy it, the consumer—where the other \$4.15 or 91 percent of the retail cost is going.

In addition, after the steep rise in commodities in 2008, prices of corn and other commodities retreated very significantly. I don't recall seeing from people like Smithfield, that when corn was \$7 3 years ago and it went down to \$3.58—I didn't see a very dramatic drop in prices at the grocery store after the corn prices dropped, which leads me, as I have so often said on the floor of the Senate, that these food processors need to scapegoat something to increase the price of their product to the retailer and the consumer. Then when the price goes down, they have increased their price but the price doesn't go down accordingly.

Mr. Pope claims rising corn prices are hurting his business. He said, “Rising prices are already squeezing food producers 2 to 3 percent earnings margins.” That is his quote. The statement is rather surprising given the contradictory earnings report for Smithfield Foods that came out March 10, 2011. Smithfield reported net income for the quarter of \$202 million, an increase of \$165 million over the same quarter in 2010. Mr. Pope stated at the time of the earnings report: “We are extremely pleased with the record performance of our company in the third quarter. Year to date, our earnings have surpassed that of our record year.”

The reality of Smithfield's record profits fails to validate the rhetoric. According to the article—and here I am quoting the article and not Mr. Pope:

Smithfield's economists estimate corn prices would fall by a dollar a bushel if ethanol blending wasn't subsidized.

I guess if it is Smithfield's economists, it must be coming directly from the company, then. Smithfield may want to invest, then, in better economists.

According to an April 2011 study issued by the Center for Agricultural and Rural Development at Iowa State University, only 14 cents or 8 percent of the increase in corn prices from 2006 to 2009 was due to ethanol subsidies. The study also found that without the ethanol subsidy, corn prices would have averaged only 4 percent less over the same period of time.

Finally, the article calls into question the value of ethanol to our Nation's energy supply. It states:

The ethanol industry would supply only 4 percent of the nation's annual energy needs even if it used 100 percent of the corn crop.

This is a straw man. No one is arguing that ethanol will replace our Nation's entire energy needs. Using just 23 percent of the corn crop, we are displacing nearly 10 percent of our Nation's foreign oil dependence. Domestic ethanol production ranks behind only the United States and Canadian oil production in terms of domestic transportation fuel supply.

It is obvious that Saturday's opinion piece in the Wall Street Journal was just another coordinated effort to undermine and scapegoat homegrown ethanol and America's corn farmers to help deflect criticism from big food producers. Make no mistake, Smithfield's CEO, Larry Pope, is concerned with only one thing—Smithfield's bottom line.

While companies such as Smithfield perpetuate a smear campaign to boost their profits, American farmers and alternative-fuel producers are working hard to produce a reliable and safe supply of food, fiber, and feed for the Nation and the world.

That is the end of my reaction to what he, Mr. Pope, said, but I would like to end by saying that the marketplace will take care of this. You know, 30 years ago when we started an ethanol program, we produced about 100 bushels of corn to the acre on average. Today, nationally, I think it is about 155 bushels of corn to the acre. In Iowa, I think it is about 168; the year before, it was 182.

People who are experts in genetics can say we will be able to double the production of corn over the next 50 years. That is one way we can solve this problem. The other way is that there is a massive amount of land in a lot of places on this Earth, and a great part of it is in West Africa, South Africa, and parts of East Africa, where, if people would establish law guaranteeing property rights, title to land, there would not be governmental disincentives to growing food, there would not be a cheap food policy—there would be a massive production of foodstuff in this world.

In the United States, we are going to continue to produce more. There are going to be 4 million more acres of corn grown this year than last year.

There are even some odd things being done because the price of corn is \$7. From the Des Moines Register, this headline, from a northern small community of Iowa: At the Whittemore Golf Club, the golf course is going to be plowed up and planted with corn. There are some extreme measures that will be taken here to respond to the demand for food or fiber or fuel.

Just remember, agriculture in America has the capability—the demonstrated capability to produce it all. We don't grow crops just for food. We have always grown for food and fiber, and for the last 30 years, food, fiber, and fuel. We can continue to do it, and we are going to do it successfully, and the consumers of America are not going to pay for it. In fact, if we do not continue to do that and keep the family farmer of the United States healthy and strong—and ethanol is a contribution to that—then we are not going to be able to meet the needs of our society.

I yield the floor.

TRIBUTE TO ROBERT CVAR

Mr. REID. Mr. President, today we congratulate an important Senate employee on retiring after 34 years of dedicated service. Robert Cvar started working at the Senate Recording Studio on August 1, 1977, as a film technician. He worked his way up the ladder to become a broadcast production director. In addition to television studio production, Bob directs the very proceedings that many Americans are watching now on the Senate floor.

Bob plans to spend his retirement with his wife Rocio and their daughter Veronica, who turns 3 years old this week. As a native of Minnesota, Bob is a diehard Minnesota Vikings fan. This year, one of his lifelong dreams came true when the University of Minnesota at Duluth won the national championship for men's hockey.

I am proud of the many dedicated employees like Bob that help this Chamber function. The entire Senate family extends our best wishes to Bob Cvar in his future endeavors.

REMEMBERING SALLY BROWN

Mr. MCCONNELL. Mr. President, it is with great sadness that I rise today to pay tribute and bid a fond farewell to a remarkable philanthropist, a proud Louisvillian, a great-grandmother of 29, and a dear friend. Sadly, Sara Shallenberger Brown—known by her friends as “Sally”—passed away this April 30 in Louisville, just after celebrating her 100th birthday on April 14.

Sally was more than just a leading citizen of Louisville and of Kentucky—

she was a driving force of nature. Through her energy, spirit, and great generosity, she made our city and our Commonwealth better places to live.

Sally led a life that would not seem out of place in an epic movie or novel. Born in Valdez, AK, in 1911, her father was a brigadier general who fought in France during World War I and served with generals Pershing and Patton. In 1931, Sally visited a friend from college in Louisville, and here she met her future husband, W.L. Lyons Brown. When Lyons soon after wrote Sally's parents to tell them he was naming a race horse “Sally Shall,” they knew it had been love at first sight.

The couple made their home in Louisville, where he was the president and chairman of Brown-Forman Corp., a Louisville-based company for over 140 years and one of the largest American-owned spirits and wine companies. Sally became a generous benefactor to Louisville institutions such as the Speed Museum, Locust Grove, the Actors Theatre of Louisville and Waterfront Park.

She was instrumental in preserving Locust Grove, the final home of Louisville founder George Rogers Clark. Where the home had once been abandoned and in ill repair, today it is a museum and National Historic Landmark.

Sally cared deeply and throughout her long life for conservation and preservation. She founded a conservation program to preserve the natural beauty of the Kentucky River. She advocated for the preservation of federal national wildlife refuges, and was present at the bill signing by President Jimmy Carter that saw the culmination of her efforts. She was a delegate to U.N. conferences, and traveled internationally to promote wildlife conservation.

But most of all, Sally will be remembered for her enjoyment of life. She loved to be outdoors, working on her farm. Even in her later years you could often see her riding around on top of her tractor. She was an artist, designer, and breeder of cattle, thoroughbreds and Cavalier King Charles spaniels.

Sally inspired her family, friends and all who knew her as she forged ahead with her many philanthropic and intellectual interests, all while setting the example as the matriarch of the Brown family since her husband's passing in 1973. Together they had four children, 12 grandchildren, and 29 great-grandchildren, and I want to express my condolences to them and other family members at this great woman's passing.

Mr. President, the Louisville Courier-Journal recently published an editorial celebrating the life of Sally Brown. I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was printed as follows:

[From the Louisville Courier-Journal, May 2, 2011]

SALLY BROWN: A FORCE OF NATURE

Five years ago, when Kentucky Educational Television produced a documentary about her life, Sara Shallenberger Brown was called "a force of nature."

For most of the century through which she lived, she was precisely that. And with her death on Saturday, the environmental movement and the community have lost a remarkable leader.

The daughter of an Army general who fought alongside George Patton in World War II, Mrs. Brown witnessed important events in history at close range. Born in Valdez, Alaska, in 1911, decades later she would become a leader in the drive to save the Arctic National Wildlife Refuge in Alaska and stood beside President Jimmy Carter when he signed the act protecting it in 1980.

Widowed for almost 40 years from distillery executive W.L. Lyons Brown, Sr., she rejected a comfortable, quiet life and became an advocate for all sorts of causes related to the environment. She traveled to Frankfort to testify about the perils of strip mining and always came armed with a battery of facts, which she eloquently expressed in precise terms.

She often said that to succeed as an advocate on political issues a woman needs to "act like a lady, look like a girl, think like a man, and work like a dog."

Besides her crusades, Sally Brown enjoyed life. She loved to ride, shoot and take care of her farm. She was as much at home on her tractor as she was in the corridors of power. She took pleasure in the accomplishments of her children and grandchildren and always challenged those she knew to push harder.

She lived well on a grand stage, and with her departure, our city has lost one of its visionary leaders.

TRIBUTE TO DAVID AND IRENE MORRIS

Mr. McCONNELL. Mr. President, I rise today to honor the extraordinary accomplishments of two of the most dedicated and hard-working citizens of the Commonwealth, David and Irene Morris of Hager Hill, KY. Working as a team of husband and wife, David and Irene have worked tirelessly over the years to strengthen and improve the manufacturing industry in Johnson County and throughout the State through their work at the Atlantic India Rubber Company.

Although Irene and David's native roots are in Michigan, the couple moved to Kentucky when the Atlantic India Rubber Company, a 92-year-old company, moved its operations here from Illinois and Ohio in 2003. David and Irene were hired to oversee the day-to-day operations of the facility. Their son and one other employee joined them on their move, and the rest of their employees were hired locally.

David and Irene's decision to take on their responsibilities as manager and executive came at a time when the State's manufacturing job rate was on a steady decline. In recent years, Kentucky has lost too many of its manu-

facturing jobs, with some especially hard-hit counties losing as many as one-third of their manufacturing employers. But thanks to David and Irene, this was not to be in Johnson County. The couple lived in their warehouse while trying to establish the business, and had to have machines shipped from other locations since the local business community was geared more towards the coal industry than manufacturing, but they succeeded. As only one of nine manufacturing employers in the county, they have raised the local area's manufacturing employment rate, and have helped keep jobs from drifting overseas.

Last spring, after the couple had poured nearly 10 years of their lives into building the company, then-owner Jim Green announced that he would be retiring. With none of the interested buyers having ties to Johnson County, David and Irene knew what they had to do. Later that fall the couple announced they were the new owners of the Atlantic India Rubber Company.

Because of their purchase, the rubber parts used on Harley Davidson motorcycles, Arctic Cat snowmobiles, and Boeing jets would still be made in the heart of the Commonwealth, and eight hardworking people would still have their jobs. With combined help from the Southeast Kentucky Economic Development Corporation and the Mountain Association for Community Economic Development, David and Irene secured a \$1.3-million loan to buy the company and the location.

Irene once said that at first she was hesitant to take on her responsibilities at Atlantic India Rubber Company for fear of failure. Well, as she discovered, along with her employees and the residents of Johnson County, failure was simply not in the cards for the Morrisses. It is people like them, who have extraordinary aspirations and faith in themselves and in Kentucky, that continue to make the Commonwealth a thriving and positive place to work and live.

Mr. President, the Lexington Herald-Leader recently published an article highlighting the impressive careers of David and Irene, and I ask unanimous consent that the full article be printed in the RECORD.

There being no objection, the article was printed as follows:

[From Kentucky.com, Jan. 29, 2011]

JOHNSON COUNTY COUPLE BUYS OUT EMPLOYER, KEEPS JOBS IN KENTUCKY

(By Dori Hjalmarson)

KY. MANUFACTURING EMPLOYMENT WOES

Percent Change in Employment, 2005-2009

United States—16.8

Kentucky—18.6

Johnson Co.—11.6

—Kentucky Office of Employment and Training

HAGER HILL.—Irene and David Morris could have packed up and taken jobs elsewhere, maybe back home in Ohio or Michigan, when

the owner of the manufacturing company retired and sold out. If that had happened, Atlantic India Rubber Co. grommets and parts might be made in China now.

But the Morrisses—working as manager and executive—decided they'd poured nearly 10 years of their life into building the factory in Johnson County.

They cared about their employees, all hired locally when the 92-year-old company moved from Illinois and Ohio in 2003. They cared that the rubber parts used on Harley Davidson motorcycles and Arctic Cat snowmobiles and Boeing jets are made in the U.S.A. They wanted to save their jobs. And ultimately, Irene Morris said, the company survived "one of the toughest years ever" for manufacturers, so "we knew the business was sound."

So the couple, whose children are grown and whose only debt was a mortgage and a car loan, borrowed nearly \$1.3 million to buy out their employer last summer.

"When we came on board here, we ran it like it was ours. We put a lot of ourselves into it," Irene Morris said.

"I think we're proud of what we do here."

KENTUCKY'S MANUFACTURING SLIDE

Many manufacturers haven't fared so well. Since 2005, Kentucky has lost more than 18 percent of its manufacturing jobs. Some counties have lost as many as a third of their manufacturing employers and more than 60 percent of manufacturing jobs, according to the Kentucky Office of Employment and Training. The Morrisses' purchase of Atlantic India Rubber helped Johnson County buck that trend.

The company is one of nine manufacturing employers in the county. Atlantic India's eight employees count for less than 10 percent of the 135-strong manufacturing labor force in the county.

But since 2005, Johnson County's manufacturing employment has grown by nearly 12 percent.

The rubber company has an old brand name, but before it moved to Johnson County, it was really just a distributor. Contractors made all the parts, Irene Morris said.

"We were a start-up in the sense that for probably 30 or maybe more years, it was maybe just a distribution center," she said. "Distribution isn't all that much cost to set up; manufacturing is because you've got all your presses."

"Coming into this area, that was probably one of the biggest challenges we've had. No one in this area had experience."

They brought two employees from Michigan, including their son, who now manages a restaurant in Paintsville. But they hired the rest of their employees locally.

The Morrisses worked to improve the quality of their products and relationships with customers. Atlantic India's owner, Jim Green, was a former Johnson Countian who knew the area but lived in Florida. He trusted Irene and David Morris to run the business as though it were their own.

Irene Morris said her husband, who had served in Germany and Spain in the Army, was the one who talked her into pulling up her Michigan roots to move to Johnson County in the first place.

"I didn't have a lot of faith in my ability," Irene Morris said.

She had gone to college to be a social worker but got a job as a trimmer at another rubber company. She has learned the business from the ground up over 20 years. She and David met working for the same rubber company, before they were hired by Atlantic India.

There were advantages to working in Johnson County: Their boss knew the area and wanted to move; costs were lower than those in factory-saturated Ohio and Michigan; the small-town atmosphere and cost of living appealed to the couple.

But there were problems, too. The local business community isn't geared toward manufacturing.

"In Michigan," David Morris said, parts makers used to be so plentiful "you could just go around the corner and find what you need."

Now, the Morrisses need a tool-and-die maker, for example, but the market is so geared toward the coal industry, they aren't sure where to start looking locally. Also, they are pleased that one of their Oregon contractors might be opening up facilities in Ohio, cutting travel and distribution costs.

When they first moved to Hager Hill, Irene and David Morris lived in their warehouse while trying to establish the business. They had to have machines shipped in and find workers they could train to run them.

They still feel like outsiders in Johnson County, but local leaders have welcomed them, Irene Morris said. She has a relationship with the local chamber of commerce, the judge-executive, state representatives. She said she personally knows the local UPS and FedEx workers, as well as bankers and suppliers.

"They made us feel like a big deal, even though we were small," Irene Morris said.

HANDS-ON MANAGERS

The Morrisses were managers, but they knew every job in the business and were hands-on. They filled in for their workers, and they trained a press operator to fill in for them. They bought a house and two cars, and their son eventually moved on to other jobs.

"We're just ordinary people," Irene Morris said. She didn't have aspirations to "get rich" or even to own her own business until a couple of years ago, when her boss decided to retire and sell.

There were interested buyers, but none with ties to Johnson County. The economy was starting to slide, manufacturing jobs nationwide were disappearing, and the Atlantic India brand might have been valuable enough to those outside buyers without keeping the manufacturing in Kentucky.

A few years earlier, a major Johnson County manufacturer, American Standard plumbing parts, had sent hundreds of jobs to Mexico. The Morrisses feared Atlantic India would have had a similar fate.

The couple made contacts with local government and non-profit groups, as well as the state Cabinet for Economic Development.

The Morrisses are part of a trend, said Economic Development Commissioner Erik Dunnigan.

In 2010, 84 percent of job growth and investment growth came from existing local companies, as opposed to companies new to Kentucky: "That's redirecting our efforts," Dunnigan said.

In September 2009, Atlantic India started talking with Mountain Association for Community Economic Development, a Berea non-profit. MACED and Southeast Kentucky Economic Development, a London non-profit, began the year-long process to help Atlantic India secure nearly \$1.3 million in financing to buy the company and the building they were leasing.

Irene Morris had to write an application for the loan, a three-year forecast, growth projections and a business plan.

She said she knew the manufacturing side of her work, but she had to learn quickly about the financial side.

Half of the loan came from a federal Small Business Administration program handled by SKED; the other half came from MACED. If the couple defaults, the organizations would seize the business and property.

The feeling, when they signed their names to the loan, was both empowerment and trepidation.

"We've never been that far ever in debt," David Morris said.

But he believed in his wife. Irene Morris is officially the 51 percent owner, which gives the company a leg up in some contracts because it can call itself a "woman-owned" business.

The fact that the Morrisses know the business so well made them good candidates for a loan, said Justin Maxson, president of MACED.

Irene Morris said she might have given up trying to get the loan if not for such encouragement from MACED and Southeast Kentucky Economic Development.

When she's ready to retire in 20 years, Morris said, "I would like to see a couple of our employees be able to buy the business."

HONORING OUR ARMED FORCES

LIEUTENANT MATTHEW IRA LOWE AND LIEUTENANT NATHAN HOLLINGSWORTH WILLIAMS

Mrs. BOXER. Mr. President, today I ask my colleagues to join me in paying tribute to two dedicated Navy officers who were tragically killed in a training accident in my home State of California.

LT Matthew Ira Lowe and LT Nathan Hollingsworth Williams died on April 6, 2011, after their F/A-18F Super Hornet crashed near the Lemoore Naval Air Station in central California. Lieutenants Lowe and Williams were assigned to Strike Fighter Squadron VFA-122, based at Lemoore Naval Air Station.

LT Matthew Ira Lowe of Plantation, FL, had a lifelong passion for flying. He received an engineering degree from the University of Central Florida in 2001. While in college, he also earned his pilot's license. He later joined the Navy and received his commission through Officer Candidate School in February 2003. Most recently, Lieutenant Lowe served as an instructor, and had been training to become a pilot for the elite Blue Angels exhibition team.

A decorated pilot who earned the Navy/Marine Corps Achievement Medal and the National Defense Service Medal, Lieutenant Lowe will be remembered by those who served with him for his sense of humor and outgoing personality. Lieutenant Lowe is survived by his parents Ira and Pamela Lowe, and two elder siblings. He was 33 years old.

A native of Oswego, NY, LT Nathan Hollingsworth Williams attended the University of Rochester on a Navy Reserve Officer Training Corps scholarship. Upon graduating with honors in mathematics in 2004, he reported for duty at Naval Air Station Pensacola for flight training where he earned his

naval flight officer wings. Lieutenant Williams was deployed to Afghanistan, where he served aboard the U.S.S. Theodore Roosevelt, providing air support for U.S. ground troops. After returning from Afghanistan, Lieutenant Williams was chosen as a flight instructor at Lemoore Naval Air Station.

For his service, Lieutenant Williams received a number of awards including two Presidential Air Medals, the Afghanistan Campaign Medal with Star, Global War on Terrorism Service Medal, Pistol Marksmanship Medal, and Sea Service Deployment Ribbon. A dedicated Buffalo Bills fan, he will be remembered as a kind and caring person who was always willing to lend a hand to those in need. Lieutenant Williams is survived by his wife Meredith; his parents Alan and Gay Williams; and his brothers Jeffrey and Seth. He was 28 years old.

Nothing can fully account for the loss suffered by the families of Lieutenants Lowe and Williams, and all those who loved them. But I hope they can take comfort in the knowledge that they will be forever honored and remembered by a grateful Nation.

ARMENIAN GENOCIDE REMEMBRANCE DAY, 2011

Mr. LEVIN. Mr. President, each year we commemorate Armenian Genocide Remembrance Day. April 24 came during our recess this year and marked the 96th anniversary of the date in 1915 when Turkish Ottoman authorities ordered the rounding up and detention of hundreds of Armenian intellectual leaders, civic leaders, writers, priests, teachers, and doctors. Many of these leaders would eventually be executed. What followed between 1915 and 1923 was an organized campaign of deportation, expropriation, conscription, starvation, and other atrocities that resulted in the deaths of over 1.5 million Armenians. Large numbers of Armenians fled their homeland to seek safety elsewhere, including in Michigan and other communities in the United States. We remember the tragic events of this period to honor those who died and to show our respect and solace for those who survived the suffering inflicted on the Armenian people.

We also remember the Armenian Genocide to remind ourselves of the evil which mankind is capable of and to reaffirm our collective commitment to a future in which such mass atrocities will not be repeated. While the horrific abuses suffered by the Armenians have been described as the first genocide of the 20th century, they were soon followed by other genocides and mass atrocities, including the Holocaust, which Hitler said could be pursued because "Who, after all, speaks today of the annihilation of the Armenians?" As the tragedies in Rwanda, Bosnia, Darfur and elsewhere show, when mankind turns a blind eye to an unfolding

massacre, those who would use wholesale violence against others are emboldened to believe they can act with impunity.

More recently, the international community has come together to prevent a massacre of civilians from occurring in Libya. The memory of the tragic consequences of mankind's collective failure to act in the past has helped to motivate world leaders to commit at the United Nations to the protection of the Libyan people against the murderous threats of the Qadhafi regime.

It is also important to remember the events of 1915–1923 with honesty and integrity for reconciliation and healing to occur. Some have sought to deny that these events constituted genocide. But the devastating effects of the Ottoman Turkish regime's systematic engagement in the killing and deportation of the Armenian community cannot be denied. The consequences of these acts are with us today among the Armenian diaspora living and thriving throughout the world and in the tensions within the Caucasus region. The costs of these violent acts to the victims and the survivors must not be discounted through denial.

These acts were not committed by the present day Republic of Turkey. Over the last few years, Armenia and Turkey have engaged in an important dialogue on normalizing relations. This process has unfortunately stalled, and should be reinvested to remove barriers and promote reconciliation between the two countries. In addition, Turkey, as a NATO ally, has played an important role in the enforcement of the U.N. resolutions regarding Libya and the protection of the Libyan people from brutal attacks by the Qadhafi regime.

So in honor of the 97th anniversary of Armenian Genocide Remembrance Day, let us rededicate ourselves to the prevention of mass atrocities and the principles of justice and understanding, which are essential for the promotion of human dignity.

REMEMBERING CONGRESSMAN ROBERT DUNCAN

Mr. WYDEN. Mr. President, I rise today to recognize a man who deserves his own branch on the tree of Oregon politics.

Former Congressman Robert B. Duncan, died Friday in Portland at the age of 90. He will long be remembered for what he achieved in reviving the Oregon Democratic Party in the years after World War II and being elected to represent two of Oregon's congressional districts during the 1960s and 1970s where he championed such great causes as civil rights and the war on poverty.

He will also be remembered as someone who bravely took on two of Or-

egon's iconic figures. Bob Duncan ran unsuccessfully for the U.S. Senate three times, narrowly losing to names that are familiar to everyone in this room—Wayne Morse and Mark Hatfield.

On a personal note, I might also add that Bob Duncan was the incumbent and my opponent in the 1980 primary race for Oregon's 3rd Congressional District. When I won that race I was afraid that I had made an enemy for life out of someone who was revered in State Democratic circles. I couldn't have been more wrong. He reached out to me and became both a friend and a supporter.

Throughout his life, Bob Duncan was a major force in Oregon politics, shaping the state through his various roles as speaker of the Oregon House to influential member of the House appropriations subcommittee on transportation where he played a key role in bringing light rail to the streets of Portland. His public life ended in 1987 when he stepped down as chairman of the Northwest Power Planning Council.

Bob's service in Congress covered a pivotal time in American politics the war in Vietnam. In 1966, at the urging of President Lyndon Johnson, Bob gave up his congressional seat from southern Oregon to run for the Senate against then-Governor Mark Hatfield. It was a nationally watched race pitting Duncan, a proponent of the war, against Hatfield, one of the Nation's earliest opponents of the United States' Vietnam policy.

Two years later, Bob lost by only about 10,000 votes when he ran against Wayne Morse in the Democratic primary for Oregon's other Senate seat. Morse eventually lost to Republican Bob Packwood. In 1972, he lost again to Morse in a Democratic primary for the U.S. Senate.

Never one to remain idle, Duncan having moved to Portland, won an open congressional seat in 1974, making him the only person in Oregon history to represent U.S. House districts in different parts of the State.

But Bob Duncan's life should not be defined by races won and lost. He was a tireless advocate for civil liberties, civil rights and eliminating the scourge of poverty in America. His friends and you can count me among them remember him as tenacious and hard working with a brilliant legal mind.

I will always remember him as a larger-than-life figure who loved telling stories and never let politics getting in the way of doing what he felt was right. Despite running a hard-fought race against each other, Duncan and Mark Hatfield became close friends and working partners. Thanks to Hatfield's efforts, a government building in downtown Portland now bears Duncan's name.

Please join me in extending my condolences to his wife Kathryn and his children. All of Oregon shares in their loss.

NATIONAL VA RESEARCH WEEK

Mrs. MURRAY. Mr. President, I would like to recognize the accomplishments and discoveries of investigators and scientists at the Department of Veterans Affairs, VA, who have brought about critical advances in health care delivery and medical knowledge through innovative medical research. These researchers and the veterans that make it all possible will be honored this week by National VA Research Week, which celebrates the historic success of VA research collaborations through this year's theme of "Discovery and Collaboration for Exceptional Health Care." I would like to share some of the amazing breakthroughs that have resulted from VA research and that have advanced the quality of health care for all Americans.

At the conclusion of World War I, it was clear that servicemembers returning from a new type of warfare needed innovative medical treatment. VA research began conducting hospital-based medical studies in 1925 and since then has continued to publish significant research studies on a regular basis. While VA research studies have changed dramatically over the years to reflect the needs of veterans of each conflict, the goal of providing quality care has remained paramount.

This commitment to quality care has led to a litany of medical breakthroughs and discoveries that are respected and have been utilized around the world. Without the tireless efforts of VA researchers, the medical community would not have lifesaving tools such as the pacemaker and the heart stint. Without the breakthroughs of VA research, the world may never have seen a successful liver transplant, a safer cure for tuberculosis, or genetic mapping that may one day lead to the eradication of Alzheimer's disease. The many successes of VA research continue today as ongoing projects close in on a possible cure for cancer, create new pharmaceutical solutions for serious mental illness, and build new prosthetics and assistive devices that make a return to normal life possible for our wounded warriors.

VA research holds the promise to improve treatment and rehabilitation for our Nation's veterans. From developing new prosthetics to understanding and treating traumatic brain injuries, veterans can be certain that VA medical staff will always be prepared to best heal their wounds. Wounds, both visible and invisible, must receive the best care and treatment possible, and I am proud that VA is leading the way on new treatments for post-traumatic stress disorder, PTSD.

VA breakthroughs in the treatment of PTSD have not only helped thousands of veterans but have served as an example for both the American and international mental health community. Most recently, VA has been a resource for the people of Japan while they grapple with the mental wounds of the tragic earthquake and tsunami that so violently shook that country earlier this year. Today, while the first responders and the resilient people of Alabama and the areas affected by recent tornado destruction begin physically rebuilding their homes and communities, they can rely on the Psychological First Aid Field Operations Guide to provide tips on how to begin the healing process.

Medical and scientific advances from VA research have often come through collaboration. VA has the privilege of relying on one of our Nation's greatest assets, the men and women who serve. These veterans understand that oftentimes, their participation in VA Research may not directly benefit their lives. Instead, they continue to serve their fellow Americans by trying to ensure better quality care for those who return from armed conflicts in the future. By partnering with 1 million veterans, VA is launching the Million Veteran Project, an effort to learn more about how genetics affect health.

VA also has the ability to partner with some of the best medical research institutions through their relationship with the Association of American Medical Colleges. This year's theme marks the 65th anniversary of an agreement which allowed VA to join with medical schools and create innovative partnerships directly impacting the quality of care. This partnership is a significant reason for VA research being so successful at finding innovative solutions to health care problems. Because of this collaboration, VA scientists and researchers have access to both VA medical centers and various university medical centers to conduct their research. This partnership brings together the brightest minds of our medical and scientific communities and yields positive results for our veterans.

I am proud to have been a long-time, ardent supporter of VA research. I know that VA's world-class researchers could easily work elsewhere, but they continue to work with the Department in fulfilling its obligations to constantly improve the quality of care for our veterans. At a time when more and more veterans are coming home from war and relying on VA for their health care needs, we here in Congress must make sure we can lead the way with a strong investment in our veterans and the high quality care we are committed to providing them.

ADDITIONAL STATEMENTS

60TH ANNIVERSARY OF BUENO FOODS

• Mr. BINGAMAN. Mr. President, "red or green?" That is the question. As anyone who has ever dined in my State well knows, this inquiry refers to whether one prefers the zesty green chile or the piquant red chile when ordering New Mexico's unique native cuisine. In fact, in my State of New Mexico "red or green" is our official State question, and as I understand it, New Mexico is the only State that has designated a State question.

For hundreds of years, chile has been central to the culture of New Mexico. Early Spanish settlers brought the chile plant to New Mexico from the Valley of Mexico. Today, growing and processing chile peppers is New Mexico's signature industry providing about 5,000 jobs and a total value of about \$400 million per year. The chile pepper and the frijole—or pinto bean—are also the State's official vegetables.

Today I honor the Baca family of Albuquerque and the 60th anniversary of Bueno Foods. Just as chile peppers are integral to New Mexican cuisine, for generations Bueno Foods has been integral to the preparation of delicious products made from chile. The Baca family is a pillar of New Mexico business and of the Barelás neighborhood in the South Valley of Albuquerque.

Three brothers, Joe, Ray, and August Baca, members of a long-established New Mexican family, returned to New Mexico in 1946 from serving in World War II. They opened a local grocery, the Ace Food Store in Barelás. Soon they started offering their mother's legendary cooking, adding a carry-out component to the store. At first, from the kitchen of their childhood home, they made corn and flour tortillas, tamales and posole.

The homemade traditional New Mexican dishes were an immediate hit. Then, the Baca brothers had an idea. They talked about it around the supper table with their mother and father. They talked about it day and night. It was the early 1950s and every household was getting a freezer. Commercial frozen vegetables were becoming the rage. The brothers asked themselves two questions: Why couldn't they take a piece of their heritage, New Mexico's fresh-roasted green chile, and preserve it? Why couldn't they start with an autumn tradition and use freezers to make it last until the following year's harvest?

Thus, the Baca brothers were the first to flame roast green chile and freeze it on a commercial scale. No equipment existed, so they had to build it. No process existed, so they had to invent it. And on May 18, 1951, Bueno Foods was born.

Bueno Foods has grown steadily from that small neighborhood grocery store

into a producer of 150 unique New Mexican and Mexican food products, spreading "el sabor de Nuevo Mexico" across the State and the Nation. Now owned and operated by the second generation of the Baca family in the same South Valley neighborhood, Bueno Foods employs about 220 people year-round and up to 350 during peak chile-roasting season. The Baca family is also active in the New Mexico Chile Association, a nonprofit organization composed of growers and producers fighting to ensure the chile industry remains and prospers in New Mexico.

The Baca family has always believed in giving back to its community. To help mark the 60th anniversary celebration, Bueno Foods is focusing on four elements that are important to the family and their company: improving the environment by planting 60 cottonwood trees to replace those destroyed in last year's bosque fire in Barelás; preserving their culture by giving away special Autumn Roast Chile grown in Hatch, NM; supporting literacy and education by providing 600 copies of the children's book "Tia Tamales" to low-income schools in New Mexico; and contributing to 60 community charities that focus on the basic needs of education, hunger, and stronger communities.

It is an honor to congratulate Jackie, Gene, Catherine, and Ana Baca and the Baca family on their 60 years of success with Bueno Foods, to thank them for all their good work in the South Valley and throughout New Mexico, and to remember those far-sighted brothers who started it all with a good idea and a chile roaster. •

REMEMBERING ABRAHAM BREEHEY

• Mrs. BOXER. Mr. President, it is with deep sadness that I pay tribute to Abraham "Abe" Breehey, and I ask my colleagues to join me today in honoring his memory. Abe, who was a champion of the rights of America's working men and women, passed away suddenly last month from complications related to a brain tumor. He was just 34 years old.

Abe was a well-respected friend and colleague to many in the Senate. As director of Legislative Affairs and special assistant to the international president of the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, he tirelessly represented workers across the country. He also served as chairman of the AFL-CIO Building and Construction Trades Department's Legislative Task Force.

Abe worked closely with the Senate Environment and Public Works Committee, which I chair, in our efforts to promote clean energy jobs. He represented labor interests with passion

and intellect and was a powerful advocate for the role of workers in moving the U.S. toward a clean energy future.

He was, in the words of International Brotherhood of Boilermakers President Newton B. Jones, the union's "point man on Capitol Hill," who advanced many critical causes on behalf of working men and women "with boundless enthusiasm and determination."

Abe's work was not limited to the U.S. Congress. He also worked internationally on efforts to control global warming, representing the International Brotherhood of Boilermakers in international negotiations under the United Nations Framework Convention on Climate Change.

Abe received his bachelor's degree from Sienna College in Loudonville, NY, and his master's degree in public policy from the Rockefeller College of Public Affairs and Policy at the University of Albany. He was also a graduate of the Trade Union Program at Harvard Law School. Prior to joining the Boilermakers, he served as legislative assistant for Representative DOGGETT.

As anyone who worked with him can tell you, Abe was an extraordinary person. Always full of cheer, he possessed a gift for finding common ground on tough issues, and he was taken from this world far too early.

On Thursday, April 14, Abe passed away, leaving a loving wife, Sonya, and beloved daughter, Abigail. He is also survived by his parents Ray and Carol Breehey, sister Rachel Breehey Mollen, three nieces, and a nephew. Our thoughts and prayers go out to his loving family and many friends.

The U.S. Congress and workers across the country have lost a tireless advocate, trusted colleague and friend, and Abe will be greatly missed. Although his life was short, Abe unquestionably left his mark and he made a difference in the lives of working people everywhere. He will serve as an inspiration for all of us going forward, and we will build on his important work to honor his legacy. I know I speak for all of my colleagues in the Senate in mourning the loss of Abe Breehey and paying tribute to the life of this vibrant and successful young man.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 12:10 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1213. An act to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1213. An act to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1401. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Fluopicolide; Pesticide Tolerances" (FRL No. 8859-9) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1402. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Data Requirements for Antimicrobial Pesticides; Notification to the Secretaries of Agriculture and Health and Human Services" (FRL No. 8861-7) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1403. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Triflurosulfuron-methyl; Pesticide Tolerances" (FRL No. 8871-4) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1404. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Pyraulfotole; Pesticide Tolerances" (FRL No. 8869-5) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1405. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mefenpyr-diethyl;

Pesticide Tolerances" (FRL No. 8870-9) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1406. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metiram; Pesticide Tolerances" (FRL No. 8869-1) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1407. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Aluminum tris(0-ethylphosphonate), Butylate, Chlorethoxyfos, Clethodim, et al.; Tolerance Actions" (FRL No. 8869-6) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1408. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Carbon Dioxide; Exemption from the Requirement of a Tolerance" (FRL No. 8873-1) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1409. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clothianidin; Pesticide Tolerances" (FRL No. 8873-3) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1410. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Metarhizium anisopliae strain F52; Exemption From the Requirement of a Tolerance" (FRL No. 8872-3) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1411. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Citrus Canker, Citrus Greening, and Asian Citrus Psyllid; Interstate Movement of Regulated Nursery Stock" ((RIN0579-AD29)(Docket No. APHIS-2010-0048)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1412. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Gypsy Moth Generally Infested Areas; Additions in Indiana, Maine, Ohio, Virginia, West Virginia, and Wisconsin" (Docket No. APHIS-2010-0075) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1413. A communication from the Health Physicist, Army Safety Office, Department of Defense, transmitting, pursuant to law,

the report of a rule entitled "Radiation Sources on Army Land" (RIN0702-AA58) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Armed Services.

EC-1414. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Lieutenant General Robert L. Van Antwerp, Jr., United States Army, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-1415. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement; Acquisition of Commercial Items" ((RIN0750-AG23)(DFARS Case 2008-D011)) received during adjournment of the Senate in the Office of the President of the Senate on April 25, 2011; to the Committee on Armed Services.

EC-1416. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Peter H. Daly, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1417. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral David J. Dorsett, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1418. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Brigadier General Larry D. Wyche, United States Army, and his advancement to the grade of brigadier general on the retired list; to the Committee on Armed Services.

EC-1419. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Acquisition Regulation Supplement; Rules of the Armed Services Board of Contract Appeals" (48 CFR Chapter 2) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Armed Services.

EC-1420. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting the report of an officer authorized to wear the insignia of the grade of major general in accordance with title 10, United States Code, section 777; to the Committee on Armed Services.

EC-1421. A communication from the Under Secretary of Defense (Personnel and Readiness), transmitting a report on the approved retirement of Vice Admiral Anthony L. Winns, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-1422. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the restructured National Polar-orbiting Operational Environmental Satellite System exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-1423. A communication from the Secretary of the Air Force, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost for the C-27J program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-1424. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, a report relative to the realistic survivability testing of the Littoral Combat Ship (LCS); to the Committee on Armed Services.

EC-1425. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics), transmitting, pursuant to law, ninety-five (95) Selected Acquisition Reports (SARs) for the quarter ending December 31, 2010 (DCN OSS 2011-0710); to the Committee on Armed Services.

EC-1426. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-011, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-1427. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-014, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-1428. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 10-130, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-1429. A communication from the Chief Counsel, United States Mint, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Assessment of Civil Penalties for Misuse of Words, Letters, Symbols, and Emblems of the United States Mint" (RIN1506-AA58) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1430. A communication from the Chief Counsel, United States Mint, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Prohibition on the Exportation, Melting, or Treatment of 5-Cent and One-Cent Coins" (31 CFR Part 82) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1431. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Corporate Credit Unions, Technical Corrections" (RIN3133-AD58) received during adjournment of the Senate in the Office of the President of the Senate on April 28, 2011; to the Com-

mittee on Banking, Housing, and Urban Affairs.

EC-1432. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z—Truth in Lending" ((RIN7100-AD55)(12 CFR 226)) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1433. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1434. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1435. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1436. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1437. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1438. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1439. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Final Flood Elevation Determinations" ((44 CFR Part 67)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the

Committee on Banking, Housing, and Urban Affairs.

EC-1440. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Changes in Flood Elevation Determinations" ((44 CFR Part 65)(Docket No. FEMA-2011-0002)) received during adjournment of the Senate in the Office of the President of the Senate on April 28, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1441. A communication from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting, pursuant to law, two (2) reports relative to vacancies in the Department of the Treasury, received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1442. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13466 of June 26, 2008, and expanded in Executive Order 13551 of August 20, 2010, with respect to the current existence and risk of the proliferation of weapons-usable fissile material on the Korean Peninsula; to the Committee on Banking, Housing, and Urban Affairs.

EC-1443. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-1444. A communication from the President of the United States, transmitting, pursuant to law, a report relative to expanding the scope of the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Banking, Housing, and Urban Affairs.

EC-1445. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC-1446. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to South Africa; to the Committee on Banking, Housing, and Urban Affairs.

EC-1447. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report on the continuation of the national emergency declared in Executive Order 13413 with respect to blocking the property of persons contributing to the conflict taking place in the Democratic Republic of the Congo; to the Committee on Banking, Housing, and Urban Affairs.

EC-1448. A communication from the First Vice President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting, pursuant to law, the Bank's 2010 Management Report and statement on the system of internal control; to the Committee on Banking, Housing, and Urban Affairs.

EC-1449. A communication from the Director of the Legislative Affairs Division, Natural Resources Conservation Service, Department of Agriculture, transmitting, pur-

suant to law, the report of a rule entitled "Wetland Conservation" (RIN0578-AA58) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Environment and Public Works.

EC-1450. A communication from the Director of Congressional Affairs, Office of Enforcement, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Interim Enforcement Policy for Minimum Days Off Requirements" (SRM-SECY-11-0003 and SRM-SECY-11-0028) received during adjournment of the Senate in the Office of the President of the Senate on April 25, 2011; to the Committee on Environment and Public Works.

EC-1451. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Clarifying the Process for Making Emergency Plan Changes" (NRC Regulatory Issue Summary 2005-02, Revision 1) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Environment and Public Works.

EC-1452. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Standard Format and Content for Emergency Plans for Fuel Cycle and Materials Facilities" (Regulatory Guide 3.67, Revision 1) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Environment and Public Works.

EC-1453. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Protection of Safeguard Information" (Regulatory Guide 5.79) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Environment and Public Works.

EC-1454. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Information Relevant to Ensuring That Occupational Radiation Exposures at Medical Institutions Will Be As Low As Is Reasonably Achievable" (Regulatory Guide 8.18, Revision 2) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Environment and Public Works.

EC-1455. A communication from the Administrator of the Environmental Protection Agency, transmitting, pursuant to law, a report relative to the Great Lakes Ecosystem; to the Committee on Environment and Public Works.

EC-1456. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; South Carolina; Update to Materials Incorporated by Reference" (FRL No. 9286-2) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Environment and Public Works.

EC-1457. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Adoption of the Revised Lead Standards and Related Reference Conditions and Update of Appendices" (FRL No. 9298-1) received during adjournment of the

Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Environment and Public Works.

EC-1458. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Oil Pollution Prevention; Spill Prevention, Control, and Countermeasure (SPCC) Rule—Amendments for Milk and Milk Products Containers" (FRL No. 9297-37) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Environment and Public Works.

EC-1459. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of State Plans for Designated Facilities and Pollutants: Florida; Jefferson County, Kentucky; Forsyth, Mecklenburg, and Buncombe Counties, North Carolina; and South Carolina" (FRL No. 9298-9) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Environment and Public Works.

EC-1460. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Update to Materials Incorporated by Reference" (FRL No. 9298-3) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Environment and Public Works.

EC-1461. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clarifications to Indian Tribes' Clean Air Act Regulatory Requirements; Direct Final Amendments" (FRL No. 9300-2) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Environment and Public Works.

EC-1462. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana; Removal of Vehicle Inspection and Maintenance Programs for Clark and Floyd Counties" (FRL No. 9299-7) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Environment and Public Works.

EC-1463. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Prevention of Significant Deterioration (PSD) and Nonattainment New Source Review (NSR): Reconsideration of Inclusion of Fugitive Emissions; Interim Rule; Stay and Revisions" (FRL No. 9299-3) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Environment and Public Works.

EC-1464. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the

report of a rule entitled "Determinations Concerning Need for Error Correction, Partial Approval and Partial Disapproval, and Federal Implementation Plan Regarding Texas's Prevention of Significant Deterioration Program" (FRL No. 9299-9) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Environment and Public Works.

EC-1465. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Illinois" (FRL No. 9294-7) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Environment and Public Works.

EC-1466. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Mandatory Reporting of Greenhouse Gases: Petroleum and Natural Gas Systems" (FRL No. 9299-1) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Environment and Public Works.

EC-1467. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Northern Sonoma County Air Pollution Control District (NSCAPCD) and Mendocino County Air Quality Management District" (FRL No. 9292-6) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Environment and Public Works.

EC-1468. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "User Fees Relating to Enrolled Agents and Enrolled Retirement Plan Agents" (RIN1545-BJ65) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Finance.

EC-1469. A communication from the Director, Office of Regulations, Social Security Administration, transmitting, pursuant to law, the report of a rule entitled "Eliminating the Decision Review Board" (RIN0960-AG80) received in the Office of the President of the Senate on April 28, 2011; to the Committee on Finance.

EC-1470. A communication from the President of the United States, transmitting, pursuant to law, a report relative to Afghanistan and Pakistan (DCN OSS-2011-0611); to the Committee on Foreign Relations.

EC-1471. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, an Accountability Review Board report relative to an incident in Pakistan on February 3, 2010 (DCN OSS 2011-0708); to the Committee on Foreign Relations.

EC-1472. A communication from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting, pursuant to law, a report prepared by the Department of State on progress toward a negotiated solution of the Cyprus question covering the periods December 1, 2010 through January 31, 2011; to the Committee on Foreign Relations.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mrs. MURRAY for the Committee on Veterans' Affairs.

*Allison A. Hickey, of Virginia, to be Under Secretary for Benefits of the Department of Veterans Affairs.

*Steve L. Muro, of California, to be Under Secretary of Veterans Affairs for Memorial Affairs.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself, Mr. COBURN, Mr. MCCONNELL, Mrs. HUTCHISON, Mr. ROBERTS, Mr. RUBIO, Mr. BLUNT, Ms. AYOTTE, Mr. WICKER, Mr. ISAKSON, Mr. VITTER, Mr. CHAMBLISS, Mr. BARRASSO, Mr. BOOZMAN, Mr. BURR, Mr. THUNE, Mr. RISCH, Mr. INHOFE, Mr. MORAN, Mr. GRASSLEY, Mr. CRAPO, Mr. JOHANNES, Mr. HOEVEN, Mr. SHELBY, Mr. COATS, Mr. CORKER, Mr. PAUL, Mr. JOHNSON of Wisconsin, Mr. MCCAIN, Mr. LEE, and Mr. KYL):

S. 877. A bill to prevent taxpayer-funded elective abortions by applying the longstanding policy of the Hyde amendment to the new health care law; to the Committee on Finance.

By Mr. NELSON of Nebraska:

S. 878. A bill to amend section 520 of the Housing Act of 1949 to revise the requirements for areas to be considered as rural areas for purposes of such Act; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. KIRK (for himself, Mrs. GILLIBRAND, and Mr. CORNYN):

S. 879. A bill to promote human rights and democracy in Iran; to the Committee on Foreign Relations.

By Mr. NELSON of Florida:

S. 880. A bill to extend Federal recognition to the Muscogee Nation of Florida; to the Committee on Indian Affairs.

By Ms. LANDRIEU (for herself, Mr. WICKER, and Mr. BLUNT):

S. 881. A bill to amend the Consumer Credit Protection Act to assure meaningful disclosures of the terms of rental-purchase agreements, including disclosures of all costs to consumers under such agreements, to provide substantive rights to consumers under such agreements, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BROWN of Ohio:

S. 882. A bill to prevent misuse, overutilization, and trafficking of prescription drugs by limiting access to such drugs for Medicare and Medicaid beneficiaries who have been identified as high-risk prescription drug users; to the Committee on Finance.

By Mr. LIEBERMAN (for himself and Mr. GRASSLEY):

S. 883. A bill to authorize National Mall Liberty Fund D.C. to establish a memorial

on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution; to the Committee on Energy and Natural Resources.

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. JOHANNES, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. JOHNSON of South Dakota, Mr. HARKIN, and Mr. NELSON of Nebraska):

S. 884. A bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes; to the Committee on Finance.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 885. A bill to amend the Transportation Equity Act for the 21st Century to reauthorize a provision relating to additional contract authority for States with Indian reservations; to the Committee on Environment and Public Works.

By Mr. UDALL of New Mexico:

S. 886. A bill to amend the Interstate Horseracing Act of 1978 to prohibit the use of performance-enhancing drugs in horseracing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. NELSON of Florida:

S. 887. A bill to increase the portion of community block grants that may be used to provide public services, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. FRANKEN, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mr. SANDERS, Ms. SNOWE, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. LIEBERMAN):

S. Res. 162. A resolution expressing the sense of the Senate that stable and affordable housing is an essential component of an effective strategy for the prevention, treatment, and care of human immunodeficiency virus, and that the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN:

S. Res. 163. A resolution commemorating the 175th anniversary of the United States National Library of Medicine; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LAUTENBERG (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. GILLIBRAND, Ms. LANDRIEU, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COONS, Mr. SANDERS, Mr. BEGICH, Mr. SCHUMER, Mr. BROWN of Ohio, Mr. WARNER, Mr. KOHL, Mr. JOHNSON of South Dakota, and Mr. CARDIN):

S. Res. 164. A resolution recognizing the teachers of the United States for their contributions to the development and progress of our Nation; considered and agreed to.

ADDITIONAL COSPONSORS

S. 185

At the request of Mrs. BOXER, the names of the Senator from Nebraska

(Mr. JOHANNIS) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 185, a bill to provide United States assistance for the purpose of eradicating severe forms of trafficking in children in eligible countries through the implementation of Child Protection Compacts, and for other purposes.

S. 211

At the request of Mr. ISAKSON, the name of the Senator from Arizona (Mr. MCCAIN) was added as a cosponsor of S. 211, a bill to provide for a biennial budget process and a biennial appropriations process and to enhance oversight and performance of the Federal Government.

S. 229

At the request of Mrs. FEINSTEIN, her name was added as a cosponsor of S. 229, a bill to amend the Federal Food, Drug, and Cosmetic Act to require labeling of genetically-engineered fish.

S. 274

At the request of Mrs. HAGAN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 274, a bill to amend title XVIII of the Social Security Act to expand access to medication therapy management services under the Medicare prescription drug program.

S. 393

At the request of Mr. REED, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 393, a bill to aid and support pediatric involvement in reading and education.

S. 414

At the request of Mr. DURBIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the names of the Senator from Montana (Mr. BAUCUS), the Senator from Montana (Mr. TESTER) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 431

At the request of Mr. PRYOR, the names of the Senator from Minnesota (Mr. FRANKEN), the Senator from South Carolina (Mr. GRAHAM) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 486

At the request of Ms. MIKULSKI, her name was added as a cosponsor of S.

486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 501

At the request of Mr. THUNE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 528

At the request of Mrs. GILLIBRAND, the name of the Senator from New Jersey (Mr. LAUTENBERG) was added as a cosponsor of S. 528, a bill to provide driver safety grants to States with graduated driver licensing laws that meet certain minimum requirements.

S. 581

At the request of Mr. BURR, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 581, a bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers.

S. 593

At the request of Mr. SCHUMER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 593, a bill to amend the Internal Revenue Code of 1986 to modify the tax rate for excise tax on investment income of private foundations.

S. 668

At the request of Mr. CORNYN, the names of the Senator from Iowa (Mr. GRASSLEY) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 718

At the request of Mr. ROBERTS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 718, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 838

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and

to exempt those articles from a definition under that Act.

S. 855

At the request of Ms. STABENOW, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 855, a bill to make available such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 865

At the request of Mrs. MURRAY, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 865, a bill to provide grants to promote financial literacy.

S. 868

At the request of Mr. HATCH, the names of the Senator from Idaho (Mr. RISCHE), the Senator from South Dakota (Mr. THUNE), the Senator from Alabama (Mr. SHELBY), the Senator from Kentucky (Mr. PAUL), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Iowa (Mr. GRASSLEY), the Senator from Utah (Mr. LEE), the Senator from Arizona (Mr. MCCAIN) and the Senator from Indiana (Mr. COATS) were added as cosponsors of S. 868, a bill to restore the longstanding partnership between the States and the Federal Government in managing the Medicaid program.

S. RES. 86

At the request of Mrs. FEINSTEIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. Res. 86, a resolution recognizing the Defense Intelligence Agency on its 50th Anniversary.

S. RES. 138

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 138, a resolution calling on the United Nations to rescind the Goldstone report, and for other purposes.

S. RES. 144

At the request of Mrs. HUTCHISON, the names of the Senator from Colorado (Mr. UDALL) and the Senator from Idaho (Mr. CRAPO) were added as cosponsors of S. Res. 144, a resolution supporting early detection for breast cancer.

S. RES. 151

At the request of Ms. KLOBUCHAR, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. Res. 151, a resolution congratulating the University of Minnesota Duluth men's ice hockey team

on winning their first National Collegiate Athletic Association (NCAA) Division I Men's Hockey National Championship.

AMENDMENT NO. 299

At the request of Ms. SNOWE, the names of the Senator from Indiana (Mr. COATS) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of amendment No. 299 intended to be proposed to S. 493, a bill to reauthorize and improve the SBIR and STTR programs, and for other purposes.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY (for himself, Mr. CONRAD, Mr. JOHANNIS, Ms. KLOBUCHAR, Mr. FRANKEN, Mr. JOHNSON of South Dakota, Mr. HARKIN, and Mr. NELSON of Nebraska).

S. 884. A bill to amend the Internal Revenue Code of 1986 to provide for a variable VEETC rate based on the price of crude oil, and for other purposes; to the Committee on Finance.

Mr. GRASSLEY. Mr. President, I am pleased today to be joined by a number of my colleagues in introducing the Domestic Energy Promotion Act of 2011, an important piece of legislation that I believe is a good starting point in how tax policies for ethanol should evolve. I am joined in this effort by Senators CONRAD, JOHANNIS, KLOBUCHAR, FRANKEN, TIM JOHNSON, HARKIN and BEN NELSON.

Over the years, I have supported domestic ethanol production as a means to improve the environment, reduce our dependence on foreign oil, increase our national security, and bring economic activity to rural America. Those efforts have undoubtedly been an enormous success. Domestic biofuels now supply more than 13 billion gallons of homegrown fuel, accounting for nearly 10 percent of our Nation's transportation fuel needs.

In 2010, Congress enacted a one-year extension of the Volumetric Ethanol Excise Tax Credit, or VEETC, also known as the blenders' credit. This 1-year extension has allowed Congress and the domestic biofuels industry to determine the best path forward for Federal support for biofuels. The legislation we are introducing today is a serious, responsible first step to reducing and redirecting Federal tax incentives for biofuels.

This legislation will reduce VEETC to a fixed rate of 20 cents in 2012, and 15 cents in 2013. It will then convert to a variable tax incentive for the remaining 3 years, based on the price of crude oil. When crude oil is more than \$90 a barrel, there will be no blenders' credit. When crude oil is \$50 and below, the blenders' credit will be 30 cents. The rate will vary when the price of crude is between \$50 and \$90 a barrel. When

oil prices are high, a natural incentive should exist in the market to drive ethanol use.

It also would extend, through 2016, the alternative fuel refueling property credit; the cellulosic producers' tax credit; and the special depreciation allowance for cellulosic biofuel plant property. The bill would modify the alternative fuel refueling property credit to allow the credit for ethanol blends from E20 to E85. The credit would apply to 100 percent of the cost of the property, so long as dual-use pumps are used partly for alternative fuels. Finally, the bill would extend the ethanol import tariff, through 2016, stepping it down to 20 cents for 2012 and 15 cents for 2013 through 2016.

This legislation is a responsible approach that will reduce the existing blenders' credit and put those valuable resources into investing in alternative fuel infrastructure, including alternative fuel pumps. It would responsibly and predictably reduce the existing tax incentive, and help get alternative fuel infrastructure in place so consumers can decide which fuel they would prefer. I know that when American consumers have the choice, they will choose domestic, clean, affordable renewable fuel. They will choose fuel from America's farmers and ranchers, rather than oil sheiks and foreign dictators.

Some of my colleagues have argued that it is time to end the incentives for biofuels immediately and entirely. Not only is this bad energy policy, poor tax policy, and dangerous to our national security, it is also intellectually dishonest. I believe a discussion concerning our Nation's energy and tax policy should be debated in a comprehensive manner. Biofuels are not the only form of energy that receives incentives or supportive policies from the Federal Government.

How about the incentives for wind, oil, natural gas, nuclear, and geothermal? If the Senate intends to consider reforms to biofuels incentives, it should be in the context of a comprehensive review of all energy tax incentives. This bill is meant to serve as a first step in the process. This bill demonstrates a significant reduction in biofuels incentives over the next 5 years. I challenge my colleagues to find any other energy source that is contributing as much to our economy and energy supply that is willing to step up and do that in the current legislative debate.

Now is not the time to pull the rug out from under the only domestic renewable energy source that is making significant contributions to our energy supply. I thank my colleagues for their support, and I look forward to a comprehensive discussion to advance sensible, responsible energy tax policies.

By Mr. BINGAMAN (for himself and Mr. UDALL of New Mexico):

S. 885. A bill to amend the Transportation Equity Act for the 21st Century to reauthorize a provision relating to additional contract authority for States with Indian reservations; to the Committee on Environment and Public Works.

Mr. BINGAMAN. Mr. President, I rise today with my distinguished colleague Senator UDALL of New Mexico to introduce the Indian School Bus Route Safety Reauthorization Act of 2011. This bill continues an important federal program begun in 1998 that addresses a unique problem with the roads in and around the Nation's single largest Indian reservation and the neighboring counties. Through this program, Navajo children who had been prevented from getting to school by roads that were often impassable are now traveling safely to and from their schools. Because of the unusual nature of this situation, I believe it must continue to be addressed at the Federal level.

I would like to begin with some statistics on this unique problem and why I believe a Federal solution continues to be necessary. The Navajo Nation is by far the nation's largest Indian Reservation, covering 25,000 square miles. Portions of the Navajo Nation are in three states: Arizona, New Mexico, and Utah. No other reservation comes anywhere close to the size of Navajo. To give you an idea of its size, the state of West Virginia is about 24,000 square miles. In fact, 10 states are smaller in size than the Navajo reservation.

According to the Bureau of Indian Affairs, about 9,700 miles of public roads serve the Navajo nation. Only about 1/3 of these roads are paved. The remaining 6,500 miles, 67 percent, are dirt roads. Every day school buses use nearly all of these roads to transport Navajo children to and from school.

About 6,200 miles of the roads on the Navajo reservation are BIA roads, and about 3,300 miles are State and county roads. All public roads within, adjacent to, or leading to the reservation, including BIA, State, and county roads are considered part of the Federal Indian Reservation Road System. However, only BIA and tribal roads are eligible for Federal maintenance funding from BIA. Moreover, the funding for road construction from the Federal Lands Highways Program in SAFETEA is generally applied only to BIA or tribal roads. Thus, the states and counties are responsible for maintenance and improvement of their 2,500 miles of roads that serve the reservation.

The counties in the three States that include the Navajo reservation are simply not in a position to maintain all of the roads on the reservation that carry children to and from school. Nearly all of the land area in these counties is under Federal or tribal jurisdiction.

For example, in my State of New Mexico, 3/4 of McKinley County is either tribal or federal land, including

BLM, Forest Service, and military land. The Indian land area alone comprises 61 percent of McKinley County. Consequently, the county can draw upon only a very limited tax base as a source of revenue for maintenance purposes. Of the nearly 600 miles of county-maintained roads in McKinley County, 512 miles serve Indian land.

In San Juan County, Utah, the Navajo Nation comprises 40 percent of the land area. The county maintains 611 miles of roads on the Navajo Nation. Of these, 357 miles are dirt, 164 miles are gravel and only 90 miles are paved. On the reservation, the county has three high schools, two elementary schools, two BIA boarding schools and four preschools.

The situation is similar in neighboring San Juan County, New Mexico, and Apache, Navajo, and Coconino Counties, Arizona. In light of the counties' limited resources, I do believe the Federal Government is asking the States and counties to bear too large a burden for road maintenance in this unique situation.

Families living in and around the reservation are no different from families anywhere else; their children are entitled to the same opportunity to get to school safely and to get a good education. However, the many miles of unpaved and deficient roads on the reservation are frequently impassable, especially when they are wet, muddy or snowy. If the school buses don't get through, the kids simply cannot get to school.

These children are literally being left behind.

Because of the vast size of the Navajo reservation, the cost of maintaining the county roads used by the school buses is more than the counties can bear without Federal assistance. I believe it is essential that the Federal Government help these counties deal with this one-of-a-kind situation.

In response to this unique situation, in 1998 Congress began providing direct annual funding to the counties that contain the Navajo reservation to help ensure that children on the reservation can get to and from their public schools. In 2005, the program was reauthorized in SAFETEA through 2009, and now extended through 2011.

Under this program, \$1.8 million is made available each year to be shared equally among the three states. The funding is provided directly to the counties in Arizona, New Mexico, and Utah that contain the Navajo reservation. I want to be very clear: these Federal funds can be used only on roads that are located within or that lead to the reservation, that are on the State or county maintenance system, and that are used by school buses.

This program has been very successful. For 14 years, the counties have used the annual funding to help maintain the routes used by school buses to

carry children to school and to Headstart programs. I have had an opportunity to see firsthand the importance of this funding when I rode in a school bus over some of the roads that are maintained using funds from this program.

The bill we are introducing today provides a simple 6 year reauthorization of that program, for fiscal years 2012 through 2017, with a modest increase in the annual funding to allow for inflation and for additional roads to be maintained in each of the three states.

I believe that continuing this program for 6 more years is fully justified because of the vast area of the Navajo reservation, by far the nation's largest, and the unique nature of this need that only the Federal Government can deal with effectively.

I don't believe any child wanting to get to and from school should have to risk or tolerate unsafe roads. Kids today, particularly in rural and remote areas, face enough hurdles to getting a good education. I ask my colleagues to join me again this year in assuring that Navajo schoolchildren at least have a chance to get to school safely and get an education.

I look forward to working with Chairman BOXER and Ranking Member INHOFE of the Environment and Public Works Committee, and Chairman BAUCUS and Ranking Member VITTER of the Transportation and Infrastructure Subcommittee, to incorporate this legislation once again into the next comprehensive 6 year reauthorization of surface transportation programs.

Mr. President, I ask unanimous consent that text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 885

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Indian School Bus Route Safety Reauthorization Act of 2011".

SEC. 2. REAUTHORIZATION OF ADDITIONAL CONTRACT AUTHORITY FOR STATES WITH INDIAN RESERVATIONS.

Section 1214(d)(5)(A) of the Transportation Equity Act for the 21st Century (23 U.S.C. 202 note; 112 Stat. 206; 119 Stat. 1460) is amended by striking "\$1,800,000 for each of fiscal years 2005 through 2009" and inserting "\$2,000,000 for each of fiscal years 2012 through 2017".

By Mr. UDALL of New Mexico:

S. 886. A bill to amend the Interstate Horseracing Act of 1978 to prohibit the use of performance-enhancing drugs in horseracing, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. UDALL of New Mexico. Mr. President, I rise today to introduce the Interstate Horseracing Improvement Act. This legislation addresses an issue

affecting interstate commerce and an iconic American animal. I am pleased to be working on this in a bipartisan manner with Representative ED WHITFIELD of Kentucky.

Although many recognize the horse as an iconic American animal, particularly for the West, there are probably few who know how long horseracing has been a part of our nation's history. My colleagues in Kentucky, Maryland, and New York can boast of the Sport of Kings' long tradition in their States. Yet the first recorded horserace in what is now the United States took place in New Mexico. In 1541, the Spanish explorer Coronado challenged one of his officers to a match race while they were camped near Bernalillo.

The Spanish brought not only horses, but also horseracing to what is now the United States. Decades before the Pilgrims arrived at Plymouth Rock, Don Juan de Oñate crossed into present day New Mexico with Spanish colonists who were not just settlers but caballeros, or "horse" men. Native American petroglyphs record early encounters with these new arrivals travelling on horseback. Horseracing became a tradition in the Southwest as it later did in Eastern states.

That tradition continues today at racetracks in New Mexico and over 30 other States across the nation. With the Kentucky Derby this Saturday, many Americans will turn their attention to Churchill Downs for the most exciting two minutes in sports. Some of the best of horseracing will be on display. Away from the crowds, however, horseracing finds itself facing an unattractive reality. Too many of its equine athletes are overmedicated and doped. The Sport of Kings is no place for such a drug problem.

American horseracing stands apart from the rest of the world when it comes to permissive medication rules and tolerance of doping. Unlike other countries that ban race day medications, racing jurisdictions here allow injecting horses just hours before post time. There are trainers who violate medication rules multiple times, seemingly with impunity. According to a recent Racing Commissioners International, RCI, letter, one trainer has been sanctioned at least 64 times for various rule violations, including medication violations involving the class 2 painkiller mepivacaine and the class 3 drug clenbuterol. According to the New York Times, only two of the top 20 trainers, by racing purses won, have never been cited for a medication violation. This tolerance of doping represents a shameful abuse of an iconic American animal, and it is time to put an end to it.

Anyone who goes to the track outside of a Triple Crown or Breeders' Cup race knows that attendance is down across the country. The decline is especially stark considering that horseracing was once the No. 1 spectator

sport in the United States. One poll of sports industry insiders found that most think horseracing is in decline or dying. With the loss of fans, comes the loss of revenue that ultimately sustains a \$40 billion industry and 400,000 jobs nationwide, including 10,000 jobs in my home State. As current fans leave the sport, many potential new fans will probably never come to the track while doping is rampant.

Although a horse may need therapeutic medication from time to time, there is no excuse for injecting almost all thoroughbreds hours before they race. As RCI Chairman William Koester rightly noted, that just does not pass the smell test with the public or anyone else. While medicating sound horses on race day is concerning, the doping of sore horses is appalling. Sore and lame horses should not be raced. Feeling no pain, an injured horse on drugs may continue to charge down the track, endangering every horse and jockey in the race. Drugs may account for the fact that the U.S. horse fatality rate is more than three times higher than in comparable British flat racing. Trainers or anyone else caught doping racehorses should face stiff penalties, including fines and meaningful suspensions.

This is a matter of concern to me as a senator from a state where quarterhorse and thoroughbred racing is an important industry. But it should be of concern to all my Senate colleagues since Congress granted a special privilege to horseracing that no other U.S. gambling enterprise enjoys: interstate and online wagering. The Interstate Horseracing Act of 1978, IHA, allows off-track, or "simulcast," wagering across state lines. Internet wagering on horseraces subject to the IHA was granted a special exemption from the Unlawful Internet Gambling Enforcement Act of 2006, UIGEA. Given the benefits of the IHA, the horse racing industry should not only protect the safety and welfare of its animals and jockeys, but also ensure the integrity of the sport.

I reluctantly believe that Congressional action is needed to address this critical challenge facing the industry. Unlike other sports, horseracing lacks a governing body that can issue uniform medication rules and ban performance enhancing drugs. That is why recent calls from the RCI and the Jockey Club to phase out race day medication are not enough to save American horseracing. Despite repeated pledges from the racing industry to address this issue, horseracing's drug problem has festered for decades.

The legislation Representative WHITFIELD and I are introducing today would amend the Interstate Horseracing Act to ban performance-enhancing drugs and require stiff penalties for doping. Under the Interstate Horseracing Improvement Act, anyone who

knowingly provides or races a horse on performance enhancing drugs faces minimum fines and suspensions. The winner of each race plus one additional horse must be tested for performance enhancing drugs. To ensure quality testing, the bill requires that test labs are accredited to quality standards. This legislation envisions that individual state racing commissions would continue to enforce horseracing rules within their jurisdiction, including the new anti-doping rules. However, the Federal Trade Commission can also enforce the anti-doping rules if there is inadequate enforcement. The new rules would apply only to those races that are already governed by the IHA.

In addition to the animal welfare issues that doping creates, I know how important drug reform is for those who make their living from the sport. Passing this legislation will help bring integrity back to racing, benefitting everyone involved and, most importantly, the health and safety of the horses at the center of it all.

I urge my colleagues to support the Interstate Horseracing Improvement Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 886

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Interstate Horseracing Improvement Act of 2011".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Congress enacted the Interstate Horseracing Act of 1978 (15 U.S.C. 3001 et seq.) to regulate interstate commerce with respect to parimutuel wagering on horseracing in order to protect and further the horseracing industry of the United States.

(2) The horseracing industry represents approximately \$40,000,000,000 to the United States economy annually and generates nearly 400,000 domestic jobs.

(3) The use of performance-enhancing drugs in horseracing adversely affects interstate commerce, creates unfair competition, deceives horse buyers and the wagering public, weakens the breed of the American Thoroughbred, is detrimental to international sales of the American Thoroughbred, and threatens the safety and welfare of horses and jockeys.

(4) The use of performance-enhancing drugs in horseracing is widespread in the United States, where no uniform regulations exist with respect to the use of, and testing for, performance-enhancing drugs in interstate horseracing.

(5) The use of performance-enhancing drugs in horseracing is not permitted in most jurisdictions outside the United States. In the internationally competitive sport of horseracing, the United States stands alone in its permissive use of performance-enhancing drugs.

(6) The use of performance-enhancing drugs is illegal in the United States in every sport other than horseracing.

(7) To protect and further the horseracing industry of the United States, it is necessary to prohibit the use of performance-enhancing drugs in interstate horseracing.

SEC. 3. PROHIBITIONS ON USE OF PERFORMANCE-ENHANCING DRUGS.

(a) IN GENERAL.—The Interstate Horseracing Act of 1978 (15 U.S.C. 3001 et seq.) is amended—

(1) by redesignating section 9 as section 11; and

(2) by inserting after section 8 the following:

"SEC. 9. PROHIBITIONS ON USE OF PERFORMANCE-ENHANCING DRUGS.

"(a) DEFINITIONS.—In this section:

"(1) ACCREDITED THIRD PARTY CONFORMITY ASSESSMENT BODY.—The term 'accredited third party conformity assessment body' means a testing laboratory that has an accreditation—

"(A) meeting International Organization for Standardization/International Electrotechnical Commission standard 17025:2005 entitled 'General Requirements for the Competence of Testing and Calibration Laboratories' (or any successor standard);

"(B) from an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Arrangement; and

"(C) that includes testing for performance-enhancing drugs within the scope of the accreditation.

"(2) PERFORMANCE-ENHANCING DRUG.—The term 'performance-enhancing drug'—

"(A) means any substance capable of affecting the performance of a horse at any time by acting on the nervous system, cardiovascular system, respiratory system, digestive system, urinary system, reproductive system, musculoskeletal system, blood system, immune system (other than licensed vaccines against infectious agents), or endocrine system of the horse; and

"(B) includes the substances listed in the Alphabetized Listing of Drugs in the January 2010 revision of the Association of Racing Commissioners International, Inc., publication entitled 'Uniform Classification Guidelines for Foreign Substances'.

"(b) PROHIBITION ON ENTERING HORSES UNDER THE INFLUENCE OF PERFORMANCE-ENHANCING DRUGS IN RACES SUBJECT TO INTERSTATE OFF-TRACK WAGERING.—A person may not—

"(1) enter a horse in a race that is subject to an interstate off-track wager if the person knows the horse is under the influence of a performance-enhancing drug; or

"(2) knowingly provide a horse with a performance-enhancing drug if the horse, while under the influence of the drug, will participate in a race that is subject to an interstate off-track wager.

"(c) REGULATIONS OF THE HOST RACING ASSOCIATION BANNING PERFORMANCE-ENHANCING DRUGS.—A host racing association may not conduct a horserace that is the subject of an interstate off-track wager unless the host racing association has a policy in place that—

"(1) bans any person from providing a horse with a performance-enhancing drug if the horse will participate in such a horserace while under the influence of the drug;

"(2) bans the racing of a horse that is under the influence of a performance-enhancing drug;

"(3) requires, for each horserace that is the subject of an interstate off-track wager, that an accredited third party conformity assessment body test for any performance-enhancing drug—

“(A) the first-place horse in the race; and
 “(B) one additional horse, to be randomly selected from the other horses participating in the race; and

“(4) requires the accredited third party conformity assessment body performing tests described in paragraph (3) to report any test results demonstrating that a horse may participate, or may have participated, in a horserace that is the subject of an interstate off-track wager while under the influence of a performance-enhancing drug—

“(A) to the Federal Trade Commission; and
 “(B) if the host racing commission has entered into an agreement under subsection (e), to the host racing commission.

“(d) PENALTIES.—

“(1) CIVIL PENALTIES.—

“(A) IN GENERAL.—A person that provides a horse with a performance-enhancing drug or races a horse in violation of subsection (b) shall be—

“(i) for the first such violation—

“(I) subject to a civil penalty of not less than \$5,000; and

“(II) suspended for a period of not less than 180 days from all activities relating to any horserace that is the subject of an interstate off-track wager;

“(ii) for the second such violation—

“(I) subject to a civil penalty of not less than \$20,000; and

“(II) suspended for a period of not less than 1 year from all activities relating to any horserace that is the subject of an interstate off-track wager; and

“(iii) for the third or subsequent such violation—

“(I) subject to a civil penalty of not less than \$50,000; and

“(II) permanently banned from all activities relating to any horserace that is the subject of an interstate off-track wager.

“(B) HORSERACING ACTIVITIES.—For purposes of subparagraph (A), activities relating to a horserace that is the subject of an interstate off-track wager include being physically present at any race track at which any such horserace takes place, placing a wager on any such horserace, and entering a horse in any such horserace.

“(C) PAYMENT OF CIVIL PENALTIES.—A civil penalty imposed under this paragraph shall be paid to the United States without regard to whether the imposition of the penalty results from the initiation of a civil action pursuant to section 10.

“(2) SUSPENSION OF HORSES.—A horse that is provided with a performance-enhancing drug or is raced in violation of subsection (b) shall—

“(A) for the first such violation, be suspended for a period of not less than 180 days from racing in any horserace that is the subject of an interstate off-track wager;

“(B) for the second such violation, be suspended for a period of not less than 1 year from racing in any horserace that is the subject of an interstate off-track wager; and

“(C) for the third or subsequent such violation, be suspended for a period of not less than 2 years from racing in any horserace that is the subject of an interstate off-track wager.

“(3) VIOLATIONS IN MULTIPLE STATES.—A person shall be subject to a penalty described in clause (ii) or (iii) of paragraph (1)(A), and a horse shall be subject to suspension under subparagraph (B) or (C) of paragraph (2), for a second or subsequent violation of subsection (b) without regard to whether the prior violation and the second or subsequent violation occurred in the same State.

“(e) AGREEMENTS FOR ENFORCEMENT BY HOST RACING COMMISSIONS.—

“(1) IN GENERAL.—The Federal Trade Commission may enter into an agreement with a host racing commission under which the host racing commission agrees to enforce the provisions of this section with respect to horseraces that are the subject of interstate off-track wagers in the host State.

“(2) CONDITIONAL AVAILABILITY OF CIVIL PENALTIES TO HOST RACING COMMISSIONS.—If a host racing commission agrees to enforce the provisions of this section pursuant to an agreement under paragraph (1), any amounts received by the United States as a result of a civil penalty imposed under subsection (d)(1) with respect to a horserace that occurred in the State in which the host racing commission operates shall be available to the host racing commission, without further appropriation and until expended, to cover the costs incurred by the host racing commission in enforcing the provisions of this section.

“(f) ENFORCEMENT BY THE FEDERAL TRADE COMMISSION.—

“(1) IN GENERAL.—The Federal Trade Commission shall enforce the provisions of this section—

“(A) with respect to horseraces that are the subject of interstate off-track wagers that occur—

“(i) in any State in which the host racing commission does not enter into an agreement under subsection (e); and

“(ii) in any State in which the host racing commission has entered into an agreement under subsection (e) if the Federal Trade Commission determines the host racing commission is not adequately enforcing the provisions of this section; and

“(B) with respect to violations of subsection (b) by a person, or with respect to a horse, in multiple States.

“(2) UNFAIR OR DECEPTIVE ACT OR PRACTICE; ACTIONS BY FEDERAL TRADE COMMISSION.—In cases in which the Federal Trade Commission enforces the provisions of this section pursuant to paragraph (1)—

“(A) a violation of a prohibition described in subsection (b) or (c) shall be treated as a violation of a rule defining an unfair or deceptive act or practice described under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)); and

“(B) except as provided in paragraph (3), the Federal Trade Commission shall enforce the provisions of this section in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made part of this section.

“(3) ENFORCEMENT WITH RESPECT TO NON-PROFIT ORGANIZATIONS.—Notwithstanding any provision of the Federal Trade Commission Act (15 U.S.C. 41 et seq.), the Federal Trade Commission shall have the authority to enforce the provisions of this section pursuant to paragraph (1) with respect to organizations that are described in section 501(c)(3) of the Internal Revenue Code of 1986 and that are exempt from taxation under section 501(a) of such Code.

“(g) RULEMAKING.—The Federal Trade Commission shall prescribe such rules as may be necessary to carry out the provisions of this section in accordance with the provisions of section 553 of title 5, United States Code.

“(h) EFFECT ON STATE LAWS.—Nothing in this section preempts a State from adopting or enforcing a law, policy, or regulation prohibiting the use of performance-enhancing drugs in horseracing to the extent that the

law, policy, or regulation imposes additional requirements or higher penalties than are provided for under this section.

“SEC. 10. PRIVATE RIGHT OF ACTION FOR CERTAIN VIOLATIONS.

“Notwithstanding sections 6 and 7, in any case in which a person has reason to believe that an interest of that person is threatened or adversely affected by the engagement of another person in a practice that violates a provision of section 9 or a rule prescribed under section 9, the person may bring a civil action in an appropriate district court of the United States or other court of competent jurisdiction—

“(1) to enjoin the practice;

“(2) to enforce compliance with the provision or rule;

“(3) to enforce the penalties provided for under section 9(d);

“(4) to obtain damages or restitution, including court costs and reasonable attorney and expert witness fees; and

“(5) to obtain such other relief as the court considers appropriate.”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on the date of the enactment of this Act and apply with respect to horseraces occurring on or after that date.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 162—EXPRESSING THE SENSE OF THE SENATE THAT STABLE AND AFFORDABLE HOUSING IS AN ESSENTIAL COMPONENT OF AN EFFECTIVE STRATEGY FOR THE PREVENTION, TREATMENT, AND CARE OF HUMAN IMMUNODEFICIENCY VIRUS, AND THAT THE UNITED STATES SHOULD MAKE A COMMITMENT TO PROVIDING ADEQUATE FUNDING FOR THE DEVELOPMENT OF HOUSING AS A RESPONSE TO THE ACQUIRED IMMUNODEFICIENCY SYNDROME PANDEMIC

Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. FRANKEN, Mr. KERRY, Mr. LAUTENBERG, Mr. MERKLEY, Mr. SANDERS, Ms. SNOWE, Ms. STABENOW, Mr. WHITEHOUSE, and Mr. LIEBERMAN) submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 162

Whereas adequate and secure housing for people with human immunodeficiency virus or acquired immunodeficiency syndrome (referred to in this preamble as “HIV/AIDS”) is a challenge with global dimensions, and adequate housing is one of the greatest unmet needs of people in the United States with HIV/AIDS;

Whereas growing empirical evidence shows that socioeconomic status and structural factors such as access to adequate housing are key determinants of health;

Whereas the link between poverty, disparities in the risk of human immunodeficiency virus (referred to in this resolution as “HIV”) infection, and health outcomes is well established, and new research demonstrates the direct relationship between inadequate housing and greater risk of HIV infection, poor health outcomes, and early death;

Whereas rates of HIV infection are 3 to 16 times higher among people who are homeless or have an unstable housing situation, 70 percent of all people living with HIV/AIDS report an experience of homelessness or housing instability during their lifetime, and the HIV/AIDS death rate is 7 to 9 times higher for homeless adults than for the general population;

Whereas poor living conditions, including overcrowding and homelessness, undermine safety, privacy, and efforts to promote self-respect, human dignity, and responsible sexual behavior;

Whereas people who are homeless or have an unstable housing situation are 2 to 6 times more likely to use hard drugs, share needles, or exchange sex for money and housing than similar persons with stable housing, because the lack of stable housing directly impacts the ability of people living in poverty to reduce HIV risk behaviors;

Whereas, in spite of the evidence indicating that adequate housing has a direct positive effect on HIV prevention, treatment, and health outcomes, the housing resources devoted to the national response to HIV/AIDS have been inadequate, and housing has been largely ignored in policy discussions at the international level; and

Whereas, in 1990, Congress recognized the housing needs of people with HIV/AIDS when it enacted the AIDS Housing Opportunity Act (42 U.S.C. 12901 et seq.), commonly referred to as the "Housing Opportunities for Persons with AIDS Program" or "HOPWA Program", as part of the Cranston-Gonzalez National Affordable Housing Act (Public Law 101-625; 104 Stat. 4079), and the HOPWA program currently serves approximately 60,000 households: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) stable and affordable housing is an essential component of an effective strategy for human immunodeficiency virus prevention, treatment, and care; and

(2) the United States should make a commitment to providing adequate funding for the development of housing as a response to the acquired immunodeficiency syndrome pandemic.

SENATE RESOLUTION 163—COMMEMORATING THE 175TH ANNIVERSARY OF THE UNITED STATES NATIONAL LIBRARY OF MEDICINE

Mr. HARKIN submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 163

Whereas since 1836, the National Library of Medicine has played a crucial role in information innovation, revolutionizing the way scientific and medical information is organized, stored, accessed, and disseminated;

Whereas the National Library of Medicine houses the largest and most distinguished collection of health science and medical research literature in the world and serves as a vital resource to researchers, health professionals, and health care consumers;

Whereas the National Library of Medicine produces and provides free public access to comprehensive online databases of biological, genomic, and clinical research data that are a lynchpin to cutting edge biomedical research and are searched more than 2,000,000,000 times each year;

Whereas the National Library of Medicine plays a central role in developing health data standards to enable efficient use and exchange of health information in electronic health records;

Whereas the National Library of Medicine has conducted and supported training programs for ground-breaking informatics research and development for more than 40 years;

Whereas the National Library of Medicine is a leading source of toxicology, environmental health, and disaster preparedness and response information, including innovative use of information technology and mobile devices for first responders;

Whereas the National Library of Medicine has developed a wide range of consumer health information resources, which have improved the health of citizens of the United States and persons around the globe; and

Whereas the long and distinguished history of the National Library of Medicine is worthy of special commemoration by the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates the 175th anniversary of the United States National Library of Medicine;

(2) salutes the National Library of Medicine for a long and distinguished record of service to citizens of the United States and people around the globe, and for the many contributions of the National Library of Medicine in the area of information innovation; and

(3) calls upon the people of the United States to observe the 175th anniversary of the United States National Library of Medicine with appropriate recognition and activities.

Mr. HARKIN. Mr. President, as a member of the Senate who has been very interested in and involved with the areas of biomedical research, health care and the improvement of the public health, I want to draw the attention of the Congress and the Nation to the 175th anniversary of the National Library of Medicine, NLM, located at the National Institutes of Health, NIH.

NLM has changed the way scientific and medical information is organized, stored, accessed and disseminated. Throughout its distinguished history, the Library's hallmark has been information innovation, leading to exciting scientific discoveries that ultimately improve the public health.

From its modest beginnings as the Library of the U.S. Army Surgeon General in 1836, the National Library of Medicine has grown to become the world's largest medical library and the producer of electronic information resources used by millions of people around the globe every day.

The NLM has been fortunate to be led by Donald A.B. Lindberg, M.D. since 1984. Under Dr. Lindberg's leadership, the Library has dramatically advanced toward its goal of providing access to biomedical information—anytime, anywhere—for scientists, health professionals, and the public. During Dr. Lindberg's tenure, NLM has embraced the Internet as the primary mode of delivering its services and ex-

panded its portfolio to include genetic sequence data, high-resolution anatomical images, clinical trials information, and a wide array of high-quality information for consumers. One wonders what astonishing developments the next 175 years might bring.

Throughout its 175 years, NLM's work has been vital to facilitating and improving the effectiveness of biomedical research, getting important health information out to health professionals and consumers and conducting groundbreaking informatics research.

Index Medicus, a groundbreaking index of medical journal articles first published in 1879, evolved into MEDLINE, the first marriage of online search technology and nationwide telecommunications, in 1971. Available free of charge since 1997 via the Internet, PubMed/MEDLINE is today the most frequently consulted medical database in the world.

NLM began providing toxicology and environmental health data for use in emergency response and disaster management in the mid-1960s. Today, it produces information services to help health professionals, disaster information specialists, and the general public cope with emergencies and disasters ranging from children swallowing household cleaners to overturned trucks carrying hazardous materials to the widespread effects of hurricanes, earthquakes, wildfires, and oil spills.

NLM established librarian training programs and the National Network of Libraries of Medicine in the late 1960s, to provide equal access to the biomedical literature to persons across the country. Now with nearly 6,000 members, NLM and this network of academic, hospital, and public libraries partner with community-based organizations to bring high-quality information services to health professionals and the public—regardless of geographic location, socioeconomic status or level of access to computers and telecommunications.

NLM has conducted and supported training programs and groundbreaking informatics research and development for more than 40 years. The Library, its grantees, and its former trainees continue to play essential roles in the development of electronic health records, health data standards, and the exchange of health information.

NLM is home to the National Center for Biotechnology Information, NCBI, established in 1988 as a national resource for molecular biology information. Its work was essential to the mapping of the human genome. Today, NCBI is an indispensable international repository and software tool developer for genetic sequences and other scientific data, and a pioneer and leader in linking data and published research results to promote new scientific discoveries.

NLM began intensive development of Web health information services for the general public in 1998 with the release of MedlinePlus.gov. Now available in English and Spanish, MedlinePlus is just one of many NLM consumer health information products also available on mobile devices. An award-winning free magazine, NIH MedlinePlus, is edited by NLM staff and is an important vehicle for sharing information from all of the NIH Institutes and Centers, in language that consumers can easily understand. Copies of the magazine, both an English and Spanish-language version, are distributed to doctors' offices, clinics, community health centers and other sites around the Nation.

NLM released ClinicalTrials.gov in 2000. It is now the world's largest source of information about clinical trials recruiting for patients and healthy volunteers, and also provides summary results of some trials long before they appear in the published literature.

In 2003, the Library teamed with the National Institute on Aging to launch NIHSeniorHealth. The site features authoritative, up-to-date information from the NIH Institutes and Centers, in a format that addresses the cognitive changes that come with older adulthood and allows easy use.

Also in 2003, NLM began a program called the Information Rx. Partnering with a variety of respected national physician groups and other organizations, NLM has supplied prescription pads to health providers, so that they can point their patients to the first-rate health information on the MedlinePlus site.

In recognition of its many achievements, today I am introducing the following Senate Resolution to commemorate the 175th anniversary of the founding of the National Library of Medicine. I offer my congratulations to NLM and to its current and past leadership and staff and thank them for their important public service.

SENATE RESOLUTION 164—RECOGNIZING THE TEACHERS OF THE UNITED STATES FOR THEIR CONTRIBUTIONS TO THE DEVELOPMENT AND PROGRESS OF OUR NATION

Mr. LAUTENBERG (for himself, Ms. MURKOWSKI, Mrs. MURRAY, Mrs. GILLIBRAND, Ms. LANDRIEU, Ms. STABENOW, Mrs. FEINSTEIN, Mr. COONS, Mr. SANDERS, Mr. BEGICH, Mr. SCHUMER, Mr. BROWN of Ohio, Mr. WARNER, Mr. KOHL, Mr. JOHNSON of South Dakota, and Mr. CARDIN) submitted the following resolution; which was considered and agreed to:

S. RES. 164

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of "National Teacher Appreciation Week", which is May 2, 2011, through May 6, 2011, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations are hosting teacher appreciation events in recognition of "National Teacher Appreciation Week": Now, therefore, be it

Resolved, That the Senate—

- (1) thanks teachers for their service;
- (2) promotes the profession of teaching; and
- (3) encourages students, parents, school administrators, and public officials to participate in teacher appreciation events during "National Teacher Appreciation Week".

NOTICES OF HEARINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. AKAKA. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Thursday, May 5, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct an oversight hearing on "Stolen Identities: The Impact of Racist Stereotypes on Indigenous People."

Those wishing additional information may contact the Indian Affairs Committee.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on National Parks.

The hearing will be held on Wednesday, May 11, 2011, at 2:30 p.m. in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, and for other purposes;

S. 127, to establish the Buffalo Bayou National Heritage Area in the State of Texas, and for other purposes;

S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, and for other purposes;

S. 161, to establish Pinnacles National Park in the State of California as a unit of the National Park System, and for other purposes;

S. 177, to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California;

S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, and for other purposes;

S. 279, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System;

S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in nonwilderness areas within the boundary of Denali National Park, and for other purposes;

S. 313, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., and for other purposes;

S. 323, to establish the First State National Historical Park in the State of Delaware, and for other purposes;

S. 403, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, and for other purposes;

S. 404, to modify a land grant patent issued by the Secretary of the Interior;

S. 508, to establish the Chimney Rock National Monument in the State of Colorado;

S. 535, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, and for other purposes;

S. 564, to designate the Valles Caldera National Preserve as a unit of the National Park System, and for other purposes;

S. 599, to establish a commission to commemorate the sesquicentennial of the American Civil War;

S. 713, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, and for other purposes;

S. 765, to modify the boundary of the Oregon Caves National Monument, and for other purposes;

S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program;

S. 849, to establish the Waco Mammoth National Monument in the State of Texas, and for other purposes; and

S. 858, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact Sara Tucker or Allison Seyferth.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 12, 2011, at 9:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on carbon capture and sequestration legislation, including S. 699 and S. 757.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Abigail_Campbell@energy.senate.gov.

For further information, please contact Allyson Anderson or Abigail Campbell.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, June 16, 2011, at 10:30 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to review S. 343, a bill to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau following the Compact of Free Association Section 432 Review, to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, and to carry out the agreements resulting from that review.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Abigail_Campbell@energy.senate.gov.

For further information, please contact Al Stayman or Abigail Campbell.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON FINANCE

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 4, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "Budget Enforcement Mechanisms."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 4, 2011, at 2:45 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND
GOVERNMENTAL AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 4, 2011, at 10 a.m. to conduct a hearing entitled "Securing the Border: Progress at the Federal level."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 4, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oversight of the U.S. Department of Justice."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. REED. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 4, 2011, at 2:30 p.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Nominations."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. REED. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate, on May 4, 2011.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REED. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 4, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 4, 2011, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. REED. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on May 4, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. HUTCHISON. Mr. President, I ask unanimous consent that Jesse Boettcher be granted floor privileges. He is currently my military fellow.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, as Jesse Boettcher is coming to the floor—and before I speak—I want to say he has served in the Army Special Operations Command for the past 16 years. Jesse, a special forces sergeant major, has deployed to Iraq and Afghanistan numerous times over the past decade, and he has added tremendously to our office's military and overall productivity.

Mr. MERKLEY. Mr. President, I ask unanimous consent that my intern, Eric Strod, be granted the privilege of the floor through the balance of the day.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HARKIN. Mr. President, I ask unanimous consent that Samantha Wessels, Kelly Mormon, and Carolyn Trager of my staff be granted the privilege of the floor for the duration of today's proceedings.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE UNIVERSITY OF MINNESOTA DULUTH MEN'S ICE HOCKEY TEAM

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 151 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:
A resolution (S. Res. 151) congratulating the University of Minnesota Duluth men's ice hockey team on winning their first National Collegiate Athletic Association

(NCAA) Division I Men's Hockey National Championship.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 151) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 151

Whereas on Saturday, April 9, 2011, the University of Minnesota Duluth won the 2011 NCAA Division I Men's Ice Hockey Championship;

Whereas this is the first national championship for the University of Minnesota Duluth Bulldogs men's ice hockey team (the "University of Minnesota Duluth");

Whereas the University of Minnesota Duluth won the Frozen Four championship game with a 3 to 2 sudden death win over the University of Michigan;

Whereas on Thursday, April 7, 2011, the University of Minnesota Duluth defeated the University of Notre Dame in the Frozen Four semifinal game with a score of 4 to 3 to advance to the national championship game;

Whereas the game was played before a sell-out crowd of more than 19,200 fans at the Xcel Energy Center in St. Paul, Minnesota;

Whereas the University of Minnesota Duluth finished the 2010-2011 season with the most wins since the 2003-2004 season;

Whereas in the 2010-2011 season the University of Minnesota Duluth had the most fans for a home schedule in 50 Division I seasons, averaging more than 6,800 fans;

Whereas the University of Minnesota Duluth never lost more than 1 game in a row, a first in program history; and

Whereas the University of Minnesota Duluth had 6 wins and 1 loss in the postseason, closing with 4 straight wins and beating the top 2 teams in the Eastern College Athletic Conference in the East Regional and the top 2 teams in the Central Collegiate Hockey Association in the Frozen Four: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements of the players, coaches, students, and staff whose hard work and dedication helped the University of Minnesota Duluth win the 2011 NCAA Division I Men's Hockey National Championship; and

(2) recognizes University of Minnesota Duluth Chancellor Lendley Black and Athletic Director Bob Nielson, who have shown great leadership in bringing athletic success to the University of Minnesota Duluth.

RECOGNIZING THE TEACHERS OF THE UNITED STATES

Mr. MERKLEY. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 164, which was introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 164) recognizing the teachers of the United States for their contributions to the development and progress of our Nation.

There being no objection, the Senate proceeded to consider the resolution.

Mr. MERKLEY. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 164) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 164

Whereas education is the foundation of the current and future strength of the United States;

Whereas teachers and other education staff have earned and deserve the respect of students and communities for selfless dedication to our Nation's children;

Whereas the purpose of "National Teacher Appreciation Week", which is May 2, 2011, through May 6, 2011, is to raise public awareness of the important contributions of teachers and to promote greater respect and understanding for the teaching profession;

Whereas the teachers of the United States play an important role in preparing children to be positive and contributing members of society; and

Whereas students, schools, communities, and a number of organizations are hosting teacher appreciation events in recognition of "National Teacher Appreciation Week": Now, therefore, be it

Resolved, That the Senate—

(1) thanks teachers for their service;

(2) promotes the profession of teaching; and

(3) encourages students, parents, school administrators, and public officials to participate in teacher appreciation events during "National Teacher Appreciation Week".

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194, as amended by Public Law 101-595, and upon the recommendation of the Chairman of the Committee on Commerce, Science and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Senator from Mississippi (Mr. WICKER), from the Committee on Commerce, Science and Transportation and the Senator from Pennsylvania (Mr. TOOMEY), At Large.

MEASURE READ THE FIRST TIME—H.R. 1213

Mr. MERKLEY. Mr. President, I understand H.R. 1213 has been received from the House and is at the desk.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

Mr. MERKLEY. I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

ORDERS FOR THURSDAY, MAY 5, 2011

Mr. MERKLEY. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, May 5; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day, and that following any leader remarks, the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. MERKLEY. Mr. President, the next rollcall vote is expected on Monday, May 9, at 5:30 p.m. That vote will be in relation to a nomination.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. MERKLEY. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:59 p.m., adjourned until Thursday, May 5, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

SECURITIES INVESTOR PROTECTION CORPORATION

ANTHONY FRANK D'AGOSTINO, OF MARYLAND, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2011, VICE MARK S. SHELTON, TERM EXPIRED.

ANTHONY FRANK D'AGOSTINO, OF MARYLAND, TO BE A DIRECTOR OF THE SECURITIES INVESTOR PROTECTION CORPORATION FOR A TERM EXPIRING DECEMBER 31, 2014. (REAPPOINTMENT)

DEPARTMENT OF THE TREASURY

JANICE EBERLY, OF ILLINOIS, TO BE AN ASSISTANT SECRETARY OF THE TREASURY, VICE ALAN B. KRUEGER, RESIGNED.

DEPARTMENT OF STATE

RYAN C. CROCKER, OF WASHINGTON, PERSONAL RANK OF CAREER AMBASSADOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES TO THE REPUBLIC OF THE COTE D'IVOIRE.

STATES OF AMERICA TO THE ISLAMIC REPUBLIC OF AFGHANISTAN.

THE JUDICIARY

CHRISTOPHER DRONEY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT, VICE GUIDO CALABRESI, RETIRED.

DANA L. CHRISTENSEN, OF MONTANA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MONTANA, VICE DONALD W. MOLLOY, RETIRING.

KATHERINE B. FORREST, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE JED S. RAKOFF, RETIRED.

JOHN M. GERRARD, OF NEBRASKA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEBRASKA, VICE RICHARD G. KOPF, RETIRING.

YVONNE GONZALEZ ROGERS, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE VAUGHN R. WALKER, RETIRED.

EDGARDO RAMOS, OF CONNECTICUT, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK, VICE STEPHEN C. ROBINSON, RESIGNED.

ROBERT N. SCOLA, JR., OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA, VICE PAUL C. HUCK, RETIRED.

DEPARTMENT OF JUSTICE

DENNIS J. ERBY, OF MISSISSIPPI, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF MISSISSIPPI FOR THE TERM OF FOUR YEARS, VICE LARRY WADE WAGSTER, RESIGNED.

EDWARD M. SPOONER, OF FLORIDA, TO BE UNITED STATES MARSHAL FOR THE NORTHERN DISTRICT OF FLORIDA FOR THE TERM OF FOUR YEARS, VICE DENNIS ARTHUR WILLIAMSON, TERM EXPIRED.

ELECTION ASSISTANCE COMMISSION

THOMAS HICKS, OF VIRGINIA, TO BE A MEMBER OF THE ELECTION ASSISTANCE COMMISSION FOR A TERM EXPIRING DECEMBER 12, 2013, VICE GRACIA M. HILLMAN, TERM EXPIRED.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JAN-MARC JOUAS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. BROOKS L. BASH

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. STEPHEN L. HOOG

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be brigadier general

COL. DAVID E. DEPUTY

THE FOLLOWING AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be major general

BRIG. GEN. JAMES D. DEMERITT
BRIG. GEN. JOSEPH K. MARTIN, JR.

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be major general

BRIGADIER GENERAL MARK A. ATKINSON
BRIGADIER GENERAL WILLIAM J. BENDER
BRIGADIER GENERAL BRIAN T. BISHOP
BRIGADIER GENERAL CHRISTOPHER C. BOGDAN
BRIGADIER GENERAL MICHAEL J. CAREY
BRIGADIER GENERAL JOHN B. COOPER
BRIGADIER GENERAL SAMUEL D. COX
BRIGADIER GENERAL BARBARA J. FAULKENBERRY
BRIGADIER GENERAL RUSSELL J. HANDY
BRIGADIER GENERAL MICHAEL A. KELTZ
BRIGADIER GENERAL STEVEN L. KWAST
BRIGADIER GENERAL FREDERICK H. MARTIN
BRIGADIER GENERAL THOMAS J. MASIELLO
BRIGADIER GENERAL EARL D. MATTHEWS
BRIGADIER GENERAL ROBERT P. OTTO
BRIGADIER GENERAL JOHN W. RAYMOND
BRIGADIER GENERAL DARRYL L. ROBERSON
BRIGADIER GENERAL ANTHONY J. ROCK
BRIGADIER GENERAL JAY G. SANT'EE

BRIGADIER GENERAL ROWAYNE A. SCHATZ, JR.
BRIGADIER GENERAL JOHN F. THOMPSON
BRIGADIER GENERAL THOMAS J. TRASK
BRIGADIER GENERAL JOSEPH S. WARD, JR.
BRIGADIER GENERAL JACK WEINSTEIN
BRIGADIER GENERAL ROBERT E. WHEELER
BRIGADIER GENERAL MARTIN WHELAN
BRIGADIER GENERAL STEPHEN W. WILSON
BRIGADIER GENERAL TOD D. WOLTERS
BRIGADIER GENERAL TIMOTHY M. ZADALIS

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS THE SURGEON GENERAL, UNITED STATES ARMY, AND APPOINTMENT TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 3036:

To be lieutenant general

MAJ. GEN. PATRICIA D. HOROHO

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

GEN. JAMES D. THURMAN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

To be brigadier general

COL. MARK W. PALZER

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. GERALD E. LANG

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 624 AND 3064:

To be brigadier general

COL. CHARLES R. BAILEY

THE FOLLOWING ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be major general

BRIG. GEN. OMER C. TOOLEY, JR.

To be brigadier general

COL. BRIAN R. CARPENTER

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. JOHN R. ALLEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. RICHARD P. MILLS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE OF LIEUTENANT GENERAL IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. GEORGE J. FLYNN

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. KENDALL L. CARD

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. ROBERT S. HARWARD, JR.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be colonel

JEFFREY A. BAILEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTION 531(A):

To be major

JAMES A. MACE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

BERNADETTE A. ANDERSON
TERRI L. BAILEY
MARGARET M. CAREY
LINDA A. CASE
TIMOTHY L. COOK
KAREN L. COX DEAN
JUDY B. GAVIN
CHERYL J. GREENTREE
APRIL L. IACOPELLI
DANA J. JAMES
ALLEN J. KIDD
JENNIFER A. KIMMET
MICHELLE D. LAVVEY
JERRY B. LAWSON
LORI D. LEE
ANNE T. MAGPURI
JODY L. OCKER
CHRISTOPHER H. PAYNE
CHRISTINE L. PIERCE
DAVID J. ROLL
JEANNINE M. RYDER
CAROLINE M. SAMUOLIS
KATHRYN FORREST TATE
DWAYNE B. WILHITE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

To be colonel

JEFFERY D. AEBISCHER
GERALD S. ALONGE
KREG M. ANDERSON
MICHAEL W. BANK
MARK EDWIN BEST
DARLOW G. BOTHA, JR.
CHARLES R. BOWES
JEFFREY CRAIG BOZARD
SHAWN N. BRATTON
DONALD B. BREWER
WILLIAM J. BUTZ
WILLIAM A. CHRISTMAS
GERALD K. COLMER, JR.
TIMOTHY D. CROUCH
FREDERICK PUTNAM DAVIES
RONALD D. DEAL
JOEL EVAN DEGROOT
VIRGINIA I. DOONAN
ANTHONY W. DUBOSE
BRIAN J. DYKSTRA
MAUREEN ANN EVANS
ARTHUR J. FLORU
TIMOTHY HENRY GAASCH
DAVID T. GARNER
PETER S. GARNER
NICHOLAS A. GENTILE, JR.
REBECCA S. GERVASI
ROBERT S. GRANT
KIMBERLY K. L. GREENE
ROBERT J. GREY, JR.
ROBERT A. HAMM
MARK D. HEINIGER
RANDALL LEE INMAN
DANIEL ERIC JARAMILLO
ERIC JONES
JAMES V. JONES
GARY WAYNE KIRK
WILLIAM A. KRUEGER
BURL NORMAN LAMBERT
GREGOR J. LEIST
KURT L. LESLIE
RUSSELL MARK LIMKE
KEVIN C. LITTLEMORE
SCOTT M. LOCKWOOD
PAUL N. LOISELLE
ROBERT J. MACKE
JEFFREY WARREN MAGRAM
KAREN E. MANSFIELD
HAROLD G. MASHBURN
GREGORY S. MCCREARY
KEN R. MCDANIEL
JEFFREY K. MENGES
RITA ANNETTE MILLER
DAVID H. MOLINARO
PATRICIA M. MOOK
JOSEPH F. MORRISSEY, JR.
BILLY M. NABORS
GLEN M. NAKAMURA
JAMES DENNIS NEAL
MICHAEL J. NORTON
CHARLES THOMAS OSUM
JOAN E. PETERSON
CRAIG RAY PIERCE
MARK BRYON PRIVOTT
PETER V. RABINOWITZ
SHIRLEY S. RAGUINDIN
JOHN J. REED
JEFFRY ALLYN RICE
EDITH E. RIVERAMORILLO
TRACY E. RUGER

MARK J. SCHULER
CHARLES ANTHONY SHURLOW
WHITNEY A. SIEBEN
PAUL R. SILVESTRI
THOMAS PATRICK SOSTARICS
JAMES EDWARD STAUBER
DANIEL J. SWAIN
JOHN M. THOMPSON
TOMMY F. TILLMAN, JR.
LISA L. TRAYNOR
WILLIAM MARK VALENTINE
JACK M. WALL
ROY V. WALTON
ROBERT V. WARE
ROBERT JOSEPH WETZEL
KURT V. WOYAK

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

LAUREN F. AASE
MICHELLE D. AASTROM
LEE ANN ALEXANDER
DAVID E. AMATO
CARMEN ARGUELLES
JOHN F. BAER
KAREN L. BURKE
BARBARA A. CAIN
MEGELA E. CAMPBELL
SHELLEY A. CAMPBELL
RUSSELL D. CARTER
RANDY O. CLAXTON
JEFFREY M. DAXE
KEITH A. DEARDORFF
JULIET T. DEGUZMAN
BEATRICE T. DOLIHTE
KAREY M. DUFOUR
NANCY A. EASTMAN
DONNA M. EGGERT
RUSSEL L. FRANTZ, JR.
LAURIE L. FRAZIER
TRICIA ROCHELLE GARCIA
JON B. GENO
ERWIN N. GINES
TINA M. GOLDEN
LORRAINE S. GRAVLEY
MARY R. GRAY
CAROLYN D. GREEN
SHAWNA M. GREINER
WILLIAM J. GRESS
LINDA A. HAGEMANN
MICHELLE M. HARMON
KENNY L. HARRYMAN
LORIOSE HINDMAN
ANITA A. HOYUELA
BRIAN S. HUBBARD
JAMES M. HURST
GACQUETTE R. JENNINGS
DEBORAH K. JONES
JENNIFER A. KORKOSZ
CHRISTINE A. KRESS
PAUL J. LANGEVIN
CARLA M. LEESEBERG
LIONEL M. LYDE
MARIA E. MELENDEZ
GINGER S. MILLER
MELISSA L. MOUCHETTE
KELLY C. NADER
ANN R. NEAL
GERALDINE G. NELSON
BRIAN T. OCONNOR
JOANN V. PALMER
BRIAN S. PARKER
TORI E. PEARCE
JEANETTE L. PETREQUIN
NICHOLAS R. PETRONE
CAROLYN BECKER PIGNATARO
TAMMY D. POKORNEY
ELENA R. SCHLENKER
MAGGIE H. SCHUMACHER
ANTOINETTE M. SHINN
WARD J. SIERT
ROBERT M. SOUTHER
HEIDI M. STEWART
PATRICK W. STILLEY
PATRICIA A. B. TATE
LARRY A. TODD
JENNIFER L. TRINKLE
KIMBERLY A. VOLLMER
SHEELAH Z. WALKER
RICHARD E. WALLIN
JENNIFER M. WALTERS
MICHAEL D. WASCHER
JOHN J. WEATHERWAX
SHERI A. WEBB
MARLIN G. WEICHEL
CYNTHIA J. WEIDMAN
HAZEL E. WRIGHT
DEBRA S. ZINSMEYER

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES AIR
FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LA RITA S. ABEL
SARAH E. ABEL
DEBBORAH L. ADAMS
LAKISHA N. ALBERTIE
ARTHUR B. ASCANO
JESSICA N. ASTORGA

ERIC P. BAILEY
DANA G. BAKER
ALIDAN A. BANGURA
HEIDI M. BAYORO
HOLLI A. BELLUSCI
JANET L. BLANCHARD
JOSEPH H. BOWLEY, JR.
MELONIE M. BRESCIA
GRETA S. BREWSTER
CATHERINE BURNETT
CINDY L. CALLISTO
STACY N. CARR
MYUNGHEE P. CHOI
JOHN E. CLECKNER II
NICKITA R. COUNCIL
MARY L. CRESWELL
AMY EVANGELINE CROW
ALEJANDRO DAVILA
DANIELLE J. DEUTSCHENDORF
RONDA L. DIMAGGIO
REAH C. DOWNS
SAMANTHA L. DREW
MICHELLE RENEE FAELBER
JULIE FLORENTIN
TOD W. FRAZER II
STACY G. FRIESEN
JENNIFER L. GAYLE
GAYLE M. GILLISPIE
BROOKS B. GOETTLE
ELEANOR M. GONZALEZ
FRANCES A. GONZALEZ
JAMES HANUS
DALE E. HARRELL
MALISHA D. HARRIS
CLINTON J. HARTMAN
CURTIS J. HOOPES
BRENDA A. HOWELL
LINDA K. HUGO
MARLISCHA F. JACKSON
JACQUELINE JOHNSON
YVENA JOSEPH
MARY C. KELLEY
JOSEPH G. KELLY
HUI C. KIM
ANGELA M. LACEK
TAMI A. LACO
COREY C. LALONDE
JOHN P. LAWSON
GARY V. LEAVITT
PAMELA E. LICORISH
JOSHUA J. LINDQUIST
CHRISTY L. LIVERY
ANGELA D. MANNING
SEAN M. MARTS
HAROLD L. MCCANTS, JR.
KATHLEEN A. MCKINNEY
JOHN C. MCLENNAN
ARETHA BONIT MITCHELLMURRAY
KEVIN D. MONAGHAN
DANIEL D. MOORE, JR.
VANESSA MORA
DEANNA M. MORRELL
SAUDAH MUHAMMAD
EARNEST C. MULLEN, JR.
MARK A. NAUMAN
CHRISTOPHER T. NELSON
GERARDO F. NERI
VIVIAN A. NEWPORT
VANESSA R. NORTH
COREY M. NORTON
BRITTANY S. NUTT
NELSON PACHECO
BARBARA E. PARKES
HERNANDEZ D. PEREZ
MEFTER M. PERKINS
PAUL L. PFENNIG
ROBERT L. RAULSTON
MARLENE C. REESE
KATHLEEN R. RODRIGUEZ
DARLENE J. SANCHEZ
KRISTINE B. SCHWARTZKOPF
CHRISTOPHER K. SHAMBLIN
JULIE A. SHEPHERD
RYAN R. SMITHERS
YVONNE L. STOREY
SARAH E. STRANSKE
LAWRENCE E. SULLIVAN
NATASHA T. SUTTON
GLEN W. TACEY
BRADLEY A. TERRILL
JOSEPH D. THOMAS
EDWARD L. TICE
WESTINA E. TOLBERT
SAMANTHA TREADWELL
CARLOS VILLANUEVA
BOSTELLA J. WALKER
BRET A. WATERS
JAMES A. WEST
SHAUN S. WESTPHAL
WENDY H. WILKINS
SEAN O. WILKINSON
KATHY M. WILLIAMS
LEAH M. WILLIAMS
RUSSELL M. WOLBERS
MICHELLE E. WYCHE
MICHAEL J. ZENK

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
JUDGE ADVOCATE GENERAL'S CORPS UNDER TITLE 10,
U.S.C., SECTIONS 531 AND 3064:

To be major

MICHAEL P. HARRY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES ARMY
UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JOSEPH L. AARON, JR.
RALPH P. AARON, JR.
ELI S. ADAMS
JERROD C. ADAMS
JASON N. ADLER
OKECHUKWU AKALAONU
CAMERON L. ALBERT
MATT M. ALDRICH
DAVID I. ALEXANDER
ERIC B. ALEXANDER
SAMUEL L. ALEXANDER
ALFRED A. ALLARD
DAVID L. ALLEN
SAMUEL R. ALLEN
STEPHEN R. ALLEY, JR.
JESSE P. ANDERSON
MARVIN ANDERSON
BRETT E. ANDRINGA
UZOMA U. ANINIBA
MICHAEL P. ANTECKI, JR.
DANIEL A. ANTOLOS
DANIEL L. ARCHER
JOSE A. ARIAS
LEVAR M. ARMSTRONG
NEIL G. ARMSTRONG
BEAU J. ASHLEY
ANDREW P. ASWELL
RYAN S. ATKINS
JENNIFER L. ATKINSON
PETER M. ATKINSON
JOHN D. ATWELL
ROYAL C. ATWOOD
JARED D. AUCHEY
BRANT A. AUGE
SCOTTY M. AUTIN
MICHAEL B. AVENICK
CESAR A. BACARES
RUSSELL J. BAGLEY
MATTHEW P. BAIDEME
JASON K. BAKER
JOHN M. BAKER
MILES A. BAKER
ROYCE D. BAKER
PETER C. BAKKE
BERNARD A. BALSIS
EDWARD B. BANKSTON
KENTON R. BARBER
BRETT N. BARDON
CHARLES V. BARRETT
BRIAN M. BASSETT
KENNETH W. BATH
CORNELIUS A. BATT'S
ANTOINETTE C. BAUCOM
JOSHUA A. BAUER
WILLIAM M. BAYNES
JAMIE D. BAZDARIC
ROBERT K. BEALE
JOHN T. BECHTOLD
ERHAN BEDESTANI
JASON M. BELKNAP
JOSEPH C. BELL
RICHARD R. BELL
BRET M. BEMIS
CARL E. BENANDER
JAMES T. BENNETT
CHRISTOPHER E. BERGE
BARBARA A. BERNINGER
JOHN C. BERTHOLF
JOSHUA M. BETTY
TIMOTHY N. BIBLE
CRAIG C. BIGHOUSE
NICHOLAS J. BILOTTA
BENJAMIN T. BIVER
DOMINIC D. BLACK
JEFF A. BLACKARD
DUSTIN A. BLAIR
JARROD R. BLAISDELL
PAUL H. BLANTON
HECTOR A. BLONDET
JAISON BLOOM
WILSON C. BLYTHE, JR.
ADAM R. BOCK
MICHAEL H. BOGGS, JR.
NICHOLAS P. BOISVERT
GEORGE E. BOLTON, JR.
JOHN A. BOND
BRYAN J. BONNEMA
KRISTINA E. BOWENS
VANESSA R. BOWMAN
JAMES S. BOYETTE
SAMUEL J. BRADFORD IV
JOHN B. BRADLEY
ADAM R. BRADY
JAMES A. BRANCH
JOSHUA P. BRANDON
JAMES E. BRANT
CHRISTOPHER E. BRAWLEY
JEFFREY O. BREWSTER
DEXTER E. BRICKEN
FRANCIS G. BRINK
BRIAN L. BROWN
BROOKE L. BROWN
CHARLES J. BROWN
JORDAN A. BROWN

JOSHUA W. BROWN
KEELEY B. BROWN
LARRY G. BROWN, JR.
MARGIE A. BROWN
MARK E. BROWN
RONALD S. BROWN
TERRY L. BROWN
TOBIN A. BROWN
WILLIAM E. BROWN
CHERE E. M. BROWNE
ANTHONY H. BRUNNER
MICHAEL E. BRYANT
MICHAEL T. BRYANT
DON E. BURCH, JR.
CRISPIN J. BURKE
DANIEL J. BURKHART
JENNIFER R. BUTLER
BRIDGET E. BYRNES
JED J. CAFFEE
PHILLIP B. CAIN
EBONY CALHOUN
DAMION M. CALVERT
JOSHUA P. CAMARA
DEREK W. CAMPBELL
JOHN W. CAMPBELL
TRICIA C. CAMPBELL
SALVATORE E. CANDELA
JAMES N. CANDELORA
JASON E. CANNON
MICHAEL J. CANTY
WILLIAM D. CAPPS
MATTHEW C. CAPRARI
THOMAS R. CARL III
MATTHEW C. CARLSEN
CHRISTOPHER L. CARPENTER
JAMES L. CARPENTER
MELVIN L. CARR
ALLAN B. CARROLL
MATTHEW R. CARRUTHERS
JOHN B. CARTER
JOHN R. CARVER
PETER L. CASTERLINE
JUAN C. CASTRO
PATRICK W. CAUKIN
RUDY C. CAVAZOSCAVASIER
STEVEN L. CHADWICK
WALTER S. CHALKLEY
MATTHEW J. CHAMBLESS
DAVID A. CHARBONNEAU
MATTHEW B. CHASE
WILLIAM B. CHASTAIN
ALEXANDER B. CHAVEZ
TIMOTHY C. CHAVIS
RICHARD T. CHILDERS
BRADY R. CLARK
JAMES D. CLAY
MARK J. CLEARY
ROSANNA M. CLEMENTE
CHRISTOPHER L. CLYDE
RUSSELL T. CODY
LEOTIS COKER, JR.
RICHARD G. COLEMAN, JR.
JESSIE R. COLLINS
TIFFANY M. COLLINS
NATHAN M. COLVIN
THOMAS P. COMPITELLO
BRADLEY T. COMRIE
JEREMY L. CONLEY
JOHN J. CONSIDINE
CHRISTIAN G. COOK
DENNIS A. COOK
JAMES D. COOPER
NICHOLAS E. COPARE
MICHAEL D. CORLEY
ROBERT L. CORNELIUS, JR.
ADRIAN CORONAMAGANA
FRANCISCO A. CORTEZ III
LOURDES A. COSTAS
CRAIG S. COTNER
MICHAEL J. COTOVSKY
RICHARD A. COTTE
ADA L. COTTO
DAVID P. COUGHRAN
ANTHONY B. COULTER
GREGORY M. COUTURIER
CHARLES K. COWAN
SAMUEL V. COWART
BOBBY J. COX
PHILIP E. CRABTREE
JAMES L. CRENSHAW
RYAN M. CRIPPS
ROBERT L. CROUSE
ROBERT M. CROWE
ANTHONY B. CRUMBIEY
PETER CRUZ
RYAN A. CRYER
FREDERICK M. CUMMINGS
ERIC S. CURRENCE
JOHN D. CWIEK
BRIAN F. CYR
JAMES A. DAHL
JODY J. DAIGLE
DAVID W. DAKE
MARK D. DALEY
RANJINI T. DANARAJ
KIRK J. DANIELS
SEAN C. DANSBERGER
JUSTIN E. DAUBERT
DREW T. DAVIES
COLIN A. DAVIS
ERIK A. DAVIS
GINO C. DAVIS

JOHN R. DAVIS, JR.
KENNETH V. DAVIS
LARINZOL A. DAVIS
RODERICK D. DAVIS
RYAN M. DAVIS
PATRICK M. DEFOREST
DOMINIC P. DEFRANCISCO
OTTO A. DEMARINO
RICHARD S. DEMPSEY
CHRISTOPHER R. DERUYTER
ALFONSO G. DEVEYRA III
DUSTIN R. DEW
ROBERT M. DEXTER
BRIAN T. DIEFFENBACH
ALICIA DIETZ
JOSEPH A. DODD
GERARDO F. DOMINGUEZ
RYAN M. DONALD
WILSON L. DOSSANTOS
BRIAN J. DOWD
JOHN T. DRISCOLL
ADAM M. DRYBREAD
STEPHEN M. DUGAN
PATRICK K. DULING
BENJAMIN R. DUNCAN
RODERICK S. DUPLIN
DAVID M. DURANTE
JESSICA L. DURBIN
ADAM G. DUVAL
VIRGIL G. DWYER, JR.
ANTHONY M. EAGLE
JAMES K. EARLS III
KEVIN M. EASTER
RICHARD E. EATON
NESTOR J. ECHEVERRIA
SHARON M. EDENS
SPENCER G. EDWARDS
RYAN L. EISENHAUER
MYCHAJLO I. ELIASZEWSKYJ
JEREMIAH R. ELLIS
SCOTT L. ENGEL
SHARON ENGELMEIER
RICHARD J. ENGLISH
BRIAN C. ENGLUND
DONALD B. ERICKSON
MICHAEL E. ERLANDSON
MARC B. ESTEPA
JAMES A. ESTES
CARL O. EVANS
JOHN W. EVANS
JONATHAN P. EWING
ROBERT L. EYMAN
BERNARD V. FAIRCLOTH III
MORRIE J. FANTO
JEFFREY R. FARMER
RANDEE L. FARRELL
TIMOTHY A. FAULKNER
JON B. FAUSNAUGH
JASON H. FEES
CLAUDIUS S. FELIX
KENNETH A. FERGUSON
STEPHEN J. FERRARO
SCOTT M. FERRIS
CALVIN L. FIELDS
RICHARD G. FIFIELD
CHRISTOPHER J. FINNIGAN
BRIAN D. FISHER
JANE M. FISHER
MICHAEL E. FITZGERALD IV
ARECIA B. FLENAUGH
REYES M. FLORES
SYLVIA D. FLORES
CARLOS D. FLYNN
PATRICK I. FLYNN
ALEXANDER S. FORD
KENNICK D. FORRESTER
ANTHONY L. FORSHIER
CHRISTOPHER E. FOWLER
NICHOLAS C. FRANKLIN
CARL L. FRIEDRICH
KEVIN J. FROMM
MELANIE L. FUATA
PAUL M. FUGERE
MICHAEL B. FUNDERBURK
ROBERT K. FURTICK
CAMERON G. GALLAGHER
JASON M. GALLAGHER
JASON C. GALLARDO
VIJAY M. GALLARDO
TROY L. GAMMON
ALONZO GARCIA
ANDRES N. GARCIA
IRENE GARCIA
JUAN R. GARCIA
STEPHEN K. GARDOSIK
RICKY T. GARVIN
MIGUEL S. GASTELLUM
CARY D. GATES
LYNN B. GATRELL
STANLEY J. GAYLORD
AUDREY S. GBONEY
CHRISTOPHER S. GEMMER
MICHAEL R. GERASIMAS
DEMETRIOS A. GHIKAS
EFREM S. GIBSON
ROBERT M. GICHERT
MICHAEL A. GILLISPIE
JEFFREY L. GILTZWIE
CHRISTOPHER J. GIORGI
JEREMIAH A. GIPSON
GUY J. GIROUARD
JOHN J. GLASCO

DARREN C. GLENN
JOSHUA G. GLONK
MATHEW L. GOLSTYEN
SALLY K. GONZALES
JONNY GONZALEZ
MANUEL GONZALEZ
MICHAEL P. GOODWIN
ROBERT N. GORDON
MICHAEL H. GOURGUES
PAUL J. GOYNE
KIRSTEN S. GRAF
CORNELIUS O. GRANAI IV
AARON J. GRANT
JOEL M. GRAVES
JESSE R. GREAVES
MAURICE GREEN
RICHARD W. GREENWOOD
DANIEL A. GREGORY
JOHN A. GROEFSEMA
MARK J. GUELICH
JAY G. GUERRERO
ERIC J. GUST
JOSEPH M. GUZOWSKI
SUZANNE K. GYSLER
KEVIN L. HADLEY
ERIN D. HADLOCK
FREDERIC D. HAEUSSLER
FRED H. HAIR
MICHAEL C. HAITH
TRENTON F. HALL
MICHAEL A. HALTERMAN
ALLISON C. HAMBRECHT
GINGER G. HAMMERQUIST
JOHN J. HAMRIC
WILLIAM F. HANNA
RYAN P. HANRAHAN
ANTHONY R. HANSON
CORRIE A. HANSON
JASON R. HANUS
BRIAN C. HARBER
KARL M. HARNESS
LETETIA M. HARRIS
ERIC S. HARRISON
RYAN J. HARTWIG
SCOT T. HASSKEW
CHRISTOPHER D. HAUN
BRADLEY C. HAYES
BRIAN S. HAYES
EMORY J. HAYES
LEWIS L. HAYNES IV
MICHAEL J. HEALY, JR.
JOSEPH D. HEATON
RYAN C. HEDBERG
WAYNE C. HEINOLD
ALAILIMA R. HENDERSON
ISSAC L. HENDERSON
PAUL F. HENDERSON, JR.
JEFFREY A. HENDRIX
ADAM D. HEPPE
GEORGE J. HERNANDEZ
JUAN A. HERRERA
TODD R. HERTLING
JAMES B. HETTLE
TIMOTHY V. HEWETT
TERRENCE I. HIGGINS
EDDIE R. HILL, JR.
GRANT H. HILL
MELISA N. HILLABRANDT
IDAMARIA L. HILLKJONAAS
ALEXANDRA L. HOBBS
JIM R. HODSON
KARL E. HOEMPLER II
MATTHEW J. HOFMEISTER
AMABILIA G. HOGG
WILLIAM L. HOLBROOK
DARRELL P. HOLDEN
JOSEPH P. HOLLAND
JONATHAN T. HOLM
JEREMY B. HOLMAN
STEVEN C. HOLMBERG
NICHOLAS C. HOLTEN
JASON C. HONEYCUTT
FRANK A. HOOKER
STACY M. HOPWOOD
NICHOLAS W. HORN
DANIEL J. HORST
BRIAN R. HORVATH
EARLY HOWARD
KELLY P. HOWARD
MCLYNN D. HOWARD
NICHOLAS J. HOWARD
SIDNEY D. HOWARD
ROGER E. HUGHEY
RICHARD E. HULL
MICHAEL J. HUMBLE
BILLY J. HUNTSMAN
PETER W. HURGRONJE
ADAM L. HURLEY
JUSTIN P. HURT
JOEY A. HUTTO
JAMEKELA M. ILES
WILLARD H. IMAN, JR.
CHRISTOPHER M. INGENLOFF
MATTHEW J. INGLIS
JOSHUA N. INGRAM
HARRY A. IRVING, JR.
NATHAN T. ISAAC
BENJAMIN E. JACKMAN
GARY K. JACKSON
JAMES D. JACKSON
LACREDERICK R. JACKSON
PRESTON JACKSON

RAHSAAN H. JACKSON
 JOSH T. JACQUES
 ERIC A. JAMES
 ERIC G. JAMES
 FRANCISCO J. JAUME
 JACOB A. JEFFERS
 TROY A. JESUS
 BENJAMIN D. JOHNSON
 CHARLES F. JOHNSON
 JAMES O. JOHNSON
 KIMBERLY D. JOHNSON
 MICHAEL A. JOHNSON
 PHILIP L. JOHNSON
 RAMON V. JOHNSON
 STANLEY B. JOHNSON
 JERRY B. JONES
 KIRBY A. JONES
 SHANE R. JONES
 JOSHUA W. JOPLING
 JAMIE O. JORDAHL
 JAMES J. JUDGE
 JEREMY L. KACZOR
 KEVIN C. KAHR
 PATRICK H. KAINE
 CHRISTOPHER R. KANE
 KEVIN M. KANE
 TINA L. KANE
 JOEL R. KASSULKE
 SCOTT M. KATALENICH
 BENJAMIN E. KAVANAGH
 STEVEN L. KEIL
 HEIVA H. KELLEY
 MATTHEW R. KELLEY
 PATRICK M. KELLY
 RYAN G. KELLY
 JASON D. KENT
 JOHN A. KERIN
 JAMES K. KERNS
 JAMES P. KILLORAN
 SIMON Y. KIM
 KIM C. KING
 JOHN R. KIRCHGESSNER
 THOMAS J. KITSON
 CHRISTOPHER R. KIEWER
 CHRISTIAN D. KNUTZEN
 JEROME F. KOLTZ
 DAVID M. KOPECKY
 PHILIP A. KORNACHUK
 RYAN W. KORT
 JEFFREY S. KUDARY
 MARK KUJAR
 ANDREW J. KULAS
 JODIE L. KUNKEL
 MICHAEL W. KURTICH
 ROBERT L. KURTTS
 MITCHELL S. KUSMIER
 JONATHAN D. LACY
 JOSHUA A. LADD
 THOMAS J. LAKE
 THOMAS E. LAMB
 TODD B. LAMB
 CHARLENE A. LAMOUNTAIN
 CALEB G. LANDRY
 RONLESTER L. LANSANG
 JONATHAN M. LARMORE
 RALPH E. LAUER III
 TERRELL C. LAWSON
 ALEXANDER B. LAZATIN
 MARK M. LEE
 MICHAEL W. LEE
 ALPHONSE J. LEMAIRE
 DAVID W. LEMAY
 KELLY C. LEVERETT
 CHARLES R. LEVINE
 KEVIN R. LEWIS
 WILLIAM A. LEWIS
 MATTHEW C. LINDSEY
 DAVID D. LITTLE
 DENISE R. LITTLE
 ANGEL M. LLOMPARTMONGE
 CLEMENT D. LOCHNER
 LECARL B. LOCKLEY
 CHRISTOPHER M. LOFTON
 MARIO R. LOGLI
 JASON D. LOHMAN
 MARTIN A. LONGORIA
 BRIAN T. LOONEY
 ARTHUR P. LOWE, JR.
 MELVIN E. LOWE
 RICHMOND R. LUCE
 NATHAN C. LUECKE
 MICHAEL A. LUECKEMAN
 VICTOR L. LUNDERMAN
 HARRY R. LUPOLD
 TIMOTHY B. LYNCH
 JOHN R. MACHARIE
 IAN A. MACNAB
 PHILLIP D. MADSEN
 MATTHEW D. MAGENNIS
 MICHAEL L. MAGILL
 ROBERT T. MAGILL
 MATTHEW L. MAKARYK
 JOSEPH E. MALONE
 CHRIS B. MANGLICMOT
 GEORGE P. MANN
 RICHARD MANSIR
 TODD B. MARABLE
 MICHAEL A. MARCHETTI
 MATTHEW D. MARFONGELLI
 ERIC S. MARSHALL
 WILLIAM D. MARSHALL
 NOVA J. MARTIN, JR.

CHARLES T. MARVIN
 MATTHEW C. MASON
 ANTHONY D. MASSARI
 CLARENCE J. MATTHEWS
 DARWIN E. MAULL
 FRANK F. MAXWELL
 JASON J. MCCAMBRIDGE
 CARRICK E. MCCARTHY
 JOSEPH A. MCCARTHY
 ANNE C. MCCLAIN
 RANDY L. MCCLENDON
 JOHN C. MCCLURKIN
 KEVIN MCCORMICK
 RAY G. MCCULLOCH
 MICHAEL S. MCCULLOUGH
 HEATHER R. MCGRATH
 SCOTT A. MCGRATH
 AUDRICIA D. MCKINNEY
 GABRIELLA M. MCKINNEY
 MAURICE A. MCKINNEY
 PAUL L. MCKINNEY
 MATTHEW T. MCMANNES
 PAUL M. MCMANUS
 GREGORY W. MCMILLION
 ROBERT M. MCTIGHE
 ERNEST D. MEADOWS
 RAUL M. MEDRANO
 ERIC MEGERDOOMIAN
 FRANZ W. MENTOR
 GREGORY J. MERKL
 VIRAK A. METCALF
 JAMES A. METZ
 SAMUEL A. MEYER
 BENJAMIN W. MIDGETTE
 RINGO L. MIDLES
 MICHAEL J. MILAS
 BRIAN J. MILES
 NICHOLAS D. MILKOVICH
 JASON T. MILLER
 KAROLYN M. MILLER
 MARK P. MILLER
 CASEY D. MILLS
 MATTHEW R. MINEAR
 NATHAN N. MINOTT
 KIM A. MITCHELL
 CHRISTOPHER A. MOLINO
 MATTHEW M. MOLLY
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 JENNIFER L. MONDIDO
 JOSEPH M. MONETTE
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 BENJAMIN M. MONTTOYA
 BRADY J. MOORE
 DAVID A. MOORE
 EZEKIEL MORENO
 KEVIN E. MORGAN
 TIMOTHY L. MORGAN
 PAUL J. MORIARTY
 JOSHUA G. MORINO
 CHRISTOPHER V. MORO
 DANIEL C. MORRIS
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 JACOB K. MOULIN
 RUTH A. MOWER
 KEVIN E. MUMAW
 ALFRED M. MUNA
 FRANCIS X. MURPHY
 TIMOTHY J. MURPHY
 DERRICK D. MURRAY
 RAFAEL MUSSEBIL
 MATTHEW E. MYERS
 RICKY J. MYERS
 MATTHEW E. MYRICK
 RYAN M. NACIN
 WILLIAM S. NANCE
 FRANCISCO C. NAPUTI
 DAVID NASH
 DAVID J. NELSON
 JEFFREY P. NELSON
 MICHAEL S. NELSON
 PHILIP L. NESNADNY
 ROBERT L. NEWBILL
 PAUL A. NEWMAN
 DAVID B. NIEDERAUER
 SAMUEL J. NIRENBERG
 DEREK R. NOEL
 ERIK C. NORDSTROM
 TAMISHA R. NORRIS
 CHRISTOPHER P. OBRIEN
 ROBIN L. OCHOA
 MICHAEL W. O'DONNELL
 AMOS Y. OH
 SAMUEL A. OKOKO
 ETHAN A. OLBERTING
 CLINT T. OLEARNICK
 JEREMIAH J. OLIGARIO
 TYLER B. OLIVER
 HANIBL OLMEDA
 ABRAHAM N. OSBORN
 JOHN G. OSTERSON
 DANIEL R. OSTROWSKI
 THOMAS C. OVERMYER
 KENNETH R. OWENS
 WILLIAM J. OWENS
 ISAAC K. OWUSU
 ERIC I. PALICIA
 EUGENE W. PALKA
 BRIAN D. PANARO
 DALE A. PAPKA
 JAMES R. PASCOE
 SHERRIAN C. PATRICK
 BILLY J. PATTERSON

BRIAN N. PATTERSON
 KACENIA S. PATTERSON
 BRUCE J. PAULEY
 JEFFREY L. PAULUS
 DAVID A. PAYNE
 TIMOTHY D. PEARSON
 SHANNON J. PECK
 MICHAEL S. PENN
 BRANDON K. PERDUE
 OSVALDO L. PEREZ
 JULIO A. PEREZRIVERA
 AHMAD A. PERRY
 ANDREW V. PESATURE
 ANDREA M. PETERS
 DERRICK A. PETERS
 NATHANIEL W. PETERSON
 ROSLYN M. PETERSON
 JOHN F. PETKOVICH III
 TRUC T. PHAM
 GARY A. PHILLIPS
 JOHN M. PHILLIPS
 WILLIAM L. PHILLIPS
 LEROY J. PHOENIX
 DAVID C. PIERSON
 STEPHAN J. PIKNER
 BRIAN W. PILCH
 ANTONIO M. PITTMAN
 AUDREY M. PITTMAN
 DAVID W. PITTMAN
 TODD L. POINDEXTER
 RICHARD A. POLEN
 ALAIN M. POLYNICE
 ADAM F. POOLEY
 JASON T. PORTER
 JONATHAN F. POST
 ANDREW A. POTTS
 SIMON J. POWELSON
 PAUL A. POWER
 JOSHUA S. POWERS
 JAMES G. PRADKE
 MATTHEW R. PRESCOTT
 TAYLOR J. PRESLEY
 BLAKE M. PRICE
 GREG A. PRICE
 NICHOLE L. PROPE
 RYAN N. PROPT
 ROLAND I. PUGH
 ROBIN R. PULLEY
 RYAN J. PURSEL
 EUGENE C. PURSIFULL
 PATRICIA R. QUIGLEY
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 PETER D. QUINN
 ROBERT P. QUINT, JR.
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 MATTHEW J. RARIDEN
 ADAM M. RASMUSSEN
 DANIEL P. RAYMOND
 JAMES F. RAZURI
 DONALD K. REED
 WALTER A. REED IV
 ZACHARY A. REED
 ADAM J. REEVES
 RYAN T. REICHERT
 DUKE W. REIM
 JUAN A. RENAUD
 KIMBIA A. REY
 SHAUN A. REYNOLDS
 MARY A. RICKS
 MARLON S. RINGO
 JONATHAN S. RITTENBERG
 JULIO RIVERA
 REINALDO RIVERA
 RICHARD RIVERA
 CORY L. ROBERTS
 PAUL E. ROBERTS
 RODNEY R. ROBERTS
 KELVIN N. ROBINSON
 KENDALL A. ROBINSON
 JANINE A. ROBINSONTURNER
 TRAVIS E. ROBINSON
 PETER S. RODGERS
 MIGUEL RODRIGUEZ, JR.
 EDGARDO RODRIGUEZRIVERA
 ANTHONY M. ROH
 JESSIE R. ROMERO
 ANDREW R. ROSE
 JIMMY M. ROSS
 HAROLD D. ROUSE
 JOSEPH P. ROZYCKI
 JOEL D. RYALS
 NICHOLAS D. RYAN
 MATTHEW C. SACRA
 ANN M. SAGE
 JOSEPH D. SAGE
 PATRICIA N. SALLING
 VICTOR S. SALLYER
 BRIAN A. SANSOM
 DANIEL SANTOS
 MICHAEL A. SARRO
 TIMOTHY E. SARTORI
 AARON D. SARVER
 EDWARD B. SAUTER
 KEEFE A. SAVIN
 PETER V. SCHMITT
 BRIAN H. SCHONFELD
 KEITH A. SCHRECKENGOST
 LAURA M. SCHROEDER
 JEREMY J. SCHWENDEMAN
 ARON G. SCOTT
 CHRISTOPHER J. SCOTT

ROBIN N. SCOTT
 RYAN J. SCOTT
 KENNETH P. SELBY
 PHILLIP J. SERPICO
 MICHAEL W. SERVER
 SHANNON W. SHACKELFORD
 CHRISTOPHER A. SHARPE
 DOMINIQUE J. SHAW
 PETER J. SHAW
 HOUSTON B. SHEETS
 JEFFREY M. SHELNUTT
 HARRY L. SHERWOOD
 LAURA E. SHIPLET
 SCOTT A. SHOOP
 LEAH C. SHUBIN
 BENJAMIN L. SHUMAKER
 KEVIN W. SIEGRIST
 TIMOTHY J. SIKORA
 JONATHAN E. SILK
 WARREN O. SIMMONS
 RANDY C. SIMON
 JOSEPH E. SIMS
 JOSEPH M. SINCERE
 NICHOLAS C. SINCLAIR
 ERINN C. SINGMAN
 JASON R. SINN
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 BRADLEY J. SMITH
 ERVIN D. SMITH
 JAY K. SMITH
 JOHN A. SMITH
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 TERRENCE N. SMITH
 CARTER M. SMYTH
 JASON S. SNELGROVE
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 JAMES M. SNOWDEN
 JAVIER E. SOSTRECINTRON
 STACY R. SOUTTER
 MICHAEL V. SOYKA
 DAVID M. SPANTON
 LUCAS SPARKS
 JASON G. SPENCER
 BERNDT F. SPITTKA
 COLE A. SPITZACK
 LLOYD E. SPORLUCK
 ADAM C. SPRINGER
 DANIEL J. SQUYRES
 STEVEN J. STANEART
 JAMES T. STARTZELL
 SCOTT D. STEELE
 DUANE G. STEFANIAK
 RICHARD T. STEINBACHER
 KRISTIN E. STEINBRECHER
 PATRICK M. STEVENS
 TERRY W. STEVENSON
 TARA M. STILES
 WAYNE L. STILES
 DANIEL W. STOCKTON
 GALEN D. STONE, JR.
 JEFFREY B. STONE
 ARTHUR T. STRINGER
 DANIEL R. STUEWE
 THOMAS B. STURM
 MICHAEL J. STUTTS
 MATTHEW W. SUCEC
 CHRISTOPHER M. SWICKARD
 DERRICK J. SWIM
 JOSEPH D. SWINNEY
 MARVIN E. SWITZER, JR.
 NICHOLAS R. TALBOT
 CHRISTOPHER S. TALLEY
 TODD A. TATUM
 ISAAC L. TAYLOR
 JASON M. TAYLOR
 JAY A. TAYLOR
 JOSHUA D. TEITGE
 STEVEN B. TEMPLETON
 CHRISTOPHER D. TERRILL
 PAUL J. THIESSEN
 CARLA A. THOMAS

CHRISTOPHER D. THOMAS
 HANS J. THOMAS
 MARLON A. THOMAS
 RUSSELL B. THOMAS
 JOHN D. THOMASON
 ANTHONY R. THOMPSON
 DALTON W. THOMPSON
 DAVID T. THOMPSON
 KRISTOFER J. THOMPSON
 MICHAEL R. THOMPSON
 NICHOLAS R. THOMPSON
 CASEY H. THOREEN
 BRANDON E. THRASHER
 DANIEL S. THRELKELD
 JEREMY M. TILLEY
 JOHN C. TISSERAND
 WENDY R. TOKACH
 KEVIN E. TOMS
 JAMES E. TOWLE
 TRAVIS I. TRAMMELL
 JEREMY W. TRENTHAM
 MICHAEL J. TRUJILLO
 DAVID S. TURNER
 JOHN D. TURNER
 RYAN M. TURNER
 ERICA J. TYE
 CLINTON B. UNDERWOOD
 TIMOTHY P. UNGARO
 CURTIS J. UNGER
 ERNEST M. URQUIETA
 JAN R. URSO
 NICHOLAS M. UTZIG
 MATTHEW R. VANGILDER
 BRYAN R. VANRIPER
 PEDRO E. VAZQUEZ
 JAMES S. VCHULEK II
 RYAN L. VENEBERG
 RONALD T. VERNON
 THOMAS J. VETTER
 MELISSA A. VIATOR
 ADRIAN VILLA
 JASON T. VINCENT
 AMANDA M. VIOLETTE
 RICKY L. VITTTTOW, JR.
 DANIEL J. VONBENKEN
 JAMES W. WADE
 JOSEPH B. WAID
 PATRICK M. WALKER
 CHRISTOPHER E. WALSH
 OLIN L. WALTERS
 ROGER A. WANG, JR.
 ELIJAH M. WARD
 STEPHEN P. WARD
 PHILLIP S. WARREN
 JASON B. WASHBURN
 MICHAEL S. WASHBURN
 DAVID E. WATERS
 JOHN N. WAUGH
 JESSICA C. WAYMENT
 ELIZABETH A. WEAVER
 TONY G. WEAVER, JR.
 DAVID A. WEBB
 ADAM C. WEECE
 ERIC J. WEEKS
 PEDER WEIERHOLT
 BRIAN H. WEIGHTMAN
 ALEXANDRE E. WEIS
 DAVID M. WEISING
 JAMES P. WELCH
 GREGORY B. WELLS
 CHRISTOPHER S. WENNER
 RICHARD W. WERTZ III
 KYLE D. WHEELER
 JACOB E. WHITE
 ROHN P. WHITE
 WILLIAM G. WHITE
 JACOB A. WHITESIDE
 CRAIG R. WHITING
 STEVEN L. WHITMORE
 ANTHONY J. WHITTAKER
 BRYAN S. WHITTIER
 JOSEPH S. WIER
 ERIC M. WIGLEY
 BENJAMIN B. WILLIAMS
 CARLIE A. WILLIAMS, JR.
 CRISTINA WILLIAMS
 DAVID G. WILLIAMS
 EDWARD E. WILLIAMS
 JOHN M. WILLIAMS, JR.

KEITH R. WILLIAMS
 WESTON T. WILLIAMS
 JEREMIAH J. WILLIS
 TAMEKA R. WILSON
 RAYMOND D. WINDMILLER
 JASON M. WINGEART
 BRIAN R. WINKELMAN
 CONOR M. WINSLOW
 JEFFREY R. WINSTON
 LUKE A. WITTMER
 SARAH R. WOLBERG
 CHRISTINE T. WOLFE
 GABRIEL M. WOLFE
 JEFFREY J. WOLFE
 ROBERT W. WOLFENDEN
 MATTHEW L. WOLVERTON
 JASON C. WOOD
 JERRY L. WOOD, JR.
 ROBERT A. WOOD
 ROBERT S. WOOD
 GUY F. WORKMAN
 SHANNON R. WORTHAN
 ADAM WOYTOWICH
 NICHOLAS A. WRIGHT
 ABDUL R. WURIE
 JONATHAN T. YASUDA
 MARK M. YEARY
 AARON YOUNG III
 ARTHUR G. YOUNG
 CRAIG M. YOUNG
 PETER C. ZAPPOLA, JR.
 BRYAN C. ZESIGER
 ROMAS J. ZIMLICKI
 KURT P. ZORTMAN
 JOSEPH V. ZULKEY

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S. CODE, SECTION 531:

To be commander

VALERIE R. OVERSTREET

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

NADESIA V. HENRY
 RONALD W. PERDUE
 SHOLI A. ROTBLATT
 JOHN A. SALVATO

CONFIRMATION

Executive nomination confirmed by the Senate May 4, 2011:

THE JUDICIARY

JOHN J. MCCONNELL, JR., OF RHODE ISLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF RHODE ISLAND.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 4, 2011 withdrawing from further Senate consideration the following nomination:

RYAN C. CROCKER, OF WASHINGTON, TO BE A MEMBER OF THE UNITED STATES ADVISORY COMMISSION ON PUBLIC DIPLOMACY FOR A TERM EXPIRING JULY 1, 2012, VICE PENNE PERCY KORTH, TERM EXPIRED, WHICH WAS SENT TO THE SENATE ON FEBRUARY 17, 2011.

HOUSE OF REPRESENTATIVES—Wednesday, May 4, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. FITZPATRICK).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 4, 2011.

I hereby appoint the Honorable MIKE FITZPATRICK to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

DEVELOPING A SENSIBLE, NON-INTERVENTIONIST FOREIGN POLICY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. PAUL) for 5 minutes.

Mr. PAUL. Mr. Speaker, Osama bin Laden applauded the 9/11 attacks. Such an act of deliberate killing of innocent lives deserves retribution. It is good that bin Laden is dead and justice is served. Targeted retribution is far superior to wars of aggression and nation-building.

In 2001, I supported giving the President authority to punish those responsible for the vicious 9/11 attacks. Using this authority and opportunity to pursue nation-building and remaking the Middle East was cynical and dangerous, as the past 10 years have proven. The sad tragedy is that it took 10 years, trillions of dollars, tens of thousands of American casualties and many thousands of innocent lives to achieve our mission of killing one evil person.

A narrow, targeted mission under these circumstances is far superior to initiating wars against countries not involved in the 9/11 attacks. This was the reason I emphasized at the time

the principles of marque and reprisal, provided to us by the Constitution for difficult missions such as we faced. I am convinced that this approach would have achieved our goal much sooner and much cheaper.

The elimination of Osama bin Laden should now prompt us to bring our troops home from Afghanistan and Iraq. Al Qaeda was never in Iraq, and we were supposedly in Afghanistan to get Osama bin Laden. With bin Laden gone, there is no reason for our presence in this region, unless indeed it was all about oil, nation-building and remaking the Middle East and Central Asia.

Hopefully, bin Laden does not get the last laugh. He claimed the 9/11 attacks were designed to, number one, get America to spread its military dangerously and excessively throughout the Middle East; two, to cause political dissension within the United States. Seventy percent of the American people now believe we should leave Afghanistan, yet both parties seem destined to stay; and number three, to bankrupt America through excessive military spending, as he did to the Soviets. The best thing we can do is prove bin Laden to be a false prophet.

We must learn from this recent history. Tragically, one result may be the acceptance of torture as a legitimate tool for pursuing our foreign policy. A free society calling itself a republic should never succumb to such evil.

With regard to foreign aid to Pakistan, the fact that bin Laden was safely protected for 10 years in Pakistan should make us question the wisdom of robbing American citizens to support any government around the world with foreign aid. Our failed foreign policy is reflected in our bizarre relationship with Pakistan. We bomb them with our drones, causing civilian casualties, we give them billions of dollars in foreign aid, and she protects America's enemy number one, bin Laden, for a decade.

It is time to consider a sensible, non-interventionist foreign policy as advised by our founders and authorized by our Constitution. We would all be better off for it.

PROPOSED PUERTO RICAN PIPELINE A THREAT TO MOUNTAINS AND RAINFORESTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. GUTIERREZ) for 5 minutes.

Mr. GUTIERREZ. Mr. Speaker, last weekend I had the honor of partici-

pating in a remarkable event in the mountain town of Adjuntas, Puerto Rico. There, thousands braved a torrential downpour to demonstrate against a proposed natural gas pipeline that the current ruling party in Puerto Rico is threatening to build across the mountains and rainforests of the island.

While I was there, I met with Rosanna Lopez Leon, the Commonwealth of Puerto Rico's Ombudsman for the Elderly. As ombudswoman, she has unusual latitude for a public servant in the current government to speak the truth about what she hears and sees from senior citizens across the island. Her term is 14 years, longer than that of the Governor's, and the money to her office comes mainly from the Federal Government, from the Older Americans Act, so that she is incorruptible, unassailable, and, thank God, untouchable.

She presented me with a series of letters she wrote to Attorney General Eric Holder and to other Federal agencies and Puerto Rican officials. They are based on sworn affidavits from senior citizens residing in four towns in the path of the proposed pipeline in Puerto Rico, describing how local seniors are being pressured and intimidated into signing over their property for the pipeline's supposed unapproved right-of-way.

Mrs. Lopez Leon believes that "repetitive violations of the Older Americans Act have become a danger to the lives, health, rights, and property of the elderly population of Puerto Rico."

She describes illegal trespassing into properties of the elderly under the false pretext of measuring a nonexistent right-of-way, illegal trespassing into the homes of the elderly with the fraudulent pretense to generate a written authorization from the elderly to allow and permit a consented purchase of the property to the Commonwealth of Puerto Rico and the energy company well below market value of the property without granting the elderly the opportunity to seek counsel, a recent appraisal, or to contest the eminent domain procedure which they are threatened with if they do not grant "a voluntary consent to sell their properties."

These 41 affidavits are from four towns on the route of the proposed gasoline; Adjuntas, Penuelas, Utuado and Toa Baja. I would like to first talk about one of them, because I will read some short translations from some chilling stories that we have gathered here.

The first one is from Antonia Santiago Cabrera, 69, from Adjuntas, Puerto Rico, who is in this picture. By the way, she was born in this home 69 years ago.

She says, "The helicopters of the energy company constantly fly over my residence and they do so at a low altitude, disturbing my tranquility. Since my home is built of tin and wood," as you see in the picture, "when the helicopters hover, my entire house trembles. That has generated much anxiety in me, and for this reason I had to visit my primary doctor and have had to take medication for my nerves and my heart condition has even worsened."

Then there is Lucrecia Maldonado Rentas. She is 82 years old and is pictured in front of her house with her sister Gloria. She says, "The letters I received were written to pretend to be a study to be conducted on the needs of the population and it ended up being one about natural gas, the pipeline and the expropriation process of the Barrio Portugues community in Adjuntas, Puerto Rico. In them the process of expropriation is presented, but it is not explained. I do not understand it."

Then there is Mr. Luis Guzman. We don't have a picture of the 67-year-old farmer. Although he has been harassed since last year, Mr. Guzman does not know how to read and can barely write.

□ 1010

He does not need to fully be educated, however, to know the difference between right and wrong. If only choosing between right and wrong would come that easy to the ruling party of Puerto Rico.

I want to make it clear to you, Mr. Speaker, and to this body and to Attorney General Eric Holder that these are not powerful men and women. They are not legal scholars or real estate experts. But they have made simple pleas to the court and their complaints should be heard. They are worried that they will lose their homes and they will lose their crops which sustain them because of the laws and legal maneuvers they do not understand. They are U.S. citizens and need our help.

I plan to post all of the affidavits I have already received, along with hundreds of pages I have received from Federal agencies under the Freedom of Information Act, on my Web site. The more light that is shined on this project, Mr. Speaker, the more it reflects back a dark story of secrets, strong-arming, and shortcuts. I plan to continue shining my light and making as much information public as possible so that the voice of the people of Puerto Rico is heard.

Mr. Speaker, I will place in the RECORD the affidavits presented in court in Puerto Rico from 18 senior citizens in Toa Baja, 10 senior citizens in Adjuntas, 4 senior citizens in Penuelas, and 9 senior citizens in

Utuado, along with the correspondence from the Puerto Rico Office of the Ombudsman, an office funded by the Federal Government, an official 14-year standing agency of the Government of Puerto Rico.

The forty-one sworn affidavits in Spanish and other documents in English and Spanish related to the Gasoducto pipeline project are posted on Rep. GUTIERREZ' website: http://www.gutierrez.house.gov/index.php?option=com_content&view=article&id=662&Itemid=73.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by the Puerto Rico Office of the Ombudsman for the Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. ERIC HOLDER,
U.S. Department of Justice, Civil Rights Division, Office of the Assistant Attorney General, Main, Washington, DC.

DEAR SIR: The Puerto Rico Office of the Ombudsman for the Elderly (hereinafter OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico," Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

ORGANIZATION

OPPEA was created through local public Law Number 203, dated August 7, 2004, as a governmental organism responsible for establishing public policy, planning and coordinating with other public agencies the design and development of projects and programs in order to attend basic needs of the elderly population, establishing the rights of the elderly people, in order to help them attain an enjoyable and productive life and their maximum possible participation in community affairs. All funds, equipment personnel and other assets and liabilities previously managed by OGAVE (Governor's Office for Elderly Affairs) were transferred to OPPEA as a result of the above law.

OPPEA is the local organism responsible for planning and coordinating all matters related to federal awards received from federal laws for the purpose of attending the problems of the elderly population.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act." It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Local public Law Number 203 permits OPPEA to design programs in order to pro-

vide possible work opportunities and training and re-training to elderly citizens. Also, it offers alternatives in order for elderly people to join actively in the community and, for those able to, to provide consultative or professional services to the community.

OPPEA operates under an Ombudsman named by the Governor of Puerto Rico, with the consent and advice of the Senate of Puerto Rico for a fixed term of 14 years with the responsibility of organizing and directing the functions of the Office. The current Ombudsman is appearing Plaintiff, Hon. Rossana López León whose term expires on 2014.

Other functions and duties of OPPEA are:

- a. Encourage participation of citizens in the development and implementation of programs and projects for the elderly people;
- b. Provide technical advice and guidelines to other public agencies and/or private institutions who request them in order for them to improve the services they render to elderly citizens;
- c. Organize and prepare conferences and seminars, and perform studies and investigations, by themselves or in coordination with other public agencies or private entities, in order to develop new approaches and methods, and the development of the necessary personnel to provide services to the elderly population;
- d. Compile, accumulate and analyze all statistical data necessary for the planning, coordination and the development of a public policy related to elderly affairs, that responds to the needs of the particular moment;
- e. Educate the community regarding the elderly affairs in order to create a positive attitude towards the elderly population;
- f. Provide information to elderly people regarding the services, benefits, programs and activities that public agencies and private entities offer; and
- g. Recommend to the Governor of Puerto Rico and the Legislative Assembly those procedures they believe necessary in order to attend the problems and necessities of the elderly community.

h. Attend to grievances brought by elderly citizens, including the imposition of fines and the compensation for damages.

Now, The Commonwealth of Puerto Rico (hereinafter ELA) in cohort with the Puerto Rico Energy Power Agency (hereinafter PREPA) have placed into action a project, The Via Verde Pipeline, which is a planned natural gas network to supply energy from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico. It will also represent further dependence on another form of fossil fuel that, while less polluting than the current oil based system of electricity generation, will still contribute to global warming.

Furthermore, more than 200 elderly individuals, under the protection of the Older Americans Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties

of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological "warfare" tactic through constant "buzzing" of low flying Commonwealth and Understanding that these actions and policies are an open violation of the Civil Rights Act, the Americans with Disabilities Act and the Age Discrimination in Employment Act, among others, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by the law, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OM-
BUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. YESMIN M. VALDIVIESO,
Oficina del Contralor de Puerto Rico, Estado Libre Asociado De Puerto Rico, San Juan, PR.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act". It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project called The Via Verde Pipeline which is a planned natural gas network to supply energy from north to south in Puerto Rico a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico.

Moreover, it should be public notice that the Government of Puerto Rico has not only already spent millions of dollars from state public coffers but also from federal sources like ARRA and has reauthorized multi-million dollar contracts for the purchase of land, materials (gas pipeline) and the construction of the gas pipeline itself, without the appropriate permits from the U.S. Corps of Engineers, U.S. Wildlife and Fisheries and other relevant federal agencies. Thus, this project which is being constructed is illegal for lack of appropriate permits.

This situation is not only contrary to the Law 230 of July 31, 1974 (3 L.P.R. secc. 283) as amended, also known as the Puerto Rico Accounting Law, but also in direct contrast to Law 96 of June 26, 1964 as amended. See also the Opinions of the Justice Secretary of Puerto Rico number 2010-15 and H.M.C.A. (P.R.) Inc et al v. Contralor 126 D.P.R. 478 (1990).

Furthermore, the 800,000 elderly residents of Puerto Rico, which we represent and have and are contributing to the General Fund of the Commonwealth and the budgeted funds of PREPA which are being used illegally to fund a project which has not even received the proper permits by federal agencies in order to commence the construction of the project, wish to formally file a Complaint before your agency.

Our client has sworn statements from many of the elderly population being seriously affected by the actions undertaken by Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

After the investigation we are confident that your Department will have reasonable cause to believe that the Commonwealth and PREPA are engaged in a pattern or practice of illegally using public funds for the Via Verde project.

If you have any doubts or questions, please feel free to contact us at (787) 721-6121.

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OM-
BUDSMAN FOR THE ELDERLY

San Juan, Puerto Rico, April 25 2011.

Re Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

Hon. J. RANDOLPH BABBITT,
U.S. Department of Transportation, Federal
Aviation Administration, Washington, DC.

FANNY RIVERA,
U.S. Department of Transportation, Federal
Aviation Administration, Washington, DC.

MARGARET GILLIGAN,
U.S. Department of Transportation, Federal
Aviation Administration, Washington, DC.

SAN JUAN, PUERTO RICO FSDO,
San Juan, Puerto Rico.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA), represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

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Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project denominated The Via Verde Pipeline which is a planned natural gas network to supply liquefied gas from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico.

Furthermore, more than 200 elderly individuals, under the protection of the Older American Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly

with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological "warfare" tactic through constant "buzzing" of low flying Commonwealth and PREPA helicopters, some of which "sit" on top of the elderly individuals residences for a prolonged period of time without any apparent reason or motive, but to scare and cause fear in people of 80 or 90 years old with cardiac and hypertensive medical conditions which, in many cases have never been outside the rural areas and therefore never been exposed to a helicopters noise and "buzzing". These "buzzing" flights are being conducted day and intermittently at night under the 500 feet limit without any cause or reasonable explanation.

Title 14, Code of Federal Regulations, Section 91.119 of the General Operating and Flight Rules specifically prohibits low-flying aircraft, except when necessary for takeoff or landing, over any congested area of a city, town, or settlement, or over any open air assembly of persons, an altitude of 1,000 feet above the highest obstacle within a horizontal radius of 2,000 feet of the aircraft, over other than congested areas, over an altitude of 500 feet above the surface except over open water or sparsely populated areas. In the latter case, the aircraft may not be operated closer than 500 feet to any person, vessel, vehicle, or structure. This rule of thumb applies to Helicopters which may be operated at less than the minimums prescribed above, if and only if, the operation is conducted without hazard to persons or property on the surface.

OPPEA has sworn statements from many of the elderly population being seriously affected by the actions undertaken by Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

Identification: The civilian helicopters involved in the "buzzing" flights are readily identifiable since they bear the markings of PREPA or are being rented by PREPA or its agents or subcontractor, New Star Acquisitions. The "buzzing" flights are being performed under the 500 feet limit as per the above mentioned CFR, by aircraft number N5800, N5854, and N5842.

These flights have been occurring since the last six months almost every Monday, Wednesday and Friday.

These flights have been occurring in the area of Adjuntas, Orocovis and Penuelas, Puerto Rico. The aircrafts have been flying in no particular direction since they are "buzzing" the residents within the area or sites where the Via Verde gas pipeline project is to be constructed.

The color of the aircrafts are plainly visible in the photographs attached.

The altitude in which these flights regularly occur are below the 500 feet tarmac limit imposed by the CFR cited above. The flight below the limit was estimated on the remaining distance between the roof of the houses in which the "sitting" and the "buzzing" was being performed by the pilots of the

aircrafts operated by the Commonwealth and PREPA.

Some of the witnesses submitted sworn statements which are at your disposal for inclusion in the investigative process. The names, addresses and telephone numbers are included in this Complaint for your perusal.

More photographs and statements will be made available to you as soon as they are obtained from our clients.

We understand that some elderly residents in the towns of Penuelas, Utuado and Adjuntas did file complaints before the Puerto Rico Police Department and therefore the criminal complaints will be submitted as soon as we obtain a certified copy from the Police Department.

Understanding that these actions and policies are an open violation of the Civil Rights Act, the Older American Act and the federal statutes and regulations of which you are particularly in charge of administering, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that the Commonwealth and PREPA are engaged in a pattern or practice of violating the FAA regulations and the rights of the elderly population impacted by the Via Verde Project and that the pattern or practice is of such a nature that it is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY

San Juan, Puerto Rico, April 26, 2011.

Re Complaint by the Puerto Rico Office of the Ombudsman for the Elderly Against the Commonwealth of Puerto Rico and the Puerto Rico Energy Power Authority.

Mr. GENE L. DODARO,
Comptroller General, Government Accountability Office, Washington, DC.

DEAR SIR: The Puerto Rico Office of the Ombudsman for the Elderly (hereinafter OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

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The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

ORGANIZATION

OPPEA was created through local public Law Number 203, dated August 7, 2004, as a governmental organism responsible for establishing public policy, planning and coordinating with other public agencies the design and development of projects and pro-

grams in order to attend basic needs of the elderly population, establishing the rights of the elderly people, in order to help them attain an enjoyable and productive life and their maximum possible participation in community affairs. All funds, equipment, personnel and other assets and liabilities previously managed by OGAVE (Governor's Office for Elderly Affairs) were transferred to OPPEA as a result of the above law.

OPPEA is the local organism responsible for planning and coordinating all matters related to federal awards received from federal laws for the purpose of attending the problems of the elderly population.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act". It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Local public Law Number 203 permits OPPEA to design programs in order to provide possible work opportunities and training and re-training to elderly citizens. Also, it offers alternatives in order for elderly people to join actively in the community and, for those able to, to provide consultative or professional services to the community.

OPPEA operates under an Ombudsman named by the Governor of Puerto Rico, with the consent and advice of the Senate of Puerto Rico for a fixed term of 14 years with the responsibility of organizing and directing the functions of the Office. The current Ombudsman is appearing Plaintiff, Hon. Rossana López León whose term expires on 2014.

Other functions and duties of OPPEA are:

- Encourage participation of citizens in the development and implementation of programs and projects for the elderly people;
- Provide technical advice and guidelines to other public agencies and/or private institutions who request them in order for them to improve the services they render to elderly citizens;

- Organize and prepare conferences and seminars, and perform studies and investigations, by themselves or in coordination with other public agencies or private entities, in order to develop new approaches and methods, and the development of the necessary personnel to provide services to the elderly population;

- Compile, accumulate and analyze all statistical data necessary for the planning, coordination and the development of a public policy related to elderly affairs, that responds to the needs of the particular moment;

- Educate the community regarding the elderly affairs in order to create a positive attitude towards the elderly population;

- Provide information to elderly people regarding the services, benefits, programs and activities that public agencies and private entities offer; and

- Recommend to the Governor of Puerto Rico and the Legislative Assembly those procedures they believe necessary in order to attend the problems and necessities of the elderly community.

- Attend to grievances brought by elderly citizens, including the imposition of fines and the compensation for damages.

Now, the Commonwealth of Puerto Rico (hereinafter ELA) in cohort with the Puerto Rico Energy Power Agency (hereinafter PREPA) have placed into action a project, The Via Verde Pipeline, which is a planned natural gas network to supply energy from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico. It will also represent further dependence on another form of fossil fuel that, while less polluting than the current oil based system of electricity generation, will still contribute to global warming.

Furthermore, more than 200 elderly individuals, under the protection of the Older American Act are being affected and their rights under that federal statute and the Constitution being breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a nonexistent right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, the elderly population is being targeted with a psychological "warfare" tactic through constant "buzzing" of low flying Commonwealth and PREPA helicopters, some of which "sit" on top of the elderly individuals' residences for a prolong period of time without any apparent reason or motive, but to scare and cause fear in people of 80 or 90 years old with cardiac and hypertensive medical conditions which, in many cases have never been outside the rural areas and therefore never been exposed to a helicopter's noise and "buzzing". These "buzzing" flights are being conducted day and intermittently at night under the 500 feet limit without any cause or reasonable explanation.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a nonexistent right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, most of the elderly population residing in the impacted areas receive their water supply from private or public reservoirs that are a huge part of the underground karstic region. It has been evidenced by the detractors of the Via Verde project that the underground water supply will be contaminated by bentonite, polymers, surfactants and dye tracers which would render the underground water supply con-

taminated and useless for human consumption. The Corps must be aware that there is no other source of water for these elderly residents of the region since in many parts of the rural regions where they reside the Commonwealth does not provide a source of water.

Moreover, it should be public notice that the Government of Puerto Rico has not only already spent millions of dollars from state public coffers but also from federal sources like ARRA and has authorized multimillion dollar contracts for the purchase of land, materials (gas pipeline) and the construction of the gas pipeline itself, without the appropriate permits from the U.S. Corps of Engineers, U.S. Wildlife and Fisheries and other relevant federal agencies. Thus, this project which is being constructed is illegal for lack of appropriate permits.

This situation is not only contrary to the Law 230 of July 31, 1974 (3 L.P.R. secc. 283) as amended, also known as the Puerto Rico Accounting Law, but also in direct contrast to Law 96 of June 26, 1964 as amended. See also the Opinions of the Justice Secretary of Puerto Rico number 2010-15 and H.M.C.A. (P.R.) Inc et al. v. Contralor 126 D.P.R. 478 (1990).

Understanding that these actions and policies are an open violation of the Civil Rights Act, the Americans with Disabilities Act and the Age Discrimination in Employment Act, among others, we request a formal criminal and civil investigation from your Department.

After the investigation we are confident that your Department will have reasonable cause to believe that any person or group of persons is engaged in a pattern or practice of resistance to the full enjoyment of any of the rights secured by the law, and that the pattern or practice is of such a nature and is intended to deny the full exercise of the rights of our client and of many others numbering in the thousands.

If you have any doubts or questions, please do not hesitate to contact us.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

COMMONWEALTH OF PUERTO RICO,
PUERTO RICO OFFICE OF THE OMBUDSMAN FOR THE ELDERLY,

San Juan, Puerto Rico, April 25, 2011.

Re: Complaint by The Puerto Rico Office Of The Ombudsman For The Elderly Against The Commonwealth of Puerto Rico and The Puerto Rico Energy Power Authority.

U.S. ARMY CORPS OF ENGINEERS,
South Atlantic Division,
Jacksonville, FL.

U.S. ARMY CORPS OF ENGINEERS,
South Atlantic Division,
Atlanta, Georgia.

DEAR SIR: The Puerto Rico Office Of The Ombudsman For The Elderly (herein after OPPEA) represented by the undersigned, Hon. Rossana López León, is the "state unit on aging of Puerto Rico" in charge of enacting the Older Americans Act by virtue of the provisions of Act No. 203 of August 7, 2004, as well as by the "Bill of Rights for Aged Persons in Puerto Rico", Act No. 121 of July 12, 1986, as amended.

OPPEA, upon attending to the needs of this specific population, acts as an enabling agent in the search for a better quality of life for these residents, who on occasion are deprived of their civil and human rights as members of our society for which it receives substantial federal funds. As a matter of

fact, OPPEA receives 90% of its budget from federal sources.

The creation of this office serves the purpose of reaffirming the importance of the elderly citizens in our country, guaranteeing their full enjoyment of the rights and prerogatives which they are entitled to.

OPPEA is also the agency designated to administer and implement the federal programs of federal public Law 89-73 dated July 14, 1965, as amended, known as "Older Americans Act". It can also be designated by the Governor of Puerto Rico as the local agency in charge of any other federal awards destined for elderly programs.

Now, The Commonwealth of Puerto Rico (herein after Commonwealth) in cohort with the Puerto Rico Energy Power Agency (herein after PREPA) have placed into action a project called The Via Verde Pipeline (application of reference) which is a planned natural gas network to supply energy from north to south in Puerto Rico, a project of Governor Luis Fortuño.

The pipeline will distribute natural gas from the Peñuelas/Guayanilla area north to the Arecibo Cambalache Plant on to Palo Seco/San Juan.

"Via Verde" will negatively impact forest areas, hydrographic basins, lands fit for agriculture, and the all-important and endangered karstic region of northern Puerto Rico as your letter of December 22, 2010 sent to PREPA has underscored.

Furthermore, more than 200 elderly individuals, under the protection of the Older American Act, residing for more than 30 years in the area to be impacted by the Via Verde project are being and will be adversely affected and their rights under federal statutes and regulations breached and violated by Commonwealth and PREPA.

These repetitive violations have become a danger to the lives, health, rights and property of the elderly population of the sector being impacted by the Via Verde project by way of illegal trespassing into the properties of the elderly under the false pretext of measuring a non existing right of way, illegal trespassing into the homes of the elderly with fraudulent pretenses to generate a written authorization from the elderly to allow and permit a consented purchase of their property to the Commonwealth and PREPA well below market value of the property, without granting the elderly the opportunity to seek counsel, a recent appraisal of their property or to contest the eminent domain procedure which they are threatened with if they do not grant a "voluntary" consent to sell their properties.

Furthermore, most of the elderly population residing in the impacted areas receive their water supply from private or public reservoirs that are a huge part of the underground karstic region. It has been evidenced by the detractors of the Via Verde project that the underground water supply will be contaminated by bentonite, polymers, surfactants and dye tracers which would render the underground water supply contaminated and useless for human consumption. The Corps must be aware that there no other source of water for these elderly residents of the region since in many parts of the rural regions where they reside the Commonwealth does not provide a source of water.

Moreover, although alternative sites or projects have been proposed to the Commonwealth, to no avail.

Our client has sworn statements from many of the elderly population being seriously affected by the actions undertaken by

Commonwealth and PREPA as well as a psychological study of the adverse effect that these actions have caused on the general elderly population of the areas impacted by the Via Verde project.

Understanding that these actions and policies are an open violation of the Older American Act and the federal statutes and regulations of which you are particularly in charge of administering, we request a formal filing of this complaint before the Corps.

If you have any doubts or questions, please do not hesitate to contact our office at (787) 721-6121.

Cordially,

ROSSANA LÓPEZ LEÓN, MSG,
Ombudsman for the Elderly.

ABORTION DEBATE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oklahoma (Mr. LANKFORD) for 5 minutes.

Mr. LANKFORD. Abortion is one of the most divisive issues in America. One side sees the child in the womb as nothing but tissue, like a skin mole, and no one should tell a woman when and if she can have an unnecessary and inconvenient tissue removed from her body. The other side looks at that "tissue" in the womb and sees it sucking its thumb, reacting to her mother singing, and possessing unique DNA, and asks the question: How can that not be a child?

The debate about life will not be resolved today, though for the sake of millions of children who will die in the womb in abortion clinics, I wish it could have been resolved yesterday. H.R. 3, which we will be discussing all day today asks the question: Should the Federal Government ever use taxpayer dollars to pay for or supplement abortions?

When the Nation is so divided over this issue, isn't it common sense not to force a person who is passionately opposed to the death of the unborn to assist in paying for the procedure?

H.R. 3 also protects the conscience of health care providers to not be forced to perform a procedure that they believe violates their most basic oath: Do no harm.

Each year, this Congress votes to prohibit abortion funding through our appropriations process. It's time that we settled this issue permanently and clearly. No taxpayer funding, support, or tax incentives of abortion in any way for this year, in any future year.

In a day of skyrocketing debt, how can we justify supplementing abortion and saying that it's a necessary and essential element of government? I think we cannot.

This is time to resolve this issue. I strongly encourage my colleagues to support H.R. 3 today in that vote.

OUR DEPENDENCE ON FOREIGN OIL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. QUIGLEY) for 5 minutes.

Mr. QUIGLEY. Mr. Speaker, in the great debate over oil and gas prices, there are actually many things we can all agree on. We agree our dependence on foreign oil endangers our environment, hurts our economy, and weakens our national security. Our disagreement lies in potential solutions.

I believe that in order to lower gas prices, we can and must crack down on oil speculators, end Big Oil handouts, invest in public transit and electric vehicles, and increase corporate average fuel economy standards. The other side of the argument would have you believe that all we need to do is increase our domestic oil resources and remove regulations—regulations that purportedly forced us to look outside our Nation's borders for oil.

Our answers do not lie in more oil. Our answers lie in conservation and smart investments.

Talk about smart investment—every increase of 1 mile per gallon in auto fuel efficiency yields more oil than can be found in two Arctic National Wildlife Refuges. An improvement right now of 2.7 miles per gallon would eliminate our need for all Persian Gulf oil.

But it's not a question of simple domestic supply and demand either, another argument the other side of this issue will use. Oil prices are set on a global oil market. Historically, such small increases in U.S. production have had little or no impact on world oil prices.

The U.S. Energy Information Administration, or EIA, states in a 2008 report that Arctic Refuge oil production "is not expected to have a large impact on world oil prices," noting that OPEC "could neutralize any potential price impact of ANWR coastal plain production by reducing its exports by an equal amount."

Again, our answer does not lie in increased domestic oil production. Our answer lies in conservation and in a solid commitment to investment in renewable energy resources.

Recent increases in conservation and use of alternative technologies has cut our Nation's projected need for imported oil between now and 2050 by more than 100 billion barrels. That's 10 times more benefit that we might be able to get during the same period from the Arctic National Wildlife Refuge, without sacrificing one of our Nation's most valued wilderness ecosystems.

In the past few years, we've taken small steps to focus on conservation rather than production. In late 2007, corporate average fuel standards, commonly known as CAFE standards, received their first overhaul in more than 30 years. This was a huge step in the right direction, but there remains much work to do.

The bills we will consider in the coming week will endanger our environment, hurt our economy, and weaken our national security. It seems to me

these are the very same concerns we have with an overarching reliance and addiction to foreign oil.

H.R. 1229 and H.R. 1230 supplant our national environmental policies, tell residents along our coasts we don't care how they feel about drilling in their waters, damage the ecosystems the industries along our coasts rely on, and go against what military experts have been saying about drilling.

Just weeks ago, several former military officers shared their thoughts and concern. "America's dependence on oil constitutes a clear and present danger to the security and welfare of the United States." And they continue to say they are concerned with congressional efforts to undermine the agencies charged with overseeing extraction. What they are saying is it's important to reduce our dependence on foreign oil for our national security's sake, and it's important to retain regulatory authority to oversee drilling and extraction of oil and gas. Then, you follow that it's important to regulate our extraction in order to protect our Nation.

These bills do not offer solutions. And what is worse, a full year following the disaster of the Macondo/Deepwater well, we have yet to reform our Outer Continental Shelf policy. But, again, you don't need to take my word for it.

The U.S. Energy Information Administration put out a 2009 report comparing the difference between full, unrestricted offshore drilling and restricted offshore drilling. EIA found that in 2020, restrictions on drilling versus unrestricted access had no impact on cost. The cost per barrel was identical. In 2030, indiscriminate drilling would lower our gas prices by just 3 cents.

Take the calls for drilling in the Arctic Refuge as another example. Even at peak production in 2030, Arctic Refuge oil would account for six-tenths of 1 percent of world oil production and only 2.4 percent of U.S. oil consumption.

We can proactively move our Nation toward reducing our dependence on foreign oil so that we can take control of our energy future, protect our Nation, our economy, and our environment. And we must.

SPENDING-DRIVEN DEBT CRISIS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. If your car is speeding into a ditch, the only thing to do to survive is to slam the brakes as fast and hard as you can. Anything else only stalls the disaster to come.

At this moment, America is speeding into bankruptcy, and the only way to stop the descent and save our country

is to slam the brakes on government spending and set our Nation on a brand new fiscal trajectory.

Critical times call for critical measures. The American people deserve honest and courageous leadership from Washington that will act to save the future of our great Nation.

□ 1020

The Path to Prosperity would lift the crushing burden of record high debt, spur economic growth and job creation, and fulfill our Nation's obligations to the health and retirement security of every American.

With the Path to Prosperity, the budget that Republicans adopted in the House 2 weeks ago, Americans will be back on the road to more jobs for today and a bankrupt-free nation for tomorrow.

GAS PRICES AND MEDICARE

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from New York (Mrs. MCCARTHY) for 5 minutes.

Mrs. MCCARTHY of New York. Mr. Speaker, before I begin to share my thoughts this morning about how the Republican budget is a blow to our American ideas and priorities, I would be remiss if I didn't use this opportunity to praise our men and women in uniform, our President, and his advisers for the extraordinary courage and capability they all demonstrated in the mission that put an end to Osama bin Laden on Sunday.

Being from New York, we know firsthand of the consequences of this horrible, horrible action that Osama bin Laden took on September 11, 2001. I can't tell you how many families in my congressional district were hurt, lost their loved ones, children becoming orphans in ways that it is going to take them years, if forever, to recover.

That is why Sunday was so important. It was a moment in history, our history. We told the world as Americans, we're going to fight not only for each other but we're going to fight for our rights, our ideals that are at the core of our very being.

I would hope that, in the aftermath of Sunday, we would be able to come together in the way that we did after September 11. We need to find more ways to come together. We need to work together for the good of our constituents, for the good of our country. But that doesn't mean that we don't have extraordinary differences of opinion, and that's what I'm here to talk about today. I'm here to talk about the budget that the House Republican majority just passed—and I voted against—on April 15. I believe that that budget is a document that lays out the wrong priorities.

Trust me when I say that I'm as anxious as anyone about our Nation's fis-

cal policies, but we also need to make sure that, in the process, we do not kill thousands of jobs and hurt millions of American families. A budget, as far as I'm concerned, is a moral document. It should be a declaration of our country's priorities. But the Republican budget does anything but that. It hurts our most vulnerable citizens while giving tax breaks to our oil companies.

I spent over 33 years as a nurse before I came to Congress, and let me tell you, the one thing that strikes me every week when I come down to Washington is the disconnect that I see between a lot of the politicians here and the people who are back home struggling in their districts.

The budget that was passed by Republicans is absolutely out of touch with the people back in my district. How in the world can you undermine the health and well-being of our seniors at the same time that you continue to give the richest companies on the planet tax breaks? That's not what the people in my district want. The seniors, and all the people in my district, want health care. They feel like that as they get older, they want the peace of mind to know that they have access to the greatest health care system in the world. They've paid for that right. As they worked throughout their life, they paid into the Medicare system. They believe that they have the right to Medicare, and I agree with them.

Yet the Republican budget fundamentally undermines that right. The Republican budget ends Medicare as we know it. It eliminates guaranteed coverage for our seniors and turns the program into a voucher program. This is a drastic, drastic concept.

Let's not try to pretty things up here. Republicans are essentially pushing seniors into the private marketplace where they will pay more and get less. As health care keeps rising with inflation, these vouchers will not keep pace. As the Congressional Budget Office has said, Medicare beneficiaries would bear a much larger share of their health care costs. The result would be absolutely awful for our seniors. We are going to see our parents and our sisters and our brothers faced with awful choices: Are they going to pay higher premiums? Are they going to have to get health plans that cover less? Or, even worse, will they drop out and have no health care at all?

Cutting our health care system isn't the only way that families are being hurt. The high price of gas is hurting families across this country and certainly in New York. Across the country and definitely on Long Island, the price of gas has climbed way above \$4. Yet in what is an absolutely mind-boggling position, Republicans in Congress still refuse to allow a vote to repeal the billions of dollars in taxpayer money that oil companies are getting. Exxon, for instance, just took in \$10.7 billion dur-

ing the first 3 months of the year alone. That's a 69 percent increase over the same time frame from last year. Other companies have enjoyed the same increases, all while continuing to receive \$4 billion annually in subsidies.

Mr. Speaker, we're Americans. We can disagree, but we're supposed to be fighting for this country. We need to make sure we protect our seniors. We need to make sure we have jobs. We need to make sure that we keep this country safe.

God bless America.

The oil companies aren't struggling companies in need of a helping hand. They're companies with huge profits receiving billions of dollars in wasteful government spending.

I'm not a person who is against drilling.

I believe that we need a comprehensive energy policy that takes advantage of clean energy, but also takes advantage of the natural resources that we've been blessed with.

I also believe that we need to be aggressive in taking on the oil speculators who are profiting from the ballooning price of oil.

But what I find particularly abhorrent is that, at a time where Republicans are claiming that our country's fiscal problems are an excuse for us to undermine the needs of our seniors, many of whom live month-to-month, we are at the same time giving oil companies \$4 billion in tax breaks.

Those are not the priorities that I believe in.

And those are not the priorities that my constituents believe in.

A budget is a moral document of our priorities. It should say something about a country's values.

That's why, to turn back to Sunday for a second, that heroic rescue said so much about our country.

Americans persevere, Americans fight for their values, and Americans are unrelenting in their efforts.

But we do those things because we want safety and security for our families.

We want to see our children and grandchildren grow up in a country where fairness and equity is the order of the day.

The Republican budget is not about fairness and equity.

It is about hurting our seniors—and doing so in order to give oil companies, who are wealthy beyond belief, additional tax breaks.

That's not just.

That's not fair.

That is not what I came to Congress to fight for.

STORM AND DISASTER RELIEF IN NORTH CAROLINA

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Mrs. ELLMERS) for 5 minutes.

Mrs. ELLMERS. Mr. Speaker, 2 weeks ago on Saturday, April 16, North Carolina was struck with vicious tornadoes that caused unprecedented destruction and despair throughout the State and in my district. The loss of property will take years to rebuild, but the lives that were lost can never be replaced. In an instant, lives were cut

short, leaving families with a gaping hole that can never be filled. With over 24 deaths throughout the State, this tragedy has touched each of us on a personal level.

Our district was hit especially hard with six of our 10 counties affected, but thanks to the resources provided by President Obama's emergency declaration and officials at FEMA, we have been able to turn this tragedy into a swift recovery.

On behalf of all North Carolinians, I would like to thank the officials at FEMA, the American Red Cross, the Small Business Administration, and emergency first responders for taking swift action and providing our district with supplies, funding, and on-the-spot guidance for victims.

While we still have a tough road ahead, our district can take heart in the fact that every step is being taken to ensure that help will reach everyone affected and in a swift and efficient manner. I hope that all Americans will keep the residents and families of North Carolina and those families in Alabama and the other States that have been so terribly affected in their prayers as we continue to work in the rescue effort going forward.

Thank you. God bless America.

SMALL BUSINESS INNOVATION RESEARCH

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ALTMIRE) for 5 minutes.

Mr. ALTMIRE. Mr. Speaker, I rise today in support of the Small Business Innovation Research program. For over a quarter century, SBIR has been key to American competitiveness around the world. It has provided quality research, spurred technological advancements, and allowed innovative small businesses to partner with the government for the development of some of today's most cutting-edge goods and services.

The region I represent in western Pennsylvania is home to a number of companies that have benefited from the SBIR program, yet these companies have been faced with uncertainty over the past few years because Congress has failed to act on a full reauthorization. Short-term extensions are putting the future of research and development at risk. In this fragile economy, Congress owes it to these innovators to give them the certainty they need to fully pursue their ideas.

□ 1030

I have supported legislation to reauthorize this program for the past 4 years because I understand the importance of innovation and the Federal Government's unique role in creating a fertile climate for it. In the past, whenever our Nation has bounced back from

economic downturns, innovation has been the catalyst. Time and again, inventive ideas have led to new products, generating a wave of job creation and putting us on a path back to prosperity.

This year, I have joined with my colleagues on the Small Business Committee to introduce a full 3-year reauthorization of the SBIR program. As Congress looks for ways to reduce spending yet keep America globally competitive, the SBIR program is that rare piece of legislation that can accomplish both goals simultaneously.

At its most fundamental, the SBIR program provides valuable seed money for entrepreneurs who are willing to explore untested concepts and, ultimately, develop new products. Additionally, it solves one of the primary concerns facing small businesses today—access to capital. This reauthorization would make important changes to the current program that will allow more entrepreneurs to participate by allowing companies that receive funding from multiple venture capital groups to competitively apply for a portion of SBIR grants.

Reauthorization of SBIR will allow us to continue to foster research and innovation that will translate into a wealth of new employment opportunities and economic growth for western Pennsylvania and all of America. I hope my colleagues will join me in supporting this bipartisan legislation that encourages creativity and ensures America will stay a global leader in innovation for years to come.

HONORING THE LIFE OF FORMER CONGRESSMAN ROBERT B. DUNCAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. Mr. Speaker, I rise this morning to comment on the passing of a dear friend and Oregon icon, former Congressman Robert Duncan, who died last week at age 90. Bob served his Nation with distinction beginning with his service during World War II in both the merchant marine and the U.S. Navy. After graduating from the University of Michigan Law School, he settled in Medford, Oregon, with his wife Marijane. He was a State legislator from that community. He served two terms as speaker for the first time in Oregon history.

From there, he went to serve in Congress, representing the Fourth Congressional District in southwest Oregon until he was persuaded by President Lyndon Johnson to leave Congress to run for a vacated U.S. Senate seat against Governor Mark Hatfield. In a campaign that defined Oregon politics for over a decade, Bob lost narrowly to Mark Hatfield in, to say the very least,

a heated campaign, focusing in large measure over the United States' involvement in the war in Vietnam, which he supported and Mark Hatfield opposed. A significant development was the endorsement of then-Democratic U.S. Senator Wayne Morris of Republican Hatfield, which many experts feel provided the narrow margin of victory for Hatfield. Later, Bob almost won the Democratic primary against Wayne Morse when he ran for reelection 2 years later sending shockwaves that reverberated for a decade.

I first had the opportunity to work with Bob Duncan when I was directing a campaign to lower Oregon's voting age in 1969, and he was a zealous supporter of engaging young people in the political process.

In 1974, Bob again made history by being the first Oregonian to represent 2 different districts in Congress as he was elected to the Third Congressional District, which I am now privileged to represent. He continued for another 6 years of distinguished service, serving on the Appropriations Committee.

After leaving Congress in 1981, Bob returned to private practice as a lawyer in Portland and Washington, D.C., and later served on the Northwest Planning Power Council.

Bob had many passions in his life but none more important than his family. He was married 48 years to Marijane until her death in 1989, and later, he married Kathy Boe and found many years of happiness. Bob had seven children who survive him: Nancy, Angus, David, Jamie, Laurie, Bonnie and Jeanne.

He was by turns a stubborn political animal, generous of spirit, with a legacy for courage strengthened by his convictions. He was a man of great humor, intellect, and conviction. He was also thrifty to an extent that is legendary to family and friends and many of his constituents. Until the end of his life I would still get letters from him with a series of 3-cent stamps and the old congressional return address on the envelope scratched over. But he was very careful with the taxpayer money in his Appropriations Committee to an extent that sometimes drove even his supporters to distraction.

He leaves a legacy for courage, passion for justice, and accomplishment of decades of service, particularly a decade in two very different congressional districts that were united in the admiration of this dedicated public servant. He will be missed, but fondly remembered.

RAPIDLY RISING GAS PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Rhode Island (Mr. LANGEVIN) for 5 minutes.

Mr. LANGEVIN. Mr. Speaker, I rise today to urge my colleagues to join together to immediately address one of the greatest problems facing our families and small business right now; that is, rapidly rising gas prices.

As I traveled across Rhode Island during the district work period, the issue of high gas prices was never far from anyone's mind. It affects every family's bottom line and the budgets of small businesses that are still recovering from the recession.

As our fragile economy continues, it is imperative that we work to find solutions in the short term as we turn our attention towards a serious, long-term solution to reduce our demand for oil. Our Nation simply cannot have low gas prices without reducing the amount of oil that we use.

We remain in constant competition right now with India, China, and other developing Nations, and the world does not have the resources to continue to supply us all with cheap oil, especially with disruptions in the Middle East that continue to affect production.

I supported the American Clean Energy and Security Act last session because it took steps to immediately reduce demand through improved vehicle fuel economy standards and energy efficient technology in our buildings and homes, while investing in clean energy, including an increased commitment to the research and development of offshore wind.

We should put our money behind those efforts instead of giving billions of dollars in tax breaks each year to oil companies. As we just recently heard, ExxonMobil just reported first quarter earnings of \$11 billion, a nearly 70 percent increase, with other oil companies following closely behind. Mr. Speaker, let's eliminate subsidies for these big corporations that don't need our help.

In the short term, Congress must partner with President Obama and support Attorney General Holder's efforts to monitor oil and gas markets and safeguard consumers against unlawful practices. We also need stricter guidelines for speculators and getting speculators out of the market. We need guidelines for people who buy oil just to sell it at a profit, perhaps by allowing people to buy oil on the market only if they can actually receive product.

Additionally, I urge my colleagues to pressure oil companies to drill on domestic lands where they already have existing leases. The industry right now is drilling on less than a quarter of the 80 million acres where it already has leases approved. While this is not a long-term solution, we need responsible drilling on lands where there are existing leases. Now, this is, I believe, a faster, fairer, and safer path to more domestic production, unlike legislation on the floor this week which will put oil rig workers and the environment at

risk by expediting critical safety reviews.

None of this, of course, lessens the urgency of switching to alternative fuels.

□ 1040

The U.S. has only 1.4 percent of the world's proven oil reserves but currently consumes 22 percent of the world's oil.

In the long run, we will remain susceptible to repeats of the current crisis unless we take every opportunity to decrease our dependence on oil. Now I want to highlight one important initiative in my State that involves public transportation. The Rhode Island Public Transit Authority acquired just recently 53 new hybrid buses and is upgrading 10 trolleys to hybrid propulsion, and we should encourage others to follow their lead. RIPTA expects that their new hybrid fleet will save them approximately 20 percent on fuel usage, which will help prevent price increases and route closures.

We should build on the success in Rhode Island nationally by requiring specific hybrid and fuel efficiency standards for any vehicles involved in Federal grant programs. Complicated problems, like the price of gasoline, often require difficult solutions. But we cannot let this prevent us from moving forward and delivering to our constituents who cannot afford these costs or a slowed economic recovery. Mr. Speaker, I urge my colleagues to work together to enact short-term provisions and long-term solutions to bring relief to working families and small business.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 41 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Reverend Dr. Kurt Gerhard, St. Patrick's Episcopal Church, Washington, D.C., offered the following prayer:

God of peace, Who called all people from every nation to seek reconciliation with each other for the good of creation, inspire in us the will to persevere, through moments of conflict, to seek common ground.

Bless this country and all its leaders in the continued fulfillment of a vision

set forth in July of 1776 that all people are "endowed by their Creator with certain unalienable rights, that among these are life, liberty and the pursuit of happiness."

During this session of the 112th Congress in this, the people's House, may the hearts of these duly elected Representatives be blessed with the integrity of purpose and the steadfast commitment to seek and serve the people of the United States of America for the betterment of this country and the world.

We ask this all in the name of the one God, the God of all nations. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from Ohio (Mr. JOHNSON) come forward and lead the House in the Pledge of Allegiance.

Mr. JOHNSON of Ohio led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to 15 requests for 1-minute speeches from each side of the aisle.

GAS PRICES

(Mr. JOHNSON of Ohio asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. JOHNSON of Ohio. Mr. Speaker, the average for a gallon of gas in Ohio is over \$4 a gallon. In eastern and southeast Ohio, this is particularly hard on families who live in rural areas. Farmers, ranchers, seniors, working families who have limited means of transportation—these high gas prices are having a negative impact on everyone. The higher gas prices go, the more of an impact it has on our economy and on our chances for a real economic recovery.

Small business owners are watching money they could otherwise invest in their businesses go to paying for fuel, and working families are anxiously redoing their budgets to account for higher fuel costs and looking for ways to cut back.

We're blessed with an abundance of natural resources in Ohio. We're one of the highest coal-producing areas, and

with the Marcellus shale right next door in West Virginia, we're poised to make an enormous contribution to making America self-sufficient in energy. We need an energy strategy that will help us become energy self-sufficient so we stop relying on other countries to meet our energy needs.

Now is the time to levy a "permatorium" on developing American energy resources. Let's open up our American resources and put our country on the path to ensuring our energy security, instead of continuing to rely on foreign sources for energy.

WE MUST NOT PASS H.R. 3

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, I rise today in opposition to H.R. 3 and to remind my colleagues of two key dates.

January 20, 2011, the day H.R. 3 was introduced. Just 3 months ago, the authors of this extremist, offensive bill introduced a version of H.R. 3 that would have redefined rape and incest. They don't want us to remember, but we cannot forget 173 Members of Congress signed their names to a bill that would have redefined rape to exclude women who are unconscious, mentally disabled, or forced into sex by threat.

The authors of this bill would also like us to forget another important date: January 22, 1973. On that day, the Supreme Court ruled that women have the right to make their own decisions about their own bodies and their own lives.

But we will not forget that date, and we will not forget the 173 Members of this body who want to redefine rape and incest, and we will not turn back the clock to a time when women could not make their own choices and access vital care.

We will not forget. We will not go back, and we must not pass H.R. 3.

NAVY SEALS 1—BIN LADEN—0

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Madam Speaker, Osama bin Laden has met his maker, and we appreciate the Navy SEALs for arranging the meeting, but Pakistan gives us some concern. It seems like Pakistan might be playing both sides, and they have a lot of explaining to do.

For all these years, we believed that Osama bin Laden was on the run, living in a cave; but, apparently, Satan's Pawn has been living for years in a million-dollar compound just yards away from a Pakistani military base, but Pakistan claims no knowledge of Osama bin Laden's whereabouts. I just don't buy it.

I've introduced a bill that would require Congress and the American peo-

ple to get a full understanding of what Pakistan knew about bin Laden's whereabouts and when they knew it, before we give them any more American money. Congress has already appropriated \$3 billion in aid to Pakistan for this year; and unless Pakistan can prove that they were not providing sanctuary for America's number one enemy, they should not receive any American aid.

And that's just the way it is.

OPPOSE H.R. 3

(Ms. TSONGAS asked and was given permission to address the House for 1 minute.)

Ms. TSONGAS. Madam Speaker, I rise in strong opposition to the majority's attempt to undermine a woman's right to choose, a right that is fundamental to a woman's freedom.

H.R. 3 would raise taxes on any American whose employer-sponsored health care plan provides coverage for an abortion. It eliminates Americans' right to use their own funds in health savings accounts for a legal abortion unless they can prove to the IRS that they were victims of rape or incest. This legislation allows a hospital to refuse to perform an emergency abortion, even if a woman would die without it. It would allow doctors to refuse abortion services, even if a pregnancy threatens a woman's health. And this law makes radical changes to the way we treat survivors of rape and even how we define rape.

My colleagues say that they are for no new taxes and for preserving life, but this legislation belies that claim.

HAMAS MERGER

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Madam Speaker, the news that Osama bin Laden had been killed by U.S. forces on Sunday brought reassurance to many around the world that justice had finally been served. A man responsible for the deaths of thousands of innocent people of all races and religions had been located and eliminated. However, not everyone saw it the same way.

Ismail Haniyeh, leader of Hamas in Gaza, called bin Laden a sheikh and said, "We condemn the assassination and the killing of an Arab holy warrior." This comes the same week that Palestinian political parties Hamas and Fatah have reconciled and formed a unity government.

How can the United States provide aid to a unity government if one of its most important leaders praises a mass murderer? How can Israel negotiate treaties with a government composed of a party that is actively seeking its destruction?

There cannot be true peace as long as Hamas holds up Osama bin Laden and other terrorists as heroes. The Palestinian people must recognize that hatred and terrorism will never bring them true peace and true independence.

COMMEMORATING JEWISH AMERICAN HERITAGE MONTH

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Madam Speaker, I rise today to honor and recognize the rich history of the Jewish American experience in the United States as we mark Jewish American Heritage Month.

It is fitting that the words of the Jewish American poet, Emma Lazarus, are immortalized on the Statue of Liberty, "Give me your tired, your poor, your huddled masses yearning to breathe free," because here in the United States we recognize the powerful impact of the Jewish American experience—people who escaped persecution, arrived here as immigrants and prospered.

Jewish Americans formed strong communities, became involved in their neighborhoods, and have made lasting contributions to our country. Jewish Americans represent some of this country's, and indeed the world's, foremost innovators in health and science, business and industry, politics and government, arts and culture. This spirit is also found in many Jewish Americans who work tirelessly to seek a better life for future generations.

In celebrating the many milestones of Jewish Americans this month, we honor the lives, work, and rich history of Jewish Americans throughout our Nation. And that's why this month we take time to remember the unique Jewish American identity, steeped in history and faith, and their tremendously important contributions to our Nation.

□ 1210

SHALE NATURAL GAS

(Mr. REED asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. REED. Madam Speaker, I rise today to bring attention to the plentiful natural gas reserves that we have in the United States. Many of my colleagues may not be aware of two studies which recently highlighted the abundance of this clean-burning domestic fuel source which holds so much promise.

The first study I would like to draw attention to is the Energy Information Administration's Energy Outlook 2011, which analyzes energy production, consumption, technology, market supply

and demand, and the direction those trends may take in the future. The outlook anticipates strong growth in the natural gas development and consumption because of development of shale gas resources. The outlook notes that growth in natural gas would not be permissible but for the combination of horizontal drilling and hydraulic fracturing technologies which have made shale gas economical to produce. The outlook finds that hydraulic fracturing and horizontal drilling have led to an average annual growth rate of 48 percent in the time period from of 2006 to 2010.

The second study I would like to mention is the American Gas Association's Potential Gas Committee 2010 biennial report.

This report highlights the potential supply of natural gas in the United States. To be specific, the report finds that the United States possesses an untapped natural gas resource potential of 1,898 trillion cubic feet. This is the highest resource evaluation in the Potential Gas Committee's 46 year history.

My Congressional District in New York State overlays a formation known as the Marcellus Shale. This shale play is one of the leading contributors to the rapid growth in estimates of recoverable natural gas in the United States.

By developing and utilizing these massive natural gas reserves, we can begin to reduce our dependence on foreign oil, and thus over time, reduce the cost of gasoline. As we all know, American producers and consumers are paying a heavy price as the cost of gasoline continues to rise. Everything costs more to produce, more to transport, and more to purchase.

Reducing our dependence on foreign oil is both a national security issue and an economic issue. I urge my colleagues to consider these reports and support policies that will lead to the development of these valuable resources.

VOTE "NO" ON H.R. 3

(Ms. BASS of California asked and was given permission to address the House for 1 minute.)

Ms. BASS of California. Madam Speaker, I rise in strong opposition to H.R. 3, which the House will vote on later today.

After voting last month to end Medicare, as we know it, for seniors, today the majority is attacking women's reproductive freedom. For the last 3 months, we have watched as the majority party has consistently attacked the right of women to receive comprehensive health care, and today is no different.

H.R. 3 has outrageous provisions that would end comprehensive private health insurance coverage and reduce women's access to abortion care in many ways. H.R. 3 manipulates the Tax Code to restrict access to comprehensive care. The bill raises taxes on individuals and small businesses with insurance plans that cover abortion, forcing

them to drop their health insurance plan.

H.R. 3 is an unprecedented attempt to deny access to full reproductive care. I urge my colleagues to vote "no" on this radical antichoice bill.

TAX PENALTIES ON WOMEN'S HEALTH

(Ms. RICHARDSON asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. RICHARDSON. Madam Speaker, I rise today in strong opposition to H.R. 3. This deceptively titled legislation is nothing more than an assault on women's access to health care.

If enacted, this legislation would severely curtail women's access to reproductive health care services. What would it do? It would impose tax penalties on women. It would narrow the already restrictive areas that the Hyde amendment has dealt with. And further, what I find most alarming, it would attack the coverage for Federal employees, including women who serve in the military. Where is all of our applause now?

The Hyde amendment clearly states that no taxpayer dollars are to be used for abortion care and has narrowly provided exceptions that state for rape, incest, and health complications that arise from pregnancy which would put a mother's life in danger. Are we against that?

I urge my colleagues to vote "no" on this bill resoundingly, "no" on H.R. 3.

ABORTION COVERAGE

(Mr. PETERS asked and was given permission to address the House for 1 minute.)

Mr. PETERS. The people in Michigan are clear: Our number one priority is jobs. And yet the Republican majority here in Washington is once again ignoring the economy and pushing a bill that raises taxes and attacks women's health care choices. Current law already prohibits Federal funds from covering abortion services, and it has for 30 years. Now Republicans want to stop private insurers from offering coverage, and they want to ban women from purchasing a comprehensive health care plan with their own money.

H.R. 3 is not about taxpayer funding, and it's certainly not about reducing the deficit. It is an extreme plan that will raise taxes on any person or business that buys insurance that includes abortion coverage. That's right, if a small business wants to treat women equally and guarantee them access to legal health care services—paid for with their own money—that business will pay higher taxes.

Do not be fooled by the talk about taxpayer funding. This bill is harmful to women's health. It undermines the

right to choose, and I urge my colleagues to vote "no" on this bill later today.

WHEN WILL THE REPUBLICANS WORK ON RESTORING JOBS?

(Mr. HIMES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HIMES. Madam Speaker, I rise this morning with a question, which is: What are we doing? What are we doing here? Like all 434 of my colleagues, I just spent 2 weeks at home listening to my constituents, and I heard one message: Do everything you can. Don't let a second go by. Work to restore jobs in this country. Improve the economy.

And I get down here on Monday, and what did we do this week? We voted in this Chamber to eliminate funding for school-based health centers, funding for kids who don't have any other way to see a doctor. Today, thanks to the Republican majority, we will vote to try to scale back the right of women to have access to reproductive health care. And later on this week, we are going to take up measures that will keep the gravy train flowing to the oil companies, the \$4 billion in our taxpayer money that goes to companies like ExxonMobil, which last week reported \$10 billion in profits. I'm glad ExxonMobil is making money, but you know what? They don't need ours.

So what are we doing? When is the Republican majority going to get serious about the one thing that my constituents care about—jobs?

NEW HEALTH INSURANCE TAX

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. I rise in strong opposition to H.R. 3.

You know, Republicans say that they are for smaller government, but that ends when it comes to women. In order to curtail women's reproductive rights, it isn't enough to prevent the public dollars from helping poor women end a dangerous or unplanned pregnancy. That's already the law: no public money for abortions. But now they are going to raise taxes on small businesses, telling them that if they offer a health plan for men or women that has the gall to cover abortions—and, by the way, that's about 90 percent of plans that cover all legal procedures—then they can no longer get a tax break for offering such a plan.

Raising taxes on businesses that offer comprehensive health plans, that's the bill that's up today. Now, even private money of individuals, both men and women, and businesses will now face a new tax. So, so much for small government and lower taxes that the Republicans talk about.

□ 1220

THE NO TAXPAYER FUNDING FOR ABORTION ACT

(Ms. ESHOO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ESHOO. Madam Speaker, I rise today in opposition to H.R. 3, the No Taxpayer Funding for Abortion Act.

First of all, to imply that taxpayers fund abortions today is a lie. No, not one penny can be spent on abortions because of the Hyde Amendment which passed on September 30, 1976.

What this bill does is to play reproductive roulette with the Tax Code. Under H.R. 3, if someone buys private insurance that includes coverage for abortions, they will be taxed. If someone buys private insurance, using your own money, obviously, that doesn't include coverage for abortions, then they can deduct the cost of the health plan from their taxes. This would turn our tax collection agency into a health care policing agency.

I support a woman's right to opt for or against abortion. The decision is private. It's a matter of faith. It's a matter of conscience, and our Constitution recognizes this.

Make no mistake, this is an attack on women's health and it's a giant step back for the equality we've worked so hard to achieve. This is wrong, this is dangerous, and the House should oppose it.

OPPOSING H.R. 3

(Mr. HOLT asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HOLT. Madam Speaker, I also rise in strong opposition to H.R. 3.

Our first priorities here in the House of Representatives must be helping foster job creation and supporting middle-class families. Yet, more than 4 months into this Congress, we have not considered one bill, not one bill that would achieve these goals.

Instead, we have before us today H.R. 3, one of the centerpieces of the Republican agenda, and it would limit the health care choices of women.

Now, even if all it did is what the name implies, to prohibit Federal subsidies for abortion, it would be redundant, unnecessary and misguided. But it's much worse than that. In truth, it's an unprecedented and extreme attempt to limit health insurance coverage for American women, to raise taxes on small businesses, to infringe on the legally protected right of American servicewomen, to make this legal, constitutionally protected medical procedure inaccessible to women.

I oppose H.R. 3, and urge my colleagues to vote "no." And I urge the majority to get to work helping Americans to get to work.

VOTE "NO" ON H.R. 3

(Mr. FARR asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FARR. Madam Speaker, it appears that there are some in this body who believe that if you state a falsehood often enough people will believe that it's the truth. That's what the bill before us is all about. It's an attempt to legislate something that isn't.

The proponents of H.R. 3 want you to believe that abortion is rampant in America, and we spend zillions of Federal dollars a year, and this bill will stop the use of those Federal funds. This is a crock of baloney.

Everyone in this House knows that Federal funds are not spent on abortions. It's been the law of this land for the last 35 years. H.R. 3 will have no effect, zero, nada, on the use of Federal funds for abortion services in America because it's the law under which we are already operating.

But what H.R. 3 will do is drastically codify an untruth. It will reach into the pockets of women and prevent them from using their own money, their own private money, on purchasing health care insurance which covers abortion services.

This is a mass intrusion into the private lives of people and to businesses. It should be defeated.

ASSAULT ON WOMEN'S HEALTH

(Mrs. LOWEY asked and was given permission to address the House for 1 minute.)

Mrs. LOWEY. Later today, the House will continue its extreme assault on women's health. H.R. 3 would prevent small businesses and families from receiving tax credits for private insurance coverage that includes safe and legal health procedures; allow hospitals to deny lifesaving care to women; if audited, potentially require victims to prove to the IRS agents they were raped.

Most troubling, in the report accompanying the bill, radical Republicans want to limit the exception for rape victims who can access full legal health services to only forcible rape victims.

This bill to limit women's health services is a shameful distraction from the public's top priority, creating jobs.

BIG OIL WELFARE REPEAL ACT

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Madam Speaker, with gas prices in my district in Louisville, Kentucky hitting \$4, as they are all over the country, ExxonMobil just reported earnings of \$10.7 billion for the quarter, almost 70 percent higher

than last year. BP, Conoco, Shell, and Chevron already reported huge increases in profits. And we are still giving them taxpayer-financed subsidies.

Last week, the chairman of the Budget Committee said he thinks we ought to do away with these subsidies. And yet, he and the rest of the Republican majority are pushing a budget that not only sustains those giveaways to oil companies, but also would lower taxes for billionaires, all at the expense of our seniors, our students and our struggling families who are paying that \$4 a gallon all over the country.

We ought to do away with these subsidies, and the Democrats have introduced the Big Oil Welfare Repeal Act to do just that. If we are serious about deficit reduction and equity in this country and fairness, we will pass the Big Oil Welfare Repeal Act, and we will help to begin to return this country to having an economy that works for everybody, and not just for ExxonMobil.

THE NO TAXPAYER FUNDING FOR ABORTION ACT

(Mr. HINCHEY asked and was given permission to address the House for 1 minute.)

Mr. HINCHEY. Madam Speaker, I rise in opposition to H.R. 3, which has nothing to do with taxpayer funding of abortion. Right or wrong, Federal funding for abortion hasn't been allowed for more than 3 decades.

Instead, H.R. 3 has everything to do with infringing on the constitutionally protected right to an abortion that has been the law of the land for 38 years.

For years we've been listening to Republicans call for smaller government, less regulation, fewer taxes. But this bill represents the opposite of these values. It's more regulation on business, more regulation on health care decisions that should be left up to women and their doctors. It's more taxes on small business, more taxes on women. And it's more control by anti-choice extremists in Washington.

Finally, this bill isn't about job creation either. Instead, it's about bringing up divisive legislation that has no hope of becoming law in order to divide and distract the American people.

It's been 4 months, and still the new majority here hasn't brought a serious bill about job creation to this floor for a vote. It's time to get back to the work of putting Americans back to work. Let's do that.

NO TAXPAYER FUNDING FOR ABORTION ACT

Mr. NUGENT. Madam Speaker, by direction of the Committee on Rules, I call up House Resolution 237 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 237

Resolved, That upon the adoption of this resolution it shall be in order to consider in

the House the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes. All points of order against consideration of the bill are waived. In lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary now printed in the bill, the amendment in the nature of a substitute printed in the report of the Committee on Rules accompanying this resolution shall be considered as adopted. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. The previous question shall be considered as ordered on the bill, as amended, to final passage without intervening motion except: (1) one hour of debate with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce; and (2) one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The gentleman from Florida is recognized for 1 hour.

Mr. NUGENT. For the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from New York (Ms. SLAUGHTER), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. NUGENT. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NUGENT. House Resolution 237 provides for a closed rule for consideration of H.R. 3. The rule provides for ample debate on this bill and gives Members of both the minority and the majority the opportunity to participate in the debate.

Madam Speaker, I rise today in support of this rule and the underlying bill. For the past 30 years, we've used a patchwork system of clauses and amendments to protect American tax dollars from being used to pay for abortions. Every year Congress has to attach a series of amendments to appropriation bills specifically stating that funds spent in that legislation may not be used for elective abortions. Every year these amendments pass. These amendments pass, Madam Speaker, because Members of Congress know and recognize the fact that the vast majority of Americans do not want their hard-earned money to be spent for abortions of innocent, unborn lives.

□ 1230

In 2010 the Zogby/O'Leary poll found that 77 percent of Americans believe

that Federal funds should never be used to pay for abortions or should only be used to save the life of the mother—77 percent, Madam Speaker. This number proves that even people who support a woman's right to choose still believe that tax dollars should not pay for that choice.

Clearly the time has come to move beyond this piecemeal approach and reform the way our Nation addresses this very important and sensitive issue.

H.R. 3 simply codifies and makes permanent the policies that currently rely upon regular, re-approval of Congress. Among the riders made permanent to H.R. 3 are:

the Hyde amendment, which prohibits funding for elective abortion coverage through any program funded through the annual Labor, Health and Human Services Appropriations Act;

the Helms amendment, which prohibits funding for abortion as a method of family planning overseas;

the Smith Federal Employee Health Benefit Plan amendment, which prohibits funding for elective abortion coverage for Federal employees;

the Dornan amendment, which prohibits the use of congressionally appropriated funds for abortion in the District of Columbia;

the Hyde-Weldon conscience clause, which ensures that recipients of Federal funding do not discriminate against doctors, nurses, and hospitals because they do not provide, pay for, cover, or refer for abortions.

Madam Speaker, a woman's right to choose can be a divisive issue that splits the American people down the middle. However, we aren't talking about a 50/50 issue; we're talking about 77 percent. It's clearly a majority.

Just like Americans on both sides of the aisle believe that tax dollars shouldn't go to pay for abortions, so do the Members of Congress from both parties. There are 227 bipartisan cosponsors of H.R. 3. I'm proud to be one of those cosponsors.

H.R. 3 will ensure that American taxpayers are not forced to fund what many consider the destruction of innocent human life through abortion on demand.

The No Taxpayer Funding for Abortion Act will establish a government-wide statutory prohibition on funding abortion or insurance coverage that includes abortion. This comprehensive approach will reduce the need for numerous separate abortion-funding riders.

It eliminates abortion-related amendments to appropriation bills, bills that the rules of the House remind us aren't even supposed to legislate through amendments. It ensures that all Federal programs are subject to this important safeguard.

Once again, Madam Speaker, I rise in support of this rule and the underlying legislation. I encourage my colleagues

to vote "yes" on the rule and "yes" on the underlying bill.

I reserve the balance of my time.

Ms. SLAUGHTER. Madam Speaker, I yield myself such time as I may consume.

We have had many misnamed bills, euphemistically called almost anything to try to make some kind of point, but this one does not have a thing in the world to do with restricting Federal money used in abortions. That has not been done for 30 years. This bill actually says let's try to make sure that no insurance companies in the country will ever cover them again no matter what the circumstances.

With no other medical procedure would we be even standing here talking about what's best for American citizens. In all my years in Congress, I have never had to debate a bill about how and when a patient can receive an appendectomy nor a bill about how or when a patient can receive corrective surgery nor is it legal to have a vasectomy.

Yet here we are today debating a bill that will reach far beyond the status quo and place restrictions on the constitutionally protected right to access reproductive health care. In the case of abortion, it has been decided with this bill that they can dictate how and when a woman is allowed to receive reproductive health care.

In part because women are instinctual nurturers, the decision about whether or not to have an abortion is one of the most personal and important decisions that they will ever make. In making this decision, a woman should be free to consult with whomever she pleases, whether it be her doctor, her spouse, her family, a parent, confidant, or religious adviser.

But a woman should never, never be forced to adhere to extreme restrictions placed upon her by Members of Congress. I've served in three legislatures, and in every one of them were always men in blue suits who knew very little about the life-altering experience of pregnancy and birth who demanded this kind of action.

I have often spoken in support of a woman's right to access an abortion and have many people, including some of my own constituents, who disagree with me, and that's fine. They have never, however, tried by law to enforce upon me what they themselves believe.

Once I was at a meeting in my district and I was asked by a man who was strongly opposed to a woman's right to choose, What should be done about that? And my response to him was simple and personal and still applies today.

I asked him that if, God forbid, he ever finds himself in a difficult position of having to decide whether or not his wife needed to have an abortion, either because of the health of the fetus

or the mother was in danger or because of another personal or private matter, is he willing to say to people gathered in the hospital and during the discussion, No decision can be made until LOUISE SLAUGHTER gets here because Congress will make that decision for him?

The right to an abortion is already a procedure that is carefully regulated by the decision of *Roe v. Wade*. Today's legislation would go far beyond this status quo and further restrict access in an attempt to make it practically impossible to receive an abortion under these laws.

Today's bill changes the tax system—this is an important point and I want you to understand this—for private health care plans that offer abortion coverage to small businesses and individuals, as most of them do. If passed into law, this bill would pressure private health insurance plans to stop offering that coverage altogether. And that, Madam Speaker, is the purpose of this bill.

In addition, and most egregiously, today's legislation opens the door to the IRS audits of rape and incest survivors, to prove that they followed the law when paying for an abortion. Do we do this with anything else—I'm absolutely astonished—to place this kind of burden on a medical procedure? It's been designed specifically to chip away at the rights of women.

Most egregiously, this bill has put a dangerous provision into the committee report that accompanies this bill. Please listen up. You need to know what this says in this report language, which is as important as the bill itself. That report language states that the legislation is intended to prohibit the use of Federal money to subsidize abortions in cases of statutory rape. That, ladies and gentlemen, is the rape of a child too young to give consent.

Now, think about that for a moment. This bill forbids any money being used to help that child. It's not bad enough that they have been raped or that they are victims of incest. Now we're telling them that they have to keep records so that they can prove to the IRS that they followed the law? That is what I thought about when I made the statement earlier this spring "show me your papers." And that is precisely what this bill is asking to do.

If this bill becomes law, think about the statutory rape. Think about your children. Think about other people's children. If it becomes law, the committee report will become one of the documents relied upon by the courts when deciding the cases about abortion. With the committee report in hand, a future justice would have the document they need to further restrict access to abortion for victims of rape and incest. If this sounds extreme, believe me, it is.

We, like our Nation's Founders, know that each individual is entitled to his

or her beliefs. But no matter how strongly we believe them, we should not be allowed to force them upon others as we wish. Yet placing an ideology upon others and restricting their choices when it comes to reproductive health is the spirit behind today's legislation and one of the many reasons why it should be stopped.

□ 1240

As we all know, at the time of our Nation's founding, the ideal of equal rights and freedoms was far from realized. In fact, it was not even of much concern. African Americans were property; women could not vote or own anything; and indeed, a pregnant woman who was widowed could find that her child had been willed away from her by her husband, who had all the rights. Native Americans were pushed off their land and out of our society.

With great struggle and over time—and certainly, I know of the struggle for women's rights because of what happened in my own district, which is where that struggle began—we have righted many of these wrongs, and as a Nation, we have come to believe that men and women of every color and creed are created equal, that we are all entitled to the rights and individual freedoms at the core of our Nation's ideals.

Today's proposed legislation up-ends the principle of equal rights and freedoms by placing severe restrictions on the constitutionally protected right to an abortion. Instead of crafting legislation to restrict a woman's right to safe, secure reproductive health, this Congress should respect the rights of women and uphold their constitutionally protected rights.

I strongly urge my colleagues to vote "no" on today's rule and on the underlying bill, which may be the most egregious that comes to the floor this year.

I reserve the balance of my time.

Mr. NUGENT. Madam Speaker, I yield 3 minutes to my colleague, Dr. GINGREY of Georgia.

Mr. GINGREY of Georgia. I thank the gentleman from Florida for yielding.

I do rise in very strong support of this rule as well as the underlying bill, H.R. 3, the No Taxpayer Funding for Abortion Act.

I would also like to commend our colleague from New Jersey, Representative CHRIS SMITH, for his leadership on this legislation and for his steadfast pro-life stance throughout his tenure in Congress.

Madam Speaker, as a practicing OB/GYN physician for nearly 30 years, I believe that all life is sacred. The issue of abortion is a very personal issue for me as it is for many people across the country and for many Members of this body. However, that is not why we are considering this legislation on the

House floor today. Instead, we are here to answer one simple question:

Should American tax dollars be used to fund abortions? When an elective choice can decide life and death, should the Federal Government be allowed to use tax dollars to pay for that choice?

Madam Speaker, H.R. 3 is a bill that seeks to set right what the last Congress got wrong: to ensure that abortions are not funded by taxpayer dollars. At its very base level, H.R. 3 simply codifies the Hyde Amendment, which has been enacted in some form or another as an appropriations rider since fiscal year 1976. Through this legislation today, we will make permanent the prohibition on Federal funding for abortions, thereby eliminating the inherent vulnerability that riders like the Hyde Amendment face as part of the annual appropriations process.

Furthermore, H.R. 3 codifies the Hyde-Dr. Dave Weldon conscience clause that has protected health care providers from discrimination by State and local governments for simply refusing to provide, to pay for or to even refer for abortion. Additionally, H.R. 3 will allow those health care providers who choose not to perform abortions legal recourse if they face, as they often do, overt discrimination.

Madam Speaker, H.R. 3 also prevents Federal funds from being used for tax credits that subsidize health insurance coverage that includes elective abortion through the Patient Protection and Affordable Care Act, so-called "ObamaCare." One of the many problems with this law ObamaCare is that there is no statutory language prohibiting premium assistance from being used for abortions despite many efforts of House and Senate Republicans during the last Congress. H.R. 3 provides the assurance that our taxpayer dollars will not be used in any form of Federal subsidies for abortion coverage.

So, Madam Speaker, as a father and as an OB/GYN physician who has delivered over 5,000 babies, I will be voting to ensure that the Federal Government does not use taxpayer dollars for any elective abortion. I ask all of my colleagues to support this rule as well as the underlying bill, H.R. 3.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from California (Mrs. DAVIS).

Mrs. DAVIS of California. Madam Speaker, I rise in vehement opposition to this rule and dangerous legislation, the No Taxpayer Funding for Abortion Act.

This extreme bill's title belies its true intent—to go far beyond current law and comprehensively curtail women's health care. This bill isn't just about taxpayer funding for abortion. It is a comprehensive attack on women's lives. We hear all the time that people want government out of their lives, out of their business. There is nothing more invasive than the government's

getting in between families and their doctors when making this difficult decision.

This bill won't save taxpayer dollars or create jobs, but it will undermine women's health, and it will hurt small businesses by penalizing them for offering their employees insurance plans that cover a full range of women's health care. This is a slap in the face of small businesses, which are trying to take care of their companies, their employees and their own families. It is also a slap in the face to any family that has to make the difficult decision to seek abortion care.

As a daughter and wife of physicians, I am shocked that we would so quickly dismiss the judgment of our country's medical personnel and families in making the best decision to preserve the health and lives of their loved ones. We are wasting time on divisive issues while denying the real implications this will have on our families and economy.

I urge my colleagues to join me in strong opposition to this bill.

Mr. NUGENT. Madam Speaker, I yield 2 minutes to my colleague, the gentleman from Nebraska (Mr. FORTENBERRY).

Mr. FORTENBERRY. I thank the gentleman for yielding me the time.

Madam Speaker, Americans deserve to know how the government spends their money, and they are right to refuse the use of their tax dollars for highly controversial activities—in this case, abortion. Let me first make my own position clear.

I am pro-life, and I believe that women deserve better than abortion; but certainly, we can all agree that the U.S. Government should not take tax dollars from hardworking Americans to fund abortion. I really believe it is time that we look at the reality of abortion, that we be honest and see the choice for what it is. It is interesting to note that the early feminist movement recognized that abortion is a fundamental injustice. Abortion harms women. It takes the lives of children, and it allows a man to escape his responsibility.

The abortion industry many times profits from all of this pain. Abortion is also so often the result of psychological or physical coercion or even emotional or physical abandonment, which is a tragic social paradigm that has caused a deep wound in the soul of our country. No matter how difficult the circumstances, Madam Speaker, I believe we can and must do better as a society, and at a minimum, taxpayer dollars should not be involved.

This issue has manifested itself again most intently during the health care debate. Unless a prohibition is enacted, taxpayers will fund abortion under the framework of the new health care law. Madam Speaker, abortion is not health care. The House of Representatives re-

cently voted to stop the use of taxpayer funds for abortions in the District of Columbia. For decades, Congress has proscribed Federal funding for abortion in this piecemeal fashion through the Hyde Amendment and other similar provisions in annual appropriations.

It is time to settle this once and for all as the majority of Americans wish. This bill will provide a comprehensive prohibition on the use of Federal tax dollars to fund the socially divisive issue of abortion, and it is time we stopped it.

Ms. SLAUGHTER. I yield myself 30 seconds just to speak to something that is very important.

H.R. 3 is actually dangerous for women's health. By refusing to provide any exceptions to women who are facing serious health conditions—cancer, heart or whatever that may be—you are forcing women to choose to risk their health or to risk bankruptcy, and I think that is morally unacceptable.

Under H.R. 3, a woman facing cancer who needs to terminate a pregnancy in order to live might have to go into debt over the \$10,000 that the legal and necessary procedure could cost. Despite having both health insurance and tax-preferred savings accounts, this bill would prevent her from having that.

I am pleased to yield 1½ minutes to a nurse, the gentlewoman from California (Mrs. CAPPS).

□ 1250

Mrs. CAPPS. I thank my colleague for yielding.

Madam Speaker, I rise in strong opposition to this rule and to the underlying legislation.

A mere 2 weeks ago, the Republican majority brought us to the brink of government shutdown over their disapproval of Planned Parenthood. But instead of moving past divisive social issues and addressing our economic challenges with housing and creating jobs, we are here again today witnessing the Republicans' obsession with reopening the culture wars.

H.R. 3 represents the most egregious attack on reproductive rights in over 35 years, rights that are protected by the Supreme Court decision. H.R. 3 uses the Tax Code to effectively deny access to insurance that includes abortion care coverage, no matter how it is paid for. What it doesn't do is trust our Nation's women, trust our Nation's families, their doctors, their clergy, and trust small businesses to make their own health care choices for their employees. This is unacceptable. Make no mistake, despite the rhetoric coming from the other side of the aisle, the bill is not about funding. It is about using our laws and our Tax Code to infringe upon the rights of women, the protected rights of women and families across this Nation.

Madam Speaker, it is time that this Congress places trust in our Nation's

women, its families and small businesses to make their own health care choices.

Mr. NUGENT. Madam Speaker, I yield 5 minutes to my colleague from New Jersey (Mr. SMITH), the author of H.R. 3.

Mr. SMITH of New Jersey. I thank my good friend Mr. NUGENT for yielding and thank him for his leadership.

Madam Speaker, America has changed and today is more pro-life than ever. By ever-increasing majorities, especially among our young people, the megatrend is to protect the child in the womb from the insidious violence of abortion and to protect women from the trauma, often lifelong emotional harm, of procuring an abortion.

This paradigm shift, reflected in all the major polls, is the direct result of pro-life education, pregnancy care centers, pro-life laws, including funding bans, informed consent and parental involvement statutes, the molding of consciences by the faith-based community and advances in ultrasound that have shattered the pernicious pro-abortion myth that the baby in the womb isn't a human person or alive or of innate value.

Even Planned Parenthood abortion clinic director Abby Johnson was shocked into her new pro-life view by witnessing an ultrasound-guided abortion of a 13-week-old baby who was dismembered and pulverized in real time right before her eyes at that Texas clinic.

But perhaps the greatest reason for the huge shift in public opinion in favor of life is the growing number of extraordinarily brave post-abortive women who deeply regret their abortions and today are silent no more.

One post-abortive woman told a group outside the U.S. Supreme Court, and I heard her say it, that as she lay on the operating table, the abortionist laughed as he inserted a sharp knife into her womb and said, "Oh, it is trying to get away." Partially sedated, the woman immediately pleaded with the nurse and doctor to stop the abortion and to spare her child. They told her to shut up. Today she is deeply wounded by that cruel assault, that lethal assault on her baby.

Dr. Alveda King, niece of the late Dr. Martin Luther King, has had two abortions. Today she has joined the growing coalition of women who deeply regret their abortions. Out of deep personal pain and compassion for others, they challenge us to respect, protect and tangibly love both mother and child.

The women of Silent No More give post-abortive women a safe place to grieve and a roadmap to reconciliation. And to society at large, and especially to Congress, these brave women compel us to rethink and to reassess the cheap sophistry of the abortion culture. Reflecting on her famous uncle's speech,

the “I Have a Dream” speech, Dr. Alveda King asks us: “How can the dream survive if we murder the children?”

Madam Speaker, there is no doubt whatsoever that ending public funding for abortions saves lives. Even the pro-abortion Guttmacher Institute in June of 2009 in a report said “approximately one-fourth of women who would have had Medicaid-funded abortions if the Hyde amendment didn’t exist instead give birth when this funding is unavailable.”

I vividly remember the late Congressman Henry Hyde being moved to tears when he learned that the Hyde amendment had likely saved the lives of more than 1 million children, who today are perhaps in school and getting ready for summer vacation, perhaps playing sports, or, if they are in their twenties or thirties, building their own families.

H.R. 3, the No Taxpayer Funding for Abortion Act, comprehensively ensures that all programs authorized and appropriated by the Federal Government, including ObamaCare, including the Hyde amendment, do not subsidize the killing of babies except in the rare cases of rape, incest and life of the mother.

H.R. 3 ends the current IRS policy allowing tax-favored treatment for abortions under itemized deductions, HSAs, MSAs and FSAs. H.R. 3 also ends the use of tax credits under ObamaCare to purchase insurance plans that include abortions, except in cases of rape, incest or life of the mother.

Today we seek to end taxpayer complicity in abortion violence. No taxpayer should be coerced to pay, subsidize or facilitate the dismemberment, the chemical poisoning, the starvation—and remember, that is how RU-486 works; it first starves the baby to death, then the other chemical brings on delivery of a dead baby—or the suctioning to death of a child and the harming of women.

Regarding conscience rights, H.R. 3 protects pro-life health care entities by discrimination by State, local and Federal governments and empowers the courts with the authority to prevent and redress actual or threatened violations of conscience.

The need for this protection is great. According to the Alliance of Catholic Health Care, which represents California’s Catholic health systems and hospitals, “California’s Catholic hospitals operate in a public policy environment that regularly challenges the concept of conscience rights protections by attempting to coerce them and other health care providers to perform, be complicit in or pay for abortions.”

So I urge Members to support this legislation. It is backed by 227 cosponsors.

Ms. SLAUGHTER. Madam Speaker, I yield myself 15 seconds to put in the

real Guttmacher statement, what they have said. “The claim that restoration of Federal Medicaid coverage would result in a significant increase in the incidence of abortion nationwide is not supported by research, and extrapolating from Guttmacher’s Medicaid findings to assert that coverage in the private insurance market is strongly linked to abortion incidence is entirely illegitimate.”

I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentlelady.

Henry Hyde was one of the outstanding Members of the House of Representatives in the history of the House of Representatives. He believed intently in a pro-life position, and the remarks of colleagues who support this legislation are ones that I think Mr. Hyde would approve of. But he was also a master legislator, and he understood that other people have a different point of view than he has, and on the matter of abortion, something that is a matter of faith for many people, a matter of conscience for everyone, there are different points of view.

The excellent job that Mr. Hyde did was to take direct taxpayer funding out of the equation. If there were going to be abortions, they were not going to be paid for by taxpayer dollars. This amendment takes it a radical step further. What it does is it says, if there is any tax credit that is part of a health care plan, then this legislation would prohibit a small business from offering that health care plan to its workers.

Now, just think about the enormous burden that is being placed on hundreds, if not thousands, of small businesses in Vermont, on millions of small businesses in this country. Every one of those businesses, where it offers a comprehensive health care plan to their employees that may include abortion services, suddenly has to unravel those plans and deny that coverage to its workers. So what we have is an action by the sponsors of this legislation that would impose its will far beyond what Mr. Hyde ever did or sought to do on every small business in this country.

□ 1300

By the way, there’s another issue here, a precedent. If now we’re starting to interfere with the use of tax credits, does this mean the next target is what kind of home you buy if you’re going to get the use of a taxpayer deduction?

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman 1 additional minute.

Mr. WELCH. I thank the gentlelady.

Does it mean that if you’re doing research on biotechnology, that the tax credit is going to be restricted and dictated by a majority, whoever it happens to be, of this House of Representatives? The basic question for this Con-

gress is whether we’re going to allow the status quo to exist through the Hyde amendment where people can exercise their conscience on this important question, or are we going to have a dictation from this Congress that absolutely and completely prohibits people from making that choice themselves.

The mutual respect that Mr. Hyde understood we needed in this country is really going to be frayed with this legislation. So I would urge Members to vote against this legislation. That’s out of respect for the fact that there are sharply different views on this extraordinarily important question.

Mr. NUGENT. Madam Speaker, I yield 2¼ minutes to my colleague from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Florida for yielding me time to speak on the importance of protecting defenseless unborn children and ensuring taxpayer money is not used to pay for elective abortions.

I do want to explain to my glib friend from Vermont, who is so good on the floor, that the Hyde amendment itself covers plans as well as direct funding. So I think the people need to know there’s a slight correction to the comments that he made.

According to a CNN poll last month, Madam Speaker, more than 60 percent of Americans oppose taxpayer-funding for abortion. Today, this House has the historic opportunity to end the patchwork of policies that are intended to prohibit taxpayer funding for abortion by passing a government-wide prohibition on funding elective abortions. H.R. 3, the No Taxpayer Funding for Abortion Act, codifies many longstanding pro-life protections that have been passed under both Republican and Democrat-controlled Congresses. In fact, Minority Leader NANCY PELOSI has voted 14 times to prohibit taxpayer funding for abortion in the District of Columbia. President Obama voted against taxpayer funding of abortion in the District of Columbia twice when he was in the Senate; and since being elected President, he’s signed appropriations legislation into law that prohibits this funding.

As you can see, Madam Speaker, opposition to taxpayer funding for abortion is bipartisan, bicameral, and supported by the American people. There’s nothing more important than protecting voiceless unborn children and their families from the travesty of abortion. Therefore, I urge my colleagues to vote for life by voting in favor of this rule and the underlying bill and say that my colleague from Vermont said we can differ on opinions, but this is the right position to take.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. I thank the gentlewoman from New York.

Madam Speaker, I rise today in opposition to the rule and in opposition to H.R. 3, a bill that threatens women's health and access to care. Over the past 2 weeks, as I traveled in my district, the top-of-mind issues were the economy and jobs. Now that we're back in D.C., instead of working together on bills that move our economy forward, we're asked to debate divisive social policy. Clearly, the priorities of the Republican majority do not match those of the people of Hawaii.

There are those who will say that H.R. 3 maintains the status quo. Not so. H.R. 3 is an extreme, radical measure that could deny tax credits for small businesses, take us back to the days when a woman had to prove that she was a victim of rape, and violate women's medical privacy rights. Do you think small business owners have the time and needed expertise to determine if their insurance plans cover abortions? Do you want to take our country back to the days when a woman had to prove that she resisted her rapist? Do you want to share your medical history with an IRS audit?

I was a member of the State legislature in the 1980s in Hawaii when I worked with women and victim advocacy groups to change our sexual assault laws so that the prosecution focused on the perpetrator of the rape rather than on the actions of the victim. Our court system in those days, because of our law, victimized the victims of rape. Hawaii changed its laws. This bill takes us back to those days when a woman had to show that she resisted.

Hawaii was also the first State in the Nation to decriminalize abortion and give a woman the right to choose. The person who carried this bill in the legislature was Senator Vince Yano, a devout Catholic. Governor Jack Burns, a devout Catholic—he went to mass every single day—he allowed this bill to become law in Hawaii, in spite of the fact that he had a lot of pressure as a Catholic to veto this bill. He could have done so. He respected the right of a woman to choose.

I urge my colleagues to join me in voting against this rule and this bill.

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Michigan (Mr. HUIZENGA).

Mr. HUIZENGA of Michigan. I thank my colleague for this opportunity.

You're seeing the old argument of Washington versus the new realities of America. We have two distinct issues here. Those two issues are: one, life; two, the taxpayer. I think those things are becoming very stark. Here we are, a situation where a President has signed an executive order to do many of the exact same things—to not allow Federal-funded abortions to be happening. Yet somehow we shouldn't be putting this into law. It seems common sense that we would do that. We need

to do this to protect the taxpayer. If you look at polling, you look at the number of things that are going on, we cannot allow Federal funds to be used and our taxpayers to be used for this procedure.

Now let's move on to life. We know the sanctity of life that is there from that very conception until natural death. We need to protect that. We need to protect that atmosphere as a government. That is not our job to promote that horrendous operation. It's our job to protect those children.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 2 minutes to the gentlewoman from California (Ms. SPEIER).

Ms. SPEIER. I thank you, Madam Chairman.

Madam Speaker, I rise in strong opposition to this legislation. Gas prices are approaching \$5 a gallon, millions of Americans are looking for work, and we're busy turning the Tax Code into a moral club. Forget that abortion is a legal procedure. Forget the Republicans want limited government when it comes to protecting you in the workplace but Big Government when it comes to regulating your bedroom. This isn't about anyone's position on abortion. *Roe v. Wade* was decided 38 years ago. It's the law of the land. This is about whether we should use the Tax Code as a moral club to impose the religious beliefs of a few Members of Congress on the entire Nation.

What's next? Some find it immoral to drink alcohol or gamble. Should we outlaw business deductions for meals that include wine? How about business conventions in Las Vegas? Many people are morally opposed to profanity. Maybe we should make it against the law to swear when filling out your taxes.

Now, how about more serious issues? Many of my constituents think the war in Iraq is immoral. The same goes for subsidies for Big Oil and tax breaks that reward corporations for shipping our jobs overseas.

Singling out abortion is wrong. Even worse, it's a distraction from the serious challenges our Nation faces. If Republicans want to overturn *Roe v. Wade*, they should draft a bill and give it their best shot; but don't use the Tax Code as a bludgeon because you don't have the votes.

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Ohio (Mr. CHABOT).

Mr. CHABOT. Madam Speaker, I rise today in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act.

A majority of Americans have made it clear that they oppose the government using their tax dollars to pay for abortions, and it's time that we permanently extend the Hyde amendment, which bans this irresponsible practice. Particularly in our current budget situation, the Federal Government should not be subsidizing abortions.

□ 1310

Additionally, this bill permanently extends important legal protections for doctors and other health care providers who refuse to perform abortions to which they are morally opposed. Every doctor and health care provider deserves the right to act according to his or her own conscience, and this important legislation will ensure that he or she is not punished for doing so.

Madam Speaker, the American people support this legislation. They do not want their tax dollars used to pay for abortions. Let's stand together today and do the fiscally and morally responsible thing—vote to pass H.R. 3.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Madam Speaker, if a proposal were brought to the House floor that said the following, "If an American makes a charitable contribution and takes a deduction on his income tax return, that we're going to disallow the charitable deduction if the group that's receiving the money promotes gun ownership, gun rights or gun education," I suspect it would not get one vote on the Republican side of the aisle, and it shouldn't get any votes on the Democratic side of the aisle because it's wrong and it's probably unconstitutional.

That is exactly what the underlying bill does here. It says that an American exercising his or her constitutional right, in this case her constitutional right, with their own money, will suffer a negative tax consequence because the majority wants them to.

Understand this. If an American woman, with her own money, chooses to exercise her constitutional right, she will be suffering an increase in taxes as a result of making this decision. I scarcely say that anyone on the majority side would agree that if we picked one of their favorite social issues and said we're going to raise taxes on people who engage in that social issue, much less than a constitutional right, that they would agree with this.

This is not a debate about abortion. This is a debate about privacy. It's a debate about individual liberty and the right of people to do what they choose with their own money, particularly when they're enforcing one of their own constitutional rights.

I would also say for the record, it's my understanding that if this bill is carried out, a person who is a minor who is a victim of statutory rape may not be able to avail herself of her constitutional rights with her family's own money.

The SPEAKER pro tempore. The time of the gentleman has expired.

Ms. SLAUGHTER. I yield the gentleman an additional 30 seconds.

Mr. ANDREWS. I know very well, Madam Speaker, that people feel passionately about the right to life and

the right to choose, and this is the forum in which that debate ought to take place. But using the Internal Revenue Code to either punish or reward certain social conduct, particularly conduct that is in the exercise of a constitutional right, is wrong, and if anyone on the majority side would like to tell me that they would vote for that NRA provision, I welcome that. I wouldn't, because it's an impermissible, unconstitutional burden on the constitutional rights of Americans. So is this.

Mr. NUGENT. Madam Speaker, I yield 3 minutes to my colleague from Tennessee, Dr. ROE.

Mr. ROE of Tennessee. I thank the gentleman for yielding.

Madam Speaker, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act. I am a proud cosponsor of this legislation.

As an obstetrician and gynecologist, I have delivered nearly 5,000 babies, and I strongly support the sanctity of life. I believe life is a precious gift from God that begins at conception. I have seen human development occur from the earliest stages of a small fetus all the way through birth. The magic of the heartbeat at 26 to 28 days post-conception is indescribable in my field like this, which strengthens my conviction of the right to life.

Since 1976 until the passage of President Obama's health care reform law, Congress prevented taxpayer funding for abortions. Unless abortion is specifically excluded from Federal insurance plans, the courts and administrative agencies have historically mandated it. That's why the language in H.R. 3 is so important and necessary. It explicitly states that taxpayer dollars should not be used to fund abortion.

Abortion is not a business our government should be involved in. Because something is legal doesn't mean you should do it. Regardless of how people felt about the President's health care law, people shared the belief that the President's Executive order on this subject was simply insufficient. I agree with this concern and believe that further efforts need to be made to ensure that no taxpayer funds are ever used for this purpose.

Under H.R. 3, Federal funds are statutorily prohibited from being involved in any type of health care coverage or benefits that include abortion. This means future Presidents, or even our President, can't go back and insert abortion coverage on a whim.

As legislators, we carry the responsibility and privilege to protect those who do not have a voice. We must make our laws consistent with our science and restore full legal protections to all who are waiting to be born. This starts with legislation like H.R. 3.

One of government's core functions is to protect the most innocent among us, and I will do my best to ensure that

government fulfills its duty. I will always fight for the right to life because it is my belief that we are unique creations of God who knows us and loves us even before we are conceived.

Ms. SLAUGHTER. Madam Speaker, I yield 2 minutes to the gentlewoman from the District of Columbia (Ms. NORTON).

Ms. NORTON. I thank the gentlewoman for yielding and for her strong work on this bill.

Madam Speaker, this bill is unprecedented in a number of ways. It is unprecedented in that it uniquely affects my district, and yet I was not allowed to testify at the hearing of the Judiciary Committee where it was considered. It is unprecedented in its attack on a woman's right to choose, going well beyond the Hyde amendment. And it is unprecedented in seeking to federalize the local funds of the District of Columbia.

Section 309 of this bill would make permanent the ban in the recent 2011 spending bill that keeps the District from spending its own local funds on abortions for poor women. That's bad enough, but the party that came to power even to devolve Federal power back to the States is engaged in the reverse process in this bill, in federalizing what has always been understood in our Constitution to be local power and, worse, local money and deciding how it should be spent.

It is a dictatorship over local funds. It goes against every principle that the majority claims to support when it cites the Constitution. It goes against the accepted practice, a practice you can do nothing about in the States, where 17 States have, of course, spent their own local funds on abortions for poor women for decades, recognizing that this could not be done with Federal money.

The District of Columbia does not ask for 1 cent of Federal money. In the same way, the District of Columbia demands that its local funds be kept local for us as for every other jurisdiction of this body.

CONGRESSIONAL BLACK CAUCUS,
Washington, DC, May 3, 2011.

DEAR SENATORS BOXER, CANTWELL, FEINSTEIN, GILLIBRAND, HAGAN, KLOBUCHAR, LANDRIEU, McCASKILL, MIKULSKI, MURRAY, SHAHEEN, AND STABENOW: We, the women of the Congressional Black Caucus, write for two reasons. First, we want to express our gratitude to you, the Democratic women of the Senate, for successfully blocking the Planned Parenthood rider from the final fiscal year 2011 continuing resolution (CR). The rider was an attack on the health and lives of all American women, especially women of modest means. The public conditioning of your support for the CR on the exclusion of the rider made the critical difference. We agreed with your strong position, which showed the country that you would not abandon women in a tough fight. Although our party is in the minority in the House, we are ready to join with you to defeat future Republican attacks on women's health.

However, we are deeply disappointed that low-income women in the District of Columbia were sacrificed during the CR negotiations. The Administration and Senate Democratic Leadership agreed to re-impose a rider prohibiting the District government from spending its own local taxpayer-raised funds on abortions for low-income women. The poor women in the District have already begun to feel the terrible effects of the rider. Abortions are time-sensitive, and scores of women scheduled for District-funded abortions at a Planned Parenthood clinic immediately had their appointments canceled. This paradox cannot be overlooked. Nonprofits in the District, including the DC Abortion Fund which helps D.C. women pay for abortions, are desperately trying to raise funds to mitigate the harm done by the rider.

Not only did this concession by Democrats violate our party's long-standing support for reproductive choice and for the District's right to self-government, it was unnecessary. As House Minority Leader Nancy Pelosi has noted, fifty-nine House Republicans voted against the CR. This means 36 Democratic votes were needed to reach 218 votes for passage. According to media reports, most House Republicans who voted against the CR did so because it did not cut enough spending, not because of the absence of the Planned Parenthood or of any other rider. In fact, the CR was remarkably clean, with only four riders. Only two were controversial, D.C. abortion and a new private school voucher program in the District. It is no wonder that the District felt abandoned.

The D.C. abortion rider, as well as every other anti-home-rule rider, was removed during the last four years of Democratic congressional control. This was a historic first that could not have been achieved without your help. As the fiscal year 2012 appropriations process begins, we believe it would be invaluable if you stated, early and publicly, your opposition to the inclusion of the D.C. abortion rider in the fiscal year 2012 appropriations bill. This is perhaps the only way to keep it out of the bill after Democrats agreed to it in the CR. Such a statement would not only help in fiscal year 2012, it would discourage House Republicans from escalating their attacks on women in the District, which are already underway.

An odious anti-choice bill, H.R. 3 (the No Taxpayer Funding for Abortion Act), is due on the House floor this week. It would make the D.C. abortion rider permanent. Although we know you will not allow H.R. 3 to pass in the Senate, House Republicans may feel emboldened to bring up a permanent D.C. abortion ban as a stand-alone bill or to attach it to another bill. The consideration of H.R. 3 on the House floor could provide you an occasion to speak out against it and to note the D.C. provision as a special reason for your opposition. You could also use this opportunity to indicate your opposition to a D.C. abortion rider in the fiscal year 2012 appropriations bill.

District women have no vote in Congress and no representation in the Senate. The city's low-income women need the support of women in Congress who not only have a vote, but who have also shown they will stand with women everywhere.

Sincerely,

Barbara Lee, Karen Bass, Donna Christensen, Eddie Bernice Johnson, Corrine Brown, Yvette Clarke, Donna Edwards, Sheila Jackson Lee, Laura Richardson, Terri Sewell, Marcia Fudge, Gwen Moore, Maxine Waters,

Frederica Wilson, Members of Congress.

DISTRICT OF COLUMBIA,
May 4, 2011.

DEAR MEMBERS OF CONGRESS: I write to express my outrage with legislation that is pending before the House of Representatives, H.R. 3, which contains language extremely offensive to the District of Columbia. I ask you to withdraw the bill from consideration immediately.

H.R. 3 purports to limit the use of taxpayer funds for a constitutionally protected activity, but in truth, it goes much further in its effects on the District of Columbia. The language used in the bill converts the District into a Federal property for the first time in its history. This unprecedented affront to the sovereignty of a local and state government would never be contemplated anywhere else in the United States. Yet, the District is particularly singled out in the bill for such treatment.

This effort to alter the entire status of the District Government is truly beyond the pale. The District of Columbia is comprised of 600,000 people who deserve the same rights as other citizens and residents of their nation. American history is defined as resistance to oppression while promoting freedom and democracy. Given the principles upon which this nation was founded, and America contrives to promote steadfastly world-wide, how can you justify the disparate and disrespectful treatment to which District residents are subjected?

The Constitution guarantees every citizen of age a direct line of communication to the highest levels of our representative government so that their interests are always heard and protected. Our interests are not being protected, they are being stripped from us. As an elected member of the national government, we implore you not to further encroach upon the rights of the people who live in our city.

I cannot urge you strongly enough to remove the District from this bill as we are not a component of the federal government.

Regards,

VINCENT C. GRAY,
Mayor.

COUNCIL OF THE
DISTRICT OF COLUMBIA,
Washington, DC, May 3, 2011.

Minority Leader NANCY PELOSI,
House of Representatives,
Washington, DC.

DEAR MINORITY LEADER PELOSI: We write in strong opposition to H.R. 3, the misleadingly named "No Taxpayer Funding for Abortion Act," because it has nothing to do with federal funds. The bill would prohibit the District of Columbia from using its own, locally-raised funds to support abortion services for low-income women.

The bill would overturn the rule of local government. Republicans and Democrats nationwide believe that local governments should decide what is best with respect to local issues. This belief is bedrock American principle that extends from the original Founding Fathers to today's Tea Party activists. It is also the principle underlying your own Home Rule Act for the District—the purpose of which is "to relieve Congress of the burden of legislating upon essentially local District matters."

H.R. 3 would make the District of Columbia the only jurisdiction in the country that is prohibited from choosing whether or not to use its own locally-raised funds to support

low-income abortion services. It would be a Pyrrhic victory for abortion opponents, as it does nothing to affect Congress' inability to overrule the 17 states that currently fund abortion services for low-income residents.

The 600,000 residents of the District have neither a voice nor a vote in the Congress to defend against this renewed assault that is H.R. 3. We urge members of Congress to respect the District and the fundamental American principle of local rule. We urge you to be helpful, not harmful, to our efforts to improve public health and safety. We urge you to vote against H.R. 3.

Sincerely,

Kwame R. Brown, Chairman; Phil Mendelson, Councilmember At-Large; Sekou Biddle, Councilmember At-Large; David Catania, Councilmember At-Large; Michael A. Brown, Councilmember At-Large; Jim Graham, Councilmember Ward 1; Jack Evans, Councilmember Ward 2; Mary M. Cheh, Councilmember Ward 3; Muriel Bowser, Councilmember Ward 4; Harry Thomas, Jr., Councilmember Ward 5; Tommy Wells, Councilmember Ward 6; Yvette Alexander, Councilmember Ward 7; Marion Barry, Councilmember Ward 8.

Mr. NUGENT. Madam Speaker, I yield 2 minutes to my colleague from New Jersey (Mr. GARRETT).

Mr. GARRETT. I thank the gentleman.

Before I begin my remarks, I just have to say that I am really shocked by the statement from my friend and colleague from the State of New Jersey as well when he basically makes the bold statement that basically by taking away a subsidy of sorts of what we're doing here, and that translates to a tax increase on an individual. Nothing, of course, is done in this legislation to that effect.

I come to the floor today and rise in full support of H.R. 3, the No Taxpayer Funding for Abortion Act. I commend everyone who has worked on this, especially my other colleague from New Jersey (Mr. SMITH) not only for sponsoring the bill before us today but for being a leader on this important issue. You see, by passing this bill, what we really do is establish a permanent government-wide prohibition on subsidies for abortion and abortion coverage, while giving the doctors opposed to abortion certain protections to safeguard them from performing abortions against their will.

□ 1320

This is a commonsense bill. It is consistent with the opinions of the majority of Americans who have voiced opposition to Federal funding for abortion.

See, I believe that the time has come to do away with the patchwork ban currently in place with a law that extends the Hyde amendment to all aspects of spending authority here in Congress.

Now, I know my colleagues on the other side of the aisle will tell you that cutting off funding to abortion services will only cause abortion rates to do what? Rise, they say, but just the oppo-

site. In fact, published research by the pro-abortion Alan Guttmacher Institute shows what? That we would actually see a 25 percent decrease in abortions.

Furthermore, contrary to what the opposition would have you believe, this legislation will not affect funding for family planning services. It will only prevent funding and subsidies for abortion and abortion coverage.

So it's important to point out that taxpayers across the country do not believe that they should be funding abortion coverage. Well, just last week in Indiana, Governor Daniels signed probably the most comprehensive taxpayer protection law.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. NUGENT. I yield the gentleman an additional 30 seconds.

Mr. GARRETT. As I was saying, just last week in Indiana, the Governor signed probably the most comprehensive taxpayer protection law to prevent taxpayers from doing what? Subsidizing abortion. I was reading the article in the L.A. Times. They said this is probably going to go in other States. Why is that? Because it's the will of the people.

Let me tell you and conclude on this. I'm the father of two beautiful girls. When I look at them, I see the promise of tomorrow. My life is, without question, better for the love I share with them. America is better for each child and life that is here.

So I will come to this floor and continue to fight to protect the most fundamental right of the unborn in each of us: the right to life.

Ms. SLAUGHTER. Madam Speaker, I am pleased to yield 1¼ minutes to the gentlelady from New York (Mrs. MALONEY).

Mrs. MALONEY. I thank the gentlelady for yielding and for her leadership not only on this but so many important issues.

I want to make it very clear, in response to the gentleman's statement, there are no taxpayer-funded abortions now. There weren't any yesterday, and there won't be any in the future. H.R. 3 goes far beyond current law. It is stunning in its scope, appalling in its indifference, and outrageous in its arrogance.

The right to choose is absolutely meaningless without access to choice, and H.R. 3 creates obstacles for women to access safe, legal, and constitutionally protected health care. This makes access to abortion coverage incredibly difficult, and I would say that the bill is not only an attack on women's rights, but it is also an attack on the rights of the private insurance companies and small businesses.

It tells private insurance companies how to run their businesses, raises compliance costs for small business, and even tells the local government

how they may spend their money. The bill manages to offend nearly every high-sounding principle the other side says they stand for.

So if you truly believe in the freedom of the individual and the wisdom of free market, vote “no” on this absolutely appalling piece of work. It is anti-woman, anti-choice, anti-respect, and anti-business. It is a totally flawed bill, goes far further than any existing law, and it is the deepest and strongest attack on a woman’s right to choose that has come before this body in my lifetime.

And the Republican majority says its priority is jobs and job creation, but their actions speak louder than words. They want to come into the bedroom. They want to come between a woman and her doctor. It is an appalling bill. Please vote “no.”

Mr. NUGENT. Madam Speaker, I yield 1 minute to my colleague from Tennessee (Mr. FINCHER).

Mr. FINCHER. I rise in support of the rule.

Over 20 years ago, in his 1985 book, “For Every Idle Silence,” Congressman Hyde wrote “It is becoming culturally fashionable to protect the defenseless unborn.” Those words hold even truer today as polling continually shows the majority of Americans oppose the vast majority of abortions and more Americans consider themselves pro-life more than ever.

Polls also show that a large majority of Americans oppose taxpayer subsidies for abortion and abortion coverage. An April 2011 CNN poll found that 61 percent of respondents opposed using public funds for abortion. A November 2009 Washington Post poll showed 61 percent of respondents opposed government subsidies for health insurance that includes abortion. A September 2009 International Communications Research poll showed that 67 percent of respondents opposed measure that would require people to pay for abortion coverage with their Federal taxes.

Our constituents and our conscience demand of us that we wait no longer. We must permanently end taxpayer funding of abortion and protect the lives of unborn children.

Ms. SLAUGHTER. I reserve the balance of my time.

Mr. NUGENT. I yield 2 minutes to my colleague from Iowa (Mr. KING).

Mr. KING of Iowa. I thank the gentleman for yielding, and I appreciate the privilege to come here to the floor and stand up for the rights of the innocent unborn in this country.

At the root of this issue is the question of what is human life and is it sacred in all of its forms and at what instant does it begin, and I think all of us with a conscience will recognize that human life needs to be sacred in all of its forms and it begins at the instant of conception, and once we come to that conclusion we stand up to de-

fend every voiceless innocent miracle that’s on its way into breathing free air into this country.

And to think that we are compelling the American taxpayer to fund abortions across this country and in foreign lands on occasion, because we can’t quite hear that voice—Henry Hyde heard that voice, and we’re standing up with and for Henry Hyde. I so much appreciate him and CHRIS SMITH, who is the principal author of the underlying legislation.

I rise in support of this rule, Madam Speaker, and I rise in support of the innocent unborn. The conscience of America must be heard in this debate today, on this rule and on the underlying bill. The voice of the voiceless need to be heard, that of those people who were not heard in the life we will hear from in the next, as Henry Hyde so eloquently said. But an America that is a pro-life America, with over 60 percent that oppose Federal funding, taxpayer-funded abortions, this is a consistent position that reflects the will of the American people. We must draw this line not just with Planned Parenthood but every abortion provider in the country. If they can’t make it in the market on their own, we have no business subsidizing them without regard to the impact on our overall economy.

Madam Speaker, I’m pleased and proud to be here today to take this stand, and I’m pleased and proud of the entire Pro-Life Caucus that’s here in the United States Congress, both Democrats and Republicans alike, who have done so much over the years to bring us to this point of consensus. And this is a consensus that will be reflected on this vote on the rule and on the vote on the underlying bill, a consensus of the American people with their resounding support for this rule and the underlying bill.

Ms. SLAUGHTER. Madam Speaker, I yield myself the balance of my time to close.

I first want to remind people what we’ve said about statutory rape. When this bill was first introduced, it modified the long-standing rape exception to the Hyde amendment by adding the term “forcible” before the word “rape.” In other words, the victim of rape had to show wounds and other matters that she really was forcibly raped before she could be covered, but they changed that because there was such an outcry. But they have found another way to get to exclude other victims of rape. Just saying those words scandalizes me.

The House Judiciary Committee report, which will be used by the courts to interpret the intent of this bill, says the bill will not allow the Federal Government to subsidize abortions in cases of statutory rape, claiming that this reflects existing law, and of course it does not. Statutory rape is one of the

most serious of crimes because the young woman involved has not given consent and, indeed, is not allowed to because of her age. How dare we do that? Have they not suffered enough?

The Hyde amendment does not distinguish between statutory rape or any other kind of rape. In fact, a 1978 regulation implementing the Hyde amendment makes clear that it includes victims of statutory rape in the funding exemption.

Now, if most people in the United States don’t want their tax money used for abortions, they can relax. We’ve not been using tax money for 38 years. We’re not going to change that with this bill. That’s not the intent of this bill at all. It’s simply the title, which is meaningless.

□ 1330

What it does do is it increases taxes on middle class and lower-income women and their families, but it singles out small business employers and penalizes them if they provide comprehensive insurance coverage that includes abortion. Nearly two-thirds of all voters polled—this is two-thirds—oppose this draconian change in the tax system for small business and individuals with plans that cover abortion. In fact, even most Republicans, tea party supporters, anti-abortion workers, and evangelical Christians oppose the tax increase.

As the head of the South Carolina Small Business Chamber of Commerce wrote in a Hill column Monday: “H.R. 3 is simply a slap in the face to the millions of small businesses now offering health insurance to employees and eligible for the new tax credits” that come from the new health care bill.

[From The Hill’s Congress Blog, May 2, 2011]

H.R. 3 A DELIBERATE ATTACK ON SMALL BUSINESS

(By Frank Knapp, Jr.)

After decades of escalating group health insurance premiums and demands for Congressional action for relief, a little over one year ago many of our small businesses finally were given the opportunity for federal health insurance tax credits.

Now H.R. 3, up for a vote this week, threatens to erase this benefit for small businesses because it would eliminate the health insurance tax credits under the Affordable Care Act for any existing or new plans that provide coverage for abortion.

The problems H.R. 3 would cause for small businesses that are trying to do the right thing and offer health insurance have nothing to do with the ideological intent of this bill. Even if a small business owner agrees with the intent, the cost of passage of H.R. 3 in terms of time, money and continuity of policy is very significant.

Small business owners do not have the expertise to closely examine healthcare plans to determine if abortion coverage is included. Such services are not labeled “abortion” but rather fall into numerous clauses in a health care policy from prescription drugs to outpatient surgery to maternity care that includes unforeseen complications. Small business owners are no more prepared

to completely understand the fine print of their health insurance policies than members of Congress.

Requiring a small business owner to try to understand the intricacies of their health insurance policies would require considerable time on their own or with an insurance agent (who also probably has no idea how to interpret the verbiage in the policy as it relates to abortion). Essentially H.R. 3 will cause a small employer to divert time from running the business. And if time is money, as we are all told, then H.R. 3 will be an increase in cost for small businesses offering health insurance.

Small businesses that finally determine that their health insurance policy does in fact cover even one abortion service will be financially punished in one of two ways. Either they can keep their present policy and lose thousands of dollars in hard won tax credits or they will give up their current health plan and most likely have to pay higher premiums for a new plan. The latter will result from both re-underwriting by a new carrier and adding provisions now required in any new policy. This is especially true since the health insurance exchanges will not be in place until 2014 to increase competition for this business.

H.R. 3 is simply a slap in the face to the millions of small businesses now offering health insurance to employees and eligible for the new tax credits. Targeting small businesses for such punitive action, while ignoring big businesses that also receive tax benefits when offering health insurance, demonstrates a callous disregard for the "backbone of our economy", as members of Congress love to proclaim.

I yield back the balance of my time. Mr. NUGENT. Madam Speaker, I need to correct one thing. The word "forcible" is nowhere in the statute or the legislation as we have it on the floor.

Madam Speaker, my colleagues on the other side of the aisle would have you believe that H.R. 3 is about taking away a woman's right to choose. That is simply not true. H.R. 3 is about ensuring that taxpayers aren't on the hook for paying for that choice. My Democratic colleagues would have you believe that we want to raise your taxes and allow the IRS to audit women. Again, that is simply not true. The bill is about one thing: keeping our tax dollars from being spent for elective abortions on demand.

The United States is currently borrowing 42 cents of every dollar we spend. We are in debt and spending money we don't have. We need to focus on bringing our government back to its core mission. You can't tell me that paying for elective abortions is part of our core mission.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. SLAUGHTER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 243, nays 177, not voting 12, as follows:

[Roll No. 286]

YEAS—243

Adams	Gowdy	Olson
Aderholt	Granger	Palazzo
Alexander	Graves (GA)	Paul
Altmire	Graves (MO)	Paulsen
Amash	Griffin (AR)	Pearce
Austria	Griffith (VA)	Pence
Bachmann	Grimm	Peterson
Bachus	Guinta	Petri
Barletta	Guthrie	Pitts
Bartlett	Hall	Platts
Barton (TX)	Hanna	Poe (TX)
Bass (NH)	Harper	Pompeo
Benishek	Harris	Posey
Berg	Hartzler	Price (GA)
Biggart	Hastings (WA)	Quayle
Bishop (UT)	Hayworth	Rahall
Black	Heck	Reed
Blackburn	Heller	Rehberg
Bonner	Hensarling	Reichert
Bono Mack	Herger	Renacci
Boren	Herrera Beutler	Ribble
Boustany	Holden	Rigell
Brady (TX)	Huelskamp	Rivera
Brooks	Huizenga (MI)	Roby
Broun (GA)	Hultgren	Roe (TN)
Buchanan	Hunter	Rogers (AL)
Bucshon	Hurt	Rogers (KY)
Buerkle	Issa	Rogers (MI)
Burgess	Jenkins	Rohrabacher
Burton (IN)	Johnson (IL)	Rokita
Calvert	Johnson (OH)	Rooney
Camp	Jones	Ros-Lehtinen
Campbell	Jordan	Roskam
Canseco	Kelly	Ross (AR)
Cantor	Kildee	Ross (FL)
Capito	King (IA)	Royce
Carter	King (NY)	Runyan
Cassidy	Kingston	Ryan (WI)
Chabot	Kinzinger (IL)	Scalise
Chaffetz	Kline	Schilling
Coble	Labrador	Schmidt
Coffman (CO)	Lamborn	Schock
Cole	Lance	Schweikert
Conaway	Landry	Scott (SC)
Costello	Lankford	Scott, Austin
Cravaack	Latham	Sensenbrenner
Crawford	LaTourette	Sessions
Crenshaw	Latta	Shimkus
Culberson	Lewis (CA)	Shuler
Davis (KY)	Lipinski	Shuster
Denham	LoBiondo	Simpson
Dent	Long	Smith (NE)
DesJarlais	Lucas	Smith (NJ)
Dold	Luetkemeyer	Smith (TX)
Donnelly (IN)	Lungren, Daniel E.	Southerland
Dreier	Mack	Stearns
Duffy	Manzullo	Stivers
Duncan (SC)	Marchant	Stutzman
Duncan (TN)	Marino	Sullivan
Ellmers	McCarthy (CA)	Terry
Farenthold	McCaul	Thornberry
Fincher	McClintock	Tiberi
Fitzpatrick	McCotter	Tipton
Flake	McHenry	Turner
Fleischmann	McIntyre	Upton
Fleming	McKeon	Walberg
Flores	McKinley	Walden
Forbes	McMorris	Walsh (IL)
Fortenberry	Rodgers	Webster
Fox	Meehan	West
Franks (AZ)	Mica	Westmoreland
Frelinghuysen	Miller (FL)	Whitfield
Galleghy	Miller (MI)	Wilson (SC)
Gardner	Miller, Gary	Wittman
Garrett	Mulvaney	Wolf
Gerlach	Murphy (PA)	Womack
Gibbs	Myrick	Woodall
Gibson	Neugebauer	Yoder
Gingrey (GA)	Noem	Young (AK)
Gohmert	Nugent	Young (FL)
Goodlatte	Nunes	Young (IN)
Gosar		

NAYS—177

Ackerman	Baldwin	Becerra
Andrews	Barrow	Berkley
Baca	Bass (CA)	Berman

Bishop (GA)	Hanabusa	Pastor (AZ)
Bishop (NY)	Hastings (FL)	Payne
Blumenauer	Heinrich	Pelosi
Boswell	Higgins	Perlmutter
Brady (PA)	Himes	Peters
Braley (IA)	Hinchey	Polis
Brown (FL)	Hinojosa	Price (NC)
Butterfield	Hirono	Quigley
Capps	Holt	Rangel
Capuano	Honda	Reyes
Cardoza	Hoyer	Richardson
Carnahan	Inslee	Richmond
Carney	Israel	Rothman (NJ)
Carson (IN)	Jackson (IL)	Roybal-Allard
Castor (FL)	Jackson Lee	Ruppersberger
Chandler	(TX)	Rush
Chu	Johnson (GA)	Ryan (OH)
Cicilline	Johnson, E. B.	Sánchez, Linda T.
Clarke (MI)	Kaptur	Sanchez, Loretta
Clarke (NY)	Keating	Sarbanes
Clay	Kind	Schakowsky
Cleaver	Kissell	Schiff
Clyburn	Kucinich	Schrader
Cohen	Langevin	Schwartz
Connolly (VA)	Larsen (WA)	Scott (VA)
Conyers	Larson (CT)	Scott, David
Cooper	Lee (CA)	Serrano
Courtney	Levin	Sewell
Critz	Lewis (GA)	Sherman
Crowley	Loebsock	Smith (WA)
Cuellar	Lofgren, Zoe	Speier
Cummings	Lowey	Stark
Davis (CA)	Lujan	Sutton
Davis (IL)	Lynch	Thompson (CA)
DeFazio	Maloney	Thompson (MS)
DeGette	Markey	Tierney
DeLauro	Matheson	Tonko
Deutch	Matsui	Towns
Dicks	McCarthy (NY)	Tsongas
Dingell	McCollum	Van Hollen
Doggett	McDermott	Velázquez
Doyle	McGovern	Visclosky
Edwards	McNerney	Walz (MN)
Ellison	Meeks	Wasserman
Engel	Michaud	Schultz
Eshoo	Miller (NC)	Waters
Farr	Miller, George	Watt
Fattah	Moore	Waxman
Filner	Moran	Weiner
Frank (MA)	Murphy (CT)	Welch
Fudge	Nadler	Wilson (FL)
Garamendi	Napolitano	Woolsey
Gonzalez	Neal	Wu
Green, Al	Olver	Yarmuth
Green, Gene	Owens	
Grijalva	Pallone	
Gutierrez	Pascrell	

NOT VOTING—12

□ 1356

Ms. BROWN of Florida changed her vote from "yea" to "nay."

Messrs. COFFMAN of Colorado, GARY G. MILLER of California, and HELLER changed their vote from "nay" to "yea."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. SMITH of Texas. Madam Speaker, pursuant to House Resolution 237, I call up the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mrs. MYRICK). Pursuant to House Resolution 237, in lieu of the amendment in the nature of a substitute recommended by the Committee on the Judiciary, printed in the bill, the amendment in the

nature of a substitute printed in House Report 112-71 is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE; TABLE OF CONTENTS.

(a) **SHORT TITLE.**—This Act may be cited as the “No Taxpayer Funding for Abortion Act”.

(b) **TABLE OF CONTENTS.**—the table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—PROHIBITING FEDERALLY-FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

Sec. 101. Prohibiting taxpayer funded abortions and providing for conscience protections.

Sec. 102. Amendment to table of chapters.

TITLE II—ELIMINATION OF CERTAIN TAX BENEFITS RELATING TO ABORTION

Sec. 201. Deduction for medical expenses not allowed for abortions.

Sec. 202. Disallowance of refundable credit for coverage under qualified health plan which provides coverage for abortion.

Sec. 203. Disallowance of small employer health insurance expense credit for plan which includes coverage for abortion.

Sec. 204. Distributions for abortion expenses from certain accounts and arrangements included in gross income.

TITLE I—PROHIBITING FEDERALLY-FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

SEC. 101. PROHIBITING TAXPAYER FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS.

Title 1, United States Code is amended by adding at the end the following new chapter:

“CHAPTER 4—PROHIBITING TAXPAYER FUNDED ABORTIONS AND PROVIDING FOR CONSCIENCE PROTECTIONS

“Sec.

“301. Prohibition on funding for abortions.

“302. Prohibition on funding for health benefits plans that cover abortion.

“303. Limitation on Federal facilities and employees.

“304. Construction relating to separate coverage.

“305. Construction relating to the use of non-Federal funds for health coverage.

“306. Non-preemption of other Federal laws.

“307. Construction relating to complications arising from abortion.

“308. Treatment of abortions related to rape, incest, or preserving the life of the mother.

“309. Application to District of Columbia.

“310. No government discrimination against certain health care entities.

“§301. Prohibition on funding for abortions

“No funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for any abortion.

“§302. Prohibition on funding for health benefits plans that cover abortion

“None of the funds authorized or appropriated by Federal law, and none of the funds in any trust fund to which funds are authorized or appropriated by Federal law, shall be expended for health benefits coverage that includes coverage of abortion.

“§303. Limitation on Federal facilities and employees

“No health care service furnished—

“(1) by or in a health care facility owned or operated by the Federal Government; or

“(2) by any physician or other individual employed by the Federal Government to provide health care services within the scope of the physician’s or individual’s employment, may include abortion.

“§304. Construction relating to separate coverage

“Nothing in this chapter shall be construed as prohibiting any individual, entity, or State or locality from purchasing separate abortion coverage or health benefits coverage that includes abortion so long as such coverage is paid for entirely using only funds not authorized or appropriated by Federal law and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State’s or locality’s contribution of Medicaid matching funds.

“§305. Construction relating to the use of non-Federal funds for health coverage

“Nothing in this chapter shall be construed as restricting the ability of any non-Federal health benefits coverage provider from offering abortion coverage, or the ability of a State or locality to contract separately with such a provider for such coverage, so long as only funds not authorized or appropriated by Federal law are used and such coverage shall not be purchased using matching funds required for a federally subsidized program, including a State’s or locality’s contribution of Medicaid matching funds.

“§306. Non-preemption of other Federal laws

“Nothing in this chapter shall repeal, amend, or have any effect on any other Federal law to the extent such law imposes any limitation on the use of funds for abortion or for health benefits coverage that includes coverage of abortion, beyond the limitations set forth in this chapter.

“§307. Construction relating to complications arising from abortion

“Nothing in this chapter shall be construed to apply to the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion. This rule of construction shall be applicable without regard to whether the abortion was performed in accord with Federal or State law, and without regard to whether funding for the abortion is permissible under section 308.

“§308. Treatment of abortions related to rape, incest, or preserving the life of the mother

“The limitations established in sections 301, 302, and 303 shall not apply to an abortion—

“(1) if the pregnancy is the result of an act of rape or incest; or

“(2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy itself.

“§309. Application to District of Columbia

“In this chapter:

“(1) Any reference to funds appropriated by Federal law shall be treated as including any amounts within the budget of the District of Columbia that have been approved by Act of Congress pursuant to section 446 of the District of Columbia Home Rule Act (or any applicable successor Federal law).

“(2) The term ‘Federal Government’ includes the government of the District of Columbia.

“§310. No government discrimination against certain health care entities

“(a) **NONDISCRIMINATION.**—A Federal agency or program, and any State or local government

that receives Federal financial assistance (either directly or indirectly), may not subject any individual or institutional health care entity to discrimination on the basis that the health care entity does not provide, pay for, provide coverage of, or refer for abortions.

“(b) **HEALTH CARE ENTITY DEFINED.**—For purposes of this section, the term ‘health care entity’ includes an individual physician or other health care professional, a hospital, a provider-sponsored organization, a health maintenance organization, a health insurance plan, or any other kind of health care facility, organization, or plan.

“(c) **REMEDIES.**—

“(1) **IN GENERAL.**—The courts of the United States shall have jurisdiction to prevent and redress actual or threatened violations of this section by issuing any form of legal or equitable relief, including—

“(A) injunctions prohibiting conduct that violates this section; and

“(B) orders preventing the disbursement of all or a portion of Federal financial assistance to a State or local government, or to a specific offending agency or program of a State or local government, until such time as the conduct prohibited by this section has ceased.

“(2) **COMMENCEMENT OF ACTION.**—An action under this subsection may be instituted by—

“(A) any health care entity that has standing to complain of an actual or threatened violation of this section; or

“(B) the Attorney General of the United States.

“(d) **ADMINISTRATION.**—The Secretary of Health and Human Services shall designate the Director of the Office for Civil Rights of the Department of Health and Human Services—

“(1) to receive complaints alleging a violation of this section;

“(2) subject to paragraph (3), to pursue the investigation of such complaints in coordination with the Attorney General; and

“(3) in the case of a complaint related to a Federal agency (other than with respect to the Department of Health and Human Services) or program administered through such other agency or any State or local government receiving Federal financial assistance through such other agency, to refer the complaint to the appropriate office of such other agency.”.

SEC. 102. AMENDMENT TO TABLE OF CHAPTERS.

The table of chapters for title 1, United States Code, is amended by adding at the end the following new item:

“4. Prohibiting taxpayer funded abortions and providing for conscience protections 301”.

TITLE II—ELIMINATION OF CERTAIN TAX BENEFITS RELATING TO ABORTION

SEC. 201. DEDUCTION FOR MEDICAL EXPENSES NOT ALLOWED FOR ABORTIONS.

(a) **IN GENERAL.**—Section 213 of the Internal Revenue Code of 1986 is amended by adding at the end the following new subsection:

“(g) **AMOUNTS PAID FOR ABORTION NOT TAKEN INTO ACCOUNT.**—

“(1) **IN GENERAL.**—An amount paid during the taxable year for an abortion shall not be taken into account under subsection (a).

“(2) **EXCEPTIONS.**—Paragraph (1) shall not apply to—

“(A) an abortion—

“(i) in the case of a pregnancy that is the result of an act of rape or incest, or

“(ii) in the case where a woman suffers from a physical disorder, physical injury, or physical illness that would, as certified by a physician, place the woman in danger of death unless an abortion is performed, including a life-endangering physical condition caused by or arising from the pregnancy, and

“(B) the treatment of any infection, injury, disease, or disorder that has been caused by or exacerbated by the performance of an abortion.”.

(b) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 202. DISALLOWANCE OF REFUNDABLE CREDIT FOR COVERAGE UNDER QUALIFIED HEALTH PLAN WHICH PROVIDES COVERAGE FOR ABORTION.

(a) **IN GENERAL.**—Subparagraph (A) of section 36B(c)(3) of the Internal Revenue Code of 1986 is amended by inserting before the period at the end the following: “or any health plan that includes coverage for abortions (other than any abortion or treatment described in section 213(g)(2)).”.

(b) **OPTION TO PURCHASE OR OFFER SEPARATE COVERAGE OR PLAN.**—Paragraph (3) of section 36B(c) of such Code is amended by adding at the end the following new subparagraph:

“(C) **SEPARATE ABORTION COVERAGE OR PLAN ALLOWED.**—

“(i) **OPTION TO PURCHASE SEPARATE COVERAGE OR PLAN.**—Nothing in subparagraph (A) shall be construed as prohibiting any individual from purchasing separate coverage for abortions described in such subparagraph, or a health plan that includes such abortions, so long as no credit is allowed under this section with respect to the premiums for such coverage or plan.

“(ii) **OPTION TO OFFER COVERAGE OR PLAN.**—Nothing in subparagraph (A) shall restrict any non-Federal health insurance issuer offering a health plan from offering separate coverage for abortions described in such subparagraph, or a plan that includes such abortions, so long as premiums for such separate coverage or plan are not paid for with any amount attributable to the credit allowed under this section (or the amount of any advance payment of the credit under section 1412 of the Patient Protection and Affordable Care Act).”.

(c) **EFFECTIVE DATE.**—The amendment made by this section shall apply to taxable years ending after December 31, 2013.

SEC. 203. DISALLOWANCE OF SMALL EMPLOYER HEALTH INSURANCE EXPENSE CREDIT FOR PLAN WHICH INCLUDES COVERAGE FOR ABORTION.

(a) **IN GENERAL.**—Subsection (h) of section 45R of the Internal Revenue Code of 1986 is amended—

(1) by striking “Any term” and inserting the following:

“(1) **IN GENERAL.**—Any term”, and

(2) by adding at the end the following new paragraph:

“(2) **EXCLUSION OF HEALTH PLANS INCLUDING COVERAGE FOR ABORTION.**—The terms ‘qualified health plan’ and ‘health insurance coverage’ shall not include any health plan or benefit that includes coverage for abortions (other than any abortion or treatment described in section 213(g)(2)).”.

(b) **EFFECTIVE DATE.**—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.

SEC. 204. DISTRIBUTIONS FOR ABORTION EXPENSES FROM CERTAIN ACCOUNTS AND ARRANGEMENTS INCLUDED IN GROSS INCOME.

(a) **FLEXIBLE SPENDING ARRANGEMENTS UNDER CAFETERIA PLANS.**—Section 125 of the Internal Revenue Code of 1986 is amended by redesignating subsections (k) and (l) as subsections (l) and (m), respectively, and by inserting after subsection (j) the following new subsection:

“(k) **ABORTION REIMBURSEMENT FROM FLEXIBLE SPENDING ARRANGEMENT INCLUDED IN GROSS INCOME.**—Notwithstanding section 105(b),

gross income shall include any reimbursement for expenses incurred for an abortion (other than any abortion or treatment described in section 213(g)(2)) from a health flexible spending arrangement provided under a cafeteria plan. Such reimbursement shall not fail to be a qualified benefit for purposes of this section merely as a result of such inclusion in gross income.”.

(b) **ARCHER MSAS.**—Paragraph (1) of section 220(f) of such Code is amended by inserting before the period at the end the following: “, except that any such amount used to pay for an abortion (other than any abortion or treatment described in section 213(g)(2)) shall be included in the gross income of such holder”.

(c) **HSAS.**—Paragraph (1) of section 223(f) of such Code is amended by inserting before the period at the end the following: “, except that any such amount used to pay for an abortion (other than any abortion or treatment described in section 213(g)(2)) shall be included in the gross income of such beneficiary”.

(d) **EFFECTIVE DATES.**—

(1) **FSA REIMBURSEMENTS.**—The amendment made by subsection (a) shall apply to expenses incurred with respect to taxable years beginning after the date of the enactment of this Act.

(2) **DISTRIBUTIONS FROM SAVINGS ACCOUNTS.**—The amendments made by subsection (b) and (c) shall apply to amounts paid with respect to taxable years beginning after the date of the enactment of this Act.

The **SPEAKER** pro tempore. The bill shall be debatable for 1 hour, with 40 minutes equally divided and controlled by the chair and ranking minority member of the Committee of the Judiciary, 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means, and 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on Energy and Commerce.

The gentleman from Texas (Mr. SMITH) and the gentleman from Michigan (Mr. CONYERS) each will control 20 minutes. The gentleman from Texas (Mr. BRADY), the gentleman from Michigan (Mr. LEVIN), the gentleman from Pennsylvania (Mr. PRITS), and the gentlewoman from Colorado (Ms. DEGETTE) each will control 5 minutes.

The Chair recognizes the gentleman from Texas (Mr. SMITH).

GENERAL LEAVE

Mr. SMITH of Texas. Madam Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks and include extraneous material on H.R. 3.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SMITH of Texas. I yield myself such time as I may consume.

First, let me recognize the gentleman from New Jersey (Mr. SMITH), the chief sponsor of H.R. 3, for his persistent leadership over the years on this issue.

□ 1400

Many Members and the American people have strong feelings about the subject of abortion, but one thing is clear: The Federal funding of abortion will lead to more abortions. For exam-

ple, in 2009, there were only 220 government-financed abortions. The Congressional Budget Office has estimated that the Federal Government would pay for as many as 675,000 abortions each year without the Hyde Amendment and other provisions that prevent the Federal funding of abortion.

The American people do not want federally funded abortions. A Zogby poll found that 77 percent of Americans feel that Federal funds should never pay for abortions or should pay only to save the life of the mother. That is the policy of the Hyde Amendment, which H.R. 3 would enact into law.

H.R. 3 does not ban abortion. It also does not restrict abortions or abortion coverage in health care plans as long as those abortions or plans use only private or State funds. This legislation places no additional legal restrictions on abortions. It simply protects taxpayers from having to fund or to subsidize something they morally oppose. H.R. 3 also is necessary to fix the recent health care law. Absolutely nothing in that law prevents the Federal funding of abortions under the programs it creates.

Neither Congress nor the administration should take the view that they know better than the American people what is good for them. Congress should pass H.R. 3 to codify the longstanding ban on the Federal funding of abortions.

Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. I yield myself 3 minutes.

Madam Speaker and Members of the House, the problem with this bill is that it reaches far beyond Federal funding in that it subjects women to profound government intrusion, that it restricts women's access to health care, and that it targets small businesses for disparate treatment under the Tax Code. That's why I have more than a dozen organizations, ranging from the American Nurses Association to the YWCA, which are all opposed to this legislation. In addition, this bill will punish women for their private health care decisions, and will subject them to profound government intrusion. So this is not a Democrat versus Republican issue. It is a very important personal decision.

Now, the goal of this bill—and I'd like to suggest it from the outset of this discussion—is to make it impossible to obtain abortion services even when paid for with purely private, non-Federal funds. If there is anyone who has a different view about this, I hope that it gets expressed this afternoon.

Finally, H.R. 3 subjects small businesses to disparate treatment under the tax laws; and as one who supports small business and workers in this country, that alone would turn my support against this measure.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. SENSENBRENNER), the former chairman of the Judiciary Committee and the current chairman of the Crime Subcommittee of the Judiciary.

Mr. SENSENBRENNER. I thank the gentleman for yielding.

Madam Speaker, today we are presented with an opportunity to take a giant step toward protecting the unborn. For almost 35 years, restrictions on the use of Federal funds for abortion have been enacted separately and have been contained in annually renewed congressional temporary funding restrictions, regulations and Executive orders. Such policies have sought to ensure that the American taxpayer does not fund the destruction of innocent human life through abortion. The legislation on the floor today will end the need for numerous separate abortion funding policies, and will finally put into place a permanent ban on any U.S. Government financial support for abortion.

Each year, the abortion industry is allocated millions of tax dollars to advance its agenda. Last year alone, the Planned Parenthood Federation of America collected more than 360 million taxpayer-funded dollars. Because all money is fungible, when taxpayers pay an organization like Planned Parenthood millions of dollars, we cannot help but empower and promote all of that organization's activities. Tax-paying Americans are fed up. They are tired of their hard-earned money being spent on supporting and promoting the abortion industry.

Under H.R. 3, Federal funds will be prohibited for elective abortion coverage through any program in the U.S. Department of Health and Human Services. The legislation prevents the funding for abortion as a method of family planning overseas. It prohibits funding for elective abortion coverage for Federal employees, and it prevents taxpayer-funded abortions in Washington, D.C.

Importantly, H.R. 3 would also protect the conscience-driven health care providers from being forced by the government to participate in abortions. The conscience clause is critically needed in order to protect health care providers who do not want to take part in the abortion business. Without it, people could be forced to participate in something they strongly believe to be morally wrong. Faith-based hospitals could lose funding and be forced to close.

It is time to end taxpayer-funded abortions. I strongly support this important and needed approach to preserve and promote the sanctity of life in our country.

Mr. CONYERS. Madam Speaker, I would like now to yield 3 minutes to the former chairman of the Sub-

committee on the Constitution, JERRY NADLER of New York.

Mr. NADLER. I thank the gentleman for yielding.

Madam Speaker, this bill has nothing to do with creating jobs, reducing our deficit or bolstering our economy. It addresses, instead, the completely fictitious claim that legislation is needed to prevent the Federal funding of abortion services. This bill has been falsely advertised as a mere codification of existing law prohibiting the Federal funding of abortion.

I have always opposed the unfair restrictions on Federal funding for a perfectly legal health care procedure, but this bill goes far beyond prohibiting Federal funding. The real purpose and effect of this bill is to eliminate private health care choices for women by imposing significant tax penalties on families and small businesses when they use their own money to pay for health insurance or medical care. This tax penalty is intended to drive insurance companies into dropping abortion services from existing private health care policies that women and families now have and rely upon.

This bill claims that a tax credit or deduction is a form of government funding. It follows that tax-deductible charitable contributions to a church, synagogue or other religious institution are also government funding—a position my Republican colleagues have never taken and that, if taken, would prohibit tax deductions for charitable contributions to religious organizations because they would then be violations of the Establishment Clause of the First Amendment.

You can't have it both ways. Either tax exemptions, deductions or credits for private spending are government funding or they are not. If they are not, this bill makes no sense. If they are, then tax-deductible private contributions to religious institutions are government funding prohibited by the Constitution.

The power to tax is the power to destroy, and here, the taxing power is being used to destroy the right of every American to make private health care decisions free from government interference. This bill is an unprecedented attack on the use of private funds to make private health care choices, and is part of the new House majority's broader and disturbing attack on women's access to health care.

After 2 years of hearing my Republican colleagues complain that government should not meddle in the private insurance market or in private health care choices, I am astounded by this legislation, which is so obviously designed to do just that. It seems that many Republicans believe in freedom provided that no one uses that freedom in a way that Republicans find objectionable. It is a strange understanding of freedom.

There is also a provision in this bill that might allow any health care provider or institution to refuse to provide an abortion to a woman whose life depends on having that abortion. They could let that woman die right there in the emergency room, and the government would be powerless to do anything. In fact, if the government insisted that the hospital not let the woman die, the bill would allow the hospital to sue the government and, in the case of a State or locality, strip that community of all Federal funding until the jurisdiction relented.

□ 1410

Despite the fact that Republicans made a big show of taking out language limiting rape to forcible rape, the committee report now says that the bill still excludes victims of statutory rape in order to close a "loophole." That is right. You women who have been sexually victimized are really just a loophole. Frankly, disgusting.

A vote for this bill, Madam Speaker, is a vote for a tax increase on women, families, and small businesses. It is a vote for taking away the existing health insurance that women and families now have and pay for with their own funds. It is a vote to elevate the right to refuse care over the obligation to provide lifesaving care. It deserves to be defeated.

Mr. SMITH of Texas. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. FRANKS), who is the chairman of the Constitution Subcommittee of the Judiciary Committee.

Mr. FRANKS of Arizona. I thank the gentleman.

Madam Speaker, it is said that a government is what it spends. This bill is really about whether the role of America's government is to fund a practice that takes the lives of over 1 million unborn American babies every year, despite the fact that the overwhelming majority of Americans, even some of those who consider themselves pro-choice, strongly object to their taxpayer dollars being used to pay for abortions.

In 1973, Madam Speaker, the United States Supreme Court said the unborn child was not a person under the Constitution and we have since witnessed the tragic deaths of over 50 million innocent little baby boys and girls who died without the protection we in this Chamber should have given them. Some of this was carried out with taxpayer dollars before the Hyde amendment and other such laws were in place, and taxpayer funding of abortion could recommence in the future under ObamaCare.

So before we vote on this bill, it is important for Members to ask themselves the real question: Does abortion take the life of a child? If it does not, then this is simply a budgetary issue.

But if abortion really does kill a little baby, then those of us sitting here in these chambers of freedom are presiding over the greatest human genocide in the history of humanity, and some of it may be financed in the future, Madam Speaker, with taxpayer dollars over which we will have had direct control.

Madam Speaker, our Founding Fathers believed there were certain self-evident truths that were worth holding on to. The greatest of those truths in their minds was the transcendent meaning of this gift of God called human life. Our Constitution says no person shall be deprived of life, liberty or property without due process of law. Thomas Jefferson said that "The care of human life and its happiness and not its destruction is the chief and only object of good government."

Madam Speaker, protecting the lives and constitutional rights of our fellow Americans is why we are all here, and forcing taxpayers to pay for the indiscriminate killing of helpless little baby Americans is not good government and it should be ended once and for all.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gentlewoman from California (Ms. CHU), a distinguished member of the Judiciary Committee.

Ms. CHU. Imagine what life would be like for women under H.R. 3. Imagine you are pregnant and then diagnosed with breast cancer. Your doctor says that chemotherapy could save your life, but will permanently harm the baby. The diagnosis is devastating. But to add to your grief, because of H.R. 3, an abortion will not be covered by your private health insurance. You must pay out of pocket, even though it is necessary to save your life.

Imagine IRS agents as abortion cops. You see, under H.R. 3 you couldn't deduct an abortion as a medical expense unless it were the result of rape or incest, even though you are using your own money and even though you can deduct every other medical procedure. Imagine the IRS knocking at your door demanding receipts and grilling you about your rape.

This bill forces women to live their lives as if America was Orwell's 1984, where big brother Washington bureaucrats dictate the personal and private health decisions of American families.

Stop these attacks on women. Oppose H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Virginia (Mr. GOODLATTE), the chairman of the Intellectual Property Subcommittee of the Judiciary Committee.

Mr. GOODLATTE. I thank the chairman for yielding.

Madam Speaker, as a cosponsor, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act. I have long believed that the right to life

is one that we must vigorously protect, and I have cosponsored many bills to do that, including the Right to Life Act last Congress.

While there are many divergent views on this topic, one thing that most agree on is that it is wholly improper for the Federal Government to use taxpayers' hard-earned dollars to fund abortions. This is a moral issue of the highest importance to many taxpayers and to force them to fund these activities is completely unacceptable. For many Americans, taxpayer-funded abortions would constitute an extreme violation of conscience that should not be sanctioned by this Congress.

I urge my colleagues to support H.R. 3, and I want to thank the gentleman from New Jersey, Mr. SMITH, and the gentleman from Texas, Mr. SMITH, for first introducing and then advancing this legislation.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to the gentlewoman from California (Ms. WOOLSEY), a strong progressive in this Congress.

Ms. WOOLSEY. I thank the gentleman.

Madam Speaker, for the last 18 years as a Member of this body I have listened to Republicans go on and on about keeping government out of the health care system. That and taking away the voice of women actually puts the government between that woman and her most private health care decisions and is the biggest, the most intrusive government of all.

I thought my Republican friends hated taxes, but apparently they hate reproductive freedom and women's rights even more, because this bill would raise taxes on small businesses that provide their employees with health plans that include abortion coverage. And in one of its most egregious provisions, this bill could lead to IRS audits of women who seek abortion care after they have had a sexual assault. Absolutely unconscionable. Vote "no" on H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 30 seconds to the gentleman from Ohio (Mr. JORDAN), who is a member of the Judiciary Committee and also chairman of the Republican Study Committee.

Mr. JORDAN. I thank the gentleman from Texas, the distinguished chair of the Judiciary Committee.

Look, life is precious, life is sacred, and government should protect that basic fact. It is not some grant from government. It is a gift from God. Our founders understood that when they talked about the creator giving us this inalienable right, and the fact that we live in the greatest Nation in history and our tax dollars are used to destroy the life of unborn children is just plain wrong.

This bill corrects that. This bill is what the American people want, and this bill is consistent with this great

Nation, founded on life, liberty and the pursuit of happiness. That is why it should pass and that is why I am a proud sponsor and urge a "yes" vote on the legislation.

Mr. CONYERS. I yield 2 minutes to the gentleman from Iowa (Mr. BRALEY).

Mr. BRALEY of Iowa. I thank the gentleman for yielding.

If you remember only one thing about this bill, remember this: It is a solution in search of a problem. The simple truth is that there are no taxpayer dollars being used to pay for abortions. None. Zero. Nada.

Don't be fooled by this bill. It isn't about funding. It is about preventing women from being able to access comprehensive health care. That is what this bill is about. The debate is about whether politicians sitting in Congress should dictate the personal, private medical decisions of the American people. It aims to impose intrusive government rules on personal medical decisions.

The bill's supporters don't want abortion, any abortion, to be legal in the United States, and so they are adding as many bureaucratic rules as they can come up with. This bill would not allow an exception for rape and incest for women in the military and military dependents.

□ 1420

Think about that. Military studies in news reports suggest that the sexual assault in the military is unconscionably high. CBS News reported that one in three military women experience sexual assault during their career in the service. One in three. This is outrageous. And yet under this bill, those brave women who took an oath to defend and support the Constitution of this country and put their lives on the line every day, if they are sexually assaulted by a peer and become pregnant, would not have an opportunity to get an abortion under this rule.

That's what we're talking about today. And that is the contrast between these two philosophies of the role of government and the personal-private medical decisions of women. And that is why I ask my colleagues to reject this bill.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. SCHMIDT).

Mrs. SCHMIDT. I want to thank CHRIS SMITH and Chairman SMITH for this very simple but profound bill.

Ladies and gentlemen, all this bill does is end public funding—taxpayer funding—of abortion. The driving force behind H.R. 3 is simply to update the longstanding Hyde amendment and apply it to programs that are federally funded but outside the scope of the Labor-HHS appropriations as well as replace a patchwork system with permanent law. It takes the Hyde amendment, the Dornan amendment, the

Helms amendment, the Hyde-Weldon amendment, as well as others, and makes them permanent. That's what the bill does.

H.R. 3 enjoys great bipartisan support and had over 227 cosponsors. The support of this bill is in the public's hands. A CNN poll recently taken last month said 61 percent of the respondents do not want their tax dollars used to pay for abortions. And that's what this bill does. It ends the public funding of abortions. There are a host of other polls that clearly state the same thing.

The Hyde amendment is in current law but it simply needs to be broadened for all the things that we do here in Congress.

I ask my colleagues to vote for this very important bill.

Mr. CONYERS. Madam Speaker, I am proud to yield 1 minute to the former chair of the Congressional Black Caucus, the gentlewoman from California, BARBARA LEE.

Ms. LEE. I want to thank our ranking member for his leadership and for leading for so many years on so many important issues.

Madam Speaker, here we go again. Instead of working on creating jobs and jump-starting the economy, we're debating another cynical and divisive attempt to strip away the rights of women. Republicans continue to perpetrate their war on women while millions of people around the country are desperate for jobs to help provide for their families. Let me be clear. Current law already bans Federal funds from being used for abortions. That is a fact—even though I personally think we should get rid of that ban.

What's next? Are we going to block transportation funding because it might be used to build a road to a hospital that provides a road to abortion? Come on. By the logic of this bill, any type of Federal funding, whether it's health related or not, would become abortion money. That is such a cynical ploy on the majority side.

This bill specifically attacks low-income women in the District of Columbia by permanently prohibiting the District from spending its purely local funds on abortions for low-income women.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Mr. CONYERS. I yield the gentlewoman 30 additional seconds.

Ms. LEE. These women in the District have already begun to feel the terrible effects of the rider passed already in the CR. This is outrageous. It's ideologically driven and it's dangerous.

So let's reject this bill and this attack and this dangerous war on women, especially low-income women. Vote "no" on H.R. 3.

Mr. SMITH of Texas. Madam Speaker, I yield 1½ minutes to the gentleman

from Indiana (Mr. PENCE), a member of the Judiciary Committee and the vice chairman of the Constitution Subcommittee.

Mr. PENCE. I thank the gentleman for yielding.

I rise in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act.

I believe that ending an innocent human life is morally wrong. But I also believe it's morally wrong to take the taxpayer dollars of millions of pro-life Americans and use it to fund a procedure that they find morally offensive. Fortunately, for over 30 years, a patchwork of policies has regulated Federal funding and denied Federal funding for abortion in America.

But today, thanks to the yeoman's work of Congressman CHRIS SMITH of New Jersey and Congressman DAN LIPINSKI, we're bringing forward a bipartisan measure that will send a clear and strong and codified message that the American people don't want to allow public funding of abortion at the Federal level. I strongly support it.

The man who first brought this idea before the Congress was the late Henry Hyde. I had the privilege of serving with him. His eloquence cannot be matched, but it can be repeated. Henry said, "I believe nothing in this world of wonders is more beautiful than the innocence of a child, that little, almost-born infant struggling to live as a member of the human family; and abortion is a lethal assault against the very idea of human rights and destroys, along with a defenseless little baby, the moral foundation of our democracy."

Today, we say "yes" to life but we also say "yes" to respecting the moral sensibilities of millions of Americans who, wherever they stand on this divisive social question, stand broadly for the principle that no taxpayer dollars should be used to subsidize abortion at home or abroad. H.R. 3 is that legislation. I urge my colleagues to support it.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

It has been mistakenly repeated at least a dozen times on the floor that without this bill Federal funds could be used for abortion. I want it to be clear on the RECORD that that is incorrect. I'm sorry that I have to make this statement.

This legislation subjects women to profound government intrusion. It restricts women's access to health care, and it targets small businesses for additional taxing under our IRS Code.

There are many, many organizations that are opposed to this legislation: The American Nurses Association, the American Civil Liberties Union, the American Congress of Obstetricians and Gynecologists, Catholics for Choice, the Equal Health Network, the Human Rights Campaign, the National

Association of Nurse Practitioners, the National Organization of Women, the National Women's Law Center, People for the American Way, the Union for Reform Judaism, the United Church of Christ, the United Methodist Church, and the YWCA, plus numerous others.

Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Michigan (Mr. AMASH).

Mr. AMASH. Free societies are founded on a core set of rights—rights that are beyond the reach of government and that no other person or group can take away. The Founders created our government to secure these unalienable rights, and chief among them is the right to life.

President's recognize this right when they weigh carefully whether to put our soldiers in harm's way. Our judiciary respects this right when it spends years reviewing each and every capital punishment case. Yet this same government authorizes, and in some cases pays for, the routine taking of the most innocent of lives—the lives of the unborn.

It is unconscionable that in a country founded explicitly to protect individuals' fundamental rights we allow the regular violation of the right to life. Worse yet, the government forces each of us to pay for the killing of innocent life.

I urge you to vote for H.R. 3, to strengthen our protection of the right to life.

Mr. CONYERS. Madam Speaker, I am proud to yield 2 minutes to the minority whip from Maryland, STENY HOYER.

□ 1430

Mr. HOYER. I thank the gentleman for yielding.

Two minutes, of course, is not time enough to discuss this issue, but I rise in opposition to this piece of legislation.

With millions out of work, the American people sent Congress a strong mandate in the last election: take action on jobs. Yet after 4 months in the House majority, Republicans have yet to put forward a jobs agenda. What are they doing instead? They are pursuing a controversial social agenda, one that is far too extreme for most Americans.

Let me say something to my colleagues on the other side of the aisle, my friends on the other side of the aisle. Some of you, I think, probably characterize yourselves as libertarians, or close to libertarians. You believe the government ought to stay out of people's lives. I think that's a worthwhile premise. I have been here for, as some of you know, a long time, some 30 years; and I have heard Republicans say so often, it's their money, let them keep their money, they know better how to spend their money.

So what do you do today, my friends? What you say is, well, it's your money,

and, yes, we'll give you a tax credit, if you spend it the way we want you to spend it. That's what this legislation says: it's your money, but if you don't spend it the way we want you to spend it, we will not give you the tax credit that every other American can get.

How far can you take that, my friends? In tax preference after tax preference after tax preference, we can say, you don't get it if you don't spend it the way we want you to spend it. I want you to think about that. I want you to think about the precedent that you're setting here, the social activism that you are embarking upon, on the imposition of your views on others through the Tax Code.

My friends, this bill undermines, more than any bill that I have seen, the rights of women under the Constitution of the United States.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. HOYER. May I have 1 additional minute?

Mr. CONYERS. I yield my friend an additional 30 seconds.

Mr. HOYER. Stingy, aren't you? I miss my 1 minute, ladies and gentlemen, I tell you that. The public won't know what I'm talking about, of course.

But the fact of the matter is this bill is bad public policy, it's bad for women's health, and it's bad for America. Vote "no" on this bill. Let freedom ring.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Members are advised to address their remarks to the Chair.

Mr. SMITH of Texas. I yield 1 minute to the gentleman from Kansas (Mr. HUELSKAMP).

Mr. HUELSKAMP. Madam Speaker, I appreciate the opportunity to speak today. Clearly, there is one clear issue before us in H.R. 3, and it is whether or not Americans shall be required to fund the taking of innocent human life.

It has been indicated that this is controversial, and it certainly is; but without a doubt the American people demand they not be required to subsidize abortion.

The second issue here, Madam Speaker, is the question that over and over we've heard from my colleagues that they would like to see abortion rare. That is what this bill does. With the subsidization of abortion, it expands. This bill will limit the payments and restrict and prohibit the use of Federal taxpayer dollars for the funding of abortion. That's what this bill does.

Madam Speaker, again it is very clear, and, contrary to the claims of the opponents of this bill, it is very simple. Americans should not be required to pay for abortions. H.R. 3 accomplishes this objective. I encourage my colleagues to support the bill.

Mr. CONYERS. Madam Speaker, I am pleased to yield 1 minute to the gen-

tleman from Florida, TED DEUTCH, a member of the Judiciary Committee.

Mr. DEUTCH. I rise today in opposition to H.R. 3, but I also rise in great disappointment that the people's House is again engaging in a debate about the rights of women rather than a discussion about the challenges our Nation faces.

For months, Democrats have urged this body to refocus its efforts on jobs; yet since the Congress convened in January, the Republican majority has failed to bring to the floor any measures to help create jobs. Their negligence is showing. Instead of working in a bipartisan way to regain America's economic strength, we again find ourselves on the floor in a divisive debate over women's reproductive freedoms.

That's right. Rather than wage a war on unemployment, my Republican colleagues are waging a war on women's health.

Under this legislation's logic, anyone who has government-subsidized insurance coverage—which is really everyone who has private health insurance, for we exempt employers from paying taxes on health benefits—would be forbidden from abortion.

Where does it end? The answer is it doesn't end. Even in the face of overwhelming support for women's rights among the American people, even in the face of more pressing challenges, real challenges like the jobs crisis, nothing stops my Republican colleagues from their assault on a woman's right to choose.

I urge a "no" vote.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to my colleague from Texas (Mr. HENSARLING), who is also the chairman of the Republican Conference.

Mr. HENSARLING. Madam Speaker, I rise to proudly support H.R. 3 for three simple reasons:

Number one, this bill just simply helps codify what has de facto been our policy for 35 years through the Hyde amendment, and that is a policy that no way, shape or form outlaws abortion; it simply says Federal taxpayers will not be compelled to subsidize them.

Second of all, Madam Speaker, at a time when our Nation is going broke, where we're borrowing 42 cents on the dollar, much of it from the Chinese and sending the bill to our children and grandchildren, maybe, maybe those programs that have the least consensus and are most divisive among us ought to be the first to lose their taxpayer subsidies.

Third, and most importantly and profoundly for me, Madam Speaker, in my heart and in my head, I can come to no other conclusion but that life begins at conception. It is our most fundamental right, enshrined in the Constitution. No taxpayer should be compelled against their will to subsidize the loss of human life, truly the least of these.

Mr. CONYERS. I am pleased now to yield 1 minute to the distinguished gentlelady from Connecticut, ROSA DELAURO.

Ms. DELAURO. Madam Speaker, I rise in strong opposition to this overreaching legislation, which raises taxes, threatens the health of our economy, and endangers women's health.

This bill will raise taxes on small businesses that offer comprehensive health coverage for women. It will punish perfectly legal private health decisions by raising taxes on plans that offer coverage for abortion. Eighty-seven percent of private health plans will be impacted by this unprecedented assault, and Americans will see their health insurance options restricted or taken away.

With this legislation, we have yet another example of the majority's real priorities, not to create jobs, not to grow the economy, not to reduce the deficit but to advance a divisive social agenda by manipulating the Tax Code.

And they're doing more than just raising taxes. Rather than trusting women, like the majority of Americans do, the House majority is trying to force women back into traditional roles. They are risking their very health. The report that accompanied this bill goes even further; it tries to redefine rape and narrow the exception for sexual assault.

This bill is unconscionable, and I urge my colleagues to oppose it. Let's create jobs. We should not be raising taxes and putting women's lives at risk to appease an ideological agenda.

Mr. SMITH of Texas. I yield 30 seconds to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Madam Speaker, a large majority of Americans oppose taxpayer subsidies for abortion. Those who oppose this bill, including the President, claim that it denies access to health care for women. My message to them is simple: the majority of women are opposed to having their hard-earned tax dollars spent on abortion. In a recent survey, it was found that 70 percent of women oppose taxpayer funding for abortion.

We must permanently end this practice. It is our duty to act and to act now. I urge my colleagues to listen to the majority of Americans who strongly oppose publicly funding abortion services and pass this bill.

Mr. CONYERS. Madam Speaker, I yield 1 minute to the distinguished gentleman from New Jersey, ROB ANDREWS.

Mr. ANDREWS. Members who are pro-life or pro-choice should oppose this bill because it does violence to the Constitution. This bill purports to say that through the Tax Code, we can favor or disfavor the exercise of constitutional rights.

□ 1440

That's not right, and that's not constitutional. The Members on the majority side would certainly not support, nor would I, a provision that says you can't take a charitable contribution to support a group that lobbies in favor of pro-life causes. But if we wanted to disfavor that point of view in the Tax Code, this is the way we would do it. There is no difference between what the majority's doing here and that odious provision that I just described.

It is wrong to raise taxes on people who exercise their constitutional rights because they've chosen to exercise their constitutional rights. Whether you are pro-choice or pro-life, if you are pro-Constitution, you should vote "no."

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Alabama (Mr. ADERHOLT).

Mr. ADERHOLT. Madam Speaker, I rise today in support of the legislation.

As of today, Congress prohibits the expenditure of Federal funds on abortions through a patchwork of riders on our annual appropriations bills. These riders include the Hyde amendment in Labor-HHS and other prohibitions in the State and Foreign Operations bill, the Financial Services bill, the Commerce-Justice-Science bill, in addition to the Defense bill. Simply put, this legislation will eliminate the need for these annual riders to ensure that these policies become permanent statute.

This bill also codifies the Hyde-Weldon conscience clause that would expand the policy to include all recipients of Federal funds. The conscience clause protects health care entities that choose not to provide abortions from discrimination by State, local, or Federal agencies that receive Federal funds. Therefore, no one who has deep religious or moral opposition to abortions should be forced to provide for them.

Madam Speaker, I support this legislation, and I urge my colleagues to do the same.

Mr. CONYERS. Madam Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to my colleague from Texas (Mr. GOHMERT), who is also a member of the Judiciary Committee.

Mr. GOHMERT. Madam Speaker, my first daughter was born very prematurely. They rushed her over to Shreveport to the highest level intensive care. The neonatologist encouraged me, because my wife couldn't come, to caress her, talk to her, that it meant so much, even though she couldn't see me. She grabbed my finger and held it for hours. She wanted to cling to life.

For those of us who think it's wrong to kill children in utero, it is even more wrong to pry money from our hands at the point of an IRS gun so

that others can use our tax dollars to pay to kill those children.

Please, let's stop it.

Mr. CONYERS. Madam Speaker, I yield myself such time as I may consume.

I want to urge all of the Members of the House to please consider this issue from as an unemotional point of view as possible, to please determine in your hearts and in your mind about the fact that this bill goes over the top.

I would now like to yield 1 minute to the distinguished minority leader, NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding. I thank him for his ongoing leadership on issues that relate to privacy and the health of America's women.

Madam Speaker, today is approximately the 120th day of the Republican majority in the Congress of the United States; and in all those 120 days, we have yet to see a jobs bill brought to the floor. We haven't even seen a jobs proposal or a jobs agenda. Instead, once again, we see a diversion. We see legislation which is extreme and divisive and harmful to women's health.

I rise today to urge my Republican colleagues in the House to let us come together to work in a bipartisan way to address the number one priority of the American people, the creation of jobs; and I rise today as the Republicans bring to the floor this legislation instead of bringing to the floor a bill to end the subsidies for Big Oil. They gave the impression during the break that they would do that. I wrote to the Speaker; the President of the United States has written to the bipartisan leadership in Congress asking for an end to the subsidies to Big Oil. Instead of doing that, we are, again, undermining women's health.

Let us begin this part of the debate with a clear understanding of the facts. Federal funding for abortion is already prohibited under the law due to the Hyde amendment except in the cases of rape, incest, and life of the mother. Federal funding for abortion is already prohibited. This bill is even a radical departure from the Hyde amendment. It represents an unprecedented and, again, radical assault on women's access to the full range of reproductive health care services. For the first time, this bill places restrictions on how women with private insurance can spend their private dollars in purchasing health insurance.

This bill will deny tax credits for women who buy the type of health insurance that they currently have, health insurance that covers a full range of reproductive care. As a result, now, this is about businesses. If you're a woman and you have a job and your employer gives you health insurance, that employer will no longer be able to take a tax deduction from your health insurance—quite different from what

happens with their male employees. And in that event, when that happens, health insurance companies will then roll back that coverage because there won't be enough people participating in the pool to justify that insurance. So there are millions of women who will no longer have access to insurance policies from their employer that cover all reproductive services.

The practical result of this legislation for many is there will be a tax increase, a tax increase on small businesses and a tax increase on women based on how they choose to spend their private dollars simply for keeping the coverage they have right now.

Even more of a problem, this legislation allows hospitals to deny life-saving care to women in moments of dire emergency. The bill would permit medical professionals to turn their back on women dying from treatable conditions. It is appalling.

As the American College of Obstetricians and Gynecologists wrote in opposition to this effort: "We oppose legislative proposals to limit women's access to any needed medical care. These proposals can jeopardize the health and safety of our patients and put government between a physician and a patient."

□ 1450

Madam Speaker, let us not work to limit the care; let us expand it. Let us not raise taxes on small business and women; let us strengthen our middle class. Let us never attack the health of women; let us, instead, create jobs. That's what the American people expect us to do, and that is why I urge my colleagues to oppose this divisive and radical legislation.

Mr. SMITH of Texas. Madam Speaker, I yield 1 minute to the gentleman from Ohio (Mr. BOEHNER), the Speaker of the United States House of Representatives.

Mr. BOEHNER. Let me thank my colleague for yielding and express my support for H.R. 3, the No Taxpayer Funding for Abortion Act. This commonsense bipartisan legislation codifies the Hyde amendment and similar policies by permanently applying a ban on taxpayer funding of abortion across all Federal programs.

Last year we listened to the American people through our America Speaking Out project, and they spoke out on this issue loudly and clearly. We included it in our Pledge to America, and today we are taking another step toward meeting that commitment and keeping our word.

A ban on taxpayer funding of abortion is the will of the American people and ought to be the law of the land. But the law, particularly as it is currently enforced, does not reflect the will of the American people. This has created additional uncertainty, given that Americans are concerned not just

about how much we are spending but how we are spending it. Enacting this legislation would provide the American people with the assurance that their hard-earned tax dollars will not be used to fund abortions. And I want to commend the leadership of the gentleman from New Jersey (Mr. SMITH) and the gentleman from Illinois (Mr. LIPINSKI), and I urge my colleagues to support this bill.

Mr. CONYERS. I yield back the balance of my time.

Mr. SMITH of Texas. Madam Speaker, I yield the balance of my time to the gentleman from New Jersey (Mr. SMITH), who is the chief sponsor of this legislation.

Mr. SMITH of New Jersey. I thank my good friend, the chairman of the Judiciary Committee, Mr. SMITH, for his great leadership. I want to thank Mr. LIPINSKI, prime cosponsor of H.R. 3. I want to thank the other distinguished chairmen, DAVE CAMP; and FRED UPTON; our extraordinary Speaker, JOHN BOEHNER, for his eloquent statement and for his compassion for both mothers and children who are hurt by abortions; and for ERIC CANTOR, our superb majority leader, and the 227 cosponsors of this legislation.

Madam Speaker, there is no doubt whatsoever that ending all public funding for abortions saves lives. Even the pro-abortion Guttmacher Institute said in an analysis in 2009 that "approximately one-fourth of women who would have had Medicaid-funded abortions (if the Hyde amendment did not exist) instead give birth when this funding is unavailable." In other words, when public funding and facilitation isn't available for abortion, children have a greater chance at survival.

I said earlier during the debate on the rule that I remember the late Congressman Henry Hyde being moved literally to tears—I was in the room when it happened—when he learned that the Hyde amendment had likely saved the lives of more than 1 million babies who today are getting on with their lives, going to school, forging a career, perhaps serving in this Chamber—at least some of them—or even establishing their own families.

H.R. 3, the No Taxpayer Funding for Abortion Act, comprehensively ensures that all programs authorized and appropriated by the Federal Government, including ObamaCare, do not subsidize the killing of babies except in the rare cases of rape, incest, or the life of the mother. H.R. 3 ends the current IRS policy of allowing tax favored treatment for abortions under itemized deductions, HSAs, MSAs, and FSAs. H.R. 3 also ends the use of tax credits under ObamaCare to purchase insurance plans that include abortions, again, except cases of rape, incest, or a threat to the life of the mother.

Madam Speaker, we know that Americans are taking a good, long, hard sec-

ond look at abortion. The polls show it. On taxpayer funding, a supermajority—over 60 percent and some polls put it as high as 68 or 69 percent—do not want their funding being used to pay for abortions.

Earlier in the debate, some of my colleagues had suggested that this is a tax increase; yet the Americans for Tax Reform, who doggedly protect the public purse, have said, "Americans for Tax Reform has no problems or issues with H.R. 3. The bill has no net tax change whatsoever."

H.R. 3 also makes the Hyde-Weldon conscience protection permanent and significantly more effective by authorizing the courts to prevent or redress actual or threatened violations of conscience. And we know without any doubt that there are huge pressures, particularly in some States, like California, to coerce healthcare providers and plans and insurers and entire health care systems—especially those who are faith-based—to change their policy and to permit abortion on demand.

The need for this protection—Hyde-Weldon—is great. According to Alliance of Catholic Health Care, which represents California's Catholic Health Systems and Hospitals, "California's Catholic hospitals operate in a public policy environment that regularly challenges the concept of conscience-rights protections by attempting to coerce them and other health care providers to perform, be complicit in, or pay for abortion."

On three different occasions in the past three years, the California Department of Managed Health Care denied health insurance plan applications because the plans excluded abortion coverage and demanded that all healthcare plans must provide coverage for all basic health care services and medically-necessary health services including so-called "medically-necessary abortions." This is a clear violation of the Hyde-Weldon conscience clause, but the injured parties lack judicial recourse. This legislation would remedy this problem by making the policy permanent and providing access to the courts.

Let me just conclude, Madam Speaker. Someday I truly believe future generations of Americans will look back on us, especially policymakers, and wonder how and why such a rich and seemingly enlightened society, so blessed and endowed with the capacity to protect vulnerable human life, could have instead so aggressively promoted death to children and the exploitation of their moms. They will note with deep sadness that some of our most prominent politicians, while they talked about human rights, they never lifted a finger to protect the most persecuted minority in the world, the child in the womb. Protect innocent life, vote for H.R. 3, the No Taxpayer Funding for Abortion Act.

Mr. BRADY of Texas. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, on behalf of DAVE CAMP, chairman of the Ways and Means Committee, and me, I stand today in strong support of H.R. 3, the No Taxpayer Funding for Abortion Act, a bill that restricts the use of taxpayer funds for abortion.

I will continue my statement, but at this time, I would like to yield 1 minute to the gentleman from Virginia (Mr. CANTOR), the majority leader of the U.S. House.

Mr. CANTOR. I thank the gentleman. And I would also like to congratulate and thank the gentleman from New Jersey, who had just spoken, for his leadership on this issue.

Madam Speaker, above all else, we are a culture that values life. Likewise, our efforts as a Nation are dedicated to improving, preserving, and celebrating life. That's why it's no surprise that polling routinely shows that over 60 percent of Americans oppose taxpayer funding for abortion.

H.R. 3, the No Taxpayer Funding for Abortion Act, enforces a government-wide prohibition on subsidies for abortion and abortion coverage. At a time of fiscal crisis, this bill ensures that scarce resources are not diverted towards increasing the number of abortions in America. This bill also codifies existing conscience protections and closes loopholes that offer tax-preferred status to abortion. In short, it comports with our values as a people.

Thomas Jefferson warned that "to compel a man to subsidize with his taxes the propagation of ideas which he disbelieves and abhors is sinful and tyrannical." Forcing Americans to subsidize elective abortion with their tax dollars falls squarely in this camp.

Madam Speaker, I urge my colleagues to support H.R. 3 to ensure that no taxpayer dollars go toward the funding of abortion.

Mr. LEVIN. I yield myself 2 minutes.

We here need to talk straight to the American people. This bill does not codify the Hyde amendment. It goes well beyond it. We don't need to codify the Hyde amendment. It's the law of the land. The purpose of this bill is to go beyond it, and that's what you should acknowledge.

□ 1500

In doing so, you cross a very, very important line. This bill is going nowhere in the Senate. Where it can go is everywhere in interfering with a person's access to health care, or with the use of their own money for their own purposes as they choose. The logic here, if it becomes precedent, could be used, for example, to prevent a health policy falling under the Tax Code if the procedure relates to a development that occurred because of stem cell research. We should not be doing that. It

takes away the ability to use an itemized deduction. We should not do that.

Where does this stop? Where does it stop? It crosses a line for the first time. It does not codify. It threatens crossing a line we should not in terms of the ability of people to provide health care and use their own resources.

I reserve the balance of my time.

Mr. BRADY of Texas. I yield myself 1½ minutes.

Simply put, this legislation is about making sure taxpayer funds aren't used to fund abortions. In the clearest and most general terms, we're codifying the longstanding bipartisan Hyde amendment which prevents taxpayer funds from being used for abortion-related costs.

I want to be clear about what the legislation does and does not do. This legislation does not, as critics claim, affect either the ability of an individual to pay for an abortion or abortion coverage through private funds or the ability of an entity to provide separate abortion coverage. It does not apply to abortions in the cases of rape, incest or life-threatening physical conditions of the mother. Nor does it apply to treatment of injury, infection or other health problems resulting from an abortion. And to be crystal clear, this legislation does not increase taxes.

At this time, Madam Speaker, I would like to submit a letter from Americans for Tax Reform to that effect.

AMERICANS FOR TAX REFORM,
Washington, DC, March 16, 2011.

Hon. PAT TIBERI,
House of Representatives, Committee on Ways
and Means, Washington, DC.

Hon. RICHARD NEAL,
House of Representatives, Committee on Ways
and Means, Washington, DC.

DEAR CHAIRMAN TIBERI AND RANKING MEMBER NEAL: On behalf of Americans for Tax Reform, I write today to clarify our position on H.R. 3, the "No Taxpayer Funding for Abortion Act." As you know, the Congressional Budget Office on March 15, 2011 declared that H.R. 3 has "negligible effects on tax revenues." In budgetary parlance, that is synonymous with a zero tax score. As a result, ATR has no problems or issues with H.R. 3. The bill has no net tax change whatsoever, and is therefore not legislation at all relating to the Taxpayer Protection Pledge. Attempts to claim otherwise are not based on reality, but on mere political gamesmanship of the lowest order.

We look forward to continuing to work with you to make certain that all tax legislation is (at worst) tax revenue-neutral, as H.R. 3 already is.

Sincerely,

GROVER NORQUIST.

This legislation makes specific and narrow changes to the Tax Code so if funds in an FSA or health savings account are used to pay for an abortion, those dollars will not receive tax-favored treatment; prevents the cost of an abortion from counting towards the deduction from unreimbursed medical

expense; and clarifies tax subsidies made available in the 2010 health law for the purpose of insurance cannot be used for policies that cover abortion.

Madam Speaker, H.R. 3 is pro-life, pro-family, and it is pro-taxpayer. It's a responsible step to ensuring a longstanding precedent Republicans and Democrats have supported for decades. And I urge all Members to support H.R. 3 so that no taxpayer funds are used for abortion.

I reserve the balance of my time.

Mr. LEVIN. I yield 1½ minutes to another member of the Ways and Means Committee, the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. My friend from Michigan said it right. There are no Federal funds for abortion under the terms of the Hyde amendment, except in the case of rape and incest.

What this is about is how families spend their money and small business deals with insurance. It's part of a continuing Republican assault against people with whom they disagree. It continues the sad spectacle of using the Internal Revenue Service—I would say not just the use but the abuse of the IRS—to attack people with whom they disagree.

Remember the spectacle of the Ways and Means hearing where they drug AARP before them and tried to have an investigation because they disagreed with them on health insurance?

Yes, this would put government between doctors and American families. But it's not just about abortion under the Hyde amendment.

Remember, there are some people who are against the rape and incest exemption. There are some people who had a shocking proposal to radically change the very definition of rape.

There is a continuing effort to erode basic fundamental reproductive freedom, and this shows a tactic of using the IRS that I think is very dangerous. It does, in fact, increase the complexity and raises taxes on individuals who may, in fact, need these procedures that may, in fact, be lifesaving. The proponents may not agree with what a woman and her doctor decide but that should be their decision.

This raises the specter of using the Tax Code and the Congressional investigating power in ways that no one should support.

Mr. BRADY of Texas. Madam Speaker, I yield the balance of my time to the distinguished gentlewoman from Tennessee (Mrs. BLACK), a nurse and a member of the Ways and Means Committee.

Mrs. BLACK. Madam Speaker, today we have heard many misrepresentations of the true nature of this bill, and so I want to boil it down to the simple facts of what this bill actually does—no hyperbole, no scare tactics.

This bill codifies the Hyde amendment that no taxpayer dollars will go

to funding abortions. And this is a longstanding policy of the Federal Government since 1976.

We already know how medical expenses of all sorts are treated under the Tax Code. Taxpayers who use itemized deductions for medical expenses, who have HSAs or FSAs or MSAs, do not, and I want to highlight that, do not identify each medical expense on an individual tax return. That is not the case today nor will it be the case if this bill is signed into law.

And to be clear, what this bill does not do, a woman would not have to list on a tax form that a specific medical expense was for an abortion. That's simply not how the process works. It's not how it works today nor will it be how it works if this is signed into law.

So it's important to make clear that no one would ever be audited because of an abortion. They would have to already be under an audit for some other reason before—and I want to emphasize before—the IRS would even consider asking about any medical procedure.

Many types of medical care are very private. And as a nurse for over 40 years, I fully understand how personal medical issues can be. And taxpayers who don't want to tell the IRS about medical procedures they wish to be kept private can do so by not claiming those tax credits for such care.

Now, even if this issue did arise in an audit, other Federal agencies that already use taxpayer dollars, such as Medicaid and the Federal Employee Health Benefit Program, have had no problem distinguishing between abortions following rape and incest and elective abortions, and have done so without a reporting requirement. It's already there. They generally accept the statement of the provider, basically, a doctor's note. And I would expect the IRS to do the same in these extremely rare cases.

Now, that doesn't mean that this is not a very difficult situation for that small group of women. And I understand it is incredibly difficult, and my heart goes out to them. But if you claim a tax benefit for a medical procedure like an abortion and you get audited, you can either choose to forego that tax benefit or else prepare to substantiate the tax benefit.

Mr. LEVIN. It is now my pleasure to yield the balance of my time to a very distinguished member of our committee, the gentleman from New York (Mr. CROWLEY).

Mr. CROWLEY. Madam Speaker, with all due respect to my colleague, Mrs. BLACK, when someone comes to the floor and says, I'm going to speak now free of hyperbole, well, it will be so high up to your neck you don't have to worry about getting it off your shoe because the reality is that was all hyperbole.

If what we were doing here right now was simply codifying existing law,

there would probably be very little angst on this side of the aisle. But that's not what's happening. What this provision does is goes so much further. It only speaks to the ideological purge that you're on right now.

Madam Speaker, on the 100th day of Republican rule of the House, I stood speechless on this floor at their failed campaign promise to focus on job creation and economic growth. It's said, "Actions speak louder than words," and that is true.

□ 1510

For all the Republicans' talk about putting Americans back to work, their actions demonstrate this is the least of their priorities. Instead, they have cut jobs, they have raised taxes, and reduced Americans' access to health care.

The bill being debated today also has no jobs component whatsoever. Not a single job will be created because of this bill today. In fact, it will raise taxes and hamper the ability of small businessmen and -women to hire people.

In their ideological zeal to restrict a woman's right to choose, the Republicans have prioritized a measure that the South Carolina Small Business Chamber of Commerce calls, and I quote, "a slap in the face to small business owners."

We just a few weeks ago removed the 1099 onerous provisions, and now we are going to further burden small businessmen and -women with this provision. It will burden them. It will not create a single job. It will only further burden the ability of small businessmen and -women to create jobs in America.

Mr. PITTS. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, the bill before us today should be a no-brainer. Americans overwhelmingly reject the use of taxpayer funds for abortion. In several polls over the last few years, anywhere from 60 percent to 70 percent of the public oppose using taxpayer funds for abortion. H.R. 3 puts into statute the will of the American people.

Since 1976, the Hyde amendment has been included in appropriations bills to ensure that Federal funds are not used to provide abortions. This policy provision has passed year in and year out with bipartisan support. H.R. 3 would just take that provision and put it into law. This may make sense to most Americans, but for some reason this idea receives great pushback in Washington.

Health care reform also placed abortion funding at the center of its debate. In their haste to pass ObamaCare last Congress, the Democrat leadership in Washington neglected to include any adequate prohibition on abortion funding. The President did issue an executive order to support the intentions of Hyde. Unfortunately, the order merely

reiterated the accounting gimmick in the health care bill.

The President's own chief of staff at that time would later comment on how he thought up the idea for this executive order so that they could "allow the Stupak amendment not to exist by law but by executive order."

When the President signed that bill into law, he allowed a massive expansion in Federal funding for abortion. In a time of great Federal debt, the last thing the American people want is to have their taxpayer dollars used on the morally objectionable practice of abortion.

According to a 2007 Guttmacher Institute report, if the Hyde amendment were removed from law, the number of abortions would likely increase by 25 percent. The study reveals what is common sense: an increase in funding for abortions will directly lead to an increase in the number of abortions.

Many of my colleagues on the other side of the aisle have expressed their desire to reduce abortions. If that is truly their desire and not just a talking point, then they should have no problem at all voting in favor of this bill. I urge my colleagues to support this bill.

I reserve the balance of my time.

Ms. DEGETTE. Madam Speaker, I rise in strong opposition to this extreme legislation, and I yield 2 minutes to the distinguished gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Madam Speaker, I rise in opposition to H.R. 3, the so-called No Taxpayer Funding for Abortion Act. But don't be confused. H.R. 3 goes far beyond current law which is already highly restrictive and, frankly, which I oppose.

The Hyde amendment already prohibits women enrolled in Medicaid and Medicare, Federal employees, women serving in the military, women in Federal prisons, Peace Corps volunteers, and women seeking care under the Indian Health Services Act from getting the care they need. In other words, there is no Federal funding for abortion. But actually what it does do, among other things, is attack small businesses.

Let's hear the words of Frank Knapp, Jr., president and CEO of the South Carolina Small Business Chamber of Commerce with 5,000 members. Here is what he says:

H.R. 3 is an attempt to roll back the historic small business health insurance tax credit created by the Affordable Care Act. When the House voted to eliminate and defeat the entire Affordable Care Act, we—he means small businesses—could rationalize that this great benefit for small businesses was just collateral damage. My own Congressman told me he would support the small business health insurance tax credits in the Affordable Care Act replacement legislation. But small busi-

nesses can no longer think of themselves as collateral damage.

Mr. Knapp says: Let me make this very clear. A vote for H.R. 3 is a direct attack on small business. Every Representative who loudly proclaims their love for small businesses because they are the backbone of the economy now can put their vote where their mouth is. Their true support for small business will be judged by their "no" vote on H.R. 3.

I urge all my colleagues not to let this phony use of the Tax Code to take away the rights of small businesses that get tax credits or individuals to pay for abortions with their own money.

Mr. PITTS. For the information of the Members, the Hyde amendment only applies to the Labor-H bill. It is offered every year as a rider. Similar language is offered to Indian Health, Federal Employee Health Benefits Act. We have done these amendments, or riders, to these bills every year for years. So when you speak about the Hyde amendment, we should speak about it accurately.

I yield such time as she may consume to the gentlewoman from Missouri (Mrs. HARTZLER).

Mrs. HARTZLER. Madam Speaker, I rise in support of H.R. 3.

This is not a controversial bill. This is a commonsense bill to rein in our runaway government spending and to quit spending money on things that the American citizens don't want. Certainly we should not be spending our hard-earned tax dollars on abortion.

People work hard all year to send in their taxes on April 15, and they shouldn't have their money going to something that is morally objectionable to them that takes away human life.

There are many, many areas of this budget that we need to rein in, but this is noncontroversial. This is something that over 60 percent of the American people say, I don't want my tax dollars going to pay for abortions, the taking of a human innocent life.

So it is time to make this permanent so that we don't have to, as a Congress, come in every year and discuss these issues on all the different legislation that is out there. Now is the time to make this permanent. Get it off the table so we can get on to other areas of reining in the runaway spending, making government more efficient and more effective, using our tax dollars more wisely.

And certainly it is not an affront to women's health. Women have the opportunity to get the health care that they need now, but we don't need to be using it to take innocent human life.

I certainly applaud this bill, which has so many cosponsors. We need to make sure that our tax dollars are not used for abortion.

□ 1520

Ms. DEGETTE. I am now pleased to yield 1 minute to a senior member of the Energy and Commerce Committee, the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. I thank the gentleman for yielding.

I believe my friends on the other side of the aisle think that, if they repeat something again and again, people will begin to believe it. The fact of the matter is the Hyde Amendment already prohibits Federal funds from being used for abortions. This is not about Federal funds.

The other thing I don't understand is my Republican friends always claim that they want smaller government, that they don't want the government to intrude on people's lives. So here we are, about to pass a measure that expands government, that intrudes on people's lives, that penalizes small businesses, and impedes them from creating jobs.

I don't believe the government should be in the business of preventing people from accessing legal medical treatment. It surprises me and worries me that this Congress keeps proposing legislation that diminishes the right to access health care. Abortion is legal in this country. I understand how people feel on both sides of the aisle. It's a very personal decision. Yet Republicans seem intent on interfering with a woman's right to make her own decisions with her family and physicians, using her private money.

Abortion is a difficult choice, to be sure, and this extreme legislation makes the decision even harder. We need to provide women and their families with the support they need to make health decisions, not criminalize them. Vote "no" on this bill.

Mr. PITTS. Madam Speaker, how much time is remaining?

The SPEAKER pro tempore. The gentleman has 30 seconds remaining.

Mr. PITTS. I yield 30 seconds to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague from Pennsylvania for his leadership on this issue and for yielding time.

Madam Speaker, not using the hard-earned money of taxpayers to destroy innocent unborn children is not extreme, and it is not radical. It is the right thing to do. The majority of Americans agrees with us that it is the wrong thing to use their money for this issue.

I want to support my colleague in this legislation in saying we need to pass this bill, and we need to send a message to the American people that we are wise stewards of their money.

The SPEAKER pro tempore. The gentlewoman from Colorado has 2 minutes remaining.

Ms. DEGETTE. I yield myself the balance of my time.

Madam Speaker, in sitting and listening to this debate, it would be extremely easy to become completely confused. The proponents of this bill keep repeating the same mantra. They want to stop the Federal funding of abortion. They forget to mention that there is no Federal funding of abortion.

What they want to do for the first time is to expand restrictions on funding into tax policy. Right now, under current law, we have the Hyde Amendment, which every year prevents Federal funds from being used for abortion except in the cases of rape, incest or in saving the life of the mother. I don't like the Hyde Amendment. Lots of people don't like the Hyde Amendment, but it's the law. This bill, however, goes far beyond current law. Now my colleagues across the aisle want to expand these restrictions and make sure that individuals and businesses can't get complete women's health care in their health insurance, with their own money, without paying for a tax increase. Businesses, which right now get tax relief for having full health insurance, would not be able to get it.

Let me say this again: At a time when everybody in this House and certainly when everybody on the other side of the aisle is saying we can't raise taxes, the leadership of this House is supporting raising taxes to advance a social policy.

I don't think, Madam Speaker, that this was in the Republican Pledge to America. I don't know how many times the Republican leadership is going to make this Congress vote to strip American women of their access to health care with their own money. I, for one, would like to encourage them to spend their time getting our country back to work rather than on an extreme agenda that the American people didn't ask for, didn't want, and that is going nowhere in the U.S. Senate but, if it did, would be vetoed by the President of the United States.

I urge the Members to vote "no" on this ill-conceived piece of legislation.

Ms. BORDALLO. Madam Speaker, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act, sponsored by Congressman CHRISTOPHER H. SMITH. This bill, supported by the United Conference of Catholic Bishops, would reinforce the Hyde Amendment, which prohibits the use of federal funds to cover abortion services; the bill would also prohibit federal funding for health insurance that includes abortion coverage.

H.R. 3 would prevent public funds from being used to pay for, or subsidize, abortions, either through the Patient Protection and Affordable Care Act or health care affordability tax credits. The bill includes a provision to provide for exceptions in the case of rape, incest, physical injury or physical illness to the women. The Hyde Amendment is already in place in current federal health programs like Medicaid and Medicare, and this bill would ensure it is governed in a consistent manner.

I have received numerous letters from my constituents whom have expressed serious

concerns that federal funds would be used to pay for elective abortion procedures. I am very supportive of the overall goals of H.R. 3, which would effectively codify the Hyde-Weldon clause to support existing federal conscience protections for health care providers.

I commend Congressman SMITH for his leadership on this important issue, and I urge my colleagues to support this amendment.

Mr. MARINO. Madam Speaker, I rise today to express my strong support for H.R. 3, the No Taxpayer Funding for Abortion Act. I believe strongly that every human life should be protected, whether born or yet to be born. As the father of two adopted children this issue is very personal to me; every day that I spend with my children reminds me that all lives are precious. Protecting the lives of innocent children should be the responsibility of Congress and this legislation represents an important step in the right direction.

Currently, we rely on a patchwork of "riders" to appropriations legislation or Executive orders to protect American taxpayers from funding abortions. As the debate on the health care legislation transpired during the last Congress, we saw first-hand the problem with continuing to rely on this draconian process. Instead of relying on the whims of the annual appropriations process or any easily revocable order by the President, it is time to put into law the prohibition against using taxpayer dollars to pay for abortions. The Federal government should not, directly or indirectly, provide any funding for abortion services and this legislation is critical to ensuring these prohibitions exist.

As you can see, I believe one of the largest responsibilities of Congress is to provide the utmost protection for our nation's children—including the lives of the unborn. It is time that we enact one, consistent policy to eliminate any problems or confusion about abortion funding in future legislation.

Mr. FARR. Madam Speaker, H.R. 3 is an extremely misleading piece of legislation. Supporters of the bill argue that it will simply codify the Hyde amendment and permanently prohibit taxpayer funding of abortion. However, we all know that is false. H.R. 3 is actually much more nefarious than that. It seeks to restrict women's reproductive rights and access to health care; increase healthcare premiums for many Americans and small businesses; and, limit the private insurance choices of consumers. It will almost certainly guarantee that insurance companies will no longer offer abortion coverage to consumers.

The Republicans in the House have been on a mission, ever since they took over the Majority, to completely eliminate women's reproductive rights and their access to healthcare.

I recently received a letter from a male constituent who is 68 years young; someone we can all agree is definitely not in need of reproductive health care. This man is a recipient of Medicare and receives his primary care at the Santa Cruz chapter of Planned Parenthood. His doctor is the one of the few doctors in Santa Cruz County who currently accepts Medicare patients.

If the Republicans get their way and federal funding is denied to Planned Parenthood and other organizations that provide primary

healthcare for low income patients simply because they also provide reproductive healthcare, then this man, along with millions of other low income Americans, will be denied their only access to primary healthcare in their communities. Hospital emergency rooms will become the health care provider of first resort. Hospitals that are currently overwhelmed would be further inundated, thereby driving up healthcare costs even higher and costing the federal government even more taxpayer dollars.

If saving taxpayer dollars is truly the goal, then the Majority should be supporting family planning and reproductive healthcare services, not attacking them. We all know that for every \$1 spent on family planning, \$4 of taxpayer money is saved.

This bill is radical and extreme. It is a far cry from any kind of middle ground or compromise on abortion policy. It will make abortion as difficult to obtain as possible without actually criminalizing the procedure. H.R. 3 overreaches in every possible way. More importantly, it would penalize rather than help taxpayers, impede basic government functions, and discriminate against women who are struggling to do their best in a difficult situation.

Madam Speaker, the American people want both parties to work together. H.R. 3 only inflames an already intense and intractable debate and further polarizes this House. I urge my colleagues to object to H.R. 3.

Mr. HONDA. Madam Speaker, I rise today in strong opposition to H.R. 3, an unnecessary and intrusive bill that represents a short-sighted attack on the rights of women and families, and distracts us from the work that Americans sent us here to do.

H.R. 3 would diminish meaningful access to healthcare for millions of lower and middle income families by denying them tax credits if the insurance plan they choose includes coverage for abortion services. This means that under this bill, for the first time ever, our country would equate health expenses that are the subject of preferential tax treatment as the same as federal spending. The costs of health services remain the same, whether the coverage for abortions is provided in a plan or not. Removing these tax breaks for the most vulnerable members of our society is not only dangerous, it is heartless, and it will return a constitutionally-protected medical procedure to its dark back-alley days. Rather than offering real solutions to the problems our nation faces, the other side of the aisle only offers a return to the fights over social issues of the past.

Republicans claim that H.R. 3 merely codifies the Hyde Amendment, a provision prohibiting the use of federal funds for most abortion services, but it goes much farther than that—it tries to end private insurance coverage of abortion care. Besides, the Hyde Amendment has been passed every single year for nearly forty years—we already have a law prohibiting the use of federal funds to pay for abortion, we don't need another one.

H.R. 3 is an unnecessary distraction from the real issues that we were sent here to address. While some of us take our duties seriously, the GOP is busy creating diversions to avoid doing real work. Rather than focus on

job creation, as the American public has said it wants us to do, the Republican majority would limit women's healthcare options and increase healthcare costs for lower- and middle-income women and families. This kind of diversion has no place in this Congress. The GOP has been in the majority for four months, yet they have failed to introduce even one piece of legislation that addresses jobs. They do, however, have the time to play political games with the health care of poor Americans and to attack the rights of every woman in this country to choice—a personal decision that is and should remain between a woman and her physician.

The proponents of this legislation aren't interested in addressing real problems, Madam Speaker. They're only interested in creating more of them. That is why I oppose H.R. 3.

Ms. RICHARDSON. Madam Speaker, I rise today in strong opposition to H.R. 3, the "No Taxpayer Funding for Abortion Act." This deceptively titled legislation is nothing more than another Republican assault on women's access to reproductive health care.

At a time when Congress needs to be focused on creating jobs and protecting the middle class, the Republican majority has decided to make this anti-choice bill a priority. If enacted, this legislation will severely curtail women's access to reproductive health care by:

1. Banning the coverage of abortion services in the new health care law;
2. Imposing tax penalties on women and small businesses with health insurance plans that cover abortion;
3. Narrowing the already restrictive rape and incest exceptions in the Hyde Amendment; and
4. Continuing to limit access to reproductive health care for low income women, and ban coverage for federal employees and women in the military.

If this bill were enacted, millions of families and small businesses with private health insurance plans that offer abortion coverage would be faced with tax increases, making the cost of health care insurance even more expensive.

Under the Affordable Care Act, insurers are able to offer abortion coverage and receive federal offsets for premiums as long as enrollees pay for the abortion coverage from separate, private funds. If enacted, H.R. 3 would deny federal subsidies or credits to private health insurance plans that offer abortion coverage even if that coverage is paid for from private funds.

This would inevitably lead to private health insurance companies dropping abortion coverage leaving millions of women without access to affordable, comprehensive health care. Currently, 87% of private insurance health care plans offered through employers cover abortion. If H.R. 3 is made into law, consumer options for private health insurance plans would be unnecessarily restricted and the tax burden on these policy holders would increase significantly.

H.R. 3 would also deny tax credits to small businesses that offer their employees insurance plans that cover abortion. This would have a significant impact on millions of families across the nation who would no longer be able to take advantage of existing tax credits

and deductions for the cost of their health care. For example, small businesses that offer health plans that cover abortions would no longer be eligible for the Small Business Health Tax Credit—potentially worth 35%–50% of the cost of their premiums—threatening 4 million small businesses. Self-employed Americans who are able to deduct the cost of their comprehensive health insurance from their taxable income will also be denied similar tax credits and face higher taxes.

A November 2010 Hart Research poll found that a significant majority (74%) of the American population opposes the key provision of this bill, which would increase the tax burden on those who purchase comprehensive health insurance plans.

Current law requires state Medicaid programs to cover abortion care in limited circumstances, including in cases of rape, incest, or when the pregnancy jeopardizes the woman's life. H.R. 3 would allow states to refuse abortion coverage for Medicaid beneficiaries in all of these cases, even when their life is in danger.

Women who would need to terminate a pregnancy as a result of medical complications would be forced to pay up to \$10,000 or more for abortion services. For many women, being forced to pay the full cost of an abortion is not economically feasible and would lead many families into bankruptcy or force pregnant women with medical complications to take on major risks to carry the child to term. H.R. 3 would also undermine the District of Columbia's home rule by restricting its use of funds for abortion care to low-income women.

The Hyde Amendment stipulates that no taxpayer dollars are to be used for abortion care, and has narrow exceptions for rape, incest, and health complications that arise from pregnancy which put the mother's life in danger. H.R. 3 would restrict women's access to reproductive health care even further by narrowing the already stringent requirements set forth in the Hyde Amendment.

When the Affordable Care Act was signed into law, the President issued an Executive Order to "ensure that Federal funds are not used for abortion services." This bill goes far beyond the safeguards established under the Affordable Care Act, and sets a dangerous precedent for the future of women's reproductive health in this country.

At a time when the American people want Congress to focus on creating jobs and stabilizing the economy, the Republicans wish to focus on this divisive piece of legislation that does nothing to move our country forward.

I urge my colleagues to join me in voting no on H.R. 3, a bill that represents an unprecedented step backward in women's reproductive freedom.

Ms. HANABUSA. Madam Speaker, I would like to express my deep opposition to H.R. 3. Rather than focus on legislation that will help the millions of Americans struggling to recover from a national recession, the majority in this chamber have instead decided to take up an unreasonable piece of legislation that essentially declares war on women's access to healthcare.

H.R. 3 is being called the "No Taxpayer Funding for Abortion Act." In fact, the healthcare legislation that President Obama

signed into law last year already states that no federal taxpayer dollars may be used to fund abortion services. Additionally, the law requires that plans receiving federal funds must keep taxpayer dollars separate from funds for abortion services.

Women in the United States simply do not get public funds for abortion services. However, under the guise of eliminating abortion funding, what this bill really does is limit access to reproductive healthcare for the millions of women who pay for insurance and medical expenses through their own private insurance plans.

Finally, it is my firm belief that it is not the place of Congress to impede on women's reproductive freedom rights, which is exactly what this bill does.

Instead of debating divisive partisan issues, we should be working to get the nation back on track. The Republican leadership has controlled the agenda in the House of Representatives for the last 18 weeks and has still not brought forth legislation that would help stimulate the economy and spur economic growth.

Mr. PASCRELL. Madam Speaker, let me be clear. Throughout my years in Congress, I have always supported the Hyde amendment and have been against any government funding of abortion. Moreover, I have voted with the conviction that we, as Members of Congress, should not reach into the private lives of our constituents on issues as personal as this.

There is a very thin line here and this bill goes beyond it. As we all know, good policy is about striking a good balance. During health care reform, we reached a delicate compromise yet this bill would unravel that compromise to use the tax code in an unprecedented manner. As a Member of the Ways and Means Committee, I am acutely aware of how we use the tax code and disagree with the majority's choice to set this precedent.

At the end of the day, my constituents know my position on this issue. I believe women should be able to make their personal decisions in consultation with their families, their faith, and with their health professionals. That is how it should be. However, should this bill become law, not only would the IRS be involved asking women about a very personal decision, but the middle class would face increased taxes. I am not comfortable with these consequences and with the unbalanced approach of this bill. I urge my colleagues to vote no on H.R. 3.

Mr. WAXMAN. Madam Speaker, I am wholly opposed to this legislation, and urge its defeat.

We have a lot of challenges in this country: high gasoline prices, high unemployment, an economy that is not growing strongly enough, crumbling infrastructure, a growing threat from carbon pollution and climate change, and two ongoing wars in the Middle East, among many others.

But rather than focus on issues that are front and center in the lives of Americans from all walks of life, what legislation does the Republican leadership choose to bring to the floor today? Not a bill for jobs. Not a bill for growth. Not a bill that will promote clean energy. Not a bill for education. Not a bill for infrastructure investment. Not even a bill that addresses the deficit.

Instead, the Republican leadership presents a bill whose relentless focus is to extinguish a woman's right of choice with respect to pregnancy.

We have already resolved this issue. Last year, we did so in the Affordable Care Act. That law clearly and unequivocally prohibits the use of federal funds for abortion; keeps state and federal abortion-related law in place; and ensures that those whose conscience dictates against abortion are protected, and not discriminated against.

But this is not enough for some. H.R. 3 will result in a virtual shut-down of abortion services in the United States.

In addition to making permanent the prohibition in existing law on any federal funding for abortion, H.R. 3 prohibits any federal funds from being expended for health benefits coverage that includes coverage of abortion. It establishes tax penalties for private expenditures on abortion. It provides a limitation on federal facilities and employees with respect to abortion. It again singles out the District of Columbia to prevent the citizens of that city from determining whether the local government can fund abortion services with its own revenue.

H.R. 3 is extreme, it is cruel, it is offensive, and it is wrong.

As I have stated in opposing other restrictive legislation on reproductive rights this year, this legislation will not become law. It is not what the American people are asking us to do. November's election was focused on jobs and economic growth. Its outcome was not a mandate to erode the rights of choice that are protected by the Constitution.

H.R. 3 turns the clock back to over 50 years ago. It should never have been brought to the floor and it should never be given the force of law. Not in the United States of America. Not in the 21st century. I urge its defeat.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to state my strong opposition to H.R. 3. This bill—ostensibly the Republican leadership's third-highest priority—is a reprehensible piece of legislation that will do nothing but put the lives of American women at risk.

It also tells us what the Republican leadership thinks of American women. When this bill was first introduced, I was outraged and horrified that the bill narrowed the long-standing exemption for rape to only "forcible rape." I called this out for what it is—a violent act against women.

When this bill was marked up in the House Judiciary committee, "forcible" had been removed, therefore leaving the language as it has stood for decades. Without the word "forcible," this exemption includes a wealth of horrifying circumstances, such as date rape, statutory rape, and rape where the woman is unconscious or mentally unable to consent.

To say that these instances are not really rape is a violent affront against women and the gravest insult to ALL victims of sexual assault.

Madam Speaker, I was absolutely incensed when I learned that although "forcible" does not appear in the bill language, its sponsors ensured that the report language clearly noted that the bill intends to apply to only "forcible" instances of rape.

So not only do the bill's sponsors not have a problem with endangering the lives of Amer-

ican women—but they're perfectly fine with not telling them the truth, too.

Let me be clear—no amendment, no word change could make this bill even close to acceptable. It is an insult to American women who require life-saving abortion care for health purposes, and a slap in the face to all American women who until now may have thought that their constitutional right to make their own private medical decisions about their body was safe.

Now we know that it's not—and the anti-choice community will stop at nothing to ensure that they chip away at *Roe v. Wade* until it is gone forever.

Madam Speaker, I urge my colleagues to vote "no" on this atrocious bill. A vote against H.R. 3 is a vote for the health of American women and the sanctity of constitutional rights for us all.

Mr. STARK. Madam Speaker, I rise in vehement opposition to the "No Taxpayer Funding for Abortion Act."

Of the many problems with this legislation, it ignores the fact that the Affordable Care Act already bans federal funding for abortion except in rare cases. Instead of being content with these firm restrictions, the authors of this bill have paved a new way for the most perilous anti-choice policy: their legislation would actually deny a woman an abortion when carrying out her pregnancy would endanger her life. The more subtle details of the bill are almost as onerous.

Republicans want IRS agents to double as "abortion detectives" who decide whether tax benefits have been improperly claimed with regard to abortion service expenses. Their legislation prevents low-income women and families from using premium tax credits if their coverage includes abortion services. It increases families' taxes when they use funds from their health savings or flexible-spending accounts for abortion related expenses. It denies employers the right to use ACA tax credits to provide their employees with comprehensive health coverage.

If this bill becomes law, our constituents will be paying far more than just higher taxes: they will be paying with their privacy, their dignity, and their right to determine the course of their own lives.

This bill does everything short of having anti-choice politicians physically present in our doctor's rooms, in our hospitals and looking over our shoulders when we fill out our tax forms. I urge my colleagues to show their respect for our constituents by opposing this thoughtless and harmful bill.

Mr. MORAN. Madam Speaker, I rise today in strongest opposition to H.R. 3, the "No Taxpayer Funding for Abortion Act." Not only is this bill taking up valuable floor time, but it is redundant and goes beyond a woman's right to control her body by tinkering with the tax code and private health insurance plans.

It is a mystery to me why we keep wasting time on legislation that addresses abortion. The Supreme Court has ruled on this issue, and there are established policies that prohibit the use of federal funds for abortion services except in very narrow circumstances. The President has announced he will veto this bill should it actually reach his desk.

Almost 9 percent of Americans are out of work, yet the House of Representatives has

not taken one step to address this pressing national concern.

My Republican colleagues—who are strong advocates for less government—consistently want the federal government to oversee a woman's reproductive rights. This legislation jeopardizes the health of pregnant women who may be suffering from cancer or another devastating disease, by limiting their ability to obtain adequate insurance in the private market.

House Republicans are manipulating the tax code to make sure abortions are out of reach for low income and in some cases, even middle class women. This legislation would also take away benefits that women insured in the private market currently have by imposing tax penalties on individuals and small businesses whose insurance plans include any kind of abortion services.

And if all this weren't enough, H.R. 3 would once again tell the District of Columbia how to spend its own money. It would codify policy included in the CR usurping the city council's authority to use locally raised revenue to provide abortion care for its low-income residents, an unfair restriction which Congress lifted in 2009 and reimposed this year.

Why should the District of Columbia be constantly used as a Petri dish for Republican policy experiments. It just isn't right.

Abortion is a hard choice for any woman. It is a decision that should be made by her, her family and her physician—without the federal government restricting access to services.

Let's move on to legislation that will help grow our economy and get people back to work.

I urge a "no" vote on H.R. 3.

Ms. JACKSON LEE of Texas. Madam Speaker, today we have an opportunity to examine H.R. 3, "the No Taxpayer Funding for Abortion Act," a bill which is claimed to simply codify what is already law. However, H.R. 3 is by far more restrictive than any current law, or interpretation thereof.

My colleagues across the aisle claim that this bill is simply about limiting federal funding for abortions. If that were truly the case, then there would be no purpose for H.R. 3, because Federal funding has not been available for abortions since passage of the Hyde amendment in 1977.

The effect of H.R. 3 is, in fact, to so drastically limit access to abortions that they will essentially become unavailable, even when paid for with an individual's own funds. In its attempt to make abortions unavailable, H.R. 3 will have a detrimental impact on women's health, and moreover, attacks a woman's constitutionally protected right to choose.

Twice, first in the Judiciary Committee Markup and secondly when H.R. 3 was being considered in the Rules Committee, I have attempted to offer to amendments to this bill that help to protect both the constitutionally protected rights of women, and their health. In both instances, my amendments were not accepted by the Republican majority on the Rules Committee.

My first amendment would have required the Attorney General to certify to Congress that H.R. 3 does not violate any constitutionally protected right before allowing this bill to take effect. The sponsor's of this bill have

been perfectly clear that their goal with H.R. 3 is to create so many barriers and obstacles to abortion that it essentially becomes unavailable. The law is clear that while the government may regulate, it cannot impose an undue burden on a constitutionally protected right. The effect of H.R. 3 would be to impose such an insurmountable burden on a woman's fundamental right to make decisions about pregnancy that it could very likely be considered unconstitutional.

The second amendment I attempted to offer would have created an exception to protect women from severe long lasting health damage. This amendment is supported by the American Congress of Obstetricians and Gynecologists. Every year, 10–15 million women suffer severe or long-lasting damage to their health during pregnancy, including but not limited to lung disease, heart disease diabetes, and loss of reproductive ability. H.R. 3 only considered a woman's health when she is faced with death, but provides no protection for women who face serious health consequences from continuing a pregnancy. Congress should not be in the business of interfering with a woman's health, nor should we ever single out women who choose not to endure long-lasting health defects or diseases due to a pregnancy.

H.R. 3 would impose a great burden on a women like Tamara, a mother of 3 who had been diagnosed with cervical cancer and found out she was pregnant. She was faced with the difficult choice of carrying the pregnancy to term and risking her own health or terminating the pregnancy to receive treatment for her cancer.

H.R. 3 would impose a great burden on women like Holly from my state of Texas, a mother of two who suffered from a serious illness affecting her liver. Treatment for her liver would pose a threat to her pregnancy.

H.R. 3 goes to new lengths by effectively using the tax code to impede upon a woman's right to choose and essentially penalize individuals for even carrying health insurance that covers abortions.

It imposes an unprecedented penalty on anyone who spends their own money to pay for abortion, or in many cases, those who use their own money for insurance that will cover abortion if needed.

H.R. 3 will actually impose a tax increase on many Americans—across all races, all classes, and all socioeconomic levels. It increases taxes on women, families, and businesses by denying them the normal tax exemptions and credits for health insurance if they choose a policy that provides abortion coverage. This unprecedented penalty is a radical restriction on a lawful and constitutionally protected medical procedure. It will result in a tax increase on anyone who uses their own money to pay for abortion or, in many cases, insurance that would cover abortion.

Furthermore, the Bill puts the IRS into the middle of private and personal decisions by families. The result of this bill would also be that the IRS would be required to use the tools currently available as part of its tax enforcement duties, including the IRS's ability to audit taxpayers, to determine whether tax benefits had properly or improperly been claimed with respect to expenses related to abortion

services. Family planning decisions, which are amongst the most personal and private decisions many people face, are subject to scrutiny by the IRS for tax purposes.

H.R. 3 does not merely codify existing protections for so-called rights of conscience. H.R. 3 rejects the even-handed approach taken since 1973 in the Church Amendment, which protects the religious or moral beliefs of those who provide, or refuse to provide, abortion services.

Furthermore, it takes the more-recent Weldon Amendment approach, which allows a large universe of entities to refuse abortion services for any—or no reason whatsoever. Unlike the Church Amendment approach, H.R. 3 protects only those who refuse to provide abortion services, and makes that one-sided protection permanent for all laws by providing a completely new private cause of action. It does nothing to protect those entities that do offer abortions.

The conscience rights of those who provide services, and not just those who refuse, deserve equal respect and recognition. Americans rights of conscience should not be protected only if they accord with the views of the Members of Congress; they should be protected regardless of what lawmakers' personal beliefs are.

Instead of Bringing Up Bills to Create Jobs, Republicans Are Pursuing An Extreme and Divisive Agenda. Today, the House will consider H.R. 3, Restricting Women's Access to Full Range of Health Care Services. Americans want us to work together to create jobs and move the country forward. This bill would do exactly the opposite—move our country backwards in an attempt to re-litigate a divisive issue.

Mr. VAN HOLLEN. Madam Speaker, I rise in strong opposition to the so-called and sorely mislabeled "No Taxpayer Funding for Abortion Act."

This bill is a hoax as Federal law currently prohibits the use of taxpayer money on abortion services. The legislation would effectively prevent millions of American women from using their own private money to purchase an insurance plan that includes coverage of abortions—whether it is private insurance or an insurance plan in the Health Insurance Exchanges. In addition, small businesses would not be allowed to take advantage of tax credits if it provided comprehensive health care coverage to its employees. This is a dramatic break with the current practice where most insurance plans provide for such coverage for individuals who choose such plans.

A woman's right to choose her own health care is a fundamental one, and the Congress should not tell women how to manage their health or reproductive care. Sadly, the legislation we're considering today will do just that and severely jeopardize women's access to health care.

Madam Speaker, I urge my colleagues to reject this misguided bill because it would effectively prohibit individuals from using their own money to purchase insurance plans offering comprehensive health care coverage. Instead, I urge the Republican majority to focus on an agenda that will create jobs, help America's middle class families, and move our country forward.

Mr. BOSWELL. Madam Speaker, I rise today to oppose this legislation and to focus on the importance of the health of the many women in my district and across our nation.

I stand against H.R. 3, because I believe that a woman deserves the same respect as a man. She deserves this respect as an employee, a wife, a mother, a sister, simply just for her humanity. And that respect must be real and must include important matters like access to health care.

During the 111th Congress, we made it illegal for insurance companies to charge a woman a higher premium just because she is female. We did this because to do anything else is blatant discrimination.

Yet here we are today, with a bill that would circumvent the very discrimination we stopped and would direct the Internal Revenue Service to tax a woman based on her health needs, just because her needs are different from that of a man.

Even worse, at this critical time in our economy, we are now going to tax any business that provides comprehensive health care to a woman.

So, instead of fighting for the most critical need of our nation right now, job creation, H.R. 3 picks a fight with a woman and her employer.

Why do any one of us seek to have health insurance? We choose to have health insurance in order to plan for the unforeseeable, the unknown, those emergencies that arise and for which no one can plan. No one plans to have cancer, but many Americans do. Health insurance is how each of us protects ourselves against the unknown.

This legislation says that a woman—without her own money—cannot have comprehensive health insurance without a penalty. It creates a new barrier to access to care, and puts in place a system of discrimination, backed by statute in the United States Tax Code.

For my colleagues who argue that this is to reduce the rate of abortion services, it will not. The facts show otherwise.

Access to family planning services is what reduces the need for abortion services. It is family planning services that have proven to cut the rate of abortion by more than 200,000 per year and reduce unintended pregnancies by more than 600,000 per year.

This bill was titled the “No Taxpayer Funding for Abortion Act,” but it reads more like a “Tax our Daughters Act.”

Stop this boldfaced attack on American women. Let us instead provide them with jobs and a fair paycheck.

Vote against H.R. 3. Show the women of your district, and your family, that you respect them.

Mr. HOLT. Madam Speaker, I rise today in strong opposition to H.R. 3, the No Taxpayer Funding for Abortion Act.

Our first priorities in the House of Representatives must be helping to foster job creation and supporting middle class families. More than four months into the 112th Congress, we have not considered one bill that would achieve these goals.

This deceptively named bill claims that it would enact a government-wide prohibition on federal subsidies for abortion and health insurance plans that cover it. In truth it is an un-

precedented and extreme attempt to limit health insurance coverage for American women, raise taxes on small businesses, infringe on the legally protected rights of American Servicewomen, and make this legal, constitutionally protected medical procedure inaccessible to women.

This bill would eliminate tax credits for families and small businesses to purchase comprehensive health insurance plans. This would result in substandard health care for millions of Americans.

Unprecedented, H.R. 3 would change the tax code to promote an anti-choice agenda. This bill would allow women to use tax preferred saving accounts for abortion care only in cases of rape, incest, or when their life is in danger. Under this extreme bill, women would have to prove to the IRS that they have been victim of sexual assault to use their own money for their medical care.

This bill triumphs on states' rights by preventing the District of Columbia from using its own funds to pay for abortion services for low-income women. Further, it would permanently deny low-income women, federal employees, and military women access to abortion care, even when their health is at risk.

It is important to remember why comprehensive health care is needed. I recently heard a heartbreaking story from one of my constituents who was desperate to have a baby with her husband. Unfortunately after getting pregnant, they discovered that the fetus had a deadly condition and was not going to survive. They were left with only one choice—to terminate the pregnancy. This couple never thought they would be in that position. This bill would deny private health insurance companies from providing this kind of medical care to women.

The question of whether or not to have an abortion is one of the most difficult decisions any woman can face. Reproductive health care is a personal matter that should be left to individuals, their doctors, and their families without interference from the government. Rather than making abortion more dangerous for young women, I believe that Congress should do more to create the conditions that enable women to make true choices by providing comprehensive sexuality education and ensuring that women have access to a range of effective contraceptives.

I oppose H.R. 3 and urge my colleagues to vote no on this dangerous piece of legislation.

Mr. LANGEVIN. Madam Speaker, since coming to Congress in 2001, I have strongly supported the longstanding policy that prohibits federal funding of abortion. However, I cannot in good conscience support H.R. 3, the No Taxpayer Funding of Abortion Act, which goes far beyond current policy by using the tax code to punish families and small businesses for the private insurance that they already have.

The thirty-year precedent to restrict the federal funding of abortion, commonly known as the Hyde Amendment, has rightfully served as a guarantee to citizens that the federal government shall not use taxpayer dollars to pay for abortions beyond the unique exceptions of rape, incest, or life endangerment of the mother. The Hyde Amendment is a common sense measure to prevent the federal funding of something that many oppose on moral or reli-

gious grounds. I am certainly one of those people. However, this bill does much more than make this policy permanent federal law.

For the first time ever, H.R. 3 would expand the definition of federal funding to include tax deductions and credits of private income or expenses. In other words, current restrictions on government spending would also be applied to the private dollars families and small businesses decide to spend on health coverage. This is an unparalleled reinterpretation of federal funding that could have far-reaching consequences for families, businesses, and even religious institutions.

This bill explicitly prohibits individuals and small businesses that elect a private insurance plan with abortion coverage from claiming certain tax deductions, credits and exclusions for health care expenses, even if that abortion coverage is never used but happens to be part of a plan that otherwise works best for a particular family. Such a substantial change in federal policy would raise taxes on families and small businesses for private coverage that they are already struggling to afford.

This prohibition is also not equally applied to large employers, who can continue offering abortion coverage, creating an uneven and unjust application of abortion policy within the tax code. Further, since the IRS is charged with enforcing taxpayer compliance, this bill raises serious concerns over how the government might audit “questionable” benefit claims by women who receive an abortion as a result of sexual assault or legitimate life-threatening medical conditions.

It is also important to note that taking the unprecedented step of redefining “federal funding” to include the benefit of a tax exemption could raise political and legal questions for churches and other religious organizations which operate under similar restrictions as current law. Many religious institutions either receive segregated federal funds or tax exemptions to run activities such as adoption services, homeless shelters and food banks. This precedent challenges the very pro-life activities that these churches promote.

Although this bill contains many provisions that I do support, it simply goes too far by redefining the very meaning of federal funding.

Finally, we must not lose focus on the truly urgent priorities of Americans right now, namely economic security and deficit reduction. We are five months into this session and Republicans have yet to offer a single bill to help create jobs. I urge my colleagues to oppose the current version of this bill, stop allowing divisive social issues to dominate our time, and turn our attention to the true economic and fiscal challenges in front of us.

Mr. POMPEO. Madam Speaker, I rise today in support of H.R. 3, the No Taxpayer Funding for Abortion Act.

Over the past 35 years, Republican and Democrat Presidents, as well as Republican and Democrat-controlled Congresses, have all agreed that American taxpayers should not be forced to fund abortions. Unfortunately, 14 months ago, with the passage of Obamacare, President Obama and Democrats in Congress rejected decades of consensus and abandoned the American people. Crafted behind closed doors and manipulated through the legislative process—despite major opposition by

the American people—Obamacare not only attempts to destroy the American health care system, but it fails to protect the most innocent among us, the unborn.

H.R. 3 will fix this problem created by Obamacare, while also establishing a government-wide prohibition of funding for abortions. This bill prohibits funding for elective abortions and insurance coverage that would include abortion. It prevents health savings accounts (HSAs) from being used to pay for abortions and protects the rights of conscience by making the Hyde-Weldon provision a permanent fixture rather than having to be renewed annually. This legislation is not only essential policy, but it is also morally imperative.

Madam Speaker, the Obama Administration is openly hostile to pro-life policies. We cannot allow the administration discretion over abortion policy, as with Obamacare. The permanent establishment of the prohibitions in H.R. 3 will reverse the erosion of protections for the unborn advanced by the Obama Administration. We must act now to preserve the rights of the unborn for future generations.

I firmly believe that every unborn life is precious and should be protected. Therefore, absolutely no taxpayer money should be spent on abortions, directly or through subsidized health plans. The No Taxpayer Funding for Abortion Act ensures that these protections are permanently established. I urge my colleagues to join with me in supporting this important bill.

Ms. SCHAKOWSKY. Madam Speaker, I rise in opposition to H.R. 3, the No Taxpayer Funding for Abortion Act.

House Republicans are waging a war against women and they have made their extreme and dangerous agenda clear—to undermine women's access to reproductive health care.

H.R. 3 is a radical attack on women and their reproductive rights. It extends unprecedented limitation on access to abortions, and it singles out and punishes women who want access to this legal service.

Do not be confused. H.R. 3 goes far beyond current law—which is already highly restrictive, and which I oppose. The Hyde Amendment already prohibits women enrolled in Medicaid and Medicare, federal employees, women serving in the military, women in federal prisons, Peace Corps volunteers, and women seeking care under the Indian Health Services Act from getting the care they need. Its very narrow exceptions do not even give women facing severe health conditions like cancer access to medically necessary abortion care so they can receive chemotherapy treatment.

One of the original goals of this legislation was to narrow the already harmful Hyde exceptions even further. The bill's sponsors tried to redefine rape and incest—to take us back to a time when saying “no” wasn't enough. Public outcry at this mean-spirited and hurtful attempt to make it harder for survivors of rape and incest to access coverage for abortion services forced its removal. Unfortunately, based on the House Judiciary Committee Report accompanying H.R. 3, some members of this chamber are still intent on narrowing the rape exception.

This bill is both hurtful and offensive. H.R. 3 expands an unfair, punitive policy that is dan-

gerous to women's health and applies it to millions of women and men in the private insurance market. No one should be limited in terms of their access to safe and legal abortion.

This legislation redefines the concept of “government funding” far beyond the current common understanding. It prohibits even private and nonfederal government funds from being spent on any activity remotely related to the provision of abortion—any time federal money is involved in funding or subsidizing other, nonabortion-related care.

This legislation increases taxes on small businesses with abortion coverage in their private insurance plans. For decades, small businesses have been fighting insurance company premium demands and struggling to maintain health insurance coverage for their employees. Many of those small businesses—1 in 3—are owned by women, but this bill affects both men and women.

The Affordable Care Act provides small businesses with tax credits to help make health insurance both accessible and affordable. Those tax credits are available now. Today, they are worth up to 35 percent of health insurance premium costs. By 2014, they will be worth up to 50 percent.

The Republicans have already passed legislation to repeal the Affordable Care Act—taking away tax credits from small business owners and employees who need help. Repeal is bound to fail. But H.R. 3 takes another course—it would repeal this benefit for any small business insurance policy that includes coverage of abortions.

Small business owners will face an unfair and discriminatory choice. If they need the tax credit to make coverage for themselves and their employees affordable, they will need to drop the abortion benefit. If they want to keep the benefit, they will have to go without the tax credit—raising their costs and taking away money that could be used to expand their business and maybe hire another employee. H.R. 3 will raise taxes on millions of small businesses.

Nearly 90 percent of private health insurance policies offer abortion coverage and this is a blatant attempt to force employers to drop abortion coverage from their private health insurance plans.

Now is the time to work on the issues that are most important to Americans—creating jobs and improving the economy—rather than punishing small businesses and workers through legislation that takes health care away from women.

American women will suffer if this bill becomes law.

Mr. JOHNSON of Georgia. Madam Speaker, I rise today in opposition to H.R. 3, the “No Taxpayer Funding for Abortion Act.”

The title of this bill is misleading. This is not about funding abortions; it's about restricting a woman's right to choose. This bill is not necessary—the Hyde Amendment already prohibits federal funds from being used for abortion. This bill also raises taxes and penalizes individuals and small businesses that chose health plans that include abortion care.

The majority is using this bill as a tool to push the abortion debate into the tax code. H.R. 3 would increase taxes in order to pre-

vent women from obtaining abortion care. Under the confines of the bill, rape victims could be subject to invasive IRS audits to prove that their assault qualifies for abortion care. The same lawmakers who campaigned on growing our economy and cutting taxes are now trying to impose new tax penalties on individuals who happen to choose a procedure that they do not agree with.

The majority campaigned on a promise of job creation. Instead the majority is pushing H.R. 3 which would make it more difficult for women to obtain reproductive healthcare services. Judging by the number of this bill, it is the third highest priority for the majority. At a time when America is digging itself out of a recession, and nearly 14 million people are out of work, we should not be prioritizing bills that limit and restrict a woman's access to health care services. We should be focusing on growing the economy and creating jobs. I am ready to get to work and move legislation that would create jobs and revitalize the economy, not restrict women's healthcare coverage.

This bill is nothing more than a mean-spirited attack on women's healthcare. It targets women, many of whom are low-income and women of color, and seeks to permanently deny them coverage for a pregnancy-related healthcare benefit. Then, under the misleading guise of protecting tax-payer dollars, it manipulates the tax code to advance the majority's ideological agenda.

I cannot vote for a bill that punishes women for making their own private healthcare decisions and subjects them to government intrusion.

Madam Speaker, I strongly oppose this bill and urge my colleagues to do the same.

Mr. KING of Iowa. Madam Speaker, today Members of this House took part in a debate that addressed the issue of using taxpayer dollars to fund abortions. As an original cosponsor of this legislation, I commend Mr. SMITH from New Jersey for his conviction in bringing this bill to the floor and for his leadership in the pro-life movement. Today, our debate extends the legacy of Congressman Henry J. Hyde, who was passionately pro-life and helped lay the foundation for the victory we celebrate today with the passage of H.R. 3, the No Taxpayer Funding for Abortion Act.

In light of this debate, I think we should all take time to reflect on a bold statement made by Mr. Hyde, a statement that was printed in the program at his funeral. I attended Congressman Hyde's funeral and was touched by the wisdom of his words. He said, “When the time comes as it surely will, when we face that awesome moment, the final judgment, I've often thought, as Fulton Sheen wrote, that it is a terrible moment of loneliness. You have no advocates, you are there alone standing before God, and a terror will rip through your soul like nothing you can imagine. But I really think that those in the pro-life movement will not be alone. I think there will be a chorus of voices that have never been heard in this world but are heard beautifully and clearly in the next world, and they will plead for everyone who has been in this movement. They will say to God, ‘Spare him because he loved us,’ and God will look at you and say not ‘Did you succeed?’ but ‘Did you try?’” I hope we find comfort in knowing that yes, we are trying. We

are fighting to defend and protect innocent human life, and we will not stop until every life—born and unborn—is protected.

Ms. MCCOLLUM. Madam Speaker, I rise today in strong opposition to H.R. 3 and the ongoing Republican war against women's health care in America. H.R. 3 continues the Tea Party Republican's extreme social agenda to pursue unprecedented attacks on women's health and economic security.

The Republican majority passed H.R. 1 and slashed billions of dollars from programs that allow women to provide and care for their families such as Head Start, Women, infants and children (WIC), Community Service Block Grants (CSBG), and the Maternal and Child Block Grant. Clearly their efforts targeted vulnerable women and their children—people who do not have high-paid, high-powered lobbyists, as the victims of budget cuts.

Their bill H.R. 2 repealed the Affordable Care Act, which ensures women have greater access to affordable health coverage and recommended preventative care. The Republican repeal of the Affordable Care Act would strip 32 million Americans of health insurance coverage, again making families vulnerable.

Now, H.R. 3 seeks to place unprecedented restrictions on a woman's ability to receive and pay for a legal medical procedure. This Republican bill places the federal government directly between a woman and her doctor.

H.R. 3 is not about "codifying the Hyde Amendment" as my colleagues have stated. Federal law already prohibits even a single federal dollar from being used to pay for abortion services, except in the cases of rape, incest, or to save the life of the mother. Instead, this legislation furthers a radical agenda that seeks to limit a woman's right to access comprehensive reproductive medical care.

Exploiting the federal tax code for ideological purposes, this bill enacts new restrictions on a woman's ability to pay for legal medical services with private insurance, a health savings account, or private funds. A responsible small business owner that includes comprehensive reproductive care in their company's insurance policy will be denied their federal health care tax credit. A survivor of rape or incest may have to prove to an IRS agent with a detailed account of her brutalization in order to use her health savings account to pay for the procedure or qualify for an itemized medical deduction on her taxes.

These restrictions allow politicians and IRS bureaucrats to influence medical decisions that should be made by a woman, her physician, family, and often with support and guidance from a spiritual leader. I strongly oppose any effort in Congress that creates government interference with private decisions that should be made between a doctor and a patient. I strongly oppose this war on women in America that threatens our freedoms and our rights.

Instead of focusing on this divisive agenda, we should be focusing on policies that will improve the lives of America's women and girls such as addressing the quality of women's health care, fighting gender discrimination, increasing economic opportunities, and providing them with the education and support to succeed.

I encourage my colleagues to oppose this bill and fight to keep safe, comprehensive re-

productive and family planning services accessible to all Americans.

Ms. DEGETTE. I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. LUMMIS). All time for debate has expired.

Pursuant to House Resolution 237, the previous question is ordered on the bill, as amended.

Pursuant to clause 1(c) of rule XIX, further consideration of H.R. 3 is postponed.

REPEALING MANDATORY FUNDING FOR SCHOOL HEALTH CENTER CONSTRUCTION

The SPEAKER pro tempore. Pursuant to House Resolution 236 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1214.

□ 1525

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, with Mrs. MYRICK (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 3, 2011, a request for a recorded vote on amendment No. 2 printed in the CONGRESSIONAL RECORD, offered by the gentleman from New Jersey (Mr. PALLONE), had been postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in the CONGRESSIONAL RECORD on which further proceedings were postponed, in the following order:

Amendment No. 1 by Ms. JACKSON LEE of Texas.

Amendment No. 2 by Mr. PALLONE of New Jersey.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MS. JACKSON LEE OF TEXAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Texas (Ms. JACKSON LEE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 207, noes 218, not voting 7, as follows:

[Roll No. 287]

AYES—207

Ackerman	Gibson	Murphy (CT)
Andrews	Gingrey (GA)	Nadler
Austria	Gonzalez	Napolitano
Baca	Green, Al	Neal
Baldwin	Green, Gene	Olver
Barrow	Grijalva	Pallone
Bass (CA)	Grimm	Pascarell
Bass (NH)	Gutierrez	Pastor (AZ)
Becerra	Hanabusa	Paulsen
Berkley	Hanna	Payne
Berman	Harris	Pelosi
Biggert	Hastings (FL)	Perlmutter
Bishop (GA)	Heinrich	Peters
Bishop (NY)	Heller	Pingree (ME)
Blumenauer	Herrera Beutler	Polis
Boswell	Higgins	Price (NC)
Brady (PA)	Himes	Quigley
Braley (IA)	Hinchey	Rahall
Brown (FL)	Hinojosa	Rangel
Burgess	Hirono	Reyes
Butterfield	Holden	Richardson
Capito	Holt	Richmond
Capps	Honda	Rothman (NJ)
Capuano	Hoyer	Roybal-Allard
Carnahan	Inslee	Ruppersberger
Carney	Israel	Rush
Carson (IN)	Issa	Ryan (OH)
Castor (FL)	Jackson (IL)	Sánchez, Linda
Chu	Jackson Lee	T.
Ciциlline	(TX)	Sanchez, Loretta
Clarke (MI)	Johnson (GA)	Sarbanes
Clarke (NY)	Johnson (IL)	Schakowsky
Clay	Johnson, E. B.	Schiff
Cleaver	Kaptur	Schrader
Clyburn	Keating	Schwartz
Cohen	Kildee	Scott (VA)
Connolly (VA)	Kind	Scott, David
Conyers	Kissell	Serrano
Costello	Kline	Sewell
Courtney	Kucinich	Sherman
Critz	Langevin	Shuler
Crowley	Larsen (WA)	Sires
Cuellar	Larson (CT)	Slaughter
Cummings	Lee (CA)	Smith (WA)
Davis (CA)	Levin	Speier
Davis (IL)	Lewis (GA)	Stark
DeFazio	Lipinski	Sutton
DeGette	Loeb sack	Thompson (CA)
DeLauro	Lofgren, Zoe	Thompson (MS)
Dent	Lowe y	Tierney
Deutch	Lujan	Tonko
Diaz-Balart	Lynch	Towns
Dicks	Maloney	Tsongas
Dingell	Manzullo	Upton
Doggett	Markey	Van Hollen
Dold	Matheson	Velázquez
Donnelly (IN)	Matsui	Visclosky
Doyle	McCarthy (NY)	Walden
Duffy	McCollum	Walz (MN)
Edwards	McDermott	Waters
Ellison	McGovern	Watt
Engel	McIntyre	Waxman
Eshoo	McKinley	Weiner
Farr	McNerney	Welch
Fattah	Meeks	Wilson (FL)
Filner	Michaud	Woolsey
Fitzpatrick	Miller (NC)	Wu
Frank (MA)	Miller, George	Yarmuth
Fudge	Moore	Young (IN)
Garamendi	Moran	

NOES—218

Adams	Bonner	Cardoza
Aderholt	Bono Mack	Carter
Akin	Boren	Cassidy
Alexander	Boustany	Chabot
Altmire	Brady (TX)	Chaffetz
Amash	Brooks	Chandler
Bachmann	Broun (GA)	Coble
Bachus	Buchanan	Coffman (CO)
Barletta	Bucshon	Cole
Bartlett	Buerkle	Conaway
Barton (TX)	Burton (IN)	Cooper
Benishek	Calvert	Costa
Berg	Camp	Cravaack
Bishop (UT)	Campbell	Crawford
Black	Canseco	Crenshaw
Blackburn	Cantor	Culberson

Davis (KY) Lance
Denham Landry
DesJarlais Lankford
Dreier Latham
Duncan (SC) LaTourette
Duncan (TN) Latta
Ellmers Lewis (CA)
Farenthold LoBiondo
Fincher Long
Flake Lucas
Fleischmann Luetkemeyer
Fleming Lummis
Flores Lungren, Daniel
Forbes E.
Fortenberry Mack
Foxy Marchant
Franks (AZ) Marino
Frelinghuysen McCarthy (CA)
Gallegly McCaul
Gardner McClintock
Garrett McCotter
Gerlach McHenry
Gibbs McKeon
Gohmert McMorris
Goodlatte Rodgers
Gosar Meehan
Gowdy Mica
Granger Miller (FL)
Graves (GA) Miller (MI)
Graves (MO) Miller, Gary
Griffin (AR) Mulvaney
Griffith (VA) Murphy (PA)
Guinta Myrick
Guthrie Neugebauer
Hall Noem
Harper Nugent
Hartzler Nunes
Hastings (WA) Nunnelee
Hayworth Olson
Heck Owens
Hensarling Palazzo
Herger Paul
Huelskamp Pearce
Huizenga (MI) Pence
Hultgren Peterson
Hunter Petri
Hurt Pitts
Jenkins Platts
Johnson (OH) Poe (TX)
Jones Pompeo
Jordan Posey
Kelly Price (GA)
King (IA) Quayle
King (NY) Reed
Kingston Rehberg
Kinzinger (IL) Reichert
Labrador Renacci
Lamborn Ribble

NOT VOTING—7

Bilbray Giffords Wasserman
Billirakis Johnson, Sam Schultz
Emerson Young (AK)

□ 1554

Mr. PALAZZO, Ms. GRANGER, and Messrs. DENHAM, MARINO and COSTA changed their vote from “aye” to “no.”

Ms. PINGREE of Maine, Mr. UPTON, Ms. RICHARDSON, and Messrs. DOYLE, CRITZ, BISHOP of Georgia, ISSA, SHULER and YOUNG of Indiana changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

MOMENT OF SILENCE IN REMEMBRANCE OF MEMBERS OF ARMED FORCES AND THEIR FAMILIES

The Acting CHAIR (Mr. KINZINGER of Illinois). The Chair would ask all present to rise for the purpose of a moment of silence.

The Chair asks that the Committee now observe a moment of silence in remembrance of our brave men and women in uniform who have given their lives in the service of our Nation in Iraq and in Afghanistan and their

families, and of all who serve in our Armed Forces and their families.

AMENDMENT NO. 2 OFFERED BY MR. PALLONE

The Acting CHAIR (Mrs. MYRICK). Without objection, 5-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 210, not voting 17, as follows:

[Roll No. 288]

AYES—205

Ackerman Doyle Lowey
Andrews Edwards Lujan
Baca Engel Lynch
Baldwin Eshoo Maloney
Barrow Farr Manullo
Bass (CA) Fattah Markey
Bass (NH) Filner Matheson
Becerra Fitzpatrick Matsui
Berkley Frank (MA) McCarthy (NY)
Berman Fudge McCollum
Biggart Garamendi McDermott
Bishop (GA) Gerlach McGovern
Bishop (NY) Gibson McIntyre
Blumenauer Gonzalez McKinley
Boswell Green, Al McNeerney
Brady (PA) Green, Gene Meeks
Grijalva Gutierrez Michaud
Gutierrez Miller (NC)
Hanabusa Miller, George Moore
Hastings (FL) Heinrich Moran
Heinrich Heller Murphy (CT)
Capito Higgins Murphy (PA)
Capps Himes Nadler
Capuano Hinchey Napolitano
Carnahan Hinojosa Oliver
Carney Carson (IN) Hirono Pallone
Castor (FL) Holden Pascarell
Chandler Holt Pastor (AZ)
Chu Honda Paulsen
Cicilline Hoyer Payne
Clarke (MI) Inslee Pelosi
Clarke (NY) Israel Perlmutter
Clay Jackson (IL) Peters
Cleaver Jackson Lee Pingree (ME)
Clyburn (TX) Platts
Cohen Johnson (GA) Polis
Connolly (VA) Johnson, E. B. Price (NC)
Conyers Kaptur Quigley
Costello Keating Rahall
Courtney Kildee Rangel
Critz Kind Reyes
Cuellar Kinzinger (IL) Richardson
Cummings Kissell Richmond
Davis (CA) Kline Rigell
Davis (IL) Kucinich Ross (AR)
DeGette Lance Rothman (NJ)
DeLauro Langevin Roybal-Allard
Denham Larsen (WA) Ruppersberger
Dent Larson (CT) Rush
Deutch LaTourette Ryan (OH)
Diaz-Balart Lee (CA) Sanchez, Linda
Dicks Levin T.
Dingell Lewis (GA) Sanchez, Loretta
Doggett Lipinski Sarbanes
Dold Loebach Schakowsky
Donnelly (IN) Lofgren, Zoe Schiff

Schrader Stark
Schwartz Sutton
Scott (VA) Thompson (CA)
Scott, David Thompson (MS)
Serrano Tierney
Sewell Tonko
Sherman Tsongas
Sires Upton
Slaughter Van Hollen
Smith (TX) Velázquez
Smith (WA) Visclosky
Speier Walden

NOES—210

Adams Granger Owens
Aderholt Graves (GA) Palazzo
Alexander Graves (MO) Pearce
Altmire Griffin (AR) Pence
Amash Griffith (VA) Peterson
Austria Grimm Petri
Bachmann Guinta Pitts
Bachus Guthrie Poe (TX)
Barletta Hall Pompeo
Bartlett Hanna Posey
Barton (TX) Harper Price (GA)
Benishkek Harris Quayle
Berg Hartzler Reed
Bishop (UT) Hastings (WA) Rehberg
Black Hayworth Reichert
Blackburn Heck Renacci
Bonner Hensarling Ribble
Bono Mack Herger Rivera
Boren Herrera Beutler Roby
Boustany Huelskamp Roe (TN)
Brady (TX) Huizenga (MI) Rogers (AL)
Brooks Hultgren Rogers (KY)
Broun (GA) Hunter Rogers (MI)
Buchanan Hurt Rohrabacher
Bucshon Issa Rokita
Buerkle Jenkins Rooney
Burton (IN) Johnson (IL) Ros-Lehtinen
Calvert Johnson (OH) Roskam
Camp Jones Ross (FL)
Campbell Jordan Royce
Canseco Kelly Runyan
Cardoza King (IA) Ryan (WI)
Carter King (NY) Scallise
Cassidy Kingston Schilling
Chabot Labrador Schmidt
Chaffetz Lamborn Schock
Coble Landry Schweikert
Coffman (CO) Lankford Scott (SC)
Cole Latham Scott, Austin
Conaway Latta Sensenbrenner
Cooper Lewis (CA) Sessions
Costa LoBiondo Shimkus
Cravaack Long Shuler
Crawford Lucas Shuster
Crenshaw Luetkemeyer Simpson
Culberson Lummis Smith (NE)
Davis (KY) Lungren, Daniel Smith (NJ)
DesJarlais E. Southerland
Dreier Mack Marchant Stearns
Duffy Marchant Stivers
Duncan (SC) Marino Stutzman
Duncan (TN) McCarthy (CA) Sullivan
Ellmers McCaul Terry
Farenthold McClintock Thompson (PA)
Flake McCotter Thornberry
Fleischmann McHenry Tiberi
Fleming McKeon Tipton
Flores McMorris Turner
Forbes Rodgers Walberg
Fortenberry Meehan Walsh (IL)
Foxy Miller (FL) Webster
Franks (AZ) Miller (MI) West
Gallegly Miller, Gary Westmoreland
Gardner Mulvaney Wilson (SC)
Garrett Myrick Wolf
Gibbs Neugebauer Womack
Gingrey (GA) Noem Woodall
Gohmert Nugent Yoder
Goodlatte Nunes Young (FL)
Gosar Olson Young (IN)
Gowdy

NOT VOTING—17

Akin Emerson Nunnelee
Billbray Fincher Paul
Billirakis Frelinghuysen Towns
Crowley Giffords Wasserman
DeFazio Johnson, Sam Schultz
Ellison Neal Young (AK)

□ 1603

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. FINCHER. Madam Chair, on rollcall No. 288, I was unavoidably detained. Had I been present, I would have voted "no."

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. FOXX) having assumed the chair, Mrs. MYRICK, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1214) to repeal mandatory funding for school-based health center construction, and, pursuant to House Resolution 236, reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mrs. MCCARTHY of New York. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentlewoman opposed to the bill?

Mrs. MCCARTHY of New York. I am, in its current form.

Mr. BURGESS. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The Clerk will report the motion to recommit.

The Clerk read as follows:

Mrs. MCCARTHY of New York moves to recommit the bill H.R. 1214 to the Committee on Energy and Commerce with instructions to report the same to the House forthwith with the following amendment:

In section 1, add at the end the following:

(C) PUBLICATION OF NAMES AND LOCATIONS OF APPLICANTS WHO WILL NOT RECEIVE GRANTS.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Health and Human Services shall publish on the public Website of the Department of Health and Human Services the names and locations of each school-based health center or sponsoring facility that has an application for a grant under section 4101(a) of the Patient Protection and Affordable Care Act (42 U.S.C. 280h-4) pending at the time of the repeal of such section 4101(a) by this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York is recognized for 5 minutes in support of her motion.

Mrs. MCCARTHY of New York. Madam Speaker, I rise today to offer a motion to recommit to this misguided bill.

It is important to note that this motion is simply a final amendment to the bill and will not kill the bill as the majority may claim.

School-based health centers are on the front lines of preventative care, and preventative care saves lives and saves money, and school-based centers are on the front lines of preventative care.

As a nurse for over 30 years, I know that prevention can keep people out of the emergency rooms that taxpayers help fund, and it keeps them from needing expensive procedures and medicines that drive up insurance costs.

Patients seen at school-based centers, for example, cost Medicaid an average of \$30 less than comparable non-school-based health center patients. School-based health centers play an important role in treating sports concussions and halting the spread of infectious diseases like the flu.

School-based centers also have a positive effect on our educational system. They have been shown to increase academic performance and reduce absenteeism. For example, a recent study found that students who use high school health centers had a 50 percent reduction in absenteeism and 25 percent reduction in lateness. Many students also increased their grade point averages over time compared to students who did not use school-based health centers.

Finally, the sad fact is sometimes these centers are a student's only source of health care. So, we are faced today with legislation that attacks the preventative health care work done by our school-based health centers. H.R. 1214 is an upsetting piece of legislation, but that's not surprising at all. After all, this bill is coming from the same conference that just voted to end Medicare as we know it.

Both the Republican budget and this legislation today are penny-wise and pound-foolish approaches that cut preventative care for those Americans who need it the most. And the worst common denominator? Both measures go against the most honorable Americans: the elderly and the children. The Republican majority passed a reckless budget before the recess, and they are poised to pass this reckless piece of legislation today.

I offer this motion to recommit today to highlight the terrible impacts of the Republican approach in this legislation. This motion to recommit is simply, again, a final amendment and will not kill the bill.

My motion to recommit requires the names and locations of each school-based health center that has applied for a grant under the program that the Republican Party would end today be posted on a publicly available Web site.

□ 1610

This way, we will be able to all see very clearly the damage that this Republican proposal will cause.

Like many of my colleagues, a school-based health center in my dis-

trict would be denied funding under this bill. One of my hospitals in my district, Winthrop University Hospital, has been partnering with Hempstead High School to run a school-based health center. This school-based health center has 1,500 students enrolled and has 6,000 visits from students each year.

Winthrop University's partnership operates in one of my most underserved communities. About 50 percent of students who use this school-based health center are uninsured. Let me say that again: Nearly half of all students who use this health center are uninsured. Hempstead High School is the only access to medical care that they have. The grant that this center applied for will help them serve this population who has nowhere else to turn. I am going to stand with those students and their families and protect the Winthrop-Hempstead High School health center. I hope that other Members will choose to stand with their constituents as well.

Should this bill become law, those Members who voted for this bill will have to answer to their communities who would have a vital link to health care cut off. I should also note some misinformation that's being spread by the supporters of H.R. 1214. They claim that these grants aren't needed because they are readily available in other sources, but that's not true. The evidence is that SBHC construction and renovation needs have not been met through other funding. My colleagues across the aisle also claim that construction funds would be provided to centers that aren't sustainable. That's also not true. Guidelines have been developed by the Health Resources and Services Administration to ensure that no construction funds will be provided to any school-based health center that cannot document that they are sustainable now and into the future.

As I said, ladies and gentlemen, school-based health centers work. They keep our young people healthy and successful in school, and they do it in a way that saves our taxpayers money. It is just common sense to support school-based centers. Again, this amendment will not kill the bill. This motion to recommit is simply a final amendment to the bill that will provide transparency to the process. I urge all Members to support this motion to recommit.

I yield back the balance of my time. Mr. BURGESS. Madam Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. Does the gentleman continue to reserve his point of order?

Mr. BURGESS. I will withdraw my reservation.

The SPEAKER pro tempore. The reservation is withdrawn.

The gentleman from Texas is recognized for 5 minutes.

Mr. BURGESS. It's an interesting little motion to recommit, described as being benign and not changing the overall nature of the underlying legislation. So benign is the motion to recommit that it descends into the realm of being superfluous and unnecessary. It is a motion to recommit to publish the names and locations of applicants who will not receive grants.

Now, look, just from this, we won't know if those grants that were not approved were just simply poorly drafted. We already have a health care law that was poorly drafted, so we know it is within the realm of someone working in the Federal Government to poorly draft an application for a school-based clinic.

Washington's addiction to spending has become crystal clear to the American people, and the passage of this massive health care law by President Obama last year is exhibit A. Of the thousands of problems in the Patient Protection and Affordable Care Act, the underlying bill, H.R. 1214, addresses but one of them and a very small one at that. The Patient Protection and Affordable Care Act provides \$200 million in mandatory funding for the construction of school-based health centers. The bill eliminates this funding as our Nation faces a mounting deficit and debt crisis.

Funding for school-based health center construction may be a good idea. Maybe it's not a good idea. Maybe we should have that debate, which we didn't in the run-up to the passage of this bill. But the 111th Congress, the last Congress, did not think about it before they threw literally \$200 million at the program.

And, Madam Speaker, I would just point out, out of all of the so-called "cut" bills that are to remove the advanced appropriations in the Patient Protection and Affordable Care Act, out of all of those bills that remove advanced appropriations, it is this small little bill that has not drawn a veto threat from the White House. Madam Speaker, that leads me to believe that the President himself was embarrassed about the language that was included in the bill on this point; and the White House, now recognizing that, is not about to go out on a limb and issue a veto threat against this bill.

The motion to recommit, brought forward by the other side, shows they simply do not realize that we have a spending problem in Washington, D.C. Congress should examine if there is a need for a program, and through regular order, rather than rushing to authorize or appropriate dollars in a feel-good piece of legislation. We hear about standing with the American families. How about standing with those American families that actually pay taxes to the Federal Government for a change?

I urge my colleagues to vote "no" on the motion to recommit, "yes" on the

underlying bill. Let's get our fiscal house back in order.

Mr. BURGESS. I yield back the balance of my time.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would ask all Members to avoid trafficking the well while another Member is under recognition.

Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mrs. MCCARTHY of New York. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 180, noes 230, not voting 22, as follows:

[Roll No. 289]

AYES—180

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison

Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey

Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell

Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)

Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Waters

Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOES—230

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Crawaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Herger
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer

Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (AR)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott, Austin
Sensenbrenner
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—22

Bilbray
Billakis
Brady (TX)
Cantor
Clyburn

Dreier
Emerson
Giffords
Hensarling
Herrera Beutler

Johnson, Sam
McCarthy (CA)
McMorris
Rodgers
Noem

Peterson
Price (GA)
Roskam

Ross (FL)
Scott (SC)
Sessions

Walden
Wasserman
Schultz

McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers

Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)

Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Waters
Watt
Waxman
Weiner

Welch
West
Wilson (FL)
Woolsey

Wu
Yarmuth

□ 1634

Ms. SPEIER changed her vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. ROSS of Florida. Madam Speaker, on rollcall No. 289, I was unavoidably detained. Had I been present, I would have voted “no.”

Mr. BRADY of Texas. Madam Speaker, on rollcall, No. 289, I inadvertently was detained. Had I been present, I would have voted “no.”

Mr. WALDEN. Madam Speaker, on rollcall No. 289, I was detained in a bicameral leadership meeting with the Speaker. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. WAXMAN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 235, noes 191, not voting 6, as follows:

[Roll No. 290]

AYES—235

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Bartletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Cansaco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford

Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleave
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

NOES—191

Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heck
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kelly
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George

Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Olver
Owens
Pallone
Pascarella
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)

NOT VOTING—6

Bilbray
Bilirakis
Emerson

Giffords
Johnson, Sam

Wasserman
Schultz

□ 1641

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NO TAXPAYER FUNDING FOR ABORTION ACT

The SPEAKER pro tempore. Pursuant to clause 1(c) of rule XIX, consideration of the bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes, will now resume.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Ms. SPEIER. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Ms. SPEIER. I am opposed to the bill.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Ms. Speier moves to recommit the bill H.R. 3 to the Committee on the Judiciary with instructions to report the same back to the House forthwith, with the following amendments.

Page 8, after the matter following line 5, insert the following:

SEC. 103. PROTECTION OF PRIVATE MEDICAL RECORDS OF VICTIMS OF RAPE AND INCEST.

Nothing in this title or the amendments made by this title shall be construed to permit the Federal Government to gain access to the private medical records of the victims of rape and incest.

On the first page, in the matter following line 5, insert after the item relating to section 102 the following:

Sec. 103. Protection of private medical records of victims of rape and incest.

Mr. FRANKS of Arizona. Madam Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

Pursuant to the rule, the gentleman from California is recognized for 5 minutes in support of her motion.

Ms. SPEIER. Madam Speaker, at the outset, let me say the following:

As a member of the Democratic Caucus, there have been times in the past when I have supported Republican motions to recommit. I have done it a number of times, I confess. I am speaking to my Republican colleagues this

afternoon, seeking to ask you to do the same, because this particular motion is very simple, very clear. It will not prevent the passage of the underlying bill. If it is adopted, it will be incorporated in the bill, and the bill will be immediately voted upon.

So what does it do?

It is about what every one of us cares about, and that is privacy. Americans believe in privacy. Justice Brandeis once said in a court opinion, "Every American has the right to be left alone." This is something we can all agree on.

My motion would simply prohibit Federal agents from accessing a woman's health or other medical records because she was a victim of rape or incest. Now, that's pretty simple. If you're a victim of rape or incest, no Federal agency or agent will be able to access your medical records in order to prove that you, in fact, were raped or were a victim of incest.

Both the Hyde Amendment and this legislation specifically create exceptions for victims of these crimes. The underlying bill would create an exception to the exception. It actually re-victimizes the victims of rape and incest by requiring them to relive their horror. Rape kits could be examined. Confidential medical records could be breached.

How can we possibly ask a woman who has suffered an horrific crime to now face scrutiny by an IRS audit? Think about it. Is that what we want? Do we want women who have been victims of rape and incest to have IRS agents knocking on their doors to determine whether or not they really have been raped or have been victims of incest? We should be treating these victims like victims and not like criminals. Medical privacy is a long-standing and protected right for every American. Why should the right be forfeited because you are a victim of rape or incest?

Let me say it one more time: Passage of this motion will not prevent passage of the bill. If it is adopted, it will be incorporated in the bill, and the bill will be taken up immediately.

Madam Speaker, last month, I received a call from a woman who was raped while serving in the United States Navy. Sometimes we get wrapped up in the words and forget about the real lives we're talking about. This member of the Navy was raped, beaten savagely and left for dead in her quarters. She was later informed that she was pregnant, and opted to have an abortion. Does anyone here believe that this woman who volunteered to serve our country should be subject to an audit by the IRS? This particular Navy serviceperson has since been diagnosed with Post-Traumatic Stress Disorder, and has attempted suicide more than once.

This is a real-life story of an American in uniform, fighting for our free-

dom. We should not use the Tax Code to force women like her to relive their ordeals to an IRS agent. Privacy is a fundamental right, and this motion would ensure that the most vulnerable in our society have access to it. The underlying bill would potentially unleash IRS audits on rape victims—and that, my friends, is a disgrace.

Let me be clear one more time: Passage of this motion will not prevent passage of the underlying bill.

So, though we may disagree on the bill and on the issue of abortion rights in general, today we have the opportunity to speak with one voice to protect the privacy of victims of rape and incest. It is really up to us. I urge everyone to vote "yes" on this motion to recommit.

I yield back the balance of my time.

□ 1650

Mr. FRANKS of Arizona. Madam Speaker, I withdraw my reservation, and I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. FRANKS of Arizona. Madam Speaker, I rise in opposition to this motion to recommit. The amendment supposes that the bill does something that it doesn't do. Nothing in this bill allows the IRS any greater access to health information than they have ever had. HIPAA is still in place. This is simply an amendment looking for a problem that isn't there.

Madam Speaker, well over a dozen weakening amendments to this bill were offered at the Judiciary Committee and the committee carefully considered and, frankly, dismissed most of those amendments. Likewise, opponents had a second opportunity to challenge the bill in the Ways and Means Committee, and the product is the bill before us.

I have heard so much incorrect information about the bill, Madam Speaker. I would like to say to you that when the gentlelady speaks of the most vulnerable among us, I would simply say that before the sun sets today in America, 4,000 unborn children will die of abortion on demand, and in every case a nameless little baby will die a tragic and lonely death, a mother will never be quite the same, and all the gifts that child might have brought to humanity will be lost forever.

I would like to tell you that this bill does something to prevent that same thing from happening tomorrow, but it doesn't. Madam Speaker, this bill simply says that taxpayers in the future will no longer have to pay for or worry about their taxpayer dollars being used for that purpose. And whatever red herrings we may have heard from the opponents today, this bill does nothing more than require that abortion funding remain in the private sphere and outside the reach of government's coercive power.

The bill is a very simple piece of legislation without the complexity that it has been reputed to have. I would encourage all Americans to take a look at the underlying legislation so that you can see for yourself that this bill has no need of this motion to recommit.

Unlike the ObamaCare bill, this piece of simple legislation is only a few pages long and is easily understandable. The new majority writes its bills this way on purpose so that Members and the American people can be confident that this body is in fact carrying out the will of the people. That is exactly what this bill does, Madam Speaker, and I urge my colleagues to oppose this motion to recommit.

Mr. CAMP. Will the gentleman yield?

Mr. FRANKS of Arizona. I yield to the gentleman from Michigan.

Mr. CAMP. I just want to instruct the House, on this motion to recommit, it only affects title I of the bill. All of the tax provisions are in title II of the bill. So this does not affect any of the tax provisions in the legislation.

Mr. FRANKS of Arizona. Madam Speaker, what he said.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Ms. SPEIER. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 192, noes 235, not voting 5, as follows:

[Roll No. 291]

AYES—192

Ackerman	Castor (FL)	Deutch
Altmire	Chandler	Dicks
Andrews	Chu	Dingell
Baca	Cicilline	Doggett
Baldwin	Clarke (MI)	Donnelly (IN)
Barrow	Clarke (NY)	Doyle
Bass (CA)	Clay	Edwards
Becerra	Cleaver	Ellison
Berkley	Clyburn	Engel
Berman	Cohen	Eshoo
Bishop (GA)	Connolly (VA)	Farr
Bishop (NY)	Conyers	Fattah
Blumenauer	Cooper	Filner
Boren	Costa	Frank (MA)
Boswell	Costello	Fudge
Brady (PA)	Courtney	Garamendi
Braley (IA)	Critz	Gonzalez
Brown (FL)	Crowley	Green, Al
Butterfield	Cuellar	Green, Gene
Capps	Cummings	Grijalva
Capuano	Davis (CA)	Gutierrez
Cardoza	Davis (IL)	Hanabusa
Carnahan	DeFazio	Hastings (FL)
Carney	DeGette	Heinrich
Carson (IN)	DeLauro	Higgins

Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott

McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Ross (AR)
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta

NOES—235

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggart
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart

Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallely
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Huelskamp
Hui zeng a (MI)
Hultgren

Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulaney
Murphy (PA)
Myrick
Neugebauer
Noem

Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)

Bilbray
Bilirakis

Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland

NOT VOTING—5

Emerson
Giffords
Johnson, Sam

□ 1713

Messrs. PAUL and PLATTS changed their vote from “aye” to “no.”

Ms. SEWELL and Mr. JONES changed their vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Ms. DEGETTE. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 251, noes 175, not voting 6, as follows:

[Roll No. 292]

AYES—251

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Cantor
Capito
Carter
Cassidy
Chabot
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier

Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costello
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier

Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallely
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)

Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Hui zeng a (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kaptur
Kelly
Kildee
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack

Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher

Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—175

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Courtney

Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer

Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Keating
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler

Napolitano	Rush	Thompson (MS)
Neal	Ryan (OH)	Tierney
Oliver	Sánchez, Linda	Tonko
Owens	T.	Towns
Pallone	Sánchez, Loretta	Tsongas
Pascarell	Sarbanes	Van Hollen
Pastor (AZ)	Schakowsky	Velázquez
Payne	Schiff	Vislosky
Pelosi	Schrader	Walz (MN)
Perlmutter	Schwartz	Wasserman
Peters	Scott (VA)	Schultz
Pingree (ME)	Scott, David	Waters
Polis	Serrano	Watt
Price (NC)	Sewell	Waxman
Quigley	Sherman	Weiner
Rangel	Sires	Welch
Reyes	Slaughter	Wilson (FL)
Richardson	Smith (WA)	Woolsey
Richmond	Speier	Wu
Rothman (NJ)	Stark	Yarmuth
Roybal-Allard	Sutton	
Ruppersberger	Thompson (CA)	

NOT VOTING—6

Bilbray	Emerson	Johnson, Sam
Billirakis	Giffords	Petri

□ 1720

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. WESTMORELAND. Madam Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore (Mrs. MYRICK). Is there objection to the request of the gentleman from Georgia?

There was no objection.

(Mr. ROE of Tennessee asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ROE of Tennessee. Madam Speaker, I rise today to pay tribute to all those affected by the devastating storms that ripped through Tennessee and 12 other States last week. My thoughts and prayers are with the families who lost loved ones and with those that must rebuild their lives after this terrible natural disaster.

Just as the people of Tennessee came together following last year's floods, we will do so again. With heavy hearts, we will overcome our great loss with greater strength and a renewed sense of community.

I would also like to extend my heartfelt thanks to all of the volunteers and rescue workers involved in the disaster relief efforts. Even in dark hours, the efforts of Americans like these should give all of us cause to hope.

In the days ahead, we will work together to ensure that our communities have the resources needed to rebuild. I have complete faith that we will emerge stronger and better than ever before.

Madam Speaker, my prayers go to those family members in our State and

others who have lost loved ones. It's a terrible, terrible tragedy.

(Mr. TONKO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TONKO. Mr. Speaker, I rise today to honor William "Bill" Schultz. Bill is an educator who has dedicated over three decades, specifically 34 years, to teaching in Maine, New Hampshire, and New York. Upon retirement, he has dedicated his energies and talents to other retirees.

Bill was a leader in the labor movement and served two terms as president of the Niskayuna Teachers Association in my congressional district. Serving 8 years as president of Retiree Council 12 of the New York State United Teachers Association, Bill was influential in organizing the council.

Bill's leadership, dedication, compassion, and knowledge have had a profound influence on the lives of the students he has taught, the retirees for which he has advocated, and the friends he has made along the way.

In 1921, John Cotton Dana said, "Who dares to teach must never cease to learn." It is in this spirit that Bill will be honored later this month.

I commend and congratulate him on all his efforts and hope his service and dedication can stand as a model and inspiration for countless others. After all, our future and our children's future are only as good as those who teach them.

(Mr. BLUMENAUER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BLUMENAUER. I rise today in honor of the long and productive life of Harold J. Schnitzer.

Harold was a skilled businessman who, together with his wife, Arlene Director Schnitzer, established and later with his son, Jordan, grew one of the largest privately owned real estate companies in the western United States. But this quiet, thoughtful, modest man was a civic leader, a philanthropist for the arts, education, and culture in Oregon.

I personally experienced his kindness to a young man interested in public service. He continued to be generous with his opinions and advice, a story I know was repeated many times. His important contributions to our community will be enjoyed for generations to come.

We honor his life, even as we mourn his passing, and extend our condolences to his wife of 62 years, Arlene, his son,

Jordan, his extended family, and countless friends.

Schnitzer, Harold J. 87 June 08, 1923 April 27, 2011 Harold J. Schnitzer, businessman, philanthropist, and civic leader, passed away early Wednesday morning, April 27, 2011, in Portland, at age 87, from complications of cancer and diabetes. He was born June 8, 1923, in Portland, growing up in S.W. Portland where he attended Shattuck Elementary School and Lincoln High School. He earned a Bachelor of Science in metallurgy from the Massachusetts Institute of Technology in 1944 and, immediately thereafter, served in the U.S. Army until his discharge in 1947. Upon returning to Portland he joined his brothers in the family scrap and steel business, working alongside them until 1950, at which time he left and founded Harsch Investment Properties, a leading diversified owner and operator of industrial, office, retail and multi-family properties in five Western states. He served as President and Chairman of the Board for two decades before being joined by his son Jordan in 1970, who now serves as President. Together they grew the company into one of the largest, privately held real estate companies in the Western United States. Throughout his life he focused on three things: family, the business and his community. Harold learned early on from his parents, Sam and Rose Schnitzer, who immigrated to the United States in the early 1900s, the responsibility of making a difference with his life. They taught him and his siblings, Manuel, Morris, Mollie, Edith, Gilbert and Leonard, the importance of giving back to your community. In 1949 he met and married Arlene Director, daughter of family friends, Simon and Helen Director. Married for 62 years, they were lifelong partners in business, the arts and philanthropy. Their son, Jordan, was born in 1951. Over a career of 60 years there have been hundreds of organizations and causes that have benefited from his leadership and financial support. Harold served on the board of Lewis & Clark College for 16 years, a Life Trustee since 1995. His service to the Portland Art Museum spanned 21 years, ultimately as Chairman of the Board from 1997 to 2001, during which time a major expansion resulted in the opening of the Mark Building. He and Arlene are especially proud of establishing the Center for Northwest Art, and a curatorial and awards program. They also were major collectors of Han and pre-Han ceramics that led to establishing the Arlene and Harold Schnitzer Collection of Early Chinese Art. They gifted a number of works from the collection to the Portland Art Museum along with endowing the position of Curator of Asian Art. Harold and Arlene have also been strong supporters of arts and cultural institutions in both the Bay Area and Palm Springs, where they have residences. More recently Harold provided the lead gift establishing the Harold Schnitzer Diabetes Health Center at OHSU in 2007, one of only ten centers in the nation treating children and adults, and the only one on the West Coast. A diabetic since his early 40s, he valued good health care and appreciated its connection to the quality and longevity of life. The Center is his expression of helping others in their struggle with diabetes. Harold valued family and philanthropy that extended to Portland, the State of Oregon and the Pacific Northwest. He served as chairman of multiple capital and building campaigns for Portland's Jewish Community that led to the establishment of the Mittleman Jewish Community Center, and

facilities for Congregation Shaarie Torah and Congregation Beth Israel, both of which he remained as a member until his death. Harold was always interested in ensuring that young people have the same educational opportunities that he had. He believed that with education comes greater appreciation of one another's differences and increased tolerance. He had a lifelong interest in funding scholarships and educational grants, and that ultimately led to him establishing Judaic studies programs at both the University of Oregon and Portland State University. Harold served the City of Portland on a variety of projects including the development of the Portland Center for the Performing Arts. Because of his leadership and philanthropy, the city named its symphony hall, the Arlene Schnitzer Concert Hall, in honor of his wife, Arlene. He has been honored by numerous civic organizations regionally and nationally in partnership with his wife Arlene including the following: Doctor of Humane Letters, Portland State University, 2004; Distinguished Service Award, University of Oregon, 2001; Aubrey Watzek Award, Lewis & Clark College, 2000; Arts Breakfast of Champions Honoree, NW Business for Culture and the Arts, 1997; Portland First Citizen Award, Portland Metropolitan Association of Realtors, 1995; SAFECO Art Leadership Award, ArtFair/Seattle, 1994; Distinguished Service Award, United Jewish Appeal, 1966-1967; and the Outstanding Philanthropist Award, National Society of Fundraising Executives, 1996. He is this year's honoree of the Juvenile Diabetes Research Foundation to be celebrated Saturday, April 30, 2011. Also in April, the faculty of the Pacific Northwest College of Art voted to award honorary doctorate degrees to both Harold and Arlene. Harold is survived by his wife, Arlene; son, Jordan; granddaughters, Arielle and Audria; brother, Gilbert of the Bay Area, Calif.; sister Mollie of Beverly Hills, Calif.; and numerous nieces and nephews. Even during the last days of his life he was still working and planning on how to make life better for everyone else around him. Therefore, in lieu of flowers and to honor his memory, the family suggests that contributions may be made to the Harold Schnitzer Diabetes Health Center at OHSU; the Portland Art Museum; at either of two Judaic studies programs at the University of Oregon or Portland State University, or to the charity of your choice. A memorial service will be at 4 p.m. Wednesday, May 11, 2011, at Congregation Beth Israel, 1972 N.W. Flanders St., Portland, with a reception to follow at 5:30 p.m. at the Portland Art Museum, Mark Building, 1219 S.W. Park Ave., Portland.

IT'S TIME TO GET FOXES OUT OF THE HENHOUSE

(Mr. GOHMERT asked and was given permission to address the House for 1 minute.)

Mr. GOHMERT. Mr. Speaker, we had a hearing yesterday in the Judiciary Committee. The Attorney General of the United States came before us, and one of the things we discussed was the fact that in 2008, toward the end of the year, there was the biggest, most important terrorist funding case that was ever tried, conviction of all five defendants on 108 counts, and now this administration has dismissed and is not going to pursue the evidence that the trial judge said was there to make a

prima facie case against the co-conspirators.

Instead, you can go to the White House Web site and find that their deputy national security adviser is thanking the president of the Islamic Society of North America, which was one of the unindicted coconspirators, for his wonderful help in the White House and his great prayer he gave the year before.

It's time to get foxes out of the henhouse. Let's hold people responsible who want to destroy our way of life.

NO TAXPAYER FUNDING FOR ABORTION ACT

(Mr. SMITH of New Jersey asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to just thank my colleagues for voting so overwhelmingly for H.R. 3, the No Taxpayer Funding for Abortion Act.

America today is solidly pro-life and the trend line tangibly improves by the year. On public funding, a supermajority of well over 60 percent oppose public funding of abortion. Clearly, Americans get it. There is nothing compassionate, benign, or nurturing about abortion. Abortion methods, the actual deed of dismemberment, chemical poisoning or suction is an act of violence against children.

Abortion also hurts women. Earlier today in the Capitol, we heard from Nancy Tanner, a woman from Silent No More Awareness Campaign, who eloquently urged passage of H.R. 3. Ms. Tanner spoke of her abortion and the emotional agony that she has endured and noted that well over 10,000 women have come forward and now have spoken out publicly against abortion. Each and every one of those women have had at least one abortion themselves, and they talk of the ongoing and enduring agony of that abortion.

I want to, again, thank my colleagues for supporting the No Taxpayer Funding for Abortion Act.

ALL-OF-THE-ABOVE ENERGY

(Mr. PRICE of Georgia asked and was given permission to address the House for 1 minute.)

Mr. PRICE of Georgia. Mr. Speaker, when I drove to the airport to come out here this week, I recognized that gasoline was at \$3.86 a gallon in my district, and the last time we got to these levels was almost 2½, 3 years ago in the summer of 2008.

And we, at that time, came up with an all-of-the-above energy plan, a plan that recognizes that what we need to do is expand production in the United States. We need to concentrate on conservation. We need to incentivize new forms of energy. But first and fore-

most, in order to get us over the bridge, we need to make certain that we utilize responsibly resources that have been given to this great country by our Creator.

We need offshore exploration, onshore exploration, clean coal technology, oil shale, all of the things that the American people know will decrease not just the price of gasoline but will decrease our reliance on foreign oil and make this country safer and the world safer.

Let's get to work on an all-of-the-above energy plan on behalf of the American people.

□ 1730

RISING GAS PRICES

The SPEAKER pro tempore (Mr. FINCHER). Under the Speaker's announced policy of January 5, 2011, the gentleman from Georgia (Mr. BROUN) is recognized for 60 minutes as the designee of the majority leader.

Mr. BROUN of Georgia. Mr. Speaker, unfortunately in what has become a time-honored tradition, the President and my Democratic colleagues that are here in Congress find it more convenient and politically expedient to make targets of energy companies. These are companies who invest their own capital and resources to increase our country's energy supply and the security of our Nation. They want nothing more than to operate in a free market environment without excessive government regulations.

However, in a move to deflect the spotlight from this administration's own failings and the Democrat Party's own failings and their incompetent policies, this administration and many in Congress find it easier to attack the success of the energy companies than to actually confront the challenges that we face, often espousing policies to increase government interference in the marketplace that do more harm than good.

Recently, companies like Koch Industries, which employs more than 10,000 people in my home State of Georgia, contributing more than \$700 million to our State's economy, along with tens of millions in community and environmental philanthropic efforts, have come under attack by several Democrats in this body and this administration just because Koch's work provides for an easy red meat target to throw to their radical environmental friends. It's also a sad state of affairs when other energy companies actually post a positive profit report, even though most of these profits go back into more energy exploration as well as clean energy development. I'm also sure that you won't hear many attacks on how those profits help boost the retirement accounts of millions of Americans and put more into our struggling economy

than any government stimulus program has or could.

According to the new Washington Post/ABC News survey out today, more than seven in 10 Americans are suffering financial hardship from the skyrocketing gas prices. In fact, we've got a chart here tonight, the first one in a series. This is the gas price, the average retail price in America when Barack Obama took office. The average price at that time was \$1.84 per gallon just as recently as January of 2009, a little over 2 years ago. Look what's happened. As of April 25 of this year, the average price per gallon was \$3.88. The average price 2 years ago was \$1.84; now it is \$3.88, \$2 higher, over twice. It's over double in just a 2-year period of time.

Gas prices don't just affect the price at the pump. I was talking to a Member just a few minutes ago. She was telling me that she just fueled her pickup truck, and it cost her over \$100 to fill the gas tank of her pickup truck. She and her husband own a ranch. They are active ranchers out west. Never before has she had to pay \$100 to fill the tank of her vehicle, and I filled the tank of mine, and it was almost \$90 in my GMC Yukon that I've used to make house calls as a medical doctor. This is unsustainable.

Our gas prices impact our grocery bills, job opportunities, travel plans, and thousands of other decisions that businesses and families make. In fact, according to an analyst from Cameron Hanover, every penny increase in the price of gas costs consumers, American citizens, consumers, more than \$4 million per day. A one-penny increase costs consumers over \$4 million per day. And, folks, who are hurt the most by this? The people who are hurt the most are poor people and people who are on limited incomes, our senior citizens.

As the cost of fuel and gas and oil go up because of the misplaced policies of this administration, this winter, fuel prices are going to be out of the roof. In fact, the President said while we were talking about his cap-and-trade bill not long ago, he said that energy prices, to use the President's words, "would necessarily skyrocket" for his policies. "Necessarily skyrocket." Under President Obama, the cost of energy has skyrocketed. That's what he has said in a national speech.

The national average price of gasoline, as I just mentioned, was \$1.84 when President Obama took office. Today it is \$3.96. Rising gasoline prices are hurting families and small businesses. They are costing jobs. In fact, I just talked to a manager of a restaurant in my hometown of Athens, Georgia, just this last weekend. He was telling me that when he orders food for his restaurant, his suppliers are adding a fuel surcharge, a fuel surcharge onto the cost of groceries, food for his res-

taurant. That's happening in all the grocery stores, and that's happening all across this country. It's threatening our economy and our economic recovery.

While the new House majority is taking steps to address gas prices and help create jobs with the American Energy Initiative, the Obama administration's anti-energy policies are driving up prices, and they are threatening our economy by blocking American energy production. We have had a 16 percent decrease in American energy production under this administration. It is 16 percent lower than it was projected to be. Future projections show continued decreases in domestic production and more and more reliance upon foreign imports for our energy sources, particularly for gas and oil. We're getting those energy resources from countries that hate us, that hate our American free enterprise system, that hate the liberty we have here in this country.

More than a 200,000-barrel-per-day decrease in Gulf Coast energy production, this is according to the Energy Information Administration's March 2011 short-term energy outlook. Production from the Gulf of Mexico is expected to fall by 240,000 barrels per day in 2011 and a further 200,000 barrels per day in 2012. A reduction. And 27 billion barrels of oil are under lock and key in Alaska. According to a recent FOX News report, the EPA's refusal to grant permits for energy production in Alaska's Outer Continental Shelf has limited access to an estimated 27 billion barrels of oil. With Alaskan oil production already decreasing by 7 percent annually, continued delays could force the Trans-Alaska Pipeline to shut down.

□ 1740

What's that going to do to our cost of gasoline, heating oil, natural gas and all of our other energy sources? What's that going to do to the cost of food? It's all going to skyrocket.

More than 40 American energy projects have been stalled by this administration. As the House Natural Resources Committee notes, 10 months after the Obama administration's official moratorium on American energy ended, over 40 projects remain stalled, and people are left without work. This administration's energy policy is killing jobs in the Gulf Coast, as well as all over this country. We're sending American jobs overseas. Twelve rigs have already left the Gulf.

Before we change, let me go to this quote here from Michael Bromwich, the Chief Regulator of U.S. offshore drilling. Even if we permitted the hell out of everything tomorrow, every pending permit, some permits that haven't even been filed yet, it would not have a material effect on gas prices, Bromwich said. That's the simple, clear reality.

The simple clear truth, the simple truth is Michael Bromwich is abso-

lutely wrong. And, in fact, as soon as the first drill bit starts hitting dirt or ocean floor, you will see oil prices plummet in this country, in my opinion. Why? Because OPEC will get a message that we're going to produce our own energy resources here in America.

Mr. Speaker, I submit any country that is not energy independent, if it cannot produce its own energy resources, if it cannot produce its own food and its own clothing, is not a secure Nation. And the American people need to know that we are not a secure Nation today, and it's because of policies of this administration that are making us less secure. We need to go in the opposite direction of the direction we're going today, that this administration's taking us.

According to James W. Noe, Executive Director of the Shallow Water Energy Security Coalition, at least 12 offshore rigs have already departed the Gulf of Mexico, resulting in a significant and precipitous reduction in domestic employment and energy production.

In January, the moratorium forced seven oil rigs to abandon the Gulf and head overseas, costing American jobs and forcing the U.S. to import more foreign oil. These rigs have left. You see where they've gone. Nigeria, Egypt, the Congo, Brazil, French Guyana. They won't be coming back. Thousands of American jobs left with them. In fact, as many as 12,000 American jobs have been lost, and more than 36,000 jobs are at risk.

I hear my Democrat colleagues talking about it's jobs, jobs, jobs. In fact, we heard that just today in the Science Committee. One of my Democratic colleagues talked about jobs are the number one issue. Well, she's absolutely right. But it's her party's policies that are running jobs overseas. It's this administration's policies that are making these rigs leave the Gulf of Mexico and go to Nigeria and Egypt and Congo and Brazil, French Guyana.

According to the study at Louisiana State University, monetary economist, Dr. Joseph Mason, the Obama administration's de facto ban, and it is a ban, he says he's lifted the moratorium but they're not putting out the permits. It's a de facto ban on American energy production, could cost as many as 24,532 jobs in the Gulf Coast and 36,137 jobs nationwide.

By the administration's own admission, the first 6 months of the official moratorium alone has resulted in as many as 12,000 American jobs have been lost. They're gone. They've left the Gulf Coast. They've gone to other areas. They've gone to produce energy, if you look at this chart, in the Middle East, in Africa, South America and Brazil.

In fact, the President just sent billions of dollars to Brazil for them to

produce their energy and create Brazilian jobs at the cost of American energy and American jobs. It makes no sense, absolutely no sense.

Recently, in a trip to Brazil in March, President Obama pledged to help with technology and support to develop the Brazilian oil reserves so that America could become one of Brazil's, quoting Barack Obama himself, Brazil's best customers. He wants us to become Brazil's best customer.

How about those American jobs that he is killing and his administration is killing?

His Energy Secretary, Dr. Chu, a couple of years ago said, we have to find some way to make gasoline prices in America the same as they are in Europe. We'll talk about that in a bit, and remind the American people that the President himself said that energy prices under his policies that he's promoting would necessarily skyrocket. He wants Americans' energy prices to skyrocket, putting people out of jobs, costing all these thousands of jobs, costing our economy millions and millions and trillions of dollars in all probability eventually. Certainly billions.

He just gave a loan to Brazil, \$2 billion to produce jobs and produce oil in Brazil instead of producing oil in the Gulf Coast and off Alaska. And his EPA just denied any production off Alaska. It makes no sense.

According to stories from the Gulf Coast residents shared at a recent Natural Resources Committee hearing, the President's policies already are helping make good on his pledge, with one offshore boat company employee reporting that his employer is sending 100 vessels overseas to Brazil to keep them working, Brazilians working. With those transfers go many American jobs.

This administration's policies are destroying jobs. The Democrat Party policies under the former Speaker, Ms. PELOSI, the Majority Leader in the Senate, HARRY REID, are destroying jobs, destroying our economy. And they want more of the same. They want more stimulus, more government, less American jobs in the private sector, less American energy production.

Mr. Speaker, the American people need to know very clearly, they need to know the simple truth. They deserve the truth; that the policies created by this administration, the policies created under the leadership of NANCY PELOSI and HARRY REID are building a bigger government but destroying our energy. They're building a bigger government, even higher prices for housing in Washington, D.C. to destroy jobs in the private sector all across the country. And their energy policies are going to harm the most vulnerable Americans, poor people, people on limited incomes, our senior citizens.

□ 1750

Recently, President Obama and Washington Democrats trotted out two

blame-shifting strategies that Democrats have tried unsuccessfully to use in the past to deflect blame for their failed anti-energy policies.

Just last month, Democrats recycled their so-called "use it or lose it" argument that has already been debunked as nothing more than a hoax. It is political fodder that they are utilizing. And I have heard it in our Natural Resources Committee. I have heard it on the floor of the House. American people are sick and tired of this kind of political dialogue.

Americans are demanding all over this country, not only in the 10th District in Georgia, my district, not only in the State of Georgia, but Americans all over the country deserve for this Nation to be energy independent. They are crying out for energy independence.

The Carter administration established the Energy Department to make us energy independent as a Nation. The Department of Energy has failed miserably, failed miserably in that task, and has failed miserably in that task under both Democrat as well as Republican administrations.

Now, President Obama is trying to shift blame to oil speculators just as he did back in 2008. And this is in spite of the fact that, as Washington Post's Jennifer Rubin notes: It is the administration's own policies that are contributing to yet another drain on the wallets of average Americans.

The Washington Post has not been a particularly conservative newspaper that has promoted conservative policies. That is what Jennifer Rubin said: The administration's own policies are contributing to yet another drain on the wallets of average Americans. And she is absolutely correct in that assessment, and I commend her for saying so.

Earlier this month, the House passed the Energy Tax Prevention Act, H.R. 910, to stop the Obama administration from imposing a backdoor national energy tax that will further drive up gas prices. President Obama says he is going to veto that legislation, proving that he won't let skyrocketing gas prices get in the way of his administration's job-crushing anti-energy agenda regardless of the cost to American families and small businesses.

I have got a small business in the timber industry in Lincoln County, Georgia, and the owner of that business recently told me he parked all of his trucks because he cannot afford to put fuel in those trucks, and that has cost several jobs in Lincoln County. Lincoln County has an unemployment rate that is way, way higher than the national average. In fact, the State of Georgia's unemployment rate I think just recently was reported to be over 10 percent.

This administration's anti-energy policies are crushing jobs, crushing small businesses, crushing family budgets, and it is anti-American. House Re-

publicans are making strong efforts to create jobs and lower fuel prices in this country.

Recently, CNN did a poll. They found that seven in ten Americans support increased offshore drilling for oil and gas—seven in ten. I wonder about the other three in those ten. Forty-five percent strongly favor.

Here is the question. They asked how Americans feel about increased drilling for oil and natural gas offshore U.S. borders, and here is how they responded: 45 percent said that they strongly favor us doing increased drilling for our own oil and gas in the gulf coast offshore, 24 percent mildly favor, 16 percent strongly oppose, and 15 percent mildly oppose.

Now, that 15 percent and 16 percent, I wonder if they have looked at their checkbook. I wonder if they have looked at the cost of bread and milk, cabbage and potatoes in their grocery store. Because the prices of those goods that we all depend upon when we go to the grocery store are markedly affected by the cost of gas and oil in this country.

Increasing American energy production will help create new jobs, and it addresses the rising gas prices. And Americans know it. The House is prepared to vote on legislation to boost offshore energy production.

As I said, seven in ten Americans support offshore drilling for our oil and natural gas. It belongs to us, it belongs to the American people, and we are being prohibited from tapping into that by this administration and the Democratic Party policy.

Implementing a comprehensive plan to build a more stable supply of petroleum from our own North American resources, along with reforms that end litigation, the endless litigation, and reveal policies that artificially inflate cost will provide immediate relief to the price of gasoline. The market knows that more energy means lower prices.

When President Bush removed the executive moratorium on offshore drilling in 2008, as a good example, crude oil futures by the speculators fell more than \$9 almost immediately. It is not the speculators that are causing the rising cost of oil. It is not the speculators who are causing the rising cost to Americans when they go to fill their cars and pickup trucks. It is failed policies by the Obama administration, failed policies by NANCY PELOSI and HARRY REID and their cronies here in the House and in the Senate.

We can create good jobs. We can insulate the economy from energy price shocks by actively producing our own energy resources here in this country. And we can do that, we must do that, while we are good stewards of our environment, repealing Federal mandates and the prohibitions that artificially drive up the cost of gasoline and stopping the EPA's backdoor energy tax.

They are trying to implement what I call tax-and-trade by EPA edict in a dictatorial manner when they could not pass that bill through Congress in the last Congress. And by halting the President's drilling permatorium, as some of us call it, it has been described, and unlocking our own energy resources that God has given us here in America both on- and offshore, all these will help alleviate the pain at the pump, the pain at the grocery store, the pain for every good and service, even the pain in the doctor's office and the pain of all the higher energy costs and the pain of all the increased costs of every good and service in this country.

□ 1800

Through the American Energy Initiative, House Republicans are actively working to increase American energy production in order to do a number of things: to lower the cost of gasoline, to create American jobs, to generate revenue to help reduce the debt and this deficit that's unsustainable, and to strengthen our national security by decreasing our dependence on foreign energy, particularly on foreign oil.

As I mentioned just a few minutes ago, I believe very firmly that, if a country is not energy independent, it is not a secure nation. We are not secure today. We must make America energy independent, and we do that by developing our own energy resources—all of our energy resources, not only oil and gas but coal. We need to develop clean coal technology. We need to look at alternative energy resources, such as wind and solar and waves, and all of those things. We need to have research and development on nuclear energy and on all of the things that are critical for us to be energy independent as a Nation.

Republican bills would create 250,000 jobs short term and 1.2 million jobs long term, according to Louisiana State University's Joseph Mason. We've got to create jobs, but the energy policies that this administration and our Democratic colleagues are promoting are killing jobs, not creating them. Republican policies want to create jobs.

Under the Republican bills that we have introduced, one of which is H.R. 1230, the Restarting American Offshore Leasing Now Act, we would expand American energy production and create jobs by requiring the Secretary of the Interior to conduct oil and natural gas lease sales in the Gulf of Mexico as well as offshore of Virginia that have been delayed and cancelled by the Obama administration.

H.R. 1229, Putting the Gulf of Mexico Back to Work Act, will end the Obama administration's de facto drilling moratorium in a safe, responsible and transparent manner, and it will put thousands of Americans back to work,

increasing American energy production to help address the rise in gasoline prices that Americans are facing every single day. Every single day, we see gas prices jump.

H.R. 1231, Reversing President Obama's Offshore Moratorium Act, will lift the President's ban on new offshore drilling by requiring the administration to move forward on American energy production in areas containing the most oil and natural gas resources.

Many organizations support the three bills I just mentioned: the U.S. Chamber of Commerce, Americans for Tax Reform, the National Taxpayers Union, Americans for Prosperity, Citizens Against Government Waste, Americans for Limited Government, the National Federation of Independent Business, the 60 Plus Association, the American Trucking Association. I could go on and on and on. Gulf organizations are supporting the passage of the Outer Continental Shelf legislation, and I could list organization after organization.

I won't continue with those right now because I've been joined by a good friend who is stalwart on this issue and who, I think, has probably done as much or more than any other Republican Member of Congress to try to help make us energy independent as a Nation and to help us create jobs here in America.

My dear friend, JOHN SHIMKUS, I yield to you.

Mr. SHIMKUS. Thank you, Congressman BROUN. It's great to be with you, and I appreciate the introduction. You're too kind.

One thing I do know: If you want to create good-paying jobs, it's in the fossil fuel industry.

During this recession, one of the two biggest job engines for organized labor has been the production of a new, supercritical coal-fired power plant. There will be thousands of building trade workers building this power plant and hundreds of people who will be working in this power plant and mining the coal. They'll have great wages and superb benefits. So, if we want good, high-paying jobs in this country, the fossil fuel industry is one sector that can do that.

The other major job engine next to my congressional district is the expansion of a refinery in Wood River. Actually, it's in Congressman COSTELLO's district, but we're right next to each other. It's the ConocoPhillips-Wood River Refinery, and it has thousands of employees. It's a \$2 billion project to help crack the oil that would come from the Canadian oil sands. You have thousands of jobs right now. You have another supply decreasing our reliance on imported crude oil from an ally with North American Energy—great wages, great benefits, secure jobs. It's the fossil fuel industry.

I am just amazed at the continued attack on that sector by my friends on

the other side and of the whole debate about what drives the cost of energy. It's a simple formula. We all learned it in basic economics and accounting: supply and demand. If you want to lower the cost of the good, you have to increase the supply. We continue to demand more. In fact, we're going to demand 30 percent more in electricity generation by 2030. If we don't marry that with increased electricity generation, guess what? We're going to have higher costs. The same is true with liquid fuels.

So we're in a very exciting time in this country because, for the first time, we really can make the argument that we could be independent of imported crude oil by using what we're proposing as an all-of-the-above energy strategy. Let these energy commodities compete for our purchase. One example we drew up with some friends on the other side is an open fuel strategy so that anybody can use anything when they pull up to the pump. Another manner in which you do that is you continue to allow all commerce to compete for electricity. You don't allow government to stifle the electricity generation or the liquid fuel market.

So many of us have seen these, and I'll go through them quickly since I know you've got some issues you want to talk about.

In an all-of-the-above strategy, we say "all of the above." If you want to use solar and wind, great. That's part of "all of the above." A small portion of electricity generation does nothing for liquid fuel, liquid transportation fuels, but it might add 3 percent of electricity. OCS, we've got to be there. We've got new excitement in the Marcellus shale. That's got to be an exciting new venue that can go for electricity generation and for liquid fuels. We've got fuel from coal, not just electricity generation. For years, South Africa has been turning carbon-based coal into liquid transportation fuel or aviation fuel, and as you know, I'm very supportive of the biodiesel provisions.

It all comes down to this: jobs. When we continued to add additional regulations on the fossil fuel industry, what happened to these miners? They all lost their jobs—a thousand of them in one mine. The attack by this administration and by my colleagues on the other side with regard to the fossil fuel industry has to stop.

I know we've been joined by another of my colleagues, and I'll end with this because you hear it quite a bit on the floor.

□ 1810

I just want to pose a question: If you raise taxes on a commodity good, how does that lower its price? If you raise the tax on a commodity, how does that lower the price to the consumer? It cannot, and it will not. It will only add to the price of that energy.

Thank you for letting me join you.

Mr. BROUN of Georgia. Thank you, Mr. SHIMKUS. I appreciate it. And I appreciate your efforts over many Congresses since I have been here. I am in my third Congress, as you know. You have been a stalwart fighting this issue all along, and I appreciate the hard work you have done for the people in your district in Illinois and for this Nation. So thank you so much for what you have been doing.

I have also been joined tonight by another friend of mine who has been very active in this issue because he is from Louisiana. He has been on the floor many times talking about the moratorium and the permatorium that has been going on, as some have called it. This has cost people jobs in his home State of Louisiana.

I yield to my good friend STEVE SCALISE from New Orleans.

Mr. SCALISE. I thank the gentleman from Georgia for yielding. I appreciate the hard work that you have been doing for years, as I have, on this issue. I appreciate the comments from my colleague from Illinois who just talked about just what is happening here.

In the last 2 weeks we were in our districts, and I got the opportunity to go through parts of my district. When you talk to people about what is happening in this country with the economy, the biggest question that comes up, beyond the short-term issues of the economy and jobs, is the high price of gasoline, and just why is it that right now people are paying almost \$4, if not \$5 in some parts of the country, \$5 per gallon for gasoline, and we are still not even into the heart of the summer.

It is very clear as people look, it is very clear that the policies of this administration that have completely shut off our ability to produce, go and explore for and produce energy in America, is one of the main contributing factors to this high price of gasoline.

Of course, you don't have to go far in south Louisiana to see the direct impact because, as my colleague from Georgia just pointed out, not only the moratorium that was imposed about a year ago, but the permatorium that we are still experiencing today, where the administration won't let our people go back to work exploring safely for energy, people that had absolutely nothing to do with the BP explosion of the Deepwater Horizon, people in much deeper waters, drilling safely back then that now cannot go back to work.

We have lost over 13,000 jobs in the energy industry in south Louisiana in the past year specifically because of President Obama's policies that have shut those areas down. It has literally run thousands of jobs, 13,000 by the White House's estimates—we think the number is much higher, but I will just use the White House's numbers—13,000 people in this country who have lost

their job in the energy industry, high-paying jobs, by the way, that have gone to foreign countries.

We have tracked some of these deep-water rigs that have left. Of course, the President goes to Rio de Janeiro a few weeks ago and brags that he wants to drill in Brazil. I would suggest, Mr. President, let's drill in America safely, where we know there are billions of barrels of oil here in this country, where we can create thousands of high-paying jobs and generate billions of dollars that the Federal Treasury would take in because of all that economic activity and the royalties that would be paid by those oil companies, that would lower our deficit. And yet, no, the President says we want to shut you down and put your people out of work, but we want to go and spend our resources drilling in Brazil.

This is the backward policy that this administration has pursued that has gotten us to this point where we are paying over \$5 in some places in this country—\$4, close to \$4 in my district—for a gallon of gasoline, and we are not even in the heart of the summer.

So then when you look at what the administration's plan is. Clearly, our plan is we want to let our people go back to work exploring and drilling safely for energy, creating thousands of good jobs, bringing all that tax revenue into this country to lower our deficit. But the President's answer, is, you would think maybe he would be agreeing on us with this. This should be a bipartisan issue, there is bipartisan support, by the way, to do what my colleague from Georgia and I are talking about, but the President not only doesn't support our plan, but the President's proposal is to raise taxes on American energy.

He goes out, and I guess every time he speaks he wants to go and beat up on an American industry, and right now it is the oil companies. Well, frankly, the oil companies that are out there right now, many of them are producing in other countries. But our local producers, the small businesses, these aren't the big guys. These are the small businesses that are barely hanging on by a thread, struggling to survive, that he would be shutting down by raising taxes. His plan is to raise \$22 billion in taxes on American energy production.

Now, his plan, by the way, coincidentally, doesn't apply to foreign countries. So when he goes to Rio and says "drill in Brazil," his package that he actually has asked Congress to pass, and I sure hope we don't pass it, but his package not only raises taxes on American energy. That same tax increase doesn't apply to the drilling in Brazil or in Saudi Arabia or some of these other Middle Eastern countries that use that money to do things that are counterproductive not only to American energy security, but our homeland security.

So the President would say to raise \$22 billion in taxes on American energy production, which, by the way, runs even thousands more jobs out of our country and increases our dependence on Middle Eastern oil. This is counterproductive policy, but that is the President's answer to high gas taxes, is to raise taxes on American energy, which means higher prices at the pump. And, by the way, we are already paying too much at the pump. Gas prices have more than doubled since President Obama took office.

It is not just bad luck that gives us high gas prices. It is bad policy that comes out of Washington, D.C. That is why I really appreciate the gentleman from Georgia bringing us here tonight. But also the legislation that we will be voting on tomorrow that actually starts to address this problem and says, you know what, if people in America want to safely explore for and produce energy here in America, we are going to let them do that. We are going to let them go to work here so that we don't send those jobs and those billions of dollars to countries like Brazil, and, even worse, Middle Eastern countries who want to do us harm.

So clearly the policy impacts the price of gas we are paying at the pump. We have got to reverse these policies that make absolutely no sense that are coming out of this White House and get back to an all-of-the-above strategy that actually allows us to utilize our resources here in America in a safe way, that produces thousands of good-paying jobs and brings billions more dollars into the Federal Treasury to pay down the national debt.

Mr. BROUN of Georgia. Mr. Speaker, the rules that were presented by Mr. BISHOP from Utah from the Rules Committee are the two bills that Congressman SCALISE was just talking about that will start forcing actually this administration to start letting out leases and helping us to develop our own energy resources here in America.

But I wanted to ask Mr. SCALISE before he leaves, I am on three committees. I am on Natural Resources, I am on the House Homeland Security Committee, and I am also on the Science, Space, and Technology Committee. Just today in Science, Space, and Technology, I heard Democratic colleagues talk about the number one issue in America today. One lady said, it is jobs, jobs, jobs.

□ 1820

And I have heard it in my other two committees. I've heard that from Democrat after Democrat. I know the gentleman is on the Energy and Commerce Committee, and the question I wanted to ask Mr. SCALISE is, Have you heard in that committee, one of our eight committees—one of the most important committees dealing with energy production—have you heard that same

mantra from our Democrats on Energy and Commerce? Has it been jobs that we need to be focusing upon?

Mr. SCALISE. I appreciate the gentleman yielding. This mantra that's thrown out there, frankly, for over 2 years now, yourself, myself, we've been clamoring for policies that actually create jobs. And then when we bring forward legislation, actual bills—not to run up the deficit like our colleagues on the other side, not to run more jobs out of our country like our colleagues on the other side—but when we actually bring bills to say, Stop the madness, change these policies and bring that work back to America, create those jobs here, bring in that revenue here, they actually criticize us and say that has nothing to do with jobs.

Well, it shows, first of all, that they're out of touch. They don't understand how job creation works in this country. But they also, obviously, haven't been tracking the history; tracking exactly what's happening all across America, but especially in using the areas around southeast Louisiana as the prime example. You don't have to go any further than to go down to south Louisiana and you'll see the job losses that have occurred because of this administration's policies which have, one, shut off American energy production, which have led to higher gas prices, but also run thousands of high-paying jobs out of America. We've tracked those rigs, those deepwater rigs, which each of them is about a billion-dollar asset. So you have got an American employer that said, You know what; I can't even do business in America any more with my billion-dollar asset. I've got to move it somewhere else; to a foreign country. One of those rigs went to Egypt. I think we all know what's going on in Egypt right now.

Isn't it a sad indictment on this administration's failed energy policy that an American employer would say I think it's better to do business with my billion-dollar asset, to bring that asset over to Egypt and take the chances over there because of how bad the environment is business-wise in America. By the way, that one rig—and there are multiple rigs that have left our country—that one rig that went to Egypt is representing about a thousand high-paying jobs that are no longer here in America, that are no longer here in America, that are now in Egypt. I think that's a shame. It shows the failure of this administration's policies and it's the reason why—one of the few, but an absolute reason why—American families all across this country are paying higher gas prices at the pump. And there's no reason for it. We can reverse it. We need to reverse it.

I'm glad your committee passed legislation that we'll be voting on tomorrow. I know in our Committee on Energy and Commerce we're working on

similar solutions. I think American people want as many solutions as possible. But at least we're finally putting solutions on the table to say, Mr. President, your plan might be to raise taxes on American energy and raise the price of gas at the pump. We've got a different approach. The House Republicans here, and hopefully Senators, will understand and push this issue. But our approach is to lower gas prices by increasing the supply here in America so that we're energy secure, we don't have to rely on these Middle Eastern countries, and we don't have to send our jobs and billions of dollars to those Middle Eastern countries, which jeopardize our security here at home, which as a member of the Homeland Security I know you know about very well, too.

Mr. BROUN of Georgia. Absolutely. In fact, I'm not a good lawyer—I'm not even a lawyer. I'm a medical doctor, as the gentleman knows. In law school they teach you not to ask a question if you don't know what the answer is. And I didn't know what your answer was going to be, but I felt sure you were going to answer the way you did, for the simple reason that we hear our colleagues on the other side, the Democrats, keep talking about wanting to create jobs. But their policies are destroying jobs—American jobs, private pay jobs. Their policies are developing bigger jobs, bigger government here in Washington, D.C., so much so that the only city in this country that real estate prices have not gone down is Washington, D.C. They've gone up.

Why? Because this administration, NANCY PELOSI, HARRY REID, and their colleagues in the House and the Senate in the 111th Congress are creating bigger government, more regulations, more taxes, more attacks on jobs in the private sector, more attacks on small businesses, and it's creating a bigger government. Thus, higher real estate prices here in Washington because we've created government jobs. They claim about all the jobs created with the stimulus bill, et cetera, but it's government jobs is pretty much what we're creating.

We've got another problem. In fact, I introduced H.R. 1032, the RELIEF Act, because we have excessive and frivolous lawsuits against our own energy production and it has significantly delayed and in many cases prevented our energy resources from reaching the American marketplace. H.R. 1032, the RELIEF Act, doesn't stop people from having their day in court. But what it would do is it would allow the environmental wackos that are trying to stop energy production here in this country from having this endless plethora of lawsuits that stop the permitting and stop the production.

What it would do is it would require that all lawsuits be filed within 60 days and that the courts would have to have

a determination or solution to that case within 180 days, and that if the district court ruling was appealed, that it would go to the Supreme Court and the Supreme Court would have a ruling within another 180 days. It would also allow some relief from the frivolous lawsuits by allowing the prevailing party to be able to seek legal fees and other expenses under the Act. This is the kind of bill that we need to pass. I've been asking Members of Congress to cosponsor this because we need to pass this kind of legislation.

We hear from our colleagues, Let's stop the subsidies to the big oil companies with all their billions of dollars of profits. I would like to stop subsidies to everything, including ethanol, which has not made sense. I'm a good southern boy. I love my grits and cornbread. And it makes no sense to me to drive down the road burning up my grits and cornbread in my Yukon. It's destroying engines, it's destroying food prices, it's destroying jobs here in this country. We need to stop all of this. We need to start developing our own energy resources.

Mr. Speaker, what can the American people do? What American people can do is contact their Members of the Senate and the House and demand that we start producing American energy. America is not secure as a Nation because we're not energy secure. We've got to start developing our own energy resources here in America. All of them. We need to have an all-of-the-above energy policy. It's up to the American people to demand that from their Members of the House as well as the Senate.

Former U.S. Senator Everett Dirksen one time said when he feels the heat, he sees the light. The American people absolutely must contact their Senators and Congressmen to say: We need American energy. We've got to start developing our own energy resources—all of the American energy resources—coal, oil, natural gas, wind, solar, nuclear energy. Every single energy resource. It's absolutely critical. It's critical for us to lower the cost of American energy, lower the cost of groceries in the grocery store and in restaurants, lower the cost of all goods and services by lowering the cost of energy production, make us secure as a Nation. It's up to the American people to demand it from your Member of Congress, from both your U.S. Senators as well as U.S. House Member. If we get enough heat upon Members of Congress, particularly heat upon our Democratic colleagues in the House as well as our Democratic colleagues in the Senate, as well as the Obama administration, we can be a secure Nation, we can be energy independent. We must. And it's up to the American people to demand it.

I yield back the balance of my time.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1229, PUTTING THE GULF OF MEXICO BACK TO WORK ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1230, RESTARTING AMERICAN OFFSHORE LEASING NOW ACT

Mr. BISHOP of Utah (during the Special Order of Mr. BROWN of Georgia), from the Committee on Rules, submitted a privileged report (Rept. No. 112-73) on the resolution (H. Res. 245) providing for consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, and providing for consideration of the bill (H.R. 1230) to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes, which was referred to the House Calendar and ordered to be printed.

□ 1830

JUSTICE IS SERVED: THE DEATH OF OSAMA BIN LADEN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Thank you very much, Mr. Speaker.

I want to really focus today on an extraordinary event that took place on Sunday, that is, American time, but before I do that, I just want to take a couple of minutes having sat here listening to the last 45 minutes on energy policy, just a couple of things.

The President is not suggesting that we raise taxes on fuel but that we eliminate subsidies to the oil industry that has received, for a century, American taxpayers' support, and those subsidies are no longer needed given the extraordinary profits that they are making. We ought to also consider that last year, ExxonMobil paid zero Federal income tax, yet they had billions, about \$11 billion, of profit.

The second point, the oil production in the Gulf of Mexico is up this year compared to the previous year, and even though there is more production of oil out of the Gulf of Mexico, we've still seen this spike in gasoline prices. So the notion that somehow more drilling in the Gulf of Mexico will drive prices down is just not the case, because we've seen more production and yet a spike in prices.

Finally, with regard to the bills that were just announced during the middle of this discussion about drilling in the Gulf of Mexico, the Democratic Party wants to make sure that that drilling is done safely; the President wants to make sure that drilling is done safely.

And what we have suggested, that when these bills come to the floor, they be amended so that the recommendations made by the commission that studied the blowout on the BP platform, that those safety recommendations be put into the law. I guess that's not such a bad idea, but I want to just get that out here just so we have some understanding about what was discussed over this last hour.

But what I really want to do—and I see my colleague from South Carolina (Mr. CLYBURN) here—is focus on an extraordinary and extremely important event that took place on Sunday, American time, and Monday, Pakistani time. The United States persevered for a decade to get Osama bin Laden. The President of the United States, Barack Obama, was determined during his campaign for Presidency and in the very first moments of his Presidency that he would focus like a laser beam on getting Osama bin Laden. It took some time. It took an extraordinary effort by the intelligence community, by the military, by this Congress in providing the necessary support and by our colleagues in other branches of government to get the job done. It was accomplished, and finally that banner on that aircraft carrier has real meaning—Mission Accomplished.

Mission Accomplished. Osama bin Laden is no more. The man that was responsible for the biggest mass murder ever in this Nation's history is no more. President Obama, we thank you. We thank the men and women of this military and the intelligence community that made this happen. We applaud the courage of all that were involved and the wisdom and the determination to get the mission accomplished.

Let me now turn to our colleague from South Carolina (Mr. CLYBURN).

Mr. CLYBURN. Thank you so much. Thank you for yielding me the time.

Mr. Speaker, I rise to commend and give thanks to all those who played roles in the operation that resulted in the death of Osama bin Laden.

First and foremost, President Obama who came into office determined to renew the focus on Osama bin Laden, and he has delivered. His gutsy decision to proceed with the raid as he did, as opposed to striking the compound from the air, will go down in history as one of the great Presidential decisions of all time.

Next, the Navy SEALs who carried out the mission. Their unparalleled courage, dedication, and physical and mental strength are truly awe inspiring and were crucial for the success of the operation.

We have been trying to eliminate the threat to our homeland since 1993, and the effort has continued unabated as the White House and the Congress have switched hands several times.

While nothing can bring back the lives lost in the World Trade Center

back in 1993, our Embassies in Nairobi, Kenya, and Dar es Salaam, Tanzania, the USS Cole and the Twin Towers on September 11, last Sunday's events serve as a modicum of closure for many Americans and should be a reminder to those who wish to do us harm that America does not waver in the pursuit of justice.

God bless the brave men and women, and their families, who work every day to protect our Nation and its people.

Before closing, I want to also thank CIA Director Leon Panetta and all the unsung heroes in our intelligence community who do their work anonymously and seldom receive deserved accolades. Their families sacrifice immensely so that they can serve our country.

God bless the United States of America. Thank you.

Mr. GARAMENDI. Thank you very much, Mr. CLYBURN, for your heartfelt and very, very appropriate words.

The mission that was carried out was not something that came about just in a matter of days. It had been planned over the course of many, many years, and, with determination, the intelligence community, led by most recently Mr. Panetta, worked tirelessly to track down Osama bin Laden. It took a great deal of time and many, many years but ultimately succeeded in ways that the news media is now beginning to report. We can only give thanks and congratulations to that part of this mission and their determination and steadfastness to stay on the track, to follow every lead and to find every stone that needed to be turned over so that ultimately success could be had in locating Osama bin Laden.

I think we all now know a great deal more about Abbottabad and what it is, a community, not large, but what was this strange new compound doing in that particular location? We found out precisely what it was doing and we took the steps necessary.

I think all of us have seen pictures of the Situation Room at the White House, with American leaders surrounding a table, looking at the television screens, watching in real time what was going on half the world away. I think all of us could see the concern on the faces of those leaders, the President, the Secretary of State, Mr. Panetta and others who were there who had spent their previous hours preparing for the mission and making a very difficult decision.

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They knew that this was an extremely risky program that could quite possibly fail, and I'm sure they had the failure of the mission that President Carter ordered three decades before to go into Iran to rescue the hostages, I'm sure that weighed heavily on their minds.

But nevertheless, the President made a very, very courageous decision to accept the risk of failure and quite possibly to succeed in finally dealing with the mass murderer Osama bin Laden. We must keep in mind that it wasn't just Americans who were murdered here on the shores of this Nation, but in Pakistan and in other countries around the world, al Qaeda murdered far more people in those countries.

I notice now that I'm joined here by my colleagues. I'd like to turn to my colleague from San Diego. SUSAN, if you would care to join us, thank you.

Mrs. DAVIS of California. Thank you. I'm delighted to join you, and I want to thank you so much for taking this time today.

We know that the events that occurred just a few days ago were really the result of multiple government agencies working together over a number of years, but today, at this time, I want to rise to honor one of our Nation's finest fighting forces, our Navy SEALs.

My district is home to Coronado, which houses both the Coronado Naval Amphibious Base, where all SEALs undergo basic training, as well as the Naval Special Warfare Command; and over the years, I've had the pleasure of meeting these brave young SEALs who are willing to do a job that most of us would rather not even imagine, and, quite frankly, we can hardly imagine many of the things that they're asked to do. And, you know, the most amazing thing to me is they do this job so quietly. They really don't talk about their work, but you can see it often on their faces and the fact that they are very proud of what they do and they are very proud to be Americans.

These men ask nothing in return for the work that they do, a quality that I certainly admire in them, not only among our Special Forces but among our brave men and women in uniform across the services.

So I rise to say a very big and grateful thank you. You ably and swiftly removed one of the most heinous criminals this world has ever seen, and I simply want to say thank you to our SEALs for a job very well done, and I'm very proud to represent you. Hoo-yah.

Thank you.

Mr. GARAMENDI. Thank you very much, Representative DAVIS. I share your enthusiasm. Not too long ago, I also represented San Diego but in a different role, not as a Representative but as Lieutenant Governor.

Indeed, Coronado is an extraordinary place, and the naval forces that are such a prominent part of San Diego did play a role in this in many, many ways. I was trying to recall whether the aircraft carrier that ultimately did the final burial at sea was stationed in San Diego. I think it was a San Diego aircraft carrier.

Mrs. DAVIS of California. Yes, it was.

Mr. GARAMENDI. So what we have here is another way in which the American Armed Forces, in the many different ways, in the case that you talked about, the role of the Special Forces, the special operations, and the SEALs that actually participated, carried out the mission, and the aircraft carrier, and then in between the Air Force and the Army, all of them playing a role. It's an extraordinary example of the way in which military power, properly focused on a very important task, is able to carry it out.

Mrs. DAVIS of California. Yes.

I think the other thing that we realize, and those of us in San Diego are so aware of our Navy, but all the other agencies that work well together, that's important. And over the years it hasn't always been that way at the level that it is today, and I think that's why they were so successful. And as we've had an opportunity to read newspapers throughout this country and to have some opportunity as well to speak to the people who were key in carrying out this operation, that's something that they're very proud of, that the communication, that the—we use the word “synergy” a lot, but people came together on many different levels and, quite honestly, it's something that probably would not have been possible quite a number of years ago, but it is today. And I think that it's something I hope that our enemy is paying attention to because we are a lot abler, a lot more smart, a lot more capable of carrying out these kinds of activities, and it should make those who want to do us harm think twice.

Mr. GARAMENDI. Absolutely correct, and I thank you so very much for your participation tonight in honoring and congratulating President Obama and the special operations and the American intelligence community for what they were able to accomplish. Finally, mission accomplished.

I'd like now to turn to our new colleague just a little less experienced than myself, Mr. CLARKE from the State of Michigan and the city of Detroit.

Mr. CLARKE of Michigan. Thank you, Representative GARAMENDI.

I, too, want to commend the Obama administration, our military forces, the national security and intelligence team for mission accomplished by taking out America's public enemy number one, Osama bin Laden. And while I believe it's important that we continue to work to eliminate terrorist breeding grounds and safe havens for terrorism that exist in foreign countries, because bin Laden is now gone, this is the time to reassess our mission in Afghanistan.

For example, we've been spending in recent years in total military and civilian aid to Afghanistan approximately \$100 billion. That's billion with

a “B.” We could take a share of that money, a share of those billions, redirect it to the United States to better protect Americans right here at home, invest that money in homeland security, for sound intelligence, to better protect our borders, and also to support our first responders. And what I'm talking about is our local police officers, our local firefighters, our emergency medical providers. They need resources now because State and local governments really don't have the money to properly fund those operations. They need money. They need our support because our local police and fire, that's our first line of defense against terrorism here in the United States. Let's return some of that money here to protect Americans in the homeland, because it's American tax dollars in the first place that we're spending in Afghanistan.

Similarly, we spend billions of dollars in economic assistance to help rebuild Afghanistan. I am not taking great issue with that, but we could take a portion of that money to help rebuild our cities, rebuild our manufacturing capacity, repair our roads and bridges, build industrial parks and new schools. We're doing all of this right now in Afghanistan. We can do more of that right here at home for Americans.

So I want to thank, again, the Obama administration for a job well done, taking out our number one public enemy. This now provides us an opportunity to reassess how we're spending our money overseas, especially in Afghanistan, to redirect more of those funds right here at home because Americans, we need it. It's our money in the first place.

We can create jobs if we invest some of that in manufacturing, invest some of that in cities like the city of Detroit which are the basis of our manufacturing capacity, those types of industrial cities all around the country. And we know we need the industrial parks and schools.

Afghanistan, yes, we're rebuilding that infrastructure there. Let's do the same thing. Let's do more of that right here in the United States. That's how we can help all of us make it in America, and that makes the world a better place to live.

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Finally, the real homeland security comes from within. When you take care of Americans and you make America stronger, that's the best way to fight off terrorists. The best way to defend ourselves against a threat that comes from overseas is to make sure that we are as strong as possible right here at home. Let's return some of that money to help serve Americans because, again, it's American tax dollars in the first place. I appreciate you giving me this opportunity to speak on these issues.

Mr. GARAMENDI. Thank you very much, Mr. CLARKE.

Your concern about the economy of Detroit and, in a larger sense, the economy of the United States is very, very well founded. There is no doubt that the economic and social strength of America is the foundation upon which every other aspect of the war on terrorism must be fought. We have to deal with our economy. And you're quite correct about the allocation of resources.

I notice that New Jersey and RUSH HOLT, who has been a stalwart in dealing with the policies of protecting America in many ways, energy policy and the rest, has joined us. Mr. HOLT, if you would care to join in and share your thoughts on this most important event, the elimination of the world's greatest mass murderer.

Mr. HOLT. Thank you, Representative GARAMENDI, and thanks for setting aside some time tonight to recognize this work by some great patriots. When I heard the news on Sunday, my thoughts turned immediately to those harmed by bin Laden's vicious attacks on our embassies, our ships, planes, the World Trade Center, the Pentagon, and the many thousands of deaths caused by the havoc he sewed. Our hearts go out to those families.

Certainly in central New Jersey, we lost hundreds and hundreds of people on September 11, but we mustn't forget those who died in the embassies a couple of years before that, those who died in the wars that followed. Middletown, New Jersey, lost more people on September 11 than any other single town, except New York City. They went off to work, not understanding that this evil was at play, that Mr. Bin Laden was plotting just the most dastardly thing that you can imagine.

America's military and intelligence services demonstrated why they are known as the best in the world. Bin Laden's removal was of course not immediately the end of the threat of terrorism against the United States, but his death represents a crippling blow to the organization responsible for these many attacks over the last 13 years. It really is appropriate that we congratulate President Obama and the dedicated and brave members of our military and intelligence services for acting as they did.

The President showed that he understands intelligence efforts and military operations, and the Special Forces showed that they have skills and equipment like no others. The hunt for Zawahiri and other al Qaeda leaders will continue. I suspect that the information gathered in the assault on bin Laden this week will speed that search. I spent a number of years on the Intelligence Committee here in the Congress and learned a great deal about the dedication and skills of these people that work behind the scenes.

When the United States began its military campaign in Afghanistan

nearly a decade ago, our goal was to bring to justice bin Laden and other al Qaeda leaders that were responsible for the attacks. It's worth noting that the senior most al Qaeda leaders have been captured or killed not in Afghanistan but in Pakistan. That fact only reinforces my conviction that the time has come for the United States to begin a swift and orderly withdrawal of our combat forces from Afghanistan, and I hope the President will heed the call of people all over the country and, I would say, all over the world to do precisely that.

As we celebrate the courage and the work of the Special Forces, we must also talk about the intelligence services, where they combine enormous skill and brain power and perseverance and, yes, courage. They are frequently only one intelligence leak away from losing all their work or sometimes their lives.

The fact that this has taken more than a dozen years since the bombing of the embassies to track down bin Laden and his evil operations emphasizes the need for full reliable cooperation with other countries, not intermittent sometime cooperation. It should have been, America would have wanted, the world would have wanted that this be completed sooner. So we need that international cooperation. This demonstrates it.

As Mr. CLARKE, our colleague, points out though, the day-to-day protection of Americans won't be done by Special Forces. It will be done by courageous Americans who do the right thing day in and day out, our local first responders, the investigators. That's how most—in fact, nearly all of the potential terrorist attacks that have been beaten, undone, have been uncovered.

So this is sobering to think about what we have in front of us yet, but we know we have good people working on it. We saw that this past week, and we celebrate them and congratulate them and our leaders for carrying it out.

Mr. GARAMENDI. Mr. HOLT, thank you very much.

A couple of things about your discussion really struck me as being very, very important. You reminded us of the men and women that died not only on September 11, the impact on the community that you represent there in New Jersey, and other communities but also the fact that men and women died in the previous attacks that were sponsored and planned by al Qaeda. You also reminded us that there were men and women not of this country but of other countries, Kenya, Tanzania, Iraq, Pakistan, and other countries, that were also the victims of the vicious evil attacks that were planned and carried out by al Qaeda.

It's not just Americans that were the targets of this organization. And you also reminded us of the importance of our own first responders and police and

others here in the United States. We know that the reach of al Qaeda is not just Afghanistan, Iraq, Pakistan. It includes Yemen and Somalia and other countries and America, that there are Americans that have been radicalized by the message. We need to deal with that and address those individuals and organizations that may exist within our own country.

Mr. HOLT. If the gentleman would yield, I will add one more comment which is, I hope that this will bring the world closer together. The recognition that the killings, the evil worked by this man affected many thousands—really, hundreds of thousands around the world. I'm sure many of these people are grateful to families of those who have been killed in other countries, and so forth, are grateful for the actions of these brave Americans. But I hope that what this does is bring the countries of the world and the peoples of the world more closely together in fighting such evil.

Mr. GARAMENDI. If I might take it from there, you reminded me that in the newspapers here in Washington and I think across this Nation, there was what we call an op-ed, an article that appeared on the editorial pages written by the President of Pakistan who congratulated President Obama and the United States for ridding Pakistan of a terrible problem.

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I thought that that was a remarkable article that he wrote. He noted that his own wife was the target of al Qaeda, not once, not twice, but three times. The final effort resulted in her assassination.

So the point that you made about bringing all of us closer together to deal with terrorism, wherever it may be, and whatever rationale it may perceive itself to have, is a threat to every peaceful person and every country that desires peace. Point well made and well taken, Mr. HOLT. Thank you so very much for joining us this evening.

You're welcome to stick around and join us after we hear from my colleague from the State of California, LOIS CAPPS, who represents the Santa Barbara region of the Golden State.

Mrs. CAPPS. Thank you, Mr. GARAMENDI, for yielding me time and for organizing us to have this conversation and this opportunity to pay tribute this evening.

I rise, like my colleagues have risen, to commend the many people involved in bringing Osama bin Laden to justice. From all accounts, and from what we heard from Director Panetta yesterday, it was a meticulously planned and executed operation. I commend the President and his national security team for their focus.

When the President was running for office, he said that if he were presented with actionable intelligence on al

Qaeda's leaders, that he would act, with or without the host country's permission or assistance. He got some heat on that commitment, if you'll remember, my colleague, but it's clear he was correct.

The result is that the perpetrator of the 9/11 attacks has now been brought to justice and the organization he has led has been further weakened.

And I am so grateful to our colleague from New Jersey (Mr. HOLT) for calling to mind, again, as all of us felt as we heard the news of Osama bin Laden's demise. We were immediately, at least I was, as well, reminded again of that awful day, 9/11 and the image, where we were when we heard the news, how we were riveted to watching the horror unfold, explode in D.C., at the Pentagon, and New York City and in Shanksville, Pennsylvania.

And I acknowledge that this was closure for those families who have suffered and continue to suffer, and a good thing that they have seen this person, this evil man brought to justice. But it doesn't lessen their sorrow and their loss, and we're mindful of that. And it comes back again to remind us that we have not, by any stretch, ended the threat of terrorism, and we must remain vigilant.

Mr. HOLT talks about all of the New Jerseyans who lost their lives that day. And it was concentrated in our metropolitan areas surrounding New York City. But these were trans-country flights, and some of the passengers were bound for the west coast, and some of them were my constituents as well as, I don't know about Mr. GARAMENDI, but others in California I know, lost their lives and those families are still grieving. So my heart goes out to them this evening.

But I want to acknowledge also the comments and the contribution from our colleague from Detroit, HANSEN CLARKE, who acknowledges for us all, which I am very mindful of, that our need to remain vigilant includes our homeland security. And that goes immediately to the role that our first responders play, and the responsibility that we have in this body to make sure that our front line defense in our cities, in our rural areas, in our vulnerable places that we're all mindful of now with the heightened security, because we know that this event that happened just so recently is going to have some kind of effect, and we need to be even more on guard.

But every day we want and need our first responders to be there in our homes guarding our streets and guarding our communities and making sure that we're safe. And we have a responsibility to see that they have the resources to do that.

On the other hand, disrupting the operations of this murderous group is such an important step to safeguarding our country.

But, Mr. Speaker, my main reason for wanting to contribute and add to this discussion this evening is what I feel is our important duty to pay tribute to these Navy SEALs who pulled off this operation and to thank them. We don't know their names. We don't want to reveal their identities for the safety of their families. But these brave individuals serve, not for fame, not for fortune. They do it in some of the most dangerous situations imaginable. They do this service for us to protect our freedoms. They do it as they did this past weekend and on so many countless other occasions to keep our country safe. While we sleep, they are on watch. And for that, we owe them such a huge debt of gratitude.

Finally, I believe that all Americans are rightly impressed and grateful by the tireless work done every day by members of our intelligence and our military communities. Indeed, it was that relentless hard work that tracked down bin Laden and countless others of his ilk. The dedication, the sacrifice of these men and women and that of their families have been so critical to keeping our country safe. It is a duty that's been particularly heavy in the days since 9/11.

It's easy for us to go about our life and to resume our normal ways of living, but not for them and not for their families. And now, as this has occurred, we really want to call to mind all those who serve our country, at home and abroad in the military, wearing the uniform for love of country, for their patriotism. And we owe them so much. Their service in Iraq and in Afghanistan, whether we agree with the engagement or not, they are serving their country. And this has been nothing short of amazing.

I think of my own naval base, Ventura County, where the Seabees ship from, and the work that they have done and continue to do reconstructing the war-torn areas and assisting the folks in Iraq and Afghanistan and rebuilding their lives.

I think of the Air Force base at Vandenburg, which I'm also privileged to represent, where so much of this intelligence comes from as our operations are carried out with such precision and such skill. The multiple tours of duty, the extended tours, the time away from family and friends, the danger that goes along with every deployment. These burdens are, quite frankly, something that most of us don't think about enough. So much of what these brave men and women do goes unnoticed and uncommented upon.

So, tonight, as we pay tribute to the courageous Navy SEALs who stormed that compound in Pakistan, I want us all to recognize the daily sacrifices of all of their brothers and sisters in arms, in the intelligence communities and serving in uniform. Let us thank

them for the service that they have given and do give to us. Thank them for carrying out their duty to serve their fellow citizens every single day, and thank them also for calling to mind for us that they do this, not as Democrats or Republicans. They do this in service to their country.

And I believe that this action, such as we came together in 9/11, calls for us to join together in this Congress and in this country in a call to unity to rededicate ourselves to serving our country.

We have many pressing challenges today. Our involvement in Afghanistan is one of them, and it's a major one, and in Iraq as well. But we have our own homeland with our economic struggles that calls for us to work together as well.

So your desire to bring us together, Mr. GARAMENDI, makes me think about a great many things and, again, to say how grateful I am that we have taken this important step in our war for freedom, against al Qaeda, but for freedom and for this life that we can enjoy in this country.

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Mr. GARAMENDI. Representative CAPPS, thank you for your words. As you were talking, you were talking about families. I remember a discussion you and I had just a couple hours ago as we were sitting here in the Chamber and you told me about the birth of your granddaughter.

Mrs. CAPPS. Grandson. Little Oscar Walter. But you are absolutely right.

Mr. GARAMENDI. Congratulations on that. Our own tenth grandchild was born just 8 months ago. And I was thinking about them in the context of what has happened this last week and about what we here in Congress, the people's House, representing 350 million, 360 million Americans, about the task that we have to assure that those children of the next generation will have a world that is peaceful, safe, in which they can live out their dreams as we have been fortunate enough to do ourselves.

I notice that an extraordinary woman like yourself, Mrs. CAPPS, has joined us representing the great State of Texas, SHEILA JACKSON LEE. I think you would like to make some comments on the subject of the extraordinary courage that our President and our intelligence and our military have displayed this last few days.

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman from California, and would say to him what a contributor he has been to really improving the lives of all Americans. I have enjoyed coming to the floor and engaging in important discussions on behalf of our colleagues. Really, we are speaking to our colleagues. And we hope that all of those that are represented by the many colleagues here

would realize, when we are on the floor, we are trying to help set policy to improve the lives of Americans.

We traveled just 2 or 3 days ago to another exciting venture, and that was of course the set time for Endeavor to launch into space. And I think it connects very well. I enjoyed meeting your wife and having discussions about how great America is, and as well knowing that our dear friend and colleague was able to travel, Congresswoman GIFFORDS, and that a Texan, her husband, was going to be the commander of Endeavor. We looked forward to it going.

But I mention that because of course many of the astronauts are military personnel. And I could imagine when President Kennedy challenged us to go into space, into outer space, which seems like a fiction but was real, no later than 1969 we landed on the Moon. This is a great country, and we have the ability to be resilient and persistent.

As all of us reflect on where we were on 9/11, and I know that you could say where you were. We were right in this place. We were meeting and huddled around issues. I remember it as clear as day. Small Business. We were not on the floor, but we were huddled in a room right underneath this Chamber discussing how do we help small businesses. And all of a sudden we heard such a sound, such a shrill, "Get out of here." It was something we had never heard before.

But I say that only that you would have thought in that experience, a 21st century experience, that America would have been brought to her knees. That was the intent. It was to put us in such panic and such intense depression that we can never rise again. And many of us who have flown into New York over the years always remember the very special view of the two towers.

So come now almost 10 years later, 2011, and as each President talked about making sure that they would find Osama bin Laden, even as President Clinton experienced the first World Trade towers bombing in 1993 and he responded, and even as President Bush made the comment of going to get him, we are so grateful that in all of those disappointments of not finding Osama bin Laden, that America never gave up.

So today I am delighted to join you to salute and honor all of the principals that were involved: President Barack Obama, his national security team, the Joint Special Operations Command, JSOC, the Navy SEALs, and all of the courageous men and women of the United States military as we were detailed this very intricate and very, very difficult and dangerous mission, how proud we were to understand the willingness of the Navy SEALs to sacrifice or to stand up and say, "Let me be counted."

I am hoping that we will have an opportunity to debate a resolution on the

floor of the House. I am hoping that we will be able to do it in a bipartisan manner. I have introduced H. Res. 240 with 50 Members of Congress now joining in and asking for what might be a waiver this one time to allow us on this historic opportunity to debate on the floor of the House as our friends have in the other body.

But even as we speak tonight, and I want to thank our leader Congresswoman PELOSI for having the insight knowing that Members wanted to come and to express themselves. So let me just quickly say these words as I come to a close.

I like this comment. "The world is safer without bin Laden," says Obama. President Obama. And then this other comment that I think is so very important speaking about this Nation and recognizing how we have never given up, the President has indicated that this is a country that is continuously resilient. And as we are resilient even in the face of obstacles and the continued threat from the USS *Cole* that happened, from the bombing in Africa, the embassies that were bombed, all of those incidents, and we never gave up.

And it is important for America to know that there were voices who opposed decisions that were made. And not in any way to be negative, but they doubted what was being presented. This was not an easy decision. This was a courageous decision. This could have been a calamity. This could have been the worst decision that anyone ever made. But, fortunately, there was a President who had a team who came together. And on behalf of the American people they acted bravely, courageously with sensitivity, astuteness, talent, genius. And I am so very proud to stand on the floor today to offer to the American public my outpouring of congratulations to each and every one.

I close with this. I don't know all of the facts, but I understand that one of those actors, one of those military personnel may have been the child of an immigrant family, a recent immigrant family. How great it is to be able to take those young people who love this country and let them serve this country.

Mr. President, in finality, never give up, never give in, and never give out. You are serving the American people, and as Commander in Chief we salute you.

To all of those who worked, the military, the national security team, the intelligence community, JSOC, Secretary of State, Secretary of Defense, and others not named, we thank you, because we realize that you stand in the shoes of those men and women that are forever brave. To their families I say thank you, and to this leadership I say thank you.

I would like to congratulate President Obama, his National Security team, the Joint Special Operations Command (JSOC), the

Navy SEALs, and all of the courageous men and women of the armed forces and intelligence agencies that contributed to the successful implementation of the mission that led to the death of Osama bin Laden. I would also like to congratulate President Obama on his successful policies on the war on terror and in homeland security.

President Obama's leadership, resolve, and perseverance led to the killing of Osama bin Laden, the man and symbol of evil behind the September 11 terrorist attacks.

The death of Osama bin Laden has been a crowning moment in our Nation's war against terrorism and has sent a clear and significant message to terrorists around the world that the United States will not cease in our pursuit of justice for those terrorists who seek to do harm to this Nation and its citizens.

Following the death of Osama bin Laden, the family and friends who lost loved ones in the terrorist attacks on September 11 are able to achieve a greater sense of comfort and closure.

After months of meetings with the National Security Council and intelligence officials, led by President Obama who directed intelligence officials to zero in on Osama bin Laden's whereabouts, intelligence officials devised and carried out a clandestine operation which had frequently been rehearsed in an effort to minimize casualties, both civilian and military.

As Commander-in-Chief, President Obama gave the final authorization to commence the operation to capture or kill the most wanted terrorist in a manner that would provide proof that the right man was captured or killed.

The highly trained and brave members of the Navy SEAL Team and intelligence officials that entered the compound did so under the highest levels of patriotism and service to the United States of America, and they were successfully able to identify and kill Osama bin Laden with no military losses and minimal civilian casualties.

Upon hearing the news of Osama bin Laden's death, there was an incredible outpouring of unity and defiance of the terrorists who still seek to destroy our free way of life, and there was an impressive show of unity amongst lawmakers regardless of party affiliation.

President Bill Clinton led the Nation during the terrorists' attacks on the USS *Cole*, United States embassies, and the first attack on the World Trade Center and President George W. Bush led the Nation during the September 11 terrorist attacks, and both leaders pledged to defend freedom and seek justice for the horrendous attacks on the United States of America, and President Obama had the strength and wherewithal to see that pledge through to fulfillment.

Osama bin Laden was the symbol and inspiration for terrorism which resulted in acts of violence around the world. His actions resulted in the murder of thousands of America civilians and the men and women of the United States military. I believe that the strategic, successful operation which led to his death should be commended along with the important leadership of President Obama, who worked with his national security team and ultimately authorized this mission. Further, I want to honor and recognize all of the men

and women of the military and the intelligence agencies that contributed to the successful implementation of this mission.

This completed mission shows the resilience of the American people and the American government to find the man that caused such death and brutality. Now, we hope that our ideals of democracy, justice, and freedom will prevail so that peace can come to the world.

BILL SUMMARY AND STATUS

H. RES. 240

Latest Title: Commending President Barack Obama and the men and women of the military and intelligence agencies for the successful completion of the operation that led to the death of Osama bin Laden.

Sponsor: Rep Jackson Lee, Sheila [D-TX-18] (introduced 5/3/2011) Cosponsors: 40

Committees: House Armed Services; House Intelligence (Permanent Select); House Homeland Security

Latest Major Action: 5/3/2011 Referred to House committee. Status: Referred to the Committee on Armed Services, and in addition to the Committees on Intelligence (Permanent Select), and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

COSPONSORS, ALPHABETICAL [= original cosponsor]:

Cosponsor Statistics: 40 current (includes 40 original)

Rep Barrow, John [D-GA-12]—5/3/2011 *
Rep Bass, Karen [D-CA-33]—5/3/2011 *
Rep Berkley Shelley [D-NV-1]—5/3/2011 *
Rep Bishop, Sanford D., Jr. [D-GA-2]—5/3/2011 *

Rep Boren, Dan [D-OK-2]—5/3/2011 *
Rep Boswell, Leonard L. [D-IA-3]—5/3/2011 *
Rep Chandler, Ben [D-KY-6]—5/3/2011 *
Rep Cohen, Steve [D-TN-9]—5/3/2011 *
Rep Cuellar, Henry [D-TX-28]—5/3/2011 *
Rep Cummings, Elijah E. [D-MD-7]—5/3/2011 *

Rep Dicks, Norman D. [D-WA-6]—5/3/2011 *
Rep Gonzalez, Charles A. [D-TX-20]—5/3/2011 *

Rep Hinojosa, Ruben [D-TX-15]—5/3/2011 *
Rep Hoyer, Steny H. [D-MD-5]—5/3/2011 *
Rep Jones, Walter B., Jr. [R-NC-3]—5/3/2011 *

Rep Kaptur, Marcy [D-OH-9]—5/3/2011 *
Rep Kingston, Jack [R-GA-1]—5/3/2011 *
Rep Lance, Leonard [R-NJ-7]—5/3/2011 *
Rep Larson, John B. [D-CT-1]—5/3/2011 *
Rep Lewis, John [D-GA-5]—5/3/2011 *
Rep Lipinski, Daniel [D-IL-3]—5/3/2011 *
Rep Loebbeck, David [D-IA-2]—5/3/2011 *
Rep Lynch, Stephen F. [D-MA-9]—5/3/2011 *
Rep Maloney, Carolyn B. [D-NY-14]—5/3/2011 *

Rep Matheson, Jim [D-UT-2]—5/3/2011 *
Rep McCaul, Michael T. [R-TX-10]—5/3/2011 *

Rep Rangel, Charles B. [D-NY-15]—5/3/2011 *
Rep Reyes, Silvestre [D-TX-16]—5/3/2011 *
Rep Richardson, Laura [D-CA-37]—5/3/2011 *
Rep Ross Mike [D-AR-4]—5/3/2011 *
Rep Ruppersberger, C. A. Dutch [D-MD-2]—5/3/2011 *

Rep Schmidt, Jean [R-OH-2]—5/3/2011 *
Rep Serrano, Jose E. [D-NY-16]—5/3/2011 *
Rep Shuler, Heath [D-NC-11]—5/3/2011 *
Rep Smith, Adam [D-WA-9]—5/3/2011 *
Rep Smith, Adrian [R-NE-3]—5/3/2011 *
Rep Tierney, John F. [D-MA-6]—5/3/2011 *
Rep Velázquez, Nydia M. [D-NY-12]—5/3/2011 *

Rep West, Allen B. [R-FL-22]—5/3/2011 *
Rep Wilson, Joe [R-SC-2]—5/3/2011 *
Rep Eleanor Holmes Norton (DC)

Rep. Jim Himes (CT-4)
Rep. David Cicilline (RI-1)
Rep. Anna Eshoo (CA-14)
Rep. James Moran (VA-8)
Rep. Adam Smith (WA-9)
Rep. Jim Costa (CA-20)
Rep. Alyson Schwartz (PA-13)
Rep. Joe Courtney (CT-2)
Rep. Madeleine Bordallo (GU)

Mr. GARAMENDI. Thank you very much, Ms. LEE. Your comments are so well taken and so well said.

I was thinking earlier when I was talking about the Situation Room and what led up to the actual moment that the program was being carried out, the extraordinary and very difficult decision that the President had to make. But it was a decision that he had made months and years earlier when he spoke to the American people as he was asking them for their vote to become President that he was going to focus like a laser on the man that caused the problem; that he was going to go wherever it may take and do whatever is necessary to settle the score and to bring to justice Osama bin Laden. And when the moment came, when the information was presented and all of the potential disasters that could occur, international relationship issues, loss of men, and even thinking back on the Jimmy Carter incident in Tehran, he stuck by his determination and completed a mission that was accomplished.

□ 1920

As you were talking and as I was listening to your very fine presentation, I noticed that an extraordinary leader had joined us here on the floor of the House, a leader who, in her own way, set a very unique circumstance for America—the very first woman Speaker of the House, who led this Chamber and this Nation to accomplish tasks that had not been accomplished in the previous 40 years but which were highly desired by the United States citizens: a health care plan that would provide service to nearly every American, Wall Street reform, and women's rights in the workplace. It was a privilege for me to join during the time she was the Speaker. Now she is the leader of our caucus, Congresswoman NANCY PELOSI.

Ms. PELOSI. I thank the gentleman for yielding and for his very kind words. I thank you for yielding your Special Order that you have practically every night that Congress is in session to talk about jobs for the American people and to, instead, allow us to use this time to come to the floor to say, "Hail to the chief. Congratulations and thank you, President Obama. Many of us in Congress come together in appreciation of your leadership, your determination, and your commitment of resources in the fight against Osama bin Laden."

I am pleased to join so many of my colleagues who have come to the floor to express their appreciation for this

historic achievement. We all know that the death of Osama bin Laden is not the end of terrorism, but it is a significant step. It sends a clear message that the American people will pursue justice.

I would also like to express my gratitude to our former Congressman colleague but now Director of the CIA and soon to be the Secretary of Defense, Leon Panetta. He was tasked by the President and named by the President in his remarks on Sunday evening as the person who had the responsibility to get the job done.

Our colleague Congresswoman JACKSON LEE has referenced the entire national security team, some specifically. I want to associate myself with her comments in that regard: the President's national security team and the Special Ops team—the men and women in uniform and our officers in the intelligence community. It is a testament to their professionalism, their precision, and their talent that no American lives were lost in this action; but it is indicative of, again, the contribution that they and their families make to help us uphold our oath of office to protect and defend. That's what we take an oath of office to do.

We recognize that this achievement was not just the goal of President Obama's, who said as candidate Obama and as President, If I have actionable intelligence on the whereabouts of Osama bin Laden, I will act upon them—and act upon them he did.

I called both former President George W. Bush and President Clinton to thank them for their work in this regard. In the '90s, President Clinton declared Osama bin Laden to be America's "public enemy number one." He saw that danger long before 9/11. Then, of course, following 9/11, President Bush tried to pursue Osama bin Laden. Their work was important, but I am here to commend President Obama in particular for executing the plan to get it done in recognition of the foundation that was laid by President Clinton and President Bush.

When we think of the symbol of Osama bin Laden and why bringing this to closure is so important, we are venturing onto sacred ground, 9/11—a shocking act of terrorism that affected our country very, very deeply, but none more deeply than the families who were affected by 9/11. We can never make them whole. We can never make up to them all that they have lost, but I hope it is some comfort to them that at least this has happened, however long it took. They used their grief for the greater good at the time by supporting the 9/11 Commission to investigate why this happened so endangering the lives of the American people would never happen again.

I commend the 9/11 families for their sacrifice, yes, for their patriotism, and for what they did to make a difference

as we go into the future. Who knows? Maybe the work of the 9/11 Commission contributed to the success of this operation as well.

I know that our time is running out, and I just want to close, Mr. Speaker, by saying that our colleagues in the United States Senate unanimously passed a resolution to honor those who so successfully carried out this mission, and I'd like to associate myself with the language of their resolution. It says in part:

"The death of Osama bin Laden represents a measure of justice and relief for the families and friends of the nearly 3,000 men and women who lost their lives on September 11, 2001, the men and women in the United States and around the world who have been killed by other al Qaeda-sponsored attacks, the men and women of the United States Armed Forces and the intelligence community who have sacrificed their lives pursuing Osama bin Laden and al Qaeda."

As they said, the death of Osama bin Laden represents a measure of justice. With gratitude for this measure of justice, I again hail to the chief, President Obama, for his great work. I thank him and congratulate him and all who made this historic achievement possible.

Mr. GARAMENDI. Thank you very much, Congresswoman and Leader PELOSI. I'll say, "Speaker." Is that okay? We thank you for your leadership. We thank you for your remarks.

We have a couple of additional members of our caucus who would like to speak. I think we've claimed the next hour. I believe that it will be available. We're out of time at this point, so I will simply wrap up with these three or four words, which are:

It is with gratitude that I and my colleagues congratulate all who were involved in bringing to justice Osama bin Laden. A job well done. Mission accomplished.

Thank you very much, Mr. Speaker. I yield back the balance of my time.

DIALOGUE WITH THE AMERICAN PEOPLE

The SPEAKER pro tempore (Mr. WOODALL). Under the Speaker's announced policy of January 5, 2011, the gentleman from Louisiana (Mr. RICHMOND) is recognized for 30 minutes.

Mr. RICHMOND. Thank you, Mr. Speaker.

I would like to yield such time as he may consume to the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the gentleman for yielding.

Mr. Speaker, it is an honor to serve as ranking member of the Intelligence Committee. The killing of Osama bin Laden is clearly the most monumental intelligence achievement in recent memory.

Osama bin Laden was a terrorist leader who was responsible for killing

thousands of innocent Americans—moms, dads, brothers, sisters, friends, and loved ones. Bin Laden was a threat to the United States and a threat to the world. He had the blood of thousands of people on his hands. As we all know, 9/11 changed America forever.

Over the weekend, our military and intelligence professionals took extraordinary steps. They worked together as a team and killed the al Qaeda leader. It was a risky mission that was executed with intense training and a high level of skill. These professionals risked their lives to keep our country safe, and no American lives were lost. The men and women who carried out this operation exemplify the extraordinary courage of those who serve our Nation. The countless intelligence and counterterrorism professionals who had pursued bin Laden for years have the satisfaction of a job well done. I applaud them for their persistence and professionalism.

□ 1930

It was a great day for America. Justice has now been done. But let it be known, we have shown the world that if you come after Americans, we will come after you. Even if it takes disciplined persistence by our intelligence professionals and considerable time and resources, we will get you. Let that be a warning to all members of al Qaeda and any terrorists who attack the United States. Our fight against terrorism and those who want to harm Americans is not over, but we have severely weakened al Qaeda. We will remain vigilant as we continue to work tirelessly to protect our Nation.

Mr. RICHMOND. Mr. Speaker, I am going to start something tonight in an attempt to engage more of our American people in the process.

Mr. Speaker, I know that you know that it is no secret that America is still emerging from the recent economic downturn. We still grapple with high unemployment rates and our national debt. We are doing better than we were doing 2 years ago, but we have to do much better, and we will do much better, because we are Americans. That is our history. That is what we do.

We persevered through the Great Depression of the thirties and the depression of the eighties and the recession of yesterday. We supported one another and persevered through hurricanes, through floods, through tornadoes. We mourned together and persevered through the assassinations of John F. Kennedy, through Robert Kennedy, and through Martin Luther King. We persevered. In addition, I personally remember the attempted assassination of President Reagan. I remember writing President Reagan a get well note in the second grade. I even remember getting a note back saying thank you. We persevered again.

Fifty years ago today, an interracial group of Americans left Washington,

D.C., on a bus trip to New Orleans with the goal of desegregating bus terminals. They were the first Freedom Riders. They never made it to New Orleans. They were beaten and bloodied throughout the South, but they sparked off a movement of over 400 Freedom Riders with the same goal and the same dogged determination and perseverance. Eventually our Nation repudiated segregation and embraced equality. We persevered.

If we are going to shake off this economic downturn, we need to embrace the Freedom Riders' spirit of perseverance and dogged determination. That is so very American. America will only rise up again on the strength of our collective ideas. Americans make up America, the people make up the Nation, and it is the people who will keep this Nation great.

Mr. Speaker, the U.S. House of Representatives is the people's House, and it is time that we listened directly to the ideas from the people.

Mr. Speaker, I am inviting the American people to join in this conversation. Here is how to contact me. Here is how to talk to me. Here is how to talk to Congress. You can email me at myidea@mail.house.gov. Again, that is myidea@mail.house.gov. That is because I want to hear your ideas. Or you can go to Facebook and follow me or leave a message on the wall, or go to Facebook and contact me, or you can follow me and I will follow you on Twitter so we can have a free exchange of ideas.

Mr. Speaker, I want to give credit where credit is due. You and the House Republicans last year launched YouCut based on a similar idea, and I applaud that again. YouCut requested that Americans identify what funding they would cut from the government's funding, and I am glad that you engaged the people.

But I think we need to go further. We should and must request that Americans share how they feel about everything. What bills do they want us to champion, what laws do they want changed, what programs do they want extended or ended.

Mr. Speaker, under House rules, I, unfortunately, can't directly address the American people. I must address my comments to you, Mr. Speaker. However, if I could speak directly to the American people, I would request that they send me their ideas for how to keep America great. I would request that they send me their thoughts on whatever they want to talk about.

Mr. Speaker, the American people can, again, email me at myidea@mail.house.gov. I will lead a conversation with the American people in which they will be an active participant. I will bring your thoughts up here and I will talk about them. I will engage you and Congress so that people can read what you write and read your

ideas. I will also put your name on it. I don't want the credit. I just want a better country for our seniors and for our children.

Every couple of weeks while the House is in session I will make sure to come down here and start this conversation with America again. Although it is a conversation by me alone right now, I would suspect that we will get other colleagues joining in the conversation as we get other Americans joining in the conversation.

But right now we are going to stop, and I want to talk factually for a second about our financial situation, and I want to do it as nonpartisan as I can and not lay blame on one party or one President. I just want to talk about where we are.

We can start with recent history. According to the U.S. Treasury, when President Clinton took office, the national debt was \$4.188 trillion. When President George Bush took office, the debt was \$5.728 trillion. When President Obama took office, the debt was \$10.672 trillion. Remember, the total debt is the sum of our accumulated annual budget deficits, so it shows a history of out-of-control spending.

So what is our current budget deficit? Last year, the U.S. Government spent about \$3.5 trillion and collected \$2.1 trillion in revenue. The deficit was right at \$1.2 trillion. The nonpartisan Congressional Budget Office estimates that this fiscal year's budget deficit will be in the neighborhood of \$1.4 trillion. The deficit for this fiscal year is projected to be higher than that of last year due to increases in mandatory spending and less growth in revenues as a result of the temporary payroll tax reduction as a part of last year's bipartisan tax deal.

So here we are, Mr. Speaker. The total amount of U.S. debt today is in the neighborhood of \$14 trillion and the current debt limit is \$14.294 trillion. The Department of the Treasury estimates that the debt will reach very close to this limit the week of May 16, at which time we will be forced to do some courageous things to avoid jeopardizing the full faith and credit of the United States of America.

So, what is the big picture? Well, the fact is over the last several years the U.S. experienced an imbalance between spending and revenues. As a result of the recession, we spent much more than we brought in.

I would like to point out that our recent spending spurred hiring in the private sector. It also provided small businesses with unprecedented tax relief. It helped home buyers purchase homes in this tough market; it helped police, teachers and firefighters continue to get paid; and it helped cities and towns across America weather this financial storm.

Last Monday night while leaving Afghanistan, I was having a conversation

with a colonel in our Armed Forces. I was talking about this Special Order and I was going back and forth with him about his input and about ideas on how to engage people. He volunteered to be the first person to start the conversation and to pose a question.

He didn't really have much of a comment, but he wanted to pose a question to the American people. And his question was very simple, and it dealt with how big and what we do as Americans. So, right now I will start with his question, and that was: As Americans, what do we have, what do we want the government to provide, and how are we going to pay for it?

□ 1940

I think that that's a very basic question but it's at the heart of the debate from Democrats and Republicans and Independents. So that's what I think that we will start tonight with, Mr. Speaker, that if I could ask the American people a question, I would request of them to tell me how they feel about that statement: What do we have, what do we want the government to provide, and how are we going to pay for it?

Everyone agrees that where we are now is not where we need to be. We're dealing with big issues that demand big solutions. We have an aging population, rising health care costs, crumbling infrastructure, and uneven educational outcomes. Fortunately for us, America does great things. I believe that we can find a balanced approach that combines some reductions in spending on some programs, but combining that with increases in revenues for those who are most able to afford it and other policies that will promote faster economic growth, like during the Clinton era.

The current budget proposals, both the President's budget and the Republican budget proposed by Congressman RYAN, don't exactly get it right. They both leave room for improvement. We have to get this right, Mr. Speaker. The only way that we can get this right is by both parties working together and sacrificing.

We know that the American people don't want to underfund education or investment to grow the workforce. We know that they don't want us to sacrifice our long-term global competitiveness for short-term gains. Americans believe that we can walk and chew gum at the same time. Mr. Speaker, we can invest in tomorrow and still get our fiscal problems and our fiscal house in order.

How do we move forward? There are a number of options, but one thing is for certain. We should be honest about the tax burden currently faced by Americans.

I want to briefly show you another board, which we're not making any proposals but we want to talk about for a second, the effective tax rates.

The Congressional Budget Office just finished completing an analysis—in fact, they finished it in 2010—about the effective tax rates, which are the actual average rates of taxes paid. What we're going to look at today is the taxes on the top earners were far lower than the top tax rates. The tax rates for the top earners in this country are right at 35 percent of their income. Well, when you look at it after deductions—and legal deductions—and policies that we set as a country, those tax rates are far lower than 35 percent.

The top 10 percent of earners, representing approximately 12 million households in this country, paid an average tax in the neighborhood of 16.2 percent. Now, after paying taxes, their average income was \$289,000.

Let's look at, now, the top 5 percent of earners, which only represent 5.9 million households. They're taking home an average post-tax, after-tax income of \$440,500. They're paying an effective tax rate of 17.6 percent.

So you can see that when you look at 16.2 and 17.6, those numbers are far below the 35 percent that's in statute.

Now, when we get to the top 1 percent of earners in this country, representing only 1.2 million households, they took home an average after-tax income of \$1.3 million, while paying only a 19 percent individual tax rate. So they fall right at 16 percent under the tax rate that's on the books.

Again, I'm not proposing what the numbers should be. But what we do know is that the top number is 35 and the lower three numbers are 16.2, 17.6, and 19 percent as the effective tax rate.

So the question to America, the question to this Congress, Mr. Speaker, is: What is the appropriate number if we're going to continue to pay down the debt, stop running deficits, but at the same time continue to take care of our seniors, invest in our children, do all of those things that continue to make this country what it is?

The next thing I'll talk about: What is the biggest takeaway from these facts? It's about sacrifice. What are we willing to sacrifice to do the things and allow government to do the things that government should do? What are the sacrifices we will make to take care of our seniors, to take care of our children, to invest in innovation, to protect our homeland, to spread democracy, and to do all those critical things that we want to do?

These are the facts, Mr. Speaker. I encourage the American people to draw their own conclusions based on the facts—not hyperbole, not conversations from either side, not political rhetoric, but from the facts.

So, as I have laid out our debt situation, I would ask that you send me your ideas on what you think the numbers should be. This is the people's House. We see how they feel in the polls, but we need to hear their stories

directly from them, Mr. Speaker. I will request that the American people send me those stories, tell me about their hardships, tell me if they think they're paying too much. But give me a specific example. Tell me how that tax rate, that tax liability, that tax burden affected your family. I want to know. I think Congress wants to know. We don't presume, and I certainly don't presume to know everything. I think it's very critical.

My grandmother told me a long time ago, Mr. Speaker, smart people know what they know and know what they don't know. I'm telling you today that I don't know everything, and I'm willing to listen to the people that do.

After all, we need everyone's creativity, everyone's inventiveness, everyone's ideas if we're going to keep this country great. This is America, home of amazing structural feats: The San Francisco Golden Gate Bridge in California, the Hoover Dam on the Arizona and Nevada border, Mount Rushmore in South Dakota. This is America, one of the most inventive nations in the world. We brought the world bifocals and the modern suspension bridge, dental floss and the doorbell, the airplane and peanut butter. America brought the world the defibrillator and the traffic light, digital recording and the Super Soaker water gun, the artificial heart and the personal computer.

This is America, a Nation of firsts and a Nation where our inventive spirit rings from sea to shining sea. This is America, where we do big things because we have big ideas. As President Obama said in this year's State of the Union Address: We're a Nation that says, I might not have a lot of money, but I have this great idea for a new invention; I might not come from a family of college graduates, but I will be the first to get my degree; I might not know those people in trouble, but I think I can help them, and I need to try; I'm not sure how we'll reach that better place beyond the horizon, but I know we'll get there. I know we will. We do big things.

Those were President Obama's words from the State of the Union in which he laid a course of where we are, where we need to get to, and why we all know we'll get there.

Mr. Speaker, again, I wish I could directly address the American people. If I could, again, I would invite them to reach out to me on Facebook, on Twitter, or by email. Email me at myidea@mail.house.gov.

We've been through rough patches before and we got through them because we're Americans. We will work together and we will listen to the American people. Our perseverance, ingenuity, creativity, and work ethic are unmatched. We're going to get through this because of our people.

Mr. Speaker, last week I had the opportunity to travel to Afghanistan,

Batumi, and Baku, and over there I just want to say that the energy and the optimism in our troops were unmatched because they were representing America. They were representing what that flag stands for. They were representing the sacrifice that stands in this country's history.

□ 1950

We didn't always get it right since our founding, but we've always, always made it a goal to strive to be a more perfect union. I hope that through this conversation, we will continue to pursue being a more perfect union.

I want to take a detour for a second and just thank the New Orleans Hornets and thank their GM, Dave Dickerson, who when they found out that I was going over to Afghanistan to visit with some troops, that they sent care packages and T-shirts and bands and stickers and magazines to our troops because they understood the sacrifice that our troops were making and they wanted to make sure that they participated in just saying to our Louisiana troops, thank you, job well done, we appreciate your sacrifice.

Mr. Speaker, tonight, thank you for allowing me the time to have a conversation with you about what I believe the American people stand for, about the greatness we have inside ourselves, about the great things that I know we can do when we stand together. And thank you, Mr. Speaker, for allowing me to invite the American people to participate and become their own representative in this Congress and talk about their ideas and express their desires, their wishes and what they're willing to sacrifice and those things they think we need to do.

I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mrs. EMERSON (at the request of Mr. CANTOR) for May 2 and the balance of the week on account of flooding in her district.

Mr. BILIRAKIS (at the request of Mr. CANTOR) for today on account of attending the funeral of a family member.

ADJOURNMENT

Mr. RICHMOND. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 52 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 5, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1393. A letter from the Deputy to the Chairman, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Procedures for Monitoring Bank Secrecy Act Compliance and Fair Credit Reporting: Technical Amendments (RIN: 3064-AD76) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1394. A letter from the Deputy Director for Operations, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule — Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1395. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Planning Resource Adequacy Assessment Reliability Standard [Docket No.: RM10-10-000; Order No. 747] received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1396. A letter from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Mandatory Reliability Standards for Interconnection Reliability Operating Limits [Docket No.: RM10-15-000; Order No. 748] received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1397. A letter from the FWS Chief, Branch of Aquatic Invasive Species, Department of the Interior, transmitting the Department's final rule — Injurious Wildlife Species; Listing the Bighead Carp (*Hypophthalmichthys nobilis*) as Injurious Fish [Docket No.: FWS-R3-FHC-2010-0094; 94140-1342-0000-N5] (RIN: 1018-AT49) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1398. A letter from the Acting Assistant Secretary for Fish and Wildlife Parks, Department of the Interior, transmitting the Department's final rule — Special Regulation: Areas of the National Park System, National Capital Region (RIN: 1024-AD96) received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1399. A letter from the Chief, Endangered Species Listing, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Designation of Critical Habitat for *Carex lutea* (Golden Sedge) [Docket No.: FWS-R4-ES-2010-0003] (RIN: 1018-AW55) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1400. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Removal of *Erigeron maguirei* (Maguire Daisy) from the Federal List of Endangered and Threatened Plants; Availability of Final Post-Delisting Monitoring Plan [Docket No.: FWS-R6-ES-2008-0001] (RIN: 1018-AU67) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1401. A letter from the Chief, Branch of Recovery and Delisting, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Reclassification of the Okaloosa Darter from Endangered to Threatened and Special Rule [Docket No.: FWS-R4-ES-2008-

0071] (RIN: 1018-AW95) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1402. A letter from the Acting Chief, Branch of FS, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for the New Zealand-Australia Distinct Population Segment of the Southern Rockhopper Penguin [Docket No.: FWS-R9-IA-2008-0069; 92210-0-0010 B6] (RIN: 1018-AV73) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1403. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA279) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1404. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Northeastern United States; Atlantic Herring; Amendment 4 [Docket No.: 080513659-1114-03] (RIN: 0648-AW75) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1405. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA276) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1406. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery Off the Southern Atlantic States; Amendment 17B; Correction [Docket No.: 0907271173-1137-04] (RIN: 0648-AY11) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1407. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 m) Length Overall Using Jig or Hook-and-Line Gear in the Bogoslof Pacific Cod Exemption Area in the Bering Sea and Aleutian Islands Management Area [Docket No.: 101126521-0640-02] (RIN: 0648-XA271) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1408. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pollock in the Bering Sea and Aleutian Islands [Docket No.: 101126521-0640-02] (RIN: 0648-XA262) received March 28, 2011, pursuant to 5 U.S.C.

801(a)(1)(A); to the Committee on Natural Resources.

1409. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Reduction [Docket No.: 001005281-0369-02] (RIN: 0648-XA263) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1410. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries Off West Coast States; Coastal Pelagic Species Fisheries; Annual Specifications [Docket No.: 110111018-1095-02] (RIN: 0648-XA109) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1411. A letter from the Deputy Assistant Administrator for Operations, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Western Pacific Pelagic Fisheries; Hawaii-Based Shallow-set Longline Fishery; Court Order [Docket No.: 100826393-1171-01] (RIN: 0648-BA19) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1412. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 in the Gulf of Alaska [Docket No.: 101126522-0640-02] (RIN: 0648-XA277) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1413. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA228) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1414. A letter from the Director Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Fishery of the South Atlantic; Closure [Docket No.: 040205043-4043-01] (RIN: 0648-XA229) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1415. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; American Fisheries Act; Recordkeeping and Reporting [Docket No.: 100413185-1155-02] (RIN: 0648-AY84) received March 28, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1416. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business, Small Disadvantaged

Business, HUBZone, and Service-Disabled Veteran-Owned Business Status Protest and Appeal Regulations (RIN: 3245-AF65) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1417. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Jobs Act: 504 Loan Program Debt Refinancing (RIN: 3245-AG17) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1418. A letter from the Deputy General Counsel, Small Business Administration, transmitting the Administration's final rule — Small Business Size Regulations; 8(a) Business Development/Small Disadvantaged Business Status Determinations (RIN: 3245-AF53) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Small Business.

1419. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Capital expenditures; in general (Rev. Proc. 2011-27) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1420. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Reduction of Foreign Tax Credit Limitation Categories under Section 904(d) [TD 9521] (RIN: 1545-BG54) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1421. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Replacement of Schedule SSA with Form 8955-SSA (Announcement 2011-21) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1422. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Capital expenditures; in general (Rev. Proc. 2011-28) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1423. A letter from the Branch Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Japan Earthquake and Tsunami Occurring in March 2011 Designated as a Qualified Disaster under Sec. 139 of the Internal Revenue Code [Notice 2011-32] received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. BISHOP of Utah: Committee on Rules. House Resolution 245. Resolution providing for consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, and providing for consideration of the bill (H.R. 1230) to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes (Rept. 112-73). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following

titles were introduced and severally referred, as follows:

By Mr. SULLIVAN (for himself, Mr. MATHESON, Mr. UPTON, Mr. WHITFIELD, Mr. SHIMKUS, Mr. WALDEN, Mr. LATTA, Mr. HARPER, Mrs. MCMORRIS RODGERS, Mr. MCKINLEY, Mr. TERRY, Mrs. CAPITO, Mr. GENE GREEN of Texas, Mr. CRITZ, Mr. POMPEO, Mr. ROSS of Arkansas, and Mr. COSTA):

H.R. 1705. A bill to require analyses of the cumulative and incremental impacts of certain rules and actions of the Environmental Protection Agency, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DAVIS of Kentucky (for himself and Mr. THOMPSON of California):

H.R. 1706. A bill to amend the Internal Revenue Code of 1986 to provide a credit against income tax to facilitate the accelerated development and deployment of advanced safety systems for commercial motor vehicles; to the Committee on Ways and Means.

By Mr. RUSH (for himself, Mr. BARTON of Texas, and Ms. SCHAKOWSKY):

H.R. 1707. A bill to protect consumers by requiring reasonable security policies and procedures to protect data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Energy and Commerce.

By Mr. RIGELL:

H.R. 1708. A bill to prohibit the use of funds to support Operation Odyssey Dawn; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER:

H.R. 1709. A bill to prevent and end the occurrence of sexual assaults involving members of the Armed Forces; to the Committee on Armed Services.

By Mr. BURGESS:

H.R. 1710. A bill to authorize the Secretary of Energy to establish monetary prizes for achievements in designing and proposing nuclear energy used fuel alternatives; to the Committee on Science, Space, and Technology, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARSON of Indiana:

H.R. 1711. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks, inspections, and training of child care providers; to the Committee on Education and the Workforce.

By Mr. CASSIDY (for himself, Mr. LANKFORD, Mr. YOUNG of Alaska, Mr. DENHAM, Mr. CRAWFORD, Mr. LANDRY, Mrs. LUMMIS, Mr. GARDNER, Mr. BOREN, Mr. THOMPSON of Pennsylvania, Mr. BILBRAY, Mr. SCHILLING, Mr. SULLIVAN, Mr. LUCAS, Mr. GUINTA, Mr. FLEMING, Mr. HUNTER, Mr. COLE, Mr. TERRY, Mr. FLORES, Mr. REHBERG, Mr. GRIFFIN of Arkansas, Mr. AUSTRIA, Mr. CHAFFETZ, Mr. OLSON, Mr. CRITZ, Mr. BOUSTANY, Mr. BURTON of Indiana, Mr. ALEXANDER, Mrs. BIGGERT, Mr. SCALISE, Ms.

GRANGER, Mr. STUTZMAN, Mr. RICHMOND, and Mr. HARPER):

H.R. 1712. A bill to amend the Internal Revenue Code of 1986 to exempt sales of natural gas for use in natural gas vehicles from the retail sales limitation on defining independent producers of petroleum products; to the Committee on Ways and Means.

By Mr. CONNOLLY of Virginia (for himself and Mr. BLUMENAUER):

H.R. 1713. A bill to reduce Federal expenditures associated with data center real estate and electricity consumption, to implement savings reductions proposed by Federal employees, to reduce energy costs across Federal Executive agencies, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committees on Armed Services, Transportation and Infrastructure, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DOLD (for himself and Mr. DEUTCH):

H.R. 1714. A bill to promote human rights and democracy in Iran; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX (for herself, Mr. MCCLINTOCK, Mr. AKIN, and Mr. LAMBORN):

H.R. 1715. A bill to amend title 31, United States Code, to end speculation on the current cost of multilingual services provided by the Federal Government, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. HOYER (for himself, Mr. DINGELL, Mr. KISSELL, Ms. NORTON, Mr. LIPINSKI, Mrs. MALONEY, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. MOORE, Mr. MARKEY, Mr. LOEBACK, Mr. CONYERS, Mr. SCHIFF, Mr. CRITZ, Ms. JACKSON LEE of Texas, Mr. CARNAHAN, and Mr. HASTINGS of Florida):

H.R. 1716. A bill to amend the Workforce Investment Act of 1998 to establish a pilot program to facilitate education and training programs in the field of advanced manufacturing; to the Committee on Education and the Workforce.

By Ms. KAPTUR:

H.R. 1717. A bill to require that, in cases in which the annual trade deficit between the United States and another country is \$10,000,000,000 or more for 3 consecutive years, the President take the necessary steps to create a more balanced trading relationship with that country; to the Committee on Ways and Means.

By Mrs. LOWEY:

H.R. 1718. A bill to provide that service of the members of the organization known as the United States Cadet Nurse Corps during World War II constituted active military service for purposes of laws administered by the Secretary of Veterans Affairs; to the Committee on Veterans' Affairs, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MCMORRIS RODGERS (for herself, Mr. HASTINGS of Washington, Mr. MCCLINTOCK, Mr. PEARCE, Mr.

JONES, Mr. WALDEN, Mr. HERGER, Mr. DUNCAN of Tennessee, Mrs. LUMMIS, and Mr. BISHOP of Utah):

H.R. 1719. A bill to better inform consumers regarding costs associated with compliance for protecting endangered and threatened species under the Endangered Species Act of 1973; to the Committee on Natural Resources.

By Mr. OWENS (for himself and Mr. WELCH):

H.R. 1720. A bill to improve the H-2A agricultural worker program for use by dairy workers, sheepherders, and goat herders, and for other purposes; to the Committee on the Judiciary.

By Mr. PIERLUISI (for himself, Mr. FALEOMAVAEGA, Ms. BORDALLO, and Mr. SIRES):

H.R. 1721. A bill to amend the Elementary and Secondary Education Act of 1965 to increase the maximum amount that may be allotted to Puerto Rico under part A of title III; to the Committee on Education and the Workforce.

By Ms. PINGREE of Maine (for herself, Mr. CONNOLLY of Virginia, Mr. STARK, Mr. WELCH, and Mr. MCGOVERN):

H.R. 1722. A bill to amend the Richard B. Russell National School Lunch Act to create a local food credit program; to the Committee on Education and the Workforce.

By Mr. POSEY (for himself, Mr. PAUL, Mr. WESTMORELAND, Mr. ISSA, Mr. WEBSTER, Mr. JONES, Mr. MANZULLO, Mr. MILLER of Florida, Mrs. HARTZLER, Mr. PITTS, Mr. FLORES, Mr. GOHMERT, Mr. BARTLETT, Mr. PEARCE, Mr. GINGREY of Georgia, Mr. MCCOTTER, Mr. LUETKEMEYER, and Mr. THOMPSON of Pennsylvania):

H.R. 1723. A bill to permit certain current loans that would otherwise be treated as non-accrual loans as accrual loans for certain purposes; to the Committee on Financial Services.

By Mr. ROTHMAN of New Jersey:

H.R. 1724. A bill to provide for the provision by hospitals receiving Federal funds through the Medicare Program or Medicaid Program of emergency contraceptives to women who are survivors of sexual assault; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER:

H.R. 1725. A bill to authorize the Secretary of Agriculture to make grants for the prevention of cruelty to animals to States that have enacted laws prohibiting the devocalization of dogs and cats for purposes of convenience; to the Committee on Agriculture.

By Mr. RUPPERSBERGER:

H.R. 1726. A bill to amend the Child Care and Development Block Grant Act of 1990 to require criminal background checks for child care providers; to the Committee on Education and the Workforce.

By Mr. RUPPERSBERGER:

H.R. 1727. A bill to strengthen certain provisions relating to arms export licenses, and for other purposes; to the Committee on Foreign Affairs.

By Mr. RUPPERSBERGER:

H.R. 1728. A bill to amend the Internal Revenue Code of 1986 to increase the credit for employers establishing workplace child care facilities, to increase the child care credit to encourage greater use of quality child care

services, to provide incentives for students to earn child care-related degrees and to work in child care facilities, and to increase the exclusion for employer-provided dependent care assistance; to the Committee on Ways and Means.

By Mr. RUPPERSBERGER:

H.R. 1729. A bill to amend the Controlled Substances Act to authorize certain practitioners other than physicians to dispense certain narcotic drugs in schedule III, IV, and V for maintenance treatment or detoxification treatment without obtaining annually a separate registration for that purpose; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SEWELL (for herself and Mr. LARSEN of Washington):

H.R. 1730. A bill to amend the Internal Revenue Code of 1986 to establish tax-preferred Small Business Start-up Savings Accounts; to the Committee on Ways and Means.

By Ms. TSONGAS:

H.R. 1731. A bill to direct the Secretary of Defense to submit notifications to Congress with respect to the failure by the Secretary to comply with statutory body armor procurement budget information requirements; to the Committee on Armed Services.

By Mr. VAN HOLLEN (for himself, Mr. RUPPERSBERGER, Ms. SCHWARTZ, Ms. MCCOLLUM, Mr. GARAMENDI, and Mr. POLIS):

H.R. 1732. A bill to amend the Internal Revenue Code of 1986 to allow a credit for equity investments in high technology and biotechnology small business concerns developing innovative technologies that stimulate private sector job growth; to the Committee on Ways and Means.

By Mr. WHITFIELD (for himself, Mr. CHANDLER, Ms. SCHAKOWSKY, and Mr. PITTS):

H.R. 1733. A bill to amend the Interstate Horseracing Act of 1978 to prohibit the use of performance-enhancing drugs in horseracing, and for other purposes; to the Committee on Energy and Commerce.

By Mr. DENHAM:

H.R. 1734. A bill to decrease the deficit by realigning, consolidating, selling, disposing, and improving the efficiency of Federal buildings and other civilian real property, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Oversight and Government Reform, and Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DINGELL:

H. Con. Res. 48. Concurrent resolution expressing the sense of Congress that the Secretary of the Navy should name a Littoral Combat Ship the U.S.S. Ypsilanti, in honor of Ypsilanti, Michigan; to the Committee on Armed Services.

By Mr. PAYNE (for himself and Mr. FORTENBERRY):

H. Con. Res. 49. Concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative; to the Committee on Foreign Affairs.

By Mrs. LOWEY (for herself, Ms. BORDALLO, Ms. MCCOLLUM, Mr.

McGOVERN, Mr. FRANK of Massachusetts, and Mrs. MALONEY):

H. Res. 246. A resolution supporting the goals and ideals of National Celiac Awareness Month, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MACK (for himself, Mr. BISHOP of Utah, Mr. BARTLETT, Mr. BROUN of Georgia, Mr. LAMBORN, Mr. HENSARLING, Mr. GINGREY of Georgia, Mrs. BLACKBURN, Mr. CHAFFETZ, Mr. POE of Texas, Mr. KLINE, and Mr. FRANKS of Arizona):

H. Res. 247. A resolution calling for the Bolivarian Republic of Venezuela to be designated a state sponsor of terrorism for its support of Iran, Hezbollah, and the Revolutionary Armed Forces of Colombia (FARC); to the Committee on Foreign Affairs.

By Mr. OWENS:

H. Res. 248. A resolution honoring the members of the military and intelligence community who carried out the mission that killed Osama bin Laden, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUPPERSBERGER:

H. Res. 249. A resolution supporting K-12 geography education; to the Committee on Education and the Workforce.

By Mr. RUPPERSBERGER:

H. Res. 250. A resolution congratulating and commending Free Comic Book Day as an enjoyable and creative approach to promoting literacy and celebrating a unique American art form; to the Committee on Oversight and Government Reform.

By Mr. SCHOCK (for himself, Mr. DIAZ-BALART, Mr. CUELLAR, and Mr. MEKES):

H. Res. 251. A resolution urging the President to expedite the submission of the United States - Colombia Trade Promotion Agreement to Congress; to the Committee on Ways and Means.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. SULLIVAN:

H.R. 1705.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. DAVIS of Kentucky:

H.R. 1706.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. RUSH:

H.R. 1707.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

“The Congress shall have Power “to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.”

By Mr. RIGELL:

H.R. 1708.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress). In addition, the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clauses 12, 13, and 14 of the United States Constitution.

By Ms. SLAUGHTER:

H.R. 1709.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18).

By Mr. BURGESS:

H.R. 1710.

Congress has the power to enact this legislation pursuant to the following:

The attached bill falls under Congress' authority to regulate interstate commerce pursuant to Article I, Section 8, Clause 3 of the U.S. Constitution.

By Mr. CARSON of Indiana:

H.R. 1711.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of section 9 of article I of the Constitution, Clause 1 of section 8 of article I of the Constitution, and clause 18 of section 8 of article I of the Constitution.

By Mr. CASSIDY:

H.R. 1712.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 1713.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Mr. DOLD:

H.R. 1714.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, clause 3, which provides Congress the power “to regulate commerce with foreign nations.” This legislation authorizes sanctions with respect to the transfer of goods or technologies to Iran that may be used to commit human rights abuses. Additionally, the democracy promotion aspect of the legislation implicates the power to “provide for the common defense” under Article 1, Section 8, clause 1.

By Ms. FOXX:

H.R. 1715.

Congress has the power to enact this legislation pursuant to the following:

Clause 7 of Section 9 of Article 1 of the Constitution which states “No money shall be drawn from the Treasury, but in consequence of appropriations made by Law; and a regular statement and account of receipts and expenditures of all public money shall be published from time to time.”

By Mr. HOYER:

H.R. 1716.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact the Job Opportunities Between our Shores Act pursuant to Clause 1 of Section 8 of Article I of the Constitution of the United States.

By Ms. KAPTUR:

H.R. 1717.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

More specifically,

Clause. 1. of Section. 8. of Article. I.;

Clause. 3. of Section. 8. of Article. I.; and

Clause. 18. of. Section. 8. of Article I.

By Mrs. LOWEY:

H.R. 1718.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution

By Mrs. McMORRIS RODGERS:

H.R. 1719.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority in which this bill rests is the power of the Congress to regulate commerce and provide for the general welfare as envisioned and enumerated by Article I, Section 8, Clauses 1 and 3.

By Mr. OWENS:

H.R. 1720.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PIERLUISI:

H.R. 1721.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution, and to make all laws which shall be necessary and proper for carrying into execution such power as enumerated in Article I, Section 8, Clause 18 of the Constitution.

By Ms. PINGREE of Maine:

H.R. 1722.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I Section 8, Clause 3 of the United States Constitution.

By Mr. POSEY:

H.R. 1723.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mr. ROTHMAN of New Jersey:

H.R. 1724.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. RUPPERSBERGER:

H.R. 1725.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. RUPPERSBERGER:

H.R. 1726.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. RUPPERSBERGER:

H.R. 1727.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. RUPPERSBERGER:

H.R. 1728.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Mr. RUPPERSBERGER:

H.R. 1729.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

By Ms. SEWELL:

H.R. 1730.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 And The Sixteenth Amendment

By Ms. TSONGAS:

H.R. 1731.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14:

To make Rules for the Government and Regulation of the land and naval Forces.

By Mr. VAN HOLLEN:

H.R. 1732.

Congress has the power to enact this legislation pursuant to the following:

This legislation is consistent with Sections 7 and 8 of Article I of the United States Constitution and the Sixteenth Amendment to the United States Constitution.

By Mr. WHITFIELD:

H.R. 1733.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. DENHAM:

H.R. 1734.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1 (relating to providing for the general welfare of the United States) and Clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress) and clause 17 (relating to authority over the district as the seat of government), and Article IV, Section 3, Clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 59: Mr. ROONEY.

H.R. 104: Mr. MILLER of Florida, Mr. LUCAS, Mr. MURPHY of Connecticut, Mr. GUINTEA, and Mr. NUNNELLEE.

H.R. 177: Mr. WITTMAN and Mr. SCALISE.

H.R. 245: Ms. HAYWORTH.

H.R. 287: Mr. DEUTCH and Ms. WATERS.

H.R. 298: Mr. DOGGETT Mr. PAUL, Mr. McCAUL, and Mr. HENSARLING.

H.R. 350: Mr. MCGOVERN.

H.R. 390: Ms. HERRERA BEUTLER.

H.R. 421: Mr. SOUTHERLAND and Mr. BUCSHON.

H.R. 451: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 452: Mr. RIBBLE, Mr. AMASH, and Mr. ROSKAM.

H.R. 459: Mr. LATTA and Mr. WU.

H.R. 466: Ms. SUTTON, Mr. HOLDEN, Ms. WOOLSEY, Mr. LoBIONDO, Ms. PINGREE of Maine, and Mr. AKIN.

H.R. 488: Mr. SHUSTER and Mr. FITZPATRICK.

H.R. 502: Mr. LARSEN of Washington and Mr. CICILLINE.

H.R. 601: Mr. ROTHMAN of New Jersey.

H.R. 610: Mr. GRIFFIN of Arkansas.

H.R. 615: Mr. RIGELL, Mr. DAVIS of Kentucky, Mr. AUSTIN SCOTT of Georgia, and Mr. BENISHEK.

H.R. 642: Mr. JOHNSON of Ohio and Mr. AUSTRIA.

H.R. 645: Mr. FLAKE, Mr. AMASH, Mr. BENISHEK, Mr. LANKFORD, Mr. BARTLETT, Mr. HANNA, Mr. GRAVES of Georgia, Ms. FOX, Mr. RIGELL, Mr. DAVIS of Kentucky, Mr. BACA, and Mr. NUGENT.

H.R. 674: Mr. KLINE, Mrs. ROBY, Mr. RENACCI, Mr. CARDOZA, Mr. MURPHY of Connecticut, Mr. JOHNSON of Georgia, Mr. WITTMAN, Mr. GENE GREEN of Texas, Mr. WU, Mr. CUMMINGS, Mr. STIVERS, and Mr. CASSIDY.

H.R. 680: Mr. COBLE and Mr. COFFMAN of Colorado.

H.R. 724: Mr. LARSEN of Washington and Mr. CICILLINE.

H.R. 735: Mr. SCALISE and Mr. ROGERS of Michigan.

H.R. 740: Mr. MURPHY of Connecticut and Mr. KINZINGER of Illinois.

H.R. 743: Mr. WITTMAN.

H.R. 763: Ms. HERRERA BEUTLER.

H.R. 765: Mr. MCCLINTOCK.

H.R. 780: Mr. HOLT.

H.R. 788: Mrs. MCCARTHY of New York.

H.R. 835: Mr. TIERNEY.

H.R. 865: Mr. LARSEN of Washington.

H.R. 886: Mr. GOWDY and Mr. MILLER of Florida.

H.R. 891: Mr. CARSON of Indiana.

H.R. 913: Mrs. NAPOLITANO.

H.R. 929: Mrs. MALONEY.

H.R. 931: Mr. THORNBERRY.

H.R. 965: Ms. LINDA T. SANCHEZ of California, Ms. MOORE, Mr. HASTINGS of Florida, and Ms. KAPTUR.

H.R. 992: Mr. CICILLINE.

H.R. 997: Mr. STEARNS, Mr. DESJARLAIS, Mr. CAMP, Mr. MANZULLO, Ms. HERRERA BEUTLER, Mr. CALVERT, Mr. BILBRAY, Mr. WOMACK, and Mr. SCOTT of South Carolina.

H.R. 1000: Ms. ROYBAL-ALLARD.

H.R. 1001: Mr. OWENS, Mr. BISHOP of Georgia, and Mr. BISHOP of New York.

H.R. 1006: Mr. PENCE.

H.R. 1025: Mr. COHEN and Mr. BOREN.

H.R. 1028: Ms. LORETTA SANCHEZ of California and Ms. LEE of California.

H.R. 1047: Mr. FORBES, Mr. QUAYLE, Mrs. MYRICK, Mr. BONNER, and Ms. JENKINS.

H.R. 1057: Mr. PAYNE, Mrs. CAPPS, and Mrs. MCCARTHY of New York.

H.R. 1058: Mr. HIGGINS, Ms. HIRONO, Mr. SMITH of Washington, Mr. SHERMAN, Mr. CHANDLER, Mr. ANDREWS, Mr. LUJÁN, Ms. PINGREE of Maine, Mr. RUSH, and Mr. MATHESSON.

H.R. 1081: Mr. OLSON, Ms. DEGETTE, Mrs. MILLER of Michigan, and Mr. STEARNS.

H.R. 1084: Mr. THOMPSON of California, Mr. BLUMENAUER, Ms. CASTOR of Florida, Mr. COHEN, and Ms. NORTON.

H.R. 1093: Mr. PETERSON, Mr. CALVERT, Mr. HEINRICH, Mr. MCCOTTER, Mr. AUSTIN SCOTT of Georgia, Mr. BARTLETT, Mr. NUGENT, Mr. LANKFORD, Mr. CRAVAACK, Mr. WESTMORELAND, Mr. ROE of Tennessee, Mr. POMPEO, Mr. REHBERG, Mr. ROGERS of Alabama, Mr. THOMPSON of Pennsylvania, Mr. GRIFFIN of Arkansas, Mr. KLINE, Mr. GRAVES of Georgia, Mr. HANNA, Mr. RENACCI, Ms. FOX, Mr. CARTER, Mr. LABRADOR, and Mr. BACA.

H.R. 1106: Mr. BISHOP of Georgia, Mr. JOHNSON of Georgia, Mr. ISRAEL, Ms. BORDALLO, Ms. BALDWIN, Mr. WU, Mr. LUJÁN, and Mr. PASTOR of Arizona.

H.R. 1121: Ms. JENKINS and Mr. MCKINLEY.

H.R. 1154: Mr. WOMACK.

H.R. 1161: Mr. GIBBS, Mr. NUGENT, Mr. MICA, Mr. PLATTS, Mr. SHUSTER, Mr. COLE, Mr. DINGELL, Mr. CONNOLLY of Virginia, and Ms. CASTOR of Florida.

H.R. 1176: Mr. MURPHY of Connecticut and Mr. BISHOP of New York.

H.R. 1179: Mr. GRIFFITH of Virginia and Mr. MCCOTTER.

H.R. 1181: Mr. LATTA, Mr. ROKITA, Mr. WALBERG, Mr. HARRIS, Mr. BISHOP of Utah, Mr. GOWDY, Mr. MACK, and Mr. FLORES.

H.R. 1195: Mr. BOSWELL, Mr. PLATTS, Mr. GUTIERREZ, Mr. AKIN, Mr. RUNYAN, Mr. SHIMKUS, Mr. CRAWFORD, Mr. JACKSON of Illinois, Mr. SCOTT of Virginia, and Ms. BALDWIN.

H.R. 1219: Mr. SCOTT of Virginia, Mr. PLATTS, and Mr. GUTIERREZ.

H.R. 1236: Mr. CARNAHAN, Mr. LEWIS of Georgia, Mr. CUELLAR, Mr. ALEXANDER, Ms. LINDA T. SÁNCHEZ of California, Mr. WALBERG, Ms. SCHWARTZ, and Mr. HANNA.

H.R. 1244: Mr. ALEXANDER and Mr. HINCHEY.

H.R. 1259: Mr. WOMACK.

H.R. 1265: Mr. KLINE, Mr. AKIN, and Mr. TIBERI.

H.R. 1287: Mr. FORBES.

H.R. 1288: Mrs. CHRISTENSEN, Mr. HOLDEN, and Mr. HINCHEY.

H.R. 1299: Mr. BARLETTA and Mr. YOUNG of Indiana.

H.R. 1323: Mr. YOUNG of Indiana and Mr. STUTZMAN.

H.R. 1327: Mr. LATHAM, Mr. COFFMAN of Colorado, Ms. CLARKE of New York, Ms. CASTOR of Florida, Mr. MACK, Mr. PLATTS, Mr. GRIJALVA, Mr. CHANDLER, Mr. RIVERA, Mr. BURTON of Indiana, and Mr. PALAZZO.

H.R. 1367: Mr. CICILLINE.

H.R. 1370: Mrs. BLACKBURN.

H.R. 1385: Mr. PAUL.

H.R. 1397: Mr. WATT.

H.R. 1402: Mr. BRADY of Pennsylvania.

H.R. 1422: Mr. WELCH.

H.R. 1433: Mr. COHEN, Mr. PENCE, and Mr. GENE GREEN of Texas.

H.R. 1439: Mr. THOMPSON of Mississippi.

H.R. 1465: Mr. MCINTYRE.

H.R. 1466: Mr. HONDA and Mr. GRIJALVA.

H.R. 1489: Mr. JACKSON of Illinois.

H.R. 1505: Mr. COFFMAN of Colorado, Mr. CANSECO, and Mr. REHBERG.

H.R. 1510: Mr. MCKINLEY.

H.R. 1513: Ms. MOORE, Mr. TONKO, Mrs. MCCARTHY of New York, Mrs. NAPOLITANO,

Mrs. LOWEY, Mr. MCNERNEY, Mr. WEINER, and Ms. DELAURO.

H.R. 1515: Mr. FILNER and Mr. MCGOVERN.

H.R. 1546: Mr. JACKSON of Illinois, Ms. LINDA T. SÁNCHEZ of California, Mr. ELLISON, Mr. LATOURETTE, Ms. BALDWIN, Mr. GONZALEZ, Mr. WU, Mr. WALZ of Minnesota, Mr. RUPPERSBERGER, Mr. HIGGINS, Mr. LARSEN of Washington, and Mr. GALLEGLY.

H.R. 1551: Mr. KLINE and Mr. GRIMM.

H.R. 1555: Mr. ACKERMAN, Mr. RANGEL, and Mrs. MALONEY.

H.R. 1558: Mr. BARROW and Mr. MCCOTTER.

H.R. 1573: Mrs. HARTZLER.

H.R. 1574: Mr. VISCLOSKEY, Mr. CONYERS, Mrs. CAPPS, and Mr. ELLISON.

H.R. 1576: Mrs. CAPITO.

H.R. 1588: Mr. WHITFIELD, Mr. BONNER, Mr. LATOURETTE, Mr. DAVID SCOTT of Georgia, Mr. GRAVES of Missouri, Mr. KING of Iowa, and Mr. SCHOCK.

H.R. 1596: Ms. HIRONO.

H.R. 1609: Mr. STIVERS, Ms. FOXX, Mr. MILLER of Florida, Mr. LATOURETTE, Mr. ROSS of Florida, Mr. BURTON of Indiana, and Mr. NUGENT.

H.R. 1612: Mr. ROSS of Arkansas and Mr. MCINTYRE.

H.R. 1621: Mr. JOHNSON of Georgia, Mr. ENGEL, and Mr. MILLER of Florida.

H.R. 1641: Mr. CULBERSON and Mr. ADERHOLT.

H.R. 1645: Mr. JACKSON of Illinois.

H.R. 1646: Mr. LONG.

H.R. 1653: Mr. LEWIS of Georgia and Ms. JENKINS.

H.R. 1671: Mr. STUTZMAN.

H.R. 1681: Mr. HONDA, Mr. RANGEL, Mrs. NAPOLITANO, Mr. BLUMENAUER, and Ms. PELOSI.

H.R. 1699: Mr. CULBERSON and Mr. BUCHANAN.

H.R. 1700: Mr. ROE of Tennessee, Mr. LAMBORN, Mr. TIBERI, and Mr. DUNCAN of South Carolina.

H.J. Res. 56: Mr. JOHNSON of Ohio and Mr. WILSON of South Carolina.

H. Con. Res. 12: Mr. FRELINGHUYSEN, Mrs. ADAMS, Mr. CONNOLLY of Virginia, and Mr. GONZALEZ.

H. Con. Res. 39: Mr. ROSS of Florida and Mrs. MYRICK.

H. Res. 20: Ms. LORETTA SANCHEZ of California, Ms. DEGETTE, Ms. CLARKE of New York, Mr. GUTIERREZ, Ms. RICHARDSON, Mr. WAXMAN, Mr. RANGEL, and Mr. FATTAH.

H. Res. 60: Mr. HARRIS.

H. Res. 77: Mr. AL GREEN of Texas.

H. Res. 83: Mr. BRALEY of Iowa, Mr. HANNA, and Mr. KILDEE.

H. Res. 98: Mr. DUNCAN of Tennessee, Mr. GOHMERT, and Mr. GRIFFIN of Arkansas.

H. Res. 134: Mr. CALVERT, Mr. HONDA, Mr. SHULER, and Mr. WU.

H. Res. 137: Mr. HEINRICH and Mr. THOMPSON of California.

H. Res. 185: Mr. SERRANO.

H. Res. 196: Mr. HANNA, Mr. GRIMM, and Mr. KISSELL.

H. Res. 221: Mr. TOWNS and Mr. HASTINGS of Florida.

H. Res. 231: Mr. POE of Texas, Mr. MCGOVERN, Mr. LANCE, Ms. LORETTA SANCHEZ of California, Mr. MCCLINTOCK, Mr. GENE GREEN of Texas, Mr. BRADY of Texas, Ms. RICHARDSON, and Ms. CHU.

H. Res. 240: Ms. NORTON, Mr. HIMES, Mr. MORAN, Ms. ESHOO, Mr. COSTA, Ms. SCHWARTZ, Mr. COURTNEY, Ms. BORDALLO, Mr. CICILLINE, and Mr. RICHMOND.

H. Res. 241: Mr. BURTON of Indiana, Mr. NUNES, Mrs. BLACK, Mr. WESTMORELAND, Ms. JENKINS, Mr. LAMBORN, Mr. WEBSTER, Mr. CHAFFETZ, Mr. STIVERS, Mr. LATOURETTE, and Mr. MCKINLEY.

H. Res. 242: Mr. STARK, Mr. THOMPSON of California, and Ms. DELAURO.

EXTENSIONS OF REMARKS

HONORING THOMAS SAMUEL
STEPHENS

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize the life of Thomas Samuel Stephens of Cameron, Missouri. Thomas' achievements and service, both to his country and his community, were great and we are indebted to him for his sacrifices.

Mr. Speaker, Thomas Samuel Stephens was born on June 8, 1918, in Temple, Texas, to his parents, Lessie and Rufus Stephens. On January 14, 1944, Thomas had the fortune of marrying the love of his life, Euclid Elizabeth Stockton, at their church in Temple, Texas. Together they raised one daughter, Patti Jane. Thomas passed away on December 2, 2010, in Kansas City, Missouri.

Mr. Speaker, Thomas was a true patriot. He served in the 80th Infantry Division, 3rd Army, 319 Regiment C Company, 4th Platoon under General George Patton from August 26, 1943 to March 29, 1946. He received the Purple Heart, EAME Campaign Medal with one Bronze Service Star, an American Theatre Campaign Medal and a Victory Medal, as well as a Sharpshooter and Rifle pin.

Mr. Speaker, after being honorably discharged, Thomas received his Masters Degree and taught at the University of Texas A&M in the Horticulture Department from 1948–1953. Thomas then spent the rest of his career working for the United States Department of Agriculture's Agriculture Research Service, actively engaging in food and food storage research that is used in the food products we enjoy in every grocery store today.

Mr. Speaker, in addition to Thomas' patriotism and contributions to agriculture in the United States, Thomas also had a passion of enjoying God's world by fishing, campaigning and planting trees. Thomas was active in his church and enjoyed singing, having been a part of the first group of Singing Cadets at Texas A&M. Thomas deeply loved his family.

Mr. Speaker, I ask that you join me in honoring the life of Thomas Samuel Stephens. I am truly grateful for his service to our country and his contributions to agriculture.

IN RECOGNITION OF MARCUS HIGH
SCHOOL FOR WINNING THE BOYS
BASKETBALL 5A UIL STATE
CHAMPIONSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. BURGESS. Mr. Speaker, I rise today to recognize Marcus High School in Flower

Mound, Texas. The Marcus varsity boys' basketball team won the 5A UIL State Championship. The Marcus Marauders beat Garland Lakeview, 40–38, in the final to finish the season 39–1. Led by Head Coach Danny Henderson, these young men are exemplary representatives of their school and should be very proud of what they have accomplished.

This is not the first time I have had the pleasure of highlighting the accomplishments of Marcus High School, and I have a sneaking suspicion that it will not be the last. With the level of teamwork and perseverance that is present in this North Texas high school, it is no wonder that they are an "Exemplary Campus".

It is inspiring to recognize such ambitious young student athletes who are making a positive impact in our community. I am pleased to have the opportunity to represent these young men, and their classmates and teachers in the U.S. House of Representatives. Congratulations on being the 5A UIL Boys Basketball State Champions.

IN RECOGNITION OF LOIS GERAGE-
LAMB

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. SESSIONS. Mr. Speaker, I rise today to recognize Lois Gerage-Lamb, a dedicated educator at Lakewood Elementary in Dallas, Texas who is retiring this year.

After moving to Lakewood in the early 1980s, Lois joined the staff at Lakewood Elementary in 1987. Her twenty-four years of service speak loudly of her patience, dedication, and passion for teaching. Both of my sons, Bill and Alex, had the privilege of having Lois as their teacher. Her commitment to providing students with a quality education was evident in her work ethic and enthusiasm. Known for her upbeat personality and "can-do" philosophy, Lois has instilled confidence in her students and inspired them to reach for their dreams.

Outside of the classroom, Lois is a well-known community leader. She currently serves as the President of Little People of America, Inc. (LPA), a national advocacy and support group for dwarfs and their families. In this capacity, she has oversees the 6,000 member organization and works tirelessly to raise awareness. Lois is a demonstrated leader with tremendous strength and great fervor and compassion.

She will be greatly missed at Lakewood Elementary. I am thankful for dedicated educators like Lois and for the positive impact they have on our children. Mr. Speaker, I ask my esteemed colleagues to join me in recognizing Lois for her service. I wish her all the best in her future endeavors.

CONGRATULATING THE 2011 NCAA
DIVISION II WOMEN'S CHAM-
PIONS CLAYTON STATE UNIVER-
SITY

HON. DAVID SCOTT

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. DAVID SCOTT of Georgia. Mr. Speaker, I stand before you today to honor the Clayton State University Women's Basketball Team for winning the 2011 NCAA Division II National Championship. The Lady Lakers defeated the Michigan Tech Huskies 69-50 in a game that gave Clayton State its first national championship. Clayton State ended the season with a 53-1 record and the number one ranking in the USA Today/ESPN Division II Coaches' Poll.

These young women have demonstrated a tremendous amount of hard work, perseverance and sportsmanship. There is no doubt that this team will serve as excellent role models for young women and future athletes everywhere.

Coach Dennis Cox also deserves to be recognized for his critical role in leading Clayton State to victory. He was recently named the 2011 Schelde North America/Division II Bulletin Coach of the Year and the Women's Basketball Coaches Association Coach of the Year.

My fellow colleagues please join me in honoring Coach Cox and the Clayton State Lady Lakers for an outstanding year.

HONORING THE LIFE OF MAYOR
DEBORAH DUNCAN DuBOIS

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to commemorate the life of Deborah Duncan DuBois, who passed away on April 30, 2011. Mrs. DuBois, known to family, friends and admirers as "Desca," was serving her second term as Mayor of the Town of Lake Park, Florida at the time of her death, having been re-elected without opposition. Mayor DuBois loved her town and Lake Park citizens loved her. Her dedication to good government was made clear by her longtime service on the town's Code Compliance Board, including six years as its chair, and her work with the Florida League of Cities. She also served on the League of Mayors and as one of the Palm Beach County League's Legislative Voting Delegates. Lake Park residents are also indebted to Mayor DuBois for helping to establish the local Historical Society, serving as its volunteer President for several years.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

A native of Barnwell, South Carolina, Desca DuBois attended the University of South Carolina on a theater scholarship. She also studied at the Columbia Museum School and, most recently, attended Palm Beach Community College, where she was accepted to the Honor Society. Mayor DuBois was a professor at the prestigious American Academy of Dramatic Arts in New York City, where she taught stage and theatrical movement. During her career, she also worked with the Educational TV Network in South Carolina and appeared on CBS Network Morning News.

Among her many talents, she was known as an accomplished artist, having presented a dozen solo art exhibits and participated in 34 group art shows. She was proud to have individual mural and major group mural projects in her curriculum vitae.

Mr. Speaker, Deborah Duncan DuBois was a truly remarkable lady who represented everything that is great about America. She was a credit to her town, my district and our nation. Her absence will be felt by everyone who appreciates good government, the arts and devotion to making our world a better place.

HONORING THE LIFE OF PRIVATE
BRANDON T. PICKERING

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, today I rise to pay tribute to Private First Class Brandon T. Pickering, from Ft. Thomas, Kentucky, who lost his life on April 10, 2011 from wounds he suffered while fighting enemy forces in Wardak Province, Afghanistan on April 8th.

A 2008 graduate of Highlands High School, Brandon joined the Army in September 2009.

After completing basic training at Fort Benning, Georgia he was assigned to the 2nd Battalion, 4th Infantry Regiment, 4th Brigade Combat Team, 10th Mountain Division, based in Fort Polk, Louisiana. He deployed with his unit to Afghanistan in October of 2010.

His awards and decorations include: the Bronze Star, the Purple Heart, the National Defense Service Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Army Service Ribbon, the Overseas Service Ribbon, the Army Good Conduct Medal, the NATO Medal and the Combat Infantryman Badge.

Today, as we celebrate the life and accomplishments of this exceptional Kentuckian, my thoughts and prayers are with Brandon's family and friends, especially his parents.

We are all deeply indebted to Brandon Pickering for his service and his sacrifice. By giving his life for the freedom of others, we are reminded of the great price at which our freedom is preserved.

TRIBUTE TO JIM BAILEY

HON. WILLIAM L. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. OWENS. Mr. Speaker, I rise today to celebrate the career of Jim Bailey, who has served the City of Plattsburgh, New York for almost two decades the city's historian. Jim stepped down from his post in April last month.

Jim has both kept and contributed to the history of the city of Plattsburgh—and our region as a whole—for almost two decades. A native of Elizabethtown, he is a true product of the North Country. After graduating from SUNY Albany, Jim taught at Beekmantown Central School for more than a decade and also served as an adjunct professor in Mathematics at Plattsburgh State.

Jim's dedication to his community is shown every day through his professional and personal relationships. He is well regarded throughout Clinton County and is spoke of highly by everyone he knows.

Through his steadfast resolve and dedication to preserve the past events of the City of Plattsburgh, Jim Bailey has become a part of its history.

Mr. Speaker, I rise today to express my gratitude and congratulations to Jim Bailey upon his retirement as the history of the City of Plattsburgh for his years of service to those around him.

HONORING WILLIAM DOTSON—
WEST VIRGINIA AFFORDABLE
HOUSING HALL OF FAME IN-
DUCTEE

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. RAHALL. Mr. Speaker, I rise today to recognize a fellow West Virginian, William Dotson, who is the honored inductee of the West Virginia Affordable Housing Hall of Fame.

It is fitting that the community of housing professionals honor Bill because of his sterling record of commitment to our communities. He has earned the right to take pride in his holistic view of building a team in the office, and his successful planning gives us equal license to be proud of the many neighborhoods enhanced and communities strengthened by his vision.

Much more than an excellent public administrator, Bill pushed budgets and programs to fruition on little more than compassion and hope, and in the end, the course of people's lives were forever changed. His resume of experience and professional participation exhausts the reader, but it pales in comparison to the individuals and families to whom he provided dignity and proved the worth of the human endeavor.

Too often words like "commitment" and "dedication" and expressions such as "long hours of hard work" are bantered about, and

then we meet someone with Bill's achievements. Words seem hardly enough.

Yet, what the public sector lacks in volume—namely money—it easily makes up for in heartfelt thanks. While Bill cannot cash it in any earthly banks, he can invest it here on a nice-sized spread that awaits him through the Pearly Gates.

And, while the poet could easily honor Bill as "the friend of man," our great honor is to call him our friend, and offer him sincere congratulations.

COMMEMORATING HOLOCAUST
REMEMBRANCE DAY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise to commemorate Holocaust Remembrance Day, or Yom Hashoah, and to pay tribute to the men, women, and children murdered by the Nazis during the Holocaust.

This week, we pause to join in solidarity with people around the world to remember one of the darkest chapters in human history. During the Holocaust, six million Jews were killed, and countless others were brutalized, raped, dehumanized, and robbed. The world pledged "Never Again" would such a tragedy be allowed to occur, but over sixty years later we continue to fight anti-Semitism and other forms of hatred and intolerance, even genocide.

The Days of Remembrance hold a deep meaning for me, as a Jew, and for my community. My district, the 9th Congressional District of Illinois, is home to one of the largest concentrations of Holocaust survivors in the country. An estimated 3,500 Holocaust survivors live in the Chicago area, including the Village of Skokie, which boasts a vibrant Jewish community built by survivors in the 1940s and 50s. The community recently celebrated the opening of the new Illinois Holocaust Museum and Education Center, a state of the art facility dedicated to preserving the memory of the Holocaust.

This year, we also mark the 65th anniversary of the verdicts at the first of the Nuremberg trials, as well as the 50th anniversary of the trial of Adolf Eichmann. By holding the perpetrators of genocide legally accountable for their heinous crimes, those trials were defining moments in the evolution of international justice. The trials also produced a comprehensive record of the Holocaust by collecting both documentary evidence and survivor testimony.

In a world where genocide and other massive violations of human rights are far too prevalent, it is critical that we preserve the history of the Holocaust and the memories of survivors and other witnesses. This week, we pause to remember all those who perished, honor those who survived, and redouble our pledge to fight genocide, intolerance, and persecution wherever they occur.

HONORING AUSTIN HEYMAN

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. VAN HOLLEN. Mr. Speaker, I rise today to recognize a longtime advocate for seniors and intergenerational programs, my constituent and friend Austin Heyman.

A delegate to two White House Conferences on Aging, Austin has had a long and distinguished career in service to our community and nation. His visionary leadership in Montgomery County, Maryland led to his founding of Interages, a non-profit organization that seeks to build bridges and relationships between generations. Interages' intergenerational programs have brought children and older adults together for 25 years. Indeed, since its founding in 1986, thousands of children and isolated older adults from senior facilities have benefited from participation in its programs, allowing dedicated and caring older adult volunteers and tutors, who are the heart of Interages, to make a significant difference in the lives of children. Austin served as Interages' Director from 1986–1997. His effect on countless lives cannot be overestimated.

In addition to his work with Interages, Austin has been deeply involved with numerous community groups, working on educational and youth issues. The list of leadership positions he has held is a lengthy one, and includes his service as the first Chair of the Montgomery County Commission on Children and Youth, President of the Montgomery County Council of PTAs, member of the Maryland Task Force on Guidance and Counseling, founding board member and Vice-Chair of the Volunteer Partnership Montgomery and Co-Leader of the John Macy Leadership Seminar. He has served on the Retired Seniors Volunteer Programs Advisory Council and the Community Relations Committee of the Montgomery County Chamber of Commerce.

Austin's contributions to our community have earned him numerous honors. He received the Award for Distinguished Service to Public Education from the Montgomery County Board of Education and the Montgomery County Paths of Achievement Award. Austin was inducted into the Montgomery County Human Rights Hall of Fame in 2008 and the Maryland Senior Citizens Hall of Fame in 2009.

Austin has served as the moderator for two county cable television programs—"Seniors Today" and "Montgomery Citizens Agenda." He initiated the Vital Living Initiative in 1999 and currently chairs the Montgomery County Vital Living Steering Committee. In 2001 he proposed the creation of a Senior Leadership Montgomery class; his proposal was implemented by Leadership Montgomery in 2002.

Early in his career Austin served as an attorney with a private law firm in New York City, which was followed by a distinguished career with the United States Agency for International Development. At USAID, he represented the United States on the Development Assistance Committee of the Organization for Economic Cooperation and Development in Paris. Austin earned undergraduate

and law degrees from Harvard University, a Master's degree in International Public Policy from John Hopkins and a Certificate from the Academy of International Law at The Hague.

Austin's contributions and passions are numerous, but his commitment to our senior citizens rises above all else. Austin believes that our communities must prepare for the aging of its residents and be communities "for all seasons of our lives." He sees seniors as an invaluable resource in our midst to be embraced as volunteers to mentor youth and to share the skills and knowledge accumulated over a lifetime to benefit our community. Austin has dedicated his efforts to ensuring that our senior citizens can age with dignity, purpose and quality of life.

Austin is the father of David and Stephen and grandfather of Madeline, Henry, and Miles. His wonderful wife Barbara, to whom he has been married for many years, shares Austin's commitment to community service.

Mr. Speaker, I invite my colleagues to join me in expressing my gratitude to Austin Heyman for his outstanding service.

PERSONAL EXPLANATION

HON. VIRGINIA FOXX

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Ms. FOXX. Mr. Speaker, yesterday (5/3/11) during consideration of H.R. 1213, a bill to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges, I stepped away from the House floor to speak with a constituent and inadvertently missed a vote (roll No. 283) on the Ellison of Minnesota Amendment No. 3 (H. Amdt. 262). If I had been present, I would have voted "no."

HONORING PAUL SCUPHOLM

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor the extraordinary life of Paul Scupholm and mourn him upon his passing at the age of 76.

Born on January 8, 1935, Paul Scupholm attended Detroit Cooley High School and graduated in 1953. Paul served as a Congressional Aide to Representative Jack McDonald from 1967 through 1973, was Executive Director of Friends of Detroit Public Library and a board member of the Redford Library. He was the founder of the Redford Soccer Club. Paul Scupholm spent many hours making wooden toys to be donated to several children's hospitals.

Regrettably, on April 30, 2011, Paul Scupholm passed from this earthly world to his eternal reward. He is survived by his beloved wife, Lois, and his children, Brad, Jeff, Greg and Jennifer. A devoted brother to sister Rosemary, Paul leaves a legacy in his grand-

children Lindsey, Stephanie, Vicki, Barbara, Beth, Mackenzie, Lexi, Trevor, Tessa, Brady, Olivia, Kaden and Ava. A courageous and honorable man, Paul will be sorely missed.

Mr. Speaker, Paul Scupholm is remembered as a dedicated husband, a compassionate father, devoted brother, concerned leader and a friend. Paul was a man who deeply treasured his family, friends, community and his country. Today, as we bid Paul farewell, I ask my colleagues to join me in mourning his passing and honoring his unwavering patriotism and service to our country and community.

HONORING PRESIDENT GERALD
FORD**HON. SANDER M. LEVIN**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. LEVIN. Mr. Speaker, this week, we honor a highly distinguished citizen of the State of Michigan and recognize his service to the people of the United States—Gerald Ford.

Gerald Ford is a Michigan legacy and a model for those called to public service. He served with distinction in World War II aboard the U.S.S. *Monterrey*. In 1948, he was elected to the House of Representatives, where he served with integrity for twenty-five years. And in 1974, during one of the darkest moments in U.S. history, Gerald Ford served as the 38th President of the United States, unifying the Nation during a notable time of divisiveness and uncertainty. Now, it is especially fitting that we honor President Ford's legacy.

On behalf of the people of the United States, we accept from the citizens of Michigan a statue of President Ford for placement in the U.S. Capitol. From this day forward, countless visitors from around the globe will come to the Nation's Capitol each year and be reminded of President Ford's courage and strength—those characteristics which helped to heal a divided Nation and bring us together. The statue will be displayed as part of the prestigious and historic national Statuary Hall collection for years to come.

President Ford has left us a rich legacy. As we accept President Ford's statue in the U.S. Capitol on behalf of the citizens of the United States, I hope all of us here will honor him by reflecting upon his legacy.

RECOGNIZING THE ONGOING
DEMOCRATIC TRANSITION OC-
CURRING IN THE KYRGYZ RE-
PUBLIC**HON. DAN BURTON**

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise to recognize the ongoing democratic transition occurring in the Kyrgyz Republic. This transition began in April 2010 when former President Kurmanbek Bakiyev fled the capital as a result of mass protests over his regime's corrupt and repressive rule. Less than a month

after taking power, the interim government of President Roza Otunbayeva formed a commission to draft a new constitution. The constitution produced by this commission was overwhelmingly passed by a national referendum and will take effect after elections are held in December of this year.

Monitors from the Organization for Security and Cooperation in Europe reported that the October 2010 election to fill the 120 seats of the country's legislature, the Jorgorku Kenesh, "constituted a further consolidation of the democratic process and brought the country closer to meeting its international commitments on democratic elections." I applaud this achievement and accept the view of Morten Hoglund, head of OSCE observer mission, that "this election reflected the will of the people of the Kyrgyz Republic."

I, along with some of my colleagues, was honored to meet President Otunbayeva when she visited Washington in March to accept the State Department's 2011 International Women of Courage Award. President Otunbayeva deserves this award not only for her leadership in a time of crisis, not only for being the first female Head of State of a Central Asian nation, but foremost for her promotion of a constitution that recognizes her status as an interim leader and prohibits her from running for reelection. President Otunbayeva repeated her intention to step down during our conversation. I believe this willingness to allow the democratic process to move forward is the true sign of the President's courage.

Despite the existence of a new constitution and the upcoming election, the Kyrgyz Republic's democratic transition is not complete. President Otunbayeva's government, as well as the government of her successor, must continue to fully investigate incidences of violence in the southern part of the country and to prosecute those responsible. In addition the government of the Kyrgyz Republic must continue to work with the Organization for Security and Cooperation in Europe to reform its law-enforcement agencies to ensure that these agencies are properly trained to prevent and respond to incidents of violence.

The Kyrgyz Republic is a key ally in the fight against terrorism. The country declared its support for the United States immediately after September 11, 2001 and quickly granted the United States access to Kyrgyz airspace in support of counterterrorism operations in Afghanistan. Since December 2001, the Manas Transit Center located at Manas International Airport near Bishkek has served, according to the U.S. Air Force, as the "premier air mobility hub supporting military operations in Afghanistan." In addition to serving as a key transit point for personnel and materials moving into Afghanistan, the Manas Transit Center supports aerial refueling and medical evacuation operations. I applaud President Otunbayeva's continued support for the Transit Center and call on her successor to honor the agreement made between the United States and the Kyrgyz Republic in 2009 that guarantees American use of the facility through 2014.

Under the leadership of President Roza Otunbayeva, the Kyrgyz Republic is moving in the right direction; however, the country's democratic transition must continue. I call on the government of President Otunbayeva and

the Kyrgyz people to continue developing strong institutions that uphold the fundamental rights of all citizens and residents of the Kyrgyz Republic and to hold free and fair presidential elections in December.

PERSONAL EXPLANATION

HON. JOHN B. LARSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. LARSON of Connecticut. Mr. Speaker, on Tuesday, May 3, 2011, I missed rollcall vote 283. Had I been present, I would have voted "yes" or "aye."

A TRIBUTE IN HONOR OF JOHN KELLY

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor the extraordinary contributions of John Kelly, an outstanding humanitarian and former Executive Director of Samaritan House in San Mateo, California. Samaritan House is honoring John Kelly at its May 7th Gala for a lifetime dedicated to helping the least among us.

John Kelly grew up in the community he watches over. A San Francisco native, he earned a Master's Degree in Theology from the University of Notre Dame and a Master's Degree in Psychology from Berkeley's Graduate Theological Union. He spent 25 years as a Catholic priest and nearly two decades teaching at Serra and Menlo Atherton High Schools.

In 1985, Samaritan House hired John Kelly to unite a San Mateo City Information and Referral Agency for low-income residents, with a free meal program. Under John Kelly's fifteen years of unparalleled leadership, Samaritan House expanded to include many new programs and help many more people in need, including a 90-bed shelter, free medical clinic, food pantry, clothes closet, and holiday assistance. They offer classes in learning English, household budgeting, nutrition, and parenting skills. Today, more than 3,000 volunteers help Samaritan House provide more than 12,000 San Mateo County residents with free food, clothing, and counseling. Primarily relying on private donations, Samaritan House proudly models its services on the idea of "Neighbor Helping Neighbor."

John Kelly is one of the best neighbors in the Bay Area. His public spiritedness truly encompasses the entire community. Since 1991, John Kelly has volunteered several days a week at San Quentin State Prison, where he teaches self-help courses, and offers spiritual guidance and discussion. "I relish seeing so many men turn their lives around," he always says. John Kelly also serves on the boards of several civic organizations, and I'm proud to sit alongside him as a member of the advisory board of the Service League of San Mateo County. In recognition of his outstanding com-

mitment to his community, John Kelly received the Bay Area's 2005 Jefferson Award for Public Service.

The term "Good Samaritan" is used so often that we occasionally forget what was so extraordinary about the story, where one man recognized a kinship, a common humanity, and stopped to help a person in need. In the parable of the Good Samaritan, the priest passes by the hapless victim. For John Kelly, the seminary strengthened his desire to help. It is his calling, and he has immeasurably transformed the lives of so many.

Mr. Speaker, I ask my colleagues to join me in honoring the life's work of John Kelly and the Samaritan House. He has said, "The most important thing you can do is help another human being." In this sense, John's entire life has been filled with doing important things. He has spent his life recognizing and resolving the problems of poverty, and I'm honored to recognize him in turn in Congress.

RECOGNIZING THE 100TH ANNIVERSARY OF THE FLINT MASONIC TEMPLE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. KILDEE. Mr. Speaker, today I rise to recognize the 100th anniversary of the Flint Masonic Temple. The building was dedicated on May 16, 1911 and has been in continuous use since that time. A celebration will be held in honor of this milestone on May 7th at the Temple.

The Flint Masonic Temple is the home to several Masonic organizations including Flint Lodge 23, Fellowship 490, the Flint Shriners, the York Rite, the Scottish Rite, and the Order of the Eastern Star. Over the years many other organizations have utilized the building for their meetings and events. In 1947 the Battiste Family opened the Temple Dining Room and it became a very popular eating spot in downtown Flint. The third generation of the Battiste Family continues to operate the Dining Room today.

Many prominent citizens and leaders of Flint were involved in the planning and construction of the Flint Masonic Temple. The cornerstone was laid in 1909 and the building itself was constructed to incorporate the ritual work themes given to candidates as they progress through the first three degrees for full membership in a Masonic Lodge in Michigan. The building's east-west orientation and the use of big blocks are reminiscent of the Masonic ritual of building King Solomon's Temple. The State of Michigan listed the site on its State Registry of Historic Places in 1981.

Mr. Speaker, I ask the House of Representatives to join me in commemorating the 100th anniversary of the Flint Masonic Temple. The Masons devote their time, talent, and resources to make the Flint community a better place. The Flint Masonic Temple is a landmark and stands as a testament to the goodwill of our Masonic organizations. I pray that the Flint Masonic Temple will continue to be a place of fellowship for many, many years to come.

HONORING FREEDOM RIDERS ON
THEIR 50TH ANNIVERSARY**HON. CHARLES B. RANGEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. RANGEL. Mr. Speaker, I rise today to recognize the lasting impact of a coalition from all across the country, now known as the Freedom Riders, who showed great acts of courage fifty years ago in 1961 to help pave the way for all Americans—regardless of color and background—to have the same opportunities to pursue their dreams. They traveled to the deep South to challenge the codified injustice in place and bring about an end of segregation.

James Farmer, the head of the Congress of Racial Equality, and his colleagues planned demonstration rides through the South because the Supreme Court's ruling of integration of bus and train stations and airports was not yet enforced. On May 4, 1961, thirteen riders—men and women, blacks and whites—left Washington, D.C. bound for New Orleans on May 17, the seventh anniversary of Brown v. Board of Education.

Between May and September of 1961, people of all ages, color and gender throughout the country traveled to Jackson, Mississippi. The Riders desegregated stations by entering the 'wrong' waiting room, sitting at the 'wrong' lunch counter, using the 'wrong' restroom. They encountered severe prejudice and brutality. My dear friend and patriot, Representative JOHN LEWIS, was struck by a crate. Another good friend and colleague of mine, Representative BOB FILNER, was arrested and incarcerated for two months after refusing to post bond.

Through their courage and determination, the Freedom Riders won. In September the Interstate Commerce Commission issued new regulations mandating an end to segregation in bus and train stations. Their success inspired more people to participate in Freedom Rides elsewhere around the South during 1961. These Rides eventually led the movement to its landmark victories—the Civil Rights Act in 1964 and the Voting Rights Act of 1965. They continue to inspire a new generation of activists, such as the students of the New York State Youth Leadership Council, who invoked the memory of the Freedom Riders as they marched from places like Washington Heights in my hometown of New York City all the way to our nation's capital to demonstrate their support for the DREAM ACT.

Fifty years ago, Freedom Riders envisioned a country where everyone was given the equal opportunity to pursue their dreams. Thanks to their efforts, anyone in America can make his or her dream a reality by working hard with a can-do spirit. Today we honor the Freedom Riders by remembering their struggles and resolve, and by renewing our commitment to uphold their vision of promoting equal opportunity for all.

RECOGNIZING THE PUBLIC CONTRIBUTIONS OF THE HONORABLE
MADRITH CHAMBERS FORMER
CITY OF BECKLEY COMMON
COUNCILWOMAN**HON. NICK J. RAHALL II**

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. RAHALL. Mr. Speaker, being honored this Sunday, by her hometown church, the Heart of God Ministries in Beckley, West Virginia, Madrith Chambers remains a woman of distinguished character, who early on dedicated her life to the betterment of her community. She knew that to make such service her destiny, she needed proper tools.

She enrolled in school and became a successful model. Then she became an assistant buyer for a major department store. Mrs. Chambers developed the poetry of style, which she still exudes to this very day.

In Washington, D.C., she served our troops and their families from Bolling Air Force Base to Walter Reed Army Medical Center to become an Air Force liaison to military families.

She came home to West Virginia, and did work as a legal secretary and cared for her growing family. She also took a job as a taxi cab driver.

An active citizen, Mrs. Chambers was appointed to the Beckley Human Rights Commission, where she served as Chairwoman for 9 years.

While working for the Social Security Administration, and knowing the value of a good education, Mrs. Chambers again pursued her educational goals while attending night classes at Bluefield State College. She obtained her long desired Bachelor of Science degree in Criminal Justice Administration and Law Enforcement in 1985.

Upon Mrs. Chamber's retirement after 25 years at the Social Security Administration, she was elected in 1991, to the City of Beckley's Common Council, where she served for 12 years.

During Councilwoman Chambers' tenure on the Common Council, she was instrumental in accomplishing major improvements for Ward 5, and in the Beckley Community. In her first two years as Councilwoman, she was instrumental in getting the City of Beckley to annex the Red Brush community of East Beckley, providing families with fire and police protection, water and sewage, and door to door mail delivery, by getting the City of Beckley to pave the "red dog" dirt roads, throughout the Red Brush community of East Beckley. This project is one that she is most proud of accomplishing.

She possesses "no fear" in her determination to overcome obstacles to make life better for others. Councilwoman Chambers was also the first African-American City Council member in West Virginia to request and receive funding for projects through the Budget Digest of the West Virginia Legislature and was recognized for her efforts by former West Virginia House of Delegates Speaker, Bob Kiss.

Being a mother, and seeing the need for children to have fun and educational activities during the summer months, she was first to

organize the now annual "Kid's Classic" in the City of Beckley. The "Kid's Classic" is a weeklong celebration that allows all children who live throughout Beckley and Raleigh County, an opportunity to come together during the summer, in a safe environment for educational and fun activities in downtown Beckley.

Throughout Councilwoman Chambers' public service career she has been a driving force in the Beckley community. She was instrumental in the recruitment and training of minorities to serve as Beckley City police officers and increased the total number of African-Americans serving as police officers from two to seven officers during her tenure on the Common Council, a major accomplishment. Councilwoman Chambers brought Community Policing to the East Park, East Beckley, and the Maxwell Hill communities with satellite police stations.

Councilwoman Chambers, under the "Undoing Racism Project," facilitated training in the City of Beckley for various city personnel to develop sensitivity awareness in promoting fair housing and lending for minorities, health care, jobs and criminal justice. When entering the City of Beckley from the 1-77/64 interchange at Harper Road, travelers will be greeted with the words on an erected sign which states, "We Respect Diversity." The sign was posted by the City of Beckley at the request of Councilwoman Chambers.

While serving as Mayor Emmett Pugh's representative on the Mountain State Centers for Independent Living, she advised the Mayor on how to help bring the City of Beckley into compliance with the Americans with Disabilities Act, in meeting the mobility needs for individuals with disabilities. A short time after her tenure as Councilwoman, she secured donated land for the City of Beckley for the establishment of the Family Dollar Store, a national chain store built on the site of the former Pack's Supermarket in East Beckley. The opening of the Family Dollar Store in East Beckley provided employment opportunities for many of East Beckley's residents and is a source of great pride in the community.

Councilwoman Chambers' accomplishments are many. She has served as 1st Vice President of the Beckley-Raleigh County NAACP and was the first to run an African-American Girl Scout Troop in Beckley, under the Black Diamond Girl Scouts of West Virginia.

There were many firsts for Mrs. Chambers, she was the first African-American woman to become President of the Beckley Business and Professional Women's Club, the first African-American President of the Board of Directors for the Raleigh County Hospice Association, first African-American member of the Beckley Kiwanis Club, first African-American Woman inducted into the Women of the Moose in Beckley and continues to be active in that organization.

Councilwoman Chambers has been recognized for her many civic achievements in life. She was recognized by former West Virginia Governor Bob Wise for her leadership in the City of Beckley. Councilwoman Chambers received the "Seat for Social Justice" award from the Citizens Conservation Corps of West Virginia. The "Seat for Justice Award," a uniquely designed artwork depicting a bus

seat, is now on permanent display at the Beckley-Raleigh County Public Library.

Councilwoman Chambers is among two living employees who worked at the old Conley High School in Mullens, West Virginia, and was recognized for her professional achievements by the West Virginia Black Hall of Fame in 2010.

Councilwoman Chambers, a woman of deep abiding faith in God is a member of the Heart of God Ministries in Beckley, West Virginia. She is an accomplished pianist and over the years has served as pianist for several churches. Being the mother of three girls and two boys, she has a passion for life and endeavors to bring all brethren together for the good of the community.

In the old gospel hymn that she loves dearly, "Let My Works Speak for Me," Councilwoman Chambers desires that her life be a living testimony of what God has allowed her to do and achieve in her public service throughout Beckley and the State of West Virginia. Her favorite scripture is from Psalm 133:1 "Behold, how good and how pleasant it is for brethren to dwell together in unity." With God, all things are possible is her motto.

I hope all West Virginians will join me in recognizing the Honorable Madrith Chambers.

HONORING DOMINIC J.
CIARAMITARO

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor Dominic J. Ciaramitaro, a courageous Marine and noble soldier, who died on April 23, 2011 at the age of 19. Lance Corporal Ciaramitaro laid down his life while bravely conducting combat operations in the Helmand Province, Afghanistan.

Lance Corporal Ciaramitaro was an antitank missileman assigned to the 3rd Battalion, 9th Marine Regiment, 2nd Marine Division, II Marine Expeditionary Force based in Camp Lejeune, N.C. He was a 2009 graduate of South Lyon High School who as a member of the football team. Lance Corporal Ciaramitaro enlisted in the Marines the day after his high school graduation and began his career as a Marine in November 2009. Lance Corporal Ciaramitaro deployed in support of Operation Enduring Freedom in December 2010 and was promoted to lance corporal on Jan. 1, 2011. He was awarded the National Defense Service Medal, Afghanistan Campaign Medal and the Global War on Terrorism Service Medal.

A hard worker, a proud and brave American, and a loving son, Lance Corporal Dominic Ciaramitaro leaves behind his beloved mother, Debbie Beaupre and his treasured father and stepmother, John and Lynn Ciaramitaro. He is survived by his adored brother Salvatore and dearly loved sisters Holly, Lucy, Elizabeth and Grace. His grandparents, Marie and Sam Ciaramitaro, his grandmother Susan Boston and many aunts, uncles, cousins and friends will long remember him.

Lance Corporal Dominic Ciaramitaro made the ultimate sacrifice for his country in Operation Enduring Freedom. To his fellow soldiers, his family and friends, and to everyone who knew and loved him, he was a dedicated member of his community who answered the higher calling to serve his country.

Mr. Speaker, during his lifetime, Dominic Ciaramitaro enriched the lives of everyone around him by employing energy, leadership, and courage in everything he set out to do. As we bid farewell to this exceptional individual, I am reminded that freedom does indeed exact a heavy price and I ask my colleagues to join me in remembering and honoring his contributions and years of devoted service to his community and our country.

HONORING THE LIFE OF WILLIAM
"BILL" MUNSEY

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to honor the memory of William "Bill" Munsey of Pompano Beach, Florida, who passed away on April 3, 2011 at age 86 after a valiant struggle against cancer. Bill had a long and celebrated career in athletics. As a young man at Fleming High School in Roanoke, Virginia, he played football, basketball, tennis and ran track. In 1942, Bill enrolled at Roanoke College on an athletic scholarship. Following football season, he entered the U.S. Navy as a member of the Amphibious Forces and served as a "frogman" in both the Atlantic and Pacific commands. After his military service, Bill returned to Roanoke College, where he played basketball.

Bill and his wife, Jane, moved to Florida in 1949, where he began teaching and coaching at Riverside Military Academy in Hollywood. During that time, he attended the University of Miami, graduating in 1950 with a degree in Physical Education. He loved Miami football and was always proud to be a "Hurricane."

Bill Munsey began his career in high school coaching in 1954 at Pine Crest School, where he was known as the "cornerstone" of the athletic program. He coached Pine Crest's first football team and served as its first Athletic Director. He built a legendary and very successful career, serving as coach and Athletic Director for 38 years. As head of the football program, Coach Munsey led his teams to nine conference titles, eight district titles and four regional titles. His football teams won 61 of 63 games during the 1987 to 1993 seasons. He compiled a career record of 216-92-2 that included four undefeated seasons.

Bill Munsey loved all sports, and during his 38 years at Pine Crest, he also coached basketball, baseball, golf and track. His excellence as a coach was recognized with numerous awards. He was voted Broward County Football Coach of the Year six times and won the 1988 Football Coach Gold Award, a scholastic award. Besides the prominence of his football teams, his basketball teams won four district titles and a trip to the state Final Four in 1961.

During his career, Coach Munsey was inducted into the Florida Coaches Association Hall of Fame, the FHSAA Hall of Fame and Pine Crest's own Athletic Hall of Fame. He was inducted into the Broward County Sports Hall of Fame and was named Athletic Director of the Year. Coach Munsey was also a football and basketball official and actually held the first Broward County officials' meetings in his home. Bill Munsey was known to say that he never recruited a player from another school and that a Pine Crest student-athlete had to be both smart and a good athlete to play for him.

Mr. Speaker, Bill Munsey's absence will be felt by the many players he coached, the people he coached with and against and all who knew and admired him for the honest, dedicated sports professional that he was. I am pleased to honor his memory.

HONORING THE 50TH ANNIVERSARY
OF THE FREEDOM RIDERS

HON. BENNIE G. THOMPSON

OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 4, 2011

Mr. THOMPSON of Mississippi. Mr. Speaker, today, I rise to honor the 50th anniversary of the Freedom Riders and their incredibly courageous acts of resistance during the summer of 1961, when civil rights leaders launched the Freedom Rides to challenge the Jim Crow laws that upheld the segregated interstate bus systems.

Indeed, I am privileged to serve with two of my esteemed colleagues, Representative JOHN LEWIS and Representative BOB FILNER, Freedom Riders who blazed the trail in order that I might have the distinct honor to serve as the highest-ranking African American elected official in the state of Mississippi—an opportunity that would not have been possible without the personal sacrifices of the Freedom Riders in their quest for racial justice in this country.

The Freedom Rides, an organized effort initiated by the Congress of Racial Equality (CORE), was a significant moment during the Civil Rights Movement, as young students were greeted with violent racial discrimination as they traveled from Washington, DC throughout the Jim Crow South to test the Supreme Court's ruling in *Boynton v. Virginia* (1960), which declared segregation in interstate bus and rail stations unconstitutional. Freedom Riders faced violent opposition and garnered broad media attention, which eventually forced Federal intervention from the Kennedy administration.

The first Freedom Ride took place on May 4, 1961 when seven blacks and six whites left Washington, D.C., on two public buses bound for the Deep South. The Freedom Riders made it through Virginia and North Carolina without incident, but as they made it to Rock Hill, South Carolina, the Freedom Riders encountered violence and faced more resistance as they traveled further into the "Deep South."

The ride continued to Anniston, Alabama, where on May 14th they were met by a violent mob of over 100 people. Before their arrival,

Anniston local authorities had given permission to the Ku Klux Klan to strike against the Freedom Riders without fear of arrest.

CORE leaders decided that letting violence end the trip would send the wrong signal to the country. On May 17, 1961, SNCC and the Nashville Student Movement rode from Nashville to Birmingham to resume the Freedom Rides.

On May 29th, the Kennedy administration announced that it had directed the Interstate Commerce Commission to ban segregation in all facilities under its jurisdiction, but the rides continued as students from all over the country purchased bus tickets to the South and crowded into Mississippi jails. The Freedom Rides inspired sit-ins in public facilities and businesses across the South.

Today, collectively, we must be "Change Agents" and continue to pursue the struggle for human, civil, and equal rights which are the legacy and spirit of the Freedom Riders and all of the brave men and women who made personal sacrifices during the Civil Rights Movement for justice and equality for all mankind.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 5, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 6

9:30 a.m.

Joint Economic Committee

To hold hearings to examine the employment situation for April 2011.

SD-106

MAY 10

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine reviewing the Financial Crisis Inquiry Commission's final report.

SD-538

Energy and Natural Resources

To hold hearings to examine new developments in upstream oil and gas technologies.

SD-366

Finance

To hold hearings to examine perspectives on deficit reduction, focusing on Social Security.

SD-215

Foreign Relations

To hold hearings to examine steps needed for a successful 2014 transition in Afghanistan.

SD-419

Appropriations

Department of Homeland Security Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Coast Guard, focusing on an examination of operational and recapitalization requirements.

SD-138

Judiciary

Privacy, Technology and the Law Subcommittee

To hold hearings to examine protecting mobile privacy, focusing on smartphones, tablets, cell phones and privacy.

SD-226

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine the Transportation Worker Identification Credential Program.

SR-253

Armed Services

Emerging Threats and Capabilities Subcommittee

To hold closed hearings to examine proliferation prevention programs at the Department of Energy and the Department of Defense in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program; to be immediately followed by an open hearing in SR-232A.

SVC-217

Homeland Security and Governmental Affairs

Oversight of Government Management, the Federal Workforce, and the District of Columbia Subcommittee

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold joint hearings to examine a roadmap for a more efficient and accountable Federal government, focusing on implementing the "Government Performance and Results (GPRA) Modernization Act".

SD-562

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 11

10 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Guard and Reserve.

SD-192

Finance

To hold hearings to examine the United States-Colombia Trade Promotion Agreement.

SD-215

Health, Education, Labor, and Pensions

To hold hearings to examine diverting non-urgent emergency room use, focus-

ing on if it can provide better care and lower costs.

SD-430

Homeland Security and Governmental Affairs

Business meeting to consider pending calendar business.

SD-342

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the National Institutes of Health.

SD-124

10:15 a.m.

Judiciary

Antitrust, Competition Policy and Consumer Rights Subcommittee

To hold hearings to examine the AT&T/T-Mobile merger.

SD-226

1:30 p.m.

Armed Services

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

2 p.m.

Rules and Administration

Business meeting to consider the nomination of William J. Boorman, of Maryland, to be Public Printer, Government Printing Office, S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent, and S. 739, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

SR-301

2:30 p.m.

Commerce, Science, and Transportation

To hold hearings to examine manufacturing our way to a stronger economy.

SR-253

Energy and Natural Resources

National Parks Subcommittee

To hold hearings to examine S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, S. 127, to establish the Buffalo Bayou National Heritage Area in the State of Texas, S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, S. 161, to establish Pinnacles National Park in the State of California as a unit of the National Park System, S. 177, to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California, S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, S. 279, to direct the Secretary of the Interior to carry out a study to determine the

suitability and feasibility of establishing Camp Hale as a unit of the National Park System, S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in non-wilderness areas within the boundary of Denali National Park, S. 313, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc., S. 323, to establish the First State National Historical Park in the State of Delaware, S. 403, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, S. 404, to modify a land grant patent issued by the Secretary of the Interior, S. 508, to establish the Chimney Rock National Monument in the State of Colorado, S. 535, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, S. 564, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 599, to establish a commission to commemorate the sesquicentennial of the American Civil War, S. 713, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, S. 765, to modify the boundary of the Oregon Caves National Monument, S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, S. 849, to establish the Waco Mammoth National Monument in the State of Texas, and S. 858, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System.

SD-366

MAY 12

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine carbon capture and sequestration legislation, including S. 699, to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, and S. 757, to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies.

SD-366

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Special Operations Command (SOCOM), and the United States European Command (EUCOM).

SVC-217

2:30 p.m.

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 17

10 a.m.

Foreign Relations

To hold hearings to examine strategic implications of Pakistan and the region.

SD-419

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).

SVC-217

MAY 18

10 a.m.

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on improving Veterans Affairs and Department of Defense collaboration.

SR-418

MAY 19

10 a.m.

Foreign Relations

To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-419

MAY 25

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD-192

MAY 26

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).

SVC-217

JUNE 15

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

SD-192

JUNE 16

10:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

HOUSE OF REPRESENTATIVES—Thursday, May 5, 2011

The House met at 9 a.m. and was called to order by the Speaker.

PRAYER

Reverend William Byrne, St. Peter's Catholic Church, Washington, D.C., offered the following prayer:

Gracious and loving God, thank You for the blessings You have bestowed upon this Nation. Most especially, we thank You for the rights which You alone grant to all men and women, in particular, the gift of life and the right to pursue happiness.

Bless the men and women of this country who work to ensure that all men and women may enjoy these rights. Watch over those who protect our Nation, both military and civilian, at home and abroad.

Guard and protect those who have been devastated by storms and tornados this past week. Keep them safe and assist those who are working for relief. Comfort those who mourn, and welcome those who have died.

Bless these Representatives. May all they do begin with Your inspiration and find completion in Your love.

We ask this in Your holy name. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentlewoman from California (Ms. LORETTA SANCHEZ) come forward and lead the House in the Pledge of Allegiance.

Ms. LORETTA SANCHEZ of California led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair will entertain up to five requests for 1-minute speeches on each side of the aisle.

TEXAS WILDFIRES AND PAKISTAN

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, wildfires have raged in Texas because of a long drought this year. The town of Possum Kingdom, Texas, population 5,500, has burned up. This is one of the many photographs showing the raging fires throughout the State.

Statewide, two firefighters have been killed; 400 homes have been destroyed. The 9,000 fires have covered over 2,200,000 acres—this is the size of Rhode Island and Connecticut put together—and the costs of the devastating destruction are enormous.

The Governor has asked FEMA for a Federal disaster declaration because of the extensive fires, but the Governor has been turned down by the White House—no more additional help for Texas.

Too bad Texas isn't a foreign country like Pakistan. The Federal Government has shelled out over \$500 million for disaster aid to Pakistan citizens for the flooding in their country.

When Washington considers aid, if any, for disaster relief, it should at least consider Americans in Texas just as important as Pakistanis, but that doesn't appear to be the case. Meanwhile, the fires continue to burn in Texas.

And that's just the way it is.

REIN IN THE SPECULATION

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. American families and small businesses are being crushed by \$4 a gallon gas at the pump.

Now, the Republicans tell us, oh, it's plain old supply and demand; drill here now and fast in the future and that will solve the problem.

Well, actually supply is up—U.S. crude inventories are 12.6 million barrels over the 5-year average—and demand is down. So what's really going on?

Well, it's Big Oil and it's Wall Street. Goldman Sachs—no one less than Goldman Sachs—said that the culprit for inflating oil prices \$20 higher than what supply and demand dictate is excess speculation. Now, we wouldn't want to rein in the speculators because that's Wall Street and they're very generous to Republicans. And we wouldn't want to take on Big Oil, who's manipulating the market prices, because they contribute big-time to Republicans.

So let's just play pretend. Let's pretend we're doing something for con-

sumers while hiding the culprits in plain sight. Speculation on Wall Street. They traded 189,000 contracts—that's 189 million barrels—by computer in 1 day last week, driving up the price for all Americans. Useless speculation.

Rein in the speculation. And take on Big Oil.

CONGRATULATIONS, CANADA

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, this week's historic election in Canada brought to power a conservative majority for Parliament. By winning a full majority of the 167 conservative seats, Prime Minister Stephen Harper will now have 4 years of uninterrupted government. Plans to create jobs without increasing taxes and paying down the national deficit are top priorities of this new majority.

The relationship of Canada and South Carolina has been strong for many years. This year marks the 50th annual Canadian-American Days Festival at Myrtle Beach, which celebrates the partnership between our citizens. We welcome Canadian vacationers. We are grateful that former South Carolina Speaker of the House, David Wilkins of Greenville, served as the United States Ambassador to Canada from 2005 to 2009. Canada is our leading trade partner, which I know firsthand and appreciate, with the Michelin Tire Corporation of Lexington producing earth-mover tires for recovery of oil sands resources in Alberta.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

TEACHER APPRECIATION WEEK

(Ms. LORETTA SANCHEZ of California asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today in observation of Teacher Appreciation Week, which commenced on May 2 and will end tomorrow. It's not only appropriate to recognize our hardworking and dedicated educators, it is necessary.

In honor of Teacher Appreciation Week, I would like to recognize all the teachers in my district. I have visited every school back home, and I feel fortunate to have the classrooms filled

with passionate teachers who are committed to every student by addressing their needs and guaranteeing their academic success.

I would specifically like to recognize the 2011 Teacher of the Year recipients from the school districts in Anaheim and Santa Ana, California. Mr. Erick Rossman, Ms. Anne "Mac" Devine, Ms. Sylvia Immanuel, Ms. Michelle Majewski, Mr. John Lombardi, and Ms. Valencia Davis, thank you. Thank you for your passion and your outstanding success and work with our students.

DRILLING EQUALS AMERICAN JOBS

(Mr. PALAZZO asked and was given permission to address the House for 1 minute.)

Mr. PALAZZO. I rise today, Mr. Speaker, in strong support of H.R. 1230.

As the Congressman from Mississippi's gulf coast, I have seen firsthand the damaging effect of the administration's decision to delay lease sales for offshore oil exploration. I also have worked offshore myself as a rigger, a roustabout, and a materials manager. I understand the positive economic impact offshore jobs have on the local and regional economies. By the administration's own admission, we have already seen 12,000 jobs lost with a direct salary impact of \$500 million. To prevent these jobs from permanently being sent to other countries, we need firm timelines for considering permits to provide certainty to investors and employers.

I not only support the passage of the Restarting American Offshore Leasing Now Act, but I urge the administration to undo their record of blocking and delaying energy production and to proceed with scheduled lease sales promptly. We must not continue to unnecessarily sideline a vibrant industry that is critical to our economic and national security.

BIG OIL

(Ms. CHU asked and was given permission to address the House for 1 minute.)

Ms. CHU. In my home county of Los Angeles, hardworking, middle class families are struggling every day to put gas in their cars so that they can get to work and take their children to school. But I did a double take recently when I saw that a gas station in my district had the highest price per gallon in the country—almost \$5 a gallon.

What is the Republican response? They just released their budget. It gives more tax breaks to Big Oil. They don't want to reward you for working hard. They want to reward ExxonMobil which made \$34 billion last year in pure profits, more money than any other company in the world.

You are stuck paying over \$4 a gallon for gas and the Republicans also want

you to pay \$4 billion in tax breaks for Big Oil?

Stop the \$4 billion Republican giveaway. Let's make smart investments that will lower gas prices and put Americans back to work. It is time to say "no" to the GOP, the Grand Oil Party.

GAS PRICES

(Mrs. HARTZLER asked and was given permission to address the House for 1 minute.)

Mrs. HARTZLER. I rise today to express the frustration of the good people of Missouri's Fourth District with our Nation's gas prices. As I traveled around the Fourth District last week speaking at eight town hall meetings, the one comment I heard everywhere I went was that gas prices are crippling our families and our businesses.

One over-the-road trucker that I visited with from El Dorado Springs told me that just a couple of years ago he would bring \$1,000 in cash on the road with him for a week's worth of diesel, but now he has to come up with \$2,500 in cash before climbing in the cab. This is extremely hard for someone just trying to make ends meet, and carrying so much cash is dangerous, too.

Every extra dollar in gas prices means one less dollar for a family's food, clothes, or spending time together at a ball game. For the average driver, the increased cost of gas since the President took office is nearly \$1,100 a year.

We must stop the government from standing between its citizens and reasonable gas prices. This country has been blessed with some of the most abundant resources on the face of the Earth, but this administration has stood in the way of exploring and utilizing them at every turn. It's time for the President to get out of the way and let us get to work developing our own sources of energy.

EXPRESSING SUPPORT FOR THE RECOVERY EFFORTS IN NORTH CAROLINA

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise today to express appreciation for the good work on the part of local emergency responders, FEMA, the Division of Emergency Management, the American Red Cross, and the many other agencies that have been helping survivors in my congressional district recover from the devastating tornados that hit North Carolina on April 16.

I represent, Mr. Speaker, one of the hardest hit communities, Bertie County, where 12 people lost their lives, 50 were injured, and dozens are now homeless. I am grateful that President Barack Obama was very quick to an-

nounce that 19 counties were eligible for Federal disaster assistance, and the hard work toward recovery is now under way. More than 4,700 people in North Carolina have applied for State and Federal disaster assistance. We are a generous and resilient people, and I know we will recover.

Mr. Speaker, I ask that my colleagues join me in applauding the recovery efforts and in expressing deep sorrow for the victims and their families.

CONGRATULATING INDIANA ON ITS ACCOMPLISHMENTS IN THEIR LEGISLATIVE SESSION

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute.)

Mr. STUTZMAN. Mr. Speaker, I rise today to honor and congratulate the State of Indiana, Governor of Indiana Mitch Daniels, and Indiana State Legislature's accomplishments this past session that just ended.

I believe it is important to reflect momentarily on the achievements made in Indiana to give promise and hope that the same can be done here in Washington. Something I'm particularly proud of is the fact that Governor Daniels and the legislature have passed the fourth straight gimmick-free balanced budget for the State of Indiana which will give Indiana a budget in the black 8 years running. We can do the same here in Congress.

This legislative session in Indiana has also produced real education reform that was passed to usher in real choice for students and parents. Governor Daniels led the charge for full funding for kindergarten, the Nation's most expansive voucher program, more charter schools, and rewarding our teachers based on their effectiveness. We can do the same here in Congress.

As we discuss tax reform and how to do it here in Washington, Indiana's already done it. They have done it by lowering corporate tax rates, lowering property taxes to give a great place for businesses to do work. We can do the same here in Congress.

As a former State legislator in Indiana under the Daniels administration, I rise today because, in the midst of despair and partisan bickering, I know we can do the same here in Congress. We must do better.

PROVIDING FOR CONSIDERATION OF H.R. 1229, PUTTING THE GULF OF MEXICO BACK TO WORK ACT, AND PROVIDING FOR CONSIDERATION OF H.R. 1230, RESTARTING AMERICAN OFFSHORE LEASING NOW ACT

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 245 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 245

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment recommended by the Committee on Natural Resources now printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the five-minute rule and shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in part A of the report of the Committee on Rules accompanying this resolution. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 2. At any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1230) to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The bill shall be considered as read. All points of order against provisions in the bill are waived. No amendment to the bill shall be in order except those printed in part B of the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the pro-

ponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

SEC. 3. In the engrossment of H.R. 1229, the Clerk shall—

(1) add the text of H.R. 1230, as passed by the House, as new matter at the end of H.R. 1229;

(2) conform the title of H.R. 1229 to reflect the addition of H.R. 1230, as passed by the House, to the engrossment;

(3) assign appropriate designations to provisions within the engrossment; and

(4) conform cross-references and provisions for short titles within the engrossment.

□ 0920

The SPEAKER pro tempore (Mr. WOMACK). The gentleman from Utah is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BISHOP of Utah. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

Mr. BISHOP of Utah. Mr. Speaker, House Resolution 245 provides for the consideration of two very important bills, H.R. 1229, the Putting the Gulf of Mexico Back to Work Act, and H.R. 1230, the Restarting American Offshore Leasing Now Act, both under a structured rule. With many amendments, all of which are Democrat amendments having been made in order, this is a very fair rule.

I commend the sponsor of the two bills, the chairman of the Natural Resources Committee, Mr. HASTINGS of Washington, for his leadership in bringing both of these bills to the House.

H.R. 1229 is a bill that goes to the heart of the bureaucratic delays, which are preventing the approval of drilling permits within the Gulf of Mexico; and it modifies the standards and procedures governing Federal leases and permits in order to streamline the process, making the development of these domestic resources a reality instead of the status quo of paying lip service to drilling and then stifling drilling through bureaucratic inaction.

H.R. 1230 is a bill that would direct the sale of oil and gas leases within the

Outer Continental Shelf, reversing a failed administration policy of canceling and delaying those processes.

Mr. Speaker, over the last 2 years, many Republicans have come to this floor and have sung the same refrain of "show us the jobs." It was, indeed, a nice song and a catchy tune—so catchy that the minority of today seems to have been picking up on that kind of song as well. I don't expect to hear that today, or at least we ought not to hear it today, because the two bills before us under this rule are real bills that create real jobs for people.

Unlike the bills we have seen over the past couple of years which have led us to a situation where today there are twice as many workers in the government as there are in all of manufacturing in this Nation, which is an exact reverse of the situation this Nation was in in 1960, these are not going to be government jobs which attack the taxpayers and suck the money out of their wallets to fund them. These are going to be real jobs that grow the private sector, that expand the economy, that provide wealth, and that will provide, actually, millions of new government revenues coming into this country.

The situation we find ourselves in today with regard to energy is one that is detrimental to everybody. Everyone who goes to the pump to fill their cars recognizes the cost is increasing and will continue to increase. They recognize that the situation we are in puts all our jobs in jeopardy, and it is because of the inaction of this particular administration. The President has continually said that he wants to do action, to move forward, to develop American energy, but the actions of his administration have, quite frankly, failed to meet the rhetoric of the administration.

The problem has always been a fundamental flaw in our Nation's energy plan. Last May, the Deepwater Horizon accident occurred, which was a tragedy; and we must thank all of those who helped to solve that particular problem; but, unfortunately, the administration's response to that tragedy has turned it into a catastrophe and one which destroys jobs.

Immediately, a moratorium on all sorts of development was put into place. Prior to that moratorium being put into place, there were 52 approved and pending permits, and that moratorium was lifted in October; but of those 52, only 10 permits have been issued since that time. Two of them are new in deepwater and are eight of the 52 that were originally done. That means there are over 40 still approved and still stalled in what has become a de facto moratorium, caused by a foot-dragging of this administration that, what one columnist said, is moving at a glacial pace. More rigs have left our shore—12—to go to other places in the world where they are welcomed and

where they are developing energy sources, where they don't have to face the red tape and the foot-dragging than have actually been approved by this administration.

A perfect example is Seahawk Drilling, a company that had over 500 jobs and 20 rigs that went into chapter 11 bankruptcy. The president of that company stated only one reason for that bankruptcy and that loss of jobs, which was the de facto moratorium of inaction done by this administration in this area in 2008 in a response to an arbitrary drilling ban that was lifted by both the President and Congress. It created a 5-year plan. Virginia was supposed to start the exploration process in 2011, but the Secretary of the Interior delayed that until 2012 and then later delayed all exploration on the Atlantic coast until after 2017.

In the Gulf of Mexico, two other sales were canceled and moved out from this year, which was when they were supposed to begin, once again into next year. It became so bad that a judge in New Orleans gave the administration 30 days to start moving on these projects, saying that what was happening by this administration was increasingly inexcusable and that not acting at all is not a lawful action.

The result of this has simply been catastrophic for jobs in America. The Obama administration has admitted in its official memorandum that, for those days of its official moratorium, 12,000 jobs were lost; but what is more significant is the de facto moratorium there. An LSU study simply said, if this were sustained for 18 months in the gulf area, there would be 24,532 jobs lost and in the Nation 36,137 jobs lost simply because of what we are not doing in the Gulf of Mexico.

It is very simple to understand how this works. Each platform that is out there drilling has 90 to 150 employees. If you add the production team as well as the exploration team, you can multiply that by a factor of four. So you have almost per every drilling up to 1,400 jobs that are tied to that particular project with \$1,800 a week as the average wage.

That means for every one of those drills that is not put back into production, it is \$5 million to \$10 million per month per platform that is lost to this economy; and the ripple effect within the economy for our energy uses as well as jobs is, once again, staggering as this administration is, indeed, going at a glacial pace. In Virginia alone, 2,000 jobs will be estimated to be lost if the de facto moratorium that pushes everything to 2017 is allowed to take place.

Now, this action, or inaction, by the administration costs every American. It costs us at the gas pump as we see the cost of running our cars increasing almost daily, and this hurts the poor worse than anyone else. It is estimated

that every American will pay \$700 more this year for gasoline than last year. Obviously, those at the lower end of the economic scale are the ones who are hurt the most. For every cent that is increased in gas at the pump, that is \$1 billion that is taken out of household incomes in this country; and it makes sure that Americans are then put at the mercy of foreign oil development and foreign energy sources, which may not necessarily like us, and sometimes they're just flat out bad guys.

It also has other areas in which it has affected everyone—once again, those at the lower end of the income scale the most. For every dime that diesel goes up, that is \$400 million that is added to the agricultural industry, which is what we eat, which is tacked onto our food prices. You have to have oil for fertilizer. As that goes up, the cost of fertilizer goes up; the cost of running machinery goes up; the cost of food goes up; the cost of pharmaceuticals, plastics. If you go into the emergency room, everything that is not metal has some element of oil that developed it, and all of those are increasing.

Now, there are only two ways that we can handle this situation. First, you can go with the old concept of supply and demand and simply increase production, which is what these two bills are trying to do; or you can go to the approach that this administration seems to be asking us to do, which is to cut our standard of living, accept gasoline prices at the European level, and beg Saudi Arabia to be nice to us—to put our futures in the hands of OPEC and then amazingly say we can also solve these problems simply by taxing oil companies at a higher rate.

Since 2010, the domestic production of energy in this country has decreased 16 percent. In this year, next year and the year after that, we estimate, unless we make changes, that a quarter of a million barrels of oil will be decreased in our production rate in each of those years. The only area in which any energy production has been increasing is on private property. Unfortunately for this country, almost all of the energy that we have, most of the energy that we can develop, is on public lands, which is controlled by the government, which is doing nothing now to help develop that.

This is a time where pragmatism is much better than a failed ideology of restrictions. Now, what these two bills do is to simply reverse the job-killing delays that have been taking place. In H.R. 1229, it reforms the law to require leaseholders to receive permits to drill before they start drilling; and it will do it for the first time by law, not simply by a regulation. It demands that the Secretary of the Interior conduct and approve safety revenues, once again, for the first time in history.

More importantly, it ends the de facto moratorium by demanding

prompt guidelines and action. It says that the Secretary of the Interior will have 30 days in which to deal with these issues and then can have up to two 15-day extensions—a total of 60 days to do the review.

Now, while that may seem to some as a quick path, it's not when you look at the history of what has been done. Before the moratorium went into effect, it was taking 5 to 15 days to do the drilling leases and permits.

□ 0930

One company was done in nine days just recently. What the problem is is that most of these are simply not being done simply because of inaction. It also says for those that were approved prior to the May 27 moratorium, you've got 30 days to get them going again. This is plenty of time to do the work.

It also does something else for the first time. It provides an expedited hearing process so that legal rights are not lost—they are protected—but you will not go back into a concept of a never-ending lawsuit moratorium.

In 1230, the bill recognizes that this year will be the first time since 1958 that we have a possibility of no offshore lease sales. And it wants to reverse that action to proceed promptly with the 5-year plan so that things, for example, in Virginia will be in effect within 1 year, and those that were scheduled in the gulf can be done within 1 year of the passage of this bill.

This bill simply will create billions in Federal Reserve revenues coming in, and it will create billions in our economy, and it will create jobs.

I hate to say this, but under President Obama, the cost of energy has skyrocketed. The administration has actively blocked and delayed energy production. It's cost jobs. It's raised energy prices. It's made the United States more reliant on unstable foreign countries for our energy. Through the American Energy Initiative, this House is actively working to increase American energy production to lower gas prices, to create American jobs, to generate revenue to help reduce the deficit, and to decrease our dependence on foreign energy.

The United States Government has had a long history of sporadic attempts to respond to oil and gas prices. Usually, we have missed the mark. But, unfortunately, oil is still the lifeblood of the world and will be for most of our lives. That is why 70 countries and 31 States in the United States are involved in the process. Prices are influenced by the signals that are given by worldwide circumstances and also by government policy.

These two bills are the first of several signals that this House wants to send to the world and to the economy that says our goal should be to come as close to economic and energy self-sufficiency and independence as possible.

We are not an energy-poor Nation; and we need to be developing the resources in every way possible, including in the gulf, including in the Outer Continental Shelf, and including on our land sources. That is our future if we want to do anything to create jobs and help the American people. That is specifically what these two bills are aimed to do.

With such, Mr. Speaker, this is a good rule and a fair rule; and the underlying piece of legislation is entirely worthy of our support.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, today the House considers the BP respill bills. That might not be what they are officially called, but it's a much more accurate title for this legislation. It's clear that the authors of these BP respill bills did not learn any lessons from the Deepwater Horizon disasters. These bills would make offshore drilling more dangerous for offshore workers, 11 of whom died on the Deepwater Horizon. These bills would make offshore drilling more dangerous for the environment, which was coated with 4.1 million barrels of oil along the Gulf Coast and is killing fish and wildlife in the area to this day as a result of BP's recklessness.

These bills would make offshore drilling more dangerous for our national security because they reinforce the complete myth that America can somehow drill our way out of dependence on oil. And these bills are more dangerous for the economy, risking destroying fishing and tourism jobs in affected areas.

But one thing these bills do not do is make filling up at the pump any more affordable at all for American families. According to the American Petroleum Institute itself, the main advocacy group for oil interests, even if we opened all Federal land to oil drilling, including offshore areas, including Alaska's wildlife refuge and all Federal land that is in the national parks, they can't even say that it would reduce gas prices or oil prices. In fact, the cheap oil analyst at the Oil Price Information Service, which calculates gas prices for AAA, the motorist organization, said: "This drill, drill, drill thing is tired. It's a simplistic way of looking for a solution that doesn't exist."

So if this legislation isn't about reducing the price at the pump, what is it about? It's about exploiting our legitimate concerns about high gas prices to deliver another huge giveaway to Big Oil, an industry that made over \$35 billion in profits in the last quarter alone. Meanwhile, the majority refuses to end Big Oil's nearly \$50 billion of special interest tax breaks.

Yesterday in the Rules Committee, Mr. McGOVERN brought forth a bill that would have ended the giveaway of tax revenue to Big Oil. Unfortunately, the Republican majority chose not to allow that amendment in this rule.

Had that been allowed under the open rule that Mr. McGOVERN proposed, I would have brought forth an amendment on the floor to use those \$50 billion of revenue to reduce the corporate tax rate to help create jobs in America. Instead, the Republican majority is continuing to seek to keep American taxes high, to keep corporate taxes high, and this is another example of a job-destroying bill that keeps taxes high while picking winners and losers in the economy and using government subsidies to aid an industry that is one of our most profitable industries.

We should allow American businesses of all sizes to compete. The America corporate tax rate of 35 percent is higher than most of the rest of the world, which is why many companies continue to engage in operations overseas. If we can reduce it from 35 percent to 30 or 28 or 26 percent—and we could have done had Mr. McGOVERN's amendment passed in the Rules Committee yesterday, and that is one of the reasons I oppose this rule today—that would create an enormous engine of economic growth.

While frequently the Republicans give lip service to lower taxes, they continue to use special interest tax breaks to keep taxes high on small- and middle-sized American companies that don't have the same lobbyists here in Washington to lobby us for special interest tax breaks.

We know that Big Oil would rather do without the fuss of showing that they can drill safely; but that's what this bill, in fact, delivers. This legislation states that the Interior Secretary must act on any drilling permit within 60 days, or it's automatically approved. What should be a very serious process to ensure safe drilling, to ensure that there aren't further disasters, and to ensure that jobs are not destroyed turns into little more than a rubber stamp, a rubber stamp for the further degradation of our economy and of our environment.

The second bill this rule makes in order claims to restart the process, or issuing, of oil and gas leases. Now, what the majority is doing in this is essentially validating what the administration has already done. The administration has already restarted offshore drilling in February. In fact, the administration has announced plans to offer all three Gulf of Mexico lease sales that are mandated in this bill this year or early next year. Again, this particular policy is one that I don't agree with fully with the administration, but I am glad to see that the Republican majority is validating President Obama's leadership on this energy issue.

Together, these bills will not relieve pain at the pump, but they will increase the chances of another Deepwater Horizon disaster, costing lives, livelihoods, and hurting some of our

precious natural resources. Why? Because that's what Big Oil wants. If Big Oil wants to keep taxes high for American companies, if Big Oil wants to destroy jobs, then the Republican majority is giving them that. In fact, even the problem the majority purports to be addressing with these bills, the speed of permitting in the gulf and restarting offshore oil drilling, doesn't even exist.

Here are the facts: Following the temporary pause on deepwater drilling last year, what Secretary Salazar listed in October, the oil industry wasn't able to demonstrate that it possessed the capacity to contain a deepwater blowout until February 2011. Once oil companies demonstrated that they had the capability to contain a blowout, the first permit was issued 11 days later, February 28, 2011. There have now been a total of 10 deepwater drilling permits issued since that time. In addition, there have been 39 shallow water permits approved since last October, matching the number from before the spill. Let me repeat that: matching the number of permits from before the spill. If anything, the majority, by acting through this bill, is effectively congratulating the administration on its leadership for speedily approving permits.

In addition, in the gulf region, the number of jobs that depend on tourism and fishing is five times the number of jobs related to the oil and gas industry. Gulf jobs related to oil and gas and other resource extraction total about 154,000. The total number of jobs for tourism and fishing are 777,000 jobs. So with this bill, the majority is putting at risk those 777,000 jobs for the benefit of 154,000. We should not put them at risk just to make the permitting process easier for Big Oil to exploit.

□ 0940

Passage of these bills is not good for the gulf coast's economy or its ecology, although it is best for Big Oil.

Again, while I appreciate the Republican majority's efforts to validate the leadership of President Obama on energy issues, this rule could be a lot better. Rather than keeping corporate taxes high, we could help make America more competitive by reducing corporate taxes and helping make American businesses more competitive, including the critical tourism and fishing industries in the gulf coast.

I reserve the balance of my time.

Mr. BISHOP of Utah. Mr. Speaker, let me just make a couple of very quick points, if I could.

Once again, the purpose of these two bills is to start our process going towards Americans having adequate energy supplies to live their lives. And it's one of the things that you either increase production or you try to cut back. Our goal is to increase the production.

The idea that what we are doing is in some way making safety less significant is silly. There are new safety rules that have been in place. They are ready. They are prepared. They are ready to go forward.

The myth of subsidies to Big Oil is one of the things also that we need to talk about because even my fellow Democrats have admitted that the President's plan to push a tax hike on energy taxes does result in the loss of American jobs and higher taxes on independent oil and gas companies.

I love the fact that we always spin things by talking about Big Oil. But the nonpartisan Politifact.com noted that a majority of the U.S. oil production comes not from the biggest multinational oil companies but from independent firms. American production activities are dominated by these independent producers who drill 95 percent of the Nation's natural gas and oil wells, accounting for as much as 67 percent of the total U.S. natural gas and oil production.

Often we try to find some kind of straw man which to attack, and the idea of Big Oil is one of those easiest ones to do. But in reality, if those tax hikes were to go into place on production, you would not be hitting the Big Oil companies; you're going to be hitting small companies which have 100 or fewer employees, not only offshore, but on the shore as well. That is the attack.

I'm sorry. I am not validating President Obama's leadership on this issue. To me, leadership means you do something. Inaction is not leadership.

It's not the government picking winners and losers. What this administration is doing by the de facto moratorium, the inability to move forward on this issue is simply picking losers, losers in the field, losers for America, losers in jobs, and that is wrong.

This tries to get us going ahead in an area and in a way in which we can do it, we should do it, we have the capability of doing it. All we simply need to do is do it.

I reserve the balance of my time.

Mr. POLIS. I yield 2 minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I rise today in opposition to this rule because my constituents in the State of Rhode Island can no longer wait for action to reduce the price of gas at the pump, and this bill does nothing at all to address this issue today.

Just last week the price of gasoline shot up to more than \$4 and, as we all know, this is an increasingly familiar story for States all across this Nation, hurting families and small businesses. And it really underscores what I heard from my own constituents, hundreds of men, women, and families all throughout Rhode Island in recent weeks. We have got to find immediate solutions to lower the price of gas.

But the legislation before us this morning calling for domestic drilling will not provide the short-term relief that's needed right now. At the same time, it will make drilling more dangerous for our environment, for our economy, and for our national security.

My friends on the other side of the aisle have refused to take up the recommendations of the independent commission convened after the Deepwater Horizon oil spill and instead, continue to fight to protect Big Oil and continue to fight to protect subsidies while the American people are struggling with higher gasoline prices.

We've got to find solutions to lower the cost of fuel now. We've got to find solutions and ways to end the \$4 billion in tax breaks that pad the profits of Big Oil.

And the way to do that, Mr. Speaker, is to bring legislation already drafted, already introduced to the House floor for a vote immediately that would address the issue of the rising cost of gas. Legislation to release oil from the Strategic Petroleum Reserve and legislation aimed at preventing Big Oil from engaging in price-gouging schemes which drive up the price of oil at the pump would go much further than anything that's in this bill and would help to ease the pain at the pump that American families are experiencing.

We need to do those two things. End the subsidies, and begin to address this urgent problem now. And stop taking measures that continue to advance the interests of Big Oil rather than the American people.

Mr. BISHOP of Utah. For the moment I will reserve the balance of my time and enjoy the spin.

Mr. POLIS. I yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I rise in strong opposition to this rule and the underlying bill. We all understand the desire to do something about high gas prices, and we all sympathize with families in this economy who are struggling with \$4 a gallon gasoline.

But these bills will do nothing to provide American families with relief. They could threaten coastal ecosystems and the millions of Americans who rely on them.

It's been a year since we watched the horror in the gulf coast. We found that the agencies who oversee offshore drilling and the oil companies that engage in it were not prepared for the disaster. And Americans will be paying for that failure for years.

The administration has taken a number of steps to prevent future spills. Unfortunately, these bills undermine that process, making drilling less safe.

Instead of pretending as if one of these terrible environmental disasters never happened, Congress should im-

plement the recommendations of the oil spill commission. We should be pursuing legislation that will reduce our dependence on oil by investing in things that give American commuters choices, in terms of more efficient vehicles, transportation alternatives, alternative fuels.

This bill, fortunately, will never be enacted into law. But I'm disappointed that the Rules Committee did not make in order any of the amendments to repeal unnecessary tax subsidies to the oil industry. At a time of record profits, it's adding insult to injury that billions of dollars are going to flow to the largest oil companies and make no difference to the consumer, no difference in the production of oil. It just adds to the bottom line of these international corporations.

I hope that at some point the House will be able to deal with these subsidies, which, even our Republican Speaker recently said, should be examined. And I've had legislation ready and ready to go for months now, and I hope it gets a chance to be voted on on this floor.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. POLIS. Mr. Speaker, with regard to the subsidy issue, the simple fact of the matter is that the Republicans are not for free markets. But what they are for is Big Oil co-opting free markets. In fact, 70 percent of all energy-related subsidies go to fossil fuels like oil and coal. Less than 5 percent of subsidies go to renewable energies like wind and solar.

The gentleman from Utah pointed out that many of these subsidies help small drillers, and, in fact, that can be true. But it is easy to apply changes only to the Big Oil companies and not even affect independent producers.

There's simply no excuse not to end this corporate welfare which keeps taxes for all Americans who pay their taxes artificially high. In fact, at the same time that BP was reaping sizable tax benefits from leasing the Deepwater Horizon rig, it turned out that the company was using the tax break for the oil industry to write off 70 percent of the rent for Deepwater Horizon. That tax subsidy cost American taxpayers \$225,000 a day since the lease for Deepwater Horizon began. And that's just one example of many.

I also want to address some misperceptions regarding President Obama's policies regarding oil resources. The Obama administration is allowing, on average, more drilling than the Bush administration did. In fact, the Obama administration approved more leases in 2010 than the Bush administration did in any year except one of his presidency.

Again, in moving forward and reissuing permits, which the administration has already begun to do, this bill helps validate President Obama's leadership on this issue.

The real issues at hand are the subsidies that the industry continues to receive. As long as we continue a policy of using taxpayer dollars to artificially pick winners and losers in the economy, the winner here being Big Oil, the loser being American taxpayers, we will continue to hurt energy security, destroy jobs, and continue to put our environment at risk.

I reserve the balance of my time.

□ 0950

Mr. BISHOP of Utah. I yield 3 minutes to the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman, Mr. BISHOP.

I am from Louisiana, and of course these leasing issues, the issues of drilling and oil production are very important to my State. And certainly any issue with regard to oil spills affects my State the most in the last year or so because of the Deepwater Horizon.

But here is the point I want to make: The President has said that oil production in the United States and offshore in the gulf is the highest it has ever been. When I asked Secretary Salazar in the Natural Resources Committee, he said the same thing. Then I asked Mr. Bromwich and he gave the same answer.

The truth is, Mr. Speaker, that the oil production off the Gulf of Mexico peaked at 1.7 million barrels a day. It is now down to 1.5 million barrels a day, and in the next year it will decrease by another 225,000 barrels a day. And even if we restore drilling permits at the level they have been previously, it will continue to decline over the next several years.

So I think we can ill afford, Mr. Speaker, at a time when our gas prices continue to go up, to continue this activity that we have, this ruse, where we have a slowatorium off the Gulf of Mexico.

I think we are up to about 12 permits in the deep water at this point. And I was speaking with the gentleman, an expert on this, yesterday. He said that we normally pace about 40 or 50 permits a year. So that means that we are at a fraction of what the actual permitting process would normally be in the best of times.

Now, some would say, well, we haven't proven that it is safe. Well, if that is true, why is the administration releasing permits? Obviously that is proof that the administration is comfortable that we can again drill in the deep water off the Gulf of Mexico.

So I say today that with America being at gas prices that will soon approach \$5 a gallon and the USGS now saying that we now have more coal, natural gas, and oil than we have ever thought we would have, really more than any other country in the world, including Russia, and many more times than what Saudi Arabia has, 1.3 trillion

barrels of oil equivalent if you add coal, natural gas, and oil, why in the world are we pulling back on the exploration and production of these vital resources that we have?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman an additional 30 seconds.

Mr. FLEMING. I thank the gentleman.

I will say in summary, I am from the Fourth District of Louisiana where we have a veritable Saudi Arabia of natural gas in my district, the most natural gas in North America and the fourth largest deposit in the world, and we didn't even know about it 4 years ago. That just goes to show you how new technologies in the area of exploration and development are creating many more resources than we ever thought we had, and it will help stabilize our prices.

So I ask that we pass this bill today and that we finally get this country back onto stable footing.

Mr. POLIS. I yield myself 30 seconds.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to provide that, immediately after the House adopts this rule, we will bring up H.R. 1689, the Big Oil Welfare Repeal Act of 2011.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. The nonpartisan Joint Committee on Taxation, in its analysis of the administration's budget, stated that the repeal of oil and gas preferences are "likely to have no effect on the world price of fossil fuels, and any increase in prices for domestically consumed fossil fuels are likely to be attenuated."

Again, when we talk about ending the giveaway to Big Oil and Gas, it will have no effect with regard to actual energy prices.

Mr. Speaker, I am proud to yield 1 minute to the gentlewoman from California, the Democratic leader, Ms. PELOSI.

Ms. PELOSI. I thank the gentleman for yielding and for his leadership on this very important issue, important in having an immediate impact on America's families.

They are feeling the pain at the pump. Our families, our workers, our small businesses, every day it gets worse for them, the price at the pump. So what can we do about it? Well, we can do a number of things, and we will, that we have been advocating for.

Of course we must increase domestic production, and there is a way to do that. But that is not all that we have

to do. The American people understand that their tax dollars are going to subsidies for Big Oil. If we ended those subsidies, we could save over \$30 billion for the American people.

To put it into context, my colleagues, for the first quarter of this year, the Big Five oil companies made profits of over \$30 billion. Why are we, the taxpayers, subsidizing their drilling of oil when they are making huge profits, doing it in the free market?

President Obama has written to leaders in Congress asking to bring a bill to the floor to end these subsidies. I have written to Speaker BOEHNER asking him to do so. He has said the oil companies should pay their fair share. Mr. RYAN, the chair of the Budget Committee, has acknowledged that in his own district. And yet, in the budget that is proposed by the Republicans, Big Oil still gets a big subsidy from the taxpayer. It would mean a great deal to us, in a situation where we are saying to seniors, We are going to cut Medicare; you are going to have to pay \$6,000 a year more, at a minimum, for fewer benefits because we want to cut Medicare at the same time we are giving tax cuts, big tax breaks to Big Oil.

So here we are today. Just last week, ExxonMobil reported \$10.7 billion in profits during the first quarter of 2011. Over \$10 billion in profits, a 69 percent jump from last year. In fact, this quarter marked some of the largest oil profits since 2008.

Democrats are introducing comprehensive legislation. Mr. TIM BISHOP is going to be leading us on the previous question, which we urge our colleagues to vote "no" on so that we can bring up Mr. BISHOP's legislation.

Much of what that does is to eliminate tax breaks for the five largest oil companies, saving over \$31 billion over 10 years. Think of it. We are trying to just save \$31 billion over 10 years, when the oil companies made \$31 billion in profits in the first quarter of this year. That is so unfair to the taxpayer.

Legislation to ensure that oil companies are paying the royalties that are due the American taxpayer. Hold Big Oil and the industry accountable for price gouging at the pump. Use the Strategic Petroleum Reserve to increase the oil supply and combat price hikes. In addition to that, we must end the harmful speculation which Wall Street tells us accounts for a large percentage of the increase in the price at the pump.

We also will have measures that increase American energy production. It is very important. We don't disagree that we have to have production, but we do agree that we have to do other things that have a more immediate effect on the price at the pump. And we can do that. And we must invest in our clean energy future, which will reduce our dependence on foreign oil, which is a national security issue, which will

enable us to create new green jobs in our country, a jobs issue which is a moral obligation we have to the American people to create jobs.

But what the Republicans are proposing today has blinders on it. It does not recognize that what it is doing does nothing to reduce the price at the pump in the short term; that there are many other avenues that we can proceed down in addition to increasing domestic production; and that the American people need something fresher and newer on this than being sabotaged every few years about the price at the pump while we, the taxpayers, are giving subsidies to Big Oil to drill while they are making profits in the first quarter of 1 year that are almost more than what we would save for the taxpayer.

□ 1000

They don't need a subsidy to drill. They don't need an incentive. They have the profit motive, and it has served them well.

We in this Congress have to be thinking about the future. How do we prevent this from happening again, but also how do we have the most immediate effect on the price at the pump? Congressman TIM BISHOP gives us that opportunity today, recognizing that we want to have the full diversity of energy possibilities available to us so that the American taxpayer and the American consumer are well-served.

So I urge my colleagues to vote "no" on the previous question, to allow Mr. TIM BISHOP to bring up an initiative that he will talk about that addresses concerns of the American people that they know about, that they want to end subsidies on Big Oil, especially when we are talking about it in the context of we must cut investments in Medicare, seniors must pay more, but don't ask us to cut subsidies to Big Oil.

I urge my colleagues to vote "no" on the previous question.

Mr. BISHOP of Utah. I am pleased to yield 3 minutes to the gentleman from Louisiana (Mr. SCALISE), who lives in this area and understands the situation firsthand.

Mr. SCALISE. I thank my colleague from Utah for yielding.

Mr. Speaker, I couldn't disagree more with the comments that were made by the minority leader from California. What we are talking about here are high gas prices that people are paying at the pump today and why we are in this situation. We are in this situation because of this administration's policies that have shut off the American energy supply.

This is supply and demand. Why do prices go up? Well, gee-whiz, if the President of the United States says by policy we are going to close off billions of barrels of known reserves in America, what do you think that does to prices? Do you think that actually low-

ers prices? Of course, as you are seeing prices skyrocket at the pump, it is because of these policies. That is why we have seen the price of gasoline more than double since Barack Obama has been in office.

So, Mr. Speaker, what we are bringing today and what this rule addresses is the ability to start opening up some of those known areas here in America, because, again, our demand continues to increase for oil here in this country, and while the President is out tilting at windmills, the prices at the pump continue to skyrocket because the President is saying run those jobs off to foreign countries, like Brazil.

He is bragging that he wants to create more energy jobs in Brazil. We are saying, Mr. President, we have thousands of jobs here in America that we can create today. We have got billions of dollars that are being sent to foreign countries, many of whom don't like us, by the way. We can bring those dollars back. And, by the way, that can also help us pay down the national debt that is out of control right now. And that is what this bill addresses.

And what's their answer on the other side? The President is talking about raising taxes on American energy, and the minority leader from California just emphasized it. She talked about a \$30 billion tax increase on American energy production. You want to talk about a warped policy? Look at what their plan is.

We're saying let's open up supply. Let's create jobs in America. I have seen it in south Louisiana. We have lost over 13,000 jobs in the energy industry just because of the President's policies in the last year, where he shut down production and said you can't go back to work drilling safely for known oil in America. But he wants to run those jobs off to foreign countries. So that is what is happening.

We saw one of the deepwater rigs go to Egypt just in the last few months. So an employer is saying, I want to take a thousand jobs and it's better to do business in Egypt because of these radical American policies on energy right now. So we are trying to turn that around and say let's actually explore for energy here in America, creating thousands more jobs in America and bringing in billions more dollars that pay down our deficit.

Their answer is raise \$30 billion in taxes and, you know, go talk about Big Oil. Big Oil is not going to pay that. Big Oil is leaving. They are going to foreign countries. It is our local energy producers here in America who will pay that tax. And you know what that ends up equating to? That means higher prices at the pump, \$30 billion in higher prices at the pump, because of their policy.

And they're bragging about it. They're saying, let's raise taxes on American energy. By the way, their

bill doesn't apply to energy that is produced in Saudi Arabia. So what do you think is going to happen?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman 1 additional minute.

Mr. SCALISE. Now more oil is going to be coming in from Saudi Arabia because of their policies.

We have got to reverse this radical approach and actually create jobs in America, create energy in America and bring down the skyrocketing price of gasoline at the pump, and it can all be accomplished with this legislation here today that I strongly support.

Mr. POLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Massachusetts (Mr. MARKEY), the ranking member of the Natural Resources Committee.

Mr. MARKEY. I thank the gentleman very much.

The oil companies are making windfall profits right now. Look at what just happened in the last 3 months: ExxonMobil made \$10 billion; Shell, \$8 billion; BP, \$7 billion; \$6 billion for Chevron; \$3 billion for Conoco. Yet the Republicans oppose allowing the Democrats to bring out here a motion that will take away tax breaks that are meant for companies that make toasters or aluminum foil, but not the oil industry.

The oil industry does not need a subsidy from the American taxpayer as they are tipping consumers upside down at the pump every single day. We need to take back those tax breaks and use them; use them to reduce the deficit, use them to help grandma with Medicare, use them for things that are important, but not for oil companies at this time.

So, what have the Republicans decided to do? The Republicans instead have decided to squeeze—to squeeze Medicare, to squeeze the program for grandma, so that they can find the revenues to give tax breaks for oil companies. I will tell you, the GOP has set up a legislative drill rig on top of the Medicare program to poke holes in our seniors' safety net. That is right, Mr. Speaker, the Republicans are building a pipeline into the pocketbooks of our seniors so that they can pump them dry. No money for Medicare, but plenty of breaks for the oil companies. And they are going to deny the Democrats the ability to have a vote here on the House floor on those tax breaks for oil companies here today.

There is one thing that we can do in order to ensure that the speculators in the marketplace are told there is a cop on the beat, and that is to deploy the Strategic Petroleum Reserve right now. In 1991, Bush the First used it. The price went down 33 percent. In 2000, the President used the Strategic Petroleum Reserve, President Clinton. It went down 18 percent. Bush the Second

used it in 2005 after Katrina. The price went down 9 percent. That is the weapon we can use right now, and send a message to Big Oil, to OPEC, and to the speculators that we mean business.

What the Republicans are saying here today is we are going to cut Medicare in order to have tax breaks for the wealthiest oil companies in the history of the world. That is not what the American people want to hear at this time of high energy prices in our country, with a dagger pointed right at the heart of the American economy, and that is what OPEC and the speculators and Big Oil are doing to our country.

Vote "yes" today on the previous question to give the American taxpayers the relief they need from these gifts which we give to Big Oil. Vote "no" on the rule and "yes" on the previous question.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I would like to yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. I thank the distinguished gentleman, and I rise to ask in particular that we have a reasoned debate on this question.

I come from the gulf region and was appalled at the horror of the BP oil spill. My constituents are still suffering from that spill. I recognize that we have a dual responsibility, and that is to ensure that those individuals are made whole—and I might add that a better compensation system needs to be in place—but also that we restore jobs.

A civil discussion is what is needed. As an oil and gas lawyer and also a member of the Homeland Security Committee which addresses the question of our own safety and security, we have to find a way to restore offshore deepwater drilling in a safe and secure manner.

□ 1010

I am disappointed that the Rules Committee did not take an amendment that I offered that would have modified the processing procedures of H.R. 1229, to restart that leasing process to extend the time for the Department of the Interior to review safely and securely and to eliminate the deemed provision, though I am supporting the Holt amendment and, of course, the Moran amendment.

But, frankly, I think the issue is, energy at this time is multitasking, from nuclear energy to solar, to wind, to biofuels and fossil fuels (oil and gas). If we are in agreement with Brazil to do offshore deepwater drilling off the coast of Brazil, we need to restart that deepwater drilling here in the United States, safely and securely. As relates to the expanded lease sales, the question has to be whether States are prepared for that offshore drilling and whether or not we have secured the

kind of technology that will allow us to do it safely and securely. I believe new containment processes are being put in place to help deepwater drilling to lower costs for the American people.

Energy companies have organized something called a containment group to develop that new technology. What I would say is that this discussion should not be captured by special interests where we try the "get you" politics for the Department of the Interior or "get you" politics for President Obama. This is the time to get the best politics for the American people, to bring down gasoline prices, invest in energy which includes deepwater drilling and oil and gas, and let's get going on helping the American people to boost energy resource and to create jobs.

I ask for a reasoned discussion on this important issue.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, we heard from our friend from Massachusetts the allegation that we over here on this side of the aisle were squeezing Medicare. Good grief. Even now has the gentleman from Massachusetts not read the ObamaCare bill? It cuts \$500 billion out of Medicare.

We heard from Minority Leader PELOSI that we have a moral obligation to create jobs. Then what this administration has done under her definition is immoral, because this administration has been killing jobs. We hear so much from the other side about the working poor. Coming from an area in Texas where we have lots of hardworking poor folks, that's who is being hurt by this administration's policies. When you shut off the jobs in the Gulf of Mexico, when you come out and say we're going to tax these American companies even more, we're going to take away their subsidies, they're called business deductions, the cost of drilling, the cost of doing business.

And who will be taxed? American companies. We will be putting further tariffs on, not foreign products but American companies. We drive ourselves more and more to foreign oil, and that's a mistake. Price controls is what President Carter did. He was going to show the energy companies, and as a result we had no gas, we ran out of gas, it was a disaster. Salazar has shut down leases that were let after a 7-year process that could have produced as many as a trillion barrels of oil.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. BISHOP of Utah. I yield the gentleman 1 additional minute.

Mr. GOHMERT. You could have an immediate effect if you would encourage your party's President to change course and start creating jobs. The energy industry would create a million jobs across the country if we opened up

the OCS. We've heard the testimony a million jobs if ANWR is opened. A million jobs if the North Slope is opened.

What is more, we've also heard from people that know that a dollar out of four is most likely attributable to speculation. The speculators look at what we do. And we make it harder and harder to produce our own energy, the speculation keeps going up. You could turn around a dollar out of four overnight if we showed the world, we're going to use our own energy.

This country has been blessed with more natural resources when you put them all together, and this administration and the former majority has done more to put them off-limits. It's time to get back to what the former Speaker said was our moral obligation. You lower energy prices by using more of our own energy, you create jobs, and you bring down the price that is killing the working poor. And that's a moral obligation.

Mr. POLIS. Mr. Speaker, I yield 2 minutes to the gentlewoman from Florida, a former member of the Rules Committee, Ms. CASTOR.

Ms. CASTOR of Florida. I thank my colleague from Colorado.

I rise in strong opposition to the rule and the underlying bill. In the State of Florida, we are still recovering from last year's BP oil blowout disaster. We're recovering economically and environmentally from the policies of the past that elevated oil company profits over safety.

To add insult to injury, every summer the price of gas goes up, and we see it in Florida because our economy is largely tied to tourism, and we see it and it pains us and consumers know that they are messing around with the American consumer. They understand that the Wall Street speculators are making a profit, maybe 20 percent in the price of gas, and that is not fair.

Why don't we start with a meaningful energy policy that addresses those speculators? Instead of continuing oil company giveaways, why don't we start with ending the taxpayer subsidies to the big oil companies? Just in the first quarter of this year, BP has made over \$5 billion in profit. Exxon has made over \$10 billion in profit. With the skyrocketing debt and deficit, why is it fair for the American taxpayer to be subsidizing the most profitable companies in the world? That is where we should begin this debate today, ending those oil company subsidies to bring down the price of gas and tackling the outrageous profits that go to the oil companies while the consumer is paying through the nose at the pump.

My Republican friends are on the wrong track when it comes to energy policy. We've got to prohibit Wall Street speculators from artificially inflating prices. We've got to adopt the oil spill commission's recommendations to make drilling safe before we

charge ahead and open up new areas to drill. There are millions of acres to drill. Millions of acres. All we're asking is fairness and safety as they proceed in doing so so the American taxpayer will not have to pay any more.

Mr. BISHOP of Utah. I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. LANDRY). He is a member of the Resources Committee that provides a great deal of insight from his personal background.

Mr. LANDRY. Mr. Speaker, what amazes me is that the gentlelady from Florida must have missed the AP report a couple of weeks ago when it said that Florida was getting ready to experience another oil crisis and it was in the fact that the price at the pump is going to impact tourism.

Tourism. That's what I hear here all the time. Our tourism jobs. Jobs that normally pay minimum wage. When in my State, oil and gas jobs pay much better than that.

If we want to get this economy rolling, we have to provide that economy with affordable energy, not make-believe energy, not energy that comes in possibly 40 or 50 years from now. We need to apply affordable energy to this economy now. It will not get any better in this country until we give middle class Americans affordable energy, so that they can get to and from their job.

Repealing section 199 will endanger 600,000 barrels per day, 10 percent of our domestic production by 2017. Boy, that's really going to lower the price at the pump.

They're concerned about Medicare and Medicaid. Well, where do you think those profits to shareholders go? Do you know who those shareholders are? They're the American people. Do you know how many pension plans hold those shares of Exxon and Chevron in their portfolio?

Why are we picking those winners and losers? As a freshman, it's hard for me to understand how we continue in this town to reward failure and punish winners. It just amazes me.

□ 1020

Mr. POLIS. I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Mr. Speaker, one thing we do know is that our constituents are paying about \$4 a gallon for gas. What they have to ask is: Where's all this money that they're paying going? Well, as you have seen, it's going in profits to the biggest oil companies. In fact, almost \$30 billion went just in the last 3 months to the top three oil companies—about \$11 billion to Exxon, about \$9 billion to Shell, and over \$7 billion to BP. Remember BP? And that's after they've taken \$5 billion in subsidies from the taxpayer and as in the case of ExxonMobil paid zero corporate taxes.

Well, what are they doing with that profit? What they're doing is spending

90 percent of it on stock buy-backs so that, of course, the remaining stock outstanding becomes even more valuable, thus enabling their executives to become even wealthier, and to stock dividends for their shareholders. And the remaining 10 percent goes to oil and gas exploration and to TV advertising so they can convince the American public otherwise.

What this bill will do is to enable those who own oil company stock and run oil companies to grab up our last remaining oil reserves at a cost of \$30 to \$40 a barrel so that they can then sell it at \$100 a barrel to make more profit. The motivation for this bill is more about scoring political points and currying favor with the oil and gas industry that the current House majority can't seem to coddle enough. And they're betting that the next oil spill disaster that this legislation could enable through a return to weaker regulation—weaker regulation than we had before the gulf oil spill disaster, will not occur on their watch. That oil spill disaster that spilled 200 million gallons into the Gulf Coast waters occurred at a time of even tougher regulation than this bill will create.

They are counting on the oil companies remembering and the consumers and taxpayers forgetting.

This bill should be defeated.

Mr. BISHOP of Utah. I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield 1½ minutes to the gentleman from New Jersey (Mr. HOLT), the ranking member of the Energy and Natural Resources Subcommittee.

Mr. HOLT. Mr. Speaker, this rule brings forward two bills that are the first of the majority party's "amnesia acts," which ignore the safety and environmental concerns that were laid bare last spring and summer by the largest oil spill in United States waters. For the sponsors of this bill, it's as if the worst and most costly oil spill in history never happened. Last week, the Big Five oil companies reported \$32 billion in profits. That's just for the first 3 months of this year. Yet the majority's solution is to protect the billions of dollars of tax breaks each year for these companies.

Just to give you an idea, Exxon pays an effective tax rate of 0.4 percent. I imagine every person in America would like to have a tax rate of essentially zero. Yet the majority's solution is to protect these tax breaks. Furthermore, they deem the environmental and safety regulations that existed before this accident in the gulf as satisfactory. And let's be clear: How much will these bills reduce gas prices for the American people? Zero dollars and zero cents.

Scientists, engineers, and our best energy analysts say we cannot drill our way to lower gas prices. This won't do it. Let's address the financial specula-

tion that we've heard about—the real cause of high gasoline prices. Exxon, with those huge prices, what do they do? They buy back their stock.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. HOLT. These actions needlessly endanger the lives of offshore workers, imperil the resources and livelihoods of fishermen. This legislation is designed to give Big Oil more handouts. These companies are not being responsible citizens.

Vote "no" on the rule, vote "yes" on my amendment, vote "no" on the bills.

Mr. BISHOP of Utah. I continue to reserve the balance of my time.

Mr. POLIS. I yield 1 minute to the gentleman from Massachusetts (Mr. KEATING).

Mr. KEATING. I rise to oppose this rule.

Americans are feeling pain at the pump. Rising gasoline prices—and they're rising, folks—it's going to cost the average person another \$800 per year at the rate of these increases. That wipes out the tax breaks that most Americans have just received, and it's going to hurt our economy, and it's hurting our national security. These oil companies are making increased profits as the money in our wallets flies right into the gas tanks.

Now is the time to consider a sensible energy policy and to strip subsidies from oil companies. It shocks every American taxpayer to know that they're required to fork over an additional \$40 billion-plus over the next decade to give tax subsidies and giveaways to these enormously profitable companies. What are they doing with that money? They're taking up to 90 percent of that and buying their stocks back, increasing their own personal wealth.

So let's be clear. Oil companies don't need it. If you don't believe me, ask them. The former CEO of Shell oil says, "With higher oil prices, the subsidies aren't necessary."

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POLIS. I yield the gentleman an additional 15 seconds.

Mr. KEATING. I thank the gentleman.

My friends on the other side of the aisle say they're for the all-of-the-above strategy when it comes to oil. Let's be clear. They support oil above all—above Medicare, above putting police on the streets, above increasing reading teachers, and above protecting our coastal communities.

Mr. BISHOP of Utah. I yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN), another great new member of the Resources Committee.

Mr. DUNCAN of South Carolina. This isn't about oil company profits. This is about supply and demand. We don't

have the supply necessary to meet the energy needs in this country. But the American people know that we've got the resources here in this country, whether it's offshore, on the Outer Continental Shelf, or on Federal lands that have currently under this administration been taken off the table for energy production. Supply and demand drives the price. We are reliant on foreign sources of oil, and a foreign group known as OPEC determines the price of that oil they sell to us. We've got the resource in this country. This legislation will put the gulf back to work, meeting the energy needs for the American people.

I'm a small business owner. I doubt many people that serve in this body have ever run a business, met a payroll, and tried to meet their overhead. I can tell you what \$4.85 a gallon in August of 2008 meant to my small business only running two trucks on the road. I can only imagine what the loggers, what the truckers, what the farmers, and the other industries in the Third Congressional District of South Carolina are feeling today with the experience of rising oil prices.

The gentlelady from Florida said that in the summer, prices go up. We're not in summer yet. Prices are going up because of supply and demand. We have the opportunity to meet our demand right here by harvesting American resources for our American energy needs.

Mr. POLIS. Mr. Speaker, how much time remains?

The SPEAKER pro tempore. The gentleman from Colorado has 3 minutes remaining.

Mr. POLIS. I yield myself the balance of my time.

With regard to the last comment, it is the oil cartels that drive prices, not the normal functions of the market and supply and demand.

With regard to the oil subsidies, Mr. Speaker, we have an opportunity here today to see where the Republicans and the Democrats in the House stand on deficit reduction. Mr. Speaker, by defeating the previous question, we can and we will reduce the deficit by over \$12.8 billion. We have the chance to have the discussion around the continuing resolution, around the budget, around deficit reduction. And here we have an opportunity, without impacting the price of oil, without impacting what consumers pay at the pump, to reduce the deficit by \$12.8 billion by defeating the previous question. I think that's what the American people want to see.

The American people spoke out in the last election. Let's reduce the deficit. Let's work across the aisle to see what we can do to cut unnecessary government expenditures, to make those decisions to help make sure that we can leave something other than a legacy of debt to the next generation.

I think, Mr. Speaker, this is an easy one. Let's defeat the previous question and reduce the deficit by \$12.8 billion.

□ 1030

Mr. Speaker, I would like to submit for the RECORD a document from the Treasury Department which states that the manufacturing deduction for oil and gas effectively provides a lower rate of tax with respect to a favored source of income. In fact, it distorts the market by encouraging more investment in the oil and gas industry than would occur under a neutral system.

Again, by returning to the free market, we are able to reduce the deficit by over \$12.8 billion instead of having Big Government trying to pick winners and losers in the economy with regard to tax policy.

GENERAL EXPLANATIONS OF THE ADMINISTRATION'S FISCAL YEAR 2012 REVENUE PROPOSALS—DEPARTMENT OF THE TREASURY, FEBRUARY 2011

REPEAL DOMESTIC MANUFACTURING DEDUCTION FOR OIL AND NATURAL GAS COMPANIES
CURRENT LAW

A deduction is allowed with respect to income attributable to domestic production activities (the manufacturing deduction). For taxable years beginning after 2009, the manufacturing deduction is generally equal to 9 percent of the lesser of qualified production activities income for the taxable year or taxable income for the taxable year, limited to 50 percent of the W-2 wages of the taxpayer for the taxable year. The deduction for income from oil and gas production activities is computed at a 6 percent rate.

Qualified production activities income is generally calculated as a taxpayer's domestic production gross receipts (i.e., the gross receipts derived from any lease, rental, license, sale, exchange, or other disposition of qualifying production property manufactured, produced, grown, or extracted by the taxpayer in whole or significant part within the United States; any qualified film produced by the taxpayer; or electricity, natural gas, or potable water produced by the taxpayer in the United States) minus the cost of goods sold and other expenses, losses, or deductions attributable to such receipts.

The manufacturing deduction generally is available to all taxpayers that generate qualified production activities income, which under current law includes income from the sale, exchange or disposition of oil, natural gas or primary products thereof produced in the United States.

REASONS FOR CHANGE

The President agreed at the G-20 Summit in Pittsburgh to phase out subsidies for fossil fuels so that the United States can transition to a 21st-century energy economy. The manufacturing deduction for oil and gas effectively provides a lower rate of tax with respect to a favored source of income. The lower rate of tax, like other oil and gas preferences the Administration proposes to repeal, distorts markets by encouraging more investment in the oil and gas industry than would occur under a neutral system. This market distortion is detrimental to long-term energy security and is also inconsistent with the Administration's policy of supporting a clean energy economy, reducing our reliance on oil, and cutting carbon pollu-

tion. Moreover, the tax subsidy for oil and gas must ultimately be financed with taxes that result in underinvestment in other, potentially more productive, areas of the economy.

PROPOSAL

The proposal would retain the overall manufacturing deduction, but exclude from the definition of domestic production gross receipts all gross receipts derived from the sale, exchange or other disposition of oil, natural gas or a primary product thereof for taxable years beginning after December 31, 2011. There is a parallel proposal to repeal the domestic manufacturing deduction for coal and other hard mineral fossil fuels.

Mr. Speaker, I would also like to submit for the RECORD a July 3, 2010, New York Times article regarding oil subsidies.

Again, this talks of the oil subsidies that continue to benefit this industry to the detriment of the American taxpayer and to the detriment of future generations of Americans who will continue to suffer under an increasing mountain of debt unless we defeat the previous question here today.

[From NY Times, July 3, 2010]

ON SUBSIDIES

But an examination of the American tax code indicates that oil production is among the most heavily subsidized businesses, with tax breaks available at virtually every stage of the exploration and extraction process.

According to the most recent study by the Congressional Budget Office, capital investments like oil field leases and drilling equipment are taxed at an effective rate of 9 percent, significantly lower than the overall rate of 25 percent for businesses in general and lower than virtually any other industry.

And for many small and midsize oil companies, the tax on capital investments is so low that it is more than eliminated by various credits. 'These companies' returns on those investments are often higher after taxes than before.

Efforts to curtail the tax breaks are likely to face fierce opposition in Congress; the oil and natural gas industry has spent \$340 million on lobbyists since 2008, according to the nonpartisan Center for Responsive Politics, which monitors political spending.

Some of the tax breaks date back nearly a century, when they were intended to encourage exploration in an era of rudimentary technology, when costly investments frequently produced only dry holes. Because of one lingering provision from the Tariff Act of 1913, many small and midsize oil companies based in the United States can claim deductions for the lost value of tapped oil fields far beyond the amount the companies actually paid for the oil rights.

Other tax breaks were born of international politics. In an attempt to deter Soviet influence in the Middle East in the 1950s, the State Department backed a Saudi Arabian accounting maneuver that reclassified the royalties charged by foreign governments to American oil drillers. Saudi Arabia and others began to treat some of the royalties as taxes, which entitled the companies to subtract those payments from their American tax bills. Despite repeated attempts to forbid this accounting practice, companies continue to deduct the payments. The Treasury Department estimates that it will cost \$8.2 billion over the next decade.

Mr. Speaker, 1 year after the national tragedy of Deepwater Horizon,

the majority party has decided not to address a single problem that led to this economic and environmental tragedy. Instead, the majority is pushing through these bills, simply rubber-stamping offshore drilling and maintaining taxpayer subsidies and giveaways to Big Oil, which increase the deficit.

During a Special Order speech just the other night, a Member on the other side of the aisle said all you need is an eighth grade understanding of supply and demand to understand why gas prices are high and how we can lower them by drilling more. Fortunately, for those of us who have more than an eighth grade education, like economists and other experts, we know that America cannot drill its way out of high gas prices. Even the American Petroleum Institute, the mouthpiece for Big Oil, is saying that we cannot drill our way out. "Drill, Baby, Drill" may look good as a bumper sticker, but it's not a serious energy policy.

I urge my colleagues to vote "no" on the bill and to defeat the previous question so we can reduce the deficit.

I yield back the balance of my time. Mr. BISHOP of Utah. I yield myself the balance of my time.

Mr. Speaker, the minority is asking us to walk down a tangent issue by using negative cue words like "subsidy," so let me walk down that for 30 seconds.

Please realize the U.S. oil and natural gas industry does not receive subsidized payments from the government. The word "subsidy" is inaccurate. Tax deductions should in no way be confused with the concept of subsidies. There are, though, tax deductions that go to all industries. Section 199, which has been talked about by the Democrats, is the domestic manufacturers' deduction. Every industry—manufacturing, producing, growing, extracting—gets a 9 percent of earned income deduction, not a credit, except for oil and gas; but they are limited to just 6 percent. There is similarity.

They've also asked us to try and walk down a tangent in talking about safety, but the ideas of safety are codified in the legislation before us. They then say let's increase our production by raising taxes. What a non sequitur. Even if you raise taxes against somebody else and try to create some kind of straw man to attack, that is simply a non sequitur, because we do not have a tax problem in this country. We have a production problem; we have a jobs problem. These two bills go directly to that problem. They increase production and increase jobs.

We are not trying to pick winners and losers. We want the Americans to be winners, and that's what our choice is to be. These are two good bills in a time of \$4 and \$5 gasoline prices that are devastating jobs and our economy. These bills surely should be something that every Member should support.

Mr. QUIGLEY. Mr. Speaker, I rise in opposition to H.R. 1229 and H.R. 1230.

We like to stand on this floor and talk about the things we can't agree on.

On this issue, there's more common ground than you might think.

We all seek to end our dependence on foreign oil because it endangers our environment, hurts our economy and weakens our national security.

Our disagreement lies in potential solutions. In order to lower gas prices we can and must crack down on oil speculators, end big oil handouts, invest in public transit and electric vehicles and increase corporate average fuel economy standards.

The other side of the argument, the one that is presented today and that we will be voting on, would have you believe that all we need to do is increase our domestic oil resources and remove regulations.

Regulations that have purportedly forced us to look outside our nation's borders for oil.

Our answers do not lie in more oil—our answers lie in conservation and smart investments.

They do not lie in increasing our oil supply, because, let's face it, oil prices are based on a global market, and one nod from OPEC would make any increase in U.S. domestic supplies irrelevant.

Our answers cannot be found by damaging the ecosystems the industries along our coast rely on.

And, our answers will not be solutions that defy our military experts who are saying oil ain't the answer.

Earlier this week, I offered an amendment that was not made in order by the Rules Committee—an amendment that said we must look at the damage we could incur before we extract oil and gas.

This same common sense must be applied to our energy plan.

We can proactively move our nation toward reducing our dependence on foreign oil so that we take control of our energy future, protect our nation, our economy and our environment—and we must.

But, these are not our solutions.

Mr. McGOVERN. Mr. Speaker, I rise today in opposition to the rule and the underlying bills, H.R. 1229 and H.R. 1230.

Mr. Speaker, these bills aren't serious solutions to bring down high gas prices.

Instead, these are nothing more than a political exercise meant to keep the big oil companies happy.

Big oil companies have every reason to be happy these days.

Last week, ExxonMobil announced first-quarter profits of nearly \$10.7 billion.

Let me repeat that—\$10.7 billion. That's a 69% increase over the same three month period last year.

American taxpayers are paying nearly \$4 dollars a gallon for gasoline and we're still giving \$4 billion in subsidies to Big Oil?

Give me a break.

Yesterday, in the Rules Committee, I offered an amendment—as a standalone bill—that would eliminate subsidies for big oil. My amendment would have done nothing to prevent these drilling bills from moving forward.

Ending subsidies for corporations that are making money hand over fist while gouging Americans shouldn't be controversial.

Apparently, my Republican colleagues on the Rules Committee didn't see it the same way. My amendment wasn't made in order.

Instead, here we are today debating legislation that would boost Big Oil's profits even more without doing anything to lower gas prices for American families.

More drilling won't lower gas prices. It's that simple.

Even with an expedited permitting approval process—that ignores any environmental impact assessment—we wouldn't see any of this additional supply in the market for years.

And the notion that we've run out of areas to drill because we've exhausted all current offshore drilling sites is ludicrous.

Oil companies currently have access to nearly 80 million acres to drill for oil, including 38 million acres offshore. But they produce oil on only 4 percent of those acres.

Mr. Speaker, my Republican colleagues are so fond of saying these days that people should be able to pull themselves up by their bootstraps.

I wish they would apply that same "tough love" to the record profit-making oil companies at a time when American families are being gouged at the pump.

I oppose this Rule and the underlying bills and I urge my colleagues to do the same.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 245 OFFERED BY
MR. POLIS OF COLORADO

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1689) to amend the Internal Revenue Code of 1986 to disallow the deduction for income attributable to domestic production activities with respect to oil and gas activities of major integrated oil companies. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Ways and Means. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of the Whole for further consideration of the bill.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 4 of this resolution.

The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule. . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BISHOP of Utah. Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adopting the resolution.

The vote was taken by electronic device, and there were—yeas 241, nays 171, not voting 20, as follows:

[Roll No. 293]

YEAS—241

Adams	Fleischmann	Latham
Aderholt	Fleming	LaTourette
Akin	Flores	Latta
Alexander	Forbes	Lewis (CA)
Amash	Fortenberry	LoBiondo
Austria	Fox	Long
Bachmann	Franks (AZ)	Lucas
Bachus	Frelinghuysen	Luetkemeyer
Barletta	Gallagher	Lummis
Bartlett	Gardner	Lungren, Daniel
Barton (TX)	Garrett	E.
Bass (NH)	Gerlach	Mack
Benishek	Gibbs	Manzullo
Berg	Gibson	Marchant
Biggart	Gingrey (GA)	Marino
Bilirakis	Gohmert	McCarthy (CA)
Bishop (UT)	Goodlatte	McCauley
Black	Goss	McClintock
Blackburn	Gowdy	McCotter
Bonner	Granger	McHenry
Bono Mack	Graves (GA)	McKeon
Boren	Graves (MO)	McKinley
Boustany	Green, Al	McMorris
Brady (TX)	Green, Gene	Rodgers
Brooks	Griffin (AR)	Meehan
Brown (GA)	Griffith (VA)	Mica
Buchanan	Grimm	Miller (FL)
Bucshon	Guinta	Miller (MI)
Buerkle	Guthrie	Miller, Gary
Burgess	Hall	Mulvaney
Burton (IN)	Hanna	Murphy (PA)
Calvert	Harper	Myrick
Camp	Harris	Neugebauer
Campbell	Hartzer	Noem
Canseco	Hastings (WA)	Nugent
Capito	Hayworth	Nunes
Carter	Heck	Nunnelee
Cassidy	Heller	Olson
Chabot	Hensarling	Palazzo
Chaffetz	Henger	Paul
Coble	Herrera Beutler	Paulsen
Coffman (CO)	Hinojosa	Pearce
Cole	Huelskamp	Pence
Conaway	Huizenga (MI)	Petri
Costa	Hultgren	Pitts
Cravaack	Hunter	Platts
Crawford	Hurt	Poe (TX)
Crenshaw	Issa	Pompeo
Cuellar	Jackson Lee	Posey
Culberson	(TX)	Price (GA)
Davis (KY)	Jenkins	Quayle
Denham	Johnson (IL)	Reed
Dent	Johnson (OH)	Rehberg
DesJarlais	Jones	Renacci
Diaz-Balart	Jordan	Ribble
Dold	Kelly	Rigell
Dreier	King (IA)	Rivera
Duffy	Kingston	Roby
Duncan (SC)	Kinzie (IL)	Roe (TN)
Duncan (TN)	Kline	Rogers (AL)
Ellmers	Labrador	Rogers (KY)
Farenthold	Lamborn	Rogers (MI)
Fincher	Lance	Rohrabacher
Fitzpatrick	Landry	Rokita
Flake	Lankford	Rooney

Ros-Lehtinen	Simpson	Walden
Roskam	Smith (NE)	Walsh (IL)
Ross (FL)	Smith (NJ)	Webster
Royce	Smith (TX)	West
Runyan	Southerland	Westmoreland
Ryan (WI)	Stearns	Whitfield
Scalise	Stivers	Wilson (SC)
Schilling	Stutzman	Wittman
Schmidt	Sullivan	Wolf
Schock	Terry	Womack
Schweikert	Thompson (PA)	Woodall
Scott (SC)	Thornberry	Yoder
Scott, Austin	Tiberi	Young (AK)
Sensenbrenner	Tipton	Young (FL)
Sessions	Turner	Young (IN)
Shimkus	Upton	
Shuster	Walberg	

NAYS—171

Altmire	Garamendi	Payne
Andrews	Grijalva	Pelosi
Baca	Gutierrez	Perlmutter
Baldwin	Hanabusa	Peters
Barrow	Hastings (FL)	Peterson
Bass (CA)	Heinrich	Pingree (ME)
Becerra	Higgins	Polis
Berkley	Himes	Price (NC)
Berman	Hinchey	Quigley
Bishop (GA)	Hirono	Rahall
Bishop (NY)	Holden	Reyes
Blumenauer	Holt	Richardson
Boswell	Honda	Richmond
Brady (PA)	Hoyer	Ross (AR)
Braley (IA)	Inlee	Royal-Allard
Brown (FL)	Israel	Ruppersberger
Butterfield	Jackson (IL)	Rush
Capps	Johnson (GA)	Ryan (OH)
Capuano	Johnson, E. B.	Sánchez, Linda
Cardoza	Kaptur	T.
Carnahan	Keating	Sanchez, Loretta
Carney	Kildee	Sarbanes
Carson (IN)	Kind	Schakowsky
Castor (FL)	Kissell	Schiff
Chandler	Kucinich	Schrader
Chu	Langevin	Schwartz
Cicilline	Larsen (WA)	Scott (VA)
Clarke (MI)	Larson (CT)	Scott, David
Clarke (NY)	Lee (CA)	Serrano
Clay	Levin	Sewell
Cleaver	Lewis (GA)	Sherman
Cohen	Lipinski	Shuler
Connolly (VA)	Loebach	Sires
Conyers	Lofgren, Zoe	Slaughter
Cooper	Lowey	Smith (WA)
Costello	Lujan	Speier
Courtney	Lynch	Stark
Critz	Maloney	Sutton
Cummings	Markey	Thompson (CA)
Davis (CA)	Matheson	Thompson (MS)
Davis (IL)	Matsui	Tierney
DeFazio	McCarthy (NY)	Tonko
DeGette	McCollum	Towns
DeLauro	McDermott	Tsongas
Deutch	McGovern	Velázquez
Dicks	McIntyre	Visclosky
Dingell	McNerney	Walz (MN)
Doggett	Michaud	Wasserman
Donnelly (IN)	Miller (NC)	Schultz
Doyle	Miller, George	Waters
Edwards	Moore	Watt
Ellison	Moran	Waxman
Eshoo	Murphy (CT)	Welch
Farr	Napolitano	Wilson (FL)
Fattah	Neal	Woolsey
Filner	Owens	Wu
Frank (MA)	Pallone	Yarmuth
Fudge	Pastor (AZ)	

NOT VOTING—20

Ackerman	Giffords	Pascarell
Billbray	Gonzalez	Rangel
Cantor	Johnson, Sam	Reichert
Clyburn	King (NY)	Rothman (NJ)
Crowley	Meeks	Van Hollen
Emerson	Nadler	Weiner
Engel	Oliver	

□ 1059

Mrs. MALONEY, Ms. SPEIER, and Mr. RUSH changed their vote from "yea" to "nay."

Ms. HAYWORTH and Mr. GRAVES of Missouri changed their vote from "nay" to "yea."

So the previous question was ordered.
The result of the vote was announced as above recorded.

Stated against:

Mr. VAN HOLLEN. Mr. Speaker, on rollcall No. 293, I was unavoidably detained. Had I been present, I would have voted "no."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 245, noes 167, not voting 20, as follows:

[Roll No. 294]

AYES—245

Adams	Fleischmann	Latham
Aderholt	Fleming	LaTourette
Akin	Flores	Latta
Alexander	Forbes	Lewis (CA)
Amash	Fortenberry	LoBiondo
Austria	Fox	Long
Bachmann	Franks (AZ)	Lucas
Bachus	Frelinghuysen	Luetkemeyer
Barletta	Gallagher	Lummis
Bartlett	Gardner	Lungren, Daniel
Barton (TX)	Garrett	E.
Bass (NH)	Gerlach	Mack
Benish	Gibbs	Manzullo
Berg	Gibson	Marchant
Biggart	Gingrey (GA)	Marino
Bilirakis	Gohmert	McCarthy (CA)
Bishop (UT)	Goodlatte	McCaul
Black	Gosar	McClintock
Blackburn	Gowdy	McCotter
Bonner	Granger	McHenry
Bono Mack	Graves (GA)	McIntyre
Boren	Graves (MO)	McKeon
Boustany	Green, Al	McKinley
Brady (TX)	Green, Gene	McMorris
Brooks	Griffin (AR)	Rodgers
Brown (GA)	Griffith (VA)	Meehan
Buchanan	Grimm	Mica
Buchson	Guinta	Miller (FL)
Buerkle	Guthrie	Miller (MI)
Burgess	Hall	Miller, Gary
Burton (IN)	Hanna	Mulvaney
Calvert	Harper	Murphy (PA)
Camp	Harris	Myrick
Campbell	Hartzer	Neugebauer
Canseco	Hastings (WA)	Noem
Capito	Hayworth	Nugent
Carter	Heck	Nunes
Cassidy	Heller	Nunnelee
Chabot	Hensarling	Olson
Chaffetz	Herger	Palazzo
Coble	Herrera Beutler	Paul
Coffman (CO)	Huelskamp	Paulsen
Cole	Huizenga (MI)	Pearce
Conaway	Hultgren	Pence
Costa	Hunter	Peterson
Cravaack	Hurt	Petri
Crawford	Issa	Pitts
Crenshaw	Jackson Lee	Platts
Cuellar	(TX)	Poe (TX)
Culberson	Jenkins	Pompeo
Davis (KY)	Johnson (IL)	Posey
Denham	Johnson (OH)	Price (GA)
Dent	Jones	Quayle
DesJarlais	Jordan	Reed
Diaz-Balart	Kelly	Rehberg
Dold	King (IA)	Renacci
Dreier	Kingston	Ribble
Duffy	Kinzing (IL)	Richmond
Duncan (SC)	Kissell	Rigell
Duncan (TN)	Kline	Rivera
Ellmers	Labrador	Roby
Farenthold	Lamborn	Roe (TN)
Fincher	Lance	Rogers (AL)
Fitzpatrick	Landry	Rogers (KY)
Flake	Lankford	Rogers (MI)

Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner

Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner

Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—167

Altmire
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutsch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)

Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchee
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Owens
Pallone

Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—20

Ackerman
Bilbray
Cantor
Clyburn
Crowley
Emerson
Engel

Giffords
Gonzalez
Johnson, Sam
King (NY)
Meeks
Nadler
Oliver

Pascarell
Rangel
Reichert
Rothman (NJ)
Van Hollen
Weiner

□ 1106

So the resolution was agreed to.
The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. VAN HOLLEN. Mr. Speaker, on rollcall 294, I was unavoidably detained. Had I been present, I would have voted "no."

GENERAL LEAVE

Mr. HASTINGS of Washington. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1230.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

RESTARTING AMERICAN OFFSHORE LEASING NOW ACT

The SPEAKER pro tempore (Mr. SCALISE). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1230.

□ 1106

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1230) to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Washington (Mr. HASTINGS) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Washington.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the national average price of gasoline has gone up 10 cents in just the last week, and is now about 1½ cents nationally from \$4 a gallon. By comparison, the price was \$1.84 a gallon when President Obama was sworn into office.

In my home district in Central Washington last week, I heard from farmers, the foundation of our region's economy, who are finding it harder and harder to pay these high energy prices. And I have no doubt that my colleagues from other parts of the country have heard similar stories from their constituents.

The pain being felt today has been exacerbated by the actions of this administration, this administration which, for the past 2 years, has repeatedly blocked, hindered, and raised the cost to access to our American energy resources.

The House Natural Resources Committee recently passed three bills, H.R.

1229, 1230, and 1231, with bipartisan support, all of which reverse specific actions taken by the Obama administration to block offshore energy production. These bills will increase American energy production. They will create jobs, and they will lower energy prices. These are the first of an array of bills that will be introduced by our committee as part of the American energy initiative that will focus on expanding renewable energy, onshore production, hydropower, coal, critical minerals, and address offshore drilling revenue sharing and other needed reforms.

Today we are debating H.R. 1230, the Restarting America Offshore Leasing Now Act. This bill requires the Secretary of the Interior to conduct oil and natural gas lease sales in the Gulf of Mexico and offshore Virginia that have been delayed or canceled by this administration.

□ 1110

The Virginia lease sale, for example, was scheduled to happen this year; but due to the Obama administration actions, the earliest this lease sale could occur is now 2017.

This bill will create thousands of jobs and, according to CBO, it will generate \$40 million in new revenue to the Federal Government over the next 10 years.

I will note that very soon after this bill passed out of committee, with bipartisan support, the Obama administration announced that it would move forward on one gulf lease sale. Prior to this sudden action, the Obama administration was on course to make 2011 the first year since 1958 that the Federal Government would not have held an offshore lease sale.

Squeezing one conveniently timed offshore lease sale does not undo the Obama administration's long track record of blocking and delaying American energy production. This bill that we are considering today is necessary to hold their feet to the fire and to ensure that these lease sales move forward.

Americans instinctively understand the pain inflicted by rising gasoline prices, but yet we continue to hear the same excuses on why we shouldn't act. And let me give you several examples.

My colleagues across the aisle will say that expanding drilling will do nothing to lower gasoline prices. The truth is, and this is the important part, it will send a strong signal to the world markets that the U.S. is serious about producing our own resources and bringing more production, American production, online. Furthermore, this argument has been used by opponents to American energy production for decades. We can no longer delay and prevent access to our own American resources.

My colleagues will also propose increasing taxes on American energy pro-

duction. Let me repeat that, Mr. Chairman. They will also propose increasing taxes on American energy production. I have to ask: When has raising taxes lowered the price of anything? And of course the answer to that is never. And it won't happen with energy. Whether it is taxing American energy producers or imposing a cap-and-trade national energy tax, the Democrats' plan will only further increase the price at the pump and ultimately cost jobs.

We are also likely to hear my colleagues reiterate the old "use it or lose it" myth, claiming that there are thousands of acres of nonproducing leases. Mr. Chairman, in reality, "use it or lose it" is already the law of the land. The moment a company pays for and receives a lease, the clock starts ticking. Leases have a time line. If action doesn't occur on that lease, the lease is lost, according to the lease.

In addition, and this is important, too, only about one-third of the leases contain oil or natural gas. Sometimes we think we are very powerful, but one thing we can't do is mandate production where there is no oil or natural gas.

And, finally, my colleagues will undoubtedly attempt to claim that these bills ignore the need to ensure safety in offshore drilling. Nobody has forgotten the tragic Deepwater Horizon accident. And I hear that especially from Members of the gulf, and, Mr. Chairman, I heard that when I was down at the gulf at a hearing only 2 weeks ago. However, we must not forget the fact of the economic threat that high gasoline prices have to our economy and our need to move forward.

The administration has slowly started to issue deepwater permits in the Gulf of Mexico, which is in direct recognition, by the way, that it can be done safely and responsibly or they wouldn't have done it. Yet my colleagues act as if nothing has changed at all as far as safety reforms. But by doing so, they are completely ignoring reality and the actions of their own party's administration.

They are ignoring the facts that regulations have been enhanced and strengthened; that standards have increased; and that new technologies have been developed, tested, and deployed. And, I might add, Mr. Chairman, we heard this at the hearing that I alluded to a moment ago in Houma, Louisiana, 2 weeks ago.

Furthermore, H.R. 1229, which we will debate next week, improves safety by making two reforms to current law. Number one, it requires that the Secretary issue a permit to drill; and, two, requires that the Secretary conduct safety reviews. Neither of those provisions are in current law today.

In 2008, the last time gasoline prices reached \$4 a gallon, Congress stepped up to the challenge and took bold action to end a decades-long ban on new

offshore drilling. Although this administration has effectively reimposed that ban, the American people are once again calling on Congress to act. By passing H.R. 1230 today, Congress can show the American people that we have heard their concerns and that we are taking actions.

So I urge my colleagues to vote in favor of the bill that will create American jobs, lower gasoline prices, and strengthen energy independence.

I reserve the balance of my time.

Mr. MARKEY. I yield myself such time as I may consume.

One year ago today, we were 2 weeks into the BP oil spill in the Gulf of Mexico. We were 2 weeks into what would ultimately become the worst environmental disaster in our Nation's history, with more than 4 million barrels of oil spilling into the Gulf. And since that disaster, we have learned many things about the safety of offshore drilling.

We learned that the blowout preventer that the oil industry touted as fail-safe could in fact be sure to fail if an actual blowout was under way. We learned that the only technology the oil industry had been relying upon in the event of a spill was a Xerox machine. The spill response plans for major companies were so similar that they contained plans to evacuate walruses from the Gulf of Mexico even though the walruses had not called the Gulf home in more than 3 million years. And they were such dead ringers for each other that they contained the same name and phone number of the same long-deceased expert.

We learned that the oil companies had neither the resources nor the ability to stop a deepwater blowout. BP spill response included an attempt to shoot golf balls and bits of rubber into the well. When we were told that the industry was relying on the most sophisticated technologies, we assumed that they meant technologies developed by MIT and not the PGA.

And we learned from an independent BP spill commission that the root causes of the Deepwater Horizon disaster were "systemic" to the entire oil and gas industry.

And yet here we are debating legislation that would do nothing to improve the safety of offshore drilling and could actually make drilling less safe. The legislation before us represents a return to the pre-spill mentality of speed over safety.

H.R. 1230 would force the Interior Department to rush to hold new lease sales in the Gulf of Mexico by "deeming" the shoddy environmental analysis conducted by the Bush administration's Mineral Management Service before the BP spill as sufficient for future lease sales in the Gulf.

Just looking at some of the conclusions contained within the Bush administration's 2007 environmental

analysis exposes the absurdity of deeming this work as sufficient for new leasing in the wake of the Deepwater Horizon disaster.

In its 2007 multisale Environmental Impact Statement completed in April of 2007, the Interior Department determined, "The most likely size of an offshore spill greater than or equal to 1,000 barrels that is predicted to occur is 4,600 barrels" of oil. The BP Deepwater Horizon disaster led to more than 4 million barrels spilling into the Gulf. That is 1,000 times the size of the largest spill this analysis concluded was likely to occur.

In 2007, MMS analysis concluded that the total volume of oil that would be spilled from all spills in the central and western Gulf over the next 40 years would be roughly 47,000 barrels of oil. That is less than what was spilled in the Deepwater Horizon in 1 day.

MMS concluded that, in 2007, a worst-case scenario, only 19 to 31 miles of Gulf coastline would be impacted by a spill. The Deepwater Horizon disaster resulted in oil reaching over 950 miles of Gulf coastline.

□ 1120

And MMS determined that a deepwater blow-off would not present a cleanup problem because the oil would rise in the water column, surfacing almost directly over the source location, but in fact the oil spewing from the ocean floor remained in enormous subsurface plumes that spread across the Gulf.

The Obama administration is already moving forward to hold these lease sales in the Gulf later this year and early next year, and they are going to be more responsible. Even the Congressional Budget Office analysis of H.R. 1230 concludes, "CBO estimates that implementing the bill would have no significant impact on proceeds from lease sales in the Gulf of Mexico because the proposed schedule is similar to the plan included in the DOI's budget for 2011."

So, really, all the majority is accomplishing with this legislation is ensuring that we don't do any new environmental review of the impacts of these lease sales. Instead of actually reviewing the lessons of the BP spill, the majority wants to lessen the environmental review.

In addition, this legislation would force the Department to move forward with a lease off of the coast of Virginia within one year. Well, I have very bad news for the majority. The overwhelming majority of the area that would comprise this lease sale would infringe on critical training areas for the U.S. Navy. The Department of Defense concluded that 78 percent of the area offered in the Virginia lease sale would occur where military operations would be impeded by drilling structures and related activities. Moreover,

much of the remaining area is comprised of a major shipping channel.

This bill is really a solution in search of a problem. The bottom line is that oil production is at its highest level in nearly a decade and natural gas production is at record levels. We should instead be debating legislation that would protect the lives and the livelihoods of the people in the Gulf and that could actually help consumers at the pump this summer.

I reserve the balance of my time.

Mr. HASTINGS of Washington. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. GOODLATTE).

Mr. GOODLATTE. Mr. Chairman, I rise to engage the chairman in a colloquy.

Chairman HASTINGS, as you know, I am committed to ensuring that revenue-sharing of the benefits of OCS development are returned to those coastal States where drilling is occurring or may occur, like Virginia. Can you share with me and other Members of this body whether this will be addressed by the committee?

Mr. HASTINGS of Washington. Will the gentleman yield?

Mr. GOODLATTE. I yield to the gentleman.

Mr. HASTINGS of Washington. I thank the gentleman for yielding.

The answer is that it will absolutely be a focus and a priority. When I first introduced the bill before us today, I stated that these are only the first steps in this Congress' efforts to increase American energy production.

The committee will continue to move forward on an array of bills that will be introduced in advance as part of the American Energy Initiative. Coming soon will be bills focused on expanding renewable energy, offshore production, onshore production, hydropower, coal, critical minerals and revenue sharing.

Today, only a few select States receive revenue sharing from OCS activities. This committee will be working to reform OCS revenues to ensure that there is a fair treatment to all States that produce oil and gas in the OCS. Revenue sharing will be a priority, and action will be forthcoming.

Mr. GOODLATTE. I thank the chairman for his comments. I commend him for this legislation, and I support it.

Mr. HASTINGS of Washington. At this time, I would like to yield 1½ minutes to the distinguished chairman of the Energy and Commerce Committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Thank you, Mr. Chairman.

Most Americans understand the concept of supply and demand, and in fact a third of oil now comes from the gulf. The Department of Energy's information agency tells us that last year's production in the gulf was 20 percent less than projected in 2007, and in 2012

we are going to be getting a half a million barrels a day decline in production from 2010.

What happens when the production goes down and the demand goes up? The price goes up—way up. Add to that the uncertainty and the unrest in the Middle East, and there is no surprise that we have gas prices at \$4 and \$5 now in this country, and who knows where they are headed.

This legislation, if we pass it today and get it enacted, helps turn the key to unlocking the door on domestic energy production. This legislation is not about new lease sales. It is simply catches up with the leases already approved.

Let's pass it.

Mr. MARKEY. I yield 2 minutes to the ranking member of the subcommittee, the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend from Massachusetts.

Mr. Chairman, I rise in strong opposition to H.R. 1230.

This is the first in the Republican "amnesia acts" that ignore what happened last year in the Gulf of Mexico. It would force the Department of Interior to rush into holding new lease sales in the Gulf of Mexico and off the coast of Virginia, not far from New Jersey, I might add, even though Congress has not enacted a single piece of legislation to improve the safety of offshore drilling.

The President's spill commission reported that offshore drilling in U.S. waters is four times more deadly than drilling elsewhere in the world, even for the same companies. Clearly there is a safety problem that must be addressed.

And I must emphasize, because they have talked about it again and again, they are talking about high oil prices, high prices at the pump. We feel it. Everybody in America feels it. Do they address it? No, they do not address gasoline prices. It actually accelerates handouts to Big Oil, this legislation does.

In addition to being silent on safety concerns, this prohibits any further environmental review in the gulf based on the lessons learned from the Deepwater Horizon last year. That tragedy exposed the woefully inadequate ways in which the environmental reviews had been done in the Gulf of Mexico.

Need I remind the Speaker or the majority that there are no walruses to protect in the Gulf of Mexico? As you heard from Mr. MARKEY, that is the level of quality in the environmental review that they want to apply from here on out. The analysis assumed that blowout preventers were capable of preventing blowouts. We know now, we have learned, they are not. The post-spill investigations have clearly demonstrated that the assumptions of the environmental review are not sufficient. I will offer an amendment shortly to drop the language that would

deem this environmental review to be adequate.

Despite the poor safety and environmental record accumulated in the gulf, H.R. 1230 recklessly puts the Atlantic coast at risk.

The CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield the gentleman 30 additional seconds.

Mr. HOLT. H.R. 1230 recklessly puts the Atlantic coast at risk of experiencing an oil spill such as what we have seen before. That is why I call this an "amnesia act." There are two more bills we will be seeing here on the floor that are similar.

This is not in the interest of the U.S. consumer, it is not in the interest of fishermen, it is not in the interest of coastal residents. This is not in the interest of America.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to the gentleman from Colorado (Mr. LAMBORN), the chairman of the subcommittee dealing with this legislation.

Mr. LAMBORN. Thank you, Mr. Chairman.

This bill is the first step for Republicans to bring a new energy policy to this country, the American Energy Initiative. Look at this chart. It says it all. Under Barack Obama and his regulators, the average price of gasoline in this country has gone up from \$1.84 a gallon when he took office to just under \$4. Under his watch, gasoline has more than doubled. We need more supply, and everyone agrees it should be our own energy, not foreign. Under the law of supply and demand, which my friends across the aisle have not found a way to repeal, more supply means lower prices, in addition to thousands of more jobs for Americans and billions of revenue dollars for the Treasury.

H.R. 1230 requires that four promising lease sale areas, three in the gulf and one off Virginia, must be opened up for production. No more stonewalling by this administration and extreme environmentalists. After this bill came out of my committee and the full Natural Resources Committee, this administration belatedly said it would start action on one of these four lease areas. If the only way we can get action is to shame them into it, Republicans will do so. If the administration still refuses, we will do our best to force action by changing the law.

This bill is the first step to get gasoline prices down. The American people deserve no less.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. We are headed toward \$4.25, \$4.50 a gallon by Memorial Day, the usual oil company run-up when the driving season starts, crushing the dreams of American families, small businesses, and our economic recovery. But, hey, the profits are up. It's good.

□ 1130

Republicans say, It's just supply and demand. It's simple. So if we add a small increment to future domestic supply, 5 or 10 years from now, that will bring down the price.

No, it won't. Remember, it's a world price commodity. In fact, supply is up. The U.S. has 12.6 million more barrels in storage than the 5-year average. Demand is down. Americans can't afford the price and the economy is depressed. Libyan lost production has been made up by the Saudis. Every gallon of that has been made up.

So what is really going on? Well, it's market manipulation, price gouging, profiteering and speculation. But the Republicans won't take on their benefactors from Big Oil and Wall Street. Even Goldman Sachs says that \$20 a barrel is excessive speculation. Twenty dollars a barrel. That's 60 cents a gallon. We could stop that tomorrow. Put a tax on speculators. Or encourage the Commodity Futures Trading Commission to regulate what you're trying to block. But you're not going to do that because, hey, that would upset the speculators on Wall Street who are making a fortune.

On the NYMEX Exchange, 45 percent of the trades in one day were driven by computers. They traded twice the world's daily oil consumption, by computer, in one day, driving up the price, and the Republicans say, Oh, it's supply and demand.

It's not supply and demand. It's market manipulation. It's price gouging. It's speculation. Do something about it. Those tools are before us.

Yeah, if you want to have a debate about future domestic supply from natural gas or offshore drilling or biodiesel or whatever, let's have that debate. If you want to get people relief this year, save our economic recovery, save American families, then take on Wall Street, take on Big Oil, take on the speculators. Or I guess you're afraid they won't contribute to your next campaign.

Mr. HASTINGS of Washington. I am pleased to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, fortunately the vast majority of the American people and the majority of this House recognize that it is long past time to put American energy independence and prosperity first.

By opening up these resources, we assure energy abundance for the next generation. We begin to arrest the ruinous increase in prices at the pump. We assure productive, high-paying jobs, not only for the thousands of American workers directly employed in the industry but for many times more the employees in support and spin-off jobs. We assure billions of dollars of oil roy-

alties paid directly into this Nation's Treasury at a time when the Treasury is empty. We assure that our growing reliance on foreign sources is reversed.

To those who are clamoring for more tax revenues, this is the healthy way to get them, by removing the impediments that have prevented a prosperous and expanding economy. It is prosperity and prosperity alone that creates tax revenues.

With this measure, we begin to change the policies that have produced the pathetic and self-inflicted spectacle of the most energy rich nation in the world importing most of its energy.

Mr. MARKEY. Mr. Chairman, I yield 2 minutes to the gentleman from Virginia (Mr. MORAN).

Mr. MORAN. Well, we certainly know that our constituents are paying too much at the pump, but we also know where that money's going. Almost \$30 billion, just in the last 3 months, went to the top three oil companies, Exxon, Shell and BP. Remember BP? Over \$7 billion just this quarter in profit, not revenue, pure profit. And that's after the American taxpayer, which we say we're so concerned about, shelled out \$5 billion in subsidies to the oil and gas companies. That's profit of more than \$100 billion on an annual basis. That's where the money's going.

And within that profit, not revenue, profit, we're talking about, what do they do with it? Ninety percent of it is used for stock buybacks and dividends to enrich the executives and the shareholders and to spend on TV advertising to convince the American public they're spending on just the opposite. Ten percent is going for drilling exploration.

Now what this legislation would do is to bring us back to a period of even weaker regulation than we had before the gulf oil spill. Imagine, it just happened, 200 million gallons of oil spilled into the Gulf Coast waters, and now we want to make the governing regulations weaker than they were before the spill. And then we want to open up the area off the shore of Virginia where thousands and thousands of jobs are dependent upon the naval operations that take place in those waters which would not be able to be conducted if we go ahead and drill in these waters. Plus much of the remaining 22 percent is devoted to shipping lanes for two of our busiest commercial ports, Hampton Roads and Baltimore. Do we really want to jeopardize those thousands of jobs, not to mention the thousands of jobs in fishing and tourism in places like Virginia Beach?

We should be about creating jobs, not jeopardizing jobs and protecting our environment, not despoiling it. Defeat this bill.

Mr. HASTINGS of Washington. I would just note that the two Democrat Senators from Virginia and the Governor of this State are in favor of this legislation.

With that, Mr. Chairman, I am more than happy to yield 1 minute to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, I rise today in strong support of the Restarting American Offshore Leasing Now Act.

Last night, I held a telephone town hall with hundreds of my constituents. The overwhelming concern was about the high price of gas. Seniors, students, working families and small business owners want to know what we're doing to help lower fuel costs. They want us to stop being dependent on foreign energy and start really developing America's resources. Today, we're doing that.

Unfortunately, our colleagues across the aisle believe that raising taxes on oil companies will somehow lower the price of gas. This defies both logic and common sense. Not only would raising taxes ensure job losses in America but it would also result in the increase of America's dependence on foreign sources of oil. Raising taxes on American energy companies would give a competitive advantage to the Russian, Chinese and OPEC countries that are operating without anti-growth, anti-self-sufficient energy policies.

Mr. Chairman, my constituents in southeastern and eastern Ohio understand the negative impact that these proposed tax increases would have on gas prices and they oppose these efforts. I strongly encourage all of my colleagues to support the Restarting American Offshore Leasing Now Act that will help put our country on the path to energy security.

Mr. MARKEY. I yield 2 minutes to the gentlelady from Santa Barbara, California (Mrs. CAPPS).

Mrs. CAPPS. I thank my colleague for yielding.

Mr. Chairman, I rise in strong opposition to this oil spill amnesia bill that threatens our coastal communities.

H.R. 1230 is a collection of bad ideas. It mandates that the administration offer new lease sales, even though they say they're not prepared to properly oversee them. The bill sidesteps safety and environmental reviews, acting as if the Nation's worst oil spill in history never happened. And, it pushes a failed energy plan that pours billions of dollars into already overstuffed oil industry coffers.

The only thing it adds up to, Mr. Chairman, is a false promise. The truth is the Republican majority is hoping to delude the public into believing that this rush to new offshore drilling will provide a quick fix to high gas prices, but the harsh reality is this: The U.S. is never going to have control over world oil supplies or gas prices through drilling. We simply don't have the oil reserves, no matter how much we drill. What we do have is the ability to control prices by lowering our consumption, and that's just what we're starting to do.

For example, the EIA's latest report says we're lowering oil usage thanks in part to the President's fuel savings standards. We will get control over our energy future by making more cars that go further on a gallon of gas and bringing new types of fuel supplies to the table. If in 10 or 20 years oil and gas are still the focus of our energy debate, then we have miserably failed. We will have followed the path that George W. Bush and Dick Cheney charted, and we've seen where that leads: high gas prices and billions in oil company profits.

It's about time we break free from our addiction to oil. I urge a "no" vote on this misleading bill that accelerates new dirty and dangerous drilling.

□ 1140

Mr. HASTINGS of Washington. Mr. Chairman, may I inquire how much time remains on both sides.

The Acting CHAIR (Mr. BASS of New Hampshire). The gentleman from Washington has 16¾ minutes remaining, and the gentleman from Massachusetts has 16 minutes remaining.

Mr. HASTINGS of Washington. Thank you, Mr. Chairman.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. I rise today in strong support of H.R. 1230, a bill that will restart American jobs.

The current 5-year lease plan would have allowed for the sale of four leases, one off the coast of Virginia and three in the Gulf of Mexico. The President and his agencies are continuing to block these sales. It's time to stop that blocking.

We're talking about jobs. The Nation is faced with 8 to 9 percent continuing unemployment. The jobs offshore are good, high-paying jobs—\$400 a day, \$50,000 per year. Recently, the President had strong rhetoric to Georgetown University, saying that he's going to increase oil and gas production in America. Yet the administration's actions are moving us the opposite direction.

Tax increases kill jobs. That's an economic truth. Our friends across the aisle want to kill American jobs by raising taxes at a time when unemployment is too high, when we're dependent on too much foreign oil. In his speech last month at Georgetown, President Obama said, "The fact of the matter is, is that for quite some time, America is going to be still dependent on oil in making its economy work. We're exploring and assessing new frontiers for oil and gas developments from Alaska to the Mid- and South Atlantic States."

Mr. Chairman, we are with this bill giving the President the bill that he is saying that he's going to implement. Now let him sign it.

Mr. MARKEY. I yield 2 minutes to the gentleman from Vermont (Mr. WELCH).

Mr. WELCH. I thank the gentleman.

Imagine what we could do for the American consumer at the pump if we stopped lobbying rhetorical grenades back and forth and decided to focus on the concrete things that it is within our power to do today that would lower the price at the pump. There's three things.

One, why are we giving tax breaks to oil companies? You do have to wonder. A trillion dollars in profits. Nothing wrong with that. But do they really need to reach into the pocket of the American consumer and get \$40 billion on top of that? That's number one.

Number two, have the futures market be about protecting the consumer, not enriching the hedge fund Wall Street speculator. It is astonishing what's going on. And it's so bad that even Goldman Sachs acknowledges that at least \$27 on the price of a \$110 barrel of oil is about speculation. Why in the world do we allow that? Because every time you and I go to the pump, our constituents go to the pump, they're paying for Wall Street and they're paying for tax breaks to oil companies.

The third thing we can do, and we can do it short-term, is go into the Strategic Petroleum Reserve. Two Republican Presidents and one Democratic President have done that with great effect—lowering the price 33 percent, 19 percent, and 9 percent. It gives immediate relief to the consumer at the pump.

We can do this together if the agenda is about doing something for your constituent and mine and not just having this political food fight. End speculation, end the tax breaks, and go into that asset belonging to all of us, the Strategic Petroleum Reserve, and bring prices down immediately.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from South Carolina (Mr. DUNCAN), a member of the Natural Resources Committee.

Mr. DUNCAN of South Carolina. Thank you, Mr. Chairman, for your leadership on this issue.

Our friends across the aisle here want us to use this debate today to demagogue this issue and demonize American energy producers. Let us refocus on what this debate is really about today.

Mr. Chairman, this administration's policy of drill there, not here, has helped produce the record gas prices that we are facing today. Rather than fueling our economy with American energy independence, this administration has fueled overseas oil producers by shutting off domestic exploration. And now, today, we hear the other party tell us that raising taxes on American energy production will somehow make prices go down. This is insane, Mr. Chairman, as any economist can tell you.

We need to end the de facto moratorium in the Gulf of Mexico on the permits there. We need to reopen the West to exploration. We need to open up ANWR for exploration. We need to allow American entrepreneurs to do the work of the free market and get this economy moving again.

Energy production is a segue to job creation. This bill will begin the process of releasing the potential of American energy. This means tens of thousands of American jobs producing American energy for American households and businesses.

I urge my colleagues to help this economy. Pass this bill, and let's put Americans back to work producing American energy.

God bless you. God bless America.

Mr. MARKEY. I yield myself 3 minutes.

This is the wrong debate to be having here today. The Republicans are debating more drilling without more safety even though the BP spill commission that examined what went wrong last year concluded that there was a "systemic" failure in our country to deal with the safety issues that confront the offshore drilling industry. In fact, they concluded that there are four times greater fatalities in drilling for oil off the shores of the United States than there are in Europe—four times more fatalities. We should be number one in drilling but we should be number one in safety as well.

What the Republicans are doing here today is they are saying that they believe in "all of the above." But the truth is that with this bill they are saying once again it is really an agenda of "oil above all." They have nothing out here on renewable energy resources—wind, solar, biomass, geothermal, plug-in hybrids, all-electric vehicles. None of that is part of their debate. They just go back to the same old agenda of oil above all.

And do we need to give more to the oil industry? We have \$10 billion in profits for ExxonMobil in January, February, and March—\$10 billion they made. Shell, \$8 billion; BP, \$7 billion; Chevron, \$6 billion; ConocoPhillips, \$3 billion. Shouldn't we talk a little bit about safety as we're talking about new drilling off of our shorelines? But no, that's not the Republican agenda.

Should we be talking about taking away the tax breaks from the oil industry, the \$40 billion which the American taxpayer gives to the oil industry? Do we really need to have the oil industry in the consumers' pocket at the gas pump and then in their other pocket as taxpayers to give even more money to ExxonMobil? That's what the Republicans should bring out here for a debate. They do not do that.

The New York Mercantile Exchange, that's where they trade for oil futures. Computerized Program Trading is now 45 percent of the oil futures trading on

the commodities-futures trading floor of the New York Mercantile Exchange.

What do the Republicans do to deal with the fact that it has turned into a crude oil casino where gambling is going on as the speculators of our country and the world look at Saudi Arabia, look at Libya, as the price of oil skyrockets, as Goldman Sachs concludes that \$20 a barrel in the increase of the price of oil just comes from the speculation, from the gambling that's going on in the NYMEX? You might as well put "Las Vegas" over the New York Mercantile Exchange. It is a crude oil casino, ladies and gentlemen. What do the Republicans do? They have slashed the budget for the Commodities Futures Trading Commission, who are the cops on the beat. They're saying we need fewer cops to police these speculators. They slash the wind and solar budget by 70 percent in their budget that just passed last month.

The Acting CHAIR. The time of the gentleman has expired.

Mr. MARKEY. I yield myself an additional 30 seconds.

This is their agenda. Nothing on safety; nothing on wind and solar; nothing on corralling the speculators. And what do they say? What they say is they're going to in fact go into the Medicare budget of Grandma and Grandpa and cut their programs and then put an oil rig on top of Medicare to suck out the money like a pipeline out of the pockets of Grandma and Grandpa and put it into the profits of the oil industry with more tax breaks for them, even as they report the greatest profits in the history of any companies in the history of the world.

Ladies and gentlemen, vote "no" on this legislation.

Mr. HASTINGS of Washington. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, sometimes I am absolutely baffled by the rhetoric that I hear here. Let me remind my colleagues that 2½ years ago, in 2008, when gasoline prices went to \$4 a gallon, we Republicans came into the House, even though we weren't in session, and talked about the potential resources that we have in this country to make America self-sufficient. And the American people got it. They got it and they said, you know, we ought to utilize those resources. And they said we should drill; we should drill in the Outer Continental Shelf and we should drill onshore.

□ 1150

The American people get it. Yet the rhetoric we're hearing here is entirely different from the economic issues that we face. Here is the whole point:

When America ended the moratoria on offshore drilling, the prices went down. See, that has never been explained by the other side, but it's pretty darned obvious. When you send a signal to the markets that you're seri-

ous about becoming less dependent on foreign energy, the markets respond. They responded 2½ years ago, and they will respond the same way. Yet all we hear from this side is you have to have a bogeyman. There has to be a bogeyman. Everybody is against us.

Baloney. The market is what drives the price of oil, and it's in our best interest in this country to become less dependent on foreign energy, and that's what these three bills do.

I reserve the balance of my time.

Mr. HOLT. I am pleased to yield 2 minutes to the gentleman from New York (Mr. TONKO).

Mr. TONKO. I thank the gentleman for his leadership on this issue and for yielding me time.

Let there be no doubt, Americans are worried about the price of gasoline; and its recent spike has, once again, put us on notice. Yet this bill that relieves regulation provides the wrong tools.

Americans know we can do better. We cannot afford to mindlessly give billions of dollars to Big Oil companies while they make record profits. In the short term, we must ensure that speculators and Wall Street quit playing games with the price of oil. Finally, we must provide motorists with fueling options at the pump. It is unconscionable that we would give \$4 billion of taxpayer money to Big Oil companies this year alone while they're on track to make nearly \$100 billion in profits in 2011. With prices this high, does Big Oil really need even more money? Taxpayers know they don't, and taxpayers are hit twice with taxes on gasoline—once at the pump and once on tax day. This must end.

We can help consumers at the pump by going after Wall Street speculators who drive up the cost of oil. We can increase mileage standards, and it's entirely reasonable that they could reach 60 miles per gallon by the year 2025. Also, we can invest in fueling options so that consumers can choose the lowest alternative.

High gas prices are painful. They are painful to American families; they are painful to seniors living on fixed incomes; and they are painful to small businesses; and the Big Oil subsidies that accompany them are painful for our Nation's economy as it recovers from the Bush recession. Let's end these Big Oil giveaways to some of the most profitable companies in the world, and let's provide drivers with alternatives—fueling options, better vehicles—and create the clean-energy jobs of the future.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Michigan (Mr. BENISHEK), a valuable member of the House Natural Resources Committee.

Mr. BENISHEK. Mr. Chairman, this morning, a gallon of gasoline in my hometown of Iron River, Michigan, was

\$4.29. Unfortunately, most people are plagued with the fact of knowing that prices are going to go up even further in the next few weeks.

I believe that we in Congress know that there is no silver bullet that is going to lower prices at the pump. However, we have a responsibility here to craft policy and to pass legislation that will increase the supply of crude oil that will be produced here at home. As Members of Congress, it is our duty to take these actions to help lessen the pain of these prices on our families in Michigan and throughout the country.

Mr. Chairman, we need to find a long-term solution to high fuel prices. I believe that the full-day markup we held in committee last month was the first step and that passing this bill today will be the next step, but we have many further steps to take.

Mr. HOLT. Mr. Chairman, I now yield 2 minutes to the gentleman from Maryland (Mr. SARBANES), one of the most thoughtful members of the Natural Resources Committee.

Mr. SARBANES. I thank the gentleman for yielding.

I oppose the legislation, which would really open in a wholesale fashion very sensitive areas to offshore drilling. We have to take a lot of care when it comes to doing this offshore drilling, and I don't think that this bill exercises that care.

During the committee's consideration of the bill, I put forward an amendment that would strike that section of the bill that authorizes drilling off the coast of Virginia. I did this because of my concern of the potential impact of a spill in the Chesapeake Bay, which, of course, is a treasure for Marylanders and for all those who live in the Chesapeake Bay watershed. The Chesapeake Bay is really the soul of my State of Maryland. It's a national treasure in so many ways.

As for the Virginia parcel, which is called Lease Sale 220 and is a lease parcel that the Republicans would like to put back into play with their bill, when you look at it, about 78 percent of that parcel you have to immediately take off the table because it would occur in areas where military operations would be impeded.

I want to thank my colleague, GERRY CONNOLLY from Virginia, for putting forward an amendment on this bill which would shift the burden and say the Department of Defense has to affirmatively conclude that you will not impede these kinds of military operations in order to drill.

So you take that out of the equation. Then when you take another chunk of it out because you need to keep commercial shipping lanes open, what you're left with is about 10 percent of the parcel that you could actually drill on, and what you could get from that would only supply the demand of the country for one day. So you'd be put-

ting at risk this valuable, sensitive Chesapeake Bay and all of the surrounding areas for getting one day's worth of energy production.

That just doesn't make sense, and I think it undermines the bill on a wholesale basis. It shows that this is not put forward in a way that is sensible. For that reason, I oppose the legislation.

Mr. HASTINGS of Washington. Mr. Chairman, I am pleased to yield 2 minutes to another valuable member of the Natural Resources Committee, the gentleman from Virginia (Mr. WITTMAN).

Mr. WITTMAN. I would like to thank the chairman of the committee for his leadership and work and for making sure we are addressing the energy needs of this Nation.

Mr. Chairman, Virginia has the opportunity to develop offshore energy in an environmentally friendly and responsible manner. Like any industrial or commercial activity, energy production has its risks. However, those risks have been significantly mitigated, and offshore energy production can be conducted in a safe and responsible manner. Unfortunately, the administration has halted any further oil and gas development in the Atlantic Ocean.

Our economy continues to struggle, and any further increase in energy prices will exacerbate that struggle to regain its footing as unemployment hovers at 9 percent. The unrest in the Middle East and in North Africa continues to threaten this Nation's energy security. The failure to promptly address our energy needs could negatively impact the U.S. economy, could stall any recovery, and continue to affect national security.

Energy production offshore of the Commonwealth would create thousands of jobs and generate much needed revenue to reduce the deficit. The Department of the Interior has calculated that Virginia could produce 500 million barrels of oil and 2.5 trillion cubic feet of natural gas, natural gas being one of the most economically viable and environmentally friendly sources of fossil fuels. A recent study by ICF International concluded that offshore energy production in Virginia would create 1,888 new jobs and generate \$19.5 billion in Federal, State, and local revenues.

I can tell you, in Virginia, as we struggle to find dollars to clean up the Chesapeake Bay and as we struggle to find dollars for transportation, those dollars are much needed. Virginia can lead the Nation in improving our energy security and in reducing our reliance on foreign oil. To do that, we must reinstate the planned offshore oil and natural gas lease sale.

With that, I urge my colleagues to support this measure.

Mr. MARKEY. I yield 2 minutes to the gentleman from Virginia (Mr. CONNOLLY).

□ 1200

Mr. CONNOLLY of Virginia. I thank my colleague.

Mr. Chairman, I hate to say it, but what we're hearing here on the floor of the House of Representatives in defense of this legislation is snake oil. Somehow the hard-pressed commuters and consumers of gasoline in this country are supposed to believe that if today we unleash all possibility of oil drilling, gas drilling offshore the continental United States, we're going to be producing thousands of barrels of oil. False. We're going to reduce the price of oil today? Equally false. In fact, there's plenty of evidence that the market that drives oil is relatively inelastic.

We heard earlier today on the floor of this House, driving is down, demand is down, supply is up, but so are prices. In fact, if you look at this chart, there's an eerie correlation between oil profits and the spike in the price of gasoline charged to our hard-pressed consumers in the United States.

The other side wants you to believe in a smokescreen that somehow their tax subsidy being changed or lifted by our side of the aisle would, in fact, further increase the price of oil. They have low taxes. They have low royalties. They have record profits. How has that worked out for the average driver in America? It's produced record gasoline prices.

The Republican policy that will be enshrined today in this legislation has produced these profits and those costs for the average consumer in America. It is wrong, and to argue otherwise is selling snake oil.

I urge the defeat of this legislation on behalf of the consumers of America.

Mr. HASTINGS of Washington. I reserve the balance of my time.

Mr. MARKEY. I yield 2 minutes to the gentleman from Washington State (Mr. INSLEE).

Mr. INSLEE. Mr. Chair, we should oppose this bill not because it is too strong, but because it is too weak. Americans do need relief from \$4 a gallon gasoline, and they are not going to get it from this bill either in the short term or the long term. The reason they won't get relief in the short term is we're not drilling in the right places. We need to drill speculators, not just wells. Even Goldman Sachs recognizes that a significant portion of the huge spike in prices is due to rampant speculation in the market, but this bill doesn't do a single thing about that short-term reason for this short-term price. We need to drill speculators, not just wells.

But, secondly, in the long term, this bill does not give us what we need. My friends across the aisle told us they were going to give us an all-of-the-above energy strategy. They haven't given us an all-of-the-above strategy. They are just giving an all-of-the-

below strategy, because the only thing they are thinking about are these archaic technologies of drilling holes in the ground.

We use 25 percent of the world's oil. We only have 3 percent of the world's oil supply, even if we drill in Yellowstone National Park. The dinosaurs just didn't die underneath our feet. We need new supplies of energy, of electricity, camalena-based biofuels from Targeted Growth in Seattle, advanced forms of algae-based biofuels from Sapphire Energy and General Atomic and other companies.

We need new sources of energy, not just below our feet but above our feet, and in our minds where we get the intellect to invent these technologies. That's an all-of-the-above strategy. Let's do what we can do to give real short-term relief. Defeat this bill, and we will get a comprehensive energy policy for this country.

Mr. HASTINGS of Washington. Mr. Chairman, at this time I am very pleased to yield 2 minutes to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding. I won't take 2 minutes.

I've been listening to part of the discussion here, and it just strikes me that when you see graphics with an oil rig sucking money out of Social Security or Medicare or whatever that was, you know that you have gone beyond the realm of what is logical for a debate or the real facts about what this legislation does.

The bottom line is that it will make it easier for us to become more energy independent, not completely energy independent—it can't go that far—but it will make us more independent than we were before. It will create an environment where jobs can be created by the private sector. It will help, over time, to lower the price of gasoline because it will create more supply in the end. That's what it does. It doesn't put a big oil rig on the top of Medicare and suck money from our seniors. Come on.

This is just a measure to help the situation, to make it better. We've locked off too many areas to oil drilling, and we've not exploited our own supply enough to help bring down price and to help consumers out there in the world.

So that's all this does, and I commend the gentleman for bringing it forward. I urge support for it.

Mr. MARKEY. I yield 1 minute to the gentleman from New Jersey (Mr. HOLT).

Mr. HOLT. I thank my friend, Mr. MARKEY, for yielding.

This is about Big Oil handouts, pure and simple. There are no lessons learned, no lessons applied with regard to safety or protection of the environment. You know, if these companies were energy companies, as they like to say, they would invest more in producing sustainable, clean energy alternatives.

In the long run, we all know it. We've got to face the facts. We've got to break our addiction to oil; and if the majority, the authors of this legislation, really wanted to help the motorists, the consumers, they would address speculation. They would end the speculation. They would end the tax giveaways. They would use the strategic oil reserve to short-circuit speculation. The oil companies are not energy companies. They are fleecing machines.

The greatest profits of any corporation in history—and you heard me say a few minutes ago—that the biggest of them, Exxon, had an effective tax rate of about 0.4 percent. This will not help the consumer.

Mr. HASTINGS of Washington. Mr. Chairman, I am very pleased to yield 2 minutes to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Thank you, Mr. Chairman.

I ran down here to thank my colleagues in this Chamber for finally doing what the American people have been asking them to do and to start the process of stopping to kick the energy problem can in this country down the road. Finally, we're going to take the steps necessary to put people back to work and to start America down a path of affordable domestic energy.

Now, they say that we're robbing Grandma and Grandpa. Grandma and Grandpa hold stock in those energy companies. Down in Louisiana, Grandma and Grandpa's grandsons and grandchildren work in an industry that provides that energy. Right now, they don't have a job. They're being laid off, or they're being sent to Brazil or Africa or the Middle East to drill for oil out there, while we have spent over \$1 trillion of taxpayer money funding the Department of Energy to wean us off foreign oil.

I just rise to say thank you, Mr. Chairman, thank you to my colleagues who have come today in support of this amendment.

Mr. MARKEY. I would defer to the chairman of the committee. If he is the concluding speaker on his side, I am prepared to close on our side.

Mr. HASTINGS of Washington. I advise my friend I am the concluding speaker, so I will reserve the balance of my time.

Mr. MARKEY. I yield myself the balance of my time.

So here's where we are. Republicans take over, Republicans say they're ready to put together a plan for our country. It's 1 year after the BP catastrophe in the Gulf of Mexico, the worst environmental disaster in our Nation's history.

□ 1210

Last year, the Republicans blocked passage of any safety legislation that would learn the lessons of what happened in the Gulf of Mexico. The BP

spill commission has come back. They now say that fatalities on U.S. rigs are four times higher than those on European rigs. We should be number one in drilling, and we should be number one in safety. The Republicans refuse to deal with the endemic, systemic problems with safety that have been identified in the American oil industry.

The oil industry is now garnering the largest profits any corporations in the world have ever been able to enjoy, but the Republicans refuse to bring out here legislation which will take away their tax breaks. Oil companies don't need to have tax breaks to do something they are doing anyway. It's like subsidizing a fish to swim or a bird to fly. We don't have to give them taxpayers' money. The Ryan budget slashes benefits for grandma and grandpa, then takes that money and gives it away in tax breaks to millionaires and to the oil industry. Do we really need to tell grandma we're cutting back on her medicare benefits and then taking that money and giving it in oil breaks to the biggest companies in our country? They don't need tax breaks.

And finally, what we should be talking about is the deployment of the Strategic Petroleum Reserve. The Strategic Petroleum Reserve was used by both President Bushes. It was used by President Clinton. It does work. The New York Mercantile Exchange is where oil futures are traded. It is a casino of crude oil right now. On one day back just 2 months ago, 45 percent of all of the oil futures trades were computer-generated trades. Those trades were twice the value of all of the oil consumed in the world on a single day. That's what we need to do, to deal with those speculators. And the way to do it is what we have done in the past, deploy the Strategic Petroleum Reserve, deploy it now. Send the fear of losing fortunes into the hearts of those speculators, and you will see the price of oil drop like a rock. That's what we need to do. That's what the consumers need as they are heading into the Memorial Day weekend. That's what people all across our country are wondering—what is going to happen to our economy?

Ten of the last 11 recessions in our country are tied to the rise in the price of oil. That is 10 of the last 11 recessions, ladies and gentlemen. What we saw in 1990 was, President Bush won the war in Iraq in '90 and '91, but because he never deployed the Strategic Petroleum Reserve until it was too late, a mini-recession went through our economy, and President Clinton was able to defeat him. Let's learn this lesson of the link between the rise in the price of oil and recessions that are created in our economy. Deploy the Strategic Petroleum Reserve. Ignore this agenda of the Republican Party.

Mr. HASTINGS of Washington. I yield myself the balance of my time.

Mr. Chairman, this has been a very interesting debate, and there's been a lot of rhetoric thrown around, some of which doesn't even apply whatsoever in any remoteness to the bill that's before us today. H.R. 1230, which we are debating today, simply tells this administration to go through with the lease sales that were already authorized by a previous administration. In other words, all of these lease sales had gone through whatever process they had gone through. Three of them were in the Gulf of Mexico. One of them was off the coast of Virginia.

We are simply saying with this legislation, let's send a signal to the international markets that America is serious about becoming less dependent on foreign oil. And we do that by saying, this administration should go through with these lease sales, which, I might add, Mr. Chairman, we have heard about loss of revenue from the other side of the aisle. These lease sales themselves would provide the general fund with \$40 million over the next 10 years. So what we're doing is really kind of ironic: We are telling this administration to do something it should be doing by law anyway. That's what the scope is. So I urge my colleagues to vote on this bill. We can have other discussion on the other bills in the ensuing days.

As far as the discussion talking about Big Oil, I could probably count the number of colleagues on the other side of the aisle that didn't say something about Big Oil rather than those that did. But what is interesting, you would be led to believe that the only Big Oil in the world apparently are American companies. I would suggest that that is entirely not true. In fact, when you talk about Big Oil, Mr. Chairman, really who you should be focusing on is OPEC, because crude oil is an international product, or is a global product. There's no question about that.

Yet OPEC controls 45 percent of the market. It is a cartel, Mr. Chairman; there is no question about that. We all know simple economics. If there is a cartel on any commodity, on any commodity, the way that you break the cartel is by increasing the supply. And that's what the combination of these three bills do. It simply sends a signal to the markets—and I have said this over and over—that we are serious about utilizing the resources we have. Several of my colleagues on the other side of the aisle have said, The United States doesn't have any resources. Well, nothing could be further from the truth because if you look at government data on what the potential resources are in the Outer Continental Shelf—and I'm going to say onshore because it's all American potential resources—the potential resources of oil equivalent per barrel, when you combine OCS and onshore, the potential re-

sources are in excess of 2 trillion barrels of oil. That far exceeds what one of my colleagues earlier, Mr. FLEMING from Louisiana, said. It far exceeds what they have in Saudi Arabia. In fact, in other OPEC nations.

This is rhetoric about trying to blame somebody when the issue is really something as basic as having a supply out there that consumers can utilize. What we are saying here is threefold. One of them relates directly to American jobs. Energy sector jobs are good-paying jobs. So let's encourage the energy sector in this country to expand so we can have those good-paying jobs. That's good to get the funk out of our economy. Secondly, we become less dependent on foreign sources because energy is an important part of our growing economy. And if we have a stable source of that in the future, our economy can grow with the surety we will have a stable source of energy.

But probably more important in the long term, Mr. Chairman, the reason why we should pass these bills to send the signal to the market is a national security issue. I mentioned OPEC. There are some countries in OPEC that are outwardly hostile to the United States. One of them is in South America, Venezuela. Why are we relying on them for the supply of our energy when we have these resources that I just pointed out to you in excess of 2 trillion equivalent barrels of oil?

So, Mr. Chairman, this is the first step. This is the first step of starting the process of becoming less dependent on foreign energy, and it is the first step to get our economy recovering by creating good American jobs. I urge my colleagues to support H.R. 1230.

Mr. VAN HOLLEN. Mr. Chair, on April 20, 2010, the Deepwater Horizon exploded in the Gulf of Mexico, killing eleven crewmen and causing over 4 million barrels of oil to spill into the gulf. Now, barely a year after the worst offshore oil spill in U.S. history, the majority is rushing three reckless offshore drilling bills to the floor as if the Deepwater Horizon disaster never happened.

Under the guise of combating high gasoline prices, today's legislation proposes to mandate the sale of three leases in the Gulf of Mexico and a fourth lease off the coast of Virginia—whether or not appropriate safeguards are in place. Astonishingly, the Restarting American Offshore Leasing Now Act actually requires the Secretary of the Interior to rely on demonstrably unrealistic environmental reviews conducted under the Bush Administration for purposes of approving these four leases. For example, these pre-spill analyses assumed that the worst case scenario for a Gulf oil spill would involve 4600 barrels of oil—or about 1/1000 the actual amount of oil spilled by the Deepwater Horizon.

Fortunately, the Obama Administration is taking a more responsible approach. Using the lessons we have learned from the Deepwater Horizon disaster, the Obama Administration has announced that it is prepared to move forward with the three Gulf lease sales by the

middle of 2012—after rigorous, post-spill safety and environmental standards have been put into place. Additionally, the Administration has in my judgment correctly concluded that the Virginia lease should be cancelled as posing too great a risk to the economies and environment of the mid-Atlantic states.

Mr. Chair, this bill does nothing to lower gasoline prices. It does nothing to end the billions in wasteful taxpayer subsidies going to oil companies already reporting record profits. It does nothing to invest in America's clean energy future or strengthen America's energy security. In fact, this legislation doesn't even contain a requirement that the oil produced from these leases be sold in the United States rather than exported. The only thing this bill really does is undermine the improved well design, workplace safety and environmental standards the Obama Administration is trying to put in place in order to avoid another Deepwater Horizon disaster.

This legislation is irresponsible, and it deserves a "no" vote.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today in support of H.R. 1230, "Restarting American Offshore Leasing now Act" which will require four specific offshore oil and gas lease sales within the next year. Three of these lease sales will be for locations in the Gulf of Mexico and one will be off the Coast of Virginia.

Although I have reservations about certain aspects of this bill, I nevertheless support it as a step in the right direction for America in our efforts to achieve energy independence. The central issue is promoting oil and gas related American jobs in the Gulf Coasts and to fill our Nation's oil and gas needs as we search for alternative energy sources.

THE NEED FOR FAIRNESS AND BALANCE

We must have fair and balanced discourse that considers our safety, national security, and our environment and does not place oil & gas producers at an unfair disadvantage when these very companies produce vital American jobs and contribute greatly to our economy. I am informed that there is an amendment or legislative proposal under consideration which will tax the top 5 oil and gas producers more heavily than other producers of such energy (who will receive a tax credit).

We must ensure that we afford fair and equal tax treatment of oil and gas producers and that we do not unduly single out and punish the top 5 oil and gas producers (three of which are U.S. companies: Exxon-Mobil, Chevron and Conoco Phillips). This discriminates against large oil and gas producers who provide valuable American jobs and contribute greatly to our national and local economies; while at the same time we give a tax break and preference to foreign oil companies who do not fall within the top 5 producers. This is neither fair nor balanced and allows oil companies owned by, for example Hugo Chavez and Venezuela, to receive better tax treatment than the top 3 U.S. companies. This hurts American jobs and our economy. I appeal for us to use common sense to avoid disturbing outcomes such as this as we consider oil and gas drilling, permitting and lease sale issues.

Energy is the lifeblood of every economy, especially our local economies on the Gulf Coast. Producing more of energy leads to job

creation, cheaper goods and greater economic and national security. However, the U.S. is more than 60 percent dependent on foreign sources of energy, twice as dependent today as we were just 30 years ago.

Although energy is the lifeblood of America's economic security, this growing and dangerous dependence has resulted in the loss of hundreds of thousands of good American jobs, skyrocketing consumer prices, and vulnerabilities in our national security.

The attacks of September 11, 2001 and the current instability in the Middle East places further highlights our need for legislation that will lead to our energy independence. It has always been risky to rely on unstable and unfriendly nations as the source of so much of our domestic oil supply. Currently, offshore petroleum is a source for roughly a third of domestic oil production. Any increase in our own production will place us one step closer to decreasing our dependence on foreign oil.

Energy imports now make up one third of America's trade deficit. Through this bill, America could improve the supply-demand imbalance, lower consumer prices, and increase jobs by producing more of its own energy resources.

According to the U.S. Minerals Management Service, MMS, estimates, America's deep seas on the Outer Continental Shelf, OCS, contain up to 115.3 billion barrels of oil and up to 565 trillion cubic feet of natural gas (the U.S. consumes at least 23 TCF per year) and 86 billion barrels of oil (the U.S. imports 4.5 billion per year). Even with all these energy resources, the U.S. sends more than \$300 billion (and countless American jobs) overseas every year for energy we can create at home.

Given the aftermath of the BP Oil spill, it is easy to understand the importance of addressing all safety concerns prior to the issuance of oil and gas lease sales. Since the disaster, federal safety regulations have been tightened, spill containment response capability has been enhanced and lessons have been learned. The yearlong moratorium on offshore drilling activity gave the Administration the time they needed to carefully evaluate current practices and create an effective regulatory regime.

We must make sure that as we effectively lift the offshore drilling moratorium that we properly fund that department of interior to do its job more quickly rather than cutting their budgets. I have offered an amendment to H.R. 1230 to provide for necessary and proper levels of staffing and training of technical engineers and other personnel as are necessary to review permits for drilling in the outer continental shelf land and offshore gas and oil leasing sales activities.

It is the job of the Department of the Interior to ensure that all lease sales meet the highest reasonable standards for safety. My concern is that H.R. 1230 would require the Department of Interior to act more quickly in their review of lease sale applications than their current resources allow. If the Department of the Interior moves to quickly, no one will benefit from unsafe and inadequate standards.

The Administration has already aggressively restarted drilling the outer continental shelf. To continue drilling safely, the Department of the Interior must be properly funded and staffed

with technical engineers to review permits, examine lease sales, and ensure that each application is afforded proper consideration.

As a Representative of an oil and gas producing District and state, I am aware that offshore drilling is an important component of the nation's energy supply and provides many Gulf communities with jobs and income.

We can protect the environment while drilling the outer continental shelf. Providing adequate resources for review will prevent permits from being declined due to time constraints.

Responsible offshore drilling with proper funding and staff for the DOI is a good solution, and I urge my colleagues on both sides of the aisle to compromise and help the hard working people in Gulf Coast communities get back to work.

We must get the American Gulf Coast oil and gas community back to work. Many people in the oil and gas industry in my district and the people and businesses of the Gulf Coast rely on oil and gas industry jobs and this benefits local economies and our national economy.

Through this bill, America could improve its energy supply and demand imbalance, lower consumer prices, and increase jobs by permitting the United States to produce more of its own energy resources as we pursue forms of alternative energy for the stability of our national energy production and our national security itself.

Mr. Chair, I believe it is very important to allow these oil and gas lease sales and properly fund the Department of the Interior to do its jobs. I urge my colleagues to join me in supporting H.R. 1230.

Mr. PASCRELL. Mr. Chair, I rise to express my strong opposition to H.R. 1230. Just over one year ago, the Deepwater Horizon rig exploded and sank, taking the lives of 11 workers and releasing millions of barrels of oil into the Gulf of Mexico. Instead of learning from the catastrophic economic and environmental consequences of last year's spill, H.R. 1230 would speed up leasing without introducing new safety standards and throwing environmental review to the wind.

One of these leases would be located off the shore of Virginia, just 75 miles from the shores of my home state of New Jersey. Drilling operations could potentially devastate the economy of New Jersey in the event of a spill, since the tourism and fishing industries support hundreds of thousands of jobs and billions of economic activity across the state and region.

Furthermore, this legislation does nothing to address rising gasoline prices. Instead of giving more handouts to Big Oil, we need to crack down on speculators and oil companies who post record profits on the backs of the American public. We should be investing in alternative energy sources such as wind power to reduce our dependence on foreign oil, not subsidizing Big Oil.

Mr. HOYER. Mr. Chair, all Americans are concerned about high gas prices and the growing cost they are imposing on our families. We should also be concerned that those high prices might stall our economic recovery. So what can we do to reduce the burden, both for families and for our economy as a whole?

I support safe, responsible drilling. So does President Obama: his administration has al-

ready set us on course to re-issue three out of four of the leases in question in this bill. Domestic drilling is definitely part of the solution to meeting our energy needs.

But I also know that offering drilling as the only solution is simply not up to the scale of the challenge we face. Consider that the United States already produces about 1.5 million more barrels of oil per day than it did in 2005. And last year under President Obama's watch, domestic oil production rose to its highest level since 2003. If Republicans were right, that increased production would lower prices—but in fact, oil reached a record of \$147 per barrel during the same period.

Consider the fact that Canada, unlike the U.S., produces about 1.1 million more barrels of oil than it consumes each day. Canada produces far more oil than we do—and if Republicans were right, Canadian gas prices wouldn't be rising at the same rate as ours. But they are—they're feeling the effects, just as we are.

So while I am a strong supporter of drilling, and making use of our natural resources, the fact remains that the issuing of four leases, even in the very near term, will have little to no impact on gas prices today.

In the wake of the devastating BP Gulf oil spill, we need to focus on responsible drilling as we work to increase production. We should not auction off more leases to oil companies without adequate consideration of whether offshore drilling in those locations is safe and without environmental consequences.

That's a reckless course to take, especially when the effect on today's gas prices is essentially nonexistent. While the American people want us to do everything in our power to lower gas prices, they also don't want us to set up a process that could lead to another BP Gulf oil spill.

I believe we can drill and do so responsibly, and we can expedite leases responsibly. Rather than Republicans' one-dimensional approach of simply issuing new leases, let's also ensure that oil and gas companies are diligent about producing on the leases they already own. Let's expedite leases without disregarding the environmental impacts. Let's invest in clean energy technology and efficiency to break our oil addiction—not defund those investments, as Republicans demand. Let's crack down on the financial speculation that drives gas prices up for American families.

And—when even Speaker BOEHNER agrees that the oil companies "ought to be paying their fair share"—let's end unjustifiable subsidies to some of the world's most profitable companies, subsidies that are only driving our nation deeper into debt.

That's what a real, responsible energy policy would look like—not this bill. I would have supported it if amendments had passed to ensure environmental and safety reviews to prevent another oil spill, and to ensure that offshore drilling does not conflict with military training operations off our coasts. But because Republicans rejected those amendments, this bill remains flawed. I urge my colleagues to vote against it.

Mr. LEVIN. Mr. Chair, I rise in opposition to the three oil drilling bills reported by the Republican Majority on the House Resources Committee, including the one before the House today. I urge the House to defeat them.

One year after the largest oil spill in U.S. history revealed huge safety and enforcement problems with ultra-deep offshore drilling, gas prices are going through the ceiling and the oil companies are raking in profits hand-over-fist. Exxon Mobil just posted a first-quarter profit of \$10.7 billion, a 69 percent gain from the previous year. BP reported a first-quarter profit of \$7.1 billion, a 17 percent increase. Royal Dutch Shell earned \$6.3 billion, up 30 percent. Chevron's profit grew to \$6.2 billion, a 36 percent increase. Conoco Phillips reported a first-quarter profit of \$3 billion, up 44 percent.

What is the Republican Majority's response? They want to reward the oil companies with additional offshore leases and reduce the ability of the Interior Department to review offshore oil drilling applications for safety.

Proponents of this bill would have us believe that gas prices will go down if we only open up more coastal areas to ultra-deep-water drilling and reduce safety oversight of the oil companies. This is not true. None of these bills will do anything at all to reduce gasoline prices. Even if we threw caution to the wind and opened up these new offshore areas tomorrow, it would take years for them to produce any oil.

Before opening up new offshore areas, it's fair to ask what the industry is doing with the leases they already have. A new report by the Department of Interior reveals that more than two-thirds of existing offshore leases in the Gulf of Mexico and more than half of onshore leases on federal lands are unused. Tens of millions of acres that have already been leased to industry sit idle. The industry should either use the leases they have or give them up.

At a time when our constituents are feeling the pain of rising gas prices, it is unjustifiable that our tax code subsidizes Big Oil to the tune of billions of dollars a year. The Big Five oil companies reported a combined profit of \$32 billion in the first quarter of 2011 alone. Repealing the three largest tax breaks for the Big Five oil companies would save taxpayers billions of dollars a year. Instead of rewarding the oil companies, we should at last end these unwarranted subsidies to Big Oil.

Mr. GEORGE MILLER of California. Mr. Chair, I rise in strong opposition to H.R. 1230. It appears to me that the Republican energy plan is higher gas prices and lower safety standards. This fits nicely with their overall agenda for the 111th Congress: end Medicare to pay for tax breaks for Big Oil.

Yesterday, the Republicans on the Rules Committee blocked my amendment that would require oil and gas companies to publicly disclose their environmental and worker safety record before drilling on the Outer continental shelf.

Earlier this year, Republicans voted to gut the Commodity Futures Trading Commission—the consumer watchdog agency charged with overseeing oil speculators.

And earlier today, even though BP is now reporting \$7.1 billion in quarterly profits—17 percent increase—every Republican in the House voted to block consideration of our Democratic bill, the Big Oil Welfare Repeal Act of 2011, to stop the billions of dollars in tax giveaways to the biggest oil companies who don't need taxpayer help to get their job done.

Under the Republican budget that the House approved earlier this year, people in their 40s and 50s now will be forced to pay more for health care when they retire than under current law—at least \$6,400 per year more.

But consider this: in the past three months, the top five oil companies made \$30 billion in profits and Republicans in Congress want to give them billions more in tax benefits and subsidies. The same Republicans who voted to end Medicare are now refusing to hold a vote on repealing the generous tax breaks for the largest and most profitable corporations in world history.

Make no mistake about it. Their bill on the floor today won't bring down the price at the pump. It won't end the massive taxpayer giveaways to Big Oil. It won't lead to more fuel-efficient cars. It won't crack down on oil speculators. And it won't improve the safety of offshore drilling—and in fact it will require the Interior Department to accept the very same flawed NEPA documents that helped lead to the BP spill in the Gulf.

I urge a "no" vote on H.R. 1230 because it ignores the lessons of the BP spill and it does nothing to help families or consumers. I don't think Americans want Congress to take money away from seniors only to give that very same money to oil giants.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in support of H.R. 1230.

Gas prices continue to rise. The instability in the Middle East is threatening our supply, and we already import much of our oil from countries that are hostile to our interests. We need to safely and responsibly produce our domestic resources offshore in order to reduce this reliance on foreign imports and in turn, increase our economic growth.

We cannot forget that just one production rig equals 500 jobs—100 workers on the rig, plus 400 workers supporting drilling operations onshore. This industry comprises not only oil and gas companies, but also a network of suppliers and contractors that purchase goods as diverse as forgings, valves, computers, chemicals and helicopters from suppliers in all 50 states.

That is why I support H.R. 1230, which would force lease sales in the Gulf of Mexico and offshore Virginia that were delayed or cancelled following the Macondo spill.

I encourage my colleagues to support this bill.

Mr. HASTINGS of Washington. Mr. Chair, I also want to mention that two members of the House, Congressman GERLACH and Congressman CULBERSON had wanted to cosponsor this bill but because we had to file the reports on the bills on Monday, they were unable to. I appreciate their support.

I yield back the balance of my time. The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule and shall be considered read.

The text of the bill is as follows:

H.R. 1230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Restarting American Offshore Leasing Now Act".

SEC. 2. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 216 IN THE CENTRAL GULF OF MEXICO.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 216 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than 4 months after the date of enactment of this Act.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007-2012 5-Year OCS Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 3. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 218 IN THE WESTERN GULF OF MEXICO.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 218 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than 8 months after the date of enactment of this Act.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007-2012 5-Year OCS Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 4. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 220 ON THE OUTER CONTINENTAL SHELF OFFSHORE VIRGINIA.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 220 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than one year after the date of enactment of this Act.

(b) PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.—The Secretary shall not make any tract available for leasing under this section if the President, through the Secretary of Defense, determines that drilling activity on that tract would create an unreasonable conflict with military operations.

SEC. 5. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 222 IN THE CENTRAL GULF OF MEXICO.

(a) IN GENERAL.—The Secretary of the Interior shall conduct offshore oil and gas Lease Sale 222 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable, but not later than June 1, 2012.

(b) ENVIRONMENTAL REVIEW.—For the purposes of that lease sale, the Environmental Impact Statement for the 2007-2012 5-Year OCS Plan and the Multi-Sale Environmental Impact Statement are deemed to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 6. DEFINITIONS.

In this Act:

(1) The term "Environmental Impact Statement for the 2007-2012 5 Year OCS Plan" means the Final Environmental Impact Statement for Outer Continental Shelf Oil and Gas Leasing Program: 2007-2012 (April 2007) prepared by the Secretary of the Interior.

(2) The term "Multi-Sale Environmental Impact Statement" means the Environmental Impact Statement for Proposed Western Gulf of Mexico OCS Oil and Gas

Lease Sales 204, 207, 210, 215, and 218, and Proposed Central Gulf of Mexico OCS Oil and Gas Lease Sales 205, 206, 208, 213, 216, and 222 (September 2008) prepared by the Secretary of the Interior.

The Acting CHAIR. No amendment to the bill is in order except those printed in part B of House Report 112-73. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report, equally divided and controlled by the proponent and an opponent of the amendment, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in part B of House Report 112-73.

Mr. HOLT. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, beginning at line 6, amend sections 2 and 3 to read as follows:

SEC. 2. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 216 IN THE CENTRAL GULF OF MEXICO.

The Secretary of the Interior shall conduct offshore oil and gas lease sale 216 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable after compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 3. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 218 IN THE WESTERN GULF OF MEXICO.

The Secretary of the Interior shall conduct offshore oil and gas lease sale 218 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable after compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Page 5, beginning at line 1, amend section 5 to read as follows:

SEC. 5. REQUIREMENT TO CONDUCT PROPOSED OIL AND GAS LEASE SALE 222 IN THE CENTRAL GULF OF MEXICO.

The Secretary of the Interior shall conduct offshore oil and gas lease sale 222 under section 8 of the Outer Continental Shelf Lands Act (33 U.S.C. 1337) as soon as practicable after compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

Page 5, beginning at line 15, strike section 6.

The Acting CHAIR pro tempore. Pursuant to House Resolution 245, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1220

Mr. HOLT. The authors of this bill are so eager to accelerate the giveaways to Big Oil, rather than protect the consumers, the environment and workers, that they, in their legislation,

deem that the shoddy environmental analysis conducted 4 years ago, in other words, years prior to the gulf oil blowout, to be sufficient for all future lease sales in the gulf, despite their glaring deficiencies. They deem—in other words, assume, declare—that this is sufficient. Look, this environmental impact statement was not adequate then, and we know it's not adequate now.

“Deem” is a dangerous word in legislation, especially legislation that could jeopardize worker safety and imperil the economic structure of coastal communities.

My amendment would strike the language deeming the pre-spill environmental work to be sufficient and it, therefore, would require a new, updated analysis. And the administration says they intend to and are prepared to apply a strengthened environmental analysis incorporating the lessons learned.

This amnesia bill before us learns no lessons from the worst environmental oil spill in our history. Just look at some of the conclusions contained in the outdated environmental analysis.

The EIS determined “the most likely size of an offshore spill greater than or equal to 1,000 barrels would be 4,600 barrels.” So, in other words, the pre-BP spill analysis concluded that the most likely size of the largest spill that we would see in the Gulf of Mexico would be 4,600 barrels of oil. The Deepwater Horizon produced 4 million barrels spilling into the gulf.

In addition, the analysis concluded that the total volume of oil that would be spilled from all spills over 40 years would be roughly 47,000 barrels of oil. That's less than what spilled from the Deepwater Horizon in 1 day.

The EIS concluded that, in the worst-case scenario, something like several dozen miles of gulf coastline would be affected by the spill. In reality, it affected 950 miles of coastline, across all the Gulf States.

The earlier EIS review that they would say should apply for all future drilling determined that a deepwater blowout would not present a clean-up problem because the oil would rise in a water column, surfacing almost directly above, that's their words in the EIS, that they would deem to apply, surfacing almost directly over the source location. In fact, we know the oil spewing spread in subsurface plumes for miles and miles and miles across the gulf.

For commercial fisheries, the environmental statement said “a subsurface blowout would have a negligible effect on the Gulf of Mexico fish resources or commercial fishing.” In reality, the BP spill closed 88,000 square miles of the gulf to fishing.

These are just a few examples of how this is an inadequate environmental statement. Have we learned nothing

from the largest oil spill in gulf waters?

It is so thoughtless and so boilerplate that it talks about protecting walruses in the Gulf of Mexico. This was a thoughtless environmental impact statement, surely not worthy of the people who live along the coast. This environmental impact statement is surely not worthy of those who make their living either in the oil business or the fishing business or any other business.

The fact is, we have far more information now than we did in 2007. And after immense cost, really hard-earned knowledge, we certainly should not proceed as if nothing has happened without reassessing our assumptions and our analyses. The Department of the Interior is working to hold these sales mandated by this bill, but in a reasonable timeframe.

Any leases should reflect the lessons learned from the BP spill. In other words, it should reflect reality, not some dream world. They live in a dream world economically; they live in a dream world environmentally. It is clearly a world where walruses live in the Gulf of Mexico.

My amendment, I think, is a reasonable way to proceed. It would require that we do new environmental work that builds on the hard-earned lessons that we learned from the largest oil spill in the gulf waters. It ensures that future leasing in the gulf fully considers the environmental impact of drilling.

I urge adoption of the amendment.

The Acting CHAIR. The time of the gentleman has expired.

Mr. HASTINGS of Washington. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. I yield myself such time as I may consume.

Mr. Chairman, I strongly oppose this amendment. The EIS work conducted thus far for the lease sales, and keep in mind, these lease sales were already okayed, is complete, thorough and sufficient to safely and responsibly conduct these lease sales.

It is important to note that this is only one of many environmental analyses that these leases will undergo before any drilling can start. At each of multiple stages, additional detailed environmental and safety reviews will be conducted.

The language in this bill, underlying bill, allows the administration to move forward with these lease sales in a timely manner, but does not allow drilling until at least several more layers of thorough environmental assessments and reviews are conducted on each lease sale sold at these sales. I think that's what the gentleman was getting to. The underlying bill allows that to happen.

These additional environmental studies will allow for the latest and best available information following the oil spill to be included in the studies and applied to any drilling that will take place.

In totality, the library of environmental reviews will end up totaling tens of thousands of pages, Mr. Chairman, and hundreds of hours by environmental scientists, engineers, biologists, and other professionals.

But this amendment isn't about environmental protection. This amendment is about removing the timelines in this bill to conduct these four lease sales. Keep in mind, these lease sales were already agreed to by a prior administration. The real effect of this amendment is to allow President Obama to block increased energy production by continuing to push these lease sales off past 2012 or 2017, in some cases. The real impact of this amendment is that we are right back where we started when the President canceled these lease sales, sending jobs and energy production overseas.

This administration's actions to delay these lease sales and their long record of anti-energy roadblocks is why 2011, this year, may be the first year since 1958 that no lease sales will occur in the OCS. It is for this reason that OCS revenues in 2011 will fall by more than \$9 billion compared to 2008.

By validating the existing EIS work, the bill ensures that these lease sales will move forward this year, generating revenue for taxpayers and ensuring that our leasing program continues in a timely manner, while also allowing for additional safety measures to be taken.

I urge my colleagues to vote "no" on this amendment.

I yield the balance of my time to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Here we go again. Delay, delay, delay. The poor people of my district will have to sit there, unemployed and wait again. We've gotten environmental study after environmental study after environmental study that will happen after these lease sales. This does not prevent the additional environmental studies that will take place anyhow. All it will do is force those companies to take up to three more years before we can get to our business of drilling so we can get to our business of providing for the American people affordable energy. Again, it's a delay tactic.

How do I know that? Because I can tell you that this administration pulls delay tactic after delay tactic after delay tactic in permitting wells in the Gulf of Mexico. They lift the moratorium, and then they don't issue permits.

So what do they do now, the other side of the aisle, my colleagues on the other side? They say, well, it looks like

we have a piece of legislation in front of us that's going to finally start to open the gulf back up. So let's see how many roadblocks we can put in front of it.

□ 1230

I urge my colleagues, defeat this amendment. Let's get on with the business of providing this country with affordable energy and let's get this economy rolling and let's get back to creating jobs.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in part B of House Report 112-73.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, beginning at line 19, strike "if the President, through the Secretary of Defense, determines that drilling activity on that tract would create an unreasonable conflict" and insert "until the President, in consultation with the Secretary of Defense, certifies that drilling activity on that tract would not create a conflict".

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, this simple amendment requires the President, in consultation with the Secretary of Defense, to certify that moving forward with Lease Sale 220 will not impede naval or other Department of Defense operations off Virginia's coast.

The Department of Defense issued a report which stated that 78 percent of the area of Lease Sale 220 is currently used by the Navy for equipment testing, practicing with live ordnance, underwater training, and other critical operations.

There may not be a readily available alternative for live ordnance testing. And, of course, we wouldn't want live ordnance being used near oil wells, now, would we?

As you know, Norfolk is the largest naval base in America. It is critical for our national security and has bene-

ficial side effects, obviously, for the regional economy. But billions of dollars have been invested in Norfolk and in that test bed area.

Perhaps it is possible for offshore oil exploration or wind energy development to be compatible with continued naval operations. That is why we asked for certification. But if energy development forced the Navy to relocate, our national security would suffer, preparedness would suffer, and billions of dollars of extra cost in Federal expenditures would be incurred. Virginia's economy of course would also suffer, as we could lose more than \$10 billion in annual contracting income derived from that base.

This amendment ensures that energy development would not cripple naval operations by simply requiring the President with the Secretary of Defense to certify that moving forward with Lease Sale 220 won't impede naval operations and harm national security.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

While I appreciate what the gentleman is trying to accomplish, the underlying bill already protects the Defense Department's responsibilities in the Outer Continental Shelf of Virginia. So this amendment is totally unnecessary.

Because preserving the working relationship between the Department of Defense and the Department of the Interior is of great importance to the Virginia congressional delegation and to the Natural Resources Committee, H.R. 1230 already ensures the mutual goals of national security and energy independence by requiring that the lease sale be conducted with stipulations on surface use, as well as additional requirements to make certain that the leases issued in this area would not impact defense operations.

I also want to point out that bipartisan support for energy production offshore of Virginia does exist. According to a study by the Southeast Energy Alliance, offshore energy development in Virginia could create nearly 2,000 jobs in Virginia and produce more than one-half billion barrels of oil and 2.5 trillion cubic feet of natural gas.

This natural gas is important, because in the last few years the Dominion liquefied natural gas terminal in Baltimore, Maryland, received huge amounts of foreign natural gas. Developing energy production in offshore Virginia could displace foreign natural gas as well as mean more energy for Virginia.

Now, in context, one-half billion barrels of oil is enough to fuel all 4 million cars in Virginia for more than 4 years,

and 2.5 trillion cubic feet of natural gas could heat all 3.2 million Virginia households for more than 11 years. And, developing resources off Virginia's coast could generate nearly \$19.5 billion in revenues to Federal, State, and local governments.

Virginians, along with their Governor, both Democratic Senators, and a majority of the congressional delegation here in Congress, and the city council of Virginia Beach, off of which much of the development would take place, do support offshore leasing and development because they understand it can bring much-needed jobs and revenues to the State.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I thank my friend from Colorado for his remarks. But, frankly, if he is so certain of the protections contained in this legislation, then surely this extra special amendment to make sure that Virginia is protected would not find objection on the other side of the aisle.

I yield 2 minutes to my friend from Northern Virginia (Mr. MORAN).

Mr. MORAN. I thank my good friend and colleague.

Mr. Chairman, the U.S. Atlantic fleet is based at the Norfolk Naval Base and operates in the same waters that this legislation proposes to sell for oil and gas development. Does the Republican majority really want to jeopardize those thousands and thousands of jobs that are identified with that naval base?

According to a report issued by the Secretary of Defense, there should be no lease sales in 72 percent of the proposed lease area that this bill directs be sold to oil and gas companies because it is in conflict with live ordnance, air-surface missile, and gunnery exercises, shipboard qualification trials, carrier qualifications, and development and operational follow-on testing and evaluation, and an additional 5 percent would interfere with aerial operations and should not host permanent surface structures such as drilling rigs.

In other words, more than three quarters of the area that this legislation directs be sold to oil and gas companies is in conflict with our national security interests, and a good deal of the remaining 22 percent is within shipping lanes of the country's two busiest commercial ports, Hampton Roads and Baltimore.

Mr. Chairman, our coastal waters are a shared resource that host a number of competing and sometimes incompatible uses. Clearly, direct national security interests should be weighed at least alongside the indirect benefit of unproven oil and gas developments that won't occur for many, many, many years to come.

This amendment would ensure national security interests would prevail. But it also underscores the point that

the majority seems too anxious to dismiss: The interests of our coastal fisheries and the tourism industry. Those industries generate billions in income and sustain the livelihood of millions of Americans. Their future is placed at risk when Congress passes laws that disregard the lessons past disasters have taught by mandating shortcuts to more drilling.

I urge my colleagues to accept this amendment and reject the underlying bill.

Mr. CONNOLLY of Virginia. I yield 1 minute to my friend from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I rise in support of the amendment.

This amendment will ensure that necessary safeguards are in place to protect military training operations, NASA missions, and port access in certain offshore areas.

In the Commonwealth of Virginia, the United States Navy trains extensively in the Virginia Capes Operations Area off the coast of Virginia. Additionally, NASA's Wallops Flight Facility on Virginia's Eastern Shore requires a clear and unrestricted rocket and target launch range off Virginia's coast.

I have long had reservations about drilling off the coast of Virginia. I believe the environmental, economic, and national security risks for that drilling far outweigh any potential benefits. But if drilling will occur, this amendment will ensure that commonsense and responsible processes will be in place to safeguard against obvious negative consequences to our military, to NASA, and to port operations.

I urge my colleagues to support this amendment.

□ 1240

Mr. CONNOLLY of Virginia. Mr. Chairman, may I ask how much time is remaining.

The Acting CHAIR. The gentleman from Virginia has 30 seconds remaining, and the gentleman from Colorado has 2½ minutes remaining.

Mr. CONNOLLY of Virginia. Before I yield back, I just want to say I appreciate again the reassurances from our colleague from Colorado, but many of us in Virginia want to be sure.

Again, this amendment is simple. It does not stop oil production or oil drilling offshore. It simply requires, first, a certification that the all-important naval base at Norfolk is protected and that the testing bed offshore is not in jeopardy, given the billions of dollars we have invested in national security in that area and its importance to our regional economy. We think it is a reasonable protection, a reasonable measure.

I urge adoption of the amendment.

I yield back the balance of my time.

Mr. LAMBORN. In closing, Mr. Chairman, I would just point out that

the Governor of Virginia supports this, the majority of the House Members from Virginia support this without the amendment, and the Democratic Senators from Virginia have in the past agreed to legislation identical in wording to what this legislation says about offshore activity. So because the offshore activities are adequately and responsibly dealt with in the bill as it is, I would urge a "no" vote on the amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part B of House Report 112-73 on which further proceedings were postponed in the following order:

Amendment No. 1 by Mr. HOLT of New Jersey.

Amendment No. 2 by Mr. CONNOLLY of Virginia.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 174, noes 240, not voting 18, as follows:

[Roll No. 295]

AYES—174

Andrews	Butterfield	Connolly (VA)
Baca	Capps	Conyers
Baldwin	Capuano	Costello
Bass (CA)	Cardoza	Courtney
Bass (NH)	Carnahan	Cuellar
Becerra	Carney	Cummings
Berkley	Carson (IN)	Davis (CA)
Berman	Castor (FL)	Davis (IL)
Bishop (GA)	Chu	DeFazio
Bishop (NY)	Cicilline	DeGette
Blumenauer	Clarke (MI)	DeLauro
Bono Mack	Clarke (NY)	Deutch
Boswell	Clay	Dicks
Brady (PA)	Cleaver	Dingell
Braley (IA)	Clyburn	Doggett
Brown (FL)	Cohen	Doyle

Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson (IL)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)

NOES—240

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishkek
Berg
Biggart
Billirakis
Bishop (UT)
Black
Blackburn
Bonner
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Cooper
Costa
Cravaack
Crawford

Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reichert
Reyes
Richardson
Richmond
Ros-Lehtinen
Roybal-Allard

Ruppersberger
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Sherman
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Pitts
Platts
Poe (TX)
Posey
Price (GA)
Quayle
Reed

Ackerman
Bilbray
Crowley
Emerson
Engel
Giffords

Rehberg
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson

NOT VOTING—18

Hunter
Johnson, Sam
King (NY)
Meeks
Nadler
Oliver

Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Pascrell
Pompeo
Rangel
Rothman (NJ)
Rush
Weiner

Courtney
Critz
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holt
Honda
Hoyer
Inlee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating

Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Owens
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Reyes
Richardson

NOES—240

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggart
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole

Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Flake
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

Richmond
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Langevin
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Neal
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

Ms. JENKINS and Mr. ROSKAM changed their vote from “aye” to “no.” Mr. CUMMINGS, Mrs. BONO MACK, and Mr. ELLISON changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 240, not voting 16, as follows:

[Roll No. 296]

AYES—176

Altmire
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Billirakis
Bishop (GA)
Bishop (NY)
Blumenauer

Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)

Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggart
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole

Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fincher
Fitzpatrick
Flake
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)

Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Lucas
Luetkemeyer

Lummis	Petri	Sensenbrenner
Lungren, Daniel	Pitts	Sessions
E.	Platts	Shimkus
Mack	Poe (TX)	Shuster
Manzullo	Pompeo	Simpson
Marchant	Posey	Smith (NE)
Marino	Price (GA)	Smith (NJ)
Matheson	Quayle	Smith (TX)
McCarthy (CA)	Reed	Southerland
McCaul	Rehberg	Stearns
McClintock	Reichert	Stivers
McCotter	Renacci	Stutzman
McHenry	Ribble	Sullivan
McKeon	Rigell	Terry
McKinley	Rivera	Thompson (PA)
McMorris	Roby	Thornberry
Rodgers	Roe (TN)	Tiberi
Meehan	Rogers (AL)	Tipton
Mica	Rogers (KY)	Turner
Miller (MI)	Rogers (MI)	Upton
Miller, Gary	Rohrabacher	Walberg
Mulvaney	Rokita	Walden
Murphy (PA)	Rooney	Walsh (IL)
Myrick	Roskam	Webster
Neugebauer	Ross (AR)	West
Noem	Ross (FL)	Westmoreland
Nugent	Royce	Whitfield
Nunes	Runyan	Wilson (SC)
Nunnelee	Ryan (WI)	Wittman
Olson	Scalise	Wolf
Palazzo	Schilling	Womack
Paul	Schmidt	Woodall
Paulsen	Schock	Yoder
Pearce	Schweikert	Young (AK)
Pence	Scott (SC)	Young (IN)
Peterson	Scott, Austin	

NOT VOTING—16

Ackerman	Giffords	Pascarell
Bilbray	Johnson, Sam	Rangel
Crowley	King (NY)	Rothman (NJ)
DeLauro	Meeks	Weiner
Emerson	Nadler	
Engel	Oliver	

□ 1313

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. YODER). Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS of New Hampshire) having assumed the chair, Mr. YODER, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1230) to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes, and, pursuant to House Resolution 245, reported the bill back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. LUJÁN. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. LUJÁN. I am opposed to it in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Luján moves to recommit the bill H.R. 1230 to the Committee on Natural Resources

with instructions to report the same back to the House forthwith with the following amendment:

Page 5, after line 14, insert the following (and redesignate accordingly):

SEC. 5. NO FOREIGN SALES.

The leases offered for sale under this Act shall specify that all oil and natural gas produced under such leases shall be offered for sale only in the United States.

Mr. HASTINGS of Washington. Mr. Speaker, I reserve a point of order.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from New Mexico is recognized for 5 minutes in support of his motion.

Mr. LUJÁN. Mr. Speaker and my colleagues, American families are hurting right now. When the cost of gas at the pump rises, that means that the cost of groceries goes up, the cost of goods goes up, and the cost of just getting to work goes up. The American people need relief; and the way this legislation is written, it will do nothing to decrease the price at the pump, and it will do nothing to lower the international price of oil.

All day today, my colleagues on the other side of the aisle have suggested that drilling more is the solution to high gas prices. If my Republican colleagues really believe that increasing drilling in the U.S. will lower gas prices, then we should all be able to agree that oil produced in America should stay in America to help American families and American businesses.

That's why I am offering this final amendment today—to ensure that oil resources that are produced through leasing under this act are kept here and sold here in the United States. Simply put, this means, if we produce it here, we should keep it here for the American people.

Mr. Speaker, I come from a State that has oil and gas production, and we know how important domestic production is. We don't disagree that production in the United States is important. Personally, I favor a more comprehensive plan to reduce our dependence on foreign sources of oil, one that includes natural gas, wind, solar, one that grows new industries and creates jobs that cannot be outsourced out of the United States.

While I disagree with my Republican colleagues' approach, I think that we can all agree that something must be done to reduce the price of gasoline for consumers. The American people want us to work together to lower gas prices, plain and simple. They know our country is far too reliant on foreign oil, and they want us to do something real about it, plain and simple. Mr. Speaker, some things deserve to be repeated, and I'll tell you that the American people want us to come together to lower gas prices, plain and simple.

At a time when gas prices are at historic highs, if we're going to produce

more from American drilling, we should keep it in America to help Americans. We've heard from the other side that the solution is as simple as producing more oil in the U.S., but that's not going to lower costs in international energy markets. That's not how it works.

Mr. Speaker, U.S. domestic oil production is already at its highest level in almost a decade, and that's a fact. In the last 2 years, oil production from the U.S. Outer Continental Shelf has increased by more than a third, and that's a fact. So, while we see our domestic production going up, the price at the pump is going up even higher, and that's hurting families.

Without this amendment, there is nothing in the Republican bill that would guarantee that oil produced under this act would stay in the United States to offer relief for the American people. Yet, Mr. Speaker, we can change all of that, and we can do it together and do what's right for the American people. We can support this amendment that simply says that oil produced in the United States under these leases would stay in the United States.

My Republican colleagues will tell us that this bill is about sending a message to OPEC and to the world that we are willing to produce our own oil. If we're going to send a message, Mr. Speaker, let's send the message that when we drill on the taxpayers' land that America's oil should stay right here in America to lower prices at the pump, plain and simple.

To my colleagues, when you go home to your districts this weekend, ask your constituents if they think oil produced in the U.S. should be kept in the U.S. and refined in the U.S. for American consumers, American families, and American businesses or if they think it should be shipped out of the country.

What do you think they'll say?

Quite simply, that is the choice, and that is all this final amendment says. It will not kill this bill. If it is adopted, it will be immediately incorporated into the underlying bill, and the bill will be voted upon immediately. Let's do something for the American people, and plain and simple, let's support this amendment. I urge my colleagues to vote "yes."

I yield back the balance of my time.

□ 1320

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members that remarks in debate must be addressed to the Chair.

Mr. HASTINGS of Washington. Mr. Speaker, I withdraw my reservation, and I rise in opposition to the motion.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. HASTINGS of Washington. Mr. Speaker, I oppose this motion to recommit.

Quite frankly, this amendment is redundant, unnecessary, and another attempt to divert attention from the real issue of increasing energy production in order to create jobs, lower energy costs, and improve national security by lessening our dependence on foreign oil.

First, Mr. Speaker, exports are already subject to the Export Administration Act. Before any oil or gas can be exported, the President must find that the exports will not diminish the total quantity or quality of petroleum available to the U.S. and the national interests and are in accord with the provisions of the Export Administration Act of 1969. If the President finds that exports are in violation of the Export Administration Act, an executive order can halt all these exports if Congress finds that the exports are in conflict with the national interests, and they can act accordingly.

Now, having said it is covered under law, let's really get to the bottom line. This is another distraction from the same people that brought us cap-and-trade. Now, that should probably say everything right there because I find it absolutely ironic my good friend from New Mexico making this argument that if we went out and talked to our constituents if they would like to buy American-made energy, he suggested they would say overwhelmingly yes. Well, of course, they would. They would also say why aren't we drilling for sources here in the United States, offshore in the Gulf of Mexico and onshore; and that's what these three bills do.

So I urge my colleagues to vote against this motion to recommit and pass the bill.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. LUJÁN. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 171, noes 238, not voting 23, as follows:

[Roll No. 297]

AYES—171

Altmire	Becerra	Boswell
Andrews	Berman	Brady (PA)
Baca	Bishop (GA)	Braley (IA)
Baldwin	Bishop (NY)	Brown (FL)
Barrow	Blumenauer	Butterfield
Bass (CA)	Boren	Capps

Capuano	Hinojosa	Pelosi
Cardoza	Holden	Perlmutter
Carnahan	Holt	Peters
Carney	Honda	Peterson
Carson (IN)	Hoyer	Pingree (ME)
Castor (FL)	Inslee	Price (NC)
Chandler	Israel	Quigley
Chu	Jackson (IL)	Rahall
Cicilline	Jackson Lee	Richmond
Clarke (MI)	(TX)	Ross (AR)
Clarke (NY)	Johnson (GA)	Roybal-Allard
Clay	Johnson, E. B.	Ruppersberger
Cleaver	Jones	Rush
Clyburn	Kaptur	Ryan (OH)
Cohen	Keating	Sanchez, Linda
Connolly (VA)	Kildee	T.
Conyers	Kind	Sarbanes
Costa	Kissell	Schakowsky
Costello	Kucinich	Schiff
Courtney	Langevin	Schrader
Critz	Larsen (WA)	Schwartz
Cuellar	Larson (CT)	Scott (VA)
Davis (CA)	Lee (CA)	Scott, David
Davis (IL)	Levin	Serrano
DeFazio	Lewis (GA)	Sewell
DeGette	Lipinski	Sherman
DeLauro	Loebback	Shuler
Deutch	Lofgren, Zoe	Sires
Dicks	Lowe	Slaughter
Dingell	Luján	Smith (WA)
Doggett	Lynch	Speier
Donnelly (IN)	Maloney	Stark
Doyle	Markey	Sutton
Edwards	Matheson	Thompson (CA)
Ellison	Matsui	Thompson (MS)
Eshoo	McCarthy (NY)	Tierney
Farr	McCollum	Tonko
Fattah	McDermott	Towns
Filner	McGovern	Tsongas
Fudge	McIntyre	Velázquez
Garamendi	McNery	Visclosky
Gonzalez	Michaud	Walz (MN)
Green, Al	Miller (NC)	Wasserman
Green, Gene	Miller, George	Schultz
Grijalva	Moore	Waters
Gutierrez	Moran	Watt
Hanabusa	Murphy (CT)	Waxman
Hastings (FL)	Napolitano	Welch
Heinrich	Neal	Wilson (FL)
Higgins	Pallone	Woolsey
Himes	Pastor (AZ)	Wu
Hinche	Payne	Yarmuth

NOES—238

Adams	Coffman (CO)	Gowdy
Aderholt	Cole	Granger
Akin	Conaway	Graves (GA)
Alexander	Cooper	Graves (MO)
Amash	Cravaack	Griffin (AR)
Austria	Crawford	Griffith (VA)
Bachmann	Crenshaw	Grimm
Bachus	Culberson	Guinta
Barletta	Davis (KY)	Guthrie
Bartlett	Denham	Hall
Bartlett	Dent	Hanna
Barton (TX)	DesJarlais	Harper
Bass (NH)	Diaz-Balart	Harris
Benishak	Dold	Hartzer
Berg	Dreier	Hastings (WA)
Biggart	Duffy	Hayworth
Bilirakis	Duncan (SC)	Heck
Bishop (UT)	Duncan (TN)	Heller
Black	Ellmers	Hensarling
Blackburn	Farenthold	Heger
Bonner	Fincher	Herrera Beutler
Bono Mack	Fitzpatrick	Huelskamp
Boustany	Flake	Huizenga (MI)
Brady (TX)	Fleischmann	Hultgren
Brooks	Fleming	Hunter
Broun (GA)	Flores	Hurt
Buchanan	Forbes	Issa
Bucshon	Fortenberry	Jenkins
Buerkle	Fox	Johnson (IL)
Burgess	Frank (MA)	Johnson (OH)
Burton (IN)	Franks (AZ)	Jordan
Calvert	Frelinghuysen	Kelly
Camp	Gardner	King (IA)
Campbell	Garrett	Kingston
Canseco	Gerlach	Kinzinger (IL)
Cantor	Gibbs	Kline
Capito	Gibson	Labrador
Carter	Gingrey (GA)	Lamborn
Cassidy	Gohmert	Lance
Chabot	Goodlatte	Landry
Chaffetz	Gosar	Lankford
Coble		

Latham	Palazzo	Schweikert
LaTourette	Paul	Scott (SC)
Latta	Paulsen	Scott, Austin
Lewis (CA)	Pearce	Sensenbrenner
LoBiondo	Pence	Sessions
Long	Petri	Shimkus
Lucas	Pitts	Shuster
Luetkemeyer	Platts	Simpson
Lummis	Poe (TX)	Smith (NE)
Lungren, Daniel	Pollis	Smith (NJ)
E.	Pompeo	Smith (TX)
Mack	Posey	Southerland
Manzullo	Price (GA)	Stearns
Marchant	Quayle	Stivers
Marino	Reed	Stutzman
McCarthy (CA)	Rehberg	Sullivan
McCaul	Reichert	Terry
McClintock	Renacci	Thompson (PA)
McCotter	Ribble	Thornberry
McHenry	Rigell	Tiberi
McKeon	Rivera	Tipton
McKinley	Roby	Turner
McMorris	Roe (TN)	Upton
Rodgers	Rogers (AL)	Walberg
Meehan	Rogers (KY)	Walden
Mica	Rogers (MI)	Walsh (IL)
Miller (FL)	Rohrabacher	Webster
Miller (MI)	Rokita	West
Miller, Gary	Rooney	Westmoreland
Mulvaney	Ros-Lehtinen	Whitfield
Murphy (PA)	Roskam	Wilson (SC)
Myrick	Ross (FL)	Wittman
Neugebauer	Royce	Wolf
Noem	Runyan	Womack
Nugent	Ryan (WI)	Woodall
Nunes	Scalise	Yoder
Nunnelee	Schilling	Young (AK)
Olson	Schmidt	Young (IN)
Owens	Schock	Young (FL)

NOT VOTING—23

Ackerman	Giffords	Rangel
Berkley	Hirono	Reyes
Blibray	Johnson, Sam	Richardson
Crowley	King (NY)	Rothman (NJ)
Cummings	Meeks	Sanchez, Loretta
Emerson	Nadler	Van Hollen
Engel	Olver	Weiner
Gallegly	Pascarell	

□ 1339

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Ms. BERKLEY. Mr. Speaker, on rollcall No. 297 had I been present I would have voted "aye." I was unfortunately detained and unable to vote.

Mr. VAN HOLLEN. Mr. Speaker, on rollcall No. 297, I was unavoidably detained. Had I been present, I would have voted "aye."

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. HASTINGS of Washington. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 266, noes 149, not voting 17, as follows:

[Roll No. 298]

AYES—266

Adams	Bachus	Biggart
Aderholt	Barletta	Bilirakis
Akin	Barrow	Bishop (GA)
Alexander	Bartlett	Bishop (UT)
Altmire	Barton (TX)	Black
Amash	Bass (NH)	Blackburn
Austria	Benishak	Bonner
Bachmann	Berg	Bono Mack

Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Conyers
Cooper
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Farenthold
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall

Hanna
Harper
Harris
Hartzler
Hastings (WA)
Hayworth
Heck
Heller
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huiizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jordan
Kelly
King (IA)
Kingston
Kinzinger (IL)
Kline
Labadador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence

NOES—149

Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)

Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)

Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Reyes
Ribble
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Sewell
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Eshoo
Farr
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin

Ackerman
Bilbray
Crowley
Emerson
Engel
Gallegly

Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Napolitano
Neal
Pallone
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Ros-Lehtinen
Roybal-Allard
Ruppersberger

NOT VOTING—17

Giffords
Green, Gene
Johnson, Sam
King (NY)
Meeks
Nadler

□ 1359

Messrs. MILLER of North Carolina, SCHRADER, BUTTERFIELD, and PRICE of North Carolina changed their vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GENE GREEN of Texas. Mr. Speaker, on rollcall No. 298, had I been present, I would have voted “aye.”

PERSONAL EXPLANATION

Mr. PASCARELL. Mr. Speaker, I want to state for the RECORD that on May 5, 2011, I missed the six rollcall votes of the day, as I was attending a wreath laying ceremony at Ground Zero with President Obama.

Had I been present, I would have voted “nay” on rollcall vote No. 293, on Ordering the Previous Question on H. Res. 245.

Had I been present, I would have voted “nay” on rollcall vote No. 294, On Agreeing to H. Res. 245—Rule providing for consideration of both H.R. 1229—Putting the Gulf of Mexico Back to Work Act and H.R. 1230—Restarting American Offshore Leasing Now Act.

Had I been present, I would have voted “aye” on rollcall vote No. 295, on Agreeing to the Holt Amendment.

Had I been present, I would have voted “aye” on rollcall vote No. 296, on Agreeing to the Connolly (VA)/Moran (VA)/Sarbanes (MD) Amendment.

Had I been present, I would have voted “aye” on rollcall vote No. 297, on the Motion to Recommit H.R. 1230 with Instructions.

Finally, had I been present, I would have voted “nay” on rollcall vote No. 298, on Passage of H.R. 1230.

PERSONAL EXPLANATION

Mr. CROWLEY. Mr. Speaker, on May 5, 2011, I was absent for 6 rollcall votes because I joined the President at a wreath laying ceremony in honor of victims of 9/11 in New York.

If I had been here, I would have voted: “no” on rollcall vote 293; “no” on rollcall vote 294; “yes” on rollcall vote 295; “yes” on rollcall vote 296; “yes” on rollcall vote 297; and “no” on rollcall vote 298.

PERSONAL EXPLANATION

Mr. KING of New York. Mr. Speaker, today I was at Ground Zero in New York with the President and 9/11 families and therefore was unavailable for votes in Washington.

However, if I had been here this is how I would have voted: rollcall No. 293: “yea”; rollcall No. 294: “yea”; rollcall No. 295: “no”; rollcall No. 296: “no”; rollcall No. 297: “no”; and rollcall No. 298: “yes.”

RESIGNATION FROM THE HOUSE OF REPRESENTATIVES

The SPEAKER pro tempore laid before the House the following resignation from the House of Representatives:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 4, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, The Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER, I hereby give notice of my resignation from the United States House of Representatives, effective Monday, May 9, 2011 at 1:30 p.m. Eastern Daylight Time. Included is a copy of the letter I submitted to Governor Brian Sandoval.

Serving Nevada's Second Congressional District has been one of the greatest honors of my life. No state has been harder hit by the recession than Nevada. My state has the unfortunate distinction of leading the nation in unemployment, foreclosures, and bankruptcy. There is no question that our nation needs to change the way we do business if we are going to get our economy back on track. It has been a privilege to join my House colleagues in the fight to restore fiscal responsibility to Washington and work towards a more prosperous future for our great nation.

I look forward to continuing our important work in the United States Senate.

Sincerely,

DEAN HELLER,
Member of Congress.

HOUSE OF REPRESENTATIVES,
Washington, DC, May 4, 2011.

Hon. BRIAN SANDOVAL,
Governor, State of Nevada, State Capitol, Carson City, NV.

DEAR GOVERNOR SANDOVAL, I hereby submit my resignation as United States Representative of Nevada's Second Congressional District, effective Monday, May 9, 2011 at 1:30 p.m. Eastern Daylight Time.

Serving Nevada's Second Congressional District has been one of the greatest honors

of my life. As you know all too well, no state has been harder hit by the recession than Nevada. There is a lot of hard work ahead to get our state and nation moving in the right direction. Nevadans across our state have been struggling with job loss, high gas prices, and foreclosures. There is no question that our nation needs to change the way we do business if we are going to get our economy back on track and get Nevadans working again. These issues will remain my top priorities in the United States Senate.

I look forward to our continued work together to promote policies that strengthen our economy and improve Nevadans' quality of life.

Sincerely,

DEAN HELLER,
Member of Congress.

□ 1400

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1081

Mr. STEARNS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 1081.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

HOOR OF MEETING ON TOMORROW

Mr. STEARNS. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon tomorrow, and further, when the House adjourns on that day, it adjourn to meet at noon on Tuesday, May 10, 2011, for morning-hour debate and 2 p.m. for legislative business.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

APPOINTMENT OF MEMBER TO THE MEXICO-UNITED STATES INTERPARLIAMENTARY GROUP

The SPEAKER pro tempore. Pursuant to 22 U.S.C. 276h, and the order of the House of January 5, 2011, the Chair announces the Speaker's appointment of the following Member of the House to the Mexico-United States Interparliamentary Group:

Mr. PASTOR, Arizona

RECOGNIZING CONTRIBUTIONS OF ENHANCED INTERROGATION TECHNIQUES IN WAR AGAINST TERROR

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, as we have appropriately celebrated the successful mission to take out Osama bin Laden, there has been one discordant note sounded in the Halls of Congress, and that is with the testimony of the At-

torney General of the United States. There still is a reluctance on the part of this administration to recognize the major contribution made to this country by those who were involved in enhanced interrogation techniques which resulted in part of the information, the intelligence information, that allowed us to find Osama bin Laden.

The reason I bring this up is this administration has said in the past that certain types of enhanced interrogation techniques equaled torture. I do not believe that to be true, and for that to remain on the record subjects those men and women who have done a tremendous job for this country, which has resulted in one of the successful missions, in addition to other missions that have taken place in our war against terror, subjects them to the cloud of prosecution in the future and the accusation that they involved themselves in forms of conduct that would be defined as torture by some of the highest officials in the United States. That is something that we cannot allow to happen.

When we have the CIA Director indicate that we did receive information as a result of some of these activities, it seems to me that we are duty bound to clear up the record and to thank those men and women, not condemn them.

FEDERAL DISASTER ASSISTANCE NEEDED FOR TEXAS

(Mr. CANSECO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CANSECO. Mr. Speaker, Texas is burning. Since November, Texas has experienced over 9,000 wildfires that have burned over 2 million acres and destroyed more than 400 homes and several thousand structures. These fires continue to rage, threatening the lives and property of Texans.

The State of Texas and local governments, along with our firefighters and our other first responders, have done a magnificent job of responding to the threats of these wildfires. However, the resources of the State and the local government have been stretched responding to fires we have already had; and the threat of wildfires continues. Without additional assistance, the capacity to respond to future wildfires will be greatly diminished. That is why Governor Perry requested a major disaster declaration and Federal disaster assistance. Unfortunately, President Obama denied this request.

Mr. Speaker, many in Texas and in my district can't seem to understand the President's decision. Governor Perry intends to appeal the President's decision, and I hope the President will reconsider.

REMEMBERING THOSE LOST IN THE APRIL STORMS

(Mr. GRIFFIN of Arkansas asked and was given permission to address the House for 1 minute.)

Mr. GRIFFIN of Arkansas. Mr. Speaker, I rise today to bring everyone's attention to the extraordinarily destructive storms that have raged throughout the South and particularly in my home State of Arkansas. In my home State, we have seen flooding and tornado damage wreak havoc on local communities. We have seen the lives of our loved ones tragically taken before their time.

Last week, I personally surveyed the damage in central Arkansas in my district. In the little town of Vilonia, a town north of Little Rock, 70 homes were destroyed and an additional 50 were damaged. I toured Little Rock Air Force Base and saw the damage to structures there and the damage to our C-130s that are so important to our national security. In Hot Springs Village, I saw the damage left in the wake of the latest round of the storms that claimed the life of an 8-month-old boy there. He is one of the 22 Arkansans killed by the storms in April.

I ask my colleagues and all Americans listening today to keep the families affected by this tragedy in their thoughts and prayers.

RECOGNIZING THOSE WHO TRAINED AT THE NAVAL STA- TION GREAT LAKES

(Mr. DOLD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DOLD. Mr. Speaker, when the President sought to take out America's most wanted and dangerous enemy, he called on an elite team of the United States Navy to execute the mission.

The 10th District of Illinois is home to an important Navy base. The Naval Station Great Lakes is the first stop of every single Navy recruit. It is likely that those who executed the mission in Pakistan on Sunday started their training at this base. Today, I want to recognize those who got the job done and the outstanding training provided at Naval Station Great Lakes.

I applaud the continued heroic efforts of our Armed Forces and intelligence personnel, and particularly those who under the cover of a dark Pakistan night dropped into a fortified compound to give justice to millions of people around the world.

Mr. Speaker, our fight against those who want to destroy democracies around the world continues, but today we can press ahead as confident as ever in our Nation's ability to confront and triumph over evil.

MARKING THE HOLOCAUST DAYS OF REMEMBRANCE

(Ms. HAYWORTH asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. HAYWORTH. Mr. Speaker, this week marks the Holocaust Days of Remembrance. In 1938, there was a family that lived in Vienna, Austria. The father was a successful tea merchant. The boys were both talented and bright. And when the Anschluss came and the Nazis arrived, the younger son watched as his mother signed away all of their possessions.

The mother made her way to the United States, because she had relatives here. The older of the two boys was smuggled out of Austria in the trunk of a car. The younger boy was taken to an orphanage, a boy's orphanage in Belgium.

The father, Sigmund, was not able to obtain passage, as the boys eventually did to the United States, and he ended up in the free city of Shanghai, where he reestablished his tea business. He kept writing to his wife, Rose, over the ensuing 2 years, and then she stopped hearing from him. It turned out that Sigmund Haimovitz had died in Shanghai of malaria.

His younger son, Henry, was my father-in-law, and I want to remember Sigmund Haimovitz and his brave family and all those who perished as a result of the terrible events of the Holocaust.

IMPORTANT POINTS FOR AMERICA TO CONSIDER

The SPEAKER pro tempore (Mr. BUCSHON). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 60 minutes as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, it is my honor and privilege to address you here on the floor of the United States House of Representatives and to have an hour to invest in laying out some points here that I think are important for you to consider. And as America listens on, hopefully it will stimulate some of the thought process and help bring people to some conclusions.

The first thing that I think that any one of us wants to speak of and to is the President's announcement which took place very late on Sunday night that the Special Forces team had been successful in taking out Osama bin Laden.

Our first response to that news, that happy news for all of America, I think, is to congratulate the team that fast-rope down into that compound, those who put their lives on the line to put an end to the life of perhaps the most evil man on the planet, Osama bin Laden. And I congratulate the President of the United States for issuing

the order and making the decision to go into that compound in the fashion that they did.

□ 1410

He had a number of options. As the news has reported, and I accept this to be fact, that the President sat in and led five different discussions to evaluate the quality of the intelligence that was available and the tactics that might be used in that compound and that he gave the order.

Some have said it was the most courageous order a President had given in their memory or lifetime. They were all from the administration. It was a good order, there's no question. I don't think it was the most courageous. It didn't lack courage. But there are a number of other big decisions that stand up there, I think, in a higher profile than this one. But it was the right decision, it was a good decision, and the President had to take a chance.

He could have ordered a massive bombing raid on that compound and, as some have said, turned it into a glass parking lot, which would have raised the level of the degree of success but firmly eliminated the chance to show that Osama bin Laden was in that compound. He could have dropped a single bomb, a one-ton-plus bomb from a Predator, that would have had a reasonable chance of succeeding in taking out the most evil man on the planet. Or he could have just done nothing. Or he could have ordered the Special Forces in to fast-rope inside that compound and do what they did. Of those options, I believe the President chose the right one, and I congratulate him for that decision.

Yet in sitting here and listening to the gentleman from California (Mr. LUNGREN) talk about the situation with the intelligence that we had, it is clear to me, and it has been clear to me for a long time, that one of the essential links in the intelligence that led us to Osama bin Laden in the compound in Pakistan was information that was given up in part by Khalid Sheikh Mohammed in enhanced interrogation encounters that he had, probably before he went to Gitmo. That information then was worked, it was matched up with other information, and the thread was followed. In fact, the courier was followed to the compound in Pakistan.

It's ironic that the President of the United States campaigned against such enhanced interrogation tactics. It's ironic that many whom I serve with on the Judiciary Committee lined up against George W. Bush and accused him of ordering torture against people who had been attacking and killing Americans, terrorists of the like of Khalid Sheikh Mohammed and a very small number of others.

I agree with the gentleman from California. Waterboarding is not torture. If it were torture, we would be

torturing our own Special Forces troops. I would be willing to wager—and this I can't verify not knowing the identities of the individuals who did fast-rope down into that compound—that a number of those very same forces that went into the compound that took out Osama bin Laden in their training were likely waterboarded as a part of their training. I've sat in my office and I've gone out in the field and I've talked to those Special Forces personnel who were waterboarded as part of their training. It is not a painful procedure, but it is one that gives one the sensation that they are drowning. It's easy enough to go on the Internet and read the material there, Mr. Speaker. It's an enhanced and effective interrogation technique, and in all of the research that I did—and I read back in story after story of this and had others dig down in it—I found one case where there was a fatality that was nearly a century ago that was because of the brutal tactics that they used in conjunction with the waterboarding. In any case, there are many Americans that are alive today because of the information that our people were able to acquire because of enhanced interrogation techniques, and it's ironic that President Bush approved the methods that acquired the thread, the significant thread of information, without which no one can explain to me how we would have found Osama bin Laden in that compound.

And so the very President who campaigned against the tactics that George Bush was employing is the one that was able to take the information from those tactics and make the right decision to take out OBL. I'm glad that George Bush made the decisions that he made. I'm glad that he was strong and courageous and defended America's ability to gain information in the fashion that they did, because anyone will tell you that was involved with the interrogations, especially of Khalid Sheikh Mohammed, that once he understood what waterboarding was, he sang like a canary. If he had not warbled in the fashion that he did, I don't think we would be celebrating in the fashion that we are the end of the life of the most evil man on the planet.

So, I agree with the gentleman from California that the cloud of investigation around the American interrogators who are being investigated for the tactics that they were assured by the Justice Department were constitutional and were legal and now we have a Justice Department with a different opinion, it's putting some of our interrogators through an investigation with the cloud of an eventual indictment hanging over their head for doing the same type of tactics that were used with Khalid Sheikh Mohammed and a very few others to gather the information that allowed us to take out Osama bin Laden. This paradox needs to be resolved, Mr. Speaker, and I am hopeful

that the President will give the order for the Justice Department to accept the conclusions that were drawn by the Bush administration and adopt that policy so that Americans can continue to be protected and safe in the face of this threat that we have from without, this threat that comes from radical Islam.

We are fighting radical Islam. Radical Islamists are seeking to kill Americans on a regular basis because they disagree with western civilization and our philosophy. It's why they attacked us on September 11. That's why they attacked the Khobar Towers. That's why they attacked the Twin Towers the first time in the early nineties. That's why they attacked the USS *Cole*, the Marine barracks, the list goes on and on, the times that we have been attacked by people who reject our free society. They feel threatened by the liberty and the freedom that is America. They're threatened by the free enterprise that we are. They're threatened by the robust nature of our culture and our economy and our innovativeness where we lead the world in patents and trademarks. Because of that, we need to stand strong and hold ourselves confident.

I point out, also, that the probability that the intelligence was correct and that Osama bin Laden was inside the compound where the attack came from our Special Forces on Sunday, the probability that he was there was a probability that was probably less than 50 percent chance. The President took the chance. If they had gone in and attacked the compound and Osama bin Laden had not been there, I would like to think we would have never heard about it, Mr. Speaker. I don't have any information that says that they tried any other compounds or tried any other locations, although I suspect that we have checked a few more places. I'd like to think we checked a lot of caves up there in the mountains in Pakistan. It's where a lot of us thought he was. That's where our intelligence was telling us that he was. So I would like to think that we were going into some of those locations. But if they had gone into that compound in Pakistan and Osama bin Laden had not been there, we would have never heard about it, which is appropriate and proper, because the odds of this kind of intelligence being spot-on are always less than 100 percent, and in this case I believe it was less than 50 percent. In fact, if you compare the value of the intelligence that said there were weapons of mass destruction in Iraq before we went in there, when you had a universal intelligence conclusion that was drawn by the Israelis, the French, the Americans, as the universal global intelligence said, Saddam Hussein had weapons of mass destruction. The probability of those weapons being there in Iraq if you analyzed it from the intel-

ligence we had at the time made that probability for WMD in Iraq greater than the probability that Osama bin Laden was even in the compound last Sunday when the attack came.

I make these points, Mr. Speaker, so that we can look back across this continuum of history and understand that intelligence isn't an exact science. It's a series of judgment calls. It's a series of connecting different threads of information together and following hunches and then coming to that and following the hunch and making the decision. President Obama made the right decision. The value of the intelligence we had, it wasn't a 100 percent piece of information that he had to work with, so whatever was the hunch, whatever was the conviction that caused him to make that decision, there's times you're going to be right and there's times you're going to be wrong. He was right this time. I'm glad he made the decision. I'm glad the world has seen the end of Osama bin Laden.

With regard to whether a photograph should be published of Osama bin Laden to give the world a higher measure of proof, I will give some deference to the opinion that came from the chairman of the Select Committee on Intelligence, MIKE ROGERS of Michigan, who said his measure is, does it make it harder for American military to work with, say, the Afghan people for intelligence and information on the ground in Afghanistan?

□ 1420

Does it make it harder or does it make it easier? Are the chances better or worse that our troops on the ground in Afghanistan will have a more successful time if the picture comes out or if it doesn't?

In addition to that position, I would say this, Mr. Speaker, that if the rumors that it's a hoax grow so great that they're able to use those rumors to recruit more al Qaeda, and if the rumors that it's a hoax strengthen the recruitment of the Taliban, then we should release the picture or the pictures or enough information that people can be completely convinced. I don't have any doubt Osama bin Laden was in that compound; Osama bin Laden is in the bottom of the Arabian Sea. And I don't have any doubt.

But we may have to get to the point where we have to erase the doubts, and I suspect it will be very hard to keep the pictures of this operation completely with a lid on them, although if anybody can do it, our Special Forces can. If that's their order, I expect that they will. I just don't know that the Pakistanis aren't sitting on something now that would get released.

Just another little irony I would point out as I transition, Mr. Speaker, into a little bit different subject matter. The compound is reported to have

had 12- to 18-foot walls around it with barbed wire on top. It's pretty interesting that the Secretary of Homeland Security made a trip over to that part of the world to advise Afghanistan on border security and compared the Afghanistan-Pakistan border with the U.S.-Mexican border. It's interesting that the Secretary of Homeland Security has long said: You show me a 50-foot wall; I'll show you a 51-foot ladder.

It's interesting that the 12- and 18-foot walls weren't scaled by Special Forces personnel with 13- and 19-foot ladders. They put helicopters over the top of the compound and fast-rope down inside. The wall was effective and the wire on top of it was effective. That's why they put them there. They don't build all of these walls with wire on top all around the world if they're not effective. It isn't like ladders aren't available in Afghanistan or Pakistan.

My point is, and I often facetiously respond to this idea, that if you show me a 20-foot wall, I'll show you a 20-foot ladder, as if that just makes fun of anybody that thinks we can protect our borders with a wall. If anybody has been to a military compound, you will know there are fences and walls around the military compound. Why is that? It's to keep out enemy infiltrators. No, they don't keep out everybody. You have got to still guard it. People come along with wire cutters and they come along and dig underneath and they will detonate and blow a hole in a concrete wall. They did that in the wall around the Embassy in Saigon, if you remember. So it isn't that they're the only solution.

And when I say we need to build a fence, a wall and a fence on our southern border, Mr. Speaker, I'm not advocating that we build that and walk away and let somebody come up to the other side with a 21-foot ladder. I'm suggesting that, first of all, we don't have to build 2,000 miles of fence, wall, and fence, that we just build a fence, a wall, and a fence with a patrol road in between in those locations and build it until they stop going around the end.

If anybody has been down to the border, you will see the beaten path that goes through, sometimes right through what they're declaring to be fence, the 600-some miles of fence that they declare that we have. 646 I think is the last number that I saw. And when you go down and look at the real fence that's there, some of it is triple fencing that they call tertiary fencing. That's a little too sophisticated for me. If you go to the San Luis area in southwest Arizona, you can see 24-foot-high fences, triple fences. When I was down there last, I asked them directly, Has anyone defeated this triple fencing? Their answer, after several evasive responses and me point-blanking the question several times, was, No, they go around the end. Of course they do.

It's a short fence. It doesn't go far enough. And so people go around the end.

So we just keep building a fence, a wall, and a fence until people stop going around the end. If we end up with 2,000 miles of fence, wall, and fence, we must have needed it because they were continuing to go around the end.

We can do this, and we can do this for a lot less money than we're spending today to chase people across the desert 70 and 100 miles north of our border.

Here's how the math works out, Mr. Speaker. We're spending about \$12 billion protecting our southern border. That's 2,000 miles. Already, smart people have done this calculus and taken \$12 billion and divided by 2,000 miles and come up with a unit price conclusion that we're spending \$6 million a mile to defend our southern border—\$6 million.

Now, imagine this. For me, I'm an Iowa guy and I live out in the country on a gravel road, and it's a mile to concrete from where I live in any direction. So my west road, no one lives on it. It's a full mile of gravel.

If Janet Napolitano came to me and said, Congressman, I've got a proposal for you. I need you to guard this mile. Will you guard this mile and see to it that the people that go across it—you can let 75 percent of them through. No problem. Let 75 percent go through. And the 25 percent that you're required to stop, or you should be stopping, you just have to turn them around and send them back south again. And, by the way, I'm going to pay you, Congressman, \$6 million a mile to defend this mile of your gravel road. I'd look at that and say, Could you give me a 10-year contract? That's what we do here in this Congress. We budget out for 10 years. That's \$6 million a mile for 10 years. It's \$60 million for the budget window of 10 years to guard a single mile.

The population that's going across that, 75 percent of those that try are getting through; 25 percent are being interdicted. This is a little bit dated information, but it's testimony before the Immigration Committee.

And so if they were going to pay me \$60 million to guard this mile and I didn't have any kind of efficiency standard except turn 25 percent of them back, or so, first, I'm going to want an efficiency standard. I want a 100 percent efficiency standard. We ought to be developing infrastructure that gets us to that point. And so it wouldn't take me \$60 million to build a fence, a wall, and a fence on that mile, that mile that runs from my house west. That's \$6 million a year for 10 years, \$60 million.

I would tap into the first year's annual budget and take one-third of it, \$2 million, and I would build a fence, a wall, and a fence for the full mile. So it's 3 miles of structure. I would put a

concrete wall in the middle of it. It would have a concrete foundation that made it difficult to dig underneath.

And one thing you know about concrete is you don't get through it with wire cutters. You don't get through it in a simple fashion like you might with a wire fence.

I would put a concrete wall in the middle. I'd have a fence down near the border. I'd move in about 60 or 100 feet and put a concrete wall in that's about 14 feet tall with wire on top, and I'd put another fence inside that. So if they got over my concrete wall, there's another corral. I would then hire fewer Border Patrol, and with needing less equipment, less pension plans, less benefit packages, I would put the first front money up in the infrastructure. You know that by the time they get through the fence, the wall, and the fence, you'll have a chance to catch them. We would put the sensory devices in, put the cameras up, put the vibration sensors in. Maybe we could get Boeing to perfect their system and add that to the fence, the wall, and the fence.

But it is foolish for us to think that we can just keep hiring more and more Border Patrol—we've more than doubled our Border Patrol—and then back off into the desert 70 or 100 miles and begin chasing people around in the sagebrush. That's not the way to do this. We need to shut off the bleeding at the border. This is not a recreational sport to be defending our border and chasing people down in the desert. If we can stop them before they get into the United States, that is the preferred way to go.

I have gone across the English Channel from England over to Calais, France, where the Brits have leased a chunk of ground because they want to stop the illegals before they get across the channel. They have leased this piece of ground from the French and they've set up a high security system there, and the trucks that come through go on ferries, and the ferries haul them across the English Channel, cars and trucks, just a constant rotation of ferries going back and forth across the English Channel.

The British have leased this piece of ground. They raised their technology and their manpower there to preempt access into the United Kingdom because they would rather deal with them on French soil than they would on British soil, because the British laws get a little sloppy like ours do. Once you pick somebody up inside the interior of the United States, they've got an opportunity to appeal, be adjudicated. It can cost us a lot of money.

□ 1430

The important thing is to keep them out of the United States. Let's build a fence, a wall, and a fence. We can do the whole thing for about \$2 million a

mile, and that leaves \$4 million the first year left over to hire Border Patrol and to pay them wages and salary benefits and retirement packages and to give them some equipment with. Then the next year, there's another \$6 million available every year—a little maintenance on that wall but not a lot. So that's a \$60 million contract, Mr. Speaker, for a decade on a single mile. You put \$2 million up front, and now you've got \$58 million to play with.

I'll submit that we can do a better job by building infrastructure and using it to protect our border than we can by hiring a lot more personnel and chasing people around in the desert. It is a simple business equation. This political arena doesn't lend itself very well to simple business equations, but that is one, Mr. Speaker, and I'm going to continue to push to build a fence, a wall, and a fence; and yes, we need to put something on top of that. I don't care if it looks a little bit bad. If they don't want to see wire on top of the wall at the border, why do the Mexicans build walls at the U.S. border with concertina wire on top? They're not offended when they put up it up. Why would they be offended if we put it up, Mr. Speaker?

It's part of our immigration situation that we need to address, and I'll continue with that in that "stop the bleeding at the border." That is the way to do it. We can force all traffic through our ports of entry, and we should beef up our ports of entry, widen them out, and invest in infrastructure there. We should put personnel there so that we can use surveillance techniques that are state of the art so that we can efficiently move through the traffic that is relatively safe and that is unlikely to have contraband in it. Then we can even better scrutinize those pieces of traffic that are likely to have illegal persons or illegal contraband in them. That would stop the bleeding at the border in a significant way.

We forget that 90 percent of the illegal drugs consumed in America comes from or through Mexico—90 percent. The drug enforcement people tell me that, of every illegal drug distribution chain in this country, at least one link in that distribution chain is someone who is here in the United States unlawfully. Many times, the whole chain is a chain of custody of illegal drugs going from Mexico through and up into the United States—pick Chicago—and all the way to the end user, and the drugs never go into any hand except of somebody who's here illegally in the United States. Imagine, 90 percent of the illegal drugs in America come from or through Mexico.

Headless corpses are showing up by the dozens in Mexico, and they're starting to show up here in the United States. I went to a meeting in Columbus, New Mexico, a town hall meeting.

There were people there who, on their way to church, drive parallel to the border. On their way to church on a Sunday morning, four heads were on display for them to see, which was a warning to, apparently, the other drug cartel. This is spilling over into the United States. Those heads were on the Mexican side, I'll point out, Mr. Speaker, for the point of accuracy, but they're showing up on the U.S. side of the border.

The drug trade here in the United States is extremely lucrative. I've been trying to get these numbers from the drug enforcement personnel, and they've been very hard to get. Yet Fox News reported that the illegal drug trade in America is a \$40 billion industry—\$40 billion. It has been reported that at least \$60 billion is wired from the United States into points south. A lot of that may come from the wages of people who are working here in the United States—and a lot of them working here illegally. There are around 8 million illegals working in America, taking jobs that legal immigrants or American citizens should be doing. But there is \$60 billion a year wired south. Half of it, \$30 billion, goes into Mexico, and the other \$30 billion goes into the Caribbean, Central America and some into South America—\$30 billion into Mexico, the other \$30 billion scattered around in the rest of the southern part, south of us, in the Western Hemisphere.

We don't know and they don't speculate on how much of the \$60 billion is just laundering illegal drug money. I don't know the basis of the \$40 billion number that Fox News reported on the value of illegal drugs that are consumed in America. That's just the only number that's out there that I can find. I don't think we have the basis of enough intelligence to be able to bring a real solution to this.

I don't think our people at the top have done enough work to quantify the problem. They're not talking about the problem. Instead, I see an emphasis on our southern border, a shift that took place under the Obama administration, that causes some of our Border Patrol to pivot. Instead of looking south to say, Hold it. Don't come into the United States illegally, they started to turn around and look north and try to interdict cash and guns that are coming from the United States and going into Mexico. A lot of these guns, by the way, are perfectly legal in the United States but not legal in Mexico.

So do we have the personnel to filter that at the Mexican border?

It's fine to interdict the cash, because that raises the transaction costs of those who are smuggling drugs into the United States, and it's fine to work and cooperate with the Mexicans if they need a little help on guns that become illegal when they get across the border; but we need to focus on people

who are smuggling illegal drugs into the United States. We need to focus on illegal people who are being smuggled into the United States. The value of this has not quantified the loss in American lives. Quantifying the loss in treasure is one thing: \$60 billion wired south, \$40 billion worth of illegal drugs consumed in the United States, violence in Mexico, and headless corpses by the dozen.

I began to ask these questions some years ago, have finally had some response, Mr. Speaker. It's as a result of two studies that I've commissioned over the years by the Government Accountability Office, GAO studies. One came out in April of 2005, and the other one came out just this past month—released within the past few weeks, actually, but it's dated March of 2011.

We've had witnesses come before the Immigration Subcommittee. First, they'll say America is a Nation of immigrants, as if that's the be all-end all of the conclusion we should draw and that we shouldn't try to limit illegal immigration into America, let alone eliminate it, because America is a Nation of immigrants.

My response to that, Mr. Speaker, is: Yes, sure enough. Could you point out for me a nation on the planet that is not a nation of immigrants? I asked that question of witness Ms. Hernandez some few years ago. I asked if she would care to tell me of a nation that is not a nation of immigrants.

She sat there at the witness table—under oath, mind you—and presented as an expert witness. Her eyes kind of rolled a little bit back in the back of her head; and she said, Well, that would be the Incas and the Aztecs.

So I said, Who, according to an anthropologist, came across the Bering Straits about 12,000 years ago. Would you like to try again, Ms. Hernandez?

Of course, she didn't want to try again, and no one has succeeded in pointing out a nation that is not a nation of immigrants. The closest you could come is with the Japanese, and there are two ethnic groups in Japan that are identified by their locales and by the accents and the languages that they have. They believe that both of them came from Polynesian origins centuries and centuries ago.

Every nation, Mr. Speaker, is a nation of immigrants. People have migrated around this planet since Adam and Eve left the Garden of Eden, and they always will. So we don't carry a certain responsibility towards setting aside the rule of law in America because we are a Nation of immigrants. We have a responsibility to preserve, protect and defend the pillars of American exceptionalism—and of course, the rule of law is an essential pillar of American exceptionalism.

So that question of, first, are we a Nation of immigrants, yes, we are; but we are a Nation of laws, and we must adhere to and protect the rule of law.

When we look at the policies that we have, it's important for us to shut off the jobs magnet here in the United States, not only control/stop the bleeding at the border, but we have to shut off the jobs magnet here in America. One of the ways that we do that is to enforce our laws, of course. E-Verify is an important tool. It's a Web site-based software program that allows an employer to run, I call it, the name, rank and serial number—the Social Security number—of an employee through that database. It will go back, and it will search the Department of Homeland Security's database, the Social Security database, NCIC, and come back and tell you if that information represents that that individual can lawfully work in the United States. We use it. I've tried to fool it and I've tried to scramble it, and the longest delay I can get out of it is 6 seconds.

□ 1440

It's very fast. It's very accurate. The software package is only as accurate as the data behind it, and when we find a mistake in E-Verify, it's almost always because someone got married and forgot to change their name or some piece of information like that that needs to be upgraded. Easily fixed. The only way you make E-Verify even better is to use it and use it and use it so that database gets cleaned up, and it's set up to do that with a 72-hour notice of cure.

So using E-Verify is a good tool. I have a better tool out there that I will soon be introducing, Mr. Speaker, and I have introduced it in previous Congresses. I've been waiting for the right time, and we will set up a press conference and roll out a bill called the New IDEA Act. Now, they say there are no new ideas in this Congress, that it's a just repackaging of old ideas. This one I think actually is a relatively new idea, and it comes from this concept that, well, who enjoys enforcing the law? Who's effective in it? Who do the American people believe will come forward and enforce the law?

And as I was thinking that through, it occurred to me that the IRS probably has the maximum respect of all of the law enforcers in America. They have better tools to work with than many of the other agencies out there, and we expect they will come in and they will conduct an audit, and they're going to look to see if they can find something wrong with your tax return. Anybody that's been through an audit doesn't want to go through another audit. Frank Luntz put out some numbers that showed that a majority of Americans would rather be mugged than go through an IRS audit; 58 percent would rather have a root canal than go through an IRS audit. I'd like to have the IRS helping us with immigration law.

So I drafted legislation called the New IDEA Act. It's the New, and the

acronym IDEA stands for Illegal Deduction Elimination Act. What it does is it clarifies that wages and benefits paid to illegals are not tax deductible, and then it gives the employer safe harbor if they use E-Verify. So, if the employer in good faith runs their employees through E-Verify, it will give the employer that credit that he used E-Verify, and he can deduct the wages if E-Verify should happen to be wrong, for example, and it won't be.

But otherwise, if the IRS then comes in during a normal audit—we don't accelerate audits, we don't initiate any more audits than we'd normally have—but if the IRS comes in during a normal audit, they would run the Social Security numbers and information of all the employees through E-Verify, and if any of those employees were kicked back at them as not lawful to work in the United States, the IRS then would take a look. They'd give the employer an opportunity to cure, but they would look at that data and say, all right, I'm sorry, the wages that you paid this illegal are not going to be a business expense for you, so they come off the Schedule C and they go over into the profit column in your tax form.

Imagine if you're an employer and you paid \$1 million to illegals and the IRS came in to do the audit and they said, I'm sorry, that \$1 million that you had as a business expense is not an expense. You can't expense wages and benefits paid to illegals. So now that \$1 million goes over into the profit side, and the IRS looks at that and says, you know, you're going to have to pay interest on that. You had a tax liability that you unlawfully claimed. You're going to have to pay interest on that tax liability, and you're going to have to pay a penalty, and you have to pay the principal, which is a tax liability.

So if it rolls it over to a 36 percent tax rate, plus the interest, plus the penalty, the net result is that turns your \$10 an hour illegal into about a \$16 an hour illegal, which means that there will be Americans out there that will be taking those jobs at \$12, \$13, \$14, and \$15 an hour that didn't have an opportunity to do that before because illegals were in there working for \$10. This will open up jobs for Americans.

We saw a big number of new jobless reports pop up today. This unemployment number is not getting better. It is just zigzagging and stagnating at a number that hangs in there close to 9 percent. This is a very, very slow recovery. One of the things we can do to help recover is to pass the New IDEA Act, let the IRS come in and do their normal audits, and employers will decide that they don't want to wait for the IRS to get there. They will want to clean up their workforce as soon as they practically can.

That's part of the beauty of this. This isn't a hard and fast piece of legis-

lation that requires employers to fire all their illegals at once. They can make their decision on when they will take the risk, but what it does is accumulates a 6-year statute of limitations. So that if an employer gets by this year without an audit and he keeps illegals on the payroll the next year without an audit, he has to go a full 6 years before that first illegal year drops off, and he's still liable for the IRS to go back through the books a full 6 years, which means that employers are going to look at this, and they're going to think, I'm paying \$1 million out to illegals; if I get to the end of a 6-year cycle and the IRS comes in and audits me, they're going to deny \$6 million that I have written off as business expenses, put that over into the profit side, and you could be looking at \$6 million worth of income, and all of that with interest and penalty attached to it. And so your \$6 million probably becomes something greater than \$3 million in penalties out of the \$6 million that were formerly a write-off.

That's how this liability accumulates with a 6-year statute of limitations. That's why employers, even though they may not be able to transition their workforce into a 100 percent legal workforce the first year, the pressure to do so every year will be so great because getting through 6 years without an IRS audit and knowing that you're going to carry with you a full 6 years of risk will cause employers to clean up their workforce on their own.

One of the problems we have is trying to get the administration to enforce immigration law. We can pass a law. We can make it mandatory that everybody use E-Verify. I will probably have an opportunity to vote for that, and I will. But we cannot require the executive branch to enforce the law. The President of the United States takes an oath to take care that the laws are faithfully enforced. That's part of the Constitution, and it's true for the executive branch employees, including Eric Holder, the Attorney General; including Janet Napolitano, the Secretary of Homeland Security. But we can't make them enforce the law.

I've been in the business of seeking to embarrass the administration into enforcing the law now into my ninth year here because we don't have the tools. We can call them forward now that Republicans have the majority. We can have hearings, bring the press into the hearings because the press helps us a lot. They convey that message back to the American people, and the American people understand that there are things they should be outraged about. But we have no tool other than to cut their budget or embarrass them, or I guess there's more draconian methods that would not be used, and I won't mention those for fear that they will start an unnecessary rumor.

But all of that said, Mr. Speaker, the IRS will come in and do this work, and it won't be about us trying to embarrass them into enforcing the law. It will be about the IRS coming in to turn it into a revenue generator. It will be. The New IDEA Act, Mr. Speaker, is a tool that can do the most to bring our immigration laws in this country under enforcement and to reduce the numbers of illegals that are in the United States the most dramatically with the least amount of cost. In fact, it's a plus-up because it will generate more revenue for the Internal Revenue Service.

Another point on the border, to roll back down to the southern border, Mr. Speaker, and to make this point is that we have a tourism industry that has to do with anchor babies. Anchor babies are babies that are born in the United States to an illegal mother, and the practice over the years has been to grant automatic citizenship to babies born on U.S. soil. It is not a law. It is not a constitutional requirement. It's just a sloppy practice that began that's getting worse and worse and worse.

We have now in this country somewhere between 340,000 and 750,000 babies born to illegal mothers in America that get automatic citizenship. They're anchor babies. They sneak into the United States, many of them, for the purposes of having the baby. They get the little birth certificate with their little footprints on there. Then they either stay here or they go back to their home country and wait until that child comes of age, and they use that child to apply to bring in the family, the nuclear family, then the extended family, and it's out of control—340,000 to 750,000 a year automatic citizens to America that have essentially unlimited ability to bring their families into the United States.

□ 1450

We have testimony before the Immigration Committee that shows us that if you look at immigrants, legal immigrants, and base it on merit, you would think a country would want to establish an immigration policy that was designed to enhance the economic, social, and cultural well-being of the United States of America. Wouldn't any country have an immigration policy that was designed to help them? I mean, it is not selfish of America to want to have an immigration policy that's good for this country. We cannot be the relief valve for all the poverty in the world.

For every some 6.3 billion or so people on the planet—maybe it's more than that—they can't all live in America. There are more than 5 billion that have a lower standard of living than the average Mexican. So if we think we're going to be the relief valve of poverty in the world, and we bring into America 1 million to 1.5 million legally, and across the border comes—

there are numbers that I have seen testified to that show as many as 4 million illegals in a year. Many go back and forth. They are carrying drugs on their back. Maybe they're visiting family. The net number I guess we don't know. It seems to shake out pretty odd that you can have that much border crossing, and the numbers don't accumulate.

When I came to this Congress 8-plus years ago, the number was 12 million illegals in America. Now they're giving us estimates that there are maybe 11 million illegals in America. How does that work? Did that many people die? Did we give that many people citizenship that came in here illegally? So I think that number is significantly higher than 11 million or 12 million. I think it's been growing every year for a generation. I think it continues to grow.

Anchor babies, babies that are born to illegal mothers in the United States that get automatic citizenship, cause people to sneak into the United States to have the baby because they see citizenship in America as cashing in to the giant ATM, the giant ATM which is America's welfare cash machine.

Robert Rector of the Heritage Foundation has done a lot of research on welfare benefits—he has broken it up in a number of different ways—that go to households where there is at least one illegal that's in it.

I need to come back at a later date, Mr. Speaker, and take up the cost to the American taxpayer of benefits that go to households that are oftentimes headed up by an illegal. When we look at what has happened on the floor of this Congress in the last 4 to 5 years, when the SCHIP legislation passed this Congress, they weakened their requirements of proof of citizenship for Medicaid.

So free medical care for people who are lower income is being provided to people that should actually be deported back to their home country because the standard that you had to show proof of citizenship that was written into the old Medicaid legislation was struck and replaced with a requirement that you attest to a nine-digit Social Security number. That's the standard. They lowered it that low because the people on that side of the aisle wanted to pay Medicaid benefits to illegals. They want to give them a path to citizenship. They want to give them an opportunity to vote.

I look back at what Ronald Reagan said: What you tax, you get less of; but what you subsidize, you get more of. If you reward people for coming into the United States illegally, and you reward them with welfare packages and plans, you are going to get more people in the United States illegally, and you are going to get more people that are signing up for more welfare.

We have in this country 77 different means-tested welfare programs in the

United States of America. There isn't one person in this United States Congress that could stand down here on the floor without a cheat sheet and name every one of them. And there isn't one person in this United States Congress that can actually understand how each one of these 77 means-tested welfare programs interrelates with each other, let alone how it affects the decisions of individuals on whether they are going to get a job or sit at home. If you are on rent subsidy and heat subsidy and food stamps, and list all the other Federal programs that are there, why would you work when you are rewarded for not working?

I look at the labor situation in America. There are 8 million working illegals in America. There are a number of others out there that we probably didn't find in the data that we have. So here we are with the unemployment numbers of about 15 million Americans who are registered as unemployed. There is another 6 to 8 million that are past the data. They've quit trying, so they're no longer technically called unemployed. They just quit looking for a job. There is another 6 to 8 million of those. You are up to over 20 million Americans that are on unemployment, drawing it, or have given up applying for it.

But when I start to add to that number of roughly 20 million, 22 to 23 million Americans that are unemployed or have given up trying and aren't working, and I go to the Department of Labor's statistics, their own statistics that come from the Department of Labor, and I begin to add up the American workforce—that workforce number is a little foggy in my memory—it's 140-some million people in America's workforce. If you start adding those who are not currently working—and I start at age 16 because that's a legitimate age.

You can collect unemployment at age 16 if you have earned enough that they paid in on your behalf—the teenagers between age 16 and 19, there are 9.7 million that aren't in the workforce at all, not even a part-time job of any kind. Yes, they may be students; but there's nothing wrong with working and going to school. That's what a lot of people did, and it builds character. You add to that those that are from 20 to 25 years old, and you go on up the line in different age categories. I went up to age 74 because we pay unemployment at age 74, and Wal-Mart hires at age 74 and so do a lot of other employers. So the age of the workforce I am using is 16 to 74. It's a legitimate bracket. We could narrow that in a little bit, and we would have fewer numbers.

But here's the point: Of the 8 million working illegals in America, there are 80 million Americans of working age that are not in the workforce; 80 million people of working age that are

simply not in the workforce. They might have checked out. They are sitting back on some of the 77 means-tested welfare programs. They might be independently wealthy and decided to retire. If so, good on them. But they are not in the workforce for one reason or another, or they are working in the black market. It might be that some of those people are selling drugs who are not in the workforce. But if people say there are jobs out there Americans won't do, name one. Name one job that Americans won't do. I can take you and show you an American that's doing every single job definition that there is in this country.

The reason that you see people here illegally and they're out-competing Americans is because they'll work for less. They'll pile up in a house with many more people living in the same dwelling. They are not a threat to the employer to file workmen's comp or an unemployment claim.

So they are a lower liability for the employer. The employer can bring in a crew of illegals, get a job done, dispatch them down the line; and once they leave that job, they are no longer a liability to them. So it's like being able to lease a machine to come do a job. You say, take the machine back, and park it in the lot, and you are done. You don't have to worry about the depreciation or the maintenance. That's what has happened. In a way, it's a bit inhuman to see this going on.

If we enforced our immigration law, it opens up at least 8 million jobs for Americans or legal immigrants; and if people say there aren't enough Americans to do those jobs, nuts. We have to hire one out of every 10 that's sitting now on the couch and put them to work. Why wouldn't you want to increase and enhance the average annual productivity of our people? Why would you not?

What if we were on a big cruise ship, but it was powered by sails and oars? So many people have to be trimming the sails. So many people have to be pulling on the oars. Somebody has got to be in the kitchen cooking. Somebody has got to be swabbing the deck. Somebody has got to be up there in the wheelhouse navigating, and somebody has got to be steering. With all of that going on, if you didn't have enough people at the oars to pull the load, would you pull that cruise ship off on an island somewhere and load on a bunch more people to pull on the oars? Or would you go after the 80 million people that are sitting on the couch now and have some of those people get up off the couch and grab an oar and pull?

I want to increase the production of America. I want to increase the average annual productivity of Americans. If we do that, we increase our standard of living. If not, if more of us sit back and don't go to work and don't produce

anything, and we bring others in to do the work that we say we are now too good to do, then our broader standard of living goes down, and you need more and more welfare programs to pay the people that are not working, and you still have to carry the social costs for the people that are working underneath the market value.

You can't sustain a household for some of the wages that are being paid to illegals. That's why they are tapping into welfare benefits. That's why they use their child that has been born in America as an anchor baby as a means to get access to the welfare program.

□ 1500

And so here we have an America that's underemployed, 80 million people of working age that are not in the workforce. A lot of them are living off of the sweat of the brow of somebody else in the form of the 77 means-tested welfare programs that are out there. They don't have an incentive to go to work, but we pay them with tax dollars if they'll just stay peaceful, stay in their houses, don't cause any trouble. Let's not have any violence in the streets. If you do all that, then we'll hire these other people that are in the United States illegally at substandard wages and subsidize them both.

What sense does that make, Mr. Speaker, for a Nation to not be upgrading its standard of living by increasing the average productivity of our people?

And why would we not be defending the rule of law? And why would we reward people that sneak into the United States to have a baby so they can tap into all this giant ATM?

We've got to put an end to anchor babies. I have the legislation to do it, Mr. Speaker, and I have scores of cosponsors on the anchor baby legislation that I introduced very early in this session with some good gentlemen from Georgia, in particular. ROB WOODALL came in and was ready to step up on that, and there are others. TOM GRAVES is part of that. I appreciate the work that they are doing, and I'm happy to join with them and work together on those issues.

But we have to have a Nation of laws and a Nation that respects the rule of law. We have to shut off the bleeding at the border.

We need to get more of our Americans to work. You notice I didn't say back to work, Mr. Speaker. We're sometimes into the third and fourth generation where they didn't work at all. They have learned how to game the system, and we've accepted it. We no longer require the welfare-to-work part of this; that you get 5 years total and then you have to go to work. What we see happen is 77 means-tested welfare programs. Nobody can monitor all of that. And the will of the American people isn't such because now half the households don't pay income tax. But

they go vote. And they vote themselves largesse from the public treasury. They vote themselves welfare benefits. There are people here that pander to that, and they understand that their political base is expanded when they expand the dependency class in America.

So what did they do?

They passed legislation in here under Speaker PELOSI over and over again that expanded the dependency class in America because it strengthened their political base. ObamaCare is a huge key of expanding the dependency class. It says we're going to promise you that every American has access to health care, every single one. It wasn't an issue. But they conflated the two terms, the term health care and health insurance.

Anyone in America can show up in the emergency room and be treated. That's access to health care, and it's probably superior to most nations. I'm sure it's superior to most nations in the world. I don't know a nation that it's not superior to.

But then it was the promise that, well, it's really not very good. It's expensive that you show up in the emergency room without insurance, so what we really want to do is give everybody their own insurance policy and insure another 30 million people.

So I look at that, and I do the math and I ask the question, who's really not insured and doesn't have affordable options?

These numbers came from the United States Senate, the Republican Senate Conference, the Senate staff, and it came down to this. You start with about 306 million Americans, and then you begin to subtract those that are insured, those that are on Medicare, those that qualify, those that are on Medicaid, those that are qualified for Medicaid but don't sign up, those that are covered under their employer, and those that are eligible under their employer and don't sign up, and you begin to reduce this number of 306 million Americans down. First you take the insured, subtract that from 306, and then you begin to identify the Americans that are uninsured. That was those that are here illegally. I'm not interested in funding their health insurance package. I think it's wrong and immoral for us to do that. They're not on my list.

When you boil it down, Americans without affordable options numbered 12.1 million. Now, that is a lot of people, but it's less than 4 percent of our population. Yet ObamaCare sought to disrupt and transform and change and socialize the health insurance industry in America, 100 percent of it, the health care delivery system, 100 percent of that, in order to reduce the number of uninsured Americans without affordable options from some number that's less than 4 percent down to some other lower number.

At what cost?

The cost of American liberty, cost of the United States Constitution. The cost of our freedom.

ObamaCare is a malignant tumor, and it is metastasizing in the heart and soul of the spirit of the American people.

We are a vigorous people. We are a people that have skimmed the cream of the crop off of every donor civilization on the planet, Mr. Speaker. The vigor that came from people that had a vision and a dream, that came here across the pond in one way or another because they wanted to access the liberty and the freedom that we have here is a different kind of a vigor than saying, well, we got good vigor from Great Britain, and we got it from France and Germany and Italy, wherever else, Eastern Europe and around the planet, Greece, name it. No, we got the best of every donor civilization. We got the vigor from every donor civilization. We got the dreamers from every country that sent legal immigrants here, that gives America a unique vigor. It's different than any other country in the world. That's the reason why we succeed. It's the reason why we can take free enterprise and do something with it. It's why America has risen to become the unchallenged greatest Nation on the planet.

We have all of the rights that come from God that are defined so clearly and well, not just in the Declaration, but in the Constitution and especially in the Bill of Rights, and you add to that free enterprise, and you add to that this vigor that comes from legal immigrants from all over, from every civilization, and you have an America that has a spirit and an attitude that's unique on the planet.

It is unsuitable to take a free people and tie the yoke of ObamaCare around their neck. I will draw the line. I want to see shutting off all funding to ObamaCare tied to the debt ceiling bill, Mr. Speaker. Before we even discuss the debt ceiling, I want a guarantee that all of our troops get paid on time. In the event of a debt ceiling limit or a shutdown of any kind, uniformed troops in the United States or anywhere in the world serving Uncle Sam need to know their paycheck is going to be wired into their account on time every time, no matter what is going on here in the United States Congress.

Second point, TOM MCCLINTOCK's full faith and credit bill that sets up the priority on how we would pay our debts in the event of a debt ceiling limit being reached. We can set those priorities, and it needs to be, pay the interest on those who have loaned money to America first and move our way on down the priority list.

Do those two things, send them out of this House, send them over to HARRY REID in the Senate, and he can decide. Pick them up and send them to the

President of the United States and let him sign, let the President sign both of those bills, the Gohmert bill, the McClintock bill into law.

That, Mr. Speaker, would be the qualifier before we'd even begin to discuss what we would do about the prospects of raising a debt ceiling.

But for me, I'd put the cutting off of all funds to ObamaCare on that debt ceiling bill and say there can be no raising of the debt ceiling here by the House of Representatives unless we shut off all the funding that's going to implement or enforce ObamaCare, at least until such time as the Supreme Court should rule.

The President is delaying the action of the Supreme Court. He could have asked for an expedited review of ObamaCare. We all know it's going to the Supreme Court. The President is delaying the decision in the Supreme Court the same way that he delayed bringing his birth certificate out.

Mr. Speaker, it is so important that we not chase good money after bad, that the Supreme Court rule on ObamaCare. At least then, then let Congress decide when they might appropriate rather than these automatic appropriations.

Thank you, Mr. Speaker.

□ 1510

PROVIDE FOR THE COMMON DEFENSE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Mr. Speaker, I certainly do appreciate the recommendations of my friend from Iowa. And I certainly agree, we should be passing a bill that would require no leeway for the Treasury's Secretary, that he should pay our debts as they come due and also make sure the military is paid on time. We know that Social Security is already going to be mandatory spending in the event of a shutdown. And that way we are allowed to pursue the issues that are most critical and that is, really, in the interest of children. That term is used so often. It is really true now. We have got to cut the ridiculous, irresponsible spending to preserve this Union.

But there are two problems out there that are seeking to destroy this country. One is passively to destroy this country, and that is our gross, irresponsible overspending: \$2.1 trillion coming in and \$3.75 trillion going out. We won't last much longer as a country if that continues.

The other is not passive. It is very active. And our great military and intelligence communities did a fantastic job apparently in taking out the most wanted man last weekend in the world,

the man responsible for possibly more murders than anyone currently in existence on the planet, but certainly he had killed more Americans than anyone else alive on the planet today. And that was, of course, Osama bin Laden.

But there has been a great rewriting of history. And since we know—it has been made very clear that there are radical Islamist jihadists that want to destroy our country—it is ridiculous not to defend ourselves. We took an oath to defend the Constitution.

We are supposed to provide for the common defense. It is the most important responsibility that we as a Federal Government have, because if we do not provide for a common defense, then it matters not what we try to do in the way of Medicare and Medicaid. All kinds of problems occur in the U.S.

If we don't defend ourselves, there are plenty of evil groups who would love to destroy our way of life. In the case of the radical Islamic jihadists, they believe that as much freedom as we have in America leads to decadence and debauchery and that we need one leader, one religious leader, an ahmadi, to preside over one giant, worldwide caliphate.

So for those of us who realize on both sides of the aisle we make a lot of mistakes, people across the country make a lot of mistakes. No one at the current time on Earth is perfect. We realize still that freedom to make our own choices is what the Founders intended, and that is because they believed that the Creator—as they referenced in the Declaration, God referenced in other places, Providence in other places, they believed that that was God's choice for our life, that we have choice.

And even though God knew that we would make bad choices, when people can freely love of their own volition, their own choice, as a father I know that means so much more than if you demand that a child or someone in your care act like they love you.

So thank God. He desires our love and our praise. As a result, we were given freedom of choice. You don't have to look too deeply into founding documents and diaries and journals to realize just how much the Founders, the Continental Congress members, believed that.

So it gets interesting when people try to rewrite history and especially in the process of failing to properly provide for the common defense.

We had the Attorney General of the United States before the Judiciary Committee this week, and of concern to me and many others has been the refusal of this Justice Department to prosecute the unindicted coconspirators in the Holy Land Foundation trial.

The evidence used in that case had been adduced from back in 1991, 1993. There was a treasure trove of material found, I believe, in 2004 here, just across in Virginia. There was a sub-

basement that had tremendous amounts of documents reflecting the plans and intentions and strategy for the effort to bring down the government as we know it, our way of life as we know it, and that was by radical Muslims.

I am also thankful that there are a majority of Muslims who are moderates. They don't believe jihad means to go about destroying those who oppose what you are doing. They believe that jihad means an internal change of life. And when someone has a moderate Muslim for a friend, he has a friend for life. It kind of reminds me of southern hospitality.

But, nonetheless, we do our moderate Muslim friends no favors in failing to oppose the radical Islamic jihadists, because make no mistake, if we do not defend this Nation against the radical Islamic jihadists, then some of the people that would lose their lives, at a minimum lose their freedoms, would be moderate Muslims, because being a moderate is not abided in the world of a radical Muslim. If you don't believe just as they do, then it is okay to take your life.

So that's why I say we are no friend to our moderate Muslim friends if we do not defend this Nation against the radicals, because our moderate Muslim friends will be targeted if we do not do our job in defending the Nation, which brings me back again to the Holy Land Foundation trial.

The Bush administration, acting on information that was obtained through the 1990s through the Clinton administration Justice Department, FBI, and especially since 1993, the efforts made by the FBI, the incredibly professional work that was done, it was amazing how well they put a case together. Unfortunately, when the case was tried the first time, it led to a hung jury. In the pleadings—and I have many of the documents here. Not all of them. There are boxes and boxes of documents, and I understand even now, under Attorney General Holder, the Justice Department has boxes and boxes of evidence, documents, wiretaps that have not even been translated. You would think that would be fairly important before a decision was made on whether or not to pursue the unindicted coconspirators.

Now, it is not always the case, but in this case the unindicted coconspirators were actually listed. If one goes through the list of unindicted coconspirators, you find groups like the Islamic Society of North America, aka ISNA; you find the North American Islamic Trust, aka NAIT. It is amazing. You find Founders of CAIR, C-A-I-R.

So it was intriguing, after having five convictions on all 108 allegations in the Holy Land Foundation trial that went on in Dallas, that this Justice Department would ultimately decide we are not going to pursue any of those other coconspirators or joint venturers, who the evidence shows clearly

provided financing for a known terrorist group, Hamas. The documentation is substantial.

□ 1520

And this is only a tiny thimbleful of the evidence that was in the case.

But when I look here at the Islamic Society of North America, at some of the evidence that came out, we have journal voucher after journal voucher showing the money that was taken out and used to ultimately assist in terrorism or to fund a terrorist group. You see all these journal entries. There are deposit slips in here making clear all kinds of things in the way of money. All kinds of amounts were transferred to assist in the funding of terrorism.

In fact, at the conclusion of the first part of the case with the five defendants, some of the unindicted co-conspirators filed a motion to require the Federal District Judge in Dallas to strike or eliminate all of the names of the unindicted coconspirators, or at least their own, and an assistant U.S. Attorney in Dallas named James Jacks did a very good job in rebutting that and laying out in his brief before the Federal District Court how there were significant amounts, tremendous amounts of evidence that showed that the unindicted coconspirators' names should not be stricken from the record. And the judge in his memo order on the case came back and said basically there is a *prima facie* case.

In fact, the judge said here—this is in his memo decision, and this is Judge Solis, a Federal judge in Dallas—“The government has produced ample evidence to establish the associations of CAIR, C-A-I-R, ISNA, Islamic Society of North America, and NAIT, the North American Islamic”—I have it here, what the T stands for—“with HLF, the Islamic Association for Palestine and with Hamas. While the court recognizes that evidence produced by the government largely predates the HLF designation date, its evidence is nonetheless sufficient to show the association of these entities with HLF, IAP and Hamas,” and being conjunctive together and not disjunctive. The judge goes on to say, “Thus maintaining the names of the entity on the list is appropriate in light of the evidence proffered by the government.”

He goes further in his opinion and says, “The explanatory memorandum includes a section entitled ‘Understanding the Role of the Muslim Brotherhood in North America,’ which states that the work of the Ikhwan in the United States is a kind of grand jihad in eliminating and destroying the Western civilization from within and sabotaging its miserable house by their hands and the hands of the believers so that it is eliminated and God’s religion is made victorious over all other religions.”

Also contained in that document is a list of the Muslim Brotherhood’s “organizations and the organizations of our friends,” which includes ISNA, NAIT, the Occupied Land Fund, which was HLF’s former name, and the United Association for Studies and Research. During the early years of the OLF and HLF operation, OLF raised money and supported Hamas through a bank account that it held with ISNA and NAIT.

Indeed, OLF operated from within ISNA in Plainfield, Indiana, where defendant Baker was employed. The Muslim Brotherhood supervised the creation of a “Palestine Committee,” which was put in charge of other organizations such as HLF, IAP, UASR, and ISNA. The July 30, 1994, meeting agenda for the Palestine Committee lists IAP, HLF, UASR, and CAIR as working organizations for the Palestine Committee.

The order is pretty extraordinary in following the pleadings as filed by a quite capable assistant U.S. Attorney at that time, now interim U.S. Attorney in Dallas, and stating basically there is a *prima facie* case here. In fact, this has come to the attention of a number of us, not insignificantly, what to do with Patrick Poole and his research, Andrew McCarthy and his research, and other individuals who have been prosecutors, people who are familiar with the system, how the system works.

PETE KING, himself, has a very pointed letter that was sent to the Attorney General, asking for answers, and yet he really didn’t get much of an answer. In fact, his letter reads this way. It was dated April 15.

“Dear Attorney General Holder, I write to inquire about your decision not to prosecute the 246 individuals and organizations named as unindicted co-conspirators in a Hamas terror finance case.”

Actually, it is the largest terror finance case in American history. If you don’t cut off the money, the terrorism will continue, and if the terrorists have tremendous amounts of money, it is a lot tougher to defeat them as our enemy, our sworn enemy, sworn to destroy our way of life. If you cut off their funding, it is a lot easier to be at war with someone in a tent, riding a camel, than it is someone who has jets, RPGs and the most sophisticated weaponry and the ability to build million dollar compounds to hide in.

Of course, money also opens the possibility for bribes, which makes it a whole lot easier to hide in plain sight, because people are willing to look the other way. We don’t know if that was occurring in Pakistan. There is a lot still to be learned in that situation.

But Chairman KING, PETE KING, goes on and says, “I have been reliably informed that the decision not to seek indictments of the Council on Amer-

ican Islamic Relations and its co-founder, Omar Ahmad, the Islamic Society of North America and the North American Islamic Trust was usurped by high-ranking decisions at the Department of Justice headquarters over the vehement and stated objections of special agents and supervisors of the FBI, as well as the prosecutors at the U.S. Attorney’s Office in Dallas, who had investigated and successfully prosecuted the Holy Land Foundation case. Their opposition to this decision raises serious doubt that the decision not to prosecute was a valid exercise of prosecutorial discretion.”

Chairman KING goes on and says, “I request you provide answers to the following questions:

“What are the reasons for the Department’s decision not to prosecute CAIR, ISNA, NAIT, and Mr. Ahmad, who is a CAIR cofounder and former head of the Palestine Committee of the Muslim Brotherhood in the United States?

“Who made the final decision not to prosecute?

“Who, if anyone, from the Executive Office of the President consulted with, advised or otherwise communicated with the Department of Justice in electronic, oral or written form regarding the Department’s decision to not seek indictments of CAIR, ISNA, NAIT, and Mr. Ahmad?

“How does and will the Department and the Federal Bureau of Investigation address the potential for CAIR, ISNA, NAIT to engage in terrorism financing?

“What policies with regard to those organizations have you implemented to address that threat?

“The answers to these questions should provide some explanation for declining a prosecution that is strongly supported by the record from the Holy Land Foundation trial.”

Then the chairman goes through and cites some of the information from that case, and he goes on and says, “Hamas has been designated as a terrorist organization by the Department of State since October 9, 1997, and its status was reconfirmed by the most recent annual report of the National Counterterrorism Center, issued April 30, 2010.

□ 1530

“Hamas shamefully conducts cowardly suicide bombings against civilian targets inside Israel.” He goes on and sets out some further information there.

It also should be noted that Chairman LAMAR SMITH, when it was brought to the attention by some of us on the committee, also sent a letter to the Attorney General, requesting information about these very same things. In fact, there was a memo that was involved, and Chairman SMITH on behalf of the Judiciary Committee requested

a copy of the March 31, 2010, memo entitled: "Declination of Prosecution of Omar Ahmad" from Assistant Attorney General David Kris to Acting Deputy Attorney General Gary Grindler.

As I understand it, Chairman KING got a response; very unsatisfactory. Basically, they're not telling him anything. If they follow that tradition, Chairman SMITH is not likely to get much of an answer. But it causes great concern because we have the Attorney General, who has testified before the committee this week that no one in his Department was involved in advising or consulting over that. Yet we have information about a memo which may contradict the Attorney General directly. If that's the case, he would have given false information before a committee not once but a number of times during his testimony before the House Judiciary Committee. I hope and pray that's not true, but there's one way to find out.

Instead of providing the memo that was requested, he referred Mr. TRENT FRANKS, when he asked, to a Dallas Morning News article that quotes Mr. Jacks as saying there were no political factors involved in that decision. Well, I have a copy of that article as well. I also have a copy of Mr. Jacks' pleadings where he did a very nice job of setting out that there was a strong case—in essence, a *prima facie* case—against these people wanting to have their names eliminated as coconspirators in the pleading. He also filed a pleading with the Fifth Circuit Court of Appeals.

Now, I know as a former judge and chief justice that lawyers are not supposed to file pleadings and try to persuade based on facts that they believe or know not to be true. It's called fraud upon the court, and there's punitive action that lies in that case. But the information that U.S. Attorney Jacks provided to the district court and to the Fifth Circuit Court of Appeals appears to be very authentic and very well done. Obviously, a very capable lawyer. There are no punitive actions that can be taken for misleading a newspaper. On the other hand, perhaps he doesn't know what was in the memo that was requested from March of last year.

But we're now getting into some very serious grounds when the Attorney General of the United States will not be forthcoming, changes his answers a number of times about who consulted or didn't consult; who's in his department, who's not in his department; who participated. So we've got a lot of explaining to get to. I hope there are legitimate explanations. But one thing is very clear, Mr. Speaker, and that is when the Attorney General is holding evidence that will answer the questions that were asked and prove if anyone is lying and who is lying and when they lied, it is not at all comforting to say,

We're not giving you evidence that might contradict something that's been said by the Justice Department, but we will refer you to a newspaper article that an interim U.S. Attorney gave, who serves at the will of the United States President. So then, again, as a former judge, you're not looking for evidence which may support or not.

Could there be politics at play in this kind of decision? Well, about this Islamic Society of North America, ISNA, it's interesting. I got a transcript of the speech, because I got it off of the White House Web site today, made by the Deputy National Security Adviser to the President of the United States, Barack Obama, his being Denis McDonough. This was actually, it says, for immediate release March 6, 2011. This is printed, like I say, from the Web site. These are the remarks of the Deputy National Security Adviser to the President, Barack Hussein Obama, in which he starts his remarks like this:

Thank you, Imam Majid, for your very kind introduction and welcome.

By the way, these are remarks to the All Dulles Area Muslim Society, ADAMS, ironically.

Thank you, Imam Majid, for your very kind introduction, and welcome. I know that President Obama was very grateful that you led the prayer at last summer's iftar dinner at the White House, which, as the President noted, is a tradition stretching back more than two centuries to when Thomas Jefferson hosted the first iftar dinner at the White House.

Well, "iftar" refers to the evening meal when Muslims break their fast during the Islamic month of Ramadan. Iftar is one of the religious observances of Ramadan, and is often done as a community with people gathering to break their fast together. Iftar is done right after sunset time. Traditionally, a date is the first thing to be consumed when the fast is broken.

But if you look at the true history of the country, Thomas Jefferson did invite a leader from Tunis to break bread with him at the White House, and it was at the conclusion of Ramadan, but there's no evidence to indicate whatsoever that this was a traditional iftar dinner.

You get back to the facts. In the second paragraph, he says—and this is Denis McDonough, Deputy National Security Adviser—Our Founders understood the best way to honor the place of faith in the lives of people was to protect their freedom to practice religion. In the Virginia Act, establishing religious freedom, Thomas Jefferson wrote that all men shall be free to profess and by argument to maintain their opinions in matters of religion.

He goes on in his remarks, and he says, Thank you also for being one of our Nation's leading voices for the val-

ues that make America so strong, especially religious freedom and tolerance.

Parenthetically, I'm not sure if tolerance includes funding terrorist activities against Israel and the United States, but that's a parenthetical question on my part.

Back to Mr. McDonough, Whether it's here at the ADAMS Center or as president of the Islamic Society of North America, you've spoken with passion and eloquence not only about your own Islamic faith but for the need to build bridges of understanding and trust between faiths.

This is incredible. The Deputy National Security Adviser is thanking the president of a coconspirator—named, at least, as a coconspirator, joint venturer in the Holy Land Foundation trial. He was not merely introducing him at this proceeding, but was also thanking him for being a confidant who led the White House in prayer in their iftar proceeding in the White House. The president of a coconspirator to fund terrorist activities is leading Muslim prayers in the White House.

I realize my time has expired. I just know we need to work hard so that this country's time will not expire.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RANGEL (at the request of Ms. PELOSI) for today on account of official business in district.

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 3 o'clock and 41 minutes p.m.), under its previous order, the House adjourned until tomorrow, Friday, May 6, 2011, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1424. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Minimum Quality and Handling Standards for Domestic and Imported Peanuts Marketed in the United States; Section 610 Review [Doc. No.: AMS-FV-10-0030; FV10-996-610 Review] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1425. A letter from the Administrator, Department of Agriculture, transmitting the Department's final rule — Olives Grown in California; Decreased Assessment Rate [Doc. No.: AMS-FV-10-0115; FV11-932-1 IR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1426. A letter from the Administrator, Department of Agriculture, transmitting the

Department's final rule — Pears Grown in Oregon and Washington; Amendment To Allow Additional Exemptions [Doc. No.: AMS-FV-10-0072; FV10-927-1 IR] received March 23, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1427. A letter from the Director, Program Development and Regulatory Analysis, Rural Development Utilities Programs, Department of Agriculture, transmitting the Department's final rule — Rural Broadband Access Loans and Loan Guarantees (RIN: 0572-AC06) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1428. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Decision and Order Granting 180-Day Extension of Compliance Date for Residential Furnaces and Boilers Test Procedure Amendments [Docket Number: EERE-2008-BT-TP-0020] (RIN: 1904-AB89) received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1429. A letter from the Deputy Director, Regulations Policy and Management Staff, Department of Health and Human Services, transmitting the Department's final rule — New Animal Drugs for Use in Animal Feeds; Florfenicol; Correction [Docket No.: FDA-2010-N-0002] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1430. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations (Jackson, Mississippi) [MB Docket No.: 11-8] received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1431. A letter from the General Counsel, Federal Energy Regulatory Commission, transmitting the Commission's final rule — Western Electric Coordinating Council Qualified Transfer Path Unscheduled Flow Relief Regional Reliability Standard [Docket No.: RM09-19-000; Order No. 746] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1432. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Control of the Processing and Use of Stainless Steel (Regulatory Guide 1.44, Revision 1) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1433. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's final rule — Notice of Availability (NOA) of the Models for Plant-Specific Adoption of Technical Specifications Task Force (TSTF) Traveler TSTF-422, Revision 2 "Change in Technical Specifications End States (CE NPSD-1186)", for Combustion Engineering (CE) Pressurized Water Reactor (PWR) Plants Using the Consolidated Line Item Improvement Process (CLIP) [NRC-2010-XXXX] received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1434. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-128, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1435. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-001, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1436. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-031, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1437. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 10-130, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1438. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-58, "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

1439. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-53, "District of Columbia Board of Elections and Ethics Primary Date Alteration Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

1440. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-54, "Third & H Streets, N.E. Economic Development Technical Clarification Temporary Act of 2011"; to the Committee on Oversight and Government Reform.

1441. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-55, "Real Property Tax Appeals Commission Establishment Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

1442. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-56, "Clean and Affordable Energy Fiscal Year 2011 Fund Balance Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

1443. A letter from the Chairman, Council of the District of Columbia, transmitting Transmittal of D.C. ACT 19-57, "Not-for-Profit Hospital Corporation Board Chairperson Designation Temporary Amendment Act of 2011"; to the Committee on Oversight and Government Reform.

1444. A letter from the Associate Attorney General, Department of Justice, transmitting the Department's 2010 Freedom of Information Act Litigation and Compliance Report, pursuant to 5 U.S.C. 552(e)(4); to the Committee on Oversight and Government Reform.

1445. A letter from the Executive Director, Election Assistance Commission, transmitting the Commission's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1446. A letter from the Administrator, General Services Administration, transmitting the Administration's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR

Act); to the Committee on Oversight and Government Reform.

1447. A letter from the Chairman, National Credit Union Administration, transmitting the Administration's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1448. A letter from the Director, National Science Foundation, transmitting the Foundation's annual report for FY 2010 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1449. A letter from the Chairman, Nuclear Regulatory Commission, transmitting the Commission's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Pub. L. 107-174; to the Committee on Oversight and Government Reform.

1450. A letter from the Administrator, Small Business Administration, transmitting the Administration's annual report for FY 2010 prepared in accordance with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1451. A letter from the Deputy Chief, National Forest System, Department of Agriculture, transmitting the Department's report on the exterior boundary of Yellow Dog Wild and Scenic River Ottawa National Forest, Eastern Region, pursuant to 16 U.S.C. 1274; to the Committee on Natural Resources.

1452. A letter from the General Counsel, Office of Justice Programs, Department of Justice, transmitting the Department's final rule — International Terrorism Victim Expense Reimbursement Program [Docket No.: OJP (OVC) 1539] (RIN: 1121-AA78) received April 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1453. A letter from the Chairman, Federal Maritime Commission, transmitting the Commission's 49th annual report of activities for fiscal year 2010, pursuant to Section 103(e) of the Reorganization Plan No. 7 of 1961 and Section 208 of the Merchant Marine Act of 1936, as amended; to the Committee on Transportation and Infrastructure.

1454. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and in methods of accounting (Rev. Proc. 2011-22) received April 7, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1455. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Extension of Sunset Date for Attorney Advisor Program [Docket No.: SSA-2009-0048] (RIN: 0960-AH05) received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1456. A letter from the Director, Office of Regulations, Social Security Administration, transmitting the Administration's final rule — Revised Medical Criteria for Evaluating Endocrine Disorders [Docket No.: SSA-2006-0114] (RIN: 0960-AD78) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1457. A letter from the Secretary, Department of Health and Human Services, transmitting the report entitled "Fourth Report

to Congress on the Evaluation of the Medicare Coordinated Care Demonstration — Extended” in response to the requirements Section 4016(c) of Public Law 105-33, the Balanced Budget Act of 1997; jointly to the Committees on Energy and Commerce and Ways and Means.

1458. A letter from the Secretary, Department of Health and Human Services, transmitting Determining Medical Necessity and Appropriateness of Care for Medicare Long Term Care Hospitals, pursuant to Public Law 110-173, section 114(b)(2) (121 Stat. 2502); jointly to the Committees on Ways and Means and Energy and Commerce.

1459. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicare Programs: Changes to the End-Stage Renal Disease Prospective Payment System Transition Budget-Neutrality Adjustment [CMS-1435-IFC] (RIN: 0938-AQ94) received April 6, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. MCGOVERN (for himself, Mr. JONES, Ms. LORETTA SANCHEZ of California, Mr. CHAFFETZ, Mr. LOEBACK, Mr. PAUL, Mr. GARAMENDI, Mr. DUNCAN of Tennessee, Mr. LEWIS of Georgia, Mr. JOHNSON of Illinois, Mr. CICILLINE, Mr. AMASH, Ms. SLAUGHTER, Mr. BARTLETT, Mr. WELCH, and Mr. MORAN):

H.R. 1735. A bill to require the President to transmit to Congress a plan with timeframe and completion date and reports with status updates on the transition of United States military and security operations in Afghanistan to the Government of Afghanistan; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCKINLEY (for himself, Mrs. CAPITO, and Mr. RAHALL):

H.R. 1736. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Financial Services.

By Mr. GARRETT (for himself, Mr. BISHOP of Utah, Mr. BURTON of Indiana, Mr. CHAFFETZ, Mr. WESTMORELAND, Mr. FRANKS of Arizona, Mr. KING of Iowa, Mr. DESJARLAIS, Mr. RIBBLE, Mr. ROE of Tennessee, Mr. WALBERG, Mr. HUIZENGA of Michigan, Mr. MULVANEY, Mr. LAMBORN, Mr. DUNCAN of South Carolina, Mr. GOMMERT, Mr. FLORES, Mr. FLEMING, and Mr. WILSON of South Carolina):

H.R. 1737. A bill to amend the Internal Revenue Code of 1986 to reduce the Federal tax on fuels by the amount of any increase in the rate of tax on such fuel by the States; to the Committee on Ways and Means.

By Mr. REICHERT:

H.R. 1738. A bill to amend the Internal Revenue Code of 1986 to increase, extend, and make permanent the above-the-line deduction for certain expenses of elementary and secondary school teachers; to the Committee on Ways and Means.

By Mr. DOLD (for himself, Mr. BLUMENAUER, and Mr. MORAN):

H.R. 1739. A bill to repeal the Federal sugar program; to the Committee on Agriculture, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington:

H.R. 1740. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. SMITH of Texas (for himself, Mr. BILIRAKIS, Mr. KING of Iowa, Mr. CALVERT, Mr. POE of Texas, Mr. ROSS of Florida, Mr. GALLEGLY, Mr. AKIN, and Mr. MCCAUL):

H.R. 1741. A bill to authorize the Secretary of Homeland Security and the Secretary of State to refuse or revoke visas to aliens if in the security or foreign policy interests of the United States, to require the Secretary of Homeland Security to review visa applications before adjudication, to provide for the immediate dissemination of visa revocation information, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of North Carolina (for himself, Mr. DINGELL, Mr. COURTNEY, Mr. BUTTERFIELD, Mr. JACKSON of Illinois, Ms. BERKLEY, Mr. DONNELLY of Indiana, Mr. MURPHY of Connecticut, Mr. PRICE of North Carolina, Mr. WILSON of South Carolina, Ms. SUTTON, Mr. RIBBLE, Mr. CONYERS, Mrs. MALONEY, and Mr. JONES):

H.R. 1742. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to establish a presumption of service connection for illnesses associated with contaminants in the water supply at Marine Corps Base Camp Lejeune, North Carolina, and to provide health care to family members of veterans who lived at Camp Lejeune while the water was contaminated; to the Committee on Veterans' Affairs.

By Mr. GOSAR (for himself, Mr. FLAKE, Mr. SCHWEIKERT, Mr. PASTOR of Arizona, Mr. QUAYLE, Mr. FRANKS of Arizona, and Mr. GRIJALVA):

H.R. 1743. A bill to designate the Department of Veterans Affairs Vet Center in Prescott, Arizona, as the Dr. Cameron McKinley Department of Veterans Affairs Vet Center; to the Committee on Veterans' Affairs.

By Mr. BOUSTANY (for himself, Mr. TIBERI, and Mr. BARROW):

H.R. 1744. A bill to amend the Internal Revenue Code of 1986 to repeal the employer health insurance mandate; to the Committee on Ways and Means.

By Mr. CAMP (for himself, Mr. DAVIS of Kentucky, and Mr. BERG):

H.R. 1745. A bill to improve jobs, opportunity, benefits, and services for unemployed Americans, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BALDWIN (for herself and Mr. LATOURETTE):

H.R. 1746. A bill to amend the Communications Act of 1934 to establish signal quality and content requirements for the carriage of public, educational, and governmental channels, to preserve support of such channels, and for other purposes; to the Committee on Energy and Commerce.

By Mr. HERGER (for himself, Mr. KIND, Mr. BURTON of Indiana, Mr. GRAVES of Missouri, and Mr. LATHAM):

H.R. 1747. A bill to amend the Internal Revenue Code of 1986 to make permanent the rule treating certain farming business machinery and equipment as 5-year property; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself, Mr. MARKEY, Ms. CHU, and Mr. LARSON of Connecticut):

H.R. 1748. A bill to provide consumers relief from high gas prices, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Natural Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. SLAUGHTER (for herself, Mr. DEFazio, Mr. MICHAUD, Ms. MOORE, Mr. JONES, Mr. DINGELL, Mr. HIGGINS, Mr. LIPINSKI, Mr. TONKO, Ms. SUTTON, Mr. HINCHEY, Mr. KILDEE, Mr. JOHNSON of Georgia, Mr. HASTINGS of Florida, Mr. KUCINICH, Mr. FILNER, Ms. KAPTUR, Mr. MCINTYRE, Mr. KISSELL, Ms. DELAURO, Mr. RYAN of Ohio, Ms. CLARKE of New York, Mr. GARAMENDI, Mr. LEWIS of Georgia, Ms. PINGREE of Maine, Mr. JACKSON of Illinois, Mr. BRALEY of Iowa, Mr. CRITZ, Mr. GRIJALVA, Mr. CLAY, Mr. GENE GREEN of Texas, Mr. ISRAEL, Mr. OLIVER, Mr. GEORGE MILLER of California, Ms. WOOLSEY, and Mr. CAPUANO):

H.R. 1749. A bill to enhance reciprocal market access for United States domestic producers in the negotiating process of bilateral, regional, and multilateral trade agreements; to the Committee on Ways and Means.

By Mr. TURNER (for himself and Mr. MCKEON):

H.R. 1750. A bill to strengthen the strategic force posture of the United States by implementing and supplementing certain provisions of the New START Treaty and the Resolution of Ratification, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACHUS (for himself, Ms. SEWELL, Mr. ROGERS of Alabama, Mr. AL GREEN of Texas, and Mr. CLAY):

H.R. 1751. A bill to amend the National Manufactured Housing Construction and Safety Standards Act of 1974 to require that weather radios be installed in all manufactured homes manufactured or sold in the United States; to the Committee on Financial Services.

By Mr. CROWLEY:

H.R. 1752. A bill to require the Federal Communications Commission to promulgate regulations requiring a label to be displayed on the packaging of certain baby monitors to warn that the signals of such monitors may be intercepted by potential intruders; to the Committee on Energy and Commerce.

By Mrs. MALONEY (for herself, Mr. ACKERMAN, Mr. PIERLUISI, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr.

RANGEL, Mr. WAXMAN, Mr. DEUTCH, and Mr. GRIMM):

H.R. 1753. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Education and the Workforce.

By Mr. GARY G. MILLER of California (for himself and Mr. SHERMAN):

H.R. 1754. A bill to permanently increase the conforming loan limits for the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association and the FHA maximum mortgage amount limitations; to the Committee on Financial Services.

By Mr. GARY G. MILLER of California (for himself, Mr. MILLER of North Carolina, Mr. TIBERI, Mr. ROSS of Florida, Mr. HANNA, Mr. WILSON of South Carolina, Mrs. BLACK, Mr. ROKITA, Mr. JONES, Mr. MARCHANT, Mr. STEARNS, Mr. SAM JOHNSON of Texas, Mr. RIBBLE, Mr. LUETKEMEYER, Mr. DUNCAN of Tennessee, Mr. MANZULLO, Mr. MULVANEY, Mr. BACA, Mrs. MCMORRIS RODGERS, Mr. CALVERT, Mr. PRICE of North Carolina, Mr. KISSELL, Mr. SIRE, Mr. PIERLUISI, Mr. SCHRADER, Mr. RIGELL, Mr. MILLER of Florida, Mr. GOWDY, Mr. GENE GREEN of Texas, Mr. AL GREEN of Texas, and Mr. DOGGETT):

H.R. 1755. A bill to enable Federal and State chartered banks and thrifts to meet the credit needs of the Nation's home builders, and to provide liquidity and ensure stable credit for meeting the Nation's need for new homes; to the Committee on Financial Services.

By Mr. BASS of New Hampshire (for himself, Mr. WELCH, Mr. PALLONE, and Mr. LANCE):

H.R. 1756. A bill to reauthorize the National Oilheat Research Alliance, and for other purposes; to the Committee on Energy and Commerce.

By Ms. BERKLEY:

H.R. 1757. A bill to make permanent the estate tax provisions enacted as part of the Tax Relief, Unemployment Insurance Reauthorization, and Job Creation Act of 2010; to the Committee on Ways and Means.

By Mr. BISHOP of New York (for himself and Mr. COURTNEY):

H.R. 1758. A bill to reduce and prevent the sale and use of fraudulent degrees in order to protect the integrity of valid higher education degrees that are used for Federal employment purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BONNER:

H.R. 1759. A bill to amend the Gulf of Mexico Energy Security Act of 2006 to increase the amount of Gulf of Mexico oil and gas lease revenue shared with Gulf States; to the Committee on Natural Resources.

By Mr. GEORGE MILLER of California (for himself, Mr. MARKEY, Mr. SABLAN, Mr. PIERLUISI, and Mr. YOUNG of Alaska):

H.R. 1760. A bill to reauthorize the Great Ape Conservation Act, and for other purposes; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. YOUNG of Alaska, Mr. GEORGE MILLER

of California, Mr. FALOMAVAEGA, Mr. MORAN, Mrs. CHRISTENSEN, Ms. BORDALLO, Ms. HIRONO, and Mr. SABLAN):

H.R. 1761. A bill to reauthorize the Marine Turtle Conservation Act of 2004, and for other purposes; to the Committee on Natural Resources.

By Mr. BONNER (for himself, Mr. BACHUS, Mr. ADERHOLT, Mr. ROGERS of Alabama, Ms. SEWELL, Mrs. ROBY, Mr. BROOKS, Mr. MILLER of Florida, Mr. PALAZZO, Mr. HARPER, Mr. NUNNELEE, Mr. POE of Texas, Mr. PAUL, and Mr. SOUTHERLAND):

H.R. 1762. A bill to establish a Gulf Coast Restoration Fund, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Natural Resources, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BOUSTANY:

H.R. 1763. A bill to close the loophole that allowed the 9/11 hijackers to obtain credit cards from United States banks that financed their terrorist activities, to ensure that illegal immigrants cannot obtain credit cards to evade United States immigration laws, and for other purposes; to the Committee on Financial Services.

By Mr. BOUSTANY:

H.R. 1764. A bill to prohibit appropriated funds from being used in contravention of section 642(a) of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996; to the Committee on the Judiciary.

By Mr. BOUSTANY:

H.R. 1765. A bill to amend the Migratory Bird Treaty Act to authorize hunting under certain circumstances; to the Committee on Natural Resources.

By Mr. BOUSTANY:

H.R. 1766. A bill to ensure efficiency and fairness in the awarding of Federal contracts in connection with natural disaster reconstruction efforts; to the Committee on Oversight and Government Reform.

By Mr. BOUSTANY:

H.R. 1767. A bill to amend the Internal Revenue Code of 1986 to allow expenses relating to all home schools to be qualified education expenses for purposes of a Coverdell education savings account; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 1768. A bill to amend the Internal Revenue Code of 1986 to expand the Coverdell education savings accounts to allow home school education expenses, and for other purposes; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 1769. A bill to amend title IV of the Social Security Act to require States to implement a drug testing program for applicants for and recipients of assistance under the Temporary Assistance for Needy Families (TANF) program; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 1770. A bill to amend title 44 of the United States Code, to provide for the suspension of fines under certain circumstances for first-time paperwork violations by small business concerns; to the Committee on Oversight and Government Reform, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Ms. NORTON, Mr. HASTINGS of Florida, Mr.

GRIJALVA, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Mr. NADLER, Mr. GONZALEZ, Mr. DAVIS of Illinois, Mr. STARK, and Ms. MOORE):

H.R. 1771. A bill to increase public confidence in the justice system and address any unwarranted racial and ethnic disparities in the criminal process; to the Committee on the Judiciary.

By Mr. ENGEL:

H.R. 1772. A bill to amend titles 23 and 49, United States Code, to reduce injuries and deaths caused by cell phone use and texting while driving, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GERLACH (for himself and Mr. KISSELL):

H.R. 1773. A bill to amend the Internal Revenue Code of 1986 to make the research credit permanent, increase expensing for small businesses, reduce corporate tax rates, and for other purposes; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Mr. CONYERS, Mr. GRIJALVA, Ms. LEE of California, Mr. MCGOVERN, Mr. JACKSON of Illinois, Ms. WASSERMAN SCHULTZ, Mr. BRADY of Pennsylvania, Mr. HINCHAY, Ms. NORTON, Mr. DEUTCH, Mr. PAYNE, Mr. SERRANO, Mr. RUSH, Mrs. CHRISTENSEN, Ms. MOORE, Mr. CLAY, Mr. JOHNSON of Georgia, Mr. QUIGLEY, Mr. FRANK of Massachusetts, Ms. SCHAKOWSKY, Mr. RANGEL, Mr. POLIS, Mr. CICILLINE, Mr. DAVIS of Illinois, and Ms. BALDWIN):

H.R. 1774. A bill to provide for an evidence-based strategy for voluntary screening for HIV/AIDS and other common sexually transmitted infections, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, Ways and Means, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HECK (for himself, Mr. RYAN of Ohio, Mr. CONAWAY, Mr. CHAFFETZ, Mr. BRADY of Pennsylvania, Mr. SIMPSON, Mr. MILLER of Florida, Mr. HELLER, Mr. PLATTS, Mr. GARAMENDI, Mr. LAMBORN, Mr. BARTLETT, Mr. WILSON of South Carolina, Mrs. MYRICK, Mr. CRAWFORD, Mr. MCKEON, Mr. WEST, Mr. ROGERS of Michigan, Mr. STIVERS, Mr. GRIMM, Mr. HUNTER, Mr. ROONEY, Mr. THORNBERRY, Mr. DUNCAN of South Carolina, Mrs. HARTZLER, Mr. JOHNSON of Ohio, Mr. YOUNG of Florida, Mr. BURTON of Indiana, Mr. WALDEN, Mr. KINZINGER of Illinois, Mr. DUNCAN of Tennessee, and Mr. LONG):

H.R. 1775. A bill to amend title 18, United States Code, to establish a criminal offense relating to fraudulent claims about military service; to the Committee on the Judiciary.

By Mr. ALTMIRE:

H.R. 1776. A bill to direct the Secretary of Transportation to carry out a program to improve roadway safety infrastructure in all States to enhance the safety of older drivers and pedestrians, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. LATTA (for himself, Mr. WALBERG, Mr. GOHMERT, Mr. FLORES, Mr. WALSH of Illinois, Mr. PITTS, Mrs. LUMMIS, Mr. WILSON of South Carolina, Mr. KING of Iowa, Mr. CAMPBELL, Mr. ROSS of Florida, Mr. WEST, Mr. GUINTA, Mr. CONAWAY, Mr. LONG, Mr. MANZULLO, Mrs. BLACKBURN, Mr. MCKINLEY, Mr. BISHOP of Utah, Mr. WESTMORELAND, Mr. AKIN, Mr. AUSTIN SCOTT of Georgia, Mr. CULBERSON, Mr. FRANKS of Arizona, Mr. DUNCAN of South Carolina, Mr. CHAFFETZ, Mrs. CAPITO, Mr. GRIMM, Mr. HUELSKAMP, Mr. HERGER, Mrs. MYRICK, Mr. SCALISE, Mr. JORDAN, and Mr. ROKITA):

H.R. 1777. A bill to provide consumer relief for artificially high gas prices, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, Transportation and Infrastructure, Oversight and Government Reform, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MALONEY (for herself and Ms. HIRONO):

H.R. 1778. A bill to assure quality and best value with respect to Federal construction projects by prohibiting the practice known as bid shopping; to the Committee on Oversight and Government Reform.

By Mr. MARINO:

H.R. 1779. A bill to amend title 5, United States Code, to reduce the number of civil service positions within the executive branch, and for other purposes; to the Committee on Oversight and Government Reform.

By Ms. MATSUI (for herself and Mr. LATOURETTE):

H.R. 1780. A bill to ensure the safety of all users of the transportation system, including pedestrians, bicyclists, transit users, children, older individuals, and individuals with disabilities, as they travel on and across federally funded streets and highways; to the Committee on Transportation and Infrastructure.

By Mrs. MCCARTHY of New York (for herself, Ms. WASSERMAN SCHULTZ, Mr. CONYERS, Mr. SCOTT of Virginia, Mr. ACKERMAN, Ms. NORTON, Mr. GRIJALVA, Mr. HONDA, Ms. BROWN of Florida, Mrs. CAPPS, Mr. TOWNS, Mr. SERRANO, Mr. NADLER, Mr. ELLISON, Mr. CONNOLLY of Virginia, Mr. TIERNEY, Mr. CICILLINE, Ms. CHU, Mr. ROTHMAN of New Jersey, Mr. DEUTCH, Mr. QUIGLEY, Mr. STARK, Mr. MORAN, Mr. OLVER, Mr. JOHNSON of Georgia, Ms. MATSUI, Mrs. MALONEY, Mr. FATTAH, Mr. HOLT, Mr. FARR, and Mr. ENGEL):

H.R. 1781. A bill to ensure that all individuals who should be prohibited from buying a firearm are listed in the national instant criminal background check system and require a background check for every firearm sale; to the Committee on the Judiciary, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCOTTER:

H.R. 1782. A bill to implement the recommendations of the report of the Government Accountability Office entitled "Opportunities to Reduce Potential Duplication in

Government Programs, Save Tax Dollars, and Enhance Revenue"; to the Committee on Oversight and Government Reform, and in addition to the Committee on Appropriations, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MILLER of North Carolina (for himself, Mr. GEORGE MILLER of California, Mr. TURNER, Mr. CONYERS, and Mr. AL GREEN of Texas):

H.R. 1783. A bill to provide for enhanced mortgage-backed and asset-backed security investor protections, to prevent foreclosure fraud, and for other purposes; to the Committee on Financial Services.

By Mr. NADLER:

H.R. 1784. A bill to amend the Public Health Service Act and Employee Retirement Income Security Act of 1974 to require that group and individual health insurance coverage and group health plans provide coverage for annual screening mammography for women 40 years of age or older and for such screening and annual magnetic resonance imaging for women at high risk for breast cancer if the coverage or plans include coverage for diagnostic mammography for women 40 years of age or older; to the Committee on Energy and Commerce, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 1785. A bill to prohibit the Secretary of the Smithsonian Institution from charging a fee for admission to any exhibit which is part of the permanent collection of any museum or facility which is part of any bureau established in or under the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Ms. NORTON:

H.R. 1786. A bill to provide for the application of sections 552, 552a, and 552b of title 5, United States Code (commonly referred to as the Freedom of Information Act and the Privacy Act), and the Federal Advisory Committee Act (5 U.S.C. App.) to the Smithsonian Institution, and for other purposes; to the Committee on House Administration.

By Ms. NORTON:

H.R. 1787. A bill to revise the composition of the Board of Regents of the Smithsonian Institution so that all members are individuals appointed by the President from a list of nominees submitted by the leadership of the Congress, and for other purposes; to the Committee on House Administration.

By Mr. PASCRELL (for himself and Mr. DAVIS of Kentucky):

H.R. 1788. A bill to amend the Internal Revenue Code of 1986 to allow reimbursement from flexible spending accounts for certain dental products; to the Committee on Ways and Means.

By Mr. PAULSEN (for himself, Ms. SUTTON, Mr. LATOURETTE, and Mr. PASCRELL):

H.R. 1789. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide standards and procedures to guide both State and local law enforcement agencies and law enforcement officers during internal investigations, interrogation of law enforcement officers, and administrative disciplinary hearings, to ensure accountability of law enforcement officers, to guarantee the due process rights of law enforcement officers, and to require States to enact law en-

forcement discipline, accountability, and due process laws; to the Committee on the Judiciary.

By Mr. ROHRBACHER:

H.R. 1790. A bill to prohibit assistance to Pakistan; to the Committee on Foreign Affairs.

By Mr. ROONEY (for himself, Mr. HASTINGS of Florida, Mr. MILLER of Florida, Ms. BROWN of Florida, Mr. CRENSHAW, Mr. NUGENT, Mr. WEBSTER, Mr. BILIRAKIS, Mr. YOUNG of Florida, Mr. BUCHANAN, Mr. POSEY, Ms. ROSELEHTINEN, Mr. DEUTCH, Ms. WASSERMAN SCHULTZ, Mr. DIAZ-BALART, Mr. WEST, and Mr. RIVERA):

H.R. 1791. A bill to designate the United States courthouse under construction at 101 South United States Route 1 in Fort Pierce, Florida, as the "Alto Lee Adams, Sr., United States Courthouse"; to the Committee on Transportation and Infrastructure.

By Mr. SCHOCK (for himself and Mr. LANGEVIN):

H.R. 1792. A bill to amend the Internal Revenue Code of 1986 to include automated fire sprinkler systems as section 179 property and classify certain automated fire sprinkler systems as 15-year property for purposes of depreciation; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself and Mr. WEINER):

H.R. 1793. A bill to amend title 18, United States Code, to deter public corruption, and for other purposes; to the Committee on the Judiciary.

By Ms. BROWN of Florida (for herself and Ms. SLAUGHTER):

H. Res. 252. A resolution supporting the goals and ideals of National Train Day; to the Committee on Transportation and Infrastructure.

By Mr. FORBES (for himself and Mr. MCINTYRE):

H. Res. 253. A resolution affirming the rich spiritual and religious history of our Nation's founding and subsequent history and expressing support for designation of the first week in May as "America's Spiritual Heritage Week" for the appreciation of and education on America's history of religious faith; to the Committee on Oversight and Government Reform.

By Mr. NEUGEBAUER (for himself, Mr. PEARCE, and Mr. BACHUS):

H. Res. 254. A resolution encouraging people in the United States to join together in prayer for the victims of the destructive tornadoes and flooding in the South and Midwest and the devastating drought and dangerous wildfires in the South and Southwest; to the Committee on Oversight and Government Reform.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

14. The SPEAKER presented a memorial of the Legislature of the State of North Dakota, relative to House Concurrent Resolution No. 3028 urging the Congress to adopt legislation prohibiting the Environmental Protection Agency from regulating greenhouse emissions; to the Committee on Energy and Commerce.

15. Also, a memorial of the Senate of the State of Wyoming, relative to Senate Joint Resolution No. 6 urging the Congress to adopt legislation prohibiting the EPA from regulating greenhouse gas emissions; to the Committee on Energy and Commerce.

16. Also, a memorial of the Senate of the State of New Mexico, relative to Senate Memorial 41 urging the Congress to reauthorize Section 5056 of the Water Resources Development Act of 2007; to the Committee on Transportation and Infrastructure.

17. Also, a memorial of the Legislature of the State of North Dakota, relative to House Concurrent Resolution No. 3019 urging the Army Corps of Engineers to immediately cease wrongful denial of access and wrongful requirement of payment for the natural flows of the Missouri River; to the Committee on Transportation and Infrastructure.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. MCGOVERN:

H.R. 1735.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause one (provide for the common Defense and general Welfare of the United States; and Article I, Section 8, clause 18 (to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Mr. MCKINLEY:

H.R. 1736.

Congress has the power to enact this legislation pursuant to the following:

According to Article I, Section 8, Clause 3 of the Constitution: The Congress shall have power to enact this legislation to regulate commerce with foreign nations, and among the several states, and with the Indian tribes.

By Mr. GARRETT:

H.R. 1737.

Congress has the power to enact this legislation pursuant to the following:

Tenth Amendment to the Constitution:

"The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people."

By Mr. REICHERT:

H.R. 1738.

Congress has the power to enact this legislation pursuant to the following:

"Amendment XVI to the Constitution of the United States: The Congress shall have power to lay and collect taxes on incomes, from whatever source derived, without apportionment among the several States, and without regard to any census or enumeration."

By Mr. DOLD:

H.R. 1739.

Congress has the power to enact this legislation pursuant to the following:

Interstate Commerce Clause—Article 1, Section 8, Clause 3

By Mr. LARSEN of Washington:

H.R. 1740.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 2 of the Constitution, "the House of Representatives shall be composed of Members chosen every second Year by the People of the several States." As

described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress." I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has "the judicial power" that "shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States." Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating "The judicial power of the United States, shall be vested in one supreme Court."

The power of judicial review of the Supreme Court was upheld in *Marbury v. Madison* in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Mr. SMITH of Texas:

H.R. 1741.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of section 8 of article I of the Constitution.

By Mr. MILLER of North Carolina:

H.R. 1742.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (related to providing for the common Defence and general Welfare of the United States)

By Mr. GOSAR:

H.R. 1743.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses federal oversight and management of federal land. Accordingly, pursuant to:

Article I, Sec. 8, Clause 17, which provides that Congress has the power and authority to: "exercise exclusive Legislation in all Cases whatsoever, over such District (not exceeding ten Miles square) as may, by Cession of particular States, and the Acceptance of Congress, become the Seat of the Government of the United States, and to exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards, and other needful Buildings.

(Emphasis added). Thus, the Constitution's Places Clause confers the express and exclusive constitutional authority to Congress to manage Federal Property, including federally owned property used for any "needful" government purpose. The federal government's duty to raise and maintain a military force subsumes a duty to maintain and take care of its veterans from such military forces. Thus, a veterans' center is a "needful building" to fulfill a core constitutional duty, and thus Congress has the exclusive authority to manage it and give it a name. *James v. Dravo Contracting Co.*, 302 U.S. 134, 143 (1937) (taking the "view" that the phrase "other needful buildings" embraces "whatever structures are found to be necessary in the performance of the functions of the federal government). For these reasons, the bill seeking to name a veteran's center is constitutionally permissible.

By Mr. BOUSTANY:

H.R. 1744.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution

By Mr. CAMP:

H.R. 1745.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Ms. BALDWIN:

H.R. 1746.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the Constitution of the United States.

By Mr. HERGER:

H.R. 1747.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1.

By Mr. BISHOP of New York:

H.R. 1748.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Sec. 8, Clause 1

Article 1, Sec. 8, Clause 3

Article 4, Sec. 3, Clause 2

By Ms. SLAUGHTER:

H.R. 1749.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. TURNER:

H.R. 1750.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mr. BACHUS:

H.R. 1751.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. CROWLEY:

H.R. 1752.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution

By Mrs. Maloney:

H.R. 1753.

Congress has the power to enact this legislation pursuant to the following:

Spending Authorization

Article I, Section 8, Clause 3

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. GARY G. MILLER of California:

H.R. 1754.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. GARY G. MILLER of California:

H.R. 1755.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. BASS of New Hampshire:

H.R. 1756.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Congress has the power "to regulate commerce with foreign nations, and among the several states"

By Ms. BERKLEY:

H.R. 1757.

Congress has the power to enact this legislation pursuant to the following:
Article I §8 of the United States Constitution.

By Mr. BISHOP of New York:

H.R. 1758.

Congress has the power to enact this legislation pursuant to the following:
Clauses 1, 3, and 18 of Section 8 of Article I of the Constitution.

By Mr. BONNER:

H.R. 1759.

Congress has the power to enact this legislation pursuant to the following:
Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. GEORGE MILLER of California:

H.R. 1760.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

By Mr. PIERLUISI:

H.R. 1761.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress enumerated in Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BONNER:

H.R. 1762.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1763.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1764.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1765.

Congress has the power to enact this legislation pursuant to the following:

Article VI, Clause 2 of the United States Constitution as upheld by the Supreme Court of Missouri v. Holland, 252 U.S. H416 (1920)

By Mr. BOUSTANY:

H.R. 1766.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1767.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1768.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1769.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1770.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. COHEN:

H.R. 1771.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Article I, Section 8 of the United States Constitution.

By Mr. ENGEL:

H.R. 1772.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. GERLACH:

H.R. 1773.

Congress has the power to enact this legislation pursuant to the following:

The Congress enacts this bill pursuant to Clause 1 of Section 8 of Article I of the United States Constitution.

By Mr. HASTINGS of Florida:

H.R. 1774.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 in Article 1 relating to the general welfare of the United States.

By Mr. HECK:

H.R. 1775.

Congress has the power to enact this legislation pursuant to the following:

The power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution, to make all laws which shall be necessary and proper for carrying into execution the foregoing Powers, and all other powers vested by the Constitution in the Government of the United States, or in any Department or officer thereof.

By Mr. ALTMIRE:

H.R. 1776.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

And

Article I, Section 8, Clause 3:

The Congress shall have Power . . . To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. LATTA:

H.R. 1777.

Congress has the power to enact this legislation pursuant to the following:

This resolution is enacted pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. MALONEY:

H.R. 1778.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3, which reads: To regulate Commerce with foreign Nations, and among the several States, and with Indian Tribes.

By Mr. MARINO:

H.R. 1779.

Congress has the power to enact this legislation pursuant to the following:

1) Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

2) Article I, Section 8, Clause 18—The Congress shall have Power . . . To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

By Ms. MATSUI:

H.R. 1780.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3

By Mrs. MCCARTHY of New York:

H.R. 1781.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. MCCOTTER:

H.R. 1782.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7

No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law; and a regular Statement and Account of the Receipts and Expenditures of all public Money shall be published from time to time.

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. MILLER of North Carolina:

H.R. 1783.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 (Relating to the General Welfare of the United States)

Article I, Section 8, Clause 3 (Relating to the power to regulate interstate commerce)

By Mr. NADLER:

H.R. 1784.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 3 (to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes), and clause 18 (to make all Laws which shall be necessary and proper for the carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof).

By Ms. NORTON:

H.R. 1785.

Congress has the power to enact this legislation pursuant to the following:

Section 1 of article I, and clause 18, section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 1786.

Congress has the power to enact this legislation pursuant to the following:

Section 1 of article I, and clause 18, section 8 of article I of the Constitution.

By Ms. NORTON:

H.R. 1787.

Congress has the power to enact this legislation pursuant to the following:

Section 1 of article I, and clause 18, section 8 of article I of the Constitution.

By Mr. PASCRELL:

H.R. 1788.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. PAULSEN:

H.R. 1789.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8.

By Mr. ROHRBACHER:

H.R. 1790.

Congress has the power to enact this legislation pursuant to the following:

Article 1—The Legislative Branch, Section: 7—Legislative Process: Clauses 1–3—Revenue Bills.

By Mr. ROONEY:

H.R. 1791.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. SCHOCK:

H.R. 1792.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress as stated in Article I, Section 7, and Article I, Section 8 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 1793.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, of the Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 11: Mr. CICILLINE.

H.R. 23: Mr. BURTON of Indiana and Mr. CARSON of Indiana.

H.R. 104: Mr. WHITFIELD and Mr. BISHOP of New York.

H.R. 114: Mr. YARMUTH.

H.R. 198: Mr. MORAN.

H.R. 210: Mr. BECERRA and Mr. SCHIFF.

H.R. 329: Mr. TIERNEY and Mr. LOEBSACK.

H.R. 389: Mr. SCALISE.

H.R. 412: Mr. ISSA and Mr. DEFazio.

H.R. 420: Mrs. HARTZLER, Mr. AUSTIN SCOTT of Georgia, Mr. CRAWFORD, Mr. SHUSTER, and Mr. RIGELL.

H.R. 431: Mr. GRIFFIN of Arkansas.

H.R. 436: Mrs. BIGGERT, Mr. CHABOT, Mr. DIAZ-BALART, Mr. YOUNG of Florida, Mr. STIVERS, Mr. MCHENRY, Mr. GIBSON, Mr. HULTGREN, and Mr. AUSTIN SCOTT of Georgia.

H.R. 440: Mr. DEFazio.

H.R. 451: Ms. ZOE LOFGREN of California, Mr. COLE, and Mr. BARTON of Texas.

H.R. 458: Ms. BERKLEY and Ms. BROWN of Florida.

H.R. 459: Mr. LABRADOR.

H.R. 466: Mr. BURTON of Indiana, Mr. DOYLE, Mr. LATHAM, and Mr. MILLER of North Carolina.

H.R. 468: Mr. MANZULLO.

H.R. 497: Mr. MILLER of Florida.

H.R. 509: Mr. AUSTIN SCOTT of Georgia.

H.R. 513: Mr. SCALISE.

H.R. 527: Mr. JOHNSON of Ohio.

H.R. 567: Mr. QUAYLE.

H.R. 601: Mrs. LOWEY and Mr. GARAMENDI.

H.R. 645: Mr. AUSTIN SCOTT of Georgia, Mr. ROGERS of Kentucky, and Mr. SOUTHERLAND.

H.R. 654: Ms. WOOLSEY and Mr. STARK.

H.R. 664: Mr. TIERNEY.

H.R. 672: Mr. WESTMORELAND.

H.R. 674: Mr. MCKINLEY, Mr. LATHAM, and Mr. QUAYLE.

H.R. 709: Ms. SUTTON.

H.R. 716: Mr. SABLAN.

H.R. 719: Mr. WESTMORELAND, Mr. HINCHEY, Mr. MCDERMOTT, Mr. MICHAUD, Mr. HELLER, and Mr. PETERSON.

H.R. 721: Mr. WELCH.

H.R. 735: Mr. WOMACK and Mr. FLEMING.

H.R. 765: Mr. GARDNER.

H.R. 787: Mr. AUSTRIA, Mr. GRIFFIN of Arkansas, Mr. ROGERS of Alabama, Mr. LUETKEMEYER, and Mr. ISSA.

H.R. 807: Ms. LINDA T. SANCHEZ of California.

H.R. 808: Ms. PINGREE of Maine.

H.R. 812: Ms. WOOLSEY, Mr. MURPHY of Connecticut, Mr. KISSELL, and Mr. GEORGE MILLER of California.

H.R. 814: Mr. MCGOVERN.

H.R. 822: Mr. AUSTIN SCOTT of Georgia, Mr. ROKITA, Mrs. HARTZLER, Mr. SOUTHERLAND, and Mr. ROGERS of Kentucky.

H.R. 880: Mr. SCHOCK.

H.R. 904: Mr. ALTMIRE.

H.R. 913: Ms. CHU.

H.R. 964: Mr. LEVIN.

H.R. 965: Mr. BRADY of Pennsylvania and Ms. HIRONO.

H.R. 966: Mr. HERGER.

H.R. 968: Mrs. HARTZLER.

H.R. 971: Mr. FILNER.

H.R. 973: Mr. FLEISCHMANN.

H.R. 984: Mr. SCHOCK, Mr. SHUSTER, and Mr. FARENTHOLD.

H.R. 985: Mr. MEEKS, Mr. HINOJOSA, Mr. CONYERS, Mr. HINCHEY, Ms. VELÁZQUEZ, Mr. SIREs, Mrs. NAPOLITANO, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. BECERRA, and Mr. SERRANO.

H.R. 1005: Mr. TONKO.

H.R. 1032: Mr. DUNCAN of South Carolina and Mr. WILSON of South Carolina.

H.R. 1036: Mr. HUNTER.

H.R. 1041: Ms. JENKINS and Mr. BRALEY of Iowa.

H.R. 1044: Mr. BISHOP of Utah.

H.R. 1057: Mr. PASCRELL.

H.R. 1058: Mr. BOSWELL, Ms. WILSON of Florida, Mr. COURTNEY, and Mr. MICHAUD.

H.R. 1066: Mr. KUCINICH, Mr. LOEBSACK, Mr. MICHAUD, Ms. CHU, Mr. TIERNEY, Ms. LINDA T. SANCHEZ of California and Mr. OWENS.

H.R. 1070: Mr. WALSH of Illinois.

H.R. 1075: Mr. FLORES.

H.R. 1093: Mrs. HARTZLER, Mr. ROGERS of Kentucky, Mr. BILIRAKIS, and Mr. SOUTHERLAND.

H.R. 1111: Mr. AUSTIN SCOTT of Georgia and Mr. RIGELL.

H.R. 1113: Mrs. NAPOLITANO.

H.R. 1116: Mr. BRALEY of Iowa.

H.R. 1119: Mr. LARSEN of Washington and Mr. GRIJALVA.

H.R. 1121: Mr. LATHAM.

H.R. 1123: Mr. BERMAN, Mrs. NAPOLITANO, Mr. CARDOZA, and Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1126: Mr. POMPEO, Mrs. MYRICK, Mr. GARRETT, Mr. DUNCAN of South Carolina, Mr. FLORES, Mr. LABRADOR, Mr. HUELSKAMP, Mr. CAMPBELL, Mr. RIGELL, Mr. GOHMERT, and Mrs. HARTZLER.

H.R. 1145: Mr. MCKINLEY.

H.R. 1168: Mr. GOHMERT, Mr. NUGENT, and Mr. BARTLETT.

H.R. 1171: Mr. COHEN, Mr. MORAN, Mrs. CAPPS, Mr. HONDA, Ms. ESHOO, Mr. HINCHEY, Ms. PINGREE of Maine, Mr. CARSON of Indiana, Ms. HIRONO, and Mr. WITTMAN.

H.R. 1172: Mr. CARSON of Indiana.

H.R. 1180: Mr. LAMBORN, Mr. MACK, and Mr. BISHOP of Utah.

H.R. 1187: Mr. SARBANES, Ms. BROWN of Florida, and Mr. SCHOCK.

H.R. 1189: Mr. CARDOZA.

H.R. 1193: Mr. MORAN and Mr. HOLT.

H.R. 1195: Mr. STARK.

H.R. 1206: Mr. WHITFIELD and Mr. TIBERI.

H.R. 1208: Mr. CARSON of Indiana.

H.R. 1219: Mr. SUTTON.

H.R. 1236: Mr. HERGER.

H.R. 1254: Mr. LANCE.

H.R. 1259: Mrs. BLACK and Mr. HERGER.

H.R. 1262: Mr. LARSON of Connecticut and Mr. PIERLUISI.

H.R. 1265: Mr. LATHAM and Mr. WALBERG.

H.R. 1269: Mrs. CAPPS, Mr. HIMES, Ms. HAYWORTH, and Mrs. ELLMERS.

H.R. 1270: Mr. NUNES.

H.R. 1274: Mr. FRANKS of Arizona and Mr. GARY G. MILLER of California.

H.R. 1297: Mr. WU.

H.R. 1315: Mr. MCKINLEY.

H.R. 1317: Mr. HINCHEY.

H.R. 1319: Ms. SUTTON.

H.R. 1337: Mr. FRELINGHUYSEN.

H.R. 1348: Mr. THOMPSON of Pennsylvania.

H.R. 1351: Ms. CHU, Mrs. DAVIS of California, Mr. OWENS, Mr. PIERLUISI, Mr. WALZ of Minnesota, Mr. HANNA, Mr. TONKO, Mr. DEUTCH, Mr. HEINRICH, Ms. DELAURO, Mr. CHANDLER, Mr. DOYLE, Mr. LOEBSACK, Mr. MURPHY of Connecticut, Mr. HIMES, Mr. RAHALL, Mr. HINCHEY, Mr. SCHIFF, Mr. HIGGINS, Mr. LARSON of Connecticut, Ms. WATERS, Mr. VISCLOSKEY, Mr. CLEAVER, Mr. ROTHMAN of New Jersey, Mr. PASCRELL, Ms. WASSERMAN SCHULTZ, Mr. CLARKE of Michigan, Mr. BISHOP of New York, Ms. CASTOR of Florida, and Mr. GRIJALVA.

H.R. 1356: Mr. DUNCAN of Tennessee and Mrs. NAPOLITANO.

H.R. 1383: Mr. HANNA and Mr. JOHNSON of Ohio.

H.R. 1391: Mr. GOWDY, Mr. STIVERS, Mr. SCOTT of South Carolina, and Mr. WOMACK.

H.R. 1402: Mr. GEORGE MILLER of California.

H.R. 1404: Mrs. MALONEY, Mr. LANGEVIN, Mr. HIMES, and Ms. ROYBAL-ALLARD.

H.R. 1416: Mr. STIVERS, Mrs. HARTZLER, Mr. BENISHEK, Mr. QUAYLE, and Mr. KLINE.

H.R. 1417: Mr. STARK, Mr. JACKSON of Illinois, Ms. SUTTON, and Mrs. MALONEY.

H.R. 1425: Mr. CLARKE of Michigan, Mr. LUJÁN, and Mr. WOMACK.

H.R. 1448: Mr. PASCRELL.

H.R. 1449: Ms. FUDGE, Mr. SENSENBRENNER, Mr. MORAN, and Mr. MCINTYRE.

H.R. 1466: Ms. VELÁZQUEZ, Mr. SIREs, Mrs. NAPOLITANO, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. BECERRA, and Mr. SERRANO.

H.R. 1483: Mr. STARK.

H.R. 1515: Ms. RICHARDSON and Mr. SIREs.

H.R. 1527: Mr. WALZ of Minnesota.

H.R. 1530: Mr. ROE of Tennessee.

H.R. 1537: Mr. CUMMINGS, Mr. MICHAUD, Mr. RYAN of Ohio, Mrs. MCCARTHY of New York, and Mr. SHERMAN.

H.R. 1546: Mr. MICHAUD, Mr. GARY G. MILLER of California, and Mr. PASCRELL.

H.R. 1551: Mr. BILBRAY.

H.R. 1558: Mr. SMITH of Nebraska, Mr. ALT-MIRE, Mr. BOREN, Mr. ROGERS of Kentucky, and Mr. ISSA.

H.R. 1573: Mr. COFFMAN of Colorado.

H.R. 1574: Ms. SPEIER, Ms. BERKLEY, and Mr. GRIJALVA.

H.R. 1578: Mr. CICILLINE.

H.R. 1588: Mr. STIVERS, Mr. ROE of Tennessee, and Mr. DUNCAN of Tennessee.

H.R. 1623: Mr. AL GREEN of Texas and Ms. CLARKE of New York.

H.R. 1656: Mr. MICHAUD, Mr. LARSON of Connecticut, and Mr. LOBIONDO.

H.R. 1659: Mr. HINCHEY.

H.R. 1681: Ms. SUTTON.

H.R. 1686: Mr. JOHNSON of Illinois, Mr. SCHOCK, and Mr. MANZULLO.

H.R. 1687: Mr. LOEBSACK, Mr. PETERSON, and Mr. BERMAN.

H.R. 1691: Mr. WEST.

H.R. 1692: Ms. WOOLSEY, Mr. BRALEY of Iowa, Mr. STARK, Mr. LEWIS of Georgia, Ms. CHU, Mr. CARNAHAN, Ms. DEGETTE, Mr. HASTINGS of Florida, Ms. ZOE LOFGREN of California, Mr. FARR, Mrs. DAVIS of California, Mr. McDERMOTT, Ms. MATSUI, Mr. HINCHEY, Mr. ANDREWS, Ms. ROYBAL-ALLARD, Mr. TONKO, Mr. GARAMENDI, Mr. MICHAUD, Ms. LINDA T. SANCHEZ of California, Ms. SLAUGHTER, Ms. SUTTON, Mr. JOHNSON of Georgia, Mr. HOLT, Mr. HONDA, Mrs. NAPOLITANO, Ms. DELAURO, Ms. FUDGE, Ms. CLARKE of New York, Mr. PERLMUTTER, Ms. BERKLEY, Mr. CARDOZA, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JACKSON of Illinois, Mr. CARSON of Indiana, Mr. CONNOLLY of Virginia, Mr. SERRANO, and Mr. LOEBSACK.

H.R. 1693: Mr. RENACCI.

H.R. 1695: Mr. BECERRA, Mrs. CAPPS, Ms. CHU, Mr. COSTA, Mrs. DAVIS of California, Mr. FARR, Mr. FILNER, Mr. HOLT, Mr. LARSON of Connecticut, Ms. ZOE LOFGREN of California, Mr. GEORGE MILLER of California, Ms. ROYBAL-ALLARD, Mr. SCHIFF, Mr. STARK, and Mr. THOMPSON of California.

H.R. 1705: Mr. GUTHRIE, Mr. HOLDEN, and Mr. KINZINGER of Illinois.

H.R. 1712: Mrs. MYRICK, Mr. LUETKEMEYER, Mr. MARCHANT, Mr. PALOZZO, Mr. HARRIS, Mr. FARENTHOLD, Mr. BACHUS, Mr. ROGERS of Alabama, Mr. BENISHEK, Mr. SESSIONS, Mr. BONNER, Mr. NUNNELEE, Ms. JACKSON LEE of Texas, Mr. ROE of Tennessee, and Mr. COFFMAN of Colorado.

H.R. 1721: Mr. SABLAN and Ms. WASSERMAN SCHULTZ.

H.J. Res. 13: Mr. POMPEO, Mr. WALDEN, and Mr. HARRIS.

H.J. Res. 51: Mr. LONG.

H. Con. Res. 7: Mr. OWENS.

H. Con. Res. 25: Mr. LATOURETTE and Mr. MCCLINTOCK.

H. Res. 83: Ms. SUTTON, Mr. HIGGINS, and Mrs. MALONEY.

H. Res. 87: Mr. LOEBSACK.

H. Res. 94: Ms. CHU and Mrs. BLACKBURN.

H. Res. 106: Mr. HULTGREN.

H. Res. 166: Mrs. MALONEY.

H. Res. 211: Mr. FLORES, Mr. FLEMING, Mr. HUELSKAMP, and Mrs. MYRICK.

H. Res. 214: Mr. PIERLUISI, Ms. BORDALLO, Mr. MCGOVERN, Mr. POLIS, Ms. RICHARDSON,

Ms. WOOLSEY, Mr. HOLT, Mr. HINCHEY, Ms. MOORE, Mr. STARK, Mr. GARY G. MILLER of California, Mr. GRIJALVA, Mrs. MALONEY, Mr. TOWNS, Mr. VAN HOLLEN, Ms. MCCOLLUM, Mr. RUSH, Ms. LEE of California, Mr. BACA, Mr. FRANK of Massachusetts, Mr. LOEBSACK, Mr. SABLAN, Mr. MARKEY, Mr. ENGEL, Mr. CICILLINE, Mr. TONKO, Mr. REYES, Mr. CONYERS, Mr. LEVIN, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. DONNELLY of Indiana, Ms. BASS of California, Mr. CARSON of Indiana, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. SULLIVAN.

H. Res. 217: Ms. RICHARDSON.

H. Res. 234: Mr. KING of New York, Mr. BURTON of Indiana, Mr. DOLD, Mr. DONNELLY of Indiana, Mr. JONES, Mr. COSTELLO, Mr. JACKSON of Illinois, Ms. NORTON, Mr. PAYNE, Ms. LORETTA SANCHEZ of California, Ms. RICHARDSON, and Mr. CARDOZA.

H. Res. 241: Mr. ROSS of Florida, Mr. JONES, Mr. GRIMM, and Mr. ISSA.

H. Res. 244: Ms. BERKLEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1081: Mr. STEARNS.

SENATE—Thursday, May 5, 2011

The Senate met at 10 a.m. and was called to order by the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal and merciful God, thank You for both spiritual and temporal blessings, particularly the riches of Your mercies poured down upon us.

Thank You for blessing our lawmakers, for guiding their thoughts and words so that their labors glorify You. Lord, give them the strength and courage to fulfill Your commands, trusting Your wisdom more than their own. Save them from either desiring or seeking the honor that comes only from humanity, but may they desire Your approval more than life itself. Keep them from evil as they find safety in Your love. Lord, give them the humility to know that no one has a corner on Your truth and that we need each other to discover Your guidance together.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable BENJAMIN L. CARDIN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 5, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable BENJAMIN L. CARDIN, a Senator from the State of Maryland, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. CARDIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

Mr. MCCONNELL. Mr. President, normally in opening the majority leader goes first, but he and I have never viewed this as a contentious process. So since he is not here, I will go ahead with my statement.

JOBS CREATION AND TRADE

Mr. MCCONNELL. Mr. President, when it comes to the state of our economy, the American people have seen enough choreographed rallies on factory floors and speeches that sound good but lead to nothing.

After 2 years of chronic joblessness, they want results.

And that is why we have seen a growing consensus in Washington over the past few weeks that something serious must be done about our Nation's debt.

Even Democrats now admit that failing to bring down the debt would be far more damaging to our Nation's economy in the long run than failing to raise the debt ceiling. The situation has been described as the most predictable crisis in American history. People on both sides of the aisle now realize that the warning bells are too loud to ignore. And last month, President Obama himself made a crucial admission.

In a sign that he too is starting to worry about the prospects of inaction, the President said that failing to produce a serious plan for tackling the deficit and the debt could be a bigger drag on the economy than anything else.

So more and more people see the problem. Now the challenge is achieving a result.

And that is why I proposed a few basic principles yesterday that I believe could guide us to success.

This morning, I want to reiterate those principles ahead of the meeting at Blair House.

By setting out clear principles up front, we are far more likely to get somewhere. And to prevent this crisis before it strikes.

First: It is time our friends on the other side stop pitting one group of Americans against another. Solving this crisis will require all of us working together. Let's act like it.

Second: The level of spending that Democrats want to maintain just is not possible without raising taxes on the middle class, which we know is not going to happen. We are only going to solve this crisis by admitting up front that we have a spending problem.

Third: Entitlements need to be a part of this discussion. So let's drop the scare tactics and work together on re-

form. Nobody is talking about taking anybody's Medicare.

Fourth: Raising taxes is the last thing we should be doing in the middle of a recession. What's more, a bipartisan majority here in the Senate opposes it. So let's set that idea aside and find some common ground instead. If we recognize these things, we can avert this crisis. If we do not, we will not. And I assure you we will all answer for it.

Very few people saw the last crisis coming. This one, on the other hand, is clear as day. Failing to work together in good faith on a solution is completely indefensible. Everybody agrees this is a crisis. More people, including the President, agree that failing to address it would be disastrous for jobs and the economy. And everybody knows the upcoming debt limit vote is the best opportunity we have to do something about it.

So what are we waiting for?

Doing something meaningful about the debt is the centerpiece of any serious jobs agenda in Washington.

Other things will help on that front. And the President made a small but important step in the right direction yesterday by announcing he was ready to begin talks on a free trade agreement with Colombia, something we have been calling on him to do for years.

Ratifying this agreement, along with other agreements with South Korea and Panama, will open markets to U.S. goods and create thousands of jobs. It was just one of the ideas Republicans included in a comprehensive jobs agenda we released this week, an agenda that focuses on expanding opportunity, lowering costs, and clearing away bureaucratic barriers to growth.

But at the top of our list of the things we need to do to create jobs is bringing down the debt. If we can not get spending under control, we will never get the economy moving.

If the economy does not grow, we will not be able to reduce our deficits and our debt.

And if we do not reduce our massive Federal debt, we face a crisis that makes the financial panic of 2008 look like a slow day on Wall Street.

So this debate couldn't be more important to our near-term and long-term fiscal health.

Everyone has a stake in this debate. If we face up to it like adults, we will not only prevent this most predictable crisis, we will help preserve our way of life. And the best part is no one side will be able to claim the credit. This is the moment. We cannot let it pass.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

MEASURE PLACED ON THE CALENDAR—H.R. 1213

Mr. REID. Mr. President, I understand H.R. 1213 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1213) to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

Mr. REID. Mr. President, I object to any further proceedings in relation to this matter.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bill will be placed on the calendar.

SCHEDULE

Mr. REID. Mr. President, following leader remarks, the Senate will be in a period of morning business until 5 p.m. today, with the Republicans controlling the first 30 minutes and the majority controlling the second 30 minutes. The next rollcall vote is going to be Monday, May 9, at 5:30 p.m. We will notify Senators of the subject matter. It will be with regard to a nomination.

THE DEFICIT

Mr. REID. In regard to the comments made by my friend the Republican leader, as I listened to him, I picked up about three or four points that I think are fairly obvious. One is, do not touch the tax cuts for the rich; No. 2, do not touch the tax cuts for the rich; and No. 3 is that they want to go after entitlements. The largest, of course, are Medicare, Social Security, and Medicaid.

We know the Ryan budget calls for privatizing Medicare. Even the Republican majority leader today is quoted in the papers as saying that we are going to have to back off that. I am paraphrasing that, but everyone can read it. It is on the front page of the Washington Post newspaper. But the Ryan budget has a number of ways of saving money. The most significant way of saving money is to destroy Medicare.

The fourth point, after recognizing that, as my friend the Republican leader said, we need to go after entitlements, is, don't tax the rich.

We on this side of the aisle realize we have some problems with spending and we have to do something about it. The problem is not as much about spending as it is about deficits. What are we

going to do about these deficits that accumulate every year?

Well, we have some experience from recent years on how to handle that. During the last 4 years of the Clinton administration, we were spending less money than we were bringing in. We were retiring the national debt. In fact, the criticism came from a number of important economists that we were retiring the debt too quickly, that we had to back off that. Well, when President Bush took office, he took that to heart. At the time he took office, there was about an \$11 trillion surplus over 10 years. He took care of that. In fact, when President Obama took office, that had been evaporated. It had evaporated. We lost 8 million jobs. It evaporated because we had two wars, all paid for with borrowed money. We had all of those tax cuts paid for with borrowed money.

So on this side of the aisle, we want to do something to rein in these deficits, and we have had experience. We know how to do that. One of the things we did during the Clinton years was unique, but we did it, and it was hard. We had something called the pay-go rules. Without any Washington inside jargon, what this means is that if you have a new program, you have to pay for it. You either have to pay for it by taking other programs and getting rid of those or raising revenue in some way. We did that in the Clinton years. When President Bush took office, his Republican colleagues here in the Congress worked with him and got rid of those rules. That is why we had everything that was unpaid for, and, in fact, "unpaid for" is an understatement. It was all borrowed money.

So we know there is a problem with deficits, and we want to work on those.

Today at the Blair House, there is a meeting. I have appointed a couple of people to represent the Democrats in the Senate: Senator INOUE, chairman of the Appropriations Committee, and Senator BAUCUS, chairman of the Finance Committee. The other three leaders in the Congress have appointed people. They are going to meet and talk seriously about ways of reducing the yearly deficits we have.

I would hope one of the things Vice President BIDEN talks about with them—I am confident it will be—is that we don't need to talk about spending caps; we need to talk about deficit caps. We have to be able to work toward reducing these staggering debts by looking at everything.

I am like most everybody here in this body; we do everything we can to protect these brave men and women who are in the military. But the Government Accountability Office told us in a report recently filed that there is \$100 billion a year in the Pentagon that is wasted—\$100 billion. When asked in a hearing how many private contractors the military has, they said: We don't

know. Upon further questioning, they said: Well, it is between 1 million and 9 million people who are contractors. There is a lot of fat in this. These are the same people who, during the Iraq war, from the hearings conducted by Senator Dorgan, were using wads of hundred-dollar bills to play football. We can save a lot of money by looking at domestic discretionary spending, military spending, and doing a better job of making our tax system more fair.

To show how unfair our tax system is today, we tax the American people about \$1 trillion a year—a lot of money—but we give tax breaks to corporations and individuals of \$1.1 trillion. The point is we give more in tax breaks than we have as revenue in this country. We ought to change all this. My friend, who is the Presiding Officer, and I see my friend from Utah who will be the ranking member of that important committee, the Finance Committee, are going to have to work together to make this tax system more fair.

I appreciate my Republican friend talking about all the things we need to do, but one thing that is very clear that he doesn't want to touch is the tax cuts to the rich. It is very clear he doesn't want to do anything to deal with the tax cuts to the rich, and he wants to go after entitlements—and he said so this morning—which are Medicare, Social Security, and Medicaid.

We have a lot of work to do. The only way we are going to work our way through this is on a bipartisan basis. It is the only way we can do it. The heavily Republican House has to recognize that, the Democrats in the Senate have to realize that, and the President has to realize that. And he does. That is why he has convened this bipartisan meeting at the Blair House today, conducted by the Vice President of the United States.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business until 5 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Utah.

Mr. HATCH. Mr. President, I ask unanimous consent to speak for 20 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

NLRB COMPLAINT

Mr. HATCH. Mr. President, I rise to speak about an unfortunate and, quite frankly, disturbing matter.

While we were all back home during the most recent Senate recess, the National Labor Relations Board's acting general counsel, Lafe Solomon, after 17 months of indecision, issued one of the most far-reaching and outrageous complaints ever issued by the Board against a private business. This complaint against Boeing is one of the most outlandish and regrettable complaints I have seen in all my years in the Senate.

The NLRB's acting general counsel—emphasis on the “acting”—sitting in his ivory tower in Washington, DC, essentially substituted his business judgment for that of a private corporation. In essence, Mr. Solomon claimed the authority to determine where and how a private company is permitted to do business.

This is a specious claim. Boeing did nothing wrong, and I am confident it will ultimately prevail. Yet this complaint carries a potential cost of billions of dollars and thousands of new jobs for the company in the community where it chose to operate.

So why make this decision at all? Why attack a private company with a legal challenge that will cost an enormous amount of money to defend, disrupts business, undermines the efforts of States to increase jobs and promote economic recovery but that will fail for its lack of merit? The answer is simple. The unions want it. This is another chapter in the sorry relationship between unions, big government, and the party of big government.

I have to say, I admire Mr. Solomon's moxie. By making this decision during a congressional recess, it is almost as if he thought it might avoid our scrutiny. Maybe he thought news such as this might not make its way back to the States. To that I say: Nice try, but you will not escape the scrutiny of the American people when it comes to an action this over the top. Sunshine will fall on a decision this politically motivated. In the light of day, the decision and the decisionmakers are going to look awfully bad.

The NLRB's Boeing complaint has been widely criticized in the media, in the Senate by a number of my colleagues, and throughout the business community as a prime example of a Federal bureaucracy run amok. But this is more than another example of an unaccountable bureaucracy harming job creators and employees. What makes this case particularly ugly is, this is a case of regulators conveniently supporting the interests of big

labor against private enterprise. What makes this case appalling is, it is a gift-wrapped present to the interests that just so happen to be the largest contributors to Democratic Party campaigns.

The NLRB issued its complaint against Boeing—one of our Nation's iconic companies—for allegedly transferring assembly work on its Dreamliner 787 fleet of airplanes from Puget Sound, WA, to North Charleston, SC. Boeing made a legitimate business decision to open a new plant with new workers in a new more business-friendly climate. It chose South Carolina, in part, to avoid labor disputes and crippling strikes which had befallen the company repeatedly over the past few years.

When Boeing first made this decision way back in 2009, it had experienced four major labor strikes in 20 years. The most recent work stoppage—a 58-day strike in 2008—cost the company \$1.8 billion.

Was the decision to bring new work to South Carolina a prudent business decision? Boeing faces significant global competition. The French company, Airbus, is anxious to take Boeing's business with the help—and backing, I might add—of the French Government.

Was the decision good for American workers? Clearly, Boeing's decision was. In the current marketplace, many of Boeing's competitors might have considered moving jobs overseas. Instead of following that course, Boeing saved American jobs.

The President likes to talk about jobs he has created and saved. Well, not a single job—union or nonunion—was lost in the State of Washington as a result of Boeing's decision. In fact, over 2,000 new jobs have been created in Puget Sound since the company's announcement to begin work on the new facility. This is not to mention South Carolina, where hundreds of new jobs were created. Added jobs in Washington plus added jobs in South Carolina sounds like a win-win for American workers to me.

So, yes, Boeing's decision to build its new plant in South Carolina was good for just about everybody. Yet, without asserting any evidence of anti-union animus on the part of Boeing or of an adverse impact on union workers exercising their legal rights, the NLRB filed its complaint and has sought to step in and make Boeing's business decisions for them.

As South Carolina Gov. Nikki Haley described it in an April 26 Wall Street Journal editorial:

The excitement of South Carolina turned to gloom for millions of South Carolinians who are rightly aghast at the thought of the greatest economic development success our state has seen in decades being ripped away by federal bureaucrats who appear to be little more than union puppets.

Governor Haley should be applauded for calling the NLRB's decision for

what it is: a hand-wrapped present to big labor, courtesy of their friends in the Federal bureaucracy and the administration.

Let's take a look at the NLRB's complaint for a moment. First, let's consider the timing of the complaint. It is highly suspect, if you ask me. The Boeing complaint comes just a few short months before the new South Carolina facility was scheduled to open in July and well after most of the construction was completed and the new workers were hired. In other words, after most of Boeing's substantial investments had been made, the heavy hand of the Federal bureaucracy intervened to dictate that its business decision must be reversed.

In its April 21 editorial, the Wall Street Journal describes the Boeing complaint saying:

After 17 months and \$2 billion, the NLRB sandbags Boeing.

The editorial continued:

There are plentiful legal precedents to give business the right to locate operations in Right to Work states. That right has created healthy competition among the states and kept tens of millions of jobs in America rather than overseas.

An opinion editorial by Steven Pearlstein in the April 26 Washington Post is even more telling. Although Mr. Pearlstein was, not unexpectedly, somewhat supportive of big labor and the NLRB's actions in this case, he nevertheless acknowledged that:

[I]f the agency prevails and is able to force Boeing to open an additional production line for its new 787 Dreamliner in Seattle, it could finally put a brake on the steady flow of manufacturing jobs to right to work states in the South.

Pearlstein hits it on the head here. The decision to file this complaint is an attack on business-friendly States that are attracting companies and creating jobs. It is an effort by Washington Democrats and career bureaucrats to force unionism on the entire country. Yet, in my view, Pearlstein does not adequately state the radicalism of the NLRB's position.

The fact is, if the NLRB—doing the bidding of the International Association of Machinists and Aerospace Workers—prevails, it will give them the right to dictate business location decisions everywhere, even in non-right-to-work States.

There is a great deal of misinformation coming from those who support the NLRB's actions. In this article, Pearlstein inaccurately describes Boeing's new manufacturing facility in South Carolina as a runaway shop. Boeing had no legal obligation to locate any and all new work in Puget Sound. It was not obligated, under any collective bargaining agreement, to keep the work there. It simply chose to locate new work and new expansion in a business-friendly, right-to-work State. Is that a runaway shop? I think

not, and I think most everybody would think not.

Apparently, the NLRB agrees with me because the complaint does not allege that this was a classic runaway shop. In those situations, bargaining unit work that is contractually obligated to be performed by members of the union is shut down unilaterally by management. Employees are laid off, and the company stealthily slips out of town with little or no notice, only to reopen in a new location to perform the exact same work on a union-free basis. Under the law, that is wrong.

The NLRB makes no such allegations because that is not what happened in this case. Instead, the complaint falls back on the broad, catchall argument that Boeing's actions were inherently destructive of union workers' section 7 rights, referring to the rights protected by section 7 of the National Labor Relations Act which, in this case, means the right to strike. If that theory were to apply to all cases such as this one, if companies cannot factor labor conditions into decisions regarding new operations without it being inherently destructive of section 7 rights, there is no logical end to what private decisions can be overruled by the NLRB.

This is an agency run amok and trying to take the place of this Congress.

Fortunately, the legal precedents dealing with this type of decision do not support the acting general counsel's interpretation in the Boeing complaint. The cases cited in the complaint are all distinguishable. Not one of them deals with fact patterns involving new work because there is nothing unlawful about opening a new facility to perform new work that is not obligated under an existing collective bargaining agreement.

Put simply, this is just another effort on the part of the union-packed Obama NLRB to undo years of legal precedent to satisfy big labor. If Boeing's actions are inherently destructive of the union's rights, where is the antiunion discrimination? Once again, not a single union worker lost a job or even lost an hour of work as a result of Boeing's business decision.

Let's be perfectly clear. Boeing workers in the State of Washington actually gained new work and gained 2,000 new jobs following the decision in 2009. These jobs are among the best paid in America. Does that sound like antiunion discrimination? Of course not.

This was not a stealth move in the dark of the night. No one was surprised or caught off guard. The machinists' union knew Boeing was building a new facility in South Carolina. Boeing had even discussed a new location with them. Workers knew about Boeing's plans as well and so did the NLRB. But before issuing his complaint, the acting general counsel stewed for 17 months, while new facilities were being constructed at great expense in South

Carolina, at a cost of billions of dollars, and workers were hired to run the assembly lines.

It goes without saying that if Carolina workers wanted a union, they, similar to any other private sector employees in South Carolina or any other State, could file a petition with the NLRB for a union representation election. There was no evidence—zero evidence—of anti-union discrimination by Boeing to any union petition or union representation election. But—and I can't stress this enough—the most important factor is, the work in South Carolina was new work which Boeing was not obligated to perform in the State of Washington under its collective bargaining agreement. Boeing simply decided, for sound business reasons, to open a new facility to perform new work in a business-friendly State. This is something businesses can do all the time and do all the time; that is, they used to do it all the time before President Obama's acting general counsel and the might of the Federal bureaucracy, under the heavy-handed control of big labor, decided to step in and interfere with Boeing's decision. If this complaint is upheld and this interpretation becomes the new status quo, who knows how it will impact businesses in the future?

Every citizen in South Carolina and every Member of Congress—Republican or Democratic—ought to be outraged by the National Labor Relations Board's decision and action. To borrow from Frank Sinatra, if they can do it there, they can do it anywhere. If the NLRB can do this in South Carolina, disrupting business and killing jobs, it can happen anywhere, including Utah or any other right-to-work State. It can happen even in non-right-to-work States as well.

But the most appalling part about this complaint is not the NLRB's borderline frivolous interpretation of the law. No, it is the remedies the agency is seeking. After asserting that Boeing unlawfully transferred bargaining unit work to South Carolina, the acting general counsel—a career NLRB bureaucrat who, throughout his government legal career, has never been responsible for making a single entrepreneurial decision or creating a single job—sought an order stipulating that Boeing's work on the 787 Dreamliner could not be performed in South Carolina and would have to be moved back to the State of Washington. Well, not back; it would have to be moved to the State of Washington. This is a new business.

As is typical in these cases, the Boeing complaint will surely be subject to lengthy litigation, while Boeing's foreign competitors eagerly seek to supplant Boeing's business orders. Even if Boeing ultimately prevails in the litigation battle, it could lose the business war to fierce global competition. That is stupid to put them in this position.

The Machinists know that and so does the NLRB.

Might I remind supporters of the NLRB that justice delayed is justice denied. Here, the longer the wheels of justice turn, the worse it is for Boeing's business and the worse it is for American jobs and prosperity.

Delay does not favor Boeing, but it plays right into the hands of its global competitors, as well as the Machinists Union and President Obama's acting general counsel at the NLRB, who, it seems, would force the company into accepting a settlement that cements an untenable business decision in law.

This is no less than economic warfare being waged by the NLRB on behalf of President Obama's friends—the labor unions—against Boeing, against the workers in South Carolina and all South Carolinians, and against all the 22 right-to-work States across the country. It may even be against the rights and the privileges and the benefits of the people in Washington because if Boeing, to be competitive, has to move offshore, they are going to lose their jobs. In the end, it is economic warfare by the Obama administration against all business friendly States and against capitalism and free enterprise everywhere.

I am not the only one saying this. I note, for example, that the attorneys general in nine States across the country—Nevada, Virginia, Texas, Georgia, Arizona, Oklahoma, Alabama, Florida, and South Carolina—have written to Mr. Solomon asking that the Boeing complaint be withdrawn.

Their April 28 letter states:

This complaint represents an assault upon the constitutional right of free speech, and the ability of our states to create jobs and recruit industry. . . . The only justification for the NLRB's unprecedented retaliatory action is to aid union survival. Your action seriously undermines our citizens' right to work as well as their ability to compete globally. Therefore, as Attorneys General, we will protect our citizens from union bullying and federal coercion. We thus call upon you to cease this attack on our right to work, our states' economies, and our jobs.

Editorials from newspapers across the country have criticized the Boeing complaint. Even the Seattle Times wrote in an April 22 editorial:

This page regretted Boeing's decision, but has never thought of it as something that could be, or should be, reversed by the federal government.

The article continues, saying:

[T]he National Labor Relations Board has labeled Boeing's decision an unfair labor practice, and is asking a federal court to order the line to be moved to Washington . . . we would celebrate the day Boeing decided to do that—but it is Boeing's decision.

Later the same editorial concluded:

The company has the right to build assembly plants. It can build them in South Carolina or in Afghanistan if it likes. Its decision may be unwise, but it is Boeing's.

These same sentiments were expressed in the President's hometown

newspaper. A Chicago Tribune editorial on April 22 described the NLRB acting general counsel's actions a "gross intrusion." The editorial continued:

Boeing, the Chicago-based aviation company, already has one government-induced headache. Its main rival, Airbus SAS, has received from European nations about \$20 billion in subsidies that are prohibited by international trade agreements. That is challenging enough for Boeing as it tries to compete in an international market. But when the U.S. government tries to dictate where Boeing can do business . . . that's even harder to stomach.

The Tribune editorial concluded:

The disastrous, unintended message to a major U.S. employer: Keep your mouth shut and find another country to do business.

The Detroit News has the President and his pro-union administration pegged. About this decision, the editors wrote:

President Barack Obama has made conciliatory sounds seeking to reassure business, but the actions of the NLRB illustrate the real face of his administration. Congress ought to hold hearings on reining in the NLRB.

So if the NLRB's complaint is so transparently awful, what is this all about? Let's see. An unfair decision comes late in the game. It threatens to destroy rather than create jobs, and it is based on specious legal reasoning. Rest assured, the issue is not jobs. The issue is union jobs, and the issue is not better pay for workers. The issue is about money in the union coffers. Ultimately, the issue is about the 2012 elections, because money in union coffers means money for Democratic candidates.

The International Association of Machinists Union is important to President Obama. It endorsed him and contributed substantial resources to his campaign. While President Obama could not deliver on such legislative initiatives as the Employee Free Choice Act, he appears determined that every level of government—especially at the National Labor Relations Board—will be turned in the union's favor.

The contempt for the American people on display in this decision is astounding. The President and congressional Democrats were unable to enact the Employee Free Choice Act, even with supermajorities in Congress. That is the card check bill. But not to worry. Just have some bureaucrats do it for them. Since the Congress could not act, why not have these bureaucrats usurp Congress's position and do it for them?

Keep this episode in mind next time we hear progressives talk about the need for enlightened administration. Keep it in mind when we hear progressives—liberals—claim the President is just interested in doing what works and that he is not ideological.

Progressives ultimately have little respect for the rule of law or for the people themselves.

For all their talk about nonpartisanship and doing what works, what they promote is a supposedly enlightened bureaucracy that, in fact, will push liberal policies, regardless of what the people want.

Progressives are to nonpartisanship as Donald Trump is to subtlety.

Ultimately, progressives are as partisan as they come, and they push their liberalism through a vast and permanent bureaucracy that plods along day after day, largely out of sight of the American people, who would never elect representatives who would actually promote this leftist, antibusiness agenda. When former Speaker of the House NANCY PELOSI said elections should not matter as much as they do, this is what she meant. Liberalism should advance no matter what the people of this country actually desire. The foot soldiers who will advance the causes of progressive leftism day in and day out are the unelected and largely unaccountable bureaucrats that churn out page after page of regulation and infiltrate the decisionmaking process of every business, no matter how small the decision or how small the business.

Which brings me to the NLRB's acting general counsel.

How did he even wind up in a position to cause this level of economic mayhem? Not under the established procedure for appointing an interim general counsel under section 3(d) of the National Labor Relations Act, which provides very clearly as follows:

In case of vacancy in the office of the General Counsel the President is authorized to designate the officer or employee who shall act as General Counsel during such vacancy, but no person or persons so designated shall so act (1) for more than forty days when the Congress is in session unless a nomination to fill such vacancy shall have been submitted to the Senate, or (2) after the adjournment sine die of the session of the Senate in which such nomination was submitted.

President Obama ignored the clearly established statutory procedure for appointing an acting general counsel under the National Labor Relations Act and instead made Mr. Solomon his personal acting general counsel under the more generous terms of the Federal Vacancies Act, which is intended to apply to government vacancies in general.

Even if he is technically authorized to do so, the President should not use the Vacancies Act to supplant or displace specific statutory procedures for appointing Federal employees to vacancies where, as here under the National Labor Relations Act, the organic law is perfectly clear as to the intended process.

Why did President Obama make the appointment under the Vacancies Act rather than follow the more preferred and traditional procedure provided under the National Labor Relations Act? The answer is pretty simple.

Under the Vacancies Act, Mr. Solomon is allowed to stay in the job in an

acting capacity, without Senate approval, for an initial 210 days—rather than the 40 days provided under the National Labor Relations Act—and then be reappointed again for another 210 days, and a third time for yet another 210 days, until the end of President Obama's term.

This is yet another example of the President end running the law in order to ensconce in office individuals who would have a difficult time surviving the constitutionally required confirmation process—a process that ensures the people and their representatives have some meaningful oversight of the appointee.

So why did no one complain about this appointment before now? I suppose some should have. I suppose after the battle over the nomination of AFL-CIO and SEIU Associate Counsel Craig Becker to the NLRB, many were convinced they could do a lot worse than having a career NLRB civil servant serve as acting general counsel. I am not so sure anyone feels that way now. In fact, in light of his recent actions, including the Boeing complaint, it is hard to conceive of a worse choice for acting general counsel.

That decision should be revisited. That is why I am writing to President Obama to request that he withdraw the appointment of Mr. Solomon.

As far as President Obama's nomination of Mr. Solomon for a full term as general counsel is concerned, it is difficult to imagine how Mr. Solomon could ever be confirmed by the Senate, in view of his actions while serving as acting general counsel.

Government actions such as the ones we have seen with the Boeing complaint are debilitating to our economy at a time when we are struggling to recover from one of the Nation's worst recessions since the Great Depression. Such bureaucratic decisions cost jobs at a time when we are struggling to reduce unemployment. They delay business decisionmaking and interfere with competition. They undermine business confidence in government.

Why should companies invest in expanding business in the United States if, with the drop of a hat, a Federal bureaucrat can simply reverse that decision and destroy that investment?

At this point, we are left scratching our heads. Why would the acting general counsel do this outrageous act? Unfortunately, the answer appears to be that the decision to issue the complaint was a political one designed to placate an important ally of the President's—organized labor. That answer, while unacceptable, is the only logical answer.

As the April 21 Wall Street Journal concluded:

Beyond labor politics, the NLRB's ruling would set a terrible precedent for the flow of jobs and investments within the United States. It would essentially give labor a veto

over management decisions about where to build future plants.

That must never be allowed to happen. The NLRB should withdraw the Boeing complaint.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I understand that maybe there is an agreement that another Member will speak at 11, so I will yield at that time.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

GREATEST FINANCIAL RISK

Mr. SESSIONS. Mr. President, I am concerned about the financial status of our country. We are clearly on an unsustainable spending path. The people are rightly furious with their Congress. We should, as they well know, never have gotten ourselves in the financial situation we are in today, where we are projected to have a deficit this fiscal year, of \$1.5 trillion—the largest deficit the country has ever had—on top of deficits of the last 2 years of \$1.2 trillion and \$1.3 trillion.

We are on a path to doubling the entire U.S. debt in less than 4 years. In the next 3 to 4 years we will double the entire debt of the United States. We are on an unsustainable path, as every witness who has testified in recent years before our Budget Committee has stated. It is an unacceptable situation.

There was a shellacking in the last election of people, the big government folks. We have not even had a budget in 2 years—in 735 days we have not had a budget. The Budget Act requires the Congress to pass a budget by April 15. The House has done theirs. The Republican House has passed a budget, a historic budget. The Democratic Senate is now talking about commencing hearings on Tuesday. I hope we have a good hearing. Maybe we will.

I just say that our members, the Republican members of the Budget Committee, asked our chairman to do as the House did and make public their budget in advance of the hearing so it can be examined—it is a complicated document, hard to examine, and it takes some time and effort—and not just plop it down the day the hearing starts. I have been informed that business as usual will continue—unlike what the House did in having a document out early. They will bring out a budget that day, and I guess we will commence to try to vote on it.

I don't think that is a healthy way to succeed. We are facing the greatest fi-

nancial risk, maybe, this country has ever faced. The President appointed a fiscal commission—we call it the debt commission—cochaired by Erskine Bowles and Alan Simpson, who were appointed by the President. They wrote a document and presented it to us with their remarks, which said this Nation is facing the most predictable economic crisis in its history. In other words, they are saying the path we are on is so unsustainable that it is easy to predict that we are facing and heading toward a financial crisis.

There is no higher duty or responsibility for Members of the Congress of the United States than to protect the people of this country from a foreseeable danger. When asked by Chairman CONRAD when we might have such a crisis, Mr. Bowles said it could be 2 years, a little less or a little more. We could have a financial crisis like the one Greece had, or another recession, a surge of inflation, or a surge in interest rates. Senator Simpson, cochairman of the commission, said he thinks it could be 1 year.

The S&P bond evaluators warned that they could downgrade our debt. In fact, Moody's, in December, warned that they could reduce the rating of the American debt in less than 2 years. We are in a serious unsustainable position. We haven't even had a budget. Well, the President is required by law to submit a budget. Every President does.

I asked, when he made his State of the Union Address, that he would address and discuss the danger we are in, why the Nation needs to reduce spending, why it is not some partisan brouhaha but a real threat to the future of the country, and why it is that we must take steps to pull back. He really did not do that in his State of the Union Address. He talked about investments and more investments.

Then I asked that he produce a budget that helps get us over the unsustainable path. I was never more disappointed in the President's budget. He claimed it would save \$1 trillion over 10 years. How much is that? Well, according to the Congressional Budget Office, which objectively analyzes these things, the deficit will increase, at the rate we are spending, over the next 10 years, \$14 trillion.

What is saving \$1 billion? Not nearly enough to get us off the unsustainable path. The debt commission recommended a \$4 trillion reduction in spending, which was not enough, either. This was his own commission that he appointed. That was not enough. But at least the numbers were fairly honest. The President's numbers, unfortunately, were not even honest.

The Congressional Budget Office analyzed his budget, and they concluded that it would not reduce the projected increase in debt by \$1 trillion, from \$14 trillion to \$13 trillion. What CBO said

was that it was worse. It would add to the debt \$2.7 trillion over the CBO baseline. I said at the time that it was the most irresponsible budget ever presented. Maybe someone can find somewhere in the distant past a more irresponsible budget. But when we know we are facing debts and interest rates the likes of which we have never seen before, we need to recognize that we need to make changes. His budget did not change. For example, his budget called for a 10.5-percent increase in educational funding. It called for a 9.5-percent increase in the Energy Department. It called for a 10.5-percent increase in the State Department. It called for a 60-percent increase in spending for the Transportation Department, without any real source of revenue to pay for it, in order to have a monumental new program to build high-speed rail and other items. We do not have the money. The inflation rate is not above 3 percent, and we are getting double-digit increases when the country cannot afford the path we are on. It is unbelievable, really.

After taking great heat from objective observers, the President made a speech. He had a paragraph or two in this speech about the reason we need to have some restraint and reduce spending and why we could not just invest, invest, why we needed to restrain spending. That was in his speech. At least he acknowledged it a little bit, although it was not the detailed, serious engagement of the American people in a discussion as to why we cannot continue at the pace we are on. It was not sufficient to my way of thinking. Maybe I am biased. I do not think so. I do not think he has done that.

In fact, when the Republicans in the House proposed reducing spending this year, he steadfastly opposed it. We have a pattern with the President. He says he is for doing something about the debt path we are on. He opposes any specific action that actually makes a difference in that regard. Then, finally, when they were dragged kicking and screaming into saving \$300 billion over 10 years, the President took credit for it as if it was his idea when they have been opposing it all along.

The Democratic leader here proposed a \$4 billion reduction in spending, which was nothing. I am worried about where we are heading, how serious we are.

The Senate Republican budget staff has looked at the President's speech and tried to see what is in it and see where we could go from there. What they found is that it does not reduce spending by \$4 trillion. His framework, as he called it, to reduce the deficit by \$4 trillion would actually grow the deficit by \$2.2 trillion above the Congressional Budget Office baseline.

The American people deserve an honest, fact-based budget. Instead, the

President's deficit speech was the biggest gimmick yet. An analysis of the President's April 13 speech exposes the falsity of the claim that this new framework would result in a \$4 trillion reduction in the deficit. The announcement reveals that the President's framework is simply a rhetorically repackaged version of the budget he submitted on February 14, a budget that the CBO estimated could actually worsen our deficits by \$2.7 trillion.

The committee staff has concluded that the President's framework, compared to the current CBO baseline, would now worsen the debt by \$2.2 trillion over 10 years. The President's speech is a sleight-of-hand process that creates the impression of bringing new deficit reduction measures to the table without actually doing so, leaving us at bottom with the original flawed proposal, only presented in language that seems to be new.

Here is how the process worked in the speech and how we analyzed it. I believe this is a fair analysis of it.

One, he offers the same proposals in his framework as his formal budget submission but uses new language.

Two, he assumes savings from his February budget that the Congressional Budget Office has already found to be bogus. He continues to assume savings that the objective Congressional Budget Office says are not legitimate savings. If you score savings in your budget, you can claim you made savings when you have not. We have seen that time and time again. In fact, it is one reason this government is in so much debt.

CBO, by the way, is a bipartisan group, but its leaders are selected by the Democratic majority. They have the majority. This is a group who is not hostile to the President, but they have rejected many of his claims of savings.

Three, it calculates the savings over 12 years. Everybody has been talking about 10 years. He submitted a 10-year budget. To make his numbers look better, he extends it to 12 years and claims more savings than otherwise would be the case if you are comparing apples to apples and oranges to oranges—a 10-year budget.

He adds long-term savings from the just-passed continuing resolution. He claims credit for the spending reductions the House of Representatives forced on us. Some said it was not nearly enough. That is really true. They had proposed saving about \$800 billion over 10 years. By the time Democratic resistance had gone forward and the President had resisted, we ended up with only about a \$300 billion savings over 10 years. He claims credit for that in his numbers.

As the analysis demonstrates, the framework in his speech offered no new proposals beyond the dangerously flawed February budget. Even if he

used their own estimates that have been discredited by CBO, the framework still falls an astonishing \$3.2 trillion short of what the deficit commission he appointed recommended.

Perhaps this is why the White House has been unwilling to heed the call of the Senate Budget Committee Republicans. We wrote the President. He has a huge staff over there who works every year on producing a budget. We said: If you made a speech now and if you changed what you had in your budget, translate that into a new budget and send it to us. We had that done in the past a number of times. They refuse. Why? Because a speech is more generalized, it is harder to score, it is harder to analyze, and when you put it into actual print, it can be analyzed, the numbers can be totaled, the deficits can be calculated, and you find out whether it actually does anything worthwhile. They refuse to do it.

As it stands now, we have no plan to have any real reduction of the deficit we are facing from this administration or the Democratic Senate, let alone a framework to reduce it by \$4 trillion. But they pretend it is so, and that is offensive. The American people are not happy about it. They know this Senate and this Congress have a responsibility under the law and under any morality and decency to produce a budget that says what we are going to do with their money the next year and how much deficit we are going to incur, how much debt we are going to increase. They have a right to see that. All we have seen is a pushback and lulling and talk of that kind.

So we are heading to it. We are heading to a budget situation in the committee next week. I hope we will. And I think Senator CONRAD, our Democratic chairman, will submit a budget better than the President's budget. Surely it will be. I cannot imagine it will not be substantially better than the budget the President has submitted. But the question is, Will it be enough? They have already blamed PAUL RYAN and the House Budget Committee as being Draconian, ideological, and unreasonable with their budget which would reduce spending \$6.2 trillion in honest numbers that they have laid out and defended publicly, which actually confronts some of our long-term spending entitlement programs and tries to get them on a rate of growth not quite as high as it currently is. They are trying to bring this country into a financially sound position.

I do not think the House budget probably goes far enough in the first 10 years to bring our debt under control, but it is an honest, respected document that every objective commentator has praised. Mr. Bowles himself said: If you disagree with Mr. RYAN's budget, at least it is honest, and you need to put your own out there with the same de-

gree of honesty as he did. Mr. Bowles was President Clinton's Chief of Staff, the man chosen by President Obama to head his fiscal commission.

This will be perhaps the most important budget in decades—maybe ever—because our debt situation is deep. It is not easy to get out of the fix we are in. A lot of it is driven by long-term commitments we have made that are unsustainable. We have to confront that honestly and find out how to deal with it in a way that is fair and just.

They say: We cannot cut spending. We need more money for education, 10.5 percent. The State Department needs more money, 10.5 percent. The Energy Department needs more money, a 9.5-percent increase—this year they are proposing, commencing with the October 1, 2012, budget. That is the number the President has submitted. We do not have it.

I ask some of the Members of this body to call Governor Cuomo in New York or Governor Christi in New Jersey or Governor Bentley in Alabama. He just announced he was having to reduce spending by 15 percent, prorate the spending for the rest of this fiscal year by 15 percent. I feel as though that is a message that has been lost in this body.

I see my colleague Senator KLOBUCHAR here. I wanted to share these remarks this morning.

I believe the Vice President is meeting with some people—House and Senate Republicans and Democrats today. Maybe it will be budget No. 3, and maybe the Vice President can fix something. I hope they gave him the responsibility and the freedom to make a decision, or have they told him he cannot cut spending in any significant way? I don't know what they will tell the Vice President, but hopefully something will come out of that and maybe we can get on a better procedure.

At this rate, at this point in our process, we are not in a good position. I am worried about it. Hopefully, we can reach some agreement. If not, we are going to fight it out on the floor of the Senate, of the House, and in conference committee. We are going to change the debt course of this Nation because the American people are going to demand it.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The senior Senator from Minnesota is recognized.

GAS PRICES

Ms. KLOBUCHAR. Mr. President, it has been nearly 3 years since gas prices were as high as they are now. Back in July 2008, they peaked at about \$4 per gallon. We are approaching \$4 per gallon for gas today. The average price in Minnesota is \$3.94 per gallon, and the peak driving season is right around the corner.

Back in 2008, I heard from many Minnesotans—from seniors who couldn't afford to drive to their pharmacies to pick up their prescription drugs, from workers who couldn't afford to drive to work, from middle-class moms and dads who had to cancel their summer vacations—who couldn't go up north because gasoline was just too high for their budgets.

Although it wasn't the only factor, these high fuel prices of 3 years ago helped to push our economy into a deep recession. We don't want that to happen again. One of the things we learned 3 years ago is that rising oil prices were not simply the result of supply-and-demand market factors. In fact, the dramatic runup in gas prices was due in part to rampant price speculation by people who had no business being in the oil market.

These were not airlines or trucking companies or other businesses that actually need and use oil and gas and who trade in futures in order to protect their businesses against volatility in the oil market. No, the most frenzied price speculation was by Wall Street traders and hedge fund managers who would never actually touch a drop of oil. They would never use it in their businesses. To them it was just numbers on a computer screen. They were trying to game the system to make some quick profits and then take the money and run, all at the expense of those people in Minnesota or Ohio who are standing there at the gas pump watching those numbers add up.

It is interesting; if we take a look at the gas prices in Minnesota back in 2008—we can, in fact, find it on MinnesotaGasPrices.com—between July and the end of the year, prices dropped from \$4 to \$1.60 per gallon. Numerous experts have concluded that underlying supply-and-demand fundamentals can't account for the sharp rise or decline in prices.

For example, in the first 6 months of 2008, U.S. economic output was declining while global supply was increasing. But when we look at the cost of oil during that time, it just doesn't match up.

In June of 2007, oil cost \$65 per barrel. A year later, in June of 2008, it reached \$147 per barrel. It was down to \$30 in December of 2008 and back up to \$72 in June of 2009. Even if supply and demand were, over the long run, pushing up the price of oil, that alone couldn't explain the massive volatility in the market.

Looking back, we now know much of the dramatic decline in oil prices was the result of Wall Street speculators fleeing the oil market because the spotlight had finally been put on them. In other words, the heat was on, and it got too hot for them to stay.

But here we are today, 3 years later, and the price of a gallon of gas is nearly \$1 higher than it was 10 months ago.

Once again, I am hearing from Minnesotans who are being squeezed by high prices—families, farmers, and businesses large and small.

There is no doubt some of these prices can be attributed to reduced production from countries such as Libya and Egypt. There is no doubt we can increase domestic production of oil, whether in North Dakota, our neighboring State, where they literally have doubled their production of oil over the last few years, or in Louisiana. Increased domestic production takes time and, in any case, the impact on prices would not necessarily change things—nowhere near what we are seeing right now due to speculation.

That is why a few months ago I wrote to Commodity Futures Trading Commission Chairman Gary Gensler urging him to make swift and strong implementation of speculation limits that were included in the Wall Street reform legislation we passed last year. This legislation authorizes the commission to impose limits on the size of speculative positions in oil futures markets by investors who are not bona fide oil traders. These “position limits” are designed to limit market manipulation and make sure the oil market is operating fairly according to supply and demand. We don't want to see Wall Street speculators further drive up oil prices in the coming months.

We also know short-term solutions will only go so far. That is why I have been focused on a long-term energy strategy, a strategy that will provide incentives for our innovators, investors, and entrepreneurs to invest in solutions for our energy future.

In 2008, I helped push through the Commerce Committee, along with a number of my colleagues, the first update to our fuel economy standards in decades. These rules, which are now in place, are expected to save 1.8 billion barrels of oil, about three times as much as Libya produces every year. I am also continuing to work on policies that will increase our homegrown energy production.

It is important to note that studies suggest that biofuels can provide relief at the pump. A recent study from the University of Iowa indicates that from 2000 to 2010 competition from ethanol reduced wholesale gasoline prices by an average of 25 cents per gallon, saving American consumers an average of \$34.5 billion each year.

During the gasoline price runup in 2010, the impact of ethanol on gasoline prices was substantially larger, reducing gasoline prices by a national average of 89 cents per gallon and by \$1.37 per gallon in the Midwest. Biofuels are the largest and best alternative to imported oil. In fact, we produce more biofuels in this country than we import gasoline from Canada, our largest source of foreign imports.

That is why in March I introduced new legislation with Senator TIM JOHNSON that would significantly boost our Nation's biofuels production and biofuels infrastructure while also providing long-term standards for increasing renewable energy production and major energy efficiency improvements.

First, our bill would provide consumers with more choices at the gas pump by expanding biofuels infrastructure and increasing alternative fuel vehicles. Specifically, it would expand the availability of blender pumps that are capable of dispensing different blends of ethanol and gasoline. It would provide loan guarantees to build new biofuels pipelines and would also require half of the cars produced in 2015 to be flex-fuel vehicles—natural gas-powered, electric-powered, or hybrid vehicles.

Second, to help offset costs, the bill would phase down and eventually phase out the ethanol tax credit. This credit is serving its purpose of helping to reduce the price of gasoline and reducing our dependence on foreign oil by providing consumers choices at the gas pump. But it won't be necessary forever.

Lastly, the bill would create the first national standards for renewable energy and energy efficiency along the lines of Minnesota's 25-percent-by-2025 standard and a 1-percent annual improvement in efficiency.

If I could note, our State has an unemployment rate that is significantly below the national average—two points below the national average. A lot of that has to do with our farm economy, a lot has to do with our innovative companies, but we have done it all with a renewable standard in place—25 percent by 2025. We have done it all with a significant push on ethanol and biofuels and wind and solar. So I say this can be a model for the rest of the country.

Our Nation as a whole has an unemployment rate of 8.8 percent. Gas prices are approaching record levels. We continue to send \$730 million a day to foreign countries—many of which have been known to funnel money to terrorists—to meet our basic fuel needs. That is \$730 million a day for fuel that we send to other countries. I think we should be investing in the farmers and the workers of the Midwest instead of the oil cartels of the Mideast. But whether it is biofuels plants in the Midwest, electric car factories across this country, electric car battery factories in the Chair's home State of Ohio, that is the future. It is not continuing to send millions of dollars a day to the Mideast.

Each of the provisions in this bill have some support from both Republicans and Democrats, and I am hopeful the bipartisan spirit of this bill can help advance a serious bipartisan discussion about thoughtful solutions to

rising gas prices. The key is that everyone needs to realize that inaction is not an option; that bumper sticker slogans will only result in our kicking the can down the road. This is about putting sensible limits on speculation that doesn't affect legitimate companies that are legitimately hedging their risks. This is about a comprehensive energy plan for the future that includes drilling in Minnesota and other parts of the country but also includes natural gas, includes hydro, includes geothermal and wind and solar and biofuels. That is what this is about.

If we learned anything from Japan—and I support nuclear energy in this country, and I think that should be in the mix as well—it is that we don't want to rely too much on any one source of energy. This idea of looking regionally and looking across the country at different sources of energy is key as we go forward.

During these challenging economic times, we can no longer put our heads in the sand and pretend this isn't happening. Talk to anyone who is filling up their car at the pump now. Talk to anyone who wants to go to their cabin in northern Minnesota for the summer every weekend. They will tell you it does matter. Now is the time to act.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

THE DEBT CEILING

Mr. THUNE. Mr. President, at some time in the not too distant future—there is some speculation about exactly when—our country will be dealing with the issue of exceeding our borrowing authority. In other words, we have maxed out our credit card. That would be the equivalent for the average family when they can't borrow any more money.

So what happens in that event is that Congress has to take action. Congress essentially has to raise the country's borrowing authority. It is called raising the debt limit. We are coming up on that point in time. It could happen sometime in the July-August timeframe. There is some uncertainty as to exactly when that happens, but the point is it will happen.

The reason it will happen is because we have now accumulated \$14.3 trillion in debt, and we have hit the limit, the cap, that exists today on our borrowing authority.

Now, \$14.3 trillion in the abstract is hard for most people to wrap their heads around because it is such a massive number. If we translate it into individual terms, it amounts to about \$46,000 for every single person in the United States, which in and of itself is an astonishing amount.

Our projected deficit this year is \$1.425 trillion, which is the largest ever, in nominal terms. According to

CBO, it is the second largest as a share of the economy, literally, since World War II. That is as much debt as we ran up from our Nation's founding, going back to the origin of this country up until 1984 or the equivalent, just in this one single year that we are going to rack up in terms of the deficit. The interest on that amounts to about \$213 billion every single year or nearly \$700 for every person in the United States. That is assuming interest rates stay at these historically low levels.

While the deficit spending is, in fact, something that will merely delay taxes in the future that somebody is going to have to pay, at some point this is going to have to be paid off, and that burden, in all likelihood, is going to fall on our children and grandchildren. But it is not just something we will have to deal with down the road because the implications today, the real-time implications of this level of spending and debt, are very real for the economy.

There is a great body of research that has been done. A study done by economists Reinhart and Rogoff found that countries with a debt-to-GDP ratio of more than 90 percent grew at 1 percentage point less than they would have otherwise. That is a body of research that looks at nations over the last half century. It even goes back further than that but particularly in the last half century and particularly developed nations that have gotten up to that level of debt that exceeds 90 percent of GDP. That is where we are today, 93 percent government debt-to-GDP ratio here in the United States.

If you take that assumption that anytime you reach that debt level and you sustain it over a long period of time, it costs you a single percentage point of economic growth every single year, according to the President's own economic team, that results in the loss of about 1 million jobs. If you think about the real-time implications of this level of spending and debt, it means we are losing about 1 million jobs every single year in the economy.

You cannot say this is something down the road, that we can continue to kick the can down the road. The fact is we are running out of road. We keep kicking the can, but we are at the end of the road. If we do not take steps now, not only is it going to put a crushing burden of debt on future generations and jeopardize the very foundation of our economy, it is going to have real-time implications today, not just in the future.

I suggest that as we look at this issue of the debt limit coming up, it presents a unique opportunity. I hope my colleagues on both sides of the aisle, Republicans and Democrats, can come together. If we do not bring this debt-to-GDP ratio back down, we are going to continue to suffer from these job losses, and the impact of that is really very clear.

When the government is out there borrowing more money, it crowds out private investment, so there is less money for private companies and individuals to invest in companies, equipment, plants, housing, training, all those sorts of things, and it spends money on government, on things that are probably less efficient, less necessary, more duplicative, oftentimes downright wasteful when it comes to the programs and the projects that end up being funded. It means instead of investing, having funding for new factories for people to work in, we have more bureaucrats in places such as the EPA or the National Labor Relations Board who are coming up with all kinds of new regulations that are making it more difficult for our small businesses to create jobs. We have more unnecessary Federal property being underutilized that the private sector could use more efficiently.

Unfortunately, the risk to our economy that comes from this out-of-control spending is more than just that, it is more than just the crowding out of private sector investment and the stifling effects of government regulation. We are beginning to face the very real possibility that our country could face a fiscal crisis. Former Chairman Greenspan has suggested that the risk of this occurring in the next few years is nearly 50-50—an alarming thought. Likewise, Standard & Poor's recently warned of a possible downgrade to the U.S. credit rating in the next 2 to 3 years, when they came out with their assessment of U.S. credit, and said they have attached a negative assessment to it. In most cases—at least in a majority of the cases—within a year's time, that leads to a downgrade of credit rating. That would be disastrous for a country such as ours which has always taken great pride and has been the rock out there when it comes to an AAA credit rating.

It is notoriously difficult to predict ultimately when a debt crisis might occur, but it would be inexcusable for us to continue to spend at these elevated levels without assuming there is even the slightest hint of a risk that this could be very devastating to our country, let alone that risk could be very high. But if it were to occur, we would need drastic spending cuts to drag ourselves out of this fiscal crisis, spending cuts that by today's standards would probably be unimaginable.

But the worst effect of this would be the deep recession it would throw our economy into. Think about that. If we did have a debt crisis in this country, what would that mean? For most people, it is going to mean higher interest rates, it is going to lead to countless job losses, pay cuts for a lot of people if you have job losses, and probably significant loss of savings, which would take a terrible toll on the American

people. Those are many of the implications of a debt crisis and the implications it would have on the economy—starting, as I said earlier, with higher interest rates. It would make it more difficult for people to borrow money for a home, for a car, for their business. All those sorts of things would be impacted.

But that does not have to be the case. The reason it does not is because most experts have suggested—and it is really true—that this is the most predictable economic crisis we have ever had. It is not as though we don't see it coming. You see all the warning signs out there. You see all the red flags out there. It is looking us right in the face. We have an opportunity to do something about it, but it will require that we have the political courage to take on this issue of Federal spending.

Next week, we are going to have an opportunity in the Budget Committee to mark up the 2012 budget, which, incidentally—the budget year starts in a mere 5 months from now. I hope this budget will focus primarily on cutting spending because I think that is the primary driver of our deficits. I am concerned that, instead, it will merely continue to spend too much, borrow too much, and tax too much.

Of course, last year, even though there was a markup in the Budget Committee, there was never a budget brought to the floor of the Senate. The Congress never passed a budget. Nor was there one brought to the floor of the House of Representatives. There was not even a vote on a budget in the House or the Senate last year. We have a \$3.8 trillion enterprise called the Federal Government that did not even pass a budget.

I believe the most fundamental responsibility we have to the taxpayers of this country is to come up with a plan about how we are going to responsibly use their tax dollars, to indicate to them that they can expect a good return from those tax dollars by the way we do our budget. Frankly, that did not happen last year. I certainly hope it does this year, but it is going to take some leadership here in the Congress. In the House of Representatives, the Republicans have the majority. They did pass a budget out of the House. I hope the Senate Democrats here will also put a budget on the floor that we will be able to vote on and amend and have a meaningful discussion about spending and debt and what we are going to do to get this country back on a path of fiscal sustainability.

The President, I think you could argue, punted when it comes to the issue of spending and debt, first by saying: I am going to appoint a commission to look at this issue. The economists studied it for several months and came out with some findings and ultimately a report in which they put forward a series of recommendations for

dealing with the fiscal crisis. The President sort of distanced himself from those recommendations, chose not to take those or to really engage with that commission and its recommendations, and then subsequent to that submitted a budget this year which, ironically, did not do anything to address the long-term issues of spending and debt but, rather, increased spending over the next decade, massively increased the debt, and increased a lot of taxes on small businesses in this country that are job creators. So you did have this issue: borrowing, spending, and debt continually being advanced and put forward by this President and by many of our colleagues on the other side of the aisle here in the Congress.

The House Republicans put out a proposal that has been criticized by some, but at least they have put forward a plan. They have engaged the issue of what we are going to do to rein in out-of-control spending both in the near term but also in the longer term with the entitlement programs—Social Security and Medicare and Medicaid—which represent 60 percent of all Federal spending. If we do not rein those programs in or come up with a way of reforming those programs so they are viable, when the 80 million baby boomers retire, we are headed for a train wreck. It is inevitable. You cannot, with the numbers facing us and the kinds of deficits we are already running, the amount of debt we have already accumulated, in any way assume we can get out of this crisis absent taking on these issues and coming up with meaningful reforms for Social Security, Medicare, and Medicaid. Whether or not you subscribe to or like the proposals that were put forward by the House Republicans, at least there is a plan out there.

There are a number of suggestions being bandied around here in the Senate. There is a gang of 6 that is looking at some recommendations. As I said, there is going to be a markup we think next week in the Senate Budget Committee. There is now this new commission the President has appointed to look at the issue of, as we approach the vote on the debt limit, what we can do to address spending and debt. But, frankly, we do not have at this point anything in front of us that does deal directly or meaningfully with this issue of out-of-control spending or debt. I hope some of these discussions are fruitful, that they lead to results, and that they at least put alternatives out there we can debate and discuss. But as of right now, the only proposal we have in front of us is the one put forward by the House Republicans. Again, whether or not you like it, it has created a discussion in this country about what we are going to do to fix our fiscal problems.

I believe we ought to at a minimum go back to 2008 spending levels because

if we did that, it would take us back to a time before we had these massive runups or increases in discretionary spending. In the last 2 years, we have seen discretionary spending increase by well over 20 percent at a time when inflation in the overall economy was a mere 2 percent. So Federal spending was increasing literally 10 times the rate of inflation over the last 2 years. It makes sense to me that in this fiscal environment where our deficits are literally about \$1.5 trillion every single year as far as the eye can see, the least we can do is restrain spending and cut it back to that level we were at in 2008, before we had this massive runup in spending. I think that is a starting point.

I believe we also ought to be looking at the entitlement programs, which, as I said, have trillions of dollars literally of unfunded liabilities. Medicare alone is a \$38 trillion unfunded liability. We are currently on a path where that will bankrupt the Nation if we do not make changes.

It strikes me, at least, that you have not only some issues that deal with the near-term spending issues but also those longer term spending issues. In the near term, as I said, if we went back to 2008 levels, we would at least tighten our belts a little bit in a way that I think most Americans would find to be responsible. But the longer term issue, these entitlement programs, have to be taken up.

There are a series of proposals that would deal with that, one of which is a balanced budget amendment to the Constitution. That, frankly, is something I support. I have supported it since I was in the House of Representatives; I have been a cosponsor of that. In fact, when I first got to Congress back in 1997, there was a vote here in the Senate on a balanced budget amendment which failed by one vote. It would take 67 votes in the Senate—two-thirds of the Senate—to approve a balanced budget amendment. It failed by one vote.

I assume, had it passed at that time in the Senate, we would have been able to pass it in the House of Representatives because we did have large majorities and we could have sent it on to the States. It takes 38 States to ratify it, but since most States already have balanced budget amendments in their constitutions, I suspect they would like to see their Federal Government operate with the same sort of fiscal discipline. But it did not pass at that time. I cannot imagine how different our world would be today had it passed 15 years ago and how different this fiscal picture would have looked because it would have put a straitjacket on Washington, DC—something we desperately need. Congress needs discipline imposed upon it. It has not demonstrated historically the capability to deal with these fiscal issues absent some sort of

mechanism that puts a straitjacket on the Congress so it cannot spend money.

The balanced budget amendment is something I think we ought to have a debate about, and I hope we do. In the lead-up to the vote on this debt limit, this is one of the proposals we hope to have considered.

As I said before, there are so many States around the country that have balanced budget amendments to their constitutions. Our State of South Dakota is a good example. In the State of South Dakota, the legislature cannot go home until the budget is balanced. That is a requirement. Many States across the country have that same sort of requirement. It is an imperative that requires these States every single year to put their books in order. That is something which is desperately lacking here in Washington, DC, and I hope, again, we could enact a balanced budget amendment.

There are several that have been proposed. I am a cosponsor of a couple of different versions of that, but we have 47 Republicans who are on a balanced budget amendment, and I hope our colleagues on the other side will join us in at least bringing that to a vote, putting it before the American people, and engaging them in a debate about how best to solve our Nation's fiscal problems. I think they would agree that a balanced budget amendment is a very simple, straightforward way in which to do that.

I also believe we ought to reform our budget process because it is clearly broken. We have a dysfunctional budget process when we cannot pass a budget, when we have a \$3.8 trillion enterprise such as the Federal Government and we do not even pass a budget. In most years, typically, we have—if there is a budget that passes, the appropriations bills that follow it are supposed to be completed by the end of the fiscal year, on September 30. Those deadlines routinely are missed.

Typically, what happens is we end up with a big so-called omnibus spending bill at the end of the year that wraps all the various appropriations bills into one massive spending bill, which I do not believe serves the taxpayers very well. It certainly does not allow us, as Members of Congress, to do the appropriate oversight that we should do on various individual agencies of government.

When we throw it all into one big spending bill, as so often happens around here, we lose the transparency and the accountability that is necessary to an effective functioning government. So I believe we ought to reform the budget process.

One of the ways I would do that is to go to a biennial budget. Instead of passing a budget every single year, we would do it every other year. We do it in the odd-numbered years, the years when people are not running for reelection.

Because what happens in a year when people are running for reelection is they decide the best way to gain the favor of the voters is to provide more money for this particular program or this program or this constituency or that constituency. As a consequence, there is a momentum to spend more and more money. It strikes me that one of the ways we could address that is to do a budget in the odd-numbered years when Members of Congress are not running for reelection. Then, in the even-numbered years, when they are, we look at ways of not how can we spend money but how can we save money. We do more oversight, which is something that is desperately lacking, because many of these Federal programs and agencies so often times sort of do their own thing, absent the appropriate level of oversight. I believe we have a responsibility, as Members of Congress, with whom the legislative responsibility, the power of the purse is entrusted by the Constitution, to do the right types of oversight.

I came across recently a good example when the Government Accountability Office came out with a report. In that report they referenced several different programs. In fact, they dealt with about one-third of all Federal spending. But in examining that one-third of Federal spending, they concluded that there are all kinds of duplications and redundancies in Federal spending.

I will just give a couple by way of example. They discovered that there are 82 programs, spread across 20 different Federal agencies, that deal with the issue of teacher training, that are designed to focus on the issue of teacher training.

Well, I suspect it is arguable about whether that is something the Federal Government ought to be doing in the first place, but it is certainly—I think any American would agree—absolutely insane to have 82 different programs in 20 different agencies doing the same thing.

Something else they discovered was that there are 56 Federal programs that are focused on the issue of teaching financial literacy. I have said this before, and I mean it sincerely, of all places, Washington, DC, should not be leading or doing instructions on financial literacy. But that being said, it is 56 programs spread across 10 different agencies. Do we need that?

That is the kind of thing that gets lost. That is the duplication and inefficiency and waste we all talk about. Yet, because we do not do the oversight we need to, many of these things just continue year after year.

Going to a biennial budget, where every other year we do a budget and then in the even-numbered years, the election years, we are doing oversight, we might actually think of ways to save money for the taxpayers as opposed to spending it.

So a biennial budget, to me, makes sense. I would make the budget resolution we pass binding because right now it is not. As a consequence, it often gets waived. I believe we need to have buy-in from the President. Right now, the budget resolution is passed by the House and the Senate, but the White House does not engage on that. So we do not have teeth in this thing that holds everybody accountable when it comes to spending. Too often that gets waived.

We need to change the way we do things around here with regard to declaring emergencies. Right now, if we want to spend money outside the parameters of the budget, everybody says: Well, it is an emergency. So declaring an emergency has become the norm rather than the exception. It has become the routine in the Congress. We have all these emergency designations which allow Congress to spend and spend. Again, there are not any constraints. It is high time we change that.

So I would make a number of changes in our budget process, which I think would lead to more transparency, more accountability, a more efficient, better-run Federal Government.

That being said, it is not the Federal Government that is going to lead us back to an economic recovery and getting people back to work. It is the hard-working entrepreneurs, it is the small businesses, it is the people in this country who roll up their sleeves every day and go to work trying to make this country stronger and more prosperous.

We are blessed because we have a nation that was founded on some core principles, one of which is economic freedom. We believe in free enterprise and free markets. It is a system that has worked extraordinarily well for this country. Look anywhere else around the world to try and find a rival to what the hard-working entrepreneurs in this country and those basic core economic principles have been able to accomplish. We cannot find one.

It is because of those four principles and the incredible ingenuity, innovation, creativity, and hard work of the American people that we have the greatest economy in the world. But that economy, as I said, is very much in jeopardy if Washington does not get its spending habits under control. Because we continue to crowd out private investment, we continue to make it harder for entrepreneurs to create jobs.

As we talk about the whole issue of spending and debt, one final point I would like to make—because there is this discussion right now about whether there ought to be tax increases. Everybody says: Well, revenues are down relative to historical averages. That is true. But one of the reasons I believe revenues are down is because there are

literally trillions of dollars sitting on the sidelines in this country that are not invested because of the economic uncertainty based upon policies coming out of Washington—uncertainty about tax policy, uncertainty about regulations.

We have this tax and regulatory environment that is paralyzing the American economy. So businesses out there that have funds they could deploy, capital they could put to work in this country, are not doing it because they are worried about what Washington might do next.

We have tax policy that is going to expire at the end of 2012. It is very hard to make decisions when tax policies are temporary. It is very hard to make decisions when you do not know what that regulatory agency is going to do to you next. They have consistently—these regulatory agencies—come up with more and more ideas about how to make it more costly, more expensive, more difficult to do business in this country.

I have alluded to a couple. The EPA is a good case in point. It is one that comes into play a lot in my State of South Dakota because we are primarily an ag economy and small businesses. Many of those policies are directed at production agriculture and energy development and all those sorts of things that allow our economy in my State to grow and to prosper.

So I think one of the reasons tax revenues are down, people are not investing. When they are not investing, they are not turning those resources over. They are not taking realizations, and they are not paying taxes. We need to get investment capital put to work. We need to get people put back to work. The best way to do that is to provide economic certainty: tax policies, regulatory policies that are reasonable and that provide incentives, not disincentives, for investment.

Today, we have tax and regulatory policies that are doing absolutely the opposite. They are discouraging investment, and, as a consequence, I think we have a lower level of revenues. But the real problem, the real problem, is not revenues, it is spending. That is abundantly clear.

If we look at where we have been for the last 40 years in terms of what we spend as a percentage of our overall economy, that average is about 20.6 percent. That is a 40-year average, historical average, we spend on our Federal Government as a percentage of our entire economy. This year we will spend 25.3 percent of our entire economy on just the Federal Government.

That does not include spending on State and local governments. When we add that up, it is over 40 percent of every \$1 we spend in this country is spent on government. So what we see is the government is growing relative to our total economy, and the private

economy, those folks out there who are creating the jobs in our private economy, is shrinking relative to the size of the government. That is a trend we have to reverse. It starts with getting spending under control. This is not a revenue problem. This is not a tax problem. As much as many of my colleagues would like to make it that, we flatly cannot look the facts in the face and come to any other conclusion but that spending in Washington is out of control, it has to be reined in.

We have to attack the issue, not only of discretionary spending—the part we annually appropriate for—but these entitlement programs which if not addressed are not only going to bankrupt the country but ensure that there is not a Medicare Program and a Social Security Program available to future generations of Americans.

These are very tumultuous times. There is a lot of uncertainty. I think the jobs numbers that came out this morning again point to how fragile this economic recovery is. It is so dependent upon good, sound policies coming out of Washington. For better or worse, small businesses, entrepreneurs now, unfortunately, tend to be partners with Washington, DC, because there is so much policy coming out of here, whether it is tax policy, regulatory policy, that impacts their bottom lines every single day.

We need to get out of the way to keep those taxes low, to get Federal spending under control, to make sure the regulatory framework in which our businesses operate represents the minimum level and not the maximum level that we can do to make it more difficult for small businesses to grow and to create jobs. If we can do those types of things, address the issue of spending and debt, take it on in a meaningful way, deal with this issue of reforming our Tax Code and making sure our tax rates stay low on businesses in this country and make sure regulations and regulatory policies coming out of Washington, DC, are not the impediment they are today to investment and job creation, I think we can get this country back on track.

But that is where it starts. If we want to create jobs, if we want to grow this economy, if we want to make it more prosperous and stronger for future generations, those are the steps, in my view, we have to take. I hope we get started soon. I do not think we can afford to wait.

A lot of people around here think these are all political exercises that we will go through the hoops and the motions, and we will wait to solve this until after the next election. We cannot afford to wait. The time is now. If we do not do it, we are going to put in great peril future generations and their ability to enjoy the same standard of living, the same quality of life we have enjoyed.

That is not fair to them. That is why I believe the time to start is now and the time to get this budget process—not only the reforms of the process but the spending restraints in place—is today.

I yield the floor.
The PRESIDING OFFICER (Mrs. McCASKILL). The Senator from Ohio.

Mr. BROWN of Ohio. Madam President, I was presiding, before the senior Senator from Missouri took my place, and was listening to two of the last three speakers talk about their budget religion, if you will. I think about this. I think we have to look at a little bit of his history.

I do not think I need a lecture on balancing a budget. I was in the House of Representatives in the 1990s when, without one Republican vote, we passed President Clinton's budget. We had a huge budget deficit in those days. That budget began us on the path to a balanced budget.

I supported a balanced budget amendment in the mid-1990s. By 2000, the year President Clinton left office, we had the biggest budget surplus in American history. Then, in 2001, at the push of President Bush and his Republican colleagues in both Houses, this Congress passed a major tax cut, mostly for the wealthy in 2001; another major tax cut, mostly for the wealthy in 2003, both of which I voted against.

President Bush, with intelligence that was not especially sound—being gentle about it—took us into a war with Iraq, did not pay for it; took us into a war with Afghanistan, did not pay for it. I voted against the war in Iraq.

In 2003 or 2004, he pushed through Congress by one vote—I remember I was in the House of Representatives opposing that bill, when they kept the rollcall open for 2 hours or longer that night. President Bush was on the phone with recalcitrant members of his party in the House of Representatives—pushed through a Medicare bill that was a bailout to the drug and insurance companies in the name of Medicare privatization, without paying for it.

President Bush leaves office then, leaving the largest budget deficit in our history—going from the largest budget surplus, written, by and large, by the Democrats, because Republicans did not play ball with us during most of the 1990s. Then, after President Bush and the Republican leadership in many of those years, House-Senate, President Bush left us with the biggest budget deficit in history.

When I hear this revisionist history on the Senate floor—I was not even going to talk about this today. But I heard two colleagues, for whom I have respect, one from Alabama, one from South Dakota, talk about this budget deficit in a way that simply is historically inaccurate—in the name of this deficit, and we have to deal with this deficit.

I know the Presiding Officer is focused on that. A lot of us are focused on that. We have to deal with this deficit. But you don't do the same thing over again where you give big tax cuts to the wealthiest Americans and then privatize Medicare. That is what they are doing. They are cutting health care, saying it is not sustainable, whatever that means, and giving major tax cuts to the rich, and we are saying that is not sustainable.

HONORING NATIONAL TEACHER APPRECIATION WEEK

Mr. BROWN of Ohio. I wish to talk about teachers. In my State, the legislature just passed something called SB 5, and the Governor in Ohio signed it. It was a direct assault in many ways on the teaching profession.

The discussions I hear from conservative politicians and their allies in the media—and they have many on editorial boards, especially in central Ohio—and the lack of respect they show for people who choose to teach as a profession is mind-boggling. We trust our children to teachers, yet we attack them—or too many politicians attack them.

I am going to make it personal. I am going to start with my mom. My mom was a high school English teacher born in Mansfield, GA, in 1920. She taught in the era of segregation in Florida and Georgia. Raising my two older brothers and me in Mansfield, OH—she met my dad coming back from World War II, ending up in another Mansfield at the end of the war—she taught in an era of a growing American middle class. Like teachers throughout our history, she taught her students and her sons that education is a gateway to opportunity, that it can integrate a segregated nation and create a prosperous nation.

At a time when our Nation needs our teachers the most, when our economy needs our students to succeed, it is appropriate to remind ourselves—in spite of this background noise I hear from so many conservative politicians about teachers' unions and about teachers who don't care, about teachers taking off in the summer and being done at 3 o'clock and all the kinds of attacks they like to make on teachers, I think it is important to remind ourselves of the importance of our teachers.

This week, our country recognizes National Teacher Appreciation Week to give thanks and gratitude to teachers across our country to whom we entrust our children and who have made a difference in our lives.

Let me share a few stories about great teachers in Ohio.

Linda Michael of Pomeroy, OH, in Meigs County, down on the Ohio River, works with homeless students from K-12 to make sure they have equal access to the same education as other students, from Head Start to preschool to

doctor referrals. She locates students in shelters, motels, and homes of relatives to make sure they have what they need: housing assistance, clothing, food, utilities, and mental health. Is this a teacher who quits at 3 o'clock and doesn't work during the summer? This is above and beyond the call of duty that most of us do in our society. Imagine growing up homeless, going to school, not having your own room, not having a room to share with your sibling, not having a place to go at night. We need teachers to take care of them. We need to do better as a society, but teachers are really a safety net for these children.

Michelle Rzucidio-Rupright is an elementary school teacher in Cleveland. For her, teaching is not a 9-to-5 job. It means going to homeless shelters after school where her students live. It means buying supplies out of her pocket for her students in the classroom. She is a role model in the community.

I know Senator MCCASKILL talks to teachers a lot and hears these things. How many teachers tell us they reach into their pockets? These are not Wall Street bankers. They are making sometimes as little as \$35, \$40, \$45, \$50,000 a year. Do we Senators reach into our pockets and buy folders for our office or buy pens? Do Senators do that? Do most businesspeople reach into their pockets to take care of these children? So many teachers do, to buy construction paper—the ones who teach grade school—to buy pens, to give kids money for lunch sometimes. Clearly, teachers play a role most people in this country don't play.

David Fawcett is a Columbus drama teacher. He has helped generations of new immigrants and low-income students see something greater in themselves—more than just a poor immigrant child trying to make it. He encourages students to learn language and speech and culture through lines of a play or a musical, through elocution lessons under his guiding presence. He is another teacher who focuses on the individual unique needs of a child who may have been born in another country and may have parents who don't speak English. That child has different challenges from what I had with educated, English-speaking parents in Mansfield, OH, with lots of ideas and privileges. I was taught by my parents to read before I started kindergarten because I was smarter than other kids because I had parents who knew that mattered for me to get ahead and for the advantages I had. Mr. Fawcett clearly focuses on each child's individual, unique personality needs, situation, all that.

John Keller is a government teacher in Orange, a suburb 15 miles east of Cleveland. Mr. Keller addresses the complexity of a subject with the simplest of tools: a sense of humor. He engages students as soon as they walk in the classroom, ensuring a passionate

debate and empowering students to always stand up and speak out about the world around them. He makes them laugh. What better way to teach than engaging the students, having a big personality and making people laugh, and sometimes the teacher himself, I am sure, being the butt of the jokes, the humor about himself.

Deb Lammers and Paul Lenz, teachers in Miller City in Putnam County, OH—one of Ohio's smallest counties, southwest of Toledo—are the kinds of math teachers every student deserves. They are patient and kind. They adapt teaching skills to student needs, arriving early and staying late. Again, all this stuff: Oh, teachers quit at 3 o'clock; teachers don't work in the summer. All of this kind of thing from conservatives. Why they don't like teachers is beyond me, but why so many conservative politicians attack teachers for all kinds of things, I don't even pretend to understand. But Ms. Lammers and Mr. Lenz, teaching in Putnam County OH, arrive early and stay late, being accessible to students whenever they need help.

Delette Walker is a retired grade school teacher in Shaker Heights. For decades, she helped children overcome the insecurity of shyness, instilling in them the confidence to read out loud, to sing in a musical to confront their fears. We know how young children—I have four, my wife and I do. And when they were young—they are not so shy now, but when they were young, they were fairly shy, and they had teachers who helped bring them out of their shell sometimes. As parents, we try to do that, with some success, but I have watched teachers with my own children. I have watched them help them believe in themselves, particularly young girls. I wanted to teach my daughters that they could accomplish anything—anything—and the fact of their gender, especially in that generation a few years ago, especially when I was a kid—girls were treated differently, and girls were not expected to achieve the way boys did or in too many cases the way boys were expected to. I saw teachers, with my own daughters, help them believe in themselves and in a big, important way. That is what Ms. Walker did, now retired, but with grade school children she taught in Shaker Heights.

Diane Skelley, Vicky Hilliard, and Pat Carson are high school teachers in West Carrollton, OH, outside of Dayton. Through the written word, chemistry equations, or musicals, they are teachers who encourage students to try harder and reach higher, never to doubt one's talents. I know a young woman in my office was taught by these three teachers, and I know she believes she can—I know her parents too—take on the world and grow and learn something that women maybe a generation or two ago might not have

been so successful at, and Diane Skelley, Vicky Hilliard, and Pat Carson—all three of them at West Carrollton helped her achieve that and helped countless others in Montgomery County in southwest Ohio to move forward, whether it was in English, music, or chemistry.

Vicki Speakman was a Grandview high school teacher. Grandview is outside of Columbus. She was a Spanish teacher, a dedicated mother, a bedrock of the community. She was diagnosed with cancer. Ms. Speakman remained a constant presence at games and concerts, never missing a chance to share a smile, tell a joke, reach out to a lonely student. Ten years ago next month, she lost her fight with cancer, but, like all great teachers, her memory lives in the countless students whose lives are better because of her—not just her memory but the impact she had on these students. Whether they think of Ms. Speakman every day or every week, they live a life differently because of Ms. Speakman. That is true with so many of these teachers.

When I think of this teacher—and I did not know Ms. Speakman, but when I think of her presence at ball games and school plays and I think of so many teachers I had at Mansfield Senior High School—my junior high was one that will probably make the pages here today laugh. The name of my junior high school was Johnny Appleseed Junior High School in north central Ohio, where Johnny Appleseed, 200 years ago or so, used to go around—it was a peculiar life he lived. He went around a country that was totally forested planting apple trees. But to each his own. He became a legend as a result. But I remember, in grade school and junior high and high school, so many teachers who would come to our plays. I played basketball in eighth grade and played baseball and basketball in high school. I would see teachers—not just the coaches but teachers—come to the games, the Friday night basketball games or the Tuesday afternoon baseball games or the school plays on Saturday. They were part of the community, cheering on their students, not showing favorites but caring particularly for students who were a little more shy or a little less talented who might need a bump up or encouragement from their teacher.

The same goes for Jackie Geary, who taught reading for nearly 45 years in Dayton. She was the matriarch of a family of educators. Her husband Mike is a professor at the University of Dayton, one of our great universities in Ohio. Her daughter Beth is a special needs teacher for families of U.S. military personnel in the country of Japan. Aside from her constant smile and laughter, she reminded all who knew her that one of her great responsibilities was to read to a child each and every night. Jackie passed away last

month after a long battle with cancer. Up until her very last days, she insisted on teaching the most valuable lesson of all: compassion and love and commitment.

Again, these are teachers who go above and beyond the call of duty not just to collect a paycheck, not to go home at 3 o'clock, not to be off in the summer and not be a part of the community. Ms. Geary and Ms. Speakman gave so much of their lives to their students. Both passed away. Ms. Speakman some time ago, Ms. Geary more recently. Both will be remembered, and their impact will be seen throughout.

Sandy Ryan is a special-ed preschool teacher in Cleveland. She first taught special needs adults. She then went to college later in life to earn a master's degree to teach special needs children. She buys her students coats in the winter, supplies, including book bags, and coats for children who can't afford them. Again, we don't pay teachers a lot. They are barely in the middle class in terms of their income if they are a single parent and on a teacher's salary. Yet they reach into their pockets. This isn't just buying pencils and pens and occasional lunch money; this is a teacher who buys coats in the winter sometimes for her students because she teaches in a low-income area.

Ms. Donna Marie Shurr is a high school teacher in Oberlin. She partners with local and international projects—water projects in the community, to building homes in Jamaica, to schools in Pakistan and Afghanistan. She inspires students to believe that education is continuous and service is a lifelong pursuit that extends beyond the classroom. She is a teacher who, by showing by example, teaching by example, helps these students navigate the rest of their lives. They have a commitment to service beyond the classroom, beyond their workday, beyond their family, a commitment to service in the community, and it doesn't stop at our borders. With Ms. Shurr from Oberlin, not far from where I live, it is international also.

Ms. Dean Blase is an English teacher at Clark Montessori School in Cincinnati. I visited Clark last year. It was a finalist for the competition for President Obama to deliver its commencement speech, losing out at the last minute to a school in Michigan. Teachers such as Ms. Blase instill values of curiosity and wonder in their students from diverse backgrounds, encouraging academic achievement and community service.

Teachers are counselors, coaches, mentors. They serve as surrogate parents. They are friends of students at the right time. They are advisers, they are cheerleaders, they are partners, they are—fill in the blank—that any of us can do because we have had good teachers in our lives. They so often go

the extra step. They drive talented pupils to competitions and scholarship interviews. They are an essential part of our communities.

Yet, in Ohio, SB 5 is an amazing thing. It basically takes away rights from teachers, collective bargaining rights. I know teachers—when they collectively bargain, they sit down at the school board and, sure they negotiate for decent wages, health care, and a pension, but they also negotiate for class size.

I was talking to a teacher at a roundtable at a church right off Capital Square a couple of months ago, and she teaches in a Columbus suburb. But she talked about in negotiations how they negotiate class size because she knows, no matter what she is paid or no matter what benefits she has, she wants to be a very good teacher. She cannot be as good a teacher if there are too many students in the classroom because she cannot give them the kind of individual attention she would want to give them.

Yet the Governor, the legislature, because of this ideological mission they are on, want to bust teachers unions, they want to, apparently, downgrade the respect teachers have in the community. Maybe they think they should become bankers or doctors or lawyers so they can make more money. I do not know why they think that.

But what that means is—I am tired of hearing parents tell me and young people tell me: My daughter or I or whoever was going to be a teacher, and they were studying at Miami University or Ohio University or Toledo or Hiram College, whatever, and they decided—when they hear all these politicians, conservative, mostly Republican politicians, in Ohio, Columbus, downgrading teachers and criticizing the profession of teacher—they think: Why do I want to do that? I am not going to make a lot of money. If I am not going to have any respect from the people who run my State, why do I want to be a teacher—in spite of the fact they did want to be a teacher.

I am also hearing from young teachers who are now in the classroom waging these fights that it is not easy teaching kids who do not have much advantage, it is not easy teaching kids who have discipline problems, it is not easy teaching kids whose parents are not particularly engaged for reasons of dysfunctional families or income or all the reasons parents are not as involved as we would like them to be. It is hard enough to do that without a bunch of Republican conservative politicians criticizing the profession in saying: They quit at 3 o'clock, they do not work in the summers, they are lazy, whatever they say about them.

So I wished to talk about teachers who have affected my life. Most of these teachers I have mentioned have taught people in my office. We walked

around the office and said: Tell me about some teachers. Almost every one of these teachers is somebody who has helped to produce stars, absolute stars, in my office. That is one reason I wanted to share their stories, and I wanted to share their stories because I think most of us who are fairminded—unless we are elected to legislatures and rightwing politicians—most of us care about education, most of us care about teachers, most of us appreciate what teachers gave to us, most of us honor them and respect them.

But you are not honoring and respecting teachers, you are not honoring and respecting perhaps the most important profession in this country, when you take away their rights, when you downgrade them, when you go after their unions in the name of some ideological mission you are on. It is tragic, and I am sorry. I apologize for them and their behavior to the teachers of Ohio and teachers around the country. It is too important a profession to do that.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WYDEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO HAROLD SCHNITZER

Mr. WYDEN. I come to the floor to honor a man who touched every corner of my home State of Oregon. Harold Schnitzer left his mark on our business community, the arts, health care, education, and practically every nook and cranny of my home State.

Harold Schnitzer died last week of complications relating to cancer and diabetes. He learned of his impending death earlier this year and faced it with extraordinary style, grace, and the wit that marked his 87 years of life.

Those who knew Harold Schnitzer describe him in one of two ways. Many knew him as a powerful and philanthropic force in our State. Others knew him as approachable, easygoing, and especially as a person who never took himself all that seriously. I knew him in both ways, and I knew him as a friend.

Like many in Oregon, I am saddened by Harold's passing. Harold was a successful real estate developer. He and his wife of 62 years, Arlene, gave generously to my alma mater, the University of Oregon, and to Portland State University. They established the Harold Schnitzer Diabetes Health Center at the Oregon Health Sciences University. Their gifts of art and financial support helped transform our Portland Art Museum into a center for regional art works.

The generosity of Harold and Arlene can be found throughout Oregon in places such as the Oregon Zoo, a special favorite of my children, Lewis and Clark College, the Mittleman Jewish Community Center, the Oregon Symphony, the Oregon Ballet, and the Portland Opera. A centerpiece of Oregon's art community is the beautiful Arlene Schnitzer Concert Hall in our downtown Portland community. It is affectionately known as "the Schnitz."

Harold Schnitzer was a humble man, and he came from humble roots. As a boy, he earned 25 cents a week polishing metal in his father's Portland scrap yard. From there it was on to the Massachusetts Institute of Technology for a degree in metallurgy, and then he went on to a career in real estate.

Certainly, our colleagues from the bay area of California know who Harold Schnitzer was because with great pride he restored the historic Claremont Hotel Club and Spa in Berkeley to its former glory. In true Harold Schnitzer fashion, when he sold the hotel in 1998 the proceeds provided the funding for two family charitable foundations.

We have lost a man, but, fortunately, we have not lost his vision and his generosity. His wife Arlene will continue to stand for those kinds of good works in our home State, and their son Jordan, a successful businessman in his own right who shares his parents' passion for philanthropy, continues every single day to look for opportunities to serve our home State. You can look no further than the Jordan Schnitzer Museum of Art in Eugene and downtown Portland's Simon and Helen Director Park, named for his maternal grandparents.

What I liked most about Harold Schnitzer was his very wry sense of humor and particular knack for summarizing the events of our time. I remember often when I would see him after a particularly spirited discussion in the Senate. Harold had a great interest in politics and was a devout consumer of all the Sunday morning talk shows. After a particularly volcanic debate in Washington, DC, about some issue where it seemed nothing could get resolved, I would go home and be out and about, perhaps at the grocery store in Portland, and I would see Harold. He would tug on my elbow and say: I have been watching what is going on in Washington, DC, RON. Got things pretty much worked out back there, do you?

He would kind of chuckle and sort of express perfectly his sense of the irony of the challenges we have in Washington, DC. He knew somehow we would always get through them. Whenever I was around Harold, I got a sense that he really captured some of the irony of what goes on in Washington, DC, very well. He brought that same kind of approach and that light touch

and combination of humor and irony to so much of what he did.

In my view, Harold Schnitzer represented what was good in humanity. His legacy of good works is going to go forward. But for all those who didn't know him personally, didn't know him like I had the chance to, I wanted to take just a few minutes to tell the Senate and our country that Harold Schnitzer was a very special man. In my view, he was what I call a vintage Oregonian—somebody who got up every day and tried to make our State and country a better place. He will be greatly missed.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. MANCHIN). Without objection, it is so ordered.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

INTERCHANGE FEES

Mr. DURBIN. Mr. President, there are many issues which come before the Senate, and some are simple and some are complex. The issue I am going to speak to today is one which you are personally aware of, Mr. President, as the Senator from West Virginia, and one that more and more Members are becoming aware of. It is the question of interchange fees or swipe fees.

For those who do not follow this closely, every time we use a credit card or a debit card in the United States of America, the retailer or merchant we do business with pays a fee to the bank that issues the card. The fee is established by the major credit card networks, Visa and MasterCard. They tell the banks how much they will receive each time a customer uses these cards.

What it comes down to is the fee that is being charged, the debit card fee, has become a subject of controversy. Let's go back in history a little bit. I can still remember when people used checks, and some still do but not as frequently. Now we use the plastic form of a checking account. Instead of writing out a check and pushing it through the banking system, and for a few cents watching it be processed, we use a debit card. A debit card draws money directly out of our checking accounts to the merchant we are doing business with.

So the debit card has, in fact, by a large measure, replaced checks—and in many instances replaced cash—as more and more people are using plastic for

transactions. So I started hearing from merchants and retailers all around the United States about the fee that was being charged for debit card transactions.

Now, debit card transactions are different from credit card transactions in this respect. When I use my credit card, I am going to be billed each month for what I put on my credit card. There is a collection issue: Will Durbin actually make his monthly payment? Will he make it on time? Is he able to make the payment? And there is a question about whether this is going to be processed.

So there is, I guess, an uncertainty involved in credit card transactions and much less so when it comes to debit card transactions because that money is coming directly out of our checking accounts to the merchant. So in terms of risk, there is greater risk with a credit card than for a debit card. Nevertheless, over the years what we have seen is the swipe fee, or fee charged to a merchant for the use of a debit card, keeps going up, up, and up.

People would say: Well, why don't the merchants and retailers bargain with Visa, MasterCard, and the banks to make sure they do not have to pay an increasingly large fee every time a person uses a debit card?

The answer is they have no power to bargain at all. Not at all. So the retailer, the merchant, ends up accepting the debit card, swiping the debit card, paying for the transaction, and then paying a fee, to the point where one would ask: Well, how much of a fee is it?

The average debit card fee, found by the recent study of the Federal Reserve, is about 40 cents a transaction. Now, 40 cents may not sound like much if someone is buying a television—of course, though, it is going to be a percentage fee—but think about 40 cents if a person standing in front of you in line at the airport is buying a package of bubble gum. That 40 cents is all the profit that retailer could ever expect, and it is going right out the window. In fact, they are losing money on the transaction because of the debit card.

So for years retailers and merchants, restaurants, convenience stores, hotels, charities, universities, went to Visa and MasterCard and said: You cannot keep just raising this fee. It is not fair to us. You are not justifying it in terms of the costs of doing business, and we are paying more and more out of each transaction, even though the cost has not gone up.

Basically, Visa and MasterCard told them: Go take a hike. We are going to charge what we want to charge. Take it or leave it, buddy. If you do not want to take plastic, that is your business. Try to do business without it. You cannot.

So retailers and merchants were on the losing end of this conversation. So

they came to me and said: Is there a way to do a study on this issue and determine what is fair? So a few years ago I joined with Senator Bond of Missouri, and the two of us, on the credit card reform bill, asked for a public Fed study on fee and cost information. Well, it turned out the banking industry did not want any study at all. They killed our amendment for a Fed study and told people—all the people in the Senate, Democrats and Republicans—vote against even a study of the swipe fee, the debit card interchange fee.

So we ended up empty handed. The day came last year when we revisited the issue. This time I came to the floor with an amendment and said: Here is what I would like to do. I would like to give to the Federal Reserve the power to promulgate a rule which says the fee charged for the use of a debit card is going to be reasonable and proportional to the costs incurred by the bank in processing this transaction. We are going to put in a factor for fraud. If there is something they need to add to take care of fraud, add it in. We went a step further. We said this is not going to apply to every bank and credit union that issues a debit card. We are going to exempt the overwhelming majority of community banks and credit unions across America.

There are about 15,000 community banks and credit unions across the United States—15,000. So we said: If your bank or credit union has a valuation of less than \$10 billion, you are not covered by this reasonable and proportional law. You are exempt. At the end of the day, it meant that about 100 banks across America were subject to this new law and three credit unions. All the rest are exempt.

So you say: Well, Durbin, if you exempted all of these banks and credit unions, almost 15,000 of them, and you only affected about 100 of them, how can this have any impact? Well, it turns out, of the largest banks in America, three of the big ones—that would be Chase, Wells Fargo, and Bank of America—really comprise nearly half of all the debit card transactions in the country. Some say even more, 60 percent or even more. So by just making this a law that applies to the largest banks, we are affecting the majority of debit card transactions, and we are establishing a reasonable and proportional fee for what the transaction is.

So the retailer and merchant, the person running the mom-and-pop store or the person running a big box store is going to get fair treatment in terms of how much is charged.

So you say to yourself: Well, how much are they charging now? The Federal Reserve estimates they are charging about 40 cents a transaction, and the actual cost to the bank and the credit card company is about 10 cents. They are charging four times as much as they should on each transaction.

How much money is it worth to the banks? The estimates range from \$1.3 to \$1.7 billion a month—a month. Now, these banks, the big banks that I am addressing with this law, they are not having little collections outside the bank to keep themselves in business. They are bringing in quite a bit of money. They are very profitable, and to say that they should have a reasonable charge for retailers and merchants across America, small businesses and large businesses alike, I do not think is unreasonable. Remember, we exempted the community banks. We exempted the credit unions. It is only the big ones that are going to be affected by this.

Well, one would think I had done the worst thing in the world to these banks and credit card companies. They have unleashed, with the greatest fury they can possibly put together on Wall Street, this attack against the Durbin amendment. They are sending out letters—Chase is—to all of the people who have debit card accounts and credit card accounts saying if this Durbin amendment goes through, we are going to charge extra fees here and extra fees there.

Well, at the end of the day, that is the threat that we always hear from them. The fact is, since they are virtual monopolies in their business, they are increasing their fee charges regularly. People across America know it. Every time we put in a reform, they race to raise their interest rates and race to raise their penalties. They give these “free” checking accounts loaded with penalties if you stumble and do not pay on the exact day or whatever it happens to be.

So it has become quite a battle. It is a battle between Visa, MasterCard, and the biggest banks in America versus the retailers and merchants of America. They are both engaged. Now, the retailers and merchants cannot hold a candle to the big banks and credit card companies when it comes to their investment in this fight. But they are trying valiantly, and we are organizing small businesses across the United States—in Illinois, West Virginia, all over the place—to step up and say: Come on. This is an important part of business.

Now, I ran into one of my colleagues on the Senate floor, and she said: What I am worried about is even if you reduce the fee charged to the retailer for using the debit card, how is that going to help the customer? How is that going to translate into anything more than profits for the business?

Well, Mr. President, in your family background, you have been involved in business. If you have a competitor across the street, whether it is a gas station, a drug store, a grocery store, a restaurant, you know your price competition is an important part of whether a person chooses your store over the

other store. So when you give the owner of the store a break on the fee that is being charged by the credit card companies and banks, then you give them an opportunity to engage in more price competition.

But what about Walmart? This is the monster of retailers in terms of size, about 10 percent of all of the sales in America. I can tell you, even with Walmart, Target is looking over its shoulder. It is watching the prices of goods and deciding whether it can be competitive. So there is competition at this level.

If we give retailers a break when it comes to the amount they have to pay to the banks and credit card companies, I think it is going to end up in consumer benefits. The consumer organizations, the major ones in this town, support what I have done. They aren't supporting the position of the big banks and credit card companies.

One of the arguments that comes down is interesting. The lion's share of the argument against my amendment is not coming from the people directly affected by it. We are not hearing as much in Washington from those big banks on Wall Street or the credit card companies, and they are the ones most affected by it. Why? They don't have much credibility around here. These are the folks who came filing in for a bailout when they made some pretty bad decisions and got billions of dollars from the Federal Government to bail them out, and then, of course, they turned around and gave bonuses and all sorts of high-level compensation to their officers. So they are not the most popular crowd on Capitol Hill. So they have brought in surrogates to argue their position, and the surrogates, as my colleagues know, are the small banks and small credit unions saying the Durbin amendment is terrible.

The first thing we have to say to them is: You are exempt. You are not covered by the Durbin amendment. If you have \$10 billion in assets or less, you are not covered. Still, they argue, at the end of the day, we think this might hurt us.

I have taken an extra step, beyond the law, to try to deal with some of their concerns because I value these community banks and credit unions. I worry they have now become part of the banking industry—in capital letters—instead of what they were traditionally: our neighborhood banks, our small town banks, our local credit unions. They have now become part of this big banking industry thing. I don't think it is healthy for them, and I don't think it is healthy for the economy or for consumers. So what I did was go to the merchants coalition on my side of this issue, the retailers, and ask them to put out a statement of policy when it comes to whether they are going to discriminate on the card that is presented.

Let me be more specific. If you are running a restaurant in Wheeling, WV, and somebody walks through the door and puts a debit card—these are all debit cards—puts a debit card down to pay for the meal, will your restaurant take a close look and say: Oh, that is a community bank with a higher interchange fee than it might be with a card from Chase Bank, for example? That is one of the concerns expressed by the community banks and credit unions. Even though you exempted us, all these retailers could discriminate against us because our swipe fee is higher than it might be coming out of Chase.

We ended up with a letter—an important letter—which I have shared with every one of my colleagues, and it is a letter from the Merchants Payment Coalition, which I ask unanimous consent to have printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MERCHANTS PAYMENTS COALITION,
Washington, DC, May 2, 2011.

Hon. DICK DURBIN,
Majority Whip, U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: We understand that some in the financial services industry are claiming that the Durbin Amendment exemption from interchange "swipe fee" regulation for financial institutions with assets under \$10 billion will not be effective in practice because merchants will discriminate against debit cards with higher swipe fees. On behalf of the undersigned trade associations, and the tens of thousands of merchants and retail locations we represent, we are writing to make clear that we have no contractual or practical ability to treat debit cards issued by small financial institutions or credit unions differently than those issued by large institutions. Furthermore, our member companies are committed to customer service and it is not in their interest to discriminate against debit cards that so many customers carry.

Currently, merchants are subject to Visa and MasterCard network rules that require us to accept all Visa and/or MasterCard debit, regardless of which bank or credit union issues the card. This is called the Honor All Cards rule and we risk the threat of \$5,000 per day fines—or higher—if we break this rule, so we assure you that merchants have no intention of violating this term of brand acceptance. These rules also prevent merchants from pricing goods differently based upon the financial institution that issued the card.

Additionally, even if these rules were not in place, merchants have no practical ability at the point-of-sale to distinguish between big bank and small bank cards, nor the swipe fee rates associated with those cards. Indeed, in many if not most retail environments, employees never see the face of the card the customer is using: the customers swipe their cards themselves.

Lastly, even if merchants could differentiate between card issuers, there are no market or economic incentives to discriminate against mid-sized and smaller financial institutions' cards. If a customer wants to pay with a card, merchants will let them use that card because the retail industry is fundamentally all about competing to deliver

value and customer service. If merchants didn't accept the card, they would risk losing the sale and losing the customer; a risk very few in the competitive retail industry are willing to take. Additionally, most consumers only have one debit card in their wallet. We would absolutely prefer they pay with that debit card, rather than with a credit card, because while debit card per transaction rates have grown exponentially over the past several years, credit card swipe fees are far higher and continue to be a significantly more costly burden on businesses of all sizes.

We appreciate the opportunity to set the record straight regarding the many misrepresentations being made about the Durbin Amendment, and you have our commitment that the retail community across the nation will do its part to help ensure that the exemption of financial institutions with less than \$10 billion in assets from the swipe fee reforms on debit cards will work in the marketplace.

Sincerely,

American Beverage Licensees; Coalition of Franchisee Associations; Food Marketing Institute; Interactive Travel Services Association; International Franchise Association; National Association of College Stores; National Association of Community Pharmacists; National Association of Convenience Stores; National Association of Shell Marketers; National Association of Theatre Owners; National Association of Truck Stop Operators; National Council of Chain Restaurants; National Franchise Association; National Grocers Association; National Restaurant Association; National Retail Federation; National Small Business Association; Petroleum Marketers Association of America; Retail Industry Leaders Association; Society of Independent Gasoline Marketers of America.

Mr. DURBIN. Thank you, Mr. President. Let me quote a few words from it. This is a letter to me, dated May 2:

Dear Senator DURBIN:

We understand that some in the financial services industry are claiming that the Durbin Amendment exemption from interchange "swipe fee" regulation for financial institutions with assets under \$10 billion will not be effective in practice because merchants will discriminate against debit cards with higher swipe fees. On behalf of the undersigned trade associations, and the tens of thousands of merchants and retail locations we represent, we are writing to make clear that we have no contractual or practical ability to treat debit cards issued by small financial institutions or credit unions differently than those issued by large institutions. Furthermore, our member companies are committed to customer service and it is not in their interest to discriminate against debit cards that so many customers carry.

Currently, merchants are subject to Visa and MasterCard network rules that require us to accept all Visa and/or MasterCard debit, regardless of which bank or credit union issues the card. This is called the Honor All Cards rule and we risk the threat of \$5,000 per day fines—or higher—if we break this rule, so we assure you that merchants have no intention of violating this term of brand acceptance. These rules also prevent merchants from pricing goods differently based on the financial institution that issued the card.

The No. 1 complaint of community banks and credit unions about discrimination against their cards is addressed directly by this letter. I have made this a part of the RECORD. It is being sent to every Member of the Senate.

There is a second part of this argument. The question is whether Visa and MasterCard, the networks, will continue to allow the community banks and credit unions to charge a higher interchange fee than the big banks. Under our law, there is no reason to change it. So I am challenging Visa and MasterCard and these card networks to state clearly and unequivocally, as this letter has stated, that they will not discriminate against these smaller banks, community banks, and credit unions. The merchants have come forward as a matter of record, and it has been put in the CONGRESSIONAL RECORD this day, to say there will be no discrimination. At the end of the day, if Visa and MasterCard will make the same promise of no discrimination, then ultimately there is no disadvantage to the community banks and credit unions. None. Now the burden is on the big credit card networks to step up to the plate.

I am sending a letter today to the president and CEO of the Illinois Bankers Association, the Illinois Credit Union League and the Community Bankers Association of Illinois and we are going to send it to their national affiliates as well, sending them a copy of this merchants letter so they can no longer make the claim that they are going to be victims of discrimination by merchants and retailers and asking them to now step up and join us in challenging Visa and MasterCard and the major card networks. That, to me, resolves the most fundamental issue that has been brought to the Members of the Senate. They can no longer claim that these retailers are going to discriminate against them. As a matter of record, they will not.

I think it is important for us to change this system, and I think it is important for these virtual monopolies of Visa and MasterCard to be held accountable. I think what we have done in passing this law and giving the Federal Reserve the authority to establish this rule is the right thing to do.

Now there is a big effort afoot to stop us. The Presiding Officer knows that. They are lobbying such as I have never seen before on Capitol Hill. You would think there was \$1 billion a month at stake, and there is. They are determined to stop the Federal Reserve from issuing a rule which says that retailers and merchants across America will be treated fairly. They are going to stop them, if they can, and I am going to fight them all the way. I am hoping my colleagues who joined me in this vote and those who share my feelings about small business across America will stand with me.

I know the alternative. The largest banks in America and the credit card companies have a lot of friends, and they are very powerful, but I think we ought to give the Federal Reserve the chance to issue reasonable final rules.

In fact, talk to any bank across the country, and they are going to tell you that the current system is working just fine. They don't want reform. They don't want any change. They want to keep it as is. It is worth billions of dollars to the major banks to keep this charge as is, at the expense of businesses across America.

I favor transparency and I favor competition and I wish we didn't have to bring the Federal Reserve into this conversation. But we looked for a neutral regulatory agency that would establish a reasonable and impartial fee, promulgate a rule, issue it after a public comment period and implement it, and that is what we are striving to do.

The CEO of JPMorgan Chase, who is a friend of mine—or at least he used to be—Jamie Dimon, has called interchange reform downright idiotic. He spent a good portion of his recent annual shareholder letter criticizing this reform. Chase has also sent a letter to its customers warning about my amendment, and Chase is constantly threatening to raise fees on its customers unless they stop the Durbin amendment. A few weeks ago, I sent Jamie Dimon a letter and responded to some of his criticisms. I ask unanimous consent that the letter be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, April 12, 2011.

JAMIE DIMON,
Chief Executive Officer and President,
JPMorgan Chase & Co., New York, NY.

DEAR MR. DIMON: In your recent annual letter to your company's shareholders, you wrote a lengthy and dismissive critique of the debit interchange fee reform legislation that I drafted and that Congress enacted last year. You have also been quoted describing my amendment as "counterproductive," "price fixing at its worst," and "downright idiotic." I am compelled to respond, and I ask that you share this response with your shareholders as well as your customers.

Clearly, debit interchange reform has displeased many in the financial services industry. Your industry is used to getting its way with many members of Congress and with your regulators, and my amendment and the Federal Reserve's draft regulations were not written the way you wanted. But that does not mean they were written poorly or that the process that created them was flawed. To the contrary, interchange reform will carefully but firmly rein in the fee collusion that your bank and thousands of other banks currently engage in through Visa and MasterCard. The wisdom of this reform is confirmed by the irrationality of the arguments that your industry raises against it—arguments that are based upon misrepresentations and threats rather than evidence or logic.

The American people deserve to know the real story about the interchange fee system

and the ways that banks in general—and Chase in particular—have abused that system. I have said and written much on this topic already, but I will respond to five of your specific criticisms below.

1. Your letter claims that my reform amendment "is an example of a policy that has little basis in fact or analysis." In fact, the amendment was drafted based upon years of Congressional hearings, Government Accountability Office reports, academic articles, and published studies by the Federal Reserve's economists and payment system experts. These analyses showed that the debit interchange system is uncompetitive, inefficient, and harmful to consumers. Your industry often acts like these analyses do not exist, so I will explain what they reveal.

The debit interchange system is not a properly functioning market. For years, card-issuing banks like Chase have agreed to let the Visa and MasterCard duopoly fix the interchange fee rates that banks receive from merchants each time a debit card is swiped. The banks get the fees but they do not set the fees. This system of price-fixing by Visa and MasterCard on behalf of thousands of banks has gone entirely unregulated.

There are two core problems with Visa and MasterCard's fixing of interchange rates. First, centralized rate-fixing does not give card-issuing banks incentive to manage their operational and fraud costs efficiently. This is because all banks in the network are guaranteed the same network-fixed interchange rate whether they are efficient or inefficient. Competition is absent and inefficiency is subsidized when fees are set in this manner.

Second, Visa and MasterCard have incentive to constantly increase interchange rates and there is no countervailing market force to temper these fee increases. Visa and MasterCard want as many of their debit cards to be swiped as possible because they are paid a network fee by merchants each time a card is swiped. By raising interchange rates, Visa and MasterCard can entice banks to issue more of their cards. Because Visa and MasterCard have enormous market power and control around 80 percent of the debit cards in consumers' wallets, merchants cannot realistically say no to accepting Visa and MasterCard and have no leverage to negotiate fee rates with them. There is no naturally-occurring market force in today's interchange system that would ever lead rates to go down.

So merchants are stuck with ever-rising debit interchange fees that add up to more than \$16 billion each year. These fees not only affect merchants, but also universities, charities, government agencies and all others who accept debit cards as payment. The fees end up getting passed on to consumers in the form of higher retail prices for groceries and gas. Consumers, and particularly unbanked consumers, ultimately bear the cost of subsidizing the interchange system.

We owe it to our nation's consumers and businesses to ensure that the interchange system is efficient, transparent, and subject to competitive market forces. Studies have shown that Americans pay the highest debit interchange rates in the world, and that these rates have continued to increase in recent years. The Federal Reserve has also found that the high interchange rates charged today far exceed what it actually costs to conduct a debit transaction. Nearly every other industrialized country has established reasonable regulation over their debit systems, and these countries have achieved improved efficiency, lower fraud, and consumer benefits. The time has come for reasonable reform of the dysfunctional U.S.

debit interchange system, and my amendment will make that reform a reality.

2. You say that “it’s a terrible mistake and also bad policy for the government to get involved in price fixing.” Of course, my amendment does not create price fixing—it constrains the price fixing that Visa and MasterCard currently perform on banks’ behalf. Visa and MasterCard cannot simply be trusted to fix interchange prices in a way that is fair for all participants in the debit card system. They have not proven worthy of that trust.

Last year Congress decided that there should be reasonable regulatory constraints placed on Visa and MasterCard to ensure that they cannot use their market dominance to funnel excessive interchange fees to the nation’s biggest banks. A strong bipartisan majority supported my amendment, which said that if Visa and MasterCard are going to fix fee rates on behalf of banks with over \$10 billion in assets, those rates must be reasonable and proportional to the cost of processing the transaction. It is important to make clear that if Chase wants to set and charge its own fees in a competitive market environment, the amendment does not regulate those fees. The only regulated fees are those fees that banks let card networks fix on their behalf.

3. You criticize the law Congress passed because it does not consider “the cost of fraud.” Your comment highlights how the current interchange system, which supposedly does consider the cost of fraud, creates exactly the wrong incentives when it comes to fraud prevention. Fraud rates are far lower for PIN debit transactions than for signature debit transactions, but Visa and MasterCard set higher interchange fees for signature debit than for PIN ostensibly to cover the higher cost of fraud. Banks now urge cardholders to pay with signature in order to get the higher fees. For example, on April 21, 2010, the American Banker reported that your own bank sent a mailing to your debit customers that strongly suggested they should “always select” signature.

Chase’s practice of steering American cardholders toward fraud-prone signature debit stands in stark contrast to Chase’s practices in Canada. The Chase Canada website indicates that “chip and PIN technology will become available for all Chase Canada MasterCard and Visa cards in 2011.” Your Canadian-based subsidiary Chase Paymentech Solutions says on its website that chip and PIN technology provides “Enhanced Security and Fraud Reduction—Chip technology is virtually impossible to copy and combining its use with a PIN helps reduce lost, stolen or counterfeit transactions.” It is frankly inexcusable that your bank would urge your American customers to “always select” a fraud-prone technology while you provide your Canadian customers with technology that enhances security and reduces fraud.

In contrast to the current U.S. interchange system which rewards banks for promoting fraud-prone signature debit, my amendment will allow interchange fee increases only to those banks that successfully prevent fraud. The Federal Reserve can implement this in its final rulemaking by setting target fraud prevention metrics and allowing increased interchange for banks that meet those targets.

4. You say that Chase needs debit interchange fees to pay for the “fixed costs of servicing checking accounts and debit cards” such as “printing and mailing of the cards,” “operational and call center support to serv-

ice the cards,” and “the costs of ATMs and branches.” Here you are using the old financial industry trick of first conflating the cost of conducting debit card transactions with the cost of offering other checking account-related services, and then arguing that network-fixed debit interchange rates should be used to cover this whole basket of costs. It is a clever argument that aims to justify Visa’s and MasterCard’s exorbitant price-fixed rates, but the shortcomings of this argument are evident.

The costs you cite in your letter are costs which banks should be incentivized to manage efficiently, and allowing Visa to fix interchange fee rates across all its member banks to supposedly cover these costs is a recipe for inefficiency and excess. Card network companies like Visa are not positioned to know what the appropriate level of cost is for operating “ATMs and branches,” nor are they equipped to determine how much of a particular bank’s “printing,” “mailing,” “operational” and “call center” costs are attributable to debit cards instead of ATM cards or credit cards. Further, Visa has no way of knowing if a particular bank is using debit interchange revenue not to cover legitimate costs but instead for rewards, ads, profit, or executive bonuses. Indeed, because Visa itself profits by incentivizing banks to issue more and more of its cards, Visa has every incentive to inflate the interchange fees it fixes to levels that compensate banks far in excess of their costs. In order to correct these incentives for inefficiency and excess, my amendment limits network interchange price-fixing on behalf of the 3 biggest banks to an amount that is reasonable and proportional to the costs that are necessary to authorize, clear and settle a particular debit transaction over the network’s wires.

Also, your claim that interchange fees must be high enough to cover all checking account-related costs is undermined by the fact that banks also charge many other high consumer fees under the premise of covering those exact same costs. Banks like Chase charge consumers many fees for maintaining and accessing funds in their checking accounts—monthly fees, overdraft fees, failed payment fees, ATM withdrawal fees, failure to maintain a minimum balance fees, account closing fees, and more. Bank revenues from these consumer fees have not gone down in recent years as interchange fee revenues have gone up; to the contrary, bank revenues from consumer fees have also reached record highs. I would draw your attention to the November 12, 2008, Wall Street Journal article entitled “Banks Boost Customer Fees to Record Highs” and the July 1, 2009, New York Times article entitled “Bank Fees Rise as Lenders Try to Offset Losses,” both of which discuss your bank and other banks’ efforts to raise consumer fees long before my amendment was ever written.

5. You say that the amendment “potentially will harm consumers” because “banks will be forced to lose money on debit interchange transactions and likely will compensate by increasing fees in some way for deposit customers.” This threat defies both facts and logic.

First, there is no evidence that banks cannot continue to offer debit cards profitably with reduced interchange. As Andrew Martin explained in the excellent January 4, 2010, New York Times article entitled “How Visa, Using Card Fees, Dominates a Market,” up through the early 1990s banks used to offer debit cards even though they received no interchange fees. In fact, many banks used to pay merchants for accepting debit cards,

because debit cards saved money for banks when compared to the banks’ costs of processing paper checks. The current high-fee debit interchange system in this country only developed because Visa entered into and took over the debit market the mid-1990s through an antitrust violation, and Visa then imported credit card-type interchange fees into the debit space. Studies have shown that many other countries enjoy vibrant debit systems with interchange fees strictly regulated or prohibited entirely. In short, past experience in this country and present examples in other countries demonstrate that banks like Chase can easily continue to offer debit card services without the excessive subsidy of high interchange fees.

Second, if Chase follows through on threats to increase consumer fees (beyond those increases you have already made in recent years), market competition would suggest that many of your deposit customers would take their business elsewhere. In fact, many of those customers would likely take their business to the small banks and credit unions who are exempted from my amendment’s interchange fee regulation and for whom Visa and other debit networks have already agreed to set a higher tier of interchange rates. And for those who continue to speculate that my amendment will hurt small banks and credit unions, I recommend they read Simon Johnson’s excellent analysis in the April 7 New York Times entitled “Big Banks Have a Powerful New Opponent.”

In conclusion, I recognize that Chase will likely see decreased revenue from interchange reform, but I urge you to keep some perspective. Last year Chase had \$17.4 billion in profits—up 48 percent from the previous year—and a 15 percent profit margin. Your own personal compensation “jumped nearly 1,500 percent to \$20.8 million in 2010” according to Reuters. In contrast, middle-class American families are struggling to get by in a tough economy—an economy that went south because of the banking industry’s unregulated excesses.

There is no need for you to threaten your customers with higher fees when you and your bank are already making money hand-over-fist. And there is no need to make such threats in response to reform that simply tries to spare consumers from bearing the cost of interchange fees that are anti-competitive and unreasonably high.

Interchange reform is necessary and it is long overdue. Right now the Fed is working diligently to craft a set of final regulations that will reflect the comprehensive information it has gathered and that will respond to the valuable comments it has received. In the coming weeks I am confident the Fed will produce a reasonable set of reforms that will enhance the efficiency, competitiveness and fairness of the debit system. This will neither be “counterproductive” nor “idiotic.” It will be good news for all Americans.

Sincerely,

RICHARD J. DURBIN,
United States Senator.

Mr. DURBIN. Thank you, Mr. President. I haven’t had a reply yet from Mr. Dimon. He called me. I called him back. That seems to be the end of our exchange. But I would like to hear his response. I encourage him to share my letter with the same shareholders and customers to whom he has written. After all, in his shareholder letter, Mr. Dimon said he wanted “analysis in the full light of day” of the Durbin amendment, so I figured he would want his

audience to be informed on my position. I don't think Chase has done that yet. I hope they will.

I know the banking industry prefers for the giant Wall Street banks to stay in the background when it comes to this fight because they are not that popular. Estimates indicate that about half of all debit swipe fees go to just 10 big banks and the Big Three, Bank of America, Chase, and Wells Fargo, make the most of all, well over \$1 billion a year each. But the banking industry knows the public isn't happy with big banks, so the industry is using small banks and credit unions as their public face in this battle. Industry argues that even though my amendment exempts all but the largest 1 percent of banks from fee regulation, the exemption will not work and small banks are going to get hurt. Well, this letter makes it clear that when it comes to retailers and merchants, there will not be any pain inflicted. They are, in fact, exempt under the law and they will be exempt in practice.

As I said, I received a letter from 20 of the Nation's largest retail associations that reaffirms what I just said. I think the letter is compelling. In this letter, these merchant groups make it clear they don't have the contractual authority, the practical ability or the economic incentive to discriminate against small bank or credit union debit cards. They point out that Visa and MasterCard contracts impose strong penalties on them even if they try. Second, they point out that in many, if not most, retail environments, the merchant doesn't have the practical ability to distinguish between a small bank or a large bank card at the point of sale.

I had Wendy Chronister, whose family owns a chain of gas stations in downstate Illinois, come to my office and talk about this. I have known her mom and dad a long time, and Wendy is running the business and running it well. She said: Senator, for goodness' sake, when they put the plastic on the counter we take it. We need the sales. We are not going to argue with them about who issued the credit card or debit card. That just stands to reason. They are not going to ask them to put their debit cards away when they come to a cash register. They will lose sales and customers if they do it.

Finally, the merchants make the observation that most customers only have one debit card, so if you want to make a sale, they are going to take that debit card.

What I have tried to do with this letter is to show that those on my side of this debate—the small businesses, the retail merchants, convenience stores, hotels, and restaurants across America—are trying to be reasonable. Had the credit card companies and major banks been reasonable on this issue, I never would have introduced this

amendment. They refuse—refuse—to bargain with the retailers and merchants. They said it was a “take it or leave it,” and they did it in the obscurity of retail contracts and regulations which are almost impossible to work through.

I think those who are asking for a delay and study of this issue should be called out for what they are asking. Every month they delay means customers and consumers across America will pay over \$1 billion more in these fees on debit cards—money taken away from retailers, taken away from small business, and taken away from our economy. When these small businesses have the advantage they can get under the Durbin amendment, they are going to be able to be more profitable, expand their businesses, and hire more people. How many times have we heard a speech on the floor that the key to economic recovery in America is small business. If you truly believe, then you cannot vote for this 2½-year delay and study of this issue, if you truly believe in small business. I think the issue is very clear.

I urge my colleagues not to fall for this game the banks and card companies are playing. Don't let them delay and derail the swipe fee reform consumers need so badly. The Senate has already voted to establish a process for interchange reform. We should let that process continue and we should let the Federal Reserve issue their rules, which they are planning to do in just a matter of weeks, and I think at that time we will see that there is a reasonable way to deal with this that doesn't create a disadvantage for community banks and credit unions.

(Mr. CARDIN assumed the chair.)

GAS PRICES

Mr. DURBIN. Mr. President, according to the U.S. Energy Information Administration, the average price of gasoline is \$3.96 a gallon nationwide. I have my own specially appointed monitor of gasoline prices in the State of Illinois: my wife. I called her yesterday morning and she said to me: Senator, it is up to \$4.20 a gallon in Springfield. What are you going to do? So she put me on the spot. Since she is my No. 1 constituent, I said: I will at least make a speech, and that is what I am going to do on the floor of the Senate.

In my home State of Illinois, the price is well over \$4 a gallon—not just in Springfield but statewide. Every time they go to the pump, families and small businesses feel the pinch. At the same time, the five largest oil companies in the country made \$33.9 billion in profit between January and March of this year. ExxonMobil earned almost \$11 billion in the first 3 months of this year—69 percent greater profits this year compared to last year. The high oil and gas prices are forcing many

American families to make tough choices about what to forgo so they can fill the tank.

It gets worse. While operating at substantial profits, oil companies will get an estimated \$4 billion this year in Federal subsidies. Think about that. These companies making \$11 billion in the first 3 months of the year are asking for Federal subsidies. We don't have the money to subsidize them. In fact, we have to borrow.

How do you pay for higher gas prices in America? You are going to pay it three ways. First, you pay at the pump, sometimes 80 or 90 bucks to fill your tank, even in Maryland. Secondly, you are going to pay when you pay your taxes because your tax dollars are going back to the oil companies to subsidize their operations.

But you are going to pay a third time. Do you know why? Because we have to borrow 40 cents for every \$1 we spend in America and we borrow it primarily from China and we have to pay China back with interest. So your children and your grandchildren are going to pay interest on the money we borrowed to provide a subsidy—an annual subsidy—of \$4 billion to oil companies that are making recordbreaking profits.

What is wrong with this picture? Is there anybody left in this town who is willing to fight for families and small businesses that are getting nailed with these high gasoline prices?

The interesting thing—and I know the Presiding Officer, who was a former Congressman from Maryland, knows what I am saying is accurate—there are rights of spring in America: the opening of the baseball season, the Easter egg hunts, seder dinners for our Jewish friends, and skyrocketing gasoline prices. Every single year, right before the summer vacation season, the oil companies raise gasoline prices at the pump, and politicians line up at microphones, such as this one, and beat the heck out of oil companies and talk about how fundamentally unfair it is and then we replay this movie next year—every year, year after year.

For the oil companies, why do the prices go up? Any excuse will do. This year, it was Libya. Qadhafi is in trouble. We are going to raise prices at the pump by 40 cents, 50 cents or \$1. It turns out Libya is responsible for about 3 percent of the world's oil supply, and even if there is an interruption of the supply from that place, most of their oil goes to Europe. But, as I said, any excuse will do when it comes to raising gasoline prices.

Next week, we are going to take up a bill I support that would end these tax subsidies to big oil companies. Have you seen their advertising? These oil companies, such as ExxonMobil, that made \$11 billion in the first 3 months of the year, say, if we cut their subsidies, they are going to raise gasoline prices

even higher. Talk about being at the end of a gun here: Your money or your life.

The Close Big Oil Tax Loopholes Act would end the special treatment given to several companies with leases in the Gulf of Mexico. These companies have been allowed to drill and pump oil without paying the Federal Government for the oil they extracted. Ending the special treatment and tax breaks we give to oil companies will generate billions of dollars. We suggest—I suggest—let's take the money that is going to these highly profitable—recordbreaking profitable—oil companies and put it in to reduce the deficit. How about that for a start? Reduce the amount of money we are borrowing from China so we do not have to pay interest on it.

This bill is not intended to punish the oil companies for turning a profit. But it certainly is not going to reward them with more taxpayers' dollars. It simply asks large wealthy international companies—in an industry that has existed for over 100 years—to pay their fair share and no longer depend on the government for a handout.

Some of these tax breaks started almost 100 years ago. They were created to encourage companies to explore for oil. However, at \$113 a barrel, how much more encouragement do these oil companies need?

Domestic oil production, incidentally—I hear about this all the time from some of the critics—domestic oil production in this country has been increasing consistently since the year 2008. Domestic production was 1.8 billion barrels in 2008. It was 2 billion barrels in 2010.

In 2004, about 60 percent of oil consumption in America was from imports, and imported oil as a percentage of consumption has dropped a little more each year. Last year, it dipped to 50 percent—still too much, but the amount of imported oil has come down as domestic production has gone up.

The United States is currently the third largest oil producer in the world behind Saudi Arabia and Russia. This is despite the fact that we have less than 2 percent of the world's total proved oil reserves.

Oil production, incidentally, has also been increasing on Federal lands and waters since 2008.

Some of the critics are saying: You know why gas prices are up? They will not let the oil companies go out and drill in the Gulf of Mexico and other places. Shouldn't we be careful about drilling in the Gulf of Mexico? I think so. BP taught us that lesson last year. But having said that, oil production has increased on Federal lands and waters since 2008.

In the last 2 years, oil production from the Federal Outer Continental Shelf has increased by more than one-third—446 million barrels in 2008 to

over 500 million barrels in 2009 and more than 600 million barrels in 2010.

Oil production on Federal lands increased 5 percent in 2010 over 2009. But greater domestic production of oil has not led to lower gasoline prices. We have higher gasoline prices. Drill baby drill is not the solution to rising gas prices in the short or long term.

The United States consumes each year 25 percent of the oil that is produced in the world. We have the capacity to produce 2 to 3 percent. We cannot drill our way out of this challenge.

Crude oil prices went up in February with the spread of political unrest in the Middle East and North Africa, even though domestic production in the United States was going up too.

The oil industry has access to millions of acres of Federal land and water—land they have bought leases on and land they will not drill on. For them to argue the government is stopping them from drilling, the obvious question is, So what about the land you currently have to drill on? Why aren't you taking that lease land and putting it into production?

Out of the 41 million acres under lease across the United States, the oil industry is only using 12 million acres for production. That leaves 29 million acres under lease to oil companies that are not being used today.

Thirty-eight million offshore acres are currently under lease, but only 6.5 million acres of them are in active production. The Bureau of Land Management issued over 4,000 drilling permits last year—4,000 of them—but approximately 2,500 of them still remained unused at the end of the year.

So this argument that the requests for permits to drill are stacking up in some bureaucratic office in Washington and if they would just approve them, these oil companies would start drilling more oil and gas prices would come down, is not the truth. The Bureau of Land Management issued 4,000 drilling permits last year; 2,500 of them went unused.

I support measures proposed by my colleagues to force the oil companies to use their leases or lose them. The bill would require nonproducing leases to pay an annual fee of \$4 an acre. These leases of public lands should be actively used for domestic energy production, not kept idle as we face higher oil prices.

Let me close by saying I recently returned from a trip to China—10 days in China. China is an enigma. On the one hand, they are the most significant economic partner of the United States. They are our largest creditor. They loan us more money than any other country. On the other hand, they are our most significant economic competitor. Partner and competitor, that is the relationship.

When you go to China, you are struck by the fact that their air pollution is

horrible. In every city we visited, I cannot imagine how people live there full time and do not develop serious health problems because of the terrible pollution they have in their country. But despite the pollution, they are creating an expanding economy. They are building right and left. What are they focusing on as the No. 1 area where China wants to dominate the world? Clean energy. In every direction: solar panels and wind turbines and new research on clean energy.

I wish I could say the same for the United States. But I am afraid I cannot. We do not have an energy policy. We are still dependent on traditional fuels. We still have to recognize those fuels create environmental issues we have to face, and, unfortunately, we are not. We are not acknowledging the fact that if we are not careful, China is going to dominate in the world when it comes to clean energy throughout the course of this century.

We need an energy policy in this country, not just to deal with the terrible gas prices we are facing today but to deal with a future which makes us less dependent on foreign oil.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING CARL PIKE

Mr. WARNER. Mr. President, I rise today to once again touch on a subject that is important to me. I know it is very important to the Presiding Officer because the Commonwealth of Virginia and the great State of Maryland have a large number of Federal employees. As the Presiding Officer knows, this week we celebrate Public Service Recognition Week to honor public servants at all levels of government for their admirable patriotism and contributions to our country.

I wish to begin by commending our military intelligence professionals for the coordinated and painstaking work that was responsible for tracking down Osama bin Laden. There are a number of nameless, faceless Federal workers who have been investigating his whereabouts for more than a decade. I was proud to be in this Chamber with the Presiding Officer and colleagues from both sides of the aisle when, on Tuesday afternoon, this body recognized their work.

Our military and intelligence professionals are not the only ones on the front lines of keeping our country safe. Today, I rise to honor a resident of Reston, VA, Carl Pike, the Assistant

Special Agent in Charge of the Special Operations Division at the Drug Enforcement Administration, DEA. This is a photo of Carl and his whole team.

We have all seen reports in recent years detailing the violent and inhumane acts of the Mexican drug cartels that terrorize cities and control a significant percentage of the narcotics flowing into the United States. Mr. Pike is the head of a complex multi-agency task force set up to catch many of these violent criminals and disrupt the flow of drugs. Last year, he and his team led the largest strike ever against La Familia, one of the most ruthless Mexican drug cartels and a major trafficker of methamphetamine in the United States. The strike, dubbed "Project Coronado," was an operation that spanned 20 States, 50 cities, 2 countries, and multiple Federal agencies. Attorney General Eric Holder said the "unprecedented, coordinated U.S. law enforcement action" was a "significant blow to La Familia's supply chain of illegal drugs, weapons and cash flowing between Mexico and the United States."

The strike would not have been possible without Mr. Pike, as so many of his colleagues attest. One DEA Special Assistant Agent in Charge said:

He oversaw the broad interests of the law enforcement community, displayed phenomenal negotiating and planning skills, and facilitated collaboration between agencies and international partners that often had competing interests.

In the end, Project Coronado led to the arrest of 1,200 associates of La Familia and the seizure of 1½ tons of methamphetamine, \$32 million in cash, and 400 weapons. It truly was a significant achievement.

Carl Pike and his team should be recognized for removing dangerous drugs and criminals off our streets—something for which we can all be grateful.

I hope my colleagues will join me in honoring Mr. Pike and his team as well as all those at the DEA for their excellence and service to our Nation.

I was also proud to be part of a group earlier today recognizing a number of Federal employees—nine from the Commonwealth of Virginia and many from the State of Maryland—who were part of a national competition that recognizes quality work of government workers.

As we see this week in broad display those military intelligence professionals in this most dramatic action against Osama bin Laden, as we see Mr. Pike and his team taking on drug cartels, and as we see the hundreds of thousands of other Federal workers who day-in and day-out, often without recognition, do the job of keeping our government operating and in many ways keeping our country safe, I hope my colleagues will join in saluting those efforts and recognize that this week, Public Service Recognition

Week, is to honor all of our public servants.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, do I understand correctly that we are continuing in morning business?

THE PRESIDING OFFICER. Yes.

RUSSIAN RULE OF LAW

Mr. WICKER. Mr. President, on several occasions I have risen to address my colleagues on the topic of Russia and the continuing sad state of the rule of law in the Russian Federation. Today, I rise once again to address the latest information regarding the absence of a rule-of-law framework in Russia's approach to businesses and investors. Specifically, this situation negatively impacts the United States and the entire international community.

There have been a number of poor decisions around the world related to the Yukos Oil issue that highlight Russia's hostility toward investment and business. As my colleagues may be aware, GML, the majority shareholder of the former Yukos Oil, previously headed by businessman and now political prisoner Mikhail Hoaders, has a \$100 billion arbitration claim against the Russian Federation to obtain compensation for the Yukos assets which were summarily taken between 2003 and 2005.

Several recent developments demonstrate yet again that international courts do not recognize Russia's 2003 expropriation of Yukos Oil Company as legitimate and that former stakeholders of the company may pursue compensation for their assets that were seized improperly and, in essence, nationalized by the Russian State.

Court victories handed to shareholders involved in the dispute indicate that the international legal system will not recognize the validity of Russia's bankruptcy of Yukos. In December 2009, the New York Times detailed one of these victories in which an independent arbitration panel made a jurisdictional ruling that shareholders of the former Yukos Oil Company, GML, had the right to file and pursue an estimated \$100 billion in damages from the Russian Government. The tribunal determined that Russia, as a signatory, was bound by the Energy Charter Treaty and must adhere to its provisions. This claim now moves to the next stage, with a decision expected in October 2013—regrettably slow but moving surely.

The most recent victory occurred in December of last year and involved a second international arbitration tribunal in Stockholm, which awarded RosInvestCo UK, a minority shareholder of Yukos, \$3.5 million for the damages resulting from the Russian Government's actions. This was the

first case in which anyone seriously examined the claims of an individual Yukos shareholder. The panel independently and unanimously concluded that the Russian Federation was liable for expropriating RosInvestCo's assets. I stress to you that this was a unanimous decision even though the tribunal included a Russian arbitrator.

I bring these developments to the attention of my Senate colleagues because I believe they demonstrate a growing movement in the international community that holds Russia accountable for its actions toward investors, and it is a movement the United States should support.

Minority shareholders, such as RosInvestCo, are just the tip of the iceberg when it comes to shareholders who lost billions that were rightfully theirs as a result of the seizure of Yukos assets. In the United States alone, shareholders were stripped of \$6 billion to \$12 billion.

Russia's actions toward Yukos remind us that investment in Russia is extremely risky. The international community is taking note. Americans are taking note. American legislators should take note.

Recent court decisions indicate that the legitimacy of the Russian Government's claims over Yukos assets are suspect at best.

With these thoughts in mind, I urge my colleagues to continue working to ensure protection and adequate mechanisms for U.S. shareholders and businesses doing business in Russia.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Louisiana is recognized.

GULF SHUTDOWN ANNIVERSARY

Mr. VITTER. Mr. President, tomorrow, May 6, will mark the 1-year anniversary of the formal moratorium placed on Gulf of Mexico energy production by President Obama and Secretary Salazar. I wish to speak on the eve of that occasion, particularly as our constituents continue to see the price at the pump go up and up, with really no end in sight. I think those two facts are deeply related because I think this moratorium, which continues as a *de facto* moratorium—a "permatorium" or a permit logjam to this day—is really one of the most poorly thought out, mismanaged, and ill-conceived energy decisions in terms of domestic energy production in our history.

The first of these moratoriums in the gulf—there are actually three different formal moratoriums—was announced on behalf of President Obama by Secretary Salazar 1 year ago tomorrow, May 6, 2010. It was done, in retrospect, we find out, very hastily and without scientific backing and justification. I say that because after that first moratorium was put down on May 6, 2010, on

June 22 a Federal judge, Martin Feldman, of the Eastern District of Louisiana ruled against this job-crushing moratorium. It banned drilling below 500 feet of water for 6 months. But Judge Feldman put it on hold because he found that under Federal law it had failed to properly weigh a number of factors, including the economic impact it would have on the industry and surrounding communities.

I might add, in a hearing we had in the Senate about the administration's decision to place the moratorium in effect, it was shocking to hear administration officials say very directly—no holds barred—that they never considered any economic impact in the decision whatsoever. Again, failing to properly weigh the economic impact of the decision has been a chronic problem in some agencies, such as the EPA.

Unfortunately, this administration seems to have brought that same knee-jerk reaction to the Interior Department with the same economic illiteracy. In the Interior Department's infinite wisdom, on July 12, Secretary Salazar issued a backup second moratorium. The court struck down the first moratorium on the basis of existing Federal law, so he just came and issued a second moratorium on deepwater drilling. The second moratorium would soon be met with resistance and disappointment as coastal Louisiana communities would realize there was nothing they could do to stop Interior, which seemed hell-bent on adversely impacting their jobs.

On October 12, Secretary Salazar celebrated an illusory victory by lifting that moratorium, and at the time, he claimed that “the policy position we are articulating today is that we are open for business.” That is what Secretary Ken Salazar said on October 12. Unfortunately, those of us who live in Louisiana and along the gulf coast know that is not true. What he should have said is, the policy position we are articulating today is that we are open for business as long as you don't need a permit from the Interior Department, because that second formal moratorium was lifted, but that brought us to the initiation of the third moratorium—not a formal moratorium but a de facto one, a permatorium, a complete permit logjam in this administration and at the Department of the Interior. Again, this has been commonly and accurately referred to as a de facto moratorium, sometimes a permatorium, an absolute permit logjam. Secretary Salazar has perpetuated that, and Director Bromwich has perpetuated that. They repeatedly stated it doesn't exist, but the facts, the statistics, the numbers make bare that lie.

It would not be for 4 more months—until February 28 of this year—that the Interior Department would issue the very first permit to drill in deep water

an exploratory well. So, again, big celebration, big announcements that the formal moratorium was lifted, but for 4 months zero permits and only 4 months later the first deepwater exploratory permit.

To date, even since February 28 of this year, there have only been 12 deepwater permits issued in the gulf. That pace is well below the pace before the BP disaster—about 60 percent slower than the prespill pace. This is for shallow and deep water combined. The pace of only deepwater new well permits—permits that would increase domestic supplies and our reserves—is forthcoming at the average pace of one per month—just a trickle, just a tiny percentage of the predisaster pace.

Tomorrow will be 1 year since the Obama administration implemented this moratorium policy, the first of three crushing moratoriums, two formal moratoriums, the ongoing de facto moratorium. The Energy Information Administration—and that is a non-partisan division of the Department of Energy—is now estimating that the falloff in domestic production this year alone will be about 200,000 barrels per day—that is a lot of oil, 200,000 barrels per day—and an additional 200,000 barrels per day in 2012. To put this falloff in production that is expected from the Obama administration's policy in perspective, as a result of the permitting logjam, by 2012 we would lose as much production in the Gulf of Mexico as we currently import from Brazil and Colombia combined. These are the two countries, by the way, that are supported with taxpayer-funded guaranteed projects related to their energy production. This falloff in production in the gulf by 2012 is roughly equivalent also to what we imported in January from Iraq.

There are several points I would like to highlight for tomorrow's anniversary of the initiation of this moratorium policy.

First, the price of gasoline at the pump is now \$3.98 a gallon. It has more than doubled since President Obama took office. There is perhaps not a greater antistimulus for our economy than the doubling of the price at the pump.

Second, seven deepwater rigs have left the Gulf of Mexico. They are gone, and they are not coming back anytime soon. In addition, five are cold-stacked or without a contract. That is a total of 12 rigs. Ironically, that is exactly the same number of deepwater permits the Interior Department has issued—a trickle compared to pre-BP levels.

Third, what minor credit I should give the Interior Department for this abysmal pace of permitting will be noted when I release my hold on the nomination of Dan Ashe. I am currently holding that nomination of a top-level Interior Department official. I said I would hold it until we got at

least 15 deepwater exploratory permits. At the time I initiated that, there were zero. As I said, that is now finally up to 12. I said I would lift the hold when we got to 15. We are just three away. We will get there. I will lift the hold. But that is merely a trickle of what our pace needs to be.

Fourth, today I will be introducing an important piece of legislation. It is called the Agency Overreach Moratorium Act. We need a moratorium. We need a moratorium on regulatory overreach, agency overreach, as we see in the Interior Department, in EPA, in many other agencies. This legislation is intended to prevent Federal action that would unilaterally destroy jobs on Federal lands on the OCS. That is happening every day at the Interior Department. Instead of issuing permits to find American energy, they are issuing regulations, the most recent on a whole new category of contractors—completely unnecessary because they were already regulating the drillers. That is regulatory overreach, and that is job-killing action. My Agency Overreach Moratorium Act will lay out the real moratorium we need on job-killing action out of Washington, out of this administration, not on domestic energy production.

I thank all of my colleagues, and I hope we will all come together soon around a commonsense, proactive domestic energy policy. It needs to include a lot. I am a fervent believer in all of the above, but it certainly needs to start lifting the continuing de facto moratorium on U.S. energy production, on U.S. jobs, on good additional Federal revenue to the U.S. Treasury to lower our deficit if we are going to get on the right energy path.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

SYRIA

Mr. LIEBERMAN. Madam President, I rise to speak specifically about the alarming situation in Syria, where the regime of Bashar al Asad is pursuing a barbaric campaign of indiscriminate repression against the Syrian people.

Over the past 2 weeks, the crackdown pursued by Asad has markedly escalated. There can no longer be any doubt about his intentions. As a report by a respected nongovernmental organization, the International Crisis Group, warned this week:

The regime's hope appears to be that a massive crackdown can bring the protesters

to heel. . . . Such a course of action would entail loss of life on a massive scale and it could usher in a period of sectarian fighting with devastating consequences for Syria. It could destabilize its neighbors. And, ultimately, it is highly unlikely to work.

Madam President, in the city of Deraa, the Asad regime has deployed tanks against the civilian population. It has cut off phone lines, water, food, and electricity, and deployed snipers—according to human rights groups—who have been firing at anyone who ventures outdoors. That includes young people who are sent outdoors by their families to try to buy food.

In short, what we see in Deraa is a broad-based, indiscriminate assault by Asad's military forces against the people of his own country. The evidence is growing that international crimes are being perpetrated by Bashar Asad himself in the city of Deraa in Syria.

The attack on Deraa is just one part of a course of a broader crackdown by Syrian security forces across the country—a crackdown that has left several hundred people dead. Tanks and military forces have been reported being deployed in other cities in Syria. According to Human Rights Watch, the number of arbitrary detentions of civilians and enforced disappearances around the country has skyrocketed in recent days as the Asad regime has swept up not only demonstrators but women, minors, and family members of activists. Another Syrian human rights group has documented more than 500 arrests in Deraa alone since last week, and thousands more nationwide have also been detained or disappeared arbitrarily.

As the report by the International Crisis Group argued—the report I referenced before that came out earlier this week:

The regime is also fanning the flames of sectarianism, spreading rumors of impending acts targeting specific groups. Sectarian tendencies no doubt exist in parts of the country, but the authorities' tactics betray a determined and cynical attempt to exploit and exacerbate them.

What is most remarkable of all is that in the face of and despite these outrageous inhumane actions by the Asad regime, the people of Syria refuse to be silenced. They refuse to be intimidated. In the face of tanks and snipers, the people of Syria have continued to cry out and demonstrate for their fundamental human rights, and they have continued to do so peacefully. Moreover, despite the sectarian provocations by President Asad, the message of the protesters has remained steadfastly one of Syrian national unity.

Tomorrow, Friday, it is expected that thousands of brave Syrians will once again take to the streets of their cities and towns in protest of the totalitarian dictatorship that currently controls their country. As they do so, I want them to know that the United

States and the rest of the civilized world stands unequivocally on the side of the people of Syria in solidarity with them in their courageous struggle for their human rights. They should know also that we are increasingly confident that the people of Syria can and will prevail over the Asad regime.

There is much we in the United States can and must do to help the Syrian people in their fight for freedom. Last week, the Obama administration issued an Executive order authorizing targeted sanctions against individuals and organizations responsible for the human rights abuses in Syria. The administration used this newest authority to sanction three Syrian officials, including Maher al Asad, the brother of Bashar al Asad. This was a very important action, and I thank and commend the Obama administration for taking it.

There is, however, more that now can and must be done. To begin with, it is clear there are many more individuals in the Syrian Government than the three named so far who are responsible for the human rights abuses and worse that are taking place throughout Syria. It is urgent and essential that the Obama administration expand the sanctions to cover these additional Syrian officials.

Members of the Syrian security forces and government must understand they face a choice in the days ahead. If they stick with the Asad regime and participate in the barbaric crackdown against their fellow Syrians, their names are going to be made famous around the world, and they will be held accountable.

It is also critical that the United States impose sanctions on Bashar al Asad himself, for he is the head of the regime that is systematically carrying out large-scale human rights abuses. It is he who is directing his military forces to fire on his own people. Surely, it requires a willing suspension of disbelief to think the order to use military force against the Syrian people did not originate with the President of Syria himself—Bashar al Asad. He must be held accountable.

I respectfully urge President Obama to speak out as soon as possible, directly and personally, about what is happening in Syria. The moral authority of the President of the United States matters enormously at historic moments such as the one in Syria now. Unfortunately, there are still many in Syria and throughout the Middle East who believe the United States is hedging its bets in Syria. It is time to put those doubts to rest.

I have met over the last few weeks, as recently as yesterday, with Syrian dissidents, and I have heard the same question from them again and again: Why has President Obama not spoken out personally about what is happening in Syria?

I say: The administration has made statements.

They say: We need to hear and see the President and hear his voice—President Obama—making clear his disdain and refusal to accept what is happening in Syria today.

So I respectfully urge the President to answer these appeals by Syrian freedom fighters for support of their cause. I hope the President can make clear once again, as he did so effectively in the cases of Egypt and Libya, that Bashar al Asad has lost the legitimacy to lead Syria, and it is time for Bashar to go.

The United States can also work with our allies and partners to increase international pressure on the Asad regime. Press reports indicate, I am pleased to note, that the European Union is preparing to put in place an arms embargo against Syria, and it is also considering targeted human rights sanctions against top Syrian officials. I fervently hope our European friends and allies take these and further steps to increase the pressure on the Asad regime.

I am especially encouraged that the French Foreign Minister this week correctly called for Bashar al-Asad to be sanctioned directly himself, to tie up his economic assets, to limit his mobility. In addition to our EU partners, I wish to say I believe Turkey can also play a unique leadership role in the days and weeks ahead to support a successful democratic transition in Syria.

No one has worked harder than Prime Minister Erdogan to encourage Bashar al-Asad to reform, to accept the legitimate demands of the Syrian people, and embrace democracy. Unfortunately, despite these efforts, Asad has ignored the wise counsel of the Turkish leader and refused to respond with action. I, therefore, hope President Obama will find a way to partner directly with Prime Minister Erdogan on developing a new strategy toward Syria, one that recognizes that despite our hopes and efforts, there will be no real progress as long as Bashar al-Asad remains in power in Damascus, a policy that aligns our two democracies—America and Turkey—unequivocally with the democratic aspirations of the Syrian people.

We should also work with our allies on the U.N. Human Rights Council to ensure that the investigative mission to Syria, which was agreed upon by the Council last week, is undertaken immediately. Every day matters. We should work to refer Asad's regime to the International Criminal Court—again, as we did in the case of Libya.

What the Asad regime is doing to the people of Syria looks every day more the mirror image of what the Qadhafi regime has done to the people of Libya. For its actions in the city of Deraa and throughout the country, the Asad regime deserves to be investigated by the International Criminal Court.

I respectfully urge our own administration to use the diplomatic clout that we have at the United Nations to put what is happening in Syria on the agenda of the U.N. Security Council.

I have no illusions about the challenges and obstacles that exist at the Security Council at this time to taking action with regard to what is happening in Syria, but we must try. If the Security Council fails to take up what is happening in Syria, perhaps because of the opposition of the Russians and the Chinese, it does so at the expense of its own international credibility and legitimacy.

Finally, I hope President Obama will work together with our international allies to provide the Syrian people with the humanitarian assistance that they urgently need—food, water, and medical supplies—and to restore communications linkages that the Asad regime has cut among the freedom fighters in various communities in Syria. Asad has cut them in an effort to prevent news and information about what is happening in Syria also from reaching the outside world.

The situation in Syria is fast approaching the point of no return. The fact is, several hundred Syrians have been killed by Asad's security forces. This is a regime that I conclude is beyond self-correction. Bashar al-Asad is not a reformer. He is a corrupt dictator and an inhumane thug and his regime has long been one of the worst in the Middle East. It is time for him to go.

Let me conclude by adding that nearly a decade after the attacks of September 11, Americans and people throughout the world awoke Monday morning to a safer, better world with Osama bin Laden gone. It is fitting that Osama bin Laden has been killed just as Arab democracies across the Middle East and North Africa are being born, are coming to life. The peaceful, youth-driven democratic revolutions now taking place in Syria, Tunisia, Egypt, and Libya are the true repudiation of the extreme ideology that I will call bin Ladenism. To rid our world not only of bin Laden but of bin Ladenism, it is critical that we now do everything in our power to help the democratic forces in Syria and across the Middle East succeed, for it will ultimately be quite correctly and powerfully at the hands of his fellow Arabs and Muslims that the hateful and violent ideology of bin Laden and its manifestations of a different sort in dictatorships across the Middle East are finally discredited and abandoned on the ash heap of history where they belong.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROTECTING AMERICA'S WATERS

Mr. CARDIN. Madam President, this month people all over the country will grab their tackle boxes and head off in pursuit of the elusive trout in mountain streams. Mothers and fathers will turn on their kitchen faucets and hand their children glasses of clean, pure drinking water that we have in this country. Farmers will irrigate their spring plantings in vegetables and grains with clear water from nearby streams.

All over the United States, Americans will take advantage of the simple but priceless natural resource of America's water. Thanks to the actions taken by the Obama administration last week, we can rest assured these vital resources are being protected by the full strength of the Clean Water Act.

Last week, the Obama administration released a guidance document on the jurisdictional waters of the United States. The document was a sensible response to the confusion left in the wake of recent Supreme Court rulings. The draft document that was released last week will help the Army Corps of Engineers and the U.S. Environmental Protection Agency in the near term as they make decisions about whether projects will impact the waters of the United States and therefore require protective permits.

Eventually, this draft document will be replaced by formal regulations that will ensure the Clean Water Act continues to protect America's waters. For nearly 40 years, the Clean Water Act has safeguarded almost all of our Nation's waters. These safeguards protect our rivers, streams, and wetlands from pollution in accordance with Congress's intent that the landmark statute, "restore and maintain the chemical, physical and biological integrity of the nation's waters."

Nowhere in America is this more important—the enforcement of the Clean Water Act—than the Chesapeake watershed. We understand more than 100,000 rivers and streams come together to form North America's largest estuary, and they are all critical to the health of the Chesapeake Bay.

These streams and rivers, along with their associated wetlands, serve as a habitat for hundreds of species, buffers for slowing the flow of pollutants into the bay, and sponges that soak up and hold large amounts of floodwater and stormwater runoff.

Despite major steps forward that have resulted in a majority of the Nation's waters now being safe for fishing, swimming, and other uses, recent

Supreme Court decisions have placed this progress at risk. The guidance developed by professional scientists and improved by the Obama administration provides strong protection for our Nation's waters and restores the ability of Federal agencies to enforce the Clean Water Act. I also wish to underscore the fact that the guidance reflects the longstanding agricultural and other exemptions codified in the Clean Water Act.

This is a commonsense solution right in the mainstream of American values.

The Supreme Court's recent rulings put millions of acres of wetlands and thousands of miles of streams at risk. The Court's decision in its 2001 ruling in *SWANCC v. U.S. Army Corps of Engineers* and its more recent rulings in 2006—*Rapanos v. United States* and *Caravell v. Army Corps of Engineers*—threatened to roll back the Clean Water Act, making nearly 60 percent of our Nation's waters vulnerable to polluters.

The waters threatened by the narrowing of the Clean Water Act protections are important for fish and wildlife habitat, flood protection, and supply of drinking water. More than 117 million Americans receive drinking water supplied, at least in part, by headwaters and similar streams. These vital streams and wetlands are also critical to the health of our most treasured water bodies from the Chesapeake Bay, to the Great Lakes and Lake Champlain, to Puget Sound.

Millions of small streams and wetlands provide the fresh water that flows into these regional economic engines. If we do not protect this incredible network of waters, we cannot hope to restore these water bodies to health.

As Americans, we cherish clean water and the magnificent bounty we are blessed with. That is why last week's announcement was met with such strong support from a broad range of Americans, especially from our sportsmen. Among the groups supporting the administration's actions are Ducks Unlimited, the Izaak Walton League of America, the National Wildlife Foundation, the Theodore Roosevelt Conservation Partnership, and Trout Unlimited.

As chairman of the Water and Wildlife Subcommittee of the Environment and Public Works Committee, I am especially pleased the administration has taken such a strong and sensible approach to protecting our Nation's waters. Too often we raise our voices in criticism of the actions of others. Today, I am proud to add my voice to the chorus of thanks to the Obama administration for a job well done.

Thank you, Madam President. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

(The remarks of Ms. LANDRIEU pertaining to the submission of S. Res. 158

are located in today's RECORD under "Morning Business.")

Ms. LANDRIEU. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Ms. KLOBUCHAR). Without objection, it is so ordered.

Mr. BARRASSO. Madam President, I ask unanimous consent to engage in a colloquy with my colleague, Senator HATCH of Utah for up to 20 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

STATE FLEXIBILITY ACT

Mr. BARRASSO. Madam President, I come to the Senate floor as a physician who practiced medicine in Caspar, WY, for about a quarter of a century, and I will talk about the concerns I have about the President's health care law, part of which has taken over \$500 billion from our seniors on Medicare and taken that money not to help Medicare or to help save Medicare or to strengthen Medicare but to put a whole new government program in place.

They want to put about 16 million or so people on Medicaid. It is a program that is not functioning well now. Many doctors don't want to take care of patients on Medicaid. Yet as part of this health care law, there is something called the Medicaid maintenance of effort, and 33 Governors have written to the President saying they don't want this to apply to them.

I am delighted to be a cosponsor of a piece of legislation called the State Flexibility Act. I do that and come to the floor with that as a physician who practiced medicine, and I have been coming to the floor week after week with a doctor's second opinion.

Today, my second opinion is that this State Flexibility Act is a good idea. It gives States the flexibility they need to give the Governors the flexibility they have requested. It is a bipartisan effort in the sense that Governors, whether they be Republican or Democrat, are looking for more flexibility with this Medicaid Program, and specifically the Medicaid maintenance of effort.

I ask my colleague, the senior Senator from Utah, Mr. HATCH, if he could perhaps tell us a little bit about this effort that he has now introduced, which I have cosponsored, the State Flexibility Act.

The PRESIDING OFFICER. The Senator from Utah is recognized.

Mr. HATCH. I thank the Senator from Wyoming. I appreciate his perspective on this important issue because he is a physician. The Senator

has cared for Medicaid patients, and he understands the Medicaid Program better than anyone in this body. The Senator has also served in the State legislature, so he has that experience. He understands that, unlike Washington, States must balance their budgets every year.

I want to talk about the rollback of the Medicaid maintenance of effort or MOE requirement threatening both Medicare beneficiaries and the financial health of many States throughout the country. I think it is important to go through a little history on this subject.

When Medicaid was first established as a limited State-Federal partnership, less than 5 million Americans used this program. Today, nearly one in four is enrolled in this government program. Medicaid spending now absorbs nearly one-quarter of all State government budgets, often forcing severe cuts to other critical State programs.

Unfortunately, this situation is getting even worse with the Medicaid mandate first imposed in the stimulus bill and again in the partisan health care law. As a result of these Washington mandates, States are being forced to make drastic cuts to important priorities, such as education and law enforcement.

Unlike Washington, which too often just prints money to pay for out-of-control spending, States actually have to make tough budget decisions every year. States are facing the worst budget crisis since the Great Depression, with a collective \$175 billion shortfall. Washington's micromanagement of State Medicaid programs makes it incredibly difficult for the States to balance their budgets and provide for those who are most in need. Because of the overly generous benefit programs that Washington forces on the States, they are unable to target health services to those most in need of assistance. Governors are unable to undertake commonsense reforms that root out program waste, fraud, and abuse.

The result of these MOE requirements is nothing short of a Washington-induced State fiscal crisis.

Mr. BARRASSO. I ask my colleague this: We are from neighboring States, Wyoming and Utah. I ask if the Senator could perhaps explain exactly how these Medicaid maintenance of effort mandates—and I believe they are onerous Washington mandates—directly impact Utah.

Mr. HATCH. In my home State of Utah, the fiscal year 2012 budget shortfall will be approximately \$390 million. That is a lot of money. My State has said:

MOE requirements imposed by the Federal Government will cost the State \$3.2 million annually.

This might not sound like a lot to the people in Washington, DC, who don't bat an eye at trillion-dollar defi-

cits, but in Utah that is a lot of money in the State budget. My close friend in Utah, Governor Gary Herbert, said:

Not a State in this Nation is immune to tough budget decisions, and sometimes Washington makes it even harder. Utah must seriously weigh the real cost of Medicaid, one of the largest and most expensive programs we have. Unfortunately, Federal mandates tie our hands. Utah has zero flexibility to respond to economic conditions, or the option to scale the program back in a way that reflects local values and priorities.

Governor Herbert and many others across the Nation have repeatedly asked Washington to repeal these onerous Medicaid mandates. We have introduced legislation—the State Flexibility Act, as the Senator mentioned—to do exactly what the Governors have asked.

The State Flexibility Act fully repeals these burdensome Medicaid MOE regulations. It starts to put States back in control to balance their budgets while simultaneously lowering Federal entitlement spending. Our legislation will save taxpayers \$2.8 billion over just the first 5 years. That is a lot of money.

Regardless of political affiliation, I am confident this bill has the potential to garner strong, bipartisan support in Congress, and it represents a strong first step toward achieving comprehensive Medicaid reform. Any Senator who has talked to his or her State's Governor knows we need to pass this legislation to enable States to survive the current fiscal crisis and to better care for the most vulnerable Medicaid beneficiaries in their respective States.

It is time for Congress to roll back these unreasonable MOE mandates and put the States, not Washington, back in charge.

I personally thank the Senator, my colleague from Wyoming, Mr. BARRASSO, for working with us on this legislation. Without him here, I don't think we would be able to do anywhere near as much as we are doing. The Senator, in particular, brings a unique perspective to the debate over MOE requirements, and I don't know of any Senator who is serving his State any better than he.

I would appreciate hearing more of the Senator's thoughts on this matter because he has the experience, and he has operated on countless people, and he has done it whether they have been Medicaid beneficiaries, people who have insurance, or people who have nothing. I know that. I have great admiration for the Senator from Wyoming. These States have been heavily burdened with MOE requirements, which are bureaucratic unnecessarys. I would like to hear from the Senator how important that is.

Mr. BARRASSO. I appreciate the comments of my colleague. I have taken care of Medicaid patients over the years, and I know this is a program that is burdensome. I also served in the

State legislature, and I know the mandates coming out of Washington make it harder for the people back home to take care of patients and harder for our State legislatures to deal with helping people on Medicaid, making it more difficult for physicians to take care of those patients, and making it more expensive. There is a lot of waste in the mandate.

When Senator HATCH talked about the comments from his Governor, I have comments from ours as well, Governor Matt Mead, who has been in office only just since January. He wrote and was one of the 33 Governors who signed a letter to President Obama saying that the costs of maintaining their Medicaid Programs are fast becoming a serious threat to the State's general funds.

We live in a State where we have to balance the budget every year. He went on to say that Wyoming needs to have flexibility, which is the key word and the title of the bill introduced by Senator HATCH, S. 868, the State Flexibility Act.

That is what Governors are asking for, flexibility, because with that flexibility they can do better for the patients, and they can do it cheaper. Wyoming needs the flexibility at the State level to ensure that the Medicaid Program is operated efficiently and effectively.

People do not believe they are getting efficiency and effectiveness out of Washington these days. They do not think they are getting value for their money. I agree with the American people. I have heard them loudly and clearly. I said it when I was practicing medicine and I say it as a Member of the Senate.

Our Governor goes on: Wyoming strongly supports the removal of these maintenance of effort requirements. This is why I come to the Senate floor every week to talk about this health care law, the implications of it, the impact on the people of this great country, and why I think this health care law is one that is ultimately bad for patients, bad for providers, the nurses and the doctors who take care of those patients, and also bad for the American taxpayers. At a time when we are borrowing 41 cents for every \$1 we spend in this country, we cannot afford to continue to waste money.

Our problem in this country is not that we are taxed too little, it is that we spend too much and do not spend it well. We have to begin focusing differently, and one of the ways we can do it—my understanding from looking at this is actually the Congressional Budget Office, which does the scoring on legislation, scored Senator HATCH's State Flexibility Act as actually saving. I think, \$2.8 billion total over 5 years.

Mr. HATCH. Right.

Mr. BARRASSO. Isn't that what we are trying to do: save money, help peo-

ple, do it more efficiently, more effectively? That is why I am proud to co-sponsor with my friend, Senator HATCH, the State Flexibility Act.

Mr. HATCH. And give the States flexibility to do what they can do better than the Federal Government. As a former medical liability defense lawyer back in my early days, I represented doctors, health care providers, nurses, and hospitals in defending them from what were, in most cases, frivolous suits that run up the cost of medicine.

I cannot tell you what it means to me to have Senator BARRASSO in the Senate with all the medical experience he has had. Frankly, the States can do the job, but they cannot do it within budget if we keep piling regulation and onerous burdens on them, such as the partisan health care bill does.

Frankly, I want the Senator from Wyoming to know I feel it is an honor to serve with him and an honor to have a couple of medical doctors on our side. Dr. BARRASSO and Dr. COBURN are both excellent doctors. They have lived through these problems. They know what they are like. They do not have to have anybody tell them what is wrong with the approaches we are taking. They know what is wrong.

Frankly, I thank the Senator from Wyoming for being willing to serve here.

Mr. BARRASSO. I appreciate the kindness and I appreciate the fact that Senator HATCH is allowing me to work with him. He has a long and illustrious career of leadership in the Senate, and he has been a champion over the years of the fact that States are better than Washington to make decisions because what works in one State may not work in another State. If we give States the flexibility, ultimately they will do it better. They are the laboratories of democracy. That is why we believe in limited government and making decisions at the local level as close to home as possible, which is why I know so many Governors across the country support the State Flexibility Act. I am hoping we get a successful vote in the Senate on it because whenever Washington makes a one-size-fits-all decision, it hardly ever works for most folks back home.

Mr. HATCH. That is right. I believe this will have great bipartisan support among the Governors and hopefully in this body. I thank Senator BARRASSO for bringing this to our attention.

Mr. BARRASSO. I thank Senator HATCH.

Madam President, I will tell you, I still believe this is a law that is bad for patients, it is bad for health care providers of this country, the nurses and doctors who take care of them, bad for taxpayers. I will be back at home in Wyoming over the weekend visiting with patients, as well as providers, as well as taxpayers, listening to what they have to say. I know the people of

Wyoming have great concerns about this health care law and would like the kind of flexibility that is described in S. 868, the State Flexibility Act.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. I thank the Chair.

(The remarks of Mr. COCHRAN pertaining to the submission of S. Res. 170 are located in today's RECORD under "Submitted Resolutions.")

Mr. COCHRAN. I yield the floor.

COMMENDING CONGRESSMAN PETER WELCH

Mr. LEAHY. Mr. President, I would like share the good work being done by my friend and colleague in the House of Representatives, Congressman PETER WELCH.

As Democrats and Republicans continue their discussions, I am proud that PETER is bringing a Vermont perspective and Vermont values to the debate. He understands the dangers the United States faces if we default on our debt, but the burden of addressing our mounting national debt must be shared fairly. Budgets are a reflection of our national priorities, and we simply cannot balance our budget on the backs of the most vulnerable alone.

I applaud PETER for bringing his reasoned and responsible message to the debate. I ask unanimous consent that an article on Congressman WELCH from today's The Hill be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REP. WELCH: PARTISAN DIVISION BEGS CLEAN
VOTE TO RAISE NATION'S DEBT CEILING

(By Mike Lillis)

Lawmakers seeking a bipartisan deficit-reduction plan to accompany the looming debt-ceiling vote are deluding themselves about the efficiency of Congress, according to the Democrat spearheading the push for a clean debt-limit bill.

Rep. Peter Welch (D-Vt.), who has emerged in recent weeks as the staunchest proponent of a standalone debt-ceiling hike, said the parties are simply too far apart ideologically to reach a budget deal in time to avoid the market turmoil many fear would attend inaction on the debt limit.

In a sit-down interview with The Hill from his fourth-floor Longworth office, Welch noted the recent fight over 2011 spending took the country to the very brink of a government shutdown.

The battle over the long-term budget will be even tougher to resolve, he warned, and thus should be tackled separately from the must-pass debt-limit hike.

"If the leadership thinks it can make progress on some steps that would move us toward a better long-term sustainable budget—fine," Welch said Monday. "But if any of us are candid—and we saw how just the simple question of trying to keep the lights on in the government brought us to the midnight hour—do we realistically think that the gap between the [Democrats'] approach on the budget and the [Republicans'] approach on the budget can be bridged in that period of time?"

Congress's systemic dysfunction was on display last month, Welch charged, when Standard & Poor's revised its U.S. debt-rating outlook from "neutral" to "negative." That move was largely influenced not by fiscal considerations, he noted, but by "a lack of confidence in Congress and its ability to make the compromises that are required to get from here to there."

With that in mind, Welch last month spearheaded a letter urging Democratic leaders to unite behind a clean debt-limit bill. It was endorsed by 114 Democrats. The potential economic fallout of flirting with default, he warned, is too serious to saddle the debt-ceiling vote with politically charged budget conditions.

"This is not a matter of ripping up the credit card; this is a matter of paying off the credit card," Welch said. "And if you don't allow us to do that . . . we're basically saying we're going to stiff our creditors."

For almost a century, Congress has set a cap on the nation's debt, allowing the government to issue bonds to fund its deficit spending—up to a certain level.

Treasury Secretary Timothy Geithner has projected the government will surpass the current \$14.3 trillion ceiling on May 16. Recognizing the improbability that Congress will act before then, Geithner on Monday told lawmakers he can take "extraordinary measures" to stave off default for several more months. He set the new deadline at Aug. 2.

All sides of the debate agree that Congress will ultimately raise the debt ceiling. The question remains how it will do that.

Republican leaders have insisted that the debt-limit vote be coupled with a strategy for bringing down deficits over the long haul—a sentiment shared by a growing number of Senate Democrats.

"The vehicle upon which something is likely to be achieved to reduce government spending is the debt ceiling," Senate Minority Leader Mitch McConnell (R-Ky.) told reporters Tuesday. "I don't intend to vote to raise the debt ceiling unless we do something significant about the debt."

In the House, Majority Leader Eric Cantor (R-Va.) suggested Tuesday that Republicans might stage a vote on a clean debt-ceiling bill just to prove it can't pass—a strategy Welch blasted as a "political stunt."

Rep. John Larson (Conn.), chairman of the House Democratic Caucus, said this week that Democrats are "amenable" to strategies that couple the debt-ceiling vote with a long-term deficit-reduction plan—with a major caveat.

"They just have to be consistent with not touching Social Security, Medicare, Medicaid and dismantling the social compact between the American people and [their] government," Larson told *The Hill* on Tuesday.

Therein lies the trouble, as GOP leaders are eyeing cuts to all of those programs as part of their deficit-reduction plans.

Leaders from both parties, representing both chambers, will meet Thursday with Vice President Biden in the first official attempt to reach a long-term budget agreement.

Welch, a chief deputy whip, doesn't have much faith in a quick resolution.

"The more the clock ticks, the more apprehension you'll start to see in the markets," he warned. "When this happens, it could happen very quickly—and with devastating consequences."

It's not the first time Welch has emerged on the national stage amid a thorny budget debate. In December, he was among the fier-

est opponents of the agreement between Obama and McConnell to extend the George W. Bush-era tax cuts through 2012, even for the wealthiest Americans.

This week, he tempered that criticism with a bit of pragmatism.

"It was not a great deal, but it was the best deal [we could get]," he said. "My criticism also acknowledges that the president had his reasons, and we in the House—the Democrats—didn't have the votes."

Welch was also highly critical of the cuts to low-income energy subsidies contained in Obama's 2012 budget proposal—cuts Welch said would "literally freeze" his constituents who rely on them to pay their heating bills.

"A lot of us understood that the president was making a statement," Welch said Monday of that critique. "I respected what motivated the president."

In some sense, Welch's rise to prominence is as improbable as passage of the clean debt-ceiling hike he's lobbying. The third-term liberal is a relative newcomer to Capitol Hill. And the Vermont he represents hardly shares the national political reputation that characterizes many of its New England neighbors.

Yet lawmakers on both sides of the aisle say Welch's emergence is no accident. Rep. Jim Cooper (D-Tenn.), a Blue Dog leader who shares a Capitol Hill apartment with the liberal Welch, said his roommate studies hard and uses his experience as a state legislator to great advantage in Washington.

"Peter is a nerd, just like me," Cooper said in an e-mail. "He actually takes the time to read legislation and understand the issues, which has become a rarity in Washington. Coming from state government, where you need to balance the budget every year, he understands the importance of paying for legislation. This has made him a key consensus builder in the House and one of the strongest advocates of fiscal responsibility in the Progressive Caucus."

Rep. Peter Roskam (Ill.), the Republican chief deputy whip, called Welch "a happy warrior"—the rare legislator who "firmly believes in a set of principles" but is also quick to engage the other side.

"When the country looks at Washington, they feel like members are just talking past each other," Roskam told *The Hill* this week. Welch, on the other hand, "is very engaging."

The bookshelf in Welch's office tells a similar story. It holds volumes by Nancy Pelosi as well as T. Boone Pickens; it boasts the 9/11 Commission Report but also a collection of poems by Rumi, a 13th-century Persian poet and mystic.

Welch is also one of the few Democrats willing to go face to face with Sean Hannity, the conservative—and characteristically combative—Fox News pundit.

Welch conceded Monday that he "got the Democratic treatment" during his recent Hannity appearance. But only by reaching across the aisle, he said, will lawmakers in Washington ever be truly effective.

"A lot of us get in arguments as though it's an ideological battle to be won, rather than a practical problem to be solved. . . . That doesn't work for the country," he said. "I hope that we all can take a step back—all of us—and see that there's real advantage to us trying to work together."

HONORING THE MILITARY AND INTELLIGENCE COMMUNITIES

Ms. SNOWE. Mr. President, I was pleased to join Senate Majority Leader

REID and Republican Leader McCONNELL in offering the strongest possible support for the Senate resolution honoring our heroic military and intelligence communities responsible for carrying out the mission that resulted in the death of one of the most reviled murderers and nefarious menaces of our time—Osama bin Laden.

As a senior member of the Senate Select Committee on Intelligence, I cannot begin to commend our Armed Forces and intelligence professionals enough for their absolutely exceptional and flawless heroism in conducting the most perilous and consequential of operations. With the highest level of perseverance, professionalism, service, and sacrifice conceivable, our bravest and finest joined forces and brought the day of reckoning and justice that long awaited this wretched terrorist.

This landmark event is indeed a significant stride in the war on terrorism. Since 9/11, the efforts of our tireless and dedicated Armed Forces and intelligence operators have sought to keep our homeland safe and make the world more secure. On May 1, 2011, these efforts culminated in the death of one of terrorism's global leaders, marking a decisive milestone in the war against terror. We are blessed with such brave and valiant men and women serving this country at home and abroad. These heroes have made selfless sacrifices and put their lives on the line for our Nation. While we are sleeping at night, they are fighting on our behalf. During this now-legendary May 1 raid, their mettle and courage were brought to the forefront for all the world to see.

As a result of the horrendous events of September 11, 2001, that are etched upon our consciousness for all time, we will never be the same. Out of the rubble of September 11 rose our resolve, out of despair grew our determination, and out of the hate that was perpetrated upon us stood our humanity. We illustrated in word and deed that the iconic American spirit is stronger and more permanent than any pain or suffering that can be inflicted upon us.

If the likes of Osama bin Laden laid bare the unimaginable cruelties of which humankind is capable, it also imbued forever within our minds the heights to which the human spirit can rise—even and especially in the face of the most daunting of circumstances. The resilience we recaptured as a country remains pressed upon our national psyche and the memory of the inspirational sacrifices of so many heroic Americans who perished that September morning will forever have a home in our hearts and our prayers.

I think about all of the servicemen and women who willingly joined the military specifically to fight because of what happened on 9/11, and the sacrifices of their families and the lives that have been lost. Today, and every

day, we express immeasurable gratitude to the over 6,000 Americans in Iraq and Afghanistan who have given their lives to make the world a safer place. Without their vital contributions, we could not have achieved this milestone today. This resolution will stand as a testament that without the stalwart efforts and unwavering dedication of our valorous men and women in uniform and within our intelligence community, this threshold moment in our nation's history would not have been possible.

While justice has been brought to the face of terrorism for the last decade, we must remain vigilant. In the aftermath of bin Laden's death, the threat posed by al-Qaida and other terrorist groups continues real and unabated—and we must remain on high alert. British statesman Edmund Burke once famously said "all that is necessary for the forces of evil to win in the world is for enough good men to do nothing." These heroic patriots whom we laud today tracked their target with precision, preparation, and patience, as well as an unmistakable sense of duty and valor reserved for only the best among us, and they delivered a death knell that will reverberate for generations to come.

ADDITIONAL STATEMENTS

TRIBUTE TO ERICA QUIN-EASTER

• Ms. SNOWE. Mr. President, women-owned businesses are growing at one and a half times the national average in the United States. This astonishing statistic alone is impressive, but it should also be noted that despite this growth women owned small businesses face unique challenges. Thankfully there are programs in place that provide guidance to these entrepreneurs by individuals with specialized knowledge in women's business issues.

Today I commend and recognize an exceptional woman who epitomizes the core values of entrepreneurship with conviction and competence—Erica Quin-Easter, a microenterprise coordinator at Maine Centers for Women, Work & Community in Presque Isle. Ms. Quin-Easter was recently named Maine's 2011 Women in Business Champion by the U.S. Small Business Administration, and she is being recognized today for this achievement at a luncheon in Bangor. This is a richly deserved honor as Ms. Quin-Easter continuously focuses on enhancing women's abilities to bring to fruition their dreams of small business ownership.

Maine Centers for Women, Work & Community was founded in 1978. It serves as the only statewide comprehensive women's economic development organization in Maine. In 2008, Ms. Quin-Easter joined the Maine Center for Women, Work & Community at

the Presque Isle location. The Presque Isle location serves Aroostook County, our State's largest and northernmost county. Since joining Women, Work & Community, Ms. Quin-Easter has assisted nearly 500 entrepreneurs on topics from loans to taxes to business plans.

Ms. Quin-Easter also strives to educate the greater small business community, extending her reach beyond those who may utilize the center's resources. For example, this past March she wrote an article for the Bangor Daily News to enlighten small business owners on taking control of their business finances. Work such as this demonstrates Ms. Quin-Easter's commitment to ensuring that small businesses throughout Maine prosper. She also assisted in organizing a day-long seminar for women called "ALL for Women"—Aroostook Leadership and Learning for Women—to connect them with other business and community leaders and mentors to assist in gathering insight and confidence to reach for their dreams of self employment.

In addition to Ms. Quin-Easter's excellent work for small businesses, she continually seeks to enhance and promote her community. As a long-time musician and composer, Ms. Quin-Easter recently collaborated with poets and musicians to arrange "(F)light." This piece will showcase Women in Harmony, a 60-member chorus of women's voices in Portland, with whom Ms. Quin-Easter previously sang.

Furthermore, Ms. Quin-Easter works on the board of directors for Momentum Aroostook Board and Wintergreen Arts Center. While engaging in these philanthropic endeavors, Ms. Quin-Easter is also a University of Maine Canadian-American Center fellow. For one person this is an extraordinary workload, but Ms. Quin-Easter's daily energy and enthusiasm shine throughout all her work. Her many contributions to Maine, and Aroostook County in particular, demonstrate her commitment to enhancing cultural diversity across our State and helping others improve their own conditions.

Erica Quin-Easter is truly an inspiring individual. Her dedication to encouraging and counseling women entrepreneurs and small business owners is exemplary and inspiring. I thank Erica for her tireless work on behalf of women and congratulate her on the distinction of being named "Maine's 2011 Women in Business Champion" by the U.S. Small Business Administration, a very well deserved honor.●

HONORING WORLD WAR II VETERANS

• Mr. VITTER. Mr. President, I rise today to acknowledge and honor a very special group of veterans. In appreciation of their selfless service to our country, Brookshire's Grocery and

Super 1 Foods have sponsored a World War II Heroes Flight that will take 33 World War II veterans to Washington, DC, free of charge. A group of 27 veterans will be in Washington May 10–12, 2011, for this very special trip.

I want to take a moment to thank all these brave veterans visiting our Capital city this trip:

Peter Ballas, Shreveport, LA; Sam Canter, Blanchard, LA; Nick DeFatta, Shreveport, LA; Les Eckhard, Shreveport, LA; Chuck Fellers, Shreveport, LA; Mason Ferguson, Shreveport, LA; Dale Foster, Homer, LA; James Fraiser, Minden, LA; Bootsie Frazier, Shreveport, LA; Aubrey Gaston, Choudrant, LA; Frank Guraedy, West Monroe, LA; Bobby Harrell, Shreveport, LA; Snookie Harrison, Shreveport, LA; Ken Hawkins, Bossier City, LA; Robert Hawkins, Shreveport, LA; Gene Hodgkins, Monroe, LA; Pete Johnson, Shreveport, LA; Dorothy Kneipp, Keithville, LA; Glenn Murphy, Alexandria, LA; Don Odom, Homer, LA; Earl Owens, Shreveport, LA; Frank Porter, Shreveport, LA; Ray Rushing, Shreveport, LA; Grady Shows, Shreveport, LA; Don Tompkins, Bossier City, LA; Wilmer Warrington, Shreveport, LA; Fred Wells, Shreveport, LA.

While visiting Washington, DC, these veterans will tour Arlington National Cemetery, the Iwo Jima Memorial, the World War II Memorial, the U.S. Capitol, and other sites. This program provides many veterans with their only opportunity to see the great memorials dedicated to their service.

Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.●

MESSAGE FROM THE HOUSE

At 10:04 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3. An act to prohibit taxpayer funded abortions and to provide for conscience protection, and for other purposes.

H.R. 1214. An act to repeal mandatory funding for school-based health center construction.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1214. An act to repeal mandatory funding for school-based health center construction; to the Committee on Health, Education, Labor, and Pensions.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1213. An act to repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 3. An act to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1473. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, to include technical data, and defense services to support the design, manufacture and delivery of the Es' Hail Satellite Program in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-1474. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, to include technical data, and defense services to Japan for the support, maintenance, overhaul and assembly, inspection and test of F110-GE-129 gas turbine engines for use in F-2 fighter aircraft in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-1475. A communication from the Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, a report relative to certifications granted in relation to the incidental capture of sea turtles in commercial shrimping operations; to the Committee on Foreign Relations.

EC-1476. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, status reports relative to Iraq for the period of December 21, 2010 through February 20, 2011; to the Committee on Foreign Relations.

EC-1477. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed amendment to parts 120 and 124 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC-1478. A communication from the Chairman of the Broadcasting Board of Governors, transmitting, pursuant to law, a report relative to U.S.-funded international broadcasting efforts in Iran; to the Committee on Foreign Relations.

EC-1479. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Definition of Multiple-Award Contract" ((RIN0750-AH12)(DFARS Case 2011-D016)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2011; to the Committee on Armed Services.

EC-1480. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmit-

ting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Accelerate Small Business Payments" ((RIN0750-AH19)(DFARS Case 2011-D008)) received during adjournment of the Senate in the Office of the President of the Senate on April 22, 2011; to the Committee on Armed Services.

EC-1481. A communication from the Assistant Secretary of Defense (Nuclear and Chemical and Biological Defense Programs) transmitting, pursuant to law, the Department of Defense Chemical and Biological Defense Program Annual Report to Congress for 2011; to the Committee on Armed Services.

EC-1482. A communication from the Director of the Policy Issuances Division, Food Safety and Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "New Formulas for Calculating the Basetime, Overtime, Holiday, and Laboratory Services Rates; Rate Changes Based on the Formulas; and Increased Fees for the Accredited Laboratory Program" (RIN0583-AD40) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1483. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64)(Docket No. FEMA-2011-0002)) received in the Office of the President of the Senate on May 3, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1484. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation M—Consumer Leasing" (Docket No. R-1400) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1485. A communication from the Assistant to the Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the report of a rule entitled "Regulation Z—Truth in Lending" (Docket No. R-1399) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1486. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Implementation of the Understandings Reached at the 2010 Australia Group (AG) Plenary Meeting and Other AG-Related Clarifications and Corrections to the Export Administration Regulations (EAR)" (RIN0694-AF04) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1487. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Editorial Corrections to the Export Administration Regulations" (RIN0694-AE96) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1488. A communication from the Assistant General Counsel for Legislation, Regula-

tion and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Energy Conservation Standards for Residential Clothes Dryers and Room Air Conditioners" (RIN1904-AA89) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Energy and Natural Resources.

EC-1489. A communication from the Chief, Endangered Species Program, Fish and Wildlife Services, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Endangered and Threatened Wildlife and Plants; 44 Marine and Anadromous Taxa: Adding 10 Taxa, Delisting 1 Taxon, Reclassifying 1 Taxon, and Updating 32 Taxa on the List of Endangered and Threatened Wildlife" (RIN1018-AW09) received during adjournment of the Senate in the Office of the President of the Senate on April 25, 2011; to the Committee on Environment and Public Works.

EC-1490. A communication from the Deputy Director for Operations, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Paying Benefits" (29 CFR Part 4022) received in the Office of the President of the Senate on May 3, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1491. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Wah Chang facility in Albany, Oregon, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-1492. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Grand Junction Operations Office, Grand Junction, Colorado, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-1493. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Vitro Manufacturing site in Canonsburg, Pennsylvania, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-1494. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Norton Co. (or a subsequent owner) in Worcester, Massachusetts, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-1495. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the report of a petition to add workers from the Linde Ceramics Plant in Tonawanda, New York, to the Special Exposure Cohort; to the Committee on Health, Education, Labor, and Pensions.

EC-1496. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Obstetrical and Gynecological Devices; Classification of the Hemorrhoid Prevention Pressure Wedge" ((21 CFR Part 884)(Docket No. FDA-2011-N-0118)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the

Committee on Health, Education, Labor, and Pensions.

EC-1497. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Revision of the Requirements for Constituent Materials" ((21 CFR Part 610)(Docket No. FDA-2010-N-0099)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1498. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Irradiation in the Production, Processing, and Handling of Food" ((21 CFR Part 179)(Docket No. FDA-1998-F-0072)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1499. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; General and Plastic Surgery Devices; Classification of the Low Level Laser System for Aesthetic Use" ((21 CFR Part 878)(Docket No. FDA-2011-N-0188)) received during adjournment of the Senate in the Office of the President of the Senate on April 27, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1500. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Amendments to List of CBP Preclearance Offices in Foreign Countries: Addition of Dublin, Ireland" (CBP Dec. 11-08) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-1501. A communication from the Acting Associate General Counsel for General Law, Office of the General Counsel, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the Department of Homeland Security in the position of Under Secretary for Management, received during adjournment of the Senate in the Office of the President of the Senate on April 28, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-1502. A communication from the Director, Public Affairs and Government Relations, U.S. Postal Regulatory Commission, transmitting, pursuant to law, the commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1503. A communication from the Equal Employment Opportunity Director, Farm Credit System Insurance Corporation, transmitting, pursuant to law, the Farm Credit System Insurance Corporation's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1504. A communication from the Chairman of the Federal Energy Regulatory Com-

mission, transmitting, pursuant to law, the commission's calendar year 2010 Sunshine Act compliance report; to the Committee on Homeland Security and Governmental Affairs.

EC-1505. A communication from the Chief Executive Officer, Corporation for National and Community Service, the Corporation for National and Community Service's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1506. A communication from the Deputy Secretary, American Battle Monuments Commission, transmitting, pursuant to law, the commission's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1507. A communication from the Director, Equal Employment Opportunities and Diversity Programs, National Archives, transmitting, pursuant to law, the National Archive's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1508. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Sufficiency Review of the District of Columbia Water and Sewer Authority's (DC Water) Fiscal Year 2011 Revenue Estimate in Support of the Issuance of \$300,000,000 in Public Utility Subordinate Lien Revenue Bonds (Series 2010A and 2010B)"; to the Committee on Homeland Security and Governmental Affairs.

EC-1509. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled "Review of the Office of Risk Management's Fiscal Year 2009 Performance Accountability Report"; to the Committee on Homeland Security and Governmental Affairs.

EC-1510. A communication from the Chief, Planning and Regulatory Affairs Branch, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Food Distribution Program on Indian Reservations: Amendments Related to the Food, Conservation, and Energy Act of 2008" (RIN0584-AD95) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Indian Affairs.

EC-1511. A communication from the Chairman, Dwight D. Eisenhower Memorial Commission, transmitting, pursuant to law, a report relative to the memorial construction; to the Committee on Rules and Administration.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. ROCKEFELLER for the Committee on Commerce, Science, and Transportation.

*Scott C. Doney, of Massachusetts, to be Chief Scientist of the National Oceanic and Atmospheric Administration.

Mr. ROCKEFELLER. Mr. President, for the Committee on Commerce, Science, and Transportation I report favorably the following nomination lists which were printed in the

RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Coast Guard nomination of William G. Dwyer, to be Lieutenant Commander.

*Coast Guard nominations beginning with Jessica L. Bohn and ending with Jeremy A. Weiss, which nominations were received by the Senate and appeared in the Congressional Record on April 8, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 888. A bill to amend the Wild and Scenic Rivers Act to designate a segment of Illabot Creek in Skagit County, Washington, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. COCHRAN, Mr. WHITEHOUSE, and Ms. STABENOW):

S. 889. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 890. A bill to establish the supplemental fraud fighting account, and for other purposes; to the Committee on the Judiciary.

By Mr. GRASSLEY (for himself and Mr. CONRAD):

S. 891. A bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients; to the Committee on Finance.

By Mr. BURR (for himself, Mr. DEMINT, Mr. ENZI, Mr. THUNE, Mr. MCCAIN, Mr. COATS, Mr. SHELBY, Mr. BARASSO, Mr. BLUNT, Mr. BOOZMAN, Mr. COCHRAN, Mrs. HUTCHISON, Mr. VITTER, Mr. HATCH, Mr. JOHNSON of Wisconsin, and Mr. LEE):

S. 892. A bill to establish the Department of Energy and the Environment, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 893. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine; to the Committee on Environment and Public Works.

By Mrs. MURRAY (for herself, Mr. BURR, Mr. ROCKEFELLER, Mr. AKAKA, Mr. SANDERS, Mr. BROWN of Ohio, Mr. WEBB, Mr. TESTER, Mr. BEGICH, Mr. ISAKSON, Mr. WICKER, Mr. JOHANNIS,

Mr. BROWN of Massachusetts, Mr. MORAN, and Mr. BOOZMAN):

S. 894. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2011, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BEGICH (for himself, Mr. LIEBERMAN, Mrs. GILLIBRAND, and Mr. LEAHY):

S. 895. A bill to amend the Elementary and Secondary Education Act of 1965 to invest in innovation for education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. UDALL of New Mexico, and Mr. BEGICH):

S. 896. A bill to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN (for himself, Mr. BENNET, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, and Mr. LEE):

S. 897. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs; to the Committee on Energy and Natural Resources.

By Mr. CARDIN:

S. 898. A bill to amend title 23, United States Code, to direct the Secretary to establish a comprehensive design standard program to prevent, control, and treat polluted stormwater runoff from federally funded highways and roads, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARDIN (for himself, Ms. LANDRIEU, Ms. MIKULSKI, Mr. MERKLEY, and Mrs. HAGAN):

S. 899. A bill to provide for the eradication and control of nutria; to the Committee on Environment and Public Works.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 900. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself and Mr. RISCH):

S. 901. A bill to amend the Land and Water Conservation Fund Act of 1965 to ensure that amounts are made available for projects to provide recreational public access, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. HARKIN:

S. 902. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

By Mr. NELSON of Florida (for himself, Mrs. FEINSTEIN, and Mrs. BOXER):

S. 903. A bill to amend the Trade Act of 1974 to create a Citrus Disease Research and Development Trust Fund to support research on diseases impacting the citrus industry, and for other purposes; to the Committee on Finance.

By Mr. HATCH:

S. 904. A bill to improve jobs, opportunity, benefits, and services for unemployed Americans, and for other purposes; to the Committee on Finance.

By Mr. HARKIN (for himself, Ms. SNOWE, Mr. KOHL, Mr. COCHRAN, Mr. JOHNSON of South Dakota, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mrs. GILLIBRAND):

S. 905. A bill to amend the Internal Revenue Code of 1986 to allow a credit against income tax for the purchase of hearing aids; to the Committee on Finance.

By Mr. WICKER (for himself, Mr. SHELBY, Mr. BLUNT, Mr. DEMINT, Mr. COATS, Mr. BURR, Mr. ENZI, Mr. COBURN, Mr. VITTER, Mr. RISCH, Mr. BARRASSO, Mr. COCHRAN, Mr. BOOZMAN, Mr. MORAN, Ms. AYOTTE, Mr. JOHANNIS, Mr. GRASSLEY, Mr. PAUL, Mr. RUBIO, Mr. INHOFE, Mr. HATCH, Mr. KYL, and Mr. THUNE):

S. 906. A bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes; to the Committee on Finance.

By Mr. INOUE:

S. 907. A bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Finance.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 908. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

By Ms. MURKOWSKI (for herself and Mr. BEGICH):

S. 909. A bill to amend title 49, United States Code, to permit certain revenues of private providers of public transportation by vanpool received from providing public transportation to be used for the purpose of acquiring rolling stock, and to permit certain expenditures of private vanpool contractors to be credited toward the local matching share of the costs of public transportation projects, and for other purposes; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. CONRAD, Mr. HATCH, Mr. CRAPO, Mr. INHOFE, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Mr. REID, Mr. RISCH, and Mr. ROBERTS):

S. Res. 165. A resolution designating July 23, 2011, as "National Day of the American Cowboy"; to the Committee on the Judiciary.

By Mr. JOHANNIS (for himself, Mr. BEGICH, and Mr. LAUTENBERG):

S. Res. 166. A resolution commemorating May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe; considered and agreed to.

By Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID, Mr. DURBIN, Mr. UDALL of Colorado, and Mr. BENNET):

S. Res. 167. A resolution recognizing the historical significance of the Mexican holiday of Cinco de Mayo; considered and agreed to.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. KOHL, Mr. GRAHAM, Mr. SESSIONS, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. KERRY, Mr. TESTER, Ms. LANDRIEU, Ms. MIKULSKI, Mr. BAUCUS, Mr. HATCH, Mr. LEVIN, Ms. KLOBUCHAR, Mr. ROCKEFELLER, Mr. CHAMBLISS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Mrs. BOXER, and Mr. SCHUMER):

S. Res. 168. A resolution commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty; considered and agreed to.

By Mr. REID:

S. Res. 169. A resolution to authorize testimony, documents and legal representation; considered and agreed to.

By Mr. COCHRAN:

S. Res. 170. A resolution honoring Admiral Thad Allen of the United States Coast Guard (Ret.) for his lifetime of selfless commitment and exemplary service to the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mrs. HUTCHISON, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. DURBIN, Mr. WYDEN, Mr. CARPER, Mr. SANDERS, Mr. BLUMENTHAL, Mr. COONS, and Mr. MERKLEY):

S. Res. 171. A resolution recognizing and supporting National Train Day on May 7, 2011; to the Committee on Commerce, Science, and Transportation.

By Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mr. BEGICH, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. KIRK, Ms. LANDRIEU, Mr. MORAN, Mr. TESTER, and Mr. CASEY):

S. Res. 172. A resolution recognizing the importance of cancer research and the contributions made by scientists and clinicians across the United States who are dedicated to finding a cure for cancer, and designating May 2011, as "National Cancer Research Month"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. WICKER, Mr. ISAKSON, Mr. BOOZMAN, Mr. DURBIN, Mr. INHOFE, Mr. CARDIN, Mr. COCHRAN, Mr. LIEBERMAN, and Mr. MERKLEY):

S. Con. Res. 15. A concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 167

At the request of Mr. INHOFE, his name was added as a cosponsor of S. 167, a bill to amend title 18, United States Code, to prohibit taking minors across State lines in circumvention of laws requiring the involvement of parents in abortion decisions.

S. 275

At the request of Mr. LAUTENBERG, the name of the Senator from New

Mexico (Mr. UDALL) was added as a cosponsor of S. 275, a bill to amend title 49, United States Code, to provide for enhanced safety and environmental protection in pipeline transportation, to provide for enhanced reliability in the transportation of the Nation's energy products by pipeline, and for other purposes.

S. 357

At the request of Mr. LAUTENBERG, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 357, a bill to authorize the Secretary of the Interior to identify and declare wildlife disease emergencies and to coordinate rapid response to those emergencies, and for other purposes.

S. 366

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 366, a bill to require disclosure to the Securities and Exchange Commission of certain sanctionable activities, and for other purposes.

S. 384

At the request of Mrs. FEINSTEIN, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of, dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 598

At the request of Mrs. FEINSTEIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 616

At the request of Mr. SANDERS, the names of the Senator from Montana (Mr. BAUCUS) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 616, a bill to amend the Elementary and Secondary Education Act of 1965 in order to support the community schools model.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 700

At the request of Ms. KLOBUCHAR, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 700, a bill to amend the Internal Revenue Code of 1986 to permanently extend the treatment of certain farming business machinery and equipment as 5-year property for purposes of depreciation.

S. 701

At the request of Mr. BENNET, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 701, a bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students.

S. 705

At the request of Mr. CARPER, the names of the Senator from Texas (Mrs. HUTCHISON) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. 705, a bill to amend the Internal Revenue Code of 1986 to provide for collegiate housing and infrastructure grants.

S. 720

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 740

At the request of Mr. REED, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 758

At the request of Mr. FRANKEN, the names of the Senator from Washington (Mrs. MURRAY) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. 758, a bill to establish a Science, Technology, Engineering, and Math (STEM) Master Teacher Corps program.

S. 763

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 763, a bill to amend the Elementary and Secondary Education Act of 1965 to require the establishment of teacher evaluation programs.

S. 781

At the request of Mr. THUNE, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 781, a bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002.

S. 815

At the request of Ms. SNOWE, the names of the Senator from Mississippi (Mr. WICKER), the Senator from Missouri (Mr. BLUNT) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 844

At the request of Mr. LIEBERMAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 844, a bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes.

S. 868

At the request of Mr. HATCH, the name of the Senator from Alabama (Mr. SESSIONS) was added as a cosponsor of S. 868, a bill to restore the long-standing partnership between the States and the Federal Government in managing the Medicaid program.

S. RES. 133

At the request of Mr. FRANKEN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 133, a resolution to require that new war funding be offset.

S. RES. 144

At the request of Mrs. HUTCHISON, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 144, a resolution supporting early detection for breast cancer.

S. RES. 153

At the request of Mr. LUGAR, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. Res. 153, a resolution recognizing the 25th anniversary of the Chernobyl nuclear disaster.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. ROCKEFELLER (for himself, Mr. MANCHIN, Mr. COCHRAN, Mr. WHITEHOUSE, and Ms. STABENOW):

S. 889. A bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of Mother's Day; to the Committee on Banking, Housing, and Urban Affairs.

Mr. ROCKEFELLER. Mr. President, I rise today to introduce the Mother's Day Centennial Coin Commemorative Coin Act. I am proud to be joined by a bipartisan group of cosponsors including Senators MANCHIN, COCHRAN, STABENOW, and WHITEHOUSE.

With Mother's Day set for Sunday, May 8th, this is a special event for all of West Virginia because this annual tribute to our mothers began in West Virginia. In 1908, a West Virginian woman by the name of Anna Jarvis petitioned her local church to declare May 9th as Mother's Day. She hoped that this holiday would serve as a remembrance for mothers and a reminder for peace. Within a year, all 46 current States held some sort of Mother's Day and a mere 5 years later, Congress and the President declared the second Sunday of May national Mother's Day. The centennial for the national recognition of Mother's Day will occur in 2014, and this bill provides an opportunity to commemorate the centennial of this great holiday and further recognize the millions of American mothers whose essential role in life cannot be overstated.

The legislation I am introducing today would recognize the centennial of Mother's Day by authorizing the Treasury to mint commemorative Mother's Day coins. Profits generated from the sale of these coins would be donated to Susan G. Komen for the Cure and The National Osteoporosis Foundation. Susan G. Komen for the Cure has raised nearly \$2 billion for breast cancer research since 1982, and the National Osteoporosis Foundation is considered our Nation's leading voluntary health organization.

Each year, more than 200,000 women are diagnosed with breast cancer and nearly 40,000 die of this devastating disease. This legislation not only honors our Nation's mothers, but also helps to raise funds to fight the second most prevalent cancer in women. Thousands of mothers have benefited from the efforts of these organizations and they are well deserving of our support. Therefore, I encourage my colleagues' support for this legislation to honor every mother in our country and to prepare for the upcoming centennial. Celebrating Mother's Day by helping to promote the health of American mothers seems to be a fitting tribute.

By Mr. LEAHY (for himself and Mr. GRASSLEY):

S. 890. A bill to establish the supplemental fraud fighting account, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today, I am proud to join with Senator GRASS-

LEY to introduce the Fighting Fraud to Protect Taxpayers Act of 2011. Combating fraud is a vital issue on which Senator GRASSLEY and I have a long track record of working together, and with great success. In these trying economic times, cracking down on the fraud which has harmed so many hard-working Americans is more important than ever. I look forward to working with Senator GRASSLEY, and with Senators from both parties, to quickly pass this crucial legislation.

In the last Congress, one of the first major bills the Senate Judiciary Committee considered, and one of the first bills President Obama signed into law, was the Leahy-Grassley Fraud Enforcement and Recovery Act. That bill gave fraud investigators and prosecutors additional tools and resources to better hold those who commit fraud accountable. We heard about the significant success that has already resulted from the Fraud Enforcement and Recovery Act and other key fraud fighting provisions we championed in a Judiciary Committee hearing earlier this year, but it is clear that our work is not done.

In the past two years, we have learned much more about the scourges of financial fraud, mortgage fraud, government contracting fraud, health care fraud, and oil and gas fraud. I have also been very disturbed by the ongoing reports about inaccurate, forged, or fraudulent documents in the housing foreclosure process. Today's bill reflects the ongoing need to invest in enforcement to better protect hard-working taxpayers from all of these insidious types of fraud.

In the last fiscal year alone, the Department of Justice recovered well over \$6 billion through fines, penalties, and recoveries from fraud cases—far more than it costs to investigate and prosecute these matters. The recovery of these vast sums of money demonstrates that investment in fraud enforcement pays for itself many times over.

The Fighting Fraud to Protect Taxpayers Act capitalizes on this rate of return by ensuring that a percentage of money recovered by the Government through fines and penalties in fraud cases and other criminal cases is reinvested in the investigation and prosecution of fraud cases. That means that we can ensure more fraud enforcement, more returns to the government, and more savings to taxpayers, all without spending new taxpayer money.

The bill also makes other modest changes to ensure that prosecutors and investigators have the tools they need to combat fraud. It extends the international money laundering bill statute to tax evasion crimes. This will deter individuals from evading our tax laws by hiding their money overseas. It also protects American consumers from identity theft by strengthening the

prohibition against trafficking in passwords and the federal identity theft statute. As more and more business is conducted online, we must ensure that consumers' personal information remains protected.

The Secret Service has responsibility for investigating a variety of complex financial fraud crimes, including identity theft. This bill gives the Secret Service additional tools to conduct critical undercover investigations. Fraud cases are often complex and difficult to prove, so undercover investigations can be a key way to ferret out criminal activity.

In the last Congress, Senator GRASSLEY and I worked together to strengthen the False Claims Act, which empowers whistleblowers to shine a light on fraud and recover stolen tax dollars that would otherwise go undiscovered. These new laws are already paying off. Since January 2009, the Department of Justice has recovered more than \$6.8 billion in False Claims Act cases, far more than any other 2-year period. Today's legislation asks the Attorney General to report to Congress on False Claims Act settlements, which will help ensure that the False Claims Act remains a valuable tool for fighting fraud.

Finally, the bill promotes accountability within Government. Along with requiring reporting, it takes modest steps to ensure that the resources already entrusted to the Justice Department are used responsibly by strengthening oversight of the Department's Working Capital Fund.

Major fraud cases take time to investigate and prosecute. The renewed focus on fraud enforcement we have seen from this administration and from Congress will continue to yield significant results. But we must continue to give law enforcement agencies the tools and resources necessary to root out fraud so that they can continue to recoup losses and protect taxpayer funds. Everyday, taxpaying Americans deserve to know that their Government is doing all it can to hold responsible those who commit fraud and to prevent future fraud.

Americans are worried about their budgets at home. We need to protect their investment in their government. Fighting fraud and protecting taxpayer dollars are issues Democrats and Republicans have worked together to address in the past, and in these difficult economic times, we need to continue in that spirit of bipartisanship. I look forward to working with Senator GRASSLEY, the administration, and Senators of both parties to crack down on fraud by passing the Fighting Fraud to Protect Taxpayers Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 890

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Fighting Fraud to Protect Taxpayers Act of 2011”.

SEC. 2. DEPARTMENT OF JUSTICE WORKING CAPITAL FUND REFORMS.

Section 11013(a) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 527 note) is amended—

(1) by striking “Notwithstanding” and inserting the following:

“(1) DEFINITIONS.—In this subsection—

“(A) the term ‘covered amounts’ means—

“(i) the unobligated balances in the debt collection management account; and

“(ii) the unobligated balances in the supplemental fraud fighting account;

“(B) the term ‘debt collection management account’ means the account established in the Department of Justice Working Capital Fund under paragraph (2);

“(C) the term ‘fraud offense’ includes—

“(i) an offense under section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd-1) and an offense under section 104 or 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2 and 78dd-3);

“(ii) a securities fraud offense, as defined in section 3301 of title 18, United States Code;

“(iii) a fraud offense relating to a financial institution or a federally related mortgage loan, as defined in section 3 of the Real Estate Settlement Procedures Act of 1974 (12 U.S.C. 2602), including an offense under section 152, 157, 1004, 1005, 1006, 1007, 1011, or 1014 of title 18, United States Code;

“(iv) an offense involving procurement fraud, including defective pricing, bid rigging, product substitution, misuse of classified or procurement sensitive information, grant fraud, fraud associated with labor mischarging, and fraud involving foreign military sales;

“(v) an offense under the Internal Revenue Code of 1986 involving fraud;

“(vi) an action under subchapter III of chapter 37 of title 31, United States Code (commonly known as the ‘False Claims Act’), and an offense under chapter 15 of title 18, United States Code;

“(vii) an offense under section 1029, 1030, or 1031 of title 18, United States Code; and

“(viii) an offense under chapter 63 of title 18, United States Code; and

“(D) the term ‘supplemental fraud fighting account’ means the supplemental fraud fighting account established in the Department of Justice Working Capital Fund under paragraph (3)(A).

“(2) DEBT COLLECTION MANAGEMENT ACCOUNT.—Notwithstanding”;

(2) by striking “Such amounts” and inserting “Subject to paragraph (4), such amounts”; and

(3) by adding at the end the following:

“(3) SUPPLEMENTAL FRAUD FIGHTING ACCOUNT.—

“(A) ESTABLISHMENT.—There is established as a separate account in the Department of Justice Working Capital Fund established under section 527 of title 28, United States Code, a supplemental fraud fighting account.

“(B) CREDITING OF AMOUNTS.—Notwithstanding section 3302 of title 31, United States Code, or any other statute affecting the crediting of collections, the Attorney General may credit, as an offsetting collection, to the supplemental fraud fighting account up to 0.5 percent of all amounts collected pursuant to civil debt collection liti-

gation activities of the Department of Justice.

“(C) USE OF FUNDS.—

“(i) IN GENERAL.—Subject to clause (ii), the Attorney General may use amounts in the supplemental fraud fighting account for the cost (including equipment, salaries and benefits, travel and training, and interagency task force operations) of the investigation of and conduct of criminal, civil, or administrative proceedings relating to fraud offenses.

“(ii) LIMITATION.—The Attorney General may not use amounts in the supplemental fraud fighting account for the cost of the investigation of or the conduct of criminal, civil, or administrative proceedings relating to—

“(I) an offense under section 30A of the Securities Exchange Act of 1934 (15 U.S.C. 78dd-1); or

“(II) an offense under section 104 or 104A of the Foreign Corrupt Practices Act of 1977 (15 U.S.C. 78dd-2 and 78dd-3).

“(D) CONDITIONS.—Subject to paragraph (4), amounts in the supplemental fraud fighting account shall remain available until expended and shall be subject to the terms and conditions of the Department of Justice Working Capital Fund.

“(4) MAXIMUM AMOUNT.—

“(A) IN GENERAL.—There are rescinded all covered amounts in excess of \$175,000,000 at the end of fiscal year 2012 and the end of each fiscal year thereafter.

“(B) RATIO.—For any rescission under subparagraph (A), the Secretary of the Treasury shall rescind amounts from the debt collection management account and the supplemental fraud fighting account in a ratio of 6 dollars to 1 dollar, respectively.

“(5) ANNUAL REPORT.—Not later than 6 months after the date of enactment of the Taxpayer Protection and Fraud Enforcement Act of 2011, and every year thereafter, the Attorney General shall submit to Congress a report that identifies, for the most recent fiscal year before the date of the report—

“(A) the amount credited to the debt collection management account and the amount credited to the supplemental fraud fighting account from civil debt collection litigation, which shall include, for each account—

“(i) a comprehensive description of the source of the amount credited; and

“(ii) a list the civil actions and settlements from which amounts were collected and credited to the account;

“(B) the amount expended from the debt collection management account for civil debt collection, which shall include a comprehensive description of the use of amounts in the account that identifies the amount expended for—

“(i) paying the costs of processing and tracking civil and criminal debt-collection litigation;

“(ii) financial systems;

“(iii) debt-collection-related personnel expenses;

“(iv) debt-collection-related administrative expenses; and

“(v) debt-collection-related litigation expenses;

“(C) the amounts expended from the supplemental fraud fighting account and the justification for the expenditure of such amounts; and

“(D) the unobligated balance in the debt collection management account and the unobligated balance in the supplemental fraud fighting account at the end of the fiscal year.”.

SEC. 3. REIMBURSEMENT OF COSTS AWARDED IN FALSE CLAIMS ACT PROSECUTIONS.

Section 3729(a)(3) of title 31, United States Code, is amended by adding at the end the following: “Any costs paid under this paragraph shall be credited to the appropriations accounts of the executive agency from which the funds used for the costs of the civil action were paid.”.

SEC. 4. INTERLOCUTORY APPEALS OF SUPPRESSION OR EXCLUSION OF EVIDENCE.

Section 3731 of title 18, United States Code, is amended in the second undesignated paragraph by inserting “Attorney General, the Deputy Attorney General, an Assistant Attorney General, or the” after “an indictment or information, if the”.

SEC. 5. EXTENSION OF INTERNATIONAL MONEY LAUNDERING STATUTE TO TAX EVASION CRIMES.

Section 1956(a)(2)(A) of title 18, United States Code, is amended—

(1) by striking “intent to promote—” and inserting the following: “intent to—

“(i) promote”; and

(2) by adding at the end the following

“(ii) engage in conduct constituting a violation of section 7201 or 7206 of the Internal Revenue Code of 1986; or”.

SEC. 6. STRENGTHENING THE PROHIBITION AGAINST TRAFFICKING IN PASSWORDS.

Section 1030(a)(6) of title 18, United States Code, is amended—

(1) in the matter preceding subparagraph (A), by inserting “protected” before “computer”; and

(2) by striking “, if—” and all that follows and inserting “; or”.

SEC. 7. CLARIFYING VENUE FOR FEDERAL MAIL FRAUD OFFENSES.

(a) IN GENERAL.—Section 3237(a) of title 18, United States Code, is amended in the second undesignated paragraph by adding before the period at the end the following: “or in any district in which an act in furtherance of the offense is committed”.

(b) SECTION HEADING.—Section 3237 of title 18, United States Code, is amended in the section heading by striking “**begun**” and all that follows and inserting “**taking place in more than one district**”.

(c) TABLE OF SECTIONS.—The table of sections for chapter 211 of title 18, United States Code, is amended by striking the item relating to section 3237 and inserting the following:

“3237. Offenses taking place in more than one district.”.

SEC. 8. EXPANSION OF AUTHORITY OF SECRET SERVICE.

Section 3056 of title 18, United States Code, is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting “641, 656, 657,” after “510,”; and

(ii) by striking “493, 657,” and inserting “493,”; and

(B) in paragraph (3), by striking “federally insured”; and

(2) by adding at the end the following:

“(h)(1) For any undercover investigative operation of the United States Secret Service that is necessary for the detection and prosecution of a crime against the United States, the United States Secret Service may—

“(A) use amounts appropriated for the United States Secret Service, including unobligated balances available from prior fiscal years, to—

“(i) purchase property, buildings, and other facilities and lease space within the

United States (including the District of Columbia and the territories and possessions of the United States), without regard to sections 1341 and 3324 of title 31, section 8141 of title 40, and sections 3901, 4501 through 4506, 6301, and 6306(a) of title 41; and

“(ii) establish, acquire, and operate on a commercial basis proprietary corporations and business entities as part of the undercover investigative operation, without regard to sections 9102 and 9103 of title 31;

“(B) deposit in banks and other financial institutions amounts appropriated for the United States Secret Service, including unobligated balances available from prior fiscal years, and the proceeds from the undercover investigative operation, without regard to section 648 of this title and section 3302 of title 31; and

“(C) use the proceeds from the undercover investigative operation to offset necessary and reasonable expenses incurred in the undercover investigative operation, without regard to section 3302 of title 31.

“(2) The authority under paragraph (1) may be exercised only upon a written determination by the Director of the United States Secret Service (in this subsection referred to as the ‘Director’) that the action being authorized under paragraph (1) is necessary for the conduct of an undercover investigative operation. A determination under this paragraph may continue in effect for the duration of an undercover investigative operation, without fiscal year limitation.

“(3) If the Director authorizes the proceeds from an undercover investigative operation to be used as described in subparagraph (B) or (C) of paragraph (1), as soon as practicable after the proceeds are no longer necessary for the conduct of the undercover investigative operation, the proceeds remaining shall be deposited in the general fund of the Treasury as miscellaneous receipts.

“(4) As early as the Director determines practicable before the date on which a corporation or business entity established or acquired under paragraph (1)(A)(ii) with a net value of more than \$50,000 is to be liquidated, sold, or otherwise disposed of, the Director shall notify the Secretary of Homeland Security regarding the circumstances of the corporation or business entity and the liquidation, sale, or other disposition. The proceeds of the liquidation, sale, or other disposition, after obligations are met, shall be deposited in the general fund of the Treasury as miscellaneous receipts.

“(5)(A) The Director shall—

“(i) on a quarterly basis, conduct detailed financial audits of closed undercover investigative operations for which a written determination is made under paragraph (2); and

“(ii) submit to the Secretary of Homeland Security a written report of the results of each audit conducted under clause (i).

“(B) On the date on which the budget of the President is submitted under section 1105(a) of title 31 for each year, the Secretary of Homeland Security shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives a report summarizing the audits conducted under subparagraph (A)(i) relating to the previous fiscal year.”.

SEC. 9. FALSE CLAIMS SETTLEMENTS.

(a) **REPORTS BY ATTORNEY GENERAL.**—Not later than November 1 of each year, the Attorney General shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that describes

each settlement or compromise of any claim, suit, or other action entered into with the Department of Justice that—

(1) relates to an alleged violation of section 1031 of title 18, United States Code, or section 3729 of title 31, United States Code (including all settlements of alternative remedies); and

(2) results from a claim for damages of more than \$100,000.

(b) **CONTENTS OF REPORTS.**—The description of each settlement or compromise required to be included in an annual report under subsection (a) shall include—

(1) the total amount of the settlement or compromise and the portions of the settlement attributable to violations of various statutory authorities;

(2) the amount of actual damages, or if the amount of actual damages is not available a good faith estimate of the damages, that have been sustained and the minimum and maximum potential civil penalties that may be incurred as a consequence of the conduct of the defendant that is the subject of the settlement or compromise;

(3) the basis for any estimate of damages sustained and the potential civil penalties incurred;

(4) the amount of the settlement that represents damages and the multiplier or percentage of the actual damages used in determining the amount to be paid under the settlement or compromise;

(5) the amount of the settlement that represents civil penalties and the percentage of the maximum potential civil penalty to be paid under the settlement or compromise;

(6) the amount of the settlement that represents criminal fines and a statement of the basis for the fines;

(7) a description of the period during which the matter to which the settlement or compromise relates was pending, including—

(A) the date on which the complaint was originally filed;

(B) a description of the period the matter remained under seal;

(C) the date on which the Department of Justice determined whether to intervene in the case; and

(D) the date on which the settlement or compromise was finalized;

(8) whether a defendant or any division, subsidiary, affiliate, or related entity of a defendant had previously entered into a settlement or compromise relating to section 1031 of title 18, United States Code, or section 3730(b) of title 31, United States Code, and, if so, the date of and amount to be paid under each such settlement or compromise;

(9) whether a defendant or any division, subsidiary, affiliate, or related entity of a defendant—

(A) entered into a corporate integrity agreement relating to the settlement or compromise;

(B) entered into a deferred prosecution agreement or nonprosecution agreement relating to the settlement or compromise; or

(C)(i) previously entered into—

(I) a corporate integrity agreement relating to a settlement or compromise relating to a different violation of section 3730(b) of title 31, United States Code; or

(II) a deferred prosecution agreement or nonprosecution agreement relating to a settlement or compromise relating to a different violation of section 1031 of title 18, United States Code; and

(ii) if the defendant had entered an agreement described in clause (i), whether the agreement applied to the conduct that is the subject of the settlement or compromise described in the report or similar conduct;

(10) for a settlement involving Medicaid, the amounts paid to the Federal Government and to each State participating in the settlement or compromise;

(11) whether civil investigative demands were issued in process of investigating the matter to which the settlement or compromise relates;

(12) for a qui tam action—

(A) the percentage of the settlement amount awarded to the relator; and

(B) whether the relator requested a fairness hearing relating to the percentage received by the relator or the total amount of the settlement;

(13) the extent to which officers of the agency that was the victim of the loss resolved by the settlement or compromise participated in the settlement negotiations; and

(14) the extent to which a relator or counsel for a relators participated in the settlement negotiations.

SEC. 10. AGGRAVATED IDENTITY THEFT AND FRAUD.

(a) **IN GENERAL.**—Section 1028A of title 18, United States Code, is amended in the section heading by adding “**and fraud**” at the end.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 47 of title 18, United States Code, is amended by striking the item relating to section 1028A and inserting the following:

“1028A. Aggravated identity theft and fraud.”.

SEC. 11. FRAUD AND RELATED ACTIVITY IN CONNECTION WITH IDENTIFICATION DOCUMENTS, AUTHENTICATION FEATURES, AND INFORMATION.

(a) **IN GENERAL.**—Section 1028(a)(7) of title 18, United States Code, is amended by inserting “(including an organization)” after “person”.

(b) **TECHNICAL AND CONFORMING AMENDMENT.**—The table of sections for chapter 47 of title 18, United States Code, is amended by striking the item relating to section 1028 and inserting the following:

“1028. Fraud and related activity in connection with identification documents, authentication features, and information.”.

By Ms. LANDRIEU:

S. 893. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine; to the Committee on Environment and Public Works.

Ms. LANDRIEU. Mr. President, I rise today to introduce a bill that will be a critical component in our efforts to recover and rebuild Louisiana's vast coastal wetlands. My bill works to address the threatening problem of coastal wetland deterioration in Louisiana caused by non-native, invasive feral swine populations. Few are aware that the marsh and wetlands along Louisiana's coast comprise some 40 percent of the Nation's total salt marshes. Louisiana's coastline is a national treasure. Yet, this national treasure is disappearing at an alarming rate due to a number of natural and man-made factors, including the destruction of wetlands caused by non-native feral pig

populations that are literally eating away the coast.

Louisiana's coastline is an increasingly fragile and finite source of protection. It protects against storm surges, the varied effects of climate change, and it protects the many communities that thrive on the coastal plains of Louisiana. The survival of the affected acreage is crucial not only to the continued existence of my State and the states directly above mine—which will be affected if Louisiana's wetlands continue to deteriorate—but also to our Nation's energy independence and security. Forty percent of America's refining capacity flows from the Gulf Coast to service the rest of our Nation, and if Louisiana's coastline continues to disappear, our Nation's refiners and energy infrastructure will be jeopardized. As such, the loss of our wetlands threatens not only our teeming wildlife, but also land, lives, energy infrastructure, and navigation.

That is why I rise today to introduce the Feral Swine Eradication and Control Pilot Program Act of 2011, to address the challenges these species pose to our efforts to reverse coastal wetland deterioration.

Every 30 minutes, a portion of Louisiana's coast the size of a football field is converted from healthy marsh into open water. Since 1930, 1.2 million acres have been lost. That is an area roughly the size of Delaware. Scientists predict that Louisiana will lose another 700 square miles of coastal wetlands by 2050. That is an area the size of the greater Washington, D.C. and Baltimore metro areas.

Exacerbating this problem is the irresponsible introduction of the feral hog to Louisiana. This invasive species has caused extensive damage to our natural wildlife habitat. In Louisiana, the wild omnivores compete with native wildlife for food resources; prey on young domestic animals and wildlife; and carry diseases that can affect pets, livestock, wildlife and people. Scientists now believe that the feral hogs are not only imposing enormous damage to the marsh, but are also negatively impacting native freshwater mussels and insects by contributing *E. coli* to water systems.

According to the Louisiana Department of Wildlife and Fisheries, the wild pig is the most prolific large mammal in North America and given adequate nutrition, its populations in an area can double in just four months.

Louisiana's landscape has already been ravaged by the nutria rodent. In 2002, the first program was created to combat the increasing nutria populations. This program, the Coast-wide Nutria Control Program, CNCP, incentivized trappers to catch nutria in return for monetary compensation. This program has proven successful at decreasing nutria populations and significantly reducing their impact to coastal wetlands.

However, more effort was needed to further reduce the nutria damage to wetlands, both in Louisiana and in other marshy environments, including Maryland's Chesapeake Bay. The Nutria Eradication and Control Act was enacted in 2003 to provide a critical supplement of funding to strengthen the Coast-wide Nutria Control Program. In July of 2009, I joined my friend and colleague Senator CARDIN in introducing the re-authorization of the Nutria Eradication and Control Act. These two measures to combat nutria populations have been instrumental in reducing the nutria damage to Louisiana's wetlands.

Unfortunately, now Louisiana has another pest eroding its marshes and wetlands. Feral swine are listed by the World Conservation Union, IUCN, as one of the top 100 invasive species worldwide. If action is not taken to control the feral swine population, our biologists fear these animals will undo much of the progress Louisiana has made in controlling the nutria population. It is my hope that with the help of my colleagues, we can pass this bill to help eradicate these pests from our vanishing coastline once and for all.

For these reasons, it is imperative that we control the feral swine in Louisiana. As such, the bill I am introducing today authorizes the Secretary of the Interior to allocate funding to create a pilot program modeled off of the Nutria Eradication and Control Act. This program will assess the nature and extent of damage to the wetlands in Louisiana and develop methods to eradicate or control the feral swine population, and restore the coastal areas damaged by this invasive species. It is a small program, but the benefits are potentially vast. It is my hope that by creating this program, we can achieve similar success at combating feral hogs as we have had at controlling nutria populations.

It is for all of these reasons that this legislation is crucial. I ask that my colleagues support its prompt passage.

By Mrs. MURRAY (for herself, Mr. BURR, Mr. ROCKEFELLER, Mr. AKAKA, Mr. SANDERS, Mr. BROWN of Ohio, Mr. WEBB, Mr. TESTER, Mr. BEGICH, Mr. ISAKSON, Mr. WICKER, Mr. JOHANNES, Mr. BROWN of Massachusetts, Mr. MORAN and Mr. BOOZMAN):

S. 894. A bill to amend title 38, United States Code, to provide for an increase, effective December 1, 2011, in the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I am proud to in-

troduce the Veterans' Compensation Cost-of-Living Adjustment Act of 2011.

Effective December 1, 2011, this measure directs the Secretary of Veterans Affairs to increase the rates of veterans' compensation to keep pace with a rise in the cost-of-living, should an adjustment be prompted by an increase in the Consumer Price Index, CPI. Referred to as the COLA, this important legislation would make an increase available to veterans at the same level as an increase provided to recipients of Social Security benefits.

All of my colleagues on the Committee on Veterans' Affairs: Senators BURR, ROCKEFELLER, AKAKA, SANDERS, BROWN of Ohio, WEBB, TESTER, BEGICH, ISAKSON, WICKER, JOHANNES, BROWN of Massachusetts, MORAN, and BOOZMAN join me in introducing this important legislation. I look forward to our continued work together to improve the lives of our Nation's veterans.

Last year, Congress passed, and the President signed into law, Public Law 111-247, which would have increased veterans' compensation rates had there been an increase in the CPI. While there was no cost-of-living increase in 2011 due to a decline in the CPI, the 2012 adjustment was projected to be .9 percent in the President's fiscal year 2012 budget submission.

The COLA affects so many important benefits, including veterans' disability compensation and dependency and indemnity compensation for surviving spouses and children. It is projected that over 3.5 million veterans and survivors will receive compensation benefits in fiscal year 2012.

As the daughter of a disabled veteran, I understand the critical nature of these benefits as many recipients depend upon these tax-free payments for their most basic needs, in addition to the needs of their spouses and children. We have an obligation to the men and women who have sacrificed so much to serve our country and who now deserve nothing less than the full support of a grateful Nation. The COLA brings us one step closer to fulfilling our Nation's promise to care for our brave veterans and their families.

I ask our colleagues to show their continued support for our Nation's veterans by working together to ensure this benefit remains available and is not diminished by the effects of inflation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 894

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Compensation Cost-of-Living Adjustment Act of 2011".

SEC. 2. INCREASE IN RATES OF DISABILITY COMPENSATION AND DEPENDENCY AND INDEMNITY COMPENSATION.

(a) **RATE ADJUSTMENT.**—Effective on December 1, 2011, the Secretary of Veterans Affairs shall increase, in accordance with subsection (c), the dollar amounts in effect on November 30, 2011, for the payment of disability compensation and dependency and indemnity compensation under the provisions specified in subsection (b).

(b) **AMOUNTS TO BE INCREASED.**—The dollar amounts to be increased pursuant to subsection (a) are the following:

(1) **WARTIME DISABILITY COMPENSATION.**—Each of the dollar amounts under section 1114 of title 38, United States Code.

(2) **ADDITIONAL COMPENSATION FOR DEPENDENTS.**—Each of the dollar amounts under section 1115(1) of such title.

(3) **CLOTHING ALLOWANCE.**—The dollar amount under section 1162 of such title.

(4) **DEPENDENCY AND INDEMNITY COMPENSATION TO SURVIVING SPOUSE.**—Each of the dollar amounts under subsections (a) through (d) of section 1311 of such title.

(5) **DEPENDENCY AND INDEMNITY COMPENSATION TO CHILDREN.**—Each of the dollar amounts under sections 1313(a) and 1314 of such title.

(c) **DETERMINATION OF INCREASE.**—

(1) **PERCENTAGE.**—Except as provided in paragraph (2), each dollar amount described in subsection (b) shall be increased by the same percentage as the percentage by which benefit amounts payable under title II of the Social Security Act (42 U.S.C. 401 et seq.) are increased effective December 1, 2011, as a result of a determination under section 215(i) of such Act (42 U.S.C. 415(i)).

(2) **ROUNDING.**—Each dollar amount increased under paragraph (1), if not a whole dollar amount, shall be rounded to the next lower whole dollar amount.

(d) **SPECIAL RULE.**—The Secretary of Veterans Affairs may adjust administratively, consistent with the increases made under subsection (a), the rates of disability compensation payable to persons under section 10 of Public Law 85-857 (72 Stat. 1263) who have not received compensation under chapter 11 of title 38, United States Code.

(e) **PUBLICATION OF ADJUSTED RATES.**—The Secretary of Veterans Affairs shall publish in the Federal Register the amounts specified in subsection (b), as increased under subsection (a), not later than the date on which the matters specified in section 215(i)(2)(D) of the Social Security Act (42 U.S.C. 415(i)(2)(D)) are required to be published by reason of a determination made under section 215(i) of such Act during fiscal year 2012.

By Mr. BINGAMAN (for himself, Mr. BENNET, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, and Mr. LEE):

S. 897. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain non-coal reclamation projects and acid mine remediation programs; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, I rise to introduce a bill important to public health and safety and the environment. This legislation addresses an interpretation by the Department of the Interior, DOI, which restricts the ability of

states to use certain funds under the Abandoned Mine Land, AML, Program authorized by the Surface Mining Control and Reclamation Act, SMCRA, for non-coal abandoned mine reclamation and for the remediation of acid mine drainage. This bill is identical to legislation that was reported by voice vote by the Senate Committee on Energy and Natural Resources last Congress.

Amendments to SMCRA, passed as part of the Tax Relief and Health Care Act of 2006, Pub. L. No. 109-432, reauthorized collection of an AML fee on coal produced in the United States and made certain modifications to the AML program. The amendments also provided that so-called “make-up” funds, amounts that had accrued to the states and tribes for several years under the formula in SMCRA but had not been previously appropriated, be paid out to the states and tribes over a period of years as mandatory payments.

Under the AML program, which is administered by DOI, funds are expended to reclaim abandoned mine lands, with top priority for protecting public health, safety, general welfare, and property, and restoration of land and water resources adversely affected by past mining practices. The program is largely directed to abandoned coal mine reclamation, but beginning in 1977 when SMCRA was first enacted, funds have been available pursuant to section 409 to address abandoned non-coal mine sites. A review of the legislative history of this provision and the long-standing administrative interpretation of section 409 reveals that the section is intended to address “non-coal mine reclamation” on abandoned mine lands.

Western states such as New Mexico, Colorado, and Utah have prioritized the use of AML funds to undertake the most pressing reclamation work on both abandoned coal and non-coal mine sites. While activities on non-coal mine sites have consumed a relatively insignificant portion of the funding provided for the overall AML program, the results in terms of public health and safety in these states is considerable, and there is significant work yet to be done.

Similarly, the use of AML funds for remediation of acid mine drainage has been important in many areas, especially in the Appalachian states, such as Kentucky, Pennsylvania, and West Virginia. Until enactment of the 2006 amendments to SMCRA, states and tribes with approved AML programs had been able to set aside up to 30 percent of their AML funds for acid mine drainage remediation without respect to time limitations that would otherwise apply.

In 2007, the Solicitor at the Department of the Interior interpreted the amendments as limiting the ability of uncertified states and tribes to use the

“make-up” AML funds for priority non-coal abandoned mine reclamation and acid mine drainage set-aside programs. See Memorandum Opinion M-37014. The Solicitor found that these make-up funds cannot be used for priority non-coal mine reclamation in the case of states and tribes that had not certified completion of their coal reclamation work and likewise cannot be used for acid mine drainage set-aside programs.

The bill that I am introducing today would correct what I believe is an unfortunate and unintended interpretation of the 2006 amendments by modifying the language of SMCRA to clarify that the funding would be available for non-coal abandoned mine reclamation and acid mine drainage set-aside programs as it was prior to the passage of the amendments in 2006.

I want to underscore that the bill does not increase funding to the states and tribes. It simply clarifies that states and tribes can have flexibility to use AML funds that they receive under existing law for these two important uses, as was the case prior to the 2006 amendments. I hope that my colleagues will support this legislation, which has important implications nationwide.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 897

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. ABANDONED MINE RECLAMATION.

(a) **RECLAMATION FEE.**—Section 402(g)(6)(A) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1232(g)(6)(A)) is amended by inserting “and section 411(h)(1)” after “paragraphs (1) and (5)”.

(b) **FILLING VOIDS AND SEALING TUNNELS.**—Section 409(b) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1239(b)) is amended by inserting “and section 411(h)(1)” after “section 402(g)”.

(c) **USE OF FUNDS.**—Section 411(h)(1)(D)(ii) of the Surface Mining Control and Reclamation Act of 1977 (30 U.S.C. 1240a(h)(1)(D)(ii)) is amended by striking “section 403” and inserting “section 402(g)(6), 403, or 409”.

By Mr. CARDIN:

S. 898. A bill to amend title 23, United States Code, to direct the Secretary to establish a comprehensive design standard program to prevent, control, and treat polluted stormwater runoff from federally funded highways and roads, and for other purposes; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am reintroducing legislation that will help prevent millions of gallons of pollution from entering our Nation's precious water resources. The season we are in makes my legislation particularly timely. Spring is one of the wettest times of year, and with every

Spring shower polluted stormwater runoff washes a myriad of chemicals pollutants, sediment, debris, oil and grease, and other contaminants from our nation's roads and highways into our lakes, rivers, streams, bays, and coastal waters.

Stormwater is the Nation's largest source of water pollution. While rain itself contains air pollution particulates that are deposited in every drop, most stormwater pollution is picked up on the surface and carried off as runoff. Stormwater washes contaminants like oil, grease, heavy metals, nutrients, asbestos, sediments, road salts and other de-icing agents, brake dust, and road debris from the millions of miles of America's roads and into storm drains that discharge into nearby waters. Almost all of this polluted stormwater is discharged without any treatment.

When rain falls on these hard, impervious surfaces it often has no where to go but down the channels created by curbs and retaining walls, into storm drains and into the nearest natural water body. According to research compiled by the National Oceanic & Atmospheric Administration's, NOAA, National Geophysical Data Center, the U.S. is covered by more than 112,600 square kilometers of impervious surfaces. That is a space larger than the State of Ohio. With 985,139 miles of Federal aid highways stretching from every corner of the country, polluted highway runoff is no small problem facing our Nation's waters.

The effects of polluted stormwater runoff are real. For example, the Anacostia River—Washington's "other" and often forgotten river—can be seen from the Capitol Dome as it flows out of Prince George's County, MD, and into the District and on to its confluence with the Potomac. Runoff from within the 176 square mile watershed of the Anacostia, most of which is in Maryland, but also includes the east side of D.C. and the entire Capitol complex, all makes its way into the Anacostia. The stormwater that enters the Anacostia is extremely polluted from the thousands of acres of road surfaces that cover the watershed, which exacerbates the incidence of combined sewer overflows and has impaired the Anacostia for many years. It is no coincidence that the U.S. Fish & Wildlife Service has found the Anacostia's bottom-feeder catfish to have the highest incidence of liver tumors than any other population of catfish in the country. The cause of the tumors are the high levels of polycyclic aromatic hydrocarbons, a by-product of fuel combustion, that come from vehicle tailpipe emissions and are deposited on the road and in the air and then washed into the river with every shower or thunderstorm.

This is not a problem unique to Maryland or the Chesapeake Bay region, nor is it a problem unique to

urban environments as opposed to rural environments. Polluted runoff is a problem that affects any watershed where impervious paved road and highway surfaces have altered the natural hydrology of a watershed. Over time, federal highway policy has come to recognize the drastic impacts highways and surface transportation can have on the environment and on water quality. Title 23 of the U.S. Code states: "transportation should play a significant role in promoting economic growth, improving the environment, and sustaining the quality of life" through the use of "context sensitive solutions." The Intermodal Surface Transportation Efficiency Act, ISTEA, authorized using transportation enhancement funds for "environmental mitigation to address water pollution due to highway runoff." It is important to note, however, that this is just one of 12 types of eligible enhancement projects and only 1.1 percent of enhancement project funds have gone toward environmental mitigation projects since 1992.

In 2008, at the request of the House Transportation & Infrastructure Committee, the Government Accountability Office issued a report examining key issues and challenges that need to be addressed in the next reauthorization of the transportation bill. That report highlighted the clear link between transportation policy and the environment. Taking a policy approach to require that the planning, design, and construction of highways are done in an environmentally responsible manner, with an eye toward mitigating the water quality impacts highways have on our Nation's water resources, will help address this issue and better meet our Nation's transportation goals. This legislation also helps advance the October 5, 2009, Executive Order affirming that Federal policy and Federal agencies shall "conserve and protect water resources through efficiency, reuse, and stormwater management; eliminate waste, recycle, and prevent pollution; and leverage agency acquisitions to foster markets for sustainable technologies and environmentally preferable materials, products and services."

Over the years, The U.S. Department of Transportation has established design standards for federal-aid highways to improve the performance and safety of our highway infrastructure. These design standard improvements were the result of obvious safety and engineering problems that needed to be addressed. These design standard are essential to ensuring that the Federal Government's investment in transportation infrastructure is resulting in a well-designed, safe and reliable "product" for the benefit of the American people.

The same can be said for the need for establishing environmental design standards for Federal-aid highways as

a means of protecting water quality. While stormwater runoff from highways may be classified as non-point source pollution, it is unquestionably the source of a wide range of contaminants that impair rivers, lakes, streams and coastal waters; create costly remedial situations; and detract from the value and health of our precious water resources. Requiring Federal-aid highways to meet an environmental standard for protecting water quality will improve the value of the Federal Government's investment in our Nation's highway infrastructure.

The approach my legislation takes to mitigate polluted highway runoff is through the implementation of a design standard, developed by the United States Department of Transportation, requiring the maintenance or restoration of the pre-development hydrology of a federal-aid highway project site. This same approach was made law by the Energy Independence & Security Act of 2007 for the development of new Federal buildings and facilities.

My bill would require that all substantial federal highway projects must be planned and designed "to ensure that covered projects are sited, constructed and maintained in accordance with design standards intended to protect surface and ground water quality and ensure the long-term management of stormwater originating from Federal-aid highways." This would be achieved by approaches that avoid and minimize alteration of natural features and hydrology and maximize the use of onsite pollution control measures using existing terrain and natural features.

My bill also recognizes that geography and other physical characteristics of the land may not always allow on-site treatment of polluted highway runoff. When conditions are impracticable my legislation would allow for an "appropriate off-site runoff pollution mitigation program" within the watershed of a Federal-aid highway project site that can protect against the water quality impacts of the project.

The Clean Water Act requires that we protect the waters of the United States. As with most pollution abatement strategies, preventing stormwater pollution is cheaper, more effective, and easier to implement than trying to clean up and remediate the problem after contamination has occurred.

Not addressing stormwater pollution at its source just kicks the proverbial can down the road for someone else to deal with. When water resources are contaminated by polluted highway runoff, mitigating the pollution, which is a preventable discharge in the first place, should not be the responsibility of local governments, wastewater treatment facilities, or drinking water utilities.

Water pollution has many sources and our nation's highways produce a

tremendous volume of contaminated stormwater. Time and time again, experience has taught us that addressing pollution at its source is the most effective means of abating pollution. It is time we applied this principle to our Nation's Federal-aid highways. I urge my colleagues to support my legislation and help move our country closer to meeting the goals of the Clean Water Act and the goals of our national transportation policy.

By Mr. CARDIN (for himself, Ms. LANDRIEU, Ms. MIKULSKI, Mr. MERKLEY, and Mrs. HAGAN):

S. 899. A bill to provide for the eradication and control of nutria; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today I am proud to reintroduce the Nutria Eradication and Control Act of 2011 along with my colleagues, Senator LANDRIEU, Senator MIKULSKI, Senator MERKLEY, and Senator HAGAN. This legislation will build on the successful Nutria Eradication and Control Act of 2003. This program encourages habitat protection, education, research, monitoring, and capacity building to provide for the long-term protection of coastal wetlands from destruction caused by nutria.

Invasive species are one of the largest threats to biodiversity in the United States today. As invasive species go, the nutria is one of the most destructive creatures we have, especially in my home State of Maryland and in Louisiana.

The nutria is a large, semi-aquatic rodent that was originally brought to the United States to bolster the fur trade in the early 20th century. Unfortunately, we underestimated their strong appetite and high reproductive potential. Since their introduction, the nutria have damaged millions of acres of wetlands and countless miles of shoreline and have even earned a spot among the International Union for Conservation of Nature's list of the world's 100 worst invasive alien species. By the early 1990s, the Chesapeake Bay/Delmarva Peninsula population was estimated to exceed 150,000 animals.

These "eating machines" can consume up to 25 percent of their body weight in plants per day, feasting directly on plant roots. This wrecks havoc on our wetlands, turning our once productive lands into barren mud flats. The destruction exacerbates the damaging impacts of ongoing land subsidence and sea level rise.

We understand how important our wetlands are and provide numerous ecosystem services to our society. They provide fish and wildlife habitat, flood protection, erosion control, and water quality preservation.

In my own State of Maryland, nutria invaded the Blackwater National Wildlife Refuge nearly 6 decades ago, de-

stroying vital habitat for native shorebirds, muskrats, and blue crabs. They are responsible for the loss of more than 5,000 acres of wetlands in this refuge alone.

We must remember this has a significant impact on people—people who depend on it for their livelihood and for people who use it for recreation. The loss of Blackwater wetlands, that are vital to the fishery, was estimated to cost Maryland's economy nearly \$4 million annually. Millions of Americans spend billions of dollars pursuing their fishing, hunting and wildlife watching activities, which contribute to millions of jobs in industries and businesses that support wildlife-related recreation.

In 2000, Congress established a Federal funding source to develop a successful public-private partnership program to address nutria in Maryland. This financial support has directly led to the successful eradication of nutria from 150,000 acres of the approximate 400,000 acres of wetland habitats that they infest. The project success is due to strategic planning, permanent and dedicated staff members, and cooperation with private landowners.

In Louisiana, an incentive program is used to encourage trappers to trap nutria. Since the implementation of the program, the damage to coastal wetlands has been reduced from 90,000 to 20,000 acres.

The management techniques developed in Maryland and Louisiana have already been exported to other states like Oregon and Washington to control their own nutria populations and minimize the damage done to their marsh habitats. Healthy wetlands are returning to places where nutria have been removed. But the job is not yet done.

Last Congress, I introduced the Nutria Eradication and Control Act of 2009 to continue and improve the successful nutria eradication program in Maryland and Louisiana and expand it to other significantly impacted states like Oregon and Washington. This bill passed out of the Senate Environment and Public Works Committee in 2009 and had the support of the U.S. Fish and Wildlife Service, the Maryland Department of Natural Resources, the Louisiana Department of Wildlife & Fisheries, and the Nature Conservancy.

Today, I proudly rise again and rededicate myself to passing the Nutria Eradication Control Act of 2011. This bill will authorize the Secretary of the Interior to provide financial assistance to the states of Maryland, Louisiana, Delaware, Oregon, Washington, the Commonwealth of Virginia, and North Carolina to eradicate and control nutria populations and restore nutria-damaged wetlands.

We know how valuable our wetlands are. We know how destructive the nutria is. We know what we can do to stop the nutria and that these pro-

grams work. I urge my colleagues to remember that we have a responsibility to be good stewards of the earth and to join me in supporting this bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 899

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Nutria Eradication and Control Act of 2011".

SEC. 2. FINDINGS; PURPOSE.

Section 2 of the Nutria Eradication and Control Act of 2003 (Public Law 108-16; 117 Stat. 621) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking "and in Louisiana" and inserting "the State of Louisiana, and other coastal States";

(B) in paragraph (2), by striking "in Maryland and Louisiana on Federal, State, and private land" and inserting "on Federal, State, and private land in the States of Maryland and Louisiana and in other coastal States"; and

(C) by striking paragraphs (3) and (4) and inserting the following:

"(3) This Act authorizes the Maryland Nutria Project, which has successfully eradicated nutria from more than 130,000 acres of Chesapeake Bay wetlands in the State of Maryland and facilitated the creation of voluntary, public-private partnerships and more than 406 cooperative landowner agreements.

"(4) This Act and the Coastal Wetlands Planning, Protection, and Restoration Act (16 U.S.C. 3951 et seq.) authorize the Coastwide Nutria Control Program, which has reduced nutria-impacted wetland acres in the State of Louisiana from 80,000 acres to 23,141 acres.

"(5) The proven techniques developed under this Act that are eradicating nutria in the State of Maryland and reducing the acres of nutria-impacted wetlands in the State of Louisiana should be applied to nutria eradication or control programs in other nutria-infested coastal States"; and

(2) by striking subsection (b) and inserting the following:

"(b) PURPOSE.—The purpose of this Act is to authorize the Secretary of the Interior to provide financial assistance to the States of Delaware, Louisiana, Maryland, North Carolina, Oregon, Virginia, and Washington to carry out activities—

"(1) to eradicate or control nutria; and

"(2) to restore nutria damaged wetlands.".

SEC. 3. DEFINITIONS.

The Nutria Eradication and Control Act of 2003 (Public Law 108-16; 117 Stat. 621) is amended—

(1) by redesignating sections 3 and 4 as sections 4 and 5, respectively; and

(2) by inserting after section 2 the following:

"SEC. 3. DEFINITIONS.

"In this Act:

"(1) COASTAL STATE.—The term 'coastal State' means each of the States of Delaware, Oregon, North Carolina, Virginia, and Washington.

"(2) PROGRAM.—The term 'program' means the nutria eradication program established by section 4(a). "

"(3) PUBLIC-PRIVATE PARTNERSHIP.—The term 'public-private partnership' means a

voluntary, cooperative project undertaken by governmental entities or public officials and affected communities, local citizens, nongovernmental organizations, or other entities or persons in the private sector."

"(4) SECRETARY.—The term 'Secretary' means the Secretary of the Interior."

SEC. 4. NUTRIA ERADICATION PROGRAM.

Section 4 of the Nutria Eradication and Control Act of 2003 (Public Law 108-16; 117 Stat. 621) (as redesignated by section 3) is amended—

(1) by striking subsection (a) and inserting the following:

"(a) IN GENERAL.—The Secretary may, subject to the availability of appropriations, provide financial assistance to the States of Maryland and Louisiana and the coastal States to implement measures—

"(1) to eradicate or control nutria; and

"(2) to restore wetlands damaged by nutria.";

(2) in subsection (b)—

(A) in paragraph (1), by inserting "the State of" before "Maryland";

(B) in paragraph (2), by striking "other States" and inserting "the coastal States"; and

(C) in paragraph (3), by striking "marshland" and inserting "wetlands";

(3) in subsection (c)—

(A) by striking "(c) ACTIVITIES" and inserting "(c) ACTIVITIES IN THE STATE OF MARYLAND"; and

(B) by inserting "and updated in March 2009" before the period at the end;

(4) in subsection (e), by striking "financial assistance provided by the Secretary under this section" and inserting "the amounts made available under subsection (f) to carry out the program"; and

(5) by striking subsection (f) and inserting the following:

"(f) AUTHORIZATION OF APPROPRIATIONS.—Subject to subsection (e), for each of fiscal years 2012 through 2016, there are authorized to be appropriated to the Secretary to carry out the program such sums as are necessary."

SEC. 5. REPORT.

Section 5 of the Nutria Eradication and Control Act of 2003 (Public Law 108-16; 117 Stat. 621) (as redesignated by section 3) is amended—

(1) in paragraph (1), by striking "2002 document entitled 'Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds'; and" and inserting "March 2009 update of the document entitled 'Eradication Strategies for Nutria in the Chesapeake and Delaware Bay Watersheds' and originally dated March 2002";

(2) in paragraph (2)—

(A) by striking "develop" and inserting "continue"; and

(B) by striking the period at the end and inserting "and"; and

(3) by adding after paragraph (2) the following:

"(3) develop, in cooperation with the State of Delaware Department of Natural Resources and Environmental Control, the State of Virginia Department of Game and Inland Fisheries, the State of Oregon Department of Fish and Wildlife, the State of North Carolina Department of Environment and Natural Resources, and the State of Washington Department of Fish and Wildlife, long-term nutria control or eradication programs, as appropriate, with the objective of—

"(A) significantly reducing and restoring the damage nutria cause to coastal wetlands in the coastal States; and

"(B) promoting voluntary, public-private partnerships to eradicate or control nutria and restoring nutria-damaged wetlands in the coastal States.".

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 900. A bill to authorize the Secretary of Education to award grants to educational organizations to carry out educational programs about the Holocaust; to the Committee on Health, Education, Labor, and Pensions.

Mr. MENENDEZ. Mr. President, I rise today to introduce the Simon Wiesenthal Holocaust Education Assistance Act. This important legislation would provide competitive grants for educational organizations to make Holocaust education more accessible and available throughout this Nation.

I would like to commend my former colleague in the House, Congresswoman MALONEY, for her leadership on this issue. I also want to thank my colleague from New Jersey, Senator LAUTENBERG, for agreeing to be an original cosponsor.

This past Monday, we solemnly commemorated Holocaust Remembrance Day, in memorial of perhaps the greatest crime ever perpetrated against humanity. As we reflect upon the tragedies of the events surrounding the Holocaust, the lives lost, the families destroyed, the potential unfulfilled, we must renew our oath to never forget, so this dark chapter in history will never be repeated.

We must forever remember the approximately six million Jewish men, women and children, as well as millions of others who faced persecution, displacement, and death at the hands of the Nazis. We must remember their stories not just to honor their lives, but more importantly, to educate the next generation about the dangers of intolerance, ignorance, and bigotry. I could not think of a better namesake for this bill, Simon Wiesenthal, who honored the memories of those lost by dedicating his life to bringing those responsible to justice.

Some people might ask why we need to learn more about something that happened over 65 years ago and an entire ocean away. The same critics might argue that anti-Semitism, while terrible, is a relic of the past that will never be repeated. Unfortunately, this is not the case, and we, as a Nation, must not ignore this appalling truth.

Even to this day, we do not have to go half way around the world to find examples of intolerance and hate; rather we can look into our own neighborhoods and communities. According to the FBI, there were 1,376 hate crimes motivated by religious bias in 2009. More than 7 out of 10 of these crimes were perpetrated against Jews because of their religion. In fact, even in my own State of New Jersey, a State of immense diversity, tolerance and understanding, we have seen a number of

incidents that tear at the fabric of our society.

In July of 2010, a Rabbi and his 12 year old son were subject to anti-Semitic slurs from an unidentified man in a sedan as they walked towards their synagogue in Edison, NJ.

A few days after, the Edison Police Department investigated a second anti-Semitic incident at a Lexus dealership where eight cars had been vandalized with swastikas.

Last year in Chatham, New Jersey, anti-Semitic leaflets with the words "Kill Jews" were littered throughout the town. Local police found the culprit and arrested him. However, Chatham Township Police said they could only charge the offender with littering because he was not apparently targeting an individual.

New Jersey college students at Rutgers University have also experienced this terrible discrimination on numerous occasions. This past fall, when a guest speaker came to present at a Jewish event on campus, he was continually harassed by a large group of students that shouted slurs and disrupted his speech several times. Since then, there has been an escalation of anti-Semitic incidents. One of which included a student event this past January that attempted to exploit the Holocaust and accuse Israel of ethnic cleansing. When students showed up in peaceful protest, they were charged an admission fee, while supporters of the event were admitted for free.

These troubling events do not occur in a vacuum. They are fed by bigotry, hatred, and above all else: ignorance. This ignorance is fueled by provocative, dangerous, and bigoted rhetoric that both threaten the safety and well being of individuals, while also insulting the honor of millions of Jewish people. So called academics seek to rewrite history to minimize and spin the facts surrounding the Holocaust; the government of Iran has waged campaigns not just to rewrite, but to simply erase an inconvenient truth. This is not an academic issue shrouded in intellectualism; Holocaust denial is bald-faced anti-Semitism, rooted in hate, and it has no place in our society.

We cannot sit idly by and hope that time alone will heal these wounds. We must take proactive steps to ensure that our society may properly study and take lessons from the Holocaust. Holocaust education is essential for school children so that we may achieve this goal.

Although some States now require the Holocaust to be taught in public schools, the Simon Wiesenthal Holocaust Education Assistance Act goes further and makes grants available to organizations that instruct students, teachers, and communities about the dangers of hate and the importance of tolerance in our society. This legislation would give educators the appropriate resources and training to teach

accurate historical information about the Holocaust and convey the lessons that the Holocaust can teach us today.

However, while much growth and healing have come about in the 66 years since Auschwitz was liberated, there remains a significant barrier that we must break through. After 6 decades, many of our youth may view the Holocaust as an event that occurred in the distant past. Only by proper acknowledgement of the incredible loss of life during the Holocaust, will we ever be able to ensure that such an event never happens again.

It is in our common interest to raise our voices against anti-Semitism and against all hatred and discrimination. Funding accurate educational programs on the Holocaust is a step toward winning this battle.

So as America stands with Israel and all followers of the Jewish faith in condemning anti-Semitism, let us do everything in our power to end discrimination and educate future generations about the danger of hatred and bigotry.

I urge my colleagues to support this legislation.

By Mr. HARKIN:

S. 902. A bill to amend part D of title V of the Elementary and Secondary Education Act of 1965 to provide grants for the repair, renovation, and construction of elementary and secondary schools; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, safe, modern, healthy school buildings are essential to creating an environment where students can reach their full academic potential. Today, too many students in the United States, particularly those most at risk of being left behind, attend school in facilities that are old, overcrowded and run-down. The 2009 Infrastructure Report Card compiled by the American Society of Civil Engineers gives public schools a D grade. Too many of our Nation's schools were built over a half century ago, and are not equipped to meet the needs of 21st Century students and teachers. School-facility needs are impacting the preparedness of our children for work in critical fields, such as mathematics and science.

The National Center for Education Statistics reported in 2000 that the Nation's elementary and secondary schools required approximately \$127 billion to repair or upgrade their facilities. A 2008 State-by-State analysis by the American Federation of Teachers found that the Nation's school infrastructure needs total an estimated \$255 billion. While the condition of public school buildings is primarily a state and local responsibility, the Federal Government can and should help, especially when it comes to closing disparities between affluent and disadvantaged school districts. The current economic environment makes it exceed-

ingly difficult for States and school districts to renovate and in some cases build new schools to meet this important need.

That is why I am pleased to introduce the School Building Fairness Act. This legislation provides \$1 billion to States for competitive matching grants to local educational agencies; LEAs, for school repair, renovation, and construction. In awarding the grants, States must consider poverty, condition of school facilities, capacity, adherence to green building standards, and likelihood of maintenance. I have seen this work in Iowa with the success of the Iowa Demonstration Construction Grant Program, which provided over \$121 million in federal assistance to over 300 school districts and leveraged more than \$600 million of additional local funding through the matching requirement. I am sure that it will work across the rest of the country. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 902

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "School Building Fairness Act of 2011".

SEC. 2. FINDINGS.

Congress finds the following:

(1) Providing safe, healthy, and up-to-date public elementary and secondary school facilities is a crucial component of improving student academic performance and retaining high-quality, committed educators.

(2) The 2009 Infrastructure Report Card compiled by the American Society of Civil Engineers gives public schools a D grade.

(3) The National Center for Education Statistics, in 2000, reported that the Nation's elementary and secondary schools required approximately \$127,000,000,000 to repair or upgrade facilities.

(4) A State-by-State analysis by the American Federation of Teachers in 2008 concluded that the Nation's school infrastructure needs an estimated \$254,600,000,000.

(5) The Department of Education documented in 1998 that the average age of a public elementary or secondary school building was estimated at 42 years old, past the age when schools tend to deteriorate rapidly.

(6) School districts spent more than \$304,000,000,000 for public school construction contracts from 1995 through 2004, according to data collected by McGraw-Hill Construction.

(7) According to a 2006 report by the Building Educational Success Together coalition, the per-student investment made in the most affluent school districts to repair or construct schools was nearly double the amount of the per-student investment made in the most disadvantaged school districts.

(8) Since 1998, the Iowa Demonstration Construction Grant Program has provided \$121,000,000 in Federal assistance to over 300 school districts for school repair and construction. That Federal investment in school repair and construction has leveraged more than \$600,000,000 of additional local funding

through a match required by the State government.

(9) Green schools use an average of 33 percent less energy than conventionally built schools, and generate financial savings of about \$70 per square foot, according to the 2006 report "Greening America's Schools: Costs and Benefits".

SEC. 3. GRANTS FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.

Part D of title V of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7241 et seq.) is amended by adding at the end the following:

"Subpart 22—School Facilities

"SEC. 5621. GRANTS FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.

"(a) DEFINITIONS.—In this section:

"(1) CHARTER SCHOOL.—The term 'charter school' has the meaning given the term in section 5210.

"(2) CHPS CRITERIA.—The term 'CHPS Criteria' means the green building rating criteria developed by the Collaborative for High Performance Schools.

"(3) EARLY LEARNING FACILITY.—The term 'early learning facility' means a public facility that—

"(A) serves children who are not yet in kindergarten; and

"(B) is under the jurisdiction of a local educational agency.

"(4) ENERGY STAR.—The term 'Energy Star' means the Energy Star program of the Department of Energy and the Environmental Protection Agency.

"(5) GREEN GLOBES.—The term 'Green Globes' means the Green Building Initiative environmental design and rating system.

"(6) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' has the meaning given the term in section 2102(3)(A).

"(7) LEED GREEN BUILDING RATING SYSTEM.—The term 'LEED Green Building Rating System' means the United States Green Building Council Leadership in Energy and Environmental Design green building rating system.

"(8) PUBLIC SCHOOL FACILITY.—The term 'public school facility' means a public elementary or secondary school facility, including a public charter school facility or an existing facility planned for adaptive reuse as a public charter school facility.

"(9) RURAL LOCAL EDUCATIONAL AGENCY.—The term 'rural local educational agency' means a local educational agency that meets the eligibility requirements under—

"(A) section 6211(b) for participation in the program described in subpart 1 of part B of title VI; or

"(B) section 6221(b) for participation in the program described in subpart 2 of part B of title VI.

"(10) STATE.—The term 'State' means each of the several states of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"(b) ALLOCATION OF FUNDS.—

"(1) RESERVATIONS.—From the funds appropriated under subsection (i) for a fiscal year, the Secretary shall reserve 1 percent to provide assistance to the outlying areas and for payments to the Secretary of the Interior to provide assistance to schools funded by the Bureau of Indian Education. Funds allocated under this paragraph shall be reserved by the Secretary for distribution among the outlying areas and the Secretary of the Interior on the basis of their relative need for public elementary school and secondary school repair, renovation, and construction, as determined by the Secretary.

“(2) ALLOCATION TO STATE EDUCATIONAL AGENCIES.—From the funds appropriated under subsection (i) for a fiscal year that are not reserved under paragraph (1) for the fiscal year, the Secretary shall allocate to each State educational agency serving a State an amount that bears the same relation to the funds as the amount the State received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the amount all States received under such part for such preceding fiscal year, except that no such State educational agency shall receive less than 0.5 percent of the amount allocated under this subsection.

“(c) WITHIN-STATE DISTRIBUTIONS.—

“(1) ADMINISTRATIVE AND OTHER COSTS.—

“(A) STATE EDUCATIONAL AGENCY ADMINISTRATION AND OTHER COSTS.—Except as provided in subparagraph (D), each State educational agency may reserve not more than 1 percent of the State educational agency's allocation under subsection (b) for the purposes of administering the distribution of grants under this subsection and awarding grants under subparagraph (C)(v).

“(B) REQUIRED USES.—The State educational agency shall use a portion of the funds reserved under subparagraph (A)—

“(i) to provide technical assistance to local educational agencies; and

“(ii) to establish or support a State-level database of public school facility inventory, condition, design, and utilization.

“(C) PERMISSIBLE USES.—The State educational agency may use a portion of the funds reserved under subparagraph (A) for—

“(i) developing a statewide public school educational facility master plan;

“(ii) developing policies, procedures, and standards for high-quality, energy efficient public school facilities;

“(iii) supporting interagency collaboration that will lead to broad community use of public school facilities, and school-based services for students served by high-need local educational agencies or rural local educational agencies;

“(iv) helping to defray the cost of issuing State bonds to finance public elementary school and secondary school repair, renovation, and construction; and

“(v) awarding grants to State-operated or State-supported schools, such as a State school for the deaf or for the blind, to enable such schools to carry out school repair, renovation, and construction activities in accordance with subsection (d).

“(D) STATE ENTITY ADMINISTRATION AND OTHER COSTS.—If the State educational agency transfers funds to a State entity described in paragraph (2)(A), the State educational agency shall transfer to such State entity not less than 75 percent of the amount reserved under subparagraph (A) for the purpose of carrying out the activities described in subparagraph (C).

“(2) DISTRIBUTION OF COMPETITIVE SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION GRANTS TO LOCAL EDUCATIONAL AGENCIES.—

“(A) IN GENERAL.—Of the funds allocated to a State educational agency under subsection (b) that are not reserved under paragraph (1), the State educational agency shall distribute 100 percent of such funds to local educational agencies or, if the State educational agency is not responsible for the financing of public school facilities, the State educational agency shall transfer such funds to the State entity responsible for the financing of public school facilities (referred to in this section as the ‘State entity’) for distribution by such State entity to local educational agencies in

accordance with this paragraph, to be used, consistent with subsection (d), for public elementary school or secondary school repair, renovation, and construction.

“(B) COMPETITIVE GRANTS TO LOCAL EDUCATIONAL AGENCIES.—The State educational agency or State entity shall carry out a program to award grants, on a competitive basis, to local educational agencies for public elementary school or secondary school repair, renovation, and construction. Of the total amount available for distribution to local educational agencies under this paragraph, the State educational agency or State entity, shall, in carrying out the grant competition—

“(i) award to high-need local educational agencies, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such high-need local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State;

“(ii) award to rural local educational agencies in the State, in the aggregate, not less than an amount which bears the same relationship to such total amount as the aggregate amount such rural local educational agencies received under part A of title I for the fiscal year preceding the fiscal year for which the determination is made bears to the aggregate amount received for such preceding fiscal year under such part by all local educational agencies in the State; and

“(iii) award the remaining funds to local educational agencies in the State that did not receive a grant award under clause (i) or (ii), including to high-need local educational agencies and rural local educational agencies that did not receive a grant award under clause (i) or (ii).

“(C) CRITERIA FOR AWARDED GRANTS.—In awarding competitive grants under this paragraph, a State educational agency or State entity shall take into account the following criteria:

“(i) PERCENTAGE OF POOR CHILDREN.—The percentage of children served by the local educational agency who are between 5 to 17 years of age, inclusive, and who are from families with incomes below the poverty line.

“(ii) NEED FOR SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—The need of a local educational agency for school repair, renovation, and construction, as demonstrated by the condition of the public school facilities of the local educational agency or the local educational agency's need for such facilities.

“(iii) GREEN SCHOOLS.—The extent to which a local educational agency will make use, in the repair, renovation, or construction to be undertaken, of green practices that are certified, verified, or consistent with any applicable provisions of—

“(I) the LEED Green Building Rating System;

“(II) Energy Star;

“(III) the CHPS Criteria;

“(IV) Green Globes; or

“(V) an equivalent program adopted by the State or another jurisdiction with authority over the local educational agency.

“(iv) FISCAL CAPACITY.—The fiscal capacity of a local educational agency to meet the needs of the local educational agency for repair, renovation, and construction of public school facilities without assistance under this section, including the ability of the local educational agency to raise funds

through the use of local bonding capacity and otherwise.

“(v) LIKELIHOOD OF MAINTAINING THE FACILITY.—The likelihood that a local educational agency will maintain, in good condition, any public school facility whose repair, renovation, or construction is assisted under this section.

“(vi) CHARTER SCHOOL EQUITABLE ACCESS TO FUNDING.—In the case of a local educational agency that proposes to fund a repair, renovation, or construction project for a public charter school, the extent to which the public charter school lacks access to funding for school repair, renovation, and construction through the financing methods available to other public schools or local educational agencies in the State.

“(D) MATCHING REQUIREMENT.—

“(i) IN GENERAL.—A State educational agency or State entity shall require local educational agencies to match funds awarded under this paragraph.

“(ii) MATCH AMOUNT.—The amount of a match described in clause (i) may be established by using a sliding scale that takes into account the relative poverty of the population served by the local educational agency.

“(d) RULES APPLICABLE TO SCHOOL REPAIR, RENOVATION, AND CONSTRUCTION.—With respect to funds made available under this section that are used for school repair, renovation, and construction, the following rules shall apply:

“(1) PERMISSIBLE USES OF FUNDS.—School repair, renovation, and construction shall be limited to 1 or more of the following:

“(A) Upgrades, repair, construction, or replacement of public elementary school or secondary school building systems or components to improve the quality of education and ensure the health and safety of students and staff, including—

“(i) repairing, replacing, or constructing early learning facilities at public elementary schools (including renovation of existing facilities to serve children under 5 years of age);

“(ii) repairing, replacing, or installing roofs, windows, doors, electrical wiring, plumbing systems, or sewage systems;

“(iii) repairing, replacing, or installing heating, ventilation, or air conditioning systems (including insulation); and

“(iv) bringing such public schools into compliance with fire and safety codes.

“(B) Public school facilities modifications necessary to render public school facilities accessible in order to comply with the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794).

“(C) Improvements to the environmental conditions of public elementary school or secondary school sites, including asbestos abatement or removal, and the reduction or elimination of human exposure to lead-based paint, mold, or mildew.

“(D) Measures designed to reduce or eliminate human exposure to classroom noise and environmental noise pollution.

“(E) Modifications necessary to reduce the consumption of electricity, natural gas, oil, water, coal, or land.

“(F) Upgrades or installations of educational technology infrastructure to ensure that students have access to up-to-date educational technology.

“(G) Measures that will broaden or improve the use of public elementary school or secondary school buildings and grounds by the community in order to improve educational outcomes.

“(2) IMPERMISSIBLE USES OF FUNDS.—No funds received under this section may be used for—

“(A) payment of maintenance costs in connection with any projects constructed in whole or part with Federal funds provided under this section;

“(B) purchase or upgrade of vehicles;

“(C) improvement or construction of stand-alone facilities whose purpose is not the education of children, including central office administration or operations or logistical support facilities;

“(D) purchase of information technology hardware, including computers, monitors, or printers;

“(E) stadiums or other facilities primarily used for athletic contests or exhibitions or other events for which admission is charged to the general public; or

“(F) purchase of carbon offsets.

“(3) SUPPLEMENT, NOT SUPPLANT.—A local educational agency or State-operated or State-supported school shall use Federal funds subject to this subsection only to supplement the amount of funds that would, in the absence of such Federal funds, be made available from non-Federal sources for school repair, renovation, and construction.

“(e) QUALIFIED BIDDERS; COMPETITION.—Each local educational agency that receives funds under subsection (c)(2) shall ensure that, if the local educational agency carries out repair, renovation, or construction through a contract, any such contract process ensures the maximum number of qualified bidders, including small, minority, and women-owned businesses, through full and open competition.

“(f) PUBLIC COMMENT.—Each local educational agency receiving funds under subsection (c)(2)—

“(1) shall provide an opportunity for public comment, and ensure that parents, educators, and all other interested members of the community in which the school to be assisted is located have the opportunity to consult, on the use of the funds received under such subsection;

“(2) shall provide the public with adequate and efficient notice of the opportunity described in paragraph (1) in a widely read and distributed medium; and

“(3) shall provide the opportunity described in paragraph (1) in accordance with any applicable State and local law specifying how the comments may be received and how the comments may be reviewed by any member of the public.

“(g) REPORTING.—

“(1) LOCAL REPORTING.—Each local educational agency receiving funds under subsection (c)(2) shall submit a report to the State educational agency, at such time as the State educational agency may require, describing the use of such funds for school repair, renovation, and construction.

“(2) STATE REPORTING.—Each State educational agency receiving funds under subsection (b) shall submit to the Secretary, at such time as the Secretary may require, a report on the use of funds received under this section and made available to local educational agencies (and, if applicable, to State-operated or State-sponsored schools) for school repair, renovation, and construction.

“(h) REALLOCATION.—If a State educational agency does not apply for an allocation of funds under subsection (b) for a fiscal year, or does not use the State educational agency's entire allocation for such fiscal year, then the Secretary may reallocate the amount of the State educational agency's al-

location (or the remainder thereof, as the case may be) for such fiscal year to the remaining State educational agencies in accordance with subsection (b).

“(i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$1,000,000,000 for fiscal year 2012, and such sums as may be necessary for each of fiscal years 2013 through 2016.

“SEC. 5622. NATIONAL CENTER FOR EDUCATION STATISTICS STUDY.

“(a) IN GENERAL.—The National Center for Education Statistics shall conduct a study of the condition of public school facilities in the United States.

“(b) ESTIMATES AND MEASURES.—In conducting the study, the National Center for Education Statistics shall—

“(1) estimate the costs needed to repair and renovate all public elementary schools and secondary schools in the United States to good overall condition; and

“(2) measure recent expenditures of Federal, State, local, and private funds for public elementary school and secondary school repair, renovation, and construction costs in the United States.

“(c) ANALYSIS.—In conducting the study, the National Center for Education Statistics shall examine trends in expenditures of Federal, State, local, and private funds since fiscal year 2001 for repair, renovation, and construction activities for public elementary schools and secondary schools in the United States, including examining the differences between the types of schools assisted, and the types of repair, renovation, and construction activities conducted, with those expenditures.

“(d) REPORT.—The National Center for Education Statistics shall prepare and submit to Congress a report containing the results of the study.

“SEC. 5623. NATIONAL CLEARINGHOUSE FOR EDUCATIONAL FACILITIES.

“(a) IN GENERAL.—From the funds appropriated under subsection (c), the Secretary shall award a grant or contract to maintain a clearinghouse that will collect and disseminate information on effective, best educational practices, and the latest research, regarding the planning, design, financing, construction, improvement, operation, and maintenance of safe, healthy, high-performance school facilities for nursery and pre-kindergarten, kindergarten through grade 12, and higher education.

“(b) DURATION.—The grant or contract under subsection (a) shall be awarded for a period of 5 years.

“(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section \$1,500,000 for each of fiscal years 2012 through 2016.”

By Mr. HATCH:

S. 904. A bill to improve jobs, opportunity, benefits, and services for unemployed Americans, and for other purposes; to the Committee on Finance.

Mr. HATCH. Mr. President, I rise today to announce the introduction of a bill that, if enacted, would empower the States to more wisely spend the \$31 billion in unemployment funds that have been allocated to them for the remainder of this year. This bill will allow states to avoid job-killing unemployment tax hikes while strengthening the safety net program for unemployed workers. I am honored to introduce this legislation simultaneously

with a bill being introduced today in the House by The Honorable DAVE CAMP, Chairman of the House Ways and Means Committee.

The Jobs, Opportunity, Benefits and Services Act of 2011, or JOBS Act for short, is just that. A pro jobs bill that goes to the heart of what unemployment benefits are meant to be: not a permanent welfare payment, but a bridge to help unemployed workers until they can find a new job. A hand up, not a hand out. This bill is sorely needed. Since the recession began, 33 States have borrowed \$48 billion in Federal funds to pay for unemployment benefits. These loans, if gone unpaid, will result in increased taxes on employers and job creators. Three States already have been forced to do so, and experts predict that 21 additional States will be required to raise taxes on jobs this year if nothing is done.

The JOBS Act allows states the flexibility to manage their unemployment funds to pay benefits, reduce their borrowings, or establish programs to help unemployed workers get jobs. The States can decide for themselves where their greatest needs lie. Under current law, States don't have the flexibility they need to adapt. The Federal Government pays for up to 73 weeks of unemployment, an all-time record. But not every state needs to spend the money the way Washington dictates. For example, North Dakota has only a 3.6 percent rate of unemployment, but the unemployed can collect up to 34 weeks of unemployment paid for with Federal funds, in addition to the normal 26 weeks under pre-recession law. This bill would allow States to more wisely direct those Federal funds.

How does the bill work? The \$31 billion in Federal funds already allocated to the States will be advanced to them and will remain available for unemployment benefits or, if the State chooses, some or all can be used to repay their loans in order to avoid raising taxes, or enact programs that will lead to the rapid reemployment of unemployed workers. What this bill will not do is add any new Federal spending or reduce the amount of Federal funds a State is already scheduled to receive for unemployment insurance or mandate that States change the way they use those funds. It is up to the States to decide what is best for them and their citizens based on local conditions. This bill truly is a “win, win” for States, workers and the businesses struggling to expand and hire.

I urge all my colleagues to support this legislation.

By Mr. INOUE:

S. 907. A bill to amend the Internal Revenue Code of 1986 to repeal the reduction in the deductible portion of expenses for business meals and entertainment; to the Committee on Finance.

Mr. INOUE. Mr. President, today I rise to introduce legislation to restore the 80 percent tax deduction for business meals and entertainment expenses.

By way of background, business meals previously were fully deductible. In 1986, the Congress reduced the allowable tax deduction for business meals and entertainment from 100 percent to 80 percent. In 1993, the deduction was further reduced to its current level of 50 percent. The business meal deduction should be reformed to better reflect the basic principle that business expenses should be fully deductible. Increasing the limitation to 80 percent would better align the provision with these objectives.

More importantly, at a time when the Nation is getting back on stronger economic footing, the legislation is particularly critical especially for the small businesses and self-employed individuals that depend so heavily on the business meal to conduct business. Small companies often use restaurants as “conference space” to conduct meetings or close deals. Meals are their best, and sometimes only, marketing tool. Certainly, an increase in the meal and entertainment deduction would have a significant impact on a small business's bottom line.

In addition, the effects on the overall economy would be significant. Research has shown that increasing the business meal deduction to 80 percent would increase business meal sales by over \$7 billion and increase the number of jobs by over 200,000. Moreover, restaurants service more than 130 million guests every day. Every dollar spent dining out generates \$2.05 in business to other industries, totaling more than \$1.7 trillion in overall economic impact.

The impact of the restaurant industry on the Nation's economy is considerable and felt in every State. Accompanying my statement is the National Restaurant Association's, NRA's, State-by-State chart reflecting the estimated economic impact of increasing the business meal deductibility from 50 percent to 80 percent.

I urge my colleagues to join me in cosponsoring this important legislation.

Mr. President, I ask unanimous consent that the text of the bill and a State-by-State chart be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

S. 907

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. REPEAL OF REDUCTION IN BUSINESS MEALS AND ENTERTAINMENT TAX DEDUCTION.

(a) IN GENERAL.—Section 274(n)(1) of the Internal Revenue Code of 1986 (relating to only 50 percent of meal and entertainment expenses allowed as deduction) is amended

by striking “50 percent” and inserting “80 percent”.

(b) CONFORMING AMENDMENT.—Section 274(n) of the Internal Revenue Code of 1986 is amended by striking paragraph (3).

(c) CLERICAL AMENDMENT.—The heading for section 274(n) of the Internal Revenue Code of 1986 is amended by striking “ONLY 50 PERCENT” and inserting “PORTION”.

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after December 31, 2011.

ESTIMATED IMPACT OF INCREASING BUSINESS MEAL DEDUCTIBILITY FROM 50% TO 80%

State	Increase in business meal spending 50% to 80% deductibility (in millions)	Total economic impact in the State (in millions)	Total employment impact in the State (number of jobs created)
Alabama	\$92	\$186	2,952
Alaska	19	33	452
Arizona	151	300	3,984
Arkansas	50	101	1,689
California	967	2,267	26,315
Colorado	136	313	3,943
Connecticut	88	165	2,019
Delaware	24	43	499
District of Columbia	39	53	313
Florida	472	957	12,522
Georgia	230	532	6,732
Hawaii	54	104	1,402
Idaho	28	55	933
Illinois	313	744	8,786
Indiana	135	278	4,272
Iowa	51	102	1,669
Kansas	56	112	1,606
Kentucky	90	183	2,618
Louisiana	98	193	2,888
Maine	29	55	848
Maryland	148	307	3,594
Massachusetts	193	388	4,649
Michigan	191	380	5,872
Minnesota	119	272	3,714
Mississippi	50	95	1,630
Missouri	134	298	4,084
Montana	21	40	710
Nebraska	35	73	1,190
Nevada	83	147	1,974
New Hampshire	34	63	784
New Jersey	205	442	4,993
New Mexico	45	82	1,331
New York	482	954	11,251
North Carolina	222	467	6,849
North Dakota	12	22	373
Ohio	252	540	8,081
Oklahoma	74	157	2,491
Oregon	94	194	2,611
Pennsylvania	258	582	7,688
Rhode Island	29	53	706
South Carolina	108	221	3,329
South Dakota	15	30	509
Tennessee	143	322	4,191
Texas	576	1,405	17,036
Utah	50	113	1,682
Vermont	13	22	335
Virginia	200	423	5,312
Washington	157	340	4,160
West Virginia	32	54	950
Wisconsin	107	224	3,629
Wyoming	12	19	346

Source: National Restaurant Association estimates, 2011

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 908. A bill to provide for the addition of certain real property to the reservation of the Siletz Tribe in the State of Oregon; to the Committee on Indian Affairs.

Mr. WYDEN. Mr. President, today I am pleased to introduce a bill that will address the cumbersome and time consuming process under existing law within the Bureau of Indian Affairs. This piece of legislation will streamline the land acquisition process for the Confederated Tribe of Siletz Indians. The current process for taking land into trust is not working, and I believe there are changes that need to be revived in the existing process. I am

pleased to be joined by Senator MERKLEY in this effort.

The original Siletz Coastal Treaty Reservation, established by the Executive Order on November 9, 1955 was diminished and then eliminated by the Federal Government's allotment and termination policies. Tribal members and tribal government have worked to rebuild the Siletz community since the Western Oregon Termination Act of August 1954 stripped the Siletz people of Federal tribal recognition, and since then the tribe has been struggling to rebuild its land base. This legislation would work to facilitate the tribe's land into trust process within the original Siletz coast reservation to overcome the chronic Bureau of Indian Affairs, BIA, delay in processing applications. Instead of having two processes to bring each piece of former reservation land back into the reservation after purchase, one to bring the land into trust, and another, to make it reservation land, allows the tribe to combine the process.

In this case, because the original reservation was disassembled, the tribe terminated and provided a very small land base upon restoration, virtually every tract of land the tribe seeks to place into trust today is considered by BIA pursuant to “off reservation” procedures. “Off reservation” requests would mean that the “. . . secretary gives greater scrutiny to the tribe's justification of anticipated benefits . . .”

By applying the on-reservation fee-to-trust criteria for lands within the Siletz Tribe's original reservation, this legislation allows the Tribe to take land into trust that will ultimately provide for vital tribal programs such as housing, government administration, and jobs—for both tribal and county residents. In addition, the bill emphasizes the importance and the intent of the Indian Reorganization Act of 1934—which allows the Secretary of Interior, in his or her discretion, to take land into trust for the benefit of an Indian tribe or of individual Indians. Essentially, reversing the loss of tribal lands and restoring some of the Tribe's original land base by allowing the Tribe to take land into trust under the same provisions as other Indian tribes within their reservations.

This bill underscores the importance of economic stability and self-determination for the confederated tribe of Siletz Indians and its members. Oregon Tribal communities suffer some of the greatest hurdles, whether it is health care, education, or crime on reservations, this bill would alleviate much of the cost and much needed resources associated with the bureaucratic hoops the tribe has had to jump through for years—which mean a significant savings of time and resources.

As a result of the great working relationships, the Siletz Tribe has approached all six involved counties, and

obtained their support. This legislation establishes and confirms a positive and beneficial partnership between the Federal Government, Siletz Tribe and local counties Lincoln, Lane, Tillamook, Yamhill, Benton, and Douglas.

That is why I am introducing—the process has not sped up and we recognize the need for more action. It's always great to see Tribes and local counties work together to come up with proactive, inventive solutions for their communities to tackle challenging economic conditions.

I want to express my thanks to all the citizens and community and tribal leaders who have worked to build their communities. They represent the pioneering spirit and vision that defines my state.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 165—DESIGNATING JULY 23, 2011, AS “NATIONAL DAY OF THE AMERICAN COWBOY”

Mr. ENZI (for himself, Mr. BARRASSO, Mr. BAUCUS, Mr. BINGAMAN, Mr. CONRAD, Mr. HATCH, Mr. CRAPO, Mr. INHOFE, Mr. JOHNSON of South Dakota, Ms. MURKOWSKI, Mr. Reid of Nevada, Mr. RISCH, and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 165

Whereas pioneering men and women, recognized as “cowboys”, helped establish the American West;

Whereas the cowboy embodies honesty, integrity, courage, compassion, respect, a strong work ethic, and patriotism;

Whereas the cowboy spirit exemplifies strength of character, sound family values, and good common sense;

Whereas the cowboy archetype transcends ethnicity, gender, geographic boundaries, and political affiliations;

Whereas the cowboy is an excellent steward of the land and its creatures, who lives off the land and works to protect and enhance the environment;

Whereas cowboy traditions have been a part of the culture of the United States for generations;

Whereas the cowboy continues to be an important part of the economy through the work of many thousands of ranchers across the Nation who contribute to the economic well-being of every State;

Whereas millions of fans watch professional and working ranch rodeo events annually, and rodeo is one of the most-watched sports in the Nation;

Whereas membership and participation in rodeo and other organizations that promote and encompass the livelihood of cowboys span every generation and transcend race and gender;

Whereas the cowboy is a central figure in literature, film, and music and occupies a central place in the public imagination;

Whereas the cowboy is an icon in the United States; and

Whereas the ongoing contributions made by cowboys and cowgirls to their commu-

nities should be recognized and encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) designates July 23, 2011, as “National Day of the American Cowboy”; and

(2) encourages the people of the United States to observe the day with appropriate ceremonies and activities.

SENATE RESOLUTION 166—COMMEMORATING MAY 8, 2011, AS THE 66TH ANNIVERSARY OF V-E DAY, THE END OF WORLD WAR II IN EUROPE

Mr. JOHANNIS (for himself, Mr. BEGICH, and Mr. LAUTENBERG) submitted the following resolution; which was considered and agreed to:

S. RES. 166

Whereas on December 11, 1941, 4 days after the Japanese attack on Pearl Harbor, Germany and Italy declared war on the United States;

Whereas on November 8, 1942, United States and Allied forces began Operation Torch, the invasion of North Africa;

Whereas German and other Axis forces in North Africa surrendered on May 13, 1943;

Whereas in July of 1943, United States and Allied forces landed in Sicily;

Whereas on September 8, 1943, Italy surrendered to United States and Allied forces, although German troops in Italy continued to fight until May of 1945;

Whereas more than 150,000 Allied soldiers landed in France on June 6, 1944, known thereafter as “D-Day”;

Whereas on August 25, 1944, United States and Allied forces liberated Paris;

Whereas from mid- to late- December, during the Battle of the Bulge, United States troops heroically resisted a major German offensive in Belgium and France;

Whereas United States troops crossed the Rhine River at Remagen on March 7, 1945;

Whereas Germany surrendered unconditionally to the Western Allies at Reims on May 7, 1945, and to the Soviet Union on May 9, 1945, in Berlin;

Whereas during World War II, an estimated 292,000 members of the United States Armed Forces were killed in action and more than 400,000 members of the United States Armed Forces died; and

Whereas United States President Harry S. Truman declared May 8, 1945, “V-E day”, the end of World War II in Europe, although war with Japan continued until August 14, 1945: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic contribution made by United States veterans of World War II to human liberty and the safety of the United States and its allies;

(2) honors veterans who served in the European Theatre of Operations and elsewhere during World War II;

(3) remembers with gratitude the members of the United States Armed Forces who made the ultimate sacrifice during World War II; and

(4) commemorates May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe.

SENATE RESOLUTION 167—RECOGNIZING THE HISTORICAL SIGNIFICANCE OF THE MEXICAN HOLIDAY OF CINCO DE MAYO

Mr. MENENDEZ (for himself, Mr. CORNYN, Mr. REID of Nevada, Mr. DURBIN, Mr. UDALL of Colorado, and Mr. BENNET) submitted the following resolution; which was considered and agreed to:

S. RES. 167

Whereas May 5, or “Cinco de Mayo” in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which the Battle of Puebla was fought by Mexicans who were struggling for their independence and freedom;

Whereas Cinco de Mayo has become one of the most famous Mexican national holidays and is celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French, confident that their battle-seasoned troops were far superior to the almost amateurish Mexican forces, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered, ill-equipped, and ragged, but highly spirited and courageous, Mexican force;

Whereas after three bloody assaults on Puebla in which more than a thousand gallant Frenchmen lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous and heroic spirit that Mexican General Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States is built by people from many nations and diverse cultures who are willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez once said, “El respeto al derecho ajeno es la paz” (“The respect of other people's rights is peace”); and

Whereas many people celebrate during the entire week in which Cinco de Mayo falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical struggle for independence and freedom of the people of Mexico; and

(2) calls upon the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

SENATE RESOLUTION 168—COMMEMORATING AND ACKNOWLEDGING THE DEDICATION AND SACRIFICE MADE BY THE FEDERAL, STATE, AND LOCAL LAW ENFORCEMENT OFFICERS WHO HAVE BEEN KILLED OR INJURED IN THE LINE OF DUTY

Mr. LEAHY (for himself, Mr. GRASSLEY, Mr. WHITEHOUSE, Mr. KOHL, Mr. GRAHAM, Mr. SESSIONS, Mr. BROWN of Ohio, Mrs. MURRAY, Mr. KERRY, Mr. TESTER, Ms. LANDRIEU, Ms. MIKULSKI, Mr. BAUCUS, Mr. HATCH, Mr. LEVIN, Ms. KLOBUCHAR, Mr. ROCKEFELLER, Mr. CHAMBLISS, Mr. DURBIN, Mrs. FEINSTEIN, Mr. NELSON of Nebraska, Mr. MENENDEZ, Mrs. BOXER, and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 168

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas in 2010, 158 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas there are recorded 18,983 Federal, State, and local law enforcement officers who lost their lives in the line of duty while protecting their fellow citizens, and whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia;

Whereas in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day; and

Whereas on May 15, 2011, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2011, as “National Peace Officers Memorial Day”; and

(3) calls on the people of the United States to observe that day with appropriate ceremony, solemnity, appreciation, and respect.

SENATE RESOLUTION 169—TO AUTHORIZE TESTIMONY, DOCUMENTS AND LEGAL REPRESENTATION

Mr. REID of Nevada submitted the following resolution; which was considered and agreed to:

S. RES. 169

Whereas, in the case of *Social Security Administration v. Charlotte N White*, No. CB-

75211-11-0004-T-1, pending before the Merit Systems Protection Board, a subpoena for deposition testimony and document production has been served on Sherae Hunter and a subpoena for deposition testimony has been served on Wes Kungel, both employees in the Office of Senator Mary L. Landrieu;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved that Sherae Hunter and Wes Kungel are authorized to testify and produce documents in *Social Security Administration v. Charlotte N White*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Sherae Hunter, Wes Kungel, and any other individual in Senator Landrieu's office in this matter.

SENATE RESOLUTION 170—HONORING ADMIRAL THAD ALLEN OF THE UNITED STATES COAST GUARD (RET.) FOR HIS LIFETIME OF SELFLESS COMMITMENT AND EXEMPLARY SERVICE TO THE UNITED STATES

Mr. COCHRAN submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 170

Whereas Admiral Thad Allen, the 23rd Commandant of the United States Coast Guard, retired from the Coast Guard on June 30, 2010, after 39 distinguished years of service;

Whereas Admiral Allen graduated from the United States Coast Guard Academy in 1971 and served in a number of capacities, including serving as the Principal Federal Official for response and recovery operation for Hurricanes Katrina and Rita, Coast Guard Chief of Staff, and most recently as National Incident Commander for the Deepwater Horizon Disaster in the Gulf of Mexico;

Whereas Admiral Allen commanded with distinction the foremost Coast Guard in the world from 2006 to 2010 and has embodied the Coast Guard's enduring values of honor, respect, and devotion to duty;

Whereas Admiral Allen, during his tenure as Commandant, focused the Coast Guard on modernization and improved readiness in responding to natural disasters;

Whereas Admiral Allen, during his tenure as Commandant, worked to ensure the safety of professional mariners and millions of recreational and commercial vessels, facilitate commerce, protect the ports and maritime infrastructure of the United States from terrorism, conduct humanitarian operations, protect our marine environment, secure

United States borders, combat drug trafficking, support anti-piracy efforts, and support Operation Iraqi Freedom and Operation Enduring Freedom;

Whereas Admiral Allen demonstrated the vision and transformational leadership that will provide the United States with a Coast Guard that is not only capable of meeting and exceeding the ever-changing maritime challenges of the United States, but also able to better anticipate future challenges and missions;

Whereas Admiral Allen provided steady leadership in times of crisis;

Whereas as Dwight Eisenhower, the 34th President of the United States once said, “The qualities of a great man are vision, integrity, courage, understanding, the power of articulation, and profundity of character”; and

Whereas as we bid fair winds and following seas to Admiral Allen, it is appropriate that he be remembered as exemplifying such trademark characteristics exhibited by great leaders: Now therefore, be it

Resolved, That the Senate—

(a) recognizes and honors Admiral Thad Allen of the United States Coast Guard (retired), on behalf of a grateful Nation, for his lifetime of selfless commitment and exemplary service; and

(b) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to Admiral Thad Allen.

Mr. COCHRAN. Mr. President, I am pleased to submit a resolution today to honor the distinguished 39-year career of ADM Thad Allen, retired Commandant of the U.S. Coast Guard.

Our Nation's first Secretary of the Treasury, Alexander Hamilton, observed that “a few armed vessels, judiciously stationed at the entrance of our ports, might at a small expense be made useful sentinels of the laws.” These words inspired the creation of the modern day U.S. Coast Guard. More than 200 years later, the Coast Guard is today dutifully executing its diverse and challenging missions, demonstrating their dual functionality as both a military service and a law enforcement authority.

Despite limited resources and a broadened scope of responsibility, the Coast Guard has risen to the increased challenges it faces. Time and time again, the men and women of the Coast Guard prove the value of their presence and their important role in protecting the public, as well as the environmental, economic, and security interests of the United States.

For almost four decades, Admiral Allen dedicated himself to these missions and capped his career by providing meritorious leadership to our Nation's oldest continuous seagoing service.

Thad Allen was born and raised in Tucson, AZ. His parents were chief damage controlman Clyde Allen and Wilma Allen. After graduating from the U.S. Coast Guard Academy in 1971, he served in a variety of assignments, eventually becoming Commandant. He often refers to himself as the “unlikely admiral.”

It has been said before, and I think it is worth repeating: “When times are at

their worst, the Coast Guard is at its best." Admiral Allen deserves credit for providing the leadership skills that allowed that statement to remain true during some of the most difficult times for our Nation in recent years.

I came to know Thad Allen in a time of hardship. My home State of Mississippi and other Gulf Coast States had just experienced two of the deadliest hurricanes in our Nation's history in Katrina and Rita. He was the principal Federal official for response and recovery from those natural disasters. I will never forget the destruction we witnessed—homes, schools, and big oak trees that had stood for decades were completely leveled. But through his efforts and those of the brave men and women throughout the Coast Guard, over 33,500 gulf coast residents were rescued from rooftops and flooded homes.

Admiral Allen proved himself to be a man of not just sterling courage, with compassion to match, but also a man of great integrity and an enormous capacity for hard work. He is a direct reflection of the guardian ethos and an inspiration of those who have had the good fortune to work with him.

Admiral Allen will, of course, be the first to say that the brave men and women throughout the ranks of the Coast Guard are the ones who deserve the credit for success. He has made a habit of openly praising their sacrifice and often thankless service.

Today, I am proud to say that my State, due in part to his leadership and those Coast Guard men and women who have served under him, has made a great deal of progress in recovering from the most severe natural disasters in our Nation's history.

As the Coast Guard's motto is "Semper Paratus"—always ready—Admiral Allen is an embodiment of that motto. We do not need to look back too far to find an example, most recently, when the President selected him to serve as national incident commander in the wake of the Deepwater Horizon oil spill in the Gulf of Mexico. Admiral Allen stood ready and provided resolute leadership, overseeing the Federal Government's response efforts and remaining on Active Duty for an additional 3 months past his slated retirement.

In Mississippi, we are grateful for the service and leadership of ADM Thad Allen, which will be long remembered and appreciated. I know the admiral and his family will enjoy the new opportunities that come with retirement, in addition to a well-earned respite from the demands and challenges of his exemplary career in the U.S. Coast Guard.

SENATE RESOLUTION 171—RECOGNIZING AND SUPPORTING NATIONAL TRAIN DAY ON MAY 7, 2011

Mr. LAUTENBERG (for himself, Mr. ROCKEFELLER, Mrs. HUTCHISON, Ms. MIKULSKI, Mr. LIEBERMAN, Mr. DURBIN, Mr. WYDEN, Mr. CARPER, Mr. SANDERS, Mr. BLUMENTHAL, Mr. COONS, and Mr. MERKLEY) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 171

Whereas Amtrak was founded on May 1, 1971, bringing together the passenger train operations of 20 separate rail companies;

Whereas Amtrak is celebrating its 40th anniversary of providing passenger rail service to the country;

Whereas Amtrak introduced high-speed Acela Express service, the fastest train in North America, to the Northeast Corridor in 2000;

Whereas Amtrak ridership increased in each of the 17 months between November 2009 and March 2011;

Whereas in 2011, Amtrak will send an "exhibit train" to travel the country with educational exhibits and historical styling to showcase the railroad's history to the public;

Whereas Amtrak trains and infrastructure carry commuters to and from work in congested metropolitan areas, providing a reliable rail option and reducing congestion on roads and in the skies;

Whereas for many rural Americans, Amtrak represents the only major intercity transportation link to the rest of the country;

Whereas passenger trains provide a more fuel-efficient transportation system, cleaner transportation alternatives, and energy security;

Whereas on a per-passenger-mile basis, intercity passenger rail was 25 percent more energy efficient than airplanes and 30 percent more energy efficient than automobiles in 2008;

Whereas Amtrak provided intercity passenger rail travel to 28,700,000 Americans in 46 States during fiscal year 2010;

Whereas community railroad stations are a source of civic pride, a gateway to over 500 of our Nation's communities, and a tool for economic growth;

Now, therefore, be it

Resolved, That the Senate supports the goals and ideals of National Train Day, as designated by Amtrak.

SENATE RESOLUTION 172—RECOGNIZING THE IMPORTANCE OF CANCER RESEARCH AND THE CONTRIBUTIONS MADE BY SCIENTISTS AND CLINICIANS ACROSS THE UNITED STATES WHO ARE DEDICATED TO FINDING A CURE FOR CANCER, AND DESIGNATING MAY 2011, AS "NATIONAL CANCER RESEARCH MONTH"

Mrs. FEINSTEIN (for herself, Mrs. HUTCHISON, Mr. BEGICH, Mr. BROWN of Ohio, Mr. CRAPO, Mr. JOHNSON of South Dakota, Mr. KIRK, Ms. LANDRIEU, Mr. MORAN, Mr. TESTER, and Mr. CASEY) submitted the following resolution;

which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 172

Whereas in 2011, cancer remains one of the most pressing public health concerns in the United States, with 1,500,000 Americans expected to be diagnosed with cancer and more than 500,000 expected to die from the disease;

Whereas the term "cancer" refers to more than 200 diseases that collectively represent the leading cause of death for Americans under age 85, and the second leading cause of death for Americans overall;

Whereas the national investment in cancer research has yielded substantial returns in research advances and lives saved, with a scholarly estimate that every 1 percent decline in cancer mortality saves the United States economy \$500,000,000,000;

Whereas advancements in the understanding of the causes, mechanisms, diagnosis, treatment, and prevention of cancer have led to cures for many types of cancers and have converted other types of cancers into manageable chronic conditions;

Whereas the 5-year survival rate for all cancers has improved during the 30 years prior to the date of approval of this resolution to more than 65 percent, and as of 2011, there are more than 12,000,000 cancer survivors living in the United States;

Whereas partnerships with research scientists and the general public, survivors and patient advocates, philanthropic organizations, industry, and Federal, State, and local governments have led to advanced breakthroughs, early detection tools that have increased survival rates, and a better quality of life for cancer survivors; and

Whereas advances in cancer research have had significant implications for the treatment of other costly diseases such as diabetes, heart disease, Alzheimer's disease, HIV/AIDS, and macular degeneration: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the importance of cancer research and the invaluable contributions of the researchers in the United States and worldwide and who are dedicated to reversing the cancer epidemic;

(2) designates May 2011, as "National Cancer Research Month"; and

(3) supports efforts to make cancer research a national and international priority so that one day the more than 200 diseases known as cancer are eliminated.

SENATE CONCURRENT RESOLUTION 15—SUPPORTING THE GOALS AND IDEALS OF WORLD MALARIA DAY, AND REAFFIRMING UNITED STATES LEADERSHIP AND SUPPORT FOR EFFORTS TO COMBAT MALARIA AS A CRITICAL COMPONENT OF THE PRESIDENT'S GLOBAL HEALTH INITIATIVE

Mr. COONS (for himself, Mr. WICKER, Mr. ISAKSON, Mr. BOOZMAN, Mr. DURBIN, Mr. INHOFE, Mr. CARDIN, Mr. COCHRAN, Mr. LIEBERMAN, and Mr. MERKLEY) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 15

Whereas April 25th of each year is recognized internationally as World Malaria Day;

Whereas malaria is a leading cause of death and disease in many developing countries, despite being completely preventable and treatable;

Whereas, according to the Centers for Disease Control and Prevention, 35 countries, the majority of them in sub-Saharan Africa, account for 98 percent of global malaria deaths;

Whereas young children and pregnant women are particularly vulnerable and disproportionately affected by malaria;

Whereas malaria greatly affects child health, with estimates that children under the age of 5 account for 85 percent of malaria deaths each year;

Whereas malaria poses great risks to maternal health, causing complications during delivery, anemia, and low birth weights, with estimates that malaria infection causes 400,000 cases of severe maternal anemia and from 75,000 to 200,000 infant deaths annually in sub-Saharan Africa;

Whereas heightened national, regional, and international efforts to prevent and treat malaria over recent years have made measurable progress and have helped save hundreds of thousands of lives;

Whereas the World Health Organization's World Malaria Report 2010 reports that in 2010, more African households (42 percent) owned at least one insecticide-treated mosquito net (ITN), more children under 5 years of age (35 percent) were using an ITN compared to previous years, and household ITN ownership reached more than 50 percent in 19 African countries;

Whereas the World Health Organization's World Malaria Report 2010 further states that a total of 11 countries and one area in the African Region showed a reduction of more than 50 percent in either confirmed malaria cases or malaria admissions and deaths in recent years (Algeria, Botswana, Cape Verde, Eritrea, Madagascar, Namibia, Rwanda, Sao Tome and Principe, South Africa, Swaziland, Zambia, and Zanzibar, United Republic of Tanzania), and that in all countries, the decreases are associated with intense malaria control interventions;

Whereas continued national, regional, and international investment is critical to continue to reduce malaria deaths and to prevent backsliding in those areas where progress has been made;

Whereas the United States Government has played a major leadership role in the recent progress made toward reducing the global burden of malaria, particularly through the President's Malaria Initiative (PMI) and the United States contribution to the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

Whereas, on World Malaria Day in 2009, President Barack Obama stated, "The U.S. stands with our global partners and people around the world to reaffirm our commitment to make the U.S. a leader in ending deaths from malaria by 2015. . . It is time to redouble our efforts to rid the world of a disease that does not have to take lives.";

Whereas, under the Global Health Initiative (GHI), the United States Government is pursuing a comprehensive, whole-of-government approach to global health, focused on helping partner countries to achieve major improvements in overall health outcomes through transformational advances in access to, and the quality of, healthcare services in resource-poor settings; and

Whereas recognizing the burden of malaria on many partner countries, PMI has set the target for 2015 of reducing the burden of malaria by 50 percent for 450,000,000 people, rep-

resenting 70 percent of the at-risk population in Africa: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) supports the goals and ideals of World Malaria Day, including the achievable target of ending malaria deaths by 2015;

(2) recognizes the importance of reducing malaria prevalence and deaths to improve overall child and maternal health, especially in sub-Saharan Africa;

(3) commends the recent progress made toward reducing global malaria deaths and prevalence, particularly through the efforts of the President's Malaria Initiative and the Global Fund to Fight AIDS, Tuberculosis, and Malaria;

(4) welcomes ongoing public-private partnerships to research and develop more effective and affordable tools for malaria diagnosis, treatment, and vaccination;

(5) reaffirms the goals and commitments to combat malaria in the Tom Lantos and Henry J. Hyde United States Global Leadership Against HIV/AIDS, Tuberculosis, and Malaria Reauthorization Act of 2008 (Public Law 110-293);

(6) supports continued leadership and investment by the United States in bilateral and multilateral efforts to combat malaria as a critical part of the President's Global Health Initiative; and

(7) encourages other members of the international community to sustain and scale up their support and financial contributions for efforts worldwide to combat malaria.

AMENDMENTS SUBMITTED AND PROPOSED

SA 318. Mr. REID (for Mr. PAUL) proposed an amendment to the resolution S. Res. 158, congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 12th annual National Charter Schools Week.

TEXT OF AMENDMENTS

SA 318. Mr. REID (for Mr. PAUL) proposed an amendment to the resolution S. Res. 158, congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 12th annual National Charter Schools Week; as follows:

Strike the 14th whereas clause.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, May 18, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 220, to provide for the restoration of forest landscapes, protection of old

growth forests, and management of national forests in the eastside forests of the State of Oregon;

S. 270, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon;

S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, and for other purposes;

S. 278, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, and for other purposes;

S. 292, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act;

S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, and for other purposes;

S. 382, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other purposes;

S. 427, to withdraw certain land located in Clark County, Nevada, from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, and for other purposes;

S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range;

S. 566, to provide for the establishment of the National Volcano Early Warning and Monitoring System;

S. 590, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands;

S. 607, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, and for other purposes;

S. 617, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes;

S. 683, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah;

S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah;

S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, and for other purposes;

S. 729, to validate final patent number 27–2005–0081, and for other purposes;

S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, and for other purposes;

S. 896, to amend the Public Lands Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service; and

S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to allison.seyferth@energy.senate.gov.

For further information, please contact Scott Miller or Allison Seyferth.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Public Lands and Forests. The hearing will be held on Wednesday, May 25, 2011, at 2:30 p.m., in room SD–366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on the following bills:

S. 233, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws;

S. 375, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services;

S. 714, to reauthorize the Federal Land Transaction Facilitation Act, and for other purposes; and

S. 730, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510–6150, or by email to allison.seyferth@energy.senate.gov.

For further information, please contact Scott Miller or Allison Seyferth.

AUTHORITY FOR COMMITTEES TO
MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN
AFFAIRS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 5, 2011, at 10 a.m., to conduct a hearing entitled “Legislative Proposals in the United States Department of Housing and Urban Development’s FY 2012 Budget.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON COMMERCE, SCIENCE, AND
TRANSPORTATION

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 5, 2011, at 10 a.m., in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL
RESOURCES

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 5, 2011, at 9:30 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 5, 2011, at 10 a.m., to conduct a hearing entitled “Assessing U.S. Policy and its Limits in Pakistan.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR,
AND PENSIONS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled “First, Do Not Harm: Improving Health Quality and Patient Safety” on May 5, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON INDIAN AFFAIRS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet during the session of the Senate on May 5, 2011, at 2:15 p.m. in room 628 of the Dirksen Senate Office Building to conduct a hearing entitled “Stolen Identities: The Impact of Racist Stereotypes on Indigenous People.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 5, 2011, at 10 a.m., in SD–226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

AD HOC SUBCOMMITTEE ON DISASTER RECOVERY
AND INTERGOVERNMENTAL AFFAIRS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Ad Hoc Subcommittee on Disaster Recovery and Intergovernmental Affairs of the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 5, 2011, at 10 a.m. to conduct a hearing entitled, “Understanding the Power of Social Media as a Communication Tool in the Aftermath of Disasters.”

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND
CAPABILITIES

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 5, 2011, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON INTERNATIONAL TRADE,
CUSTOMS, AND GLOBAL COMPETITIVENESS

Ms. KLOBUCHAR. Mr. President, I ask unanimous consent that the Subcommittee on International Trade, Customs, and Global Competitiveness of the Committee on Finance be authorized to meet during the session of the Senate on May 5, 2011, at 2 p.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Enforcing America’s Trade Laws in the Face of Customs Fraud and Duty Evasion.”

The PRESIDING OFFICER. Without objection, it is so ordered.

NOTICE: PUBLIC FINANCIAL
DISCLOSURE REPORTS

The filing date for the 2010 Public Financial Disclosure reports is Monday, May 16, 2011. Senators, political fund designees and staff members whose salaries exceed 120 percent of the GS–15 pay scale must file reports.

Public Financial Disclosure reports should be submitted to the Senate Office of Public Records, 232 Hart Building, Washington, DC 20510.

The Public Records office will be open from 9 a.m. to 6 p.m. on the filing date to accept these filings. For further information, please contact the Public Records office.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. (Mr. FRANKEN). Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF JAMES MICHAEL COLE TO BE DEPUTY ATTORNEY GENERAL

Mr. REID. Mr. President, I ask unanimous consent that we proceed to executive session to consider Calendar No. 62.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the nomination.

The assistant legislative clerk read the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General.

CLOTURE MOTION

Mr. REID. Mr. President, I have a cloture motion at the desk. I ask that it be reported.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the clerk will report the motion.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General.

Harry Reid, Patrick J. Leahy, Herb Kohl, Dianne Feinstein, Al Franken, Christopher A. Coons, Richard Blumenthal, Amy Klobuchar, Sheldon Whitehouse, Sherrod Brown, Mark Udall, Richard J. Durbin, Thomas R. Carper, Bernard Sanders, John D. Rockefeller IV, Jeanne Shaheen, Charles E. Schumer.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of

morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT REQUEST—EXECUTIVE CALENDAR

Mr. REID. I ask unanimous consent that at a time to be determined by the majority leader, in consultation with the Republican leader, the Senate proceed to executive session to consider Calendar No. 61; that there be 3 hours of debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote without intervening action or debate on Calendar No. 61; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements be printed in the RECORD; and that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDITION OF CONFeree—H.R. 658

Mr. REID. Mr. President, I ask unanimous consent that Senator ISAKSON be added as a conferee for the FAA reauthorization bill, H.R. 658.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONGRATULATING THE STUDENTS, PARENTS, TEACHERS, AND ADMINISTRATORS OF CHARTER SCHOOLS

Mr. REID. Mr. President, I ask unanimous consent that the HELP Committee be discharged from further consideration of S. Res. 158 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 158) congratulating the students, parents, teachers, and administrators of charter schools across the United States for ongoing contributions to education, and supporting the ideals and goals of the 12th annual National Charter Schools Week.

There being no objection, the Senate proceeded to consider the resolution.

Ms. LANDRIEU. Mr. President, I rise to make a few brief remarks about the fact that this week we are celebrating National Charter Schools Week in America and in the Senate. I am pleased to join my colleague, LAMAR ALEXANDER, in cosponsoring this resolution, which I hope will be hotlined

tonight, and that means passed unanimously without the need to bring it to the floor for debate because there are so many Members of the Senate, both Democrats and Republicans, who recognize the value of high-quality charter schools and the difference they are making in the advancement of education reform and the extraordinary achievements being reached by students and teachers in communities because of them.

I wish to make a brief statement on the Senate floor and then share some interesting and exciting statistics from my own experience in the city of New Orleans, which is the city that has the highest percentage of children in charter schools in America today.

As a parent of two precious and delightful children, I know firsthand the value of a quality education to secure their futures. Many American families are fortunate to live in places where public schools provide engaging and effective instruction and a culture of achievement that inspires students to aim high and thrive. Other families have the financial means to provide their children with a top-notch private school education. The Presiding Officer knows, whether it is in Missouri or Louisiana or Texas or right here in DC, that education can be quite expensive in our top private elementary and secondary schools in our country. Sometimes tuition can reach up to \$25,000 a year and beyond. As hard as that might be for some to believe, that is true. Unfortunately, too many Americans are left without either option for their children, and their children are falling through the cracks. This cannot continue if America is going to maintain a leadership role and produce young adults who have the knowledge and skills to compete and win in this new worldwide marketplace.

Fortunately, in a growing number of communities, including several in Louisiana and particularly in New Orleans, there is another exciting option for parents and students: high quality public charter schools.

This week, as I said, we celebrate the 12th annual National Charter School Week. It is a good time to take stock of how successful many charter schools have been and what we can do to replicate them across the country and, more importantly, what we can do to improve them; what we can do to eliminate poor charter schools and strengthen the great ones and make the good ones even better. Charter schools are public schools that receive public funding and serve the same neighborhood students as traditional public schools.

Currently, it may surprise people to know there are over 5,000 charter schools in our country serving more than 1.6 million children. These schools are required to meet the academic student achievement accountability requirements under all of our laws and in

the same manner as traditional public schools. However, they differ from traditional public schools in several important ways. Charter schools operate free from many of the district rules and regulations so they have more freedom to innovate, to experiment, to explore, to think outside of the box, to try new approaches. Charter schools have autonomy in areas such as the length of the school day and year, as well as principal and teacher recruitment, selection, and development. With this freedom, however, comes greater accountability for improved student achievement. Unlike public schools in many places, charter schools that aren't successful can actually lose their charter, be forced to close, or be forced to transition to a new model. There are countless examples of high-performing charter schools that are producing impressive results, and they continue to show that our students, including—and most importantly—our low-income and minority students and disadvantaged students can and are rising to great academic heights.

In my home State of Louisiana, there are 90 public charter schools, including 61 in the city of New Orleans, representing almost 72 percent of our city's student population—a higher proportion than any other school system in the United States. The city's Sci Academy is one remarkable example of a successful charter school, and I had the great pleasure to skype with some of their students earlier this morning.

Sci Academy opened in 2008 with 90 ninth graders entering a rigorous and inspiring environment. More than half of the ninth graders who entered Sci Academy's inaugural class had failed State promotional performance tests, and more than 70 percent read well below the ninth grade level. Many of these students had missed a full year of school because of Hurricane Katrina and were significantly behind other students of their age.

Incredibly, that same freshman class later scored 76 percent on our State's test, making it the third most successful high school in New Orleans. The other high schools that beat it out actually had selective enrollment. What is extraordinary about Sci Academy is that it is open enrollment, focusing on the quality of teachers and the quality of teaching. It is remarkable.

Right here in the District of Columbia—and I am proud to have had a hand in the development of this in the District of Columbia as a former chair of a subcommittee and a partner with ELIZABETH HOLMES NORTON and others who have worked so hard with the District on its reform efforts—charter schools are an integral part of improving educational outcomes in this city, our Nation's Capital.

Starting with two small campuses in 1996, DC public charter schools now

educate almost 40 percent of the school-aged children in the District, and they are serving the highest percentage of low-income and minority students in the city's most economically disadvantaged neighborhoods. DC's public charter schools outperform the city's traditional public schools from the fifth grade up, and they graduate 84 percent of their students—higher than both the city and the national average.

Where quality charter schools exist, parents have real choices, exciting choices, and they are overwhelmingly choosing public charter schools. Many of these schools have long waiting lists. In fact, more than 50 percent of charter schools report having waiting lists, and the total number of students on these waiting lists is enough to fill more than 1,100 average-sized charter schools—quite a number on these waiting lists.

Over the past 17 years, Congress has provided \$1.6 billion in funding to the promising charter school movement throughout the country through grants for planning, program design, initial implementation, replication, expansion, dissemination, evaluation, and for improving facilities. Our efforts at the national level are beginning to show real results. Maintaining and increasing where possible funding for charter schools is a winning proposition for parents, for students, for their teachers, for our community, and, may I say, for our Nation, for our workforce of the future, and for our economic security.

Make no mistake. America will only go as far as our collective talent and ability will take her. Our future will continue to be shaped by how well we prepare today's students for tomorrow's challenges. Parents who are doing everything they can to give their children an opportunity for success deserve not only a quality choice but a solution to the challenges of our educational system. Successful charter schools provide that choice, and in many areas they provide the solution. Now it is time to make them a central component of our educational strategy all over the country.

Senator LAMAR ALEXANDER and I are pleased to chair the charter caucus in the Senate, to join with President Obama and Secretary Arne Duncan in a focus on quality education for all children in America. President Obama and Secretary Duncan often say charter schools are one tool, not the only tool, to get us from failing and mediocre public schools to great and exciting public schools in our country that are making a real difference.

I wish to share some extraordinary results that were given to me just this week as I hosted a roundtable with staffers and Senators about the accomplishments of charter schools. This comes from a wonderful group in New

Orleans, New Schools for New Orleans, that is one of the leaders in the charter school movement nationally. They are helping the city of New Orleans and many of our organizations, in partnership with all sorts of funders and philanthropies, and the city of New Orleans, the mayor, and the city council, and others who are so supportive of what is going on. Our universities, I might say, including the University of New Orleans, Tulane University, Dillard, and Xavier have also been on the forefront of this movement as well.

Let me share these results because they are quite extraordinary. This chart shows that in 2005, 62 percent of students in the city of New Orleans—not 15 percent, not 20 percent, but 62 percent—were academically unacceptable. Based on standards set by our State and by the Federal Government, in 2005 basically 62 percent of all the students in New Orleans were failing. They were not up to just basic educational levels in reading and math.

We had a terrible event happen, as many people will remember. In 2005 we had Hurricanes Katrina and Rita and the crashing of our levee system, the failing of our levee system, and 100 of our 146 public schools were virtually destroyed and remain unusable. Through the great efforts of local leaders, State leaders, and Federal leaders, and with FEMA's help and some new, out-of-the-box thinking, we were able to pool the money the Federal Government was going to reimburse each individual school and present one check to the city of New Orleans and the school board and the recovery district, and we have been building a new school system ever since. Charter schools are the foundation of that rebuilding.

It is quite extraordinary that in only 5 years, when you look at the same population, virtually—there have been some families who have not yet come back, but they are on their way; there have been some families who left and are not coming back—it is a population still of a great number of minority students and disadvantaged and lower middle-class students, as well as middle-class and some wealthy students in our public school system, and we have moved from 62 percent unacceptable to only 17 percent unacceptable in 5 years. I do not know of any other group of schools anywhere in the country that has made such remarkable gains. So when people question, do charter schools work, let me say that the evidence is in. Quality charter schools work. In every place they exist, they outperform even their suburban counterparts and in large measure suburban counterpart public schools that are among some of the best.

Many of these charter schools are in rural areas where there is not a lot of opportunity for White, Black, Hispanic, or Asian kids. Some of them are in intercities that do not have the same opportunities.

We, again, have taken 62 percent of our population who were underperforming and now it is only 17 percent.

As it says on this chart, I have in the Chamber, the New Orleans students' test scores demonstrate the first significant improvement in the city's history—a 30-percent increase—and, finally, closing the achievement gap between New Orleans' schools and State schools by more than 50 percent.

A Thomas B. Fordham Institute study ranked 30 major cities on six critical reform categories. New Orleans, I am proud to say, was ranked the No. 1 reform-friendly city in the country, followed by Washington, DC, New York, Denver, and Jacksonville.

But the great news is that there are cities and counties and States waking up to the exciting opportunities of education reform. We know that in America today, it should be unacceptable in some of our communities where 50, 60, 70 percent of our children are failing to get out of high school. We should be ashamed that even when some of our children walk across that stage and get that diploma that signifies they have graduated, they are leaving truly, in many places, without the skills to get the job that will give them a living or saving wage because our schools have been handing out diplomas that are not worth the paper on which they are written. That has to come to an end. That is what we are fighting for. That is what charter schools help us to do.

Now, is it possible for public schools that are not charters to achieve this success? Yes. And that is also happening. But I found in my own experience, trying to work with a system that was unwilling to make too much change, that charter schools provide the kind of competition and spark and challenge to an otherwise system that is run by a monopoly. This provides a diverse set of providers to education. It encourages new kinds of educators to come in as teachers. It gives the schools the freedom they need to make it work for the students who walk through that front door and want so desperately to walk across that stage with a diploma that means something and a future ahead of them.

I am proud to help lead this effort here in the Senate. I thank my colleagues for supporting this effort for the 12th year—a resolution commending high-quality charter schools in America.

Let me say in conclusion that we are not resting on our laurels. I have introduced a bill, along with others. Senator DURBIN and Senator KIRK have introduced a companion bill, if you will. Both bills are in an effort to take the bar even higher, to say to the country: Let's get rid of our low-performing charter schools. Let's focus on strengthening the authorizers of these charter schools. We do not want authorizers out there who are giving out

charters to run schools to people who have no idea what they are doing.

We do not want this movement to fail. We want this movement—we know it can be successful. We know it can be a real choice for parents. Think about it. Think about the value of a quality education. If you have to pay for it in the private sector, you are paying \$25,000 to \$30,000 a year in some of our communities. Maybe you are lucky enough to be in a Catholic school, an Episcopal school, where the tuition is subsidized and you can get the student in and out for \$6,000 to \$10,000 a year, but for many families with four children or five children, that is out of reach. They cannot possibly afford that. So having quality public schools is essential in every community in our country.

I believe that if we can do this in New Orleans, which is one of the poorest cities—not the poorest, but we struggle, as you know, in the city of New Orleans; we have a very broad demographic population—if we can do it here, trust me, it can be done anywhere with political will and with the support of your State and local governments, and, of course, the Federal Government.

So I am pleased to cosponsor the ALL-STAR bill, which is a grant program for growth and replication of high-quality charter schools, and to have introduced my own bill, the Charter School Quality Act. I am going to be working very closely with Senator HARKIN, who has been open in many ways to these new ideas, and working with him as we authorize the Elementary and Secondary Act, and be reminded of the great success charter schools are having.

Ultimately, we would like to have 100 percent of the public schools in the city of New Orleans be charters, with some of the most exciting charter providers, some of the best in the world operating our schools, challenging our kids, giving parents real choices where they want to send their kids based on the personalities of the children and the desires and dreams of that family. That is really what America is all about—competition, choice, and opportunity. We just are not quite doing enough in this regard in our country today. But perhaps the success of this movement can show us a way forward.

I thank the Presiding Officer, and I hope we can get that resolution adopted without further delay tonight. Again, I wish to congratulate everyone who has worked so hard on making this National Charter School Week a success here in DC, in our Nation's Capital, and around our country.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the amendment to the preamble which is at the desk be agreed to, the preamble, as amended, be agreed to, the motion to reconsider be

laid upon the table, with no intervening action or debate, and that any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 318) was agreed to, as follows:

Strike the 14th whereas clause.

The resolution (S. Res. 158) was agreed to.

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, was agreed to.

S. RES. 158

Whereas charter schools deliver high-quality public education and challenge all students to reach their potential;

Whereas charter schools promote innovation and excellence in public education;

Whereas charter schools provide thousands of families with diverse and innovative educational options for their children;

Whereas charter schools are public schools authorized by a designated public entity that—

(1) respond to the needs of communities, families, and students in the United States; and

(2) promote the principles of quality, accountability, choice, and innovation;

Whereas in exchange for flexibility and autonomy, charter schools are held accountable by their sponsors for improving student achievement and for the financial and other operations of the charter schools;

Whereas 40 States, the District of Columbia, and Guam have passed laws authorizing charter schools;

Whereas in 2011, close to 5,000 charter schools are serving more than 1,600,000 children;

Whereas in the past 17 fiscal years, Congress has provided a total of more than \$2,600,000,000 in financial assistance to the charter school movement through grants for planning, program design, initial implementation, replication, expansion, dissemination, evaluation, and facilities;

Whereas numerous charter schools improve the achievements of students and stimulate improvement in traditional public schools;

Whereas charter schools are required to meet the student achievement accountability requirements under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) in the same manner as traditional public schools;

Whereas charter schools often set higher and additional individual goals than the requirements of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) to ensure that charter schools are of high quality and truly accountable to the public;

Whereas charter schools—

(1) give parents the freedom to choose public schools;

(2) routinely measure parental satisfaction levels; and

(3) must prove their ongoing success to parents, policymakers, and the communities served by the charter schools;

Whereas more than 50 percent of charter schools report having a waiting list, and the total number of students on all such waiting lists is enough to fill more than 1,100 average-sized charter schools;

Whereas the 12th annual National Charter Schools Week is scheduled to be held May 1, through May 7, 2011: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the students, parents, teachers, and administrators of charter schools across the United States for—

(A) ongoing contributions to education;

(B) the impressive strides made in closing the persistent academic achievement gap in the United States; and

(C) improving and strengthening the public school system in the United States;

(2) supports the ideals and goals of the 12th annual National Charter Schools Week, a week-long celebration to be held May 1 through May 7, 2011, in communities throughout the United States; and

(3) encourages the people of the United States to hold appropriate programs, ceremonies, and activities during National Charter Schools Week to demonstrate support for charter schools.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed en bloc to the following resolutions which were submitted earlier today: S. Res. 166, 167, 168, and 169.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

S. RES. 166

Mr. LEAHY. Mr. President, I am pleased the Senate has once again passed a resolution commemorating our Nation's law enforcement officers and National Peace Officers Memorial Day. The Senate's official recognition of National Peace Officers Memorial Day is a tradition I am proud to support each year.

In 2010, 158 law enforcement officers died while serving in the line of duty. We honor their memory. Each year, we commemorate the bravery of the many law enforcement officers and peace officers who deserve our thanks and support. National Peace Officers Memorial Day is an opportunity to recommit ourselves to provide them with the tools they need to stay safe and to do their jobs as effectively as they can.

There are more than 900,000 men and women at work protecting our communities, our schools, and our children. They investigate and apprehend the most violent criminals and strive to keep our communities safe and secure. Since the first recorded police death in 1792, the names of 18,983 law enforcement officers who have made the ultimate sacrifice have been added to the National Law Enforcement Officers Memorial.

National Peace Officers Memorial Day provides the people of the United States, in their communities, in their State capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice year after year by those members of our police forces. More than 20,000 peace officers are expected to gather in Washington in the days leading up to May 15 to join with the families of their fallen comrades. It is right that the Senate show its respect on this occasion, and I am proud to honor their service and their memory.

S. RES. 169

Mr. REID. Mr. President, this resolution concerns a request for testimony and documents in an action before the Merit Systems Protection Board brought by the Social Security Administration against an administrative law judge in SSA. Among the matters for which SSA has brought this action against the administrative law judge is conduct by that administrative law judge during a visit with staff in the office of Senator LANDRIEU in April 2009.

Counsel for the administrative law judge against whom the action is brought has subpoenaed for deposition two employees of Senator LANDRIEU's office and also sought by subpoena the production of documents from Senator LANDRIEU's office.

Senator LANDRIEU would like to cooperate and make the employees available for depositions. Accordingly, this resolution would authorize Sheraz Hunter and Wes Kungel, the subpoenaed employees in Senator LANDRIEU's office, to testify at depositions in this matter. The resolution would also authorize production of relevant documents sought by subpoena, except where a privilege should be asserted, and would authorize representation by the Senate Legal Counsel of the two subpoenaed employees.

Mr. REID. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, that there be no intervening action or debate, and any statements related to these matters be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 166

(Commemorating May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe)

Whereas on December 11, 1941, 4 days after the Japanese attack on Pearl Harbor, Germany and Italy declared war on the United States;

Whereas on November 8, 1942, United States and Allied forces began Operation Torch, the invasion of North Africa;

Whereas German and other Axis forces in North Africa surrendered on May 13, 1943;

Whereas in July of 1943, United States and Allied forces landed in Sicily;

Whereas on September 8, 1943, Italy surrendered to United States and Allied forces, although German troops in Italy continued to fight until May of 1945;

Whereas more than 150,000 Allied soldiers landed in France on June 6, 1944, known thereafter as "D-Day";

Whereas on August 25, 1944, United States and Allied forces liberated Paris;

Whereas from mid- to late- December, during the Battle of the Bulge, United States troops heroically resisted a major German offensive in Belgium and France;

Whereas United States troops crossed the Rhine River at Remagen on March 7, 1945;

Whereas Germany surrendered unconditionally to the Western Allies at Reims on May 7, 1945, and to the Soviet Union on May 9, 1945, in Berlin;

Whereas during World War II, an estimated 292,000 members of the United States Armed Forces were killed in action and more than 400,000 members of the United States Armed Forces died; and

Whereas United States President Harry S. Truman declared May 8, 1945, "V-E day", the end of World War II in Europe, although war with Japan continued until August 14, 1945: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historic contribution made by United States veterans of World War II to human liberty and the safety of the United States and its allies;

(2) honors veterans who served in the European Theatre of Operations and elsewhere during World War II;

(3) remembers with gratitude the members of the United States Armed Forces who made the ultimate sacrifice during World War II; and

(4) commemorates May 8, 2011, as the 66th anniversary of V-E Day, the end of World War II in Europe.

S. RES. 167

(Recognizing the historical significance of the Mexican holiday of Cinco de Mayo)

Whereas May 5, or "Cinco de Mayo" in Spanish, is celebrated each year as a date of great importance by the Mexican and Mexican-American communities;

Whereas the Cinco de Mayo holiday commemorates May 5, 1862, the date on which the Battle of Puebla was fought by Mexicans who were struggling for their independence and freedom;

Whereas Cinco de Mayo has become one of the most famous Mexican national holidays and is celebrated annually by nearly all Mexicans and Mexican-Americans, north and south of the United States-Mexico border;

Whereas the Battle of Puebla was but one of the many battles that the courageous Mexican people won in their long and brave struggle for independence and freedom;

Whereas the French, confident that their battle-seasoned troops were far superior to the almost amateurish Mexican forces, expected little or no opposition from the Mexican army;

Whereas the French army, which had not experienced defeat against any of the finest troops of Europe in more than half a century, sustained a disastrous loss at the hands of an outnumbered, ill-equipped, and ragged, but highly spirited and courageous, Mexican force;

Whereas after three bloody assaults on Puebla in which more than a thousand gallant Frenchmen lost their lives, the French troops were finally defeated and driven back by the outnumbered Mexican troops;

Whereas the courageous and heroic spirit that Mexican General Zaragoza and his men displayed during that historic battle can never be forgotten;

Whereas many brave Mexicans willingly gave their lives for the causes of justice and freedom in the Battle of Puebla on Cinco de Mayo;

Whereas the sacrifice of the Mexican fighters was instrumental in keeping Mexico from falling under European domination;

Whereas Cinco de Mayo serves as a reminder that the foundation of the United States is built by people from many nations and diverse cultures who are willing to fight and die for freedom;

Whereas Cinco de Mayo also serves as a reminder of the close ties between the people of Mexico and the people of the United States;

Whereas in a larger sense, Cinco de Mayo symbolizes the right of a free people to self-determination, just as Benito Juarez once said, "El respeto al derecho ajeno es la paz" ("The respect of other people's rights is peace"); and

Whereas many people celebrate during the entire week in which Cinco de Mayo falls: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the historical struggle for independence and freedom of the people of Mexico; and

(2) calls upon the people of the United States to observe Cinco de Mayo with appropriate ceremonies and activities.

S. RES. 168

(Commemorating and acknowledging the dedication and sacrifice made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty)

Whereas the well-being of all citizens of the United States is preserved and enhanced as a direct result of the vigilance and dedication of law enforcement personnel;

Whereas more than 900,000 men and women, at great risk to their personal safety, presently serve their fellow citizens as guardians of the peace;

Whereas peace officers are on the front lines in protecting the schools and schoolchildren of the United States;

Whereas in 2010, 158 peace officers across the United States were killed in the line of duty;

Whereas Congress should strongly support initiatives to reduce violent crime and to increase the factors that contribute to the safety of law enforcement officers;

Whereas there are recorded 18,983 Federal, State, and local law enforcement officers who lost their lives in the line of duty while protecting their fellow citizens, and whose names are engraved upon the National Law Enforcement Officers Memorial in Washington, District of Columbia;

Whereas in 1962, President John F. Kennedy designated May 15 as National Peace Officers Memorial Day; and

Whereas on May 15, 2011, more than 20,000 peace officers are expected to gather in Washington, District of Columbia, to join with the families of their recently fallen comrades to honor those comrades and all others who went before them: Now, therefore, be it

Resolved, That the Senate—

(1) commemorates and acknowledges the dedication and sacrifices made by the Federal, State, and local law enforcement officers who have been killed or injured in the line of duty;

(2) recognizes May 15, 2011, as "National Peace Officers Memorial Day"; and

(3) calls on the people of the United States to observe that day with appropriate ceremony, solemnity, appreciation, and respect.

S. RES. 169

(To authorize testimony, documents and legal representation)

Whereas, in the case of *Social Security Administration v. Charlotte N. White*, No. CB-75211-11-0004-T-1, pending before the Merit Systems Protection Board, a subpoena for deposition testimony and document production has been served on Sherar Hunter and a subpoena for deposition testimony has been served on Wes Kungel, both employees in the Office of Senator Mary L. Landrieu;

Whereas, pursuant to sections 703(a) and 704(a)(2) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(2), the Senate may direct its counsel to represent employees of the Senate with respect to any subpoena, order, or request for testimony relating to their official responsibilities;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate may, by the judicial or administrative process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate may promote the administration of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That Sherar Hunter and Wes Kungel are authorized to testify and produce documents in *Social Security Administration v. Charlotte N. White*, except concerning matters for which a privilege should be asserted.

SEC. 2. The Senate Legal Counsel is authorized to represent Sherar Hunter, Wes Kungel, and any other individual in Senator Landrieu's office in this matter.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, pursuant to Public Law 100-696, appoints and reappoints the following Senators as members of the United States Capitol Preservation Commission: the Honorable RICHARD J. DURBIN of Illinois (reappointment), and the Honorable BEN NELSON of Nebraska (appointment) vice the Honorable MARY L. LANDRIEU of Louisiana.

MEASURE READ THE FIRST TIME—H.R. 3

Mr. REID. Mr. President, I believe there is a bill at the desk due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3) to prohibit taxpayer funded abortions and to provide conscience protections, and for other purposes.

Mr. REID. I ask for a second reading and, in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read a second time on the next legislative day.

ORDERS FOR MONDAY, MAY 9, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 9; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for debate only until 4:30 p.m., with Senators permitted to speak for up to 10 minutes each; that following morning business, the Senate proceed to executive session to consider Executive Calendar No. 62, and there be 1 hour of debate equally divided and controlled in the usual form; that upon the use or yielding back of time, the Senate proceed to vote on the motion to invoke cloture on the nomination.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, my colleague, who is a Member of the House of Representatives, DEAN HELLER, will, on Monday, at 2 o'clock p.m., be sworn in as a Senator representing the State of Nevada. It will take place in this Chamber at 2 o'clock, as I indicated.

The next rollcall vote will be at 5:30 p.m. on Monday. That vote will be a cloture vote on the nomination of James Cole, to be Deputy Attorney General.

ADJOURNMENT UNTIL MONDAY, MAY 9, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:15 p.m., adjourned until Monday, May 9, 2011, at 2 p.m.

EXTENSIONS OF REMARKS

HONORING CHANCELLOR HOWARD
COHEN AND PATRICIA COHEN

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure that I stand before you today to honor Purdue University Calumet (PUC) Chancellor, Dr. Howard Cohen and his wife, Patricia Cohen. On Saturday, May 7, 2011, Chancellor and Patti Cohen will be honored at an event for their many years of service in the field of education at Purdue University Calumet. Chancellor Cohen, with the support of Patti, has had a tremendous impact on numerous students and educators throughout Northwest Indiana and across the nation and their efforts are to be highly commended.

From 2001 to 2010, Patricia Cohen's commitment and partnership in support of her husband has been instrumental in the growth and development of Purdue University Calumet. Patti graduated summa cum laude with a bachelor's degree in nursing from the University of Wisconsin and also earned a master's degree in occupational therapy from Boston University. With her background in the medical field, Patti continues to share her knowledge with PUC and is a member of the PUC Honorary Nursing Organization: Sigma Theta Tau, Bet Mu Chapter. She is also a past member of the PUC Health and Wellness Committee. In addition, Patti has represented PUC on trips to universities in China, Poland, Spain, Oman, and Costa Rica. She has also established, planned, and hosted numerous campus and community events.

Howard Cohen is among less than a handful of academicians who I have dealt with over the last generation who I would describe as the "best." Howard has used his inestimable intellect to impart wisdom to others. His leadership has introduced permanent positive changes throughout Northwest Indiana and our state. His vision has provided all of us with a guide to an improved and gentler future.

Additionally, Chancellor Cohen's professional and academic career led him to become a prominent, innovative leader in the field of education. In 1966, he graduated summa cum laude with a bachelor's degree in philosophy from the University of Minnesota and went on to earn a master's degree and a doctoral degree from Harvard University. Since 2001, Dr. Howard Cohen has been Chancellor at PUC and also holds an appointment as Professor of Philosophy. Over the past ten years, Chancellor Cohen has dedicated his time and passion into making PUC the high quality, full-service university that it is today. PUC has expanded tremendously under the leadership of Chancellor Cohen. During his tenure, Chancellor Cohen has established student housing, constructed the

Academic Learning Center and established nine centers and institutes of applied research. Labeled his signature project, Chancellor Cohen was influential in the implementation of the innovative experiential learning initiative, a program that blends traditional learning with hands-on, applied learning, which is now a curriculum requirement for all students seeking a bachelor's degree.

In addition to their truly impressive devotion to education and to Purdue University Calumet, Howard and Patti passionately serve the people of Northwest Indiana through their involvement in numerous community organizations. They have been married since 1968 and have two beloved children and two grandchildren.

Mr. Speaker, at this time, I ask that you and my other distinguished colleagues join me in commending Chancellor Howard Cohen and Patricia Cohen. Their inspiration continues to fuel the future of education and their life work has provided exceptional new opportunities in Northwest Indiana and across the nation. For their selfless, lifelong commitment they are worthy of the highest praise.

CELEBRATING THE LIFE OF EVA
BLASZ EGRI AND THE MUSICAL
CONCERT "ZOCHRENU LECHIM"

HON. STEVE ISRAEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to honor Eva Blasz Egri, a Holocaust survivor whose spirit and strength serve as an inspiration to her family, friends, and her community.

Eva, a longtime friend of my constituent Len Romano, shared with him details of her tragic past in Auschwitz and the loss of her family during World War II. After returning to her home in Hungary after the War, Eva uncovered treasured songs that her father, Hazzan Shmuel Blasz, had given to a non-Jewish neighbor who risked his life to hide the precious music from the Nazis. Hazzan Blasz wrote these songs before the War when he served as chief cantor and musical composer for the Egr Jzr Temple in Hungary.

After uncovering these musical compositions in the basement of her home and keeping them to herself for decades, long after she moved to the United States, she recently decided to share these documents with Len.

I am proud to stand here today to honor Len and the distinguished cantors from the New York area who have worked hard to bring these songs to life by performing them in a concert at Temple Beth Sholom in Smithtown tonight.

Eva's resilience is a lesson to us all to find the hidden beauty in apparent tragedy and commemorate the lives and contributions of those whose lives were lost.

I applaud the efforts of so many in my district who have worked to bring Eva's music to the forefront and hold this special concert called "Zochrenu Lechim," Remember Us Unto Life.

HONORING MR. DENNIS KAHN

HON. BRIAN HIGGINS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. HIGGINS. Mr. Speaker, I rise today to commemorate Dennis Kahn, the 2011 Honoree for the American Cancer Society's Cuisine for the Cure Event, for his struggle in overcoming cancer and his remarkable contributions to the community I serve in Western New York.

Dennis, a highly regarded attorney, has dedicated his life to representing those facing significant challenges in their own lives and professions. Also a loving and devoted husband to Carrie and father to Max, Dennis exemplifies the strong values that make communities like Buffalo great.

Yet nothing could quite prepare Dennis for the challenge he faced in the fall of 2009, when he found out that he had stage 4 cancer in his parotid gland. Like so many other cancer patients, Dennis's diagnosis hit him like a ton of bricks. And after enduring surgeries and an aggressive radiation and chemotherapy regimen, we are lucky to have him here with us today to share his story and the lessons he has learned from it.

Like many other cancer survivors and their families, Dennis wants to give back and help others like him. The struggles of people with cancer are unique—not knowing whether your body is actively growing cells that will harm you can be sheer terror. To handle this amid all of life's normal challenges is overwhelming. Dennis's commitment to help other patients and survivors is notable, making him worthy of being honored at this year's Cuisine for a Cure event.

We need more advocates like Dennis to raise awareness about cancer in our communities. Let his story be a lesson to us, to inspire us, and to continue to fight to alleviate suffering due to cancer in our lifetime. I often say that cancer research is a continuum, and it needs to be maintained, and that we can't just stop and start. Advocates like Dennis remind us of this promise.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING THE AMERICAN PARKINSON DISEASE ASSOCIATION

HON. TOM MARINO

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. MARINO. Mr. Speaker, I rise today in honor of the Central Susquehanna Valley Chapter of the American Parkinson Disease Association.

The American Parkinson Disease Association helps over 1.5 million Americans who live with this progressive disorder of the central nervous system. This year, the APDA is celebrating its 50th anniversary, currently sponsoring 45 chapters which focus on local fundraising efforts and awareness, 55 information and referral centers which serve the needs of those with the disease and their caretakers, and over 1,000 support groups throughout the United States. The APDA has worked tirelessly over the past 50 years in fulfilling their mission to "Ease the Burden—Find the Cure" through research, patient and family services and education.

In conjunction with Geisinger HealthSouth, the Central Susquehanna Valley Chapter has hosted this Walk-A-Thon on Sunday May 1, 2011, to increase awareness across the state of Pennsylvania, and I am honored to be included in such a noble and selfless cause.

Mr. Speaker, I rise to recognize and honor those who work with the American Parkinson Disease Association. I commend the efforts of the Central Susquehanna Valley Chapter and Geisinger HealthSouth in hosting this Walk-A-Thon and advancing Parkinson's disease research across the country.

IN SPECIAL RECOGNITION OF LIO- NEL WAYNE MAGEE III FOR HIS APPOINTMENT TO ATTEND THE U.S. AIR FORCE ACADEMY

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. ALEXANDER. Mr. Speaker, it is with great pride that I rise today to pay special tribute to an outstanding young man who was selected to attend the U.S. Air Force Academy. Lionel Wayne Magee III will follow in his parents' footsteps by serving our country in uniform.

Magee, an 18-year-old senior at Seoul American High School on Yongsan Garrison, the Republic of Korea, is poised to attend the prestigious academy this fall. With him he brings an enormous amount of leadership and passion to the incoming class of cadets. While attending high school, Magee was committed to a range of extracurricular activities including varsity football, Taekwondo, National Honor Society, Boys State, Eagle Scout as well as numerous volunteer hours in support of the community.

Attending one of our Nation's military academies is an invaluable experience that offers a first-rate education while providing those who undertake it some of the most challenging and rewarding opportunities of their lives.

Mr. Speaker, I ask my colleagues to join me in congratulating Lionel Magee on his acceptance into the U.S. Air Force Academy and in extending their best wishes to him as he begins his service to our Nation.

TRIBUTE TO DR. RONALD FEINMAN

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. DEUTCH. Mr. Speaker, I rise today to honor Dr. Ronald Feinman, a constituent of mine from Boca Raton who will retire from teaching at the end of June after 39 years.

Dr. Feinman, a Senior Professor of History and Political Science at Broward College in Pembroke Pines, and an Adjunct Professor of History at Florida Atlantic University in Boca Raton, moved to South Florida in 1989 after teaching for 17 years in New York at Queens College, New York Institute of Technology, and Pace University. A graduate of Queens College, Dr. Feinman earned his PhD from the City University of New York Graduate Center in 1975.

A student of history from an early age, Dr. Feinman has dedicated his life and professional career to ensuring future generations grow up with an appreciation of American history, politics and government. This dedication is evident in the pure enthusiasm he shows for his students and the topics he professes, and the strong reputation he has established amongst his peers and his students is a direct result. He has developed strong friendships with many of his students throughout his teaching career, and some of them have taken him for as many as eight classes along their way to completing their degree.

The author of *Twilight of Progressivism: The Western Republican Senators and the New Deal, 1933–1945*, Dr. Feinman regularly contributes articles and book reviews in a wide range of academic journals, lectures on modern American topics throughout South Florida, and maintains a blog discussing daily political topics. While he is looking forward to retirement and having the opportunity to spend more time with his family and travel, after taking a year off, he intends to return to teaching part-time to continue doing what he loves.

Mr. Speaker, Dr. Ronald Feinman embodies the true essence of an educator and a role model for our younger generations. I know I speak not only for myself, but for the thousands of students whose lives he has positively impacted throughout the four decades of his career in congratulating him on his retirement and wishing him the best going forward.

PERSONAL EXPLANATION

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. BILIRAKIS. Mr. Speaker, on Wednesday, May 4th, I missed rollcall votes 286–292 for unavoidable reasons.

Specifically, I was in Tarpon Springs, Florida, in my congressional district, to attend the funeral of a close family member, who passed away earlier in the week.

Had I been present, I would have voted as follows: rollcall vote No. 286: "yea" (Adoption of H. Res. 237, the rule providing for the consideration of H.R. 3—No Taxpayer Funding for Abortion Act); rollcall vote No. 287: "yea" (Jackson-Lee Amendment No. 1); rollcall vote No. 288: "yea" (Capps Amendment No. 2); rollcall vote No. 289: "nay" (McCarthy Motion to recommit H.R. 1214); rollcall vote No. 290: "yea" (Passage of H.R. 1214, To Repeal Mandatory Funding for School-based Health Center Construction); rollcall vote No. 291: "nay" (Speier Motion to recommit H.R. 3); rollcall vote No. 292: "yea" (Passage of H.R. 3, No Taxpayer Funding for Abortion Act).

INTRODUCTION OF THE SMITHSO- NIAN MODERNIZATION ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. NORTON. Mr. Speaker, today, I introduce three bills to modernize the Smithsonian Institution and to enhance its governance and fundraising ability, in keeping with the recommendations of a number of experts, including the Smithsonian Independent Review Committee, chaired by former U.S. Comptroller General Charles Bowsher. This bill, the Smithsonian Modernization Act, makes changes to the Smithsonian's governance structure by expanding and changing the composition of its Board of Regents, from 17 members, which includes six Members of Congress, the Vice President of the United States, and the Chief Justice of the U.S. Supreme Court, to 21 members, comprised solely of private citizens. This change will strengthen both the Smithsonian's governance and fundraising capacity, and it is the first significant change in this old and revered institution since it was established in 1846. The second bill, the Smithsonian Free Admission Act of 2010, seeks to preserve the long-standing free admission policy for permanent exhibits at an institution that is largely funded by the federal government, as envisioned by James Smithson, its founder. Finally, the Open and Transparent Smithsonian Act of 2011 will apply the Freedom of Information Act and the Privacy Act to the Smithsonian in the same manner they apply to federal agencies.

The Smithsonian Institution is a unique and irreplaceable cultural, historical, educational and artistic complex without any public or private counterpart in the world. Since its founding, the Smithsonian has developed an extraordinary array of world-class museums, galleries, educational showplaces and unique research centers, including 19 museums and galleries, nine research facilities, the National Zoo, and the forthcoming National Museum of African American History and Culture, which has been approved by Congress and is now seeking funding from the private sector for construction. The Smithsonian has grown with donations from American culture and life, and

financial contributions, but most of its funding continues to come from federal appropriations. Despite receiving 70 percent of its funding from the federal government, the Smithsonian has long had serious infrastructure and other needs.

Congress must help the Smithsonian strengthen its ability to build resources beyond what taxpayers are able to provide. The most important step Congress could take today is to rescue the Smithsonian from its 19th century governance structure, which keeps it from accessing needed and available private resources and limits close and critical oversight. The Smithsonian Modernization Act bill provides a governance structure befitting the Smithsonian's unique complexity. In no small part, the difficulty the Smithsonian has faced results from limitations inherent in its antiquated governance structure. The existing structure may have fit the Smithsonian over 170 years ago, but today the structure has proven to be a relic that does a disservice to the Smithsonian. The present governance structure places immense responsibility on dedicated but overextended Members of the House and Senate, the Vice President of the United States and the Chief Justice of the United States Supreme Court. These federal officials comprise almost half of the Smithsonian Board of Regents, and must perform their fiduciary duties as board members while giving first priority to their sworn responsibilities as important federal officials.

In 2007, an independent review committee found that the Board had violated principles of good management during the tenure of the former Secretary of the Smithsonian, Lawrence Small, allowing him to create an "insular culture." The Committee's report indicated that the Board had failed to provide desperately needed oversight and had overcompensated Mr. Small. The report also found that Sheila P. Burke, the Smithsonian's then-deputy secretary and chief operating officer, had frequent absences from her duties because of outside activities, including service on corporate boards, for which she earned more than \$1.2 million over six years. Further, the Smithsonian's then-Business Ventures chief, Gary Beer, was dismissed for financial indiscretions. This unprecedented crisis, caused by unprecedented controversies and irresponsible risks, put into sharp focus the need for new revenue streams and for a modern governance structure. The first full-blown scandal in the Smithsonian's history, replete with embarrassing media coverage, damaged its reputation and perhaps the confidence of potential contributors. The poor judgment and overreaching of Smithsonian personnel during that period requires new and concentrated oversight by citizens for whom the Smithsonian would command priority attention.

The Board of Regents, of course, has taken some important action on its own. After irregularities were uncovered by the media, the Board responded to the controversies by creating a governance committee, chaired by Patty Stonesifer, a Regent and former chief executive officer of the Bill & Melinda Gates Foundation, with a mandate to comprehensively review the policies and practices of the Smithsonian and how the Board conducts its oversight of the institution. The Board also es-

tablished an Independent Review Committee (IRC), chaired by former U.S. Comptroller General Charles A. Bowsher, to review the issues arising from an Inspector General's report and the Board's response, and related Smithsonian practices.

The IRC was forthright in its investigation and recommendations. The IRC stated explicitly that the root cause of the problems at the Smithsonian was an antiquated governance structure, which led to failures in governance and management. According to the IRC, the Board must assume a fiduciary duty that carries a "major commitment of time and effort, a reputational risk, and potentially, financial liability." The IRC further argued that the Smithsonian, with a budget of over \$1 billion a year, must have a Board who "act as true fiduciaries and who have both the time and the experience to assume the responsibilities of setting strategy and providing oversight." The IRC cited a lack of clarity of the roles of the U.S. Vice President and Chief Justice of the U.S. Supreme Court on the Board, and said that "it is not feasible to expect the Chief Justice to devote the hours necessary to serve as a fiduciary agent." The same observation could be made of the Members of the House and Senate who serve on the Board. The IRC recommended that the Board increase the level of expertise and the number of members to ensure that the Regents have sufficient time and attention to dedicate to the Smithsonian.

The Smithsonian's own governance committee identified several Board weaknesses, concluding that the Board did not receive or demand the reports necessary for competent decision-making, that the staff whom the Board depended upon for oversight inquiries did not have direct access to information, and that the inability of staff to communicate red flags "crippled" internal compliance and oversight.

Only Congress, with the concurrence of the president, can amend the Smithsonian Charter. The last change to the Board's structure occurred over 30 years ago, but only to increase the number of private citizens on the Board from six to nine.

The number of Regents, however, is not the root problem. Although the bill expands the Board from 17 to 21 members, it, most importantly, brings the Board into alignment with modern public and private boards by requiring all Regents to be private citizens. The search for private funds by Smithsonian management was a major cause of the recent controversy. Faced with crippling budget problems, the Regents must be free to give new and unprecedented attention and energy to finding and helping to raise substantially more funds from private sources. The new structure envisioned by the bill will improve oversight and the capacity for fundraising from private sources. Unlike federal officials, private citizens are entirely free to assist in private fundraising. Most importantly, private citizens will have sufficient expertise to serve on the Board, and will be able to devote the personal time and attention necessary to fulfill the fiduciary responsibility that comes with serving such a venerable and complex institution.

The bill preserves and strengthens the traditional role of the Speaker of the House and the President of the Senate in selecting Board

members, while eliminating the self-perpetuating role of the Board in selecting private citizens for the Board. The Speaker of the House and the President of the Senate will each send 12 recommendations to the President of the United States, who will select the 21 members of the Board of Regents.

Considering the seriousness of the findings of the Board's own governance committee and of the IRC, the changes prescribed by the bill are nothing short of necessary. The reform of the fiduciary and governance issues that have brought public criticism to this iconic American institution must begin with the indispensable step of making the Smithsonian's governance consistent with that of similar institutions today. Only congressional attention can reassure the public that the controversies that recently besieged the Smithsonian will not recur. In the face of an unprecedented public controversy, Congress would be remiss if it left the Smithsonian to its own oversight and devices alone for improvement.

I urge my colleagues to support the bill.

IN RECOGNITION OF THE BLOCK HIGH SCHOOL CLASS OF 1961

HON. RODNEY ALEXANDER

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. ALEXANDER. Mr. Speaker, I rise today in recognition of the Block High School Class of 1961 as they celebrate their 50 year reunion. The alumni will observe this momentous occasion on Sunday, June 18, 2011.

The 1961 class was a cohesive and talented group who became doctors, nurses, elected officials, teachers, business owners, pharmacists, law enforcement personnel and investigators, and some have proudly served our country in uniform. Moreover, of the 43 classmates who graduated on May 18, 1961, only five are no longer with us.

This group of alumni is undoubtedly dedicated to each other, and they have gathered for several reunions throughout the decades since their graduation from the Jonesville, La. school. This reunion will surely be another success as they come together to commemorate each other and the significant and memorable occasions that have taken place throughout their lives.

Mr. Speaker, I ask my colleagues to join me in paying tribute to the Block High School Class of 1961 as they gather for their 50 year reunion. I know it will be a joyous celebration.

IN HONOR OF BISHOP ANTHONY M. PILLA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Bishop Emeritus Anthony M. Pilla, the 2011 recipient of the Shrine Church of St. Stanislaus' Four Eagles Award. Bishop Pilla is being honored for his many years of service

and commitment to the Saint Stanislaus community.

Bishop Anthony Pilla was born in Cleveland on November 12, 1932. He attended John Carroll University and went on to be ordained a Catholic Priest within the Cleveland Diocese in 1959. On June 30, 1979, Pope John Paul II named him Auxiliary Bishop of Cleveland. In 1980, he was named Apostolic Administrator of the Cleveland Diocese, and became the ninth Bishop of Cleveland on January 6, 1981. He was elected president of the National Conference of Catholic Bishops in 1995 and served in that position for three years. He served as Bishop until his retirement in 2006.

Bishop Anthony Pilla is being honored for his outstanding record of dedication to the Shrine Church of St. Stanislaus in Cleveland, Ohio. As Bishop of Cleveland, he advised Fr. William Gulas regarding the Church's renovations. He was responsible for achieving the Church's status as a shrine, thus opening the doors to thousands of visitors. He was instrumental in expanding Cleveland Central Catholic High School, which is located on St. Stanislaus Church's campus, and worked with community members on countless development and revitalization efforts. Even since his retirement, he has remained an active member of the St. Stanislaus community. For these reasons, the St. Stanislaus community is awarding Bishop Emeritus Anthony Pilla the Four Eagle Award, named for the legendary four eagles that protected the body of the martyred St. Stanislaus.

Mr. Speaker and Colleagues, please join me in honor and recognition of Bishop Emeritus Anthony M. Pilla as he receives the Four Eagles Award for his devotion and dedication to the parish and community of the Shrine Church of St. Stanislaus in Cleveland, Ohio.

RECOGNIZING NATIONAL TEACHER APPRECIATION WEEK

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to honor our nation's teachers during National Teacher Appreciation Week, which is being held this year May 1st-7th.

This is a time to express our thanks and admiration for the more than 3 million teachers in the United States. I encourage everyone to express their appreciation for those teachers who have touched their lives or the lives of their children.

Teachers are heroes in our communities, shaping the next generation of great minds. No great leader, scientist, or artist would be where they are today without the influence of caring and dedicated teachers.

Thurgood Marshall once said, "None of us got where we are solely by pulling ourselves up by our bootstraps. We got here because somebody—a parent, a teacher, an Ivy League crony or a few nuns—bent down and helped us pick up our boots."

There is perhaps no other occupation that influences the fabric of our society more than

teachers, and we are fortunate to have this week dedicated to recognizing their contributions.

I am particularly proud of our teachers from my home state of Texas—serving as motivators and mentors for our future leaders. I remain dedicated to working in Congress to ensure that Texas teachers and all teachers have the resources necessary to successfully prepare our Nation's youth for a successful future.

CONGRATULATING MATTHEW WICKS

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Matthew Wicks for being a first prize winner of C-SPAN's Student Cam competition. Matthew created a fantastic video entitled "After the Storm" which details the tragedy of one of the worst tornadoes in Iowa history. On May 25, 2008, the community of Parkersburg, Iowa was hit by an EF-5 tornado with winds of over 200 mph. This tornado destroyed the Parkersburg community.

Matthew's video highlights the successes and challenges faced by the Aplington Parkersburg community as they worked with the federal government to obtain disaster relief funding. Matthew did an excellent job of detailing the struggles of the Parkersburg community while seeking disaster funding. While the community did receive disaster relief funding, there are many challenges they still face today as they continue to work with FEMA.

Matthew's video illustrates the struggles that so many communities face when dealing with the aftermath of a natural disaster. I'm proud to have Matthew as one of my constituents and I congratulate him on his success. I wish him the best in his future endeavors.

COMMENDING THOSE RESPONSIBLE FOR THE OSAMA BIN LADEN OPERATION

HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. SIRE. Mr. Speaker, late Sunday night, we learned that the United States had successfully captured the mastermind behind the horrific attacks of September 11th, and today I rise to congratulate President Obama, the Navy SEALs, and all the men and women of our military and intelligence community on a successful mission. Osama bin Laden had been on the run for nearly 10 years, but in the end, he was not able to evade the tireless pursuit of the United States.

President Obama made the courageous decision to send U.S. Navy SEAL Team 6 on a mission to Osama bin Laden's compound in Pakistan, and within forty minutes, our ten year ordeal was ended. In this short period of time, the SEALs were even able to collect in-

telligence to further aid the United States in its ongoing fight against terrorism.

I commend the heroism of all those who participated in this expertly designed and executed operation, and I applaud President Obama's tough decision to move forward with this operation. Osama bin Laden has been brought to justice.

ON THE OCCASION OF THE RETIREMENT OF ANN COMISKEY FROM THE TROY COMMUNITY COALITION AFTER A DECADE AS EXECUTIVE DIRECTOR

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. PETERS. Mr. Speaker, I rise today to recognize Ms. Ann Comiskey on the occasion of her retirement from the Troy Community Coalition after nearly 10 years of dedicated and passionate service to the community as its Executive Director.

Ms. Comiskey's 38-year career has been one of advocacy and service for causes and programs which have impacted countless individuals in communities across Southeast Michigan. In her role with the Michigan Department of Social Services, Ms. Comiskey provided key support to many residents of Wayne County. After 10 years of dedicated service in that role, Ms. Comiskey then joined the Highland Park School District, where she worked with at-risk youth and adults to ensure they were able to complete their primary education via alternative programs. In her time with the School District, Ms. Comiskey demonstrated strong leadership skills, developing the Job Club program, which aided high-risk students in their professional development. As part of this work, Ms. Comiskey developed an in-depth knowledge of substance abuse treatment and prevention programs, which has greatly aided in her work with the Troy Community Coalition, when she joined in 2002 as its Executive Director.

As a Troy resident, Ms. Comiskey's service to her community began long before she joined the Coalition. Her volunteer work includes involvement in the Troy Chamber of Commerce and the Troy Women's Association, of which she is a Lifetime Member. In recognition and appreciation of her volunteer advocacy within the community, she was selected as Troy's Distinguished Citizen in 2000. Additionally, she also serves on the advisory board for the Michigan Nonprofit Association and is Co-Chair of the Prevention Coalition of Southeast Michigan.

In her role as Executive Director of the Troy Community Coalition for nearly the last decade, Ms. Comiskey has continued to build on the Coalition's nationally recognized track record of substance abuse prevention in the community. Under her leadership, the Coalition has continued to bring all sectors of the Troy community together to promote positive social norms and implement programs to advocate for changes which create a stronger and healthier substance free community. With her strong stewardship of the Coalition, Ms.

Comiskey has become nationally recognized within the substance abuse prevention community and in 2006 she was designated Advocate of the Year by the Community Anti-Drug Coalitions of America.

Mr. Speaker, I ask my colleagues to join me in recognizing the invaluable contributions Ms. Comiskey has made to both the residents of Troy and the greater community of southeast Michigan. While I know she will be sorely missed by all who work with her, she will undoubtedly have many years of productive volunteer service to our community to come.

RECOGNIZING THE NATIONAL DAY OF REASON

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. STARK. Mr. Speaker, I rise today to recognize Thursday, May 5, 2011 as the 2011 National Day of Reason.

The National Day of Reason, observed by millions of people in this country and around the world since 2003, celebrates the application of reason and the positive impacts it has had on humanity. Reason and rational discourse have the power to improve living conditions around the world and cultivate intelligent, moral, and ethical interactions among people.

Reason and rational thinking have made our country great. The Constitution of the United States of America is based upon the philosophies developed during the historical Age of Reason and the idea that citizens engaging in rational discourse and decision-making can govern themselves. The Constitution also contains a strong separation of church and state, making it clear that government should continue to be built on reason.

Our nation faces many problems—ending two wars, creating jobs, educating our children, tackling our budget, and protecting our safety net. Although the gravity of these issues may drive many to prayer, the way we will solve them is through the application of reason.

The National Day of Reason is also about taking time to improve our communities—whether that means holding a blood drive or collecting items for the local food bank. It is also about ensuring that our government represents citizens of all beliefs and backgrounds.

I encourage everyone to join in observing this day and focusing upon the employment of reason, critical thinking, the scientific method, and free inquiry to the resolution of human problems and for the welfare of human kind. It is the duty and responsibility of every American to promote the development and application of reason.

IN REMEMBRANCE OF MR. ROBERT FOULKROD

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in remembrance of Mr. Robert M. Foulkrod, a

writer, life coach, and spiritual awakening researcher who passed away on May 2, 2011.

Mr. Foulkrod was born on May 8, 1924 in State College, Pennsylvania. He eventually moved to Dover, New Hampshire where he attended high school. After high school, Robert served with the U.S. Army, climbing the ranks from private to sergeant. He later earned his bachelor's degree in mechanical engineering at University of New Hampshire in 1961. Upon completing his education, Robert again joined the armed forces and served with the U.S. Air Force as a lieutenant performing research on aircraft armament systems.

Robert had very successful careers in electronic engineering and career counseling. As a mechanical engineering section manager with Sanders Associates, Inc., Mr. Foulkrod researched, designed and produced several new technologies and systems. During his tenure as an electronic engineer Robert was a member of the Institute for Electrical and Electronics Engineers and the American Society of Mechanical Engineers. After years as an electronic engineer, Robert changed careers and began working for Honeywell Computer Company as their hospital systems marketing manager. As marketing manager, he developed and performed inspirational training to hospital computer systems salespeople.

Later, Mr. Foulkrod would work as a career change counselor with Bernard Haldane Associates. He served as a personal coach to people aspiring to change career paths. In addition to his influence as a counselor, Mr. Foulkrod was a revered researcher in spiritual awakening. He dedicated years of his life to research and published several articles with the United States Psychotronics Association. He also authored a number of books on the subject including Visit Boosting Friends and The Game of Awakening.

Mr. Speaker and Colleagues, please join me in remembrance of Mr. Robert M. Foulkrod, who served the country bravely and inspired many throughout his life. I offer my condolences to his life partner, Barbara Hero, three children, family, and friends.

HONORING MR. TOM BRIAN'S DISTINGUISHED CAREER

HON. DAVID WU

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. WU. Mr. Speaker, I rise today to pay tribute to Tom Brian, former Chair of the Washington County Board of Commissioners. Chair Brian retired after 12 years with Washington County, Oregon, and more than 30 years of service to our community.

Tom embarked on an exemplary term as Chair of the Washington County Commission in 1998. Over the next 12 years, Tom spearheaded numerous projects, including the establishment of L.L. "Stub" Stewart State Park and the opening of the Westside Express Service (WES) Commuter line. Tom was a noted listener and consensus builder who focused on the needs of his constituents and worked tirelessly to address their issues. He approached his work with integrity and a true sense of dedication.

Tom's foresight helped make Washington County an attractive place to live and do business. His leadership on projects like the Scoggins Dam raise will be missed. Tom has encouraged and empowered his community to continue the work he started and I know his spirit of service will continue to inspire all citizens of Washington County.

Former Oregon Governor Tom McCall said, "Heroes are not giant statues framed against a red sky. They are people who say, this is my community, and it is my responsibility to make it better." Tom Brian truly is an American hero, for he has devoted much of his life to making his community better.

It is an honor to recognize Chair Brian for his service and for providing a heroic example to us all.

REMEMBERING FIRE CHIEF MATT AKER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. PENCE. Mr. Speaker, I rise with a heavy heart to honor the tragic loss of Fire Chief Matt Aker of Portland, Indiana.

Chief Aker began his career in public service as a volunteer with the Portland Fire Department in July of 1997. He joined the force full time in 2002, was appointed Assistant Fire Chief in 2005, and then served as Fire Chief.

Chief Aker's list of accomplishments and certifications are extensive and include: EMS-First Responders, Fire Inspector I and II, Fire Investigator I, Technical Rescue Awareness, Fire Officer I, Ice Rescue, Rope Rescue, Hazardous Material Incident Command, Hazmat 1st Responder Awareness and Operations, ECI Fools, American Heart Association CPR and AED, Chairman of Membership of IFCA, Adhoc with ceremonies at Emergency Conferences, Portland's Representative for DPC, District 6 Co-Chair for Fire Task Force Element and Jay County's Representative to Region 6 Fire Training Council.

He was also the Captain of the Jay County Sheriff Reserves, a member of Emergency Response Team, the Portland Rotary Club, the Portland Morning Optimists and the American Red Cross.

In the midst of such tragedy, let us pray for God's comfort for the Aker family and cling to the words of the Good Book which says that "in all things God works for the good." I offer this comfort and my deepest condolences to Chief Aker's wife Brooke; parents, Mike and Linda Aker; Grandmothers, Maxine Aker and Rosie Hutchens; two brothers, Brad and Chad Aker; sister, Lori Ferguson; and his nine nieces and two nephews.

LINDSEY BUXMAN TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. TIPTON. Mr. Speaker, it is an honor for me to rise and pay tribute to a young lady who

has exhibited a desire to improve her community and empower the arts for future generations. Lindsey Buxman, of Pueblo, Colorado was one of 100 young people in the United States to be honored by the Prudential Spirit of Community Program for community service.

Lindsey Buxman, a student at Pueblo Centennial High School and an avid dancer, took it upon herself to create a fundraiser to restore the stage at Memorial Hall Theater. Lindsey brought her plan before Pueblo City Hall, and found that the whole theater was in danger of being torn down if enough money could not be raised for a complete renovation. This is when Lindsey decided that she was going to take action to make sure the total restoration of the Memorial Hall Theater would become a ballot initiative. Lindsey, with the help of fellow students and dancers, gave speeches and obtained signatures to ensure that an initiative to restore the theater made it on the ballot.

Lindsey Buxman has fully given herself to her community and her love of the arts, and in doing so she has shown exceptional leadership qualities.

Mr. Speaker, I applaud the efforts of young Lindsey Buxman to enhance her community, and I encourage all of America's youth to follow her lead and get involved in their communities.

HONORING BARBARA ANN KAZEN

HON. HENRY CUELLAR

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. CUELLAR. Mr. Speaker, I rise today to honor the contributions of the late Barbara Ann Kazen, former President of the Bethany House in Laredo, Inc., a settlement house for the homeless and indigent in Laredo, Texas. Mrs. Kazen served the community by dedicating herself to charitable, cultural and civic organizations.

Mrs. Kazen was born on January 3, 1941 in Abilene, Texas to Virginia Lee Lively and James Lee Sanders, a humble family of ranchers. She lived much of her life in Albany and Texarkana, Texas. She passed away surrounded by her close family and friends on March 15, 2011 after a courageous fight with cancer. She graduated from Texas High School in 1959 and continued her education at Texas Christian University and the University of Texas at Austin as a Latin and Ancient History major. She continued to pursue her interests in communication by attending Laredo Junior College to study journalism, languages, and Food and Beverage Management. At UT Austin, Mrs. Kazen met her husband, U.S. District Judge George B. Kazen. She is survived by her husband, children and grandchildren.

Mrs. Kazen's career is both a multifaceted and praiseworthy one. Her professional career includes working as a hostess and producer of the shows High Noon, Profile, and Consumer Report. She also served as director of catering and sales at both La Posada Motor Hotel and the Laredo Country Club. Most importantly, Mrs. Kazen's devotion to community, church and charitable work is truly commendable. She led Bethany House of Laredo, Inc. as

president from 1996 until 2011; and also served as vice-president of the American Cancer Society. Moreover, she contributed to cultural and civic organizations such as the Laredo Civic Ballet Association, the Laredo Little Theatre, and Ruthe B. Cowl Rehabilitation Center by serving on the Board of Directors at each of these institutions. She was also an active member of the Society of Martha Washington, a debutante presentation in Laredo, serving as publicity chair, historian, and second vice-president. She further illustrated her commitment to charitable work as a founding Charter Member of the Laredo Homeless Coalition and her dedication to the Blessed Sacrament Parish.

Mrs. Kazen was recognized by many organizations for her many contributions to the community. These recognitions include the American Cancer Society's "Award for Outstanding Service" in 1971, the Laredo March of Dimes "Lady of the Year" in 1978, and the Laredo Seven Flags Rotary Club's, "Paul Harris Fellow" in 2000. Her commitment to the city of Laredo was invaluable.

Mr. Speaker, I am honored to have had this time to recognize the late Barbara Ann Kazen. She proved herself to be indispensable for her dedication to charitable work and the betterment of the state of Texas and Laredo. Her example is an inspiration for us all.

CONGRATULATING HIGH SCHOOL ARTISTS FROM THE 11TH CONGRESSIONAL DISTRICT OF NEW JERSEY

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, once again, I come to the floor to recognize the great success of strong local schools working with dedicated parents and teachers. I rise today to congratulate and honor a number of outstanding high school artists from the 11th Congressional District of New Jersey. Each of these talented students participated in the 2011 Congressional Arts Competition, "An Artistic Discovery."

Their works of art are exceptional.

Seventy-six young men and women participated. That is a wonderful response, and I would very much like to build on that participation for future competitions.

Mr. Speaker, I would like to congratulate the three winners of our art competition. First place was awarded to Andrea Ibarra from Ridge High School for her work, "Max." Second place was awarded to Grace Cheung from Ridge High School for her work, "Journey Through Equus." Third place was awarded to Rachel Fico from Madison High School for her work, "Within Reach."

Honorable Mentions were awarded to: Alexi Corham from Montville Township High School for her work, "Alter Ego;" Jacob DeBoer from Pequannock High School for his work, "Venison Stew;" Kasia Kalemba from Boonton High School for her work, "Gone But Still Here;" Lillian Thomann from James Caldwell High School for her work "The Metro."

Mr. Speaker, I would like to recognize each artist for their participation by indicating their high school, their name and the title of their contest entries for the official RECORD.

Boonton High School: Kasia Kalemba, "Gone But Still Here;" Zenab Khan, "The Dreams Within A Dream;" Samantha Kutnik, "Packanack Lake, NJ;" Rosalita Smith, "America Works."

Bridgewater-Raritan High School: Nicole Thomas, "Bella."

Chatham High School: Zakary Blake, "Weight;" Antonia Chan, "Carnival of Hearts;" Brittany Leonard, "Nirvana."

Dover High School: Christian Aroca, "My Culture;" Gissell Gonzalez, "My Heritage;" Angela Perkins, "Celebration;" Ying Jing Zheng, "Pride Before Destruction."

Hopatcong High School: Jara Werner, "The Faces of Money."

James Caldwell High School: Angela Filan, "The Rebel Within;" Lillian Thomann, "The Metro."

Livingston High School: Christina Furman, "Never Forget;" Joanne Horng, "And then they invented satellites;" Kiley Mannion, "Freedom;" Danielle Stecki, "Faded Glory."

Madison High School: Amanda Evans, "Zen;" Rachel Fico, "Within Reach;" Amy Lando, "Buddy;" Vendela Larsson, "Chloe."

Millburn High School: Monica Carty, "Up Close Gallery;" Annie Dolan, "Edith & John;" Emily Draper, "Tidal;" Chanthia Ma, "Winter Solstice."

Montville Township High School: Dillon Chen, "42nd Street;" Alexi Corham, "Alter Ego;" Victoria Eng, "Indonesian Still Life;" Minjoo Kim, "Abandoned Sisters."

Morris Catholic High School: Gianna Riccardi, "Alice;" Jana Marie Cariddi, "I'm Alive;" Carissa Kelly, "Joe Ufer Goes to Say Anything;" Alexander Kuchta, "Safe Sex;" Ciara Mesevage, "Stressed."

Mount Olive High School: Sarak Berek, "Untitled;" Felix Izquierdo, "Japanese Dream;" Dia Saito, "Skyliner;" Lauren Wisniewski, "Sub-conscious."

Oak Knoll School of the Holy Child: Maclain Riccardi, "Oak Leaves;" Tian Mauer, "Room With A View;" Abigail Rollenhagen, "Sunken Ship."

Parsippany Christian School: Jessica Carducci, "Love Is All Around;" Troy Costa, "A Mother's Love;" Austin Dimare, "Dream in Color;" Mariah Urban, "Mademoiselle."

Parsippany High School: Ashley Del Rio, "Untitled."

Pequannock Township High School: Stephanie Baryla, "Angry Man;" Rachel Ciavarella, "Red Peppers;" Jacob De Boer, "Venison Stew;" Emily Grimaldi, "Love is Just Another Weapon."

Pope John XXIII High School: Meredith Cahill, "Will you play with me?" Michelle Puglio, "Maura."

Ridge High School: Benjamin Callahan, "Survive;" Grace Cheung, "Journey Through Equus;" Andrea Ibarra, "Max;" Mike Sommer, "Not Today."

Roxbury High School: Jimmy Le, "Details in Lines;" Jonathan Melicharek, "One word spoken, one decision made, one life taken;" Ariel Mizrahi, "I'm Shattered;" Ashley Wolff, "C.C. Self Portrait."

Sparta High School: Jessica Ciona, "Blue Shoe;" Sydney Liebman, "Missy's Stare;"

Meghan Salmeri, "Spring in Washington;" Stephen Vocaturo, "Montego."

Veritas Christian Academy: Ionela Corforte, "Complex Simplicity."

Watchung Hills Regional High School: Sophie Armenante, "Orchid;" Sofia Lizza, "Organic;" Lauren Merrill, "Great Swamp 2011;" Carolyn Thornton, "Avonlea."

West Morris Mendham High School: Carolyn Aluotto, "Crystal Cantata;" Genevieve Asselin, "Applause;" Dana Barlock, "Cradel Us;" Hannah Lang, "Ocean Treasures."

Whippany Park High School: Run Wang, "Secret Letters."

Each year the winner of the competition has their art work displayed with other winners from across the country in a special corridor here at the U.S. Capitol. Thousands of our fellow Americans walk through the exhibition and are reminded of the vast talents of our young men and women. Indeed, all of these young artists are winners, and we should be proud of their achievements so early in life.

Mr. Speaker, I urge my colleagues to join me in congratulating these talented young people from New Jersey's 11th Congressional District.

NATIONAL TRAIN DAY RESOLUTION

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. BROWN of Florida. Mr. Speaker, today I am introducing legislation supporting the goals and ideals of National Train Day. National Train Day is on May 7th and celebrates the long history and critical importance of rail in the United States.

In May 1869 the "golden spike" was driven into the final tie at Promontory Summit, Utah, ceremonially completing the first transcontinental railroad and therefore connecting both coasts of the United States. Suddenly, the country was united in a way it never had been and the sound of a train whistle was the soundtrack of happy reunions and tearful farewells. It heralded the arrival of mail, supplies and change. The train station became a focal point of every community, from New York City's Pennsylvania Station to the tiny stations that dotted rural America.

Today, passenger and freight service are increasing dramatically, making this a perfect time to celebrate the strength of the railroad industry and passenger rail service in the United States. For many rural Americans, Amtrak represents the only major intercity transportation link to the rest of the country.

Indeed, Amtrak ridership and revenue have never been stronger. During 2010 Amtrak welcomed aboard more than 28.7 million passengers, the largest annual total in Amtrak's history. An average of more than 78,000 passengers rides more than 300 Amtrak trains per day.

We are experiencing a renaissance in passenger rail in this country, and if we want to keep up with our international competitors, we need to make a significant investment in passenger and high-speed rail. I've advocated for

and support a dedicated source of funding for rail and would encourage the committee to include a minimum of \$50 billion dollars for high-speed and intercity passenger rail over the life of the bill. Compared to the funding levels in the overall bill and the money being spent in other countries on rail, \$50 billion is a drop in the bucket.

Although we have some very small thinking Governors, support for high-speed rail is still high. The FRA received more than 90 applications from 24 states, the District of Columbia, and Amtrak for the \$2.4 billion that Florida just gave up. The requests total nearly \$10 billion dollars.

Finally, I want to thank the hard working men and women who work at Amtrak and make it possible for millions of Americans to get to work, travel for business, and visit friends and relatives.

A TRIBUTE TO LILLIAN JOST ON THE OCCASION OF HER 100TH BIRTHDAY

HON. DANIEL E. LUNGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I rise today to recognize and honor my constituent, Lillian Mohr Jost, who will be 100 years old on May 8th. She is a remarkable woman and a proud American who has lived through, and participated in, many of our nation's most important events over the last century. Ms. Jost grew up in New York City, where her father and grandfather built pipe organs, including the one for the Centennial Exhibition in Philadelphia in 1876. Thomas Edison recruited her uncle to refine the lead composition for his new invention, the phonograph. Ms. Jost remembers the glorious night in her childhood when electricity replaced the gas lamps on the streets of New York City.

When she was nine, she walked her mother (who was blind) to the polls for the first time—women having just that year gained the right to vote. Three years later, visiting Washington, D.C., with her parents, she read a small sign in a shop window that said, "The President has died of apoplexy." In the next few days, she witnessed the arrival at Union Station of the already-sworn-in President Calvin Coolidge and the solemn pomp of Warren Harding's presidential funeral.

Ms. Jost graduated from Vassar College in 1932 and went on to Columbia University to become a librarian—this service would become her life's work. A passionate American, she took up flying lessons when World War II broke out, with the goal of joining the Women's Army Air Corp. Although the War, and the need for women pilots, ended before she achieved her desire, she was inducted into the Ninety Nines, that illustrious group of female pilots founded by Amelia Earhart.

As a member of the Civil Air Patrol, Ms. Jost drove the Military Brass when they arrived in New York from the battle front to be debriefed. She met her beloved husband Elmer at a military ball of the Old Guard of the City of New York, where he, too, appeared in

Civil Air Patrol uniform. Their love brought forth four daughters, 16 grandchildren, 26 great grandchildren and a growing number of great-great-grandchildren.

As she turns 100, Ms. Jost remains devoted to her country, her church, to America's parks and wilderness, and to animal causes everywhere. She continues to be optimistic about the future, and is always vigilant for new things to learn and new adventures on which to embark. She recently took up the practice of yoga; she is an avid solver of crossword puzzles; and she keeps vigilant watch over the deer and other wildlife that frequent the yard of her Fair Oaks, California, home. She truly embodies the best of the American spirit. Congratulations, Lillian Jost!

RECOGNIZING THE LIFE AND PUBLIC SERVICE OF DARLENE JENSEN

HON. DEVIN NUNES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. NUNES. Mr. Speaker, I rise today to recognize the life and work of Darlene Jensen, who passed away on April 13, 2011. Darlene was a legendary Tulare community leader. In fact, she was named Tulare Woman of the Year in 1993. For many people, Darlene was Tulare Woman of the Year, every year.

Darlene lived in Tulare her entire life. She was born on January 20, 1948, and attended Tulare Western High School and the College of the Sequoias before beginning a career in banking. She started at Security Pacific National Bank and worked for almost 20 years at the downtown Tulare branch of Wells Fargo, becoming a "Star Manager."

Many people will remember Darlene as the manager of Wells Fargo. But many more will remember her lasting contribution to the community of Tulare. At the time of her death, Darlene was president of the Tulare Improvement Board and vice-president of the Board of Utilities. For her public service, she was named Legislative Woman of the Year in 2001. She was also active in the St. Aloysius Catholic Church, Our Lady of Fatima Celebration, and past-president of the Lions Club.

This only begins to tell part of the story of Darlene's commitment to the people of Tulare. Her energy was prodigious. There were few groups, clubs, or events in Tulare in which Darlene was not in some way involved. They all benefited from what has been called the "Darlene touch." For example, one of her favorite events was the downtown Tulare Christmas Tree Lighting, where she and her mother, Agnes, would cook upwards of 5,000 cookies to give away.

For 63 years Darlene Jensen represented the best of Tulare. Everyone she knew was affected by her commitment to public service and passion for Tulare. She leaves behind a legacy that will be hard to equal. The people of Tulare will miss Darlene for years to come.

INTRODUCTION OF THE SMITHSONIAN FREE ADMISSION ACT OF 2011

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. NORTON. Mr. Speaker, today, I introduce the Smithsonian Free Admission Act, to reinforce 170 years of consistent Smithsonian policy of admitting the public to all permanent exhibits without charge. This policy has served the nation well. Families come to Washington to learn about their country through its public monuments and sites. While the private amenities here can be costly for the average family, Americans have looked forward to the free museums and other official offerings for generations. The Smithsonian's free admission policy reflects the intent of its founder, John Smithson, whose gift to the Federal Government carried the condition that the Smithsonian be established to increase the knowledge of the public, free of charge. The bill establishing the Smithsonian, introduced by Senator William C. Preston on February 17, 1841, stated explicitly that the Smithsonian would "preserve and exhibit with no fee" all works of art and science. This intent and tradition was interrupted without notice to Congress by the Smithsonian's Board of Regents with its casual comment that the Smithsonian would charge an admission fee for a permanent exhibit for the first time in its history, and on February 14, 2008, the Smithsonian opened the National Museum of Natural History's Butterfly Pavilion, a permanent exhibit, and instituted a fee for admission. Congress, of course, not the Board of Regents, should decide so basic a policy, especially when it departs from long-standing public policy. The admission fee for the Butterfly Pavilion sets a harmful precedent for future permanent exhibits, making it difficult to deny other Smithsonian entities from charging a fee and possibly encouraging other Smithsonian entities to structure their exhibits to fit the Butterfly Pavilion model.

The Butterfly Pavilion opened on February 14, 2008. Although the Smithsonian had previously charged fees for films and shows, the National Air and Space Museum's Planetarium, and the National Zoo's Christmas Lights special, the \$6 admission fee for the Butterfly Pavilion marked the first time an admission fee was charged for a permanent exhibit. My bill requires a report to Congress in advance of any proposed admission fees for permanent exhibits and requires the Secretary of the Smithsonian to submit a plan for funding the Butterfly Pavilion without an admission fee.

The Smithsonian Modernization Act, which I am also introducing today, addresses the Smithsonian's fundraising capacity by restructuring and expanding the Smithsonian's Board, from a board almost half of whose members are public officials to a board consisting solely of private citizens, who will have greater experience and fundraising capacity than public officials.

The Smithsonian Modernization Act and similar measures, not admission fees, provide

the most realistic vehicles to raise funds for the Smithsonian without cost to the government or to the public. Admission fees can bring in only token amounts. According to CRS, the Smithsonian has long prided itself on "free access." Admission fees are not the answer for taxpayers, who have already paid through the Federal Government's 70 percent contribution to this public institution's annual budget. Federal taxpayers do not expect to pay again through an admission fee to a federally-financed institution.

I urge my colleagues to support this bill.

IN RECOGNITION OF C.L. THOMAS, SR.'S 10TH ANNIVERSARY AS PASTOR OF ELIZABETH MISSIONARY BAPTIST CHURCH

HON. MIKE ROGERS

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. ROGERS of Alabama. Mr. Speaker, I would like to pay tribute to C.L. Thomas, Sr.'s 10th anniversary as pastor of Elizabeth Missionary Baptist Church in Mathews, Alabama.

Calvin L. Thomas, Sr. is the youngest of nine children and is the fifth son of James and Anna Thomas. He had the privilege of growing up in a spiritual and loving home where discipline was taught, house rules derived from biblical lessons and mother-wit was put in place that required particular actions and reactions.

His employment began at Winn-Dixie Stores at the age of 16 and at age 21 he was promoted to Assistant Manager. At 22, he pursued a career as an insurance agent at North Carolina Mutual. At 25, he was promoted to District Sales Manager in charge of two large cities, Montgomery and Birmingham, and was one of the youngest to achieve this goal.

Calvin's desire was to have his own business, so in 2000 he started T & T Insurance Group. In 2007, he founded the Kingdom Investors where he serves as President and CEO.

He has served as Deacon and Chairman of the Deacon Board of the Elizabeth Missionary Baptist Church. In 1999, God called him to the Ministry to preach at Elizabeth Missionary Baptist Church in February 2001 and was installed as Pastor on May 6, 2001.

He attended Samford University from 2000–2003, receiving a certificate in Christian training and doctrine of the books of the Bible. He studied the Principles of Communication, Prayer and Righteousness and Sermon preparation and preaching at Fresh Anointing International School of Ministry.

I congratulate Mr. Thomas on his 10th year as the pastor of Elizabeth Missionary Baptist Church and thank him for his service to the Mathews area.

ONGOING VIOLENCE IN SYRIA

HON. GARY C. PETERS

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. PETERS. Mr. Speaker, I rise today to express deep concern about the unfolding humanitarian crisis in Syria. People all over the world have watched with awe as democratic movements in Tunisia, Egypt, and Libya have risen up against autocratic and corrupt regimes. We have witnessed humanity at its best, as people have shown the courage and bravery to peacefully protest in the face of violence. We have also unfortunately witnessed humanity at its worst, as desperate governments have lashed out in an effort to preserve their rule.

The Syrian government has historically been one of the most repressive in the Middle East, so it should be no surprise that the Syrian people have protested the many abuses they are subjected to. Hundreds of those protesters have tragically been killed at the hands of Syrian government forces, and thousands more have been detained. The human rights violations of the Syrian government must be condemned and the Syrian people should be allowed to exercise their fundamental freedoms.

These recent violations, as well as the Syrian regime's longstanding record of infringing on human rights, should raise grave concerns that many nations have embraced Syria's candidacy to sit on the U.N. Human Rights Council. The Syrian regime lacks any moral authority to protect human rights and its election to the U.N. Human Rights Council would mock the rebuke it just received from the same institution. If the United States and other nations are serious about protecting human rights, we will block Syria from sitting on the U.N. Human Rights Council as long as the current government is in place.

BRETT STEARNS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Brett Stearns of Craig, Colorado. Mr. Stearns was an engine captain for the Bureau of Land Management and worked tirelessly to protect the natural beauty of Colorado.

It was while working in fire prevention at the Freeman Reservoir that he tragically passed away. He was, by all accounts, an excellent firefighter and his presence will be missed. Captain Stearns was an avid outdoor enthusiast from a young age and working for the BLM was a natural position for him. He worked hard to preserve the forests and open spaces of Colorado.

The Captain could often be seen running his favorite trail, which has since been renamed the Stearns Memorial Trail. It is a fitting tribute to someone so closely involved with his community and its outdoor recreation. The trail serves as a reminder of the sacrifices made by those who protect our open land.

Mr. Speaker, it is an honor to recognize Captain Brett Stearns today. His impact on the community has been immense, and his efforts to protect Colorado's outdoor beauty contribute to its pristine state.

HONORING WILLIAM F. ALLEN, JR.

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize William F. Allen, Jr. William is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 388, and earning the most prestigious award of Eagle Scout.

William has been very active with his troop, participating in many scout activities. Over the many years William has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, William was the first in his troop to earn the Conservation Badge. William has also joined the Tribe of Mic-O-Say and joined the Order of the Arrow.

Mr. Speaker, I proudly ask you to join me in commending William F. Allen, Jr. for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

PERSONAL EXPLANATION

HON. SAM JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. SAM JOHNSON of Texas. Mr. Speaker, unfortunately this week I was unable to participate in several votes. Had I been here I would have voted the following way:

H.R. 1213—Repeal mandatory funding provided to States in the Patient Protection and Affordable Care Act to establish American Health Benefit Exchanges—AYE

H.R. 1214—Repeal mandatory funding for school-based health center construction—AYE

H.R. 3—No Taxpayer Funding for Abortion Act—AYE

H.R. 1230—Restarting American Offshore Leasing Now Act—AYE

A TRIBUTE TO LIEUTENANT GABRIEL HAUGLAND

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of Lieutenant Gabriel Haugland of Clear Lake, Iowa who recently received the Combat Infantryman Badge for his service in the Iowa Army Na-

tional Guard during Operation Enduring Freedom.

The Combat Infantryman Badge (CIB) was established on October 7, 1943 by the U.S. War Department. It is awarded to those soldiers who personally fought in ground combat while assigned to either an infantry or a Special Forces unit.

Lieutenant Haugland, a graduate of the University of Iowa and Drake University Law School, joined the Army National Guard in May of 2004. He recently returned from serving a deployment in Afghanistan with Bravo Company, 168th Infantry Battalion. His unit's mission was to secure the border between Afghanistan and Pakistan, which consisted primarily of stopping the flow of foreign fighters, drugs, and guns into Afghanistan.

On January 8, 2011, Lieutenant Haugland's unit came under fire from the Taliban. He engaged in the fight, and thankfully was not wounded. However, he broke his leg three days later in a non-combat related accident and was sent stateside to recover. Lieutenant Haugland plans to resume his military career after his recovery.

Lieutenant Haugland is a true patriot and a true hero. I know my colleagues in the United States Congress will join me in thanking him for his service to our great country and in congratulating him for receiving the Combat Infantryman Badge. I wish him, his wife Carolyn, and their children the best of luck in the future.

RECOGNIZING MR. PHILLIP C. HOUSTON IN HONOR OF HIS RE- TIREMENT FROM THE GREENE COUNTY DEPARTMENT OF DE- VELOPMENT

HON. STEVE AUSTRIA

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. AUSTRIA. Mr. Speaker, on behalf of the people of Ohio's seventh congressional district, I am honored to recognize Mr. Phillip C. Houston for his 32 years of dedicated service to Greene County and congratulate him on his recent retirement.

Phil Houston grew up in the Akron area. He received his Bachelor's Degree from Olivet Nazarene College and a Master of Public Administration from Central Michigan University.

Throughout his 23 years as Director of the Department of Development for the Greene County Board of Commissioners, Phil has seen the department form into a full-service economic development organization that provides services in: small business loan assistance, structured retention and expansion, tourism, and housing down-payment assistance and education.

Originally, Greene County hired Phil to direct its annual \$3 million comprehensive Employment and Training Act Program, funds that were in jeopardy of being revoked by the U.S. Department of Labor. Within two years, Phil had remedied all the problems and his department was acknowledged for having taken appropriate steps to course-correct.

Thanks to Phil's stewardship, the county generated a fundamental Economic Develop-

ment Plan, and worked with the four cities, six villages and 12 townships throughout Greene County to consolidate their efforts to improve the county. In just the past few years, more than 40 projects ranging from infrastructure improvements to community building renovations and code enforcement have been accomplished through Greene County's Community Development Block Grant Program with Phil's oversight and direction.

Though he has made a career for himself in public service, Phil still managed to give back to his community as a volunteer. He has been involved with the American Economic Development Council, the Small Business Administration, and the Dayton Area Technology Network. He has served as a member of the County Budget Review Committee, County Adult Day Care Board, County Jail Advisory Committee, Greene County Board of Education Business Advisory Committee, and the Adult Education Committee for Greene County's Career Center.

Phil's efforts have not gone unnoticed, and he has received numerous awards throughout the years. Some of these include the Governor's Excellence Award for Innovative Economic Development and the Ohio County Superintendent's Association's Outstanding Leadership award in 1992. He was also named Greene County Adult Education Volunteer of the Year in 1990 and NAIOP Public Official of the Year for Dayton in 1991. Additionally, Phil has received five National Association of Counties, NACO, achievement awards for: increasing sales opportunities; intergovernmental cooperative efforts; cutback management; accessibility for the disabled; and assistance to the homeless.

Phil and his wife, Teresa, have two children, Erika and Brooke, two grandchildren and a third on the way.

Phil's decades of service have proven him to truly be the epitome of selflessness and commitment. He has demonstrated sincere dedication to providing prosperity and knowledge to Greene County. It is his exemplary efforts that assist the progress of our nation in fairly and efficiently protecting our citizens.

Thus, with great pride, I commend Mr. Phillip C. Houston for his commendable service to the community and extend him the best throughout his hard-earned retirement.

HONORING THE FIFTH CONGRES- SIONAL DISTRICT OF FLORIDA

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. NUGENT. Mr. Speaker:

Whereas, our communities must place the highest value on preserving the role of prayer in our society and government, so that all Americans can continue to enjoy the benefits that our faith has bestowed upon us; and

Whereas, an appreciation for our history encourages dedication to the values and ideals which have enriched our nation; and

Whereas, in the highest traditions of our country, the Fifth Congressional District of Florida has provided an exceptional example of the power of faith in our society; and

Whereas, on this day, the citizens and leaders of the community are gathered to partake in a non-denominational day of prayer.

Therefore, I, RICHARD B. NUGENT, Member of Congress representing the Fifth Congressional District of Florida, do hereby recognize the district's observance of the 60th National Day of Prayer.

A TRIBUTE TO JACOB POMEROY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jacob J. Pomeroy for the rank of an Eagle Scout. Jacob is a 10th grade student from South Hardin High School in Eldora, Iowa.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5% of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been well-maintained over the years. To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Jacob's project was to construct a barn-themed sun shelter for the Joyful Noise Preschool and the Waukee United Methodist Church. Jacob also went above and beyond the requirements by completing more than the minimum required number of merit badges.

Jacob has been involved in scouting since he became a Tiger Cub more than 11 years ago. Jacob's father, John Pomeroy, is also an Eagle Scout and current assistant Scout Master to Troop 178 from Waukee, Iowa.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Jacob Pomeroy and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on earning an Eagle Scout ranking and will wish him continued success in his future education and career.

CELEBRATING MAURA MCNIEL'S 90TH BIRTHDAY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to celebrate the 90th birthday of Mrs. Maura McNiel, a leading women's rights activist whose legacy impacts women in Dallas and all over the United States.

Maura McNiel was born in Minneapolis, Minnesota on April 4, 1929 and grew up inspired by integration in Minneapolis-area schools. She moved to Dallas in 1953 and, dedicated to improve the lives of people and the world around her, became involved in the civil rights

movement and environmental issues. Soon after, Ms. McNiel immersed herself in the feminist cause, for which she is applauded today.

The list of Ms. McNiel's activities to improve the lives of others are endless: She spoke to reporters, politicians, organization leaders, and others and had a strong impact wherever she went. She founded Women for Change in 1971, the first women's center in Dallas, and then helped organize the Rape Crisis Center, the National Organization of Women and People for the American Way, Women's Coalition, Family Place (for battered women), the South-west Credit Union, The Dallas Commission on the Status of Women and the Women's Issues Network.

But it was the personal touch she brought to her efforts that made each one a success.

She famously informed the all-male Rotary Club that just as birds flew better with two wings, marriages worked better as a partnership where both husband and wife shared responsibilities and demands. As her dialogue indicates, her approach was not antagonistic; rather, it was based upon building relationships. And that she did, with the Dallas City Hall, news organizations, and many, many others.

It was this both passionate and rational approach to women's rights that enabled her to successfully fight for Title IX in 1972, which expanded women's education opportunities. She understood that the success of a movement lies not just on its present, but also its future.

More importantly, she knew the importance of following words with action and personal sacrifice. As founding president of Women for Change, which created the first sanctuaries for family abuse victims, Maura took the lead by hosting the first woman in her own home.

A wonderful mother, Sunday school teacher, community leader, effective activist, Maura McNiel's work has led to achievements in women's studies, modern social work, advocacy on behalf of abused women, promotion of the Equal Rights Amendment, and passage of Title IX.

As her representative in Congress, it is my distinct pleasure to honor her today on the floor of the United States House of Representatives. I ask my colleagues to join Maura McNiel's family and friends in wishing her a blessed 90th birthday and continued health and happiness in the years to come.

SUPPORT PASSAGE OF HOUSE RESOLUTION 244, EXPRESSING THE SENSE OF THE HOUSE OF REPRESENTATIVES THAT A PALESTINIAN GOVERNMENT WHICH INCLUDES HAMAS MUST BE PROHIBITED FROM RECEIVING UNITED STATES AID UNTIL THAT GOVERNMENT PUBLICLY COMMITS TO THE QUARTET PRINCIPLES

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to offer my strong support for

House Resolution 244, expressing the sense of the House of Representatives that a Palestinian government which includes Hamas must be prohibited from receiving United States aid until that government publicly commits to the Quartet principles. The Quartet—the United States, the European Union, the United Nations, and the Russian Federation, require Hamas to recognize Israel's right to exist, to renounce violence, and to accept previous Israeli-Palestinian agreements.

Last week on April 27, 2011, Fatah and Hamas initiated a document of understandings as a foundation for a "Palestinian National Accord" agreement, which was signed by all of the Palestinian factions on May 4th in Cairo, under the aegis of the Egyptian transitional government and with the presence of Palestinian Authority President Mahmoud Abbas and Hamas Political Bureau head Khaled Mash'al.

That same night on Al-Jazeera TV, Foreign Minister of the Hamas Gaza Government, and a member of the Hamas delegation to the Cairo discussions, Mahmoud Al-Zahhar said: "We believe that negotiations with the Israeli enemy are in vain It will be impossible for an interim government to take part in the peace process with Israel."

Mr. Speaker, we should also be troubled by the announcement by a lead Fatah negotiator that Palestinian Authority Prime Minister Salam Fayyad, who has been a leader in developing the Palestinian economy in the West Bank as well as a primary peace negotiator with Israel, will not be a part of the interim unity government.

Hamas embraces violence against innocent women, children, and men and calls for the destruction of Israel in its charter. It has been a designated terrorist organization by the United States since 1995 and by the European Union since 2003. Hamas terrorists have murdered hundreds of innocent Israelis, kidnapped and refused Red Cross access to Israeli soldiers, smuggled Iranian arms into the Gaza Strip, and launched thousands of rockets and mortars into Israel, including more than 300 since the beginning of 2011.

Mr. Speaker, I urge my colleagues to support this resolution and reaffirm the notions that a Palestinian government which includes Hamas, a U.S.-designated terrorist group, must be prohibited from receiving U.S. aid. The legislation further acknowledges that the United States House of Representatives has a deep interest in achieving a resolution to the Israeli-Palestinian conflict through the creation of a viable and independent Palestinian state living in peace alongside the State of Israel.

HONORING THE 275TH ANNIVERSARY OF THE FIRST REFORMED CHURCH OF POMPTON PLAINS

HON. RODNEY P. FRELINGHUYSEN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. FRELINGHUYSEN. Mr. Speaker, I rise today to honor the First Reformed Church of Pompton Plains located in Morris County, New Jersey which is celebrating its 275th Anniversary.

Forty years before the birth of our Nation, a small band of Dutch farmers gathered together in a new land. It was there that the First Reformed Church of Pompton Plains was dedicated on April 7, 1736, under the pastorate of the Reverend Johannes Van Driessen. The church prospered in its early years, with a membership of 72 by the spring of 1738. A new building was erected in 1771 on land donated by Theunis Dey. This new church building, the first in the community, was located on what is now the Newark-Pompton Turnpike, the site of the present church.

Throughout the years, the church grew physically and spiritually. One hundred years after it was built, the church was enlarged and improved under the leadership of Reverend John Van Neste Schenck. The church was rededicated on November 22, 1871, seven months after its 100th anniversary. It was also on that day that the church family mourned the passing of their energetic minister.

Addressing the needs of members near and far, several small chapels were built. The first, known as Grace Chapel, was built next to the church for the purpose of education. Other chapels were located in various nearby communities, including Wayne, Lincoln Park, and Towaco. Throughout the years many chapels came to form independent churches, most of which remain a part of the Reformed Church of America.

The 1900s brought tremendous growth to the church. With more people joining the congregation, the financial status of the church enabled the construction of a "church house" in 1926, and a fellowship hall, known as "Friendship Hall" in 1965. But the period also brought tragedy. On October 24, 1937, the sanctuary was almost completely destroyed by fire. While the actual cause of the inferno was never determined, faulty wiring seemed probable. The tragic loss, however, brought out the invigorating spirit of the congregation and its dynamic minister, the Rev. Eugene H. Keator. A year and a half later, on April 7, 1939, a new building, larger than the old, with a new steeple and bell, was dedicated. This remarkable historic Christopher Wren-style edifice was completed debt-free.

In 1953, the church acquired the 1788 stone Mandeville home, a one-time Pompton Plains post office, adjacent to the church proper. Today it is the church manse. Along with the sanctuary and Grace Chapel, it is presently undergoing consideration for inclusion in the State and National Historic Registries.

The remains of soldiers from the Revolutionary War to the present find their final resting place in the church cemetery. A walk about the grounds provides a glimpse into the church's vital part in our Nation's rich history. This year, in remembrance of the 150th Anniversary of the Civil War, the church will dedicate veteran's markers identifying more than 600 of our American heroes.

The First Reformed Church of Pompton Plains is a community of faith with "Open Doors, Open Hearts and Open Hands." During this special year, under the spiritual leadership of Reverend Kathleen Edwards Chase, may their spirit continue to rise.

Mr. Speaker, I ask you and my colleagues to join me in congratulating The First Reformed Church of Pompton Plains as they celebrate its 275th Anniversary.

2011 14TH CONGRESSIONAL DISTRICT ART COMPETITION

HON. MICHAEL F. DOYLE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. DOYLE. Mr. Speaker, I rise today to recognize the artistic ability of a young woman from my Congressional District, Noël Peterson from the Pittsburgh High School for the Creative and Performing Arts. Ms. Peterson is the winner of the 2011 14th Congressional District of Pennsylvania's High School Art Competition, "An Artistic Discovery." Ms. Peterson's artwork, a charcoal drawing entitled "Organization," was selected from a number of outstanding entries to this year's competition.

In fact, over 70 works from fifteen different schools in Pennsylvania's 14th Congressional District were submitted to our panel of respected local artists. It's a real tribute to her skill and vision that her work was chosen as the winner of this year's competition. I am certain that Ms. Peterson's family is proud of her artistic talents and this impressive accomplishment.

Ms. Peterson's artwork will represent the 14th Congressional District of Pennsylvania in the national exhibit of high school students' artwork that will be displayed in the United States Capitol over the coming year. I encourage my colleagues as well as any visitor to Capitol Hill to view Ms. Peterson's artwork, along with the winning entries from the high school art contests held in other Congressional Districts, which will be on display in the Capitol tunnel. It is amazing to walk through this corridor and see the interpretation of life through the eyes of these young artists from all across our country.

Stephanie Taylor from South Allegheny High School was awarded second place for her Acrylic on Canvas "Rocky." Beth Gonzales from West Mifflin High School received third place for her self-portrait in charcoal. Alaina Schuster from Carlynton High School was awarded fourth place for her painting "Berries." Jessica Clair from Penn Hills was given fifth place for her acrylic painting "Portrait of a Misfit."

In addition, Honorable Mention Awards were presented to works by Nicole Murphy from Carlynton High School, Cody Atkins from East Allegheny High School, Julianna Rinaldo from the Ellis School, Olivia Pasquarelli from Montour High School, Alexandra Fawcett from Penn Hills High School, Alesia Miller from Penn Hills High School, Christopher Winston from Pittsburgh Allderdice High School, Andrew Fusia from Riverview High School, Ethan Lyons from Serra Catholic High School, Brandi Krivansky from South Allegheny High School, Sara Savage from Woodland Hills High School, and Natalie Kerrigan from West Mifflin High School, who entered two mixed media works in the competition and received Honorable Mention awards for both of them.

I would like to recognize all of the participants in this year's 14th Congressional District High School Art Competition, "An Artistic Discovery," from the Pittsburgh High School for the Creative and Performing Arts, Robert Almond, Sarah Axtell, David Becinski, Zoe

Capcara, Noël Peterson, and Nicolette Santercangelo; from Carlynton, Nicole Murphy and Alaina Schuster; from East Allegheny High School, Cody Atkins and Tyler Guger; from The Ellis School, Rachel Cooper, Shae LaPlace, Tessa McArdle, Hannah Mellor, Julianna Rinaldo, and Emilia Whitmer; from Montour High School, Chloe Carlini, Claire Crowley, Jenna Luche, Harley Murphy, Olivia Pasquarelli, and Rourke Stubna; from Our Lady of the Sacred Heart, Stefano Ceccarelli, Joseph David Goltz, Andrea Laffey, and Emma Mallick; from Penn Hills High School, Jessica Clair, Nicolette Deighan, Alexandra Fawcett, Selena Ford, Alesia Miller, and Chris Schwanke; from Pittsburgh Allderdice High School, Jeremy Saulsbury, Bowen Schmitt, Ester Turpini, Christopher Winston, and William A. Worth; from Riverview High School, Amanda Alcorn, Paige Condon, Victoria DiDominico, Andrew Fusia, Ashley Reid, and Heather Tabacchi; from Serra Catholic, Garrett Hudson, Ethan Lyons, Andrew Pricener, Paige Spang, and Olivia Saccameno; from South Allegheny High School, Alexis Carr, Brandi Krivansky, Megan Matejic, Brianna Marie Smith, and Stephanie Taylor; from Sto-Rox High School, Amanda Anderson, Maxine Blackwell, Natalie Gamble, DeArra Linea Moore, Elizabeth Thornton, and Dane Worms; from Trinity Christian School, Rebekah Garard; from West Mifflin High School, Victoria Cooper, Chelsey Earnest, Beth Gonzales, Natalie Kerrigan, and Maggie Morgans; and from Woodland Hills High School, Jasmine Baldrige, Donovan Jones, Rachel Pampino, Sara Savage, and Kenny Thomas.

I would like to thank these impressive young artists for allowing us to share and celebrate their talents, imagination, and creativity. The efforts of these students in expressing themselves in a powerful and positive manner are no less than spectacular.

I hope that all of these individuals continue to utilize their artistic talents, and I wish them all the best of luck in their future endeavors.

A TRIBUTE TO MARGARET McGUIRE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate Margaret McGuire of Perry, Iowa on celebrating her 100th birthday.

Margaret was born on April 14, 1911 in Audubon, Iowa. The middle child of six, she quickly developed a passion for music and began learning how to play the violin in fourth grade. Together with her cello-playing sister Betty and a piano-playing friend, Margaret performed in a trio. Before graduating from Audubon High School in 1929, she utilized her violin skills in the high school's string orchestra and quartet.

It didn't take Margaret long to decide that music wasn't just her passion—she wanted to make it her profession. She graduated in 1934 from Simpson College with a bachelor's degree in music education. She eventually went on to earn a master's degree in Violin Technology at Drake University. With her education

in hand, Margaret spent the next several decades teaching both general music and violin in public schools and in private lessons. She also played the violin in the Des Moines Symphony, the Central Iowa Symphony, and the Iowa State University Symphony.

Although music played a large role in Margaret's life, her family was even more important to her. She was happily married to Francis McGuire for many years, and together they had one daughter and three sons. Even though Francis has passed on, Margaret treasures the time she has with their children. Today, Margaret also has eight grandchildren and seven great-grandchildren.

What is Margaret's secret to a long and happy life? The spirit of optimism demonstrated in her oft-repeated saying, "Count your blessings."

I am extremely honored to represent Margaret McGuire in the United States Congress, and I wish her much happiness and health in her future years.

HONORING THE LIFE AND SERVICE OF U.S. ARMY CHIEF WARRANT OFFICER TERRY L. VARNADORE II

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor the life of Chief Warrant Officer, Terry Varnadore II. A native of Mills River, North Carolina, Chief Warrant Officer Varnadore passed away at the age of twenty nine, on April 23, 2011, while serving our country in the Kapisa Province of Afghanistan.

Chief Warrant Officer Varnadore grew up in Western North Carolina surrounded by family. He had a passion for fishing and hunting, and spent a great deal of his life in the Great Smoky Mountains with his father and younger brother. Chief Warrant Officer Varnadore married the love of his life, Casey Varnadore, after graduating from Appalachian State University. They have a 4 year old daughter together, Ava Elizabeth. Mrs. Varnadore is expecting their second daughter in July.

Chief Warrant Officer Varnadore's lifelong dream was to become a helicopter pilot. Assigned to the 10th Combat Aviation Brigade, 10th Mountain Division, he flew an OH-58 Delta Kiowa Warrior Helicopter. His awards and decorations include the Air Medal, the Meritorious Unit Commendation, the National Defense Service Medal, the Afghanistan Campaign Medal, the Iraq Campaign Medal, the Global War on Terrorism Medal, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Army Aviator Badge, and the Combat Action Badge.

Mr. Speaker, Chief Warrant Officer Varnadore embodied the best qualities of an American soldier. He was selfless, dedicated, and brave. He was respected by his fellow soldiers and appreciated by the officers he served under. Through his commendable service, Chief Warrant Officer Varnadore has made Western North Carolina proud. It is my honor to commemorate him and I urge my col-

leagues to join me today in honoring Chief Warrant Officer Terry Varnadore II for the sacrifice he has made for the United States.

HONORING THE 100TH ANNIVERSARY OF JEWISH FAMILY SERVICE

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. MCCOLLUM. Mr. Speaker, I rise today to mark the special occasion of the centennial celebration of the Jewish Family Service in my hometown of Saint Paul. For 100 years, Jewish Family Service has served individuals, families and new Americans from all walks of life, regardless of ethnicity or religion. Founded in 1911, the organization was originally called Jewish Charities of St. Paul. By 1913, the Jewish Charities of St. Paul was renamed Jewish Welfare Association for the next 31 years. In 1946, the organization's name was changed to Jewish Family Service, the name that remains today.

Jewish Family Service epitomizes the best in a community coming together. It has been a lifeline for many new immigrants and refugee groups, providing human services, employment counseling, mental health services, and translation services for the elderly. While programming may have changed along with demographics during the past century, the noble mission of Jewish Family Service has not changed.

Today Jewish Family Service continues to serve all members of our community, including our newest Americans, including Somali, Latinos, Hmong and Russians, who are making their homes in the East Metro Twin Cities area. Our community's diversity is a strength. By assisting individuals and families as well as our new immigrants become productive and successful citizens in our community, Jewish Family Service is worthy of commendation and celebration. I offer my sincere congratulations to the staff and supporters of Jewish Family Service.

In honor of the 100th Anniversary of the Jewish Family Service, I am pleased to submit this statement for the CONGRESSIONAL RECORD.

INTRODUCTION OF THE RECIPROCAL MARKET ACCESS ACT OF 2011

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise today to introduce the Reciprocal Market Access Act. In the wake of the biggest economic crisis since the Great Depression, our country faces a difficult road towards recovery. As part of this effort, it is critical that we ensure that our trade policy is working as it should: to generate new opportunities for our businesses, strengthen American manufacturing capabili-

ties, and reduce the unemployment rate that has risen to the highest level in decades.

American manufacturers of products ranging from optical fiber to autos and agriculture face continual problems with access to overseas markets. Our own trade negotiators do little to prevent this from happening, as it is often standard for trade agreements to open our markets fully to foreign competitors, yet we gain little market access in return. The pending free trade agreement with South Korea is another example of a free trade agreement that opens our markets to foreign competition while failing to address serious market access concerns in Korea.

We must provide our negotiators with unequivocal guidelines so that they do not relinquish our domestic trade protections without gaining meaningful market access for American manufacturers in exchange. Unless other governments play by the rules and remove barriers to our exports, the U.S. should not acquiesce to their demands by further opening our market—which is already the most open market in the global economy. Unilateral disarmament in the face of foreign protectionist practices is unacceptable, and we must ensure that our trade negotiators do not undermine our industries and our workers.

The Reciprocal Market Access Act would instruct our trade negotiators to eliminate foreign market barriers before reducing U.S. tariffs. This bill would also provide enforcement authority to reinstate the tariff if the foreign government does not honor its commitment to remove its barriers.

This legislation also addresses a serious problem in the current trade negotiating process. Tariff and non-tariff sectoral barriers are compartmentalized, meaning that a tariff item can be reduced or eliminated by our negotiators without securing elimination of the non-tariff barriers that deny U.S. industry access to a foreign market. This legislation would give our government the right to revoke concessions to cut tariffs if our trading partners fail to implement negotiated commitments to eliminate barriers that had initially been identified by U.S. domestic producers for our negotiators.

The principle of reciprocity—the principle on which this legislation is built—is not new. In fact it is a principle that should be essential to any effective trade relationship. Cordell Hull, Democrat from Tennessee and Roosevelt's Secretary of State in 1933, was responsible for bringing this concept into the U.S. and global trade systems with the Reciprocal Trade Agreement Act of 1934. It was this act which formed the basis for the General Agreement on Tariffs and Trade (GATT) and the World Trade Organization (WTO). Mr. Hull developed the Act to move away from the negative consequences of the Smoot-Hawley Tariff Act, which raised U.S. tariffs on thousands of imports to record levels. Smoot-Hawley established the United States as protectionist, and provoked a rash of retaliatory measures from our trading partners.

It is no longer the United States that is shutting its markets to foreign competitors. We have the most open market in the world, and continue to find ways to lower tariffs and eliminate market barriers. Yet this policy is often not reciprocated, as American manufacturers

find significant barriers to foreign markets while they watch their own domestic market share dwindle. The result is quality American companies are forced to downsize or close their doors for good, and American workers are left jobless.

That is not free trade. Free trade involves a system where American companies are able to compete in markets uninhibited by barriers. It involves a level playing field for American companies and our trading partners. And I have no doubt that if given a level playing field, American companies and American workers can compete in any market.

The Reciprocal Market Access Act will mandate that at the very least any trade agreement does not put American companies and workers at a competitive disadvantage. It establishes what should be the standard for all trade agreements: a mutually beneficial trade relationship in which goods can be freely exchanged and that promotes economic growth.

HONORING J. WARREN GEURIN

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. WOLF. Mr. Speaker, today I rise to recognize and pay tribute to J. Warren Geurin, a former congressional staffer and member of the Loudoun County School Board. Warren passed away April 30, at the age of 65 after having battled cancer for several months. Warren began his career on the Hill as the Minority Investigator on the House Committee on Post Office and Civil Service, serving our former colleagues Congressman Gene Taylor and Congressman Trent Lott. From 1980 to 1991 Warren served as a Minority counsel to the U.S. House Committee on Rules, working for former Congressmen Taylor, Lott, and Del Latta. Warren concluded his time on the Hill as legislative counsel to Congressman CHRIS SMITH. In 1992, Warren was appointed by President George H.W. Bush as Director of Congressional Affairs to then U.S. Department of Transportation Secretary Andrew Card.

Following Warren's congressional service, he worked in the private sector and later went on to serve as a three-term member of the Loudoun County School Board. Despite his diagnosis and worsening condition, Warren proved to be an inspiration, serving as chairman of the Committee on Academies and as a member of the Personnel Committee and the Minority Student Achievement Advisory Committee. Throughout his time on the School Board, Warren tirelessly advocated for children and Loudoun Schools and it was through his efforts which led to the successful completion of renovation projects at all of the schools in his district.

Mr. Speaker and colleagues, it is my pleasure to honor the life of Mr. J. Warren Geurin, a great public servant, model citizen and a personal friend of mine. Warren will be honored and remembered by many, especially his widow, Susie; his two children Jennifer and Jeff; his many friends, colleagues and all who knew him.

A TRIBUTE TO THE CITY OF MARSHALLTOWN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of the City of Marshalltown in Iowa. The City of Marshalltown was recently selected to receive the 2010 Tree City USA Growth Award.

The Tree City USA Growth Award is given annually by the National Arbor Day Foundation and the Iowa Department of Natural Resource—Forestry Bureau to those cities who have dedicated themselves to preserving their public trees and stressing their importance to the community. These cities have gone above and beyond by enhancing their forest resources and demonstrating the value of trees in providing benefits for future generations. In order to receive this award, a city must meet the requirements in four categories: education and public relations, partnerships, planning and management, and tree planting and maintenance.

There are currently over 3,400 cities nationwide that are designated as a Tree City and over 135 million people live in these cities. Marshalltown was one of 24 cities in Iowa to qualify for this status.

I commend the City of Marshalltown for its commitment to preserving nature, in particular, its trees. I know that my colleagues in the United States Congress will join me in congratulating the City of Marshalltown in being selected to receive this award. It is an honor to represent the citizens of Marshalltown, and I wish their town continued success.

HONORING MICHAEL CAP

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. SHUSTER. Mr. Speaker, it is with sadness that I come to the floor to report the passing of a member of America's Greatest Generation. Michael Cap of Hollidaysburg, Pennsylvania passed away on Wednesday afternoon at the Hollidaysburg Veterans Home. He was 101 years old.

I met Michael Cap only a few weeks ago, on April 20th, to present him with replacements for medals he was awarded for his service in the Army during World War II.

Mr. Cap served in Company F, 306th Infantry, 77th Infantry Division of the United States Army during the campaign in the Philippines. During his tour in the Pacific Theater, Mr. Cap was wounded in action twice including a wound he suffered after receiving shrapnel in his heart during the invasion of Leyte Island. For his bravery and honorable service during the war, Mr. Cap received 10 medals, which had been lost or misplaced over time after the war.

It was my honor to have had the opportunity to replace these medals and on April 20, I joined Mr. Cap and members of his family at

the Hollidaysburg Veterans Home to present him with the following medal and awards:

The Purple Heart with 1 bronze oak leaf cluster; the Bronze Star; the World War II Victory Medal; the American Campaign Medal; the Asiatic-Pacific Campaign Medal with 3 bronze service stars with arrowhead; the Philippine Liberation Ribbon with 1 bronze service star; the Good Conduct Medal; the Combat Infantryman Badge—1st Award; the Expert Infantryman Badge; and the Honorable Service WWII Lapel Button.

Mr. Speaker, with Michael Cap's passing, one more veteran of World War II has left us. It seems with each passing day, we are losing a generation that defined American courage. Michael Cap's generation fought to end the threat of totalitarianism and came home to build the American Dream in peace. Their example set the tone for future generations of soldiers, including the men and women now serving in uniform in the United States armed forces in Iraq and Afghanistan.

Let us not forget Michael Cap and those like him who stood up in the face of evil and totalitarianism and defeated it. America owes him and all our veterans a great debt.

REMEMBERING AND HONORING THE LIFE OF DEACON MAURICE JOSEPH WALSH

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to mourn the passing and honor the life of Deacon Maurice Joseph Walsh of Niantic, Connecticut. Deacon Walsh passed away on April 21, 2011 surrounded by his family at his home.

Maurice, or Moe as he was known to friends, lived a life replete with service to his country, church, and community. Ordained in the first Permanent Diaconate class in New England by Archbishop John F. Whealon, he served several parishes including the St. Agnes Parish in Niantic. He was a member of the 745th AAA Gun Battalion of West Hartford's U.S. Army Reserves, where he achieved the rank of Sergeant.

A student of banking at The University of Chicago and Williams College, Maurice worked at the Connecticut Bank and Trust Company for 35 years and eventually went on to start a family businesses with his sons—Maurice J. Walsh and Sons Real Estate Appraisals. Successful and industrious in his profession, he always found time to give back to a variety of causes. He was an active member of the Tinker Turner American Legion Post 128, Catholic Inter-Racial Council, and was a 4th Degree Knight of Columbus.

When he finally retired from the family business, Maurice saw it as an opportunity to give more. He took on a larger role as a Permanent Deacon and continued his tradition of broad, community-oriented service. He was well known for regular trips to Niantic's Bridebrook Rehabilitation Center where he and a group of volunteers he assembled would spend time with and provide spiritual guidance to its residents.

People like Deacon Walsh lived in the service of others. From a relatively young age, he went to great lengths to provide comfort and guidance to people in need of personal, civic, and spiritual help and continued this service through the age of 80. His impact in eastern Connecticut is unquantifiable. My thoughts and prayers go out to the Walsh family. He leaves behind his three sons Damien, Jeffrey, and Daniel as well as his loving wife Claire. Maurice will be dearly missed by his family, friends, and the countless people he served throughout his life.

HONORING NORMA ADELAIDE
CARTER MURPHY

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. BUTTERFIELD. Mr. Speaker, I rise to celebrate the life and accomplishments of Norma Carter Murphy, a constituent and family friend. On Saturday, May 7, 2011, family, friends, neighbors, students, classmates and co-workers will join together to honor Norma at the Cherry Point Marine Base in Havelock, North Carolina.

The middle child of Luke Eight Carter and Eunice Godette Carter, Norma Adelaide Carter was born on January 16, 1931. She attended Ole Godette Elementary School and the Palmer Memorial Institute in Sedalia, North Carolina, and graduated from Charles H. Darden High School in Wilson, North Carolina. Norma went on to earn a degree in Education from historic Howard University, and later earned her Masters Degree in Education from North Carolina Central University.

Norma began her long and distinguished teaching career at Queen Street High School in Beaufort, North Carolina and went on to teach in a variety of positions in North Carolina and Michigan for a period of 45 years.

Mrs. Murphy was always greatly loved by students and fellow teachers because of her passion, grace, energy, compassion and tireless focus on helping students succeed by achieving greatness.

Beyond the classroom, Norma has been extremely dedicated to her community. Along with eight other women, she chartered the New Bern Alumnae Chapter of Delta Sigma Theta, Inc. in order to promote academic excellence, provide scholarships and support to the underserved, and to highlight and resolve social and political problems in the local community.

While residing in Michigan, Norma was appointed to the state Board of Marriage and Family Counseling and served in that position for many years. She has also been active with the League of Women Voters and many parent-teacher associations.

Nine years ago, Norma moved back to North Harlowe, North Carolina to the dwelling where she was born. She is now close to many members of her immediate family and enjoying life to the fullest.

Mr. Speaker, I ask that my colleagues join me in recognizing Norma Carter Murphy. She is truly a remarkable person deserving of our

deepest well wishes for the enormous contributions she has made to her community and to the many young people she has taught and mentored over the years.

ROBERT LUCAS BEERS TRIBUTE

HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. TIPTON. Mr. Speaker, I rise today to recognize Robert Lucas Beers of Mancos, Colorado. Mr. Beers led a particularly vibrant life in southern Colorado as a prominent businessman, volunteer and veteran. His years of service in both private and public offices contributed to that prominence.

Mr. Beers was born and raised in Mancos, Colorado. After graduating from high school, he worked briefly in the Civilian Conservation Corps before attending Fort Lewis College. He later joined the executive board of the college and was one of the members responsible for its move to Durango.

In 1944, during the height of World War II, Mr. Beers joined the Army as a cryptologist. His work decoding intercepted messages was a major contribution to our victory in China, Burma and India. Before enlisting, he was already an accomplished pilot, serving in the Civil Air Patrol, and was a civil defense volunteer for many years.

After the war, Mr. Beers returned to Durango to begin his various business ventures and public service. He worked for a number of years in the oil and gas industry and was one of the founders of Basin Petroleum, a company that owned and operated several service stations in Colorado. He also served on the Durango City Council and was elected mayor of the city for a term, where he supported a number of initiatives including paving the city's streets.

Mr. Beers also volunteered on several boards during his career. Most notably he sat for two terms on the State Agriculture Board, Mercy Hospital and the Chamber of Commerce. His love of skiing was also a driving force behind the formation of the original San Juan Development Corp., which helped create Purgatory at Durango Mountain Resort.

Mr. Speaker, it is an honor to recognize Robert Beers today. The community he spent a lifetime working for owes him a great deal. There is no doubt his legacy will continue to impact Colorado.

A TRIBUTE TO THE MECHDYNE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize Marshalltown's high-tech, home-grown business Mechdyne for winning the Entrepreneur of the Month Award from the Iowa Farm Bureau.

Mechdyne Corporation is based in Marshalltown, but has offices all over the

world including, Houston, Washington, D.C., Canada, the United Kingdom, and even the Middle East. Despite being able to customize solutions for clients all over the globe, Mechdyne hasn't neglected Iowa and recently provided East Marshall High School with top of the line technology to facilitate a more immersive learning experience, and stimulate student interest in high tech careers.

Mechdyne began its existence by specializing in virtual reality systems but now consults for and develops advanced 3D visualization solutions for a global array of customers. Their success is a testament to the "can-do" spirit of Iowans and an example of the unlimited potential we believe each person has.

Mr. Speaker, I could not be more honored to represent Mechdyne and its employees in the United States House of Representatives and I know that all of my colleagues in the United States Congress will join me in congratulating them.

CONGRATULATING NAPSEC

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. SMITH of New Jersey. Mr. Speaker, I rise today to congratulate the National Association of Private Special Education Centers (NAPSEC) for their 40 years of excellent service and academic dedication to our country's individuals with disabilities. NAPSEC's educational therapeutic services, combined with four decades of experience are invaluable to the education community across the United States and to the dozens of partners in my home state of New Jersey.

Established in 1971, NAPSEC represents private specialized education programs including early intervention services, school programs, residential therapeutic centers, and college experience and adult living programs for individuals with disabilities and their families. NAPSEC's hundreds of affiliates offer much needed services to publically and privately placed individuals who are otherwise unable to receive an appropriate public education. Member programs also serve the needs of individuals who have graduated from high school including adults over 21 years of age.

I am inspired by the quality of care and expertise NAPSEC's partners provide to America's students with disabilities, including those with autism. Again, I offer NAPSEC my sincerest congratulations on 40 years of service to the disabilities community and look forward to NAPSEC's continued progress in the future.

HONORING LESLIE (LES) HAROLD
HAYES

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor the life and legacy of

Leslie (Les) Harold Hayes—publisher emeritus of The Madera Tribune.

Les was born in 1928 in Emporia, Kansas. After working his way through school, Les enrolled in Emporia College where he earned a Bachelor's degree in Business with a minor in English and Journalism. In 1955 he received an offer from the Merced Sun Star, moved to California, and spent the next few decades climbing from typesetter to publisher while working at a series of papers around the Valley. In 1995 Les retired only to be asked to return in 1998.

When not busy reporting the news, Les actively engaged himself in the community: he was a member of the Lions Club, the Rotary Club, and the Madera County Historical Society. In 2006, Les received the Madera Chamber of Commerce "Lifetime Achievement Award" for his contributions to life in the county.

On April 6, 2011, at the age of 82, Les passed away. He leaves behind his wife, Chris, and five children.

Mr. Speaker, please join me in honoring Les Hayes and his many contributions. May we keep him and those he left behind in our hearts and prayers.

HONORING WILLIAM A. COOK

HON. TODD ROKITA

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. ROKITA. Mr. Speaker, I rise today to recognize and salute an exceptional Hoosier, William A. Cook. Sadly, we lost Bill on April 15. I wish to express my condolences to his family who knew him as husband, father, and grandfather.

To Indiana, Bill's leadership was a shining example of the type of leadership everyone should strive to achieve. Marked by common sense, his leadership embodied the qualities emblazoned in the Hoosier spirit. Bill's focus on service above self; both in building great businesses and in improving our community has left us all a better place to live, work, and raise a family.

As a man of faith, I believe we were put on this earth to love one another and to make the best of the gifts our Lord has provided. We are all blessed to live in a country that allows us to experience freedom and the opportunity to succeed. When I look at the life story of a man who built a business empire that began in a spare bedroom in an apartment, employed thousands around the globe, and provided life saving, and life-altering technology to millions more, all I can say is Amen. Well done.

Bill Cook exemplified the American dream in every way. The amazing narrative of his life will live on, not only through the Cook Group and the many companies that Bill created, but through his family and through the incalculable number of Hoosiers he helped through the years. I would like to thank his family for sharing Bill with us. We are a community that will not soon forget him.

KEEP TEACHERS TEACHING ACT

HON. DAVID E. PRICE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. PRICE of North Carolina. Mr. Speaker, Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to "make all Laws which shall be necessary and proper" to provide for the "general Welfare" of Americans. In the Department of Education Organization Act (P.L. 96-88), Congress declared that "the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively." The Department of Education's mission is to "promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access."

A TRIBUTE TO CHRISTENSEN CONSTRUCTION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of Christensen Construction in Estherville, Iowa. This company was presented the Midwest Region Builder of the Year for 2010 by Butler Manufacturing at a convention held in Atlanta, Georgia.

Butler Manufacturing is a BlueScope Steel company that is based in Kansas City. The world's oldest steel building manufacturer, Butler Manufacturing has six regional manufacturing locations and over 1,200 Butler Builders nationwide. The Midwest Region consists of 13 states and 320 builders. The Builder of the Year Award is given annually to one builder in each region who has demonstrated excellence in selling Butler building and roof systems and has superior marketing skills.

Christensen Construction first became a Butler Builder in 1985. Since then, Christensen Construction has sold over \$25 million in Butler products. The company was nominated for the award by Keith Huls of West Des Moines, this area's Butler manager. Huls said Christensen Construction received this award "because of its history for outstanding sales along with its reputation for delivering the best value in products and services to their customers."

I know my colleagues in the United States Congress will join me in congratulating Christensen Construction and its employees for receipt of this award. It is an honor to represent this company, its owner, and its employees in Congress, and I wish it the best of luck and success in the future.

RECOGNIZING THE REMARKABLE ACHIEVEMENTS OF CHICAGO ALDERMAN HELEN SHILLER

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise to pay tribute to Chicago Alderman Helen Shiller, who has been the Alderman of the 46th Ward since 1987. Alderman Shiller is retiring after 24 years of dedicated service to the residents of the 46th Ward and the City of Chicago. She is a tireless, passionate advocate for her constituents and for the community. She has been an especially powerful champion for those whose voices too often go unheard—the poor, immigrants, those who need affordable housing or shelter, the hungry.

Alderman Shiller is the Chair of the Chicago City Council's Committee on Human Relations, where she has a long and outstanding record of achievement. She played a key role in the passage of the human rights ordinance, recycling programs and city responsibility for public health and safety in the Chicago Public Schools. She initiated and passed a tough anti-apartheid ordinance in 1990. Her budget amendment tripled the city's AIDS budget in 1992. She co-sponsored the domestic partners ordinance extending benefits for unmarried couples. Throughout her aldermanic career, Alderman Shiller has fought for affordable housing and for city budget investments to make Chicago a more affordable place to live.

A strong voice for sustainability and green technologies, Alderman Shiller took the lead on a voluntary pilot program for multi-unit residential building recycling and created a task force to improve the city's recycling program. She is an advocate for LEED certification in all planned developments as well as in other development projects throughout the city.

In 1989, Alderman Shiller sponsored a resolution that created a sub-committee to focus on ways to end domestic violence. As a result of her leadership, the city now funds domestic violence counseling centers and programs for supervised visitations.

Alderman Shiller has continuously worked to keep the 46th Ward both economically and culturally diverse, while at the same time working to develop virtually every area of the ward. It is important to Alderman Shiller that the 46th Ward continue to be defined by its unique mix of people with very different economic and cultural backgrounds. She has worked on many models to retain this diversity and, with the City's Department of Housing, developed the Planned Purchase Price Assistance Program (now called CPAN), which provides opportunities for home ownership for working families.

Alderman Shiller led a comprehensive and inclusive community planning process resulting in the development of affordable housing and thriving retail development at Wilson Yard in the heart of Uptown.

Helen Shiller received her high school diploma from Woodstock Country School in Vermont in 1965. She attended the University of Wisconsin at Madison as a history major

and received her BA in 1969. In 2005, she graduated from DePaul University's School for New Learning's Master's Program where her focus was public policy.

I am confident that Helen will continue to contribute to her community and city. I wish her the very best, and I am proud to call her my friend.

INTRODUCING THE INCREASING
ACCESS TO VOLUNTARY SCREEN-
ING FOR HIV/AIDS AND STIS ACT
OF 2011

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Increasing Access to Voluntary Screening for HIV/AIDS and STIs Act of 2011, which will help reduce the spread and morbidities associated with HIV/AIDS and other sexually transmitted infections (STIs).

Each year in the United States, almost 19 million new STIs occur and an estimated 56,300 Americans are newly infected with HIV. HIV/AIDS and STIs are syndemics. HIV infection can increase a person's risk for acquiring certain STIs, as well as affect their frequency, severity, and healing time, while STIs increase the risk of HIV transmission, impaired fertility, reproductive tract cancer, and adverse pregnancy outcomes.

Due to various factors, including stigma, a lack of health care coverage, and an inaccurate perception of risk among communities and providers, HIV and other long-term, initially asymptomatic STIs often remain undiagnosed or are diagnosed at later stages. This leads to higher rates of mortality, morbidity, disability, and transmission. Furthermore, the burden of HIV/AIDS and STIs falls disproportionately on different populations, with 15–24 year olds, men who have sex with men (MSM), and racial and ethnic minorities facing the greatest risk for STIs.

The Centers for Disease Control and Prevention (CDC) and the United States Preventive Services Task Force recommend that voluntary screening for HIV/AIDS and other STIs be integrated into routine clinical care. All individuals engaging in sexual contact must have access to voluntary screening that is confidential, rapid, accurate, and medically appropriate. In addition, supporting scientifically based, culturally competent, and age-appropriate interventions is key to reducing the incidence of HIV/AIDS and other STIs.

The Increasing Access to Voluntary Screening for HIV/AIDS and STIs Act of 2011 takes an aggressive and multifaceted approach to combating HIV/AIDS and other STIs, including Chlamydia, gonorrhea, syphilis, hepatitis B, hepatitis C, and human papillomavirus (HPV), by increasing access to voluntary screening and other preventive methods while preserving patient rights and confidentiality.

Among other things, this bill requires Medicaid to cover voluntary screening for HIV/AIDS and other STIs as a mandatory service for all individuals 13 and older, including when such services are provided at a Federally

Qualified Health Center (FQHC). This legislation also requires the Centers for Medicare and Medicaid Services (CMS) to provide Medicare reimbursement for voluntary HIV/AIDS and STI screening for all beneficiaries 13 and older.

In addition, this Act requires group health plans, insurance issuers providing group or individual health insurance coverage, and federal employee health benefits programs to cover routine screening for HIV/AIDS and other STIs; provides states with the support they need to cover low-income individuals infected with HIV until Medicaid is expanded in 2014 under the Patient Protection and Affordable Care Act; and supports access to early medical and mental treatment by linking patients to appropriate medical and mental health services.

Lastly, this bill will help improve the accessibility and effectiveness of screening and other preventive services for groups that have been historically underrepresented in public health interventions for HIV/AIDS and other STIs, such as people living with disabilities, the transgender community, women living with severe physical disabilities, and women who have sex with women (WSW).

Mr. Speaker, HIV/AIDS and STIs remain a significant challenge to individual and public health. Through early detection and treatment, as well as comprehensive education for health care providers and communities, we can begin to reverse the tide of infections. I urge my colleagues to support this important bill, which combines the effectiveness of voluntary, routine screening with smart policy to improve the health of our communities and nation as a whole.

HONORING DELIA P. SANCHEZ

HON. KATHY CASTOR

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. CASTOR of Florida. Mr. Speaker, in recognition of her recent honor, the 2011 Sydney & Thalia Potter Civic Leadership Award from the League of Women Voters of Hillsborough County, I rise to herald the achievements of Delia P. Sanchez, a champion for children in Florida. Ms. Sanchez is a wonderful example of the power of women to shape future generations and make a difference in their communities. Ms. Sanchez is a lifelong learner. She obtained her bachelor's degree from Florida State University in Social Work with minors in Education and Spanish in 1945 and went on to get her Master's in Social Work at Columbia University in 1947. Until 1991, nearly fifty years later, she took graduate level courses in areas such as Pupil Personnel Services, Education, and Rehabilitation.

All the while, Ms. Sanchez was affecting enormous change in lives of hundreds of children in the Tampa Bay area. One of the greatest services that Delia Sanchez provided to the Tampa community was to work with Congressman Sam Gibbons to bring the first Head Start initiative to Hillsborough County. She began her career as a Child Welfare Worker

for the Florida State Welfare Board. From there Ms. Sanchez went on to work for the School Board of Hillsborough County as a School Social Worker and a Case Work Consultant, working her way up the ranks to eventually serve as the Administrative Supervisor for Head Start for nine years. Then, in the last three years of her career, she went into private practice to counsel troubled children.

Throughout her career and in her retirement, Ms. Sanchez has served as a board member or local representative to a number of community organizations. The list is too large to mention them all, but they range from the University of South Florida's Latin Community Advisory Committee, the Citizen's Advisory Council, the Child Abuse Council, the Ybor City Museum Society, to the National Association of Social Workers.

For all of her hard work in education and the lives of children, countless organizations have recognized her. To name a few, Ms. Sanchez is the recipient of the US State Department Fellowship Award, the American Red Cross Service Award twice, the Retired Social Worker Outstanding Achievement Award, the Hillsborough County Martin Luther King, Jr. Award, the National Head Start Association Lifetime Achievement Award and now the Sydney & Thalia Potter Civic Leadership Award. She is also a member of Sigma Delta Pi Spanish Honor Society, was named Social Worker of the Year by the National Association of Social Workers by the Tampa Bay Unit and then again by the Florida Chapter, received an honorary Doctorate from the University of South Florida School of Social Work, and in 1993 she was Hispanic Woman of the Year.

Mr. Speaker, Delia P. Sanchez is a woman of the highest regard who has dedicated her life to helping others. I am proud to call her my neighbor, and I join many others to applaud her lifetime contribution to the Tampa Bay community.

A TRIBUTE TO CAPTAIN ERIC
NELSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of Captain Eric Nelson of Madrid, Iowa. Captain Nelson is a soldier in the Iowa Army National Guard. In May 2011, Captain Nelson will be presented the MacArthur Leadership Award in Washington, D.C.

The MacArthur Leadership Award is given by the United States Army to those company-grade officers that demonstrate the ideals for which General MacArthur stood: duty, honor, and country. It is presented annually to 25 officers that serve either in the Active Army, the Army National Guard, or the Army Reserves. Captain Nelson was the only Iowan selected this year to receive the award.

Captain Nelson recently returned in April 2011 from a year-long deployment in Kosovo. He served with the Iowa Army National Guard Company C, 2nd Battalion, 147th Aviation unit

as part of the KFOR13 Peacekeeping Operations. His unit flew and maintained UH-60 Blackhawk helicopters while there, flying over 2,400 hours conducting border patrol, reconnaissance, and air movement flights.

I thank Captain Nelson for his honorable service to our country. I know that my colleagues in the United States Congress will join me in congratulating Captain Nelson in being selected to receive the MacArthur Leadership Award. It is an honor to serve as his representative, and I wish him the best of luck in the future.

INTRODUCTION OF THE SIMON WIESENTHAL HOLOCAUST EDUCATION ACT

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mrs. MALONEY. Mr. Speaker, as we commemorate Holocaust Remembrance Week, I am pleased to reintroduce the bipartisan Simon Wiesenthal Holocaust Education Act, along with Representatives ACKERMAN, PIERLUISI, BERKLEY, HASTINGS, RANGEL, WAXMAN, DEUTCH, and GRIMM. In keeping with the 2011 Holocaust Remembrance Week theme of "Justice and Accountability in the Face of Genocide: What Have We Learned?", it is important to provide educational opportunities for the youth of our Nation to understand the responsibility we all share for the human rights of others.

Named for the honored Holocaust survivor who spent his life working for justice for those murdered by the Nazis and to hunt down those who perpetrated such atrocities, this legislation would provide federal grants to educational organizations to teach students about the Holocaust. Through grants from the Department of Education, Holocaust organization programs would be able to apply for funds to improve the awareness and understanding of the Holocaust through classes, seminars, conferences, educational materials, and teacher training.

As the generations who survived the Holocaust pass away, we must ensure that we learn from their legacy and that it is remembered and honored. Over 11 million people, including 6 million European Jews as well as gypsies, the disabled and mentally ill, homosexuals, and others, were systematically and brutally murdered in the Holocaust as the Nazis swept across Europe, destroying entire villages and communities.

More than half a century later, persecution and murder on the basis of religion, ethnicity, and sexuality continue across the globe. We need programs in our schools that allow students to learn about the consequences of intolerance and hate, so that we can truly say, "never again."

The Simon Wiesenthal Holocaust Education Assistance Act is a positive step toward that end. I urge my colleagues to support this legislation.

SUPPORT OF THE FORCE PROTECTION AND READINESS ACT OF 2011

HON. LOUISE McINTOSH SLAUGHTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. SLAUGHTER. Mr. Speaker, I rise in support of the Force Protection and Readiness Act of 2011.

This legislation will provide greater protections for our service women and men stationed in the U.S. and abroad. Sexual assault is a pervasive and serious problem throughout all branches of the military.

Over 65,000 servicemen and women have experienced some form of sexual assault or rape since 2002. In the Department of Defense (DoD) Annual Report on Sexual Assault in the Military for Fiscal Year (FY) 2009, there was a total of 3,230 reports of sexual assault involving military service members as either victims or subjects. This represents an 11 percent increase over FY 2008.

In 2008, in nearly half of all sexual assault cases the commander took no action, and only 13 percent of reported cases were prosecuted and referred to courts martial. These figures are far below civilian prosecution rates, where 40 percent of those arrested for rape are prosecuted. We must ensure that there is zero tolerance for sexual assault in the military services.

The Defense Task Force on Sexual Assault in the Military Services report released in December 2009 estimates that as many as 90 percent of sexual assaults go unreported. We hear too often that the reporting process may be as traumatic for the victim as the attack itself. In order to fully support and protect our troops, we must ensure the rights of sexual assault victims are upheld every step of the way.

If a victim cannot access essential care for fear of stigma, public embarrassment, threats to her career, or because they just do not know what resources are available, the military will continue to lose valuable female and male soldiers. These service members put themselves in harm's way to protect us and our Nation from threats at home and abroad. This bill ensures they are protected when dealing with the horrible tragedy of sexual assault.

The Force Protection and Readiness Act will expand the rights and protections of victims. First, it will create confidentiality protocols to protect victim rights and raise the propensity for a soldier to report their case by ensuring they receive adequate legal assistance and appropriate privileged communications with victim advocates. Second, it will ensure ease of base or organization transfer for victims or the offender, thereby decreasing fear of retaliation and bolstering victim reports. Third, it will require that each service branch employ highly qualified experts to train and advise JAGs to handle and try sexual assault cases effectively. Fourth, it will ensure more complete sexual assault data reporting to better track DoD-wide reports and case disposition. Fifth, it will establish in statute a universal hotline to facilitate victim reporting and provide

victims an immediate connection with sexual assault response coordinators.

We must put an end to what our former colleague and previous Army Secretary Pete Geren called "fratricide." We must keep the pressure on DoD to eliminate sexual assault in the ranks.

A TRIBUTE TO KEN BECKER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the retirement of Ken Becker of Cresco, Iowa. For the last 34 years, Ken has worked as a journalist for the Cresco Times-Plain Dealer.

Throughout his career, Ken dedicated himself to documenting the stories and photographs of Cresco and its citizens, preserving the events and stories that have helped to make the town what it is today. Whether it was traveling with the high school basketball team to the state tournament, riding a snowmobile, or climbing the town's water tower, Ken was willing to do whatever it took to capture Cresco's history as it unfolded. His articles and pictures helped to keep the town's residents informed and interested in local happenings.

Ken believes the most important aspect of being a good journalist is to remember that "you aren't the story. The story is never about you as the writer. This is about what you're writing about."

I thank Ken for his strong and diligent work ethic. It is an admirable characteristic found in many citizens of Iowa, and one that I hope to see all Americans embody.

I know that my colleagues in the United States Congress will join me in commending Ken Becker for his decades of service at the Cresco Times-Plain Dealer. It is an honor to serve as his representative, and I wish Ken a happy and healthy retirement.

HONORING NURSES IN THE DISTRICT OF COLUMBIA AND METROPOLITAN REGION

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. NORTON. Mr. Speaker, I rise today to ask the House of Representatives to join me in recognizing nurses in the District of Columbia and the metropolitan region during the celebration of National Nurses Week, May 6–12, 2011.

Nurses make up the largest percentage of the healthcare workforce. Washington, DC has the largest concentration of registered nurses. In addition to registered nurses, there are clinical nurse specialists, nurse anesthetists, nurse-midwives, nurse practitioners, and other nurses, who serve patients in our hospitals, community health clinics, doctor's offices, nursing homes, private homes, public and private schools, local and federal government agencies, and private businesses.

Nurses are often patients' primary point of contact, giving nurses the opportunity to get to know patients and their families. Nurses gain patients' trust and are essential to providing high-quality healthcare. Each year, we rightfully celebrate nurses during National Nurses Week for their contributions to patients in particular and to the healthcare system in general.

As a cosponsor of H. Res. 83, a resolution recognizing National Nurses Week on May 6 through May 12, 2011, I applaud the nursing professionals who serve the residents of the District of Columbia and the metropolitan region for their continued commitment to patient care. I ask the House to join me in applauding nurses in the District of Columbia, the metropolitan region, and the Nation.

RECOGNIZING PUBLIC SERVICE WEEK

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. WOLF. Mr. Speaker, I rise today to recognize the work that federal employees do, day in and day out, to make our country a better place.

Federal employees are on the front lines working to ensure that our government is running as efficiently and effectively as possible to provide the services taxpayers expect. They make our nation a safer and better place. They work in every congressional district of the country and thus it is incredibly appropriate that we honor their service this week.

Whether it's the FBI agent working to find a kidnapped child, the DEA agent keeping drugs out of schools, or the DOJ attorney prosecuting a child molester—all are federal employees graciously serving our nation.

We must also remember that there are intelligence agents risking their lives every day on the front lines side by side with our armed forces in Iraq, Afghanistan, and other fronts in the Global War on Terror who serve as federal employees. The first American killed in Afghanistan, Mike Spann, was a CIA agent and a constituent from my congressional district. Imagine the dangers a CIA employee or an FBI agent working side by side in Afghanistan with the U.S. military must encounter. A year ago January, I attended funerals for some of the seven CIA agents who were killed by a Taliban suicide bomber at Forward Operative Base Chapman near the Afghanistan-Pakistan border.

Federal employees also put their lives on the line here at home. The Border Patrol agent shot and killed in Arizona this past December who was working to stop the flow of illegal immigrants across our southern border was a federal employee.

The Immigration and Custom Enforcement agent who was killed and the two who were shot this past February outside of Mexico City were federal employees.

Doctors who tend to our veterans and wounded warriors in veterans hospitals and who are developing new prosthetic devices to help them recover, medical researchers at NIH

working to develop cures for cancer, diabetes, Alzheimer's, and autism—all are dedicated federal employees. These are individuals who could find more lucrative jobs in the private sector, but who are committed to public service. Dr. Francis Collins, the physician who mapped the human genome and serves as director of the National Institutes of Health, is a federal employee. The National Weather Service meteorologist who tracks hurricanes, the SBA staffer who helps a new business start up, the FDA inspector working to stop a salmonella outbreak—all are federal employees.

Though they often receive little praise for the work they do, federal employees provide many of the services that make this nation great. Today I thank them for their hard work and service to our country.

HONORING THE JOINT BALTIC AMERICAN NATIONAL COM- MITTEE 50TH ANNIVERSARY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to recognize the Joint Baltic American National Committee, an organization founded 50 years ago to advocate for democracy in the Baltic states of Estonia, Latvia, and Lithuania, and to foster a strong relationship between those countries and the United States.

Founded at the height of the Cold War on April 27, 1961, the Joint Baltic American National Committee has been a powerful advocate for democracy and independence for Estonia, Latvia, and Lithuania. After years of oppression and occupation by the Communist regime in the Soviet Union, the Baltic countries finally restored their sovereignty and regained independence in the early 1990s. Since that time, the Committee has worked to strengthen the relationship between those nations and the United States and to scrutinize Russian policy towards its neighbors in Eastern Europe.

Importantly, the Joint Baltic American National Committee was and continues to be a strong proponent of membership for Eastern European nations into the North Atlantic Treaty Organization (NATO) and the European Union (EU). When the Baltic countries became members of both organizations in 2004, the Committee focused more of its attention on promoting democracy in Belarus, where Alexander Lukashenko continues to cling to power and oppress his people. Moreover, because of Russia's use of its energy resources as a weapon against its neighbors and the violation of Georgian sovereignty by the Russian military, the Committee has reinforced its work in support of a resilient security partnership between the countries of Eastern Europe and the United States. Today, the Committee continues to advocate for a strong U.S. role in the region, to promote democracy and human rights worldwide, and to bear witness to the legacy of communism.

Mr. Speaker, the Joint Baltic American National Committee has served the Baltic countries and their citizens with distinction. As we congratulate the Committee on reaching its

50th year in existence, I ask my colleagues to join me in remembering and honoring its work on behalf of the free people of Estonia, Latvia, and Lithuania, the American citizens of Baltic heritage, and democracy for all of those still yearning to be free.

RECOGNIZING TOM BRIAN

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. WALDEN. Mr. Speaker, I rise today to recognize the contribution to Oregon by my good friend Tom Brian, and congratulate him on his retirement following 32 years of public service to our great state.

Tom's commitment to improving his community, state, and nation were readily apparent from his early days as a deputy sheriff, city councilor, and mayor of the city of Tigard, to his service as a state representative and 12 years on the Washington County Commission.

Tom has deep and enduring roots in Oregon that have grounded his personal and professional life in special ways. He treasures Oregon, where he and his wife, Joene, have raised their three children: Becky, Sarah, and Kevin.

Tom believes in making a difference—and he's backed up that belief with action. Over the last decade, Tom's vision as a commissioner deserves much credit for Washington County's robust job growth. His tireless collaborations with Intel, Solar World, and the many small businesses throughout Washington County have created a business-friendly climate that has made it a magnet for economic development.

Tom grew up in Monmouth, Oregon, where he attended Central High School and graduated from the Oregon College of Education in 1970, now Western Oregon University. After serving as a Polk County deputy sheriff from 1969 to 1973, an opportunity arose for Tom to join the Oregon Council on Crime and Delinquency, where he became its executive director until 1979.

In 1979, Tom started a career in real estate and also began his life in elected public office, earning election to the Tigard City Council. He later became the city's mayor.

Tom was recruited to run for the Oregon Legislature in 1988. Tom rose quickly through the legislative ranks and became the chairman of the Revenue Committee and served on the Ways and Means and Judiciary committees. Tom was an innovator and collaborative leader in the legislature. His hard work, steadfast dedication to Oregon, great wit, and solid character earned him respect from both sides of the aisle.

In 1999, Oregon's term limit law ushered Tom from the legislature after 10 years. Still committed to making a difference, Tom ran for and earned a position on the Washington County Commission. Tom served there for 12 years before retiring in January of this year as its chairman.

Mr. Speaker, Tom's leadership has been recognized with numerous awards and accolades, including the First Citizen of the City of

Tigard, the Guardian of Small Business, Outstanding Service to Farm Families, and Transit Legislator of the Year, just to name a few.

Tom has served and continues to serve ably on a long list of boards, commissions, and philanthropic endeavors. As chairman of the Tigard Old Fashioned 4th of July Celebration, a board member of the Clean Water Institute, and a board member of Willamette Valley Vineyards, Tom Brian stays busy working to make life better in his community.

Tom is a husband, father, leader, and friend. He set a tremendous example for the many Oregon leaders he mentored over the years, instilling in them the core values of commitment to others, self-sacrifice, and decisive leadership.

Max Williams, one of Tom's close friends and a former state representative, said of him, "You taught me not to be afraid of—or avoid—the difficult issues. Being out there 'on the limb' was necessary because that is 'where all the fruit is' when it comes to making meaningful and positive change."

Tom took risks and he pushed for progress; because of that, he made a real and positive difference.

Today I rise to recognize my friend Tom Brian for all that he has accomplished and for his invaluable contributions to his community. I invite my colleagues to join me in thanking Tom for his service and wishing him and his family many great and healthy years ahead.

HONORING CAPT. CHARLES E.
RIDGLEY, JR.

HON. C.A. DUTCH RUPPERSBERGER
OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES
Thursday, May 5, 2011

Mr. RUPPERSBERGER. Mr. Speaker, I rise before you today to mourn the loss and honor the life of Army Captain Charles E. Ridgley, Jr., who died April 16, 2011, in support of Operation Enduring Freedom.

A Maryland resident, Captain Ridgley was serving in Nangarhar Province, Afghanistan, and died of injuries sustained from a grenade attack by a suicide bomber on Forward Operating Base Gamberi. Four other brave American soldiers were killed in the attack.

At the time of his death, Captain Ridgley was assigned to the 17th Combat Support Battalion, based in Fort Richardson, Alaska. He had just two weeks left of his first overseas assignment before he was due to come home.

After overcoming a challenging childhood, Captain Ridgley joined the Army after earning his diploma from Walbrook Senior High School. He was inspired by his uncle's military service in the U.S. Air Force and participated in ROTC at Walbrook. He was commissioned a quartermaster officer in January 2007 and was assigned to Fort Richardson. While there, he earned his Bachelor's Degree in business administration with a concentration in global logistics from the University of Alaska. He was working toward his Master's Degree when he was deployed to Afghanistan.

Known as responsible and family-oriented, Captain Ridgley took great pride in his daughter and great care of his mother. Captain

Ridgley also worked as a martial arts instructor who enjoyed mentoring the children of fellow soldiers. He deeply valued education and ethics.

Mr. Speaker, many Maryland soldiers have died in support of the global war on terror. Once again, we hang our heads with sorrow at the loss of another life. I ask that you join with me today to honor the life and memory of Captain Ridgley, a true Maryland hero.

Captain Ridgley will be forever remembered as a dedicated soldier who greatly loved his country and faithfully served his fellow Americans by fighting for this great nation. He risked his life to serve our country and deserves our unending admiration and appreciation.

INTRODUCTION OF THE CONSTRUCTION QUALITY ASSURANCE ACT OF 2011

HON. CAROLYN B. MALONEY

OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 5, 2011

Mrs. MALONEY. Mr. Speaker, today, along with my colleague Rep. MAZIE HIRONO, I am introducing the Construction Quality Assurance Act of 2011. This bill is designed to stop bid shopping on federal construction contracts. It would require prime bidders on low-bid projects valued at \$1 million or more to list each subcontractor on work categories of \$100,000 or more with their bid submissions. Substitutions of listed subcontractors after contracts are awarded would be allowed only in exceptional circumstances and only with the consent of the contracting officer.

The bill would impose financial penalties for improper substitution of listed subcontractors. The bill would also apply to subcontractors. Both prime contractors and subcontractors would be subject to debarment or ineligibility determinations in cases where there are two infractions of the prohibitions over any three-year period.

Restoring equitable safeguards in the low bid system will assure that agency practice will conform to the highest standards adhered to by industry professionals and contractor associations, and will reflect best practices followed by a great many other public procurement systems nationally and internationally.

CONGRATULATING KRAFT FOODS' OSCAR MAYER PLANT IN COLUMBIA, MO, WHICH IS CELEBRATING ITS 25TH ANNIVERSARY

HON. BLAINE LUETKEMEYER

OF MISSOURI
IN THE HOUSE OF REPRESENTATIVES
Thursday, May 5, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize Kraft Foods' Oscar Mayer plant in Columbia, MO, which is celebrating its 25th anniversary on May 7th.

The plant opened in 1985 and is now a 183,000-square-foot structure located on 30 acres. It has been a formidable force in boosting Columbia's economy, employing over 600

people in the area. Twenty of the plant's employees have dedicated their service since the plant opened over two decades ago, contributing considerably to the plant's ranking as one of the top ten employers in the city.

The Oscar Mayer plant has also played a significant role in contributing to the community of Columbia and its citizens. Over the past 26 years, the plant has produced over 28 billion hot dogs in the last 25 years, enough for over 100 trips around the world laid end-to-end. On average, the Columbia plant donates 70,000 pounds of hot dogs to the Central Missouri Food Bank annually, which is the only source of protein for the food bank. Through Kraft Foods' contributions programs, the facility donates to non-profit organizations for the alleviation of hunger and to promote healthy lifestyles, to support the social service and cultural activities of its employees in the communities where they live and work, and to provide humanitarian aid.

Contributions made by the Kraft Foods facility in Columbia have done much to greatly enhance both the business climate and the quality of life for the entire population of the city, in addition to building upon the great sense of pride in those individuals associated with it.

In closing, Mr. Speaker, I ask all my colleagues to join me in wishing the employees of the Columbia Oscar Mayer plant and the citizens of Columbia, MO, congratulations on reaching this significant milestone.

HONORING DOTTIE BERGER
MACKINNON

HON. KATHY CASTOR
OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES
Thursday, May 5, 2011

Ms. CASTOR of Florida. Mr. Speaker, I rise to herald the achievements of Dottie Berger MacKinnon and to acknowledge her valuable contributions to the Tampa Bay community. Dottie is a community activist, child advocate, and former Hillsborough County Commissioner.

Dottie Berger MacKinnon is one of the founders of Joshua House, a safe haven for abused, abandoned, and neglected children, in Tampa and she has passionately supported the children served there since 1992. After founding the institution she helped the group establish a \$1.2 million endowment through the Community Foundation of Tampa Bay in order to ensure that they can continue the work that she started there long into the future. This is one of the truly incredible philanthropic establishments in Tampa Bay. Joshua House continues to change the lives of the children who pass through its doors today.

In addition to her service as a founder of Joshua House, she also served the community as a Hillsborough County Commissioner from 1994–1998. Her impressive service as a County Commissioner inspired those around her and on May 4, 2011 Dottie will be honored with the Ellsworth G. Simmons Good Government Award by the Hillsborough County Commissioners in recognition of the significant role that she played in improving government through leadership and vision.

Not finished with her incredible work for children yet, from 2005–2009 she worked tirelessly to develop, create and co-found A Kid's Place, a residential care facility for foster siblings. Before A Kid's Place opened in 2009, kids who were taken away from abusive homes were often separated from their siblings. Rescued children now stay at comfortable houses at A Kid's Place for up to a month while officials work to find stable homes for groups of brothers and sisters. Her work with A Kid's Place continues to this day, as they just opened up a fifth residence hall due to her tireless work and fundraising.

The achievements of Dottie Berger MacKinnon are truly remarkable, heroic even. She has been recognized as a true difference maker in the lives of the children of Tampa Bay. Although she now battles cancer, she still works unrelentingly in her quest to improve the lives of children in the Tampa Bay area. I stand with the rest of the community in awe of the work she has done and continues to do for the children of Tampa Bay. I am honored to have been invited to the Hillsborough League of Women Voters 2011 Annual Award Luncheon where Mrs. Dottie Berger MacKinnon will be receiving a Lifetime Achievement Award. I can think of no better candidate to receive this honor than Dottie, she is truly an inspiration to everyone in the Tampa Bay community.

A TRIBUTE TO TRESSA
BARTHOLOMEW

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. LATHAM. Mr. Speaker, I rise today congratulate Tressa Bartholomew of Carlisle, Iowa on recently celebrating her 106th birthday on March 30, 2011. Today she has four children, thirteen grandchildren, 29 great-grandchildren, and 43 great-great-grandchildren.

There have been many changes that have occurred during the past one hundred and six years. Since Tressa's birth we have revolutionized air travel and walked on the moon. We have invented the television and the Internet. We have fought in wars overseas, seen the rise and fall of Soviet communism and the birth of new democracies. Tressa has lived through nineteen United States Presidents and twenty-five Governors of Iowa. In her lifetime the population of the United States has more than tripled.

I congratulate Tressa Bartholomew for reaching this milestone of a birthday. I am extremely honored to represent her in Congress and I wish her happiness and health in her future years.

HONORING JOE WAZ

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to recognize Joe Waz for his 17 years of serv-

ice to Comcast Corporation, where he worked as Senior Vice President of External Affairs, and to the Comcast Foundation, where he served as Public Policy Counsel and President.

Mr. Waz has announced his retirement from Comcast Corporation, and although he will be greatly missed, his hard work and contributions have made a positive impact on the industry and ensure he will not be forgotten. In May 2002, Mr. Waz received the Vanguard Award, the highest honor presented by the cable industry, for his service in government and community relations.

Not only is Mr. Waz recognized nationally for his expertise in telecommunications public policy, he is also a leader in community investment and service. Under Mr. Waz's leadership, Comcast Corporation has made 219 investments to 120 different groups in Connecticut since 2006. More than \$2.9 million has been given in grants to groups ranging from the University of Hartford, the Connecticut Police Chiefs' Association, and the American School for the Deaf. In further commitment to the public interest, Joe also serves as a chairman of the Settlement Music School, the oldest community school of the arts in the U.S., and has previously served on the boards of the National Coalition for Cancer Survivorship, and the Federal Communications Bar Association Foundation.

On a personal note, I have known Joe since we attended the University of Connecticut School of Law together. I got to know him as a hard working, serious student of the law, who upheld the highest traditions of diligent, ethical practice.

It comes as no surprise to me that after leaving Comcast Corporation, Mr. Waz will work as a Senior Fellow at the Silicon Flatirons Center for Law, Technology, and Entrepreneurship at the University of Colorado, and serve as the first chairman of the Broadband Internet Technology Advisory Group.

I congratulate Mr. Waz on his successful 17 year career with Comcast Corporation, salute him for his commitment to community service, and wish him the best of luck in his future endeavors.

RECOGNIZING HILTON KELLEY

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today to recognize Hilton Kelley, a leader in the battle for environmental justice on the Texas Gulf Coast. Hilton Kelley is an advocate for communities living in the shadow of polluting industries. A life-long resident of Port Arthur, Texas, Hilton joined the Navy which eventually brought him to the San Francisco Bay Area where he began working as a stunt man and actor on several major movies and television shows including CBS's Nash Bridges.

During a visit home, 21 years after he left Port Arthur, Hilton found his community sickened by industrial pollution and on the

brink of economic collapse. Hilton realized then that in order to save his community, he needed to first tackle the environmental problems first. He launched Community In-power and Development Association, CIDA, and began training local residents to monitor air quality. As a result of Hilton's advocacy, the local refinery installed state-of-the-art equipment to reduce harmful emissions and also negotiated with them a \$3.5 million fund to help entrepreneurs launch new businesses in the community.

Hilton recognizes the disproportionate burden from pollution on communities of color, low-income people and indigenous communities needs to be reduced. These Americans are experiencing the highest rates of morbidity and/or death from asthma, cancer, learning disabilities, lead poisoning, lupus, and several other diseases. Hilton continues to work tirelessly to bring attention to the disproportionate burden of pollution on the most vulnerable members of our society advocating for regulations on the Gulf Coast and serving on the EPA's National Environment Justice Advisory Council.

Mr. Speaker, I would like to recognize Hilton Kelley for his determination and hard work to these causes. Our country is a better one because of Hilton Kelley.

OPEN AND TRANSPARENT
SMITHSONIAN ACT

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Ms. NORTON. Mr. Speaker, today, I introduce the Open and Transparent Smithsonian Act to further ensure that the Smithsonian Institution is accountable to the public for the taxpayer funds it receives. This bill provides that, for the purposes of the Freedom of Information Act (FOIA) and the Privacy Act, the Smithsonian shall be considered a Federal agency.

The bill complements my Smithsonian Modernization Act and my Smithsonian Free Admission Act. I introduce these bills today, to make the Smithsonian accountable for the 70 percent of its funding that comes from annual Federal appropriations. Although the Smithsonian was created by Congress as a Federal trust, it receives the great majority of its funding from the Federal Government, much like Federal agencies, and had always been treated as a Federal agency. However, in the 1990s, the U.S. Court of Appeals for the District of Columbia Circuit found that the Smithsonian is not a Federal agency for purposes of FOIA and the Privacy Act. Indeed, the Smithsonian's website clearly states that it is "not an Executive Branch agency, and FOIA does not apply to the Smithsonian."

This lack of transparency is of great concern, particularly in light of the Smithsonian's recent history of secrecy and corruption. In 2007, an independent review committee found that the Smithsonian Board of Regents had violated many principles of good management during the tenure of Lawrence Small as Secretary of the Smithsonian. The report indicated

that the Board had failed to provide desperately needed oversight, had overcompensated the Secretary, and had allowed the creation of an "insular culture." The report further found that the Smithsonian's deputy secretary and chief operating officer, Sheila Burke, had frequent absences from her duties because of outside activities, including service on corporate boards, for which she earned more than \$1.2 million over 6 years. Importantly, the report indicated that Smithsonian leaders took great measures to keep secret these missteps and mismanagement.

While the Smithsonian now has new leaders who are moving away from the mistakes of the past, its transparency should not depend on who is in charge. An entity supported primarily by the Federal Government must be accountable to the American people. The American people have a right to know that their interests are being served.

I urge my colleagues to support this measure.

HONORING LCPL RONALD
DOUGLAS FREEMAN

HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. BILIRAKIS. Mr. Speaker, I rise today to honor the life, sacrifice, and heroism of Marine Lance Corporal Ronald Douglas Freeman of Plant City, Florida.

LCpl Freeman, a minesweeper, was killed while conducting combat operations for Operation Enduring Freedom on April 28th, in Helmand Province, Afghanistan.

U.S. Marine Corps minesweepers are greatly admired for their fearlessness and diligence in leading patrols into enemy territory while providing safety and security for their peers by searching for buried explosives. LCpl Freeman personified this bravery and dedication while searching his patrol's area for explosives on the day of this death.

Outside of the Marines, Dougie—as he is known to his family and friends—was an outstanding father, worker, son, and brother. He was admired by many in the community, especially by his younger brother and older sister. He was extremely dedicated to his family and wanted nothing more than to be the best father he could be to his two young children.

Mr. Speaker, though proud to have such a fine example from the Tampa Bay community, it is with great remorse that I rise to commemorate the life of LCpl Freeman. I am in awe of the young men and women like Ronald Freeman who choose to serve their countrymen in the armed forces. As professionals in all that they do, they exhibit honor, courage, and commitment in every pursuit. Their sacrifices, like that of LCpl Freeman, will not be forgotten.

CONGRATULATING SARA
GABRIELLE, JAREK BAKKEN
AND DANIEL YEHIELI

HON. BRUCE L. BRALEY

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 5, 2011

Mr. BRALEY of Iowa. Mr. Speaker, I rise today to congratulate Sara Gabrielle, Jarek Bakken, and Daniel Yehieli, second prize winners of C-SPAN's Student Cam competition. Sara, Jarek and Daniel created a fantastic video entitled "The Price Tag of the American Dream" which details the challenges of paying for college.

Sara, Jarek and Daniel do an excellent job of highlighting the struggles that so many college students face today. Rising costs have limited access to an affordable higher education for many potential college students. I was pleased to see that this video explains many of the new benefits available to students as a result of the recent student loan law. Pell grants, college tax credits and the income-based repayment plan will be valuable tools that will make college more affordable for millions of Americans.

Sara, Jarek and Daniel's video illustrates both the challenges that many college students face today as well as the tools that are available to make college more affordable. I'm proud to represent Sara, Jarek and Daniel in Congress and wish them the best in their future endeavors.

HOUSE OF REPRESENTATIVES—Friday, May 6, 2011

The House met at noon and was called to order by the Speaker pro tempore (Mr. SIMPSON).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 6, 2011.

I hereby appoint the Honorable MICHAEL K. SIMPSON to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

PRAYER

Reverend Mark Farr, The Faith and Politics Institute, Washington, DC, offered the following prayer:

Gracious God, we give You thanks for the rich spiritual traditions that You have bestowed upon this Nation. May we be worthy of the heritage we have received.

Grant us the disposition to be still and to pray, the courage to respect the prayers of others, and the faith to know our prayers are never in vain.

Then, having prayed, grant us the willingness to bridge the divides that arise in a thriving democracy; lift our eyes that we might see above the immediacy of the present clamor to the peace that is forged by a life spent in intimacy with You that we might sow peace in our land, in this House, and in the Garden of our Souls.

In Your name we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following commu-

nication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
U.S. HOUSE OF REPRESENTATIVES,
Washington, DC, May 5, 2011.

Hon. JOHN A. BOEHNER,
U.S. House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 5, 2011, at 5:20 p.m.:

Appointment:
Board of Visitors of the United States Coast Guard Academy.

Congressional-Executive Commission on the People's Republic of China.

With best wishes, I am
Sincerely,

KAREN L. HAAS,

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until noon on Tuesday next for morning-hour debate.

There was no objection.

Accordingly (at 12 o' clock and 3 minutes p.m.), under its previous order, the House adjourned until Tuesday, May 10, 2011, at noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1460. A letter from the Acting Under Secretary, Department of Defense, transmitting a report on the Procurement and Use of Munitions, pursuant to Public Law 111-84, section 316; to the Committee on Armed Services.

1461. A letter from the Assistant Attorney General, Department of Justice, transmitting the 2010 Annual Report regarding the Department's enforcement activities under the Equal Credit Opportunity Act, pursuant to 15 U.S.C. 1691f; to the Committee on Financial Services.

1462. A letter from the General Counsel, Federal Housing Finance Agency, transmitting the Agency's final rule — Federal Home Loan Bank Liabilities (RIN: 2590-AA36) received March 31, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1463. A letter from the Acting Assistant General Counsel for Regulatory Service, Department of Education, transmitting the Department's final rule — Department of Education Acquisition Regulation [Docket ID: ED-2010-OCFO-0015] received April 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1464. A letter from the Deputy Director, Regulations Policy and Management Staff,

Department of Health and Human Services, transmitting the Department's final rule — Medical Devices; Immunology and Microbiology Devices; Classification of Ovarian Adnexal Mass Assessment Score Test System [Docket No.: FDA-2011-N-0026] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1465. A letter from the First Vice-President, Controller and Chief Accounting Officer, Federal Home Loan Bank of Boston, transmitting the 2010 management report and statement of internal controls of the Federal Home Loan Bank of Boston, pursuant to 31 U.S.C. 9106; to the Committee on Oversight and Government Reform.

1466. A letter from the HR Specialist, Office of Navajo and Hopi Indian Relocation, transmitting the Office's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1467. A letter from the Director, Peace Corps, transmitting a copy of the Peace Corp's Fiscal Year 2010 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

1468. A letter from the Chief Judge, Superior Court of the District of Columbia, transmitting the Court's report on the activities of the Family Court during 2010, pursuant to Public Law 107-114; to the Committee on Oversight and Government Reform.

1469. A letter from the Director, National Oceanic and Atmospheric Administration, transmitting the Administration's 2010 Report on the Disclosure of Financial Interest and Recusal Requirements for Regional Fishery Management Councils and Scientific and Statistical Committees; to the Committee on Natural Resources.

1470. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation for Marine Event; Temporary Change of Dates for Recurring Marine Event in the Fifth Coast Guard District [Docket No.: USCG-2010-1094] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1471. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations for Marine Events; Potomac River Charles County, MD [Docket No.: USCG-2010-1113] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1472. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Soil Sampling; Chicago River, Chicago, Illinois [Docket No.: USCG-2011-0086] (RIN: 1625-AA00) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

1473. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Curtis Creek, Baltimore, MD [Docket No.: USCG-2010-1103] (RIN: 1625-AA09) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1474. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Todd Pacific Shipyards Vessel Roll-Out, West Duwamish Waterway, Seattle, Washington [Docket No.: USCG-2011-0117] (RIN: 1625-AA00) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1475. A letter from the Senior Program Analyst, Department of Transportation, transmitting the Department's final rule — Airworthiness Directives; PIAGGIO AERO INDUSTRIES S.p.A Model PIAGGIO P-180 airplanes [Docket No.: FAA-2011-0054; Directorate Identifier 2010-CE-070-AD; Amendment 39-16582; AD 2011-01-53] (RIN: 2120-AA64) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1476. A letter from the Chief Engineer, Department of Defense, transmitting the Final Integrated Project Implementation Report and Final Environmental Impact Statement; (H. Doc. No. 112-20); to the Committee on Transportation and Infrastructure and ordered to be printed.

1477. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Corps Integrated Feasibility Report and Environmental Impact Statement; (H. Doc. No. 112-21); to the Committee on Transportation and Infrastructure and ordered to be printed.

1478. A letter from the Assistant Secretary of Defense, Legislative Affairs, Department of Defense, transmitting seven legislative proposals that the Department of Defense requests be entered during the first session of the 112th Congress to be part of the Nation Defense Authorization Act for Fiscal Year 2012; jointly to the Committees on Armed Services and Oversight and Government Reform.

1479. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medical Program; Hospital Inpatient Prospective Payment Systems for Acute Care Hospitals and Fiscal Year 2011 Final Wage Indices Implementing the Medicare and Medicaid Extenders Act [CMS-1357-N] (RIN: 0938-AQ97) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. PRICE of North Carolina (for himself, Ms. BROWN of Florida, Mr. BUTTERFIELD, Mr. CONYERS, Mr. DONNELLY of Indiana, Mr. GRIJALVA, Mr. KISSELL, Mr. LEWIS of Georgia, Mr. MCINTYRE, Mr. MILLER of North Carolina, Mr. MORAN, Mr. WALZ of Minnesota, and Mr. WATT):

H.R. 1794. A bill to amend the Elementary and Secondary Education Act of 1965 to pro-

vide grants for innovative teacher retention programs; to the Committee on Education and the Workforce.

By Mr. DEFAZIO (for himself, Ms. HIRONO, Mr. FILNER, Mr. LARSEN of Washington, Mr. NADLER, Mr. BISHOP of New York, Mr. BOSWELL, Mr. CUMMINGS, Ms. RICHARDSON, Mr. QUIGLEY, and Mr. LIPINSKI):

H.R. 1795. A bill to promote increased public transportation use, to promote increased use of alternative fuels in providing public transportation, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HONDA (for himself, Ms. BALDWIN, Ms. BASS of California, Mr. BECERRA, Ms. BERKLEY, Mr. BERMAN, Mr. BLUMENAUER, Ms. BORDALLO, Mr. BRADY of Pennsylvania, Mr. CAPUANO, Mr. CARSON of Indiana, Ms. CASTOR of Florida, Mr. CONYERS, Mr. DEUTCH, Ms. CLARKE of New York, Mrs. CAPPS, Ms. CHU, Mr. COHEN, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DEGETTE, Mr. DOYLE, Mr. ELLISON, Ms. ESHOO, Mr. FALEOMAVAEGA, Mr. FARR, Mr. FATTAH, Mr. FILNER, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. GUTIERREZ, Mr. HASTINGS of Florida, Mr. HINCHAY, Ms. HIRONO, Mr. HOLT, Ms. NORTON, Mr. ISRAEL, Mr. JACKSON of Illinois, Ms. JACKSON LEE of Texas, Mr. JOHNSON of Georgia, Ms. LEE of California, Mr. LEWIS of Georgia, Ms. ZOE LOFGREN of California, Mr. LANGEVIN, Mrs. MALONEY, Mr. MARKEY, Ms. MATSUI, Ms. MCCOLLUM, Mr. McDERMOTT, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Ms. MOORE, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. OLVER, Ms. PELOSI, Ms. PINGREE of Maine, Mr. POLIS, Mr. QUIGLEY, Mr. RANGEL, Ms. RICHARDSON, Mr. ROTHMAN of New Jersey, Ms. ROYBAL-ALLARD, Mr. RUSH, Mr. SABLAN, Ms. LINDA T. SANCHEZ of California, Ms. SCHAKOWSKY, Mr. SERRANO, Mr. SIRE, Mr. STARK, Mr. TOWNS, Ms. TSONGAS, Ms. WASSERMAN SCHULTZ, and Ms. WILSON of Florida):

H.R. 1796. A bill to amend the Immigration and Nationality Act to promote family unity, and for other purposes; to the Committee on the Judiciary.

By Mr. LUJAN (for himself and Mr. DEUTCH):

H.R. 1797. A bill to promote the use of cooperative research and development agreements by the Department of Energy National Laboratories, and for other purposes; to the Committee on Science, Space, and Technology, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK (for himself, Mr. KING of New York, Ms. LORETTA SANCHEZ of California, Mr. CARNAHAN, and Mrs. MALONEY):

H.R. 1798. A bill to prevent foreign states that do business, issue securities, or borrow money in the United States, and then fail to satisfy United States court judgments totaling \$100,000,000 or more based on such activities, from inflicting further economic inju-

ries in the United States, from undermining the integrity of United States courts, and from discouraging responsible lending to poor and developing nations by undermining the secondary and primary markets for sovereign debt; to the Committee on Financial Services, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MEEKS (for himself and Mr. KING of New York):

H.R. 1799. A bill to prohibit the disposal of Department of Veterans Affairs land and improvements at St. Albans campus; to the Committee on Veterans' Affairs.

By Mr. SENSENBRENNER (for himself, Mr. SMITH of Texas, Mr. ROGERS of Michigan, and Mr. DANIEL E. LUNGREN of California):

H.R. 1800. A bill to temporarily extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 relating to access to business records and roving wiretaps and to permanently extend expiring provisions of the Intelligence Reform and Terrorism Prevention Act of 2004 relating to individual terrorists as agents of foreign powers; to the Committee on the Judiciary, and in addition to the Committee on Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. PRICE of North Carolina:

H.R. 1794.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution provides Congress with the authority to "make all Laws which shall be necessary and proper" to provide for the "general Welfare" of Americans. In the Department of Education Organization Act (P.L. 96-88), Congress declared that "the establishment of a Department of Education is in the public interest, will promote the general welfare of the United States, will help ensure that education issues receive proper treatment at the Federal level, and will enable the Federal Government to coordinate its education activities more effectively." The Department of Education's mission is to "promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access."

By Mr. DEFAZIO:

H.R. 1795.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3.

By Mr. HONDA:

H.R. 1796.

Congress has the power to enact this legislation pursuant to the following:

Clause 4 of Section 8 of Article I of the Constitution, which grants Congress the power "[t]o establish a uniform Rule of

Naturalization . . . throughout the United States.”

By Mr. LUJÁN:

H.R. 1797.

Congress has the power to enact this legislation pursuant to the following:

Section 8 of Article 1

By Mr. MACK:

H.R. 1798.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the U.S. Constitution

By Mr. MEEKS:

H.R. 1799.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8.

By Mr. SENSENBRENNER:

H.R. 1800.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 44: Mr. PASCRELL.

H.R. 178: Mr. STARK.

H.R. 421: Mr. LATOURETTE and Mr. WEST.

H.R. 468: Mr. KELLY.

H.R. 609: Mrs. MILLER of Michigan.

H.R. 665: Mr. QUAYLE and Mr. KELLY.

H.R. 822: Mr. COBLE, Mr. STUTZMAN, and Mr. GOWDY.

H.R. 904: Mr. HULTGREN.

H.R. 1161: Ms. HERRERA BEUTLER.

H.R. 1514: Mr. NADLER.

H.R. 1603: Mr. KILDEE.

H.R. 1716: Mr. COHEN, Mr. LANGEVIN, Mr. MURPHY of Connecticut, Mr. GARAMENDI, Ms. BASS of California, Mr. GENE GREEN of Texas, Mr. JACKSON of Illinois, Ms. SPEIER, Mr. PIERLUISI, and Mr. SERRANO.

H. Res. 241: Mr. RIVERA.

H. Res. 247: Mr. MCCAUL.

EXTENSIONS OF REMARKS

“JUSTICE IS SERVED: THE DEATH
OF OSAMA BIN LADEN”

HON. SHELLEY BERKLEY

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 6, 2011

Ms. BERKLEY. Mr. Speaker, I rise to congratulate President Obama, his national security team and the members of our armed forces for the recent operation that led to the capture and killing of Al Qaeda's leader, Osama Bin Laden. The operation was conducted in an extremely professional manner and I am pleased that, nearly a decade after the tragedy of September 11, justice has finally been served.

While the fight against terrorism will continue and our military forces remain in harm's way, for a moment, Americans can proudly mark the demise of this symbol of hatred who died with the blood of thousands on his hands. This is a tremendous victory for America and a promise kept to the families of the 9–11 victims. I congratulate everyone involved in this important, historic mission.

THE PROVIDING GAS PRICE RELIEF THROUGH PUBLIC TRANSPORTATION ACT OF 2011

HON. PETER A. DeFAZIO

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 6, 2011

Mr. DeFAZIO. Mr. Speaker with gas prices exceeding \$4 per gallon in much of the country, American families need real action, not meaningless gestures, to help deal with skyrocketing transportation costs. As gas prices continue to rise, people are increasingly turning to mass transit, yet high fuel prices coupled with cuts in local funding have forced nearly 60% of transit agencies nationwide to reduce service or raise fares in recent years. The Republican Budget for Fiscal Year 2012 would make matters worse by making significant cuts in transit funding which will result in more fare hikes, more service cuts, and more pain for American commuters and families.

In response, I am introducing the Providing Gas Price Relief Through Public Transportation Act of 2011 today. This legislation will provide support to struggling and increasingly overwhelmed transit agencies to allow them to maintain service and keep fares low. It ensures that people will have an affordable alternative to driving, and it helps those who need it most.

The bill authorizes \$1.7 billion over two years of additional capital and operating funds for transit agencies to reduce fares and expand transit services. It would increase the Federal share for clean fuel and alternative

fuel transit bus, ferry, or locomotive-related equipment and facilities from 90 percent to 100 percent. The bill would extend transit benefits to all Federal employees. And the bill would establish a two-year vanpool pilot program. Similar legislation was passed by the House in 2008 by a vote of 322–98.

I am pleased to have Representatives HIRONO, FILNER, LARSEN, NADLER, BISHOP, BOSWELL, CUMMINGS, RICHARDSON, QUIGLEY, and LIPINSKI join me as original cosponsors of the bill. I am also pleased to have the support of a number of transit stakeholders including the American Public Transportation Association (AFTP), Amalgamated Transit Union (ATU), Transportation for America, Association for Commuter Transportation, VPSI, Inc., and AVEGO.

I hope my colleagues will join me in supporting this important legislation.

IN HONOR OF STEPHEN SCOTT
FEREBEE, JR.

HON. LARRY KISSELL

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 6, 2011

Mr. KISSELL. Mr. Speaker, I rise today to honor Mr. Stephen Ferebee, Jr., a veteran and patriot, a leader in architecture, a champion for education and a remarkable contributor to the betterment of North Carolina.

On June 6, 1944, as a paratrooper with the 506th Parachute Infantry Regiment, Stephen jumped into France on D-Day. He was wounded near Carentan, France, and evacuated to England where Stephen met Mary, his wife of 61 years. Although Stephen would leave active service, he remained in the active Reserves. Rising to the rank of Major General, from December of 1969 through December of 1976, Stephen commanded the 108th Division with units across North and South Carolina. Stephen retired from the active Army Reserve in 1976, yet his selfless service continued. An ambassador for the community, Stephen served in a multitude of prestigious and vitally important roles in support of the community.

These positions included: President, Charlotte East Rotary, 1997–1998; Vice President, Charlotte Chamber of Commerce, 1975–76; Board Member, United Community Services, Charlotte, 1977–1982; Board Member, Habitat for Humanity of Charlotte, 1998–2001; Board Member, Opera Carolina, 1988–1991; President, North Carolina State University Alumni Association, 1980–1981, Board of Directors, 1975–1977; Member, Chancellor's Search Committee, North Carolina State University, 1981–1982; President, North Carolina Design Foundation, North Carolina State University, 1966–1968 and 1977–1978; Chair, Special Committee of the North Carolina Chapter, AIA, for the establishment of a new College of Ar-

chitecture at the University of North Carolina at Charlotte, 1965–1969; Chair, Advisory Council, College of Architecture, UNC Charlotte, 1965–1969; Member, Dean's Search Committee, College of Architecture, UNC Charlotte, 1975–1976; Member, NAAB Special Committee to review and revise Architectural Accreditation Criteria and Procedures, 1982–1983; Member, Advisory Committee to NC Department of Community Colleges to assist in establishment of architectural technology curricula in North Carolina Community Colleges and Technical Institutes, 1965–1967.

Stephen's personal impact within the architectural profession represents a remarkable and unmatched legacy of selfless service. Stephen's contributions to the advancement of community, education, and architecture have impacted countless others. Stephen was a man who inspired others by leading through example and his life was a commendable example for future generations of architects, community leaders, and educators.

I ask my colleagues to join me in honoring the life and work of Stephen Scott Ferebee, Jr.

HONORING U.S. ARMY SERGEANT
PAUL J. ATIM'S SERVICE IN AF-
GHANISTAN

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 6, 2011

Mr. RIBBLE. Mr. Speaker, I rise today to remember and honor the life and sacrifice of Sergeant Paul J. Atim. A resident of Green Bay, Wisconsin, Sergeant Atim died while serving our country in the Helmand province of Afghanistan. Sergeant Atim died of wounds suffered April 16, in Nimroz province, Afghanistan when insurgents attacked his unit with an improvised explosive device. He was assigned to the 1st Battalion, 32nd Infantry Regiment, 3rd Brigade Combat Team, 10th Mountain Division, Fort Drum, N.Y. Paul Atim died protecting the freedoms we take for granted every day. His heroic sacrifice will not soon be forgotten.

Mr. Speaker, Sergeant Atim embodied the best qualities of a true American soldier. He emigrated from Uganda to America in search of a better life. He attended university, and worked hard to provide a good life for his son. He is remembered by friends and family as a man with a courageous and strong spirit who earned the unwavering respect of his peers. Through his exemplary service, Sergeant Paul Atim has made Northeast Wisconsin and his country proud.

It is my honor to commemorate him and I urge my colleagues to join me today in honoring the life of Sergeant Paul Atim for the sacrifice he made for the United States.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

SENATE—Monday, May 9, 2011

The Senate met at 2 p.m. and was called to order by the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Merciful God, take possession of our hearts so that we will do Your will. Use us for Your glory as beacons of light and inspiration in our Nation and world. We desire for Your name to receive the honor it is due. So show us Your ways and teach us Your path. Lord, be gracious to the Members of this body, showering them liberally with Your wisdom. Let Your love fill and rule their lives, preparing them for that bliss You will give to those who love You.

We pray in Your great name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable RICHARD BLUMENTHAL led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 9, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable RICHARD BLUMENTHAL, a Senator from the State of Connecticut, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BLUMENTHAL thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following the ceremony that will take place very

shortly, and following any leader remarks, the Senate will be in morning business until 4:30 p.m. At that time there will be 1 hour of debate on the nomination of James Cole to be Deputy Attorney General. At approximately 5:30, there will be a cloture vote on the Cole nomination.

Last week, we were able to enter into a consent agreement on the nomination of Edward Chen. We expect to vote on this nomination sometime this week.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CERTIFICATE OF APPOINTMENT

The VICE PRESIDENT. The Chair lays before the Senate the certificate of appointment to fill the vacancy created by the resignation of former Senator John Ensign of Nevada. The certificate, the Chair is advised, is in the form suggested by the Senate.

If there be no objection, the reading of the certificate will be waived and it will be printed in full in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

STATE OF NEVADA
Executive Department

CERTIFICATE OF APPOINTMENT

To the President of the Senate of the United States:

This is to certify that, pursuant to the power vested in me by the Constitution of the United States and the laws of the State of Nevada, I, Brian Sandoval, the governor of said State, do hereby appoint Dean Heller a Senator from said State to represent said State in the Senate of the United States until the vacancy therein caused by the resignation of John Ensign, is filled by election as provided by law.

Witness: His excellency our governor Brian Sandoval, and our seal hereto affixed at Carson City, Nevada, this third day of May, in the year of our Lord 2011.

By the governor:

BRIAN SANDOVAL,
Governor.
ROSS MILLER,
Secretary of State.

[State Seal Affixed]

ADMINISTRATION OF OATH OF OFFICE

The VICE PRESIDENT. If the Senator-designate will now present himself

at the desk, the Chair will administer the oath of office.

The Senator-designate, DEAN HELLER, escorted by Mr. REID, advanced to the desk of the Vice President; the oath prescribed by law was administered to him by the Vice President; and he subscribed to the oath in the Official Oath Book.

The VICE PRESIDENT. Congratulations.

Mr. HELLER. Thank you very much. (Applause, Senators rising.)

Mr. UDALL of New Mexico. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

MEASURE PLACED ON THE CALENDAR—H.R. 3

Mr. REID. Mr. President, I am told that H.R. 3 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (H.R. 3) to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

Mr. REID. Mr. President, I would now object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

SCHEDULE

Mr. REID. Mr. President, every time we have a peaceful transfer of power at any level of our government, it speaks to the strength of our democracy. Today is no different.

Today, Nevada welcomes our newly appointed Senator, DEAN HELLER—until a few minutes ago, Congressman HELLER—to this side of the Capitol. Nevada is still reeling, more than most, from the Wall Street recession that crashed our housing and jobs markets. I look forward to working with our new junior Senator to make the tough choices that will help our State and our citizens recover.

The Senate will soon confront one of those tough choices. We will continue our conversation about how to save

taxpayer money and lower our Nation's deficit and debt. We have to recognize that we cannot do either so long as we keep giving away money to oil companies that clearly do not need taxpayer handouts. As gas prices and oil company profits keep rising, each Senator will soon have the opportunity to stand with the millionaires or with the middle class.

Also, today the Senate will vote on whether to advance the nomination of the Attorney General's top deputy, Jim Cole. The Deputy Attorney General runs the day-to-day operations at the Department of Justice. He also supervises the National Security Division and makes critical decisions each day that affect the safety of our great Nation. For instance, Jim Cole is one of the only people at the Department of Justice who can sign the critical warrants that permit our intelligence officials to conduct surveillance on suspected terrorists.

In the last week, our country has been reminded of the incredibly important role our intelligence community plays. It is unthinkable that partisanship and legislative ploys are keeping a public servant as well qualified as Jim Cole out of this important national security role. I hope the Senate will confirm him quickly this evening.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

WELCOMING SENATOR HELLER

Mr. MCCONNELL. Mr. President, first, we just swore in our new colleague, DEAN HELLER. The majority leader is giving a reception for him this afternoon. We hope many Members will take the opportunity to go by and welcome him to the Senate.

GAS PRICES

Mr. MCCONNELL. Mr. President, I am going to devote my leader time this afternoon to an issue which may not be on the Democrats' legislative agenda this week but which is certainly on the minds of most Americans every day. I am referring, of course, to the high cost of gasoline. All across the country, people are suffering from the runup in gas prices we have seen over the past few months. It is squeezing family budgets, tightening margins at already struggling small businesses, and it poses a mortal threat to any economic rebound.

This is a critical issue. Americans are looking for answers. Yet all they are getting from the President and the Democratic leaders in Congress are gimmicks and deflection. We have seen

this before. Every time gas prices go up, Democrats claim there is nothing they can do about it. Then they propose something completely counterproductive just to quiet their critics. This time, it is a tax increase. That is the Democratic response to high gas prices—a tax hike.

Well, the first thing to say about this proposal is that it will not do a thing to lower gas prices—not a thing. In fact, raising taxes on American energy production will increase the price of gas. Oh, and it would also make us even more dependent on foreign sources of oil. Now, that is not my view. That is the view of the independent Congressional Research Service, which concluded in March that the Democrats' proposed tax increase on energy production would "make oil and natural gas more expensive for U.S. consumers and likely increase foreign dependence." It sounds like a brilliant strategy to me.

Beyond raising taxes, Democrats insist there is nothing they can do about gas prices, but I think most Americans feel differently. I think most Americans believe it is time to stop talking about what we cannot do and start talking about what we can do. If the President and Democrats in Congress are truly serious about lowering gas prices and making us less dependent on foreign sources of oil, here are a few suggestions.

First, if ever there was a moment to develop our resources here at home, it is now. For decades, Democrats have resisted efforts to tap our American resources. Then when gas prices go up, they tell us how many years it would take to get the product to market. It is time to take this excuse off the table by breaking the cycle.

Second, Democrats need to allow energy companies to cut through the bureaucratic redtape that prevents companies that are authorized to explore here from getting to work and putting thousands of Americans back to work.

Third, they need to stop penalizing America's producers with new fees and threats of tax hikes, which only drive energy companies overseas and help our foreign competitors and create jobs in places such as Venezuela. And they need to call an end to the anti-energy crusade of the EPA.

In short, Democrats need to throw away the old playbook—throw that one away—and face this crisis with a new kind of creativity, independence, and common sense that the American people are demanding.

Democrats need to stop deflecting attention from their own complicity in our Nation's overdependence on foreign oil. They need to stop paying lip service to the need for American exploration while quietly supporting efforts to suppress it. They need to end an approach that has not changed, frankly, since the days of Jim Carter. Just like Car-

ter before them, today's Democrats are using the crisis of the moment as an excuse to push their own vision of the future with a "windfall profits tax" on energy companies. And just like Carter before them, they have rightly been accused of bringing a BB gun to the war.

This is a serious crisis. It is time for serious solutions—solutions that create jobs instead of moving them overseas, solutions that decrease our dependence on foreign sources of oil rather than increase it, solutions that offer relief rather than mere rhetoric.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 4:30 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The Senator from Arizona.

WELCOMING SENATOR HELLER

Mr. KYL. Mr. President, I note that Vice President BIDEN was just here in the Chamber for the swearing-in of our newest Senator, DEAN HELLER from Nevada. I add my congratulations to now-Senator HELLER joining this body.

REDUCING THE DEBT

Mr. KYL. Vice President BIDEN has been kind enough to host discussions—starting last week and going into this week and perhaps beyond—with Members of the Senate and the House of Representatives to try to find a way to reduce the huge debt that hangs over the United States, as a prelude, I am sure he would put it, to the Congress acting on the President's request that Congress increase the debt ceiling.

There have been generally two ways suggested on how to deal with our debt. Many Democrats believe the wealthy in the United States do not pay enough taxes, and therefore one way to reduce the debt is for taxes to be increased, especially on the wealthy. Most Republicans believe that is a bad idea, that since debt is our problem and we got into debt because we have been spending too much, the better way for us to deal with the problem is to begin reducing our spending and to make sure over the years we are able to do that.

There are a couple of interesting things that have just come out in the news recently that I think bear on this argument.

A lot of folks wonder about the debt burden in the United States, and I

think it is useful to point out the fact that last week the Wall Street Journal reported that the Joint Committee on Taxation found that “the percentage of U.S. households paying no federal income tax . . . reached 51% for [the year] 2009.” I think that is the first time in the history of America that over half of Americans didn’t pay Federal income taxes. I do not think that is a good thing. While certainly people in the lower income brackets are not able to pay very much in the way of taxes, I think even a very small amount, an affordable amount, would be appropriate so everybody has what they call skin in the game, so everybody understands the relationship between the burdens and the benefits of government. I would not impose a significant tax on the lower half or certainly not the lower 10 percent, but I think it is important for all Americans to know we all have a stake in this, and that more than half of the people cannot just expect the so-called wealthy to bear all of the burdens of government.

But the question remains, are American wealthy taxpayers undertaxed? I think a useful measure to look at here is a comparison with other countries, for example. The OECD countries—which stands for Organisation for Economic Co-operation and Development—are generally regarded as the most advanced economies in the world, and the United States is one of those countries.

A study that is based on 2008 statistics found that the highest earning 10 percent of the U.S. population paid the largest share among 24 countries examined, even after adjusting for their relatively higher incomes, and it concluded:

“Taxation is most progressively distributed in the United States,” the OECD concluded.

The bottom line here is that for a country to be competitive, the people who provide the capital for job creation, for economic growth, have to have some capital remaining after they have earned it in order to invest that capital, return it to their businesses, hire more people, be more productive, create more wealth, and thereby provide for the families of the people who own the businesses and, by earning more income, increase the amount the Federal Government and the State government take in as revenues.

Republicans are very happy to concede it would be helpful if the government has more revenues in order to help close this debt gap we have. The question is how we get more revenues. We believe more revenues are a function of a growing economy. Here too some statistics that just came out over the weekend, I believe it was, demonstrated that we can actually delay the increase in the debt ceiling by some period of time because revenues to the Federal Treasury have been a

little higher than previously expected. Why? Because the economy grew more than expected, and as people made more money, they therefore paid more in withholding and in Federal income taxes. That is the way for the government to get more revenue—for the economy to do better, for Americans to do better.

So if you tax more the people who are the ones likely to do the investing into businesses, will you get more investment? Will you get more Federal revenue? Well, you will get a little bit more to begin with, but in the long run, you will get less. One of the reasons it is not a good idea to tax more the very people whom we are referring to in this study is because half of all the small business income reported is reported as part of the highest income tax bracket for individuals. In other words, small businesses do not pay as corporations, they pay as individuals, and when a small businessman has to report his earnings, he reports all of the income from his enterprise. A lot of that is business expense, but that is how he has to report it. So you are talking here about half of all that income reported being taxed at a higher rate, if, in fact, the President and some of his colleagues have their way. That will reduce the amount of investment and growth in the economy and thereby make it harder for us to pay off this large debt.

The advocates of a gigantic tax increase are really very shortsighted, therefore, in assuming that if they raise tax rates, they are going to get more revenues. That is what they tried to do in Japan during the late 1990s. It did not work out. Japan went back into a deep recession, and it is not going to be possible for them to generate existing revenue with their higher tax rates.

The way you get robust growth is not with higher tax rates but with lower tax rates. A rapidly expanding economy does create new jobs and income for investment and wealth-creating enterprises, and obviously some of that wealth flows back to the government and can be used to reduce the debt.

But the policy tools we decide upon in these negotiations will have a lot to say about how we are able to reduce the debt and whether part of that will be a result of economic growth in the future. Obviously, the point here is not just to have economic growth so the Federal Government can earn more in income tax revenue but to promote American prosperity and a better future for our families.

So the question is, Will we impose tax hikes that discourage investment and punish job creation or will we make the tax system more efficient and conducive to growth?

I wish to cite a couple of studies to show why it is most important for us to focus on reducing spending rather than raising tax rates, because spend-

ing cuts, not tax hikes, are the best way to close the massive budget gap and help to produce economic growth in our country.

One study was performed by two Harvard economists, Alberto Alesina and Silvia Ardagna. By studying large-scale fiscal adjustments by wealthy developed countries from 1990 to 2007, they determined that “spending cuts are much more effective than tax increases in stabilizing the debt and avoiding economic downturns.” Moreover, they found “several episodes in which spending cuts adopted to reduce deficits have been associated with economic expansions rather than recessions.”

Two economists at Goldman Sachs, Ben Broadbent and Kevin Daly, undertook a similar study and reviewed every major fiscal correction in wealthy nations since 1975. They found:

Decisive budgetary adjustments that have focused on reducing government expenditures have (i) been successful in correcting fiscal imbalances; (ii) typically boosted growth; and (iii) resulted in significant bond and equity market outperformance. Tax-driven fiscal adjustments, by contrast, typically fail to correct fiscal imbalances and are damaging for growth.

So reducing spending was the way not only to reduce the debt of the country, but it also boosted growth; whereas, tax-driven adjustments had exactly the opposite effect and failed to correct fiscal imbalances and were damaging for growth.

A final study—and I think this is interesting because it focuses on what we think are big-spending countries. It is by the same two economists, Broadbent and Daly. They pointed specifically to Ireland, Sweden, and Canada. They pointed out cases driven by cuts in public spending. Sweden, in particular, which is famous for being a generous welfare state, was able to trim the size of government substantially—all of which suggests to me that if Stockholm can do it, Washington ought to be able to do it today.

Reducing the short-term deficit and stabilizing the long-term debt are critically important to American prosperity and living standards, and if you do it by reducing spending rather than increasing tax rates, you can also have the additional benefit of increasing prosperity not just for businesses and families but for the U.S. Government, which would then make more in terms of income tax revenues.

The bottom line here is when we work to forge this bipartisan compromise that everybody is looking to us to reach, we should bear these basics principles in mind: Cutting spending, not raising taxes, is the answer.

I ask unanimous consent to have two documents printed in the RECORD. The first one was published in the National Review Online, dated May 9, called “The Future of American Prosperity,”

which I authored. The second is a publication which was in weekly-standard.com on May 16, by Frederick Kagan and Kimberly Kagan.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the National Review Online, May 9, 2011]

THE FUTURE OF AMERICAN PROSPERITY

(By Senator Jon Kyl)

SPENDING CUTS, NOT TAX INCREASES, ARE THE SOLUTION TO OUR DEBT CRISIS

Members of both parties agree that Washington's present fiscal course is dangerously unsustainable. We're now borrowing 40 cents for every dollar we spend. This profligacy continues to weaken the dollar, threatening its status as the global reserve currency and fostering anxiety in the bond markets. Last month, Standard & Poor's delivered a sobering wake-up call when it revised its outlook on the U.S. long-term credit rating from "stable" to "negative."

No question, our accounts must be brought into balance—but not at the expense of economic growth. Those who advocate gigantic tax increases are short-sighted. Amid a sluggish recovery, abrupt tax hikes could drive the economy back into recession. (That's what happened in Japan during the late 1990s.) Moreover, it will be impossible to generate sufficient revenue without robust growth. A rapidly expanding economy creates new jobs and income for investment in wealth-creating enterprises. Some of that wealth flows back to the government and can be used to reduce the debt.

The policy tools we use to restore fiscal stability will go a long way toward shaping the future of American prosperity and promoting the economic expansion we need. Will we impose tax hikes that discourage investment and punish job creation? Or will we make the tax system more efficient and conducive to growth?

As these and other questions are debated, policymakers should consult the evidence from other industrialized countries, which overwhelmingly suggests that spending cuts, not tax hikes, are the best way to close massive budget gaps and help produce economic growth. Indeed, after studying large-scale fiscal adjustments by wealthy, developed countries between 1970 and 2007, Harvard economists Alberto Alesina and Silvia Ardagna determined that "spending cuts are much more effective than tax increases in stabilizing the debt and avoiding economic downturns." Moreover, they found "several episodes in which spending cuts adopted to reduce deficits have been associated with economic expansions rather than recessions."

Goldman Sachs economists Ben Broadbent and Kevin Daly recently undertook a similar study that reviewed every major fiscal correction in wealthy nations since 1975. They found that "decisive budgetary adjustments that have focused on reducing government expenditures have (i) been successful in correcting fiscal imbalances; (ii) typically boosted growth; and (iii) resulted in significant bond and equity market outperformance. Tax-driven fiscal adjustments, by contrast, typically fail to correct fiscal imbalances and are damaging for growth."

Broadbent and Daly pointed to successful fiscal adjustments in Ireland (1987–89), Sweden (1994–98), and Canada (1994–97). In each case, the adjustment was driven primarily by

cuts in public spending. Sweden in particular is famous for the generosity of its welfare state. Yet, when faced with a crisis, Swedish officials were able to trim the size of government substantially. If Stockholm could do it back in the mid-1990s, Washington can do it today.

Reducing the short-term deficit and stabilizing the long-term debt are critically important to American prosperity and living standards. But studies show that if fiscal consolidation relies heavily on tax increases, it will stifle economic growth and prove counterproductive.

This is the lesson we must apply as we try to forge a genuine bipartisan compromise to deal with our debt crisis.

[From WeeklyStandard.com, May 16, 2011]

BIN LADEN IS DEAD . . .

BUT AL QAEDA ISN'T—WE SHOULD BUILD ON OUR SUCCESS IN ABBOTTABAD BY REDOUBLING OUR EFFORTS TO DEFEAT HIS MOVEMENT

(By Frederick W. Kagan and Kimberly Kagan)

Osama bin Laden's killing was a great moment for America and for decent people around the world. But allowing the euphoria of that moment to drive us to irresponsible decisions in South Asia would be devastating to America's interests and security. Al Qaeda has not yet been dismantled or defeated.

Osama bin Laden's death has no implications for the number of American or international forces in Afghanistan, for their mission, or for the timeline for their reduction. George W. Bush sent forces into Afghanistan not to kill bin Laden, but to oust al Qaeda from its safe haven there, defeat that organization, and create political conditions that would preclude its return to Afghanistan. Barack Obama reaffirmed that mission in his December 2009 speech setting out the current strategy. He chose a counter-insurgency approach because a return of the Taliban regime to Afghanistan would allow al Qaeda to re-establish safe havens there, whether drawing on the historical friendliness between the two or the inability of the Taliban to prevent their return to the country. Furthermore, the protracted, virulent insurgency creates opportunities for al Qaeda-linked Pakistani proxies such as the Haqqani network to invigorate international terrorist groups and use them in the fight in Afghanistan. President Obama has been pursuing the right strategy, and the forces the United States and its international partners have committed to executing it are—just barely—adequate to achieve it.

The outcome of the war in Afghanistan hangs in the balance. American forces and their allies made dramatic gains last year, clearing the Taliban out of safe havens throughout southern Afghanistan, their heartland. Eastern Afghanistan, where al Qaeda-linked groups have a stronger presence, has also seen considerable progress. Contrary to some media reporting, neither al Qaeda nor Lashkar-e-Taiba has established safe havens in the wake of the withdrawal of U.S. forces from isolated river valleys in Kunar Province. In fact, a series of offensive operations in the valleys and the province has inflicted great harm on elements of those organizations. Kunar's capital, Asadabad, is a growing and increasingly thriving town, as we saw on a recent visit. And Afghan Army troops have remained in some of the outposts from which U.S. forces withdrew, demonstrating their determination to control their own territory.

Although al Qaeda has not reestablished sanctuaries in Afghanistan, it has not been for lack of trying. U.S. forces only recently killed a senior Afghan al Qaeda official in Kunar, and there is ample evidence that al Qaeda and Lashkar-e-Taiba, among other Islamist groups, would welcome the opportunity to set themselves up in a lawless Afghanistan once again. The need to help Afghans establish a state that can prevent the reemergence of terrorist sanctuaries remains after bin Laden's death, and the current strategy, adequately resourced, is the only way to achieve that goal. Calling for accelerating the withdrawal is tantamount to declaring that Afghanistan has become irrelevant with bin Laden's death and that succeeding there is no longer important for America's security.

Consequently, there is a great deal of fighting ahead. Continued military engagements are needed to make precarious improvements enduring and handle other challenges. The enemy will work hard this year to retake its lost sanctuaries in the south, to conduct spectacular attacks in Kabul and elsewhere, and to strengthen its remaining safe havens in the east. Our forces will try to hold and expand security gains in the south and make progress in the east, but conditions are not set for any major reductions in those forces.

If there is cause for cautious optimism in Afghanistan, there are ample grounds for pessimism on the other fronts in the struggle with militant Islamism. Bin Laden's presence in Pakistan has once again concentrated the minds of Americans on the fact that Pakistan's leadership has yet to come to consensus about the need to combat and defeat militant Islamist groups within Pakistan's borders. Nor has the United States developed any real strategy for addressing this challenge. We can hardly expand the campaign of targeted strikes further, particularly after the recent raid deep into Pakistani territory. And the drone campaign will not defeat the virulent terrorist groups it is attacking. Overreacting to suspicions of Pakistani complicity in bin Laden's presence in Abbottabad by suspending all aid or military ties or by taking other drastic actions would make it much harder, not easier, to operate against the terrorists who threaten us.

On the contrary, withdrawing forces from Afghanistan and cutting all aid to Pakistan would merely reinforce two of the most prevalent conspiracy theories in South Asia—that the United States will always abandon those who rely on it, and that we were only there to get bin Laden anyway. We should, instead, build on the symbolic victory of killing bin Laden by following through with the president's strategy to dismantle and defeat the militant Islamist groups supported as proxies by some in the Pakistani security apparatus. Only by defeating those proxies can we reasonably hope to compel Pakistan to reevaluate its security interests and develop a policy to oppose and suppress all militant Islamists operating within its borders.

But al Qaeda has not confined itself to its sanctuaries in Pakistan and Afghanistan. Al Qaeda thrives in political weakness and has been in the process of expanding around the globe. The core al Qaeda group of which bin Laden was the head (often referred to as Al Qaeda Central) has long had at best only a tenuous control over the operations of its dispersed franchises. That control rested partly on resources Al Qaeda Central directed, partly on the value of its recognition of a particular group as worthy of the al

Qaeda brand, but largely on the symbolic importance of the charismatic bin Laden. Bin Laden's likely successor, Egyptian doctor Ayman al-Zawahiri, is far less charismatic. His accession to the leadership role could prompt a competition between Al Qaeda Central and its franchises over which group really is at the center of the movement. Such competitions, unfortunately, unfold in the form of spectacular attacks, particularly those conducted on the territory of Western states.

Al Qaeda in the Arabian Peninsula (AQAP), in Yemen, is the most active and perhaps the most dangerous al Qaeda franchise in the world. The Arab Spring has reached Yemen with a vengeance—massive protests have led to the defection of elements of the Yemeni military, with the result that armed forces are concentrating for potential civil war in and around the capital and elsewhere in the country. Attempts to broker a negotiated departure for Yemen's hated president, Ali Abdullah Saleh, have broken down. It is far from clear that any such agreement would keep the peace there for very long in any case. Already Saleh has brought back to his capital some of the elite, U.S.-trained Special Forces units supposedly dedicated to the fight against AQAP. As the work of Katherine Zimmerman at AET's Critical Threats Project has shown, almost any likely scenario going forward will give AQAP more freedom to train, plan, stage, and conduct attacks from increasingly lawless tribal areas in which it has considerable local support. The combination of Yemen's slide toward state failure and bin Laden's death could create a tremendous opportunity for AQAP. His death may also lead to an increase in AQAP's efforts to conduct spectacular attacks against the United States and the West.

Another al Qaeda affiliate already has control over large portions of a state: Al Shabab is the de facto government of much of southern Somalia outside of Mogadishu. It has not been formally recognized as an al Qaeda franchise, but its ties with AQAP are long and deep, and its ideology closely mirrors al Qaeda's. Shabab is kept from controlling all of southern and central Somalia only by the presence of peacekeepers from Uganda and Burundi, who have been barely able to hold parts of the capital. Shabab is unlikely to suffer at all from bin Laden's death, but it may see a chance—or feel the need—to expand the reach of its strikes in sympathetic retaliation.

Al Qaeda in Iraq, fortunately, remains relatively ineffective, despite efforts to revive itself as American forces withdraw. But the continued presence even of American military trainers in Iraq after the end of this year remains in doubt, and it is not clear that the Iraqi military on its own will be able to maintain the necessary degree of pressure on that al Qaeda franchise. If the complete withdrawal of American forces now underway leads to the explosion of ethnic conflict between Iraqi Arabs and Kurds, as some analysts fear, Al Qaeda in Iraq could find fertile ground to reestablish itself, undoing the progress we have made since 2006.

A protracted stalemate in Libya could also set conditions for al Qaeda groups to pose again as the only reliable allies of eastern fighters feeling abandoned by the United States and the West. Although the current Libyan resistance leadership is not penetrated by al Qaeda or supportive of that organization or its ideology, eastern Libya is the area that has produced the most al

Qaeda fighters in that country and that has the conditions most conducive to the injection of al Qaeda's ideas and leaders.

More remote scenarios could see the rise of al Qaeda franchises or fellow travelers in Egypt, elsewhere in North Africa, the Levant, or Equatorial Africa, but there is no need to belabor the point. The struggle with al Qaeda, to say nothing of the larger struggle against militant Islamism generally, is far from over. Clear and present dangers are, in fact, emerging. It can be tempting to argue that these threats merely show the wisdom of withdrawing from Afghanistan, which is not now a center of al Qaeda activity, to focus on more pressing problems elsewhere. We must resist that temptation. Our struggle against Al Qaeda in the Arabian Peninsula will not be helped by our giving its affiliates and allies free rein in Afghanistan and returning Taliban leader Mullah Omar, whom all al Qaeda affiliates recognize as "the leader of the faithful," to a position of power.

Success in Afghanistan and Iraq remains vital. American withdrawal from either commitment will be taken throughout the Islamist community as a sign of weakness and indecision. But success in those two theaters is not enough. This moment in the war with militant Islamism is the time to take stock of our global strategy and to develop coherent approaches to the dangers already visible on the horizon. No one wants to invade Yemen, Somalia, Libya, or any other country. But the strategies we have been relying on in Libya and Yemen are failing, and we have never had a strategy for Somalia. The United States must seek every possible way of averting the dangers of stalemate, state collapse, and the triumph of al Qaeda groups, preferably without deploying more of our own forces.

It may be that, in the end, America simply cannot be secure if terrorist groups with international ambitions have uncontested control over sanctuaries and resources. But the U.S. government has never yet focused its attention fully on these challenges, let alone focused resources on them. It is past time to do so. Those sincerely concerned with America's security should be demanding that kind of commitment and should reject utterly the notion that bin Laden's death will allow us to declare "mission accomplished" and withdraw from the Middle East, and the world.

Mr. KYL. Mr. President, since my time is about expired, I will say this is one of the best statements I have seen recently, by Frederick and Kimberly Kagan, where they write about the result of the death of bin Laden, not offering an excuse to end the war in Afghanistan or our other efforts against terrorists but, rather, that success will come to us when we understand the nature of the threat and maintain our efforts to root it out wherever it may be, whether that be in Afghanistan, Iraq, Pakistan, Yemen, Somalia, or wherever. I think it is an excellent piece. I commend it to my colleagues as suggesting the way forward as we continue to fight the radical Islamists who would continue to visit ill on the United States and other western powers.

The ACTING PRESIDENT pro tempore. The Senator from Florida is recognized.

FLORIDA VOTING

Mr. NELSON of Florida. Mr. President, I want to call to the attention of the Senate the fact that a number of State legislatures, including our State legislature in Florida, have been enacting election law bills that severely constrict the right of the people to express their vote.

This has just occurred in the State of Florida, with the legislature adjourning in the early morning hours of Saturday, enacting a bill that has been sent to the Governor that would make it harder for the people of Florida to vote, harder for them to have their vote counted, and harder for the people to be able to register to vote.

Common sense would tell you what we ought to be doing is exactly the opposite—that we ought to be making things easier to vote, and especially in a State such as ours, which went through that awful experience in November of 2000, when there was so much chaos, not only in the voting in the Presidential election but then in the counting of the votes. Of course, we all know how that ended up—Bush v. Gore in the U.S. Supreme Court, which stopped the recount that was proceeding.

Because of that experience, to the credit of the State legislature, they started to make voting easier. For example, instead of just voting on election day, they had a 2-week period for early voting—something that other States have been doing for some period of time, so that people could go to designated polling places prior to election day. It certainly made it a lot easier on the supervisors of elections, the very people who are charged with the responsibility of registering voters and counting votes, because it spread the amount of people coming in to vote over time, so that all of them weren't there just within a 12-hour period on election day. This has turned out to be so popular in Florida that half of the voters in the last two elections voted prior to election day.

Well, can you believe that the State legislature has seen fit to cut the 14-day early vote period back to 8, under the guise, well, we are going to make the amount of hours the same by giving the supervisors of elections discretion so that they could increase the voting days on early votes from 8 to 12 hours? But that is a ruse, because that means the election supervisors are going to have to pay time and a half, and those election supervisors are under the same kind of fiscal constraints that all of the other levels of government are right now and, as a result, what is going to happen is the voting hours are not going to be extended, and the State legislature has just constricted the number of voting days from 14 down to 8—and, by the way, they didn't let it run right up to the day before the election; they

backed it off several days before the election, which would be the last day of early voting.

Why, when we want to make it easier to vote? Well, doesn't the legislature—and I hope the Governor, who has this bill coming to him—understand that it is a tremendous convenience to senior citizens to make it easier for them, instead of having to stand in a long line on election day, that over a 2-week period they can go and vote in a designated place?

Is there some reason they are trying to make it harder for senior citizens to vote? Well, it could be a lot of politics in this, but the fact is they are making it harder to vote, when in fact it ought to be the opposite.

I wish I could report to the Senate that that was the only thing they have done, but it is not. They made it harder to register to vote. As a matter of fact, well-respected organizations, such as the League of Women Voters, for years and years have taken it as their responsibility to go out and try to register people to vote. The League of Women Voters is a nonpartisan organization, which has as its sole goal to try to promote activities that promote our democracy. Here is what they did. They said if you go out and register people to vote, and under current law, there is a period of something like 1½ weeks to 2 weeks that you can turn in the names you have registered—no, no.

This time, what the legislature has done is said if you don't turn those new registration forms in within 48 hours, you are going to be subject to a fine and possibly a criminal penalty. And the President of the League of Women Voters of Florida, Diedre McNabb, has said, in effect, what that means is that they will not put that onus on their members of a fine and a criminal penalty and, in effect, they will stop registering people ahead of time.

What the election laws ought to do is exactly the opposite. We ought to have laws that encourage the registration of voters and try to get more people to participate. But that is not what the Florida legislature has done. It has done exactly the opposite.

I wish I could report to the Senate that was the only thing they have done. But they did more. For four decades, Florida has had a law, in a highly mobile society, if you have moved and you go on election day to cast your vote, and your registration address is different than the address that you show, for example, where you registered to vote years ago—maybe even a year ago—but in the meantime you have moved and your documentation—say, your driver's license—shows your new address, for four decades the law of Florida has said that a voter can change their address in the polling place to update that record, showing proper identification of who they are and that their signature matches.

Not so now. The legislature of Florida has just changed the law that if your address or your name changes—what happens if you got married in the last year and now your name doesn't match your registration name, but you still want to vote? What has the legislature of Florida done? They are going to require that you not cast a ballot. You are going to have to cast a provisional ballot, and you are going to have to have your authenticity certified after the fact.

The experience with provisional ballots in the last Presidential election in Florida, in 2008, was that of the over 35,000 ballots cast, 17,000—half of them—were not counted.

Who are the people who have been operating and have benefited by that law in Florida for four decades? They have been people who have gotten married and their name has changed. They have been people in the mobile society in which we live who have moved and bought a new house or moved into a new apartment. In other words, all of us—we and our neighbors.

Who else especially might have been the reason for the legislature of Florida to change this four decades-old law? The last Presidential election, college students in Florida voted in record numbers because college students in Florida in the town of their college went down where they had their registration. Yet their identification showed their address as their parents' home, not the registration address they had registered in their college town.

That is not making it easier to vote. That is not encouraging college students to vote. That is doing exactly the opposite. That is suppressing the vote.

What I am reporting to the Senate has been widely commented on in Florida in almost every editorial page in the State of Florida, with the bottom-line conclusion of what I have just said: It is trying to suppress the vote by making it harder to vote, harder to register to vote, and harder to have one's vote counted as it was intended.

I have written the Governor, and I have asked the Governor to consider all these things. It is widely commented in the Florida press that the Governor will sign the bill, thus constricting, restricting—whatever word you want to use—the right of the people to vote. If the Governor does sign the bill or lets it go into law without his signature, then our only other mechanism at this point, since there are 5 counties in Florida's 67 counties that are under a watch list under the civil rights legislation of the Voting Rights Act of 1965—it is my intention to encourage the Department of Justice, the Civil Rights Division, to examine this legislation with regard to the Voting Rights Act. Preparatory to that, I had sent a letter to Thomas Perez, the Assistant Attorney General

of the Civil Rights Division of the Department of Justice, alerting him to this fact.

I have quoted in that letter several supervisors of election, both Democrats and Republicans, who have said that cutting the early voting period from 14 days to 8 will shrink poll access by 50 percent and disenfranchise a significant number of voters. That is what the supervisors of election, the elected officials in each of the counties, were telling me.

I wish to quote a Republican supervisor of election, Deborah Clark, in Pinellas County, which is the county of St. Petersburg and Clearwater, FL. This is what she said:

Not allowing address or name change changes on election day will create an undue burden on eligible voters.

She continues:

It will also result in long lines at the polls and discourage many voters from voting.

It is self-evident, and this is an assault upon our democracy that should not be tolerated. But it happened and it happened in the last week of the legislative session. I hope—I hope—there will be such an outcry that this legislative policy gets reversed.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

HONORING OUR ARMED FORCES

SPECIALIST JOSEPH CEMPER

Mr. JOHANNES. Mr. President, I rise today to remember a fallen hero, U.S. Army SPC Joseph Cemper. Specialist Cemper was based in eastern Afghanistan, in the area east of Kabul bordering Pakistan. This area is one of the areas where the fighting in the Afghan war has been the most intense.

Specialist Cemper was serving with the 101st Special Troops Battalion of the 101st Airborne Division, one of the Army's most elite units. He and four fellow American soldiers were killed in a suicide attack that ultimately took 10 lives.

Specialist Cemper had a long desire to serve his country, and was rightfully proud of his commitment to defend and to protect.

He is mourned by his parents, three sisters, two brothers, a fiancée, and an infant son Liam. I know his family is proud of him, and will always remember his spirit, enthusiasm, competitiveness, and can-do attitude. They are the type of American family that constitute the pillars of our Armed Forces, and are the reason our Nation remains safe from its enemies.

Joseph's father, SFC Eugene Cemper, has made service to the Army his life's work. As an Army recruiter, Sergeant Cemper had the unique experience of personally recruiting his son into the Army.

As a father and a leader, Sergeant Cemper inspired both Specialist

Cemper and his younger brother, PFC Noah Cemper, to wear the uniform of an American soldier with pride.

The Cemper family laid their son to rest in Papillion, NE, on April 29, 2011. Specialist Cemper returned to his birthplace with valor and honor having been awarded both the Purple Heart and the Bronze Star Medals.

I know I speak for all Nebraskans, and all Americans, when I say that despite our sorrow, we are deeply honored to have him.

I cannot imagine the pain the Cemper family is suffering today. The loss unexpectedly of a son in combat is one of the most extreme trials a parent or loved one could face. I know, at this point, my words cannot ease their hurt.

So I will end this tribute by saying what Specialist Cemper held close to his heart, so close that his family has inscribed it in a scrapbook which will one day be seen by his son. It reads:

When I stand before God at the end of my life, I hope that I would not have a single bit of talent left, and I could say that I used everything you gave me.

I hope he rests knowing that he died the bravest and most honorable death an American could. May God bless the Cemper family, their father and son still serving in the Armed Forces, and all our fighting men and women in harm's way.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be allowed to speak for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SOUTHEASTERN TORNADOES

Mr. SESSIONS. Mr. President, I want to discuss today the tragedy that has occurred in Alabama and other States across the Southeast as a result of the tornadoes that hit our region in a 24-hour period between 8 a.m. in the morning on April 27 and 8 a.m. in the morning on April 28. The National Weather Service estimates there were a total of 312 tornadoes across the Southeast. The worst outbreak previously reported occurred in April of 1974, and that was with 148 tornadoes.

The Birmingham-Tuscaloosa F4 tornado had a path with a maximum width of 1.5 miles and a length, from the Tuscaloosa to Birmingham area, of 80 miles. It stayed on the ground almost continuously—very unusual. It

went through a number of populated areas, and that tornado alone resulted in 65 deaths. Alabama's current death toll is nearing 250, with thousands injured. Frankly, after seeing the damage to the affected areas, I am amazed we did not lose more lives. As I talked to mayors and others on the ground, they said the same thing.

I talked to Mayor Gunnin in Hackleburg today. I believe he was the one who told me there were about 18 killed, and he was pleased it was that low. They were hammered with an F5, the highest, strongest tornado, which basically destroyed his whole town. All his businesses, including the distribution center for a jeans manufacturing company, have been destroyed. It is very difficult for them to pay for anything. Their businesses that pay a sales tax that goes to the city have been damaged, and he has made the point—and it is a good example—that he, in this little town of Hackleburg, had emergency funds, but they have been on massive overtime for the week since the event and other costs are arising and it is very difficult for him.

I want to thank President Obama for the quick response he made to the tragedy. The people of Alabama appreciated the fact that he, and later Cabinet members, actually visited some of the devastated areas. We appreciate the quick action in declaring Alabama and other areas major disaster areas. That does help in a lot of different ways.

I also had the opportunity to be with him in Tuscaloosa when he came there. Mrs. Obama, of course, did a beautiful job also of talking to the people who have lost so much and comforting them. Secretary Napolitano came on Sunday to the Pratt City area in Birmingham, along with several other Cabinet members. I think they also got a real appreciation for the severity of the damage and reassured Alabamians that help would be on the way in an appropriate fashion.

It is certain that it will take, for a number of our communities, an integrated, coordinated State, local, and Federal response to get these communities back on track. That is why we have a Federal Emergency Management Agency. That is why we have monies in the budget for these kinds of things, although this one is a particularly damaging event, I have to say.

As the ranking member on the Budget Committee, I am aware we have to be careful about how we spend money. We certainly don't have any money—not a dime—to waste.

I have to tell you, every time I have been there or I have talked to people on the ground, they tell me how impressed they are with the volunteers who are arriving from all over the country, bringing food and water and helping people who are already working. They are bringing chainsaws to

help clear roads and highways and driveways to people's homes. That has been real encouraging, and it makes me very proud to represent a group of people who have the integrity and the work ethic and the determination to overcome tragedy. It has been encouraging to me.

Having walked through the devastated neighborhoods less than 24 hours after the tornado, I can tell you people were stunned at the damages, at the complete loss of homes and belongings. Many of the people believed themselves lucky to be alive. Their entire roof was gone, most of the walls were gone, and yet somehow they came out with minor injuries or less severe injuries. Others, of course, did not survive, and others received severe injuries. It is always amazing to me in a tornado situation how a house can be just obliterated, and persons can come out of it with not too severe an injury, and for that they were expressing great appreciation. I think it is a reflection of the faith these individuals have in a higher being who, I think, gives them the courage to go on.

One of the things that is perfectly clear is that housing in some areas will be a critical matter. Many houses are totally destroyed—nothing but a concrete slab left. Of course, many mobile homes or manufactured homes were completely lost. They are not on a slab, so those homes have been rolled over and completely demolished or disappeared basically. So we are going to need to work in a way that FEMA has done before to provide emergency housing.

In the larger areas where there is more housing around—there is vacant housing in some of our areas—they ought to be moved promptly into that vacant housing that currently exists. In some areas there is just not housing for individuals to move into. I was told today by two mayors that they have people still in recreational areas—gyms and that kind of thing—using those as a place for shelter. We are definitely not where we need to be.

Yet some FEMA trailers are being moved into areas of the State. That may have to be done. I wish we could avoid that step, but in many areas it cannot be avoided—avoided in the sense that, to me, the best way to handle a situation where a person's home is gone is to help that person move as quickly as possible into what could be a permanent residence—either through rental or purchase. The longer that person is in a temporary residence the more likely they are also often receiving Federal assistance. As long as they are in this temporary limbo circumstance, their life is less stable, and the Federal Government is spending more money, money that could be utilized better if we can avoid spending it for temporary housing so it could be used to facilitate permanent housing.

That would be a more effective policy, but it is not easy. In some instances, it cannot be done.

Initial reports indicate that Alabama's losses may rival or surpass its \$1 billion loss in Hurricane Katrina. That is a factor we do not normally expect from tornadoes. We will wrestle with those costs as we go forward. But dollar losses are nothing compared to the severe loss of life. We have a record-setting loss of life.

Going through the Rosedale Court area of Tuscaloosa, AL, seeing first responders and volunteers frantically trying to help—in particular, they were searching for a missing young girl. They kept on and there were a large number of people there throughout this area where metal was twisted and roofs were gone and no walls, hardly, were standing. Materials were 3 feet deep on the floor, of plywood, roofing and the like. They found that young child, but unfortunately it was too late and her life had been lost.

That is the kind of thing that has been happening throughout the State. Our people are responding with courage and dignity and hard work. Volunteers from all over the country and all over Alabama are assisting. I was with a seafood group Friday, down from Bayou La Batre, AL, the seafood capital, in many ways, of the Gulf of Mexico, and they had been helped so many times over the decades because of various hurricanes that came through, they wanted to help so they brought large amounts of shrimp and seafood and their cookers. They were going to Tuscaloosa or some of the other areas and serving people out there who were volunteering or were emergency responders who were working to help in that neighborhood. That is the kind of thing that makes us proud and makes us all recognize the good that we have in our people.

I wished to share these thoughts and to note I have filed a resolution that deals with this disaster, expressing the condolences of the United States and noting many of the factors that are relevant to this damage and I will be asking the Senate agree to that. I note it has been cosponsored by Senator SHELBY, my colleague from Alabama, Senators ALEXANDER and CORKER from Tennessee, Senators COCHRAN and WICKER from Mississippi, Senators CHAMBLISS and ISAKSON from Georgia, and I understand others are signing on as we proceed.

I thank the administration for helping to respond properly. I thank the volunteers from all over America who have come to our State to assist those in need.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, I ask unanimous consent that I be able to speak as in morning business for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

COLE NOMINATION

Mr. SESSIONS. Mr. President, I want to speak in opposition to the nomination of James Cole to be Deputy Attorney General of the United States, on whom we will be voting a little later this afternoon.

Despite President Obama's recess appointment of Mr. Cole, who has had significant opposition in the committee, and was not looking at smooth sailing—I do believe we should oppose his confirmation and his permanent appointment based on some concerns I have with his record, specifically his criminal justice view on the war on terror, which I believe is utterly wrong, and his questionable decisions as an outside consultant for AIG, the big insurance company that had to be bailed out to the tune of, I think, \$170 billion.

He was an independent consultant, supposed to be monitoring that company for other errors they had made previously. So that is a concern to me.

I served 15 years in the Department of Justice—as the U.S. attorney for almost 12, and as an assistant U.S. attorney. I respect the Department. I love the Department of Justice, but I am getting concerned about it. I am not happy with some of the decisions and philosophies that are emanating from the Department. I believe they do not reflect the highest standards and qualities that we expect from that great Department.

This nominee has a lot of good qualities. I believe he has a number of strengths that—has management and some experience in the Department for which I would give him credit. But at this point in history, I believe his approach, particularly to the war on terror, along with the Attorney General's approach to the war on terror are not good. I have just about had enough of them.

I am just going to say this: I am not voting for another nominee—I am not going to vote for this one—who spent their time defending terrorists before they went to the Department. It is all right to defend an unpopular person, but 13 to 16 members of the Department of Justice, political appointees by this administration, have had as their background defending terrorists, including the Solicitor General nomi-

nee who is going to be coming up in committee this week, and also working for or representing the ACLU.

So when we get this much of a tilt in the leadership of the Department, it gives me great concern that the great Department I love and respect is getting off base. So I think it is important to note that right now one of the top priorities at the Department of Justice must be the recent warnings we received that the terrorist groups “almost certainly” will try to avenge the death of Osama bin Laden, and the continuing economic crisis that faces our country.

So I believe the President should be nominating proven prosecutors—prosecutors of terrorists, frankly—for top positions in the law enforcement agency, the U.S. Department of Justice. I do not think we need any more terrorist defense attorneys. When I was the U.S. attorney I hired a lot of assistant U.S. attorneys. I looked for proven prosecutors wherever I could find them. I did not go around to look for people who spent their spare time volunteering to defend terrorists or writing papers defending criminals. That is just the way I see it, frankly. I have to be honest about it.

So we have had this one, we have had that one, we have had another one, and another and another. Now we have 13 to 16 who have been appointed to the Department of Justice who have had this background.

Defending the unpopular is not disqualifying. We voted, and I voted, for a number of people in the Department who have been involved in these kinds of defense efforts, who filed lawsuits against President Bush. They thought they were doing something great. I guess they did not turn down the evidence if it helped in any way lead to the location of Osama bin Laden.

We do have standards about how we should gather evidence, and lines should not be crossed. But that does not mean we are not in a war. It does not mean the people who are attacking us are common criminals who need to be tried in civilian courts. They are at war with us. Bin Laden said he is at war with us. He declared war on us. You do not treat prisoners of wars, captured enemy combatants, like you treat common criminals. This is fundamental.

I served in the Army Reserve a number of years, some of that time as a JAG officer. I taught courses on prisoners of war and how to treat prisoners and the standards of the field manual. I do not claim to be a great expert at it, but I did it. I had some experience in it.

Mr. Cole consistently—and some of these nominees to the Department—takes the view that terrorists are criminals and not unlawful combatants. Let me just say briefly, if a person is caught—a murderer, a rapist, or

virtually any kind of criminal—when they are taken into custody, as the Presiding Officer knows, who was a good prosecutor himself, they have to be—before you can interview them, once they are in custody you have to give them Miranda warnings. That authorizes and tells them—basically tells them: You did not have to make any statements at all. It basically says: If you are an idiot, you will make statements. You are entitled to a lawyer. If you do not have any money, we will appoint you a lawyer. You have to go before a magistrate within a matter of hours. You are entitled to discovery of the government's case in short order, and you are entitled to a speedy trial. You are entitled to prowl around in the government's case and find all of the evidence the government has.

In war, that is not so. A classic case was *Ex parte Quirin* in World War II when German saboteurs were dropped off on our coast from a submarine. They were going to sabotage the United States of America. They were apprehended, taken to military tribunals, tried, and most of them were executed in a matter of months. The case went to the Supreme Court, *Ex parte Quirin*, and was affirmed.

There has never been any doubt that unlawful combatants can be tried for their crimes in military courts. It is done all over the world. It is an established principle.

Now, let's get one thing straight. If you are a lawful combatant, and you are captured on the battlefield—whether you are a Japanese soldier or German soldier or Italian soldier—and you comply with the laws of war and you wear your uniform and you do not attack deliberately men, women, and children, civilians, and try to kill them, and you comply with other rules of war, you cannot be tried. You can just be detained until the war is over, but you do not get lawyers. You do not get trials and discovery and all of that sort of thing. But if in conducting your military campaign you violate the internally respected laws of war, you cannot only be held as a prisoner of war, but the nation that is holding you can try you for violations of the laws of war.

So that is how these 9/11 attackers who did not wear uniforms, who attacked deliberately civilians, are perfectly fit to be tried as war criminals or unlawful combatants. They have announced their intention to destroy the United States, to attack the United States. They have said they are at war with us. But they have done it in an unlawful way, and they can be tried in military commissions. This allows the military to conduct interrogations according to the laws of war over a period of months, years even. Sometimes after months a prisoner will start to talk. You never know why they start talking.

But to deny ourselves the right to allow those kinds of things to happen, to say we have to try these individuals, such as Khalid Sheikh Mohammed, in civilian courts is clearly in error. But that is the Attorney General's position. I asked him about it last week when he testified before the Judiciary Committee. He said: It still remains the policy of the Department of Justice that persons who are arrested as terrorists are presumed to be tried in civilian court, although Congress has passed a law prohibiting money to be expended for that, on the 9/11 attackers. The Attorney General is in a huff and said Khalid Sheikh Mohammed will be tried in Guantanamo under military procedures as an unlawful combatant, but he does not like it. That is not his view. It looks like everybody he wants to hire to be in the Department of Justice agrees with that erroneous view.

It is not a close question. This is not a close question. There is no reason a terrorist who is apprehended in the United States ought to be provided lawyers and Miranda warnings. They are combatants. They are not common criminals. Thinking this way has caused dangerous confusion.

As our troops and intelligence community continue to work night and day to keep our country safe, it is imperative that we view the war on terror as a real war and not a criminal matter and regard those who wish to perpetrate terror on this country as enemy combatants, not plain criminals. Like many in the administration, Mr. Cole disagrees.

In 2002, not long after the 9/11 attacks, he wrote an op-ed and published it criticizing then-Attorney General John Ashcroft's decision to try the 9/11 terrorists in military commissions. They researched the law. Attorney General Ashcroft knew what he was doing. They decided they were going to try these individuals by military commissions. He had written an op-ed attacking the Attorney General for it.

So now that is the man we have as the nominee for the Deputy Attorney General of the United States. At his hearing last Congress, Mr. Cole repeated the prevailing and confusing Justice Department position that decisions regarding whether captured terrorists should be tried in civilian courts or before military commissions "should be made on a case-by-case basis based on all of the relevant facts and circumstances available at the time of a suspect's capture." Is this going to happen in Yemen, Afghanistan, Pakistan, wherever else they may be in the United States is not a practical policy because we have to tell the individuals who are making those captures what the rules are. As the Attorney General said, they still adhere to the view that the presumption is, the individual will be tried in civilian

court. Therefore, the presumption is, within a short time of their being taken into custody, they should be given Miranda warnings, offered a lawyer, and set for a preliminary court appearance, which could reveal to all the other terrorists that their partner in war has been captured and allow them to escape.

It is a wrong view, and why they persist in this is beyond my understanding. Congress understands it and the American people do also.

This administration has established a policy that declares there is a presumption of civilian trials and has failed to articulate a clear policy for designating captured terrorists as enemy combatants or criminal defendants. So I remain very unconvinced that the next captured terror suspect will not be given the rights of a common criminal and told he has the right to remain silent to the detriment of crucial intelligence gathering. One of the most significant findings of the 9/11 Commission was that intelligence gathering, intelligence possession about what the enemy is doing is the best way to protect our country, not prosecuting them after the fact. So telling someone they have the right to remain silent and they have a lawyer who is going to insist that they not make any statements, does that help us gather intelligence? If it is required by the U.S. Constitution, we will do it. We will just plain do it, regardless, but it is not required by law, history or the Constitution. Law, history, and the Constitution allow these enemy combatants to be tried in military commissions and they don't have to be given Miranda warnings, which was a court-created rule a number of years ago that never was understood before and is not practiced, to my knowledge, in any other Nation in the whole world. Of course, all this provides poor guidance for our law enforcement, military, and intelligence officers as they go about their efforts, and it is a grievous and dangerous mistake to continue this policy.

It seems to me that Mr. Cole and Attorney General Holder are cut from the same cloth on this issue. I am uneasy about these two individuals holding the top two positions in the Department of Justice. Now the Solicitor General nominee seems to hold similar views and, if confirmed, he will be one of the highest ranking people in the Department. Their policy views appear to control the Department of Defense. In other words, if they say this is the rule, the Department of Defense has to give the Miranda warnings and so forth if they are involved in a capture, and it directly controls the FBI, which is part of the Department of Justice.

As the acting second in command at the Justice Department, Mr. Cole would play a lead role in decision-making in the terror prosecutions throughout the country. The Justice

Department's continued insistence on a presumption of civilian trials for terrorists confirms my concerns that Mr. Cole has adhered to the failed pre-9/11 law enforcement approach to terrorists, an approach the 9/11 Commission and the Nation as a whole recognized was in error and should be changed. I thought we had clearly made that move. Apparently, we haven't.

Also of concern, from 2003 to 2007, Mr. Cole represented a Saudi Prince against insurance carriers and September 11 victims who alleged that the Saudi Prince helped finance terrorists. Reportedly, Mr. Cole's client was linked through Treasury Department documents to the financial support of extremist groups through the Al-Haramain Foundation, a Saudi charity that had diverted funds to al-Qaida before and after 9/11. While attorneys are free to, and should be free to, represent unpopular clients, Mr. Cole is one of a long line of political appointees at the Department of Justice who seem to me to be questionable choices for key posts at the agency that is charged with defending national security, given their choices to represent the very individuals and groups whose goal it is to attack this country or kill Americans.

According to press reports, at least 13 to 16 current Obama administration political appointees, including the current Solicitor General nominee who represented Jose Padilla, previously provided legal counsel to suspected or convicted terrorists and enemy combatants being held in detention or to leftwing organizations that actively sought to reverse Bush administration antiterrorist and detainee policies—policies, I might add, that were a contributing factor to the elimination of bin Laden and many other terrorists throughout this past decade. I am curious to know if they have appointed anyone to key positions in the Department of Justice who has ever prosecuted a terrorist. I would like to know that. Maybe they have. Surely, somebody has, but it looks odd to me that so many of those who have been on the other side have been given top appointments.

On another subject, I am very disappointed with this administration's abdication of its duty to defend congressionally enacted laws, specifically the Defense of Marriage Act. Attorney General Holder has stated President Obama had decided he would no longer defend this law, after reviewing the Attorney General's recommendation and that the law falls under the exception in which "the Department of Justice cannot offer a reasonable argument in defense of the statute's constitutionality."

Well, it has been defended and upheld by a number of courts. How do we waltz in there and decide we are not going to defend a congressionally enacted statute signed into law by President Clin-

ton because they don't like it? That is how it appears to me. The administration apparently came to this conclusion after unilaterally deciding that "classifications based on sexual orientation warrant heightened scrutiny"—in the face of precedent from 11 circuit courts of appeal holding that such classifications should be reviewed under the much lower rational basis standard.

There is a very big difference between refusing to defend a law the administration regards as unconstitutional and refusing to defend a law that the administration opposes on the policy grounds.

The ACTING PRESIDENT pro tempore. The Senator has used 15 minutes.

Mr. SESSIONS. I ask unanimous consent to speak for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, the Department of Justice is a great department, and they have some very fine people there. I know Mr. Cole has some good qualities. I supported Mr. Holder for Attorney General, but I am very uneasy about the direction the Department is taking on a large number of issues, and I believe one of the reasons this is happening is because they have surrounded themselves with a group of leftist lawyers, activist lawyers who don't operate according to the more traditional views of law and justice in America. That is my view. Other Senators may disagree. That is my view. I am not able to support Mr. Cole for that and the reasons I have stated. I hope in the future the administration will appoint more nominees that have proven records of independence, effective prosecution, and commitment to law.

I thank the Chair and yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Maryland.

Mr. CARDIN. Mr. President, I greatly respect my friend from Alabama, Senator SESSIONS, although I come to a different conclusion in regard to Jim Cole.

I have worked with Jim Cole. I was part of a legislative committee in the House of Representatives that had to do some very difficult work on an ethics issue involving a former Speaker of the House of Representatives. It was a tough decision to bring together six Members of the House—three Democrats, three Republicans—and do it in a way that would maintain the nonpartisan requirements of an ethics investigation. The atmosphere was very partisanly charged around the work we were doing. I know this sounds familiar. People in Maryland and Connecticut and around the Nation understand we are working in a very partisan environment, and they expect the people who are charged at the Department of Justice to work in a nonpartisan manner.

This is not a partisan position, the Deputy Attorney General. This is a person who is working with the Attorney General, the Nation's lawyer. We want somebody who has the experience, someone who has the character and commitment to carry out this very important position.

As I said, I have known Jim Cole. He has 13 years' experience within the Department of Justice. He is a public interest attorney. That has been the largest part of his professional career, the service of public interests. He has always followed policy, not politics. He has a very distinguished career in law, and he is the type of person we like to see within the Department of Justice.

As I pointed out, I worked with Jim Cole when I was in the House of Representatives. We worked on a very difficult investigation involving the former Speaker of the House of Representatives who at the time was Speaker. The chairman of the committee was Porter Goss, a Republican from Florida. Porter Goss's observations of Jim Cole were that he was a brilliant prosecutor, extraordinarily talented. Then Mr. Goss goes on to say that over time, he brought our committee to a bipartisan cooperation which was desperately needed in order to successfully complete that matter. At the end of the day, the six of us came together in a unanimous recommendation. That is the type of person Jim Cole is. He was professional and put policy ahead of politics.

Former Senator John Danforth testified at Jim Cole's confirmation hearing. John Danforth is a former Republican Member of the Senate. He called Jim Cole "a lawyer's lawyer."

Jim Cole has support from Democrats and Republicans. Former high officials within the Department of Justice have all recommended him, including former Deputy Attorneys General appointed by both Republicans and Democrats.

Let me quote one other person I had hoped would be greatly respected on both sides of the aisle; that is, Fred Fielding, the White House counsel for former President George W. Bush. He said Mr. Cole "combines all the qualities you want in a 'citizen public servant'—he understands both sides of the street and is smart and tenacious, and is a person of unquestioned honor and integrity."

That is what Fred Fielding, the former White House counsel to President Bush said, about Jim Cole.

Jim Cole is supported by former RNC officials and DNC officials because he is nonpartisan. He is a nonpartisan person who has put public interest law as his top priority.

I was listening to Senator SESSIONS talk about terrorism. We have had a spirited political debate taking place in this country over the best way to bring terrorists to justice. Mr. Cole,

however, will always put principle over politics, and he is committed to evaluating each case and matter that comes before him based on the facts and the law. That is what you want from the Department of Justice. They are the values and the character we want in our Nation's Department of Justice, and Jim Cole will bring that to the Department of Justice—already brought it to the Department of Justice.

The bottom line about Mr. Cole's approach on fighting terrorists is one I believe we all believe in. We are a nation at war with al-Qaida, the Taliban, and their associated forces. We need tough, aggressive, and flexible policies that recognize the paramount importance of providing the President with the ability to use all of the lawful tools—all of the lawful tools—of our national power to protect the American people and bring terrorists to justice.

Jim Cole believes in that. He is committed to working with the Congress so we use all available tools. We make the judgment in each individual case as to what is the most effective way to bring a terrorist or criminal to justice.

He not only has expertise in handling terrorists and bringing them to justice, he has had very important positions in the Department of Justice supervising the criminal prosecution of white-collar crimes. He understands the full breadth of the Department of Justice and is a very valuable player in making sure the Department of Justice follows in the fine tradition of that agency.

I urge my colleagues to vote to move forward. At least vote to allow this nomination to get an up-or-down vote. This is a very important position: the Deputy Attorney General. We talk about we were sent here to Washington to make tough votes. OK. I do not think this is a tough vote. I think Jim Cole is the best person for this critically important job, and I do not think he is at all a partisan person. I know him well. I know him to be a career type individual who is interested in doing what is right. But this is not a nominee where you should be using a filibuster to prevent an up-or-down vote.

This is a very important position for our country. For the dignity of the Senate and the Department of Justice and the decency of Jim Cole, I urge my colleagues to allow us to go forward with an up-or-down vote on his confirmation, and I urge my colleagues to support his confirmation to be Deputy Attorney General of the United States.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. COONS). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I know we are in morning business. I ask unanimous consent to speak on the nomination of James Cole to be Deputy Attorney General.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I rise in opposition to the motion to invoke cloture on the nomination of James Cole to be the Deputy Attorney General at the Department of Justice. I oppose proceeding to a vote on the nominee for a number of reasons.

I have concerns regarding Mr. Cole's qualifications and am troubled by President Obama's recess appointment of Mr. Cole to this position. I have been consistent in my opposition to recess appointments over the years. Whenever the President bypasses the Senate by making recess appointments, such nominees will not receive my support. We have a process in place for nominations and if the President is not willing to work with Senators to clear nominations, the nominee should not get a second bite at the apple.

In addition to my general opposition to recess appointments, I have consistently warned this administration that I would not cooperate in moving nominees for the Department of Justice, until they cooperated with my request for oversight materials. Last month, I went to the floor to describe what I have learned in the course of my investigation into whistleblower allegations at the Bureau of Alcohol, Tobacco, Firearms, and Explosives, ATF. According to whistleblowers, guns found at the scene of the murder of Border Patrol Agent Brian Terry had been purchased illegally by a known straw buyer a year earlier, with the blessing of the ATF as part of an operation known as Fast and Furious.

I first asked about this issue on January 27. On February 16, I requested specific documents from the Justice Department. I reiterated that request on March 3.

When the Justice Department failed to produce any responsive documents, I partnered with House Oversight and Government Reform Chairman DARRREL ISSA, who first requested documents and then issued a subpoena to the ATF after his voluntary request was ignored. On April 13, my staff learned that the Justice Department was making certain documents available for Chairman ISSA's staff to review at the Department. Not only did the Department fail to notify me of this document review, when I sent two of my staff members to participate, they were turned away at the door of the Justice Department.

To this day, the Justice Department has still not produced a single page of documents in response to my inquiries and has provided only previously re-

leased public documents in response to Chairman ISSA. I received a letter on May 2, 2011, declining to provide my staff with access to the documents on the grounds that "the Executive Branch . . . has taken the position that only a chairman can speak for a committee in conducting oversight work." According to the DC Circuit Court of Appeals, however:

It would be an inappropriate intrusion into the legislative sphere for the courts to decide without congressional direction that, for example, only the chairman of a committee shall be regarded as the official voice of the Congress for purposes of receiving such information, as distinguished from its ranking minority member, other committee members, or other members of the Congress. Each of them participates in the law-making process; each has a voice and a vote in that process; and each is entitled to request such information from the executive agencies as will enable him to carry out the responsibilities of a legislator.

That is from *Murphy v. Department of the Army*, 1979.

I said on the floor on April 14 that if the Justice Department did not cooperate and provide the information we need, I would consider exercising my right to object to unanimous consent requests on a nomination. Since that time, I have received nothing but stonewalling from the Department. As the chief operating officer of the Department, Mr. Cole is in a position to ensure the Justice Department meaningfully cooperates with my inquiries and complies with my document requests. He has failed to do so.

I also am troubled by the Department's continued resistance to oversight requests from Senator CHAMBLISS, the vice chairman of the Select Committee on Intelligence. Senator CHAMBLISS has requested that the Department of Justice share important documents with Congress regarding the Guantanamo Bay Detainee Review Task Force. This task force reviewed the case files of many detainees that were released or transferred from U.S. custody. Unfortunately, we now know that over 25 percent of those detainees later returned to fight against us or our allies.

These documents are part of a legitimate exercise of our constitutional duty to conduct oversight. The Department's repeated stonewalling of Senator CHAMBLISS's request should not be rewarded with a cloture vote on a controversial nominee.

The Deputy Attorney General is the second in command at the Justice Department and responsible for overseeing the day-to-day operations of the Department. Managing this vast bureaucracy is a difficult task that requires a serious commitment to protecting our national security, enforcing our criminal laws, and safeguarding taxpayer dollars. We need a qualified individual to fill this slot, an individual who possesses the ability to not

only provide leadership for the Department but also an individual who has the smarts, capability and willingness to manage Department programs and root out inefficiencies and abuses in those programs. After reviewing all his responses and his hearing testimony, I concluded that I could not support Mr. Cole's nomination to be the Deputy Attorney General.

In particular, I am seriously concerned about Mr. Cole's views on national security and terrorism. Back in 2002, Mr. Cole was the author of an opinion piece in the *Legal Times*. In that piece, he stated:

For all the rhetoric about war, the Sept. 11 attacks were criminal acts of terrorism against a civilian population, much like the terrorist acts of Timothy McVeigh in blowing up the Federal building in Oklahoma City, or of Omar Abdel-Rahman in the first effort to blow up the World Trade Center. The criminals responsible for these horrible acts were successfully tried and convicted under our criminal justice system, without the need for special procedures that altered traditional due process rights.

He added that, "The acts of Sept. 11 were horrible, but so are . . . other things." The other things he referred to were the drug trade, organized crime, rape, child abuse and murder. Mr. Cole's opinion piece argued that notwithstanding the involvement of foreign organizations, such as al-Qaida, we have never treated criminal acts influenced by foreign nationals or governments as a basis for "ignoring the core constitutional protections engrained in our criminal justice system."

Mr. Cole concludes his opinion piece by arguing that in addition to stopping future terrorist attacks, the Attorney General is a criminal prosecutor and that he has a special duty to apply constitutional protections engrained in our criminal justice system to everyone, including terrorists captured on a foreign battlefield.

Mr. Cole wrote this opinion piece 2 days short of the first anniversary of the September 11 attacks. Given the close proximity in time to the September 11 attacks, we must understand this opinion piece to be Mr. Cole's true beliefs about the application of the civilian criminal justice system to terrorism cases, including those who masterminded the 9/11 attacks.

From the opinion piece and his responses to our inquiries, it appears that if given a choice of prosecuting high ranking terrorists in civilian courts or military commissions, Mr. Cole would likely favor civilian courts based upon his longstanding belief in the role the Attorney General plays in protecting the principles of the criminal justice system. Absent a clear statement from Mr. Cole about what factors would warrant selecting a civilian or a military forum, it is hard to look at his entire record of past opinions, his testimony, and responses to

our questions and reach a different conclusion.

Military tribunals have many advantages to civilian criminal courts and are better equipped to deal with dangerous terrorists and classified evidence while preserving due process. I am troubled that Mr. Cole does not appear to share this belief. Based upon his responses and testimony, I have serious concerns about Mr. Cole's support for civilian trials for terrorists captured on a foreign battlefield given that the Deputy Attorney General oversees the national security branch at the Justice Department.

Second, I have concerns about Mr. Cole's abilities relative to oversight of government programs. First, in his responses about oversight of DOJ grant programs, Mr. Cole failed to commit to a top to bottom review of the programs.

We have had enough examples of the tremendous inefficiencies, duplications, and waste in these programs. I am disappointed that Mr. Cole has failed to recognize that there is a need for comprehensive review of the Department of Justice's grant program, not only for the sake of saving taxpayer dollars but also to ensure that grant objectives are being met in the most efficient and effective manner possible.

Third, I do not have confidence regarding Mr. Cole's abilities based on his performance as an independent consultant tasked with overseeing AIG. By way of background, the Justice Department provided copies of the reports Mr. Cole issued when he was overseeing AIG, but they were labeled "committee confidential." Consequently, I cannot discuss in a specific manner the content of those documents publicly.

Nevertheless, when taken into context with the public responses provided by Mr. Cole to my questions, a troubling picture develops about Mr. Cole's performance in his independent consultant responsibilities. The responses and reports do not dispel the serious questions raised about Mr. Cole's independence and completeness. Further, they reveal what appears to be a level of deference to AIG management one would not expect to see from someone tasked as an "independent" monitor.

In order to clarify a number of questions on this matter, Senator COBURN and I sent a followup letter seeking additional answers from Mr. Cole. Mr. Cole's reply clarified that DOJ, SEC, and the New York State Attorney General's office were aware of his practice of seeking input from AIG and making modifications to the reports. He indicated that the changes AIG made were often factual changes, such as AIG employee names, dates of materials, and events. He also indicated that some of the changes requested by AIG were included in a section of the report entitled "AIG Response." However, he said

that "on a few occasions" AIG would "suggest a stylistic change of phrasing in the analytical section of the report." He stated that while he included the edits made by AIG, he "did not believe that a detailed presentation of this factual review was necessary to an understanding of each party's position." As a result, the report did not necessarily show which edits AIG made that were incorporated. Instead, he said that those changes were available in working papers that were "available to the SEC, the DOJ, the New York Attorney General's Office." Unfortunately, he added, "the agencies—which were aware of this practice—did not request such documents."

While I appreciate Mr. Cole's responses to these clarifying questions, they raise concerns about how independent his monitoring was, what changes were ultimately requested by AIG, what changes were included, and how much the SEC and the DOJ really knew about edits AIG was making to the "independent" reports.

Finally, I have serious concerns about Mr. Cole's decision to suspend the compliance review at AIG's Financial Products Division following the government bailout. In his testimony, Mr. Cole acknowledged that following the government bailout of AIG, he scaled back his efforts until the future of AIG as a corporation was determined. After Mr. Cole suspended his monitoring, AIG restructured its compliance office and terminated a number of staff overseeing the company's compliance with the Securities and Exchange Commission regulations. Mr. Cole said that after it was determined that AIG's Financial Products Division would not be dissolved, the compliance and monitoring were "revived and are being reviewed and implemented where applicable." Under Mr. Cole's watch, AIG not only got \$182 billion of taxpayer money, it was able to talk the independent consultant—Mr. Cole—out of monitoring what the company was doing.

Based upon these factors, I am concerned about Mr. Cole's ability to perform the duties required of Deputy Attorney General. He would be in a position to potentially influence future compliance monitors appointed under settlements between the Justice Department, the Securities and Exchange Commission, and other corporations that have violated the law. Independent monitors need to be truly independent and completely transparent. They are selected and appointed to ensure that the interests of the American people are protected.

I cannot support the nomination of Mr. Cole to be Deputy Attorney General and, therefore, will vote against cloture. I urge all of my colleagues to join me in opposing this cloture vote to

send a message to the Justice Department to stop the stonewalling of legitimate oversight inquiries from Members of the Senate.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF JAMES MICHAEL COLE TO BE DEPUTY ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The bill clerk read the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate equally divided and controlled between the two leaders or their designees.

Mr. GRASSLEY. Mr. President, I yield 10 minutes to the Senator from North Carolina.

Mr. BURR. Mr. President, I thank the Senator. In less than an hour, this body will be asked to vote on cloture to proceed to the nomination of James Michael Cole to be Deputy Attorney General. I rise in opposition to that cloture vote on the nomination of James Cole, and I urge my colleagues to strongly oppose it.

As a member of the Senate Intelligence Committee, I share the views of the vice chairman, Senator CHAMBLISS, and the ranking member of the Judiciary Committee, Senator GRASSLEY, as expressed in their letter to Republican colleagues dated May 6, 2011, opposing cloture on this nomination.

I ask unanimous consent to have printed in the RECORD this letter from Republican colleagues.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
Washington, DC, May 6, 2011.

DEAR COLLEAGUE: The Majority Leader has filed cloture on James Cole, the President's nominee to be the Deputy Attorney General. At this time, we do not support Mr. Cole's appointment and urge you to oppose cloture on his nomination.

During the last Congress, Mr. Cole's nomination was not considered by the full Senate for several reasons. First, the Department of Justice has refused to comply with repeated minority requests since August 2010 for documents and information related to the activities of the Guantanamo Bay Detainee Review Task Force. Second, Mr. Cole's comments and hearing testimony regarding the

September 11th terrorist attacks raise significant concerns about his suitability to be the Deputy Attorney General of the United States. Third, we have concerns about Mr. Cole's abilities based on his performance as an Independent Consultant tasked with overseeing the insurance group, AIG. As a result, the Senate returned the nomination to the President. Unfortunately, on December 29, 2010, Mr. Cole was recess appointed to a one-year term while the Senate was adjourned and sworn in shortly thereafter. Notwithstanding Mr. Cole's recess appointment, our reasons for opposing his nomination remain.

DEPARTMENT OF JUSTICE STONEWALLING DOCUMENT AND INFORMATION REQUESTS BY RANKING MEMBERS

For several years, the Senate Select Committee on Intelligence has been reviewing the process used by the Administration's Guantanamo Bay Detainee Review Task Force to detain, transfer, or release detainees from the Guantanamo Bay facility. Given that the recidivism rate among these detainees has now risen above 25 percent, Congress must have clear insight into this process to determine whether additional legislation is needed to protect our national security.

The Attorney General has been asked repeatedly to provide Congress with: (1) any guidance or recommendations related to the Task Force process (including a September 2009 Attorney General memorandum concerning a presumption to be applied in favor of transfer or release for certain detainees); (2) the Task Force's unredacted recommendations regarding each detainee; and (3) a list of the 92 detainees who were approved for transfer as of August 28, 2009, prior to the issuance of the September 2009 memo. In spite of these specific written requests from Senators in the minority, including a request from all of the minority members of the Select Committee on Intelligence, the Justice Department has not provided the information, instead asserting a questionable "deliberative process" privilege to justify its lack of compliance.

Aside from this dubious assertion of privilege, the repeated failure of the Justice Department to comply with this oversight request is part of a disturbing pattern of refusing to recognize legitimate oversight requests from ranking minority members. For example, the Justice Department is currently refusing to turn over documents requested by the Ranking Member of the Senate Judiciary Committee regarding serious allegations that the Bureau of Alcohol, Tobacco, Firearms, and Explosives knowingly allowed straw purchasers to buy firearms that were then provided to criminal drug cartels in Mexico. At least two of these weapons were later found at the scene where Border Patrol agent Brian Terry was murdered.

MR. COLE'S VIEWS ON TERRORISM

A September 2002 opinion piece by Mr. Cole raises serious questions about his judgment and his current views on terrorism. In that article, he noted that "[f]or all the rhetoric about war, the September 11th attacks were criminal acts of terrorism against a civilian population" and were no more horrible than "the scourge of the drug trade, the reign of organized crime, and countless acts of rape, child abuse, and murder." He also argued that the protections of our criminal justice system "must be applied to everyone to be effective."

While the United States must use every means at our disposal—criminal, intel-

ligence, and military—to fight terrorism, not every terrorist deserves the valued protections of our criminal justice system. Although Mr. Cole has downplayed his comments, he has not rejected the comparison of September 11th to ordinary criminal acts or answered whether he favors trying terrorists in civilian courts. His failure to do so exhibits a lack of understanding about the real threat of terrorism.

MR. COLE'S PERFORMANCE IN OVERSEEING AIG

We have a number of concerns about Mr. Cole's abilities based on his performance as an Independent Consultant tasked with overseeing AIG. Some of these concerns cannot be shared in this letter, because the Judiciary Committee has labeled the relevant reports as "Committee Confidential." Nonetheless, these reports and Mr. Cole's responses reveal what appears to be a level of deference to AIG management that one would not expect to see from someone tasked as an "independent" monitor. Also, we have serious concerns about Mr. Cole's decision to suspend the compliance review of AIG's Financial Products division following the government bailout.

CONCLUSION

We believe that before Mr. Cole's nomination receives an up-or-down vote in the Senate, the Department of Justice must immediately comply with the long-standing requests for documents and information related to the Guantanamo Bay Detainee Review Task Force. Moreover, we are not yet convinced that Mr. Cole's recess appointment should be ratified by the Senate in light of the remaining concerns about his suitability for this very important position.

Again, we urge you to oppose cloture of Mr. Cole's nomination at this time.

Sincerely,

CHARLES E. GRASSLEY,
Ranking Member, Senate Committee on the Judiciary.

SAXBY CHAMBLISS,
Vice Chairman, Senate Select Committee on Intelligence.

Mr. BURR. Mr. Cole's nomination is troubling on several fronts. First, the Department of Justice, where he now serves as second in command since his recess appointment this past December, refuses to provide the Senate Intelligence Committee with documents we have been requesting for months.

More than 2 years ago, the Intelligence Committee learned that the recidivism rate—the number of prisoners we release who go back into the fight—at Gitmo was 11 percent. Today it stands at over 25 percent. In this effort to close the detention facility at Gitmo, the President ordered a task force run by the Attorney General to review the status of all detainees still housed at Gitmo. Through much of 2009, the Gitmo detainee review task force examined every detainee's case and made recommendations to the administration on whether to transfer, release, or detain each one.

At a time when Congress is aware that former Gitmo detainees are returning to their old ways, we have an obligation to the American people—an obligation to the American people—to make sure no more detainees are released who could cause us harm. Even

though Gitmo remains open right now, efforts to transfer or release many of these detainees continue today. The documents the Intelligence Committee is seeking all relate to the task force process and will help the committee understand why the task force made the recommendations it did, especially with respect to those detainees who may have raised red flags for the intelligence community.

We know that the Attorney General provided recommendations on how the task force should make its transfer decisions because of separate information provided to the committee. We do not have everything, however, including the September 2009 memorandum in which the Attorney General reportedly recommends that an entire category of detainees be presumed to be eligible for transfer—presumed eligible for transfer. While we have asked for this memorandum and any other recommendations repeatedly, the Department has refused to provide them. If the Attorney General of the United States recommended that certain detainees be treated favorably, possibly in spite of the intelligence, the Senate Intelligence Committee has a clear oversight interest in reviewing the September memorandum and seeing if and to whom it was applied.

In addition to refusing to provide the September 2009 memorandum, the Justice Department has also denied the Intelligence Committee the recommendations of the task force. The committee cannot determine why the task force made its recommendations without seeing the description of how the task force came to the positions it did. The Department claims that both the September 2009 memorandum and the unredacted recommendations are protected from disclosure to Congress because of deliberative process. This is an assertion ordinarily used in a FOIA case or in the context of Executive privilege, not to inhibit congressional oversight of a Federal agency. An interesting inconsistency in this assertion is that the administration has willingly provided the Intelligence Committee with the recommendations of the past administration.

I understand that in the last few days, the Attorney General has reached out to the vice chairman of the Intelligence Committee in an effort to resolve these issues before today's vote. Given the Department's months of delays and obstruction in complying with this request, I believe cloture on this nomination is not appropriate until the documents requested have been provided in full.

In addition to the document issue, Mr. Cole has not explained some highly charged comments he made about 9/11. An op-ed he authored back in September 2002 called the 9/11 attacks "criminal acts of terrorism against a civilian population." He went on to dis-

miss the severity of 9/11, calling it no more horrible than "the scourge of the drug trade, the reign of organized crime, and countless acts of rape, child abuse, and murder."

Mr. Cole has not rejected or fully explained those comments. Until he does so and until the Department ends its refusal to comply with reasonable congressional requests for information, I cannot support the move to consider his nomination. I urge my colleagues to reject cloture today.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, I assume we are on the nomination of Jim Cole.

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Mr. President, to make a parliamentary inquiry: Am I correct that time runs to 5:30?

The PRESIDING OFFICER. The Senator is correct.

Mr. LEAHY. Time has been consumed by this quorum call, and so I ask unanimous consent that any time consumed in further quorum calls be equally divided on both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, the majority leader has been required to file cloture in this extraordinary case in an attempt to overcome a Republican filibuster on the nomination of Jim Cole to be Deputy Attorney General. This is a key national security position and the No. 2 position at the Department of Justice. Certainly, with what has happened in the past week or so, it is important for this President or any President to have a full national security team.

I thought back, and I could not remember a time in my 37 years here where the Senate has filibustered a President's nomination to be Deputy Attorney General. I asked Senate Judiciary Committee staff to check that and they found that the Senate has never filibustered a President's nomination to be Deputy Attorney General. In fact, during the time I was chairman of the committee, we quickly moved on President Bush's Deputy Attorneys General, even on those who would not have been my choice. We knew it was a national security position and it is important at a time when we face the threats we do here and abroad that we have that position filled. In fact, I thought it would be unconscionable, whether it was President Bush, President Reagan or any other President, to stall a Deputy Attorney General.

Mr. Cole's nomination to fill this critical national security position was

blocked last year, when it was pending on the Senate's Executive Calendar for 155 days after it was reported favorably by the Judiciary Committee. The nomination was reported favorably by the Judiciary Committee again in March, and incredibly, it is again being filibustered. People have asked me how this could be happening. It is hard to believe that one week after the successful operation that killed Osama bin Laden, the world's number one terrorist, we cannot take this step to ensure that President Obama has his full national security team in place. It is similar to "Alice in Wonderland."

Now that a measure of justice has been secured for the victims of September 11, I have expressed hope that we could come together, as we did in the weeks and months following September 11. We should be ensuring that we are extra vigilant these days. There are widespread reports that experts are concerned about this being a time in which al-Qaida will seek reprisals. Most Americans believe we should be concerned about them trying to strike back. This is not a time for further delay or obstruction. Let us join together and confirm this qualified nominee. We also ought to show the rest of the world that no matter what our political labels might be, we believe in the President of the United States having his national security team in place.

This weekend, the Washington Post editorial board called this delay "ridiculous," referring to the Deputy Attorney General as "essentially the chief operating officer of the Justice Department, including its national security operations." This delay is ridiculous and dangerous to every single American. I hope other Senators will see it as such and help end it.

We have the opportunity to set aside partisanship and join with our President to keep America safe. I recall in the aftermath of 9/11 we took immediate steps—Republicans and Democrats together—to do what we could to make sure the President's entire law enforcement team was in place.

We expedited the nominations of 14 U.S. attorneys that had been received in the Senate only 1 week before, reporting them from the Judiciary Committee on September 13 and confirming them by voice vote the very next day. Those nominations included the nomination of Paul McNulty to the Eastern District of Virginia, one of the key districts where terrorism defendants like Zacarias Moussaoui, one of the conspirators in the 9/11 attacks, are tried. We continued to expedite nominations in the weeks and months that followed, confirming an additional 58 officials to posts at the Justice Department in those weeks and before the end of 2001.

Republican Senators helped a Republican President to get his security team in place to protect the Nation, but now are not going to help a Democratic President to get his security

team in place. It is the same Nation and the security threats are the same against Republican Presidents and Democratic Presidents. We ought to come together as Americans first on this important issue.

Last week at the Judiciary Committee's oversight hearing on the Department of Justice, the Attorney General of the United States reiterated the need for final Senate action on the nomination of the Deputy Attorney General. He urged the Senate to confirm Jim Cole to help the Department fulfill all of its critical tasks, including protecting national security, in a time of heightened concern about retaliatory attacks stemming from Osama bin Laden's death. Yet, rather than take action to end the unnecessary and unexplained delays and finally confirm the nomination of Jim Cole, the unprecedented Republican filibuster continues. This is wrong. It should end.

I hope that Senators on the other side of the aisle will listen to former Deputy Attorneys General of the United States who served in both Republican and Democratic administrations. Last December, they wrote to the leaders of the Senate and urged the Senate to consider Mr. Cole's nomination without delay. These former officials who served with distinction in that post wrote that the Deputy is "the chief operating officer of the Department of Justice, supervising its day-to-day operations" and that "the Deputy is also a key member of the president's national security team, a function that has grown in importance and complexity in the years since the terror attacks of September 11." They were right and their advice rings true today.

As the former Deputies, 3 of whom served under President George W. Bush, noted in their letter, "Because of the responsibilities of the position of Deputy Attorney General, votes on nomination for this position usually proceed quickly." I wish the Senate had heeded their advice and voted to confirm Mr. Cole last year. Now another 5 months have passed.

When we first reported Jim Cole's nomination last July, I said that I hoped the Senate would treat his nomination to this critical national security and law enforcement position with the same urgency and seriousness with which we treated all four of the Deputy Attorneys General who served under President Bush. All four were confirmed by the Senate by voice vote an average of 21 days after they were reported by the Judiciary Committee. In fact, we confirmed President Bush's first nomination to be Deputy Attorney General the day it was reported by the committee. That is not the treatment that Deputy Attorney General Cole has received.

The Senate's treatment of the Cole nomination represents a sharp break from the Senate's longstanding prac-

tice of deference to the administration and timely consideration of critical national and law enforcement nominations. In their letter last December, the 8 former Deputy Attorneys General noted that, of the 11 nominations to fill this position over the last 20 years from Democratic and Republican Presidents, "none remained pending for longer than 32 days." I remember some of President Bush's nominations to this position remained pending even less than that.

Jim Cole's nomination has been pending on the floor for 222 days combined, nearly seven times longer than any nominee in the last 20 years. In fact, dating back to 1981, 15 of the 16 Deputy Attorney General nominations pending on the Executive Calendar were confirmed unanimously, the only exception being President Obama's first Deputy Attorney General nomination, of David Ogden, which was confirmed 65-28 after cloture was filed and a time agreement was reached. All of the nominees of Presidents Reagan, George H.W. Bush, Clinton and George Bush were confirmed unanimously by the Senate, in an average of less than 2 weeks.

Last December, after the nomination had already been delayed for over 4 months without explanation, I came to the floor and asked unanimous consent that at a time to be determined by the majority and minority leaders, the Senate consent to a time agreement for a debate and a vote on the Cole nomination. I asked that Senators have the courage to step forward, not hide behind the filibuster, and to either vote yes or no on this critical national security position. Republicans objected to that request in December and have still, 5 months later, refused to agree to a time to debate and vote on the nomination. It is time finally for the Senate to vote. The American people expect us to vote. The security of this country is threatened.

Jim Cole's nomination was pending last year for 5 months while Republican Senators objected time and time again to calling it up for a vote. I believe that Mr. Cole would have been confirmed by the Senate had his nomination been given an up-or-down vote. I believe he should be confirmed. As it was, after the Senate did not take final action on the nomination, President Obama exercised his authority after the Senate had recessed for the year to appoint him in order to make sure this critical national security and law enforcement post was filled. The President promptly renominated him when Congress returned this year. Recess appointments have not prevented Republican Senators from voting to confirm nominations by Republican Presidents. Given the history of obstruction of this nomination, it is time for the Senate to vote.

This is not a nomination that should have been controversial. It is a nomi-

nation supported by former Republican Senator Jack Danforth, who worked with Jim Cole for more than 15 years. When he introduced Mr. Cole at his confirmation hearing, Senator Danforth described Mr. Cole as someone without an ideological or political agenda. He also wrote to the committee that "Jim is a 'lawyer's lawyer.' He is exceedingly knowledgeable, especially on matters relating to legal and business ethics, public integrity and compliance with government regulations. He is highly regarded [] as a skillful litigator. As his resume demonstrates, he has a long and deep experience in the Department of Justice." I agree.

Jim Cole served as a career prosecutor at the Justice Department for a dozen years and has a well-deserved reputation for fairness, integrity and toughness. He has demonstrated that he understands the issues of crime and national security that are at the center of the Deputy Attorney General's job. Nothing suggests that he will be anything other than a steadfast defender of America's safety.

We have received numerous letters of support for the nomination of Jim Cole to be Deputy Attorney General, including letters from many former Republican public officials. I ask unanimous consent that these three letters be printed in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LEAHY. Among these is a letter from Michael Toner, former Chief Counsel of the Republican National Committee and former General Counsel to the Bush-Cheney 2000 Campaign, who wrote "[i]n light of his extensive experience, legal acumen, professionalism and integrity, I can think of no better person than Mr. Cole to serve as Deputy Attorney General."

Chuck Rosenberg, former Chief of Staff for Deputy Attorney General James Comey, who served under President George W. Bush, wrote, "I know how important it is for this crucial position to be filled by the right person. Jim is the right person. He is smart, experienced, thoughtful and has the proper skills and temperament to help Attorney General Eric Holder lead the Justice Department."

In his letter recommending Mr. Cole, Michael J. Madigan, a Republican counsel on many high-level Senate investigations, described Mr. Cole as "one of those somewhat rare individuals in this city about whom you will never hear even the mildest of criticism." He concluded that Mr. Cole "is a good man and perfectly suited for the challenging position for which the President has wisely nominated him."

Mr. Cole's critics have been wrong to try to blame him for the actions of AIG. His limited role was as an outside

monitor of other corporate functions and there is no evidence showing he did not perform his assignment well. Let us hold those responsible at AIG accountable. Not a single person at AIG has been. There is no basis for making Mr. Cole the scapegoat for the action of AIG. Blame the AIG agents and employees, blame its officers, blame its board, or even criticize the lack of oversight by state and Federal regulators and law enforcement officials if you like. But scapegoating this good man is wrong. As *The Washington Post* observed in an editorial last year when Mr. Cole's nomination was being blocked on the Senate floor, "There is no suggestion that Mr. Cole suffers from the kind of ethical or legal problems that would disqualify a nominee."

There is no justification for the failure to act on this critical national security nomination, and for failing to make sure that the administration has its full national security team in place. During the time when I was chairman we moved very quickly on President Bush's nominees for Deputy Attorney General because of the importance of the security of the United States. It is important for every President to succeed, no matter their party.

I hope that the Senate will reject this destructive and unprecedented filibuster so that we can finally consider and confirm Jim Cole after many months of unnecessary delays. As I said, I could not remember a time in my 37 years here where we had filibustered a nominee to be Deputy Attorney General and that proved to be true.

EXHIBIT 1

BRYAN CAVE,

Washington, DC, June 7, 2010.

Hon. PATRICK J. LEAHY,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

Hon. JEFF SESSIONS,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR LEAHY AND SENATOR SESSIONS: I write in strong support of Jim Cole's nomination to serve as Deputy Attorney General of the United States.

By way of background, I am a Partner at Bryan Cave LLP in Washington, DC. Prior to joining Bryan Cave, I was Chairman of the Federal Election Commission (FEC) and was a Commissioner on the FEC from 2002–2007. Prior to being appointed to the FEC, I served as Chief Counsel of the Republican National Committee, General Counsel of the Bush-Cheney 2000 Campaign, and General Counsel of the 2000 Bush-Cheney Transition Team.

I have known Jim Cole for approximately 15 years and have had the privilege of being a colleague of Mr. Cole's at Bryan Cave for the last three years. I first met Mr. Cole when he served as Special Counsel for the House Ethics Committee's inquiry concerning Speaker Gingrich and I was an attorney representing Speaker Gingrich in the matter. Although Mr. Cole and I obviously had conflicting interests in the Gingrich matter, I was tremendously impressed with the thoroughness and professionalism by which Mr. Cole conducted himself in the Gingrich matter, and that has been a hallmark of all of my experiences with Mr. Cole over the last 15 years.

Mr. Cole is superbly qualified to serve as Deputy Attorney General of the United States. Mr. Cole is one of the smartest and most able criminal lawyers in the country, and Mr. Cole's prior service at the Justice Department will be invaluable experience in working with Attorney General Holder in managing and leading the Justice Department. In light of his extensive experience, legal acumen, professionalism and integrity, I can think of no better person than Mr. Cole to serve as Deputy Attorney General.

Jim Cole has my highest recommendation to serve as Deputy Attorney General of the United States and it is an honor to have the opportunity to write on Mr. Cole's behalf. If confirmed, I believe that Mr. Cole would serve the Department of Justice and the country with great distinction in the years ahead.

Sincerely,

MICHAEL E. TONER.

— PHELPS DUNBAR,

New Orleans, LA, June 10, 2010.

Re Nomination of Jim Cole to be next Deputy Attorney General of the United States of America.

Hon. PATRICK J. LEAHY,
Chairman, Senate Judicial Committee,
U.S. Senate, Russell Office Building, Wash-
ington, DC.

DEAR SENATOR LEAHY: I am writing this letter to recommend, without hesitation, Jim Cole to be confirmed as the next Deputy Attorney General in the United States Department of Justice.

As a former United States Attorney in Louisiana, I worked with Jim Cole when he prosecuted a corrupt federal judge. I also have worked with Mr. Cole for more than a decade while he worked in the private sector.

I know Jim Cole to be bright, hard-working, dedicated and beyond reproach. If confirmed by the United States Senate, I believe Jim Cole will be an asset to both the Justice Department and the citizens of the United States. I respectfully ask you to consider my wholehearted support of Jim Cole as the next Deputy Attorney General.

I know that you, and the other members of the Judiciary Committee as well as the Senate, strive for bipartisan cooperation. As a Republican Presidential appointee, I believe it is critical for members of the Justice Department to have bipartisan support and the confidence of the American people regardless of party affiliation. I appreciate your consideration of my views as to the soundness of the nomination of Jim Cole for Deputy Attorney General and would welcome an opportunity to provide you with additional information if you so choose.

Thanking you again for your courtesies and with best regards, I remain,

Sincerely,

HARRY ROSENBERG.

— ORRICK,

Washington, DC, June 8, 2010.

Re James M. Cole, Nominee for Deputy Attorney General.

Hon. PATRICK J. LEAHY,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

Hon. JEFF SESSIONS,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATORS LEAHY AND SESSIONS: It is my great privilege and honor to add my voice, wholeheartedly, to those supporting the nomination of Jim Cole for the critically important position of Deputy Attorney General of the United States.

I have known Jim for years and he is and has been a truly outstanding lawyer and, most importantly, an even better person. For the last two years I have had the honor of serving with Jim on the ABA–DOJ Dialogue Group where he has been an always thoughtful and important member.

Jim, as you already know, has had an outstanding career both as a federal prosecutor and as a criminal and civil trial lawyer. Indeed, Jim, I dare say, is one of those somewhat rare individuals in this city about whom you will never hear even the mildest of criticism. He is a good man and is perfectly suited for the challenging position for which the President has wisely nominated him.

I am honored to offer unqualified support for Jim's nomination.

Respectfully yours,

MICHAEL J. MADIGAN.

Mr. LEAHY. I see the distinguished Senator from Texas is here, so I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CORNYN. Mr. President, the distinguished chairman of the Judiciary Committee has pointed out the Deputy Attorney General is a member of the national security team of the President, and the President has already used the authority under the Constitution to make a recess appointment of this nominee. But the question before the Senate today is whether the Senate should confirm the nomination of James Cole to serve as Deputy Attorney General.

There are three reasons why I oppose this nomination. The first is Mr. Cole is one of the earliest and most vociferous advocates of bringing foreign al-Qaida terrorists to American cities for civilian trials—a position since repudiated by the Attorney General himself in the case of Khalid Shaikh Mohammed, and I am grateful for that. But Mr. Cole has never recanted his position that, in effect, these are criminal cases to be prosecuted as ordinary crimes rather than terrorist acts during a time of war.

The problem, of course, with the paradigm of treating terrorism as a criminal case is that we don't punish the terrorists until they have actually been successful in committing a terrorist attack. In war, half the battle—maybe more than half the battle—is trying to stop the terrorist from actually accomplishing his or her goal of killing innocent people. We do that by interrogating detainees and finding out what they know about the organization and plans of terrorist attacks. Mr. Cole, unfortunately, stands by the outdated, outmoded characterization of these terrorist attacks being ordinary crimes. Of course, they are something much worse indeed.

Quite frankly, as Mr. Holder's Deputy, Mr. Cole will only exacerbate the worst tendencies of the Department of Justice when it comes to distinguishing between criminal prosecutions and fighting a war against terrorists. This was, of course, the primary

reason why Mr. Cole's nomination was unanimously rejected by Republicans in the Judiciary Committee. The American people want a Department of Justice that is committed to enforcing the law and protecting the innocent, not creating new civil rights for terrorists or treating them as ordinary criminals when they are something else indeed.

In fact, the recent death of Osama bin Laden was a product of a lot of intelligence gathering that occurred over the years. That would never have occurred under Mr. Cole's proposed model of Mirandizing these people when they are arrested; telling them they do not have to provide any information because they are being treated as ordinary criminals rather than as terrorists who are eligible for rough interrogation, if necessary, in order to find out what they know in order to save innocent lives.

Rather than listening to the concerns of Republicans on the Judiciary Committee about Mr. Cole's narrow view of the war on terror and of the views of the American people and perhaps reconsidering this flawed nomination, the President decided to plow ahead and bypass the advise and consent process with a recess appointment. As I said, he, of course, has the right to do so.

There are actually a couple other reasons why I oppose the nomination, and I wish to first express my appreciation to Senator CHAMBLISS and Senator GRASSLEY. Senator CHAMBLISS, of course, is the ranking member of the Senate's Select Committee on Intelligence, and Senator GRASSLEY is the ranking member of the Senate Judiciary Committee. They have continued to demand information from the Department of Justice and have been stonewalled at every turn. Senator CHAMBLISS and his colleagues on the Intelligence Committee have made perfectly reasonable requests consistent with the committee's oversight responsibilities related to the Obama administration's Guantanamo Detainee Review Task Force. Senator GRASSLEY, on the other hand, from his position as the ranking Republican on the Judiciary Committee, on which I serve, has requested documents concerning serious allegations that the Bureau of Alcohol, Tobacco, Firearms and Explosives knowingly allowed straw purchasers to buy firearms which were then provided to criminal drug cartels in Mexico. It has later been reported that at least two of these weapons were found at the scene where a Border Patrol agent named Brian Terry was murdered.

I fully support Senators GRASSLEY and CHAMBLISS and regret that repeated requests for information that were well within the purview of the oversight responsibilities of Congress have been unreasonably rejected. When

a minority in the Senate is denied the usual and customary information necessary for us to do our job, we are left with very few options. One of those options is to force a resolution by exercising our rights as a minority to block cloture. That is not necessarily a permanent move. It means debate continues on the nomination and we cannot come to a vote. But I submit, if rational minds would come together—if Senator GRASSLEY and Senator CHAMBLISS could get the information they and their committees are entitled to and discharge their oversight responsibilities—we could come much closer to resolving the differences on this particular nominee.

Mr. CHAMBLISS. Mr. President, I rise in opposition to cloture on the nomination of James Cole to be the Deputy Attorney General of the United States.

Last December, I objected to further consideration of Mr. Cole's nomination because of the refusal of the Department of Justice, DOJ, to comply with reasonable document requests from the Senate Select Committee on Intelligence. Unfortunately, the President decided to circumvent the Senate and recess-appointed Mr. Cole on December 29, 2010.

Here we are 5 months later: the Justice Department is still thwarting the Intelligence committee's oversight.

The documents we have requested all relate to the Guantanamo Detainee Review Task Force that made recommendations to the Administration on whether to transfer, release, or detain Gitmo detainees. Over 2 years ago, the committee became aware of rising recidivism rates among former Gitmo detainees. At that time, the rate was around 11 percent—it is now above 25 percent. Congress has a unique obligation to the American people to ensure that no more dangerous detainees are released from Gitmo, and that those who have been released do not resume their terrorist ways. Each one of the documents we are seeking is essential to understanding why the task force made certain recommendations about certain detainees, especially those detainees our intelligence professionals judged were too dangerous to transfer.

The detainees remaining at Gitmo are among the worst of the worst, yet many are still designated for transfer. Given the upward trend in recidivism rates, the Intelligence Committee is reasonably concerned that some of the detainees who have been or may be transferred to third countries will re-engage in terrorist activities. Lingering questions about the monitoring capabilities of countries that have accepted detainees add to these concerns.

In making its recommendations, the task force operated under guidance and recommendations from the Attorney General. The Department of Justice, however, refuses to provide a Sep-

tember 2009 Attorney General memorandum that reportedly recommends that an entire category of detainees be presumed to be eligible for transfer. If classes of detainees are to be presumed to be eligible for transfer by DOJ, then I think the Intelligence Committee should know about it and why such guidance was considered appropriate.

The Department has also refused to provide the Intelligence committee with the task force's recommendations for the disposition of the detainees. The task force documents we have been given have entire portions of their recommendations blacked out. This is no way to conduct oversight and it certainly puts the committee at a disadvantage in trying to understand why transfer decisions were made. Interestingly, the Department has provided the recommendations made by review boards during the previous administration.

As with the September 2009 memorandum, the Department argues against giving this information to Congress because of "deliberative process." That assertion may work in a FOIA case or in the context of executive privilege, but there is no legal basis for using it to deny congressional oversight, especially where the documents pertain to national security matters. It is time for the Justice Department to abandon this baseless argument and give us the documents.

The Intelligence committee is also waiting for a list of the 92 detainees who were approved for transfer as of August 28, 2009, prior to the application of the September 2009 memorandum. The Department indicated in November 2010 that the list would be provided, but the committee has yet to receive it.

Last Friday, we heard from the Department for the first time in months, wanting to work something out on the documents in advance of the cloture vote on the Cole nomination. This is a bit ironic, considering that letters and e-mails from last year have gone unanswered. The best thing they can do now is to honor our request and give us the documents that we have requested.

The Department's obstruction of a congressional review is not the only reason I am opposing cloture. Mr. Cole still has not explained comments he made about the 9/11 attacks. In September 2002, he wrote an op-ed in which he called these attacks "criminal acts of terrorism against a civilian population." Following this logic, he diminished 9/11 to being no more than "the scourge of the drug trade, the reign of organized crime, and countless acts of rape, child abuse, and murder." He also argued that the protections of our criminal justice system "must be applied to everyone to be effective." I could not disagree more with this statement—no terrorist deserves the benefits of our criminal justice system.

Mr. Cole has neither rejected these comments, nor really explained why he made them. Until he does so, I have to question his judgment and his suitability to be the second-in-command at the Justice Department.

It is for these reasons, I cannot support cloture on the nomination of Mr. Cole at this time.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I ask for the regular order.

CLOTURE MOTION

The PRESIDING OFFICER. Under the previous order and pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will state.

The assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General.

Harry Reid, Patrick J. Leahy, Herb Kohl, Dianne Feinstein, Al Franken, Christopher A. Coons, Richard Blumenthal, Amy Klobuchar, Sheldon Whitehouse, Sherrod Brown, Mark Udall, Richard J. Durbin, Thomas R. Carper, Bernard Sanders, John D. Rockefeller IV, Jeanne Shaheen, Charles E. Schumer.

The PRESIDING OFFICER. By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on the nomination of James Michael Cole, of the District of Columbia, to be Deputy Attorney General shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Mrs. BOXER), the Senator from Louisiana (Ms. LANDRIEU), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Wyoming (Mr. BARRASSO), the Senator from South Carolina (Mr. GRAHAM), the Senator from Utah (Mr. HATCH), the Senator from Arizona (Mr. MCCAIN), the Senator from Kansas (Mr. MORAN), the Senator from Pennsylvania (Mr. TOOMEY), and the Senator from Louisiana (Mr. VITTER).

Further, if present and voting, the Senator from Utah (Mr. HATCH) would have voted "nay."

The yeas and nays resulted—yeas 50, nays 40, as follows:

[Rollcall Vote No. 67 Ex.]

YEAS—50

Akaka	Hagan	Murray
Baucus	Harkin	Nelson (NE)
Begich	Inouye	Nelson (FL)
Bennet	Johnson (SD)	Pryor
Bingaman	Kerry	Reed
Blumenthal	Klobuchar	Rockefeller
Brown (OH)	Kohl	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Conrad	Lugar	Udall (NM)
Coons	Manchin	Warner
Durbin	McCaskill	Webb
Feinstein	Menendez	Whitehouse
Franken	Merkley	Wyden
Gillibrand	Mikulski	

NAYS—40

Alexander	DeMint	Murkowski
Ayotte	Enzi	Paul
Blunt	Grassley	Portman
Boozman	Heller	Reid
Brown (MA)	Hoeven	Risch
Burr	Hutchison	Roberts
Chambliss	Inhofe	Rubio
Coats	Isakson	Sessions
Coburn	Johanns	Shelby
Cochran	Johnson (WI)	Snowe
Collins	Kirk	Thune
Corker	Kyl	Wicker
Cornyn	Lee	
Crapo	McConnell	

NOT VOTING—10

Barrasso	Landrieu	Toomey
Boxer	McCain	Vitter
Graham	Moran	
Hatch	Sanders	

The PRESIDING OFFICER (Mr. MANCHIN). On this vote, the yeas are 50, the nays are 40. Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is rejected.

The majority leader is recognized.

Mr. REID. Mr. President, I enter a motion to reconsider the vote by which cloture was rejected.

The PRESIDING OFFICER. The motion is entered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate return to legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

TRIBUTE TO ALICE SAUDARGAS

Mr. DURBIN. Mr. President, I rise today to honor an outstanding Illinoisan, Alice Saudargas, and to thank her for her many years of service as she ends her term on the Rockford School Board.

Alice Saudargas is a remarkable public servant. She has dedicated her life to working with high-poverty schools and troubled children. Alice and her late husband Alex spent more than 70 years educating students in Rockford, and as she recently said "we loved every minute of it."

Alice Christine Nesheim was born in 1916 in northern Illinois to Norwegian immigrants. She graduated first in her high school class and was the first in her family to attend college. She graduated with a degree from DeKalb State Teachers College, which is now Northern Illinois University. While there, she met her husband Alex Saudargas and they moved to Rockford to start a family.

Alice raised ten children and supported Alex as he led the basketball team at West High School to two legendary state championships in 1955 and 1956. In those days, Alice could always be seen at West's basketball games, cheering on the team.

But Alice wanted to have a personal impact on the lives of Rockford's neediest students. She went back to school and earned her master's degree in education from Northern Illinois University. Alice worked as a special education teacher and eventually became a principal of Elmwood Center, a school for emotionally disturbed children. The students there called her "Big Mamma" and they always appreciated the love, support, and care she showed them.

Alice retired from the school district in 1986 at the age of 70, but she didn't slow down or lose her passion for education. She led committees to help make the Rockford schools more inclusive of all children and to maintain the legacy of West High School. At the age of 84, Alice was appointed to complete a term on the Rockford School Board. She was subsequently elected in her own right and served on the board for 11 years. Her last day as a Rockford School Board member was April 26.

Alice is supported in all her endeavors by her 9 surviving children, 16 grandchildren, and 14 great-grandchildren as well as the hundreds of students she has supported and mentored throughout her long career. She has touched the lives of countless individuals in my state. She is renowned for her commitment to Rockford's neediest children, her strong spirit, and of course her trademark laugh.

Although Alice's time on the Rockford School Board has come to an end, I know that this won't be the end of her service or commitment to the community. I understand that she plans to write a book about her life and work. That will be quite a story.

I thank Alice for her lifelong efforts to improve the lives of others in and around Rockford. I wish her all the best.

TRIBUTE TO JODY HERNANDEZ

Mr. MCCONNELL. Mr. President, in the midst of all our other business, I would like to just pause and take a moment to recognize the outstanding work of Jody Hernandez, who left us yesterday after 16 years of dedicated Senate service. Jody came to Washington, by way of San Antonio, after graduating from Vanderbilt University. Over the years, she has lent her talents to the Republican Policy Committee, the Budget Committee, and with Senator Don Nickles on and off the Hill. David Schiappa convinced her to come back to the Senate in 2005, and she has been an indispensable part of the Senate floor team ever since. Whenever any of us had a question, she had the answer. She has been a friendly and welcoming presence in the cloakroom, regardless of how long her day was. She has been a tremendous help to every one of us. And we will all miss her. But we are all delighted that she has found her partner in life, and we wish her and her new husband, LCDR Glenn Wright, U.S. Navy, many years of happiness and every success as they begin their life together. Jody and Glenn met on a church trip to Israel in October and recently tied the knot. So I am sure many adventures lie ahead. We thank her for her good cheer, her professionalism, and her service.

RECOGNIZING THE ALLY FOUNDATION

Mr. BROWN of Massachusetts. Mr. President, I rise today to honor The ALLY Foundation, an inspirational organization in Massachusetts. In the summer of 2002, a young woman named Alexandra "Ally" Zapp walked into a fast food restaurant's restroom in Massachusetts and was brutally murdered.

Soon after Ally's death, her parents learned that the man who killed Ally was not just an employee of the restaurant but an extremely dangerous sexual predator with 24 previous criminal convictions, including rape and kidnapping.

Ally's mother, Andrea Casanova, and stepfather, Steven Stiles, turned their anger to resolve and their sadness to hope and founded The ALLY Foundation. The ALLY Foundation is dedicated to changing the way our society deals with sexual predators and educating policymakers, employers, and the general public on sexual violence. Their work initially involved learning all they could about sexual violence, poring over research, attending conferences, and interviewing dozens of experts. Andrea soon became an expert herself and a compelling presence at sex offender management conferences.

Andrea and Steve's tireless research confirms that current criminal statutes and incarceration guidelines as they pertain to sexual violence often go unenforced and are at best incon-

sistent. There are an estimated 600,000 sex offenders in the country and authorities have not accounted for as many as 100,000 offenders.

The ALLY Foundation does more than merely raise awareness of a problem; they're helping to solve it. Within 2 years of Ally's murder, The ALLY Foundation had already made a significant impact on public policy, including helping to pass Massachusetts's sexually dangerous commitment law—known as the Ally Zapp Law—to keep sex offenders predators off the street after they complete their criminal sentence.

Ally's tragic death and countless other attacks were the result of a legal system largely unequipped to handle the unique dynamics of sexual predation. Ally's killer should never have been free, let alone work around the general public.

In less than a decade, The ALLY Foundation has had a profound impact on public policy. It is impossible to know how many lives have been saved or how many were spared the physical and emotional scars of sexual abuse and violence. But the fact remains that thanks to The ALLY Foundation, public officials and employers are far better educated and equipped to enact laws and adjust policies to reflect the unique nature of sexual violence. I commend Andrea and Steve for all they do.

ROONEY NOMINATION

Mr. WYDEN. Mr. President, in March, I was compelled to place a hold on the nomination of Jo Ann Rooney to be Principal Deputy Under Secretary of Defense for Personnel and Readiness, when I was not satisfied that the military had properly investigated the mistreatment of some members of the Oregon National Guard who were demobilizing at Joint Base Lewis-McChord, JBLM.

I am pleased to say that today I am lifting that hold.

I have had meetings and exchanged letters with Secretary of the Army John McHugh, Army Vice Chief of Staff General Peter Chiarelli, Major General Philip Volpe, Jo Ann Rooney, and Dr. Clifford Stanley, who will be Dr. Rooney's supervisor if she is confirmed. I have also received several documents related to the investigations, and written answers to more than 60 questions about the investigations.

I am satisfied that the actions taken by the Army put them on the right path to ensuring that future National Guard soldiers receive all of the care and benefits to which they are entitled.

I will continue to closely monitor the implementation of the changes the Army is making. However, I believe that Dr. Rooney would, if confirmed, work to ensure that all servicemem-

bers get appropriate medical care, and improve the demobilization process.

I would urge the Senate to quickly and positively act on Dr. Rooney's nomination.

ADDITIONAL STATEMENTS

TRIBUTE TO THOMAS J. PAMPERIN

• Mr. AKAKA. Mr. President, I would like to take a moment today to recognize the long and distinguished career of Mr. Thomas J. Pamperin of the Department of Veterans Affairs, VA. After nearly four decades of public service, beginning with the U.S. Army and now as the VA's Deputy Under Secretary for Disability Assistance, Tom is retiring. From his days as a VA claims examiner in Milwaukee to his present leadership position, he has ably served our Nation's veterans.

Tom has earned an excellent reputation with Members of Congress and their staff, especially with that of the Senate Committee on Veterans' Affairs, of which I was proud to serve as chairman during the 109th and 110th Congresses. He also receives high praise from leaders of veterans service organizations, the Department of Defense, the Social Security Administration, and the Department of Justice. He has represented the VA with distinction before the Congress, other Federal agencies, and foreign delegations.

During my chairmanship of the Veterans' Affairs Committee, Tom was the "go to person" for matters of critical importance to veterans, especially those seeking compensation for their war wounds. When time was of the essence, he cut through the red tape and personally saw to it that the veteran got the benefits that were due. More broadly, he has led efforts to improve the delivery of benefits to all veterans, including initiatives to ease the burden of proof for those suffering from post-traumatic stress disorder, to enable veterans to begin the claims process before discharge from military service, to better coordinate the delivery of military and VA benefits, and to automate claims for higher education benefits under the new G.I. bill.

In particular, I thank Tom for the work he did in improving VA's evaluation of and ratings for veterans with traumatic brain injuries, TBI. Soon after becoming chairman of the Veterans' Affairs Committee, I asked former VA Under Secretary for Benefits, Daniel L. Cooper, about limitations on TBI ratings to 10 percent "and no more." Tom played a significant role in VA's response: He developed temporary guidance so that VA could promptly address cases where the limitation should not be applied and developed final regulations to ensure more

appropriate ratings in subsequent claims. Tom's actions had an immediate and sustained impact on the lives of veterans who were injured in Iraq and Afghanistan.

Nearly 40 years of service to the Nation demonstrates a commitment to public service matched by few. Tom has worked tirelessly to ensure that veterans receive the benefits that they deserve, a goal that has become ever more challenging with increases in the number of servicemembers returning from the conflicts in Iraq and Afghanistan who have serious injuries, the demand for G.I. bill benefits, and the number of compensable illnesses. Over the course of his career, Tom has devoted himself to delivering on the Nation's promise to care for the veteran and his widow. I applaud his dedication, hard work, and countless achievements, and I ask my colleagues to join me in thanking him for his many years of service to the country and to the many veterans whose lives he has improved in such crucial ways. His record is an example of public service at its best, and I deeply appreciate his long commitment to those who have worn the nation's uniform. I wish him all the best in his future endeavors and know that all of us who have counted on him over the years will miss him.●

WORLD WAR II HEROES FLIGHT

● Mr. CORNYN. Mr. President, today I wish to acknowledge and honor a very special group of veterans. In appreciation for their selfless service to our country, Brookshire's Grocery Store and Super 1 Foods have sponsored a World War II Heroes Flight that has brought 33 World War II veterans to Washington, DC, free of charge.

I want to take a moment to thank these brave veterans visiting our Nation's Capital, including six that are from Texas: John Connolly, Longview, TX; Gene Germaine, Longview, TX; Glen Kernohan, Longview, TX; Hugh Neeld, Jacksonville, TX; Dale Whitton, Tyler, TX; and Jim David Woolverton, Tyler, TX.

During this trip, these veterans will tour Arlington National cemetery, the Iwo Jima Memorial, the World War II Memorial, the United States Capitol, and other sites. This program provides many veterans with their only opportunity to see the great memorials dedicated to their service and sacrifice.

Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.●

TRIBUTE TO REV. ROBERT A. WILD, S.J.

● Mr. KOHL. Mr. President, I wish to honor Reverend Robert A. Wild, S.J., president of Marquette University in Milwaukee. Father Wild began his du-

ties as president of Marquette University on June 17, 1996, with a pledge that he would "spare no effort in keeping Marquette on a strong and clear path into the future." As he enters retirement on July 31, 2011, it is my belief that my friend has not strayed from his pledge.

As a Catholic, Jesuit institution, Marquette promotes an academically rigorous, values-centered curriculum. Throughout his presidency, Father Wild has encouraged the practical preparation of students for work in an increasingly complex and diverse world, advocating for the formation of individuals as ethical and informed leaders in their religious, cultural, professional, and civic communities. Through this work, Father Wild has demonstrated a deep care and understanding of the development of young people.

Early in his career as president, Father Wild oversaw the rewriting of Marquette's mission statement in an effort to clearly define what all people, young and old, should strive toward on a daily basis. The mission statement was reorganized under the key values of excellence, faith, leadership and service. These values have permeated all aspects of Father Wild's tenure as he has constantly inspired the Marquette community in the fostering of personal and professional excellence, the promotion of a life of faith, and the development of leadership expressed in service to others.

Father Wild has boldly committed Marquette to making higher education accessible to all students, regardless of financial means. To accomplish this, Marquette became the first university in the country to partner with the Boys & Girls Clubs of America to offer full-tuition scholarships. This program and others have helped many first-generation students attend college, so much so that 20 percent of Marquette's students are the first in their families to attend college.

The more than 36,000 students who have received a Marquette degree under Father Wild's tenure have had the advantage of learning from renowned faculty members who work to advance knowledge and improve the world around them. Over Father Wild's career, faculty members and students have seen a 130-percent increase in total research and sponsored project dollars.

Beyond research and academics, Father Wild has placed an emphasis on community interaction that has made Marquette a focal point for discussion of the region's most important and complex societal issues. Thanks to these interactions, Marquette's presence in southeast Wisconsin is stronger than ever before. Father Wild has expanded the university's outreach through service and faculty research, and currently more than 85 percent of

Marquette students serve their community.

The physical growth of the Marquette campus is one of the most obvious indicators of Father Wild's commitment to the university. Father Wild oversaw the financing, construction and completion of a new facility for the Marquette University School of Dentistry, training the State's future dentists and promoting oral health through outreach programs that target underserved patients in six clinical sites throughout the State, making Marquette one of the largest Medicaid providers in the State. All of this growth has been fueled by unprecedented fundraising led by Father Wild.

In addition to promoting academics and service, Father Wild was strategic in helping Marquette enter the Big East Athletic Conference in 2005. In 6 short years, the school has enjoyed success in many of its athletic programs, most prominently a Sweet 16 run in the 2011 NCAA Men's Basketball Tournament.

I offer my gratitude and sincerest thanks to my friend Father Wild on his retirement from Marquette University. His presidency, based in the values of excellence, faith, leadership and service, has inspired countless individuals not only in the Marquette community but in Milwaukee and throughout Wisconsin that will be felt for years to come.●

HOOSIER ESSAY CONTEST WINNERS

● Mr. LUGAR. Mr. President, I wish today to take the opportunity to express my congratulations to the winners of the 2010-2011 Dick Lugar/Indiana Farm Bureau/Indiana Farm Bureau Insurance Companies Youth Essay Contest.

In 1985, I joined with the Indiana Farm Bureau to sponsor an essay contest for 8th grade students in my home State. The purpose of this contest is to encourage young Hoosiers to recognize and appreciate the importance of Indiana agriculture in their lives and subsequently craft an essay responding to the assigned theme. The theme chosen for this year was "Agriculture: Then and Now."

Along with my friends at the Indiana Farm Bureau and Indiana Farm Bureau Insurance Companies, I am pleased with the annual response to this contest and the quality of the essays received over the years. I applaud each of this year's participants on their thoughtful work and wish, especially, to highlight the submissions of the 2010-2011 contest winners Alexis J. Carmony of Falmouth, Indiana, and Collin Bowlin of Jasper, Indiana. I submit for the RECORD the complete text of Alexis's and Collin's respective essays. I am pleased, also, to include the names of the many district and county winners of the contest.

The essays and winners follow.

AGRICULTURE: THEN AND NOW

(By Alexis J. Carmony)

Indiana agriculture is important to me because of the basic values it instills in my life. Agriculture is about hard work, appreciation for life and living things, the importance of our soil and water conservation, perseverance, ability to overcome hardships, and being creative in dealing with factors beyond man's control.

Indiana agriculture has an amazing responsibility. Years ago, Indiana farmers were proud to feed their families from the farm; today Indiana farmers are proud to feed the world from their farms. The heart of Indiana agriculture has not changed from decades ago. Past generations had to physically work hard to produce their product, whereas the present generations have to work as hard for the skill it takes to market their product.

From the time I went with my great grandfather to feed his cattle and sensed his love for those animals, I was hooked on agriculture. Even when those animals did not cooperate, grandpa still loved them. He has cared for livestock for years, and he enjoys it today as he did years ago. My great grandfather continues to be active in Indiana agriculture today and models what agriculture is all about: hard work, appreciation for livestock and plants, and good stewardship of our earth.

In closing, I will leave you with a quote from William Jennings Bryan, "American Politician and Orator"; 1860-1925, that summarizes my thoughts on Indiana agriculture. "Burn down your cities and leave our farms, and your cities will spring up again by magic; but destroy our farms and the grass will grow in the streets of every city in the country." I believe agriculture was the foundation of our country then and still is today.

AGRICULTURE: THEN AND NOW

(By Collin Bowlin)

Slowly standing up from the seat of his Case-IH tractor in which he has been sitting for the past two hours, he wears a smile that turns into a grimace until the shooting pain eases and his knee pops back into place. The pain in his knee is the result of the many years of hard work he has put into farming this land. Steadily stepping down from the tractor, he points to where he stopped making the windrows of hay and now I climb onto the tractor. It is my turn to take over, where he left off.

He has made his livelihood from farming these rolling hills in southern Indiana, growing crops of corn, soybeans, and hay, and raising livestock which include beef cattle, swine, and poultry. He is my grandfather. He has instilled in me to take good care of these blessings, land and livestock. As a young boy, Grandpa worked the land with a team of horses. Now we have horsepower to more efficiently produce the food that people rely upon every day. After his eighth grade year in school, Grandpa had no choice but to end his schooling early in order to help out on his family's farm. As an eighth grade student today, I have many choices, and I know I will attend college in the future.

My love for raising, showing, and judging beef cattle and pigs has given me many opportunities. Agriculture will always play a huge role in my life. I am proud to be one voice supporting the agricultural industry which provides food, fiber, and fuel to the world. The economic and environmental issues facing farmers today need to be addressed by knowledgeable people. So now, it

is my turn to take over, where Grandpa left off.

2010-2011 DISTRICT ESSAY WINNERS

DISTRICT 1

Gabrielle Carlson, Quinn McGovern.

DISTRICT 2

Katie Lopshire, William Joseph Rockey.

DISTRICT 3

Shelbi Perry, Dakota Burghardt.

DISTRICT 4

Rachel Girod, Nathan Chou.

DISTRICT 5

Shane Slaven, Kiersten Mundy.

DISTRICT 6

Katie Pfaff, Max Keller.

DISTRICT 7

Easton Booe, Whitney Halfhill.

DISTRICT 8

Josh Orschell, Alexis J. Carmony.

DISTRICT 9

Anna Hagedorn, Collin Bowlin.

DISTRICT 10

Amber Moore, Clayton Pottschmidt.

2010-2011 COUNTY ESSAY WINNERS

ADAMS

Eli Hill, Adams Central Middle School; Rachel Girod, Bellmont Middle School.

ALLEN

Robert Ottenweller and Aubrey Fespel, Saint Joseph Hessen Cassel School.

BARTHOLOMEW

Mark Buffo and Meredith Dickerson, Central Middle School.

CLARK

David Elias Book, Borden Junior-Senior High School.

CLAY

Easton Booe, Clay City Junior-Senior High School; Whitney Halfhill, North Clay Middle School.

DEARBORN

Matthew Bourquein, Sunman-Dearborn Middle School.

DECATUR

Byron Haley and Sarah Gilley, South Decatur Junior-Senior High School.

DELAWARE

Joseph Dorton and Chelsie Taylor, Delta Middle School.

DUBOIS

Collin Bowlin, Jasper Middle School; Anna Hagedorn, Forest Park Junior-Senior High School.

ELKHART

Doris Mullett, Clinton Central Junior-Senior High School.

FLOYD

Ryan Didat and Erin Embrey, Our Lady of Perpetual Help School.

FRANKLIN

Josh Orschell, St. Michael School; Ella Knight, Mount Carmel School.

GREENE

Drew Witty and Aubri Lehman, Linton-Stockton Junior High School.

HAMILTON

Matthew Hodges and Paige Bousamra, Carmel Middle School.

HENRY

Jake Wicker and Katie Pfaff, Tri Junior-Senior High School.

HOWARD

Nathan Chou and Ava McClure, Northwestern Middle School.

JACKSON

Clayton Pottschmidt, Immanuel Lutheran School; Jaylyn Quade, St. John's Lutheran School.

JASPER

Sydney Dobson and Austin Fleming, Rensselaer Central Middle School.

JAY

Brandon Muhlenkamp and Catherine Dunn, East Jay Middle School.

JEFFERSON

Kaitlyn Boehm, Shawe Memorial Junior-Senior High School.

LAKE

William Barney and Teresa Vazquez, Our Lady of Grace School.

LAWRENCE

Anna Hawkins, St. Vincent de Paul Catholic School.

MARION

Max Keller, Immaculate Heart of Mary School; Emma Moore, Creston Middle School.

NOBLE

William Joseph Rockey and Rachel Flory, Central Noble Middle School.

ORANGE

Andrew Hawkins, Orleans Junior-Senior High School; Keisha Levi, Paoli Junior-Senior High School.

PARKE

Shane Slaven and Molly Jones, Rockville Junior-Senior High School.

PORTER

William Alex Sanders, Kouts Middle School; Gabrielle Carlson, Victory Christian Academy.

PULASKI

Quinn McGovern, Winamac Middle School.

PUTNAM

Troy Davis and Kiersten Mundy, Cloverdale Middle School.

RIPLEY

Liam Tuveson and Brooke Siefert, Saint Louis Catholic School.

RUSH

Austin Rogers and Sarah Innis, Benjamin Rush Middle School.

SCOTT

Sarah Grace Hamelman, Scottsburg Middle School.

ST. JOSEPH

Nicholas Kuyers and Adeline Jongsma, Covenant Christian School.

STEUBEN

Sam Wilcox and Katie Lopshire, Angola Middle School.

SWITZERLAND

Riley Phagan and Amber Moore, Switzerland County Middle School.

VANDERBURGH

Cooper Pratt, Plaza Park Middle School; Megan O'Leary, Good Shepherd School.

VERMILLION

David Craft and Bethany Lewis, North Vermillion Junior-Senior High School.

WABASH

Devin Tracy and Jensen Zumbaugh, Northfield Junior-Senior High School.

WARREN

Curitis White and Maddie Rhea, Seeger Memorial Junior-Senior High School.

WAYNE

Evan Liggett and Michaela Castleman, Centerville Junior High School.

WHITE

Dakota Burghardt and Shelbi Perry, Frontier Junior High School.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 2:12 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 22 U.S.C. 276h, and the order of the House of January 5, 2011, the Speaker appointed the following Member of the House of Representatives to the Mexico-United States Interparliamentary Group: Mr. PASTOR of Arizona.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 3. An act to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1512. A communication from the Chairman and Chief Executive Officer, Farm Credit Administration, transmitting, pursuant to law, a report relative to the Administration's 2011 compensation program adjustments; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1513. A communication from the Secretary of Defense, transmitting, pursuant to law, a report relative to the current and future military strategy of Iran (DCN OSS 2011-0754); to the Committee on Armed Services.

EC-1514. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-008, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding

any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-1515. A joint communication from the Secretary of Defense and the Secretary of Energy, transmitting, pursuant to law, a report relative to nuclear weapons (DCN OSS 2011-0746); to the Committee on Armed Services.

EC-1516. A communication from the Under Secretary of Defense (Acquisition, Technology, and Logistics), transmitting, pursuant to law, a report entitled "Report on Activities and Programs for Countering Proliferation and NBC Terrorism" (DCN OSS 2011-0758); to the Committee on Armed Services.

EC-1517. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the Joint Improvised Explosive Device Defeat Organization's Third Quarter Report for Calendar Year 2010 (DCN OSS Control 2011-2137); to the Committee on Armed Services.

EC-1518. A communication from the Assistant Secretary, Bureau of Political-Military Affairs, Department of State, transmitting, pursuant to law, an addendum to a certification, transmittal number: DDTC 11-009, of the proposed sale or export of defense articles, including technical data, and defense services to a Middle East country regarding any possible affects such a sale might have relating to Israel's Qualitative Military Edge over military threats to Israel; to the Committee on Armed Services.

EC-1519. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Guidance on Personal Services" ((RIN0750-AG72) (DFARS Case 2009-D028)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Armed Services.

EC-1520. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Electronic Ordering Procedures" ((RIN0750-AH20) (DFARS Case 2009-D037)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Armed Services.

EC-1521. A communication from the Deputy Secretary of Defense, transmitting, pursuant to law, a report relative to the activities of the Western Hemisphere Institute for Security Cooperation; to the Committee on Armed Services.

EC-1522. A communication from the Assistant Secretary of Defense (Reserve Affairs), transmitting a report relative to additional Reserve component equipment procurement and military construction; to the Committee on Armed Services.

EC-1523. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1524. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1525. A communication from the Assistant Secretary for Export Administration, Bureau of Industry and Security, Depart-

ment of Commerce, transmitting, pursuant to law, the report of a rule entitled "Wassenaar Arrangement 2010 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Parts I and II, 6, 7, 8, and 9 of the Commerce Control List, Definitions, Reports" (RIN0694-AF11) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1526. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; Connecticut: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision" (FRL No. 9286-4) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1527. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Multi-walled Carbon Nanotubes; Significant New Use Rule" (FRL No. 8865-4) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1528. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District (ICAPCD)" (FRL No. 9292-4) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1529. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District" (FRL No. 9292-7) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1530. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Wisconsin: Incorporation by Reference of Approved State Hazardous Waste Management Program" (FRL No. 9293-9) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1531. A communication from the Director of Human Resources, Environmental Protection Agency, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Administrator for Water, received in the Office of the President of the Senate on May 4, 2011; to the Committee on Environment and Public Works.

EC-1532. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Nuclear Power Plant Stimulation Facilities for Use in Operator Training, License Examinations, and Applicant Experience Requirements" (Regulatory Guide 1.149, Revision 4) received during adjournment of the Senate in the Office of the President of the Senate on April 18, 2011; to the Committee on Environment and Public Works.

EC-1533. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program: Hospital Inpatient Value-Based Purchasing Program" (RIN0938-AQ55) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Finance.

EC-1534. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare and Medicaid Programs: Changes Affecting Hospital and Critical Access Hospital Conditions of Participation: Telemedicine Credentialing and Privileging" (RIN0938-AQ05) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Finance.

EC-1535. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System—Update for Rate Year Beginning July 1, 2011 (RY2012)" (RIN0938-AQ23) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Finance.

EC-1536. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 118 Clean Coal" (Rev. Proc. 2011-30) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Finance.

EC-1537. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Foreign Relations.

EC-1538. A communication from the Acting Assistant Secretary of Legislative Affairs, U.S. Department of State, transmitting, pursuant to law, the 2010 annual report on voting practices in the United Nations; to the Committee on Foreign Relations.

EC-1539. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2011-0053—2011-0067); to the Committee on Foreign Relations.

EC-1540. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting a legislative proposal relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Health, Education, Labor, and Pensions.

EC-1541. A communication from the Chief Human Capital Officer, Corporation for National and Community Service, transmitting, pursuant to law, a report relative to a vacancy in the position of Inspector General at the Corporation for National and Community Service; to the Committee on Health, Education, Labor, and Pensions.

EC-1542. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-53 "District of Columbia Board of Elections and Ethics Primary Date Alteration Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1543. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-54 "Third and H Streets, N.E. Economic Development Technical Clarification Temporary Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1544. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-55 "Real Property Tax Appeals Commission Establishment Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1545. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-56 "Clean and Affordable Energy Fiscal Year 2011 Fund Balance Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1546. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-57 "Not-for-Profit Hospital Corporation Board Chairperson Designation Temporary Amendment Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1547. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 19-58 "Allen Chapel A.M.E. Senior Residential Rental Project Property Tax Exemption Clarification Temporary Act of 2011"; to the Committee on Homeland Security and Governmental Affairs.

EC-1548. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, the Inspector General's Semiannual Report for the six-month period from October 1, 2010 through March 31, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-1549. A communication from the Chief of the Border Securities Regulations Branch, Customs and Border Protection, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Technical Corrections to Remove Obsolete References to Non-automated Carriers from Electronic Cargo Manifest Regulations and to Update Terminology" (CBP Dec. 11-10) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Homeland Security and Governmental Affairs.

EC-1550. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Alabama Advisory Committee; to the Committee on the Judiciary.

EC-1551. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Illinois Advisory Committee; to the Committee on the Judiciary.

EC-1552. A communication from the Staff Director, United States Commission on Civil Rights, transmitting, pursuant to law, the report of the appointment of members to the Minnesota Advisory Committee; to the Committee on the Judiciary.

EC-1553. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on the Judiciary.

EC-1554. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to time limitations established for deciding habeas corpus death penalty petitions; to the Committee on the Judiciary.

EC-1555. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, an annual report entitled "Report to the Congress on the Refugee Resettlement Program"; to the Committee on the Judiciary.

EC-1556. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on applications made by the Government for authority to conduct electronic surveillance and physical searches during calendar year 2010; to the Committee on the Judiciary.

EC-1557. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, an annual report on the Department's activities during calendar years 2008 and 2009 relative to prison rape abatement; to the Committee on the Judiciary.

EC-1558. A communication from the Chair, U.S. Sentencing Commission, transmitting, pursuant to law, the amendments to the federal sentencing guidelines that were proposed by the Commission during the 2010-2011 amendment cycle; to the Committee on the Judiciary.

EC-1559. A communication from the Clerk, United States Court of Appeal, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit; to the Committee on the Judiciary.

EC-1560. A communication from the Deputy General Counsel, Office of Financial Assistance, Small Business Administration, transmitting, pursuant to law, the report of a rule entitled "Intermediary Lending Pilot Program" (RIN3245-AG18) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Small Business and Entrepreneurship.

EC-1561. A communication from the Associate Administrator, Office of Government Contracting and Business Development, Small Business Administration, transmitting, pursuant to law, an annual 408 Report on the 8(a) Business Development Program; to the Committee on Small Business and Entrepreneurship.

EC-1562. A communication from the Acting Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) Quarterly Report to Congress; Second Quarter of Fiscal Year 2011"; to the Committee on Veterans' Affairs.

EC-1563. A communication from the Director of the Regulations Policy and Management Office, Veterans Health Administration, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Caregivers Program" (RIN2900-AN94) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Veterans' Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, with an amendment:

S. 498. A bill to ensure objective, independent review of task and delivery orders (Rept. No. 112-16).

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. LEAHY for the Committee on the Judiciary.

Lisa O. Monaco, of the District of Columbia, to be an Assistant Attorney General.

Bernice Bouie Donald, of Tennessee, to be United States Circuit Judge for the Sixth Circuit.

Virginia A. Seitz, of the District of Columbia, to be an Assistant Attorney General.

Denise Ellen O'Donnell, of New York, to be Director of the Bureau of Justice Assistance.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 910. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER (for himself and Mrs. HUTCHISON):

S. 911. A bill to establish the sense of Congress that Congress should enact, and the President should sign, bipartisan legislation to strengthen public safety and to enhance wireless communications; to the Committee on Commerce, Science, and Transportation.

By Mr. WICKER:

S. 912. A bill to prevent foreign states that do business, issue securities, or borrow money in the United States, and fail to satisfy United States court judgments totaling \$100,000,000 or more based on such activities, from inflicting further economic injuries in the United States, from undermining the integrity of United States courts, and from discouraging responsible lending to poor and developing nations by undermining the secondary and primary markets for sovereign debt; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. ROCKEFELLER:

S. 913. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BEGICH (for himself, Mr. GRASSLEY, and Mr. TESTER):

S. 914. A bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SANDERS:

S. 915. A bill to provide for health care for every American and to control the cost and

enhance the quality of the health care system; to the Committee on Finance.

By Mr. BINGAMAN:

S. 916. A bill to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BINGAMAN:

S. 917. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BAUCUS:

S. 918. A bill to direct the Secretary of Transportation to carry out programs and activities to improve highway safety; to the Committee on Commerce, Science, and Transportation.

By Mr. HARKIN (for himself and Mrs. GILLIBRAND):

S. 919. A bill to authorize grant programs to ensure successful, safe, and healthy students; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUNT (for himself, Ms. STABENOW, and Mrs. McCASKILL):

S. 920. A bill to create clean energy jobs and set efficiency standards for small-duct high-velocity air conditioning and heat pump systems, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mr. KYL, and Mr. KIRK):

S. 921. A bill to allow otherwise eligible Israeli nationals to receive E-2 non-immigrant visas if similarly situated United States nationals are eligible for similar non-immigrant status in Israel; to the Committee on the Judiciary.

By Mrs. GILLIBRAND:

S. 922. A bill to amend the Workforce Investment Act of 1998 to authorize the Secretary of Labor to provide grants for Urban Jobs Programs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. VITTER (for himself, Ms. AYOTTE, Mr. KYL, and Mr. INHOFE):

S. 923. A bill to withhold United States contributions to the United Nations until the United Nations formally retracts the final report of the "United Nations Fact Finding Mission on the Gaza Conflict"; to the Committee on Foreign Relations.

By Mr. BEGICH:

S. 924. A bill to amend the Internal Revenue Code of 1986 to provide commuter flexible spending arrangements, and for other purposes; to the Committee on Finance.

By Mrs. BOXER:

S. 925. A bill to designate Mt. Andrea Lawrence; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself, Mr. LAUTENBERG, Ms. MIKULSKI, and Mr. CARDIN):

S. 926. A bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas; to the Committee on Energy and Natural Resources.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Ms. KLOBUCHAR (for herself and Mr. THUNE):

S. Res. 173. A resolution designating the week of May 1 through May 7, 2011, as "National Physical Education and Sport Week"; to the Committee on the Judiciary.

By Mr. LIEBERMAN (for himself and Ms. COLLINS):

S. Res. 174. A resolution expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union; to the Committee on Homeland Security and Governmental Affairs.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 390

At the request of Mr. WEBB, the name of the Senator from Nebraska (Mr. NELSON) was added as a cosponsor of S. 390, a bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged.

S. 394

At the request of Mr. KOHL, the names of the Senator from Ohio (Mr. BROWN) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 394, a bill to amend the Sherman Act to make oil-producing and exporting cartels illegal.

S. 426

At the request of Mr. SANDERS, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 426, a bill to strengthen student achievement and graduation rates and prepare young people for college, careers, and citizenship through innovative partnerships that meet the comprehensive needs of children and youth.

S. 465

At the request of Mrs. GILLIBRAND, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 465, a bill to prevent mail, telemarketing, and Internet fraud targeting seniors in the United States, to promote efforts to increase public awareness of the enormous impact that mail, telemarketing, and Internet

fraud have on seniors, to educate the public, seniors, and their families, and their caregivers about how to identify and combat fraudulent activity, and for other purposes.

S. 481

At the request of Mr. HARKIN, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 481, a bill to enhance and further research into the prevention and treatment of eating disorders, to improve access to treatment of eating disorders, and for other purposes.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 489, a bill to require certain mortgages to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 496

At the request of Mr. MCCAIN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 496, a bill to amend the Food, Conservation, and Energy Act to repeal a duplicative program relating to inspection and grading of catfish.

S. 501

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 506

At the request of Mr. CASEY, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 506, a bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students.

S. 534

At the request of Mr. KERRY, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. 534, a bill to amend the Internal Revenue Code of 1986 to provide a reduced rate of excise tax on beer produced domestically by certain small producers.

S. 542

At the request of Mr. BEGICH, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 542, a bill to amend title 10,

United States Code, to authorize space-available travel on military aircraft for members of the reserve components, a member or former member of a reserve component who is eligible for retired pay but for age, widows and widowers of retired members, and dependents.

S. 576

At the request of Mr. HARKIN, the names of the Senator from Alaska (Mr. BEGICH), the Senator from Ohio (Mr. BROWN), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from New York (Mrs. GILLIBRAND) were added as cosponsors of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 625

At the request of Ms. KLOBUCHAR, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 625, a bill to amend title 23, United States Code, to incorporate regional transportation planning organizations into statewide transportation planning, and for other purposes.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. BROWN) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 641

At the request of Mr. DURBIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 668

At the request of Mr. CORNYN, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 720

At the request of Mr. THUNE, the name of the Senator from South Dakota (Mr. JOHNSON) was withdrawn as a cosponsor of S. 720, a bill to repeal the CLASS program.

S. 730

At the request of Ms. MURKOWSKI, the names of the Senator from Hawaii (Mr. AKAKA) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. 730, a bill to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 740

At the request of Mr. REED, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 740, a bill to revise and extend provisions under the Garrett Lee Smith Memorial Act.

S. 781

At the request of Mr. THUNE, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 781, a bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002.

S. 807

At the request of Mr. ENZI, the names of the Senator from North Carolina (Mr. BURR) and the Senator from North Carolina (Mrs. HAGAN) were added as cosponsors of S. 807, a bill to authorize the Department of Labor's voluntary protection program and to expand the program to include more small businesses.

S. 838

At the request of Mr. TESTER, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 853

At the request of Mrs. HAGAN, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 853, a bill to provide for financial literacy education.

S. 868

At the request of Mr. HATCH, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 868, a bill to restore the long-standing partnership between the States and the Federal Government in managing the Medicaid program.

S. 877

At the request of Mr. HATCH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 877, a bill to prevent taxpayer-funded elective abortions by applying the longstanding policy of the Hyde amendment to the new health care law.

S. 878

At the request of Mr. NELSON of Nebraska, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 878, a bill to amend section 520 of the Housing Act of 1949 to revise the requirements for areas to be considered as rural areas for purposes of such Act.

S. 883

At the request of Mr. LIEBERMAN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 883, a bill to authorize National Mall Liberty Fund D.C. to establish a memorial on Federal land in the District of Columbia to honor free persons and slaves who fought for independence, liberty, and justice for all during the American Revolution.

S. 896

At the request of Mr. BINGAMAN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 896, a bill to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Alaska (Mr. BEGICH) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 150

At the request of Mr. INHOFE, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. Res. 150, a resolution calling for the protection of religious minority rights and freedoms in the Arab world.

S. RES. 172

At the request of Mrs. FEINSTEIN, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Oklahoma (Mr. INHOFE), the Senator from Georgia (Mr. ISAKSON) and the Senator from Massachusetts (Mr. BROWN) were added as cosponsors of S. Res. 172, a resolution recognizing the importance of cancer research and the contributions made by scientists and clinicians across the United States who are dedicated to finding a cure for can-

cer, and designating May 2011, as "National Cancer Research Month".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mrs. SHAHEEN (for herself and Ms. AYOTTE):

S. 910. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. SHAHEEN. Mr. President, today I am introducing the Veterans Health Equity Act of 2011. This bill would require the Department of Veterans Affairs to ensure that every State has either a full-service veterans hospital or, in the alternative, that veterans in every State have access to comparable in-state hospital care and medical services. I am pleased that my colleague from New Hampshire, Senator AYOTTE, has agreed to be an original cosponsor of this measure.

New Hampshire is currently the only State that does not have either a full-service veterans medical center or a military hospital providing comparable services to veterans. While the staff of the Manchester VA Medical Center does an excellent job of caring for our State's veterans, this facility does not provide inpatient surgical care, emergency services or care in a number of critical specialties. This imposes a great burden on many New Hampshire veterans who are forced to travel out of state for a range of medical services.

New Hampshire has over 130,000 veterans and this number continues to grow as our troops return from major deployments in the Middle East. It is unconscionable that our veterans must board shuttles to larger VA facilities in Massachusetts or Vermont to get the medical care they have been promised in exchange for their service. Often, especially during the winter months, travel is difficult in New England, and our veterans should not be forced to drive long distances in order to receive the medical care they have earned and deserve.

Our goal is to ensure that New Hampshire veterans get the care they need as close to home as possible. This legislation provides the Department of Veterans Affairs with the flexibility to achieve this end in the most cost-effective manner. If it is not feasible for the VA to construct a new full-service hospital in New Hampshire or to provide the full panoply of hospital services at its existing medical center in Manchester, the legislation simply requires the VA to contract with other health providers to offer comparable in-state care.

I introduced similar legislation in the 111th Congress with our former colleague, Senator Judd Gregg. Since that time, the VA has established an effective contractual relationship with one hospital in New Hampshire, Concord Hospital, to expand in-state care for our veterans. I believe this type of partnership could be readily expanded. I have begun working with officials at the Department of Veterans Affairs to find innovative ways to enhance public-private health care partnerships in New Hampshire and look forward to furthering that dialogue.

Our veterans deserve access to first-rate medical care, regardless of where they live. There are full-service veterans hospitals in 47 States and veterans in Alaska and Hawaii are able to receive care at military hospitals. New Hampshire alone has neither. I am hopeful that my colleagues will recognize this inequity and support this effort to provide New Hampshire veterans with the same access to quality local health care that veterans in every other State enjoy.

I look forward to working with the entire New Hampshire congressional delegation, with my Senate colleagues and with the Obama administration to end this injustice.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 910

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans Health Equity Act of 2011".

SEC. 2. AVAILABILITY OF FULL-SERVICE DEPARTMENT OF VETERANS AFFAIRS MEDICAL CENTERS IN CERTAIN STATES OR PROVISION OF COMPARABLE SERVICES THROUGH CONTRACT WITH OTHER HEALTH CARE PROVIDERS IN THE STATE.

(a) IN GENERAL.—Chapter 17 of title 38, United States Code, is amended by inserting after section 1706 the following new section: "**§ 1706A. Management of health care: access to full-service Department medical centers in certain States or comparable services through contract**

"(a) REQUIREMENT.—With respect to each of the 48 contiguous States, the Secretary shall ensure that veterans in the State eligible for hospital care and medical services under section 1710 of this title have access—

"(1) to at least one full-service Department medical center in the State; or

"(2) to hospital care and medical services comparable to the services typically provided by full-service Department medical centers through contract with other health care providers in the State.

"(b) RULE OF CONSTRUCTION.—Nothing in subsection (a) shall be construed to limit the ability of the Secretary to provide enhanced care to an eligible veteran who resides in one State in a Department medical center in another State.

"(c) LIMITATION ON REQUIREMENT.—Subsection (a) shall be effective in any fiscal

year only to the extent and in the amount provided in advance in appropriations Acts.

“(d) FULL-SERVICE DEPARTMENT MEDICAL CENTER DEFINED.—In this section, the term ‘full-service Department medical center’ means a facility of the Department that provides medical services, including hospital care, emergency medical services, and surgical care rated by the Secretary as having a surgical complexity level of standard.”.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of such chapter is amended by inserting after the item relating to section 1706 the following new item:

“1706A. Management of health care: access to full-service Department medical centers in certain States or comparable services through contract.”.

(c) REPORT ON IMPLEMENTATION.—Not later than one year after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to Congress a report describing the extent to which the Secretary has complied with the requirement imposed by section 1706A of title 38, United States Code, as added by subsection (a), including the effect of such requirement on improving the quality and standards of care provided to veterans.

Ms. AYOTTE. Mr. President, I rise today to highlight the Veteran's Health Equity Act, a bill I am introducing with my colleague from the Granite State, Senator JEANNE SHAHEEN. I am pleased to support this bipartisan legislation that addresses an issue of importance to our Nation's heroic military veterans, especially in my home State of New Hampshire.

As a military spouse, I personally understand the commitment and sacrifice required of our service members and their families, and I am fully committed to ensuring that our heroes have access to the support and care they have earned. The bill we are introducing would level the playing field for veterans by requiring the Department of Veterans Affairs to guarantee that veterans in every State have access to hospital care within their borders. As it stands now, New Hampshire is the only state in the nation without a full-service VA hospital or military hospital providing equivalent care to veterans. Specifically, the Veteran's Health Equity Act would require the VA to either provide a full-service VA hospital in every State or contract with civilian hospitals to provide veterans with a comparable level of care.

While some States, like Alaska and Hawaii, rely on large military medical facilities to compensate for gaps in VA medical care, New Hampshire lacks the military medical facilities to compensate for a lack of a full-service VA hospital. Yet, New Hampshire has one of the highest rates of veterans per capita in the country. New Hampshire veterans must travel out of State to Maine, Massachusetts, or Vermont to access certain kinds of specialty care. Elderly veterans are often abused by volunteers during the treacherous winter months to an out of state service provider only to have their appoint-

ment canceled. Simply put, the lack of a full-service VA hospital in New Hampshire is unacceptable and our veterans deserve better.

As a member of the Armed Services Committee, I will continue to press for a full-service VA hospital in New Hampshire and explore all legislative remedies to ensure that our New Hampshire veterans receive the care they deserve. My 95 year old grandfather, John Sullivan, a World War II veteran, and veterans like him who have selflessly served our country, have earned high-quality medical care that is commensurate with their courageous service. We must honor our commitments to America's brave veterans. The Veteran's Health Equity Act will help ensure every veteran in the United States can access quality medical care without having to travel to another State.

By Mr. ROCKEFELLER:

S. 913. A bill to require the Federal Trade Commission to prescribe regulations regarding the collection and use of personal information obtained by tracking the online activity of an individual, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. ROCKFELLER. Mr. President, I rise to introduce the Do-Not-Track Online Act of 2011; and I ask for unanimous consent that the bill be printed for the record. This bill is a first step towards furthering consumer privacy by empowering Americans with the ability to control their personal information and prevent online companies from collecting and using that information, if they so choose.

Do-Not-Track is a simple concept. It allows consumers, with a simple click of the mouse or the press of the button, to tell the entire online world, “Do not collect information about me. I care about my privacy. And I do not want my information used in ways I do not expect or approve of.” Under my bill, online companies would have to honor that user declaration, and cease the information collection and use practices to which consumers have said, “no.” My bill would direct the Federal Trade Commission to issue regulations that establish standards for a do-not-track mechanism and obligate online companies to accommodate that consumer preference.

This bill is necessary because Americans' privacy is increasingly under surveillance as they conduct their affairs online. Whether it is a mother at home on a computer researching the symptoms of her sick child, a man exploring how to change jobs or buy a home, or a teenager using her smartphone while riding the subway, online companies are collecting vast amounts of information about all of this activity, often surreptitiously and with consumers completely unaware. There are a vast

array of companies collecting this information in numerous ways: third-party advertising networks place “cookies” on computer web-browsers to keep track of the websites consumers have visited; analytic and marketing companies identify individual computers by recognizing the unique configuration, or “fingerprint,” of web-browsers; and software applications installed on mobile devices, colloquially known as “apps”, that collect, use, and disseminate information about consumer location, contact information, and other personal matters. All of this information is being stored on computer servers around the world and is used for a variety of purposes, ranging from online behavioral advertising to internal analytics to the creation of personal dossiers by data brokers who build comprehensive profiles on individual Americans.

My bill will empower consumers, if they so choose, to stem the tide. It gives them the means to prohibit the collection of their information from the start. Consumers will be able to notify companies who are collecting their personal information that they want those collection practices to stop. If online companies fail to obey this request, they will face stiff penalties from the Federal Trade Commission or state Attorneys General.

The strength of this bill is its simplicity. Congress has long grappled with consumer privacy through the lens of “notice and consent.” That is, for over a decade in the Senate Commerce Committee, which I chair, we have tried to determine how online companies can provide clear and conspicuous notice to consumers about their commercial information practices; and once this notice has been given, further determine how consumers can either opt-in or opt-out of those information collection practices.

The endeavor has proven complicated and often unworkable: privacy policies are often long and tedious, replete with technical legalese. These notices don't work well on a full screen computer, much less on a small hand-held mobile device, and consumers often ignore them. Further, consumer consent has been dependent on the type of information that is being collected and who is doing the collection. For instance, should a third-party advertising network be subject to the same restrictions as the Washington Post website that hosts the ad network? Should Apple be allowed to collect information about a person's iPhone, but an application be prohibited? Should companies differentiate between particularly sensitive information—such as health or political activities—and more innocuous information such as which sports teams someone may like?

My Do-Not-Track bill avoids all of these messy policy considerations and provides consumers with the opportunity to take advantage of an easy

mechanism that says “no” to anyone and everyone collecting their information. Period.

I think it is worth noting that the FTC has recognized the utility of do-not-track in its December 2010 report on consumer privacy. The report states: “Such a mechanism would ensure that consumers would not have to exercise choices on a company-by-company or industry-by-industry basis, and that such choices would be persistent. It should also address some of the concerns with the existing browser mechanisms, by being more clear, easy-to-locate, and effective, and by conveying directly to websites the user’s choice to opt out of tracking.” Indeed, the private sector has similarly recognized the utility of do-not-track. Mozilla’s popular web browser, Firefox, and Apple’s web browser, Safari, already allow consumers to affirmatively declare a do-not-track preference to websites. The problem is that online companies have no legal obligation to honor this request. My bill fixes that.

Let me say a few words about what this bill does not do. My bill would not “break the Internet.” I am sure that we will hear such hyperbole in opposition to the bill. The truth is that my bill makes all of the necessary accommodations for online companies to use information as is necessary to allow companies to provide the content and services consumers have grown to expect and enjoy. For instance, websites will still be able to use IP addresses to deliver content, and will be allowed to collect data to perform internal analytics and improve performance. Applications will still be able to use a phone’s Unique Device Identifier—also known as UDID—to perform their functions as they are supposed to. However, when consumers state that they do not want to be tracked, online services will no longer be allowed to collect and use this information for any extraneous purpose, and they will be obligated to immediately destroy or anonymize the information once it is no longer needed to provide the service requested. Furthermore, my bill allows online companies to collect and maintain consumer information when it has been voluntarily provided by the consumer. Consumers also can allow companies they trust to collect and use their information by providing specific consent that overrides a general do-not-track preference.

As such, my bill empowers consumers to stop online companies from collecting and using their information, but also preserves the ability of those online companies to conduct their business and deliver the content and services that consumers expect. The bill provides the FTC with rulemaking authority to use its expertise to protect the privacy interests of consumers while addressing the legitimate needs of industry.

To be clear, my bill is not a comprehensive consumer privacy bill, nor is it meant to be. Do-not-track is just one aspect to consumer privacy albeit an important one. Other Members of the Commerce Committee are actively engaged in protecting consumer privacy interests. I want to commend Senator KERRY, who is a senior Member of the Commerce Committee, and Senator MCCAIN for their efforts and for introducing legislation designed to establish a broad privacy framework. I also commend Senator PRYOR’s dedication to privacy protection and the vigorous oversight of his Subcommittee. I expect consumer privacy to remain a focus of the Congress and the Members of the Commerce Committee with more legislation being introduced in the coming weeks and months.

In the end, my Do-Not-Track bill is a part of the ongoing discussion on consumer privacy in Congress. It is simple, yet powerful. It allows consumers, if they choose—and I should emphasize that many will not make such a choice—to stop the constant, almost mind-boggling sweep of online companies that are collecting vast amounts of consumer information. It prohibits those lurking in the cyber-shadows from surreptitiously profiting off of the personal, private information of ordinary Americans. I look forward to working with my colleagues on this and other privacy legislative efforts in the Commerce Committee and on the Senate floor.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Do-Not-Track Online Act of 2011”.

SEC. 2. REGULATIONS RELATING TO “DO-NOT-TRACK” MECHANISMS.

(a) IN GENERAL.—Not later than 1 year after the date of the enactment of this Act, the Federal Trade Commission shall promulgate—

(1) regulations that establish standards for the implementation of a mechanism by which an individual can simply and easily indicate whether the individual prefers to have personal information collected by providers of online services, including by providers of mobile applications and services; and

(2) rules that prohibit, except as provided in subsection (b), such providers from collecting personal information on individuals who have expressed, via a mechanism that meets the standards promulgated under paragraph (1), a preference not to have such information collected.

(b) EXCEPTION.—The rules promulgated under paragraph (2) of subsection (a) shall allow for the collection and use of personal information on an individual described in such paragraph, notwithstanding the expressed preference of the individual via a mechanism that meets the standards promulgated under paragraph (1) of such subsection, to the extent—

(1) necessary to provide a service requested by the individual, including with respect to such service, basic functionality and effectiveness, so long as such information is anonymized or deleted upon the provision of such service; or

(2) the individual—

(A) receives clear, conspicuous, and accurate notice on the collection and use of such information; and

(B) affirmatively consents to such collection and use.

(c) FACTORS.—In promulgating standards and rules under subsection (a), the Federal Trade Commission shall consider and take into account the following:

(1) The appropriate scope of such standards and rules, including the conduct to which such rules shall apply and the persons required to comply with such rules.

(2) The technical feasibility and costs of—

(A) implementing mechanisms that would meet such standards; and

(B) complying with such rules.

(3) Mechanisms that—

(A) have been developed or used before the date of the enactment of this Act; and

(B) are for individuals to indicate simply and easily whether the individuals prefer to have personal information collected by providers of online services, including by providers of mobile applications and services.

(4) How mechanisms that meet such standards should be publicized and offered to individuals.

(5) Whether and how information can be collected and used on an anonymous basis so that the information—

(A) cannot be reasonably linked or identified with a person or device, both on its own and in combination with other information; and

(B) does not qualify as personal information subject to the rules promulgated under subsection (a)(2).

(6) The standards under which personal information may be collected and used, subject to the anonymization or deletion requirements of subsection (b)(1)—

(A) to fulfill the basic functionality and effectiveness of an online service, including a mobile application or service;

(B) to provide the content or services requested by individuals who have otherwise expressed, via a mechanism that meets the standards promulgated under subsection (a)(1), a preference not to have personal information collected; and

(C) for such other purposes as the Commission determines substantially facilitates the functionality and effectiveness of the online service, or mobile application or service, in a manner that does not undermine an individual’s preference, expressed via such mechanism, not to collect such information.

(d) RULEMAKING.—The Federal Trade Commission shall promulgate the standards and rules required by subsection (a) in accordance with section 553 of title 5, United States Code.

SEC. 3. ENFORCEMENT OF “DO-NOT-TRACK” MECHANISMS.

(a) ENFORCEMENT BY FEDERAL TRADE COMMISSION.—

(1) UNFAIR OR DECEPTIVE ACTS OR PRACTICES.—A violation of a rule promulgated under section 2(a)(2) shall be treated as an unfair and deceptive act or practice in violation of a regulation under section 18(a)(1)(B) of the Federal Trade Commission Act (15 U.S.C. 57a(a)(1)(B)) regarding unfair or deceptive acts or practices.

(2) POWERS OF COMMISSION.—

(A) IN GENERAL.—Except as provided in subparagraph (C), the Federal Trade Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of the Federal Trade Commission Act (15 U.S.C. 41 et seq.) were incorporated into and made a part of this Act.

(B) PRIVILEGES AND IMMUNITIES.—Except as provided in subparagraph (C), any person who violates this Act shall be subject to the penalties and entitled to the privileges and immunities provided in the Federal Trade Commission Act (15 U.S.C. 41 et seq.).

(C) NONPROFIT ORGANIZATIONS.—The Federal Trade Commission shall enforce this Act with respect to an organization that is not organized to carry on business for its own profit or that of its members as if such organization were a person over which the Commission has authority pursuant to section 5(a)(2) of the Federal Trade Commission Act (15 U.S.C. 45(a)(2)).

(b) ENFORCEMENT BY STATES.—

(1) IN GENERAL.—In any case in which the attorney general of a State has reason to believe that an interest of the residents of the State has been or is threatened or adversely affected by the engagement of any person subject to a rule promulgated under section 2(a)(2) in a practice that violates the rule, the attorney general of the State may, as parens patriae, bring a civil action on behalf of the residents of the State in an appropriate district court of the United States—

(A) to enjoin further violation of such rule by such person;

(B) to compel compliance with such rule;

(C) to obtain damages, restitution, or other compensation on behalf of such residents;

(D) to obtain such other relief as the court considers appropriate; or

(E) to obtain civil penalties in the amount determined under paragraph (2).

(2) CIVIL PENALTIES.—

(A) CALCULATION.—Subject to subparagraph (B), for purposes of imposing a civil penalty under paragraph (1)(E) with respect to a person that violates a rule promulgated under section 2(a)(2), the amount determined under this paragraph is the amount calculated by multiplying the number of days that the person is not in compliance with the rule by an amount not greater than \$16,000.

(B) MAXIMUM TOTAL LIABILITY.—The total amount of civil penalties that may be imposed with respect to a person that violates a rule promulgated under section 2(a)(2) shall not exceed \$15,000,000 for all civil actions brought against such person under paragraph (1) for such violation.

(C) ADJUSTMENT FOR INFLATION.—Beginning on the date on which the Bureau of Labor Statistics first publishes the Consumer Price Index after the date that is 1 year after the date of the enactment of this Act, and annually thereafter, the amounts specified in subparagraphs (A) and (B) shall be increased by the percentage increase in the Consumer Price Index published on that date from the Consumer Price Index published the previous year.

(3) RIGHTS OF FEDERAL TRADE COMMISSION.—

(A) NOTICE TO FEDERAL TRADE COMMISSION.—

(i) IN GENERAL.—Except as provided in clause (iii), the attorney general of a State shall notify the Federal Trade Commission in writing that the attorney general intends to bring a civil action under paragraph (1) before initiating the civil action.

(ii) CONTENTS.—The notification required by clause (i) with respect to a civil action

shall include a copy of the complaint to be filed to initiate the civil action.

(iii) EXCEPTION.—If it is not feasible for the attorney general of a State to provide the notification required by clause (i) before initiating a civil action under paragraph (1), the attorney general shall notify the Federal Trade Commission immediately upon instituting the civil action.

(B) INTERVENTION BY FEDERAL TRADE COMMISSION.—The Federal Trade Commission may—

(i) intervene in any civil action brought by the attorney general of a State under paragraph (1); and

(ii) upon intervening—

(I) be heard on all matters arising in the civil action; and

(II) file petitions for appeal of a decision in the civil action.

(4) INVESTIGATORY POWERS.—Nothing in this subsection may be construed to prevent the attorney general of a State from exercising the powers conferred on the attorney general by the laws of the State to conduct investigations, to administer oaths or affirmations, or to compel the attendance of witnesses or the production of documentary or other evidence.

(5) PREEMPTIVE ACTION BY FEDERAL TRADE COMMISSION.—If the Federal Trade Commission institutes a civil action or an administrative action with respect to a violation of a rule promulgated under section 2(a)(2), the attorney general of a State may not, during the pendency of such action, bring a civil action under paragraph (1) against any defendant named in the complaint of the Commission for the violation with respect to which the Commission instituted such action.

(6) VENUE; SERVICE OF PROCESS.—

(A) VENUE.—Any action brought under paragraph (1) may be brought in—

(i) the district court of the United States that meets applicable requirements relating to venue under section 1391 of title 28, United States Code; or

(ii) another court of competent jurisdiction.

(B) SERVICE OF PROCESS.—In an action brought under paragraph (1), process may be served in any district in which the defendant—

(i) is an inhabitant; or

(ii) may be found.

(7) ACTIONS BY OTHER STATE OFFICIALS.—

(A) IN GENERAL.—In addition to civil actions brought by attorneys general under paragraph (1), any other officer of a State who is authorized by the State to do so may bring a civil action under paragraph (1), subject to the same requirements and limitations that apply under this subsection to civil actions brought by attorneys general.

(B) SAVINGS PROVISION.—Nothing in this subsection may be construed to prohibit an authorized official of a State from initiating or continuing any proceeding in a court of the State for a violation of any civil or criminal law of the State.

SEC. 4. BIENNIAL REVIEW AND ASSESSMENT.

Not later than 2 years after the effective date of the regulations initially promulgated under section 2, the Federal Trade Commission shall—

(1) review the implementation of this Act;

(2) assess the effectiveness of such regulations, including how such regulations define or interpret the term “personal information” as such term is used in section 2;

(3) assess the effect of such regulations on online commerce; and

(4) submit to Congress a report on the results of the review and assessments required by this section.

By Mr. BEGICH (for himself, Mr. GRASSLEY, and Mr. TESTER):

S. 914. A bill to amend title 38, United States Code, to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BEGICH. Mr. President, today I rise to introduce legislation to amend title 38, related to this Nation's obligation to provide benefits to our veterans. Specifically, the bill I introduce today with my distinguished colleagues, Senator GRASSLEY of Iowa and Senator TESTER of Montana, will waive collection of copayments for telehealth and telemedicine visits for Veterans.

More than 42,000 veterans are receiving care in their homes, enrolled in the Veterans Health Administration's, VHA, Telemedicine program as one form of treatment. In Alaska, as of March 2010, there were 226 veterans receiving this service. Just over a 100 of those live in rural Alaska.

Home Telehealth programs provide needed care for the 2-3 percent of veterans who account for 30 percent or more of agency resources. These men and women are frequent clinic attendees and often require urgent hospital admissions. VHA programs have demonstrated reduced hospital admissions and clinic and emergency room visits, and contribute to an improved quality of life for our veterans.

For no group of veterans is this service more important than for those who live in rural and remote America. Telemedicine has become an increasingly integral component in addressing the needs of veterans residing in rural and remote areas, and is critical to ensuring they have proper access to health care, especially in rural areas.

While the VHA is saving taxpayers money by using telemedicine, currently all telemedicine visits require veterans receiving these treatments to make copayments. My legislation would implement a simple fix. It would waive the required copayments—sometimes up to \$50 per visit—to lessen the burden on our veterans, who have sacrificed in service to our great nation. I believe that waiving these fees may encourage more veterans to take advantage of VHA's telehealth programs, which can be a godsend for rural veterans with few other viable options.

For rural veterans in Alaska, who have to travel by small float planes or boats or even snow machines to get to the nearest clinic for monitoring of their diabetes, high blood pressure, or other chronic conditions, Congress can go a long way in repaying this Nation's debt to our veterans by passing this legislation.

The VHA plans to expand Home Telehealth for weight management, substance abuse, mild traumatic brain injury, dementia, and palliative care, as well as enabling veterans to use mobile

devices to access care. I would hate to see these vital services go unused by veterans living in remote villages and communities because of the cost of copayments. But, this is not primarily about saving veterans money. This is about the federal government doing what is good for our veterans. The monetary benefits for veterans are a plus.

Basically, this legislation will amend title 38 to authorize the waiver of the collection of copayments for telehealth and telemedicine visits of veterans by giving the Secretary the authority to do so.

In closing, I must say it is an honor for me to serve as a member of the Senate Veterans' Affairs Committee. I feel very privileged to be involved with policy formation that helps our veterans. I appreciate my distinguished colleagues on the committee.

This is a bipartisan bill to address an issue with no partisan connection. I strongly encourage my colleagues to join Senators GRASSLEY, TESTER, and me in cosponsoring this legislation, and I urge expeditious consideration of the legislation to address a growing need for our rural veterans.

By Mr. BINGAMAN:

S. 916. A bill to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today I am introducing the Oil and Gas Facilitation Act of 2011. This is a bill to facilitate appropriate oil and gas development on Federal land and waters, and to limit the dependence of the United States on foreign sources of energy.

For example, its provisions will increase our understanding of our oil and gas resources, coordinate interagency activity on permitting for oil and gas development, and facilitate transportation of Alaskan oil and natural gas.

Its provisions are drawn from a bill reported out of the Committee on Energy and Natural Resources on a bipartisan basis in the last Congress. I look forward to working with my colleagues on both sides of the aisle as we move forward on these issues in this Congress.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 916

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the "Oil and Gas Facilitation Act of 2011".

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definition of Secretary.

TITLE I—OIL AND GAS LEASING

Sec. 101. Extension of Oil and Gas Permit Processing Improvement Fund.

Sec. 102. Facilitation of coproduction of geothermal energy on oil and gas leases.

TITLE II—OUTER CONTINENTAL SHELF

Sec. 201. Comprehensive inventory of outer Continental Shelf resources.

Sec. 202. Alaska OCS permit processing coordination office.

Sec. 203. Phase-out of mandatory Outer Continental Shelf deep water and deep gas royalty relief for future leases.

TITLE III—MISCELLANEOUS

Sec. 301. Facilitation of Alaska natural gas pipeline.

Sec. 302. Exemption of trans-Alaska oil pipeline system from certain requirements.

Sec. 303. Permits for natural gas pipeline in Denali National Park and Preserve.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term "Secretary" means the Secretary of the Interior.

TITLE I—OIL AND GAS LEASING

SEC. 101. EXTENSION OF OIL AND GAS PERMIT PROCESSING IMPROVEMENT FUND.

Section 35(c) of the Mineral Leasing Act (30 U.S.C. 191(c)) is amended by adding at the end the following:

"(4) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated from the Fund, or to the extent adequate funds in the Fund are not available from miscellaneous receipts of the Treasury, for the coordination and processing of oil and gas use authorizations and for oil and gas inspection and enforcement on onshore Federal land under the jurisdiction of the Pilot Project offices described in section 365(d) of the Energy Policy Act of 2005 (42 U.S.C. 15924(d)) \$20,000,000 for each of fiscal years 2016 through 2020, to remain available until expended."

SEC. 102. FACILITATION OF COPRODUCTION OF GEOTHERMAL ENERGY ON OIL AND GAS LEASES.

Section 4(b) of the Geothermal Steam Act of 1970 (30 U.S.C. 1003(b)) is amended by adding at the end the following:

"(4) LAND SUBJECT TO OIL AND GAS LEASE.—Land under an oil and gas lease issued pursuant to the Mineral Leasing Act (30 U.S.C. 181 et seq.) or the Mineral Leasing Act for Acquired Lands (30 U.S.C. 351 et seq.) that is subject to an approved application for permit to drill and from which oil and gas production is occurring may be available for leasing under subsection (c) by the holder of the oil and gas lease—

"(A) on a determination that—

"(i) geothermal energy will be produced from a well producing or capable of producing oil and gas; and

"(ii) the public interest will be served by the issuance of such a lease; and

"(B) in order to provide for the coproduction of geothermal energy with oil and gas."

TITLE II—OUTER CONTINENTAL SHELF

SEC. 201. COMPREHENSIVE INVENTORY OF OUTER CONTINENTAL SHELF RESOURCES.

(a) IN GENERAL.—Section 357 of the Energy Policy Act of 2005 (42 U.S.C. 15912) is amended—

(1) in subsection (a)—

(A) by striking the first sentence of the matter preceding paragraph (1) and inserting the following: "The Secretary shall conduct a comprehensive inventory of oil and natural gas (including executing or otherwise facilitating seismic studies of resources) and prepare a summary (the latter prepared with the assistance of, and based on information provided by, the heads of appropriate Federal agencies) of the information obtained under paragraph (3), for the waters of the United States Outer Continental Shelf (referred to in this section as the 'OCS') in the Atlantic Region, the Eastern Gulf of Mexico, and the Alaska Region.";

(B) in paragraph (2)—

(i) by striking "3-D" and inserting "2-D and 3-D"; and

(ii) by adding "and" at the end; and

(C) by striking paragraphs (3) through (5) and inserting in the following:

"(3) use existing inventories and mapping of marine resources undertaken by the National Oceanographic and Atmospheric Administration and with the assistance of and based on information provided by the Department of Defense and other Federal and State agencies possessing relevant data, and use any available data regarding alternative energy potential, navigation uses, fisheries, aquaculture uses, recreational uses, habitat, conservation, and military uses."; and

(2) by striking subsection (b) and inserting the following:

"(b) IMPLEMENTATION.—The Secretary shall carry out the inventory and analysis under subsection (a) in 3 phases, with priority given to all or part of applicable planning areas of the outer Continental Shelf—

"(1) estimated to have the greatest potential for energy development in barrel of oil equivalent; and

"(2) outside of any leased area or area scheduled for leasing prior to calendar year 2011 under any outer Continental Shelf 5-year leasing program or amendment to the program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344).

"(c) PLAN.—

"(1) IN GENERAL.—Not later than 90 days after the date of enactment of this paragraph, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report that provides a plan for executing or otherwise facilitating the seismic studies required under this section, including an estimate of the costs to complete the seismic inventory by region and environmental and permitting activities to facilitate expeditious completion.

"(2) FIRST PHASE.—Not later than 2 years after the date of enactment of this paragraph, the Secretary shall submit to Congress a report describing the results of the first phase of the inventory and analysis under subsection (a).

"(3) SUBSEQUENT PHASES.—Not later than 2 years after the date on which the report is submitted under paragraph (2) and 2 years thereafter, the Secretary shall submit to Congress a report describing the results of the second and third phases, respectively, of the inventory and analysis under subsection (a).

"(4) PUBLIC AVAILABILITY.—A report submitted under paragraph (2) or (3) shall be—

"(A) made publicly available; and

"(B) updated not less frequently than once every 5 years."

(b) RELATIONSHIP TO 5-YEAR PROGRAM.—The requirement that the Secretary carry

out the inventory required by the amendment made by subsection (a) shall not be considered to require, authorize, or provide a basis or justification for delay by the Secretary or any other agency of the issuance of any outer Continental Shelf leasing program or amendment to the program under section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344), or any lease sale pursuant to that section.

(c) PERMITS.—Nothing in this section or an amendment made by this section—

(1) precludes the issuance by the Secretary of a permit to conduct geological and geophysical exploration of the outer Continental Shelf in accordance with the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) and other applicable law; or

(2) otherwise alters the requirements of applicable law with respect to the issuance of such a permit or any other activities undertaken by the Secretary in connection with the inventory.

(d) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section, to be available until expended without fiscal year limitation—

(1) \$100,000,000 for each of fiscal years 2012 through 2017; and

(2) \$50,000,000 for each of fiscal years 2018 through 2022.

SEC. 202. ALASKA OCS PERMIT PROCESSING COORDINATION OFFICE.

(a) ESTABLISHMENT.—The Secretary shall establish a regional joint outer Continental Shelf lease and permit processing office for the Alaska outer Continental Shelf region.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary shall enter into a memorandum of understanding for the purposes of carrying out this section with—

(A) the Secretary of Commerce;

(B) the Chief of Engineers;

(C) the Administrator of the Environmental Protection Agency; and

(D) any other Federal agency that may have a role in permitting activities.

(2) STATE PARTICIPATION.—The Secretary shall request that the Governor of Alaska be a signatory to the memorandum of understanding.

(c) DESIGNATION OF QUALIFIED STAFF.—

(1) IN GENERAL.—Not later than 30 days after the date of the signing of the memorandum of understanding under subsection (b), each Federal signatory party shall, if appropriate, assign to the office described in subsection (a) an employee who has expertise in the regulatory issues administered by the office in which the employee is employed relating to leasing and the permitting of oil and gas activities on the outer Continental Shelf.

(2) DUTIES.—An employee assigned under paragraph (1) shall—

(A) not later than 90 days after the date of assignment, report to the office described in subsection (a);

(B) be responsible for all issues relating to the jurisdiction of the home office or agency of the employee; and

(C) participate as part of the applicable team of personnel working on proposed oil and gas leasing and permitting, including planning and environmental analyses.

(d) TRANSFER OF FUNDS.—For the purposes of coordination and processing of oil and gas use authorizations for the Alaska outer Continental Shelf region, the Secretary may authorize the expenditure or transfer of such funds as are necessary to—

(1) the Secretary of Commerce;

(2) the Chief of Engineers;

(3) the Administrator of the Environmental Protection Agency;

(4) any other Federal agency having a role in permitting activities; and

(5) the State of Alaska.

(e) SAVINGS PROVISION.—Nothing in this section affects—

(1) the operation of any Federal or State law; or

(2) any delegation of authority made by the head of a Federal agency for employees that are assigned to the coordination office.

(f) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$2,000,000 for each of fiscal years 2012 through 2022, to remain available until expended.

SEC. 203. PHASE-OUT OF MANDATORY OUTER CONTINENTAL SHELF DEEP WATER AND DEEP GAS ROYALTY RELIEF FOR FUTURE LEASES.

(a) IN GENERAL.—Sections 344 and 345 of the Energy Policy Act of 2005 (42 U.S.C. 15904, 15905) are repealed.

(b) ADMINISTRATION.—The Secretary shall not be required to provide for royalty relief in the lease sale terms beginning with the first lease sale held on or after the date of enactment of this Act for which a final notice of sale has not been published.

TITLE III—MISCELLANEOUS

SEC. 301. FACILITATION OF ALASKA NATURAL GAS PIPELINE.

Section 116 of the Alaska Natural Gas Pipeline Act (15 U.S.C. 720n) is amended—

(1) in subsection (a)(3)—

(A) in the first sentence, by inserting before the period at the end the following: “, except that a holder of a certificate may request the Secretary to extend the period to issue Federal guarantee instruments for not more than 180 days following the date of resolution of any reopening, contest, or other proceeding relating to the certificate”; and

(B) in the second sentence, by inserting before the period at the end the following: “, or connecting to pipeline infrastructure capable of delivering commercially economic quantities of natural gas to the continental United States”;

(2) in subsection (b)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(C) in paragraph (2) (as so redesignated), by striking “and completion guarantees”;

(3) in subsection (c)(2), by striking “\$18,000,000,000” and inserting “\$30,000,000,000”;

(4) in subsection (d)—

(A) in the first sentence of paragraph (1), by inserting before the period at the end the following: “, except that an issued loan guarantee instrument shall apply to not less than 80 percent of project costs unless by previous consent of the borrower”; and

(B) in paragraph (2), by striking “An eligible” and inserting “A”; and

(5) in subsection (g)—

(A) by striking paragraph (2);

(B) by redesignating paragraphs (3) and (4) as paragraphs (2) and (3), respectively; and

(C) in paragraph (2) (as so redesignated), by inserting before the period at the end the following: “under subsection (a)(3), including direct lending from the Federal Financing Bank of all or a part of the amount to the holder, in lieu of a guarantee”.

SEC. 302. EXEMPTION OF TRANS-ALASKA OIL PIPELINE SYSTEM FROM CERTAIN REQUIREMENTS.

The Trans-Alaska Pipeline Authorization Act (43 U.S.C. 1651 et seq.) is amended by adding at the end the following:

“SEC. 208. EXEMPTION OF TRANS-ALASKA OIL PIPELINE SYSTEM FROM CERTAIN REQUIREMENTS.

“(a) IN GENERAL.—Except as provided in subsection (b), no part of the trans-Alaska oil pipeline system shall be considered to be a district, site, building, structure, or object for purposes of section 106 of the National Historic Preservation Act (16 U.S.C. 470f), regardless of whether all or part of the trans-Alaska oil pipeline system may otherwise be listed on, or eligible for listing on, the National Register of Historic Places.

“(b) INDIVIDUAL ELEMENTS.—

“(1) IN GENERAL.—Subject to subsection (c), the Secretary of the Interior may identify up to 3 sections of the trans-Alaska oil pipeline system that possess national or exceptional historic significance, and that should remain after the pipeline is no longer used for the purpose of oil transportation.

“(2) HISTORIC SITE.—Any sections identified under paragraph (1) shall be considered to be a historic site.

“(3) VIEWS.—In making the identification under this subsection, the Secretary shall consider the views of—

“(A) the owners of the pipeline;

“(B) the State Historic Preservation Officer;

“(C) the Advisory Council on Historic Preservation; and

“(D) the Federal Coordinator for Alaska Natural Gas Transportation Projects.

“(c) CONSTRUCTION, MAINTENANCE, RESTORATION, AND REHABILITATION ACTIVITIES.—Subsection (b) does not prohibit the owners of the trans-Alaska oil pipeline system from carrying out construction, maintenance, restoration, or rehabilitation activities on or for a section of the system described in subsection (b).”.

SEC. 303. PERMITS FOR NATURAL GAS PIPELINE IN DENALI NATIONAL PARK AND PRESERVE.

(a) DEFINITIONS.—In this section:

(1) APPURTENANCE.—

(A) IN GENERAL.—The term “appurtenance” includes cathodic protection or test stations, valves, signage, and buried communication and electric cables relating to the operation of high-pressure natural gas transmission.

(B) EXCLUSIONS.—The term “appurtenance” does not include compressor stations.

(2) PARK.—The term “Park” means the Denali National Park and Preserve in the State of Alaska.

(b) PERMIT.—The Secretary may issue right-of-way permits for—

(1) a high-pressure natural gas transmission pipeline (including appurtenances) in non-wilderness areas within the boundary of Denali National Park within, along, or near the approximately 7-mile segment of the George Parks Highway that runs through the Park; and

(2) any distribution and transmission pipelines and appurtenances that the Secretary determines to be necessary to provide natural gas supply to the Park.

(c) TERMS AND CONDITIONS.—A permit authorized under subsection (b)—

(1) may be issued only—

(A) if the permit is consistent with the laws (including regulations) generally applicable to utility rights-of-way within units of the National Park System;

(B) in accordance with section 1106(a) of the Alaska National Interest Lands Conservation Act (16 U.S.C. 3166(a)); and

(C) if, following an appropriate analysis prepared in compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the route of the right-of-way is

the route through the Park with the least adverse environmental effects for the Park; and

(2) shall be subject to such terms and conditions as the Secretary determines to be necessary.

By Mr. BINGAMAN:

S. 917. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. BINGAMAN. Mr. President, today I am introducing the Outer Continental Shelf Reform Act of 2011. This is a bill intended to reform the management of energy resources on the Outer Continental Shelf, and to create a culture of excellence for the industry and the regulatory agency going forward.

Following the tragic Deepwater Horizon oil rig accident last year, we have learned a lot about changes that need to be made by the industry and the regulatory agency to ensure that accidents like this never happen again. In addition, we should do more, and create a system for the management of offshore energy development that is a model for the world.

This bill is intended to put in place the changes that can achieve these goals. It is identical to a bill reported unanimously by the Committee on Energy and Natural Resources in the last Congress. In the intervening time since the committee's action, there have been developments and new information that may indicate the need to update or change some parts of the bill. But, as we begin to work on this issue again in the committee, I believe that it is sensible to start with last year's bill. I look forward to working with my colleagues on both sides of the aisle to address these important issues.

Mr. President, I ask unanimous consent that the text of this bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 917

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Outer Continental Shelf Reform Act of 2011”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Purposes.
- Sec. 3. Definitions.
- Sec. 4. National policy for the outer Continental Shelf.
- Sec. 5. Structural reform of outer Continental Shelf program management.
- Sec. 6. Safety, environmental, and financial reform of the Outer Continental Shelf Lands Act.

Sec. 7. Study on the effect of the moratoria on new deepwater drilling in the Gulf of Mexico on employment and small businesses.

Sec. 8. Reform of other law.

Sec. 9. Safer oil and gas production.

Sec. 10. National Commission on Outer Continental Shelf Oil Spill Prevention.

Sec. 11. Classification of offshore systems.

Sec. 12. Savings provisions.

Sec. 13. Budgetary effects.

SEC. 2. PURPOSES.

The purposes of this Act are—

(1) to rationalize and reform the responsibilities of the Secretary of the Interior with respect to the management of the outer Continental Shelf in order to improve the management, oversight, accountability, safety, and environmental protection of all the resources on the outer Continental Shelf;

(2) to provide independent development and enforcement of safety and environmental laws (including regulations) governing—

(A) energy development and mineral extraction activities on the outer Continental Shelf; and

(B) related offshore activities; and

(3) to ensure a fair return to the taxpayer from, and independent management of, royalty and revenue collection and disbursement activities from mineral and energy resources.

SEC. 3. DEFINITIONS.

In this Act:

(1) DEPARTMENT.—The term “Department” means the Department of the Interior.

(2) OUTER CONTINENTAL SHELF.—The term “outer Continental Shelf” has the meaning given the term in section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331).

(3) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

SEC. 4. NATIONAL POLICY FOR THE OUTER CONTINENTAL SHELF.

Section 3 of the Outer Continental Shelf Lands Act (43 U.S.C. 1332) is amended—

(1) by striking paragraph (3) and inserting the following:

“(3) the outer Continental Shelf is a vital national resource reserve held by the Federal Government for the public, which should be managed in a manner that—

“(A) recognizes the need of the United States for domestic sources of energy, food, minerals, and other resources;

“(B) minimizes the potential impacts of development of those resources on the marine and coastal environment and on human health and safety; and

“(C) acknowledges the long-term economic value to the United States of the balanced and orderly management of those resources that safeguards the environment and respects the multiple values and uses of the outer Continental Shelf;”;

(2) in paragraph (4)(C), by striking the period at the end and inserting a semicolon;

(3) in paragraph (5), by striking “; and” and inserting a semicolon;

(4) by redesignating paragraph (6) as paragraph (7);

(5) by inserting after paragraph (5) the following:

“(6) exploration, development, and production of energy and minerals on the outer Continental Shelf should be allowed only when those activities can be accomplished in a manner that provides reasonable assurance of adequate protection against harm to life, health, the environment, property, or other users of the waters, seabed, or subsoil; and”;

(6) in paragraph (7) (as so redesignated)—

(A) by striking “should be” and inserting “shall be”; and

(B) by adding “best available” after “using”.

SEC. 5. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

(a) IN GENERAL.—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by adding to the end the following:

“SEC. 32. STRUCTURAL REFORM OF OUTER CONTINENTAL SHELF PROGRAM MANAGEMENT.

“(a) LEASING, PERMITTING, AND REGULATION BUREAUS.—

“(1) ESTABLISHMENT OF BUREAUS.—

“(A) IN GENERAL.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior not more than 2 bureaus to carry out the leasing, permitting, and safety and environmental regulatory functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.) related to the outer Continental Shelf.

“(B) CONFLICTS OF INTEREST.—In establishing the bureaus under subparagraph (A), the Secretary shall ensure, to the maximum extent practicable, that any potential organizational conflicts of interest related to leasing, revenue creation, environmental protection, and safety are eliminated.

“(2) DIRECTOR.—Each bureau shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

“(3) COMPENSATION.—Each Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

“(4) QUALIFICATIONS.—Each Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

“(b) ROYALTY AND REVENUE OFFICE.—

“(1) ESTABLISHMENT OF OFFICE.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), the Secretary shall establish in the Department of the Interior an office to carry out the royalty and revenue management functions vested in the Secretary by this Act and the Federal Oil and Gas Royalty Management Act of 1982 (30 U.S.C. 1701 et seq.).

“(2) DIRECTOR.—The office established under paragraph (1) shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate.

“(3) COMPENSATION.—The Director shall be compensated at the rate provided for level V of the Executive Schedule under section 5316 of title 5, United States Code.

“(4) QUALIFICATIONS.—The Director shall be a person who, by reason of professional background and demonstrated ability and experience, is specially qualified to carry out the duties of the office.

“(c) OCS SAFETY AND ENVIRONMENTAL ADVISORY BOARD.—

“(1) ESTABLISHMENT.—The Secretary shall establish, under the Federal Advisory Committee Act (5 U.S.C. App.), an Outer Continental Shelf Safety and Environmental Advisory Board (referred to in this subsection as the “Board”), to provide the Secretary and the Directors of the bureaus established under this section with independent peer-reviewed scientific and technical advice on

safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

“(2) MEMBERSHIP.—

“(A) SIZE.—

“(i) IN GENERAL.—The Board shall consist of not more than 12 members, chosen to reflect a range of expertise in scientific, engineering, management, and other disciplines related to safe and environmentally compliant energy and mineral resource exploration, development, and production activities.

“(ii) CONSULTATION.—The Secretary shall consult with the National Academy of Sciences and the National Academy of Engineering to identify potential candidates for membership on the Board.

“(B) TERM.—The Secretary shall appoint Board members to staggered terms of not more than 4 years, and shall not appoint a member for more than 2 consecutive terms.

“(C) CHAIR.—The Secretary shall appoint the Chair for the Board.

“(3) MEETINGS.—The Board shall—

“(A) meet not less than 3 times per year; and

“(B) at least once per year, shall host a public forum to review and assess the overall safety and environmental performance of outer Continental Shelf energy and mineral resource activities.

“(4) REPORTS.—Reports of the Board shall—

“(A) be submitted to Congress; and

“(B) made available to the public in an electronically accessible form.

“(5) TRAVEL EXPENSES.—Members of the Board, other than full-time employees of the Federal Government, while attending a meeting of the Board or while otherwise serving at the request of the Secretary or the Director while serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for individuals in the Federal Government serving without pay.

“(d) SPECIAL PERSONNEL AUTHORITIES.—

“(1) DIRECT HIRING AUTHORITY FOR CRITICAL PERSONNEL.—

“(A) IN GENERAL.—Notwithstanding sections 3104, 3304, and 3309 through 3318 of title 5, United States Code, the Secretary may, upon a determination that there is a severe shortage of candidates or a critical hiring need for particular positions, recruit and directly appoint highly qualified accountants, scientists, engineers, or critical technical personnel into the competitive service, as officers or employees of any of the organizational units established under this section.

“(B) REQUIREMENTS.—In exercising the authority granted under subparagraph (A), the Secretary shall ensure that any action taken by the Secretary—

“(i) is consistent with the merit principles of chapter 23 of title 5, United States Code; and

“(ii) complies with the public notice requirements of section 3327 of title 5, United States Code.

“(2) CRITICAL PAY AUTHORITY.—

“(A) IN GENERAL.—Notwithstanding section 5377 of title 5, United States Code, and without regard to the provisions of that title governing appointments in the competitive service or the Senior Executive Service and chapters 51 and 53 of that title (relating to classification and pay rates), the Secretary may establish, fix the compensation of, and appoint individuals to critical positions needed to carry out the functions of any of the organizational units established under this section, if the Secretary certifies that—

“(i) the positions—

“(I) require expertise of an extremely high level in a scientific or technical field; and

“(II) any of the organizational units established in this section would not successfully accomplish an important mission without such an individual; and

“(ii) exercise of the authority is necessary to recruit an individual exceptionally well qualified for the position.

“(B) LIMITATIONS.—The authority granted under subparagraph (A) shall be subject to the following conditions:

“(i) The number of critical positions authorized by subparagraph (A) may not exceed 40 at any 1 time in either of the bureaus established under this section.

“(ii) The term of an appointment under subparagraph (A) may not exceed 4 years.

“(iii) An individual appointed under subparagraph (A) may not have been an employee of the Department of the Interior during the 2-year period prior to the date of appointment.

“(iv) Total annual compensation for any individual appointed under subparagraph (A) may not exceed the highest total annual compensation payable at the rate determined under section 104 of title 3, United States Code.

“(v) An individual appointed under subparagraph (A) may not be considered to be an employee for purposes of subchapter II of chapter 75 of title 5, United States Code.

“(C) NOTIFICATION.—Each year, the Secretary shall submit to Congress a notification that lists each individual appointed under this paragraph.

“(3) REEMPLOYMENT OF CIVILIAN RETIREES.—

“(A) IN GENERAL.—Notwithstanding part 553 of title 5, Code of Federal Regulations (relating to reemployment of civilian retirees to meet exceptional employment needs), or successor regulations, the Secretary may approve the reemployment of an individual to a particular position without reduction or termination of annuity if the hiring of the individual is necessary to carry out a critical function of any of the organizational units established under this section for which suitably qualified candidates do not exist.

“(B) LIMITATIONS.—An annuitant hired with full salary and annuities under the authority granted by subparagraph (A)—

“(i) shall not be considered an employee for purposes of subchapter III of chapter 83 and chapter 84 of title 5, United States Code;

“(ii) may not elect to have retirement contributions withheld from the pay of the annuitant;

“(iii) may not use any employment under this paragraph as a basis for a supplemental or recomputed annuity; and

“(iv) may not participate in the Thrift Savings Plan under subchapter III of chapter 84 of title 5, United States Code.

“(C) LIMITATION ON TERM.—The term of employment of any individual hired under subparagraph (A) may not exceed an initial term of 2 years, with an additional 2-year appointment under exceptional circumstances.

“(e) CONTINUITY OF AUTHORITY.—Subject to the discretion granted by Reorganization Plan Number 3 of 1950 (64 Stat. 1262; 43 U.S.C. 1451 note), any reference in any law, rule, regulation, directive, or instruction, or certificate or other official document, in force immediately prior to the date of enactment of this section—

“(1) to the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the appropriate

bureaus and offices established under this section;

“(2) to the Director of the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to the Director of the bureau or office under this section to whom the Secretary has assigned the respective duty or authority; and

“(3) to any other position in the Minerals Management Service that pertains to any of the duties and authorities described in this section shall be deemed to refer and apply to that same or equivalent position in the appropriate bureau or office established under this section.”.

(b) CONFORMING AMENDMENT.—Section 5316 of title 5, United States Code, is amended by striking “Director, Bureau of Mines, Department of the Interior” and inserting the following:

“Bureau Directors, Department of the Interior (2).

“Director, Royalty and Revenue Office, Department of the Interior.”.

SEC. 6. SAFETY, ENVIRONMENTAL, AND FINANCIAL REFORM OF THE OUTER CONTINENTAL SHELF LANDS ACT.

(a) DEFINITIONS.—Section 2 of the Outer Continental Shelf Lands Act (43 U.S.C. 1331) is amended by adding at the end the following:

“(r) SAFETY CASE.—The term ‘safety case’ means a complete set of safety documentation that provides a basis for determining whether a system is adequately safe for a given application in a given environment.”.

(b) ADMINISTRATION OF LEASING.—Section 5(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1334(a)) is amended in the second sentence—

(1) by striking “The Secretary may at any time” and inserting “The Secretary shall”; and

(2) by inserting after “provide for” the following: “operational safety, the protection of the marine and coastal environment.”.

(c) MAINTENANCE OF LEASES.—Section 6 of the Outer Continental Shelf Lands Act (43 U.S.C. 1335) is amended by adding at the end the following:

“(f) REVIEW OF BOND AND SURETY AMOUNTS.—Not later than May 1, 2011, and every 5 years thereafter, the Secretary shall—

“(1) review the minimum financial responsibility requirements for mineral leases under subsection (a)(11); and

“(2) adjust for inflation based on the Consumer Price Index for all Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor, and recommend to Congress any further changes to existing financial responsibility requirements necessary to permit lessees to fulfill all obligations under this Act or the Oil Pollution Act of 1990 (33 U.S.C. 2701 et seq.).

“(g) PERIODIC FISCAL REVIEWS AND REPORTS.—

“(1) ROYALTY RATES.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary shall carry out a review of, and prepare a report that describes—

“(i) the royalty and rental rates included in new offshore oil and gas leases and the rationale for the rates;

“(ii) whether, in the view of the Secretary, the royalty and rental rates described in subparagraph (A) would yield a fair return to the public while promoting the production of oil and gas resources in a timely manner; and

“(iii) whether, based on the review, the Secretary intends to modify the royalty or rental rates.

“(B) PUBLIC PARTICIPATION.—In carrying out a review and preparing a report under subparagraph (A), the Secretary shall provide to the public an opportunity to participate.

“(2) COMPARATIVE REVIEW OF FISCAL SYSTEM.—

“(A) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection and every 4 years thereafter, the Secretary in consultation with the Secretary of the Treasury, shall carry out a comprehensive review of all components of the Federal offshore oil and gas fiscal system, including requirements for bonus bids, rental rates, royalties, oil and gas taxes, income taxes and other significant financial elements, and oil and gas fees.

“(B) INCLUSIONS.—The review shall include—

“(i) information and analyses comparing the offshore bonus bids, rents, royalties, taxes, and fees of the Federal Government to the offshore bonus bids, rents, royalties, taxes, and fees of other resource owners (including States and foreign countries); and

“(ii) an assessment of the overall offshore oil and gas fiscal system in the United States, as compared to foreign countries.

“(C) INDEPENDENT ADVISORY COMMITTEE.—In carrying out a review under this paragraph, the Secretary shall convene and seek the advice of an independent advisory committee comprised of oil and gas and fiscal experts from States, Indian tribes, academia, the energy industry, and appropriate non-governmental organizations.

“(D) REPORT.—The Secretary shall prepare a report that contains—

“(i) the contents and results of the review carried out under this paragraph for the period covered by the report; and

“(ii) any recommendations of the Secretary and the Secretary of the Treasury based on the contents and results of the review.

“(E) COMBINED REPORT.—The Secretary may combine the reports required by paragraphs (1) and (2)(D) into 1 report.

“(3) REPORT DEADLINE.—Not later than 30 days after the date on which the Secretary completes each report under this subsection, the Secretary shall submit copies of the report to—

“(A) the Committee on Energy and Natural Resources of the Senate;

“(B) the Committee on Finance of the Senate;

“(C) the Committee on Natural Resources of the House of Representatives; and

“(D) the Committee on Ways and Means of the House of Representatives.”.

(d) LEASES, EASEMENTS, AND RIGHTS-OF-WAY.—Section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) is amended by striking subsection (d) and inserting the following:

“(d) DISQUALIFICATION FROM BIDDING.—No bid for a lease may be submitted by any entity that the Secretary finds, after prior public notice and opportunity for a hearing—

“(1) is not meeting due diligence, safety, or environmental requirements on other leases; or

“(2)(A) is a responsible party for a vessel or a facility from which oil is discharged, for purposes of section 1002 of the Oil Pollution Act of 1990 (33 U.S.C. 2702); and

“(B) has failed to meet the obligations of the responsible party under that Act to provide compensation for covered removal costs and damages.”.

(e) EXPLORATION PLANS.—Section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340) is amended—

(1) in subsection (c)—

(A) in the fourth sentence of paragraph (1), by striking “within thirty days of its submission” and inserting “by the deadline described in paragraph (5)”;

(B) by striking paragraph (3) and inserting the following:

“(3) MINIMUM REQUIREMENTS.—

“(A) IN GENERAL.—An exploration plan submitted under this subsection shall include, in such degree of detail as the Secretary by regulation may require—

“(i) a complete description and schedule of the exploration activities to be undertaken;

“(ii) a description of the equipment to be used for the exploration activities, including—

“(I) a description of the drilling unit;

“(II) a statement of the design and condition of major safety-related pieces of equipment;

“(III) a description of any new technology to be used; and

“(IV) a statement demonstrating that the equipment to be used meets the best available technology requirements under section 21(b);

“(iii) a map showing the location of each well to be drilled;

“(iv)(I) a scenario for the potential blowout of the well involving the highest expected volume of liquid hydrocarbons; and

“(II) a complete description of a response plan to control the blowout and manage the accompanying discharge of hydrocarbons, including—

“(aa) the technology and timeline for regaining control of the well; and

“(bb) the strategy, organization, and resources to be used to avoid harm to the environment and human health from hydrocarbons; and

“(v) any other information determined to be relevant by the Secretary.

“(B) DEEPWATER WELLS.—

“(i) IN GENERAL.—Before conducting exploration activities in water depths greater than 500 feet, the holder of a lease shall submit to the Secretary for approval a deepwater operations plan prepared by the lessee in accordance with this subparagraph.

“(ii) TECHNOLOGY REQUIREMENTS.—A deepwater operations plan under this subparagraph shall be based on the best available technology to ensure safety in carrying out the exploration activity and the blowout response plan.

“(iii) SYSTEMS ANALYSIS REQUIRED.—The Secretary shall not approve a deepwater operations plan under this subparagraph unless the plan includes a technical systems analysis of—

“(I) the safety of the proposed exploration activity;

“(II) the blowout prevention technology; and

“(III) the blowout and spill response plans.”; and

(C) by adding at the end the following:

“(5) DEADLINE FOR APPROVAL.—

“(A) IN GENERAL.—In the case of a lease issued under a sale held after March 17, 2010, the deadline for approval of an exploration plan referred to in the fourth sentence of paragraph (1) is—

“(i) the date that is 90 days after the date on which the plan or the modifications to the plan are submitted; or

“(ii) the date that is not later than an additional 180 days after the deadline described in clause (i), if the Secretary makes a find-

ing that additional time is necessary to complete any environmental, safety, or other reviews.

“(B) EXISTING LEASES.—In the case of a lease issued under a sale held on or before March 17, 2010, the Secretary, with the consent of the holder of the lease, may extend the deadline applicable to the lease for such additional time as the Secretary determines is necessary to complete any environmental, safety, or other reviews.”;

(2) by redesignating subsections (e) through (h) as subsections (f) through (i), respectively; and

(3) by striking subsection (d) and inserting the following:

“(d) DRILLING PERMITS.—

“(1) IN GENERAL.—The Secretary shall, by regulation, require that any lessee operating under an approved exploration plan obtain a permit—

“(A) before the lessee drills a well in accordance with the plan; and

“(B) before the lessee significantly modifies the well design originally approved by the Secretary.

“(2) ENGINEERING REVIEW REQUIRED.—The Secretary may not grant any drilling permit until the date of completion of a full review of the well system by not less than 2 agency engineers, including a written determination that—

“(A) critical safety systems (including blowout prevention) will use best available technology; and

“(B) blowout prevention systems will include redundancy and remote triggering capability.

“(3) MODIFICATION REVIEW REQUIRED.—The Secretary may not approve any modification of a permit without a determination, after an additional engineering review, that the modification will not compromise the safety of the well system previously approved.

“(4) OPERATOR SAFETY AND ENVIRONMENTAL MANAGEMENT REQUIRED.—The Secretary may not grant any drilling permit or modification of the permit until the date of completion and approval of a safety and environmental management plan that—

“(A) is to be used by the operator during all well operations; and

“(B) includes—

“(i) a description of the expertise and experience level of crew members who will be present on the rig; and

“(ii) designation of at least 2 environmental and safety managers that—

“(I) are employees of the operator;

“(II) would be present on the rig at all times; and

“(III) have overall responsibility for the safety and environmental management of the well system and spill response plan; and

“(C) not later than May 1, 2012, requires that all employees on the rig meet the training and experience requirements under section 21(b)(4).

“(e) DISAPPROVAL OF EXPLORATION PLAN.—

“(1) IN GENERAL.—The Secretary shall disapprove an exploration plan submitted under this section if the Secretary determines that, because of exceptional geological conditions in the lease areas, exceptional resource values in the marine or coastal environment, or other exceptional circumstances, that—

“(A) implementation of the exploration plan would probably cause serious harm or damage to life (including fish and other aquatic life), property, mineral deposits, national security or defense, or the marine, coastal or human environments;

“(B) the threat of harm or damage would not disappear or decrease to an acceptable

extent within a reasonable period of time; and

“(C) the advantages of disapproving the exploration plan outweigh the advantages of exploration.

“(2) COMPENSATION.—If an exploration plan is disapproved under this subsection, the provisions of subparagraphs (B) and (C) of section 25(h)(2) shall apply to the lease and the plan or any modified plan, except that the reference in section 25(h)(2)(C) to a development and production plan shall be considered to be a reference to an exploration plan.”.

(f) OUTER CONTINENTAL SHELF LEASING PROGRAM.—Section 18 of the Outer Continental Shelf Lands Act (43 U.S.C. 1344) is amended—

(1) in subsection (a)—

(A) in the second sentence, by inserting after “national energy needs” the following: “and the need for the protection of the marine and coastal environment and resources”;

(B) in paragraph (1), by striking “considers” and inserting “gives equal consideration to”;

(C) in paragraph (3), by striking “, to the maximum extent practicable,”;

(2) in subsection (b)—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting “; and”;

(C) by adding at the end the following:

“(5) provide technical review and oversight of the exploration plan and a systems review of the safety of the well design and other operational decisions;

“(6) conduct regular and thorough safety reviews and inspections, and;

“(7) enforce all applicable laws (including regulations).”;

(3) in the second sentence of subsection (d)(2), by inserting “, the head of an interested Federal agency,” after “Attorney General”;

(4) in the first sentence of subsection (g), by inserting before the period at the end the following: “, including existing inventories and mapping of marine resources previously undertaken by the Department of the Interior and the National Oceanic and Atmospheric Administration, information provided by the Department of Defense, and other available data regarding energy or mineral resource potential, navigation uses, fisheries, aquaculture uses, recreational uses, habitat, conservation, and military uses on the outer Continental Shelf”;

(5) by adding at the end the following:

“(i) RESEARCH AND DEVELOPMENT.—

“(1) IN GENERAL.—The Secretary shall carry out a program of research and development to ensure the continued improvement of methodologies for characterizing resources of the outer Continental Shelf and conditions that may affect the ability to develop and use those resources in a safe, sound, and environmentally responsible manner.

“(2) INCLUSIONS.—Research and development activities carried out under paragraph (1) may include activities to provide accurate estimates of energy and mineral reserves and potential on the outer Continental Shelf and any activities that may assist in filling gaps in environmental data needed to develop each leasing program under this section.

“(3) LEASING ACTIVITIES.—Research and development activities carried out under paragraph (1) shall not be considered to be leasing or pre-leasing activities for purposes of this Act.”.

(g) ENVIRONMENTAL STUDIES.—Section 20 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346) is amended—

(1) by redesignating subsections (a) through (f) as subsections (b) through (g), respectively;

(2) by inserting before subsection (b) (as so redesignated) the following:

“(a) COMPREHENSIVE AND INDEPENDENT STUDIES.—

“(1) IN GENERAL.—The Secretary shall develop and carry out programs for the collection, evaluation, assembly, analysis, and dissemination of environmental and other resource data that are relevant to carrying out the purposes of this Act.

“(2) SCOPE OF RESEARCH.—The programs under this subsection shall include—

“(A) the gathering of baseline data in areas before energy or mineral resource development activities occur;

“(B) ecosystem research and monitoring studies to support integrated resource management decisions; and

“(C) the improvement of scientific understanding of the fate, transport, and effects of discharges and spilled materials, including deep water hydrocarbon spills, in the marine environment.

“(3) USE OF DATA.—The Secretary shall ensure that information from the studies carried out under this section—

“(A) informs the management of energy and mineral resources on the outer Continental Shelf including any areas under consideration for oil and gas leasing; and

“(B) contributes to a broader coordination of energy and mineral resource development activities within the context of best available science.

“(4) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

“(A) be programmatically separate and distinct from the leasing program;

“(B) carry out the environmental studies under this section;

“(C) conduct additional environmental studies relevant to the sound management of energy and mineral resources on the outer Continental Shelf;

“(D) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

“(E) subject to the restrictions of subsections (g) and (h) of section 18, make available to the public studies conducted and data gathered under this section.”;

(3) in the first sentence of subsection (b)(1) (as so redesignated), by inserting “every 3 years” after “shall conduct”.

(h) SAFETY RESEARCH AND REGULATIONS.—Section 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1347) is amended—

(1) in the first sentence of subsection (a), by striking “Upon the date of enactment of this section,” and inserting “Not later than May 1, 2011, and every 3 years thereafter,”;

(2) by striking subsection (b) and inserting the following:

“(b) BEST AVAILABLE TECHNOLOGIES AND PRACTICES.—

“(1) IN GENERAL.—In exercising respective responsibilities under this Act, the Secretary, and the Secretary of the Department in which the Coast Guard is operating, shall require, on all new drilling and production operations and, to the maximum extent practicable, on existing operations, the use of the best available and safest technologies and practices, if the failure of equipment would have a significant effect on safety, health, or the environment.

“(2) IDENTIFICATION OF BEST AVAILABLE TECHNOLOGIES.—Not later than May 1, 2011, and not later than every 3 years thereafter, the Secretary shall identify and publish an updated list of best available technologies for key areas of well design and operation, including blowout prevention and blowout and oil spill response.

“(3) SAFETY CASE.—Not later than May 1, 2011, the Secretary shall promulgate regulations requiring a safety case be submitted along with each new application for a permit to drill on the outer Continental Shelf.

“(4) EMPLOYEE TRAINING.—

“(A) IN GENERAL.—Not later than May 1, 2011, the Secretary shall promulgate regulations setting standards for training for all workers on offshore facilities (including mobile offshore drilling units) conducting energy and mineral resource exploration, development, and production operations on the outer Continental Shelf.

“(B) REQUIREMENTS.—The training standards under this paragraph shall require that employers of workers described in subparagraph (A)—

“(i) establish training programs approved by the Secretary; and

“(ii) demonstrate that employees involved in the offshore operations meet standards that demonstrate the aptitude of the employees in critical technical skills.

“(C) EXPERIENCE.—The training standards under this section shall require that any offshore worker with less than 5 years of applied experience in offshore facilities operations pass a certification requirement after receiving the appropriate training.

“(D) MONITORING TRAINING COURSES.—The Secretary shall ensure that Department employees responsible for inspecting offshore facilities monitor, observe, and report on training courses established under this paragraph, including attending a representative number of the training sessions, as determined by the Secretary.”; and

(3) by adding at the end the following:

“(g) TECHNOLOGY RESEARCH AND RISK ASSESSMENT PROGRAM.—

“(1) IN GENERAL.—The Secretary shall carry out a program of research, development, and risk assessment to address technology and development issues associated with outer Continental Shelf energy and mineral resource activities, with the primary purpose of informing the role of research, development, and risk assessment relating to safety, environmental protection, and spill response.

“(2) SPECIFIC AREAS OF FOCUS.—The program under this subsection shall include research, development, and other activities related to—

“(A) risk assessment, using all available data from safety and compliance records both within the United States and internationally;

“(B) analysis of industry trends in technology, investment, and interest in frontier areas;

“(C) analysis of incidents investigated under section 22;

“(D) reviews of best available technologies, including technologies associated with pipelines, blowout preventer mechanisms, casing, well design, and other associated infrastructure related to offshore energy development;

“(E) oil spill response and mitigation;

“(F) risks associated with human factors; and

“(G) renewable energy operations.

“(3) INFORMATION SHARING ACTIVITIES.—

“(A) DOMESTIC ACTIVITIES.—The Secretary shall carry out programs to facilitate the exchange and dissemination of scientific and technical information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

“(B) INTERNATIONAL COOPERATION.—The Secretary shall carry out programs to cooperate with international organizations and foreign governments to share information and best practices related to the management of safety and environmental issues associated with energy and mineral resource exploration, development, and production.

“(4) REPORTS.—The program under this subsection shall provide to the Secretary, each Bureau Director under section 32, and the public quarterly reports that address—

“(A) developments in each of the areas under paragraph (2); and

“(B)(i) any accidents that have occurred in the past quarter; and

“(ii) appropriate responses to the accidents.

“(5) INDEPENDENCE.—The Secretary shall create a program within the appropriate bureau established under section 32 that shall—

“(A) be programmatically separate and distinct from the leasing program;

“(B) carry out the studies, analyses, and other activities under this subsection;

“(C) provide for external scientific review of studies under this section, including through appropriate arrangements with the National Academy of Sciences; and

“(D) make available to the public studies conducted and data gathered under this section.

“(6) USE OF DATA.—The Secretary shall ensure that the information from the studies and research carried out under this section inform the development of safety practices and regulations as required by this Act and other applicable laws.”

(i) ENFORCEMENT.—Section 22 of the Outer Continental Shelf Lands Act (43 U.S.C. 1348) is amended—

(1) in subsection (d)—

(A) in paragraph (1)—

(i) in the first sentence, by inserting “, each loss of well control, blowout, activation of the blowout preventer, and other accident that presented a serious risk to human or environmental safety,” after “fire”; and

(ii) in the last sentence, by inserting “as a condition of the lease” before the period at the end;

(B) in the last sentence of paragraph (2), by inserting “as a condition of lease” before the period at the end;

(2) in subsection (e)—

(A) by striking “(e) The” and inserting the following:

“(e) REVIEW OF ALLEGED SAFETY VIOLATIONS.—

“(1) IN GENERAL.—The”; and

(B) by adding at the end the following:

“(2) INVESTIGATION.—The Secretary shall investigate any allegation from any employee of the lessee or any subcontractor of the lessee made under paragraph (1).”; and

(3) by adding at the end of the section the following:

“(g) INDEPENDENT INVESTIGATION.—

“(1) IN GENERAL.—At the request of the Secretary, the National Transportation Safety Board may conduct an independent investigation of any accident, occurring in the outer Continental Shelf and involving activities under this Act, that does not otherwise fall within the definition of an accident or major marine casualty, as those terms are

used in chapter 11 of title 49, United States Code.

“(2) TRANSPORTATION ACCIDENT.—For purposes of an investigation under this subsection, the accident that is the subject of the request by the Secretary shall be determined to be a transportation accident within the meaning of that term in chapter 11 of title 49, United States Code.

“(h) INFORMATION ON CAUSES AND CORRECTIVE ACTIONS.—

“(1) IN GENERAL.—For each incident investigated under this section, the Secretary shall promptly make available to all lessees and the public technical information about the causes and corrective actions taken.

“(2) PUBLIC DATABASE.—All data and reports related to an incident described in paragraph (1) shall be maintained in a database that is available to the public.

“(i) INSPECTION FEE.—

“(1) IN GENERAL.—To the extent necessary to fund the inspections described in this paragraph, the Secretary shall collect a non-refundable inspection fee, which shall be deposited in the Ocean Energy Enforcement Fund established under paragraph (3), from the designated operator for facilities subject to inspection under subsection (c).

“(2) ESTABLISHMENT.—The Secretary shall establish, by rule, inspection fees—

“(A) at an aggregate level equal to the amount necessary to offset the annual expenses of inspections of outer Continental Shelf facilities (including mobile offshore drilling units) by the Department of the Interior; and

“(B) using a schedule that reflects the differences in complexity among the classes of facilities to be inspected.

“(3) OCEAN ENERGY ENFORCEMENT FUND.—There is established in the Treasury a fund, to be known as the ‘Ocean Energy Enforcement Fund’ (referred to in this subsection as the ‘Fund’), into which shall be deposited amounts collected under paragraph (1) and which shall be available as provided under paragraph (4).

“(4) AVAILABILITY OF FEES.—Notwithstanding section 3302 of title 31, United States Code, all amounts collected by the Secretary under this section—

“(A) shall be credited as offsetting collections;

“(B) shall be available for expenditure only for purposes of carrying out inspections of outer Continental Shelf facilities (including mobile offshore drilling units) and the administration of the inspection program;

“(C) shall be available only to the extent provided for in advance in an appropriations Act; and

“(D) shall remain available until expended.

“(5) ANNUAL REPORTS.—

“(A) IN GENERAL.—Not later than 60 days after the end of each fiscal year beginning with fiscal year 2011, the Secretary shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Natural Resources of the House of Representatives a report on the operation of the Fund during the fiscal year.

“(B) CONTENTS.—Each report shall include, for the fiscal year covered by the report, the following:

“(i) A statement of the amounts deposited into the Fund.

“(ii) A description of the expenditures made from the Fund for the fiscal year, including the purpose of the expenditures.

“(iii) Recommendations for additional authorities to fulfill the purpose of the Fund.

“(iv) A statement of the balance remaining in the Fund at the end of the fiscal year.”

(j) REMEDIES AND PENALTIES.—Section 24 of the Outer Continental Shelf Lands Act (43 U.S.C. 1350) is amended—

(1) by striking subsection (b) and inserting the following:

“(b) CIVIL PENALTY.—

“(1) IN GENERAL.—Subject to paragraphs (2) through (3), if any person fails to comply with this Act, any term of a lease or permit issued under this Act, or any regulation or order issued under this Act, the person shall be liable for a civil administrative penalty of not more than \$75,000 for each day of continuance of each failure.

“(2) ADMINISTRATION.—The Secretary may assess, collect, and compromise any penalty under paragraph (1).

“(3) HEARING.—No penalty shall be assessed under this subsection until the person charged with a violation has been given the opportunity for a hearing.

“(4) ADJUSTMENT.—The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”;

(2) in subsection (c)—

(A) in the first sentence, by striking “\$100,000” and inserting “\$10,000,000”; and

(B) by adding at the end the following: “The penalty amount specified in this subsection shall increase each year to reflect any increases in the Consumer Price Index for All Urban Consumers published by the Bureau of Labor Statistics of the Department of Labor.”; and

(3) in subsection (d), by inserting “, or with reckless disregard,” after “knowingly and willfully”.

(k) OIL AND GAS DEVELOPMENT AND PRODUCTION.—Section 25 of the Outer Continental Shelf Lands Act (43 U.S.C. 1351) is amended by striking “, other than the Gulf of Mexico,” each place it appears in subsections (a)(1), (b), and (e)(1).

(l) CONFLICTS OF INTEREST.—Section 29 of the Outer Continental Shelf Lands Act (43 U.S.C. 1355) is amended to read as follows:

“SEC. 29. CONFLICTS OF INTEREST.

“(a) RESTRICTIONS ON EMPLOYMENT.—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall—

“(1) within 2 years after his employment with the Department has ceased—

“(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

“(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

“(C) knowingly aid, advise, or assist in—

“(i) representing any other person (except the United States) in any formal or informal appearance before; or

“(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to,

any department, agency, or court of the United States, or any officer or employee thereof, in connection with any judicial or other proceeding, application, request for a ruling or other determination, regulation, order, lease, permit, rulemaking, inspection, enforcement action, or other particular matter involving a specific party or parties in which the United States is a party or has a

direct and substantial interest which was actually pending under his official responsibility as an officer or employee within a period of one year prior to the termination of such responsibility or in which he participated personally and substantially as an officer or employee;

“(2) within 1 year after his employment with the Department has ceased—

“(A) knowingly act as agent or attorney for, or otherwise represent, any other person (except the United States) in any formal or informal appearance before;

“(B) with the intent to influence, make any oral or written communication on behalf of any other person (except the United States) to; or

“(C) knowingly aid, advise, or assist in—

“(i) representing any other person (except the United States) in any formal or informal appearance before, or

“(ii) making, with the intent to influence, any oral or written communication on behalf of any other person (except the United States) to, the Department of the Interior, or any officer or employee thereof, in connection with any judicial, rulemaking, regulation, order, lease, permit, regulation, inspection, enforcement action, or other particular matter which is pending before the Department of the Interior or in which the Department has a direct and substantial interest; or

“(3) accept employment or compensation, during the 1-year period beginning on the date on which employment with the Department has ceased, from any person (other than the United States) that has a direct and substantial interest—

“(A) that was pending under the official responsibility of the employee as an officer or employee of the Department during the 1-year period preceding the termination of the responsibility; or

“(B) in which the employee participated personally and substantially as an officer or employee.

“(b) **PRIOR EMPLOYMENT RELATIONSHIPS.**—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall participate personally and substantially as a Federal officer or employee, through decision, approval, disapproval, recommendation, the rendering of advice, investigation, or otherwise, in a proceeding, application, request for a ruling or other determination, contract, claim, controversy, charge, accusation, inspection, enforcement action, or other particular matter in which, to the knowledge of the officer or employee—

“(1) the officer or employee or the spouse, minor child, or general partner of the officer or employee has a financial interest;

“(2) any organization in which the officer or employee is serving as an officer, director, trustee, general partner, or employee has a financial interest;

“(3) any person or organization with whom the officer or employee is negotiating or has any arrangement concerning prospective employment has a financial interest; or

“(4) any person or organization in which the officer or employee has, within the preceding 1-year period, served as an officer, director, trustee, general partner, agent, attorney, consultant, contractor, or employee has a financial interest.

“(c) **GIFTS FROM OUTSIDE SOURCES.**—No full-time officer or employee of the Department of the Interior who directly or indirectly discharges duties or responsibilities under this Act shall, directly or indirectly,

solicit or accept any gift in violation of subpart B of part 2635 of title V, Code of Federal Regulations (or successor regulations).

“(d) **EXEMPTIONS.**—The Secretary may, by rule, exempt from this section clerical and support personnel who do not conduct inspections, perform audits, or otherwise exercise regulatory or policy making authority under this Act.

“(e) **PENALTIES.**—

“(1) **CRIMINAL PENALTIES.**—Any person who violates paragraph (1) or (2) of subsection (a) or subsection (b) shall be punished in accordance with section 216 of title 18, United States Code.

“(2) **CIVIL PENALTIES.**—Any person who violates subsection (a)(3) or (c) shall be punished in accordance with subsection (b) of section 216 of title 18, United States Code.”.

SEC. 7. STUDY ON THE EFFECT OF THE MORATORIA ON NEW DEEPWATER DRILLING IN THE GULF OF MEXICO ON EMPLOYMENT AND SMALL BUSINESSES.

(a) **IN GENERAL.**—The Secretary of Energy, acting through the Energy Information Administration, shall publish a monthly study evaluating the effect of the moratoria resulting from the blowout and explosion of the mobile offshore drilling unit *Deepwater Horizon* that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment, on employment and small businesses.

(b) **REPORT.**—Not later than 60 days after the date of enactment of this Act and at the beginning of each month thereafter during the effective period of the moratoria described in subsection (a), the Secretary of Energy, acting through the Energy Information Administration, shall submit to the Committee on Energy and Natural Resources of the Senate and the Committee on Energy and Commerce of the House of Representatives a report regarding the results of the study conducted under subsection (a), including—

(1) a survey of the effect of the moratoria on deepwater drilling on employment in the industries directly involved in oil and natural gas exploration in the outer Continental Shelf;

(2) a survey of the effect of the moratoria on employment in the industries indirectly involved in oil and natural gas exploration in the outer Continental Shelf, including suppliers of supplies or services and customers of industries directly involved in oil and natural gas exploration;

(3) an estimate of the effect of the moratoria on the revenues of small business located near the Gulf of Mexico and, to the maximum extent practicable, throughout the United States; and

(4) any recommendations to mitigate possible negative effects on small business concerns resulting from the moratoria.

SEC. 8. REFORM OF OTHER LAW.

Section 388(b) of the Energy Policy Act of 2005 (43 U.S.C. 1337 note; Public Law 109-58) is amended by adding at the end the following:

“(4) **FEDERAL AGENCIES.**—Any head of a Federal department or agency shall, on request of the Secretary, provide to the Secretary all data and information that the Secretary determines to be necessary for the purpose of including the data and information in the mapping initiative, except that no Federal department or agency shall be required to provide any data or information that is privileged or proprietary.”.

SEC. 9. SAFER OIL AND GAS PRODUCTION.

(a) **PROGRAM AUTHORITY.**—Section 999A of the Energy Policy Act of 2005 (42 U.S.C. 16371) is amended—

(1) in subsection (a)—

(A) by striking “ultra-deepwater” and inserting “deepwater”; and

(B) by inserting “well control and accident prevention,” after “safe operations.”;

(2) in subsection (b)—

(A) by striking paragraph (1) and inserting the following:

“(1) Deepwater architecture, well control and accident prevention, and deepwater technology, including drilling to deep formations in waters greater than 500 feet.”; and

(B) by striking paragraph (4) and inserting the following:

“(4) Safety technology research and development for drilling activities aimed at well control and accident prevention performed by the Office of Fossil Energy of the Department.”; and

(3) in subsection (d)—

(A) in the subsection heading, by striking “NATIONAL ENERGY TECHNOLOGY LABORATORY” and inserting “OFFICE OF FOSSIL ENERGY OF THE DEPARTMENT”; and

(B) by striking “National Energy Technology Laboratory” and inserting “Office of Fossil Energy of the Department”.

(b) **DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM RESEARCH AND DEVELOPMENT PROGRAM.**—Section 999B of the Energy Policy Act of 2005 (42 U.S.C. 16372) is amended—

(1) in the section heading, by striking “**ULTRA-DEEPWATER AND UNCONVENTIONAL ONSHORE NATURAL GAS AND OTHER PETROLEUM**” and inserting “**SAFE OIL AND GAS PRODUCTION AND ACCIDENT PREVENTION**”;

(2) in subsection (a), by striking “, by increasing” and all that follows through the period at the end and inserting “and the safe and environmentally responsible exploration, development, and production of hydrocarbon resources.”;

(3) in subsection (c)(1)—

(A) by redesignating subparagraphs (D) and (E) as subparagraphs (E) and (F), respectively; and

(B) by inserting after subparagraph (C) the following:

“(D) projects will be selected on a competitive, peer-reviewed basis.”; and

(4) in subsection (d)—

(A) in paragraph (6), by striking “ultra-deepwater” and inserting “deepwater”;

(B) in paragraph (7)—

(i) in subparagraph (A)—

(I) in the subparagraph heading, by striking “**ULTRA-DEEPWATER**” and inserting “**DEEPWATER**”;

(II) by striking “development and” and inserting “research, development, and”; and

(III) by striking “as well as” and all that follows through the period at the end and inserting “aimed at improving operational safety of drilling activities, including well integrity systems, well control, blowout prevention, the use of non-toxic materials, and integrated systems approach-based management for exploration and production in deepwater.”;

(ii) in subparagraph (B), by striking “and environmental mitigation” and inserting “use of non-toxic materials, drilling safety, and environmental mitigation and accident prevention”;

(iii) in subparagraph (C), by inserting “safety and accident prevention, well control and systems integrity,” after “including”; and

(iv) by adding at the end the following:

“(D) **SAFETY AND ACCIDENT PREVENTION TECHNOLOGY RESEARCH AND DEVELOPMENT.**—Awards from allocations under section

999H(d)(4) shall be expended on areas including—

“(i) development of improved cementing and casing technologies;

“(ii) best management practices for cementing, casing, and other well control activities and technologies;

“(iii) development of integrity and stewardship guidelines for—

“(I) well-plugging and abandonment;

“(II) development of wellbore sealant technologies; and

“(III) improvement and standardization of blowout prevention devices.”; and

(C) by adding at the end the following:

“(8) STUDY; REPORT.—

“(A) STUDY.—As soon as practicable after the date of enactment of this paragraph, the Secretary shall enter into an arrangement with the National Academy of Sciences under which the Academy shall conduct a study to determine—

“(i) whether the benefits provided through each award under this subsection during calendar year 2011 have been maximized; and

“(ii) the new areas of research that could be carried out to meet the overall objectives of the program.

“(B) REPORT.—Not later than January 1, 2012, the Secretary shall submit to the appropriate committees of Congress a report that contains a description of the results of the study conducted under subparagraph (A).

“(C) OPTIONAL UPDATES.—The Secretary may update the report described in subparagraph (B) for the 5-year period beginning on the date described in that subparagraph and each 5-year period thereafter.”;

(5) in subsection (e)—

(A) in paragraph (2)—

(i) in the second sentence of subparagraph (A), by inserting “to the Secretary for review” after “submit”; and

(ii) in the first sentence of subparagraph (B), by striking “Ultra-Deepwater” and all that follows through “and such Advisory Committees” and inserting “Program Advisory Committee established under section 999D(a), and the Advisory Committee”; and

(B) by adding at the end the following:

“(6) RESEARCH FINDINGS AND RECOMMENDATIONS FOR IMPLEMENTATION.—The Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, shall publish in the Federal Register an annual report on the research findings of the program carried out under this section and any recommendations for implementation that the Secretary, in consultation with the Secretary of the Interior and the Administrator of the Environmental Protection Agency, determines to be necessary.”;

(6) in subsection (i)—

(A) in the subsection heading, by striking “UNITED STATES GEOLOGICAL SURVEY” and inserting “DEPARTMENT OF THE INTERIOR”; and

(B) by striking “, through the United States Geological Survey,”; and

(7) in the first sentence of subsection (j), by striking “National Energy Technology Laboratory” and inserting “Office of Fossil Energy of the Department”.

(C) ADDITIONAL REQUIREMENTS FOR AWARDS.—Section 999C(b) of the Energy Policy Act of 2005 (42 U.S.C. 16373(b)) is amended by striking “an ultra-deepwater technology or an ultra-deepwater architecture” and inserting “a deepwater technology”.

(D) PROGRAM ADVISORY COMMITTEE.—Section 999D of the Energy Policy Act of 2005 (42 U.S.C. 16374) is amended to read as follows:

“SEC. 999D. PROGRAM ADVISORY COMMITTEE.

“(a) ESTABLISHMENT.—Not later than 270 days after the date of enactment of the Safe and Responsible Energy Production Improvement Act of 2010, the Secretary shall establish an advisory committee to be known as the ‘Program Advisory Committee’ (referred to in this section as the ‘Advisory Committee’).

“(b) MEMBERSHIP.—

“(1) IN GENERAL.—The Advisory Committee shall be composed of members appointed by the Secretary, including—

“(A) individuals with extensive research experience or operational knowledge of hydrocarbon exploration and production;

“(B) individuals broadly representative of the affected interests in hydrocarbon production, including interests in environmental protection and safety operations;

“(C) representatives of Federal agencies, including the Environmental Protection Agency and the Department of the Interior;

“(D) State regulatory agency representatives; and

“(E) other individuals, as determined by the Secretary.

“(2) LIMITATIONS.—

“(A) IN GENERAL.—The Advisory Committee shall not include individuals who are board members, officers, or employees of the program consortium.

“(B) CATEGORICAL REPRESENTATION.—In appointing members of the Advisory Committee, the Secretary shall ensure that no class of individuals described in any of subparagraphs (A), (B), (D), or (E) of paragraph (1) comprises more than 1/4 of the membership of the Advisory Committee.

“(c) SUBCOMMITTEES.—The Advisory Committee may establish subcommittees for separate research programs carried out under this subtitle.

“(d) DUTIES.—The Advisory Committee shall—

“(1) advise the Secretary on the development and implementation of programs under this subtitle; and

“(2) carry out section 999B(e)(2)(B).

“(e) COMPENSATION.—A member of the Advisory Committee shall serve without compensation but shall be entitled to receive travel expenses in accordance with subchapter I of chapter 57 of title 5, United States Code.

“(f) PROHIBITION.—The Advisory Committee shall not make recommendations on funding awards to particular consortia or other entities, or for specific projects.”.

(e) DEFINITIONS.—Section 999G of the Energy Policy Act of 2005 (42 U.S.C. 16377) is amended—

(1) in paragraph (1), by striking “200 but less than 1,500 meters” and inserting “500 feet”;

(2) by striking paragraphs (8), (9), and (10);

(3) by redesignating paragraphs (2) through (7) and (11) as paragraphs (4) through (9) and (10), respectively;

(4) by inserting after paragraph (1) the following:

“(2) DEEPWATER ARCHITECTURE.—The term ‘deepwater architecture’ means the integration of technologies for the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.

“(3) DEEPWATER TECHNOLOGY.—The term ‘deepwater technology’ means a discrete technology that is specially suited to address 1 or more challenges associated with the exploration for, or production of, natural gas or other petroleum resources located at deepwater depths.”; and

(5) in paragraph (10) (as redesignated by paragraph (3)), by striking “in an economi-

cally inaccessible geological formation, including resources of small producers”.

(f) FUNDING.—Section 999H of the Energy Policy Act of 2005 (42 U.S.C. 16378) is amended—

(1) in the first sentence of subsection (a) by striking “Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund” and inserting “Safe and Responsible Energy Production Research Fund”;

(2) in subsection (d)—

(A) in paragraph (1), by striking “35 percent” and inserting “21.5 percent”;

(B) in paragraph (2), by striking “32.5 percent” and inserting “21 percent”;

(C) in paragraph (4)—

(i) by striking “25 percent” and inserting “30 percent”;

(ii) by striking “complementary research” and inserting “safety technology research and development”; and

(iii) by striking “contract management,” and all that follows through the period at the end and inserting “and contract management.”; and

(D) by adding at the end the following:

“(5) 20 percent shall be used for research activities required under sections 20 and 21 of the Outer Continental Shelf Lands Act (43 U.S.C. 1346, 1347).”.

(3) in subsection (f), by striking “Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund” and inserting “Safer Oil and Gas Production and Accident Prevention Research Fund”.

(g) CONFORMING AMENDMENT.—Subtitle J of title IX of the Energy Policy Act of 2005 (42 U.S.C. 16371 et seq.) is amended in the subtitle heading by striking “Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Resources” and inserting “Safer Oil and Gas Production and Accident Prevention”.

SEC. 10. NATIONAL COMMISSION ON OUTER CONTINENTAL SHELF OIL SPILL PREVENTION.

(a) ESTABLISHMENT.—There is established in the Legislative branch the National Commission on Outer Continental Shelf Oil Spill Prevention (referred to in this section as the “Commission”).

(b) PURPOSES.—The purposes of the Commission are—

(1) to examine and report on the facts and causes relating to the Deepwater Horizon explosion and oil spill of 2010;

(2) to ascertain, evaluate, and report on the evidence developed by all relevant governmental agencies regarding the facts and circumstances surrounding the incident;

(3) to build upon the investigations of other entities, and avoid unnecessary duplication, by reviewing the findings, conclusions, and recommendations of—

(A) the Committees on Energy and Natural Resources and Commerce, Science, and Transportation of the Senate;

(B) the Committee on Natural Resources and the Subcommittee on Oversight and Investigations of the House of Representatives; and

(C) other Executive branch, congressional, or independent commission investigations into the Deepwater Horizon incident of 2010, other fatal oil platform accidents and major spills, and major oil spills generally;

(4) to make a full and complete accounting of the circumstances surrounding the incident, and the extent of the preparedness of the United States for, and immediate response of the United States to, the incident; and

(5) to investigate and report to the President and Congress findings, conclusions, and

recommendations for corrective measures that may be taken to prevent similar incidents.

(c) COMPOSITION OF COMMISSION.—

(1) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(A) 1 member shall be appointed by the President, who shall serve as Chairperson of the Commission;

(B) 1 member shall be appointed by the majority or minority (as the case may be) leader of the Senate from the Republican Party and the majority or minority (as the case may be) leader of the House of Representatives from the Republican Party, who shall serve as Vice Chairperson of the Commission;

(C) 2 members shall be appointed by the senior member of the leadership of the Senate from the Democratic Party;

(D) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Republican Party;

(E) 2 members shall be appointed by the senior member of the leadership of the Senate from the Republican Party; and

(F) 2 members shall be appointed by the senior member of the leadership of the House of Representatives from the Democratic Party.

(2) QUALIFICATIONS; INITIAL MEETING.—

(A) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(B) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be a current officer or employee of the Federal Government or any State or local government.

(C) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens, with national recognition and significant depth of experience and expertise in such areas as—

- (i) engineering;
- (ii) environmental compliance;
- (iii) health and safety law (particularly oil spill legislation);
- (iv) oil spill insurance policies;
- (v) public administration;
- (vi) oil and gas exploration and production;
- (vii) environmental cleanup; and
- (viii) fisheries and wildlife management.

(D) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before September 15, 2010.

(E) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable after the date of enactment of this Act.

(3) QUORUM; VACANCIES.—

(A) IN GENERAL.—After the initial meeting of the Commission, the Commission shall meet upon the call of the Chairperson or a majority of the members of the Commission.

(B) QUORUM.—6 members of the Commission shall constitute a quorum.

(C) VACANCIES.—Any vacancy in the Commission shall not affect the powers of the Commission, but shall be filled in the same manner in which the original appointment was made.

(d) FUNCTIONS OF COMMISSION.—

(1) IN GENERAL.—The functions of the Commission are—

(A) to conduct an investigation that—

(i) investigates relevant facts and circumstances relating to the Deepwater Horizon incident of April 20, 2010, and the associated oil spill thereafter, including any relevant legislation, Executive order, regulation, plan, policy, practice, or procedure; and

(ii) may include relevant facts and circumstances relating to—

- (I) permitting agencies;
- (II) environmental and worker safety law enforcement agencies;
- (III) national energy requirements;
- (IV) deepwater and ultradeepwater oil and gas exploration and development;
- (V) regulatory specifications, testing, and requirements for offshore oil and gas well explosion prevention;
- (VI) regulatory specifications, testing, and requirements offshore oil and gas well casing and cementing regulation;
- (VII) the role of congressional oversight and resource allocation; and
- (VIII) other areas of the public and private sectors determined to be relevant to the Deepwater Horizon incident by the Commission;

(B) to identify, review, and evaluate the lessons learned from the Deepwater Horizon incident of April 20, 2010, regarding the structure, coordination, management policies, and procedures of the Federal Government, and, if appropriate, State and local governments and nongovernmental entities, and the private sector, relative to detecting, preventing, and responding to those incidents; and

(C) to submit to the President and Congress such reports as are required under this section containing such findings, conclusions, and recommendations as the Commission determines to be appropriate, including proposals for organization, coordination, planning, management arrangements, procedures, rules, and regulations.

(2) RELATIONSHIP TO INQUIRY BY CONGRESSIONAL COMMITTEES.—In investigating facts and circumstances relating to energy policy, the Commission shall—

(A) first review the information compiled by, and any findings, conclusions, and recommendations of, the committees identified in subparagraphs (A) and (B) of subsection (b)(3); and

(B) after completion of that review, pursue any appropriate area of inquiry, if the Commission determines that—

- (i) those committees have not investigated that area;
- (ii) the investigation of that area by those committees has not been completed; or
- (iii) new information not reviewed by the committees has become available with respect to that area.

(e) POWERS OF COMMISSION.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member of the Commission, may, for the purpose of carrying out this section—

(A) hold such hearings, meet and act at such times and places, take such testimony, receive such evidence, and administer such oaths; and

(B) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials;

as the Commission or such subcommittee or member considers to be advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this paragraph only—

(I) by the agreement of the Chairperson and the Vice Chairperson; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), a subpoena issued under this paragraph—

(I) shall bear the signature of the Chairperson or any member designated by a majority of the Commission;

(II) and may be served by any person or class of persons designated by the Chairperson or by a member designated by a majority of the Commission for that purpose.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subparagraph (A), the United States district court for the district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring the person to appear at any designated place to testify or to produce documentary or other evidence.

(ii) JUDICIAL ACTION FOR NONCOMPLIANCE.—Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(iii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this subsection, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes (2 U.S.C. 192 through 194).

(3) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge the duties of the Commission under this section.

(4) INFORMATION FROM FEDERAL AGENCIES.—

(A) IN GENERAL.—The Commission may secure directly from any Executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Federal Government, information, suggestions, estimates, and statistics for the purposes of this section.

(B) COOPERATION.—Each Federal department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish information, suggestions, estimates, and statistics directly to the Commission, upon request made by the Chairperson, the Chairperson of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(C) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall be received, handled, stored, and disseminated only by members of the Commission and the staff of the Commission in accordance with all applicable laws (including regulations and Executive orders).

(5) ASSISTANCE FROM FEDERAL AGENCIES.—

(A) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the functions of the Commission.

(B) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in subparagraph (A), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as are determined to be advisable and authorized by law.

(6) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property, including travel, for the direct advancement of the functions of the Commission.

(7) **POSTAL SERVICES.**—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

(f) **PUBLIC MEETINGS AND HEARINGS.**—

(1) **PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.**—The Commission shall—

(A) hold public hearings and meetings, to the extent appropriate; and

(B) release public versions of the reports required under paragraphs (1) and (2) of subsection (j).

(2) **PUBLIC HEARINGS.**—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of proprietary or sensitive information provided to or developed for or by the Commission as required by any applicable law (including a regulation or Executive order).

(g) **STAFF OF COMMISSION.**—

(1) **IN GENERAL.**—

(A) **APPOINTMENT AND COMPENSATION.**—

(i) **IN GENERAL.**—The Chairperson, in consultation with the Vice Chairperson and in accordance with rules agreed upon by the Commission, may, without regard to the civil service laws (including regulations), appoint and fix the compensation of a staff director and such other personnel as are necessary to enable the Commission to carry out the functions of the Commission.

(ii) **MAXIMUM RATE OF PAY.**—No rate of pay fixed under this subparagraph may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(B) **PERSONNEL AS FEDERAL EMPLOYEES.**—

(i) **IN GENERAL.**—The staff director and any personnel of the Commission who are employees shall be considered to be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(ii) **MEMBERS OF COMMISSION.**—Clause (i) shall not apply to members of the Commission.

(2) **DETAILEES.**—

(A) **IN GENERAL.**—An employee of the Federal Government may be detailed to the Commission without reimbursement.

(B) **CIVIL SERVICE STATUS.**—The detail of the employee shall be without interruption or loss of civil service status or privilege.

(3) **PROCUREMENT OF TEMPORARY AND INTERMITTENT SERVICES.**—The Chairperson of the Commission may procure temporary and intermittent services in accordance with section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(h) **COMPENSATION AND TRAVEL EXPENSES.**—

(1) **COMPENSATION OF MEMBERS.**—

(A) **NON-FEDERAL EMPLOYEES.**—A member of the Commission who is not an officer or employee of the Federal Government shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the performance of the duties of the Commission.

(B) **FEDERAL EMPLOYEES.**—A member of the Commission who is an officer or employee of the Federal Government shall serve without compensation in addition to the compensation received for the services of the member as an officer or employee of the Federal Government.

(2) **TRAVEL EXPENSES.**—A member of the Commission shall be allowed travel expenses,

including per diem in lieu of subsistence, at rates authorized for an employee of an agency under subchapter I of chapter 57 of title 5, United States Code, while away from the home or regular place of business of the member in the performance of the duties of the Commission.

(i) **SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.**—

(1) **IN GENERAL.**—Subject to paragraph (2), the appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the members and staff of the Commission appropriate security clearances, to the maximum extent practicable, pursuant to existing procedures and requirements.

(2) **PROPRIETARY INFORMATION.**—No person shall be provided with access to proprietary information under this section without the appropriate security clearances.

(j) **REPORTS OF COMMISSION; ADJOURNMENT.**—

(1) **INTERIM REPORTS.**—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(2) **FINAL REPORT.**—Not later than 180 days after the date of the enactment of this Act, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of members of the Commission.

(3) **TEMPORARY ADJOURNMENT.**—

(A) **IN GENERAL.**—The Commission, and all the authority provided under this section, shall adjourn and be suspended, respectively, on the date that is 60 days after the date on which the final report is submitted under paragraph (2).

(B) **ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.**—The Commission may use the 60-day period referred to in subparagraph (A) for the purpose of concluding activities of the Commission, including—

(i) providing testimony to committees of Congress concerning reports of the Commission; and

(ii) disseminating the final report submitted under paragraph (2).

(C) **RECONVENING OF COMMISSION.**—The Commission shall stand adjourned until such time as the President or the Secretary of Homeland Security declares an oil spill of national significance to have occurred, at which time—

(i) the Commission shall reconvene in accordance with subsection (c)(3); and

(ii) the authority of the Commission under this section shall be of full force and effect.

(k) **FUNDING.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—There are authorized to be appropriated to carry out this section—

(A) \$10,000,000 for the first fiscal year in which the Commission convenes; and

(B) \$3,000,000 for each fiscal year thereafter in which the Commission convenes.

(2) **AVAILABILITY.**—Amounts made available to carry out this section shall be available—

(A) for transfer to the Commission for use in carrying out the functions and activities of the Commission under this section; and

(B) until the date on which the Commission adjourns for the fiscal year under subsection (j)(3).

(l) **NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.**—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 11. CLASSIFICATION OF OFFSHORE SYSTEMS.

(a) **REGULATIONS.**—

(1) **IN GENERAL.**—Not later than 2 years after the date of enactment of this Act, the Secretary and the Secretary of the Department in which the Coast Guard is operating shall jointly issue regulations requiring systems (including existing systems) used in the offshore exploration, development, and production of oil and gas in the outer Continental Shelf to be constructed, maintained, and operated so as to meet classification, certification, rating, and inspection standards that are necessary—

(A) to protect the health and safety of affiliated workers; and

(B) to prevent environmental degradation.

(2) **THIRD-PARTY VERIFICATION.**—The standards established by regulation under paragraph (1) shall be verified through certification and classification by independent third parties that—

(A) have been preapproved by both the Secretary and the Secretary of the Department in which the Coast Guard is operating; and

(B) have no financial conflict of interest in conducting the duties of the third parties.

(3) **MINIMUM SYSTEMS COVERED.**—At a minimum, the regulations issued under paragraph (1) shall require the certification and classification by an independent third party who meets the requirements of paragraph (2) of—

(A) mobile offshore drilling units;

(B) fixed and floating drilling or production facilities;

(C) drilling systems, including risers and blowout preventers; and

(D) any other equipment dedicated to the safety systems relating to offshore extraction and production of oil and gas.

(4) **EXCEPTIONS.**—The Secretary and the Secretary of the Department in which the Coast Guard is operating may waive the standards established by regulation under paragraph (1) for an existing system only if—

(A) the system is of an age or type where meeting such requirements is impractical; and

(B) the system poses an acceptably low level of risk to the environment and to human safety.

(b) **AUTHORITY OF COAST GUARD.**—Nothing in this section preempts or interferes with the authority of the Coast Guard.

SEC. 12. SAVINGS PROVISIONS.

(a) **EXISTING LAW.**—All regulations, rules, standards, determinations, contracts and agreements, memoranda of understanding, certifications, authorizations, appointments, delegations, results and findings of investigations, or any other actions issued, made, or taken by, or pursuant to or under, the authority of any law (including regulations) that resulted in the assignment of functions or activities to the Secretary, the Director of the Minerals Management Service (including by delegation from the Secretary), or the Department (as related to the implementation of the purposes referenced in this Act) that were in effect on the date of enactment of this Act shall continue in full force and effect after the date of enactment of this Act unless previously scheduled to expire or until otherwise modified or rescinded by this Act or any other Act.

(b) **EFFECT ON OTHER AUTHORITIES.**—This Act does not amend or alter the provisions of other applicable laws, unless otherwise noted.

SEC. 13. BUDGETARY EFFECTS.

The budgetary effects of this Act, for the purpose of complying with the Statutory

Pay-As-You-Go Act of 2010, shall be determined by reference to the latest statement titled "Budgetary Effects of PAYGO Legislation" for this Act, submitted for printing in the Congressional Record by the Chairman of the Senate Budget Committee, provided that such statement has been submitted prior to the vote on passage.

By Mr. HARKIN (for himself and Mrs. GILLIBRAND):

S. 919. A bill to authorize grant programs to ensure successful, safe, and healthy students; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, one of our greatest national priorities is ensuring that all students in all schools are in settings that are safe; classrooms that support learning; situations that ensure our children will be successful.

To be a successful student, to be a contributing citizen to our democracy, to be prepared for college and the workforce of tomorrow, our students need to be of sound mind, of sound body, and have access to resources that will support their success.

Students who travel to school safely; who attend classes in structurally sound buildings where the adults model positive teamwork and collaboration skills; where good nutrition is available and where opportunities for physical activity are available and expected; where they have a safe, supportive social environment, students who have all of these conditions in their schools will be prepared to achieve high academic standards.

In a country where almost one in every five children is obese, where thousands of students are bullied and harassed daily, and where access to high-quality mental and physical health care is limited, students must have these basic conditions for learning in order to be successful.

While the Department of Justice reports that the rate of serious incidents of school violence continue to decline, according to the National Center for Education Statistics, bullying remains a pervasive problem that affects almost one in four students each year. As we have seen in recent times, sometimes bullying results in the worst possible tragedy, the death of a child.

Fifteen-year-old Phoebe Prince, a freshman at South Hadley High School in Massachusetts, endured nearly three months of routine torment by classmates. On January 14, 2010, Phoebe hanged herself in the stairwell of her family's home, following weeks of taunting by classmates. The day before she died, she told a friend: "School has been close to intolerable lately." In California, thirteen-year-old Seth Walsh committed suicide this past October because of the bullying he experienced in his school. We need to have the expectations in all of our schools that all students will be valued and all

students will have a safe haven to learn and achieve. In New York City, middle schooler Gurwinder Singh was targeted by bullies who bashed his head into a metal pole while bystanders watched, because of his Sikh religion. Luckily, Gurwinder survived, and has become an outspoken proponent of bullying prevention. We cannot stand idly by when school becomes a hostile place for kids.

Thus, today, I am introducing the Successful, Safe and Healthy Students Act. This legislation will advance student achievement and promote the positive physical, mental, and emotional health of students throughout the nation. It will help to reduce violence in schools, prevent bullying and harassment, help students make responsible choices about drugs, tobacco, and alcohol, and create the type of school environments where students can do their best work and achieve the highest possible academic outcomes, while also becoming healthy, happy and productive members of their communities.

Essential conditions for learning include schools that provide for adequate physical activity, positive mental health, and safe environments. Those conditions include physical and emotional safety for both students and school personnel and promote positive character development in our youth. Schools with the essential conditions for learning also provide for opportunities for good nutrition and healthy living, and are free of violence, harassment, bullying and other forms of interpersonal aggression. Schools that have the right conditions for learning are free of weapons and prevent the use and abuse of drugs and alcohol. And schools with good conditions for learning have positive adult role models with high expectations for students' development, conduct, and academic achievement.

For those who might be skeptical about these critical conditions for learning, we only need to look to the States and their efforts to improve school performance and accountability. Many States are moving beyond the limited measures of school performance required by No Child Left Behind and have started to collect data on school-wide factors that are associated with student success. Some of these areas include school climate, physical activity of students, and physical and emotional safety. In fact, a March 2011 report from the RAND Corporation indicated that many States are now establishing accountability systems that include school safety, school climate, family involvement, and student engagement.

This legislation will provide to each State the support necessary to measure the conditions for learning in each school in each school in the State. Resources will also be available to offer grants to school districts to establish

policies and activities to improve the conditions for learning in each of their schools. This legislation gives State and local school districts the resources and opportunities to create safe, healthy schools that will enhance the academic achievement of students.

This legislation is an essential tool for our States and local schools to support students who are prepared for college, a career, and to be world-class citizens.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 919

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Successful, Safe, and Healthy Students Act of 2011".

SEC. 2. PURPOSE.

The purpose of this Act is to assist States in developing and implementing comprehensive programs and strategies to foster positive conditions for learning in public schools, in order to increase academic achievement for all students through the provision of Federal assistance to States for—

- (1) promotion of student physical health and well-being, nutrition, and fitness;
- (2) promotion of student mental health and well-being;
- (3) prevention of violence, harassment (which includes bullying), and substance abuse among students; and
- (4) promotion of safe and supportive schools.

SEC. 3. DEFINITIONS.

In this Act:

(1) CHILD AND ADOLESCENT PSYCHIATRIST; OTHER QUALIFIED PSYCHOLOGIST; SCHOOL COUNSELOR; SCHOOL PSYCHOLOGIST; SCHOOL SOCIAL WORKER.—The terms "child and adolescent psychiatrist", "other qualified psychologist", "school counselor", "school psychologist", and "school social worker" shall have the meanings given the terms in section 5421(e) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7245(e)).

(2) CONDITIONS FOR LEARNING.—The term "conditions for learning" means conditions that advance student achievement and positive child and youth development by proactively supporting schools (inclusive of in and around the school building, pathways to and from the school and students' homes, school-sponsored activities, and electronic and social media involving students or school personnel) that—

- (A) promote physical, mental, and emotional health;
- (B) ensure physical and emotional safety for students and staff;
- (C) promote social, emotional, and character development; and
- (D) have the following attributes:
 - (i) Provide opportunities for physical activity, good nutrition, and healthy living.
 - (ii) Are free of harassment (which includes bullying), abuse, dating violence, and all other forms of interpersonal aggression or violence.
 - (iii) Prevent use and abuse of drugs (including tobacco, alcohol, illegal drugs, and unauthorized use of pharmaceuticals).

(iv) Are free of weapons.
 (v) Do not condone or tolerate unhealthy or harmful behaviors, including discrimination of any kind.

(vi) Help staff and students to model positive social and emotional skills, including tolerance and respect for others.

(vii) Promote concern for the well-being of students, including through the presence of caring adults.

(viii) Employ adults who have—

(I) high expectations for student conduct, character, and academic achievement; and

(II) the capacity to establish supportive relationships with students.

(ix) Engage families and community members in meaningful and sustained ways to promote positive student academic achievement, developmental, and social outcomes.

(3) CONDITIONS FOR LEARNING MEASUREMENT SYSTEM.—

(A) IN GENERAL.—The term “conditions for learning measurement system” means a State reporting and information system that measures conditions for learning in the State and is, to the extent possible, part of the State’s statewide longitudinal data system and with the State’s system for reporting the data required under section 1111 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311).

(B) DESCRIPTION OF SYSTEM.—Such system shall—

(i) contain, at a minimum, data from valid and reliable surveys of students and staff and the indicators in clause (ii) that allow staff at the State, local educational agencies, and schools to examine and improve school-level conditions for learning;

(ii) collect school-level data on—

(I) physical education indicators;

(II) individual student attendance and truancy;

(III) in-school suspensions, out-of-school suspensions, expulsions, referrals to law enforcement, school-based arrests, and disciplinary transfers (including placements in alternative schools) by student;

(IV) the frequency, seriousness, and incidence of violence and drug-related offenses resulting in disciplinary action in elementary schools and secondary schools in the State; and

(V) the incidence and prevalence, age of onset, perception of health risk, and perception of social disapproval of drug use and violence, including harassment (which includes bullying), by youth and school personnel in schools and communities;

(iii) collect and report data, including, at a minimum, the data described in subclauses (II), (III), and (V) of clause (ii), in the aggregate and disaggregated by the categories of race, ethnicity, gender, disability status, migrant status, English proficiency, and status as economically disadvantaged, and cross tabulated across all of such categories by gender and by disability;

(iv) protect student privacy, consistent with applicable data privacy laws and regulations, including section 444 of the General Education Provisions Act (20 U.S.C. 1232g, commonly known as the “Family Educational Rights and Privacy Act of 1974”); and

(v) to the extent possible, utilize a web-based reporting system.

(C) COMPILING STATISTICS.—In compiling the statistics required to measure conditions for learning in the State—

(i) the offenses described in subparagraph (B)(ii)(IV) shall be defined pursuant to the State’s criminal code, and aligned to the extent possible, with the Federal Bureau of In-

vestigation’s Uniform Crime Reports categories, but shall not identify victims of crimes or persons accused of crimes and the collected data shall include incident reports by school officials, anonymous student surveys, and anonymous teacher surveys;

(ii) the performance metrics that are established under section 5(i) shall be collected and the performance on such metrics shall be defined and reported uniformly statewide;

(iii) the State shall collect, analyze, and use the data under subparagraph (B)(ii), as required under section 5(g)(5), at least annually, except the indicators under subparagraph (B)(ii)(V) may be collected, at a minimum, every 2 years; and

(iv) grant recipients and subgrant recipients shall use the data for planning and continuous improvement of activities implemented under this Act, and may collect data for indicators that are locally defined, and that are not reported to the State, to meet local needs (so long as such indicators are aligned with the conditions for learning).

(4) DRUG AND VIOLENCE PREVENTION.—The term “drug and violence prevention” means—

(A) with respect to drugs, prevention, early intervention, rehabilitation referral, or education related to the abuse and illegal use of drugs (including tobacco, alcohol, illegal drugs, and unauthorized use of pharmaceuticals) to—

(i) raise awareness about the costs and consequences of substance use and abuse;

(ii) change attitudes, perceptions, and social norms about the dangers and acceptability of alcohol, tobacco, and drugs; and

(iii) reduce access to and use of alcohol, tobacco, and drugs; and

(B) with respect to violence, the promotion of school safety on school premises, going to and from school, and at school-sponsored activities, through the creation and maintenance of a school environment that—

(i) is free of weapons;

(ii) fosters individual responsibility and respect for the rights and dignity of others;

(iii) employs positive, preventative approaches to school discipline, such as schoolwide positive behavior supports and restorative justice, that improve student engagement while minimizing students’ removal from instruction and reducing disparities among the subgroups of students described in section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)); and

(iv) demonstrates preparedness and readiness to respond to, and recover from, incidents of school violence, such that students and school personnel are free from—

(I) violent and disruptive acts;

(II) harassment (which includes bullying);

(III) sexual harassment, dating violence, and abuse; and

(IV) victimization associated with prejudice and intolerance.

(5) ELIGIBLE LOCAL APPLICANT.—The term “eligible local applicant” means a local educational agency, a consortium of local educational agencies, or a nonprofit organization that has a track record of success in implementing the proposed activities and has signed a memorandum of understanding with a local educational agency or consortium of local educational agencies to—

(A) implement school-based activities; and

(B) conduct school-level measurement of conditions for learning that are consistent with this Act.

(6) HARASSMENT.—The term “harassment” means conduct, including bullying, that is sufficiently severe, persistent, or pervasive

to limit a student’s ability to participate in or benefit from a program or activity of a public school or educational agency, or to create a hostile or abusive educational environment at a program or activity of a public school or educational agency, including acts of verbal, nonverbal, or physical aggression, intimidation, or hostility, if such conduct is based on—

(A) a student’s actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion;

(B) the actual or perceived race, color, national origin, sex, disability, sexual orientation, gender identity, or religion of a person with whom a student associates or has associated; or

(C) any other distinguishing characteristics that may be defined by a State or local educational agency.

(7) LOCAL EDUCATIONAL AGENCY.—The term “local educational agency” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

(8) PHYSICAL EDUCATION INDICATORS.—The term “physical education indicators” means a set of measures for instruction on physical activity, health-related fitness, physical competence, and cognitive understanding about physical activity. Such indicators shall be publicly reported annually in the State’s conditions for learning measurement system, and shall include—

(A) for the State, for each local educational agency in the State, and for each school in the State, the average number of minutes that all students spend in required physical education, and the average number of minutes that all students engage in moderate to vigorous physical activity, as measured against established recommended guidelines of the Centers for Disease Control and Prevention and the Department of Health and Human Services;

(B) for the State, the percentage of local educational agencies that have a required, age-appropriate physical education curriculum that adheres to Centers for Disease Control and Prevention guidelines and State standards;

(C) for the State, for each local educational agency in the State, and for each school in the State, the percentage of elementary school and secondary school physical education teachers who are State licensed or certified to teach physical education;

(D) for the State, and for each local educational agency in the State, the percentage of schools that have a State certified or licensed physical education teacher certified in adapted physical education; and

(E) for each school in the State, the number of indoor square feet and the number of outdoor square feet used primarily for physical education.

(9) PROGRAMS TO PROMOTE MENTAL HEALTH.—The term “programs to promote mental health” means programs that—

(A) develop students’ social and emotional competencies; and

(B) link students with local mental health systems as follows:

(i) Enhance, improve, or develop collaborative efforts between school-based service systems and mental health service systems to provide, enhance, or improve prevention, diagnosis, and treatment services to students, and to improve student social emotional competencies.

(ii) Enhance the availability of crisis intervention services, appropriate referrals for students potentially in need of mental

health services, including suicide prevention, and ongoing mental health services.

(iii) Provide training for the school personnel and mental health professionals who will participate in the program.

(iv) Provide technical assistance and consultation to school systems, mental health agencies, and families participating in the program.

(v) Provide services that establish or expand school counseling and mental health programs that—

(I) are comprehensive in addressing the counseling, social, emotional, behavioral, mental health, and educational needs of all students;

(II) use a developmental, preventive approach to counseling and mental health services;

(III) are linguistically appropriate and culturally responsive;

(IV) increase the range, availability, quantity, and quality of counseling and mental health services in the elementary schools and secondary schools of the local educational agency;

(V) expand counseling and mental health services through school counselors, school social workers, school psychologists, other qualified psychologists, or child and adolescent psychiatrists;

(VI) use innovative approaches to—

(aa) increase children's understanding of peer and family relationships, work and self, decisionmaking, or academic and career planning; or

(bb) improve peer interaction;

(VII) provide counseling and mental health services in settings that meet the range of student needs;

(VIII) include professional development appropriate to the activities covered in this paragraph for teachers, school leaders, instructional staff, and appropriate school personnel, including training in appropriate identification and early intervention techniques by school counselors, school social workers, school psychologists, other qualified psychologists, or child and adolescent psychiatrists;

(IX) ensure a team approach to school counseling and mental health services in the schools served by the local educational agency;

(X) ensure work toward ratios recommended—

(aa) by the American School Counselor Association of 1 school counselor to 250 students;

(bb) by the School Social Work Association of America of 1 school social worker to 400 students; and

(cc) by the National Association of School Psychologists of 1 school psychologist to 700 students; and

(XI) ensure that school counselors, school psychologists, other qualified psychologists, school social workers, or child and adolescent psychiatrists paid from funds made available under this program spend a majority of their time counseling or providing mental health services to students or in other activities directly related to such processes.

(10) PROGRAMS TO PROMOTE PHYSICAL ACTIVITY, EDUCATION, FITNESS, AND NUTRITION.—The term “programs to promote physical activity, education, fitness, and nutrition” means programs that increase and enable active student participation in physical well-being activities and provide teacher professional development. Such programs shall be comprehensive in nature, and include opportunities for professional development for

teachers of physical education to stay abreast of the latest research, issues, and trends in the field of physical education, and 1 or more of the following activities:

(A) Fitness education and assessment to help students understand, improve, or maintain their physical well-being.

(B) Instruction in a variety of motor skills and physical activities designed to enhance the physical, mental, social, and emotional development of every student.

(C) Development of, and instruction in, cognitive concepts about motor skill and physical fitness that support a lifelong healthy lifestyle.

(D) Opportunities to develop positive social and cooperative skills through physical activity.

(E) Instruction in healthy eating habits and good nutrition.

(11) SECRETARY.—The term “Secretary” means the Secretary of Education.

(12) STATE.—The term “State” has the meaning given the term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

SEC. 4. RESERVATIONS.

From amounts made available under section 9, the Secretary shall reserve—

(1) for the first 3 years for which funding is made available under such section to carry out this Act—

(A) not more than 30 percent of such amounts or \$30,000,000, whichever amount is more, for State conditions for learning measurement system grants, distributed to every State (by an application process consistent with section 5(d)(1)) in an amount proportional to each State's share of funding under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.), to develop the State's conditions for learning measurement system, and to conduct a needs analysis to meet the requirements of section 5(d)(2)(D); and

(B) not more than 68 percent of such amounts for Successful, Safe, and Healthy Students State Grants under section 5;

(2) for the fourth year and each subsequent year for which funding is made available under section 9 to carry out this Act, not less than 98 percent of such amounts for Successful, Safe, and Healthy Students State Grants under section 5; and

(3) in each year for which funding is made available under section 9 to carry out this Act, not more than 2 percent of such amounts for technical assistance and evaluation.

SEC. 5. SUCCESSFUL, SAFE, AND HEALTHY STUDENTS STATE GRANTS.

(a) PURPOSE.—The purpose of this section is to provide funding to States to implement comprehensive programs that address conditions for learning in schools in the State. Such programs shall be based on—

(1) scientifically valid research; and

(2) an analysis of need that considers, at a minimum, the indicators in the conditions for learning measurement system.

(b) STATE GRANTS.—

(1) IN GENERAL.—From amounts reserved under section 4 for Successful, Safe, and Healthy Students State Grants, the Secretary shall award grants to States to carry out the purpose of this section.

(2) AWARDS TO STATES.—

(A) FORMULA GRANTS.—If the total amount reserved under section 4 for Successful, Safe, and Healthy Students State Grants for a fiscal year is \$500,000,000 or more, the Secretary shall allot to each State with an approved application an amount that bears the same relationship to such total amount as the

amount received under part A of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311 et seq.) by such State for such fiscal year bears to the amount received under such part for such fiscal year by all States.

(B) COMPETITIVE GRANTS.—

(i) IN GENERAL.—If the total amount reserved under section 4 for Successful, Safe, and Healthy Students State Grants for a fiscal year is less than \$500,000,000, the Secretary shall award grants under this section on a competitive basis.

(ii) SUFFICIENT SIZE AND SCOPE.—In awarding grants on a competitive basis pursuant to clause (i), the Secretary shall ensure that grant awards are of sufficient size and scope to carry out required and approved activities under this section.

(c) ELIGIBILITY.—To be eligible to receive a grant under this section, a State shall demonstrate that it has—

(1) established a statewide physical education requirement that is consistent with widely recognized standards; and

(2) required all local educational agencies in the State to—

(A) establish policies that prevent and prohibit harassment (which includes bullying) in schools; and

(B) provide—

(i) annual notice to parents and students describing the full range of prohibited conduct contained in such local educational agency's discipline policies; and

(ii) grievance procedures for students or parents to register complaints regarding the prohibited conduct contained in such local educational agency's discipline policies, including—

(I) the name of the local educational agency officials who are designated as responsible for receiving such complaints; and

(II) timelines that the local educational agency will follow in the resolution of such complaints.

(d) APPLICATIONS.—

(1) IN GENERAL.—A State that desires to receive a grant under this section shall submit an application at such time, in such manner, and containing such information as the Secretary may require.

(2) CONTENT OF APPLICATION.—At a minimum, the application shall include—

(A) documentation of the State's eligibility to receive a grant under this section, as described in subsection (c);

(B) an assurance that the policies used to prohibit harassment (which includes bullying) in schools required under subsection (c)(2)(A) emphasize alternatives to school suspension that minimize students' removal from grade-level instruction, promote mental health, and only allow out-of-school punishments in severe or persistent cases;

(C) a plan for improving conditions for learning in schools in the State in a manner consistent with the requirements of the program that may be a part of a broader statewide child and youth plan, if such a plan exists and is consistent with the requirements of this Act;

(D) a needs analysis of the conditions for learning in schools in the State, which—

(i) shall include a description of, and data measuring, the State's conditions for learning; and

(ii) may be a part of a broader statewide child and youth needs analysis, if such an analysis exists and is consistent with the requirements of this Act;

(E) a description of how the activities the State proposes to implement with grant funds are responsive to the results of the

needs analysis described in subparagraph (C); and

(F) a description of how the State will—

(i) develop, adopt, adapt, or implement the State's conditions for learning measurement system, and how the State will ensure that all local educational agencies and schools in the State participate in such system;

(ii) ensure the quality of the State's conditions for learning data collection, including the State's plan for survey administration and for ensuring the reliability and validity of survey instruments;

(iii) coordinate the proposed activities with other Federal and State programs, including programs funded under this Act, which may include programs to expand learning time and for before- and after-school programming in order to provide sufficient time to carry out the activities described in this Act;

(iv) assist local educational agencies to align activities with funds the agencies receive under the program with other funding sources in order to support a coherent and non-duplicative program;

(v) solicit and approve subgrant applications, including how the State will—

(I) allocate funds for statewide activities and subgrants for each year of the grant, consistent with allocation requirements under subsection (h)(2); and

(II) consider the results of the analysis described in subparagraph (C) in the State's distribution of subgrants;

(vi) address the needs of diverse geographic areas in the State, including rural and urban communities;

(vii) provide assistance to local educational agencies and schools in their efforts to prevent and appropriately respond to incidents of harassment (which includes bullying), including building the capacity of such agencies and schools to educate family and community members regarding the agencies' and schools' respective roles in preventing and responding to such incidents; and

(viii) provide assistance to local educational agencies and schools in their efforts to implement positive, preventative approaches to school discipline, such as schoolwide positive behavior supports and restorative justice, that improve student engagement while minimizing students' removal from instruction and reducing significant school discipline rates and disciplinary disparities among the subgroups of students described in section 1111(b)(2)(C)(v) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(2)(C)(v)).

(3) PEER REVIEW.—The Secretary shall establish a peer review process to review applications submitted under this subsection.

(e) DURATION.—

(1) IN GENERAL.—A State that receives a grant under this section may receive funding for not more than 5 years in accordance with this subsection.

(2) INITIAL PERIOD.—The Secretary shall award grants under this section for an initial period of not more than 3 years.

(3) GRANT EXTENSION.—The Secretary may extend a competitive grant awarded to a State under this section for not more than an additional 2 years if the State shows sufficient improvement, as determined by the Secretary, against baseline data for the performance metrics established under subsection (i).

(f) RESERVATION AND USE OF FUNDS.—A State that receives a grant under this section shall—

(1) reserve not more than 10 percent of the grant funds for administration of the pro-

gram, technical assistance, and the development, improvement, and implementation of the State's conditions for learning measurement system, as described in paragraphs (1) through (5) of subsection (g); and

(2) use the remainder of grant funds after making the reservation under paragraph (1) to award subgrants, on a competitive basis, to eligible local applicants.

(g) REQUIRED STATE ACTIVITIES.—A State that receives a grant under this section shall—

(1) not later than 1 year after receipt of the grant, develop, adapt, improve, or adopt and implement a statewide conditions for learning measurement system (unless the State can demonstrate, to the satisfaction of the Secretary, that an appropriate system has already been implemented) that annually measures the State's progress in the conditions for learning for every public school in the State;

(2) collect information in each year of the grant on the conditions for learning at the school-building level through comprehensive needs assessments of students, school staff, and family perceptions, experiences, and behaviors;

(3) collect annual incident data at the school-building level that are accurate and complete;

(4) publicly report, at the school level and district level, the data collected in the conditions for learning measurement system each year in a timely and highly accessible manner;

(5) use, on a continuous basis, the results of the conditions for learning measurement system to—

(A) identify and address conditions for learning statewide;

(B) help subgrantees identify and address school and student needs; and

(C) provide individualized assistance to the lowest-performing schools (consistent with section 1116 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316)) and schools with significant conditions for learning weaknesses as identified through the conditions for learning measurement system with implementation of activities under this Act; and

(6) award subgrants, consistent with subsection (h), to eligible local applicants.

(h) SUBGRANTS.—

(1) IN GENERAL.—

(A) AWARDING OF SUBGRANTS.—A State that receives a grant under this section shall award subgrants, on a competitive basis, to eligible local applicants (which may apply in partnership with 1 or more community-based organizations)—

(i) based on need as identified by data from State and local conditions for learning measurement systems;

(ii) that are of sufficient size and scope to enable subgrantees to carry out approved activities; and

(iii) to implement programs that—

(I) are comprehensive in nature;

(II) are based on scientifically valid research;

(III) are consistent with achieving the conditions for learning;

(IV) are part of a strategy to achieve all the conditions for learning; and

(V) address 1 or more of the categories described in paragraph (2)(A).

(B) ASSISTANCE.—A State that receives a grant under this section shall provide assistance to subgrant applicants and recipients in the selection of scientifically valid programs and interventions.

(2) ALLOCATION.—

(A) IN GENERAL.—In awarding subgrants under this section, each State shall ensure that, for the aggregate of all subgrants awarded by the State—

(i) not less than 20 percent of the subgrant funds are allocated to carry out drug and violence prevention;

(ii) not less than 20 percent of the subgrant funds are allocated to carry out programs to promote mental health; and

(iii) not less than 20 percent of the subgrant funds are allocated to carry out programs to promote physical activity, education, fitness, and nutrition.

(B) RULE OF CONSTRUCTION.—Nothing in this section shall be construed to require States, in making subgrants to eligible local applicants, to require subgrant recipients to use 20 percent of grant funds for drug and violence prevention, 20 percent of grant funds for the promotion of mental health, and 20 percent of grant funds for the promotion of physical activity, education, fitness, and nutrition.

(3) APPLICATIONS.—An eligible local applicant that desires to receive a subgrant under this subsection shall submit to the State an application at such time, in such manner, and containing such information as the State may require.

(4) PRIORITY.—In awarding subgrants under this subsection, a State shall give priority to applications that—

(A) demonstrate the greatest need according to the results of the State's conditions for learning survey; and

(B) propose to serve schools with the highest concentrations of poverty, based on the percentage of students receiving or are eligible to receive a free or reduced price lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.).

(5) ACTIVITIES OF SUBGRANT RECIPIENTS.—Each recipient of a subgrant under this subsection shall, for the duration of the subgrant—

(A) carry out activities—

(i) the need for which has been identified, at a minimum, through the conditions for learning measurement system; and

(ii) that are part of a comprehensive strategy or framework to address such need, in 1 or more of the 3 categories identified in paragraph (2)(A);

(B) ensure that each framework, intervention, or program selected be based on scientifically valid research and be used for the purpose for which such framework, intervention, or program was found to be effective;

(C) use school-level data from the statewide conditions for learning measurement system to inform the implementation and continuous improvement of activities carried out under this Act;

(D) use data from the statewide conditions for learning measurement system to identify challenges outside of school or off school grounds, (including the need for safe passages for students to and from school), and collaborate with 1 or more community-based organization to address such challenges;

(E) collect and report to the State educational agency, data for schools served by the subgrant recipient, in a manner consistent with the State's conditions for learning measurement system;

(F) establish policies to expand access to quality physical activity opportunities, (including school wellness policies) and establish active school wellness councils, consistent with the requirements of the Child Nutrition Act of 1966 (42 U.S.C. 1771 et seq.),

which may be part of existing school councils, if such councils exist and have the capacity and willingness to address school wellness;

(G) engage family members and community-based organizations in the development of conditions for learning surveys, and in the planning, implementation, and review of the subgrant recipient's efforts under this Act; and

(H) consider and accommodate the unique needs of students with disabilities and English language learners in implementing activities.

(i) ACCOUNTABILITY.—

(1) ESTABLISHMENT OF PERFORMANCE METRICS.—The Secretary, acting through the Director of the Institute of Education Sciences, shall establish program performance metrics to measure the effectiveness of the activities carried out under this Act.

(2) ANNUAL REPORT.—Each State that receives a grant under this Act shall prepare and submit an annual report to the Secretary, which shall include information relevant to the conditions for learning, including on progress towards meeting outcomes for the metrics established under paragraph (1).

SEC. 6. FUNDS RESERVED FOR SECRETARY.

From the amount reserved under section 4(3), the Secretary shall—

(1) direct the Institute of Education Sciences to conduct an evaluation of the impact of the practices funded or disseminated by the Successful, Safe, and Healthy Students State Grants program; and

(2) provide technical assistance to applicants, recipients, and subgrant recipients of the programs funded under this Act.

SEC. 7. PROHIBITED USES OF FUNDS.

No funds appropriated under this Act may be used to pay for—

(1) school resource officer or other security personnel salaries, metal detectors, security cameras, or other security-related salaries, equipment, or expenses;

(2) drug testing programs; or

(3) the development, establishment, implementation, or enforcement of zero-tolerance discipline policies, other than those expressly required under the Gun-Free Schools Act (20 U.S.C. 7151 et seq.).

SEC. 8. FEDERAL AND STATE NONDISCRIMINATION LAWS.

Nothing in this Act shall be construed to invalidate or limit nondiscrimination principles or rights, remedies, procedures, or legal standards available to victims of discrimination under any other Federal law or law of a State or political subdivision of a State, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 or 505 of the Rehabilitation Act of 1973 (29 U.S.C. 794 and 794a), or the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.). The obligations imposed by this Act are in addition to those imposed by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), and the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.).

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$1,000,000,000 for fiscal year 2012 and such sums as may be necessary for each of the 5 succeeding fiscal years.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 173—DESIGNATING THE WEEK OF MAY 1 THROUGH MAY 7, 2011, AS “NATIONAL PHYSICAL EDUCATION AND SPORT WEEK”

Ms. KLOBUCHAR (for herself and Mr. THUNE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 173

Whereas a decline in physical activity has contributed to the unprecedented epidemic of childhood obesity, which has more than tripled in the United States since 1980;

Whereas regular physical activity is necessary to support normal and healthy growth in children and is essential to the continued health and well-being of children;

Whereas according to the Centers for Disease Control, overweight adolescents have a 70 to 80 percent chance of becoming overweight adults, increasing their risk for chronic disease, disability, and death;

Whereas physical activity reduces the risk of heart disease, high blood pressure, diabetes, and certain types of cancers;

Whereas type 2 diabetes can no longer be referred to as “late in life” or “adult onset” diabetes because type 2 diabetes presently occurs in children as young as 10 years old;

Whereas the Physical Activity Guidelines for Americans issued by the Department of Health and Human Services recommend that children engage in at least 60 minutes of physical activity on most, and preferably all, days of the week;

Whereas according to the Centers for Disease Control, only 19 percent of high school students are meeting the goal of 60 minutes of physical activity each day;

Whereas children spend many of their waking hours at school and, as a result, need to be active during the school day to meet the recommendations of the Physical Activity Guidelines for Americans;

Whereas nationally, according to the Centers for Disease Control, 1 out of 4 children does not attend any school physical education classes, and fewer than 1 in 4 children get 20 minutes of vigorous activity every day;

Whereas teaching children about physical education and sports not only ensures that the children are physically active during the school day, but also educates the children on how to be physically active and the importance of physical activity;

Whereas according to a 2006 survey by the Department of Health and Human Services, 3.8 percent of elementary schools, 7.9 percent of middle schools, and 2.1 percent of high schools provide daily physical education (or an equivalent) for the entire school year, and 22 percent of schools do not require students to take any physical education courses at all;

Whereas according to that 2006 survey, 13.7 percent of elementary schools, 15.2 percent of middle schools, and 3.0 percent of high schools provide physical education (or an equivalent) at least 3 days per week for the entire school year for students in all grades in the school;

Whereas research shows that fit and active children are more likely to thrive academically;

Whereas increased time in physical education classes can help the attention, concentration, and achievement test scores of children;

Whereas participation in sports teams and physical activity clubs, often organized by the school and run outside of the regular school day, can improve grade point average, school attachment, educational aspirations, and the likelihood of graduation;

Whereas participation in sports and physical activity improves self-esteem and body image in children and adults;

Whereas children and youths who partake in physical activity and sports programs have increased motor skills, healthy lifestyles, social skills, a sense of fair play, strong teamwork skills, self-discipline, and avoidance of risky behaviors;

Whereas the social and environmental factors affecting children are in the control of the adults and the communities in which the children live, and therefore, the people of the United States share a collective responsibility in reversing the childhood obesity epidemic;

Whereas if efforts are made to intervene with unfit children to bring those children to physically fit levels, then there may also be a concomitant rise in the academic performance of those children; and

Whereas Congress strongly supports efforts to increase physical activity and participation of children and youth in sports: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 1 through May 7, 2011, as “National Physical Education and Sport Week”;;

(2) recognizes National Physical Education and Sport Week and the central role of physical education and sports in creating a healthy lifestyle for all children and youth;

(3) supports the implementation of local school wellness policies (as that term is described in section 9A of the Richard B. Russell National School Lunch Act (42 U.S.C. 1758b)) that include ambitious goals for physical education, physical activity, and other activities that address the childhood obesity epidemic and promote child wellness; and

(4) encourages schools to offer physical education classes to students and work with community partners to provide opportunities and safe spaces for physical activities before and after school and during the summer months for all children and youth.

SENATE RESOLUTION 174—EXPRESSING THE SENSE OF THE SENATE THAT EFFECTIVE SHARING OF PASSENGER INFORMATION FROM INBOUND INTERNATIONAL FLIGHT MANIFESTS IS A CRUCIAL COMPONENT OF OUR NATIONAL SECURITY AND THAT THE DEPARTMENT OF HOMELAND SECURITY MUST MAINTAIN THE INFORMATION SHARING STANDARDS REQUIRED UNDER THE 2007 PASSENGER NAME RECORD AGREEMENT BETWEEN THE UNITED STATES AND THE EUROPEAN UNION

Mr. LIEBERMAN (for himself and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 174

Whereas the National Commission on Terrorist Attacks Upon the United States—

(1) found that “[t]argeting travel is at least as powerful a weapon against terrorists as targeting their money”; and

(2) recommended that the United States “combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorist, find terrorist travel facilitators, and constrain terrorist mobility”;

Whereas terrorists continue to target international travel to the United States, as evidenced by Umar Farouk Abdulmutallab’s attempt to detonate a bomb on board Northwest Airlines Flight 253 on December 25, 2009, en route from Amsterdam to Detroit;

Whereas Congress responded to the attacks of September 11, 2001, by mandating that all air carriers flying into the United States provide passenger name record (referred to in this resolution as “PNR”) data concerning all inbound passengers to U.S. Customs and Border Protection to assist the Department of Homeland Security in fulfilling its missions of protecting the border and enhancing border security;

Whereas there is bipartisan agreement on the need to collect and share passenger travel data, which—

(1) has served as a cornerstone for interdicting terrorists by the administrations of President Barack Obama and former President George W. Bush; and

(2) continues to fulfill the mandate for increased information sharing set by Congress in—

(A) the Aviation and Transportation Security Act (Public Law 107-71);

(B) the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458);

(C) the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53); and

(D) other laws requiring information sharing internationally and within the United States Government to promote greater security;

Whereas the Implementing Recommendations of the 9/11 Commission Act of 2007 required nations to enter into an agreement to exchange passenger information with the United States in order to qualify for the United States’ visa waiver program;

Whereas international law and treaties have recognized that—

(1) advance information about travelers is a critical tool in identifying high-risk passengers; and

(2) the intelligence gained from the analysis of passenger travel data is critical for—

(A) protecting the United States against terrorists entering the United States; and

(B) preventing terrorists from boarding international flights bound for the United States;

Whereas the Agreement Between the United States of America and the European Union on the Processing and Transfer of Passenger Name Record (PNR) Data by Air Carriers to the United States Department of Homeland Security (DHS), done at Brussels and Washington on July 23 and 26, 2007 (referred to in this resolution as the “EU-U.S. PNR Agreement”)—

(1) succeeded a series of agreements between 2002 and October 2006;

(2) was intended to remain in effect until 2014; and

(3) complied with European Union and United States privacy laws by providing assurances that the United States would use PNR data for limited purposes;

Whereas PNR data gathered pursuant to the EU-U.S. PNR Agreement has been used to identify and arrest a number of dangerous terrorists, including—

(1) David Headley, who was planning an attack on Denmark and who contributed to the tragedy in Mumbai; and

(2) Faisal Shahzad, who was attempting to flee the country after attempting to set off a car-bomb in Times Square.

Whereas PNR data has been used to prevent the travel of many other individuals considered to be national security threats or otherwise inadmissible to the United States;

Whereas the privacy protections in the current EU-U.S. PNR Agreement are robust, and a February 2010 joint review by both signatories found no privacy violations, misuse, or injury from the collection of PNR data by the Department of Homeland Security;

Whereas although the United States and the European Union have different governing mechanisms that lead to differences in how oversight is conducted, both governments have a firm commitment to the protection of data and the respect of individual privacy;

Whereas in February 2011, the European Commission proposed that the European Union create its own PNR system in order to identify potential terrorists and other dangerous criminals;

Whereas in 2010, the Washington Post—

(1) recognized the important role that PNR data plays in securing international aviation; and

(2) recommended that data sharing should not be restricted without demonstrating specific problems with the operation of current agreement: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the grave threat posed by terrorists and other dangerous criminals who seek to exploit international aviation to do harm to our countries;

(2) urges the Department of Homeland Security to reject any efforts by the European Union to modify existing PNR data sharing mechanisms in a way that would degrade the usefulness of the PNR data for identifying terrorists and other dangerous criminals;

(3) urges the Department of Homeland Security to not enter into any agreement that would impose European oversight structures on the United States; and

(4) opposes any effort by the European Union to interfere with counterterrorism cooperation and information sharing between the Department of Homeland Security and non-European countries.

AMENDMENTS SUBMITTED AND PROPOSED

SA 319. Mr. REID (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 153, recognizing the 25th anniversary of the Chernobyl nuclear disaster.

TEXT OF AMENDMENTS

SA 319. Mr. REID (for Mr. LUGAR) proposed an amendment to the resolution S. Res. 153, recognizing the 25th anniversary of the Chernobyl nuclear disaster; as follows:

In paragraph (2) of the resolving clause, strike “, including the assistance that the United States and the international community have given to the Chernobyl Shelter Fund and the Interim Spent Fuel Storage Facility”.

NOTICE OF HEARING

COMMITTEE ON RULES AND ADMINISTRATION

Mr. SCHUMER. Mr. President, the Committee on Rules and Administration will meet on Wednesday, May 11,

2011, at 2 p.m., to conduct an executive business meeting to consider the nomination of William J. Boorman, of Maryland, to be the public printer, followed by a legislative business meeting to consider S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent and S. 739, a bill to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

For further information regarding this hearing, please contact Lynden Armstrong at the Rules and Administration Committee, 202-224-6352.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON THE JUDICIARY

Mr. LEAHY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet during the session of the Senate, on May 9, 2011, at 5:30 p.m., in S-216 of the Capitol, to continue an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNIZING 25TH ANNIVERSARY OF CHERNOBYL NUCLEAR DISASTER

Mr. REID. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S. Res. 153 and that the Senate proceed to its consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 153) recognizing the 25th anniversary of the Chernobyl nuclear disaster.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the amendment at the desk be agreed to; the resolution, as amended, be agreed to; the preamble be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 319) was agreed to, as follows:

(Purpose: To amend the resolving clause)

In paragraph (2) of the resolving clause, strike “, including the assistance that the United States and the international community have given to the Chernobyl Shelter Fund and the Interim Spent Fuel Storage Facility”.

The resolution (S. Res. 153), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble, reads as follows:

S. RES. 153

Whereas at 1:23 A.M. on April 26, 1986, during an experiment, a major explosion occurred at the Chernobyl Nuclear Power Plant in Unit 4, a RBMK 1000-type, graphite-moderated nuclear power reactor in Prip'yat;

Whereas the initial explosion dispersed a stream of radioactive particles over nearby towns, farms, and eventually to many other countries;

Whereas 500,000 brave firefighters, engineers, technicians, and emergency workers worked for more than 6 months to minimize one of the worst civilian nuclear disasters in history;

Whereas radioactivity emanating from the Chernobyl disaster has been detected in Belarus, Poland, Russia, Scandinavia, and other areas;

Whereas since the disaster, serious health, environmental, and socioeconomic repercussions have been identified in many areas near the Chernobyl plant;

Whereas the Chernobyl Forum, an initiative by the International Atomic Energy Agency in cooperation with the World Health Organization, numerous United Nations agencies, and the governments of Ukraine, Belarus, and Russia, was launched in 2003 to examine the scientific evidence of human and environmental effects of the nuclear disaster at Chernobyl;

Whereas the Chernobyl Forum's examination of the catastrophe has contributed to the understanding of the effects caused by the nuclear disaster;

Whereas, the Chernobyl Forum found that more than 5,000,000 people lived in "contaminated" areas in Ukraine, Belarus, Russia, and other countries;

Whereas the lives and wellness of people in the affected areas continue to be impacted by the catastrophic Chernobyl nuclear disaster;

Whereas the government of the United States, the people of the United States, and the international community have provided contributions to humanitarian organizations to address the effects of the Chernobyl disaster;

Whereas the Chernobyl Shelter Fund (CSF) was established in December 1997 by the G7, in cooperation with Ukraine;

Whereas the purpose of the CSF has been to construct a safe confinement over the damaged Chernobyl Unit 4 and to convert the site to a stable and environmentally safe condition;

Whereas the Nuclear Safety Account (NSA), supported by the United States and 16 other donors, finances the Interim Spent Fuel Storage Facility that allows for the decommissioning of Chernobyl Units 1 through 3;

Whereas April 26, 2011, is the 25th anniversary of the Chernobyl nuclear disaster; and

Whereas the ongoing crisis in Japan at the Fukushima nuclear power plant serves as a reminder to the United States and the international community of the need to make strong commitments to nuclear security throughout the world; Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 25th anniversary of the Chernobyl nuclear disaster and the courage of the Ukrainian people in persevering to address the consequences of the disaster;

(2) commends efforts to mitigate the consequences of the Chernobyl nuclear disaster; and

(3) requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the Ambassador of Ukraine to the United States.

ORDERS FOR TUESDAY, MAY 10, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. tomorrow, Tuesday, May 10; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour equally divided and controlled between the leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

Finally, I ask unanimous consent that the Senate recess from 12:30 p.m. until 2:15 p.m. tomorrow for the weekly caucus meetings.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator ISAKSON of Georgia.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Georgia.

CONGRATULATIONS TO KEITH HATCHER

Mr. ISAKSON. Mr. President, I rise on a point of personal privilege to commend a gentleman from Georgia, Mr. Keith Hatcher.

Twenty-five years ago, when I worked with my father—my father, among other things, was the past president of the Georgia Association of REALTORS. I remember one afternoon he came into my office and said: Son, we just hired someone today who is going to be special. His name is Keith Hatcher. I want you to be sure and look him up the first time you get a chance.

Well, about a week later I met Keith. I was then a member of the Georgia Legislature, and I showed him around a little bit. He became the assistant to John Cox, who had been the venerable representative of the REALTORS for years in that State. I saw that spark in Keith Hatcher's eye, and I knew he was going to be a great one, and a great one he has been.

In his 25 years representing the Georgia association and landowners and homeowners around our State, he has fought hard for limitations and curbs on the power of eminent domain, fought hard for lower ad valorem taxes

and transfer taxes, and fought hard for reform of landlord-tenant laws. He has worked day in and day out for the landowners of our State and for the REALTORS of our State, and he has done it in the most professional, comprehensive way anybody could possibly do it.

He has another great story to tell. Keith faced a significant health hazard just a few years ago. He was about to lose a kidney, and he could have lost his life, but he went through a transplant program in Birmingham, AL. The transplant was successful, and he rehabilitated himself. Today, he works as hard as he did before the injury. Importantly, as well, he works as a member of the board of the National Kidney Foundation helping to raise money to support the transplant program so others who are afflicted as he was will have the same cure he has had.

So this week, as the REALTORS from Georgia come to town, as I think they will from every other State of the Union, to talk to the Members of the Senate about laws that affect their industry and their profession, the one from Georgia will be led by Keith Hatcher. As he has for the last 24 years, he will be a voice for home ownership, a voice for lower taxation, and a voice for wide distribution and ownership of land, which makes the United States of America the most unique country of any on the face of this Earth.

I am pleased to commend him today on the celebration of his 25th anniversary representing the Georgia Association of REALTORS.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROFIT OVER HEALTH

Mr. BROWN of Ohio. Mr. President, yesterday across this country, we celebrated Mother's Day, marking the contribution of mothers across our country. But 2 months ago, the health of tens of thousands of expectant mothers and their unborn children was threatened by a drug company putting profit over public health. Two months ago, there was justified public outrage that the cost of a drug hormone, progesterone, to prevent premature births went from approximately \$10 a dose—20 doses are needed through the course of a pregnancy—to \$1,500 per dose. The entire course of the 20-week treatment, therefore, was about \$200 three months ago. Two months ago, it went to \$30,000—\$200 to \$30,000.

This was once an affordable, common treatment to help women facing high-

risk labor. I visited Toledo Children's Hospital, MetroHealth in Cleveland, and St. Elizabeth's Health Center in Youngstown to hear directly from patients and physicians and hospital executives about how the outrageous price increase affects them. Patients explained what it was like to overcome a previous miscarriage and rely on this progesterone to carry to full term today. Physicians and public health advocates explained the risk to women and children's health if the therapy were no longer affordable and accessible. Hospital administrators and State Medicaid directors worried what such an exorbitant increase would mean to already-stretched budgets.

Meanwhile, several colleagues and I began to ask questions about how and why the increase happened in the first place. We are concerned about how companies, private companies, abuse the FDA approval process or manipulate existing rules to shortchange consumers while those companies reap massive windfall profits. That is especially so because, in addition to affixing such a high cost to the drug, this company, KV Pharmaceuticals from St. Louis, sent a letter threatening a cease and desist order to compounding pharmacies—those pharmacies that actually make their own progesterone, in this case—a cease and desist order to prevent these pharmacies from producing it, further solidifying KV Pharmaceutical's monopolization in the marketplace. All the while, pregnant women are left without the critical medicine their doctors prescribe for them, and either taxpayers foot the bill, insurance companies foot the bill, driving the price up, or women simply do without, increasing the number of miscarriages, increasing the number of low-birth-weight babies, increasing the cost to taxpayers, and increasing the heartache in mother after mother and father after father.

Fortunately, in an unusual response—unusual in the sense that this case was so dramatically outrageous and unbelievably greedy on the part of KV Pharmaceutical executives—the FDA did something it doesn't normally do: It asserted its authority and made clear it would not enforce the cease and desist order. What was KV's response after the public outrage, after the refusal to enforce the cease and desist order, therefore allowing the pharmacies to keep producing the progesterone? It reduced the price from \$1,500 a dose—remember, it was \$10 per dose as recently as 3 months ago. They take a shot every week for 20 weeks during the pregnancy. It was \$10 a dose, and they raised it to \$1,500. But do you know what they did after the FDA and a small number of Democratic Senator's pushed them, embarrassed them in public? They brought the price down to \$690 a dose. It went from \$10 when compounding pharmacies were doing it,

to \$1,500 when they thought they could get away with it, to \$690—as if they thought they were doing America's women a favor. That means instead of it being \$30,000 for the whole cost of the pharmaceutical, the 20 doses, it would be about \$15,000. What a bargain. On top of that, they did what companies whose hands are caught in the cookie jar always do: They hired high-powered Washington, DC, lobbyists to fight for their rights, this exclusivity for this drug, trying to prohibit the critical work of compounding pharmacists.

I agree with drug companies; generally they need to recoup their investment. I want America's drug companies to do the boldest, most innovative, most progressive research in the world, and I want them to make a profit doing it so they can afford to do it and keep doing it. They should reflect the amount of R&D to bring drugs to market, the cost of their manufacture, the cost of their distribution, but in the case of this progesterone, the case of this pharmacy compound, taxpayers—in this case, through the National Institutes of Health—funded the initial research and continue to fund critical research on premature births. KV Pharmaceutical didn't do the research; they bought the exclusive rights to a monopoly by reimbursing another company—contracting with them—I believe that actually conducted the clinical trials and incurring the costs needed for FDA approval.

Something is very wrong when a company with limited R&D investments can grossly overprice a drug that in its absence virtually guarantees an increase in premature births.

Think of the greed involved here. They paid some number of millions of dollars to do a clinical trial, which was a good thing. They then brought the price from \$10 to \$1,500—times 20, again, with the number of doses people need in their treatment. With an initial investment of less than \$200 million, the first year they would have reaped over \$3 billion in revenue. Those are the kinds of numbers they were operating on, as if that is fair.

When a company used taxpayer-funded research to produce a drug so important that it reduces infant mortality and birth defects, that company should also take on the responsibility for pricing it in a reasonable manner. But prices should never be inflated, particularly on a public health drug where this company did not do the basic foundational research; all it did was pay for clinical trials that did not prove much more than we already knew. A company should never be allowed to inflate prices of a public health drug to reap these kinds of massive profits, nor should the FDA approval process ever be manipulated to achieve that same end, which it was.

While balancing the benefits of corporate profit—and I understand the

balance, and I want the companies to continue to invest and move ahead—while it can be challenging balancing corporate earnings and societal benefits, we can't lose sight of our responsibility to make innovative medicines available and accessible to as many people as possible.

I would like to close with a story about why all this matters. Not too long ago—last month, I guess it was, early April—I was in Port Columbus International Airport about to fly to Washington when Karen Turano, whom I never met before, walked up to me to share her story. She has since e-mailed after our discussion where she talked about this drug, and she sent me this letter:

I met you at the Columbus airport with my husband Thad and our 17-month-old son Ryker. Again, I just wanted to say thank you for the work you are doing to make the progesterone shots affordable again.

Our first son, Tyler, was born August 18, 2008 and passed away the next day, August 19, 2008. I prematurely went into labor at 24 weeks and had an emergency C-section. Tyler was born at 9:59, weighing 1 pound 10 ounces.

Thad went to be with [my son] since I was recovering from surgery. He called me early the next morning and told me the worst news a new mother could hear: There was nothing more that could be done and that Tyler would pass away. My mother-in-law took me to see and hold Tyler for the first and last time in his precious life. It was devastating.

Thad and I have since worked with public health advocates to raise awareness on ways to prevent premature births—while following doctor's orders to wait 6 months before we tried again.

After I became pregnant with Ryker, I was monitored closely and started the progesterone shots at 16 weeks which continued through 36 weeks.

She had these shots through 20 consecutive treatments, once a week for 20 weeks.

I am convinced that these shots allowed me to carry the pregnancy to term.

Interrupting the letter for a moment, understand that when a doctor sees someone like Karen who has had a pregnancy like she had where a baby was born that prematurely, that doctor understands that a progesterone like this progesterone we are talking about can make a huge difference in her carrying her baby to full term.

Ryker was born at 38 weeks on October 30, 2009, my Halloween baby. My husband is a Columbus firefighter and I am an attorney practicing in workers' compensation. We look forward to more children in the near future, but the cost of this shot concerns us greatly. We have experienced the horrible pain of losing a child. No mother or father should have to go through this pain.

She writes, signed:

Sincerely, Karen, Thad, Ryker and Tyler Turano.

Today is Karen's birthday, coincidentally. She celebrates with her son Ryker and husband Thad and other family and friends—and she does with Tyler in her memory. I thank Karen

for sharing her story and the patients in Toledo, Cleveland, Youngstown, and across our Nation and State who have spoken about this, who deserve the affordable and accessible treatment they need. I am optimistic we can continue to find ways to ensure that the majority of women in this country will still have access to affordable versions of this critical lifesaving injection. It should not take public outrage, it should not take congressional action, it should not take the FDA altering a policy it normally doesn't alter for a company to do the right thing.

Mr. President, as you know, with the unemployment in your State and the unemployment in my State and the problems we have as a nation on so many levels, this is particularly outrageous because this progesterone is a public health pharmacy compound that has worked and meant many more women will have safe births with growing, healthy children, contrasted with, if they do not have the opportunity to get this progesterone at a reasonable rate, at a reasonable price, we know what happens then. But rest assured, we will keep up the outrage, and we will continue to move through Congress, if that is what it takes, to get progesterone at an affordable price to America's women.

It is an outrage what KV Pharmaceuticals did. I applaud the FDA for changing its policy to make it more accessible.

I ask KV Pharmaceuticals to again come to the table. Instead of lobbying Congress to get their way and make a huge amount of money on a relatively small investment, I ask them to come to the table and work with us so we can make this very important pharmacy compound accessible to all American women whose doctors prescribe it to them.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Mr. MERKLEY). Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Whereupon, the Senate, at 6:58 p.m., adjourned until Tuesday, May 10, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF DEFENSE

BARBARA K. MCQUISTON, OF CALIFORNIA, TO BE AN ASSISTANT SECRETARY OF DEFENSE. (NEW POSITION)

DEPARTMENT OF STATE

MICHAEL H. CORBIN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE UNITED ARAB EMIRATES.

JEFFREY DELAURENTIS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE ALTERNATE REPRESENTATIVE OF

THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS, WITH THE RANK OF AMBASSADOR.

JEFFREY DELAURENTIS, OF NEW YORK, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SESSIONS OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS, DURING HIS TENURE OF SERVICE AS ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA FOR SPECIAL POLITICAL AFFAIRS IN THE UNITED NATIONS.

JEANINE E. JACKSON, OF WYOMING, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MALAWI.

WILLIAM H. MOSER, OF NORTH CAROLINA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF MOLDOVA.

MATTHEW H. TUELLER, OF UTAH, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

HARRY S TRUMAN SCHOLARSHIP FOUNDATION

LAURA A. CORDERO, OF THE DISTRICT OF COLUMBIA, TO BE A MEMBER OF THE BOARD OF TRUSTEES OF THE HARRY S TRUMAN SCHOLARSHIP FOUNDATION FOR A TERM EXPIRING DECEMBER 15, 2015, VICE JUANITA ALICIA VASQUEZ-GARDNER, TERM EXPIRED.

THE JUDICIARY

STEPHEN A. HIGGINSON, OF LOUISIANA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FIFTH CIRCUIT, VICE JACQUES L. WIENER, JR., RETIRED.

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) WILLIAM E. LEIGHER

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DOUGLAS J. VENLET

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DAVID C. JOHNSON

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) DONALD E. GADDIS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) BARRY L. BRUNER
REAR ADM. (LH) JERRY K. BURROUGHS
REAR ADM. (LH) JAMES D. CLOYD
REAR ADM. (LH) MICHAEL T. FRANKEN
REAR ADM. (LH) BRADLEY R. GEHRKE
REAR ADM. (LH) ROBERT P. GIRRIER
REAR ADM. (LH) PAUL A. GROSKLAGS
REAR ADM. (LH) SINCLAIR M. HARRIS
REAR ADM. (LH) MARGARET D. KLEIN
REAR ADM. (LH) RICHARD B. LANDOLT
REAR ADM. (LH) BRIAN L. LOSEY
REAR ADM. (LH) WILLIAM F. MORAN
REAR ADM. (LH) TROY M. SHOEMAKER
REAR ADM. (LH) DIXON R. SMITH
REAR ADM. (LH) ROBERT L. THOMAS, JR.

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT AS COMMANDER, MARINE FORCES RESERVE TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTIONS 601 AND 5144:

To be lieutenant general

MAJ. GEN. STEVEN A. HUMMER

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE GRADE INDICATED IN THE REGULAR AIR FORCE UNDER TITLE 10, U.S.C., SECTIONS 531(A) AND 716:

To be major

PETER J. AVALOS

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

MICHAEL W. AAMOLD

NATHAN J. ABEL
RYAN E. ABELLA
KEITH A. ABSTON
ADAM D. ACKERMAN
JASON M. ADAMS
MICHAEL A. ADAMS
ROBIN E. ADAMS
STEVEN A. ADAMS
TODD J. ADAMS
BRIAN C. ADKINS
JASON M. AFTANAS
ALLEN Y. AGNES
BRADFORD K. AIKENS
ERICA M. AKIN
DAVID A. ALBIN
MICHAEL JOHN ALBRECHT
FREDERICK A. ALCAZAR
NICOLAS S. ALCOCER
WESLEY J. ALDERMAN
NATHAN G. ALEXANDER
TROY E. ALEXANDER
SHANE W. ALFAR
MICHAEL C. ALFARO
MICHEL D. ALLAIN
DAVID K. ALLAMANDOLA
ANTHONY J. ALLEN
BRADLEY B. ALLEN
WILLIE J. ALLEN II
SHAREEF J. ALMASRI
MATTHEW R. ALTMAN
BRIAN N. ALVAREZ
ERIC G. ALVAREZ
RYAN M. ALVEY
MICHAEL W. ALWES, JR.
RYAN T. AMBROSE
SEAN R. AMES
MATTHEW P. ANASTAS
ALISON M. ANDERS
CHRISTOPHER S. ANDERSEN
DAVID M. ANDERSON
EDWARD L. ANDERSON
JEFFREY P. ANDERSON
JOSHUA THOMAS ANDERSON
KEITH M. ANDERSON
MATTHEW K. ANDERSON
MICHAEL J. ANDERSON
PETER B. ANDERSON
TOMMY G. ANDERSON, JR.
ROBERTO A. ANDINOBERTIEUX
ROBERT JAMES ANDREE
SCOTT ANDRESEN
NATHAN P. ANDREWS
IONIO Q. ANDRUS
STEVEN E. ANGELOFF
KAREN A. ANGLIN
JUSTIN A. ANHALT
JASON P. ANNIS
TONY S. APONTE
MATTHEW APRICENO
ERIC D. ARCARA
JONATHAN L. ARD
PAUL M. ARKWEILL
TIMOTHY L. ARMENDINGER
MATTHEW T. ARMSTRONG
PATRICK H. ARNN
TRENT E. ARNOLD
WILLIAM J. ARNOLD
STACIE M. ARRASMITH
JAMES F. ARTHUR
JOHNATHAN M. ARTIS
WILLIAM C. ATKINS
GREGORY BRIAN AUERBACH
SCOTT E. AXELSON
TENOC H. AZTECATL
CURTIS S. BAACK
ANDREW J. BABIARZ
JEFFREY M. BACHERT
CHRISTIAN BACKHAUS
RUSSELL S. BADOWSKI
JAY P. BAER
JONATHAN B. BAIZE
BRIAN J. BAKER
JACOBY L. BAKER
STEPHEN D. BAKER
STEVEN N. BAKER
MIRANDA S. BALDWIN
ERIC J. BALL
LUCAS D. BALL
JASON G. BALLARD
KIMBERLY A. BALLENSKI
ERIC A. BALLEW
EDWARD R. BALZER
MICHAEL R. BALZOTTI
THOMAS J. BANASZAK
MELISSA RUFF BANISTER
DANE M. BANNACH
GREGORY R. BARBER
JOSEPH A. BARBER
RICHARD BARBER
KAREN D. BARBOUR
MELINDA K. BARBOURWORD
LINUS J. BARLOON II
NEILS C. BARNER
DOUGLAS R. BARNES
JAMIE L. BARNES
MELANIE S. BARNES
NICHOLAS M. BARNES
ROBERT J. BARNES
SANDRA KAY BARNES
MELVIN L. BARNHILL III
KIMBERLY N. BARR
DANIELLE J. BARRASS

JASON R. BARRASS
 ERIN MICHELL BARRETT
 HOLLIE A. BARRETT
 BRUCE D. BARRY
 ANDREY BARSHAY
 JASON R. BARTA
 PATRICE E. BARTH
 RICHARD J. BARTHOLOW
 ARTHUR C. BARTON
 MICHELLE A. BARTZ
 STEVEN F. BARYZA
 RUSSELL D. BASTIAN
 MICHAEL T. BATCHELOR, JR.
 LUKE A. BATES
 BYRON F. BATEY
 ANGELA BATTS
 JEFFERY M. BAUMGART
 HERMAN L. BAXTER
 BENJAMIN A. BEADLES
 JOSEPH DELANE BEAL
 DANIEL P. BEALL
 ANTHONY R. BEAN
 ADRIENNE DEANNA BEARD
 JEANCLAUDE BEASLEY
 MICHAEL A. BEAUDET
 MEREDITH A. BEAVERS
 BRYAN K. BECK
 ANDREW I. BECKETT
 CARL F. BECKEY
 DOUGLAS M. BECKMAN, JR.
 KENNETH B. BEEBE III
 RYAN M. BEHRINGER
 ALFORT BELIN III
 ISAAC T. BELL
 JONATHAN B. BELL
 MATTHEW L. BELL
 MATTHEW M. BELLE
 RENE D. BELLO
 JOSEPH P. BELLUCCI
 DEAR BELOVED
 JOHN D. BELT
 CHRISTOPHER P. BENDIG
 TIFFANY H. BENDORF
 JOHN T. BENGTON
 ANDRES BENITEZ
 BRANDON S. BENNETT
 CHRISTOPHER J. BENNETT
 HEATHER M. BENNETT
 DANIEL RAY BENTLEY
 DOUGLAS WILLIAM BENTON
 JAVIER L. BENTON
 KJIRSTIN A. BENTSON
 GORDON E. BERAN II
 JACOB R. BERGMANN
 MET M. BERISHA
 CLIFFORD F. BERMODES, JR.
 GEORGE E. BERRY
 MARK J. BERTHOT
 SCOTT F. BEUSCH
 JAMES C. BEYER
 FRANK A. BIANCARDI
 JASON P. BIANCHI
 JOSHUA M. BIEDERMANN
 MICHAEL P. BIELAS
 MARK C. BIGLEY
 KEVIN M. BILLUPS
 ADAM DEWAIN BINGHAM
 DAVID R. BIRD
 JONATHAN D. BIRNBAUM
 ROBERT E. BITTNER
 FREDDIE W. BIVENS
 JEFFREY R. BLACKBURN
 JOHN G. BLACKBURN
 DAVID J. BLAIR
 ERIC M. BLAKELY
 LUKE A. BLEDSOE
 PHILLIP S. BLEVINS
 JON D. BLIDE
 RONNIE KEITH BLOUNT
 NIA K. BLUFORD
 GREGORY R. BODENSTEIN
 JEFFREY A. BODWELL
 DANIEL E. BOEH
 DARIN R. BOEN
 ANNETTE S. BOENDER
 PAUL M. BOGACZ
 SHANE M. BOHLMAN
 JAROD KRISTEN BOLDT
 BEDE A. BOLIN
 BARTON J. BOMA
 CHRISTOPHER K. BONAR
 ANGELO M. BONAVITA
 DOMONIC S. BONELLO
 STEPHEN L. BONIN
 KEITH R. BONSER
 JOSEPH S. BOOKER, JR.
 MATTHEW W. BOOTH
 JEFFREY M. BORKOWSKI
 JOSEPH J. BORRELL
 DENNIS M. BORRMAN
 JESSICA K. BORRMAN
 ROSA C. BOSWELL
 ANDREW M. BOUCHARD
 ROBERT E. BOUCHILLON
 BRADLEY N. BOUDREAUX
 JOEL C. BOURNE
 ANDREW B. BOWENS
 TRACI L. BOWMAN
 BRAD P. BOWYER
 BROOKE E. BOZARTH
 BRADLEY E. BRADDOCK
 GARY A. BRADLEY

KEVIN R. BRADLEY
 TIMOTHY BRADY
 BROOKE K. BRANDER
 HERMAN BRANDON III
 DAVID WILLIAM BRANDT, JR.
 OLGA H. BRANDT
 ROBERT G. BRANHAM
 GREGORY J. BRAULT
 JASON C. BRAUN
 ROBERT L. BRAWLEY, JR.
 JEFFREY D. BRAXTON
 VAUGHN S. BRAZIL
 ANTHONY WADE BRECK
 MARK W. BREED
 TAMMY LYNN BREINER
 DAVID A. BREITENBACH
 ROBERT L. BRELAND
 JASON T. BRESLEY
 DERRICK W. BREWER
 PAUL J. BREWER
 KELLY A. BRIDGEFORTH
 ONASSIS E. BRIDGERS
 CHAD JAMES BRIGGS
 DAVID S. BRILL
 BILLY F. BRINSFIELD III
 SANTOS BRIONES
 WILLIAM L. BRITTON
 STEPHEN J. BROGAN
 PATRICK D. BROM
 MATTHEW R. BROOKS
 MICHAEL D. BROOKS
 MARK EDWARD BROW
 ANDREW F. BROWN III
 ARLENE CECILIA BROWN
 AYANNA T. BROWN
 BETHANY J. BROWN
 DONALD DANLEY BROWN
 DUSTIN W. BROWN
 GABRIEL C. BROWN
 JAMES P. BROWN
 JERRAD H. BROWN
 MARK F. BROWN
 REBECCA S. BROWN
 RICHARD ARAM BROWN
 ROBERT H. BROWN
 ROBERT J. BROWN
 STEVEN G. BROWN, JR.
 WILLIAM L. BROWN
 JASON FORBES BROWNE
 JOSEPH S. BROWNING
 KELLIE M. BROWNLEE
 ANDREW R. BRUCE
 MATTHEW R. BRUCKNER
 BENJAMIN T. BRYANT
 LEE W. BRYANT
 MARK B. BUCHY
 BRIAN J. BULLEY
 JOHN S. BULMER
 CHRISTOPHER D. BULSON
 JOYCE A. BULSON
 NATHAN D. BUMP
 DANIEL A. BUNCH
 ROGERNETTA BURBRIDGE
 ERIC W. BURGER
 SHANNON M. BURKE
 FRANK R. BURKS
 KEVIN F. BURNS
 MICHAEL L. BURRELL
 CHARLES R. BURRIS
 CODY R. BURROUGHS
 MICHAEL S. BURTON
 BRIAN M. BUSCHUR
 DONALD R. BUTCHER, JR.
 JONATHAN W. BUTTS
 ROBERT M. BYRD
 BLAIR W. BYREM
 GERARDO CABALLERO
 DAVID A. CABAN
 JAYSON WILLIAM CABELL
 BERNIE F. CABILES
 JONATHAN A. CABILLAN
 ANABELLE CABREJA
 ROBIN E. CADOW
 ERNEST L. CAGE
 MATA ELMO CAIN
 PATRICK D. CAIN
 JAMES T. CALDWELL
 JESSE P. CALDWELL
 JOHN D. CALDWELL
 SHANNON D. CALEB
 BENJAMIN G. CALHOON
 JOHNNY CALHOUN
 PAUL J. CALHOUN
 NELSON D. CALIMLIM, JR.
 BRYAN A. CALKIN
 RICKY CAM
 WILLIAM A. CAMBRON
 GLENN S. CAMERON
 JEREMIAH J. CAMP
 ANTHONY P. CAMPBELL
 CHARLES D. CAMPBELL, JR.
 ERICA CATHERINE CAMPBELL
 JOHN M. CAMPBELL
 JOSHUA S. CAMPBELL
 STEPHEN A. CAMPBELL
 PAUL A. CANCINO
 JAMES ANTHONY CANTRELL
 HUBERT J. CANTWELL
 DAVID T. CAPONIO
 JAMES M. CARBONE II
 DOMINIC A. CARDELLA
 MARCO A. CARDENAS

ROWLAND CARDONI
 BENJAMIN DONALD CARICOFÉ
 ANTHONY MAURICE CARISTI
 MARK E. CARL
 CHRISTOPHER J. CARNDUFF
 IAN CHRISTOPHER CARNEY
 SPEIGHT H. CAROON
 BRENT S. CARPENTER
 BRIAN N. CARPENTER
 ROBERT B. CARPENTER
 TODD E. CARPENTER
 PATRICK F. CARPISO
 JOSEPH W. CARR, JR.
 ROBERT E. CARREIRO
 NATHAN J. CARRELL
 VICTOR CARRILLO
 JOHN J. CARROLL III
 MARCUS JAMES CARROLL
 WARREN A. CARROLL
 ANTHONY L. CARSON
 CHRISTOPHER M. CARSON
 BROOKE K. CARTER
 JAMES M. CARTER
 JOSHUA L. CARTER
 JAYLENE S. CARTERET
 LOUIS R. CARVIN
 WILLIAM R. CASAREZ
 NATHAN A. CASE
 JOHN P. CASEY
 TIMOTHY B. CASEY II
 TODD J. CASKEY
 MATTHEW S. CASPERS
 CHRISTOPHER M. CASS
 JOSHUA H. CASSON
 JEREMIAH CASTILLO
 CHRISTOPHER T. CASTLE
 PATRICIA CASTRO
 CATHLEEN E. CASWELL
 DAVID C. CASWELL
 DARRELL L. CATES
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 CAREY H. CAUDELL
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DANIEL J. ROBERTSON
SCOTT J. ROBERTSON
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DEVELON J. ROBINSON
FRANKIE G. ROBINSON
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MICHAEL THOMAS ROCHE
TOMMY S. E. ROCKWOOD
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KEITH FRANKLIN RODGERS
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RAMON P. RODRIGUEZ
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ROLAND ROSARIO
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JEFFREY RYAN ROSENBERRY
CRAIG STEVEN ROSENGARTEN
ALLEGRA L. ROSLER
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WILLIAM D. ROSS
ZACHARY K. ROSSON
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METODI V. ROULEV
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KEVIN P. ROWLETTE
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EDWIN RUCKWARDT

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ERIK D. SCHILLING
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JOHN C. SCHROEDER
MEGAN MARIE SCHRUM
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DAVID W. SCHUR
LAWRENCE F. SCHUTZ
CHAD E. SCHWAB
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JACOB T. SCHWARTZ
ERIK W. SCHWARZ
DANIEL M. SCHWENDEMAN
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JESSE M. SCOTT
LISA R. SCOTT
MICHELLE R. SCOTT
MICHAEL J. SCULLION
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KEVIN A. SEAY
RYAN EARL SEBASTIAN
MATTHEW JAMES SECKO
JOSHUA S. SEDER
RYAN N. SEEKINS
RONEN M. SEGAL
MICHAEL A. SELTZER
LESLIE L. SEMRAU
ANDRE T. SENAY
CHARLES D. SENDRAL
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MEGGAN M. SETTLE
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ANAND D. SHAH
THEODORE JOHN SHANKS
KATHRYN T. SHARP
SARAH J. SHARPE
BENJAMIN A. SHAU
ANDREW W. SHAW
AARON B. SHEETS
HAMILTON G. SHELFLER
ADAM W. SHELTON
KELLY W. SHELTON
JASON A. SHEMCHUK
SABRINA N. SHERIDAN
MATTHEW D. SHERK
MITCHELL S. SHERMAN
TERRI L. SHERRY
DAWUD K. SHILLINGFORD

NICHOLAS A. SHIMKUS
 SAMUAL P. SHIMP
 KEVIN W. SHIPE
 BRANDY ANN SHIRLEY
 DANIEL M. SHOAF
 DENNY R. SHOFNER
 PANUMAT SHONTZ
 CHARLENE M. SHORTTTE
 KHOMANI D. SHORTTTE
 MATTHEW N. SHOVELSKI
 JOSHUA T. SHULTZ
 DAVID R. SIEMION
 MATTHEW G. SIKKINK
 JOEL B. SILK
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 DENNIS R. SLOWINSKI
 MICHAEL W. SMALL
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 WILLIAM D. SMART
 ADAM J. SMITH
 ADAM JOSEPH SMITH
 ALLEN SMITH
 ALLEN EDWARDS SMITH
 BENJAMIN M. SMITH
 CALEB T. SMITH
 CHESLEY J. SMITH
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 DENNIS M. SMITH
 GENE T. SMITH
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 OWEN SOMERS
 SARA N. SOMERS
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 JUSTIN EDWARD SORICE
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 JOHN WILLARD SOUTHARD
 KEVIN C. SOVA
 JOSEPH C. SPAGNOLIA
 SETH W. SPANIER
 STEPHEN E. SPARKMAN
 JEREMY S. SPARKS
 LUCAS D. SPATHES
 MICHAEL B. SPECK
 ALEC THOMAS SPENCER
 JEFFREY A. SPENCER
 RONALD R. SPENCER, JR.
 BRANDY L. SPIEGLE
 ANGELIKA M. SPINK
 DAVID M. P. SPITTLER
 JENNIFER S. SPOORES
 TODD J. SPRINGER
 ROBERT S. ST CYR
 JEREMY BRENT ST JOHN
 BENJAMIN C. STAATS
 GREGORY R. STACK
 BENJAMIN G. STALLARD
 LEE W. STANFORD
 TODD EDWARD STANIEWICZ
 ERIC M. STANO
 JOSHUA P. STANTON

SHAWN M. STAPPEN
 BRYAN L. STARCHER
 MATTHEW B. STARCK
 NIKOLAOS P. STATHOPOULOS
 ADAM R. STAUBACH
 SUSANNE L. STCYR
 RYAN L. STEBBINS
 KALLEEN H. STEELE
 GREGORY M. STEENBERGE
 ROBIN E. STEENMAN
 JOSEPH L. STEINER
 EDWARD R. STEINFORT
 ADRAIN E. STEMPLER II
 PAUL E. STENSENG
 MICHELLE L. STERLING
 SHAWN P. STERMER
 AMANDA L. STEVENS
 ZACHARY A. STEVENS
 DAVID B. STEVENSON
 MARCUS U. STEVENSON
 ANDREW B. STEWART
 JAYSON STEWART
 TONY J. STIBRAL
 BRIAN A. STILES
 JOSEPH F. STILES
 MONA T. STILSON
 ROBERT D. STIMPSON
 EVETTE M. STINSONLAWSON
 RYAN P. STOLMEIER
 MICHAEL T. STONE
 SPENCER GROSSER STONE
 RANDON L. STORMS
 SAMMY E. STOVER
 ANTHONY M. STRAW
 MICHAEL K. STREET
 CRISTINA C. STRICK
 WILLIAM L. STRICKLAND
 ERIC RYAN STRIDE
 AARON JOSEPH STRODE
 NATHAN C. STUCKEY
 MATTHEW P. STUECK
 ROBERT L. STULTS
 STEPHANIE E. STULTS
 ROBERT W. STURGILL, JR.
 MICHAEL WILLIAM SUDEN
 MATTHEW SUHRE
 MICHAEL K. SUKACH
 HEATHER J. SULLIVAN
 RYAN C. SULLIVAN
 THOMAS RICHARD SULLIVAN
 STEPHEN D. SUMMERS
 LANCE L. SUMMY
 KRISHNA SURAJBALLY
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 KONSTANTIN SVERKOUNOV
 GORDON T. SWAIN
 JOHN R. SWANSON
 REESE J. SWANSON
 STEVEN D. SWAZAY
 BRETT CHRISTOPHER SWIGER
 KYLE A. SWOPE
 ADAM N. SYLVAN
 DEREK J. SYSWERDA
 GIORGIO AUGUSTIN SZABO
 JOHN T. SZCZEPANSKI
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 KRISTOPHER J. SZYMCAK
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 BRENDA TAYLOR
 CARLTON M. TAYLOR
 DARIUS TAYLOR
 DAVID L. TAYLOR
 EDWARD R. TAYLOR
 JACK WADE TAYLOR
 LARRY L. TAYLOR
 MATTHEW S. TAYLOR
 MICHELLE L. TAYLOR
 NATHAN J. TAYLOR
 TIFFANY S. TAYLOR
 JUSTIN RAY TEAGUE
 TIMOTHY A. TENDALL
 ANDREW H. TENENBAUM
 CHRISTOPHER J. TERRY
 JEFFREY K. TEXCELL
 MILES PEYTON THAMERT
 RYAN JAMES THEISEN
 FRANK A. THEISING
 GREGORY C. THERIOT
 MARY A. THIGPEN
 DUSTIN T. THOMAS
 JAMES E. THOMAS
 JEROME SAMUAL T. THOMAS
 KELIE A. THOMAS
 SPENCER A. THOMAS
 STEVEN C. THOMAS
 BRENDA L. THOMPSON
 CHRISTINA M. THOMPSON
 DAVID A. THOMPSON
 DAVID W. THOMPSON
 LINWOOD A. THOMPSON
 MICHAEL J. THOMPSON
 ROBERT E. THOMPSON
 ROY W. THOMPSON
 PAUL B. THORNTON
 TIMOTHY J. THORSON

MATTHEW B. THRIFT
 CHRISTOPHER A. THUOTTE
 RENEE Z. THUOTTE
 ANDREW CHARLES TIDGEWELL
 RAYMOND G. TIERNEY
 GERALD J. TILLER
 AARON P. TILLMAN
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 JEREMY S. TIPTON
 MARK ANTHONY TIPTON
 NELSON E. TIRADO
 SHAMEKIA N. TOLIVER
 WENDELL R. TONEY
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 ELIUD E. TORRES
 PETER R. TOSCANI
 STEPHEN A. TOTH
 NATHANIEL W. TOTTON
 MICHAEL M. TOTTON
 JONATHAN M. TOWNSEND
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 JOHN M. TRAVIESO
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 CATHERINE J. TREDWAY
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 TIMOTHY W. TROUP
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 STEVEN A. TRUEBLOOD
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 MICHAEL R. TRUJILLO
 BRENT GERALD TSCHKOF
 REBECCA A. TUBMAN
 JASON L. TUCKER
 BRYAN BERFENTI TUINMAN
 FWAMAY SULLIVAN TULLIUS
 GRANT M. TULLIUS
 JOSEPH C. TULLOSS
 MICHAEL R. TURNER
 ROBYN D. TURNER
 ROBERT L. TURPIN, JR.
 JAMES M. TUTHILL
 JOSEPH BRIAN TYZZOLINO
 MARK ALLEN TYLER
 FRANCIS C. TYSON IV
 MARK C. UBERUAGA
 CHRISTOPHER J. UECKER
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 GEOFFREY RYAN ULRICH
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 JUSTIN D. VONHOFE
 ADRIANNA M. VORDERBRUGGEN
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 NATHAN P. VOSTERS
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 CHRISTOPHER MICHAEL WADDELL
 KRISTOPHER L. WAECHTER
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 RYAN G. WALINSKI
 VICTOR G. WALK
 ANDREW P. WALKER
 EDWARD Y. WALKER
 JASON DOUGLAS WALKER
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 VIRGINIA S. WALKER
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 ANDREW P. WALLACE
 JOHN D. WALLACE
 JONATHAN C. WALLER
 KEVIN WALSH

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 LILLIAN J. WALTON
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 TRACY L. WARD
 LAUREN A. WARE
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 TIFFANY N. WARE
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 ZACHARY R. WATERMAN
 JOSHUA CHRISTMAN WATKINS
 WILLIAM J. WATKINS
 KEVIN R. WATRY
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 JOSEPH A. WATSON
 TODD MICHAEL WATSON
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 PAUL T. WELTER
 PAUL R. WEME
 GREGORY SCOTT WEMHOFF
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 JODEN A. WERLIN
 MARCELINA B. WERNER
 MATTHEW W. WERNER
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 LATASHA NICOLE WEST
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 COLIE BARTOW WHITAKER IV
 GEOFFREY N. WHITAKER
 JONATHAN L. WHITAKER
 MARK RYAN WHITAKER
 BENJAMIN BRUCE WHITE
 BRANDON C. WHITE
 JOSHUA T. WHITE
 KEITH S. WHITE
 KEVIN D. WHITE
 KEVIN E. WHITE
 MARCUS J. WHITE
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 TIM RAY WHITELOCK
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 ADAM R. WICKES
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 DANIEL PHILLIP WIESNER
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 MATTHEW S. WILCOXEN
 JOSHUA D. WILD
 NICOLE N. WILEY
 BRIAN A. WILKEN
 BROOKS A. WILKERSON
 FONTEZ L. WILKERSON
 BARRY D. WILLARD
 ADAM E. WILLIAMS
 DAVID S. WILLIAMS
 FLORA E. WILLIAMS
 FORREST C. WILLIAMS
 JUDITH EVE SHANI WILLIAMS
 JUSTIN J. WILLIAMS
 KEVIN CHARLES WILLIAMS, JR.
 MICHELLE LYNN WILLIAMS
 ROBERT A. WILLIAMS
 WILLIAM C. WILLIAMS II
 GRAHAM C. WILLIFORD
 DANIEL CLYDE WILLIS
 WARD G. WILLIS
 GARLAND W. WILMOTH
 ALISON R. WILSON
 ANDREW G. WILSON
 CARL B. WILSON
 CHIRIGA O. WILSON
 DAVID C. WILSON
 DAVID J. WILSON
 FREDRICK A. WILSON
 GARRETT A. WILSON
 JONATHAN W. WILSON
 KEVIN D. WILSON
 KURTIS IAN WILSON
 NEAL M. WILSON

RICHARD N. WINFREY, JR.
 CHRISTOPHER L. WINKLEPLECK
 BRYAN W. WINNINGHAM
 ANTHONY R. WISE
 NICHOLAS G. WISNEWSKI
 WARREN ERIC WITHROW
 DAVID J. WITT
 ROBIN E. WITT
 JAMES DANIEL WOJNAREK
 BENJAMIN G. WOLAK
 DAVID A. WOLF
 KRISTOPHER S. WOLFRAM
 JAMES M. WOLONGEVICZ
 PATRICK WOLVERTON
 RYAN T. WONG
 JOHN J. P. WONNUM
 CHRISTOPHER C. WOOD
 JAMES P. WOODALL, JR.
 SCOTT C. WOODBREY
 THOMAS E. WOODRING
 JASON LEWIS WOODRUFF
 ELIZABETH ADRIENNE WOODS
 PAUL A. WOODS
 ABRAM M. WOODY
 GREGORY A. WOOLEY
 JOHN E. WORLEY
 SCOTT P. WUENSTEL
 WILLIAM L. WUNSCHER
 LAWRENCE WYATT, JR.
 STEVEN J. WYMORE
 AARON M. YAGER
 JOSEPH E. YAKUBIK
 VUE YANG
 JAMES L. YEATES
 ALAN YEE
 IAN A. YELLIN
 CHRISTOPHER W. YENGO
 DANIEL PHILIP YERRINGTON
 ILKYU P. YIM
 IAN M. YOUNG
 JAMES R. YOUNG
 JARED A. YOUNG
 KEITH A. YOUNG
 MICHAEL D. YOUNG
 SARAH M. YOUNG
 TODD E. YOUNG
 DANIELLE R. YOUNGBERG
 BENJAMIN D. YOUNGQUIST
 MINDY A. YU
 GRETCHEN M. YULE
 PETER D. YULE
 PAULL YUZAPAVIK
 MATTHEW D. ZAKRI
 KARENA K. ZALOUDEK
 JOSE L. ZAMBRANO
 ARIC L. ZEESE
 RYAN A. ZEITLER
 BAI L. ZHU
 GREG M. ZICKEFOOSE
 MARGARET I. ZIELINKO
 CHRISTOPHER R. ZIELINSKI
 JOSHUA S. ZIEMAK
 AARON J. ZOLNA
 MICHAEL ZORIJ
 JEFFREY T. ZURICK

IN THE ARMY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be major

CHARLES M. ABEYAWARDENA
 CHRISTINA R. ACOJEDO
 DUNCAN B. ADAMS
 JONATHAN M. ADAMS
 ROBERT N. ADAMS
 RONALD W. ADAMS, JR.
 SHANE AGUERO
 AYE K. AGYEI
 SABRE M. AJYEMAN
 MELISSA J. ALBAUGH
 JARED J. ALBRIGHT
 DAVID A. ALFARO
 NASSER ALI
 MICHAEL A. ALLARD
 DEAN P. ALLEN
 JASON E. ALLEN
 NATHANIEL A. ALLEN
 SORSBY M. ALSTON
 JEFFREY T. ANDERSON
 TODD A. ANDERSON
 STEPHEN C. ANG
 ROMAE M. ARAUD
 JIMMY ARCHARGE
 KENNETH O. ARCHBOLD
 CRYSTAL D. ARMSTRONG
 MICHAEL L. ARNER
 BRYCE N. ASAGI
 MICHAEL E. ASTIN
 DIANICA L. ATKINS
 MARK N. AWAD
 BRIAN C. BABCOCKLUMISH
 TOMIKO BALLARD
 ERIC A. BALOUGH
 ADAM M. BANCROFT
 JAY T. BAO
 NOLAN J. BARCO
 MICHAEL W. BARKER
 BRIAN R. BARNES
 ROBERT A. BARRY
 ROBERT C. BARTON

CLIFTON D. BASS
 JOHN A. BAUMANN
 BRIAN A. BEAM
 NICHOLAS J. BECK
 JONATHAN H. BECKMANN
 ROBERT T. BELIE
 MITCHEL R. BELOTE
 STEVEN R. BELTZ
 TIMOTHY M. BENNETT
 PHILIP R. BERRY II
 MAYA C. BEST
 DAVID R. BIRIE
 JAMES C. BIRK
 JONATHAN E. BISSELL
 RAYMOND W. BLAINE
 CHRISTOPHER J. BLANK
 CHRISTOPHER M. BLUHM
 BENJAMIN C. BOEKESTEIN
 ELIZABETH A. BOITANO
 TANGALA M. BOOTH
 JOEL M. BORKERT
 JAMES A. BORST
 CRAIG M. BOUCHER
 CHRISTOPHER O. BOWERS
 CLAYTON D. BOWERS
 JASON R. BOWERS
 SONYA A. BOWMAN
 CATHERINE G. BOYLSTON
 RORY P. BRADFORD
 CHRISTOPHER G. BRADKE
 DAVID H. BRADLEY
 ANDRE J. BRADY
 BRADFORD M. BRANNON
 ERIN K. BRASWELL
 ROBERT D. BRAUGHTON
 LENNY T. BRAZZLE
 JAMES L. BREDEMAN
 DANNY J. BREWER
 JEFFREY J. BRIZEK
 CALEB S. BROWN
 RICHARD F. BROWN
 STEWART N. BROWN
 JAMES D. BROWNE, JR.
 CARRIE A. BRUNNER
 LAURA C. BUDDEMEYER
 DWIGHT O. BULLARD
 KENNETH R. BULTHUIS
 TRENT B. BUNNELL, SR.
 BRIAN E. BUSZINSKI
 KARL BUTLER, JR.
 MICHELLE A. BYRON
 PHILIP M. CALA
 KEITH J. CALDWELL
 ROBERT H. CALLAHAN
 LESLIE CAMACHO
 MATTHEW J. CAMEL
 STEPHEN J. CAMERON
 MATTHEW D. CAMPBELL
 NIKOLAY N. CAMPBELL
 THOMAS G. CAMPBELL III
 JOSE M. CAMPOS
 GABRIEL CAMPUZANO
 RAYMOND C. CANZONIER
 ANDREW M. CARRIGAN
 ROGER A. CARVAJAL
 JERROLD D. CASTRO
 MATTHEW L. CAVANAUGH
 ROBERT M. CHAMBERLAIN
 ANDRUS W. CHANEY
 KEION A. CHARLES
 JAMES T. CHASE
 SEAN M. CHASE
 JOSEPH L. CHAVES
 SUNNY S. CHEN
 INURELL CHESTER
 MONIQUE M. CHETCUTI
 MICHAEL J. CHILDS
 SAPRIYA CHILDS
 JASON J. CHOI
 PETER S. CHOI
 KIP M. CHOJNACKI
 ANTHONY W. CLARK
 BARRY L. CLARK
 PATRICK D. CLARY
 ADAM T. CLEMENTS
 ZACHARY G. COLE
 BRIAN H. COLLINS
 ERIC A. COLLINS
 JAMES B. COLLINS
 JENNIFER G. COLLINS
 ALBERT CONLEY III
 JEREMY C. CONNER
 CHRISTOPHER A. CONNOR
 ANTONIO L. CONYERS
 THOMAS J. COOK
 JACOB T. COOL
 JAMES D. COONFIELD III
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 NOAH B. COOPER
 ZACHARIAH A. CORKE
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 DIRK P. CRAWFORD
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 CHARLES E. CUTLIP

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LEAH B. HALLER

VALIANT A. HALLER
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JEFFREY T. KOONTZ
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JOHN F. KRIGBAUM
EVA M. KRIVICKAS
JEFFREY A. KUECHENMEISTER
RHANA S. KURDI
DANIEL S. LACARIA
THOMAS M. LACY
SEAN W. LAMBERT
ANDRUS J. LANDRY
KENT B. LANE
NICHOLAS A. LANE
MARIA M. LANFOR
ANDREW D. LANTZ
ERIK R. LARSEN
JASON C. LATELLA
QUOC B. LE
FAITH E. LEE
LAWRENCE R. LEE
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MICHAEL S. LEE
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ERIK W. LEWIS
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HOWARD C. LIM
ROY A. LINKOUS, JR.
TILISHA C. LOCKLEY
SVEN A. LONDON
RYAN W. LOOMIS
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JEANJACQUES LOUIS

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WILLIAM MERCUCI
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ERIC A. MILLER
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KELLY F. MITCHELL
STACY D. MITCHELL
TIMOTHY B. MITCHELL
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JOHN F. MORRIS
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ASHLEIGH B. PIPES
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ERIC D. PITTMAN
DARIEN M. PITTS
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SCOTT C. POLASEK
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MAYDELINE G. PORTILLO

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 JOSEPH E. PRICE
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 ANDREW S. PRUETT
 JOSEPH J. PRUITT
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 CASEY L. RAMIREZ
 ANDREW S. RAMOS
 ARNALDO I. RAMOSGUZMAN
 CHRISTOPHER L. RAPP
 DAVID RAY
 CHRISTOPHER S. READ
 JASON G. REED
 REGINAL C. REMLEY
 GUADALUPE RESENDEZ, JR.
 ROBERT G. RHODES
 HOWARD G. RICE
 KENNETH C. RICH
 NATHAN A. RIEDEL
 YAZMIN RIOS
 RODNEY O. ROBERSON
 JEREMY S. ROCKWELL
 IVAN T. ROCOURT
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 GERARDO RODRIGUEZ
 HARLEY RODRIGUEZ
 JOSHUA L. RODRIGUEZ
 MICHAEL G. ROE
 WALLACE A. ROHRER
 JOHN M. ROSE
 DOUGLAS J. ROSS
 EVELYN ROSS
 MATTHEW H. RUFF
 SHAWN P. RUSSELL
 JASON R. SABOVICH
 ROBERTREL A. SACHI
 JOHN A. SACKMAN
 ANTONIO SALAZAR, JR.
 EDDIE N. SANCHEZ
 CRAIG A. SANDERS
 JOSEPH O. SANDERS
 WAYNE A. SANDERS
 SELMER C. SANTOS
 JEREMY L. SAUER
 CHRISTOPHER K. SCATES
 FRANCIS X. SCHAFER
 ROSS T. SCHEINBAUM
 ANDREW G. SCHLESSINGER
 MATTHEW J. SCHLOSSER
 CHARLES D. SCHWAB
 CORY N. SCOTT
 GEORGE A. SELIER
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 PAULO A. SHAKARIAN
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 KRISTEN M. SHIFRIN
 E. RAY SHISLER
 MABRY L. SHOKES
 MATTHEW R. SHOWN
 DAVID F. SIDMAN
 CHRISTOPHER P. SIGNORE
 DHRAMEN P. SINGH
 EMIRO M. SINNING
 OLIVER SIQUEIRA
 ELLIS H. SMITH II
 HARVEY C. SMITH III
 JOHN H. SMITH
 JOSHUA J. SMITH
 KESHIA SMITH
 SCOTT J. SMITH
 TROY D. SMITH
 RICKY SNELL
 ROBERT G. SNYDER
 ROBERT L. SNYDER
 ANDREA R. SO
 SHEILA D. SOILEAU
 BRIAN N. SOUTER
 FRANCIS X. SPERL III
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 LAURA E. STANLEY
 SHANNA M. STANN
 JAMES K. STARLING
 JONATHAN J. STEIGLER
 JEFFREY A. STEINLAGE
 JAY D. STERRETT III
 JAN A. STEWART
 JULIE M. STOCK
 ANDREW P. STRINGER
 DORAN R. STROUSE
 JOHN B. STUBBS
 PETER P. STUDEBAKER
 GABRIEL M. SUAREZ
 PETER K. SULEWSKI
 TERESA A. SWANSON
 WILLIAM D. SWENSON
 DAMIAN R. TAAAFEMCMENAMY
 CURTIS M. TAYLOR
 SEANNERY J. TENNIMON
 JAMES C. TETERS II
 TRAVIS R. THEBEAU
 BILL S. THOMAS
 JOSHUA F. THOMAS
 MICHAEL J. THOMAS
 SPENCER T. TIMMONS
 BRIAN W. TINKLEPAUGH
 FELIX G. TORRES

KEVIN J. TOTH
 MELISSA TOVAR
 BRADLEY R. TOWNSEND
 NATHAN A. TRUCKENBROD
 KIRILL A. TSEKANOVSKIY
 DEREK L. TURESON
 JOHN J. ULSAMER
 MARK B. VANGELDER
 TAMARA B. VANHOOSEPALL
 MARK E. VANHORN
 ALEX VERSHININ
 AARON T. VEVASIS
 TODD M. VICK
 JONALD C. VITTO
 ZACHARY R. VOGT
 WILLIAM H. WAGGY II
 DANIEL M. WAGNER
 MARTIN E. WAKEFIELD
 ISAAC M. WALDON
 MATTHEW P. WALTER
 RUSSELL W. WALTER
 STEVEN D. WALTERS
 LARRY D. WALTON
 BRIAN A. WARD
 RICHARD G. WARD, JR.
 ALEXANDER E. WARING
 ADRIENNE L. WATSON
 JOHN M. WEATHERLY
 AMANDA R. WEBB
 SOLON D. WEBB
 KEVIN J. WEBER
 CHARLES T. WEEKLEY
 MATTHEW T. WEHRI
 ERICK A. WELBORN
 CHRISTOPHER M. WELLS
 CHRISTOPHER P. WELSH
 CREYONTA N. WEST
 MICKEY M. WEST
 JONATHAN E. WESTBROOK
 CHAD W. WEYHRAUCH
 WILLIAM S. WHEELLESS
 ROMONA D. WHETSTONE
 DONALD S. WHIFFEN II
 MICHAEL T. WHITE
 PAUL M. WHITE
 CHRISTY L. WHITFIELD
 DOMINICK J. WILKINSON
 ANDREW WILLIAMS
 DUANE M. WILLIAMS
 EUGENE U. WILLIAMS
 RAIMOND G. WILLIS
 DERECK K. WILSON
 JASON S. WIMBERLY
 ANTHONY J. WINGFIELD
 ADAM M. WINOGRAD
 LANCE A. WINTERS
 ROBB W. WITTE
 STEVEN W. WOJDAKOWSKI
 EDWARD R. WOOD
 GRAHAM D. WOOD
 KEITH A. WOODBURN
 CHARLES G. WOODRUFF III
 MICHAEL G. WOTRUBA
 KENNETH E. WRIGHT
 KLARA WRIGHT
 TIMOTHY J. WYANT
 JAMES T. YARBOROUGH
 JOHN C. YUNGBLUTH III
 RICHARD J. ZERBST
 BRADLEY J. ZIMMER
 CHARLES R. ZIPPERER, JR.

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 TO THE GRADE INDICATED IN THE UNITED STATES ARMY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LISA M. ABEL
 ELLIOTT ACEVEDO
 GABRIEL ACOSTA
 KENDALL P. ADAMS
 ELIZABETH L. ALEXANDER
 MARISSA A. ALEXANDER
 CHARLES C. ALLEN
 JAMES P. ALLEN
 JASON A. ALLEN
 JORGE ALMODOVAR
 DAVID M. ALVAREZ
 MATTHEW T. AMSDELL
 DARYL L. ANDERSON, SR.
 HEIDI E. ANDERSON
 JARMARLE O. ARNOLD
 FIDEL ARVELO
 VON P. ASTUDILLO
 BRIAN H. ASTWOOD
 DAMON L. AUGUSTINE
 GREGORIO AYALA
 KATHERINE J. BAKER
 ULRIKE BANKS
 JEANICE A. BARCINAS
 WILLIAM R. BENNETT
 KEVIN R. BENTZ
 FRANK J. BERLINGIS
 ROBERT D. BEST
 CONSUELA L. BEVERLY

TOBY A. BIRDSSELL
 SARAH BISCIAOODEN
 DAVONNE L. BIVINS
 FORREST L. BLACK
 LISA D. BLACK
 JANET A. BLAIR
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 ADAM T. BOHLEN
 JASON P. BOOK
 WANDA L. BOOTH
 BRYAN J. BOYEA
 SIDNEY N. BRADY
 ADAM T. BRADFORD
 KEYANTE M. BRADSHAW
 MATTHEW S. BROCIOSUS
 FELICIA S. BROOKS
 JAMARCUS A. BROOKS
 RONALD P. BROSIUS
 BRIDGETTE N. BROWN
 DREWRY L. BROWN
 PACE E. BROWN
 ROBERT M. BROWN
 JASON R. BRUNO
 ADRIAN L. BRYAN
 RICHARD T. BRYANT
 EVAN H. BUCKLER
 JEFFREY W. BUCKNER
 SEDRIC P. BURRELL
 TIMOTHY L. BUTLER
 PAUL E. CACCIA
 MATTHEW C. CALHOUN
 CARLOS A. CAMACHO
 AMANDA S. CAMARANO
 TOMAS F. CAMPBELL
 LUIS E. CARABALLO
 ANGEL M. CARDENAS
 RODEN A. CARRIDO
 CHRISTOPHER L. CARTER
 RIAN M. CARTER
 TYONNE D. CARTER
 THOMAS A. CARVER
 STEPHEN C. CHENG
 EDDIE CHEW IV
 YEONG M. CHOI
 EVERT Y. CHUNG
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 EDWIN A. CHURCHILL II
 ELVIN L. CINTRON
 JAY C. COATS
 RILEY P. COFFEY
 MATTHEW P. COFFMAN
 SHANDA L. COFIELD
 HUGH H. COLEMAN III
 DIANE M. COLLYER
 RICARDO COLONACEVEDO
 REGINA COOK
 TERRIEL R. COOKE
 JERRY T. COOPER
 MARSHALL E. COOPER
 BARBARA P. COOTE
 MARTIN J. CORONADO
 MARWIN Z. CORTES
 CHARLES H. COSTELLO
 JUTANE M. CRAIGG
 MICHAEL A. CRAIGG
 KIMBERLY M. CULVER
 ISAAC V. CUTHBERTSON
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 JEMOTT DENNARD
 SUSAN M. DEPIESSTYER
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 STANLEY L. DIEHL II
 MICHAEL P. DIETZ
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 DAVID J. DIXON
 LEE W. DOGGETT
 SEAN P. DONOVAN
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 CORBY R. DUNCAN
 LATOYA D. DUNHAM
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 DAVID G. EASTER
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 MARLON U. ELBELAU
 JENNIFER E. FERGUSON
 EARL R. FIELDS
 JOEEN FIGUEROARODRIGUEZ
 CRYSTALYN D. FILLMORE
 DAVID D. FITTRO
 GUSTAVO FLORES
 JON A. FLORES
 WALTER E. FLOYD
 SHELIA R. FOGARTY

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 DAVID J. FORSYTH
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 SYMONE D. FRANKLIN
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 ROBERT I. GRAY
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 ABEL HERNANDEZ
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 WARRICK L. HIGHTOWER
 BRANDON J. HILL
 VANESSA HILL
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 WESLEY J. HINKLEY
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 KEVIN W. HUTCHESON
 JAMES T. IANITELLI
 SHAUN P. IBE
 BRENT R. IRISH
 ONWE R. IVORY
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 LARRY JACKSON, JR.
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 ANDREW R. JOHNSTON
 CHRISTOPHER M. JONES
 TYRONE JONES, JR.
 JOSHUA B. JORDAN
 MARCUS L. JORDAN
 ROBERT F. JORDAN
 DAVID D. KELLEY
 RICHARD S. KELLEY
 LEAH M. KENFIELD
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 BRIAN B. KIBITLEWSKI
 KATARINA KING
 TIMOTHY G. KIRBY

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 JULIE M. KLIMACH
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 RYAN KOSOWSKY
 JESSICA R. KOVACH
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 TODD A. LAUVRAY
 ANJEANETTE L. LAWSON
 QUINTON B. LEATH
 NAIM R. LEE
 CALEB A. LEWIS
 MARC A. LEWIS
 PAUL Z. LICATA
 MARIA A. LINDSEY
 KEVIN M. LINZEY
 JONATHAN D. LIPSCOMB
 BLAKE L. LITTLE
 RONALD G. LOCKLEAR
 CHRISTINA L. LOGAN
 OYYIF K. LOGAN
 NEFRATERIA S. LOVETT
 SHAUN P. LUCAS
 JOSEPH L. LUCHETTA
 KARL H. LUDEMAN
 JENNIFER A. LUDWICK
 BETH L. LUTHER
 HUNG T. LY
 PATRICK T. LYONS
 LASHANDA M. MACK
 RACHELLE M. MACON
 ANTHONY S. MAGGERT
 CHARLES C. MANNING
 SHANNON D. MARBURGER
 CHARLES L. MARKLEY
 TED A. MARLATT
 DAVID MARSHALL, JR.
 DEDRICK J. MARSHALL
 ALDRIC O. MARTIN
 GREGORIO MARTINEZCHAVEZ
 TERESA L. MARVIN
 ZORAIDA I. MATHER
 JOSHUA W. MATTHEWS
 BRADLEY M. MAY
 ROBERT A. MCCANDLESS
 JOSEPH J. MCCARTHY
 JARED A. MCCORMICK
 CLAIRE MCCULLISS
 JEFFREY T. MCCULLOUGH
 JONATHAN MCDUGAL
 RYAN W. MCEWAN
 JARRON C. MCGARRY
 JOHN F. MCGEE
 TERRENCE M. MCGEE
 MICHAEL B. MCGUIRE
 JAMES S. MCKENZIE
 CHRISTOPHER Q. MCKINDRA
 SCOTT P. MCLENDON
 HOWARD G. MCPLYMONT
 CARPER H. MCMILLAN
 JOSE A. MEDINA
 KARIN R. MEINDL
 LEON A. MELTON
 FRANCISCO J. MENDOZA
 KEVIN H. MENSING
 KEVIN L. MERCER
 CARLOS J. MERINO
 DEMOND J. MERRICK
 MATTHEW D. MEYER
 TRISHA A. MEYER
 MICHAEL MEZA
 MAURICE A. MILES
 REBECCA A. MILKOWSKI
 ANTHONY S. MILLER
 KARMA A. MILLER
 MICHAEL J. MILLER
 STEPHEN E. MILLER
 ASHLEY T. MILLETT
 FRANCISCO J. MIRANDAZAYAS
 CARRIE A. MITCHELL
 JERRY D. MOIZE
 BERNARD K. MONROE
 MILTON A. MONTENEGRO
 BELINDA M. MOOD
 ADAM B. MOODIE
 LILIU P. MOODY
 TERRY D. MOODY
 TIMOTHY S. MOON
 AVERY C. MOORE
 BRIAN W. MOORE
 TORRENCE D. MOORE
 WILTON MORALES
 SCOTTY T. MORI
 MARLON M. MORMAN
 TIFFANY A. MORMAN
 CAREY L. MORROW
 JOANNA MOSBY
 JAMES T. MOSLEY, JR.
 PARKER S. MOYE
 WILLIAM R. MULKEY
 WILLIAM A. MURASKI
 OPAL P. MURPHY
 SCOTT P. NALE
 TROYJOHN C. NAPUTI

BALBINO M. NAZARIO
 DOMINGO NEGRON
 KIMBERLY NELSON
 SCOTT E. NEMETH
 PHUONG H. NGUYEN
 VINH B. NGUYEN
 KATHRYN M. NILSEN
 GEORGE M. NISSON
 GEORGE S. NIX, JR.
 KELLY M. NOCKS
 KENNITH B. NORMAN II
 TARA M. OCTAVIANO
 BRENT A. ODOM
 AYOKUNLE O. OLADIPOFANIYI
 MELISSA A. OLENDORF
 CARLOS C. OQUENDO
 CHRISTOPHER T. ORLOWSKI
 RICARDO ORTIZROSARIO
 RADAMES ORTIZSANTIAGO
 JOHN P. OSULLIVAN
 LUIS R. OTERO
 JOSE M. OTEROSERRANO
 BRANDON L. OUTLAW
 CHRISTOPHER PAGE
 JOSHUA PANEK
 ERIC J. PARTIN
 MICHAEL C. PAVLISAK
 JAMIE C. PEER
 JESUS A. PENA
 LEONEL A. PENA
 ERNESTO PEREZ
 DAVID N. PETERS
 EDWARD R. PHELPS, JR.
 TODD A. PHILLIPS
 MICHELLE POPE
 ADRIENNE M. PREM
 GARY L. PRICE
 ALBERT A. PRIDE
 ALICIA L. PRUITT
 BRIAN L. PURDY
 PRESTON G. PYSH
 JOHN J. QUINN
 RAJESH RAMLAKHAN
 PHILIP S. RAUMBERGER
 TORRIONNE RECHE
 RAYMOND L. REED III
 CHARLES R. REESE
 RICHARD I. REEVES II
 TABITHA J. REID
 CESARIO J. RENDON
 CARLOS J. REYES
 PAUL R. REYES
 BRENT A. REYNOLDS
 HASSAN K. REYNOLDS
 CHRISTOPHER M. RICHARDSON
 JOSHUA RICHEY
 DAVID L. RILEY, JR.
 OCTAVIO J. RIVERAFONSECA
 ANNIE L. ROBINSON
 JUDITH F. ROBINSON
 RONDELL ROBINSON
 TANGELA V. ROBINSON
 EDUARDO RODRIGUEZ, JR.
 ERNAN D. RODRIGUEZ
 JUAN A. RODRIGUEZ
 REFUGIO RODRIGUEZ III
 DANA C. ROOD
 CARMEN J. ROSADO
 PEDRO J. ROSARIO
 JOHN M. ROY
 NATHAN T. ROZEA
 ROCHELLE S. RUIZ
 JEROME RUSSELL, JR.
 CHADRIK M. RYG
 MAXIMO A. SANCHEZGERENA
 JAMES D. SANDLIN
 PAUL F. SANTAMARIA
 EDGAR O. SANTANA
 JEANNETTE SANTANA
 FREDRICK SANTIAGO
 JAIME SANTIAGO
 TOSHIHIDE SASAKI
 JOHN A. SCARBROUGH
 GEORGE P. SCHNEIDER, JR.
 CHARLES M. SEABERRY
 JOHN D. SEITZ
 MAX V. SELF
 CHARLES D. SESSIONS
 JON H. SHACKELFORD
 DAVID C. SHAFFER
 SCOTT L. SHAFFER
 AARON M. SHAMBLIN
 SCOTT D. SHANNON
 JOHN C. SHEAFFER
 ALEX B. SHIMABUKURO
 RHOD J. SHUPE
 UPENDA P. SIBLEY
 LARRY M. SIMPSON
 DAWN M. SMALLS
 TROY L. SMART
 MICHAEL A. SMILEY
 ANDREW B. SMITH
 DAVID W. SMITH
 DINA M. SMITH
 JAMISON R. SMITH
 JULIUS SMITH, JR.
 STEVE C. SMITH
 THOMAS C. SMITH
 DEANA M. SOFFOS
 DERON M. SOMMERS
 KARL P. SONDERMANN
 JASON A. SOPKO

BENJAMIN SOTO
 TEX W. SOTO
 ANGEL L. SOTOVELAZQUEZ
 CHERYL N. SPARKS
 MATTHEW S. SPARKS
 JAMES G. SPEARS
 DAVID E. SPOHN
 JERRY L. STARR
 BENJAMIN A. STEADMAN
 ALAN L. STEPHENS
 CHRISTOPHER R. STEWART
 TODD F. STULL
 DOMINICK T. SUPERSAD, JR.
 JONATHAN M. SWAN
 JERALD D. SWANSON
 PEARLETHA SWATSON
 MATTHEW A. SWEENEY
 OLIVIA S. TAPLIN
 DELARIUS V. TARLTON
 GEORGE M. TAYLOR
 MICHAEL B. TAYLOR
 STEPHEN J. TEGGE
 AARON C. TELLER
 BENJAMIN M. TERWILLIGER
 PATTY L. TESAR
 MICHAEL E. THOMAS
 MICHAEL D. THOMPSON
 SHANNON N. THOMPSON
 TONY L. THORNTON
 ERIC W. TIMMERMAN
 QUETABALA L. TOBIN
 SHARON L. TOLBERT
 WILLIAM E. TOLES, JR.
 DAVID A. TOLLESON
 MARYGRACE P. TOMOMITSU
 KAREEM J. TOOMER

RICKEY J. TORRES
 ROCKY O. TORRES
 LUCAS R. TOWNE
 CHRISTOPHER M. TRAMONTANA
 BRIAN M. TRAVIS
 BRAD A. TWEEDY
 JAY S. VANDENBOS
 ELIZABETH VARGAS
 RODRIGO A. VARGAS
 FRANCISCO J. VAZQUEZ
 ANGEL G. VEGA
 BERTALINA VILLAR
 AMELIA H. WALDON
 ROBERT M. WALKER
 WILLIAM S. WALKER
 JOSHUA M. WALTER
 DAVID D. WALTERS
 CHARLES D. WARD
 VERNETTA C. WARNER
 VAUGHN P. WARREN
 JASON WATERS
 MICHAEL C. WATSON
 CHAD B. WATTS
 HEATH R. WEAVER
 WILLIAM G. WEAVER
 KENDALL C. WELLS
 APRIL J. WHARTON
 LEROY WHEELER
 CHANDRIA R. WHITE
 MARCUS J. WHITE
 KEMAU A. WHITTINGTON
 ALLIN L. WHITTLE II
 GREGORY W. WILEY
 OLRIC R. WILKINS II
 ADAM C. WILLCOXON
 DION E. WILLIAMS

LISBON J. WILLIAMS, JR.
 TAYONIA M. WILLIAMS
 TONY L. WINSTON
 EDWARD K. WOO
 SIMEON J. WOOD
 DEVIN C. WOODS
 NIKOLITSA WOOTEN
 ANGELIQUE WORTH
 PAMELA S. WRIGHT
 CHRISTOPHER C. WURST
 TRACI J. YAMADA
 ELIAS YBARRA
 LEONANI I. YORK
 RAYMOND K. YU
 SARAH K. YUN
 JOSEPH C. ZABALDANO
 CODY L. ZACH

WITHDRAWAL

Executive Message transmitted by the President to the Senate on May 9, 2011 withdrawing from further Senate consideration the following nomination:

PAUL M. TIAO, OF MARYLAND, TO BE INSPECTOR GENERAL, DEPARTMENT OF LABOR, VICE GORDON S. HEDDELL, RESIGNED, WHICH WAS SENT TO THE SENATE ON JANUARY 26, 2011.

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 10, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED
MAY 11

10 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Guard and Reserve.

SD-192

Finance

To hold hearings to examine the United States-Colombia Trade Promotion Agreement.

SD-215

Health, Education, Labor, and Pensions

Primary Health and Aging Subcommittee

To hold hearings to examine diverting non-urgent emergency room use, focusing on if it can provide better care and lower costs.

SD-430

Homeland Security and Governmental Affairs

Business meeting to consider S. 772, to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service, S. 550, to improve the provision of assistance to fire departments, S. 792, to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005, S. Res. 174, expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement be-

tween the United States and the European Union, H.R. 793, to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office", S. 349, to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office", and S. 655, to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

SD-342

Appropriations

Departments of Labor, Health and Human Services, and Education, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the National Institutes of Health.

SD-124

Foreign Relations

Near Eastern and South and Central Asian Affairs Subcommittee

To hold hearings to examine human rights and democratic reform in Iran.

SD-419

10:15 a.m.

Judiciary

Antitrust, Competition Policy and Consumer Rights Subcommittee

To hold hearings to examine the AT&T/T-Mobile merger.

SD-226

1:30 p.m.

Armed Services

Personnel Subcommittee

To resume hearings to examine the Active, Guard, Reserve, and civilian personnel programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

2 p.m.

Commerce, Science, and Transportation

To hold hearings to examine manufacturing our way to a stronger economy.

SR-253

Rules and Administration

Business meeting to consider the nomination of William J. Boarman, of Maryland, to be Public Printer, Government Printing Office, S. Res. 116, to provide for expedited Senate consideration of certain nominations subject to advice and consent, and S. 739, to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

SR-301

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine military space programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a

closed session in SVC-217 following the open session.

SD-106

Commission on Security and Cooperation in Europe

To hold hearings to examine Central Asia and the Arab spring, focusing on growing pressure for human rights and whether the factors that drove the uprisings in North Africa and the Middle East exist in any of the Central Asian States.

2322, Rayburn Building

2:30 p.m.

Energy and Natural Resources
National Parks Subcommittee

To hold hearings to examine S. 114, to authorize the Secretary of the Interior to enter into a cooperative agreement for a park headquarters at San Antonio Missions National Historical Park, to expand the boundary of the Park, to conduct a study of potential land acquisitions, S. 127, to establish the Buffalo Bayou National Heritage Area in the State of Texas, S. 140, to designate as wilderness certain land and inland water within the Sleeping Bear Dunes National Lakeshore in the State of Michigan, S. 161, to establish Pinnacles National Park in the State of California as a unit of the National Park System, S. 177, to authorize the Secretary of the Interior to acquire the Gold Hill Ranch in Coloma, California, S. 247, to establish the Harriet Tubman National Historical Park in Auburn, New York, and the Harriet Tubman Underground Railroad National Historical Park in Caroline, Dorchester, and Talbot Counties, Maryland, S. 279, to direct the Secretary of the Interior to carry out a study to determine the suitability and feasibility of establishing Camp Hale as a unit of the National Park System, S. 302, to authorize the Secretary of the Interior to issue right-of-way permits for a natural gas transmission pipeline in non-wilderness areas within the boundary of Denali National Park, S. 313, to authorize the Secretary of the Interior to issue permits for a microhydro project in nonwilderness areas within the boundaries of Denali National Park and Preserve, to acquire land for Denali National Park and Preserve from Doyon Tourism, Inc. S. 323, to establish the First State National Historical Park in the State of Delaware, S. 403, to amend the Wild and Scenic Rivers Act to designate segments of the Molalla River in the State of Oregon, as components of the National Wild and Scenic Rivers System, S. 404, to modify a land grant patent issued by the Secretary of the Interior, S. 508, to establish the Chimney Rock National Monument in the State of Colorado, S. 535, to authorize the Secretary of the Interior to lease certain lands within Fort Pulaski National Monument, S. 564, to designate the Valles Caldera National Preserve as a unit of the National Park System, S. 599, to establish

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

a commission to commemorate the sesquicentennial of the American Civil War, S. 713, to modify the boundary of Petersburg National Battlefield in the Commonwealth of Virginia, S. 765, to modify the boundary of the Oregon Caves National Monument, S. 779, to authorize the acquisition and protection of nationally significant battlefields and associated sites of the Revolutionary War and the War of 1812 under the American Battlefield Protection Program, S. 849, to establish the Waco Mammoth National Monument in the State of Texas, and S. 858, to authorize the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of designating the Colonel Charles Young Home in Xenia, Ohio as a unit of the National Park System.

SD-366

MAY 12

9:15 a.m.

Foreign Relations

To hold hearings to examine assessing the situation in Libya.

SD-419

9:30 a.m.

Energy and Natural Resources

To hold hearings to examine carbon capture and sequestration legislation, including S. 699, to authorize the Secretary of Energy to carry out a program to demonstrate the commercial application of integrated systems for long-term geological storage of carbon dioxide, and S. 757, to provide incentives to encourage the development and implementation of technology to capture carbon dioxide from dilute sources on a significant scale using direct air capture technologies.

SD-366

Appropriations

Transportation and Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Federal Aviation Administration.

SD-138

9:45 a.m.

Health, Education, Labor, and Pensions

To hold hearings to examine the middle class, focusing on if the American dream is slipping out of reach for American families.

SD-430

10 a.m.

Banking, Housing, and Urban Affairs

Business meeting to consider the nominations of Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System, David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes, Daniel L. Glaser, of the District of Columbia, to be Assistant Secretary for Terrorist Financing, and Timothy G. Massad, of Connecticut, to be Assistant Secretary, all of the Department of the Treasury, and Wanda Felton, of New York, to be First Vice President, and Sean Robert Mulvaney, of Illinois, to be a Member, both of the Board of Directors of the Export-Import Bank of the United States; to be immediately followed by an oversight hearing to examine the Dodd-Frank implementation, focusing

on monitoring systemic risk and promoting financial stability.

SD-538

Commerce, Science, and Transportation

To hold hearings to examine economic ramifications of cyber threats and vulnerabilities to the private sector.

SR-253

Finance

To hold hearings to examine oil and gas tax incentives and rising energy prices.

SD-215

Judiciary

Business meeting to consider S. 350, to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, S. 623, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, S. 890, "Fighting Fraud to Protect Taxpayers Act of 2011", and the nominations of Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit, Kathleen M. Williams, to be United States District Judge for the Southern District of Florida, Nelva Gonzales Ramos, to be United States District Judge for the Southern District of Texas, Richard Brooke Jackson, to be United States District Judge for the District of Colorado, Sara Lynn Darrow, to be United States District Judge for the Central District of Illinois, and Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States, Department of Justice.

SD-226

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the proposed budget estimates for fiscal year 2012 for the United States Special Operations Command, and the United States European Command.

SVC-217

2 p.m.

Banking, Housing, and Urban Affairs

Housing, Transportation and Community Development Subcommittee

To hold hearings to examine the need for national mortgage servicing standards.

SD-538

2:30 p.m.

Environment and Public Works

Clean Air and Nuclear Safety Subcommittee

To hold hearings to examine Federal efforts to protect public health by reducing diesel emissions.

SD-406

Homeland Security and Governmental Affairs

To hold hearings to examine ten years after 9/11, focusing on if intelligence reform is working.

SD-342

Appropriations

Legislative Branch Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Secretary of the Senate, the Senate Sergeant at Arms, and the United States Capitol Police.

SD-138

Armed Services

SeaPower Subcommittee

To receive a closed briefing on threats faced by our naval forces and the capabilities of our naval forces to respond to those threats in review of the De-

fense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SVC-217

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 17

10 a.m.

Foreign Relations

To hold hearings to examine strategic implications of Pakistan and the region.

SD-419

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).

SVC-217

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine addressing the U.S. Postal Service's financial crisis.

SD-342

MAY 18

10 a.m.

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine the current materiel readiness of U.S. Forces in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on improving Veterans Affairs and Department of Defense collaboration.

SR-418

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 220, to provide for the reforestation of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 270, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, S. 278, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, S. 292, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, S. 382, to amend

the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits, S. 427, to withdraw certain land located in Clark County, Nevada, from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, S. 566, to provide for the establishment of the National Volcano Early Warning and Monitoring System, S. 590, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands, S. 607, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, S. 617, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, S. 683, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 729, to validate final patent number 27-2005-0081, S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, S. 896, to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural,

historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, and S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs.

SD-366

MAY 19

10 a.m.

Foreign Relations

To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-419

MAY 24

10 a.m.

Foreign Relations

To hold hearings to examine al Qaeda, the Taliban, and other extremist groups in Afghanistan and Pakistan.

SD-419

MAY 25

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine how to save taxpayer dollars, focusing on case studies of duplication in the Federal government.

SD-342

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD-192

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 233, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 375, to

authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, range-land, and watershed restoration and protection services, S. 714, to reauthorize the Federal Land Transaction Facilitation Act, and S. 730, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act.

SD-366

MAY 26

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).

SVC-217

JUNE 15

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

SD-192

JUNE 16

10:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

SENATE—Tuesday, May 10, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Eternal Spirit, Your kingdom is above all earthly kingdoms.

Empower the Members of this body with the wisdom, courage, and strength needed for our times. Infuse them with a passion to act in ways that honor Your Name. Preserve their health and strength by Your mercy and power, and may they find Your grace sufficient for every need.

Lord, bless also the citizens of this great land. Give them the wisdom to pray for our governmental leaders so that all people may live quiet and peaceful lives in all goodness and holiness.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 10, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The majority leader.

Mr. REID. I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following leader remarks, the Senate will be in a period of morning business until 5 p.m. today. The majority will control the first 30 minutes and the Republicans will control the next 30 minutes. The Senate will recess from 12:30 until 2:15 today for our weekly caucus meetings.

We are working to set up the debate and vote on the nomination of Edward Chen to be a district judge from the State of California. Senators will be notified when that vote is going to be scheduled.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

SOLVING CHALLENGES

Mr. MCCONNELL. Madam President, later today the President is expected to speak in El Paso about our Nation's immigration policy. Getting immigration policy right is one of the more difficult challenges we face as a nation, and Republicans are committed to meeting it. As with most serious challenges, however, the only way we will make progress is by working on a solution that is acceptable to both parties. For Republicans, that means the President will have to present a plan that takes amnesty off the table and focuses instead on making a real commitment to border and internal security. If the President does these two things, he will find strong bipartisan support. If he doesn't, he won't.

Another difficult challenge we are solving only by working together is bringing down the Nation's debt. To that end, Members of both parties met with the Vice President last week at Blair House. The participants had what all sides agreed was a productive meeting, and they will meet again this afternoon. Unfortunately, there still seems to be a serious disconnect be-

tween the two parties on this issue. There are still those on the other side who think we can put off difficult decisions until after the next Presidential election or even beyond. Republicans strongly disagree. In our view, doing nothing about the debt would be far more dangerous in the long run than failing to raise the debt ceiling. I have said this before, and Speaker BOEHNER reiterated the point yesterday in New York. The warning bells are simply too loud to ignore this crisis any longer, and the debt limit debate presents us with a prime opportunity for meaningful, positive action.

If the last financial crisis taught us anything, it is that we can't afford to play with fire when it comes to economic forces this great. We need to get serious now before the crisis we know is coming. That means entitlement reform needs to be on the table. This is a serious crisis. We must do something serious. Entitlement reform needs to be a part of it. That is the only way we will send a message to the world that we are actually willing to make the tough decisions needed to get our fiscal house in order. That is the only way the markets, the American people, and the rest of the world—especially those who hold so much of our debt—will believe we are on the right track.

As we prepare for a second round of talks, I would renew the call to get serious about this looming crisis and do something serious. I renew my pledge this morning to do what it takes to make sure we avert it without raising taxes or building in automatic tax increases in the future which would only destroy jobs. We can avert this crisis without doing harm to the economy or slowing down any economic recovery. That means no tax hikes now, and it means not rewarding the failure of a future Congress with automatic access to more taxpayer dollars. Above all, it means serious reforms. We need to summon the courage to make some tough decisions right now.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The majority leader.

IMMIGRATION REFORM

Mr. REID. Madam President, briefly, first to comment on immigration reform, we have spent a great deal of time on the Senate floor the last two Congresses dealing with immigration reform. We worked hard in coming up with a solution, and we have a solution. We were working with President Bush toward coming up with a solution to immigration reform. The problem

was that even President Bush—even President Bush—could not get his Republican colleagues to join with us in doing something about immigration reform.

Our immigration system is broken, and it needs to be fixed. But it is so important that the President in El Paso today talks about the need for immigration reform because he knows and we all know, as even President Bush knew, that immigration reform is necessary. The problem is that we can't get Republicans here in the Senate to help us. It is quite simple.

We know we have to do something about border security. We have done a lot in that regard. Have we done enough? No. There is more that can be done, but we have done a lot in that direction, and rightfully so. Just within the last year or so, we provided \$650 billion for more border security. That was on a bipartisan basis. We passed that. That was important.

We also have to do something about our guest worker program. At any one given time, we have thousands and thousands of guest workers here. Why? Because it is necessary, and it has been for a long time. Take the Chesapeake Bay. We have learned that we have people who come in—seasonal workers—who can do the work on the clams and the stuff on the great Chesapeake Bay. We have about 1.5 million agricultural workers in our country, and we have a system that doesn't work even for them. We have to do this. Our agricultural industry depends on it.

We also have in our country today 11 million people who are undocumented. There isn't anybody with an ounce of common sense who thinks we can deport 11 million people. We can't do it fiscally, and we can't do it physically. Therefore, we should do something about the 11 million people who are here. How should we do that? Put them on a pathway to legalization. It doesn't mean amnesty. It means that they would pay penalties and fines, that they would go to the back of the line, not the front of the line. They would have to learn English. They would have to stay out of trouble. They would have to pay taxes. There are certain things they would be required to do.

Finally, we have to do something about the unworkable employer sanction provision that was put into the 1986 law. It hasn't worked. Prior to that time, the burden was on the government to make sure people who came to work throughout America were legal. We shifted that responsibility to employers. They can't do that. It is a catch-22 now. The way the law is set up now simply doesn't work. We have, since 1986, computerization which has taken over much of the world, and through that we can work toward having an employer sanction program in our country that will work.

My point is that President Obama should be commended for talking about immigration reform. It is necessary.

My friend the Republican leader should also understand that we have tried, and for our Republican people to talk about immigration reform and not vote accordingly is something the people of America have witnessed now for many years.

OIL COMPANY SUBSIDIES

Mr. REID. Madam President, saving money requires a lot of very difficult choices: Which programs do we cut in these tough times? Which priorities are more important than others? As we have seen in the Senate and across the country over the last few months, a lot of people have a lot of different answers to these questions.

Democrats believe we have to get our spending under control, and we have to look at what needs to be cut. But we need to have a fair program, one that looks at what we are going to do long term with the equities of our spending programs. We have to look at what we do with revenues to make sure they are fair and balanced. So there are a lot of choices.

My friend, the Speaker of the House, gave a speech last night in New York. He talked about raising the debt limit and some of the things he thinks would be necessary in order to get that done. But I would direct the attention of my friend, the Speaker, to one way it would go very quickly to solving some of these problems. We know there is waste in the Federal budget and the Tax Code, but what I want to direct the attention of my friend, the Speaker, to is these five big oil companies.

We, as taxpayers, are giving billions and billions of dollars every year to these companies—billions every year. Every cent of it is taxpayer money to oil companies that already are more than successful.

These oil companies made \$36 billion in profits during the first quarter of this year. I repeat that: \$36 billion in profits during the first quarter of this year. ExxonMobil alone made 70 percent more this year than they did last year. Exxon holds the record for making more than any corporation in the history of our country in years past. These oil companies, I repeat, made \$36 billion in the first quarter.

The industry's \$36 billion in quarterly profits means they are making about \$12 billion a month or \$4 billion a week, and yet the U.S. Government is giving these companies billions of dollars in corporate welfare every year. That is unnecessary. Why are taxpayers on the hook for oil companies that are doing just fine on their own?

If we are serious about reducing the deficit, what an easy place to start, I say to my friend, the Speaker of the House of Representatives. It is a no-

brainer. Let's use these savings from these taxpayer giveaways to drive down the deficit, not drive up the profits of oil companies.

We need to make one thing very clear: Wasteful subsidies have nothing to do with gas prices. These oil handouts have existed for decades. Prices have continued to rise. Oil executives' paychecks have also continued to rise.

In the State of Alaska they are paying \$8 or \$9 a gallon for gasoline. In the State of California, there are places where you pay as much as \$5 a gallon for gasoline. Here at an Exxon station along the waterfront, I looked out the other day, and the gas prices there were within a few cents of being \$5 a gallon. That is in our Nation's Capital. So that money Americans are paying at the pump is not related to those subsidies I have talked about, but those profits are proof enough they do not need them. The companies do not need those subsidies. Even big oil CEOs, such as the head of Shell, and Republicans in Congress—even my friend, the Speaker—have said on occasion these subsidies are not necessary.

Some of our conservative colleagues have a hard time stomaching giving a hand to those who need it the most. But we should all agree—in the interest of fairness, common sense, and saving taxpayer money—that we cannot continue with this corporate welfare to those big oil companies that need it the least. That is a good place to start.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the majority controlling the first 30 minutes and the Republicans controlling the next 30 minutes.

The Senator from Illinois.

OIL COMPANY SUBSIDIES

Mr. DURBIN. Madam President, I rise in support of the comments made by the majority leader. I was in Chicago over the weekend, and downstate as well in Illinois, and saw these gasoline prices and understand the hardship they cause. At a BP filling station in Chicago near Lawrence and Lake Shore Drive, I ran into a man who is a plumber who has a van and goes from job to job. He said it is not unusual now for

him to spend over \$100 a week on gasoline. Of course, that is taking away money he could have brought home for his family. It is a real hardship on him.

He kind of smiled and chuckled and said: They do it to us every year, don't they.

That is true, Madam President. Whether we are talking about the situation in New Hampshire or Illinois, we can predict the rights of spring in America: the opening of the baseball season, Easter egg hunts, Seder dinners for Passover, and skyrocketing gasoline prices.

Then there are the excuses. There is always an excuse: Oh, we had to switch from winter to summer. We didn't see that coming. Oh, there is a problem in the Middle East. Whatever it is, any excuse will do, and the gasoline prices go up.

We can do something about it, and we should. The majority leader is right. We accept the challenge of Speaker JOHN BOEHNER who said in New York: Let's make a serious effort to deal with this deficit. Well, we have a great downpayment: \$21 billion we can take off the deficit. We can take it away from a group that does not need it. We are talking about the oil companies that are registering record profits—\$36 billion. If we decide to take away the subsidies that are now being given to these extremely profitable companies, it will save taxpayers \$21 billion over 10 years.

Let's get started there. That ought to be the easy part because right now we know what is going on. We are paying for these high gasoline prices three times: First, when we fill up our tanks. Oh, they hit us hard there—\$60, \$80, \$100 just to fill up the tank. Second, because we are giving \$4 billion a year in subsidies to the oil companies, taxpayers are being hit again. It is not just what we pay at the gas pump, it is what we pay on April 15. Part of that is going to the oil companies.

But there is a third hit. Do you know where we get the money to pay the subsidies to the oil companies? We borrow it from China—the largest creditor of the United States. We are borrowing 40 cents for every \$1 we spend. So out of the \$4 billion we are talking about that is going annually to these oil companies, 40 percent of it—about \$1.6 billion—is being borrowed every single year from countries such as China. So the third way we pay is, ultimately, on the debt to China and the interest on that debt.

Can we afford that? At a time when Americans are sacrificing, can't we ask the oil companies, with record profits, to sacrifice their Federal subsidies? That is all we are trying to do. I know Senator SCHUMER from New York is going to take the floor momentarily and talk about this issue. We will have a bill on the Senate floor. For those Members on both sides of the aisle who

have given impassioned speeches about reducing the deficit, here is their chance. It is a put-up-or-shut-up moment. If we believe in reducing the deficit, here is \$21 billion of low-hanging fruit. Let's pick it. Let's pick it for the taxpayers. Let's take these savings and put it right on deficit reduction. I hope that is something on which both sides of the aisle can agree.

IMMIGRATION REFORM

Mr. DURBIN. Madam President, let me say a word very quickly about the President's speech today in El Paso.

I have said on the Senate floor many times, because it is a source of pride to me, I am a first generation American. One hundred years ago, my mother was brought to this country as an infant, 2 years of age. My grandmother brought her over from Lithuania, and they landed in Baltimore in 1911—100 years ago. How they made it—the four of them, at that point: my aunt, uncle, grandmother, and mother—how they made it from Baltimore to East St. Louis, IL, I do not have a clue because I am sure they did not speak but a handful of words in English.

They made it like other immigrants made it: because they were determined to come to this country. They were prepared to leave everything behind in their lives—their homes, their churches, their relatives, their friends, their languages, their cultures—and come to this great Nation and take the risk, the risk of opportunity. Think about that story and multiply it millions of times, and that is the story of America.

The people who hate immigration are turning their back on the heart and essence of this great Nation. We are an immigrant nation of people of extraordinary courage who picked up and moved and said: We are going to try our best in a new place with a new language. When most of them arrived—I am sure it was the case with many who were on the boat with my mom—there were folks standing on the shoreline saying: No, not more of those people. Don't we have enough of them? They don't speak our language. They don't look like us. They don't dress like us. They eat funny food. They hang out with one another. We don't need more of those people.

For as long as immigrants have been coming to these shores, there have been people standing on the shores saying: Please, pull up the ladder. We don't need any more of those folks. But we do. We need them not only because they work hard, we need them because they have a spirit and a determination which makes us a different nation.

The DNA each of us shares from those immigrant parents and grandparents gives us a drive and a determination to make this a better nation. When we close the doors to immigra-

tion—orderly, legal immigration—we are closing the doors of opportunity in this country.

The President will speak to immigration today. He has been a loyal friend of mine for a long time. He was a co-sponsor of the DREAM Act, which I introduced 10 years ago, and I would not be surprised if he brought it up today in El Paso. He did last week in the White House. I know he is committed, as I am, to make sure children who were brought to the United States as infants and youngsters, who had no voice in the decision to come here, who have lived a good life here, worked hard and went to school, said the Pledge of Allegiance every morning in the classroom and know no other flag but the U.S. flag, children who want to become tomorrow's adults and tomorrow's leaders deserve a chance. The DREAM Act will give them that chance. They can choose to enlist in our military and become citizens of the United States, or they can choose to complete college, at least 2 years of it, and find a path to citizenship. That is reasonable, it is compassionate, and it is fair. I hope as part of immigration reform we include it.

I plead with my colleagues on the other side of the aisle: Do not turn your back on America's heritage. Do not turn your back on fairness and compassion. Join us in real immigration reform. Join us in passing the DREAM Act.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from New York.

Mr. SCHUMER. Madam President, first, I commend my colleague and friend from Illinois for his outstanding remarks on both subjects, the deficit and on immigration. I am here to talk about the deficit, but I will just touch on immigration.

People are saying, well, why is the President going to El Paso when we have not made enough progress on immigration? They bring up a point, but the President's point is the right one. He is bringing the message to the country on why we need real immigration reform.

I think there is one point on which 100 Members of this Chamber would agree: our present immigration system is broken, badly broken. We turn away lots of people who should be here. We also do not have a rational system for who should come here, and America is the lesser for it. As the Senator from Illinois pointed out, immigration is part of our proud heritage, and immigrants help America.

One of the reasons we are doing a lot better than Europe is we have welcomed new people into this country, and we integrate them and say: As quickly as you can, become Americans. We all came from somewhere else originally.

Now, I am still very hopeful that as the President sets the table and let's

America know how important this is, we can get bipartisan immigration reform done in this Chamber, on the floor of the Senate, and even over in the House. It is hard, no question, but I believe, first, to get comprehensive reform we need bipartisan support. That is obvious. But, secondly, that people see enough need to do it that we can actually get it done, particularly if the President goes around the country, as he is beginning to do today in El Paso and as he has done in the past, and talks about the need for immigration reform, setting the table so we can actually get something real done.

THE DEFICIT

Mr. SCHUMER. Now, let me speak to the issue I came here to speak about, which is the deficit.

Speaker BOEHNER was in my hometown of New York City last night, and he talked about how important it is to get a handle on this deficit. On that issue, my colleagues on this side of the aisle and I certainly have no problem. Neither does President Obama. The President has proposed \$4 trillion in cuts—a huge amount of cutting, \$4 trillion—to close the deficit both on the spending side and the tax side. So anyone who thinks one side wants to cut the deficit and the other does not has not looked at the facts. But, obviously, we have to come together.

If each side sticks to its own position, nothing will happen. There should be one obvious place where Speaker BOEHNER and his colleagues can show some goodwill; that is, on these subsidies to big oil. No one can defend them—no one. Oil companies are making record profits. Gas prices are at an all-time or close to an all-time high, and we, the taxpayers, are continuing to subsidize the five big oil companies.

You could not write a more ridiculous scenario. Senator MENENDEZ, along with Senators BROWN and MCCASKILL, later today will introduce legislation that our side agrees with, which will say take all that money and put it to deficit reduction. There are some who would have preferred to put the money into encouraging independence from particularly foreign oil. But because the deficit is such a huge problem and because we might have a dispute with our friends on the other side as to where the money ought to go, everybody can agree it would be worthwhile to take a little bit of the burden off of the taxpayers, have the oil companies pay their fair share, and stop these ridiculous tax breaks and subsidies to the five big oil companies.

So I ask Speaker BOEHNER to show some good faith. Some on his side have already said these subsidies don't belong. They were created at a time when oil was \$17 a barrel, when we worried about production here. Oil was hovering at just over \$100 a barrel again

yesterday. You don't have to worry about their desire to explore. They are looking every place they can. They don't have to have a subsidy to do it.

Some might argue: What about the small and middle-size companies? Many of us believe they too should not get the tax breaks. But this bill Senator MENENDEZ will be introducing shortly doesn't even touch them—just the five big oil companies and just the tax breaks they now get. Why not? It is a perfect way to start this debate and show some good will.

Democrats have agreed to cuts—lots of cuts. People on the other side of the aisle can show some agreement on revenues. This area of revenues, which almost nobody can dispute, should not be there. So the time to repeal these giveaways is now. We would most prefer to do it in a bipartisan way. Speaker BOEHNER, and those on his side of the aisle, can show some good faith that they are not dug in and saying that only my way will lead to the kind of scenario that many tremble at, which is the debt ceiling not being approved.

We on this side of the aisle don't believe that should happen. Many on the other side have said they don't. The first good step that could be taken on the other side to show little give is to eliminate these big tax subsidies to big oil. I urge my colleagues to support it. I urge Speaker BOEHNER to pivot on his speech from yesterday and support this proposal. It would create a great deal of good will and put us in the direction of reducing the deficit that we all so much want to do.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. INHOFE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

GASOLINE PRICES

Mr. INHOFE. Madam President, it has been called to my attention that there are some people who are trying to respond to the fact that we have such high prices of gasoline at the pumps in a totally unrealistic way, in a way that is class warfare, in a way that doesn't make any sense to anyone, when we have a solution to this problem we have been talking about for a long period of time.

There are some who are trying to say we are going to have to do something about the subsidies that are given to oil companies, about what they have been doing over the years, and all of a sudden they are the ones who are responsible for the high price of gas at the pumps.

A CRS report was requested by my colleague, LISA MURKOWSKI, that grew out of frustration with the Democrats' refrain that "America has only 3 percent of the global oil reserves." Therefore, under this view, more drilling and production at home is futile. As President Obama has said many times, "with 3 percent of the world's oil reserves, the U.S. cannot drill its way to energy security."

Well, it can, because it is not 3 percent. A CRS report came out later and showed—and this is something people don't want to believe, but it is out there and it is a fact—the United States of America has the largest recoverable reserves of oil, gas, and coal of any country in the world—more than China, Saudi Arabia, or anyone else. Our problem is a political one—this administration. It goes down Democratic and Republican lines. The Democrats put 83 percent of America's Federal lands off limits to drilling. Of course, that is fine for the administration, because they have made some statements, which I will read in a minute, to demonstrate clearly that they want to increase the price of gas at the pumps.

On the idea that you can do this through regulation and through trying to further tax the oil industry, CRS stated that tax changes outlined in the President's budget proposal—I am quoting from CRS, which everyone knows is completely nonpartisan—"would make oil and natural gas more expensive for U.S. consumers and likely increase foreign dependence."

I was very proud of a couple of Democrats—the only two who were outspoken. Senator LANDRIEU, from Louisiana, said:

The administration has put forward draconian taxes on the oil and gas industry. . . . It seems very contrary to our stated goal of being more energy sufficient in the United States. Taxing this domestic industry will instead cut jobs and increase our dependence on foreign oil. So I want you to deliver that message again to the administration. We have bipartisan opposition to increasing taxes on this industry.

Senator MARK BEGICH from Alaska said:

[The President's proposal] would cost thousands of jobs in Alaska and across the country. Energy companies are among the businesses investing and creating jobs at a time when our country needs both. I will fight any measure to end these incentives.

It should be obvious that without these two Democrats coming in—I appreciate the fact they did. We are not going to be able to reduce the price of oil at the pumps by further taxing the oil and gas industry. It is ludicrous to even think that anyone would suggest we could increase taxes on the oil industry and gas industry and somehow we are going to have energy more available and are going to reduce the cost of gas at the pump.

There is a way of doing this that I think is so simple. There is not a person in this country—certainly no one who serves in this body—who, back during his or her elementary education, did not learn about supply and demand. Here we are in the United States of America sitting on more gas and oil than any other country in the world, and we are the only country that does not exploit its own natural resources. We are the only country. If we did, we would be completely independent from the Middle East. We would not have to go outside this continent to supply our needs.

People say: If you do that, you start developing. Then it is going to take a long time. It is going to be maybe 8 or 10 years. That would be fine. They were saying that 8 or 10 years ago, and we could have done it then. That is not quite true because the economists have said that if we announce we are going to areas where we are not exploiting our resources—I am talking about the gulf, the east coast, the west coast, the North Slope in ANWR, Alaska. I am talking about the public lands where 83 percent of our public lands are off limits for drilling. If we were to announce today that we were going to open drilling and exploration and production in the United States of America, that price would drop tomorrow. It would drop immediately because people would know we are going to use our own resources.

I hate to say this, but somebody has to say it. We have an administration that is so wrapped up in saying that one of these days, we are going to have to have all this green energy, and they themselves are on record saying they want to increase the price of oil and gas.

Let's look at what happened.

Alan Krueger with the Department of Treasury said:

The administration believes that it is no longer sufficient to address our nation's energy needs by finding more fossil fuels.

The Obama Treasury Department said:

To the extent the lower tax rate encourages overproduction of oil and gas, it is detrimental to long-term energy security.

Therefore, we want to do away with oil and gas.

Here is the best one. President Obama's Energy Secretary, Steven Chu, said:

Somewhat we have to figure out how to boost the price of gasoline to the levels in Europe.

We have an administration that wants to increase the price of gasoline at the pumps to be comparable to Europe, which is between \$7.50 and \$8 a gallon. Obviously, people know this is true. It was not long ago that President Obama gave his energy speech. In his energy speech, he said there is all this abundance of clean gas we can use. Then at the end of the speech he said:

But we have some problems in getting the gas out of the ground. He is talking about natural gas in this case, not about oil. I happened to give a response on one of the TV stations. He said he wants natural gas. At the same time, he says he wants to end hydraulic fracturing.

Let me tell my colleagues about hydraulic fracturing. Hydraulic fracturing started in the State of Oklahoma, my State, in 1948. It is a way of pumping fluids and water primarily into these tight formations. These tight formations mostly are down about 1 mile to 2 to 3 miles under the surface. That will allow them to go in and get the gas. We have enough natural gas to take care of our needs for the next 100 years; we just need to use these systems. If we do away with hydraulic fracturing, then that means we are not going to be able to get any of the natural gas. We cannot produce 1 cubic foot of natural gas without using hydraulic fracturing. What did we find out last week? Secretary Chu is going to be in charge of a study to see how dangerous hydraulic fracturing is. This is the same guy who said that somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

I will only say this. We actually have three problems. We have the problem of, we have this abundance of resources we are not going after, and hydraulic fracturing. Then keep in mind that what we get, we have to refine. That is where the EPA comes in.

I have stood at this podium for 9 years talking about the problems we have with cap and trade, the fact that we can't have a cap-and-trade system that is going to have the effect of costing the American people—the estimates are between \$300 billion and \$400 billion a year. That is supposedly for greenhouse gases.

We had the Kyoto treaty back in the nineties, and then they tried seven different times on the Senate floor to pass legislation that would have the same type of cap and trade we would have had if we had become a party to and ratified the Kyoto treaty. The problem with that is, even if there are people out there—and there are. A very large percentage of the people in America, some 40 percent, believe that somehow greenhouse gases are causing catastrophic global warming. Even if that were true, which it is not, but if it were true, it does not make any difference what we do in the United States of America.

I admire the Administrator of the Environmental Protection Agency, Lisa Jackson, who was appointed by President Obama. Yes, she is way off in the leftwing. She is liberal and all of that. When you ask her a direct question, she gives an honest answer. She gave honest answers. I asked a question—I think at that time it was the

Markey bill. It was one of the cap-and-trade bills. I said: In the event we were to pass a cap-and-trade bill in the United States, would that reduce emissions? Her response was, no, it will not, because that would only affect the United States of America.

That is not where the problem is. The problem is in India, Mexico, and China. Right now, China is cranking out two coal-fired generating plants every week. It is going to continue there. In fact, one could argue that it would even be more expensive or more polluting—if one calls CO₂ a pollution—because our jobs would go to places such as China where they do have this problem. They do not have any emissions control.

We have the problem of refining the gas once we get it. I see my good friend is on the floor and is going to be speaking perhaps to the same issue. I only want to mention one thing. With regard to the cap-and-trade agenda, since they are not able to get it passed, they are trying to do it through the Environmental Protection Agency through regulations.

Lion Oil, based in El Dorado, AR, recently testified before the House Energy and Commerce Committee that it commenced a \$2 million expansion of its El Dorado refinery in 2007, with 2,000 construction jobs, but its completion has since been stalled. As Lion Oil vice president Steve Cousins explained:

The uncertainty and the potentiality of prohibitive costs associated with possible cap-and-trade legislation and EPA's greenhouse gas regulations were a critical factor leading us to delay the completion of the expansion.

What I am saying is, if we are—and I believe we are—going to break down this barrier and overcome this mentality that we should not be developing our own resources, then we also have to have a way of refining it. We can do it. It is within our reach. We can bring down the price of oil and gas and certainly gasoline at the pump by tomorrow. If we were to announce we were going to stop being the only country in the world that does not exploit its own resources, if we go after the oil and gas that is available in the gulf, the east coast, west coast, our public lands, as well as the North Slope of Alaska, we could be independent from any dependency on the Middle East. I believe the American people understand that point. It goes right back to our elementary school education. It is supply and demand. We have the supply in the United States of America. We have to open up that supply so we can use it, and obviously that would lower the price of gas at the pumps.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

Mr. SESSIONS. Madam President, I thank my colleague from Oklahoma for his leadership on the Environment and

Public Works Committee. I am pleased to be back on that committee with him. I share very much the substance of his views about the need to produce more oil and gas. It keeps money in the United States, creates jobs in the United States, and creates tax revenues for the United States. Offshore oil and gas in our gulf produces billions of dollars for States and the Federal Government. Why we would want to produce oil and gas off Brazil and not produce it off our shore I do not know. I thank my colleague.

THE BUDGET

Mr. SESSIONS. Madam President, I wish to make a few remarks about the budget circumstances in which we find ourselves.

Yesterday, we learned that the President has scheduled two summit meetings on the budget this week. The President will meet with Senate Democrats on Wednesday and Republicans on Thursday. By calling this summit, it would seem the President has effectively canceled this week's planned unveiling of a Democratic Senate budget in the Senate Budget Committee that was planned earlier. First it was going to be Monday, then Tuesday, then Wednesday. It looks as if maybe it will not be held this week at all. It might be that Senator CONRAD could do that, but somehow, with this event occurring, he may not.

Regardless of this new discussion period, it is my expectation and belief that the American people should be given a Senate budget plan so it can be examined and we can know what is in it and see what it is about. The American public deserves to know where our elected leaders stand.

I hate to say that we have gone 700-plus days without a budget for the United States of America during a time of the greatest debt increase we have ever faced. We will have doubled the debt of the United States, I believe, by next year in 4 years. We will add \$13 trillion to the debt over the 10 years presented by President Obama's budget that he sent to us in February.

There have been all kinds of discussions and talks and a lot of speeches. The President created a fiscal commission. They came forward with a serious proposal that was worthy of real insight and study. They spent a lot of time on it. It did not go far enough, in my opinion, to reduce our surging growth in spending, but it was intellectually honest, and it offered us some very real suggestions about how we could do better.

Then we started hearing that after the President's budget was submitted and it was received very badly—in fact, it was not helpful at all but actually made the debt trajectory we are on worse. We had a gang of six Senators who tried to work together to establish

a budget plan that might work for us. They met in secret and had ideas. I was interested in what they had to say, but somehow that seems to have gone on the back burner.

Then we had Vice President BIDEN. He is going to lead a discussion with House and Senate Republicans and Democrats, and he is going to work out something.

Now, just yesterday, we heard that the President is going to have another meeting at the White House and talk to us. I hope it is not like the one to which he invited the House Budget Committee chairman, PAUL RYAN, and criticized him, sitting right there in front of him, for producing what I think is a historic budget that would put us on a sound path if followed.

Here we are. We have not gotten a plan or a commitment as to what this administration intends to advocate for. They submitted their budget. It was alleged to have reduced the deficit by \$2 trillion, but when the Congressional Budget Office, our objective analyst, took the document they submitted and studied it in detail, they concluded it would add \$2.7 trillion. In other words, it would create more debt over the next 10 years by \$2.7 trillion than was projected to accrue without the budget. That is not what financial experts are telling us, that is not what economists and professors are telling us we need to do. It is unacceptable.

That budget was criticized, and we hadn't heard much about it since. Well, the President, for a week or so, tried to propose that it would have us live within our means and help pay down the debt. According to the Congressional Budget Office, the lowest deficit in 10 years would be over \$700 billion, and the President said this was going to have us living within our means? Apparently, desiring to back off that, the President made a speech and he said he is now going to save \$4 trillion.

Well, the budget staff—I am ranking Republican on the Budget Committee—looked at what he said in the speech and noticed a couple of things. We noticed the President had moved the budget period from 10 years to 12 years, and that made the numbers look a lot better compared to a 10-year savings plan. If we save a little each year and we go 12 years, it looks better than 10, when everybody was talking about 10. It is kind of a little gimmick, you see, to make the numbers look better. Then they incorrectly took credit for every dollar that was saved when the Republicans in the House negotiated with the Senate on the CR and reduced spending about \$75 billion a year below what the President had asked for. They took credit for that. That was about \$800 billion of the savings.

The net result is, it was not any different than the budget plan he had proposed, except it took credit for the House reduction in spending.

I have to say, the House Republicans—PAUL RYAN—stood and faced the American people and revealed in advance the core of their plan. I attended one press conference in which PAUL RYAN announced the budget he was moving forward with. He had a series of press briefings. He basically said: This is my plan and I am ready to hear any exceptions you have to it, I am prepared to answer your questions, and I am prepared to defend what it is we have done. It was an honest, direct, and responsible approach.

The Ryan budget dealt with the long-term financial threats to America as well as the immediate. The numbers he proposed get us to the point where we can certainly say we are not on the same debt trajectory that put us in such great risk. I believe it is probably the most serious effort I have seen, in the 14 years I have been in the Senate, to address the significant fiscal challenges we face.

We face not only a short-term problem, but we face a long-term, systemic problem. We have an aging population—people drawing more Social Security for longer periods and Medicare for longer periods. We have other entitlement programs. We have been spending extraordinarily. So all that has to be a part of our discussion about how to put this country on a sound path. Senator CONRAD, our Democratic chairman, has done a good job in calling good witnesses. Every expert who has testified before the Budget Committee has told us the truth about the grim circumstances we find ourselves in. They have told us: If you don't act, we could have a debt crisis. They have told us the debt we have already accrued, and which continues to increase, is right now pulling down our economy; that our growth is not what it would be had we not incurred this much debt.

It is uncontroversial that this much debt slows down the economy. When I asked Treasury Secretary Geithner, he agreed with the Rogoff-Reinhart study that says when debt reaches 90 percent of GDP it pulls down economic growth 1 percent. Secretary Geithner said: Yes, that is an excellent study, and I would add one more thing. He said: When we get that much debt, we run the risk of having a debt crisis that could throw us back into some sort of recession or financial problem such as we have had. That was President Obama's Secretary of the Treasury. We know we have a serious problem. We need to do something about it.

The President submitted a budget that has basically been rejected. I can't imagine the Senate would bring it forward as the Senate Democratic budget. The House of Representatives, in accordance with the law and the timeframes of the Budget Act, has produced a budget, showed it publicly before they voted on it, and has defended it since. We haven't had one in the Senate. The Senate, by law, should have

produced its budget and started its markup 6 weeks ago. The law says we are supposed to have passed a budget by April 15—tax day. We haven't even begun to mark it up.

People are attempting, politically, to explain. The Democratic spinmasters are attempting to explain what it is all about. Why are we doing these things? Why hasn't a real budget been produced? They say Republicans are divided. They say: Oh, tea party people and Republicans are all divided. The Republican House has passed a budget. Where is the Democratic Senate? Who is divided? Why can't they produce a document? Why do we have to have the Vice President and the President having meetings and the President giving speeches? Why don't we see a real budget that the American people can see in advance and be able to evaluate and Senators standing, as we are paid to do, and casting votes for or against it? That is what we need to be doing.

I don't agree with the fact that the President is leading. I wish I could say that. Maybe he will surprise us on Thursday with something. I hope so. But I don't sense any leadership at all, because the budget he produced will not do the job. That is the only one we have in the Senate at this point. Indeed, Mr. Erskine Bowles, the man the President chose to head his fiscal commission, said the President's budget came nowhere near doing what is necessary. Actually, what he said was the President's budget goes nowhere near where they will have to go to resolve our fiscal nightmare.

I am wondering what is happening. The American people get it. They sent a message in the elections last November. They sent 64 new Members to the House of Representatives, and every single one of them promised to do something about reckless spending in Washington.

What about this budget the President has submitted to us? It is the only one we have in the Senate. The Senate Democratic leadership hasn't presented one. The President's budget called for a 10.5-percent increase in education, a 9.5-percent increase in energy, a 10.5-percent in the State Department's budget, and a 62-percent increase in the transportation budget. Well, we don't have the money. Forty cents of every \$1 we spend is borrowed. That cannot be continued. We are on an unsustainable path. The American people know it. Every expert has told us. We know it. Where are our leaders in the Senate?

Senator CONRAD, apparently, made a presentation of his budget, and the Republicans have asked Senator CONRAD to present it to us 72 hours before the committee meets. He said he is not going to do that. He made a presentation to the Democratic conference and, apparently, it didn't go well. Senator CONRAD apparently proposed re-

ducing spending more than they liked to hear. The Democratic leader, Senator REID, was sort of critical, actually. He said it was a nice bunch of charts. Obviously, he wasn't happy.

When are we going to see a budget? Are we going to go another 700 days? Are we not going to have a budget this year? The way things should work is like this: The Senate should come forward—the Democratic Senate, because they have the majority and we can pass a budget with a simple majority—and propose a budget that hopefully will get bipartisan support. If not, they stand and say what they believe in and how this budget reflects their vision for America. The House has done that. Then we go to conference committee. After it comes to the floor and is voted on, it goes to the conference committee and differences are worked out. Then it comes back and we have to vote on final passage of an agreed-upon budget.

We have to have a budget. It is time for this country to begin to reverse the reckless trend we are on because we are placing our Nation at risk. Mr. Bowles and Senator Alan Simpson, when they testified before the Budget Committee, warned us we have to do something significant. In the written statement they both signed, they said we are facing the most predictable economic crisis in our history. When asked when that could occur, Mr. Bowles said 2 years, maybe. Alan Simpson said: I think maybe 1. We are not talking about our grandchildren. I am talking about now.

What I would just say is, I think it is time for us to go back to regular order. We have tried a lot of different approaches to confront this crisis we face. It seems to me our leadership in the Senate is desperately seeking to avoid having to do what is responsible; that is, to stand and produce a budget. If they aren't prepared to stand before the American people and tell them how they think the country ought to be run and where the money ought to be spent and how much ought to be collected, then they are not leading, it seems to me.

I am very disappointed in the President's leadership. He has been roundly criticized because the only proposal he has sent to us is irresponsible. It in no way comes close, as Mr. Bowles said, to doing what is necessary to avoid our fiscal nightmare, and that is the path we are headed toward. It is not a matter of dispute. We will not reach 10, 15 years down the road spending like we are because we will have a catastrophe before then.

Alan Greenspan, the former head of the Federal Reserve, said he thought maybe some sort of compromise would be reached that would be good for the country. The only question, he said, was whether it would be before or after a debt crisis occurs. This was a few weeks ago that Alan Greenspan was saying this.

It is a challenge for us and a challenge for the leadership in this Senate to come before the American people and produce their plan and seek support on the floor of the Senate. Let's debate it. Let's have amendments offered. Let's go to conference, and somehow, some way hammer out a budget that will put this country on a better path. We have no other choice. It is the defining moment for this Congress. We have no higher duty than to confront the dangerous fiscal path we are on.

ORDER OF PROCEDURE

Mr. REID. Madam President, I ask unanimous consent that at 2:15 today the Senate proceed to executive session and begin consideration of Executive Calendar No. 61, the nomination of Edward Chen of California to be U.S. District Judge for the Northern District of California under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. Madam President, there will be 3 hours of debate on the Chen nomination beginning at 2:15 p.m. today. Senators can expect a rollcall vote on the Chen nomination at approximately 5:15 p.m. today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas.

FLOODING AND FEMA

Mr. PRYOR. Madam President, I will speak in morning business for 10 minutes or less. Let me talk about a couple things this morning. First, I wish to talk about something my State has been going through since mid-March and has continued to the present day. We have been battered by tornadoes and high winds and now flooding. We see this in a photo that was taken a few days ago, late last week, of one of the areas in our State underwater. We have had many towns that have been evacuated, many counties have been declared disaster areas. In fact, the Corps of Engineers showed me a map on Friday when I met with them. They have a map that is a large overview that starts down near Dallas, TX, pretty much through all the State of Arkansas, then a little bit of Missouri and Tennessee and Illinois and even, I think, a little bit into Kentucky.

The folks in those areas in that oval have received six times the normal rainfall. When we have six times the normal rainfall, this is what we get. This is a photo where we can see the water is in the house and up on the front porch. These folks are underwater, similar to a lot of people in our State.

I will say this. The Governor of our State is doing all any Governor can do. He is doing a great job. Even though we have Interstate 40 underwater right

now in one area where the White River goes under Interstate 40, they are trying very hard to get that open, maybe even today if the water will cooperate. We are seeing a lot of emergency response in our State, seeing neighbor helping neighbor, churches are rolling out, we have seen folks doing everything they can to make this work.

Also, I thank the Corps of Engineers. It is easy for us to beat up on the Corps of Engineers sometimes, but the truth is probably 95 or more percent of the time they do things right. They do things the right way. If it weren't for the Corps of Engineers, a lot of east Arkansas would be underwater and maybe a lot more. The system they designed and built has worked. Even though this is a 100-year flood or even worse, it is working and it is saving billions of dollars in damages and hardship. I thank the Corps and I also thank FEMA. FEMA has been on the ground in Arkansas for 3 or 4 weeks now, probably, with different teams going around the State helping in different ways and they have been very helpful.

I wish to go to my second topic, and I wish to emphasize what we are seeing happening in the State right now is not impacted by what I am about to talk about. But I think this FEMA administration is still cleaning up some of the mess from the previous FEMA administration. A few years ago, we had another series of floods in our State. Now we are seeing FEMA trying to recoup that money against people in our State. Let me give a little background.

Three years ago, in an area around Mountain View, AR, the White River flooded. FEMA came and they actually went to a woman's house—I wish to talk about her and her husband. They went to this couple's house. They are on Social Security. They retired. FEMA assured them they would be eligible for assistance. FEMA took pictures. They verified the damage. They gave them the paperwork—even kind of coaxed them through some of the paperwork. They assured them repeatedly that they would qualify for some assistance from FEMA.

They did end up getting \$27,000 for home repairs and that is exactly what they spent it for. They played by the rules. They filled out all the paperwork. FEMA was physically on their premises. They got the check, plowed it right back into the house, exactly like they said they would, and it helped them stay in their house.

Fast forward 3 years. We see FEMA writes them a letter, what I would call a demand letter, where they are requesting that they repay all this money, that they have 30 days to repay the balance of the debt they owe FEMA. This, of course, is a big shock to them because they were assured, repeatedly, that they had a legitimate claim. FEMA encouraged them to file this claim, they got the money, and they thought everything was great.

What has happened is, this couple, similar to many others in our State, built their home down on the river. They knew it could possibly flood one day. When they built it, they bought flood insurance. After years of paying the flood insurance, it never flooded. But after years of paying the flood insurance, the flood insurance company said they would not cover flood insurance anymore. They actually went to Lloyd's of London and paid for that for a number of years. Eventually, Lloyd's of London said: We are not doing flood insurance anymore. They desperately tried to find flood insurance and could never find it.

FEMA has a rule that in order for anyone to get flood insurance through the National Flood Insurance Program, the county or the city has to pass an ordinance. That is necessary in order for them, the people in the community, to get flood insurance. FEMA knew this particular county, Stone County, had not passed this ordinance. Nonetheless, they assured this couple, repeatedly, they were entitled to this money. So in a very real sense, these people and many others in our State are twice the victim. They are the victim of the storm and the flood, but then they are a victim of their government because their own government has injured them by the way they have handled all this—giving out the money and then demanding recoupment for the money 3 years after the fact, when they get the notice of debt.

FEMA, by the way, did not just send it out to this one couple; they sent it out to 35 families around the State. Three years later, when they get this notice of debt, they have no means to pay it back. These folks are on Social Security. In fact, they would not have qualified for the payment had they had substantial resources. So one of the ironies is, what we are doing is we are telling the poorer people they need to pay FEMA back. The poorer folks owe FEMA the most money. That is the way the program works.

I think if we had Director Fugate, who again I think is doing a good job running FEMA—if we had him here today, I don't know exactly what he would say about the situation, but I think he would say the statute ties his hands, and he doesn't have much flexibility under the statute. Whether he agrees with the hardship of the situation or the equity of the situation, he doesn't have a lot of leeway in trying to deal with this. I am offering a solution. I am offering it in the Homeland Security Committee this week. I hope Members of the Senate will look at my legislation. It is only four pages long. We are asking Congress to give FEMA some flexibility when it comes to the recoupment process and to allow leniency for some individuals under certain circumstances. I think our couple in Arkansas fits those circumstances ex-

actly. Basically, they have played by the rules, they have done all they can do and they continue to play by the rules and do all they can do.

I filed a bill that is going to be in the Homeland Security Committee this week. I would love to have my colleagues look at it and support it, if they see fit. It does three things. No. 1, it says FEMA may waive a debt owed to the United States in cases where funds were distributed purely by FEMA error, which is the case here, because FEMA knew this particular county had not passed this ordinance. FEMA knew no one in this county was entitled to any assistance under this particular provision of the disaster relief law because the county had not passed the ordinance. FEMA knew that for the entire county. In fact, they have a list of every county—every ZIP Code in the country where people do not qualify. This woman of the couple from Arkansas was very clear about her location as she went through this process.

FEMA, whether they admit it—we can produce the documentation—FEMA was clearly in error in giving out this check, in assuring her she was entitled to it, and assisting her through this process. They were clearly in error. I think it is a case of the left hand not knowing what the right hand is doing.

Again, I think this FEMA administration has cleaned up this problem. My guess is we will not see this type of problem in the future, especially not out of this FEMA administration.

The second thing it does is it says they have to waive a debt owed to the United States in cases where the rationale for recoupment was failure to participate in the National Flood Insurance Program. Again, what this will do is acknowledge that FEMA made some mistakes 3 years ago. It is kind of competence 101 that they would know which counties and which residents would be entitled to this particular relief, but somehow, some way, they dropped the ball. This would make it very clear, from 2005 to 2010—again, this is the limited duration of this bill, this is a relief bill to help a specific group of people—that because of FEMA's mistake and because the folks here could not participate in the flood insurance program, no matter how much they wanted to—and this particular couple did want to participate in the FEMA flood insurance program, they could not do it—this would basically say we cannot now punish them and come back on them for that money.

The third thing it does, it makes clear that Congress is not giving any waivers in cases of fraud or misrepresentation or false claims or anything of that nature. This is purely for mistakes and errors made by the Federal Government when the Federal Government is trying to come back in and recoup moneys they wrongly paid.

Let me run through a couple other things, and I will be glad to yield the floor in just a few minutes. These communities that have not passed this ordinance and, therefore, are not entitled to participate in the flood insurance program, they are called sanctioned communities. That is what FEMA calls them. They are called sanctioned communities. There was a lawsuit a few years ago that basically challenged FEMA's ability to do certain things. It is too long and involved to talk about, but the court found there are 168,000 cases. Mostly these go back to the hurricanes of Katrina, Rita, et cetera—the biggest bulk of them. Of the 168,000 cases that FEMA has to revisit and maybe recoup some money from people, so far they have only done 5,000 of these cases. Out of the 5,000 cases they have reviewed, only 18 cases, 18 total out of 5,000—out of 5,500 cases—would be impacted by my bill.

So we are talking a very small percentage. We are talking three-tenths of 1 percent is what we are talking about here. This is a very tiny, very narrow exception. I am for recoupment as much as anybody. I think it is very important that the government do it right and do it right the first time. If there is some sort of fraud or some sort of misrepresentation, then the government absolutely should go after that money and try to recoup as much of that as possible.

What we are talking about here is in 99.7 percent of the cases they can pursue recoupment. But based on the numbers we have today, it is three-tenths of 1 percent of the time where the mistake is completely on FEMA's side of the equation, and we would say no, as a matter of fairness and as a matter of equity, then they cannot seek recoupment in these cases.

To me this is a matter of equity. This is a situation where this particular couple in Arkansas—and we have other couples, we have other families too—we know of a total of four in our State who fall into this category. So we only have four out of how ever many thousands have received FEMA payments over the years. But nonetheless, this is a matter of equity because if you look at this couple I am talking about here in Arkansas near Mountain View, they basically would never have done this. They would have made other arrangements 3 years ago.

I do not know if they would have gone to the bank. I do not know if they would have gotten a second mortgage. I do not know if they would have sold the property and moved out. I do not know. They do not want to think about it. Because this FEMA check actually allowed them to stay in their house.

Now they are coming back in a worse condition than they were before because FEMA says, you have 30 days to pay this back. The fact they have not paid it back yet and that they filed an

appeal with FEMA to try to work this process to get some relief, which FEMA, apparently, very seldom if ever grants—the fact that they filed this paperwork means that they have a little extension on the principle loan. But it is very clear from the correspondence from FEMA that now interest is accruing. So interest is accruing on these folks.

Again, I think they are in a worse situation today than they would been had FEMA said no 3 years ago as they should have done. To me this is a matter of equity. I think if we were in a court, you might use the word estoppel. I think the Federal Government should be estopped in this situation from pursuing this money, because there was detrimental reliance on the part of the family.

They did not ask for this. FEMA showed up at their house. FEMA took pictures. FEMA helped them fill out the paperwork. FEMA walked them through the process. They do exactly what they are supposed to do. They put it in the house. It saves their house and gives them the ability to stay there. And now 3 years later, they get a letter basically saying, notice of debt, you owe FEMA \$27,000. Well, you can imagine, this is devastating for a family on Social Security who has very few other means. Again, if they qualified for this in the first place, you know they are not high-income folks. And \$27,000 at this stage of life for them is a lot of money. It is a mountain that is too tall to climb.

What I would love for my colleagues to do is look at what we are going to offer in the committee. I hope you can support it. We will be glad to answer any questions if any of my colleagues want to talk about it today or in the hallways here in the Senate over the next couple of days as we are working through this.

I certainly want to thank Senator LIEBERMAN for allowing us to put it on the markup. I think folks around here rightly are in a recoupment mode. They want to recoup money that has been wrongly paid out. And, again, I am for that 100 percent. In fact, we had a hearing in one of the Homeland Security subcommittees the other day about recoupment. We have talked about this. This is very important that we stop the bleeding and the government not pay out more money than they should. But in this particular case, I think the principle of equity and fairness is certainly on the side of these folks who again, as I said, are twice the victims. They were first victimized by the storm, and second they are victimized by their own government.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. TESTER). Without objection, it is so ordered.

Mr. BINGAMAN. Mr. President, I ask unanimous consent to speak as in morning business for 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

NATIONAL ENERGY POLICIES

Mr. BINGAMAN. Mr. President, yesterday I introduced two bills on a subject of great importance—two different subjects—related to our national energy policy. The two bills were the Oil and Gas Facilitation Act of 2011. The second was the Outer Continental Shelf Reform Act of 2011.

Both of these bills are based on bipartisan, largely consensus work, that was done in the Committee on Energy and Natural Resources during the last Congress. I should note that these important issues are being addressed in separate bills very consciously and for a reason. In the past we have crafted comprehensive energy bills that attempted to address all of the energy policy issues of the day in a single piece of legislation. There are obvious advantages to that. But there are well-documented disadvantages as well. I wish to avoid those disadvantages this year in furtherance of completing our important work.

There is no disagreement in the Senate about the need to have robust and responsible domestic production of oil and gas. At the same time, there is probably considerable disagreement about how best to address that issue. We need to begin work on that. However, ensuring the safety and viability of our operations on the Outer Continental Shelf is a separate matter which deserves attention on its own. The question of how we undertake oil and gas exploration and production on the Outer Continental Shelf appropriately, in my view, stands apart from the question of where we undertake those activities.

I do not believe it would make sense to try to trade off safety or environmental protections against the issue of access, for example. I believe the Congress should set an appropriate level of safety and environmental compliance, regardless of where the oil and gas exploration and production is occurring.

I will also observe that there was much greater consensus on the need to reform the rules governing Outer Continental Shelf production in the last Congress than on other issues such as those related to access to particular areas. So conflating these separate issues in the one bill is not likely to be the best path to success in enacting a bill into public law. Accordingly, we have introduced two bills.

That is not to say we don't have a responsibility to address both issues. We do. I believe they should be addressed on parallel tracks and not in combination. I hope to be able to move forward in the committee with consideration of both of these bills later this month.

The first of the bills, the Oil and Gas Facilitation Act, is intended to enhance sufficient and appropriate domestic production of oil and gas and to limit the dependence of the United States on foreign sources of oil.

The last 2 years have been a time of real success in increasing our domestic production of both oil and gas and in reducing our reliance on imported oil. We are currently the third largest producer of oil in the world. The percentage of the oil we use that is imported has declined from 60 percent in 2008 to about 51.5 percent in 2009 and to about 49 percent in 2010. We want to be sure we continue this progress while protecting our other natural resources and our communities' health and safety.

This bill, the Oil and Gas Facilitation Act, addresses production issues in a variety of ways. It requires a comprehensive inventory of the oil and natural gas under the waters of the Outer Continental Shelf to inform decisions about where leasing is likely to be most productive. To improve the efficiency of the permitting process for development on Federal lands and waters, permit coordination offices are reauthorized, and a new coordination office is established for the Alaska region of the Outer Continental Shelf.

Two provisions facilitate the transportation of Alaska's abundant oil and gas resources. The amount of Federal guarantee instruments is increased to support the construction of an Alaska natural gas pipeline and the Trans-Alaska oil pipeline system is exempted from certain requirements that unnecessarily slow the permitting process.

Coproduction of geothermal energy by existing oil and gas leaseholders is encouraged by making leases available for that purpose on a noncompetitive basis.

Finally, the bill will potentially contribute millions to the Federal Treasury by repealing the current law that requires the Secretary of the Interior to give relief from royalty payments to certain offshore oil and gas production. This bill would allow the Secretary to provide such relief in appropriate circumstances, but it would not require such relief. This avoids inappropriate giveaways of taxpayer-owned oil and gas resources to industry when it is unnecessary for us to maintain robust domestic production.

These provisions are drawn almost verbatim from S. 1462 which was reported by our committee on a bipartisan basis in the last Congress. The one significant change is that certain funding for the offshore oil and gas inventory provided by S. 1462 is redi-

rected by the committee in subsequent legislation to be used for research on safety issues related to offshore oil and gas drilling. To avoid spending the same money twice, we have eliminated that funding here so it could be included in offshore safety legislation. At the same time, the bill retains the authorization of significant appropriations to be used for this oil and gas inventory.

The Outer Continental Shelf Reform Act is the other bill I am introducing. It is a verbatim reproduction of S. 3516 which was reported unanimously by our Energy Committee in the last Congress. Because of the widespread support for this bill, I have reintroduced it exactly as reported, since I believe it is a good place to begin our work this year. It will need a bit of updating as we move forward. A few of the provisions have largely been overtaken by events and we have learned from the President's Oil Spill Commission and others about some refinements we should make in this legislation.

I have been having discussions with Senator MURKOWSKI and others who supported last year's bill and I will continue those discussions as we move forward. I hope we will have the same strong bipartisan support for these efforts as we did last year when we reported this bill during the midst of the worst oilspill in our Nation's history. Our commitment to responsible operations in the gulf and protection of our citizens and communities should be well understood by all.

This bill is intended to respect those who lost their lives in the Deepwater Horizon accident and respect the people of the gulf who have suffered serious economic and emotional harm by doing what we can to create a better future for them. It is the particular responsibility of the Committee on Energy and Natural Resources to look at the future of the regulatory agency and the industry it regulates. As I said last year when we introduced this bill, our goal must be, of course, to prevent future disasters, but we can and must do more than that. Congress should create organizational resources and a set of requirements that will have safety and environmental protection and innovation at their core. We should require that both industry and agency employees have the expertise, the experience, and the commitment to quality that is necessary to handle the complex issues involved, and we should set principles in place to create a culture of excellence for the regulatory agency and for the industry that will be a model for the entire world.

Thus, this bill reforms the structure of the offices of the Department of the Interior dealing with offshore oil and gas leasing and development to avoid organizational conflicts of interest. It clarifies the breadth of the Department's responsibilities in managing

the resources of the Outer Continental Shelf.

It increases the safety requirements for exploration and well drilling and production. It mandates use of best available technology, an evidentiary safety case, and a risk management system that identifies and addresses hazards in advance and manages for change. It provides for third-party review by qualified parties outside the agency of key equipment and well design.

It addresses the essential need for the Department of the Interior to have in-house research capacity on both the safety and the marine environment issues necessary for the exercise of its regulatory authority. Research departments in these areas will no longer be optional, but are required, and funding is redirected from other areas of research to ensure this will happen.

In order to ensure that the rules are enforced, the bill requires the collection of fees from industry to fully fund the necessary teams of inspectors. It provides for independent investigations of accidents and the sharing of data so that all can learn from mistakes. It also provides the Department of the Interior with adequate time to carry out necessary reviews and it makes the input of other Federal agencies occur in a transparent way. And it increases the civil and criminal penalties applicable to violations of the law and regulations.

I believe these policies and resources can set us on a new and constructive path toward managing the incredible natural resources we have on the Outer Continental Shelf. We must commit ourselves to the goal of excellence in this important endeavor. The fact that oil is no longer gushing into the Gulf of Mexico in no way diminishes the importance of this work.

Both of these bills address issues of great national importance. We will shortly be scheduling the necessary hearings and preparing these bills for committee consideration. If at all possible, we will do so before the Memorial Day recess. I look forward to working with my colleagues on the Energy and Natural Resources Committee and in the rest of the Senate on a bipartisan basis as we have in the past to address the vital issues presented by both of these bills.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BINGAMAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, at 12:36 p.m., the Senate recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mr. WEBB).

EXECUTIVE SESSION

NOMINATION OF EDWARD MILTON CHEN TO BE U.S. DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Edward Milton Chen, of California, to be United States District Judge for the Northern District of California.

The PRESIDING OFFICER. Under the previous order, there will be 3 hours of debate equally divided in the usual form.

The Senator from Iowa is recognized.

Mr. GRASSLEY. We are on the nomination; is that right?

The PRESIDING OFFICER. The Senator is correct.

Mr. GRASSLEY. Mr. President, I rise today to speak in opposition to Magistrate Judge Chen, the President's nominee for the Northern District of California. Before I address Judge Chen's nomination, I wish to say a few words about our progress on judicial nominations.

At the beginning of this Congress, I told the chairman that I would work with him to process consensus nominees at a fair and reasonable pace. Thus far this Congress, I have worked very hard and in good faith to do just what I promised. We have confirmed consensus nominees with a particular focus on nominees in so-called judicial emergencies. I made that commitment to the chairman, and I have kept it.

The Senate has been in session for only 46 days this Congress. In that short period, we have confirmed 20 judges. We confirmed three judges last week. In fact, thus far we have taken positive action on 43 of 71 nominees who have been submitted to this Congress by the President—20 have been confirmed, 13 have been reported out of committee, and 10 have had hearings in the committee. All totaled, we have taken positive action, then, on 61 percent of the judicial nominees submitted by the President during this Congress.

Despite my good-faith efforts, my colleagues from the other side continue to accuse us of not moving quickly enough. And, I might add, the White House Counsel continues to state pub-

licly that we are not moving fast enough. Recently, the President's top lawyers spoke to a group of ABA members and asked them to "bring home the impact or the effects of gridlock." The President's lawyer neglected to tell the American Bar Association that the problem begins at the White House. In other words, the Senate cannot act on nominees for judicial appointments if the President has not processed them and sent them to the Senate. The President has failed to send to the Senate a nomination for 50 percent of the current judicial nominees. Yet we have his White House Counsel telling the American Bar Association: Get on top of the Senate and tell them to get their job done, when we have processed 61 percent of the ones who are up here and done it in the 46 days we have been in session. Somehow they expect us to process nominees who have not been submitted to the Congress. That is not possible. This statistic certainly does not indicate a sense of urgency on the part of the White House—in other words, the fact that the Senate has not even received 50 percent of the nominees for those vacancies.

Notwithstanding my efforts to work together, the majority insists on taking detours and throwing up roadblocks to this cooperative effort. For example, last week, after moving forward with two district court judges, the majority leader filed cloture on one of President Obama's most controversial nominees, Mr. Jack McConnell. This week, the majority leader has turned to two more of the President's controversial nominees. Last night, we defeated a cloture motion for Mr. Cole, the President's nominee for Deputy Attorney General, and today we turn to Judge Chen. Of course there are non-controversial nominees the Senate could turn to. We could confirm additional district judges as we have been doing. But rather than continuing to move forward with the consensus nominees, the other side has chosen to turn to the President's most controversial nominees.

I must say this makes it extremely difficult to continue to work in a good-faith effort to move forward on non-controversial nominees. From our perspective, it appears that the more we try to work with the majority, the more we are accused of not moving fast enough. The test, I guess, is in the pudding and the general counsel for the White House telling the American Bar Association lawyers to get on the Senate to get more nominees confirmed. The more we try to move consensus nominees, the more the other side insists on moving the President's most objectionable nominees.

Judge Chen is not a consensus nominee. His nomination was considered during the last Congress and was voted out of committee on a party-line vote. The nomination was returned to the

President on more than one occasion. Despite our repeated and consistent opposition, the nomination was resubmitted this year. Again it was reported out on a 10-to-8 party-line vote. Yet, despite the unanimous Republican opposition to the nominee, we have agreed to a short time agreement rather than engage in extended debate on this nomination.

With that, I have some remarks regarding Judge Chen's nomination. At the outset, let me emphasize the basis of my opposition. It is based on Mr. Chen's judicial philosophy, on his own statements, and on his record. It is absolutely critical that our judges remain impartial. That is the independence of the judiciary. That is why it is independent. Their job is to interpret law, not to make law. Our system depends upon this independence and impartiality. For that reason, when judges put on a robe for the first time, they take a solemn oath that they will remain impartial. They swear that they will administer justice "without respect to persons and do equal right to the poor and to the rich." That is why we want to make sure judges we confirm will set aside their personal opinions. We do not want their personal views to influence how they do their job. They are supposed to decide cases based on facts and on law and nothing else.

Unfortunately, there are some who believe that this notion of impartiality is somehow just plain old-fashioned and outdated. They believe judges should not be limited to the facts and the law. Instead, they believe judges should look at the litigants themselves. The President seems to take this view. This is the heart of the so-called empathy standard. The problem, of course, is that empathy for one litigant is a bias against the other. But Mr. Chen appears ready and willing to adopt and to apply the so-called empathy standard. He appears to be a member of the camp who believes that being completely impartial is just an old-fashioned view of judging.

In 2003, as a sitting Federal magistrate judge, he wrote an article that summed up his view, and I want to quote it. It is fairly long.

Judges have to make determinations that draw not so much upon legal acumen, but on an understanding of people and of human experiences. Such experiences inform assumptions that affect legal decisions. . . . Simply put, a judge's life experiences affect the willingness to credit testimony or understand the human impact of legal rules upon which the judge must decide. These determinations require a judge to draw upon something that is not found in case reports that line the walls of our chambers. Rather, judges draw upon the breadth and the depth of their own life experience, upon the knowledge and understanding of people, and of human nature.

I am sure John Marshall would turn over in his grave if he heard that about modern 20th-century and 21st-century judges.

The problem with this approach is that it is the exact opposite of what judges are supposed to be. Judges are supposed to determine the facts and apply the law. That is what their oath demands, and that is what judges must do for our judicial system to remain independent and impartial.

In addition to allowing empathy to affect his decisionmaking, Judge Chen appears willing to inject his personal views into judging. Both his writing and public comments while as a magistrate judge suggest that Judge Chen believes judges should interpret the law according to their personal understandings and preferences. This is a classic definition of judicial activism.

For example, in discussing his work as a magistrate judge, he stated in a speech in 2007 before the American Constitution Society that he finds "most rewarding . . . contributing to the development of the law via published opinion, especially if it comports with my view of justice." Again, the problem here is that a judge's view of justice is very irrelevant. Judges are not policymakers. That is what we are in the Congress of the United States. Judges are called on to decide the facts and to apply the law. Their own view of justice is simply not relevant.

Given that Judge Chen believes a judge's personal views and experiences impact their decisions, it becomes important for us to understand his views and how they were shaped. Prior to becoming a magistrate judge, Judge Chen worked as a staff attorney at the ACLU for over 15 years. He was an advocate for the ACLU. He took very liberal positions on a variety of issues. I would like to name just a few. He opposed private drug testing, he opposed antigang injunctions, he defended affirmative action, he harshly criticized English-only measures, and he argued that Alabama should be forced to give driving tests in languages other than English.

Those who have defended Judge Chen's nomination have argued that we should not consider his work for the ACLU. As I said, we have confirmed other nominees with strongly held personal views. But when a nominee says that personal views and experiences should and will influence how they approach cases, it becomes difficult to overlook their work on behalf of an organization such as the ACLU.

Judge Chen's advocacy on behalf of the ACLU is not disqualifying in and of itself. But it is hard to imagine why Judge Chen would devote so much of his professional career to the ACLU causes if he did not believe in them deeply. More importantly, given that in Judge Chen's view, personal views and personal experiences should influence how a judge decides cases, we have no choice but to examine Judge Chen's personal views and experiences, including his work at that organization.

For these reasons and others, I oppose this nomination. If Judge Chen is

confirmed today, I sincerely hope he will prove me wrong. I sincerely hope he will set aside his personal views and make decisions based solely on the facts and on the law. But based on the record before this Senator, I fear he will not be able to do so. Therefore, I will vote no on his confirmation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

TENNESSEE FLOODING

Mr. ALEXANDER. Mr. President, on Friday, I visited Memphis to see the flooding along the Mississippi River myself, to meet with volunteers who were helping, and to see the tremendously well coordinated efforts of emergency workers who are meeting and working every day, long into the evenings, and have been doing so for the last few weeks and will continue to do so for the next several weeks.

I want to make sure that as the Federal Government's role for helping arrives, we are doing everything we should be doing. It is quite a sight in Memphis. The Mississippi River today is 14 feet above flood stage. It is at a level that nearly equals the level in 1937. The river is normally a half mile wide. Today it is 3 miles wide. A great many people in Tennessee and Arkansas have been evacuated because their homes are flooded with water.

As we saw a year ago in the Tennessee floods, which stretched from Nashville to Memphis, and as I saw last Monday in Hamilton County near Chattanooga, Tennesseans know how to respond to this kind of tragedy. They are doing it again by helping one another and helping to clean up rather than complaining and looting. It is an impressive sight. Bob Nations, who is the director of the Shelby County Emergency Management Agency, presides over daily meetings of maybe 50 or 60 people from a variety of volunteer and governmental organizations, who are carefully coordinated to deal with everything from watching the levees, to looking for sand boils, to helping people evacuate, to dealing with utilities that may be threatened by flooding. He is doing a tremendous job.

COL Vernie Reichling, commander of the Memphis District Corps of Engineers, was there on Friday. He has had a tough couple of weeks. He was the one who had to blow up a levee in Missouri which hurt families in that area but saved towns, whole towns that are down river along the Mississippi River from irreparable damage, in northwest Tennessee and also in Missouri. He was there providing us with the latest information. Overall the Corps' work has been exemplary. So far none of the levees around Memphis has been breached, and it appears none will be breached, despite the high water.

The National Weather Service, both State and local officials have been an important part of the efforts. The Uni-

versity of Memphis has contributed daily maps that will predict where the water will go, which have proved to be fairly accurate, which is enormously helpful to volunteers and others as they find a way to help people evacuate when they need to be evacuated, or before they need to be evacuated.

I visited with volunteers who were filling sandbags near the Pyramid. These included off-duty military personnel from the Navy base nearby. These included people from land that is going to stay dry in other parts of Shelby County. They knew someone needed to help. I traveled to Mud Island where the flood waters were continuing to rise. Officials predict as many as 3,000 properties and 6 schools may be affected by the flooding. One of the most impressive stories is that of Hope Presbyterian Church and its pastor, Dr. Craig Strickland. The church has organized up to 13 shelters, each of which could hold 150 to 200 individuals. Two of them were filled when I was there on Friday. More of them are filling up. All of this is being done without any cost to the government, without any cost to the individuals who are being sheltered there. It is all being provided by the churches and synagogues of Memphis. Reverend Strickland and Hope Presbyterian Church deserve enormous credit for the role they are playing, along with others, in Shelby County.

The Federal Government, through the efforts of the Corps, is leading the fight. This is the largest flood in the history of the Mississippi River and Tributaries project. The Mississippi is the third largest watershed. The problem is it received 600 percent more rainfall than it normally does in a span of 2 weeks. The Corps says it came in all the wrong places. Over 4 million people are protected by the comprehensive Mississippi River and Tributaries Project. It is being tested in ways that it never has before. But the system so far is performing as designed. The Corps has made some tough choices that I talked about earlier. It is going to continue to need to make tough choices as the water moves south.

The Memphis District has been fighting the flood since the 24th day of April, relying on 500 people working 24 hours a day around the clock. The Federal Government, through FEMA, the Federal Emergency Management Agency, is also helping State and local officials evacuate those in harm's way in advance of the floodwaters.

Governor Haslam of Tennessee requested, and our entire delegation has supported, our State's request for emergency evacuation assistance to help move residents in Dyer, Lake, Shelby, and Stewart Counties to higher ground.

The President responded quickly, and we thank him for that. Over the weekend, the congressional delegation also

supported Governor Haslam's request for Federal assistance to help victims in 15 counties recover from the flood and severe storms that began impacting our State on April 19.

Actually this is a different sort of request. The first was evacuations; this is to help those recover. The record rainfall and flooding has only added to the devastation caused by the storms. Last night I learned the President has approved Tennessee's request to make individual and public assistance available to families in the hardest hit areas.

I would say to the Tennesseans who are affected by this, now that the President has approved opportunities for individual assistance, I hope they will take advantage of this. There is a telephone number to call. It is 1-800-621-FEMA. That is 1-800-621-3362. Unfortunately, we have had some experience with this telephone number in Tennessee in the last year. The floods that came exactly a year ago, which hit counties from Nashville to Memphis, produced enormous devastation, \$2 billion alone in Davidson County. What we found with FEMA, once the President had granted the assistance, that Tennesseans who called that telephone number got a quick response, usually had an inspector there within a few days, and in most cases where there was damage, received a check of up to \$30,000 within a few days. We hope that happens again, although we understand there is terrible devastation in hundreds of counties right now around the country, especially in Alabama and the eastern part of Tennessee. But I want to make sure that residents and neighbors in Tennessee know that the FEMA number, 1-800-621-FEMA, is available now to be called.

The first thing they will do is ask for your ZIP code. After that, they will have a chance to provide help. The most important thing that Tennesseans can do in preparation for that is to document the loss.

This flood will impact our State for weeks. The river only crested last night, the second highest flood stage ever recorded. It will take days for the waters to recede. Only then will we know the true extent of the damage. The volunteers and the emergency crews and the church shelters will be open for a long time after today.

I am proud of the Tennesseans who are responding, from the Corps of Engineers' personnel, to the Hope Presbyterian Church shelters, to the professionals with Mr. Nations. It is an admirable sight.

Senator CORKER and I and our entire delegation are working together to make sure that we do all we can to expedite Federal help in response to this historic disaster that has occurred in the western part of our State.

I ask unanimous consent that two letters I am passing to the desk be

printed in the CONGRESSIONAL RECORD immediately following my remarks. They are the two letters our delegation has sent to the President making a request for a declaration for disaster assistance.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CONGRESS OF THE UNITED STATES,
Washington, DC, May 7, 2011.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: On behalf of the State of Tennessee, we urge you to approve Governor Bill Haslam's request to declare a major disaster due to severe storms, straight-line winds, tornadoes, flash flooding and river flooding that began on April 19, 2011.

Residents all across our State are faced with devastation from multiple disasters, and Governor Haslam has determined that this incident has caused so much damage that federal assistance is necessary. Flooding along the Mississippi River has compounded the impact of the storms that swept across the Southeast, and will continue to impact our State for weeks. Thousands of our constituents are now dealing with the challenge of rebuilding their homes, while many in West Tennessee are still under the threat of catastrophic flooding.

The Governor's request specifically seeks Public Assistance for all categories, under the provisions of Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, for Benton, Carroll, Crockett, Dyer, Gibson, Henderson, Henry, Houston, Lake, Lauderdale, Madison, Montgomery, Obion, Shelby and Stewart Counties, as well as state-wide assistance through the Hazard Mitigation Grant program. This assistance is critical to help local governments begin debris removal and start putting their communities back together.

In addition, the State is seeking Individual Assistance for Dyer, Lake, Obion, Shelby and Stewart Counties, making residents of these counties eligible for the Individuals and Households Program, Disaster Unemployment Assistance, Crisis Counseling, the Supplemental Nutrition Assistance Program, Disaster Legal Services and Small Business Administration disaster loans. Without this federal assistance, many families will simply not be able to recover.

Officials with the Federal Emergency Management Agency have been working with State and local officials since the beginning of this incident, and we are grateful for their efforts to respond to Tennessee's needs. We ask that you consider our State's request as soon as possible, and our offices can provide you with any additional information should you have any questions.

Sincerely,

Lamar Alexander, U.S. Senator; Bob Corker, U.S. Senator; Steve Cohen, Congressman; Marsha Blackburn, Congresswoman; Jim Cooper, Congressman; Chuck Fleischmann, Congressman; Phil Roe, Congressman; Stephen L. Fincher, Congressman; Diane Black, Congresswoman; Scott DesJarlais, Congressman; John J. Duncan, Jr., Congressman.

CONGRESS OF THE UNITED STATES,
Washington, DC, May 3, 2011.

The PRESIDENT,
The White House,
Washington, DC.

DEAR MR. PRESIDENT: On behalf of the State of Tennessee, we urge you to approve Governor Bill Haslam's request for emergency funding to help state and local authorities in Dyer, Lake, Shelby and Stewart counties to begin evacuation preparedness activities in advance of the flooding along the Mississippi, Tennessee, and Cumberland Rivers.

The flooding along the Mississippi River and its tributaries is historic. Heavy rainfall across the region has also caused major flooding along the Tennessee and Cumberland Rivers. In Tiptonville, which has been under a voluntary evacuation order since last week, the Mississippi River is forecast to reach the highest flood stage ever recorded. In the City of Memphis, the forecasted crest has been increased to 48 feet, and residents are being told to prepare for the worst. Those living along the Cumberland River in Stewart County, many of whom are still recovering from last year's floods, are also beginning to evacuate.

Governor Bill Haslam and the Tennessee Emergency Management Agency are working in cooperation with local officials to meet the needs of our citizens, but they need federal help. The requested funds are critical to support our state's evacuation efforts, which may be extensive, and we cannot afford to delay.

In light of the need to begin evacuations quickly, we urge you to consider our State's request as soon as possible, and we will provide you with any additional information about our State's needs should you have any questions.

Sincerely,

Lamar Alexander, U.S. Senator; Bob Corker, U.S. Senator; Steve Cohen, Congressman; Marsha Blackburn, Congresswoman; Jim Cooper, Congressman; Chuck Fleischmann, Congressman; Phil Roe, Congressman; Stephen L. Fincher, Congressman; Diane Black, Congresswoman; Scott DesJarlais, Congressman; John J. Duncan, Jr., Congressman.

Mr. ALEXANDER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, it is my honor to be here to support the nomination of Judge Edward Chen to the Northern District of California. I congratulate Judge Chen and I congratulate his family on this momentous day that is long overdue. I wish to thank Senator FEINSTEIN for her hard work and her leadership in support of Judge Chen's nomination.

I think the way we do our judge recommendations in California is exemplary. What we do is, we each have a committee that advises us, and they come up with the names of a few people who they think are the top choices.

Then, each of us makes that recommendation to the President. Judge Chen was her nominee.

Judge Chen has had a distinguished career. He enjoys broad support and respect in California's legal community. When I heard the remarks of my colleague from Iowa, Senator GRASSLEY, it broke my heart because it doesn't sound to me as though he knows Judge Chen. He seems to be criticizing someone else—someone who sets aside the law. That is not Judge Chen. Judge Chen will make an outstanding addition to the Federal bench.

Since 2001, Judge Chen has served as a magistrate judge in the Northern District of California, where he has issued over 350 published legal opinions. Before coming to the bench, Judge Chen was a respected civil rights lawyer and part of the trial team that successfully overturned the wartime conviction of Fred Korematsu. He made history when he became the first Asian-American magistrate judge to serve in the Northern District. Today, Judge Chen takes another history-making step if he is confirmed—and I surely hope he will be—because when he is confirmed, he will be only the second Asian American in the 150-year history of the Northern District to be confirmed as a judge.

In our great Nation, we are a melting pot. I don't believe we can have the kind of justice our Founders envisioned unless we have juries of our peers and we have judges who also represent the broad quilt that is America. I think this is something to talk about, not to ignore.

While I am proud we are finally going to vote on the confirmation of Judge Chen, I have to again express frustration that it took so long to reach this point. Judge Chen was nominated over 21 months ago. I ask everyone to think about this—the family, everybody waiting for this moment, years and years on the bench with an outstanding record. I remember attending Judge Chen's confirmation hearing in September 2009. He was nominated for a judicial emergency seat, one that has been vacant since April 2008. That is a judicial emergency. We don't have enough judges. So one would think we would move quickly on this. Following his hearing, his nomination was held up by an unprecedented campaign of obstruction, unfortunately, by my friends in the Republican Party. They refused to allow an up-or-down vote, and they forced the White House to renominate Judge Chen, not once, not twice, not three times but four times—four times. I tell my colleagues, I have read their objections, and they boil down to this: They object because once he worked as a staff attorney for the ACLU handling civil rights cases.

This is a man who received the highest rating from the American Bar Association. They gave him the “well quali-

fied” rating. So I have to ask my colleagues why they would object to someone who did a good job defending the Constitution. By the way, I don't agree with the ACLU all the time, believe me. I am surprised at this objection. For example, the ACLU and the tea party in my State right now—in northern California—are working together to oppose free speech restrictions in front of the Redding Library. In fact, the ACLU and the tea party filed parallel lawsuits to strike down the restrictions.

So my friends on the other side who give the tea party a tremendous amount of support, I am a little surprised they would go after the ACLU, which is partnering with the tea party in defending the Constitution. It is hard for me to believe that because Ed Chen was once a staff attorney for the ACLU, he would come under this kind of fire.

They never objected to anything from his 9 years as a magistrate judge, not one complaint about any of the opinions he has written. Judge Chen's record as a fair and impartial judge since 2001 demonstrates clearly that he understands the difference between being an advocate and being a judge.

So I don't think we should say anyone who was ever the staff attorney for this organization or that organization is barred from getting promoted. That is a sad thing. I don't think people should be voted down or voted against because they stand for equal rights and civil rights. If anything, we ought to say: That is great, because we all want our civil rights protected. We all want our rights that are guaranteed to us in the Constitution protected.

Judge Roberts, the Chief Justice, has called on Senators to stop playing politics with judicial nominees. I have to say, to me, this sounds like politics. You don't like an organization, so then you say someone who has been a judge for 9 years—you have no complaints about him—go back 10 years and now say because you don't like that organization, they can't be promoted.

Chief Justice Roberts has warned that delays in filling vacancies has created acute difficulties in some judicial districts. That is a quote. Let me read it. The delays in filling vacancies “has created acute difficulties in some judicial districts.” Certainly, we know in this district we have been in an emergency situation.

It is time to get Judge Chen seated so he can continue serving the people of northern California as a district court judge. I commend Judge Chen for his strength and his perseverance over the past 21 months. This has not been an easy process. I commend his family for standing by him. I again commend Senator FEINSTEIN for fighting for him, and I commend everybody here who was able to somehow hammer out an agreement to have an up-or-down vote on this very talented man.

I close with great hopes that we are going to get this nominee confirmed. In advance of that—and I hope I am right in doing this—I wish to congratulate Judge Chen and his family.

I urge my colleagues to cast their votes to confirm this highly qualified and respected nominee to the Northern District and make history in doing so and be proud in doing so and know that when we put qualified people on the court who bring a different background to the court, we are doing something very positive for America. That is what America is. I am a first-generation American on my mother's side, and I can tell my colleagues what I learned from her: that we should kiss the ground in this country. As I grew up, I realized that one of the great things about our country is we are such an experiment in democracy. People from every background, every religion, differences, but we believe in one thing; that is, protection of our rights and the belief in freedoms we get from this Nation and we vow to protect those freedoms. Part of protecting those freedoms is putting people on the bench who understand that. As Benjamin Franklin once said: You have a Republic if you can keep it. The way to keep it is not to bar people from getting these up-or-down votes. Put good people on this bench. You can vote no. You can vote yes. Yes, there are times when we say we want a supermajority, but for Ed Chen, I can tell my colleagues right now, this isn't one of those times. I look forward to his positive vote.

Mr. President, I ask unanimous consent that the time that is unused during the quorum calls be charged to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. FRANKEN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KIRK. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KIRK. Mr. President, I ask unanimous consent to speak for 10 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

EGYPT'S POLITICAL FUTURE

Mr. KIRK. Mr. President, more than 2 months ago, a popular uprising in Egypt swept President Hosni Mubarak from power after 30 years in office. The Egyptian military is now charged with reforming that country's political system in preparation for parliamentary and Presidential elections.

History teaches us this sort of transition happens in three phases, not two. First, the dictator falls. Next follows a weak interim government. Only then

does a final permanent government enter the scene.

We remember the French Revolution with the fall of Louis XVI, then the hopefulness of the French First Republic, and then finally the rise of Napoleon.

We remember the October Revolution—first the fall of the czar, then the hopefulness of the interim Kerensky government, and finally the rise of the Soviet Union. Most recently we remember Iran—first the fall of the shah, then the hopefulness of the interim Bakhtiar government, and finally the rise of Khomeini.

Today we are watching this sequence play out in Egypt. First Mubarak fell, then came the jubilation of Tahrir Square and the hopefulness of an interim military government, and now we are left to wonder what act 3 will bring.

Will Egypt remain a strong U.S. ally in the region; will it uphold the Camp David peace treaty with Israel; will it commit to the rule of law and human rights at home; or will Egypt fall into the hands of the radical Muslim Brotherhood; will it drift toward Iran and embrace the enemies of Israel?

Unfortunately, recent developments indicate Egypt is moving in the wrong direction. The Muslim Brotherhood is gaining additional influence and may soon gain significant legislative power.

According to a poll released on April 25 by the Pew Research Center, 78 percent of Egyptians hold a favorable view of the Muslim Brotherhood—and that is better than the youth-led “April 6 Movement” that removed Mubarak from power. In September’s planned elections, the Muslim Brotherhood plans to contest anywhere between 30 to 50 percent of all parliamentary seats.

Meanwhile, Egypt’s foreign policy is shifting away from the United States and our allies and toward the Islamic Republic of Iran and its terrorist proxies. On April 18, Iran announced the appointment of the country’s first ambassador to Egypt in 30 years. On April 27, Egyptian Foreign Minister Nabil Elaraby said he will meet with the Iranian Foreign Minister, Ali Akbar Salehi, in Indonesia on the sidelines of the Non-Aligned Movement Summit. The two officials will discuss next steps for the Iranian-Egyptian relationship. On May 3, Iran’s Foreign Minister announced he would send his deputy to visit Egypt in the coming days.

Egyptian authorities helped negotiate the recent reconciliation agreement between the terrorist movement Hamas and Fatah—a major setback to Israeli-Palestinian peace. When asked to comment on Hamas being a terrorist organization, Egypt’s Foreign Minister said:

[We must] allow someone who is fighting for a cause to see the light of day at the end of the tunnel and enter into peace.

On March 28, Hamas submitted a request to the Egyptian Government to reopen its Embassy in the Gaza Strip. On April 28, Egypt’s Foreign Minister announced plans to reopen the Rafah border with Hamas on a permanent basis—a potential boon to the Hamas terrorist organization. On April 30, Al Hayat reported that Hamas would be relocating its offices from Damascus—sending the terrorist group’s No. 2 man, Musa Abu Marzouk, to Egypt.

Meanwhile, Egypt’s commitment to democracy and human rights has suffered a serious setback following recent attacks on the country’s Coptic Christian community that left scores dead and hundreds more injured. This follows the interim government’s move to dismiss the Coptic governor of the city of Quena only days after his appointment—caving to mass demonstrations organized by the Muslim Brotherhood.

As one Coptic bishop told AFP:

They are led by Salafis and the Muslim Brotherhood, and they are chanting: “We won’t leave until the Christians leave.”

Finally, on March 28, Dr. Maikel Nabil Sanad, a 25-year-old blogger, was arrested for “insulting the military,” and “disturbing public security” after posting comments on his blog that were critical of the military’s role in the protests. This arrest clearly violated the International Covenant on International and Political Rights and the new government’s commitment to the fundamental freedoms of its people. If Egyptians could freely express their views in Tahrir Square, they should have the freedom to express their views online.

Mr. President, the trajectory of Egypt’s revolution now faces two distinct scenarios: It could become a secular American ally that respects the rule of law, diversity, and a peace treaty with Israel; or it could become a Muslim Brotherhood-controlled ally of Iran that embraces terrorist groups such as Hamas, persecutes its own religious minorities, and rejects peace with Israel.

We must do everything in our power to support the secular forces of Egypt or face the prospect of a strategic setback on the scale of Iran in 1979, laying the foundation for potentially yet another war in the Middle East.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Madam President, am I correct that we are now on the nomination of Ed Chen to the District Court for the Northern District of California?

The ACTING PRESIDENT pro tempore. That is correct.

Mr. LEAHY. Madam President, today the Senate will finally consider the nomination of Judge Edward Chen to fill a judicial emergency vacancy on the District Court for the Northern District of California. Since 2001, Judge Chen has been a well-respected Federal Magistrate Judge on the court to which he is now nominated to serve as a Federal District Judge. His nomination has received the strong and consistent support of his home state Senators, Senator FEINSTEIN and Senator BOXER, since he was first nominated over 21 months ago. When he is confirmed, Judge Chen will be only the second Asian Pacific American to serve on the district court bench in the 150-year history of the Northern District of California. The debate and vote we have today are long overdue.

We are finally able to consider Judge Chen’s nomination because of the vote the Senate took last week toward restoring a longstanding tradition of deference to home state Senators with regard to Federal District Court nominations. The Senate turned away from a precipice when 11 Republican Senators joined in voting to end a filibuster of the nomination of Jack McConnell to the District Court for the District of Rhode Island. In doing so, a super majority of the Senate came together to reject a new standard, which I believe is being unfairly applied to President Obama’s district court nominees. Now, nearly 20 months after his confirmation hearing, and after having had his nomination reported favorably by the Judiciary Committee four times, Judge Chen’s nomination will at last have an up-or-down vote in the Senate.

We should have taken up and confirmed his nomination when it was first reported favorably by the committee nearly 19 months ago. The supposed “controversy” that has delayed and obstructed this nomination is in my view entirely misplaced, the result of applying a partisan litmus test. This should be an easy nomination to confirm. It is no surprise that Judge Chen’s nomination received the highest possible rating from the American Bar Association’s Standing Committee on the Federal Judiciary, unanimously “well qualified,” since he has had a distinguished legal career and has issued over 350 judicial opinions in his decade as a Federal magistrate judge.

Judge Chen’s nomination has received broad, bipartisan support from the judicial and legal community in California and from numerous bar associations, including the National Asian Pacific Bar Association, which has been a vocal proponent of this nomination. Judge Chen’s nomination also has significant support from local law enforcement in the district he currently serves and would continue to serve if confirmed. Michael Hennessey, sheriff

for the city and county of San Francisco, wrote: "Judge Chen's solid record as a U.S. Magistrate Judge speaks for itself. He has published over three-hundred judicial opinions which are indicative of his work ethic and his thoughtful intellect as a respected magistrate judge." This praise is representative of the scores of letters of support we have received.

I thank Senator FEINSTEIN for her strong advocacy for Judge Chen's nomination the four times it has been considered and favorably reported by the Judiciary Committee. Any fair minded person who listened to the impassioned speeches Senator FEINSTEIN has made about Ed Chen in the committee would have to be impressed. Senator FEINSTEIN is right to be proud of her recommendation of Ed Chen to President Obama. As Senator FEINSTEIN has explained, Judge Chen was the recommendation of her bipartisan Judicial Advisory Committee in California, putting the lie to the caricature from the far right that this was a partisan nomination. This is a fine man with sterling legal credentials and all the qualifications needed to be an outstanding Federal judge.

The approach taken by opponents of Judge Chen's nomination threatens to take the Senate down a dangerous path of imposing partisan litmus tests in place of our constitutional duty to offer advice and consent on nominations. The debate in our committee on Judge Chen's nomination was ugly. One Republican Senator in explaining his opposition said that Judge Chen has the "ACLU gene." I hope that we do not hear such a preposterous notion repeated today on the floor of the Senate. This is a distinguished Federal magistrate judge who has demonstrated that he knows how to be a fair and impartial judge.

Our legal system is an adversary system, predicated upon legal advocacy for both sides. Certainly defending civil liberties is no vice. The other side appears to be suggesting that Judge Chen's work as a staff attorney at the ACLU many years ago, primarily representing individuals in discrimination and civil rights matters, somehow renders him unfit to be a judge. Since when do we impose a litmus test for nominees that they can never have been legal advocates? If we were to do that, we would have no judges. Almost every nominee who had been a practicing lawyer would be disqualified by one side or the other.

Surely Judge Chen's work while in private practice as a member of the legal team that represented Fred Korematsu in a lawsuit that successfully overturned his prior conviction for violating the Japanese Internment Order during World War II does not render Judge Chen unfit to be a judge. In my view, that important advocacy to right a wrong from one of the dark

chapters in our history serves as proof that President Obama made a wise choice in nominating Judge Chen for the Federal bench. Indeed, just a few years ago this Senate passed a resolution acknowledging that wrong and seeking to help right it.

The question for me about this nominee is the same question I have asked about every judicial nominee, whether nominated by a Democratic or a Republican president whether he or she will have judicial independence. Does the nominee understand the role of a judge, and how it differs from the role of an advocate?

With this nominee, Judge Chen, that is not a hard question to answer. We know that he understands the role of a judge because he has been doing it for 10 years on the court to which he has now been nominated. As Judge Chen said in response to a question from Senator SESSIONS: "The role of a judge is to be fair, neutral, and evenhanded in applying the law and finding facts . . . without regard to personal preferences." His 10 years as a Federal magistrate judge resoundingly have answered any concerns about bias or partisanship on his part. His testimony before the Judiciary Committee reflects his understanding of the proper role of a judge.

There was no need for the delays that plagued this nomination. There were no "extraordinary circumstances" that held up this nomination for nearly 2 years. With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 12 judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar, in addition to Judge Chen. No one should be playing partisan games and obstructing while vacancies remain above 90 in the Federal courts around the country.

Judge Chen, born and raised in Oakland, CA, as the son of two Chinese immigrants, spent much of his childhood helping his mother and siblings support a small family business after his father passed away. After earning his A.B. from the University of California, Berkeley, in 1975, and his law degree from Boalt Hall School of Law in 1979, Judge Chen clerked for Judge Charles Renfrew on the court to which he has now been nominated, the Northern District of California, and then for Judge James Browning on the Ninth Circuit. After a distinguished career in private practice and as a staff attorney for the American Civil Liberties Union Foundation of Northern California, Judge Chen was selected to serve as a Federal Magistrate Judge for the Northern District of California, having since been reappointed upon the recommendation of the nonpartisan Merit Selection Review Panel. His story is a moving reminder of what it is possible to achieve

in this great Nation through hard work.

I congratulate Judge Edward Chen and his family on his confirmation today. I commend Senator FEINSTEIN and Senator BOXER for their steadfast support of his nomination.

Madam President, I suggest the absence of a quorum. Is time being divided?

The ACTING PRESIDENT pro tempore. Yes, it is.

Mr. LEAHY. I ask unanimous consent that the time be equally divided during the quorum call.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant editor of the Senate Daily Digest proceeded to call the roll.

Mr. LEAHY. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LEAHY. Madam President, I see the distinguished senior Senator from California on the floor. I will yield, of course, to her. She has been indefatigable in her support of Judge Chen in the committee, in the Halls of the Senate, and in her steadfast work with the leadership to get this nominee before us. I can brag about all the work she has done easier than she might, but I hope Judge Chen and his family know they had as strong and as stalwart a supporter on the Senate Judiciary Committee as they could possibly have with Senator FEINSTEIN.

With that, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant editor of the Senate Daily Digest proceeded to call the roll.

Mrs. FEINSTEIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. FEINSTEIN. Madam President, I wish to thank Chairman LEAHY for his leadership on this particular judgeship. I believe he is accurate in everything he said, and I very much appreciate his stalwart support.

I rise to add my support to the nomination of U.S. Magistrate Judge Edward Chen to become a U.S. district judge in the Northern District of California. I recommended Judge Chen to the President, so obviously he has my strong support.

I wish to tell my colleagues a little bit about him. He was born and raised in Oakland, and he is the son of Chinese immigrants. His father immigrated to the United States in the 1920s, and that was followed by his mother in the 1930s. He attended public schools in Oakland and then went on to

the University of California at Berkeley, where he received his undergraduate degree with great distinction, and then on to Boalt Hall School of Law, where he graduated in the top 10 percent of his class.

He was a law clerk to District Judge Charles Renfrew on the U.S. District Court for the Northern District of California, as well as to Circuit Judge James Browning on the U.S. Court of Appeals for the Ninth Circuit. He then began his legal career as a litigator, first at the private law firm of Coblenz, Patch, Duffy, and Bass and later as a staff attorney at the American Civil Liberties Union.

In 2001, he was appointed to be a U.S. magistrate judge for the Northern District of California, and he has served in that capacity for the past 10 years.

So today Judge Chen is a solid, tested, and respected judge with over a decade of experience on the Federal bench. In these 10 years as a judge, he has written more than 350 published opinions. I would point out that not one of those opinions has been criticized by anyone in the 20 months this nomination has been awaiting action in the Senate. Nor has there been any criticism of any of his published opinions.

In fact, there is a broad consensus among those who have reviewed his judicial record that he is indeed a very good judge.

He was recommended to me by a bipartisan judicial advisory committee. That committee reviewed his record, and spoke with judges, attorneys, and litigants who knew his work as a judge. The committee unanimously recommended that I forward his name to the President, and I did.

The San Francisco Bar Association has rated him "exceptionally well qualified." The American Bar Association has rated him "well qualified"—their highest rating. And in 2009, a merit selection review panel, appointed by the U.S. District Court, thoroughly reviewed his record and recommended him for reappointment as a magistrate judge. That panel consisted of seven lawyers appointed by the district court. They solicited public comments on Chen's work as a judge. Only positive information was forthcoming.

They talked to Federal prosecutors in the U.S. Attorney's Office. Again, the reports were uniformly favorable. Prosecutors called Chen's analytical skills "exemplary" and said his rulings were "balanced and well reasoned."

Defense attorneys were similarly positive. They described Chen as "respectful" and "considered" in his judgments.

Partners with large law firms called Chen "prompt," "well-prepared," "very intelligent" and "decisive."

Overall, the panel recommended unequivocally that Chen be reappointed for a second 8-year term as a magistrate judge. Obviously, he has served 2 years of that second term.

I have the panel's full report here and would be pleased to share it with any Senator who wishes to review it.

Since Chen's nomination for the district court, the reports we have received in the Senate from those who know Chen's work as a judge have been similarly positive.

We have received letters urging Chen's confirmation from Republicans and Democrats, public officials and law enforcement, judges, civil rights groups, business leaders, and private lawyers. Let me share a few with you.

Judge Lowell Jensen, whom I have followed for decades, was appointed to the U.S. District Court by President Reagan. He also served as second in charge of the Department of Justice during the Reagan administration. He has worked closely with Chen on the Federal bench and had this to say about him, and this is a direct quote:

I have found Judge Chen to be both an excellent jurist and a person of high character. He brings a conscientious, careful, and impartial approach to every issue and every party. The decisions he makes reflect not only good judgment but a complete commitment to the principles of fair trial and the application of the rule of law. I support his confirmation without reservation.

I can say that Judge Jensen is one of the most distinguished judges in California.

Former U.S. District Judge Fern Smith was also appointed by President Reagan to the Federal court. She writes:

Both in my own dealings with [Judge Chen] and based on his reputation among my former colleagues, I can attest to his intellectual competence, his respect for the law, his judicial temperament, and his integrity. I have no doubt that Ed Chen would do honor to any of our 94 United States District Courts.

We have a letter from the president of the San Francisco Police Commission, a lifelong Republican, Thomas Mazzucco. He published an op-ed in the Roll Call urging the Senate to confirm Chen and calling him "an experienced judge who understands the distinction between personal preference and judicial obligation, and who has always based his rulings—more than 300 decisions over eight years—solely on the law and the merits of a case."

The San Francisco Deputy Sheriffs Association said this:

Chen has earned a reputation as an even-handed jurist who is constantly mindful of the role that judges such as himself fulfill in our society: as keepers of the rule of law and public trust in our system of justice.

I have over 50 more letters, if anyone wishes to read them. They come from the mayors of San Francisco, Oakland, and San Jose; the sheriff, city attorney, former chief of police, and former U.S. Marshal of San Francisco; the last 10 presidents of the bar association of San Francisco; the congressional Asian Pacific American Caucus; the National Asian Pacific American Bar; and many others.

The judgment is clear: Ed Chen is fair. He is impartial. He is an excellent jurist, and has been for 10 years, and he deserves to be confirmed.

You come back to Washington and what happens? Here is the story. Despite this long judicial track record and broad bipartisan support, this nomination has been sitting in the Senate for more than 600 days.

The President first nominated Chen on August 6, 2009. That was 643 days ago. Since that time, the minority has required the nomination to be sent back to the President three different times. The Senate Judiciary Committee has had to consider the nomination four different times.

This is extraordinary—but then the Republicans have an extraordinary search engine. I will talk about that in a minute.

This is a district court nominee with 10 years of judicial experience, with not a blemish on it. When other judicial nominees have come before the Senate, they have been criticized because they didn't have judicial experience or because there was no judicial track record to review. Well, here is a nominee who has both. Ten years on the bench; bipartisan support and uniformly positive reviews; more than 350 published opinions, and there has not been a single criticism of a single one. But his nomination has been sitting in the Senate for 600 days and sent back to the President 3 separate times.

I find this to be a deeply disappointing testament to the situation we face in the Senate today. Let me pose the question that Police Commissioner Mazzucco—a Republican—asked in his op-ed:

If Judge Chen—an experienced judge whose judicial record proves he is committed to the rule of law, without bias or favor, and who is widely respected by the bar that has practiced before him—isn't qualified for the Federal bench, then who is?

I echo that.

So what happened here? Well, let me take a few moments to address a couple of the attacks that have been made on Judge Chen.

First, Judge Chen has been criticized because he worked as a staff attorney for the ACLU long before becoming a judge. No one disputes that. Chen was once an advocate, and that is a fact. But he also has a 10-year record to prove that he has made the transition. He was once an advocate. He is now a judge—and a darn good judge.

As a coalition of Northern California Asian American Bar Associations wrote:

Chen has made a successful transition from a zealous advocate to a balanced and conscientious adjudicator who is committed to the impartial and active administration of justice.

Former Federal prosecutors from the Northern District of California made the same point. They wrote:

Judge Chen consistently treats all sides evenly and impartially, and conducts himself with the utmost propriety, as is fitting for a judge. . . . While we are aware of his previous position as a staff attorney at the ACLU of northern California, Judge Chen does not show favoritism toward the parties or issues before him.

The record is available. The evidence is in. Chen understands the unique role of the impartial adjudicator. He knows what it means to decide cases evenhandedly. He has been doing it for more than 10 years.

Let me turn then to some speeches that the “search engine” turned up. Since 2009, the Washington Times and others have used a handful of quotes from speeches Chen has given to try to paint him as someone he is not. As happens far too often, those quotes have been cut, spliced, and taken out of context. Let me give you an example.

The effort to label Chen as a “radical” is based on a speech he gave to students following the funeral of a man by the name of Fred Korematsu. I want to take a moment to explain Korematsu and the case. Some of you may be too young to remember Mr. Korematsu and his fight against Japanese internment during World War II, but I am not.

One of the singular experiences of my lifetime was when my father took me, as a small child, to the Tanforan Racetrack. That racetrack was a few miles south of San Francisco. During World War II, it was taken out of action as a racetrack and turned into an internment camp. It was fenced with barbed wire. Small buildings lined the center portion of the track. This is a photo of it. Here is the racetrack and here are the buildings. This is where Japanese Americans were essentially incarcerated for the remainder of World War II.

Let me show you this. This is the order, which is from the Western Defense Command and Fourth Army War-time Civil Control Administration—instructions to all Americans of Japanese ancestry living in the following area, which is the city and county of San Francisco, lying generally west of the north-south line, and it describes that. It says:

All Japanese persons, both alien and non-alien, will be evacuated from the designated area by twelve o'clock on Tuesday, April 7, 1942. No Japanese person will be permitted to enter or leave the above-described area after 8 a.m. Thursday, April 7—

That is over half of the city of San Francisco.

without obtaining special permission from the provost marshal at the Civil Control Administration.

Then they are told where they are to report—to the Civil Control Station—to receive further instructions. This must be done between 8 a.m. and 5 p.m., Thursday, April 2, or between 8 a.m. and 5 p.m., Friday, April 3.

That is their notice. They turn up, get in a bus, and then this is where

they go, and where they remained until the end of the war.

One young Californian, Fred Korematsu, challenged the internment. He took his case all the way to the U.S. Supreme Court, and he argued that the U.S. Constitution did not permit loyal American citizens to be forced into these camps solely because of their Japanese-American heritage, which was the case here. The Supreme Court heard his case, but he lost in a decision that is considered by many to be a black stain on the jurisprudence of our Supreme Court.

Decades later, in 1983, Korematsu challenged his conviction again. This time, he was represented by a team of volunteer lawyers, including Edward Chen. This team put forward newly discovered evidence that demonstrated that prosecutors in Korematsu's original case had withheld evidence, specifically, U.S. Government intelligence at the time indicating the internment was not justified.

This time they won. So four decades after the original internment order, Fred Korematsu's conviction was overturned by the district court, and, four years later in 1987, President Ronald Reagan signed into law the Civil Liberties Act, issuing a formal, national apology for the Japanese internment.

So this was the context of the speech in which Chen was speaking to a group of students and reflecting on the funeral of Fred Korematsu. He said in the speech that, at times, he had experienced “feelings of ambivalence and cynicism when confronted by appeals to patriotism.” He was referring to the internment of Japanese-American citizens for no cause other than they happened to be of Japanese heritage. I would think you could get a bit cynical about that. People who did not see this do not believe it ever happened. But it did happen, and it happened here. This was the condition in which people were kept. It is not right.

But critics have picked out this line—“feelings of ambivalence and cynicism when confronted by appeals to patriotism”—and tried to use to paint Chen as unpatriotic. But they did not know the context. Sometimes things that have monumental importance at the time, such as the internment of Japanese-American citizens without due process, fade too quickly from our historical memory. I thought I would bring it back so this body could understand the total context.

This was a very big deal. It was not a proud moment for our country. Congress and President Reagan rightfully issued a formal apology for the injustice that was done years later.

To take a quote from a speech after Fred Korematsu's funeral and to use it to try to imply that Edward Chen does not love his country—it is shameful. It is also flatly inconsistent with the rest of the speech. Chen went on to say that

when the congregation sang “America the Beautiful” at Korematsu's funeral, he was moved to tears because “the song described the America that Fred envisioned, the America whose promised beauty he sought to fulfill, an America true to its founding principles.”

Fred Korematsu is no longer with us, but his daughter Karen sent me a letter about Edward Chen. Here are some of her words:

My father's belief in our Constitution was unwavering, even when he was treated unfairly. Like my father, Judge Chen is adamant about upholding the Constitution, without bias or prejudice.

In my view, Edward Chen is a judicial nominee who has been treated extraordinarily unfairly. But he remains steadfast in his commitment to serving our country as a Federal judge, and he has a 10-year unblemished judicial track record to show that he will serve us exceedingly well.

I urge my colleagues to vote yes on the nomination of Judge Edward Chen to be a district judge for the Northern District of California.

I yield the floor. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ROBERTS. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. CARDIN). Without objection, it is so ordered.

All time has expired. The question is, Will the Senate advise and consent to the nomination of Edward Milton Chen, of California, to be United States District Judge for the Northern District of California?

Mr. LEE. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senator is necessarily absent: the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 56, nays 42, as follows:

[Rollcall Vote No. 68 Ex.]

YEAS—56

Akaka	Cantwell	Franken
Baucus	Cardin	Gillibrand
Begich	Carper	Hagan
Bennet	Casey	Harkin
Bingaman	Collins	Inouye
Blumenthal	Conrad	Johnson (SD)
Boxer	Coons	Kerry
Brown (MA)	Durbin	Klobuchar
Brown (OH)	Feinstein	Kohl

Landrieu	Murkowski	Snowe
Lautenberg	Murray	Stabenow
Leahy	Nelson (NE)	Tester
Levin	Nelson (FL)	Udall (CO)
Lieberman	Pryor	Udall (NM)
Manchin	Reed	Warner
McCaskill	Reid	Webb
Menendez	Sanders	Whitehouse
Merkley	Schumer	Wyden
Mikulski	Shaheen	

NAYS—42

Alexander	Enzi	Lugar
Ayotte	Graham	McCain
Barrasso	Grassley	McConnell
Blunt	Hatch	Moran
Boozman	Heller	Paul
Burr	Hoeben	Portman
Chambliss	Hutchison	Risch
Coats	Inhofe	Roberts
Coburn	Isakson	Rubio
Cochran	Johanns	Sessions
Corker	Johnson (WI)	Shelby
Cornyn	Kirk	Thune
Crapo	Kyl	Toomey
DeMint	Lee	Wicker

NOT VOTING—2

Rockefeller	Vitter
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The nomination was confirmed.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only until 7 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 2 p.m. tomorrow, May 11, the Senate proceed to executive session to consider the following nomination: Calendar No. 44; that there be 1 hour of debate, equally divided, in the usual form; that upon the use or yielding back of time the Senate proceed to vote without intervening action or debate on Calendar No. 44; that the motion to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order to the nomination; that any statements related to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action and the Senate then resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REID. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

BIG OIL

Mr. TESTER. Mr. President, I rise in support of legislation I am proud to cosponsor—to finally end the taxpayer handouts to the world's largest oil companies—as they rake in record profits. This measure is about accountability. It is about responsibility. It is about fairness.

When I got off the tractor from planting last weekend and went to fill my tank, it was \$3.69 in Big Sandy, MT—almost a dollar higher than just a few months ago. But while I am paying close to \$4 gallon at the pump, like other working Americans, oil company executives are padding their stock options and bonuses. They are diminishing their investment here in America, choosing instead to use tax loopholes to offshore their production.

I would like to make just three quick points today about the over \$4 billion in tax earmarks that the biggest oil companies in America are receiving today.

First, they never asked for them.

Second, they don't need them.

And finally, they are not good for America—or our economy.

These taxpayer handouts are running up our national debt, taking our jobs overseas, and they expose us to higher gas prices.

In 2005, the CEOs of the five largest oil companies testified in the Senate about these subsidies. When asked directly about these oil and gas tax breaks, all five executives said they did not ask for them.

They agreed with President Bush—that with the price of oil over \$55 per barrel, they didn't need tax incentives. And today, oil is \$109 per barrel.

The CEO of Chevron told the committee that ending these breaks “will have a minimal impact on our company, minimal.”

Let me be as clear as those executives were then: This bill has nothing to do with Chevron's or Conoco's or Exxon's ability to operate refineries or put folks to work here at home.

It has everything to do with holding their top-level executives accountable to all American taxpayers as they rake in billions of dollars in profits every year. Right now Big Oil executives are writing off the royalties they pay to foreign countries as taxes, and until we fix it, all of us are paying for it.

That means you and I are footing the bill every time one of these big companies writes a check to the government of Saudi Arabia or Nigeria. And they are telling us they don't want it or need it. We should do the fiscally responsible thing and close these loopholes.

Instead, we should use that \$8.5 billion to pay down our deficit. And that is what this bill does.

Special tax breaks are supposed to make companies more competitive and get new technologies into the market. But for major oil companies we have written a privileged tax code just for them.

Some of these provisions have been on the books since 1913. I don't know what companies after 98 years still need a subsidy, but if it does, either it isn't very effective or the system is being abused.

As you will hear again and again this week—because it is just an astonishing number—as gas surpasses \$4 per gallon, oil companies are getting \$4 billion annually in tax breaks.

The big five oil companies have made nearly \$1 trillion in profits in the last decade. Nearly \$32 billion of that came in the first 3 months of this year alone.

But what is happening to gas prices?

Rather than bringing down prices at the pump, these giveaways merely line the executives' pockets and run up the deficit. All the while, gas prices have gone up.

For example, Exxon, the biggest of the oil companies in the U.S. made more than \$9 billion dollars in profit last year—just their U.S. operations. And how much did they pay in taxes? Just \$39 million.

That is 0.4 percent.

But this is more fair than in 2009, when Exxon received a \$156 million tax refund from the IRS.

That means we as taxpayers are paying them. The Tax Code is broken and this bill will help fix it.

Right now, we are making tough choices about how to get a handle on our Nation's debt. We have tough debates ahead about heating homes in rural America, and investing in crumbling highways, and strengthening the future of Medicare.

All the while, we are still literally writing checks to our biggest oil companies who don't need them.

After causing the largest offshore oil spill in American history, BP still managed to rake in more than \$7 billion in profits, up 17 percent from the year before.

But most of these big companies are not developing their onshore resources here at home.

How do I look the oil worker in Montana's Bakken Field in the face and say: We are giving the largest oil companies a billion dollars a year to go drill overseas, taking your opportunities offshore.

Dual Capacity, the most egregious of these tax provisions, subsidizes \$1 billion each year in royalty payments to foreign governments that don't like us very much. We don't let companies producing in America credit royalty payments to their taxes, so why would we do that for companies that produce outside of the U.S.?

And does this make us safer? Does it bring stability to the market? Absolutely not.

As we have all watched in the last few months, turmoil in the Middle East has driven up speculation and driven up prices.

Oil prices fell about 10 percent last week—though not enough to relieve hardworking Montanans with any changes in prices at the pump.

Prices didn't fall because of the discovery of a new oil field or a new technology. It happened because some folks on Wall Street moved some numbers around on paper.

There is no accountability in that. And that is why we're trying to change it.

But unlike on Wall Street, there are places where folks are doing the hard work of oil discovery and developing the technology to lower the cost of oil.

A lot of that has to do with the "small guys" in the oil business. And they are successful. In fact, domestic production is going strong—at its highest level in almost a decade.

They are making risks and getting new technology into the field, like in eastern Montana.

My State is home to likely the most productive domestic onshore oilfield in the United States. And small oil companies are doing good, responsible in securing America's energy future.

The Bakken Field is estimated to hold nearly 4 billion barrels of oil. They are leading the way in developing new technology for oil field development.

Where is Exxon? They aren't reinvesting the last quarter's \$11 billion back in U.S. exploration.

In fact, in 2009, they paid their shareholders 90 percent of the profits to shareholders, leaving just 10 percent to invest in their workforce, research and development, exploration, safety and the expanding energy frontier.

Contrary to what some of my colleagues are saying, eliminating these wasteful subsidies won't raise gas prices. I want to repeat that:

Eliminating wasteful subsidies will not raise gas prices.

Many of these handouts have been on the books for decades as prices have continued to rise.

It is time to close these loopholes for big oil in order to strengthen our national security—and our energy future. It is time to end the taxpayer handouts to Big Oil.

This bill returns us to a responsible path toward energy development that benefits taxpayers and consumers. And it starts addressing the debt and deficit. It is the right thing to do.

AMERICAN ASSOCIATION OF INTELLECTUAL & DEVELOPMENTAL DISABILITIES

Mr. DURBIN. Mr. President, I am pleased today to join the Illinois chapter of the American Association of Intellectual & Developmental Disabil-

ities, AAIDD, in recognizing the recipients of the Illinois Direct Support Professional Award 2011. These individuals are being honored for their outstanding efforts to enrich the lives of people with developmental disabilities in Illinois.

These recipients have displayed a strong sense of humanity and professionalism in their work with persons with disabilities. Their efforts have inspired the lives of those for whom they care, and they are an inspiration to me as well. They have set a fine example of community service for all Americans to follow.

These honorees spend more than 50 percent of their time at work in direct, personal involvement with their clients. They are not primarily managers or supervisors. They are direct service workers at the forefront of America's effort to care for people with special needs. They do their work every day with little public recognition, providing valued care and assistance that is unknown except to those with whom they work.

It is my honor and privilege to recognize the Illinois recipients of AAIDD's Illinois Direct Support Professional Award 2011: Brenda Walker, Sandy DeArmond, Rosie Pippens, Crystal Alvey, Patience Blair, Diana Christofalos, Nick White, and Erica Carter.

I know my fellow Senators will join me in congratulating the winners of the Illinois Direct Support Professional Award 2011. I applaud their dedication and thank them for their service.

REMEMBERING VERNARD WEBB

Mr. McCONNELL. Mr. President, I rise today to pay tribute to a Kentuckian who for much of his life was content to remain an unsung hero. But let there be no doubt now that Mr. Vernard Hughes Webb, who passed away last year, leaves behind a legacy of great accomplishment and service to his Nation. You see, for many years, Mr. Webb was a pioneer in secret reconnaissance and satellite technology that was crucial to America's efforts in the Cold War. He was one of the developers on the top secret CORONA project, a spy satellite effort, and was awarded a medal of achievement for his life's work by the Vice President of the United States.

Mr. Webb was born and raised in Letcher County, KY, and became the first in his family to go to college, graduating from Berea College in 1940. The day after the Pearl Harbor attack, he joined the Army Air Corps. Becoming a bombardier on a B-17, he flew 30 combat missions over Europe during World War II.

Later in the war, Mr. Webb developed the crucial idea that would change the course of not only his career, but perhaps his country as well. Assigned to a

combat mapping squadron that was tasked with taking reconnaissance pictures over the Philippines, he came up with an idea to greatly increase the accuracy and efficiency of the cameras.

Mr. Webb ran his idea past his Air Force superiors, and in their infinite wisdom, they said no. So Mr. Webb did it anyway. He spent his own money to create a new camera. And when Vernard's superiors finally realized the worth of his invention, they asked him to implement it across the Air Force.

Vernard Webb eventually rose to the rank of major and became one of this country's leading developers of cameras and aircraft for surveillance purposes. He and his colleagues were in a race with the Soviets. By the 1950s, Vernard realized that his technology could be used not just in airplanes, but in satellites.

In 1958, Mr. Webb was assigned to the CORONA project, America's first efforts to develop a spy satellite. In 1960 the project accomplished its first success, gaining valuable intelligence on the Soviet Union and China. But for all those years Mr. Webb could only tell his friends and even his wife that he was an unimportant bureaucrat or engineer.

In 1995 the CIA declassified many documents pertaining to the CORONA project, and only then were Mr. Webb's accomplishments made clear. Around that same time, Vice President Al Gore declared that "the CORONA project represents a crucial development in aiding the national security efforts of the United States."

Vernard Webb passed away last Veterans Day. I extend my greatest condolences to his wife Katie Louis Webb, their children and grandchildren, other members of the Webb family and friends for their loss.

It is only fitting that after a lifetime of service to his country, most of it under a cloak of secrecy that preventing him from receiving the gratitude that he so richly deserved, that Mr. Vernard Webb will be interred at Arlington National Cemetery later this month with full military honors.

And I know my colleagues will join me in extending to the Webb family this Senate's thanks and appreciation for Vernard Webb's sacrifice and service.

Mr. President, I ask unanimous consent that an article illustrating Mr. Webb's heroic life and career be printed in today's RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Berea College Magazine, Summer 1996]

THE SECRET'S OUT: WEBB WAS A SPACE PIONEER

A year ago, Vernard Webb could have gone to prison for telling you about his coffee table.

The piece of furniture, which resembles a kettle drum with a glass top, is made of gold-plated titanium.

Thirty years ago, during the height of the Cold War, the table was the shell for a spy satellite used by the Air Force and the Central Intelligence Agency (CIA) to peek behind the Iron Curtain. It is one of four such satellite "buckets" still in existence. The other three are in the Smithsonian institution.

For decades, Webb, a member of Berea's Class of 1940, could only pass himself off as a pencil-pusher for the Air Force, or an engineer with the Environmental Protection Agency. But by no means was Webb telling the whole truth and nothing but the truth.

Webb's wife, Katie Lou Chambers Webb, class of 1942, had her suspicions. After three decades of relocation from one Air Force Base to another and her husband's extended official trips to places he wouldn't identify, she was certain that whatever the government had him working on was very important.

Then, in late 1995, the CIA declassified tens of thousands of documents and it was evident. Webb was a major player in the top secret CORONA project, America's first spy satellite program, from 1957 until 1972. Webb, in fact, is a pioneer in reconnaissance and satellite technology.

Before the CIA's declassification of CORONA documents in August 1995, Webb and other members of the CORONA team were called to the Pentagon for a medal presentation ceremony which itself was classified. He was awarded a medal of achievement by Vice President Al Gore and CIA officials. However, no citation accompanies the medal, since the mission for which he was being honored was still top secret at the time.

"We were not allowed to even speak with our spouses about the classified projects," Webb said. "It was for their own protection, if anything else."

Joining the Army the day after Pearl Harbor (Dec. 8, 1941), Webb went into what was then the Army Air Corps. Because he had been a photographer for the Berea College student newspaper and listed "photography" as one of his skills on a military questionnaire, it was assumed that Webb would be capable with any sort of optical instrument, such as bomb sights and some navigational equipment. He was assigned as a bombardier on a B-17 and flew 30 combat missions over Europe, bombing Axis petroleum sites, mostly in Germany, and dropping supplies to the French Resistance.

Late in the war, Webb was assigned to a combat mapping squadron flying reconnaissance missions from the Philippines. While stationed there, he came up with an innovation that would help shape the remainder of his career.

"We used large cameras mounted in planes that were once used as bombers," he said. "On a typical mission, somewhere between 30 and 40 percent of the film that was used on these cameras would be useless, because we had failed to photograph the target correctly."

"It occurred to me that if one of our cameras were mounted to a Norden bomb sight, it would greatly increase the accuracy of the camera and the efficiency of the equipment. There was a great similarity between the bomb sight and the control of aerial cameras. They both operated on the same principles. The variable on the operation of both was the ratio between the velocity of the airplane and its height above the ground. I thought it would be convenient to combine the two."

Webb's proposal was found unorthodox by Air Force officials and permission to make

the camera-bomb sight combination was denied. Still, Webb was convinced it was a good idea.

"I circumvented the red tape by buying a Norden bombsight with my own money," he said. "The U.S. government had given the Philippine government some Norden sights, and I was able to purchase one of them from the Philippine Air Force. I then mounted the camera on the sight, and we started flying missions with this device. The combination proved to be a 'natural.'"

While the average reconnaissance mission had an accuracy of photographing a specific site "on target" only 60 to 70 percent at that time, an inspector general took notice of the consistent 100 percent success rate of the flights using Webb's camera-bomb sight combination.

"The Air Force officials were always looking at air crew effectiveness," he recalled. "When they saw that we had no rejected aerial photography for a period of months, they began to look into the reasons why. I showed them how we had used the camera and they earmarked me to introduce that technology to the rest of the Air Force."

"I was then transferred to Wright-Patterson Air Force Base in Dayton, Ohio, where a team of engineers had been working for almost a year to come up with something like the camera-bomb sight combination I had put together. They ended up scrapping their entire project as a result."

The official testing of Webb's invention was conducted at Rainey Air Force Base near Wichita, Kan. The Air Force's top test pilot, Chuck Yeager, was assigned to try out the camera system in an RB-50 observation plane and the results were, according to Webb, outstanding. And the die was cast for his career.

"For the next 40 years or so of my career, I would be associated with the reconnaissance efforts of the U.S. Air Force and the Central Intelligence Agency," he said.

The following years saw Webb on various projects surrounding the development of cameras and aircraft for surveillance purposes. The RB-36, U-2 and SR-71 spy planes used by the Air Force were fitted with cameras designed by Webb and his team, who were headquartered at Wright-Patterson Air Force Base until the late 1950s.

"The U.S. Air Force continued to develop faster, higher-flying aircraft, which was in response to the development of faster and more accurate anti-aircraft weapons and fighter aircraft developed by the Soviets. It was in the early 1950s that we began to consider certain theories on using orbiting satellites as a platform for reconnaissance work," Webb said.

"But we had some big hurdles to jump before we got that far."

"There were four Air Force officers, Lt. Col. Charles Hoy, Capt. Bernard Quinn, Capt. Louis E. Watson and I [Webb was a major], stationed at Wright-Patterson, who met to analyze what would be the future of our efforts. I had been flying the high-altitude tests on the RB-36, up to 55,000 feet, and we knew that we would have to fly higher and higher altitudes due to the increased capability of Soviet lighter aircraft."

"We knew the answer to our problem would be the altitude of the aircraft or source of observation. We analyzed what problems would result if we could attain an observation point above the atmosphere. These, we narrowed down to three key areas."

"First, we knew that we needed to build better cameras. Our ground resolution couldn't be accurate if we took the cameras

we were using then to a much higher altitude. Next, we needed better film with a much higher resolution. Third, we needed a better means to process the film. The administration at Wright-Patterson in those days was dominated by civilian engineers, who didn't take kindly to such suggestions from Air Force officers."

In a historic move, Webb and the three officers maneuvered themselves toward reassignment at the Air Force's Air Research Development Command in Baltimore. The office was administered by Gen. Marvin Dent, who supervised contracted development of reconnaissance systems for the Air Force and was a much more sympathetic listener to Webb and his associates.

"We were able to write the specifications for photographic systems the Air Force required of the industrial contractors then managing the projects at Wright-Patterson," Webb recalled. "A meeting was called by the Air Force to speak with industry representatives in Cincinnati regarding the Air Force's needs. Gen. Dent gave the keynote speech. He basically told industry representatives that the current technology being used for reconnaissance was becoming quickly outmoded and he strongly suggested that they work with our group of officers in developing future reconnaissance projects."

The speech by Dent, made in 1955, led to the development by Air Force-contracted private industry of the first spacecraft-based cameras.

"Within a week of the General's speech, we were visited by representatives of three different contractors," Webb said. "One was a representative of Fairchild Camera and Instrument Corporation, another was from Eastman Kodak and the third was one of the most brilliant optical designers this country has ever produced, Dr. James Baker. Fairchild said they could build the camera, Kodak would handle the processing and Baker would design the lenses required."

"These individuals had done their homework and told us they were confident that they could build a photographic system that could meet our specifications. We had the camera system from them in a year."

The photographic equipment, which was originally designed for the U-2 spy plane, was meant to operate at an altitude of approximately 84,000 feet. The camera system designed by the Fairchild-Kodak-Baker partnership had a 24-inch lens and a better resolution than any other visual reconnaissance system used at that time. However, the Soviet development of satellite technology would change the nature of Webb's work forever.

"When we originally had the Fairchild camera developed, we were still thinking airplanes," Webb recalled. "But, the development of Sputnik forced us to take the resulting technology into space. When the Soviets successfully orbited Sputnik, the first satellite in 1957, most of America was horrified that we no longer had a technological edge in the Cold War. With my team, we were exhilarated that it had been proven a satellite could be successfully orbited. It gave us an additional step toward our research goals."

Webb and his co-workers already had an interest in utilizing a space-based camera system for observation. Using some foresight, Webb was able to get transferred to a unit dedicated to guided missile research and incorporated what he learned there into the great body of reconnaissance knowledge he already possessed.

"I was no longer influenced by people who knew only airplanes," he said. "We were now

looking at using a camera system that needed to produce high-quality photos from an orbit of 100 miles, instead of 85,000 feet. But the development of the Fairchild camera laid the groundwork for what we would be using later on. The lens we used with the CORONA system was a slight variation of Dr. Baker's 24-inch lens used on the U-2."

The CORONA program began in 1955 with numerous experiments at a classified site near Palo Alto, California. Webb was assigned to the program, the United States' first efforts at using a spy satellite, in the fall of 1958. "Our program's cover name, which was operated under scientific pretenses, was Discoverer," Webb said. "We already had a lot of ballistic information that had been done by the guided missile people at Lockheed, the primary contractor of the program."

The early months of the CORONA program were frustrating for Webb and the Lockheed team. Rocket failures, camera problems and film difficulties all combined to serve as an expensive tutor for the group. The CORONA system consisted of a large orbiting camera, which would be linked to a "bucket" containing approximately 4,000 feet of film. After receiving radio commands from Webb and his associates, the satellite was designed to photograph designated areas with the film spooling back into the bucket. The bucket would then detach from the camera and plunge back through Earth's atmosphere where it would be recovered by aircraft upon a parachute reentry.

On August 18, 1960, the first fully successful CORONA mission was accomplished, with the satellite photographing areas in the Soviet Union and China. An American flag, stowed in the satellite's bucket, was presented to President Dwight D. Eisenhower in a secret White House ceremony later that month.

The White House, however, was even more pleased with the photographs obtained by CORONA. "That single mission obtained more photos from behind the Iron Curtain than all the combined U-2 missions flown up to that time," Webb said. "It was considered an outstanding success, and we were in business."

The CORONA project was utilized successfully during the Cuban Missile Crisis, most of the Vietnam War and an important period of the Cold War. Portions of the project's development and results are still classified, but many of the spy photos have been made available to the public on the Internet by the CIA and Air Force.

"The CORONA project represents a crucial development in aiding the national security efforts of the United States," said Vice President Gore in a ceremony held at the Pentagon last year.

Originally from Letcher County, Ky., Webb credits Berea for getting him on track for what he considers a fascinating career. "At Berea they taught me to work. They gave me the discipline I needed to do well," Webb said.

Oh, and just how did Webb get his "coffee table," anyway? "When they changed the design of the satellite and no longer needed these, a crate arrived at my office," Webb remembered.

"When I saw what was in it, I called my supervisor and asked why it had been sent to me. He said, 'We have been given an order from the highest possible authority that the bucket is yours to keep. Your efforts have been appreciated. Now, don't ask any more questions.' And he hung up."

REMEMBERING HARRY HOE

Mr. McCONNELL. Mr. President, it is with sadness that I rise today to note the passing of one of southeastern Kentucky's most notable citizens, Mr. Harry Morgan Hoe. Mr. Hoe was a decorated World War II veteran who fought in the Battle of the Bulge under the command of GEN George Patton. He recalled once what General Patton said to his men then:

"Half of you guys are not going home, you know that, don't you? You're over here to take that hill, and if you don't take it, I want to see the truckload of dog tags that show me that you proved yourself."

Well, Harry Hoe did return home, after fighting in five major European campaigns, and he certainly did prove himself. He received the Silver Star for gallantry in action, the Bronze Star, the Oak Leaf Cluster for heroic action and the French Liberation Appreciation Medal.

But Mr. Hoe's heroic service in World War II is just the beginning of his incredible life story. He would go on to meet the love of his life, his wife Mary, in college and return to his hometown of Middlesboro to work in the family foundry business. He would be elected to the State legislature, invest countless hours in volunteer work and community service, and become a role model for me and many others for his leadership, his humility and his dedication to the people of the Bluegrass State.

With his wife Mary, who passed away some time ago, Harry had three children and several grandchildren. I wish to offer my greatest condolences to the Hoe family and all of Harry's many friends who are mourning his loss.

Mr. President, a wonderful article that appeared today in the Middlesboro Daily News tells the story of Mr. Harry Hoe's life and career. It is a fitting tribute to a fine man and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Middlesboro Daily News,
May 10, 2011]

MIDDLESBORO LOSES 'CROWN JEWEL'
(By Lorie Settles/Staff Writer)

MIDDLESBORO.—Many in Middlesboro are mourning the passing of one of the city's most influential people—Harry Morgan Hoe.

"The city has lost one of its crowned jewels," lamented longtime friend and businessman, Dewey Morgan. "He and Mary Bob (his wife) were always generous and welcoming to everyone. They were people people."

Hoe spent his life serving his community and his nation. A World War II veteran, Hoe fought in five major European campaigns including the Battle of the Bulge, and served under the infamous General George Patton.

Hoe spoke of his experience under Patton in a Daily News interview in 2010.

"He said: Half of you guys are not going home, you know that don't you? You're over

here to take that hill and if you don't take it, I want to see the truckload of dog tags that show me that you proved yourself.' So we fought. We were his soldiers—that was all we knew to do," he remembered.

Dewey Morgan also remarked on Hoe's service to the nation.

"The thing a lot of people might not know about Harry is that he was a hero in the Battle of the Bulge. He was a member of the American force that pushed Hitler back into Germany. And for the rest of his life, he suffered with his feet that had been frozen during the battle," Morgan reported.

Hoe was decorated with the Silver Star for gallantry in action, the Bronze Star, the Oak Leaf Cluster for heroic action and the French Liberation Appreciation Medal—all before reaching the age of 19.

Hoe's achievements only increased from there. In 1953, Harry Morgan Hoe was honored as one of the three Outstanding Young Men of Kentucky. Hoe worked as the Director of the Kentucky Utilities company for 19 years, and was honored by the company with a \$100,000 donation that was awarded to Clear Creek Baptist Bible College. He served as a board member of the college for 20 years and as Chairman for two terms.

In 1953, Hoe became the founder of the first racially integrated Little League Baseball organization south of the Ohio River. He served as the Middlesboro League's president for seven years.

Hoe worked as General Chairman for the dedication of the Cumberland Gap National Park in 1959. He was the Director of Kentucky Mountain Laurel Festival Board for more than 50 years and served twice as President.

Harry also acted as Chairman of the Board of Directors of Kentuckians for Better Transportation and Associated Industries in Kentucky. He spent two three-year terms as Director of the Kentucky Chamber of Commerce.

In 1964, Harry Hoe decided to try his hand at politics. He was elected to the Kentucky House of Representatives, where he served for six years. The passage of the drunk driving bill that he authored in 1968 was the highlight of his political career.

Harry was the Minority Whip and the Assistant Minority Floor Leader. He spent twelve years serving on the Kentucky Republican State Central Committee and was inducted into the Republican 5th Congressional District Hall of Fame by Congressman Hal Rogers.

As an eyewitness to paramount moments in the history of the U.S., the state of Kentucky, and the city of Middlesboro, Hoe served as a reference guide to many who knew him.

"He was a walking history book," said friend Lawrence Tuck. "He was a very special friend to my wife Barbara and myself. He helped so many people and we will miss him so much."

Tuck said that Hoe had attended last Wednesday's Kiwanis meeting, a club he was a member of since 1949. He also attended Sunday services at First Baptist Church where he had served as a Deacon, Sunday School teacher, and choir member.

Hoe was additionally a lifetime member of the Salvation Army Advisory Board and was awarded the Salvation Army William Booth Award, the highest honor given by the charity, after serving as Chairman.

Many also know Hoe for his work with the family business, the J.R. Hoe and Sons foundry.

Hoe was preceded in death by his beloved wife, Mary, whom he met while the two were

students at the University of Tennessee. He referred to her as his "secret weapon" in the Daily News interview. The couple had three children together and several grandchildren.

RECOGNIZING LOGIC SUPPLY

Mr. LEAHY. Mr. President, today I wish to share a business success story from my home State of Vermont.

For years Vermont has been branded as the State of milk, apples, and maple syrup. But along the ridgelines of the Green Mountains and in the valleys along the many rivers that find their way to Lake Champlain, a new high-tech and green-tech sector is quickly emerging as an economic driver for both Vermont and the entire country. The Burlington Free Press recently highlighted one such company—Logic Supply in South Burlington, VT.

I have heard many great things about Logic Supply's work and their commitment to Vermont. Company owners Lisa and Roland Groeneveld have kept Logic Supply extremely active in our State's high-tech business networking community both as members of the Vermont Software Developers Alliance and as regular participants in the Vermont 3.0 Creative Tech Jam. In 2010, KeyBank and Vermont Business Magazine recognized Logic Supply as one of Vermont's fastest growing companies.

As Logic Supply has grown, they have helped brand Vermont as a place where businesses can succeed, and where people looking to work in the economy of tomorrow can find a job today. I commend them for their hard work and success.

I ask unanimous consent that the May 9, 2011, Burlington Free Press article entitled "Logic Dictates, Couple Prove Tech Has Place On Vt. Buz Scene" be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 9, 2011]

LOGIC DICTATES, COUPLE PROVE TECH HAS PLACE ON VT. BIZ SCENE

(By Dan D'Ambrosio)

In 2002, Lisa and Roland Groeneveld left behind their corporate telecommunications jobs in the Netherlands, where they had met, and moved to Vermont without work. Roland is Dutch. Lisa is a native of Barre and wanted to live close to family after her father died.

The company she worked for, WorldCom, was imploding spectacularly, filing the biggest bankruptcy in U.S. history at the time. The company he worked for, an Anglo-Dutch consultancy called CMG with about 14,000 employees, was about to be swallowed up by an even bigger company, Logica, based in Reading, England, now with almost 40,000 employees.

So, they went their own way. In less than a decade, the Groenevelts have built a high-tech business in South Burlington, Logic Supply, Inc., that has made a profit from day one.

After launching with \$40,000 the couple had saved, the company is on track to reach \$16 million in sales in 2011—up nearly 40 percent from 2010 sales of \$11.5 million. It is debt free, recently moved into a \$2.3 million building with room for expansion and, in theory, will reach \$350 million in sales by 2020 if it meets the BHAG (Big Hairy Audacious Goal) set by its management and employees. That acronym, by the way, is proudly displayed on a bulletin board in the break room.

HOW'S THAT FOR LANDING ON YOUR FEET?

After moving to Vermont, Lisa and Roland's first order of business was to build a house on property Lisa's parents owned where they had a small vacation cabin. Roland bought a book on how to build your own house, hired a carpenter, and got to work, with Lisa's help.

"It literally was nine months of pounding nails, which was a lot of fun, very different than IT," Roland said. "Once you start doing it, it's pretty straightforward."

While their house was being built, Lisa landed a job in Boston at a business some of her former colleagues from WorldCom had started, called Fiberlink. After the house was finished in 2003, the couple decided to move to Boston for Lisa's job.

"We found an apartment there," Roland said. "What am I to do next? Together we sat down and wrote some business plans."

Years earlier, Roland had started a company in the Netherlands, and sold it a year and a half later to an Internet company during the dot.com boom. So he knew the feeling of being an entrepreneur.

"Running your own business is nice, it gives you a lot of freedom and independence," Roland said. "I wanted to get back to that sort of feeling and idea."

The couple complemented each other when it came to launching a high-tech business. Roland had a degree in electrical engineering and computer science. Lisa had an extensive business background, having worked for what was the highest flyer in telecom before it crashed to earth.

But before they got to the plan that would lead to Logic Supply, the couple took a couple of detours.

"One was importing high-end coffee makers from Europe," Roland said. "You're drinking a cup of coffee and you think, Boy wouldn't it be nice to get a good cup of coffee!"

Of course, there were already companies out there importing nice coffee pots from Europe. But there weren't so many doing what Logic Supply would end up doing, an idea that came from the development of smaller and smaller, and more and more rugged computers.

"We make very high-end computer systems for industrial embedded applications," Roland said, summarizing the company he and Lisa launched in their Boston apartment eight and a half years ago. "We never really sell to end users. Typically we sell to a company that has their own product, their own sales force and their own marketing. We're basically the engineering department for the company."

Logic Supply makes the computers, for example, for Project 54, a system for police cruisers and ambulances developed at the University of New Hampshire that integrates the functions of the vehicle into a single interface that can be operated by voice or a touch screen, simplifying life for a police officer or EMT in an emergency situation.

"It's a computer that runs the police car," Roland said. "When they're driving, cops can

interact with the computer by voice: 'Sirens on, lights on.' They can request initial information on a license plate, operate video cameras. The computer is not taking over the functions, but controlling the functions."

Logic Supply also makes custom computers for industrial automation—in slaughterhouses, where they can be sprayed with blood; or tire manufacturing, where they're subject to a lot of moisture and particles flying around, along with shock and vibration.

"Our computers are designed to withstand all that," Roland said. "A typical PC will fail. They can't handle that sort of environment."

Logic Supply is in the medical market as well.

"One of our customers converts analog X-ray machines to make them digital," Roland said. "Our computers will capture the images from those older machines and convert them and make those images available online for doctors."

INTERNET SAVVY

Remarkably, the company has experienced its explosive growth almost exclusively through its website, making search engine optimization a top priority.

"Our primary customers are engineers, and engineers don't like to talk to sales people, they like to do their own research," Roland said. "I can say this stuff because I'm an engineer myself."

The website gives engineers all the information they need to place their orders. The Logic Supply sales team does follow up with human contact, just to make sure their customers are satisfied and have everything they need, Roland says, but if they want to be left alone to place their orders in peace and not talk to anybody, Logic Supply obliges.

The Groenevelts' plan for the next 10 years is to grow at a sustained rate of 30 percent to 40 percent a year, which presumably would get them to the BHAG posted on the lunch room bulletin board. If anything slows them down, Roland says, it's likely to be the difficulty of finding qualified employees in Vermont.

"Vermont is not well known as a tech state, or even a great state for employment," Roland said. "People think there's not a future for them here and they leave. We need to stop that as a community. We need to make sure people are aware there are opportunities here and that there are great businesses here."

Mark Heyman is Logic Supply's director of human resources, and recently joined the board of directors of Vermont Software Developers' Alliance. He said the alliance is planning to broaden into a representative group for the entire tech industry in the state, highlighting companies in the state like his own, and many others.

"There's a reason not only to stay in Vermont, but for other people to come here," Heyman said. "We see ourselves along with other companies as leading a resurgence. Get the word out, let's attract people. Like geeking out on a computer? I've got a sandbox for you. As people come walking through here applying for a job, they often say they never even realized something like this existed in Vermont."

TRIBUTE TO DR. MATTHEW FRIEDMAN

Mr. LEAHY. Mr. President, I would like to take a moment to congratulate

Dr. Matthew Friedman, a finalist for the 2011 Samuel J. Heyman Service to America Medals. Dr. Friedman is the executive director of the National Center for Post Traumatic Stress Disorder, PTSD, headquartered in White River Junction, VT. He was a finalist for the Career Achievement Medal given annually to a federal employee for significant accomplishments over a lifetime of achievement in public service.

Dr. Friedman is a pioneer in the field of traumatic stress disorders. For nearly 40 years now he has been working to identify the causes of and treatments for PTSD and advocating for those afflicted with the disorder. It is the cause of his career.

While PTSD is now recognized as a serious affliction associated with the stresses and violence of war, this was not always the case. In the early days of his work, Dr. Friedman had to convince skeptics both inside and outside of the Veterans Administration that many returning troops were suffering from PTSD. His efforts eventually persuaded veterans to accept the disease within their own communities. He was among the first Veterans Administration clinicians to recognize the depth and breadth of the disorder among returning Vietnam veterans. In 1973, he established one of the earliest groups to provide mental health assistance to former soldiers.

In 1989, after years of distinguished work in the field, Dr. Friedman was named as the first executive director of the then-new National Center for PTSD based in Vermont, in White River Junction. Since then, the center has grown into a group of seven centers located at VA medical centers and in connection with university medical research programs around the country. These seven centers have conducted unprecedented research, leading to critical advancements in the understanding, treatment, and prevention of traumatic disorders.

The Service to America Medals are some of the most prestigious awards given to celebrate America's civil servants. The medals will be presented on September 15 in Washington, DC.

Dr. Friedman has spent years studying, treating and advocated for our brave veterans who have been psychologically affected by war or other tragedies. Whether or not he is ultimately selected for it, Dr. Friedman is certainly deserving of the Samuel J. Heyman Career Achievement Medal, I commend him on his selection as a finalist, and I thank him for a lifetime of public service to America's veterans.

Dr. Friedman was mentioned in an article entitled *Finalists for government's "Oscars,"* recently published in the Washington Post. I ask unanimous consent that a copy be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Washington Post, May 2, 2011]
FINALISTS FOR GOVERNMENT'S "OSCARS"

SERVICE MEDALS WILL BE AWARDED TO NINE
OUTSTANDING EMPLOYEES

(By Lisa Rein)

One is leading the effort to reduce tobacco-related disease by regulating what goes into cigarettes. Another helped disrupt drug traffickers from laundering billions of dollars through Mexican banks. Another developed a strategy to make sure every American has access to high-speed Internet service.

These are among 34 federal workers nominated for the 2011 Samuel J. Heyman Service to America Medal awards. The service medals—or "Sammies," as they are known—are the Academy Awards of the federal world and honor distinguished public servants in a variety of fields, including transportation safety and data systems. With civil servants a key focal point in the debate over the size of government, the nonprofit Partnership for Public Service hopes its annual Service to America medals will act as a reminder of federal workers' commitment to their jobs.

Nine employees will receive awards this fall for their work on a variety of issues, both in the headlines and under the radar. One among them will be honored as federal employee of the year.

The 34 finalists, selected from more than 400 nominations by their bosses and colleagues, will be honored Thursday at a breakfast on Capitol Hill as part of Public Service Recognition Week, May 1-7, intended to recognize the efforts of federal, state and local government workers.

The nominees hail from Menlo Park, Calif., to White River Junction, Vt., with 23 working in the Washington area. Some are approaching the end of a long career in government, while others are in their 20s.

The Washington Post chose a random sample of finalists to ask about their work:

When the Food and Drug Administration gained new authority over tobacco products in 2009, it turned to doctor and public health expert Lawrence Deyton to launch the Center for Tobacco Products. Deyton's 30-year career in government has focused on fighting hepatitis, AIDS among veterans and other public health threats.

With a \$450 million budget, Deyton, 58, led a successful effort to prohibit tobacco manufacturers from displaying the labels "light," "low" and "mild." In June, the center will issue regulations requiring graphic new health warnings on cigarette packages and billboards. Next up: Establishing which ingredients in cigarettes could be removed or changed to make them safer.

"We have a fundamental authority now that no other country has," Deyton said.

The Defense Department's inspector general has long had a system for protecting service members who report wrongdoing. But until Dan Meyer and his team were hired in 2004, civilian whistleblowers who suffered from retaliation had no advocate.

Meyer, 46, created a program that protects employees who report national security and procurement fraud. These whistleblowers often lose their security clearances as punishment. Meyer once blew the whistle himself when he was a Navy line officer who disclosed flaws in the investigation of a 1989 explosion that killed 47 American sailors.

"We needed to approach this as protection of our sources," he said.

When the Environmental Protection Agency came out late last year with a new plan to restore the Chesapeake Bay, 31-year-old Katherine Antos cajoled sometime-warring

state governments, advocacy groups and industry to cooperate to increase their accountability. "If we are going to be successful, we needed the right buy-in," said Antos, leader of the bay program's Water Quality Team. The biggest problem was conveying what might seem simple: "What needs to be done, who is going to do it and how," she said.

Three years ago, the National Institutes of Health attempted to pick up where the country's prestigious medical centers had left off, cracking the code of diseases that cannot be diagnosed.

William Gahl, a pediatrician specializing in clinical and biochemical genetics, took on the challenge as the first director of the Undiagnosed Diseases Program. Interest was so strong that Gahl's \$280,000 budget quickly grew to \$3.5 million. Of 5,000 applicants, 400 have been accepted, though a medical diagnosis has been found for just 60.

"We admit failure in the majority of our cases," Gahl said. "But these are people who have been everywhere else."

Analysts at the Treasury Department's Financial Crimes Enforcement Network have long suspected that Mexican drug traffickers were smuggling cash from their narcotics sales back into Mexico for deposit in local banks. Senior intelligence research analyst Ann Martin, 29, analyzed tens of thousands of bank transactions and discovered last year that billions of dollars in illegal drug profits were entering the Mexican banking system from the United States. Her work led the Mexican government to issue new regulations capping the amount of American dollars that can flow to Mexican banks.

Post-traumatic stress disorder is a well-known mental health issue facing service members, but when Matthew Friedman began his career working with veterans 40 years ago, the term did not exist.

Today, the psychiatrist and pharmacologist is executive director of the Veterans Affairs Department's National Center for PTSD, based in White River Junction, Vt. Since the center was created in 1989, Friedman has expanded it to seven VA medical centers across the country. He overcame many skeptics along the way, who believed the affliction was not a serious disorder. At 71, Friedman now wants to understand how to prevent the disorder and why some soldiers suffer from it while others don't.

"What is the difference between resilient and vulnerable people?" he asked.

STAMP OUT HUNGER FOOD DRIVE

Mr. BENNET. Mr. President, today I honor the National Association of Letter Carriers' Stamp Out Hunger Food Drive. Every year, on the second Saturday in May, letter carriers across the country collect nonperishable food as part of the Nation's largest one-day food drive, distributing the donations to local food banks. In these difficult economic times—as families continue to make ends meet and food banks deal with tightening budgets—these efforts are especially important.

The Stamp Out Hunger Food Drive is just one example of how letter carriers work to make a difference in the lives of those they serve. Since the food drive was launched 19 years ago, they have collected a billion pounds of food, including 77.3 million pounds last year

alone. They do all of this in service of the communities in which the live and work. And the work they do remains essential. Even in today's electronic society, millions of us depend on letter carriers to deliver everything from birthday cards to life-saving prescription medications.

In recognition of all letter carriers, their hard work and their commitment to their communities, I ask that all of us join with them in support of their one-day food drive and make a donation of nonperishable food items this Saturday, May 14, 2011, the National Association of Letter Carriers' Stamp Out Hunger Food Drive Day.

ADDITIONAL STATEMENTS

NEW HAMPSHIRE TIMBERLAND OWNERS ASSOCIATION

• Ms. AYOTTE. Mr. President, today I recognize and congratulate the New Hampshire Timberland Owners Association on achieving a commendable feat—100 years of successful forest management, conservation, and awareness efforts.

The New Hampshire Timberland Owners Association will hold its centennial annual meeting this year in Whitefield, NH, at the Mountain View Grand Resort from Friday, May 20 through Sunday, May 22, where the association will gather at Weeks State Park—the former summer home of Senator John Wingate Weeks, the author of the 1911 Weeks Act, a landmark piece of conservation legislation which paved the way for the formation of the White Mountain National Forest.

The New Hampshire Timberland Owners Association was established as a nonprofit organization in 1911, with William R. Brown serving as president. By 1912, the association had 32 members. Today, the association celebrates 100 years of hard work and its more than 1,400 members representing land ownership of over 1 million acres.

The association's initial objectives were the protection and improvement of timberland and property rights. The members' efforts focused on planning and acting on matters relating to forest management, legislation, and taxes. Today, the association is a statewide coalition of landowners, forest industry professionals, government officials, and supporters who work together to promote forest management and conservation of New Hampshire's working forests and to ensure a vibrant forest products industry.

Since its inception, the association has continuously grown and expanded its efforts. Working with the State of New Hampshire, the Federal Government, and local governments, the association has ensured that New Hampshire's timberlands are managed for the benefit of timberland owners and,

ultimately, the best interests of the timber economy of our great State. Together, landowners and forest industry professionals share the understanding that a well-managed forest is essential to New Hampshire's economy and our identity. The New Hampshire Timberland Owners Association represents some of the most treasured characteristics of the Granite State—teamwork, foresight in innovation, vision, and initiative.

As the New Hampshire Timberland Owners Association celebrates its first 100 years, I commend their efforts and congratulate them on a job well done. I ask my colleagues to join me in recognizing the New Hampshire Timberland Owners Association's centennial celebration.●

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 940. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1564. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (70); Amdt. No. 30779" (RIN2120-AA65) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1565. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (116); Amdt. No. 3418" (RIN2120-AA65) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1566. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (33); Amdt. No. 3419" (RIN2120-AA65) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1567. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3420" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1568. A communication from the Senior Program Analyst, Federal Aviation Adminis-

tration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Amdt. No. 3421" (RIN2120-AA65) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1569. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures (12); Amdt. No. 3423" (RIN2120-AA65) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1570. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Kahului, HI" ((RIN2120-AA66) (Docket No. FAA-2010-1233)) received in the Office of the President of the Senate on May 2, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1571. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Creighton, NE" ((RIN2120-AA66) (Docket No. FAA-2010-1170)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1572. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; West Yellowstone, MT" ((RIN2120-AA66) (Docket No. FAA-2010-1209)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1573. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Pueblo, CO" ((RIN2120-AA66) (Docket No. FAA-2010-1246)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1574. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Taylor, AZ" ((RIN2120-AA66) (Docket No. FAA-2010-1189)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1575. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Terre Haute, IN" ((RIN2120-AA66) (Docket No. FAA-2010-1034)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1576. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Amendment of Class E Airspace; Kenton, OH" ((RIN2120-AA66) (Docket No. FAA-2010-1054)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1577. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Indianapolis Executive Airport, IN" ((RIN2120-AA66) (Docket No. FAA-2010-1027)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1578. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Class E Airspace; Kutztown, PA" ((RIN2120-AA66) (Docket No. FAA-2010-0869)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. VITTER:

S. 927. A bill to require congressional approval before implementation of certain agency actions, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BURR:

S. 928. A bill to amend title 38, United States Code, to limit the authority of the Secretary of Veterans Affairs to use bid savings on major medical facility projects of the Department of Veterans Affairs to expand or change the scope of a major medical facility project of the Department, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. MURRAY (for herself, Mr. SANDERS, Mr. BEGICH, Mr. REED, Mr. BROWN of Ohio, and Mr. FRANKEN):

S. 929. A bill to establish a comprehensive literacy program; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 930. A bill to amend the Internal Revenue Code of 1986 to provide the same capital gains treatment for art and collectibles as for other investment property and to provide that a deduction equal to fair market value shall be allowed for charitable contributions of literary, musical, artistic, or scholarly compositions created by the donor; to the Committee on Finance.

By Mr. SCHUMER (for himself, Mr. ISAKSON, Mr. BINGAMAN, and Ms. CANTWELL):

S. 931. A bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property; to the Committee on Finance.

By Mr. SCHUMER:

S. 932. A bill to amend the Internal Revenue Code of 1986 to allow a \$1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations; to the Committee on Finance.

By Mr. SCHUMER (for himself and Ms. COLLINS):

S. 933. A bill to amend the Internal Revenue Code of 1986 to extend and increase the exclusion for benefits provided to volunteer firefighters and emergency medical responders; to the Committee on Finance.

By Mr. CASEY:

S. 934. A bill to amend the Harmonized Tariff Schedule of the United States to make a technical correction relating to stainless steel single-piece exhaust gas manifolds; to the Committee on Finance.

By Mr. BROWN of Ohio:

S. 935. A bill to require the Secretary of Veterans Affairs to carry out a program of outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. ROCKEFELLER (for himself and Mr. LAUTENBERG):

S. 936. A bill to establish the American Infrastructure Investment Fund and other activities to facilitate investments in infrastructure projects that significantly enhance the economic competitiveness of the United States by improving economic output, productivity, or competitive commercial advantage, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BARRASSO (for himself, Mr. BLUNT, Mr. MANCHIN, Ms. MURKOWSKI, Mr. ENZI, and Mr. COATS):

S. 937. A bill to repeal certain barriers to domestic fuel production, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself, Mrs. FEINSTEIN, and Mr. KOHL):

S. 938. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. MENENDEZ (for himself and Mr. CRAPO):

S. 939. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities; to the Committee on Finance.

By Mr. MENENDEZ (for himself, Mrs. MCCASKILL, Mr. TESTER, Mr. BROWN of Ohio, Mr. REID, Mr. DURBIN, Mr. SCHUMER, Mrs. MURRAY, Mr. LEAHY, Mr. REED, Mr. NELSON of Florida, Mr. LAUTENBERG, Mr. WHITEHOUSE, Mrs. BOXER, Ms. MIKULSKI, Mrs. GILLIBRAND, Mr. COONS, Mr. ROCKEFELLER, Mr. BLUMENTHAL, Mr. FRANKEN, Mr. CARDIN, Ms. STABENOW, Mr. MERKLEY, Mr. JOHNSON of South Dakota, Mr. SANDERS, Mrs. SHAHEEN, and Mrs. FEINSTEIN):

S. 940. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes; read the first time.

By Mr. REED (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 941. A bill to strengthen families' engagement in the education of their children; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. MURRAY (for herself, Ms. COLLINS, and Mr. DURBIN):

S. 942. A bill to provide for improved investment in national transportation infrastructure; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mrs. SHAHEEN (for herself and Mr. GRAHAM):

S. Res. 175. A resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders; to the Committee on Foreign Relations.

By Ms. MIKULSKI:

S. Res. 176. A resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER (for herself and Mr. INHOFE):

S. Res. 177. A resolution designating the week of May 15 through May 21, 2011, as "National Public Works Week"; to the Committee on the Judiciary.

By Mrs. MCCASKILL (for herself and Mr. BLUNT):

S. Res. 178. A resolution expressing support for the designation of May 1, 2011, as "Silver Star Service Banner Day"; considered and agreed to.

By Mr. AKAKA (for himself and Mr. INOUE):

S. Con. Res. 16. A concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha; considered and agreed to.

ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 222

At the request of Mr. WHITEHOUSE, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 222, a bill to limit investor and homeowner losses in foreclosures, and for other purposes.

S. 245

At the request of Mr. CORKER, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 245, a bill to reduce Federal spending in a responsible manner.

S. 362

At the request of Mr. WHITEHOUSE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 362, a bill to amend the Public Health Service Act to provide for a Pancreatic Cancer Initiative, and for other purposes.

S. 385

At the request of Mr. LEAHY, the name of the Senator from Idaho (Mr.

CRAPO) was added as a cosponsor of S. 385, a bill to include nonprofit and volunteer ground and air ambulance crew members and first responders for certain benefits.

S. 411

At the request of Ms. KLOBUCHAR, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 411, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into agreements with States and nonprofit organizations to collaborate in the provision of case management services associated with certain supported housing programs for veterans, and for other purposes.

S. 414

At the request of Mr. DURBIN, the names of the Senator from Louisiana (Ms. LANDRIEU) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 418

At the request of Mr. HARKIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 418, a bill to award a Congressional Gold Medal to the World War II members of the Civil Air Patrol.

S. 427

At the request of Mr. HELLER, his name was added as a cosponsor of S. 427, a bill to withdraw certain land located in Clark County, Nevada, from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, and for other purposes.

S. 456

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 456, a bill to amend the Agricultural Marketing Act of 1946 to require monthly reporting to the Secretary of Agriculture of items contained in the cold storage survey and the dairy products survey of the National Agriculture Statistics.

S. 457

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 457, a bill to allow modified bloc voting by cooperative associations of milk producers in connection with a referendum on Federal milk marketing order reform.

S. 458

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 458, a bill to amend the Federal Food, Drug, and Cosmetic Act to establish and enforce a maximum somatic cell count requirement for fluid milk.

S. 459

At the request of Mrs. GILLIBRAND, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 459, a bill to amend the Food, Conservation, and Energy Act of 2008 to preserve certain rates for the milk income loss contract program.

S. 463

At the request of Mr. BEGICH, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 463, a bill to amend part B of title II of the Elementary and Secondary Education Act of 1965 to promote effective STEM teaching and learning.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Indiana (Mr. COATS) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of, dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 489

At the request of Mr. REED, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 489, a bill to require certain mortgages to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 547

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 567

At the request of Mr. CONRAD, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 567, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 587

At the request of Mr. CASEY, the name of the Senator from California

(Mrs. BOXER) was added as a cosponsor of S. 587, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 634

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 634, a bill to ensure that the courts of the United States may provide an impartial forum for claims brought by United States citizens and others against any railroad organized as a separate legal entity, arising from the deportation of United States citizens and others to Nazi concentration camps on trains owned or operated by such railroad, and by the heirs and survivors of such persons.

S. 668

At the request of Mr. CORNYN, the name of the Senator from New Hampshire (Ms. AYOTTE) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 701

At the request of Mr. BENNET, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 701, a bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students.

S. 718

At the request of Mr. ROBERTS, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of S. 718, a bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act to improve the use of certain registered pesticides.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 844

At the request of Mr. LIEBERMAN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 844, a bill to provide incentives for States and local educational agencies to implement comprehensive reforms and innovative strategies that are designed to lead to significant improvement in outcomes for all students and significant reductions in achievement gaps among subgroups of students, and for other purposes.

S. 868

At the request of Mr. HATCH, the names of the Senator from Missouri (Mr. BLUNT), the Senator from Georgia

(Mr. CHAMBLISS) and the Senator from North Dakota (Mr. HOEVEN) were added as cosponsors of S. 868, a bill to restore the longstanding partnership between the States and the Federal Government in managing the Medicaid program.

S. 891

At the request of Mr. CONRAD, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from New Mexico (Mr. BINGAMAN) were added as cosponsors of S. 891, a bill to amend title XVIII of the Social Security Act to provide for the recognition of attending physician assistants as attending physicians to serve hospice patients.

S. 896

At the request of Mr. BINGAMAN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 896, a bill to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service.

S. 906

At the request of Mr. WICKER, the names of the Senator from Indiana (Mr. LUGAR) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 926

At the request of Mr. MENENDEZ, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 926, a bill to amend the Outer Continental Shelf Lands Act to permanently prohibit the conduct of offshore drilling on the outer Continental Shelf in the Mid-Atlantic and North Atlantic planning areas.

S.J. RES. 10

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S.J. Res. 10, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 174

At the request of Mr. LIEBERMAN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 174, a resolution ex-

pressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mrs. FEINSTEIN, and Mr. KOHL):

S. 938. A bill to establish a research, development, demonstration, and commercial application program to promote research of appropriate technologies for heavy duty plug-in hybrid vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

Ms. COLLINS. Mr. President, today I am reintroducing the Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act, along with my colleagues Senator FEINSTEIN and Senator KOHL. This bill will accelerate research of plug-in hybrid technologies for heavy duty trucks.

The Federal Government, through the 21st Century Truck Partnership, has for some years provided funding to conduct research and development for the modernization of this industry, in association with private industry partners. Despite the significant potential benefits of hybrid trucks, however, research in this area was eliminated recently to focus on passenger vehicles. This decision was shortsighted.

Truck operators in Maine and around the country are again being hard hit by increases in the price of diesel fuel. Given that our nation relies upon the trucking industry to keep our economy running by providing timely delivery of food, industrial products, and raw materials, we must develop alternatives that make the industry less susceptible to dramatic changes in oil prices. Hybrid power technologies offer tremendous promise of reducing this critical industry's dependence on oil.

Trucks consume large amounts of imported fuels. Successfully transitioning trucks to hybrid power technology will reduce our Nation's oil consumption and improve our energy security. The Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act directs the Department of Energy to expand its research in advanced energy storage technologies to include hybrid trucks as well as passenger vehicles. Current hybrid technology works well for cars that can be made with lightweight materials and travel short distances. Trucks need to be constructed with heavy materials commensurate with the heavy loads they carry and, if they are going to be

plug-in hybrids, travel relatively long distances between charges. Thus advances in battery and other technologies are needed to make plug-in trucks commercially viable and will require more advanced technology than is required for passenger cars.

Grant recipients will be required to complete two phases. In phase one, recipients must build one plug-in hybrid truck, collect data, and make performance comparisons with traditional trucks. Recipients who show promise in phase one will be invited to enter into phase two where they must produce 50 plug-in hybrid trucks and report on the technological and market obstacles to widespread production. The bill will also sponsor two smaller programs to deal with drive-train issues and the impact of the wide use of plug-in hybrid technology on the electrical grid. In total, the bill authorizes the expenditure of \$16 million for each of fiscal years 2012, 2013, and 2014.

We need a comprehensive approach to modernize commercial transportation in the 21st century. The Heavy Duty Hybrid Vehicle Research, Development, and Demonstration Act is one vital piece of that approach.

By Mr. REED (for himself, Mr. COONS, and Mr. WHITEHOUSE):

S. 941. A bill to strengthen families engagement in the education of their children; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today I introduce the Family Engagement in Education Act with my colleagues Senator COONS and Senator WHITEHOUSE. I thank Representative PLATTS for introducing the House companion of this bipartisan bill.

Our legislation will strengthen family engagement in education at the local, State, and national levels. It will empower parents by increasing school district resources dedicated to family engagement activities from 1 percent to 2 percent of the district Title I allocation. It will also improve quality of family engagement practices at the school level by requiring school districts to develop and implement standards-based policies and practices for family-school partnerships. It will build State and local capacity for effective family engagement in education by setting aside 1 percent of the State Title I allocation for local family engagement in education centers to provide innovative programming and services, such as leadership training and family literacy, to local families and to remove barriers to family engagement, and for supporting state-level activities. Finally, our bill will restructure the Parent Information Resource Centers so that they can provide statewide technical assistance in line with the quality framework developed by the U.S. Department of Education, Harvard

Family Research Project, and Southwest Educational Development Laboratory. At the national level, our legislation will require the Secretary of Education to convene practitioners, researchers, and other experts in the field of family engagement in education to develop recommended metrics for measuring the quality and outcomes of family engagement in a child's education.

Research demonstrates that family engagement in a child's education increases student achievement, improves attendance, and reduces dropout rates. A recent study by Anne Seitsinger and Steven Brand at the University of Rhode Island's Center for School Improvement and Educational Policy found that students whose parents support their education through learning activities at home and discuss the importance of education perform better in school. Yet too often, family engagement is not built into our school improvement efforts in a systematic way. The Family Engagement in Education Act will promote meaningful family engagement policies and programs at the national, State, and local levels to ensure that all students are on track to be career and college-ready.

The bill builds on my successful efforts in the last reauthorization of the Elementary and Secondary Education Act, the 2001 No Child Left Behind Act, to incorporate provisions throughout the law to strengthen and boost parental involvement. It is also in line with the Administration's blueprint for reauthorization, which calls for doubling the amount that school districts are required to set aside for parental involvement and encouraging States to use some of their Title I funding to support local family engagement centers in education.

Developed with the National Family, School, and Community Engagement Working Group, which includes organizations such as National PTA, United Way Worldwide, Harvard Family Research Project, and National Council of La Raza, and endorsed by hundreds of local, State, and national organizations, this legislation represents the broad consensus that we must do a better job of engaging families in all aspects of their children's education.

I urge my colleagues to cosponsor the Family Engagement in Education Act, and to work for its inclusion in the forthcoming debate to reauthorize and renew the Elementary and Secondary Education Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 941

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Family Engagement in Education Act of 2011".

SEC. 2. TABLE OF CONTENTS.

The table of contents for this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Findings; purpose.
- Sec. 4. Amendment references.
- Sec. 5. Family engagement in education.
- Sec. 6. State plans.
- Sec. 7. Local educational agency plans.
- Sec. 8. Family engagement in education policy.
- Sec. 9. Prevention and intervention programs for children and youth who are neglected, delinquent, or at risk.
- Sec. 10. High-quality teachers and principals.
- Sec. 11. Family engagement in education programs.
- Sec. 12. Definitions.
- Sec. 13. Conforming amendments.
- Sec. 14. Government Accountability Office study and report.
- Sec. 15. Federal coordination of family engagement in education programming.

SEC. 3. FINDINGS; PURPOSE.

(a) FINDINGS.—Congress finds the following:

- (1) Family engagement in a child's education raises student achievement, improves behavior and attendance, decreases drop-out rates, and improves the emotional and physical well-being of children.
- (2) Families are critical determinants of children's school readiness as well as of students' decision to pursue higher education.
- (3) Effective family engagement is a great equalizer for students, contributing to their increased academic achievement, regardless of parents' education level, ethnicity, or socioeconomic background.
- (4) Family engagement can raise student academic achievement so substantially that schools would need to increase spending by more than \$1,000 per pupil to gain the same results.
- (5) Positive benefits for children, youth, families, and schools are maximized through effective family engagement that—

(A) is a shared responsibility in which schools and other community agencies and organizations are committed to reaching out to engage families in meaningful ways and families are committed to actively supporting their children's learning and development;

(B) is continuous across a child's life from birth to young adulthood; and

(C) reinforces learning that takes place in all settings.

(b) PURPOSE.—The purpose of this Act is to strengthen families' engagement in the education of their children.

SEC. 4. AMENDMENT REFERENCES.

Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.).

SEC. 5. FAMILY ENGAGEMENT IN EDUCATION.

(a) FAMILY ENGAGEMENT AND RESPONSIBILITY FUND.—Title I (20 U.S.C. 6301 et seq.) is amended by adding after section 1004 the following:

"SEC. 1005. FAMILY ENGAGEMENT AND RESPONSIBILITY FUND.

"(a) IN GENERAL.—Each State educational agency may reserve not more than 1 percent

of such agency's allocated funds under section 1122 for each fiscal year for use as provided in subsection (b).

"(b) USE OF RESERVED FUNDS.—From the amounts reserved for each fiscal year under subsection (a), each State educational agency shall—

"(1) reserve not less than 85 percent for Local Family Engagement Centers under section 1006; and

"(2) reserve not more than 15 percent for State educational agency capacity for family engagement activities under section 1007."

(b) LOCAL FAMILY ENGAGEMENT CENTERS PROGRAM.—Title I (20 U.S.C. 6301 et seq.) is amended by adding after section 1005, as added by subsection (a), the following:

"SEC. 1006. LOCAL FAMILY ENGAGEMENT CENTERS PROGRAM.

"(a) PURPOSE.—The purpose of this section is to establish and operate Local Family Engagement Centers and to evaluate the usefulness and effectiveness of innovative approaches demonstrated by these centers in engaging families in their children's education by providing training, services, supports, and opportunities that meet families' needs and remove barriers to their engagement in their children's education to improve student achievement.

"(b) GRANTS AUTHORIZED.—From the funds reserved to carry out this section under section 1005(b)(1), a State educational agency shall award grants or enter into contracts and cooperative agreements with eligible entities to establish and operate Local Family Engagement Centers.

"(c) ELIGIBLE ENTITY.—In this section, the term 'eligible entity' means a private, non-profit organization that—

"(1) has a demonstrated record of working with low-income parents and families in the community;

"(2) is located in a community with elementary schools and secondary schools that receive funds under part A and is accessible to families of students in those schools; and

"(3) is partnering with 1 or more local educational agencies or 1 or more schools that receive funds under part A.

"(d) APPLICATION FOR GRANTS.—To receive a grant under this section, an eligible entity shall submit an application to the State educational agency at such time, in such manner, and accompanied by such information as the State educational agency may require, including—

"(1) a description of the entity's approach on family engagement in education, including its use of strength-based strategies;

"(2) information demonstrating that the applicant meets the definition of an eligible entity;

"(3) information that the applicant has the capacity to operate a center capable of conducting the training, services, and support activities to fulfill the purposes of a Local Family Engagement Center;

"(4) information that the applicant will structure and operate a center of sufficient scope and quality adequate to serve the needs of the local area in which it is located;

"(5) a description of the entity's experience in providing training, services, and support to low-income parents and families, English language learners, minorities, parents of students with disabilities, parents of homeless students, foster parents, and parents of migrant students;

"(6) a description of the collaboration with the local educational agency or school personnel in the geographic area to be served by the center;

"(7) a description of the steering committee, a majority of whose members are

parents of students in schools that receive funds under part A, that will direct and implement the activities of the Local Family Engagement Center;

“(8) a description of how the entity will coordinate its efforts with the Statewide Family Engagement Centers under subpart 16 of part D of title V in the State;

“(9) information that the applicant is capable of meeting milestones or deadlines as the State educational agency may prescribe; and

“(10) such other information as the State educational agency determines necessary.

“(e) **USES OF FUNDS.**—An eligible entity that receives a grant under this section shall establish and operate a Local Family Engagement Center and use the grant funds to provide training, services, and supports to engage families in their children’s education and to build the school-family partnerships necessary to ensure that all children are on track to graduate from high school ready for college and careers, such as through—

“(1) assisting parents and families in understanding how they can improve student achievement, including how to access ongoing student performance data and related information to support learning in the classroom with activities at home, and in after-school and extracurricular activities;

“(2) training parents and families on effective ongoing communication with their children, teachers, principals, counselors, administrators, and other school personnel;

“(3) providing direct services to families, such as home visitation, family literacy programs, and health and behavioral health services to meet the needs of families and remove barriers for engaging in the education of their children;

“(4) providing advocacy services to ensure that families can fully participate in their children’s education;

“(5) providing supports such as transportation, childcare, and meals to facilitate families’ engagement in programs implemented or assisted by the Center;

“(6) assisting parents and families in understanding how they can prepare their children academically, socially, and financially for postsecondary education, including early awareness of the availability of student financial assistance; and

“(7) improving the coordination, availability, and effectiveness of integrated services and comprehensive supports for children and families.

“(f) **EVALUATION AND ANNUAL REPORT.**—A State educational agency shall—

“(1) evaluate the effectiveness of the grants funded under this section; and

“(2) issue an annual report on the implementation of such grants, describing any practices the State determines to be most effective or innovative for fulfilling the purposes of the Local Family Engagement Centers.”

(c) **STATE FAMILY ENGAGEMENT COORDINATING COUNCILS.**—Title I (20 U.S.C. 6301 et seq.) is amended by adding after section 1006, as added by subsection (b), the following:

“SEC. 1007. STATE EDUCATIONAL AGENCY CAPACITY FOR FAMILY ENGAGEMENT ACTIVITIES.

“(a) **IN GENERAL.**—Each State educational agency shall administer and expend funds reserved under section 1005(b)(2) to—

“(1) provide for the establishment of a statewide family engagement coordinating council; and

“(2) support the development and implementation of a statewide family engagement in education plan.

“(b) **STATE FAMILY ENGAGEMENT COORDINATING COUNCILS.**—

“(1) **IN GENERAL.**—Each State educational agency that receives funds under part A shall establish a State Family Engagement Coordinating Council (referred to in this section as a ‘Council’) to ensure coordination and integration of family engagement in education activities across the education spectrum.

“(2) **REPORTING RESPONSIBILITY.**—Each Council shall report to the Governor and the Chief State School Officer of the State on the Council’s findings and recommendations regarding family engagement in education and such other information as the Governor may request.

“(3) **APPOINTMENT OF MEMBERS.**—

“(A) **IN GENERAL.**—The Governor of the State, in consultation with the State educational agency, shall determine the number of members to serve on the Council and their term of office, and shall appoint such members, initially, for a full term or for a period of less than a full term, as the Governor determines appropriate. Such members shall include representatives of—

“(i) State educational agency programs, Statewide Family Engagement Centers under subpart 16 of part D of title V, and Local Family Engagement Centers under section 1006 operating in the State;

“(ii) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act, operating in the State;

“(iii) the State parent teacher association and other parent groups;

“(iv) family members, students, teachers, and school administrators;

“(v) the State’s advisory council on early childhood education and care;

“(vi) colleges and universities; and

“(vii) nonprofit organizations and State governmental agencies serving children and families.

“(B) **RESTRICTION ON GOVERNMENT EMPLOYEES.**—Not more than 50 percent of the Council members shall be employees of a State or local unit of government.

“(4) **DUTIES OF THE COUNCIL.**—Duties of the Council shall include any duties the Governor may specify and the following duties:

“(A) Establish a statewide vision of family engagement in education that is consistent with, and leverages, Federal family engagement in education resources and initiatives.

“(B) Encourage consistency in family engagement in education policies and practices across learning settings along the child and youth life span.

“(C) Coordinate Federal, State, and local family engagement in education programs and activities.

“(D) Coordinate family engagement in education programs and activities across early childhood, school-age, vocational and technical, and higher education programs.

“(E) Identify opportunities for family engagement in education collaboration and resource sharing among State educational agencies, local educational agencies, and organizations that support family-school partnerships.

“(F) Review the family engagement in education component of the State plan prepared under section 1111(d) and submit to the State educational agency and to the Governor any recommendations of the Council for modifications to the plan.

“(G) Visit local educational agencies, schools, and other learning settings to support the implementation and monitoring of family engagement in education policies, practices, and uses of funds.

“(c) **USES OF FUNDS.**—Each State may use funds reserved under section 1005(b)(2) to support the development and implementation of the statewide family engagement in education plan described in section 1111(d) through activities such as—

“(1) supporting an office or staff positions within the agency dedicated to family engagement;

“(2) carrying out the State’s responsibilities under the Local Family Engagement Centers Program under section 1006;

“(3) developing and implementing a statewide data collection and evaluation system on family engagement metrics to identify schools that would benefit from training and support related to family engagement in education;

“(4) reviewing local educational agencies’ family engagement policies and practices as provided by sections 1112(b)(1)(P) and 1118(i), and evaluating the use of funds under this subsection;

“(5) coordinating technical assistance and support to local educational agencies with schools that would benefit from training and support related to family engagement in education with the Statewide Family Engagement Centers;

“(6) developing curricula for professional development for teachers, principals, school librarians, and other school leaders on improving family engagement in education;

“(7) developing standards and curricula for family engagement in education for teacher and principal preparation programs; and

“(8) coordinating statewide services related to early education, higher education, child health and welfare, after-school programs, community service-learning programs, and other programs to develop coordinated family engagement in education policies, practices, and services.”

(d) **CONFORMING AMENDMENT.**—The table of contents in section 2 of the Elementary and Secondary Education Act of 1965 is amended by inserting after the item relating to section 1004 the following:

“Sec. 1005. Family engagement and responsibility fund.

“Sec. 1006. Local Family Engagement Centers Program.

“Sec. 1007. State educational agency capacity for family engagement activities.”

SEC. 6. STATE PLANS.

(a) **IN GENERAL.**—Section 1111(d) (20 U.S.C. 6311(d)) is amended to read as follows:

“(d) **FAMILY ENGAGEMENT.**—Each State plan shall include a plan for strengthening family engagement in education. Each such plan shall, at a minimum, include—

“(1) a description of the State’s criteria and schedule for review and approval of local educational agency engagement policies and practices pursuant to sections 1112(e)(3) and 1118(i);

“(2) a description of the State’s system and process for assessing local educational agency implementation of section 1118 responsibilities;

“(3) a description of the State’s criteria for identifying local educational agencies that would benefit from training and support related to family engagement in education;

“(4) a description of the State’s statewide system of technical assistance and support for local educational agencies and schools on family engagement in education;

“(5) an assurance that the State will refer to Statewide Family Engagement Centers those local educational agencies that would benefit from training and support related to family engagement in education;

“(6) a plan for using funds received under section 1005;

“(7) a description of the relationship between the State educational agency and Statewide and Local Family Engagement Centers, parent training and information centers, and community parent resource centers in the State established under sections 671 and 672 of the Individuals with Disabilities Education Act; and

“(8) a plan for establishing a State Family Engagement Coordinating Council or, if a similar entity exists, a description of the composition and activities of such similar entity.”.

(b) REPORTS.—

(1) ANNUAL STATE REPORT.—Section 1111(h)(4) (20 U.S.C. 6311(h)(4)) is amended—

(A) in subparagraph (F), by striking “and” after the semicolon;

(B) in subparagraph (G), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(H) the number of schools and the name of each school that would benefit from training and support related to family engagement in education, the reason why such school was so identified, and the measures taken to address the need for training and support; and

“(I) information on the State educational agency’s family engagement in education programs and activities.”.

(2) TECHNICAL ASSISTANCE.—Section 1111(j) (20 U.S.C. 6311(j)) is amended by inserting “the development and implementation of policies and procedures for family engagement in education,” after “reliable.”.

SEC. 7. LOCAL EDUCATIONAL AGENCY PLANS.

(a) IN GENERAL.—Section 1112(b)(1)(P) (20 U.S.C. 6312(b)(1)(P)) is amended to read as follows:

“(P) a description of the strategy the local educational agency will use to implement and assess family engagement in education under section 1118;”.

(b) ENGAGEMENT IN DEVELOPING PLANS.—Section 1112(b)(1) (20 U.S.C. 6312(b)(1)) is amended—

(1) by redesignating subparagraph (Q) as subparagraph (S);

(2) in subparagraph (P), by striking “and” after the semicolon; and

(3) by inserting after subparagraph (P) the following:

“(Q) a description of how the local educational agency will engage families in the development, implementation, and assessment of local educational agency plans;

“(R) a description of how the local educational agency will improve teacher and principal knowledge and skills in effectively engaging parents in their children’s education; and”.

SEC. 8. FAMILY ENGAGEMENT IN EDUCATION POLICY.

(a) LOCAL EDUCATIONAL AGENCY DEVELOPMENT OF POLICIES AND PRACTICES.—Section 1118 (20 U.S.C. 6318) is amended—

(1) by redesignating subsections (a) through (h) as subsections (b) through (i), respectively; and

(2) by inserting before subsection (b), as redesignated by paragraph (1), the following:

“(a) IN GENERAL.—Each local educational agency and each school receiving funds under this part shall develop policies and practices for family engagement in education that meet the following principles and standards for family-school partnerships:

“(1) Welcome all families to be active participants in the life of the school, so that they feel valued, connected to each other and

to school staff and to what students are learning in class.

“(2) Communicate effectively by ensuring regular two-way, meaningful communication between family members and local educational agency and school staff in a manner, language, and with technology that family members can understand and access.

“(3) Support student success by fostering continuous collaboration between family members and local educational agency and school staff to support student learning and healthy development at school and at home.

“(4) Speak up for every child and empower family members to be advocates for all students within the school.

“(5) Ensure that family members, local educational agencies, and school staff are equal partners in family engagement in education decisionmaking.

“(6) Collaborate with community organizations and groups to turn the school into a hub of community life.

“(7) Create a continuum of family engagement in education in student learning and development from birth to young adulthood.

“(8) Train and support superintendents, principals, and teachers to fully engage families in the education of their children.”.

(b) WRITTEN POLICY.—Section 1118(b)(2), as redesignated by subsection (a), is amended—

(1) in subparagraph (C), by striking “(e)” and inserting “(f)”;

(2) in subparagraph (E), by striking “and” after the semicolon;

(3) in subparagraph (F), by striking the period at the end and inserting a semicolon; and

(4) by adding at the end the following:

“(G) participate in evaluations of the effectiveness of family engagement in education strategies and policies; and

“(H) participate in developing recommendations for creating a positive school climate and safe and healthy schools.”.

(c) RESERVATION.—Section 1118(b)(3)(A), as redesignated by subsection (a), is amended to read as follows:

“(A) IN GENERAL.—Each local educational agency shall reserve not less than 2 percent of its allocation under subpart 2 to carry out this section.”.

(d) RESERVED FUNDS.—Section 1118(b)(3), as redesignated by subsection (a), is amended—

(1) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (D), respectively; and

(2) by inserting after subparagraph (A) the following:

“(B) USE OF FUNDS.—Funds reserved under subparagraph (A) may be used for purposes including the following:

“(i) Increasing capacity through establishment of a dedicated office or dedicated personnel within the local educational agency or at the school level for family engagement in education.

“(ii) Supporting schools and nonprofit organizations in providing professional development on family engagement in education for school staff, parent leadership training, family literacy and numeracy programs, home visitation programs, family volunteerism programs, and other innovative programs that meaningfully engage families.

“(iii) Developing and implementing local educational agency family engagement in education data-collection systems and indicators.

“(iv) Assessing and providing recommendations on school family engagement in education policies, practices, and use of funds.

“(v) Providing technical assistance and training to schools on the implementation

and assessment of family engagement in education policies and practices.

“(vi) Providing additional support to schools that have been identified for improvement under section 1116(b) to assist in their implementation of family engagement in education, including the hiring and maintenance of family engagement coordinators.

“(vii) Partnering with Local Family Engagement Centers or community-based organizations to identify community resources, services, and supports to remove economic obstacles to family engagement in education by meeting families’ needs.

“(viii) Supporting schools and eligible entities in the development of early childhood programs that promote family engagement in education and school readiness.

“(ix) Establishing and supporting an advisory group comprised of families, educators, and nonprofit organizations to develop recommendations to strengthen family engagement in education from birth to young adulthood.

“(x) Assisting schools in the development, implementation, and assessment of family engagement in education plans.

“(xi) Monitoring and evaluating the family engagement in education policies and practices funded under this section.

“(xii) Partnering with Local Family Engagement Centers or Statewide Family Engagement Centers to assist the local educational agency and participating schools in the implementation of this section.

“(xiii) Supporting other activities approved in the local education agency’s plan for improving family engagement.”.

(e) SCHOOL PARENTAL INVOLVEMENT POLICY.—Section 1118(c)(1), as redesignated by subsection (a), is amended in the first sentence by striking “(c) through (f)” and inserting “(d) through (g)”.

(f) SHARED RESPONSIBILITY FOR HIGH STUDENT ACADEMIC ACHIEVEMENT.—Section 1118(e), as redesignated by subsection (a), is amended—

(1) in the matter preceding paragraph (1), by striking “subsection (b)” and inserting “subsection (c)”;

(2) by striking paragraph (1) and inserting the following:

“(1) describe the school’s responsibility to—

“(A) provide high-quality curriculum and instruction in a supportive and effective learning environment that enables the children served under this part to meet the State’s student academic achievement standards, and the ways in which each parent will support their children’s learning, such as—

“(i) monitoring attendance and homework completion;

“(ii) volunteering in their child’s classroom or school; and

“(iii) participating, as appropriate, in decisions relating to the education of their children and positive use of extracurricular time; and

“(B) engage family members in the development of recommendations for student attendance, expectations, behavior, and school safety, including the development of reasonable disciplinary policies and behavioral interventions, such as the implementation of school-wide positive behavior interventions and supports and the phase-out of out-of-school suspension and expulsion; and”.

SEC. 9. PREVENTION AND INTERVENTION PROGRAMS FOR CHILDREN AND YOUTH WHO ARE NEGLECTED, DELINQUENT, OR AT RISK.

(a) **STATE PLAN AND STATE AGENCY APPLICATIONS.**—Section 1414 (20 U.S.C. 6434) is amended—

(1) in subsection (a)(1)—

(A) in subparagraph (B), by striking “and” after the semicolon;

(B) by redesignating subparagraph (C) as subparagraph (D); and

(C) by inserting after subparagraph (B) the following:

“(C) that contains an assurance that each child or youth serviced by the program will have a transition plan developed in partnership with families and aftercare providers that will place the child or youth on a path to career and college readiness; and”; and

(2) in subsection (c)—

(A) by redesignating paragraphs (15) through (19) as paragraphs (17) through (21), respectively; and

(B) by inserting after paragraph (14) the following:

“(15) describes how the State agency will implement family engagement in education policies and practices that align with section 1118;

“(16) includes an assurance that the State agency will establish, for each child or youth served under this subpart, an educational services and transition plan that is developed in consultation with the child or youth, family members of the child or youth, and the local educational agency or alternative education program that will receive the child or youth following their period of service under this subpart.”;

(b) **LOCAL EDUCATIONAL AGENCY APPLICATIONS.**—Section 1423 (20 U.S.C. 6453) is amended—

(1) by redesignating paragraphs (9) through (13) as paragraphs (11) through (15), respectively; and

(2) by inserting after paragraph (8) the following:

“(9) a description of how schools will implement family engagement in education policies and practices that align with the provisions of section 1118;

“(10) an assurance that the local educational agency will establish for each child or youth served under this subpart an educational services plan that is developed in consultation with the child or youth, family members of the child or youth, and the local educational agency or alternative education program receiving the child or youth following their period of service under this subpart.”;

(c) **PROGRAM REQUIREMENTS FOR CORRECTIONAL FACILITIES RECEIVING FUNDS UNDER THIS SECTION.**—Section 1425 (20 U.S.C. 6455) is amended—

(1) in paragraph (10), by striking “and” after the semicolon;

(2) by striking the period at the end of paragraph (11) and inserting a semicolon; and

(3) by adding at the end the following:

“(12) prepare an educational services and transition plan for each child or youth served by the program, in partnership with families and aftercare providers, consistent with section 1414(a)(1)(C); and

“(13) establish for each child or youth residing in the facility and serviced by this subpart an educational services and transition plan that is developed in consultation with the child or youth, family members of the child or youth, and the local educational agency or alternative education program receiving the child or youth following their period of service under this subpart.”.

SEC. 10. HIGH-QUALITY TEACHERS AND PRINCIPALS.

(a) **STATE APPLICATION CONTENTS.**—Section 2112(b) (20 U.S.C. 6612(b)) is amended by adding at the end the following:

“(13) A description of how the State educational agency will improve teacher and principal knowledge and skill in effectively engaging families in their children’s education.”.

(b) **STATE ACTIVITIES.**—Section 2113(c) (20 U.S.C. 6613(c)) is amended—

(1) by redesignating paragraphs (12) through (18) as paragraphs (13) through (19), respectively; and

(2) by inserting after paragraph (11) the following:

“(12) Training of teachers and principals on how to effectively engage families in their children’s education.”.

SEC. 11. FAMILY ENGAGEMENT IN EDUCATION PROGRAMS.

(a) **HEADING.**—The heading for subpart 16 of part D of title V is amended to read as follows:

“Subpart 16—Family Engagement in Education Programs”.

(b) **FAMILY ENGAGEMENT.**—Section 5561 (20 U.S.C. 7273) is amended to read as follows:

“SEC. 5561. PURPOSES.

“The purposes of this subpart are the following:

“(1) To provide financial support to non-profit organizations to build the capacity of and provide technical assistance and training to States and local educational agencies in the implementation and enhancement of successful systemic and effective family engagement policies, programs, and activities that lead to improvements in student development and academic achievement.

“(2) To assist State educational agencies, local educational agencies, and community-based organizations in strengthening partnerships among parents (including parents of children under the age of 6), teachers, principals, administrators, and other school personnel in meeting the educational needs of children.

“(3) To support State educational agencies and local educational agencies in developing and strengthening the relationship between parents and their children’s school in order to further the developmental progress of children.

“(4) To coordinate activities funded under this subpart with engagement in education initiatives funded under section 1118 and other provisions of this Act.

“(5) To assist the Secretary, State educational agencies, and local educational agencies in the coordination and integration of Federal, State, and local services and programs to engage families in education.”.

(c) **GRANTS AUTHORIZED.**—Section 5562 (20 U.S.C. 7273a) is amended to read as follows:

“SEC. 5562. GRANTS AUTHORIZED.

“(a) **STATEWIDE FAMILY ENGAGEMENT CENTERS.**—The Secretary is authorized to award grants for each fiscal year to statewide non-profit organizations (and consortia of such organizations and State educational agencies), to establish Statewide Family Engagement Centers that provide comprehensive training, technical assistance, and capacity building to State educational agencies, local educational agencies, schools identified by State educational agencies and local educational agencies, organizations that support family-school partnerships (such as parent-teacher associations and Parents as Teachers organizations), and other organizations that carry out parent education and family engagement in education programs.

“(b) **GEOGRAPHIC DISTRIBUTION.**—In awarding grants under this section, the Secretary shall, to the extent practicable, ensure that a grant is—

“(1) awarded for a Statewide Family Engagement Center in each State and outlying area; and

“(2) in an amount of not less than \$500,000.”.

(d) **APPLICATIONS.**—Section 5563 (20 U.S.C. 7273b) is amended to read as follows:

“SEC. 5563. APPLICATIONS.

“(a) **SUBMISSIONS.**—Each statewide non-profit organization, or a consortium of such an organization and a State educational agency, that desires a grant under section 5562 shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require.

“(b) **CONTENTS.**—Each application submitted under paragraph (1) shall include, at a minimum, the following:

“(1) A description of the applicant’s approach to family engagement in education, including the use of strength-based strategies.

“(2) A description of the applicant’s plan for building a statewide infrastructure for family engagement in education, that includes—

“(A) management capacity and governance;

“(B) statewide leadership;

“(C) systemic services for family engagement in education;

“(D) capacity building for State educational agencies, local educational agencies, and schools;

“(E) alignment with title I; and

“(F) learning and improvement.

“(3) A description of the applicant’s experience in providing training, information, and support to State educational agencies, local educational agencies, schools, and nonprofit organizations on family engagement in education policies and practices that are effective for low-income parents and families, English language learners, minorities, parents of students with disabilities, parents of homeless students, foster parents and students, and parents of migrant students.

“(4) An assurance that the applicant will—

“(A) be—

“(i) governed by a board of directors, the membership of which includes parents of school-aged children; or

“(ii) an organization or consortium that represents the interests of parents;

“(B) establish a special advisory committee, the membership of which includes—

“(i) parents of children from birth through young adulthood, who shall constitute a majority of the members of the special advisory committee;

“(ii) representatives of the State parent teacher association;

“(iii) representatives of education professionals with expertise in improving services for disadvantaged children;

“(iv) representatives of local elementary schools and secondary schools, including students, disadvantaged youth, and representatives from local youth organizations; and

“(v) representatives of State educational agencies and local educational agencies;

“(C) use not less than 65 percent of the funds received under this subpart in each fiscal year to serve local educational agencies, schools, and community-based organizations that serve high concentrations of low-income families and disadvantaged children and youth, including English language learners, minorities, parents of students with disabilities, parents of homeless students, foster

parents and students, and parents of migrant students;

“(D) operate a center of sufficient size, scope, and quality to ensure that the center is adequate to serve the State educational agencies, local educational agencies, and community-based organizations;

“(E) serve urban, suburban, and rural local educational agencies and schools;

“(F) work with—

“(i) State educational agencies and local educational agencies and schools;

“(ii) other Statewide Family Engagement Centers assisted under this subpart;

“(iii) Local Family Engagement Centers assisted under section 1006;

“(iv) parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act;

“(v) clearinghouses; and

“(vi) other organizations and agencies;

“(G) use not less than 30 percent of the funds received under this section in each fiscal year to establish or expand technical assistance for evidence-based early childhood parent education programs;

“(H) provide assistance to State educational agencies and local educational agencies and community-based organizations that support family members in areas such as assistance in understanding State and local standards and measures of student and school academic achievement and strategies for supporting school academic achievement; and

“(I) work with State educational agencies, local educational agencies, and schools to determine parental needs and the best means for delivery of services to address such needs.”.

(e) USES OF FUNDS.—Section 5564 (20 U.S.C. 7273c) is amended to read as follows:

“SEC. 5564. USES OF FUNDS.

“Grantees shall use grant funds received under section 5562 to provide training, technical assistance, and capacity building to State educational agencies, local educational agencies, and organizations that support family-school partnerships, to enable those agencies and organizations—

“(1) to assist parents in participating effectively in their children’s education and to help their children meet State and local standards, such as assisting parents—

“(A) to engage in activities that will improve student academic achievement, including understanding how they can support learning in the classroom with activities at home and in afterschool and extracurricular programs;

“(B) to communicate effectively with their children, teachers, principals, counselors, administrators, and other school personnel;

“(C) to become active participants in the development, implementation, and review of school-parent compacts, family engagement in education policies, and school planning and improvement;

“(D) to participate in the design and provision of assistance to students who are not making adequate academic progress;

“(E) to participate in State and local decisionmaking;

“(F) to train other parents; and

“(G) to help the parents learn and use technology applied in their children’s education;

“(2) to develop and implement, in partnership with the State educational agency, a statewide family engagement in education policy and systemic initiatives that will provide for a continuum of services to remove barriers for family engagement in education and support school reform efforts; and

“(3) to develop, implement, and assess family engagement in education policies and plans under sections 1112 and 1118.”.

(f) ADMINISTRATIVE PROVISIONS.—Section 5565 (20 U.S.C. 7273d) is amended to read as follows:

“SEC. 5565. ADMINISTRATIVE PROVISIONS.

“(a) MATCHING FUNDS FOR GRANT RE-NEWAL.—For each fiscal year after the first fiscal year for which an organization or consortium receives assistance under this subpart, the organization or consortium shall demonstrate in the application that a portion of the services provided by the organization or consortium is supported through non-Federal contributions, which may be in cash or in-kind.

“(b) SUBMISSION OF INFORMATION.—Each organization or consortium receiving assistance under this subpart shall submit to the Secretary, on an annual basis, information on the activities it has carried out using grant funds received under section 5562, including reporting on metrics developed under section 5567.

“(c) TECHNICAL ASSISTANCE.—The Secretary shall reserve not more than 5 percent of the funds appropriated to carry out this subpart to provide technical assistance, by grant or contract, for the establishment, development, and coordination of Statewide Family Engagement Centers, including their establishment of statewide infrastructures for family engagement in education.

“(d) RULE OF CONSTRUCTION.—Nothing in this subpart shall be construed to prohibit a Statewide Family Engagement Center from—

“(1) having its employees or agents meet with a parent at a site that is not on school grounds; or

“(2) working with another agency that serves children.

“(e) PARENTAL RIGHTS.—Notwithstanding any other provision of this subpart—

“(1) no person (including a parent who educates a child at home, a public school parent, or a private school parent) shall be required to participate in any program of parent education or developmental screening under this subpart; and

“(2) no program or center assisted under this subpart shall take any action that infringes in any manner on the right of a parent to direct the education of their children.”.

(g) FAMILY ENGAGEMENT IN INDIAN SCHOOLS.—Section 5566 (20 U.S.C. 7273e) is amended to read as follows:

“SEC. 5566. FAMILY ENGAGEMENT IN INDIAN SCHOOL.

“The Secretary of the Interior, in consultation with the Secretary of Education, shall establish, or enter into contracts and cooperative agreements with local Indian nonprofit parent organizations to establish and operate, Local Family Engagement Centers and shall establish a national Indian Family Engagement Coordinating Council modeled on the State Family Engagement Coordinating Council as described in section 1007.”.

(h) RESEARCH AND EVALUATION FOR EFFECTIVE FAMILY ENGAGEMENT IN EDUCATION.—Subpart 16 of part D of title V (20 U.S.C. 7273 et seq.) is amended by adding at the end the following:

“SEC. 5567. RESEARCH AND EVALUATION FOR FAMILY ENGAGEMENT IN EDUCATION.

“(a) DEVELOPMENT OF METRICS FOR FAMILY ENGAGEMENT.—Not later than 1 year after the date of enactment of the Family Engagement in Education Act of 2011, the Director

of the Institute of Education Sciences, after consultation with the advisory committee established under subsection (b), shall develop recommended metrics on family engagement in education for State educational agencies and local educational agencies that receive funds under section 1118 and provide recommendations on the integration of metrics into State accountability and longitudinal data systems.

“(b) ADVISORY COMMITTEE.—The Secretary shall appoint an advisory committee, including researchers and representatives from national nonprofit organizations with expertise in family engagement in education, to make data-driven recommendations regarding metrics required under subsection (a).

“(c) RESEARCH FOR EFFECTIVE FAMILY ENGAGEMENT IN EDUCATION.—The Secretary shall reserve not more than 5 percent of funds appropriated to carry out this subpart to conduct research on effective family engagement in education, including through awarding grants and entering into contracts with eligible entities. Such research may include—

“(1) exploratory research to discover the underlying processes or components of family engagement programs that are associated with improved education outcomes for students;

“(2) research to—

“(A) develop culturally sensitive strategies or programs for improving family engagement in education; and

“(B) rigorously evaluate the impact of such strategies or programs on students’ education outcomes; and

“(3) research to—

“(A) develop professional development programs intended to enable school personnel to support parental involvement in education; and

“(B) rigorously evaluate the impact of such programs on students’ education outcomes.”.

SEC. 12. DEFINITIONS.

Section 9101 (20 U.S.C. 7801) is amended—

(1) by striking paragraph (32);

(2) by redesignating paragraphs (20) through (31) as paragraphs (21) through (32), respectively;

(3) by inserting after paragraph (19) the following:

“(20) FAMILY ENGAGEMENT IN EDUCATION.—The term ‘family engagement in education’ means a shared responsibility—

“(A) of families and schools for student success, in which schools and community-based organizations are committed to reaching out to engage families in meaningful ways and families are committed to actively supporting their children’s learning and development; and

“(B) that is continuous from birth through young adulthood and reinforces learning that takes place in the home, school, and community.”; and

(4) by adding at the end the following:

“(44) TRIBALLY CONTROLLED SCHOOLS.—The term ‘tribally controlled schools’ means schools administered by Indian tribes or their delegates pursuant to the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.).”.

SEC. 13. CONFORMING AMENDMENTS.

The Act (20 U.S.C. 6301 et seq.) is amended by striking—

(1) “parental involvement” and “parent involvement” each place the terms appear and inserting “family engagement”;

(2) “involvement of parents” each place the term appears and inserting “engagement of families”;

(3) “parental information and resource center” each place the term appears and inserting “Statewide Family Engagement Center”;

(4) “parental information and resource centers” each place the term appears and inserting “Statewide Family Engagement Centers”;

(5) “involve parents” each place the term appears and inserting “engage families”.

SEC. 14. GOVERNMENT ACCOUNTABILITY OFFICE STUDY AND REPORT.

(a) STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall conduct a study, and make findings and recommendations relating to compliance with, and use of funds made available for, section 1118 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6318), including matters specified in paragraph (2).

(2) INCLUSIONS.—The study shall include a review and analysis of—

(A) the use of funds reserved by local educational agencies for family engagement under such section 1118;

(B) the innovative, effective, replicable, or model family engagement in education policies, practices, and uses of funds of State educational agencies and local educational agencies determined by the Secretary of Education to be in alignment with section 1118;

(C) any barriers to State educational agencies and local educational agencies in implementing section 1118;

(D) any barriers to Indian tribes and organizations, Native Hawaiian organizations, and Alaska Native organizations in developing, implementing, and assessing family engagement in education policies and practices; and

(E) the use of data collection and reporting and outcome and assessment systems of State educational agencies and local educational agencies to determine the extent to which family engagement in education is implemented as described in section 1118.

(b) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit to the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and Labor of the House of Representatives a report containing the findings and recommendations resulting from the study conducted under this section.

SEC. 15. FEDERAL COORDINATION OF FAMILY ENGAGEMENT IN EDUCATION PROGRAMMING.

(a) STAFFING.—Not later than 6 months after the date of enactment of this Act, there shall be established in the Department of Education dedicated staff, including a Director, for family and community engagement.

(b) DUTIES.—The duties of the Director shall include the following:

(1) Articulating a national vision of family engagement in education.

(2) Coordinating and integrating activities related to family engagement strategies, services, and programs within the Department and across Federal agencies.

(3) Providing guidance to Department offices and units on the administration of family engagement in education programs, community school programs, and other related initiatives, such as Promise Neighborhoods.

(4) Ensuring consistency in family engagement in education policies and programs within the Department.

(5) Ensuring consistency in family engagement in education policies and programs with family engagement policies and prac-

tices of the programs and activities of other Federal agencies.

(6) Administering the Statewide Family Engagement Centers under subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965 and the Full Service Community Schools program.

(7) Developing, in consultation with the public through an invitation for public comment in the Federal Register, a plan for innovation, research, and evaluation of family engagement in education, including impact, implementation, and replication studies.

(8) Conducting, by arrangement with the Department's Institute of Education Sciences, by contract, or by competition, innovation, research and evaluation on family engagement in education consistent with the requirement of section 5567(c) of the Elementary and Secondary Education Act of 1965.

(9) Disseminating effective and innovative practices on family engagement to State educational agencies, Statewide Family Engagement Centers and Local Family Engagement Centers, parent training and information centers and community parent resource centers assisted under sections 671 and 672 of the Individuals with Disabilities Education Act, administrators of title I of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), and others.

(10) Coordinating innovation, research, training, and technical assistance activities among Statewide Family Engagement Centers, Local Family Engagement Centers, and regional educational laboratories.

(11) Identifying opportunities for family engagement in education collaboration and resource sharing among State educational agencies, local educational agencies, and organizations that support family-school partnerships.

(12) Preparing a biennial report to Congress on family engagement in education, including a summary of activities, performance, and outcomes under sections 1006, 1008, 1112, and 1118, and subpart 16 of part D of title V of the Elementary and Secondary Education Act of 1965.

(13) Publishing State educational agency family engagement in education plans and reports prepared as required by section 1111 of the Elementary and Secondary Education Act of 1965 on the website of the Department.

(14) Carrying out such other duties as may be designated by the Secretary.

(c) FEDERAL DEPARTMENT AND AGENCY COOPERATION.—Each department or agency of the Federal Government providing programs related to family and community engagement in education shall—

(1) cooperate with the efforts of the Director described in subsection (a);

(2) provide such assistance, statistics, studies, reports, information, and advice as the Director may request, to the extent permitted by law;

(3) adjust department or agency staff job descriptions to support collaboration and implementation of the vision and strategy; and

(4) assign department or agency liaisons to the office to oversee and implement inter-agency coordination.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 175—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO ONGOING VIOLATIONS OF THE TERRITORIAL INTEGRITY AND SOVEREIGNTY OF GEORGIA AND THE IMPORTANCE OF A PEACEFUL AND JUST RESOLUTION TO THE CONFLICT WITHIN GEORGIA'S INTERNATIONALLY RECOGNIZED BORDERS

Mrs. SHAHEEN (for herself and Mr. GRAHAM) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES 175

Whereas, since 1993, the territorial integrity of Georgia has been reaffirmed by the international community and 36 United Nations Security Council resolutions;

Whereas the United States-Georgia Strategic Charter, signed on January 9, 2009, underscores that “support for each other's sovereignty, independence, territorial integrity and inviolability of borders constitutes the foundation of our bilateral relations”;

Whereas, in October 2010, at the meeting of the United States-Georgia Charter on Strategic Partnership, Secretary of State Hillary Clinton stated, “The United States will not waiver in its support for Georgia's sovereignty and territorial integrity.”;

Whereas the White House released a fact sheet on July 24, 2010, calling for “Russia to end its occupation of the Georgian territories of Abkhazia and South Ossetia” and for “a return of international observers to the two occupied regions of Georgia”;

Whereas Vice President Joseph Biden stated in Tbilisi in July 2009 that the United States “will not recognize Abkhazia and South Ossetia as independent states”;

Whereas, according to the Government of Georgia's “State Strategy on Occupied Territories,” the Government of Georgia has committed itself to a policy of peaceful engagement, the protection of economic and human rights, freedom of movement, and the preservation of cultural heritage, language, and identity for the people of Abkhazia and South Ossetia;

Whereas the August 2008 conflict between the Governments of Russia and Georgia resulted in civilian and military casualties, the violation of the sovereignty and territorial integrity of Georgia, and large numbers of internally-displaced persons;

Whereas large numbers of persons remain displaced as a result of the August 2008 conflict as well as the earlier conflicts of the 1990s;

Whereas the August 12, 2008, ceasefire agreement, agreed to by the Governments of Russia and Georgia provides that all troops of the Russian Federation shall be withdrawn to pre-conflict positions;

Whereas the August 12, 2008, ceasefire agreement provides that free access shall be granted to organizations providing humanitarian assistance in regions affected by violence in August 2008;

Whereas the recognition by the Government of Russia of Abkhazia and South Ossetia on August 26, 2008, was in violation of the sovereignty and territorial integrity of Georgia;

Whereas Human Rights Watch concluded in its World Report 2011 that “Russia continued to occupy Georgia's breakaway regions

of South Ossetia and Abkhazia and strengthened its military presence in the region by establishing a military base and placing an advanced surface-to-air missile system in Abkhazia";

Whereas the parties have taken some constructive steps in recent months, including the resumption of direct flights between Russia and Georgia, Russian troop withdrawal from the Georgian village of Perevi, and regular participation in the Incident Prevention and Response Mechanism;

Whereas these positive steps neither adequately address the humanitarian situation on the ground nor constitute full compliance with the terms of the August 2008 ceasefire agreement;

Whereas, on November 23, 2010, before the European Parliament, Georgian President Saakashvili declared that "Georgia will never use force to restore its territorial integrity and sovereignty";

Whereas Secretary of State Clinton stated in Tbilisi on July 5, 2010, "We continue to call for Russia to abide by the August 2008 cease-fire commitment . . . including ending the occupation and withdrawing Russian troops from South Ossetia and Abkhazia to their pre-conflict positions.";

Whereas the Russian Federation blocked the extension of the Organization for Security and Co-operation in Europe (OSCE) Mission to Georgia and the United Nations Observer Mission in Georgia, forcing the missions to withdraw from South Ossetia and Abkhazia;

Whereas troops of the Russian Federation stationed in Abkhazia and South Ossetia continue to be present without the consent of the Government of Georgia or a mandate from the United Nations or other multilateral organizations;

Whereas, at the April 15, 2011, meeting in Berlin between the foreign ministers of Georgia and NATO, Secretary of State Clinton stated, "U.S. support for Georgia's sovereignty and territorial integrity remains steadfast. . . . We share Georgian concerns regarding recent Russian activities that can negatively affect regional stability.";

Whereas, on April 25–26, 2011, Foreign Minister of Russia Sergei Lavrov made a high-profile visit to Abkhazia and South Ossetia, which was immediately criticized by the Department of State as "inconsistent with the principle of territorial integrity and Georgia's internationally recognized borders";

Whereas the Senate supports United States efforts to develop a productive relationship with the Russian Federation in areas of mutual interest, including non-proliferation and arms control, cooperation concerning the failure of the Government of Iran to meet its international obligations with regard to its nuclear programs, counter-terrorism, Afghanistan, anti-piracy, and economics and trade; and

Whereas the Senate agrees that these efforts must not compromise longstanding United States policy or United States support for its allies and partners worldwide: Now, therefore, be it

Resolved, That the Senate—

(1) affirms that it is the policy of the United States to support the sovereignty, independence, and territorial integrity of Georgia and the inviolability of its borders, and to recognize Abkhazia and South Ossetia as regions of Georgia occupied by the Russian Federation;

(2) calls upon the Government of Russia to take steps to fulfill all the terms and conditions of the 2008 ceasefire agreements between Georgia and Russia, including return-

ing military forces to pre-war positions and ensuring access to international humanitarian aid to all those affected by the conflict;

(3) urges the Government of Russia and the authorities in control in the regions of South Ossetia and Abkhazia to allow for the full and dignified return of internally-displaced persons and international missions to the territories of Abkhazia and South Ossetia;

(4) supports peaceful, constructive engagement and confidence-building measures between the Government of Georgia and the authorities in control in South Ossetia and Abkhazia and encourages additional people-to-people contacts; and

(5) affirms that finding a peaceful resolution to the conflict is a key priority for the United States in the Caucasus region and that lasting regional stability can only be achieved through peaceful means and long-term diplomatic and political dialogue between all parties.

SENATE RESOLUTION 176—EX-PRESSING THE SENSE OF THE SENATE THAT THE UNITED STATES POSTAL SERVICE SHOULD ISSUE A SEMIPOSTAL STAMP TO SUPPORT MEDICAL RESEARCH RELATING TO ALZHEIMER'S DISEASE

Ms. MIKULSKI submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 176

Resolved, That it is the sense of the Senate that the United States Postal Service should, in accordance with section 416 of title 39, United States Code—

(1) issue a semipostal stamp to support medical research relating to Alzheimer's disease; and

(2) transfer to the National Institutes of Health for that purpose any amounts becoming available from the sale of such stamp.

Ms. MIKULSKI. I rise today to submit a resolution urging the United States Postal Service to issue a semipostal stamp to help raise money for Alzheimer's research. A semipostal stamp will fund new research while also raising public awareness about this devastating disease.

Finding new ways to treat Alzheimer's should be a national priority. The disease not only harms patients and their families, it strains our health care system as well. Every 70 seconds, someone in America develops Alzheimer's. An estimated 5.4 million Americans have Alzheimer's disease, including one in eight people over 65. The direct and indirect costs of Alzheimer's and other dementias to Medicare, Medicaid and businesses amount to more than \$183 billion each year. By 2050, this disease is likely to affect more than 11 to 16 million people 65 and older—unless we can find a medical breakthrough.

As Alzheimer's Disease is so prevalent, almost every American knows someone with this condition. My father was diagnosed with Alzheimer's. This was after many physicians said it was

just "old age" stress or depression. Like all family members with a loved one with Alzheimer's, I felt powerless over my father's situation as he got worse.

There are 14.9 million unpaid caregivers taking care of loved ones with Alzheimer's. They are depending on us to help find the cure for this terrible disease. No treatment is available to slow or stop the deterioration of brain cells in Alzheimer's disease. The U.S. Food and Drug Administration has approved five drugs that temporarily slow the worsening of symptoms for about six to 12 months. They are effective for only about half of the individuals who take them.

However, researchers around the world are studying numerous treatment strategies that may have the potential to change the course of the disease. Approximately 75 to 100 experimental therapies aimed at slowing or stopping the progression of Alzheimer's are in clinical testing in human volunteers. We need to keep the fight for a cure strong and funded.

A semipostal stamp is one way each of us can help in the fight against Alzheimer's. Proceeds from the stamp's sales would help fund Alzheimer's research at the National Institutes of Health. By paying more than the normal postage rate for this stamp, the public can contribute directly to the search for a new treatment or even a cure. I also want to thank Senator CARDIN for his cosponsorship of the Alzheimer's research semipostal stamp and Representative MARKEY for working on this important legislation in the House. I ask my colleagues today to join me in the fight against Alzheimer's and support this resolution.

SENATE RESOLUTION 177—DESIGNATING THE WEEK OF MAY 15 THROUGH MAY 21, 2011, AS "NATIONAL PUBLIC WORKS WEEK"

Mrs. BOXER (for herself and Mr. INHOFE) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 177

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and

enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 15 through May 21, 2011, as “National Public Works Week”;

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

SENATE RESOLUTION 178—EX- PRESSING SUPPORT FOR THE DESIGNATION OF MAY 1, 2011, AS “SILVER STAR SERVICE BANNER DAY”

Mrs. McCASKILL (for herself and Mr. BLUNT) submitted the following resolution; which was considered and agreed to:

S. RES. 178

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2011, is an appropriate date to designate as “Silver Star Service Banner Day”: Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2011, as “Silver Star Service Banner Day” and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

SENATE CONCURRENT RESOLU- TION 16—AUTHORIZING THE USE OF EMANCIPATION HALL IN THE CAPITOL VISITOR CENTER FOR AN EVENT TO CELEBRATE THE BIRTHDAY OF KING KAMEHA- MEHA

Mr. AKAKA (for himself and Mr. INOUE) submitted the following concurrent resolution; which was considered and agreed to:

S CON. RES. 16

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 5, 2011, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that the hearing scheduled before the Senate Committee on Energy and Natural Resources for Thursday, May 12, 2011, will now begin at 9 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing is to receive testimony on carbon capture and sequestration legislation, including S. 699 and S. 757.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Abigail Campbell@energy.senate.gov.

For further information, please contact Allyson Anderson or Abigail Campbell.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Subcommittee on Water and Power. The hearing will be held on Thursday, May 19, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing will be to hear testimony on seven items:

S. 201, a bill to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, and for other purposes.

S. 333, a bill to reinstate and extend the deadline for commencement of con-

struction of a hydroelectric project involving the Little Wood River Ranch.

S. 334, a bill to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir.

S. 419, the Dry-Redwater Regional Water Authority System Act of 2011.

S. 499, the Bonneville Unit Clean Hydropower Facilitation Act.

S. 519, the Hoover Power Allocation Act of 2011.

S. 808, a bill to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, D.C. 20510-6150, or by e-mail to Meagan_Gins@energy.senate.gov

For further information, please contact Tanya Trujillo or Meagan Gins.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 10, 2011, at 10 a.m., to conduct a hearing entitled “Reviewing the Financial Crisis Inquiry Commission’s Final Report.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 10, 2011, at 10 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 10, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled “Perspectives on Deficit Reduction: Social Security.”

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 10, 2011, at 10 a.m., to hold a

hearing entitled, "Steps Needed for a Successful 2014 Transition in Afghanistan."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. REID. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 10, 2011 at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. REID. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services be authorized to meet during the session of the Senate on May 10, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE, AND THE DISTRICT OF COLUMBIA AND SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. REID. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia and Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on Tuesday, May 10, 2011, at 2:30 p.m. to conduct a joint hearing entitled "Roadmap for a More Efficient and Accountable Federal Government: Implementing the GPRA Modernization Act."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PRIVACY, TECHNOLOGY AND THE LAW

Mr. REID. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Privacy, Technology and the Law, be authorized to meet during the session of the Senate, on May 10, 2011, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Protecting Mobile Privacy: Your Smartphones, Tablets, Cell Phones and Your Privacy."

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORIZING USE OF EMANCIPATION HALL

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 16, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 16) authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event celebrating the birthday of King Kamehameha.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. BENNET. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 16) was agreed to, as follows:

S. CON. RES. 16

Resolved by the Senate (the House of Representatives concurring),

SECTION 1. USE OF EMANCIPATION HALL FOR EVENT TO CELEBRATE BIRTHDAY OF KING KAMEHAMEHA.

(a) AUTHORIZATION.—Emancipation Hall in the Capitol Visitor Center is authorized to be used for an event on June 5, 2011, to celebrate the birthday of King Kamehameha.

(b) PREPARATIONS.—Physical preparations for the conduct of the ceremony described in subsection (a) shall be carried out in accordance with such conditions as may be prescribed by the Architect of the Capitol.

SILVER STAR SERVICE BANNER DAY

Mr. BENNET. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 178, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 178) expressing support for the designation of May 1, 2011, as "Silver Star Service Banner Day."

There being no objection, the Senate proceeded to consider the resolution.

Mr. BENNET. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 178) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 178

Whereas the Senate has always honored the sacrifices made by the wounded and ill members of the Armed Forces;

Whereas the Silver Star Service Banner has come to represent the members of the

Armed Forces and veterans who were wounded or became ill in combat in the wars fought by the United States;

Whereas the Silver Star Families of America was formed to help the American people remember the sacrifices made by the wounded and ill members of the Armed Forces by designing and manufacturing Silver Star Service Banners and Silver Star Flags for that purpose;

Whereas the sole mission of the Silver Star Families of America is to evoke memories of the sacrifices of members and veterans of the Armed Forces on behalf of the United States through the presence of a Silver Star Service Banner in a window or a Silver Star Flag flying;

Whereas the sacrifices of members and veterans of the Armed Forces on behalf of the United States should never be forgotten; and

Whereas May 1, 2011, is an appropriate date to designate as "Silver Star Service Banner Day": Now, therefore, be it

Resolved, That the Senate supports the designation of May 1, 2011, as "Silver Star Service Banner Day" and calls upon the people of the United States to observe the day with appropriate programs, ceremonies, and activities.

MEASURE READ THE FIRST TIME—S. 940

Mr. BENNET. Mr. President, I understand that S. 940, introduced earlier today by Senator MENENDEZ, is at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 940) to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

Mr. BENNET. Mr. President, I ask for its second reading and object to my own request.

The PRESIDING OFFICER. Objection is heard. The bill will be read for the second time on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to Public Law 94-304, as amended by Public Law 99-7, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the 112th Congress: the Honorable KELLY AYOTTE of New Hampshire, the Honorable SAXBY CHAMBLISS of Georgia, the Honorable MARCO RUBIO of Florida, and the Honorable ROGER WICKER of Mississippi.

ORDERS FOR WEDNESDAY, MAY 11, 2011

Mr. BENNET. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m. on Wednesday, May 11; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be

deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period for the transaction of morning business for debate only until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled by the leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes; that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. BENNET. Mr. President, there will be a rollcall vote around 3 p.m. tomorrow on the confirmation of Executive Calendar No. 44, the nomination of Arenda Wright Allen to be a U.S. District Judge for the Eastern District of Virginia.

ADJOURNMENT UNTIL 9:30 A.M.
TOMORROW

Mr. BENNET. Mr. President, if there is no further business to come before

the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 6:07 p.m., adjourned until Wednesday, May 11, 2011, at 9:30 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate May 10, 2011:

THE JUDICIARY

EDWARD MILTON CHEN, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA.

HOUSE OF REPRESENTATIVES—Tuesday, May 10, 2011

The House met at noon and was called to order by the Speaker pro tempore (Mr. GRAVES of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 10, 2011.

I hereby appoint the Honorable TOM GRAVES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

PROTECTING CONSUMERS FROM HIGHER GAS PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. CONNOLLY) for 5 minutes.

Mr. CONNOLLY of Virginia. Mr. Speaker, 1 year after the Deepwater Horizon oil spill, Americans are paying record gas prices. In northern Virginia, gas that used to cost \$3 per gallon now costs more than \$4 per gallon.

This gas price hike is a result of instability in the Middle East and possible oil speculation and is a reminder of our dangerous dependence on foreign oil.

Sadly, our Republican colleagues are not advancing legislation to help our hard-pressed consumers. Their plan would line the pockets of Big Oil, which saw its profits skyrocket 30 percent in line with rising gas prices.

Fortunately, there are positive steps we can take to promote energy independence in America and to protect consumers: improve vehicle efficiency, boost production of domestic renewable energy, and convert oil industry tax breaks into gas price relief for our consumers.

America owns 1.5 percent of the world's oil but consumes 22.5 percent;

so we can't drill our way to energy independence. The only way to end our dependence on foreign oil and reduce gas prices is by improving automobile efficiency and developing new sources of clean, domestic energy. Energy independence is going to depend on reducing our oil consumption and shifting to domestic forms of energy like wind, solar, biofuels, and gas. Energy independence will save consumers money and protect us from the instability of the Middle East.

At the end of 2010, Congress extended tax credits for biofuels and the production of wind and solar energy. These tax credits increased wind energy production by nearly 43 percent in just 2 years. So extending them is an important step to increasing the supply of domestic energy.

Under the authority of the Clean Air Act, President Obama and automakers recently announced an agreement to improve the efficiency of automobiles by 30 percent by 2016. This agreement will save consumers \$3,000 for each car purchased 5 years from now. Here is another way of looking at it: If you could save 30 percent at the pump, better vehicle efficiency would more than offset the recent spike in gas prices.

Unfortunately, oil companies and their allies here in Congress are trying to roll back much of this progress. Republican Speaker BOEHNER forced through legislation which would repeal much of the Clean Air Act, hurting American consumers and undermining our national security.

Last week, the leadership in the House passed legislation to short-circuit safety rules for oil production off America's coasts, increasing the likelihood of another Deepwater Horizon catastrophe. Their legislation would also allow oil exploration that would impede naval operations off the Chesapeake Bay in Virginia. This week, they want to attempt to pass a bill allowing for more oil drilling even if it interferes with military bases or endangers coastal economies.

I do not support reckless efforts to allow unregulated oil drilling which endangers coastal economies and national security. Last week, I introduced amendments to these oil drilling bills. One would strike the anti-safety language and add a provision to repeal \$37 billion in oil company tax loopholes. The amendment would remit this money to American drivers. Averaged among licensed drivers, my amendment would give \$185 to every licensed driver in America, reducing the

equivalent price of gasoline by 27 cents a gallon. The other amendment was written to protect national security. It simply requires that the Commander in Chief, in consultation with the Secretary of Defense, certify that before we drill for oil off the coast of Virginia that it does not hamper national security and naval operations. I was shocked that all but a handful of Republicans voted to kill this common-sense amendment.

Since the leadership has blocked efforts to include real gas price relief in their oil drilling bills, I am introducing standalone legislation to assist consumers. The bill, entitled the Gas Price Relief Act, would terminate tax loopholes for oil companies while rebating the savings to our hard-pressed commuters throughout America.

There are many positive steps, Mr. Speaker, we can take to reduce our dependence on foreign oil, steps that will include clean energy, renewable energy, and efficiency in our vehicles. That's the path we need to take if we are going to reduce our reliance on foreign oil and achieve genuine energy independence.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 6 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. GRAVES of Georgia) at 2 p.m.

PRAYER

Reverend Jane Wood, Jerusalem-Mt. Pleasant United Methodist Church, Rockville, Maryland, offered the following prayer:

O Lord our God, God of our past, present, and future, we look to You today as we begin this session of the United States House of Representatives.

We thank You this afternoon for those who are assembled here. They have been given a great privilege and an awesome responsibility.

Bestow upon them the wisdom, discernment, and knowledge they need. Be

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

very near to each of them, and may this day be a day of accomplishment.

By Your grace, enable these Representatives to continue on the "path to a more perfect Union."

Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. POE) come forward and lead the House in the Pledge of Allegiance.

Mr. POE of Texas led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Under clause 5(d) of rule XX, the Chair announces to the House that, in light of the resignation of the gentleman from Nevada (Mr. HELLER), the whole number of the House is 432.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 9, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 9, 2011 at 10:05 a.m.:

That the Senate has added additional conferee H.R. 658.

Appointments:
United States Capitol Preservation Commission.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

PUTTING THE GULF BACK TO WORK ACT

(Mr. BOUSTANY asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BOUSTANY. Mr. Speaker, I have said many times on this floor and in

meetings with constituents, this country does not have an energy strategy, and the only thing worse than not having an energy strategy is having bad energy policy. Yet the answer lies right here in our own backyard. We have the resources, but this administration continues to block access.

Today we're voting on H.R. 1229, the Putting the Gulf Back to Work Act. It is crucial to restoring our own capabilities to produce energy by moving forward with permit applications in a sensible amount of time.

It's deplorable that businesses, like Leed Petroleum in Lafayette, Louisiana, with 22 employees, cannot get back to work and have no options unless we hold these regulators' feet to the fire and force them to do their jobs. These independent producers and service companies, the backbone of American energy production, deserve answers and real solutions.

With oil and gas prices skyrocketing, there is no excuse for any delays to offshore energy production. The people of this country are tired of uncertainty. They are tired of dependence on foreign oil, and they're tired of record gas prices.

The bottom line is we must begin the path toward a solid energy policy to get Americans back to work. There's no excuse for delay.

HONORING ISRAEL ON HER 63RD BIRTHDAY

(Mr. DEUTCH asked and was given permission to address the House for 1 minute.)

Mr. DEUTCH. Mr. Speaker, I rise today to honor and to celebrate the State of Israel on her 63rd birthday.

Sixty-three years ago, Israel was founded against all odds, through enormous courage and after a difficult struggle. Now she is the beacon of freedom and hope throughout the region.

As the only true democratic society in the Middle East, Israel has built a technologically advanced and thriving economy. Israel's a world leader in biotechnology research and is home to some of the world's great entrepreneurial success stories. Her people enjoy freedom of expression in all forms, and she boasts one of the strongest records on human rights.

The United States, as the first country to recognize Israel's independence, forged an unbreakable bond with Israel through our shared values and goals, and the partnership and cooperation between our two countries has never been stronger. The United States is committed to ensuring Israel's ability to defend herself and will continue to provide the most advanced assistance in security and the most robust economic aid.

In 63 years, Israel has persevered against all odds, against foreign armies, terrorism, and those who deny her right to exist.

Today we reaffirm the bond between the United States and Israel, that it will not be broken. And today the United States stands firmly with our great ally Israel in true friendship and celebration.

WHOSE SIDE IS PAKISTAN ON?

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, after years of funneling money to Pakistan, we still don't know whose side they are on in this war on terror.

We have given Pakistan \$12 billion in foreign aid since 2002. We have reimbursed them \$9 billion for their military operations in the war on terror. It's time we freeze the foreign aid to Pakistan until we get some answers about their knowledge of bin Laden's whereabouts.

We cannot continue to give Pakistan money in the hopes they will be our friend and ally. We did not trust them enough to give them advance notice of the bin Laden operation. We even had detailed plans to fight the Pakistanis if they interfered with the capture of bin Laden.

Bin Laden was able to live in a mansion right under the nose of the Pakistan military academy for years, but government officials say they didn't know where bin Laden was. That statement defies the evidence, and that "dog just won't hunt."

And that's just the way it is.

BOEING BEING BULLIED BY UNIONS AND THE NATIONAL LABOR RELATIONS BOARD

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, the National Labor Relations Board has filed a complaint against the Boeing Corporation to stop thousands of jobs at the currently built 1.2 million square foot production facility in South Carolina. This is the second line for 787 jetliners which are so popular due to 20 percent less fuel use than any other airplane of its size.

Manufacturing employees locate in South Carolina due to the welcoming climate provided by the right-to-work laws, with trained workers educated at world-class technical colleges. Boeing has a right to contract to work where it's in the best interest of its shareholders and workers.

I appreciate Governor Nikki Haley leading the defense of our workers against the Obama administration's attack. I am grateful Attorney General Alan Wilson is recruiting fellow attorneys general across America to protect jobs. South Carolina is fortunate to have America's youngest Governor and

America's youngest attorney general energetically standing up for freedom of American workers.

Welcome to Washington Adjutant General Bob Livingston, former 218th commander in Afghanistan, with Legislative Liaison Matt Nichols.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

MASSACHUSETTS FUTURE

(Mr. PITTS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PITTS. Mr. Speaker, we only need to look at Massachusetts to see a preview of what is in store if we fail to repeal ObamaCare.

Just a few years ago, it was predicted that the Massachusetts health reform would reduce emergency room care by getting patients in to see primary care physicians. But a new survey shows that only half of primary care physicians are able to accept new patients right now. It now takes 48 days to see an internist for a routine checkup. Premiums in Massachusetts remain among the highest in the Nation. Low reimbursements in the Commonwealth Care health plan mean that only about half of doctors accept the State-managed insurance.

Far from solving Massachusetts' health care crisis, the health reform law has created problems of its own. The Massachusetts Medical Society finds that the environment for physicians continues to deteriorate, despite billions in government spending—just a sample of what awaits the Nation under ObamaCare.

□ 1410

TAXES, PENALTIES, AND FEES IN PPACA

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, the Patient Protection Affordable Care Act, billed as a health care bill, is actually a tax bill. It is riddled with fees and penalties that will drive up the cost of health care by imposing taxes on families and businesses.

Included in the law was a tax increase on nonmedical expenditures from a health savings account. There has always been a 10 percent penalty, but now it jumps to 20 percent.

In addition, beginning next year, employers who have 50 full-time employees for the previous calendar year must offer health coverage that meets the minimum essential benefit coverage requirement of the Secretary of Health and Human Services, and that coverage requirement is likely to cost \$52 billion

over the next 10 years, hardly the way to foster job creation in an economy that desperately needs jobs.

The individual mandate starts out as a tax; then it is a penalty. Oh, now it's back to a tax again. The administration creatively changed its position when it realized that the mandate was indeed a tax, even though it violated the President's own pledge during the campaign not to raise taxes on middle class Americans to pass his signature health care legislation.

The taxes in the health care law will affect everyone inevitably and cannot help but drive up the cost of health care in this country.

STOP THE PAIN AT THE GAS PUMP

(Mr. HARRIS asked and was given permission to address the House for 1 minute.)

Mr. HARRIS. Mr. Speaker, with Americans feeling pain at the gas pump, I am so glad that the House remains focused on lowering the cost of energy and creating an environment for positive job growth.

American energy production has been handcuffed by a moratorium that the President has placed on new oil, natural gas, and coal production right here in the United States. Mr. Speaker, there is simply no reason that a country with the largest fossil fuel reserves in the world should be suffering through another energy crisis, a crisis that has already cost America thousands of jobs, forced manufacturers to relocate overseas, and made a gallon of gas unaffordable.

The folks that get hurt the most are our seniors on fixed incomes, small businesses, and the poor. This administration apparently thinks the best way to help these folks is to raise their energy taxes and then lend Brazil billions of dollars to drill for oil, while our workers and our factories stand idle.

What we need is a dose of common sense when it comes to our domestic energy policy. We have to use our own oil, natural gas, and coal to create jobs and stop the pain at the pump.

GAS PRICES

(Mr. STUTZMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STUTZMAN. Mr. Speaker, I rise today with concern over oil prices and the effect these high prices have on the American consumer.

In my district in northeast Indiana, fuel prices are around \$4.10 a gallon. Just this morning, WANE TV reported gas prices in northeast Indiana will be at \$4.29 by the end of today. At \$4.29 a gallon, many of my constituents will not get out of the gas station for under \$80.

The Third Congressional District of Indiana is rural and geographically expansive, causing many constituents to fill up their gas tanks two to three times a week simply from commuting to and from work. For many, this cost makes their total monthly expenditure for gas at or above their rent or mortgage payment.

When President Obama took office, we saw gas prices at a national average of \$1.84. Now we are told gas prices could be as high as \$5 by Memorial Day. We cannot continue the status quo and expect Hoosiers to pay at the pump.

That is why, Mr. Speaker, I support H.R. 1229, the Putting the Gulf of Mexico Back to Work Act, and H.R. 1231, Reversing the President's Offshore Moratorium Act, sponsored by Mr. HASTINGS of Washington. These bills, along with H.R. 1230, the Restarting American Offshore Leasing Now Act, that the House passed last week, will help us move away from our dependence on foreign oil by opening restrictions placed on the Outer Continental Shelf, allowing us to tap into our domestic resources. Doing this will provide jobs to more Americans and lower our gas prices.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 2 o'clock and 14 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1600

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. JOHNSON of Ohio) at 4 p.m.

GENERAL LEAVE

Mr. LAMBORN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1229.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Colorado?

There was no objection.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore. Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1229.

□ 1601

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Colorado (Mr. LAMBORN) and the gentleman from New Jersey (Mr. HOLT) each will control 30 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. LAMBORN. I yield myself such time as I may consume.

Mr. Chairman, families and businesses across the country are struggling with skyrocketing gasoline prices that in many places have already passed \$4 per gallon. Everyday activities, such as commuting to work or taking the kids to soccer practice, have strained family budgets, forcing Americans to make tough choices and sacrifices. Unfortunately, rising gasoline prices are not the only energy crisis currently hurting our country. For over a year, communities along the Gulf of Mexico have suffered through a real and then de facto moratorium on offshore drilling imposed by the Obama administration. The administration's intentional slow-walking of drilling permits has cost 12,000 jobs according to their own estimates. According to economist Dr. Joseph Mason, this could cost over 36,000 jobs nationwide if businesses and their employees are not allowed to return to work soon. Over the past month, the Natural Resources Committee has heard from numerous small businesses in Louisiana that have had to lay off hundreds of people, eliminate benefits and diminish their savings just to try to stay afloat.

The bill being considered by the House today will help address all of these concerns. It will put the people and businesses along the gulf back to work by requiring the administration to act on new drilling permits in a timely manner. For Americans across the country who are suffering from rising gasoline prices, this bill acts now to expand American production to help lower costs. H.R. 1229, the Putting the Gulf Back to Work Act, sets a firm time line for the Secretary of the Interior to act on permits. Let me be very clear. Action does not necessarily mean approval. Action simply means that the Secretary must make a decision either to approve or to deny a permit. The bill gives the Secretary 30 days to act, along with two 15-day extensions. This 30-day time frame is consistent with the time line for approving exploration plans, which are

far more complicated. A deadline is necessary in order to stop the endless bureaucratic delays and inaction that are currently taking place and to provide companies with some certainty.

There are over 50 permitted projects in the Gulf of Mexico that were under way when the Obama administration imposed the moratorium in May 2010. Nearly a year later, over 40 of those same 50 projects have yet to resume work. This bill would give the Secretary 30 days to restart these projects that have already been approved.

I want to stress that H.R. 1229 will have an immediate impact on jobs and energy production. Each drilling platform supports 800 to 1,400 jobs. Each permit that is issued translates into several hundred people returning to work. In addition, there are production wells just waiting for permits to resume work, meaning that more American energy could come online within months of a permit being issued. Perhaps most importantly, H.R. 1229 also makes significant safety improvements. U.S. offshore drilling helps create American energy and American jobs, but it must be done in a safe and responsible manner.

The bill reforms current law by requiring a drilling company to obtain a permit to drill from the Secretary. Currently, such a permit is not required by law, only by regulation. The bill further reforms the law by requiring the Secretary to conduct a safety review. The bill ensures that all proposed drilling operations must, quote, meet all critical safety system requirements, including blowout prevention, and oil spill response and containment requirements.

Finally, this bill establishes an expedited judicial review process for resolving lawsuits relating to gulf permits. This reform ensures that ending the de facto moratorium imposed by the Obama administration isn't replaced by paralyzing and frivolous lawsuits that could take years to resolve.

What we will see today during the course of this debate are two very different approaches to America's energy future. Republicans are pursuing an all-of-the-above energy approach to American energy production to create jobs, generate revenue, lower gasoline prices, and strengthen our national security. The Obama administration and congressional Democrats, on the other hand, want to make energy more expensive. Their agenda is to raise taxes to make energy production more difficult and costly. We saw proof of this last Congress when they did everything they could to push through the job-destroying Waxman-Markey national energy tax. Now they are trying to increase taxes on American energy producers.

While Americans are looking for solutions to lower gasoline prices, the Democrats' proposals would increase

prices even higher. How in the world higher prices and taxes on energy would help Americans at the gas pump is beyond me.

It's time for Congress to take steps to end the economic pain in the gulf by allowing people to return to work. It's time to ease the pain of high gasoline prices by expanding American energy production. I urge my colleagues to support this important legislation to create jobs, to lower prices, including the price of gas at the pump, and to strengthen our national security.

I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield myself as much time as I may consume.

I rise in strong opposition to H.R. 1229. Need I remind the Members of this body that 1 year and 19 days ago, the Deepwater Horizon oil rig exploded, killing 11 workers and creating economic and environmental havoc. For 87 days following the explosion, more than 4 million barrels of oil spewed from the blown-out Macondo well, coating nearly 1,000 miles of gulf coastline and temporarily closing over 88 square miles of some of the Nation's most productive fishing grounds. Yet this Congress has not enacted a single legislative reform to improve the safety of offshore drilling. Instead, the majority now brings forward in the name of spurious claims a bill to encourage more domestic offshore drilling without applying the lessons learned from the gulf blowout. With the spurious claim that more domestic offshore drilling will lower gas prices, they claim that we have to grease the skids, we have to open the doors, we have to give further breaks to the oil companies.

□ 1610

Now, sadly, it seems their motto is "Ignore the spill. Drill, baby, drill."

Frankly, the majority's trio of offshore drilling bills were written as though the Deepwater Horizon disaster had never occurred. That's why I refer to them as the "amnesia acts." Collectively, they will make offshore drilling less safe while opening up vast new swaths of our coastlines without adding any new safety requirements or environmental safeguards on the oil and gas industry.

So today we are taking up the second "amnesia act." H.R. 1229 would impose artificial and arbitrary deadlines on the Department of the Interior to approve permits to drill. Specifically, this legislation would require the Department to act on a permit to drill within 30 days. After 60 days, whether or not—whether or not, let me emphasize that—the safety and environmental review has been completed by the Interior Department, the drilling application would be deemed approved.

Need I remind my colleagues, Mr. Chairman, that offshore drilling in U.S. waters was determined by the spill

commission, the bipartisan, independent spill commission, to be four times more deadly than in other parts of the world prior to the Deepwater Horizon tragedy. It was four times more deadly to drill in the gulf by the same companies than to drill, for example, in the North Sea, hardly a comfortable environment. Now, under this bill, we could actually have less careful oversight and review of offshore drilling than we had before the Deepwater Horizon disaster.

This bill is a dangerous solution in search of a really nonexistent problem. Since the implementation of new safety and environmental standards in June of last year, the Department has added staff, improved its review, and has issued 52 shallow water drilling permits. Only six more permits currently are pending. Since the oil industry demonstrated the capability to contain a deepwater blowout in mid-February, we think, the Department has issued permits for 13 new deepwater wells. There are only 12 permits in the queue for approval; yet the majority is claiming we've got to grease the skids, that we've got to remove any impediments for the oil companies, that we have to "drill, baby, drill."

Ironically, the enactment of H.R. 1229 could halt this progress. This bill could hamper new permits being issued or stop new permits altogether because the Department might be forced to deny permits if the safety and environmental reviews are not completed in the arbitrary 60 days.

Moreover, Mr. Chairman, this legislation would issue a blanket extension of existing leases. In contrast to this across-the-board approach, the Department is working on a case-by-case basis to extend existing leases affected by the temporary suspension of new drilling, where such action is warranted, not on a blanket basis but on the basis of the actual facts, of the actual evidence. H.R. 1229 would give a free ride to companies even if their leases are many years from expiring.

With regard to the comment that has been made already in this debate, that this is about prices at the gasoline pump, need I remind my colleagues—now, this was under the George Bush administration—that in 2008, the Energy Information Administration said, if all drilling over the entire east coast Continental Shelf were opened up, the effect on oil prices would be "insignificant."

H.R. 1229 also contains language designed to close the doors of the courthouse to citizens who believe that the Federal Government is not complying with the law. Imagine that. Citizens who are trying to be diligent citizens would not be able to make sure that the law is being applied. Citizens from Florida or Alabama would be forced to bring any lawsuits regarding energy projects in the Gulf of Mexico to Lou-

isiana or Texas courts. In addition, H.R. 1229 contains language that would prevent attorneys' fees from being awarded in successful cases—a deterrent if I've ever heard of one. These provisions are aimed at environmental plaintiffs, but will almost certainly impair the legal rights of many other potential plaintiffs, including other oil and gas companies.

In the wake of the Deepwater Horizon disaster, the principles guiding offshore drilling should be smart and safe. If H.R. 1229 is enacted, the guiding principles will be fast and loose. This is the wrong response to the largest oil spill in U.S. waters. We should not rush to allow drilling permits to be deemed approved without the appropriate safety and environmental checks. We should not provide blanket extensions to existing leases. We should not close the doors of the courthouse to American citizens. We should not pass this bill.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 1 minute to a new member of the Natural Resources Committee, a member who is jumping in and making an immediate impact on the need for increasing our energy production, the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Chairman, today we are taking up the Putting the Gulf of Mexico Back to Work Act, which will accomplish two very important goals: create jobs and help lower energy costs. It will end the Obama administration's de facto drilling moratorium in the gulf in a way that is safe, transparent, and responsible.

A study from Louisiana State University predicted that keeping this permit moratorium in place for 18 months could cause the loss of more than 36,000 jobs nationwide. We simply can't afford the Obama administration's job-killing policies. Rather than putting Americans back to work, they're seriously impacting America's energy production. The "March 2011 Short-Term Energy Outlook" from the Energy Information Administration noted that production from the Gulf of Mexico is expected to fall by 240,000 barrels per day this year.

If we're going to become energy secure, we need to increase our energy production, not limit it; and we need to commit ourselves to developing our own resources. The Putting the Gulf of Mexico Back to Work Act will help do that.

Mr. HOLT. I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to a Member who is doing an excellent job of pointing out the need for bringing jobs and production back online in Louisiana and in the gulf, the gentleman from Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman for allowing me to speak on this important issue, H.R. 1229.

Mr. Chairman, as you know, it is one of a trifecta of bills that we're passing out of the House, once and for all and after 40 years, to begin actually putting together a cogent energy policy for this country. Now, before I talk about it, I do want to make a couple of comments.

Our President has been saying over and over again that our energy production, our oil production is at the highest level it has ever been. ED MARKEY, the ranking member of the committee said the same thing. Mr. Salazar of Interior, Mr. Bromwich just the other day, and Ms. WASSERMAN SCHULTZ said the same thing.

Why are you saying this?

Very clearly, right now we are producing oil at a level of 6 million barrels a day, down from a high in 1972 of 9 million barrels a day; and off the gulf coast, where you claim that production is its highest ever, we were down from 1.7 million barrels a day last year to 1.59 million today, and it will be going down by another 225,000 barrels of oil per day by next year.

For heaven's sake, there's a reason we have a structural increase in the cost of our energy. It is, very simply, that we're constraining the output of oil. So let's get on it. Let's finally start producing oil in this country, and let's become energy independent once and for all.

Louisiana is being hurt in two ways. Number one, of course, is the increasing price of gasoline; but it's also jobs. As the gentleman from Ohio (Mr. JOHNSON) just mentioned, Dr. Joseph Mason from Louisiana State University, from my home State, said that we're looking at a loss of 36,137 jobs over an 18-month period out of the gulf coast alone. In February, Seahawk Drilling, which owned and operated 20 rigs on the gulf coast, filed chapter 11 due to the Obama administration's de facto moratorium.

□ 1620

The CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield the gentleman an additional 30 seconds.

Mr. FLEMING. I thank the gentleman.

We have lost 12 rigs so far to such countries as Nigeria, Egypt, the Congo, and Brazil, and guess who we just gave \$2 billion to drill oil? Brazil, of all places. So we gave them the rig, we gave them the money so they can drill oil to sell back to us and to put tax money into their coffers. For heaven's sake, this is crazy.

So in conclusion, I'd like to say today, let's get our Louisiana and Texas and other people back to work. Let's invest in our energy across this country, and let's get the gas prices down.

Mr. HOLT. The gentleman used the term “trifecta.” It’s a curious selection of words because, indeed, you could see the oil companies right now lining up at the ticket window to cash in their trifecta winnings if this goes forward.

The oil companies are currently sitting on 60 million acres of public land onshore and offshore in which they are not producing. The oil industry is sitting on more than 11.5 billion barrels of oil, nearly as much as they could ever get from drilling up and down the east coast and the west coast. This is where they should be directing their attention, but instead, where are they directing their attention as they bring in profits that for this year looked to be something like \$100 billion? They are using those profits not to provide more resources for the American people but to buy back stock. Exxon, which had about a \$10 billion profit in the first quarter of this year, just the first three months, used most of its money, more than half of it, to buy back stock.

So it is curious that my colleague used the phrase “trifecta” because, indeed, this is a bonanza, a big winning ticket for the Big Oil companies.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, at this point I would like to yield 1 minute to a new member of the committee who represents a district right on the gulf coast and is passionate about what is happening and not happening down there and what should be happening, the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Mr. Chairman, my colleagues on the other side of the aisle should listen to this story. It’s a true life story very well. It talks about the face of Big Oil, and I’m going to tell you what it is.

There’s a little community in my district named Coteau Holmes which has been around since the Cajuns were kicked out of Acadian and settled down into Louisiana. It’s a fishing village. There’s a gentleman down there who graduated high school in 1968 and began to work in the oil and gas industry, and for 30 years, he worked in the oil and gas industry. He raised two children in that oil and gas industry, never asked the government for anything other than to ply his trade.

The experience he gained in the Gulf of Mexico led him to work on the first Deepwater projects in the Gulf of Mexico. He worked for Shell Oil and Gas—Big Oil—and guess what. When he retired, he was making in excess of \$1,750 a day. He put two kids through college.

The CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield the gentleman an additional 30 seconds.

Mr. LANDRY. If this is not the American Dream that my colleagues on the other side of the aisle claim to tout so much, what is? This is a gentleman who doesn’t have a college edu-

cation. Who actually his children were the first generation in his entire family ancestry to ever make it to college, and he could not have paid for them to go to college if not for the opportunity to drill in the Gulf of Mexico.

My colleagues should understand that down there we create jobs. We create good-paying jobs, not minimum-wage jobs, the type of jobs that provide for the American family and allow the American Dream to be a reality.

Mr. HOLT. We are indeed concerned about jobs. For the example that my friend from Louisiana gives about someone whose livelihood is at stake, I could produce dozens of others, maybe a shrimp fisherman. You know, my friends maybe remember the “Forrest Gump” movie. They’ve seen those pictures. In fact, my friend from Louisiana probably has been out on one of those shrimp boats. Well, they were sitting idle. They were sitting idle for weeks and weeks.

The breeding grounds, the fisheries, were and still are in jeopardy. People all over the country are not buying the fish that drank of this black gold. In fact, 88,000 square miles, as I said earlier, of fisheries were polluted by this tremendous spill, and need I remind my colleagues that the coastal communities of the Gulf of Mexico, the heart of offshore drilling, that the jobs that are dependent on tourism and fishing exceed all the natural resource extraction and mining jobs by a factor of five, five times as many jobs dependent on tourism and fisheries.

Yes, we should learn the lesson, rather than hurrying through these permits. We should learn the lessons of last year’s oil spill and protect those jobs.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 1 minute to the gentleman from Arizona, who’s a new member of the committee and understands these issues well, Mr. GOSAR.

Mr. GOSAR. Mr. Chairman, the people in my district are hurting. Rising gas prices are cutting deep into family budgets. Food prices are skyrocketing. Communities that are home to destination locations like the Grand Canyon are bracing themselves for fewer summer visitors because families simply cannot afford to travel.

Main Street America can no longer afford inaction from the President and his administration, and that is why I stand here today in support of H.R. 1229. The bill not only will put thousands of Americans back to work, it would increase our production of oil here at home and lower the cost of gas.

It is time we put our country back to work and use our resources here at home instead of abroad, and it is time the government makes a serious commitment towards energy independence and an all-of-the-above approach that America wants.

Mr. HOLT. I am pleased to yield 3 minutes to the gentlelady from Santa Barbara, California (Mrs. CAPPS), who has experienced firsthand the economic cost of oil spills.

Mrs. CAPPS. I thank my colleague from New Jersey for recognizing me.

Mr. Chairman, I rise in strong opposition to H.R. 1229. A year ago BP’s Deepwater Horizon rig exploded in the Gulf of Mexico, leaving 11 people dead and over 1,000 miles of shoreline oiled. It also left the local economy in shambles. The once lucrative fishing and tourism businesses were devastated by this spill. Many gulf residents are still struggling, and yet the oil industry would have us believe it suffered greatly during the temporary moratorium on new drilling. The fact is the gulf produced 1.6 million barrels of oil per day last year, an all-time record, and still the industry is clamoring for more.

Today, we’re considering another bill on their wish list that sidesteps safety and environmental safeguards. H.R. 1229 forces this administration to unreasonably rush the permitting process for drilling activities. These permits are a final review opportunity for the Federal Government to ensure that everything is in place before an oil company drills deep into our ocean floor, but the majority is using the strain of high gas prices to push Americans into thinking that drilling is safe and that hurrying these permits will bring down costs.

□ 1630

It’s as if we learned nothing from the BP oil disaster. Mr. Chairman, we cannot say drilling is safe when Congress has not taken necessary steps to strengthen protections for rig workers and the environment. We cannot say drilling is safe when the industry has yet to prove it has better means of preventing or cleaning up a spill than we saw that it did a year ago, and we cannot say drilling is safe when the government lacks the resources it needs to police an industry that for years policed itself, to perilous ends.

While the Obama administration has started acting on the lessons of the spill, Michael Bromwich, the head offshore drilling regulator, told the New York Times that his agency “still lacks the resources, personnel, training, technology, enforcement tools, regulations, and legislation that it needs to do its job properly.”

Mr. Chairman, we know how to reduce the risk of oil spills. The President’s oil spill commission laid out a list of recommendations for how Congress can prevent another spill from occurring. Many of my colleagues have amendments to put those recommendations in place. I hope this House will adopt them so we can say that drilling is safer.

Vote “no” on H.R. 1229. Let’s not promote reckless drilling that will fail to

lower gas prices and endanger our coastlines. Let's instead strengthen safety and environmental safeguards for offshore drilling and support a quicker transition to cleaner, safer energy policy for America.

Mr. LAMBORN. I would like to inquire of the Chair how much time is remaining for both sides.

The CHAIR. The gentleman from Colorado has 18 minutes remaining, and the gentleman from New Jersey has 16 minutes remaining.

Mr. LAMBORN. Then I would like to yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. I thank the gentleman for yielding.

Mr. Chairman, when I was listening to the gentlelady from California and her colleagues, I was reminded of Mark Twain's warning that we should be careful to get out of an experience only the wisdom that is there and then stop, lest we be like the cat that sits on a hot stove lid. That cat will not sit on a hot stove lid again—and this is good—but, also, it will not sit on a cold stove lid again.

The cost of the irrational reaction by this administration to what was, in essence, a mechanical failure of a blowout preventer is horrific, as measured in unemployed families, higher energy prices, lost business to shops throughout the region, and lost royalties to the Nation's Treasury. It is said that the economic damage done by this administration in response to the oil spill could be far greater than that done by the oil spill itself, and I believe it. I would suggest a little common sense will go a long way, and this bill provides it.

Mr. HOLT. Mr. Chairman, earlier the gentleman mentioned Brazil. The bill before us would grant a blanket extension for leases in the gulf that are about to expire. And according to the Interior Department, this amendment would extend about 100 leases and costs about \$6 million over 10 years. Well, 12 of those leases that would be extended automatically belong to Petrobras, the Brazilian oil giant. It would, indeed, provide a windfall given from American taxpayers to the State-owned Brazilian oil giant Petrobras. Yes, this bill in front of us now.

I am pleased to yield 3 minutes to the gentlewoman from Florida, Representative CASTOR, who, unlike some of the debaters today, is someone who actually lives on the Gulf of Mexico.

Ms. CASTOR of Florida. I thank my colleague for yielding time.

Mr. Chairman. I rise in strong opposition to H.R. 1229.

This Republican proposal is very poor public policy. And as a Member who represents a community that is dependent on the gulf coast's economy, frankly, it is appalling for my Republican friends to press to eliminate safety standards on oil companies who

want to continue to drill and come closer and closer to our beautiful beaches. Really, it is beyond the pale. And I have to ask, did my colleagues not learn anything from this disaster?

In our economy on Florida's gulf coast, we depend on clean water and clean beaches, and when you bring up a bill like this, it feels like a direct challenge to our economic recovery. We have not recovered. The hotels and motels on the beach, the seafood industry, all the mom and pop shops who are dependent on the tourism industry, we are still struggling to come back. We want to adopt the recommendations of the oil spill commission that recommends stronger safety standards, something like that which was passed on a bipartisan basis here in the House last year.

Now to add insult to injury, my Republican colleagues recently passed a budget that gives taxpayer subsidies to the Big Oil companies. In the face of a burgeoning debt and deficit and in the face of huge profits by the oil companies, why should the American taxpayers be subsidizing the bottom line of the most profitable corporations in the world? Instead, it is time for a meaningful, comprehensive energy strategy to lower gas prices because it appears that that's what we all are in agreement to do. But to do that, it's not to eliminate safety standards for drilling. That's silly. What we should do is end the giveaways to Big Oil, eliminate the \$5 billion in subsidies and loopholes that the oil companies receive each year. Let's prohibit Wall Street speculators from artificially driving up oil prices. Let's develop super-efficient cars and clean alternative energies that will create good jobs in America and then bring down gas prices.

Mr. Chairman, finally, I caution the oil companies and their friends in Congress that the BP Deepwater Horizon blowout was only 1 year ago. Most of the necessary safety standards and recommendations of the bipartisan oil spill commission have not been adopted. No one should be pressing for unbridled drilling without ensuring that another blowout disaster would never happen again. Otherwise, many of us on the gulf coast view the blind-eyed push as a serious threat to our multi-billion dollar tourism and fishing industries and our coastal environmental resources.

Florida's long-term economic health is dependent on clean water and clean beaches and clean oceans. Our economy is struggling right now. I am confident that Florida's economy will recover, but Florida's long-term economic outlook will suffer immensely if we have to suffer through another blowout disaster.

Mr. Chairman, we need an honest dialogue on energy solutions based on facts. Americans are clamoring for

comprehensive long-term energy solutions so we are less dependent on foreign oil.

Mr. LAMBORN. Mr. Chairman, I would like to point out that anyone who reads the bill will see on the bottom of page 1 and the top of page 2, "Safety review required. The Secretary shall not issue a permit under paragraph one without ensuring that the proposed drilling operations meet all, A, critical safety system requirements, including blowout prevention; and B, oil spill response and containment requirements."

So when we look at the facts, we should start with the text of the bill itself.

At this point, I would like to yield 1 minute to the gentleman from the State of Louisiana (Mr. FLEMING).

Mr. FLEMING. I thank the gentleman.

I wanted to respond to a couple of things from the other side. First of all, Mr. LANDRY and I are both from Louisiana. We are not potted plants. We are actually from a State that is on the coast. In fact, Mr. LANDRY lives, actually, on the coast. So I think we speak from experience and knowledge on that.

With respect to seafood, yes, there is a problem with the seafood. It's a perception problem. Seafood in Louisiana is the safest seafood in the world. We have just got to get that message out to the American people.

Let's talk about subsidies. We hear about subsidies. Well, you know there is a profiteer when it comes to oil: 36 to 63 cents per gallon is swept off the top. And who profits from that? The government profits from it. And what does the government do with much of that money? It puts it into so-called alternative energy with so-called phony green jobs that we are yet to see being produced, wind and solar, et cetera.

The CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield the gentleman an additional 15 seconds.

Mr. FLEMING. Now, it's also been suggested, Well, perhaps we should punish these evil oil companies by taxing them. Mr. Chairman, who pays the taxes? It's the consumers. It's the American people. You add a 10 percent tax to oil exploration or gasoline or whatever, and it's us, it's we—we are the ones who will have to pay that, not the oil companies.

□ 1640

Like any company, they pass these costs along to the consumer. So I want to see gas prices go down, not up, like the other side.

Mr. HOLT. Mr. Chairman, I am now pleased to yield such time as he may consume to the gentleman from Massachusetts (Mr. MARKEY), the ranking member on the full committee, and someone who has done as much as anyone in this body to create green jobs in America over the decades.

Mr. MARKEY. I thank the gentleman from New Jersey very much, and I thank him for his leadership on these issues. We're partners in this effort to try to move toward a new energy direction.

So last week we had a debate on the issue of whether or not the \$4 billion that the oil industry gets in tax breaks per year from the American consumer should be taken away at this time when ExxonMobil reported \$10 billion worth of profits in the first quarter, that is just January, February and March. Shell reported \$8.8 billion; BP, \$7.1 billion; Chevron, \$6.2 billion; ConocoPhillips, \$3 billion. That's in the first 3 months of this year.

But you know what the argument is, from the Republican side, is that they would be punished if the consumer, if the taxpayer didn't also give them an additional \$4 billion in tax breaks.

So let's just look at this chart. This is how much they made as people are pulling up to the pump paying \$3.80, \$4, \$4.20 all across America. Now, you know what the oil companies could do? They could say, You know what? I think we made too much. I think what we should do in the first quarter is just lower the price at the pump so we don't make so much. Maybe we don't have to have the consumer paying \$4 a gallon. Maybe we, ExxonMobil, maybe we could have made 9.7. Maybe Shell could have made 7.8, maybe BP could have made only \$6.1 billion, maybe Chevron could have made only \$5.2 billion. In other words, maybe they each could have made \$1 billion less, and that would be \$4 billion in the first quarter.

But, no. They decide that if the war in Libya is going to take 1.2 million barrels of oil off the market, if the Saudi Arabians are going to take 800,000 barrels of oil off the market, that that's a free market. And so if the price goes up to skyrocketing heights, we have a right to take all that extra money out of the consumers' pockets. That's the free market. The war in Libya is a free market. Saudi Arabia taking 800,000 barrels off the market, that's a free market.

Now, the American consumer, they look at it and they say that's not a free market. The American taxpayers, they look at it and they say that's not the free market. We're sending over more bombers. We're sending over more troops. We're adding more to the defense budget of the country. Why would we do that? What does that have to do with the free market? What does this increase in defense expenditures and the number of young men and women that we send over to the Middle East to protect this cordon of oil tankers coming into the United States have to do with the free market?

But nonetheless, that's the argument of the Republicans and, by the way, of ExxonMobil and Shell and BP. They deserve these profits, they say, just for 3 months.

By the way, you can multiply each one of these numbers by at least four, at least the next three quarters of 2011 as well, and project ExxonMobil making \$40 billion this year and Shell 34 or \$35 billion, et cetera, et cetera.

But the Republicans say they still need the extra \$4 billion from the taxpayer pocket. So they dip into one pocket, the consuming pocket, and they tip the consumer upside down, and they take all this money out of their pockets. And you don't see any restraint on the part of the oil companies taking advantage of the war in Libya. And then they want to dip into the other pocket of the consumer, the consumer as a taxpayer, and then they say you can't take away those tax breaks either.

So that's a very interesting position to have to defend at this point in time, especially since they're saying that they want to cut back on the benefits for Grandma on Medicare. They want to cut back the budget by 70 percent on wind and solar, on geothermal and biomass. They want to cut back the budget to help Grandma stay in a nursing home with Alzheimer's.

But one thing you should never touch, and that's the \$4 billion for ExxonMobil, Shell and BP from the taxpayers, even as they're reporting the largest profits in the history of the world that any corporation's made.

And now, today, they have the temerity to come out here on the floor and they're looking for more. What this first bill that we're about to consider does is it legislates possible intimidation of Federal safety reviewers and puts a time clock on looking at the most controversial leases.

Now, mind you, just 1 year ago in the Gulf of Mexico we were looking with amazement at the worst single environmental disaster in American history, and that is BP with no idea about how they were going to stop 4 million barrels of oil going into the Gulf of Mexico. They had no idea how to stop it. And the American people, the world was tuned into the spill cam, almost, you know, fixated on this complete lack of safety, complete lack of preparation to protect the life and the livelihoods of the people who live around the Gulf of Mexico.

So what's the response of the Republican Party 1 year later? Is it to pass a safety bill? Is it to implement the recommendations of the BP Spill Commission, this blue ribbon panel of experts that identified that there are systemic failures in the safety precautions built into drilling in the United States? Is it to deal with the fact that they identified that there are four times higher fatalities on American rigs as there are on European rigs drilling off the shores of Europe?

No. All that legislation is stopped dead in its tracks. What they argue is we have got to give, you know, kind of

a shot clock. You know how in the NBA, when you're watching TV and you only have 24 seconds to shoot a basketball, and so that creates a real intensity or else you lose the ball? Well, that's kind of what they want to say now to the Department of the Interior. We're putting you on a shot clock. You have 60 days. You have 60 days to decide: Is that drilling rig safe? Have the precautions been put in place to ensure that a catastrophic accident can't happen?

And if you don't make a decision in 60 days, Department of the Interior, on a rig that's out there at 3,000 or 5,000 or 10,000 feet and off the shore miles and miles and you can't figure it out, Department of the Interior—now, mind you, this is the same company that couldn't figure it out a year ago, and they're amongst the wealthiest companies in the world. But if you, the Department of the Interior, if you can't figure out what we can do, we the company can do in 60 days, we get to have the lease and we get to go ahead.

□ 1650

It is kind of like the NBA, except the consequences aren't that your home team loses; it's that your home team loses its job, your home team loses its environment because another catastrophic accident has occurred. That's what they do with this bill. They put a shot clock on it.

So I think if the American people are looking at the absurdity of this situation with these companies, look at the companies that are lobbying for this: ExxonMobil, Shell, BP, Chevron, and ConocoPhillips. These are the companies that 1 year ago said that they could evacuate walruses from the Gulf of Mexico. They had an emergency response plan in the event of a spill. Well, the problem was, of course, that they each had put it in writing; they had each put it in as an application to the Department of the Interior to drill in the Gulf of Mexico. But walruses, as every sixth grade child knows, have not lived in the Gulf of Mexico for 3 million years. So these are the companies that we are now supposed to trust.

Put it on a shot clock, they say. Just let the Department of the Interior try to figure out everything that we are planning for Florida, Alabama, Louisiana, Texas.

And, by the way, the way the gulf stream works is pulling a lot of that pollution, if it's bad, in God knows how many directions, and the fish that get exposed to it put into the food chain with endocrine disrupters, cancer-causing agents, potentially harming families. But 60 days is all you have got.

It's kind of like the NBA, when we think that's how oil drilling should be, too, because we trust these companies. They are obviously the most safety conscious companies that this world has ever known, because we can see

how really responsible they are in dealing with consumers.

They had a chance not to charge \$4 a gallon because we are having a war in Libya and the Saudi Arabians took 800 barrels off the market, believe it or not, our friends the Saudis, over the last 6 weeks. But now we are just going to pretend that they are really good and responsible companies, and for them, so they can get all the leases that they want, they are on a shot clock—60 days.

Good luck to the Department of the Interior. Good luck to the environment. Good luck to the consumer. Good luck to the taxpayers if another accident occurs.

So, ladies and gentlemen, we are going to have an incredible debate here on this issue, because these are the same people that just passed the budget that cut the wind and solar budget by 70 percent.

You know, if you are a kid in America and it is 2011 and you are looking at this debate, you're saying to yourself: They cut the solar and wind budget in 2011 by 70 percent, and they are giving the oil companies unlimited profits, unlimited tax breaks, and unlimited access after 60 days to wherever they want to drill off of the coastline? Now, that's an upside-down agenda.

And you have already heard some of the denigrating comments about wind and solar, which does reflect, I hate to say it, a deep-seated attitude about these renewable energy resources. But, you know, politics.

And I think America is all about the future, and the future is about wind. It's about solar. It's about moving to all electric vehicles. It's about the agenda that they just pretty much defunded in their budget that they had the votes here on the House floor.

So I would urge that we would defeat this piece of legislation.

And their legislation, they say it's all of the above, but do you want to know what it is? It's oil above all. That is really what it is all about. Give the oil companies everything they want, and slash the budget for renewables. Slash the budget for all the other new technologies that we need to enhance our future.

Mr. LAMBORN. Mr. Chairman, I would like to inquire how much time is remaining to our side and if any remains on the other side.

The CHAIR. The gentleman from Colorado has 15 minutes remaining. The time of the gentleman from New Jersey has expired.

Mr. LAMBORN. Mr. Chairman, I would like to say, I have been listening very closely and I still haven't heard a clear answer as to how \$4 billion of additional taxes on energy companies will translate into lower costs at the pump. Now, I don't think it can be done, but I haven't even heard a cogent argument to establish that. So I am

still listening, and maybe I will hear that later.

At this time, I yield 2 minutes to the gentleman from Louisiana, who lives on and represents a district on the Gulf of Mexico, Mr. LANDRY.

Mr. LANDRY. Mr. Chairman, I do. I live on the coast. I represent most of coastal Louisiana. And what I wonder is, where were my colleagues in 2008? I was not in this body; they were.

They were worried about my shrimpers? In 2008, almost every shrimp boat from Venice to Delcambre was at the dock. Why? Because they had run diesel to just about \$5 a gallon. You see, it takes energy for those shrimpers to go out there on the Gulf of Mexico.

They worry about the tourism in Florida? There are already multiple articles in the paper that say that high gas prices are killing tourism in Florida.

This is a responsibility bill. You see, they want to punish those who make a profit while they give taxpayer money to those who fail, who are too big to fail. They punish the companies who make profits in this country while they give our money to those who fail to make a profit.

It amazes me, because what really matters here, what really creates jobs not only in my district but in everyone else's district is affordable energy. Affordable energy is what powers the U.S. economy.

If they want to bring the profits of those four Big Oil companies down, they should vote for this bill. Because when we drive the price of oil down and when we drive the price at the pump down, we are going to drive those profits down and we are going to take away our dependency on those foreign countries that are making way more profits than those private companies.

So I urge my colleagues to remember that the responsible thing to do is to vote for this bill so that we can bring the price at the pump down.

Mr. LAMBORN. Mr. Chairman, I would like to address the issue of safety that has been raised a couple of times here.

I quoted from the bill text earlier to show that there, indeed, are safety requirements that have been put into the bill as part of H.R. 1229:

The Secretary will not issue a permit unless critical safety system requirements, including blowout prevention and oil spill response and containment requirements, have been satisfied.

At this point, Mr. Chairman, I yield 2 minutes to another gentleman from Louisiana (Mr. SCALISE).

Mr. SCALISE. Mr. Chairman, I appreciate my colleague yielding to talk about this important legislation; because, Mr. Chairman, as I just got back home from New Orleans over the weekend, of course people all throughout the gulf coast, people all throughout

the country are frustrated and angry about the high gas prices we are paying at the pump.

In south Louisiana you don't need to look any further than the area that I represent to see the devastating impact of this administration's policies, not only on high gas prices but also on jobs.

We have lost over 13,000 jobs in south Louisiana just because of this administration's refusal to let our people go back to work, people that were drilling safely, exploring for energy in America, that are literally on the verge of being put out of business because this administration won't let them go back to work where there are known barrels of oil, billions of barrels in some of these areas in the Outer Continental Shelf that are closed off because of this administration.

They say there is no moratorium anymore, but we call it a permitorium, because they don't allow companies to go back to work, hiring people, creating jobs, allowing our country to become energy independent.

If you look at the results of their policies, not only has it yielded higher gas prices at the pump, but for anybody on the other side that suggests that cutting off the supply has nothing to do with the price of oil, they need to go back and take a basic economics course.

I don't think OPEC could have developed a better policy than what they have got right now, because they are saying basically we are not allowing our people to go back to work in the United States, but the President wants to encourage drilling in Brazil. He asked the Saudis to produce more energy. We have got billions of barrels in America, and our people can't even go back to work.

So this legislation at least says, enough of this delay, enough of the foolishness and the games and blaming everybody else while gas prices continue to skyrocket. Prices have more than doubled at the pump since President Obama took the oath of office, and it is his policies that are causing this.

So I am glad that this leadership is bringing legislation to the floor here in the House to finally say we are going to do something about it; we are not going to look the other way. Our plan isn't to raise billions more in taxes so people pay even more at the pump and so we are even more dependent on foreign oil. We are actually going to make America energy independent by saying let's let our people go back to work.

The CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield the gentleman an additional 30 seconds.

Mr. SCALISE. Mr. Chairman, I will conclude by saying this: If you go throughout south Louisiana and you see the 13,000 jobs that we have lost;

you talk to families who are hanging on by a vine; you talk to small business owners who barely can make ends meet and they are just struggling to hold on to their business, and all they want to do is go back to work, and this administration is saying "no." But, no, they want to drill in Brazil. They want our people across the country to pay higher gas prices.

There is a better way. There is an answer. There is a solution, and that is in this legislation being brought forward. I urge that my colleagues from across the country vote to lower gas prices and pass this bill.

□ 1700

Mr. LAMBORN. I thank the gentleman and the others from the Natural Resources Committee on the Republican side who have spoken on this issue or are with the Energy and Commerce Committee and made great comments about how we do need to do what we can in Congress to lower the price of gasoline. We do that by increasing production. The two go together. We don't do it by increasing taxes on the energy producers. We allow for policies to allow for more production.

We have to pass H.R. 1229 to make sure that, whether it is deliberate or not, this administration will not continue to stonewall the permitting process. It is a long and lengthy process. There are multiple environmental reviews that take place. Then to hold it up at the last and not allow for a permit to be issued is just not acceptable. All the work has been done when it becomes time to issue the permit.

So what this bill says is you have 30 days, with a couple of extensions, if necessary, to make the final decision. And you don't have to issue the permit. You can say no, if that is the best decision. Just take action, and let's have a little certainty in the business world and in the economy of our country, especially the Gulf of Mexico and the coastal States like Louisiana that are so heavily affected.

On the issue of safety, Mr. Chairman, we all do share the goal of wanting to make sure that offshore drilling is the safest in the world. Significant and fundamental changes have taken place over the past year to improve offshore drilling safety and response. Regulations have been enhanced and strengthened, standards have been increased, new technology has been developed, reviewed, tested and is being currently deployed.

BOEMRE Director Michael Bromwich came to our committee and testified in front of the Natural Resources Committee and he said, "We have confidence that offshore drilling can be conducted now more safely than it had been before and that we would be better able to deal with a blowout than we were before."

Now, if anyone on the other side of the aisle wants to act as if nothing has

been changed and there have been no safety reforms imposed, they are indicting the Obama administration in saying that they have turned a blind eye to the situation since the BP crisis took place, and that is simply not true. As I said a minute ago, new regulations have been imposed and standards have been strengthened. So I am not going to sit here and indict the administration on the safety aspect. There have been a lot of safety regulations by bureaucratic regulation put into place.

This bill does acknowledge that two additional things will be part of our law when this bill passes. H.R. 1229 says, number one, the Secretary will issue a permit. The need for a permit has not been ever codified, so we are requiring that a permit has to be issued before drilling can take place. Number two, the Secretary is to conduct a safety review. That is being mandated and put into law.

Mr. Chairman, I would urge my colleagues to vote "yes" on H.R. 1229. We are going to be looking at some amendments shortly.

Mr. GINGREY of Georgia. Mr. Chair, I rise in strong support of H.R. 1229, the Putting the Gulf Back to Work Act, and I thank Natural Resources Committee Chairman HASTINGS for yielding me time.

At a time when hardworking Georgians are paying \$3.88 per gallon at the pump, it is critically important that we enact commonsense energy production policies to reduce our dependence on foreign oil and create jobs. Unfortunately, the Obama Administration has adopted policies that have stifled energy production in this country, and have led to 12,000 jobs lost during the moratorium imposed in the Gulf of Mexico last year.

Mr. Chair, H.R. 1229 will end the ongoing "de facto" moratorium caused by the White House's refusal to approve permits in the Gulf by requiring the Department of the Interior to grant permits for exploration of oil and natural gas. This commonsense legislation will create thousands of jobs, help recapture \$4.7 million that the Federal Government is losing on a daily basis from a lack of energy production, and will lead us to greater energy independence.

I urge all of my colleagues to support H.R. 1229.

Mr. ROTHMAN of New Jersey. Mr. Chair, I rise today to voice my strong opposition to H.R. 1229 and H.R. 1230.

In April 2010, our Nation watched as millions of gallons of oil spilled into the Gulf of Mexico from an oil drilling rig off the coast of Louisiana. We saw photos of the disaster that ensued, the impact on our environment (including the damage caused to marine and coastal wildlife) and the devastating economic impact on communities in the Gulf Coast region. From the loss of fishing jobs and revenue from tourism to the harm of biodiversity in fragile wetland ecosystems and marine life breeding grounds, this oil spill caused immense destruction to a resource rich area.

I am concerned that without changes to the offshore drilling industry standards, a disaster like the Deepwater Horizon explosion of April

2010 could happen again. Today, the majority in the House is asking us to pass H.R. 1229 and to forget about the tragic events of last April and the inadequacies of our national energy policy in order to grant Big Oil access to the Gulf with less oversight—rushing lease sales in the Gulf of Mexico at an unprecedented pace and without proper environmental review. This bill is not only ill-advised, but it is unnecessary as well because the Obama Administration is already moving forward with the lease sales in the Gulf of Mexico with added reviews to ensure sound safety and environmental protections.

In addition, H.R. 1230 would require the Interior Department to hold additional lease sales in the Gulf of Mexico over the next 4 to 8 months and open the eastern seaboard for drilling by requiring a lease sale off the coast of Virginia this year. This bill would require the Interior Department to rely on environmental reviews for these areas done by the Bush Administration prior to the Deepwater Horizon disaster, with many of the same demonstrably flawed and dangerous assumptions and inadequate review processes as the BP lease that led to the disastrous spill in April 2010. The majority in Congress is using rising gasoline prices as an excuse to grant large, multi-national energy companies greater access to even more of our precious shores, including on the Atlantic Coast which could affect New Jersey in the event of a spill.

I believe opening our coastal waters and protected wilderness areas to oil drilling is harmful, ineffective, and a step in the wrong direction that will damage our environment. We are currently drilling at a higher rate than we ever have and onshore production increased by 5% in 2010. Production in the Gulf of Mexico is at an all time high. Yet, of the 41 million acres of public lands now leased for oil and gas development, just 12 million acres are producing. Offshore, 38 million acres of the outer continental shelf are leased for oil and gas drilling, but just 6.5 million acres are producing. We have approved drilling leases on land where no drilling is taking place; the potential for higher production is there without expanding leasing to environmentally sensitive wildlife refuges or populated shore regions.

Moreover, the proposed drilling will not significantly lower gas prices. According to a 2009 study from the Energy Information Administration, opening up waters that are currently closed to drilling off the East Coast, West Coast and the Gulf coast of Florida would yield an extra 500,000 barrels a day by 2030, meaning that gas prices might drop a total of 3 cents a gallon. And that is years away. In the meantime, Big Oil companies continue to rake in record profits while taxpayers subsidize their costs. The American people have had enough, New Jersey has had enough and I have had enough. We need to stop Big Oil subsidies and explore alternatives.

Mr. GENE GREEN of Texas. Mr. Chair, I rise today in support of H.R. 1229.

H.R. 1229 is important because while the moratoria on shallow water drilling and deep water drilling were lifted on May 28, 2010 and October 12, 2010 respectively, since that time, BOEM has only issued 51 permits for new shallow water wells and only a handful of permits for deepwater activities that were subject

to the moratorium. This is in comparison to an average of 10 permits issued per week pre-spill.

While I support the safety requirements that the Department of the Interior has put into place since the Macondo Spill, I continue to hear from companies that the BOEM is rejecting drilling applications without providing adequate guidance as to what is needed to get the application approved. This is getting us nowhere. We need this production.

America's offshore, primarily the Gulf of Mexico, supplies 30% of American oil and 10% of American natural gas. Yet, a recent study done by Wood Mackenzie concluded that nearly one third of American deepwater production would become uneconomic if the Department of the Interior increases the time spent reviewing and permitting drilling permit applications. Based on these figures, some estimate as many as 125,000 jobs could be lost in 2015.

That is why I support H.R. 1229 and why it is desperately needed. I encourage my colleagues to support this bill.

Mr. LAMBORN. Mr. Chairman, I yield back the balance of my time.

The CHAIR. All time for general debate has expired.

Mr. LAMBORN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LANDRY) having assumed the chair, Mr. WOMACK, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken after 6:30 p.m. today.

ASSESSING PROGRESS IN HAITI ACT

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1016) to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Assessing Progress in Haiti Act".

SEC. 2. FINDINGS.

Congress finds the following:

(1) On January 12, 2010, an earthquake measuring 7.0 on the Richter magnitude scale struck the country of Haiti.

(2) According to the United States Geological Survey (USGS)—

(A) the earthquake epicenter was located approximately 15 miles southwest of Port-au-Prince, the capital of Haiti; and

(B) the earthquake was followed by 59 aftershocks of magnitude 4.5 or greater, the most severe measuring 6.0.

(3) According to the Government of Haiti, more than 316,000 people died as a result of the earthquake, including 103 citizens of the United States and more than 100 United Nations personnel.

(4) According to the United Nations and the International Organization for Migration—

(A) an estimated 3,000,000 people were directly affected by the disaster, nearly one-third of the country's population; and

(B) more than 2,100,000 people were displaced from their homes to settlements.

(5) Casualty numbers and infrastructure damage, including to roads, ports, hospitals, and residential dwellings, place the earthquake as the worst cataclysm to hit Haiti in over two centuries and, proportionally, one of the world's worst natural disasters in modern times.

(6) The Post Disaster Needs Assessment (PDNA) conducted by the Government of Haiti, the United Nations, the World Bank, the Inter-American Development Bank, and other experts estimates that damage and economic losses totaled \$7,804,000,000, approximately 120 percent of Haiti's gross domestic product in 2009.

(7) Haiti is the poorest, least developed country in the Western Hemisphere with, prior to the earthquake—

(A) more than 70 percent of Haitians living on less than \$2 per day; and

(B) a ranking of 149 out of 182 countries on the United Nations Human Development Index.

(8) House Resolution 1021, which was passed on January 21, 2010, on a vote of 411 to 1 expressed—

(A) the House of Representatives' "deepest condolences and sympathy for the horrific loss of life" caused by the earthquake; and

(B) bipartisan support for Haiti's recovery and reconstruction.

(9) The initial emergency response of the men and women of the United States Government, led by the United States Agency for International Development and United States Southern Command, was swift and resolute.

(10) United States urban search and rescue (USAR) teams were immediately activated after the earthquake and deployed from Fairfax County, Virginia, Los Angeles County, California, Miami-Dade, Florida, the City of Miami, Florida, and Virginia Beach, Virginia, to assist the United States Agency for International Development (USAID) Disaster Assistance Response Team (DART), and New York City's first responders asked the Office of U.S. Foreign Disaster Assistance (OFDA) to activate a New York City urban search and rescue shortly thereafter.

(11) A month after the earthquake, the House of Representatives unanimously passed House Resolution 1059 which expressed gratitude to these USAR units, and highlighted that the 511 United States rescue

workers comprised roughly one-third of the entire international USAR effort in Haiti, and more than 130 people were rescued from under the rubble in Haiti by these units.

(12) Individuals, businesses, and philanthropic organizations across the United States and throughout the international community responded in support of Haiti and its populace during this crisis, sometimes in innovative ways such as fundraising through text messaging.

(13) The Haitian diaspora in the United States, which was integral to emergency relief efforts—

(A) has annually contributed significant monetary support to Haiti through remittances; and

(B) continues to seek opportunities to partner with the United States Agency for International Development and other agencies to substantively contribute to the reconstruction of Haiti.

(14) Significant challenges still remain in Haiti as it works to recover and rebuild.

(15) According to the International Organization for Migration, approximately 680,000 people remain in spontaneous and organized camps in Haiti.

(16) According to numerous nongovernmental organizations and United States contractors, the pace of reconstruction has lagged significantly behind the original emergency relief phase.

(17) The widespread irregularities that occurred in the elections held in Haiti on November 28, 2010, led to outbursts of violence which undermined the recovery efforts.

(18) On October 21, 2010, an outbreak of cholera was detected in the Lower Artibonite region.

(19) Initial efforts to contain the epidemic were disrupted by Hurricane Tomás and resulting widespread flooding, which led to the spreading and entrenchment of the disease throughout the country.

(20) According to the Haitian Ministry of Public Health and Population, as of March 28, 2011—

(A) approximately 4,766 people have died from cholera; and

(B) approximately 270,991 have been infected from the disease.

(21) According to the Pan American Health Organization and the Centers for Disease Control and Prevention, cholera could spread to as many as 400,000 people within the first year of the epidemic, potentially causing 7,600 deaths at the current case fatality rate.

(22) The United States has provided more than \$62,523,017 worth of assistance to combat the cholera epidemic, including by assisting with stockpiling health commodities, equipping cholera treatments centers, providing public information, and improving water and sanitation systems.

(23) The efforts to combat the cholera epidemic have helped to drive the mortality rate from cholera down from nearly 7 percent to 1.7 percent of all contracted cases as of February 25, 2011.

(24) Throughout the series of crises, the people of Haiti continue to demonstrate unwavering resilience, dignity, and courage.

(25) On March 20, 2011, presidential and parliamentary elections were held in Haiti without major disruptions or problems.

(26) At the international donors conference "Towards a New Future for Haiti" held on March 31, 2010, 59 donors pledged over \$5,000,000,000 to support Haiti.

(27) The United Nations Office of the Special Envoy for Haiti estimates that nearly \$1,900,000,000 has been disbursed, with an additional amount of approximately \$2,000,000,000 committed.

(28) Haiti will need the support of the international community in order to confront the ongoing cholera epidemic and to promote reconstruction and development.

SEC. 3. REPORT.

(a) **REPORT REQUIRED.**—Not later than six months after the date of the enactment of this Act, the President, in consultation with the heads of all relevant agencies, including the Department of State, the United States Agency for International Development, the Department of Defense, the Department of Health and Human Services, and the Centers for Disease Control and Prevention shall transmit to Congress a report on the status of post-earthquake humanitarian, reconstruction, and development efforts in Haiti, including efforts to prevent the spread of cholera and treat persons infected with the disease.

(b) **CONTENTS.**—The report required by subsection (a) shall include a description, analysis, and evaluation of the—

(1) overall progress of relief, recovery, and reconstruction in Haiti, including—

(A) programs and projects of the United States Government;

(B) programs and projects to protect vulnerable populations, such as internally displaced persons, children, women and girls, and persons with disabilities; and

(C) projects to improve water, sanitation, and health, and plans for improvements in these areas in the long-term;

(2) extent to which United States and international efforts are in line with the priorities of the Government of Haiti and are actively engaging and working through Haitian ministries and local authorities;

(3) coordination among United States Government agencies, and coordination between the United States Government and United Nations agencies, international financial institutions, and other bilateral donors;

(4) mechanisms for communicating the progress of recovery and reconstruction efforts to Haitian citizens, as well as recommendations on how these can be improved;

(5) mechanisms through which Haitian civil society, including vulnerable populations, is actively participating in all major stages of recovery and reconstruction efforts, and recommendations on how these can be improved;

(6) mechanisms through which the Haitian diaspora is involved in recovery and reconstruction efforts; and

(7) suitability of Haiti to receive aliens who are removed, excluded, or deported from the United States pursuant to United States law, and steps Haiti is taking to strengthen its capacity in this regard.

(c) **USE OF PREVIOUSLY APPROPRIATED FUNDS.**—Funding for the report required under subsection (a) shall derive from existing discretionary funds of the departments and agencies specified in such subsection.

The SPEAKER pro tempore (Mr. WOMACK). Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentlewoman from Florida (Ms. WILSON) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida (Ms. ROS-LEHTINEN).

Ms. ROS-LEHTINEN. I yield myself such time as I may consume.

Mr. Speaker, I rise today in support of H.R. 1016, a bill introduced by my friend Congresswoman BARBARA LEE of

California which requires a report to Congress regarding the status of post-earthquake humanitarian reconstruction and development efforts in Haiti.

This bill supplements my efforts under the Haiti Act, which I introduced last Congress, to exercise greater oversight over the disbursement of U.S. assistance to Haiti to ensure that it is meeting the intended recipients and purposes, that it is advancing U.S. priorities, that it is promoting Haiti's recovery, and that it is not being derailed by waste, duplication or corruption.

This past January, Mr. Speaker, I traveled to Haiti with Secretary Clinton's Chief of Staff and point person on Haiti to observe some of the tremendous work the United States is doing and to learn about U.S. plans for the future as well.

Much progress has been seen in Haiti over the past 16 months. More than 2 million cubic meters of rubble have been cleared, there is now a better medical system and increased access to more clean water than before the earthquake, and the interim Haiti Reconstruction Commission has approved 86 reconstruction projects, accounting for about one-third of the total pledges made by international donors last year.

However, Mr. Speaker, with each stated achievement, we are reminded of how much further Haiti has to go. Hundreds of thousands of Haitians are reportedly still without safe and secure sustainable shelter. A recent U.N. report found that peacekeepers in Haiti may have contributed to the environmental contamination which could have led to the cholera outbreak, crime is reportedly on the upswing, rising food and gasoline prices will make day-to-day survival even more difficult for many of the people of Haiti, and Haiti is still dealing with lingering questions regarding the recently announced parliamentary election results.

In order for progress in Haiti to continue, it is important that allegations of election corruption are resolved quickly, that the concerns of the Haitian people are put to rest, and that the duly-elected parliamentarians are seated as soon as possible.

This weekend, President-elect Martelly is scheduled to be inaugurated; and as the new government takes office, it has its work cut out for it. The new leadership must make a commitment to root out corruption at all levels in order to build trust within Haiti and with all of Haiti's partners.

□ 1710

The President-elect's recent statements regarding his intent to pursue allegations of electoral fraud in the parliamentary election results are a step in the right direction. The government must also make certain that the Haitian people are fully consulted on

the direction in which their country is heading and that they will have opportunities to create a better future for themselves and their families. Civil society and local governments must increasingly become a partner at the table of Haiti's future.

With the security situation reportedly deteriorating, it will be important for Haiti's new leaders to commit to the necessary resources to support the expansion of the Haitian National Police as well as implement updates to the criminal code and other reforms to strengthen its judicial system. I understand the United States intends to work with the new Haitian government to help Haiti become a more business-friendly environment.

As a proud representative of Florida's 18th Congressional District, I can tell you firsthand the interest of U.S. businesses, organizations, and private citizens, including the Haitian diaspora, to participate in the recovery and the development efforts in Haiti—and that only continues to grow stronger. More importantly, it is imperative that the United States take every appropriate measure to ensure that our funding and our efforts in Haiti and around the world are not squandered. This includes accountability for U.N. contractors who owe a duty of care for the civilians whom they are there to protect.

The report called for in this bill, H.R. 1016, will provide Members of Congress and the public an opportunity to see what is working and, yes, to see what is not working. I would also note that the funding that will be needed to develop this report is directed to be pulled from already appropriated funding. Further, CBO found that the cost of this report in this bill is so minimal that it did not meet the threshold of an estimate.

I would like to thank Ranking Member BERMAN and his staff for working with us on this measure. I look forward to continuing to work with my colleagues in support of our oversight efforts, and I'm so pleased to join Congresswoman WILSON's efforts in making sure that we can provide our great partner, Haiti, with the resources it needs to build itself up.

Mr. Speaker, I reserve the balance of my time.

Ms. WILSON of Florida. Mr. Speaker, I yield myself such time as I may consume.

I rise in support of this bill, the Assessing Progress in Haiti Act. A year and a half ago, on January 12, 2011, the world for the Caribbean island of Haiti and for too many of my constituents changed forever. An earthquake measuring an incredible 7.0 on the Richter scale shook the Earth in Haiti. It killed elected officials, toppled the President's palace, the Senate, and all of the Cabinet buildings. People are still missing. The effect of this earthquake is still being felt today. Basic

needs such as food, water, clothing, shelter, and health services are lacking.

Thanks to our military—the U.S. Coast Guard, which performed thousands of hours of rescue in the first 24 hours of the earthquake; the U.S. Marine Corps, which provided stability and protection; the U.S. Army, which helped to establish logistics and additional protection; the U.S. Navy, with floating hospitals and surgeons; and the U.S. Agency for International Development—this disaster was not the total disaster it could have been. USAID worked then and continues to work coordinating and implementing programs with other international organizations.

Adding further hurdles to the recovery operation has been the widespread outbreak of cholera last October. Cholera, a disease caused due to the lack of access to clean, clear water, has killed hundreds of Haitians and has further set back progress in one of our closest Caribbean neighbors. The people of Haiti deserve the opportunity to live in a clean, safe, and economically thriving country. The people of America deserve and want to know how their tax dollars are being spent, and need to know that the \$1.8 billion invested in Haiti will speedily facilitate Haiti's transition to a bastion of comfort and economic stability. That is why I support House bill 1016, the Assessing Progress in Haiti Act.

This bill provides for one of the first times a strong, fair, and objective accountability of how the people's money is being spent in Haiti. This report will also analyze how well the United Nations and other organizations and groups are coordinating their efforts to reduce duplication. Finally, this bill thanks the heroic efforts of Miami-Dade County's urban search and rescue teams, which hail from the 17th Congressional District of Florida, who volunteered their time, effort, and energy to save lives. These people saved lives and helped find loved ones for those trapped in the rubble of the earthquake and for those who were worried about the safety and well-being of their loved ones.

I also would like to thank respectively the chairman and ranking minority members of the Subcommittee on the Western Hemisphere, CONNIE MACK and ELIOT ENGEL, and their staff for making this happen. Representative ENGEL was kind enough to carry the language of my amendment during subcommittee consideration, and Chairman MACK and both the Democratic and Republican staff worked tirelessly toward a compromise that worked for both sides. I also want to thank our full committee chairman, and one who I am so proud of, my Florida colleague, ILEANA ROS-LEHTINEN, for managing this language in her amendment during full committee consideration of this bill.

Perhaps a bright spot in this ongoing calamity is that Haitians recently elected a new President, Michel Martelly, with whom we expect to work arm-in-arm with to help rebuild Haiti. His inauguration is next weekend. On Saturday, I traveled to Haiti. I met with Mr. Martelly. I met with the senators as they debated their new constitution. I'm hoping that that constitution will help guide them towards the next centuries in Haiti.

There are 1,400 tent cities—not tents; tent cities—that house 850,000 residents in the streets of Haiti. No running water and one porta-toilet for every 80 residents. Families are huddled under the tents—mostly women and children. And because the national prison was destroyed during the earthquake, armed bandits roam the tent cities and sexual abuse against women and girls is rampant. The police force is extremely compromised and not trained. The army is nonexistent. And many bodies have not been found from this earthquake. It is inhumane to send anybody back to such conditions. We must help rebuild Haiti. We must support Haiti. We must support the new President from this moment on. We must include the peasants and the agricultural community at the table of negotiation.

Mr. Speaker, this legislation is an affirmation of the generosity and will of the American people to come to the aid of a country in our neighborhood that desperately needs our help. The report required by this bill should help us channel our assistance efforts to make them as effective and efficient as possible. The Haitian people deserve nothing less.

I strongly urge passage of this legislation.

I reserve the balance of my time.

GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 1016, as amended.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. I reserve the balance of my time.

Ms. WILSON of Florida. Mr. Speaker, it is my privilege to yield 3 minutes to the gentlewoman from California (Ms. WATERS).

□ 1720

Ms. WATERS. I would like to thank the gentlelady from Florida for extending time to me to rise in support of this bill.

I am now—and have been for many years—a big supporter of the people of Haiti. I am the proud author of H.R. 4573, the Haiti Debt Relief and Earthquake Recovery Act. It was that bill

that freed up \$828 million that they would have had to have paid out for their debts, money that can now go toward helping with the earthquake response.

Immediately following the earthquake, there was an outpouring of sympathy from people in the United States and around the world; and I am very appreciative for what our government did and for what the people of this country did—individuals, churches. We've not always had our politics right in Haiti, but we sure rose to the occasion with regard to this devastating earthquake that hit Haiti.

The international community pledged a total of \$9.9 billion in reconstruction funds, including \$5.3 billion for the first 2 years. Yet, more than 1 year later, little, if any, of the money has reached the people of Haiti. According to the U.S. Agency for International Development, USAID, 680,000 displaced people are still living in tent camps, and the conditions in many of these camps are appalling. There is a critical need for food, clean water, and sanitation facilities. A deadly outbreak of cholera has already killed more than 4,800 people and has infected more than 280,000 people. The effects of the epidemic were exacerbated by the lack of clean water and sanitation infrastructure. Foreign aid without transparency will accomplish nothing.

We owe it to the Haitian people and the American people to find out how much of this money has actually been delivered to Haiti and where that money went. That is why I strongly support this bill, which requires the President to report on the status of post-earthquake relief, recovery, reconstruction, and development efforts in Haiti. The report must evaluate coordination among various international agencies and donors, the extent to which U.S. and international efforts are in line with the priorities of the Government of Haiti, and mechanisms for Haitian civil society to participate in recovery efforts.

I am in awe of the strength and resiliency of the Haitian people. We owe it to them to assist them in their time of need. We also owe it to them to make certain our assistance reaches the people who need it the most.

As I said, we've not always had our act together in Haiti. Well, there has been a new election, and they've elected a President. There was a lot of turmoil and disorder around this election, but it's over now; it has been done, and we want to work with the new government to make sure that there is transparency and that we do know what happened to this money. So I urge my colleagues to support this bill.

Ms. ROS-LEHTINEN. I continue to reserve the balance of my time.

Ms. WILSON of Florida. Mr. Speaker, it is my privilege to yield 5 minutes to

the distinguished gentlelady from California, Congresswoman BARBARA LEE, who is the author of this legislation.

Ms. LEE. First, let me thank the gentlelady from Florida for yielding and for her leadership on so many issues, especially as it relates to her community, her district, Haitians, Haiti, and the Haitian diaspora.

I rise in support of H.R. 1016, the Assessing Progress in Haiti Act, legislation which I authored to direct the United States Government to report on the status of humanitarian, reconstruction, and development efforts in the aftermath of the tragic earthquake of January 12, 2010.

Let me thank Chairwoman ROSELEHTINEN for her leadership and for her assistance in helping bring this bill to the floor. I also thank Ranking Member BERMAN, Chairman MACK, Ranking Member ENGEL, the staffs of the Foreign Affairs Committee, my staff, as well as the Republican and Democratic leaders' offices for bringing this bill to the floor.

I would also like to acknowledge the hard work of my Congressional Black Caucus colleagues. You just heard from Congresswoman MAXINE WATERS in terms of her leadership and her commitment to the people of Haiti and of so many others who have worked tirelessly in support of the Haitian people in ongoing United States humanitarian and reconstruction efforts in Haiti.

Today, we are provided with an opportunity to not only remember those who have lost their lives but to reaffirm the commitment of the United States to support Haitians as they struggle to combat the ongoing cholera epidemic and to rebuild their neighborhoods, their country, and their lives following the devastation of January 12.

Following the earthquake, many of us came together to pass a bill that I authored, H. Res. 1021. This was passed by an overwhelming bipartisan vote of 411-1. This resolution expressed solidarity with the Haitian people and our support for the long-term reconstruction needs of the country. Through the bill on the floor today, we are provided with the next step—with an opportunity to assess the progress that we have made, the extraordinary challenges that remain, and the areas in which improvement is greatly needed.

As many of us have been many, many times over the years, I traveled to Haiti immediately following the earthquake and again in November during Haiti's recent elections. Once again, let me just say that I saw real progress being made. Of course, the cholera outbreak, an ongoing devastating setback, though, revealed the ramped-up capacity of Haiti's national laboratory. The lab was able to identify the cholera strain very rapidly, improving our ability to respond to the outbreak—a feat that would really have been impossible

just a year earlier. However, significant improvements remain desperately needed.

The unprecedented relief effort has given way to a sluggish, at best, reconstruction effort. Part of this pace can be attributed to the sheer magnitude of the problems Haiti faces as well as Haiti's legal and bureaucratic hurdles, including the lack of an adequate land tenure policy. Without a doubt, though, part of the blame rests in the lack of urgency—mind you, the lack of urgency—on the part of the international community.

At the International Donors' Conference in March 2010, 58 donors pledged over \$5.5 billion to support Haiti's Action Plan for Recovery and Development. According to the United Nations, as of March of this year, only 37 percent of these funds have been disbursed. This is unacceptable. If we are to break the cycle of disaster-emergency relief-disaster, in which Haiti has been trapped for many years, we must act with the same sense of urgency in reconstruction as we did immediately following the quake.

In addition to delivering on our promises, we must ensure that those promises are in line with the will of the Haitian people. The international community recognized early on that, if our efforts were to be sustainable, they had to reflect the priorities of the people of Haiti. The establishment of the Interim Haiti Recovery Commission was a very good idea in this regard; and moving forward, we must ensure that it is inclusive, transparent, and adequately resourced.

Additionally, we must substantially improve our communication with and the participation of Haitian civil society. The United States and the United Nations are sponsoring outreach for civil society organizations; however, many Haitians still hold the perception that recovery efforts are dominated by exclusive foreign actors. Unless civil society, which are the people of Haiti, is involved in every major stage of the post-earthquake response, this perception will remain, and it will prove detrimental to the sustainability of our efforts.

The SPEAKER pro tempore. The time of the gentlewoman has expired.

Ms. WILSON of Florida. I yield the gentlewoman an additional 30 seconds.

Ms. LEE. In this vein, we must give special priority to programs that protect vulnerable populations, including internally displaced persons—women, children, persons with disabilities, and others. We must ensure that these populations are significantly involved in recovery efforts, which reinforces their protection. The United Nations Secretary General, for example, has specifically stated that women should be involved in security decisions that affect their daily lives as a means of combating the alarming level of gen-

der-based violence since the earthquake.

On the topic of vulnerable populations, we must take a critical look at the resumption of deportations to Haiti. Given the fragile state in which Haiti remains, I call on the Department of Homeland Security to halt deportations until it proves that its policy does not violate international human rights laws and until it demonstrates that Haiti is able to support the influx of deportees. If we are truly committed to helping our neighbors, we must ensure that we are not assisting Haiti with one hand while undermining its stability with the other.

The SPEAKER pro tempore. The time of the gentlewoman has again expired.

Ms. WILSON of Florida. I yield the gentlewoman an additional 30 seconds.

□ 1730

Ms. LEE. Finally, we must continue to support the Haitian Public Health Ministry to prevent the spread of cholera, treat those affected with the disease, and build up health systems. The international community must plan for the long-term presence of this disease, unfortunately, which is now endemic, and provide the necessary resources to ensure that this planning is thorough and complete.

Throughout this unceasing series of tragedies and crises, Haitians have continued to demonstrate unwavering resilience, dignity, and courage.

So I urge my colleagues to support this bill.

Ms. WILSON of Florida. Mr. Speaker, I had the opportunity this past Saturday to go to Haiti and take a helicopter ride to survey all of the damage on Haiti and all of the hope for Haiti, all of the islands and the connecting islands of Haiti to see what was happening.

The African diaspora, which is mostly members of District 17, they all want to help rebuild Haiti. They will apply for contracts; and if dual nationality is granted, they will also run for office and lend their expertise to the recovery of Haiti.

We all know that TPS expires in June. TPS, temporary protected status, was extended to the Haitian nationals. We, along with the Congressional Black Caucus, Congresswoman BARBARA LEE, Congresswoman MAXINE WATERS, and Congressman PAYNE, were working on trying to extend that deadline for at least another year. Haiti is in no disposition to accept any further deportations.

Ms. BROWN of Florida. Mr. Speaker, I rise in full support of H.R. 1016, a bill to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, introduced by Representative BARBARA LEE of California.

Immediately following the earthquake, Congress passed a bipartisan resolution expressing our determination to aid Haiti through this

tragedy. I strongly believe that our nation needs to once again pledge unwavering support to continue to lead an aggressive, coordinated effort to aid Haiti's ongoing recovery and reconstruction.

In the wake of the disaster, the American people and the global community rallied in solidarity with the Haitian people to provide one of the largest relief efforts in history. And today, nearly one and a half years after this tragedy, we must renew our support for the people of Haiti as they struggle to combat an ongoing cholera epidemic, curb post-election violence, and rebuild their neighborhoods, livelihoods, and their country.

As this legislation stipulates, President Obama, "in consultation with the heads of all relevant agencies . . . shall transmit to Congress a report on the status of post-earthquake humanitarian, reconstruction, and development efforts in Haiti . . ." and analyze the recovery efforts being made in Haiti to date, and ensure that "our government is in line with the priorities of the Government of Haiti and actively engaging and working through Haitian ministries and local authorities" to assist the island nation in their attempt to recover.

As the representative of Florida's Third Congressional District, I have been a staunch advocate for the Haitian people throughout my congressional career of nearly 20 years, and have led numerous Codels to the island nation of Haiti. Moreover, as a Member from Florida with a large Haitian community in my district, and considering the island nation is located less than 700 miles from the Florida Keys, I feel it is my duty to do everything I can to provide assistance and improve the lives of the Haitian people.

Certainly, even before the January 12th earthquake, Haiti was the least-developed country in our Hemisphere and one of the poorest in the world. The island nation had a per capita income around \$400, horribly acute economic inequality, and over 80 percent of its 9 million inhabitants surviving below the poverty level. To me, this is entirely unacceptable, particularly given the island's proximity to the state of Florida.

In October 2009, just two months before the earthquake, I led a Congressional delegation to Haiti to meet with President René Prével to discuss issues ranging from improving the nation's infrastructure, the high unemployment rate and poor standard of living. Yet the horrific earthquake that struck last January 12th made a dire situation for the majority of the people of Haiti unimaginably worse.

Today, the nation remains devastated. A million displaced Haitians remain in tent camps. Mountains of rubble are piled in the streets, and billions in assistance pledged by the international community has yet to be delivered. Meanwhile, there have been many quests regarding the recent elections and incoming government's ability to capably lead in recovery and development efforts.

As I'm sure everyone here knows, the massive earthquake that struck Haiti killed 230,000 people, displaced an estimated 2 million people from their homes, and affected one third of the country's population. The main port, the presidential palace, the parliament, the majority of ministry buildings, more than 50 hos-

pitals and health centers, 1300 educational institutions, and more than 100,000 homes were left in ruins. The earthquake, which came less than 2 years after a series of devastating hurricanes, left millions of people in the Western Hemisphere's poorest country living in absolutely horrific conditions.

Immediately following the earthquake, there was an outpouring of sympathy from people in the United States and around the world. American families opened their hearts and contributed millions to non-profit organizations that were working around the clock to save lives. The United States Government provided emergency medical care and distributed food, water, and tents to the displaced, and world governments committed more than \$9 billion in aid for reconstruction at a donors' conference in March, including more than \$1 billion pledged by the United States.

For my part, immediately following the earthquake, along with the local community and tremendous assistance from church leaders, we organized food and clothing drives, and encouraged people to make donations to non-profits on the ground in Haiti. With assistance of area churches, businesses, local community leaders and nonprofit organizations, we transported seven 53-foot tractor-trailers filled with supplies with nearly \$50,000 of food, water and other items from the Jacksonville and Orlando areas to Haiti's shores, and had the Coast Guard's assistance in their delivery to Food for the Poor, a non-profit group operating in Port-au-Pays, on the north side of the island.

As a key Member of the House Transportation Committee and Chair of the Railroad subcommittee, I will continue to work hard on Capitol Hill to find ways in which the House Committee on Transportation and Infrastructure can provide technical assistance to the nation; in particular, in the area of rebuilding the ports, roads and general infrastructure system throughout the island. Indeed, getting the ports up and running, including improving customs procedures, is an essential element in the nation's struggle to turn the corner and prosper economically. If successfully carried out, this advancement would be a key component in the nation's efforts to successfully recover and prosper in the future, and improve the standard of living for the proud, hard-working people of the island nation Haiti.

Ms. WILSON of Florida. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I also have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and pass the bill, H.R. 1016, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore (Ms. ROS-LEHTINEN). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1229.

□ 1734

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mr. WOMACK in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, all time for general debate had expired.

Pursuant to the rule, the amendment printed in the bill is adopted. The bill, as amended, shall be considered as an original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1229

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Putting the Gulf of Mexico Back to Work Act".

TITLE I—AMENDMENT TO THE OUTER CONTINENTAL SHELF LANDS ACT

SEC. 101. AMENDMENT TO OUTER CONTINENTAL SHELF LANDS ACT.

(a) AMENDMENT.—Section 11(d) of the Outer Continental Shelf Lands Act (43 U.S.C. 1340(d)) is amended to read as follows:

"(d) DRILLING PERMITS.—

"(1) IN GENERAL.—The Secretary shall by regulation require that any lessee operating under an approved exploration plan—

"(A) must obtain a permit before drilling any well in accordance with such plan; and

"(B) must obtain a new permit before drilling any well of a design that is significantly different than the design for which an existing permit was issued.

"(2) SAFETY REVIEW REQUIRED.—The Secretary shall not issue a permit under paragraph (1) without ensuring that the proposed drilling operations meet all—

"(A) critical safety system requirements, including blowout prevention; and

"(B) oil spill response and containment requirements.

"(3) TIMELINE.—

"(A) The Secretary shall decide whether to issue a permit under paragraph (1) within 30 days after receiving an application for the permit. The Secretary may extend such period for up to two periods of 15 days each, if the Secretary has given written notice of the delay to the applicant. The notice shall be in the form of a letter from the Secretary or a designee of the Secretary, and shall include the names and titles of the persons processing the application, the specific reasons for the delay, and a specific date a final decision on the application is expected.

“(B) If the application is denied, the Secretary shall provide the applicant—

“(i) in writing, clear and comprehensive reasons why the application was not accepted and detailed information concerning any deficiencies, and

“(ii) an opportunity to remedy any deficiencies.”

“(C) If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved.”

(b) DEADLINE FOR CERTAIN PERMIT APPLICATIONS UNDER EXISTING LEASES.—

(1) IN GENERAL.—Notwithstanding the amendment made by subsection (a), a lease under which a covered application is submitted to the Secretary of the Interior shall be considered to be in directed suspension during the period beginning May 27, 2010, and ending on the date the Secretary issues a final decision on the application, if the Secretary does not issue a final decision on the application—

(A) before the end of the 30-day period beginning on the date of enactment of this Act, in the case of a covered application submitted before such date of enactment; or

(B) before the end of the 30-day period beginning on the date the application is received by the Secretary, in the case of a covered application submitted on or after such date of enactment.

(2) COVERED APPLICATION.—In this subsection the term “covered application” means an application for a permit to drill under an oil and gas lease under the Outer Continental Shelf Lands Act in effect on the date of enactment of this Act, that—

(A) represents a resubmission of an approved permit to drill (including an application for a permit to sidetrack) that was approved by the Secretary before May 27, 2010; and

(B) is received by the Secretary after October 12, 2010, and before the end of the 30-day period beginning on the date of enactment of this Act.

SEC. 102. EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.

(a) DEFINITION OF COVERED LEASE.—In this section, the term “covered lease” means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that—

(1)(A) was not producing as of April 30, 2010; or

(B) was suspended from operations, permit processing, or consideration, in accordance with the moratorium set forth in the Minerals Management Service Notice to Lessees and Operators No. 2010-N04, dated May 30, 2010, or the decision memorandum of the Secretary of the Interior entitled “Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf” and dated July 12, 2010; and

(2) by its terms would expire on or before December 31, 2011.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases under this section is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

TITLE II—JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO OUTER CONTINENTAL SHELF ACTIVITIES IN THE GULF OF MEXICO

SEC. 201. DEFINITIONS FOR TITLE.

In this title—

(1) the term “covered civil action” means a civil action containing a claim under section 702 of title 5, United States Code, regarding agency action (as defined for the purposes of that section) affecting a covered energy project in the Gulf of Mexico; and

(2) the term “covered energy project” means the leasing of Federal lands of the Outer Continental Shelf (including submerged lands) for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy in the Gulf of Mexico, and any action under such a lease, except that the term does not include any disputes between the parties to a lease regarding the obligations under such lease, including regarding any alleged breach of the lease.

SEC. 202. EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS IN THE GULF OF MEXICO.

Venue for any covered civil action shall not lie in any district court not within the 5th circuit unless there is no proper venue in any court within that circuit.

SEC. 203. TIME LIMITATION ON FILING.

A covered civil action is barred unless filed no later than the end of the 60-day period beginning on the date of the final Federal agency action to which it relates.

SEC. 204. EXPEDITION IN HEARING AND DETERMINING THE ACTION.

The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

SEC. 205. STANDARD OF REVIEW.

In any judicial review of a covered civil action, administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct, and the presumption may be rebutted only by the preponderance of the evidence contained in the administrative record.

SEC. 206. LIMITATION ON PROSPECTIVE RELIEF.

In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of a legal requirement, and is the least intrusive means necessary to correct that violation.

SEC. 207. LIMITATION ON ATTORNEYS' FEES.

Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code (together commonly called the Equal Access to Justice Act) do not apply to a covered civil action, nor shall any party in such a covered civil action receive payment from the Federal Government for their attorneys' fees, expenses, and other court costs.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in part A of House Report 112-73. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The CHAIR. It is now in order to consider amendment No. 1 printed in part A of House Report 112-73.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike “and” after the semicolon at line 4, strike the period at line 6 and insert “; and”, and after line 6 insert the following new subparagraph:

“(C) all requirements of all applicable statutes and regulations, including the National Environmental Policy Act of 1969, the Endangered Species Act of 1973, the Marine Mammal Protection Act of 1972, and any law protecting fishing and recreation jobs.

The CHAIR. Pursuant to House Resolution 245, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, following last year's BP Deepwater Horizon disaster, one would think that a foundational and critical element of any bill related to offshore deepwater oil drilling would be to improve our safety and environmental safeguards based on the lessons that we learned the hard way from a horrific national tragedy, costing jobs and reducing health and damaging the environment.

While H.R. 1229 does include a provision that states that the Secretary shall not issue a permit without ensuring that the proposed drilling operation meets critical safety system requirements and oil spill response and containment requirements, it fails to make mention of and omits requiring the Secretary to ensure that critical environmental and economic laws are adhered to, a prolific problem leading up to the Deepwater Horizon spill.

Mr. Chairman, for years an ongoing problem in issuing permits for offshore drilling has been the Department of the Interior's failure to follow requirements set out under our Nation's foundational environmental protection laws and fisheries laws. These laws, like the Endangered Species Act, the National Environmental Protection Act, the Marine Mammal Protection Act, and the Magnuson-Stevens Fishery Act, protect wildlife as well as fisheries and beaches that sustain the gulf's fishing and tourism industries.

In the gulf region, the number of jobs dependent on tourism and fishing is five times the number of jobs related to the oil and gas industry.

While reforms within the Obama administration are moving in the right direction, the fact is that this bill, in its current form, leaves out a major chunk of what should be included in any safety or oversight review that we require of the Secretary, and I'm grateful for the rule for allowing a full discussion and vote on this amendment.

Mr. Chairman, a May 2010 New York Times article, entitled, "U.S. Said to Allow Drilling Without Needed Permits," outlines the roots of this problem in detail. The article clearly explains how the Endangered Species Act and the Marine Mammal Protection Act, the Department of the Interior's drilling permit agency is required to get permits for drilling where it might harm endangered species and marine animals.

The National Oceanic and Atmospheric Administration, or NOAA, is partially responsible for protecting endangered species and marine mammals. It said on repeated occasions that drilling in the gulf does affect these animals. That's simply science. The records show that permits for hundreds of wells, including the BP disaster well itself, were granted without getting the permits required under existing Federal law.

Federal records show that NOAA instructed the minerals agency that continued drilling in the gulf was actually harming wildlife and needed to get permits in compliance with Federal law; but, sadly, those permits were never sought.

With regard to the National Environmental Protection Act, the government has time and time again performed cursory environmental assessments, failed to integrate NEPA analyses with related Federal statutes, and even exempted entire projects from NEPA review, including the Macondo well. In the past, the only way to ensure permits have complied with NEPA has unfortunately been through lawsuits. My amendment would require these assurances from the Secretary before the permit is issued.

[From the New York Times, May 13, 2010]

U.S. SAID TO ALLOW DRILLING WITHOUT
NEEDED PERMITS
(By Ian Urbina)

WASHINGTON.—The federal Minerals Management Service gave permission to BP and dozens of other oil companies to drill in the Gulf of Mexico without first getting required permits from another agency that assesses threats to endangered species—and despite strong warnings from that agency about the impact the drilling was likely to have on the gulf.

Those approvals, federal records show, include one for the well drilled by the Deepwater Horizon rig, which exploded on April 20, killing 11 workers and resulting in thousands of barrels of oil spilling into the gulf each day.

The Minerals Management Service, or M.M.S., also routinely overruled its staff biologists and engineers who raised concerns about the safety and the environmental impact of certain drilling proposals in the gulf and in Alaska, according to a half-dozen current and former agency scientists.

Those scientists said they were also regularly pressured by agency officials to change the findings of their internal studies if they predicted that an accident was likely to occur or if wildlife might be harmed.

Under the Endangered Species Act and the Marine Mammal Protection Act, the Min-

erals Management Service is required to get permits to allow drilling where it might harm endangered species or marine mammals.

The National Oceanic and Atmospheric Administration, or NOAA, is partly responsible for protecting endangered species and marine mammals. It has said on repeated occasions that drilling in the gulf affects these animals, but the minerals agency since January 2009 has approved at least three huge lease sales, 103 seismic blasting projects and 346 drilling plans. Agency records also show that permission for those projects and plans was granted without getting the permits required under federal law.

"M.M.S. has given up any pretense of regulating the offshore oil industry," said Kieran Suckling, director of the Center for Biological Diversity, an environmental advocacy group in Tucson, which filed notice of intent to sue the agency over its noncompliance with federal law concerning endangered species. "The agency seems to think its mission is to help the oil industry evade environmental laws."

Kendra Barkoff, a spokeswoman for the Interior Department, said her agency had full consultations with NOAA about endangered species in the gulf. But she declined to respond to additional questions about whether her agency had obtained the relevant permits.

Federal records indicate that these consultations ended with NOAA instructing the minerals agency that continued drilling in the gulf was harming endangered marine mammals and that the agency needed to get permits to be in compliance with federal law.

Responding to the accusations that agency scientists were being silenced, Ms. Barkoff added, "Under the previous administration, there was a pattern of suppressing science in decisions, and we are working very hard to change the culture and empower scientists in the Department of the Interior."

On Tuesday, Interior Secretary Ken Salazar announced plans to reorganize the minerals agency to improve its regulatory role by separating safety oversight from the division that collects royalties from oil and gas companies. But that reorganization is not likely to have any bearing on how and whether the agency seeks required permits from other agencies like NOAA.

Criticism of the minerals agency has grown in recent days as more information has emerged about how it handled drilling in the gulf.

In a letter from September 2009, obtained by The New York Times, NOAA accused the minerals agency of a pattern of understating the likelihood and potential consequences of a major spill in the gulf and understating the frequency of spills that have already occurred there.

The letter accuses the agency of highlighting the safety of offshore oil drilling operations while overlooking more recent evidence to the contrary. The data used by the agency to justify its approval of drilling operations in the gulf play down the fact that spills have been increasing and understate the "risks and impacts of accidental spills," the letter states. NOAA declined several requests for comment.

The accusation that the minerals agency has ignored risks is also being levied by scientists working for the agency.

Managers at the agency have routinely overruled staff scientists whose findings highlight the environmental risks of drilling, according to a half-dozen current or former agency scientists.

The scientists, none of whom wanted to be quoted by name for fear of reprisals by the agency or by those in the industry, said they had repeatedly had their scientific findings changed to indicate no environmental impact or had their calculations of spill risks downgraded.

"You simply are not allowed to conclude that the drilling will have an impact," said one scientist who has worked for the minerals agency for more than a decade. "If you find the risks of a spill are high or you conclude that a certain species will be affected, your report gets disappeared in a desk drawer and they find another scientist to redo it or they rewrite it for you."

Another biologist who left the agency in 2005 after more than five years said that agency officials went out of their way to accommodate the oil and gas industry.

He said, for example, that seismic activity from drilling can have a devastating effect on mammals and fish, but that agency officials rarely enforced the regulations meant to limit those effects.

He also said the agency routinely ceded to the drilling companies the responsibility for monitoring species that live or spawn near the drilling projects.

"What I observed was M.M.S. was trying to undermine the monitoring and mitigation requirements that would be imposed on the industry," he said.

Aside from allowing BP and other companies to drill in the gulf without getting the required permits from NOAA, the minerals agency has also given BP and other drilling companies in the gulf blanket exemptions from having to provide environmental impact statements.

Much as BP's drilling plan asserted that there was no chance of an oil spill, the company also claimed in federal documents that its drilling would not have any adverse effect on endangered species.

The gulf is known for its biodiversity. Various endangered species are found in the area where the Deepwater Horizon was drilling, including sperm whales, blue whales and fin whales.

In some instances, the minerals agency has indeed sought and received permits in the gulf to harm certain endangered species like green and loggerhead sea turtles. But the agency has not received these permits for endangered species like the sperm and humpback whales, which are more common in the areas where drilling occurs and thus are more likely to be affected.

Tensions between scientists and managers at the agency erupted in one case last year involving a rig in the gulf called the BP Atlantis. An agency scientist complained to his bosses of catastrophic safety and environmental violations. The scientist said these complaints were ignored, so he took his concerns to higher officials at the Interior Department.

"The purpose of this letter is to restate in writing our concern that the BP Atlantis project presently poses a threat of serious, immediate, potentially irreparable and catastrophic harm to the waters of the Gulf of Mexico and its marine environment, and to summarize how BP's conduct has violated federal law and regulations," David L. Perry, a lawyer acting on behalf of Kenneth Abbott, a BP contractor, wrote in a letter to officials at the Interior Department that was dated May 27.

The letter added: "From our conversation on the phone, we understand that M.M.S. is already aware that undersea manifolds have been leaking and that major flow lines must

already be replaced. Failure of this critical undersea equipment has potentially catastrophic environmental consequences."

Almost two months before the Deepwater Horizon exploded, Representative Raúl M. Grijalva, Democrat of Arizona, sent a letter to the agency raising concerns about the BP Atlantis and questioning its oversight of the rig.

After the disaster, Mr. Salazar said he would delay granting any new oil drilling permits.

But the minerals agency has issued at least five final approval permits to new drilling projects in the gulf since last week, records show.

Despite being shown records indicating otherwise, Ms. Barkoff said her agency had granted no new permits since Mr. Salazar made his announcement.

Other agencies besides NOAA have begun criticizing the minerals agency.

At a public hearing in Louisiana this week, a joint panel of Coast Guard and Minerals Management Service officials investigating the explosion grilled minerals agency officials for allowing the offshore drilling industry to be essentially "self-certified," as Capt. Hung Nguyen of the Coast Guard, a co-chairman of the investigation, put it.

In addition to the minerals agency and the Coast Guard, the Deepwater Horizon was overseen by the Marshall Islands, the "flag of convenience" under which it was registered.

No one from the Marshall Islands ever inspected the rig. The nongovernmental organizations that did were paid by the rig's operator, in this case Transocean.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

Although well intended, this amendment is duplicative and would add delays to the permitting process and production of American-made energy. It is the responsibility of the Department of the Interior as overseers of permitting in the gulf to ensure safe and environmentally responsible drilling in the gulf.

Since the spill last year, the Department of the Interior has made extensive changes to permitting requirements for offshore operations. Every drilling permit is required to go through multiple environmental reviews before the application can be approved. This begins with an initial programmatic environmental impact statement and is followed by a lease sale-specific environmental impact statement and continues with additional environmental reviews as drilling activities move forward.

□ 1740

In carrying out its responsibilities, the department already must comply with numerous environmental statutes, regulations, and Executive orders. These regulations include the National Environmental Policy Act, the Endangered Species Act, the Marine Mammal Protection Act, the Coastal

Zone Management Act, the Clean Air Act, and the Fishery Conservation and Management Act. And I may have left some out. This demonstrates the redundancy in this amendment and why it is not necessary.

Administration officials and even Director Bromwich have stated on numerous occasions to both the Natural Resources Committee and the American people that they would not permit operations if they did not believe they meet all the requirements to be conducted safely, efficiently, and in an environmentally responsible manner. The Interior Department already complies with these particular environmental regulations when approving permits. And the fact that the Department is permitting operations, although at a slower pace than I would like to see, demonstrates that they have confidence in the regulations that the agency has set for offshore drilling operations. The real effect of this amendment, whether intended or not, is more delays to offshore energy production and more lengthy and burdensome lawsuits.

So, Mr. Chairman, I oppose this amendment and I urge a "no" vote.

I reserve the balance of my time.

Mr. POLIS. Mr. Chairman, this underlying legislation's very basic safety review provision simply doesn't address the broad swath of problems that need to be addressed by any serious offshore drilling bill. My amendment is a simple way of ensuring that the many shortcomings are at least considered by the Secretary, as articulated in Federal law, and are discussed during this debate.

Unfortunately, this bill does not take into account the lessons our country learned from the terrible BP Deepwater disaster. In addition to accepting my amendment, I certainly hope that the committee will address these problems with even stronger language in any future work it does on this bill or on the issue of offshore drilling in general with regard to safety and the environment.

I yield back the balance of my time.

Mr. LAMBORN. I would like to yield 2½ minutes to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Chairman, I appreciate the proponent of this amendment in his zeal to ensure that the environment is properly addressed, but those concerns are properly addressed in the permitting policy. The problem is that we had a company with around 800 safety violations, British Petroleum, that was allowed to continue drilling, and you wonder why. Could it be that they were negotiating at the very time of the blowout with Democrats in the Senate for making the big announcement that they supported the administration's cap-and-trade bill? Could it be that they were going to be involved in the carbon credit business

and would work with the administration?

Perhaps a better question than the effect on the environment is, How close will the applicant for a drilling permit be politically with this administration? Because what we see time after time is a situation of political payback. We see crony capitalism. If you're a good buddy at GE, you're going to do well. If you're on Wall Street and you contribute four to one to this administration over its opponent, then you're going to do well. You may have to endure being called a fat cat from time to time; but, otherwise, we're going to make sure your profits exceed anything you have ever seen before.

We have seen this administration rush to Libya. We have seen this administration rush, appropriately, to help our friend Japan. We have seen them rush all over the place. But when it came to really helping the gulf coast region, this administration rushed in and did more damage to people's lives by putting this moratorium on than the spill itself did. At some point, it's time for the administration to stop the political payback game.

Perhaps Louisiana would be better off if they dissociated themselves from Texas. We know that you can have 500,000 acres burned and have it be a disaster area. You can have 2 million in Texas, and they won't come to your help because this administration is partisan and bitterly so. But it's time for this administration to quit playing political games and help people where they need it in our own country, on our own gulf coast.

Let's vote "no" on the amendments and get this bill through.

Mr. LAMBORN. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. GARAMENDI

The CHAIR. It is now in order to consider amendment No. 2 printed in part A of House Report 112-73.

Mr. GARAMENDI. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following (and redesignate accordingly):

"(3) CONSULTATION WITH INDEPENDENT SAFETY ORGANIZATION.—In making any determination under paragraph (2), the Secretary shall consult with one or more independent safety organizations that are not affiliated with the American Petroleum Institute.

The CHAIR. Pursuant to House Resolution 245, the gentleman from California (Mr. GARAMENDI) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. GARAMENDI. Mr. Chairman, we just heard a pretty good discussion here a moment ago about the safety issues in the gulf. And the legislation before us seems to ignore every one of the recommendations that the bipartisan, independent commission made about how to conduct deepwater drilling in a safe manner. Actually, BP did have a terrible record. I am pleased that my colleague from Texas pointed out the 800 violations that BP had. There was, however, a bit of a problem for at least 11 members of the gulf oil industry: They died as a result of the inattention to safety.

The proposal that I have before us deals with one of the recommendations that the commission made, and that is that there be an independent safety organization created to provide an additional level of review of the requirements that drilling be done safely. The legislation before us ignores that recommendation by the commission and basically says that the American Petroleum Institute is quite capable of doing this. Well, the independent, bipartisan commission, said, "The American Petroleum Institute is culturally ill-suited to drive a safety revolution in the industry. For this reason, it is essential that the safety enterprise operate apart from the American Petroleum Institute," and I could not agree more, Mr. Chairman.

My amendment would require that, as the Secretary is trying to determine whether permit applications meet the critical safety requirements, he must consult with an independent safety organization, and that organization must not be affiliated with the American Petroleum Institute.

Now the institute has said, No problem; we'll create our own. Well, I'm sorry, but that's not the way to provide the appropriate safety standard. We don't need to have more deaths. We don't need to have more blowouts. We need to do the drilling safely, and that it be done in a manner that ensures that lives will not be lost and that oil will not be spilled in the ocean. That's what this amendment does by providing an outside independent organization with the requirement that they consult with the Secretary on the applications. We do not change the 50-day requirement. That remains in place; so there is a timeframe. We don't change any of the requirements with regard to losses and the rest, which I think are inappropriate; but nonetheless, we don't change that in this legislation.

I would ask for the adoption of this amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

I do oppose this amendment. Although well intended, the Putting the Gulf of Mexico Back to Work Act itself makes drilling already safer by requiring that the Secretary ensure that any proposed drilling operation be subject to a safety review—it's there in the bill already—and that it meet established critical safety system requirements, including blowout prevention and oil spill response and containment requirements, and this has to be done before the issuance of a permit.

□ 1750

The decision to approve individual permit applications is the responsibility of the Department of the Interior. I don't believe it should be farmed out to other organizations that may or may not have the background, the expertise, or the resources to evaluate drilling permits.

In fiscal year 2011, House Republicans voted to increase funding for the Department of the Interior in order to ensure that they have the resources to safely, responsibly, and effectively approve permits.

The Interior Department has a responsibility, as it drafts legislation, to solicit public comment; and they do take advice and counsel from all Americans, including those with expertise in these areas. However, once the standards are set, it is the responsibility of the government to enforce the standards.

Oversight is the Federal Government's responsibility, and it should not be delegated to outside organizations. Whether intended or not, this amendment would slow down and make more complicated the already lengthy and involved permitting process. So I urge opposition to this amendment, and urge opponents to vote "no" on it.

I reserve the balance of my time.

Mr. GARAMENDI. An interesting discussion from my colleague from Colorado. I would note that there are numerous examples where the Federal Government does rely upon outside safety organizations. For example, the Institute of Nuclear Power Operations provides safety standards for our nuclear industry, specifically, not allowing the nuclear power industry to do the safety reviews, but, rather, an outside organization.

We're simply calling for a level of review that is not associated with those two organizations that caused the problem. The Department of the Interior, and I was the Deputy Secretary of the Department of the Interior in the 90s, has some familiarity of the comings and goings, the shortcomings as well as the strength of that Department.

This particular section of the Department of the Interior has proved beyond

a shadow of a doubt that, over time, it has not been able to regulate properly the safety and other elements of the natural gas and oil industry. We need to provide an outside level of review on the safety requirements, both to keep the Department of the Interior on the proper course and the industry itself on the proper course.

That's what the amendment does. I think it makes an eminent amount of sense, and we're really talking about both environmental issues here, that is, the health of environment in the coast, which was seriously compromised, and also the well-being of the men and women that work on these oil platforms. And we know that their fate has been jeopardized in the past and should not be jeopardized in the future.

I ask for an "aye" vote on this amendment, both here and later on the floor.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I would point out that there is a public comment period that is available right now, and that is a proper and appropriate forum for an outside group to make the kind of standards-related comments that would be possibly helpful.

But when it comes to actually issuing the permit, that is something that should be delegated to the Federal Government. They do have the resources. In fact, they have expanded resources to do a better job of that, hopefully, in the future.

So, for those reasons, Mr. Chairman, I would urge a "no" vote on this amendment.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. GARAMENDI).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. GARAMENDI. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The CHAIR. It is now in order to consider amendment No. 3 printed in part A of House Report 112-73.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following (and redesignate accordingly):

"(3) OTHER SAFETY AND ENVIRONMENTAL REQUIREMENTS.—The regulations required under paragraph (1) shall ensure that the proposed drilling operations meet requirements for—

"(A) third-party certification of safety systems related to well control, such as blowout preventers;

“(B) performance of blowout preventers, including quantitative risk assessment standards, subsea testing, and secondary activation methods;

“(C) independent third-party certification of well casing and cementing programs and procedures;

“(D) mandatory safety and environmental management systems by operators on the outer Continental Shelf;

“(E) procedures and technologies to be used during drilling operations to minimize the risk of ignition and explosion of hydrocarbons; and

“(F) ensuring compliance with other applicable environmental and natural resource conservation laws, including the response plan requirements of section 311(j) of the Federal Water Pollution Control Act (33 U.S.C. 1321(j)).

“(4) REGULATORY STANDARDS FOR BLOWOUT PREVENTERS, WELL DESIGN, AND CEMENTING.—

“(A) IN GENERAL.—In promulgating regulations under this subsection related to blowout preventers, well design, and cementing, the Secretary shall ensure that such regulations include the minimum standards included in subparagraphs (B), (C), and (D), unless, after notice and an opportunity for public comment, the Secretary determines that a standard required under this subsection would be less effective in ensuring safe operations than an available alternative technology or practice. Such regulations shall require independent third-party certification, pursuant to subparagraph (E), of blowout preventers, well design, and cementing programs and procedures prior to the commencement of drilling operations. Such regulations shall also require recertification by an independent third-party certifier, pursuant to subparagraph (E), of a blowout preventer upon any material modification to the blowout preventer or well design and of a well design upon any material modification to the well design.

“(B) BLOWOUT PREVENTERS.—Subject to subparagraph (A), regulations issued under this subsection for blowout preventers shall include at a minimum the following requirements:

“(i) Two sets of blind shear rams appropriately spaced to prevent blowout preventer failure if a drill pipe joint or drill tool is across one set of blind shear rams during a situation that threatens loss of well control.

“(ii) Redundant emergency backup control systems capable of activating the relevant components of a blowout preventer, including when the communications link or other critical links between the drilling rig and the blowout preventer are destroyed or inoperable.

“(iii) Regular testing of the emergency backup control systems, including testing during deployment of the blowout preventer.

“(iv) As appropriate, remotely operated vehicle intervention capabilities for secondary control of all subsea blowout preventer functions, including adequate hydraulic capacity to activate blind shear rams, casing shear rams, and other critical blowout preventer components.

“(v) Technologies to prevent a blowout preventer failure if the drill pipe is moved out of position due to a situation that poses a threat of loss of well control.

“(C) WELL DESIGN.—Subject to subparagraph (A), regulations issued under this subsection for well design standards shall include at a minimum the following requirements:

“(i) In connection with the installation of the final casing string, the installation of at

least two independent, tested mechanical barriers, in addition to a cement barrier, across each flow path between hydrocarbon bearing formations and the blowout preventer.

“(ii) That wells shall be designed so that a failure of one barrier does not significantly increase the likelihood of another barrier's failure.

“(iii) That the casing design is appropriate for the purpose for which it is intended under reasonably expected wellbore conditions.

“(iv) The installation and verification with a pressure test of a lockdown device at the time the casing is installed in the wellhead.

“(D) CEMENTING.—Subject to subparagraph (A), regulations issued under this subsection for cementing standards shall include at a minimum the following requirements:

“(i) Adequate centralization of the casing to ensure proper distribution of cement.

“(ii) A full circulation of drilling fluids prior to cementing.

“(iii) The use of an adequate volume of cement to prevent any unintended flow of hydrocarbons between any hydrocarbon-bearing formation zone and the wellhead.

“(iv) Cement bond logs for all cementing jobs intended to provide a barrier to hydrocarbon flow.

“(v) Cement bond logs or such other integrity tests as the Secretary may prescribe for cement jobs other than those identified in clause (iv).

“(E) INDEPENDENT THIRD-PARTY CERTIFICATION.—The Secretary shall issue regulations that establish appropriate standards for the approval of independent third-party certifiers capable of exercising certification functions for blowout preventers, well design, and cementing. For any certification required for regulations related to blowout preventers, well design, or cementing, the operator shall use a qualified independent third-party certifier chosen by the Secretary. The costs of any certification shall be borne by the operator. The regulations issued under this subparagraph shall require the following:

“(i) Prior to the commencement of drilling through a blowout preventer at any covered well, the operator shall obtain a written and signed certification from an independent third party approved and assigned by the appropriate Federal official pursuant to paragraph (3) that the third party—

“(I) conducted or oversaw a detailed physical inspection, design review, system integration test, and function and pressure testing of the blowout preventer; and

“(II) in the third-party certifier's best professional judgment, determined that—

“(aa) the blowout preventer is designed for the specific drilling conditions, equipment, and location where it will be installed and for the specific well design;

“(bb) the blowout preventer and all of its components and control systems will operate effectively and as designed when installed;

“(cc) each blind shear ram or casing shear ram will function effectively under likely emergency scenarios and is capable of shearing the drill pipe or casing, as applicable, that will be used when installed;

“(dd) emergency control systems will function under the conditions in which they will be installed; and

“(ee) the blowout preventer has not been compromised or damaged from any previous service.

“(ii) Not less than once every 180 days after commencement of drilling through a blowout preventer at any covered well, or upon implementation of any material modi-

fication to the blowout preventer or well design at such a well, the operator shall obtain a written and signed recertification from an independent third party approved and assigned by the appropriate Federal official pursuant to paragraph (3) that the requirements in subclause (II) of clause (i) continue to be met with the systems as deployed. Such recertification determinations shall consider the results of tests required by the appropriate Federal official, including testing of the emergency control systems of a blowout preventer.

“(iii) Certifications under clause (i), recertifications under clause (i), and results of and data from all tests conducted pursuant to this paragraph shall be promptly submitted to the appropriate Federal official and made publicly available.

“(5) RULEMAKING DOCKETS.—

“(A) ESTABLISHMENT.—Not later than the date of proposal of any regulation under this subsection, the Secretary shall establish a publicly available rulemaking docket for such regulation.

“(B) DOCUMENTS TO BE INCLUDED.—The Secretary shall include in the docket—

“(i) all written comments and documentary information on the proposed rule received from any person in the comment period for the rulemaking, promptly upon receipt by the Secretary;

“(ii) the transcript of each public hearing, if any, on the proposed rule, promptly upon receipt from the person who transcribed such hearing; and

“(iii) all documents that become available after the proposed rule is published and that the Secretary determines are of central relevance to the rulemaking, by as soon as possible after their availability.

“(C) PROPOSED AND DRAFT FINAL RULE AND ASSOCIATED MATERIAL.—The Secretary shall include in the docket—

“(i) each draft proposed rule submitted by the Secretary to the Office of Management and Budget for any interagency review process prior to proposal of such rule, all documents accompanying such draft, all written comments thereon by other agencies, and all written responses to such written comments by the Secretary, by no later than the date of proposal of the rule; and

“(ii) each draft final rule submitted by the Secretary for such review process before issuance of the final rule, all such written comments thereon, all documents accompanying such draft, and all written responses thereto, by no later than the date of issuance of the final rule.

The CHAIR. Pursuant to House Resolution 245, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, I yield myself 2 minutes.

Mr. Chairman, 1 year has passed since the Deepwater Horizon accident. Yet BP, Transocean, Halliburton, and Cameron continue to argue in court which of them deserves more blame for the 11 deaths and environmental devastation.

BP continues to fight the estimates of the amount of oil spilled in order to minimize its liability. And more than 1 year after the beginning of this disaster, Congress has still not passed any

legislation to improve the safety of offshore drilling and ensure that the lessons of the BP spill are incorporated into future drilling.

The co-chairs of the independent BP commission have testified before the Natural Resources Committee that the accident could have been prevented, and the commission found that the root causes of the disaster were systemic to the entire industry. Their extensive reports documented numerous specific failures of the cementing, well design and testing and maintenance associated with the Deepwater Horizon well.

And recently, the Department of the Interior's contractor, Det Norske Veritas, released its report on the forensic investigation of the Deepwater Horizon blowout preventer, and here's what they found: the results indicated that the drilling pipe inside of the blowout preventer had buckled due to the force of the blowout; and the cutting devices, therefore, couldn't fully sever the drill pipe and seal off the well.

According to the forensic report, contrary to the claims of the oil industry that blowout preventers are fail-safe devices, it seems unclear whether blowout preventers can actually prevent major blowouts at all once they are underway.

But here we are today with the Republicans bringing out legislation that has no meaningful safety protections for the industry.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to this amendment.

The CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

This amendment was already rejected by a bipartisan vote of the full Natural Resources Committee and, once again, I urge opposition to it. This amendment micromanages and dictates specific safety and blowout preventer standards for permit applications. Many of these standards would do little or nothing different than what is already being done by the Department of the Interior.

However, these restrictions would, if this amendment passes, be etched into law, making Congress the technical arbiter and micromanager of Outer Continental Shelf regulations, and reducing the flexibility and ability of the Department to adapt to new technology and new development in drilling safety. So if we're lagging behind developments in the industry, this would actually prevent us, or could prevent us, from adopting those new and better standards in the future.

The technical standards proposed in this amendment have not been subject to a thorough review or understanding of the impacts of such changes. This is particularly troubling when you con-

sider that this language was written before we even knew why the blowout preventer failed.

H.R. 1229 already takes steps to increase the safety of offshore drilling by requiring the Secretary of the Interior to conduct a safety review to ensure that the proposed drilling operations meet "critical safety system requirements, including blowout prevention and oil spill response and containment requirements." That language is lifted straight out of the bill.

So my colleagues on the other side are acting as if nothing has changed and no safety reforms have been made. By doing so, they are ignoring the facts on the ground and the actions of their own party's administration. I'm not willing to indict the administration and say that they have done nothing in this regard.

I reserve the balance of my time.

□ 1800

Mr. MARKEY. I yield myself 2 minutes.

Mr. Chairman, here is the BP Blue Ribbon Commission report that was conducted to investigate and to make recommendations as to what the causes were and what can be done to prevent it from happening again. Right now, nothing that is in this report has been implemented in terms of legislation here on the House floor. So I will tell you what my bill does. It will require multiple lines of defense against a blowout and ensures that these defenses are redundant so that failure of one does not lead to cascading failures of the entire system as occurred with BP's Macondo well.

First, the amendment sets minimum standards for blowout preventers, including a requirement that blowout preventers operate as intended even when the force of an ongoing blowout shifts the drill pipe out of position.

The amendment also requires new standards on safe well design and cementing to ensure multiple redundant barriers within the well against uncontrolled oil or gas blow that could lead to a blowout.

The amendment also requires independent third-party certification of blowout preventers and well designs.

Finally, the language ensures that if the Department of the Interior finds by some other measures that it has or may one day require would provide an even higher level of safety, that the Secretary can substitute those better alternatives instead.

This is the direction we should be heading in.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. I would like to point out to my colleague that one of my colleagues, the gentleman from Louisiana (Mr. SCALISE), H.R. 56 puts into law a

portion of that report. And since he is so interested in making sure that some of the information in the President's report becomes law, I certainly hope he will cosponsor that legislation. I am sure those in the gulf would appreciate that piece.

I didn't know that he was an expert in oil and gas drilling. Because when I go back home and I talk to those in Louisiana, they tell me that they have already instituted safety guidelines above and beyond what the gentleman from Massachusetts puts forth here.

The industry is safer today than it was the day before the Deepwater accident. In addition to that, we have the ability now, today, in the Gulf of Mexico, that no one else has in the world, to cap the type of incident that happened in the Gulf.

Mr. MARKEY. Mr. Chairman, I yield myself the remaining time.

I agree with the gentleman from Louisiana; I am not an expert on drilling. We are congressional experts. And that is an oxymoron, a contradiction in terms, like "jumbo shrimp" or "Salt Lake City night life." There is no such thing. We rely upon real experts.

Here are the real experts: The Blue Ribbon Commission put together to study what went wrong and what needs to be done, and that is what my amendment will do. My amendment is very close to the legislation that passed 48-0 out of the Commerce Committee last year and was later adopted by the House. So all we are doing is just reflecting what all of these experts recommended and were finally incorporated.

So we can ignore the experts, but then we roll the dice. And, once again, a part of our coastline could be held hostage to an oil company that was trying to save money but at risk of endangering the lives and the livelihood of millions of people off of the coastline off of our country.

I urge an "aye" vote for the Markey amendment.

Mr. LAMBORN. Mr. Chairman, I would close by saying that the experts that we should rely on are those that are in the Department of the Interior, Director Michael Bromwich with BOEMRE and all the way down, who have been working on this for the last year. They have extensive regulations. Some of what is proposed are actually regulations right now.

And while the bill does call for certain safety standards to be satisfied and met, we have delegated the responsibility for the exact language and implementation of those regulations to those who deal with this 8 hours a day, day in and day out, week in and week out, year in and year out. So there is a balance. We give the broad parameters. They carry out, as a regulatory agency, every last final detail.

And Congress, as has been admitted, does not have the technical expertise

to foresee every single development and foresee every single problem that could arise. So while overseeing, we have to do some delegation. This bill does that. We strike that fine balance.

And the administration's department has been doing a strong job of strengthening the safety requirements. I do take issue with the pace of their permitting. But as far as the safety implementation, they have put very aggressive safety measures into place.

For those reasons, Mr. Chairman, I oppose this amendment, and I would urge a "no" vote.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The Acting CHAIR (Mr. DOLD). It is now in order to consider amendment No. 4 printed in part A of House Report 112-73.

Ms. HANABUSA. Mr. Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, after line 6, insert the following (and redesignate the succeeding paragraph accordingly):

"(3) WORST-CASE DISCHARGE SCENARIO CERTIFICATION.—The Secretary shall not issue a permit under paragraph (1) without certifying that the applicant—

"(A) has calculated a worst-case discharge scenario for the proposed drilling operations; and

"(B) has demonstrated to the satisfaction of the Secretary that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case discharge scenario.

The Acting CHAIR. Pursuant to House Resolution 245, the gentlewoman from Hawaii (Ms. HANABUSA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Hawaii.

Ms. HANABUSA. Mr. Chair, I yield myself such time as I may consume.

The amendment that I propose is a very simple and a commonsense amendment. First of all, let us recall where we come from.

Title 43, section 1340, entitled "Geological and Geophysical Explorations," is what is the subject of H.R. 1229; specifically, subsection D, entitled "Drilling Permits."

Under that subsection, it states: The Secretary may, by regulation, require any lessee operating under an approved exploration plan to obtain a permit to

drilling any well in accordance with such plan.

What the amendments are proposing here today and what my amendment addresses is what is set forth at page 4. And I propose that it amends after line 6 and includes a subsection 3, which addresses the worst-case discharge scenario certification. This amendment requires: The Secretary shall not issue a permit under paragraph 1 without certifying that the applicant, first, has calculated a worst-case discharge scenario for the proposed drilling operations; and, B, has demonstrated to the satisfaction of the Secretary that the applicant possesses the capability and technology to respond immediately and effectively to such worst-case discharge scenario.

Mr. Chairman, we are talking here to the people, the people across this Nation and in the world who watched the worst-case scenario, what happened in the BP oil spill. What we are simply saying is that before any permit is issued, that the Secretary take the precaution of, first, having assessed what that worst-case scenario could be; and, second, that applicant who is seeking this permit has both the capability and technology, and has demonstrated as such, to address that worst-case scenario.

Mr. Chairman, it is a simple statement and it is a requirement that the people would like to see. No one wants to sit there and experience a BP oil spill again.

I reserve the balance of my time.

□ 1810

Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

I do oppose this amendment because it is duplicative and unnecessary. This amendment attempts to expand upon the language in the bill that already mandates that the Secretary conduct a safety review to affirm oil spill response and containment capability prior to issuing a permit. We believe that the Department of the Interior already requires that applicants must calculate worst-case discharge before approving a permit.

On June 18 of last year, the Department issued a notice to lessees outlining the information requirements and standards to be met before a permit could be approved. In the notice it is required that a lessee "describe the assumption and calculations that you used to determine the volume of your worst-case discharge scenario."

This exact language, this exact intention has already been addressed, so I would oppose this amendment as redundant and unnecessary.

Mr. Chairman, I reserve the balance of my time.

Ms. HANABUSA. I yield myself 1 minute.

Mr. Chair, if this amendment is duplicative, it should not be an issue, because what it does do is it contains the language that the people want to hear. The people want to hear, What is the worst case scenario? I also contend that it really does not do that. It is not duplicative.

What is contained in the bill is the statement of critical safety system requirements, including blowout prevention and oil spill response and contamination requirements. It does not say "the worst case scenario" and it does not require the applicant to show, to show the Secretary that it has the capability and the technological ability to address that. So it is not duplicative.

But to the extent that the opposer would like to say that it is duplicative, then I believe that they should not object to this because, after all, it does say what people want to hear. People want to be guaranteed that the BP oil spill does not happen again.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I yield 2 minutes to a member of the Energy and Commerce Committee who has a district in the State of Louisiana (Mr. CASSIDY).

Mr. CASSIDY. Rarely are the goals of our country as aligned as they are now. Clearly we need economic recovery with good jobs and with good benefits for those who frankly right now have a problem with unemployment. As it turns out, we also have the goal of increasing our energy security and, lastly, a goal of protecting our environment. Now, let's just go through these in order.

As regards jobs, let's just talk about the oil and gas industry. The President, the administration's estimates of the economic impact of the moratorium and the permitiorium are hundreds of thousands of jobs lost and about \$2.5 billion in lost economic activity.

This is not just the gulf coast and it is not just the oil rig workers. It is also those who work on pipelines. It is boat builders. Indeed, as it turns out, one of the boat builders in Louisiana is the largest customer worldwide of Caterpillar engines. An engine that is built in the State of Illinois using steel from the Midwest is used on the coast of Louisiana to build boats to service those rigs. Needless to say, those Caterpillar engines are not now being ordered. That steel order going to Caterpillar to build these is not being done. So the jobs that ripple out are not just in the gulf coast, but go all the way across the country.

We also have a goal to increase our energy security. Prior to Macondo, one-third of the domestically produced oil in the United States came from the Outer Continental Shelf. Since we have

limited further exploration, we have lost that potential to increase our domestic supply of energy, to increase our security, to insulate us, if you will, from those issues in North Africa which are currently driving up our fuel prices.

Lastly, we have a goal to protect our environment. Oh, we all care about that. In Louisiana, we particularly care about that. We do not take this for granted. But in Louisiana, we realize you have to be both pro-business as well as pro-environment, and we take that very seriously.

So what are the facts on this? The President right after the Macondo bill appointed a blue ribbon commission from the National Academy of Engineering. These engineers that the President picked said that the causes of the oil spill are identifiable and correctable and that a prolonged moratorium will not, will not, will not appreciably improve safety.

The Acting CHAIR. The time of the gentleman has expired.

Mr. LAMBORN. I yield the gentleman an additional 30 seconds.

Mr. CASSIDY. So what we have seen since, though, is not a recommendation that the President's blue ribbon commission is right, but rather a regulatory hurdle set upon regulatory hurdle set upon regulatory hurdle. Now we have a notice to lessees which demands that which this amendment also demands, so we are going to have not just a notice to lessees, but we are going to have this amendment on top of it. At some point your hostility to an industry becomes hostility to workers, becomes hostility to our energy security and, frankly, becomes a hostility to our environment.

I oppose this amendment. I think it is bad for our workers, I think it is bad for our economy, and I think it is bad for our environment.

Ms. HANABUSA. May I inquire of the Chair as to how much time is remaining on both sides.

The Acting CHAIR. The gentlewoman from Hawaii has 1¼ minutes remaining, and the gentleman from Colorado has 1½ minutes remaining.

Ms. HANABUSA. I yield myself 1 minute.

Mr. Chair, I am sure that the gentleman from Louisiana has no intentions of saying that anyone who may want an amendment to this bill is somehow hostile or somehow anti-jobs, anti-energy security and anti-environment, because that is not the intent.

This bill has been labeled Putting the Gulf of Mexico Back to Work Act. We have no objection to that, Mr. Chair. But why can't it also say Putting the Gulf of Mexico Back to Work Act Safely? That is all that is being requested here.

Let's look at what happened at the BP oil spill. Let's just make sure it doesn't happen again. Another spill

like that, by taking these precautions, can be avoided, and by doing that, by doing that, we will not be faced with a situation where someone from that district would say we are hostile because we are not encouraging jobs or not encouraging energy security or not encouraging the environment. This is exactly what we are trying to do. We are trying to do all of these, and it has a ripple effect throughout the Nation.

I reserve the remainder of my time.

Mr. LAMBORN. Mr. Chairman, I have no other speakers, so at this point I am going to wait and close as soon as the gentlelady is done.

I reserve the balance of my time.

Ms. HANABUSA. Mr. Chair, I request an "aye" vote on this amendment. It is a very straightforward, commonsense amendment. It addresses what the people want to hear and want to know, that we are ready to address the worst-case scenario, and the Secretary will not issue a permit until it is addressed, it is not only identified, but that the applicant has both the technological skills plus the capabilities to do it and prevent such a spill.

We are all interested in the jobs and the economic security of the gulf and all the neighboring States in that area, plus its ripple effect. That is why we want to see that it never happens again, and that is why we want the people, the people, to be confident that we in Congress have addressed their concerns.

I request an "aye" vote.

Mr. LAMBORN. Mr. Chairman, I will close by saying that this amendment, though well intended, is duplicative; and I think that has been admitted by the other side and therefore is unnecessary.

I would urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. HANABUSA. Mr. Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Hawaii will be postponed.

The Chair understands that amendment No. 5 will not be offered.

AMENDMENT NO. 6 OFFERED BY MR. HOLT

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in part A of House Report 112-73.

Mr. HOLT. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike lines 5 through 9 and insert closing quotation marks and a following period.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from New Jersey (Mr. HOLT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New Jersey.

□ 1820

Mr. HOLT. I thank the Chair.

H.R. 1229 includes language that would add a timeline to the permitting process for offshore oil and gas drilling. This provision states that, "If the Secretary has not made a decision on the application by the end of the 60-day period beginning on the date the application is received by the Secretary, the application is deemed approved." My amendment would simply strike this section. In other words, as it stands in the legislation before us, if for whatever reason—incomplete information, new information—the Secretary has not made a decision whether or not to approve the application, then the application will be considered from then on approved.

There are a number of provisions in this bill that could make offshore drilling less safe. My amendment is aimed at perhaps the most dangerous of those provisions. This bill short-circuits existing requirements to protect oil industry workers and those who depend on marine resources for their livelihoods and so forth. Ensuring that environmental and safety standards are met—so that the new permits will not result in a repeat of the Deepwater Horizon disaster—is really too important to allow permits to go through the door prematurely and automatically simply because of an arbitrary timeline imposed by this legislation.

Depending on the dedication of a particular Secretary to safety and environmental protection, H.R. 1229 would produce either precipitous automatic approval of an application to drill or unjustified rejection of a valid application if the review is not completed within the allotted time. Either way, the imposition of an arbitrary deadline is bad policy. It's based on a presumption that environmental and safety reviews are worthless and that there is really no value in getting the review right.

My amendment would leave in place the permitting timeline set in H.R. 1229, creating the sense of urgency my colleagues are seeking. But it would remove the automatic approval of drilling applications after that 60-day timeline. If we've learned anything from the Deepwater Horizon disaster, it is that we must do more—not less—to protect those who work in the oil industry and those who depend on offshore resources and onshore resources for their livelihood.

I urge my colleagues to support this amendment.

I reserve the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

The legislation on the floor today is designed to put Americans in the gulf region back to work and to ensure that permits are processed in a timely fashion and that bureaucratic delays are not hampering the Nation's energy production. There are critics of the timeline that is proposed in this bill on both sides of that timeline. Some say it's too short. Others say it is too long. It's important that people understand that nowhere in this bill do we require the administration to do anything but reach a decision, whatever that decision might be. They may deny an application at any time in the process as long as they provide a clear description of why they are doing so.

Prior to the incident in the gulf, the administration was very capable of processing permits in 5 to 15 days on average. The 30-day timeline in the bill is significantly longer, and allows the administration extensions. In the end, the administration must reach a decision. The provision this amendment proposes to remove is the final deadline that the administration must meet and one that should be firm to ensure that decisions are made in a timely manner and that no de facto moratorium or permitorium is instituted.

This amendment, if adopted, would simply further delay offshore energy production. It would continue to allow the Department to arbitrarily impose a de facto drilling moratorium that could cost thousands of jobs and allow higher prices on energy with less supply.

I oppose this amendment and urge my colleagues to vote "no."

I reserve the balance of my time.

Mr. HOLT. May I ask the Chair the time remaining?

The Acting CHAIR. Each side has 3 minutes remaining.

Mr. HOLT. Mr. Chair, my friend from Colorado talked about the harm that this bill would do and why it's important that the application be approved even if the review is not complete, even if the review is not yet done right. I wonder if the gentleman from Colorado thinks that maybe a student should graduate even if he hasn't taken the exam because the semester is coming to an end. Well, time's up. I guess we should just declare the student duly passed—even if the review hasn't been done.

That's a question. If the gentleman feels that a student should be deemed passed because the semester is coming to an end, even if the review of that student's work has not been completed. I would yield to the gentleman if he cares to answer that. If not, I will continue.

This legislation might make sense if we thought there was some economic need for it, if we thought that there was some safety need for it, if we thought it was important to grease the skids and move through the environmental review quickly. But none of those things apply. This will not bring down prices. Certainly, release of oil from the Strategic Petroleum Reserve would do more for prices at the pump than this. This won't make a bit of difference in the price at the pump, this legislation. It certainly won't help support an important but troubled industry. Actually, this industry is not troubled. This industry is going to take home about \$100 billion dollars in profits this year. We don't need to grease the skids and make things easier for this industry because getting the review right would subject them to undue hardship. No. In fact, this is a very dangerous provision in a bill that is part of the set of "Amnesia Acts." The bill is part of these three bills that pretend that there are no lessons to be learned from 2010; the bill that pretends the gulf oil blowout never occurred; that wills amnesia on the policy of the United States so that we forget that the worst oil spill in history from which there are real lessons to be learned never occurred.

I urge passage of this amendment.

I yield back the balance of my time.

Mr. LAMBORN. I want to apologize. I was confused as to whether the gentleman was asking a rhetorical question or really wanted to have a colloquy. By the time I figured that out, he had moved on to the remainder of his argument. I would have been happy to and hopefully in the future I could have a colloquy on that with him.

At this point, Mr. Chairman, I would like to yield 1 minute to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. The gentleman must not understand that he wants to reinstate the de facto moratorium that is plaguing the Gulf of Mexico with this amendment. It is exactly what he's trying to put in place, which is allow the administration to drag its feet not only on the wells on the drilling in deep water but also on the Shelf as well. He must also be confused, because what the Democrats have proposed, what the other side has proposed in removing the tax breaks for these companies, would make oil and gas—the Congressional Research Service has reported that proposal would make oil and natural gas more expensive for U.S. consumers and likely increase our foreign dependence.

What are we here to do today? We're here to bring relief to Americans at the pump and get the Gulf of Mexico back to work.

Mr. LAMBORN. I will conclude by saying that what this bill wants to accomplish is that the administration must reach a decision on whether a

permit should be issued. This amendment proposes to remove the final deadline that the administration would have to meet and one that should be firm to ensure that decisions are made in a timely manner and that no de facto moratorium is instituted.

□ 1830

This amendment would simply further delay offshore energy production. That does not help jobs. It does not help the supply or cost of energy in this country. It would allow the Department to arbitrarily impose a de facto drilling moratorium that would cost thousands of jobs.

I oppose this amendment. I urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New Jersey (Mr. HOLT).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HOLT. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New Jersey will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in part A of House Report 112-73.

Mr. POLIS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, strike the closing quotation marks and second period at line 9, and after line 9 insert the following new subparagraph:

"(D) This paragraph shall not apply before the date the Secretary publishes a determination that the agency or bureau of the Department of the Interior that administers this section has been given adequate staff and budget resources to properly review and process every application for a permit under this subsection in order to ensure that no application is processed without thorough review."

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Colorado (Mr. POLIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Colorado.

Mr. POLIS. Mr. Chairman, H.R. 1229 would impose an artificial and arbitrary 30-day deadline, with up to two 15-day extensions, for a total of 60 maximum days for Interior Department action on drilling permit applications. If at the end of the 30- to 60-day period Interior has not acted by approving or disapproving the permit, the permit is "deemed" approved automatically even if the environmental and safety review processes haven't been completed. If the Secretary decides that the agency

hasn't had enough time to approve the permit, then his only choice is to deny the permit, undoubtedly leading to additional lawsuits from companies.

Mr. Chairman, this legislation doesn't get to the root of the problem. We all know through the numerous hearings last year that one of the fundamental causes of the BP spill was a lack of not only enough inspectors but a lack of inspectors with high levels of expertise and engineering knowledge. You wouldn't referee a game by doing away with the rules because the referee didn't know them; you'd get a better referee.

If the Department isn't going to be given enough resources and expertise to do the job right and on time, the Department shouldn't be forced to do the job too fast. We should be working to make government more efficient and more effective. My amendment addresses the root of this issue by lifting the arbitrary timeline requirements if the Department isn't given the necessary resources it needs to properly process applications expeditiously. I urge a "yes" vote on my amendment.

Mr. Chair, instead of taking this opportunity to correct the fundamental problems underlying the BP Deepwater Horizon oil spill, this bill simply moves to cut any last semblance of oversight or safeguards our country has placed on the inherently risky process of offshore deepwater oil drilling.

H.R. 1229 would impose an artificial and arbitrary 30-day deadline, with up to two 15-day extensions, for a total of 60 days maximum, for Interior Department action on drilling permit applications. If at the end of that 30- to 60-day period Interior has not acted by approving or disapproving the permit, the permit is "deemed" approved automatically even if the environmental and safety reviews have not been completed.

This is the exact wrong legislative response to the BP disaster. Rather than acting to make off-shore drilling safer and smarter, the underlying bill would make drilling faster and more reckless. Under this bill, we could actually have less rigorous oversight and review of off-shore drilling than we had before the Deepwater Horizon disaster.

By imposing an artificial and arbitrary deadline, the bill heavily biases the permitting process toward approval, placing undue burdens on reviewers to accelerate the process regardless of safety and environmental concerns.

If the Secretary decides that the agency hasn't had enough time to approve the permit, then his only choice is to deny the permit undoubtedly leading to additional lawsuits from companies and the unrelenting onslaught of industry and Republican criticism. This bill is simply a catch 22 for the Department to either risk another disaster, or open up the Department even more to the vitriolic and false claims from industry and the Majority party of being anti-business or anti domestic energy—not that the facts have kept that misinformation from being spread in the past.

Mr. Chair, this legislation doesn't get to the root of the problem. We all know through the numerous hearings last year that one of the

fundamental causes of the BP spill was a lack of not only enough inspectors, but a lack of inspectors with high levels of expertise and engineering knowledge. Prior to the spill, the few inspectors the government did have simply had to take the oil companies' word that everything was in order.

I'm sure we all remember when the big five oil companies were caught pointing the finger of blame squarely at BP in a hearing last year, only to have it disclosed moments later that every one of their spill response documents and other application material was not only identical, but included completely inaccurate information, listing for example walrus as a critical species for the Gulf of Mexico and citing as an emergency contact a professor from Florida Atlantic University, who had long since passed away.

We shouldn't have to take a company's word for it when there is so much at stake. We should ensure that the watchdogs have the tools they need to verify that everything is done properly. This is what my amendment aims to do. Congress shouldn't set an arbitrary timeline if Congress doesn't give the Department enough resources they need to properly do their job within that timeline.

In fact, the recommendations of the National Commission on the BP Deepwater Horizon spill contain an entire section on "The Need for Adequate Funding for Safety Oversight and Environmental Review," which lists a number of policy options letting the oil companies, not the American people, foot the bill. Sadly, the underlying legislation includes none of them.

Mr. Chair, you wouldn't referee a game by doing away with the rules because the referee didn't know them; you'd get a better referee.

The fact is that the regulators been grossly underfunded and understaffed in the past. With the Continuing Resolution's partial step toward reversing the "shameful" and years-long underfunding of offshore oversight, it was only half of what's needed to do the job right. The Director of the agency that oversees permitting, Michael Bromwich, just last month said: "That is less than we need, but it is a significant sum, especially in a constrained budget environment where the funding of most other agencies is being cut. We desperately need more environmental scientists and more personnel to do environmental analysis. We desperately need more personnel to help us with the permitting process and much more."

If the Department isn't going to be given enough resources and expertise to do the job right, then the Department shouldn't be forced to do the job fast. Instead of creating unnecessary catch 22's for government, we should be working to make government more efficient and more effective. My amendment addresses the root of this issue by lifting the arbitrary timeline requirements if the Department isn't given the necessary resources it needs to properly process applications.

I yield back the balance of my time.

Mr. LAMBORN. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume. I will do my best to be brief.

The purpose of H.R. 1229 is to get residents of the gulf back to work in producing offshore energy. It is not only good for them; it is good for the entire country.

This amendment, whether intended or not, would allow the administration to continue to impose a de facto moratorium that would delay American energy production and keep thousands of people out of work. The residents of the gulf are simply in a holding pattern, waiting for their jobs to come back. Some of them are even seeing their jobs outsourced to other countries as rigs leave the Gulf of Mexico, bound for other parts of the world.

Now, there is an established process for the administration to propose and advocate for funding and resources, which is different from what this amendment addresses. This annual process, the budget process, provides ample opportunity for considering what is needed to safely and responsibly oversee offshore energy production. Let us note that the House Republican majority, in enacting a budget, acted to increase funding for reviewing and approving offshore permits for the current year, which was not done by the Democratic Congress last year.

This amendment would delay American energy production. For that reason, I oppose it. I urge my colleagues to vote "no."

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Colorado (Mr. POLIS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. POLIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112-73 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. POLIS of Colorado.

Amendment No. 2 by Mr. GARAMENDI of California.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. POLIS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 167, noes 245, not voting 19, as follows:

[Roll No. 299]

AYES—167

Ackerman	Gutierrez	Perlmuter
Andrews	Hanabusa	Peters
Baca	Hastings (FL)	Pingree (ME)
Baldwin	Hayworth	Polis
Bass (CA)	Heinrich	Price (NC)
Becerra	Higgins	Quigley
Berkley	Himes	Rahall
Berman	Hirono	Rangel
Bishop (GA)	Holt	Reichert
Bishop (NY)	Honda	Richardson
Blumenauer	Hoyer	Richmond
Boswell	Inslee	Rothman (NJ)
Brady (PA)	Israel	Roybal-Allard
Braley (IA)	Johnson (GA)	Ruppersberger
Brown (FL)	Johnson, E. B.	Rush
Butterfield	Kaptur	Ryan (OH)
Capuano	Keating	Sánchez, Linda
Carnahan	Kildee	T.
Carney	Kind	Sanchez, Loretta
Carson (IN)	Kissell	Sarbanes
Castor (FL)	Kucinich	Schakowsky
Chandler	Larsen (WA)	Schiff
Chu	Larson (CT)	Schrader
Cicilline	Lee (CA)	Schwartz
Clarke (MI)	Levin	Scott (VA)
Clarke (NY)	Lewis (GA)	Scott, David
Clay	Lipinski	Serrano
Cleaver	Loebach	Sewell
Clyburn	Lofgren, Zoe	Sherman
Cohen	Lujan	Shuler
Connolly (VA)	Lynch	Sires
Courtney	Maloney	Slaughter
Crowley	Markey	Smith (WA)
Cuellar	Matsui	Stark
Cummings	McCarthy (NY)	Sutton
Davis (CA)	McCollum	Thompson (CA)
Davis (IL)	McDermott	Thompson (MS)
DeFazio	McGovern	Tierney
DeGette	McIntyre	Tonko
DeLauro	McNerney	Towns
Deutch	Meeks	Van Hollen
Dicks	Michaud	Velázquez
Dingell	Miller (NC)	Visclosky
Doggett	Miller, George	Walz (MN)
Doyle	Moore	Wasserman
Edwards	Moran	Schultz
Ellison	Murphy (CT)	Waters
Engel	Nadler	Watt
Eshoo	Napolitano	Weiner
Farr	Neal	Welch
Fattah	Olver	Wilson (FL)
Filner	Pallone	Woolsey
Frank (MA)	Pascarella	Wu
Fudge	Pastor (AZ)	Yarmuth
Garamendi	Payne	Young (FL)
Gonzalez	Pelosi	
Grijalva		

NOES—245

Adams	Bishop (UT)	Cantor
Aderholt	Black	Capito
Akin	Blackburn	Cardoza
Alexander	Bonner	Carter
Altmire	Bono Mack	Cassidy
Amash	Boren	Chabot
Austria	Boustany	Chaffetz
Bachmann	Brady (TX)	Coble
Bachus	Brooks	Coffman (CO)
Barletta	Broun (GA)	Cole
Barrow	Buchanan	Conaway
Bartlett	Bucshon	Cooper
Barton (TX)	Buerkle	Costa
Bass (NH)	Burgess	Costello
Benishkek	Burton (IN)	Cravaack
Berg	Calvert	Crawford
Biggert	Camp	Crenshaw
Bilbray	Campbell	Critz
Bilirakis	Canseco	Culberson

Davis (KY)	Jones	Rehberg
Denham	Jordan	Renacci
Dent	Kelly	Ribbie
DesJarlais	King (IA)	Rigell
Diaz-Balart	King (NY)	Rivera
Dold	Kingston	Roby
Donnelly (IN)	Kinzinger (IL)	Roe (TN)
Dreier	Kline	Rogers (AL)
Duffy	Labrador	Rogers (KY)
Duncan (SC)	Lamborn	Rogers (MI)
Duncan (TN)	Lance	Rohrabacher
Ellmers	Landry	Rokita
Emerson	Lankford	Rooney
Farenthold	Latham	Ros-Lehtinen
Fincher	LaTourette	Roskam
Fitzpatrick	Latta	Ross (AR)
Flake	Lewis (CA)	Ross (FL)
Fleischmann	LoBiondo	Royce
Fleming	Long	Runyan
Flores	Lucas	Ryan (WI)
Forbes	Luetkemeyer	Scalise
Fortenberry	Lummis	Schilling
Fox	Lungren, Daniel	Schmidt
Franks (AZ)	E.	Schock
Frelinghuysen	Mack	Schweikert
Gallegly	Marchant	Scott (SC)
Gardner	Marino	Scott, Austin
Garrett	Matheson	Sensenbrenner
Gerlach	McCarthy (CA)	Sessions
Gibbs	McCauley	Shimkus
Gibson	McClintock	Shuster
Gingrey (GA)	McCotter	Simpson
Gohmert	McHenry	Smith (NE)
Goodlatte	McKeon	Smith (NJ)
Gosar	McKinley	Smith (TX)
Govdy	McMorris	Southerland
Granger	Rodgers	Stearns
Graves (GA)	Meehan	Mica
Graves (MO)	Mica	Stivers
Green, Gene	Miller (FL)	Stutzman
Griffin (AR)	Miller (MI)	Sullivan
Griffith (VA)	Miller, Gary	Terry
Grimm	Mulvaney	Thompson (PA)
Guinta	Murphy (PA)	Thornberry
Guthrie	Myrick	Tiberi
Hall	Neugebauer	Tipton
Hanna	Noem	Turner
Harper	Nugent	Upton
Harris	Nunes	Walberg
Hartzler	Olson	Walden
Heck	Owens	Walsh (IL)
Hensarling	Palazzo	Webster
Hergert	Paulsen	West
Herrera Beutler	Pearce	Westmoreland
Holden	Pence	Whitfield
Huelskamp	Peterson	Wilson (SC)
Huizenga (MI)	Petri	Wittman
Hultgren	Pitts	Wolf
Hunter	Platts	Womack
Hurt	Poe (TX)	Woodall
Issa	Pompeo	Yoder
Jenkins	Posey	Young (AK)
Johnson (IL)	Price (GA)	Young (IN)
Johnson (OH)	Quayle	

NOT VOTING—19

Capps	Jackson (IL)	Paul
Conyers	Jackson Lee	Reed
Giffords	(TX)	Reyes
Green, Al	Johnson, Sam	Speier
Hastings (WA)	Langevin	Tsongas
Hinche	Manzullo	Waxman
Hinojosa	Nunnelee	

□ 1857

Messrs. FLAKE and TURNER changed their vote from “aye” to “no.”

Ms. HAYWORTH, Ms. MOORE, and Ms. MCCOLLUM changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 2 OFFERED BY MR. GARAMENDI

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. GARAMENDI) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 169, noes 240, not voting 22, as follows:

[Roll No. 300]

AYES—169

Ackerman	Gonzalez	Pascarella
Altmire	Grijalva	Pastor (AZ)
Andrews	Gutierrez	Payne
Baca	Hanabusa	Pelosi
Baldwin	Hanna	Peters
Bartlett	Hastings (FL)	Pingree (ME)
Bass (CA)	Heinrich	Polis
Becerra	Higgins	Price (NC)
Berkley	Himes	Quigley
Berman	Hirono	Rahall
Blumenauer	Holden	Rangel
Boswell	Holt	Richardson
Brady (PA)	Honda	Ros-Lehtinen
Braley (IA)	Hoyer	Rothman (NJ)
Brown (FL)	Inslee	Roybal-Allard
Buchanan	Israel	Ruppersberger
Butterfield	Johnson (GA)	Rush
Capps	Johnson, E. B.	Ryan (OH)
Capuano	Jones	Sánchez, Linda
Carnahan	Kaptur	T.
Carson (IN)	Keating	Sanchez, Loretta
Castor (FL)	Kildee	Sarbanes
Chu	Kind	Schakowsky
Cicilline	Kissell	Schiff
Clarke (MI)	Kucinich	Schrader
Clarke (NY)	Larsen (WA)	Schwartz
Clay	Larson (CT)	Scott (VA)
Cleaver	Lee (CA)	Scott, David
Clyburn	Levin	Serrano
Cohen	Lewis (GA)	Sewell
Connolly (VA)	Lipinski	Sherman
Cooper	Loebach	Slaughter
Costello	Lofgren, Zoe	Smith (WA)
Courtney	Lowe	Stark
Critz	Lujan	Sutton
Crowley	Lynch	Thompson (CA)
Cummings	Maloney	Thompson (MS)
Davis (CA)	Markey	Tierney
Davis (IL)	Matsui	Tonko
DeFazio	McCarthy (NY)	Towns
DeGette	McCollum	Van Hollen
DeLauro	McDermott	Velázquez
Deutch	McGovern	Visclosky
Dicks	McIntyre	Walz (MN)
Dingell	McNerney	Wasserman
Doggett	Meeks	Schultz
Doyle	Michaud	Waters
Edwards	Miller (NC)	Watt
Ellison	Miller, George	Waxman
Engel	Moore	Weiner
Eshoo	Moran	Welch
Farr	Murphy (CT)	Wilson (FL)
Fattah	Nadler	Woolsey
Filner	Napolitano	Wu
Frank (MA)	Neal	Yarmuth
Fudge	Olver	Young (FL)
Garamendi	Pallone	

NOES—240

Adams	Bilirakis	Calvert
Aderholt	Bishop (GA)	Camp
Akin	Bishop (UT)	Campbell
Alexander	Black	Canseco
Amash	Blackburn	Cantor
Austria	Bonner	Capito
Bachmann	Bono Mack	Cardoza
Bachus	Boren	Carter
Barletta	Boustany	Cassidy
Barrow	Brady (TX)	Chabot
Barton (TX)	Brooks	Chaffetz
Bass (NH)	Broun (GA)	Chandler
Benishkek	Bucshon	Coble
Berg	Buerkle	Coffman (CO)
Biggert	Burgess	Cole
Bilbray	Burton (IN)	Conaway

Costa
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt

NOT VOTING—22

Bishop (NY)
Carney
Conyers
Giffords
Green, Al
Hastings (WA)
Hincey
Hinojosa

□ 1904

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. CARNEY. Mr. Chair, on rollcall No. 300, had I been present, I would have voted “yes.” Stated against:

Mr. MEEHAN. Mr. Chair, on rollcall No. 300, I was unavoidably detained. Had I been present, I would have voted “no.”

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr.

Price (GA)

Quayle
Rehberg
Reichert
Renacci
Ribble
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (IN)

Paul
Reed
Reyes
Rogers (AL)
Ross (FL)
Speier
Tsongas

MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 176, noes 237, not voting 18, as follows:

[Roll No. 301]

AYES—176

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva

NOES—237

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggart
Billbray
Bilirakis

Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta

NOT VOTING—18

Becerra
Conyers
Giffords
Green, Al
Hastings (WA)
Hincey
Hinojosa

□ 1912

So the amendment was rejected.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. AL GREEN of Texas. Mr. Chair, today I was unavoidably detained and missed the votes on:

Polis (CO) Amendment (#1). Requires review of permits by the Interior Department to take into consideration all applicable safety, environmental and fisheries laws, such as the

National Environmental Policy Act, the Endangered Species Act and the Marine Mammal Protection Act. Had I been present, I would have voted "no" on this amendment.

Garamendi (CA) Amendment (#2). Implements the independent BP spill commission's recommendation by requiring that in reviewing a drilling permit, the Secretary consult with an independent drilling safety organization not affiliated with the American Petroleum Institute. Had I been present, I would have voted "no" on this amendment.

Markey (MA) Amendment (#3). Implements offshore drilling safety reforms recommended by the BP Spill Commission and would set specific new minimum standards for blow-out preventers, cementing and well design. Had I been present, I would have voted "no" on this amendment.

Mr. BISHOP of Utah. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GRAVES of Georgia) having assumed the chair, Mr. DOLD, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 1231, REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

Mr. BISHOP of Utah, from the Committee on Rules, submitted a privileged report (Rept. No. 112-74) on the resolution (H. Res. 257) providing for consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, which was referred to the House Calendar and ordered to be printed.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 856

Mr. HECK. Mr. Speaker, I ask unanimous consent that I may hereafter be considered as the first sponsor of H.R. 856, a bill originally introduced by Representative HELLER of Nevada, for the purposes of adding cosponsors and requesting reprintings pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 1380

Mr. PEARCE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from the bill, H.R. 1380.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Mexico?

There was no objection.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore. Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1229.

□ 1915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mrs. ADAMS (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, amendment No. 3 printed in part A of House Report 112-73 offered by the gentleman from Massachusetts (Mr. MARKEY) had been disposed of.

AMENDMENT NO. 8 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in part A of House Report 112-73.

Mr. HASTINGS of Florida. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 5, line 9, before the closing quotation marks insert the following:

"(4) ESTIMATIONS REQUIRED IN PERMIT APPLICATIONS.—The Secretary shall require that each application for a permit to drill a well include detailed estimations of—

"(A) the amount of oil and gas that is expected—

"(i) to be found in the area where the well is drilled, in the case of an exploration well; or

"(ii) to be produced by the well, in the case of a production well; and

"(B) the amount by which crude oil prices and consumer prices would be reduced as a result of oil and gas found or produced by the well, and by when the reductions would occur.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, speeding up the permitting process and thereby making it easier to drill off our country's shores in the manner that this bill does will do little to help Americans at the gas pump.

According to the Energy Information Administration, even tripling our current offshore drilling capabilities by the year 2030 would lower gasoline prices only 5 cents per gallon more than if we continued at the current levels.

At maximum output, the United States holds less than 2 percent of the world's oil reserves, not nearly enough to significantly impact the price per barrel, which is set on a global level primarily by the Organization of the Petroleum Exporting Countries that we reference as OPEC.

In reality, the United States is already producing more oil per day than it ever has, yet gas prices are still around \$4 per gallon. Though production in our country has actually increased every year since 2005, crude oil hit a record \$147 per barrel over the same time period, demonstrating that there is little correlation between drilling levels in the United States and the price of oil.

More drilling will put our businesses, as well as our environment and health, at an increased risk with little return to the average American. By itself, the United States consumes one quarter of the world's oil. What drives the price of oil more than any other factor is the large scale and high demand for it worldwide.

The only way we can reduce gasoline prices is to decrease our country's demand for fossil fuels by increasing our energy efficiency, improving the fuel mileage of our cars, and developing real renewable energy resources. Federal policies should focus on making these changes, not on dangerously restricting Federal oversight of the industry.

Madam Chair, I urge my colleagues to support my amendment.

I reserve the balance of my time.

□ 1920

Mr. LAMBORN. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

Madam Chairman, the intent of H.R. 1229 is to put Americans in the gulf back to work and to ensure a steady domestic supply of oil for our citizens and our consumers, thereby lessening our dependence on foreign sources of oil.

I must oppose this amendment. The effect of the amendment is that we are going to hold ourselves hostage to foreign energy unless we can prove that domestic energy meets some abstract

standard and satisfies some bureaucrat.

Where I disagree with this amendment the most is the assumption that domestic energy production might not be good for America and might not be allowed. More supply cannot help but to lower prices, reduce dependence, generate revenue and create jobs. I see all these results of domestic energy production as good: good for America, good for consumers and good for our balance of trade. This is true whether the impact from a single well is sufficient in and of itself to move the price of oil prices overseas or not. The real result of this amendment would be that we don't create jobs, revenue and more energy.

For these reasons, Madam Chairman, I oppose this amendment, and I encourage my colleagues to vote "no."

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Chair, how much time do I have remaining?

The Acting CHAIR. The gentleman has 2½ minutes remaining.

Mr. HASTINGS of Florida. Let me respond to my colleagues first by saying that I hope no one in the gulf is sitting out there holding their breath waiting for this named bill here, H.R. 1229, "Putting the Gulf of Mexico Back to Work."

Let me talk real here about what is getting ready to happen. The Republicans will pass this particular measure. It will go to that black hole over in the Senate and never become the law of the United States. And the administration has made it very clear that if this measure were to pass, it is not going to in fact be permitted under the aegis of the President's veto, which they cannot overturn.

So while people in Mississippi and people in Louisiana are suffering floods right now, compounding all of the circumstances that they have had to put up with with the BP oil spill, here we are dillydallying, making like we are going to do something to create work in the gulf. We are not going to do one single, solitary thing, and if we could do nothing more, we ought to tell the people the truth.

If we drilled everywhere you say drill in America, we still would only have 1.97 percent of all of the oil in the world. Canada has more oil than we do, and we get plenty of it from them. Mexico almost has as much as we do. How dare we come here and talk about 2 weeks of oil that ain't going to reduce gas none and suggest to people it's going to put people back to work. Balderdash.

I yield back the balance of my time.

Mr. LAMBORN. Madam Chairman, I would just point out that it is skewing the statistics and not accurate to say that the U.S. only has 2 percent of the world's oil reserves. When you look at Btus, energy production, we have more

energy available in this country than any other country in the world; and looking at oil specifically, we have 145 billion barrels of recoverable oil, according to the CRS. So that is much larger than what some people say.

On the point of whether the President has taken a position, this is the Statement of Administration Policy on this bill, and there is no veto threat in here. So if we are fortunate to see this bill not just pass the House but the Senate as well, I am sure the White House will seriously consider this, and I would be hopeful that it would be signed into law.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HASTINGS of Florida. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 9 OFFERED BY MR. DEUTCH

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in part A of House Report 112-73.

Mr. DEUTCH. Madam Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, beginning at line 1, strike section 202 (and redesignate the succeeding sections accordingly).

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Florida (Mr. DEUTCH) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. DEUTCH. Madam Chairman, a little more than a year ago, the BP Deepwater Horizon oil drilling vessel exploded in the Gulf of Mexico. Over several months, millions of gallons of oil were dumped into the gulf. The oil spill caused irreparable damage to delicate ecosystems, damaged natural barriers that protect States along the Gulf of Mexico from deadly storm surge, and was devastating to local jobs and livelihoods along the gulf coast. Indeed, the oil spill caused significant harm to my State of Florida's environment and economy from which we are still recovering.

My amendment will have no impact on the overall bill. While I do oppose weakening the Federal review process of lease applications for energy development, production and exploration of the Gulf of Mexico, the purpose of my amendment is simply to correct an injustice to the residents of Florida and

Alabama in the bill as it is written. My amendment would strike section 202, which imposes an exclusive venue in the Fifth Circuit for civil actions relating to the leasing of Federal lands in the Gulf of Mexico for energy development, production and exploration.

Under this provision, litigation relating to leases on energy development can only be filed in a district court in the Fifth Circuit. And while the Fifth Circuit includes the Gulf States of Mississippi, Louisiana and Texas, two States that comprise substantial gulf coastlines, Florida and Alabama, are in the 11th Circuit, and it makes no sense that the residents of these States will have to travel to the Fifth Circuit to have their cases heard. The effect of this section would be to prevent the district courts in Florida and Alabama from considering civil cases related to the issuance of leases for energy development, production and exploration off the coastlines of these States.

Congress has no business telling courts within a State that they are prohibited from considering issues involving a lease for energy development, production and exploration that have the potential to cause irreparable environmental and economic damage to the gulf coast area of that State.

In addition, requiring these cases to be moved from Florida and Alabama to a State within the Fifth Circuit will cause substantial hardship for the parties involved in the litigation, substantial hardship for the witnesses who would need to testify, and would result in substantial costs. Striking this exclusive venue provision would ensure that Florida and Alabama courts could hear these cases and reach a just result that reflects the needs of that State.

Section 202 does provide an exception only in cases in which there is no proper venue in a court within the Fifth District. However, this exception fails to address these very serious concerns. The parties involved in litigation on leasing would first have to determine that there is no court within the Fifth Circuit that would be able to consider the case. Only after determining that there was no court in the Fifth Circuit, then the parties will be permitted to file in Florida or Alabama.

In short, section 202 will prohibit the courts in Florida and Alabama from considering and rendering a decision in lawsuits on leases for energy development, production and exploration off their coasts. My amendment would strike the section. It makes no changes to the overall bill. It provides a simple solution to address this bill's unwarranted restrictions on which courts will be able to review these leases should they pose a threat to the gulf coast area. I urge its adoption.

I reserve the balance of my time.

Mr. LAMBORN. Madam Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

In order to ensure that there is a circuit court that is familiar with the legal issues surrounding civil actions involving gulf energy production, it is important that venue be restricted to the Fifth Circuit so that those district and appeals court judges would have the essential experience and legal precedent to fairly rule on these technical cases. For that reason, I oppose this amendment.

The Fifth Circuit, as was pointed out earlier, does include Louisiana, Mississippi and Texas, all Gulf Coast States. If various district courts and courts of appeal throughout the country were able to hear these cases, there may be a result of having no uniformity in decisionmaking, and judges who do not have as much expertise or background could be making vital decisions in which the energy security of our Nation hangs in the balance.

□ 1930

It is essential that there be one Federal judicial circuit that understands the technical aspects of these cases with judges who have a background in understanding offshore energy policies and practices. That will ensure that all cases are handled fairly and expeditiously and uniformly without any confusion or delay. By requiring all cases to go through the Fifth Circuit, we accomplish this important goal.

For that reason, I urge a "no" vote on this amendment, and I urge my colleagues to oppose it.

I reserve the balance of my time.

Mr. DEUTCH. I yield 15 seconds to the gentleman from Florida (Mr. HASTINGS).

Mr. HASTINGS of Florida. As a former judge—and as a State and Federal judge—I would urge my colleague from Colorado to understand something. Circuit judges don't of necessity have specific specialty in the area they live. A judge may go on the bench in the Fifth Circuit and have studied patent law all of his life and know nothing about oil.

Mr. DEUTCH. May I ask how much time is remaining.

The Acting CHAIR. The gentleman has 1¼ minutes remaining.

Mr. DEUTCH. Madam Chair, the gentleman's opposition to this amendment is premised on a very interesting, and I would respectfully suggest dangerous, interpretation of what is our responsibility as Members of this House. The gentleman spoke of the need to have uniformity of decisionmaking. Uniformity of decisionmaking. As I understand the role of the Federal judiciary, the role of our court system is to provide justice. The role is not to ensure that we have the same decision in every court.

My amendment simply says that if you are a judge in the State of Florida or a judge in the State of Alabama, that you are in a position just as well as a judge in Texas or these other Gulf States to make a determination about how the law should be interpreted—the idea that judges have to have a sufficient background, and that if courts throughout the country were able to hear these, we would not be able to reach a logical conclusion.

The fact is we're not asking courts throughout the country to hear these cases, Madam Chairman. We're asking the judges within the States whose coastlines would be dramatically affected and have been affected in the case of spills like the Deepwater Horizon.

Madam Chairman, I would respectfully suggest that if our goal here is to seek justice, then we must seek justice in those courts in the States that have seen the damage.

I ask for the adoption of this amendment.

I yield back the balance of my time.

Mr. LAMBORN. If the gentleman wanted to make sure that the judges of Alabama and Florida were included, then maybe the amendment should have been written that way, and I think we would have a strong point of debate and that would be a legitimate item to discuss. However, that's not how the amendment is drafted. The amendment talks about letting in judges of the entire country, circuits of the entire country. For that reason, I urge a "no" vote on this amendment.

Mr. DEUTCH. Will the gentleman yield?

Mr. LAMBORN. I yield to the gentleman from Florida.

Mr. DEUTCH. I would like to confirm. Therefore, if the language in the bill were very clear that for cases to be brought affecting the leasing and the exploration of oil in the gulf, that if those cases could be brought in any of the Gulf States, including Florida and Alabama, then the bill's sponsor would not oppose this amendment?

Mr. LAMBORN. Reclaiming my time, I would say that we would have a more legitimate issue to debate. We could go into that. But it's too late, the amendment doesn't say that. And so that's not an option in front of us.

Mr. DEUTCH. So just to confirm, the gentleman's position is that in fact the courts in Florida and Alabama are just as well equipped to hear these cases as are the courts in Texas and the other Gulf States.

Mr. LAMBORN. I would say that those judges certainly would have a closeness to the situation that would be helpful. But the circuit, I believe it's the 11th Circuit, includes a number of other States that are not as situated like Alabama and Florida. So in choosing the Fifth Circuit, all the States there are Gulf Coast States.

Mr. DEUTCH. If the gentleman would yield for one final question, I would also note that while the Natural Resources Committee has acted on this bill, this provision very clearly should have been debated in the Judiciary Committee where all of these issues could have been worked out. It is for that reason, given what we have to work with, that I would again ask for adoption of my amendment, which helps to bring justice and some clarity to what is otherwise a murky provision in this piece of legislation.

Mr. LAMBORN. Reclaiming my time, my understanding is the Judiciary Committee did not have any problems with this particular revision. But having discussed all the issues around this amendment, I would urge a "no" vote.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. DEUTCH).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. DEUTCH. Madam Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT NO. 10 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 10 printed in part A of House Report 112-73.

Mr. HASTINGS of Florida. Madam Chair, I rise to offer an amendment as the designee of the maker of the amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 9, line 11, strike "EXPEDITION" and insert "QUALITY ABOVE SPEED".

Page 9, line 14, strike "expeditiously" and insert "justly".

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, this amendment, the scrivener of same, is JARED POLIS, our colleague from Colorado. I can't resist, however, departing from the preparation that he has undergone to suggest that if my other friend from Colorado's logic is followed, then I gather that the circuit courts of the United States, all 13 of them, must be the courts of last resort. And if you followed your logic to its conclusion, I guess we would eliminate the United States Supreme Court because, of course, those nine people wouldn't know anything about what the circuits had done, wherever they came from.

Madam Chair, when reading this bill, and particularly the section on judicial review, the phrase “rush to judgment” came to mind to Mr. POLIS, because that’s exactly what this bill directs our courts to do. Instead of hearing and deciding a case based on the case’s merits, this bill tells the courts that speed, not justice, should be their top priority.

Madam Chair, the integrity of any law enforcement is only as good as the court’s ability to review and enforce it. We all learned in civics class that one of the strengths of our Nation is its system of checks and balances. Passing legislation that tilts the courts in favor of one side or another is hardly in line with this most fundamental of American values, yet this is what much of what H.R. 1229’s judicial review section does.

Mr. POLIS’ amendment that I offer as his designee is a modest amendment that promotes the integrity of that review and the integrity of our Nation’s principle of fair and impartial courts. H.R. 1229 as a whole gives an even greater handout to the well-funded legal teams employed by the big oil companies, at the expense of protecting our health, our communities, our environment, and justice in general.

The underlying bill in section 204 states: “The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.” Exactly who does it help when the courts are directed to make decisions in haste at the expense of research and deliberation? It only helps those who can afford teams of high-priced lawyers and lobbyists who know where and when to push the pressure buttons of influence.

My colleague’s amendment simply replaces the word “expeditiously” with the word “justly,” as the courts should be deciding cases based not simply on speed but on the law. Undoubtedly, the judicial review provisions in H.R. 1229 have been included to promote the misleading argument commonly used by the majority party and the big oil companies alike that frivolous lawsuits by local communities and environmentalists strangle the industry and stall domestic drilling. Yet quarter after quarter, oil companies continue to reap record profits and are developing more domestic energy than ever before. Exxon actually is ahead of us. They’re in the business of talking about gas while we around here are dilly-dallying about oil.

Furthermore, this misleading hard-luck story leaves out a critical fact—that the industry is just as active in using the courts to get its way as any public health or environmental watchdog. But the industry has much more money for such legal actions, already giving it an unfair advantage.

□ 1940

In fact, recent lawsuits have been filed against the government by Alas-

kan oil companies to overturn critical habitat restrictions, by oil companies against the EPA for ethanol standards, and numerous suits against the Department of the Interior by industry over the temporary ban following the BP disaster.

Let’s remember that the point of judicial review is to ensure that the law is followed and to provide a check and balance when it is not. The underlying bill is, in effect, saying that following the law no longer matters. It doesn’t matter if justice is served or if a case is heard properly. It only matters if it appears that way.

Madam Chair, the east front of the Supreme Court building contains the following inscription: “Justice, the guardian of liberty.” Should any company in our country have the right to pursue profits and the prerogative of our capitalist system? Of course. But even our Founders recognized that this should be done within the confines of the law. Justice, meaning impartial courts and stringent checks and balances, is the guardian of our liberties and freedom as Americans. Instead of promoting a rush to judgment and a blind rubber stamp within the courts, we should, instead, promote integrity and a system of rigorous checks and balances, as these are truly fundamental American values.

I yield back the balance of my time.

Mr. LAMBORN. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

Let’s stand back and look for a moment at the big picture. This administration has been held in contempt of court for slow-walking permits and is currently trying to appeal a Federal judge’s warning that ordered them to act on stalled deepwater permits. While the administration continues to hold up the permitting process, thousands of Americans remain unemployed, and American energy is locked up.

This legislation encourages courts that are hearing permitting cases to act as expeditiously as possible. Environmental groups are already working to prepare lawsuits aimed at stalling and holding up offshore energy production. This bill encourages the courts to work expeditiously so that lawsuits can be settled quickly.

Now, in seeking to replace the word “expeditiously” with “justly,” we are doing something that is totally unnecessary. Those of us supporting this bill already assume that the courts will act justly. That’s what they’re appointed for, and that’s what we expect and require them to do. So it is superfluous and unnecessary to say that they have to act justly when that’s what they’re going to do. At least that’s our assump-

tion over here anyway. Yet we need to say that they act expeditiously as well as justly because of the slow-walking nature of this current administration’s approach to permitting.

The effect of this amendment, were it to be adopted, would slow down American energy production at a time when prices are skyrocketing. We need judges to move cases in an expeditious manner so that we can use American energy. This bill ensures that everyone will have their day in court, but it also ensures that the slow walking of permits by this executive branch will not continue.

I urge a “no” vote and for my colleagues to oppose this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The amendment was rejected.

AMENDMENT NO. 11 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 11 printed in part A of House Report 112-73.

Mr. HASTINGS of Florida. Madam Chair, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 10, beginning at line 3, strike section 207.

The Acting CHAIR. Pursuant to House Resolution 245, the gentleman from Florida (Mr. HASTINGS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Florida.

Mr. HASTINGS of Florida. Madam Chair, H.R. 1229, in my opinion, is an irresponsible giveaway to the oil industry, which has taken enormous profit at American taxpayer expense. Section 207 of the bill repeals the Equal Access to Justice Act, thereby eliminating the awarding of attorneys’ fees to litigants bringing successful legal challenges, be they expeditious, just or not, to offshore oil and gas activities, making this kind of litigation prohibitively expensive.

As the BP oil spill demonstrated, there has been a lack of Federal oversight of the drilling industry. Consequently, legal challenges have become the only enforcement mechanism for many related laws and regulations. Removing the judiciary system from the equation makes it even less likely that large oil and gas companies will comply with environmental and safety standards. Let me insert something here.

As to the commission that was set up under BP, a colleague of mine on the Rules Committee said that BP has been accountable. Only 3.8 percent, \$3.8 billion of the \$20 billion, has been left to 177,000 claimants. That ensures, among

other things, that by 2013, at the expiration of the commission's term, there will be money left over.

Guess what my friends at Fox News reported? They reported that the money goes back to BP. How crazy can we be around here?

Eliminating the awarding of attorneys' fees means the traditional groups that bring lawsuits on environmental or safety grounds, such as fishermen, small business owners and environmental groups, will no longer be reimbursed for the cost of successfully litigating these kinds of claims. The idea that the bill will somehow eliminate an excess of lawsuits is ridiculous. Since litigation is by its nature so expensive, these cash-strapped plaintiffs usually only bring those lawsuits with the most likelihood of success. Without the possibility of receiving attorneys' fees, legal challenges will effectively become impossible.

Madam Chair, section 207 of H.R. 1229 only helps large oil companies avoid having to comply with U.S. law.

I reserve the balance of my time.

Mr. LAMBORN. Madam Chair, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman from Colorado is recognized for 5 minutes.

Mr. LAMBORN. I yield myself such time as I may consume.

The Equal Access to Justice Act provisions in this bill are necessary to avoid costly delays to domestic energy development based on the extreme anti-energy agenda of a few groups. The Equal Access to Justice Act was intended to allow people and small businesses with limited financial means the ability to challenge the actions of the Federal Government. However, it is now being abused by deep-pocketed special interest organizations.

For example, in 2005, the Sierra Club and the Natural Resources Defense Council received nearly \$200,000 in taxpayer dollars after suing the Federal Government in an offshore energy project in California. The Sierra Club has annual revenues of \$85 million, and the Natural Resources Defense Council has annual revenues of over \$100 million.

There is no justification for forcing the American taxpayer to pay the attorneys' fees of special interest groups that have ample funds of their own. Wealthy, ideological groups opposed to more American-made offshore energy can continue to sue to their hearts' content, but taxpayers shouldn't have to foot the bill.

I oppose this amendment, and I encourage my colleagues to do the same. Taxpayer dollars should not go to lawsuits being filed by special interests that are making millions and millions of dollars in annual revenue. I urge a "no" vote.

I reserve the balance of my time.

Mr. HASTINGS of Florida. Madam Chair, when you're flabbergasted, the easiest thing to do is to not say anything else. I just can't believe that we're doing this useless legislation while people in the gulf are hurting the way that they are. It's senseless.

Mrs. LUMMIS. Madam Chair, the Equal Access to Justice Act restrictions in this bill is necessary to avoid costly delays to domestic energy development based on the political agenda of a few groups.

EAJA was established in 1980 as means for small businesses and individuals to seek judicial redress from wrongful government action.

It allows for party's to seek reimbursement of attorneys' fees from the taxpayers.

Payment of these fees comes directly out of agency budgets, in this case the Bureau of Ocean Energy Management.

EAJA was intended to allow people and small businesses with "limited financial means" the ability to sue the Federal Government without having to worry about the costs associated if they prevail.

However, it is being abused by deep-pocketed organizations with a political agenda.

For example, in 2005 the Sierra Club and the Natural Resources Defense Council received nearly \$200,000 dollars in taxpayer dollars after suing the Federal Government on an offshore energy project in California.

The Sierra Club has annual revenue of \$85 million dollars, and the Natural Resources Defense Council has annual revenue of over \$100 million dollars.

There is no justification for forcing the American taxpayer—particularly those on the gulf coast—to pay the attorney's fees of political advocacy organizations that have ample funds of their own.

That is not what EAJA was intended to accomplish, and restricting its use in this bill is both necessary and appropriate.

Environmental groups can continue to sue to their hearts' content—and they will because suing the Federal Government is their modus operandi—but taxpayers shouldn't have to foot the bill.

Mr. HASTINGS of Florida. I yield back the balance of my time.

Mr. LAMBORN. Madam Chairman, I urge a "no" vote on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Florida (Mr. HASTINGS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. HASTINGS of Florida. Madam Chair, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

□ 1950

Mr. LAMBORN. Madam Chairman, I move that the Committee do now rise. The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. LAM-

BORN) having assumed the chair, Mrs. ADAMS, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, had come to no resolution thereon.

JOBS AND THE MAKE IT IN AMERICA AGENDA

The SPEAKER pro tempore (Mrs. ADAMS). Under the Speaker's announced policy of January 5, 2011, the gentleman from Rhode Island (Mr. CICILLINE) is recognized for 60 minutes as the designee of the minority leader.

Mr. CICILLINE. Madam Speaker, I thank you for the opportunity to speak this evening about jobs and particularly about the Make It in America Agenda, but before I begin, I would like to yield to the gentleman from Michigan to begin this conversation.

Mr. CLARKE of Michigan. Thank you, Representative CICILLINE.

I represent the city of Detroit. In fact, the congressional district that I represent includes metropolitan Detroit. Over the last 10 years, metropolitan Detroit has lost more jobs than any other metropolitan area in this country, but it wasn't just Detroit and its metropolitan area that's lost jobs. Other areas, other cities, other metropolitan regions in the country have lost millions of jobs over the last 10 years.

Now, during this same timeframe, this country has been investing our tax dollars to build bridges, to repair roads, to build hospitals, sewer systems, schools, to build industrial parks that will promote more business, to actually develop businesses and free enterprise models that are successful. Now, many of the American people may not have seen the benefits of this type of investment because all of the work that I am talking about that was funded by tax dollars was done in Afghanistan, and the people who directly benefited from these projects were the people of Afghanistan.

My position is this: we need to create jobs in America. We need to keep the jobs that we have here so they don't go overseas like they have in the past. In order to do that, I'm proposing let's take a share of the money that's intended to go to Afghanistan, redirect it to the United States to create jobs right here, jobs for the American people, because we're the ones that actually need it, and it makes sense. The money that we are investing in Afghanistan comes from U.S. taxpayers. Let's spend it in a way that benefits the taxpayers and creates jobs right here in the United States.

Now, I do understand that we've got to stop terrorism from breeding in

other countries, and we certainly don't want other safe havens for terrorism to develop overseas. But in light of the fact that bin Laden is now gone, I'm asking this Congress, this administration to reassess our mission in Afghanistan. Let's take a part of the over half a trillion dollars—and that's trillion with a "t"—in military assistance that we've spent in Afghanistan over the last 10 years, let's take a share of that and return it home to protect our people right here in the United States.

Yes, we are at risk of a terrorist attack, but more than likely that risk is increasingly coming from within the U.S. So let's fully equip and fund the first line of defense against terrorism in this country, which is our first responders. It is our local police, our local firefighters, our local emergency medical providers that we call on to help protect the American people. So I'm proposing let's take a share of that military assistance that's going to Afghanistan, and let's invest it in our local police, fire, and emergency medical providers to protect our citizens right here at home.

Then, finally, over the past 10 years, taxpayers have invested nearly \$30 billion—and that's billion with a "b", so we get these figures clear and the magnitude of our investment—we invested nearly \$30 billion in Afghanistan for non-defense spending, much of it going toward economic development and civilian assistance. Let's take a portion of that funding and redirect it to the United States to create jobs right here.

My point is this: it takes money to create jobs, and more accurately, it takes public funds that can be leveraged effectively to create the investment that yields jobs. We've been spending that money for over a decade in another country. Bin Laden is now gone. Let's reevaluate our role in Afghanistan, and while we're doing that, let's take a share of our precious tax dollars—people, this is your money and we need it right now—to create jobs, to fight foreclosures, to invest in manufacturing. It is our manufacturing capacity that made our country strong, that created the best products that were sold around the world. It's our manufacturing strategy and capacity that transformed the city that I represent, the city of Detroit, from the motor capital of the world to the arsenal of democracy back in World War II.

Metro Detroit and this country's ability to innovate and create and manufacture saved this country and saved this world from fascism. If we invest a portion of the money right now that we're spending overseas in Afghanistan and winding down in Iraq, and we invest it right here in cities like Detroit and Elkhart, Indiana, and Louisville, Tennessee—these are other cities that also have lost a lot of jobs—we can make America stronger.

We want to fight terrorism. We need to be a strong country, but the

strength of our country comes from within. It comes from protecting the American people, and the most effective way to do that: invest in homeland security, support our local police and fire, and invest in jobs in America so that U.S. citizens can be financially stable and hopefully prosperous. This is how we built this country in just a little over 200 years into one of the greatest countries human civilization has ever known. We've done it by investing the people's money into the innovation and capacity to create jobs. It's through investing in the U.S.

I know I've been going on a little bit longer, but my point is this: I'm asking the American people who are watching tonight, call your Member of Congress, ask—demand, if you wish—that a share of your money that's going overseas right now be returned back to you to create jobs here, to protect our homeland, and also, to reduce our overall debt and deficit.

□ 2000

We've been spending the money, over \$500 billion alone in the last 10 years in Afghanistan. This administration is slated to wind down that expenditure. Let's take a portion of that back to help our people, to make America strong again.

And you know why it's so important for America to be strong and not some other country? Because we believe in democracy. We, the people, actually have a voice, through folks like me, who you hired. I have the constitutional duty to be your voice here, not just for metro Detroiters, but for all of you who understand the value in manufacturing. That's the reason why my dad risked everything 80 years ago in the midst of the Great Depression to leave his homeland in India, to come here as a dream so that he could live his life as fully as he chose it and to raise a family. I am his only son, and he was so honored to see, many decades ago, the first Indian American elected to Congress. And I am here too as a legacy of an immigrant's courage to make a difference for himself, his family, and his country.

My point is this, people: It's our money. And you work hard for that money. And yes, we invested it overseas because we were trying to stop the people that were determined to wipe us out. And we got the ringleader. We took him out. Let's take a share of our money back and return it to our people. Let's create jobs here. Call your Member of Congress. Do it tonight. Leave them a voicemail message. Tell them, We need you, as a Member of this body that's constitutionally committed to represent the people, we need you to use a share of our money to help American families become financially stable again and to help this country's economy really endure in a prosperous way to help bring democracy and free-

dom throughout the world. I really am just so committed that we take a share of our funds right now to create jobs here.

I was born and raised in the city of Detroit, and it's heartbreaking to see what's happened to Detroit. But also too, there is so much promise there in Detroit because we still have the greatest talent in manufacturing. We have great research universities there in Michigan, including Wayne State University that I'm proud to represent. And we have the plants and the land to actually build new manufacturing operations. This country has the superb ability to innovate and outwork and outsmart any of the competition around the world. All we have to do is this: return some of our money, our tax dollars, back to the U.S. so that we can prosper again.

Some of us are doing well, but I know overall—and I will close—that many American families are not feeling that financially secure, and I understand that. Look, I have been through hard times myself as a young man. That's why I am stressing the fact, turn a share of our tax dollars back to our people so we can do what's best, innovate, invest, and create jobs.

Thank you so much. God bless America.

Mr. CICILLINE. One of the things I know that we all share as new Members of the Congress, as freshmen, is that we've been here for about 4 months, Madam Speaker; and we've had conversations and debates about cutting Pell Grants and cutting Head Start. We've endured attacks on women's health and NPR, attacks on the environment, and most recently, efforts to end Medicare as we know it. We really haven't had before this Congress a jobs agenda, at a time when Americans are suffering from some of the highest unemployment in a generation.

We all recognize that we need to cut spending, we need to be responsible in our management of the national debt. One of the key ways that we can do that is to grow our economy and get Americans back to work. And I believe, Madam Speaker, that one of the key ways that we can do that is to rebuild the manufacturing base in our country. There is no way we can maintain our position as a great economic power without making things in America. Making things in America is really a key part to rebuilding the economy of this country.

My home State of Rhode Island is one of the States that have been hardest hit in this economic downturn. Rhode Island was the first New England State to enter the recession, and it's currently facing the fifth-highest unemployment in America. But Rhode Island has a strong tradition of manufacturing. It's the birthplace of the American industrial revolution. This

helped build the middle class and provided good-paying jobs for working families. In fact, Rhode Island used to produce one-third of the costume jewelry in the entire United States, yet our manufacturing sector has been really hard hit, especially in these particularly difficult economic times. According to the Alliance for American Manufacturing, there were 71,100 manufacturing jobs in Rhode Island in 2000; and by the year 2008, that number had dropped to 47,900. Rhode Island lost 15 percent of its manufacturing jobs during the period of 2008 to 2009 alone. And from 2001 to 2008, Rhode Island lost 10,500 jobs due to trade with China.

When was the last time, Madam Speaker, that you went into a store and found something made in America? Manufacturing jobs all across this country have seen a steep decline, from 20 million jobs in 1979 to about 12 million today, and the middle class has been left behind. And that's why this past week, when we launched the Make It in America agenda, I became so hopeful about this Congress' attention on manufacturing. This agenda is really about reversing manufacturing job loss. It's about investing in good-paying jobs, world-class education, top-notch research, and sound infrastructure. We need to create an environment that encourages American manufacturers to innovate, grow, keep, and create good jobs here in the United States. When we Make It in America, our middle class will succeed. This agenda is based on the conviction that when more products are made in America, more families will be able to "make it" in America. The agenda is really intended to create the conditions to help American businesses produce goods here, to innovate, and create jobs.

It also includes being smart about the investments we make, to out-educate, to out-innovate, and out-build our international competitors. The President has already signed six Make It in America bills into law, many of them which enjoyed bipartisan support because business and labor leaders alike recognize that the Democratic agenda of making it in America is good for our country and is central to the future of our competitiveness, our jobs, and our leadership in the world.

This past week, we outlined a series of bills that represent really a cross-section of the legislative package, a dynamic agenda that will continue to evolve during the 112th Congress but is really focused on how we support the manufacturing sector again. Some of these bills have already been introduced. Others will be introduced in the coming weeks. The agenda includes the development of a national manufacturing strategy, directs the President to work with industry leaders, labor leaders, other stakeholders to develop a national manufacturing strategy for our country, to set appropriate bench-

marks and measurements. Every other nation we're competing with that is serious about manufacturing has a national manufacturing strategy. The agenda also includes the Build America Bonds, expanding the Build America Bonds, the creation of a national infrastructure development bank.

If we're going to compete in the 21st century, we need to have an infrastructure which supports that competition. We need to have roads and bridges and transit systems and the ability to move information to compete in the 21st century. It includes making the research and development tax credit permanent and more generous to encourage job creation. It includes the creation of small business startup savings accounts, a reform of the Chinese currency system to give our American manufacturers a fighting chance to compete in the global marketplace. And it includes the Make It in America Block Grant, which I have drafted. This is a block grant which will help American manufacturers retrofit their factories, retrain their workers, buy new equipment, increase their exports, and make their facilities more energy efficient so that they can compete more successfully in the 21st century.

□ 2010

It's an ambitious agenda, but it's really about recognizing that we have got to start making things again in this country; that manufacturing was an important part of the history of America, an important way we built up the middle class in this country and became a world economic power.

We can no longer act as if manufacturing is not important. We need to make things here again so people can go into stores and buy things made in America. We need to start exporting goods made in America all over the world because we make the best products, we have the best workers, and stop exporting jobs.

This is an agenda which I hope will earn bipartisan support, that will be a key to helping rebuild the economy of our country and rebuilding our strong manufacturing base.

Madam Speaker, I think the most urgent priority we face is getting Americans back to work. Americans have been very hard hit in this recession. Members hear it all the time from constituents back at home. What are you doing to get people back to work, to get this economy back on the right track?

This Make It in America agenda, I believe, provides a real opportunity to again rebuild the manufacturing base of this country so that we can make things here again, and so that American families can make it as well.

At the same time, in addition to investing in this agenda, we also need to invest, as the President said, in education so that we can out-educate, so

that our kids can compete, not just with the kids in the neighboring town or the next State, but kids in China and India and Germany and all over the world. That's who they're competing with in the 21st century. And we need to make sure they have the tools and skills necessary to compete successfully in the global economy.

In addition, we have to invest in science and research and innovation so we can continue to make the new discoveries, make the new inventions, create the new products that will allow us to lead the world and to again maintain our position as a world economic power. And that's why we think about the balance that we have to strike in managing the serious responsibility of reducing spending, eliminating programs that don't work, cutting waste, and at the same time, investing in the things that are necessary to keep our country strong—education, innovation and infrastructure.

And so, Madam Speaker, I hope that this Congress, the 112th Congress, will be known as the Congress that restarted and reinvested in making things again in America.

I know that my colleague the distinguished gentleman from Massachusetts (Mr. KEATING) has focused as well on creating jobs, bringing some balance to our Federal budget, and understands the urgency, particularly in coming from one of our great New England States, of rebuilding and manufacturing.

I'd like to yield to the gentleman from Massachusetts.

Mr. KEATING. Thank you for yielding.

I just came here to advance statements by our fellow freshmen and my neighbor from Rhode Island because here we are in a virtually empty Chamber, sitting here talking about jobs.

Before I became a Member of Congress, just a few months ago, my job, and I was fortunate to have one, was the job of a district attorney. Now, the intricacies of that job are not well known, but one of the responsibilities we have in our State is, when there is an unattended death, a death that, for instance, did not occur in a hospital, it's important that that be investigated for any indications of foul play from a criminal standpoint. So, as a result, the troopers attached to my unit and my prosecutors reviewed the deaths of people.

I must say, just to put this in context in a very personal sense to me, one of the most tragic and heart-wrenching parts of that job was coming upon the scenes of suicides. And in the course of that, over the last couple of years, we actually saw situations where people, depressed, hopeless, took their own lives. And they left indications that I won't get into as to the reason they did that.

So many of those people were out of work, chronically out of work. Their

homes were falling apart. Their families were falling apart, and hope had been extinguished. There were notes. There were indications. There was the way you go back and talk to a family and say what brought the person to this to make sure you knew just what happened.

That is the most powerful way, I think, that you can understand why we are here in this Congress trying to put people back to work. We have to do everything we can do in our power to do this. To be out of work is human misery, and it's a misery that extends to spouses, sons and daughters; conversations where one of these instances where the person that took their life was told that they would never be able to afford to go to the college they were accepted to.

So when we have this discussion here in this Congress, I hope we don't continue to have this discussion about jobs in empty Chambers. I hope it becomes the focal point of our open sessions because, frankly, there hasn't been enough of that discussion.

I came here imbued with a sense of challenge and responsibility, that I would do everything that I could to try and stop this human misery from occurring in families and individuals. So I hope as we go forward and we look at Make It in America, we look at other platforms and policies to try and put people back to work, we don't forget these aren't people just called our constituents. These are real people, people suffering more than they ever should.

In my own district, as people are ready to go through the tourist system and the wealthier people come to celebrate their vacations, they're doing it in a region where the unemployment is 16 percent, and too many people are out of work.

I hope, as we go forward, that as freshmen, we come forward and remember what we said in the campaign just a few months ago, focus on what we said we would do. And I hope that kind of freshman enthusiasm is contagious, and I hope we're having robust discussions about putting people back to work, not here in an empty Chamber but in a full Chamber with ideas teeming so that we can accomplish that very important mission.

Mr. CICILLINE. I thank the distinguished gentleman and my good friend from Massachusetts, and I think it is a really important point that he makes tonight.

We talk about the urgency of job creation and about the enormity of the challenges facing our country. But behind all of these numbers and the unemployment rate, these statistics, are real families and real people who we see every single day in our districts all across this country, who are anguished and worried.

People often describe the American people are angry. I don't see anger.

What I see in the American people is anxiety. People are worried about the future. They're worried about whether or not this economy is ever going to get on the right track, whether or not we are going to really be successful in growing jobs and getting people back to work. And they look at the proceedings of this Congress and they say, Where's the conversation about creating jobs? Where's the emphasis on putting Americans back to work? And they grow more anxious.

I thank the gentleman from Massachusetts for reminding all of us that we're here fighting for real people who are counting on us to do the right things to get them back to work, to get this economy back on track and to put our country's fiscal house in order. These are big challenges, but they're challenges we have to meet.

I will end by, again, reminding everyone that this agenda—and I want to really acknowledge the leadership of our minority whip, STENY HOYER, who really has led the charge on Make It in America and the legislation that's contained in that agenda, specific bills which I hope will earn bipartisan support, that really get at this issue of how we grow the manufacturing base in this country, which provided such strong support to the middle class and a real opportunity to fulfill the American Dream and to ensure that America can compete internationally and sell our goods all over the world.

I hope we can come together in this Congress and work quickly to pass the legislation that is part of the Make It in America agenda so that we can be sure American families can make it.

With that, I yield back the balance of my time.

□ 2020

PRICE OF GASOLINE

The SPEAKER pro tempore (Mr. AMASH). Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. CARTER) is recognized for 60 minutes as the designee of the majority leader.

Mr. CARTER. Mr. Speaker, with all the issues that we deal with here in Congress, the American people deal with other issues at home. Some of those issues are connected, and some of those issues they don't see the connection. But they do wonder about something.

They wonder about the fact that gas prices in some places in this country January of 2009, when the President came into office, were unleaded \$1.32 a gallon; mid-range, \$1.42; super range, \$1.52. Gas prices in April of 2011 over here somewhere in this country, looks like it could be Texas because our numbers are about there, \$3.99 for regular, \$4.09 for mid-range, \$4.19 for the super, the ethyl, as they used to say in the old days.

So since the President has taken office, something that affects every life in this country: the price of gasoline. Because whether we like it or not, whether we come up with alternative energy sources or not, whether we have new ideas about high-speed trains, subways, elevated railways, buses, the majority of the people in the United States move around by automobile; and the majority of those automobiles are driven using one of two fuels, either gasoline or diesel.

Now, neither one of these charts shows a diesel price; but amazingly enough, back when I was a youngster, diesel was the cheapest fuel we had available. But diesel prices are no longer cheap. Diesel prices are competitive, usually around the mid-range price of gasoline. But there are people who have good reasons to drive diesel vehicles. And so whether we like it or not, whether it fits our congressional legislative program or not to have gasoline and diesel being the fuel that moves people around this country, it is a fact. And you may think otherwise all you wish, but it is a fact.

There are no wind cars where you hook a sail up and hope that the wind is blowing towards Washington, DC tomorrow morning at 8 o'clock so everybody can get to work. It is not happening.

So everybody gets up and everybody goes out, and most everybody, unless they have one of the brand-new electric cars, starts their vehicle with gasoline or maybe diesel, and they go to work or they go on vacation or they travel to see their relatives, or whatever the purpose of their trip.

So let's be frank. Until we come up with alternative sources that move people from point A to point B in the United States of America, we are bound to gasoline and diesel. And in the 3-year track record of this administration, we have seen, I understand it is reported, the highest gasoline prices in the history of the country, even higher than the famous Jimmy Carter days when Jimmy Carter had us waiting in long, long ration lines and paying extremely high gasoline prices. At \$4 a gallon, I think we topped even the numbers that came under President Carter almost two decades ago.

So here we are, we have gone full circle in a Democrat Presidency, and here we are back with the issue of gas prices.

Now, why are gas prices so important to people? Because it is how we get where we are going to go. If you are taking your kid to soccer game or to baseball practice or football practice or lacrosse up here in the East, or track and field, or whatever your young people are doing, you have got to get them there; and in most instances they can't walk and they can't ride a bike. They have to go in an automobile. And when you move them from game to game,

they go in automobiles. And when they go to take their tests for entry into college, they have to go to an independent location. Many times they travel there by automobile.

You have to pick up the laundry. You have to pick up the groceries. You have to do a million things; get the kids to school on time, get the kids home from school, take the wife out on a date. Unmarried people are dating, and that's part of their date costs. And at a time when we have some of the highest unemployment in modern times, we bumped back above 9 percent, I understand now, so there is a lot of people out of work.

Those people who are out of work, some of them are drawing unemployment, and some of them are just trying to figure out a way to make do until they can find another job. And to have a roughly \$3 increase per gallon in the cost of their fuel to move them around the country, people feel that immediately. It is literally sticker shock to go in and start filling up your tank.

I have a fairly small tank in my car. My wife's got a little larger tank, so more of a sticker shock. I drive a hybrid, so I'm getting some pretty good gas mileage. But still, I watch that thing go up to \$54 to fill up my tank and watch my wife's go up to \$65, \$70 to drive.

I have a daughter who is working part time and going to college. Sometimes she has to go for testing; in fact, today she went for testing in a town about 40 miles from where we live to take a test, and it is a full tank of gasoline up there and back for her in the little car she drives, or almost. And she works hard. She will work all day and maybe 2 days at her job to pay for a tank of gasoline. So it immediately affects your budget.

But it is not just the cost of this fuel to the individual. It is the fact that it is killing the recovery in this country, this new increase in gasoline costs and fuel costs.

Now, we move goods from one place to the other. In Texas we are blessed to have the Rio Grande Valley where we produce wonderful fruits and vegetables, and we compete around the country with our fruit and vegetable crops. But the prices of those things are going up, and they are going up very quickly. All of a sudden, you are seeing tomatoes are \$2.50 a pound.

Now, you say how do you know this? One of the great questions they always like to ask a Congressman is, what is the price of bread in your town? What is the price of milk? Because they think that we don't know. Well, I can assure you, my wife will back me up on this, I have shopped for our family in the grocery store since the day I got married, and I continue to do so.

We live away from town, and usually I would be leaving my work in town and it was easier for me to grab the

groceries than for my wife to drive 8 or 10 miles from where we live out in the country into town. So I can honestly say I watched avocados go from \$1 apiece to \$2 apiece in 2 days in Round Rock, Texas, at one of the better stores where the prices are kept low where we regularly shop. I'm fortunate enough to have a job, but there are people who don't. And avocados may be a luxury to some people. That's just an example that I noticed because it shocked me to see them double in price in a 48-hour period, and so I thought about it.

□ 2030

But that's not all. The price of everything is going up. Now, why is that? Transportation costs. We move our products to market and we move our products to wholesalers, retailers, and it all takes transportation, and that transportation has now almost trebled in costs in a very short period of time.

People say, why? We hear from our Democrat colleagues here in the Congress, the "why" is the evil oil companies, the evil major oil companies, and they name names; ExxonMobil, ConocoPhillips, Chevron. I will not use all the names. There are a bunch of them, and they get used every day in this Congress. They are making horrendous profits and they are the cause of gasoline going up. But the price of oil is going up, and that is part of why prices go up.

The thing is we don't know. We all speculate to some extent. But I think it is a pretty easy, commonsense position to take that the more supply we have with the demand, and we are the demand capital of the world on burning gasoline and diesel. We outshine anybody else on the face of this globe in the use of those products. And we have relatively cheap prices as compared to the other countries, especially those countries that have no production. They can get very expensive very quickly.

Until very recently, there was no oil or gas at all to amount to anything in what we now call Western Europe. Today, there is. They have found it offshore. They have found it on the land in Holland, in Norway and other places. Norway is, I think, something like the third biggest producer of offshore oil in the world now. They are doing extremely well and running their economy in a very frugal manner. They are very smart people and they should be commended. We should do so well.

I happened to go to Norway with Chairman Obey with the Appropriations Committee when the Democrats were in control, and we went to see the offshore production in Norway. They are doing a good job. But the prices for gasoline are probably three times as much in Europe as they are here, and in other places even more.

But it makes sense that the law of supply and demand always works. It's

kind of like gravity, the law of gravity. If you drop something, it's going down. Well, the law of supply and demand has been proven over and over and over to be what drives the market for anything. So if we have the opportunity to increase our supply in this country and we have the demand, then why wouldn't that have an effect on our price? I think that is a reasonable thing to talk about.

The Obama administration has, I would say, a dismal record in assisting us in finding oil and gas. Of course, we are all familiar with the fact that we had a bad oil leak in the gulf, and nobody in any way is saying that was good. In fact, that was a terrible, terrible thing to our environment, a terrible thing that panicked the country to some extent, especially some of the southern States that border on the Gulf of Mexico, and it messed up some beaches pretty nastily and probably had some effect on the wildlife and sea life in the ocean. We will probably be learning in the future how much.

As a result of that, we put a moratorium on drilling in the Gulf of Mexico. But oil and gas is found in the Gulf of Mexico, especially oil, but to some extent natural gas, in abundance in some places, and many of those places are deepwater. Deepwater drilling is extremely expensive. The rigs are \$1 billion, with a "b," piece of equipment, and the cost of drilling those wells is very expensive. But they are successful. We have had wells, even the BP well that blew out was putting out a phenomenal amount of oil. If that had been sealed and that production had been put into play, it would have had an effect on the availability of oil in the United States. Just that one well would have had an effect. But they put a moratorium on that, and the decrease in oil production from this decreased the amount of production by 360,000 barrels of domestic oil per day.

The Obama administration has leased less offshore and onshore acres for energy production than any other President since Ronald Reagan. In 2009, the administration indefinitely delayed leases for oil shale in the West, which kept these resources off limits. Over 2 trillion barrels of oil from oil shale are currently sitting idle due to these delays. The Obama administration has kept all new offshore exploration off limits until at least 2017. That is over 80 billion barrels of oil in the Atlantic, Pacific, Alaska and Gulf of Mexico.

The Trans-Alaska Pipeline System, which could be transporting 2.2 million barrels of oil per day, is running at less than one-third capacity because companies cannot get permits to produce oil in Alaska. The administration has essentially shut down production in the State by withholding the necessary permits. The Keystone XL pipeline, which could eventually bring 1.5 million barrels of oil per day to America,

is being prevented by endless delays by the State Department.

America is the third largest oil producing Nation in the world. The above actions are a clear sign to the world that we are closed for business. If we are closed for business and we are number three, then how much more valuable does that make the product that number two and number one and those behind us are producing, therefore driving up the cost of that product? The less you have in the market, the higher the cost, if there is a demand, and there is clearly a demand worldwide.

In fact, one of the things you are seeing on the price of oil is the fact that at one time we were the biggest market by far. In fact, the Europeans really didn't even come close to being the market for oil and gas that the United States is. But today these booming new upcoming economies, China, the fastest growing economy in the world right now, do you think they can have that fast growing economy without energy? Of course not.

Energy is the driving force behind manufacturing. It is the driving force behind development of a nation. Those folks need to get where they need to go just like everybody else does, and they have many of the innovative things that America is starting to talk about today.

The Secretary of Transportation has just let out a bunch of money to build some high-speed rail. China already has high-speed rail, the highest speed rail in the world. They have speeds of up to 250 miles per hour. We are not even going to come close to that on our rail projects. But they are still now the biggest competitor for trying to make forward purchases. They are trying to buy future purchases so they can ensure they have the fuel they need in the future to meet their demands.

We have a product that we sell for that. They are called "futures" on the exchange, and you are buying oil to be delivered at a later time at a set price. And when futures become in big demand and when the price of oil in the future is looked at by countries and by industries to make these purchases ahead of time to get cheaper fuel to run your industry, then it drives up the costs in the market. The market goes up. Something is in demand and the market needs it not only today, but sees a projection to need it in 6 months, in a year, in 5 years and in 10 years, and they are willing to pay for the right to purchase it at a certain price, the prices go up.

□ 2040

That's the market. So I think that, first off, we're not ever going to get anywhere if we don't have an energy plan that is about all energy in the United States. And I would argue that with the use of the regulations and the failure to lease and the failure to lift

moratoriums, and even after you lift moratoriums, failure to give drilling permits, all the things that this administration has done, it has been an anti-oil and gas industry—and I'm sure coal, also—and anti-hydrocarbon administration. They don't deny that at all. They are anti-hydrocarbons. They don't like coal. They don't like oil and gas. They are opposed to them. And through regulations and through failure to do the necessary leasing they are keeping closed natural resources that are available to Americans. And, hey, let's get this straight. Before the Middle East; before Russia, and the Soviet Union prior to that; before offshore Norway, before onshore Holland; before the North Sea; before the Gulf of Mexico; before Indonesia; before all these places where we now produce oil and gas, we started out by producing oil in Pennsylvania. We later made a huge gigantic oil find in Texas. And Texas is now defined by oil and gas by many.

We are the pioneers of oil and gas in the world, the United States of America. All the improvements in drilling procedures and in closing down wells, in saving oil without blowouts, in fighting oil fires, in any category you can come up with to do with oil and gas, the United States of America has led, as it usually leads in all things, but it has led in the oil and gas industry. We are the experts. In fact, when we went to Norway and asked the Norwegians what they would do if they had a blowout like the British Petroleum blowout, they said, We'd call the experts; the people in the United States. The companies that are drilling the wells, they're the experts, not us. Then why all of a sudden in this administration have we decided that a major industry in this country is of no consequences because you want to change the way the American people get around, and you want to change the way we do business in this country? So you hold votes on the floor of this House, whether it's something called cap-and-trade, and it fails—passes the House; can't get through the Senate. Dies. So you do it with regulations. Just get the regulators to shut them down and that will do just as good as passing cap-and-trade.

You want to know what this does to you folks that are looking for a job. Well, Texas, at one time in the very near past, within the last year, had the lowest unemployment in the Nation until we shut down drilling offshore and along the gulf coast, and we lost tens of thousands, possibly hundreds of thousands of people, that are connected with this industry. And it's not just the greasy drillers that drill the oil wells. It's the food service people that bring it out there. It's the helicopter people that transport people. It's the shipping industry that transports the fuel. It's the pipeline industry that

puts it in the pipeline and delivers it. It's the refining industry. All of these people are affected when you shut down the local source, which is what this administration has done. And then we say to ourselves, Why has the price of gasoline gone up? Well, it seems to me part of the problem has got to be an administration hostile to this very industry. It's awfully hard when the regulators, EPA and others, have painted a target on your back to prevent you from producing.

We've made a phenomenal natural gas find in this country. We have found, which if I had told you this 4 years ago that we would bust up rocks and find natural gas, you would say that I needed to have some serious psychiatric examination, because it makes no sense to anybody that you can bust up rocks and produce natural gas. But we've discovered shale gas. And now, although we've got shale gas in Texas—and we're mighty proud of it—this shale gas now touches multiple States in this country. It goes right up through the South, right up through the Midwest, right up into Pennsylvania, where they have already done some serious shale oil work. And I know there's some up in New York State, although they don't seem to be interested in producing it.

So a belt of product stretches all the way across our country. Natural gas. And yet immediately there's some people who are telling you, I can smell that gas in my water well. Well, I've got news for you. Natural gas doesn't smell. So if you smell that gas in your water well, you've got a city gas line leaking someplace in your house, because you put the smell in the gas when you sell it to the retail customer so you can smell the gas if it's leaking in your house. But there's no smell of natural gas. But people have come up here to Congress and said, They drilled a well right around the corner from me, and now my water smells like natural gas. It doesn't make sense because natural gas doesn't smell. I can tell you that from personal experience it does not smell because I have dug up the machine on a job I had that smells. That was one of the nastiest jobs I ever had, because you got that smell all over you, but that's a different story. We need an energy policy that works, not an anti-energy policy.

Let's look at an anti-energy policy. Year One, 2009. February 4, 77 Utah oil and gas lease areas withdrawn from development. One of the things we talk about is Alaska, we talk about Texas, we talk now about Pennsylvania, we talk about many other places where there is now production. But what we don't talk about because we haven't been able to get in there to do it is the basin which Utah sits in the middle of, but it goes up into Idaho, it goes over into Wyoming, it goes up into Montana. There's a large potential field

and discovered field in North Dakota of oil and gas. But the Utah oil leases were withdrawn from development. February 10. These were all actions of the administration. Offshore leasing plan delayed for 6 months.

February 25, shale oil research and development leases delayed in Colorado, Wyoming, and Utah. March 30, 3 million acres of Federal land removed from energy production by Omnibus Public Lands Management Act passed by a Democratic Congress. June 29, 29 million acres of Federal land removed from solar energy development plans, leaving just 670,000 solar acres. So even the so-called clean energy is having roadblocks by this administration.

Uranium mining blocked for 2 years on 1 million acres of land in Arizona. That was in July. August, 24,000 acres in Wyoming oil and gas leases withdrawn. September, new Outer Continental Shelf lease plan postponed until 2012. October, 60 of the 77 Utah oil and gas leases permanently canceled. November, Obama administration found to have approved the least oil and gas leases annually ever recorded in the United States history. So in the first year of this administration they started out with a clear policy of getting rid of our energy, not going after our energy. Even solar.

Year Two. January 6, new regs issued to restrict oil and gas development on Federal lands. January 26, Virginia offshore leases delayed.

□ 2050

January 28, restricted shale oil lease terms, cutting industry offers 85 percent. February 1, \$40 billion in oil and gas industry tax and fee increases introduced in FY 2011 budget proposal. February 17, the administration unilaterally shuts down Yucca Mountain, the Nation's only repository for spent nuclear fuel, jeopardizing the future of nuclear energy.

That's not oil and gas, but that's energy.

March 12, 61 Montana oil leases withdrawn. March 31, majority of Outer Continental Shelf closed to future production. May 6, ban on all gulf drilling over BP spill. July 12, President defies Federal court order overturning the gulf drilling ban. October 12, the President finally says gulf drilling ban lifted, but refuses to issue new permits, keeping a de facto ban in place in contempt of Federal court. November 18, Interior Department plans no new gulf leases until 2012. December 1, the administration reinstates the illegal gulf drilling ban to introduce the entire Pacific/Atlantic Coasts, Eastern Gulf, and parts of Alaska.

So they reinstated the ban to cover the whole coasts of the country. Oh, yes, we've got one more here—year three, 2011.

January 14, revoked West Virginia coal mine permit, costing 250 American

jobs. February 2, a Federal judge finds Interior Department in contempt of court over de facto drilling ban. February 15, announced further delays to U.S. oil shale production by deciding to re-review the current rules for commercial oil shale leasing. February 28, continued the de facto drilling ban while issuing a token deepwater permit. March 4, the President appealed the Federal court ruling to issue stalled deepwater permits.

When I saw that shale oil, I saw my friend from Pennsylvania stand up. I yield to my good friend whatever time he may need to talk about the great things that are happening in Pennsylvania.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Texas for hosting this hour.

I actually do think this administration has an energy policy, and it's all about shutting down all of the domestic use of the resources we've been blessed with in this country. It's about cutting our supply, eliminating our domestic supply.

When I looked at your chart you had in terms of gas prices reflecting 2009 and 2011, I know at the White House the President is asking the Attorney General to put together a task force and is trying to find the bad guys of who's causing gas prices to be so high right now, which are pushing over \$4 a gallon. There's only really one thing that impacts gas prices, and that's supply and demand, and demand around the world is going up. As you really captured nicely in the documentation, Congressman, the problem is that this administration has shut down access to domestic supply, and we're making us more and more foreign-dependent. Right now, with what's happening in Libya, we only get 2 percent of our oil resources from them. Just that 2 percent with what's happening in that country, we're seeing gas prices now push over \$4 a gallon.

I'd like to contrast that with the shale gas that you talked about because, in Pennsylvania, we are blessed with it. Also, let me claim my heritage. I have the privilege of representing Titusville, Pennsylvania, where Edwin Drake drilled that first well 151 years ago, and we're very proud of that. Also, the 17 counties I represent in Pennsylvania are right in the heart of the Marcellus natural gas shale, and in the middle of one of the worst recessions we've had since the Great Depression, gas prices—and you captured them—are spiking at just record heights. If we had a chart there that showed natural gas prices, it actually is a record low. It's a little over \$4 a cubic foot. Normally, in importing our domestic gas from other countries, natural gas would probably be somewhere around \$11 or \$12 a cubic foot, but today, it's \$4-something a cubic foot in the middle of the worst recession.

This winter was a tough winter in Pennsylvania, and the folks all over the State, including those in center city Philadelphia, are paying some of the lowest gas rates, which is only because natural gas is domestically produced.

It just speaks to the importance of a strong domestic supply program, but the policies of this administration make that almost impossible for our oil. They're going after natural gas, trying to stop that as well, and that is driving up costs. I find that it's not only so terribly damaging on our economy and jobs but that it's just immoral when we've been blessed with these resources. They were provided to us for a purpose, which was to be able to use them and go after them and do it as good stewards, and we know how to do that today.

Mr. CARTER. If my friend would yield just for a minute, what is the unemployment rate in Pennsylvania right now?

Mr. THOMPSON of Pennsylvania. The unemployment rate is lower than the national average is. I have a couple counties in particular. Tioga County is one of them, which is in the heart of the Marcellus natural gas. It is probably the first time in history that that county's unemployment is below both State and national averages, and it's because of the natural gas industry.

Mr. CARTER. It's because of those new jobs that were created by this marvelous find in Pennsylvania.

Mr. THOMPSON of Pennsylvania. It is, and all the related jobs. Absolutely. You're right.

It's not the drilling jobs, but it's the hotel jobs and it's the restaurant jobs. I've got manufacturers right now that are sitting with jobs that they can't fill. We hear a lot about unemployment, but these are good jobs. They pay a significant amount of money per hour with good benefits. It's a great employer, and they're sitting there with these job openings, looking for folks to fill them. Now, some of the people they've had working for them have moved on into the gas field, and they've created new opportunities. So producing domestic energy produces domestic jobs, and it's so important.

Mr. CARTER. Reclaiming my time for just a moment, a lot of people don't realize that, when you're talking about the production of oil and gas, there is much more to putting up a rig on a piece of land than just driving out there and putting it up. You build roads. You build fences. Road builders don't drill a single drop of oil or gas, but they build the roads. That's a job. That's multiple jobs. In Louisiana, in the marshy parts of the country, they used to build wooden roads to get out to these rigs. All this creates jobs for all the side industries of the oil and gas industry. Just like any other industry, there are side industries that feed the

big industry, and they all create jobs in a country that dropped below 9 percent but has now jumped back this month above 9 percent again, after one of the longest stretches of high unemployment in the country. I'll just use my family as an example.

My daddy was born in Kentucky, and my mother was born in Tennessee. In fact, where my mother lived may be pretty close to being underwater right now. In fact, she lived right close to the river in Tennessee. In the Great Depression, there were no jobs in their part of the country, but there were jobs in Texas because of the oil industry, so they both came down to Texas to get jobs in the oil industry. Now, they both ended up in the oil industry, but they started out where my mother was in the secretarial pool for business and my daddy was a teacher, an accounting professor; but they got jobs in the oil business, and it was always good to our family.

I don't lay any bones about it. I was raised in an oil and gas family, and my dad was a gas man. I've seen it make our State prosper, and of all the producing States that I've ever visited, they've prospered. Look at what it has done for Alaska. Look at Louisiana. Look at New Mexico and Oklahoma and what it has done for those States and those economies. To take and target an industry and go after that industry the way this administration has done—but not only that, I don't even understand the Yucca Mountain deal. I don't understand the no uranium leases. Now the President, in a couple of speeches, said we'll switch to nuclear. I think that may have changed now since the Japan disaster.

□ 2100

But we can't do it without uranium. There's a new process, you maybe could, but that's a different story. Historically, you can't do without uranium. You've got to have the location to store spent fuel. Americans need to wake up and say, wait a minute, we need energy.

I just was talking to people today that said the EPA was going to try their best to shut down wood-burning fireplaces. My gosh, I mean, how are we going to get warm? You guys up north, how are you going to get warm in the winter time if you're going to take away your coal and your natural gas and the price of oil is going to be through the roof and you can't afford that? You can't even burn wood in your own fireplace? What's wrong with this picture?

Mr. THOMPSON of Pennsylvania. Well, you're right. The demand side impacts gas prices as well, and it has been very well documented that two countries in particular are increasing their thirst for oil, and it's going to drive up the demand for oil worldwide, and that is China and India. It's expected just

within the next few years the demand for oil is going to go up 10 to 12 million barrels a day. That's in addition to what the world is using today; and if that occurs and we don't increase our domestic supply, we don't have a board big enough to show where that red line is going to climb to in terms of gas prices.

It is absolutely critical. That's why I'm so proud. I'm on the Natural Resources Committee. We passed out of there a matter of a number of weeks ago not one but three pieces of legislation. Last week, the House passed out of the House of Representatives H.R. 1229, Putting the Gulf Back to Work Act. This week we're going to be working on H.R. 1230, Restoring American Offshore Leasing Act, and that will make a difference.

Now, critics will say, oh, well, it would be a year or more until you produce one barrel of oil once we pass that act, and that is true because it takes awhile to get that rig set up and get it produced, but we only have to look back to 2008 when President Bush and this Congress finally lifted the Outer Continental Shelf ban moratorium, and on the day that that was lifted and Congress lifted that and we gave the approval to go ahead with issuing permits again, on the day they voted on it, the price of gas in 2008 was four-something a gallon. The very next day it was two-something a gallon.

It makes a difference. It communicates that America is willing to use its own resources, that America is not going to be dependent on the Middle East, on Libya, and on Saudi Arabia, on places that are so volatile today that we don't know if there's a revolution or demonstrations or riots or terrorism that we're not going to have access to that 30 percent of our energy resources that we use today.

The best predictor of future performance is past performance. So we know if the Senate does the right thing and passes these acts that we're going to have and will pass out of the House of Representatives and the President signs it, gas prices will come down; but, unfortunately, the best predictor of future performance is past performance, and under this administration, they're going to continue to limit and eliminate our Americans' access to the domestic resources that we have right here in this country.

Mr. CARTER. The great surge in the cost of gasoline that we were just talking about, that surge was the result of basically two things. You named one of them. The other one was they had a small fire in an Illinois refinery, but the speculators look and they say, we're fighting capacity shutdown and we have a limited refining capacity because we haven't built a major refinery in this country in 25 years.

Mr. THOMPSON of Pennsylvania. Right.

Mr. CARTER. Because of the burdensome rules we've come up with and the fact that we can't permit them. So they look at refining capacity and they look at the other issue, and they say, wait a minute, if there's not a shortage now, there's going to be, and they run the price up. Then when that opens up, hey, the market gets back to normal again, and every time that happens the driving public of America suffers. They're suffering today, and they're suffering on top of the highest unemployment, longest period of high unemployment in modern times just about.

This is one of those what we call kitchen-table issues, when the family gathers around the kitchen table to figure out how they're going to make the budget work especially if Mom or Dad are laid off. One of the things they're looking at is the cost of that fuel, fuel to heat their homes or cool their homes. Down where we come from, we want it cool. They look to see how much it's going to cost them to get to and from school, to and from work, how they're going to conserve energy, maybe they're going to car pool. They're making these kinds of decisions, and yet the government seems to be making these gigantic decisions to shut off supply and then wonder why we have an energy crisis in this country.

This is not rocket science. This is the law of supply and demand. We have the biggest demand. If we can't meet our demand, we've got to go to foreign oil. If there's a fight in Libya, we may not use much of that foreign oil right now, but somebody else does; and if it's at risk, then they are going into another market to get their oil and that makes our market go up. It's all worldwide market in our oil and gas.

I don't understand why people think they're gouging you. They're making excessive profits, and I understand the payment on CEOs and I am not defending any payment on CEOs in any industry. It's not just the oil industry that pays big bucks for CEOs; but if you look at the history of the oil and gas industry, their percentage on investment is lower than most average manufacturing facilities, somewhere between 6 and 8 percent return on their investment. And you say what investments? Well, I think I said earlier, those offshore drilling rigs that drill in the Gulf of Mexico and now have all been moved off the coast of Africa, Indonesia and off the coast of Brazil, those rigs cost \$1 billion, and they can cost you operational-wise in a 24-day period almost \$1 million to operate. They are expensive. And if you hit nothing but dust when you get down to the bottom of that well, you have blown a whole lot of money out the door, and that's just lost. Then you drill the next well to try to get it back. We've gotten better at looking for it and finding it, but it's still a gambler's business when you get down to it.

But this is caused by the government to a great extent. You can't create an environment of uncertainty in any market, I don't care what the market is. If you create the idea of uncertainty, it affects the market. It also affects the psyche of the people, and that's kind of what I don't think they're getting.

So their solution is to tax it. If it moves, tax it. The problem with that is do you really think the CEO of Exxon is going to pay the taxes if we increase taxes on the oil and gas industry? No. You and I are going to pay those taxes when we fill up our tank. If you go and ask the question, they will tell you at your local filling station. They used to publish it in Texas on the pump how much of a gallon of gasoline was taxed. It's a whole bunch. Direct and indirect tax make up a large amount of the cost of gasoline, always have, and I come from a time where we used to have 19 cents a gallon gasoline in Texas. Try that on for size. I could go buy a dollar's worth of gas and drive all week.

I yield to the gentleman.

Mr. THOMPSON of Pennsylvania. I thank the gentleman from Texas.

I think a point in terms of the profits that oil companies make, it really is what most industries, whether it's a manufacturer or service industry, make right around 6 to 8 percent; but yet you have to answer who is benefiting from that. I would find it hard to believe that there's not a lot of Americans that benefit from that because their pension programs are investing in the portfolios they may have. Their pensions are investing in those types of companies and benefiting from that 6 to 8 percent margin that these companies are delivering.

Those who will speak against using oil, they say, well, we don't have enough. We use so much, but we only have 2 percent of the proven reserves. Here's the facts. Frankly, when they define proven reserves, they just look at conventional. They don't look at unconventional. They don't consider shale gas. They don't consider shale oil. They just look at conventional reserves. Then they really don't look at probable.

□ 2110

For probable, there is 10 to 20 times that much available in terms of probable. And then when you get the estimate, there is enough oil out there to really, I think, meet the needs of this country for as long as we need to. Now, I'm not saying forever because I think at some point, there will be a new energy source that comes along. It may be generations until we get that. It may be hydrogen-fueled cars. I don't know what it is, but we are going to have that kind of new science in the future. But we have plenty of oil to meet our needs right now.

In terms of natural gas, what we know now from all the reserves in

Texas and Pennsylvania and the Outer Continental Shelf and, frankly, throughout the West, we have at least 200 years of natural gas, and that's just what we know about. And the unknown is—but it's pretty consistent—is that the technology gets better and better and better. It's only with the advent about 60 years ago of the development of horizontal drilling that we have been able to really access the full potential that we are getting now on natural gas. I know that the engineers and the scientists out there are looking at new and better ways to get out more of this resource that God has really blessed us with as a country.

I think we really do need an energy policy in this country, and it ought to be one that is centered around the full use of and access to domestic energy resources. We ought to be doing the research too, obviously, for new development. And energy efficiency is important as well, whether it's transportation or heating or electricity or appliances being more energy efficient with it. But those three things alone, all centered on domestic use of energy resources, that's the kind of energy policy this country needs.

Mr. CARTER. Reclaiming my time, I agree with you 100 percent. It's the same thing when we took over this House floor 3 years ago in the dark because they turned out the lights on us, turned off the mics, and we talked for about 2 or 3 weeks on, what we want is all of the above. We are for every energy resource that is available, but we want that energy resource to be as available as possible to be competitive in the market. I mean, everybody's got their own little balliwick. And corn farmers love ethanol, but it's got to compete. Sun has to compete. Wind has to compete.

They invariably call us oil and gas guys "anti-wind people." Wrong. Texas has the largest wind farm in the United States. There's no State with more of those wind turbines than the State of Texas because out in the West, the wind blows all the time. It's like a gold mine for wind. What do you think Boone Pickens is talking about when he's talking about all that wind energy out there? And his idea of putting natural gas-burning cars on the road is a good idea. I support it. Because when we hear that now with the discovery of shale gas and the ability—we just started to tap it. It is just a small part of the future.

By the way, it would be real interesting to find out if some of our colleagues that are so opposed to natural gas, if they knocked on his door and said, Sir, we would like to talk to you about making a lease for a share of the profits on drilling for natural gas on your property. And I wonder if they would say, Oh, no. I wouldn't take that, those hundreds of thousands of dollars that I might make from you de-

veloping that resource. No, I don't believe in that stuff. I don't think so. Whenever you produce wealth, wealth enhances a nation. And your natural resources are a part of the wealth of the Nation, always have been and, my friend, they always will be.

Mr. THOMPSON of Pennsylvania. I just want to come back to the point you talked about in terms of ethanol, wind, solar. It could be anything. Anytime that you take a new energy to commercial level, commercialize it, but you do it artificially, you do it with subsidies, you use taxpayer dollars to sustain it in the market, that's just wrong. And it's not real. If something is ready for prime time, if it is ready to be commercialized, it will stand on its own. It will create a market that people want to come and buy it and use it. So as we look forward to an energy policy, I think we need to be very careful about what we artificially commercialize, what we subsidize.

Natural gas is real. Oil is real. Both of them will stand on their own. It doesn't need subsidies in order to provide energy for folks. It will do it in a way that is market proven. But there are other markets out there—and you've named a couple of them—that if we take away those subsidies today, they would collapse. They wouldn't exist. So, frankly, I think that's a disservice to the American taxpayers.

Why are we commercializing energy resources? You know, I do believe in research; and that's where our focus should be, as opposed to prematurely commercializing something that doesn't stand on its own. I have a lot of appreciation for the national energy labs in this country. They are scientists. They don't have an agenda. They are just looking for that new energy source, and they are very credible in what they do. And that's where our emphasis should be, not prematurely commercializing energies that are unsustainable. We really should make sure we invest in research and development.

Mr. CARTER. Within the last 3 years, I have met two different individuals—one of them very recently—who have a scientific plan to refine garbage at your garbage dump, solid waste, normal throw-it-in-your-garbage-can stuff, go out there and, through a multiple process, produce gasoline and capture all the CO₂ to be used—in Texas we take CO₂, put it back down in the ground in old wells, and reenergize those wells to bring more oil to the surface. And the leftovers, after this burning process to create the gasoline, refine the gasoline out of garbage, leaves an ash that is good to plow into fields in certain parts of the country to refurbish the fields.

That's the kind of thinking we want. That's great. That's a good idea. And because we're talking energy and we're having energy policy, those good ideas

come to the fore. That's what we want. That's how we're going to solve this problem. But we're not going to solve it by shutting down what we have now in hopes that there is going to be this miraculous overnight discovery that's just going to make everything great, like we find some kryptonite or something, and it runs the whole country. Wrong. It ain't going to happen.

This is a frustrating time for those of us that are in energy-producing States because we have people that literally don't like the production of energy, but they complain about the production of energy. They want to tax it.

By the way, the majors, the big boys, they don't get subsidies on their stuff. That's for wildcatters. They drilled, but most of their production is overseas. And we, to some extent, by having bad energy policy in the United States, we have driven people to the benefit of other people in the world. Nobody thought about drilling off the coast of Australia or drilling off the coast of Indonesia, which is a very unstable volcanic area over there, until they were kind of pushed out of American waters. And then they started looking in places like the North Sea, off the coast of Africa, Nigeria, Indonesia; and these are now major production fields. They've benefited from our lack of foresight under some administrations to continue to enhance our native industry. More power to them. That's good for them. But we have it here too.

I still think there is plenty of oil in Alaska and lots of it. And they haven't even started looking for natural gas up there. They probably have got as much natural gas as anybody. There's an international thing going on; most people don't even know about it. I learned it from the Coast Guard. Because of the receding ice from the North Pole—and I won't get off into global warming here today, if that's it—whatever it is, because it's receding, there is now a waterway. There is now a northwest passage across the top of North America. You can sail from the Atlantic to the Pacific.

Also, if that water stays open, you can drill for natural resources there. The unclaimed international water gets claimed by who puts the most activity in that water. And one of the questions is, the Russians are pouring in ships and trawlers and other things into that whole area up there, the part we claim is so much. The Canadians claim so much. But there is a lot more that seems to be developing. And why are they after it? It's not for fish, my friend. It's oil and gas.

I thank my friend from Pennsylvania for joining me.

□ 2120

DISPELLING THE POLITICAL FOLKLORE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arizona (Mr. SCHWEIKERT) is recognized for 30 minutes.

Mr. SCHWEIKERT. Mr. Speaker, I actually didn't intend to do this this evening, but I got so frustrated with a number of the things I've been watching, both on television and from our brothers and sisters in this body, it became time to actually bring some of the slides we actually do in our town halls back in Arizona. I like to refer to it as a combination of truth on the numbers and also dispelling some of the political folklore that is rampant, both in this town.

I'm going to say a number of things this evening that I promise you will offend all sorts of Members, all sorts of this Washington, D.C. But, look, I'm a freshman. I've been here 140-some days, and Washington, D.C., has systemically not told the truth to the American people. I don't know if they're fearful of looking the American people in the eyes and saying, Look, here's what we've done to your future, your kids' future, your grandkids' future is so scary that they don't get reelected.

Well, I got elected to come here and do the numbers, and so my goal is very, very simple. The numbers are straight up. The numbers come from 2010 on a lot of the charts, so we know exactly what was actually spent. On a number of charts outside that, we're also going to use the President's numbers.

But let's run through this. We were just watching Judge CARTER a couple of minutes ago walk through some of the economic impacts of what happens with drilling. I'm going to even touch, through this, on the folklore of, well, let's go tax Big Oil and what it actually produces.

First of all, the slide right next to me, this one we put together just to make it simple and visual. Imagine a country that borrows 42 pennies, 42 pennies out of every dollar we spend. We all know that's not sustainable. We can't do this. You couldn't do it in your family budget. Think of it. Over the last couple of years, it's been tough out there. Your family, my family, we all cinched our belts. The American families got tough and did what was necessary.

What did the Congress do? What did this government do? What did Washington, D.C., do? They just kept spending. But the way they spent is they found people who were willing to buy U.S. sovereign debt, and they kept borrowing. And today we now borrow 42 cents out of every dollar.

Now, why is that so terrifying? Well, it's terrifying because you start to realize the speed the debt is growing, and

then you start to understand some of the other drivers in that debt.

One of the things that happened January 1 this year, you know, what was the big change? Baby boomers. Every 8 seconds, someone turns 65 in this country for the next 18 years. So think of that. Ten thousand a day for the next 18 years.

That's why you see many of us around here saying we need to tell the truth how devastatingly ugly these numbers are, and that if we step up and deal with it now, we can fix it. But you can't deal with it with a bunch of silly rhetoric.

So let's walk through some more of these slides.

Right here is the 2010, and you see this blue. The blue is, we'll call it mandatory spending, entitlements, Medicare, Medicaid, Social Security, interest on the debt. But look, when you step up, when you step up to what is functionally four budget years from now, because we just did the 2012 budget, looking at 2016, you start to realize the growth in the spending, the growth in the entitlements. One of the things that keeps not being shared with the American people is, when you look at our 2010, and the 2011 number here would be out a little bit further, we don't take in enough revenue today to even cover the mandatory spending. If you see our revenue line, it cuts through right about here.

So think of that. Every dime of defense is borrowed. Every single dime of discretionary is borrowed. And we're about \$100 billion short on even covering the entitlements, the mandatory spending. We borrow a little piece of those dollars that go into the entitlements, and it continues to explode in the future years.

I know these are a lot of slides, but when we get down to the ending part, I think you're going to find some of them sort of fun. But we first have to walk through sort of an understanding of the pie chart.

This is 2010. 2010, the mandatory spending was sitting about 63 percent, 62 percent of all the spending in government. Defense Department, other discretionary. And when I said "all the spending in government," understand things like Fannie Mae, Freddie Mac aren't even part of this. They're off the books on this.

Now, when you look at this line here, that blue, look how fast it starts to move up. In 2016, it goes from here, where we're about 63 percent, and now we hit 72 percent. Think of that.

We just did what? The 2012 budget. 2016, four budget cycles from now, the mandatory spending, the entitlements are consuming 72 percent of our budget. The amazing thing is, in that cycle, the money that is going to discretionary, actually, we predict to go down in those 4 years.

So you start to understand the mandatory is consuming what we are. You

get folks who start to raise their hands at some of the town halls and say, well, why not just raise the marginal tax rates? Let's go out and tax everyone a little bit more.

There's some fascinating math on that, and we've got 60 years of history looking at it. This is one of my favorite charts. For someone that wants to follow this, you can actually go—and I have a tough last name—it's Schweikert.house.gov. You'll see these charts on there.

This is when we had very high marginal tax rates back in the forties, fifties, early sixties, very high marginal tax rates. Over here is where we have very low marginal tax rates. And there's this normalizing effect. There's actually a couple of Ph.D.s who've written very detailed papers on this normalizing effect. Or even during times of very high marginal tax rates and very low marginal tax rates, guess what happens? We take in about 18.2 percent of gross domestic product.

I don't know. Maybe in the math out there, maybe in the logic out there, maybe in the human nature there, when you tax people a lot, they find other ways to take their income. Maybe when you tax them low, they are willing to work more hours. But somehow, high marginal tax rates, low marginal tax rates, we basically take in the same percentage of gross domestic product, of GDP. It hits that 18.2 percent.

So when folks look at you in the eye and say, oh, just raise marginal tax rates—we're going to tax the rich more; we're going to tax everyone more—it doesn't do it. It doesn't take care of this massive debt that is consuming us as a people.

What you have to do is you have to grow that line, which is the size of the economy. You must grow this economy. Because as you start to look through these numbers, you come to the realization, yeah, we have a huge spending problem. But we can never cut enough. We have to grow, because it's two sides of this pendulum, and both of them have to be in motion. We have to grow, we have to cut the spending, and we have to deal with the reality that the mandatory spending, the entitlements, are eating us alive.

□ 2130

Let's actually start to walk on some of what I would like to refer to as political folklore.

When we hold many of our town halls back in my district, and I am blessed to represent Arizona's Fifth District. It is an amazingly wonderful place. It is Scottsdale and Tempe, Fountain Hills, Ahwatukee, and Mesa, and we will often get hands that will pop up in the back of the room and say, "Mr. SCHWEIKERT, or DAVID, why don't we do this. If we go out there and tax Big Oil, we could balance the budget. Right?"

They mean well. I believe the participants at our town halls really mean well when they raise that hand, because they have seen members of this body tell them that, and they haven't been told the truth.

When you look at the numbers, here is 2011, hard dollars. You can call them subsidies, you can call them depletion allowances, you can call them incentives to drill and produce more petroleum products, but the gray here is fossil fuels. And just for comparison, we also put the \$3.72 billion of the subsidies that go into green energy. But for the fun of it, let's just talk about this part right here, the \$2.44 billion that is in 2011.

Well, think about this. If you are borrowing about \$4.7 billion every single day, how can a Member of Congress look in the camera, look at you, and say, "Well, if we would just tax Big Oil more, maybe that would help solve the debt problem?" It doesn't even make a drop in the bucket.

We can have a little fun with this, because I have been trying to find a way to talk about big numbers. I was blessed in my previous life; I lived in a world of big numbers. But how do you visualize \$1 trillion? How do you visualize \$1 billion? How do you visualize \$1 million for many people? So we have been playing with the idea of, Let's make it time.

So your government right now is borrowing about \$4.7 billion every single day, every single day. So let's just think about it, \$4.7 billion every single day. Those taxes on Big Oil—let's make it this. Let's make it taxes on all. Let's just remove those depletion allowances, those tax credits, which are also tied to depreciation that all other businesses get. But let's just wipe them all out. Guess what it buys you? It buys you about 2.2 minutes of borrowing a day.

Now, how many of you feel like you have been told that?

You know, once again, we are engaging often around this place in political theater instead of math. That's been one of my greatest frustrations in my short time here: I wish I saw more Members carrying around their financial calculators so they could look the American people in the eye and tell them the truth.

But think about that. The whole, we will call it, fossil fuels subsidies, tax credits, depreciation allowances, incentives to drill would buy you about 2.2 minutes a day. Oh, come on. And that's just assuming that every dollar came in, and you didn't slow the economy down and didn't slow energy drilling down or energy production down. So this is just throwing your hands up and saying, let's just pretend for a moment that we got rid of those, and it becomes pure income.

Let's actually go to the next level, because there's always that other per-

son that raises their hands and says, "Well, DAVID, I have heard that if we would go out and we would tax the rich more." Remember, that lame duck Congress last December extended what a lot of folks call the Bush tax cuts. Now, around here we often call them the Bush-Obama tax cuts because President Obama is the one who signed them in December. But they extended those tax cuts. And weren't those tax cuts for the rich, and wouldn't that balance the budget?

Well, back to that small problem called math. Let's pretend for a moment that they hadn't happened, and let's pretend that it didn't slow down the economy, and let's pretend every dime that some folks have predicted came in. A lot of this place operates in a fantasy world. Why can't we? So we never had the tax extensions that happened in December. What would it buy you? Well, we once again borrow \$4.7 billion every single day. It would buy you about 28 minutes. Think of that, 28 minutes.

So now I'm at my town hall. I've had two hands go up. The first one saying, "Well, DAVID, if we would tax Big Oil, then that would balance the budget." Well, what did we learn on the last slide? That was about 2.2 minutes of borrowing every day.

And then the other hand goes up saying, "If we would tax the rich more." As a matter of fact, why don't we do in this slide that tax extenders never happened, so everyone, rich, poor, middle class didn't get the benefit of that extension of the tax cuts last December? Well, guess what. That buys you 28 minutes.

So think about it. We are doing really well here. We are up to 28 minutes plus 2.2 minutes. So now, let's see, what if we do this, because there's always the other hand that goes up and says, "DAVID, I bet you we could balance the budget and wouldn't have this debt and deficit if we did this: We tax Big Oil. And those Bush-Obama tax extenders that happened last December in the lame duck session, we never had that, because those help the rich. Oh, and by the way, if we had never had the wars, you know, if we didn't have Afghanistan, if we didn't have Iraq—and I believe actually in our number here it didn't even have Libya—we could balance the budget then. Couldn't we?"

So we actually, literally a couple hours ago, sat down and said, Let's add it up, and let's make it on a per hour basis so the American people can understand the crazy spending that's going on around this place and how fast the numbers are eroding on us.

Back again to our math: We borrow \$4.7 billion every single day. And let's go back to our pretend world. Every dime of those oil subsidies and depreciation allowances and tax credits come in, and it doesn't actually slow down jobs or the economy and every

dime of those taxes were to come in. Even though probably if you did that, you would slow down the economy and people would work less and you would have less dollars. But we are living in our fantasy world here. And because we didn't have the wars, none of that money would be going out the door, even though certain portions of that are actually already built into the defense budget. But every dime that is equated to Iraq, Afghanistan, and now Libya.

What would it buy us? Well, we are borrowing that \$4.7 billion a day. Guess what? It buys you 3 hours of borrowing.

Think about what you have heard around here, and how many people you have seen walk up in front of a microphone and a camera look you in the eye and say, "Well, if we did these things, we wouldn't have this debt?" They are not telling you the truth. All those together are only 3 hours of borrowing.

And, let's see. If I remember correctly, there's like, what, 24 hours in a day? I'm looking for some honest discussion about the other 21 hours a day. You've got to go back to those first boards that I put up and have an honest discussion about entitlements, about the mandatory spending, because they are what are exploding on us. They are what are consuming us as a people.

We can do this. We can save the future for our kids and our grandkids. We can make sure that these programs exist. But we have to do it rationally, and we have to for once do it honestly, fact-based, maybe someone actually holding a calculator. Because the rhetoric around here, the political folklore around here, when they are willing to look you in the eyes and base their whole world on something that only buys you 3 hours of borrowing a day, you are not being told the truth.

We try to add literally two to four slides a week. We are engaging in a little project. We are a freshman office, but we have some very smart young people who are very good with their calculators, and we are trying very hard to find a way to make these gigantic numbers digestible so we can all understand them so we can have a rational conversation of how we save our country.

If you will go to Schweikert.house.gov, you are going to find a number of these slides. As a matter of fact, all of them are on there, and every week, I promise you, there are going to be more coming. And maybe if we all start to tell each other the truth about the math, we can actually tell the truth about how we are going to save the country.

With that, I yield back the balance of my time.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HASTINGS of Washington (at the request of Mr. CANTOR) for today and the balance of the week on account of illness.

Mr. JACKSON of Illinois (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Mr. SCHWEIKERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock and 39 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, May 11, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1480. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Etoxazole; Pesticide Tolerances [EPA-HQ-OPP-2010-0063; FRL-8867-5] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1481. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — *Escherichia coli* O157:H7 Specific Bacteriophages; Temporary Exemption From the Requirement of a Tolerance [EPA-HQ-OPP-2010-0274; FRL-8868-4] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1482. A letter from the Director, Regulatory Management Agency, Environmental Protection Agency, transmitting the Agency's final rule — Glyphosate (N-(phosphonomethyl)glycine; Pesticide Tolerances [EPA-HQ-OPP-2009-0988; FRL-8866-8] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1483. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the System's "Major" final rule — Truth in Lending [Regulations Z; Docket No. R-1393] (RIN No.: 7100-AD55) received April 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1484. A letter from the Director, Department of Labor, transmitting the Department's final rule — Updating Regulations Issued Under the Fair Labor Standards Act (RIN: 1215-AB13, 1235-AA00) received April 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

1485. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's final rule — Medicaid Program; Federal Funding for Medicaid Eligibility Determination and Enrollment Activities [CMS-2346-F] (RIN: 0938-AQ53) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1486. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agen-

cy's final rule — National Oil and Hazardous Substance Pollution Contingency Plan; National Priorities List: Deletion of the Spiegelberg Landfill Superfund Site [EPA-HQ-SFUND-1983-0002; FRL-9291-6] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1487. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; Stage I Vapor Recovery Rule [EPA-R05-OAR-2010-0545; FRL 9295-1] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1488. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Indiana; [EPA-R05-OAR-2010-0998; FRL-9295-3] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1489. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Florida; Prevention of Significant Deterioration [EPA-R04-OAR-2006-0130-201111(a); FRL-9293-4] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1490. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan; Sacramento Metropolitan Air Quality Management District [EPA-R09-OAR-2010-0743; FRL-9279-1] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1491. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; District of Columbia; Section 110(a)(2) Infrastructure Requirements for the 1997 8-Hour Ozone and the 1997 and 2006 Fine Particulate Matter National Ambient Air Quality Standards [EPA-R03-OAR-2010-0139; FRL-9292-9] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1492. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Finding of Substantial Inadequacy of Implementation Plan; Call for Utah State Implementation Plan Revision [EPA-R08-OAR-2010-0909; FRL-9294-9] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1493. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Structure and Practices of the Video Relay Service Program [CG Docket No.: 10-51] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1494. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Amendment of Section 73.622(i), Post-Transition Table of DTV Allotments, Television Broadcast Stations. (Decatur, Illinois) [MB Docket No.: 10-264] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1495. A letter from the Deputy Chief, CGB, Federal Communications Commission, transmitting the Commission's final rule — Implementation of the Twenty-First Century Communications and Video Accessibility Act of 2010, Section 105, Relay Services for the Deaf-Blind Individuals [CG Docket No.: 10-210] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1496. A letter from the Attorney Advisor, Federal Communications Commission, transmitting the Commission's final rule — Improving Public Safety Communications in the 800 MHz Band New 800 MHz Band Plan for Puerto Rico and the U.S. Virgin Islands [WT Docket 02-55] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1497. A letter from the Assistant Chief, Broadband Division, Federal Communications Commission, transmitting the Commission's final rule — Fixed and Mobile Services in the Mobile Satellite Service Bands at 1525-1559 MHz and 1626.5-1660.5 MHz, 1610-1626.5 MHz and 2483.5-2500 MHz, and 2000-2020 MHz and 2180-2200 MHz [ET Docket No.: 10-142] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1498. A letter from the Division Chief, Federal Communications Commission, transmitting the Commission's final rule — Review of the Emergency Alert System [EB Docket No.: 04-296] received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1499. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Implementation of Additional Changes from the Annual Review of the Entity List; Removal of Person Based on Removal Request [Docket No.: 110222154-1181-01] (RIN: 0694-AF13) received April 13, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1500. A letter from the Financial Assistance Program Manager, Office of Acquisition and Property Management, Department of the Interior, transmitting the Department's final rule — Department of the Interior Implementation of OMB Guidance on Drug-Free Workplace Requirements (RIN: 1093-AA12) received April 11, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Natural Resources.

1501. A letter from the General Counsel, Administrative Conference of the United States, transmitting the Conference's final rule — Disclosure of Records or Information received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1502. A letter from the General Counsel, Department of Justice, transmitting the Department's final rule — Reorganization of Regulations on Control of Employment of Aliens [EOIR No. 166F; AG Order No. 3260-2011] (RIN: 1125-AA64) received April 10, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

1503. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Krewe of Charleston Mardi Gras Boat Parade, Charleston Harbor, Charleston, SC [Docket No.: USCG-2010-1151] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1504. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Ninth

Coast Guard District Sector Realignment; Northern Lake Michigan and Lake Huron [Docket No.: USCG-2009-0929] (RIN: 1625-ZA29) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1505. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Havasu Landing Regatta, Colorado River, Lake Havasu Landing, California [Docket No.: USCG-2011-0018] (RIN: 1625-AA00) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1506. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Duluth Ship Canal, Duluth-Superior Harbor, MN [Docket No.: USCG-2010-1030] (RIN: 1625-AA09) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1507. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Security Zones; Cruise Ships, Port of San Diego, California [Docket No.: USCG-2011-0038] (RIN: 1625-AA87) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1508. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Mavericks Surf Competition, Half Moon Bay, CA [Docket No.: USCG-2010-1093] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1509. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations; Patriot Challenge Kayak Race, Ashley River, Charleston, SC [Docket No.: USCG-2011-0039] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1510. A letter from the Commander, US Coast Guard, Deputy CG-0943, Department of Homeland Security, transmitting the Department's final rule — Great Lakes Pilotage: 2011 Annual Review and Adjustment [Docket No.: USCG-2010-0517] (RIN: 1625-AB48) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1511. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulations and Safety Zones; Recurring Events in Northern New England [Docket No.: USCG-2010-0110] (RIN: 1625-AA08; AA00) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1512. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Special Local Regulation; Hydroplane Races within the Captain of the Port Puget Sound Area of Responsibility [Docket No.: USCG-2009-0996] (RIN: 1625-AA08) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1513. A letter from the Attorney, Department of Homeland Security, transmitting the Department's final rule — Safety Zone, Dredging Operations; Delaware River, Marcus Hook, PA [Docket No.: USCG-2011-0127] (RIN: 1625-AA00) received April 14, 2011,

pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1514. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Safety Zone; Miami International Triathlon, Bayfront Park, Miami, FL [Docket No.: USCG-2011-0010] (RIN: 1625-AA00) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1515. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Regulated Navigation Area; Hudson River South of the Troy Locks, NY [Docket No.: USCG-2010-0794] (RIN: 1625-AA11) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1516. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Drawbridge Operation Regulation; Buffalo Bayou, mile 4.3, Houston, Harris County, TX [Docket No.: USCG-2011-0100] (RIN: 1625-AA09) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1517. A letter from the Attorney Advisor, Department of Homeland Security, transmitting the Department's final rule — Inflatable Personal Flotation Devices [USCG-2011-0076] (RIN: 1625-AB60) received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1518. A letter from the Chief Counsel, Department of the Treasury, transmitting the Department's final rule — General Regulations Governing U.S. Securities; Sale and Issue of Marketable Book-Entry Treasury Bills, Notes, and Bonds (Department of the Treasury Circular, Public Debt Series No. 1-93); Regulations Governing Book-Entry Treasury Bonds, Notes and Bonds Held in Treasury/Reserve Automated Debt Entry System (TRADES) and Legacy Treasury Direct; Regulations Governing Securities Held in TreasuryDirect received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1519. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Inpatient Psychiatric Facilities Prospective Payment System — Update for Rate Year Beginning July 1, 2011 (RY 2012) [CMS-1346-F] (RIN: 0938-AQ23) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

1520. A letter from the Regulation Coordinator, Department of Health and Human Services, transmitting the Department's "Major" final rule — Medicare Program; Hospital Inpatient Value-Based Purchasing Program [CMS-3239-F] (RIN: 0938-AQ55) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. REED: Committee on Rules. House Resolution 257. Resolution providing for consideration of the bill (H.R. 1231) to amend the

Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes (Rept. 112-74). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. CRAVAACK (for himself, Mr. BACHUS, and Mr. ROGERS of Alabama):

H.R. 1801. A bill to amend title 49, United States Code, to provide for expedited security screenings for members of the Armed Forces; to the Committee on Homeland Security.

By Mr. PASCRELL (for himself and Mr. DAVIS of Kentucky):

H.R. 1802. A bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities; to the Committee on Ways and Means.

By Mr. TONKO (for himself and Mr. PAULSEN):

H.R. 1803. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to improve truck parking facilities; to the Committee on Transportation and Infrastructure.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, and Mr. JORDAN):

H.R. 1804. A bill to prohibit discrimination in State taxation of multichannel video programming distribution services; to the Committee on the Judiciary.

By Mr. CONYERS:

H.R. 1805. A bill to extend the sunset of certain provisions of the USA PATRIOT Act, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Financial Services, and Intelligence (Permanent Select), for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GUINTA:

H.R. 1806. A bill to amend the Endangered Species Act of 1973 to provide that Bluefin tuna may not be treated as an endangered species or threatened species; to the Committee on Natural Resources.

By Mr. MARKEY:

H.R. 1807. A bill to provide for the sale of oil from the Strategic Petroleum Reserve and acquisition of refined petroleum product, and for other purposes; to the Committee on Energy and Commerce.

By Mr. ALTMIRE (for himself and Mr. MURPHY of Pennsylvania):

H.R. 1808. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to carry out programs to develop and demonstrate 2 small modular nuclear reactor designs, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ANDREWS (for himself, Mr. YOUNG of Alaska, and Mr. GOSAR):

H.R. 1809. A bill to amend the Employee Retirement Income Security Act of 1974 to ensure health care coverage value and transparency for dental benefits under group health plans; to the Committee on Education and the Workforce.

By Mr. BRADY of Texas (for himself, Mrs. CAPPS, Mr. GERLACH, Mr. VAN HOLLEN, Mr. OLVER, and Mr. MCGOVERN):

H.R. 1810. A bill to direct the Secretary of Health and Human Services to encourage research and carry out an educational campaign with respect to pulmonary hypertension, and for other purposes; to the Committee on Energy and Commerce.

By Mr. COFFMAN of Colorado (for himself, Ms. BORDALLO, Mr. HARPER, and Mr. ROE of Tennessee):

H.R. 1811. A bill to amend title 38, United States Code, to provide for employment and reemployment rights for certain individuals ordered to full-time National Guard duty; to the Committee on Veterans' Affairs.

By Mr. CONNOLLY of Virginia:

H.R. 1812. A bill to direct the Administrator of General Services to establish a small business growth pilot program, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CONNOLLY of Virginia:

H.R. 1813. A bill to amend the Internal Revenue Code of 1986 to deny tax benefits to large oil companies and distribute the amounts raised to licensed drivers in order to provide relief from high gas prices; to the Committee on Ways and Means.

By Mr. ENGEL (for himself, Mr. WELCH, and Mr. JACKSON of Illinois):

H.R. 1814. A bill to amend the Internal Revenue Code of 1986 to deny certain tax benefits to persons responsible for an oil spill if such person commits certain additional violations; to the Committee on Ways and Means.

By Mr. HASTINGS of Florida (for himself, Mr. BACHUS, Mr. FRANK of Massachusetts, Mr. ROHRABACHER, Mr. CONYERS, Mr. THOMPSON of Mississippi, Mr. RANGEL, Ms. NORTON, Mr. GRIJALVA, Ms. FUDGE, Mr. HINCHHEY, Mr. MEEKS, Ms. CLARKE of New York, Mr. SCOTT of Virginia, Ms. JACKSON LEE of Texas, Mrs. LOWEY, Mr. WEST, Mr. DAVIS of Illinois, Ms. ROYBAL-ALLARD, Ms. BROWN of Florida, Mr. RUPPERSBERGER, Mr. SERRANO, Mr. BACA, and Mrs. CHRISTENSEN):

H.R. 1815. A bill to posthumously award a Congressional Gold Medal to Lena Horne in recognition of her achievements and contributions to American culture and the civil rights movement; to the Committee on Financial Services.

By Mr. LEWIS of Georgia (for himself and Mr. BOUSTANY):

H.R. 1816. A bill to amend the Internal Revenue Code of 1986 to provide an exclusion from gross income for AmeriCorps educational awards; to the Committee on Ways and Means.

By Mr. LOEBSACK:

H.R. 1817. A bill to amend the Elementary and Secondary Education Act of 1965 to provide for the development of State statistical literacy plans and to authorize the Secretary of Education to make grants for statistics-related teacher professional development and the improvement of statistics education; to the Committee on Education and the Workforce.

By Mr. MCKEON:

H.R. 1818. A bill to designate Mt. Andrea Lawrence, and for other purposes; to the Committee on Natural Resources.

By Mrs. MILLER of Michigan (for herself, Mr. FLAKE, Mr. MATHESON, Mrs. LUMMIS, Mr. BISHOP of Utah, Mr. CHAFFETZ, Mr. KLINE, and Mr. BENISHEK):

H.R. 1819. A bill to amend the Endangered Species Act of 1973 to provide for State management of population segments of gray wolves in the United States, and for other purposes; to the Committee on Natural Resources.

By Mr. PALLONE:

H.R. 1820. A bill to fight criminal gangs; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. PLATTTS (for himself and Mrs. MCCARTHY of New York):

H.R. 1821. A bill to strengthen families' engagement in the education of their children; to the Committee on Education and the Workforce.

By Mr. ROHRABACHER (for himself, Mr. BILBRAY, Mr. BURTON of Indiana, Mr. CALVERT, Mr. FORBES, Mr. JONES, Mrs. MYRICK, Mr. POE of Texas, Mr. ROSS of Florida, and Mr. WESTMORELAND):

H.R. 1822. A bill to amend title I of the Patient Protection and Affordable Care Act to provide for appropriate procedures under such title for verification of citizenship status; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SENSENBRENNER:

H.R. 1823. A bill to modernize, shorten, and simplify the Federal criminal code, and for other purposes; to the Committee on the Judiciary.

By Mr. WOLF:

H.R. 1824. A bill to amend title 49, United States Code, to make modifications with respect to the board of directors of the Metropolitan Washington Airports Authority, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CULBERSON (for himself and Mr. CUELLAR):

H.J. Res. 57. A joint resolution proposing an amendment to the Constitution of the United States allowing the States to call a limited convention solely for the purposes of considering whether to propose a specific amendment to the Constitution; to the Committee on the Judiciary.

By Mr. KING of New York (for himself, Mr. ROGERS of Alabama, Mrs. MILLER of Michigan, Mr. MCCAUL, Mr. BILIRAKIS, Mr. MARINO, Mr. QUAYLE, Mr. DANIEL E. LUNGREN of California, and Mr. LONG):

H. Res. 255. A resolution expressing the sense of the House of Representatives that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union; to the Committee on Homeland Security.

By Mr. PETERS (for himself, Mr. YOUNG of Florida, Ms. LEE of California, and Mr. BARTLETT):

H. Res. 256. A resolution expressing support for designation of the week of May 8, 2011, through May 14, 2011, as Williams Syndrome Awareness Week; to the Committee on Oversight and Government Reform.

By Mr. CARNAHAN (for himself, Ms. SCHAKOWSKY, Ms. MOORE, Mr. CROWLEY, Mr. PAYNE, Mr. MURPHY of Connecticut, Mr. McDERMOTT, Ms. SPEIER, Mr. LEWIS of Georgia, Mr. GRIJALVA, Mr. SHULER, Mr. BERMAN, Ms. BASS of California, Ms. NORTON, Mrs. MALONEY, Mr. MORAN, Mr. RUSH, Mr. MCGOVERN, and Mr. GARAMENDI):

H. Res. 258. A resolution honoring and supporting women in the Middle East and North Africa for their bravery and leadership and calling on the United States Government and the international community to recognize their vital role in democracy movements and promote the rights and empowerment of women and girls in the region; to the Committee on Foreign Affairs.

By Mr. DAVIS of Illinois:

H. Res. 259. A resolution recognizing Chief Master Sergeant Donald G. Robinson, Jr., for his service in the Air Force; to the Committee on Armed Services.

By Ms. LEE of California:

H. Res. 260. A resolution supporting the goals and ideals of Professional Social Work Month and World Social Work Day; to the Committee on Education and the Workforce.

By Ms. LEE of California:

H. Res. 261. A resolution expressing commitment to the objectives of the Program of Action of the International Conference on Population and Development; to the Committee on Foreign Affairs.

By Mr. VAN HOLLEN (for himself and Mr. McCAUL):

H. Res. 262. A resolution supporting efforts to raise awareness, improve education, and encourage research and treatment of the psychosocial needs of children, adolescents, and young adults diagnosed with a childhood cancer and their families; to the Committee on Energy and Commerce.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. CRAVAACK:

H.R. 1801.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 8, Clause 1 of the Constitution of the United States and Article I, Section 8, Clause 18 of the Constitution of the United States.

By Mr. PASCRELL:

H.R. 1802.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. TONKO:

H.R. 1803.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1,

All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.

By Mr. SENSENBRENNER:

H.R. 1804.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. CONYERS:

H.R. 1805.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clauses 1 and 3 of the United States Constitution.

By Mr. GUINTA:

H.R. 1806.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8 Clause 3 of the United States Constitution which allows the Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. MARKEY:

H.R. 1807.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 and Article 1, Section 8, Clause 18.

By Mr. ALTMIRE:

H.R. 1808.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18:

The Congress shall have Power * * * To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

And

Article I, Section 8, Clause 3

The Congress shall have Power * * * To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. ANDREWS:

H.R. 1809.

Congress has the power to enact this legislation pursuant to the following:

Commerce Clause

By Mr. BRADY of Texas:

H.R. 1810.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. COFFMAN of Colorado:

H.R. 1811.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to make rules for the government and regulation of the land and naval forces, as enumerated in Article I, Section 8, Clause 14, of the United States Constitution.

By Mr. CONNOLLY of Virginia:

H.R. 1812.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Mr. CONNOLLY of Virginia:

H.R. 1813.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Mr. ENGEL:

H.R. 1814.

Congress has the power to enact this legislation pursuant to the following:

The bill is enacted pursuant to the power granted to Congress under the following provisions of the United States Constitution:

Article I, Section 1;

Article I, Section 8, Clause 1;
Article I, Section 8, Clause 3; and
Article I, Section 8, Clause 18.

By Mr. HASTINGS of Florida:

H.R. 1815.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 in Article 1 relating to the general welfare of the United States and Clause 3 of Section 8 in Article 1 relating to the power to regulate interstate commerce.

By Mr. LEWIS of Georgia:

H.R. 1816.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to Congress under Article I of the United States Constitution and its subsequent amendments, and as further clarified and interpreted by the Supreme Court of the United States.

By Mr. LOEBSACK:

H.R. 1817.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause I of the Constitution which grants Congress the power to provide for the general Welfare of the United States.

By Mr. MCKEON:

H.R. 1818.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, Clause 2: The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

By Mrs. MILLER of Michigan:

H.R. 1819.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority for this legislation is found in the Tenth Amendment to the Constitution.

By Mr. PALLONE:

H.R. 1820.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. PLATTS:

H.R. 1821.

Congress has the power to enact this legislation pursuant to the following:

Article 1, section 8, clause 1 (relating to the general welfare of the United States) and clause 3 (relating to the power to regulate interstate commerce) and clause 18 (relating to laws necessary and proper for carrying into execution of the foregoing powers).

By Mr. ROHRABACHER:

H.R. 1822.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SENSENBRENNER:

H.R. 1823.

Congress has the power to enact this legislation pursuant to the following:

The authority to enact this bill is derived from, but may not be limited to, Article I, Section 8, Clause 3 and the First, Second,

Fourth, Fifth, Sixth and Eighth Amendments to the United States Constitution.

By Mr. WOLF:

H.R. 1824.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate interstate commerce, as found in Article I, Section 8, clause 3 of the United States Constitution.

By Mr. CULBERSON:

H.J. Res. 57.

Congress has the power to enact this legislation pursuant to the following:

Article. V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Mr. LANDRY.
H.R. 23: Mr. DEFAZIO and Mr. PETERSON.
H.R. 27: Mr. SABLON and Mr. ELLISON.
H.R. 44: Mr. GEORGE MILLER of California and Mrs. CAPPS.
H.R. 49: Mr. ROKITA.
H.R. 50: Mr. GEORGE MILLER of California and Mr. PIERLUISI.
H.R. 85: Mr. KUCINICH.
H.R. 104: Ms. PINGREE of Maine, Mr. CARDOZA, and Mr. CAMP.
H.R. 139: Mr. FRANK of Massachusetts, Mrs. CAPPS, Mr. HIMES, Mr. POLIS, Mr. GRIJALVA, Mr. OLIVER, Mr. ELLISON, Ms. HIRONO, Mr. GEORGE MILLER of California, Mr. WU, Ms. MCCOLLUM, Mr. MORAN, Mr. BERMAN, Mr. KILDEE, Mr. ROTHMAN of New Jersey, Mr. BRALEY of Iowa, Mr. MCGOVERN, Mr. DEFAZIO, Mr. FARR, Ms. ROYBAL-ALLARD, Ms. ESHOO, Ms. PINGREE of Maine, Ms. CASTOR of Florida, Mr. KUCINICH, Mr. CONNOLLY of Virginia, Mr. LOEBSACK, Ms. CHU, Mr. JACKSON of Illinois, Mr. HONDA, Mr. BLUMENAUER, Mr. NADLER, Mr. DOYLE, Mr. SCOTT of Virginia, Mr. SCHIFF, Mr. HEINRICH, Mr. CLAY, Mr. SARBANES, Mr. GARAMENDI, Mr. CONYERS, Mr. HINCHEY, and Mr. STARK.
H.R. 140: Mr. HENSARLING.
H.R. 142: Mr. LOEBSACK.
H.R. 178: Mr. OLSON and Mr. MATHESON.
H.R. 186: Mr. ROGERS of Michigan.
H.R. 190: Mrs. MCCARTHY of New York, Mr. TOWNS, Mr. HONDA, Ms. RICHARDSON, Ms. BALDWIN, Mr. JACKSON of Illinois, and Ms. CLARKE of New York.
H.R. 191: Mr. BOSWELL and Mr. PAYNE.
H.R. 198: Ms. MOORE and Mr. CLARKE of Michigan.
H.R. 238: Mr. COHEN.
H.R. 328: Mr. GARAMENDI.
H.R. 365: Mr. TONKO.

H.R. 420: Mr. STUTZMAN, Mr. COBLE, and Mr. SOUTHERLAND.

H.R. 422: Mr. CARSON of Indiana.

H.R. 432: Mr. KUCINICH.

H.R. 440: Ms. SUTTON.

H.R. 452: Mr. ROKITA, Mr. WOMACK, Mr. PLATTS, Mr. LATHAM, Mr. LUETKEMEYER, Mr. DESJARLAIS, Mr. CARTER, Mr. LANDRY, and Mr. MULVANEY.

H.R. 457: Mr. BUCSHON.

H.R. 459: Mr. ROGERS of Alabama, Mr. COLE, and Mr. ROKITA.

H.R. 466: Mr. ROTHMAN of New Jersey, Mr. KUCINICH, Mr. CUELLAR, Mr. WELCH, Ms. SPEIER, and Mr. REYES.

H.R. 511: Mr. DEUTCH.

H.R. 530: Ms. MOORE.

H.R. 567: Mr. POE of Texas.

H.R. 575: Mr. HERGER.

H.R. 589: Mr. MCGOVERN.

H.R. 607: Mr. WITTMAN, Mr. MICA, Mr. BUCHANAN, and Mr. REICHERT.

H.R. 613: Ms. CLARKE of New York.

H.R. 631: Mr. RUSH, Mr. MORAN, Ms. CHU, Mrs. MCCARTHY of New York, Ms. LINDA T. SANCHEZ of California, and Mr. LEWIS of Georgia.

H.R. 640: Mr. LOEBSACK, Ms. BALDWIN, and Mr. FALEOMAVAEGA.

H.R. 674: Mr. ISSA, Mr. STUTZMAN, Mrs. MALONEY, Mr. WESTMORELAND, Mr. BISHOP of Utah, and Ms. HIRONO.

H.R. 676: Mr. CLAY, Mr. SERRANO, Ms. CLARKE of New York, Mr. LEWIS of Georgia, Mr. HONDA, Ms. BROWN of Florida, Ms. EDWARDS, Mr. GEORGE MILLER of California, Mr. CLARKE of Michigan, Mr. RUSH, and Mr. RANGEL.

H.R. 679: Ms. ROYBAL-ALLARD.

H.R. 683: Mr. LEWIS of Georgia.

H.R. 689: Mr. INSLEE.

H.R. 704: Mr. MCCOTTER.

H.R. 718: Mr. BARROW, Mr. RYAN of Ohio, Mr. GOODLATTE, Mr. HOLT, Ms. WOOLSEY, Mr. LARSEN of Washington, Mr. FRANK of Massachusetts, Mrs. BLACKBURN, Mrs. MALONEY, and Mrs. MCCARTHY of New York.

H.R. 721: Mr. JOHNSON of Ohio.

H.R. 743: Mr. BARROW.

H.R. 749: Mr. PASCRELL.

H.R. 750: Mr. GARY G. MILLER of California.

H.R. 780: Mr. MCGOVERN.

H.R. 798: Ms. SCHAKOWSKY.

H.R. 802: Mr. JOHNSON of Ohio.

H.R. 812: Mr. FRANK of Massachusetts.

H.R. 820: Mrs. BIGGERT.

H.R. 822: Mr. ROYCE, Mr. QUAYLE, Mr. UPTON, Mr. PITTS, Mr. PEARCE, Mr. PRICE of Georgia, and Mr. HURT.

H.R. 831: Mr. YOUNG of Alaska, Mr. BOSWELL, and Mr. PIERLUISI.

H.R. 835: Mr. CLARKE of Michigan and Ms. CHU.

H.R. 838: Mrs. BLACKBURN.

H.R. 854: Mr. MILLER of North Carolina and Mr. HIGGINS.

H.R. 870: Ms. MOORE and Mr. AL GREEN of Texas.

H.R. 876: Mrs. MCCARTHY of New York.

H.R. 883: Ms. SUTTON.

H.R. 894: Ms. WILSON of Florida, Mr. HINCHEY, Mr. FRANK of Massachusetts, Mr. LUJAN, Mr. CLARKE of Michigan, and Mr. HEINRICH.

H.R. 905: Mr. GUTHRIE and Mr. CLAY.

H.R. 938: Mr. BARTON of Texas and Mr. KINGSTON.

H.R. 941: Mr. CRITZ, Ms. PINGREE of Maine, Ms. BALDWIN, Mr. DEFAZIO, and Mr. ROTHMAN of New Jersey.

H.R. 942: Mr. TIBERI and Ms. TSONGAS.

H.R. 959: Mr. BENISHEK.

H.R. 965: Mr. ELLISON, Mr. HONDA, Ms. DELAULO, Mr. TONKO, and Mr. DEFAZIO.

H.R. 972: Mr. WOMACK, Mr. SHUSTER, and Mr. PENCE.

H.R. 987: Ms. SUTTON.

H.R. 990: Mrs. BLACKBURN.

H.R. 991: Mr. BOREN, Mrs. BLACKBURN, Mr. DUNCAN of South Carolina, Mr. COFFMAN of Colorado, Mr. PETERSON, and Mr. ROSS of Arkansas.

H.R. 992: Ms. CLARKE of New York.

H.R. 999: Mr. DEFAZIO.

H.R. 1000: Mr. MCCOTTER.

H.R. 1002: Mr. FARENTHOLD, Mr. GARY G. MILLER of California, Mr. RIVERA, Mr. LUETKEMEYER, Mr. YOUNG of Florida, Mr. WEST, Mr. ROHRBACHER, and Mrs. SCHMIDT.
H.R. 1004: Mr. DAVIS of Kentucky.
H.R. 1016: Mr. JOHNSON of Georgia and Ms. WATERS.

H.R. 1017: Mr. CICILLINE.

H.R. 1031: Mr. LARSEN of Washington.

H.R. 1041: Mr. BENISHEK, Mr. FLEISCHMANN, Mr. ROSS of Florida, and Mr. CARTER.

H.R. 1044: Mr. STIVERS, Mr. MANZULLO, and Mr. HINOJOSA.

H.R. 1048: Ms. CHU.

H.R. 1057: Mr. SCHOCK, Mrs. BIGGERT, Mr. MILLER of North Carolina, Mr. PETRI, Mr. SCOTT of Virginia, and Ms. SCHAKOWSKY.

H.R. 1058: Mr. PETERS, Mr. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. CARNEY, Mr. LOEBSACK, Mr. SIREN, Mr. ENGEL, Mr. BOREN, Mr. PETERSON, and Mr. CRITZ.

H.R. 1074: Mrs. HARTZLER.

H.R. 1085: Ms. CHU.

H.R. 1089: Mr. HIMES.

H.R. 1106: Ms. MCCOLLUM and Mr. CARSON of Indiana.

H.R. 1149: Ms. HIRONO and Mr. FILNER.

H.R. 1159: Mr. PAUL, Mr. HALL, and Mr. ROKITA.

H.R. 1161: Mr. SULLIVAN and Mr. STUTZMAN.

H.R. 1187: Ms. CASTOR of Florida.

H.R. 1206: Mr. TERRY, Mr. POMPEO, Mr. WALDEN, and Mr. WILSON of South Carolina.

H.R. 1259: Mr. GARDNER, Mr. HULTGREN, Mr. GARY G. MILLER of California, and Mr. FLORES.

H.R. 1262: Mr. SCHIFF.

H.R. 1278: Mr. AL GREEN of Texas.

H.R. 1284: Mr. KUCINICH, Mr. CARSON of Indiana, Mr. MCGOVERN, and Ms. JACKSON LEE of Texas.

H.R. 1338: Mr. LARSEN of Washington.

H.R. 1340: Mr. BURTON of Indiana.

H.R. 1342: Mr. BURGESS and Mr. REHBERG.

H.R. 1351: Ms. DEGETTE, Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. ALTMIRE, Mr. PAYNE, Mr. RYAN of Ohio, Mr. CARDOZA, Mr. CRITZ, Mr. BRALEY of Iowa, Mr. HONDA, Mr. WU, Ms. KAPTUR, and Mr. POLIS.

H.R. 1386: Mr. TERRY, Mr. SIREN, and Mr. PLATTS.

H.R. 1388: Mr. LIPINSKI.

H.R. 1391: Mr. BERG, Mr. PALAZZO, Mr. COBLE, Mr. JORDAN, Mr. MULVANEY, and Mr. KLINE.

H.R. 1397: Mr. KIND and Mr. WELCH.

H.R. 1399: Mrs. LOWEY.

H.R. 1402: Mr. VAN HOLLEN.

H.R. 1406: Mr. GINGREY of Georgia.

H.R. 1407: Mr. MICHAUD and Mr. HANNA.

H.R. 1412: Mr. MANZULLO.

H.R. 1418: Mr. MICHAUD.

H.R. 1419: Ms. CLARKE of New York, Mr. HOLT, and Mr. POLIS.

H.R. 1421: Mr. LANKFORD and Mr. SULLIVAN.

H.R. 1425: Mrs. LOWEY and Mr. HANNA.

H.R. 1426: Mr. SHIMKUS, Mr. MICHAUD, Mr. ELLISON, and Ms. SCHAKOWSKY.

H.R. 1439: Mr. DUNCAN of Tennessee.

H.R. 1444: Mrs. BLACKBURN and Mr. BENISHEK.

H.R. 1466: Mr. BACA and Ms. BORDALLO.

H.R. 1475: Ms. LEE of California.
 H.R. 1477: Mr. COHEN.
 H.R. 1484: Mr. MICHAUD.
 H.R. 1498: Mr. HEINRICH.
 H.R. 1500: Mr. MARKEY.
 H.R. 1515: Mr. BOSWELL, Mr. MORAN, Ms. LINDA T. SANCHEZ of California, Ms. NORTON, Mr. NADLER, and Mr. CLEAVER.
 H.R. 1530: Mr. KING of New York.
 H.R. 1533: Mr. GRIMM, Ms. FUDGE, Ms. MOORE, and Ms. KAPTUR.
 H.R. 1538: Mr. SENSENBRENNER and Mr. DUNCAN of Tennessee.
 H.R. 1547: Ms. RICHARDSON.
 H.R. 1558: Mr. MCINTYRE, Mr. MCCLINTOCK, Mrs. BLACKBURN, and Mr. GARY G. MILLER of California.
 H.R. 1571: Mr. KING of Iowa.
 H.R. 1574: Mr. ACKERMAN, Ms. JACKSON LEE of Texas, Mr. KUCINICH, Mr. WU, Mr. BISHOP of New York, Mrs. MALONEY, Mr. CUMMINGS, Mr. CONNOLLY of Virginia, Mr. ANDREWS, Ms. FUDGE, and Mr. HOLDEN.
 H.R. 1579: Mr. HINCHEY, Mr. POLIS, and Mrs. MCCARTHY of New York.
 H.R. 1585: Mr. LAMBORN, Mr. BISHOP of Utah, Mr. GOHMERT, Mr. FLORES, Mr. CHAFFETZ, and Mr. NEUGEBAUER.
 H.R. 1587: Mr. SCOTT of Virginia and Mr. JOHNSON of Georgia.
 H.R. 1588: Mr. PALAZZO, Mr. ROSS of Florida, Mr. BURGESS, Mrs. MYRICK, Mrs. EMERSON, Mr. SHUSTER, Mr. WOLF, Mr. ROGERS of Kentucky, Mr. OLSON, and Mr. COBLE.
 H.R. 1591: Mr. GUINTA, Mr. LATTA, Mr. ROONEY, Mrs. CHRISTENSEN, and Mr. HARPER.
 H.R. 1609: Mr. BENISHEK, Mr. REED, Mr. BARTLETT, and Mr. DUNCAN of Tennessee.
 H.R. 1619: Mr. GARAMENDI.
 H.R. 1620: Mr. ALTMIRE.
 H.R. 1621: Mr. DIAZ-BALART, Mr. ISSA, and Mrs. BLACK.
 H.R. 1637: Mr. QUAYLE.
 H.R. 1639: Ms. ROS-LEHTINEN and Mr. KLINE.
 H.R. 1649: Mr. WITTMAN.
 H.R. 1681: Mr. FRANK of Massachusetts, Mr. MARKEY, and Mr. TONKO.
 H.R. 1683: Mr. BARTON of Texas, Mrs. BLACKBURN, Mr. BURTON of Indiana, Mr.

WALDEN, Mr. THOMPSON of Pennsylvania, Mr. SCHOCK, Mr. BUCSHON, Mr. ROGERS of Michigan, Mr. GUTHRIE, Mr. PAUL, Mr. WESTMORELAND, Mr. MCCOTTER, Mr. ROE of Tennessee, and Mr. REED.
 H.R. 1686: Mr. DAVIS of Illinois and Mr. QUIGLEY.
 H.R. 1689: Mr. LYNCH and Ms. WATERS.
 H.R. 1700: Mrs. ELLMERS and Mr. BURGESS.
 H.R. 1705: Mr. BILBRAY, Mr. TURNER, and Mr. DUNCAN of Tennessee.
 H.R. 1715: Mr. LONG and Mr. PAUL.
 H.R. 1716: Mr. WEINER.
 H.R. 1723: Mr. GRIMM.
 H.R. 1735: Mr. OLVER, Ms. LEE of California, Mr. JACKSON of Illinois, Mr. HONDA, Mr. CONYERS, Mr. ELLISON, Mr. CAPUANO, Ms. SCHAKOWSKY, Mr. GEORGE MILLER of California, Ms. HIRONO, Ms. SPEIER, Ms. MOORE, and Ms. FUDGE.
 H.R. 1744: Mr. COFFMAN of Colorado, Mr. GUTHRIE, and Mr. DUNCAN of Tennessee.
 H.R. 1748: Mr. RAHALL, Mr. KILDEE, and Mr. VAN HOLLEN.
 H.R. 1755: Mr. POE of Texas and Mr. SESSIONS.
 H.R. 1774: Mr. KUCINICH and Ms. EDWARDS.
 H.R. 1775: Mr. REHBERG and Mr. ROGERS of Kentucky.
 H.R. 1788: Mrs. BLACKBURN, Mr. PAUL, and Mr. SIMPSON.
 H.R. 1791: Mrs. ADAMS, Mr. ROSS of Florida, Ms. CASTOR of Florida, and Mr. MICA.
 H.J. Res. 1: Mr. YOUNG of Indiana.
 H.J. Res. 2: Mr. RIVERA and Mr. STIVERS.
 H. Con. Res. 25: Mr. PALAZZO, Mr. CALVERT, Mr. WOMACK, and Mr. MCCAUL.
 H. Con. Res. 39: Mr. COFFMAN of Colorado, Mr. BISHOP of Utah, and Mr. RANGEL.
 H. Res. 20: Mr. ELLISON, Mrs. NAPOLITANO, Mr. JACKSON of Illinois, and Mrs. CAPPs.
 H. Res. 25: Mr. SCHIFF, Mr. SCALISE, Mr. LARSEN of Washington, Mr. FLEISCHMANN, Mr. POE of Texas, Mr. GRAVES of Missouri, Mr. GUTHRIE, Mr. HEINRICH, Ms. HIRONO, and Mr. TIPTON.
 H. Res. 111: Mr. OLVER, Mr. LATHAM, Mr. FATTAH, and Ms. BUERKLE.
 H. Res. 137: Ms. DEGETTE, Mr. COURTNEY, Mr. TURNER, Mr. KIND, Ms. TSONGAS, and Ms. KAPTUR.

H. Res. 157: Mr. CONYERS and Mr. OLVER.
 H. Res. 165: Mr. LOEBSACK.
 H. Res. 177: Mr. MORAN and Ms. LEE of California.
 H. Res. 198: Ms. CHU.
 H. Res. 227: Mr. SCOTT of Virginia and Mr. UPTON.
 H. Res. 228: Mr. LONG and Ms. JENKINS.
 H. Res. 234: Mr. DEUTCH, Mr. GONZALEZ, Ms. SCHWARTZ, and Mr. FARR.
 H. Res. 239: Mr. SCHOCK.
 H. Res. 241: Mr. GARY G. MILLER of California and Mr. KING of New York.
 H. Res. 244: Mr. WEINER and Mr. ROTHMAN of New Jersey.
 H. Res. 254: Mr. LAMBORN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered by Representative HASTINGS of Washington or a designee, to H.R. 1231, the Reversing President Obama's offshore Moratorium Act, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9(d), 9(e), or 9(f) of rule XXI.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 1380: Mr. PEARCE.

EXTENSIONS OF REMARKS

INTRODUCING LEGISLATION TO
CHANGE THE STRUCTURE OF
THE METROPOLITAN WASH-
INGTON AIRPORTS AUTHORITY
BOARD**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. WOLF. Mr. Speaker, I have been one of the strongest supporters of Washington Dulles International Airport and Ronald Reagan Washington National Airport as well as the Dulles Corridor Metrorail Extension project. I was one of the original sponsors of the 1986 legislation that transferred from the federal government the operations of Dulles and Reagan. I worked with former Senators John Warner and Paul Trible, former Governor Linwood Holton, and former Secretary of Transportation Elizabeth Dole to enact that important law that created the Metropolitan Washington Airports Authority, MWAA. For nearly 25 years MWAA has operated effectively, governed by board members who were pillars of the community and understood the importance of the success of both Dulles and Reagan.

After the airports authority was created, both Reagan and Dulles prospered. In the past 25 years, Dulles has become the economic engine for not only northern Virginia, but the entire Commonwealth. Without a successful international airport drawing global traffic and myriad businesses, the region would not be nearly as successful as it is today. Metrorail access to the airport and fast-growing Loudoun County will attract more businesses, create new jobs and ease congestion on area roadways. Dulles Rail being completed on time and at or under original cost estimates is key to many more decades of success.

While I have been extremely pleased observing MWAA's achievements over the past two decades, I believe continued success is now threatened by a board of directors that has lost sight of its primary mission of serving airport passengers and residents of the surrounding communities. For many years MWAA was run by competent and dedicated professionals such as Jim Wilding and Jim Bennett. As current CEO Lynn Hampton prepares to retire, the search process for her replacement conducted by the current board of directors has been a study in poor management and political horse trading. When the board voted to advance the nomination of Nathaniel Ford, the deciding vote was cast by proxy by a then board member who was under house arrest in the Ivory Coast.

This problem arose because under the current law, board members serve until their replacement is confirmed. While this may have worked in the past, in my opinion the law is being abused to keep political favorites in of-

fice, even if their service is suspect. The leadership void at MWAA also is reflected in the planning for Phase 2 of Dulles Rail. Under the current board, costs have greatly exceeded original estimates, with more likely to come with the board's April 6 decision to build an underground station at Dulles Airport.

Because of these concerns about the direction of MWAA today, I am introducing legislation to make changes to the 1986 law that established the regional operating authority for Dulles and Reagan National airports. This legislation will amend the original statute to give Virginia a majority on the MWAA Board of Directors by increasing the number of Commonwealth appointees from five to nine. With both airports located in Virginia and with northern Virginia residents and local governments providing the lion's share of the revenue for the Dulles Rail project, it is only fair that the majority of the board be Virginians. The bill will also prevent board members from serving past the end of their appointment, and will establish that board members can be replaced at any time by the respective executives who appoint the board: the governors of Virginia and Maryland, the mayor of the District of Columbia or the president of the United States. I believe these changes are critical if we are to ensure that MWAA will once again function as originally intended and in the best interests of northern Virginia. Phase 2 will require nothing less than the most qualified board possible to be a success.

It is imperative that these changes to the original law be enacted quickly, and I hope that the committee of jurisdiction will expedite review of the legislation. If the current leadership is allowed to stay in place, it will very likely continue to make decisions that add to the cost of Phase 2 and further jeopardize not only MWAA's bond rating, but the success of both airports under their control. The respective executives simply must have the ability to appoint new board members as soon as possible to prevent the current board from turning Dulles Rail into a failed project.

My primary interest is to see the project completed on time and at or under budget and I believe the board's decision to opt for an underground station at Dulles Airport could be disastrous. Since the announcement, Fairfax and Loudoun counties have indicated that they will not assume the extra costs of the underground station. If the local governments withdraw Phase 2 funding, the project will be in serious jeopardy.

The underground station also is opposed by nearly every elected official representing northern Virginia residents, including the Fairfax and Loudoun boards of supervisors, the Herndon Town Council, Virginia Secretary of Transportation Sean Connaughton and Governor Bob McDonnell. Independent groups such as the Washington Airports Task Force, Dulles Corridor Rail Association, the Northern Virginia Regional Commission, the Fairfax

County Chamber of Commerce, the Virginia Chamber of Commerce and AAA Mid-Atlantic have all spoken out against the underground station. For a board member to recently state, "I think the board is committed to the underground station as best for the community at large" shows astonishing hubris and a willful avoidance of reality.

Recent Phase 2 cost estimates are extremely troubling. While original projections put the cost of Phase 2 at \$2.5 billion, the cost spikes to at least \$3.5 billion under the plan approved by the MWAA board. With such dramatic cost increases before a contract is even awarded, some have expressed concerns about the creditworthiness of the bonds that will be issued to pay for Phase 2. Airport authorities nationwide have been placed on notice that bond ratings could be lowered in the future. An additional \$300 million or more for Dulles Rail could be a troublesome sign for the bond markets. I fear an increase in borrowing costs could effectively kill the project in the design phase.

Considering all this information, I do not believe that the current board of directors is acting in the best interests of the northern Virginia residents who will be forced to underwrite costs for Phase 2 through increased tolls on the DTR and increased revenue from county coffers. The underground station will add at least \$300 million to the overall cost of Phase 2. When long-term financing costs are included, the underground station could end up adding closer to \$500 million to the project. It is my understanding that tolls on the Dulles Toll Road could reach \$10.25 in 2020, eight-and-a-half years from now. The initial toll projection issued by MWAA had tolls reaching \$11.25 by 2047. As the cost of Phase 2 goes up, so will the tolls.

A recent Washington Post editorial indicated that commuters could be forced to pay as much as \$4,000 a year to use the toll road by 2020. Add in the tolls on the Dulles Greenway and my constituents' transportation costs could be higher than their monthly car payments. It will be the parents taking their children to school and soccer practice, the business owner that uses the DTR on a daily basis to make deliveries, the realtor who will see home sales decrease due to the higher transportation costs and the commuters to Tysons Corner who will shoulder the heavy burden of the MWAA board's recent decisions.

I want both MWAA and Dulles Rail to be successful. Because of that, Representative TOM LATHAM, chairman of the House Transportation Appropriations Subcommittee, and I have asked the U.S. Department of Transportation Inspector General, IG, to conduct an audit of the operations of the MWAA board. I am pleased that the IG's office will begin this audit in the near future. Outside of the actual composition of the board, it is my hope that the audit will examine the governance structure of MWAA and determine if it operates

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

with the transparency necessary for an organization tasked with such important responsibilities.

In the meantime, I urge support for my legislation to update the board's composition and appointment structure to reflect today's realities.

RECOGNIZING THE LIFE OF
GEORGE FRANCIS SCARBOROUGH

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. MILLER of Florida. Mr. Speaker, George Francis Scarborough, 77, of Pensacola, FL passed away peacefully Wednesday, May 4, 2011 surrounded by his family.

George Francis Scarborough was born on Good Friday, March 30, 1934 in Lexington, KY. The son of George Buskie and Ada Wheat Buskie, George spent his early years in Miami, FL and San Diego, CA. He moved to Milton, FL in 1946 when his family was transferred to Whiting Field.

George graduated from Milton High School and remained close to many of his classmates, hosting Milton High reunion events over the past 20 years. After graduating from Milton, he returned to Lexington where he attended the University of Kentucky from 1952–1956. There he fell in love with Kentucky basketball and his future wife, Mary Joanna Clark. George and Mary Jo were married on August 14, 1955 at Second Avenue Baptist Church in Rome, Georgia. George graduated from the University of Kentucky the next year with a B.S. degree in Business.

George Scarborough served in the U.S. Army from 1955–1957, and was stationed at Ft. Benning, GA and Ft. Polk, LA. Carolyn Elizabeth Scarborough was born to George and Mary Jo in 1957 while they were stationed at Ft. Benning. They went on to have two more children, George Clark Scarborough was born in Rome, GA in 1960 and Charles Joseph Scarborough was born in Atlanta, GA in 1963.

While in Atlanta, George worked as a manufacturing engineer for Lockheed. He was proud to work on the C–5A, the C–130, and the L–1011 projects. He often said his work at Lockheed was the favorite of all his jobs. George was transferred to Lockheed's Meridian, MS plant in 1969 after the L–1011 assembly line was moved to Meridian. In 1973, he began work at National Homes as a purchasing agent and was soon transferred to Elmira, NY. During his time in Upstate New York, he took a job at American LaFrance as an Industrial Engineer.

In 1978, George and his family had the opportunity to move to Pensacola, FL where he began working with Mary Jo, who at that time was a director for the Miss National Teenage pageant. In 1983, the Scarborougs and Carolyn Hawkins founded the Miss American Coed Pageant. George was named the national director. George Scarborough took great pride in the fact that the organization consistently promoted patriotism, community service and a strong academic record. Through extraor-

dinary focus and hard work, George and Mary Jo Scarborough's pageant organization became the largest in the United States within a few years. He enjoyed meeting families across America throughout the year and going to the national pageant each summer in Hawaii.

Faith has always played a great role in George's life. In 1978, he and his family joined First Baptist Church in Pensacola where George was a deacon, taught Sunday School and sang in the choir. His greatest joy came from his volunteer work at Samaritan Hands.

George was the proud grandfather of nine grandchildren, Ian, Ginger and Julie Ward, Emily and Benjamin Scarborough, and Joey, Andrew, Kate and Jack Scarborough. His love of baseball and other sports kept him engaged as a coach throughout his adult life and in his final years he enjoyed keeping score at his grandsons' baseball games. He was also an avid fan of the Atlanta Braves and Kentucky Wildcats and for many years attended the Breder's Cup.

Survivors include wife, Mary Jo Scarborough, Pensacola, FL; daughter, Carol Ward (John) and their children, Julie and Ginger Ward of Jacksonville, FL and Ian Ward of Orlando, FL; son, George Scarborough (Sara) of Gulf Breeze, FL and their children Emily and Benjamin Scarborough of Gulf Breeze, FL; son, Joe Scarborough (Susan) of New York, NY and their children Joey Scarborough of New York, NY and Andrew Scarborough of Pensacola, FL and Kate and Jack Scarborough of New York, NY; he is also survived by his brothers, Chuck Scarborough of California, Scott Scarborough of Nevada and sister, Margaret Scarborough of Oregon.

Visitation will be held from 3:00–5:00 pm Sunday, May 8, 2011 at First Baptist Church with Funeral services beginning at 5:00 pm with Dr. Barry Howard officiating. Private Family Entombment will follow at Bayview Memorial Park.

The family would like to thank the doctors and nurses at Sacred Heart Hospital, Dr. John Bray, Pippa Nicholson-Kuenn, Don Gaetz and TLC Caregivers, Lou Donaldson, Jan Bowersox, Alan Warren, Aunt Caroline, Stephanie Smart, and all the family and friends who showed an outpouring of love and support over the last year and a half. We could not have survived without you. The family also asks that donations be made to Samaritan Hands in lieu of flowers.

Harper-Morris Memorial Chapel is in charge of arrangements.

IN TRIBUTE OF DENNIS POPP

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to pay tribute to Dennis Popp, who is stepping down after 12 years of distinguished service as Mayor of the city of Groton, Connecticut.

Dennis began his career at the submarine maker Electric Boat, where he worked as a pipe welder for 3 years before being promoted to supervisor for another 20 years. Dennis capped his career at EB by serving as a draftsman for his final 3 years.

Dennis took his breadth of experience at building and supervising the production of some of the world's most advanced machines and translated his skill set to the world of politics and governance. Just as I fell short in my first effort in running for Congress, Dennis also just missed in his first effort to win the Mayor's office in Groton. But with determination honed like the steel of Electric Boat, Dennis went back at it again and won the election for Mayor of the city of Groton in 1999.

Immediately upon taking the reins of city government, Mayor Popp worked to repair city relations with neighboring towns, which had frayed in recent years. Elevating the city's leadership in regional issues, Dennis held positions of Chair, Treasurer, and Secretary of the Southeastern Council of Governments throughout his tenure.

Mayor Popp will be remembered most of all by his constituents for his tireless efforts to improve the quality of life for the city he loves. Dennis kept taxes level for 12 years and decreased the mill rate while improving city services. Mayor Popp led Groton Utilities' expansion into telecommunications, television, and internet service while strengthening the local community with responsive, neighborhood customer service.

Dennis went on to win reelection five times, running unopposed on several occasions as a testament to his support from residents across the city and from both political parties. His record of leadership for his city will be remembered years after he leaves office and includes expanding regional water sales and revenue for the city; resuscitating the summer recreation program at West Side; leading an expansion of the Pequot Health Center; improving public safety through increased firefighter positions; acquiring additional watershed land to protect the water supply; installing barriers on 1–95 over the reservoir to protect water quality; and supporting the installation of three flagpoles at Fort Griswold Battlefield Park.

Dennis has advocated tirelessly for the needs of Groton, and I have valued his counsel as I prioritized the city's requests in my work in Congress. I have been proud to collaborate with Mayor Popp in delivering Federal support for fire department equipment, Justice Department support for police hiring and crime prevention, and new, critical investments to strengthen the position of the subbase for the future.

Even outside of his elected office, Dennis has served as a pillar in the Groton community. Dennis will continue to be active with the local Eagle Scout program, at the Bill Library, in helping U.S. Subvets Groton Base, and in his local church.

Groton will not be the same after Mayor Popp's exit, but the city can look fondly back on the leadership of its favorite "Popp Daddy." I know that his wife Karen will welcome this retirement as an opportunity to spend more time together and open up a new chapter in their lives. I also know that our friendship will endure even after Dennis leaves office. I ask my colleagues to join me in saluting a true man of Groton and for Groton—Dennis Popp.

URGING TAIWAN'S PARTICIPATION
IN THE UNFCCC**HON. MICHAEL H. MICHAUD**

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to urge the leaders of the United Nation's Framework Convention on Climate Change, UNFCCC, to allow for Taiwan's meaningful participation.

As climate change continues to impact our world and as we face the prospect of dwindling oil reserves, Taiwan's renewable-energy section is growing rapidly. Taiwan has invested heavily in turbines generating electricity, use of alternatives to fossil fuels and possibilities of harnessing energy from the ocean. Taiwan is also the fourth largest producer of solar cells in the world.

Moreover, Taiwan's Environmental Protection Administration, EPA, is doing everything possible to promote environmental sustainability. For instance, Taiwan has made significant strides in waste management, with the nation's overall recycling rate reaching almost 42 percent in 2008.

Improving air quality, reducing noise pollution and vehicular emissions and protecting wildlife are also top priorities for the government and people of Taiwan. Taiwan is totally committed to protecting the environment and reducing pollution. But due to political factors, Taiwan is not a UNFCCC contracting party. Instead, they are considered a non-governmental organization observer under the name Industrial Technology Research Institute and are not permitted to participate in either the discussions over the post-Kyoto mechanism or the international carbon market.

I hope that the UNFCCC leaders will see the wisdom of Taiwan's need to participate in the UNFCCC and the post-Kyoto mechanism, especially considering that Taiwan and its environment are vulnerable to climate change and need to avoid the negative impacts on its economy and trade. Taiwan is an important part of the world economy and should be able to provide direct input to the UNFCCC, and I would ask the UNFCCC leaders to allow meaningful participation from Taiwan.

RECOGNIZING THE 60TH ANNIVERSARY
OF THE 6TH RANGER
TRAINING BATTALION'S RANGER
CAMP AT EGLIN AIR FORCE
BASE, FLORIDA**HON. JEFF MILLER**

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. MILLER of Florida. Mr. Speaker, I am honored to rise today to recognize the 60th anniversary of the 6th Ranger Training Battalion located on Eglin Air Force Base, Florida.

On November 15, 1951, the U.S. Army Amphibious/Jungle Training Committee was established to conduct the final phase of the U.S. Army Ranger School. Now known as the Florida Ranger Camp, the 6th Ranger Training

Battalion emphasizes platoon training in a humid coastal and swamp environment. This final phase of the Army Ranger School places students under severe mental and physical stress in an attempt to replicate the rigors of combat.

The first Ranger class arrived at Eglin Air Force Base on January 24, 1952. This first class learned survival techniques for amphibious environments and leadership in combat situations. Today, students in the Army Ranger School experience training very similar to that received by the first Ranger class. The initial six days are focused on technique training, which is then followed by a ten-day field training exercise. Leadership skills are tested vigorously through small unit operations in a simulated combat environment. Students in the Florida Ranger Camp learn to overcome severe weather, difficult littoral and swamp terrain, and sleep and food deprivation while combating mental and physical exhaustion. Through their rigorous training, students at the Florida Ranger Camp learn the techniques necessary to undertake demanding and difficult assignments in protection of our nation. These techniques are then put to the test in a simulated combat environment to create adaptive and effective combat leaders for our Armed Forces.

During its time on Eglin Air Force Base, the Florida Ranger Camp has trained over 100,000 students of the United States Armed Forces and over 60 allied countries worldwide. The 6th Ranger Battalion trains over 2,500 students annually, conducting its 18 day program 11 times per year. The 6th Ranger Training Battalion has 225 officer and enlisted personnel complemented by 30 civilian support personnel who work together to run the Florida Ranger Camp.

Mr. Speaker, on behalf of the United States Congress, it is my honor to thank the men and women who make up the 6th Ranger Training Battalion, as well as the Army Rangers they train, for their professionalism and commitment. Their indefatigable service and dedication to our nation protects our inalienable liberties and freedoms, allowing the United States of America to prosper as the world's greatest nation. My wife Vicki and I congratulate the 6th Ranger Battalion, and each of the more than 100,000 graduates of the Florida Ranger Camp, for 60 exceptionally successful years of service to our country.

HONORING THE CAREER OF ERWIN
JONAS**HON. STEVE ISRAEL**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. ISRAEL. Mr. Speaker, I rise today to honor the work Erwin D. Jonas has done on Long Island on the occasion of his retirement from Northrop Grumman after 42 years of service.

Erwin has been employed by Northrop Grumman since 1969 in multiple radar engineering capacities, from Development Engineering to Manager of Engineering and Programs. The major focus of Mr. Jonas' work at

Northrop Grumman has been the development of shipboard radar programs and automatic detection and tracking systems.

Erwin has been the manager of the Northrop Grumman Ship Self Defense Systems Department since January 1992 and is responsible for all engineering and research operations associated with naval radar and automatic tracking systems.

The contributions Erwin has made to naval research as well as to the research industry on Long Island are significant. I wish him all the best in this next stage of life and, again, thank him for the work he has done.

IN HONOR OF MR. FRANK L.
KOWALSKI**HON. DENNIS J. KUCINICH**

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Frank L. Kowalski, Jr., a gentleman whose dedication to the Polish-American community of Cleveland has led the Cleveland Society of Poles Foundation to name him the 2011 recipient of the "Good Joe" Award.

Mr. Kowalski was born and raised in the Tremont area of Cleveland. After graduating from Lincoln High School, he joined the Navy Reserve. He was soon called into active duty and served on the USS *Navarro* as a machinist's mate during the Korean War. Upon his discharge in 1954, Mr. Kowalski joined the Polish Legion of American Veterans and he remains an active member of the organization to this day.

Mr. Kowalski attended Fenn College (now Cleveland State University) under the GI Bill and graduated in 1965. He worked at the Thompson Products Plant until 1972, when he pursued a second career in property management and maintenance.

Many organizations within the Polish-American community in Cleveland have benefitted from Mr. Kowalski's leadership. He has served as Post Commander, Financial Director, and National Financial Director for the Polish Legion of American Veterans; Director, Treasurer, and Vice President of the Polonia Foundation of Ohio; Financial Secretary of the Cleveland Society; Financial Director of the Polish National Alliance Group #171; and Treasurer of the Tremont Residence Service Corporation. He has been named a Knight of Pulaski by the Polonia Foundation of Ohio and was awarded the Miecze Hallerowskie Medal by the Polish Army Veterans Kosciuszko Post 152. He is also an active parishioner at St. John Cantius Catholic Church.

Mr. Speaker and Colleagues, please join me in honor and recognition of Mr. Frank L. Kowalski, Jr., whose tireless devotion to the Polish-American community has been an inspiration to many. I offer Mr. Kowalski my sincerest congratulations.

IN RECOGNITION OF MS. HELEN
GOTTLIEB

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PALLONE. Mr. Speaker, I rise today to recognize Ms. Helen Gottlieb, Chairwoman of the Middlesex County Democratic Organization in New Jersey. Chairwoman Gottlieb is a strong Democratic leader in Middlesex County who has made immeasurable contributions to her community and the Democratic Party. As a result of her actions, Chairwoman Gottlieb will be presented with the 2011 New Jersey Federation of Democratic Women's Peg Roberts Award. Ms. Gottlieb's service is undoubtedly deserving of this body's recognition.

In addition to her public service, Chairwoman Gottlieb has amassed an impressive professional resume. Helen served as a dedicated teacher of English as a Second Language with the South Plainfield school district from 1970 through 1994. Beginning in 1980, as a member of the Edison Township Board of Adjustments, Helen faithfully served the local residents. She later served as President of Edison Menlo Oaks Democratic Club and was a member of the Edison Township Planning Board. Her outstanding mentoring and leadership lead to her appointment as Assistant Principal of South Plainfield High School in 1994, where she served for 10 years. Helen also served as co-chair of the Middlesex County Clinton/Gore Presidential Campaign and Edison, New Jersey Democratic Vice-Chair. She currently serves as New Jersey State Committee Member and Middlesex County Democratic Chair, having previously serving as Vice Chair. I commend Helen for her continued service on behalf of the residents of Middlesex County.

As a result of her exceptional work, Helen has received countless awards and honors for her achievements. She was awarded the "Woman of Achievement" Award and Commendation from the New Jersey General Assembly, 18th District, in 1999 and 1997, respectively. Helen was also the recipient of the Middlesex County Woman of Excellence Award in Education in 1993. She was featured in The News Tribune "Applause" Section in 1991 and was the New Jersey ESL Teacher of the Year in 1990. Helen currently resides in Edison, New Jersey with her husband, Judge Joel Gottlieb. They have two children and two grandsons.

Mr. Speaker, once again I would like to extend my congratulations to Chairwoman Helen Gottlieb for her exceptional contributions to the residents of my district and congratulate her for the honor she received from the New Jersey Federation of Democratic Women.

THE HUI PANALAAU

HON. MAZIE K. HIRONO

OF HAWAII

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. HIRONO. Mr. Speaker, I would like to share the story of 130 young men from Ha-

waii, who were asked by the U.S. Federal Government to occupy a trio of deserted islands in the remote Pacific Ocean from 1935 to 1942.

These young men were asked to live on the islands of Howland, Baker, and Jarvis for three-month shifts of four-men per island. The men earned \$3 a day, a good wage during the Great Depression.

The majority of the colonists were Native Hawaiians because the government planners felt that the colonizing task was so daunting that only young Hawaiians would be able to survive. Kamehameha Schools, a school for Native Hawaiian children, was asked to recruit recent male graduates who could swim, fish, and handle a boat. Collectively, the group came to be known as the Hui Panalaa (group of colonizers).

The islands of Howland, Baker, and Jarvis are about halfway between Hawaii and Australia. The colonists traveled by boat and it typically took five days to reach Jarvis and another three to reach Howland and Baker.

The Hui Panalaa were supplied only with canned goods, water, and a few tents. The colonists were asked to keep logbooks about the weather and to gather natural specimens. Their lives on the islands meant enduring rats, beetles, sharks, and the blazing sun.

Why were the Hui Panalaa recruited by the United States to live on these islands? The U.S. Department of Defense considered these islands to be of strategic importance. After the first year of colonization, the United States claimed territorial jurisdiction of the islands and air supremacy. So while the public mission of the colonists was to take weather readings for potential commercial flight routes, the colonist program also served secret military objectives.

In 1941, as World War II intensified, Japanese planes attacked Howland Island likely because of the landing field the colonists were directed to construct. Two colonists, Richard "Dickey" Kanani Whaley and Joseph Kealoha Kelihihanui lost their lives during the attack. Their deaths ended the Hui Panalaa program.

Bishop Museum, the Hawaii State museum for natural and cultural history, developed a documentary on the story of the Hui Panalaa, entitled, Under a Jarvis Moon. The film combines historical interviews of the colonists, still photographs, government documents, and newsreel footage. The film is titled after a song co-written by one of the four surviving colonists, George Kahanu, Sr. The film was directed by Heather Giugni and Noelle Kahanu, the granddaughter of George.

Under a Jarvis Moon premiered at the 2011 Hawaii International Film Festival and was nominated for the Halekulani Golden Orchid Award. On March 12, 2011, the U.S. Department of the Interior will be hosting a screening of the film and I encourage my colleagues to see it and hear the story of the Hui Panalaa from the men who lived it.

Mahalo nui loa (thank you very much).

IN HONOR OF SRI KARUNAMAYI
AMMA

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and recognition of Sri Karunamayi Amma, a Hindu spiritual leader who has devoted her life to peace, unity, compassion, and respect for all life forms. Sri Karunamayi will be visiting Cleveland during her 17th World Tour at the end of May.

Sri Karunamayi, known as "Amma," the Telugu word for "mother" by her followers, was born in South India in 1958. From an early age, her compassion for the less fortunate and her insights into ancient Sanskrit spiritual teachings and prayers were noted by her family and learned spiritual scholars alike. At the age of 21, Sri Karunamayi travelled to the sacred Penusila Forest, where she lived a life of strict asceticism, meditation, and study of ancient Vedic texts for ten years. At this time, she decided it was time to share her knowledge with the rest of the world.

Since emerging from the Penusila Forest, Sri Karunamayi Amma has devoted her life to charity works and teaching. She has founded two free elementary schools, a free college, a free hospital, mobile medical clinics, emergency relief programs, food and clothing donation programs, and free housing programs, all to allow the impoverished people of her native India to live better lives. She has also travelled the world, sharing her blessings, teachings, and quest for peace, hope, and emotional healing with thousands of people. Sri Karunamayi Amma teaches that "we should realize the great opportunity we have as human beings to cultivate inner beauty, offer ourselves in service to the entire universe, and ultimately attain spiritual liberation."

Mr. Speaker and Colleagues, please join me in honor and recognition of Sri Karunamayi Amma, whose charitable works and spiritual guidance have inspired countless people around the world. I extend my personal thanks to Sri Karunamayi for sharing her message with the people of northeast Ohio.

PAYING TRIBUTE TO LT MATTHEW
LOWE AND LT NATHAN WIL-
LIAMS OF NAVAL STATION,
LEMOORE

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. COSTA. Mr. Speaker, I rise today to honor and pay tribute to two heroic officers from Naval Air Station (NAS), Lemoore who tragically lost their lives on Apr. 6, 2011. LT Matthew Ira Lowe, 33, and LT Nathan Hollingsworth Williams, 28, were killed last Wednesday during a training mission when the F/A-18F Super Hornet they were flying crashed into an agricultural field near NAS Lemoore.

California's 20th Congressional District is home to many individuals who serve and have

served in our Armed Forces. NAS Lemoore is a proud and honored naval community. The crash that took the lives of Lieutenant Lowe and Lieutenant Williams is a tragic reminder that the men and women of our Armed Forces put their lives at risk every single day in defense of our beloved country.

LT Matthew Ira Lowe was from Plantation, Florida. He received his commission through Officer Candidate School on Feb. 21, 2003, and reported to Strike Fighter Squadron, VFA, 122 on July 9, 2009. He was designated a pilot following naval aviation training from Nov. 2002 until July 2006. Following his training, Lieutenant Lowe was assigned to VFA-94 based at NAS Lemoore. During his career, Lieutenant Lowe earned the Navy/Marine Corps Achievement Medal and the National Defense Service Medal. Lieutenant Lowe was most recently training to become a pilot for the elite Blue Angels exhibition team. LT Matthew Lowe is survived by his parents Ira and Pamela Lowe of Fort Lauderdale, Florida and two siblings.

LT Nathan Hollingsworth Williams, of Oswego, New York, received his commission through the Naval Reserve Officer Training Corps at the University of Rochester in New York on May 28, 2004. He reported to VFA-122 on Jan. 25, 2010, and was designated a Naval Flight Officer following training from Aug. 2004 through Feb. 2007. Lieutenant Williams' first squadron assignment was with VFA-213 based in Norfolk, Virginia. In Afghanistan, Lieutenant Williams served aboard the USS *Theodore Roosevelt*, providing air support for U.S. ground troops. After returning from Afghanistan, Lieutenant Williams was chosen to be a flight instructor at Lemoore Naval Air Station, training other flight officers on the Super Hornet, and was also selected for the West Coast Super Hornet Demonstration Team. During his career, Lieutenant Williams earned the Air Medal, Afghanistan Campaign Medal, Global War on Terrorism Service Medal, Sea Service Deployment Ribbon and Pistol Marksmanship Medal.

LT Nathan Williams is survived by his wife, Meredith; his parents, Alan and Gay Williams, of Oswego; and his brothers, Jeffrey and Seth, of New York City.

Mr. Speaker, I respectfully ask you and my colleagues to join me today for a moment of silence to remember both of these heroic men. May the families and friends of LT Matthew Ira Lowe and LT Nathan Hollingsworth Williams know our thoughts and prayers are with them during this most trying time, and may they know we are extremely proud of their distinguished service to our country.

RECOGNIZING THE VICTIMS OF OMARSKA

HON. RUSS CARNAHAN

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. CARNAHAN. Mr. Speaker, I rise today to recognize the victims of a notorious concentration camp in Omarska, located in northwestern Bosnia and Herzegovina.

In the summer of 1992, Omarska was the site of mass human rights violations in an at-

tempt to drive non-Serbs from this part of the country.

When the world learned of these mass atrocities, U.N. prosecutors brought cases against many of the perpetrators of these crimes.

The ICTY found several guilty of crimes against humanity.

Remembering the victims of Omarska allows the survivors and families of the victims to mark this tragic chapter.

This is critical to reconciliation, and to the future of Bosnia.

I strongly urge all companies, municipalities, and others to allow anniversary events to take place in Omarska.

It is critical that all involved allow a memorial to be built, and for all parties to respect the commemoration of Omarska and the right of remembrance so that the horrors of Omarska are never repeated again.

IN HONOR OF FRANK H. GAUTHAN

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor of Mr. Frank H. Gauthan of Cleveland, Ohio, who will be celebrating his 90th birthday on May 14. Mr. Gauthan bravely served his country and the citizens of Cleveland with honor and distinction.

Mr. Gauthan began his life of public service as a member of the 5th Division of the Marine Corps during World War II. Stationed in the South Pacific, he fought in the battles of Iwo Jima and Guam.

Following the war, Mr. Gauthan served with the Cleveland Police Department for 31 years. He was promoted to the rank of detective, and served in the narcotics division of the Cleveland Police Department. As an experienced narcotics officer, he was crucial in the establishment of the narcotics department of the Cuyahoga County Sheriff's Department. Mr. Gauthan played a crucial role in the development of a new county-wide office to aid in the fight against narcotics.

Mr. Gauthan is an active member of the Retired Irish Police Society (RIPS), Westside Irish American Club, and Veterans of Foreign Wars Chapter 1079. He also volunteers with Meals on Wheels and has been an active volunteer with the Democratic Party. In addition, Mr. Gauthan is an avid golfer and bowler, and has garnered many awards and trophies throughout the years.

Mr. Speaker and colleagues, please join me in wishing Mr. Frank H. Gauthan a very happy 90th birthday.

TRIBUTE TO THE LIFE OF CHARLES SEYMOUR

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to a community leader

and activist, Charles Seymour. Charlie passed away on April 1, 2011 and a memorial service was held on April 13, 2011 at the Feldham Library in the Bing Wong Auditorium.

Charlie grew up in a segregated neighborhood in Detroit. Although his opportunities were limited, he made the most of them. He became heavyweight champion Joe Louis' golf caddy. Charlie often said he learned everything he needed to know about life on the golf course. He emphasized the honor and integrity as well as the self-reliance, self-control, and self-discipline golf taught him.

Moving to Los Angeles as a young man, Charlie relied on all these characteristics to succeed. He worked odd jobs and supplemented his income with the money he earned at golf matches. Charlie worked for The Tribune Newspaper on Mount Vernon Avenue and later started a bulk mailing business.

Throughout his professional success, Charlie remained an activist at heart. In San Bernardino, he was known for his compassion—especially for children and animals. Charlie has been described as a "force-multiplier." Dr. Amos Issac explains, "He was a kind of exceptional person at seeing the needs out there, and involving others in helping to respond to those needs."

Notably, Charlie served as CEO of the Adopt-A-Bike Program. In 1991, there was a local bike rodeo that gave away four bikes but had 165 children participate. After witnessing the event, Charlie called everyone he knew to ask them for a bike; he received 85 bikes. He was able to present 51 fixed bikes at the next raffle. The event evolved into the Adopt-A-Bike Program and later the Adopt-A-Computer program. The San Bernardino community will always remember these two programs and the compassionate advocate who started the operations.

Charlie passed away less than three months after his wife, Madeline. He is survived by his children Charlotte Bruce Hall, Donna LeRoy Baker, Pat Walton, and Larry Lacy. He leaves with cherished memories a loving, large family of grandchildren and great-grandchildren. My thoughts and prayers, along with those of my wife, Barbara, and my children, Mayor Pro Tem Joe Baca Jr., Jeremy, Natalie, and Jennifer are with Charlie's family at this time. Mr. Speaker, I ask my colleagues to join me today in honoring a beloved community member and tireless advocate, Charlie Seymour.

HONORING DR. GERALD TIROZZI ON THE OCCASION OF HIS RETIREMENT

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to recognize the outstanding leadership, vision, and innumerable contributions of Dr. Gerald Tirozzi as he prepares to retire from his position as Executive Director of the National Association of Secondary School Principals. Gerry has dedicated a lifetime to ensuring that our children have access to an education of the highest possible

quality. Through his efforts we, as a nation and a society, have changed the way we look at public education and how the policies we create impact our young people and their success.

A Connecticut native, I have had the privilege of knowing Gerry for many years. In fact, I did some substitute teaching when he was the Superintendent of New Haven Public Schools. I have rarely encountered an individual with the passion and enthusiasm that Gerry possesses—particularly as he is advocating for policies he believes will make a difference in educating our young people.

Gerry began his career as an educator—a science teacher—and soon moved into several administrative positions, including Superintendent of New Haven Public Schools. In 1983 he was tapped by then Governor Bill O'Neill to lead Connecticut's Department of Education. In fact, on the same day that Gerry was named Commissioner, the National Commission on Excellence in Education released its famous report, "A Nation at Risk," calling for the reform of the American public school system. With the release of the report Gerry saw a unique opportunity and soon implemented reforms that have changed the face of public education in Connecticut. He reformed curriculum and advocated for raising teacher salaries and attracting more qualified candidates to the profession. Perhaps most significantly, it was under his direction that Connecticut established a statewide, systematic test that would more accurately assess student progress. This testing resulted in identifying the academic problems afflicting racial minorities and low-income students nearly two decades before it was taken up at the federal level. The Connecticut Mastery Test celebrated its 25th Anniversary last year and continues to be the single biggest influence in shaping curriculum and has become a national model for student testing.

After his tenure as Commissioner at the Connecticut Department of Education, Gerry went on to serve as President of Wheelock College, Professor of Educational Leadership at the University of Connecticut, and was later appointed by President Clinton as the Assistant Secretary of Elementary and Secondary Education at the U.S. Department of Education. For the last decade, Gerry has led the National Association of Secondary School Principals, an organization which acts as the national voice for middle and high school principals, assistant principals, and aspiring school leaders. In each of the many positions he has held, his commitment and unique vision have led to invaluable improvements in our system of public education.

Dr. Gerald Tirozzi has enjoyed a remarkable career and has earned a distinguished reputation as a leader in education reform. As he prepares to leave his professional life, I am honored to have this opportunity to extend my sincere thanks for his invaluable contributions to our Nation and our children. His work has improved the quality of public education for millions of young people across our Nation and helped to better prepare them for their future success. Today, as he celebrates his retirement with family, friends, and colleagues, I wish him, his wife Sharman, his son Jeff, and his grandchildren, Jason and Kayla, the very

best for many more years of health and happiness.

PERSONAL EXPLANATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mrs. EMERSON. Mr. Speaker, on rollcall Nos. 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, and 298, I am not recorded because I was absent due to a natural disaster in Southern Missouri. Had I been present the week of May 2nd, I would have voted "aye" on rollcall Nos. 278, 279, 280, 285, 286, 290, 292, 293, 294, and 298. I would have voted "nay" on rollcall Nos. 281, 282, 283, 284, 287, 288, 289, 291, 295, 296, and 297.

TRIBUTE TO THE LIFE OF NORRIS GREGORY, JR.

HON. JOE BACA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. BACA. Mr. Speaker, I rise today to ask Congress to pay tribute to Norris Gregory, Jr., a respected community member and San Bernardino's first black city councilman. Norris passed away at this home on April 21, 2011, at the age of 85.

Born on the Fort Riley military base, Norris was raised and began his education in Kansas. He received his Bachelor of Arts from Washburn University. He later completed his Master of Education at the University of Kansas. He also completed classes at University of California, Riverside and California State University at Los Angeles.

Norris was a prominent member of the San Bernardino community and he will be remembered for all that he gave to the local residents. He served as a member of many important civil organizations including the National Association for the Advancement of Colored People, Veterans of Foreign Wars, and the American Legion. He was also a founding member of the San Bernardino Alumni chapter of Kappa Alpha Psi fraternity and a member of the Phi Delta Kappa national honorary educational fraternity. Kappa Alpha Psi fraternity honored Norris as Man of the Year.

Norris was perhaps best known for being San Bernardino's first black city councilman. He served two four-year terms in the Sixth Ward from 1967 to 1975, breaking San Bernardino's color barrier. Norris told the Black Voice News that "Schools were segregated, and most blacks were relegated to menial jobs. Blacks had no power and no voice in government . . . but you can make a difference. You can change the law."

San Bernardino has lost a trailblazer and a role model. Norris has been credited for paving the way for others like John Hobbs, Valerie Pope-Ludlam, Betty Dean Anderson, and Rikke Van Johnson. His wife, Salena Gregory, reflects, "He was a very good man. He did a lot for San Bernardino."

Salena and Gregory were married for 64 years. They had one son, the late Norris P. Gregory III, one granddaughter Jessica L.G. Tucker, and two great-grandsons, Jason and Justin Tucker. My thoughts and prayers, along with those of my wife, Barbara, and my children, Mayor Pro Tem Joe Baca Jr., Jeremy, Natalie, and Jennifer are with Norris' family at this time. Mr. Speaker, I ask my colleagues to join me today in honoring a local hero, Norris Gregory, Jr.

ALEXIS SCHOONMAKER

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alexis Schoonmaker for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alexis Schoonmaker is a 12th grader at Arvada West High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alexis Schoonmaker is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alexis Schoonmaker for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE LIFE OF ANNE MANFREDI MACK

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. GARAMENDI. Mr. Speaker, I rise today to honor the life of my dear friend Anne Manfredi Mack, who passed away April 22, 2011. I ask all my colleagues to join me in recognizing the many outstanding achievements of Anne during her lifetime.

Anne Mack touched the lives of many with grace and generosity. Anne's driven and compassionate nature laid the foundation for a legacy of inspiration to all who knew her.

With great compassion and a heart for service, Anne was a well known and dedicated public servant and longtime advocate for seniors and senior issues. After retiring from Lockheed, she dedicated her time to serving her community and the State of California. In 1998 she was elected to the California State Legislature. Because of her long standing commitment to the Senior Legislature, she was elected chair and had served in this position since 2006. In addition to her service on the Senior Legislature, Anne was a member of various state boards including the Senior Care

Commission, Congress of California Seniors, and was Chair of the Advisory Council on Aging.

As an impressive 25-gallon blood donor and CPR instructor for over 20 years, Anne had a strong passion and dedication to helping those in her community. Anne's greatest source of pride and happiness, though, was her family—her six children, 12 grandchildren, and seven great-grandchildren that survive her today. Anne always put family first, and will be remembered most for her smile, generosity, and passion for those who were less fortunate.

Mr. Speaker, while it is with great sadness, I am truly honored to recognize a woman who has had a profound impact on my wife Patti and me, my family, and on the lives of so many. I ask all of my colleagues to join with me in recognizing Anne Manfredi Mack's lifetime of achievements.

HONORING THE LIFE OF JESS JACKSON

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. WOOLSEY. Mr. Speaker, I rise with both pride and sadness today with my colleague MIKE THOMPSON to honor one of Sonoma County's pioneering leaders. Jess Stonestreet Jackson passed away April 12, 2011, at his home in Geyserville, California. From the wine industry to local philanthropy, Jess Jackson touched lives across the North Bay, and he was admired and respected for his devotion to our region.

Born on February 18, 1930, and raised in San Francisco, Jess Jackson worked numerous jobs as a child to support his parents. As a young adult, he worked as a long shoreman and police officer to put himself through the University of California, Berkeley. He embodied the American ideal that a dedicated and hardworking person can build a successful life.

With a unique drive and an entrepreneurial spirit, Jess Jackson established himself as a leader in the American wine industry. With a successful law career in San Francisco, he began growing grapes in the 1970s. He produced his first wine in the 1980s at the age of 52, quickly putting Sonoma County on the map as one of the premier wine-growing regions of the world. Jackson's work redefined the use of "California" as an appellation of quality for Chardonnay. His family company, Jackson Family Wines, now operates over 30 wineries around the globe.

Jackson was also known for devoting much of his energy, intellect and financial resources to help others. He donated millions of dollars to charities locally and across the country. In Sonoma County, for example, he supported the Family Justice Center, the Redwood Empire Food Bank, and the Boys and Girls Clubs. He and his wife, Barbara R. Banke, spearheaded a wine auction, Sonoma Paradiso, raising millions of dollars for a host of local causes for the benefit of children.

Jackson and Banke also embarked on a pioneering venture to promote the study and

practice of sustainable viticulture. Their multi-million-dollar commitment to the University of California, Davis, which will fund the construction of a wine center geared toward education, testifies to the forward-thinking approach Jackson always took to business and agriculture in the Wine Country. I will create an opportunity for future generations to practice sustainable viticulture.

In addition to his wife, Jackson is survived by his five children and their families who will continue his legacy in the North Bay.

AIMEE LANGE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aimee Lange for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aimee Lange is a 12th grader at Faith Christian Academy and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Aimee Lange is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aimee Lange for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING THE LIFE OF JESS STONESTREET JACKSON

HON. MIKE THOMPSON

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. THOMPSON of California. Mr. Speaker, I rise with both pride and sadness today with my colleague, LYNN WOOLSEY, to honor one of Sonoma County's pioneering leaders. Jess Stonestreet Jackson passed away April 12, 2011, at his home in Geyserville, California. From the wine industry to local philanthropy, Jess Jackson touched lives across the North Bay, and he was admired and respected for his devotion to our region.

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began growing grapes in the 1970s. He produced his first wine in the 1980s at the age of 52, quickly putting Sonoma County on the map as one of the premier wine-growing regions of the world. Jackson's work redefined the use of "California" as an appellation of quality for Chardonnay. His family company, Jackson Family Wines, now operates over 30 wineries around the globe.

Jackson was also known for devoting much of his energy, intellect and financial resources to help others. He donated millions of dollars to charities locally and across the country. In Sonoma County, for example, he supported the Family Justice Center, the Redwood Empire Food Bank, and the Boys and Girls Clubs. He and his wife, Barbara R. Banke, spearheaded a wine auction, Sonoma Paradiso, raising millions of dollars for a host of local causes for the benefit of children.

Jackson and Banke also embarked on a pioneering venture to promote the study and practice of sustainable viticulture. Their multi-million-dollar commitment to the University of California, Davis, which will fund the construction of a wine center geared toward education, testifies to the forward-thinking approach Jackson always took to business and agriculture in the Wine Country. It will create an opportunity for future generations to practice sustainable viticulture.

In addition to his wife, Jackson is survived by his five children and their families who will continue his legacy in the North Bay.

Mr. Speaker, I ask you to join me in honoring the life of Jess Stonestreet Jackson. His fine wines earned him friends worldwide. His entrepreneurial leadership and compassionate heart earned admirers throughout the North Bay. He has enriched our lives, and he will be dearly missed.

AUBREY WADLEIGH

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aubrey Wadleigh for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aubrey Wadleigh is a 12th grader at Pomona High School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Aubrey Wadleigh is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aubrey Wadleigh for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

PERSONAL EXPLANATION

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. DELAURO. Mr. Speaker, I was unavoidably detained and so I missed rollcall vote No. 296 regarding the Connolly of Virginia Part B Amendment No. 2 for H.R. 1230. Had I been present, I would have voted "yes."

ANDREA PIERCE

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Andrea Pierce for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Andrea Pierce is a 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Andrea Pierce is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Andrea Pierce for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

RECOGNIZING LOCAL SCHOOL'S
ROBOTICS TEAMS**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. WOLF. Mr. Speaker, today I rise to recognize three local schools that have excelled in robotic competitions. These three teams participated in the Robotics for Inspiration and Recognition of Science and Technology (FIRST), regional tournament in Richmond on April 8–9, where 64 teams competed.

The local schools represented—Highland High School in Warrenton, RoboHawk-Team 3373; Fresta Valley Christian School in Marshall, Team 1731; and Battlefield High School in Haymarket, Team 1885 ILITE squad—are all local schools and teams that participated in the regional tournament.

The FIRST robotics program offers students a chance to design a robot from scratch. Their mission is to "inspire young people to be science and technology leaders, by engaging them in exciting mentor-based programs that build science, engineering and technology skills, that inspire innovation, and that foster well-rounded life capabilities including self-confidence, communication, and leadership."

The students receive a box of parts with no instructions, just a specific goal that their robot must reach. Then, the students have to design the robot to complete certain tasks for the competitions. The students are allotted a six-week period to build their robots and must bag and tag them before the tournament.

The students are responsible for obtaining mentors and sponsors to raise the \$5,000 that is needed to receive a starter kit from FIRST. Their mentors are usually parents who work in the field of engineering and are role models and an inspiration to the students.

At the regional tournament in Richmond, there were three different competition rounds. The first round was autonomous, where the pre-programmed six-wheel robot had to act independently of its operators and place rings on pegs in order to gain points. The second round consisted of the operators having the robot place tubes on the scoring racks. The final and most difficult round, according to the Battlefield team, was having a minibot climb up the rack and place tubes at a faster and higher rate than the original robot.

I congratulate all the teams for participating in such a hands-on engineering and scientific educational experience, with special mention to the Fresta Valley Christian School for making it to the quarterfinals of the competition. I also congratulate Battlefield High School for placing second in the regional tournament. I congratulate and commend the two teams for their participation in the National Championship, which was held in St. Louis April 27–30.

AARON CISNEROS

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Aaron Cisneros for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Aaron Cisneros is a 10th grader at Jefferson Senior High and received this award because his determination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Aaron Cisneros is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Aaron Cisneros for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

OUR UNCONSCIONABLE NATIONAL
DEBT**HON. MIKE COFFMAN**

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, today our national debt is \$14,325,784,545,788.31.

On January 6, 2009, the start of the 111th Congress, the national debt was \$10,638,425,746,293.80.

This means the national debt has increased by \$3,687,358,799,494.50 since then.

This debt and its interest payments we are passing to our children and all future Americans.

ALMA FRANCO-TORRES

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alma Franco-Torres for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alma Franco-Torres is a 8th grader at Drake Middle School and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alma Franco-Torres is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alma Franco-Torres for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

63RD ANNIVERSARY OF THE
INDEPENDENCE OF ISRAEL**HON. FRANK PALLONE, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PALLONE. Mr. Speaker, today, Israel celebrates 63 years of independence as a Jewish-state. I am proud to say that it was on this same day 63 years ago that the United States became the first country in the world to recognize the State of Israel. For decades, our two nations have shared an unyielding bond based on trust, common values and a great respect for one another. I look forward to celebrating this bond for years to come.

As the Middle East and North Africa continue on their paths to self-governance it is my sincere hope that this progress will continue in the most peaceful way possible. I believe that once the people of these growing nations are able to achieve their ambitions that the bonds

between Israel, the United States and the region will prosper. The United States will continue our efforts with Israel and others in the region to achieve widespread peace and work together toward this end.

I offer my best wishes to President Peres, Prime Minister Netanyahu, and the people of Israel as they celebrate their 63rd Independence Day. I remain committed to ensuring that the next 63 years of U.S.-Israel relations are marked by cooperation and mutual respect.

ASHLEIGH SANTISTEVAN

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Ashleigh Santistevan for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Ashleigh Santistevan is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Ashleigh Santistevan is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Ashleigh Santistevan for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

HONORING KALERVO RUUSKANEN
OF CANTERBURY, CONNECTICUT
FOR 50 YEARS OF DEDICATED
SERVICE IN THE CANTERBURY
VOLUNTEER FIRE DEPARTMENT

HON. JOE COURTNEY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. COURTNEY. Mr. Speaker, I rise today to recognize Kalervo "Kavi" Ruuskanen of Canterbury, Connecticut in recognition of his 50 years of dedicated service with the Canterbury Volunteer Fire Department.

In 1960, a young Kalervo Ruuskanen helped friends and neighbors extinguish a brush fire. He impressed the local emergency officials so much that they asked him to join the department. Now 50 years later, Mr. Ruuskanen is the first non-charter member of the Canterbury Volunteer Fire Department to have reached the 50-year milestone. This accomplishment is a testament both to his skill as a first responder and his commitment to serving his fellow man.

Not only has he been with the Canterbury Volunteer Fire Department for 50 years, he has also worked as an emergency medical technician, and currently serves as a Constable of Canterbury and volunteers as a fire

policeman. In small towns across eastern Connecticut where we rely on volunteers to protect our homes, our businesses and our way of life, men and women like Kalervo Ruuskanen provide a vital service by ensuring our safety.

As the duly elected Representative of the Second Congressional District of Connecticut, I ask that my colleagues in the House of Representatives join me in extending hearty congratulations and warm thanks to Mr. Ruuskanen for his dedication and selfless service to the people of Canterbury, Connecticut.

IMPORTANCE OF INFORMATION
AND REFERRAL PROGRAMS

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. TERRY. Mr. Speaker, I rise today to pay tribute to the dedicated professionals working each day in the field of Information and Referral or I&R. These people perform the essential task of bringing people and services together, assistance that has proven to be more important than ever in these difficult economic times.

In particular, I wish to acknowledge the important work of the Alliance of Information and Referral Systems or AIRS which has been serving for more than 30 years as the national organization which developed the professional standards that are a part of thousands of quality Information and Referral programs in this Nation.

In 2010, Information and Referral professionals responded to more than 20 million calls across our Nation from people seeking assistance. This includes people that accessed services through the hundreds of 2-1-1 organizations. AIRS in partnership with United Way Worldwide were the architects of the 2-1-1 system which has served to transform access to human services in America and Canada.

The United States is currently served by Information and Referral professionals through 2-1-1 programs, aging I&R services, Aging and Disability Resource Centers, child care resource and referral services, military family centers, and other specialty Information and Referral services. In addition, the Aging Network consists of 56 State agencies on aging, 629 area agencies on aging, 244 Tribal organizations, and 2 Native Hawaiian organizations. These entities also provide Information and Referral and are important to moving Information and Referral forward.

The importance of the Information and Referral service is that it links consumers with the most appropriate service that they may need whether it be for housing, nutrition, job training, transportation services or long-term care options counseling. Information and Referral and 2-1-1s have proven to be especially invaluable in times of natural disasters in our Nation working in conjunction with first responders to provide help to persons in need.

Information and Referral services have been recognized in Federal legislation for more than

35 years, including in the 1973 reauthorization of the Older Americans Act and including the establishment of the National Eldercare Locator and the development of Aging and Disability Resource Centers.

Comprehensive and specialized Information and Referral programs help people in every community and operate as a critical component of the health and human services delivery system. Information and Referral organizations have databases of programs and services, and disseminate information through a variety of channels to individuals, professionals and communities.

Let me conclude by commending all those professionals who work in the Information and Referral field and with 2-1-1s. We are especially fortunate in my District and State to have one of the most effective of these professionals, my friend Jamie Moore who serves as Vice President of Volunteer & Community Services at the United Way of the Midlands.

I urge my colleagues to become more familiar with the Information and Referral and 2-1-1 programs in their districts help their constituents learn about who to call for information about local resources.

ALEXANDRA BURTON

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Alexandra Burton for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Alexandra Burton is a 12th grader at Warren Tech North and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Alexandra Burton is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Alexandra Burton for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

IN RECOGNITION OF THE PRESIDENT'S VISIT TO GROUND ZERO
FOLLOWING THE KILLING OF
OSAMA BIN LADEN

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mrs. MALONEY. Mr. Speaker, I rise to join my fellow New Yorkers in expressing my gratitude to President Obama for visiting our city today and for a job very well done. Under the President's extraordinary leadership and with an heroic effort by our military and our intelligence community, at long last, a mass murderer has been brought to justice.

President Obama's visit to Ground Zero will hopefully bring comfort to the families who lost loved ones, and bring the attention of the world back to the courage that so many showed on 9/11: the firefighters, police officers, and first responders who answered the call of duty and went into burning towers, never to return; the construction workers and volunteers who came to Ground Zero to help our nation recover; the office workers who risked their lives to lead others to safety.

I hope the President's visit will also remind Americans how we came together after the attacks, a unity that impressed itself on the heart of the world and delivered us from some of the most difficult times our nation has ever faced. As the President himself said, when we come together, there's nothing that we can't do.

HONORING MURIEL SCOTT

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to pay tribute to Muriel Scott, the President and CEO of the Central Maine Area Agency on Aging, better known as Spectrum Generations. For more than three decades, Muriel has been dedicated to building a strong agency to serve central Maine's elderly population.

Muriel has always believed in the importance of seniors' exercising their own independence. For decades, Muriel has worked to support policies and initiatives that make it easier for seniors to live in their own homes and lead their own lives.

Muriel's hard work and dedication expanded Spectrum Generations to seven community center locations in central Maine. She first joined Spectrum in 1976 as the Director for the Retired Senior Volunteer Program, and Muriel would serve as Nutrition Director before rising to the position of Associate Director in 1979.

Under Muriel's leadership, Spectrum became a leader in ensuring community access to these services in multiple, convenient locations. Her achievements in Maine led her to national success, serving as a delegate to the 1995 White House Conference on Aging and a Board member of the National Association of Area Agencies.

Mr. Speaker, please join me in honoring Muriel Scott on her retirement after 34 years of dedication to Maine's elderly.

ADRIAN ESTRADA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Adrian Estrada for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Adrian Estrada is a 12th grader at Jefferson Senior High and received this award because his de-

termination and hard work have allowed him to overcome adversities.

The dedication demonstrated by Adrian Estrada is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Adrian Estrada for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt he will exhibit the same dedication and character in all his future accomplishments.

THE NATIONAL GUARD EMPLOYMENT PROTECTION ACT

HON. MIKE COFFMAN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. COFFMAN of Colorado. Mr. Speaker, I am proud to stand before you today to reintroduce the National Guard Employment Protection Act.

I created this legislation in order to extend the same reemployment rights for all of our National Guard personnel, regardless of whether they are assigned to a homeland security mission or deployed overseas to Iraq or Afghanistan. Under current law, the members of the National Guard who are called up for active duty in support of homeland security missions inside the United States are not provided the same reemployment rights to their civilian occupations that other members of the National Guard and Reserve have when they are called to active duty for overseas military assignments.

There is no doubt that the soldiers and the airmen serving in the National Guard must have the same reemployment rights irrespective of where they are ordered to serve. The bill recognizes that those who are called up for homeland security missions can face the same hardships and challenges in trying to return to their civilian employment as someone who has been away from their civilian occupation due to an overseas military assignment.

With the passage of this law, National Guard members will no longer have to worry about being put into a position where they are forced to choose between retaining their civilian employment or serving our Nation in a critical homeland security mission.

I would like to thank Delegate MADELINE BORDALLO, Representative HARPER and Representative ROE for co-sponsoring again. I urge the passage of this legislation.

IN RECOGNITION OF MR. KIRAN DESAI

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PALLONE. Mr. Speaker, I rise today to recognize Mr. Kiran Desai, former Chairman of

the Old Bridge Township Zoning Board of Adjustment and member of the Township Planning Board. Kiran is being recognized by the New Jersey State Planning Officials Organization as a recipient of the 2011 Achievement in Planning Award for his continued service to the residents of Old Bridge, New Jersey. Kiran continues to demonstrate significant contributions to the planning and development of Old Bridge and is therefore deserving of this body's recognition.

Kiran served as the Chairman of the Township's Zoning Board of Adjustment from 2000 to 2010. A humble, thirty year resident of Old Bridge, Kiran excels in his professional endeavors as a result of his personal relationship with the local residents and neighbors. During his tenure, Kiran has evaluated hundreds of applications and has most notably opposed larger residential developments and retail complexes not suited for the area. Kiran's steadfast determination and clear mission has assisted in balancing the rights of developers with the needs of Old Bridge's large, diverse and growing community. He also proudly continues to place particular emphasis on protecting local environmentally sensitive areas. In January 2011, Kiran transitioned from the Zoning Board of Adjustment to the Old Bridge's Township Planning Board where he spearheads the initiative to review the Township's master plan.

In addition to his professional experience, Kiran has also been active in several other civic organizations. He has served on the Economic Development Corporation and is the former Treasurer of the New Jersey Democratic State Committee. He currently serves as a Commissioner and Secretary of the Old Bridge Municipal Utilities Authority.

Kiran is also very active in the Indian community and various organizations dedicated to preserving cultural roots and further Indian strides within the American community. Kiran is a founding member of the India Cultural Association of Central Jersey and has served as President of Vraj of North America. He is also founding President of the Chh Gaam Patidar Samaj of North America and continues his involvement with countless other cultural organizations. As a result of his outstanding efforts, Kiran was recently awarded the Ellis Island Medal of Honor, an annual award presented to an individual for their contributions by immigrants to the United States.

Mr. Speaker, once again please join me in congratulating Mr. Kiran Desai, the 2011 recipient of the New Jersey State Planning Officials Organization's Achievement in Planning Award. Mr. Desai's professional accomplishments and community and cultural involvement should be an inspiration to us all.

ARISAI GURROLA

HON. ED PERLMUTTER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. PERLMUTTER. Mr. Speaker, I rise today to recognize and applaud Arisai Gurrola for receiving the Arvada Wheat Ridge Service Ambassadors for Youth award. Arisai Gurrola

is an 11th grader at Jefferson Senior High and received this award because her determination and hard work have allowed her to overcome adversities.

The dedication demonstrated by Arisai Gurrola is exemplary of the type of achievement that can be attained with hard work and perseverance. It is essential students at all levels strive to make the most of their education and develop a work ethic which will guide them for the rest of their lives.

I extend my deepest congratulations to Arisai Gurrola for winning the Arvada Wheat Ridge Service Ambassadors for Youth award. I have no doubt she will exhibit the same dedication and character in all her future accomplishments.

COMMENDING THE MASON SMALL
BUSINESS DEVELOPMENT CENTER

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise today to commend The Mason Small Business Development Center for being named the 2011 Small Business Development Center of Excellence and Innovation by the Small Business Administration Washington Metro Area District Office. This award recognizes and honors centers that use innovation to provide quality and effective services to small businesses to help them improve program management and delivery.

For more than ten years, The Mason SBDC has helped small businesses throughout Northern Virginia support and business counseling services. It is a successful partnership between the federal government, Commonwealth of Virginia and George Mason University, and it assisted more than 480 small businesses in 2010. The hard work and dedication of the team members from The Mason SBDC has resulted in the retention of more than 1,200 local jobs. The Washington Metropolitan region has greatly benefited from the vitality of the small business sector, and The Mason SBDC is an important part of that success.

Mr. Speaker, I encourage my colleagues to join me in commending The Mason Small Business Development Center and its team members for their efforts on behalf of our nation's small businesses.

RECOGNIZING HELEN SPIVEY

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise to recognize Helen Spivey who today is receiving the U.S. Fish and Wildlife Service's 2010 Regional Director's Conservation Award.

I had the distinct pleasure and honor to serve and sit next to Helen in the Florida House of Representatives, and I am proud that her many years of service yielded such tremendous benefits to the people of Florida

and our state's unique ecosystem. Her recognition today is warranted and well deserved.

For several decades, Helen Spivey has been an iconic leader in the protection of Florida's special ecosystems and in particular, the endangered Florida manatee. For that work, she holds a very special title to those of us that know her well—"The Manatee Lady."

For decades, Helen has fought to preserve the more pristine and natural Florida she knew in her youth. Since moving to Crystal River in the 1970s, she has built a long resume volunteering in efforts to fight uncontrolled urban growth, pollution from wastewater facilities, and of course to protect Florida manatees.

From serving on the Crystal River City Council to being elected to the Florida Legislature, Helen's life exemplifies the best a citizen has to offer as an active and effective community and public servant.

While she has worked in collaboration with many conservation organizations over her lifetime, her connection to the Save the Manatee Club is special.

Since 2000, she has served as co-chair of the Save the Manatee Club's Board of Directors. In this role, she works tirelessly for the gentle creature of our Florida waterways. The Club could not have a better advocate for their efforts.

Today, the Fish and Wildlife Service is honoring Helen for her work on expanding the Crystal River National Wildlife Refuge to include the critically important Three Sisters Springs property.

This project is a microcosm of Helen's long fight to protect Florida's incredible natural wonders and to protect much needed habitat for the Florida Manatee.

Three Sisters is an urban spring that has been under threat of development for many years. But through Helen's leadership, this 57-acre property was acquired by the Service to forever preserve this ecologically important habitat.

Each year, more than 150 manatees winter in and around this spring, and it draws tourists from across the state and beyond to behold this gentle giant of our waterways. If you have ever experienced a Florida manatee up close, you understand how special this creature is, and how important it is that we protect this impressive species for future generations.

The Three Sisters project took many years to realize and required the collaboration of many public and private partners. I was honored to work with Helen and with Congresswoman Ginny Brown-Waite of Brooksville, Florida, and Florida's senior Senator BILL NELSON to help secure federal funding for a portion of this important project.

But it was Helen that was the driving force that made the Three Sisters Springs Project a reality. She worked tirelessly to coordinate state, local and federal agencies, and the private partners needed to line up all the funding required to protect this precious resource. She has never been someone to take "no" for an answer, and with her bright spirit and intellect, she constantly wins over new allies for her cause.

Now that the spring's site is under federal management, I look forward to its full restoration and the inclusion of an interpretive platform and station that will enhance visitors' appreciation for this special ecosystem.

Once again, Helen should be very proud, as we are, of her hard fought victory for Florida's ecosystem and for the Florida manatee.

But I know what Helen will actually do . . . which is to smile, give us all a small nod, and then get right back to work on her next endeavor.

In a 2004 article in the St. Petersburg Times, Helen was quoted as saying, "I guess I wouldn't want people to remember me . . . but I would be really pleased if they could see an ecosystem that functions and a world that is not asphalt and concrete."

Well, Helen, we will most certainly remember you and the work you continue to do each day to make your vision a reality.

And with your work regarding saving Three Sisters Spring, you have added one more special ecosystem to the list of protected places in our beloved Florida. I am thrilled that the U.S. Fish and Wildlife Service is honoring you today—because no one is more deserving of this recognition.

So today, as you receive this award while also celebrating your eighty-third birthday, Florida thanks you for all that you do. I am so proud of you and simply can't wait to see what you accomplish in your next eighty-three years.

HONORING MOTT MIDDLE
COLLEGE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. KILDEE. Mr. Speaker, on May 12th Mott Middle College in Flint Michigan will celebrate its 20th year of preparing at-risk high school students for further education and the workforce. Through collaboration between Genesee Intermediate School District and Mott Community College, students from 21 school districts and 10 public academies in Genesee County are able to integrate high school, community college and the world of work as part of their educational experience.

Mott Middle College opened in 1991 funded by a grant from The Charles Stewart Mott Foundation, to specialize in dropout prevention. Working with students that may not succeed in a traditional high school setting, Mott Middle College offers students the opportunity to earn college credits and a high school diploma simultaneously. The student body currently averages 400 students, and over its 20 year history the school has graduated over 650 students.

The teachers are trained to function as focus group leaders to small groups of students. The teachers and support staff work very hard to develop an education system that meets the needs of all learning styles and foster one-on-one relationships with students. The school also utilizes community resources to assist students with their academic, career and personal development. In 2002 the school began to shift from a middle college to an early college to increase the emphasis on student dual enrollment. During the 2009-2010 school year, 375 students earned 1,562 college credits.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the administrators, educators, staff, graduates, and community partners for working diligently to help accomplish the educational goals of students; and for creating a program that has gained a national reputation for excellence. As a role model for other middle and early colleges, Mott Middle College has set the bar very high for success and I wish them the best in the coming years.

HONORING DR. GEORGE DAVISON
TENNISON

HON. KEVIN BRADY

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. BRADY of Texas. Mr. Speaker, I rise to honor the life of Dr. George Davison Tennison born on July 5, 1918.

Dr. George Tennison was known as "Dr. George" to everyone in Silsbee, Texas. Dr. George, a veteran of World War II served his country proudly as a U.S. Navy physician in the war. He served as part of the Navy Medical Corp on board a troop transport. He received an honorable discharge from the Navy in 1946. After leaving the Navy, he returned to Silsbee where he practiced medicine for 52 years. It is widely speculated that Dr. George delivered over 5,000 babies over his distinguished career.

Dr. George was a rare breed of rural physician who traveled country dirt roads in the evenings after office hours to provide care for patients who had no transportation into town.

In 1940, Dr. George married Elise Nelson of Zachary, Louisiana, and they had five children over 70 years of marriage.

Dr. George was long active in the community. He was a former school board President and member of the Kiwanis Club, bank board, and the hospital board.

Dr. George was known around Silsbee for his love of duck hunting. He loved hunting so much that he frequently got up at 3 A.M. to go out on the duck marshes before daylight. After a couple hours of hunting, he returned to his clinic for a full day of treating patients.

He was also known for his award winning roses. For as long as he was able, he grew hundreds of rose bushes in his yard and won many rose competitions.

Dr. George was instrumental in starting the first Episcopal Church in Hardin County, St. John's, where he served on the church vestry.

Dr. George is survived by his loving wife of 70 years, Elise Nelson Tennison.

HONORING MISS ABBY KEENE

HON. WALTER B. JONES

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. JONES. Mr. Speaker, I rise today to honor Miss Abby Keene.

She is freshman at Southern Wayne High School in Dudley, NC. Abby is currently an ac-

tive member of the Southern Wayne High School FFA and is currently working with training a goat for the goat exhibition and show. She is preparing for a land judging contest in which she will be a judge. Prior to her diagnosis she was a cheerleader, softball player and dancer.

In the fall of 2009 after a routine exam by their family doctor, Abby was found to have an enlarged spleen. Further test revealed that she suffers from a rare liver disease named Primary Sclerosing Cholangitis (PSC). PSC is a liver disease of the bile ducts and is very rare in children and even more rare to be diagnosed in a female. The only known treatment is a transplant and she is currently on a waiting list for a transplant at Children's Hospital in Pittsburgh, PA.

Abby's mother Deon has teamed up with COTA (Children's Organ Transplant Association) along with friends, neighbors, local churches, fire department/rescue units, Grant-ham Grange, Southern Wayne High School FFA, and other local civic groups to raise \$50,000 for Abby to receive a transplant. On May 14, 2011, Eureka Christian Church is hosting a BBQ lunch and dinner, followed by an auction of donated items. Abby is hoping to return to her active roles upon completion of her liver transplant.

Mr. Speaker, today, I ask my colleagues to join me in honoring Miss Abby Keene and wish her the best in her upcoming future.

RECOGNIZING TEACHER
APPRECIATION WEEK

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to recognize National Teacher Appreciation week and the extraordinary work done by America's teachers to provide students with the knowledge and skills they will need to compete and thrive in the 21st century.

Every day, hard working men and women go into the classroom to prepare our children for a successful future. For this, they deserve not just our utmost gratitude and respect but fair and adequate compensation. Instead, teachers and other public workers across the nation are under attack. Earlier this year, I went to Wisconsin to lend support for teachers and other state workers who are not only fighting cutbacks in salaries and benefits but the loss of long-standing collective bargaining rights. Fortunately, in Wisconsin and other states, people are turning out in large numbers to show opposition to those attacks and demonstrate support for teachers and public employees.

Rather than demonize teachers, it is imperative that we recognize the essential role they play in our society not only this week but throughout the year. President Obama has spoken at length about America's need to "Win the Future." As our nation looks to achieve that objective, we must not lose sight of the fact that nothing has a more direct impact on student achievement than having a great teacher in the classroom.

As a former elementary school teacher, I know just the teaching profession is both rewarding and challenging. I encourage every American to take a moment this week to thank a teacher for the incredible work they are doing to make our nation a better place.

CELEBRATING THE 50TH ANNIVERSARY
OF INOVA FAIRFAX HOSPITAL

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize Inova Fairfax Hospital, which is celebrating its 50th anniversary this year.

Fairfax Hospital was first proposed by a group of concerned citizens who embraced the concept of a not-for-profit hospital. With the strong support of the community, Fairfax County and the federal government, The Fairfax Hospital was built and opened its doors on February 6th, 1961. With a visionary and dedicated group of physicians, nurses, allied health care professionals, management, board members and auxiliaries, The Fairfax Hospital has become a premier health care institution in the Washington, D.C. area.

During the past 50 years, Fairfax Hospital, renamed Inova Fairfax Hospital in 1997, has significantly expanded to 833 acute-care beds and is now the busiest hospital in the Commonwealth of Virginia. It serves as the flagship facility of Inova Health System, which now includes hospitals in Alexandria, Mount Vernon, Fair Oaks, and Loudoun.

As the premier hospital serving the Northern Virginia community, Inova Fairfax Hospital includes the Inova Heart and Vascular Institute and the Inova Fairfax Hospital for Children, both of which are internationally recognized facilities, and the Inova Fairfax Hospital for Women.

Since its opening, Inova Fairfax Hospital has served as a teaching institution for future health professionals. Currently it partners with the medical schools of Georgetown, George Washington, the University of Virginia and Howard University as well as the Uniformed Services University of the Health Sciences. It also serves as the Northern Virginia campus for the medical school of Virginia Commonwealth University. In addition it is affiliated with numerous nursing, pharmacy and other allied health profession programs and with numerous institutions of higher learning, including George Mason University. Inova Fairfax Hospital continues to expand with construction underway for a new 11-story tower to provide better access and flexibility to meet patient needs.

Among its many accolades, Inova Fairfax Hospital has been designated as the Level 1 Trauma Center for Northern Virginia by the Commonwealth of Virginia, awarded Magnet Recognition in Nursing Excellence, and consistently named among the 50 Best Hospitals in the United States by both U.S. News & World Report and HealthGrades. Inova Fairfax and Inova Health System are ranked among the nation's top 100 Military Friendly Employers, Top 100 Companies for Working Mothers,

Best Employers for Workers Over 50, and are commonly named among the nation's 100 Most Wired hospitals and health systems.

While serving the health needs of an extensive community, Inova Fairfax also is actively involved in the community, partnering with community based programs and Fairfax County Public Schools. Inova also provides more than \$200 million in charity care within a single year. I was proud to represent Inova Fairfax Hospital during my 14 years as the chairman of the Fairfax County Board of Supervisors, and I am pleased to continue that partnership today.

Mr. Speaker, I ask my colleagues to join me in commemorating the 50th Anniversary of Inova Fairfax Hospital, which the community will mark in a May 11 celebration. For 50 years, Inova Fairfax Hospital has carried out its mission as engraved on its dedication plaque that it is "dedicated to the relief of human suffering and to the protection and preservation of the health of all who enter its doors." I extend my congratulations to the entire Inova Fairfax Hospital family and to Inova Health System and thank them for their continued commitment to our community.

THE REPUBLIC OF TEXAS

HON. TED POE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. POE of Texas. Mr. Speaker, as I walked onto the battlefield in the hot Texas sun, I journeyed through a sea of buckskin uniforms, Bowie knives and long muskets. I felt like I had died and gone to Heaven.

The men who portrayed Sam's Boys had a certain swagger, a certain something that made them real members of the Texas Army. I even got my picture taken with Captain Juan Seguin, who led the Tejanos, Mexicans loyal for independence. So as not to confuse these Tejanos with Santa Anna's army, General Sam had Seguin put a playing card in the head band of each Tejano so they could easily be recognized.

Seguin and his men were roaming around the battlefield. Cannons, battle cries and the sound of hooves surrounded me. I was like a little boy again.

Thousands of people came from far and wide to celebrate 175 years of Texas independence at the San Jacinto Day Festival and Battle Reenactment. Children and senior citizens alike all gathered to travel back in time and see the reenactment of one of the most decisive battles in all history—and certainly the most decisive battle in Texas history.

Folks lined the battlefield with lawn chairs, umbrellas and water bottles to watch the reenactment of events that led to the Texas victory over the larger Mexican Army on April 21, 1836. I was reminded of how good it feels to be an American—particularly a Texan-American. As the wind blew, history unfolded right in front of our eyes. I felt like I stepped back in time to 1836.

It was 175 years ago that Texas became an independent nation. Like many folks, sometimes I wish that we still were. General Sam

and his boys took on Santa Anna and an army of about 1,600 along the marshy banks of the San Jacinto River in the battle that resulted in one of the largest land transfers in world history and gave way to a new independent nation—the Republic of Texas.

After Mexican dictator Santa Anna stormed the walls of the Alamo, and ordered the massacre at Goliad, he felt the Texans had all but been defeated, and he set his sights on finishing the war with the Texans heading south-east in the "Runaway Scrape."

During this time, panic spread across Texas and doubt loomed that General Sam Houston could stop the Mexican Army. But, General Sam was not the quitting type and he would not give up his fight for freedom so easily.

The battle for Texas took place on the marshes of the San Jacinto River. On the afternoon of April 21, General Sam's battle plan called for a charge the next day at dawn, but after discussions with his troops he decided not to wait any longer.

Scout Deaf Smith was ordered to burn the only bridge and trapped both armies between the river and the marshes. In broad daylight, General Sam and the boys, 700 Texas freedom fighters, marched double-time in a single line to independence—taking on a professional army more than twice their size.

The Texans charged yelling, "Remember the Alamo! Remember Goliad!" They carried a flag of partially nude Miss Liberty, and the fife played a bawdy house song called "Come to the Bower." Santa Anna's army, caught napping, was routed.

Tradition says Santa Anna was having a rendezvous in his tent with a lady that turned out to be a spy for Texas, Emily Morgan, who is sometimes referred to as the "Yellow Rose of Texas." Most of the enemy was killed or wounded; the rest were captured or disappeared. The victory was stunning. The rest, as they say, is Texas history.

General Santa Anna's life was spared to the dismay of many that had lost loved ones at the Alamo and Goliad. But General Sam, noting that Texas was now a free and independent nation, held Santa Anna as a prisoner of war until negotiations between the two countries could be made.

While Texas had declared her independence from Mexico a month earlier on March 2, it was at this moment that she actually became a Republic all unto herself and remained so for nine glorious years.

Texas claimed land as far north as the Canadian border and as far west as Colorado. These historic battlegrounds remain an important part of Texas history, and in 1936, the state of Texas honored the Texas War of Independence and General Sam's victory by erecting a monument modeled after the Washington Monument, but naturally bigger.

I am proud to be a Texan-American. And that weekend, as I saw thousands of people celebrating the 175th anniversary of Texas Independence, I was reminded of how proudly we Texans hail. Because of men like Sam Houston, Texas is the great state that it is today. We must always remember that Texas was once a nation. Texas forever!

And that's just the way it is.

HONORING THE CHINA OCEAN SHIPPING COMPANY ON ITS 50TH ANNIVERSARY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to congratulate the China Ocean Shipping Company (COSCO) on its 50th anniversary.

Throughout the past fifty years, China Ocean Shipping Company has evolved from a small coastal carrier to a global maritime leader and a diversified multinational "Fortune Global 500" company that is the 2nd largest shipping company worldwide. My congratulations go to all the employees of COSCO. This company, with its American headquarters located in Secaucus, New Jersey, continues to be a leader in maritime commerce between the U.S. and China; providing jobs and economic growth here at home, and supporting safety, environmental and security efforts.

International maritime trade is vital to New Jersey and has helped support U.S. consumers, companies and products. COSCO Americas Inc. was recognized for promoting office social responsibility and received the 2010 New Jersey Department of Transportation New Jersey Smart Workplaces (NJSW) gold award. This award recognizes the efforts of COSCO to help reduce traffic congestion and improve air quality by providing commuter benefits to their employees in New Jersey. These important contributions to our state deserve the highest recognition.

Mr. Speaker, today I would like to congratulate COSCO on its 50th anniversary and honor its employees for their role in COSCO's continued global business success and conscientious work in the State of New Jersey.

INTRODUCING THE LENA HORNE RECOGNITION ACT

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce the Lena Horne Recognition Act, a bill to posthumously honor Lena Horne with a Congressional Gold Medal in recognition of her many achievements and contributions to American culture and the Civil Rights Movement. A symbol of elegance and grace, the legendary Lena Horne entertained America and broke racial barriers as a singer, dancer, and actress for over 60 years. Ms. Horne passed away a year ago yesterday, in New York City on May 9, 2010 at the age of 92.

Lena Mary Calhoun Horne was born on June 30, 1917, in Brooklyn, New York. Her path to international stardom would take her from Harlem's famous Cotton Club, where she was hired as a chorus dancer at the age of 16, to Charlie Barnet's jazz band, where she became one of the first African American women to tour with an all-white band, to Hollywood and Broadway.

In the 1940s, Ms. Horne was discovered by a Metro-Goldwyn-Mayer (MGM) talent scout and moved to Hollywood to be an actress, becoming the first black artist to sign a long-term contract with a major studio. Despite her extraordinary beauty and talent, however, she was often limited to minor acting roles because of her race. Among many lost opportunities, studio executives cast fellow actress Ava Gardner as Julie in the film adaptation of *Show Boat* instead of Ms. Horne because they did not want it to star a black actress. However, she dazzled audiences and critics in a number of films, including *Cabin in the Sky* and *Stormy Weather*.

The struggle for equal and fair treatment was an inseparable and increasingly political part of Ms. Horne's life. During World War II, Ms. Horne toured extensively with the United Service Organizations, USO on the West Coast and in the South in support of the troops. She was out-spoken in her criticism of the way black soldiers were treated, refusing to sing for segregated audiences or to groups in which German prisoners of war were seated in front of African American servicemen.

During the period of McCarthyism in the 1950s, Ms. Horne was blacklisted as a communist for seven years because of her civil rights activism and friendship with Paul Robeson and W.E.B. Du Bois. Although she continued to face discrimination, Ms. Horne's career flourished in television and on nightclub stages across the country. It was during this time that she also established herself as a major recording artist. In 1957, she recorded *Lena Horne at the Waldorf-Astoria*, which reached the Top 10 and became the best-selling album by a female singer in RCA Victor's history.

Ms. Horne used her talent and fame to become a powerful voice for civil rights and equality. In 1963, she participated in the historic March on Washington for Jobs and Freedom, at which Dr. Martin Luther King, Jr. delivered his immortal "I Have a Dream" speech. She also performed at rallies throughout the country for the National Council for Negro Women and worked with the National Association for the Advancement of Colored People (NAACP), of which she was the cover girl for their monthly bulletin at the age of 2, in addition to being a member of the Delta Sigma Theta sorority.

In 1981, Ms. Horne finally received the big break she had waited for her whole life—a one-woman Broadway show. *Lena Horne: The Lady and Her Music*, was the culmination of her triumphs and struggles. It enjoyed a 14-month run before going on tour and earned her a special Tony award for distinguished achievement in theater and two Grammys. Ms. Horne was also the recipient of the Kennedy

Center honor for lifetime contribution to the arts in 1984 and in 1989 received a lifetime achievement Grammy Award. She received two stars on the Hollywood Walk of Fame—for her work in both motion pictures and recording—in addition to a footprint on the International Civil Rights Walk of Fame at the Martin Luther King, Jr. National Historic Site.

Mr. Speaker, Lena Horne was an extraordinary woman who refused to give up her dreams and used her beauty, talent, and intelligence to fight racial discrimination. I urge my colleagues to support the Lena Horne Recognition Act to honor the life and legacy of Ms. Lena Horne with a Congressional Gold Medal.

RECOGNIZING JIM MANDICH

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to mourn the passing of Miami Dolphins legend Jim Mandich.

Jim "Mad Dog" Mandich died on April 26th at the age of 62, after a valiant battle with bile duct cancer for more than a year.

He was a beloved and respected member of the South Florida community known for his warmth and generosity to those in need.

To longtime Dolphins fans, Mandich is remembered as the hard-nosed tight end on the two Super Bowl championship teams in the early 1970s.

Over eight seasons in the National Football League, all but one with the Miami Dolphins, he caught 121 passes, for 1,406 yards and 23 touchdowns.

But on the field he will best be remembered for always giving it his all on every play.

Earning the nickname "Mad Dog" for his all-out efforts on special teams, his teammates point out that he was the heart and soul of the undefeated team in 1972—the only undefeated season by an NFL team in the Super Bowl era. He then helped them repeat as Super Bowl champions the following season.

To younger Dolphins fans, he was the "voice" of the Dolphins. In 1992, the "Mad Dog" became the Dolphins radio color commentator, but to thousands of "Dol-fans" he simply became their voice. For nearly 20 years, Mandich grew a massive following for his all-out support of the team and his signature call, "Awwwww-right Miami!"

Friends described how tough Jim was in his battle with cancer. Despite receiving chemo-

therapy and radiation, Mandich called every Dolphins game last season.

Fittingly, the Dolphins opened up Sun Life Stadium last Wednesday so that thousands of fans could pay their respects. He is survived by his wife Bonnie and their three sons.

May we rejoice in the profound joy Jim brought to those privileged to know him. He will be missed by the thousands of fans who cheered him on the football field and later, listened to him on the radio. He will be sorely missed and never replaced.

CELEBRATING ISRAEL'S 63RD ANNIVERSARY

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 10, 2011

Ms. SCHAKOWSKY. Mr. Speaker, I rise today to celebrate Yom Ha'atzmaut, Israel's Independence Day, and to mark the 63rd anniversary of the founding of the state of Israel.

Despite enduring decades of war and terror, Israel has emerged as a strong and vibrant democracy, a close U.S. friend and ally, and a global leader in technology, energy, and scientific innovation.

For me, as a Jew, ties to Israel are very personal. Growing up, I saved my money to buy tree certificates to help make the Israeli desert bloom. As a member of Congress, I continue to be a strong supporter of the State of Israel, of a vibrant U.S.-Israel relationship, and of a peaceful and secure future for Israel and the entire region.

The U.S.-Israel relationship, begun a mere minutes after Israel's founding, remains critically important to both our nations. Based on shared values and interests, this deep and abiding friendship is as important now as ever, in the face of international threats and a growing tide of delegitimization.

In February, I traveled to Israel with the Jewish United Fund of Metropolitan Chicago. In addition to discussions about regional developments and critical security issues, I also had the opportunity to learn more about Israel's excellent social programs as well as cutting edge research into green technology. As with previous trips to Israel, I left with both great pride and a renewed hope for a lasting peace solution.

Today, we mark the 63rd anniversary of the founding of the state of Israel, our steadfast friend, ally, and partner, and we reaffirm the unbreakable bonds between our two countries.

SENATE—Wednesday, May 11, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, ruler of history and the nations, we praise You, we adore You, we magnify Your holy Name. May Your presence be felt in our midst today, guiding our thoughts and ordering our steps.

Permit the Members of this body to receive a fresh awareness of who You are and what You desire for them to do. Lord, the challenges they face are so great that they need Your wisdom to meet them. Use our Senators this day so that Your will may be done on Earth as it is done in heaven. Let Your peace come to them as they commit their responsibilities to You and then work with Your guidance and grace.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 11, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in a period of morning business until 2 p.m. today. Republicans will control the first 30 minutes and the majority will control the next 30 minutes. Following morning business, the Senate will be in executive session to consider the nomination of Arenda Wright Allen to be U.S. District Judge for the Eastern District of Virginia. So at approximately 3 p.m., we will vote on confirmation of the Allen nomination.

There is a special caucus at the White House this afternoon, so we will close early today. The Republicans will have their meeting at the White House tomorrow.

MEASURE PLACED ON THE CALENDAR—S. 940

Mr. REID. Madam President, S. 940 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 940) to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

Mr. REID. Madam President, I object to any further proceedings with respect to this bill at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the measure will be placed on the calendar.

NATIONAL LABOR RELATIONS BOARD

Mr. REID. Madam President, I recognize we are in a partisan environment. In a partisan environment, there is temptation to turn every issue into a political issue. We certainly live in one of those environments today. That is regrettable but far from unfamiliar. Politics play a role in our representative government, of course, and they always have. The Founders created a system of checks and balances—three branches of government, for example, and two Chambers of the Congress—precisely because they anticipated these passions. Our Founding Fathers wanted to keep us from losing our way.

Long after that system was created, a new, independent Federal agency was created in the same spirit of checks and balances. That agency is the National Labor Relations Board and acts as a check on employers and employees

alike. It safeguards employees' rights to unionize or not to unionize if they so choose. It mediates allegations of unfair labor practices. It does all this independent of any outside influence.

The Acting General Counsel of the NLRB is a man who is as nonpartisan and as independent as the agency for which he works. Last month, he issued a complaint against one of America's largest companies, Boeing. The complaint alleges that after Boeing workers in some States went on strike, the company retaliated by opening a new production line in a nonunion facility. That kind of retaliation, if that is what happened, is, of course, illegal.

That is just the background. I am not here to judge the merits of the case. In fact, I am here to do the exact opposite—to remind the Senate that prejudging the case is not our job. That would overstep long-established boundaries and weaken our system of checks and balances. Lately, though, some of our Republican colleagues have attacked the NLRB and have tried to poison the decisionmaking process. They are interfering with the case pending before a legal body. For example, every Republican Senator on the HELP Committee—and let's remind everyone, the "l" in HELP stands for "labor"—sent a letter to the Acting General Counsel defending Boeing. The letter itself, sent 6 weeks before a hearing even takes place, seems questionable at the very best, but these 10 Republicans went further. They went out of their way to link their request to the Acting General Counsel's pending nomination. If there were ever a case of intimidation, that sounds like it to me. But that is not all. Eight State attorneys general—all Republicans—also signed a letter to the Acting General Counsel calling on him to withdraw the complaint against Boeing—again, long before an administrative judge has had the opportunity to even look at the case, let alone review the case.

I strongly encourage all of them to take a step back, my Republican colleagues on the HELP Committee and these attorneys general. We all know Republicans dislike organized labor. We know they disdain unions because unions demand fairness and equality from the big businesses Republicans so often shield at all costs. So let's be honest—Republicans are threatened by unions. They are threatened because when a large organized group is so concerned with workers' rights, the members of that group vote in large numbers. And because Republicans and the big businesses they defend so often try to take away workers' rights, workers don't often vote Republican.

This kind of interference is inappropriate, it is disgraceful and dangerous. We wouldn't allow threats to prosecutors or U.S. attorneys trying to stop them from moving forward with charges they see fit to bring to the courts, and we shouldn't stand for this. It may not be illegal, but it is no better than the retaliation and intimidation that is the fundamental question in this case, and it should stop.

We need agencies such as the NLRB to be able to operate freely and without political pressures. We need to keep our independent agencies independent. This case is for them to decide, not for us to decide.

Would the Chair now announce morning business.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 2 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The majority leader.

Mr. REID. I note the absence of a quorum, and I ask unanimous consent that the time run equally.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

The ACTING PRESIDENT pro tempore. The minority leader.

Mr. MCCONNELL. I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The minority leader is recognized.

ENERGY

Mr. MCCONNELL. Madam President, yesterday Democrats unveiled yet another attempt to slow American energy production, this time through a tax hike on American energy. They acknowledge, however, that this will not

lower the price of gas, and they are right.

The Congressional Research Service tells us that raising taxes on American energy will do two things: It will increase the price of gas, and it will increase our dependence on foreign competitors. By taxing American energy production, they are also outsourcing American jobs. So let me get this straight: higher gas prices, fewer American jobs, and more dependence on foreign competitors at the expense of American energy? That is their plan? No thank you.

DRAFT EXECUTIVE ORDER

Mr. MCCONNELL. Madam President, I was happy to see the No. 2 Democrat in the House yesterday take a stand against the President's proposed Executive order, a proposal disguised as increased "transparency," which would allow the administration to review a company's political donations before deciding whether to award a Federal contract. That is right; the administration would be able to review a company's political donations before deciding whether to give them a Federal contract.

Here is how he put it: This is the No. 2 Democrat in the House:

[The] White House plan to require federal contractors to disclose political contributions could politicize the bidding process and undermine its integrity.

Similar efforts have already been rejected by the Supreme Court, the Federal Election Commission, and the Congress during the last session of the Congress. Now there is bipartisan opposition to the administration's Executive order.

The White House is spinning this as "reform," claiming the American people deserve to know how taxpayer money is being used by contractors. However, the proposed Executive order would exclude Democratic allies, including Federal employee labor unions, environmental groups, and, of course, Planned Parenthood.

As I have said, no White House—no White House—should be able to review a contractor's political party affiliation before deciding if they are worthy—worthy—of a government contract. No one should have to worry about whether their political support will determine their ability to get or to keep a Federal contract or to keep a job.

The issuing of contracts by the Federal Government should be based on the contractor's merits, bids, and capabilities. Under no condition—no condition—should political contributions play a role in that decision. However, the White House draft Executive order makes it crystal clear that if a contractor wants to do business with the government—if they want to do business with the government—they cannot contribute to the Republicans.

As Senator COLLINS recently pointed out, this Executive order would basically repeal the Hatch Act and inject politics back into the procurement process. This is simply unacceptable.

Democracy is compromised when individuals and small businesses fear reprisal or expect favor from the Federal Government as a result of their political associations. So the recent press reports about this unprecedented Executive order raise troubling concerns about an effort to silence or intimidate political adversaries' speech through the government contracting system.

The White House still has an opportunity to not go forward with this order, and you can rest assured we will be watching very closely because the proposed effort would represent an outrageous—a truly outrageous—and anti-democratic abuse of executive branch authority.

It is my sincere hope that the recent reports of the draft Executive order were simply the work of a partisan within the administration and not the position taken by the President himself. He should state his position.

Mr. President, we are waiting for your response.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from South Dakota.

RAISING THE DEBT CEILING

Mr. THUNE. Madam President, since I first came to the Congress back in 1997 as a freshman Member of the House of Representatives, I have been talking about spending and debt and deficits, and that was a key, central element of my campaign for my first election to the House of Representatives way back in the day. Of course, at that time the numbers were a lot less daunting than they are today.

If we just look at even where we were 15 years ago in relative terms, the point at which we find ourselves today is almost overwhelming. The debt now is over \$14 trillion. We are being asked to raise the debt ceiling even further. I would argue we can no longer afford to put these hard decisions off because these are serious times and these call for serious solutions and serious leadership. I hope we are up to that task.

For a long time we thought debts and spending and deficits and all those sorts of things could be acceptable up to a certain level, and I suppose to some degree that is true. Historically, if we look at our country in terms of revenue and spending, over time we have consistently had a certain amount of debt that we carried. But I think by any stretch, any American, any economist, anybody who watches this closely has to recognize the situation in which we find ourselves today is unprecedented in American history and cries out for action—immediate action and bold action.

This is something I would argue my constituents are very concerned about—I think all Americans are very concerned about—because, again, if we look at it in relative terms, where we are today—\$14 trillion in accumulated debt—and we go back in the annals of history and look at from the formation of this country back in the late 1700s until 1849, our Federal Government spent—if you can imagine this—only about \$1 billion over that 60-year time period.

Today, we will borrow \$4 billion. Between today at 9:50 a.m. and this time tomorrow at 9:50 a.m., our Federal Government will borrow \$4 billion, which, to put that into perspective, suggests we will borrow, in the next 24 hours, more than four times what we spent in our first 60 years as a nation.

Now, in fact, in 1835, under President Andrew Jackson, the government debt—for the only time in our Nation's history—was completely paid off. Since that time, our debts have been large and small, with large runups in the debt during times of war, while the debt largely declined during times of peace. Never, though, did our debt top even 50 percent of our entire economy, of our GDP, until the Great Depression.

At the end of World War II, debt topped 120 percent of GDP. But in the postwar period, debt steadily declined as a percentage of our economy, attributable to a couple factors: One was strong economic growth, and the second was a government that managed to keep spending relatively low.

When we look at the post-World War II time period, and we get into the 1960s and we reach the end of the 1960s, in that time period to 2008—from 1969 to 2008—on average government spending consumed about 20.6 percent of our entire economy while taxes during that time period on average were about 18 percent of our economy. That, in balance, led to a sizable but a manageable national debt. Debt held by the public just before this President took office was \$6.3 trillion.

Now, to put it into perspective, during the previous 40 years the budget was balanced on five occasions. So if we look back, in the last 40 years of our Nation's history there were five occasions on which we were able to balance the budget. In each of these years—and those were 1969, 1998, 1999, 2000, and 2001—spending was below the historical average.

In 1969 spending was just 19.4 percent of our GDP. In 1998 it was 19.1 percent of our GDP. In 1999 it was 8.5 percent of GDP. In 2000 and 2001 it was only 18.2 percent of our GDP. So when we look at the years when our budget was balanced, spending averaged just under 18.7 percent of GDP. So what are we set to spend this year? Madam President, 24.3 percent of our GDP—an astonishing 30 percent more than we have spent historically when our budget was

balanced. Our debt held by the public at the end of this year will be nearly double what it was when this President took office.

So how did we get to such a high level of spending? Well, to be fair, I think we would have to say some of this is attributable to the economic downturn. Obviously, tax receipts, revenues, are down as a consequence of the economy being in a recession. We also have the ongoing conflicts in Iraq and Afghanistan, which have been expensive and, obviously, have required a large commitment of resources in order to conduct the operations that are necessary for success there. But I would also argue that a substantial chunk is due to the spending spree that Congress has been on since 2008.

Between 2008 and 2010 spending on nondefense discretionary programs went up more than 20 percent even though inflation over that same time period was around 2 percent. When we add in what eventually the bailouts of Fannie Mae and Freddie Mac are going to cost, which will be hundreds of billions of dollars, that adds significantly to the debt. Of course, the stimulus boondoggle cost us over \$800 billion in the short term. When we add in the interest costs that are associated with that, it will be over \$1 trillion—which was all borrowed, borrowed money, borrowed from our children and grandchildren.

When we look at the percentage, as I said before, of spending \$1 trillion, literally, on that one program, that one policy, the stimulus program that went into effect a couple years ago, that is literally a thousand times more than what we spent as a nation in our first 60 years of its existence.

If we look at the projections included in the President's budget, it is revealing that it never balances, and that is due entirely to spending. Spending under the President's budget never falls below 23 percent of our entire economy, of our GDP. After 2015 it grows, and there is not a single year when the spending does not grow as a share of our economy. So we have this constant growth in overall spending as a percentage of our GDP that is way beyond the norm if we look at any sort of historical average.

So when the President submitted his initial budget to the Congress, I think we were all hopeful it would demonstrate an acknowledgement that he gets it; that he understands the dimensions of this problem and how serious our fiscal and financial straits are. But the budget he submitted to Congress a few months ago actually increased spending over the 10-year time period, massively increased the debt, and raised taxes on our small businesses at a time when, as I said earlier, we are hoping to get the economy growing and expanding again, which helps address many of the problems I just mentioned.

We cannot have economic growth when we are raising taxes on the job creators in our economy, which is our small businesses.

I would argue the two things that are going to be necessary for us to get our economy back on track and to address this issue of spending and this out-of-control debt are to get spending under control, to make the hard decisions that have been put off for far too long; and, secondly, to put policies in place that will enable and create the conditions for economic growth and job creation.

Well, if we look at what the current administration is doing in terms of policies, what I hear as I travel in my State of South Dakota from small businesses—I hear it from agricultural producers—is that at almost every turn they are facing new regulations, new policies coming out of Washington that do not reduce the cost of doing business but actually increase the cost of doing business and drive down their margins, make it more difficult for them to invest capital, to hire new people, and to get this economy going and expanding again.

There are numerous examples of that. We have a number of agencies that are just issuing, promulgating regulations, pursuing an aggressive agenda, much of which cannot be accomplished in Congress because there are not the votes in the Congress to accomplish much of that agenda. So the administration has decided, by just sort of an executive power grab, to try to accomplish much of that agenda.

Well, as I said before, most of those policies are things that make it more expensive to do business in this country and are going to make it more difficult for our small businesses to get back on track. I mentioned the tax increases the President has proposed, consistently proposed, not only in the budget he released to Congress several months ago but more recently, a couple weeks back, when he came out with his sort of new improved budget still loaded up with tax increases on small businesses—the very opposite of what we would want to do if we want to encourage small businesses to invest and create jobs.

The economic uncertainty that is created by tax policies which are not permanent, expire in a couple years, the economic uncertainty created by not knowing what the next regulation coming out of Washington, DC, is going to do to their bottom line is creating an anxiety out there among investors and keeping on the sidelines a lot of the capital that otherwise would be put to work and deployed in creating jobs.

So if we look at just a few examples—the EPA is probably the most notable one; that is the one I hear the most about—it does not matter whether I am talking to a small business group or whether I am talking, again, to

farmers and ranchers, consistently, they say: These regulations coming out of Washington, DC—and specifically in this case, most of them are referring to policies that are coming out of the EPA—are making it very difficult for us to create jobs, to put people back to work, and to invest, reinvest in our businesses.

So we have these types of regulations that are coming out of these agencies. We also have, as I said, a runup in costs associated with many of the policies the Congress has enacted, the spending and debt issues that have been created by the stimulus bill, the new health care bill, which when it is fully implemented will cost \$2.5 trillion or thereabouts, but it is going to pass on lots of new costs to businesses across this country not only in the form of tax increases but also in the form of higher insurance rates which they are going to be looking at.

I think you are going to see a continued period where businesses in this country—small businesses—because of this economic uncertainty, will continue to sit it out and don't do the things that are necessary to get people back to work and to deal with high unemployment. There is also the issue of a depressed economic downturn that will make it more difficult for us to expand the economy and address this issue of increasing revenues at the Federal level, which will help solve the problem we have with the deficit and debt.

Another issue that I think is significant now, but it is always an issue for the people I represent in South Dakota, is high energy costs. The Democratic prescription—the most recent one—is to tax energy companies. If you want to get lower cost energy, one of the things you would not do is raise taxes and make it more costly and expensive for people to do business. If you look at, again, EPA and their attempt to regulate greenhouse gas emissions under the Clean Air Act, which they don't have the authority to do but want to do anyway, has made it more difficult for energy companies to get permits, and a number of projects have been scratched across this country. I can think of a couple in South Dakota.

If you look at the fact that if we continue to get 60 percent of our fuel from outside the United States—we are literally sending \$1 billion a day to foreign countries because of our addiction to foreign energy—and if you look at the policies here that we should be implementing if we are interested in getting to be energy independent and produce more American energy, you find a complete contradiction with what the President and his allies in Congress say. They all talk about energy independence, getting away from spending \$1 billion a day on foreign oil. Yet, their policies tell another story, because we are limiting even more the

amount of area in this country that would be open to energy exploration and production. We have enormous resources in the United States—oil and gas, clean coal, biofuels, and others that we can gain access to.

Right now, we have energy policies that seem more intent on and concerned with some other agenda rather than energy independence. If you are interested in energy independence, I would think you would put policies into place that encourage the production of more American energy. Exactly the opposite is occurring. We have more and more areas that have been taken off limits—public lands. We cannot get to the Outer Continental Shelf. A permatonium is in existence in the South. The North Slope of Alaska has tremendous energy resources. Much of this is off limits, and that will continue to drive us into the arms of foreign countries—many that don't have the best interests of this country in mind and, perhaps even worse, fund organizations that plan attacks against the United States and our allies.

It strikes me at least that if you are serious about getting deficits and debt under control, the one thing you would do is put policies into place that enable small businesses to do what they do best, and that is grow and create jobs. Secondly, you would put constraints on Federal spending in Washington, DC—this issue I mentioned earlier—so that the consistent runup in the amount we spend on our Federal Government as a percentage of GDP will start to not only taper off but come down.

There are a number of suggestions that have been made out there—certainly, perhaps, no perfect one. At least people are taking a legitimate shot at trying to address this issue. There has been a lot of discussion about the Ryan budget that was passed by the House of Representatives. That is already being immediately attacked. Perhaps it is not perfect, but it is a serious effort to control spending.

The only other suggestions we have seen, as I mentioned, are some statements made by the President about his proposals, again, all of which increase taxes, increase spending, and add massively to the Federal debt. It seems to me that we are not having a serious discussion about balancing our budget and paying off our debt, particularly, again, when you put into perspective where we are. Between now and 10 a.m. tomorrow, we will borrow another \$4 billion, which, as I said before—I think it bears repeating—is literally four times the amount our entire country spent in the first 60 years of its existence. Again, that is \$4 billion between now and this time tomorrow.

We are being requested to raise the debt limit, the amount we can borrow, raise the limits on our credit card in the next few weeks because we are up against that ceiling. We have hit the

maximum. We have capped out our ability to borrow money. We are going to be asked to make a vote to increase that borrowing ceiling. I don't think that can occur honestly until such time as we are willing to put into place and take the necessary steps to get this issue of spending under control.

This is, by definition, a spending issue. Some people argue that we need tax increases and additional revenue. The observation I made about balancing the budget was that at the times we did that over the last 40 years—on those five occasions, in every case, we spent less than the average—in some cases significantly less—as a percentage of our GDP.

Clearly, the way to attack this issue is to get spending under control. That will require hard decisions, many of which have been postponed. We have been kicking the can down the road for a long time. We are out of road now. We have come up to the cliff. We cannot kick the can any further. The road is at an end. We are up against some very serious impediments if we don't take the necessary steps to fix the problem.

Again, when I talk about the seriousness of it, over the last few years we have paid lipservice to the issue of spending and debt. I maintain that you have to judge people by what they do and how they vote, not by what they say. We need to debate this issue. As we get into the discussion over raising the debt limit, it creates an opportunity for both sides—Republicans and Democrats—to come together behind a plan that will meaningfully reduce spending in this country, which will deal with entitlement reform, which is needed. We cannot solve this problem in the long term unless we address the issue of entitlement reform and get some limits on spending that will be binding, that we cannot get around.

It is too easy too waive things here and declare an emergency and continue to spend as if there is no tomorrow. These are serious times. They require serious leadership and serious solutions. That point is no better made than by some of our leaders in this country. As we all know, the chairman of the Joint Chiefs of Staff, ADM Mike Mullen, has said in testimony before Congress that the greatest threat to America's national security is our national debt. I think that is a stunning and powerful statement about where we are and the importance of acting now. We had the former Federal Reserve Chairman, Alan Greenspan, say not too long ago that there is a 50-percent probability that we will face a debt crisis in the next 2 to 3 years. And then, of course, we had Standard & Poors provide a negative assessment to our credit rating in this country. That, too, is something we have not seen before. I hope we are willing to take the necessary steps to avoid our credit rating being downgraded. When you get an

assessment such as that, it is not too long that a downgrade in your credit rating follows.

Those are not just anecdotal things, those are fact-based assessments and analysis of where we are. These are people who know the importance of dealing with these issues. If we continue to borrow more money from other places and don't take the necessary steps to fix this, we will continue to put our future of our children and grandchildren at greater risk and in greater jeopardy.

This will not be easy. Obviously, there will be political consequences to any decisions we make. But these decisions are more difficult because we have put them off for so long. The easy decisions, the low-hanging fruit is no longer out there. We have to decide now, are we going to continue to spend and spend and borrow and borrow, to the point where we head over the cliff because we ran out of road, or will we make these decisions now and get serious about providing a stronger and better and more prosperous future for our children and grandchildren?

We cannot act as though the Federal Government doesn't have a spending problem. Those days are gone. We no longer have that luxury; the numbers bear that out. So we need to look at the debt limit and the upcoming vote as an opportunity for Republicans and Democrats to come together behind a plan that will meaningfully address our spending problem.

The status quo is not acceptable. It is going to require leadership from the President, which has been nonexistent so far. I hope he will step forward. It will require leadership from Democrats in the Senate. They control the agenda here and they have the majority. I hope we do a budget this year. We didn't do one last year in the Senate. I think it is important to have that debate, so that the American people see us debating how we are going to spend their tax dollars. That is something every American should expect and deserves from their elected leaders.

I hope we will have a budget markup where we can get these issues out in front not only for us to discuss but also in front of the American people. This is their future we are talking about. If we don't act, we are putting in great peril and jeopardy the future for our children and grandchildren.

I wanted to point out where we have come from and where, in my view, we need to go if we are going to solve this problem. I hope my colleagues will join in that discussion, not only rhetorically but that their actions will follow. We cannot just talk about this; it is time for us to quit talking and start acting.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANCHIN. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

HIGH GASOLINE PRICES

Mr. MANCHIN. Madam President, I rise to speak about an issue that is directly impacting each and every family, not just in West Virginia but throughout this whole country. It is the high gas prices. The truth is, in States all across this Nation, and particularly in West Virginia, countless families have to drive to survive. For these families, a jump in the gas price is not just an inconvenience or an annoyance, it is a threat that hits extremely hard in the pocketbook and could change their way of life.

But as every American knows, the cycle of high gas prices is not a new phenomenon with any of us. I still vividly remember waiting in line for gas in the early 1970s, when gas was rationed based on our license number—when we could buy gas. It is something I thought could never happen in America, and I am sure those whom it happened to felt the same.

This all came about because of our dependency on foreign oil. If we think back to the early 1970s, we were 28 percent dependent on foreign oil, which we thought was a high number at that time. But today we are more than 50 percent dependent on foreign oil, which has caused a massive transfer of American wealth to countries that do not like us that much and want to do us harm. We have seen this bad movie time and again. Yet somehow it seems Washington keeps thinking there is going to be a different outcome or a different ending. The right ending will only come when our Nation makes it a high priority to achieve energy independence within this generation.

While crafting such a bold plan will be difficult, I recognize—and the special interests that oppose using our own resources such as coal, natural gas, and oil in an environmentally responsible way will resist loudly—we can no longer allow this Nation and our hard-working families to be held hostage by high gas prices. We can no longer allow partisanship and politics to undermine the common ground that can be achieved if we work together with one goal in mind—true energy independence within this generation.

Let me make it perfectly clear, high gas prices are not the only high price we are paying as a nation. For decades, our great men and women who serve us so well have been called to action in defense of our vital interests in the Middle East and all around the world. Thousands have been killed and in-

jured. Their families have suffered the incredible pain of loss. Our nations have spent trillions in the course of these missions. Yet too many of these oil-rich countries have and will continue to use against us our dependence on their oil.

For all these reasons and for the sake of our national security, it is time for our Nation to become truly energy independent within this generation. I believe we can do it, and I know we can because just this week in beautiful Mingo County, WV, my State took a major step to confront our gas prices head on. On Monday, West Virginia said enough is enough. On a sunny morning in the town of Gilbert, WV, I helped break ground on a promising new project that could help bring down the crushing gas prices our families are confronting. There, entrepreneurs and State and local governments are participating to create hundreds of jobs at a coal-to-gasoline plant that is at the forefront of any technology in the world.

The anticipated production of this plant is very impressive. It is projected to convert 7,500 tons of West Virginia coal into 756,000 gallons of premium gasoline each and every day, which can be used to run our cars and our trucks and even some of our military equipment.

Over a 4-year construction period, it is estimated that 3,000 skilled trade workers in America will be employed. When the plant is finished, it is expected to create 300 direct jobs and hundreds of more ancillary jobs in the community.

In West Virginia and Mingo County, the government is acting as a partner—and as a good partner, not an obstacle—and that is the role our Federal Government should take toward energy independence. This is exactly the kind of project the Federal Government should work on with us to make sure it succeeds. They should be our ally, not an obstacle or an adversary. If my little State has the courage to step out and invest in our independence, then the Federal Government should also have the courage to do the same. West Virginians are sending the right message for this country. We will not let ourselves be held hostage to foreign countries that want to see the United States be financially crippled simply because those countries have oil.

My State of West Virginia also proves we can and we must use all our domestic resources to break our cycle of dependence on foreign oil within this generation. It doesn't matter whether your State has oil, coal, natural gas, geothermal, nuclear, biomass, wind, solar or hydro because we have to harness all the tremendous resources right here in America or we are going to continue to rely on countries that have contributed directly or indirectly to changing America for the worse.

At the end of the day, it is going to take everything we can do and every resource we have to become truly independent. That is one of the many reasons why I am cosponsoring the American Alternative Fuels Act with my colleague, JOHN BARRASSO, from Wyoming. Among other things, the bill would break down barriers to alternative energy fuels, including those from coal, biomass, algae, and waste.

There are other smart, targeted actions we can take in the short term to help reduce the price of gas for our families. I have signed on to an important piece of bipartisan legislation sponsored by my friend, Senator HERB KOHL, from Wisconsin. It is the No Oil Producing & Exporting Cartels Act, better known as NOPEC. This bill would finally allow the Department of Justice to go after foreign countries, such as the members of OPEC, because of their price-fixing behavior.

The other major issue we must address now is speculators and oil company subsidies. This is not a supply issue. The real problem is pure greed—some who are taking advantage of the instability in our world to line their pockets on the backs of American families—or a tax policy that does not make any sense at all, that continues to subsidize oil companies when the price of a barrel of oil is at the highest it has ever been and the profits are at a record high. This doesn't make any sense to American families.

Wouldn't it make more sense that these subsidies they now have should only be available when the cost of production exceeds the price of a barrel of oil? That would be a commonsense solution. It would ensure stability and steady production, and it does not force taxpayers to fill the bank accounts of major oil companies when they are already making record profits.

Because we must do so much more to protect American families, I have also encouraged the Commodity Futures Trading Commission to take aggressive steps in the short term to regulate and pursue the oil speculators who are driving the price of a gallon of gas through the ceiling.

While the most important thing our country can do is establish a national energy plan for independence, all of those actions are steps we can take to make sure we relieve the financial pressures on our families and help secure our country.

For all of the wonderful families of West Virginia, for the great people of the United States of America, and all of our children and grandchildren, this country must finally answer the call. It is time. It is truly time. It is time to free this Nation, put politics aside, and work together to make energy independence a national priority.

I truly believe that if we work together as Americans and focus on a commonsense approach, we can develop

a strong bipartisan energy plan that will not only break the power of foreign oil countries and speculators, but use the resources that we have right here in America. We can chart a new and promising energy future for this great Nation and we must start today.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Illinois.

Mr. DURBIN. I want to thank the Senator from West Virginia for his comments on our dependence on foreign oil. We import about \$1 billion worth of oil a day. That does not make our Nation any stronger. In fact, it makes us more dependent. For our economy to grow, we need to have good homegrown energy sources. We may never be totally independent, but if we do not move toward independence, then I am afraid we are going to continue to be victimized, as we have been recently, by not only oil companies but the greed the Senator mentioned that drives up gasoline prices every Spring. Just as sure as the baseball season is going to open, gasoline prices are going to go sky high. Then they are going to retreat, but they never retreat to where they started. They always end up higher as we go into the summer vacation season. The Senator from West Virginia has some thoughtful ideas here on how to address this. I share his support of HERB KOHL's legislation that deals with NOPEC, the OPEC cartel, and the fact that we have been victimized by them for way too long.

Like the Senator's State, we have a lot of coal in Illinois. We want to find an environmentally responsible way to use it, to take all of the energy out of the ground and put it to work for America so Americans can go to work. I thank the Senator for his leadership on this important topic.

ILLINOIS FLOODING

Mr. DURBIN. Madam President, closer to home in Illinois, we are fighting the floods. It happens regularly, and we have had a tough time with it. The Ohio River, the Illinois River, and the Mississippi River have all been threatening communities such as Metropolis and Old Shawneetown. I was down in Cairo, IL, a couple of weeks ago and saw how bad it was. It was a scary situation in a very poor town.

The Corps of Engineers had a tough decision to make. They had to blow a levee, which means opening farm land to be flooded. To take the pressure off the rivers, they did it. I said to General Walsh when he was in the process of making the decision: Do what is right and I will stand by you. I know what I want you to do, but do what is right. I think he did the right thing, and I stand by him.

Now I stand by those living in Missouri who were affected by that decision. If they in any way suffered hard-

ship or inconvenience or loss of income as farmers, we need to stand by them, as we do with so many across America in times of disaster.

I know we have had a big challenge in our State. Governor Quinn and I were on the phone the day before yesterday talking about the response. He was on his way down to Metropolis. A mutual friend of ours, Mayor Billy McDaniel, down there is working with Pulaski County Board Chairman Monte Russell to find places for people to stay as they wait for the flood waters to recede in Metropolis.

In Carmi, Mayor David Port and Golconda Mayor Bill Altman are working with our office to make sure that pumps and other supplies are there when they are needed. In Cairo, we had a change in administration. I worked with Judson Childs, the former mayor. He has now been replaced by Tyrone Coleman. We will continue to work with them. They vacated a lot of homes. People are staying in gyms and other places and waiting for a chance to go back home. We are going to do our best to make sure that happens.

A special salute to our Illinois National Guard. These men and women come to the rescue of our State every time we face a disaster. This is no different. They are putting in long hours. I thank them for their unselfish commitment. And GEN Bill Enyart can be proud of the men and women of the Guard units across the State of Illinois.

The Illinois Emergency Management Agency under Director Jonathon Luck has been in touch with our office every single day. They are assessing the damage that has been done. They will measure that damage, and at the appropriate moment—and I am sure it will be soon—will move forward with our congressional delegation to ask for Federal disaster status and Federal disaster assistance. That is something that I think will definitely be needed and is appropriate for the magnitude of this challenge.

I will work with my colleague Senator KIRK, who visited last week in this region. We are going to work together, in a bipartisan way, to make sure that our State and the people who are suffering under these flooding conditions have a chance to recover, get back to their homes and back to their businesses and back to work.

(The remarks of Mr. DURBIN pertaining to the introduction of S. 952 are printed in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

The ACTING PRESIDENT pro tempore. The Senator from Rhode Island.

OIL COMPANY SUBSIDIES

Mr. WHITEHOUSE. Madam President, I am here to call for the end of

the \$4 billion in giveaways that taxpayers are providing to big oil companies every year. At a time of skyrocketing gas prices and of record oil company profits and of difficult decisions about where and how to cut the Federal deficit, we should not be providing big oil with expensive and unnecessary taxpayer handouts.

Gas prices nationwide are averaging \$3.96, up over a dollar from this time a year ago. In my home State of Rhode Island the average price per gallon is now over four bucks. These prices are putting a significant dent in family budgets across the country.

In the last 50 years prices in real terms have only been this high twice—in 1981 after the oil crisis and in parts of 2007 and 2008. High gas prices not only increase the cost of driving, but they leave families with less to spend on other basic necessities. They ripple throughout the economy as gas-guzzling buses strain school district and public transportation budgets, food prices increase from trucking costs, and wherever transportation is a factor it raises costs for American consumers.

The current price spike could not have come at a worse time. When gas prices last peaked in July 2008, unemployment nationally was 5.8 percent. Now unemployment nationally is 8.8 percent, and it is even higher in many States. In my home State of Rhode Island, we are still struggling under a staggering 11-percent unemployment rate.

I recently heard from Tony, a constituent in Wakefield, RI, about the impact rising gas prices have had on his wallet. He said:

We have few options to offset the higher pricing and thus much less to spend.

Gas prices are forcing individuals such as Tony to make difficult choices about what to cut out of the family budget. Yet even as families are struggling, oil companies are once again reaping record profits.

Here are the earnings numbers the oil companies recently announced for this quarter: ConocoPhillips earned a first-quarter profit of \$3 billion, up 44 percent from the period last year. Chevron earned \$6.2 billion, a 36-percent increase in profit. Royal Dutch Shell earned \$6.3 billion, a 30-percent increase in profit. BP earned \$7.1 billion, a 17-percent increase in profit. And the big one, ExxonMobil, earned a profit in one quarter of \$10.7 billion, a 69-percent increase from last year in quarterly profit.

These companies combined for a total profit of \$33.3 billion in the first quarter. That is \$370 million per day or more than \$250,000 in profit every minute. I have probably been speaking for at least 4 minutes, so they have made 1 million bucks.

There is a direct correlation between how much consumers pay at the pump and how much oil companies rake in.

As gas prices climbed from 2002 to 2008, so did profits. When gas prices fell in 2009, down went profits. Sure enough, as gas prices climb again to over \$4 per gallon, oil profits are up sharply.

With people in Rhode Island and across the country being forced to tighten their budgets, and with the Federal Government working to reduce our deficit, it is all the more frustrating to read about these taxpayer-subsidized, sky-high profits. At the very least, when we are looking at cutting Head Start, for instance, we should not be wasting \$4 billion per year in precious taxpayer dollars to help these big oil companies earn higher profits. They are doing wonderfully on their own.

So I am proud to join my colleagues in introducing the Close Big Oil Tax Loopholes Act to end some of these egregious subsidies for the big five oil companies. To highlight a few, the proposal would repeal subsidies to oil companies for producing oil overseas. It would repeal a deduction that can often eliminate Federal taxes for oil companies, and it would repeal the head-scratching classification of oil companies as manufacturers which allows them to take a tax credit aimed at getting our manufacturing industry back on its feet. It is time to close these loopholes and make sure oil companies are paying their fair share to help us lower our deficit.

I ask unanimous consent to have printed in the RECORD an op-ed from Jacqueline Savitz which ran today in my hometown paper, the Providence Journal, calling on Congress to end these handouts.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From McClatchy-Tribune News Service, May 11, 2011]

JACQUELINE SAVITZ: MAKE CONGRESS END HANDOUTS TO BIG OIL: PROVIDENCE JOURNAL OP-ED

(By Jacqueline Savitz)

Maybe the Internal Revenue Service should rename its 1040 Form the WD-40. After all, after millions of Americans paid their taxes this year, a hefty chunk of their hard-earned pay went to grease the palms of some of the world's richest oil companies.

But these companies are already well lubricated. Despite profits that surged to nearly \$80 billion in 2010, Big Oil will pocket nearly \$5 billion in taxpayer handouts this year—even as gasoline prices soar and our national debt deepens.

One year after the Deepwater Horizon oil disaster in the Gulf of Mexico, it's time to ask whether we keep shoveling so much tax money to companies that need it so little—and seem to care even less about the long-term health of America's economy and environment.

Not surprisingly, in poll after poll, the American people are saying: "No!" A February NBC/Wall Street Journal survey found that a whopping majority of Americans—74 percent—support ending longstanding oil-industry tax credits worth tens of billions of dollars. President Obama has proposed a

change designed to keep the engine of innovation humming. He has asked Congress to dispose of some grubby subsidies that have rewarded Big Oil for bad behavior. And he wants to replace them with more effective incentives for saving energy and shifting to cleaner, greener and safer energy choices.

It's a sensible plan for leveling a playing field too long tilted in Big Oil's favor. It recognizes that we can't just pump our way out of our energy problem. And it would provide the entrepreneurs who are creating tomorrow's energy sources with the same kind of help the nascent oil industry got more than a century ago but no longer needs.

The plan is also a welcome sign that, in the wake of the Deepwater Horizon disaster, we are recognizing the true costs of dirty energy. We don't pay just once for that gallon of gas or quart of oil. We pay at least three times: Once at the station; again on Tax Day for the subsidies; and again every time taxpayers have to help clean up the environmental and economic mess created by a leaking pipeline, smashed supertanker or burning offshore rig.

It's one thing to mourn the lost lives, oiled birds, fouled beaches and fishing grounds created by these catastrophes. It's quite another, however, to realize that billions of our tax dollars contributed to these disasters by cushioning these companies from the true costs of their mismanagement.

So what's the problem? Apparently, the WD-40 has made its way to Congress, and the well-lubricated process has so far ensured that oil-industry subsidies continue to slip through the legislative process.

At Oceana, we're calling on Congress to end this expensive, self-destructive coddling. Oil and natural-gas companies have already received at least \$190 billion in subsidies since 1968, said a recent analysis by congressional staff. That could grow by an additional \$36.5 billion over the next decade, if our laws aren't changed. And that doesn't count an additional \$2 billion to \$3 billion in royalties a year that companies aren't currently paying on the oil pumped out of certain federal leases offshore, due to sloppy lawmaking and political gridlock. A private company would never give that oil away for free. Why should we the people?

In these lean times, we can't afford to waste more money on further enriching the oil behemoths. Instead, we could: Pay down our debt. Help our kids become the next Thomas Edison or Bill Gates. Let today's small offshore-wind and "smart power" firms become tomorrow's Google—or even tomorrow's BP creating new jobs and big fortunes along the way.

Replacing oil won't happen overnight. But it won't happen at all unless we make smarter choices now about spending the public's money.

First, Congress should act now, as urged by President Obama, to end unnecessary handouts to Big Oil. Second, make sure that the companies pay fair royalties on the crude they pump from public lands and waters. Finally, invest in people and companies that will create the next energy revolution—building everything from better offshore wind turbines to electric cars. It's time we started using our scarce tax dollars for the benefit of all Americans—and stopped handing them over to a handful of rich oil executives. Come on Congress, it's time for an oil change.

Mr. WHITEHOUSE. I have also called on President Obama to release some of the oil stored in our Nation's Strategic Petroleum Reserve. History has shown

that releasing some of this oil into the market can have a short-term impact on prices. When President George H.W. Bush announced he was authorizing a drawdown in 1991, oil prices fell by nearly \$10 per barrel the next day. There is not much we can do to reduce oil prices in the near term, but this action could bring some relief to American consumers.

We must also clamp down on excessive oil speculation. I joined 47 of my colleagues in opposing a Republican proposal to cut one-third of the funding for the Commodity Futures Trading Commission, the cop on the beat, for improper speculation. The Commission is responsible for cracking down on illegal speculative activities that artificially inflate the price of oil. We need to make sure Wall Street is not unfairly gouging and hurting middle-class families. We should not be taking this cop off that beat.

I am joining Senators CANTWELL and WYDEN in sending a letter calling on the Commission to impose position limits on oil trading that were required by the Dodd-Frank Wall Street reform bill. This congressionally imposed deadline has already passed, and the Commission should act swiftly to protect consumers by helping to restrain speculation. I am glad President Obama has directed an investigation into the role of speculation in our current gas prices.

In the long run, we must invest in electric vehicles, alternative fuels, public transit, high-speed rail, and freight rail. Each of these transportation methods can significantly reduce our reliance on oil in the transportation sector. Indeed, moving freight by rail is three times more fuel efficient than by truck.

If we do not take long-term action, these price spikes we are seeing now are going to keep on coming. We have seen them before, and we will see them again. As President Obama said, the United States keeps going "from shock to trance on the issue of energy security, rushing to propose action when gas prices rise, then hitting the snooze button when they fall again." Let's not hit the snooze button after this one. Let's take the long-term action necessary to get our country off of foreign oil. But in the meantime, let's work together to end the unnecessary and costly \$4 billion giveaway to these highly profitable oil companies and promote instead long-term solutions to move us off oil and to protect American consumers from the harmful price shocks they are now experiencing.

I would leave with this question: Can the deficit be at once the most important challenge facing our Nation, as many of my colleagues say it is, and at the same time less important than protecting big oil subsidies? I think not.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SESSIONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SESSIONS. Madam President, I ask unanimous consent to be able to speak in morning business for up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE BUDGET

Mr. SESSIONS. Madam President, a headline in the Hill today reads "Budgets everywhere, but not [a single] one has votes to pass." Well, that is not exactly correct. In reality, there is only one budget that has been presented, publicly debated, worked on in committee, shared with the American people, and passed on the floor in one house, and that is the budget of the Republican House. PAUL RYAN led the fight on that, and it is a courageous, serious budget that would restore fiscal sanity and prosperity to this Nation.

It deals with our short-term funding crisis and the long-term ability of our financial system. We had another budget presented by President Obama. It was an irresponsible budget. The budget presented by the President to the Senate is about this thick. It is required by law that the President submit one every year. He has around 500 people in the budget office who help prepare that. That budget—analyzed by the CBO, our independent group of analysts—was found to not reduce the debt path we are on but to actually increase the debt over 10 years more than would occur based on the Congressional Budget Office baseline we are already on—substantially, \$2 trillion more. It has tax increases in it too. This is not a responsible budget. It was never received responsibly in the Senate and not by the independent commentators. They all said it fails to do the job we have to do.

I have to say, by contrast to the House, that there still is no Senate Democratic budget—a budget set up to be passed by a majority. The majority party always has the responsibility—and sometimes they meet it and sometimes not—to present a budget. No action has even been scheduled in the Budget Committee. No plan or resolution has been brought up for a vote. In fact, it has been 742 days since the Senate passed a budget—2 years. The Democratic-led Senate has missed the statutory deadline of April 15 to produce a budget for the second year in a row. In fact, as a statutory requirement, the committee is to start work

on it by April 1. We have not begun it yet and it is mid-May. Is it any wonder that this country is in a financial crisis, that we are not containing spending, when we don't even have a budget and we didn't even bring one to the floor last year? Majority Leader REID chose not to bring a budget to the floor for debate or to even attempt to pass a budget.

We are in the middle of a fiscal crisis. There is no doubt that the single greatest threat to America at this point in time is the financial situation in which we find ourselves. This year, we will spend, by September 30—and we are moving on to that date—\$3.7 trillion. We will bring in revenue of \$2.2 trillion. Forty cents of every dollar we are spending this year is borrowed. It is an unsustainable path, as every expert has told us in the Budget Committee, where I am ranking Republican.

We have heard witness after witness, Democratic and Republican, and the President's own debt commission tell us we are on an unsustainable path. Erskine Bowles, the man chosen by President Obama to head the fiscal commission the President established, told us—along with Alan Simpson, his co-chairman—that this Nation has never faced a more predictable financial crisis. We are heading right to it. It is going to hammer us, our children, and our grandchildren. If we don't get off this course, the bond markets are going to revolt, and we are going to have a serious financial crisis of some kind that will not be good for this economy.

When asked when such a crisis could occur, Mr. Bowles said 2 years, maybe a little less or a little more, and Alan Simpson said he thought it would be 1 year. These are independent people who love America. They are warning us to take action now. The President's budget simply doesn't get it.

The American people are not happy with us. They think we are not meeting our responsibilities.

Are they right? They hammered a lot of big spenders in the last election. Were they right? I totally believe they are right. I totally believe that. I am of the view that there is no way this country should be in the present debt situation. It should never, ever have happened. I opposed a lot of the spending. I would like to think I was more vigorous than most in warning against it. But I don't think I have done enough. There is no reason to borrow 40 cents out of every dollar we spend; it threatens our future.

We will double the entire debt of our country in 4 years under this President's watch. When he leaves office, completes his 4-year term, he will have doubled the entire debt of America, and we are on a course that continues to be dangerous.

As we know, Budget Committee Chairman CONRAD has been meeting

privately with his Democratic caucus—it has been in the press—to try to finally bring some sort of budget forward. The Democrats apparently have been unable to do so, from reports we see, because the big spenders in their caucus cannot support a plan that would actually get the job done and put us on a sound financial path, and they can't produce a plan that will withstand public scrutiny, apparently, and that the American people would support. So they have a difficult problem.

This was shown, as reported in *The Hill*, because Chairman CONRAD—who served on the debt commission and I believe fully understands the dangers this country faces—has repeatedly acknowledged that. I really respect Senator CONRAD's insights into the challenges this country faces. Apparently, his proposal, which was going to be somewhat better than President Obama's, I assume, failed to win the support of his conference and of Senator BERNIE SANDERS, who is a gutsy Senator and is open about what he believes. But he has described himself as a Socialist and is the Senate's most powerful advocate for bigger government. He is a member of the Budget Committee. The reason Senator SANDERS' vote became important is because the Democrats have apparently been working to pass a budget through committee without a Republican vote. They don't expect to get any Republican votes. The committee only has one more Democrat than Republicans, so the chairman needs Senator SANDERS' vote if he wants to get the budget out of committee.

Here is an excerpt from *The Hill*:

Reid said Senator Conrad presented to the [Democratic] Caucus a 50/50 split when asked about the preferred ratio of spending cuts to tax increases. . . . Conrad has moved his budget proposal to the left in order to gain the support of Senator Bernie Sanders, an outspoken progressive on the budget panel.

You know, "progressive" is a word they are using now for big government types. They want to take more money from the American people because they believe they know better how to spend it than the American people who earn it. They want to spread it around the way they want to spend it.

This is a remarkable turn of events. It is particularly stunning because the President's budget—repudiated for its dramatic levels of spending and taxes—claimed there was a 3-to-1 ratio of spending cuts to tax hikes. "We cut spending \$3 for every \$1 in tax hikes" is what the President said. Chairman CONRAD has indicated that would have been his choice. He praised that. He said he favored that same ratio. I don't think that is necessarily a good ratio. We need to reduce spending more than that.

Taken literally, what this means is that Senator CONRAD has, in a funda-

mental respect, moved his plan to the left of the President and the fiscal commission, which also proposed a plan that actually did reduce spending \$3 for every \$1 in tax increases or pretty close to that, pretty fairly, without gimmicks, and came close to achieving that. The President's budget was so gimmicked that it really didn't achieve \$3 in spending cuts for every \$1 of tax increases. It did not. It wasn't correct for him to say that.

It is important to note that the President and the fiscal commission use a baseline that assumes tax rates will go up. Fairly analyzed, those plans rely much more heavily on taxing than those ratios indicate, as I said, and I fear that the composition of this new Democratic budget proposal may not even meet the 50-50 plan. The others have it in terms of taxes and spending cuts.

The merits of this 50-50 split between savings and taxes are both a question of philosophy and economics. Philosophically, the American people don't want Washington to continue raising taxes to pay for larger and larger spending. American families should not be punished for the sins and excesses of Washington.

According to the CBO, we are going to spend \$45 trillion over the next 10 years. The Senate Democratic plan, which no one is likely to see until after the committee meets—that is what we have been told, that we won't see it until it is plopped down at the beginning of the committee markup, where amendments are supposed to be offered soon thereafter—their own plan, at least from what we read about it, says it will cut or save just \$2 trillion out of \$45 trillion over the next 10 years.

The American people know there is much more we can and must do to bring this government under control and to achieve real balance in this country. What kind of balance? Between raising taxes and cutting spending, 50-50? No. The balance we need is one that respects the American people, that reduces the growth in spending and wealth taken by Washington and allows it to be kept by the American people, who earn it.

There is also a question of economics. Our committee has conducted an exhaustive survey of available research which conclusively shows that debt reduction plans that rely equally on saving money, reducing spending, and raising taxes are far less successful and result in far weaker economic growth than those plans that rely on cutting spending. We will release a white paper very soon that will share these findings with my colleagues and the country. It is very important that we understand this. What history is showing us is that when you reduce spending, you get more growth and prosperity than increasing spending and taxes.

Here is one example of the many studies we analyzed. This is a Goldman

Sachs study by analysts Ben Broadbent and Kevin Daly. The report resulted from a cross-national study of fiscal reform that:

In a review of every major fiscal correction in the OECD—

The Organisation for Economic Co-operation and Development, the world's major developed economies—since 1975, we find that decisive budgetary adjustments that have focused on reducing government expenditure have (i) been successful in correcting fiscal imbalances; (ii) typically boosted economic growth; and (iii) resulted in significant bond and equity market outperformance.

In other words, the stock market and the bond market improved, and both of those are a bit shaky now after some rebound.

Tax driven—

"Tax driven," that means tax increases—

fiscal adjustments, by contrast, typically fail to correct fiscal imbalances and are damaging for growth.

That is the Goldman Sachs study. Half of our U.S. Treasury Department has been manned by people who served at one time or another at Goldman Sachs. They are not considered a right-wing group. That is what their analysts have said to us.

The Democratic Senate, I believe, should heed the large body of research showing that spending cuts on a basic economic level work better than trying to drain more out of the economy by way of taxes. In other words, the Senate should produce a budget based on facts. They should produce a budget that grows the economy, that imposes real spending discipline on Washington. They should produce a budget without gimmicks and empty promises. They should produce this budget publicly, openly, and allow the American people to review and consider it before the committee meets in 72 hours, as my colleagues have pleaded with the chairman twice to do but he will not do. They should produce a budget the American people deserve—an honest budget that spares our children from both the growing burden of debt and the growing burden of an intrusive big government.

I hope we can continue to have the opportunity to talk about this issue. It is right that the American people be engaged in it. I have to say, I feel as though we failed in our responsibility to conduct open hearings and markups on a budget.

I yield the floor.

The PRESIDING OFFICER (Mr. FRANKEN). The Senator from Iowa.

NATIONAL LABOR RELATIONS BOARD

Mr. HARKIN. Mr. President, recently the National Labor Relations Board general counsel issued a complaint against the Boeing Company alleging

that the company had violated the National Labor Relations Act. This routine administrative procedure has set off what I call a melodramatic outcry from Boeing, the business community, the editorial writers of the Wall Street Journal, the National Chamber of Commerce, and, of course, our friends on the Republican side of the aisle.

A headline in the Wall Street Journal editorial page calls it: "The death of right to work."

South Carolina Gov. Nikki Haley declared that it was "government dictated economic larceny."

At a press conference held at the Chamber of Commerce yesterday morning, Senator DEMINT from South Carolina referred to it as "thuggery."

The senior Senator from Utah warned that foot soldiers of a vast and permanent bureaucracy were trying to implement a "leftist agenda."

One would think this one decision by an administrative arm of an independent agency was surely going to bring about the death of capitalism in the world today. This has taken on incredible proportions in terms of the outcry and the mischaracterization of what has happened.

Instead of talking about how we get Americans working again, get the middle class on its feet, our colleagues on the other side of the aisle are taking their time on the Senate floor and in press conferences downtown attacking the handling of a routine affair—an unfair labor practice charge.

I do not think it is worth the time of the Senate to debate this issue. However, because of this huge outcry and the fact that the Wall Street Journal has chosen to editorialize on this issue and because of the disturbing misinformation that has distorted public discussion of this case, I am going to take some time on the Senate floor to try to, as they say, set the record straight.

I have said before this Boeing case is a classic example of the old saying that a lie is halfway around the world before the truth laces up its boots. I would say, in this case, Senate information travels even faster than that. So it is time to set the record straight.

Here are the facts in the case. It is undisputed Boeing recently decided to locate a production facility for the new Dreamliner planes in South Carolina. They decided to do that. Many statements were made by executives of Boeing, publicly stated, that the decision to move there was based in whole or in large part on the fact that there had been work stoppages, strikes in the last few years at the Boeing plant in Everett, WA. The NLRB's complaint alleges that this decision was unlawful retaliation against the Boeing workers in Washington State.

This has been put into a political context, but let's again be clear about how this happens. The National Labor Relations Board is an independent

agency set up under the Wagner Act 75 years ago. There are two branches of the NLRB. One is the Board, the NLRB, the national board. It is a five-member board appointed by the President, with the advice and consent of the Senate. On the other hand, there are the career service people, outside of the General Counsel, the civil servants who are not appointed. They are nonpolitical. They carry out the day-to-day functions of the National Labor Relations Act. If I may say, it is similar to the Food and Drug Administration. The Food and Drug Administration has an Administrator appointed by the President, with the advice and consent of the Senate, as do a lot of other independent agencies. But then there is a civil service side of it that is professional—professional people not appointed by the President. They have career civil service status.

The general counsel of the National Labor Relations Board is appointed, but the rest of the staff in the area of the career civil service. The acting general counsel now has been a civil servant for 30 years.

What happens is, a business or a union—it does not have to be them; it can be anybody—can file a complaint with the NLRB, alleging that certain actions were in violation of the National Labor Relations Act. One of the provisions of the National Labor Relations Act says it is unlawful for a company to retaliate against workers for a protected activity conducted by those workers—protected activity.

One of the protected activities under the National Labor Relations Act is, of course, the right to organize, the right to join a union, and, of course, under the Taft-Hartley bill, some years later, the right not to join a union if you do not want to, so-called right-to-work States.

The protected activity in this case is the right to strike. The National Labor Relations Act protects that activity. Organized workers in a union have the right to strike. It is a protected activity. A company cannot retaliate against workers for exercising that right.

So if—if, I say "if"—if the Boeing Company did, in fact, move a production line to another State in retaliation against the workers who exercised their right to strike in Washington, that would be illegal for Boeing to do that—unlawful. I said "if" because I am not here taking a side in the case. I am not certain where the truth lies. This is for the trier of fact and the trier of law.

When a complaint such as this comes to the National Labor Relations Board, they investigate it. The National Labor Relations Board investigated, under the general counsel's office, the civil service part. They did an investigation. They took affidavits. They talked with people to find out whether there was any cause to move forward.

Again, whether it is right or wrong, I do not know, but this independent civil servants decided there was enough evidence for them to warrant taking this case to an administrative law judge. That is the process. Boeing then can make its case before the administrative law judge. The general counsel's office can make its case. The administrative law judge then makes a decision. As I understand it, the administrative law judge can find for the general counsel, it can uphold their theory or it can modify it.

After that is done, either side can appeal it. That appeal then goes from the civil service part over to the National Labor Relations Board. After the Board then reviews it, they make a decision. They either uphold what the administrative law judge said or they do not uphold it.

From there, either side can appeal to the circuit court of appeals, and from the circuit court of appeals, they can appeal to the Supreme Court of the United States. That is the process. That process has been followed now for 75 years.

We follow similar processes in other independent agencies of the Federal Government. I mentioned the Federal Food and Drug Administration, the Federal Trade Commission. A lot of other independent boards and agencies have that same process.

What has happened now is, many of our friends on the Republican side and in the business community have now taken up the hue and cry that this process should be interfered with, that this process should somehow be stopped politically. I do not think it is our right, our job here to interfere in something such as that politically. If my friends on the Republican side do not like the provision of the National Labor Relations Act which says it is illegal to take retaliation against workers for protected activity, if my friends on the Republican side want to change that law, offer a bill, offer an amendment. That law can be changed. With both bodies—the House and the Senate—and the President signing it, we can change it. But it is wrong for, I believe, elected officials, such as myself or anyone else, to interfere in that process and to cast it as a political decision. But that is what is being done by so many Republican Senators and people in the business community.

They have alleged that President Obama was behind this, that somehow because he has appointed a couple members of the National Labor Relations Board that he is behind this issue. President Obama had nothing to do with it. This was a complaint filed by the Machinists Union, the International Association of Machinists, with the NLRB. President Obama has nothing to do with this whatsoever, and he should not have anything to do

with it. But, again, people on the Republican side are alleging—again, misinformation, misinformation, misinformation going out—that somehow this is being orchestrated out of the White House.

Again the facts: The facts are there was a complaint filed. The National Labor Relations Board is doing exactly what they have done for the last 75 years. It is going to go before an administrative law judge and then find out how it works its way through the courts at that time.

I would ask my friends on the Republican side, if in, fact—if, in fact—the Boeing Company did retaliate against workers because of a protected activity, do my friends on the Republican side say that should be OK? Is that what they are saying; that if workers exercise a legally protected right and a company retaliates against those workers anyway they ought to be able to do that?

I can take all kinds of cases. Let's say a company decides to move a plant from Southern California to, let's just say Fargo, ND, and the reason they state they moved it was because there were too many Hispanics working in their plant in Southern California and they didn't like that. They wanted to move it to Fargo, ND, because there are not that many Hispanics there.

Guess what, folks. That is illegal. That is illegal. Do my friends on the Republican side say they ought to be able to do that in violation of all our civil rights laws in this country? Of course not.

People say: Of course, they can't make that kind of decision based on that. They can't make a decision to move a plant where there are more men than women so they won't have to hire more women; or less African Americans so they don't have to hire more African Americans. We can carry this on and on.

So I hope my friends on the Republican side are not saying a company can retaliate and then just walk away without any penalties, without even any recourse by the workers to have their cases heard. That is what I am here defending. I am defending the rights of the workers in the plant in Everett, WA, to have their complaints heard.

Now, I don't know the facts. I know a little of the law, but I don't know the facts. That is for the trier. That is for the administrative law judge and the NLRB and the appeals court and the Supreme Court. That is their jurisdiction. But for us to say it shouldn't even go there; that these workers can't even bring a case—and I might add, there are a lot of cases that are filed with the NLRB that don't go there because the NLRB investigates; they do their due diligence; and they find out there is not even enough evidence to warrant going forward.

So all I can assume is here there was enough evidence to warrant going forward. Whether there is enough to actually find that Boeing did retaliate, again, I don't know. That is up to the trier of fact—the administrative law judge. But I am hearing from these dramatic outcries that somehow we are destroying the right to work. This case has nothing to do with right to work—nothing—zero. It has nothing to do with right-to-work laws. This case has nothing to do with the outcry that somehow this is destroying the essence of a business to be able to decide, in its best economic interest, where to locate.

If Boeing wants to open their plant in Timbuktu, they can do that. If they want to open a plant in South Carolina, they can do that. What they can't do is open a plant someplace in retaliation against the workers exercising their legally protected rights; that, they can't do.

Now, again, this is an evidentiary-type hearing. So the evidence will have to come forward as to just what decisions were made, why they were made. Quite frankly, there are executives of Boeing who have publicly stated—publicly—that one of the reasons they moved was because of the work stoppages at the Everett plant—work stoppages, strikes. Is that enough evidence? I don't know. Maybe it is enough evidence to warrant going forward. Obviously, the general counsel's office decided there was.

I would also point out, Mr. President, the general counsel's office in cases such as this works long and hard to try to settle the case—to get both sides to settle. I know the general counsel's office in this case did try to do that, but they were unsuccessful; therefore, the case goes forward.

So I want to point out again—just to reiterate, Mr. President—this is not about doing away with the right-to-work laws. It has nothing to do with that. It has nothing to do with interfering with businesses' making decisions on where to locate their plants or anything such as that. It has nothing to do with destroying capitalism. It has to do with whether workers have a right—first of all, can they exercise their legally protected rights, and then can they make a case to the NLRB they were retaliated against because they exercised their legal rights. That is what this case is about. That is what this case is about.

Again, I understand the desire of certain people to raise money for political campaigns. I understand that. I understand how one might exaggerate things a lot of times in direct mail and in the press. I am sure there will be a lot of businesses that will hear: You have to contribute to this campaign or that campaign to stop President Obama or to stop the National Labor Relations

Board from taking your business decisions away from you.

Well, that is misinformation. I know it can be used to raise a lot of campaign money, but it is not right. It is not right to deceive and to misinform the American people about a basic right that protects middle-class workers in America. Americans understand fairness, and they resent it when the wealthy and the powerful manipulate the political system to reap huge advantages at the expense of working people.

I think I have always been a pretty good friend of the Boeing Company. I have been a big supporter of Boeing in so many things, going back in my 30 years in the Congress. It is a great company. They provide a lot of great jobs for American workers. They build great airplanes—better than Airbus, I might say. But it is wrong for them now to come in and try to get the political system to undo a legal administrative procedure the workers at that Boeing plant have instigated and have asked for the NLRB to investigate and to charge Boeing with retaliation.

What is happening in this case is that the powerful and the big are trying to manipulate the political system. Powerful corporate interests are pressuring Members of this body to interfere with an independent agency rather than letting it run its course.

We should not tolerate this interference. We should turn our attention to the issues that matter to American families—how we can create jobs in Washington, and, yes, in South Carolina, in Iowa, and across the country; how we can rebuild the middle class, how we can ensure that working hard and playing by the rules will help rebuild a better life for families and for their children. Playing by the rules is what the workers did. They played by the rules. They exercised their legal rights, and now there is a complaint filed. I say it is wrong for us to interfere in that.

Again, if we don't like the law, if we don't like the administrative procedures that undergird this, it can be changed. It can be changed. But I dare say we have had 75 years of the Wagner Act—of this process, and I will close on this: Sometimes businesses file a complaint with the NLRB against a union activity, and that is investigated. That goes before administrative law judges, too. So both sides use this.

I think it is unbecoming for us now to try to turn this into some kind of a political maelstrom, a political tornado, when it shouldn't be that. Let's let the law and let's let the administrative procedure do its job. Then, if corrective action needs to be taken, then it is the purview of Congress to deal with it at that time. Not now.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

ALLEN NOMINATION

Mr. WEBB. Mr. President, I would like to express my appreciation to the leadership in the Senate of both parties for scheduling a vote today on Arenda Wright Allen's confirmation for a seat on the U.S. District Court for the Eastern District of Virginia.

All of us in this body know how important it is to fill the vacancies on our Federal bench, and particularly when we have highly qualified nominees who have no particular issues that need to be discussed in a political sense, and Virginia is no exception in this matter. The sheer volume of our Federal court workload demands we appoint dedicated, qualified jurists.

In that regard, Senator MARK WARNER and myself were very pleased to have recommended Arenda L. Wright Allen to the President in June of last year for this position on the U.S. District Court for the Eastern District of Virginia. President Obama nominated Arenda Wright Allen last December. She was renominated this year. She was reported out of the Judiciary Committee without opposition on March 10 of this year, and I believe the President has made an extraordinary choice in nominating Ms. Wright Allen.

Whenever a vacancy has occurred on the Virginia Federal bench, Senator WARNER and I have very carefully conducted thorough and extensive reviews of candidates for the position. This review process includes interviews and recommendations by the bar associations and in-person interviews with many of the candidates. I am proud to say the Virginia candidate pool from which we had to choose on this particular occasion was excellent. It was deep. It included judges, legal scholars, and skilled trial attorneys.

From this very competitive field, Senator WARNER and I moved for the nomination of Ms. Wright Allen. She distinguished herself as the premier candidate in a very competitive field for this vacancy.

Ms. Wright Allen has displayed during her career the highest degree of integrity, competence, and commitment to the rule of law. She exemplifies the best of the Virginia Bar and, in fact, received the highest ranking from the Virginia State Bar.

As one who was privileged to serve as Secretary of the Navy and also as a combat marine, I personally understand the sacrifices that veterans have made to their country. Ms. Wright Allen is a veteran of the U.S. Navy. She served for 5 years as an Active-Duty JAG officer, and she continued her service as a Reserve JAG officer until her retirement from the Navy as a commander in 2005.

Her record of military service is excellent. Given the huge military presence in the Eastern District of Virginia, I believe this military experience will be valuable to her in her capacity as a Federal judge.

Ms. Wright Allen has dedicated her civilian career to serving her community, first as a Federal prosecutor and since 2005 as a Federal public defender. Unanimously, prosecutors and defenders who have worked with or have been on the opposing side to Ms. Wright Allen have attested to her talent, her dedication, and above all her exceptional character. Upon meeting her, it was clear to me she possesses the correct judicial temperament and dedication to make an excellent judge.

I have also had the pleasure of meeting her family and a number of her friends. Her dedication to her family, her church, and her community is clearly evident. I am proud Virginia has such an exemplary individual to put forward as a Federal district court judge nominee, and I urge all my colleagues to support Ms. Wright Allen today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

NEW START IMPLEMENTATION ACT

Mr. KYL. Mr. President, on behalf of myself and Senators MCCAIN, SESSIONS, CORNYN, VITTER, WICKER, and INHOFE—and probably others before the end of the day—I am going to introduce legislation called the New START Implementation Act, which I would like to describe briefly. This legislation is nearly identical to a companion bill introduced in the House of Representatives by Mr. TURNER, the chairman of the Strategic Forces Subcommittee of the Armed Services Committee. He has been a leader in the House on nuclear and missile defense issues. I understand many of the provisions have been included in the chairman's mark of the National Defense Authorization Act in the House and that the remainder will be introduced as amendments later today at a full committee level. I specifically wish to thank Chairman TURNER for his leadership.

Nuclear deterrence issues are among the most complicated and technical issues that we in the Congress are confronted with, and he deserves full credit for tackling them with vigor and for mastering them so quickly.

Similar to the House legislation, it is my hope that the Senate bill will be incorporated into the Senate version of the National Defense Act for fiscal year 2012. Let me now explain a little bit why I think this legislation is necessary at this time.

I voted against the New START treaty for reasons I have made clear previously on the floor. But I recognize the President's stated commitment to the modernization of our nuclear deterrent is necessary and is important and that Congress needs to codify the commitments made during the debate on the New START ratification process as

well as the agreements the President has indicated through his comments and letters to us. This is important for the future, for future Congresses and future Presidents, because this process is going to take place over a period of at least 10 to 12 years. Modernization of our nuclear weapons facilities and the strategic delivery systems all will require commitments over the space of another decade or more. Memories fade, people's interpretations may change over time, circumstances change, and what we want to make sure of is that over the time period involved during which this modernization process must occur, the understandings that were agreed to at the time of the START treaty ratification will be memorialized in statute and complied with by the Congress and by the administration as time goes on.

The five key features of the legislation are these. First, it would link the funding of the administration's 10-year nuclear modernization program with any U.S. nuclear force reductions during the implementation phase of the treaty. What that means is, as in the later years of the treaty, funding is necessary for the demobilization, the dismantling of some of the weapons that are called for to be dismantled under the treaty but that funding is coordinated with the funding for the modernization program which is going on at the same time. It urges the President to stand by the timelines he pledged on warhead modernization in the revised plan he submitted in November of 2010. This is key to ensuring that Congress will support these modernization efforts that were deemed necessary in conjunction with the New START treaty.

The second thing the bill does is to ensure that nuclear doctrine and targeting guidelines and the New START force levels that the former STRATCOM commander, GEN Kevin Chilton, said were "exactly what is needed" are not arbitrarily cut by the administration that seems eager now to go to even lower levels, perhaps even unilaterally, than were negotiated in the START treaty. The President has indicated his desire for a world without nuclear weapons and said he would like to do new things in the future to reduce the numbers of these weapons. We simply want to make certain the guidelines that are militarily necessary reference points for the number of weapons we have, the types we have, how they are deployed and so on, are not modified in order to be a reason for or an excuse for reducing strategic weapons thereafter.

I think this is necessary because the President's National Security Adviser said on March 29 that, even as "we implement New START, we're making preparations for the next round of nuclear reductions." In developing options for further reductions, he said:

"We need to consider several factors, such as potential changes in targeting requirements and alert postures that are required for effective deterrence."

We were told the New START force levels were exactly what is needed for deterrence. Yet now the administration may seek to alter deterrence requirements in order to justify further reductions. My view is, the administration cannot use one set of facts to ratify the treaty and then immediately change those facts in order to suit its Global Zero agenda. Forty-one Senators made clear in a letter to the President on March 22 that we expect the administration to consult with Congress before directing any changes to U.S. nuclear weapons doctrine or proposing further strategic nuclear reductions with Russia. No consultations have occurred to date, and we expect that those consultations would occur before any discussions with Russians take place.

Third, the legislation would ensure that the triad of strategic nuclear delivery systems—that is to say, the bombers, cruise missiles, ICBMs and ballistic missile submarines—are modernized and that their reliability is assessed each year. Even today, we are still uncertain about the administration's plans to modernize the ICBM leg, nor do we know if the new bomber will be nuclear certified upon its deployment. For example, according to an April 22, 2011, press account in the *Global Security Newswire*, "The US Airforce cannot say exactly how much it will spend to explore options for modernizing its ICBM fleet, nor where the money will come from."

Obviously, if we are currently planning the modernization of these fleets, but we do not even know where the money is going to come from for the planning, we have a problem that needs to be resolved now rather than later. That is what the third requirement of the legislation would require.

Fourth, the bill would affirm that the New START treaty contains no limitation on U.S. missile defense beyond the language in article V, section 3 and that any future agreement with Russia that would attempt to limit U.S. missile defenses could only be done by a treaty that would require the Senate's advice and consent. This is no different than what we all talked about on a bipartisan basis when the New START treaty was ratified, but we think these commitments should actually be codified to ensure they are kept.

Finally, the bill would counsel against unilateral reductions or withdrawal of U.S. nonstrategic nuclear weapons in Europe without the unanimous approval of NATO's members. Obviously, in NATO, one State should not be permitted to end NATO's successful article V policy, the policy that an attack on one is an attack on the others and will be met with resistance from the other NATO allies.

In conclusion, I think this bill should enjoy broad congressional support, given the fact that it merely builds on what the Senate and the administration agreed to in the New START resolution of ratification with respect to nuclear modernization and our freedom of action to develop and deploy missile defenses. It ensures that a future Congress and a future President understand and support the current commitment to nuclear modernization and ensures that there will be no further limitations on our missile defense efforts.

Finally, it builds in vital checks to permit congressional oversight of impending activities by the administration that portend significant changes to U.S. nuclear doctrine, further strategic nuclear reductions and potential activities with, and possibly concessions to, Russia with regard to missile defense and tactical nuclear weapons in Europe—all of which might be counter to U.S. security.

I will be pleased to add other colleagues as cosponsors to the legislation. As I said, I intend to actually introduce this toward the end of the day, and I am sure we will have additional cosponsors by that time.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). Without objection, it is so ordered.

The Senator from New Hampshire is recognized.

Ms. AYOTTE. I thank the Chair.

(The remarks of Ms. AYOTTE pertaining to the introduction of S. 944 are printed in today's *RECORD* under "Statements on Introduced Bills and Joint Resolutions.")

Ms. AYOTTE. Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

ALLEN NOMINATION

Mr. WARNER. Mr. President, I rise to speak in support of the nomination of Arenda Wright Allen to serve as the next U.S. district court judge for the Eastern District of Virginia.

I am very pleased to see that our leadership came together to move this nomination forward. I want to recognize Chairman LEAHY and Ranking Member GRASSLEY for holding the

nomination hearing and reporting this nomination by unanimous consent.

Senator WEBB and I had the privilege of interviewing several candidates to fill this vacancy on the bench. Ms. Wright Allen stood out for her exceptional qualifications and impressive record in the Norfolk community.

She has spent her entire legal career in public service, beginning with her service as a JAG officer in the Navy.

She also has the unique perspective of having served as both a prosecutor and a public defender. She spent 14 years serving as an assistant U.S. attorney for the Eastern District of Virginia and 1 year in the Western District of Virginia. Today, Ms. Wright Allen is a Federal public defender in Norfolk. Without a doubt, her extensive trial experience will go a long way on the bench.

While I was considering Ms. Wright Allen's record, I read several letters of support for her nomination. In addition, the Virginia State Bar ranked Ms. Wright Allen as "highly qualified," and she came "highly recommended" by the Virginia Bar Association and the Virginia Women Attorneys Association.

I would also be remiss not to mention the historic nature of this nomination. Ms. Wright Allen would be the first African-American woman to serve as a Federal district court judge in Virginia. I know she will serve with distinction and make all Virginians proud.

Mr. President, President Obama nominated Ms. Wright Allen in January of this year. The time is now to confirm her nomination so that she can begin to serve the people in the Eastern District of Virginia.

I look forward to casting my vote in support of Ms. Wright Allen's nomination and encourage my colleagues on both sides of the aisle to do the same.

I hope the Presiding Officer, who has spent extensive time as a great attorney general, lawyer, and attorney of great repute and respect, will be able to join us in this effort.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. Will the Senator withdraw his request?

Mr. WARNER. Yes, I will be happy to withdraw my request.

Mr. INHOFE. I thank the Senator from Virginia.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized.

Mr. INHOFE. It is my understanding we are in morning business until 2 o'clock.

The PRESIDING OFFICER. That is correct.

ENERGY

Mr. INHOFE. Mr. President, yesterday, I spent some time on the floor talking about the recoverable reserves

in the United States of America. I was shocked so many Senators—first of all, I was shocked that many listened but more shocked they came up to me and said: We were not aware we have this opportunity.

I have, from the Congressional Research Service, a breakdown of where all of it is. I wish to share that breakdown and get it into the RECORD. I applaud Senator MURKOWSKI and others for trying to open and fully develop the resources in the Gulf of Mexico. That is very significant. I applaud their effort, and I join them in their effort.

We need to go further than that because in the Gulf of Mexico are—these are figures of the Congressional Research Service—undiscovered, technically recoverable resources. Our resources, according to CRS, are greater than any other country in the world in oil, gas, and coal. I am going to talk just about gas right now because one of the big issues, of course, not just with my wife but with others, is the price of gas at the pumps.

If we look at the undiscovered, technically recoverable resources just onshore, in the United States—some actually would be on public lands—it is 37.8 billion barrels of oil. Throw in Alaska and that would be 26.6 billion barrels; the Atlantic, 3.8 billion barrels; the Pacific, 10.5 billion barrels; the Gulf of Mexico, as I already said, 44.9 billion barrels. The total U.S. endowment—our endowment—of technically recoverable oil is 162.9 billion barrels.

We have talked about this before and talked about the fact that we have all these resources, but our problem is a political problem because the politicians will not let us reach these reserves. We are talking about the fact that they are hardly able to reach them in the Atlantic and the Pacific, and we know what has happened on the North Slope, ANWR. We have talked about that for a long time.

People do not realize public lands—90 percent—are off-limits, off-limits politically.

I have to correct some of the statements some people have made that conveniently misrepresented what our reserves are. Instead of using “recoverable reserves,” they use “proven reserves.” That is a technical term. In order to prove a reserve, you have to drill and analyze and core and see how much oil there is. Obviously, if we will not let anyone drill, they cannot prove it.

When they say we only have 2 percent of the world’s proven reserves, that is absurd because we have to drill to determine what that is. Other countries do not have that problem. We are the only country in the world that does not exploit our own resources.

People are going to have to realize that if you want to do something, it is such a simple thing to do deal with. It

is supply and demand. There is not a person here or a person listening today who has not gone through the elementary experience in school of learning supply and demand. We have the supply in America and we have the demand. The politicians will not let us exploit our own resources. That is the problem we have. You do not have to overly complicate this issue.

It is interesting—and I hate to say it; I am not pointing fingers in a partisan way—when Democrats and the administration say: We are going to tax big oil, they say actually they are going to do away with some of the benefits big oil has. They are not benefits. These would be four huge tax increases the Democrats are doing on big oil. That is not big oil. That is oil, period. I will not go into the details of depletion allowances and percentages. It is not important.

The point is, they have the same benefit every other manufacturer has, and to single them out and say: We are going to punish big oil, all that is going to do is make the price at the pumps skyrocket. It gets right back to supply and demand.

By the way, those who are trying to use the argument that this somehow is going to produce revenue that is going to be used, I suggest even the White House’s figures, the maximum revenue generated would be \$4 billion. Keep in mind, they lose all the benefits, so that is not a net of \$4 billion.

Take the State of Texas, for example. They do not have an income tax. They have the oil tax that has run that State very well for a long period of time. Senator MENENDEZ made a statement and said taxing the oil companies is not going to bring down the price of gas. They are not even claiming it will. I just think that when one sees such an obvious solution to the problem—just exploit our own resources—we are very foolish not to do that.

We all talk about the solutions to the problem. We talk about the spending of this administration, more debt increases in just the first 2 years of the Obama administration than the entire debt since George Washington, in the history of this country, the huge spending, the \$5 trillion in the President’s three budgets of deficit—I remember coming down and complaining in 1995, at this very podium, when the Clinton administration came out with a budget for fiscal year 1996 and it was \$1.5 trillion. I said: We cannot sustain that level. Now it is \$1.5 trillion in each of the three budgets, just the deficit. That is more than the entire United States of America back in 1996.

I suggest that when people say there are only two solutions to this problem, either reduce spending, which would be my choice, or increase taxes, which I would not do, I say there is a third option. That option is to do something about the cost of regulation. Right

now, if we just take what the EPA is doing in five—in fact, I will say three of the major overregulations we are going over right now—people in the Senate know we have defeated cap-and-trade legislatively by massive percentages five times since 2003. This administration says: If we cannot have cap and trade, we are going to do it, not legislatively, we will do it through the EPA. That is what is going on now with greenhouse gases.

If you add up what the administration is doing in terms of the cost of greenhouse gas regulations, that is between \$300 billion and \$400 billion; on ozone, if they choose—and they said they are going to choose—the 60-parts-per billion standard, that would be \$676 billion; the boiler MACT would be something in excess of \$1 billion. Throw in utility MACT and cement MACT, it comes to \$1 trillion. This is what I am trying to get at. I used the figure that for every 1 percent increase in economic activity, it produces new revenue of \$42 billion. That has changed. According to the Congressional Research Service—they are bipartisan, they are factual—for every 1 percent increase in GDP, it produces \$50 billion additional revenues.

If we just take these regulations and add them up, all the increase of costs to GDP of the three regulations I mentioned, that is \$1 trillion. If we take the fact it is \$14 trillion GDP in a given year, this would be 7 percent of that \$14 trillion. For each 1 percent, it would be \$50 billion. We could generate new revenue of \$350 billion just by taking this overregulation out of our society.

One can argue: INHOFE, that is not true because these regulations have not passed yet. That is right, so it would probably right now be about half that. When the Obama administration came in and announced these regulations were coming, the manufacturers, the producers, those who are driving the economic ship were the ones who said that because of the uncertainty of these regulations, we are going to slow down what we are doing. If we were to lift all these regulations, I assure my colleagues we would be approaching, at least by 1 year, \$350 billion. That is without a tax increase. That is without reducing spending.

We need to look at this realistically because this is an opportunity we have. A lot of people remember back in the days of Ronald Reagan. I can say the same thing back in the days of President Kennedy. Of course, he was a Democrat. They felt overregulation and high taxation was an inhibiting factor to slow down revenue. Of course, in the case of Ronald Reagan, the total revenue coming from the marginal rates of 1980 was \$244 billion. In 1988, it was \$466 billion. That was at a time when we had the largest reduction of taxes and regulations in this society. It is shown to be true over the years.

My bottom line is this: People know about spending. People know about taxes. They do not know about regulations. The people who are affected directly—the manufacturers—understand it. The figures I am using are actual figures we have gotten with which no one argues. The fact that \$50 billion of increased revenue comes from each 1 percent increase in GDP is a fact that is supported by the CRS.

I offer that, along with our opportunity to become totally independent from the Middle East, with regard to our ability to run this machine called America.

Before I yield the floor, I see the Senator from Alaska. I hope he was listening to what I was talking about because the opportunities in Alaska are tremendous—26.6 billion barrels of oil. I am sure he understands that. I wish to make sure everybody else does.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BEGICH. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF ARENDA L. WRIGHT ALLEN TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF VIRGINIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the nomination of Arenda L. Wright Allen, which the clerk will report.

The assistant legislative clerk read the nomination of Arenda L. Wright Allen, of Virginia, to be United States District Judge for the Eastern District of Virginia.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate with respect to the nomination, with the time equally divided in the usual form.

Mr. LEAHY. Mr. President, I thank the majority leader for scheduling today's vote on the nomination of Arenda L. Wright Allen to fill a vacancy on the Federal District Court for the Eastern District of Virginia. This is the fifth judicial nomination the Senate has considered since returning from the Easter recess. I hope this is a sign of progress. Another 11 judicial nomina-

tions are pending on the Senate's Executive Calendar, and with judicial vacancies around the country remaining above 90, we still have a long way to go to address the needs of the Federal judiciary.

Arenda Wright Allen's nomination has the strong support of both of her home State Senators, Senator WEBB and Senator WARNER. When she is confirmed, Ms. Wright Allen will become the first African-American woman to serve as a district court judge in Virginia. Her nomination was reported unanimously by the Judiciary Committee over a month ago, along with that of another Virginia nominee, Michael Francis Urbanski, who has been nominated to the Western District of Virginia.

In her 25-year legal career, Ms. Wright Allen has served as a Federal defense attorney, a Federal prosecutor, and a military attorney. She is currently a supervisory assistant Federal public defender in the Eastern District of Virginia having previously served as an assistant U.S. attorney and in the U.S. Navy's Judge Advocate General's Corps. It is vital to have men and women serve as judges who have been prosecutors and defense attorneys. This nominee has been both, and I am sure her experience will serve her well when she is confirmed.

Recently, Republican Senators have tried to twist qualified nominees' litigation experience against them. Their partisan attacks are not consistent. Republicans oppose some nominees by saying that they do not have sufficient litigation experience. When a nominee has extensive experience and is a successful trial lawyer, they reverse themselves and complain that the nominee has too much experience and will be biased by it. They opposed Judge McConnell of Rhode Island on this supposed ground. They opposed Judge Chen of California despite his 10 years as a fair and impartial Federal magistrate judge. I hope they will not now oppose Ms. Wright Allen because she served as a Federal public defender. All of these nominees have assured us that they understand the difference between being an advocate for a client and serving as a judge. I have no doubt that they do.

With continued cooperation from both sides of the aisle, the Senate should also consider the other 11 judicial nominees ready for final Senate action. We should certainly proceed with the judicial nominees for whom there is no opposition and no reason for delay. That would allow us to confirm another seven nominees. They have all been thoroughly reviewed by the members of the Judiciary Committee and have all been recommended to the Senate unanimously. They are Judge Urbanski; Clair C. Cecchi to fill a vacancy in New Jersey; Esther Salas to fill another vacancy in New Jersey; Paul Oetken and Paul Engelmayer to

fill vacancies in the Southern District of New York; Ramona Manglona to fill a vacancy in the Marianas Islands; and Bernice Donald of Tennessee, to fill a vacancy on the Sixth Circuit.

I also hope that we can soon consider two of the nominees currently awaiting a Senate vote who have twice been considered by the Judiciary Committee and have twice been reported with strong bipartisan support, first last year and again in February. They are Susan Carney of Connecticut to fill a judicial emergency vacancy on Second Circuit and Michael Simon to fill a judicial emergency vacancy on the District Court in Oregon. We should also consider the nomination of Goodwin Liu to fill a judicial emergency vacancy on the Ninth Circuit, a nomination we have reported favorably three times, and the nomination of Caitlin Halligan to fill a judicial vacancy on the DC Circuit, which we reported favorably over 2 months ago.

All these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They should have an up-or-down vote after being considered by the Judiciary Committee and without additional weeks and months of needless delay.

Federal judicial vacancies around the country still number too many, and they have persisted for too long. Whereas the Democratic majority in the Senate reduced vacancies from 110 to 60 in President Bush's first 2 years, judicial vacancies still number 91 over 27 months into President Obama's term. By now, judicial vacancies should have been cut in half, but we have barely kept up with attrition. If we join together to consider all of the judicial nominations now on the Senate's Executive Calendar, we would be able to reduce vacancies to 80 for the first time since July 2009.

Regrettably, the Senate has not reduced vacancies as dramatically as we did during the Bush administration. In fact, the Senate has reversed course during the Obama administration, with the slow pace of confirmations keeping judicial vacancies at crisis levels. Over the 8 years of the Bush administration, from 2001 to 2009, we reduced judicial vacancies from 110 to a low of 34. That has now been reversed, with vacancies staying above 90 since August 2009. The vacancy rate—which we reduced from 10 percent at the end of President Clinton's term to 6 percent by this date in President Bush's third year and ultimately to less than 4 percent in 2008—is now back to more than 10 percent.

We have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. We confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, well into President

Obama's third year in office, the Senate has only been allowed to consider 82 of President Obama's Federal circuit and district court nominees, well short of 205.

The last 2 weeks are a sign that the Senate can consider these nominations. We must work together to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country. Judicial vacancies throughout the country hinder the Federal judiciary's ability to fulfill its constitutional role. That is why Chief Justice Roberts, Attorney General Holder, and the President of the United States have spoken out and urged the Senate to act.

I congratulate Ms. Wright Allen and her family on her confirmation today.

The Senator from Alaska is recognized.

Mr. BEGICH. Mr. President, I ask unanimous consent to speak as in morning business and that the time be counted against the Democratic side.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY SECURITY

Mr. BEGICH. Mr. President, I say to my friend from Oklahoma, absolutely, I am aware of the quantity and value of Alaska oil and gas today. I rise to discuss this issue, as well as a few others related to the issues of oil and gas.

I rise to discuss an issue foremost on the minds of my constituents and a concern to all Americans: the rising cost of energy. I wish to outline the proposals aimed at providing short-term relief for high prices at the pump and to ensure America's long-term energy security. These are the issues which have been discussed many times in this Chamber. The time for talk has passed. The time to act is now. High energy prices today already are pinching the pocketbooks of families and crippling our small businesses across my State and across this country.

When I was home over the recess, I visited the roaded areas of Alaska. These are communities connected by our highway road system, from Kenai Peninsula to Fairbanks, where gas prices are well over \$4 a gallon. As one can see on the poster next to me, they range from \$4.15 to \$4.45 a gallon. These prices might look good to some of my colleagues who saw gas prices over \$5 a gallon in their States, but off the road system in Alaska prices are much higher. The fact is prices for gasoline and home heating oil never came down in rural Alaska. They have been well over \$5 a gallon for years. Some places, such as Anaktuvuk Pass are nearly \$10 a gallon.

I started a discussion with Alaskans on Facebook to just see how these high prices are affecting their budgets.

Some families are already facing tough choices to make their budgets balance. For families commuting into Anchorage from the Mat-Su Valley

every day, they are forced to pay more than \$100 a week to fuel up. That is more than a pocketbook pinch, it is a punch.

Even worse, families know the price isn't coming down anytime soon. Even though speculation ranges all over the place, prices are expected to rise still another 30 to 40 cents by July.

Mr. President, families know the price of fuel is not coming down anytime soon. As I mentioned, it is continuing to rise. It is not just affecting families but businesses. They feel the sticker shock also at the pump. We are seeing businesses through rising food and delivery prices making up the difference. These families and businesses expect us to act now. No more excuses.

Energy is one place where we should be able to find bipartisan common ground. I have been calling for a comprehensive energy bill from day one in the Senate. Our lack of progress is frustrating. We were real close last spring, but now here we are again.

We need to provide Americans with reliable and affordable energy in three ways: short-term relief for consumers, new renewable energy sources for reliable electricity prices and keep strong investment in alternative transportation systems, and increase domestic oil and gas production so we are not dependent on unfriendly foreign sources.

First, the short term, which I call the pocketbook relief. We must help families keep their budgets balanced and help ensure that increasing consumer confidence doesn't falter. To do that, I have introduced the Family Account to Save on Transportation—or the FAST Act—to help families get through high gas prices over the next 2 years.

This bill will allow us to set up pretax transportation savings accounts—just like medical savings accounts—to help offset the pain of high gas prices on the family pocketbook. The bill would sunset in 2 years, so it would have no long-term burden on the Federal budget.

Second, we have to bring online alternative power sources to buffer power companies from price shocks of rising oil and gas prices. No matter where you are in Alaska, you don't have to go far to find alternative energy sources—wind, tidal, geothermal, and hydro. Even in these tough budget times, this is a good investment to strengthen our economy far into the future.

The same is true for alternative transportation systems and fuels. We must fully support efforts to develop electric, hybrid, and highly efficient vehicles. At the same time we must recognize most working families cannot afford to purchase a new vehicle. So we need to find other ways to reduce their transportation costs, such as greater investment in city-to-city commuter services.

The recent investment in high-speed rail is positive but is not reaching most

of the country, and will not. Even in Alaska we have the potential for commuter rail. It is critical to move commuters from city to city and cut the \$100-a-week gas prices folks from Mat-Su pay as they drive into Anchorage for employment.

Solving our energy security challenge cannot just focus on reducing consumption. Yes, it is important. But we must cut the use of fossil fuels in all sectors—as identified through consumption, especially transportation—but we also need to increase our domestic production.

Every new oil and gas development buys our country more energy and national security while also creating American jobs. Unfortunately, we are going in the wrong direction. Thirty years ago, 28 percent of our oil was imported; today it is 60 percent.

While our largest share of oil imports comes from Canada, too much is coming from unstable countries or those openly hostile to the United States. Not only will we become increasingly dependent on these countries for our oil, we are exporting over \$1 billion a day. Let me repeat that: We export \$1 billion a day.

In my home State of Alaska we have vast potential to increase America's energy security. The fact is, developing Alaska's oil and gas resources buys our country decades of energy security by offsetting foreign imports from unfriendly countries.

Consider a few examples which I have reflected on the board next to me.

Developing offshore resources in the Chukchi and the Beaufort Sea will produce 1.8 million barrels of oil a day. This is easily enough to offset oil imports from Saudi Arabia. We could even cover Iraq too. Developing the oil beneath the Arctic National Wildlife Refuge, ANWR, could offset imports from Nigeria. Developing the CD-5 project in the National Petroleum Reserve-Alaska—the National Petroleum Reserve-Alaska, set up for petroleum products and production—and BP's Liberty project could replace daily imports from Libya.

This does not even include the tremendous onshore and offshore natural gas resources we have in Alaska. One-third of the country's supply is in Alaska. So why aren't we developing these enormous resources in my State? Two words: politics, bureaucrats.

Mr. President, earlier this year President Obama went to Brazil where he declared that America wants to be a customer for Brazilian oil and natural gas. I have to say, we don't need to go to Brazil to do that. We can do it right here in Alaska, with our people, our resources and our opportunities. I reminded the President of that, and I will remind him on a regular basis. To his credit, I will say later in the month he did mention Alaska. In his call for energy and domestic energy independence, he mentioned Alaska.

Unfortunately, the bureaucrats in his administration are not listening. They are tossing up barriers to additional Alaskan oil and gas production every chance they get. Sadly, some of my colleagues in this body are not much better. Instead of addressing the problem with specific solutions, they are going for headlines by dragging energy company executives before committees or proposing the rollback of incentives for increased domestic energy production, some of which have been on the books for decades.

Let's stop the headline grabbing and get serious about energy security. I have three ideas: First, better coordinate the Federal offshore permitting process. I introduced legislation before our recess to create the Arctic OCS Coordinator, modeled after legislation the late Senator Ted Stevens passed establishing a Federal gas pipeline coordinator. My bill addresses the problem too many projects are caught up in.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BEGICH. I ask unanimous consent for an additional 3 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BEGICH. Too many projects are caught up in what I call the "regulatory whack-a-mole." You think you have smacked down one regulatory hurdle and another one pops up. My bill would give authority to work across the agencies causing companies so much heartburn today—the EPA, the Army Corps of Engineers, and the Department of the Interior, just to name a few.

Second, let's align the clean air standards for offshore drilling permits among the affected Federal agencies. We must have a level playing field whether you are in Alaska or the Gulf of Mexico or the Eastern United States.

As my colleague from Louisiana knows—who is here joining me on the floor—Louisiana has one rule, and Alaska has another rule for the same issue.

Third, let's invest in American transportation and safety infrastructure to develop oil and gas resources in frontier areas. The fact is, we need a far greater Coast Guard presence in the Arctic for oilspill prevention and response.

We also need to invest in our pipeline infrastructure, including the Alaskan Natural Gasoline, to move oil and gas resources from the Arctic to other U.S. regions.

There is a lot of talk right now about ending tax incentives for the oil and gas industry. With the high profits right now, these companies are easy targets. But one thing every Alaskan knows—just because you have an easy target doesn't mean it is the right thing to shoot. It would not decrease gas prices at the pump for our families

and our small businesses. It will discourage companies, especially the independents, from domestic investment and job creation.

As someone who represents a State with the highest energy prices in the country, and some of the best renewable and traditional energy resources, I am ready to join my colleagues on both sides of the aisle to address America's energy needs now. We need to set a hard target. That is why I am asking my colleagues to get serious about a real energy plan and give Americans freedom from high gas prices by the Fourth of July.

Let's work together, roll up our sleeves and pass a real comprehensive energy plan our families and our small businesses can get behind. Let's finally invest in our energy future and put the reforms in place for our long-term energy security.

Mr. President, I recognize my colleague from Louisiana—another great State for oil and gas development—is on the floor with me, and I yield the floor at this time.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I thank my colleague from Alaska for asking me to join him in a general presentation and potential colloquy between the two of us about the importance of continuing our support for oil and gas production in the United States by the large international companies that have operated in our country and around the world now for many years, as well as by the hundreds, if not thousands, of independents that operate doing the same.

There is going to be a bill that will be debated in the Senate Finance Committee tomorrow. It is S. 940, sponsored by the Senator from New Jersey, our colleague, Senator MENENDEZ. I want to go on record in strongly opposing it, and I will give some reasons why, and I urge my colleagues, when this bill comes up—which I understand it will come directly to the floor of the Senate without being heard, as is tradition, in the committee—to vote it down.

I doubt the bill, in its current form—or in any form that it could be modified—can get the 60 votes necessary for passage, but I would like to add my strong voice in urging my colleagues to read this bill, to look at it and understand the inherent unfairness in it, the lack of significant deficit reduction, and the fact that it will not—although it is being touted to do so—reduce gasoline prices by one penny.

Mr. President, I want to start with some facts that people might find very interesting, or hard to believe, based on the political rhetoric they have been hearing from the sponsors of this bill and others in the Senate. The story line goes something like this: Big oil makes huge profits at the expense of everyone. They pay virtually nothing

in taxes, and we subsidize them. Why are we doing this? Why don't we stop?

I think it would be good to get a few things clarified for the record. It may be surprising to American taxpayers to know that of the \$16.6 billion spent on U.S. energy subsidies over the course of 1 year, oil and gas subsidies account for less than 13 percent. I want to say that again. Of the \$16.6 billion spent on U.S. energy subsidies over the course of 1 year, fuels such as renewables, refined coal, nuclear, solar, hydro, et cetera, account for 85 percent. Oil and gas is less than 15 percent—actually, 13 percent.

Now, you would think because of this bill, S. 940, that big oil and gas companies are getting all the subsidies, making all the profits, paying no taxes, and the rest of us are suffering. Nothing could be further from the truth.

Let me repeat: This bill, S. 940, is going to repeal virtually all subsidies from one industry, and one sector of one industry—oil and gas companies—but they only get 13 percent of all the energy subsidies.

Why aren't we talking about the other 85 percent? Some of them—in some people's minds—create some harm to the environment, whether it be dams blocking up rivers so fisheries are extinct or whether it is coal that has its own issues. Of course nuclear doesn't have any problems. We must not be paying attention to what is happening in Japan. Why are we singling out one sector of one part of the energy industry to repeal the subsidies when it will, in fact, have the opposite effect of reducing gasoline prices? Even one of its cosponsors said publicly for us not to be fooled, this will not reduce gasoline prices. Why are we doing it? Will it create jobs? No. It will actually hurt job production in the United States.

According to the EIA study—which is the U.S. Government, not a company—published in 2008, the oil and natural gas industry received 13 percent of the subsidies while producing 60 percent of the energy. Let me repeat. This industry got only 13 percent of the subsidies but produced 60 percent of the energy. But the bill, S. 940, is going to be debated in the Finance Committee where the industry leaders are going to be called to talk about this gimmick, 940, but the oil and gas industry, with their independent counterparts, produced 60 percent of the energy.

I would like to say where exactly that energy comes from because it really is a bone of contention. The Senator from Alaska will appreciate this. The sponsor of this bill represents a State that is one of the highest deficit energy-producing States in the Nation because some of us do this better than others. Louisiana produces a lot of energy. Alaska produces a lot of energy. Texas produces a lot of energy.

Some States like to consume a lot and produce nothing. That would be

like some of our States that put some of their land in agriculture so they can produce food—other States saying: We don't want to produce food, but we expect you to provide it to us—provide it to us when we want it, how we want it, and for the price we want it. And I am tired of it, and so are the people I represent.

I want to put this deficit chart up here. We have seen a lot of deficit charts about deficits of infrastructure, real deficits of money, debt. Let me talk to you about the deficit and the debt owed by some States in this Union that consume a lot, talk a lot, and produce nothing.

California has the greatest deficit. It consumes a tremendous amount of energy, and the imbalance is the highest. It produces the least, consumes the most. To California's benefit, before Senators FEINSTEIN and BOXER run down here to argue this point, I want to concede this one point: California has been on the forefront of energy conservation and efficiency. This chart does not recognize them for that, but I will concede that point, and I am going to have some further data to explain that. California, while it doesn't produce a lot of energy—it consumes a tremendous amount—at least California has been in the forefront of savings and efficiency because there are a lot of States up here that don't produce, don't conserve, are not efficient, and all they want to do is yell about high gas prices. Why don't you do something about it?

Florida is a perfect example. Florida has a net deficit in Btu's. I guess it is 3.889 billion. Florida is a great example. I don't think Florida does much in nuclear. I don't think they do much in hydro. They have a lot of Sun; I don't know how much solar they are doing. They will not let anybody produce oil and gas on or off their shores, but they sure fill up a lot of their gas tanks every day. They sure fire up those hotels and those restaurants with that energy. Where do they get their energy from? If it weren't so serious, it would be laughable. They have a gas line that goes from Mobile, AL, to the Florida peninsula. We pump the gas out of Louisiana, Mississippi, and Alabama, put it in a pipeline, and ship it under the Gulf of Mexico so they can light up their State. Would they ever think of putting in an oil and gas well or building a nuclear powerplant? If they can't do that, why don't they conserve their energy?

New York is another user of energy which produces very little; Ohio, Georgia, New Jersey, North Carolina, Michigan, and Illinois. Some of these States, such as New Jersey and Michigan—think about what they look like. They have big factories, they have big industries. Michigan is home to the automobile industry, so they use a lot of gas in producing things we all use,

so we want to give them credit for that. But still the fact remains that Michigan uses a lot more energy than it produces.

Then you get down here to what I call the gold-star States.

We get criticized so much, we are treated like we are some sort of pariah sometimes, but I think we do a great job—Kentucky, Alaska, New Mexico, Louisiana, West Virginia, and Wyoming. Alaska is up here somewhere—Alaska is right here. Kentucky, Alaska, New Mexico, Louisiana, West Virginia, and Wyoming. We produce enough energy for everybody in our State, what we need, and we export it to everyone else in America who needs it. And what do we get? We get bills like this that go after, directly, the big companies in our State, that work in our State, to somehow put them in a position to make them feel as if they are not really good companies, they are not American companies, they don't pay tax, they get all these subsidies. I am going to read into the record what taxes they pay. It is going to surprise you. Then, on top of that, we get moratoriums, we get permatoriums. We can't even drill for the oil we have. We can't even look for the oil we might have.

When I go home, my people ask me—and it is a very hard thing for me to answer, and maybe they ask Senator BEGICH the same thing—they say: Senator, since we do so much to produce energy for the country, why do we pay \$4 a gallon for gasoline and sometimes we pay a little bit more than everybody else? They don't produce anything, Senator. Why do we pay so much?

Can the Senator tell me what he answers his people because I don't know what to tell them other than this place is a little screwed up. Until I get an answer for that, and I will ask the Senator—go ahead, what do you tell them?

Mr. BEGICH. That is a hard one to answer because they see the oil flowing. As I mentioned, we have \$10-a-gallon gas in some of our communities—\$10 a gallon. So it is hard to explain that, yes, we are the big producer, but the rest of the country then picks on us.

I am just listening, and it is unbelievable, the green slice you have there.

Ms. LANDRIEU. I say to the Senator, because he raises an excellent point, President Obama is not the first President to go overseas and ask them to produce more oil to send it to us. This goes on—President Clinton did it. President Bush did it. We beg Saudi Arabia to produce more energy. We ask OPEC to please don't tighten it so much so our prices—why don't you go to the local OPEC or the local producers, which are Kentucky, Alaska, New Mexico, West Virginia, Louisiana, and Wyoming? Why don't you help us

produce more, because we can do it. But we get shut down by bureaucracy, moratoriums, permatoriums, rules, regulations, EPA, refugees. We can't even get free to produce the energy that we can produce for this country. Then you have all these middle States that do a fairly good job on balance.

But I tell you, if we passed a law here that said every State in America had to produce the energy it needed, we would have an energy policy all right, Senator BEGICH knows. I don't know what it would be, but it would be an interesting rule, you know, just like in the old days—if you wanted food, you produced it. It would be a great law. Every State in America, all 50, if you consume energy, you need to produce something. You could produce it by wind; you could produce it by hydro; you could produce it by nuclear; you could stop driving your automobiles and have everybody walk; you could give everybody a bicycle. We don't care. Just eliminate the energy deficit. That would be a very interesting discussion to have, and I might even file a bill like that because this one is so ridiculous, people might actually read the one I would file.

Let me give a couple of other stats, and then I know I am exceeding my time. I want to ask for 2 more minutes. I want to put to rest this issue that the big oil companies don't pay any taxes.

This is from Forbes magazine, so take it as it is. It is slanted toward industry, I give you that. It is not left of center, it is right of center, sometimes very right, but I think you can check these figures with anybody else. I am assuming they are accurate. This is for the top 20 most profitable U.S. corporations in 2010.

ExxonMobil's net income was \$30 billion. Their tax rate was not 10 percent, not 15 percent, not 25 percent, not 35 percent—a 45-percent tax rate. Their estimated worldwide tax bill was \$90 billion. Of \$10 billion in total taxes paid in the United States, \$3 billion was income tax. Let's go on. ConocoPhillips' tax rate was 42 percent; pre-income tax, \$19.8 billion; net, \$11.4; tax rate, 42. Chevron was 40 percent.

So let's review: Exxon, 45 percent; Conoco, 42; and Chevron, 40. Do you want to know what Google was? Google is a pretty big company. They don't produce oil and gas. They have another line of business. Their tax rate was only 21 percent.

Let's take Hewlett-Packard—not in my State, in other parts of the country. Their headquarters is not in the South. Their tax rate was 20 percent. Apple Computer's tax rate was 24 percent.

People will say: It is not just the rate; it is what you paid. But I think if you look—Coca-Cola, very big company, their tax rate was down to 16.7 percent.

Does this make sense? No. So that is why we need tax reform, significant

transformational tax reform, so all big companies pay similar in taxes and we eliminate some of these loopholes that don't make sense. I could be for that. I could be for that when we are talking about Google, Apple, GM, GE, ExxonMobil, and Chevron. But if you are going to ask me to stand here and pick on one industry that pays billions of dollars in taxes, that only gets 13 percent of the energy subsidies, that hires—350,000 people in my State are hired by oil and gas companies or their contractors or affiliates, large and small, not just the large. And when I see what our people produce and these States produce nothing, or virtually nothing, and you ask me can I vote for a bill like this? No. Not only can I not vote for it, it is laughable.

I hope the Senator from Alaska and I—I know we are going to be the skunks at the garden party because, as Democrats, to be against this bill, it is going to be because we just have to coddle this industry. I don't coddle this industry. I am holding BP's feet to the fire. I want Exxon to pay the tax they owe. I want Chevron to pay the tax they owe. I want this President and this administration to stop the moratorium and the permatorium in the gulf. I want to get our people back to work.

I would much love to reduce gasoline prices, and one way we could do it is if cars did not have to be so dependent on gasoline. Why don't we give a significant subsidy to produce different kinds of automobiles? I would vote for that. I have voted for that. If you had a car right now running on natural gas, you would be paying the equivalent of \$2 a gallon for gasoline at the pump. That is much better, I say to the Senator, than \$10. Why don't we take some money and invest in natural gas vehicles or more incentive for electric vehicles? If people are really serious about breaking the back of OPEC, then start building the kinds of automobiles and infrastructure in this country necessary to do it and stop introducing gimmicks such as this that might get you a few political points in the short run, but it is not leading us in the right direction.

Having beat up on the Democrats, let me say something about the Republican side.

All they want to talk about is drill, drill, drill. We cannot drill our way out of the situation we are in. Do I want to drill more? Yes. Do I think there is more than 2 percent of the world's oil and gas in America? Yes. But you know what? You have to look for it in order to find it.

We are under certain provisions—the Senator knows in Alaska, we cannot even go look for the oil and gas we might have. The Senator might want to talk about that, and I am going to close in a minute.

Mr. BEGICH. To the Senator from Louisiana, let me say, when you de-

scribe the moratorium or whatever they call it in the gulf, it is even worse in the Arctic, or even on, as I mentioned when I had the map and I showed the National Petroleum Reserve. That is not a name picked out of the sky by the industry. That was set aside by the government to prepare our country for more energy independence decades ago.

We cannot even get a permit to go across—in some places, they call it a stream. But everyone else now calls it a big river. It is not. It is a very small area. But a bridge to go over to explore for what you described—we cannot even get onto the land the government set aside that would then determine if we have oil and gas. We believe there is, because obviously they have—it is set aside as the National Petroleum Reserve.

But the other piece to this—the Senator hammered away on it and I agree with her—if we are skunks at the garden, so be it, because it is a question of fairness. As the Senator described the 13 percent of the subsidies or incentives they receive, they produce 60 percent of the energy. But her other statistic is even more dramatic.

Of the remaining 87 percent of those subsidies, they only produce 40 percent of the energy. If this were a business, you would eliminate that part of the equation because it does not give a good return on investment. But we are still doing that, because there is a lot of politics being played.

The point on the tax issue. Like the Senator, I think there should be an overhaul to this tax system. But picking on one industry because it sounds good, rates good in the polls, gets you a couple of headlines, is not what the American people want us to do here. If anything, they are getting fed up with that.

What they want us to do is sit down and, as you have described so eloquently in the description of the country, you bet, I would love every State to do it, produce. Then they would see what we go through. Because we are a collective group of States, we do our part, but we should not be picked up because we do more than our share, because we are trying to help out States that are producing vehicles or producing, you know, a lot of chemical industry, and other things, or the pharmaceutical industry. We can go through those lists that somehow do not end up on these, getting rid of their subsidies.

Your point is right on. If there is anything we should be doing right now—I agree with the Senator—it is the issue of—when I open the paper and I see administration officials, current and past, saying the way we are going to control our energy cost is talk to Saudi Arabia. Is that our energy policy? Because that sure the heck is one that, one, does not create one job here;

two, is the worst national policy from a national security perspective; and, three, it is foolish, as I mentioned earlier, that we export \$1 billion a day out of this country to buy from countries—and in some cases good allies. Canada is a good example. Some of these countries are not our friends, but we are giving them cash so they can then use it against us. It does not make any sense. You are right, this piece of legislation they have put down without a committee process on it is a gimmick; a gimmick to get the next week of activity, get some press out there. But we have to be serious.

I appreciate the Senator yielding for me to rant a little bit. I am glad you said the part too, the assumption is that these companies pay no taxes, that somehow they get the subsidies and they pay nothing. You bet you they are profitable. They are big companies. They are huge companies. But they pay taxes in the billions to the Treasury of this government. When you listed out all of those differential rates, that is again why we need tax reform. Then I am happy to have this discussion, but not singling out an industry because it is a good political score and good fodder for the newsprint and everything else. I appreciate the Senator yielding me a few more minutes to ramble there a little bit.

Ms. LANDRIEU. I thank the Senator. I wish to ask the Senator a final point. We are going to hear tomorrow speeches given about America is at the highest production levels ever. That may be true. But it is true for a very short period of time—maybe the next month or two—because as you can see, there is going to be a precipitous fall. Why? Because of the Deepwater Horizon, the shutdown in the Gulf of Mexico. Even though people say we are at the highest production levels we ever have been, it is going to be temporary. Then the production levels are going to decline down to the lowest level since 1997.

I want people to understand, we are not on a path to produce more in America. We are on a path to produce less. And taking all subsidies away from the five major international oil companies is not going to change this line. It is going to make it continue to go down. It is not going to reduce the price of gasoline at the pump, not by one penny. It is not going to get us on the path to a strong, sound energy policy.

I will say in conclusion, should some of these subsidies and tax credits be looked at? Yes, in a comprehensive format. And I will say, I will be open to the ones that are the least effective, the least necessary, and are fairly applied across companies such as Google, AT&T, GE, and other companies. I will be happy to do my part. People in Louisiana will do our part.

But we are not, along with Texas and Oklahoma and Alaska, going to take it

all on our shoulders. We have had enough. We have had high water. We have had high wind. We now have a high river. We have a moratorium. We have a permitatorium, and now we have no more subsidies.

At least they left the independents out. I want to thank them for not putting independent oil and gas companies in this bill. But still, the big five pay a significant amount of tax. They take a smaller percentage of the overall subsidy. I think we need to do this in a fairer way.

I am yielding my time.

Mr. BEGICH. If I can make one last comment, the chart that you have up there, there is one other piece on there. It is the Alaska oil pipeline. We are at a little over 600,000 barrels a day going through there. We are losing 6 to 7 percent a year in volume, and it will not be a question—somebody will say: Well, you will get down to zero and then you will stop the pipeline. No. No. When we get down to a level of 300,000 or 400,000 barrels, then it will be questionable if we can even run the line. Then you can actually potentially shut off the whole volume. So the chart there is important because we have to look at the long term. Because if we decide today to have a comprehensive energy plan that includes conservation, alternative energy, renewable energy and, yes, domestic production, the Senator from Louisiana knows, as I know, you cannot walk down the street and say, we are going to start drilling tomorrow and suddenly, voila, there is fuel. It is a 7- to 10-year process. So that chart is a critical chart, because in order to reach that decline, you have to start doing something today. Unless we decide the policy of this country, what the energy policy of this country is, we will pick up the phone and we will call Saudi Arabia, Nigeria, Iraq, Iran, Libya—that is the list, that is our policy—then so be it. I think that is the worst policy we could have ever for this country.

Again, thank you to the Senator from Louisiana. Again, if we are skunks at the garden, my view is we will be good-smelling skunks.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, today the Senate continues its very rapid pace to confirm another of President Obama's judicial nominees. The Judiciary Committee's workload has not slowed since this Congress convened. I am pleased to report we are ahead of the pace of the 108th Congress. With this vote, the Senate will have

confirmed 22 nominees in just 47 days. That is a rate of one judge almost every other day of Senate session. We have confirmed 32 percent of President Obama's judicial nominees this Congress compared to only 29 percent of President Bush's confirmed during the same time period.

We have also reported out of committee another 11 nominees. We have reported out of committee 46 percent of President Obama's nominees sent to the Senate this year. That exceeds the 38 percent of President Bush's nominees reported out during a comparable period.

Furthermore, we have held hearings on 10 nominees. Some of those, I expect, will be reported out of committee at our markup scheduled for tomorrow. In total, we have taken positive action on 43 of 71 judicial nominees submitted this Congress or approximately 61 percent of all nominees. I hope these facts will put to rest, once and for all, any complaints that we are delaying or obstructing judicial nominees.

There are currently 89 vacancies before the courts. Yet the President has not sent nominees for 51 percent of those vacancies. He has, however, sent the Senate four nominees for seats which are not yet vacant. This is perplexing to me since the current vacancy rate is 10 percent. I would think the White House would concentrate on current vacancies. Nevertheless, we simply cannot confirm nominees who do not exist.

I have a few remarks regarding the nomination we are voting on today—Arenda Laretta Wright Allen, who is nominated to be U.S. district judge for the Eastern District of Virginia. Mrs. Allen received her B.A. from Kutztown State College in 1982 and her juris doctorate from North Carolina Central University School of Law in 1985. Following law school, she was commissioned into the U.S. Navy as an ensign. She served there as legal intern in the Naval Legal Service, Office of Judge Advocate General's Corps. In the same year, she was promoted to lieutenant and became a defense attorney for the Navy. In 1988, the nominee became the staff judge advocate at the Naval Air and Engineering Center, where she was the sole legal advisor to the commanding officer.

Leaving the Navy in 1990, Mrs. Allen joined the U.S. Attorney's Office for the Western District of Virginia as an assistant U.S. attorney. In 1991, she moved to the Eastern District of Virginia, where she remained for the next 15 years as an assistant U.S. attorney. In 2005, the nominee left the U.S. Attorney's Office to become an assistant Federal public defender with the Federal Public Defender's Office for the Eastern District of Virginia. The American Bar Association Standing Committee on the Federal Judiciary has given her the rating of majority "qualified", minority "well qualified."

I congratulate the nominee and her achievement and public service. I urge my colleagues to support this nomination. Hopefully, it will be supported unanimously.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Ms. STABENOW. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. STABENOW. I understand we are in the time of our Republican colleagues, so I would just indicate that if we have a Republican who comes to the floor during that time, I will certainly be glad to stop and yield to them.

GAS PRICES—PAYING TWICE

Mr. President, I wish to speak about something that is incredibly important to the families and businesses of Michigan—I am sure it is true in Pennsylvania as well—and that is the great concern about what is happening in terms of gas prices going through the roof right now. We have families that are paying as much for gasoline at the pump as they are paying for their health care and almost as much as they are paying for groceries right now to put food on the table for their families.

What adds insult to injury is that we are seeing an industry, the top five companies with the highest profits ever, also receiving taxpayer subsidies. So we pay twice. We pay at the pump in outrageous prices, and we pay again when we are paying as taxpayers to support an industry that clearly does not need to be subsidized.

We are involved in a major debate right now about what to do about a very large deficit. I was here when we balanced the budget in 1997, when I was in the House, and I was proud to do that. I was here when we had the largest surplus in the history of the country. In 2001, a number of things happened, including policy decisions that put us back into a deficit. So we have to dig out again, and it is very serious.

So the question is, What are our priorities? Our Republican colleagues in the House have said their priority is to eliminate Medicare as we know it—eliminate Medicare and balance the budget on the backs of tens of millions of seniors in our country. In the Senate we are saying: Wait a minute. Let's start with taxpayer subsidies, some of which have gone on for 70 or 80 years that are now being given to an industry that is the most profitable in our country and probably the world and that

clearly do not need taxpayer subsidies. Why don't we start there. By the way, let's make sure we are sending a clear message that we don't appreciate paying twice. We don't appreciate paying at the pump and at the same time paying through our taxpayer dollars.

When we look at the numbers, just in the first quarter of this year, it is staggering. We certainly don't begrudge industry profits, although with the gas prices going up, what we are talking about now are consumers getting gouged in the face of these numbers. But we are talking about \$35.8 billion in total profits in just 3 months for the top five oil companies in America. These folks are asking us to subsidize them on top of that. So our message, and what we will be voting on next week, is a message that says: That check for \$4 billion a year, we are going to void it. We are done with that—no more taxpayer subsidies for an industry that clearly does not need it.

What we need to be doing are a couple things. First of all, we need to create real competition at the pump. We need to create competition that maybe doesn't require a pump or at least not very often. In my great State of Michigan, we are making new, terrific, award-winning automobiles that are electric vehicles—the Chevy Volt, the Ford Focus, other hybrids—that are winning awards, top-quality vehicles that are going 100 miles or 200 miles on a gallon of gas. Real competition is what we need, investing in alternative vehicles, alternative fuel vehicles for the future, including jobs. I am very excited about the announcements being made now—in fact, on Friday by General Motors about expanding their operations—and to see what Chrysler and Ford are doing is very exciting. It is jobs for us, and it is real competition for the oil companies that know right now the only choice we have is to pay whatever price they put up at the pump.

We have begun to create some other choices, and we need to continue to support those. I find it so interesting that we are going to be debating shortly whether to support ethanol and EA5 and the ability to create some alternative to gasoline at the pump. There will be those who will argue: Well, we have supported them for a few years now. They are a maturing industry. They no longer need support; that is, maybe 5 years, 6 years, 8 years, 10 years. We are talking 70 or 80 years, a subsidy that is now going to the largest, most profitable companies in our country and probably the world. Yet because of sheer politics and nothing else, we have not been able to get these subsidies stopped.

Taxpayers in our country are saying we need to make better choices to balance the budget. We need to decide what is important, what is not important, and we need to cut the things

that are not important. Clearly, subsidizing the top five big oil companies in this country is not a priority when they are making huge profits. We should be investing in what will, first of all, bring down the debt because we are taking away this \$4 billion and using it to pay down the debt. We should then make choices about how we do create jobs and create alternatives in clean energy manufacturing, alternative fuel vehicles, whether it is advanced biofuels, natural gas, clean diesel, electric vehicles. We have a lot of choices we need to present to consumers so they can get off the price-gouging efforts that are going on at the pump.

There is another issue as well. We have heard from the companies that they need to be able to drill more. Yet at the same time, we know there are 60 million acres under lease by the oil companies. They hold on to 60 million acres right now that are oil and gas leases where they are not drilling. They hold on to them, maybe because they don't want their competitors to get them, but they are not drilling. So I strongly support, and I am pleased to cosponsor, Senator MENENDEZ's legislation that simply says use it or lose it—use the leases you have for domestic drilling in America or lose it.

I also held hearings, as chair of the Senate Agriculture Committee, to focus on and investigate how much market manipulators are driving up prices and to explore ways to strengthen American-made biofuels industries and other alternatives to foreign oil because our farmers are very much a part of the solution for the future.

So there is much we can do to create real consumer choice, get off of foreign oil. But part of our deficit reduction effort should start by eliminating the outrageous subsidies that are going to the top five oil companies in America. We should stamp this check "null and void."

Mr. President, I yield back.

The PRESIDING OFFICER (Mr. MERKLEY). The question is, Will the Senate advise and consent to the nomination of Arenda L. Wright Allen, of Virginia, to be United States District Judge for the Eastern District of Virginia?

Mr. SCHUMER. Mr. President, I ask for the yeas and nays on the nomination.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

Mr. KYL. The following Senators are necessarily absent: the Senator from Mississippi (Mr. COCHRAN), the Senator

from Alaska (Ms. MURKOWSKI), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 96, nays 0, as follows:

[Rollcall Vote No. 69 Ex.]

YEAS—96

Akaka	Franken	Menendez
Alexander	Gillibrand	Merkley
Ayotte	Graham	Mikulski
Barrasso	Grassley	Moran
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Hatch	Nelson (FL)
Bingaman	Heller	Paul
Blumenthal	Hoeven	Portman
Blunt	Hutchison	Pryor
Boozman	Inhofe	Reed
Boxer	Inouye	Reid
Brown (MA)	Isakson	Risch
Brown (OH)	Johanns	Roberts
Burr	Johnson (SD)	Rubio
Cantwell	Johnson (WI)	Sanders
Cardin	Kerry	Schumer
Carper	Kirk	Sessions
Casey	Klobuchar	Shaheen
Chambliss	Kohl	Shelby
Coats	Kyl	Snowe
Coburn	Landrieu	Stabenow
Collins	Lautenberg	Tester
Conrad	Leahy	Thune
Coons	Lee	Toomey
Corker	Levin	Udall (CO)
Cornyn	Lieberman	Udall (NM)
Crapo	Lugar	Warner
DeMint	Manchin	Webb
Durbin	McCain	Whitehouse
Enzi	McCaskill	Wicker
Feinstein	McConnell	Wyden

NOT VOTING—4

Cochran	Rockefeller
Murkowski	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

ADDITIONAL STATEMENTS

100TH ANNIVERSARY OF THE WOMAN'S CLUB OF BETHESDA

• Mr. CARDIN. Mr. President, today I invite my colleagues to join me in celebrating the 100th anniversary of the Woman's Club of Bethesda, MD. The club, a nonprofit organization, was organized on May 27, 1911. It was founded by seven women for the purpose of promoting civic activities and welfare in the neighborhood. Those activities included assistance and fundraising for schools, churches, and hospitals. Club members selected the American Beauty Rose as their flower; "An Earnest Club for Earnest Women" as their motto; and American Beauty Red and green as their colors. Before a clubhouse was built, meetings were held at various members' homes, limiting

membership to 35 and allowing only a cup of tea and a cracker to be served.

During World War I, from 1914 to 1916, the members sold over \$10,000 worth of Liberty Bonds, raised funds for French orphans, worked with local merchants to beautify the roads into the Nation's Capital, and worked to secure a new fire truck for the community that was capable of fighting chemical fires.

In 1925, club members raised \$1,500 to purchase three lots at the corner of Sonoma Road and Old Georgetown Road for construction of a clubhouse. On May 27, 1927, the club laid the cornerstone for the clubhouse, which is still in use today. In 1948, the mortgage was burned—quite a feat for women who began the club without the right to vote.

During World War II, the clubhouse was used to host USO entertainment. Today, the club continues its philanthropic efforts by raising money for local charitable organizations—Friends of the Maryland Library; Mobile Medical Care, Inc., Montgomery; Crisis Center of Montgomery County; Bethesda Cares; and Manna Food Banks—and by supporting national and international efforts to curb homelessness and domestic violence, and promote access to health care and clean water.

There is no doubt that the Woman's Club of Bethesda has made significant contributions to the betterment of the surrounding community and is a valuable asset to the people of Montgomery County and the State of Maryland. I would ask my colleagues to join me in congratulating the past and present members of the Woman's Club of Bethesda on their century of service.●

TRIBUTE TO LARRY KELLY

● Mrs. SHAHEEN. Mr. President, today I congratulate and honor Larry Kelly, who is retiring from his position as executive director for Tri-County Community Action Program, CAP, which serves New Hampshire's North Country.

Larry's career has been one of admirable service to New Hampshire and his community. Through various roles, including positions at the Community Services Administration in Boston, Federal Regional Council of New England, and other CAP agencies, Larry's career has been dedicated to helping others and serving the less fortunate.

In 1984, Larry joined Tri-County CAP. Larry's dedication to the greater Berlin community and the entire State of New Hampshire, coupled with his decades of volunteer service, is a testimony to his character. His kind and gentle disposition is complemented by a passion and drive to make his community a better place in which to live and work. Always putting the community's interests above his own, Larry has been a champion for the neediest among us, advocating on behalf of

those without a voice and without hope. He has been rightly recognized as a leader among his peers throughout his professional life, receiving national awards such as the Community Action Foundation's Executive Director of the Year Award.

On a personal note, I am very grateful to Larry for his support and counsel during my years in public office. Whether it was a CAP-related matter or not, Larry was always ready and willing to assist in whatever capacity he could. I consider Larry a friend, and I know his contribution to the North Country will be missed. Please join me in congratulating Mr. Larry Kelly of Berlin, NH, on his retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGE FROM THE HOUSE

At 10:16 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1016. An act to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1016. An act to measure the progress of relief, recovery, reconstruction, and development efforts in Haiti following the earthquake of January 12, 2010, and for other purposes; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 940. A bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1579. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Saflufenacil; Pesticide Tolerances" (FRL No. 8872-7) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1580. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Propiconazole; Pesticide Tolerances" (FRL No. 8873-2) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1581. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Glyphosate; Pesticide Tolerance" (FRL No. 8872-6) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1582. A communication from the Regulatory Analyst, Grain Inspection, Packers and Stockyards Administration, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Export Inspection and Weighing Waiver for High Quality Specialty Grains Transported in Containers" (RIN0580-AB18) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1583. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Conversions of Insured Credit Unions, 12 CFR Parts 708a and 708b" ((RIN3133-AD84)(RIN3133-AD85)) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1584. A communication from the Chairman and President of the Export-Import Bank, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to the United Arab Emirates; to the Committee on Banking, Housing, and Urban Affairs.

EC-1585. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled "Energy Conservation Program: Test Procedures for Fluorescent Lamp Ballasts" (RIN1904-AB99) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Energy and Natural Resources.

EC-1586. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "TSCA Inventory

Update Reporting Modifications; Submission Period Suspension" (FRL No. 8874-2) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Environment and Public Works.

EC-1587. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Maryland; Adoption of Control Techniques Guidelines for Large Appliance Coatings" (FRL No. 9304-2) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Environment and Public Works.

EC-1588. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Modification of the Significant New Uses of 2-Propen-1-one, 1-(4-morpholinyl)" (FRL No. 8871-5) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Environment and Public Works.

EC-1589. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revisions to the California State Implementation Plan, California Air Resources Board—Consumer Products" (FRL No. 9278-9) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Environment and Public Works.

EC-1590. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the status of the Government of Cuba's compliance with the United States-Cuba September 1994 "Joint Communiqué" and on the treatment of persons returned to Cuba in accordance with the United States-Cuba May 1995 "Joint Statement"; to the Committee on Foreign Relations.

EC-1591. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Immunology and Microbiology Devices; Classification of Ovarian Adnexal Mass Assessment Score Test System; Correction" (21 CFR Part 866)(Docket No. FDA-2010-N-0026) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1592. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medical Devices; Reclassification of the Topical Oxygen Chamber for Extremities" (21 CFR Part 878)(Docket No. FDA-2006-N-0045) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1593. A communication from the Secretary of Labor, transmitting, pursuant to law, the Department of Labor's fiscal year 2009 Office of Workers' Compensation Programs annual report; to the Committee on Health, Education, Labor, and Pensions.

EC-1594. A communication from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting, pursuant to law, the Commission's financial state-

ment for the period of October 1, 2009 to September 30, 2010; to the Committee on Homeland Security and Governmental Affairs.

EC-1595. A communication from the Deputy Assistant Administrator of Diversion Control, Drug Enforcement Administration, Department of Justice, transmitting, pursuant to law, the report of a rule entitled "Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products" (RIN1117-AB30) received in the Office of the President of the Senate on May 5, 2011; to the Committee on the Judiciary.

EC-1596. A communication from the Deputy Assistant Administrator for Fisheries, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Highly Migratory Species; Bluefin Tuna Bycatch Reduction in the Gulf of Mexico Pelagic Longline Fishery" (RIN0648-BA39) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1597. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Protected Resources, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Protective Regulations for Killer Whales in the Northwest Region Under the Endangered Species Act and Marine Mammal Protection Act" (RIN0648-AV15) received during adjournment of the Senate in the Office of the President of the Senate on April 26, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1598. A communication from the Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Gulf of Alaska License Limitation Program" (RIN0648-AY42) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1599. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA275) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1600. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XA331) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1601. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Octopus in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA322) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the

Committee on Commerce, Science, and Transportation.

EC-1602. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Spiny Dogfish Fishery; Annual Quota Harvested" (RIN0648-XA333) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1603. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 610 in the Gulf of Alaska" (RIN0648-XA337) received during adjournment of the Senate in the Office of the President of the Senate on April 19, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1604. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Closure" (RIN0648-XA01) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1605. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Trip Limit Adjustments for the Common Pool Fishery" (RIN0648-XA304) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1606. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Using Trawl Gear in the Bering Sea and Aleutian Islands Management Area" (RIN0648-XA347) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1607. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XA338) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1608. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Limited Access for Guided Sport Charter Vessels in Alaska" (RIN0648-BA96) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1609. A communication from the Administrator, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, a report relative to the Administration's decision to enter into a contract with a private security screening company to provide screening services at Kansas City International Airport; to the Committee on Commerce, Science, and Transportation.

EC-1610. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Part 95 Instrument Flight Rules (4); Amdt. No. 492" ((RIN2120-AA63)(Docket No. 30778)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1611. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revisions to the Pilot, Flight Instructor, Ground Instructor, and Pilot School Certification Rules (Part 61); Technical Amendment" ((RIN2120-AI86)(Docket No. FAA-2006-26661)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1612. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of VOR Federal Airways V-1, V-7, V-11, and V-20; Kona, Hawaii" ((RIN2120-AA66)(Docket No. FAA-2011-0009)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1613. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Federal Airways; Alaska" ((RIN2120-AA66)(Docket No. FAA-2011-0010)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1614. A communication from the Deputy Chief Counsel for Regulations and Security Standards, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Reporting of Security Issues" (RIN1652-AA66) received during adjournment of the Senate in the Office of the President of the Senate on April 15, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1615. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Theft Prevention Standard—2012 Light Duty Truck Lines Subject to the Requirements of This Standard and Exempted Vehicle Lines for Model Year 2012" (RIN2127-AK91) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1616. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of

a rule entitled "Public Road Mileage for Apportionment of Highway Safety Funds" (RIN2125-AF42) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1617. A communication from the Assistant Chief Counsel for Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Pipeline Safety: Completing Regulation of Hazardous Liquid Pipelines Operating at Low Stress" (RIN2137-AE36) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1618. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Track Safety Standards; Concrete Cross-ties" (RIN2130-AC01) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1619. A communication from the Trial Attorney, Federal Railroad Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Safety Appliance Standards, Miscellaneous Revisions" (RIN2130-AB97) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1620. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in the West Yakutat District of the Gulf of Alaska" (RIN0648-XA362) received during adjournment of the Senate in the Office of the President of the Senate on April 20, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1621. A communication from the Regulations Officer, Federal Highway Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Highway Systems Technical Correction" (RIN2125-AF35) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1622. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; B-N Group Ltd. Model BN-2, BN-2A, BN-2A-3, BN-2A-6, BN-2A-8, BN-2A-9, BN-2A-20, BN-2A-21, BN-2A-26, BN-2A-27, BN-2B-20, BN-2B-21, BN-2B-26, BN-2B-27, BN-2T, and BN-2T-4R Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1255)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1623. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 737-600, -700, -700C, -800, -900, and -900ER Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-1253)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1624. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Series Airplanes, and Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes)" ((RIN2120-AA64)(Docket No. FAA-2010-1162)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1625. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt and Whitney JT8D-209, -217, 217A, -217C, and -219 Series Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2010-0452)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1626. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Piper Aircraft, Inc. (Type Certificate Previously Held by The New Piper Aircraft, Inc.) Models PA-46-310P, PA-46-350P, and PA-46R-350T Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1295)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1627. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2B19 (Regional Jet Series 100 and 440) Airplanes, CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes, CL-600-2D15 (Regional Jet Series 705) Airplanes, and CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-0703)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1628. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-200 and -300 Series Airplanes" ((RIN2120-AA64)(Docket No. FAA-2011-0256)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1629. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model BD-100-1A10 (Challenger 300) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2010-1200)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1630. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-541 and -642 Airplanes" ((RIN2120-AA64)(Docket No. FAA-2011-0263)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1631. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. LTS101 Series Turboprop Engines and LTP101 Series Turboprop Engines" ((RIN2120-AA64)(Docket No. FAA-2009-1185)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1632. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 768-60 and Trent 772-60 Turbofan Engines" ((RIN2120-AA64)(Docket No. FAA-2011-0233)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1633. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model CL-600-2C10 (Regional Jet Series 700, 701, and 702) Airplanes, Model CL-600-2D15 (Regional Jet Series 705) Airplanes, and Model CL-600-2D24 (Regional Jet Series 900) Airplanes" ((RIN2120-AA64)(Docket No. FAA-2009-0703)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. HATCH (for himself and Mr. BAUCUS):

S. 943. A bill to amend title IV of the Social Security Act to require States to implement policies to prevent assistance under the Temporary Assistance for Needy Families (TANF) program from being used in strip clubs, casinos, and liquor stores; to the Committee on Finance.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 944. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. COBURN (for himself and Mr. WARNER):

S. 945. A bill to save at least \$5,000,000,000 by consolidating some duplicative and overlapping Government programs; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. BEGICH, Mr. LEAHY, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. BENNET, Mr. UDALL of Colorado, Mr. FRANKEN, and Mr. CONRAD):

S. 946. A bill to establish an Office of Rural Education Policy in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. JOHANNIS (for himself, Mr. TOOMEY, Mr. CRAPO, Mr. HOEVEN, Mr. WICKER, Mr. MORAN, and Mr. COCHRAN):

S. 947. A bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MERKLEY (for himself and Mr. ALEXANDER):

S. 948. A bill to promote the deployment of plug-in electric drive vehicles, and for other purposes; to the Committee on Energy and Natural Resources.

By Mrs. SHAHEEN (for herself, Ms. SNOWE, Mr. REED, Mr. BURR, and Mr. SANDERS):

S. 949. A bill to amend the National Oilheat Research Alliance Act of 2000 to reauthorize and improve that Act, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CARDIN (for himself and Mr. CASEY):

S. 950. A bill to amend title 23, United States Code, to repeal a prohibition on allowing States to use toll revenues as State matching funds for Appalachian Development Highway projects; to the Committee on Environment and Public Works.

By Mrs. MURRAY (for herself, Ms. MURKOWSKI, Mr. ROCKEFELLER, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. COONS, Mr. SANDERS, Mr. TESTER, Mr. LEAHY, and Mr. BROWN of Massachusetts):

S. 951. A bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DURBIN (for himself, Mr. REID, Mr. LEAHY, Mr. SCHUMER, Mr. MENENDEZ, Mr. LEVIN, Mr. LIEBERMAN, Mr. AKAKA, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. LAUTENBERG, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REED, Mr. SANDERS, Mr. UDALL of Colorado, and Mr. WHITEHOUSE):

S. 952. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary.

By Mr. MCCONNELL:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes; read the first time.

By Mr. LUGAR:

S. 954. A bill to promote the strengthening of the Haitian private sector; to the Committee on Foreign Relations.

By Mr. KERRY:

S. 955. A bill to provide grants for the renovation, modernization or construction of law enforcement facilities; to the Committee on the Judiciary.

By Mr. KERRY:

S. 956. A bill to establish a pilot program for police departments to use anonymous texts from citizens to augment their anonymous tip hotlines; to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself and Mr. BEGICH):

S. 957. A bill to amend title 38, United States Code, to improve the provision of rehabilitative services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. MCCONNELL:

S. Res. 179. A resolution to constitute the minority party's membership on certain committees for the One Hundred Twelfth Congress, or until their successors are chosen; considered and agreed to.

By Mr. LIEBERMAN (for himself, Mr.

RUBIO, Mr. CARDIN, Mr. KIRK, Mr. CASEY, Mr. MCCAIN, Mr. COONS, Mr. GRAHAM, Mr. MENENDEZ, Mr. KYL, Mr. ISAKSON, Mr. CORNYN, Mr. BARRASSO, Mrs. GILLIBRAND, Ms. AYOTTE, Mr. DURBIN, and Mr. HOEVEN):

S. Res. 180. A resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 164

At the request of Mr. BROWN of Massachusetts, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 217

At the request of Mr. DEMINT, the name of the Senator from Nebraska (Mr. JOHANNIS) was added as a cosponsor of S. 217, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret ballot election conducted by the National Labor Relations Board.

S. 260

At the request of Mr. NELSON of Florida, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 260, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation.

S. 300

At the request of Mr. GRASSLEY, the name of the Senator from Delaware

(Mr. CARPER) was added as a cosponsor of S. 300, a bill to prevent abuse of Government charge cards.

S. 390

At the request of Mr. WEBB, the name of the Senator from Nebraska (Mr. JOHANNES) was added as a cosponsor of S. 390, a bill to ensure that the right of an individual to display the Service Flag on residential property not be abridged.

S. 414

At the request of Mr. DURBIN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 414, a bill to protect girls in developing countries through the prevention of child marriage, and for other purposes.

S. 431

At the request of Mr. PRYOR, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 431, a bill to require the Secretary of the Treasury to mint coins in commemoration of the 225th anniversary of the establishment of the Nation's first Federal law enforcement agency, the United States Marshals Service.

S. 504

At the request of Mr. DEMINT, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 504, a bill to preserve and protect the free choice of individual employees to form, join, or assist labor organizations, or to refrain from such activities.

S. 547

At the request of Mrs. MURRAY, the names of the Senator from Virginia (Mr. WEBB), the Senator from South Dakota (Mr. JOHNSON) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 576

At the request of Mr. HARKIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 576, a bill to amend the Elementary and Secondary Education Act of 1965 to improve standards for physical education.

S. 595

At the request of Mrs. MURRAY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 595, a bill to amend title VIII of the Elementary and Secondary Education Act of 1965 to require the Secretary of Education to complete payments under such title to local educational agencies eligible for such payments within 3 fiscal years.

S. 603

At the request of Mr. NELSON of Florida, the name of the Senator from

Georgia (Mr. ISAKSON) was added as a cosponsor of S. 603, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 641

At the request of Mr. DURBIN, the names of the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 643

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 643, a bill to amend title XIX of the Social Security Act to direct Medicaid EHR incentive payments to federally qualified health centers and rural health clinics.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from Maine (Ms. COLLINS), the Senator from Texas (Mrs. HUTCHISON) and the Senator from California (Mrs. BOXER) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 671

At the request of Mr. SESSIONS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 671, a bill to authorize the United States Marshals Service to issue administrative subpoenas in investigations relating to unregistered sex offenders.

S. 725

At the request of Mr. ISAKSON, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 725, a bill to amend title XVIII of the Social Security Act to provide for coverage, as supplies associated with the injection of insulin, of containment, removal, decontamination and disposal of home-generated needles, syringes, and other sharps through a sharp container, decontamination/destruction device, or sharps-by-mail program or similar program under part D of the Medicare program.

S. 734

At the request of Ms. STABENOW, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Oregon (Mr. WYDEN) were added as cosponsors of S. 734, a bill to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Education.

S. 737

At the request of Mr. MORAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 737, a bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, and for other purposes.

S. 738

At the request of Ms. STABENOW, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 755

At the request of Mr. WYDEN, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 778

At the request of Mr. MORAN, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 778, a bill to amend title XVIII of the Social Security Act with respect to physician supervision of therapeutic hospital outpatient services.

S. 906

At the request of Mr. WICKER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 931

At the request of Mr. SCHUMER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 931, a bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property.

S. 940

At the request of Mr. MENENDEZ, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 940, a bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

S. CON. RES. 12

At the request of Mr. LUGAR, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. Con. Res. 12, a concurrent resolution expressing the sense of Congress that the President should take

certain actions with respect to the Government of Burma.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 944. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

Ms. AYOTTE. Mr. President, nearly 10 years after the September 11 terrorist attacks, our country remains at war with violent extremists who want to kill Americans. Yet the administration has not designated a secure location for detaining, interrogating, and trying current and future terrorist detainees. Rather than seeking to address this problem, the administration continues to insist on closing Guantanamo Bay.

Earlier this week, Attorney General Holder in Paris reiterated the administration's determination to ultimately close the Guantanamo Bay facility. This determination to close Gitmo represents a misguided view that treats terrorism like everyday crime, hesitates to call this war on terrorism what it is, and places the perceptions of others over the safety of Americans.

I believe this desire to close Guantanamo represents an unacceptable abrogation of the Federal Government's most important responsibility: providing for the common defense. Therefore, today I rise to introduce and to urge my colleagues to support Senate bill 944, the Detaining Terrorists to Secure America Act of 2011.

Our diligent intelligence professionals and our brave special operations forces who brought bin Laden to justice don't need to be reminded that the United States and our international partners remain engaged in a war with violent Islamist extremist groups, including al-Qaida and associated terrorist groups that are committed to killing Americans and our allies. Indeed, in the treasure trove of information our forces gathered at bin Laden's compound, we have learned the terrorist groups are actively plotting new attacks against our country. This

is the latest in a long string of attacks, or planned attacks, against our country in the last 2 years alone.

Just some of the examples of what we have seen: In September 2009, the plot to conduct a suicide bomb attack on the New York subway system; to the November 2009 attack on Fort Hood that killed 13 people and wounded 32; to the Christmas Day 2009 attempted bombing on an international flight to Detroit; to the May 2010 attempt to bomb Times Square; to the October 2010 attempt to send explosives to Jewish centers in Chicago; to a February 2011 plot to manufacture explosives and to conduct attacks in Texas and in New York. Al-Qaida and their fellow terrorists continue to threaten our country. Bin Laden's death is a significant blow to al-Qaida and associated terrorist organizations and a great accomplishment for our country, but the threat continues and our detention policies must reflect that reality.

Since 2001, we have captured and detained thousands of terrorists who have planned and conducted attacks and who have served as terrorist trainers, financiers, bomb makers, bodyguards, recruiters, and facilitators. Interrogations of these terrorists, including those at Guantanamo, have provided valuable intelligence that has prevented attacks, saved lives, and helped locate other terrorists. Detention and interrogation of terrorists at Guantanamo not only protects American lives which is the core function of our federal government, but detention and interrogation of terrorists at Guantanamo also protects our allies. Of course, the most recent and noteworthy example that demonstrates the value of intelligence gleaned from detainee interrogations is the case of Osama bin Laden. Our intelligence community would never have found bin Laden if it weren't for the intelligence gleaned from the interrogation of terrorist detainees.

Not only have interrogations of detainees helped us track down other terrorists, but detaining terrorists helps prevent future attacks. Unfortunately, as Secretary Gates confirmed in response to my question during an Armed Services Committee hearing in February, approximately 1 out of 4, or 25 percent of the Guantanamo detainees who have been released, have re-engaged or we suspect have reengaged in hostilities against the United States and our allies. I can tell my colleagues, as a former prosecutor that is an unacceptable reengagement rate.

Former Guantanamo detainees are conducting suicide bombings, recruiting radicals, and training them to kill Americans and our allies. Said al Shihri and Abdul Zakir represent two examples of former Guantanamo detainees who have returned to the fight and assumed leadership positions in terrorist organizations that are dedi-

cated to killing Americans and our allies. Said al Shihri is now working as the No. 2 in al-Qaida in the Arabian Peninsula. After a recent promotion, Abdul Zakir now serves as a top Taliban military commander and a senior leader in the Taliban Quetta Shura. In the world of terrorists, it has become a badge of honor to have served at Guantanamo, and then to have been released, and then to get back into the fight against us.

It is unacceptable for even one released detainee to reengage in the fight against our country. As a military spouse and a member of the Senate Armed Services Committee, I find it sickening that our country has released dangerous prisoners who are now actively plotting to kill Americans and our allies.

Some have expressed concerns regarding the legality of long-term detention for these terrorists, or expressed concerns about the conditions at Guantanamo. I wish to address both of those concerns.

First, as the former Attorney General of the State of New Hampshire, I am as eager as anyone to ensure that our detention policies conform to the rule of law and reflect our core values. Some have questioned the legality of detaining terrorists. Yet we should be very clear that, according to the law of war, detention is a matter of national security and military necessity and has long been recognized as legitimate under international law.

Second, some have expressed concerns about the conditions at Guantanamo. In March, I visited the Guantanamo Bay detention facility. Gitmo now represents the most professionally run detention facility in the world. International human rights activists, reporters, Members of the Congress and the Senate, constantly stream through Guantanamo checking on the conditions and holding the Department of Defense accountable. Guantanamo is no Abu Ghraib. Detainees are treated in a manner that conforms to international law and honors our values. Guantanamo detainees receive three meals a day tailored to the preferences of each detainee. They also have access to topnotch health care facilities. Their religion is respected. They have television, newspapers, books, English classes, and art classes. In fact, the officials at Guantanamo bend over backwards to respect the cultural and religious preferences of the detainees who are held there. Don't get me wrong; Guantanamo is no Club Med, but the terrorists who are detained there, most of whom would undoubtedly kill Americans if they were given the chance, are getting much better treatment than they deserve.

As a former prosecutor, I have been in a few prisons in my time, and I can tell my colleagues the detention facility at Gitmo is much nicer than some

that our common criminals are in, in the United States of America. I was also impressed with the state-of-the-art courtroom at Guantanamo which would rival any Federal courtroom in the United States. However, unlike your average courtroom, it is set up to address the special security concerns associated with trying terrorists and it is also especially designed to enable the judge to ensure that classified information will not be compromised or leaked. This courtroom is the appropriate courtroom and venue for Khalid Sheikh Mohammed and the other 9/11 conspirators to be held accountable for their roles in the horrific attacks on our country on September 11. And after almost 10 years, the victims of September 11 have waited much too long for justice.

I believe our country stands on a solid legal framework in detaining terrorists according to the law of war, and I also believe Guantanamo represents the ideal facility for detaining, interrogating, and trying current and future terrorist detainees.

Some may ask, Why introduce this legislation now? Why is it needed? In February, during a Senate Armed Services Committee hearing, I asked Secretary Gates where we would detain high value terrorists that we capture in the future if the President goes forward with his plan to close Guantanamo. Secretary Gates candidly said to me: "I think the honest answer to that question is we don't know."

I was encouraged by President Obama's decision to resume military commissions at Guantanamo. Yet the administration was careful to reiterate its determination to ultimately close Guantanamo. Unfortunately, as I previously mentioned, on Monday Attorney General Holder, in Paris, reiterated the administration's desire to close Guantanamo. But we know intelligence gathered at Guantanamo played a valuable role in helping to ultimately find Osama bin Laden. We know there are other terrorists out there who want to do us harm, and we need to keep this facility open. For this reason, I believe Congress must pass this legislation without delay.

Before concluding, let me briefly summarize what S. 944 will do.

This legislation reaffirms the authority to maintain Gitmo as an operating facility for the detention of current and future unprivileged enemy belligerents.

It directs the Secretary of Defense to take actions to maintain Gitmo as an operating facility for the detention of current and future unprivileged enemy belligerents.

It extends permanently the limitation of transfer of detainees to foreign entities and the prohibition of construction or modification of facilities in the United States of America for detaining terrorists. We have heard loud

and clear from the American people that they do not want terrorists detained on American soil.

Finally, it supersedes sections of President Obama's Executive order that he issued shortly after he got into office on January 22, 2009. He issued an Executive order saying that Guantanamo would be closed. This legislation will supersede the portions of that Executive order related to the closure of Gitmo, the determination of transfer, the prosecution of terrorists in article III courts and the military tribunals.

In short, this legislation would establish Gitmo as the permanent location for detaining, interrogating, and trying unprivileged enemy belligerents or terrorists. To accomplish this, we will permanently limit the transfer of detainees to foreign entities because what has happened is that terrorist detainees have been transferred to foreign countries and then the foreign countries release the former detainee. That is how so many former detainees have made their way back to the battlefield. So we have to stop that. And this legislation will prohibit the construction or modification of facilities in the United States of America for detaining terrorists, to make sure we keep detained terrorists at Gitmo and off U.S. soil.

I am proud to introduce this bipartisan legislation called Detaining Terrorists to Secure America Act of 2011, S. 944. I am especially proud that many friends and colleagues have decided to support this bipartisan legislation, including Senators GRAHAM, LIEBERMAN, CHAMBLISS, BROWN, RUBIO and WEBB, all of whom have been leaders when it comes to fighting terrorism and protecting Americans.

Everything we do in this Chamber must be guided by our Constitution, and the Federal Government must fulfill its most important constitutional duty of protecting the American people. Pretending we are not at war with terrorists will not change the fact that terrorists continue to plot against us and to attack Americans. Consistent with our values and the rule of law, we must establish the Guantanamo detention facility as the permanent location for detaining, interrogating, and trying terrorists.

I urge my colleagues to support this legislation, and I thank the Presiding Officer.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 944

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Detaining Terrorists to Secure America Act of 2011"

SEC. 2. FINDINGS.

Congress makes the following finding:

(1) The United States and its international partners are in an armed conflict with violent Islamist extremist groups, including al Qaeda and associated terrorist organizations, that are committed to killing Americans and our allies.

(2) In the last 2 years, terrorists have repeatedly attempted to kill Americans both here at home and abroad, including the following attacks, plots, or alleged plots and attacks:

(A) A September 2009 plot by Najibullah Zazi—who received training from al Qaeda in Pakistan—to conduct a suicide bomb attack on the New York, New York, subway system.

(B) A November 2009 attack by Nidal Malik Hasan at Fort Hood, Texas, that killed 13 people and wounded 32.

(C) A Christmas Day 2009 attempt by Umar Farouk Abdulmutallab to detonate a bomb sewn into his underwear on an international flight to Detroit, Michigan.

(D) A May 2010 attempt by Faisal Shahzad to bomb Times Square in New York, New York, on a crowded Saturday evening, an attack that was unsuccessful only because the car bomb failed to detonate.

(E) An October 2010 attempt by terrorists in Yemen to send, via commercial cargo flights, 2 packages of explosives to Jewish centers in Chicago, Illinois.

(F) A February 2011 plot by Khaled Aldawsari, a Saudi-born student, to manufacture explosives and potentially attack New York, New York, the Dallas, Texas, home of former President George W. Bush, as well as hydroelectric dams, nuclear power plants, and a nightclub.

(3) Since the September 11, 2001, attacks on our Nation, the United States and allied forces have captured thousands of individuals fighting for or supporting al Qaeda and associated terrorist organizations that do not abide by the law of war, including detainees at United States Naval Station, Guantanamo Bay, Cuba, who served as planners of those attacks, trainers of terrorists, financiers of terrorists, bomb makers, bodyguards for Osama bin Laden, recruiters of terrorists, and facilitators of terrorism.

(4) Many of the detainees at United States Naval Station, Guantanamo Bay provided valuable intelligence that gave the United States insight into al Qaeda and its methods, prevented terrorist attacks, and saved lives.

(5) Intelligence obtained from detainees at United States Naval Station, Guantanamo Bay was critical to eventually identifying the location of Osama bin Laden.

(6) In a February 17, 2011, hearing of the Committee on Armed Services of the Senate, the Secretary of Defense confirmed that approximately 25 percent of detainees released from the detention facility at United States Naval Station, Guantanamo Bay are confirmed to have reengaged in hostilities or are suspected of having reengaged in hostilities against the United States or our allies.

(7) Al Qaeda in the Arabian Peninsula, an organization that includes former detainees at United States Naval Station, Guantanamo Bay among its leadership and ranks, has claimed responsibility for several of the recent plots and attacks against the United States.

(8) Detention according to the law of war is a matter of national security and military necessity and has long been recognized as legitimate under international law.

(9) Detaining unprivileged enemy belligerents prevents them from returning to the

battlefield to attack United States and allied military personnel and engaging in future terrorist attacks against innocent civilians.

(10) The Joint Task Force-Guantanamo provides for the humane, legal, and transparent care and custody of detainees at United States Naval Station, Guantanamo Bay, notwithstanding regular assaults on the guard force by some detainees.

(11) The International Committee of the Red Cross visits detainees at United States Naval Station, Guantanamo Bay on a quarterly basis.

(12) The detention facility at United States Naval Station, Guantanamo Bay benefits from robust oversight by Congress.

SEC. 3. REAFFIRMATION OF AUTHORITY TO MAINTAIN UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AS A LOCATION FOR THE DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS HELD BY THE DEPARTMENT OF DEFENSE.

(a) **REAFFIRMATION OF AUTHORITY AS LOCATION FOR DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS.**—United States Naval Station, Guantanamo Bay, Cuba, is and shall be a location for the detention of individuals in the custody or under the control of the Department of Defense who have engaged in, or supported, hostilities against the United States or its coalition partners on behalf of al Qaeda, the Taliban, or an affiliated group to which the Authorization for Use of Military Force (Public Law 107-40) applies.

(b) **MAINTENANCE AS AN OPERATIONAL FACILITY FOR DETENTION.**—The Secretary of Defense shall take appropriate actions to maintain United States Naval Station, Guantanamo Bay, Cuba, as an open and operating facility for the detention of current and future individuals as described in subsection (a).

(c) **PERMANENT EXTENSION OF CERTAIN LIMITATIONS RELATING TO DETAINEES AND DETENTION FACILITIES.**—

(1) **LIMITATION ON TRANSFER OF DETAINEES TO FOREIGN ENTITIES.**—Section 1033(a)(1) of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4351) is amended by striking “during the one-year period” and all that follows through “by this Act” and inserting “the Secretary of Defense may not use any amounts authorized to be appropriated”.

(2) **PROHIBITION ON CONSTRUCTION OF DETENTION FACILITIES IN UNITED STATES.**—Section 1034(a) of such Act (124 Stat. 4353) is amended by striking “None of the funds authorized to be appropriated by this Act” and inserting “No funds authorized to be appropriated or otherwise made available to the Department of Defense, or to or for any other department or agency of the United States Government,”.

(d) **SUPERSEURE OF EXECUTIVE ORDER.**—Sections 3, 4(c)(2), 4(c)(3), 4(c)(5), and 7 of Executive Order No. 13492, dated January 22, 2009, shall have no further force or effect.

By Mr. BAUCUS (for himself, Mr. ROCKEFELLER, Mr. BEGICH, Mr. LEAHY, Mr. SANDERS, Mr. JOHNSON of South Dakota, Mr. BENNET, Mr. UDALL of Colorado, Mr. FRANKEN, and Mr. CONRAD):
S. 946. A bill to establish an Office of Rural Education Policy in the Department of Education; to the Committee on Health, Education, Labor, and Pensions.

Mr. BAUCUS. Mr. President, Mike Mansfield once said, “Knowledge is es-

sential for acceptance and understanding.”

This statement is all too true for the students and educators residing in rural areas. While rural education is becoming an increasingly large and important part of the U.S. public school system, the unique challenges and circumstances within these rural communities are often misunderstood or overlooked. According to the Digest of Education Statistics reported annually by the National Center for Education Statistics, the number of students attending rural schools increased by over 11 percent, from 10.5 million in 2004 to nearly 11.7 million by 2008. Rural students now comprise almost ¼ of the Nation’s public school enrollment. And nearly one-third of all schools in the nation are located in rural areas.

Rural is also becoming increasingly diverse. According to NCES, the increase in rural enrollment between 2004 and 2009 was disproportionally among students of color. And in the 2007–2008 school year the national average rate of student poverty in rural school districts, as measured by the rate of participation in federally subsidized meals programs, was almost 40 percent.

Yet despite the significant percentage enrolled in rural schools, the importance of rural education is often obscured by the fact that rural students are, naturally, widely-dispersed, located in small, geographically isolated school districts. The size, diversity, and complexity of rural education support a greater policy focus on the unique challenges and solutions for rural education.

Montana is the fourth largest state by land mass, totaling over 147,000 square miles. More than half of Montana’s 830 schools enroll less than 100 students. From Eureka to Ekalaka, from Scobey to Darby, these small schools dot the landscape, providing not only a learning environment but often a community center.

Montana’s rural communities are doing an excellent job educating Montana’s next generation. Overall, Montana graduation rates are higher than the national average. Montana students taking the National Assessment of Educational Progress, NAEP, in 2009 scored higher than the national average in both reading and math.

But despite the success of Montana’s rural schools, these schools face a unique set of challenges that their urban-centric peers may not even comprehend. In 2004, the U.S. Government Accountability Office released a report highlighting the needs and distinctive challenges of rural schools and districts across this nation.

For example, rural schools report greater difficulties in recruiting and retaining qualified teachers, due to inability to offer competitive salaries, geographic isolation, and for some, severe weather. Rural districts often

have fewer personnel. The district superintendent is often also the high school principal. He or she may also be the Title I coordinator, math curriculum specialist, and sometimes also the head of transportation services! In isolated areas, schools face challenges in providing professional development and training for teachers and principals. Small rural districts are often located long distances from other districts, towns, and universities, drastically reducing opportunities to partner or collaborate. Additionally, the long distances students must travel between school and home make it more difficult to participate in traditional remedial services, mentoring, and after school programs.

I commend the Secretary for efforts he has taken to try to address concerns of rural areas. However, these efforts have fallen short, and in some cases, even good intentions have created adverse consequences. Most recently, the Investing in Innovation, i3, competitive grant program provided “competitive preference points” for applicants serving at least one rural district, in an effort to encourage and support rural applicants. However, the department’s lack of guidance and independent scorers’ lack of understanding of rural areas still left authentically rural programs at a clear disadvantage. The Rural School & Community Trust highlighted in its report Taking Advantage that this “rural preference” instead had the effect of inducing urban applicants to include minimal rural participation merely in order to gain the additional scoring points for primarily urban projects.

I am joined today by my colleague from West Virginia, Senator ROCKEFELLER, in introducing the Office of Rural Education Policy Act. This bill will establish the Office of Rural Education Policy, housed at the Department of Education’s Office of Elementary & Secondary Education. This office and its director will be tasked with coordinating the activities related to rural education and advising the Secretary on issues important to rural schools and districts. The legislation requires the department to consider the impact of proposed rules and regulations on rural education and to produce an annual report on the condition of rural education. The Office of Rural Education Policy will be tasked with establishing a clearinghouse for collecting and disseminating information related to the unique challenges of rural areas, as well as the innovative efforts under way in rural schools to tackle these challenges.

The strong list of supporters of this bill further solidifies the need for an Office of Rural Education Policy. We have received strong support from: American Association of Community Colleges, American Association of School Administrators, Alliance for

Excellent Education, Association of Educational Service Agencies, Center for Rural Affairs, Coalition for Community Schools, Council for Opportunity in Education, Montana School Board Association, Montana State Superintendents Association, Montana Rural Education Association, National Association of State Boards of Education, National Association of Development Organizations, National Association of Elementary School Principals, National Association of Federally Impacted Schools, National Education Association, National Congress of American Indians, National Farmers Union, National Indian Education Association, National Rural Education Association, National Rural Education Advocacy Coalition, National School Board Association, Organizations Concerned about Rural Education, Public Education Network, Rural School and Community Trust, and Save the Children. I want to thank all the supporters of the bill, and want to particularly thank the efforts of the Rural School and Community Trust for its steadfast commitment to this proposal.

Mike Mansfield was right. "Knowledge is essential for acceptance and understanding." I look forward to working with my colleagues here in the Senate to move this legislation, to bring about greater knowledge of rural schools and ensure they are both accepted and understood.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 946

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Office of Rural Education Policy Act".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—Congress finds the following:

(1) The Secretary of Education has recognized that "[r]ural schools have unique challenges and benefits", but a recent report by the Rural School and Community Trust refers to the "paucity of rural education research in the United States".

(2) Rural education is becoming an increasingly large and important part of the United States public school system. According to the Digest of Education Statistics reported annually by the National Center for Education Statistics, the number of students attending rural schools increased by more than 11 percent, from 10,500,000 to nearly 11,700,000, between the 2004–2005 and 2008–2009 school years. The share of the Nation's public school enrollment attending rural schools increased from 21.6 percent to 23.8 percent. In school year 2008–2009, these students attended 31,635 rural schools, nearly one-third of all schools in the United States.

(3) Despite the overall growth of rural education, rural students represent a demographic minority in all but 3 States, according to the National Center for Education Statistics.

(4) Rural education is becoming increasingly diverse. According to the National Center for Education Statistics, the increase in rural enrollment between the 2004–2005 and 2008–2009 school years was disproportionately among students of color. Enrollment of children of color in rural schools increased by 31 percent, and the proportion of students enrolled in rural schools who are children of color increased from 23.0 to 26.5 percent. More than one-third of rural students in 12 States are children of color, according to research by the Rural School and Community Trust (Why Rural Matters 2009).

(5) Rural education is varied and diverse across the Nation. In school year 2007–2008, the national average rate of student poverty in rural school districts, as measured by the rate of participation in federally subsidized meals programs, was 39.1 percent, but ranged from 9.7 percent in Connecticut to 71.9 percent in New Mexico, according to the National Center for Education Statistics.

(6) Even policy measures intended to help rural schools can have unintended consequences. In awarding competitive grants under the Investing in Innovation Fund program under section 14007 of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5), the Secretary of Education attempted to encourage and support rural applicants by providing additional points for proposals to serve at least 1 rural local educational agency. But according to research by the Rural School and Community Trust (Taking Advantage, 2010), this "rural preference" mainly had the effect of inducing urban applicants to include rural participation merely in order to gain additional scoring points for primarily urban projects.

(7) Rural schools generally utilize distance education more often for both students and teachers. A fall 2008 survey of public schools by the National Center for Education Statistics found that rural schools were 1½ times more likely to provide students access for online distance learning than schools in cities. A September 2004 study from the Government Accountability Office reported that rural school districts used distance learning for teacher training more often than non-rural school districts.

(8) The National Center for Education Statistics reports that base salaries of both the lowest and highest paid teachers are lower in rural schools than any other community type.

(b) PURPOSES.—The purposes of this Act are—

(1) to establish an Office of Rural Education Policy in the Department of Education; and

(2) to provide input to the Secretary of Education regarding the impact of proposed changes in law, regulations, policies, rules, and budgets on rural schools and communities.

SEC. 3. ESTABLISHMENT OF OFFICE OF RURAL EDUCATION POLICY.

(a) IN GENERAL.—Title II of the Department of Education Organization Act (20 U.S.C. 3411 et seq.) is amended by adding at the end the following:

"SEC. 221. OFFICE OF RURAL EDUCATION POLICY."

"(a) IN GENERAL.—There shall be, in the Office of Elementary and Secondary Education of the Department, an Office of Rural Education Policy (referred to in this section as the 'Office')."

"(b) DIRECTOR; DUTIES.—

"(1) IN GENERAL.—The Office shall be headed by a Director, who shall advise the Secretary on the characteristics and needs of

rural schools and the effects of current policies and proposed statutory, regulatory, administrative, and budgetary changes on State educational agencies, and local educational agencies, that serve schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary.

"(2) ADDITIONAL DUTIES OF THE DIRECTOR.—In addition to advising the Secretary with respect to the matters described in paragraph (1), the Director of the Office of Rural Education Policy (referred to in this section as the 'Director'), through the Office, shall—

"(A) establish and maintain a clearinghouse for collecting and disseminating information on—

"(i) teacher and principal recruitment and retention at rural elementary schools and rural secondary schools;

"(ii) access to, and implementation and use of, technology and distance learning at such schools;

"(iii) rigorous coursework delivery through distance learning at such schools;

"(iv) student achievement at such schools, including the achievement of low-income and minority students;

"(v) innovative approaches in rural education to increase student achievement;

"(vi) higher education and career readiness and secondary school completion of students enrolled in such schools;

"(vii) access to, and quality of, early childhood development for children located in rural areas;

"(viii) access to, or partnerships with, community-based organizations in rural areas;

"(ix) the availability of professional development opportunities for rural teachers and principals;

"(x) the availability of Federal and other grants and assistance that are specifically geared or applicable to rural schools; and

"(xi) the financing of such schools;

"(B) identify innovative research and demonstration projects on topics of importance to rural elementary schools and rural secondary schools, including gaps in such research, and recommend such topics for study by the Institute of Education Sciences and other research agencies;

"(C) coordinate the activities within the Department that relate to rural education;

"(D) provide information to the Secretary and others in the Department with respect to the activities of other Federal departments and agencies that relate to rural education, including activities relating to rural housing, rural agricultural services, rural transportation, rural economic development, rural career and technical training, rural health care, rural disability services, and rural mental health;

"(E) coordinate with the Bureau of Indian Education, the Bureau of Indian Affairs, the Department of the Interior, and the schools administered by such agencies regarding rural education;

"(F) provide, directly or through grants, cooperative agreements, or contracts, technical assistance and other activities as necessary to support activities related to improving education in rural areas; and

"(G) produce an annual report on the condition of rural education that is delivered to the members of the Education and the Workforce Committee of the House of Representatives and the Health, Education, Labor, and Pensions Committee of the Senate and published on the Department's website.

"(c) IMPACT ANALYSES OF RULES AND REGULATIONS ON RURAL SCHOOLS.—

“(1) PROPOSED RULEMAKING.—Whenever the Secretary publishes a general notice of proposed rulemaking for any rule or regulation that may have a significant impact on State educational agencies or local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary, the Secretary (acting through the Director) shall prepare and make available for public comment an initial regulatory impact analysis. Such analysis shall describe the impact of the proposed rule or regulation on such State educational agencies and local educational agencies and shall set forth, with respect to such agencies, the matters required under section 603 of title 5, United States Code, to be set forth with respect to small entities. The initial regulatory impact analysis (or a summary) shall be published in the Federal Register at the time of the publication of general notice of proposed rulemaking for the rule or regulation.

“(2) FINAL RULE.—Whenever the Secretary promulgates a final version of a rule or regulation with respect to which an initial regulatory impact analysis is required by paragraph (1), the Secretary (acting through the Director) shall prepare a final regulatory impact analysis with respect to the final version of such rule or regulation. Such analysis shall set forth, with respect to State educational agencies and local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary, the matters required under section 604 of title 5, United States Code, to be set forth with respect to small entities. The Secretary shall make copies of the final regulatory impact analysis available to the public and shall publish, in the Federal Register at the time of publication of the final version of the rule or regulation, a statement describing how a member of the public may obtain a copy of such analysis.

“(3) REGULATORY FLEXIBILITY ANALYSIS.—If a regulatory flexibility analysis is required by chapter 6 of title 5, United States Code, for a rule or regulation to which this subsection applies, such analysis shall specifically address the impact of the rule or regulation on State educational agencies and local educational agencies serving schools with a locale code of 32, 33, 41, 42, or 43, as determined by the Secretary.”

(b) EFFECTIVE DATE.—Section 221(c) of the Department of Education Organization Act, as added by subsection (a), shall apply to regulations proposed more than 30 days after the date of enactment of this Act.

Mr. ROCKEFELLER. Mr. President, I am proud to join Senator BAUCUS from Montana and my colleagues Senator BEGICH of Alaska, Senator BENNET of Colorado, Senator FRANKEN of Minnesota, Senator JOHNSON of South Dakota, Senator LEAHY of Vermont, Senator SANDERS of Vermont, and Senator UDALL of Colorado, in introducing legislation today to establish an Office of Rural Education Policy at the Department of Education. Senator BAUCUS's leadership in bringing attention to education in our rural areas is remarkable, and I am proud to work with him on this increasingly important issue.

In addition to my colleagues who are cosponsoring this legislation, I want to acknowledge the many organizations who have already announced their support for it. Their concern for the students living in rural America is greatly

appreciated. These organizations include American Association of Community Colleges, American Association of School Administrators, Alliance for Excellent Education, Association of Educational Service Agencies, Center for Rural Affairs, Coalition for Community Schools, Council for Opportunity in Education, National Association of State Boards of Education, National Association of Development Organizations, National Association of Elementary School Principals, National Association of Federally Impacted Schools, National Congress of American Indians, National Education Association, National Farmers Union, National Indian Education Association, National Rural Education Association, National Rural Education Advocacy Coalition, National School Board Association, Organizations Concerned about Rural Education, Public Education Network, Rural School and Community Trust, and Save the Children.

We rightly focus quite a bit on education around here—the future success of our nation depends upon today's students. Since nearly one quarter of the students in America are at rural schools and the share of students in rural schools has been increasing, our Nation's success depends considerably on success in rural schools. Over half of the schools in West Virginia are in rural areas. This legislation will create an Office at the Department of Education to make sure the programs there are working for students in schools in rural areas.

Rural schools are not just miniature versions of their urban counterparts. They face special challenges and they have unique capabilities. Among the challenges faced are shrinking local tax bases, recruiting and retaining teachers and principals, limited access to advanced courses, and proportionally higher transportation costs. At the same time, rural communities, and I am very proud of the communities in West Virginia often provide a strong foundation for support and improvement. They are leaders in the use of distance learning. While smaller schools lack an economy of scale, they often profit from this small size and their closeness to community. Parental involvement and support is typically high. Rural schools can be very innovative, and research on what works in rural schools needs to be completed and disseminated.

The Office of Rural Education Policy is modeled after the successful Office of Rural Health Policy at the Department of Health and Human Services which Congress established in 1987. The office will be led by a director charged with coordinating the activities of the Department of Education concerning rural education. It will establish and maintain a clearinghouse for issues faced by rural schools, such as teacher and principal recruitment and reten-

tion; partnerships with community-based organizations; and financing of rural schools.

The office will identify innovative research and demonstration projects on rural schools, and recommend research to bridge any gaps. It will issue an annual report on the condition of rural education, and an analysis of the impact on rural education from proposed regulations and other activities will be made public.

Rural schools have been a part of our national fabric since its very beginning. Their students deserve the focus this legislation will provide. It has been said that education in rural America is “too large to be ignored but too small and diverse to be highly visible.” We need to establish this office so that it is not ignored and so that its successes are made more visible. I urge my colleagues to support this bill.

By Mr. CARDIN (for himself and Mr. CASEY):

S. 950. A bill to amend title 23, United States Code, to repeal a prohibition on allowing States to use toll revenues as State matching funds for Appalachian Development Highway projects; to the Committee on Environment and Public Works.

Mr. CARDIN. Mr. President, today Senator CASEY and I are introducing a bill to help facilitate the completion of critically important transportation infrastructure to the Appalachian region of the United States. The Appalachian Development Highway System, ADHS, is designed to alleviate Appalachia's isolation from major commercial corridors and create better transportation connectivity between communities within the Region and to destinations outside of Appalachia.

According to the Appalachian Regional Commission, ARC: “Because the cost of building highways through Appalachia's mountainous terrain was high, the Region had never been served by adequate roads. Its network of narrow, winding, two-lane roads, snaking through narrow stream valleys or over mountaintops, was slow to drive, unsafe, and in many places worn out. The Nation's interstate highway system had largely bypassed the Appalachian Region, going through or around the Region's rugged terrain as cost-effectively as possible.”

That's why in 1964, ARC recommended that investments in improving Appalachia's highways were essential to economic growth of this historically economically depressed region of the country. The ADHS is currently authorized at 3,090 miles and is nearly 88 percent complete or under construction. The remaining miles left to be built are located in some of the more difficult places to build located near the mid-Atlantic portion of Appalachia.

The difficulty of construction in this region makes these stretches of the

ADHS more expensive to build as well. The legislation I am filing today will provide Appalachian States with greater flexibility on how they may raise and their portion of matching funds that are used towards ADHS projects.

Toll credits, first authorized in the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA), are being used extensively by States with toll facilities. As of May 31, 2007, over \$18 billion in toll credits had been approved in 22 States and Puerto Rico. Toll credits are designed to encourage States to increase capital investment in transportation infrastructure and enable States to simplify program administration. However, there is an interesting exception for how and where toll credit may be used.

SAFETEA-LU included a modification to the toll credit requirements as codified in Section 120(j) of Title 23, United States Code, U.S.C., prohibiting the use of toll credits on the Appalachian Development Highway System program under Section 14501 of Title 40.

Our legislation, quite simply, repeals this prohibition against States using toll credits as their state matching funds for ADHS projects.

Given these particularly difficult economic times that have presented exceptional budgetary challenges for States to revenue adequate revenues to pay for essential infrastructure projects, I believe States need the flexibility to use highway revenues as they see fit regardless of the means in which those revenues are raised. The SAFETEA-LU prohibition against the use of toll credits on the ADHS is discriminatory against a particular revenue mechanism.

Allowing a State to use toll credits towards an ADHS project does not require that State to raise the tolls revenues on the ADHS road that the toll credits were used towards.

I urge my colleagues to join Sen. CASEY and I in repealing SAFETEA-LU's prohibition against one particular revenue stream that could be used to complete an incredibly important system of transportation infrastructure designed to serve a historically underserved region of rural America.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 950

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MATCHING FUNDS FOR APPALACHIAN DEVELOPMENT HIGHWAY PROJECTS.

Section 120(j)(1)(A) of title 23, United States Code, is amended by striking “and the Appalachian development highway system program under section 14501 of title 40”.

Mr. CASEY. Mr. President, I rise today to discuss the development of

the Appalachian Development Highway System, ADHS. The completion of this highway system, which connects 13 States from New York to Mississippi, is critical to the economic development of the region as a whole.

Despite the significant progress Appalachia has made over the past few decades, the region has continued to face economic challenges. In the 420-county region, approximately one fourth of these counties are designated as having high poverty, meaning that the poverty rate is 1.5 times the U.S. average. According to the Appalachian Regional Commission, two thirds of the Appalachian counties have unemployment rates that are higher than the national average.

Completion of the Appalachian Development Highway System will spur economic development in the region and create much needed jobs. The Federal Government has played a significant role in the development of this initiative and I urge my colleagues to renew this commitment.

Today, my colleague Senator CARDIN from Maryland and I introduced a bill that will help the continued development of this highway system. Our bill will reverse language in the 2005 Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, SAFETEA-LU, that prohibits the use of toll credits for the non-federal share for ADHS projects. This legislation would allow States to unlock existing unspent balances and make it easier for States to access and leverage additional funding. Our bill will allow ADHS projects to move forward, such as Route 219 in my home State of Pennsylvania. In addition, this change would eliminate a disparity that does not exist for the vast majority of other Federal transportation programs.

I urge my colleagues to support this important piece of legislation.

By Mrs. MURRAY (for herself, Ms. MURKOWSKI, Mr. ROCKEFELLER, Mr. AKAKA, Mr. BAUCUS, Mr. BEGICH, Mrs. BOXER, Mr. BROWN of Ohio, Mr. CASEY, Mr. COONS, Mr. SANDERS, Mr. TESTER, Mr. LEAHY, and Mr. BROWN of Massachusetts)

S. 951. A bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes; to the Committee on Veterans' Affairs.

Mrs. MURRAY. Mr. President, today, as Chairman of the Senate Committee on Veterans' Affairs, I am proud to introduce the Hiring Heroes Act of 2011.

My colleagues, including Senators MURKOWSKI, LEAHY, BAUCUS, ROCKEFELLER, AKAKA, BOXER, SANDERS, BROWN of Ohio, CASEY, TESTER, BEGICH, COONS, and BROWN of Massachusetts join me in introducing this important legislation. I appreciate their contin-

ued support of our Nation's veterans. I also want to thank the veterans service organizations and their representatives, who have supported this legislation, including Iraq and Afghanistan Veterans of America, Military Officers Association of America, The American Legion, Disabled American Veterans, and the Veterans of Foreign Wars of the United States.

Today, we are taking a huge step forward in rethinking the way we treat our men and women in uniform after they leave the military. For too long in this country we have invested billions of dollars in training our young men and women with new skills to protect our nation, only to turn our backs once they have left the military. For too long, at the end of their career we patting these troops on the back for their service and then pushed them out into the job market alone. Where has that left us today?

Today, we have an unemployment rate as high as 27 percent among young veterans coming home from Iraq and Afghanistan. That is over one in five of our Nation's heroes who cannot find a job to support their family; who do not have an income that provides stability; and do not have work that provides them with the self-esteem and pride that is so critical to their transition home.

All too often we read about the results of veterans who come home—often with the invisible wounds of war—who cannot find the dignity and security that work provides. We read about it in skyrocketing suicide statistics; problems at home; substance abuse problems, and even in rising rates of homelessness among our young veterans.

I frequently hear from veterans that we have failed to provide adequate job support. I have had veterans tell me that they no longer write the fact that they're a veteran on their resume because they fear the stigma that employers might attach to the invisible wounds of war. I have heard from medics like Eric Smith, a former Navy Corpsman who returned home from treating battlefield wounds and could not get certifications necessary to be an emergency medical technician or to drive an ambulance.

I have heard from veteran after veteran who said that they did not have to go through the military's job skills training program or that they were never taught how to use the vernacular of the business world to describe the benefits of their experience. These stories are as heartbreaking as they are frustrating, but more than anything they are a reminder that we have to act now.

The bill we are introducing today allows our men and women in uniform to capitalize on their service, while also ensuring that the American people capitalize on the investment we have made

in them. For the first time, it would require broad job skills training for every servicemember as they leave the military as part of the military's Transition Assistance Program. Today, nearly 1/3 of our servicemembers do not get this training.

This bill would also allow servicemembers to begin the federal employment process prior to separation in order to facilitate a truly seamless transition from the military to jobs at the VA, Homeland Security or many of the other federal agencies in need of our veterans.

In addition, this bill also requires the Department of Labor to take a hard look at what military skills and training should be translatable into the civilian sector, and will work to make it simpler to get needed licenses or certifications.

Finally, this bill will allow for innovative partnerships with organizations that provide mentorship and training programs that are designed to lead to job placements. All of these are real, substantial steps to put our veterans to work, and all of them come at a pivotal time for our economic recovery and our veterans.

I grew up with the Vietnam War and I have dedicated much of my Senate career to helping to care for the veterans we left behind at that time. The mistakes we made then have cost our nation and our veterans dearly and have weighed on the conscience of this nation; yet today we stand on the brink of repeating those mistakes.

We cannot let that happen. Our Nation's veterans are disciplined, team players who have proven they can deliver under pressure like no one else. It is time for us to deliver for them.

This is not a full summary of all the provisions within this legislation. However, I hope that I have provided an appropriate overview of the major benefits this legislation would provide for America's servicemembers as they transition into civilian life. I also ask our colleagues for their continued support for the Nation's veterans.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 951

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Hiring Heroes Act of 2011".

SEC. 2. TWO-YEAR EXTENSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PROVIDE REHABILITATION AND VOCATIONAL BENEFITS TO MEMBERS OF THE ARMED FORCES WITH SEVERE INJURIES OR ILLNESSES.

Section 1631(b)(2) of the Wounded Warrior Act (title XVI of Public Law 110-181; 10 U.S.C. 1071 note) is amended by striking "December 31, 2012" and inserting "December 31, 2014".

SEC. 3. EXPANSION OF AUTHORITY OF SECRETARY OF VETERANS AFFAIRS TO PAY EMPLOYERS FOR PROVIDING ON-JOB TRAINING TO VETERANS WHO HAVE NOT BEEN REHABILITATED TO POINT OF EMPLOYABILITY.

Section 3116(b)(1) of title 38, United States Code, is amended by striking "who have been rehabilitated to the point of employability".

SEC. 4. TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.

(a) ENTITLEMENT TO ADDITIONAL REHABILITATION PROGRAMS.—

(1) IN GENERAL.—Section 3102 of title 38, United States Code, is amended—

(A) in the matter before paragraph (1), by striking "A person" and inserting the following:

"(a) IN GENERAL.—A person"; and

(B) by adding at the end the following new paragraph:

"(b) ADDITIONAL REHABILITATION PROGRAMS FOR PERSONS WHO HAVE EXHAUSTED RIGHTS TO UNEMPLOYMENT BENEFITS UNDER STATE LAW.—(1) A person who has completed a rehabilitation program under this chapter shall be entitled to an additional rehabilitation program under the terms and conditions of this chapter if—

"(A) the person is described by paragraph (1) or (2) of subsection (a); and

"(B) the person—

"(i) has exhausted all rights to regular compensation under the State law or under Federal law with respect to a benefit year;

"(ii) has no rights to regular compensation with respect to a week under such State or Federal law; and

"(iii) is not receiving compensation with respect to such week under the unemployment compensation law of Canada; and

"(C) begins such additional rehabilitation program within six months of the date of such exhaustion.

"(2) For purposes of paragraph (1)(B)(i), a person shall be considered to have exhausted such person's rights to regular compensation under a State law when—

"(A) no payments of regular compensation can be made under such law because such person has received all regular compensation available to such person based on employment or wages during such person's base period; or

"(B) such person's rights to such compensation have been terminated by reason of the expiration of the benefit year with respect to which such rights existed.

"(3) In this subsection, the terms 'compensation', 'regular compensation', 'benefit year', 'State', 'State law', and 'week' have the respective meanings given such terms under section 205 of the Federal-State Extended Unemployment Compensation Act of 1970 (26 U.S.C. 3304 note)."

(2) DURATION OF ADDITIONAL REHABILITATION PROGRAM.—Section 3105(b) of such title is amended—

(A) by striking "Except as provided in subsection (c) of this section," and inserting "(1) Except as provided in paragraph (2) and in subsection (c)," and

(B) by adding at the end the following new paragraph:

"(2) The period of a vocational rehabilitation program pursued by a veteran under section 3102(b) of this title following a determination of the current reasonable feasibility of achieving a vocational goal may not exceed 24 months."

(b) EXTENSION OF PERIOD OF ELIGIBILITY.—Section 3103 of such title is amended—

(1) in subsection (a), by striking "in subsection (b), (c), or (d)" and inserting "in subsection (b), (c), (d), or (e)";

(2) by redesignating subsection (e) as subsection (f); and

(3) by inserting after subsection (d) the following new subsection (e):

"(e)(1) The limitation in subsection (a) shall not apply to a rehabilitation program described in paragraph (2).

"(2) A rehabilitation program described in this paragraph is a rehabilitation program pursued by a veteran under section 3102(b) of this title."

(c) EXCEPTION TO LIMITATION ON RECEIPT OF ASSISTANCE UNDER CHAPTER 31 AND ONE OR MORE PROGRAMS.—Section 3695(b) of such title is amended—

(1) by striking "No person" and inserting "Except as provided in paragraph (2), no person"; and

(2) by adding at the end the following new paragraph:

"(2) Paragraph (1) shall not apply with respect to a rehabilitation program described in section 3103(e)(2) of this title."

SEC. 5. ASSESSMENT AND FOLLOW-UP ON VETERANS WHO PARTICIPATE IN DEPARTMENT OF VETERANS AFFAIRS TRAINING AND REHABILITATION FOR VETERANS WITH SERVICE-CONNECTED DISABILITIES.

(a) IN GENERAL.—Section 3106 of title 38, United States Code, is amended—

(1) by adding at the end the following new subsection:

"(g) For each rehabilitation program pursued by a veteran under this chapter, the Secretary shall contact such veteran not later than 180 days after the date on which such veteran completes such rehabilitation program or terminates participation in such rehabilitation program and not less frequently than once every 180 days thereafter for a period of one year to ascertain the employment status of the veteran and assess such rehabilitation program."; and

(2) in the section heading, by adding "; program assessment and follow-up" at the end.

(b) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 31 of such title is amended by striking the item relating to section 3106 and inserting the following new item:

"3106. Initial and extended evaluations; determinations regarding serious employment handicap; program assessment and follow-up."

SEC. 6. MANDATORY PARTICIPATION OF MEMBERS OF THE ARMED FORCES IN THE TRANSITIONAL ASSISTANCE PROGRAM OF THE DEPARTMENT OF DEFENSE.

(a) IN GENERAL.—Section 1144(c) of title 10, United States Code, is amended by striking "shall encourage" and all that follows and inserting "shall require the participation in the program carried out under this section of the members eligible for assistance under the program."

(b) REQUIRED USE OF EMPLOYMENT ASSISTANCE, JOB TRAINING ASSISTANCE, AND OTHER TRANSITIONAL SERVICES IN PRESEPARATION COUNSELING.—Section 1142(a)(2) of such title is amended by striking "may" and inserting "shall".

SEC. 7. FOLLOW-UP ON EMPLOYMENT STATUS OF MEMBERS OF ARMED FORCES WHO RECENTLY PARTICIPATED IN TRANSITIONAL ASSISTANCE PROGRAM OF DEPARTMENT OF DEFENSE.

For each individual who participates in the Transitional Assistance Program (TAP) of the Department of Defense, the Secretary of Labor shall contact such individual not later

than 180 days after the date on which such individual completes such program and not less frequently than once every 90 days thereafter for a period of 180 days to ascertain the employment status of such individual.

SEC. 8. COLLABORATIVE VETERANS' TRAINING, MENTORING, AND PLACEMENT PROGRAM.

(a) IN GENERAL.—Chapter 41 of title 38, United States Code, is amended by inserting after section 4104 the following new section:

“§4104A. Collaborative veterans' training, mentoring, and placement program

“(a) GRANTS.—The Secretary shall award grants to eligible nonprofit organizations to provide training and mentoring for eligible veterans who seek employment. The Secretary shall award the grants to not more than 3 organizations, for periods of 2 years.

“(b) COLLABORATION AND FACILITATION.—The Secretary shall ensure that the recipients of the grants—

“(1) collaborate with—

“(A) the appropriate disabled veterans' outreach specialists (in carrying out the functions described in section 4103A(a)) and the appropriate local veterans' employment representatives (in carrying out the functions described in section 4104); and

“(B) the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801)) for the areas to be served by recipients of the grants; and

“(2) based on the collaboration, facilitate the placement of the veterans that complete the training in meaningful employment that leads to economic self-sufficiency.

“(c) APPLICATION.—To be eligible to receive a grant under this section, a nonprofit organization shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require. At a minimum, the information shall include—

“(1) information describing how the organization will—

“(A) collaborate with disabled veterans' outreach specialists and local veterans' employment representatives and the appropriate State boards and local boards (as such terms are defined in section 101 of the Workforce Investment Act of 1998 (29 U.S.C. 2801));

“(B) based on the collaboration, provide training that facilitates the placement described in subsection (b)(2); and

“(C) make available, for each veteran receiving the training, a mentor to provide career advice to the veteran and assist the veteran in preparing a resume and developing job interviewing skills; and

“(2) an assurance that the organization will provide the information necessary for the Secretary to prepare the reports described in subsection (d).

“(d) REPORTS.—(1) Not later than 6 months after the date of enactment of the Hiring Heroes Act of 2011, the Secretary shall prepare and submit to the appropriate committees of Congress a report that describes the process for awarding grants under this section, the recipients of the grants, and the collaboration described in subsections (b) and (c).

“(2) Not later than 18 months after the date of enactment of the Hiring Heroes Act of 2011, the Secretary shall—

“(A) conduct an assessment of the performance of the grant recipients, disabled veterans' outreach specialists, and local veterans' employment representatives in carrying out activities under this section, which assessment shall include collecting information on the number of—

“(i) veterans who applied for training under this section;

“(ii) veterans who entered the training;

“(iii) veterans who completed the training;

“(iv) veterans who were placed in meaningful employment under this section; and

“(v) veterans who remained in such employment as of the date of the assessment; and

“(B) submit to the appropriate committees of Congress a report that includes—

“(i) a description of how the grant recipients used the funds made available under this section;

“(ii) the results of the assessment conducted under subparagraph (A); and

“(iii) the recommendations of the Secretary as to whether amounts should be appropriated to carry out this section for fiscal years after 2013.

“(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$4,500,000 for the period consisting of fiscal years 2012 and 2013.

“(f) DEFINITIONS.—In this section—

“(1) the term ‘appropriate committees of Congress’ means the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives; and

“(2) the term ‘nonprofit organization’ means an organization that is described in section 501(c)(3) of the Internal Revenue Code of 1986 and that is exempt from taxation under section 501(a) of such Code.”

(b) CONFORMING AMENDMENT.—Section 4103A of title 38, United States Code, is amended—

(1) in paragraph (1), by inserting “and facilitate placements” after “intensive services”; and

(2) by adding at the end the following:

“(3) In facilitating placement of a veteran under this program, a disabled veterans' outreach program specialist shall help to identify job opportunities that are appropriate for the veteran's employment goals and assist that veteran in developing a cover letter and resume that are targeted for those particular jobs.”

(c) CLERICAL AMENDMENT.—The table of sections at the beginning of chapter 41 of such title is amended by inserting after the item relating to section 4104 the following new item:

“4104A. Collaborative veterans' training, mentoring, and placement program.”

SEC. 9. INDIVIDUALIZED ASSESSMENT FOR MEMBERS OF THE ARMED FORCES UNDER TRANSITION ASSISTANCE ON EQUIVALENCE BETWEEN SKILLS DEVELOPED IN MILITARY OCCUPATIONAL SPECIALTIES AND QUALIFICATIONS REQUIRED FOR CIVILIAN EMPLOYMENT WITH THE PRIVATE SECTOR.

(a) STUDY ON EQUIVALENCE REQUIRED.—

(1) IN GENERAL.—The Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall jointly enter into a contract with a qualified organization or entity jointly selected by the Secretaries, to conduct a study to identify any equivalences between the skills developed by members of the Armed Forces through various military occupational specialties (MOS) and the qualifications required for various positions of civilian employment in the private sector.

(2) COOPERATION OF FEDERAL AGENCIES.—The departments and agencies of the Federal Government, including the Office of Personnel Management, the General Services Administration, the Government Accountability Office, and other appropriate depart-

ments and agencies, shall cooperate with the contractor under paragraph (1) to conduct the study required under that paragraph.

(3) REPORT.—Upon completion of the study conducted under paragraph (1), the contractor under that paragraph shall submit to the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor a report setting forth the results of the study. The report shall include such information as the Secretaries shall specify in the contract under paragraph (1) for purposes of this section.

(4) TRANSMITTAL TO CONGRESS.—The Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor shall jointly transmit to Congress the report submitted under paragraph (3), together with such comments on the report as the Secretaries jointly consider appropriate.

(b) INDIVIDUALIZED ASSESSMENT OF CIVILIAN POSITIONS AVAILABLE THROUGH MOS SKILLS.—The Secretary of Defense shall ensure that each member of the Armed Forces who is participating in the Transition Assistance Program (TAP) of the Department of Defense receives, as part of such member's participation in that program, an individualized assessment of the various positions of civilian employment in the private sector for which such member may be qualified as a result of the skills developed by such member through such member's military occupational specialty. The assessment shall be performed using the results of the study conducted under subsection (a) and such other information as the Secretary of Defense, in consultation with the Secretary of Veterans Affairs and the Secretary of Labor, considers appropriate for that purpose.

(c) FURTHER USE IN EMPLOYMENT-RELATED TRANSITION ASSISTANCE.—

(1) TRANSMITTAL OF ASSESSMENT.—The Secretary of Defense shall transmit the individualized assessment provided a member under subsection (a) to the Secretary of Veterans Affairs and the Secretary of Labor.

(2) USE IN ASSISTANCE.—The Secretary of Veterans Affairs and the Secretary of Labor may use an individualized assessment with respect to an individual under paragraph (1) for employment-related assistance in the transition from military service to civilian life provided the individual by such Secretary and to otherwise facilitate and enhance the transition of the individual from military service to civilian life.

SEC. 10. APPOINTMENT OF HONORABLY DISCHARGED MEMBERS AND OTHER EMPLOYMENT ASSISTANCE.

(a) APPOINTMENT OF HONORABLY DISCHARGED MEMBERS OF THE UNIFORMED SERVICES TO CIVIL SERVICE POSITIONS.—

(1) IN GENERAL.—Chapter 33 of title 5, United States Code, is amended by inserting after section 3330c the following:

“§3330d. Honorably discharged members of the uniformed services

“The head of an executive agency may appoint a member of the uniformed services who is honorably discharged to a position in the civil service without regard to sections 3301 through 3330c during the 180-day period beginning on the date that the individual is honorably discharged, if that individual is otherwise qualified for the position.”

(2) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 5, United States Code, is amended by adding after the item relating to section 3330c the following:

“3330d. Honorably discharged members of the uniformed services.”

(b) EMPLOYMENT ASSISTANCE: OTHER FEDERAL AGENCIES.—

(1) DEFINITIONS.—In this subsection—

(A) the term “agency” has the meaning given the term “Executive agency” in section 105 of title 5, United States Code; and

(B) the term “veteran” has the meaning given that term in section 101 of title 38, United States Code.

(2) RESPONSIBILITIES OF OFFICE OF PERSONNEL MANAGEMENT.—The Director of the Office of Personnel Management shall—

(A) designate agencies that shall establish a program to provide employment assistance to members of the armed forces who are being separated from active duty in accordance with paragraph (3); and

(B) ensure that the programs established under this subsection are coordinated with the Transition Assistance Program (TAP) of the Department of Defense.

(3) ELEMENTS OF PROGRAM.—The head of each agency designated under paragraph (2)(A), in consultation with the Director of the Office of Personnel Management, and acting through the Veterans Employment Program Office of the agency established under Executive Order 13518 (74 Fed. Reg. 58533; relating to employment of veterans in the Federal Government), or any successor thereto, shall—

(A) establish a program to provide employment assistance to members of the Armed Forces who are being separated from active duty, including assisting such members in seeking employment with the agency;

(B) provide such members with information regarding the program of the agency established under subparagraph (A); and

(C) promote the recruiting, hiring, training and development, and retention of such members and veterans by the agency.

(4) OTHER OFFICE.—If an agency designated under paragraph (2)(A) does not have a Veterans Employment Program Office, the head of the agency, in consultation with the Director of the Office of Personnel Management, shall select an appropriate office of the agency to carry out the responsibilities of the agency under paragraph (3).

SEC. 11. OUTREACH PROGRAM FOR CERTAIN VETERANS RECEIVING UNEMPLOYMENT COMPENSATION.

(a) IN GENERAL.—The Secretary of Labor shall carry out a program through the Assistant Secretary of Labor for Veterans' Employment and Training, the disabled veterans' outreach program specialists employed under section 4103A of title 38, United States Code, and local veterans' employment representatives employed under section 4104 of such title to provide outreach to covered veterans and provide them with assistance in finding employment.

(b) COVERED VETERANS.—For purposes of this section, a covered veteran is a veteran who—

(1) recently separated from service in the Armed Forces; and

(2) has been in receipt of assistance under the Unemployment Compensation for Ex-servicemembers program under subchapter II of chapter 85 of title 5 for more than 105 days.

SEC. 12. DEPARTMENT OF DEFENSE PILOT PROGRAM ON WORK EXPERIENCE FOR MEMBERS OF THE ARMED FORCES ON TERMINAL LEAVE.

(a) IN GENERAL.—The Secretary of Defense may establish a pilot program to assess the feasibility and advisability of providing to covered individuals work experience with civilian employees and contractors of the Department of Defense to facilitate the transition of the individuals from service in the

Armed Forces to employment in the civilian labor market.

(b) COVERED INDIVIDUALS.—For purposes of this section, a covered individual is any individual who—

(1) is a member of the Armed Forces;

(2) the Secretary expects to be discharged or separated from service in the Armed Forces and is on terminal leave;

(3) the Secretary determines has skills that can be used to provide services to the Department that the Secretary considers critical to the success of the mission of the Department; and

(4) the Secretary determines might benefit from exposure to the civilian work environment while working for the Department in order to facilitate a transition of the individual from service in the Armed Forces to employment in the civilian labor market.

(c) DURATION.—The pilot program shall be carried out during the two-year period beginning on the date of the commencement of the pilot program.

(d) REPORT.—Not later than 540 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Armed Services and the Committee on Veterans' Affairs of the Senate and the Committee on Armed Services and the Committee on Veterans' Affairs of the House of Representatives a report on the pilot program that includes the findings of the Secretary with respect to the feasibility and advisability of providing covered individuals with work experience as described in subsection (a).

SEC. 13. ENHANCEMENT OF DEMONSTRATION PROGRAM ON CREDENTIALING AND LICENSING OF VETERANS.

Section 4114 of title 38, United States Code, is amended—

(1) in subsection (a), by striking “may” and inserting “shall”;

(2) in subsection (b)(1)—

(A) by striking “Assistant Secretary shall” and inserting “Assistant Secretary of Veterans' Employment and Training shall, in consultation with the Assistant Secretary for Employment and Training,”;

(B) by striking “10 military” and inserting “five military”; and

(C) by inserting “of Veterans' Employment and Training” after “selected by the Assistant Secretary”; and

(3) by striking subsections (d) through (h) and inserting the following:

“(d) PERIOD OF PROJECT.—The period during which the Assistance Secretary shall carry out the demonstration project under this section shall be the two-year period beginning on the date of the enactment of the Hiring Heroes Act of 2011.”.

By Mr. DURBIN (for himself, Mr. REID, Mr. LEAHY, Mr. SCHUMER, Mr. MENENDEZ, Mr. LEVIN, Mr. LIEBERMAN, Mr. AKAKA, Mr. BEGICH, Mr. BENNET, Mr. BINGAMAN, Mr. BLUMENTHAL, Mrs. BOXER, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. COONS, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. HARKIN, Mr. KERRY, Ms. KLOBUCHAR, Mr. KOHL, Mr. LAUTENBERG, Mr. MERKLEY, Ms. MIKULSKI, Mrs. MURRAY, Mr. NELSON of Florida, Mr. REED, Mr. SANDERS, Mr. UDALL of Colorado, and Mr. WHITEHOUSE):

S. 952. A bill to authorize the cancellation of removal and adjustment of

status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes; to the Committee on the Judiciary.

Mr. DURBIN. We had a historic vote in the Senate last December on the DREAM Act. Senator HARRY REID, the majority leader, promised that we would bring this measure for consideration on the floor of the Senate. Some people on both sides of the aisle said, it is a bad idea, do not do it. But he kept his word, and I am glad he did.

We called it. We had three Republican votes, and we fell short. Oh, we had a majority. It seems as if we always have a majority when we call this bill. But because of the threat of a Republican filibuster, we needed 60 votes, and we did not reach the 60 votes necessary. So 55 Senators, a bipartisan majority, voted for the DREAM Act. I have reintroduced it today. By way of background, this is a simple piece of legislation, but it is one that affects thousands of people across America. It came to my attention 10 years ago when a Korean-American woman called me in my Chicago office and told me she had a problem.

She had come to the United States about 18 years before and brought her little girl with her. She had raised a family. She was now a naturalized citizen. The children who were born in the United States were citizens. But her older daughter was in a different status. Her older daughter was a special person. Her older daughter was a concert pianist who had been accepted at the Julliard School of Music in New York, the best. As she filled out the application form, and they asked for her citizenship, she turned to her mom and said: USA, right?

And her mom said: You know, we never filed any papers for you.

So the little girl said: What should we do?

And her mom said: We ought to call DURBIN.

So they called my office, thinking I could solve this. I found out the awful truth. Our laws currently say the only recourse for that little girl—who came here at the age of 2, who grew up in the United States, going to school here, saying the Pledge of Allegiance to our flag every morning, singing the only national anthem she knew, speaking the only language she knew—under our law could never be a U.S. citizen and had to leave our country.

What is wrong with this? Well, it is unfair. That is what is wrong. At 2 years of age, she had no voice in the decision of her family to come here. She had done everything right. All she was asking for, all she continues to ask for, is a chance to be part of the only country she has ever known, a country she dearly loves.

The DREAM Act gives young people that chance. It says: You can have a

chance if you graduate high school, have no criminal record involving anything of a serious nature, if you are prepared go through and prove that you have been in the United States, came before the age of 16, been here at least 5 years, then you will have a chance to apply. If you apply, you have two ways that you can reach legal status in our country: Serve in our military, or complete at least 2 years of college. For thousands of young people across America, this is the only way to get them out of their current situation.

We just had a press conference with Senator HARRY REID and Senator BOB MENENDEZ, as well as Senator BLUMENTHAL of Connecticut to reintroduce this DREAM Act. At that press conference was a young woman who told her story. Like thousands of others it is a compelling personal story. Her name is Tolu Olubunmi. She was born in Nigeria and brought to the United States as a child. She graduated her high school with honors. She was awarded a full scholarship to one of the Nation's top universities. In college, she was a leader: a peer counselor, a resident assistant, a volunteer in an abused women's shelter, and a research analyst in the department of engineering.

Tolu received a bachelor's degree in chemical engineering in 2002. But she has never been able to work 1 day as a chemical engineer in America because she is undocumented.

She cannot leave this country, because she could not return. She cannot get a job in this country because she is undocumented. Her whole life is focused on America. She is asking for a chance to be an engineer, to be a productive part of America, to move us forward as a nation. The DREAM Act would give her that chance.

When we introduced the bill today, we have 32 original cosponsors. We are hoping for more. We have the Democratic leadership, the Chairs of the Judiciary, Armed Services, and Homeland Security Committees, and all 10 Democratic members of the Judiciary Committee. I want to thank the lead sponsors over in the House: HOWARD BERMAN of California, LUIS GUTIERREZ, from my State of Illinois, and ILEANA ROS-LEHTINEN of Florida. Thanks to their leadership last year, the House passed the DREAM Act.

I want to especially thank the President. As a Senator and my colleague from Illinois, he was a cosponsor of this bill. He has been a strong supporter ever since. He never fails to mention the DREAM Act in his conversations with America about immigration. Yesterday, he said:

These are kids who grew up in this country, love this country, and know no other place as home. The idea that we should punish them is cruel and it makes no sense. We are a better nation than that.

The President is right. This is a matter of simple justice. Thousands of im-

migrant students in America were brought here as children. It was not their decision to come here. But they grew up here and they called it home. The fundamental premise of the DREAM Act is an American premise. We do not hold children responsible for the wrongdoings of their parents.

These young people do not want a free pass. They do not want amnesty. All they want is a chance to earn their place in America. That is what the DREAM Act would give them. The DREAM Act would strengthen our national security, making thousands of young people eligible to serve. That is why the Department of Defense and Secretary Gates support it.

In fact, the Secretary said:

There is a rich precedence supporting the service of non-citizens in the U.S. military. . . . The DREAM Act represents an opportunity to expand this pool to the advantage of military recruiting and readiness.

The first casualty in the war in Iraq was a Hispanic who was not a citizen of the United States, was not even a permanent resident of the United States. But he had volunteered to serve his country and gave his life. I think that shows the level of commitment these young people have to this great Nation.

A recent study at UCLA found that allowing the DREAM Act to pass would put so many productive young people into our economy, they will generate jobs, they will build businesses, they will help our economy grow.

I want to salute in your home State of New York, Madam President, Mayor Michael Bloomberg who has spoken out in support of the DREAM Act, and said:

They are just the kind of immigrants we need to help solve our unemployment problem. Some of them will go on to create new small businesses and hire people. It is senseless for us to chase out the home-grown talent that has the potential to contribute so significantly to our society.

When you take a look at the supporters of the DREAM Act, they have such diverse backgrounds. They include business leaders such as Rupert Murdoch, and the CEOs of companies such as Microsoft and Pfizer.

There are some who oppose the DREAM Act and argue that we need to enhance border security first. I can certainly make the argument, as the President did yesterday, that we have done extraordinary things, more than doubling the number of people at the border, adding technical devices there to detect people who are trying to cross, using drones, building fences.

We have gone, I think, as far as I can imagine, but I am open—I told a Republican Senator this morning: I am open to any reasonable suggestion to make the border safer. But I say to my friends on the other side of the aisle, if we show good faith in border enforcement, can you join us by showing good faith in helping to pass the DREAM Act? I do not think that is an unreasonable exchange. I am open to their

ideas. I hope they are open to the idea of the DREAM Act.

I also have to say that many of the young people who are affected by this have been dramatically positive in their contribution to America. There are restrictions in the DREAM Act that prevent abuse. The DREAM Act students would not be eligible for Pell grants or other Federal grants, which means they are going to pay more to go to school.

DREAM Act students will be subject to tough criminal penalties for fraud, including a prison sentence of up to 5 years. No one is eligible for the DREAM Act unless they arrived in the United States at least 5 years before the bill becomes law, and there is no exception and no waiver.

Also the DREAM Act specifically includes a 1-year application deadline. An individual would be required to apply for conditional nonimmigrant status within 1 year of obtaining a high school degree or GED, or within 1 year of when the bill becomes law.

This is not an amnesty. On many occasions I have come to the floor to tell the personal stories of people who are involved. Their lives speak more eloquently than anything I can say on the floor. Let me tell you about Nelson and Jhon Magdaleno. They are brothers who came to the United States from Venezuela when Nelson was 11 and Jhon was 9. They were both honor students at Lakeside High School in Atlanta, GA. This is a picture of Nelson Magdaleno at graduation. Jhon, his brother, served with distinction in the Air Force Junior Officer Reserve Corps. He was the fourth highest ranking officer in a 175-officer cadet unit and commander of the Air Honor Society. Here is a picture of Jhon in his ROTC uniform in high school.

Both Jhon and Nelson are honor students at Georgia Tech University, a great school. It is one of the most selective engineering schools in America. Nelson, who is now 21, is a junior. He is a computer engineering major with a 3.6 GPA. Jhon, 18, is a freshman. He is a biomedical engineering major with a 4.0 GPA.

Let me ask my colleagues, can we afford to lose these two young people? Well, I guess we could but at great expense because their talent, their energy, their determination to make a contribution to America can make us a better nation. I don't think returning them to Venezuela, a country they have never called home, is going to be good for the United States.

John David Bunting, Nelson and Jhon's uncle, wrote me a letter about his nephews. Here is what he said:

They will be able to give back so much to our country if they are allowed to stay. I am overwhelmed by my pride in them and how they have managed to persevere and even flourish under these circumstances. . . . I also have two young sons and I teach them about the incredible history of the United

States and the way that our country can address wrongs committed in its name and come out of the process even stronger. Please help us.

Nelson and Jhon asked the Department of Homeland Security to stop their deportation proceedings. After I received their uncle's letter, I contacted the Department and asked them to consider this case. The Department has decided to grant a stay to Nelson and Jhon to give them a chance to continue their education. That was clearly the right thing to do.

Some have criticized the Obama administration for granting this kind of deferral action to a small number of DREAM Act students, but this is exactly what the Bush administration did. I wish to commend President George Bush, who was steadfast and consistent in his support of immigration reform.

It is a waste of limited resources to deport two fine engineering students from the United States, and it is entirely consistent with the law to grant them deferred action.

Let me tell my colleagues about another student, Pedro Pedroza. Here is his photograph. Pedro was brought to Chicago from Mexico when he was 5 years old. He graduated from St. Agnes Catholic School in Little Village, a great part of our city of Chicago. He was an honor student at St. Ignatius College Prep, one of the best schools in Chicago. He is now a student in New York at Cornell University in Ithaca. His goal is to become a teacher.

Do we need teachers with his qualities? You bet we do, not just in New York but in Illinois and across America. But, unfortunately, Pedro is in deportation proceedings. He was riding a bus from Chicago back to school in New York when immigration agents arrested him. He has asked the Department of Homeland Security to grant him a stay, and I hope they will. It makes no sense to send someone like Pedro, who has so much to contribute, to a country he barely remembers.

Here is what he wrote to me in a letter:

Mexico is not only unfamiliar to me, but leaving the U.S. means leaving everything and everyone I know. I only hope I can have a future in the U.S. for as long as I am here. Even if I am left no choice but to leave for Mexico, I would still strive to adjust my status and return to a place I consider home—The United States of America.

The last photograph I wish to show is Steve Li. This is his photograph. His parents brought him to the United States when he was 11 years old. He is a student at the City College of San Francisco where he has majored in nursing and is a leader in student government. He wrote a letter:

My dream is to become a registered nurse at San Francisco General Hospital and be a public health advocate. I want to give back to my community by raising awareness about preventive care and other health care

issues. I am well on my way to achieving that dream. By passing the DREAM Act, I will be able to achieve these goals and contribute to the growing health care industry.

So can we use more health care professionals? You bet we could. Nurses, we need a lot of them. In fact, the United States imports thousands of foreign nurses each year in this country because we just don't have enough.

Unfortunately, Steve Li is also in deportation proceedings. His case is especially complicated because while his parents are Chinese, he was born in Peru. So he could be deported back to Peru where he knows no one and has no family members.

Senator FEINSTEIN asked the Department of Homeland Security to consider his case. They have given him a temporary stay, for now.

I first introduced the DREAM Act 10 years ago. Since then, I have met so many immigrant students who would qualify for it. When I first brought up this bill I used to have meetings in Chicago. After the meetings, without fail there would be someone waiting for me outside. Sometimes in the dark of night they would be standing by my car. They were always young and most of them had tears in their eyes, and they would say to me: Senator DURBIN, please pass the DREAM Act. It is my life.

Times have changed. Ten years of effort, even passing it with a majority, hasn't resulted in this becoming a law because of the Republican filibuster. Times have changed to the point where the DREAM Act students are now stepping up and saying: Here we are. This is who we are. We are not going to hide in the shadows anymore.

When we debated that bill on the floor of the Senate last December, the galleries were filled with students wearing graduation gowns and caps, waiting, praying for the vote, and it failed. They left, many of them crying. They went downstairs, and I met with them. They couldn't have felt worse. They just don't know where to turn. They are being rejected by the only country they have ever known, the only place they have ever called home.

I said to them: I am not giving up on you. Don't give up on me. We are going to keep working on this.

We reintroduced the bill today. I thank my colleagues who have already cosponsored it. I urge and plead with others who have not for simple justice and fairness. Give these young people a chance. That is all they are asking for.

Mr. WHITEHOUSE. Mr. President, let me express my great appreciation to Senator DURBIN of Illinois for his many years of leadership on this issue. I am very proud to be a cosponsor of his legislation, and I look forward to passing this bill.

I am reminded of the story in the Bible of Joshua at Jericho. It was not the first time around Jericho that the

horns of Joshua and his Israelite Army brought down the walls. If I recall the Bible correctly, it was seven times around those walls before they came tumbling down, but tumble down is what they did.

I look forward to joining the Joshua of this crusade, Senator DURBIN, to go around those walls as long as it takes in order to get the DREAM Act passed.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 952

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Development, Relief, and Education for Alien Minors Act of 2011” or the “DREAM Act of 2011”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Conditional permanent resident status for certain long-term residents who entered the United States as children.

Sec. 4. Terms of conditional permanent resident status.

Sec. 5. Removal of conditional basis of permanent resident status.

Sec. 6. Regulations.

Sec. 7. Penalties for false statements.

Sec. 8. Confidentiality of information.

Sec. 9. Higher education assistance.

SEC. 2. DEFINITIONS.

In this Act:

(1) IN GENERAL.—Except as otherwise specifically provided, a term used in this Act that is used in the immigration laws shall have the meaning given such term in the immigration laws.

(2) IMMIGRATION LAWS.—The term “immigration laws” has the meaning given such term in section 101(a)(17) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(17)).

(3) INSTITUTION OF HIGHER EDUCATION.—The term “institution of higher education” has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002), except that the term does not include an institution of higher education outside the United States.

(4) SECRETARY.—Except as otherwise specifically provided, the term “Secretary” means the Secretary of Homeland Security.

(5) UNIFORMED SERVICES.—The term “Uniformed Services” has the meaning given the term “uniformed services” in section 101(a) of title 10, United States Code.

SEC. 3. CONDITIONAL PERMANENT RESIDENT STATUS FOR CERTAIN LONG-TERM RESIDENTS WHO ENTERED THE UNITED STATES AS CHILDREN.

(a) CONDITIONAL BASIS FOR STATUS.—Notwithstanding any other provision of law, an alien shall be considered, at the time of obtaining the status of an alien lawfully admitted for permanent residence under this section, to have obtained such status on a conditional basis subject to the provisions of this Act.

(b) REQUIREMENTS.—

(1) IN GENERAL.—Notwithstanding any other provision of law, the Secretary may

cancel removal of, and adjust to the status of an alien lawfully admitted for permanent residence on a conditional basis, an alien who is inadmissible or deportable from the United States or is in temporary protected status under section 244 of the Immigration and Nationality Act (8 U.S.C. 1254a), if the alien demonstrates by a preponderance of the evidence that—

(A) the alien has been continuously physically present in the United States since the date that is 5 years before the date of the enactment of this Act;

(B) the alien was 15 years of age or younger on the date the alien initially entered the United States;

(C) the alien has been a person of good moral character since the date the alien initially entered the United States;

(D) subject to paragraph (2), the alien—

(i) is not inadmissible under paragraph (2), (3), (6)(E), (6)(G), (8), (10)(A), (10)(C), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a));

(ii) has not ordered, incited, assisted, or otherwise participated in the persecution of any person on account of race, religion, nationality, membership in a particular social group, or political opinion; and

(iii) has not been convicted of—

(I) any offense under Federal or State law punishable by a maximum term of imprisonment of more than 1 year; or

(II) 3 or more offenses under Federal or State law, for which the alien was convicted on different dates for each of the 3 offenses and imprisoned for an aggregate of 90 days or more;

(E) the alien—

(i) has been admitted to an institution of higher education in the United States; or

(ii) has earned a high school diploma or obtained a general education development certificate in the United States; and

(F) the alien was 35 years of age or younger on the date of the enactment of this Act.

(2) **WAIVER.**—With respect to any benefit under this Act, the Secretary may waive the grounds of inadmissibility under paragraph (6)(E), (6)(G), or (10)(D) of section 212(a) of the Immigration and Nationality Act (8 U.S.C. 1182(a)) for humanitarian purposes or family unity or when it is otherwise in the public interest.

(3) **SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.**—The Secretary may not grant permanent resident status on a conditional basis to an alien under this section unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric or biographic data because of a physical impairment.

(4) **BACKGROUND CHECKS.**—

(A) **REQUIREMENT FOR BACKGROUND CHECKS.**—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines is appropriate—

(i) to conduct security and law enforcement background checks of an alien seeking permanent resident status on a conditional basis under this section; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for such status.

(B) **COMPLETION OF BACKGROUND CHECKS.**—The security and law enforcement background checks required by subparagraph (A) for an alien shall be completed, to the satisfaction of the Secretary, prior to the date the Secretary grants permanent resident status on a conditional basis to the alien.

(5) **MEDICAL EXAMINATION.**—An alien applying for permanent resident status on a conditional basis under this section shall undergo a medical examination. The Secretary, with the concurrence of the Secretary of Health and Human Services, shall prescribe policies and procedures for the nature and timing of such examination.

(6) **MILITARY SELECTIVE SERVICE.**—An alien applying for permanent resident status on a conditional basis under this section shall establish that the alien has registered under the Military Selective Service Act (50 U.S.C. App. 451 et seq.), if the alien is subject to such registration under that Act.

(C) **DETERMINATION OF CONTINUOUS PRESENCE.**—

(1) **TERMINATION OF CONTINUOUS PERIOD.**—Any period of continuous physical presence in the United States of an alien who applies for permanent resident status on a conditional basis under this section shall not terminate when the alien is served a notice to appear under section 239(a) of the Immigration and Nationality Act (8 U.S.C. 1229(a)).

(2) **TREATMENT OF CERTAIN BREAKS IN PRESENCE.**—

(A) **IN GENERAL.**—An alien shall be considered to have failed to maintain continuous physical presence in the United States under subsection (b)(1)(A) if the alien has departed from the United States for any period in excess of 90 days or for any periods in the aggregate exceeding 180 days.

(B) **EXTENSIONS FOR EXTENUATING CIRCUMSTANCES.**—The Secretary may extend the time periods described in subparagraph (A) for an alien if the alien demonstrates that the failure to timely return to the United States was due to extenuating circumstances beyond the alien's control.

(d) **APPLICATION.**—

(1) **IN GENERAL.**—An alien seeking lawful permanent resident status on a conditional basis shall file an application for such status in such manner as the Secretary may require.

(2) **DEADLINE FOR SUBMISSION OF APPLICATION.**—An alien shall submit an application for relief under this section not later than the date that is 1 year after the later of—

(A) the date the alien earned a high school diploma or obtained a general education development certificate in the United States; or

(B) the effective date of the final regulations issued pursuant to section 6.

(e) **LIMITATION ON REMOVAL OF CERTAIN ALIENS.**—

(1) **IN GENERAL.**—The Secretary or the Attorney General may not remove an alien who—

(A) has a pending application for relief under this section; and

(B) establishes prima facie eligibility for relief under this section.

(2) **CERTAIN ALIENS ENROLLED IN PRIMARY OR SECONDARY SCHOOL.**—

(A) **STAY OF REMOVAL.**—The Attorney General shall stay the removal proceedings of an alien who—

(i) meets all the requirements of subparagraphs (A), (B), (C), (D), and (F) of subsection (b)(1);

(ii) is at least 5 years of age; and

(iii) is enrolled full-time in a primary or secondary school.

(B) **ALIENS NOT IN REMOVAL PROCEEDINGS.**—If an alien is not in removal proceedings, the Secretary shall not commence such proceedings with respect to the alien if the alien is described in clauses (i) through (iii) of subparagraph (A).

(C) **EMPLOYMENT.**—An alien whose removal is stayed pursuant to subparagraph (A) or

who may not be placed in removal proceedings pursuant to subparagraph (B) shall, upon application to the Secretary, be granted an employment authorization document.

(D) **LIFT OF STAY.**—The Secretary or Attorney General may lift the stay granted to an alien under subparagraph (A) if the alien—

(i) is no longer enrolled in a primary or secondary school; or

(ii) ceases to meet the requirements of such paragraph.

(f) **EXEMPTION FROM NUMERICAL LIMITATIONS.**—Nothing in this section or in any other law may be construed to apply a numerical limitation on the number of aliens who may be eligible for adjustment of status under this Act.

SEC. 4. TERMS OF CONDITIONAL PERMANENT RESIDENT STATUS.

(a) **PERIOD OF STATUS.**—Permanent resident status on a conditional basis granted under this Act is—

(1) valid for a period of 6 years, unless such period is extended by the Secretary; and

(2) subject to termination under subsection (c).

(b) **NOTICE OF REQUIREMENTS.**—

(1) **AT TIME OF OBTAINING STATUS.**—At the time an alien obtains permanent resident status on a conditional basis under this Act, the Secretary shall provide for notice to the alien regarding the provisions of this Act and the requirements to have the conditional basis of such status removed.

(2) **EFFECT OF FAILURE TO PROVIDE NOTICE.**—The failure of the Secretary to provide a notice under this subsection—

(A) shall not affect the enforcement of the provisions of this Act with respect to the alien; and

(B) shall not give rise to any private right of action by the alien.

(c) **TERMINATION OF STATUS.**—

(1) **IN GENERAL.**—The Secretary shall terminate the conditional permanent resident status of an alien, if the Secretary determines that the alien—

(A) ceases to meet the requirements of subparagraph (C) or (D) of section 3(b)(1); or

(B) was discharged from the Uniformed Services and did not receive an honorable discharge.

(d) **RETURN TO PREVIOUS IMMIGRATION STATUS.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied shall return to the immigration status the alien had immediately prior to receiving permanent resident status on a conditional basis or applying for such status, as appropriate.

(2) **SPECIAL RULE FOR TEMPORARY PROTECTED STATUS.**—In the case of an alien whose permanent resident status on a conditional basis expires under subsection (a)(1) or is terminated under subsection (c) or whose application for such status is denied and who had temporary protected status immediately prior to receiving or applying for such status, as appropriate, the alien may not return to temporary protected status if—

(A) the relevant designation under section 244(b) of the Immigration and Nationality Act (8 U.S.C. 1254a(b)) has been terminated; or

(B) the Secretary determines that the reason for terminating the permanent resident status on a conditional basis renders the alien ineligible for temporary protected status.

(e) INFORMATION SYSTEMS.—The Secretary shall use the information systems of the Department of Homeland Security to maintain current information on the identity, address, and immigration status of aliens granted permanent resident status on a conditional basis under this Act.

SEC. 5. REMOVAL OF CONDITIONAL BASIS OF PERMANENT RESIDENT STATUS.

(a) ELIGIBILITY FOR REMOVAL OF CONDITIONAL BASIS.—

(1) IN GENERAL.—Subject to paragraph (2), the Secretary may remove the conditional basis of an alien's permanent resident status granted under this Act if the alien demonstrates by a preponderance of the evidence that—

(A) the alien has been a person of good moral character during the entire period of conditional permanent resident status;

(B) the alien is described in section 3(b)(1)(D);

(C) the alien has not abandoned the alien's residence in the United States;

(D) the alien—

(i) has acquired a degree from an institution of higher education in the United States or has completed at least 2 years, in good standing, in a program for a bachelor's degree or higher degree in the United States; or

(ii) has served in the Uniformed Services for at least 2 years and, if discharged, received an honorable discharge; and

(E) the alien has provided a list of each secondary school (as that term is defined in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801)) that the alien attended in the United States.

(2) HARDSHIP EXCEPTION.—

(A) IN GENERAL.—The Secretary may, in the Secretary's discretion, remove the conditional basis of an alien's permanent resident status if the alien—

(i) satisfies the requirements of subparagraphs (A), (B), (C), and (E) of paragraph (1);

(ii) demonstrates compelling circumstances for the inability to satisfy the requirements of subparagraph (D) of such paragraph; and

(iii) demonstrates that the alien's removal from the United States would result in extreme hardship to the alien or the alien's spouse, parent, or child who is a citizen or a lawful permanent resident of the United States.

(B) EXTENSION.—Upon a showing of good cause, the Secretary may extend the period of permanent resident status on a conditional basis for an alien so that the alien may complete the requirements of subparagraph (D) of paragraph (1).

(3) TREATMENT OF ABANDONMENT OR RESIDENCE.—For purposes of paragraph (1)(C), an alien—

(A) shall be presumed to have abandoned the alien's residence in the United States if the alien is absent from the United States for more than 365 days, in the aggregate, during the alien's period of conditional permanent resident status, unless the alien demonstrates to the satisfaction of the Secretary that the alien has not abandoned such residence; and

(B) who is absent from the United States due to active service in the Uniformed Services has not abandoned the alien's residence in the United States during the period of such service.

(4) CITIZENSHIP REQUIREMENT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the conditional basis of an alien's permanent resident status may not be removed unless the alien demonstrates that

the alien satisfies the requirements of section 312(a) of the Immigration and Nationality Act (8 U.S.C. 1423(a)).

(B) EXCEPTION.—Subparagraph (A) shall not apply to an alien who is unable because of a physical or developmental disability or mental impairment to meet the requirements of such subparagraph.

(5) SUBMISSION OF BIOMETRIC AND BIOGRAPHIC DATA.—The Secretary may not remove the conditional basis of an alien's permanent resident status unless the alien submits biometric and biographic data, in accordance with procedures established by the Secretary. The Secretary shall provide an alternative procedure for applicants who are unable to provide such biometric data because of a physical impairment.

(6) BACKGROUND CHECKS.—

(A) REQUIREMENT FOR BACKGROUND CHECKS.—The Secretary shall utilize biometric, biographic, and other data that the Secretary determines appropriate—

(i) to conduct security and law enforcement background checks of an alien applying for removal of the conditional basis of the alien's permanent resident status; and

(ii) to determine whether there is any criminal, national security, or other factor that would render the alien ineligible for removal of such conditional basis.

(B) COMPLETION OF BACKGROUND CHECKS.—The security and law enforcement background checks required by subparagraph (A) for an alien shall be completed, to the satisfaction of the Secretary, prior to the date the Secretary removes the conditional basis of the alien's permanent resident status.

(b) APPLICATION TO REMOVE CONDITIONAL BASIS.—

(1) IN GENERAL.—An alien seeking to have the conditional basis of the alien's lawful permanent resident status removed shall file an application for such removal in such manner as the Secretary may require.

(2) DEADLINE FOR SUBMISSION OF APPLICATION.—

(A) IN GENERAL.—An alien shall file an application under this subsection during the period beginning 6 months prior to and ending on the date that is later of—

(i) 6 years after the date the alien was initially granted conditional permanent resident status; or

(ii) any other expiration date of the alien's conditional permanent resident status, as extended by the Secretary in accordance with this Act.

(B) STATUS DURING PENDENCY.—An alien shall be deemed to have permanent resident status on a conditional basis during the period that the alien's application submitted under this subsection is pending.

(3) ADJUDICATION OF APPLICATION.—

(A) IN GENERAL.—The Secretary shall make a determination on each application filed by an alien under this subsection as to whether the alien meets the requirements for removal of the conditional basis of the alien's permanent resident status.

(B) ADJUSTMENT OF STATUS IF FAVORABLE DETERMINATION.—If the Secretary determines that the alien meets such requirements, the Secretary shall notify the alien of such determination and remove the conditional basis of the alien's permanent resident status, effective as of the date of such determination.

(C) TERMINATION IF ADVERSE DETERMINATION.—If the Secretary determines that the alien does not meet such requirements, the Secretary shall notify the alien of such determination and, if the period of the alien's conditional permanent resident status under

section 4(a)(1) has ended, terminate the conditional permanent resident status granted the alien under this Act as of the date of such determination.

(c) TREATMENT FOR PURPOSES OF NATURALIZATION.—

(1) IN GENERAL.—For purposes of title III of the Immigration and Nationality Act (8 U.S.C. 1401 et seq.), an alien granted permanent resident status on a conditional basis under this Act shall be considered to have been admitted as an alien lawfully admitted for permanent residence and to be in the United States as an alien lawfully admitted to the United States for permanent residence.

(2) LIMITATION ON APPLICATION FOR NATURALIZATION.—An alien may not apply for naturalization during the period that the alien is in permanent resident status on a conditional basis under this Act.

SEC. 6. REGULATIONS.

(a) INITIAL PUBLICATION.—Not later than 180 days after the date of the enactment of this Act, the Secretary shall publish regulations implementing this Act. Such regulations shall allow eligible individuals to apply affirmatively for the relief available under section 3 without being placed in removal proceedings.

(b) INTERIM REGULATIONS.—Notwithstanding section 553 of title 5, United States Code, the regulations required by subsection (a) shall be effective, on an interim basis, immediately upon publication but may be subject to change and revision after public notice and opportunity for a period of public comment.

(c) FINAL REGULATIONS.—Within a reasonable time after publication of the interim regulations in accordance with subsection (b), the Secretary shall publish final regulations implementing this Act.

(d) PAPERWORK REDUCTION ACT.—The requirements of chapter 35 of title 44, United States Code (commonly known as the "Paperwork Reduction Act") shall not apply to any action to implement this Act.

SEC. 7. PENALTIES FOR FALSE STATEMENTS.

Whoever files an application for any relief or benefit under this Act and willfully and knowingly falsifies, misrepresents, or conceals a material fact or makes any false or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any false or fraudulent statement or entry, shall be fined in accordance with title 18, United States Code, imprisoned not more than 5 years, or both.

SEC. 8. CONFIDENTIALITY OF INFORMATION.

(a) PROHIBITION.—Except as provided in subsection (b), no officer or employee of the United States may—

(1) use the information furnished by an individual pursuant to an application filed under this Act in removal proceedings against any person identified in the application;

(2) make any publication whereby the information furnished by any particular individual pursuant to an application under this Act can be identified; or

(3) permit anyone other than an officer, employee or authorized contractor of the United States Government or, in the case of an application filed under this Act with a designated entity, that designated entity, to examine such application filed under such sections.

(b) REQUIRED DISCLOSURE.—The Attorney General or the Secretary shall provide the information furnished under this Act, and any other information derived from such furnished information, to—

(1) a Federal, State, tribal, or local law enforcement agency, intelligence agency, national security agency, component of the Department of Homeland Security, court, or grand jury in connection with a criminal investigation or prosecution, a background check conducted pursuant to section 103 of the Brady Handgun Violence Protection Act (Public Law 103-159; 18 U.S.C. 922 note), or national security purposes, if such information is requested by such entity or consistent with an information sharing agreement or mechanism; or

(2) an official coroner for purposes of affirmatively identifying a deceased individual (whether or not such individual is deceased as a result of a crime).

(c) **FRAUD IN APPLICATION PROCESS OR CRIMINAL CONDUCT.**—Notwithstanding any other provision of this section, information concerning whether an alien seeking relief under this Act has engaged in fraud in an application for such relief or at any time committed a crime may be used or released for immigration enforcement, law enforcement, or national security purposes.

(d) **PENALTY.**—Whoever knowingly uses, publishes, or permits information to be examined in violation of this section shall be fined not more than \$10,000.

SEC. 9. HIGHER EDUCATION ASSISTANCE.

(a) **IN GENERAL.**—Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), with respect to assistance provided under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.), an alien who has permanent resident status on a conditional basis under this Act shall be eligible only for the following assistance under such title:

(1) Student loans under parts D and E of such title IV (20 U.S.C. 1087a et seq. and 1087aa et seq.), subject to the requirements of such parts.

(2) Federal work-study programs under part C of such title IV (42 U.S.C. 2751 et seq.), subject to the requirements of such part.

(3) Services under such title IV (20 U.S.C. 1070 et seq.), subject to the requirements for such services.

(b) **RESTORATION OF STATE OPTION TO DETERMINE RESIDENCY FOR PURPOSES OF HIGHER EDUCATION BENEFITS.**—

(1) **IN GENERAL.**—Section 505 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1623) is repealed.

(2) **EFFECTIVE DATE.**—The repeal under paragraph (1) shall take effect as if included in the enactment of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (division C of Public Law 104-208; 110 Stat. 3009-546).

By Mr. McCONNELL:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes; read the first time.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 953

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Offshore Production and Safety Act of 2011”.

SEC. 2. OIL SPILL RESPONSE AND CONTAINMENT.

(a) **RESPONSE PLANS.**—The Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) is amended by inserting after section 9 the following:

“SEC. 10. EXPLORATION PLANS.

“(a) **IN GENERAL.**—Notwithstanding any other provision of this Act, in the case of each exploration plan submitted after the date of enactment of this act, the Secretary shall require the incorporation into the exploration plan of a third-party reviewed response plan that describes the means and timeline for containment and termination of an ongoing discharge of oil (other than a de minimis discharge, as determined by the Secretary) at the depth at which the exploration, development, or production authorized under the exploration plan is to take place.

“(b) **TECHNOLOGICAL FEASIBILITY.**—Before determining whether to approve a new exploration plan under subsection (a), the Secretary shall certify the technological feasibility of methods proposed to be used under a response plan described in that paragraph, as demonstrated by the potential lessee through simulation, demonstration, or other means.”

(b) **PUBLIC/PRIVATE TASK FORCE ON OIL SPILL RESPONSE AND MITIGATION.**—

(1) **IN GENERAL.**—The Secretary of Energy, acting through the Office of Science of the Department of Energy, shall use available funds in the Ultra-Deepwater and Unconventional Natural Gas and Other Petroleum Research Fund established under section 999H of the Energy Policy Act of 2005 (42 U.S.C. 16378), and such other funds as are necessary, to conduct a study, in collaboration with the Office of Fossil Energy of the Department, on means of improving prevention methodologies and technological responses to oil spills and mitigating the effects of oil spills on natural habitat.

(2) **TASK FORCE.**—As part of the study required under this subsection, the Secretary shall convene a task force composed of representatives of the private sector, institutions of higher education, and the National Academy of Sciences—

(A) to assess the prevention methodologies and technological response to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment;

(B) to assess the adequacy of existing technologies for prevention and responses to deep water oil spills; and

(C) to recommend means of improving prevention methodologies and technological responses to future oil spills (including drilling relief wells) and mitigating the effects of the oil spills on natural habitat.

(3) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall submit to Congress, the President, the Secretary of Homeland Security, the Administrator of the Environmental Protection Agency, the Secretary of the Interior, and the Secretary of Defense a report that describes the results of the study conducted under this subsection, including a recommended standard for technological best practices for prevention of and responses to oil spills, practice drills for emergency responses, and any other recommendations.

(c) **STUDY ON FEDERAL RESPONSE TO OIL SPILLS.**—

(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct a study of existing capabilities and legal authorities of

the Federal Government to prevent and respond to oil spills.

(2) **DEEPWATER HORIZON INCIDENT.**—As part of the study required under this subsection, the Comptroller General of the United States shall assess the extent to which the capabilities and authorities described in paragraph (1) have been fully used in the response to the blowout and explosion of the mobile offshore drilling unit Deepwater Horizon that occurred on April 20, 2010, and resulting hydrocarbon releases into the environment.

(3) **REPORT.**—Not later than 180 days after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report that describes the results of the study conducted under this subsection, including any recommendations.

SEC. 3. CONDUCT OF CERTAIN PROPOSED OIL AND GAS LEASE SALES.

(a) **DEFINITIONS.**—In this section:

(1) **ENVIRONMENT IMPACT STATEMENT FOR THE 2007-2012 5-YEAR OCS PLAN.**—The term “Environmental Impact Statement for the 2007-2012 5-Year OCS Plan” means the Final Environmental Impact Statement for the Outer Continental Shelf Oil and Gas Leasing Program: 2007-2012 prepared by the Secretary and dated April 2007.

(2) **MULTI-SALE ENVIRONMENTAL IMPACT STATEMENT.**—The term “Multi-Sale Environmental Impact Statement” means the Environmental Impact Statement for Proposed OCS Oil and Gas Lease Sales 193, 204, 205, 206, 207, 208, 209, 210, 212, 215, and 218, 213, 216, and 222 prepared by the Secretary and dated September 2008.

(3) **SECRETARY.**—The term “Secretary” means the Secretary of the Interior.

(b) **REQUIREMENT TO CONDUCT CERTAIN PROPOSED OIL AND GAS LEASE SALES.**—

(1) **IN GENERAL.**—In accordance with section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337), the Secretary shall conduct—

(A) as soon as practicable, but not later than 120 days, after the date of enactment of this Act, offshore oil and gas lease sale 216;

(B) as soon as practicable, but not later than 240 days, after the date of enactment of this Act, offshore oil and gas lease sale 218;

(C) as soon as practicable, but not later than 1 year, after the date of enactment of this Act, offshore oil and gas lease sale 220;

(D) as soon as practicable after the date of enactment of this Act, but not later than June 1, 2012, offshore oil and gas lease sale 222;

(E) not later than September 1, 2012, offshore oil and gas lease sale 209; and

(F) not later than December 31, 2012, offshore oil and gas lease sale 212.

(2) **PROHIBITION ON CONFLICTS WITH MILITARY OPERATIONS.**—The Secretary shall not make any tract available for leasing under paragraph (1)(C) if the President, acting through the Secretary of Defense, determines that drilling activity on the tract would create an unreasonable conflict with military operations.

(3) **ENVIRONMENTAL REVIEW.**—For the purposes of lease sale 193 and each of the lease sales authorized under subparagraphs (A), (B), (D), (E), and (F) of paragraph (1), the Environmental Impact Statement for the 2007-2012 5-Year OCS Plan and the Multi-Sale Environmental Impact Statement shall be considered to satisfy the requirements of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

SEC. 4. APPROVAL OR DENIAL OF DRILLING PERMITS.

(a) **AMENDMENT.**—Section 11 of the Outer Continental Shelf Lands Act (43 U.S.C. 1340)

is amended by striking subsection (d) and inserting the following:

“(d) DRILLING PERMITS.—

“(1) IN GENERAL.—The Secretary shall, by regulation, require that any lessee operating under an approved exploration plan obtain a permit—

“(A) before the lessee drills a well in accordance with the plan; and

“(B) before the lessee significantly modifies the well design originally approved by the Secretary.

“(2) SAFETY REVIEW REQUIRED.—The Secretary shall not issue a permit under paragraph (1) until the date on which the Secretary determines that the proposed drilling operations meet all—

“(A) critical safety system requirements (including requirements relating to blowout prevention); and

“(B) oil spill response and containment requirements.

“(3) APPROVAL OR DENIAL OF PERMIT.—

“(A) IN GENERAL.—Subject to subparagraph (B), not later than 30 days after the date on which the Secretary receives an application for a permit under paragraph (1), the Secretary shall approve or deny the application.

“(B) EXTENSIONS.—

“(i) IN GENERAL.—The Secretary may extend the deadline under subparagraph (A) by an additional 15 days on not more than 2 occasions, if the Secretary provides to the applicant prior written notice of the delay in accordance with clause (ii).

“(ii) NOTICE REQUIREMENTS.—The written notice required under clause (i) shall—

“(I) be in the form of a letter from the Secretary or a designee of the Secretary; and

“(II) include the names and titles of the persons processing the application, the specific reasons for the delay, and the date on which a final decision on the application is expected.

“(C) DENIAL.—If the Secretary denies an application under subparagraph (A), the Secretary shall provide the applicant—

“(i) written notice that includes—

“(I) a clear and comprehensive description of the reasons for denying the application; and

“(II) detailed information concerning any deficiencies in the application; and

“(ii) an opportunity—

“(I) to address the reasons identified under clause (i)(I); and

“(II) to remedy the deficiencies identified under clause (i)(II).

“(D) FAILURE TO APPROVE OR DENY APPLICATION.—If the Secretary has not approved or denied the application by the date that is 60 days after the date on which the application was received by the Secretary, the application shall be considered to be approved.”

(b) DEADLINE FOR CERTAIN PERMIT APPLICATIONS UNDER EXISTING LEASES.—

(1) DEFINITION OF COVERED APPLICATION.—In this subsection, the term “covered application” means an application for a permit to drill under an oil and gas lease under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.) in effect on the date of enactment of this Act, that—

(A) represents a resubmission of an approved permit to drill (including an application for a permit to sidetrack) that was approved by the Secretary before May 27, 2010; and

(B) is received by the Secretary after October 12, 2010, and before the end of the 30-day period beginning on the date of enactment of this Act.

(2) IN GENERAL.—Notwithstanding the amendment made by subsection (a), a lease

under which a covered application is submitted to the Secretary of the Interior shall be considered to be in directed suspension during the period beginning May 27, 2010, and ending on the date on which the Secretary issues a final decision on the application, if the Secretary does not issue a final decision on the application—

(A) before the end of the 30-day period beginning on the date of enactment of this Act, in the case of a covered application submitted before the date of enactment of this Act; or

(B) before the end of the 30-day period beginning on the date on which the application is received by the Secretary, in the case of a covered application submitted on or after the date of enactment of this Act.

SEC. 5. EXTENSION OF CERTAIN OUTER CONTINENTAL SHELF LEASES.

(a) DEFINITION OF COVERED LEASE.—In this section, the term “covered lease” means each oil and gas lease for the Gulf of Mexico outer Continental Shelf region issued under section 8 of the Outer Continental Shelf Lands Act (43 U.S.C. 1337) that—

(1)(A) was not producing as of April 30, 2010; or

(B) was suspended from operations, permit processing, or consideration, in accordance with the moratorium set forth in the Minerals Management Service Notice to Lessees and Operators No. 2010-N04, dated May 30, 2010, or the decision memorandum of the Secretary of the Interior entitled “Decision memorandum regarding the suspension of certain offshore permitting and drilling activities on the Outer Continental Shelf” and dated July 12, 2010; and

(2) by the terms of the lease, would expire on or before December 31, 2011.

(b) EXTENSION OF COVERED LEASES.—The Secretary of the Interior shall extend the term of a covered lease by 1 year.

(c) EFFECT ON SUSPENSIONS OF OPERATIONS OR PRODUCTION.—The extension of covered leases under this section is in addition to any suspension of operations or suspension of production granted by the Minerals Management Service or Bureau of Ocean Energy Management, Regulation and Enforcement after May 1, 2010.

SEC. 6. JUDICIAL REVIEW OF AGENCY ACTIONS RELATING TO OUTER CONTINENTAL SHELF ACTIVITIES IN THE GULF OF MEXICO.

(a) DEFINITIONS.—In this section:

(1) COVERED CIVIL ACTION.—The term “covered civil action” means a civil action containing a claim under section 702 of title 5, United States Code, regarding “agency action” (as the term is used in that section) affecting a covered energy project.

(2) COVERED ENERGY PROJECT.—

(A) IN GENERAL.—The term “covered energy project” mean the leasing of Federal land of the outer Continental Shelf (including submerged land) for the exploration, development, production, processing, or transmission of oil, natural gas, wind, or any other source of energy in the Gulf of Mexico, including any action under such a lease.

(B) EXCLUSIONS.—The term “covered energy project” does not include any disputes between the parties to a lease regarding the obligations under a lease described in subparagraph (A), including regarding any alleged breach of the lease.

(b) EXCLUSIVE VENUE FOR CERTAIN CIVIL ACTIONS RELATING TO COVERED ENERGY PROJECTS IN THE GULF OF MEXICO.—Venue for any covered civil action shall be in the United States Court of Appeals for the Fifth Circuit, unless there is no proper venue in

any court within the United States Court of Appeals for the Fifth Circuit.

(c) TIME LIMITATION ON FILING.—A covered civil action shall be barred unless the covered civil action is filed not later than the end of the 60-day period beginning on the date of the final Federal agency action to which the covered civil action relates.

(d) EXPEDITION IN HEARING AND DETERMINING THE ACTION.—The court shall endeavor to hear and determine any covered civil action as expeditiously as possible.

(e) STANDARD OF REVIEW.—In any judicial review of a covered civil action—

(1) administrative findings and conclusions relating to the challenged Federal action or decision shall be presumed to be correct; and

(2) the presumption under paragraph (1) may be rebutted only by the preponderance of the evidence contained in the administrative record.

(f) LIMITATION ON PROSPECTIVE RELIEF.—In a covered civil action, the court shall not grant or approve any prospective relief unless the court finds that the relief—

(1) is narrowly drawn;

(2) extends no further than necessary to correct the violation of a legal requirement; and

(3) is the least intrusive means necessary to correct that violation.

(g) LIMITATION ON ATTORNEYS’ FEES.—

(1) IN GENERAL.—Sections 504 of title 5, United States Code, and 2412 of title 28, United States Code, shall not apply to a covered civil action.

(2) PROHIBITION.—No party to a covered civil action shall receive payment from the Federal Government for attorneys’ fees, expenses, or other court costs.

By Mr. LUGAR:

S. 954. A bill to promote the strengthening of the Haitian private sector; to the Committee on Foreign Relations.

Mr. LUGAR. Mr. President, I rise to introduce legislation that will lead to the establishment of the Haitian-American Enterprise Fund. The Haitian-American Enterprise Fund bill authorizes the Administration to allocate, from existing resources, such sums as required to create the Fund. The mission of the Fund will be to help empower Haiti’s private sector to create jobs, which will contribute towards achieving long-term social stability and economic growth.

Last month, I asked six of the most distinguished directors of the former enterprise funds in Eastern Europe and the former Soviet Union to travel to Haiti to evaluate the current status of Haiti’s private sector, the scope of U.S. Government efforts targeting sustainable job creation, and the role, if any, an enterprise fund might play there in promoting economic growth. Led by Kim Davis, a founder of the private equity firm Charlesbank Capital Partners, each member of the Delegation has had a very successful private sector career and each traveled to Haiti, at his or her own expense, in order to provide the Congress an experienced perspective as to whether proven economic growth strategies they employed to strengthen other fragile countries might work in Haiti. They were also

asked to describe what immediate actions they would recommend, if any, to jump-start Haiti's private sector, with a particular emphasis on entrepreneurship, and other initiatives that could assist Haiti in its necessary transition to a nation with a middle class and a market economy.

In a recent letter to me, Haitian President-elect Michel Martelly noted he is fully supportive of efforts to create an enterprise fund for Haiti. Enterprise funds have historically filled important voids in the nascent capital markets of fragile economies. President-elect Martelly has indicated a keen interest in creating an enterprise fund in order to generate lending vehicles for mortgages and agricultural loans—as housing and agricultural production rank among his top priorities. There are many other voids in Haiti's economy that have been identified, which previous enterprise funds have effectively worked to address in other countries.

The Delegation's report makes clear that enterprise funds are not silver bullets. However, at a time when we face significant domestic and global economic challenges, the enterprise fund model, if implemented effectively, provides a proven vehicle by which the U.S. Government can leverage the extensive intellectual and financial capital of the American business community in order to help address these challenges in underdeveloped economies such as that of Haiti. As an example, the Polish Fund received a USG grant of \$240 million in 1990 and used that to attract more than \$2.3 billion to Poland over the next several years.

Since Senator LEAHY and I introduced legislation authorizing the creation of an enterprise fund for Haiti in April 2010, the Administration has requested that enterprise funds also be created for Pakistan, Egypt, Tunisia and Jordan. Such keen interest in utilizing the enterprise fund model for advancing sustainable economic growth is welcomed. Empowering a group of U.S. citizens who understand democratic capitalism to help translate our foreign assistance strategies into practical actions will complement the important work performed by our capable diplomats and development experts.

The May 14, 2011 inauguration of Mr. Martelly as President of Haiti provides an opportunity to start anew. Congress should aide the President-elect in this important effort by honoring his request for the creation of a Haitian-American Enterprise Fund. I ask for your support on passage of this bill.

By Mr. BOOZMAN (for himself and Mr. BEGICH):

S. 957. A bill to amend title 38, United States Code to improve the provision of rehabilitative services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BOOZMAN. Mr. President, traumatic brain injury, TBI, is becoming an increasingly common injury on the modern battlefield. Thankfully, because of advances in medicine, service-members who would not have been expected to survive catastrophic attacks in previous conflicts are returning home today from combat in Iraq and Afghanistan with unprecedented severe and complex injuries. Since 2001, over 1,500 service members have suffered from a severe TBI, many of whom require rehabilitative programs ranging from total care for the most basic needs to semi-independent living support. A restrictive approach to rehabilitation puts these wounded warriors at risk of losing any progress they made towards recovery. For this reason, my colleague, Senator MARK BEGICH of Alaska, and I are introducing the Veterans' Traumatic Brain Injury Rehabilitative Services' Improvements Act of 2011. I would also like to thank my House colleagues, Rep. TIM WALZ of Minnesota and Rep. GUS BILIRAKIS of Florida, for their support and leadership on the House companion version of this legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 957

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Veterans' Traumatic Brain Injury Rehabilitative Services' Improvements Act of 2011".

SEC. 2. REHABILITATIVE SERVICES FOR VETERANS WITH TRAUMATIC BRAIN INJURY.

(a) REHABILITATION SERVICES IN PLANS FOR REHABILITATION AND REINTEGRATION.—Section 1710C of title 38, United States Code, is amended—

(1) in subsection (a)(1), by inserting before the semicolon the following: "with the goal of maximizing the individual's independence and quality of life";

(2) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting after "improving" the following: "(and sustaining improvement in)";

(ii) by inserting "behavioral," after "cognitive";

(iii) by inserting "and mental health" after "functioning"; and

(iv) by inserting ", quality of life," after "independence";

(B) in paragraph (2), by inserting "rehabilitative services and" before "rehabilitative components"; and

(C) in paragraph (3)—

(i) by striking "treatments" the first place it appears and inserting "services"; and

(ii) by striking "treatments and" the second place it appears; and

(3) by adding at the end the following new subsection:

"(h) REHABILITATIVE SERVICES DEFINED.—For purposes of this section, and sections 1710D and 1710E of this title, the term 'rehabilitative services' includes—

"(1) rehabilitative services, as such term is defined in section 1701 of this title;

"(2) services (which may be of ongoing duration) to sustain, and prevent loss of, functional gains that have been achieved; and

"(3) any other services or supports that may contribute to maximizing an individual's independence and quality of life.".

(b) REHABILITATION SERVICES IN COMPREHENSIVE PROGRAM FOR LONG-TERM REHABILITATION.—Section 1710D(a) of such title is amended—

(1) by inserting "and rehabilitative services (as defined in section 1710C of this title)" after "long-term care"; and

(2) by striking "treatment".

(c) REHABILITATION SERVICES IN AUTHORITY FOR COOPERATIVE AGREEMENTS FOR USE OF NON-DEPARTMENT FACILITIES FOR REHABILITATION.—Section 1710E(a) of such title is amended by inserting "including rehabilitative services (as defined in section 1710C of this title)," after "medical services".

(d) TECHNICAL AMENDMENT.—Section 1710C(c)(2)(S) of such title is amended by striking "ophthamologist" and inserting "ophthalmologist".

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 179—TO CONSTITUTE THE MINORITY PARTY'S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED TWELFTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 179

Resolved, That the following shall constitute the minority party's membership on the following committees for the One Hundred Twelfth Congress, or until their successors are chosen:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mrs. Hutchison, Ms. Snowe, Mr. DeMint, Mr. Thune, Mr. Wicker, Mr. Isakson, Mr. Blunt, Mr. Boozman, Mr. Toomey, Mr. Rubio, Ms. Ayotte, and Mr. Heller.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Paul, Mr. Coats, Mr. Portman, Mr. Hoeven, Mr. Heller, and Mr. Corker.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Ms. Snowe, Mr. Kyl, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Coburn, Mr. Thune, and Mr. Burr.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. Brown (Massachusetts), Mr. McCain, Mr. Johnson (Wisconsin), Mr. Portman, Mr. Paul, and Mr. Moran.

COMMITTEE ON THE BUDGET: Mr. Sessions, Mr. Grassley, Mr. Enzi, Mr. Crapo, Mr. Cornyn, Mr. Graham, Mr. Thune, Mr. Portman, Mr. Toomey, Mr. Johnson (Wisconsin), and Ms. Ayotte.

SPECIAL COMMITTEE ON AGING: Mr. Corker, Ms. Collins, Mr. Hatch, Mr. Kirk, Mr. Heller, Mr. Moran, Mr. Johnson (Wisconsin), Mr. Shelby, Mr. Graham, and Mr. Chambliss.

SENATE RESOLUTION 180—EXPRESSING SUPPORT FOR PEACEFUL DEMONSTRATIONS AND UNIVERSAL FREEDOMS IN SYRIA AND CONDEMNING THE HUMAN RIGHTS VIOLATIONS BY THE ASSAD REGIME

Mr. LIEBERMAN (for himself, Mr. RUBIO, Mr. CARDIN, Mr. KIRK, Mr. CASEY, Mr. MCCAIN, Mr. COONS, Mr. GRAHAM, Mr. MENENDEZ, Mr. KYL, Mr. ISAKSON, Mr. CORNYN, Mr. BARRASSO, Mrs. GILLIBRAND, Ms. AYOTTE, Mr. DURBIN, and Mr. HOEVEN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 180

Whereas, in March 2011, large-scale peaceful demonstrations began to take place in Syria;

Whereas the Government of Syria, led by President Bashar al-Assad, responded to protests by launching a violent crackdown, committing human rights abuses, and violating its international obligations, including the International Covenant on Civil and Political Rights (ICCPR) and the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment;

Whereas demonstrations have now spread to more than a dozen towns and cities across all parts of Syria;

Whereas demonstrators initially demanded political reform, but under violent attack by the Government of Syria, have increasingly demanded a change in the Syrian regime;

Whereas Insan, a respected international nongovernmental organization, has documented more than 600 deaths since demonstrations began in Syria, and reported that “arbitrary detained and enforceable disappearance in the country easily exceeds 8,000 people”;

Whereas the Government of Syria has deployed tanks and snipers against civilian population centers, including the cities of Daraa and Baniyas, and the Damascus suburbs of Douma, Harasta, Saqba, and Zabadani;

Whereas the Government of Syria has cut off civilian population centers from access to food, water, electricity, mobile and land lines, Internet, and medical services;

Whereas several respected international human rights organizations, including Human Rights Watch and the Damascus Center for Human Rights Studies, have documented a nationwide campaign of arbitrary arrests and enforced disappearances of activists, protesters, and their family members, by the Government of Syria;

Whereas the International Crisis Group, an independent international nongovernmental organization, reported on May 3, 2011, that there is “ongoing, credible evidence” in Syria of “abundant instances of excessive and indiscriminate state violence. . . including arbitrary arrests, torture and firing into peaceful crowds”;

Whereas the International Crisis Group has also reported a “determined and cynical attempt to exploit and exacerbate” sectarian tensions by the Government of Syria;

Whereas, despite sectarian provocations by the Government of Syria, demonstrations have maintained a message of national unity and solidarity;

Whereas, on April 15, 2011, the United Nations Special Rapporteur on extrajudicial

executions, Christof Heyns, stated that live ammunition has been used by the Syrian regime against demonstrators “in clear violation of international law”;

Whereas international organizations, including Amnesty International and Human Rights Watch, have documented evidence that peaceful protestors detained by Government of Syria security forces are being subjected to torture, including with electroshock devices, cables, sticks, and whips, and are being held in overcrowded cells, deprived of sleep, food, and water for days at a time;

Whereas international non-governmental organizations, including the International Committee on the Red Cross and Human Rights Watch, have reported that Government of Syria security forces have prevented injured protesters from accessing hospitals and have denied medical personnel and humanitarian relief organizations access to those in need of medical attention;

Whereas the Government of Iran is providing material support to assist the Government of Syria in its efforts to suppress peaceful protestors, including the transfer of equipment to help security forces crack down on protests and curtail and monitor protesters’ use of the Internet, cell phones, and text-messaging;

Whereas the White House Press Secretary has repeatedly condemned the Government of Syria’s brutal crackdown, including on May 6, 2011, when he stated, “The Syrian government continues to follow the lead of its Iranian ally in resorting to brute force and flagrant violations of human rights in suppressing peaceful protests.”;

Whereas the Department of State has repeatedly condemned the Government of Syria’s brutal crackdown, including on May 6, 2011, when Secretary of State Hillary Clinton condemned “in the strongest possible terms” the Government of Syria’s continued use of force and intimidation against peaceful protestors and pledged to “hold to account senior Syrian officials and others responsible for the reprehensible human rights abuses”;

Whereas, on April 29, 2011, President Obama issued an Executive Order authorizing targeted sanctions against individuals and organizations responsible for the human rights abuses in Syria;

Whereas President Obama on April 29, 2011, designated 3 individuals pursuant to the Executive Order issued that same day: Mahir al-Assad, the brother of Syrian President Bashar al-Assad and brigade commander in the Syrian Army’s 4th Armored Division; Atif Najib, the former head of the Political Security Directorate for Daraa Province and a cousin of Bashar al-Assad; and Ali Mamluk, director of Syria’s General Intelligence Directorate;

Whereas, on May 6, 2011, envoys of the European Union’s 27 nations agreed to impose sanctions on the Government of Syria for the human rights abuses it is perpetrating, including asset freezes and visa bans on 13 members of the Government of Syria and an arms embargo on the country;

Whereas, on April 29, 2011, the United Nations Human Rights Council passed Resolution S-16/1, which condemns the Syrian regime for its human rights abuses and establishes a mandate for an international inquiry led by the Office of the United Nations High Commissioner for Human Rights to investigate all alleged violations of international human rights law in Syria “with a view to avoiding impunity and ensuring full accountability”;

Whereas the Government of Syria, prior to March 2011, had a well-documented track

record of human rights abuses against its own citizens and violations of international agreements and international law;

Whereas, in February 1982, the Syrian army, under the orders of then-Syrian President Hafez al-Assad, killed at least 10,000 civilians in the city of Hama in an effort to quell an uprising there;

Whereas, according to the Department of State’s most recent Human Rights Country Report, published on April 8, 2011, the Government of Syria commits unlawful killings against civilians; has severely and systematically restricted basic freedoms of speech, press, assembly, association, and religion; is responsible for ongoing politically motivated arrests, detentions, and disappearances; lacks an independent judiciary system; and maintains prisons where torture and physical abuse are widespread and where detainees lack access to food, proper clothing, and medical treatment;

Whereas the Department of State has designated Syria since 1979 as a “state sponsor of terrorism” and according to the Department of State’s most recent “Country Reports on Terrorism,” published in August 2010, the Government of Syria provides “political and material support to Hizballah in Lebanon and allowed Iran to resupply this organization with weapons”;

Whereas the Government of Syria’s transfer of weapons to Hizballah in Lebanon is in violation of United Nations Security Council Resolution 1701 (2006), which established an arms embargo requiring all states to prevent the supply of arms and weapons to militias and terrorists in Lebanon;

Whereas the Government of Syria has violated the territorial integrity and sovereignty of Lebanon in contravention of United Nations Security Council resolutions, including Resolution 425 (1978), Resolution 520 (1982), and Resolution 1701 (2006);

Whereas Syria, as a party to the Treaty of the Non-Proliferation of Nuclear Weapons, is legally bound to declare all its nuclear activity to the International Atomic Energy Agency (IAEA) and to place such activity under the monitoring of the IAEA;

Whereas the IAEA issued a report on February 25, 2011, criticizing Syria’s implementation of the NPT Safeguards Agreement, concluding that “Syria has not cooperated with the Agency since June 2008” in connection with the Agency’s investigation of the Dair Alzour site and 3 other locations” and warning that “the Agency has not been able to make progress towards resolving the outstanding issues related to those sites”;

Whereas it has been widely reported that the Government of Syria was developing a covert nuclear program, in violation of its international obligations under the NPT, until that site was bombed by Israel in September 2007; and

Whereas, on December 12, 2003, Congress passed the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108-175) in order to, among other purposes, hold the Government of Syria accountable for its actions and as expression of support consistent with these aims: Now, therefore, be it

Resolved, That the Senate—

(1) expresses solidarity and support for the people of Syria as they seek to exercise universal rights and pursue peaceful democratic change;

(2) strongly condemns and deplores the human rights abuses of the Government of Syria, including the use of arbitrary and lethal violence and deployment of military forces against peaceful demonstrators;

(3) strongly condemns and deplores the Government of Syria's extrajudicial killings, enforced disappearances, torture, and arbitrary and mass arrests against civilians in Syria;

(4) strongly condemns and deplores the deliberate cut-off of water, electricity, food, telecommunications, and other basic services to civilian population centers in Syria;

(5) strongly condemns the Government of Iran for assisting the Government of Syria in its campaign of violence and repression against the people of Syria;

(6) warns that international crimes are being committed by the Government of Syria against its people, for which the responsible officials must be held accountable;

(7) finds that the Government of Syria, led by Bashar al-Assad, through its campaign of violence and gross human rights abuses, has lost legitimacy and expresses support for the people of Syria to determine their future for themselves;

(8) commends President Obama for authorizing targeted sanctions on human rights abusers in Syria, including United States visa bans and asset freezes, and using that authority to designate 3 individuals;

(9) urges the President to act swiftly to expand the list of sanctioned persons to include all individuals responsible for gross human rights abuses in Syria, including Bashar al-Assad;

(10) urges the President to speak out directly, and personally, to the people of Syria about the situation in their country;

(11) urges the President to work, in conjunction with international partners, to ensure access of humanitarian relief organizations, medical workers, and international media to affected areas of Syria, and to impose consequences on the Government of Syria and its leaders if access by these organizations continues to be impeded;

(12) urges the President to work, in conjunction with international partners, to ensure access by the people of Syria to accurate news and information, as well as information and social networking technologies;

(13) urges the President to continue to work with the European Union, the Government of Turkey, the Arab League, the Gulf Cooperation Council, and other allies and partners to bring an end to human rights abuses in Syria, hold the perpetrators accountable, and support the aspirations of the people of Syria;

(14) encourages United States officials, including through the United States Embassy in Damascus, to engage with civil society in Syria, including human rights and democracy activists, political dissidents, and opposition leaders;

(15) urges the President to work with our allies and partners at the United Nations Security Council to condemn and hold accountable human rights abusers in Syria and to support the human rights of the people of Syria; and

(16) urges the United Nations Human Rights Council—

(A) to swiftly implement United Nations Human Rights Council Resolution S-16/1 and to ensure that the international investigation into violations by the Government of Syria of international human rights law called for in the resolution is undertaken immediately; and

(B) reinforce the crucial need for the United Nations General Assembly to reject Syria's candidacy for membership on the Human Rights Council and terminate the consideration of Syria's candidacy.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 11, 2011, at 2 p.m. in room 253 of the Russell Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 11, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "The U.S.-Colombia Trade Promotion Agreement."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate, to conduct a hearing entitled "Diverting Non-urgent Emergency Room Use: Can It Provide Better Care and Lower Costs?" on May 11, 2011, at 10 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 11, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON RULES AND ADMINISTRATION

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Rules and Administration be authorized to meet during the session of the Senate on May 11, 2011, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

NEAR EASTERN AND SOUTH AND CENTRAL AFFAIRS SUBCOMMITTEE

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 11, 2011, at 10 a.m., to hold a Near Eastern and South and Central Affairs subcommittee hearing entitled, "Human Rights and Democratic Reform in Iran."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON ANTITRUST, COMPETITION POLICY, AND CONSUMER RIGHTS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Sub-

committee on Antitrust, Competition Policy, and Consumer Rights be authorized to meet during the session of the Senate on May 11, 2011, at 10:15 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "The AT&T/T-Mobile Merger: Is Humpty Dumpty Being Put Back Together Again?"

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on National Parks be authorized to meet during the session of the Senate on May 11, 2011, at 2:30 p.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces of the Committee on Armed Services be authorized to meet during the session of the Senate on May 11, 2011, at 2 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PERSONNEL

Mr. HARKIN. Mr. President, I ask unanimous consent that the Subcommittee on Personnel of the Committee on Armed Services be authorized to meet during the session of the Senate on May 11, 2011, at 1:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent that at 1 p.m., Thursday, May 12, 2011, the Senate proceed to executive session to consider Calendar No. 47 on the Executive Calendar; that there be 1 hour for debate equally divided in the usual form; that upon the use or yielding back of that time, the Senate proceed to vote, without intervening action or debate, on Calendar No. 47; that the motion to reconsider be considered made and laid upon the table, with no intervening action or debate; that no further motions be in order to the nomination; that any statements relating to the nomination be printed in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE APPOINTMENTS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 179, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant bill clerk read as follows:

A resolution (S. Res. 179) to constitute the minority party's membership on certain committees for the One Hundred Twelfth Congress, or until their successors are chosen.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 179) was agreed to, as follows:

S. RES. 179

Resolved, That the following shall constitute the minority party's membership on the following committees for the One Hundred Twelfth Congress, or until their successors are chosen:

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION: Mrs. Hutchison, Ms. Snowe, Mr. DeMint, Mr. Thune, Mr. Wicker, Mr. Isakson, Mr. Blunt, Mr. Boozman, Mr. Toomey, Mr. Rubio, Ms. Ayotte, and Mr. Heller.

COMMITTEE ON ENERGY AND NATURAL RESOURCES: Ms. Murkowski, Mr. Barrasso, Mr. Risch, Mr. Lee, Mr. Paul, Mr. Coats, Mr. Portman, Mr. Hoeven, Mr. Heller and Mr. Corker.

COMMITTEE ON FINANCE: Mr. Hatch, Mr. Grassley, Ms. Snowe, Mr. Kyl, Mr. Crapo, Mr. Roberts, Mr. Enzi, Mr. Cornyn, Mr. Coburn, Mr. Thune and Mr. Burr.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS: Ms. Collins, Mr. Coburn, Mr. Brown (Massachusetts), Mr. McCain, Mr. Johnson (Wisconsin), Mr. Portman, Mr. Paul and Mr. Moran.

COMMITTEE ON THE BUDGET: Mr. Sessions, Mr. Grassley, Mr. Enzi, Mr. Crapo, Mr. Cornyn, Mr. Graham, Mr. Thune, Mr. Portman, Mr. Toomey, and Mr. Johnson (Wisconsin), and Ms. Ayotte.

SPECIAL COMMITTEE ON AGING: Mr. Corker, Ms. Collins, Mr. Hatch, Mr. Kirk, Mr. Heller, Mr. Moran, Mr. Johnson (Wisconsin), Mr. Shelby, Mr. Graham, and Mr. Chambliss.

MEASURE READ THE FIRST TIME—S. 953

Mr. REID. Mr. President, I understand that S. 953, introduced earlier today by Senator McConnell, is at the desk and I ask for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The assistant bill clerk read as follows:

A bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: the Honorable JOHN HOEVEN of North Dakota (Committee on Appropriations) and the Honorable LINDSEY GRAHAM of South Carolina (At Large).

ORDERS FOR THURSDAY, MAY 12, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow, Thursday, May 12, at 9:30 a.m.; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for debate only until 1 p.m., with Senators permitted to speak for up to 10 minutes each, with the first hour divided and controlled between the leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes; and that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote around 2 p.m. tomorrow on confirmation of Executive Calendar No. 47, the nomination of Michael Urbanski, to be U.S. District Judge for the Western District of Virginia.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 3:34 p.m., adjourned until Thursday, May 12, 2011, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

RICHARD G. ANDREWS, OF DELAWARE, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF DELAWARE, VICE JOSEPH J. FARNAN, JR., RETIRED.

CATHY ANN BENCIVENGO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE JEFFREY T. MILLER, RETIRED.

JEFFREY J. HELMICK, OF OHIO, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF OHIO, VICE JAMES G. CARR, RETIRED.

DEPARTMENT OF STATE

WILLIAM J. BURNS, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE WITH THE PERSONAL

RANK OF CAREER AMBASSADOR, TO BE DEPUTY SECRETARY OF STATE, VICE JAMES BRAIDY STEINBERG.

PUBLIC HEALTH SERVICE

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be senior assistant surgeon

MANISHA PATEL

To be nurse officer

LISA L. GILLIAM

To be senior assistant nurse officer

DEANA M. FOSTER
CHRISTOPHER P. HAYNES
FRANCISCO J. MARI-LASSALLE
SONYA L. MCNEIL
LINSEY M. MILLER
FILITA O. MOORE
KRISTINA D. SERBY

To be assistant nurse officer

SARAH K. BREWSTER
JEREMIE D. GREGORY
MATTHEW A. MADRID
SUDHIR S. PERAKATHU

To be junior assistant nurse officer

HAYDEE C. CRUZ
JACQUELINE S. GARDINER
CRYSTAL J. HOWARD
AMANDA J. RAMIREZ
JUSTIN D. TAFAYA

To be senior assistant engineer officer

STANLEY B. EUGENE

To be junior assistant engineer officer

CHRISTOPHER J. PELTIER

To be scientist officer

RAGHU N. SAMY

To be senior assistant scientist officer

IRAM R. HASSAN
TAMARA J. HENDERSON
DAVID T. HUANG
MICHELLE RODRIGUEZ

To be senior assistant environmental health officer

DANIEL D. ADAMS

To be junior assistant environmental health officer

ALEXA M. DEPTOLA
CYRAJ M. EL-BAKOUSH
KRISTA S. TUGGLE

To be pharmacist officer

ELENI Z. ANAGNOSTIADIS
MARIA D. ANTONUCCI
JUDY J. PARK
MELINDA M. WILSON

To be senior assistant pharmacist officer

JORI L. BAILEY
RAICHELL S. BROWN
ANDREW J. FINE
NIKI S. HANEY
MARIA A. LIBERATORE
ISAIAH W. LITTON
HANNAH E. MCMILLAN
STEPHEN J. MOTTOLA
AYANA K. ROWLEY

To be assistant pharmacist officer

AMANDA R. BONNER
DAVID G. ENG
LEVI C. HALL
MICHELLE R. HATCHER
MEGAN C. HOSTETTER
MARCUS K. LOCKHART
GRANT A. MCELWEE
OGECHI C. OLUMBA
DAVID C. STECCO
DANIEL J. TRUE

To be senior assistant dietitian officer

THELMA M. LUCERO
ALYSIA M. SALONIA

To be assistant therapist officer

MICHAEL P. ANDERSON

To be health services officer

DENISE DURAN
STEPHANIE M. LOVELL

To be senior assistant health services officer

OLUYEMISI O. AKINNEYE

ALEXIA D. BUTLER
MARJORIE CEANT
SIMLEEN KAUR

To be assistant health services officer

NICOLE M. BELL
KHATEEJA T. BRAHIM
KATHLEEN A. SCHELBLE
NORMA A. SHARPE
CULLEN T. WILSON

To be junior assistant health services officer

ERIK D. SANDVIG
CHRISTOPHER M. SHEEHAN

THE FOLLOWING CANDIDATES FOR PERSONNEL ACTION IN THE REGULAR CORPS OF THE COMMISSIONED CORPS OF THE U.S. PUBLIC HEALTH SERVICE SUBJECT TO QUALIFICATIONS THEREFORE AS PROVIDED BY LAW AND REGULATIONS:

To be surgeon

ALICE Y. GUH
WILLIAM T. HANCOCK
ADOLPH J. HUTTER
NEENA JAIN
ROBERT G. MARIETTA
GEORGE E. MILES
SATISH K. PILLAI
GREGORY A. RACZNAK
TIMOTHY S. STYLES
SAYEDHA UDDIN
BRENDAN M. WEISS
KRISTIN YEOMAN

To be nurse

BRENDA M. HOLBROOK
HABIBA B. SEIDU-FUSEINI

To be engineer

THOMAS R. ARMITAGE
BRIAN G. BEARDEN
VICTOR J. CAMELLO

To be scientist

ERIC X. ZHOU

To be veterinarian

KERRY R. PRIDE

To be pharmacist

JENNIFER A. SHEPHERD

To be health services officer

JOHN D. STANSON
FRANKEENA L. WRIGHT

To be senior assistant surgeon

KRISTIE E. APPELGREN
SARA AULD
NAHID BHADELIA
MARGARET M. BREWINSKI
GENEVIEVE L. BUSER
GRACE CHEN
KEVIN R. CLARKE
RAYMUND B. DANTES
STEPHANIE DAVIS
VINCENT DEGENNARO
MARIE A. DEPERIO
KAINNE E. DOKUBO
DAVID L. FITTER
PAUL A. GASTANADUY
ADENA GREENBAUM
STEPHANIE E. GRIESE
MICHAEL GRONASTAJ
JAMES C. HOUSTON
CAMILLE E. INTROCASO
MATTHEW JOHNSON
MICHAEL H. KINZER
SONALI P. KULKARNI
ROBERT F. LUO
SARAH A. MEYER
CHRISTINA A. MIKOSZ
IAN A. MYLES
MARIA A. SAID
ISAAC SEE
RACHEL M. SMITH
AMITA TOPRANI
JOYANNA WENDT
KAREN K. WONG
JONATHAN M. WORTHAM

To be assistant senior dental officer

DERRICK R. CHAMPION
ROXANA MIRABAL
RODICA M. POPESCU

To be assistant senior nurse officer

CATHERINE L. BURGESS
LAKEETA A. CARR
LORI O. GONZALES
KRISTI B. HENAGHAN
JOHANNES M. HUTAURUK

To be assistant senior engineer officer

SAYWARD H. FEHRMAN

To be assistant senior scientist officer

ALEXANDER S. CAMACHO

TIANA A. GARRETT
YORAN G. GRANT
TERRENCE Q. LO
ERIN M. PARKER
HEATHER M. SCOBIE
MAROYA D. SPALDING
EBONI M. TAYLOR
JULIE K. YAEKEL-BLACK-ELK

To be assistant senior veterinary officer

RACHAEL H. JOSEPH

To be assistant senior pharmacist officer

DWAYNE K. DAVID
MEGHAN M. WILLIAMS
JIN K. YANG

To be assistant senior health services officer

SOLITA J. CUTHRELL
VICKIE R. ELLIS
THOMAS E. GERA
JUNE GERMAIN
TRACY L. GLASCOE
JANET L. HAYES
MEREDITH E. PYLE
MEGHAN E. REILLY

To be assistant dental officer

BRIAN C. DROUILLARD
ELEANOR B. FLEMING
HYEWON LEE

To be assistant nurse

SAMUEL N. CARDARELLA
ELIZABETH GEEST
TRISHA L. WRIGHT

To be assistant engineer

MAXWELL GOGGIN-KEHM

To be assistant scientist

RACHEL R. BAILEY
CARA N. HALLDIN
KEISHA A. HOUSTON
ALISON S. LAUFER

To be assistant environmental health officer

CHRISTOPHER J. FISH
ANDREW M. KUPPER

To be assistant veterinary officer

STEPHANIE J. YENDELL

To be assistant pharmacist

WILLIAM ALBANESE III
SALMAH ARSHAD
TRISTA L. ASKINS
RICHARD D. BLYTHE
JENNIFER L. BONGARTZ
LAURA E. BOTKINS
BROOKE J. BRELSFORD
MELISSA J. BREWSTER
CLEVELAND BROWN
MICHELLE L. BRYSON
RYAN J. BUCKNER
ROSEMARY J. CALL
CHRIS J. CAMPBELL
MICHELLE J. CHANDLER
WILLIAM C. CHARLES
CHEMA CHARLES MAGNE
RUBY CHASE
SAOMONY CHEAM
MELISSA M. CHIANG
NICHOLAS M. CHUNG
BENJAMIN J. CLOUD
LAURA J. COKER
JUSTIN K. CONSTANTINO
VALERIE L. COOPER
EMILY T. CORGAN
BRIAN D. COX
JOSHUA CROWE
JOHN C. DARNELL
EMILY E. DAVIES
MELANEE M. DAVIS
RUSSELL D. DEVOLDER
TESSA B. DEYLE
KIM T. DINH
BRENDAN J. DORAN
MATTHEW F. DUFF
KENDRA N. ELLIS
LAURA ENMAN
DAVID F. FOSS
LARISSA N. FOSTER
SACHOY C. FOWLER
JESSICA M. FOX
SHERRI E. FULTON
DEBORAH A. GALLO
ROVIGEL J. GELVIRO
KAREN D. GERDE
STEPHANIE E. GLESSING
JOSEPH W. GLOVACZ
MAUREN E. GRIMM
MICKEY HA
JAMES M. HALEY
RANIA K. HAROUN
DANITA D. HENLEY
NAZAREE HINES-STARR
LINDSEY B. HONEA
BRANDON D. HOWARD

SAMUEL J. HUFF
TESSA M. HUFF
SARAH W. HUMES
AMANDA K. HUNT
CRYSTAL R. HUNTRODS
JONATHAN C. JOHNSON
MISTY D. JOHNSON
MARIE E. JOHNSTON
KOKUGONZA KAIJAGE
SARAH L. KANEY
SAMINA S. KHAN
MEGAN E. KULTGEN
OLGA P. KURDELCHUK
DAVID D. LEEDAHL
ANDREA L. LEONE
SHI (ISABELLE) LI
SHELLY X. LING
OMAR LOAZANO
JANICE M. LOUIE
SARA M. LOUT
CRYSTAL P. LUI
MELANIE A. MCCALL
CANDICE J. MERCADEL
MATT W. MILLER
KELLY L. MONOSKI
JESSICA L. MOORE
WHE C. MUFICH
CLAYTON F. MYERS
CHRISTA R. NANCE
EMILY M. NESLON
SAVANNA N. NEWLON
HOAIBAC B. NGUYEN
TAMMY T. NGUYEN
ERIN O'ROURKE
CHRISTY PENNINGTON
CODY R. PLAISTED
AIMEE M. POSIVAK
EMILY C. PRABHU
JULIANNE RAMIREZ
MICHELLE ROBERTS
JAYSON ROBERTSON
TIMOTHY M. ROCKEY
JAMES T. ROSE
LANDON C. SAMS
MARTINE M. SAV
JANET E. SHAW
JEREMIAH B. SMITH
KARSTEN T. SMITH
BRANDON S. SNEDEGER
KYLE T. SNYDER
ANGELA D. STEPHAN
LEE H. STRINGER
CHRISTOPHER P. STROUD
CHRISTI L. SWABY
BRIEN B. THOMPSON
ELIZABETH H. TRANG
JAYSON L. TRIPP
JOSHUA D. VALGARDSON
RICHARD S. WALULU
GWENDOLYN A. WANTUCH
TABATHA M. WELKER
EVAN M. WILLIAMS
GLADYS A. WILLIAMS
PORSHIA M. WILLIAMS
TASHA R. WOODALL
RYAN R. ZETTLE
CARLA ZORETTI
STACY N. ZULUETA
MATTHEW WALLIS

To be assistant therapist

LISA M. MAYS
LAUREN A. RICHARDS

To be assistant health services officer

MICHAEL A. BAKKER
KIMBERLEY A. GORDON
OLUWAMUREWA A. OGUNTINEIN

To be junior assistant health services officer

AKHTAR IMRAM
KENIA P. ALTAMIRANO
MATTHEW BELTON
MICHAEL BROWN
EMILY CISNEY
DEVIN S. COOPER
FRANK DICKER
ASHLEY HENRY
CHRISTINE O. KANG
REBECCA M. KIBEL
HYUNTAE KIM
PHILLIP LAM
PAUL LE
PHILIP LOZIUK
TREVOR MATTOX
HEATHER L. MCCAFFREY
DANIELLE MCQUINN
ENUDIO MERCADO-GONZALEZ
NEH D. MOLYNEUX
LINH T. NGUYEN
NIH NGUYEN
TIMOTHY N. ONSERIO
JOSHUA PAUL
JUSTIN R. PLOTT
RAVI RAJMOHAN
ELI RHOADS
JOSHUA T. ROMAIN
RYAN S. SUTHERLAND
BRANDY TORRES
UKEGBU J. UGOCHI

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral upper half

REAR ADM. (LH) VINCENT B. ATKINS
 REAR ADM. (LH) ROBERT E. DAY, JR.
 REAR ADM. (LH) JOHN H. KORN
 REAR ADM. (LH) WILLIAM D. LEE
 REAR ADM. (LH) STEPHEN E. MEHLING
 REAR ADM. (LH) CHARLES D. MICHEL
 REAR ADM. (LH) MICHAEL N. PARKS
 REAR ADM. (LH) SANDRA E. STOSZ

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be brigadier general

COL. DAVID J. BUCK

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral

REAR ADM. (LH) CYNTHIA A. COVELL

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ANNIE B. ANDREWS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. ROBERT V. HOPPA

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. MARK R. WHITNEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPT. CINDY L. JAYNES

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

THOMAS P. FANTES

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be captain

CYNTHIA E. WILKERSON

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

DAVID T. CARPENTER

To be lieutenant commander

TIMOTHY M. CHEN

THE FOLLOWING NAMED INDIVIDUALS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be commander

ROBERT D. PAVEL

To be lieutenant commander

JULIE H. BALL
 SHAUN C. SHILLADY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

To be rear admiral (lower half)

CAPTAIN RICHARD W. BUTLER
 CAPTAIN MATTHEW J. CARTER
 CAPTAIN LAWRENCE E. CREEVY
 CAPTAIN MARK W. DARRAH
 CAPTAIN CHRISTOPHER W. GRADY
 CAPTAIN MICHAEL E. JABALEY, JR.
 CAPTAIN COLIN J. KILRAIN
 CAPTAIN DAVID M. KRIETE
 CAPTAIN JOSEPH W. KUZMICK
 CAPTAIN WILLIAM C. MCQUILKIN
 CAPTAIN VICTORINO G. MERCADO
 CAPTAIN DEWOLFE H. MILLER
 CAPTAIN STUART B. MUNSCH
 CAPTAIN KENNETH M. PERRY
 CAPTAIN FERNANDEZ L. PONDS
 CAPTAIN JOHN C. SCORBY, JR.
 CAPTAIN DWIGHT D. SHEPHERD
 CAPTAIN MICHAEL E. SMITH
 CAPTAIN RICHARD P. SNYDER
 CAPTAIN SCOTT A. STEARNEY
 CAPTAIN HUGH D. WETHERALD

CONFIRMATION

Executive nomination confirmed by
 the Senate May 11, 2011:

THE JUDICIARY

ARENDA L. WRIGHT ALLEN, OF VIRGINIA, TO BE
 UNITED STATES DISTRICT JUDGE FOR THE EASTERN
 DISTRICT OF VIRGINIA.

HOUSE OF REPRESENTATIVES—Wednesday, May 11, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mrs. ELLMERS).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,
May 11, 2011.

I hereby appoint the Honorable RENEE ELLMERS to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,
Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

SECOND AMENDMENT RIGHTS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 2 minutes.

Mr. THOMPSON of Pennsylvania. Madam Speaker, yesterday, I joined members of the Pennsylvania State legislature, gun owners, and the president of the NRA at the Pennsylvania State capital in support of our Second Amendment rights. I appreciate their deep belief in freedom and protecting the Second Amendment that guarantees our citizens the right to own and bear arms. Our Second Amendment is this country's original homeland security. Where this right is freely exercised without government infringement, our citizens live in freedom with a deterrent and defense to violent crimes.

Sadly, Second Amendment rights are under attack from within, most recently, the fast and furious scandal perpetrated by the U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives that approved felonious gun sales, directing thousands of illegally purchased firearms to be smuggled into Mexico as part of a sting operation.

These actions contributed to the death of a U.S. border agent and perpetuate the lie that U.S. gun dealers supply the bulk of guns to criminal elements in Mexico.

As elected Representatives, it is our duty to respect and defend the freedoms that our Constitution guarantees. Those in the Bureau of Alcohol, Tobacco, Firearms and Explosives that engineered this dangerous strategy that took a life and threatens our freedoms must be held accountable.

SUPPORT THE TROOPS BY BRINGING THEM HOME

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. WOOLSEY) for 5 minutes.

Ms. WOOLSEY. Madam Speaker, the successful raid on Osama bin Laden's hideaway 10 days ago came with an important, and somewhat ironic, reminder. This mission was carried out in Pakistan where we are not at war and have no troop presence. Meanwhile, next door in Afghanistan, we continue to maintain an enormous military footprint of 100,000 or more troops. We're still there, even though Osama bin Laden hasn't been there since he escaped our grasp at Tora Bora nearly 10 years ago, and most of the al Qaeda leadership fled long ago.

The death of bin Laden clearly underscores the folly of our current policy. This is exactly the right moment to rethink our approach to Afghanistan and national security more generally, especially with the President's deadline for redeployment just 50 days from now in July.

Unfortunately, Madam Speaker, our military leaders don't seem to be rising to the moment. According to yesterday's Wall Street Journal, officers in Afghanistan have drawn up a plan that would withdraw 5,000 troops by July 1 and 5,000 more by the end of this year. Madam Speaker, that's not even close to an adequate response to the demands of the moment. It's not the bold move that was suggested when the July 1, 2011, drawdown date was first announced; 10,000 fewer troops by the end of the year doesn't even get us to pre-surge levels.

We owe it to the American people to do much, much more. They have sacrificed enough. What do we have to show for the 1,500-plus people we've lost and the nearly \$7 billion a month we continue to throw at this mission? If anything, we have emboldened the

terrorists instead of defeating them. If anything, we've undermined our national security interests instead of advancing them. If anything, we've weakened America instead of strengthening it.

Americans see that Osama bin Laden is dead; that the military occupation of Afghanistan isn't accomplishing its goals; that we have urgent priorities right here at home. And they are quite rightly asking: Why do we still have boots on the ground in Afghanistan? We also owe it to the men and women who wear those boots to end this war. Our troops have served with honor and valor in Afghanistan. A deeply flawed and morally objectionable policy is not their fault, but they are bearing the untold burden that will not be easily lifted.

Earlier this week, USA Today reported on a new military study showing that troop morale is at an all-time low, thanks to the punishing emotional and psychological strain of multiple deployments and intense combat. The percentage of Army soldiers reporting acute stress has nearly tripled since the year 2005. Even if the war ended tomorrow, Madam Speaker, the anxiety and trauma plaguing so many of our troops won't go away anytime soon, if ever; but it's time to let the physical and mental health healing begin. It's time to stop sending our best and our bravest into this grinder.

We have asked enough of them. Madam Speaker, I can think of no better way to support our troops than to bring them home immediately.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has agreed to a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 16. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha.

The message also announced that pursuant to Public Law 94-304, as amended by Public Law 99-7, the Chair, on behalf of the Vice President, appoints the following Senators as members of the Commission on Security and Cooperation in Europe (Helsinki) during the One Hundred Twelfth Congress:

The Senator from New Hampshire (Ms. AYOTTE).

The Senator from Georgia (Mr. CHAMBLISS).

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

The Senator from Florida (Mr. RUBIO).

The Senator from Mississippi (Mr. WICKER).

GAS PRICES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Virginia (Mr. HURT) for 5 minutes.

Mr. HURT. Madam Speaker, all across Virginia's Fifth District, people are suffering from skyrocketing fuel prices. As I have heard from families and small businesses and farmers who are seeing a negative impact on their bottom lines, we need to take action now if we are going to address this serious problem of skyrocketing fuel prices.

Instead of supporting policies that will help bring down the cost of gas, the Obama administration continues to actively block and delay domestic energy production, causing more pain at the pump, increasing our dependence on foreign oil, and destroying jobs. We only have to look at our soaring energy costs to see the consequences of these failed policies. Gas prices have doubled under the President's watch and are now hovering around \$4 per gallon in Virginia; and as these rising prices continue to directly affect all central and southside Virginians and threaten our economic recovery, I believe we should take action now to address this crisis.

Last week, the House passed a bill that would expand American energy production and create jobs by reopening the oil exploration in the Gulf of Mexico and off the coast of Virginia that has been delayed or canceled by the Obama administration. It is estimated that offshore energy development in Virginia, which has bipartisan support, could lead to the production of more than half a billion barrels of oil and 2.5 trillion cubic feet of natural gas, and create nearly 2,000 jobs for our State. At a time like this, there is no reason to leave these resources untouched when it will help provide relief to all Americans.

This week, we are continuing our work to maximize American energy production by considering two bills that will end the White House's de facto moratorium on new American offshore energy production in a safe, responsible, and transparent manner. By reversing the administration's anti-energy policies and tapping into these resources to maximize our domestic energy supply, we will take a significant step towards lowering gas prices, reducing our dependence on foreign oil, and creating thousands of jobs for the Commonwealth and our Nation.

□ 1010

I urge support of H.R. 1229 and H.R. 1231 and hope that the Senate and the administration will join us in our efforts to move towards achieving true

energy independence by approving all three energy bills the House of Representatives has considered thus far.

DEVELOPMENT AND DEPLOYMENT OF NEW NUCLEAR REACTOR TECHNOLOGIES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. ALTMIRE) for 5 minutes.

Mr. ALTMIRE. Madam Speaker, I rise today in support of legislation I introduced to encourage the development of a vital component to the next generation of nuclear reactors that will provide clean, domestic energy solutions for all Americans.

The Department of Energy initiated the Nuclear Power 2010 Program in February 2002 as a joint public-private program to develop advanced reactor technologies and encourage the private sector to build new nuclear power plants in the United States. My legislation, the Nuclear Power 2021 Act, applies the Nuclear Power 2010 model to small modular reactors. Under the bill, the Department of Energy would be able to enter into public-private partnerships to design and license two small modular reactors by the year 2021.

As my colleagues may know, today's traditional larger reactors range from 1,000 to 1,700 megawatts and cost between \$5 billion and \$10 billion to construct. In contrast, small modular reactors generate 10 to 300 megawatts and cost about \$750 million to construct. These small reactors offer several advantages to large reactors in certain situations, including shorter construction times, increased safety controls, and electricity generation. While large reactors are built on a future generation site, a process that can take up to 5 years, smaller reactors can be manufactured in modular pieces in factories and transported by rail or truck, cutting construction times in half. Small reactors can also be completely manufactured and fueled in a factory. They can be sealed and shipped to the site for power generation, and after use, they can be shipped back to the factory for defueling, minimizing the potential spread of nuclear material.

Additionally, small modular reactors produce a small nuclear reaction which generates less heat, making them easier to shut down in the event of a malfunction. Another advantage of small modular reactors is that, unlike large reactors, they can generate power in any location. While large reactors require millions of gallons of water per day for cooling and must be located near large water sources, small reactors can be water-cooled or air-cooled. This technology could open up new parts of the country to nuclear development, such as the arid West and lo-

cations that cannot support larger capacity generation, such as isolated rural areas or regions with smaller grids.

Unfortunately, development and deployment of new nuclear reactor technologies can currently take upwards of two decades. Time and resources are limited for the Nuclear Regulatory Commission to develop the institutional capacity to license new reactor designs, and traditional public-private partnerships are often insufficient to mitigate the business risk of bringing small modular reactors to market. This is why I believe this legislation is crucial for developing this all-American technology that could help us lead the world in electricity innovation and generation. I encourage my colleagues to join me in making America more energy independent, creating good-paying American jobs, and working toward the future of clean energy generation by cosponsoring the Nuclear Power 2021 Act.

HARVESTING AMERICAN ENERGY RESOURCES

The SPEAKER pro tempore. The Chair recognizes the gentleman from Georgia (Mr. WOODALL) for 5 minutes.

Mr. WOODALL. Madam Speaker, I am glad to be able to take the floor after the Member from Pennsylvania (Mr. ALTMIRE) talking about energy because it's something that's on everybody's mind today. He is talking about nuclear energy, and he concluded with the remarks, What can we do to find American-made energy solutions? What can we do to find American energy independence? What can we do to provide good-paying American jobs? Folks, those things are all intertwined. There is not a product that we produce in this country that does not have an energy component to it. We have to have that access to energy in order to have access to jobs. That's why I'm so proud that in the tail end of last week and the beginning of this week, that's what we're focused on here on the House floor. What can we do to find those domestic energy solutions?

There aren't going to be as many folks here, Madam Speaker, as I look around the gallery, who might have been alive in the 1970s. Madam Speaker, I think you and I were here then. We remember some of those gas lines. Would you believe that we bring less American oil to market today than we did in 1970? Would you believe it's almost half?

We have been blessed in this country with domestic energy resources the likes of which no other country on the planet can claim. And yet we seem to be doing everything that we can to keep those resources in the ground and, instead, send precious American dollars overseas, often to folks who don't like us and would like to see our demise.

Folks, energy independence isn't just a tag line. It's not just about \$4 prices at the pump. It's about national security. It's about, what is our vision for the future of this country? Is it a vision of dependency upon our enemies overseas? Or is it a vision of independence where we're bringing American resources out of the ground with American workers, creating American capital?

It's not just, Drill, drill, drill. I'm a big believer in drill here, drill now. But that's not because we're not sensitive to what's happening in a changing energy environment across this planet. Would you believe, for example, that in this country, we use less energy per capita today, fewer Btus today, than we did just 5 years ago, than we did 10 years ago, than we did 20 years ago, than we did 30 years ago. To say that we need energy independence, to say that national security depends on getting our resources out of the ground is not to say that conservation isn't a part of the model as well. It is. We're doing it, we're doing it successfully, and we should continue to do it, but we have to get our resources out of the ground.

Would you believe that as a percentage of the energy that we use in this country, that petroleum is in decline? Each and every year, we use less oil per capita than we used the year before, but that doesn't mean that we don't still need to get American oil out of the ground. In fact, we are importing more oil today than we did just 10 years ago, than we did just 20 years ago. We have the resources here. We know of more oil that's in the ground in America today than we have ever known of before, and yet we choose to send our dollars overseas to import that energy instead.

There are three bills we're working on here, Madam Speaker, and you know them well. H.R. 1229, the Putting the Gulf of Mexico Back to Work Act. Can you believe, Madam Speaker, that in a time of record-high gas prices that we have the second-largest shallow water drilling operation in the country going out of business for lack of work? For lack of work. Oil prices are headed back towards historic highs, and American drillers are going out of business for lack of work. And it's not just the company, Madam Speaker; it is each and every one of the American men and women who work on those drill rigs who are out of work because we can't get permits issued out of Washington, D.C. Putting the Gulf of Mexico Back to Work Act.

H.R. 1231, Reversing President Obama's Offshore Moratorium Act. We have these resources. We have this national security need. We have men and women who want to go to work to solve that need, and we won't let the permits out of Washington, D.C. Washington, D.C. has not been the solution here.

Washington, D.C. has been the problem.

Folks, if what you want to say is, We're going to pass a bill on this floor that's going to ban automobiles, and we just won't use any more gasoline, fair enough. If what you want to say is, We're going to pass a bill on this floor that's going to ban plastic and say, we're just not going to produce any more, fair enough. If you are going to pass a bill that says, We're not going to produce any more fertilizer in this country, who needs it, fair enough. But until you do—and I would vote “no” on each one of those proposals—but until you do, we need American oil, and we need to get it out of the ground, and we need to get it out of the ground now.

Madam Speaker, I am tremendously grateful for the leadership you have shown in bringing these bills to the floor, and I thank you for the time.

RESILIENCE OF THE CITY OF MEMPHIS, TENNESSEE

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. COHEN) for 5 minutes.

Mr. COHEN. Madam Speaker, I represent the Tennessee Ninth Congressional District, which is Memphis. Memphis has been in the news quite a bit these past few weeks, and partly it's been for a bad reason: a flood, the greatest flood since 1937 on the Mississippi River. There has been a massive flow of water across lands and into our downtown and other areas, and it's affected a lot of people. I have toured the damage. There are at least 1,500 people whose homes have been lost. They are in shelters. They have lost possessions.

□ 1020

But the city of Memphis is coming together with a lot of volunteerism to help those people, and the Federal Government, through FEMA and the Corps of Engineers, is doing all it can to protect property and protect people and offer them shelter and food. And because it's a disaster area, we'll be helping them get back on their feet once again. It's a tragedy for those people and a tragedy for a lot of other people up and down the river.

But the fact is the city of Memphis is open and open for business, and most of the city of Memphis is not affected by the flood. Contrary to what you might see on the news, the entire city is not underwater. The business sections, most of the city, are totally dry, and people are going to work, flying Federal Express planes all over the world to deliver packages. International Paper and all the businesses that are there are fully operational.

Our Memphis Grizzlies are still alive and playing tonight in the NBA Western finals, and the people of Memphis are filling the FedEx Forum when they

play and cheering them on and bringing the city together in the spirit that Memphians have come together for years.

The city of Memphis has had problems over the years. A yellow fever epidemic in the 1870s almost destroyed the city, but it didn't. The city came back and came back even stronger.

The assassination of Dr. Martin Luther King on the 4th of April, 1968, was an awful moment in our city history and one we had to overcome. But the city did. And on that site, the Lorraine Motel, has been built a great civil rights museum, the National Civil Rights Museum, like a phoenix from the ashes telling the story of the civil rights movement and the movement out of slavery and out of Jim Crow into an era where an African American could and has been elected President of these United States.

The city of Memphis and the people have an indomitable spirit. They have come back from problems in the past and will continue to do so.

Yesterday, the city of Memphis received great news when President Obama announced that of all the schools that applied in this Nation in the Race to the Top program to be recognized and to be honored by his presence as the commencement speaker for graduation, that Booker T. Washington High School, a high school created in the 1800s, a Jim Crow school, an African American school in the 1800s, which has done spectacularly well in academics, increased their graduation rate from the fifties into the 81st percentile, best in the State on algebra scores and other scores, and great improvement and shown innovation, was chosen as the school in the country to have the President come to their graduation. He will speak at the Booker T. Washington High School graduation next Monday in Memphis. It will be his first visit to Memphis, and the city of Memphis has looked forward to his visit. I look forward to his visit, and have encouraged the President to come to Memphis, and I hope he'll come more times after that.

But for those students and other students who need to have inspiration and hope, particularly at this time when there is flood and many people have been dispossessed, it's so important that the President be there and give those students hope and encourage them to continue to make good grades and to lift themselves up.

Many of the students at Booker T. Washington lived in housing projects, Cleaborn Homes, which was recently demolished to make way for a HOPE VI project, the fifth of six in the city of Memphis, which has gotten rid of projects but given people private residences or apartments and a better way of life. Those students saw their homes destroyed, but they've worked hard in their school and stayed at Booker T.

Washington High School and will be honored by the President's visit.

They, like everybody else in Memphis, cheer for the Memphis Grizzlies, and the Grizzlies cheer towel is one that I bring you today. "Believe Memphis." Believe Memphis has carried the Grizzlies, an eighth-seeded team, to the championship game. The city believes. The city is strong. We urge you to come to Memphis, have some ribs, have some music and enjoy our hospitality.

60TH ANNIVERSARY OF THE 1951 U.N. REFUGEE CONVENTION

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. CHU) for 5 minutes.

Ms. CHU. Madam Speaker, I rise today in celebration of the 60th anniversary of the 1951 Convention related to the Status of Refugees. The Convention was historic in spelling out a set of basic human rights that should be afforded a refugee. It was initially directed toward European refugees in the aftermath of World War II, but was expanded in 1967 to include refugees from all around the world. The U.N. Convention defines who a refugee is, and outlines assistance that refugees should receive. It stipulates that refugees should not be returned to a country where they fear persecution.

My district in the San Gabriel Valley of California is home to a large and diverse refugee population who fled persecution from countries such as Vietnam, Cambodia, and Laos. In Los Angeles County they come from places as far as Iran to El Salvador.

Since arriving on our shores, many of the refugees have established themselves as civic leaders, small business owners and hardworking Americans. Some are working with resettlement agencies to help new refugee populations integrate, settle their families, and restart their lives.

The open arms with which our Nation welcomes refugees from around the world reaffirms America's commitment to human rights. And on this 60th anniversary, I look forward to continuing the U.S. commitment to human rights through strengthening of our refugee resettlement program.

RAPE AND SEXUAL ASSAULT IN THE U.S. MILITARY

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from California (Ms. SPEIER) for 5 minutes.

Ms. SPEIER. Madam Speaker, I rise today to speak again about rape and sexual assault in the military. But first I want to recognize the role our military played in bringing Osama bin Laden to justice. Taking down the world's most notorious man, someone responsible for the deaths of thousands of innocent Americans, is a tremendous accomplishment. Our Nation is so

proud of the service of our members of the military.

The news about killing Osama bin Laden is another reminder that military service is one of our Nation's highest callings. This is precisely why we cannot, as a country, allow a few bad actors to besmirch the honor of the Armed Forces. And we certainly cannot condone a system that is designed to protect the perpetrators and punish the survivors.

Just as the military sought justice for the victims of September 11, we must continue to seek justice for those who have served their country, only to be raped or sexually assaulted by one of their own.

As a reminder, the numbers are staggering. The Department of Defense has said that over 19,000 members of the military were raped or sexually assaulted in 2010. Those are the Department of Defense numbers. And only 13 percent of them actually report the assaults.

I made a pledge to share the victims' stories every week until Congress and this administration does something more than offer lip service. I recently set up an email account so survivors could share their stories with me. The address is StopMilitaryRape@mail.house.gov.

Today I want to share one of those emails. A servicewoman wrote:

I endured over a year of harassment while stationed at Point Loma, California. My class leader was a fleet returnee that referred to women by a number of derogatory names. He and two other men in the class would grope women. They would then publicly grope each other to prove that they were equal opportunity harassers.

The class leader also would accuse women of being "on the rag," or he would ask us if our vagina hurt. What would happen if one of your colleagues asked you if your vagina hurt? And yet this is largely permitted in uniform. It is permitted with a culture of fear that would rival the prison experience or the tyranny of gang infested neighborhoods.

I reported the behavior and the class leader was relieved of his duties. He was already on a suspended bust for sexual harassment that he committed while on recruiting duty in his hometown. I then was ostracized for reporting bad behavior. This class leader told all the male students at this training center to make sure that whoever went to sea with me should make me pay.

Another petty officer deployed on a mission a month ahead of me. He told the ship that I was a feminist and a lesbian that got someone that was on a suspended bust into more trouble.

While stationed aboard that ship, I was groped and harassed by my work center supervisor. When we went to sea, he would send everyone back to their barracks by saying that he and I

would finish cleaning up. Then he would rape me.

The ship sailed for the Caribbean. We sailed through hurricanes and tropical storms off the coast of Florida. I was put on consecutive watches with this guy and he raped me most of the time we were on watch together. I did get some reprieve because in high seas he would get seasick. Once he got sick all over me while he was raping me.

□ 1030

I tried to report this rape and harassment to my chain of command. My senior chief took me out to the fan tail of the ship and told me that the chain of command knew that I was a feminist and a Democrat; and, if I said anything more about this, I would just be proving that I wanted to get the rapist in trouble.

I attempted suicide, but backed out at the last minute. It still makes no sense.

Well, it doesn't make sense. I have received countless emails like this and will continue to share them in the weeks ahead. Again, I invite survivors to tell their stories by writing to StopMilitaryRape@mail.house.gov.

During a time of such tremendous pride for our military, we should commit ourselves to removing the stain of rape and sexual assault from this great institution once and for all.

INSTITUTE FOR INCLUSION IN THE LEGAL PROFESSION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. DAVIS) for 5 minutes.

Mr. DAVIS of Illinois. Madam Speaker, I rise today to recognize the Institute for Inclusion in the Legal Profession.

Lawyers serve an important role in our society, and yet the legal profession, like many others, is in need of serious improvement in the diversity of its membership. There are a number of individuals and organizations who are working to change that fact, and, thanks to their efforts, there has been progress. Yet the legal profession, which above all should stand for fairness and equality, is still a long way from being open and welcoming to all irrespective of individual characteristics and background.

The Institute for Inclusion in the Legal Profession, a new group with a promising approach to diversity and inclusion in the legal profession, was established in Chicago, Illinois, in September 2009.

The Institute for Inclusion in the Legal Profession is addressing the contrast between the increasingly diverse society in which we live and what certainly appears to be an entrenched lack of diversity and inclusion. The Institute is working to improve diversity and promote inclusion through comprehensive outreach and innovative programs.

For example, the Institute asks hard questions and finds the answers to them. Working with legal, judicial, professional, educational, and governmental institutions, the Institute provides programs and tools to promote equity in the legal field. IILP uses a new and, in many ways, unique approach. Its comprehensive programs include lawyers, judges, and law students to address all facets, all practice settings, and all types of diversity within the legal profession. Beyond working to overcome the barriers facing diverse lawyers, it looks at the pipeline for new legal talent. This aspect is key. By helping diverse students become law students, enter the legal profession, and eventually become successful lawyers and judges, the profession will become more diverse and inclusive.

A few examples of the work of the Institute for Inclusion in the Legal Profession include a pledge to the profession where lawyers across the country are being asked to dedicate a minimum of 1 day of service to work with young people to educate them about the legal profession and encourage them to join it; Professionalism in Practice, a program where law students and judges learn from each other about the profession and, in doing so, about diversity and inclusion; the "Business Case for Diversity: Reality or Wishful Thinking?" a research project that provides the first hard data examining the impact of the business case for diversity and the state of diversity; and, "The State of Diversity and Inclusion in the Legal Profession," which is an annual report and series of symposia designed to educate the bar about its current state, cutting-edge issues surrounding diversity and inclusion and the most promising programs, efforts, and initiatives aimed at making entry into and success within the legal profession more accessible to all.

The mission and work of the IILP is an important contribution to social justice in the United States. I consider it an honor to recognize the Institute for Inclusion in the Legal Profession and invite all Members to join me in recognizing them for the importance of their mission and the great work they are undertaking.

H.R. 71

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Texas (Ms. JACKSON LEE) for 5 minutes.

Ms. JACKSON LEE of Texas. We have had a very challenging week, Madam Speaker, and I thank you for the time.

It is a time of great patriotism and great respect for the institutions of democracy that this country represents. It is a statement that says that we will not be an offender, but we will be a defender. We will defend our values; we will defend our soil; we will defend the people of the United States.

I have served on the Homeland Security Committee as the dust was rising from the site of 9/11. When I traveled to New York, I walked along sidewalks where there were walls of letters and pictures of loved ones who had not been designated as being lost and people were trying to see if loved ones were in hospitals. I saw the pain. And so the capturing and the demise of Osama bin Laden is the finishing of an era and a story. And we are to commend the President of the United States, the Navy SEALs, the JSOC and intelligence communities, and the United States military and persons around this Nation who are part of this great effort.

Well, we live in a different world now. As the facts are unfolding in Pakistan, as evidence has been reviewed by the various tapes, we know that terrorism and al Qaeda is an active entity around the world. The United States is not the only target, but we are and will continue to be in the eye of the storm.

As we have heard representations from terrorists and to-be leaders and wanna-bes about what they intend to do to retaliate, it is important for us to be responsible with the resources that we have. And so for over a year I have introduced H.R. 71, the FAMS Augmentation bill, the Federal Air Marshal. And I call on, today, for the administration and the Congress to work together to increase the number of air marshals on domestic flights, on long-distance flights, and to increase the numbers of air marshals traveling on inbound flights to the United States. What more do we need?

Over the last couple of days, any series of incidents that have occurred, and thanks to the brave passengers now well aware since 9/11 and flight attendants for whom I have fought consistently to get more training, unarmed, obviously, and many without training, are now being confronted with individuals who are charging now reinforced pilot doors, some going to the exit doors, over the last 4 days a series of incidents that no one knows whether or not they will stop.

Now, we know that some allegations have been that individuals are suffering from mental challenges, and we understand that. We also know that, to date, no one had a weapon, and so the Transportation Security Administration is doing its job. But this is happening. That is what air marshals are for: to protect the traveling public, flying more than they have ever flown, paying higher prices for bags and food, and now we expect them not to be safe and secure. It is time now to augment and to pass H.R. 71 and to increase the number of air marshals.

Now, we have an issue of a deficit and a debt. My question is, as someone would say: Are we going to be penny-wise and pound-foolish? Are we going

to not safeguard the American people because there happens to be the mantra on this side of the aisle, Republicans, who don't want to spend a dime for anything? Well, my friends, we have to invest in the American public. We have got to be able to build infrastructure, and at the same time we have got to be responsible spenders.

But I will tell you this. I will take spending for national security any day with bringing home the troops from Afghanistan, because that mission is complete. Now we must invest in American people. And I'm angry about this, that we would be so cheap that we would not provide the resources to give us new and additional trained Federal air marshals, many of whom come from the United States military. Many of these soldiers coming home would make excellent air marshals.

□ 1040

Many of them come from the U.S. Marshals Service and many other marshals services.

What is more precious than the mother and father and children and relatives that are traveling to visit loved ones or for business, and they are coming home to the United States and we are putting them in jeopardy because we do not have the air marshals to protect them against these unknown threats?

So my challenge today is stop being cheap, stop nickel-and-diming security, stop not understanding that we have the responsibility to go ahead and secure the American public. Today I call for more air marshals on the Nation's airplanes, and I call for it now. H.R. 71 should be passed immediately.

PUERTO RICO'S COMEBACK STORY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Puerto Rico (Mr. PIERLUISI) for 5 minutes.

Mr. PIERLUISI. Madam Speaker, the United States stands at a crossroads. Responsible leaders recognize that a bipartisan fiscal strategy must be crafted to reduce deficits. A deal will require courage on the part of its proponents, because each revenue raiser and spending cut is bound to trigger opposition.

Unless officials can persuade voters that sacrifice and self-restraint now are essential for stability and strength later, a deal will not happen. Even with public buy-in, leaders must be ready to take action, despite the political perils, and be prepared to raise the national interest above their personal interests and reelection. It will not be easy, but it must be done.

For officials in Washington who are in search of a comeback story, I suggest the case of Puerto Rico. In January 2009, the U.S. territory stood on the brink of disaster. The new government had inherited a deficit of \$3.3 billion.

As a percentage of revenue, this was the largest deficit of any U.S. administration. The new administration was even forced to take a loan to meet its first payroll. Major rating agencies had downgraded Puerto Rico's credit to near junk status. Simply put, the island's economy was about to implode.

Leaders in San Juan faced a stark choice. Like their predecessors, they could usher Puerto Rico down this unsustainable path, paralyzed by the fear that tough choices would antagonize voters; or they could place their responsibility to protect Puerto Rico's future above their desire to preserve their poll numbers.

Fortunately for Puerto Rico, the new leadership chose the right course. For 2-plus years, Governor Luis Fortuno and the island's legislature have taken decisive action to impose fiscal discipline and create a leaner, more responsible government. They have cut government spending by nearly 20 percent, sharply reducing the deficit as a percentage of revenue. Indeed, by this metric, the island has moved from last in the Nation to a fiscal position that is better than 30 States. The rating agencies have rewarded Puerto Rico's progress, with Moody's giving the island its highest rating in 35 years.

To achieve savings, the government cut expenses and political appointments and was compelled to reduce its payroll. In my experience, rational leaders do not lay off workers because they think this will play to their political advantage. To the contrary, few actions are likely to arouse greater public displeasure. After all, work does more than put bread on the family table. It gives men and women dignity and a sense of purpose. But the Government of Puerto Rico's actions were absolutely necessary and were taken despite serious political risks.

Measures were taken to cushion the blow for those workers who were let go, and layoffs did not include teachers or first responders. More importantly, the government factions prevented an economic disaster, which would have resulted in far greater suffering and job loss.

It is important to emphasize that these decisions were not partisan. Governor Fortuno is a Republican and I, as Puerto Rico's only Representative in Congress, am a proud Democrat, and I supported his policies. The island legislators who voted to advance this agenda are affiliated with both national parties. And unlike in some States, Puerto Rico's leaders did not politicize ARRA or other Federal funding which served as a lifeline for the island. Rather, they have worked to put every dollar to good use.

So for leaders in Washington who say it will be impossible to achieve bipartisanship in the budget debate, the case of Puerto Rico should provide a measure of hope. As it nurses the economy

back to health, the Puerto Rico Government is also advancing a long-term, pro-growth strategy. For example, the government has reduced individual and corporate tax rates and ensured that everyone contributes their fair share; boosted sales of housing and commercial properties through other incentives; and worked to address Puerto Rico's high energy costs and dependence on foreign oil, including through the development of a natural gas pipeline that will create thousands of jobs, lower carbon emissions and significantly reduce energy bills for individuals and companies on the island.

In closing, Puerto Rico's leadership has proven that it is possible to work across party lines to control spending and create growth. I urge my colleagues in this Chamber to work in this same spirit and to set aside partisan differences to secure the long-term fiscal health of the country we love.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 45 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POE of Texas) at noon.

PRAYER

Reverend Wallace Shepherd, Second Baptist Church, Santa Barbara, California, offered the following prayer:

Our Heavenly Father, we bless You, Lord, in this season, while our homeland faces difficult decisions and conflicts across many nations.

We bow before You this day, requesting Your mercy and Your grace. Grant this Congress Your guidance as they work collectively as one. We pray, dear Lord, as resolutions are prepared, that there will be a united commitment to the development of comprehensive laws.

Lead this Congress and Nation in the direction of tranquility that reflects the intent of our forefathers. Endow us as a Nation to be humble, as we transcend the norm, without forgetting those that are in need. Anchor our hearts with prudence, as we consider the development of our youth. Protect our troops, as they fight for democracy and freedom throughout the world. Steer us on the path of righteousness with temperance. Bless our government, and bless this Nation.

In Jesus Christ's name, we pray. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentlewoman from North Carolina (Mrs. ELLMERS) come forward and lead the House in the Pledge of Allegiance.

Mrs. ELLMERS led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING REVEREND WALLACE SHEPHERD

The SPEAKER pro tempore. Without objection, the gentlewoman from California (Mrs. CAPPS) is recognized for 1 minute.

There was no objection.

Mrs. CAPPS. Mr. Speaker, I rise today to honor a valued constituent and a good friend, Dr. Wallace Shepherd.

Dr. Shepherd came to the Second Baptist Church of Santa Barbara as pastor in 2006. Since then, Pastor Shepherd has reestablished Santa Barbara's Martin Luther King Day event as a capstone celebration on the central coast of California.

He is an active board member of the Endowment for Youth program, which supports the education of underprivileged children through tutoring and scholarships. Dr. Shepherd also helped to found Eco Faith, a nonprofit organization that promotes conservation of energy in churches and houses of worship.

He has been appointed evangelism director of the Central District of California, and also the vice president of the Third Sunday Fellowship for Santa Barbara and Ventura Counties. But as our House has just witnessed, he is at the core a powerful presence and a humble servant in the name of his faith.

I am honored to welcome him here to Congress, and thank him for his invaluable service to our community and to our country.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

H.R. 1425

(Mrs. ELLMERS asked and was given permission to address the House for 1 minute.)

Mrs. ELLMERS. Mr. Speaker, I rise today in support of H.R. 1425, the Creating Jobs Through Small Business Innovation Act. This bipartisan bill is being marked up today in the House Small Business Committee.

Our bill reauthorizes the SBIR and STTR programs, which have a proven track record of creating jobs, stimulating small business growth, and helping startups succeed by providing the impetus to start projects that otherwise would not have gotten off the ground. But, most importantly, our bill does not cost anything. This program simply requires that the Federal agencies slice out a portion of their overall budget for small firms to compete for research and development for new innovative ideas.

The SBIR program is set to expire on May 31. As chairwoman of the House Small Business Committee on Health and Technology, I believe it is vital that we expedite reauthorization of the SBIR program so that small businesses can continue to compete for the contracts that will springboard ideas, create jobs, and spur economic growth.

GAS PRICES

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, for nearly 20 weeks this Chamber has been discussing ways to reduce our Nation's deficit, debating the merits of cutting one program or another, most times including important initiatives like job training funds, education, and health-related services.

The fact of the matter is that we have to cut spending. The issue is not whether to reduce the deficit, but how we do it.

If we really want to get serious about the deficit, we would stop handing out billions of dollars in taxpayer subsidies to big oil companies which price gouge at the pumps.

Oil company profits are at a record high, and my colleagues on the other side of the aisle are using high gas prices as an excuse to keep giving them billions in taxpayer handouts. Taxpayer-funded giveaways for big oil add to the deficit. My constituents gain nothing at the pumps, nor do Americans all across this country. Instead, we should be focusing on measures that would actually bring down the price of gas at the pump.

It is time to bring to the House floor measures which would release oil from the Strategic Petroleum Reserve and legislation aimed at preventing big oil from engaging in price gouging schemes which drive up the price of oil. These measures could provide immediate relief to our constituents from the rising price of gasoline that truly threatens our economic recovery and the well-being of hardworking middle class families.

JOB

(Mr. ELLISON asked and was given permission to address the House for 1 minute.)

Mr. ELLISON. Mr. Speaker, we've been here for about 5 months so far. It's easing up on June. It won't be long until it's summertime. Yet, Mr. Speaker, the Republican majority has not brought a single bill to create a single job.

I was very pleased to hear the gentlewoman from North Carolina say that they are marking up a bill on jobs. It would be the first one, if it ever gets here. That's a shame, because I think when people voted last November, they were thinking, hey, we've got to do something about some jobs. And yet the Republican majority has dallied away and done everything but work on jobs.

Yeah, they've tried to take away the Affordable Care Act and take away health care from people who really need it. Yeah, they've tried to do a whole lot of things, push a social agenda. They've done all these things, but they have yet to focus on the one thing that Americans need most, which is a job.

If you want to reduce the deficit, you've got to have people making some money, and that means getting some jobs. People pay taxes. People would love to pay taxes, but they would do it if they had work. But they don't have work because our Republican majority has got other things to do.

Remember, jobs are the key. I am looking forward to Republicans bringing a bill to the floor.

MEDICARE/GAS PRICES RELIEF

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, in 1965 this body voted to create Medicare and Medicaid to ensure that all seniors and disabled Americans would always have access to health coverage, and those today expect the same kind of coverage for themselves and their children.

But over the years, my Republican colleagues have tried to weaken the programs and privatize safety nets like Social Security. Sadly, history is repeating itself. Instead of focusing on priorities, like creating jobs and lowering gas prices, Republicans have put forward an agenda that ends Medicare as we know it.

So far this year, Republicans have voted—and we can't say they haven't. They have voted to eliminate guaranteed Medicare coverage for seniors, convert Medicare to a voucher program, reopen the prescription drug doughnut hole, and extend tax breaks for big oil companies that ship jobs overseas. Even worse, new data shows the Republican budget will kick 44 million low-income Americans off Medicaid.

We must stop this insanity. Let's work together to preserve Medicare and lower the deficit.

□ 1210

STICKING IT TO THE AMERICAN PEOPLE

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Well, it's happened. Gas is over four bucks a gallon. It's killing our economic recovery, American families and small businesses.

Now, Goldman Sachs, not exactly a friend of the consumer, says that 60 to 85 cents per gallon is purely useless, speculative activity. And what are the Republicans running the House of Representatives going to do about that? Nothing. They're going to pretend that future possible leasing off Virginia 10 years from now will do something about today's prices. It won't.

But why are they like, bait-and-switch? Why are they passing these phony bills and not taking on the price gouging and the speculation? Because that would mean taking on Big Oil and Wall Street. And, guess what? They're always looking forward to the next campaign, and Big Oil and Wall Street have been so generous to the new majority that they don't want to upset them. So they want to pretend they stand with their constituents and consumers, but they're really standing behind Big Oil and Wall Street.

Congratulations, guys. You just stuck it to the American people and the economy.

SUPPORTING MENTAL HEALTH MONTH

(Mrs. NAPOLITANO asked and was given permission to address the House for 1 minute.)

Mrs. NAPOLITANO. Madam Speaker, May is Mental Health Month, and as the cochair of the Mental Health Caucus, I bring to you information, especially on the military.

Since 2001 to current date, we have had 2,103 military service personnel die by suicide, suicide, my friends, in the Iraq and Afghan wars. In the Afghan war alone, it is over 1,000, more than some of the figures we have listened to recently.

One in five servicemembers suffer from major depression, posttraumatic syndrome, or traumatic brain injury, TBI. It affects the military and their families, their children. There's lots of divorce because of this and substance abuse that continues as they age.

We must expand mental health services to our military personnel and their families. Through their blood and their service they have earned it. We owe it to them. We've made some strides, but

we've got a long way to go, Mr. Speaker. We need to reduce the stigma, accept it as the illness that it is, and expand mental health services.

I ask my colleagues to join me in recognizing the military members and their families during May, Mental Health Month.

RECOGNIZING CHARLES P. WEST ON HIS 90TH BIRTHDAY

(Mr. CARNEY asked and was given permission to address the House for 1 minute.)

Mr. CARNEY. Mr. Speaker, I have the great pleasure today of recognizing a very special Delawarean who recently celebrated his 90th birthday.

Charles P. West is one of a kind who served our State and Nation with distinction as a soldier, legislator, businessman, and advocate for the values that are important to his community of Gumboro. Charlie was first elected to the Delaware House of Representatives in 1956, serving one 2-year term. He returned to the statehouse in 1978 and served for 24 years before retiring in 2002.

Charlie took great pride in helping his constituents. As he used to tell me all the time, he fought for the little guy. He was a fierce advocate for those who were the backbone of his district: chicken and grain farmers, small business owners, and sportsmen.

Charlie and his wife of 63 years, Eleanor Lee, are good friends of mine, and they have helped me better understand what is important to our State. It is my pleasure today to wish Charles P. West a happy 90th birthday and wish him and his family many more years together.

GIVING MORE ACCESS TO AMERICAN OIL

(Mr. PENCE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PENCE. Mr. Speaker, the pain at the pump is real. In this, the most difficult economy in the last 25 years, my constituents have gas prices on their mind, and with due cause: \$4.18 a gallon average back in the Hoosier State, higher than the national average, gas prices have climbed more than \$1 over the last year. And, frankly, with the summer travel season upon us and with the rising treacherous waters in the Mississippi threatening our refinery capability, we could see \$5 a gallon gasoline in the near future.

It is time to give the American people more access to American oil. Starting last week and this week, this majority in Congress will continue to move legislation that opens up our own domestic energy reserves in the Gulf of Mexico and offshore to the American people. The answer to the pain at the

pump is energy independence. Part of that answer is by giving the American people more access to our own domestic reserves.

I urge my colleagues to join us in supporting measures on the floor this week and last week and lead us toward that lodestar of energy independence and relieve the pain at the pump once and for all.

SUPPORT THE MAKE IT IN AMERICA AGENDA

(Mr. CARNAHAN asked and was given permission to address the House for 1 minute.)

Mr. CARNAHAN. Mr. Speaker, families and small businesses have been hurting for too long. While the world is changing, Washington has made things worse by ignoring American manufacturing and stifling American ingenuity. But here is what hasn't changed. Americans are still the most creative and most productive people in the world. We're still great at making things. And that's why I support the Make It In America agenda, because American manufacturing can and should be the central driver of our economy.

The St. Louis region I represent has a strong base in manufacturing, and now we need to tap into that strength to bring high-quality, high-paying jobs back home. That's why my office is helping St. Louis-based heating and air conditioning manufacturer Unico after being unfairly targeted by regulators. With a level playing field, companies like Unico can compete anywhere in the world, and if we invest in education, innovation, infrastructure, and manufacturing, we can restore making things to a central place in our economy.

I ask my colleagues, Republicans and Democrats alike, to stand with me to make these job-creating investments so we can Make It In America again.

START GOVERNING AND STOP CAMPAIGNING

(Mr. RICHMOND asked and was given permission to address the House for 1 minute.)

Mr. RICHMOND. Mr. Speaker, I came down here to do a public service announcement. On behalf of all Americans, I want the Republican majority to know that the elections are over. You've won the majority for now, so now start governing and stop campaigning. If you can't handle the responsibility of governing, get out of the way and let's move towards progress.

This week we're considering two bills that Republicans claim would bring down the price of gas immediately. Let's just pretend that is a fact, that that is true, although we know it is not.

If it's true, then why would you bring a bill to the floor that expedites drilling permits, which I could agree with, but you add in a provision to strip the American people's right to challenge drilling permits that are not environmentally sound?

Let's look at the next bill, Reversing President Obama's Offshore Moratorium Act. That isn't the name of a bill. That's the name of a campaign speech. That's the name of political rhetoric.

I would say, Mr. Speaker, that it is now time to have the responsibility of governing and take it seriously so that the American people are not paying \$5 a gallon for gas.

Mr. Speaker, I would just ask that you remind the Republicans that the campaign is over and it is time to govern.

This public service announcement is brought to you by Americans For a Functional Congress.

CONGRATULATING THE TEXAS A&M WOMEN'S EQUESTRIAN TEAM'S WESTERN SQUAD ON WINNING THEIR THIRD STRAIGHT NATIONAL TITLE

(Mr. FLORES asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FLORES. Mr. Speaker, I rise today to recognize and congratulate the second athletics team from Texas A&M University to win a national championship in the past month. The Texas A&M Women's Equestrian Western Squad recently took home their third straight national title with a 5-3 victory over Kansas State in the finals of the Varsity Equestrian National Championship in Waco, Texas. Including the overall national title in 2002, the A&M Equestrian Team has won nine national championships since it was formed in 1999.

These lady Aggies, who hail from various parts of Texas and numerous States around the country, glided through a near perfect season and had their eyes set on another national trophy to add to an already filled trophy case. This team is a shining example of how hard work and perseverance pays off.

I would also like to applaud Coach Tana McKay and her staff for an outstanding job in guiding the Aggie Women's Equestrian Team throughout their success. Congratulations, Aggies, on a job well done, and gig'em.

□ 1220

WHERE ARE THE JOBS?

(Mr. CONNOLLY of Virginia asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CONNOLLY of Virginia. Mr. Speaker, we've been waiting for 17

weeks for the Republican majority to bring to the floor a jobs bill. I voted against the recess 2 weeks ago because I believe we ought to stay here until we get our job done, which is to create jobs for the American people. What's the majority doing? Last week, they tried restricting a woman's right to choose. Then they attacked health insurance protections. This week, they're trying to repeal commonsense protections that prevent oil spills. Jobs? No where to be found.

Last week, Democratic Whip STENY HOYER unveiled Make it in America. My Build America Bonds legislation is part of that agenda. In the last 2 years, every dollar invested in Build America Bonds leveraged \$41 in private sector funds, or \$181 billion to construct and repair schools and build bridges and roads in every State in America. These infrastructure improvements created hundreds of thousands of jobs. That's what we need to focus on—not an ideological agenda.

**PERMISSION TO FILE REPORT ON
H.R. 1540, NATIONAL DEFENSE
AUTHORIZATION ACT FOR FISCAL
YEAR 2012**

Mr. REED. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until 5 p.m. on Tuesday to file its report to accompany H.R. 1540.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

**PROVIDING FOR CONSIDERATION
OF H.R. 1231, REVERSING PRESIDENT
OBAMA'S OFFSHORE MORATORIUM ACT**

Mr. REED. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 257 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 257

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources. After general debate the bill shall be considered for amendment under the five-minute rule. The amendment recommended by the Committee on Natural Resources now

printed in the bill shall be considered as adopted in the House and in the Committee of the Whole. The bill, as amended, shall be considered as read. All points of order against provisions in the bill, as amended, are waived. No further amendment to the bill, as amended, shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such further amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill, as amended, to the House with such further amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore. The gentleman from New York is recognized for 1 hour.

Mr. REED. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Massachusetts (Mr. MCGOVERN), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. REED. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REED. House Resolution 257 provides for a structured rule for consideration of H.R. 1231. The rule makes in order eight amendments, all of which comply with the rules of the House. Of the eight, seven are Democratic amendments.

Mr. Speaker, today we are debating H.R. 1231, the Reversing President Obama's Offshore Moratorium Act. This legislation, which will have profound impacts on our domestic energy supply, our national security, and our economy, is ripe for consideration by this body. It is no secret that Americans are feeling the pain at the pump. In my congressional district in western New York, my constituents, my family, my wife and I are routinely forced to pay in excess of \$4 per gallon for gasoline for automobiles. We need to develop policies that will lessen our dependence on foreign fossil fuels, create stability in the financial markets, and provide relief to our constituents. In addition, this piece of legislation will create American jobs.

We must get our financial and energy priorities in order. We can no longer be

held victim to instability in the Middle East and across the world. The United States must develop our own energy solutions which will reduce our dependence on foreign fossil fuels.

Most importantly, this will create American jobs. H.R. 1231 is one more example of our conference's commitment to developing domestic natural oil and gas resources. It adopts a philosophy that we need to drill smart, drill where the resources are, and produce our own energy.

Drilling for oil and natural gas can be done safely and responsibly. There have been millions of wells drilled in the United States. There is a strong record of sound environmental practices. Total petroleum industry spillage has decreased consistently over the last 40 years.

H.R. 1231 does two things. First, the legislation requires that in developing a 5-year offshore leasing plan for drilling the Outer Continental Shelf, that each 5-year plan must include leases for sale in the areas containing the greatest known oil and natural gas reserves. For the 2012-2017 plan being written by the Obama administration, this would mean targeted lease sales only in those areas estimated to contain 2.5 billion barrels of oil or 7.5 trillion cubic feet of natural gas. At least 50 percent of those areas must be made available for leasing in the 2012-2017 plan.

Second, this legislation requires the implementation of production goals during the 5-year plan being written by the Obama administration. For this period, the goal would be 3 million barrels of oil per day and 10 billion cubic feet of natural gas per day from American domestic sources of energy. This increase in oil production equates to a tripling of current American offshore production and will reduce significantly foreign imports by nearly one-third. Most importantly, this will create American jobs and protect our national security interests.

I reserve the balance of my time.

Mr. MCGOVERN. I thank the gentleman from New York for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

Mr. Speaker, I rise today in strong opposition to this rule and very strong opposition to the underlying legislation.

Here we go again. Another week. Another day. Another bill that helps record profit-making Big Oil but does absolutely nothing to help American families paying \$4 at the pump for gasoline. Although Republicans continue to frame these efforts as a cure for rising gas prices and a way to decrease our dependence on foreign oil, the truth is that oil prices are set on a world market. It's simply not possible for us to drill our way out of these problems.

Yesterday, in the Rules Committee I offered an amendment as a stand-alone

bill, again, that would eliminate subsidies for Big Oil. While I do not agree with H.R. 1231, my amendment would have done nothing to prevent this bill from moving forward. Instead, my amendment would have allowed for a separate bill to come up under this rule that would end subsidies for big oil corporations that are making money hand over fist while gouging Americans at the pump.

Let me remind my Republican colleagues of the facts. Two weeks ago, ExxonMobil announced that in the first 3 months of this year it had made nearly \$10.7 billion in profits. That's \$10.7 billion. Billion with a B. There's nothing wrong with corporations making profits. That's what they're in business to do. What is wrong is for American taxpayers to be subsidizing wildly profitable companies at a time when too many Americans are still unemployed and struggling to pay their bills. With their tax dollars funding corporate welfare for Big Oil and then still paying astronomical prices at the pump, it's a double whammy for American families. With all the talk of cutting spending and reducing subsidies here in Washington, I would have thought that the Rules Committee would have made my amendment in order.

Mr. Speaker, I want to remind my colleagues that energy companies are sitting on thousands of drilling leases in the Gulf of Mexico, and they're not producing anything. And despite the misleading title of this legislation, no drilling moratorium currently exists. Since October 2010, when the drilling moratorium was lifted, 39 shallow water and 10 deepwater permits have been granted, roughly the same average rate even before the BP oil spill.

Mr. Speaker, while H.R. 1231 may make for a good sound bite, this is not a serious solution to bringing down high gas prices. I urge my colleagues to oppose this rule and to oppose H.R. 1231.

I reserve the balance of my time.

□ 1230

Mr. REED. Mr. Speaker, I am pleased to yield such time as he may consume to the chairman of the Rules Committee, the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Speaker, let me begin by thanking my friend, the newest member of the Rules Committee, the gentleman from Corning, New York, for a superb job in the way he has comported himself in the management of this rule and for his great service on the Rules Committee. He has literally hit the ground running, and this is the third bill that he's managed, the second rule, on the House floor, and I congratulate him for that.

Mr. Speaker, I listened to the comments of my friend from Worcester, and I will say that this measure that's before us is about several things. Num-

ber one, job creation and economic growth is something that Democrats and Republicans alike say that they are concerned about; and that happens to be, continues to be, our priority.

Creating jobs for the American people who are hurting right now is what this bill is all about and, at the same time, the notion of trying to free ourselves or at least diminish the kind of dependence that we have on foreign oil. I don't personally believe that we ever in this global economy should be completely free of the flow of energy and other sources, but I do believe that we can take steps that will diminish the level of dependence that we have on sources of energy outside of our country. And that's what this measure is designed to do.

I also want to touch on the very important question that was raised by my friend about the issue of subsidization by the American taxpayer of the energy industry. And I know that my friend likes to say, well, the Rules Committee can just take care of this in one fell swoop and make this amendment in order. And it was very interesting that our colleague from Boulder said that if it were to be considered under an open rule, he'd like to allow for consideration of a measure that would reduce the top corporate rate as we look at the issue of ending this kind of subsidization.

Well, that is a global approach that I believe needs to be looked at by the House Ways and Means Committee, by the Energy and Commerce Committee; and I'm supportive, I'm very supportive, of our doing that. But the idea of saying that we would do what my friend has proposed, actually under the provision that my friend from Boulder said that he'd support up in the Rules Committee, it's a violation of House rules.

So the idea here is we need to do what we can to diminish the level of subsidization. I personally have opposed agriculture subsidization. I'm not a proponent of subsidization of private industry. I do think that in the context of having the highest corporate tax rate of any nation in the world now that Japan has actually reduced their corporate rate, we need to look at ways in which we can bring that rate down and deal with closing loopholes. And that's something that President Obama talked about here in his State of the Union message.

So I think that if my friend would recognize that we've had opportunities to do this when they were in the majority, and we've been in session for a matter of a few months, and the idea of saying that we haven't addressed it yet on the House floor, I think, doesn't really pass the laugh test because we are right now in the process of looking at overall reform, and it will include dealing with the issue of subsidies. So I agree wholeheartedly with the need

for us to step up to the plate and take this issue on.

I want to express my appreciation to the distinguished chair of the Natural Resources Committee, our friend Mr. HASTINGS. Unfortunately, due to an illness, he's not able to be here this week, but I spoke with him yesterday and he's doing a lot better. And he has every degree of confidence, a high level of confidence, that we're going to be able to effectively address this issue of working to drive energy prices down; to diminish the kind of dependence we have on foreign sources of energy; and the very, very important issue of creating jobs here in the United States of America, which continues to be our priority.

So I thank my friend for yielding. I encourage my colleagues to support this rule and support the underlying legislation.

And I'm happy to say that we've been able to make almost all of the amendments in order that were submitted to us as long as they comply with the rules of the House. The CutGo provision is germane. We've tried to make most of those in order, and it's a new day. We've had more amendments considered here in the first few months of this Congress than we did in the entire last Congress. So I think that this work product that we're going to have before us today is further evidence of that.

Mr. MCGOVERN. I yield myself such time as I may consume.

Mr. Speaker, let me just make a couple of points that a New York Times editorial, entitled "The Return of 'Drill Baby Drill'" made, and that was that drilling alone cannot possibly ensure energy independence in a country that uses one-quarter of the world's oil while owning only 2 percent of its reserves.

The other point it makes is the Energy Information Agency recently projected what would happen if the Nation tripled production on the Outer Continental Shelf. There would be no price impact at all until 2020 and only 3 cents to 5 cents a gallon in 2030.

The bottom line is that we need an energy policy that does not rely solely on drilling for oil; and we've tried to pass a bill that would do that, only to have strong objection from my Republican colleagues.

I would also say I just want to make sure we're clear on one thing because the chairman of the Rules Committee seemed to intimate that bringing up my legislation that would allow for there to be a vote to cut taxpayer subsidies to oil companies would somehow be against the rules. It's not against the rules. It would be totally within the rules, and the Rules Committee could have made it in order.

One of the things that I hear, when I go back home, from my constituents is, Why are you cutting programs that

help elderly people be able to heat their homes in the winter? Why are you cutting programs that would invest in alternative energy and at the same time you have Congress protecting taxpayer subsidies to big oil companies that are making record profits? People are outraged by that.

[From the New York Times, May 6, 2011]

THE RETURN OF "DRILL, BABY, DRILL"

As President Obama observed in a March 30 address on energy issues, drilling alone cannot possibly ensure energy independence in a country that uses one-quarter of the world's oil while owning only 2 percent of its reserves. Nor can it lower prices, except at the margins. Only coordinated measures—greater auto efficiency, alternative fuels, improved mass transit—can address these issues.

Still the oil industry and its political allies persist in their fantasies. On Thursday, the House passed the first of three bills that will require the Interior Department to accelerate drilling permits without proper environmental or engineering reviews, reinstate lease sales off the Virginia coast that were canceled after the BP blowout, and open up protected coastal waters—East, West and in Alaska—to drilling.

The bills would make regulation of offshore drilling even weaker than it was before the spill. They would also do almost nothing to solve the problems of \$4-a-gallon gas.

Here's the hard truth: Prices are set on the world market by the major producers, OPEC in particular. Even countries that produce more oil than they need, like Canada, have little leverage. Canada's prices track ours.

The Energy Information Agency recently projected what would happen if the nation tripled production on the outer continental shelf. There would be no price impact at all until 2020 and only 3 cents to 5 cents a gallon in 2030.

By contrast, the agency found, raising the fuel efficiency of America's cars would do real good. Increasing the fleetwide average from roughly 30 m.p.g. today to 60 m.p.g. in the next 15 years, an ambitious but not implausible goal, could bring prices down by 20 percent.

Some politicians get it. Senator Max Baucus, a Montana Democrat, is drafting a bill that seeks to repeal \$4 billion in annual taxpayer subsidies to the oil industry and use the proceeds to develop more efficient cars and alternative fuel sources. Mr. Obama has tried twice, without success, to get rid of those subsidies, and the House voted in March to preserve them in the current budget.

The tax breaks—fast write-offs for drilling expenses, generous depletion allowances, and the like—may have been useful years ago but are wholly unnecessary when oil prices and industry profits are reaching new highs.

Even John Boehner, the Republican leader, conceded in a recent ABC News interview that oil companies "ought to be paying their fair share." When horrified aides reminded him that ending the subsidies would amount to a tax increase—anathema among Republicans—he backed off.

Repealing these breaks would reduce the deficit and yield revenues to be invested in cleaner fuels, while having no real impact on prices. Mr. Obama may not be able to persuade the House of these simple truths. But he can and must seize whatever opportunities are offered in the Senate, involving himself, not just rhetorically, in the hard but necessary struggle for a sane energy policy.

At this time I would like to yield 3 minutes to the gentleman from New Jersey (Mr. PALLONE).

Mr. PALLONE. Mr. Speaker, the Republicans act as if they're trying to help the consumer with this legislation. But all they're really doing is helping Big Oil—bigger profits, bigger tax breaks. I mean, the first quarter earnings for the oil companies were bigger than ever, billions of dollars in profits. Even BP, even after the disaster a year ago, was still making huge profits; and, of course, we've got about \$4 billion in tax breaks that the Republicans continue to give to the oil companies.

No more oil is going to be brought to market because of this legislation. As my colleague from Massachusetts said, we're talking years before any oil could be brought to market. And at the same time, we have the huge environmental risks.

The fact of the matter is that the BP oil spill a year ago showed us the environmental risks that are involved with deepwater drilling. And there was a bipartisan commission that was put forward; Democrat and Republican testified before the Natural Resources Committee that I serve on. But no Republican effort is being made to implement those recommendations and say, okay, we need to do certain things before we can do offshore drilling in these deepwater areas. Nothing at all. So when you open up these areas under this legislation to new drilling, you're just inviting another BP-type spill because nothing is being done by the Republicans to prevent it.

Now, I would point out there are all kinds of leases out there now, on land, offshore, that the oil companies can drill and they're not doing it. They're just stockpiling them. There's more oil production that's been put forward in the last year or so under President Obama than ever before. So we're producing oil. No one is saying that you can't drill in the areas that are already leased. And there's more production. All we're saying is, why in the world are you risking these areas that now we know, after the BP spill, shouldn't be put into production when you've got all kinds of other opportunities out there?

Now, I offered an amendment. The chairman of the Rules Committee said that we were going to allow a lot of amendments. Well, they didn't allow my amendment; and my amendment simply said that the Atlantic coast for the next 5 years under the President's plan is off-limits because of what happened with BP and that we should keep that in place. But my amendment was not allowed in order.

□ 1240

What the President has done and what all of us are saying here is, in the aftermath of the BP spill, there are

certain areas that shouldn't be allowed offshore production and in which the leases shouldn't go out. We learned from the BP spill that these areas should be off-limits because we are concerned about the environmental risks.

In my case in the State of New Jersey, we're talking about billions and billions of dollars in tourism related to the shore that would be put at risk if we had another oil spill. That's where the jobs are. Tourism is the number one industry in the State of New Jersey. Up and down the Atlantic coast, tourism is a huge business. It creates all kinds of jobs. What minimal jobs will be created by allowing these areas to be put out to lease and by allowing the drilling compared to the risk of the jobs that would be destroyed?

Mr. REED. Mr. Speaker, I submit for the RECORD an editorial from the Wall Street Journal by former Democratic Member Harold Ford.

[From the Wall Street Journal, May 11, 2011]

WASHINGTON VS. ENERGY SECURITY

(By Harold Ford, Jr.)

Even former President Clinton calls the Obama administration's deep water drilling policy 'ridiculous.'

When President Obama introduced his energy plan in March, he pointed out that the U.S. keeps going "from shock to trance on the issue of energy security, rushing to propose action when gas prices rise, then hitting the snooze button when they fall again."

It's true that since the Nixon administration U.S. leaders have all made the same commitment to cutting our reliance on foreign oil, finding reliable sources of clean energy, and keeping energy prices low. Yet Americans keep hearing only short-term solutions and narrowly focused rules and regulations. The U.S. still imports more than half its oil, gasoline prices are at historic highs, and consumers are paying the price.

One bipartisan policy tradition is to deny Americans the use of our own resources. President George H.W. Bush took aggressive steps to keep off-limits vast supplies of oil and gas along the coasts of California and Florida. Since then, the build-up of restrictions, limitations and bans on drilling (onshore and off) have cost the U.S. economy billions of dollars while increasing our dependence on foreign sources of energy.

In the year since the Deepwater Horizon spill, the Obama administration has put in place what is effectively a permanent moratorium on deep water drilling. It stretched out the approval process for some Gulf-region drilling permits to more than nine months, lengths that former President Bill Clinton has called "ridiculous."

Then there's tax policy. Why, when gas prices are climbing, would any elected official call for new taxes on energy? And characterizing legitimate tax credits as "subsidies" or "loopholes" only distracts from substantive treatment of these issues. Lawmakers misrepresent the facts when they call the manufacturing deduction known as Section 199—passed by Congress in 2004 to spur domestic job growth—a "subsidy" for oil and gas firms. The truth is that all U.S. manufacturers, from software producers to filmmakers and coffee roasters, are eligible for this deduction.

We won't achieve energy security by restricting our own companies from drilling or

singling them out for punitive taxes. We're talking about an industry that provides millions of jobs and, for the foreseeable future, the power for our economic growth.

So our focus right now has to be to find ways to encourage domestic energy supplies, even while we encourage new sources of energy. President Obama is right that this isn't a long-term solution. But we can't lose sight of what the country needs today.

Here are a few steps to take:

First, let's conduct a comprehensive review of existing policies, rules and restrictions and root out any that needlessly hamper energy production at home. Do the existing environmental rules, for example, accurately reflect the industry's technological advancements in the ability to safely recover oil and gas supplies?

Second, let's develop the skills we need to find new and better ways to recover domestic supplies of energy—and to develop next-generation fuels to secure the future. That means encouraging more students to study math, science and other disciplines this industry needs.

And third, let's stop demonizing Big Oil to score political points. It does nothing to encourage the new talent, new ideas, and new entrepreneurs who are most likely to make breakthroughs in new sources of energy.

The kickoff of the presidential campaign season and the spike in fuel prices offer an opportunity to constructively debate a comprehensive national energy strategy. Effective policies will ensure sufficient domestic production and the healthy operation of U.S. companies abroad, which together will provide the secure, affordable energy supply that Americans need.

At this time I would like to yield 3 minutes to my good friend from Texas (Mr. FLORES).

Mr. FLORES. Mr. Speaker, I rise today in strong support of the rule and of H.R. 1231, the Reversing President Obama's Offshore Moratorium Act.

When gas prices hit \$4 a gallon in the summer of 2008, Congress and President Bush lifted a decades-old ban on drilling, allowing for exploration off both the Atlantic and Pacific coasts. However, these plans were postponed or cancelled by the Obama administration, and we are now back in the same situation of high gas prices, of squeezing the budgets of American families and small businesses. The facts are clear: The current administration is blocking American energy production and is hurting middle class America. On the other hand, they are also using American tax dollars to help offshore drilling in Brazil.

Since President Obama took office, the national average price of gasoline has nearly doubled to \$4 a gallon in most States, and the energy policies of the Obama administration have resulted in the loss of hundreds of thousands of barrels of domestic daily oil production. To make matters worse, according to the U.S. Energy Information Administration, offshore energy production is expected to drop 13 percent in 2011.

It is not too late to change our country's course of action and to begin to undo the damage done by these poli-

cies. The energy reserves off our coasts and under our public lands belong to the American taxpayers, and should be utilized in an efficient and environmentally safe manner to create jobs, to grow our economy, to lower energy prices, and to enhance our national security by reducing our dependence on foreign oil.

The Federal Government also has the ability to realize substantial revenues through the leasing of these areas, which will help pay down our \$14 trillion national debt. According to the CBO, enacting H.R. 1231 would increase receipts to the Federal Treasury by about \$800 million over the next 10 years. This important legislation will require the Obama administration to expand access to areas offshore that contain the most oil and natural gas reserves. When we do so, we will improve our energy security and grow American jobs.

I want to thank Chairman HASTINGS for his efforts in bringing H.R. 1231, along with two other American Energy Initiative bills, to the floor. I also would like to offer my special appreciation to Chairman HASTINGS for his support in allowing me to offer an amendment to H.R. 1229, which includes language from a bill I recently introduced, which extends certain leases affected by the administration's moratorium for 1 year.

I urge my colleagues to support the rule and the underlying legislation.

Mr. MCGOVERN. Mr. Speaker, I yield myself such time as I may consume.

I am amazed that my colleagues on the other side of the aisle continue to be apologists for Big Oil. The fact of the matter is that Big Oil in this country is about making profits for Big Oil. They don't seem to care very much about the consumer.

I hold this chart up, Mr. Speaker, just to kind of prove a point that, notwithstanding the fact that they're raising prices on consumers, in the first quarter of this year as compared to last year, all of these oil companies—Exxon, Oxy, Conoco, Chevron, BP—all made record profits. Exxon is up 69 percent. They made \$10.7 billion in profits in the first quarter.

What is particularly outrageous is they're making all this money, and my friends on the other side of the aisle continue to protect the subsidies and the tax breaks that they get. It's outrageous. They cut money for poor families who are trying to heat their homes in the winter; and on the other hand, they go out of their way to protect Big Oil from any amendments that we could bring to the floor here to be able to go after these subsidies and tax breaks.

My colleague from California, the chairman of the Rules Committee, says, oh, he's sympathetic. Well, we don't want your sympathy. We want your vote. I brought this amendment

to go after the subsidies that the oil companies currently enjoy, taxpayer-funded subsidies, three times in the Rules Committee. All three times, it was voted down. So enough is enough.

In terms of this rule, I want to point out something. There was an amendment offered by the gentleman from Iowa (Mr. BOSWELL). It was germane, and it complied with the Republicans' new cut-go rules. It simply required that anyone who gets a lease under this bill would have to give preference to hiring veterans—the men and women who we have sent over to Afghanistan and Iraq. When they come back, we ought to go out of our way to make sure they have jobs. This amendment was voted down in the Rules Committee, an amendment to help our veterans.

I mean, it is unbelievable to me that the Republicans voted this amendment down. Maybe there's a reason someone could give me on the other side of the aisle as to why this was ruled out of order. It was germane, and it complied with the cut-go rules; but the idea that we're not going out of our way to help our veterans, I think, is unconscionable.

I reserve the balance of my time.

Mr. REED. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Ohio (Mr. JOHNSON).

Mr. JOHNSON of Ohio. Mr. Speaker, today I rise in strong support of the Reversing President Obama's Offshore Moratorium Act, which will lift the President's ban on new offshore drilling by requiring the administration to do what my constituents in southeastern and eastern Ohio have been calling for Congress to do: open up for production the areas that contain the most oil and natural gas resources right here in America.

The hardworking people of my district have made it abundantly clear that their number one concern is the rising price of gas at the pumps. Over the past week, this side of the aisle has begun to show the American people that we are serious about addressing our energy crisis and that we will not succumb to bringing up bogus proposals that may poll well in the court of public opinion but that will only result in higher gas prices.

In 2008, our country was also experiencing record high prices at the pump, and in a logical and commonsense response to those record-high prices, that Congress and that President took action to end a decades-long drilling ban offshore by opening up new areas in the Atlantic and the Pacific Oceans for exploration and production. Unfortunately, this administration has reversed the will of the people, and has taken steps to reinstate this moratorium from new lease sales in these offshore areas.

Not only has the administration abandoned the plan to go forward with

opening up new areas for production, but they have also cancelled previously scheduled lease sales. We are now again faced with rising prices at the pump, and instead of being able to focus on new ways to make America's energy secure, we are forced to bring up legislation that will do again what Congress did 3 years ago.

Mr. Speaker, recently, the Secretary of the Interior testified before the Natural Resources Committee. Between his testimony and answers to questions, he made it painfully obvious that this administration does not have a real national energy strategy. Today, with this legislation, we're going to help the Secretary and the administration take a big step toward developing a real energy plan for America. This legislation requires the administration and the Secretary of the Interior to set specific goals on the amount of oil and natural gas production that is estimated from each of the 5-year lease plans contained in this legislation.

During my 26-plus-year career in the United States Air Force, we set goals and objectives, and then we set out about working hard to not only meet them but to exceed them. This legislation sets the production goals at a level that is triple the level of America's current production, and it therefore reduces foreign imports by one-third.

Once this legislation is adopted, we will send a signal to the world oil markets that America means business when it comes to our energy future. I am fully confident that if we set the bar high, as this legislation does, American drive and ingenuity will rise to the occasion and will exceed this goal.

□ 1250

If we're going to become energy secure, Mr. Speaker, we must increase our energy production, not limit it, and we need to commit ourselves to developing our own resources. That is why I strongly support the Reversing President Obama's Offshore Moratorium Act, and I urge my colleagues to do the same.

Mr. MCGOVERN. Mr. Speaker, I yield myself 10 seconds.

It appears, based on what I'm hearing here, that what the Republicans are dedicated to is helping the oil companies make more profits but doing nothing to help the consumer.

With that, I would like to yield 5 minutes to the gentleman from Massachusetts, the ranking member on the Resources Committee, Mr. MARKEY.

Mr. MARKEY. I thank the gentleman.

So here's where we are. The Republicans—this is unbelievable—are blocking any legislation from passing that is going to have new safety rules for drilling off of the beaches of the United States 1 year after the BP spill.

They're blocking any new safety legislation to make sure that the United States, which has four times the fatality rate of countries in Europe in drilling off our shores, has rules that are put on the books to make sure that those worst of all safety violators, these companies that drill off of our shores, have those new safety rules.

Number two, the Republicans are fighting any attempts to take away the \$4 billion in tax breaks which the American consumer gives to the oil companies each year, even as the oil companies report ExxonMobil, \$10 billion; Shell, \$8 billion; BP, \$7 billion; Chevron, \$6 billion, et cetera, for the last 3 months. That's how much money they made. The Republicans think that's not enough money, even as people get tipped upside down and have money shaken out of their pockets at the gas pump. No, not enough money. They also need to give the oil companies tax breaks. That's the Republican perspective.

What else do they do? They also slash the renewable energy budget, the clean energy budget, by 70 percent. So you're a kid out there in America; you're in the sixth grade; you're looking to America for the 21st century.

Here's what the Republicans are doing:

They're slashing the solar and wind budget by 70 percent;

They are saying to the oil companies, you don't need any more safety off of the beaches to drill;

They're saying that your profits are not windfall profits, which, of course, they are in the oil industry.

But instead, here's what we're going to let you do:

We are going to let you drill off of the beaches of California for oil, off of the beaches of Florida for oil. We're going to let you drill off the beaches—3 miles off of the coast, by the way—off the beaches of Cape Cod, of Georges Bank. We're going to turn Georges Bank into ExxonMobil's Bank. We're going to turn, not shellfish into a product that we sell, but Shell Oil will be out there. That's the agenda for the Republican Party.

This is almost surreal that they want to take the tax breaks that the oil industry has, fight like the devil to protect them, even as they want to cut Medicare for Grandma and cut wind and solar as the energy sources for the future. It's almost like they think it's 1958 and gasoline is 28 cents a gallon and we're all cruising around pretending that we're not part of the rest of the world.

This debate today is kind of a microcosm of what's wrong with Republican policies. That before, I think; people want themselves to see oil rigs off of their beaches in California and North Carolina, in Massachusetts and Maine, the least I think that you owe these people is that you have new safety

rules that reflect what happened. You have that BP commission report implemented. But you guys are just running ahead as though nothing has happened.

By the way, do you want to know what else is really wrong here? We know because of Goldman Sachs that this \$20 to \$30 a barrel of oil of increase in price over the last 11 weeks comes from speculators. What you're doing is you guys are trying to kneecap the speculator cops on the beat so that they're not even out there policing these speculators, and you're trying to reduce the budget for the speculator cops, the people who will be chasing down these speculators.

So it's all so ExxonMobil, it's all so Shell and BP and Chevron and ConocoPhillips—and, by the way, at least you're true to your colors. At least this is really what you believe in. You don't believe in wind and solar, so you're cutting that budget by 70 percent, and you want to open up the beaches as well for drilling in the States that don't want oil rigs off their beaches. I mean, my goodness, this is something that at least you should be able to respect.

You also disapprove the using of the Strategic Petroleum Reserve as a weapon to tell speculators, you could go bankrupt because we're going to use the Strategic Petroleum Reserve, the 700 million barrels of oil that the U.S. has stored.

This is a very important debate to have. I'm glad we're having it today because this "Drill, baby, drill" just says, yeah, your policy is not all of the above; it's oil above all. Everything else gets defunded.

Mr. REED. Mr. Speaker, I am pleased to yield 3 minutes to the gentlelady from North Carolina (Ms. FOXX).

Ms. FOXX. I thank my colleague for yielding time.

Mr. Speaker, Americans are demanding relief at the pump and for Congress to create an environment that creates jobs. Republicans are answering that demand with practical solutions that will have an immediate impact on the price of gasoline, energy security, and jobs.

Liberal Democrats are still adhering to the sort of demagoguery that may score political points with their base, but that doesn't create a single job nor does it reduce the cost of energy by 1 cent.

Republicans strongly believe that energy security depends on strong domestic energy production. The liberal Democrats and President Obama have actively blocked and delayed American energy production, destroying jobs, raising energy prices, and making the U.S. more reliant on unstable foreign countries for energy. This is hurting American families and small businesses who are vital to creating the new private sector jobs we desperately need during this time of high unemployment. The liberal proposals fail to

create jobs in America but help create jobs overseas for the citizens of foreign nations.

President Obama's reckless moratorium on domestic energy production has cost the gulf coast region 12,000 jobs since it was enacted last year. His moratorium now threatens an additional loss of over 24,000 jobs in the gulf and 36,000 jobs nationwide if we do not reverse this dangerous liberal endeavor.

The Republicans believe that energy security will not only create jobs but will also help reduce the deficit. According to the nonpartisan Congressional Budget Office, H.R. 1231 will generate \$800 million in revenue over 10 years while reducing foreign oil imports by nearly one-third.

The solution provided by the Democrat elites? More taxes, resulting in higher costs that will get passed on to American families. The nonpartisan Congressional Research Service says Democrat tax increases "would make oil and natural gas more expensive for U.S. customers," and even some liberals admit "it would cost thousands of jobs."

Renowned economist Dr. Joseph Mason has stated that Republican proposals for domestic energy production will create 1.2 million American jobs.

If the liberal Democrats care about our energy security, prices at the pump, job creation, and strengthening our domestic energy capability, they would join Republicans in supporting this rule and the underlying bill.

Mr. Speaker, American families cannot wait any longer for relief at the pump. American families cannot wait any longer for jobs. If you stand with American families, if you stand with American energy security, and if you stand for job creation in America, I urge my colleagues to support this rule and the underlying bill.

Mr. MCGOVERN. I yield myself 10 seconds.

Mr. Speaker, my colleague on the Rules Committee talked about all the people she stands with. I want to know why she didn't stand with the veterans last night when we had a vote that would help make sure our veterans returning from Iraq and Afghanistan would have preference in terms of these so-called new jobs that were going to be created. I find it unconscionable that the Rules Committee did not make that amendment in order, the Boswell amendment.

At this time, I would like to yield 2½ minutes to the gentlewoman from Hawaii (Ms. HIRONO).

Ms. HIRONO. Yes, indeed, the taxpayers are waiting for relief at the pump, but this bill is not it. I rise in opposition to this rule and to H.R. 1231.

□ 1300

Once again the House will vote on Republican legislation that takes a

"let's put all our eggs in one basket" approach to our national energy policy. And what's their answer to high gas prices? Drill for more oil offshore, and preserve taxpayer subsidies for Big Oil. Big Oil gets \$4 billion in subsidies from us taxpayers. This helped them rake in \$35 billion in profits in the first quarter of 2011 alone. Meanwhile, my taxpayers in Hana, Maui, have to pay over \$6 per gallon to fill up their cars to go to work. Do these taxpayers get a subsidy? No. People in Hawaii pay the highest gas prices in the country. When I was in Hawaii recently, my constituents were astonished to hear about the record profits and continuing subsidies that are provided to Big Oil.

At the same time that the Republican majority is defending subsidies for oil companies which don't lower the price at the pump, they're also working to cut Federal funding for clean, alternative energy, public transit, and energy efficient programs. They also, adding insult to injury, want to disarm the Commodity Futures Trading Commission, which is the main cop on the beat when it comes to oil speculation. Republicans also want to pretend that there are no consequences to the near indiscriminate drilling authorized by these bills. Less than a year after the catastrophic BP oil spill, which was caused by lax regulation of a dangerous industry, they want us to undo the reforms that have been made. And for what?

The Energy Department's Energy Information Administration estimates that drilling authorized by these bills may lead to a measly 1.6 percent increase in domestic energy production from 2012 to 2030. That is not a prescription for relieving pain at the pump in the short term, and it's a poor strategy for long-term energy security. Instead, we need to invest in fuel-efficient technologies and expand our transportation options. We need to focus on harnessing clean alternative energy sources, and that way, we can leave our children a cleaner, healthier planet and wean ourselves from foreign oil. I urge my colleagues to vote against this rule and against this drill-only bill.

Mr. REED. Mr. Speaker, can I respectfully ask how much time remains on each side?

The SPEAKER pro tempore. The gentleman from New York has 13 minutes. The gentleman from Massachusetts has 12½ minutes.

Mr. REED. Thank you, Mr. Speaker. At this time, I am pleased to yield 2 minutes to my good friend from California (Mr. DENHAM).

Mr. DENHAM. I thank the gentleman for yielding.

I rise today in support of the rule and the underlying legislation. The rule we have before us today allows for an open process and provides this body the opportunity to debate an issue of increas-

ing importance to our constituents back home. The future of our energy policy in this country is at stake here today, which is why I'm proud to cosponsor this bill reversing the President's offshore drilling moratorium.

This past weekend, I visited with a number of constituents at gas stations throughout my district. Some are asking, Will we get to \$5 gas prices? If you come to my district, we're already there. I visited Wawona, California, last week. Everybody likes to talk about tourism. In California, we've got a great deal of tourism. But everybody that I talked to at that pump said, We planned this trip quite a while ago. We can't afford to do it today. We wouldn't have done it had we known gas prices would have been this high. Well, gas prices are still going up. We're afraid that in Wawona, we'll see \$6 gas prices. You want to affect tourism, try hitting America's pocketbook at \$6 a gallon.

But it's not just tourism. If you go to one of the farms in my district, diesel gas has gone up. If you are frustrated about paying higher gas prices, wait until you pay higher grocery prices, because in California's great ag economy, the prices are going up. In fact, some crops are going to stay in the field this year just because we can't afford the gas to bring them to market.

Parents are feeling the same thing. You know, as I'm going to swim practice over the weekend, talking to parents, they are frustrated about just being able to get their kids to school every day. You think this bill won't do something for gas prices? It's common sense to know if we've got a greater supply here in our great Nation, gas prices are going to go down. We want American jobs. We want to be self-reliant.

We talk about veterans here on this floor. I am a veteran. I served my country. I don't want to be reliant on foreign oil anymore.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. REED. Mr. Speaker, I yield the gentleman an additional 1 minute.

Mr. DENHAM. I thank the gentleman for yielding.

A lot is always talked about us utilizing 25 percent of the world's gas. And where we disagree is the number of 2 percent of the world's oil. It's not a disagreement. The fact is, we've got 65 percent of the world's reserves between our oil shale. You just have to be willing to go get it. Natural gas, we want to use natural gas. Let's utilize our own natural gas. We have some of the largest oil reserves in the world. We just have to be willing to have American jobs and reduce our reliance on foreign oil.

Mr. MCGOVERN. I yield myself 10 seconds.

Mr. Speaker, this bill does absolutely nothing to lower gas prices, and it does everything to increase profits for the

big oil companies. Again, I repeat the question that I have been asking over and over again: why was the amendment that would help our veterans get jobs on their return from Iraq and Afghanistan defeated in the Rules Committee? I have no idea why.

At this point, I would like to yield 5 minutes to the gentleman from Michigan (Mr. PETERS).

Mr. PETERS. I thank my friend from Massachusetts for yielding me time, and I urge my colleagues to vote "no" on the previous question.

The bills proposed by the Republican leadership today, H.R. 1229 and H.R. 1231, do nothing to lower the high gas prices burdening America's families today. That's why I will be offering legislation that will produce real fuel savings for consumers, reduce our dependence on imported oil, and stimulate American manufacturing.

The Advanced Vehicle Technology Act proposes real solutions to high gas prices by helping America develop the next generation of high-tech fuel-efficient vehicles. I hope my colleagues will see that this is a better alternative to the bills that are being voted on today.

First, this bill has broad support, unlike the Republican measures before us. My bill passed last Congress with a bipartisan majority. A majority of the Members in the House today have already voted in favor of this legislation. Unlike the Republican bills, this legislation is supported by both business groups, like the Chamber of Commerce and the National Association of Manufacturers, as well as the League of Conservation Voters and the Sierra Club, proving that you can support the economy while also protecting the environment.

Second, this bill will quickly result in real cost savings to consumers. Technologies have already been developed to achieve remarkable fuel savings, and putting more money into R&D increases the speed in which new technologies can be adapted and used. Unlike the Republican drilling plan, which will take nearly a decade to produce results, technologies being developed today can be commercialized and put into cars in the very near future. I have visited auto companies and suppliers in my district and have seen firsthand the level of technological advancement. For example, they have technologies that are ready to be commercialized that can improve efficiency by 30 percent and sometimes more. That means you can drive your car 30 percent further on the same tank of gas. That represents real savings to consumers.

A large focus of this bill is on commercializing those technologies so that they can be brought to consumers and start reducing gas bills today, not 10 years from now. This bill also targets fuel savings in medium- and heavy-

duty trucks. It's widely known that there are huge efficiency gains to be made in these vehicles. By placing a greater focus on research and development in this area, we can achieve the greatest bang for the buck. More efficient trucks also yield consumer savings because it will reduce transportation costs of food and other goods that we buy at the store. The fuel savings we receive from these technological advancements in cars and trucks will have a national security benefit as well. Simply put, the bill reduces the amount of oil we import from unfriendly nations. Sixty percent of our petroleum needs today are met by imported supplies. Reducing the demand for imported oil is one of the best ways to meet our energy independence goals and end the immense transfer of American dollars to undemocratic and unfriendly nations.

Finally, the legislation supports American manufacturing and high-paying jobs. Rising gas prices are going to drive up demand for advanced vehicles around the world, and it is in our national interest to ensure that the research, development, and manufacturing happens right here in the United States. That's why this bill was included in the Make It in America agenda, a plan to rebuild American manufacturing and create well-paying jobs, unveiled by House Democrats and Democratic Whip HOYER last week.

□ 1310

The Advanced Vehicle Technology Act epitomizes the goals of Make It in America by ensuring that our country remains a leader in producing the cars and trucks of the future and supporting high-tech research and engineering jobs right here at home.

Fuel-efficient vehicle research is a win/win for our economy. It creates jobs and makes transportation more affordable for American families.

There is no doubt in the years ahead that more Americans will be driving hybrids, plug-in hybrids, battery electric vehicles, and cars and trucks powered by hydrogen fuel or natural gas. The only question is whether these new technologies will be researched, developed and manufactured here in the United States or overseas.

At the same time, domestic automotive and commercial vehicle manufacturers and suppliers have increasingly limited resources for research and development of advanced technologies. That's why the Advanced Vehicle Technology Act will create partnerships between the Department of Energy and private companies, and ensure that the American automobile industry and manufacturing base will continue to be globally competitive and that, as a Nation, we will not trade our dependence for foreign oil for a dependence on foreign batteries and other emerging technologies.

This bill does what the American people expect from us. It bridges the partisan and ideological divide.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCGOVERN. I yield the gentleman an additional minute.

Mr. PETERS. It's legislation that has support from the business community, the environmental community and the labor movement. We must stop voting on bills like the ones the majority is offering that pit priorities against each other, and, instead, we need to move legislation like my bill that brings our priorities together.

This legislation will lower costs for consumers, reduce the amount of oil we import from countries that don't like us, and create and sustain manufacturing and R&D jobs here in the United States.

I urge a "no" vote on the previous question so that we can support this legislation to Make It in America.

Mr. REED. Mr. Speaker, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. SOUTHERLAND).

Mr. SOUTHERLAND. Mr. Speaker, I rise today on behalf of the American families, the farmers and the fishermen, especially those across north Florida and northwest Florida who are being crushed today by these incredibly high rising fuel costs.

I represent and I am privileged to represent the largest land mass district in Florida, and I'll tell you, those that make their living in farming, those that make their living in one of our eight coastal counties in the fishing industry, they are being hammered day in, day out, day in, day out by rising fuel costs, especially the cost of diesel fuel.

We have the responsibility to American people today to alleviate our energy crisis through tough economic times. We can do this and must achieve this important goal while protecting the sensitive coastal regions.

And, yes, I took my baby steps on the beaches of Panama City, so I understand how important our environmental concerns are. My family's been there since Florida became a State, so I understand how critically important our environment is.

But at the same time, we must also preserve our military mission capabilities. We are the home of Tyndall Air Force Base and the home of the F-22, and so I understand how critical they are to our communities and our environment and our economies down in Florida as well.

We must do all these things while at the same time making sure that what we do in this House protects the American family budget and, especially in regards to rising fuel costs. Most family budgets today are spending over 10 percent, right at, near and over 10 percent of their family budget on rising fuel costs.

Unfortunately, some of our colleagues today believe the best thing to do, rather than to get out of this hole, is to dig this hole even deeper. As my grandfather would have said, Son, that would violate walking around sense? Okay? Instead of getting out of the hole, you just drive and dig a deeper hole.

This chart that I'm looking at right here beside me that I want you to see talks about the declining crude production in the Gulf of Mexico. In mid 2009, the United States was producing 1.73 million barrels of oil per day in the Gulf of Mexico. According to the Energy Information Administration, that number will fall to 1.18 million barrels per day next year.

Earlier we heard one of my colleagues talk about the sixth graders around the country. Well, sixth graders, I will tell you, they understand and they will soon learn in economics that, in order to reduce the price, you have to have more of something. That's simple. They're going to learn that much in basic economics. You have to have more of it.

What does this drastic reduction in the gulf exploration mean for people in Florida's Second Congressional District? They mean that if they go to the marina to try to go catch their two fish this year per day out in the Gulf of Mexico, that they're going to spend almost \$6 per gallon of gas to fill that boat up—\$6 per gallon of gas. I'm telling you, that is unbearable.

The second chart that I have right here is the exodus of American jobs, rigs leaving the gulf for foreign waters under the Obama administration's de facto moratorium.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. REED. I yield the gentleman an additional minute.

Mr. SOUTHERLAND. You will see on here that jobs are leaving the Gulf of Mexico, and they're going to the Mediterranean Sea, Egypt, Australia, Nigeria and Sierra Leone and, as we know, our favorite pick of late is Brazil.

I'm saying that what we have to do in this body today is we have to make sure that we put our lives in the lives of the American family, and we have to make sure that it is time today to do what this body should have done many, many years ago, and we have to make sure that we take care of them and make sure that we tap into our natural resources that we have in this country.

I stand today and rise in support of this rule as well as the underlying bill.

Mr. MCGOVERN. I yield myself 5 seconds.

Mr. Speaker, let's be clear. This bill does nothing, nothing at all to lower fuel costs, and everything to increase the profits by big oil companies. I think it shows where the priority of the Republican Party is at this moment.

At this time I would like to yield 1½ minutes to the gentleman from Rhode Island (Mr. CICILLINE).

Mr. CICILLINE. Mr. Speaker, I rise in strong support of H.R. 1367, the Advanced Vehicle and Technology Act and ask my colleagues to vote "no" on the previous question.

This legislation rewards American workers and American innovation. It's a true investment in American ingenuity and will help us Make It in America. By reauthorizing the Department of Energy's vehicle technologies research program, the Freedom car and the 21st century truck partnerships, the next generation of advanced vehicles will be built in America.

The Advanced Vehicle Technology Act is one important part of the Democratic jobs plan, a jobs plan that focuses on making it in America because there is no way that we can maintain our position as a great economic power without making things in America.

Making things in America is a key part of rebuilding our Nation's economy. It's about reversing the manufacturing job loss trend, recommitting ourselves to the things that created America's middle class, good-paying jobs, world-class education, top-notch research and sound infrastructure.

I strongly urge my colleagues to support H.R. 1367, because when we invest in American ingenuity and innovation, when we Make It in America, our middle class will be strengthened and our Nation will be prosperous.

Mr. REED. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Louisiana (Mr. LANDRY).

Mr. LANDRY. Hypocrisy. It's hypocrisy. Reuters', April 27, reported that the President urged other countries to lift crude oil output, to lift crude oil output. How come, if other countries increase their output, it affects the price; but yet, if we increase our output, it does not?

So if other countries promote their drill, baby, drill, it affects the price; but yet, when we in America try to drill, we don't affect the price, according to my colleagues on the other side.

Electric cars. So let's get this straight. They want Americans to charge their car up on a system, on a grid system that's already failing and broken. We've had rolling brownouts and blackouts in this country, and that's what we want to plug our cars into? I'm sorry. No.

□ 1320

Then they say there are the hybrid cars. I can't pull my boat with a Prius. I can't do it. I enjoy going fishing. I enjoy the time that I get to take my little boy out and teach him what my father and my grandfather taught me, and I have to do that pulling a boat with my Chevrolet pickup truck. I sure wish that, when I fill it up, that it was affordable.

And we can make it in America. Let's make American energy. That's what this bill, our bill, does. That's why I rise in support of this rule and this bill. If we want to make things in America, let's start with making our energy. When we can make our energy in America, we can make our products here.

Mr. MCGOVERN. I yield 1 minute to the gentleman from Michigan (Mr. CLARKE).

Mr. CLARKE of Michigan. Mr. Speaker, I want to recognize that the gentleman from Louisiana had it partially right. You know, the way we create jobs, we do it the old-fashioned way. We import great cars from Detroit.

So I urge you to defeat the previous question, support the bill that we have been talking about that will create great fuel-efficient cars, that will create jobs, and also save our motorists a lot of money because they won't have to fill up their cars with this expensive gasoline. They will be able to power their vehicles through other alternative sources of energy.

It's good for our environment, it's great for our country, it will save the motorists money, but, most importantly, it will create jobs.

Let's import these good-paying jobs by importing fuel-efficient vehicles from the city of Detroit. That's how you make it in America.

Mr. REED. Mr. Speaker, I yield 2 minutes to the gentlewoman from Washington (Ms. HERRERA BEUTLER).

Ms. HERRERA BEUTLER. Mr. Speaker, the rising cost of gas is quickly becoming the hottest topic in any meeting, and especially in my hometown and in my neck of the woods in southwest Washington State.

I hosted a job creators forum about 1½ weeks ago, and one of the biggest issues I heard about was the rising cost of gas prices.

One gentleman owns a pizza delivery operation. They make pizzas and deliver them. You can all imagine what rising gas prices do to a small business like this. They've had to let people go in the past, and they're certain to hire people again. One of his requests was: make this affordable. One of the ways we can do that is by supporting this bill, because we open up the opportunity to get more domestic energy. And that's the reality.

I can't wait for the day when our country no longer is dependent on fossil fuels, when we don't need gasoline or we don't need to get it from countries that don't like us. I can't wait for that day. And I support those explorations of alternative energies. But the problem is we're not there yet. We are not there today. The reality is, every time gas goes up, we lose jobs, and in my neck of the woods, where we have double-digit unemployment, 13 percent, 14 percent going on 3 years, it is unacceptable that this Congress would sit

on its hands and do nothing while the price of gas goes up.

If we explore for energy here domestically and we do it now, we're going to bring relief today to those small business owners in our region. They're going to be able to hire more people.

As we all go back to our districts next week, we know we're going to hear from moms and dads, we're going to hear from business owners about the high cost of gas. I invite my Democratic colleagues to join with us. Let's look our constituents in the eye and say: we supported legislation that will lower energy prices today to meet their needs.

Mr. MCGOVERN. Mr. Speaker, I yield myself the balance of my time.

I just want to remind the gentlewoman that the Department of Energy says that if we go ahead with this plan, prices will go down by 3 cents to 5 cents in the year 2030.

If you're serious about alternative forms of energy, then my question is, Why have you defunded all the programs that would fund those new clean, green jobs?

While my Republican friends cut Medicare; while they cut fuel assistance for elderly people who can't afford the cost of fuel during the cold months; while they cut Pell Grants; while they go out of their way to protect the tax cuts of Donald Trump and millionaires while putting all the burden to reduce the deficit on middle class families; while they protect the subsidies for big oil companies, it is shameful. It is shameful that with the record profits that Big Oil is making, that taxpayers continue to subsidize them by billions of dollars. It is unconscionable.

Do you want to reduce the deficit? My friends on the other side go after programs that benefit the poor. They protect programs like corporate welfare that goes to big oil companies.

We should be investing in alternative forms of energy. We should be investing in cleaner and greener technologies. That's what we have been trying to do, but my friends on the other side have been obstructing everything that we have proposed.

They say they want to not be so reliant on fossil fuels in the future, and yet they cut the very programs that will allow us to become more energy independent. This bill here will do nothing, absolutely nothing, zero, to impact the price of gasoline. It does nothing.

Everybody knows how Big Oil operates, and they do whatever they want to do. At a time when they're raising their prices, they're going to make more money this year than they did last year. It's outrageous what they're doing to the American people, how they're gouging the American people.

This bill is not an answer to anything. It is just a sound bite for them to go home and say, hey, we did some-

thing, knowing it will never pass the Senate, but also knowing that even if it did pass the Senate and if the President signed it, it would mean nothing.

So rather than focusing on things to help create jobs, to help make it in America, to help create more products in this country, we are going through these ridiculous exercises every week on different subjects; and today it happens to be a bill that is a big wet kiss to Big Oil.

To me, this is the wrong thing we should be taking our time up doing. We should be talking about how should we create jobs in this country, how do we put people back to work. And, yes, we should be talking about ways that we could truly reduce the cost of energy for consumers.

Mr. Speaker, I am urging that we defeat the previous question. I will offer an amendment, if we defeat the previous question to the rule, to provide that, immediately after the House adopts the rule, it will bring up H.R. 1367, the Advanced Vehicle Technology Act of 2011, introduced by Representative PETERS.

I ask unanimous consent to insert the text of the amendment in the RECORD along with extraneous material immediately prior to the vote on the previous question.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MCGOVERN. One final thing, Mr. Speaker. Again, we had an amendment in the Rules Committee offered by Mr. BOSWELL that would help give hiring preferences to our veterans who are risking their lives in Iraq and Afghanistan, and it was defeated. That is an outrage.

Mr. Speaker, I urge my colleagues to vote "no" and defeat the previous question so we can debate and pass a bill that American companies develop the next generation of high-tech fuel-efficient vehicles. I urge a "no" vote on the rule.

I yield back the balance of my time.

Mr. REED. I yield myself the balance of my time.

Mr. Speaker, on this rule and on this bill, I think this side of the aisle is demonstrating to all of America that we are listening.

Right now, with gas prices going through the roof, right now, with people suffering high unemployment across the Nation, we have before us a rule and a bill that will undoubtedly create jobs, 1.2 million jobs, according to economist Dr. Joseph Mason.

We have a bill and a plan that is going to bring us closer to less dependency on foreign energy supplies. It will reduce foreign oil imports by nearly one-third.

Mr. Speaker, we on this side of the aisle are going to deal with the American people in an honest fashion. We

are not going to scare the American people. We are going to have an open and honest conversation with the American people. We will lead. And what we are doing here is answering a call that the American people have reached out to us to do, and that is to commit to our domestic supplies of energy so that we have energy supplies that will allow manufacturers in the private sector to create the new opportunities for generations of Americans that are yet to come.

This is not a bill that is about protecting Big Oil. This is not about tax subsidies. I take great disagreement with my colleagues on the other side of the aisle when they say we are fighting for tax subsidies for Big Oil. What they are talking about is intangible drilling costs. They are talking about basic tax policy where there are income and expenses that are being calculated and deducted off income taxes. It goes back to my life in the private sector when I read income and expense sheets. All we are talking about are expenses, not tax subsidies.

If we want to engage in rhetoric, that's fine. But we are focused on the substance of the issue, and that substance is getting Americans back to work, 1.2 million jobs under this proposal. We will generate \$800 million in revenue over 10 years, and we are going to lead.

I urge my colleagues to support this rule and support the underlying legislation by voting in favor of both.

The material previously referred to by Mr. MCGOVERN is as follows:

AN AMENDMENT TO H. RES. 257 OFFERED BY
MR. MCGOVERN OF MASSACHUSETTS

At the end of the resolution, add the following new sections:

SEC. 2. Immediately upon adoption of this resolution the Speaker shall, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 1367) to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Energy. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Committee on Science, Space, and Technology. After general debate the bill shall be considered for amendment under the five-minute rule. All points of order against provisions in the bill are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions. If the Committee of the Whole rises and reports that it has come to no resolution on the bill, then on the next legislative day the House shall, immediately after the third daily order of business under clause 1 of rule XIV, resolve into the Committee of

the Whole for further consideration of the bill.

SEC. 3. Clause 1(c) of rule XIX shall not apply to the consideration of the bill specified in section 2 of this resolution.

(The information contained herein was provided by the Republican Minority on multiple occasions throughout the 110th and 111th Congresses.)

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's *Precedents of the House of Representatives* (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Republican majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's *Procedure in the U.S. House of Representatives*, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous

question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. REED. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. MCGOVERN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PUTTING THE GULF OF MEXICO BACK TO WORK ACT

The SPEAKER pro tempore (Mr. RUNYAN). Pursuant to House Resolution 245 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1229.

□ 1331

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, with Mr. POE of Texas (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Tuesday, May 10, 2011, a request for a recorded vote on amendment No. 11 printed in part A of House Report 112-73 by the gentleman from Florida (Mr. HASTINGS) had been postponed.

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in part A of House Report 112-73 on which further proceedings were postponed, in the following order:

Amendment No. 4 by Ms. HANABUSA of Hawaii.

Amendment No. 6 by Mr. HOLT of New Jersey.

Amendment No. 7 by Mr. POLIS of Colorado.

Amendment No. 8 by Mr. HASTINGS of Florida.

Amendment No. 9 by Mr. DEUTCH of Florida.

Amendment No. 11 by Mr. HASTINGS of Florida.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 4 OFFERED BY MS. HANABUSA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Hawaii (Ms. HANABUSA) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 187, noes 235, not voting 9, as follows:

[Roll No. 302]

AYES—187

Ackerman	Fudge	Nadler
Altmire	Garamendi	Napolitano
Andrews	Gerlach	Neal
Baca	Gibson	Olver
Baldwin	Gonzalez	Pallone
Bass (CA)	Green, Al	Pascarell
Becerra	Grijalva	Pastor (AZ)
Berkley	Gutierrez	Payne
Berman	Hanabusa	Pelosi
Bishop (GA)	Hastings (FL)	Perlmutter
Bishop (NY)	Heinrich	Peters
Blumenauer	Higgins	Pingree (ME)
Boswell	Himes	Polis
Brady (PA)	Hinchey	Price (NC)
Brown (FL)	Hirono	Quigley
Buchanan	Holt	Rahall
Butterfield	Honda	Rangel
Capps	Hoyer	Reichert
Capuano	Inslee	Reyes
Carnahan	Israel	Richardson
Carney	Jackson (IL)	Richmond
Carson (IN)	Jackson Lee	Ros-Lehtinen
Castor (FL)	(TX)	Rothman (NJ)
Chandler	Johnson (GA)	Roybal-Allard
Chu	Johnson, E. B.	Ruppersberger
Ciциlline	Jones	Rush
Clarke (MI)	Kaptur	Ryan (OH)
Clarke (NY)	Keating	Sanchez, Linda
Clay	Kildee	T.
Cleaver	Kind	Sanchez, Loretta
Clyburn	Kissell	Sarbanes
Cohen	Kucinich	Schakowsky
Connolly (VA)	Langevin	Schiff
Conyers	Larsen (WA)	Schwartz
Cooper	Larson (CT)	Scott (VA)
Costello	Lee (CA)	Scott, David
Courtney	Levin	Serrano
Critz	Lewis (GA)	Sewell
Crowley	Lipinski	Sherman
Cuellar	LoBiondo	Sires
Cummings	Loebach	Slaughter
Davis (CA)	Lofgren, Zoe	Smith (NJ)
Davis (IL)	Lowey	Smith (WA)
DeFazio	Lujan	Speier
DeGette	Lynch	Stark
DeLauro	Maloney	Sutton
Dent	Markey	Thompson (CA)
Deutch	Matheson	Thompson (MS)
Dicks	Matsui	Tierney
Dingell	McCarthy (NY)	Tonko
Doggett	McCollum	Towns
Donnelly (IN)	McDermott	Tsongas
Doyle	McGovern	Velázquez
Edwards	McIntyre	Visclosky
Ellison	McNerney	Walz (MN)
Engel	Meeks	Wasserman
Eshoo	Michaud	Schultz
Farr	Miller (NC)	Waters
Fattah	Miller, George	Watt
Filner	Moore	Waxman
Fitzpatrick	Moran	
Frank (MA)	Murphy (CT)	

Weiner
Welch

Wilson (FL)
Woolsey

Wu
Yarmuth

NOES—235

Adams
Aderholt
Akin
Alexander
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishek
Berg
Biggert
Bilbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Cravaack
Crawford
Crenshaw
Culberson
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar

Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee

Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Ribble
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schradler
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberti
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOT VOTING—9

Bilirakis
Braley (IA)
Costa

Davis (KY)
Giffords
Hastings (WA)

Johnson, Sam
Van Hollen
Westmoreland

□ 1358

Messrs. TERRY, SOUTHERLAND, and HUIZENGA of Michigan changed their vote from “aye” to “no.”

Messrs. LoBIONDO, SMITH of New Jersey, CARSON of Indiana, and AL GREEN of Texas changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. BRALEY of Iowa. Mr. Chair, on rollcall No. 302, had I been present, I would have voted “aye.”

Mr. VAN HOLLEN. Mr. Chair, on rollcall No. 302, I was unavoidably detained. Had I been present, I would have voted “aye.”

Stated against:

Mr. BILIRAKIS. Mr. Chair, on rollcall No. 302, had I been present, I would have voted “no.”

AMENDMENT NO. 6 OFFERED BY MR. HOLT

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. HOLT) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 179, noes 247, not voting 5, as follows:

[Roll No. 303]

AYES—179

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Bass (NH)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Brady (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings

Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee

Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebsock
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCormack
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters

Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky

Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speler
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko

NOES—247

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishek
Berg
Biggert
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry

Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jackson Lee
(TX)
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson

McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)

Smith (TX) Turner
 Southerland Upton
 Stearns Walberg
 Stivers Walden
 Stutzman Walsh (IL)
 Terry Webster
 Thompson (PA) West
 Thornberry Westmoreland
 Tiberi Whitfield
 Tipton Wilson (SC)

NOT VOTING—5

Giffords Huizenga (MI) Sullivan
 Hastings (WA) Johnson, Sam

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 One minute remains in this vote.

□ 1404

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

AMENDMENT NO. 7 OFFERED BY MR. POLIS

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Colorado (Mr. POLIS)
 on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 174, noes 254,
 not voting 3, as follows:

[Roll No. 304]

AYES—174

Ackerman DeGette Kildee
 Andrews DeLauro Kind
 Baca Deutch Kissell
 Baldwin Dicks Kucinich
 Bass (CA) Dingell Langevin
 Becerra Doggett Larsen (WA)
 Berkley Doyle Larson (CT)
 Berman Edwards Lee (CA)
 Bishop (GA) Ellison Levin
 Bishop (NY) Engel Lewis (GA)
 Blumenauer Eshoo Lipinski
 Brady (PA) Farr Loebsack
 Braley (IA) Fattah Lofgren, Zoe
 Brown (FL) Filner Lowey
 Butterfield Frank (MA) Luján
 Capps Fudge Lynch
 Capuano Garamendi Maloney
 Carnahan Gonzalez Markey
 Carney Grijalva Matsui
 Carson (IN) Gutierrez McCarthy (NY)
 Castor (FL) Hanabusa McCollum
 Chandler Hastings (FL) McDermott
 Chu Heinrich McGovern
 Cicilline Higgins McIntyre
 Clarke (MI) Himes McNeerney
 Clarke (NY) Hinchey Meeks
 Clay Hirono Michaud
 Cleaver Holt Miller (NC)
 Clyburn Honda Miller, George
 Cohen Hoyer Moore
 Connolly (VA) Inslee Moran
 Conyers Israel Murphy (CT)
 Cooper Jackson (IL) Nadler
 Costello Jackson Lee Napolitano
 Courtney (TX) Neal
 Crowley Johnson (GA) Oliver
 Cummings Johnson, E. B. Pallone
 Davis (CA) Jones Pascarell
 Davis (IL) Kaptur Pastor (AZ)
 DeFazio Keating Payne

Pelosi Sanchez, Loretta
 Perlmutter Sarbanes
 Peters Schakowsky
 Pingree (ME) Schiff
 Polis Schwartz
 Price (NC) Scott (VA)
 Quigley Scott, David
 Rahall Serrano
 Rangel Sewell
 Reyes Sherman
 Richardson Shuler
 Richmond Sires
 Rothman (NJ) Slaughter
 Roybal-Allard Smith (WA)
 Ruppersberger Speier
 Rush Stark
 Ryan (OH) Sutton
 Sánchez, Linda Thompson (CA)
 T. Thompson (MS)

NOES—254

Adams Fleischmann Manzano
 Aderholt Fleming Marchant
 Akin Flores Marino
 Alexander Forbes Matheson
 Altmire Fortenberry McCarthy (CA)
 Amash Foss McCaul
 Austria Franks (AZ) McClintock
 Bachmann Frelinghuysen McCotter
 Bachus Gallegly McHenry
 Barletta Gardner McKeon
 Barrow Garrett McKinley
 Bartlett Gerlach McMorris
 Barton (TX) Gibbs Rodgers
 Bass (NH) Gibson Meehan
 Benishek Gingrey (GA) Mica
 Berg Gohmert Miller (FL)
 Biggert Goodlatte Miller (MI)
 Bilbray Gosar Miller, Gary
 Bilirakis Gowdy Mulvaney
 Bishop (UT) Granger Murphy (PA)
 Black Graves (GA) Myrick
 Blackburn Graves (MO) Neugebauer
 Bonner Green, Al Noem
 Bono Mack Green, Gene Nugent
 Boren Griffin (AR) Nunes
 Boswell Griffith (VA) Nunnelee
 Boustany Grimm Olson
 Brady (TX) Guinta Owens
 Brooks Guthrie Palazzo
 Broun (GA) Hall Paul
 Buchanan Hanna Paulsen
 Bucshon Harper Pearce
 Buhrle Harris Pence
 Burgess Hartzler Peterson
 Burton (IN) Hayworth Petri
 Calvert Heck Pitts
 Camp Hensarling Platts
 Campbell Herger Poe (TX)
 Canseco Herrera Beutler Pompeo
 Cantor Hinojosa Posey
 Capito Holden Price (GA)
 Cardoza Huelskamp Quayle
 Carter Huizenga (MI) Reed
 Cassidy Hultgren Rehberg
 Chabot Hunter Reichert
 Chaffetz Hurt Renacci
 Coble Issa Ribble
 Coffman (CO) Jenkins Rigell
 Cole Johnson (IL) Rivera
 Conaway Johnson (OH) Roby
 Costa Jordan Roe (TN)
 Cravaack Kelly Rogers (AL)
 Crawford King (IA) Rogers (KY)
 Crenshaw King (NY) Rogers (MI)
 Critz Kingston Rohrabacher
 Cuellar Kinzinger (IL) Rokita
 Culberson Kline Rooney
 Davis (KY) Labrador Ros-Lehtinen
 Denham Lamborn Roskam
 Dent Lance Ross (AR)
 DesJarlais Landry Ross (FL)
 Diaz-Balart Lankford Royce
 Dold Latham Runyan
 Donnelly (IN) LaTourette Ryan (WI)
 Dreier Latta Scalise
 Duffy Lewis (CA) Schilling
 Duncan (SC) LoBiondo Schmidt
 Duncan (TN) Long Schock
 Elmers Lucas Schrader
 Emerson Luetkemeyer Schweikert
 Farenthold Lummis Scott (SC)
 Fincher Lungren, Daniel Scott, Austin
 Fitzpatrick E. Sensenbrenner
 Flake Mack Sessions

Shimkus Thompson (PA) Whitfield
 Shuster Thornberry Wilson (SC)
 Simpson Tiberi Wittman
 Smith (NE) Tipton Wolf
 Smith (NJ) Turner Womack
 Smith (TX) Upton Woodall
 Southerland Walberg Yoder
 Stearns Walden Young (AK)
 Stivers Walsh (IL) Young (FL)
 Stutzman Webster Young (IN)
 Sullivan West
 Terry Westmoreland

NOT VOTING—3

Giffords Hastings (WA) Johnson, Sam

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mrs. MILLER of
 Michigan) (during the vote). There is
 less than 1 minute remaining in the
 vote.

□ 1408

So the amendment was rejected.

The result of the vote was announced
 as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. HASTINGS
OF FLORIDA

The Acting CHAIR. The unfinished
 business is the demand for a recorded
 vote on the amendment offered by the
 gentleman from Florida (Mr. HASTINGS)
 on which further proceedings were
 postponed and on which the noes pre-
 vailed by voice vote.

The Clerk will redesignate the
 amendment.

The Clerk redesignated the amend-
 ment.

RECORDED VOTE

The Acting CHAIR. A recorded vote
 has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-
 minute vote.

The vote was taken by electronic de-
 vice, and there were—ayes 169, noes 258,
 not voting 4, as follows:

[Roll No. 305]

AYES—169

Ackerman Cummings Israel
 Andrews Davis (CA) Jackson (IL)
 Baca Davis (IL) Jackson Lee
 Baldwin DeFazio (TX)
 Bass (CA) DeGette Johnson (GA)
 Becerra DeLauro Johnson, E. B.
 Berkley Deutch Jones
 Berman Dicks Kaptur
 Bishop (GA) Dingell Keating
 Bishop (NY) Doggett Kildee
 Blumenauer Donnelly (IN) Kind
 Boswell Doyle Kissell
 Brady (PA) Edwards Kucinich
 Braley (IA) Ellison Langevin
 Brown (FL) Engel Larsen (WA)
 Butterfield Eshoo Larson (CT)
 Capps Farr Lee (CA)
 Capuano Fattah Levin
 Carnahan Filner Lewis (GA)
 Carson (IN) Frank (MA) Loebsack
 Castor (FL) Fudge Lofgren, Zoe
 Chandler Garamendi Lowey
 Chu Grijalva Luján
 Cicilline Gutierrez Lynch
 Clarke (MI) Hanabusa Maloney
 Clarke (NY) Hastings (FL) Markey
 Clay Heinrich Matsui
 Cleaver Higgins McCarthy (NY)
 Clyburn Himes McCollum
 Cohen Hinchey McDermott
 Conyers Hirono McGovern
 Cooper Holt McIntyre
 Courtney Honda McNeerney
 Critz Hoyer Meeks
 Crowley Inslee Michaud

Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson

Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton

Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

Ross (FL)
Royce
Runyan
Ryan (WI)
Sánchez, Loretta
Scalise
Schilling
Schmidt
Schock
Schwartz
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler

Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loeb sack
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George

Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Robby
Roe (TN)
Rogers (AL)
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schilling
Schwartz

NOES—258

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Costello
Cravaack
Crawford
Crenshaw
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold

Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Holden
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)

Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paul
Paulsen
Pearce
Pence
Perlmutter
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)

NOT VOTING—4

Hastings (WA)
Johnson, Sam

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There is 1 minute remaining in this vote.

□ 1412

Mr. KINGSTON changed his vote from “aye” to “no.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 9 OFFERED BY MR. DEUTCH

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. DEUTCH) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 205, noes 222, not voting 4, as follows:

[Roll No. 306]

AYES—205

Ackerman
Aderholt
Allmire
Andrews
Baca
Bachus
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Bonner
Brady (PA)
Braley (IA)
Brooks
Brown (FL)
Buchanan
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)

Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Clever
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)

Adams
Akin
Alexander
Amash
Austria
Bachmann
Barletta
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggert
Bilbray
Bishop (UT)
Black
Blackburn
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold

NOES—222

Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallagher
Gardner
Garrett
Gerlach
Gibbs
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Hall
Harper
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins

Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson

Owens	Rohrabacher	Stivers	Garamendi	Maloney	Sánchez, Linda	Miller (MI)	Rigell	Smith (TX)
Palazzo	Rokita	Stutzman	Gonzalez	Markey	T.	Miller, Gary	Rivera	Southerland
Paul	Rooney	Sullivan	Green, Al	Matsui	Sanchez, Loretta	Mulvaney	Roby	Stearns
Paulsen	Roskam	Terry	Green, Gene	McCarthy (NY)	Sarbanes	Murphy (PA)	Roe (TN)	Stivers
Pearce	Ross (AR)	Thompson (PA)	Grijalva	McCollum	Schakowsky	Myrick	Rogers (AL)	Stutzman
Pence	Ross (FL)	Thornberry	Gutierrez	McDermott	Schiff	Neugebauer	Rogers (KY)	Sullivan
Peterson	Royce	Tiberi	Hanabusa	McGovern	Schrader	Noem	Rogers (MI)	Terry
Petri	Runyan	Tipton	Hastings (FL)	McIntyre	Schwartz	Nugent	Rohrabacher	Thompson (PA)
Pitts	Ryan (WI)	Turner	Heinrich	McNerney	Scott (VA)	Nunnelee	Rokita	Thornberry
Platts	Scalise	Upton	Higgins	Meehan	Scott, David	Olson	Rooney	Tiberi
Poe (TX)	Schmidt	Walberg	Himes	Meeks	Serrano	Palazzo	Ros-Lehtinen	Tipton
Pompeo	Schrader	Walden	Hinchey	Michaud	Sewell	Paul	Roskam	Turner
Price (GA)	Schweikert	Walsh (IL)	Hirono	Miller (NC)	Sherman	Paulsen	Ross (AR)	Walberg
Quayle	Scott (SC)	Whitfield	Holden	Miller, George	Shuler	Pearce	Ross (FL)	Walden
Reed	Sensenbrenner	Wilson (SC)	Holt	Moore	Sires	Pence	Royce	Walsh (IL)
Rehberg	Sessions	Wittman	Honda	Moran	Slaughter	Peterson	Runyan	Webster
Reichert	Shimkus	Wolf	Hoyer	Murphy (CT)	Smith (WA)	Pitts	Ryan (WI)	West
Renacci	Shuster	Womack	Inslee	Nadler	Speier	Platts	Scalise	Westmoreland
Ribble	Simpson	Woodall	Israel	Napolitano	Stark	Poe (TX)	Schilling	Whitfield
Rigell	Smith (NE)	Yoder	Jackson (IL)	Neal	Sutton	Pompeo	Schmidt	Wittman
Rivera	Smith (NJ)	Young (AK)	Jackson Lee	Olver	Thompson (CA)	Posey	Schwikert	Wolf
Rogers (KY)	Smith (TX)	Young (IN)	(TX)	Owens	Thompson (MS)	Price (GA)	Scott (SC)	Womack
Rogers (MI)	Stearns		Johnson (GA)	Pallone	Tierney	Reed	Scott, Austin	Woodall

NOT VOTING—4

Giffords Johnson, Sam
Hastings (WA) Schock

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). Members have 1 minute remaining on the vote.

□ 1417

Messrs. ROGERS of Alabama and GINGREY of Georgia changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 11 OFFERED BY MR. HASTINGS OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. HASTINGS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 185, noes 239, not voting 7, as follows:

[Roll No. 307]

AYES—185

Ackerman	Carney	Cummings
Altire	Carson (IN)	Davis (CA)
Andrews	Castor (FL)	Davis (IL)
Baca	Chandler	DeFazio
Baldwin	Chu	DeGette
Barrow	Cielline	DeLauro
Bass (CA)	Clarke (MI)	Deutch
Becerra	Clarke (NY)	Dicks
Berkley	Clay	Dingell
Berman	Cleaver	Doggett
Bishop (GA)	Clyburn	Donnelly (IN)
Bishop (NY)	Coble	Doyle
Blumenauer	Cohen	Edwards
Boswell	Connolly (VA)	Ellison
Brady (PA)	Conyers	Engel
Braley (IA)	Cooper	Eshoo
Brown (FL)	Costello	Farr
Butterfield	Courtney	Fattah
Capps	Critz	Finer
Capuano	Crowley	Frank (MA)
Carnahan	Cuellar	Fudge

Adams	Davis (KY)	Herger
Aderholt	Denham	Herrera Beutler
Akin	Dent	Hinojosa
Alexander	DesJarlais	Huelskamp
Amash	Diaz-Balart	Huizenga (MI)
Austria	Dold	Hultgren
Bachmann	Dreier	Hunter
Bachus	Duffy	Hurt
Barletta	Duncan (SC)	Issa
Bartlett	Duncan (TN)	Jenkins
Barton (TX)	Ellmers	Johnson (IL)
Bass (NH)	Emerson	Johnson (OH)
Benish	Farenthold	Jones
Berg	Fincher	Jordan
Biggart	Fitzpatrick	Kelly
Bilbray	Flake	King (NY)
Bilirakis	Fleischmann	Kingston
Bishop (UT)	Fleming	Kinzinger (IL)
Black	Flores	Kline
Blackburn	Forbes	Labrador
Bonner	Fortenberry	Lamborn
Bono Mack	Fox	Lance
Boren	Franks (AZ)	Landry
Boustany	Frelinghuysen	Lankford
Brady (TX)	Gallegly	Latham
Brooks	Gardner	LaTourette
Broun (GA)	Garrett	Latta
Buchanan	Gerlach	Lewis (CA)
Bucshon	Gibbs	LoBiondo
Buerkle	Gibson	Long
Burgess	Gingrey (GA)	Lucas
Burton (IN)	Gohmert	Luetkemeyer
Calvert	Goodlatte	Lummis
Camp	Gosar	Lungren, Daniel
Campbell	Gowdy	E.
Canseco	Granger	Mack
Cantor	Graves (GA)	Manzullo
Capito	Graves (MO)	Marchant
Cardoza	Griffin (AR)	Marino
Carter	Griffith (VA)	Matheson
Cassidy	Grimm	McCarthy (CA)
Chabot	Guinta	McCaul
Chaffetz	Guthrie	McClintock
Coffman (CO)	Hall	McCotter
Cole	Hanna	McHenry
Conaway	Harper	McKeon
Costa	Harris	McKinley
Cravaack	Hartzler	McMorris
Crawford	Hayworth	Rodgers
Crenshaw	Heck	Mica
Culberson	Hensarling	Miller (FL)

NOES—239

NOT VOTING—7

Giffords King (IA) Wilson (SC)
Hastings (WA) Nunes
Johnson, Sam Schock

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. ROGERS of Alabama) (during the vote). One minute remains in this vote.

□ 1422

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. RICHARDSON. Mr. Chair, I am recorded as voting “nay” on rollcall vote No. 307; this was inadvertent. I intended to vote “aye.”

The Acting CHAIR. There being no further amendments, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mrs. MILLER of Michigan) having assumed the chair, Mr. ROGERS of Alabama, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, and, pursuant to House Resolution 245, reported the bill, as amended by that resolution, back to the House.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. CONNOLLY of Virginia. Madam Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. CONNOLLY of Virginia. I am in its present form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Connolly of Virginia moves to recommit the bill H.R. 1229 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendment:

On page 4, after line 6, insert the following new paragraph (and redesignate accordingly):

“(3) COASTAL RESTORATION.—The Secretary shall not issue a permit under paragraph (1) to any applicant that has been required to pay a civil penalty, a criminal fine, or monetary damages resulting from the applicant’s activities on the outer Continental Shelf, until such penalties, fines, or damages have been paid in full, or the applicant has entered a formal agreement to pay such penalties, fines, or damages, in order to redress economic and environmental harm caused to the Gulf of Mexico Region.

Mr. LANDRY. Madam Speaker, I reserve a point of order against the motion.

The SPEAKER pro tempore. A point of order is reserved.

The gentleman from Virginia is recognized for 5 minutes.

Mr. CONNOLLY of Virginia. Madam Speaker, this simple motion to recommit ensures that oil companies clean up their mess from their oil spills prior to receiving a new permit under the guidelines of this bill.

This is the final amendment to the bill, and if it is adopted, we will immediately vote on final passage.

Although we may disagree on the underlying bill, we surely can agree that it is necessary to protect taxpayers who would otherwise have to foot the bill for cleaning up oil companies’ oil spills. It’s also necessary to protect the individuals whose lives have been directly affected by those spills.

To illustrate how important this final amendment is look no further than last year’s Deepwater Horizon oil spill in the Gulf of Mexico. The gulf’s fisheries were worth \$5.5 billion annually prior to the spill. Shouldn’t we require BP to pay those economic damages before it receives another permit to drill again?

The gulf coast fisheries supported 200,000 fishing jobs prior to the Deepwater Horizon oil spill. Shouldn’t BP have the responsibility to pay economic damages to those fishermen who may have lost their livelihoods as a result of their oil spill?

More than 407,000 residents and 102,000 businesses on the gulf have submitted claims for damages due to the spill, and fewer than half have been paid. Shouldn’t BP have to resolve all of those claims before it takes more of our publicly owned oil from America’s Outer Continental Shelf?

In many cases, payment of claims is the difference, Madam Speaker, between survival and bankruptcy for small businesses. Of the 102,000 of them that claim damages as a result of the

gulf oil spill, more than 55,000 submitted claims in excess of \$10,000. Losses ranging from \$10,000 to more than \$500,000 are not trivial, and we should not allow companies like BP to force businesses into bankruptcy even while they seek permission to take more oil from America’s Outer Continental Shelf.

We still don’t know the full extent of cleanup costs resulting from Deepwater Horizon, but the costs continue to grow. Consider how labor intensive restoration is. To help prevent some sea turtles from being wiped out, restoration teams rehabilitated more than 1,000 of them and relocated 14,000 turtle hatchlings to Florida’s east coast which was not damaged by oil.

More than 4,200 people are still working to clean up more than 544 miles of gulf coastline, and this work is essential to restore the gulf’s fisheries and tourist economy. For example, the Coast Guard is still cleaning up tar balls and tar mats from Gulf Shores, Alabama.

While we can all appreciate the resources that BP has put into the clean-up to date, it is important that we set a clear standard for the Gulf of Mexico: Oil companies that cause oil spills have to clean up their mess first. We should never allow companies like BP to get away with giving the gulf coast clean-up a lick and a promise or let other oil companies continue extracting America’s oil until they have finished cleaning up their mess.

If the oil companies responsible for spills do not pay for their oil spill cleanups and private damages, then America’s taxpayers will end up paying for it. So we need to send a simple message to oil companies that cause spills: It’s your mess; you clean it up. We cannot afford to be subsidizing them at a time when we’re wrestling with record deficits and they’re experiencing record profits.

By passing this simple final amendment to the bill, we’ll be honoring the lesson that most of us probably learned from our mothers: If you are responsible for it, you’ve got to clean it up.

□ 1430

And if some oil companies aren’t willing to clean up their mess, then they shouldn’t get to extract more of our oil, because there are plenty of responsible businesses that would conduct business in a manner that doesn’t endanger the livelihoods and lives of nearby residents.

Remember, this final amendment doesn’t stop a single oil well from being drilled. All it does is ensure that an oil company that caused the spill clean up its mess before drilling new wells on oil on our property; it has to take responsibility for the cleanup.

I urge a “yes” vote on this simple amendment.

Madam Speaker, I yield back the balance of my time.

Mr. LANDRY. Madam Speaker, I continue to reserve my point of order while rising in opposition to the motion.

The SPEAKER pro tempore. The gentleman from Louisiana is recognized for 5 minutes.

Mr. LANDRY. Madam Speaker, my Democrat colleagues are trying to distract us from the central issue, which is jobs. We’re trying to put people back to work, but instead of putting people back to work, we’re having to deal with procedural gamesmanship. The American people are tired of games. They want results.

Last night, on the phone while I checked on my constituents who are preparing for floodwaters not seen in some 50 years, constituents who may lose their homes, one gentleman asked me, he said, Congressman, when are we going to get back to work? I will need my offshore job to pay for the damages that this flood brings us.

Shockingly, I said, do you understand that these floodwaters may not recede for months? He looked at me and he replied, like any good old Cajun, sha, them floodwaters were sent here by God, and it will recede; the same God who gave me my two hands and my two feet, so that I can get back to work.

My job is gone because of a man and my government, not God. Please tell them that we are not only ready to get back to work, we need to get back to work.

Now, my friends, how do you say no to him?

How do you say no to a people who have endured over two calamities per year since 2005. Katrina, Rita, Ike, Gustav, the Deepwater Horizon incident, the Mississippi River floods that are coming upon us?

These people simply want to get back to work. They understand that putting them back to work will ease the price at the pump they too pay.

Let’s put our differences aside. Let’s put America back to work. Let’s crank up those steel mills in Pennsylvania. Let’s tell the boys in Illinois that we need those Caterpillar engines. Let’s tell the Texans, the Louisianans, the Mississippians, the ones in Florida, Alabama, Arkansas, and Oklahoma, that jobs are coming back to the gulf.

Let’s fuel our plants with American energy and American oil. No more shall we beg those who hate us for their oil. America is on her way back, and it starts in the Gulf of Mexico. Let’s put the gulf back to work so we can put America back to work.

Madam Speaker, I withdraw my point of order.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. CONNOLLY of Virginia. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage of H.R. 1229, if ordered; ordering the previous question on House Resolution 257; and adoption of House Resolution 257, if ordered.

The vote was taken by electronic device, and there were—ayes 186, noes 239, not voting 6, as follows:

[Roll No. 308]

AYES—186

Ackerman	Green, Al	Owens
Altmire	Green, Gene	Pallone
Andrews	Grijalva	Pascarell
Baca	Gutierrez	Pastor (AZ)
Baldwin	Hanabusa	Payne
Barrow	Hastings (FL)	Pelosi
Bass (CA)	Heinrich	Perlmutter
Becerra	Higgins	Peters
Berkley	Himes	Pingree (ME)
Berman	Hinchey	Price (NC)
Bishop (GA)	Hinojosa	Quigley
Bishop (NY)	Hirono	Rahall
Blumenauer	Holden	Rangel
Boswell	Holt	Reyes
Brady (PA)	Honda	Richardson
Braley (IA)	Hoyer	Richmond
Brown (FL)	Inslee	Ross (AR)
Butterfield	Israel	Rothman (NJ)
Capps	Jackson (IL)	Roybal-Allard
Capuano	Jackson Lee	Ruppersberger
Cardoza	(TX)	Rush
Carnahan	Johnson (GA)	Ryan (OH)
Carney	Johnson, E. B.	Sánchez, Linda T.
Carson (IN)	Jones	Sanchez, Loretta
Castor (FL)	Kaptur	Sarbanes
Chandler	Keating	Farenthold
Chu	Kildee	Schakowsky
Ciциlline	Kind	Schiff
Clarke (MI)	Kissell	Schrader
Clay	Kucinich	Schwartz
Cleaver	Langevin	Scott (VA)
Clyburn	Larsen (WA)	Scott, David
Cohen	Larson (CT)	Serrano
Connolly (VA)	Lee (CA)	Sewell
Conyers	Levin	Sherman
Costello	Lewis (GA)	Shuler
Courtney	Lipinski	Sires
Critz	Loeb sack	Slaughter
Crowley	Lofgren, Zoe	Smith (WA)
Cuellar	Lowe y	Speier
Cummings	Luján	Stark
Davis (CA)	Lynch	Sutton
Davis (IL)	Maloney	Thompson (CA)
DeFazio	Markey	Thompson (MS)
DeGette	Matheson	Tierney
DeLauro	Matsui	Tonko
Deutch	McCarthy (NY)	Towns
Dicks	McCollum	Tsongas
Dingell	McDermott	Van Hollen
Doggett	McGovern	Velázquez
Donnelly (IN)	McIntyre	Visclosky
Doyle	McNerney	Walz (MN)
Edwards	Meeks	Wasserman
Ellison	Michaud	Schultz
Engel	Miller (NC)	Waters
Eshoo	Miller, George	Watt
Farr	Moore	Waxman
Fattah	Moran	Weiner
Filner	Murphy (CT)	Welch
Frank (MA)	Nadler	Wilson (FL)
Fudge	Napolitano	Woolsey
Garamendi	Neal	Wu
Gonzalez	Oliver	Yarmuth

NOES—239

Adams	Amash	Barletta
Aderholt	Austria	Bartlett
Akin	Bachmann	Barton (TX)
Alexander	Bachus	Bass (NH)

Benishek	Graves (MO)	Pearce
Berg	Griffin (AR)	Pence
Biggart	Griffith (VA)	Peterson
Bilbray	Grimm	Petri
Bilirakis	Guinta	Pitts
Bishop (UT)	Guthrie	Platts
Black	Hall	Poe (TX)
Blackburn	Hanna	Pompeo
Bonner	Harper	Posey
Bono Mack	Harris	Price (GA)
Boren	Hartzler	Quayle
Boustany	Hayworth	Reed
Brady (TX)	Heck	Rehberg
Brooks	Hensarling	Reichert
Broun (GA)	Herger	Renacci
Buchanan	Herrera Beutler	Ribble
Bucshon	Huelskamp	Rigell
Buerkle	Huizenga (MI)	Rivera
Burgess	Hultgren	Roby
Burton (IN)	Hunter	Roe (TN)
Calvert	Hurt	Rogers (AL)
Camp	Issa	Rogers (KY)
Campbell	Jenkins	Rogers (MI)
Canseco	Johnson (IL)	Rohrabacher
Cantor	Johnson (OH)	Rokita
Capito	Jordan	Rooney
Carter	Kelly	Ros-Lehtinen
Cassidy	King (NY)	Roskam
Chabot	Kingston	Ross (FL)
Chaffetz	Kinzing er (IL)	Royce
Coble	Kline	Runyan
Coffman (CO)	Labrador	Ryan (WI)
Cole	Lamborn	Scalise
Conaway	Lance	Schilling
Cooper	Landry	Schmidt
Costa	Lankford	Schock
Cravaack	Latham	Schweikert
Crawford	LaTourette	Scott (SC)
Crenshaw	Latta	Scott, Austin
Culberson	Lewis (CA)	Sensenbrenner
Davis (KY)	LoBiondo	Sessions
Denham	Long	Shimkus
Dent	Lucas	Shuster
DesJarlais	Luetkemeyer	Simpson
Diaz-Balart	Lummis	Smith (NE)
Dold	Lungren, Daniel E.	Smith (NJ)
Dreier	Duffy	Smith (TX)
Duffy	Mack	Southerland
Duncan (SC)	Manzullo	Stearns
Duncan (TN)	Marchant	Stivers
Ellmers	Marino	Stutzman
Emerson	McCarthy (CA)	Sullivan
Farenthold	McCaul	Terry
Fincher	McClintock	Thompson (PA)
Fitzpatrick	McCotter	Thornberry
Flake	McHenry	Tiberi
Fleischmann	McKeon	Tipton
Fleming	McKinley	Turner
Flores	McMorris	Upton
Forbes	Rodgers	Walberg
Fortenberry	Meehan	Walden
Foxx	Mica	Walsh (IL)
Franks (AZ)	Miller (FL)	Webster
Frelinghuysen	Miller (MI)	West
Gallely	Miller, Gary	Westmoreland
Gardner	Mulvaney	Whitfield
Gohmert	Murphy (PA)	Wilson (SC)
Gerlach	Myrick	Wittman
Gibbs	Neugebauer	Wolf
Gibson	Noem	Womack
Gingrey (GA)	Nugent	Woodall
Gingery (GA)	Nunes	Yoder
Goodlatte	Nunnelee	Young (AK)
Gosar	Olson	Young (FL)
Gowdy	Palazzo	
Granger	Paul	
Graves (GA)	Paulsen	

NOT VOTING—6

Clarke (NY)	Hastings (WA)	King (IA)
Giffords	Johnson, Sam	Polis

□ 1453

Mr. ROHRABACHER changed his vote from “aye” to “no.”

Mr. ROSS of Arkansas changed his vote from “no” to “aye.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. KING of Iowa. Madam Speaker, on roll-call No. 308 I was tied up in an elevator. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 263, noes 163, not voting 5, as follows:

[Roll No. 309]

AYES—263

Adams	Duncan (TN)	Lankford
Aderholt	Ellmers	Latham
Akin	Emerson	LaTourette
Alexander	Farenthold	Latta
Altmire	Fincher	Lewis (CA)
Amash	Fitzpatrick	LoBiondo
Austria	Flake	Long
Baca	Fleischmann	Lucas
Bachmann	Fleming	Luetkemeyer
Bachus	Flores	Lummis
Barletta	Forbes	Lungren, Daniel E.
Barrow	Foxx	Mack
Bartlett	Franks (AZ)	Manzullo
Barton (TX)	Frelinghuysen	Marchant
Bass (NH)	Gallely	Marino
Benishek	Gardner	Matheson
Berg	Garrett	McCarthy (CA)
Biggart	Gerlach	McCaul
Bilbray	Gibbs	McClintock
Bilirakis	Gibson	McCotter
Bishop (GA)	Gingrey (GA)	McHenry
Bishop (UT)	Gohmert	McIntyre
Black	Gosar	McKeon
Blackburn	Gowdy	McKinley
Bonner	Granger	McMorris
Bono Mack	Graves (GA)	Rodgers
Boren	Graves (MO)	Meehan
Boswell	Green, Al	Mica
Boustany	Green, Gene	Miller (FL)
Brady (TX)	Griffin (AR)	Miller (MI)
Brooks	Griffith (VA)	Miller, Gary
Broun (GA)	Grimm	Mulvaney
Buchanan	Guinta	Murphy (PA)
Bucshon	Guthrie	Myrick
Buerkle	Hall	Neugebauer
Burgess	Hanna	Noem
Burton (IN)	Harper	Nugent
Calvert	Harris	Nunes
Camp	Hartzler	Olson
Campbell	Hayworth	Nunnelee
Canseco	Heck	Owens
Cantor	Hensarling	Palazzo
Capito	Herger	Paul
Cardoza	Herrera Beutler	Paulsen
Carter	Hinojosa	Pearce
Cassidy	Holden	Pence
Chabot	Huelskamp	Perlmutter
Chaffetz	Huizenga (MI)	Peterson
Chandler	Hultgren	Petri
Coble	Hunter	Pitts
Coffman (CO)	Hurt	Platts
Cole	Issa	Poe (TX)
Conaway	Jackson Lee	Pompeo
Costa	(TX)	Posey
Cravaack	Jenkins	Price (GA)
Crawford	Johnson (IL)	Quayle
Crenshaw	Johnson (OH)	Quigley
Critz	Johnson, E. B.	Reed
Cuellar	Jones	Rehberg
Culberson	Jordan	Reichert
Davis (KY)	Kelly	Renacci
Denham	King (IA)	Reyes
Dent	King (NY)	Ribble
DesJarlais	Kingston	Rigell
Diaz-Balart	Kinzing er (IL)	Rivera
Dold	Kline	Roby
Donnelly (IN)	Labrador	Roe (TN)
Dreier	Lamborn	Rogers (AL)
Duffy	Lance	Rogers (KY)
Duncan (SC)	Landry	

Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner

Sessions
Sewell
Shinkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner

Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NOES—163

Ackerman
Andrews
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chu
Ciilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez

Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Johnson (GA)
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell

Pastor (AZ)
Payne
Pelosi
Peters
Pingree (ME)
Polis
Price (NC)
Rahall
Rangel
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Speier
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

NOT VOTING—5

Fortenberry
Giffords

Goodlatte
Hastings (WA)

Johnson, Sam

□ 1459

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. GOODLATTE. Madam Speaker, on roll-call No. 309 I was unavoidably detained and missed the vote. Had I been present, I would have voted "aye."

CONGRESSIONAL SPORTSMEN'S CAUCUS

(Mr. ROSS of Arkansas asked and was given permission to address the House for 1 minute.)

Mr. ROSS of Arkansas. Madam Speaker, the Congressional Sportsmen's Caucus is the largest bipartisan caucus in the Congress. Every year, we go out and have a little bit of fun shooting sporting clays, skeet, and trap. It's kind of like the baseball game and the football game and all the other stuff that goes on around here where we try to get out and get to know one another better.

This year, just yesterday, out at PG County, the Annual Congressional Sportsman's Caucus Trap, Skeet, and Sporting Clay Competition was held, and I'm pleased to report, Madam Speaker, that for the third consecutive year the Democrats won the trophy. Did I say for the third consecutive year?

Top Gun Member of Congress went to MIKE THOMPSON.

Top Gun Democrat went to COLLIN PETERSON.

Top Gun Republican went to JOHN KLINE.

Top Skeet Member was JEFF DUNCAN.

Top Trap Member was AUSTIN SCOTT.

Top Sporting Clays Member was BENNIE THOMPSON.

Top Beginner Member was RENEE ELLMERS.

Top Laser Shot went to HEATH SHULER.

With that, Madam Speaker, I would yield to my cochair of the Congressional Sportsmen's Caucus, the gentleman from Florida (Mr. MILLER).

Mr. MILLER of Florida. I thank the gentleman for yielding, and I'll make this very brief.

Congratulations.

It was a great day to be out there. I promise to those on our side of the aisle we will not be handicapped next year by only shooting .410 slugs. We will use shotguns with open chokes.

It was a great day. It went to a good cause for those that enjoy the outdoors, conservation, and the environment. I appreciate the opportunity to chair the Republican side of the Sportsman's Caucus.

Congratulations to our friends. I was in the team right behind BENNIE THOMPSON. BENNIE, we're going to get you on our side.

Congratulations.

PROVIDING FOR CONSIDERATION OF H.R. 1231, REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

The SPEAKER pro tempore. Without objection, 5-minute voting will continue.

There was no objection.

The SPEAKER pro tempore. The unfinished business is the vote on order-

ing the previous question on the resolution (H. Res. 257) providing for consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

This is a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 241, nays 179, not voting 11, as follows:

[Roll No. 310]

YEAS—241

Adams	Farenthold	Latta
Aderholt	Fincher	Lewis (CA)
Akin	Fitzpatrick	LoBiondo
Alexander	Flake	Long
Altmire	Fleischmann	Lucas
Amash	Fleming	Luetkemeyer
Austria	Flores	Lummis
Bachmann	Forbes	Lungren, Daniel
Bachus	Fortenberry	E.
Barletta	Fox	Mack
Bartlett	Franks (AZ)	Manzullo
Barton (TX)	Frelinghuysen	Marchant
Bass (NH)	Gallegly	Marino
Benish	Gardner	McCarthy (CA)
Berg	Garrett	McCauley
Biggart	Gerlach	McClintock
Blibray	Gibbs	McCotter
Bilirakis	Gibson	McHenry
Bishop (UT)	Gingrey (GA)	McKeon
Black	Gohmert	McKinley
Blackburn	Goodlatte	McMorris
Bonner	Gosar	Rodgers
Bono Mack	Gowdy	Meehan
Boren	Granger	Mica
Boustany	Graves (GA)	Miller (FL)
Brady (TX)	Graves (MO)	Miller (MI)
Brooks	Griffin (AR)	Miller, Gary
Broun (GA)	Griffith (VA)	Mulvaney
Buchanan	Grimm	Murphy (PA)
Bucshon	Guinta	Myrick
Buerkle	Guthrie	Neugebauer
Burgess	Hall	Noem
Burton (IN)	Hanna	Nugent
Calvert	Harper	Nunes
Camp	Harris	Nunnelee
Campbell	Hartzler	Olson
Canseco	Hayworth	Palazzo
Cantor	Heck	Paul
Capito	Hensarling	Paulsen
Carter	Herger	Pearce
Cassidy	Herrera Beutler	Pence
Chabot	Huelskamp	Peterson
Chaffetz	Huizenga (MI)	Pitts
Coble	Hultgren	Platts
Coffman (CO)	Hunter	Poe (TX)
Cole	Hurt	Pompeo
Conaway	Issa	Posey
Costa	Jenkins	Price (GA)
Cravaack	Johnson (IL)	Quayle
Crawford	Johnson (OH)	Reed
Crenshaw	Jones	Rehberg
Cuellar	Jordan	Reichert
Culberson	Kelly	Renacci
Davis (KY)	King (IA)	Ribble
Denham	King (NY)	Rigell
Dent	Kingston	Rivera
DesJarlais	Kinzinger (IL)	Roby
Diaz-Balart	Kline	Roe (TN)
Dold	Labrador	Rogers (AL)
Dreier	Lamborn	Rogers (KY)
Duffy	Lance	Rogers (MI)
Duncan (SC)	Landry	Rohrabacher
Duncan (TN)	Lankford	Rokita
Ellmers	Latham	Rooney
Emerson	LaTourette	Ros-Lehtinen

Roskam
Ross (AR)
Ross (FL)
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton

Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wilson (SC)
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Stated against:

Ms. HIRONO. Madam Speaker, on rollcall No. 310, had I been present, I would have voted "nay."

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. McGOVERN. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 179, not voting 9, as follows:

[Roll No. 311]

AYES—243

ACKERMAN
ANDREWS
BACA
BALDWIN
BARROW
BASS (CA)
BECERRA
BERKLEY
BERMAN
BISHOP (GA)
BISHOP (NY)
BLUMENAUER
BOSWELL
BRADY (PA)
BRALEY (IA)
BROWN (FL)
BUTTERFIELD
CAPPS
CAPUANO
CARDOZA
CARNAHAN
CARNEY
CARSON (IN)
CASTOR (FL)
CHANDLER
CHU
CICILLINE
CLARKE (MI)
CLARKE (NY)
CLAY
CLEAVER
CLYBURN
COHEN
CONNOLLY (VA)
CONYERS
COOPER
COSTELLO
COURTNEY
CRITZ
CROWLEY
CUMMINGS
DAVIS (CA)
DAVIS (IL)
DEFazio
DEGETTE
DELAURO
DEUTCH
DICKS
DINGELL
DOGGETT
DONNELLY (IN)
DOYLE
EDWARDS
ENGEL
ESHOO
FARR
FILNER
FRANK (MA)
FUDGE
GARAMENDI
GONZALEZ

NOT VOTING—11

ELLISON
FATTAH
GIFFORDS
HASTINGS (WA)

□ 1510

So the previous question was ordered. The result of the vote was announced as above recorded.

Stated for:

Mr. ROYCE. Madam Speaker, on rollcall No. 310, I was unavoidably detained. Had I been present, I would have voted "yea."

PASTOR (AZ)
PAYNE
PELOSI
PERLMUTTER
PETERS
PINGREE (ME)
POLIS
PRICE (NC)
QUIGLEY
RAHALL
RANGEL
REYES
RICHARDSON
RICHMOND
ROTHMAN (NJ)
ROYBAL-ALLARD
RUPPERSBERGER
RUSH
RYAN (OH)
SANCHEZ, LINDA
T.
SANCHEZ, LORETTA
SARBANES
SCHAKOWSKY
SCHIFF
SCHRADER
SCHWARTZ
SCOTT (VA)
SCOTT, DAVID
SERRANO
SEWELL
SHERMAN
SHULER
SIREs
SLAUGHTER
SMITH (WA)
SPEIER
STARK
SUTTON
THOMPSON (CA)
THOMPSON (MS)
TIERNEY
TONKO
TOWNS
TSONGAS
VAN HOLLEN
VELÁZQUEZ
VISLOSKEY
WALZ (MN)
WASSERMAN
WATTS
WAXMAN
WEINER
WELCH
WILSON (FL)
WOOLSEY
WU
YARMUTH

ADAMS
ADERHOLT
AKIN
ALEXANDER
ALTMIRE
AMASH
AUSTRIA
BACHMANN
BACHUS
BARLETTA
BARTLETT
BARTON (TX)
BASS (NH)
BENISHEK
BERG
BIGGETT
BILBRAY
BILIRAKIS
BISHOP (UT)
BLACK
BLACKBURN
BONNER
BONO MACK
BOREN
BOSWELL
BOUSTANY
BROOKS
BROWN (GA)
BUCHANAN
BUCHSON
BUERKLE
BURGESS
BURTON (IN)
CALVERT
CAMP
CAMPBELL
CANSECO
CANTOR
CAPITO
CARTER
CASSIDY
CHABOT
CHAFFETZ
COBLE
COFFMAN (CO)
COLE
CONAWAY
COSTA
CRAVAACK
CRAWFORD
CRENSHAW
CULBERSON
DAVIS (KY)
DENHAM
DENT
DESJARLAIS
DIAZ-BALART
DOLD
DREIER
DUFFY
DUNCAN (SC)
DUNCAN (TN)
ELLMERS
EMERSON
FARENTHOLD
FINCHER
FITZPATRICK
FLAKE
FLEISCHMANN

FLEMING
FLORES
FORBES
FORTENBERRY
FOXX
FRANKS (AZ)
FRELINGHUYSEN
GALLEGLY
GARDNER
GARRETT
GERLACH
GIBBS
GIBSON
GINGREY (GA)
GOHMERT
GOODLATTE
GOSAR
GOWDY
GRANGER
GRAVES (GA)
GRAVES (MO)
GREEN, GENE
GRIFFIN (AR)
GRIFFITH (VA)
GRIMM
GUINTA
GUTHRIE
HALL
HANNA
HARPER
HARRIS
HARTZLER
HAYWORTH
HECK
HENSARLING
HERGER
HERRERA BEUTLER
HUELSKAMP
HUIZENGGA (MI)
HULTGREN
HUNTER
HURT
ISSA
JACKSON LEE
(TX)
JENKINS
JOHNSON (IL)
JOHNSON (OH)
JONES
JORDAN
KELLY
KING (IA)
KING (NY)
KINGSTON
KINZINGER (IL)
KLINE
LABRADOR
LAMBORN
LANCE
LANDRY
LANKFORD
LATHAM
LATTOURETTE
LATTA
LEWIS (CA)
LOBONDO
LONG
LUCAS
LUETKEMEYER

LUMMIS
LUNGEN, DANIEL
E.
MACK
MANZULLO
MARCHANT
MARINO
MATHESON
MC CARTHY (CA)
MCCAUL
MCCLINTOCK
MCCOTTER
MC HENRY
MC KEON
MCKINLEY
MCMORRIS
RODGERS
MEEHAN
MICA
MILLER (FL)
MILLER (MI)
MILLER, GARY
MULVANEY
MURPHY (PA)
MYRICK
NEUGEBAUER
NOEM
NUGENT
NUNES
NUNNELEE
OLSON
PALAZZO
PAULSEN
PEARCE
PENCE
PETERSON
PETRI
PITTS
PLATTS
POE (TX)
POMPEO
POSEY
PRICE (GA)
QUAYLE
REED
REHBERG
REICHERT
RENACCI
RIBBLE
RIGELL
RIVERA
ROBY
ROE (TN)
ROGERS (AL)
ROGERS (KY)
ROHRBACHER
ROKITA
ROONEY
ROS-LEHTINEN
ROSKAM
ROSS (AR)
ROSS (FL)
ROYCE
RUNYAN
RYAN (WI)
SCALISE
SCHILLING
SCHMIDT

Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Simpson
Smith (NE)
Smith (TX)
Southernland
Stearns

Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)

NOES—179

ACKERMAN
ANDREWS
BACA
BALDWIN
BARROW
BASS (CA)
BECERRA
BERKLEY
BERMAN
BISHOP (GA)
BISHOP (NY)
BLUMENAUER
BRADY (PA)
BRALEY (IA)
BROWN (FL)
BUTTERFIELD
CAPPS
CAPUANO
CARDOZA
CARNAHAN
CARNEY
CARSON (IN)
CASTOR (FL)
CHANDLER
CHU
CICILLINE
CLARKE (MI)
CLARKE (NY)
CLAY
CLEAVER
CLYBURN
COHEN
CONNOLLY (VA)
CONYERS
COOPER
COSTELLO
COURTNEY
CRITZ
CROWLEY
CUELLAR
CUMMINGS
DAVIS (CA)
DAVIS (IL)
DEFazio
DEGETTE
DELAURO
DEUTCH
DICKS
DINGELL
DOGGETT
DONNELLY (IN)
DOYLE
EDWARDS
ENGEL
ESHOO
FARR
FATTAH
FILNER
FRANK (MA)
FUDGE
GARAMENDI

GONZALEZ
GREEN, AL
GRIJALVA
GUTIERREZ
HANABUSA
HASTINGS (FL)
HEINRICH
HIGGINS
HIMES
HINCHEY
HINOJOSA
HIRONO
HOLDEN
HOLT
HONDA
INSLEE
ISRAEL
JACKSON (IL)
JOHNSON (GA)
JOHNSON, E. B.
KAPTUR
KEATING
KILDEE
KIND
KISSALL
KUCINICH
LANGEVIN
LARSEN (WA)
LARSON (CT)
LEE (CA)
LEVIN
LEWIS (GA)
LIPINSKI
LOESACK
LOFGREN, ZOE
LOWEY
LUJÁN
LYNCH
MALONEY
MARKEY
MATSUI
MC CARTHY (NY)
MCCOLLUM
MCGOVERN
MCINTYRE
MCNERNEY
MECKS
MICHAUD
MILLER (NC)
MILLER, GEORGE
MOORE
MORAN
MURPHY (CT)
NADLER
NAPOLITANO
NEAL
OLVER
OWENS
PALLONE
PASCRELL
PASTOR (AZ)

WEBSTER
WEST
WESTMORELAND
WHITFIELD
WILSON (SC)
WITTMAN
WOLF
WOMACK
WOODALL
YODER
YOUNG (AK)
YOUNG (FL)
YOUNG (IN)

PAYNE
PELOSI
PERLMUTTER
PETERS
PINGREE (ME)
POLIS
PRICE (NC)
QUIGLEY
RAHALL
RANGEL
REYES
RICHARDSON
RICHMOND
ROTHMAN (NJ)
ROYBAL-ALLARD
RUPPERSBERGER
RUSH
RYAN (OH)
SANCHEZ, LINDA
T.
SANCHEZ, LORETTA
SARBANES
SCHAKOWSKY
SCHIFF
SCHRADER
SCHWARTZ
SCOTT (VA)
SCOTT, DAVID
SERRANO
SEWELL
SHERMAN
SIREs
SLAUGHTER
SMITH (NJ)
SMITH (WA)
SPEIER
STARK
SUTTON
THOMPSON (CA)
THOMPSON (MS)
TIERNEY
TONKO
TOWNS
TSONGAS
VAN HOLLEN
VELÁZQUEZ
VISLOSKEY
WALZ (MN)
WASSERMAN
WATTS
WAXMAN
WEINER
WELCH
WILSON (FL)
WOOLSEY
WU
YARMUTH

NOT VOTING—9

BRADY (TX)
ELLISON
GIFFORDS

□ 1529

Mr. LANDRY changed his vote from "no" to "aye."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Madam Speaker, on May 11, 2011, I inadvertently missed rollcall Nos. 310 and 311. Had I been present I would voted "yes."

RESIGNATION AS MEMBER OF COMMITTEE ON AGRICULTURE AND AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Agriculture and as a member of the Committee on Transportation and Infrastructure:

HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2011.

Hon. JOHN BOEHNER,
Speaker, House of Representatives, U.S. Capitol,
Washington, DC.

DEAR SPEAKER BOEHNER: As the Steering Committee has formally selected me to sit on the House Committee on Financial Services, I formally seek to resign my seat on the House Committee on Agriculture and the House Committee on Transportation and Infrastructure. I am very pleased with the opportunity to serve on the Financial Services Committee, and I look forward to being an active and effective Member.

Again, thank you for your assistance. Please contact me if I can answer any questions.

Sincerely,

STEPHEN L. FINCHER,
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES

Mr. MILLER of Florida. Madam Speaker, by direction of the Republican Conference, I send to the desk a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 263

Resolved, That the following named members be, and are hereby, elected to the following standing committees:

COMMITTEE ON FINANCIAL SERVICES—Mr. Fincher.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE—Mr. Ribble.

Mr. MILLER of Florida (during the reading). Madam Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION TO FILE REPORTS ON H.R. 1800, EXTENDING COUNTER-TERRORISM AUTHORITIES

Mr. DANIEL E. LUNGREN of California. Madam Speaker, I ask unanimous consent that the Committee on the Judiciary may have until 5 p.m. on Wednesday, May 18, 2011, to file its reports on H.R. 1800.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

PERMISSION TO FILE REPORTS ON SUNDRY LEGISLATION

Mr. MILLER of Florida. Madam Speaker, I ask unanimous consent that the Committee on Veterans' Affairs may have until 5 p.m. on Friday, May 20, 2011, to file its reports to accompany the following bills: H.R. 1407, H.R. 1484, H.R. 1627, H.R. 1383, H.R. 1657, and H.R. 802.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 427

Ms. BERKLEY. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 427, a bill originally introduced by Representative HELLER of Nevada, for the purposes of adding co-sponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

PERMISSION FOR MEMBER TO BE CONSIDERED AS FIRST SPONSOR OF H.R. 673

Ms. BERKLEY. Madam Speaker, I ask unanimous consent that I may hereafter be considered to be the first sponsor of H.R. 673, a bill originally introduced by Representative HELLER of Nevada, for the purposes of adding co-sponsors and requesting reprints pursuant to clause 7 of rule XII.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Nevada?

There was no objection.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE GREATER WASHINGTON SOAP BOX DERBY

Mr. DENHAM. Madam Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Res-

olution 16 and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 16

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF CAPITOL GROUNDS FOR SOAP BOX DERBY RACES.

(a) IN GENERAL.—The Greater Washington Soap Box Derby Association (in this resolution referred to as the "sponsor") shall be permitted to sponsor a public event, soap box derby races (in this resolution referred to as the "event"), on the Capitol Grounds.

(b) DATE OF EVENT.—The event shall be held on June 18, 2011, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment as may be required for the event.

SEC. 4. ADDITIONAL ARRANGEMENTS.

The Architect of the Capitol and the Capitol Police Board are authorized to make such additional arrangements as may be required to carry out the event.

SEC. 5. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, with respect to the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING THE USE OF THE CAPITOL GROUNDS FOR THE NATIONAL PEACE OFFICERS' MEMORIAL SERVICE

Mr. DENHAM. Madam Speaker, I ask unanimous consent that the Committee on Transportation and Infrastructure be discharged from further consideration of House Concurrent Resolution 46 and ask for its immediate consideration in the House.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

The text of the concurrent resolution is as follows:

H. CON. RES. 46

Resolved by the House of Representatives (the Senate concurring),

SECTION 1. USE OF THE CAPITOL GROUNDS FOR NATIONAL PEACE OFFICERS' MEMORIAL SERVICE.

(a) IN GENERAL.—The Grand Lodge of the Fraternal Order of Police and its auxiliary (in this resolution referred to as the “sponsor”) shall be permitted to sponsor a public event, the 30th Annual National Peace Officers' Memorial Service (in this resolution referred to as the “event”), on the Capitol Grounds, in order to honor the law enforcement officers who died in the line of duty during 2010.

(b) DATE OF EVENT.—The event shall be held on May 15, 2011, or on such other date as the Speaker of the House of Representatives and the Committee on Rules and Administration of the Senate jointly designate.

SEC. 2. TERMS AND CONDITIONS.

(a) IN GENERAL.—Under conditions to be prescribed by the Architect of the Capitol and the Capitol Police Board, the event shall be—

(1) free of admission charge and open to the public; and

(2) arranged not to interfere with the needs of Congress.

(b) EXPENSES AND LIABILITIES.—The sponsor shall assume full responsibility for all expenses and liabilities incident to all activities associated with the event.

SEC. 3. EVENT PREPARATIONS.

Subject to the approval of the Architect of the Capitol, the sponsor is authorized to erect upon the Capitol Grounds such stage, sound amplification devices, and other related structures and equipment, as may be required for the event.

SEC. 4. ENFORCEMENT OF RESTRICTIONS.

The Capitol Police Board shall provide for enforcement of the restrictions contained in section 5104(c) of title 40, United States Code, concerning sales, advertisements, displays, and solicitations on the Capitol Grounds, as well as other restrictions applicable to the Capitol Grounds, in connection with the event.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. YOUNG of Alaska. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the bill, H.R. 1231.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alaska?

There was no objection.

REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

The SPEAKER pro tempore (Mr. BROWN of Georgia). Pursuant to House Resolution 257 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state

of the Union for the consideration of the bill, H.R. 1231.

□ 1534

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, with Mrs. MILLER of Michigan in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Alaska (Mr. YOUNG) and the gentleman from Massachusetts (Mr. MARKEY) each will control 30 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Madam Chairman, the Americans suffering from \$4 a gallon gas today, \$5 a gallon gas next month must feel like they're experiencing a sense of déjà vu. It was just three short years ago, in 2008, when gasoline prices reached a record high of \$4.11 per gallon. Those high prices cut deep into the pockets of Americans that summer and generated enough public outcry to force Congress to act.

That fall, the Democrat-controlled Congress and the Republican President took bipartisan action to lift the offshore drilling ban that had been in place for decades. This monumental step opened up all of the Atlantic and Pacific coasts to new offshore energy production. Three years later, most Americans would likely be shocked to learn that no energy development has happened in these new areas and that they have actually once again been placed off-limits.

The progress that was made in 2008 by lifting the drilling moratorium has been completely reversed by the Obama administration. The President says he wants to “win the future,” but his policies are taking us back to the past.

Now American families and businesses are once again facing \$4 gasoline, as I said, \$5 the first of June; and we're no further ahead in expanding American energy production than we were 3 years ago. That's outrageous and unacceptable.

The House has already passed two bills to increase offshore energy production, create jobs, and lower prices. Today, we will vote on a third offshore drilling bill, H.R. 1231, in order to reverse the moratorium that President Obama has single-handedly placed on new offshore drilling.

This bill requires the administration to move forward with offshore lease sales in areas containing the most oil and natural gas. For the 2012–2017 lease plan being written by the Obama administration, this would include areas containing at least 2.5 billion barrels of oil or 7.5 trillion cubic feet of natural gas. Based on the government's own estimates of our oil and natural resources, this would open up areas in the north and central Atlantic coasts, the southern California coast, and offshore Alaska.

Even in the face of rising gasoline prices, the President wants to drill nowhere new. This bill says let's move forward with leasing and drilling in those areas where we know America has real and significant resources. In contrast to the President's drill nowhere new plan, this is a drill smart plan.

This bill requires the Secretary to set specific production goals for 5-year plans. For 2012–2017 it sets a goal of 3 million barrels of oil per day and 10 billion cubic feet of natural gas per day by the year 2027. By comparison to today's levels, this increase of oil equates to a tripling of current American offshore production and would reduce foreign imports by nearly one-third.

This bill will not only significantly increase American energy production; it would also create good-paying American jobs. Economist Dr. Joseph Mason testified that this bill would create 250,000 jobs short term and 1.2 million jobs long term.

This bill will also generate hundreds of millions in new revenue to help strengthen our economy and pay down the national debt. According to the Congressional Budget Office, this bill will generate \$800 million in revenue over the next 10 years.

Recent polls show that the majority of Americans—Republicans, Democrats, and independents—all support increased offshore drilling. They recognize that our national economic security should not be left in the hands of Iranian-led OPEC and that expanding American energy production will translate into more jobs, more revenue and lower gasoline prices.

Madam Chairman, the Obama administration is trying to lead us into a supposedly new era of time without understanding the importance of fossil fuels. It is the largest tax on every family. Approximately \$1,100, Mr. and Mrs. America, you're paying to the Obama administration in taxes because of the high cost of oil, high cost of gas to you.

It's time America steps up and becomes independent from those that have been selling this oil for the past 25 years. It's not just this President. This has been going on for a while. But next year we're going to send \$400 billion overseas to the countries that do not like us, that do not create one American job, not anything for America—

send the money over and buy foreign oil.

□ 1540

I watched the President say this down in Brazil. We want to be your partner. You are developing new oil fields, and we want to buy your gasoline. So Mr. And Mrs. America, keep in mind, we have the fossil fuels, we have the opportunity, and it's time that we open the offshore for development of the good State of America.

I reserve the balance of my time.

Mr. MARKEY. I yield myself 5 minutes.

Ladies and gentlemen, we are at a historic juncture in our country's history, as northern Africa and the Middle East explode. And what we have, of course, is a real instability in the oil marketplace, and we have to do something that fundamentally responds to that challenge.

In the first 3 months of this year, ExxonMobil made \$10 billion off of the American consumer—in January, February, and March of this year. Shell reported that they had made \$8 billion. BP reported that they had made \$7 billion. So what are these companies asking for? These companies are now asking that we open up the beaches of California to drill for oil, we open up the beaches of Florida to drill for oil, we open up the beaches of New Jersey and New England to drill for oil.

I will tell you right now, in most of those places—actually, in all of those places, the only oil the people who live near those beaches want is the suntan oil that they use when they're out on those beaches. They don't want oil coming in the way it did in the Gulf of Mexico. And why are they concerned? They're concerned because the oil companies, exercising their power—and right now, those oil companies are centered down in the Gulf of Mexico—those companies have exercised their power to block any new safety reforms from being put in place that would protect against another catastrophic spill.

So the temerity of these oil companies is that they are coming out here today, and they're saying: No safety; no lessons learned from what happened in the Gulf of Mexico, devastating the beaches of the gulf. Now we want permission to drill off of the California coast, the Florida coast, the New England coast, the New Jersey coast without any new safety. And by the way, although we've made a fortune just in the last 3 months, with the skyrocketing prices that people who travel here to Washington—they've been coming down all of the highways towards our Capitol, watching the price of gasoline go up even as they are traveling, heading up to \$4 and, in some places, \$5 a gallon—they're saying that the Congress shouldn't take away their tax breaks. Don't even touch those tax breaks, the oil companies are saying.

Cut Medicare for grandma. Exxon-Mobil and Shell, they are advocating cutting Medicare for grandma, to take that money and to give it to the oil companies as tax breaks to put on top—kind of like a cherry on top of the sundae—to put it on top of all of these profits that they are making off of the American consumer. That's what they're trying to do, and that's what this debate is all about.

So what we're saying as Democrats is, let's implement the safety recommendations to make sure that the drilling doesn't endanger the beaches of the east coast and the west coast the way they did in the Gulf of Mexico. The oil companies are coming in here, with the Republicans as their advocates, saying, Don't worry about it. Yes, we're going to block any safety measures from being put on the books, but that's our prerogative because we have the votes here. The Republicans are going to make sure that the votes are there to block any safety—we want to keep the tax breaks; the Republicans say fine. We don't want any new safety regulations; the Republicans say fine.

By the way, we don't even like the idea of this competition from wind and solar, so we would like to ask you, as the Republican majority, to cut the solar and wind budget by 70 percent—and they did it, believe it or not. It's 2011. We're watching the Middle East explode, and the Republicans cut wind and solar in the United States by 70 percent. Keep the tax breaks for the biggest oil companies, and ask grandma to take a lower Medicare benefit to pay for it all for the oil companies. This is 2011, ladies and gentlemen. This is a message. It is so dangerous for our country.

We have to oppose this bill because, first of all, they already have 60 million acres of American land—the size of Minnesota they already have to drill on, that they haven't drilled on yet, which has about 11 billion barrels of oil underneath it and an equivalent amount of natural gas. So vote “no” on this Republican bill. It's just a giveaway to Exxon-Mobil and Shell, and they're the last people in the world right now that need a handout.

Mr. YOUNG of Alaska. I yield 2 minutes to the gentleman from Georgia (Mr. BROWN).

Mr. BROWN of Georgia. Madam Chairman, as record high gas prices are causing American families to suffer in their daily routines, like buying groceries at the grocery store and driving to work each morning, it is inexcusable that this liberal administration continues to turn its back on the problem. Just last month, Americans spent around \$368 on average just to fill their tanks, about the same amount a family would spend on groceries for 2 weeks. Yet the Democrats' only solution to the pain at the pump is to raise taxes on domestic oil producers, and they've

already admitted that it will not lower gas prices.

I fully support H.R. 1231, a real proposal which would lift the President's ban on offshore drilling and get the ball rolling on domestic energy production. I urge my Democrat colleagues to pass this bill because both our cars and our economy should be running on American resources, not on their empty promises. Pass this bill to create American jobs and a strong American economy.

Mr. MARKEY. I yield 2 minutes to the gentleman from New Jersey (Mr. PASCRELL).

Mr. PASCRELL. Madam Chair, I rise today in strong opposition to the rule and the underlying bill. Look, we have preserved millions of acres in Alaska. We want to preserve the shores of New Jersey. Now if you don't understand that, there are even more major problems.

Since last night, my friends on the other side have voted down no fewer than four amendments dealing with the safety of drilling. You could be for drilling. But I think it's common sense that we preserve and not take the chances that large companies are taking, and we saw what happened in the South. The Gulf of Mexico is still recovering from billions of dollars in economic and environmental damages caused by the Deepwater Horizon oil spill.

It's almost unbelievable. When you watch it, one blamed the other, and those folks still don't have relief. It's almost unbelievable; in the wake of such a tragedy, this bill is before us today. There are 60 million acres of public land already under lease to drill, and I wouldn't give 1 more acre up until those companies drill on the land that they already have. You blame everything on the President. You're going to blame the plague on the President. That dog doesn't hunt anymore. Forget about it.

If we can't come together on issues like this, the one that the American people are disgusted with when they do pay their gasoline bill—you want to expand offshore drilling to vast new areas of our oceans, including the Atlantic coast, without taking any of the commonsense steps that the President's bipartisan oil spill commission recommended.

□ 1550

An oil spill on the Atlantic coast, which the Federal Government would be required to lease under this bill, would devastate the economy.

The CHAIR. The time of the gentleman has expired.

Mr. HOLT. I yield the gentleman an additional minute.

Mr. PASCRELL. Tourism at the Jersey Shore supports jobs for over 500,000 people, generates over \$50 billion in economic activity every year. These

people depend on the responsible stewardship of our waters and coasts for their livelihoods.

Let's set the record straight. This legislation does nothing to address the current spike in gas prices. What we need to do is:

Stop wildly fluctuating oil prices. And that's up to the Commodity Futures Trading Commission, which is writing the regulations as we speak right now.

Cap America's oil reserves. For a short period of time, we can afford to do that.

Crack down on gas gouging, which is happening and the U.S. Attorney General is correct in investigating this.

And, finally, evolve to a clean energy economy. It's not just that we need to depend less on foreign oil, we need to depend less on domestic oil. We know it's going to take time. We need to be reasonable about this and be safe about it as well.

Mr. YOUNG of Alaska. I appreciate the gentleman's comments on why he represents the area he represents. But he did vote against ANWR, has supported no production, very, very important to me.

I can say one thing. The Obama administration, I got a big kick out of someone saying we can blame the President. I can remember Bush was in office for 8 years and we blamed him for the earthquakes and the tsunami and I don't know what else.

What bothers me the most is that this country moves its economy with fossil fuels. Our trucks, our ships, our planes, our automobiles and our trains are all using fossil fuels and must do so. That's what moves our commerce. That's also what will raise the price for everybody and every household in this Nation. It is being taxed by these high costs of fossil fuel.

We can stabilize that cost if we're allowed to produce off our shores and on our shores. But to not say we're going to produce any more oil—which is exactly what this administration is saying, because they want to transfer into a new era of time. We want to transfigure the country into a new era of time. We don't care about jobs. We don't care what happens to the economy. We're going to do it because we're right. I'm saying you're dead wrong.

Can we use the fossil fuel in America to use it as a bridge to new fuels? Yes. But you cannot stop using fossil fuels. We're buying \$400 billion a year overseas from foreign countries, bleeding this country every day. It's time we get on with the job.

At this time, Madam Chairman, I yield 1 minute to the gentleman from California (Mr. MCCLINTOCK).

Mr. MCCLINTOCK. Madam Chairman, this truly is a tale of two parties.

The Democrats have been very clear in their approach on this issue. Heap additional taxes on producers, which

will be immediately passed on to consumers, and continue to delay and obstruct the development of America's vast petroleum resources. Higher prices at the pump, increasing dependence on foreign oil, and thousands more families thrown out of work, that is the Democratic plan.

The Republicans have also been very clear on our approach. Open America's vast petroleum resources, triple the current production by 2027, cut foreign imports by one-third. Even more importantly, this bill means hundreds of thousands of new jobs and hundreds of billions of dollars of direct revenues into the national and State treasuries, not through higher prices for consumers but through growing prosperity for our country.

That's the choice between the two parties, plain and simple, and it's the choice I believe the American people are ready and eager to make.

Mr. HOLT. I yield 2 minutes to the gentlewoman from California (Mrs. CAPPS), who knows this subject very well.

Mrs. CAPPS. Madam Chair, I rise in strong opposition to H.R. 1231, the last and most egregious bill in the Republicans' oil addiction agenda.

It's unconscionable that we're voting today to expand offshore drilling even before stronger safeguards can be put in place, to mandate new leasing off the economically important coastlines of southern California, Alaska, and the entire eastern seaboard, each time these waters are open to drilling.

And it's cynical to claim that more drilling will relieve high gas prices. More drilling only means more profits for the oil industry, not lower costs at the pump.

We all know oil companies hardly need a boost right now. They're receiving billions of dollars in taxpayer subsidies and reaping record profits.

On top of that, the oil industry is already drilling more than ever before. For example, offshore production has increased by more than a third in the last 2 years, and the gulf produced 1.6 million barrels of oil per day last year, an all-time record. Yet, despite all that drilling, gas prices continue to soar, and the reason is clear: More drilling here in the U.S. has little effect on the global oil market.

Nearly three-quarters of the world's proven oil resources are owned by OPEC nations. And even if we expanded offshore drilling significantly, we wouldn't see an impact on gas prices until 2030; and even then, it would be a matter of just 5 cents a gallon. This is according to the Energy Information Administration.

If, instead, we further raised fuel efficiency standards, we could lower driver bills at the pump. Building cars that go further on a gallon of gas is the best way to protect American families. It also creates jobs. It slashes our oil im-

ports, and it reduces dangerous air pollution. This is the kind of solution we need right now.

We shouldn't be promoting reckless drilling that will fail to lower gas prices and endanger our coastlines. Vote "no" on H.R. 1231.

Mr. YOUNG of Alaska. Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. LUNGREN).

Mr. DANIEL E. LUNGREN of California. Madam Chair, I rise in support of the bill under consideration.

I heard one of my friends on the other side of the aisle suggest that the only thing people in California or other places that live near beaches, the only oil they're concerned about is suntan oil. I have to take exception to that.

Even though I represent an inland district now, I was born a block from the beach. I was a resident of a beachside community for 42 years. I grew up with kids whose parents worked in refineries, worked on oil rigs, were wildcatters, worked in offshore drilling in the Port of Long Beach, worked offshore, Huntington Beach.

I just have to tell you, I find it insulting to suggest that those people are not concerned about the good of the United States. We're talking about the loss of middle class jobs in America. There's nothing more middle class than those men and women who have worked for years in the oil industry.

Where do you think it comes from, from the sky? You've got to drill for it. You've got to produce it. You've got to refine it. And everything I hear on the other side of the aisle is we're not going to allow you to drill; we're not going to allow you to produce; we're not going to allow you to refine because somehow it's just going to show up.

We watched the President of the United States, supported by the Members on the other side of the aisle, journey to Brazil and laud their efforts to use American technology to explore and drill and maximize their recovery of their resources. He lauded them for it. He thanked them for it. He applauded them for it. Then he turned around and said, And we want to be your biggest customer. In other words, he promised that we would pay a foreign entity for a resource that we need.

I'm absolutely convinced that my friends on the other side of the aisle will oppose any notion that we can have any offshore drilling unless we make Brazil the 51st State. That's how absurd it is.

The CHAIR. The time of the gentleman has expired.

Mr. YOUNG of Alaska. I yield the gentleman an additional 30 seconds.

Mr. DANIEL E. LUNGREN of California. Madam Chair, as someone who grew up with family members, with people whose families worked in this industry and did not consider it a dirty

industry, considered it an all-American industry, how far have we come that now we denigrate it from top to bottom?

We also hear from the other side, well, it won't have any impact because it takes 5 to 10 years to develop it. I heard that on this floor 32 years ago. I heard that on this floor 27 years ago. I heard that on this floor 22 years ago. I heard that on this floor 5 years ago, and it is correct. My friends on the other side are correct. It will make no difference so long as they make sure we don't drill now, we don't drill 35 years from now, we don't drill 10 years from now.

We are harming ourselves. It's time to stop the harm.

□ 1600

Mr. HOLT. I yield myself such time as I may consume.

Madam Chair, here we go again, considering legislation that is written as if the largest oil spill in U.S. waters did not occur. This is the third of the amnesia acts that we have seen offered in the last week.

I say to my friend from California, no one is saying that we oppose this bill because we shouldn't drill, ever. But let's be smart. H.R. 1231 would force the Interior Department to open up vast swaths of the American coastline to drilling, including California and all of the Mid and North Atlantic. It is incomprehensible that the majority would take such a reckless radical step before we even know the full cost of the gulf spill. Let's be smart.

This bill in particular represents something worse than the pre-spill mentality; it represents an alternative reality: facts evidently don't matter. Never mind the fact that, 1 year ago, 11 workers died in a Deepwater Horizon oil rig explosion. Never mind that about 60 died over the last decade. Never mind the fact that, prior to the gulf spill, offshore drilling in U.S. waters was four times more deadly than drilling of the same operations, the same kinds of operations by the same companies elsewhere in the world, even in the inhospitable territory of the North Sea.

Never mind the fact that the Gulf of Mexico workforce suffered 1,550 injuries, 948 fires over the last decade. Never mind that Congress has not enacted a single piece of legislation to improve the safety of offshore drilling. Never mind the fact that there were 79 reported losses of well control in the gulf between 1996 and 2009.

Never mind the fact that a single blowout caused more than 4 billion barrels of oil to spew from the Macondo well for 87 days, coating 1,000 miles of coastline, closing over 88 square miles of some of the Nation's most productive fisheries.

Never mind the fact that the independent Energy Information Adminis-

tration has concluded that unlimited access to U.S. offshore resources would have zero effect on gas prices over the next decade and might have an effect of pennies after that.

Never mind that U.S. oil production will remain above the 2009 pre-gulf spill levels through 2035, as calculated by the Department of the Interior, without the proposed acceleration in leasing and drilling. Never mind that the United States cannot drill our way to lower pump prices when we possess about 2 percent of the world's oil reserves. About 2 percent of the oils reserves.

We are not dominant in this field. Oh, yes, we have some of the best companies and certainly the most profitable, but we consume 25 percent of the world's oil while we have about 2 percent of the world's oil reserves. Prices are determined by OPEC, with fluctuations above that basic price determined by speculation on the commodities market.

Never mind the fact that 79 percent of all of the potential oil reserves on the entire Continental Shelf are already available under the current leasing; 79 percent, I repeat to my friends, are already available under the existing leasing program. Never mind that 60 million acres are already under lease but not producing oil. That is onshore and offshore. And offshore, the existing leases contain more than 11 billion, billion with a B, barrels of oil.

Never mind the fact that the entire Atlantic contains less than 5 percent of the potential U.S. offshore oil reserves and less than 9 percent of the natural gas reserves. Never mind the fact that the entire Pacific contains only about 12 percent of the potential U.S. offshore oil reserves and less than 5 percent of the potential natural gas reserves.

Never mind the fact that, in the Gulf of Mexico, the oil companies already hold the drilling rights to 34 million acres, but are producing oil on only 6 million acres. Never mind the fact that the 28 million nonproducing acres in the gulf have more natural gas and about as much oil as you would ever get total from drilling up and down the east and west coasts.

Never mind, my friends, the fact that, from 2005 to 2009, Big Oil used less than 10 percent of their profits to explore for oil while they used between 60 and 90 percent of their profits to pay dividends and buy back stock. These are behaving like financial industries, not energy industries.

Never mind the fact that the majority refuses to end the \$4 billion, actually more like \$8 billion, in tax breaks for oil companies at the very time that the top five oil companies took home over \$32 billion in profits in just the last 3 months.

Never mind the fact that when the top four oil companies took home \$485

billion in profits during the 5 years from 2005 to 2009, they still reduced their combined American workforce by 10,200 employees. And my friends here are talking about jobs, when these companies make profits of nearly \$500 billion, they lay off more than 10,000 workers? What kind of reality are they living in?

Never mind the fact that the Gulf of Mexico tourism and fishing industries employ five times as many people as the oil industry. Five times as many. Never mind the fact that the annual value of coastal tourism and fishing in the U.S. exceeds that of oil and gas extraction by tens of billions of dollars.

Never mind the fact that this bill before us is one more unjustified giveaway to Big Oil. Never mind all of those facts. Ignore the spill. Drill, baby, drill.

No, thank you. I prefer to live in the real world where facts matter, and where this bill could have devastating real-world consequences. I urge my colleagues, Remember the spill. Vote down this bill.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, may I say there were no facts presented in that last presentation. There were opinions; there were no facts. When everybody says never mind the facts, there were no facts there. That's all opinion.

One thing that bothers me most, they talk about what the oil companies made. They made it overseas; they made it overseas selling us oil. These are international companies. International companies. That is something that really disturbs me, when you understand we're burning oil produced overseas, yes, by the same companies that work in the United States.

And, yes, they did lay off 10,000 people, because of this moratorium this President laid in place in Louisiana in the gulf. There's where the jobs are lost.

The biggest economic impact of the Horizon spill was the loss of employment of the people in Louisiana, Alabama, and the Gulf of Texas, the loss of jobs, loss of oil to this country.

That's the thing that concerns me, because there are no facts about the profits made and the people laid off, other than the fact it was done by the Obama administration.

At this time, I yield 1 minute to the gentleman from Arizona (Mr. QUAYLE).

Mr. QUAYLE. I thank the gentleman.

Mr. Chairman, I rise today because I support this bill.

And I do have a fact. The fact of the matter is that we have a gas crisis going on right now, and the fact of the matter is, when I go home and I fill up my tank, I cringe at how expensive it is. Our friends on the other side of the aisle, their so-called solution is to increase our taxes and to demagogue oil corporations, because that's the classic bogeyman approach that they go to.

But that is not a solution to get our people back to work, to get our economy moving again, because right now we are having some anemic growth in our economy. And if we start to increase taxes and have an energy increase in costs that is happening at the pump, that is going to have a negative effect on economic growth.

Instead of actually having solutions where we can get the people in the gulf back to work, where we can get our economy moving again, where we can actually tap the energy sources that we have in the United States, we have an administration that only pursues moratoriums on gulf drilling, moratoriums on actually having energy supplies.

The CHAIR. The time of the gentleman has expired.

Mr. YOUNG of Alaska. I yield the gentleman another 30 seconds.

Mr. QUAYLE. I thank the gentleman.

If we actually started to look and invest in those sorts of thing and get our energy independence going, we could have charts down on this floor that show job growth.

According to CBO, if we pass today's legislation, we will generate \$800 million in revenue over 10 years. Combined with the energy initiatives that the House passed last week, these three votes will create an estimated 250,000 jobs in the short term and 1.2 million jobs over the long term.

So I urge my colleagues to support this bill and get our economy and our American people back to work.

□ 1610

Mr. YOUNG of Alaska. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. FLEISCHMANN) having assumed the chair, Mr. CAMPBELL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, had come to no resolution thereon.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

Ms. FOXX, from the Committee on Rules, submitted a privileged report (Rept. No. 112-75) on the resolution (H. Res. 264) providing for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intel-

ligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 257 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1231.

□ 1616

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes with Mr. CAMPBELL (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose earlier today, the gentleman from Alaska (Mr. YOUNG) had 16½ minutes remaining and the gentleman from New Jersey (Mr. HOLT) had 12½ minutes remaining.

Mr. HOLT. I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I yield 2 minutes to the gentleman from Tennessee (Mr. FLEISCHMANN).

Mr. FLEISCHMANN. I thank the gentleman for yielding.

If enacted, this bill will open up areas of the Outer Continental Shelf where there are the greatest known oil and gas reserves that contain billions of barrels of oil. With resources like these, it is a wonder that we continue to rely on other countries for most of our energy. While the administration is encouraging other countries to produce oil, Americans are unable to access large areas of our own energy supply here.

H.R. 1231 will hold the administration accountable by setting production goals to make sure that we provide enough energy for our country while reducing the dependence on foreign oil. Gas prices have increased by 12.9 cents per gallon in my hometown of Chattanooga, Tennessee, during the last month alone.

Plain and simply, we know that increased oil and natural gas production will drive down gas prices. We should have the ability to access our vast resources at home. Mr. Chairman, we

have the means to provide relief for our growing energy deficit, and passage of this bill will be a step towards providing these means for our country.

Mr. HOLT. I continue to reserve the balance of my time.

Mr. YOUNG of Alaska. I yield 2 minutes to the gentleman from North Dakota (Mr. BERG).

Mr. BERG. Mr. Chairman, my home State of North Dakota is rich in natural resources, and we have seen tremendous economic opportunity from the Bakken field. Through EMPOWER North Dakota, we were able to adopt a long-term energy plan in our State. It encouraged new energy development; and it created high-paying, high-quality jobs in the energy industry. In fact, today our unemployment rate is the lowest in the Nation.

We can have the same success on the national level, but to do so we need a long-term commonsense plan that is a national energy policy that must work to increase America's energy production, lower gas prices, and ultimately break our dependence on foreign oil.

□ 1620

America's families and small businesses are hurting. Gas prices are over \$4 a gallon. Energy bills are hindering business growth. National unemployment remains a very high 9 percent. There is enormous potential in the gulf for energy development that can help turn our country's problems around. Our addiction to foreign energy is not sustainable. It threatens our national security. It's time to invest our resources that we have here in the United States. We need to lower energy costs and get Americans back to work.

As a member of the House Energy Action Team and a proud North Dakotan, I'm committed to working hard towards a national long-term energy policy. Let's pass this bill, get the gulf back to work and break our dependence on foreign oil.

Mr. HOLT. I yield myself such time as I may consume.

The majority, the sponsors of this bill, say that we need it because supply is dwindling and gasoline prices are climbing and employment is terrible. Well, I'll grant they have got a point on a couple of items here. But it has nothing to do with this legislation. They bring forward a bill to help the oil supply when it is a fact, I say to my colleague, that 79 percent of all of the potential oil reserves as calculated by the nonpartisan prospectors on the whole Continental Shelf are already under the current leasing program. Sixty million acres. This is indisputable. Sixty million acres offshore are under existing lease and contain 11.5 billion barrels. So this "hurry up and drill" legislation is certainly not necessary for that.

As for employment, I said it before and I'll say it again. It is a fact. During

the 5 years previously when the four oil companies took home \$485 billion in profits, their combined American workforce dropped by 10,200 employees. They made money. They laid people off. So we can check that one off, too. It's not about employment.

How about prices? This year's leases have nothing to do with this year's price at the gas pump—or next year's. In fact, not for 20 years. Might it have an effect? Oh, yes, there's a supply problem. The supply problem is that U.S. oil reserves amount to about 2 percent of the world's oil reserves. About 2 percent. My colleagues say, Oh, no, those calculations are wrong. Okay, I'll give you a break. Let's say we're off by a factor of two. How about a factor of three? How about a factor of four? We would still be one of the smallest oil supplies of the oil-producing countries. So this is not about that.

The prices are determined right now at the pump largely by speculation. According to the Commodity Futures Trading Commission, speculators increased their energy future contracts—their positions—by 64 percent over the last couple of years, totaling more than a million contracts. They are trading in each day far more paper barrels than barrels of oil are ever delivered. It's speculation, pure and simple. Speculators have moved from holding 30 percent of the open interest in the commodity markets to 70 percent. And you wonder why the prices at the pump are so high. Even Goldman Sachs says that speculation is responsible for many tens of dollars of the hundred dollars a barrel that is now the world price for oil.

Going back a decade, the majority voted to exempt all energy derivatives from CFTC regulations. And then when the Dodd-Frank financial reform bill came along, they opposed the enactment to give the CFTC the power to regulate energy derivatives. They voted to slash the CFTC budget as part of H.R. 1. Right now in the Agriculture Committee and the Financial Services Committee, they are working to block any possibility that the CFTC would put in regulations to limit or reduce speculation.

So if my colleagues want to do something to deal with the high gas prices, I will give them a list of things to do. It is not this bill. We do not need to cut corners. We do not need to deem that inadequate applications for leasing are adequate. We do not need to deem that environmental impact statements that are clearly inadequate are adequate. We do not need to open up the east coast and west coast to willy-nilly rapid drill prospecting. We certainly do not.

Now, one thing I'll hand my colleagues. They yesterday said we really need to get away from these environmental regulations that are stymying

the oil companies, that are making it hard for them to earn their profits, these burdensome environmental regulations. I'll give them one thing. These regulations, the environmental impact statement that was prepared for the drilling in the Gulf of Mexico this year that they want to expand on into the future that has in it a plan for dealing with walrus, because they think that's a really good environmental impact statement that's based on the real world facts—you're right. In the Macondo well in the blowout of the Deepwater Horizon, we didn't lose a single walrus's life.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I have no further requests for time, and I reserve the balance of my time.

Mr. HOLT. In closing, I just repeat, let's live in the real world. Let's deal with the facts. Facts matter. And this bill can have devastating consequences for workers, for those who have to travel by car and buy gasoline, and for those who earn their living fishing and dealing with tourism in the gulf and in New Mexico and in California. Let's not pass another "Amnesia Act." Let's not ignore the spill and drill, baby, drill.

I yield back the balance of my time.

Mr. YOUNG of Alaska. May I ask how much time is remaining?

The Acting CHAIR. The gentleman has 13 minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, I urge the passage of this legislation. I would like Americans to understand that the issue of whether we should drill or not is long overdue because I have heard this argument for 36 years because I was here when we drilled and opened the Trans-Alaska pipeline to provide 17 billion barrels of oil to America—17 billion barrels of oil.

I've heard people say that there's only 2 percent. That is a figure that was arrived at in 1955. We have new estimates with new technology. We think we have about 20 percent of the world's reserves in fossil fuels. And we're not producing them. I've heard the argument this wouldn't change the price of gasoline. It's not quick enough. I heard that 25 years ago.

We need to produce so we have a stable supply of domestic fossil fuels so other countries and speculators don't take advantage. They have us right now in a position they can take advantage of because we are not producing any oil of any consequence in the United States right now. We're down to 600,000 barrels a day in Alaska. If we drop much more, we won't even have that 600,000 barrels a day. Yet we have in Alaska in the Chukchi Sea, there's been \$5 billion spent to find oil. We have not had the permit to drill because of this administration. They think there's 27 billion barrels of oil in one offshore development. The other

one has approximately 14 billion barrels of oil in one offshore development. Of course, we have ANWR, which that side does not support, to a great degree, that has probably 39 billion barrels of oil.

□ 1630

You add up that amount of oil and you have oil that will last this country for a hundred years.

Now, yes, we ought to have other forms of energy. But the Obama administration is trying to force this country into a green energy future. This is a policy. I heard the former Speaker say it. Of course it makes sense to reduce our dependency on oil, as I said before, but no one takes into consideration the impact upon the economy of this Nation.

New Jersey is building an LNG plant to receive gas from overseas. That's well and good, buying foreign gas, when we have trillions of feet of gas in the United States of America.

We are costing not only jobs but the dependency—and everybody talks about the high price of gasoline. It's caused primarily because of spiking. Some little incident in the Middle East—the OPEC countries supposedly have 70 percent of our oil—raises the price of that gasoline. You can't have a model economy and a business and have those spikes. If the price was \$5 across the board and you knew it was going to be \$5 across the board for the next 40 years, you could build your economy on that. But we have gas at \$5 a gallon now, the first of June, and it may go up to \$6 in August. It may be down a little bit. We need to stabilize it. Only we can do this.

But this administration is trying to convert America into their green technology. Technology of wind. Technology of, let's say, solar. Wind power is 17 cents a kilowatt compared to 5 cents for coal. Mr. and Mrs. America, you're paying for that. And again, as I said in one of my statements, this, in fact, is a tax on the American people. This is an Obama tax because of the lack of the cheaper fuel that's necessary to keep our economy running.

The impediments of oil and gas production is another reason, the slowdown of Federal leases. We talk about everything that's leased and permitting offshore and onshore. Only six permits have been issued since the Gulf of Mexico, the time the BP spill happened—six permits. Leasing in the Gulf of Mexico coast has been delayed for several years. Offshore permitting for oil and gas has been slowed down to a real slow crawl.

America, I keep telling you, you are being taxed by an administration that does not understand the necessity for fossil fuels for our economy. The movement of product, the receiving of product and the shipping of product, the deliverance of people, the deliverance of

supplies by air, ship, plane, train, automobile, and truck. That's what makes this country great.

And here we sit with a group that says, oh, we're going to save the environment. I'm all for that. But you don't have an energy policy and you can't have it off fossil fuels. Anybody who says we're going to have one off fossil fuels is not even thinking about fuels, not even thinking about energy. You can't do it with wind power. We might get a little wind power if we put a propeller on the top of this Capitol to collect all the hot air that comes out of here most of the time. That might work. But we're not going to do it with solar power. You need all the forms of energy. And this administration so far has not promoted anything but the two most expensive: wind and solar.

We need our fossil fuels. We need to make sure the agencies under this administration make sure that we develop our energies, or we cannot go anywhere. And if they can't do it, then it's up to this Congress. This Congress, this bill, this legislation, and the two previous bills are a step forward, a necessary step for this Nation. We need to keep going. So employ Americans and quit buying foreign oil. You talk about being hooked on dope, that's what we are. We're hooked on foreign oil. Yet we have people that say we can't develop our own oil, we can't develop our own resources, that it will hurt somebody, somebody will be harmed and we can't do it.

That's not true. We can do it. In the gulf there were 41,000 wells drilled without a spill. Add one spill and everybody thinks the world came to an end. It was bad, yes. Do we learn from it? Yes, as we did with Exxon Valdez. We learned from that and we will improve upon that. But not to let them drill, not to let them produce that oil, not to let them help America out, not employ Americans, that is dead wrong.

So I urge my colleagues to pass this legislation and reject the amendments that are going to be offered. They are not the amendments they should be.

Ms. JACKSON LEE of Texas. Mr. Chair, I rise today in support of H.R. 1231. I had offered amendments because I believe in responsible increase in offshore drilling. I offered amendments to improve upon this bill that would have provided for revenue sharing with coastal states and a study and report back to Congress to ensure that the Department of Interior has proper funding for staffing and training and technical engineers and such other personnel as is necessary to responsibly increase offshore drilling.

As a Representative from an oil and gas producing District and state, I am aware that offshore drilling is an important component of the nation's energy supply and provides many Gulf communities with significant jobs and income.

My state supplies 20 percent of the nation's oil production, one-third of the nation's natural gas production; a quarter of the nation's refin-

ing capacity and nearly 60 percent of the nation's chemical manufacturing.

The Texas energy and petrochemical clusters employ 600,000 people, which represent 70 percent and 15 percent, respectively, of the total U.S. workforce in those industries.

Houston is home to some of the world's largest oil, gas, and petrochemical facilities.

As the fourth most populous city in the United States, and the greater Houston area remains a diversified regional economy, with the energy industry contributing 50 percent of our economic base for employment. Even so there is no denying the importance of the energy industry for creating jobs in Houston and across our Nation.

We have consistently led the nation in petroleum production since the early 10th century and we have one-fourth of total U.S. oil reserves.

As a coastal state we provide the resources and the mechanisms to support the offshore drilling industry and we also bare the highest risk to our natural resources. Its stands to reason that we should also have access to revenue generated from Offshore leases.

Federal Revenues from offshore leases were estimated at \$18.0 billion in FY 2008 by the Department of the Interior. During the previous 10 years (1998–2007), revenues from federal OCS leases reached as high as \$7.6 billion in FY 2006. Higher prices for oil and gas are the most significant factors in the revenue swings. Of the \$18.0 billion offshore revenue in FY 2008, \$8.3 billion was from royalties and \$9.5 billion came from bonus bids. Coastal states can use that money to further support the industry that utilizes our highways and waterways.

A significant portion of oil and gas produced from Gulf Outer Continental Shelf leases is transported to those refineries for processing via offshore pipeline through state waters.

Providing coastal states with additional access to revenue will enable these states to protect their natural resources and advance the transport of oil, gas, and petrochemicals across the United States.

Coastal States like Texas with energy development off their shores in federal waters have been seeking additional federal revenues generated off our shores.

We particularly want more assistance for coastal areas that may be most affected by onshore and near-shore activities that support offshore energy development.

Currently, the affected states receive revenue indirectly from offshore oil and gas leases in federal waters. This is in contrast to the direct revenues to states that have onshore federal leases within their boundaries.

Coastal states bear the greatest risks if there is a disaster. Because of the current and wind patterns in the Gulf of Mexico, Texas' coastal natural resources are most at risk for environmental damage in the event of an oil spill from an offshore production platform or pipeline. In addition, a substantial portion of federal Outer Continental Shelf production is refined in Texas and then transported via state highways or pipeline located in the state.

A significant amount of the infrastructure that will be used to explore and develop the resources in these new lease sales will be constructed in Texas and transported through

state waters. The same might be said for other coastal states whose shores and resources are dedicated to offshore drilling.

Annual rental rates are \$5–\$9.50 per acre, with lease sizes generally ranging from 2,500–5,760 acres. However, annual rental rates for the March 2009 sale in the Central Gulf of Mexico begins at \$11.00 per acre for lease in water depths over 200 meters. Initial lease terms of 5–10 years are standard, and leases continue as long as commercial quantities of hydrocarbons are being produced.

Demand for petroleum products in the U.S. remains strong. In 2005, each of the estimated 296 million people in the U.S. used an average of almost three gallons of petroleum every day. In 1978, the average American used 3.5 gallons per day.

In 2006, crude oil imports totaled 10.1 million barrels per day (MBD), two-thirds of the total U.S. supply of 15.2 MBD, according to the Energy Information Administration (EIA) of the U.S. Department of Energy (DOE). After several additions of other petroleum products by refiners and fuel blenders, total petroleum consumption came to 20.6 MBD for 2006.

The oil and gas industry supports job growth in my state of Texas and across our nation.

In Texas, the oil and gas industry supports 1.7 million jobs and approximately 25 percent of the state's economy, whereas nationwide the industry supports 9.2 million jobs and 7.5 percent of our nation's economy.

We should focus our attention on providing the Department of Interior with funding and resources it needs to provide for training and staffing of technical engineers and other such necessary personnel to review drilling permit applications and determine future offshore lease sale areas.

The Department of Interior must be properly funded and staffed with technical engineers to review permits, examine lease sales, and ensure that each application is afforded proper consideration.

For these reasons, I urge the Members as they vote on this important measure which certainly relates to job creation and national energy independence, that they consider a fair and balance approach as we aim to protect the environment and determine the most responsible measures to provide for the energy our nation requires.

Mr. GENE GREEN of Texas, Mr. Chair, I rise today in support of H.R. 1231. This bill will ensure that our federal offshore oil and natural gas resources are accessible to us. This is essential for America's energy security.

For years, I have supported bills that would increase funding to research and development projects dealing with new and cleaner energy sources as well as provide financial incentives to produce energy from wind, solar, biomass, and geothermal, for consumers to purchase fuel efficient vehicles, increase energy efficiency standards for buildings and appliances, and promote public transit efforts. I will continue to support programs and projects seeking to create cleaner energy technologies because we all benefit from a cleaner environment.

Finally, coming from Texas, which is the nation's leader in renewable energy production and a pioneer in developing its own state portfolio standard, I support efforts to promote renewable energy production that meets the

unique circumstances and resources of each state.

But even with these increases in renewable energy, the Energy Information Administration found that oil, natural gas, and coal will continue to make up the large majority of U.S. energy use in 2030 and beyond. As our nation's energy demand continues to increase, reasonable access and exploration of our offshore resources is a key component of our nation's energy security.

It is our job to provide affordable and reliable supplies of energy to American consumers, and this bill will help in our effort.

For these reasons, I encourage my colleagues to support this bill.

Mr. YOUNG of Alaska. I yield back the balance of my time.

The Acting CHAIR. All time for general debate has expired.

Pursuant to the rule, the bill shall be considered for amendment under the 5-minute rule. The amendment printed in the bill is adopted. The bill, as amended, shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Reversing President Obama's Offshore Moratorium Act".

SEC. 2. OUTER CONTINENTAL SHELF LEASING PROGRAM.

Section 18(a) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(a)) is amended by adding at the end the following:

"(4)(A) In each oil and gas leasing program under this section, the Secretary shall make available for leasing and conduct lease sales including—

"(i) at least 50 percent of the available unleased acreage within each outer Continental Shelf planning area considered to have the largest undiscovered, technically recoverable oil and gas resources (on a total btu basis) based upon the most recent national geologic assessment of the outer Continental Shelf, with an emphasis on offering the most geologically prospective parts of the planning area; and

"(ii) any State subdivision of an outer Continental Shelf planning area that the Governor of the State that represents that subdivision requests be made available for leasing.

"(B) In this paragraph the term 'available unleased acreage' means that portion of the outer Continental Shelf that is not under lease at the time of a proposed lease sale, and that has not otherwise been made unavailable for leasing by law.

"(5)(A) In the 2012–2017 5-year oil and gas leasing program, the Secretary shall make available for leasing any outer Continental Shelf planning areas that—

"(i) are estimated to contain more than 2,500,000,000 barrels of oil; or

"(ii) are estimated to contain more than 7,500,000,000 cubic feet of natural gas.

"(B) To determine the planning areas described in subparagraph (A), the Secretary shall use the document entitled 'Minerals Management Service Assessment of Undiscovered Technically Recoverable Oil and Gas Resources of the Nation's Outer Continental Shelf, 2006'."

SEC. 3. DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.

Section 18(b) of the Outer Continental Shelf Lands Act (43 U.S.C. 1344(b)) is amended to read as follows:

"(b) DOMESTIC OIL AND NATURAL GAS PRODUCTION GOAL.—

"(1) IN GENERAL.—In developing a 5-year oil and gas leasing program, and subject to paragraph (2), the Secretary shall determine a domestic strategic production goal for the development of oil and natural gas as a result of that program. Such goal shall be—

"(A) the best estimate of the possible increase in domestic production of oil and natural gas from the outer Continental Shelf;

"(B) focused on meeting domestic demand for oil and natural gas and reducing the dependence of the United States on foreign energy; and

"(C) focused on the production increases achieved by the leasing program at the end of the 15-year period beginning on the effective date of the program.

"(2) 2012–2017 PROGRAM GOAL.—For purposes of the 2012–2017 5-year oil and gas leasing program, the production goal referred to in paragraph (1) shall be an increase by 2027 of—

"(A) no less than 3,000,000 barrels in the amount of oil produced per day; and

"(B) no less than 10,000,000,000 cubic feet in the amount of natural gas produced per day.

"(3) REPORTING.—The Secretary shall report annually, beginning at the end of the 5-year period for which the program applies, to the Committee on Natural Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate on the progress of the program in meeting the production goal. The Secretary shall identify in the report projections for production and any problems with leasing, permitting, or production that will prevent meeting the goal."

The Acting CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 112–74. Each further amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. YOUNG OF ALASKA

The Acting CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–74.

Mr. YOUNG of Alaska. Mr. Chairman, as a designee of Chairman DOC HASTINGS, I have an amendment made in order under the rule.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 10, strike "(4)" and insert "(5)".

Page 4, line 6, strike "(5)" and insert "(6)".

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from Alaska (Mr. YOUNG) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Alaska.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in support of this amendment that corrects a drafting error in the bill that was discovered by the legislative counsel after H.R. 1231 was reported from the committee with bipartisan support.

The amendment changes the paragraph numbers in section 2 so they correctly reflect the sequence of appearance in the Outer Continental Shelf Lands Act.

I urge support for the amendment.

Mr. MARKEY. Will the gentleman yield?

Mr. YOUNG of Alaska. I yield to the gentleman from Massachusetts.

Mr. MARKEY. Mr. Chairman, we have no objection and we urge swift passage.

Mr. YOUNG of Alaska. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Alaska (Mr. YOUNG).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112–74.

Mr. CONNOLLY of Virginia. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 3, line 12, insert " , except in locations that would interfere, conflict with, or impede operations of the Armed Forces," after "conduct lease sales".

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from Virginia (Mr. CONNOLLY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. CONNOLLY of Virginia. Mr. Chairman, this simple amendment clarifies that any expanded oil production will not interfere with ongoing operations by the Armed Forces of the United States.

I appreciate Congressman BOBBY SCOTT and Congressman JIM MORAN for their cosponsorship of this amendment. There are no stronger advocates for the military in my State than those two gentlemen.

□ 1640

As you know, the United States has more than two dozen coastal naval bases, including those located in Virginia, Washington, California, Texas, Louisiana, Mississippi, Florida, Georgia, South Carolina, Maryland, New Jersey, Connecticut, Rhode Island, Maine, and Hawaii.

The Deputy Under Secretary of Defense for Readiness published a report, noting that many of these potential locations for oil exploration could and

might conflict with DOD operations in these locations. For example, DOD has surface/subsurface operating areas and DOD special use airspace/warning areas off every coastal State in the continental United States.

You can see from this map that there are the red dots where they actually have bases and that the spiderwebs are where they have operations offshore.

These areas are important because the military uses some of these areas for surface and subsurface training as well as practice with live ordnance. Oil wells and live ordnance don't mix so well. For example, the Norfolk Naval Base in my home State of Virginia uses 78 percent of the proposed Lease Sale 220 area right now for training and live ordnance practice. The Navy wants to ensure that oil drilling in that area does not interfere with live ordnance release and impact, including air to surface bombing; sensitive undersea and surface operations; combined shipboard systems qualification trials; and equipment testing and evaluation.

Norfolk is America's largest naval base and is a major driver of our State's annual \$10 billion government contracting economy. It would be difficult to quantify how many billions of dollars taxpayers have spent building and maintaining these military installations all around the continental United States, but relocation costs would be substantial, and we don't have that money.

My friend from Alaska talks about putting people out of work or putting people into work. Believe me, if we had to close or relocate these bases, there would be a lot of weeping and mashing of teeth in the unemployment line all across America. The costs wouldn't just be borne by the taxpayers, Mr. Chairman, but also by the servicemen and -women who would have to relocate, and by the tens of thousands of contractor employees who rely on the DOD.

Perhaps it's possible to co-locate oil drilling infrastructure in areas now used by the Navy or other components of the Armed Forces. In that case, this amendment would not get in the way of the oil exploration. This amendment simply ensures that any additional oil drilling which takes place in accordance with this bill will not conflict with the national security operations of the Armed Forces.

I am sure that energy development and national security can be mutually reinforcing and compatible, and I hope that my colleagues on the other side of the aisle would support this common-sense amendment to protect our national defense and national security. I know we can all agree that preserving those should be paramount as we consider changes to our Nation's energy policy.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Both the Outer Continental Lands Shelf Act and the 2003 National Defense Act already fully protect the Defense Department's responsibilities in the Outer Continental Shelf and the State coastal areas of the OCS. H.R. 1231 continues these protections.

As Chairman HASTINGS stated last week during debate on a very similar amendment to H.R. 1230, preserving the working relationship between the Department of Defense and the Department of the Interior is of great importance to the Natural Resources Committee. Because of this, H.R. 1231 meets the mutual goals of balancing national security and energy independence, but this amendment would upset the balance.

May I say, Mr. Chairman, the Department of Defense never notified, never talked to us about any opposition to this legislation.

H.R. 1231 fully supports the Department of the Interior's work with the Department of Defense in addressing the necessary stipulations that will protect the military mission on the OCS during the development of lease sales.

I also want to point out that gaining access to domestically available and affordable energy resources is also of paramount importance to our national security because it lessens our dependence on foreign sources of energy. Let me say that again. It must be very clear: Energy security and energy independence are a national security priority.

Additionally, developing our own energy resources benefits the Department of Defense. According to the Brookings Institution, every \$10 increase in the price of a barrel of oil increases the cost of Defense operations by \$1.3 billion. Lowering energy prices should be a priority for American consumers and for the Department of Defense.

This amendment isn't truly aimed at protecting DOD activities. It's aimed at trying to block lease sales and stopping offshore energy and development. That's what this is about. So I congratulate the people who are offering this amendment. It's exactly what you'd like to do.

Again, Defense activities are not hindered by energy development. The Departments of Defense and the Interior work well together to balance the needs of our Nation. H.R. 1231 allows both offshore energy leasing and military activities to go forward and exist in a safe, responsible way.

I reserve the balance of my time.

Mr. CONNOLLY of Virginia. I would just say to my friend from Alaska that

I won't have anybody questioning my sincerity about trying to protect the national security interests of the United States of America. I come from a State with a long military tradition. I am proud of that tradition, and I am here sincerely to protect national security. If we want to disagree with that, that's fine, but questioning the motivations of whether there is another agenda is a different matter.

Mr. Chairman, I now yield the balance of my time to my distinguished colleague from Virginia (Mr. MORAN).

Mr. MORAN. May I ask the Chair how much time is remaining?

The Acting CHAIR. The gentleman from Virginia has 1 minute remaining.

Mr. MORAN. I thank the Chair, and I thank my good friend from Virginia.

I would remind my good friend from Alaska that the U.S. Atlantic Fleet is based at the Norfolk Naval Base, and operates in the same waters that this legislation proposes to sell for oil and gas development. Filling this area with drilling rigs is a bad idea.

Now, we have been told verbally and in writing that there should be no lease sales in 72 percent of this lease area because it's in direct conflict with the operations of the Navy. Five percent, in addition, would interfere with aerial operations and should not host permanent surface structures like drilling rigs. There is another 1 percent that would have site-specific stipulations. Then you're left with 22 percent, and much of that 22 percent is dedicated to the shipping lanes for the country's two busiest commercial ports: Hampton Roads and Baltimore.

There are other areas offshore, I'm sure, that are also important to the Armed Forces, but we are responsible for Virginia. We know the situation there. We are not going to jeopardize those jobs. I would say that national security interests ought to trump oil and gas development.

Mr. YOUNG of Alaska. May I inquire of the time remaining on both sides?

The Acting CHAIR. The gentleman from Alaska has 3 minutes remaining. The gentleman from Virginia's time has expired.

Mr. YOUNG of Alaska. Mr. Chairman, I urge my colleagues to vote "no" on this amendment. It's unnecessary; and boy, if we can't get the government to work together, there is something wrong, something deadly wrong. This is about defense. This is about the Department of the Interior. This is about the American people. We ought to be able to work together, and I'm sure they can. I'm confident of it. The idea that this is going to hurt the mission is, again, a way to stop drilling. That's all it is. Maybe if we had that 23 percent open and we knew exactly where it was we might be able to drill there, but I don't think they would support that either.

With that, Mr. Chairman, I urge a "no" on this amendment.

Mr. SCOTT of Virginia. Mr. Chair, I rise in support of the amendment offered by my friend and colleague from Virginia, Mr. CONNOLLY.

This amendment would prohibit offshore lease sales from going forward if those leases would interfere or impede the operations of the United States Armed Forces.

I represent the Hampton Roads region of Virginia, which is home to the world's largest Naval Base at Norfolk. Our Navy trains extensively off the coast of my state in the Virginia Capes Operations Area. A significant section of a proposed lease sale for drilling off Virginia's coast is within this important military training zone.

There are nearly 30 coastal naval installations in the United States and the Defense Department has expressed concerns that offshore oil and gas development could hinder the military's ability to train in many of these offshore areas.

I have long had reservations about drilling off the coast of Virginia. I believe the environmental, economic and national security risks for drilling off the coast of Virginia far outweigh any benefits. This amendment would simply ensure that offshore oil and gas development will not disrupt these vital functions to our national defense.

I urge my colleagues to support the Connolly Amendment.

Mr. YOUNG of Alaska. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. CONNOLLY of Virginia. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Virginia will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-74.

Mr. MARKEY. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, strike the closing quotation marks and the second period, and after line 19 insert the following new paragraph:

“(7) ELIGIBILITY FOR NEW LEASES AND THE TRANSFER OF LEASES.—

“(A) ISSUANCE OF NEW LEASES.—

“(i) IN GENERAL.—In each oil and gas leasing program under this section, beginning with the 2012-2017 5-year program, the Secretary of the Interior shall specify that the Secretary will not accept bids on any new leases offered pursuant to this Act from a person described in paragraph (2) unless the person has renegotiated each covered lease with respect to which the person is a lessee, to modify the payment responsibilities of the person to require the payment of royalties if the price of oil and natural gas is greater than or equal to the price thresholds described in clauses (v) through (vii) of section

8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

“(ii) PERSONS DESCRIBED.—A person referred to in clause (i) is a person that—

“(I) is a lessee that—

“(aa) holds a covered lease on the date on which the Secretary considers the issuance of the new lease; or

“(bb) was issued a covered lease before the date of enactment of this Act, but transferred the covered lease to another person or entity (including a subsidiary or affiliate of the lessee) after the date of enactment of this Act; or

“(II) any other person that has any direct or indirect interest in, or that derives any benefit from, a covered lease.

“(iii) MULTIPLE LESSEES.—

“(I) IN GENERAL.—For purposes of clause (1), if there are multiple lessees that own a share of a covered lease, the Secretary may implement separate agreements with any lessee with a share of the covered lease that modifies the payment responsibilities with respect to the share of the lessee to include price thresholds that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

“(II) TREATMENT OF SHARE AS COVERED LEASE.—Beginning on the effective date of an agreement under subclause (I), any share subject to the agreement shall not constitute a covered lease with respect to any lessees that entered into the agreement.

“(B) TRANSFERS.—A lessee or any other person who has any direct or indirect interest in, or who derives a benefit from, a covered lease shall not be eligible to obtain by sale or other transfer (including through a swap, spinoff, servicing, or other agreement) any new lease made available in an oil and gas leasing program under this section, or the economic benefit of such a new lease, unless the lessee or other person has—

“(i) renegotiated each covered lease with respect to which the lessee or person is a lessee, to modify the payment responsibilities of the lessee or person to include price thresholds that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)); or

“(ii) entered into an agreement with the Secretary to modify the terms of all covered leases of the lessee or other person to include limitations on royalty relief based on market prices that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

“(C) DEFINITIONS.—In this paragraph—

“(i) COVERED LEASE.—The term ‘covered lease’ means a lease for oil or gas production in the Gulf of Mexico that is—

“(I) in existence on the date of enactment of this Act;

“(II) issued by the Department of the Interior under section 304 of the Outer Continental Shelf Deep Water Royalty Relief Act (43 U.S.C. 1337 note; Public Law 104-58); and

“(III) not subject to limitations on royalty relief based on market price that are equal to or less than the price thresholds described in clauses (v) through (vii) of section 8(a)(3)(C) of the Outer Continental Shelf Lands Act (43 U.S.C. 1337(a)(3)(C)).

“(ii) LESSEE.—The term ‘lessee’ includes any person or other entity that controls, is controlled by, or is in or under common control with, a lessee.

“(iii) NEW LEASE.—The term ‘new lease’ means a lease issued in a lease sale under this Act.

“(iv) SECRETARY.—The term ‘Secretary’ means the Secretary of the Interior.”.

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from Massachusetts (Mr. MARKEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. MARKEY. I yield myself such time as I may consume.

Mr. Chairman, in the first quarter of this year, the oil companies were actually able to make \$35 billion in profits; but in my amendment, we are able to say to them, because of a flaw in leases in the 1990s which required them to pay no royalties on public lands—taxpayers' lands—for oil they're drilling for right now and charging \$100 a barrel, \$4 a gallon at the pump, that we think there is something wrong when the taxpayers don't get anything back.

□ 1650

And so what my amendment says is that they can't apply for any more leases on taxpayers' land unless they're willing to renegotiate the mistaken leases that were given to them that, by the way, will allow them to escape having to pay \$53 billion in taxes, in royalties. That's another word for taxes, ‘royalties.’ When you're talking about oil, ‘royalties’ is the word we use to describe taxes.

This blank check to the oil industry is absolutely undeserved. The Republican approach to offshore oil royalty policy is to treat the Big Oil companies like royalty and to treat the consumers and taxpayers like peasants. They're just going to give away all these breaks to the oil industry.

You know, Prince William and Kate Middleton just left on their honeymoon. Their royalty honeymoon is just beginning. But for the oil companies who are drilling for free on public land, they have a royalty honeymoon that has been going on for way too long, and today, we're going to give the Members of the House a chance to end the honeymoon on the royalties that the oil industry has to pay.

Now, what are the Republicans going to do? They're going to oppose it. They're going to say, no, we need more tax breaks, \$4 billion worth of tax breaks, for the oil industry. And so where are they going to find the money for those additional tax breaks that they want to give to the oil industry? Well, they looked around and they decided that the best place to find it was in Medicare, that is, in the health care that we give to Grandma and Grandpa. And so what they have done is they've set up a drilling rig for the oil industry on top of the Medicare program so they can drill into the pockets of Grandma and Grandpa to find the \$4 billion in tax breaks, and then on top of that,

protect them against having to pay the royalties, the taxes on where they're already drilling for free on taxpayers' land in our country.

Now, that's an unbelievable combination, and they do it while cutting the renewables budget by 70 percent. Can you believe this? It's 2011. The Republicans have already passed a bill cutting the renewables budget—wind and solar, biomass, geothermal—by 70 percent, and they're setting up an oil rig on top of the Medicare program of Grandma and Grandpa to drill for even more tax breaks for the oil industry. This is just an unbelievable debate that we're having.

And they say over here, "Well, you know, we're the all of the above party; we want to do it all." But the truth is that they're really the oil above all party, and that's what this debate is all about, how can we get even more for the oil industry.

So what my amendment will do is to just give people an opportunity to reclaim that \$53 billion from the oil industry and give it to Grandma. Of all the people who don't need a break, a subsidy this year, it's the oil industry. You know who needs a break? You know who needs a subsidy? It's Grandma. Let's not cut Medicare. Let's not cut her health care in order to help the oil industry. Vote "aye" for the Markey amendment.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. With all due respect to Grandma and Grandpa, there's no Grandma and Grandpa that has Medicare taken away from them or anywhere else. That's pure demagoguery on this floor, and we know that, tied into the oil companies.

It's ironic to me, this House has debated and voted on this amendment over the years. They've defeated it by a bipartisan vote. Just like a bad penny, it keeps showing up and the Big Oil is all bad. All I know, the American public is being taxed every year, \$1.100 every year by this administration's high gas prices.

Let's review the facts. The Deepwater Royalty Relief Act leases were issued by, oh, boy, Bill Clinton and Bruce Babbitt in 1996 and 2000. Oh, my good Lord, it was the Republicans that did all this. They're the ones that issued these leases, and those who hold these leases have repeatedly been successful in challenging the Interior Department's authority to include price thresholds in lease agreements. The Department of the Interior has lost at the Federal district court, the appellate court, the United States Supreme Court, and now we're going to interfere with a court decision?

If this amendment passes, those holding such leases will be required to re-

negotiate the lease terms with DOI to include price thresholds before getting new leases. Bill Clinton would turn over—no, he's not in his grave, so I can't say that. The Secretary does not—and I repeat does not—have the authority to include price thresholds on these leases. In addition, forcing companies to renegotiate the leases would be a violation of contract law and would be challenged in court.

Mr. Chairman, this is an amendment that just comes out of where, I don't know. It's a time to demagogue on the floor about Medicare. It has nothing to do with oil leases. It has nothing to do with the so-called tax breaks that Bill Clinton and Bruce Babbitt put in place. George Bush wasn't there. Mr. Obama wasn't there. Bill Clinton did this.

Lo and behold, somebody has to renegotiate something. Let's start renegotiating contracts all over the countryside. Maybe we ought to start doing that. Some of the contracts made, and I think we did this the last election, their contracts were terminated.

I have no further requests for time, and I reserve the balance of my time.

Mr. MARKEY. Could the Chair tell me how much time we have?

The Acting CHAIR. The gentleman from Massachusetts has 30 seconds remaining. The gentleman from Alaska has 2½ minutes remaining.

The gentleman from Alaska has the right to close.

Mr. MARKEY. We have a big choice here. We can reclaim \$53 billion from the oil and gas industry that they owe to the American taxpayer and put it into wind and solar and all-electric vehicles and the revolution that we need to transform our country's relationship with OPEC. We should be able to tell OPEC, We don't need your oil any more than we need your sand.

This is a chance here to reclaim the \$53 billion in windfall profits by escaping royalties that the oil industry owes, and put it into a new technology innovation agenda that talks about the future of wind and solar and electric vehicles that will transform our relationship with the rest of the planet.

Mr. YOUNG of Alaska. Mr. Chairman, I appreciate the gentleman from Massachusetts' comments, but wind power is subsidized energy. That's all it is. Wind power is subsidized by the taxpayer. Solar power is subsidized by the taxpayer. To try to transform this country into using wind and solar by raising the cost of gasoline to the American consumer is dead wrong. That's not the way to solve this problem.

I will support wind power when it's not subsidized. I will support solar power when it's not subsidized, and I will support nuclear power when we can, which the gentleman's opposed every time, and I will support hydro-power. In fact, I will support all forms

of power so we can become more independent, and I go back to the concept of fossil fuels. It moves objects. It moves objects. Wind power doesn't move objects, no. Solar power doesn't move objects, no. It takes fossil fuels to run our ships, our planes, our automobiles, our trucks, and our trains. That's the commerce of this Nation, and that's what's hurting this Nation today in the recovery.

We have to start producing our own fossil fuels so we can have the commerce that's necessary to employ people and create the jobs in this country. In this country, it should be done. Yes, we can have the other forms of power, but we have to have the fossil fuels to continue hopefully the recovery of this country economically.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. MARKEY. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

□ 1700

AMENDMENT NO. 4 OFFERED BY MR. KEATING

The Acting CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-74.

Mr. KEATING. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, strike the closing quotation marks and the second period, and after line 19 insert the following new paragraph:

"(7) DATA REGARDING BONUSES PROVIDED TO EXECUTIVES.—In each oil and gas leasing program under this section, the Secretary shall include requirements under which the Secretary shall make available to the public data provided by each lessee under the program with respect to the bonuses provided to the executives of the lessee from the most recent quarter."

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from Massachusetts (Mr. KEATING) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Massachusetts.

Mr. KEATING. Mr. Chairman, I yield myself such time as I may consume.

I rise to urge my colleagues to support my amendment to H.R. 1231. As our constituents see soaring gas prices, oil companies have revealed record profits. The top five multinational oil companies earned over \$1 trillion in the past decade. These firms are eating up more and more of our constituents' paychecks.

And where is it going? Only a small portion of the profits are reinvested back into the company to pave the way for efficiencies and research into alternatives to oil. Rather, oil companies are providing bumps to stockholders and high bonuses to their company executives, a pat on the back for high prices at the pump.

My amendment would provide transparency to the U.S. taxpayer. The amendment requires the Secretary to disclose the executive bonuses for any company that is given a drilling lease.

The time is now to hold the largest oil companies accountable, and I urge my colleagues to support this amendment in order to provide transparency back to the American taxpayer.

With that, I reserve the balance of my time.

Mr. YOUNG of Alaska. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, when I first saw this amendment, I was wondering if we were debating financial services legislation here on the floor. Clearly, this amendment attempts to raise issues outside the realm of today's debate on increasing American-made energy and creating jobs.

The Department of the Interior should spend its time focusing on reviewing permits, conducting environmental safety reviews, protecting our resources and leasing offshore areas that are most prospective for oil and natural gas production. The Department shouldn't have dozens of employees sitting around reading companies' Securities and Exchange Commission filings and assembling a list of which executives got what bonus.

The information that this amendment would burden the Interior Department with gathering and publishing is already publicly disclosed. It should be made public, and that's why it already is. This amendment is not about openness and transparency of disclosing information. That's already the law.

The real effect of this amendment is duplicative requirements and government waste. Let's get away from the political games and gotcha amendments. Let's allow the Department of the Interior to focus on OCS safety, environmental protection and leasing, and leave the bonuses to the Securities and Exchange Commission officials studying that. I oppose this amendment and urge my colleagues to do the same.

I reserve the balance of my time.

Mr. KEATING. Mr. Chairman, in terms of the relevancy to this debate, I would take this time, in the spirit of bipartisanship, to thank the Rules Committee for allowing this amendment and, thus, I agree with them that this is relevant to this debate.

I would like to comment on one more thing. My friend from Alaska brought up the point of a burden. The burden that exists right now is the burden that's being borne right on the gas pumps of the people in my district, in his district, and the people in the United States of America. That is the burden that working families are undergoing, the suffering that they are undertaking as they pay over \$4 a gallon for gasoline in my district. Transparency and accountability are necessary, though the people who are beholden to the price spikes know where their money is going.

I yield back the balance of my time.

Mr. YOUNG of Alaska. The question I ask is, How much would this cost the Department of the Interior? Would this take away from safety inspections? And to my good friend from Massachusetts, the burden is going to get worse. You are going to be paying about \$5 a gallon by the first of June; if not, maybe a little bit later, but not later than the Fourth of July. And the burden is something that bothers me a great deal.

But in Massachusetts alone, not one time has any one of your Members in the Congress ever voted to produce energy, other than wind power and solar power. And that doesn't drive your constituents' automobiles. That doesn't drive your trucks that deliver your products to the restaurants or the hospitals. That doesn't drive that train that people ride to try to get automobiles off the road. It doesn't drive the ships to bring the products to your shores. Fossil fuel is the key to our commerce; and we should recognize that in this Congress. And we should develop an energy plan that includes everything. You can't do it with just wind power. You can't do it with solar power. But you can do it with all powers.

That's what's wrong with this Congress and this administration and, yes, previous administrations: they don't grasp the necessity of having more power available to increase the economy of this country. And we're on the cusp right now. I believe this bill will help us. If it does not help us, then shoot me another solution. I have not seen one on that side of the aisle.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Massachusetts (Mr. KEATING).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. KEATING. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Massachusetts will be postponed.

AMENDMENT NO. 5 OFFERED BY MS. TSONGAS

The Acting CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-74.

Ms. TSONGAS. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, strike the closing quotation marks and second period at line 19, and after line 19 insert the following:

“(7) WORST-CASE CONTAINMENT AND CLEAN-UP PLAN REQUIRED.—The Secretary shall include, in each 5-year oil and gas leasing program, a requirement that each applicant for a permit to drill under a lease issued in a lease sale under the program must include a plan for containment and clean-up of a worst-case oil and gas discharge scenario in activities conducted under the permit, if issued.”.

The Acting CHAIR. Pursuant to House Resolution 257, the gentlewoman from Massachusetts (Ms. TSONGAS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Massachusetts.

Ms. TSONGAS. Mr. Chairman, I yield myself such time as I may consume.

Last summer, we all saw the painfully disorganized and ineffective response to the oil spill in the Gulf of Mexico. The frustration was palpable across our country. During that tragedy, it was clear that BP and the Federal Government had no plan to contain the oil spill and that BP lacked the capacity to respond to a spill of that magnitude.

The amendment that I am offering today is very straightforward and simple, one that seeks to implement the lessons learned from the events of last summer. My amendment would require that all applicants for a drilling permit under a lease sold under H.R. 1231 submit a plan for containment and clean-up of a worst-case scenario oil or gas spill.

This amendment does not limit drilling. It says simply and sensibly that when we drill, we should have a plan in place before an accident occurs. We shouldn't wait until a disaster like last year's 3-month-long spill has already begun. There wasn't a person I spoke to who wasn't horrified by the devastating oil spill in the gulf. I believe that the American people want us to learn from that environmental and economic tragedy, and this amendment helps us accomplish that. When we drill, we should have a plan for dealing with possible disaster.

Some have argued that we don't need a law because initial steps are being taken at the agency level or by oil and gas companies. Some have said that requiring a worst-case-scenario plan is anti-drilling or anti-jobs. We shouldn't get distracted from the simple truth of this amendment: when we drill, we should have a plan. We have seen the

consequences of not having a plan, and it was lost jobs.

□ 1710

This amendment is pro-jobs. Requiring oil and gas companies to have a plan in place will not prevent the creation of a single oil and gas job, but it will protect fishing jobs and tourism jobs instead of asking us to put those jobs at risk should a spill occur.

Our constituents deserve to know that we have required oil and gas companies to plan for the worst. Opposing this amendment irresponsibly denies the tragic events of last summer.

For the sake of our economy, our environment, and our coastal jobs, I urge my colleagues to support this common-sense, simple amendment requiring oil and gas companies to have a plan. Join me in demonstrating to our constituents that we have learned from the events of last summer, and we are taking steps to prevent such a disaster in the future.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. I yield myself such time as I may consume.

Mr. Chairman, here again is another amendment that is redundant, but let's call it what it is: It's an obstruction.

The Department of the Interior already requires that applicants must calculate worst case discharge before approving a permit. On June 18, 2010, the Department of the Interior issued a notice to lessees outlining the information requirements and standards to be met before a permit would be approved. In the notice it is required that a lessee "describe the assumptions and calculations that you used to determine the volume of your worst case scenario."

It's already required on permit applications today, and is further reiterated by the language in H.R. 1229, which passed the House earlier today.

The minority continues to try to divert attention away from the real issue of increasing energy production, creating jobs, lowering energy costs, and improving national security by lessening our dependence on foreign oil.

In fact, it seems that the Democrats simply do not want to face the fact that this bill says we can move forward with an aggressive program of responsible oil and gas development while, at the same time, ensuring that increased safety measures are undertaken. These are not mutually exclusive goals.

Republicans want to make U.S. offshore drilling the safest in the world, and it is the safest in the world, so we can produce more American energy, create American jobs and strengthen our national security.

I reserve the balance of my time.

Ms. TSONGAS. I thank my colleague for bringing this issue up. The June 18

notice to lessees is a great first step toward having worst case scenario containment and cleanup plans. But a notice to lessees is not the same as legislation. It is not intended to set policy, and it is not intended to have the force of law, which is why I am offering this amendment today.

We need Federal laws, not notices, that require companies to submit worst case scenario oil spill containment and cleanup plans to ensure that another spill like the BP spill never happens again. Our constituents deserve to know that we have required oil and gas companies to plan for the worst, or give them an honest reason why we think no such plan is necessary, given the events last summer.

If the majority agrees that we should have a plan, they should support this amendment. It simply requires that oil and gas companies have a plan, nothing more. It is about drilling safely, it protects jobs, oil and gas jobs, tourism and fishing jobs. And again, as I said, if the majority agrees that we should have a plan, they should support this amendment.

I yield back the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I can only say that, to my knowledge, there's little chance of any oil drilling off the coast of Massachusetts. But there is a great possibility off the coasts of Florida, Virginia, Alaska, California, and this bill really sets out which areas should be drilled, not in large massive areas, but specifically.

I personally will tell you, if I could drill in Alaska, offshore, which we should be able to do, but this administration has delayed a permit for 5 years—5 years. Five billion dollars put into investment to develop that field. It can't be done because of this administration.

This bill tries to expedite that process for the good of this Nation and for the good of the people, not the good of the oil companies, because we need that oil.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. TSONGAS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Massachusetts will be postponed.

AMENDMENT NO. 6 OFFERED BY MS. BROWN OF FLORIDA

The Acting CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-74.

Ms. BROWN of Florida. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, strike the closing quotation marks and the second period, and after line 19 insert the following new paragraph:

“(7) MAKING MORATORIUM IN THE EASTERN GULF OF MEXICO PERMANENT.—The Secretary shall not make available for leasing in any oil and gas leasing program under this section any area referred to in section 104(a) of the Gulf of Mexico Energy Security Act of 2006 (title I of division C of Public Law 109-432; 43 U.S.C. 1331 note).”.

The Acting CHAIR. Pursuant to House Resolution 257, the gentlewoman from Florida (Ms. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Florida.

Ms. BROWN of Florida. I yield myself as much time as I may consume.

Mr. Chairman, I rise today to offer to H.R. 1231 an amendment that would make the current ban on drilling in the eastern Gulf of Mexico permanent. This amendment would not have any effect on the budget as scored by the Congressional Budget Office. However, it would have a significant impact on the economy of Florida, given that the State's tourist industry will be protected from future oil spills which could destroy our beautiful beaches and coastal areas. Certainly, Florida's coastline is a treasure, not just for Floridians but for all Americans and people throughout the world. For years, the Florida delegation has worked together to protect our coastline and natural resources, and as long as those rigs are in this area, the potential for devastation to Florida beaches persists.

If an accident was to occur causing oil to wash ashore and to Florida beaches, both the environmental and the economic damage would be devastating to the State. And following the disaster off of Louisiana's gulf coast last year, we saw a quick glimpse of what could happen to Florida's economy in the event of an oil spill.

I toured the region by helicopter last year and witnessed the devastation firsthand. That said, before any new areas are opened and Florida's pristine beaches are put at risk, I would very much like to see drilling in the areas that are already open and increased funding for research for new technology.

I strongly believe that any drilling off of Florida's gulf coast would be extremely deterrent to the State economy and ecosystem. As we saw in the BP oil spill last year in the Gulf of Mexico, wherein 11 workers died and an estimated 5 million barrels of crude oil poured into the Gulf of Mexico, the risks of drilling oil off of Florida's shores bring about extreme risk to our State in an already depressed economy, and with unemployment in the State of Florida still hovering at 11 percent, the last thing we need is to endanger nearly 1 million tourist-related jobs and the

\$60 billion tourist industry in the Sunshine State.

Drilling off the coast of Florida is a misguided miscalculation. The risk of danger to the environment and the economy greatly outweighs any potential benefits. I would very much like to see increased drilling in areas already open and increased funding for research for new technology.

I reserve the balance of my time.

Mr. YOUNG of Alaska. I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, I oppose this amendment. The underlying bill is focused on opening the Outer Continental Shelf to safe and responsible energy production. This bill aims to fulfill the promise that both Democrats and Republicans made to the American people when we voted in a bipartisan basis in 2008 to lift the moratoria on offshore energy production.

Since taking office, President Obama and his administration has effectively reimposed the moratorium. This bill would reverse his actions.

In December 2006, a majority of the House and the Florida delegation voted in favor of the Gulf of Mexico Energy Security Act, a bipartisan compromise that opened a portion of the western and central gulf but maintained the eastern planning area moratoria until 2022.

□ 1720

This amendment seeks to go backwards and single-handedly undo that agreement to close off forever the possible energy production in a portion of the Gulf of Mexico. This is exactly the wrong direction for America to be heading.

Congress should not foreclose the possibility of future energy production. This is especially true in the eastern planning area of the gulf, which the Department of the Interior believes contains technically recoverable resources in the amount of 4 billion barrels of oil and over 21 trillion cubic feet of natural gas.

Let's be clear, the area in the eastern gulf covered by this amendment is currently under moratorium until 2022. That is over a decade from now. This bill does not propose to change the 2022 date.

I reserve the balance of my time.

Ms. BROWN of Florida. More than 30 years after the *Exxon Valdez* oil spill, we have yet to clean up Prince William Sound in Alaska. Oil is still being found buried in sand from the BP oil spill.

The frequent occurrence of extreme weather that the eastern gulf coast experiences, including hurricanes and severe storms, could easily produce an oil spill, even with the technological improvements in oil and natural gas oper-

ations. Storms along the gulf coast in 2005 caused 124 oil spills in the waters of the Gulf of Mexico. Hurricane Katrina caused a 233,000 gallon oil spill, and Hurricane Rita worsened the damage with 508,000 gallons of oil spilled. If these rigs were in the gulf coast, our beaches would face complete destruction. As we have seen recently, cleanup methods for these spills are incapable of removing more than a small fraction of the oil.

In addition, from the BP oil spill alone, Florida has over 284,000 claims with only 117,000 paid. That is less than half, for a total of over \$1.45 billion. For the total gulf region, there have been 10,000 fishing claims, 122,000 food and lodging claims, 74,000 retail and sales claims, and a total of \$1.6 billion paid on even more lost earnings and wages. We cannot afford another disaster of this magnitude. With more drilling, we still are living on borrowed time. Support the Corrine Brown amendment.

I yield back the balance of my time.

Mr. YOUNG of Alaska. I urge my colleagues to vote "no" on this amendment, and I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentlewoman from Florida (Ms. BROWN).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Ms. BROWN of Florida. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Florida will be postponed.

AMENDMENT NO. 7 OFFERED BY MR. THOMPSON OF CALIFORNIA

The Acting CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-74.

Mr. THOMPSON of California. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, strike the final closed quotation mark and the following period.

Page 4, after line 19, insert the following new subparagraph:

"(C) Notwithstanding subparagraph (A), the Secretary may not include in any oil and gas leasing program under this paragraph any lease sale in the Northern California Planning Area."

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from California (Mr. THOMPSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. THOMPSON of California. Mr. Chairman, according to this bill's drafters, the legislation would not require leasing permits in the northern

California planning area, which is the coastline of my district. My amendment merely makes that clear.

Drilling on the north coast of California is a disastrous idea, and the legislation must be clear that it is not acceptable to drill off California's north coast. Because this amendment is a clarification of the legislation's intent, there is no cost associated with it.

Just about 3 weeks ago, we marked the 1-year anniversary of the Nation's worst oil spill. I will not let what happened to the Gulf of Mexico happen to the north coast of California. I have introduced separate stand-alone legislation which would permanently ban drilling off the coast of my district.

It is important to me and to my constituents that H.R. 1231 clearly notates that drilling will not occur in the northern California planning area along the coasts of Mendocino, Humboldt, and Del Norte Counties. The coastal area of my district is one of only four major upwellings in our world's oceans.

An upwelling is where cold, nutrient-rich waters are brought from the ocean depths to the surface. Upwelling regions promote seaweed and growth, which, in turn, supply energy for some of the most productive ecosystems in our world, including many of our world's fisheries.

North coast ecosystems also sustain some of the largest salmon populations in the lower 49 States and provide essential habitat for Dungeness crab, rockfish, sole, and urchin.

In 2006 and 2008, commercial fishery disasters that virtually eliminated salmon fishing in California were economically disastrous to my district, to our States, and our Nation. If an oil spill were to occur off the coast of my district, the environmental and economic costs would be staggering. Drilling for oil or gas off California's north coast could cause serious harm to the unique and productive ecosystem and abundant marine life found in this area.

My district is economically dependent upon the rich natural resources we are blessed to have, but it is also subject to significant earthquakes which exacerbate the issues, the threats, and the problems related to oil spills.

One of my counties just wrote to me, and I quote, "The modest amount of oil available in terms of our Nation's daily demand does not justify jeopardizing our fisheries, our environment, and our economic livelihoods."

This amendment will merely protect the north coast of California and will simply clarify what the drafters of this bill say that the bill does, and that is that they claim that it does not require drilling off the coasts of Mendocino, Humboldt, or Del Norte Counties.

I urge a "yes" vote on this.

I reserve the balance of my time.

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, this is the second amendment of three today designed to close off portions of the Outer Continental Shelf to oil and natural gas exploration production, the opposite of what the bill under consideration today is about. The underlying bill is focused on opening the Outer Continental Shelf to safe and responsible energy production.

H.R. 1231 aims to fulfill the promise that both Democrats and Republicans made to the American people when we voted on a bipartisan basis in 2008 to lift the moratoria on offshore energy production. Since taking office, President Obama and his administration have effectively reimposed the moratorium, and this bill would reverse his actions.

This amendment proposes to take America in exactly the wrong direction in which we should be heading. Congress should not foreclose the possibility of future energy production. With the price of gasoline going to \$4 and \$5 a gallon, I urge my colleagues to oppose this amendment and keep our focus on those offshore areas that contain substantial oil and natural resources, where increased American energy production will create new jobs, lower energy prices, and increase our economic and national security.

I reserve the balance of my time.

Mr. THOMPSON of California. I yield myself the balance of my time.

The Acting CHAIR. The gentleman is recognized for 1½ minutes.

Mr. THOMPSON of California. Thank you, Mr. Chairman.

Again, I want to point out that the majority party has told me and told my staff that the bill that they have offered today, the bill that we are going to be voting on, does not affect the north coast of California. Now, my effort with this amendment is merely to trust but verify.

□ 1730

To oppose this amendment really calls into question, what is the underlying motivation of this bill? Does it do what they claim and not affect this region of our ocean, again, one of only four major upwellings in the world's oceans. This is an area that feeds and promotes the fisheries and the marine life not only in my area, but in all the ocean. And the idea we would put it at any kind of risk. Those of you who know the area know how rough the water is, know how rocky the shores are. If there was an oil spill there, it would never be cleaned up. The area is seismically active. To drill in that area with the threat of earthquakes, you are looking at a situation that would make the Gulf of Mexico disaster pale in comparison.

It is not too much to ask that we merely verify what it is the majority party says that they are not doing with this bill. And the idea that this amendment would be opposed is quite startling to me. I believe that this is something that everyone can get behind. To say that the bill doesn't do this and then refuse to take the amendment calls into question the motive of the bill.

Mr. YOUNG of Alaska. How much time do I have left, Mr. Chairman?

The Acting CHAIR. The gentleman has 3½ minutes remaining.

Mr. YOUNG of Alaska. Mr. Chairman, my good friend from California brings out some legitimate points. But right now, today, under existing law, the northern California planning area is available for leasing. This bill does not change that current situation. It has been available since 2008 when gasoline prices hit \$4 a gallon and the President and Congress lifted the offshore drilling moratoria.

I will remind the House that in 2008 the coast of California was opened for potential leasing and drilling, that Democrats were in the majority in the House and NANCY PELOSI of San Francisco was Speaker of the House. For months, they resisted Republican efforts to end the offshore ban, but eventually the American people won out and the bans were lifted.

I would also like to point out that this bill provides direction that when the Federal Government is writing 5-year leasing plans, that the focus be on areas with the greatest estimated oil and natural gas resources. This particular planning area does not have and has not registered high in this regard and this bill does not direct that leasing occur in this planning area. With gasoline back to the 2008 highs of over \$4 per gallon, let's keep the focus on where it should be, increasing American offshore energy production. That's what we're trying to do.

I yield 1½ minutes to the gentleman from Indiana (Mr. BURTON).

Mr. BURTON of Indiana. I thank the gentleman for yielding.

I don't know that there is a great deal more to add to what he has just said about permits and about the issue that has been discussed just recently.

The thing that really bothers me is just a few years ago, 25 years ago, we were importing about 28 percent of our oil. Today we are importing 62 percent of our oil, more than double what we were doing just a few years ago, and the American people are paying the price. Instead of \$1.50 or \$2 a gallon for gas, they are spending \$4 a gallon for gasoline.

Nationwide, there are 86 billion barrels of oil. Fifty-one percent of that is in the Gulf of Mexico, which means there are 44 billion barrels of oil in the Gulf of Mexico, and there are 240 trillion cubic feet of natural gas. For us to

continue to be dependent on foreign energy sources is crazy. We ought to start drilling and doing what needs to be done here in America. And we can do it in an environmentally safe way. We can do it in Alaska, offshore, we can do it in a number of places. But to sit by and continue to send our money to Saudi Arabia and other countries around the world that aren't our friends just doesn't make any sense, and the American people understand it.

I think my colleagues on both sides of the aisle ought to go back and talk to their constituents, who are paying the price at the gas pump.

Mr. YOUNG of Alaska. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from California (Mr. THOMPSON).

The question was taken; and the Acting Chair announced that the yeas appeared to have it.

Mr. THOMPSON of California. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from California will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. INSLEE

The Acting CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-74.

Mr. INSLEE. I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 4, line 19, strike the closing quotation marks and the second period, and after line 19 insert the following new paragraph:

“(7) WASHINGTON STATE APPROVAL REQUIRED.—Under this section, the Secretary shall not make available for leasing for exploration, development, and production of oil and natural gas any area of the outer Continental Shelf off the coast of Washington unless such leasing is approved by the Governor and legislature of the State of Washington.”.

The Acting CHAIR. Pursuant to House Resolution 257, the gentleman from Washington (Mr. INSLEE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Washington.

Mr. INSLEE. Mr. Chairman, I yield myself such time as I may consume.

I rise to protect the beaches and shoreline and economy of the State of Washington. This amendment is quite simple. It would simply say that we will not allow the Federal Government to run over the State of Washington on issues of drilling off of our coastline, that we won't be shackled to this antiquated policy of drilling without first providing reasonable protection, without first addressing the issue of rampant speculation that is what is exposing my consumers to \$4 a gallon gas in

the State of Washington, and without freeing us to do what we should be doing, which is developing new, clean energy sources. I want to address each one of those.

Basically our position is we don't think in the State of Washington, or any State, and particularly the State of Washington, which is the Evergreen State, we ought to have this policy foisted upon us that is not an evergreen energy policy for this century for three reasons.

Reason number one: Despite the fact that we have had this enormous passage of time since this horrendous spill in the gulf, this Chamber has not passed into law one single safety provision to bring additional safety to anywhere on our coastline. My amendment would simply say that the people of the State of Washington and their elected officials ought to be able to make a decision that we have got adequate, reasonable safeguards for drilling before it happens off of the State of Washington. That has not happened, and it is inexcusable.

Second, before this happens, the people of the State of Washington ought to have reasonable protection against the rampant speculation that is going on that is driving up these prices. Even Goldman Sachs has recognized we have had four times the speculative positions taken and probably a \$20 amount that has driven up these prices associated with this unchecked speculation. Yet this Chamber and my friends across the aisle have not done a single thing to address this speculation. Until we do that, we shouldn't have my neighbors and my constituents have foisted down their throats this policy of mandatory drilling without them first making a decision.

Third, the people of the State of Washington want to help in our energy crisis and they are capable of helping in this energy crisis if this Chamber will just free them to do it.

Here is how they want to help. They want to produce lithium ion batteries that can run electric cars so we don't have to start being shackled and just addicted to oil. But this Chamber hasn't done a single thing, a single thing this year, to help clean energy sources that Washington State business people want to produce.

I look at the EnerG2 company that is making ultracapacitors. This Chamber isn't helping them make electric batteries for electric cars.

I look at the REC company in Moses Lake, Washington, that is making the polysilicate cells for photovoltaic cells to produce the electricity for electric cars. This Chamber hasn't done a single thing to help that company advance.

I look at the Targeted Growth company and the Boeing company that are developing biofuels so that we can have a competitor to gasoline so we can

drive those prices down. This Chamber hasn't done a single thing to help those companies develop Washington State jobs for a new energy future.

Now, we have got a lot of energy off of our coastline. It might be in assorted ways. But I know it is in offshore wind. But we aren't doing a single thing to help the offshore wind energy. All we are doing is trying to shackle an antiquated energy policy on the people of the State of Washington.

I would have liked this amendment to have helped all of my colleagues on the Pacific Coast, but because of some of the financial rules that we have, we have only been able to bring this involving the Evergreen State. But I would hope that all of my colleagues would join me in saying that before this gets forced on the citizens of Washington State, we adopt some reasonable measures.

I reserve the balance of my time.

□ 1740

Mr. YOUNG of Alaska. Mr. Chairman, I rise in opposition to the amendment.

The Acting CHAIR. The gentleman is recognized for 5 minutes.

Mr. YOUNG of Alaska. Mr. Chairman, acting for Natural Resources Committee Chairman DOC HASTINGS of Washington State, I oppose this amendment.

As explained in the debate on the prior two amendments, this bill is focused on increasing American-made energy, creating new jobs, and decreasing our dependence on energy from foreign nations. Congress needs to focus on increasing energy production, and this amendment goes in the opposite direction. In fact, this amendment attempts to impose unprecedented and impossible obstacles to fostering more American energy in Federal waters.

It is stated that the purpose of the amendment is to give the State of Washington a say on leasing in Federal waters off the State's coast. However, multiple Federal laws already provide Washington State, and every State, the opportunity to participate in any such decisions. What this amendment would do is grant double veto power for Washington State to prohibit Federal activities in Federal waters outside the State's borders. The Interior Department provides repeated opportunities for public comment and participation throughout the planning and leasing process.

Furthermore, the Coastal Zone Management Act requires State consistency review with its State coastal zone management plan before the Federal Government takes action in Federal waters off of any particular State. On top of that, the Outer Continental Shelf Lands Act provides clear requirements for consultation and cooperation with affected State and local governments. Considerable care and protec-

tion is provided to each and every State, with extra consideration guaranteed to coastal States. This is as it should be.

What is particularly revealing about this amendment is that it only gives Washington State double veto power over certain types of offshore energy leasing. It singles out only oil and natural gas, but provides no such veto power over other forms of energy leasing. This includes wave energy, wind, solar, and other renewable forms.

This double standard exposes the real intent of this amendment. It's not truly aimed at ensuring a voice for Washington State; it's intended to score political points. But the political points the amendment attempts to score are entirely hollow. Why? Because there isn't estimated to be any recoverable oil or natural gas in Federal waters off of Washington State.

Again, this bill only goes into areas that have really large potential. Again, multiple Federal laws already guarantee all Americans have an opportunity to participate in an offshore planning process, especially the Governors, State and local officials, and citizens living in coastal States that will be impacted by leasing, should it take place.

For those reasons, I urge Members to oppose this amendment.

I reserve the balance of my time.

The Acting CHAIR. The gentleman from Washington has 45 seconds remaining.

Mr. INSLEE. Thank you.

First, I wish my friend DOC HASTINGS from Washington was with us today. He's not feeling well. But Mr. YOUNG is doing an admirable job with a weak argument, and I'll report that they're getting represented.

I just want to point out we haven't seen horrendous damage to any ecosystem from a wind spill yet. If you spill a little wind, you don't end up covering large gulf areas with hydrocarbons or destroying oyster and shrimping grounds like have been in the gulf. There are differences from multiple sources.

We are simply saying that before we move forward with additional offshore drilling, we ought to have reasonable safety protocols, we ought to address speculation, and we ought to have an energy policy that looks at all of the above.

My friends across the aisle told us you were going to give us an all-of-the-above energy policy. All you have given us is an all-of-the-below energy policy. We need a little better than this.

Mr. YOUNG of Alaska. How much time do I have remaining?

The Acting CHAIR. The gentleman from Alaska has 2½ minutes remaining.

Mr. YOUNG of Alaska. Thank you, Mr. Chairman.

My good friend from Washington, they may not have a wind spill, but there's opposition to wind power. And wind is extremely expensive and only can be successful as long as it's subsidized by the taxpayer. As long as this administration keeps insisting on wind and solar power, they're doubly taxing our taxpayers of this Nation and hurting our economy. That's reality.

So they're doubly taxed because now they're paying taxes because of the high cost of oil, the high cost of gasoline. And \$1,100 a year they have additionally been taxed this year versus last year. And yet we talk about wind power. They're taxed because that comes out of the general fund. We're borrowing money from the Chinese. That's reality.

Wind and solar are fine as long as they're subsidized. As long as you pay for them, Mr. and Mrs. Taxpayer, they're fine. But that's an additional tax on you. If it was so economical, so well to be done, then we would have done it a long time ago. And I say it will work. It's like ethanol. It works. It's still not economical.

So we have to go back to what commerce is run by—and it's fossil fuels. We can have all those other forms of energy. I do not want them subsidized. We can have all those other forms of energy, but we have to have the ability to move product. I look at the Port of Seattle, the Port of Tacoma. Every one of those ships is burning a fossil fuel that deliver those goods. Every truck that leaves that port that goes out to deliver those to the people around this Nation is burning fossil fuels. Every train that leaves is burning fossil fuels. Every airplane that lands, built by Boeing, is driven by fossil fuels.

This is a chance for us to speak up in Congress and say we are going to develop our natural fuels in this country so we can compete legitimately. You cannot compete by borrowing money to buy foreign oil, and that's what that side wants to do. I'm saying that's wrong. And I will join hands with you if you vote for ANWR and you vote for other forms of energy, too. Let's get it all together, guys. Let's have an energy plan. All we're trying to do here is undo what the Obama administration did, and that's put a moratorium in.

I urge the defeat of this amendment.

I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from Washington (Mr. INSLEE).

The question was taken; and the Acting Chair announced that the noes appeared to have it.

Mr. INSLEE. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Washington will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-74 on which further proceedings were postponed, in the following order:

Amendment No. 2 by Mr. CONNOLLY of Virginia.

Amendment No. 3 by Mr. MARKEY of Massachusetts.

Amendment No. 4 by Mr. KEATING of Massachusetts.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 2 OFFERED BY MR. CONNOLLY OF VIRGINIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Virginia (Mr. CONNOLLY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 193, noes 228, not voting 10, as follows:

[Roll No. 312]

AYES—193

Ackerman
Andrews
Baca
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carnahan
Carney
Carson (IN)
Castro (FL)
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costello
Courtney
Crenshaw
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette

DeLauro
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Forbes
Frank (MA)
Fudge
Garamendi
Gibson
Gonzalez
Goodlatte
Green, Al
Grijalva
Gutierrez
Hanabusa
Hanna
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hinojosa
Holt
Hoyt
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Jones
Kaptur
Keating

Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loebuck
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (FL)
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarelli
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters

Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rooney
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta

Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Stearns
Sutton
Thompson (CA)
Tierney

Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—228

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishak
Berg
Biggart
Bilbray
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Foxo
Franks (AZ)
Frelinghuysen

Galleghy
Gardner
Garrett
Gerlach
Gibbs
Gingrey (GA)
Gohmert
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Holden
Huelskamp
Huiizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan

Mica
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paul
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Price (GA)
Quayle
Rehberg
Reichert
Renacci
Ribble
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southernland
Stivers
Stutzman
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster

West	Wittman	Yoder
Westmoreland	Wolf	Young (AK)
Whitfield	Womack	Young (IN)
Wilson (SC)	Woodall	

NOT VOTING—10

Fortenberry	Johnson, Sam	Sullivan
Giffords	Marchant	Waters
Hastings (WA)	Reed	
Hirono	Schwartz	

□ 1814

Messrs. YOUNG of Indiana, RIGELL, and WEBSTER changed their vote from “aye” to “no.”

Messrs. POSEY, ROONEY, JACKSON of Illinois, CRENSHAW, DIAZ-BALART, and FORBES changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Ms. HIRONO. Mr. Chair, on rollcall No. 312, had I been present, I would have voted “aye.”

AMENDMENT NO. 3 OFFERED BY MR. MARKEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. MARKEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 189, noes 238, not voting 4, as follows:

[Roll No. 313]

AYES—189

Ackerman	Costa	Heinrich
Andrews	Costello	Higgins
Baca	Courtney	Himes
Baldwin	Critz	Hinche
Bass (CA)	Crowley	Hinojosa
Becerra	Cummings	Hirono
Berkley	Davis (CA)	Holden
Berman	Davis (IL)	Holt
Billirakis	DeFazio	Honda
Bishop (GA)	DeGette	Hoyer
Bishop (NY)	DeLauro	Inslee
Blumenauer	Dent	Israel
Boswell	Deutch	Jackson (IL)
Brady (PA)	Dicks	Johnson (GA)
Braley (IA)	Dingell	Johnson, E. B.
Brown (FL)	Doggett	Jones
Buchanan	Dold	Kaptur
Butterfield	Doyle	Keating
Capps	Edwards	Kildee
Capuano	Ellison	Kind
Carnahan	Engel	Kissell
Carney	Eshoo	Kucinich
Carson (IN)	Farr	Langevin
Castor (FL)	Fattah	Larsen (WA)
Chu	Filner	Larson (CT)
Cicilline	Fitzpatrick	Lee (CA)
Clarke (MI)	Fortenberry	Levin
Clarke (NY)	Frank (MA)	Lewis (GA)
Clay	Fudge	Lipinski
Cleaver	Garamendi	LoBiondo
Clyburn	Gerlach	Loebsack
Cohen	Grijalva	Lofgren, Zoe
Connolly (VA)	Gutierrez	Lowey
Conyers	Hanabusa	Lujan
Cooper	Hastings (FL)	Lynch

Maloney	Pingree (ME)	Sires
Markey	Platts	Slaughter
Matsui	Polis	Smith (NJ)
McCarthy (NY)	Price (NC)	Smith (WA)
McCollum	Quigley	Speier
McDermott	Rahall	Stark
McGovern	Rangel	Sutton
McIntyre	Richardson	Thompson (CA)
McNerney	Richmond	Thompson (MS)
Meehan	Ros-Lehtinen	Tierney
Meeks	Rothman (NJ)	Tonko
Michaud	Roybal-Allard	Towns
Miller (NC)	Ruppersberger	Tsongas
Miller, George	Rush	Van Hollen
Moore	Ryan (OH)	Velázquez
Moran	Sánchez, Linda	Visclosky
Murphy (CT)	T.	Walz (MN)
Nadler	Sanchez, Loretta	Wasserman
Napolitano	Sarbanes	Schultz
Neal	Schakowsky	Watt
Oliver	Schiff	Waxman
Owens	Schrader	Weiner
Pallone	Schwartz	Welch
Pascarella	Scott (VA)	Wilson (FL)
Pastor (AZ)	Scott, David	Woolsey
Payne	Serrano	Wu
Pelosi	Sewell	Yarmuth
Perlmutter	Sherman	Young (FL)
Peters	Shuler	

NOES—238

Adams	Farenthold	Latham
Aderholt	Fincher	LaTourette
Akin	Flake	Latta
Alexander	Fleischmann	Lewis (CA)
Altmire	Fleming	Long
Amash	Flores	Lucas
Austria	Forbes	Luetkemeyer
Bachmann	Fox	Lummis
Bachus	Franks (AZ)	Lungren, Daniel
Barletta	Frelinghuysen	E.
Barrow	Galeggly	Mack
Bartlett	Gardner	Manzullo
Barton (TX)	Garrett	Marchant
Bass (NH)	Gibbs	Marino
Benish	Gibson	Matheson
Berg	Gingrey (GA)	McCarthy (CA)
Biggart	Gohmert	McCaul
Bilbray	Gonzalez	McClintock
Bishop (UT)	Goodlatte	McCotter
Black	Gosar	McHenry
Blackburn	Gowdy	McKeon
Bonner	Granger	McKinley
Bono Mack	Graves (GA)	McMorris
Boren	Graves (MO)	Rodgers
Boustany	Green, Al	Mica
Brady (TX)	Green, Gene	Miller (FL)
Brooks	Griffin (AR)	Miller (MI)
Broun (GA)	Griffith (VA)	Miller, Gary
Bucshon	Grimm	Mulvaney
Buerkle	Guinta	Murphy (PA)
Burgess	Guthrie	Myrick
Burton (IN)	Hall	Neugebauer
Calvert	Hanna	Noem
Camp	Harper	Nugent
Campbell	Harris	Nunes
Canseco	Hartzler	Nunnelee
Cantor	Hayworth	Olson
Capito	Heck	Palazzo
Cardoza	Hensarling	Paul
Carter	Herger	Paulsen
Cassidy	Herrera Beutler	Pearce
Chabot	Huelskamp	Pence
Chaffetz	Huizenga (MI)	Peterson
Chandler	Hultgren	Petri
Coble	Hunter	Pitts
Coffman (CO)	Hurt	Poe (TX)
Cole	Issa	Pompeo
Conaway	Jackson Lee	Posey
Cravaack	(TX)	Price (GA)
Crawford	Jenkins	Quayle
Crenshaw	Johnson (IL)	Reed
Cuellar	Johnson (OH)	Rehberg
Culberson	Jordan	Reichert
Davis (KY)	Kelly	Renacci
Denham	King (IA)	Reyes
DesJarlais	King (NY)	Ribble
Diaz-Balart	Kingston	Rigell
Donnelly (IN)	Kinzing (IL)	Rivera
Dreier	Kline	Roby
Duffy	Labrador	Roe (TN)
Duncan (SC)	Lamborn	Rogers (AL)
Duncan (TN)	Lance	Rogers (KY)
Ellmers	Landry	Rogers (MI)
Emerson	Lankford	Rohrabacher

Rokita	Shimkus	Walberg
Rooney	Shuster	Walden
Roskam	Simpson	Walsh (IL)
Ross (AR)	Smith (NE)	Webster
Ross (FL)	Smith (TX)	West
Royce	Southerland	Westmoreland
Runyan	Stearns	Whitfield
Ryan (WI)	Stivers	Wilson (SC)
Scalise	Stutzman	Wittman
Schilling	Sullivan	Wolf
Schmidt	Terry	Womack
Schock	Thompson (PA)	Woodall
Schweikert	Thornberry	Yoder
Scott (SC)	Tiberi	Young (AK)
Scott, Austin	Tipton	Young (IN)
Sensenbrenner	Turner	
Sessions	Upton	

NOT VOTING—4

Giffords	Johnson, Sam
Hastings (WA)	Waters

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote). There are 2 minutes remaining in this vote.

□ 1822

Ms. ROS-LEHTINEN changed her vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 4 OFFERED BY MR. KEATING

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Massachusetts (Mr. KEATING) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 186, noes 240, not voting 5, as follows:

[Roll No. 314]

AYES—186

Ackerman	Cleaver	Filner
Andrews	Clyburn	Frank (MA)
Baca	Cohen	Fudge
Baldwin	Connolly (VA)	Garamendi
Barrow	Conyers	Gerlach
Bass (CA)	Cooper	Green, Al
Becerra	Costello	Grijalva
Berkley	Courtney	Gutierrez
Berman	Critz	Hanabusa
Bishop (GA)	Crowley	Harris
Bishop (NY)	Cummings	Hastings (FL)
Blumenauer	Davis (CA)	Heinrich
Boswell	Davis (IL)	Higgins
Brady (PA)	DeFazio	Hinche
Braley (IA)	DeGette	Hinojosa
Brown (FL)	DeLauro	Hirono
Butterfield	Dent	Holden
Capps	Deutch	Holt
Capuano	Dicks	Honda
Carnahan	Dingell	Hoyer
Carney	Doggett	Inslee
Carson (IN)	Dold	Israel
Castor (FL)	Doyle	Jackson (IL)
Chandler	Edwards	Jackson Lee
Chu	Ellison	(TX)
Cicilline	Engel	Johnson (GA)
Clarke (MI)	Eshoo	Johnson, E. B.
Clarke (NY)	Farr	Jones
Clay	Fattah	Kaptur

Keating	Nadler	Scott, David	Posey	Royle	Thompson (PA)
Kildee	Napolitano	Serrano	Price (GA)	Runyan	Thornberry
Kind	Neal	Sewell	Quayle	Ruppersberger	Tiberi
Kissell	Olver	Sherman	Reed	Ryan (WI)	Tipton
Kucinich	Owens	Sires	Rehberg	Scalise	Turner
Langevin	Pallone	Slaughter	Reichert	Schilling	Upton
Larsen (WA)	Pascrell	Smith (NJ)	Renacci	Schmidt	Walberg
Larson (CT)	Pastor (AZ)	Smith (WA)	Reyes	Schock	Walden
Lee (CA)	Payne	Speier	Ribble	Schweikert	Walsh (IL)
Levin	Pelosi	Stark	Richmond	Scott (SC)	Webster
Lewis (GA)	Perlmutter	Stivers	Rigell	Scott, Austin	West
Lipinski	Peters	Sutton	Rivera	Sensenbrenner	Westmoreland
LoBiondo	Pingree (ME)	Thompson (CA)	Roby	Sessions	Whitfield
Loeback	Platts	Thompson (MS)	Roe (TN)	Shinkus	Whitfield
Lofgren, Zoe	Price (NC)	Tierney	Rogers (AL)	Shuler	Wilson (SC)
Lowey	Quigley	Tonko	Rogers (KY)	Shuster	Wittman
Lujan	Rahall	Towns	Rogers (MI)	Simpson	Wolf
Lynch	Rangel	Tsongas	Rohrabacher	Smith (TX)	Womack
Maloney	Richardson	Van Hollen	Rokita	Stearns	Woodall
Markey	Ros-Lehtinen	Velázquez	Rooney	Stutzman	Yoder
Matsui	Ross (AR)	Visclosky	Roskam	Sullivan	Young (AK)
McCarthy (NY)	Rothman (NJ)	Walz (MN)	Ross (FL)	Terry	Young (IN)
McColum	Roybal-Allard	Wasserman			
McDermott	Rush	Schultz			
McGovern	Ryan (OH)	Waters	Giffords	Johnson, Sam	Southerland
McIntyre	Sánchez, Linda	Watt	Hastings (WA)	Smith (NE)	
McNerney	T.	Waxman			
Meeks	Sanchez, Loretta	Weiner			
Michaud	Sarbanes	Welch			
Miller (NC)	Schakowsky	Wilson (FL)			
Miller, George	Schiff	Woolsey			
Moore	Schrader	Wu			
Moran	Schwartz	Yarmuth			
Murphy (CT)	Scott (VA)	Young (FL)			

NOES—240

Adams	Dreier	King (IA)
Aderholt	Duffy	King (NY)
Akin	Duncan (SC)	Kingston
Alexander	Duncan (TN)	Kinzinger (IL)
Altmire	Ellmers	Kline
Amash	Emerson	Labrador
Austria	Farenthold	Lamborn
Bachmann	Fincher	Lance
Bachus	Fitzpatrick	Landry
Barletta	Flake	Lankford
Bartlett	Fleischmann	Latham
Barton (TX)	Fleming	LaTourette
Bass (NH)	Flores	Latta
Benishke	Forbes	Lewis (CA)
Berg	Fortenberry	Long
Biggart	Fox	Lucas
Bilbray	Franks (AZ)	Luetkemeyer
Bilirakis	Frelinghuysen	Lummis
Bishop (UT)	Gallegly	Lungren, Daniel
Black	Gardner	E.
Blackburn	Garrett	Mack
Bonner	Gibbs	Manzullo
Bono Mack	Gibson	Marchant
Boren	Gingrey (GA)	Marino
Boustany	Gohmert	Matheson
Brady (TX)	Gonzalez	McCarthy (CA)
Brooks	Goodlatte	McCauley
Brown (GA)	Gowdy	McClintock
Buchanan	Granger	McCotter
Buchson	Graves (GA)	McHenry
Buerkle	Graves (MO)	McKeon
Burgess	Green, Gene	McKinley
Burton (IN)	Griffin (AR)	McMorris
Calvert	Griffith (VA)	Rodgers
Camp	Grimm	Meehan
Campbell	Guinta	Mica
Canseco	Guthrie	Miller (FL)
Cantor	Hall	Miller (MI)
Capito	Hanna	Miller, Gary
Cardoza	Harper	Mulvaney
Carter	Hartzler	Murphy (PA)
Cassidy	Hayworth	Myrick
Chabot	Heck	Neugebauer
Chaffetz	Hensarling	Noem
Coble	Herger	Nugent
Coffman (CO)	Herrera Beutler	Nunes
Cole	Himes	Nunnelee
Conaway	Huelskamp	Olson
Costa	Huizenga (MI)	Palazzo
Cravaack	Hultgren	Paul
Crawford	Hunter	Paulsen
Crenshaw	Hurt	Pearce
Cuellar	Issa	Pence
Culberson	Jenkins	Peterson
Davis (KY)	Johnson (IL)	Petri
Denham	Johnson (OH)	Pitts
DesJarlais	Jordan	Poe (TX)
Diaz-Balart	Kelly	Polis
Donnelly (IN)		Pompeo

Scott, David	Posey	Royle	Thompson (PA)
Serrano	Price (GA)	Runyan	Thornberry
Sewell	Quayle	Ruppersberger	Tiberi
Sherman	Reed	Ryan (WI)	Tipton
Sires	Rehberg	Scalise	Turner
Slaughter	Reichert	Schilling	Upton
Smith (NJ)	Renacci	Schmidt	Walberg
Smith (WA)	Reyes	Schock	Walden
Speier	Ribble	Schweikert	Walsh (IL)
Stark	Richmond	Scott (SC)	Webster
Stivers	Rigell	Scott, Austin	West
Sutton	Rivera	Sensenbrenner	Westmoreland
Thompson (CA)	Roby	Sessions	Whitfield
Thompson (MS)	Roe (TN)	Shinkus	Whitfield
Tierney	Rogers (AL)	Shuler	Wilson (SC)
Tonko	Rogers (KY)	Shuster	Wittman
Towns	Rogers (MI)	Simpson	Wolf
Tsongas	Rohrabacher	Smith (TX)	Womack
Van Hollen	Rokita	Stearns	Woodall
Velázquez	Rooney	Stutzman	Yoder
Visclosky	Roskam	Sullivan	Young (AK)
Walz (MN)	Ross (FL)	Terry	Young (IN)

NOT VOTING—5

Giffords	Johnson, Sam	Southerland
Hastings (WA)	Smith (NE)	

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
There are 2 minutes remaining in this vote.

□ 1830

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. PEARCE. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. DESJARLAIS) having assumed the chair, Mr. CAMPBELL, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, had come to no resolution thereon.

AMERICAN ANGELS ABROAD

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, they are America's angels abroad. They are ambassadors for America, and they are good folks that represent everything that is right about our country. They are the Peace Corps volunteers. And this is the 50th year of the Peace Corps. These are the most wonderful people I think I've ever met.

But there's a problem in the Peace Corps because many times these volunteers go overseas, they help out other countries, but they become victims of crime and victims of sexual assault. In fact, in 2009 there were 122 of them that were victims of sexual assault by predators in foreign countries.

And the problem is there's not much compassion, not much concern, and not much care with the Peace Corps about

the plight of these victims according to the victims who testified today.

But those things are changing. Director Williams is committed to making the Peace Corps a safe place for our volunteers overseas. We're going to work with him and these victims to promote legislation so that we will have a protocol that is the law so that they are treated better.

We are the greatest human rights Nation in the world. We promote human rights, but human rights need to also apply to victims in the Peace Corps who are sexually assaulted overseas.

And that's just the way it is.

NATIONAL POLICE WEEK

(Mr. PAULSEN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAULSEN. Mr. Speaker, I rise today to pay tribute to our Nation's law enforcement officers, the brave men and women who dedicate their lives to protecting our communities.

This week is National Police Week, and thousands of officers from across the country will gather here in Washington to pay tribute to those who have fallen in the line of duty. Sadly, in the past year, 162 officers have died in the line of duty, including two from Minnesota, Sergeant Joseph Bergeron of Maplewood and Mahanomen County Sheriff's Deputy Chris Dewey.

As we remember these officers, Mr. Speaker, I want to call attention to legislation that I have introduced that would help protect those who protect us. H.R. 1789, the State and Local Law Enforcement Discipline, Accountability, and Due Process Act, would guarantee law enforcement officers have basic rights during disciplinary actions.

I ask and urge my colleagues to sign on to this legislation so we can also help protect our law enforcement officers.

TIME FOR CONGRESS TO GET OUR HOUSE IN ORDER

(Mr. KINGSTON asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. KINGSTON. Mr. Speaker, can you imagine in your household, if, for every \$1 you spent, 40 cents was borrowed?

That's the situation we're in with every dollar that we spend in the U.S. Congress today. And yet there are those who do not want to reform or change.

But if I brought in my family and said, listen, guys, for every dollar we spend, 40 cents is borrowed, we would say, okay, what can we cut out? Can we do with less travel? Can we do with fewer clothes? Can we cut back on the

kitchen table a little bit? We would come up with some ideas. They might be tough choices, but it's the right thing to do.

It is time for Congress to get our house in order and to think about the next generation, not just the next election.

As a member of the Appropriations Committee, I can tell you, each and every day, people come to see me to ask for more money to be spent. We've got to change our culture of spending here and get the House under control.

RECOGNIZING NATIONAL MILITARY APPRECIATION MONTH

(Ms. ROS-LEHTINEN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. ROS-LEHTINEN. Mr. Speaker, I rise tonight to recognize our men and women in uniform and join our community in celebrating National Military Appreciation Month. The month of May encompasses a number of celebratory days linked to our Armed Forces, their families, and our Nation's proud history. From Military Spouse Appreciation Day to Victory in Europe Day, and from Loyalty Day to Armed Forces Day and Memorial Day, the month of May is a time for our Nation to come together and give praise to our most heroic citizens.

Our Nation traditionally recognizes our troops' sacrifice in a somber manner on Memorial Day, but National Military Appreciation Month allows us to not only appreciate those who have given their lives for our freedom, but also to celebrate the resolve of our Nation through its most difficult times.

I welcome our Nation to join in recognizing the contribution of our servicemen and -women, past and present, for all that they have done to preserve our freedom and our way of life.

DIFFERING VIEWS ON IMMIGRATION

(Mr. DANIEL E. LUNGREN of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, I noted with interest that the President announced this week he was going to give a major address on immigration. As one who's been involved in this issue for three decades, I was very interested to find out the approach the President was going to take.

So let me register my disappointment at the demonization of those who might have a disagreement with the President that was expressed by him in his speech yesterday. Talking about moats and talking about alligators and talking about intransigence on the other side of the aisle is not the way to

attract bipartisan support to deal with one of the most difficult and important questions of our Nation. I wouldn't say I'm outraged. I would say I'm disappointed at the tone of those remarks of the President yesterday.

If, in fact, we're going to work together on issues as important as that, it would seem to me to be important for us to, in some way, at least accept the fact that there may be legitimate reasons for differences and try and bridge those differences, rather than expand them.

THE WESTERN CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New Mexico (Mr. PEARCE) is recognized for 60 minutes as the designee of the majority leader.

Mr. PEARCE. Mr. Speaker, the Western Caucus has several members here tonight. We would like to talk about what is going on right now in the country. The administration seems to be waging a war on the western jobs, and that is carried out through a whole range of activities.

A couple of weeks ago, the administration and the President said that the administration is not doing enough to address the high gas prices. The President said in a speech at Georgetown that he would like to cut foreign oil by one-third by drilling at home. Well, we have been in the process of offering him the solution to what he said he would like to do.

Now, keep in mind that while the President is saying one thing, he's doing another.

□ 1840

While he says that we would like to drill for more oil here, understand that he has increased the moratorium on the offshore drilling. They have made it more difficult to drill in on-land areas through the Rocky Mountains. Know that they rejected Shell Oil Company's \$4 billion NEPA study because a paragraph was omitted.

So while we are hearing bold language from this administration about increasing the amount of oil that we are drilling here at home—and that would create American jobs but it would also create lower energy prices—understand that it appears that the President is not following through on what he said.

So in the past couple of days, this Congress, this House, has passed out H.R. 1229, which says that we are going to put the people back to work in the Gulf of Mexico.

I think everyone understands that BP is accountable and should be accountable for the problems that they caused, but we should not have killed 100,000 jobs offshore.

Our Nation is stuck at 9 percent unemployment. We are stuck with a def-

icit that is having to be financed by our own Federal Reserve. We are putting the Nation's economy at risk because of the way that we are treating jobs and because of our deficit.

So we are saying: Put the American workers back to work in the Gulf, produce American oil, produce American jobs, and bring lower prices of gasoline to the consumer.

The same bill improves the safety by reforming current law. It sets timelines for the Secretary to act on permits to drill. Right now, one of the things that the Secretary is doing is holding off approvals for those applications for permits to drill, the APDs. Know that the administration has within its power to improve the situation with jobs immediately, but instead they are doing the things that harm our work.

H.R. 1229 also establishes expedited judicial review processes.

We also have passed in this House H.R. 1230, which says we are going to restart the American Offshore Leasing Now Act. It passed last week. It requires that the four lease sales in the gulf and Virginia take place. Those lease sales were previously scheduled, but instead of going ahead with them, the administration has put them on hold. Let's simply produce the energy which has been verified to be there, which would create American jobs and which would aid American consumers by lower prices of gasoline.

H.R. 1231 has also been passed, which reverses President Obama's offshore moratorium. The President made a big deal just after he was sworn in 2 years ago about reversing the moratorium. But after one analyzed the moratorium that he reversed, we actually saw that he increased the moratorium, that more areas were put off limits to drilling rather than the message that he gave the American people.

So H.R. 1231 says to the President: We would like for you to join us in creating American jobs, jobs that the West would be proud of, jobs that would produce energy, jobs that would produce high-paying careers and not just jobs. We believe that these are the things that the American people are looking for. This is the leadership that they are asking for out of Washington.

H.R. 1231 requires each 5-year offshore leasing plan to include lease sales in areas containing the greatest known oil and natural gas reserves. Our offshore areas are tremendous reserves of energy. All we have to do is tap into them and use them. It requires that the Secretary establish a production goal when writing a 5-year plan.

I am joined tonight by several members of the Western Caucus. Each one has got their own particular interest area where the administration appears to be conducting a war on western jobs. So tonight, to lead off, I would like to yield time to my good friend CYNTHIA

LUMMIS from Wyoming such time as she would consume.

Mrs. LUMMIS. Mr. Chairman, I thank the gentleman from New Mexico for yielding. I appreciate his leadership of the Western Caucus and look forward to this robust discussion tonight.

The West is rich in natural resources. And natural resources, their good stewardship and using them for the benefit of our country is what the West does best.

This administration is turning its back on the stewardship that is available in the West as we produce our natural resources and, instead, is taking away the jobs, the environmental progress, and replacing it with further dependence on foreign energy from places like Saudi Arabia and Venezuela.

We can produce our own energy in this country. Between the resources of Canada and the United States, we can produce enough energy for us to meet our foreseeable needs. But that requires us to use the technologies and the jobs associated with those technologies that will create tens of thousands of jobs, in fact, hundreds of thousands of jobs. Instead, we are actually going in exactly the opposite direction. Let me give you an example.

Fracking technology is advancing dramatically the ability of America to recover its rich natural gas resources, and it allows us to do so by casing a well with perforations. There is an explosion that cracks the tight sands or the rock. Then fluids are forced into these gaps in the rock, keeping the seams open, allowing this gas or oil to percolate back up the well casing and be produced, allowing Americans to use American-grown energy. But the attack on fracking technology is based not on science but on the idea that fracking could damage drinking water.

None of us want to see our precious drinking water polluted by contaminants that some people believe are being used in fracking fluids.

The States know their own geology better than anyone in Washington could and the very diverse geology that is different from State to State. You are going to be hearing later this evening from G.T. THOMPSON, a Member of Congress from Pennsylvania, where the Marcellus shale formation is being produced. I am going to talk about the use of fracking technology in my State, where the geology is very different from the Marcellus shale, but where it can be used in a responsible manner to produce American oil and gas with American jobs.

The Wyoming Oil and Gas Conservation Commission, recognizing the concern that our drinking water could be imperiled, set about and created a set of rules and regulations to disclose the contents of fracking fluids and the processes that are being used by companies that are fracking wells in the

State of Wyoming. Those rules are being used to provide people with the information that is needed to assure them that fracking fluids are not contaminating our water.

Furthermore, there have been repeated stories, using an example from Wyoming, in Pavillion, Wyoming, of an area that some argue was fracked to the detriment of local water wells. Well, we are learning more and more about those water wells. And what we are finding is, out of over 100 water wells in the area, only about one-fifth of them are permitted, and some of them are not even cased. Well, this allows for the natural percolation of gas into water that has nothing to do with fracking.

If we look at the science and apply it correctly, using good stewardship principles, we can produce oil and gas and have good drinking water.

□ 1850

I even have a photograph from someone in my home State, Mr. Speaker, that has a flame coming out of a pond. The flame is a consequence of a natural methane seep coming out of the water that has been on fire as long as this gentleman can remember. These are natural phenomena.

We need to make sure that we are assuring people in this country that drinking water will be safe at the same time we recover these resources. Those very assurances require scientists, they require environmental companies, they require fracking experts; more jobs, more oil and gas, more diverse energy for the American economy.

Of course, clean burning natural gas provides us also an extension of the air quality that we value so well. These are American jobs that can be saved, nurtured and grown, and used successfully all over the United States, on and off shore.

Mr. Speaker, you just acknowledged a project in the Beaufort Sea, which is off of the coast of Barrow, Alaska, 87 miles. Shell has put \$4 billion, as you pointed out, into preparing to produce that resource, and still does not have a permit to produce it. At some point, those investments begin to devalue their sunken costs in a way that may make companies like Shell look elsewhere. That takes jobs away from America and into countries where we are competing for jobs, and in places that sometimes are not our best friends when it comes to foreign policy and human rights.

So, Mr. Speaker, let's produce oil and gas with American jobs, with good pay, with good benefits, and with the residual goal of having an all-of-the-above energy policy that benefits the West and the country as a whole.

Mr. PEARCE. I thank the gentlelady for her comments.

We are joined tonight by my good friend Mr. THOMPSON from Pennsyl-

vania. Before I yield time to him, I would like to walk through just a brief list of some of the other ways that the government conducts war on Western jobs.

Consider the listing of endangered species. No one of us wants to see a species be extinct or go extinct, but what we have seen is an extreme interpretation of the rules which kill jobs at the same time. I think there are ways that we could keep jobs and preserve species, yet we are not doing that right now.

The Coho salmon was listed as endangered. As a result, the farmers in the Klamath Basin in Oregon have been forced into bankruptcy due to prohibitions on water use by the listing of the salmon.

The Methow salmon, water rights holders in the Methow Valley of Washington lost the use of their water, and property owners and timber owners face restrictions on their properties because of the imposition of egregious stream buffers to protect the listed salmon.

The listing of the salmon in general, the court case over whether hydroelectric dam operators have done enough to prevent the death of salmon in Washington and Oregon, billions of dollars have been spent to accommodate, according to Bloomberg Business Week, but the environmental groups continue to sue.

The northern spotted owl, the listing has killed the entire timber industry in much of the West, especially in northern California and Oregon. The Mexican spotted owl, that listing also killed the timber industry in New Mexico and Arizona. Hundreds of thousands of jobs have been lost.

The Delta smelt, the listing of that species, a small 2-inch fish that lives in the San Joaquin Valley, killed 27,000 jobs there. The San Joaquin Valley was the source of 80 percent of our Nation's vegetables. Now those vegetable farms are gone. Bankruptcy. We are now importing food from countries that can spray pesticides that are outlawed in this country, so our food supply is less safe. Fewer jobs, bigger government deficit, greater cost of vegetables and unsafe food supply.

The gray wolf was listed by the Fish and Wildlife Service as endangered and has killed agriculture and mining jobs throughout the West. Still the list goes on and on. So it is not that these are just hypothetical ideas that the war on Western jobs is occurring by a government. These are ongoing processes.

One group, the Center for Biological Diversity, has declared they are going to list over 1,000 species this year, that they are going to petition for the listing of over 1,000 species this year. Understand that their lawyers get reimbursed at the rate of \$350 to \$500 per hour. For every lawsuit that they bring against the government, every lawsuit

that kills jobs provides employment for lawyers in those groups, so know that the taxpayer is footing the bill but yet losing jobs in the meantime.

I would like to recognize Mr. THOMPSON now, and thank him very much for being here tonight.

Mr. THOMPSON of Pennsylvania. I thank my good friend from Hobbs, New Mexico, for yielding. Representing part of Pennsylvania, it is an honor to be part of the Western Caucus. I represent western Pennsylvania and central Pennsylvania and a little bit of eastern Pennsylvania. My district is so large, so rural.

It has many of the same issues, Mr. Speaker, that fit very well within the Western Caucus. We have public lands. All of these issues you are hearing about tonight in terms of what government does as a huge barrier and to kill the jobs, they are the same things that we certainly experience in western Pennsylvania.

Now, I am proud. I chair the largest subcommittee of Agriculture, Conservation, Energy, and Forestry, so I want to go down another road in which how government kills jobs, western jobs, whether it is the West or western Pennsylvania or, frankly, throughout the United States.

We recently had a hearing reviewing the proposed United States Forest Service plan. Our National Forests, it is very clear they are not National Parks. Our National Forests were created to provide sustainable resources, predominantly timber, but timber is not the only thing. Our forests were created to provide us energy, access to oil, to natural gas, to coal, to minerals. So that is why they were put in existence.

As we look around the Nation, certainly in my congressional district, my National Forest is relatively small compared to I think some in the West, 513,000 acres, but it is profitable and home to the world's best hardwood cherry. It has a management plan that says in a sustainable way, to keep the forest healthy they are supposed to harvest over 90 million board feet a year. But yet for over a decade they have been doing 20 million. One of the members of my subcommittee, Mr. SOUTHERLAND, talked about his National Forest, they harvest zero board feet out of his National Forest.

Now, there are a lot of problems with that. First of all, if you don't harvest timber, if you don't manage that forest in a healthy way, you subject yourself to wildfires, to invasive species. It creates an unhealthy forest. But it also kills jobs, and that is what we have seen. We have seen that all across the Nation, in the West, frankly, all parts of the country with our National Forests where the Forest Service has failed to do its job in terms of managing the forests I think in a productive way. That point came out very

clearly in the first of what will be I think a number of hearings that we are going to do on this issue.

Frankly, timber production is down. I am proud to say that it is up to 40 million board feet in the Allegheny National Forest, but that is only with the persistence of kind of being with the Forest Service almost on a constant basis. But it is still a long ways from 90.

The production of timber is down. That means timber jobs, first of all. Our sawmills, our timber industry, those jobs, in many parts of the country those jobs have gone away. They are extinct today. And the forest products jobs that come as a result of having that timber supply are going away.

□ 1900

And the economies. Our rural communities were taken in order to create these national forests by the Federal Government. And the economies of our rural communities that make up those forests depended on the promise that was made when the forests were formed that the timber industry, minerals, oil, gas, coal, all those sustainable resources would be provided, would be produced, and that would maintain the economies of those rural communities. Well, that's been a lie by the Federal Government. They haven't done that. They haven't met their responsibilities. And that has killed jobs and killed our economies in rural communities.

In terms of energy, in my district I was sworn in for the first time in Congress in January 2009. Within a week of when I was sworn in, the Forest Service chose to place a moratorium on any new drilling permits in my national forest.

Now, you have to understand, 93 of the subsurface rights are privately owned. So these are owned by private individuals. And they came in and imposed this moratorium because of some lawsuit, as my good friend talked about, and the taxpayers paid their lawyers and paid the organizations to file, basically, and we went over a year with people losing their jobs, families suffering for just that reason.

Thankfully, a Federal judge overturned that decision. Of course, the Forest Service appealed and the Federal judge threw it out again. And now the Forest Service has appealed again. They've taken it down to a different court, down to the Philadelphia court, and we'll see what turns out there. But that's just another example of just bad government.

My good friend Mrs. LUMMIS from Wyoming talked about the Marcellus natural gas. Let me just say that's all private sector. The government is not involved in it. Natural gas is mostly private lands. And it works. It has created over 88,000 jobs in Pennsylvania. I have counties that, for the first time in

history, their unemployment rates are below both State and national averages.

Prosperity is a good thing, and everybody benefits—not just the people that are getting the royalties or the leases, but, frankly, the churches, the Boy Scouts, the Girl Scouts, the little leagues, the fire departments, the hospitals, because rural folks are generous and they support good causes.

And so the communities are growing. The annual average earnings are going up. Frankly, government is benefiting because local, State, and even the Federal Government is getting a little more tax revenue by all that economic activity. And unemployment is down and energy security is there, and it's lower energy costs for everyone, and it's private sector.

If the government owned that land, we'd never be experiencing those benefits. Though, despite that fact, despite these are private lands—and I'll end my comments with these, because I know we've got other Members that want to speak tonight—this administration is going after that natural gas production. They are. There are some in this body that are proposing Federal Government overreach.

We're accessing that energy as a good steward. We've got regulations. The Department of Environmental Protection in Pennsylvania is a tough agency, but they do a fair job. They're always looking at their regulations. But we've got this administration who wants the Federal Government to employ the EPA and to send them into Pennsylvania and other parts of our country where we're producing domestic energy, which will essentially shut down our energy production and will shut down this prosperity, will shut down these jobs that are being created, will shut down the movement that we're making towards energy security.

I want to thank my good friend from New Mexico for hosting this hour tonight. I'm proud to be a part of the Western Caucus and proud to be with you this evening.

Thank you.

Mr. PEARCE. I thank the gentleman from Pennsylvania for his comments. So far, the quote of the night is "prosperity is a good thing." Yet our government seems to have a war on prosperity. Why is our government trying to undermine the economy when we're struggling with high deficits and unemployment? It defies imagination that that's going on.

I would like to recognize now my good friend from Georgia (Mr. BROWN) for such time as he may consume. I appreciate your being here. Georgia and Pennsylvania in the Western Caucus, that's the way it should be. We're west of somewhere. Thank you for being here tonight.

Mr. BROWN of Georgia. Thank you, Mr. PEARCE. I appreciate your yielding

me some time. Let me go forward with what Mr. THOMPSON was just saying and what you were just commenting on about prosperity.

Just today, I had a businessman in my office relaying to me a conversation he had with one of the liberal Democrat Senators, and he was talking about the issues that concerned him and his business. She was arguing over and over again about how government needs to do all the regulatory constraints on business and how businesses need to be taxed higher, and it's not fair for businesses to be making money at the levels that they are. In fact, just today, we saw some of our Democratic colleagues talk about the oil companies and the kind of money that they have been making with increased prices of gasoline. Finally, in frustration, this Democrat Senator said to this businessman: All you're concerned about is profit. You just want to make a profit.

Well, that's what business does. It makes a profit for its shareholders. If it's a corporation, it makes a profit for small businesses.

The policies of this administration, the policies that we've seen from our Democratic colleagues when NANCY PELOSI was running the House, now with HARRY REID running the Senate, and certainly the Obama administration, they're trying to destroy profits. They're trying to destroy our economy, in my opinion.

In fact, the President, himself, has said that he doesn't mind seeing gasoline prices go up as long as they go up incrementally. He doesn't want to see the massive increases, but as long as they keep going up. His own Energy Secretary, Dr. Chu, fairly recently said somehow we have to find a way to make gasoline in the United States at the same price that it is in Europe, which is roughly \$8 a gallon today. The policies of this administration are doing just exactly that.

Today, in the Science, Space and Technology Committee, we were talking about fracking. The EPA scientist that is studying fracking admitted that there has not been one single incident—not one—where fracking has been implicated in contaminating drinking water. Not one.

But I believe this administration is doing everything it can to try to destroy energy production in this country and to try to destroy the free enterprise system. In fact, the President, himself, said that if his policies go into effect, to use his own words, energy prices will "necessarily skyrocket."

Well, who's going to be hurt? Who's going to be hurt when fuel prices go up and food prices go up, not only gasoline and diesel fuel?

I was talking to a manager in a restaurant just last week in Athens, Georgia, and was asking him about his food prices in his restaurant and what is

going on because of the high cost of gasoline. He said his suppliers are adding a fuel surcharge onto the cost of the foods that he's buying and selling in his restaurant. And it's the policies of this administration that are doing that.

Just yesterday, I had a constituent of mine who's an egg producer in Georgia come in and talk about some of the issues that he faces. I am from Georgia. I'm a good southerner, and I love my grits and cornbread. For folks who are not southerners, grits are made from corn. Cornbread, obviously, that's self-explanatory where that comes from. I think even Yankees will know that cornbread comes from corn, too. The thing is that I, as a good southerner, cannot see driving down the road, burning up my grits and cornbread in the fuel tank of my GMC Yukon that I used as my office, actually, when I was making house calls as a medical doctor.

I hear our Democratic colleagues talk about we need to remove the subsidies for the oil companies. Well, the American people need to know that those subsidies are actually tax credits. They're not true subsidies as such. In fact, HARRY REID was recently wanting a subsidy for gold mining in his own State of Nevada. He also wanted us to continue funding the cowboy poetry festival in his home State.

We've got to stop spending these outrageous funds that the Federal Government has been spending, and we need to start creating jobs in a strong economy. The best way to do that is to get rid of the policies of this administration that are destroying jobs, destroying our economy, increasing the cost of gas and diesel fuel for farmers and everybody in this country.

But back to my egg producer friend. I've got a chart here that we made up in our office, a dozen eggs in Georgia. We have the subsidies—which are really not subsidies for the oil companies; they're just tax credits. But we have subsidies for ethanol production, which are true subsidies. Our administration has tried to pick winners and losers. One of the winners that they picked is the ethanol production.

□ 1910

That's been a total failure, and what that has done is increase the cost of gasoline. It's increased the cost of food across this country too. In fact, the major ingredient in feed for chickens is corn. Corn, when I when I was farming back a number of years ago, was \$2.50 a bushel. Now it's approaching \$8 a bushel. In 2005, before this ethanol subsidy, the total feed cost per dozen eggs—so when a consumer goes out and buys a dozen eggs—the food cost in that dozen eggs was 21 cents per dozen of eggs. Now, 2011, it's approximately 52 cents per dozen.

So who pays for that? Does the egg producer? No, it's the consumer. When

you go to the grocery store and buy a dozen eggs, you're paying more money for the failed policies of this administration, particularly when it has to do with energy.

If we start drilling for oil, tapping into our natural gas supplies, start producing coal, particularly doing the clean coal technology that we have, having an all-of-the-above energy policy, what's going to be the long-term outcome for the American consumer? For every single American, it's going to lower the cost of eggs and milk and bread because it's going to lower the cost of the production of all the food-stuffs. Every single good and service in this country is affected by these high costs of gasoline and fuel oil, diesel fuel, et cetera. The people who are going to be hurt the most are the poor people, those on limited incomes, our senior citizens.

I hear over and over again our Democrat colleagues say that Republicans are in the back pockets of Big Oil. Wrong. I would like to see us end all subsidies, all of them, but particularly the ethanol subsidy, which has not made any sense whatsoever. And let's start developing our own energy resources, which will create jobs here in America.

Just yesterday and today, we've been debating three bills that came out of our Natural Resources Committee. Those three bills will enable us to start tapping into the God-given energy resources that we have in this country, help us to be less dependent upon foreign sources for energy. If the President will ever sign those three bills into law, the short-term effect, I think it's been estimated, is that 200,000 new jobs are going to be created. So 200,000 new jobs will be created just with those three bills, just to be able to open up developing our own energy resources here in America that the President is blocking. Long term those three bills, it's estimated, will create 1.2 million new jobs here in the United States, American jobs, and help create a stronger economy.

The failed energy policies of this administration are hurting job creation. They are hurting our economy. They're raising the cost of gasoline. They're raising the cost of diesel fuel. They're raising the cost of fuel oil. They're going to hurt egg producers and thus egg consumers, consumers of all goods and services. Your food costs are going to go up. The cost of every good and service in this country is going to go up all because of the failed policies of this administration because we cannot develop our own energy resources, our God-given resources, that we have in this country. I submit if a nation is not energy independent, it's not a secure nation. And that's where we are today. We've got to become energy independent. And how is that going to happen?

Former U.S. Senator Everett Dirksen one time said when he feels the heat, he sees the light. The most powerful political force in America is embodied in the first three words of the U.S. Constitution: We the people. When we the people start contacting Members of Congress, particularly the Democrat Members of the House, and the Members of the U.S. Senate, and demand that we develop our own energy resources here in America, that we have an all-of-the-above energy policy that looks at everything—nuclear energy, alternative sources, clean coal, oil, gas—everything, which we must do, and that's what Republicans are fighting for, if enough people all over this country will contact their Senators and their Members of Congress and say, let's develop our own energy resources, let's develop American jobs, let's develop a strong economy here in America, then we can do so. But it's up to we the people to be able to demand that from your elected Representatives.

Thank you, Mr. PEARCE, for yielding to me. I appreciate the great job you're doing as chairman of the Western Caucus, and I'm honored to be a part of that caucus.

Before I close, I encourage people to go on my Web site, broun.house.gov, and they can actually look at all the things on this chart. They can look at it in fine detail and understand how high energy costs are creating high prices for eggs in the grocery store.

Thank you, Mr. PEARCE.

Mr. PEARCE. I thank the gentleman for his comments and his perceptions.

As he mentioned, it seems that Washington has a war on profits. I think that maybe our friends on the other side of the aisle don't understand that profits pay high salaries. If you work in an industry with no profits, you work at low salaries.

Profits pay to reinvest in new buildings, creating construction dollars in neighborhoods. Profits are put into youth training, baseball leagues, soccer leagues. Profits are reinvested into new equipment, causing manufacturing firms to thrive. Profits are invested in dividends, and they cause increased values of stocks, helping retirees.

And, finally, profits are the only thing that corporations pay tax on. They do not pay taxes on losses. So when we begin to talk about taking away the profits of companies, understand that we're talking about undermining the American way of life. This attack on profits is an attack on the American way of life.

I am pleased to be joined tonight by a good friend from Utah (Mr. BISHOP), and I yield to the gentleman.

Mr. BISHOP of Utah. I thank Chairman PEARCE from New Mexico for using the Western Caucus to illustrate some of these ideas and situations that are here.

I'm also grateful that the gentleman from Georgia (Mr. BROUN) was just here

and tried to show how whenever you have a policy that prohibits or discriminates or lessens the amount of energy that we have in this country, it has a direct impact on individuals and people. As he was showing, it has a direct impact on the cost of food. For every dime that diesel fuel increases, that's \$400 million the agricultural industry has to put onto the cost of food. Not just in transporting the food but for the fertilizer to grow it, for the boxing, the shipping, the manufacturing of it—all of those things are added to it. For every penny that the cost of gasoline increases at the pump, that is \$1 billion that's taken out of the household income of Americans.

And whom is that going to impact the worst? Obviously the people at the lower end of the economic scale, who have the most difficult time making their budget stretch to pay for higher transportation costs through fuel, for higher food costs because fuel goes up, for higher heating costs because fuel goes up. They're the ones who are hurt.

Now, I also appreciate Mr. PEARCE for illustrating that actually we have a situation in which the West, without trying to be specific to a region, but the West has been treated with the heaviest hand over the past few years and has suffered the greatest consequences of that heavy hand.

Last year, according to the Bureau of Labor Statistics, they simply said that the region that had the highest unemployment for last year and the year before happened to be the West. Six of the top 12 States that had the largest decline in employment-to-population ratio since the recession that began in 2007 are found in the West.

□ 1920

Three of the top five States showing the most stress last year in the summer were found in the West, and unfortunately, Washington's misguided policies over the last several years are simply making these situations worse.

Let me, if I could, talk about a couple of specific situations that I have found in my State that have added to this problem of what we call the "war on the West," because they have had the dual whammy of not only increasing the price of energy, which is the price of living and the price of doing business, but at the same time of decreasing jobs in our particular area. Part of that is because the West simply has, as a region, over half of its land owned by the Federal Government. This government—it was not planned this way; it just kind of happened—owns 1 out of every 3 acres in the United States. Yet, west of Denver, it owns 1 out of every 2 acres in the United States, and we get to have the fun of working with the heavy hand of the Federal Government on all sorts of efforts, especially when the Department of the Interior has unlimited, ar-

bitrary and capricious powers given to them.

For example, the Bureau of Land Management in the State of Utah went through what they call "regional management plans." I have 16 areas. Half of them went through a regional management plan. The people on the ground, who are working there, who live there and who know that area, spent 7 years in developing a regional management plan, which means simply: How will the land owned by the Federal Government—and remember, it's still half of it—be used for development purposes?

For 7 years, they held the public hearings, and they went through all the processes. They came up with their plan. The Secretary of the Interior came into office, and in the first few days, he simply said, Those plans don't fit the needs of this country because they authorize 77 oil and gas leases, places where the professionals on the ground determined that the best use of government land was used to develop oil and gas in the State of Utah. The Secretary simply said no. He believed the last administration had made a rush to judgment, and therefore it was his best decision to suspend not only those oil leases but also the land management plans at the same time. He did it simply by the stroke of his signature. There was no work with it. There was no counterbalance. There was no checks and balance system. He simply said, I think it was wrong. It was a rush to judgment. I'm going to stop it.

Now, like everything else, this situation went to court, and the judge ruled that, actually, the Secretary was wrong. There was not a rush to judgment by anyone other than the Secretary when he suspended those leases. However, because there was a timing element—one of those technicalities—and because those who were suing waited too long to file the lawsuit, the decision of the Secretary would stand. Now, what the Secretary said is, I'll be magnanimous, and of the 77, I'll let 17 go forward. The other 60, they stay off the table. I don't care what the regional management plan did.

The end result of that was simply that you don't have a whole lot of leases that will be put out for development. Unfortunately, it has a ripple effect through the community because not all leases are found on Federal land. There is also State land and very few pieces of private land; but oftentimes they abut one another, and if you block the leasing opportunity on this piece of land, it sterilizes the leasing development opportunity on its neighbor land at the same time. Plus, if all of a sudden the Department of the Interior is sending a message that they're going to be tough on this kind of development, industry gets the message, and they're not going to fight that kind of issue, and they will leave at the same time.

The net result of this one action by the Department of the Interior was that unemployment in one rural county in Utah was a loss of 3,000 jobs in a county that only has 30,000 residents. The unemployment tripled over a course of months and only and solely because of this one decision: that not only did we not have the ability of drilling on those Federal lands, but you also lost the opportunity for the private sector to go onto State lands and onto certain private lands. Then there was the ripple effect as they realized what simply happened, which is that the private sector said, I'm not going to put up with this. They took the investment capital that they were willing to put into the region of rural Utah and took it somewhere else where they didn't have to deal with the Department of the Interior.

We have the same situation in the West in another particular area, specifically with oil shale. The U.S. Geological Survey, which oddly enough is part of the Department of the Interior, has estimated that, in a 16,000-square mile area of Colorado, Utah and Wyoming, there are, roughly, 2 trillion barrels of oil that can be extracted from oil shale. That is more energy than we get from Canada. This is not a new and unusual process. Estonia, in the Baltic states, has been using this same process of extraction from oil shale for 80 years, and they have done it successfully and in an environmentally friendly manner.

We could copy that same proposal—but no. Once again, this administration has decided to slow-walk any development, slow-walk any allowance of projects to go forward to demonstrate what we can and cannot do. The net result of losing this opportunity for oil shale is at least \$1.9 trillion added to the economy of this country, and there is projected to be up to 100,000 new jobs that would be lost simply by this one decision as well.

Now, this is a small area, but if you compound that fact of what is happening not just in my State of Utah but what is happening in Colorado and Wyoming and New Mexico and Nevada and the rest of the West and if you see the compounded problem we have, you truly can understand why in the recession the West was the hardest hit—because we were dealing with the Federal Government in a way that was certainly unfair.

I'd like to say one last thing before I yield back to the gentleman from New Mexico.

In the last days, as the gentleman said, we have been talking about the ability of trying to jump-start our energy portfolio, our energy self-dependence, our energy ability in three bills specifically dealing with offshore development. We have that same potential for energy development onshore as well that we need to talk about at the

same time; but sometimes we also need to talk here simply about understanding how words have meaning. We have been throwing around words in the debate over the last couple of weeks in a way that, I think, has been somewhat unfair and somewhat dilatory, and it has clouded the actual issue of what is going on.

For example, there are those who are saying we don't need to actually develop any new oil or gas resources. There are plenty of leases out there that aren't being produced. I want you to know, when you deal with words, that "lease" is not the same thing as a permit to drill, and a "permit to drill" doesn't mean you're going to find anything for production. Just because there is a lease does not mean there is production. I had a company that was in my office today which has a lease in one of the Western States. They received the lease 6 years ago. Only this year did they finally check off all the boxes, run through all the bureaucratic hoops and do the environmental impact statements to get the permit 6 years later to finally start preparing to drill to see if it is actually productive. Those 6 years cost a lot of money to that company, money which could have gone to providing work, providing jobs, as well as resources to help grow the economy of this country. That's a real cost, and that is real and legitimate.

We've heard comments before about how this country doesn't have enough oil because we don't have enough reserves to make it worthwhile. According to the CRS, Congressional Research Study, we have \$1.2 trillion worth of gas that is available for production here in the United States. That puts us in the top five countries in the world for oil. We are not an oil-poor country. However, when we talk about reserves, reserves are not the same thing as the amount of money that's available. Our reserves are a definition that is established by the SEC, and by the definition we use, we will always have fewer reserves than other countries, by definition.

In addition to that, a reserve can't count as a reserve until you can actually get to it. When we put parts of this country off, when we have a moratorium, by definition, that takes us out of the reserve. So, when someone says we don't have as many reserves as other countries, it's probably true. That doesn't mean we don't have enough oil that can be used and produced. It simply means it doesn't fit the definition. "Reserve" is not the same thing as "amount of producible oil."

Just like as the gentleman from Georgia said, a subsidy—and we talked about all the subsidies the industries are getting—is when the government actually pays cash to somebody. The oil companies are not getting cash from the government.

□ 1930

A subsidy should not be confused with a tax credit or a tax deduction. If it were, when I fill out my long form and I write down my charitable contributions and get to write them off, that means the Federal Government is subsidizing me or subsidizing the charity to which I'm giving. That doesn't make any sense.

What we need to do is talk about the words as the words really are meant to be and make sure that the words are used the proper way and not for some rhetorical effort to inflame the situation and reach some other result.

The last word we need to talk about is simply "jobs." Right now, there are twice as many government jobs as in all of manufacturing combined. In 1960, those ratios were reversed. We have gone to a lot of effort over the last 2 years to pass jobs bills, all of which produced government jobs. What we need to do is look at jobs in the private sector, and the private sector which creates a reliable, long-term job, a job that also equates wealth that goes back into the system and helps to grow our economy and grow our country.

Those are the jobs we should be after, and those are the jobs we need to do. Unfortunately, we will never develop those jobs until we have a governmental energy policy that is reliable, that is not dependent on the whims of some foreign country, and that helps us develop the resources that we have in this country. We can do it and we need to do it, and I appreciate Mr. PEARCE from New Mexico for bringing up this issue because that's exactly what we need to do as a policy.

With that, I thank the gentleman.

Mr. PEARCE. I thank the gentleman for his comments. He pointed out that this Nation is rich in shale oil. We do, in fact, have 2 trillion barrels in reserve in shale. That all was outlawed from use by the American consumers back in 2007 in a bill passed by NANCY PELOSI off the floor of the House.

To put that in perspective, what does 2 trillion barrels of shale oil mean? We have only used 1 trillion barrels of oil completely in our history in just shale oil. That's not natural gas. That's not normal petroleum. We have double in shale oil what we've consumed up to this point.

Another comment that was made earlier is that we subsidize and that consumers end up paying for things that they don't know they're paying. I just talked to a constituent last week. He said that he was given a tax credit for 40 percent of a solar facility that he put on his own home. That was from the Federal Government; from the State government, another 10 percent. So about 50 percent of the cost of the program was completely reimbursed by the government. But the big deal is they're paying him 22 cents per kilowatt hour of energy that he is able to

sell back into the system. Now, that 22 cents needs to be compared to the 7 cents that electricity normally costs. So the consumer is tagged with three times the cost of electricity that is provided by solar power that is bought from individual producers. The consumer will pay more for the power. It is not an easy process to understand, but consumers will ultimately pay all of the higher energy costs.

We hear much today in Washington about the subsidies for Big Oil. Be aware that there are no subsidies for Big Oil. There are simply write-offs that every company is allowed to take legally; write-offs to encourage them to invest in machinery; write-offs that sound like depreciation, amortization; write-offs that are allowed by accounting techniques across the board in this country. Understand that when we begin to penalize these oil companies, we're going to cost America jobs.

So let's talk just a bit about the different supposed subsidies that are, in fact, legitimate write-offs that companies are given.

The suggestion was made that we repeal the expensing of the intangible drilling costs. The intangible drilling costs usually represent 60 to 80 percent of the cost of a well. Historic U.S. policy allows a deduction for development. That's since 1913 in this government's Tax Code; and yet, today, we're talking about reversing it at a time when we're starving for jobs, 9 percent unemployment, and we're going to talk about making it harder to employ people in this country.

Other businesses are able to expense their research and development projects. Pharmaceutical companies, IEC specifically targets U.S. oil and gas companies. It will discourage innovation in the energy sector at a time when we need more innovation, not less. Disallowing the expensing of intangible drilling costs will put the American consumer in a worse position and endanger American jobs.

The second idea that's talked about in raising taxes for oil companies is to do away with the write-off, the dual capacity rule. The dual capacity rule was to ensure that income that is taxed by another nation is not also taxed by the U.S. It's something that the U.S. has been alone on in taxing double. We tax not only the amount that is made here but the amount that is made in other countries, the profits made in other countries. That's a tax inversion that has cost us many jobs.

Now then, we have the allowance of dual capacity rule in place to stop that, and yet our friends on the other side of the aisle are saying that we must stop this practice. All it's going to do is make the U.S. more inhospitable for investment in energy resources. At a time when we're seeing \$4 gasoline, at a time when our economy is struggling, when we need jobs, we're

talking about making American businesses less competitive and making American jobs more scarce.

The final section is maybe the most egregious of all, that is, the repeal of section 199 manufacturing exemptions for oil and gas companies. In 2004, the Congress enacted section 199 for manufacturing companies to encourage them to bring jobs back to this country. From 2004 to 2007, the oil and gas industry was responsible for 2 million new jobs that were created. The oil and gas companies currently support 9.2 million jobs. Almost all manufacturers receive a 9 percent credit. That's, again, in order to encourage them to come back to this country.

The oil and gas companies have only been receiving a 6 percent credit because they've already been picked on by the people in this town. But now they're suggesting that we would want to completely do away with the manufacturing credit. Keep in mind, that's the refining of gasoline. That's the definition of manufacturing in oil and gas.

So at a time when we're starving for jobs, we're going to make U.S. manufacturers, the U.S. refineries, less competitive. We're going to encourage Venezuela and Hugo Chavez to send more jobs there, to take more jobs and to send more gasoline here. It just doesn't make sense.

Tonight, I'd like to wrap up with this one picture about the status that our country is in. Our country right now has a tremendous problem with its economy. The problem is this: in Washington, we spend \$3.5 trillion. Our revenues to the government are \$2.2 trillion. That's a \$1.3 trillion deficit. The accumulated deficits over the lifetime of this country are almost \$15 trillion.

I show those deficits running out the end of the pipeline into our debt barrel to show the accumulated debt to the Nation. I also show a green sludge pouring over the edge of the barrel because we've got \$202 trillion of accumulated costs of Social Security, Medicare, and Medicaid. These are the things that are wrecking our economy.

This chart given by OMB and CBO, the Congress, and the White House both show that our economy is going to fail in 2038 because of these practices. At a time when we're starving for jobs, this administration has a war on western jobs. It has a war on our energy. It has a war on the jobs in the timber industry. It has a war on our way of life.

This is not the time to be conducting partisan politics in this town. It's a time for us to create jobs. With each job created, the 2.2 is greater because each person pays in increment more taxes, but they also are no longer receiving welfare, unemployment, and food stamps. So the 3.5 decreases.

The path forward is simple. We simply ask that the President get on board.

□ 1940

LOST JOBS AND THE TRADE DEFICIT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 60 minutes as the designee of the minority leader.

Ms. KAPTUR. Mr. Speaker, jobs need to be America's number one priority. When people go back to work, it seems fairly obvious that we'll not only balance family budgets, but we'll be able to balance America's budget. They're tied together. But for some reason, too many officials here in Washington, both elected officials and those who lobby, simply haven't gotten that message. At the end of last month, The Washington Post ran an excellent piece, asking, "What is it about the word 'jobs' that our Nation's leaders fail to understand?" "How has the most painful economic crisis in decades somehow escaped their notice?" and "Why do they ignore the issues that Americans care most desperately about?" Very good questions. I tried to answer them myself, as I have fought the resistance to try to help reemploy those who seek work across our country.

I would have to say that, in some ways, some here in this city are privileged. They've really led very privileged lives. They've been insulated, insulated from living in a family that gets a pink slip, insulated from being in a family that knows what it's like to live on an unemployment check and wonder if you will ever be able to get regular checks again, insulated from families that desperately worry when their unemployment checks expire and there is no job.

A lot of people here inherited their wealth, and they truly are insulated, but for the rare few. Others had their educations paid for. They didn't work for them. It's unbelievable. There are a lot of people here just like that. Some of them always had enough to eat. They really never had to scrimp and choose whether they'd have milk, whether they'd have water, whether they'd split a cabbage in order to get their family through the weekend. So there really is a lot of distinction between what people have had to endure in their own lives. And frankly, there are a lot of people in this capital city that make a whole lot of money. I'm going to talk about some of them in a second.

But recent polls tell us what the majority of Americans are thinking about. And according to two recent polls, four out of 10 Americans believe our country is heading in the wrong direction. I agree with them. And as gas prices rise and have climbed to record levels, 71 percent of our citizens are experiencing financial hardship. More

cars are along the roads in Ohio where people just simply run out of gas. Or you see them at the pump, and they only put in \$20, and they hope that maybe a week from now, the price won't be as bad.

I want to dedicate my time this evening to talking about jobs, about America being held hostage to what the gentleman ahead of me was talking about, Big Oil, and policy changes we need to make to get our economy running strongly here at home. And I want to just point out a couple of measures of our predicament so that people are thinking about different aspects of what we face so that we can really fix it.

Now, this first chart up here shows that for the last quarter century or more, America has not had balanced trade accounts. What does that have to do with the budget deficit? When you are in the red and you are importing more than you are exporting, you are having to actually borrow money to pay the difference. Somebody else is making the money off of us. We have not had balanced trade accounts since the 1970s. Every single year, more and more of America's wealth has been outsourced to someplace else. Every American knows that. You see the jobs that have disappeared from your own community.

I use the Maytag Washer Company in Newton, Iowa. I'm not from Iowa. I'm from Ohio, but I still have my old Maytags, great product. Those jobs ended up in Mexico after they were actually outsourced because of a big buyout that happened in that company. And that's happened in company after company after company. That's what's happened to all of our manufacturing jobs. But this chart here shows the U.S. trade deficit, every single year. In 2010, last year, we had \$500 billion more in imports into our country than exports going out. This is a serious part of the problem.

Now, those trade deficits result from agreements America has signed that were supposed to result in exactly the opposite, job creation in our country. Probably the best known is NAFTA. In 1993, this Congress passed an agreement called NAFTA, and the people who voted for it said, Oh, it's going to create all these jobs in the United States, and we won't have to worry. Relations with Mexico will be terrific. Well, guess what? Ever since NAFTA passed, there hasn't been a single year when we have had even a trade balance with Mexico. No. Every year, our deficit with Mexico—more imports coming in here from Mexico than exports going out—has gotten worse.

And what about in Mexico? In Mexico, over 35,000 citizens of that country were shot last year related to the illegal drug trade. We are receiving the reciprocal of that across our border as people flee just to try to have a better

way of life. Because you see, the farmers in that country, the small holders, were thrown off their land as a result of NAFTA. Two million people desperate to earn a living. We said that would happen. People didn't care. They simply didn't care. And so we lost that vote on the margin of about 12 votes. But what we said would happen in '93 has happened, and we've had over \$1 trillion of trade deficit with Mexico.

The balance of trade with South Korea. Knowing the terrible trade record that this country has had with every country we've signed one of these free trade agreements with, what is the administration proposing and the majority here proposing? They want to bring up more, more NAFTA-like agreements. They want to bring us Korea. They want to bring us Colombia. I don't know what else they're going to throw in. But you know what? We've already got a trade deficit with Korea. We take hundreds of thousands of their cars. They take a few, a few thousand from us. And the agreement that the last administration and this administration has reached with Korea won't bring us trade balance with Korea. There is no requirement that it's a tit for tat, a reciprocal agreement, or it's one car there for one car here. So we are going to lose more jobs if that agreement moves through here.

This is a pattern that Americans need to understand. And if you look at that overall trade deficit that's been going on and getting worse and worse every year, what is the top category of that deficit? The top category is imported oil. I agree with some of my colleagues who have pinpointed the problem, but we can't continue to hold ourselves hostage inside our own Nation on the spear of petroleum. We have to support additional exploration; and we are doing that on our own continent with the Alberta oil sands project, for example, in Canada, the largest construction project on our entire continent. But we also have to diversify. We have to be smart. Prior generations were smart. We need to be smarter.

Today, The Washington Post just published an article on the latest trade numbers. They tell us a lot about our economy. There was some good news. We sold more exports and services. And why wouldn't that happen? The value of the dollar has dropped as we've hemorrhaged jobs here in this country. But a funny thing happened—the trade deficit grew again. More imported oil. High-priced oil keeps pushing us further and further in the red. That \$500 billion trade deficit from last year that I referenced, according to the Manufacturing Policy Project, represents a loss of 7 million American jobs. In other words, this hole that's been accumulated over the years, 7 million manufacturing and other jobs lost across our country. That means jobs outsourced someplace else, and then they're im-

ported here. We keep shooting ourselves in the foot over and over and over again.

We can no longer afford to add hundreds of billions of dollars annually to our trade deficit. We need a different trade model that results in trade balances at a minimum and hopefully trade surpluses because you simply can't balance our Federal budget or family budgets when our trade accounts are so costly and so out of whack and so many jobs have been moved offshore.

□ 1950

We hear that the majority wants to bring up more NAFTA-like trade agreements, and one of the countries they're talking about is Colombia. They're talking about Korea; they're talking about Colombia. What Colombia is really about is oil, more imported petroleum, when you really get into the weeds and you look at what that agreement is about.

And the question for America really is, If this is the history of imported consumption of petroleum, is that really the future that we want for this generation and the next and the following?

The red lines here represent the growing share of petroleum consumption in our country that's represented by imports. It's increased steadily over the last quarter century. That is not a path for American liberty nor American economic success.

We need a trade policy that is results oriented, that results in balance and energy independence here at home. We need to grow our exports, yes, and create jobs here in our country by moving our Nation toward energy independence here at home.

And we need for somebody in the executive branch to stand up and fight for reciprocal trade agreements. I said that to President Obama. What's wrong with a trade surplus? What's wrong with a trade balance? Why do we keep going in the red? Why would anyone accept that as a solution for America?

The unemployment rate rose this past month, I contend, because of rising gas prices. It was not good news for an economy that has been struggling to recover. And if we look back again at the last quarter century, and this chart looks a little complicated, but what it shows—the red line is oil prices—is that every time oil prices peak, what follows? Higher unemployment. It's a very predictable pattern. It happened in the 1970s twice. Here we go, high oil prices with the Arab oil embargo back in the '70s. What happened? Rising unemployment.

If you go back to the late 1980s, early 1990s, same thing. Higher oil prices, higher unemployment. And certainly, now, with the greatest recession since the Great Depression, an enormous rise in 2008 when the stock market crashed. What preceded it was an increase in oil

prices to over \$4 a gallon. And what happened? The crash. Yes, it's a housing crisis. Yes, it's an unemployment crisis. But what triggered it? Gas prices over \$4 a gallon.

The American people, once they understand what's happened, will fix it. America really is a hostage in her own land as a result of imported petroleum.

Just as America is starting to regrow her economy now, Big Oil wants to steer our country back toward recession.

Now, look at this chart. In the first quarter of 2011, just one of the companies, ExxonMobil took in \$10.7 billion—that's a B—in profits in one quarter. That's a 69 percent increase over last year.

Occidental, that's the group that wants to drill more in Colombia, and they need a free trade agreement to do that and bring it in here. Their profits are up \$1.6 billion, 46 percent increase.

Conoco Philips, \$2.1 billion. Their profits are up 43 percent in one quarter, and most of these profits are being pocketed tax-free.

While working Americans earning less than \$20,000 paid 15 percent of their income in taxes, Chevron, which made \$6.2 billion in one quarter—their profits went up 36 percent—they only paid 4.6 percent in taxes on their total of \$32 billion in profits last year.

Now, I heard my colleague earlier talking about, oh, gosh, we should really feel sorry for them because, my gosh, they're making all this money, but they need more tax preferences because they won't invest. What are they doing with all this money? These are the largest profits in American history.

Oil companies aren't paying what they owe in taxes. I'll tell you one thing they are doing with their money. They're handing out handsome campaign contributions.

The Koch brothers of Texas, who made a whole lot of money in that industry, generously donated more than \$2 million last year and recently bankrolled Governor Walker in Wisconsin and the anti-worker movement that they're pushing in that State.

Overall, the big oil and gas industry donated \$27 million last year to political campaigns and, get ready, spent \$146 million on lobbyists. That's over, gosh—for each Member of Congress it's like they've assigned one or two people to each one of us. No wonder Congress voted against closing \$53 billion in tax loopholes to Big Oil. That's a 300 percent return on their investment, more than they can make searching for new sources of energy.

In 2010, the biggest oil company, ExxonMobil, paid only 2.3 percent of its profits to the United States. That's scandalous when businesses in my district are paying at a 35 percent corporate profit rate. And you know what? They don't ask me for all those special privileges. The businesses working

hard in my region, gosh, I can think of bakeries and of factories and of machine tool companies. They don't ask for special privileges. They want to help America. They want to do their fair share.

But this group, they're wired in here. The year before, ExxonMobil received an \$838 million tax refund. Meanwhile, those in the majority would take away unemployment benefits for working Americans. And I can tell you what: you can go across this country in the food lines in community after community, and you know who's lined up? So many of our veterans who have come home to no work.

I say take some of this, create a civil works program, let our returning veterans lead it and improve communities across this country. Let them take unemployed Americans and move around this Nation, fixing up roads, fixing up bridges, painting up what needs to be done, reforestation, doing what Franklin Roosevelt knew how to do a century ago.

Of course, you know, looking at these numbers is British Petroleum. British Petroleum, over the last 5 years, instead of paying taxes, actually took over \$48 billion in tax breaks. And in the first quarter of this year they've already made \$7.2 billion more, a 16 percent increase over what they earned last year. That's despite the terrible oil spill down in Louisiana and along the gulf.

So it's clear who the winners are. Since January, crude output has actually risen slightly. And although demand has remained steady, prices have climbed by 23 percent. Meanwhile, oil stock prices have risen. Just at Chevron, the stocks have risen 14 percent.

Tax loopholes, corporate welfare, government subsidies, does this really sound like a free market to Americans who are listening tonight?

I urge my colleagues to reject more giveaways for oil companies who are raking in money by holding the American people hostage. It's time to hold them accountable. They ought to pay their fair share. Other businesses do. Americans do.

Let's cut the billions of dollars in corporate welfare and focus on getting hardworking Americans back to work. We need to create jobs in this country and close those trade deficits. We need to stop outsourcing our jobs through these so-called free trade agreements that really aren't free, and we need to move to balanced trade accounts.

We need to reform the NAFTA trade model and not pass the same kind of deal for Korea or Colombia. We need reciprocal trade, not trade deficits. Our country, for too long, has been held hostage to these agreements.

And we need energy independence to help restore our own liberty. Wouldn't it be great if we could put all Americans to work that need a job and help-

ing to create these new sources of energy? And I know full well it is within the capability of American people to do this.

But we shouldn't put all our eggs in the basket of Big Oil. We ought to give them some competition on price. We ought to look at hydrogen-generation facilities across this country. We have the capability to do that.

We need to move into biofuels. Through the Department of Agriculture, working with our renewable energy community, we are fully capable of unlocking the power of the carbohydrate molecule in this century just as we did the hydrocarbon molecule in the last.

□ 2000

We need to bring our natural gas resources forward. We really need to crack the clean coal riddle and find a way to use our huge reserve of clean coal. We need to keep investing, yes, in solar and in wind power and in geothermal. We are just bringing up these technologies around the country and creating thousands and thousands of jobs.

I represent one of the three solar platforms on the continent, and for the last four decades those who have worked in the glass industry and the silicone industry have been transforming and creating companies like First Solar, which was the hottest stock on Wall Street a couple years ago, companies that are involved in green energy production.

Is it perfect yet? No. But neither was Edison's light bulb when he invented it in Milan, Ohio, where he did so much of his work, a community that I represent, and we are about to put his statue over in Statuary Hall.

So America has to think about a full set of energy sources and not be so dependent on just one that, for whatever reason, lack of competition probably, but also abuse of power has just come to play too important a role in our economy and in our people. It hurts our people too many times over and over and over again.

Fifty percent of what we could actually save in energy comes through more judicious consumption. We have tried to provide incentives for Americans to insulate their homes, to put in new kinds of windows. There are new building materials coming on the market, new types of insulation, building your home in a manner that uses less energy in the way that it is sited on the spot, using the full energy of the sun where you can. We are much smarter about the way we are building than we were 30 or even 20 years ago, and those improvements need to continue.

Imagine an America where every roof was a solar producer where there is enough sunshine to make a difference. Imagine an America where we captured

the power of the wind and properly stored it and moved it to grid. Imagine an America where what you put in your tank, if you even put something in your tank to fuel it, that it is grown and renewable in this country. Imagine an America where you could have plug-in hybrids that move around this country and our gas stations become a different type of fueling station. That is all possible.

We are working through the U.S. Department of Defense, and I will just sort of end with this, because I believe that the Department of Defense knows better than any aspect of our society what we are paying as an oil hostage. Our soldiers are deployed all over the world and very close to oil reserves. I think they are worth more than that. I think their genius can be used inside the boundaries of this country to make us energy independent again. Our energy dependence is our chief strategic vulnerability.

Go to the Marine Corps Web site. I salute the Marines. They are taking the lead inside the Department of Defense in trying to create new solutions, not just on their own bases, but as their troops move around the world.

I salute the Navy. Some of the incredible inventions that they are coming up with to move power from one point to another with not a loss of one kilowatt, are unbelievable, some of the superconducting work that is being done inside Navy today.

I congratulate the Air Force for trying new biofuels and helping to push America forward in terms of its ability to power itself internally.

And I salute the U.S. Army. Your work on solar tents, your work in trying to capture the power of the Earth, to power the systems that you are involved with today is something that is absolutely technologically amazing.

You inspire us all. And there is a way for America not to be so dependent on those who would extract from us but in fact use our genius to restore our liberty and independence again.

Imagine how many jobs we could create in this country if we could bring our military back home and could spend the trillions of dollars that have been spent in oil-producing foreign lands here, at home. Literally, we could rebuild the transmission grid of this country from one end to the other. We could bring up the genius of patent holders who, as we are here this evening, have ideas that can be brought to market and put that money to work for the American people. They deserve it.

God bless America. God bless the future of this country.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. JACKSON LEE of Texas (at the request of Ms. PELOSI) for May 10 on account of official business in district.

SENATE CONCURRENT RESOLUTION REFERRED

A concurrent resolution of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. Con. Res. 16. Concurrent resolution authorizing the use of Emancipation Hall in the Capitol Visitor Center for an event to celebrate the birthday of King Kamehameha, to the Committee on House Administration.

ADJOURNMENT

Ms. KAPTUR. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 8 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, May 12, 2011, at 10 a.m. for morning-hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1521. A letter from the Under Secretary, Department of Defense, transmitting a report of a violation of the Antideficiency Act, Army Case Number 08-02, pursuant to 31 U.S.C. 1517(b); to the Committee on Appropriations.

1522. A letter from the Under Secretary, Department of Defense, transmitting a letter in response to Pub. L. 110-84 Sec. 708; to the Committee on Armed Services.

1523. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Changes in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1524. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Suspension of Community Eligibility [Docket ID: FEMA-2011-0002] [Internal Agency Docket No.: FEMA-8175] received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1525. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to the Republic of Columbia pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1526. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Energy Conservation Program for Consumer Products: Decision and Order Granting 180-Day Extension of Compliance Date for Residential Furnaces and Boilers Test Procedure Amendments; Correction [Docket Number: EERE-2008-BT-TP-0020] (RIN: 1904-AB89) received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1527. A letter from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting the Department's final rule — Occupational Radiation Protection [Docket No.: HS-RM-09-853] (RIN: 1992-AA-45) received

April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1528. A letter from the Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Air Quality Implementation Plans; Kentucky; Approval of Section 110(a)(1) Maintenance Plans for the 1997 8-Hour Ozone Standards for the Edmonson County, KY; Greenup County Portion of the Huntington-Ashland, WV-KY; Lexington-Fayette, KY; and Owensboro, KY [EPA-R04-OAR-2007-1186-201114; FRL-9295-9] received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1529. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of State Implementation Plans; State of Colorado; Interstate Transport of Pollution Revisions for the 1997 8-hour Ozone and 1997 PM 2.5 NAAQS: "Interference with Visibility" Requirement [EPA-R08-OAR-2007-1036; FRL-9297-1] received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1530. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Nevada; PM-10; Determinations Regarding Attainment for the Truckee Meadows Nonattainment Area and Applicability of Certain Clean Air Act Requirements [EPA-R09-OAR-2010-0995; FRL-9296-9] received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1531. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revision to the South Coast Portion of the California State Implementation Plan, CPV Sentinel Energy Project AB 1318 Tracking System [EPA-R09-OAR-2010-1078; FRL-9293-6] received April 14, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1532. A letter from the Chief of Staff, Media Bureau, Federal Communications Commission, transmitting the Commission's final rule — Policies to Promote Rural Radio Service and to Streamline Allotment and Assignment Procedures [MB Docket No.: 09-52] received March 17, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1533. A letter from the Secretary, Department of the Treasury, transmitting as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), a six-month periodic report on the national emergency with respect to Syria that was declared in Executive Order 13338 of May 11, 2004; to the Committee on Foreign Affairs.

1534. A letter from the Chairman, Commodity Futures Trading Commission, transmitting the Commission's Federal Employee Antidiscrimination Retaliation Act of 2002 (No FEAR Act) Report for FY 2010; to the Committee on Oversight and Government Reform.

1535. A letter from the Director, Environmental Protection Agency, transmitting the Agency's annual report for FY 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1536. A letter from the Equal Employment Opportunity Director, Farm Credit Administration, transmitting the Administration's annual report for FY 2010 prepared in accordance with Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1537. A letter from the Equal Employment Opportunity Director, Farm Credit System Insurance Corporation, transmitting the Corporation's annual report for FY 2010 prepared in accordance with with the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1538. A letter from the Chairman, Federal Communication Commission, transmitting the Commission's FY 2010 Annual Report pursuant to Section 203, Title II of the Notification and Federal Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1539. A letter from the Chairman, Federal Mine Safety and Health Review Commission, transmitting the Commission's FY 2010 Annual Report pursuant to Section 203, Title II of the Notification and Federal Antidiscrimination and Retaliation (No FEAR) Act of 2002; to the Committee on Oversight and Government Reform.

1540. A letter from the Director, EEO and Diversity Programs, National Archives and Records Administration, transmitting a copy of the Administration's Fiscal Year 2010 Notification and Federal Employee Anti-Discrimination and Retaliation (No FEAR) Act Annual Report; to the Committee on Oversight and Government Reform.

1541. A letter from the Associate Special Counsel, Office of Special Counsel, transmitting the Office's annual report for FY 2010 prepared in accordance with Title II of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1542. A letter from the Director, Administrative Office of the United States Courts, transmitting the Office's report entitled, "2010 Annual Report of the Director of the Administrative Office of the U.S. Courts"; to the Committee on the Judiciary.

1543. A letter from the Clerk of the Court, United States Court of Appeals for the Seventh Circuit, transmitting an opinion of the United States Court of Appeals for the Seventh Circuit (Groesch, et al., v. City of Springfield, IL., No. 07-2932 (March 28, 2011)); to the Committee on the Judiciary.

1544. A letter from the Chairman, Surface Transportation Board, transmitting the Board's final rule — Solid Waste Rail Transfer Facilities [Docket No.: EP 684] received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

1545. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Safe harbor method of accounting for determining the recovery periods for depreciation of certain tangible assets used by wireless telecommunications carriers (Rev. Proc. 2011-22) received April 8, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1546. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Extension of Relief and Procedures Under

Notice 2010-30 for Spouses of U.S. Servicemembers who are Working in or Claiming Residence or Domicile in a U.S. Territory Under the Military Spouses Residency Relief Act [Notice 2011-16] received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1547. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Treasury Inflation-Protected Securities Issued at a Premium [Notice 2011-21] received April 21, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1548. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Supplemental Notice to Notice 2010-60 Providing Further Guidance and Requesting Comments on Certain Priority Issues Under Chapter 4 of Subtitle A of the Code [Notice 2011-34] received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1549. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Clarification of Controlled Group Qualification Rules [TD 9522] (RIN: 1545-BG94) received April 12, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1550. A letter from the Secretary, Department of Health and Human Services, transmitting a report on two Agency's Drug-Free Workplace Plans, pursuant to Public Law 100-71, section 503(a)(1)(A) (101 Stat. 468); jointly to the Committees on Appropriations and Oversight and Government Reform.

1551. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Finalizing Medicare Regulations under Section 902 of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (MMA) for Calendar year 2010"; jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SESSIONS: Committee on Rules. House Resolution 264. A resolution providing for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes (Rept. 112-75). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. BLUMENAUER (for himself, Mrs. CAPPS, Mr. CONNOLLY of Virginia, Mr. FILNER, Ms. HIRONO, Mr. KUCINICH, Mr. MCGOVERN, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. SIREN, Mr. POLIS, and Mr. RANGEL):

H.R. 1825. A bill to amend the Internal Revenue Code of 1986 to improve commuting and transportation options; to the Committee on Ways and Means.

By Mr. BILIRAKIS (for himself and Mr. WALZ of Minnesota):

H.R. 1826. A bill to amend title 38, United States Code, to reinstate criminal penalties for persons charging veterans unauthorized fees; to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHRADER (for himself and Mr. KIND):

H.R. 1827. A bill to amend the Internal Revenue Code of 1986 to provide a standard home office deduction; to the Committee on Ways and Means.

By Mr. BOUSTANY:

H.R. 1828. A bill to authorize the Secretary of the Interior to provide financial assistance to the State of Louisiana for a pilot program to develop measures to eradicate or control feral swine and to assess and restore wetlands damaged by feral swine; to the Committee on Natural Resources.

By Mr. BOUSTANY:

H.R. 1829. A bill to provide for the eradication and control of nutria; to the Committee on Natural Resources.

By Mr. PAUL:

H.R. 1830. A bill to authorize the interstate traffic of unpasteurized milk and milk products that are packaged for direct human consumption; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself, Ms. BALDWIN, Mr. BLUMENAUER, Mr. CLAY, Mr. COHEN, Mr. DEFAZIO, Mr. ELLISON, Mr. FARR, Mr. FRANK of Massachusetts, Mr. GRIJALVA, Mr. HINCHY, Mr. MCCLINTOCK, Mr. MCDERMOTT, Mr. GEORGE MILLER of California, Mr. MORAN, Mr. NADLER, Ms. PINGREE of Maine, Mr. POLIS, Mr. ROHRBACHER, Ms. SCHAKOWSKY, Mr. STARK, Ms. WOOLSEY, and Mr. KUCINICH):

H.R. 1831. A bill to amend the Controlled Substances Act to exclude industrial hemp from the definition of marijuana, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. THOMPSON of Pennsylvania (for himself, Ms. BERKLEY, Mr. MCCAUL, Mr. MEEKS, Mr. PLATTS, Mrs. CHRISTENSEN, Mr. CLEAVER, Mr. KISSELL, Mr. WESTMORELAND, Mr. HANNA, Mr. BUCSHON, and Mr. LONG):

H.R. 1832. A bill to amend title 10, United States Code, to expand the State licensure exception for certain health-care professionals, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Veterans' Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SCHAKOWSKY (for herself, Mr. RYAN of Ohio, Mr. WU, and Mr. STARK):

H.R. 1833. A bill to amend the Public Health Service Act to improve mental and behavioral health services on college campuses; to the Committee on Energy and Commerce, and in addition to the Committee on

Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BRADY of Texas (for himself, Mr. MATHESON, Mr. DOLD, Mr. COOPER, Mr. NUNES, and Mr. POLIS):

H.R. 1834. A bill to amend the Internal Revenue Code of 1986 to allow a temporary dividends received deduction for 2011 or 2012; to the Committee on Ways and Means.

By Mr. DANIEL E. LUNGREN of California:

H.R. 1835. A bill to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State's admission to the Union; to the Committee on House Administration.

By Mr. GRIMM (for himself, Mr. TOWNS, and Mr. KING of New York):

H.R. 1836. A bill to establish appropriate procedures and sanctions to ensure that unpaid parking fines and penalties owed to New York City by foreign countries are paid; to the Committee on Foreign Affairs.

By Mr. NUNES (for himself, Mr. MCCARTHY of California, and Mr. DENHAM):

H.R. 1837. A bill to address certain water-related concerns on the San Joaquin River, and for other purposes; to the Committee on Natural Resources.

By Ms. HAYWORTH:

H.R. 1838. A bill to repeal a provision of the Dodd-Frank Wall Street Reform and Consumer Protection Act prohibiting any Federal bailout of swap dealers or participants; to the Committee on Financial Services, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. WEINER:

H.R. 1839. A bill to ensure and foster continued patient safety and quality of care by making the antitrust laws apply to negotiations between groups of independent pharmacies and health plans and health insurance issuers (including health plans under parts C and D of the Medicare Program) in the same manner as such laws apply to protected activities under the National Labor Relations Act; to the Committee on the Judiciary.

By Mr. CONAWAY (for himself, Mr. QUIGLEY, Mr. MCHENRY, Mr. BOSWELL, and Mr. NEUGEBAUER):

H.R. 1840. A bill to improve consideration by the Commodity Futures Trading Commission of the costs and benefits of its regulations and orders; to the Committee on Agriculture.

By Mr. STEARNS (for himself and Mr. MATHESON):

H.R. 1841. A bill to protect consumers by requiring reasonable security policies and procedures to protect computerized data containing personal information, and to provide for nationwide notice in the event of a security breach; to the Committee on Energy and Commerce.

By Mr. BERMAN (for himself, Ms. ROSELEHTINEN, and Ms. ROYBAL-ALLARD):

H.R. 1842. A bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children, and for other purposes; to the Committee on the Judiciary, and in addition to the Committees on Education and the Workforce, and Homeland Security, for a period to be subsequently deter-

mined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. BORDALLO:

H.R. 1843. A bill to designate the facility of the United States Postal Service located at 489 Army Drive in Barrigada, Guam, as the "John Pangelinan Gerber Post Office Building"; to the Committee on Oversight and Government Reform.

By Mr. BOUSTANY:

H.R. 1844. A bill to amend the Security and Accountability for Every Port Act of 2006 to clarify that a notice of arrival is not required for certain documented vessels unless arriving from a foreign port or place; to the Committee on Transportation and Infrastructure.

By Mr. BRADY of Texas (for himself, Ms. MATSUI, Mr. BURGESS, Mr. SARBANES, Mr. PAUL, Mr. VAN HOLLEN, Mr. TIBERI, Mr. RUPPERSBERGER, Mrs. BLACKBURN, Mr. SCHIFF, Ms. JENKINS, Mr. KIND, Ms. FUDGE, Ms. RICHARDSON, and Mr. RUSH):

H.R. 1845. A bill to provide for a study on issues relating to access to intravenous immune globulin (IVIG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVIG in the home; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. FOXX:

H.R. 1846. A bill to amend titles 23 and 49, United States Code, to repeal wage requirements applicable to laborers and mechanics employed on Federal-aid highway and public transportation construction projects; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. INSLEE (for himself, Mr. JONES, and Mr. BILBRAY):

H.R. 1847. A bill to amend title 41, United States Code, and title 10, United States Code, to extend the number of years that multiyear contracts may be entered into for the purchase of advanced biofuel, and for other purposes; to the Committee on Oversight and Government Reform, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MACK (for himself, Mr. BROWN of Georgia, Mrs. LUMMIS, Mr. RIBBLE, Mr. STUTZMAN, Mr. CAMPBELL, Mr. BARTLETT, Mr. KING of Iowa, Mr. ROSS of Florida, Mr. MILLER of Florida, Mr. DUNCAN of Tennessee, Mr. WEST, Mr. GARRETT, and Mr. GINGREY of Georgia):

H.R. 1848. A bill to prevent a fiscal crisis by enacting legislation to balance the Federal budget through reductions of discretionary and mandatory spending; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. NORTON:

H.R. 1849. A bill to amend title 23, United States Code, to make the funding available for carrying out section 140 of title 23 mandatory instead of discretionary; to the Committee on Transportation and Infrastructure.

By Mr. NUGENT:

H.R. 1850. A bill to expand retroactive eligibility of the Army Combat Action Badge to include members of the Army who participated in combat during which they personally engaged, or were personally engaged by, the enemy at any time on or after December 7, 1941; to the Committee on Armed Services.

By Mr. OWENS:

H.R. 1851. A bill to authorize the Secretary of the Interior to enter into agreements to compensate local educational agencies and units of local governments for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian; to the Committee on Natural Resources.

By Mr. PITTS (for himself, Mr. PAL-LONE, Mr. BURGESS, and Mrs. CAPPS):

H.R. 1852. A bill to amend the Public Health Service Act to reauthorize support for graduate medical education programs in children's hospitals; to the Committee on Energy and Commerce.

By Mr. POE of Texas:

H.R. 1853. A bill to amend the Immigration and Nationality Act to provide for deferred action and parole only in for urgent humanitarian reasons or to gain a significant public benefit, and for other purposes; to the Committee on the Judiciary.

By Mr. RYAN of Ohio:

H.R. 1854. A bill to require the Secretary of Veterans Affairs to carry out a program of outreach for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WALZ of Minnesota (for himself and Mr. BILIRAKIS):

H.R. 1855. A bill to amend title 38, United States Code, to improve the provision of rehabilitative services for veterans with traumatic brain injury, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WOLF (for himself and Mr. SMITH of New Jersey):

H.R. 1856. A bill to amend the International Religious Freedom Act of 1998 to strengthen the promotion of religious freedom in United States foreign policy and to reauthorize the United States Commission on International Religious Freedom, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CARTER:

H.J. Res. 58. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to "National Emission Standards for Hazardous Air Pollutants for Major Sources: Industrial, Commercial, and Institutional Boilers and Process Heaters"; to the Committee on Energy and Commerce.

By Mr. CARTER:

H.J. Res. 59. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to "National Emission Standards for Hazardous Air Pollutants for Area Sources: Industrial, Commercial, and Institutional Boilers"; to the Committee on Energy and Commerce.

By Mr. CARTER:

H.J. Res. 60. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration Units"; to the Committee on Energy and Commerce.

By Mr. CARTER:

H.J. Res. 61. A joint resolution disapproving a rule submitted by the Environmental Protection Agency relating to "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Sewage Sludge Incineration Units"; to the Committee on Energy and Commerce.

By Mr. HENSARLING:

H. Res. 263. A resolution electing Members to certain standing committees of the House of Representatives; considered and agreed to.

By Ms. BORDALLO (for herself, Mr. HONDA, Mr. FALCONE, Mr. WU, Mr. PIERLUISI, Mrs. MALONEY, Mr. CONNOLLY of Virginia, Mrs. CHRISTENSEN, Ms. LEE of California, Mr. GRIJALVA, Mr. AL GREEN of Texas, Mr. SCOTT of Virginia, Mr. SABLAN, and Mr. McDERMOTT):

H. Res. 265. A resolution supporting the goals and ideals of National Asian and Pacific Islander HIV/AIDS Awareness Day; to the Committee on Energy and Commerce.

By Mr. KELLY:

H. Res. 266. A resolution expressing the sense of the House of Representatives that the President should, without any further delay, submit the United States-Korea Free Trade Agreement to Congress for its consideration and immediate approval under fast track procedures pursuant to the Bipartisan Trade Promotion Authority of 2002; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII,

Mr. CONYERS introduced a bill (H.R. 1857) for the relief of Bartosz Kumor; which was referred to the Committee on the Judiciary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. BLUMENAUER:

H.R. 1825.

Congress has the power to enact this legislation pursuant to the following:

The Constitution of the United States provides clear authority for Congress to pass legislation regarding income taxes. Article I of the Constitution, in detailing Congressional authority, provides that "Congress shall have Power to lay and collect Taxes . . ." (Section 8, Clause 1). Further clarifying Congressional power to enact an income tax, voters amended the Constitution by popular vote to provide that "Congress shall have power to lay and collect taxes on incomes, from whatever source derived. . . ." (Sixteenth Amendment). The Commuter Relief Act modifies the income tax code in a man-

ner that is consistent with these Constitutional authorities.

By Mr. BILIRAKIS:

H.R. 1826.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the United States Constitution (clauses 12, 13, 14, and 16), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; and to provide for organizing, arming, and disciplining the militia.

By Mr. SCHRADER:

H.R. 1827.

Congress has the power to enact this legislation pursuant to the following:

The United States Congress has the authority to enact this bill pursuant to Sections 7 & 8 of Article I of the United States Constitution and Amendment XVI of the United States Constitution.

By Mr. BOUSTANY:

H.R. 1828.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. BOUSTANY:

H.R. 1829.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1 of the United States Constitution

By Mr. PAUL:

H.R. 1830.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the Commerce Clause of the United States which, by granting Congress the power to regulate commerce among the several states, allows Congress to prevent federal agencies from interfering in American's ability to buy or sell unpasteurized milk across state lines.

By Mr. PAUL:

H.R. 1831.

Congress has the power to enact this legislation pursuant to the following:

This act is justified by the Commerce Clause of the United States Constitution that, by granting Congress the power to regulate commerce among the several states, allows Congress to prevent the federal government from interfering in Americans' ability to grow and process industrial hemp and by the Ninth Amendment and Tenth Amendment of the United States Constitution that recognizes that rights and powers are retained and reserved by the people and the states.

By Mr. THOMPSON of Pennsylvania:

H.R. 1832.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 14 of the United States Constitution which gives Congress the power "to make Rules for the Government and Regulation of the land and naval Forces."

By Ms. SCHAKOWSKY:

H.R. 1833.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, Section 8 of the United States Constitution (Clause 1), which says, "The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United

States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Mr. BRADY of Texas:

H.R. 1834.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. DANIEL E. LUNGREN of California:

H.R. 1835.

Congress has the power to enact this legislation pursuant to the following:

U.S. Constitution—Article 4 Section 4

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

By Mr. GRIMM:

H.R. 1836.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 9, Clause 7;

Article I, Section 8, Clause 18

By Mr. NUNES:

H.R. 1837.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1, 3, and 18 of section 8 and clause 7 of section 9 of article I, of the Constitution of the United States.

By Ms. HAYWORTH:

H.R. 1838.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (relating to the power to regulate interstate commerce).

By Mr. WEINER:

H.R. 1839.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. CONAWAY:

H.R. 1840.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority on which this bill rest is the power of Congress to regulate Commerce among the several states, as enumerated in Article 1, Section 8, Clause 3.

By Mr. STEARNS:

H.R. 1841.

Congress has the power to enact this legislation pursuant to the following:

Article I, §8, clause 3

By Mr. BERMAN:

H.R. 1842.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 4 of the Constitution.

By Ms. BORDALLO:

H.R. 1843.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 7 of the United States Constitution

By Mr. BOUSTANY:

H.R. 1844.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution

By Mr. BRADY of Texas:

H.R. 1845.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 1: The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the

Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. FOXF:

H.R. 1846.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to Article I, section 8 of the United States Constitution, the bill is authorized by Congress' power to 'provide for the common Defense and general Welfare of the United States.'

By Mr. INSLEE:

H.R. 1847.

Congress has the power to enact this legislation pursuant to the following:

The Constitutional authority of Congress to enact this legislation is provided by Article I, Section 8, which provides that Congress shall have the power to make Rules for the Government and Regulation of the land and naval Forces; by Article I, Section 8, which provides that Congress shall have the power to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof; and by Article 4, Section 3 which provides that Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. MACK:

H.R. 1848.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1—The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Ms. NORTON:

H.R. 1849.

Congress has the power to enact this legislation pursuant to the following:

section 1 of article I, and clause 18, section 8 of article I of the Constitution.

By Mr. NUGENT:

H.R. 1850.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 15 which grants Congress the power to make rules for the Government and Regulation of the land and naval Forces.

Article 1, Section 8, Clause 16 which grants Congress the power to provide for organizing, arming, and disciplining, the militia, and for governing such Part of them as may be employed in the Service of the United States, reserving to the States respectively, the Appointment of the Officers, and the Authority of training the Militia according to the discipline prescribed by Congress.

By Mr. OWENS:

H.R. 1851.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PITTS:

H.R. 1852.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to the following: Article I, Section 8, Clause 1: The Congress shall have

Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. POE of Texas:

H.R. 1853.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4, which states that Congress has the power to establish a uniform Rule of Naturalization.

By Mr. RYAN of Ohio:

H.R. 1854.

Congress has the power to enact this legislation pursuant to the following:

Art. 1, Section 8: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. WALZ of Minnesota:

H.R. 1855.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Section 8 of Article I of the United States Constitution.

By Mr. WOLF:

H.R. 1856.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress "secure the Blessings of Liberty to ourselves and our Posterity," as enumerated in Article I, Section 8 of the United States Constitution.

Mr. CONYERS:

H.R. 1857.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4 and Amendment I, Clause 3 of the Constitution.

By Mr. CARTER:

H.J. Res. 58.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to Amendment X of the United States Constitution."

By Mr. CARTER:

H.J. Res. 59.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to Amendment X of the United States Constitution."

By Mr. CARTER:

H.J. Res. 60.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to Amendment X of the United States Constitution."

By Mr. CARTER:

H.J. Res. 61.

Congress has the power to enact this legislation pursuant to the following:

"This bill is enacted pursuant to Amendment X of the United States Constitution."

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 38: Mr. AUSTRIA.

H.R. 44: Mr. DAVID SCOTT of Georgia.

H.R. 58: Mr. AUSTIN SCOTT of Georgia, Mr. BENISHEK, Mr. BISHOP of Utah, Mr. ROGERS of Kentucky, Mr. STUTZMAN, Mr. COBLE, Mr. SOUTHERLAND, Mr. FORBES, Mr. QUAYLE, Mr. KLINE, Mr. MCHENRY, and Mr. ISSA.

H.R. 85: Ms. CLARKE of New York.

H.R. 104: Mr. CARNEY.

H.R. 127: Mr. AUSTRIA.

H.R. 177: Mr. PLATTS.

H.R. 198: Ms. WOOLSEY.

H.R. 303: Ms. SUTTON and Mr. TERRY.

H.R. 333: Mr. HEINRICH, Mr. MURPHY of Connecticut, Mr. CONYERS, Mr. REICHERT, Mrs. MCCARTHY of New York, and Mr. TERRY.

H.R. 396: Mr. JONES, Ms. SUTTON, and Mr. STIVERS.

H.R. 401: Mr. CLEAVER, Mr. ELLISON, Mr. HASTINGS of Florida, Mr. MEEKS, and Mrs. CHRISTENSEN.

H.R. 421: Mr. LATHAM, Mr. SHUSTER, Mrs. BACHMANN, and Mr. ROYCE.

H.R. 440: Mr. DUFFY.

H.R. 452: Mrs. BLACK, Mr. SCHWEIKERT, Mr. LABRADOR, and Mr. HUIZENGA of Michigan.

H.R. 459: Mr. BENISHEK.

H.R. 463: Mr. GARRETT.

H.R. 466: Mr. GENE GREEN of Texas, Mr. CRITZ, and Mr. HEINRICH.

H.R. 470: Mr. LEWIS of California.

H.R. 485: Mrs. MYRICK.

H.R. 488: Mr. BARLETTA.

H.R. 589: Ms. ESHOO.

H.R. 591: Mrs. CAPPS and Mr. RANGEL.

H.R. 609: Mr. ROE of Tennessee.

H.R. 645: Mr. WOMACK, Mr. SHUSTER, Mr. THOMPSON of Pennsylvania, Mr. WEBSTER, Mr. KLINE, and Mr. COBLE.

H.R. 690: Mrs. MALONEY.

H.R. 733: Ms. DELAURO.

H.R. 763: Mr. THORNBERRY and Mrs. MCMORRIS RODGERS.

H.R. 771: Mr. BRADY of Texas, Mr. GOHMERT, Mr. SMITH of Texas, Mr. PAUL, Mr. MARCHANT, and Mr. BURGESS.

H.R. 822: Mrs. BLACKBURN, Mr. FLEISCHMANN, Mr. HUIZENGA of Michigan, Mr. WALBERG, Mr. ISSA, Mr. ROHRBACHER, and Mr. CAMPBELL.

H.R. 874: Ms. HAYWORTH.

H.R. 886: Mrs. CHRISTENSEN, Mr. COLE, Mr. CARTER, Ms. BROWN of Florida, Ms. HIRONO, Mr. SHIMKUS, Mr. BISHOP of Utah, Mr. HARPER, Mr. MANZULLO, Mr. POSEY, and Mr. CHAFFETZ.

H.R. 892: Mr. KLINE.

H.R. 912: Ms. ZOE LOFGREN of California.

H.R. 937: Mr. FORBES.

H.R. 949: Ms. ZOE LOFGREN of California.

H.R. 962: Mr. GARRETT.

H.R. 964: Mr. ROSS of Arkansas.

H.R. 965: Mr. NADLER, Mr. DEUTCH, and Mr. WELCH.

H.R. 972: Ms. HERRERA BEUTLER.

H.R. 998: Ms. LORETTA SANCHEZ of California.

H.R. 1006: Mr. ROTHMAN of New Jersey.

H.R. 1026: Mr. KILDEE.

H.R. 1032: Mr. RIBBLE and Mr. LONG.

H.R. 1041: Mrs. CAPITO and Mr. MCGOVERN.

H.R. 1054: Ms. CASTOR of Florida.

H.R. 1057: Mr. NADLER.

H.R. 1065: Mr. TERRY.

H.R. 1070: Mr. PAULSEN.

H.R. 1105: Mr. POLIS and Ms. CLARKE of New York.

H.R. 1113: Mr. KUCINICH.

H.R. 1121: Mr. CARTER.

H.R. 1126: Mr. FARENTHOLD.

H.R. 1130: Mr. PETRI.

H.R. 1145: Mr. TIBERI.

H.R. 1176: Mr. LARSON of Connecticut.

H.R. 1191: Mr. CONYERS.

H.R. 1193: Mr. RANGEL.

H.R. 1195: Mr. HEINRICH.

H.R. 1240: Mr. CICILLINE.

H.R. 1254: Mr. MURPHY of Pennsylvania.

H.R. 1259: Mr. GRAVES of Georgia, Mr. YOUNG of Indiana, and Mr. GIBBS.

H.R. 1269: Mr. MCCAUL.

H.R. 1288: Mr. CUMMINGS and Mr. POSEY.

H.R. 1299: Mr. KLINE.
 H.R. 1311: Ms. CASTOR of Florida.
 H.R. 1331: Mr. BUTTERFIELD and Mr. PAULSEN.
 H.R. 1360: Mr. FRANK of Massachusetts.
 H.R. 1375: Ms. DEGETTE, Mr. HIGGINS, Mr. LARSON of Connecticut, and Mr. HIMES.
 H.R. 1380: Mr. FORBES.
 H.R. 1385: Mr. MORAN.
 H.R. 1397: Mr. MCNERNEY.
 H.R. 1404: Mr. COSTELLO, Mr. LIPINSKI, Mr. FRANK of Massachusetts, and Mr. WATT.
 H.R. 1407: Mr. GRIMM, Mr. JOHNSON of Ohio, and Mr. BRALEY of Iowa.
 H.R. 1418: Mr. MEEKS.
 H.R. 1431: Mr. BISHOP of Utah.
 H.R. 1441: Mr. GRIMM.
 H.R. 1448: Ms. PINGREE of Maine.
 H.R. 1451: Mr. DEFazio and Mr. GRIJALVA.
 H.R. 1466: Mr. STARK.
 H.R. 1479: Mr. SESSIONS, Mr. RYAN of Ohio, and Mr. PASCRELL.
 H.R. 1489: Ms. WOOLSEY and Mr. McDERMOTT.
 H.R. 1498: Ms. SPEIER and Mr. FRANK of Massachusetts.
 H.R. 1515: Mr. ENGEL.
 H.R. 1523: Mr. SCHOCK.
 H.R. 1529: Mr. JOHNSON of Georgia and Mr. LANGEVIN.
 H.R. 1536: Mr. NEUGEBAUER.
 H.R. 1573: Mr. YODER.
 H.R. 1581: Mr. LAMBORN, Mr. GRIFFITH of Virginia, Mr. BENISHEK, and Mr. REHBERG.
 H.R. 1585: Mr. BROUN of Georgia.
 H.R. 1588: Mr. GOHMERT, Mr. BISHOP of Utah, Mr. JOHNSON of Ohio, and Mr. MARCHANT.

H.R. 1592: Mr. ISRAEL and Mr. ROTHMAN of New Jersey.
 H.R. 1623: Mr. BLUMENAUER and Mr. KUCINICH.
 H.R. 1671: Mr. JOHNSON of Ohio.
 H.R. 1674: Mr. POLIS.
 H.R. 1676: Mr. KUCINICH.
 H.R. 1681: Ms. WOOLSEY and Mr. ACKERMAN.
 H.R. 1684: Mr. CLARKE of Michigan.
 H.R. 1686: Mr. LIPINSKI and Mr. HULTGREN.
 H.R. 1689: Ms. WOOLSEY.
 H.R. 1697: Mr. WESTMORELAND and Mr. COFFMAN of Colorado.
 H.R. 1705: Mr. BUCSHON and Mr. DUFFY.
 H.R. 1712: Mr. CANSECO, Mr. FINCHER, Mr. WOMACK, Mr. NUGENT, Mr. ROSS of Florida, Mr. HALL, Mr. FORBES, Mr. WITTMAN, Mr. LANCE, Mrs. McMORRIS RODGERS, Mrs. CHRISTENSEN, and Mr. CONAWAY.
 H.R. 1716: Mr. CARSON of Indiana.
 H.R. 1735: Mr. STARK, Ms. WOOLSEY, Mr. COHEN, Ms. SUTTON, Mr. ROTHMAN of New Jersey, Mr. HOLT, Ms. PINGREE of Maine, and Mr. COURTNEY.
 H.R. 1744: Mr. RIBBLE.
 H.R. 1748: Ms. NORTON and Mrs. MCCARTHY of New York.
 H.R. 1777: Mr. SCOTT of South Carolina, Mrs. MILLER of Michigan, Mr. LABRADOR, Mr. HUIZENGA of Michigan, Mr. McCLINTOCK, Mr. BURTON of Indiana, Mr. GRIFFIN of Arkansas, Mr. GRAVES of Georgia, Mr. JOHNSON of Ohio, Mr. CANSECO, Mr. ROE of Tennessee, and Mr. FORBES.
 H.R. 1781: Ms. JACKSON-LEE of Texas, Mr. McDERMOTT, Mr. RANGEL, Mr. JACKSON of Illinois, and Mr. BLUMENAUER.

H.R. 1797: Mr. POLIS.
 H.J. Res. 56: Mr. BURTON of Indiana, Mr. McCLINTOCK, and Mr. GOWDY.
 H. Con. Res. 39: Mr. MARCHANT.
 H. Res. 60: Ms. NORTON and Mr. JOHNSON of Illinois.
 H. Res. 95: Mr. COBLE and Ms. RICHARDSON.
 H. Res. 137: Mr. FITZPATRICK, Mr. FATTAH, and Mr. PERLMUTTER.
 H. Res. 141: Mr. HOLT and Mr. FORBES.
 H. Res. 180: Mr. RYAN of Ohio.
 H. Res. 241: Mr. FORBES and Mr. BUCSHON.
 H. Res. 244: Mr. RANGEL, Mr. ENGEL, and Mr. ISRAEL.
 H. Res. 254: Mrs. CAPITO and Mr. FORBES.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

The amendment to be offered to H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011, by Representative ROGERS, or a designee does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

EXTENSIONS OF REMARKS

HONORING ANNE FULTON

HON. CORY GARDNER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. GARDNER. Mr. Speaker, I rise today to honor Anne Fulton from Greeley, Colorado.

Anne's story reminds us that out of tragedy, opportunity is born. One August 16, 2003, Anne lost her 19-year-old son Judd Fulton in a fatal automobile accident. Judd was an exemplary student and athlete. He was a graduate of the inaugural class at Northridge High School in Greeley in 2003. Not only did Judd excel in the classroom, he was a phenomenal student athlete. It was his skill on the football field that earned him a scholarship to Black Hills State University in Spearfish, South Dakota. Judd was returning to the University from his home in Colorado at the time of the accident.

Out of this horrible tragedy Anne Fulton, Judd's mother, saw opportunity. In 2005, Anne started a Memorial Scholarship Fund in her son's name. The Judd Kazuto Fulton Memorial Scholarship is a dedicated scholarship fund for Northridge High School students and Black Hills State University football players.

Every year, Anne holds a fundraiser for the scholarship by holding a Golf Tournament in Eaton, Colorado. This tournament happens every May and raises money and increases awareness for this memorial scholarship. Anne describes her son as unassuming, dedicated, hard working team player, with a willingness to do whatever it took to get the job done. Students who receive this scholarship exemplify the same characteristics.

It is my honor to remember Judd Fulton today, and to recognize Anne Fulton for her never-ending dedication, hard work, and for improving the lives of students in Greeley, Colorado. She has provided many with opportunities they could have only dreamed about. Thanks to Anne's generosity and tireless effort, the dream of these students has become reality.

INTRODUCTION OF THE
COMMUTER RELIEF ACT

HON. EARL BLUMENAUER

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. BLUMENAUER. Mr. Speaker, today I am proud to introduce the Commuter Relief Act, legislation that will expand the popular transit benefits program to provide commuters with options to avoid high gas prices, make it easier for companies to provide transportation benefits for all employees, and spur public-private partnerships for commuting purposes.

Americans have made it clear that they want transportation options. In a recent study by the Pew Charitable Trusts, 52 percent of Americans support increased funding for bike, pedestrian and public transportation programs. On average, transportation costs are now Americans' second largest expense after housing. As gas prices increase, many Americans are already changing their daily behaviors to decrease fuel costs: taking fewer trips, keeping their cars tuned, even trading in their gas guzzlers for more fuel-efficient models. As we search for solutions to our congested roadways, increasing gas costs and expanding waistlines, it's time for the federal government to become more aggressive in helping to provide choices.

For too long, the federal government has supported commuters who drove to work, but has not helped those who use other methods of transportation. Through the incentives in this bill, the federal government can support consumers who wish to use environmentally friendly, active transportation modes that save them money in the long run, such as public transit, carpooling, biking, walking and telecommuting. This not only makes environmental and public health sense, it makes economic sense: at \$4 a gallon gasoline, American families can save \$5.6 billion each year on gasoline costs by using transit. Bicycle commuters annually save an average of \$1,825 in auto-related costs, conserve 145 gallons of gasoline, and avoid 50 hours of gridlock traffic.

The Commuter Relief Act will provide consumers with commuting choices, and make it easier for companies to implement commuting programs that benefit all employees. It ensures that the federal government is a better partner as we work to provide Americans with transportation choices, reduce congestion and decrease our dependence on foreign oil.

I hope my colleagues will join me in supporting this legislation to support businesses in their effort to provide choices for commuting employees.

ELEVATING RELIGIOUS FREEDOM
IN U.S. FOREIGN POLICY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. WOLF. Mr. Speaker, I rise today to bring to the attention of my colleagues legislation I am introducing to amend the International Religious Freedom Act (IRFA), including reauthorizing the U.S. Commission on International Religious Freedom (USCIRF). Religious freedom, often referred to as the first freedom, is of central import to the American experiment. As such it should feature prominently in U.S. foreign policy.

Recognizing that this critical issue and other human rights related issues are often relegated to the sidelines within the State Department, I authored legislation more than ten years ago, in 1998, to establish the International Religious Freedom Office at the State Department, headed by an ambassador at-large, and to create the USCIRF—an independent, bipartisan commission charged with monitoring the status of freedom of religion or belief abroad and providing policy recommendations to the President, Secretary of State, and Congress.

Since the passage of this legislation, religious freedom has been elevated within U.S. foreign policy. But it still does not enjoy the preeminence it deserves. And sadly, a strong U.S. voice on this critical issue has arguably never been more needed.

According to a Pew Research Study released in December 2009, one-third of all nations, containing 70 percent of the world's population, severely restrict religious freedom. We need look no further than the daily newspapers to know that these statistics are not mere numbers. Rather, they are sobering realities for millions of people of faith around the globe. Consider the following headlines from recent weeks alone: "Chinese Christians Face Tense Easter in Beijing," "Egyptian Copts, Reeling From Violence, Want Protection," "Baha'i Citizens Are Forced to Leave Iran," "Pakistan's Other Blemish: Anti-Religious Violence," "Indonesia Pressured Over Ahmadiyah Muslim Sect Killings," and "Thousands of Cameras Watch China's Uighurs, Inhibiting Discourse."

The bill I introduce today will make a number of strategic improvements to the Religious Freedom Office at the State Department. To start, it places the ambassador-at-large in the office of the Secretary of State as opposed to burying it within the Bureau of Democracy, Human Rights and Labor. This change is more in keeping with the original intent of the legislation that Congress passed. Over successive administrations this critical position has not been treated with the seniority it deserves and this revised language will help rectify this problem.

The legislation also provides the ambassador with oversight and management authority of the IRF Office and other religiously oriented positions and programs at the State Department and carves out funding in the larger Human Rights and Democracy Fund to enable the IRF office to promote religious freedom through advocacy, reporting and programming. The legislation requires the Secretary of State, in coordination with the Department of Defense, Homeland Security, the Treasury and the U.S. Agency for International Development to issue a one-time report to Congress on the best uses of foreign assistance to promote religious freedom and religious engagement.

In addition the legislation requires religious freedom training for every Foreign Service Officer (FSO) and states that USCIRF must be

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

involved in that training. American embassies abroad must be islands of freedom. Whether in Vietnam, China, Pakistan or Iraq—every FSO should be trained and committed to advocating for those whose voices have been silenced by their own governments. This mandatory training will help ensure that our diplomatic corps is equipped in this regard.

My legislation also strengthens the “Countries of Particular Concern” (CPC) designation process and effectiveness. CPCs are countries whose governments are found to have engaged in or tolerated particularly severe violations of religious freedom. The amended language will require that CPC designations are made 90 days after the issuance of the State Department’s annual religious freedom report. One hundred and twenty days after a country has been designated a CPC, the Secretary of State must submit a report to Congress that identifies the action taken, the purpose of the action, and an evaluation of its effectiveness and impact. Also included is language tightening the President’s waiver authority, so that indefinite waivers are not an option.

Very significantly, this legislation will reauthorize the U.S. Commission on International Religious Freedom until September 30, 2018. USCIRF, unlike the State Department, is unencumbered by the impulse to maintain good bilateral relations above all else—an impulse which sadly can result in critical issues of religious freedom being sidelined in the pursuit of broader foreign policy goals.

USCIRF, as an independent, bipartisan Federal Government commission, has been a reliable voice for the world’s persecuted people. It monitors and reports on religious freedom abroad and makes informed policy recommendations to Members of Congress, the President and the State Department, based in part on information gathered during extensive travel and meetings with senior foreign officials.

USCIRF regularly holds briefings and hearings for interested parties on and off the Hill and is frequently called upon to provide expert witness testimony to Congress.

Just in the last year the Commission has taken a leadership role on a series of key issues. It was quick to recognize the strategic importance and courageous voice of the late Shahbaz Bhatti, Pakistan’s federal minister of Minorities Affairs, an outspoken critic of his nation’s draconian blasphemy laws. During a critical time for the people of Sudan, it also issued special recommendations on the implementation of the historic Comprehensive Peace Agreement. It has made a series of policy recommendations aimed at preserving and protecting Iraq’s besieged religious minorities. It also has actively worked with dozens of Hill offices on combating the “defamation of religions” resolution before the United Nations.

In short, ensuring that the commission is reauthorized is of paramount importance. In a Constitution Day speech, President Ronald Reagan famously described our founding documents which enshrine basic liberties, among them religious freedom, as a “covenant we have made not only with ourselves, but with all of mankind.” Passage of this legislation will go a long way in helping us keep that covenant. I urge my colleagues’ support.

A TRIBUTE TO THE IOWA ENERGY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate and recognize the Iowa Energy, the 2011 Champions of the National Basketball Association’s Developmental League and pride of Iowa.

The Energy captured the crown on Friday, April 29th, before an enthusiastic home crowd at the Wells Fargo Arena, where they defeated the defending NBA D-League champions the Rio Grande Valley Vipers by a score of 119–111.

This is the first league championship for the Iowa Energy, which is affiliated with the Chicago Bulls and the Phoenix Suns. The team’s establishment took place in 2007, inspired by the vision of Jerry Crawford, Gary Kirke, Sheldon Ohringer and Paul Drey to bring quality basketball to the heart of the heartland. The franchise has continually grown in stature and success, culminating this year with not only the team’s first championship of many to come but also the D-League’s MVP, Iowa State University Alumni Curtis Stinson. The Energy can also boast that the two largest crowds in the entire NBA D-League’s history are solely the product of this franchise and the incredible basketball sporting event just concluded in Des Moines.

There can only be one champion at the end of any sport’s season, and I am honored to represent the great state where the Iowa Energy play and win. This feat marks years of unwavering commitment by the players, management and fans of the team and represents the best of Iowa’s people and their well known work ethic.

Mr. Speaker, all Iowans should take heart in MVP Curtis Stinson’s proclamation after the championship game: “We’re certified; we’re champions. They can’t ever take this away from us.” I know that all members of this body join me in congratulating the Iowa Energy and the tradition of basketball excellence that I expect to continue well into the future.

TRIBUTE TO RIDGECREST ARMED FORCES DAY 2011

HON. KEVIN MCCARTHY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. MCCARTHY of California. Mr. Speaker, I rise today to recognize the efforts by many in the community of Ridgecrest to honor our service men and women on Armed Forces Day 2011.

The City of Ridgecrest is home to the Naval Air Weapons Station (NAWS) China Lake. NAWS China Lake was established during World War II for the purpose of weapons testing. Since then, NAWS China Lake has become the premier weapons development laboratory for the United States Navy. Many of my constituents living in Ridgecrest work at NAWS China Lake and take great pride in the

support they provide to our Nation and they are properly recognized for their efforts on this day.

The 2011 Armed Forces Day is especially significant to the community of Ridgecrest because this year marks two significant anniversaries for NAWS China Lake and the United States. This year marks the centennial anniversary of Naval Aviation. In this anniversary, the Navy will be commemorating 100 years of Naval Aviation and honoring a century of mission-ready men and women and their many aviation achievements. Additionally, this year is significant for veterans of World War II because it will mark the 70th anniversary of our Nation’s entry into that war.

There have been many significant achievements by the scientists and engineers at China Lake. For example, they developed the air-intercept missile 9 Sidewinder in 1950. This has become the world’s most used air-to-air missile technology. Additionally, other rockets and missiles developed or tested at China Lake include the Mighty Mouse, Zuni, Shrike, Joint Stand-off Weapon and Joint Direct-Air-to-Surface Stand-off Missile.

Considering these two significant anniversaries and their importance to the City of Ridgecrest it gives me great pleasure to recognize the Ridgecrest community and their efforts there to pay tribute to the dedicated men and women who devote their lives to military service.

PERSONAL EXPLANATION

HON. MIKE POMPEO

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. POMPEO. Mr. Speaker, on May 5th, I missed Rollcall vote numbered 295 because I was unavoidably detained in an Energy and Commerce hearing.

Rollcall No. 295 was a vote on the Holt Amendment to H.R. 1230, Restarting American Offshore Leasing Now Act. Had I been present I would have voted “no.”

HONORING THE REPUBLIC OF AZERBAIJAN ON “REPUBLIC DAY”

HON. BILL SHUSTER

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. SHUSTER. Mr. Speaker, I ask my colleagues to join me in honoring the Republic of Azerbaijan in celebration of the 93rd anniversary of Republic Day on May 28th. Later this year, Azerbaijan will also celebrate the 20th anniversary of its freedom from the Soviet Union and the start of diplomatic relations with the United States.

Located in a geopolitically dynamic region between Europe and Asia and sandwiched between Russia and Iran, Azerbaijan is a secular country with a predominantly Muslim population that has also been home for more than a millennia for vibrant Christian and Jewish communities.

Azerbaijan has opened Caspian energy resources to development by U.S. companies and has emerged as a key player for global energy security. The Baku-Tbilisi-Ceyhan pipeline project is the most successful project contributing to the development of the South Caucasus region and has become the main artery delivering Caspian Sea hydrocarbons to the U.S. and our partners in Europe. Notably, in 2009 Azerbaijan provided nearly one quarter of all crude oil supplies to Israel and is considered a leading potential natural gas provider for the U.S. supported Nabucco pipeline.

On the security front, immediately after 9/11 Azerbaijan was among the first to offer strong support and assistance to the United States. Azerbaijan participated in operations in Kosovo and Iraq and is actively engaged in Afghanistan, having recently doubled its military presence there. Azerbaijan has extended important over-flight clearances for U.S. and NATO flights to support ISAF and has regularly provided landing and refueling operations at its airports for U.S. and NATO forces. Also, Azerbaijan, as highlighted by Secretary of Defense Robert Gates, plays an important role in the Northern Distribution Network, a supply route to Afghanistan by making available its ground and Caspian naval transportation facilities. Moreover, Azerbaijan provides vital support for U.S. nonproliferation efforts.

Again, as the Co-Chairman of the Congressional Azerbaijan Caucus, it is my distinct pleasure to honor the Republic of Azerbaijan in celebration of the 93rd anniversary of Republic Day and to recognize the valuable bilateral relationship between the United States and Azerbaijan. I also encourage my colleagues who are interested in supporting Azerbaijan to join me as a member of Congressional Azerbaijan Caucus, a bipartisan group of nearly 40 Members of Congress working to help foster the growing partnership between the United States and Azerbaijan and to advance U.S. interests in this pivotal region.

**HONORING ASTON PARK HEALTH
CARE CENTER OF ASHEVILLE,
NORTH CAROLINA**

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor the Aston Park Health Care Center of Asheville, North Carolina during this year's National Nursing Home Week.

For over 30 years, Aston Park Health Care Center has treated residents and their families with respect, support, and friendship. They recognize that these values, along with high quality medical care, ensure the dignity of life for their residents. The Aston Park Health Care Center has earned a five star rating from the U.S. News & World Nursing Home Rankings for their holistic approach to Alzheimer's care, adult home care, assisted living, skilled nursing care, and short-term rehabilitation. That is how they do their part to carry out this year's National Nursing Home Week theme, "Fulfilling the Promise."

I would like to commend and thank all of the skilled and trained staff members at Aston

Park Health Care Center who strive to ensure a proud life for Aston Park residents. Their warm, friendly, sincere, and comfortable atmosphere allows their residents to continue to live life to the fullest.

Mr. Speaker, in recognition of their excellence in care, I ask my colleagues to join me in celebrating the staff and residents of Aston Park Health Care Center.

**RECOGNIZING YOM HA'ATZMA'UT,
ISRAEL INDEPENDENCE DAY**

HON. DEBBIE WASSERMAN SCHULTZ

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. WASSERMAN SCHULTZ. Mr. Speaker, I rise today to congratulate the people of Israel on their Independence Day. On this very special day, we recognize and celebrate 63 years of Israel's independence as the national homeland of the Jewish people. This is a time to commemorate the rich history and journey from a scattered and persecuted Diaspora to the thriving modern nation we see today in the state of Israel.

Throughout their challenging history and against all odds, Israel has become a prospering democracy whose groundbreaking contributions in technology, medicine, agriculture, and environmental innovation have truly been a beacon to the world.

Since 1948, when the United States became the first country to recognize the Jewish State of Israel, we have always stood by her side as a strong ally and friend. As each day brings a new set of complex changes to the Middle East, it is more vital than ever that we protect and strengthen that friendship. I am deeply committed to ensuring that Washington's steadfast support of Israel will continue to grow over the years, and I am honored to serve as a Member of Congress so I can bring my unwavering support for Israel to work every day.

This Congress must continue to show Israel the love and support that we have provided for more than six decades. There is much to rejoice on this momentous anniversary. Mazel tov, and may you continue to go from strength to strength.

**IN CELEBRATION OF ISRAELI
INDEPENDENCE DAY**

HON. CAROLYN MCCARTHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mrs. MCCARTHY of New York. Mr. Speaker, I rise in honor of Israel's Independence Day. For 63 years and counting, Israel continues to be a valuable ally and friend. From fighting global terrorism, to containing the threat of Islamic radicalism, to impressive scientific research, Israel and the United States have developed a unique bond that is based upon shared visions, democratic values, and foreign policy goals.

Still, significant challenges remain for our close ally. Citizen uprisings in nations such as

Egypt, Libya, and Syria have changed the political landscape of that region. While there is potential for positive political change, as citizens speak out and demand their rights, there is also increased uncertainty that threatens the stability of the already volatile region.

Mr. Speaker, as we celebrate Israel's independence this year, let's give them a gift they surely deserve—the full-faith assurance that this Congress will continue to robustly aid and assist its most trusted ally in the region.

I wish President Peres, Prime Minister Netanyahu, and the people of Israel all the best on this very important occasion.

A TRIBUTE TO JOAN BALLANTYNE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of one of my constituents, Joan Ballantyne of Cherokee, Iowa. Joan was recently honored by the National Association of Realtors with their "Meritorious Service Award".

The National Association of Realtors is America's largest trade association with more than a million members nationwide. The Association developed the Meritorious Service Award as a way to provide recognition to those who go above and beyond in their service to NAR. The presentation of this award to Joan embodies the long-standing tradition that its recipients are not only experts of their industry, but also effective educators for me and other Members of Congress on the issues of concern to realtors across this great nation.

This national award is only bestowed upon two Realtors in America annually. This achievement requires a demonstrable history of dedication and commitment to the Association while understanding, and advocating for, the most important issues facing the real estate industry and realtors in Iowa and across the nation.

Mr. Speaker, I am honored to know and to work with Joan and I am proud to represent such an exemplary and dedicated Iowan. Her passion has taken her all around Iowa, and all around the country, to promote the ideals in which she believes. I know that my colleagues in the United States Congress will join me in congratulating Joan on her well deserved recognition of a job well done. Again, I thank Joan for her continued, unwavering commitment to her passion, her career and her fellow realtors and I offer her my best wishes for continued success in the future.

**DOMESTIC FUEL FOR ENHANCING
NATIONAL SECURITY ACT OF 2011**

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. INSLEE. Mr. Speaker, today I am introducing the bipartisan Domestic Fuel for Enhancing National Security (D-FENS) Act of

2011, which will allow Civilian Agencies and Military Agencies to extend multiyear contracts from the current limit of 5 years to up to 15 years for the purchase of advanced biofuels. I thank my colleague Mr. JONES of North Carolina for working with me on this issue, which will increase our national security and help build an American industry.

Accounting for about 2 percent of U.S. energy consumption, the Department of Defense is the largest single consumer of energy in the country. According to Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, "[the Department of Defense] is using 300,000 barrels of oil every day. The energy use per soldier creeps up every year. And our number-one import into Afghanistan is fossil fuel."

U.S. Navy Secretary Ray Maybus has outlined several goals to lead the Navy toward a more energy-secure fleet. By 2015, the Navy will reduce petroleum use in the commercial fleet by 50 percent. By 2020, the Navy will produce at least 50 percent of shore-based energy requirements from alternative sources and 50 percent of total energy consumption will come from alternative sources.

No one knows better than the Department of Defense that energy supplies are critical to combat troops and our national security. To ultimately realize these goals, we must dramatically scale-up advanced biofuel production in the United States. With added Congressional authority to purchase longer-term contracts, our defense sector could adopt domestically produced sustainable fuels for the security of our troops.

Companies already have developed technologies to produce "drop-in" ready fuels, meaning our military could use these fuels in existing infrastructure, aircraft and ships. The longer-term contracts provided by this bill will not only increase our energy security, but can ultimately help unlock private investment for construction and development of large advanced biofuel refineries in the United States. In states like Washington, North Carolina, California, Montana and others, interests from the private sector, universities, ports and major airports are already working to bring the first generation of biofuels to the market, and their efforts can be greatly enhanced by this legislation.

Washington state and the Pacific Northwest are well-positioned to commercialize aviation biofuels—all elements of the supply chain are feasible, and the region has come together to map out a strategic and sustainable path to bring advanced bio-based jet fuels to market. Already in the Northwest, 40 public and private stakeholders from academic research institutions, environmental advocacy, and government, and the aerospace and aviation, biofuels, and agriculture and forestry industries have formed the Sustainable Aviation Fuels Northwest (SAFN) initiative. This effort was convened by regional aviation leaders Boeing, Alaska Airlines, the region's largest airports—Port of Seattle, Port of Portland and Spokane International Airport—as well as Washington State University, a center of advanced biofuels research. Stakeholders include fuel producers, farm and forest managers, non-governmental organizations and key government leaders, including representatives from the U.S. Department of Agriculture (USDA) and the Defense

Logistics Agency. This diverse group representing all points along the supply chain is working to create a "flight path" that will overcome challenges to deploying advanced aviation biofuels. This legislation will support Washington's effort to make the Northwest region a market leader in the advanced biofuel industry.

With our nation's security and energy independence in mind, I urge my colleagues to support the Domestic Fuel for Enhancing National Security (D-FENS) Act of 2011.

VIETNAM HUMAN RIGHTS DAY

HON. ZOE LOFGREN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. ZOE LOFGREN of California. Mr. Speaker, I rise to commemorate the 17th anniversary of Vietnam Human Rights Day.

The inspiring images of young people fighting for democracy in the Middle East remind us of the ongoing struggles around the world for the basic human rights that we've enjoyed in America for so long. It's a struggle that has been going on in Vietnam for far too long. Journalists, bloggers, whistleblowers, and religious communities face harassment, abuse, and imprisonment for speaking out.

Pro-democracy activists are arrested and jailed under draconian and wide-reaching anti-propaganda laws, often without due process. The U.S. Commission on Religious Freedom (USCIRF) released its 2011 Annual Report two weeks ago, on April 28, and it states that "[t]he government of Vietnam continues to control religious communities, severely restrict and penalize independent religious practice, and brutally repress individuals and groups viewed as challenging its authority."

Despite consistent pressure from Congress and human rights organizations, the Vietnamese government continues to violate its international human rights obligations, silencing the voices of its citizens through repression.

On this May 11th, I ask my colleagues to reflect on the struggles of the courageous Vietnamese citizens who are striving to implement change in an authoritarian society. I would also ask my colleagues to urge the State Department to redesignate Vietnam as a Country of Particular Concern, as USCIRF has recommended every year since 2001.

IN HONOR OF DR. JANOS HORVATH AND THE WILLIAM PENN ASSOCIATION

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. KUCINICH. Mr. Speaker, I rise in honor of Dr. Janos Horvath and the William Penn Association for the tireless work they do on behalf of Hungarians and the Hungarian-American community in Cleveland, Ohio and across the nation.

Dr. Janos Horvath was born on November 7, 1921 in Hungary. He studied economics at the Palatine Jozsef University of Technology and Economic Sciences. In November of 1956, he left Hungary. While in exile in Strasbourg, he became a leader of the Hungarian Revolutionary Council in 1957. Later, while in New York, he became a founding member of Kossuth Foundation. He received his PhD from Columbia University in 1966. He taught at various American universities until he moved back to Hungary in 1997, after 41 years. In 1998, Dr. Horvath became the Chairman of the Economic Policy Committee of Fidesz—Hungary's Civic party. He has been a Member of Hungary's parliament since 1998 and is currently the Doyen of the Hungarian Parliament.

The William Penn Association was founded on February 21, 1886 in Hazleton, Pennsylvania by thirteen Hungarian coal miners under the name "Verhovay Aid Association." The goal of the founders was to extend a helping hand to each other and to the many Hungarian immigrants who worked and suffered in the mines and industrial centers of America. The Verhovay Aid Association has grown into the largest of all the Hungarian American fraternal organizations. In 1972 the organization's name was changed to "William Penn Association."

The Hungarian American Coalition is a Washington based non-profit organization founded 20 years ago to coordinate the talents and resources of its members in promoting the interests of the Hungarian American community. Its goals include: to foster a deeper understanding and appreciation of the history, culture and scientific achievements of both the United States and Hungary through cultural and educational exchanges; to protect and preserve the human and minority rights and cultural heritage of Hungarians throughout the world; and to support democratic institutions and economic development in Hungary. Every year the Coalition honors outstanding members of the Hungarian-American community in recognition of their extraordinary contributions to both Hungary and the United States.

Mr. Speaker and colleagues, please join me in honoring Dr. Janos Horvath and the William Penn Association and the work they do on behalf of the Hungarian and Hungarian-American community.

HONORING MARTIN "CHIP" DOORDAN

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. SARBANES. Mr. Speaker, I rise today to pay tribute to Martin "Chip" Doordan for his nearly forty years of outstanding service to the people of Anne Arundel County, Maryland, culminating in his leadership role as President and Chief Executive Officer of Anne Arundel Health System. Chip first joined Anne Arundel Medical Center (AAMC) in 1972 as a graduate student, became President of AAMC in 1988 and, in 1994, the Board of Trustees named him president and CEO of the Health System.

Under Chip's leadership, this downtown Annapolis hospital was transformed into a regional medical center on a 100-acre campus.

The center boasts a highly qualified staff and has grown to include a diagnostics and imaging company, a foundation, a research institute, a freestanding substance abuse inpatient treatment center and many other centers of excellence. Chip also positioned AAMC as a leader in Maryland on joint replacement and started an affiliation with Johns Hopkins for cancer services. In April 2011, Chip opened a new patient tower that expands the emergency department, adds more private beds and has a dedicated pediatric emergency department. All of these achievements are the culmination of many years of hard work and Chip's strong dedication and commitment to the people of Maryland and improving our health care system.

Throughout his career, Chip has been recognized as a quiet and thoughtful leader who strives to find new and creative ways to give back to his community. You can often find Chip walking the halls of AAMC day and night, ensuring that patients are getting the care that they need and staff have the tools to carry out their critical mission. Chip has made an enormous impact on Anne Arundel County and has changed the lives of countless families in the State of Maryland and beyond. I am proud to call him a friend and I thank him for his vision, leadership and commitment to public service.

INTRODUCTION OF THE PRE-APPRENTICE AND APPRENTICESHIP TRAINING ACT OF 2011

HON. ELEANOR HOLMES NORTON

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. NORTON. Mr. Speaker, the Pre-Apprentice and Apprenticeship Training Act of 2011 requires states to use the one half of one percent of funds now available under 23 USC 140(b) for federal highway construction training, which is necessary to combat a serious skills shortage as the current cohort of journeymen and other skilled workers is retiring, and also counters the effects of past discrimination in the construction industry. The current surface transportation law, TEA-21 (23 USC 140), permits states to use one-half of one percent of highway funds to administer highway construction training, but the states are not required to do so. In fact, most states do not commit transportation and infrastructure funds to training, and training that does occur is spotty. The Transportation and Infrastructure Committee has already set an important precedent for my bill by specifically including training funds, at my request, in the American Recovery and Reinvestment Act (ARRA), with \$3 million specifically targeted for training in the General Services Administration section of the bill. Also included in ARRA was \$20 million for federal highway training programs.

The bill is also necessary to finally afford minorities and women the opportunity to gain a first foothold in the high-wage construction industry, as part of the cohort replacing retiring

construction workers. Although deliberate exclusion has largely receded, a significant training deficit in the skilled construction trades remains.

As the large cohort of baby-boom construction workers begin to retire, the bill will help meet the nation's need to train a new generation, from every race and background. At the same time, the bill also will ensure compliance with the 14th Amendment of the U.S. Constitution and Title VI of the Civil Rights Act of 1964, which bar discrimination in the use of government dollars.

35TH ANNIVERSARY OF THE CONTRA COSTA CHILD CARE COUNCIL

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, I rise with my colleagues Congressman JERRY MCNERNEY and Congressman JOHN GARAMENDI, to recognize the tremendous work of the Contra Costa Child Care Council as the organization celebrates its 35th anniversary of invaluable service to our communities.

With its inception on August 11, 1976, the Contra Costa Child Care Council began to develop and promote quality child care through a multitude of nonprofit programs and services. Over the years, the Council has increased public awareness of the benefits and significant impact of early care and education to the success of our children, the economic vitality and well being of families and neighborhoods, and the future promise for California.

This organization reflects the well known fact that early childhood education and quality run child care are important and integral parts of Contra Costa's economy, contributing at least \$2.66 billion value added to the gross product of the County and generating \$225 million in direct tax revenues, as well as supporting 35,600 jobs. This service has also been proven to be an essential component of the infrastructure of the entire State of California.

Since its inception, the Child Care Council has been true to its mission to "Help Parents Put the Pieces Together". Over 265,000 parents have accessed the free referral service of the Council to find care that meets the specific needs of their families and tens of thousands of Contra Costa early educators and child care providers have received free training, technical assistance and support through the Council's many programs. Throughout the county, thousands of low income families have received financial assistance from the Council to pay for child care so parents can work, knowing their children are not only in good hands but are truly thriving.

We salute the tireless work of the members of the Council's Board of Directors, Administration, and staff, both past and present and thank them for the enormous contribution to our community their efforts have made.

Today, we invite our colleagues to join us in honoring the Contra Costa Child Care Council

on its 35th anniversary and on behalf of our children, families and communities, wish all continued success.

INTRODUCING LEGISLATION ALLOWING INTERSTATE SHIPMENT OF UNPASTEURIZED MILK

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce legislation that allows the shipment and distribution of unpasteurized milk and milk products for human consumption across state lines. This legislation removes an unconstitutional restraint on farmers who wish to sell or otherwise distribute, and people who wish to consume, unpasteurized milk and milk products.

Hard as it is to believe, the federal government is actually spending time and money prosecuting small businesses for the "crime" of meeting their customers' demand for unpasteurized milk! Recently the Food and Drug Administration conducted a year-long sting operation targeting Rainbow Acres Farms in Pennsylvania. As a result of this action, Rainbow Acres' customers will no longer be able to purchase unpasteurized milk from this small Amish farm.

Mr. Speaker, many Americans who the government wishes to deny the ability to purchase unpasteurized milk have done their own research and come to the conclusion that unpasteurized milk is healthier than pasteurized milk. These Americans have the right to consume these products without having the federal government second-guess their judgment about what products best promote health. If there are legitimate concerns about the safety of unpasteurized milk, those concerns should be addressed at the state and local level.

I urge my colleagues to join me in promoting individual rights, the original intent of the Constitution, and federalism by cosponsoring my legislation to allow the interstate shipment of unpasteurized milk and milk products for human consumption.

DR. ISRAEL ZOBERMAN

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. RIGELL. Mr. Speaker, I rise today to enter a statement into the RECORD on behalf of my constituent, Dr. Israel Zoberman. Dr. Zoberman is the Founding Rabbi of Congregation Beth Chaverim in Virginia Beach, Virginia. He is also the president of the Hampton Roads Board of Rabbis and Cantors.

Dr. Zoberman asked me to enter the following remarks into the RECORD regarding the 63rd anniversary of the State of Israel. Dr. Zoberman's statement follows:

The 63rd Anniversary of the State of Israel is celebrated against the backdrop of the

monumental eruptions of Biblical proportions in the Arab world, further highlighting the uniqueness of the Jewish state in the Middle East where the historical Jewish people came to make a difference for the entire human family, through its transforming gifts of the spirit and unparalleled endurance.

The unfolding events make it amply clear that Israel is a flourishing and enviable democratic oasis surrounded by a vast wilderness that is crying for change. We are witness to an amplified echo of the ancient Israelites' inspiring saga of the Exodus, ironically from Egypt's House of Bondage, instructing humanity through the ages to uphold freedom and responsibility as non-negotiable divine gifts worthy of sacrifice.

This most noble mandate of replacing degradation with dignity is reverberating throughout a troubled and stagnant Arab world that has for so long been lagging behind the West's progress, suffering from long-standing neglect manifested in poverty, illiteracy, and the lack of economic and social mobility, under authoritarian rule of fear and intimidation with corrupt leaders unaccountable for the public welfare. All that is being challenged in a world becoming an interconnected and interdependent global village with sophisticated communication that can mobilize the masses like never before.

However, there is a looming threat that extreme groups such as the Muslim Brotherhood and Al Qaeda will take advantage of the unrest for their own purposes, for they loathe a representative democracy and the West as a whole, rejecting the idea and presence of a Jewish state. After all, democracy thrives best with well-developed democratic institutions requiring time and experience, which rely upon progressive education that respects and fosters human rights as well as women's rights anchored in law.

The peace treaties that Israel established with both Egypt and Jordan should be enhanced and fortified by responding to Israel's yearning for closer cooperation in all endeavors in a context of a "warm" peace. This historic crossroads is an opportune and urgent time for all Arab and Muslim states to finally join Israel in peace to transform in tandem the Middle East, that the cradle of Western civilization may be renewed as a flowing source of Shalom's blessings. Let the campaign cease to de-legitimize and demonize the only sovereign Jewish state in the world through economic and culture boycotts, utilizing the twin evils of anti-Semitism and anti-Zionism. The attempt to thus divert attention from the Arab states' dire predicaments of bankrupt regimes has pointedly proven fruitless and counter-productive.

It should be amply clear now that Israel is the only democratic and stable ally that the United States enjoys in a critical part of the world, through a special bond reflecting shared values and commitments, and whose steadfast preservation and cultivation is essential for both model free nations with heroic legacies leading pluralistic societies.

In the present complex scenario Iran's dangerous role should not be lost as it is poised to take advantage of the transitional uncertainty of the Arab world. Iran's tyrannical theocracy, whose leaders are Holocaust deniers, remains a mortal threat to the free world, still insisting on acquiring a nuclear capability to conclude what Pharaoh began and Hitler almost accomplished.

Iran's proxy, Hamas, refusing to release Israeli soldier Gilad Shalit who is both an Israeli and French citizen, after more than

five years in isolated captivity, the cold-blooded murder of five members of the Fogel family in Itamar, including an infant, the bombing in Jerusalem, and the relentless rocket and mortar, also on a school bus, from Gaza, do not reflect peaceful Palestinian intentions. Let Hezbollah, Iran and Syria's proxy in Lebanon, know along with all of Israel's adversaries, that the Jewish state will fight to ensure that its divine promise of survival is never withdrawn, even as it struggles for Shalom's sake of healing, hope and harmony.

IN TRIBUTE TO KATHERINE HALEY AND NORMA LAGOMARSINO

HON. ELTON GALLEGLY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. GALLEGLY. Mr. Speaker, I rise in tribute to the Norma Lagomarsino and the late Katherine "Kay" Haley, who were honored recently by the Livingston Memorial Visiting Nurse Association for their decades of philanthropic work in Ventura County.

Norma Lagomarsino is the wife of former U.S. Rep. Bob Lagomarsino and a true force in making Ventura and Santa Barbara Counties strong, vibrant communities. I am blessed to have Bob Lagomarsino as one of my trusted mentors and to have Bob and Norma count as among my wife, Janice, and my closest friends.

Norma Lagomarsino has been a member of the Congressional Club in Washington, D.C., since 1974 and served as its president from 1981-1983. Among her many community activities, Norma Lagomarsino serves on the Santa Cruz Island Foundation Advisory Council, is a long-standing member of the Assistance League, is a member of the Board of Directors for Interface Children and Family Services and the National Institute of Mental Health, and was honored as a "Champion of Mental Health" by the Turning Point Foundation.

Norma and Bob also are major donors to California State University, Channel Islands, where they created the Robert J. and Norma M. Lagomarsino Archives. They also co-chair the San Buenaventura Mission School Building Campaign.

Kay Haley, another longtime friend, was born in the Ventura County city of Oxnard to Walter H. Hoffman Jr. and Edith Hobson Hoffman, who owned Rancho Casitas, a thoroughbred breeding farm. As an adult, Kay Haley raised champion shorthorn cattle and quarter horses on her own ranch, Rancho Mi Solar. Her most famous horse, Mr. Spats, was Ronald Reagan's favorite mount.

Kay Haley had a long relationship with President Reagan, having raised funds for him during his campaigns for California governor and president. In addition to raising funds for President Reagan and other Republicans, Kay raised many thousands of dollars for the Ventura County Museum of History and Art and served on Community Memorial Hospital's Board of Trustees for 30 years.

In 1986, she was given the Milton M. Teague Award for Outstanding Volunteerism.

She was grand marshal of the Ventura County Fair parade in 1987.

When Ronald Reagan was governor, Haley was appointed vice chairwoman of the California State Fair Board, vice president of the board of directors of Cal Expo and served as founding chairwoman of California's Racing Hall of Fame. After eight decades of life and service, Kay passed away in 1999.

Mr. Speaker, I know my colleagues join the Livingston Memorial Visiting Nurse Association and me in honoring the philanthropic and voluntary contributions of Norma Lagomarsino and Kay Haley and in thanking them for making our community vibrant and strong.

PERSONAL EXPLANATION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. PETRI. Mr. Speaker, I was not recorded as voting for final passage of H.R. 3 on May 4, 2011. I am a cosponsor of this bill and would have voted for final passage of the bill.

HONORING SHARON K. FAWCETT

HON. JOHN L. MICA

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. MICA. Mr. Speaker, I rise today to pay tribute to Sharon K. Fawcett, the Assistant Archivist for Presidential Libraries, who is retiring after more than 34 years of outstanding public service to the National Archives and Records Administration (NARA).

On February 28, 2011, the Committee on Transportation and Infrastructure held a joint hearing with the Committee on Oversight and Government Reform to highlight the importance of our presidential libraries to our nation's history. Following the hearing, I was pleased to host a luncheon and symposium to further discuss how we can ensure these national treasures can be preserved efficiently. Ms. Fawcett was instrumental in helping to make that day productive and successful and her insight at the symposium added a tremendous amount of knowledge to our discussion.

Her love and commitment to the Presidential Library system developed at an early age: she was born in Abilene, Kansas in a house that is now part of the campus of the Dwight D. Eisenhower Presidential Library. In 1969, Ms. Fawcett started working at the Lyndon Baines Johnson Presidential Library. After raising her young children, she returned to the National Archives in Washington, DC, to be Chief of the Reference Service Branch and later the Director of User Services. In these jobs she was responsible for the overall planning, development, direction, coordination, staffing and control of all research rooms in both the National Archives building in downtown Washington, DC, and at Archives II, NARA's state-of-the-art facility in College Park, Maryland. She returned to the Office of Presidential Libraries in 1997.

Ms. Fawcett has served as Assistant Archivist for Presidential Libraries for the past seven years and as Deputy Assistant Archivist for Presidential Libraries for seven years before that. In both roles she led the Library system in the development of award-winning educational programs, web sites, and exhibits. Under her leadership, the Libraries continued to open key Presidential materials—such as the Kennedy, Johnson and Nixon tape recordings—that help the public understand Presidents and Presidential decision-making. The multi-library conferences on such topics as Vietnam and the Nuclear Age have become a mainstay of C-SPAN programming. She also developed innovative initiatives to start staffing early for a Presidential Library, and to add additional staffing for the newer Presidential Record Act Libraries to try to meet the growing demand for their records. When she returned to Presidential Libraries in 1997, there were no women serving as library directors and almost no representation by minorities in library positions. She pursued a goal of building a more representational work force in the libraries, hiring a more diverse and representative workforce.

I congratulate Sharon K. Fawcett for her dedication in building strong and productive relationships with a variety of stakeholders that includes the White House, Congress, and Presidential Library foundations. I thank her for her service to the National Archives and to the Nation and I wish her a very happy and fulfilling retirement.

IN HONOR AND REMEMBRANCE OF
MAYOR RALPH J. PERK

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. KUCINICH. Mr. Speaker, I rise today in honor and remembrance of Mayor Ralph J. Perk, the 52nd mayor of the City of Cleveland, as he is posthumously inducted into ClevelandPeople.com's International Hall of Fame.

Mayor Perk was born on January 19, 1914 in Cleveland, Ohio to Mary and Joseph Perk. He attended elementary school at Our Lady of Lourdes School. After earning his high school diploma, Mayor Perk studied history, political science and mathematics at Case Western Reserve University and St. John College. Throughout his adolescence Ralph worked as a pattern maker and later an ice peddler with his brother, George, at Perk Coal & Ice Co. In 1940, Perk married Lucille Gagliardi; they had seven children and were together for 59 years.

At the age of 20, Perk joined the 13th Ward Republican Club and in 1953 was elected as the ward's council member. During his five terms as the Broadway-E.55th Street councilman, Perk organized the American Nationalities Movement, an agency that represents 35 ethnic and nationality groups. Mayor Perk was an outspoken proponent of human rights and is well known for his celebration of cultural diversity. In 1962, Perk was elected as Cuyahoga County Auditor, and became the first Republican elected to county office since the

1930s. He was reelected twice and served as a county official until 1970.

Mayor Perk became the 52nd mayor of the City of Cleveland in 1971 and was reelected in 1973 and 1975. While in office Mayor Perk was instrumental in the creation and establishment of the Northeast Ohio Regional Sewer District, the Greater Cleveland Regional Transit Authority, the Office of International Trade at Cleveland's City Hall and the U.S. Conference of Mayors' Republican Mayors caucus. After serving as the Mayor of Cleveland, in 1978, Mr. Perk began a consulting business, Ralph Perk & Associates Inc. Mayor Perk was a political figure and prominent businessman in the City of Cleveland until his death on April 21, 1999.

Mr. Speaker and colleagues, please join me in honor and remembrance of Mayor Ralph J. Perk as he is celebrated at ClevelandPeople.com's International Hall of Fame ceremony.

PAYING TRIBUTE TO LIEUTENANT
COLONEL KENT A. D. CLARK'S 24
YEARS OF SERVICE TO OUR NATION

HON. C.W. BILL YOUNG

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. YOUNG of Florida. Mr. Speaker, I rise to pay tribute to Lieutenant Colonel Kent A. D. Clark for his extraordinary dedication to duty and service to the United States of America. Lieutenant Colonel Clark will retire from active military duty in May 2011 after 24 distinguished years of service to the United States Army and of those years over 43 months were spent in combat.

Lieutenant Colonel Kent A. D. Clark is a resident of Florida and entered the United States Army in April 1987. He entered the Army and while serving his first enlistment decided to pursue a career in the United States Army by entering the Special Forces. He has served in every enlisted leadership position through the rank of Sergeant First Class and then pursued a career as a Commissioned Officer by attending Officer Candidate School at Fort Benning, Georgia.

Mr. Speaker, It has been a pleasure to work closely with Lieutenant Colonel Kent Clark over the last several years of his career. He has proven himself to be a tremendous wartime leader who demonstrated unselfish devotion to the Nation and the soldiers he led. He has been a friend and trusted advisor to my colleagues and I on the Appropriations Committee as he worked tirelessly to restore balance to a force stressed by the demands of the war on terrorism. He was instrumental in significantly improving our Armed Forces equipment modernization and funding of critical systems affecting the Department of Defense while he served here on Capitol Hill. In 2010 Kent went back to the United States Army and Represented the Secretary of the Army and Chief of Staff of the Army as a liaison officer with the United States Congressional Appropriations Committees for Defense and Military Construction. Prior to his retire-

ment he was the principal point of contact for Members of Congress and staff on matters concerning the Wheel Track Combat Vehicle Program, Brigade Combat Team Modernization, and Other Procurement Army One & Three Appropriations; He provided direct interface between Congress and the Army; Integrated the Office of the Chief Army Reserve staff and Congress for all United States Army Reserve related issues and questions; Gathered information, prepared strategies and recommended Army positions for corresponding with the Congress on appropriation issues; Organized briefings and responded to requests for information across all appropriations for Congressional Members, their staff and Professional Staff Members; Coordinated Congressional travel for fact-finding opportunities and education on Army programs. The impact of his efforts will benefit the United States Army for decades to come.

Lieutenant Colonel Kent A. D. Clark's observations and advice to the Army leadership have impacted the decisions to implement the most comprehensive transformation of the Army since World War II, building versatile and modular units capable of conducting a full-spectrum of operations. This Commissioned Officer has continued the traditions of the United States Army and is an American hero who has been selfless in his service to the Nation through war, peace, and personal trial. His performance and accomplishments throughout his long and distinguished career have left a legacy of trained, disciplined professional leaders at all levels and care for families that is without equal. When history looks back at this leader and his legacy it will be clear that his abilities as a trainer, leader, advisor, Commander and Soldier produced the best Army in the world.

Mr. Speaker, On behalf of a grateful Nation, I join my colleagues today in saying thank you to Lieutenant Colonel Kent A. D. Clark for his extraordinary dedication to duty and service to this country throughout his distinguished career in the United States Army and we wish him, his wife Nicole, and his daughter Kaitlyn Grace all the best in his well-deserved retirement.

ST. RAPHAEL CATHOLIC SCHOOL
75TH ANNIVERSARY

HON. THADDEUS G. McCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. McCOTTER. Mr. Speaker, today I rise to honor and acknowledge St. Raphael Catholic School, located in Garden City, Michigan, as they celebrate 75 years of commitment to the education of the youth of our community and our country.

Established in 1936 upon land generously donated by Ms. Florence Cowperthwaite, the meeting hall which became the first school was built using primarily donated materials, contributions and volunteer labor. The original windows were donated by the Sisters of the Immaculate Heart of Mary Convent. Undoubtedly, this demonstrates a literal truth; it is the people who build a parish.

Father Anthony Kirchner, the second pastor of the fledgling St. Raphael the Archangel parish, led the effort to convert the hall into a four-room school. Again, the labor and materials used were largely donated. The IHM sisters could no longer stay on and the Sisters of St. Francis agreed to take on responsibility for the school. They have remained diligent in their commitment. As the parish and the community grew, additional school buildings were built in 1950 and 1956. In its 75-year history, St. Raphael's School has grown from a converted hall serving a handful of students to a campus with a capacity of 500.

Mr. Speaker, for 75 years St. Raphael School has provided a Catholic education for students ranging from pre-kindergarten through eighth grade. Today, I ask my colleagues to join me in congratulating the students, parents, faculty and alumni of St. Raphael Catholic and in recognizing their years growing in friendship, knowledge and God's spirit as part of our community and our country.

HONORING DR. JAMES P. COMER
AS HE IS RECOGNIZED WITH THE
NAACP LIFETIME ACHIEVEMENT
AWARD

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. DeLAURO. Mr. Speaker I am deeply honored to rise today to join the Greater New Haven Branch of the National Association of the Advancement of Colored People as they recognize the invaluable contributions of an outstanding member of our community, Dr. James P. Comer. Dr. Comer is an internationally renowned psychiatrist, social scientist, and author whose work in early childhood development has changed the way that we, as a society, have approached early learning and education. This year, the Greater New Haven NAACP has named Dr. Comer the recipient of their Lifetime Achievement Award—only the second time in its history that such a recognition has been bestowed.

Like so many of us, the importance of education was instilled into Dr. Comer at a young age by his parents. His mother had less than 2 years of formal schooling and his father only six, but they understood that their children's future success would depend on a quality education. They worked hard and ensured all five of their children had the opportunity not only to finish their elementary and secondary education but to attend college as well. Indeed, in a recent interview Dr. Comer remarked that "they gave us the developmental experience we needed"—a lesson that has guided his career.

Dr. Comer is currently the Maurice Falk Professor of Child Psychiatry at Yale University School of Medicine's Child Study Center and he has been a faculty member since 1968. Over the course of his career, his focus on child development as a means of improving schools has earned him a distinguished reputation as well as international recognition. He is perhaps best known for founding the Comer

School Development program—a concept that promotes the collaboration of parents, educators, and community to improve social, emotional, and academic outcomes for children that, in turn, helps them to achieve greater success in school. This model has become a national model, implemented in more than five hundred schools across America where its goals of improving the educational environment and student achievement have exceeded expectations. Its remarkable success has impacted the lives of millions of our young people—providing them the educational building blocks that have allowed them to realize their dreams.

A prolific writer, Dr. Comer has published nine books and countless articles on children's health and development as well as race relations. He has also served as consultant to the Children's Television Workshop, the producer of Sesame Street and The Electric Company, as well as to the Public Committee on Mental Health, a group chaired by Roslyn Carter. He has been a member of the National Commission on Teaching and America's future since 1994 and a myriad of other national committees and commissions which have led to changes in how our country crafts public policy concerning education. In addition to all of this, he has also somehow found the time to serve on the boards of a multitude of educational institutions and community organizations.

Dr. Comer's work and scholarship has been recognized across the country with forty-seven honorary degrees and innumerable awards, commendations, and honors including the John P. McGovern Behavioral Science Award from the Smithsonian Institution and the prestigious Heinz Award in the Human Condition from Heinz Family Philanthropies. His visionary leadership and exceptional contributions have changed the face of education in America. There are few have had such an extraordinary impact on our way of life which is why I can think of no one more deserving to receive the NAACP's Lifetime Achievement Award.

Over my years in Congress, I have had the unique opportunity to work closely with Dr. Comer and I could not be more proud to stand today to recognize him for all of his good work and congratulate him on this very special occasion. His is a legacy that will continue to make a difference in the lives of our young people for generations to come. I wish him, his wife, Bettye, and their family many more years of health and happiness.

RECOGNIZING THE 90TH ANNIVERSARY
OF THE NORTON MALE
CHORUS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. KILDEE. Mr. Speaker, the Norton Male Chorus of Flint, Michigan will celebrate 90 years of singing together by holding an anniversary concert on May 14th in Flint.

In 1921 a group of men affiliated with Buick Motor Division organized the Buick Male Cho-

rus under the direction of Dr. W.W. Norton. Two years later the Industrial Mutual Association became the sponsor and the group was renamed the IMA Glee Club. This relationship lasted until 1939 when the Chorus became an independent organization named the Norton Male Chorus. Dr. Norton continued as the director until 1951 when he left for a new position in California. The group has had 3 directors since that time, Arthur McCombie, C.L. Bergman, and currently, Dan Hill. The group has performed throughout the United States and Canada including a performance at the 1964 World's Fair in New York City. The group annually awards a scholarship to a male vocal student and the 2011 winner, Matthew Mitchell, will also perform at the anniversary concert.

Currently the group includes: director, Dan Hill; accompanist, Margaret Meade; first tenors, Terry Powell, Matt Brown, Matt Jackson, Jack Smith; second tenors, Don Chambers, Mike Dumanois, Paul Brown, Jim Segar, Don Wagle, Don Hetherington; baritones, Don Gerger, Sam DeLorenzo, Jerome Wolbert, John Roach; bass singers, Dennis Cavanaugh, Bob Maupin, Don Russell, Don Coolich, Adam Coolich, and Len Posio.

Mr. Speaker, I ask the House of Representatives to join me in congratulating the Norton Male Chorus for 90 years of music and goodwill. I wish them the best in the coming years and many, many more years of performing and entertaining audiences.

RECOGNITION OF PHILIP T.
INGLIMA—2011 JOHN CARROLL
AWARD RECIPIENT

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. BURTON of Indiana. Mr. Speaker, on April 30th in San Francisco, the 2011 John Carroll Awards were presented to five exceptional individuals whose achievements exemplify the ideals and traditions of Georgetown University. Named after the University's founder, Archbishop John Carroll, the John Carroll Award was established by the Georgetown University Alumni Association in 1951 and is the highest honor awarded by the alumni association. Recipients have distinguished themselves through achievement and unparalleled service to Georgetown University, and the 2011 recipients embody the true meaning of Magis. Magis is a Jesuit phrase that means "the more." It is taken from Ad maiorem Dei gloriam, a Latin phrase meaning "for the greater glory of God." It is an expression of an aspiration and inspiration. Magis reflects the Jesuit concept of a continuous commitment to excellence, grounded in gratitude.

The 2011 John Carroll recipients are Mary Taylor Behrens, Philip T. Inglima, the Honorable M. Margaret McKeown, Paul F. Pelosi, and Michael L. Vespoli. I congratulate them all on their achievements. All five of them are esteemed members of the Georgetown community, but today, I rise to give special recognition to Philip Inglima, known as Phil, to his friends.

An exemplar of the Jesuit tradition of women and men for others, Phil Inglima has found no shortage of ways to give back to the alumni community. It would be hard to find a volunteer post at Georgetown that Phil hasn't occupied. As an undergraduate, he served as the co-chair of his senior class gift committee. He has chaired many of his undergraduate and law classes' reunion committees, served on the board of regents and worked as vice chair of the law annual fund. A member of the board of governors since 1997, Phil served as president of the alumni association and was a well-respected member of the board of directors for two years.

After graduating in 1984 with a degree in English, Phil remained at Georgetown as an assistant to the Rev. Timothy S. Healy, S.J., then president of the university. He spent two years working closely with Father Healy while studying at the Georgetown University Law Center. His dedicated work for the Juvenile Justice Clinic earned him the honor of being named "Outstanding Advocate."

Phil began his law career as a clerk to the Honorable June L. Green of the U.S. District Court for the District of Columbia before entering private practice with criminal defense legend Plato Cacheris (F'51, L'56). Since then, he has amassed more than two decades of experience as a litigator specializing in white collar criminal law, including two years as a special prosecutor.

Now a partner at Crowell & Moring LLP, Phil defends criminal and civil matters in trial and appellate courts. He has been recognized repeatedly in the premier legal review guide, Chambers USA, as well as in Super Lawyers and The Best Lawyers In America, as a leading lawyer in white collar criminal defense.

Georgetown University with its rich, Jesuit tradition runs through Phil's veins. In addition to serving the alumni community, Phil teaches a course in federal white collar crime at the university's Law Center.

Phil met his beautiful wife, Elizabeth Wieser (C'86, L'92), at Georgetown. They have three children—Joseph, Rosalia and Paulina—who were all born at the Georgetown University Hospital. Phil Inglima is a great friend, father, husband as well as one who excels professionally. He makes those individuals and institutions that he touches better.

HONORING JUDGE HENRY
HAYWOOD TURNER, III

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. BISHOP of Georgia. Mr. Speaker, I rise today to honor Judge Henry Haywood Turner, III, a man of many talents and interests who sadly, passed away on May 8, 2011 at the age of 67.

Judge Turner was born in El Paso, Texas, on May 3, 1944. His father served as a Navy Corpsman physician in the South Pacific during World War II. Judge Turner graduated from Columbus High School in 1962, and earned a BA in math and history from Mercer University.

Inspired by his father, he served in the U.S. Navy as a radioman for the USS Charles R. Ware, DD-865 Destroyer. After completing his naval service, he managed the Texas Native Inertia Nutcracker Company, a business started by his father that held several U.S. patents for their inventions. He later went on to teach math and physics at Columbus Technical College.

Judge Turner earned a law degree from the University of Georgia in 1977, and was one of nine students who former Secretary of State Dean Rusk advised. This was the start of a very distinguished legal career that would include practicing general law, doing appellate work for the city of Columbus, and most notably, serving as an Assistant District Attorney, and Judge of the Municipal Court for 20 years.

The great Irish poet Brendan Francis once said, "If you have a talent, use it every way possible. Don't hoard it. Don't dole it out like a miser. Spend it lavishly like a millionaire intent on going broke." Judge Turner was a man of many diverse interests and talents, who went broke sharing them with the world. He rebuilt engines, made his own diesel fuel and knives, gardened, and became well versed in geology, history, and music composition. He was a well-read man who loved stray cats, and spoke several different languages.

The last skill served him very well when people who were unable to speak English came to his court. Judge Turner could communicate with the common person, but he could also communicate with the most sophisticated of individuals. This made him respected and loved by those who truly knew him who have described him in recent days as a: gentleman, a scholar, a man of his word, and a man of honor.

Judge Turner understood the importance of service and helping other people as evidenced by his involvement in numerous community organizations. Judge Turner and my wife Vivian worked together for many years on the Municipal Court, and we are both thankful for his service and friendship over the years. Vivian and I extend our deepest condolences to his mother, Rebecca Sellers Turner, his daughter Clisby Cox and his many other relatives and friends.

Mr. Speaker, we are all put here for a season to try to make the world a better place to live. I can truly say that Judge Henry Haywood Turner, III used his season to make this world more hopeful and less fearful because he travelled here.

HONORING ANNE MARIE BERGEN

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. DENHAM. Mr. Speaker, I rise today to honor Anne Marie Bergen of Oakdale, California. Ms. Bergen was selected to receive the 2010 Presidential Award for Excellence in Mathematics and Science Teaching. She has made outstanding contributions to the teaching and learning of mathematics and science.

Ms. Bergen has spent 24 years teaching in Oakdale and has played an influential source

in improving the education for students in Stanislaus County. She has served as the Gifted and Talented Teacher and Coordinator, Science Mentor, Science Olympiad Coach and District Science Fair Coordinator. As the District Science Teacher, she developed and created a laboratory and field-based science program. This program has helped to educate 2,000 students and train 120 teachers annually. Since 2009, Ms. Bergen has served as the chair of CalTAC, a STEM teaching advisory council.

Currently, Ms. Bergen is a Teacher in Residence at the California Polytechnic State University, San Luis Obispo in the Biological Sciences Department. She works to train Liberal Studies undergraduate students, seeking to become K-12 teachers, on how to effectively instruct science classes and laboratory experiments. Additionally she is working to reshape the curriculum in several courses targeted to future classroom teachers.

Ms. Bergen's teaching philosophy is "Active Learning, Meaningful Experiences, and Compassionate Teaching." The unique teaching style Ms. Bergen uses the natural connection students have with experiential learning and has incorporated it into successful education programs. Through using hikes, nature and the outside world, she has created an effective curriculum that has led her students to excel in the areas of science and mathematics. Additionally, Ms. Bergen actively works to share her successful educational methods so that other teachers can effectively teach their students using her experiential learning model. It is without question that Ms. Bergen is compassionate and dedicated to providing quality education for our youth.

In addition to receiving the 2010 Presidential Award for Excellence, Ms. Bergen has been a recipient of many awards for her dedication to teaching. These awards include the Amgen Award for Science Teaching Excellence in 2006, Stanislaus County Teacher of the Year in 2002 and Woman of Distinction in Education by Sorooptimist International in 2002 and 2003. Additionally she was awarded the distinguished California Teacher of the Year Award in 2003.

I encourage my colleagues to join me in honoring Anne Marie Bergen on receiving the 2010 Presidential Award for Excellence in Mathematics and Science Teaching.

SCIENCE EDUCATION IN
FREDERICK COUNTY

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. WOLF. Mr. Speaker, today I rise to recognize The Frederick County Public School District for its pursuit of bettering its science education programs. I visited Sherando High School in Stephens City on April 19 and saw firsthand how the school and its students are improving and excelling the fields of math and science.

Kelley Aitken, the Frederick County Public Schools Supervisor of Science and Visual Arts, explained that "the school division's

science curriculum is moving from a fact/knowledge level of thinking to one which is based on conceptual understanding and application." The teachers have been provided with information from the University of Virginia's faculty on how to develop inquiry-based lesson plans.

The school district has also changed its curriculum requiring students in grades six through eight to complete inquiry-based science projects every year. It is the district's hope that by engaging the students in middle school they will be able to carry that understanding and passion for science throughout their education. Mrs. Aitken also explained a number of community partnerships that the school district has developed. These include DuPont, the Blandy Experimental Farm, the Alice Ferguson Foundation, and Valley Health, which provide students with hands-on instruction in science.

After Mrs. Aitken's presentation I was honored to meet with and learn about the students who have excelled in the district's science programs. I heard from three high school students and one middle school teacher about their experiences. The first student was a senior who worked with the Pulsar Search Collaboratory (PSC), where he discovered a pulsar, a highly neutralized neutron rotating star. The senior along with the high school's Astronomy Club, analyzed data from the National Radio Astronomy Observatory in West Virginia. The student is going to pursue his interest in science at James Madison University.

The next student, a sophomore, explained her project, which examined the effect of chemicals and pesticides on the regeneration of planaria. The student will be competing in the International Science Engineering Fair (ISEF) in Los Angeles, California, in May. The next student, a junior, will also be competing in the fair for her second year in a row. The student used the Eratosthenes's Theory, to determine the diameter of the earth.

A sixth grade teacher in the district's Robert E. Aylor Middle School, in Stephens City explained the Discovery Education online science module, which is used throughout the district in the middle schools. He explained that the program is used to let the students interact and manipulate investigations as they are learning science material.

At the end of my visit, Superintendent Patricia Taylor was awarded the Discovery Education's Visionary District Award by the Vice President for Discovery Education. I am proud to have such an outstanding school in my district. I congratulate the school for recognizing the importance of providing our youth with the tools to pursue careers in science, technology, engineering and math.

PERSONAL EXPLANATION

HON. DONALD A. MANZULLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. MANZULLO. Mr. Speaker, on Monday, May 10, 2011, I unfortunately missed a series of votes. If I was here, I would have voted

"no" on rollcall No. 299, "no" on rollcall No. 300, and "no" on rollcall No. 301.

U.S.-KOREAN RELATIONS

HON. KAREN BASS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. BASS of California. Mr. Speaker, it is my great honor to represent the people of California's 33rd congressional district, which is a microcosm of America. The cultural and economic vibrancy of the communities in our district is possibly matched only by its vast diversity.

I am proud that the 33rd district includes Koreatown, the home to many Korean-Americans and recent immigrants from Korea. By some estimates, there are more Americans of Korean descent living in this neighborhood than anywhere else in the United States.

It should come as no surprise, then, that my constituents and I have strong concerns about U.S.-Korean relations. We celebrate the military and diplomatic alliance between the United States and the Republic of Korea that has entered its seventh decade. We encourage Korean students who come to American colleges and universities to pursue their educational goals, and we welcome Korean businesses that invest in the United States and engage in trade with American businesses and consumers.

It was with great interest that I was able to travel to the Republic of Korea last month through their Congressional Member Exchange Program. Over the short course of three days, I participated in a packed itinerary of meetings with Korean government officials, business leaders, American diplomats, and members of the U.S. armed forces stationed in Korea.

One truly powerful moment came on my first full day, when I visited the Demilitarized Zone, DMZ, including the Joint Security Area. Gazing out over the barren border area into North Korea was a truly eye-opening experience for me.

In addition to meeting with Korean executive branch officials—including Minister of Foreign Affairs and Trade Sung-Hwan Kim, Deputy Minister for Trade Seok-Young Choi, and National Security Advisor Yung-Woo Chun—I was also able to meet with our legislative counterparts in the Korean National National Assembly, including the chairman of the Unification, Foreign Affairs, and Trade Committee (the equivalent of the House Committee on Foreign Affairs), the Honorable Kyung-Pil Nam.

All of these meetings were informative, productive, and educational. I learned so much about the history and the breadth and scope of the U.S.-Korea alliance partnership.

Meetings with business leaders were equally fruitful. It was my pleasure to attend a dinner hosted by AMCHAM, the American Chamber of Commerce in Korea, and I am grateful for the time I was able to spend with Amy Jackson, the AMCHAM president.

Similarly, a tour of the Hyundai Motors corporate headquarters and of the company's re-

search and development facility in Hwaseong was particularly valuable. Hyundai has significant investment in the United States, including several engineering and design facilities in California, not far from Los Angeles, as well as in several other states. If one includes all their dealerships and repair shops, Hyundai employs over 30,000 American workers.

One of the topics that came up over and over during my visit to Korea was the much discussed trade agreement between our two countries. The Korean government officials and business leaders I met tried very hard to persuade me that the agreement should be ratified soon. It is an issue I continue to follow closely, seeking out insights and analysis from a wide spectrum of individuals within my congressional district and beyond. This visit to Korea further expanded my horizons and the knowledge gained was invaluable.

Mr. Speaker, I would like to thank the Korean Government for the opportunity to visit their country through the Congressional Member Exchange Program. Prior to my departure, I had the opportunity to have breakfast with Korea's Ambassador to the U.S., Duk-Soo Han, and our discussion was very insightful with respect to all the challenges and opportunities on the Korean peninsula. As I represent the congressional district with the largest Korean-American constituency in the United States, I also look forward to returning to Korea to continue building on the relationship with our great friend and ally.

IN RECOGNITION OF FATHER DENNIS WEEZORAK

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. PALLONE. Mr. Speaker, I rise today to congratulate Father Dennis Weezorak as the members of St. Mary's Parish gather to celebrate the twenty-fifth anniversary of his ordination to the priesthood. Throughout his professional career, Father Weezorak has spiritually guided and mentored many parishioners. His honorable actions are worthy of this body's recognition.

Father Weezorak was ordained to the priesthood on May 3, 1986 in the Cathedral of St. Mary in Ogdensburg, New York by Bishop Stanislaus Brazana. He began his career as an Associate Pastor and Administrator in St. Patrick Parish in Watertown, New York. During his tenure, Father Weezorak also served as Associate Pastor at three different New York State Parishes: St. Peter, St. Mary and St. Thomas. Father Weezorak later served in the military chaplaincy for the United State Air Force at various locations including Lackland Air Force Base and the hospital chaplaincy at Wilford Medical Center in San Antonio, Texas. He was finally installed as Pastor at St. Mary Parish in South Amboy, New Jersey on October 26, 1997.

In addition to his parish duties, Father Weezorak is active with the Municipal Alliance for Drug Abuse for the Township of South Brunswick/Monmouth Junction, New Jersey. He also remains an active member of the

Sayreville/South Amboy Chapter of Rotary International. Father Weezorak earned a bachelor's degree in business from Pennsylvania State University and attended St. John Seminary in Boston, Massachusetts. He is the son of Pauline and the late Robert Weezorak. He has one brother and sister.

Mr. Speaker, I hope that my colleagues will join me in congratulating Father Dennis Weezorak upon the celebration of his twenty-fifth anniversary of his ordination to the priesthood and also for his leadership and service to the community.

RECOGNITION OF ISRAELI INDEPENDENCE DAY

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. SARBANES. Mr. Speaker, I rise today in recognition of Israeli Independence Day. Sixty-three years ago this week, the dream of so many Jewish people around the world became a reality. From desert and swampland emerged a nation that is now a leader in technology, medical advances and environmental research; and from the ashes of the Holocaust, a people was reborn.

Israel remains an important strategic ally and the only true democracy in a very unstable part of the world. In the wake of World War II and its tragic legacy for the Jewish people, the United States has considered the existence of Israel a profound moral and spiritual imperative and was the first nation to recognize the state of Israel in 1948.

Even sixty-three years later, however, there are ongoing threats to Israel's stability. It is critical that all parties in the region recognize Israel's right to exist as well as Israel's right to insist on the basic security of its citizenry. Mr. Speaker, I stand here today to honor the men and women who have fought to defend Israel's independence year after year, to those who keep the hope for peace in the forefront of our minds, and with a strong commitment to seeing that dream become a reality.

HONORING DR. WILLIAM TONTI

HON. PETER WELCH

OF VERMONT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. WELCH. Mr. Speaker, I rise today to recognize an outstanding Vermonter, Dr. William Tonti of Essex Junction.

On February 1, 2011 Dr. Tonti celebrated an astonishing milestone: He earned his 250th patent making him one of the most accomplished inventors in Vermont and the country. This impressive accomplishment is worthy of recognition by this Congress.

Dr. Tonti is a graduate of Northeastern University where he earned his Bachelor's of Science in Electrical Engineering. He continued his education in Vermont, first earning an MBA from St. Michaels College and then a Master's of Science and a PhD in Electrical Engineering from the University of Vermont.

In 1978, he began what would prove to be a distinguished career at IBM in Essex Junction, Vermont. Dr. Tonti's work focused on areas fundamental to the functioning of our society, including advanced DRAM semiconductors, nanotechnology, microprocessors and chip reliability.

In addition to his professional accomplishments, Dr. Tonti has been an active community member and citizen. His commitment to IBM is only surpassed by his dedication and commitment to his wife, Debbie, and daughters, Janelle and Samantha.

Dr. Tonti was recently named an IBM Master Inventor for Life, a great honor that IBM bestows to only a handful of its most innovative employees worldwide. This is a fitting recognition for a lifetime of impressive accomplishments and for a Vermonter of high character.

As Vermont's Representative in this Congress, I ask that Dr. Tonti be recognized for his accomplishments and applauded for his contributions to the state of Vermont and this country.

THE PUTTING THE GULF OF MEXICO BACK TO WORK ACT (H.R. 1229) AND THE REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT (H.R. 1231)

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. VAN HOLLEN. Mr. Speaker, last week the majority rammed through an ill-advised measure requiring the sale of four specific offshore drilling leases even if appropriate workplace and environmental safeguards aren't in place. This week's bills continue the same reckless "pre-spill" mentality. In the aftermath of the Deepwater Horizon tragedy, more drilling with less safety is simply not a responsible energy policy, and it will do nothing to enhance America's energy security.

Let's be clear: There is no drilling moratorium in the Gulf of Mexico. Since October, the Interior Department has issued 51 shallow water permits and 12 deepwater drilling permits—or roughly the same pace as before the Deepwater Horizon disaster. The major difference is that the Obama Administration is ensuring that future drilling be accompanied by safeguards reflecting the lessons learned from the Deepwater Horizon.

The so-called "Putting the Gulf of Mexico Back To Work Act" would deem drilling permits approved after sixty days with or without a completed safety and environmental review. While the intent of H.R. 1229 is to clearly to expedite permitting, the reality is that this kind of "drill first, ask questions later" approach could easily result in fewer drilling permits being issued as the Interior Department could in many cases simply be forced to reject permits that are still in process rather than having them "deem approved" without adequate safeguards in place.

H.R. 1231 proposes to expand the scope of this initiative's overarching recklessness by opening much of the outer continental shelf on

the Atlantic and Pacific coasts to drilling before Congress has enacted a single legislative reform to improve safety. Lost in all of the rhetoric is the reality that oil and gas companies are already today sitting on more than 60 million acres of public lands with an estimated 11.6 billion barrels of oil and 59.2 trillion cubic feet of natural gas that have yet to be developed—or nearly as much oil and natural gas as could realistically be recovered by drilling up and down the east and west coasts.

Mr. Speaker, this country deserves better than carelessness masquerading as an energy policy. We need to end the billions in wasteful subsidies for the already highly profitable oil and gas industry and accelerate the development and deployment of clean energy alternatives that will power the 21st century.

DOMESTIC FUEL FOR ENHANCING NATIONAL SECURITY ACT OF 2011

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. INSLEE. Mr. Speaker, today, I am introducing the bipartisan Domestic Fuel for Enhancing National Security (D-FENS) Act 2011, which will allow Civilian Agencies and Military Agencies to extend multiyear contracts from the current limit of 5 years to up to 15 years for the purchase of advanced biofuels. I thank my colleague Mr. JONES of North Carolina for working with me on this issue, which will increase our national security and help build an American industry.

Accounting for about 2 percent of U.S. energy consumption, the Department of Defense is the largest single consumer of energy in the country. According to Admiral Mike Mullen, Chairman of the Joint Chiefs of Staff, "[the Department of Defense] is using 300,000 barrels of oil every day. The energy use per soldier creeps up every year. And our number-one import into Afghanistan is fossil fuel."

U.S. Navy Secretary Ray Maybus has outlined several goals to lead the Navy toward a more energy-secure fleet. By 2015, the Navy will reduce petroleum use in the commercial fleet by 50 percent. By 2020, the Navy will produce at least 50 percent of shore-based energy requirements from alternative sources and 50 percent of total energy consumption will come from alternative sources.

No one knows better than the Department of Defense that energy supplies are critical to combat troops and our national security. To ultimately realize these goals, we must dramatically scale-up advanced biofuel production in the United States. With added Congressional authority to purchase longer-term contracts, our defense sector could adopt domestically produced sustainable fuels for the security of our troops.

Companies already have developed technologies to produce "drop-in" ready fuels, meaning our military could use these fuels in existing infrastructure, aircraft and ships. The longer-term contracts provided by this bill will not only increase our energy security, but can ultimately help unlock private investment for construction and development of large advanced biofuel refineries in the United States.

In states like Washington, North Carolina, California, Montana and others, interests from the private sector, universities, ports and major airports are already working to bring the first generation of biofuels to the market, and their efforts can be greatly enhanced by this legislation.

Washington state and the Pacific Northwest are well-positioned to commercialize aviation biofuels—all elements of the supply chain are feasible, and the region has come together to map out a strategic and sustainable path to bring advanced bio-based jet fuels to market. Already in the Northwest, 40 public and private stakeholders from academic research institutions, environmental advocacy, and government, and the aerospace and aviation, biofuels, and agriculture and forestry industries have formed the Sustainable Aviation Fuels Northwest (SAFN) initiative. This effort was convened by regional aviation leaders Boeing, Alaska Airlines, the region's largest airports—Port of Seattle, Port of Portland and Spokane International Airport—as well as Washington State University, a center of advanced biofuels research. Stakeholders include fuel producers, farm and forest managers, non-governmental organizations and key government leaders, including representatives from the U.S. Department of Agriculture (USDA) and the Defense Logistics Agency. This diverse group representing all points along the supply chain is working to create a “flight path” that will overcome challenges to deploying advanced aviation biofuels. This legislation will support Washington's effort to make the Northwest region a market leader in the advanced biofuel industry.

With our nation's security and energy independence in mind, I urge my colleagues to support the Domestic Fuel for Enhancing National Security (D-FENS) Act 2011.

IN RECOGNITION OF CHRISTINA M. GOLEZ

HON. JOHN GARAMENDI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. GARAMENDI. Mr. Speaker, I rise today in honor of Police Officer Christina M. Golez, who is retiring after nearly 27 years of law enforcement service—24 years of service to the City of Fairfield and a combined two years with the Yolo County Sheriff's Department and the Antioch Police Department. As her colleagues, friends and family gather together to celebrate the next chapter of her life, I ask all of my colleagues to join me in saluting this outstanding public servant and defender of peace and safety.

Christina started her law enforcement career as a Reserve Police Officer with the Antioch Police Department. She was then hired as a Deputy Sheriff by the Yolo County Sheriff's Department in November of 1985 and on August 18, 1986, she was hired as a Police Officer with the Fairfield Police Department. Christina worked in various capacities that included Patrol, Investigations, Youth Services, School Resource Officer, Cadet Advisor, Gang Suppression, Police Probation Team, Crime

Scene Investigator, and Property. She received numerous commendations for her performance including Police Officer of the Year for 1997.

Christina's two most significant contributions to the Police Department were her expertise as a composite sketch artist and her talent in mentoring youths within the community. Her artistic talent and ability to create like images of suspects has helped solve numerous crimes in Fairfield. Her work as a Cadet Advisor and Diversion Officer was also exceptional. She intervened at many different levels by confronting and challenging youths that were showing destructive behavior through the appropriate amount of counseling and intervention opportunities for them and their families. Christina's work has made a difference to the citizens of Fairfield.

Christina was a valued employee and leader and her commitment to the community was evidenced on a daily basis. She was a loyal representative of the law enforcement community and admired for her hard work, dedication, and positive work ethic.

Mr. Speaker, I am truly honored to pay tribute to this dedicated public servant. I ask all of my colleagues to join with me in wishing Christina M. Golez continued success and happiness in all of her future endeavors.

HONORING NORWALK,
CONNECTICUT POLICE OFFICERS

HON. JAMES A. HIMES

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. HIMES. Mr. Speaker, I rise today to recognize and honor the police officers who have dedicated their lives to serving the people of Norwalk, Connecticut.

Since its formation in 1913, the Norwalk Police Department has improved the quality of life for generations of citizens. Its officers' vigilant protection of the city's residents and their property has formed the foundation of public peace, order and tranquility that has allowed Norwalk to prosper.

Every day, Norwalk's police officers take on the responsibility of keeping the city safe. It can be a dangerous job. Five times in its history, the Norwalk Police Department has suffered the loss of one of its own in the line of duty. Sergeants Frank S. Stratton and Nicholas W. Fera, and Officers Sherrald Gorton, Marco Carias and Matthew Morelli each lost their lives in service to the community they sought to protect. We are forever indebted to them, and I join the people of Norwalk in honoring their memory today.

We also remember the retired officers of the Norwalk Police Department who passed away this year. All who serve today carry on a proud tradition inherited from those who wore the uniform in days gone by. We commemorate their service and we celebrate their lives.

Every officer deserves our praise. Their daily work makes it possible for each of us to enjoy the benefits of liberty, secure in the knowledge that our neighborhoods and places of business are safe. The dedication of Norwalk's officers to preventing crime and edu-

cating the public has spared so many families from experiencing unnecessary tragedy. And their collaboration with residents and business owners has promoted a sense of shared responsibility that makes the city an example to other communities nationwide.

To every officer who has served Norwalk with pride in years past, and every officer serving today, I offer my gratitude. And to the families of those men who gave their lives in the line of duty, I express the eternal thanks of a city, a state and a nation that can never say “thank you” enough.

CONGRATULATING THE ST. SEBASTIAN PARISH ON THE 90TH ANNIVERSARY OF THE ST. SEBASTIAN FEAST

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to extend my sincere congratulations to the St. Sebastian Parish as they celebrate the 90th Anniversary of the St. Sebastian Feast. This wonderful annual celebration has become one of Middletown, Connecticut's most beloved community events. This is a remarkable milestone and I am proud to have this opportunity to commemorate this very special anniversary.

The Feast of St. Sebastian is a blend of faith, culture, and tradition. The three-day event reconnects city residents to their Sicilian heritage. The tradition dates back to 1414, when it is said that a statue of St. Sebastian washed up on the shores near Melilli, a small town in Sicily. No one could lift the statue except for the residents of Melilli, and they carried it to a place where they later built a church in the saint's name.

In the early 20th Century, immigrants from Melilli moved in large numbers to Middletown and soon there were enough families there to form a vibrant and close-knit Italian community that desired its own place of worship. Through a massive fundraising effort, the donation of materials, and the labor of masons, plasterers and stone carvers, the Italian community realized the dream of its own church, a significant local cultural symbol and the only Italian national parish in the Diocese of Norwich. The Feast of St. Sebastian was first celebrated in Middletown in 1921 and proceeds from the feast's early years helped finance the building of the church.

Today, the Feast is run by a committee of dedicated congregation members and proceeds continue to benefit the church. Carnival rides, traditional Italian fare, and musical entertainment are part of the festivities, but the heart of the event happens Sunday, when, after Mass, the church's statue of St. Sebastian is carried in a procession and I Nuri, a group dressed in white with red sashes, run barefoot or in socks in a show of devotion for the saint. The procession has grown to include hundreds of people and, as you might imagine, it is an extraordinarily beautiful demonstration of faith and culture.

It is events like the Feast of St. Sebastian, those forged in the bonds of family and community, which allow generation after generation to understand and celebrate their shared heritage. They enrich our communities as well as renew our commitment to faith and family. I am honored to stand today to extend my warmest congratulations to the St. Sebastian Parish and its many families as they celebrate the 90th Anniversary of their Feast of St. Sebastian. The Feast is a real community treasure and I wish them all the best for many more successful years to come.

A TRIBUTE TO BETTY JEAN
VERETT PEPPER

HON. RANDY NEUGEBAUER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. NEUGEBAUER. Mr. Speaker, Betty Jean Verett Pepper was born on April 28, 1931, in Crosby County, Texas, to Charley and Maggie (Fenoglio) Verett. She was the youngest of the family's nine children who were raised working on the family farm. Betty Jean graduated from Ralls High School and went on to graduate from Texas Technological College in Lubbock, Texas, in 1952.

At Texas Tech she met Herbert Leslie Pepper and they married in 1953. Leslie and Jean moved to the San Antonio area where their three sons were born and raised, also working on the family farm and in agriculture-related businesses.

Now back in Lubbock and known as Mama Jean to her own family and the expanded Verett families, she not only remembers the birthdays, anniversaries and other special occasions of this group, but personally calls each one on those special days.

That is why we want to take this opportunity to remember her 80th birthday on April 28, 2011, and to wish her many more joyous celebrations with her sons, six grandchildren and three great-grandchildren.

COMMEMORATING THE 25TH ANNIVERSARY OF THE ASIAN & PACIFIC ISLANDER AMERICAN HEALTH FORUM

HON. JUDY CHU

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. CHU. Mr. Speaker, I rise today to recognize the board and staff of the Asian & Pacific Islander American Health Forum on the 25th anniversary of their founding. They are guided by a mission to influence policy, mobilize communities, and strengthen programs and organizations to improve the health of Asian Americans, Native Hawaiians, and Pacific Islanders. As the largest national Asian American, Native Hawaiian and Pacific Islander advocacy organization in the country, they maintain strategic relationships to move sound policy forward that benefit our communities.

Founded in 1986, the organization came together in response to the federal government's first groundbreaking report on minority health. "The Secretary's Report on Black and Minority Health" erroneously concluded that Asian Americans and Pacific Islanders were healthier than other minorities despite the "paucity of data." Community leaders, advocates and medical providers who served Asian American populations came together to challenge this "model minority" myth and formed the Asian American Health Forum, solidifying the visionary idea of a national organization that would grow into the Asian & Pacific Islander American Health Forum. Working out of a basement of the old Chinese Hospital in San Francisco Chinatown with few staff, the organization has now grown to be a national organization with over 30 staff headquartered in San Francisco, an office in Washington, DC, and a national network comprised of more than 15 groups.

Over the years the Asian & Pacific Islander American Health Forum has reached several milestones. In the early '90s, the organization received funding from the Department of Health and Human Services to implement innovative outreach programs targeting chronic disease issues in the Asian American and Pacific Islander communities, like HIV/AIDS and Hepatitis B. As the number of API individuals in the U.S. increased, the organization continued to grow to do work to improve the health of the community by developing tobacco cessation programs, cancer education and outreach programs and reducing domestic violence. In 2006, the Asian & Pacific Islander American Health Forum received the largest ever philanthropic investment in Asian American, Native Hawaiian, and Pacific Islander communities through a \$16.5 million grant by the W.K. Kellogg Foundation which has helped build capacity across the country through the Health Through Action Program. Today the organization continues to advocate on behalf of our communities as the Affordable Care Act is implemented.

As the Chairwoman of the Congressional Asian Pacific American Caucus, I have had the privilege of working with the Asian & Pacific Islander American Health Forum to eliminate health disparities in this country. Their analysis and research have informed the work of policymakers for many years at the local, state and national level. The work produced by its programs and divisions are valuable resources for community groups, legislators, agencies and researchers in understanding the unique health issues that affect Asian American, Native Hawaiian and Pacific Islander populations.

On behalf of the Congressional Asian Pacific American Caucus, I would like to once again congratulate the Asian & Pacific Islander American Health Forum on their 25th anniversary and wish them the best in their work to achieve health justice over the next 25 years and beyond.

OPPOSING GIVEAWAYS TO BIG OIL AND DRILLING OFF THE CALIFORNIA COAST

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. STARK. Mr. Speaker, I rise today in strong opposition to allowing drilling off the California Coast and dismantling basic oil drilling safeguards.

Barely a year after the worst environmental disaster in our history, Republicans have brought legislation (H.R. 1231) to the floor that shows they are suffering from amnesia. This legislation, when coupled with the two earlier drilling bills—H.R. 1229 and H.R. 1230—would mandate that vast swaths of the East and West Coasts be open to drilling, while fast-tracking new leases without sufficient safety or environmental review.

Under H.R. 1231, the Interior Department would have to make at least half of the Outer Continental Shelf (OCS) available to leasing, including the California Coast, regardless of state objections or safety, economic, or environmental concerns. This is on top of the two earlier bills that would actually make drilling safeguards weaker than they were before the BP Spill while destroying judicial review of leasing decisions.

This legislation does nothing to bring down gas prices. It is nothing more than a gift-wrapped handout to the oil industry. Republicans are not working to end the \$4 billion in yearly taxpayer subsidies that go to the largest oil companies. They are not working to crack down on the speculation that we know is driving up the price of oil and gas. Instead, they are pushing legislation that would give these companies free reign over our oil reserves and put our coastlines and the jobs that rely on them at risk. The Energy Information Agency has estimated that even if the entire OCS were exploited for oil, gas prices would drop by only three cents—and not until 2030. The U.S. accounts for just 7% of world oil production and we have only 3% of the world's reserves. Despite the bumper sticker slogan of "drill baby drill," we cannot drill our way out of high gas prices.

I urge all of my colleagues to oppose this misguided bill and focus on sustainable and responsible solutions to rising gas prices.

HONORING LANCE CORPORAL
BRANDON JOSEPH LONG

HON. MARLIN A. STUTZMAN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. STUTZMAN. Mr. Speaker, I rise today to honor a true American hero, Lance Corporal Brandon Joseph Long of the 3rd battalion, 5th Marines, "Darkhorse" Lima Company from my district in Ft. Wayne, Indiana. On September 27, 2010, while out on point in Helmand Province, Afghanistan, Brandon stepped on a pressure plate which nearly cost him his life. He died four times on that day. He

said the thought of Nicole and his child Clair kept him alive and that he left his body, but when he rose up to Heaven they told him that it was not his time. He has been part of one of the most courageous units, losing over 150 United States Marines. In a few short months he has come so far and a large part is due to his family. His lovely supportive wife and new born child have put a smile on his face and given him something to live for. Some people are put upon this earth to teach us and inspire us. Well, Brandon is one of those people. In honor of Brandon, I ask that this poem, penned by Albert Caswell, be placed in the RECORD.

U . . . B . . . LONG!

U . . .
U . . . B . . .
U . . . B . . . LONG!
As Brandon, as is your fine life's song. . . .
With but the greatest of all Americans, so
very strong. . . .
All in our nation's history, who now so be-
long. . . .
Belong, to the defenders of the free!
As there is but such a list of most magnifi-
cent Americans, so indeed!
Who all for our Country Tis of Thee, would
so die and bleed!
Ooo . . . rah Jar Head, As a United States
Marine we see!
As Freedom Fighters, who but bring our lib-
erty!
All to leave, a better world for you and
me. . . .
Men and women, of such magnificent
grace. . . .
Who one and all, the darkest of all evils so
face. . . .
With tears in eyes, as they so watched their
fine brothers die as still they kept
pace. . . .
And still so valiantly marched onward, as
their most heroic hearts so raced. . . .
The ones, such men of The Dark Horse who
came home without arms and legs. . . .
All in their most amazing grace, teaching us
all the meaning of courage and
faith. . . .
And now comes another honored name. . . .
Lance Corporal Brandon Long, of Lima Co.
as one in the same. . . .
For in our nation's history, have but come
such Hoosiers so indeed. . . .
Such fine patriots of peace, sons and daugh-
ters who so believe. . . .
Who are a part of one of the greatest fighting
machines, The United States Marines!
Who once upon battlefields of honor seen, so
courageously fought all in green. . . .
As Brandon, as was your sheen!
And when, all out on point as an IED explo-
sion almost took your life. . . .
Dying four times, but for his daughter and
wife. . . . somehow your strength ig-
nited!
At Heaven's gate, you said you were told it's
not your time yet. . . .
As when you Marine, your new battle had
just begun. . . .
As . . . The Walls . . . came tumbling down
. . . tumbling down, you Indiana's son!
All in your most magnificent shades of
green, all in what must be won!
As when you awoke, and you did not just
step . . . but began to run. . . .
Running to recovery, as deep down inside
. . . your fine heart shone like the sun!
Bringing you back from the dead, as you lift-
ed up your head. . . .
And saw what you had left, take the hill Ma-
rine . . . as all of our lives you so bless!

As You So Teach Us . . . and So Beseech Us
. . . and So Reach Us, oh so yes!
All with what that you so had left, as your
courage began to crest!
All for his beautiful daughter Claire and his
lovely wife Nicole so yes. . . .
As you so reached so deep down inside, your
fine soul!
To find that kind of courage, that you can
only find in hearts of gold!
And if ever I had a son, I wish he could be
like you the one. . . .
Who such magnificent courage so holds. . . .
Who all in his most heroic shades of green, is
but a fine champion so seen. . . .
For only so few in our Nation's history, have
so lived so such lives so splendidly!
And took up that charge, and into that val-
ley of death so marched. . . .
All so that we may be free!
All out on their most heroic course, to make
a difference with it all and go forth!
And so answered out Nation's call. . . .
For only a few will know this song, for only
a few to such heights will belong. . . .
Right at the top of that list! As America's
greatest of all sons . . . their song!
Oh yes Brandon, that's U . . .
U . . . B . . .
U . . . B . . . Long!

U.S.-KOREA FREE TRADE AGREEMENT (KORUS FTA)

HON. TOM REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. REED. Mr. Speaker, two weeks ago, I had the privilege of visiting the Republic of Korea through their Congressional Member Exchange Program. In just 3 busy days, I was able to meet and converse with top officials in the Korean Government, my counterparts in the Korean National Assembly, business lead-ers, Korean War veterans and members of the Armed Forces.

My father was a veteran of the Korean War, so it was particularly touching and meaningful for me that I was able to visit the Korean War Memorial and Exhibition, lay a wreath and to meet with officials at the Ministry of Patriots and Veterans Affairs. My visit to the War Memorial served as a sobering reminder of the cost of freedom that was paid 60 years ago through the service and sacrifice of all Korean War veterans.

I had similar chills the next day, when our delegation visited the Demilitarized Zone and the Joint Security Area. It is difficult, if not im-possible, to describe the flood of emotions I felt looking out across the DMZ and realizing what life is like in North Korea, a country with one of the world's most oppressive govern-ments and, because of that, one of the world's poorest populations.

While these two occasions were strikingly memorable, they provided an important frame-work for when I had the opportunities to meet with Korean business leaders about trade, in-vestment, and tourism.

Prior to my election as a Member of Con-gress, it was my great privilege to serve as mayor of Corning, New York, and of course Corning is part of the 29th congressional dis-trict that I am honored to represent. Corning is

home of Corning Incorporated, a Fortune 500 company with interests and facilities across the globe—including in South Korea.

While in Korea, I was taken on a tour of Samsung Corning Precision Materials and was given a very informative briefing about the company's activities which are critical to my district. I also had an opportunity to do one of my favorite things—talk about the great wines produced in the Finger Lakes region of New York. Korean consumers are quite discrimi-nating wine drinkers and, as you might expect, have developed a taste for fine wine from the United States, especially from New York wineries.

Currently, however, American wine exports to Korea are subject to a tariff that puts them out of the reach of many potential buyers. There is a glimmer of hope on the horizon, though, once the Congress ratifies and imple-ments the U.S.-Korea Free Trade Agreement (KORUS FTA).

The KORUS FTA reduces Korea's tariff on U.S. wine imports to zero. That will be good for New York vineyards. There are more than 60 family-owned wineries in the area around my hometown, and many of them will benefit immediately from this new tariff-free situation.

In addition to the meetings with business leaders, I also had important discussions with Minister of Foreign Affairs and Trade Sung-Hwan Kim, Deputy Minister for Trade Seok-Young Choi, and National Security Advisor Yung-Woo Chun, as well as with Kyung-Pil Nam, chairman of the Unification, Foreign Af-fairs, and Trade Committee of the Korean Na-tional Assembly. Additionally I met with U.S. Ambassador Kathleen Stephens and President of the American Chamber of Commerce in Korea Amy Jackson.

All of these government leaders were strong advocates of the U.S.-Korea Free Trade Agreement. They did not have to do much to convince me, as I share their advocacy and appreciate their leadership and efforts to con-solidate our alliance partnership overall.

Today, Korea has the world's eleventh-larg-est economy, known for its high-technology in-dustries. It is the seventh-largest trading part-ner of the United States, the fifth largest mar-ket for agricultural goods, and the third largest destination for U.S. foreign direct investment in the Asia-Pacific region.

Bilateral trade between the Republic of Korea and the United States averages about \$80 billion each year. The KORUS FTA rep-resents the largest and most commercially sig-nificant free trade agreement ever signed by the United States in over a decade and since the ratification of the North American Free Trade Agreement.

This free trade agreement will ultimately eliminate tariff and non-tariff barriers, create better jobs, enrich consumer choice, boost in-dustry and enhance overall welfare for both nations. It will immediately eliminate tariffs on almost two-thirds of U.S. agricultural exports worth over \$1.9 billion.

Overall, the KORUS FTA is expected to boost the more than \$80 billion in annual two-way trade between South Korea and the U.S. by \$10 billion to \$20 billion about 5 years after ratification. The reasons for swift approval by the Congress of the Korea-U.S. Free Trade Agreement are numerous and compelling.

In closing, I wish to extend my sincere gratitude to the Government and people of Korea for their tremendous hospitality during my visit 2 weeks ago. In particular, I wish to thank and recognize Korean Ambassador Duk-Soo Han for all his help and support that paved the way for a successful and productive trip. He is a great advocate for his country and I appreciate our mutual friendship.

Mr. Speaker, I came away from my visit emboldened and excited by the opportunities that lay ahead with respect to benefits of the KORUS FTA. On this note, I respectfully urge my colleagues to join me in support of this important agreement. I hope to see it brought up for consideration very soon, so that it can be ratified and implemented at the earliest opportunity.

RECOGNIZING AMBASSADOR TONY
HALL'S HUNGER FAST

HON. FRANK R. WOLF

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. WOLF. Mr. Speaker, I rise today to recognize and commend my dear friend and our former colleague, Ambassador Tony Hall, for his devotion to those less fortunate. Ambassador Hall went on a 28-day fast after learning of proposed budget cuts for programs that help those less fortunate domestically and abroad.

Here are some comments that he made regarding his recent fast:

"Back in 1993, as a Member of Congress, I went on a 22-day fast to protest the lack of conscience of the U.S. Congress towards poor and hungry people. Now, almost twenty years later, the stakes are even higher. That's why on March 28, 2011—almost one month ago—I stopped eating and started fasting, calling on friends and colleagues from across the country and around the world to join me.

"This coming Easter Sunday I will stop fasting. The Hungerfast campaign is coming to an end, but the movement to ensure our leaders don't balance the budgets on the backs of poor and hungry people is only getting started.

"But before moving forward, I want to pause for a moment to look back on what we have accomplished together, and to express my gratitude for all the ways people have broken out of their normal routines—going above and beyond—in order to make the Hungerfast movement possible.

"Hungerfast has brought together a large and diverse coalition of partners; Meals on Wheels and the ONE Campaign. World Vision and MoveOn.org. Christian, Jewish and Muslim organizations breaking out of business as usual to call their constituencies to fasting, prayer and personal sacrifice.

"With over 36,000 Americans, including 28 Members of Congress, committed to fasting, prayer and other forms of serious personal sacrifice, the HungerFast movement will have repercussions long into the future; it has not only set the stage for our ongoing budget debate, it has moved all of us into deeper levels of solidarity with those who Jesus called, 'the least of these.'

As the Congress continues the budget process, we must carefully consider proposals that impact the most vulnerable. Scripture (Proverbs 19:17) tells us, "He who is kind to the poor lends to the Lord." And in the New Testament Jesus talks a lot about the poor. In Matthew 25 he says that if we ignore the poor and hungry it is the same as ignoring him.

It is imperative that we all work together rein in our nation's unfunded liabilities to ensure that resources are available to help society's neediest and most vulnerable members.

PERSONAL EXPLANATION

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. LANGEVIN. Mr. Speaker, on Tuesday, May 10, 2011, I was unavoidably detained and unable to be in the Chamber for three rollcall votes. Had I been present, I would have voted "yea" on rollcall No. 299, the Polis amendment to H.R. 1229; "yea" on rollcall No. 300, the Garamendi amendment to H.R. 1229; and "yea" on the Markey amendment to H.R. 1229.

HONORING RUTH BURR POWELL

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. KILDEE. Mr. Speaker, I rise today to pay tribute to Ruth Burr Powell, as she celebrates her 100th birthday on September 24th. The Colonial Dames of the 17th Century are hosting a party in Ruth's honor on May 19th in Florida.

Ruth Burr Powell hails from Linden Michigan. She graduated from Linden High School, attended Flint (Mott) Community College, and the University of Michigan. After receiving her Master's Degree in Music and Art from Wayne State University, Ruth taught in the Detroit Public Schools.

A lifelong interest in history and genealogy led her to publish a book on the genealogy of her mother's family. Along with her husband, Harold F. Powell PhD, she inventoried the grave-sites and headstones of Fairview Cemetery. The Cemetery covers 29 acres in Linden and dates back to 1836. Together they wrote a reference book about the Cemetery still in use today. Ruth has served as the Regent of the Ezra Parker Chapter, Daughters of the American Revolution; President of the Huguenot Society of Michigan; Elder of the Society of Mayflower Descendants in Michigan; State President of the Michigan Chapter of the Society of Women Descendants of the Ancient and Honorable Artillery Company; Vice President of the Florida Genealogical Society; and she is a life member of the Linden Chapter of the Order of the Eastern Star. She has volunteered her time with several hereditary societies and with the Historical Collections at the Detroit Public Library and the Florida Genealogical Society Library.

Mr. Speaker, I ask the House of Representatives to join me in wishing Ruth Burr Powell much joy as she celebrates her 100th birthday and for many, many more years to come.

HONORING THE LIFE, SERVICE,
AND SACRIFICE OF MINNESOTA
LAW ENFORCEMENT OFFICERS

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. McCOLLUM. Mr. Speaker, I rise to honor the life and public service of all the brave men and women who gave their life in the line of duty.

As we celebrate National Police Week 2011, let us take time to recognize that our law enforcement officers risk their lives every day to protect our families and keep us safe. Every peace officer serving in Minnesota or any community across this country knows that wearing a uniform carries a special responsibility and exceptional risk.

Today marks nearly one year since Maplewood Police Officer Joseph Bergeron was killed in the line of duty after responding to reports of a suspected carjacking. This was a time of great pain and loss for the State of Minnesota. In the year since, the law enforcement community continues to heal from this loss and will ultimately do so because of their strength and resilience. The residents of the City of Maplewood will continue to have my full support during this time.

We must never forget the heroic sacrifice of our fallen peace officers. The valiant bravery of these brave men and women helps ensure the safety of our families and communities. This National Police Week, I urge my colleagues to join me in honoring the courage and sacrifice of all law enforcement officers who gave their life in the line of duty.

HONORING RABBI HERBERT N.
BROCKMAN ON HIS 25TH ANNI-
VERSARY WITH CONGREGATION
MISHKAN ISRAEL

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. DeLAURO. Mr. Speaker, it is with great pleasure that I rise today to join Congregation Mishkan Israel and the Greater New Haven community in paying tribute to the outstanding efforts of Rabbi Herbert N. Brockman as he celebrates his 25th year of leadership at the synagogue. Rabbi Brockman is not only an exceptional religious leader, but has earned a distinguished reputation as an advocate for social justice and interfaith understanding. His commitment to these issues have enriched the lives of his congregation and fostered better communication and understanding among various community groups. In doing so, he has helped to mold the character of our community—going a long way in creating an environment of mutual awareness and respect.

Though he originally came to Yale Medical School planning to become a psychiatrist, like six generations before him, Rabbi Brockman heard a call to another purpose. Upon completion of his rabbinic studies in the Reform tradition, he served two other synagogues before finding a more permanent home at Mishkan Israel in Hamden, Connecticut.

His experiences led him to a broader world view and it has been through this holistic view of humanity that he has taught and inspired not only his congregation but the community as a whole. Rabbi Brockman holds firm to the belief that in order to really learn you must be willing to listen to opposing viewpoints and while you may not agree, you must respect that there are opinions other than your own.

He is both renowned and beloved for his encouragement of the congregation at Mishkan Israel, and the community at-large, to challenge themselves by approaching political and current issues in different ways. In fact one of the members of Mishkan Israel was recently quoted as saying, "he has brought the congregation to a place of social participation and awareness that does not happen all the time." It has been through his strongly held view that everybody has something to offer and that everyone should be heard that he has become a community leader in interfaith relationships. Indeed, at his Silver Salute, he will be honored by an imam, a bishop, and several ministers—a testament to his advocacy and the respect he has earned throughout our religious communities.

Rabbi Brockman has inspired hundreds to not only talk about those issues that impact our community, but to act on them as well. Among those is Abraham's Tent, a program that Rabbi Brockman helped found which was created to address the problem of the many homeless men who are turned away from shelters because of high demand and limited capacity. Each week a house of worship is opened to these men so that they may have a warm place to sleep at night and volunteers from the congregation also provide them with a hot meal. This effort has not only provided shelter to many who might have otherwise been subjected to the bitter conditions of a New England winter, but has also kept the issues of homelessness at the forefront of our community's public discourse.

Through his spiritual leadership and advocacy for social justice, Rabbi Herbert Brockman has left an indelible mark on our community. His infinite compassion and commitment to service inspires others to make a difference—a gift that has and continues to make the Greater New Haven community a better place to live, learn, and grow. I am so pleased to have the opportunity to extend my deepest thanks to him for all of his good work and to join the congregation of Mishkan Israel in congratulating him on his 25th Anniversary with them. I wish him, his wife, Elin, and their children Harry and Jonathan all the best for many more years of health and happiness.

HONORING SISTER MARY ANN SMITH

HON. THADDEUS G. MCCOTTER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. MCCOTTER. Mr. Speaker, today I rise to honor and acknowledge Sister Mary Ann Smith, President/Principal of Ladywood High School, as she receives the Helen Kern Morris Award from the Father Kern Foundation and Most Holy Trinity Church, located in Southwest Detroit. Each year the Helen Kern Morris Award is presented to an individual who has demonstrated a deep commitment in the Catholic faith and dedication in serving her community and the needs of the less fortunate.

Born in Bronson, Michigan, Sister Mary Ann is the third of four children born to Leo and Martha Smith. She completed her elementary education in Bronson at St. Mary's Assumption and responded to God's calling to enter the Aspirancy of the Felician Sisters. After attending both the Felician Academy in Detroit and Livonia's Ladywood High School, Sister Mary Ann entered the Congregation of the Sisters of St. Felix of Cantalice, Felician Sisters. She earned a Bachelor of Arts Degree in Music/Education from Madonna University in 1972 and went on to Wayne State University where she earned a Masters in Music/Education in 1980. Impressively in 1987, Sister Mary Ann received a Master's Degree in Educational Administration at the University of Dayton. From the State of Michigan she obtained Administrative Certification K-12 Building Level Leadership Improvement, a Secondary Certificate in Music-K-12 and in Music 9-12.

Sister Mary Ann Smith has served on numerous Boards and Committees in the academic community, is a member of the Livonia Chamber of Commerce and is a choir member and cantor at St. Monica Parish. She taught school in Detroit, Hamtramck, Wyandotte, Bay City and Livonia and served as Principal at St. Florian High School in Hamtramck before becoming Principal/President of Ladywood High School in my hometown of Livonia.

Mr. Speaker, Sister Mary Ann Smith has bettered the lives of countless students. Celebrating more than 40 years in Catholic Education, Sister Mary Ann Smith has been a member of the Congregation of the Sisters of St. Felix of Cantalice for 44 years. As she receives this much deserved award for her tireless efforts on the behalf of the youth of our metropolitan area, I ask my colleagues to join me in applauding her legendary leadership, and in thanking her for her unfaltering service to our community and our country.

INTRODUCING THE INDUSTRIAL HEMP FARMING ACT

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. PAUL. Mr. Speaker, I rise to introduce the Industrial Hemp Farming Act. The Indus-

trial Hemp Farming Act requires the Federal Government to respect State laws allowing the growing of industrial hemp.

Nine States—Hawaii, Kentucky, Maine, Maryland, Montana, North Dakota, Oregon, Vermont, and West Virginia—allow industrial hemp production or research in accord with State laws. However, Federal law is standing in the way of farmers in these States growing what may be a very profitable crop. Because of current Federal law, all hemp included in products sold in the United States must be imported instead of being grown by American farmers.

Since 1970, the federal Controlled Substances Act's inclusion of industrial hemp in the schedule one definition of marijuana has prohibited American farmers from growing industrial hemp despite the fact that industrial hemp has such a low content of THC (the psychoactive chemical in the related marijuana plant) that nobody can be psychologically affected by consuming hemp. Federal law concedes the safety of industrial hemp by allowing it to be legally imported for use as food.

The United States is the only industrialized nation that prohibits industrial hemp cultivation. The Congressional Research Service has noted that hemp is grown as an established agricultural commodity in approximately 30 nations in Europe, Asia, North America, and South America. The Industrial Hemp Farming Act will relieve this unique restriction on American farmers and allow them to grow industrial hemp in accord with State law.

Industrial hemp is a crop that was grown legally throughout the United States for most of our Nation's history. In fact, during World War II, the Federal Government actively encouraged American farmers to grow industrial hemp to help the war effort. The Department of Agriculture even produced a film "Hemp for Victory" encouraging the plant's cultivation.

In recent years, the hemp plant has been put to many popular uses in foods and in industry. Grocery stores sell hemp seeds and oil as well as food products containing oil and seeds from the hemp plant. Industrial hemp is also included in consumer products such as paper, cloths, cosmetics, carpet, and door frames of cars. Hemp has even been used in alternative automobile fuel.

It is unfortunate that the Federal Government has stood in the way of American farmers competing in the global industrial hemp market. Indeed, the founders of our Nation, some of whom grew hemp, would surely find that federal restrictions on farmers growing a safe and profitable crop on their own land are inconsistent with the constitutional guarantee of a limited, restrained Federal Government. Therefore, I urge my colleagues to stand up for American farmers and cosponsor the Industrial Hemp Farming Act.

HONORING BRAIN CENTER HEALTH AND REHABILITATION OF HENDERSONVILLE, NORTH CAROLINA

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Brain Center Health and Rehabilitation

of Hendersonville, North Carolina, during this year's National Nursing Home Week.

Brain Center Health and Rehabilitation provides extended care and skilled nursing services to seniors with short-term and long-term disabilities. The center houses a dedicated staff that provides 24-hour continuous care throughout the year to 120 patients. Through associate partners, they are able to offer reliable and high-quality medical assistance to residents in multiple states.

In celebration of this year's National Nursing Home Week, the theme of which is "fulfilling the promise," Brain Center Health and Rehabilitation Center will host events to recognize residents and staff that focus on maintaining the high level of care that helped it be named one of the only 5 Star centers in the region.

I would like to applaud and thank the skilled and trained staff members of Brain Center Health and Rehabilitation. Their focus on individualized care respects the rights and dignity of their residents and their philosophy of caring and curing provides quality results.

Mr. Speaker, in recognition of their excellence in care, I ask my colleagues to join me in celebrating the staff and residents of Brain Center Health and Rehabilitation.

JOHN PANGELINAN GERBER POST
OFFICE BUILDING

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to introduce a bill to rename the U.S. Post Office Building in Barrigada, Guam, the John Pangelinan Gerber Post Office Building. John Gerber, a former Marine and lifetime resident of the village of Ordot, Guam, passed away on May 4, 2010, at the age of 58.

John Vincent Pangelinan Gerber was born in Guam on May 31, 1951. The eldest son of Martin and Dolores Gerber, John attended Barrigada Junior High School, Father Duenas Memorial School and George Washington High School. On June 4, 1969, immediately after graduating from high school, John enlisted in the United States Marine Corps. Upon completion of basic training at Marine Corps Recruit Depot in San Diego, John was deployed to Vietnam where he served with the Fleet Logistics Command in support of the 1st and 3rd Marine Divisions. After completing his tour in Vietnam, John was assigned to Marine Barracks Guam where he would remain until he was honorably discharged as a Corporal from the Marine Corps on June 3, 1975.

Following his service in the Marine Corps, John returned to Guam and became a radio disc jockey with his signature "Wireless Rock" program. He had the most popular radio show on Guam at the time, and he was a local celebrity. As his program's popularity soared, John showed his business acumen by opening a record store called the Wireless Rock Music Box. John was an entrepreneur and he combined his love of our island and our ocean with a business venture, establishing a charter boat tour company that offered visitors a tour of Guam's best diving and fishing spots and

Chamorro fiesta food on board. He promoted the Chamorro culture in his tours and was one of the pioneers of what is now recognized as culture-based eco-tourism.

In 1992, John joined the Guam Chapter of the 3rd Marine Division Association. As a member of this organization, John devoted his time and energy to helping fellow Marines and veterans. He was active in promoting and preserving the history of the 3rd Marine Division and its role in the War in the Pacific and the Liberation of Guam during World War II. He was a history buff and he immersed himself in collecting memorabilia and military equipment from the World War II era.

John also promoted the idea of welcoming active duty Marines and other servicemembers who visited Guam on temporary duty or deployments. He teamed up with the Guam Chamber of Commerce's Armed Forces Committee and veterans organizations to host fiestas for visiting Marines, World War II veterans, and military units deployed to Guam. He hosted numerous fiestas each year and it is estimated that his hospitality was appreciated by nearly 20,000 servicemembers who visited his home in Ordot called "Gerber's Ranch." Gerber's Ranch was a mini-complex of outdoor pavilions, cooking facilities, and a mini-museum of his collection of World War II memorabilia. John collected and restored many World War II armored vehicles, weapons and uniforms and artifacts. His collection was known worldwide among Marines and his mini-museum was visited by many of the Marine Corps' senior leadership, including the Commandant.

John worked tirelessly to educate the public about Guam's significance during World War II and the Marine Corps' role in liberating the island. On July 21, 2008, the 64th anniversary of Liberation of Guam, John opened the Pacific War Museum, transferring his collection to a site more accommodating to the public. This facility, located below a bluff named after U.S. Navy Admiral Chester W. Nimitz, served as an appropriate display venue for John's collection of World War II-era memorabilia and military equipment.

In 2004, John was instrumental in an effort to rename Route 1 on Guam from Marine Drive to Marine Corps Drive to clarify that this highway honors the 1,548 Marines who lost their lives and the 6,000 Marines that were wounded during the Liberation of Guam, and that it is not named Marine Drive because it parallels Guam's western shoreline as many tourists believe. When the bill stalled in the Guam Legislature, John called attention to this issue by walking the entire 27 miles from Andersen Air Force Base to Naval Base Guam pulling a handcart with a billboard that demanded action. His walk, which occurred during the morning rush hour, captured the public's admiration and support for this audacious stunt. John went to this extreme to ensure that our community will always remember the heroism of the Marines who liberated Guam, especially those who gave the ultimate sacrifice for our freedom. The following day, Route 1 was officially renamed Marine Corps Drive by an Executive Order of the Governor, overcoming the objections of the Legislature.

John was elated when the Department of Defense announced in 2005 that Marines from

the 3rd Expeditionary Force would be transferred from Okinawa, Japan to Guam. He viewed the relocation of the 3rd Expeditionary Force as a homecoming for the Marine Corps and was always the first to defend the Marine Corps when members of the community made negative comments about "his" Marines.

After his passing, community leaders, family, friends, and John's fellow servicemembers spoke fondly of John's service and his dedication to honoring his fellow Marines and veterans. On April 16, 2011, the Marine Corps Heritage Foundation posthumously awarded John Gerber the prestigious Colonel John H. Magruder Award in Quantico, Virginia. This national award recognizes an individual or organization for their excellence in depicting and perpetuating Marine Corps history.

Mr. Speaker, John Gerber was a proud son of Guam who dedicated his life to honoring his beloved Marines, veterans, and the people of Guam. Renaming the Guam Main Post Office Facility will serve as a permanent honor to the legacy and memory of John Pangelinan Gerber, and I urge my colleagues to support this bill.

INTRODUCTION FOR A RESOLUTION
SUPPORTING THE GOALS
AND IDEALS OF NATIONAL
ASIAN AND PACIFIC ISLANDER
HIV/AIDS AWARENESS DAY

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, May 11, 2011

Ms. BORDALLO. Mr. Speaker, today I have introduced a resolution to honor the memory of 3,408 Asian Americans, Native Hawaiians, and Pacific Islanders we have lost to AIDS, and to recognize the 9,000 whom are still living with HIV/AIDS in the United States. It supports the goals and ideals of National Asian and Pacific Islander HIV/AIDS Awareness Day, its observance, and, draws attention to the stigma and disparities that hinder proper treatment and prevention within these communities.

Asian Americans and Pacific Islanders comprise more than 40 different ethnic subgroups, speaking more than 100 languages and dialects. This resolution recognizes the importance of providing access to culturally- and linguistically-competent services, especially HIV testing. According to an analysis of recent data from the Centers for Disease Control and Prevention (CDC), Asian Americans and Pacific Islanders were the only racial/ethnic groups with a statistically significant increase in new HIV diagnoses. The CDC estimates that 37% of the HIV diagnoses among these communities progress to AIDS in less than 12 months. Additionally, the CDC estimates that 1 in 3 Asian Americans, Native Hawaiians, and Pacific Islanders living with HIV/AIDS are unaware they are infected.

Yet, with increasing rates of infection, they continue to have the lowest rates of access to HIV testing services. Although there are a number of factors that contribute to increasing rates of infections, stigma and discrimination associated with HIV/AIDS has proved to be a

leading factor in low testing rates and increased risk-taking behaviors.

The observance of National Asian & Pacific Islander HIV/AIDS Awareness Day was established by the Banyan Tree Project, and began as a national campaign to raise awareness of the impact of the HIV/AIDS-related stigma and how it contributes to lower testing rates and greater risk-taking behaviors.

I look forward to working with my colleagues in addressing this need and advancing the larger cause of reducing HIV/AIDS-related stigmas and disparities in access to HIV prevention, testing, and treatment. I would like to thank my colleagues, Representative HONDA, Representative FALOMAVAEGO, Representative WU, Representative PIERLUISI, Representative MALONEY, Representative CONNOLLY, Representative CHRISTENSEN, Representative LEE, Representative GRIJALVA, Representative AL GREEN, Representative ROBERT SCOTT, Representative SABLAN, and Representative McDERMOTT for their support as original co-sponsors to this resolution.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 12, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 17

9:30 a.m.

Foreign Relations

To hold hearings to examine strategic implications of Pakistan and the region.

SD-419

10 a.m.

Banking, Housing, and Urban Affairs

To hold hearings to examine oversight and reauthorization of the Export-Import Bank of the United States.

SD-538

Energy and Natural Resources

To hold hearings to examine S. 516, to extend outer Continental Shelf leases to accommodate permitting delays and to provide operators time to meet new drilling and safety requirements, S. 843, to establish outer Continental Shelf lease and permit processing coordination offices, S. 916, to facilitate appropriate oil and gas development on

Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and S. 917, to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf.

SD-366

Finance

To hold hearings to examine financing 21st century infrastructure.

SD-215

Judiciary

Immigration, Refugees and Border Security Subcommittee

To hold hearings to examine improving security and facilitating commerce at America's northern border and ports of entry.

SD-226

10:15 a.m.

Appropriations

Transportation and Housing and Urban Development, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Federal Railroad Administration and the National Railroad Passenger Corporation.

SD-138

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing the United States Northern Command (NORTHCOM) and the United States Southern Command (SOUTHCOM).

SVC-217

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine addressing the U.S. Postal Service's financial crisis.

SD-342

2:15 p.m.

Foreign Relations

Business meeting to consider S. 618, to promote the strengthening of the private sector in Egypt and Tunisia, S. Con. Res. 15, supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative, and the nominations of Daniel Benjamin Shapiro, of Illinois, to be Ambassador to Israel, Stuart E. Jones, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan, George Albert Krol, of New Jersey, to be Ambassador to the Republic of Uzbekistan, and Henry S. Ensher, of California, to be Ambassador to the People's Democratic Republic of Algeria, all of the Department of State, and Mara E. Rudman, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development, and a promotion list in the Foreign Service.

S-116, Capitol

2:30 p.m.

Health, Education, Labor, and Pensions

To hold hearings to examine strengthening medical and public health preparedness and response.

SD-430

3:30 p.m.

Intelligence

To hold hearings to examine the nomination of Lisa O. Monaco, of the District of Columbia, to be an Assistant Attorney General, Department of Justice.

SD-562

MAY 18

9:30 a.m.

Banking, Housing, and Urban Affairs

Securities, Insurance and Investment Subcommittee

To hold hearings to examine the state of the securitization markets.

SD-538

10 a.m.

Homeland Security and Governmental Affairs

Business meeting to continue consideration of S. 772, to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service, S. 550, to improve the provision of assistance to fire departments, and S. 792, to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

SD-342

Judiciary

To hold hearings to examine improving efficiency and ensuring justice in the immigration court system.

SD-226

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine the current materiel readiness of U.S. Forces in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on improving Veterans Affairs and Department of Defense collaboration.

SR-418

2:30 p.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates and justification for fiscal year 2012 for the Department of Energy.

SD-192

Foreign Relations

European Affairs Subcommittee

To hold hearings to examine Administration priorities for Europe in the 112th Congress.

SD-419

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 220, to provide for the reforestation of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 270, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, S. 278, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, S. 292, to resolve the claims of the Bering Straits Native

Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, S. 382, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other permits, S. 427, to withdraw certain land located in Clark County, Nevada, from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, S. 566, to provide for the establishment of the National Volcano Early Warning and Monitoring System, S. 590, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands, S. 607, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, S. 617, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, S. 683, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 729, to validate final patent number 27-2005-0081, S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, S. 896, to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, and S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs.

SD-366

Armed Services

SeaPower Subcommittee

To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-232A

MAY 19

10 a.m.

Foreign Relations

To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-419

Homeland Security and Governmental Affairs

To hold hearings to examine ten years after 9/11, focusing on if intelligence reform is working, part II.

SD-342

2:30 p.m.

Foreign Relations

African Affairs Subcommittee

To hold hearings to examine the next steps in Cote d'Ivoire.

SD-419

Energy and Natural Resources

Water and Power Subcommittee

To hold hearings to examine S. 201, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, S. 333, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch, S. 334, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, S. 419, to authorize the Dry-Redwater Regional Water Authority System, S. 499, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, S. 519, to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and S. 808, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District.

SD-366

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 24

9 a.m.

Foreign Relations

To hold hearings to examine al Qaeda, the Taliban, and other extremist groups in Afghanistan and Pakistan.

SD-419

2:30 p.m.

Judiciary

To hold hearings to examine certain nominations.

SD-226

MAY 25

10 a.m.

Homeland Security and Governmental Affairs

To hold hearings to examine how to save taxpayer dollars, focusing on case stud-

ies of duplication in the Federal Government.

SD-342

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on meeting the needs of service members and veterans.

SR-418

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD-192

2:30 p.m.

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 233, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, S. 375, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 714, to reauthorize the Federal Land Transaction Facilitation Act, and S. 730, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act.

SD-366

MAY 26

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).

SVC-217

JUNE 15

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.

SD-192

JUNE 16

10:30 a.m.

Energy and Natural Resources

To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

SENATE—Thursday, May 12, 2011

The Senate met at 9:30 a.m. and was called to order by the Honorable MARK BEGICH, a Senator from the State of Alaska.

PRAYER

The PRESIDING OFFICER. Today's opening prayer will be offered by Father Steven E. Boes, the national executive director of Boys Town in Boys Town, NE.

The guest Chaplain offered the following prayer:

Creator God, we ask Your blessing upon the men and women of the Senate. Give them the wisdom of Father Edward Flanagan, the founder of Boys Town, who taught America that "there are no bad boys; only bad environment, bad training, and bad example." Help us as a nation to save children by healing families so that they can provide the good environment, training, and example our young people need to be healthy, productive citizens. Please inspire our Senators to work together to strengthen our families and communities so that our children can become stronger in body, mind, and spirit.

Amen.

PLEDGE OF ALLEGIANCE

The Honorable MARK BEGICH led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 12, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable MARK BEGICH, a Senator from the State of Alaska, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. BEGICH thereupon assumed the chair as Acting President pro tempore.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

WELCOMING FATHER BOES

Mr. NELSON of Nebraska. Mr. President, I rise to thank Father Steven

Boes for delivering the opening prayer this morning.

Father Boes has been a priest of the Archdiocese of Omaha since 1985. He has more than 20 years experience as a counselor and youth advocate in Nebraska.

Father Boes served 8 years as director of the St. Augustine Indian Mission and School in Winnebago, NE. He established programs to help Winnebago and Omaha children preserve their traditional language, spirituality, and culture while preparing them for higher education.

In 2005, Father Boes was named the executive director of Boys Town, one of the largest childcare organizations in America. Boys Town provides compassionate, research-proven treatment for children with behavioral, emotional, and physical problems. Father Boes is the fourth priest to succeed Father Edward Flanagan, the founder of Boys Town.

As a young priest in Omaha, Father Flanagan had grown discouraged in his work with transient men. His frustration led him to borrow \$90 to rent a drafty downtown boarding house and open his first home for boys in 1917. Youngsters from all over Omaha soon began showing up at the doorstep of Father Flanagan's Home for Boys. Father Flanagan said:

When the idea of a boys' home grew in my mind, I never thought anything remarkable about taking in all of the races and all of the creeds. To me, they are all God's children. They are my brothers. They are children of God. I must protect them to the best of my ability.

In 1921, Father Flanagan moved his boys home to a farm just outside of Omaha, and it soon became known as the Village of Boys Town. By the 1930s, hundreds of boys lived there. The world learned of Father Flanagan's success in 1938 when he was played by Spencer Tracy in the "Boys Town" Hollywood movie.

Boys Town began admitting girls in 1979 and established programs at more than one dozen sites across the country in the mid-1980s.

Under the leadership of Father Boes, Boys Town has focused on implementing its unique integrated continuum of care to strengthen a child's mind, body, and spirit. Father Boes is also expanding Boys Town's role in advocating for changes to our childcare system, which is often fragmented, expensive, and ineffective. He has called for smarter investments and earlier interventions for at-risk children, which can prevent much more expensive problems for society if those children fall through the cracks. For in-

stance, keeping a 14-year-old from dropping out of high school will end up saving taxpayers about \$500,000 over that child's lifetime. Keeping him from becoming a career criminal will save as much as \$5 million.

Almost a century ago, Father Flanagan said:

There is nothing the matter with our growing boys that love, proper training, and guidance will not remedy.

Father Boes continues to carry out that mission of healing today.

I thank Father Boes—I know we all do—for his devotion to building healthy, positive lives for children, and I thank Father Boes for his words here this morning. May they indeed guide us to do what is right for America and the world.

Thank you, Mr. President.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, I appreciate the comments of my friend, the senior Senator from Nebraska.

Following any leader remarks, the Senate will be in morning business until 1 p.m. today. The Republicans will control the first 30 minutes and the majority will control the next 30 minutes.

Following morning business, the Senate will be in executive session to consider the nomination of Michael Francis Urbanski to be U.S. District Judge for the Western District of Virginia. There will be 1 hour of debate on that. So at approximately 2 p.m. there will be a vote on the confirmation of the Urbanski nomination.

MEASURE PLACED ON THE CALENDAR—S. 953

Mr. REID. Mr. President, I am told that S. 953 is at the desk and due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title for the second time.

The assistant legislative clerk read as follows:

A bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

Mr. REID. Mr. President, I object to any further proceedings with respect to this bill.

The ACTING PRESIDENT pro tempore. Objection is heard. The bill will be placed on the calendar.

OIL SUBSIDIES

Mr. REID. Mr. President, as I speak, the heads of the five largest oil and gas companies in the world are testifying across the street. With the country watching, these extremely wealthy CEOs of extremely profitable corporations are trying to explain to the Senate and, most importantly, to the American people why they still need taxpayer handouts. I don't envy them because it is an impossible position to defend.

Think about this: In just the first 3 months of this year, the oil industry made \$36 billion in profits alone—not revenues, profits. That is \$12 billion a month. That is \$3 billion a week. In anyone's book, that is pretty good money. Meanwhile, the American taxpayers are giving these same successful companies \$4 billion a year. So when we take these companies' profits and add in the handout you, I, and every taxpayer give them, America is saying to big oil: You make \$3 billion a week for 52 weeks, and we will basically give you a 53rd week for free. Even in the strongest economies, that seems unnecessary. In this recovering economy, it is downright indefensible.

Defending these tax breaks is such a hard thing to do that the big oil bosses have called for backup. Most of our Republican colleagues have eagerly answered the call publicly already. But there is something I learned in the courtroom a long time ago: When you try to defend the indefensible, you are left with not much of a case. That is why the Republican defenders of big oil have resorted to simply making things up. They will tell us that without this taxpayer-funded bonus, gas prices will go up. They say that because they know it is a scary thought. Gas prices are already high. But there is a big problem with their argument: It is false. It is not true.

Big oil subsidies don't have a thing to do with the prices at the pump. A report released yesterday by a non-partisan, independent agency says as much. Experts at the Congressional Research Service who wrote this report don't mention it just once, they write it over and over again. Here is one way CRS says it:

There is little reason to believe that the price of oil or gasoline consumers face will increase.

Here is another:

Available output and prices should be unaffected.

Here is one more from the independent, nonpartisan expert report: Taking away big oil's tax breaks will have "no effect on the price of gasoline." I repeat—no effect on the price of gasoline.

Little reason to believe prices will increase; prices should be unaffected; no effect on the price of gasoline—their words, not mine.

So the American people should know this: Every time you hear someone defend taxpayer gifts to oil companies by scaring you about gas prices, they are not telling the truth. Every time you hear someone say we need to find better uses for taxpayer money but we also need to keep giving billions and billions of dollars of that same money to oil companies, ask yourself how it is possible that both are true.

I am pleased to see that some of my Republican colleagues are coming around. The Speaker of the House recently said these companies should be paying their fair share. Yesterday, the senior Senator from Arizona admitted that subsidies are likely unnecessary. Even the former head of Shell, one of the five companies testifying today, agrees.

If we are serious about reducing the deficit, this is an easy place to start. It is, in effect, a no-brainer. Taxpayer giveaways to companies pulling in record profits are the epitome of wasteful spending. So this is the Democrats' idea: Let's use the savings from these taxpayer giveaways to drive down the deficit, not drive up oil company profits. There are no gimmicks in this legislation. It simply says, let's apply this money to the deficit. These CEOs and their companies are free to make as much money as they ethically can, and that is the way it should be in our great country. They just don't need the help of the taxpayers of our country. They don't need our help. And the country could sure use that extra \$4 billion a year. It is such an obvious solution that it should have happened years ago.

Here we are with one side saying that black is black and the other side still insisting that black is blue. This debate would be a lot easier if the Republicans just came out and said what they really mean. They should simply say openly that they want to protect their friends in big oil. I don't agree with it, but that is their right. Instead, they are peddling misinformation and scare tactics. Republicans should at least have the decency to admit it and then let the American people decide who is best representing their interests.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

DEBT AND SPENDING

Mr. McCONNELL. Mr. President, anyone who cares about the future of our country should pay attention to

the debate we are having right now in Washington. The outcome of this debate will determine whether America goes the way of debt-ridden countries in Europe where unemployment is permanently high and expectations are permanently low or whether we will claim our role as a place where people are rewarded for hard work and for taking risks.

This debate is important for other reasons too. Last month, one of the major ratings agencies gave the United States a negative outlook. It said that because of our debt, we stand a one-in-three chance of being downgraded. The consequences of that would be truly devastating, and so would the impact on our ability to govern. If we allow it to happen, we will be admitting that America cannot solve its problems. I won't accept that.

The fact that we have a crisis is not in doubt. Right now, America is taking in about \$2.2 trillion each year in tax revenues, and each year we are spending about \$2.2 trillion on mandatory spending programs and net interest on our debt.

What that means is that all of the other spending—every single discretionary dollar we spend right now on roads, schools, defense, food safety, environmental protection—all of it, every single penny is borrowed money. We do not have a dime to spend above and beyond the dimes we have to spend by law. If that is not a fiscal crisis, I do not know what is.

The Democrats' solution to this crisis is simple: raise the debt limit—raise the debt limit—so we can maintain the status quo. In fact, the chairman of the President's Council of Economic Advisers said in a speech yesterday that it would be "quite insane" to do anything about the deficit while increasing the debt ceiling. That from the chairman of the President's Council of Economic Advisers yesterday.

The problem with that is it is not a solution. It is the avoidance of a solution, and that is not what the American people want. The American people spoke loudly and clearly in November. They want to see changes around here. Washington is mortgaging their future and their children's future by spending too much. They did not speak out last November because they expected Republicans to come here and raise taxes. They sent Republicans here to get our fiscal house in order, and that is what we intend to do.

Americans are still outraged that Washington did not do something to prevent the last financial crisis—a crisis most people did not see coming. Failing to prevent one that every one of us knows is coming is, of course, totally inexcusable.

So my message has been clear: Failing to do something about the debt would be far worse in the long run than failing to raise the debt limit, and that

is why I am repeating my plea to the Democrats this morning: The time to avert this crisis is right now. The window is closing. We cannot raise the debt ceiling, as the President has requested, without major spending cuts now.

Some have suggested we use triggers. Well, the triggers have already been pulled. What good is a fire alarm that goes off after the building burns down? Agreeing to a trigger is to deny this crisis. We need to face this problem now—not tomorrow, not after the President leaves office, not after the markets collapse, not after hell breaks loose, not after we lose another 3 million jobs and the housing market collapses again—now, right now. Anything less would be a dereliction of duty and a signal to the world that America does not have the will to fix its problems. Republicans refuse to accept that.

That has been my message all along. That is a message we will be taking down to the White House later this morning.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 1 p.m., with Senators permitted to speak therein for up to 10 minutes each, with the first hour equally divided and controlled between the two leaders or their designees, with the Republicans controlling the first 30 minutes and the majority controlling the next 30 minutes.

The Senator from Arizona.

Mr. MCCAIN. Mr. President, I ask unanimous consent to be recognized for the duration of my remarks.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

USE OF TORTURE

Mr. MCCAIN. Mr. President, the successful end of the 10-year manhunt to bring Osama bin Laden to justice has appropriately heightened the Nation's appreciation for the diligence, patriotism, and courage of our Armed Forces and our intelligence community. They are a great credit and inspiration to the country that has asked so much of them and, like all Americans, I am in their debt.

But their success has also reignited debate over whether the so-called enhanced interrogation techniques of enemy prisoners, including water-

boarding, were instrumental in locating bin Laden and whether they are necessary and justifiable means for securing valuable information that might help prevent future terrorist attacks against us and our allies and lead to the capture or killing of those who would perpetrate them. Or are they, and should they be, prohibited by our conscience and laws as torture or cruel, inhuman, and degrading treatment.

I believe some of these practices—especially waterboarding, which is a mock execution, and thus to me indisputably torture—are and should be prohibited in a nation that is exceptional in its defense and advocacy of human rights. I believe they are a violation of the Detainee Treatment Act of 2005, the Military Commissions Act of 2006, and Common Article Three of the Geneva Conventions, all of which forbid cruel, inhuman, and degrading treatment of all captured combatants, whether they wear the uniform of a country or are essentially stateless.

I opposed waterboarding and similar so-called enhanced interrogation techniques before Osama bin Laden was brought to justice, and I oppose them now. I do not believe they are necessary to our success in our war against terrorists, as the advocates of these techniques claim they are.

Even more importantly, I believe that if America uses torture, it could someday result in the torture of American combatants. Yes, I know al-Qaida and other terrorist organizations do not share our scruples about the treatment of enemy combatants, and have and will continue to subject American soldiers and anyone they capture to the cruelest mistreatment imaginable. But we must bear in mind the likelihood that someday we will be involved in a more conventional war against a state and not a terrorist movement or insurgency and be careful that we do not set a standard that another country could use to justify their mistreatment of our prisoners.

Lastly, it is difficult to overstate the damage that any practice of torture or cruel, inhuman, and degrading treatment by Americans does to our national character and historical reputation—to our standing as an exceptional nation among the countries of the world. It is too grave to justify the use of these interrogation techniques. America has made its progress in the world not only by avidly pursuing our geopolitical interests, but by persuading and inspiring other nations to embrace the political values that distinguish us. As I have said many times before, and still maintain, this is not about the terrorists. It is about us.

I understand the reasons that govern the decision to approve these interrogation methods, and I know those who approved them and those who employed them in the interrogation of captured terrorists were admirably

dedicated to protecting the American people from harm. I know they were determined to keep faith with the victims of terrorism and to prove to our enemies that the United States would pursue justice tirelessly, relentlessly, and successfully, no matter how long it took. I know their responsibilities were grave and urgent, and the strain of their duty was considerable. I admire their dedication and love of country. But I dispute that it was right to use these methods, which I do not believe were in the best interests of justice or our security or the ideals that define us and which we have sacrificed much to defend.

I do not believe anyone should be prosecuted for having used these techniques in the past, and I agree that the administration should state definitively that no one will be. As one of the authors of the Military Commissions Act, which I believe prohibits waterboarding and other “enhanced interrogation techniques,” we wrote into the language of the law that no one who used them before the enactment of the law should be prosecuted. I do not think it is helpful or wise to revisit that policy.

Many advocates of these techniques have asserted their use on terrorists in our custody, particularly Khalid Sheikh Mohammed, revealed the trail to bin Laden—a trail which had gone cold in recent years but would now lead to his destruction. The former Attorney General of the United States, Michael Mukasey, recently claimed that “the intelligence that led to bin Laden . . . began with a disclosure from Khalid Sheikh Mohammed, who broke like a dam under the pressure of harsh interrogation techniques that included waterboarding. He loosed a torrent of information—including eventually the nickname of a trusted courier of bin Laden.” That is false.

With so much misinformation being fed into such an essential public debate as this one, I asked the Director of Central Intelligence, Leon Panetta, for the facts, and I received the following information:

The trail to bin Laden did not begin with a disclosure from Khalid Sheikh Mohammed, who was waterboarded 183 times. We did not first learn from Khalid Sheikh Mohammed the real name of bin Laden's courier, or his alias, Abu Ahmed al-Kuwaiti—the man who ultimately enabled us to find bin Laden. The first mention of the name Abu Ahmed al-Kuwaiti, as well as a description of him as an important member of al-Qaida, came from a detainee held in another country. The United States did not conduct this detainee's interrogation, nor did we render him to that country for the purpose of interrogation. We did not learn Abu Ahmed's real name or alias as a result of waterboarding or any “enhanced interrogation technique” used on a detainee

in U.S. custody. None of the three detainees who were waterboarded provided Abu Ahmed's real name, his whereabouts, or an accurate description of his role in al-Qaida.

In fact, not only did the use of "enhanced interrogation techniques" on Khalid Sheikh Mohammed not provide us with key leads on bin Laden's courier, Abu Ahmed, it actually produced false and misleading information. Khalid Sheikh Mohammed specifically told his interrogators that Abu Ahmed had moved to Peshawar, got married, and ceased his role as an al-Qaida facilitator—which was not true, as we now know. All we learned about Abu Ahmed al-Kuwaiti through the use of waterboarding and other "enhanced interrogation techniques" against Khalid Sheikh Mohammed was the confirmation of the already known fact that the courier existed and used an alias.

I have sought further information from the staff of the Senate Intelligence Committee, and they confirmed for me that, in fact, the best intelligence gained from a CIA detainee—information describing Abu Ahmed al-Kuwaiti's real role in al-Qaida and his true relationship to Osama bin Laden—was obtained through standard, non-coercive means, not through any "enhanced interrogation technique."

In short, it was not torture or cruel, inhuman, and degrading treatment of detainees that got us the major leads that ultimately enabled our intelligence community to find Osama bin Laden. I hope former Attorney General Mukasey will correct his misstatement. It is important that he do so because we are again engaged in this important debate, with much at stake for America's security and reputation. Each side should make its own case but do so without making up its own facts.

For my part, I would oppose any legislation, if any should be proposed, that is intended to authorize the administration to return to the use of waterboarding or other methods of interrogation that I sincerely believe are torture or cruel, inhuman, and degrading, and as such unworthy of and injurious to our country. This debate is ongoing, but I do not believe it will lead to a change in current policy prohibiting these methods.

Perhaps this is a debate for the history books. But it is still important because Americans in a future age, as well as their leaders, might face these same questions. We should do our best to provide them a record of our debates and decisions that is notable not just for its passion but for its deliberativeness and for opinions that were formed by facts, and formed with scrupulous care by both sides for the security of the American people and the success of the ideals we cherish. We have a duty to leave future American generations with a history that will offer them not

confusion but instruction as they face their crises and challenges and try to lead America safely and honorably through them. Both sides cannot be right, of course, but both sides can be honest, diligent, and sincere.

Let me briefly elaborate my reasons for opposing the return to these interrogation policies.

Obviously, to defeat our enemies we need intelligence, but intelligence that is reliable. We should not torture or treat inhumanely terrorists we have captured. I believe the abuse of prisoners harms, not helps, our war effort. In my personal experience, the abuse of prisoners sometimes produces good intelligence but often produces bad intelligence because under torture a person will say anything he thinks his captors want to hear—whether it is true or false—if he believes it will relieve his suffering. Often, information provided to stop the torture is deliberately misleading, and what the advocates of cruel and harsh interrogation techniques can never prove is that we could not have gathered the same intelligence through other more humane means—as a review of the facts provides solid reason to be confident that we can. The costs of assuming otherwise can be hugely detrimental.

It has been reported, and the staff of the Senate Intelligence Committee confirms for me, that a man named Ibn al-Sheikh al-Libi had been captured by the United States and rendered to Egypt where we believe he was tortured and provided false and misleading information about Saddam Hussein's weapons of mass destruction program. That false information was ultimately included in Secretary of State Colin Powell's statement to the U.N. Security Council and, I assume, helped influence the Bush administration's decision to invade Iraq.

Furthermore, I think it is supremely unfair to the men and women in our intelligence community and military who labored for a decade to locate Osama bin Laden to claim falsely that they only succeeded because we used torture to extract actionable intelligence from a few detainees several years ago. I have not found evidence to suggest that torture—or since so much of our disagreement is definitional, interrogation methods that I believe are torture and which I believe are prohibited by U.S. law and international treaty obligations we are not just a party to but leading advocates of—played an important part in finding and killing bin Laden. Rather, I think his death at the hands of the United States argues quite the contrary, that we can succeed without resort to these methods.

It is also the case that the mistreatment of enemy prisoners endangers our own troops who might someday be held captive. While some enemies, and al-Qaida surely, will never be bound by the principle of reciprocity, we should

have concern for those Americans captured by more conventional enemies if not in this war then in the next. Until about 1970, North Vietnam ignored its obligations not to mistreat the Americans they held prisoner, claiming that we were engaged in an unlawful war against them and thus not entitled to the protections of the Geneva Conventions. But when their abuses became widely known and incited unfavorable international attention, they subsequently decreased their mistreatment of our POWs.

Some have argued if it is right to kill bin Laden, then it should also be right to torture him had he been captured rather than killed. I disagree. First, the Americans who killed bin Laden were on a military mission against the leader of a terrorist organization with which we are at war. It was not a law enforcement operation or primarily an intelligence operation. They could not be certain that bin Laden, even though he was unarmed, did not possess some means of harming them—a suicide vest, for instance—and they were correctly instructed to take no unnecessary chances in the completion of their mission.

Second, bin Laden was a mass murderer. Had we captured him, he would have eventually received the ultimate sanction for his terrible crimes, as captured war criminals in previous wars have. But war criminals captured, tried, and executed in World War II, for instance, were not tortured in advance of their execution, either in retaliation for their crimes or to elicit information that might have helped us locate, apprehend, and convict other war criminals. This was not done because civilized nations have long made a distinction between killing and injuring in the heat of combat, on the one hand, and the deliberate infliction of physical torture on an incapacitated fighter on the other.

This distinction is recognized not only in longstanding American values and practices but also in the Geneva Conventions that provide legal protections for our own fighting men and women.

All of these arguments have the force of right but, ultimately, even they are beside the most important point. There are many arguments to be made against torture on practical grounds. As I have said, I believe torture produces unreliable information, hinders our fight against global terrorism, and harms our national interest and reputation. But, ultimately, this debate is about far more than technical or practical issues. It is about far more than whether torture works or does not work. It is about far more than utilitarian matters.

Ultimately, this is about morality. What is at stake is the very idea of America—the America whose values have inspired the world and instilled in

the hearts of its citizens the certainty that no matter how hard we fight, no matter how dangerous our adversary, in the course of vanquishing our enemies, we do not compromise our deepest values. We are America, and we hold our ourselves to a higher standard. That is what is at stake.

Although Osama bin Laden is dead, America remains at war, and to prevail in this war we need more than victories on the battlefield. This is a war of ideas as well, a struggle to advance freedom in the face of terror in places where oppressive rule has bred the malevolence that feeds the ideology of violent extremism. Prisoner abuses exact a terrible toll on us in this war of ideas. They inevitably become public, and when they do they threaten our moral standard and expose us to false but widely disseminated charges that democracies are no more inherently idealistic and moral than other regimes.

I understand that Islamic extremists who resort to terror would destroy us utterly if they could obtain the weapons to do so. But to defeat them utterly, we must also prevail in our defense of the universal values that ultimately have the greatest power to eradicate this evil ideology.

Although it took a decade to find him, there is one consolation for bin Laden's 10-year evasion of justice. He lived long enough to see what some are calling the Arab spring, the complete repudiation of bin Laden's world view and the cruel disregard for human life and human dignity he used to advance it. In Egypt and Tunisia, Arabs successfully reclaimed their rights from autocracies to determine their own destiny without resort to violence or the deliberate destruction of innocent life. Now Arabs are trying valiantly, by means as just as their cause, to do the same in Syria and elsewhere.

As the United States discusses and debates what role we should play to influence the course of the Arab spring, can we not all agree that the first and most obvious thing we can do is stand as an example of a just government and equal justice under the law, as a champion of the idea that an individual's human rights are superior to the will of the majority or the wishes of the government?

Individuals might forfeit their life and liberty as punishment for breaking laws, but even then, as recognized in our Constitution's prohibition of cruel and unusual punishment, they are still entitled to respect for their basic human dignity, even if they have denied that respect to others.

I do not mourn the loss of any terrorist's life, nor do I care if in the course of serving their malevolent cause they suffer great harm. They have earned their terrible punishment in this life and the next. What I do mourn is what we lose when by official policy or offi-

cial neglect we allow, confuse, or encourage those who fight this war for us to forget that best sense of ourselves, that which is our greatest strength; that when we fight to defend our security, we also fight for an idea, not a tribe, not a land, not a king, not a twisted interpretation of an ancient religion, but for an idea that all men are endowed by their Creator with inalienable rights.

It is indispensable to our success in this war that those we ask to fight it know that in the discharge of their dangerous responsibilities to our country, they are never expected to forget they are Americans and the valiant defenders of a sacred idea of how nations should be governed and conduct their relations with others—even our enemies.

Those of us who have given them this onerous duty are obliged by our history and the many terrible sacrifices that have been made in our defense to make clear to them that they need not risk our country's honor to prevail, that they are always—through the violence, chaos, and heartache of war, through deprivation, cruelty and loss they are always Americans, and different, stronger, and better than those who would destroy us.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The majority leader is recognized.

Mr. REID. Mr. President, in 1982, I was elected to the U.S. House of Representatives. I was elected along with the now-senior Senator from the State of Arizona, JOHN MCCAIN. We were both part of that class of 1982.

I have given a lot of speeches on this Senate floor. So has my friend from Arizona and so have all of us. Frankly, most of the speeches we give may have a little bite for a day or two. But the speech just given by my friend, the senior Senator from Arizona, will be forever remembered in our country and in this body.

Senator MCCAIN and I have had our differences over the years. That does not take away from the fact that we are friends. We love prizefighting, and we love our States that are neighbors, Arizona and Nevada. He has an admirable record representing his party and running for the Presidency of the United States and chairman of a number of committees during his tenure in the Senate. We came to the Senate together, in addition to the House of Representatives.

I want the record to reflect my admiration and respect—as I believe the whole Senate's respect—for the speech given by this fine man from Arizona. No one in the Senate—no one, without any qualification—could have given the speech that was given today. Why? Because he speaks with knowledge—personal knowledge—that I am sure he still remembers in those dark nights

when he is trying to rest about his having been tortured. Here is a man who, after having been tortured brutally, solitary confinement for not a week, not a month but years, was given permission by the North Vietnamese to go home: We will let you go home.

He said: I am not going home unless I go home with my colleagues who are in prison with me. Think about that—that concentration camp, basically.

I wish I had the ability to express in words my admiration for what he has just said because the things we do when it comes to our evil enemy, to say that all holds are barred does not work. The easy thing to do would be to say we should treat them as poorly as they treat us. But it takes a resume and courage to stand and speak as my friend from Arizona did today.

Mr. MCCAIN. Mr. President, may I thank my very honorable friend and adversary for his kind remarks. I will always remember them. I thank him.

Mr. REID. Mr. President, I will end my remarks today by reading three paragraphs from an op-ed that is running all over the country today, in newspapers all over America, an op-ed written by Senator JOHN MCCAIN:

As we debate how the United States can best influence the course of the Arab Spring, can't we all agree that the most obvious thing we can do is stand as an example of a nation that holds an individual's human rights as superior to the will of the majority or the wishes of government? Individuals might forfeit their life as punishment for breaking laws, but even then, as recognized in our Constitution's prohibition of cruel and unusual punishment, they are still entitled to respect for their basic human dignity, even if they have denied that respect to others.

All of these arguments have the force of right, but they are beside the most important point. Ultimately, this is more than a utilitarian debate. This is a moral debate. It is about who we are.

I don't mourn the loss of any terrorist's life. What I do mourn is what we lose when by official policy or official neglect we confuse or encourage those who fight this war for us to forget the best sense of ourselves.

Through the violence, chaos and heartache of war, through deprivation and cruelty and loss, we are always Americans, and different, stronger and better than those who would destroy us.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. REED. Mr. President, I will speak in morning business. Before I do that, I wish to associate myself with the remarks of the Senator from Nevada in paying tribute to the Senator from Arizona. Senator MCCAIN's words were both eloquent and profound, and they reflect not only his strong beliefs but his own personal experience and also reflect something else that has been consistent in everything he has done in the Senate; that is, his respect and deep regard for the men and women of the military services. His reflections today remind us of what they

have done and of the high standards of conduct they expect of themselves and that we have to recognize also. Again, I join Senator REID in saluting Senator MCCAIN for his words but, as he does so many times, for also being the conscience of the Senate on so many important topics.

TAX SUBSIDIES

Mr. REED. Mr. President, I want to talk about the provisions my colleagues and I have introduced to ensure that the large oil companies of this Nation which are receiving great tax subsidies no longer receive taxpayer money to subsidize their profits, and to target those savings towards deficit reduction, which is one of the great tasks before us.

We are seeing an extraordinary runup in gas prices. In Rhode Island, the prices are exceeding \$4 a gallon. These high gas prices threaten our economic recovery and they also put a brake on the expansion in job growth which is so necessary for all of our citizens. In fact, it is estimated that because of these gas prices, U.S. households will pay about \$825 more in 2011 for gasoline than they did last year. That is a big bite out of the discretionary spending available to moderate-income families across this country.

One aspect of this runup in gas prices is the role of speculation. I am pleased that the President responded to a letter I led suggesting the appointment of a task force to look into this. He created the Oil and Gas Price Fraud Working Group, and under the leadership of Attorney General Eric Holder, they are looking seriously at the speculative aspects of the runup in gas prices. Some economists estimate that excessive speculation can drive up prices by as much as \$1 a gallon. In fact, the huge retreat in the commodities market for oil last week suggests that much more than just simple supply and demand is responsible for these huge price increases, and we have to look carefully at this.

I am pleased to be a cosponsor, along with Senator MENENDEZ and several of my colleagues, of the Close Big Oil Tax Loopholes Act. It is extraordinarily ironic—and that is a mild term—to see the oil industry receiving huge subsidies at a time when market prices are producing what you would think would be the major incentive oil and gas companies need to explore and develop, and that incentive is the rather substantial given prices at the pump throughout the Nation. In fact, these prices have transformed and turned themselves into huge profits for the industry. ExxonMobil, for example, posted its biggest first-quarter profit in 8 years, with net income rising 69 percent, to \$10.7 billion. In fact, the combined profits of the big five oil companies were more than \$30 billion for the first quar-

ter. Those are the kinds of rewards in the marketplace that suggest to everybody that the need for subsidies from the government is nonexistent. Indeed, what we have seen, rather than using the subsidies and these excess profits to go out and intensify the search for new oil, is that most of this has gone to providing dividends or stock buybacks to stockholders. That is a legitimate use of corporate money, but it really undercuts this notion that these subsidies are so essential for the companies to be competitive and also necessary for the kind of activity they are undertaking to search for and develop new oil resources.

There are so many aspects of the bill that I think are positive. They have been, in part or in whole, debated before. The bill ends a deduction the oil industry receives for the production of oil that is meant to assist American manufacturers, not oil producers. Some suggest that the oil companies only discovered this tax loophole after the fact but exploited it very aggressively, that it was intended for small companies that are producing physical products that could be shipped around the country; not for bringing in oil, reprocessing it, refining it, and getting a tax break. There are so many other irrational aspects of these subsidies that, again, the subsidies themselves have been called for a serious review, evaluation, and indeed elimination.

The other factor that compels us to take this step today is that we have to begin to reduce the deficit. All of the resources that are being saved, we hope through this legislation, will be targeted to deficit reduction. We can continue to provide the necessary support for our economy through a healthy oil and gas system, but not to subsidize an industry that does well in the marketplace, and we ought to use those funds to reduce the deficit.

There is another aspect not directly related to the provisions Senator MENENDEZ and I support, but relates to this debate. At the same time as the big oil companies defend these subsidies, they are also pushing for increased offshore drilling, but are unwilling to help ensure that it is safe. For example, we have tried to get the oil and gas industry to at least pay more for the inspections that are so necessary on these offshore platforms to provide for safety and prevent another Deepwater Horizon explosion. The administration has proposed an increase in fees oil companies pay for rig inspections from the present fee of \$3,250 to \$17,000, and the companies have balked at this. Here is an industry that is deriving huge tax subsidies, and obviously the example of the devastating Deepwater Horizon explosion and spill has raised serious concerns about the ability to manage and safely develop some of these offshore platforms, and essentially they are saying:

No, we are not going to pay more for the inspection fees that are necessary.

The total increase is minimal. In fact, let me give a comparison. BP, British Petroleum, would be asked to pay about \$1.5 million in fees, if this new fee structure were in effect, for their offshore platforms. That would represent about 0.01 percent of the \$10.9 billion in revenues from the Gulf of Mexico last year. Yet the companies are saying no. When it comes to paying their fair share for inspections that directly benefit them, provide further confidence to the public that their operations are successful, and give them, frankly, more confidence in allowing or encouraging further offshore drilling, they say no. But when it comes to tax subsidies that benefit their bottom line, they say yes, yes, yes.

I think what we have to do is press forward to ensure that these tax subsidies are revoked, and dedicate these tax subsidies to deficit reduction. In that way, we can let the market decide on the success or failure of these companies. That is one of the mantras I hear so often from many here, particularly from my colleagues on the other side of the aisle. I think it can be done without in any way impacting the cost of fuel in the United States.

I think, frankly, what we are seeing—going back to my initial point—is that there are factors beyond tax subsidies that are driving up the cost of fuel: speculation; issues of the international exchange; the value of the dollar. But it is quite clear, given our dependency—and we have to get off that dependency on oil—that there will be a robust market for petroleum products in this country for the foreseeable future. That market alone justifies increased exploration, research, and other activity, and it will reward the companies. These subsidies are not necessary. Instead of wasting taxpayer money on subsidizing big oil profits, it is time we close these loopholes and return the savings to the American taxpayer. With that, I urge rapid support and favorable support of Senator MENENDEZ's legislation.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

USE OF TORTURE

Mr. DURBIN. Mr. President, there was a column written in this morning's Washington Post which was extraordinary. It was written by one of our Republican colleagues, Senator JOHN MCCAIN of Arizona.

JOHN MCCAIN and I came to the House of Representatives in the same year—1983. Though he came to the Senate first, we have worked on many things together over the years. We have our differences, that is for sure. But there are times when JOHN does extraordinarily good things, and this morning was one of them. He wrote a column in the Washington Post about the issue of torture. It is an issue that has been in the headlines for the last 2 weeks, after the capture and killing of Osama bin Laden and the questions raised as to whether so-called enhanced interrogation techniques, or torture in another parlance, were used to obtain information that led to Osama bin Laden.

A few years ago, that issue came up on the floor of the Senate. I had strong feelings about it. But Senator MCCAIN stepped up and led the effort to put the Senate and our government on record that we were opposed to the use of torture. No person is better qualified in this Congress to speak to it than Senator MCCAIN. He was a victim of torture himself when he served in the U.S. Navy during the Vietnam war. He was shot down as a naval aviator and spent more than 5 years in prison. I cannot imagine what that must have been like. Couple that with the severe physical injuries he still labors with today and the torture—mental and physical—that accompanied it, and no person is as well qualified as Senator MCCAIN to speak to it.

This morning, in the Washington Post, he once again stated what may not be the popular view but I believe is the right view—that the United States should make it clear we do not accept torture as a standard for our conduct when it comes to dealing with our enemies. For the longest time, that has been our standard. It was only relaxed or changed after 9/11, when some in a previous administration argued that was the only way to get information from these hard-core terrorists.

Senator MCCAIN made a good point in his article this morning in the Washington Post. He asked Leon Panetta, head of the Central Intelligence Agency, whether there was any linkage to these enhanced interrogation techniques and the information that led to the disclosure of the messenger who was then linked to Osama bin Laden which led to his capture. Leon Panetta said no, and MCCAIN revealed that in his article. In fact, the information which came out of waterboarding one of these terrorists ended up being just plain wrong. Senator MCCAIN made the point in his article, when you are being tortured, you will say almost anything to make the torture stop. You will lie, if you have to, just to make it stop. That is what happened here.

So I wish to commend him. It was courageous for him to write that article this morning—not very popular but

right. I wish to thank JOHN on behalf of both sides of the Senate aisle for his leadership and for having the courage to speak out on such an important issue relative to the values of America and who we are.

He ended his column talking about how we would expect our troops to be treated if they were taken prisoner. If anyone tortured an American soldier, I don't know of a single American who wouldn't step forward and say it is an outrage. Well, if we are going to stand for humane treatment, sensible treatment of detainees, then we are doing it not only to protect our values but to protect our men and women who serve this country both in the intelligence agencies and in the military services.

OIL SUBSIDIES

Mr. DURBIN. Mr. President, an issue is going to come up next week which is very important for every American family and business; that is, the issue of gasoline prices. I have been across my State, and as I mentioned on the floor earlier, my expert on gasoline prices is my wife. When I speak to her in the morning in Springfield, IL, she will tell me the latest in gasoline prices. Last week, it was \$4.20 a gallon. I don't know what it is this week. But what she asks me is—as everyone in Illinois must ask—what are you going to do about it?

It turns out we are going to do something. It may not have a direct impact on gas prices, but it certainly has a direct impact on our policy toward oil companies. You see, American families are being clobbered three times by high prices at gasoline stations: first, at the pump; second, when we give \$4 billion in subsidies every year in the Tax Code to oil companies; and third, when we have to borrow the money from China to give to these oil companies and we end up paying interest to China—ourselves, our children, and our grandchildren.

Paying three times for outrageous gasoline prices is an outrage itself. The big oil companies have made almost \$1 trillion in profits over the last 10 years—over \$35 billion in the first 3 months of this year. Some of these oil companies are breaking records on Wall Street for corporate profits. The Wall Street Journal also reported last week that the CEOs of oil and gas companies who are appearing before the Senate Finance Committee today had the highest median compensation—at \$13.7 million annually in 2010, up 17.3 percent from the year before.

In addition to the profits, the oil industry receives over \$4 billion in tax giveaways each year. Instead of using that money to lower prices at the pump, these giveaways have merely been used to pad the profits and the compensation of the oil companies and their executives. Yesterday, Senator

MENENDEZ introduced a bill, which I am cosponsoring, to end the special treatment of tax breaks given to the five largest oil companies in America. This would save Americans over \$4 billion a year, and it is our goal to use that money to reduce our Nation's deficit.

Americans across the board agree it is time to end this corporate welfare for the big oil companies. In a recent poll, three out of four Americans support eliminating tax credits for the oil and gas industries to reduce the Federal deficit. We have to deal with our deficit that is growing at an unsustainable rate, and I am hoping this will be a commonsense, good-faith, bipartisan agreement to end these subsidies. We can take the taxpayer dollars flowing to the oil companies and give them, instead, to those who are dealing with our deficit to reduce it.

Incidentally, we are not talking about business expenses at these oil companies, which is what many of these executives would like to have people think. These are subsidies used to increase profits and reduce their tax burden. Last year, Exxon had an effective tax rate on its U.S. income of 16 percent—less than half the corporate tax rate. According to the Congressional Budget Office, the average American has an effective tax rate of over 20 percent. So Exxon was actually paying a lower tax rate on their profits than the average American pays on their income.

In addition, the big five oil companies have used 71 percent of their profits not for exploration and production, which is what they would like you to think, but rather for boosting share prices. Actually, they used only 12 percent of their profits for exploration and new development. In other words, these oil companies spend almost six times as much on dividends and stock buybacks as they do in looking for new sources of oil. The primary use of these subsidies is not to discover new oil, it is to discover new record-breaking profits.

It is time for government handouts to these extremely profitable, well-established companies to come to an end. Ending them will not raise gas prices, as some Republicans have argued. We are dealing with a world market for oil. The price is set by the global market. Gasoline prices have risen significantly, even with these subsidies in place. Removing them will not change these prices.

The Congressional Research Service has said the effects of removing the subsidies would be very small. According to the Department of the Treasury, removing them would cause the loss of less than one-tenth of 1 percent of the global oil supply and have little or no impact on prices in the United States.

In addition, removing oil subsidies reduces U.S. oil production by less

than one-half of 1 percent, and it will increase exploration and production costs by less than 2 percent for companies that are making record-breaking profits.

Removing these subsidies will not affect the price of gasoline, nor will increasing our domestic production. That is the other thing. Remember the chant "drill baby drill"? It was all over the place during the last Presidential campaign. In fact, domestic oil production in 2010 was at the highest it has been in 7 years. Even with production strongly increasing, oil prices keep going up, and so do gas prices.

Keep in mind, the United States has less than 2 percent of the world's proven oil reserves and every year we use 25 percent of the world's oil production. Even though we have increased production, we still see prices going up. Our fuel price would not be altered by increased drillings. We would still need to import over 50 percent of our oil.

As has been said many times: We can't drill ourselves out of this problem. We simply don't have enough oil. The only way to end our dependence and insulate ourselves from high gas prices is to finally develop for America a national energy policy. Other countries have one. We don't. We need a sound, comprehensive policy that includes plans for energy efficiency and new renewable sources. Increased drilling is not going to significantly reduce gas prices.

Actually, Congress has taken another step to help consumers bring prices under control at the gas pumps. Last year, Congress voted to reform the swipe fee that big banks get paid from merchants on debit card transactions. So every time you fill the tank and swipe your debit card, you are paying, on average, 40 cents or more to the bank for the swiping of that card. What we have done is to say the Federal Reserve should establish a reasonable and proportional level for that fee. They think it should be much less than 40 cents.

The big banks and credit card companies are screaming bloody murder. The notion that the gas company, the convenience store, the retailer, the restaurant, the hotel would not have to pay these high swipe fees means a loss in profits to the big banks. But what it means to consumers is more competition in price and lower prices. As long as you have a competitive market—one gas station across the street from another—when you reduce the cost to the owner of the gas station, you are more likely to see a reduction in the prices charged to consumers.

I received a letter on Tuesday from 52 national, regional, and State trade associations representing virtually all the gas retailers in America. They made it clear swipe fees inflate gasoline prices and that because the gas retailing industry is extremely competi-

tive, lower swipe fees will produce savings that will be passed on to consumers.

The big banks and credit card companies are trying to stop this reform. You can understand that. These credit card companies and big banks make over \$1 billion a month on what they charge for our using a debit card. If you bring it down to an actual reasonable and proportional cost, they will make less, merchants will get more, and consumers will pay less.

There is a movement to try to delay this for a so-called study of 30 months. I did the calculation. Thirty months times the profits the big banks and credit card companies will take out of the existing swipe fee comes to about \$40 billion that is going to be taken out of the American economy if we agree to a 2½- or 3-year delay of this. That is not fair to consumers, it doesn't help the economy, and it doesn't help bring down gasoline prices.

American families can't afford to continue paying for high gasoline prices at the pump, in subsidies to oil companies, and in interest paid on money borrowed from other governments to help us pay these subsidies. It is time to end these handouts to the big profitable oil companies. It is time to rein in the swipe fee that is benefiting the biggest banks in America as well as the credit card companies. It is time to finally focus on families and consumers across America who have a challenge today because of this increase in cost.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter dated May 10, 2011.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

MAY 10, 2011.

Hon. RICHARD DURBIN,
Majority Whip, U.S. Senate,
Washington, DC.

DEAR SENATOR DURBIN: Our associations represent virtually every part of the retail industry selling motor fuels in the United States. Like many Americans, we are concerned about the price of gasoline today. Not only are rising prices bad for our customers, but when the price of gasoline rises, retailers make less money. That might not make sense at first glance, but the retail sale of gasoline is extremely price competitive. Retailers put their prices on large signs that motorists can see as they drive. Studies have shown that customers will drive out of their way just to save one or two cents per gallon. As a result, when the wholesale price of gasoline rises, retailers cannot raise prices to consumers fast enough to keep pace.

This is one of the many reasons why the swipe fees paid by our industry are so offensive. Swipe fees are fixed centrally by the credit card giants for both debit and credit cards as a fixed fee plus a percentage of the transaction. That means the fee retailers pay to sell gasoline goes up every time the price of gasoline goes up. While gasoline retailers make less money on rising prices, they pay higher and higher fees. That simply is not fair.

With gasoline nearing \$4 per gallon, debit swipe fees average about 6 cents per gallon—

and credit swipe fees are about 8 cents per gallon. Our customers worry about every extra penny they pay for gasoline and 6 to 8 cents extra is far too much money. To put these huge fees in perspective, consider that every penny per gallon change in the retail price of gasoline costs consumers an additional \$3.75 million per day or \$1.38 billion each year.

The surest and swiftest way to reduce gas prices, however, is to let the Durbin amendment and the Federal Reserve's rule implementing it take effect on time. Doing that will reduce the fees gasoline retailers pay, and the EIA definitively concluded in a 2003 report that gasoline retailers pass through 100 percent of cost reductions in the form of lower gasoline prices. That means lower debit swipe fees will lead to lower gas prices.

Senator Tester's bill (S. 575) would do the opposite. It would stop swipe fee relief for two years and keep pushing up gas prices. That same 2003 EIA study found that cost increases get passed along in the form of higher gas prices. Therefore, a vote for S. 575 is a vote for two years of higher gas prices than anyone should be paying.

There are many reasons why reform is needed now to limit the price-fixing by credit card giants and banks on debit swipe fees. While some of those reasons might be subject to debate, it is hard for any of us in the business of gasoline retailing to understand why—given the pricing pressures we and our customers all face today—any Senator would vote for two years of higher gas prices when some relief is only a couple of months away. We urge you in the strongest terms to vote against S. 575, a bill that will keep gas prices too high.

Sincerely,

NACS—National Association of Convenience Stores; NATSO—National Association of Truck Stop Operators; PMAA—Petroleum Marketers Association of America; IGMA—Society of Independent Gasoline Marketers of America; P&CMA—Petroleum & Convenience Marketers of Alabama; APMA—Arizona Petroleum Marketers Association; AOMA—Arkansas Oil Marketers Association, Inc.; CIOMA—California Independent Oil Marketers Association; CWPMA—Colorado Petroleum Marketers and Convenience Store Association; ICPA—Independent Connecticut Petroleum Association; FPMA—Florida Petroleum Marketers & Convenience Store Association, Inc.; GOA—Georgia Oilmen's Association; HPMA—Hawaii Petroleum Marketers Association; IPM&CSA—Idaho Petroleum Marketers and Convenience Store Association; IPMA/IACS—Illinois Petroleum Marketers Association/Illinois Association of Convenience Stores; IPCA—Indiana Petroleum Marketers and Convenience Store Association, Inc.; PMCI—Petroleum Marketers & Convenience Stores of Iowa; PMCA—Petroleum Marketers and Convenience Store Association of Kansas; KPMA—Kentucky Petroleum Marketers Association; LOMACS—Louisiana Oil Marketers and Convenience Store Association; MODA—Maine Energy Marketers Association; MPAMACS—Michigan Petroleum Association/Michigan Association of Convenience Stores; MAPDA—Mid-Atlantic Petroleum Distributors' Association; MPM—Minnesota Petroleum Marketers Association;

MPMCSA—Mississippi Petroleum Marketers & Convenience Stores Association; MPCA—Missouri Petroleum Marketers and Convenience Store Association; MPMCSA—Montana Petroleum Marketers and Convenience Store Association; NCPA—Nebraska Petroleum Marketers & Convenience Store Association; NEFI—New England Fuel Institute; IOMANE—Independent Oil Marketers Association of New England; FMANJ—Fuel Merchants Association of New Jersey; NMPMA—New Mexico Petroleum Marketers Association; ESPA—Empire State Petroleum Association, Inc. (NY); NCPCM—North Carolina Petroleum & Convenience Marketers; NDPMA—North Dakota Petroleum Marketers Association; OPMCA—Ohio Petroleum Marketers & Convenience Store Association; OPMCA—Oklahoma Petroleum Marketers & Convenience Store Association; OPA—Oregon Petroleum Association; PPMCSA—Pennsylvania Petroleum Marketers & Convenience Store Association; SCPMA—South Carolina Petroleum Marketers Association; SDPPMA—South Dakota Petroleum and Propane Marketers Association; TFCA—Tennessee Fuel & Convenience Store Association; TPCA—Texas Petroleum Marketers and Convenience Store Association; UPMRA—Utah Petroleum Marketers and Retailers Association; VFDA—Vermont Fuel Dealers Association; VPCGA—Virginia Petroleum, Convenience and Grocery Association; WOMA—Washington Oil Marketers Association/Pacific Northwest Oil Heat Council; WPMA—Western Petroleum Marketers Association; OMEGA—West Virginia Oil Marketers and Grocers Association; WPMCA—Wisconsin Petroleum Marketers & Convenience Store Association; CWPMA—Wyoming Petroleum Marketers and Convenience Store Association.

THANKING MAYOR RICHARD M. DALEY

Mr. DURBIN. Mr. President, if you were to have visited the city of Chicago in the last 50 years and someone had asked you the name of the mayor and you said Daley, you would have been right about 90 percent of the time because for 42 of the last 55 years there has been a Richard Daley as mayor of Chicago. Monday marks the end of that era, when Richard M. Daley steps down as the current mayor after six terms in office. He has led Chicago for 22 years and 8 months, 5 months longer than his dad and longer than any mayor in Chicago's history.

I know Rich Daley pretty well. We started together in politics. He was a State senator and I was a staff attorney to the Illinois State Senate back in 1970s. Back then, he was a young father with a young family, brand new to public life. I worked for him on the Senate Judiciary Committee and I got to know him sitting next to him for many hours of hearings, watching his reaction to ideas, measuring the man.

He and his wife Maggie were going through a tough time then. They had a little baby who was very sick and eventually passed away. It was an emotionally draining experience for the whole family and those of us who worked closely with him felt the sense of loss that he and his family experienced. But he is an extraordinary man.

Richard Michael Daley was born in 1942, the fourth of seven children, and the eldest son of Richard J. Daley and Sis Daley. His father, who ran Chicago from 1955 until his death in 1976, was one of the most powerful big city mayors America has ever known.

Rich Daley grew up in a modest red brick house in Bridgeport, a storied Irish neighborhood of blue-collar bungalows on the south side of Chicago. The famine Irish immigrants who settled the neighborhood in the 19th century called it "Hardscrabble."

Rich Daley's mom and dad taught the kids that family always comes first. His father, even as mayor, made a practice of eating dinner every night at home with his family, with very few exceptions.

Mayor Daley introduced his kids to politics at an early age. Often after dinner he bundled them up and put them in the car and took them to ward meetings he was attending, so I guess politics is in the Daley blood.

One brother, Bill, is now President Obama's Chief of Staff. He served as U.S. Commerce Secretary under President Clinton. Another brother, John Daley, is a Cook County commissioner. In Chicago's De La Salle High School, which Rich Daley attended, his nickname was "Mayor." No surprise. In his yearbook he said his ambition was to become a "great lawyer and a politician."

His family name may have helped open some doors to his dreams, but then he had to make a name for himself. As he once told a reporter, his father said to him: "I can put you on the ballroom floor, but you have to dance yourself."

He started his political life as a delegate to the convention that rewrote Illinois' constitution in 1970. Two years later, he was elected to the Illinois State Senate in a landslide. As a senator, he steered to passage important mental health and nursing home reforms. He pushed for laws to combat child abuse and drug abuse—and against a sales tax on food and medicine.

In 1980, he was elected Cook County State's attorney. As the county's chief prosecutor, he earned a reputation for law and order. He tripled the number of African-American prosecutors in the office and was reelected twice. He first ran for mayor in 1983. After finishing last in a three-way primary, he considered getting out of politics. Thank goodness, he changed his mind. He got a second chance to run for mayor in

1989, in a special election to finish the unexpired term of Chicago's beloved first African-American mayor, Harold Washington. That time, he won with 56 percent of the vote, and took the oath of office on April 24, 1989, his 47th birthday. He would go on to be reelected five times, never with less than 60 percent of the vote.

Richard Daley's vision has always been clear: To make Chicago one of the best cities in the world. And he has pursued that goal with fierce determination. His leadership helped transform Chicago from a rustbelt manufacturing center to a cultural and commercial center that the Global Cities Index calls the sixth-most global city in the world, alongside New York, London, and Hong Kong.

Richard Daley is funny, blunt, impatient, emotional, and notoriously demanding—especially of his staff. Like his father, he is a hands-on manager. Whenever he sees anything that needs attention—a pothole, graffiti—he makes a note on a blue slip of paper and then calls department heads to make sure the problems are fixed.

His tenure includes some disappointments—most recently, the city's failed bid to bring the 2016 Olympic and Paralympic Games to Chicago. But we gave it our best try. But it also includes far more remarkable successes.

He travelled the world promoting Chicago. He helped bring new jobs and new vitality to the Greater Loop, the economic heart of Chicago. The Daley years brought the expansion of McCormick Place, the ongoing modernization of O'Hare International Airport, the redevelopment of Soldier Field, home of the Chicago Bears, and the transformation of Navy Pier into one of the city's top tourist attractions. Mayor Daley pushed bravely for sensible gun laws. It is understandable. Too many times he has had to attend the funerals of policemen and other people in the city who were gunned down by gun violence from gangs and other sources.

Mayor Daley has worked relentlessly to make Chicago the most livable big city in America and the most environmentally friendly city in the world. During his tenure, Chicago created a comprehensive plan to help lower greenhouse gas emissions and address climate change. The city planted more than 600,000 trees and built more than 600 green roofs covering more than 7 million square feet, more than any other city in America. New flower beds now line the sidewalks and medians.

Downtown, a 24-acre expanse that was once an eyesore of tangled rail lines is now Millennium Park, one of the most magnificent city parks in the world, an emerald-green showcase for music, recreation, art and design.

In 1995, Mayor Daley made his boldest and riskiest political move. He asked the State legislature for control and responsibility of Chicago's public

schools. When a political ally told him that taking on the schools “could be the end of your career,” the mayor replied, “If I can’t do that for the children of Chicago, then I should not be mayor.” Underperforming schools were closed, new schools were opened. Test scores went up, and dropout rates were down, and some of the most innovative educators in America led the Chicago public school system forward. The mayor would be the first to tell you we still have a long way to go. But were it not for his determination and his accepting the responsibility the school system would not be as good as it is today.

In 1999, the city took control of the Chicago Housing Authority, razed some of the most notorious public high-rises in the country—places like the Robert Taylor Homes and Cabrini-Green—and replaced them with mixed-income housing—safe, clean houses.

Richard Daley’s greatest success is the sense of common purpose he has given Chicago. A recent Chicago Tribune summed it up well. It said:

What distinguished Richard M. Daley from many big-city mayors is his remarkable if impossible-to-complete work to barrow racial chasms that, during the 1980s, threatened to swallow Chicago. He has done that not with anguished speeches or paeans to social justice, but by projecting a strong sense of fairness in the way he does his job. As a result, he has persuaded many Chicagoans, of many hues, to pull together in the same direction: Up.

Edward Bedore, who served as budget director under both Mayor Daleys, told the Sun Times: “One was a builder, the other completed the house.”

In 2005, Time magazine named Richard Daley one of “the five best big-city mayors.” NPR’s Scott Simon said it well: “He was his father’s son, but he became his own man.”

Among Mayor Daley’s most cherished childhood memories is going to the White Sox games with his dad and brothers at Comiskey Park. One of my favorite memories of Richard Daley also involves the White Sox. It was October 26, 2005—Game 3 of the 2005 World Series, White Sox against the Houston Astros.

Mayor Daley was in Washington for business and I had invited him and the members of the Illinois congressional delegation to my office in the Capitol to watch the game. Everyone came, including our new Senator, now the President of the United States.

What a game. The White Sox finally won it 7–5 with a home run in the 14th inning. They would go on to win the series. That game was the longest World Series game in history: 5 hours 41 minutes. As the night wore on, almost everybody trailed away—but not Rich Daley. I have a photo of the handful of us who stuck it out until the very end. Standing in the middle, the happiest man in the photo, is Mayor Daley.

That’s the Richard M. Daley way: No matter how long it takes, you give it your all until the game is won.

On Monday, Chicago will enter a new era: The post-Daley era. We will welcome a passionate, talented, new mayor, Rahm Emanuel. Like so many other cities, Chicago is struggling involving the recession and a large deficit. Fortunately, Mayor Emanuel will also inherit a legacy of unity and progress that that will continue to benefit Chicagoans for generations to come.

As one reported noted, “The Daley name is so synonymous with Chicago politics, it might as well be stitched into the city flag.”

The legacy Rich Daley has created in Chicago is going to live on, in the improved lives of the people who live in that great city. His legacy will live on in the wonderment of so many people who visit and whose first words about the city are always, “I couldn’t get over how clean it is.” I tell you it doesn’t happen by accident. It takes the leadership of a mayor and a great first lady, Maggie Daley, who made it happen.

To quote from the Tribune editorial which I mentioned earlier, “When this community, this Nation, needed to know that a city could come back from economic decline and tribal conflict, he delivered. For that, Mayor Daley, we thank you.”

I also want to offer my personal thanks for his friendship and the great opportunity to work together over the years. Loretta, my wife, and I had an opportunity a couple of weeks ago to go out to dinner with the mayor and Maggie. It is something we have been planning for a long time and we had a great night. We were over on Clark Street at the Naha Restaurant. The windows were open and I watched as everybody walked on by and stopped to look inside at the mayor and the first lady. They know him because he is Chicago.

I also want to say kind words about the Daley children, Nora, Patrick, Elizabeth, and Kevin, for sharing their husband and father with us.

I will close by saying that we attend the same church in Chicago. It is called Old Saint Pat’s. Last St. Patrick’s Day was the mayor’s big day. Maggie, who has been struggling with some health issues, made it that day and the church was packed. Everybody was wearing shamrocks and green ties. The Irish dancers were there for a great celebration of Saint Patrick’s Day. Luckily for the Daleys, their grandkids were also there, little kids scrambling all over the church pews, waiting in anxious anticipation for the end of the mass because at the end of the mass the mayor’s favorite, the Shannon Rovers bagpipe band, marched right up the front aisle of the church and the kids were brimming with excitement as they came up the aisle.

I captured a picture on my cell phone, which I sent to the mayor and his wife, of their grandkids in anticipation of the bagpipe band arriving. I value it and I am sure that family values it too. We value Mayor Daley and his great family. They have made Chicago a better place and the United States a better nation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BROWN of Ohio). Without objection, it is so ordered.

(The remarks of Mr. ALEXANDER pertaining to the introduction of S. 964 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. ALEXANDER. I yield the floor.

The PRESIDING OFFICER (Mrs. HAGAN). The Senator from Washington.

DEFICIT REDUCTION

Mrs. MURRAY. Madam President, I come to the floor today to support the Close Big Oil Tax Loopholes Act and to talk about the devastating effect that high prices at the pump are having on families in my home State of Washington.

Middle-class families and small business owners are still struggling. Our economy is just starting to turn around, but so many families are still fighting to stay in their homes, so many small business owners are still struggling to keep their doors open, and so many workers are still desperately trying to get back on the job. All of this is happening while we are here debating in Congress about the best ways to cut spending responsibly and rein in the deficit.

This is a serious issue. We need to get it done. But I feel very strongly that before we make budget cuts that slash support for our middle-class families, we should look at ways to responsibly reduce the deficit that do not hurt the families who are struggling the most. To me, one of the most commonsense actions we can take is to end the wasteful subsidies that we, the taxpayers, are forced to hand over to the big oil companies every year. It is a no-brainer.

Anyone who is serious about reducing the deficit should support this effort. It is as simple as that. The big oil companies are already making billions of dollars in profits from families in America who are paying now sky-high prices at the pump. In fact, the five biggest oil companies have made nearly \$1 trillion in profits—\$1 trillion in profits—in the last decade and \$36 billion in the first 3 months of this year alone.

But the big oil companies are not just making money hand over fist from families paying sky-high prices at the pump. They also have the gall to come back to those same taxpayers and demand billions more in subsidies that add directly to their profits. It does not make any sense, and it has to end.

I think my colleagues in the Senate who oppose this legislation need to explain to the American people why they think big oil companies need even bigger profits and why they think American taxpayers should continue to pad their coffers with unwarranted subsidies at the very time we are fighting to rein in the deficit.

But in addition to ending those wasteful subsidies to the big oil companies, we also have to act to end the speculation that is a big part of what is pushing prices at the pump higher and higher. At a time when our household budgets are already stretched so thin, speculators continue to drive up those prices and volatility in the oil markets. That is one of the reasons I was so angry and disappointed that the House Republican budget proposal slashed the funding for the Commodity Futures Trading Commission. That is the very agency that is charged with protecting consumers from excessive speculation in the markets. How can they do their job and protect consumers if they are not there?

I think that says a lot about our very different priorities in Congress. The House majority has pushed to slash spending by crippling agencies that middle-class families depend on for basic protections, while Democrats are here trying to reduce the deficit responsibly by ending subsidies to the big oil companies that do not need them.

I urge our colleagues to put taxpayers in the middle class ahead of Big Oil, to end those wasteful giveaways to oil companies, and to use that money to pay down the deficit in a responsible way.

I thank Senators MENENDEZ, MCCASKILL, TESTER, and BROWN for their great work on this issue.

Once again, I support the Close Big Oil Tax Loopholes Act. I am going to keep fighting to end the oil and gas speculation that is hurting so many families in my home State of Washington and across the country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I wish to thank the Senator from Washington State for her leadership on this issue and for her eloquent remarks just now, as well as other Senators who have championed this cause, as I have, over years when we have fought rising gasoline prices in the State of Connecticut relentlessly and tirelessly, and now I rise here in support of this legislation, the Close Big Oil Tax Loopholes Act, which would fundamentally

restore fairness to our markets and tax system.

Over the last decades, the big five oil companies have taken home about \$1 trillion in profits while enjoying tens of billions of dollars in taxpayer subsidies, giveaways, sweetheart deals, and preferences which undermine the credibility of our tax system and our economy in the eyes of ordinary Americans. Ordinary Americans, in fact, are still struggling to make ends meet, to stay in their homes, to keep their families together, and to find jobs.

In Connecticut, the price of gasoline now has risen to more than \$4.25 a gallon from about \$3 just a year ago. There are a number of ways to combat the spiraling cost of gasoline, including going after some of the illegal manipulation and speculation that may be occurring. I have proposed some measures—for example, a Department of Justice investigation that for the first time would effectively and comprehensively pursue the traders and hedge funds that are at an alltime high in their energy positions.

But the ending of giveaways and subsidies is about the fairness of our economic system and our Tax Code. Our families and businesses in Connecticut are paying these higher costs for gasoline but at the same time are providing subsidies that are in no way needed for exploration or refining or any part of the business of these big five oil companies. They have made over \$30 billion in profits in the first quarter of this year alone, representing a 50-percent increase in profit from last year. Big Oil doesn't need help from American taxpayers to make unprecedented profits. For better or worse, they know how to do it without corporate welfare, and we ought to end the corporate welfare that makes our job of cutting the deficit and reining in the debt and reducing the size of government all the more difficult.

This call ought to be an easy one. We have difficult choices ahead in cutting spending and perhaps increasing revenue, but this one should be easy for us. I hope it will attract bipartisan support because there is truly nothing partisan about this kind of corporate welfare.

Despite claims to the contrary, ending these subsidies will not increase prices at the pump. It will impose basic fairness because Americans will no longer pay out of pocket for these tax breaks and giveaways to some of the most profitable companies in the world. It will not add to prices at the pump.

In my home State of Connecticut and across the country, people are rightly concerned about reducing our debt and deficit, and we will make those difficult choices just as Americans are making difficult choices in tightening their belts and their budgets as they struggle to find jobs and make ends

meet. But as resources remain scarce for some of our most vital programs, we can ill-afford this kind of corporate welfare.

I urge my colleagues to seize this moment, to cut these subsidies, and to protect the hard-earned dollars of American taxpayers. Taxpayers in Connecticut and throughout the country basically want fairness—shared sacrifice, truly shared sacrifice—and I urge my colleagues to demonstrate to the American people that we are serious about tackling unfair giveaways and to take this step toward restoring fairness.

Madam President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. BROWN of Ohio. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CHILDREN'S RESEARCH HOSPITALS

Mr. BROWN of Ohio. Madam President, I just met in a room near the Senate floor with doctors and others from three of America's great children's hospitals: Rainbow Children's Hospital in Cleveland, Nationwide Children's Hospital in Columbus, and Cincinnati Children's Hospital. I think Ohio leads the Nation in the number of children's hospitals and, frankly, I think the quality of children's hospitals.

There are so much we need to do—I know the Presiding Officer from North Carolina sits on the Health, Education, Labor, and Pensions Committee and has had an interest in this—where we don't quite focus enough attention on children's health. In the past, when we did research in this country—and we are only now beginning to change this—we used to think about children as just small adults, and if you needed X milligrams in a prescription for a 150-pound adult, for a 30-pound child you gave them one-fifth as much. We now realize that is not the way we should do research or practice medicine. So we have seen a lot of progress, and much of that comes from the activism, if you will, of doctors and nurses and administrators at Nationwide Children's in Columbus, Cincinnati Children's, and Rainbow Children's in Cleveland, affiliated with the University Hospital.

We have been able, through a long-term program—about a dozen years old now—to do something called children's gradual medical education in training pediatricians. We have also seen it find its way into making pharmaceuticals—something called 340B—and getting

pharmaceuticals, particularly for orphan drugs and rare diseases, to children's hospitals, which helps many small children in this country.

We are also working on legislation—and Kit Bond, the Republican Senator from Missouri who retired in January, and I worked on this—to really focus on pediatric research and designate a handful of children's hospitals—maybe 15 or 20—around the country, some of the best research hospitals, to get them more focused on children's research because even though we have done better, we are not doing well enough, and this is an opportunity to do that.

So I wanted to share on the floor with my colleagues the importance of this legislation, the importance of that focus on children's hospitals, the importance of training pediatricians, and the importance of children's hospitals overall to our Nation's health, especially as regards the future of our Nation and our children.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

FIXING THE DEFICIT

Mr. SANDERS. Madam President, everybody knows this country faces a major deficit crisis and we have a national debt of over \$14 trillion. What has not been widely discussed, however, is how we got into this situation in the first place. A huge deficit and huge national debt did not happen by accident. It did not happen overnight. It happened, in fact, as a result of a number of policy decisions made in recent years and votes that were cast right here on the floor of the Senate and in the House.

Let's never forget, as we talk about the deficit situation, that in the year 2000, when President Clinton left office, this country had an annual Federal budget surplus—let me underline that, a surplus—of over \$200 billion with projected budget surpluses as far as the eye could see. That was when Clinton left office.

What has happened in the ensuing years? How did we go from huge projected surpluses into horrendous debt? The answer, frankly, is not complicated. The CBO has documented it. There was an interesting article on the front page of the Washington Post on April 30, a few weeks ago, talking about it as well. Here is what happened. It is not complicated.

When we spend over \$1 trillion on wars in Afghanistan and Iraq and we forget to pay for those wars, we run up a deficit. When we provide over \$700 billion in tax breaks to the wealthiest people in this country and we forget to pay for those tax breaks, we run up a deficit. When we pass a Medicare Part D prescription drug program written by the drug companies and the insur-

ance companies that does not allow Medicare to negotiate prescription drug prices and ends up costing us far more than it should—\$400 billion over a 10-year period—and we don't pay for that, we run up the deficit. If we more than double military spending since 1997, excluding the wars in Afghanistan and Iraq, and we don't pay for that, we drive up the deficit.

Yesterday, my good friend from Alabama, Senator JEFF SESSIONS—and he is a good friend—came to the floor and suggested that Senator BERNIE SANDERS was one of those big government types. I would say to my friend, Senator SESSIONS, and all of those others who are now wanting to make savage cuts in programs for working families, the elderly, the sick, and the poor: Guess what. I am the deficit hawk. You guys are the big spenders.

This Senator, when he was in the House, did not vote for the war in Iraq which will end up costing us some \$3 trillion by the time we take care of our last veteran. I did not vote for that. Senator SESSIONS did vote for that.

I did not vote for the huge tax breaks for the richest people in this country—no, no. I am the deficit hawk. My Republican friends, in every instance, voted for those huge tax breaks.

I did not vote for the Medicare prescription drug program, \$400 billion over 10 years. I am the deficit hawk. The big spenders on the other side said we could spend that money and not pay for it.

My point is, I am not sympathetic to being lectured about deficits by the same people who caused this crisis and who, on legislation after legislation, voted to significantly increase the deficit and forgot about paying for it—just put it on the credit cards for our children and grandchildren. So, please, don't lecture me on deficit spending.

My Republican friends have come up with an interesting idea as to how we can deal with this crisis, with the deficit crisis. In the House of Representatives, they voted, I believe, unanimously, for the so-called Ryan budget.

What they said is, at a time when the middle class is collapsing, poverty is increasing, unemployment is sky high as a result of this terrible recession, they think the best way to deal with the deficit and the national debt is to make savage cuts in health care; that is, to do away with Medicare as we know it today, convert it into a voucher program, massive cuts in Medicaid. So at a time when 50 million Americans have no health insurance, that number will go up. I am not quite sure what people do if they get sick and lose their health insurance. I don't know what they will do. I don't know how many more people will die if we slash Medicaid and throw millions of people off of that program.

Their brilliant idea of how to move toward deficit reduction is to make

major cuts in education, Pell grants. All over this country middle-class families, working-class families are struggling to be able to send their kids to college, and Pell grants are an important part of how they do it. Cut it, so large numbers of young people never get the chance then to go to college.

Nutrition, cutting back on food stamps, on the Women, Infants, Children Nutrition Program. People in America are hungry. Cut back on those programs. Housing, cut back on those programs. Head Start, giving low-income kids an opportunity to do well—cut back on those programs. Childcare—you name it, they are going to cut back on it.

The deficit is caused by unpaid-for wars, tax breaks for the rich, the Medicare Part D prescription drug program, the bailout of Wall Street, a declining economy, and less revenue coming in. Their solution is to balance the budget on the backs of the sick, the elderly, the children, the poor, to cut back on environmental protection, to cut back on transportation. It is an interesting idea. I think it is a pretty dumb idea myself.

But inherent in that whole approach is another factor. In the United States today, while the middle class is disappearing and poverty is increasing, there is another economic reality; that is, the wealthiest people in this country have never had it so good. Over a recent 25-year period, from 1980 to 2005, 80 percent of all new income went to the top 1 percent. The top 1 percent now earn 23 percent of all income in America, more than the bottom 50 percent.

Today, if you can believe it, the top 400 individuals in America now own more wealth than the bottom 150 million Americans, the bottom half of America. Four hundred people own more wealth than the bottom 150 million Americans.

Interestingly enough, at a time when the rich are becoming richer, when the effective tax rates for the wealthiest people, at 16.6 percent, are the lowest on record, at a time when the wealthiest people have received hundreds of billions of dollars in tax breaks, at a time when corporate profits are at an all-time high and major corporations making billions of dollars pay nothing in taxes, my Republican colleagues, in their approach toward deficit reduction, do not ask the wealthiest people or the largest corporations to contribute one penny more for deficit reduction.

Their idea of moving toward a balanced budget is to go after the middle-class, working families, low-income people, but make sure the millionaires and billionaires and largest corporations in this country who are doing phenomenally well, that they do not have to participate in shared sacrifice. They are protected. This is the Robin

Hood philosophy in reverse. This is taking from the poor and giving to the rich.

Many viewers may not believe me, and I ask them to check it out; that in the midst of all of this—huge deficit, huge national debt, the Republican proposal to slash programs that working families, middle-class people desperately need—in the middle of all this, our Republican friends have another brilliant idea. Let's give \$1 trillion in tax breaks to the very wealthiest people in this country. We are going to throw millions off of Medicaid, we are going to cut back on Pell grants, we are going to make savage cuts in nutrition programs, and whether we get all of those savings, \$1 trillion in savings, do you know what we are going to do with it? We are going to give it to the richest people in this country. We are going to lower the tax rate, the personal income tax rate for the rich from 35 to 25 percent.

At a time when major corporations such as General Electric and ExxonMobil make billions of dollars in profit, pay nothing in Federal income taxes, do you know what we are going to do to them? We are going to give them even more tax breaks.

The President has recently come up with an approach toward deficit reduction which is certainly a lot better than the Republican approach, but to my mind is by no means as strong as it should be. I was disturbed, not happy, to hear that his approach calls for \$2 in spending cuts and only \$1 in additional revenue. So at a time of significant, severe recession, millions of people are hurting, the President is calling for \$2 in cuts in spending but only \$1 in additional revenue. I think that is a bad idea. I think that is an inadequate idea because if the President starts at that position, \$2 in spending cuts, \$1 in revenue, by the time we deal with the Republicans in the House, that number is going to go up and will probably end up 3 or 4 to 1 in terms of spending cuts.

Senator KENT CONRAD, chairman of the Budget Committee in the Senate, has done a better job. He has not gone anywhere near as far as I think he should go but has at least come up with a budget that I think most Americans think is sensible, by saying at the very least let's have \$1 of spending cuts and \$1 of additional revenue. Let's at least have shared sacrifice. Let's not balance the budget on the backs of the weak and vulnerable.

My office put together a list of ideas that are out there as to how we can raise revenue in a fair and progressive manner. I want to touch on them for a second.

No. 1, I want everybody to hear this: If we imposed a 5.4 percent surtax on millionaires who have been doing phenomenally well, over a 10-year period we can raise \$383 billion. What do you think? We can throw millions of people

off of Medicaid, we can end nutrition programs for low-income kids, or we can ask the wealthiest people to pay a little bit more. The cause of this recession we are in right now has to do with the greed, the recklessness, and illegal behavior on Wall Street. The crooks on Wall Street who made huge sums of money ended up driving this country into a terrible recession. If we passed a speculation fee, a fee on Wall Street speculators, we could raise as much as \$100 billion a year, and, by the way, have the added benefit of cutting back on speculation.

We could raise more than \$580 billion over 10 years by erasing tax breaks for companies that ship jobs overseas. Right now we have a tax policy that says shut down a plant in America, go to China, and guess what. They are going to get a tax break. I think that doesn't make a whole lot of sense.

The estate tax—which my Republican friends refer to as the so-called death tax—only applies to the top three-tenths of 1 percent, the very wealthiest people in this country. Instead of lowering the estate tax, as we recently did, we could raise \$330 billion over 10 years by establishing a responsible estate tax that asks the top three-tenths of 1 percent of Americans who inherit over \$3.5 million in wealth to pay a fair estate tax.

We do raise \$736 billion over 10 years by taxing capital gains and dividends as ordinary income. Warren Buffett, one of the wealthiest people in the world, has said he pays a lower Federal tax rate than his secretary, than do nurses and police officers and teachers, because most of his income and most of the income of very wealthy people is generated by capital gains. Our provision could correct that problem—taxing capital gains and dividends as ordinary income.

We could raise \$40 billion over the next 10 years by ending tax breaks and subsidies for Big Oil and gas. I do understand there is legislation going to be coming to the floor which I strongly support. It doesn't go as far as I would go, but it basically says the top five oil companies that have made billions of dollars in profits and are now charging us \$4 a gallon—prices are soaring despite the fact that supply today is greater than it was a year ago and demand is less—that maybe we do away with some of the tax breaks they have enjoyed.

And \$40 billion over 10 years is what I would propose we can get. We can raise \$100 billion a year by prohibiting abusive and illegal offshore tax shelters. The Senate Budget Committee has a photograph of a building in the Cayman Islands. It is an infamous building. It is a four-story building that houses 18,000 corporations. That is right. One building, 18,000 corporations. Obviously the whole thing is a scam. This is being used as a postal address

for corporations and wealthy individuals who want to avoid paying taxes to the U.S. Government.

The Budget Committee estimates that we are losing about \$100 billion a year by having corporations and wealthy people stash their money in the Cayman Islands. That is a lot of money, \$100 billion a year. We could raise up to \$500 billion over 10 years by establishing a currency manipulation fee, and, by the way, create up to 1 million new jobs in the process.

So what is my point? My point is this deficit was caused by actions voted upon by many of my Republican friends: the war, tax breaks for the rich, Medicare Part D, that in the middle of a recession when the middle class and working families are already hurting, when poverty is increasing. It is not only immoral, it is bad economics to balance the budget on working families and the most vulnerable people in this country.

When people are hurting, when they have lost their jobs, when their incomes are going down, you do not say to those people: We are throwing you off of Medicaid. We are going to "voucherize" Medicare, we are going to cut back on Federal aid to education so your kid cannot go to college. That is not what you say in a humane and fair society.

On the other hand, at the same time when the wealthiest people are becoming phenomenally wealthier, and when large corporations are making huge profits, and in many cases not paying any taxes at all, it is appropriate to say to those people: Sorry, you are also American. You have got to participate in shared sacrifice. You have also got to help us reduce the deficit.

That is where we are right now. We are in the midst of a major debate, but it is not only on financial issues. It is very much a philosophical debate. It is a debate about which side are you on. Do you continue to give tax breaks to the very rich and make savage cuts for working families, for children, the elderly, the poor, the most vulnerable?

I am going to continue doing everything I can to make sure the budget that is finally passed here in the Senate is a fair budget, is a responsible budget, is a just budget.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Madam President, first I want to give kudos and accolades to my friend and colleague and fellow Madisonian—Madison High School in Brooklyn, NY, that is—BERNIE SANDERS. I have rarely met, not just here in the Senate but in public life, people who display the passion and the effectiveness combined that BERNIE does. Sometimes it is a lonely world for him in a certain sense, because he feels these issues so strongly. He is so outstanding at articulating them in every

way. And he wonders why the world does not change a little more. Well, BERNIE, in terms of this world, which changes slowly, unfortunately, we would agree with that, you have done a great deal of good for people who need help. I am glad you are here, and I am glad you are my friend.

CLOSE BIG OIL TAX LOOPHOLES ACT

Mr. SCHUMER. I rise today in support of the legislation authored by my good friend from New Jersey, Senator MENENDEZ. As you know, the Democrats here on our side of the aisle are focusing on this legislation this week and next. But Senator MENENDEZ has been championing this legislation for quite a while. He was prescient to focus on this idea. I am glad we will have a vote on it. I hope the vote will pass. I have heard a few of our Republican colleagues now have said they would consider voting for it. Nothing would be better in terms of showing some bipartisanship and giving us some hope that we can come to a fair agreement on the budget than to pass this legislation.

In the last election, voters who gave those of us who have the privilege of serving in this Chamber two distinct mandates. They told us to do two things at once. First, perhaps foremost, make the economy grow. Create good-paying jobs. Make sure that American dream burns brightly, the dream that says to the average middle-class family: The odds are pretty good that you will be doing better 10 years from now than you are doing today, and the odds are very good that your kids will do better than you.

For that dream, which has burned so brightly in this country for hundreds of years, the candle began to flicker a little bit in this decade, because median income went down even before the recession, which meant that even if you had a job—and we know that millions are out of work despite the fact that they look—I think of all of the people whom I have met who are struggling because they do not have jobs. But even people who do have work have a difficult time when they sit down at that dinner table Friday night after dinner, figuring out how they are going to pay the bills. The cost and needs keep going up. And even when you have a job, the income does not seem to keep up.

So that is one obligation voters sent us, and it is a very justified one. Second, they said in no uncertain terms, rein in the out-of-control Federal deficit. Rein it in. And they are right. Because in a certain sense, I have said this before, but I think it is worth repeating: The debt—the symbolic nature of the debt is as follows: We, the U.S. Government, are a blindfolded man, and we are walking toward the cliff. Once we fall off that cliff, there is no getting back up.

Now the debate is whether we are 20 feet from that cliff or 200 yards from that cliff. But we know sooner or later if we keep walking straight, we are going to fall off. So that means try to rein in this out-of-control Federal deficit. It would be hard enough to accomplish one of these goals. To try to do both at once is a Herculean task. It is why we are having such divisions here, and it is why everyone is grappling.

I think everybody is trying to do the right thing regardless of their ideology. But there are strong feelings. So when we can come to issues that seem to have an easy common ground, because things are so difficult, we ought to jump at them. That is what the Menendez amendment is. It is a choice that is not a tough one, not a mile, because it is obvious that at this time, when there are so many needs, to continue to give the oil companies the kinds of tax break we do makes no sense. Getting rid of these corporate subsidies to Big Oil is a no-brainer. Decades ago these were passed. Oil was \$17 a barrel. Maybe it made sense in those days to give companies an incentive to explore, to produce.

One of the subsidies the Menendez legislation repeals, the Oil Depletion Allowance, dates back to 1913. That is the same year a man named William Burton patented a new oil extraction process called “thermal cracking.” Well, Big Oil no longer cracks for petroleum using Mr. Burton’s method. It is an outdated process, decidedly. But the outdated tax subsidy still remains on the books, amazingly enough. With oil hovering at \$100 a barrel, Big Oil reaping record profits, it defies logic for this government to spend billions of dollars, for these taxpayers to give dollars out of their pocket every year when they are struggling, to tax giveaways to Big Oil which is making record profits.

Believe me, the free market gives the oil companies enough of an incentive to produce. When oil is \$100 a barrel, they do not need an extra subsidy from the government to produce. They are going to produce every bit of oil they can.

They make huge profits, so they do not need a financial nudge from Washington. At the same time, middle-class Americans get hit with a double whammy. They are paying \$70 or more to fill up their gas tanks, and then some of their hard-earned tax dollars are being used to line Big Oil’s pocket.

In my home State of New York, the price of gas is up 35 percent on average compared to this time last year. Economists estimate the typical family will pay almost \$1,000 more on gas this year than last. Families across the country are still struggling to make ends meet. As the economy slowly recovers, they cannot afford to get gouged at the pump.

With billions of dollars worth of tax subsidies and gas prices at near record

highs, it is no wonder that the top five oil companies just announced mind-boggling profits. These companies are not only among the most profitable businesses in the United States, they are among the most profitable in the whole world. In the first quarter of this year alone, the Big Five brought in \$36 billion in profits. In the past decade, they took home nearly \$1 trillion—not a billion, a trillion dollars in profits.

There is nothing wrong with these profits in and of themselves. In America we celebrate success, we want the private sector to thrive. But at a time when the government is looking to tighten its belt, and we are grappling with painful cuts because we have the dual goal of growing the middle class but also reducing the deficit, it boggles the mind that we continue to subsidize such a lavishly profitable industry.

There are priorities. I said this to the oil company executives today when they testified before the Finance Committee. I want to salute Chairman BAUCUS for holding such outstanding hearings. There are priorities. How many Americans would say, if we had to choose, that we should give oil companies an extra subsidy rather than help kids who deserve to go to college pay for college?

That is what many of my colleagues are recommending. That is what the House budget recommended. How many of my colleagues would say we ought to cut cancer research but still continue to give the oil companies the subsidies we do? Again, the Ryan budget does that.

I understand they say we have to cut spending. We do. But we also have to cut out wasteful giveaways such as tax breaks for Big Oil. I would do that before I cut aid to college students who are struggling to pay for college, which is more and more expensive, before I cut cancer research, which has saved millions of lives, including people we know and love. I would do that before I cut money for veterans or cut money to keep our homeland secure. But the budget Mr. RYAN has proposed, and many of the budgets I have seen come from colleagues on the other side of the aisle, choose these subsidies to Big Oil over money to help kids pay for college, over cancer research, over helping our veterans, over keeping our homeland secure.

Hardly any American would agree with that. Hardly any American, Democratic or Republican, liberal, conservative, North, East, South, or West.

Try to wrap your head around it. Big Oil is reporting record profits, gas prices are near an all-time high, and we the American taxpayers are subsidizing the oil industry to the tune of \$4 billion a year.

You do not need the imagination of Lewis Carroll to come up with a more ridiculous scenario. That is why I strongly support and I am proud to co-sponsor Senator MENENDEZ’s Close Big

Oil Tax Loopholes Act. This legislation will put an end to taxpayer handouts in the five largest integrated oil companies, and use the \$21 billion in savings to reduce the deficit. This \$21 billion is an excellent downpayment on our effort to get the Nation's fiscal house in order. The bill repeals a host of Byzantine tax provisions that only a lobbyist could love, such as the deduction for tertiary injectants and the deduction for intangible extraction costs.

Small and medium-sized oil firms are exempt. The legislation only deals with the Big Five: Shell, ExxonMobil, Chevron, ConocoPhillips, and BP. I have heard pundits from the hard right parrot Big Oil's talking point that repealing these giveaways would increase gas prices for consumers. Well, nothing could be further from the truth. Independent analyses have repeatedly found that ending these absurd subsidies would not impact the price of gas. In what was perhaps an inadvertent moment of candor at this morning's Senate Finance Committee hearing, ExxonMobil's CEO Rex Tillerson said: "Gasoline prices are a function of crude oil prices, which are set in the marketplace by global supply and demand—not by companies such as ours."

That does not seem like an objectionable comment. It is true. And when he made that comment, Mr. Tillerson of ExxonMobil has conceded that repealing taxpayer-funded subsidies for the Big Five will not increase prices. Prices are set, as he said, by global supply and demand.

That is not to say that repealing the subsidies will necessarily bring down prices. We are not making that claim. All along we have been clear that the purpose of this bill is to make a dent in the deficit by repealing tax breaks for the five companies that are the least in need of help from Uncle Sam.

Lowering the cost of gas and ridding our country of its dependence on foreign oil requires a long-term, comprehensive approach. In the months ahead, I expect the Democratic caucus will unveil a thorough and forward-thinking plan to do just that.

In the meantime, if Republicans in the House are serious about deficit reduction, the Menendez bill is their chance to show it now. There is no good reason not to support this sensible legislation. Speaker BOEHNER said earlier this week he wants to make trillions of dollars in cuts. Here is a good place to start. Indeed, the Speaker himself has previously said as much. Let's not forget he was in favor of repealing oil subsidies before he was against it. The bottom line is this: At a time of sky-high oil prices, it is unfathomable to continue to pad the profits of oil companies with taxpayer-funded subsidies. The time to repeal these giveaways is now.

Our plan to cut the deficit begins with ending wasteful subsidies to big

oil. The Republican plan begins with ending Medicare as we know it. That is a bright-line difference between our side and theirs. We know what choice the American people will make.

Mr. President, I ask that the Presiding Officer report the nomination.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER (Mr. BLUMENTHAL). Morning business is closed.

EXECUTIVE SESSION

NOMINATION OF MICHAEL FRANCIS URBANSKI TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the nomination of Michael Francis Urbanski, which the clerk will report.

The legislative clerk read the nomination of Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia.

The PRESIDING OFFICER. Under the previous order, there will be 1 hour of debate with respect to the nomination, with the time equally divided in the usual form.

The Senator from Virginia.

Mr. WEBB. Mr. President, I was very gratified yesterday when the Senate unanimously voted to confirm Arenda Wright Allen as U.S. District Judge for the Eastern District of Virginia, and I am very glad to be here to speak in support of Virginia's nominee to the Western District of Virginia, Judge Michael Urbanski.

As I did yesterday, I wish to express my appreciation to the leadership of both parties in the Senate for scheduling these important confirmation votes. Filling existing vacancies on our courts is important to Virginia, it is important to America, particularly in these cases where the nominees are noncontroversial to either party and, thus, are able to be brought forward for reasonably quick confirmation.

One of the bedrock principles in this country is access to justice, and it can clearly be said that vacancies on our courts create backlogs, bottlenecks and delays, and justice delayed is obviously justice denied.

Again, I wish to express my appreciation to the leadership for moving these two very highly qualified nominees, Arenda Wright Allen, who was confirmed yesterday, and Judge Michael Urbanski, who will be voted on shortly.

In that regard, I am proud of the work we have been able to do during my time in the Senate in finding dedi-

cated, well-qualified jurists from Virginia to recommend to the President when vacancies do occur on the Federal bench. When I first arrived in the Senate, Senator John Warner and I developed a robust, collaborative selection process to review candidates. Senator MARK WARNER and I have continued this thorough, deliberative process, and we were pleased to recommend Judge Michael Urbanski to President Obama in June of last year. President Obama first nominated Judge Urbanski for a seat on the U.S. District Court for the Western District of Virginia last December. He renominated Judge Urbanski earlier this year, and Judge Urbanski was reported out of the Judiciary Committee without opposition on March 10 of this year.

Senator WARNER and I jointly reviewed a highly competitive field from the Western District of Virginia. Judge Urbanski stood out to me because of the resounding recommendations from the bar associations which he covers now as a magistrate judge. Those recommendations all noted Judge Urbanski's incredible work ethic. He has worked tirelessly as a magistrate judge to ensure the efficient administration of justice in the Western District of Virginia. He has served in this capacity since 2004. He also has an outstanding reputation for fairness and a good judicial temperament. He has contributed to the efficiency of the Western District of Virginia by being an effective mediator, resolving a substantial number of disputes without lengthy litigation. He also recently established a veterans court in the Western District. This court strives to utilize the many services available to our veterans in order to try to find alternatives to incarceration from non-violent offenders and to break the cycle of recidivism.

I am very proud to say Judge Urbanski is a product of Virginia's public universities. He graduated from the University of Virginia School of Law in 1981 and the Nation's oldest university, the College of William and Mary, in 1978.

Prior to becoming a Federal magistrate judge, Judge Urbanski earned a reputation as one of the top trial lawyers in western Virginia. He was the head of the law firm of Woods Rogers' litigation section and practiced in Roanoke from 1989 to 2004. I have met personally with Judge Urbanski. I am convinced he has the correct judicial temperament, intelligence, and dedication to make an excellent district court judge. I also had the pleasure of meeting with his family, many of his friends, law clerks, and colleagues. His dedication to his family and to his community is abundantly apparent.

Though I am proud Virginia has such an exemplary individual to put forward as a district judge nominee, the Judiciary Committee clearly shares this

view, having voted out Judge Urbanski unanimously. I urge all my colleagues to support his confirmation.

Mr. WARNER. Mr. President, yesterday this Chamber came together to unanimously confirm Ms. Arenda Wright Allen to serve as a district judge in Virginia. I thank my colleagues from both sides of the aisle for their vote. I am confident that we will give the same support to another excellent nominee from Virginia under consideration today.

I rise to speak in support Judge Michael Urbanski to serve as the next U.S. district judge for the Western District of Virginia.

Judge Urbanski would be appointed to a court that is known for its rigor and quality. It is a court that requires a highly effective judge that is sensitive to the details of each case. I think Judge Urbanski is perfect for this job.

He graduated from the College of William and Mary and the University of Virginia Law School. He also served as a law clerk for the Honorable James Turk, a district judge in the Eastern District of Virginia.

Following his clerkship, he worked in the private sector where he built experience in antitrust litigation, counseling and investigations, contract and business tort litigation and intellectual property litigation.

Since 2004, he has served as a magistrate judge in Roanoke, VA, where he has built strong connections to the community and a reputation as a fair and impartial judge.

I would be remiss not to mention the overwhelming support his candidacy received from the legal community in which he will serve. In addition, the Virginia State Bar, the Virginia Women Attorneys Association and the Salem/Roanoke County Bar Association ranked Judge Urbanski as "highly qualified" or "most highly qualified."

I again would like to thank Chairman LEAHY and Ranking Member GRASSLEY for moving Judge Urbanski's nomination through the Judiciary Committee so that we could consider him today. As I testified at the hearing, I look forward to casting my vote in support of Judge Urbanski's nomination and encourage my colleagues on both sides of the aisle to do the same.

Mr. President, I ask unanimous consent that the time used in quorum calls during the debate on the Urbanski nomination be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I wish to address the Senate on the nomination of Michael Urbanski to be a U.S. district judge for the Western District of Virginia.

Since we have returned from the April recess, we have done very little else other than consider judicial nominations. This will be the third judicial nominee to be confirmed in the last 3 days and the 23rd confirmed this year. In fact, after today, we will have confirmed six judges in just 8 days. I know the liberal interest groups have been pressuring the other side to consider more nominees even though we have been moving at a very brisk pace this entire Congress, but it is surprising to me, with all the issues facing the Nation at home and abroad, that we would spend 2 weeks on the floor considering little else.

Our economy continues to struggle. Millions of Americans remain out of work and are unable to find jobs. The unemployment rate remains at approximately 9 percent. Those who do have jobs are finding it more and more difficult to get to work as gas prices are over \$4 a gallon and inching even higher. Our Nation is facing significant national security issues. Every single day, our national debt continues to climb to unsustainable levels. These are incredibly important issues. I would not go so far as to say the majority does not care about the issues facing our Nation. Perhaps they are simply out of ideas. But as Americans continue to struggle in this economy, it is difficult to understand why we would spend 2 weeks voting on hardly anything but judicial nominations.

As I said, the Senate has been moving swiftly this year on those nominations. We have confirmed 23 nominees in just 49 days. That is a rate of one judge almost every other day the Senate has been in session since convening in January.

However, the Senate must not place quantity confirmed over quality confirmed. These lifetime appointments are too important to the Federal judiciary and the American people for the Senate to simply rubberstamp these nominations.

I was surprised during one of our recent debates to hear one of my colleagues on the committee come to the Senate floor and imply otherwise. During the debate on the confirmation of Edward Chen, a reference was made to what was characterized as the Senate's longstanding tradition—a deference to home State Senators with regard to the Federal district court nominations. That Senator stated that in his time in the Senate, where a Federal district court nominee is backed by the two home State Senators, it is usually almost pro forma that the nominee is confirmed.

The fact is that home State Senators do have a great deal to say in who should serve the country on the bench. That is part of the advise-and-consent process. But there are 100 voices in this body, and we speak for the American people who come before these jurists. We must ensure they are fit to serve as impartial arbiters.

I do not consider the confirmation process for a Federal judicial nominee to be a pro forma process. I will continue to give scrutiny to all nominees regardless of home State support. I do not consider it delay or obstruction to fulfill that duty. If the other side chooses to do so, of course, that is up to them, but I will not simply rubberstamp those nominees. We will continue to process the nominees fairly and with the standard to which the people rightly hold us.

I support today's nominee. Michael Francis Urbanski is nominated to be a U.S. district judge for the Western District of Virginia. He presently serves as a U.S. magistrate judge in the same district.

Judge Urbanski received his BA with high honors from William & Mary in 1978 and his juris doctorate from the University of Virginia School of Law in 1981. Upon graduation, he served as a law clerk to the Honorable James C. Turk of the U.S. District Court for the Western District of Virginia. From 1982 to 2004, Judge Urbanski worked in private practice, first as an associate at the Washington, DC, office of Vinson & Elkins and then with the firm of Woods Rogers, where he became a principal in 1989. In 2003, the nominee was appointed to his present position. In 2010, Chief Judge James Jones appointed the nominee to chair an advisory committee on the new local rules adopted in the Western District.

The American Bar Association Committee on the Federal Judiciary has given Judge Urbanski their highest rating—unanimously "well qualified."

I am pleased to support this experienced nominee, and I urge my colleagues to do the same.

Mr. LEAHY. Mr. President, today, the Senate considers the nomination of Michael Francis Urbanski to fill a judicial vacancy on the District Court for the Western District of Virginia. I thank the majority leader for scheduling the vote today on this nomination, as well as the vote yesterday on another nomination to fill a vacancy in Virginia. With vacancies at 90 in Federal courts throughout the country, I hope that we can continue to work together in the remaining weeks of this work period to ensure that the Federal judiciary has the resources it needs to fulfill its constitutional role.

Our action to take up and vote on these nominations from Virginia, and to come to a time agreement to debate and vote on the long-delayed nomination of Ed Chen to the Northern District of California earlier this week,

show that the delays that have slowed our progress on nominations are unnecessary.

Judge Urbanski has been a magistrate judge for 7 years on the court to which has now been nominated. Previously, he was in private practice in Roanoke, VA, and Washington, DC, and was a law clerk to the Western District of Virginia Judge James C. Turk. Judge Urbanski's nomination has the support of both of his home State Senators, Senator WEBB and Senator WARNER. His nomination was reported unanimously by the Judiciary Committee over a month ago. I expect that it will be unanimously confirmed today.

In addition to Judge Urbanski, there remain another 10 judicial nominations on the Executive Calendar that have been ready for final Senate action for weeks and, in some cases, many months. Today we reported another five of President Obama's judicial nominations favorably. They are now, also, ready to be considered by the Senate. All of these nominees have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. They should have an up-or-down vote after being considered by the Judiciary Committee, and without additional weeks and months of needless delay.

Our ability to make this kind of progress regarding nominations has been hampered by the creation of what I consider to be misplaced controversies about many nominees' records. Recently, Republican Senators have tried to twist nominees' litigation experience against them. Their partisan attacks are not consistent. Republicans oppose some nominees by saying that they do not have sufficient litigation experience. When a nominee has extensive experience and is a successful trial lawyer, they reverse themselves and complain that the nominee has too much experience and will be biased by it.

It is difficult to satisfy people whose standards change in order to explain their opposition. Republicans seem to react this way to President Obama, his actions and his nominees. Republicans were for a deficit commission until President Obama was for it; then they voted against it. They were for action in Libya until President Obama took action; then they were against it.

They opposed Judge McConnell of Rhode Island supposedly because he was an excellent trial lawyer. They opposed Judge Chen of California despite his 10 years as a fair and impartial Federal judge magistrate, because he was a staff attorney litigating to protect civil rights. Both of these nominees have assured us that they understand the difference between being an advocate for a client and serving as a judge. I have no doubt that they do. Judge Chen demonstrated his impartiality in

10 years of work as a Federal magistrate judge. Republicans chose to ignore his demonstrated qualifications and experience. They likewise ignore the sworn testimony of the nominees at our hearings and their answers to Republicans own questions. When they do that, it makes you wonder what is driving their decisions to oppose these qualified nominees.

These are Republican Senators who demanded that President Bush's nominees be confirmed despite their ideological commitment to conservative activism. In those years, Republicans argued that nominees' careers devoted to serving corporate interests and conservative causes were irrelevant to the Senate's inquiry and that all nominees should be confirmed if they met basic qualifications. In President Bush's first term, the Senate regularly considered nominations, confirming 205 to lifetime appointments. We remain well behind that pace, having been allowed to consider only 83 of President Obama's nominations in nearly 28 months of his term.

Senate Republicans are now adopting a much different standard—and a shifting one at that. It almost seems like whatever might be claimed to justify strenuous opposition and voting no on an Obama nominee is justified by the end—opposing the President. That is wrong. That is wrong because this President has worked hard to consult with Republican home State Senators. Yet they still oppose them, including President Obama's first nomination that of Judge David Hamilton of Indiana. Despite Senator LUGAR's support, Republicans filibustered that nomination and delayed it for months. They have filibustered five of President Obama's judicial nominations to date.

It is wrong because their actions have created a judicial vacancies crisis that persists to this day. If the 22 judicial nominees Republicans point to as being confirmed this year, 15 should have been confirmed last year and were needlessly delayed. One even required cloture to end an unprecedented filibuster against a Federal trial court nominee.

With judicial vacancies at crisis levels, affecting the ability of courts to provide justice to Americans around the country, we should be debating and voting on each of the 15 other judicial nominations reported favorably by the Judiciary Committee and pending on the Senate's Executive Calendar. The progress we have started to make these last 2 weeks is a sign that the Senate can do better to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country.

I congratulate Judge Urbanski and his family on his confirmation today.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant Daily Digest editor proceeded to call the roll.

Mr. MANCHIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is, Will the Senate advise and consent to the nomination of Michael Francis Urbanski, of Virginia, to be United States District Judge for the Western District of Virginia?

Mr. MANCHIN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The clerk will call the roll.

The assistant editor of the Daily Digest called the roll.

Mr. KYL. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Indiana (Mr. COATS), the Senator from Mississippi (Mr. COCHRAN), the Senator from Texas (Mrs. HUTCHISON), the Senator from Alaska (Ms. MURKOWSKI), and the Senator from Louisiana (Mr. VITTER).

The PRESIDING OFFICER (Mr. SANDERS). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 70 Ex.]

YEAS—94

Akaka	Graham	Moran
Alexander	Grassley	Murray
Ayotte	Hagan	Nelson (NE)
Barrasso	Harkin	Nelson (FL)
Baucus	Hatch	Paul
Begich	Heller	Portman
Bennet	Hoeben	Pryor
Bingaman	Inhofe	Reed
Blumenthal	Inouye	Reid
Blunt	Isakson	Risch
Boozman	Johanns	Roberts
Boxer	Johnson (SD)	Rockefeller
Brown (MA)	Johnson (WI)	Rubio
Brown (OH)	Kerry	Sanders
Cantwell	Kirk	Schumer
Cardin	Klobuchar	Sessions
Carper	Kohl	Shaheen
Casey	Kyl	Shelby
Chambliss	Landrieu	Snowe
Coburn	Lautenberg	Stabenow
Collins	Leahy	Tester
Conrad	Lee	Thune
Coons	Levin	Toomey
Corker	Lieberman	Udall (CO)
Cornyn	Lugar	Udall (NM)
Crapo	Manchin	Warner
DeMint	McCain	Webb
Durbin	McCaskill	Whitehouse
Enzi	McConnell	Wicker
Feinstein	Menendez	Wyden
Franken	Merkley	
Gillibrand	Mikulski	

NOT VOTING—6

Burr	Cochran	Murkowski
Coats	Hutchison	Vitter

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table. The President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will resume legislative session.

MORNING BUSINESS

Mrs. BOXER. Mr. President, I ask unanimous consent that the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that I may speak for up to 20 minutes, followed immediately by Senator ISAKSON for such time as he may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

ETHICS COMMITTEE REPORT ON FORMER SENATOR JOHN ENSIGN

Mrs. BOXER. Mr. President, yesterday the Senate Ethics Committee voted unanimously to release the special counsel's report regarding the actions of former Senator John Ensign.

The committee also voted unanimously to refer several findings to the Department of Justice and to the Federal Election Commission because we had reason to believe that Senator Ensign violated laws within their jurisdiction. I want to thank from the bottom of my heart the Senators who participated in this investigation, many of whom are on the floor today: my vice chairman, the extraordinary leader, Senator ISAKSON—and I say leader, I mean a leader on the committee. I consider him to be a cochair with me. And Senator ROBERTS, who has been on this committee for a long time, who has a sense of history, and a sense of levity, and pragmatism. I appreciated his cooperation.

I want to note the participation of SHERROD BROWN, who came on this committee and began this journey with us and his very important contribution; Senator RISCH, who brought with him a very strong legal slant on everything we did and was very valuable. I want to thank him.

I want to say a special word of thanks to Senator CARDIN who sat in on this case because Senator PRYOR felt he had too close a relationship with Senator Ensign and had to recuse himself. Senator CARDIN, we thank you so much for coming in and focusing on this case. I have to say, I am so grateful to how thoroughly and hard and collaboratively we all worked during this 22-month investigation. I say—and I mean—it was an honor to work with my colleagues.

The Ethics Committee is unique. Its staff is nonpartisan, and its actions are bipartisan. That is so important always, but particularly during these

very polarized times, and also because this was such a long and difficult investigation for many reasons.

I want to be clear about why the committee is releasing its report to the public and why Senator ISAKSON and I are addressing the Senate today. If any of our colleagues wish to add to our comments, I hope they will do so. While Senator Ensign's resignation ended our investigation before the next phase, which was the adjudicatory phase or the trial phase, it did not end our profound responsibilities to the Senate, to our laws, to our rules, to our Constitution, and, of course, to the American people.

Article 1, section 5, clause 2 of the Constitution of the United States says that: "each House may determine the rules of its proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds, expel a member." That is in the Constitution.

Senate rules give the Ethics Committee responsibility to investigate alleged violations of laws and rules and "improper conduct which may reflect upon the Senate." That is a quote from our rules.

Finally, Ethics Committee rules make clear that whenever its members have "reason to believe" that a violation of law has occurred, we "shall" report it to the proper authorities.

Let me say that again. Ethics Committee rules make it clear that whenever the members of the committee have reason to believe that a violation of law has occurred, we shall report it to the proper authorities. So we have a solemn responsibility indeed. It is actually a mandate to refer possible criminal or civil violations to the Department of Justice and to the Federal Election Commission. That is what we have done today.

We also have another responsibility. That is to tell the American people when we believe laws and rules have been broken, and that standards of conduct have been breached. That is what we have done today.

Our special counsel, Carol Elder Bruce, has written a report that speaks in great detail about her findings, and that report has been released today. These findings are so disturbing that she believed that had Senator Ensign not resigned, and had we been able to proceed to that adjudicatory phase, the evidence of Senator Ensign's wrongdoing would have been substantial enough to warrant the consideration of expulsion, the harshest penalty available to the Ethics Committee and the Senate.

That is why when former Senator Ensign resigned, the vice chairman and I put out a statement, and we said that he had made "the appropriate decision."

I want to give you the findings of the special counsel.

One. There is substantial credible evidence that Senator Ensign conspired to violate Doug Hampton's postemployment contact ban.

Two. There is substantial credible evidence that Senator Ensign aided and abetted Mr. Hampton's violations of the postemployment contact ban.

Three. There is substantial credible evidence that Senator Ensign made false and misleading statements to the Federal Election Commission regarding the \$96,000 payment made to the Hamptons.

Four. There is substantial credible evidence that the \$96,000 payment to Mr. Hampton violated Federal campaign finance laws.

Five. There is substantial credible evidence that Senator Ensign violated a law and a Senate rule prohibiting unofficial office accounts.

Six. There is substantial credible evidence that Senator Ensign permitted spoliation of documents and engaged in potential obstruction of justice.

Seven. There is substantial credible evidence that Senator Ensign discriminated on the basis of gender.

Eight. There is substantial credible evidence that Senator Ensign engaged in improper conduct reflecting on the Senate, including violating his own office policies, written in a manual.

These eight serious findings in the special counsel's report are the culmination of an extensive 22-month investigation and the basis for the committee's unanimous decision to refer this matter to the Department of Justice and the Federal Election Commission.

As Chair of the Senate Ethics Committee, I am proud to report to the Senate that our committee and its staff and special counsel have been fair and thorough. We deposed or interviewed 72 witnesses. We issued 32 subpoenas for documents. We reviewed more than one-half million documents, including a large number that were initially withheld from the committee. None of this would have been possible without the very hard work done by the staff of our committee, our personal offices—and I am so grateful to them—the special counsel who was extraordinary and to whom we all owe a debt of gratitude.

I particularly wish to thank the staff director and the chief counsel of the Ethics Committee, John Sassaman, and his team. They were focused and they searched for the truth, and we believe they found the truth.

Again, I also wish to personally thank our special counsel, Carol Elder Bruce, and her team.

Our Founders gave Congress the responsibility to ensure that its Members behave ethically. The Ethics Committee tries to do this by working to prevent violations of rules and laws when possible. We try to work with colleagues before they do something they

shouldn't do. We try to train colleagues so they understand what we mean when we say don't bring any kind of shame upon the Senate. Then, if something bad happens, we give a fair hearing, we might sanction them, and we do when necessary. This isn't an easy task, but every member of the Ethics Committee is committed to fulfilling our critical responsibility in a thorough, fair, and bipartisan fashion.

When Senator Ensign resigned, he said: "I have not violated any law, any rule, or standard of conduct." I wish to go on record as chairman of the Ethics Committee to say how strongly I disagree with that statement.

Let's be clear. It was Senator Ensign's actions that led to the ethics complaint filed against him. It was Senator Ensign's actions that led to a 22-month investigation by the Ethics Committee. It was Senator Ensign's actions that led to the very serious findings and referrals in the report we are releasing to the public today.

The committee believes every Senator should read this report very carefully. Let me say that again. The committee believes every Senator should read this report very carefully because it is a cautionary tale. It shows that our actions—all of them—have consequences for ourselves, for our families, for our staffs, for Congress, and for our Nation. It shows we must ensure every action we take is within the law, the rules, and the appropriate standards of conduct. In my view, if I can say my own personal view, it shows something else; that is, when you are in a position of trust and power, don't abuse it. Don't misuse it because people can get hurt, very hurt.

We cannot violate the laws or rules we set for others, including our own staffs. We must always lead by example, not by words alone.

This Ensign case was a sad chapter for the Senate but a far sadder chapter for those whose lives were affected and destroyed by his actions. I wish to thank the Senate for placing its trust in the Ethics Committee.

I yield to the vice chairman of the committee, the one whom I consider my cochairman, Senator ISAKSON.

Mr. ISAKSON. Thank you, Madam Chairman.

Mr. President, on certain occasions in the life of a public official one is called upon to make difficult and unpleasant decisions. Such is the case for the six members of the U.S. Senate Ethics Committee today. But we recognize it is essential that the institution—this Senate—that passes the laws which all our citizens must live under must also enforce those laws and rules of standards and conduct which we impose upon ourselves. It is a solemn responsibility, but it is important to the integrity and the future of this institution.

The Senate Ethics Committee looks upon itself as an advisory board and a

source of information and counsel to our Members. We ask Members to come to us when there are questions about the potential ethical violation of a decision or even something that might, in passing, seem to be trivial. Our job is to make sure everybody who has a question gets an answer and no one unwillingly gets caught in an unethical situation. But it is also our responsibility, when complaints are filed, to follow up on those complaints and, if we find merit in the complaint, to enter an initial investigatory period of time which, if that position bears enough likelihood that a violation has occurred, ultimately goes to an adjudicatory phase and then finally a decision on the floor of the Senate. It is rare, and I can tell my colleagues personally it is a situation I hope I am never involved in again. But, as I said, it is an essential process to the integrity of this body.

When the particular complaint in question in the Ensign case came to us, it was, similar to any other case, reviewed initially to determine whether it even merited an investigation. After the initial review determined it did merit an investigation, the Senate staff did an overwhelming and wonderful job of gathering information, evidence, and testimony to help us get to a position to begin to make a decision as to whether we could go further in the case. But we didn't rely just on ourselves. We sought forensic experts and computers and technology so the over 500,000 documents that were reviewed and cross-referenced had a forensic test to them and we knew what we were dealing with and how it was dealt with. We even hired a special counsel, which is rare for the Senate Ethics Committee to do, but it was essential because of where the evidence and the testimony was leading the committee.

I wish to say, at this point in time, I have known a lot of lawyers in my day, ones I have hired and ones I have been on the other side of the deposition table from. I have never known anybody more professional or whose ability I admired more than Carol Elder Bruce, and I wish to commend her on the floor of the Senate. It was her report which we are also submitting with the referrals today to indicate that we have looked to see that there was reasonable evidence to conclude that a violation may have occurred. The ultimate decision on that will be up to the U.S. Department of Justice and it will be up to the Federal Election Commission. But the report clearly indicates that the Senate Ethics Committee did not act on what it thought or an opinion or a whim. It acted on facts determined through hundreds of interviews, 500,000 documents that were examined, and testimony that came to our committee.

It is the hope of the chairman and myself and each member of the com-

mittee that every Member recognizes the Senate Ethics Committee wants to be a source of information, advice, and counsel, to see to it this institution always rises to the occasion as the most ethical body in our government. But we will as a committee, if it becomes necessary and the evidence finds it to be true, pursue our responsibility as a committee and we will do what is required of us in this body.

I wish to thank Chairman BOXER for the method in which she has handled this from the beginning to the end, as well as Laura Schiller, who has been her aide throughout and helpful. I also wish to commend Joan Kirchner, Chris Carr, and Glee Smith on my staff for their tireless efforts. The members of the committee also should be commended for their hard work, and it has been hard work. BEN CARDIN has been a tremendous legal mind for us. SHERROD BROWN has been an insightful person to ferret out information and guide us in the right direction. My dear friend, Senator ROBERTS, is the dean of the members of the Ethics Committee. On the floor are Senator ROBERTS, Senator CARDIN, and Senator BROWN. Senator RISCH from Idaho is not here, but he deserves equal credit. As the chairman said, his legal mind and insightful nature helped us come to the conclusions we came to today.

I wish to repeat my thanks to Carol Elder Bruce for the tremendous work she did, as well as Brian Stolarz, Mike Missal, and John Longstreth, who all worked with her legal team. The staff of the Ethics Committee, our staff director, John Sassaman, has been invaluable in his tireless hours of work to see to it that every I was dotted, every T was crossed, and the committee did its job. To Rochelle Ford, Lynn Tran, Bill Corcoran, and Dan Schwager, thanks to them for all the effort they made.

I will end where I began. No one in public office volunteers for the type of responsibilities we have had in the case of Senator Ensign. But all of us took that responsibility when it came upon us, recognizing the integrity of the Senate and the integrity of our decision was important for the future of this body. As sad as the deliberations were and the ultimate result was, it was proof that this Senate and its Ethics Committee can stand and do the effort necessary to see to it this institution's integrity proceeds in the future uninhibited and unendangered.

With that, unless there is a Member who wishes to speak, I note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. HOEVEN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mrs. McCASKILL). Without objection, it is so ordered.

ESCALATING GASOLINE PRICES

Mr. HOEVEN. Madam President, I rise to speak this afternoon about the escalating cost of gasoline at the pump—something that affects every American consumer. Crude oil prices are now more than \$100 a barrel and the price of gasoline at the pump for our consumers is about \$4 on average across the Nation. It is even more here in the District. Despite some correction recently in the oil commodity markets, the U.S. Energy Information Administration expects that prices this summer will average \$1 more than they did just a year ago.

Gasoline price spikes are a form of stealth inflation eating away at the income of American families, impacting our economic growth, and deepening the hardship to the almost 14 million people we have still looking for work. Some economic analysts indicate that for each \$10 increase in the price of a barrel of oil, it has the impact of reducing our economic growth by about two-tenths of 1 percent. Each two-tenths of 1 percent equates to 120,000 fewer jobs that are created just in the first year of that type of increase. So you can see it has a very significant cumulative impact.

Imported oil also greatly affects detrimentally our balance of trade. Last year alone that contributed to a \$265 billion trade imbalance for our Nation. The high price of oil, whether it is at the wellhead or the price of gasoline at the pump, impacts every sector of our economy. It affects jobs, it affects economic growth, and it certainly affects the purchasing power of the American family; therefore, their standard of living and our quality of life.

So what do we do? Well, the fact is, oil prices are subject to the same laws of supply and demand as other commodities. When we increase the supply, that helps bring prices down. When we reduce demand, that helps bring prices down. Of course, just the reverse is true as well. When we have less supply or more demand, that tends to push the price higher. So clearly—clearly—we need to do all we can to produce more energy in this country, and certainly we need to produce more domestic fuel, more domestic oil and gas.

I don't know how many people realize it, but over the last few years—over the last approximately 5 years—oil imports into this country have actually been going down, and that is why I have brought this chart along which was prepared by the Congressional Research Service. As we can see from the chart, domestic oil was shrinking from about 1985 to 2005, and by 2005 we increased our imports to a total of 12.4 million barrels a day, approximately 60

percent of the total oil we consumed in 2005.

However, since 2005 things have begun to change. We have made progress. We have made progress both because we are producing more oil and gas in this country and also because we are using less. So we can see from 2005 to 2010 we have actually reduced the amount of oil we import into this country from about 60 percent of what we use to less than 50 percent. Today, about 49 percent of the fuel we consume is actually produced in this country. That is a significant reduction in our imports of about 3 million barrels a day from 2005.

So what changed? Well, what changed is we are producing more oil. We are producing more oil offshore and onshore in the lower 48, and we are also producing more natural gas liquids. As I said just a minute ago, we are also consuming less, and we need to continue to do both. In addition to those things, though, we are also increasingly relying on friendly governments for our imports rather than governments that are hostile to our country.

For example, by last year we were importing twice as much oil from Canada as we were from Saudi Arabia, and that is certainly a good development. We need to continue to not only produce more domestic oil but, to the extent we import oil, we need to bring it in from countries that are friends rather than countries that are foes, or certainly that may not share our beliefs and our interests. We have opportunities to do that.

For example, right now, very close to my State, we are working on a project which is the Keystone XL Pipeline. The Keystone Pipeline is designed to carry crude oil from the Canadian oil stands in Alberta, Canada, to refineries in the Gulf of Mexico. The problem is, we are still awaiting approval for that pipeline. U.S. approval of this project will cost our Nation not one penny but will increase the supply of oil and gasoline in our country and help hold down the price of gasoline at the pump. At the same time, it will help reduce our dependence on oil from volatile parts of the world and create thousands of good jobs in America. We all know how important that is at a time when our Nation still has 9 percent unemployment and millions of people are out of work.

We have similar opportunities to boost the supply of domestic oil and gas on American soil as well, and not just in the lower 48 but also in Alaska. The Trans-Alaska Pipeline could help increase supply enormously, but right now it is only carrying about one-quarter of its capacity. The pipeline has the capacity to carry 2 million barrels of oil a day. Right now it is carrying something over 600,000 barrels of oil a day. So, clearly, that is a tremendous capacity that is not being utilized.

Senator MURKOWSKI has eloquently pointed out that the State of Alaska

holds an estimated 40 billion barrels of oil, the equivalent of more than 60 years' worth of imports from the Persian Gulf. Yet that oil is excluded from our Nation's reserve figures. The United States is already the third largest oil and gas producing Nation on Earth, with 28.4 billion barrels of proven reserves. But it also has an estimated 162, almost 163 billion barrels of technically recoverable oil, according to the Congressional Research Service. Only Russia and Saudi Arabia produce more than our country.

So the lesson in all of this is clear. We can and we must increase domestic production of oil and gas in our country. The record over the past 5 years clearly indicates we can do it. As a matter of fact, we are on our way to doing it, and we can do much more. For example, in my home State of North Dakota, we have been working over the last decade to increase oil production, and we have. Since 2005, North Dakota has increased its production of oil by more than 200,000 barrels a day. North Dakota is now the fourth largest oil-producing State in the Nation. We have passed States such as Oklahoma and, more recently, Louisiana. We have the opportunity to produce much more. We have just barely scratched the surface.

Last month, I hosted a meeting of the U.S. Geological Survey in Bismarck to make the case for a new, updated study of recoverable reserves in the Williston Basin. Of course, the Williston Basin covers parts of North Dakota, Montana, and extends into Canada as well. The last agency study was completed in 2008, and it indicated there are 3.5 to 4 billion barrels of recoverable oil in the Bakken Shale Formation, which is in the Williston Basin—3½ to 4 billion barrels of recoverable oil. Industry scientists and engineers, however, who are working out in the Williston Basin right now feel that figure is low and the reality in terms of recoverable oil reserves in the Williston Basin is much higher.

That is why we are asking the U.S. Geological Survey to come out and do a reassessment. If they are right, the results will attract tens of millions of dollars in new investment to the region, creating more domestic fuel and lower prices for American consumers, more jobs in our State, in Montana, and more jobs for our country. Also, it will help us develop infrastructure and sustain economic growth throughout the region.

In North Dakota we focused on creating more energy, more oil and gas, and more other types of energy as well by creating a legal, tax, and regulatory climate—a business climate—that encourages private investment and job creation. I have spoken several times on the floor of the Senate and more times than I can count at home and around the country about the need to

forge a legal, tax, and regulatory climate in America that will attract investment in the energy industry—whether it is wind, biofuels, coal, or oil and gas.

At a time when America is struggling with a 9-percent unemployment rate, the need to create private sector jobs is absolutely paramount. It is job No. 1. Building our domestic energy industry is one of the keys to accomplishing that. The oil and gas industry alone supports 7.5 percent of the U.S. domestic product and more than 9 million American jobs. Government doesn't create those jobs, but government creates the environment that empowers and unleashes the creativity and energy of American enterprise.

The challenge confronting the U.S. energy industry today, however, is a climate of legal, tax, and regulatory uncertainty. This uncertainty is not only sidelining investment and impeding production but also hindering job creation and raising fuel prices at the pump for American consumers.

We all want to ensure we have clean air and water, but at the same time we all want to develop our Nation's abundant natural resources and do it with good, sound environmental stewardship. Clearly, we need to look at our current legal, tax, and regulatory environment to make sure we have the commonsense, reliable rules that not only enable but actually empower companies to invest the hundreds of millions and billions of dollars in new technologies that will help us unlock the energy resources in this country, and do it with the kind of environmental stewardship we all want.

It is vital for the rest of our economy. The reason for that is simple. If the energy industry cannot grow, neither can our other industries. They cannot create the jobs and opportunities our Nation so very much needs, and they cannot provide the affordable energy American families and businesses depend on every day. Impeding domestic energy production, moreover, is a national security issue as well as an economic issue. Increased dependence for oil on unstable parts of the world, such as the Middle East and Venezuela, puts not just our economy but our Nation and our Nation's security at risk. Yet rather than reduce constraints on production, rather than encourage more exploration and recovery, rather than make our country a better place to do business, our laws and regulations too often seem aimed at serving every other purpose but increasing domestic energy production and supply.

Ironically, at a time when we need to invest and create jobs, billions of dollars are not being deployed. That is because energy investors are waiting to see what kind of rules will govern things such as fracking for domestic oil, hydraulic fracture, CO₂ manage-

ment, and transmission line siting. Companies out there are ready to make billion-dollar investments that will have a lifespan of more than 40 years, but they do not know the rules of the road. By certainty, I don't mean more restrictive rules and regulations; I mean commonsense rules of the road that would not change arbitrarily or according to political crosswinds.

A number of us in the Senate on both sides of the aisle are already working on commonsense initiatives to ensure that Congress, rather than government agencies, establish those rules. I have already spoken about some of those on the Senate floor. Today, I would like to talk about another one. Today, I want to discuss, for just a short period, another piece of legislation that I believe will help reduce the price of fuel at the pump—not by increasing production but simply by applying good judgment to the rules that govern distribution of gasoline in the United States.

Senator ROY BLUNT, myself, and a number of other Senators are promoting a bill called the Boutique Fuel Reduction Act of 2011. This legislation would simplify the Nation's fuel standards and make more fuel available to American consumers. It would give the administrator of the Environmental Protection Agency—the EPA—the flexibility to waive certain agency requirements pertaining to the use of specific or boutique fuels—specialty fuels—when extreme or unusual distribution problems are limiting supply.

Currently, the increased use of different types of fuel for different parts of the country is causing artificial shortages in some retail markets and, consequently, higher prices at the pump for our motorists. A service station in one city that runs out of fuel may not be able to use a certain blend of gasoline available just 50 miles away because it is not approved by the EPA for use in that location. Unfortunately, under current law, the EPA can waive the requirements only during a natural disaster, not to meet shortages or price spikes such as we have today. The law we are sponsoring would change that.

In addition to the bill, myself and a group of Senators—and House Members as well—have also sent letters to EPA Administrator Lisa Jackson, calling on the agency and the Department of Energy to complete the fuel harmonization study which Congress requested more than 5 years ago. That report was due in 2008. This report would examine the effects of the Nation's varying boutique fuels on retail prices and also assess the feasibility of developing national or regional standards to reduce the multiple varieties required today by the EPA.

Having fewer types of fuel would make more fuel available during shortages, thereby putting downward pressure on prices at the pump. It would give refineries more options to meet

demand and help stabilize and reduce the retail price of gasoline.

We expect EPA and the Department of Energy to follow through on the congressional intent that was outlined in the 2005 law and conduct and complete that study as soon as possible, which correlates closely with the legislation we are sponsoring.

Bear in mind, the measures I just discussed do not cost anything. They take no funding to work. Yet they can help us reduce fuel prices for the American consumer, for our American families. They can make doing business in America more affordable, reduce our trade deficit, and help get Americans back to work again.

We need to increase domestic fuel production, and we need to provide regulatory relief in order to do it because high energy prices, whether it is fuel for our cars or electricity for our homes and businesses, impact virtually every sector of American life. That includes jobs, that includes economic growth, that includes the purchasing power of the American family, and ultimately includes our standard of living and our quality of life.

Our future is fueled by energy and that future depends on the decisions and the choices we make right now. We need to get them right.

I yield the floor.

The PRESIDING OFFICER (Ms. KLOBUCHAR). The Senator from Missouri.

THANKING THE MISSOURI NATIONAL GUARD

Mrs. MCCASKILL. Madam President, I rise to make some brief comments about people at home I am so proud of. Over the past 3 weeks, my home State has been the site of heartbreaking destruction that resulted from a series of severe weather incidents throughout the State. We have also had the privilege of witnessing great acts of bravery, compassion, and neighbors being neighbors in response to these incidents. I wish to take just a moment to recognize the incredible character of Missourians and particularly to recognize the contributions made by the citizen-soldiers and airmen of the Missouri National Guard.

Today, weeks after historic flooding began, we continue to see its life-altering effects, in my State and others all along the Mississippi River. My prayers, and those of my colleagues, go out to all those who have and will continue to have their lives altered by this tragedy.

I will continue to work with my colleagues in the Missouri delegation to make sure that the Federal Government provides the assistance necessary to help Missourians affected by tragedy to get back on their feet. Already, the President has granted the first Federal disaster assistance to individuals and households across the State. More announcements will come as damage assessments are completed. USDA is also

poised to assist and will start holding public meetings in the affected areas to inform farmers and landowners of the help that they can receive.

One thing that has struck me about the response to the storms has been the dignity and class with which Missourians have carried themselves. In my State, families have been driven from their homes, pushed away from their jobs, lost everything. Whether it is a family in North St. Louis whose home was destroyed by a tornado, or a producer whose family farm was submerged when the levee protecting it was intentionally breached, Missourians have drawn on their faith, their families, and their neighbors to pull through. I had the opportunity to spend time with some of these families during my trip to view flooding in southeast Missouri. Their courage is inspiring, and is an example of the American spirit that we all hold dear.

We have had a rough year. The last 3 weeks have been particularly destructive, starting with the tornado and strong winds that ripped through the St. Louis area on Good Friday, April 22. This tornado, rated an EF-4, was estimated to be the strongest to hit the area in nearly four decades.

As the tornado and storms battered the St. Louis area, rain continued to fall on southeast and southern Missouri. When Governor Jay Nixon made the decision to deploy the Missouri National Guard to assist local emergency responders in their efforts, it marked the 20th time in the past 6 years that the Missouri National Guard has provided such assistance, including the last time that catastrophic flooding struck the State, in 2008.

Since their deployment to respond to this latest disaster, the Missouri National Guard, under the strong leadership of their adjutant general MG Stephen Danner, has provided invaluable support to the Governor, the Army Corps of Engineers, local responders and citizens across the scores of communities that have suffered damage. Two events from recent days provide a perfect summary of the service that these brave men and women continue to perform for the people of my State.

Last week, the citizen-soldiers and airmen of the Missouri National Guard joined the people of Caruthersville, in Pemiscot County, to rapidly erect a secondary flood wall to support the existing wall. This wall, made of 60,000 sandbags stretched across over 3,000 feet, helped to provide safety and peace of mind for a community that feared the worst.

A couple of counties away, Missouri National Guard members helped to save a 93-year-old trapped in her car as she tried to cross a flooded Black River. One of the guardsmen on the scene, seeing his first emergency duty, remarked "we weren't there to be heroes, we were just doing our jobs."

The citizen-soldiers and airmen of the Missouri National Guard, while "just doing their jobs," have played an important role in supporting the flood response efforts of their neighbors.

A member of the 1138th Military Police Company said it best when he said "nothing makes you feel as good as being able to help your neighbors in Missouri." The Missouri National Guard, and the people they valiantly serve, are and will continue to be the embodiment of those words and the spirit that we all strive to personify. I thank them for their bravery, for their selflessness and for being great neighbors.

We will all stand by to be of assistance as everyone recovers from the natural disasters that have brought such destruction to the State I love.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

(The remarks of Mr. WHITEHOUSE pertaining to the introduction of S. 973 are located in today's RECORD under "Statements on Introduced Bills and Joint Resolutions.")

EXTENSION OF MORNING BUSINESS

Mr. WHITEHOUSE. Madam President, I ask unanimous consent that the time for morning business for debate only be extended until 6 p.m. with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Alabama is recognized.

FINANCIAL HEALTH

Mr. SESSIONS. Madam President, I want to share a few thoughts on a very important matter, the financial health of the United States. We had a nice meeting with the President earlier today. The Republican Senators virtually all were there, shared their thoughts, and the President responded. All in all it was a good exchange. Those are the kinds of meetings where I do not talk about what is said in detail and quote anyone.

I was asked by a number of reporters what happened and what did you say about it. I guess my conclusion is that not much happened. No commitments were made that I could see, that indicated the President had made any change in the budget he had submitted or the speech he gave somewhat amending his budget a few weeks ago.

He did not make any changes in the plan I am seeing out there. He was open, discussed it, maybe something will happen. What is the status of the Senate's business? This is the Senate. The Senate has serious responsibilities. The Budget Act was designed to ensure that Congress passes a budget, because it was learned over the years—it goes

back to the 1970s—that a budget is important for a country. Families have them, businesses have them. You need a budget.

Congress was having trouble passing a budget. So they passed the Budget Act that allowed a budget to become law without 60 votes in the Senate, but they could be passed with 50 votes. As we know, there are 54 Democrats in the Senate—and more, I guess, than that with Independents who caucus with the Democrats. So this is the situation we are in.

The President complied with the Budget Act, a week late, by submitting his budget, and his budget failed to meet the requirements of our time to a very significant degree. Every witness we have had in our budget committee—I am the ranking Republican on it—has indicated and told us, many in great detail and with passion, we are on an unsustainable course; you cannot continue to borrow 40 cents of every dollar and try to fund a government borrowing that kind of money.

We will hit a budget deficit this year of \$1.5 trillion, the largest in the history of America. In 4 years, the President will have doubled the entire debt of the United States based on the trillion-dollar deficits he has had each year. So this is not an acceptable path for us to be on.

We had hearings in the Budget Committee about the critical issues we face. We considered and had testimony from the fiscal commission that President Obama appointed—Erskine Bowles and Alan Simpson, we had Rivlin-Pete Domenici. Senator Domenici, retired now, was Budget chairman at one point in time in the Senate. Alice Rivlin, OMB Director for President Clinton, is a wizard herself with numbers. They proposed some real changes in the debt trajectory we are on. I thought after that, and based on the comments of Senator CONRAD, our chairman, and the strong witnesses we heard who called on us to make significant changes in what we were doing that we would move forward with a budget that would be a good bit stronger than the one President Obama submitted.

Indeed, President Obama's budget was not serious. President Obama's budget took the current spending line for 10 years, that the Congressional Budget Office said we are on, and it made it worse. It made the deficit worse, \$2 trillion worse than the current plan we were on—totally unacceptable.

He proposed in his budget increasing the Department of Education funding by 10.5 percent; increasing the Energy Department funding 9.5 percent; increasing State Department funding 10.5 percent; proposed increasing the Transportation Department 62 percent.

In a time when inflation is 2 percent, we are having those kinds of increases and we say we are submitting a budget

that recognizes we are on an unsustainable course and we have got to change. Well, it was unacceptable. I was very disappointed about it. I think even the man he appointed to head the debt commission, Erskine Bowles, said they have come nowhere close to what is necessary to avoid our fiscal nightmare.

We were told by our Budget chairman, Senator CONRAD, whom it has been a pleasure to work with, that we would have a budget markup beginning this Monday. He told us that last week. Well, it did not happen on Monday. Then maybe it was going to be Tuesday. Maybe it was going to be Wednesday. Then all of a sudden the President invited the Democrats over Wednesday and the Republicans to the White House Thursday and everything is off.

I asked my staff, have we received a notice that we are going to have a Budget Committee hearing next week? The answer is no. So what do we say about that?

The Budget Act says the Senate and the House should commence budget action April 1. We have not done that. It says a budget should be passed by April 15. The Senate has not done that. The Republican House has. The Republican House has proposed a historic budget. They have passed it. They passed it on time. It will reduce spending by about \$6 trillion. That would actually reduce taxes also and get the rates down to help encourage more economic growth, and put us on a path to fiscal sanity, not only this decade, but in the decades to come, because it dealt with some of the exploding entitlement programs such as Medicare.

What resulted from that? Well, Mr. RYAN, a brilliant young Congressman who has worked on budget issues for many years, is the most knowledgeable person probably in America about the details and the financial condition of America. They attacked him as though he did something wrong. The Democratic Senators and the President are spending their time attacking the one person who stood up and produced a budget that can be defended. He is prepared to defend it anywhere, anytime. He goes to townhall meetings. He has stood before the press. He has issued statements. He has explained what his budget is. It may not be perfect, but it is a change. It would put us on a path to financial stability. And what has the Senate done? Complained about his budget. Well, it is time this Senate produces a budget.

Let me say this: Today, 743 days have passed since the Senate has passed a budget. Now, let me ask, if we took a poll of the American people, how many of the American people would say the Senate shouldn't pass a budget? We have a whole act that requires one to be passed and brought up and voted on. What happened last year? The Budget Committee did produce a budget. It

came to the floor, and the Democratic leader, Senator REID, just didn't have time to bring it up. Why? Well, you know, there is a vote-arama. We don't like vote-aramas. What is a vote-arama? Everybody gets to file an amendment, and Senators are supposed to vote. It has to be brought up and passed. It is passed by a simple majority. Why? Because we want to accelerate the debate and make sure a budget is passed because a nation that intends to be serious about its financial stability needs a budget, does it not? This began in the 1970s.

So we are now beginning to wonder, will the committee even pass a budget? Is Senator CONRAD not even going to have a committee markup and produce a budget? Is the Democratic Senate not even going to move one out of committee? At least it moved one out of committee last year. And if the committee does meet and does move a budget, is Senator REID prepared to stand up, like Congressman RYAN, lay his budget down before the American people, and defend it before the world? Oh, well, we need to have talks. We have talks going on. The Vice President is having a meeting. The President is inviting everybody over.

Why don't we move forward with our budget process, I ask? Why don't we? Well, why not? We read in one of our local newspapers that cover the Senate—I think it was *The Hill*—Senator CONRAD had a hard time with his Democratic colleagues. His budget, which I very much was afraid wouldn't contain spending enough, but certainly I felt it would be better than the budget President Obama had submitted, was discussed with his Democratic colleagues last week in their conference, and it didn't go well, we are told. So this week he came back again, apparently, and produced another budget.

According to the report, Senator SANDERS—probably the most aggressive and articulate advocate for greater government spending and activism in the Senate—seemed to be very happy that he changed the budget, and it had \$2 trillion in tax increases, they said, and \$2 trillion in spending reductions. That is supposed to be balanced. But that is not what the debt commission said. The debt commission—which I didn't agree with, really—said we should have at least \$3 worth of spending reduction for every \$1 in tax increases.

Then we have another report. I think it was in the CQ publication that does work around here and digs up information. They said it looks as if there are going to be fewer spending reductions. It looks as though it is going to be about \$2 trillion in tax increases and only \$1.5 trillion in reduced spending. So it is less than even 1-to-1.

Well, I think if I were the majority leader, I wouldn't really feel comfortable about bringing such a budget

as that before the American people and standing right down here and defending such a weak response to the fiscal crisis we are now in. Of course, that budget is irresponsible if that is so. I don't think the American people will be happy with it. I certainly will oppose it with all the strength in my body if that is the nature of it.

Well, why don't you know, SESSIONS?

Well, I haven't been told. We asked. The Republican members of the committee wrote the chairman and asked that any budget numbers that are produced be produced 72 hours in advance of the hearing so we can study it, offer amendments, or substitute as we choose to do. We have been basically told we will get the budget resolution the chairman intends to file the morning it starts. When we commence the hearing to mark up the budget, we will be getting the copy of what they propose to bring forward. We really think that is not a healthy way to do business on a matter this important.

This period in history represents the most significant long-term threat to American financial stability that we have seen maybe ever. Sure, we had a tough time during World War II and the debt went up, but we could see, when the war was over, the strength of our workforce, and the economy grew. We came right out of that and got that situation under control quickly. But now we are in a situation in which our Nation is aging. The number of people working is down. The number of recipients of Medicare and Social Security is up. We have to figure out a way to honestly deal with that without in any way placing our seniors at risk and other people who benefit from government programs.

It is going to take some change. It is first going to take change in wasteful Washington spending. All our discretionary spending needs to be looked at, and we also are going to have to look at the long-term prospects for our financial future, as our creditors—those who are loaning us this money we are borrowing—are getting uneasy. They are not too comfortable with what we are doing.

I believe any President of any party who desires the mantle of a leader, desires to demonstrate a commitment to a firm footing for our financial future, should come forth with a plan as part of the budget process and lay it out so the American people can see it.

I am becoming very concerned, once again, even though 743 days have passed since a budget has cleared this Senate, that we may not get one this year. What an event. That, to me, is unthinkable. How irresponsible could we be to go another year under these circumstances? For example, the Congressional Budget Office has analyzed the President's proposal for the future, and that scoring of the President's budget concludes a couple of things.

Last year, the interest we paid on the money this Nation has borrowed was \$200 billion. In 10 years, under the President's plan, the Congressional Budget Office said the amount of interest that would be paid in 1 year is \$940 billion. That is bigger than the Defense Department. That is bigger than Medicare. It will be the largest single item in the entire budget. It is unthinkable. We get no benefit from that whatsoever except the money we borrowed to live off of.

We are passing huge debts off to our grandchildren. The expert economists and financiers who testified before the Budget Committee said: Don't think you can just assume the problem falls on your grandchildren. They said we could have a crisis much sooner than that.

Mr. Bowles and Mr. Simpson issued a statement to us when they testified that said we are facing the most predictable debt crisis in American history. We asked: Could we have an idea of when such a crisis could hit us? And Mr. Bowles, chosen by President Obama to head the commission, said 2 years, maybe a little earlier, maybe a little later. Alan Simpson said: I think it could be 1 year.

Well, we hope we don't have some new debt crisis. We hope the people who have been loaning us money don't get so nervous, as they have done in Greece, that our interest rate surge puts this economy in a dangerous condition and damages our country. I hope that is not happening within 2 years or 1 year. Wouldn't that be a disaster for us? How do we prevent it? We take action now that changes the debt trajectory of our country and sends a message to the whole world: We get it. We know we can't continue on this path, and we are changing. And the way our Congress and government is set up, the way that change occurs is through the adoption of a budget.

I remain very disappointed that while the House has produced a historic budget on time—by April 15—we have not even begun to mark up a budget in the Senate. That is irresponsible. And we need to know and the American people need to know that the majority leader, if a budget is passed out of committee—and certainly it should be—will move it to the floor and bring it up for vote and amendment and debate, and then it goes to the House and conference, they hammer out the differences, and we adopt a budget that can help put this country on a sound financial path and avoid the kind of crisis so many experts have warned us could occur.

I thank the Chair. I see my fabulous colleague, Senator HATCH, the ranking Republican member of the Finance Committee and my former chairman of the Judiciary Committee. I was honored to serve with him.

I thank the Chair and yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Madam President, I thank my dear colleague for his kind remarks. I appreciate them.

COLOMBIA TRADE PROMOTION AGREEMENT

Mr. HATCH. Madam President, yesterday the Finance Committee held a hearing on the U.S.-Colombia Free Trade Agreement, what we call the Colombia Trade Promotion Agreement. This agreement will provide significant new opportunities for U.S. manufacturers, agricultural producers, and service providers in the rapidly growing Colombian market.

Implementation of the Colombia agreement would also benefit U.S. national security. Colombia is emerging from decades of civil strife, and it is in our interests to see that Colombia continues to heal from its wounds of the past. This free trade agreement will help bring further stability to Colombia, a close friend and ally, while also opening and further building the market for U.S. exports to that country. In short, it is a good agreement for the United States.

So what is the holdup? Over 4 years have passed since the U.S.-Colombia Trade Promotion Agreement was signed. It is imperative that the administration submit an implementing bill for this agreement to Congress, and soon. The administration, however, still won't say when it will send an implementing bill to Capitol Hill.

During yesterday's hearing, I asked our Deputy U.S. Trade Representative two very simple questions regarding this issue. First, assuming that Colombia fulfills the steps outlined in the labor action plan developed by the Obama administration and the Colombian Government, will the administration submit the Colombia agreement to Congress for a vote? Second, is the administration preconditioning the President's formal submission of the Colombia trade agreement on matters not related to the action plan, such as congressional extension of trade adjustment assistance or permanent normal trade relations for Russia? To me, these questions are pretty clear and can be answered with a simple yes or no. But, unfortunately, we did not get a clear answer. After years of delay, we still do not know if the administration will ever submit the Colombia agreement to Congress for approval. This is very unfortunate.

The Obama administration's delay in submitting the Colombia agreement is hurting U.S. exporters. This failure is a drag on job creation and economic growth. While the President has dithered as to whether to implement the trade agreement with Colombia, our trade competitors have been more than willing to enter into agreements

with Colombia. Consequently, while Colombia's tariffs on U.S. imports have remained in place, Colombia's tariffs on products from other countries are falling away.

For example, Colombia has implemented a preferential trade agreement with Argentina and Brazil. As a result, U.S. farm products are rapidly being displaced in the Colombia market by products from those countries. So it is not too surprising that between 2007 and 2010, U.S. agricultural exports to Colombia fell by more than half, and it looks like matters are going to get even worse. A Montana wheat grower who testified at yesterday's hearing noted that the U.S. share of Colombia's wheat market fell from 73 percent in 2008 to 43 percent in 2010. He also stated that following implementation of the Canada-Colombia Free Trade Agreement, which is expected to occur this year, U.S. exports of wheat to Colombia will drop to zero unless the United States implements its trade agreement with Colombia. So U.S. agricultural exports to Colombia are already falling. U.S. manufactured goods and U.S. services will be next.

It does not have to be this way. We do not have to continue giving away the growing Colombia market to our competitors. If we want to boost our exports to Colombia, all we have to do is implement the U.S.-Colombia Trade Promotion Agreement.

The Obama administration had earlier stated that it wanted to address Colombia's internal labor situation before moving ahead with the agreement. But the administration delayed taking any meaningful steps to address their concerns with the Colombian government for years. A few months ago, the administration finally got serious about engaging with Colombia. And, lo and behold, in a matter of weeks—in a matter of weeks—they were able to develop a labor action plan that addressed their concerns in a meaningful and concrete way. The administration discovered that, in their own words, they had a willing partner in Colombia. The fact of the matter is that Colombia has been taking steps for years to address issues related to violence against unionists and has always been willing to do more. Why it took the administration so long to figure it out is a mystery to me.

So the Obama administration has now negotiated an action plan that addresses its concerns regarding the labor situation in Colombia. You would think we would have clarity that, once the steps in the action plan are fulfilled, the administration would submit the agreement to Congress for its consideration. But we do not have this clarity. There has been no clear answer to this very simple question. Instead, there seem to be more preconditions on submitting the agreement that are not even related to the agreement itself,

such as extension of trade adjustment assistance and permanent normal trade relations for Russia.

This is very odd. Most economists would agree that there are likely to be very few workers who will lose their jobs because of implementation of the Colombia trade agreement. After all, the U.S.-Colombia trade agreement will result in almost no growth in imports from Colombia. This is the case as almost all Colombian products have entered the United States duty free over the past two decades on account of U.S. trade preference programs. In contrast, Colombia's average applied tariff on U.S. imports is over 12 percent, and they can reach as high as 388 percent.

Moreover, the administration itself testified that implementation of the Colombia agreement: will expand exports of U.S. goods to Colombia by more than a billion dollars—that is with a “B”—increase U.S. GDP by \$2.5 billion; and support thousands of additional jobs for our workers, at a time when we need jobs, and when we need to pull this economy out of the mess it is in. So it is hard to see further extension of the TAA program as a necessary precondition for approval of an agreement that will help our economy and support jobs in the United States. It is a no-brainer.

I am also bewildered by any attempts to precondition submission of the Colombia agreement to congressional support for permanent normal trade relations for Russia. These two issues are totally unrelated. Given the current disregard for the rule of law and the many trade problems that persist in Russia today, it is hard to argue that the time is ripe for Congress to grant Russia permanent normal trade relations.

Moreover, it would be particularly ironic and sad to condition passage of the Colombia trade agreement with permanent normal trade relations for Russia. Over the past 4 years, Colombia has been a reliable U.S. trading partner, ready and willing to remove its tariffs on U.S. imports through implementation of our trade agreement. During these same years, Russia has seemingly gone out of its way on numerous occasions to prove to the United States that it is an unreliable trading partner.

It is fundamentally unfair to continue to treat a friend and ally like Colombia in this ridiculous way. Unfortunately, it is not the first time Democratic leaders have put one of our closest Latin American allies in this position. The U.S.-Colombia Trade Promotion Agreement was first signed on November 22, 2006—almost 5 years ago. Democratic leaders refused to consider the agreement until their additional demands were met on labor, the environment, and intellectual property. The Bush administration responded by

working with then-Speaker PELOSI on a package of changes that were understood would lead to consideration of the agreement. But once they had these changes in hand, the Democratic leadership in the House balked, citing yet more issues that had to be resolved. When President Bush submitted the Colombia agreement to Congress for its consideration utilizing trade promotion authority procedures in April 2008, the Democratic leadership refused to allow the agreement to come up for a vote. Instead, they changed the rules, and the agreement has since languished for almost 5 years.

It is time for the excuses to end. Resolution of unrelated issues such as trade adjustment assistance and PNTR for Russia should not be used as further barriers to submission of this agreement. Colombia is taking the steps laid out by the Obama administration that the administration has said are necessary before the President will formally submit the agreement to Congress. Once those steps are taken in June, I fully expect the administration to finally fulfill its end of the bargain and formally submit the agreement for congressional approval without further conditions. If not, the administration is making a conscious decision to continue denying U.S. exporters improved access to the Colombian market, and to undermine our standing as a credible ally in Latin America.

It is a no-brainer to realize that Colombia is one of our best friends. When you compare it to some of its neighbors, such as Venezuela—and I can name other countries that are undermining our very country as we sit here and stand here. The fact of the matter is, Colombia is a friend. Friends should not be treated this way. It is ridiculous what is going on. There is very little need for trade adjustment assistance in this particular deal. It is just another way of sucking from the taxpayers more money for purposes that literally do not exist.

I hope the administration will wake up and realize this would be a tremendous achievement for them. There is no reason in the world why they should not want to do this. It would be a sure creator of jobs at a time when we need jobs. It will even up a situation that up to this point has been sad. And it will help our country. Let's quit playing games with this free trade agreement. Let's get it up. Let's vote on it, and let's restore our relationship with Colombia to the great relationship it deserves to be.

Madam President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LAUTENBERG. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. FRANKEN.) Without objection, it is so ordered.

BIG OIL

Mr. LAUTENBERG. Mr. President, as I stand here today, I am trying to figure out what our activities look like to the average American. They know we still have serious economic problems, though we are on a good track, and I think it is fair to say we are feeling a little bit better. But we were cautioned by President Obama the other day—those of us who had a chance to sit in a room with him—that while things are looking up, there is still a long way to go before our people are back to work and before they can afford the basics they need to take care of their families.

While this is going on we have seen the most incredible courage, the most well-developed military plan imaginable, and the courage of our people who went in to apprehend Osama bin Laden. Thank goodness, nobody was hurt. It was a job well done, and the execution of a plan to bring to justice a man who helped kill almost 3,000 people at the World Trade Center and hundreds more in other attacks on American facilities—the Embassy in Tanzania, the Embassy in Kenya, the ship *USS Cole*—taking American lives. That is what they were determined to do.

President Obama, after lots of previous administrations looking at things, trying to figure out what to do to stop these terrorist attacks on America, had the courage to make a decision that would have rested so heavily on anyone in that governing position. He decided to take the risk knowing that our people were so well trained, so well committed that the chance of their failure was very slim but very real.

Good things have happened in America. Not only did this operation against bin Laden succeed in at least slowing down, if not eliminating, some of the terrorist threats in America, it also lifted the spirits of Americans across the country. We all felt better about it because we fought back against this terror threat.

But now I look at where we are and listen to the debate and look at what the House of Representatives has done with their majority. At this point in time, when we are still reeling from shock, having had perhaps the greatest recession since the Great Depression of the twenties and thirties, instead of trying to figure out ways to solve the problems, our colleagues on the Republican side are trying to figure out ways to punish the public. They would say to them: OK, so you don't have enough jobs—we are going to try to reduce the possibility that we will have enough, to reduce the possibility that a person who can learn but is not well off can

get an education. They want to take away those opportunities. They want to take away programs that have succeeded.

We look back at our history in the last 90 years and ask: How did we get here? How did we get where we are? Mr. President, 400,000 Americans were killed in World War II. Then we saw growth in our country because of planning during President Roosevelt's days in the New Deal and the planning that President Johnson offered. We had Social Security developed, and then came Medicare, and then came Medicaid—programs that help people.

On a personal basis, for me, those years I am talking about were particularly significant. I was born to a poor family. My father found it very difficult to earn a living, as did millions of other Americans. He worked in a silk factory in the city of Paterson, N.J. He was a man very conscious of his health. But the problem was that the environment was such that he contracted cancer when he was 42. He died when he was 43 years old. His brother, working in the same type of facility, died when he was 52. My grandfather, who worked in the mills, died when he was 56 years old. That was life as I saw it. Things were bleak.

My mother was a 37-year-old widow, and she had to carry on through my father's sickness. They bought a store to make ends meet. It did not do very well, but it kept her going for a while. When all was over and my father died, I was already enlisted in the Army. My mother had no resources left. She owed doctors, owed pharmacists, owed hospitals. Every penny she had was gone. I looked at this experience and thought: Something is not fair. But I was lucky. I was able to get my education under the GI bill, as did 8 million other people who wore the American uniform during those dark days.

What happened? I got an education. I went to Columbia University. I was lucky. My tuition was paid for. I even got some money for books and some things I might have needed along the way were provided. It made a world of difference.

I was able, with two friends, to start a business. The company is fairly well known. It is called ADP. The three of us started with nothing, the two brothers with whom I was associated. Their father also worked in the factories of Paterson. They were immigrants as were my grandparents. But along came this educational opportunity, and with that came an opportunity to start a business. Today that company, ADP, is one of the four most creditworthy companies in the United States. They are listed as a three-star company.

ADP has 45,000 employees. They work in 21 countries. Most of the operation is in America but some of it is outside. It employs over 45,000 employees and helps businesses by taking over a par-

ticular part of their recordkeeping needs. It helps make things operate better in these companies.

Every month there is a labor statistic that is put out. It is done by ADP, my old company. The numbers are more reliable than those of the Bureau of Labor Statistics because the data is fresher. Every week, some 35 million people get their paychecks and that is where the data comes from. I left the company when I came here 29 years ago.

From all these experiences, I saw an America that gave people like me a chance to do things and created what is called the greatest generation in the history of America. Now, Mr. President, I am beginning to see what I believe is a great generation developing—the number of people getting to work, fewer claims for unemployment insurance, more consumer spending, and retail sales are up. The signs are good.

So when I look at what is going on in the House of Representatives, I see the stubbornness of our colleagues who refuse to step in and say: Look, we have to keep the government strong, we have to make sure we supply the kind of energy to the government that can move America along. Their response is cut, cut, cut, when all the critical social programs I mentioned were a needed expansion of government services. I am not one of those who want to cut valuable programs. I am one of those who want to reduce the deficit.

Mr. President, when you look at a balance sheet, a financial statement, it carries two parts: One part is expenses—costs—and the other part is revenues. You can cut expenses all you want, but if the revenues don't improve, you go bankrupt. It is pretty simple. And that is where we are being asked to put our future on the line. Hold the debt ceiling as ransom? For what? For what? It will destroy the competence in America. It will destroy our ability to be the country we are, the country that still leads the world despite competition.

When I left home this morning, I passed an Exxon station that is fairly near my home. There was a sign on the pump that gave the price of their gas—\$4.79 a gallon. For people who have any distance to travel, this is painful. This is painful. This is part of the income they can use for basic things that are needed.

But what do we see? We see major gasoline companies, and we ask ourselves: Whose side are our colleagues on? It appears they are on the side of the gasoline companies. I think we ought to be more conscientious about this and make sure the public understands we are there for them, for the majority of people in this country who are sick and tired of seeing the price-gouging we have seen from the gasoline companies.

There was a Finance Committee hearing today, and I watched and heard the heads of these companies—the five big oil companies—say what they are worried about. Well, they are worried about the prospect of losing \$4 billion a year they get in subsidies. And there was even kind of a caustic comment that it might be un-American to take away the subsidies these people get. Mr. President, \$4 billion a year in subsidies.

When you look at what is going on with these companies, you see astounding results. Make no mistake, greed is fueling their appetite, and the bigger it gets, the more they want.

During the years of World War II, there was an excess profits tax that said companies shouldn't be feeding off of the opportunity the war presented and taking advantage of the public. Well, we are at war, in case people have forgotten about it. Afghanistan is a real war. We still have the remnants of the difficulties in Iraq, we have piracy on the seas, and we have all kinds of things we have to keep fighting for. So there ought to be some recompense for our country for the opportunity they have to make this kind of money.

These are their earnings during the first 3 months of 2011, which is still part of the recession time: Exxon, their end-of-quarter profits were over \$10 billion. Shell, almost \$9 billion. BP, \$7.1 billion—that is after their foul mistake in the Gulf of Mexico that cost plenty of money. They still made that kind of money. And Chevron made \$6.2 billion. Little ConocoPhillips only made \$3 billion in that quarter.

When you think about it, the irony is how well BP has done—a company that spewed 200 million gallons of oil into the ocean last year. Why is our government shoving billions of dollars into the pockets of their executives, their lawyers? Why don't we use the money to invest in a stronger America and pay down our debt? I would like to see us doing that.

Big Oil's greed is helping to inflate our deficit. Every day, Americans are footing the bill. You would think our colleagues on the other side of the aisle would want to put a stop to this madness, to step up for the average person. Well, so far we are not doing what I would like to see being done for the public, for the average citizen. Big Oil is doing everything in its power to protect its subsidies, and the Republicans are doing everything in their power to help them. The Republicans say that eliminating these wasteful subsidies will raise gas prices. That is wrong. That is plain wrong.

Look at the compensation of the CEOs here. Now, they are not selling pretzels or making potato chips; they are dealing with a commodity that is essential to the functioning of our society, of mankind. The CEO at Exxon got \$29 million; ConocoPhillips, \$18 million; Chevron, \$16 million. These are all

in 2010, for the year just recently concluded. I want to make certain people understand that companies paying their fair share in taxes isn't going to hurt the industry. It just means Big Oil executives may have to make do with a smaller swimming pool or maybe smaller yacht, but no real pain or punishment there.

The fact is, the Big Oil CEOs aren't feeling this recession. But instead of making our government more fiscally responsible by ending the giveaways to Big Oil, the Republicans have another idea: They want to cut the deficit by ending Medicare as we know it. That won't save us any money in the long term. It will simply increase the expenditures, as many are forced to pay more out of their own pockets for their health. Seniors are struggling. The big oil companies aren't.

I wish the other side would listen a little more closely to the wishes of the American people. Almost three-quarters of Americans say we should stop giving billions in tax breaks to the big oil companies each year. The American people know these subsidies are unnecessary, ineffective, and immoral. And it is not as if the oil industry is taking its annual \$4 billion windfall and investing it in our country's future. No. In addition to going into the paychecks of the Big Oil executives, this money is being used to line the pockets of the industry's lawyers and lobbyists who are seen frequently and obviously around here.

I have seen this time and time again during my career in the Senate. I was the first Senator on the scene at the *Exxon Valdez* when it rammed into the Alaskan shoreline in 1989. Instead of being forthcoming and doing what they should have done, Exxon fought over every penny with the communities in Alaska—the families and the fishermen whose lives it destroyed. Instead of stepping up to pay the court-awarded damages—\$5 billion—Exxon said: To heck with that verdict. We will fight it. We will fight it all the way. And they did, for years. They knocked down the amount from \$5 billion in punitive damages to \$500 million. I guarantee you they paid a lot of money to the lawyers and lobbyists, but they would rather give it to them than to the American people. That is what that shows. In the end, it took more than 20 years for Exxon to pay for what it had done. Some victims died while waiting for the company to make things right.

So we should not be giving Big Oil \$4 billion in tax breaks each year. Their profits, which last year exceeded \$100 billion, are larger than lots of countries. We should be investing in ways to break our dangerous addiction to oil. We should be investing in innovative approaches to moving people and goods, including increasing funds for transit, creating a world-class high-speed rail network, and expanding the

number of electric cars on our roads. We should also boost our country's promising clean energy industry, making sure we lead the world in the export of environmental products that are proudly stamped with the "Made in the USA" label.

Don't be fooled—drilling will not, in the final analysis, get us out of our energy problems. We use almost a quarter of the world's oil, but we sit on less than 3 percent of the world's reserve. So drilling is going to just quickly bring the end of our ability to produce oil. That will be the conclusion. According to the U.S. Energy Information Administration, even if we open every offshore drilling area in the continental United States, the average price of gasoline would drop by just 3 cents a gallon by the year 2030. Here, we see it: The benefit of increased drilling will save us 3 cents a gallon in two decades. That is not very promising for people who have to rely on the automobile for all kinds of things in their lives.

Continuing to subsidize oil companies only increases our dependence on dirty fuels. And even as our children pay a heavy price—with asthma victims and other respiratory problems—it keeps us on a dead-end road to sky-high energy bills, more oil spills like the one we saw in the gulf, and dangerous pollution levels. Investing in clean alternatives to oil, cars that go further on a gallon of gas, and smart transportation, such as mass transit, are the only realistic solutions to our energy challenges.

Beyond clean energy investments, we should take the \$4 billion we give away to Big Oil each year and use that money to pay down our deficit. It is pretty clear that we cannot restore fiscal sanity to our government unless we start paying more attention to the revenue column in our ledger.

I was a CEO for many years. I know you cannot run a company or a country without a strong revenue flow. Ending the government's wasteful oil industry subsidies will not be enough to erase our deficit, but it is a good place to start.

I call on my colleagues, have a citizen's heart. Look at this as you would any other obligation you have in your life. Make sure our country is strong and that our middle-class and our modest earners can look ahead for a decent life for themselves, educating their children and protecting their parents with proper health care. Get Big Oil off the welfare rolls. Let's end the industry's tax breaks and end our country's addiction to oil and other dirty fuels.

Let's invest in clean energy and smart transportation—and cut the windfalls for the oil industry lobbyists and lawyers. I want to make sure—and I am sure all of us do, down deep—our grandchildren and children inherit a country that is fiscally sound and morally responsible.

I yield the floor.

2011 NATIONAL POLICE WEEK

Mr. LEAHY. Mr. President, this afternoon I had the honor of attending the Top Cops event hosted by President Obama at the White House. I will be honored Sunday to attend the National Peace Officers Memorial ceremony. I appreciate the support the President is showing for our law enforcement officers not just this week but every week. Local law enforcement is critical to the peace and security of our families and communities in Vermont and across the country.

In 1962, President John F. Kennedy signed a proclamation to designate May 15 as Peace Officers Memorial Day and the week in which that date falls as Police Week. Every year during Police Week, thousands of law enforcement officers from around the country converge on Washington, DC, to honor those who have paid the ultimate sacrifice keeping all of us safe. I want to mark this week by recognizing the heroic women and men in law enforcement who are dedicated to just that. More than 900,000 law enforcement officers guard our communities at great risk to their safety every day. National Peace Officers Memorial Day provides the people of the United States, in their communities, in their state capitals, and in the Nation's Capital, with the opportunity to honor and reflect on the extraordinary service and sacrifice given year after year by the women and men who serve in police forces, as peace officers and in all branches of law enforcement.

This week we honor those who lost their lives in the line of duty, and their families. In 2010, 153 law enforcement officers died while serving in the line of duty. Their bravery and sacrifice should not be forgotten. Since the first recorded police death in 1792, there have been more than 19,000 law enforcement officers who have died in the line of duty.

Late last week, the Senate passed a resolution I introduced to recognize those officers who lost their lives last year. I thank Senator GRASSLEY for joining me in sponsoring that resolution. I am glad the Senate came together unanimously to show its strong support and appreciation of America's law enforcement officers.

Keeping our communities safe is vitally important work and will always be dangerous, but we must work to keep those who protect us as safe as possible. The officers who lost their lives in 2010 are a stark reminder that we must not let up in our support of those who work day in and day out in the service of all of us and our communities.

I was proud to champion bipartisan legislation first passed more than a decade ago which has authorized Federal funding to assist in the purchase

of lifesaving bulletproof vests for law enforcement officers. I have worked hard to ensure that legislation is funded each year. From 1999 through 2009, the Bulletproof Vest Partnership Grant Program has helped provide more than 800,000 vests. Just last year, the program paid for 95 new vests across Vermont. These vests have saved the lives of police officers across America.

In these tough economic times, when towns and cities have had to tighten their belts and make tough decisions about their budgets, these grants are even more important to protect law enforcement officers. Congress must continue to support this initiative to increase the safety of those in the line of duty.

Congress must also continue to support Federal assistance to state and local law enforcement. Consistent support for key Federal support initiatives like the COPS program, the Byrne/JAG program, and rural law enforcement grants are an important reason why crime rates have continued to decline even as the economy struggled and State budgets tightened. We were able to secure funding in the American Recovery and Reinvestment Act and renewed commitments in the appropriations process, which allowed police departments throughout the country to hire and maintain officers, buy needed equipment, and provide training.

In the current budget environment, everyone has had to make sacrifices. Even the President, who has been a strong supporter of law enforcement, has called for modest cuts in Federal assistance to State and local law enforcement. What we cannot afford are the draconian cuts in law enforcement assistance that others are proposing. We owe it to our law enforcement professionals and to our communities to continue our much-needed support.

HIRING HEROES ACT OF 2011

Mr. BAUCUS. Mr. President, President George Washington once said "The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the veterans of earlier wars were treated and appreciated by their nation."

President Washington's words are a serious reminder of our obligation to all of the brave men and women serving our country overseas. We have a solemn obligation to our veterans when they return home. And the unemployment numbers among veterans make it clear that we have a long way to go.

The unemployment rate among veterans who have served in the military since September 2001 far exceeds that of their nonveteran peers. The unemployment rate for Iraq and Afghanistan veterans hit 13.1 percent in April. This is roughly 3 percentage points higher

than the previous year. The unemployment rate among Montana veterans has more than doubled since 2005. This is a serious problem. We should be greeting our veterans with quality health care and our eternal gratitude, not an unemployment check.

Yesterday, I was proud to stand with my friends and colleagues, Senator PATTY MURRAY and Senator JON TESTER, as we introduced the Hiring Heroes Act of 2011. The bill will take a number of important steps to help our brave veterans find work when they come home from war.

If a soldier serves as a truck driver or a medic in the military, there shouldn't be excessive red tape to become a truck driver or serve in a hospital as a civilian. That is why this bill requires the Secretary of Defense, the Secretary of Veterans Affairs, and the Secretary of Labor to study how skills learned in the military can be more effectively translated to meet the qualifications required for civilian jobs back home. The legislation would also initiate a new program aimed at eliminating the barriers between military training and civilian licensure or credentialing.

The Hiring Heroes Act would require the Department of Labor to reach out to and assist recently discharged veterans receiving disability payments. The bill would also extend the VA's authority to provide rehabilitation and job training for severely wounded troops. Without this extension, only veterans separated from the military could take advantage of these critical employment services. Helping veterans requires close cooperation between the VA and veterans service organizations. That is why the legislation would authorize \$4.5 million in grants for non-profit organizations that help veterans find work.

The Hiring Heroes Act of 2011 compliments the legislation that Senators TESTER, GRASSLEY, Senator BURR and I introduced earlier this year: the Veteran Employment Transition Act of 2011. This legislation will reward employers that hire veterans who have recently completed their service in the military with up to a \$2,400 tax credit under the work opportunity tax credit. I am proud that 17 of my colleagues in the Senate—Republicans and Democrats—have cosponsored this legislation. The House companion has 54 cosponsors.

The bill also cuts the redtape that generally exists under the work opportunity tax credit. Rather than having to go through the tax credit's current certification process, qualified servicemen and women who have been recently discharged will only need show their discharge documentation that was provided by the Department of Defense. This includes those men and women who were activated by their states as members of the National Guard.

Enacting this legislation would just be the first step. The tax credit will not work unless veterans and small businesses across the country know about it. That is why I am working with the Iraq and Afghanistan Veterans of America, Veterans of Foreign Wars, and other Veteran Service Organizations to help get the word out about this tax credit once we pass the legislation.

Briefly, I thank my Defenders of Freedom Fellows, Iraq and Afghanistan Veterans and Montana-Natives Charlie Cromwell and Troy Carter. As legislative fellows in my office, Charlie and Troy worked hard to draft and advance this bill. I created the Defenders of Freedom Fellowship so that Montana veterans could work on legislation that helps their fellow veterans. They would be proud of this legislation.

I encourage all interested Montana veterans to contact my office for more information. It will take this kind of teamwork to provide the support our veterans need when they come home from war. It is an honor to introduce this legislation and I look forward to its quick passage this legislative session.

SBIR/STTR

Mr. WHITEHOUSE. Mr. President. I wish to express my disappointment with this body's failure to move forward with the Small Business Innovation Research and Small Business Technology Transfer reauthorization.

The SBIR and STTR programs, as they are known, are key components in our Nation's commitment to being a global leader in research and development. If we allow these programs to expire, as they are scheduled to do at the end of this month, we will forfeit one of the best tools we have to support innovation.

Big companies do not hold a monopoly on big ideas. Small businesses, however, often lack the resources necessary to get a good idea off the ground. The SBIR and STTR programs have a long track record in helping small businesses leverage Federal support into innovative new technologies. Products developed with assistance from these programs can be found inside everything from the B-2 bomber to the electric toothbrush.

I am proud to say that some of these innovations were made in my home State of Rhode Island. Since the SBIR and STTR programs were created, Rhode Island companies have received 277 awards and almost \$100 million in Federal support.

One of those companies is EpiVax, a biotech firm located in Providence. EpiVax focuses its work in the field of immunology and has received several SBIR awards over the years. Its most recent grant supports research on the development of a type I diabetes treatment. Other projects have included a

hemophilia therapy and an improved Tuberculosis vaccine.

SEA Corp. is another Rhode Island company that has benefited from both SBIR and STTR grants. Located in Middletown, SEA Corp. is a veteran-owned engineering firm. In 2000, they received an SBA award to develop launch systems for the Navy. They have taken the same kind of inflator that is used in automobile airbags and reconfigured it to shoot objects as large as a 750-pound torpedo. SEA Corp. is now adapting that technology to launch unmanned aerial vehicles from ships and submarines.

I am proud of these innovative Rhode Island projects and the contributions they have made to our country. For Rhode Islanders, though, their most significant impact has been in the jobs they have helped create. EpiVax has grown to 22 employees at their facility in Rhode Island, and SEA Corp. employs 330. At a time when my State continues to suffer from 11 percent unemployment, we cannot overlook the importance of these jobs and the role played by the SBIR and STTR in supporting them.

In Rhode Island, we have put special emphasis on promoting the “knowledge district” concept. Leaders like Brendan McNally, the director of the Rhode Island Center for Innovation and Entrepreneurship, have worked to bring together early-stage ventures and to foster an environment of collaboration and innovation. A handful of RI-CIE businesses have received SBIR awards and many others have expressed interest in taking advantage of the grants to help their companies grow. If we fail to reauthorize these programs, great companies like EpiVax and SEA Corp. and so many others in Rhode Island and across the country may no longer have the resources to devote to developing the next generation of cutting-edge technologies and to create high-quality jobs in those fields.

It is clear that America must renew its commitment to being the world’s leader in research and innovation. It is more than just a matter of national pride—it is an important part of creating jobs and securing our country’s long-term economic well-being. The reauthorization bill would strengthen the Small Business Innovation Research and Small Business Technology Transfer programs and help preserve America’s position as a leader in innovation.

I was discouraged that so many of my colleagues from the other side of the aisle voted to block the reauthorization of these vital programs. Simply put, this should not be a partisan issue. Given the importance of these programs to small businesses across the country, I hope that my Republican colleagues will come back to the table so that we can work together to pass a bipartisan reauthorization bill.

ISRAEL’S 63RD INDEPENDENCE DAY

Mr. MORAN. Mr. President, the first months of 2011 have been marked in the Middle East by profound change as citizens have demanded greater representation and increased accountability from their governments. As many of those protesting for change were beaten and killed in the streets, a sense of uncertainty about the future of the region and the commitment of some of our allies to American values was palpable. Yet, during this time of revolution, there has been no doubt about the certainty and strength of our Nation’s alliance and friendship with Israel.

Since the United States recognized Israel 11 minutes after its founding on May 14, 1948, the two countries have worked side by side to advance democracy and peace.

In a region where dictators and family rule are the norm, Israel has stood out as a beacon for democracy—a country with an independent judicial system and strong rule of law where citizens are free to worship and speak as they wish.

For those wanting better governance and more rights in the Middle East, they just have to look next door to Israel for an example of how things could be.

In advance of Yom Ha’atzmaut—Israel’s Independence Day—I wish to congratulate the citizens of Israel for building a strong and vibrant country despite the myriad challenges, wars and attacks they have faced. I look forward to working in the Senate to strengthen this strategically important relationship.

REMEMBERING PRIMO CARNABUCI

Mr. LIEBERMAN. Mr. President, sometime after nightfall on November 1, 1950, under the cover of a dark sky, there was a firefight north of the town of Unsan, in the Democratic People’s Republic of Korea. Unsan lies in the eastern North Pyongan province, on the western half of the peninsula. It sits peripheral to the Kuryong River, which cuts a steep valley through the land as it channels out into the Korea Bay. Unsan also lies north of the 38th parallel and was enemy territory for the U.S. 8th Cavalry Regiment, 1st Cavalry Division, which had taken up position there just days before.

The regiment was part of a northward advance toward the Sino-Korean border, in aggressive pursuit of a weakened, retreating North Korean enemy. But as it advanced, it encountered a ferocious counteroffensive lead by Chinese forces, absorbing tragic casualties at the hands of damaging defeat. As the regiment retreated south back across the Kuryong, it was forced to leave behind many brothers in arms. Almost 600 Americans fell that day, many of whom were declared missing in action, MIA, never to be found.

Among the regiment was Primo Carnabuci of Essex, CT. Primo came from a family of patriots; his two brothers, Dominic and Louis, also served our country in uniform. Anecdotes about Primo from the battlefield paint the picture of a tenaciously courageous fighter. In one such story, outlined in a military document awarding him a Distinguished Service Cross for heroism, as reported by the Middletown Press, Primo was temporarily sidelined from battle after killing three enemy soldiers and taking grenade shrapnel to the face. As he was being attended to by a medic, Primo, according to the document, “thrust away the aid man, picked up his rifle, and with utter disregard for his own safety, advanced into the fire of the enemy machine gun with blood streaming down his face.”

His brother Dominic was not surprised to hear that story. And it is safe to say that, as his regiment encountered those Chinese forces on that November night in 1950, Primo did not shy away from danger, but rather took the fight to the enemy, even as it overwhelmed his regiment. He ultimately perished in that battle and was declared MIA, leaving his family back home in Connecticut heartbroken and unsure about where he was, and whether he was alive or dead.

Suppressed in history’s pages between the Second World War and the Vietnam war, the Korean war is often referred to as the “Unknown War,” or as the “Forgotten War.” While Primo Carnabuci’s whereabouts were unknown to his family, he was certainly not forgotten. Every night since then, his brother Dominic has prayed that his brother would be found, and returned safely and soundly.

Miraculously, that prayer was answered, in part, just a few months ago, when Dominic received a phone call from a U.S. Government official. Primo’s body had been found in a mass gravesite surrounded by several of his compatriots and identified by DNA. Now, Primo has left Unsan, and he is coming back home to Connecticut.

As we gaze across the endless expanse of graves at Arlington Cemetery, or as we mourn the loss of a servicemember during a military burial somewhere across our land today, we must think about those who paid the ultimate sacrifice of not returning home alive but also not returning home at all. This country and its freedoms that we enjoy exist because men and women like Primo Carnabuci have defended it. Many have fallen for it so that we might live in freedom, and unfortunately, some of those who have fallen do not have the solace of having America as their final resting place.

On Thursday, Primo Carnabuci will be buried in Clinton, CT, with full military honors. As the crack of rifle fire and the cry of a bugle ripple through

the air, and as the colors that Primo wore the uniform for are draped across his coffin, I hope that Dominic and the entire Carnabuci family will feel relief that Primo has come home and pride in his service. America is where he belongs, and America is where he will now forever rest in peace.

God bless Primo Carnabuci, God bless his family, and God bless the United States of America.

FUTURE MEMBERS OF THE ARMED FORCES

Mr. PORTMAN. Mr. President, I rise today to honor 349 high school seniors in 10 northeast Ohio counties for their commendable decision to enlist in the U.S. Armed Forces. Of these 349 seniors from 116 high schools in 104 towns and cities, 98 will enter the Army, 134 will enter the Marine Corps, 42 will enter the Navy, 25 will enter the Air Force, and 50 will enter our Ohio Army National Guard. In the presence of their parents or guardians, high school counselors, military leaders, city and business leaders, all 349 are being recognized on May 12, 2011, by "Our Community Salutes of Cleveland."

Later this month, these young men and women will join with many of their classmates in celebration of graduation. At a time when many of their peers are looking forward to pursuing vocational training or college degrees, or are uncertain about their future, these young men and women instead have chosen to dedicate themselves to military service in defense of our country.

Naturally, many may be anxious about the uncertainties that may await them as members of the Armed Forces. But, they should rest assured that the full support and resources of this Chamber, and the American people, are with them in whatever challenges may lie ahead.

It is thanks to the dedication of an untold number of patriots like these 349 that we are able to meet here today, in the U.S. Senate, and openly debate the best solutions to the many diverse problems that confront our country. It is thanks to their sacrifices that the United States of America remains a beacon of hope and freedom in a fractious world. We are grateful to them, their parents and their communities for instilling the character, values, discipline and mental and physical abilities of these outstanding young men and women.

Their decision to serve our country will not go unrecognized as we thank these 349 graduating seniors for the selflessness and courage that they have shown by volunteering to risk their lives in defense of others. We owe them, along with all those who serve our country, a deep debt of gratitude.

Mr. President, I ask unanimous consent to have printed in the RECORD the list of names of the high school seniors.

There being no objection the material was ordered to be printed in the RECORD as follows:

United States Army—98:
Albright—Cleveland; Bankston—Ash-
tabula; Barnes—Cleveland; Benz—Lakewood;
Bodenski—Sheffield Village; Bradshaw—
Akron; Burke—Garfield Heights; Burney—
Akron; Carroll—Columbia Station;
Chrosniak—Sheffield; Ciano—Kent; Clady—
Elyria; Corponoi—Cleveland; Cristarella—
Richmond; Dixon—Maple Heights;
Dunaway—Brooklyn; Ebanoidze—Parma;
Ellis—Kent; English—Geneva; Errington—
Clinton; Fioritto—Concord Township; Fish-
er, A—Amherst; Fleischmann—Kingsville;
Gibbons—Columbia Station; Giles—Cleve-
land; Gluntz—Parma; Gonzalez—Lorain; Gor-
ham—Ravenna; Grenig—Parma; Hadsell—
Wayland; Haslam—Akron; Haworth—Kent;
Helmick—Norton; Hooks—Euclid; Hooper—
Chagrin Falls; Horner—Sheffield; Houdek,
L—Bedford; Huertas—Parma; Hutson—Lake-
wood; Irby-Tinsley—Cleveland; Jackson, C—
Euclid; Jackson, M—Cleveland; Kantola—
Kingsville; Khan—Cleveland; Kirby—Ash-
tabula; Klein—Rock Creek; Kovach—Ando-
ver; Lanier—Cleveland; Laubenthal—Sul-
livan; Liubin—Mayfield Heights; Lutton—
Madison; Mackell—Aurora; Maley—West
Salem; Malone—Parma; Mamus—Broadview
Heights; McCown—Akron; McDaniel—La-
grange; McFaul—Chesterland; Meinke—Me-
dina; Millhouse—Kent; Miramontes—
Chesterland; Mozek—Madison; Muska—
South Amherst; Oakes—Pierpoint; Pesec—
Painesville; Petro—Ashtabula; Popek—In-
dependence; Porter, J—Kent; Porter, L—
Akron; Prendergast—North Royalton; Price,
J—Norton; Rainey—Cleveland; Ray, D—
Rootstown; Reese—Wellington; Roberts, T—
Akron; Robinson—Euclid; Roper—Akron;
Sarota—Elyria; Schwinn—Vermilion;
Shelton—Lorain; Shumate—Elyria;
Stephan—Brecksville; Stephens—Euclid;
Stocker—Windham; Storms—Akron;
Stowers—Vermilion; Sullivan—Lorain;
Thomas—Conneaut; Travis—North
Ridgeville; Unrue—Mogadore; Vance—Ash-
tabula; West—Lagrange; White, D—Lake-
wood; White, J—Parma; Witczak—North
Royalton; Woods—Cleveland; Yarbrough—
Cleveland.

United States Marine Corps—134:
Aguiar—Medina; Anthony—Akron; Arraj—
Cleveland; Atterbury—East Lake; Austin—
Garfield Heights; Babusharvey—Maple
Heights; Baker, B—Kirtland; Beirne—Me-
dina; Benigni—Brunswick; Bergdorf—
Tallmadge; Biro—Middleburgh Heights;
Block—Sheffield Lake; Bohne—Cleveland;
Boomer—Hudson; Bowen—North Olmsted;
Bozin—North Olmsted; Brabson, G—Parma;
Brill—Sheffield; Bruner—Willoughby;
Bruno—Hudson; Buras—Hudson;
Burlinghaus—Middleburgh Heights;
Catavolos—Rocky River; Chase—Sagamore;
Chesek—North Royalton; Clark, J—Shaker
Heights; Colon—Broadview Heights; Cool—
Wadsworth; Cottingham—Shaker Heights;
Cruse—Brunswick; Davis, B—Mantua; Davis,
E—Cleveland; Dekoning—Avon; Dodd—
Cudahy—Fall; Draughton—Cleveland;
Ezell—Lagrange; Fadenholz—Elyria; Fink—
North Royalton; Fisher, J—Cleveland;
Fortner—Northfield; Fox—Akron; Gatliff—
Wellington; Gerhart—Munroe Falls; Gill—
Brunswick; Gonzales—Brooklyn; Graf, T—
Ravenna; Graw—North Olmsted; Harmon—
Elyria; Harter—Columbia Station; Hartley—
Ravenna; Hasan—Cleveland; Heinzman—
Brunswick; Hicken—Cleveland; Hobart—
Akron; Houchins—Chesterland; Hufford—
Cleveland; Jefferys—Akron; Jordan—Bay

Village; Kaczmarek—Mentor; Keeran—
Magadore; Kepple—Hiram; King—Cuyahoga
Falls; Kinker—Diamond; Koleszar—Paines-
ville; Ksenich—Amherst; Kubasky—Parma;
Lang—Avon Lake; Likovic—Eastlake;
Long—Mogadore; Lorwanphet—Cleveland;
Lucas—Spencer; Martell—Cleveland; Mar-
tin—Lyndhurst; Martinez—Cleveland;
Martz—Hudson; Mayton—Avon; McComb—
Euclid; McKinney—Shaker Heights; Mol-
nar—Chardon; Moran—Cuyahoga Falls; Nich-
ols, E—Cleveland; Nichols, T—Madison;
Olexadolyk—Amherst; Palmer—Barberton;
Parker—Medina; Parkham—Cleveland;
Parr—Ravenna; Peck—Litchfield; Peele—
Hudson; Perry, D—Euclid; Perry, M—Akron;
Peterjohn—Seven Hills; Phillips—Barberton;
Poole—Cleveland; Price, J—Norton;
Pritschau—Perry; Prokop—Mentor; Puelo—
Streetsboro; Quella—Strongsville;
Quercioli—North Ridgeville; Ray, J—Cuya-
hoga Falls; Reese—Clinton; Reinhart—Wads-
worth; Richards, A—Grafton; Richards, M—
Sheffield Lake; Riolo—Columbia Station;
Roberts, K—Akron; Roberts, T—Akron; Rob-
ertson—Cleveland; Rogers—North Ridgeville;
Rooney—Westlake; Rosenkranz—Medina;
Salcedo—Cleveland; Shirey—Barberton;
Slattery—Painesville; Snyder, J—Well-
ington; Spellie—Medina; Stanton—North
Ridgeville; Steinle—Medina; Stephen—Cleve-
land; Sterk—Wakeman; Swartwood—Norton;
Switzer—Brunswick; Venus—Seville; Walters
Brunswick; Wayman—Berlin Heights;
Weese—Akron; Werdebaugh—Wellington;
Westfall—Norton; Willis—Wellington; Wil-
son, R—Ravenna; Woodyard—Richfield;
Zeigler—Medina; Zwegat—Broadview
Heights.

United States Navy—42:
Adkins—Ashtabula; Armbrust—Wads-
worth; Barchanowicz—Ashtabula; Bennett—
Wellington; Borelli—Fairport Harbor;
Boscailion—Lodi; Brown—Wellington;
Coffey—Geneva; Dane—Avon; Dickson—
Madison; Doniver—Cleveland; Evans—Can-
ton; Fipps—Warrensville; Graham—Geneva;
Guthrie—Medina; Hamid—Avon Lake;
Helderman—North Olmsted; Houdek, A—Ge-
neva; Jackson, A—Ashtabula; Keith—Elyria;
Lindak—North Ridgeville; Machesky—Am-
herst; Minnich—Elyria; Mitchell—
Warrensville Heights; Montgomery—
Litchfield; Mullins—Sullivan; Olbrys—Men-
tor; Pillari—Strongsville; Reid—Parma
Heights; Rice—Vermilion; Richards, J—
Warrensville Heights; Roig—Olmsted Falls;
Schuler—North Ridgeville; Sidwell—Medina;
Smith—Warrensville Heights; Squire—New
London; Tomaszycchi—Elyria; Towell—Spen-
cer; Verdi—Ashtabula; Waites—Concord;
Wilson, A—Vermilion; Zappitella—Conneaut.

United States Air Force—25:
Baade—South Euclid; Baird—Broadview
Heights; Brandt—Brookpark; Callahan—
Willoughby; Delp—Mentor; Felger—Middle-
field; Gorta—Olmsted Falls; Halbrook—
Willowick; Hernandez—Cleveland; Johnson,
D—Cleveland Heights; Justiniano—Cleve-
land; Leach—Mentor; McFaul—Chardon;
Moore—Nordonia; Munroe—Cleveland
Heights; Novak—Brookpark; Nubert—Men-
tor; Ramsey—Avon; Semrau—Mentor;
Seufer—Chagrin Falls; Silc—Painesville;
Skorupski—Mentor; Snyder, A—Lorain;
Wagner—Amherst; Williams, J—Cleveland.

Army National Guard—50:
Amin—Strongsville; Beavers—Cuyahoga
Falls; Brabson, S—Macedonia; Casper—Men-
tor; Clark, K—Akron; Cripple—Akron;
Cross—Cleveland Heights; Crowder—Clinton;
Davey—Akron; Dragon—Brunswick; Ely—
Brooklyn; Faulds—Copley; Foster—La-
grange; Ganzer—Medina; Garcia—Lorain;

Gigliotti—Lagrange; Graf, B—North Royalton; Gray—Cleveland; Griffin—Cuyahoga Falls; Grimes—Clinton; Harrison—Cleveland; Hasrouni—Brunswick; Heil—Strongsville; Hendrix—Elyria; Hunt—Lorain; Ibarra—Cleveland; Johnson, A—Cleveland; Kelly—Copley; Knafel—Akron; Marksburg—Amherst; Mireles—Parma; Morrow—Akron; Ningard—North Royalton; Noble—Clinton; Patsue—Olmsted Falls; Riley, A—Amherst; Rotille—Rootstown; Singleton—Cleveland; Slezak—North Royalton; Strouse—Cleveland; Suttle—Akron; Swanson—Cleveland; Toddy—Westlake; Turner—Vermillion; Urbanija—Fairview Park; Walker—Medina; Williams, R—Garfield Heights; Winkleman—Fairview Park; Wite—Akron; Young—Cleveland.

TRIBUTE TO RONALD E. WEINBERG

Mr. PORTMAN. Mr. President, today I honor Ronald E. Weinberg, chair of the Cleveland State University board of trustees and a principal with Weinberg & Bell Group, a Cleveland-based private equity firm, as he is honored by Cleveland State University with its President's Medal, the university's highest nonacademic honor.

The President's Medal is awarded to individuals, groups or entities whose dedication to the university is beyond question. The medal is conferred only when the honoree has made continuing and extraordinary contributions, or has provided exemplary and ongoing services that have advanced the best interests and mission of Cleveland State University.

The presentation of this award will take place during a gala celebration entitled "Radiance—CSU Realizing the Promise," a highlight of Cleveland State University's commencement weekend. At that time, the President's Medal will be bestowed upon Ronald E. Weinberg for his extraordinary commitment, service and contribution to Cleveland State University and for his efforts to help students achieve their goals through higher education.

Mr. Weinberg was appointed to the Cleveland State Board of Trustees in 2001 and has served as chairman for the past 4 years. During his tenure, CSU has made great strides in becoming one of the country's top urban universities—the campus has been transformed with new buildings; highly credentialed faculty and researchers have enriched the learning experience; and enrollment has increased.

Mr. Weinberg has generously given his time and expertise to support CSU's mission and contribute to its success. Additionally, he has financially supported many CSU initiatives. He and his wife Terri served as cochair of the Moses Cleaveland Scholarship Dinner, and he is a platinum sponsor of Radiance. Additional recognition of Mr. Weinberg's efforts will come as the Trustees' boardroom is named for him in recognition of a generous scholarship gift.

As part of Cleveland State University's Commencement Weekend celebration, Mr. Weinberg, CSU President Ronald M. Berkman and the CSU community will participate in the celebration of graduation as well as embark on a new tradition of celebrating and supporting scholarships, which are key to attracting promising students to Cleveland State University and giving them the tools to succeed.

It is during this time of commencement that we can all pause to honor our new graduates on their accomplishments and wish them well as they embark on new opportunities. We are also grateful to CSU for helping to provide our young people with the tools they need to be prepared for a competitive job market and to support their communities. It is important to thank those, such as Mr. Weinberg, who have dedicated time and resources to contribute to the success of our students, an investment that is critical to Cleveland's and our Nation's future.

TRIBUTE TO THOMAS G. KELLEY

Mr. BROWN of Massachusetts. Mr. President, I rise today to recognize Thomas G. Kelley of Boston, MA, a veteran who risked his life for his nation and went on to a distinguished career serving his fellow veterans.

A son of Boston, Tom Kelley responded to our Nation's call of duty and enlisted in the U.S. Navy, where as a lieutenant in Vietnam he commanded River Assault Division 152. In his service to our Nation, Tom Kelley earned our highest military decoration, the Medal of Honor. The story of how it happened is worth recounting.

On June 15, 1969, Lieutenant Kelley was leading several boats up the Ong Muong Canal to extract an Army company when one suffered a mechanical failure. Moments later, the enemy attacked. At this point, I would like to quote from Tom Kelley's Medal of Honor citation presented by President Richard M. Nixon:

... Lt. Comdr. Kelley realizing the extreme danger to his column and its inability to clear the ambush site until the crippled unit was repaired, boldly maneuvered the monitor in which he was embarked to the exposed side of the protective cordon in direct line with the enemy's fire, and ordered the monitor to commence firing. Suddenly, an enemy rocket scored a direct hit on the coxswain's flat, the shell penetrating the thick armor plate, and the explosion spraying shrapnel in all directions. Sustaining serious head wounds from the blast, which hurled him to the deck of the monitor, Lt. Comdr. Kelley disregarded his severe injuries and attempted to continue directing the other boats. Although unable to move from the deck or to speak clearly into the radio, he succeeded in relaying his commands through one of his men until the enemy attack was silenced and the boats were able to move to an area of safety.

The citation concludes:

Lt. Comdr. Kelley's brilliant leadership, bold initiative, and resolute determination

served to inspire his men and provide the impetus needed to carry out the mission after he was medically evacuated by helicopter. His extraordinary courage under fire, and his selfless devotion to duty sustain and enhance the finest traditions of the U.S. Naval Service.

Tom retired from the Navy in 1990 with the rank of captain and continued to serve in the Defense Department as a civilian. After returning to his hometown of Boston, Tom was named commissioner of the Massachusetts Department of Veterans' Services in 1999. In 2003, then Governor Romney named him the department's secretary, where he served until January of this year. Many of us in and out of the service were very sorry to see him go.

While at the helm of the Massachusetts Department of Veterans' Services, Tom Kelley remained a hard-charger, and through tireless effort, transformed the agency into a national model for effective and efficient care. Under Tom's leadership, a new generation of warriors went off to fight in Operation Enduring Freedom and Operation Iraqi Liberation. Many of these warriors came home with severe physical injuries and the invisible scars of brain trauma and post traumatic stress disorder. Tom ensured that the department devoted the same level of care for these younger men and women as it did veterans from earlier conflicts.

When I served in the State legislature, and as a member of the Veterans and Federal Affairs Committee, I worked closely with Tom on many issues and was always inspired by his energy and passion for helping his fellow veterans.

Tom served under Republican and Democrat Governors and ensured that the department remained focused on providing outstanding service to Massachusetts' veterans. I have no doubt that Tom Kelley will always be regarded as an extremely effective and dedicated secretary of veterans' affairs.

Tonight, Tom will receive a fitting farewell at a bipartisan gala, all the proceeds of which will go to the Massachusetts Soldiers Legacy Fund. And it comes as no surprise that the guest of honor insisted on purchasing his own ticket.

RECOGNIZING NATIONAL NURSES WEEK MAY 6-12, 2011

Mr. PORTMAN. Mr. President, I rise today to recognize the contributions of our Nation's nurses and to thank them for their service to patients across this Nation. Nurses are among the largest group of health professionals and are on the front lines of our healthcare delivery system. Each day people with different health needs are served by legions of educated, qualified, and professional nurses.

Our Nation's nurses help to ensure that Americans receive quality health

care and that our Nation's public health infrastructure remains strong. I recently had the opportunity to meet with nurses who visited our Nation's Capital through the Nurses in Washington Internship Program. This group is made up of a coalition of nursing organizations united to promote a strong voice in advocating for the nursing community.

In closing, I ask my colleagues to join me in applauding the nurses in my home State of Ohio and across the country for their service to the American public.

ADDITIONAL STATEMENTS

TRIBUTE TO DORI CARLSON

• Mr. CONRAD. Mr. President, I wish to take a few minutes today to recognize an outstanding North Dakotan. On June 18, 2011, Dori Carlson will become the first female president of the American Optometric Association, AOA. Dori, who has two offices in North Dakota, was honored in 1994 as the North Dakota Young Optometrist of the Year and in 2003 as the Optometrist of the Year. She was also the first female president of the North Dakota Optometric Association.

Dori's No. 1 priority is to advocate the importance of having young children undergo vision testing. She tells parents all over the country about "vision" problems faced by young children, and that it is easier to address these problems if discovered early. She regularly highlights President Obama's statement regarding the need to review vision of young children:

No child should be falling behind at school because he or she can't . . . see the blackboard.

This is President Obama, February 4, 2009.

As a result of Dori's emphasis on the importance of children's vision, there continues to be an increase in vision testing. This means that fewer children are having vision problems. For all parents, we thank Dori for her dedication and congratulate her on becoming the new AOA president. •

UH-72 LAKOTA LIGHT UTILITY HELICOPTER

• Mr. JOHNSON of South Dakota. Mr. President, I wish to speak today to honor the inception of the UH-72 Lakota Light Utility Helicopter into the active fleet of the South Dakota National Guard D Company 1/12th Security and Support Battalion. On May 15, a ceremony will be held at the Crazy Horse Monument in the Black Hills of South Dakota—the traditional homeland of the proud Lakota Sioux for whom this aircraft has been named. After nearly a decade of development, the Light Utility Helicopter program

offers the UH-72 Lakota as a state-of-the-art aircraft which will provide medical support to members of our military.

The UH-72 Lakota stands as a defining symbol of the continued partnership between the U.S. military and the Sioux people. Native Americans from all reaches of this Nation have proven, time and again, their willingness to serve in the U.S. military to protect our freedoms. In fact, members of Native American tribes like the Lakota have historically served, and continue to serve, at a higher per-capita rate than any other ethnic group in America. In its medical evacuation, homeland security, and drug enforcement aircraft capacities, I know the UH-72 Lakota will do this legacy proud, wherever it serves.

Per Department of Defense regulations, military helicopters are named after Native American tribes, and the UH-72 joins the ranks of other distinguished service helicopters like the H-60 Black Hawk, the H-64 Apache, the H-66 Comanche, and many others. Naming the UH-72 after a tribe with such a distinct and honorable history of bravery and service is a tribute to Native American heritage as potent as the service the aircraft itself will provide.

I commend the developers of this new aircraft for their hard work in the design and testing phases, as well as the pilots and crews whose input so critically enhanced the UH-72 as a finished product. I was pleased to have the opportunity to view the Lakota up close at a Rosebud Pow Wow a few years ago. I wish the pilots and crews of each of the D Company 1/12th Security and Support Battalion, as well as those serving in other regions, the best of luck with this new aircraft. •

RECOGNIZING MAINE COMMERCIAL TIRE, INC.

• Ms. SNOWE. Mr. President, next week marks the 48th annual celebration of National Small Business Week, a tradition started in 1963 under President Kennedy to highlight the critical role small businesses play in our society. This year, despite a difficult economy struggling to rebound, we can be proud of our Nation's nearly 30 million small firms that are working to move our Nation forward.

In light of this, today I commend and recognize Maine Commercial Tire, MCT, a commercial tire servicer and supplier in my home State of Maine. Recently, MCT's owners James McCurdy and James Lynch were named Maine's 2011 Small Business Persons of the year by the U.S. Small Business Administration. This is a highly deserved honor as both individuals' leadership has allowed MCT to prosper in a struggling and tumultuous economy.

Maine Commercial Tire began in 1990 in the town of Hermon, roughly 15 min-

utes from Bangor. Their goal was to supply new tires and retreaded tires while providing outstanding service to the many trucking businesses in Maine and portions of New Hampshire. Since that time MCT has grown substantially from 18 employees to 59 employees, and expanded by opening three additional locations across the State, in Augusta, Scarborough, and Lewiston. The company now retreads roughly 35,000 tires each year.

MCT is recognized both locally and globally for its commitment to excellence. The International Organization for Standardization, ISO, develops and sets high global standards that a variety of international companies strive to achieve in order to become certified in their field. In 2000, MCT became the first—and thus far, only—ISO 9002 certified tire dealer and independently owned retread shop in the United States. In addition to demonstrating MCT's commitment to excellence, this certification shows that American small businesses can truly compete in a global marketplace with hard work and perseverance.

As a result of their accomplishments at MCT, Mr. McCurdy and Mr. Lynch are receiving the prestigious Small Business Person of the Year award. This award takes into account a variety of criteria including: staying power as an established business, growth in number of employees, increase in sales and/or unit volume, current and past financial performance, innovativeness of product or service offered, response to adversity, and contributions to community-oriented projects. This is truly a deserved honor for Mr. Lynch and Mr. McCurdy. Their hard work and dedication has resulted in MCT being regarded as a nationwide leader in both the supply and servicing of truck tires and retreaded truck tires. Msrs. McCurdy and Lynch were honored at a luncheon in Maine on May 5, and will also be recognized next week during National Small Business Week here in Washington.

It will take small businesses to lead us out of our economic morass. That is why I am thankful for companies such as Maine Commercial Tire, which have persevered and made great strides over the past 21 years. I thank Mr. McCurdy and Mr. Lynch for their leadership and everyone at MCT for their dedication to excellence, and offer my best wishes for success in their future endeavors. •

TRIBUTE TO DR. PHILLIP O. BARRY

• Mr. UDALL of New Mexico. Mr. President, I, with my colleague Senator BINGAMAN, wish to recognize Dr. Phillip O. Barry on the occasion of his retirement from a distinguished career serving higher education institutions in our home state of New Mexico and elsewhere.

A former Fulbright scholar, Dr. Barry has spent the past 36 years working in community colleges to improve learning opportunities for New Mexicans, Iowans, and New Jerseyans. Access to quality higher education makes all the difference for our children and our economy. In order to secure the future of the Nation, we must provide the best education possible. Innovative administrators like Dr. Barry play a vital role in achieving this important goal. As a community college president, Dr. Barry devoted 24 years to leading these institutions into the 21st century and helping them expand to meet the needs of more students and an evolving economy.

In his 15 years at Mesalands Community College in Tucumcari, NM, Dr. Barry transformed Mesalands from a technical school into a community college, including leading the college through a rigorous accreditation process. He established the college's foundation in order to ensure the financial security of the school for the future. Through Dr. Barry's leadership and foresight, Mesalands Community College created such innovations as its Dinosaur Museum, the North American Wind Research and Training Center, and an intercollegiate rodeo program.

Dr. Barry's vision for and guidance of Mesalands Community College has been instrumental to the continued development and success of the college. Senator BINGAMAN and I thank Dr. Barry for his commitment to higher education in New Mexico and to the community college students of today and tomorrow. Thanks to Dr. Barry and institutions like those he led, a growing number of Americans are able to continue their educations, achieve secondary degrees, and help ensure our country's future competitiveness in an increasingly global economy.

We wish Dr. Barry continued success, and for a most happy retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:10 a.m., a message from the House of Representatives, delivered by

Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1229. An act to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

The message also announced that the House has agreed to the following concurrent resolutions, in which it requests the concurrence of the Senate:

H. Con. Res. 16. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 46. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

At 2:50 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 50. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 953. A bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 1229. An act to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

S. 990. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1634. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model ERJ 170 and ERJ 190 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1161)) received during adjournment of

the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1635. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.27 Mark 050 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0325)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1636. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.27 Mark 050 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0262)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1637. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; DASSAULT AVIATION Model MYSTERE-FALCON 50 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0261)) received during adjournment of the Senate in the Office of the President of the Senate on April 21, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1638. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Rolls-Royce plc (RR) RB211-Trent 900 Series Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0176)) received in the Office of the President of the Senate on May 5, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1639. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Model F.28 Mark 1000, 2000, 3000, and 4000 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1304)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1640. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Eurocopter France (Eurocopter) Model EC130 B4 Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0212)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1641. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2008-0090)) received in the Office of the President of the Senate on May 4, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1642. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation,

transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Saab AB, Saab Aerosystems Model 340A (SAAB/SF340A) and SAAB 340B Airplanes Modified in Accordance with Supplemental Type Certificate (STC) ST00224WI-D, ST00146WI-D, or SA984GL-D" ((RIN2120-AA64) (Docket No. FAA-2010-0042)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1643. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bell Helicopter Textron, Inc. Model 212 Helicopters" ((RIN2120-AA64) (Docket No. FAA-2011-0323)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1644. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; CPAC, Inc. (Type Certificate Formerly Held by Commander Aircraft Corporation, Gulfstream Aerospace Corporation, and Rockwell International) Models 112, 112B, 112TC, 112TCA, 114, 114A, 114B, and 114TC Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0302)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1645. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Thielert Aircraft Engines GmbH Models TAE 125-01, TAE 125-02-99, and TAE 125-02-114 Reciprocating Engines" ((RIN2120-AA64) (Docket No. FAA-2010-0820)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1646. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model MD-90-30 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1202)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1647. A communication from the Secretary of the Senate, transmitting, pursuant to law, the report of the receipts and expenditures of the Senate for the period from October 1, 2010 through March 31, 2011, received in the Office of the President of the Senate on May 12, 2011; ordered to lie on the table.

EC-1648. A communication from the Assistant Bureau Chief, Wireless Telecommunications Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Reexamination of Roaming Obligations of Commercial Mobile Radio Service Providers and Other Providers of Mobile Data Services" ((WT Docket No. 05-265) (FCC 11-52)) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1649. A communication from the Deputy Chief, Public Safety and Homeland Security Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Implementing a Nationwide, Broadband, Interoperable Public

Safety Network in the 700 MHz Band" (FCC 11-6) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1650. A communication from the Deputy General Counsel, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled "Amendment of the Commission's Ex Parte Rules and Other Procedural Rules, Report and Order and Further Notice of Proposed Rule-making" (FCC 11-11) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1651. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, and Model A340-200 and -300 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0311)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1652. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Cessna Aircraft Company (Cessna) Model 172 Airplanes Modified by Supplemental Type Certificate (STC) SA01303WI" ((RIN2120-AA64) (Docket No. FAA-2010-1243)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1653. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pacific Aerospace Limited Model 750XL Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0379)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1654. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-541 and -642 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0310)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1655. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A340-200 and -300 Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0383)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1656. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200 and -300 Series Airplanes Equipped with Pratt and Whitney Engines" ((RIN2120-AA64) (Docket No. FAA-2011-0026)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1657. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A300 B4-601, B4-603, B4-605R, C4-605R, Variant F, and F4-605R Airplanes, and A310-204 and -304 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2011-0035)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1658. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 747-200B, -300, -400, -400D, and -400F Series Airplanes Powered by Pratt and Whitney 4000 or General Electric CF6-80C2 Series Engines" ((RIN2120-AA64) (Docket No. FAA-2010-1111)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1659. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a legislative proposal to improve cybersecurity; to the Committee on Commerce, Science, and Transportation.

EC-1660. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a legislative proposal to improve cybersecurity; to the Committee on the Judiciary.

EC-1661. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting, a legislative proposal to improve cybersecurity; to the Committee on Homeland Security and Governmental Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

H.R. 793. A bill to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Vellozo Post Office".

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. Res. 116. A resolution to provide for expedited Senate consideration of certain nominations subject to advice and consent.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment and with a preamble:

S. Res. 174. A resolution expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

By Mr. LIEBERMAN, from the Committee on Homeland Security and Governmental Affairs, without amendment:

S. 349. A bill to designate the facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office".

S. 655. A bill to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office".

By Mr. SCHUMER, from the Committee on Rules and Administration, without amendment:

S. 739. A bill to authorize the Architect of the Capitol to establish battery recharging stations for privately owned vehicles in parking areas under the jurisdiction of the Senate at no net cost to the Federal Government.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. JOHNSON, of South Dakota, for the Committee on Banking, Housing, and Urban Affairs.

*Peter A. Diamond, of Massachusetts, to be a Member of the Board of Governors of the Federal Reserve System for the unexpired term of fourteen years from February 1, 2000.

*David S. Cohen, of Maryland, to be Under Secretary for Terrorism and Financial Crimes.

*Daniel L. Glaser, of the District of Columbia, to be Assistant Secretary for Terrorist Financing, Department of the Treasury.

*Wanda Felton, of New York, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2013.

*Sean Robert Mulvaney, of Illinois, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2015.

By Mr. SCHUMER for the Committee on Rules and Administration.

*William J. Boarman, of Maryland, to be Public Printer, to which position he was appointed during the recess of the Senate from December 22, 2010, to January 5, 2011.

By Mr. LEAHY for the Committee on the Judiciary.

Henry F. Floyd, of South Carolina, to be United States Circuit Judge for the Fourth Circuit.

Sara Lynn Darrow, of Illinois, to be United States District Judge for the Central District of Illinois.

Richard Brooke Jackson, of Colorado, to be United States District Judge for the District of Colorado.

Kathleen M. Williams, of Florida, to be United States District Judge for the Southern District of Florida.

Nelva Gonzales Ramos, of Texas, to be United States District Judge for the Southern District of Texas.

Donald B. Verrilli, Jr., of the District of Columbia, to be Solicitor General of the United States.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first

and second times by unanimous consent, and referred as indicated:

By Mr. CASEY (for himself, Mr. ISAKSON, Mr. BROWN of Ohio, Mr. BLUNT, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. ROBERTS):

S. 958. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. HAGAN (for herself and Mr. LIEBERMAN):

S. 959. A bill to improve outcomes for students in persistently low-performing schools, to create a culture of recognizing, rewarding, and replicating educational excellence, to authorize school turnaround grants, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KERRY (for himself, Mr. ALEXANDER, and Mr. WYDEN):

S. 960. A bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home; to the Committee on Finance.

By Mr. KERRY (for himself, Mrs. MURRAY, and Mr. BEGICH):

S. 961. A bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes; to the Committee on Finance.

By Mrs. MURRAY (for herself and Ms. CANTWELL):

S. 962. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. CARPER:

S. 963. A bill to reduce energy costs, improve energy efficiency, and expand the use of renewable energy by Federal agencies, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ALEXANDER (for himself, Mr. GRAHAM, Mr. DEMINT, Mr. PAUL, Mr. CORNYN, Mr. LUGAR, Mr. SHELBY, Mr. ISAKSON, Mr. RISCH, Mr. BOOZMAN, Mr. LEE, Mr. KYL, Mr. VITTER, Mr. COCHRAN, Mr. COBURN, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. HOEVEN, Mr. JOHANNES, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. BARRASSO, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. HATCH, Mr. ENZI, Mr. CHAMBLISS, Mr. INHOFE, Mr. HELLER, Mr. MCCAIN, Mr. WICKER, Mr. RUBIO, and Mr. CORKER):

S. 964. A bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. GILLIBRAND:

S. 965. A bill to amend the Internal Revenue Code of 1986 to provide an income tax credit for the costs of certain infertility treatments, and for other purposes; to the Committee on Finance.

By Mrs. GILLIBRAND:

S. 966. A bill to amend the Public Health Service Act to provide for osteoporosis and related bone disease education, research, and surveillance, and for other purposes; to the

Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Ms. SNOWE, Mr. REED, Mr. DURBIN, Mr. BLUMENTHAL, Mr. INOUE, Mrs. SHAHEEN, Mr. SANDERS, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. AKAKA):

S. 967. A bill to establish clear regulatory standards for mortgage servicers, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. LEAHY (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. KOHL, Mr. COONS, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 968. A bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes; to the Committee on the Judiciary.

By Mrs. GILLIBRAND (for herself, Ms. SNOWE, Mr. BROWN of Ohio, Ms. STABENOW, and Mr. BEGICH):

S. 969. A bill to award planning grants and implementation grants to State educational agencies to enable the State educational agencies to complete comprehensive planning to carry out activities designed to integrate engineering education into K-12 instruction and curriculum and to provide evaluation grants to measure efficacy of K-12 engineering education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. COONS (for himself, Mr. CARPER, and Mr. CASEY):

S. 970. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 971. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

By Mr. CARPER:

S. 972. A bill to amend titles 23 and 49, United States Code, to establish procedures to advance the use of cleaner construction equipment on Federal-aid highway and public transportation construction projects, to make the acquisition and installation of emission control technology an eligible expense in carrying out such projects, and for other purposes; to the Committee on Environment and Public Works.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. NELSON of Florida, Ms. LANDRIEU, and Ms. STABENOW):

S. 973. A bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 974. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. WICKER, and Mr. AKAKA):

S. 975. A bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY:

S. 976. A bill to extend the designation of Monroe County, Pennsylvania, as a HUBZone, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 977. A bill to fight criminal gangs; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. CORNYN, and Mr. COONS):

S. 978. A bill to amend the criminal penalty provision for criminal infringement of a copyright, and for other purposes; to the Committee on the Judiciary.

By Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. REED):

S. 979. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

By Mrs. MURRAY (for herself, Ms. MURKOWSKI, Ms. CANTWELL, and Mr. BEGICH):

S. 980. A bill to promote secure ferry transportation and for other purposes; to the Committee on Environment and Public Works.

By Mr. LEVIN (for himself and Mr. MCCAIN) (by request):

S. 981. A bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes; to the Committee on Armed Services.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 982. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

By Mr. NELSON of Florida:

S. 983. A bill to amend the Internal Revenue Code of 1986 to disallow a deduction for amounts paid or incurred by a responsible party relating to a discharge of oil; to the Committee on Finance.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. MERKLEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. INOUE, Mr. LEVIN, Mr. KERRY, Mr. AKAKA, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 984. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MIKULSKI:

S. 985. A bill to amend the definition of a law enforcement officer under subchapter III of chapter 83 and chapter 84 of title 5, United States Code, respectively, to ensure the inclusion of certain positions; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MENENDEZ:

S. 986. A bill to amend the Internal Revenue Code of 1986 to regulate the subsidies

paid to rum producers in Puerto Rico and the Virgin Islands, and for other purposes; to the Committee on Finance.

By Mr. FRANKEN (for himself, Mr. BLUMENTHAL, Mr. LEAHY, Mr. DURBIN, Mr. WHITEHOUSE, Mr. BROWN of Ohio, Mr. HARKIN, Mr. KERRY, Mr. MERKLEY, Mr. UDALL of New Mexico, Mr. WYDEN, Mr. CASEY, and Mrs. BOXER):

S. 987. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. 988. A bill to ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian; to the Committee on Energy and Natural Resources.

By Mr. MORAN (for himself and Mr. INHOFE):

S. 989. A bill to amend the Clean Air Act to require the exclusion of data of an exceedance or violation of a national ambient air quality standard caused by a prescribed fire in the Flint Hills Region, and for other purposes; to the Committee on Environment and Public Works.

By Ms. LANDRIEU:

S. 990. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes; read the first time.

By Ms. MIKULSKI:

S. 991. A bill to ensure efficient performance of agency functions; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 992. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CORNYN:

S. 993. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Finance.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. DURBIN):

S. 994. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay-to-play reform, and for other purposes; to the Committee on Environment and Public Works.

By Mr. KIRK:

S. 995. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

By Mr. ROCKEFELLER (for himself, Ms. SNOWE, Mr. BINGAMAN, Mr. LEAHY, Mr. SCHUMER, Mr. KERRY, and Mr. BROWN of Massachusetts):

S. 996. A bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 997. A bill to authorize the Secretary of the Interior to extend a water contract between the United States and the East Bench Irrigation District; to the Committee on Energy and Natural Resources.

By Mr. AKAKA (for himself, Mr. HARKIN, and Mr. DURBIN):

S. 998. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. HATCH, Mr. RISCH, and Mr. CORNYN):

S.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRAHAM (for himself, Mr. CONRAD, Mr. BURR, Mr. INOUE, Mr. BEGICH, Mr. KERRY, and Ms. MURKOWSKI):

S. Res. 181. A resolution designating May 15, 2011, as "National MPS Awareness Day"; considered and agreed to.

By Mr. SESSIONS (for himself, Mr. SHELBY, Mr. ALEXANDER, Mr. CORKER, Mr. COCHRAN, Mr. WICKER, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, and Mrs. HAGAN):

S. Res. 182. A resolution expressing the condolences of the United States to the victims of the devastating tornadoes that touched down in the South in April 2011, commending the resiliency of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, and committing to stand by the people affected in the relief and recovery efforts; considered and agreed to.

By Ms. MURKOWSKI (for herself, Mrs. MURRAY, Mr. KERRY, Ms. MIKULSKI, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. WHITEHOUSE):

S. Res. 183. A resolution designating May 14, 2011, as "National Police Survivors Day"; considered and agreed to.

By Ms. KLOBUCHAR (for herself and Mr. FRANKEN):

S. Res. 184. A resolution recognizing the life and service of the Honorable Hubert H. Humphrey, distinguished former Senator from the State of Minnesota and former Vice President of the United States, upon the 100th anniversary of his birth; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. WYDEN, Mr. BROWN of Ohio, Mr. CARDIN, Mr. COATS, Mr. BARRASSO, Mr. CRAPO, and Mr. KYL):

S. Con. Res. 17. A concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO); to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 214

At the request of Mr. MENENDEZ, the name of the Senator from Washington

(Mrs. MURRAY) was added as a cosponsor of S. 214, a bill to amend the Oil Pollution Act of 1990 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 215

At the request of Mr. MENENDEZ, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to require oil polluters to pay the full cost of oil spills, and for other purposes.

S. 277

At the request of Mr. BURR, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 277, a bill to amend title 38, United States Code, to furnish hospital care, medical services, and nursing home care to veterans who were stationed at Camp Lejeune, North Carolina, while the water was contaminated at Camp Lejeune, and for other purposes.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 351

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 351, a bill to authorize the exploration, leasing, development, and production of oil and gas in and from the western portion of the Coastal Plain of the State of Alaska without surface occupancy, and for other purposes.

S. 352

At the request of Ms. MURKOWSKI, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 352, a bill to authorize the exploration, leasing, development, production, and economically feasible and prudent transportation of oil and gas in and from the Coastal Plain in Alaska.

S. 384

At the request of Mrs. FEINSTEIN, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S. 384, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for

multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 489

At the request of Mr. REED, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 510

At the request of Mr. UDALL of New Mexico, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 510, a bill to prevent drunk driving injuries and fatalities, and for other purposes.

S. 543

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 543, a bill to restrict any State or local jurisdiction from imposing a new discriminatory tax on cell phone services, providers, or property.

S. 584

At the request of Ms. MIKULSKI, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 584, a bill to establish the Social Work Reinvestment Commission to provide independent counsel to Congress and the Secretary of Health and Human Services on policy issues associated with recruitment, retention, research, and reinvestment in the profession of social work, and for other purposes.

S. 603

At the request of Mr. NELSON of Florida, the names of the Senator from Alabama (Mr. SESSIONS) and the Senator from Mississippi (Mr. COCHRAN) were added as cosponsors of S. 603, a bill to modify the prohibition on recognition by United States courts of certain rights relating to certain marks, trade names, or commercial names.

S. 648

At the request of Mrs. GILLIBRAND, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 648, a bill to require the Commissioner of Social Security to revise the medical and evaluation criteria for determining disability in a person diagnosed with Huntington's Disease and to waive the 24-month waiting period for Medicare eligibility for individuals disabled by Huntington's Disease.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 658

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan

(Ms. STABENOW) was added as a cosponsor of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 672

At the request of Mr. ROCKEFELLER, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 672, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 696

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 696, a bill to amend title 38, United States Code, to treat Vet Centers as Department of Veterans Affairs facilities for purposes of payments or allowances for beneficiary travel to Department facilities, and for other purposes.

S. 737

At the request of Mr. MORAN, the names of the Senator from New Hampshire (Ms. AYOTTE) and the Senator from Georgia (Mr. ISAKSON) were added as cosponsors of S. 737, a bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, and for other purposes.

S. 742

At the request of Mr. BROWN of Ohio, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 742, a bill to amend chapters 83 and 84 of title 5, United States Code, to set the age at which Members of Congress are eligible for an annuity to the same age as the retirement age under the Social Security Act.

S. 755

At the request of Mr. WYDEN, the name of the Senator from New Mexico (Mr. BINGAMAN) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 781

At the request of Mr. THUNE, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 781, a bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002.

S. 824

At the request of Mr. BROWN of Ohio, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 824, a bill to provide for enhanced mortgage-backed and asset-backed security investor protections, to prevent foreclosure fraud, and for other purposes.

S. 838

At the request of Mr. TESTER, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 890

At the request of Mr. LEAHY, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 890, a bill to establish the supplemental fraud fighting account, and for other purposes.

S. 906

At the request of Mr. WICKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 931

At the request of Mr. SCHUMER, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 931, a bill to amend the Internal Revenue Code of 1986 to reform the rules relating to fractional charitable donations of tangible personal property.

S. 939

At the request of Mr. MENENDEZ, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 939, a bill to amend the Internal Revenue Code of 1986 to provide that the volume cap for private activity bonds shall not apply to bonds for facilities for the furnishing of water and sewage facilities.

S. 940

At the request of Mr. MENENDEZ, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 940, a bill to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

S. 947

At the request of Mr. JOHANNIS, the names of the Senator from Georgia (Mr. CHAMBLISS) and the Senator from Tennessee (Mr. CORKER) were added as cosponsors of S. 947, a bill to provide end user exemptions from certain provisions of the Commodity Exchange Act and the Securities Exchange Act of 1934, and for other purposes.

S. 950

At the request of Mr. CARDIN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 950, a bill to amend title 23, United States Code, to repeal a prohibition on allowing States to use toll revenues as State matching funds for Appalachian Development Highway projects.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 952

At the request of Mr. DURBIN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 952, a bill to authorize the cancellation of removal and adjustment of status of certain alien students who are long-term United States residents and who entered the United States as children and for other purposes.

S. 953

At the request of Mr. MCCONNELL, the names of the Senator from Alaska (Ms. MURKOWSKI), the Senator from Indiana (Mr. COATS), the Senator from Tennessee (Mr. CORKER), the Senator from Mississippi (Mr. WICKER), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Wyoming (Mr. BARASSO), the Senator from Missouri (Mr. BLUNT), the Senator from Kentucky (Mr. PAUL), the Senator from Wyoming (Mr. ENZI), the Senator from Kansas (Mr. ROBERTS), the Senator from Nevada (Mr. HELLER), the Senator from Georgia (Mr. ISAKSON), the Senator from Kansas (Mr. MORAN) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 953, a bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

At the request of Ms. AYOTTE, her name was added as a cosponsor of S. 953, *supra*.

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 953, *supra*.

S. RES. 180

At the request of Mr. RUBIO, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

At the request of Mr. LIEBERMAN, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. Res. 180, *supra*.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. CASEY (for himself, Mr. ISAKSON, Mr. BROWN of Ohio, Mr. BLUNT, Mr. KERRY, Mr. BROWN of Massachusetts, Mr. BLUMENTHAL, and Mr. ROBERTS):

S. 958. A bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs; to the Committee on Health, Education, Labor, and Pensions.

Mr. CASEY. Mr. President, today Senator ISAKSON and I are introducing the Children's Hospital GME Support Reauthorization Act of 2011. Since its creation in 1999, this program has provided freestanding children's hospitals with funding to support the training of medical residents. While most hospitals receive support through the Medicare program, freestanding children's hospitals are not eligible for that funding. That is why reauthorizing this program is vital.

Prior to the enactment of CHGME, the number of residents in children's hospitals' residency programs had declined over 13 percent. The enactment of CHGME has enabled children's hospitals to reverse this trend and to increase their training by 35 percent.

In Pennsylvania, we have three hospitals who participate in this important program. This is a critical investment in our country's medical future and guarantees that children will have continuing access to the care they need across provider settings. Children are not little adults. We must continue to ensure we have the specialized workforce to care for them.

Perhaps the benefit of this program is best told in the words of the residents themselves. Gabriela Marein-Efron is a resident at the Children's Hospital of Philadelphia. She shared this story with us.

"One of the most powerful experiences I've had during my training has been in my primary care continuity clinic. Many of my patients are now almost 3 years old, and I've been taking care of them since they were newborns. My connection to these families, who are often especially vulnerable because of barriers such as poverty or language differences has influenced my ultimate career choice. In a few months I'll become an Attending Physician at this urban clinic and continue to take care of these underserved families and serve as their medical home full-time."

Chief Resident Dustin Haferbecker had an equally meaningful experience. "My training at CHOP allowed me the unique opportunity to discover a need in the community, and ultimately help meet that need. During residency, I was exposed to extreme lack of adequate health care that was available to the large number of refugees that continue to pour into the city, brought here by our government. Our CHGME funded curriculum made it possible for myself and a group of residents to investigate this problem, identify support from within the institution, and establish a clinic dedicated to meeting their unique health care needs. A family of three children that have spent

their life a refugee camp in Nepal, are now being treated for their vitamin D deficiency and newly discovered latent tuberculosis."

Pamela Puthoor is a resident at the Children's Hospital of Pittsburgh. "I had had almost zero exposure to pediatric specialists before coming to Children's," she says. "I knew that Children's Hospital offered a rigorous primary care program and the depth and breadth of specialty care, so I would be able to make an educated choice. I have been able to learn from leaders in their fields, and from that I have decided to go into pediatric gastroenterology." Dr. Puthoor says that Children's also encouraged her to pursue her interest in public health policy. "Children's attracts passionate, altruistic people devoted to taking care of kids. The support and encouragement we receive is extraordinary," she says.

These residents and the stories they share are a testament of why we must continue this program.

I want to thank Senator ISAKSON for leading this legislation with me. I also want to thank Senators SHERROD BROWN, ROY BLUNT, JOHN KERRY, SCOTT BROWN, RICHARD BLUMENTHAL and PAT ROBERTS for signing on as original co-sponsors. I look forward to working with my colleagues to get this legislation passed this year.

By Mr. KERRY (for himself, Mr. ALEXANDER, and Mr. WYDEN):

S. 960. A bill to provide for a study on issues relating to access to intravenous immune globulin (IVG) for Medicare beneficiaries in all care settings and a demonstration project to examine the benefits of providing coverage and payment for items and services necessary to administer IVG in the home; to the Committee on Finance.

Mr. KERRY. Mr. President, today along with Senator ALEXANDER I am introducing the Medicare IVIG Access Act to help patients with primary immunodeficiency diseases, PIDD, who currently face a number of health challenges. Today, Medicare beneficiaries with PIDD already have a Part B benefit for home-based intravenous immune globulin, IVIG, treatment. Unfortunately a gap in coverage exists so no payments are available for the items and services necessary to administer the treatment.

Treatment in the home is more cost effective and also protects the patient from the risk of exposure to additional illnesses in other health care settings. This is of particular concern to PIDD patients, since they already have weakened immune systems. A 2007 report from the Department of Health and Human Services, HHS, Office of Inspector General and the HHS Assistant Secretary for Planning and Evaluation found that problems with payment exist, namely the absence of coverage for required items and services associated with IVIG home infusion.

That is why I have worked with my colleague Senator ALEXANDER to introduce the Medicare IVIG Access Act to create a 3-year demonstration project to provide for and evaluate the benefits of providing a payment for items and services necessary to administer IVIG in the home. The bill includes a study to explore issues surrounding IVIG treatment, including the impact of the demonstration project on access to care, and an analysis of the appropriateness of new payment methodology for IVIG treatment in all settings.

This legislation is supported by a number of organizations including the Immune Deficiency Foundation and the Clinical Immunology Society. I ask all of my colleagues to support this important legislation.

By Mr. KERRY (for himself, Mrs. MURRAY, and Mr. BEGICH):

S. 961. A bill to create the income security conditions and family supports needed to ensure permanency for the Nation's unaccompanied youth, and for other purposes; to the Committee on Finance.

Mr. KERRY. Mr. President, today I am introducing the Reconnecting Youth to Prevent Homelessness Act to improve training, educational opportunities, and permanency planning for older foster youth and reduce homelessness among our young people.

This year approximately 3.5 million people, including 1.5 million children in the United States will experience homelessness at some point. That is one out of every 50 kids. For children who were in the foster system the chances of becoming homeless are even greater. Every year approximately 30,000 children age out of the foster care system—many with no family and nowhere to go. These children were placed in the foster system at absolutely no fault of their own and too often they leave the system without a place to call home.

We have a responsibility to take care of our young people and make sure families have the resources they need to be able to keep a roof over their heads. I developed this legislation after hearing troubling stories from teenagers in Massachusetts. For example, I heard from one 15-year-old who has been in multiple foster care placements and is expected to eventually age out of the system. He told me "... I feel the age 18 is too young, some of us don't always have somewhere to go ... if this bill gets passed it will greatly help a lot of people in so many different ways ... I thank you for giving us the opportunity to help us better ourselves and letting us know that we are heard in this world and someone cares deeply and truly about us." That is why I am introducing the Reconnecting Youth to Prevent Homelessness Act. This legislation will help en-

sure that regardless of where in the country a foster child lives, they will not face the prospect of becoming a homeless teenager by allowing them to remain in care until their 21st birthday and improving permanency planning.

It provides support for States to work together to decrease barriers that prohibit cooperation across State lines for placing foster children in loving homes outside their state of residence. It provides support for programs that improve family relationships and reduce homelessness among youth who are lesbian, gay, bisexual, or transgender. This legislation ensures that children in foster care receive Social Security benefits they qualify for due to the death of a parent or a disability.

The bill makes significant improvements to the Temporary Assistance to Needy Families, TANF, program such as enhancing efforts to connect families with education, training and housing resources. It also increases the time frame for young parents to qualify for TANF benefits if they are in an education or training program. Finally, it provides more flexibility for states to work with young families to become compliant with TANF requirements.

This legislation is supported by over 40 organizations, including the American Bar Association, the National Coalition for the Homeless, National Network for Youth, and Voice for Adoption. I thank my colleagues Senator MURRAY and Senator BEGICH for their support and co-sponsorship of this bill. It is my hope that we can move forward in a bipartisan manner. I ask all of my colleagues to support this important legislation.

By Mr. ALEXANDER (for himself, Mr. GRAHAM, Mr. DEMINT, Mr. PAUL, Mr. CORNYN, Mr. LUGAR, Mr. SHELBY, Mr. ISAKSON, Mr. RISCH, Mr. BOOZMAN, Mr. LEE, Mr. KYL, Mr. VITTER, Mr. COCHRAN, Mr. COBURN, Mr. GRASSLEY, Mrs. HUTCHISON, Mr. HOEVEN, Mr. JOHANNIS, Mr. JOHNSON of Wisconsin, Mr. MCCONNELL, Mr. BARRASSO, Mr. BURR, Mr. ROBERTS, Mr. SESSIONS, Mr. HATCH, Mr. ENZI, Mr. CHAMBLISS, Mr. INHOFE, Mr. HELLER, Mr. MCCAIN, Mr. WICKER, Mr. RUBIO, and Mr. CORKER):

S. 964. A bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect; to the Committee on Health, Education, Labor, and Pensions.

Mr. ALEXANDER. Mr. President, I have come to the Senate floor today to introduce, on behalf of 34 Senators, the Job Protection Act.

The Job Protection Act is occasioned by a decision by the acting general

counsel of the National Labor Relations Board that filed a complaint to stop the Boeing Company from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations in 1 of 22 States with a right-to-work law.

The right-to-work law protects workers' rights to join or not join a union. For example, in Tennessee we are a right-to-work State. In the case of a Saturn employee, where United Auto Workers is the bargaining agent, a worker doesn't have to join the union or pay dues, but he has to accept the UAW as his bargaining agent.

At the Nissan plant a few miles away from the General Motors plant, workers have three times elected not to have a union as their bargaining agent. That is what a right-to-work State is. There are 22 of them. The State of New Hampshire is in the process of deciding whether to become the 23rd. Their legislature is of one view, and their Governor is of the other view.

The Job Protection Act, which I introduce today on behalf of 34 Senators, would preserve the Federal law's current protection of State right-to-work laws in the National Labor Relations Act and provide necessary clarity to prevent the NLRB from moving forward in their case against Boeing or attempting a similar strategy against other companies.

Specifically, the Job Protection Act would, first, explicitly clarify that the board cannot order an employer to relocate jobs from one location to another; two, it guarantees an employer the right to decide where to do business within the United States; and, three, it protects an employer's free speech regarding the costs associated with having a unionized workforce without fear of such communication being used as evidence in an anti-union discrimination suit.

Mr. President, I ask unanimous consent to have printed in the RECORD the names of the 34 Senators who are original cosponsors of the Job Protection Act.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

JOB PROTECTION ACT—COSPONSOR LIST

Lamar Alexander, Lindsey Graham, Jim DeMint, Rand Paul, John Cornyn, Richard Lugar, Richard Shelby, Johnny Isakson, James Risch, John Boozman, Mike Lee, Jon Kyl, David Vitter, Thad Cochran, Tom Coburn, Chuck Grassley, Kay Bailey Hutchison.

John Hoeven, Mike Johanns, Ron Johnson, Mitch McConnell, John Barrasso, Richard Burr, Pat Roberts, Jeff Sessions, Orrin Hatch, Mike Enzi, Saxby Chambliss, Jim Inhofe, Dean Heller, John McCain, Roger Wicker, Marco Rubio, Bob Corker.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to have printed in the RECORD at the end of my remarks two articles by the Wall Street

Journal, the first written by me on April 29 and the second written by the president of the Boeing Company, Jim McNerney, who is also chairman of President Obama's Export Council.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ALEXANDER. Mr. President, now to make a few remarks about the actions that have caused this.

I just left a hearing in the Health, Education, Labor, and Pensions Committee on the middle class. One of the witnesses was the general counsel of the Boeing Company. As might be expected, given the notoriety of this case and the breathtaking scope of it, he got a lot of questions.

Let me first say why there is such a breathtaking scope here. Up until the filing of the complaint, one would assume that a manufacturing company, such as Boeing or a smaller company that wanted to open a new plant to create new jobs could make its own decision about where to do that. Then in doing so, it could take into account such factors as the cost of labor. It could take into account such factors as the labor relations within a State, as well as the geographical location of the State and many other factors.

The reason the decision by the acting general counsel has attracted so much attention is it basically says—or at least it suggests—to any company manufacturing a product in a State which is not a right-to-work State, such as Washington, that you better think twice before you open a new production line in one of the right-to-work States.

Let me talk for a moment about why that has an impact on the middle class in America. Thirty years ago I was Governor of Tennessee. We were the third poorest State. My goal was to raise family incomes and to create an environment in which they could be raised. I was a young Governor, but I knew enough to know the government did not raise the incomes but it might create a good environment for that to happen.

I went to my first White House dinner with the President of the United States. The President was then Jimmy Carter. The President said to us Governors at a very nice dinner—just the Governors and their spouses and the President and Mrs. Carter: Governors, go to Japan. Persuade them to make in the United States what they sell in the United States. I remember I called Dean Rusk, who had been Secretary of State, and asked him to visit with me. I talked to him about how to do this.

Off I went to Japan, which is not something I planned to do when I was walking across Tennessee trying to be the Governor. I met with the Nissan officials in Tokyo in the fall of 1979. At that time, Japanese companies seemed so powerful that there were books com-

ing out saying they might take over the United States economy, but they were not making here what they sold here. They were making Nissan cars and trucks in Japan. They were making a decision about where to locate in our country. I took with me a photograph of the United States at night taken from a satellite. They asked: Where is Tennessee? I said: It is right in the middle of the lights. That reduced the shipping and transportation costs. Then the next decision was: Where in the center did they want to go? Every State north of us did not have a right-to-work law. Tennessee and the States around us did. Nissan chose Tennessee, and they and the General Motors plant that later came and the Volkswagen plant and thousands of suppliers have helped our middle class raise incomes over the last 30 years. A third of our jobs are auto manufacturing jobs because we provided an environment in which automakers can compete in the world marketplace.

Nissan said today that soon they will be making in the United States 85 percent of what they sell in the United States, which makes them a very American company. That is what we want. But this decision says we throw a big wet blanket over all the auto suppliers and manufacturers who might be thinking about moving into Tennessee or opening new plants in Tennessee or suppliers who might be wishing to follow Boeing to South Carolina because it says you cannot make that decision.

We have never had that kind of law in the United States. We have had a right-to-work law on the books since 1947. States have a right to adopt it or not to adopt it. The legislation I am offering today on behalf of 34 Senators does not change that, but it does preserve the right of States to adopt a right-to-work law, the right of employees to join or not to join a union, and the right of employers to make decisions about where to locate their plants and their ability to speak in public about what they are doing.

This is a most consequential decision. It is one that deserves the attention of every Senator because as the Boeing chairman, who is the head of President Obama's Export Council, wrote in the Wall Street Journal this week, a union State would not be able to attract a manufacturer because a manufacturer might be afraid that any expansion could never be done in a right-to-work State. By simple mathematics, if Boeing, which is our largest exporter—155,000 employees in the United States, another 15,000 around the world—has a disincentive or if it cannot expand a new production line in a right-to-work State and if it might think twice about expanding in any other State, then where is it going to go? It is going to go to some other country.

This decision by the acting general counsel of the National Labor Relations Board is the single most important action I have seen in years that would rush American jobs overseas in pursuit of an environment in which they can build and manufacture competitively. It is just the reverse of what President Carter said to the Governors 30 years ago when he said: Governors, go to Japan. Persuade them to make here what they sell here.

We did that. They came here. They are making 85 percent of what they sell here. We want Volkswagen to do that. We want General Motors to do that. We want Ford to do that. We want Boeing to do that. And if we say to them, But we are going to tell you, the Federal Government is going to tell you where you have to locate your plants, you are going to override section 14(b) of the Taft-Hartley Act which was passed in 1947 and which has created an environment which has permitted American manufacturing to succeed.

All one has to do is read David Halberstam's book "The Reckoning" in the late 1980s to see that if our entire auto industry were still locked in Detroit, it would not be as competitive as it is today—cars made in America. I know that firsthand because I saw it happen when Nissan came to Tennessee. They did not hire a bunch of people from Japan to run the plant. They went to Detroit. They got Ford executives who knew how to run a plant but were not allowed to by the environment there, and they put them at a start-from-scratch place and created the most efficient automobile plant in North America.

We welcome also the General Motors plant and the United Auto Workers to their Spring Hill location in Tennessee. That is what a right-to-work State is where you can choose to join a union or not to join a union. Both can operate. Employees make the decision.

But when the Federal Government starts telling any company—a Boeing or a Boeing supplier, an auto company or an auto supplier or any manufacturing company—you cannot locate in a right-to-work State, they probably will not locate in a non-right-to-work State. Where are they likely to go? Mexico, Europe, Japan. Boeing sells airplanes all around the world. It can make airplanes all around the world. If we persist in policies such as this, instead of having a situation where our largest exporter has 170,000 employees, more than 150,000 of which are in the United States, we will turn that right upside down and they will be making 85 percent of their airplanes in the countries where they sell them, and the United States will have a lot fewer jobs.

This is a consequential matter that I hope attracts Democratic as well as Republican support. It preserves the right-to-work law. It preserves the

choices of employees. It preserves the decision of corporations to make their own decisions about where to locate. It would stop a Federal Government regulation which is the single most effective action I know about to chase American jobs overseas and lower family incomes.

EXHIBIT 1

[From the Wall Street Journal, Apr. 29, 2011]

THE WHITE HOUSE VS. BOEING: A TENNESSEE TALE

(By Lamar Alexander)

The National Labor Relations Board has moved to stop Boeing from building airplanes at a nonunion plant in South Carolina, suggesting that a unionized American company cannot expand its operations into one of the 22 states with right-to-work laws, which protect a worker's right to join or not join a union. (New Hampshire's legislature has just approved its becoming the 23rd.)

This reminds me of a White House state dinner in February 1979, when I was governor of Tennessee. President Jimmy Carter said, "Governors, go to Japan. Persuade them to make here what they sell here."

"Make here what they sell here" was then the union battle cry, part of an effort to slow the tide of Japanese cars and trucks entering the U.S. market.

Off I flew to Tokyo to meet with Nissan executives who were deciding where to put their first U.S. manufacturing plant. I carried with me a photograph taken at night from a satellite showing the country at night with all its lights on.

"Where is Tennessee?" the executives asked. "Right in the middle of the lights," I answered, pointing out that locating a plant in the population center reduces the cost of transporting cars to customers. That center had migrated south from the Midwest, where most U.S. auto plants were, to Kentucky and Tennessee.

Then the Japanese examined a second consideration: Tennessee has a right-to-work law and Kentucky does not. This meant that in Kentucky workers would have to join the United Auto Workers union. Workers in Tennessee had a choice.

In 1980 Nissan chose Tennessee, a state with almost no auto jobs. Today auto assembly plants and suppliers provide one-third of our state's manufacturing jobs. Tennessee is the home for production of the Leaf, Nissan's all-electric vehicle, and the batteries that power it. Recently Nissan announced that 85% of the cars and trucks it sells in the U.S. will be made in the U.S.—making it one of the largest "American" auto companies and nearly fulfilling Mr. Carter's request of 30 years ago.

But now unions want to make it illegal for a company that has experienced repeated strikes to move production to a state with a right-to-work law. What would this mean for the future of American auto jobs? Jobs would flee overseas as manufacturers look for a competitive environment in which to make and sell cars around the world.

It's happened before. David Halberstam's 1986 book, "The Reckoning"—about the decline of the domestic American auto industry—tells the story. Halberstam quotes American Motors President George Romney, who criticized the "shared monopoly" consisting of the Big Three Detroit auto manufacturers and the UAW. "There is nothing more vulnerable than entrenched success," Romney warned. Detroit ignored upstarts like Nissan who in the 1960s began selling

funny little cars to American consumers. We all know what happened to employment in the Big Three companies.

Even when Detroit sought greener pastures in a right-to-work state, its "partnership" with the United Auto Workers could not compete. In 1985, General Motors located its \$5 billion Saturn plant in Spring Hill, Tenn., 40 miles from Nissan, hoping side-by-side competition would help the Americans beat the Japanese. After 25 years, nonunion Nissan operated the most efficient auto plant in North America. The Saturn/UAW partnership never made a profit. GM closed Saturn last year.

Nissan's success is one reason why Volkswagen recently located in Chattanooga, and why Honda, Toyota, BMW, Kia, Mercedes-Benz, Hyundai and thousands of suppliers have chosen southeastern right-to-work states for their plants. Under right-to-work laws, employees may join unions, but mostly they have declined. Three times workers at the Nissan plant in Smyrna, Tenn., rejected organizing themselves like Saturn employees a few miles away.

Our goal should be to make it easier and cheaper to create private-sector jobs in this country. Giving workers the right to join or not to join a union helps to create a competitive environment in which more manufacturers like Nissan can make here 85% of what they sell here.

[From the Wall Street Journal, May 11, 2011]

BOEING IS PRO-GROWTH, NOT ANTI-UNION

(By Jim McNerney)

Deep into the recent recession, Boeing decided to invest more than \$1 billion in a new factory in South Carolina. Surging global demand for our innovative, new 787 Dreamliner exceeded what we could build on one production line and we needed to open another.

This was good news for Boeing and for the economy. The new jetliner assembly plant would be the first one built in the U.S. in 40 years. It would create new American jobs at a time when most employers are hunkered down. It would expand the domestic footprint of the nation's leading exporter and make it more competitive against emerging plane makers from China, Russia and elsewhere. And it would bring hope to a state burdened by double-digit unemployment—with the construction phase alone estimated to create more than 9,000 total jobs.

Eighteen months later, a North Charleston swamp has been transformed into a state-of-the-art, green-energy powered, 1.2 million square-foot airplane assembly plant. One thousand new workers are hired and being trained to start building planes in July.

It is an American industrial success story by every measure. With 9% unemployment nationwide, we need more of them—and soon.

Yet the National Labor Relations Board (NLRB) believes it was a mistake and that our actions were unlawful. It claims we improperly transferred existing work, and that our decision reflected "animus" and constituted "retaliation" against union-represented employees in Washington state. Its remedy: Reverse course, Boeing, and build the assembly line where we tell you to build it.

The NLRB is wrong and has far overreached its authority. Its action is a fundamental assault on the capitalist principles that have sustained America's competitiveness since it became the world's largest economy nearly 140 years ago. We've made a rational, legal business decision about the allocation of our capital and the placement

of new work within the U.S. We're confident the federal courts will reject the claim, but only after a significant and unnecessary expense to taxpayers.

More worrisome, though, are the potential implications of such brazen regulatory activism on the U.S. manufacturing base and long-term job creation. The NLRB's overreach could accelerate the overseas flight of good, middle-class American jobs.

Contrary to the NLRB's claim, our decision to expand in South Carolina resulted from an objective analysis of the same factors we use in every site selection. We considered locations in several states but narrowed the choice to either North Charleston (where sections of the 787 are built already) or Everett, Wash., which won the initial 787 assembly line in 2003.

Our union contracts expressly permit us to locate new work at our discretion. However, we viewed Everett as an attractive option and engaged voluntarily in talks with union officials to see if we could make the business case work. Among the considerations we sought were a long-term "no-strike clause" that would ensure production stability for our customers, and a wage and benefit growth trajectory that would help in our cost battle against Airbus and other state-sponsored competitors.

Despite months of effort, no agreement was reached. Union leaders couldn't meet expectations on our key issues, and we couldn't accept their demands that we remain neutral in all union-organizing campaigns and essentially guarantee to build every future Boeing airplane in the Puget Sound area. In October 2009, we made the Charleston selection.

Important to our case is the basic fact that no existing work is being transferred to South Carolina, and not a single union member in Washington has been adversely affected by this decision. In fact, we've since added more than 2,000 union jobs there, and the hiring continues. The 787 production line in Everett has a planned capacity of seven airplanes per month. The line in Charleston will build three additional airplanes to reach our 10-per-month capacity plan. Production of the new U.S. Air Force aerial refueling tanker will sustain and grow union jobs in Everett, too.

Before and after the selection, we spoke openly to employees and investors about our competitive realities and the business considerations of the decision. The NLRB now is selectively quoting and mischaracterizing those comments in an attempt to bolster its case. This is a distressing signal from one arm of the government when others are pushing for greater openness and transparency in corporate decision making.

It is no secret that over the years Boeing and union leaders have struggled to find the right way to work together. I don't blame that all on the union, or all on the company. Both sides are working to improve that dynamic, which is also a top concern for customers. Virgin Atlantic founder Richard Branson put it this way following the 2008 machinists' strike that shut down assembly for eight weeks: "If union leaders and management can't get their act together to avoid strikes, we're not going to come back here again. We're already thinking, 'Would we ever risk putting another order with Boeing?' It's that serious."

Despite the ups-and-downs, we hold no animus toward union members, and we have never sought to threaten or punish them for exercising their rights, as the NLRB claims. To the contrary, union members are part of our company's fabric and key to our success.

About 40% of our 155,000 U.S. employees are represented by unions—a ratio unchanged since 2003.

Nor are we making a mass exodus to right-to-work states that forbid compulsory union membership. We have a sizable presence in 34 states; half are unionized and half are right-to-work. We make decisions on work placement based on business principles—not out of emotion or spite. For example, last year we added new manufacturing facilities in Illinois and Montana. One work force is union-represented, the other is not. Both decisions made business sense.

The world the NLRB wants to create with its complaint would effectively prevent all companies from placing new plants in right-to-work states if they have existing plants in unionized states. But as an unintended consequence, forward-thinking CEOs also would be reluctant to place new plants in unionized states—lest they be forever restricted from placing future plants elsewhere across the country.

U.S. tax and regulatory policies already make it more attractive for many companies to build new manufacturing capacity overseas. That's something the administration has said it wants to change and is taking steps to address. It appears that message hasn't made it to the front offices of the NLRB.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 964

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Job Protection Act".

SEC. 2. APPLICATION TO CERTAIN SPEECH, BUSINESS DECISIONS.

(a) UNFAIR LABOR PRACTICES.—Section 8(a)(3) of the National Labor Relations Act (29 U.S.C. 158(a)(3)) is amended by inserting before the semicolon at the end the following: "Provided further, That an employer's expression of any views, argument, or opinion related to the costs associated with collective bargaining, work stoppages, or strikes, or the dissemination of such views, arguments, or opinions, whether in written, printed, graphic, digital, or visual form, shall not constitute or be evidence of antiunion animus or unlawful motive, if such expression contains no threat of reprisal or force or promise of benefit".

(b) PREVENTION OF UNFAIR LABOR PRACTICES.—Section 10 of the National Labor Relations Act (29 U.S.C. 160) is amended—

(1) in subsection (a), by inserting after the period at the end the following: "Provided further, That the Board shall have no power to order any employer to relocate, shut down, or transfer any existing or planned facility or work or employment opportunity, or prevent any employer from making such relocations, transfers, or expansions to new or existing facilities in the future, or prevent any employer from closing a facility, not developing a facility, or eliminating any employment opportunity unless and until the employer has been adjudicated finally to have unlawfully undertaken such actions—

"(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation,

shut down, or transfer of existing or future work; or

"(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace"; and

(2) by adding at the end the following:

"(n) Nothing in this Act shall prevent an employer from choosing where to locate, develop, or expand its business or facilities, or require any employer to move, transfer, or relocate any facility, production line, or employment opportunity, or require that an employer cease or refrain from doing so, or prevent any employer from closing a facility or eliminating any employment opportunity unless the employer has been adjudicated finally to have unlawfully undertaken such actions—

"(1) without advance notice to the labor organization, if any, representing the bargaining unit of the affected employees, of the economic reason(s) for the relocation, shut down, or transfer of existing or future work; or

"(2) as a primary and direct response to efforts by a labor organization to organize a previously unrepresented workplace.".

By Mr. LEAHY (for himself, Mr. HATCH, Mr. GRASSLEY, Mr. SCHUMER, Mrs. FEINSTEIN, Mr. WHITEHOUSE, Mr. GRAHAM, Mr. KOHL, Mr. COONS, Mr. BLUMENTHAL, Ms. KLOBUCHAR, and Mr. FRANKEN):

S. 968. A bill to prevent online threats to economic creativity and theft of intellectual property, and for other purposes; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, few things are more important to the future of the American economy and job creation than protecting our intellectual property. At a time where our country is beginning to regain its economic footing, businesses face an additional hurdle, the severity of which is increasing by the day—digital theft.

Copyright infringement and the sale of counterfeit goods are reported to cost American businesses billions of dollars, and result in hundreds of thousands of lost jobs. Further, the Institute for Policy Innovation estimates that copyright piracy online alone costs Federal, state and local governments \$2.6 billion in tax revenue. In today's business and fiscal climate, the harm that intellectual property infringement causes to the U.S. economy is unacceptable.

While the growth of the digital marketplace has been extraordinary, and benefits businesses by enabling new opportunities to reach consumers, it also brings with it the threat of copyright infringement and counterfeiting. Internet purchases have become so commonplace that consumers are less wary of online shopping and therefore more easily victimized by online counterfeit products that may have health, safety or other quality concerns when they are counterfeit.

Today, I am introducing the bipartisan PROTECT IP Act, which is based on last year's Combating Online Infringements and Counterfeits Act. It

will provide the Justice Department and rights holders with important new tools to crack down on rogue websites dedicated to infringing activities. This legislation will protect the investment American companies make in developing brands and creating content and will protect the jobs associated with those investments. It will also protect American consumers, who should feel confident that the goods they purchase are of the type and quality they expect.

Both law enforcement and rights holders are currently limited in the remedies available to combat websites dedicated to offering infringing content and products. These rogue websites are often foreign-owned and operated, or reside at domain names that are not registered through a U.S.-based registry or registrar. American consumers are too often deceived into thinking the products they are purchasing at these websites are legitimate because they are easily accessed through their home's Internet service provider, found through well known search engines, and are complete with corporate advertising, credit card acceptance, and advertising links that make them appear legitimate.

The PROTECT IP Act authorizes the Justice Department to file a civil action against the registrant or owner of a domain name that accesses a foreign rogue website, or the foreign-registered domain name itself, and to seek a preliminary order from the court that the site is dedicated to infringing activities. The court is authorized to issue a cease and desist order against a rogue website. If the court issues that order, the Attorney General is authorized to serve that order, with permission of the court, on specified U.S. based third-parties, including Internet service providers, payment processors, online advertising network providers, and search engines. These third parties would then be required to take appropriate action to either prevent access to the Internet site, in the case of an Internet service provider or search engine, or cease doing business with the Internet site, in the case of a payment processor or advertising network.

The act authorizes a rights holder who is the victim of the infringement from a rogue website to bring a similar action against the rogue site, whether domestic or foreign. If the court issues a cease and desist order, the rights holder is authorized to serve that order, if authorized by the court, on payment processors and online advertising networks, to cut off the financial viability of the criminal activity.

The legislation will also encourage voluntary action by Internet partners that have credible evidence a rogue website is threatening the public health by trafficking in counterfeit, adulterated, or misbranded prescription medication.

Finally, the PROTECT IP Act will help law enforcement identify and pre-

vent counterfeit products from being imported into the United States by ensuring law enforcement can share samples of packaging or labels of suspected counterfeits with the relevant rights holders to determine whether the shipment should be seized at the border. Similarly, it ensures that law enforcement can share anti-circumvention devices that have been seized with affected parties.

This legislation will provide law enforcement and rights holders with an increased ability to protect American intellectual property. This will benefit American consumers, American businesses, and American jobs. We should not expect that enactment of the legislation will completely solve the problem of online infringement, but it will make it more difficult for foreign entities to profit off American hard work and ingenuity. This bill targets the most egregious actors, and is an important first step to putting a stop to online piracy and sale of counterfeit goods.

Protecting intellectual property is not uniquely a Democratic or Republican priority it is a bipartisan priority. I look forward to working with all Senators to pass this important, bipartisan legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 968

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property Act of 2011" or the "PROTECT IP Act of 2011".

SEC. 2. DEFINITIONS.

For purposes of this Act—

(1) the term "domain name" has the same meaning as in section 45 of the Lanham Act (15 U.S.C. 1127);

(2) the term "domain name system server" means a server or other mechanism used to provide the Internet protocol address associated with a domain name;

(3) the term "financial transaction provider" has the same meaning as in section 5362(4) of title 31, United States Code;

(4) the term "information location tool" has the same meaning as described in subsection (d) of section 512 of title 17, United States Code;

(5) the term "Internet advertising service" means a service that for compensation sells, purchases, brokers, serves, inserts, verifies, or clears the placement of an advertisement, including a paid or sponsored search result, link, or placement that is rendered in viewable form for any period of time on an Internet site;

(6) the term "Internet site" means the collection of digital assets, including links, indexes, or pointers to digital assets, accessible through the Internet that are addressed relative to a common domain name;

(7) the term "Internet site dedicated to infringing activities" means an Internet site that—

(A) has no significant use other than engaging in, enabling, or facilitating the—

(i) reproduction, distribution, or public performance of copyrighted works, in complete or substantially complete form, in a manner that constitutes copyright infringement under section 501 of title 17, United States Code;

(ii) violation of section 1201 of title 17, United States Code; or

(iii) sale, distribution, or promotion of goods, services, or materials bearing a counterfeit mark, as that term is defined in section 34(d) of the Lanham Act; or

(B) is designed, operated, or marketed by its operator or persons operating in concert with the operator, and facts or circumstances suggest it is used, primarily as a means for engaging in, enabling, or facilitating the activities described under clauses (i), (ii), or (iii) of subparagraph (A);

(8) the term "Lanham Act" means the Act entitled "An Act to provide for the registration and protection of trademarks used in commerce, to carry out the provisions of certain international conventions, and for other purposes", approved July 5, 1946 (commonly referred to as the "Trademark Act of 1946" or the "Lanham Act");

(9) the term "nondomestic domain name" means a domain name for which the domain name registry that issued the domain name and operates the relevant top level domain, and the domain name registrar for the domain name, are not located in the United States;

(10) the term "owner" or "operator" when used in connection with an Internet site shall include, respectively, any owner of a majority interest in, or any person with authority to operate, such Internet site; and

(11) the term "qualifying plaintiff" means—

(A) the Attorney General of the United States; or

(B) an owner of an intellectual property right, or one authorized to enforce such right, harmed by the activities of an Internet site dedicated to infringing activities occurring on that Internet site.

SEC. 3. ENHANCING ENFORCEMENT AGAINST ROGUE WEBSITES OPERATED AND REGISTERED OVERSEAS.

(a) COMMENCEMENT OF AN ACTION.—

(1) IN PERSONAM.—The Attorney General may commence an in personam action against—

(A) a registrant of a nondomestic domain name used by an Internet site dedicated to infringing activities; or

(B) an owner or operator of an Internet site dedicated to infringing activities accessed through a nondomestic domain name.

(2) IN REM.—If through due diligence the Attorney General is unable to find a person described in subparagraphs (A) or (B) of paragraph (1), or no such person found has an address within a judicial district of the United States, the Attorney General may commence an in rem action against a nondomestic domain name used by an Internet site dedicated to infringing activities.

(b) ORDERS OF THE COURT.—

(1) IN GENERAL.—On application of the Attorney General following the commencement of an action under this section, the court may issue a temporary restraining order, a preliminary injunction, or an injunction, in accordance with rule 65 of the Federal Rules of Civil Procedure, against the nondomestic domain name used by an Internet site dedicated to infringing activities, or against a registrant of such domain name, or the owner or operator of such Internet site dedicated to infringing activities, to cease and

desist from undertaking any further activity as an Internet site dedicated to infringing activities, if—

(A) the domain name is used within the United States to access such Internet site; and

(B) the Internet site—

(i) conducts business directed to residents of the United States; and

(ii) harms holders of United States intellectual property rights.

(2) DETERMINATION BY THE COURT.—For purposes of determining whether an Internet site conducts business directed to residents of the United States under paragraph (1)(B)(i), a court may consider, among other indicia, whether—

(A) the Internet site is providing goods or services described in section 2(7) to users located in the United States;

(B) there is evidence that the Internet site is not intended to provide—

(i) such goods and services to users located in the United States;

(ii) access to such goods and services to users located in the United States; and

(iii) delivery of such goods and services to users located in the United States;

(C) the Internet site has reasonable measures in place to prevent such goods and services from being accessed from or delivered to the United States;

(D) the Internet site offers services obtained in the United States; and

(E) any prices for goods and services are indicated in the currency of the United States.

(c) NOTICE AND SERVICE OF PROCESS.—

(1) IN GENERAL.—Upon commencing an action under this section, the Attorney General shall send a notice of the alleged violation and intent to proceed under this Act to the registrant of the domain name of the Internet site—

(A) at the postal and e-mail address appearing in the applicable publicly accessible database of registrations, if any and to the extent such addresses are reasonably available;

(B) via the postal and e-mail address of the registrar, registry, or other domain name registration authority that registered or assigned the domain name, to the extent such addresses are reasonably available; and

(C) in any other such form as the court finds necessary, including as may be required by Rule 4(f) of the Federal Rules of Civil Procedure.

(2) RULE OF CONSTRUCTION.—For purposes of this section, the actions described in this subsection shall constitute service of process.

(d) REQUIRED ACTIONS BASED ON COURT ORDERS.—

(1) SERVICE.—A Federal law enforcement officer, with the prior approval of the court, may serve a copy of a court order issued pursuant to this section on similarly situated entities within each class described in paragraph (2). Proof of service shall be filed with the court.

(2) REASONABLE MEASURES.—After being served with a copy of an order pursuant to this subsection:

(A) OPERATORS.—

(i) IN GENERAL.—An operator of a non-authoritative domain name system server shall take the least burdensome technically feasible and reasonable measures designed to prevent the domain name described in the order from resolving to that domain name's Internet protocol address, except that—

(I) such operator shall not be required—

(aa) other than as directed under this subparagraph, to modify its network, software, systems, or facilities;

(bb) to take any measures with respect to domain name lookups not performed by its own domain name server or domain name system servers located outside the United States; or

(cc) to continue to prevent access to a domain name to which access has been effectively disable by other means; and

(II) nothing in this subparagraph shall affect the limitation on the liability of such an operator under section 512 of title 17, United States Code.

(ii) TEXT OF NOTICE.—The Attorney General shall prescribe the text of the notice displayed to users or customers of an operator taking an action pursuant to this subparagraph. Such text shall specify that the action is being taken pursuant to a court order obtained by the Attorney General.

(B) FINANCIAL TRANSACTION PROVIDERS.—A financial transaction provider shall take reasonable measures, as expeditiously as reasonable, designed to prevent, prohibit, or suspend its service from completing payment transactions involving customers located within the United States and the Internet site associated with the domain name set forth in the order.

(C) INTERNET ADVERTISING SERVICES.—An Internet advertising service that contracts with the Internet site associated with the domain name set forth in the order to provide advertising to or for that site, or which knowingly serves advertising to or for such site, shall take technically feasible and reasonable measures, as expeditiously as reasonable, designed to—

(i) prevent its service from providing advertisements to the Internet site associated with such domain name; or

(ii) cease making available advertisements for that site, or paid or sponsored search results, links or other placements that provide access to the domain name.

(D) INFORMATION LOCATION TOOLS.—An information location tool shall take technically feasible and reasonable measures, as expeditiously as possible, to—

(i) remove or disable access to the Internet site associated with the domain name set forth in the order; or

(ii) not serve a hypertext link to such Internet site.

(3) COMMUNICATION WITH USERS.—Except as provided under paragraph (2)(A)(ii), an entity taking an action described in this subsection shall determine whether and how to communicate such action to the entity's users or customers.

(4) RULE OF CONSTRUCTION.—For purposes of an action commenced under this section, the obligations of an entity described in this subsection shall be limited to the actions set out in each paragraph or subparagraph applicable to such entity, and no order issued pursuant to this section shall impose any additional obligations on, or require additional actions by, such entity.

(5) ACTIONS PURSUANT TO COURT ORDER.—

(A) IMMUNITY FROM SUIT.—No cause of action shall lie in any Federal or State court or administrative agency against any entity receiving a court order issued under this subsection, or against any director, officer, employee, or agent thereof, for any act reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e).

(B) IMMUNITY FROM LIABILITY.—Any entity receiving an order under this subsection, and any director, officer, employee, or agent thereof, shall not be liable to any party for any acts reasonably designed to comply with this subsection or reasonably arising from

such order, other than in an action pursuant to subsection (e), and any actions taken by customers of such entity to circumvent any restriction on access to the Internet domain instituted pursuant to this subsection or any act, failure, or inability to restrict access to an Internet domain that is the subject of a court order issued pursuant to this subsection despite good faith efforts to do so by such entity shall not be used by any person in any claim or cause of action against such entity, other than in an action pursuant to subsection (e).

(e) ENFORCEMENT OF ORDERS.—

(1) IN GENERAL.—In order to compel compliance with this section, the Attorney General may bring an action for injunctive relief against any party receiving a court order issued pursuant to this section that knowingly and willfully fails to comply with such order.

(2) RULE OF CONSTRUCTION.—The authority granted the Attorney General under paragraph (1) shall be the sole legal remedy for enforcing the obligations under this section of any entity described in subsection (d).

(3) DEFENSE.—A defendant in an action under paragraph (1) may establish an affirmative defense by showing that the defendant does not have the technical means to comply with the subsection without incurring an unreasonable economic burden, or that the order is inconsistent with this Act. This showing shall serve as a defense only to the extent of such inability to comply or to the extent of such inconsistency.

(f) MODIFICATION OR VACATION OF ORDERS.—

(1) IN GENERAL.—At any time after the issuance of an order under subsection (b), a motion to modify, suspend, or vacate the order may be filed by—

(A) any person, or owner or operator of property, bound by the order;

(B) any registrant of the domain name, or the owner or operator of the Internet site subject to the order;

(C) any domain name registrar or registry that has registered or assigned the domain name of the Internet site subject to the order; or

(D) any entity that has received a copy of an order pursuant to subsection (d) requiring such entity to take action prescribed in that subsection.

(2) RELIEF.—Relief under this subsection shall be proper if the court finds that—

(A) the Internet site associated with the domain name subject to the order is no longer, or never was, an Internet site dedicated to infringing activities; or

(B) the interests of justice require that the order be modified, suspended, or vacated.

(3) CONSIDERATION.—In making a relief determination under paragraph (2), a court may consider whether the domain name has expired or has been re-registered by a different party.

(g) RELATED ACTIONS.—The Attorney General, if alleging that an Internet site previously adjudicated to be an Internet site dedicated to infringing activities is accessible or has been reconstituted at a different domain name, may commence a related action under this section against the additional domain name in the same judicial district as the previous action.

SEC. 4. ELIMINATING THE FINANCIAL INCENTIVE TO STEAL INTELLECTUAL PROPERTY ONLINE.

(a) COMMENCEMENT OF AN ACTION.—

(1) IN PERSONAM.—A qualifying plaintiff may commence an in personam action against—

(A) a registrant of a domain name used by an Internet site dedicated to infringing activities; or

(B) an owner or operator of an Internet site dedicated to infringing activities accessed through a domain name.

(2) IN REM.—If through due diligence a qualifying plaintiff is unable to find a person described in subparagraphs (A) or (B) of paragraph (1), or no such person found has an address within a judicial district of the United States, the Attorney General may commence an in rem action against a domain name used by an Internet site dedicated to infringing activities.

(b) ORDERS OF THE COURT.—

(1) IN GENERAL.—On application of a qualifying plaintiff following the commencement of an action under this section, the court may issue a temporary restraining order, a preliminary injunction, or an injunction, in accordance with rule 65 of the Federal Rules of Civil Procedure, against the domain name used by an Internet site dedicated to infringing activities, or against a registrant of such domain name, or the owner or operator of such Internet site dedicated to infringing activities, to cease and desist from undertaking any further activity as an Internet site dedicated to infringing activities, if—

(A) the domain name is registered or assigned by a domain name registrar or domain name registry that located or doing business in the United States; or

(B)(i) the domain name is used within the United States to access such Internet site; and

(ii) the Internet site—

(I) conducts business directed to residents of the United States; and

(II) harms holders of United States intellectual property rights.

(2) DETERMINATION BY THE COURT.—For purposes of determining whether an Internet site conducts business directed to residents of the United States under paragraph (1)(B)(ii)(I), a court may consider, among other indicia, whether—

(A) the Internet site is providing goods or services described in section 2(7) to users located in the United States;

(B) there is evidence that the Internet site is not intended to provide—

(i) such goods and services to users located in the United States;

(ii) access to such goods and services to users located in the United States; and

(iii) delivery of such goods and services to users located in the United States;

(C) the Internet site has reasonable measures in place to prevent such goods and services from being accessed from or delivered to the United States;

(D) the Internet site offers services obtained in the United States; and

(E) any prices for goods and services are indicated in the currency of the United States.

(c) NOTICE AND SERVICE OF PROCESS.—

(1) IN GENERAL.—Upon commencing an action under this section, the qualifying plaintiff shall send a notice of the alleged violation and intent to proceed under this Act to the registrant of the domain name of the Internet site—

(A) at the postal and e-mail address appearing in the applicable publicly accessible database of registrations, if any and to the extent such addresses are reasonably available;

(B) via the postal and e-mail address of the registrar, registry, or other domain name registration authority that registered or assigned the domain name, to the extent such addresses are reasonably available; and

(C) in any other such form as the court finds necessary, including as may be required by Rule 4(f) of the Federal Rules of Civil Procedure.

(2) RULE OF CONSTRUCTION.—For purposes of this section, the actions described in this subsection shall constitute service of process.

(d) REQUIRED ACTIONS BASED ON COURT ORDERS.—

(1) SERVICE.—A qualifying plaintiff, with the prior approval of the court, may, serve a copy of a court order issued pursuant to this section on similarly situated entities within each class described in paragraph (2). Proof of service shall be filed with the court.

(2) REASONABLE MEASURES.—After being served with a copy of an order pursuant to this subsection:

(A) FINANCIAL TRANSACTION PROVIDERS.—A financial transaction provider shall take reasonable measures, as expeditiously as reasonable, designed to prevent, prohibit, or suspend its service from completing payment transactions involving customers located within the United States and the Internet site associated with the domain name set forth in the order.

(B) INTERNET ADVERTISING SERVICES.—An Internet advertising service that contracts with the Internet site associated with the domain name set forth in the order to provide advertising to or for that site, or which knowingly serves advertising to or for such site, shall take technically feasible and reasonable measures, as expeditiously as reasonable, designed to—

(i) prevent its service from providing advertisements to the Internet site associated with such domain name; or

(ii) cease making available advertisements for that site, or paid or sponsored search results, links, or placements that provide access to the domain name.

(3) COMMUNICATION WITH USERS.—An entity taking an action described in this subsection shall determine how to communicate such action to the entity's users or customers.

(4) RULE OF CONSTRUCTION.—For purposes of an action commenced under this section, the obligations of an entity described in this subsection shall be limited to the actions set out in each paragraph or subparagraph applicable to such entity, and no order issued pursuant to this section shall impose any additional obligations on, or require additional actions by, such entity.

(5) ACTIONS PURSUANT TO COURT ORDER.—

(A) IMMUNITY FROM SUIT.—No cause of action shall lie in any Federal or State court or administrative agency against any entity receiving a court order issued under this subsection, or against any director, officer, employee, or agent thereof, for any act reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e).

(B) IMMUNITY FROM LIABILITY.—Any entity receiving an order under this subsection, and any director, officer, employee, or agent thereof, shall not be liable to any party for any acts reasonably designed to comply with this subsection or reasonably arising from such order, other than in an action pursuant to subsection (e), and any actions taken by customers of such entity to circumvent any restriction on access to the Internet domain instituted pursuant to this subsection or any act, failure, or inability to restrict access to an Internet domain that is the subject of a court order issued pursuant to this subsection despite good faith efforts to do so by such entity shall not be used by any person in any claim or cause of action against such

entity, other than in an action pursuant to subsection (e).

(e) ENFORCEMENT OF ORDERS.—

(1) IN GENERAL.—In order to compel compliance with this section, the qualifying plaintiff may bring an action for injunctive relief against any party receiving a court order issued pursuant to this section that knowingly and willfully fails to comply with such order.

(2) RULE OF CONSTRUCTION.—The authority granted a qualifying plaintiff under paragraph (1) shall be the sole legal remedy for enforcing the obligations under this section of any entity described in subsection (d).

(3) DEFENSE.—A defendant in an action commenced under paragraph (1) may establish an affirmative defense by showing that the defendant does not have the technical means to comply with the subsection without incurring an unreasonable economic burden, or that the order is inconsistent with this Act. This showing shall serve as a defense only to the extent of such inability to comply or to the extent of such inconsistency.

(f) MODIFICATION OR VACATION OF ORDERS.—

(1) IN GENERAL.—At any time after the issuance of an order under subsection (b), a motion to modify, suspend, or vacate the order may be filed by—

(A) any person, or owner or operator of property, bound by the order;

(B) any registrant of the domain name, or the owner or operator of the Internet site subject to the order;

(C) any domain name registrar or registry that has registered or assigned the domain name of the Internet site subject to the order; or

(D) any entity that has received a copy of an order pursuant to subsection (d) requiring such entity to take action prescribed in that subsection.

(2) RELIEF.—Relief under this subsection shall be proper if the court finds that—

(A) the Internet site associated with the domain name subject to the order is no longer, or never was, dedicated to infringing activities as defined in this Act; or

(B) the interests of justice require that the order be modified, suspended, or vacated.

(3) CONSIDERATION.—In making a relief determination under paragraph (2), a court may consider whether the domain name has expired or has been re-registered by a different party.

(g) RELATED ACTIONS.—A qualifying plaintiff, if alleging that an Internet site previously adjudicated to be an Internet site dedicated to infringing activities is accessible or has been reconstituted at a different domain name, may commence a related action under this section against the additional domain name in the same judicial district as the previous action.

SEC. 5. VOLUNTARY ACTION AGAINST WEBSITES STEALING AMERICAN INTELLECTUAL PROPERTY.

(a) IN GENERAL.—No financial transaction provider or Internet advertising service shall be liable for damages to any person for voluntarily taking any action described in section 3(d) or 4(d) with regard to an Internet site if the entity acting in good faith and based on credible evidence has a reasonable belief that the Internet site is an Internet site dedicated to infringing activities.

(b) INTERNET SITES ENGAGED IN INFRINGING ACTIVITIES THAT ENDANGER THE PUBLIC HEALTH.—

(1) REFUSAL OF SERVICE.—A domain name registry, domain name registrar, financial transaction provider, information location

tool, or Internet advertising service, acting in good faith and based on credible evidence, may stop providing or refuse to provide services to an infringing Internet site that endangers the public health.

(2) **IMMUNITY FROM LIABILITY.**—An entity described in paragraph (1), including its directors, officers, employees, or agents, that ceases or refused to provide services under paragraph (1) shall not be liable to any party under any Federal or State law for such action.

(3) **DEFINITIONS.**—For purposes of this subsection—

(A) the term “adulterated” has the same meaning as in section 501 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 351);

(B) an “infringing Internet site that endangers the public health” means—

(i) an Internet site dedicated to infringing activities for which the counterfeit products that it offers, sells, dispenses, or distributes are controlled or non-controlled prescription medication; or

(ii) an Internet site that has no significant use other than, or is designed, operated, or marketed by its operator or persons operating in concert with the operator, and facts or circumstances suggest is used, primarily as a means for—

(I) offering, selling, dispensing, or distributing any controlled or non-controlled prescription medication, and does so regularly without a valid prescription; or

(II) offering, selling, dispensing, or distributing any controlled or non-controlled prescription medication, and does so regularly for medication that is adulterated or misbranded;

(C) the term “misbranded” has the same meaning as in section 502 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 352); and

(D) the term “valid prescription” has the same meaning as in section 309(e)(2)(A) of the Controlled Substances Act (21 U.S.C. 829(e)(2)(A)).

SEC. 6. SAVINGS CLAUSES.

(a) **RULE OF CONSTRUCTION RELATING TO CIVIL AND CRIMINAL REMEDIES.**—Nothing in this Act shall be construed to limit or expand civil or criminal remedies available to any person (including the United States) for infringing activities on the Internet pursuant to any other Federal or State law.

(b) **RULE OF CONSTRUCTION RELATING TO VICARIOUS OR CONTRIBUTORY LIABILITY.**—Nothing in this Act shall be construed to enlarge or diminish vicarious or contributory liability for any cause of action available under title 17, United States Code, including any limitations on liability under section 512 of such title 17, or to create an obligation to take action pursuant to section 5 of this Act.

(c) **RELATIONSHIP WITH SECTION 512 OF TITLE 17.**—Nothing in this Act, and no order issued or served pursuant to sections 3 or 4 of this Act, shall serve as a basis for determining the application of section 512 of title 17, United States Code.

SEC. 7. GUIDELINES AND STUDIES.

(a) **GUIDELINES.**—The Attorney General shall—

(1) publish procedures developed in consultation with other relevant law enforcement agencies, including the United States Immigration and Customs Enforcement, to receive information from the public about Internet sites dedicated to infringing activities;

(2) provide guidance to intellectual property rights holders about what information such rights holders should provide law enforcement agencies to initiate an investigation pursuant to this Act;

(3) provide guidance to intellectual property rights holders about how to supplement an ongoing investigation initiated pursuant to this Act;

(4) establish standards for prioritization of actions brought under this Act;

(5) provide appropriate resources and procedures for case management and development to affect timely disposition of actions brought under this Act; and

(6) develop a deconfliction process in consultation with other law enforcement agencies, including the United States Immigration and Customs Enforcement, to coordinate enforcement activities brought under this Act.

(b) REPORTS.—

(1) **REPORT ON EFFECTIVENESS OF CERTAIN MEASURES.**—Not later than 1 year after the date of enactment of this Act, the Secretary of Commerce, in coordination with the Attorney General, the Secretary of Homeland Security, and the Intellectual Property Enforcement Coordinator, shall conduct a study and report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on the following:

(A) An assessment of the effects, if any, of the implementation of section 3(d)(2)(A) on the accessibility of Internet sites dedicated to infringing activity.

(B) An assessment of the effects, if any, of the implementation of section 3(d)(2)(A) on the deployment, security, and reliability of the domain name system and associated Internet processes, including Domain Name System Security Extensions.

(C) Recommendations, if any, for modifying or amending this Act to increase effectiveness or ameliorate any unintended effects of section 3(d)(2)(A).

(2) **REPORT ON OVERALL EFFECTIVENESS.**—The Register of Copyrights shall, in consultation with the appropriate departments and agencies of the United States and other stakeholders—

(A) conduct a study on—

(i) the enforcement and effectiveness of this Act; and

(ii) the need to modify or amend this Act to apply to emerging technologies; and

(B) not later than 2 years after the date of enactment of this Act, submit a report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives on—

(i) the results of the study conducted under subparagraph (A); and

(ii) any recommendations that the Register may have as a result of the study.

Mr. HATCH. Mr. President, I rise to express support for S. 968, the Preventing Real Online Threats to Economic Creativity and Theft of Intellectual Property, PROTECT, Act as introduced by my colleague, Senator LEAHY. Chairman LEAHY and I have worked together on the protection of intellectual property rights on a number of occasions over the years and I am pleased to partner with him once again on this important bill. I also want to recognize the efforts of Senator GRASSLEY, the distinguished Ranking Minority Member of the Senate Judiciary Committee. He is a valued friend and his support is greatly appreciated as we move forward.

With this legislation, we are sending a strong message to those selling or distributing counterfeit goods online,

namely that the United States will strongly protect its intellectual property, IP, rights. Despite what seems to be a common assumption, just because something is available on the Internet does not mean it is free. Fake pharmaceuticals threaten people's lives. Stolen movies, music, and other products threaten the jobs and livelihoods of many people. Every year, these online thieves are making hundreds of millions of dollars by stealing American IP, and this undermines legitimate commerce. This is why protecting property rights is a critical imperative and is why we have come together to introduce the PROTECT IP Act.

Utah is considered a very popular State for film and television production activity. Indeed, many American classics have been filmed in my home State. Nothing compares to the red rock of Southern Utah or the sweeping grandeur of the Wasatch Mountains. Not to mention Utah's workforce, which is one of the most highly educated and hardworking in our country. It is estimated that the motion picture and television industries are responsible for thousands of jobs and tens of millions of dollars in wages in Utah. So, IP theft has a direct, negative impact on Utah's economy and its workforce, and this same impact can be seen nationwide.

There is no question that the legislative process can be tedious at times, and often it takes multiple Congresses to get things right. We witnessed this first hand in the patent reform debate. It took three Congresses for the Senate to pass patent reform legislation. I was pleased to be the lead Republican sponsor of the America Invents Act, S. 23, which passed the Senate in March by a vote of 95 to 5. I can confirm that the final Senate-passed bill was a product of countless hours of negotiation and legislative fine-tuning. While I hope the bill before us will not take nearly as long, I can confirm that significant and positive changes have already occurred since we introduced the bipartisan legislation last year. These changes include a narrower definition of the type of Internet sites to which the bill applies, specifically those “dedicated to infringing activities,” authorization for the Attorney General to serve an issued court order on a search engine, in addition to payment processors, advertising networks and Internet service providers; authorization for both the Attorney General and rights holders to bring actions against online infringers operating an Internet site or domain where the site is “dedicated to infringing activities,” but with remedies limited to eliminating the financial viability of the site, not blocking access; requirement of plaintiffs to attempt to bring an action against the owner or registrant of the domain name used to access an Internet site “dedicated to infringing activities” before bringing an action against

the domain name itself; protection for domain name registries, registrars, search engines, payment processors, and advertising networks from damages resulting from their voluntary action against an Internet site “dedicated to infringing activities,” where that site also “endangers the public health,” by offering controlled or non-controlled prescription medication.

It is worth underscoring that the purpose of the PROTECT IP Act is to take down Internet sites dedicated to infringing activities, or in other words, the most egregious offenders in the world of online IP theft. Indeed, the bill authorizes the Department of Justice, DOJ, to file a civil action against the registrant or owner of a domain name that accesses a foreign infringing Internet site, or the foreign-registered domain name itself. However, DOJ officials must seek approval from a Federal court before taking any action. I trust that a Federal judge will weigh all of the facts carefully before issuing an order, in accordance with the Federal Rules of Civil Procedure, to shut down a Web site dedicated to infringing activities.

There is no quick fix to this problem. But doing nothing is not an option. We must explore ways, albeit in incremental steps, to take down offending Web sites. For this reason, I believe the PROTECT IP Act is a critical step in our ongoing fight against online piracy and counterfeiting. I am pleased with the progress that we have made so far on this bill and look forward to working with my colleagues on further refinements as it moves through the legislative process.

We must take steps to combat those Web sites that are profiting from stolen American intellectual property.

By Mr. WYDEN (for himself and Mr. THUNE):

S. 971. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

Mr. WYDEN. Mr. President, I rise today to introduce the Digital Goods and Services Tax Fairness Act. I am pleased to be joined by my colleague from South Dakota, Senator THUNE, in introducing this needed legislation.

The creation and consumption of downloadable digital goods, like books, songs, ringtones and video games, and the provision of digital services, like health care monitoring and cloud computing, represent a rapidly growing segment of our national economy. These goods and services, which are supporting a growing number of American jobs, are sold over communications networks that transcend numerous state and local boundaries. Tax law, not surprisingly, has failed to keep pace with the rapidly changing technology and economy. The lack of a national framework addressing how

State and local taxes can be imposed upon these products has led to a confusing process that will only grow more burdensome for consumers and the providers of digital commerce as new, innovative and emerging technologies become available.

Since digital goods and services can be downloaded in a mobile environment, there is a significant question as to which jurisdiction has the authority to tax such purchases. In fact, there is substantial risk that, without a national framework, multiple States and localities will claim they have authority to tax the same digital transaction. For example, if a consumer is on vacation in another State and downloads a song, the State the consumer is visiting, the State that houses the server providing the song, and the consumer's home State could all claim the authority to tax the purchase. This is not only an unfair tax burden on the consumer, but also for the seller that is responsible for identifying the jurisdiction on whose behalf it should be collecting taxes. Left unchecked, these multiple taxes could stifle the digital commerce and crush a growing industry that is creating the good jobs that our country needs.

We can't let that happen. We need a uniform solution that will modernize our State and local tax system to appropriately address the inherent complexities that digital commerce presents.

Neutrality should guide tax policy and administration in the area of digital commerce. Transactions involving similar types of goods and services should be taxed fairly, regardless of the method and means of distribution, whether through electronic transfer or through other channels of commerce. To ensure neutrality and avoid multiple taxation, rules should be adopted to reflect the unique nature of electronic commerce and how digital goods and digital services are provided.

I am introducing the Digital Goods and Services Tax Fairness Act to establish a framework for when and how local governments can tax digital goods and services. The framework put forward in the legislation respects States' authority to tax these products while also fostering innovation and growth in this segment of global commerce.

In most cases, this legislation will use the address of the consumer to determine which jurisdiction has the authority to tax a digital purchase, as long as the State has passed a law to do so and is lawfully able under the Internet Tax Freedom Act and the Supreme Court's Quill decision. Similar to mobile phones, digital purchases should be taxed by the State the consumer resides, not the State that they may have been traveling through while they downloaded the digital product.

This legislation would also preclude discriminatory taxes from being im-

posed on digital goods and services solely because they are transmitted over communication networks. Additionally, this legislation would ensure that if States tax digital goods and services, they should only be taxed at the same rate imposed upon other tangible goods taxed under the general sales tax.

The Digital Goods and Services Tax Fairness Act of 2011 is structured to provide discipline, but also certainty to States and local governments that wish to tax digital commerce and to the businesses and consumers that are engaged in this marketplace. Our economy is changing in a variety of exciting ways. Congress must be responsive to this reality and consider this legislation soon.

By Mr. WHITEHOUSE (for himself, Ms. SNOWE, Mr. ROCKEFELLER, Mr. NELSON of Florida, Ms. LANDRIEU, and Ms. STABENOW):

S. 973. A bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. WHITEHOUSE. Mr. President, I rise this afternoon to discuss an important piece of bipartisan legislation that I am introducing today with my friend and fellow New Englander, Senator SNOWE, to establish a national endowment for the study, conservation, and restoration of our Nation's oceans, coasts, and Great Lakes.

Let me begin with a particular thank-you to our original cosponsors: the chairman of the Commerce Committee, Senator ROCKEFELLER of West Virginia; the chairman of the Appropriations Committee, Senator INOUE of Hawaii; my colleague from the great State of Michigan, Senator STABENOW; and two colleagues from the Gulf of Mexico region, Senator BILL NELSON of Florida and Senator LANDRIEU from Louisiana.

As any Rhode Islander can tell you, the ocean is central to our State's way of life. I tell colleagues that Rhode Island's coast is one of the most beautiful places on Earth. But we don't call Rhode Island the Ocean State just because it is beautiful. We are the Ocean State because from our earliest days we have relied on the ocean and our beloved Narragansett Bay for trade, for food, for recreation, and for jobs in the shipbuilding, shipping, fishing, and tourism industries.

And we are not alone—across America, our oceans and coasts directly provide over \$130 billion to our country's gross domestic product, and support 2.3 million America jobs. But one impact goes far beyond that.

Our coastal zone areas generate nearly 50 percent of our Nation's gross domestic product and support more than 28 million jobs.

In part, it is Americans' love of and reliance on the oceans that drives the need now to protect and restore them. Coastal America is experiencing a huge population boom, leading to more and more construction that puts significant pressure on our natural coastline and our wetlands.

Worldwide demand for seafood grows at a pace that our fish stocks cannot keep pace with, and our demand for energy leads us ever deeper into the ocean in search of fuel.

There is an old adage, that nothing focuses the mind like a crisis. If this is true, it must be time to focus on taking care of our oceans, because I believe that our oceans are facing what can be characterized as nothing less than a crisis. Our oceans are facing an array of threats, from marine debris aggregating in gyres the size of Texas, to whales so full of bio-accumulative toxins that they constitute swimming hazardous waste.

These are just a few of the headlines from just the past year:

This spring, we have watched in horror as Japan, already suffering from a terrible earthquake and tsunami—and our hearts go out to them—battled to keep the Fukushima Nuclear Plant intact. Leaks from the plant have sent harmful levels of radiation into the ocean.

In July of 2010, the Midwest experienced its largest oil spill ever, after a leaking Michigan pipeline poured oil into the Kalamazoo River and thence into the Great Lakes.

Last June, the journal *Science* published a literature review by researchers from the University of Queensland and UNC Chapel Hill, revealing mounting evidence that:

Rapidly rising greenhouse gas concentrations are driving ocean systems toward conditions not seen for millions of years, with an associated risk of fundamental and irreversible ecological transformation.

In my home State of Rhode Island, the Narragansett Bay has witnessed a 4-degree increase in average annual winter water temperature, causing what amounts to a full ecosystem shift.

And of course, in April 2010, we witnessed the horrific explosion of the Deepwater Horizon, the tragic loss of life, and the unfolding of the largest environmental disaster our country has ever seen. The Gulf of Mexico, and the people who depend on this ecosystem for their sustenance and livelihoods, are still struggling to recover.

We are now 13 months beyond the Deepwater Horizon explosion. Lives are still shattered; livelihoods reliant on the gulf ecosystem are still threatened. But we are within the window of action. It is not too late to provide for short-term restoration of the gulf coast to enact legislation that reduces the risk of future oil spills, and as my co-sponsors and I seek to provide dedi-

cated funding to study, protect, and restore the marine and coastal ecosystems within the United States' boundaries.

The National Endowment for the Oceans is our proposal to meet this last challenge. The Endowment would make grants available to coastal and Great Lakes States, local government agencies, regional planning bodies, academic institutions, and nonprofit organizations so these entities could embark on projects to learn more about and do a better job of protecting our precious natural resource. Projects that allow researchers to hire technicians, mechanics, computer scientists and students. Projects that put people to work relocating critical public infrastructure jeopardized by sea level rise. Projects that solve resource management problems and restore our natural ecosystems. Projects that protect jobs by restoring commercial fisheries habitat, and creating new fisheries gear for sustainable and profitable fishing.

The National Oceanic Atmospheric Administration received \$167 million for coastal restoration projects under the Recovery Act. More than 800 proposals for shovel-ready construction and engineering projects came in, totaling \$3 billion worth of work. But NOAA could only fund 50 of the 800.

The National Endowment for the Oceans would help us move forward with these projects and others that protect our oceans and drive our economy. As I stand here today, more than a year after the beginning of the oil spill in the gulf, and in the face of mounting evidence that our oceans and coasts are truly facing a crisis, I understand the feelings of concern and frustration. But, again, I believe it is not too late.

In fact, I believe the time is now to pass legislation that will help to restore the gulf ecosystem. The time is now to pass legislation that will reduce the risk of future oil spills. And it is time now to provide dedicated funding for the study, restoration, and protection of our Nation's ocean and coastal resources.

We need to put the stewardship of our natural resources, our ocean resources, at the forefront of our national agenda. The National Endowment for the Oceans, as I said, is bipartisan. I thank Senator OLYMPIA SNOWE for her leadership in this effort. This legislation is science based, with much of the money made available through a competitive grant program. This legislation is cost effective, coordinating existing efforts of Federal, local, and private programs, reducing duplication of research efforts, and crossing political borders to ensure that every dollar is spent with the greatest possible effect.

Finally, this legislation is appropriately paid for with revenue gen-

erated from the Oil Spill Liability Trust Fund, a portion of royalties from Outer Continental Shelf energy development, and fines and damages collected for violations of Federal law off our coastline. Put simply, a small portion of the revenue we extract from our oceans and great waters will be reinvested to now protect the long-term viability of those oceans and great waters.

The ocean provides us with great bounty, and we will continue to take advantage of that, as we should. We will fish, we will sail, and we will trade. We will dispose of waste. We will extract fuel and construct wind farms. Navies and cruise ships, sail boats and supertankers will plow the ocean surface. We cannot change how reliant we are on our ocean. What we can change is what we do in return.

We can for the first time give back. We can become stewards of our oceans, not just takers but caretakers. The oceans contain immense potential for new discoveries, immense potential for new jobs, and immense potential for new solutions to the emerging oceans crisis. But to meet the demands of this moment, we must respond to the challenges before us. We must heed the alarm bells that are ringing from the arctic seas to our tropic oceans, from the top of the food chain to the bottom, alarm bells indeed are ringing.

I urge my colleagues to join Senator SNOWE and myself in support of the National Endowment for the Oceans. Let ours be the generation that tips the increasingly troubling balance between mankind and our oceans a little bit back toward the benefit of our oceans for the long-term benefit of mankind.

By Ms. SNOWE (for herself and Ms. LANDRIEU):

S. 974. A bill to amend the Internal Revenue Code of 1986 to expand the tip tax credit to employers of cosmetologists and to promote tax compliance in the cosmetology sector; to the Committee on Finance.

Ms. SNOWE. Mr. President, as ranking member of the Senate Small Business Committee, I am delighted to rise today, on the eve of National Small Business Week, with Senator LANDRIEU, who is Chair of the Committee, to introduce the Small Business Tax Equalization and Compliance Act.

Our bipartisan measure is a pro-small business bill and would allow the salon industry to have the same tax rules on tips paid to employees as is permitted in the restaurant industry. The legislation would increase compliance with payroll tax obligations and will make sure that the women who work in the salon industry earn all the Social Security retirement and disability benefits they should be entitled to. It would also help to prevent salons that do not follow the tax law from gaining a competitive disadvantage against those

that do follow the law. Congressman SAM JOHNSON, R-TX, is leading the charge on a companion bill in the House.

Clearly this legislation will help all parts of the salon industry, big and small, men and women. But the reality is that because 84 percent of the workforce in the salon industry is female, this issue has special relevance for women. When women work as independent contractors at hair salons, they are less likely to disclose all of their tips for purposes of paying Social Security taxes. As a result, they reduce their future right to earn retirement and disability benefits in the Social Security system and reduce the size of any benefit they do ultimately earn. Making sure that working women are correctly paying into Social Security is critical to their future retirement security because many of these women will have had no other retirement benefits available to them.

We know that women are disproportionately dependent on Social Security for their retirement benefits, a March 2010 study by the Women for Women's Policy Research showed that women's Social Security benefits in 2008 were only about 75 percent of the benefits earned by men and it comprised about half of their total retirement income. By contrast, Social Security benefits comprised roughly one-third of men's retirement income. Earning the right to collect a decent Social Security benefit is vital to women.

As a small business issue, salons are a quintessential small business on Main Streets across America. According to the U.S. Census Bureau, 98 percent of salon industry firms have only one establishment; 92 percent of salon establishments have sales of less than \$500,000; and 82 percent of salon establishments have fewer than 10 employees. Extending the tip tax credit to salon owners would allow them to reinvest in their businesses and employees, create new jobs, granting new economic and employment opportunities in their local communities.

I specifically want to explain what this legislation would do. First, it would provide to the salon industry with the same type of tax credit currently available in the restaurant industry. The credit is for employers to offset the matching Social Security and Medicare taxes that the salon pays on the tips that employees receive from customers. Next, the bill would help to make more even-handed IRS enforcement of laws on payroll and income taxes. Without this legislation it is often the lopsided practice of the IRS to seek back taxes from the employer but rarely from the employee or independent contractor despite the requirement that taxes be paid in equal measure.

The legislation will protect both legitimate independent contractors and

employees who pay their taxes but frees up IRS resources to focus on those bad actors who are not complying with the law. Although non-employer salons comprise 87 percent of establishments, their reported sales represent only 36 percent of total salon industry revenues, implying a significant underreporting of income in the non-employer segment. This legislation includes education and reporting requirements which will help address the "tax gap" and reveal a valuable new source of tax revenues for the federal government. This is a win-win-win for the salons, for employees, and for the government.

This bill is supported by the Professional Beauty Association, the largest association in the professional beauty industry, which is comprised of salon and spa owners, manufacturers and distributors of salon and spa products, and individual licensed cosmetologists.

Finally, I want to thank two salon owners who brought this issue to my attention, Alan Labos of Akari Salon in Portland, ME, Tiffany Conway of bei capelli salon in Scarborough, ME.

In conclusion, I urge my colleagues on both sides of the aisle to support our bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 974

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Small Business Tax Equalization and Compliance Act of 2011".

SEC. 2. EXPANSION OF CREDIT FOR PORTION OF SOCIAL SECURITY TAXES PAID WITH RESPECT TO EMPLOYEE TIPS.

(a) EXPANSION OF CREDIT TO OTHER LINES OF BUSINESS.—Paragraph (2) of section 45B(b) of the Internal Revenue Code of 1986 is amended to read as follows:

"(2) APPLICATION ONLY TO CERTAIN LINES OF BUSINESS.—In applying paragraph (1), there shall be taken into account only tips received from customers or clients in connection with—

"(A) the providing, delivering, or serving of food or beverages for consumption if the tipping of employees delivering or serving food or beverages by customers is customary, or

"(B) the providing of any cosmetology service for customers or clients at a facility licensed to provide such service if the tipping of employees providing such service is customary."

(b) DEFINITION OF COSMETOLOGY SERVICE.—Section 45B of such Code is amended by redesignating subsections (c) and (d) as subsections (d) and (e), respectively, and by inserting after subsection (b) the following new subsection:

"(c) COSMETOLOGY SERVICE.—For purposes of this section, the term 'cosmetology service' means—

"(1) hairdressing,

"(2) haircutting,

"(3) manicures and pedicures,

"(4) body waxing, facials, mud packs, wraps, and other similar skin treatments, and

"(5) any other beauty-related service provided at a facility at which a majority of the services provided (as determined on the basis of gross revenue) are described in paragraphs (1) through (4)."

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to tips received for services performed after December 31, 2010.

SEC. 3. INFORMATION REPORTING AND TAXPAYER EDUCATION FOR PROVIDERS OF COSMETOLOGY SERVICES.

(a) IN GENERAL.—Subpart B of part III of subchapter A of chapter 61 of the Internal Revenue Code of 1986 is amended by inserting after section 6050W the following new section:

"SEC. 6050X. RETURNS RELATING TO COSMETOLOGY SERVICES AND INFORMATION TO BE PROVIDED TO COSMETOLOGISTS.

"(a) IN GENERAL.—Every person (referred to in this section as a 'reporting person') who—

"(1) employs 1 or more cosmetologists to provide any cosmetology service,

"(2) rents a chair to 1 or more cosmetologists to provide any cosmetology service on at least 5 calendar days during a calendar year, or

"(3) in connection with its trade or business or rental activity, otherwise receives compensation from, or pays compensation to, 1 or more cosmetologists for the right to provide cosmetology services to, or for cosmetology services provided to, third-party patrons,

shall comply with the return requirements of subsection (b) and the taxpayer education requirements of subsection (c).

"(b) RETURN REQUIREMENTS.—The return requirements of this subsection are met by a reporting person if the requirements of each of the following paragraphs applicable to such person are met.

"(1) EMPLOYEES.—In the case of a reporting person who employs 1 or more cosmetologists to provide cosmetology services, the requirements of this paragraph are met if such person meets the requirements of sections 6051 (relating to receipts for employees) and 6053(b) (relating to tip reporting) with respect to each such employee.

"(2) INDEPENDENT CONTRACTORS.—In the case of a reporting person who pays compensation to 1 or more cosmetologists (other than as employees) for cosmetology services provided to third-party patrons, the requirements of this paragraph are met if such person meets the applicable requirements of section 6041 (relating to returns filed by persons making payments of \$600 or more in the course of a trade or business), section 6041A (relating to returns to be filed by service-recipients who pay more than \$600 in a calendar year for services from a service provider), and each other provision of this subpart that may be applicable to such compensation.

"(3) CHAIR RENTERS.—

"(A) IN GENERAL.—In the case of a reporting person who receives rent or other fees or compensation from 1 or more cosmetologists for use of a chair or for rights to provide any cosmetology service at a salon or other similar facility for more than 5 days in a calendar year, the requirements of this paragraph are met if such person—

"(i) makes a return, according to the forms or regulations prescribed by the Secretary, setting forth the name, address, and TIN of

each such cosmetologist and the amount received from each such cosmetologist, and

“(ii) furnishes to each cosmetologist whose name is required to be set forth on such return a written statement showing—

“(I) the name, address, and phone number of the information contact of the reporting person,

“(II) the amount received from such cosmetologist, and

“(III) a statement informing such cosmetologist that (as required by this section), the reporting person has advised the Internal Revenue Service that the cosmetologist provided cosmetology services during the calendar year to which the statement relates.

“(B) METHOD AND TIME FOR PROVIDING STATEMENT.—The written statement required by clause (ii) of subparagraph (A) shall be furnished (either in person or by first-class mail which includes adequate notice that the statement or information is enclosed) to the person on or before January 31 of the year following the calendar year for which the return under clause (i) of subparagraph (A) is to be made.

“(c) TAXPAYER EDUCATION REQUIREMENTS.—In the case of a reporting person who is required to provide a statement pursuant to subsection (b), the requirements of this subsection are met if such person provides to each such cosmetologist annually a publication, as designated by the Secretary, describing—

“(1) in the case of an employee, the tax and tip reporting obligations of employees, and

“(2) in the case of a cosmetologist who is not an employee of the reporting person, the tax obligations of independent contractors or proprietorships.

The publications shall be furnished either in person or by first-class mail which includes adequate notice that the publication is enclosed.

“(d) DEFINITIONS.—For purposes of this section—

“(1) COSMETOLOGIST.—

“(A) IN GENERAL.—The term ‘cosmetologist’ means an individual who provides any cosmetology service.

“(B) ANTI-AVOIDANCE RULE.—The Secretary may by regulation or ruling expand the term ‘cosmetologist’ to include any entity or arrangement if the Secretary determines that entities are being formed to circumvent the reporting requirements of this section.

“(2) COSMETOLOGY SERVICE.—The term ‘cosmetology service’ has the meaning given to such term by section 45B(c).

“(3) CHAIR.—The term ‘chair’ includes a chair, booth, or other furniture or equipment from which an individual provides a cosmetology service (determined without regard to whether the cosmetologist is entitled to use a specific chair, booth, or other similar furniture or equipment or has an exclusive right to use any such chair, booth, or other similar furniture or equipment).

“(e) EXCEPTIONS FOR CERTAIN EMPLOYEES.—Subsection (c) shall not apply to a reporting person with respect to an employee who is employed in a capacity for which tipping (or sharing tips) is not customary.”.

(b) CONFORMING AMENDMENTS.—

(1) Section 6724(d)(1)(B) of such Code (relating to the definition of information returns) is amended by striking “or” at the end of clause (xxiv), by striking “and” at the end of clause (xxv) and inserting “or”, and by inserting after clause (xxv) the following new clause:

“(xvi) section 6050X(a) (relating to returns by cosmetology service providers), and”.

(2) Section 6724(d)(2) of such Code is amended by striking “or” at the end of subpara-

graph (GG), by striking the period at the end of subparagraph (HH) and inserting “, or”, and by inserting after subparagraph (HH) the following new subparagraph:

“(II) subsections (b)(3)(A)(ii) and (c) of section 6050X (relating to cosmetology service providers) even if the recipient is not a payee.”.

(3) The table of sections for subpart B of part III of subchapter A of chapter 61 of such Code is amended by adding after the item relating to section 6050W the following new item:

“Sec. 6050X. Returns relating to cosmetology services and information to be provided to cosmetologists.”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to calendar years after 2010.

By Mr. DURBIN (for himself, Mr. LIEBERMAN, Mr. WHITEHOUSE, Mr. CARDIN, and Mr. REED):

S. 979. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Energy and Natural Resources.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “America’s Red Rock Wilderness Act of 2011”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—DESIGNATION OF WILDERNESS AREAS

Sec. 101. Great Basin Wilderness Areas.

Sec. 102. Grand Staircase-Escalante Wilderness Areas.

Sec. 103. Moab-La Sal Canyons Wilderness Areas.

Sec. 104. Henry Mountains Wilderness Areas.

Sec. 105. Glen Canyon Wilderness Areas.

Sec. 106. San Juan-Anasazi Wilderness Areas.

Sec. 107. Canyonlands Basin Wilderness Areas.

Sec. 108. San Rafael Swell Wilderness Areas.

Sec. 109. Book Cliffs and Uinta Basin Wilderness Areas.

TITLE II—ADMINISTRATIVE PROVISIONS

Sec. 201. General provisions.

Sec. 202. Administration.

Sec. 203. State school trust land within wilderness areas.

Sec. 204. Water.

Sec. 205. Roads.

Sec. 206. Livestock.

Sec. 207. Fish and wildlife.

Sec. 208. Management of newly acquired land.

Sec. 209. Withdrawal.

SEC. 2. DEFINITIONS.

In this Act:

(1) SECRETARY.—The term “Secretary” means the Secretary of the Interior, acting through the Bureau of Land Management.

(2) STATE.—The term “State” means the State of Utah.

TITLE I—DESIGNATION OF WILDERNESS AREAS

SEC. 101. GREAT BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the Great Basin region of western Utah is comprised of starkly beautiful mountain ranges that rise as islands from the desert floor;

(2) the Wah Wah Mountains in the Great Basin region are arid and austere, with massive cliff faces and leathery slopes speckled with piñon and juniper;

(3) the Pilot Range and Stansbury Mountains in the Great Basin region are high enough to draw moisture from passing clouds and support ecosystems found nowhere else on earth;

(4) from bristlecone pine, the world’s oldest living organism, to newly-flowered mountain meadows, mountains of the Great Basin region are islands of nature that—

(A) support remarkable biological diversity; and

(B) provide opportunities to experience the colossal silence of the Great Basin; and

(5) the Great Basin region of western Utah should be protected and managed to ensure the preservation of the natural conditions of the region.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

(1) Antelope Range (approximately 17,000 acres).

(2) Barn Hills (approximately 20,000 acres).

(3) Black Hills (approximately 9,000 acres).

(4) Bullgrass Knoll (approximately 15,000 acres).

(5) Burbank Hills/Tunnel Spring (approximately 92,000 acres).

(6) Conger Mountains (approximately 21,000 acres).

(7) Crater Bench (approximately 35,000 acres).

(8) Crater and Silver Island Mountains (approximately 121,000 acres).

(9) Cricket Mountains Cluster (approximately 62,000 acres).

(10) Deep Creek Mountains (approximately 126,000 acres).

(11) Drum Mountains (approximately 39,000 acres).

(12) Dugway Mountains (approximately 24,000 acres).

(13) Essex Canyon (approximately 1,300 acres).

(14) Fish Springs Range (approximately 64,000 acres).

(15) Granite Peak (approximately 19,000 acres).

(16) Grassy Mountains (approximately 23,000 acres).

(17) Grouse Creek Mountains (approximately 15,000 acres).

(18) House Range (approximately 201,000 acres).

(19) Keg Mountains (approximately 38,000 acres).

(20) Kern Mountains (approximately 15,000 acres).

(21) King Top (approximately 110,000 acres).

(22) Ledger Canyon (approximately 9,000 acres).

(23) Little Goose Creek (approximately 1,200 acres).

(24) Middle/Granite Mountains (approximately 80,000 acres).

(25) Mount Escalante (approximately 18,000 acres).
 (26) Mountain Home Range (approximately 90,000 acres).
 (27) Newfoundland Mountains (approximately 22,000 acres).
 (28) Ochre Mountain (approximately 13,000 acres).
 (29) Oquirrh Mountains (approximately 9,000 acres).
 (30) Painted Rock Mountain (approximately 26,000 acres).
 (31) Paradise/Steamboat Mountains (approximately 144,000 acres).
 (32) Pilot Range (approximately 45,000 acres).
 (33) Red Tops (approximately 28,000 acres).
 (34) Rockwell-Little Sahara (approximately 21,000 acres).
 (35) San Francisco Mountains (approximately 39,000 acres).
 (36) Sand Ridge (approximately 73,000 acres).
 (37) Simpson Mountains (approximately 42,000 acres).
 (38) Snake Valley (approximately 100,000 acres).
 (39) Spring Creek Canyon (approximately 4,000 acres).
 (40) Stansbury Island (approximately 10,000 acres).
 (41) Stansbury Mountains (approximately 24,000 acres).
 (42) Thomas Range (approximately 36,000 acres).
 (43) Tule Valley (approximately 159,000 acres).
 (44) Wah Wah Mountains (approximately 167,000 acres).
 (45) Wasatch/Sevier Plateaus (approximately 29,000 acres).
 (46) White Rock Range (approximately 5,200 acres).

SEC. 102. GRAND STAIRCASE-ESCALANTE WILDERNESS AREAS.

(a) GRAND STAIRCASE AREA.—
 (1) FINDINGS.—Congress finds that—
 (A) the area known as the Grand Staircase rises more than 6,000 feet in a series of great cliffs and plateaus from the depths of the Grand Canyon to the forested rim of Bryce Canyon;
 (B) the Grand Staircase—
 (i) spans 6 major life zones, from the lower Sonoran Desert to the alpine forest; and
 (ii) encompasses geologic formations that display 3,000,000,000 years of Earth's history;
 (C) land managed by the Secretary lines the intricate canyon system of the Paria River and forms a vital natural corridor connection to the deserts and forests of those national parks;
 (D) land described in paragraph (2) (other than East of Bryce, Upper Kanab Creek, Moquith Mountain, Bunting Point, and Vermillion Cliffs) is located within the Grand Staircase-Escalante National Monument; and
 (E) the Grand Staircase in Utah should be protected and managed as a wilderness area.
 (2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
 (A) Bryce View (approximately 4,500 acres).
 (B) Bunting Point (approximately 11,000 acres).
 (C) Canaan Mountain (approximately 16,000 acres in Kane County).
 (D) Canaan Peak Slopes (approximately 2,300 acres).
 (E) East of Bryce (approximately 750 acres).

(F) Glass Eye Canyon (approximately 24,000 acres).
 (G) Ladder Canyon (approximately 14,000 acres).
 (H) Moquith Mountain (approximately 16,000 acres).
 (I) Nephi Point (approximately 14,000 acres).
 (J) Orderville Canyon (approximately 9,200 acres).
 (K) Paria-Hackberry (approximately 188,000 acres).
 (L) Paria Wilderness Expansion (approximately 3,300 acres).
 (M) Parunuweap Canyon (approximately 43,000 acres).
 (N) Pine Hollow (approximately 11,000 acres).
 (O) Slopes of Bryce (approximately 2,600 acres).
 (P) Timber Mountain (approximately 51,000 acres).
 (Q) Upper Kanab Creek (approximately 49,000 acres).
 (R) Vermillion Cliffs (approximately 26,000 acres).
 (S) Willis Creek (approximately 21,000 acres).
 (b) KAIPAROWITS PLATEAU.—
 (1) FINDINGS.—Congress finds that—
 (A) the Kaiparowits Plateau east of the Paria River is 1 of the most rugged and isolated wilderness regions in the United States;
 (B) the Kaiparowits Plateau, a windswept land of harsh beauty, contains distant vistas and a remarkable variety of plant and animal species;
 (C) ancient forests, an abundance of big game animals, and 22 species of raptors thrive undisturbed on the grassland mesa tops of the Kaiparowits Plateau;
 (D) each of the areas described in paragraph (2) (other than Heaps Canyon, Little Valley, and Wide Hollow) is located within the Grand Staircase-Escalante National Monument; and
 (E) the Kaiparowits Plateau should be protected and managed as a wilderness area.
 (2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
 (A) Andalex Not (approximately 18,000 acres).
 (B) The Blues (approximately 21,000 acres).
 (C) Box Canyon (approximately 2,800 acres).
 (D) Burning Hills (approximately 80,000 acres).
 (E) Carcass Canyon (approximately 83,000 acres).
 (F) The Cockscomb (approximately 11,000 acres).
 (G) Fiftymile Bench (approximately 12,000 acres).
 (H) Fiftymile Mountain (approximately 203,000 acres).
 (I) Heaps Canyon (approximately 4,000 acres).
 (J) Horse Spring Canyon (approximately 31,000 acres).
 (K) Kodachrome Headlands (approximately 10,000 acres).
 (L) Little Valley Canyon (approximately 4,000 acres).
 (M) Mud Spring Canyon (approximately 65,000 acres).
 (N) Nipple Bench (approximately 32,000 acres).
 (O) Paradise Canyon-Wahweap (approximately 262,000 acres).
 (P) Rock Cove (approximately 16,000 acres).

(Q) Warm Creek (approximately 23,000 acres).
 (R) Wide Hollow (approximately 6,800 acres).
 (c) ESCALANTE CANYONS.—
 (1) FINDINGS.—Congress finds that—
 (A) glens and coves carved in massive sandstone cliffs, spring-watered hanging gardens, and the silence of ancient Anasazi ruins are examples of the unique features that entice hikers, campers, and sightseers from around the world to Escalante Canyon;
 (B) Escalante Canyon links the spruce fir forests of the 11,000-foot Aquarius Plateau with winding slickrock canyons that flow into Glen Canyon;
 (C) Escalante Canyon, 1 of Utah's most popular natural areas, contains critical habitat for deer, elk, and wild bighorn sheep that also enhances the scenic integrity of the area;
 (D) each of the areas described in paragraph (2) is located within the Grand Staircase-Escalante National Monument; and
 (E) Escalante Canyon should be protected and managed as a wilderness area.
 (2) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
 (A) Brinkerhof Flats (approximately 3,000 acres).
 (B) Colt Mesa (approximately 28,000 acres).
 (C) Death Hollow (approximately 49,000 acres).
 (D) Forty Mile Gulch (approximately 6,600 acres).
 (E) Hurricane Wash (approximately 9,000 acres).
 (F) Lampstand (approximately 7,900 acres).
 (G) Muley Twist Flank (approximately 3,600 acres).
 (H) North Escalante Canyons (approximately 176,000 acres).
 (I) Pioneer Mesa (approximately 11,000 acres).
 (J) Scorpion (approximately 53,000 acres).
 (K) Sooner Bench (approximately 390 acres).
 (L) Steep Creek (approximately 35,000 acres).
 (M) Studhorse Peaks (approximately 24,000 acres).
 SEC. 103. MOAB-LA SAL CANYONS WILDERNESS AREAS.
 (a) FINDINGS.—Congress finds that—
 (1) the canyons surrounding the La Sal Mountains and the town of Moab offer a variety of extraordinary landscapes;
 (2) outstanding examples of natural formations and landscapes in the Moab-La Sal area include the huge sandstone fins of Behind the Rocks, the mysterious Fisher Towers, and the whitewater rapids of Westwater Canyon; and
 (3) the Moab-La Sal area should be protected and managed as a wilderness area.
 (b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:
 (1) Arches Adjacent (approximately 12,000 acres).
 (2) Beaver Creek (approximately 41,000 acres).
 (3) Behind the Rocks and Hunters Canyon (approximately 22,000 acres).
 (4) Big Triangle (approximately 20,000 acres).
 (5) Coyote Wash (approximately 28,000 acres).
 (6) Dome Plateau-Professor Valley (approximately 35,000 acres).

- (7) Fisher Towers (approximately 18,000 acres).
- (8) Goldbar Canyon (approximately 9,000 acres).
- (9) Granite Creek (approximately 5,000 acres).
- (10) Mary Jane Canyon (approximately 25,000 acres).
- (11) Mill Creek (approximately 14,000 acres).
- (12) Porcupine Rim and Morning Glory (approximately 20,000 acres).
- (13) Renegade Point (approximately 6,600 acres).
- (14) Westwater Canyon (approximately 37,000 acres).
- (15) Yellow Bird (approximately 4,200 acres).

SEC. 104. HENRY MOUNTAINS WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

- (1) the Henry Mountain Range, the last mountain range to be discovered and named by early explorers in the contiguous United States, still retains a wild and undiscovered quality;
- (2) fluted badlands that surround the flanks of 11,000-foot Mounts Ellen and Pennell contain areas of critical habitat for mule deer and for the largest herd of free-roaming buffalo in the United States;
- (3) despite their relative accessibility, the Henry Mountain Range remains 1 of the wildest, least-known ranges in the United States; and
- (4) the Henry Mountain range should be protected and managed to ensure the preservation of the range as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Bull Mountain (approximately 16,000 acres).
- (2) Bullfrog Creek (approximately 35,000 acres).
- (3) Dogwater Creek (approximately 3,400 acres).
- (4) Fremont Gorge (approximately 20,000 acres).
- (5) Long Canyon (approximately 16,000 acres).
- (6) Mount Ellen-Blue Hills (approximately 140,000 acres).
- (7) Mount Hillers (approximately 21,000 acres).
- (8) Mount Pennell (approximately 147,000 acres).
- (9) Notom Bench (approximately 6,200 acres).
- (10) Oak Creek (approximately 1,700 acres).
- (11) Ragged Mountain (approximately 28,000 acres).

SEC. 105. GLEN CANYON WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

- (1) the side canyons of Glen Canyon, including the Dirty Devil River and the Red, White and Blue Canyons, contain some of the most remote and outstanding landscapes in southern Utah;

(2) the Dirty Devil River, once the fortress hideout of outlaw Butch Cassidy's Wild Bunch, has sculpted a maze of slickrock canyons through an imposing landscape of monoliths and inaccessible mesas;

(3) the Red and Blue Canyons contain colorful Chinle/Moenkopi badlands found nowhere else in the region; and

(4) the canyons of Glen Canyon in the State should be protected and managed as wilderness areas.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the

following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Cane Spring Desert (approximately 18,000 acres).
- (2) Dark Canyon (approximately 134,000 acres).
- (3) Dirty Devil (approximately 242,000 acres).
- (4) Fiddler Butte (approximately 92,000 acres).
- (5) Flat Tops (approximately 30,000 acres).
- (6) Little Rockies (approximately 64,000 acres).
- (7) The Needle (approximately 11,000 acres).
- (8) Red Rock Plateau (approximately 213,000 acres).
- (9) White Canyon (approximately 98,000 acres).

SEC. 106. SAN JUAN-ANASAZI WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

- (1) more than 1,000 years ago, the Anasazi Indian culture flourished in the slickrock canyons and on the piñon-covered mesas of southeastern Utah;
- (2) evidence of the ancient presence of the Anasazi pervades the Cedar Mesa area of the San Juan-Anasazi area where cliff dwellings, rock art, and ceremonial kivas embellish sandstone overhangs and isolated benchlands;

(3) the Cedar Mesa area is in need of protection from the vandalism and theft of its unique cultural resources;

(4) the Cedar Mesa wilderness areas should be created to protect both the archaeological heritage and the extraordinary wilderness, scenic, and ecological values of the United States; and

(5) the San Juan-Anasazi area should be protected and managed as a wilderness area to ensure the preservation of the unique and valuable resources of that area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Allen Canyon (approximately 5,900 acres).
- (2) Arch Canyon (approximately 30,000 acres).
- (3) Comb Ridge (approximately 15,000 acres).
- (4) East Montezuma (approximately 45,000 acres).
- (5) Fish and Owl Creek Canyons (approximately 73,000 acres).
- (6) Grand Gulch (approximately 159,000 acres).
- (7) Hammond Canyon (approximately 4,400 acres).
- (8) Nokai Dome (approximately 93,000 acres).
- (9) Road Canyon (approximately 63,000 acres).
- (10) San Juan River (Sugarloaf) (approximately 15,000 acres).
- (11) The Tabernacle (approximately 7,000 acres).
- (12) Valley of the Gods (approximately 21,000 acres).

SEC. 107. CANYONLANDS BASIN WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) Canyonlands National Park safeguards only a small portion of the extraordinary red-hued, cliff-walled canyonland region of the Colorado Plateau;

(2) areas near Arches National Park and Canyonlands National Park contain canyons with rushing perennial streams, natural arches, bridges, and towers;

(3) the gorges of the Green and Colorado Rivers lie on adjacent land managed by the Secretary;

(4) popular overlooks in Canyonlands National Park and Dead Horse Point State Park have views directly into adjacent areas, including Lockhart Basin and Indian Creek; and

(5) designation of those areas as wilderness would ensure the protection of this erosional masterpiece of nature and of the rich pockets of wildlife found within its expanded boundaries.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Bridger Jack Mesa (approximately 33,000 acres).
- (2) Butler Wash (approximately 27,000 acres).
- (3) Dead Horse Cliffs (approximately 5,300 acres).
- (4) Demon's Playground (approximately 3,700 acres).
- (5) Duma Point (approximately 14,000 acres).
- (6) Gooseneck (approximately 9,000 acres).
- (7) Hatch Point Canyons/Lockhart Basin (approximately 149,000 acres).
- (8) Horsethief Point (approximately 15,000 acres).
- (9) Indian Creek (approximately 28,000 acres).
- (10) Labyrinth Canyon (approximately 150,000 acres).
- (11) San Rafael River (approximately 101,000 acres).
- (12) Shay Mountain (approximately 14,000 acres).
- (13) Sweetwater Reef (approximately 69,000 acres).
- (14) Upper Horseshoe Canyon (approximately 60,000 acres).

SEC. 108. SAN RAFAEL SWELL WILDERNESS AREAS.

(a) FINDINGS.—Congress finds that—

(1) the San Rafael Swell towers above the desert like a castle, ringed by 1,000-foot ramparts of Navajo Sandstone;

(2) the highlands of the San Rafael Swell have been fractured by uplift and rendered hollow by erosion over countless millennia, leaving a tremendous basin punctuated by mesas, buttes, and canyons and traversed by sediment-laden desert streams;

(3) among other places, the San Rafael wilderness offers exceptional back country opportunities in the colorful Wild Horse Badlands, the monoliths of North Caineville Mesa, the rock towers of Cliff Wash, and colorful cliffs of Humbug Canyon;

(4) the mountains within these areas are among Utah's most valuable habitat for desert bighorn sheep; and

(5) the San Rafael Swell area should be protected and managed to ensure its preservation as a wilderness area.

(b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System:

- (1) Cedar Mountain (approximately 15,000 acres).
- (2) Devils Canyon (approximately 23,000 acres).
- (3) Eagle Canyon (approximately 38,000 acres).
- (4) Factory Butte (approximately 22,000 acres).
- (5) Hondu Country (approximately 20,000 acres).

- (6) Jones Bench (approximately 2,800 acres).
- (7) Limestone Cliffs (approximately 25,000 acres).
- (8) Lost Spring Wash (approximately 37,000 acres).
- (9) Mexican Mountain (approximately 100,000 acres).
- (10) Molen Reef (approximately 33,000 acres).
- (11) Muddy Creek (approximately 240,000 acres).
- (12) Mussentuchit Badlands (approximately 25,000 acres).
- (13) Pleasant Creek Bench (approximately 1,100 acres).
- (14) Price River-Humbug (approximately 120,000 acres).
- (15) Red Desert (approximately 40,000 acres).
- (16) Rock Canyon (approximately 18,000 acres).
- (17) San Rafael Knob (approximately 15,000 acres).
- (18) San Rafael Reef (approximately 114,000 acres).
- (19) Sids Mountain (approximately 107,000 acres).
- (20) Upper Muddy Creek (approximately 19,000 acres).
- (21) Wild Horse Mesa (approximately 92,000 acres).

SEC. 109. BOOK CLIFFS AND UINTA BASIN WILDERNESS AREAS.

- (a) FINDINGS.—Congress finds that—
 - (1) the Book Cliffs and Uinta Basin wilderness areas offer—
 - (A) unique big game hunting opportunities in verdant high-plateau forests;
 - (B) the opportunity for float trips of several days duration down the Green River in Desolation Canyon; and
 - (C) the opportunity for calm water canoe weekends on the White River;
 - (2) the long rampart of the Book Cliffs bounds the area on the south, while seldom-visited uplands, dissected by the rivers and streams, slope away to the north into the Uinta Basin;
 - (3) bears, bighorn sheep, cougars, elk, and mule deer flourish in the back country of the Book Cliffs; and
 - (4) the Book Cliffs and Uinta Basin areas should be protected and managed to ensure the protection of the areas as wilderness.
- (b) DESIGNATION.—In accordance with the Wilderness Act (16 U.S.C. 1131 et seq.), the following areas in the State are designated as wilderness areas and as components of the National Wilderness Preservation System.
 - (1) Bourdette Draw (approximately 15,000 acres).
 - (2) Bull Canyon (approximately 2,800 acres).
 - (3) Chipeta (approximately 95,000 acres).
 - (4) Dead Horse Pass (approximately 8,000 acres).
 - (5) Desbrough Canyon (approximately 13,000 acres).
 - (6) Desolation Canyon (approximately 555,000 acres).
 - (7) Diamond Breaks (approximately 9,000 acres).
 - (8) Diamond Canyon (approximately 166,000 acres).
 - (9) Diamond Mountain (also known as "Wild Mountain") (approximately 27,000 acres).
 - (10) Dinosaur Adjacent (approximately 10,000 acres).
 - (11) Goslin Mountain (approximately 4,900 acres).
 - (12) Hideout Canyon (approximately 12,000 acres).

- (13) Lower Bitter Creek (approximately 14,000 acres).
- (14) Lower Flaming Gorge (approximately 21,000 acres).
- (15) Mexico Point (approximately 15,000 acres).
- (16) Moonshine Draw (also known as "Daniels Canyon") (approximately 10,000 acres).
- (17) Mountain Home (approximately 9,000 acres).
- (18) O-Wi-Yu-Kuts (approximately 13,000 acres).
- (19) Red Creek Badlands (approximately 3,600 acres).
- (20) Seep Canyon (approximately 21,000 acres).
- (21) Sunday School Canyon (approximately 18,000 acres).
- (22) Survey Point (approximately 8,000 acres).
- (23) Turtle Canyon (approximately 39,000 acres).
- (24) White River (approximately 23,000 acres).
- (25) Winter Ridge (approximately 38,000 acres).
- (26) Wolf Point (approximately 15,000 acres).

TITLE II—ADMINISTRATIVE PROVISIONS

SEC. 201. GENERAL PROVISIONS.

(a) NAMES OF WILDERNESS AREAS.—Each wilderness area named in title I shall—

- (1) consist of the quantity of land referenced with respect to that named area, as generally depicted on the map entitled "Utah BLM Wilderness Proposed by S. []", 112th Congress"; and
- (2) be known by the name given to it in title I.

(b) MAP AND DESCRIPTION.—

- (1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of each wilderness area designated by this Act with—

(A) the Committee on Natural Resources of the House of Representatives; and

(B) the Committee on Energy and Natural Resources of the Senate.

- (2) FORCE OF LAW.—A map and legal description filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the map and legal description.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be filed and made available for public inspection in the Office of the Director of the Bureau of Land Management.

SEC. 202. ADMINISTRATION.

Subject to valid rights in existence on the date of enactment of this Act, each wilderness area designated under this Act shall be administered by the Secretary in accordance with—

- (1) the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.); and
- (2) the Wilderness Act (16 U.S.C. 1131 et seq.).

SEC. 203. STATE SCHOOL TRUST LAND WITHIN WILDERNESS AREAS.

(a) IN GENERAL.—Subject to subsection (b), if State-owned land is included in an area designated by this Act as a wilderness area, the Secretary shall offer to exchange land owned by the United States in the State of approximately equal value in accordance with section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)) and section 5(a) of the Wilderness Act (16 U.S.C. 1134(a)).

(b) MINERAL INTERESTS.—The Secretary shall not transfer any mineral interests

under subsection (a) unless the State transfers to the Secretary any mineral interests in land designated by this Act as a wilderness area.

SEC. 204. WATER.

(a) RESERVATION.—

(1) WATER FOR WILDERNESS AREAS.—

(A) IN GENERAL.—With respect to each wilderness area designated by this Act, Congress reserves a quantity of water determined by the Secretary to be sufficient for the wilderness area.

(B) PRIORITY DATE.—The priority date of a right reserved under subparagraph (A) shall be the date of enactment of this Act.

(2) PROTECTION OF RIGHTS.—The Secretary and other officers and employees of the United States shall take any steps necessary to protect the rights reserved by paragraph (1)(A), including the filing of a claim for the quantification of the rights in any present or future appropriate stream adjudication in the courts of the State—

(A) in which the United States is or may be joined; and

(B) that is conducted in accordance with section 208 of the Department of Justice Appropriation Act, 1953 (66 Stat. 560, chapter 651).

(b) PRIOR RIGHTS NOT AFFECTED.—Nothing in this Act relinquishes or reduces any water rights reserved or appropriated by the United States in the State on or before the date of enactment of this Act.

(c) ADMINISTRATION.—

(1) SPECIFICATION OF RIGHTS.—The Federal water rights reserved by this Act are specific to the wilderness areas designated by this Act.

(2) NO PRECEDENT ESTABLISHED.—Nothing in this Act related to reserved Federal water rights—

(A) shall establish a precedent with regard to any future designation of water rights; or

(B) shall affect the interpretation of any other Act or any designation made under any other Act.

SEC. 205. ROADS.

(a) SETBACKS.—

(1) MEASUREMENT IN GENERAL.—A setback under this section shall be measured from the center line of the road.

(2) WILDERNESS ON 1 SIDE OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on only 1 side shall be set at—

(A) 300 feet from a paved Federal or State highway;

(B) 100 feet from any other paved road or high standard dirt or gravel road; and

(C) 30 feet from any other road.

(3) WILDERNESS ON BOTH SIDES OF ROADS.—Except as provided in subsection (b), a setback for a road with wilderness on both sides (including cherry-stems or roads separating 2 wilderness units) shall be set at—

(A) 200 feet from a paved Federal or State highway;

(B) 40 feet from any other paved road or high standard dirt or gravel road; and

(C) 10 feet from any other roads.

(b) SETBACK EXCEPTIONS.—

(1) WELL-DEFINED TOPOGRAPHICAL BARRIERS.—If, between the road and the boundary of a setback area described in paragraph (2) or (3) of subsection (a), there is a well-defined cliff edge, stream bank, or other topographical barrier, the Secretary shall use the barrier as the wilderness boundary.

(2) FENCES.—If, between the road and the boundary of a setback area specified in paragraph (2) or (3) of subsection (a), there is a fence running parallel to a road, the Secretary shall use the fence as the wilderness

boundary if, in the opinion of the Secretary, doing so would result in a more manageable boundary.

(3) DEVIATIONS FROM SETBACK AREAS.—

(A) EXCLUSION OF DISTURBANCES FROM WILDERNESS BOUNDARIES.—In cases where there is an existing livestock development, dispersed camping area, borrow pit, or similar disturbance within 100 feet of a road that forms part of a wilderness boundary, the Secretary may delineate the boundary so as to exclude the disturbance from the wilderness area.

(B) LIMITATION ON EXCLUSION OF DISTURBANCES.—The Secretary shall make a boundary adjustment under subparagraph (A) only if the Secretary determines that doing so is consistent with wilderness management goals.

(C) DEVIATIONS RESTRICTED TO MINIMUM NECESSARY.—Any deviation under this paragraph from the setbacks required under in paragraph (2) or (3) of subsection (a) shall be the minimum necessary to exclude the disturbance.

(c) DELINEATION WITHIN SETBACK AREA.—The Secretary may delineate a wilderness boundary at a location within a setback under paragraph (2) or (3) of subsection (a) if, as determined by the Secretary, the delineation would enhance wilderness management goals.

SEC. 206. LIVESTOCK.

Within the wilderness areas designated under title I, the grazing of livestock authorized on the date of enactment of this Act shall be permitted to continue subject to such reasonable regulations and procedures as the Secretary considers necessary, as long as the regulations and procedures are consistent with—

(1) the Wilderness Act (16 U.S.C. 1131 et seq.); and

(2) section 101(f) of the Arizona Desert Wilderness Act of 1990 (Public Law 101-628; 104 Stat. 4469).

SEC. 207. FISH AND WILDLIFE.

Nothing in this Act affects the jurisdiction of the State with respect to wildlife and fish on the public land located in the State.

SEC. 208. MANAGEMENT OF NEWLY ACQUIRED LAND.

Any land within the boundaries of a wilderness area designated under this Act that is acquired by the Federal Government shall—

(1) become part of the wilderness area in which the land is located; and

(2) be managed in accordance with this Act and other laws applicable to wilderness areas.

SEC. 209. WITHDRAWAL.

Subject to valid rights existing on the date of enactment of this Act, the Federal land referred to in title I is withdrawn from all forms of—

(1) entry, appropriation, or disposal under public law;

(2) location, entry, and patent under mining law; and

(3) disposition under all laws pertaining to mineral and geothermal leasing or mineral materials.

By Mr. LEVIN (for himself and Mr. McCain) (by request):

S. 981. A bill to authorize appropriations for fiscal year 2012 for military activities of the Department of Defense and for military construction, to prescribe military personnel strengths for fiscal year 2012, and for other purposes; to the Committee on Armed Services.

Mr. LEVIN. Mr. President, Senator McCain and I are today introducing, by request, the Obama administration's proposed National Defense Authorization Act for fiscal year 2012. As is the case with any bill that is introduced by request, we introduce this bill for the purpose of placing the Administration's proposals before Congress and the public without expressing our own views on the substance of these proposals. As Chairman and Ranking Member of the Armed Services Committee, we look forward to giving the Administration's requested legislation our most careful review and thoughtful consideration.

By Ms. AYOTTE (for herself, Mr. GRAHAM, Mr. LIEBERMAN, Mr. CHAMBLISS, Mr. BROWN of Massachusetts, Mr. RUBIO, and Mr. WEBB):

S. 982. A bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes; to the Committee on Armed Services.

Ms. AYOTTE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 982

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Detaining Terrorists to Secure America Act of 2011."

SEC. 2. FINDINGS.

Congress makes the following finding:

(1) The United States and its international partners are in an armed conflict with violent Islamist extremist groups, including al Qaeda and associated terrorist organizations, that are committed to killing Americans and our allies.

(2) In the last 2 years, terrorists have repeatedly attempted to kill Americans both here at home and abroad, including the following attacks, plots, or alleged plots and attacks:

(A) A September 2009 plot by Najibullah Zazi—who received training from al Qaeda in Pakistan—to conduct a suicide bomb attack on the New York, New York, subway system.

(B) A November 2009 attack by Nidal Malik Hasan at Fort Hood, Texas, that killed 13 people and wounded 32.

(C) A Christmas Day 2009 attempt by Umar Farouk Abdulmutallab to detonate a bomb sewn into his underwear on an international flight to Detroit, Michigan.

(D) A May 2010 attempt by Faisal Shahzad to bomb Times Square in New York, New York, on a crowded Saturday evening, an attack that was unsuccessful only because the car bomb failed to detonate.

(E) An October 2010 attempt by terrorists in Yemen to send, via commercial cargo flights, 2 packages of explosives to Jewish centers in Chicago, Illinois.

(F) A February 2011 plot by Khaled Aldawsari, a Saudi-born student, to manu-

facture explosives and potentially attack New York, New York, the Dallas, Texas, home of former President George W. Bush, as well as hydroelectric dams, nuclear power plants, and a nightclub.

(3) Since the September 11, 2001, attacks on our Nation, the United States and allied forces have captured thousands of individuals fighting for or supporting al Qaeda and associated terrorist organizations that do not abide by the law of war, including detainees at United States Naval Station, Guantanamo Bay, Cuba, who served as planners of those attacks, trainers of terrorists, financiers of terrorists, bomb makers, bodyguards for Osama bin Laden, recruiters of terrorists, and facilitators of terrorism.

(4) Many of the detainees at United States Naval Station, Guantanamo Bay provided valuable intelligence that gave the United States insight into al Qaeda and its methods, prevented terrorist attacks, and saved lives.

(5) Intelligence obtained from detainees at United States Naval Station, Guantanamo Bay was critical to eventually identifying the location of Osama bin Laden.

(6) In a February 17, 2011, hearing of the Committee on Armed Services of the Senate, the Secretary of Defense confirmed that approximately 25 percent of detainees released from the detention facility at United States Naval Station, Guantanamo Bay are confirmed to have reengaged in hostilities or are suspected of having reengaged in hostilities against the United States or our allies.

(7) Al Qaeda in the Arabian Peninsula, an organization that includes former detainees at United States Naval Station, Guantanamo Bay among its leadership and ranks, has claimed responsibility for several of the recent plots and attacks against the United States.

(8) Detention according to the law of war is a matter of national security and military necessity and has long been recognized as legitimate under international law.

(9) Detaining unprivileged enemy belligerents prevents them from returning to the battlefield to attack United States and allied military personnel and engaging in future terrorist attacks against innocent civilians.

(10) The Joint Task Force-Guantanamo provides for the humane, legal, and transparent care and custody of detainees at United States Naval Station, Guantanamo Bay, notwithstanding regular assaults on the guard force by some detainees.

(11) The International Committee of the Red Cross visits detainees at United States Naval Station, Guantanamo Bay on a quarterly basis.

(12) The detention facility at United States Naval Station, Guantanamo Bay benefits from robust oversight by Congress.

SEC. 3. REAFFIRMATION OF AUTHORITY TO MAINTAIN UNITED STATES NAVAL STATION, GUANTANAMO BAY, CUBA, AS A LOCATION FOR THE DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS HELD BY THE DEPARTMENT OF DEFENSE.

(a) REAFFIRMATION OF AUTHORITY AS LOCATION FOR DETENTION OF UNPRIVILEGED ENEMY BELLIGERENTS.—United States Naval Station, Guantanamo Bay, Cuba, is and shall be a location for the detention of individuals in the custody or under the control of the Department of Defense who have engaged in, or supported, hostilities against the United States or its coalition partners on behalf of al Qaeda, the Taliban, or an affiliated group to which the Authorization for Use of Military Force (Public Law 107-40) applies.

(b) MAINTENANCE AS AN OPERATIONAL FACILITY FOR DETENTION.—The Secretary of Defense shall take appropriate actions to maintain United States Naval Station, Guantanamo Bay, Cuba, as an open and operating facility for the detention of current and future individuals as described in subsection (a).

(c) PERMANENT EXTENSION AND EXPANSION OF CERTAIN LIMITATIONS RELATING TO DETAINEES AND DETENTION FACILITIES.—

(1) LIMITATION ON TRANSFER OF DETAINEES TO FOREIGN ENTITIES.—Section 1033 of the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 (Public Law 111-383; 124 Stat. 4351) is amended—

(A) in subsection (a)(1), by striking “during the one-year period” and all that follows through “by this Act” and inserting “the Secretary of Defense may not use any amounts authorized to be appropriated”; and

(B) in subsection (d)(1), by striking “as of October 1, 2009,” and inserting “as of or after October 1, 2009.”

(2) PROHIBITION ON CONSTRUCTION OF DETENTION FACILITIES IN UNITED STATES.—Section 1034 of such Act (124 Stat. 4353) is amended—

(A) in subsection (a), by striking “None of the funds authorized to be appropriated by this Act” and inserting “No funds authorized to be appropriated or otherwise made available to the Department of Defense, or to or for any other department or agency of the United States Government,”; and

(B) in subsection (c), by striking “as of October 1, 2009,” and inserting “as of or after October 1, 2009.”

(d) SUPERSEDITION OF EXECUTIVE ORDER.—Sections 3, 4(c)(2), 4(c)(3), 4(c)(5), and 7 of Executive Order No. 13492, dated January 22, 2009, shall have no further force or effect.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. MURRAY, Mr. SANDERS, Mr. CASEY, Mr. MERKLEY, Mr. FRANKEN, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. INOUE, Mr. LEVIN, Mr. KERRY, Mr. AKAKA, Mr. DURBIN, Mr. SCHUMER, Mr. LAUTENBERG, Mr. BROWN of Ohio, and Mrs. GILLIBRAND):

S. 984. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, last weekend we observed Mother's Day and celebrated our families. When we reflect on our own mothers, many of us think about the woman who nursed us when we were sick, took us to the doctor for checkups, and cared for our grandparents as they aged, while at the same time working to put food on the table.

These balancing acts are hard enough. But for many moms, and dads, across the country, juggling all these roles means making impossible choices. This is especially true for people who do not have the basic right of paid sick days. For these workers, missing work due to an illness, injury, or doctor's appointment can mean putting their job and their family's financial security in jeopardy. So they are forced to choose between the jobs they

need and the families they love. In these difficult economic times, no one should have to make that choice.

But for a huge segment of the American workforce, these difficult choices are a daily reality. Four in ten U.S. workers have no paid sick days, they cannot miss a day of work with the guarantee of their pay or the assurance that their job will be there when they come back. What is more, 2/3 of low-wage workers, those who can least afford to lose a paycheck or a job, have no paid sick days. This means many of these workers report to work sick or send their children to school or day care sick, spreading their illness to others.

This robs workers of their basic dignity, and that shouldn't happen in a country as wealthy and successful as America. In fact, the U.S. is the only developed country that does not guarantee paid sick days to its workers, and our workers are the most productive in the world! America's workers deserve to earn a decent living; a living where they can provide for their families without being punished when they or their children catch the flu. America's workers deserve paid sick days.

Lack of access to paid sick days isn't just a crisis for individual families—it's a public health crisis as well. Health officials urge people with contagious illnesses to stay home from work to avoid spreading disease. But the workers in industries with the most contact with the public, such as food service and hospitality, are the least likely to have paid sick days. A recent survey shows that nearly two-thirds of restaurant workers, 3/4 of whom don't have paid sick days, report cooking or serving food while sick. This puts the health of all of us in jeopardy. And not having paid sick days puts these workers in the terrible position of choosing between the health of their customers and their family's health and economic security.

But this doesn't have to be the case. We can give working people the tools they need to protect their health and their families' health while also safeguarding the public health. Workers want to do the right thing and stay home when they are ill or stay home with their sick children rather than sending them to school. But our current laws simply do not protect them.

This is why Congresswoman ROSA DELAUNO and I are introducing the Healthy Families Act, which will allow U.S. workers to earn up to 7 paid sick days per year to recover from short-term illness, care for a sick family member, seek routine medical care, or seek help if they are victims of domestic violence. This important legislation will provide much-needed security for hardworking families struggling to balance the obligations of work and family. It will improve public health and decrease health costs by preventing the

spread of disease and giving employees the access they need to obtain preventive care and treatment. It will also help victims of domestic violence to protect their families and their futures.

Providing paid sick days to workers will be good for working people and their families, and good for our businesses and our economy as well. Allowing workers to tend to their health or their families' engenders good will and loyalty, and boosts morale at the workplace. Businesses will save because the greatest cause of lost productivity due to illness is not absenteeism but “presenteeism,” the practice of sick workers coming to work, infecting their colleagues, and being less productive themselves. Businesses whose workers have paid sick days will also benefit from reduced turnover, and its high associated costs, when workers can hold on to their jobs. Experience bears this out, in San Francisco, where workers have had guaranteed paid sick days since 2007, surveys show that 6 out of 7 employers found no negative effect on profit. Indeed, 4 years after implementation, two-thirds of surveyed employers were supportive of the city's paid sick days law.

The overall economy will benefit from reduced health costs as well. Ensuring that workers are able to seek preventive care as well as care in a doctor's office, rather than the ER, will minimize health care costs. Reducing the spread of contagious illnesses by allowing workers or children to stay at home where they won't infect their co-workers or classmates will also reduce health costs by keeping more people healthy in the first place.

Most of all, workers will have peace of mind and financial security. They won't be faced with a potentially long search for new work, while collecting unemployment benefits. They won't face reduced income and having to cut back on their spending on food, medicine, and other necessities bought in their local communities. Working people will have the security of knowing that if illness strikes, they will be able to tend to their families without losing their jobs or their paychecks.

The Healthy Families Act has had the strongest of Senate champions who have led the fight for workers' rights, Senator Kennedy and Senator Dodd. I am proud to be the new leader for this vital piece of legislation. I thank my colleagues who are joining me today as original cosponsors, and I encourage all Senators to join us in supporting the Healthy Families Act. This bill will provide health, peace of mind, and security for America's workers and their families. At a time when the American Dream and the middle class seem to be slipping away, these goals could never be more important.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 984

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Healthy Families Act”.

SEC. 2. FINDINGS.

Congress makes the following findings:

(1) Working Americans need time to meet their own health care needs and to care for family members, including their children, spouse, parents, and parents-in-law, and other children and adults for whom they are caregivers.

(2) Health care needs include preventive health care, diagnostic procedures, medical treatment, and recovery in response to short- and long-term illnesses and injuries.

(3) Providing employees time off to meet health care needs ensures that they will be healthier in the long run. Preventive care helps avoid illnesses and injuries and routine medical care helps detect illnesses early and shorten their duration.

(4) When parents are available to care for their children who become sick, children recover faster, more serious illnesses are prevented, and children’s overall mental and physical health improve. In a 2009 study published in the American Journal of Public Health, 81 percent of parents of a child with special health care needs reported that taking leave from work to be with their child had a “good” or “very good” effect on their child’s physical health. Similarly, 85 percent of parents of such a child found that taking such leave had a “good” or “very good” effect on their child’s emotional health.

(5) When parents cannot afford to miss work and must send children with contagious illnesses to child care centers or schools, infection can spread rapidly through child care centers and schools.

(6) Providing paid sick time improves public health by reducing infectious disease. Policies that make it easier for sick adults and children to be isolated at home reduce the spread of infectious disease.

(7) Routine medical care reduces medical costs by detecting and treating illness and injury early, decreasing the need for emergency care. These savings benefit public and private payers of health insurance, including private businesses.

(8) The provision of individual and family sick time by large and small businesses, both here in the United States and elsewhere, demonstrates that policy solutions are both feasible and affordable in a competitive economy. A 2009 study by the Center for Economic and Policy Research found that, of 22 countries with comparable economies, the United States was 1 of only 3 countries that did not provide any paid time off for workers with short-term illnesses.

(9) Measures that ensure that employees are in good health and do not need to worry about unmet family health problems help businesses by promoting productivity and reducing employee turnover.

(10) The American Productivity Audit completed in 2003 found that lost productivity due to illness costs \$226,000,000,000 annually, and that 71 percent of that cost stems from presenteeism, the practice of employees coming to work despite illness. Studies in the Journal of Occupational and Environmental Medicine, the Employee Benefit News, and the Harvard Business Review show

that presenteeism is a larger productivity drain than either absenteeism or short-term disability.

(11) The absence of paid sick time has forced Americans to make untenable choices between needed income and jobs on the one hand and caring for their own and their family’s health on the other.

(12) Nearly 40 percent of the private-sector workforce (about 40,000,000 workers) lack paid sick time. Another 4,000,000 theoretically have access to sick time, but have not been on the job long enough to use it. Millions more lack sick time they can use to care for a sick child or ill family member.

(13) Workers’ access to paid sick time varies dramatically by wage level. For private-sector workers in the lowest quartile of earners, 68 percent lack paid sick time. For workers in the next 2 quartiles, 34 and 25 percent, respectively, lack paid sick time. Even for workers in the highest income quartile, 16 percent lack paid sick time. In addition, millions of workers cannot use paid sick time to care for ill family members.

(14) Due to the roles of men and women in society, the primary responsibility for family caregiving often falls on women, and such responsibility affects the working lives of women more than it affects the working lives of men.

(15) An increasing number of men are also taking on caregiving obligations, and men who request paid time for caregiving purposes are often denied accommodation or penalized because of stereotypes that caregiving is only “women’s work”.

(16) Employers’ reliance on persistent stereotypes about the “proper” roles of both men and women in the workplace and in the home continues a cycle of discrimination and fosters stereotypical views about women’s commitment to work and their value as employees.

(17) Employment standards that apply to only one gender have serious potential for encouraging employers to discriminate against employees and applicants for employment who are of that gender.

(18) It is in the national interest to ensure that all Americans can care for their own health and the health of their families while prospering at work.

(19) Nearly 1 in 3 American women report physical or sexual abuse by a husband or boyfriend at some point in their lives. Domestic violence also affects men. Women account for about 85 percent of the victims of domestic violence and men account for approximately 15 percent of the victims. Therefore, women disproportionately need time off to care for their health or to find solutions, such as obtaining a restraining order or finding housing, to avoid or prevent physical or sexual abuse.

(20) One study showed that 85 percent of domestic violence victims at a women’s shelter who were employed missed work because of abuse. The mean number of days of paid work lost by a rape victim is 8.1 days, by a victim of physical assault is 7.2 days, and by a victim of stalking is 10.1 days. Nationwide, domestic violence victims lose almost 8,000,000 days of paid work per year.

(21) Without paid sick days that can be used to address the effects of domestic violence, these victims are in grave danger of losing their jobs. One survey found that 96 percent of employed domestic violence victims experienced problems at work related to the violence. The Government Accountability Office similarly found that 24 to 52 percent of victims report losing a job due, at least in part, to domestic violence. The loss

of employment can be particularly devastating for victims of domestic violence, who often need economic security to ensure safety.

(22) The Centers for Disease Control and Prevention has estimated that domestic violence costs over \$700,000,000 annually due to the victims’ lost productivity in employment.

(23) Efforts to assist abused employees result in positive outcomes for employers as well as employees because employers can retain workers who might otherwise be compelled to leave.

SEC. 3. PURPOSES.

The purposes of this Act are—

(1) to ensure that all working Americans can address their own health needs and the health needs of their families by requiring employers to permit employees to earn up to 56 hours of paid sick time including paid time for family care;

(2) to diminish public and private health care costs by enabling workers to seek early and routine medical care for themselves and their family members;

(3) to assist employees who are, or whose family members are, victims of domestic violence, sexual assault, or stalking, by providing the employees with paid time away from work to allow the victims to receive treatment and to take the necessary steps to ensure their protection;

(4) to accomplish the purposes described in paragraphs (1) through (3) in a manner that is feasible for employers; and

(5) consistent with the provision of the 14th amendment to the Constitution relating to equal protection of the laws, and pursuant to Congress’ power to enforce that provision under section 5 of that amendment—

(A) to accomplish the purposes described in paragraphs (1) through (3) in a manner that minimizes the potential for employment discrimination on the basis of sex by ensuring generally that paid sick time is available for eligible medical reasons on a gender-neutral basis; and

(B) to promote the goal of equal employment opportunity for women and men.

SEC. 4. DEFINITIONS.

In this Act:

(1) **CHILD**.—The term “child” means a biological, foster, or adopted child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is—

(A) under 18 years of age; or

(B) 18 years of age or older and incapable of self-care because of a mental or physical disability.

(2) **DOMESTIC VIOLENCE**.—The term “domestic violence” has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)), except that the reference in such section to the term “jurisdiction receiving grant monies” shall be deemed to mean the jurisdiction in which the victim lives or the jurisdiction in which the employer involved is located.

(3) **EMPLOYEE**.—The term “employee” means an individual who is—

(A)(i) an employee, as defined in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)), who is not covered under subparagraph (E), including such an employee of the Library of Congress, except that a reference in such section to an employer shall be considered to be a reference to an employer described in clauses (i)(I) and (ii) of paragraph (4)(A); or

(ii) an employee of the Government Accountability Office;

(B) a State employee described in section 304(a) of the Government Employee Rights Act of 1991 (42 U.S.C. 2000e–16c(a));

(C) a covered employee, as defined in section 101 of the Congressional Accountability Act of 1995 (2 U.S.C. 1301), other than an applicant for employment;

(D) a covered employee, as defined in section 411(c) of title 3, United States Code; or

(E) a Federal officer or employee covered under subchapter V of chapter 63 of title 5, United States Code.

(4) EMPLOYER.—

(A) IN GENERAL.—The term “employer” means a person who is—

(i)(I) a covered employer, as defined in subparagraph (B), who is not covered under subclause (V);

(II) an entity employing a State employee described in section 304(a) of the Government Employee Rights Act of 1991;

(III) an employing office, as defined in section 101 of the Congressional Accountability Act of 1995;

(IV) an employing office, as defined in section 411(c) of title 3, United States Code; or

(V) an employing agency covered under subchapter V of chapter 63 of title 5, United States Code; and

(ii) is engaged in commerce (including government), or an industry or activity affecting commerce (including government), as defined in subparagraph (B)(iii).

(B) COVERED EMPLOYER.—

(i) IN GENERAL.—In subparagraph (A)(i)(I), the term “covered employer”—

(I) means any person engaged in commerce or in any industry or activity affecting commerce who employs 15 or more employees for each working day during each of 20 or more calendar workweeks in the current or preceding calendar year;

(II) includes—

(aa) any person who acts, directly or indirectly, in the interest of an employer to any of the employees of such employer; and

(bb) any successor in interest of an employer;

(III) includes any “public agency”, as defined in section 3(x) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(x)); and

(IV) includes the Government Accountability Office and the Library of Congress.

(ii) PUBLIC AGENCY.—For purposes of clause (i)(III), a public agency shall be considered to be a person engaged in commerce or in an industry or activity affecting commerce.

(iii) DEFINITIONS.—For purposes of this subparagraph:

(I) COMMERCE.—The terms “commerce” and “industry or activity affecting commerce” mean any activity, business, or industry in commerce or in which a labor dispute would hinder or obstruct commerce or the free flow of commerce, and include “commerce” and any “industry affecting commerce”, as defined in paragraphs (1) and (3) of section 501 of the Labor Management Relations Act, 1947 (29 U.S.C. 142 (1) and (3)).

(II) EMPLOYEE.—The term “employee” has the same meaning given such term in section 3(e) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(e)).

(III) PERSON.—The term “person” has the same meaning given such term in section 3(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 203(a)).

(C) PREDECESSORS.—Any reference in this paragraph to an employer shall include a reference to any predecessor of such employer.

(5) EMPLOYMENT BENEFITS.—The term “employment benefits” means all benefits provided or made available to employees by an employer, including group life insurance,

health insurance, disability insurance, sick leave, annual leave, educational benefits, and pensions, regardless of whether such benefits are provided by a practice or written policy of an employer or through an “employee benefit plan”, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)).

(6) HEALTH CARE PROVIDER.—The term “health care provider” means a provider who—

(A)(i) is a doctor of medicine or osteopathy who is authorized to practice medicine or surgery (as appropriate) by the State in which the doctor practices; or

(ii) is any other person determined by the Secretary to be capable of providing health care services; and

(B) is not employed by an employer for whom the provider issues certification under this Act.

(7) PAID SICK TIME.—The term “paid sick time” means an increment of compensated leave that can be earned by an employee for use during an absence from employment for any of the reasons described in paragraphs (1) through (4) of section 5(b).

(8) PARENT.—The term “parent” means a biological, foster, or adoptive parent of an employee, a stepparent of an employee, or a legal guardian or other person who stood in loco parentis to an employee when the employee was a child.

(9) SECRETARY.—The term “Secretary” means the Secretary of Labor.

(10) SEXUAL ASSAULT.—The term “sexual assault” has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(11) SPOUSE.—The term “spouse”, with respect to an employee, has the meaning given such term by the marriage laws of the State in which the employee resides.

(12) STALKING.—The term “stalking” has the meaning given the term in section 40002(a) of the Violence Against Women Act of 1994 (42 U.S.C. 13925(a)).

(13) VICTIM SERVICES ORGANIZATION.—The term “victim services organization” means a nonprofit, nongovernmental organization that provides assistance to victims of domestic violence, sexual assault, or stalking or advocates for such victims, including a rape crisis center, an organization carrying out a domestic violence, sexual assault, or stalking prevention or treatment program, an organization operating a shelter or providing counseling services, or a legal services organization or other organization providing assistance through the legal process.

SEC. 5. PROVISION OF PAID SICK TIME.

(a) ACCRUAL OF PAID SICK TIME.—

(1) IN GENERAL.—An employer shall permit each employee employed by the employer to earn not less than 1 hour of paid sick time for every 30 hours worked, to be used as described in subsection (b). An employer shall not be required to permit an employee to earn, under this section, more than 56 hours of paid sick time in a calendar year, unless the employer chooses to set a higher limit.

(2) EXEMPT EMPLOYEES.—

(A) IN GENERAL.—Except as provided in paragraph (3), for purposes of this section, an employee who is exempt from overtime requirements under section 13(a)(1) of the Fair Labor Standards Act of 1938 (29 U.S.C. 213(a)(1)) shall be assumed to work 40 hours in each workweek.

(B) SHORTER NORMAL WORKWEEK.—If the normal workweek of such an employee is less than 40 hours, the employee shall earn paid sick time based upon that normal work week.

(3) DATES OF ACCRUAL AND USE.—Employees shall begin to earn paid sick time under this section at the commencement of their employment. An employee shall be entitled to use the earned paid sick time beginning on the 60th calendar day following commencement of the employee’s employment. After that 60th calendar day, the employee may use the paid sick time as the time is earned. An employer may, at the discretion of the employer, loan paid sick time to an employee in advance of the earning of such time under this section by such employee.

(4) CARRYOVER.—

(A) IN GENERAL.—Except as provided in subparagraph (B), paid sick time earned under this section shall carry over from 1 calendar year to the next.

(B) CONSTRUCTION.—This Act shall not be construed to require an employer to permit an employee to accrue more than 56 hours of earned paid sick time at a given time.

(5) EMPLOYERS WITH EXISTING POLICIES.—Any employer with a paid leave policy who makes available an amount of paid leave that is sufficient to meet the requirements of this section and that may be used for the same purposes and under the same conditions as the purposes and conditions outlined in subsection (b) shall not be required to permit an employee to earn additional paid sick time under this section.

(6) CONSTRUCTION.—Nothing in this section shall be construed as requiring financial or other reimbursement to an employee from an employer upon the employee’s termination, resignation, retirement, or other separation from employment for earned paid sick time that has not been used.

(7) REINSTATEMENT.—If an employee is separated from employment with an employer and is rehired, within 12 months after that separation, by the same employer, the employer shall reinstate the employee’s previously earned paid sick time. The employee shall be entitled to use the earned paid sick time and earn additional paid sick time at the recommencement of employment with the employer.

(8) PROHIBITION.—An employer may not require, as a condition of providing paid sick time under this Act, that the employee involved search for or find a replacement worker to cover the hours during which the employee is using paid sick time.

(b) USES.—Paid sick time earned under this section may be used by an employee for any of the following:

(1) An absence resulting from a physical or mental illness, injury, or medical condition of the employee.

(2) An absence resulting from obtaining professional medical diagnosis or care, or preventive medical care, for the employee.

(3) An absence for the purpose of caring for a child, a parent, a spouse, or any other individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship, who—

(A) has any of the conditions or needs for diagnosis or care described in paragraph (1) or (2); and

(B) in the case of someone who is not a child, is otherwise in need of care.

(4) An absence resulting from domestic violence, sexual assault, or stalking, if the time is to—

(A) seek medical attention for the employee or the employee’s child, parent, or spouse, or an individual related to the employee as described in paragraph (3), to recover from physical or psychological injury or disability caused by domestic violence, sexual assault, or stalking;

(B) obtain or assist a related person described in paragraph (3) in obtaining services from a victim services organization;

(C) obtain or assist a related person described in paragraph (3) in obtaining psychological or other counseling;

(D) seek relocation; or

(E) take legal action, including preparing for or participating in any civil or criminal legal proceeding related to or resulting from domestic violence, sexual assault, or stalking.

(c) **SCHEDULING.**—An employee shall make a reasonable effort to schedule a period of paid sick time under this Act in a manner that does not unduly disrupt the operations of the employer.

(d) **PROCEDURES.**—

(1) **IN GENERAL.**—Paid sick time shall be provided upon the oral or written request of an employee. Such request shall—

(A) include the expected duration of the period of such time;

(B) in a case in which the need for such period of time is foreseeable at least 7 days in advance of such period, be provided at least 7 days in advance of such period; and

(C) otherwise, be provided as soon as practicable after the employee is aware of the need for such period.

(2) **CERTIFICATION IN GENERAL.**—

(A) **PROVISION.**—

(i) **IN GENERAL.**—Subject to subparagraph (C), an employer may require that a request for paid sick time under this section for a purpose described in paragraph (1), (2), or (3) of subsection (b) be supported by a certification issued by the health care provider of the eligible employee or of an individual described in subsection (b)(3), as appropriate, if the period of such time covers more than 3 consecutive workdays.

(ii) **TIMELINESS.**—The employee shall provide a copy of such certification to the employer in a timely manner, not later than 30 days after the first day of the period of time. The employer shall not delay the commencement of the period of time on the basis that the employer has not yet received the certification.

(B) **SUFFICIENT CERTIFICATION.**—

(i) **IN GENERAL.**—A certification provided under subparagraph (A) shall be sufficient if it states—

(I) the date on which the period of time will be needed;

(II) the probable duration of the period of time;

(III) the appropriate medical facts within the knowledge of the health care provider regarding the condition involved, subject to clause (ii); and

(IV)(aa) for purposes of paid sick time under subsection (b)(1), a statement that absence from work is medically necessary;

(bb) for purposes of such time under subsection (b)(2), the dates on which testing for a medical diagnosis or care is expected to be given and the duration of such testing or care; and

(cc) for purposes of such time under subsection (b)(3), in the case of time to care for someone who is not a child, a statement that care is needed for an individual described in such subsection, and an estimate of the amount of time that such care is needed for such individual.

(ii) **LIMITATION.**—In issuing a certification under subparagraph (A), a health care provider shall make reasonable efforts to limit the medical facts described in clause (i)(III) that are disclosed in the certification to the minimum necessary to establish a need for the employee to utilize paid sick time.

(C) **REGULATIONS.**—Regulations prescribed under section 13 shall specify the manner in which an employee who does not have health insurance shall provide a certification for purposes of this paragraph.

(D) **CONFIDENTIALITY AND NONDISCLOSURE.**—

(i) **PROTECTED HEALTH INFORMATION.**—Nothing in this Act shall be construed to require a health care provider to disclose information in violation of section 1177 of the Social Security Act (42 U.S.C. 1320d-6) or the regulations promulgated pursuant to section 264(c) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1320d-2 note).

(ii) **HEALTH INFORMATION RECORDS.**—If an employer possesses health information about an employee or an employee's child, parent, spouse or other individual described in subsection (b)(3), such information shall—

(I) be maintained on a separate form and in a separate file from other personnel information;

(II) be treated as a confidential medical record; and

(III) not be disclosed except to the affected employee or with the permission of the affected employee.

(3) **CERTIFICATION IN THE CASE OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, OR STALKING.**—

(A) **IN GENERAL.**—An employer may require that a request for paid sick time under this section for a purpose described in subsection (b)(4) be supported by 1 of the following forms of documentation:

(i) A police report indicating that the employee, or a member of the employee's family described in subsection (b)(4), was a victim of domestic violence, sexual assault, or stalking.

(ii) A court order protecting or separating the employee or a member of the employee's family described in subsection (b)(4) from the perpetrator of an act of domestic violence, sexual assault, or stalking, or other evidence from the court or prosecuting attorney that the employee or a member of the employee's family described in subsection (b)(4) has appeared in court or is scheduled to appear in court in a proceeding related to domestic violence, sexual assault, or stalking.

(iii) Other documentation signed by an employee or volunteer working for a victim services organization, an attorney, a police officer, a medical professional, a social worker, an antiviolence counselor, or a member of the clergy, affirming that the employee or a member of the employee's family described in subsection (b)(4) is a victim of domestic violence, sexual assault, or stalking.

(B) **REQUIREMENTS.**—The requirements of paragraph (2) shall apply to certifications under this paragraph, except that—

(i) subclauses (III) and (IV) of subparagraph (B)(i) and subparagraph (B)(ii) of such paragraph shall not apply;

(ii) the certification shall state the reason that the leave is required with the facts to be disclosed limited to the minimum necessary to establish a need for the employee to be absent from work, and the employee shall not be required to explain the details of the domestic violence, sexual assault, or stalking involved; and

(iii) with respect to confidentiality under subparagraph (D) of such paragraph, any information provided to the employer under this paragraph shall be confidential, except to the extent that any disclosure of such information is—

(I) requested or consented to in writing by the employee; or

(II) otherwise required by applicable Federal or State law.

SEC. 6. POSTING REQUIREMENT.

(a) **IN GENERAL.**—Each employer shall post and keep posted a notice, to be prepared or approved in accordance with procedures specified in regulations prescribed under section 13, setting forth excerpts from, or summaries of, the pertinent provisions of this Act including—

(1) information describing paid sick time available to employees under this Act;

(2) information pertaining to the filing of an action under this Act;

(3) the details of the notice requirement for a foreseeable period of time under section 5(d)(1)(B); and

(4) information that describes—

(A) the protections that an employee has in exercising rights under this Act; and

(B) how the employee can contact the Secretary (or other appropriate authority as described in section 8) if any of the rights are violated.

(b) **LOCATION.**—The notice described under subsection (a) shall be posted—

(1) in conspicuous places on the premises of the employer, where notices to employees (including applicants) are customarily posted; or

(2) in employee handbooks.

(c) **VIOLATION; PENALTY.**—Any employer who willfully violates the posting requirements of this section shall be subject to a civil fine in an amount not to exceed \$100 for each separate offense.

SEC. 7. PROHIBITED ACTS.

(a) **INTERFERENCE WITH RIGHTS.**—

(1) **EXERCISE OF RIGHTS.**—It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right provided under this Act, including—

(A) discharging or discriminating against (including retaliating against) any individual, including a job applicant, for exercising, or attempting to exercise, any right provided under this Act;

(B) using the taking of paid sick time under this Act as a negative factor in an employment action, such as hiring, promotion, or a disciplinary action; or

(C) counting the paid sick time under a no-fault attendance policy or any other absence control policy.

(2) **DISCRIMINATION.**—It shall be unlawful for any employer to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, for opposing any practice made unlawful by this Act.

(b) **INTERFERENCE WITH PROCEEDINGS OR INQUIRIES.**—It shall be unlawful for any person to discharge or in any other manner discriminate against (including retaliating against) any individual, including a job applicant, because such individual—

(1) has filed an action, or has instituted or caused to be instituted any proceeding, under or related to this Act;

(2) has given, or is about to give, any information in connection with any inquiry or proceeding relating to any right provided under this Act; or

(3) has testified, or is about to testify, in any inquiry or proceeding relating to any right provided under this Act.

(c) **CONSTRUCTION.**—Nothing in this section shall be construed to state or imply that the scope of the activities prohibited by section 105 of the Family and Medical Leave Act of 1993 (29 U.S.C. 2615) is less than the scope of the activities prohibited by this section.

SEC. 8. ENFORCEMENT AUTHORITY.

(a) **IN GENERAL.**—

(1) **DEFINITION.**—In this subsection:

(A) the term "employee" means an employee described in subparagraph (A) or (B) of section 4(3); and

(B) the term "employer" means an employer described in subclause (I) or (II) of section 4(4)(A)(i).

(2) INVESTIGATIVE AUTHORITY.—

(A) IN GENERAL.—To ensure compliance with the provisions of this Act, or any regulation or order issued under this Act, the Secretary shall have, subject to subparagraph (C), the investigative authority provided under section 11(a) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(a)), with respect to employers, employees, and other individuals affected.

(B) OBLIGATION TO KEEP AND PRESERVE RECORDS.—An employer shall make, keep, and preserve records pertaining to compliance with this Act in accordance with section 11(c) of the Fair Labor Standards Act of 1938 (29 U.S.C. 211(c)) and in accordance with regulations prescribed by the Secretary.

(C) REQUIRED SUBMISSIONS GENERALLY LIMITED TO AN ANNUAL BASIS.—The Secretary shall not require, under the authority of this paragraph, an employer to submit to the Secretary any books or records more than once during any 12-month period, unless the Secretary has reasonable cause to believe there may exist a violation of this Act or any regulation or order issued pursuant to this Act, or is investigating a charge pursuant to paragraph (4).

(D) SUBPOENA AUTHORITY.—For the purposes of any investigation provided for in this paragraph, the Secretary shall have the subpoena authority provided for under section 9 of the Fair Labor Standards Act of 1938 (29 U.S.C. 209).

(3) CIVIL ACTION BY EMPLOYEES OR INDIVIDUALS.—

(A) RIGHT OF ACTION.—An action to recover the damages or equitable relief prescribed in subparagraph (B) may be maintained against any employer in any Federal or State court of competent jurisdiction by one or more employees or individuals or their representative for and on behalf of—

(i) the employees or individuals; or

(ii) the employees or individuals and others similarly situated.

(B) LIABILITY.—Any employer who violates section 7 (including a violation relating to rights provided under section 5) shall be liable to any employee or individual affected—

(i) for damages equal to—

(I) the amount of—

(aa) any wages, salary, employment benefits, or other compensation denied or lost by reason of the violation; or

(bb) in a case in which wages, salary, employment benefits, or other compensation have not been denied or lost, any actual monetary losses sustained as a direct result of the violation up to a sum equal to 56 hours of wages or salary for the employee or individual;

(II) the interest on the amount described in subclause (I) calculated at the prevailing rate; and

(III) an additional amount as liquidated damages; and

(ii) for such equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(C) FEES AND COSTS.—The court in an action under this paragraph shall, in addition to any judgment awarded to the plaintiff, allow a reasonable attorney's fee, reasonable expert witness fees, and other costs of the action to be paid by the defendant.

(4) ACTION BY THE SECRETARY.—

(A) ADMINISTRATIVE ACTION.—The Secretary shall receive, investigate, and at-

tempt to resolve complaints of violations of section 7 (including a violation relating to rights provided under section 5) in the same manner that the Secretary receives, investigates, and attempts to resolve complaints of violations of sections 6 and 7 of the Fair Labor Standards Act of 1938 (29 U.S.C. 206 and 207).

(B) CIVIL ACTION.—The Secretary may bring an action in any court of competent jurisdiction to recover the damages described in paragraph (3)(B)(i).

(C) SUMS RECOVERED.—Any sums recovered by the Secretary pursuant to subparagraph (B) shall be held in a special deposit account and shall be paid, on order of the Secretary, directly to each employee or individual affected. Any such sums not paid to an employee or individual affected because of inability to do so within a period of 3 years shall be deposited into the Treasury of the United States as miscellaneous receipts.

(5) LIMITATION.—

(A) IN GENERAL.—Except as provided in subparagraph (B), an action may be brought under paragraph (3), (4), or (6) not later than 2 years after the date of the last event constituting the alleged violation for which the action is brought.

(B) WILLFUL VIOLATION.—In the case of an action brought for a willful violation of section 7 (including a willful violation relating to rights provided under section 5), such action may be brought within 3 years of the date of the last event constituting the alleged violation for which such action is brought.

(C) COMMENCEMENT.—In determining when an action is commenced under paragraph (3), (4), or (6) for the purposes of this paragraph, it shall be considered to be commenced on the date when the complaint is filed.

(6) ACTION FOR INJUNCTION BY SECRETARY.—The district courts of the United States shall have jurisdiction, for cause shown, in an action brought by the Secretary—

(A) to restrain violations of section 7 (including a violation relating to rights provided under section 5), including the restraint of any withholding of payment of wages, salary, employment benefits, or other compensation, plus interest, found by the court to be due to employees or individuals eligible under this Act; or

(B) to award such other equitable relief as may be appropriate, including employment, reinstatement, and promotion.

(7) SOLICITOR OF LABOR.—The Solicitor of Labor may appear for and represent the Secretary on any litigation brought under paragraph (4) or (6).

(8) GOVERNMENT ACCOUNTABILITY OFFICE AND LIBRARY OF CONGRESS.—Notwithstanding any other provision of this subsection, in the case of the Government Accountability Office and the Library of Congress, the authority of the Secretary of Labor under this subsection shall be exercised respectively by the Comptroller General of the United States and the Librarian of Congress.

(b) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—The powers, remedies, and procedures provided in the Congressional Accountability Act of 1995 (2 U.S.C. 1301 et seq.) to the Board (as defined in section 101 of that Act (2 U.S.C. 1301)), or any person, alleging a violation of section 202(a)(1) of that Act (2 U.S.C. 1312(a)(1)) shall be the powers, remedies, and procedures this Act provides to that Board, or any person, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(C).

(c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—The powers,

remedies, and procedures provided in chapter 5 of title 3, United States Code, to the President, the Merit Systems Protection Board, or any person, alleging a violation of section 412(a)(1) of that title, shall be the powers, remedies, and procedures this Act provides to the President, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(D).

(d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.—The powers, remedies, and procedures provided in title 5, United States Code, to an employing agency, provided in chapter 12 of that title to the Merit Systems Protection Board, or provided in that title to any person, alleging a violation of chapter 63 of that title, shall be the powers, remedies, and procedures this Act provides to that agency, that Board, or any person, respectively, alleging an unlawful employment practice in violation of this Act against an employee described in section 4(3)(E).

(e) REMEDIES FOR STATE EMPLOYEES.—

(1) WAIVER OF SOVEREIGN IMMUNITY.—A State's receipt or use of Federal financial assistance for any program or activity of a State shall constitute a waiver of sovereign immunity, under the 11th amendment to the Constitution or otherwise, to a suit brought by an employee of that program or activity under this Act for equitable, legal, or other relief authorized under this Act.

(2) OFFICIAL CAPACITY.—An official of a State may be sued in the official capacity of the official by any employee who has complied with the procedures under subsection (a)(3), for injunctive relief that is authorized under this Act. In such a suit the court may award to the prevailing party those costs authorized by section 722 of the Revised Statutes (42 U.S.C. 1988).

(3) APPLICABILITY.—With respect to a particular program or activity, paragraph (1) applies to conduct occurring on or after the day, after the date of enactment of this Act, on which a State first receives or uses Federal financial assistance for that program or activity.

(4) DEFINITION OF PROGRAM OR ACTIVITY.—In this subsection, the term "program or activity" has the meaning given the term in section 606 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-4a).

SEC. 9. COLLECTION OF DATA ON PAID SICK TIME AND FURTHER STUDY.

(a) COMPILATION OF INFORMATION.—Effective 90 days after the date of enactment of this Act, the Commissioner of Labor Statistics shall annually compile information on the following:

(1) The number of employees who used paid sick time.

(2) The number of hours of paid sick time used.

(3) The number of employees who used paid sick time for absences necessary due to domestic violence, sexual assault, or stalking.

(4) The demographic characteristics of employees who were eligible for and who used paid sick time.

(b) GAO STUDY.—

(1) IN GENERAL.—The Comptroller General of the United States shall annually conduct a study to determine the following:

(A)(i) The number of days employees used paid sick time and the reasons for the use.

(ii) The number of employees who used the paid sick time for periods of time covering more than 3 consecutive workdays.

(B) The cost and benefits to employers of implementing the paid sick time policies.

(C) The cost to employees of providing certification to obtain the paid sick time.

(D) The benefits of the paid sick time to employees and their family members, including effects on employees' ability to care for their family members or to provide for their own health needs.

(E) Whether the paid sick time affected employees' ability to sustain an adequate income while meeting needs of the employees and their family members.

(F) Whether employers who administered paid sick time policies prior to the date of enactment of this Act were affected by the provisions of this Act.

(G) Whether other types of leave were affected by this Act.

(H) Whether paid sick time affected retention and turnover and costs of presenteeism.

(I) Whether the paid sick time increased the use of less costly preventive medical care and lowered the use of emergency room care.

(J) Whether the paid sick time reduced the number of children sent to school when the children were sick.

(2) AGGREGATING DATA.—The data collected under subparagraphs (A) and (D) of paragraph (1) shall be aggregated by gender, race, disability, earnings level, age, marital status, family type, including parental status, and industry.

(3) REPORTS.—

(A) IN GENERAL.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

(B) FOLLOWUP REPORT.—Not later than 5 years after the date of enactment of this Act, the Comptroller General of the United States shall prepare and submit a followup report to the appropriate committees of Congress concerning the results of the study conducted pursuant to paragraph (1) and the data aggregated under paragraph (2).

SEC. 10. EFFECT ON OTHER LAWS.

(a) FEDERAL AND STATE ANTIDISCRIMINATION LAWS.—Nothing in this Act shall be construed to modify or affect any Federal or State law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability.

(b) STATE AND LOCAL LAWS.—Nothing in this Act shall be construed to supersede (including preempting) any provision of any State or local law that provides greater paid sick time or leave rights (including greater paid sick time or leave, or greater coverage of those eligible for paid sick time or leave) than the rights established under this Act.

SEC. 11. EFFECT ON EXISTING EMPLOYMENT BENEFITS.

(a) MORE PROTECTIVE.—Nothing in this Act shall be construed to diminish the obligation of an employer to comply with any contract, collective bargaining agreement, or any employment benefit program or plan that provides greater paid sick leave or other leave rights to employees or individuals than the rights established under this Act.

(b) LESS PROTECTIVE.—The rights established for employees under this Act shall not be diminished by any contract, collective bargaining agreement, or any employment benefit program or plan.

SEC. 12. ENCOURAGEMENT OF MORE GENEROUS LEAVE POLICIES.

Nothing in this Act shall be construed to discourage employers from adopting or retaining leave policies more generous than policies that comply with the requirements of this Act.

SEC. 13. REGULATIONS.

(a) IN GENERAL.—

(1) AUTHORITY.—Except as provided in paragraph (2), not later than 180 days after the date of enactment of this Act, the Secretary shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in subparagraph (A) or (B) of section 4(3) and other individuals affected by employers described in subclause (I) or (II) of section 4(4)(A)(i).

(2) GOVERNMENT ACCOUNTABILITY OFFICE; LIBRARY OF CONGRESS.—The Comptroller General of the United States and the Librarian of Congress shall prescribe the regulations with respect to employees of the Government Accountability Office and the Library of Congress, respectively and other individuals affected by the Comptroller General of the United States and the Librarian of Congress, respectively.

(b) EMPLOYEES COVERED BY CONGRESSIONAL ACCOUNTABILITY ACT OF 1995.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Board of Directors of the Office of Compliance shall prescribe (in accordance with section 304 of the Congressional Accountability Act of 1995 (2 U.S.C. 1384)) such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(C) and other individuals affected by employers described in section 4(4)(A)(i)(III).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Board may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(c) EMPLOYEES COVERED BY CHAPTER 5 OF TITLE 3, UNITED STATES CODE.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the President (or the designee of the President) shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(D) and other individuals affected by employers described in section 4(4)(A)(i)(IV).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the President (or designee) may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementation of the rights and protections involved under this section.

(d) EMPLOYEES COVERED BY CHAPTER 63 OF TITLE 5, UNITED STATES CODE.—

(1) AUTHORITY.—Not later than 120 days after the date of enactment of this Act, the Director of the Office of Personnel Management shall prescribe such regulations as are necessary to carry out this Act with respect to employees described in section 4(3)(E) and other individuals affected by employers described in section 4(4)(A)(i)(V).

(2) AGENCY REGULATIONS.—The regulations prescribed under paragraph (1) shall be the same as substantive regulations promulgated by the Secretary to carry out this Act except insofar as the Director may determine, for good cause shown and stated together with the regulations prescribed under paragraph (1), that a modification of such regulations would be more effective for the implementa-

tion of the rights and protections involved under this section.

SEC. 14. EFFECTIVE DATES.

(a) EFFECTIVE DATE.—This Act shall take effect 6 months after the date of issuance of regulations under section 13(a)(1).

(b) COLLECTIVE BARGAINING AGREEMENTS.—In the case of a collective bargaining agreement in effect on the effective date prescribed by subsection (a), this Act shall take effect on the earlier of—

(1) the date of the termination of such agreement; or

(2) the date that occurs 18 months after the date of issuance of regulations under section 13(a)(1).

By Mrs. BOXER:

S. 992. A bill to amend the Public Health Service Act to establish direct care registered nurse-to-patient staffing ratio requirements in hospitals, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mrs. BOXER. Mr. President, as we mark the end of National Nurses Week, I want to express my heartfelt appreciation to the nurses who serve on the front lines of our health care system. Nurses are heroes, not just to their patients, but to the families and loved ones who rely on their compassion and care.

While we celebrate nurses this week, we must also acknowledge that too many nurses are overworked because of staffing levels that are simply inadequate.

For decades nurses have been telling us that we need more of them to provide quality care to our loved ones, especially in hospitals. Study after study has been done, we know there is a nationwide nursing shortage.

By 2020, it is estimated that the demand for full time nurses will exceed supply by 1 million nurses.

That is why I am introducing the National Nursing Shortage Reform and Patient Advocacy Act, which will not only help address the nationwide shortage of skilled nurses, it will improve the quality of health care for all Americans.

The National Nursing Shortage Reform and Patient Advocacy Act champions nursing rights, nursing ratios, and nursing reform.

This bill protects the rights of nurses to speak out for their patients and to speak out for themselves, without the fear of discrimination or retaliation, because if there is a problem in a hospital nurses should be able to talk about it.

This bill sets minimum nurse to patient ratios, because if we expect nurses to give patients high quality care we need to give nurses the time to provide it. It lays out a transparent process for establishing staffing plans in hospitals and puts forward the tools for nurses to report inadequate staffing or care.

This bill reforms the role of hospitals not just in working with nurses to improve care, but also in training nurses.

It creates mentorship and preceptorship programs to support nurses as they adapt to the hospital setting and grow in their profession.

Twelve years ago, nurses in California fought and won a major battle for their patients and for themselves, and the results were minimum nurse to patient ratios in California hospitals.

I am proud to join with nurses in their effort to improve care for their patients, and introduce Federal legislation that would extend these rights, ratios and reforms to nurses in hospitals across the country.

Reports on California ratios have only begun to show what so many of the nurses I meet already know, that setting a minimum standard for safe staffing can mean the difference between life and death of patients.

A 2002 study found that for every patient added to a nurse's workload there is a 7 percent increase in the chance of death following common surgeries.

In California, the hospitals that have seen the greatest effect in reduced mortality were the ones that started with the worst staffing ratios.

We also know that hospitals are losing good nurses because of these staffing shortages. A poll of nurses nationwide found that almost half of the nurses who plan to quit their job say that inadequate staffing is the reason they are leaving. The cost of replacing these valuable workers has been estimated at \$25,000 to \$60,000 per nurse. That is an added cost that we know our health care system cannot afford.

Too many nurses get burned out by being overloaded with too many patients. Too many nurses have given up on serving in hospitals because the hospitals have given up on providing a better environment for both nurses and patients.

Investing more in nursing staff will help hospitals avoid costly medical mistakes and provide better care for their patients and most importantly, will save lives.

I joined many of my colleagues in supporting provisions of health care reform that invested in our health care workforce. At 2.9 million strong, nurses are the largest health care workforce in our country, and this investment is long overdue.

I am pleased to share that this bill has the support of the California Nurses Association as well as AFSCME-United Nurses of America.

Nurses are not just the face of the movement to improve health care in our country, they are the face of health care in our country. This bill is for them and the patients they so faithfully serve.

By Mr. KIRK (for himself, Mr. MENENDEZ, Mr. LAUTENBERG, and Mr. DURBIN):

S. 994. A bill to amend title 23, United States Code, to protect States

that have in effect laws or orders with respect to pay-to-play reform, and for other purposes; to the Committee on Environment and Public Works.

Mr. KIRK. Mr. President, I am pleased to join my colleagues Senators MENENDEZ, LAUTENBERG and DURBIN in introducing the State Ethics Law Protection Act. This legislation would ensure that States are allowed to pass meaningful ethics reform laws without being penalized by the Federal government.

Current law allows the Federal Highway Administration, FHWA, to withhold Federal highway funds from States that ban pay-to-play contracting. At least 9 States and 60 cities have enacted anti pay-to-play laws. These laws vary widely, but they generally limit political contributions from entities doing business with the state. The FHWA claims that these laws could reduce the number of potential bidders, thus violating an unrestricted bidding requirement set forth in Federal law. FHWA has selectively threatened to withhold money to certain States. In my home State of Illinois, the State legislature was forced to change its pay-to-play law just days after our former governor was indicted for allegedly engaging in numerous pay-to-play schemes. Illinois was forced to create a giant loophole in the ethics law so as not to lose out on millions in Federal transportation funds.

States have the right to ensure their contracting processes adhere to the highest ethical standards and offer the best protection to the taxpayers. Selected Federal intervention is an unwarranted and unhelpful power grab by Federal regulators. Pay-to-play laws are designed to enhance, not undermine, competitive bidding. They are designed to ensure that the competitive bidding process is open and fair, not motivated by political considerations.

Our legislation would allow States to pass ethics laws that are in their best interests, without fear of Federal retaliation, by amending FHWA's contracting requirements to explicitly provide that no State or locality shall be considered in violation of the competitive bidding requirements based on political contributions. The legislation does not prescribe any new requirements for states, nor does it advocate for the passage of any single ethics law. The bill simply allows States to enact meaningful anti-corruption laws if they choose to do so. As Federal budgets tighten in these challenging economic times, it is imperative that we not hamstring States even further by denying them Federal funds for trying to limit public corruption.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 994

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "State Ethics Law Protection Act of 2011".

SEC. 2. PAY-TO-PLAY REFORM.

Section 112 of title 23, United States Code, is amended by adding at the end the following:

"(h) PAY-TO-PLAY REFORM.—A State transportation department shall not be considered to have violated a requirement of this section solely because the State in which that State transportation department is located, or a local government within that State, has in effect a law or an order that limits the amount of money an individual or entity that is doing business with a State or local agency with respect to a Federal-aid highway project may contribute to a political party, campaign, candidate, or elected official."

By Mr. KIRK:

S. 995. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

Mr. KIRK. Mr. President, I am pleased to introduce the Public Officials Accountability Act, to ensure that our elected leaders cannot use their office for their own personal benefit. Public corruption has turned the "Land of Honest Abe" into the "Land of Political Corruption." Illinois is the 6th most corrupt state in the Union, based on the number of public corruption convictions over the last decade. If just the northern district of Illinois were a state, it would have had the 7th highest number of public corruption convictions in the country in 2009. Illinois taxpayers pay the price for this in the form of a hidden public corruption tax. We need to make sure our laws help Federal prosecutors crack down on public corruption and restore integrity to Illinois. One such tool is the honest services law.

For the past 30 years, the Department of Justice has fought public corruption by convicting scores of public officials who deny citizens the right to "honest services." We are all too familiar with politicians failing to perform their public duties honestly in Illinois.

The most famous Illinois politicians to be convicted of honest services fraud include former Governor Otto Kerner, late Congressman Dan Rostenkowski, former city of Chicago official Robert Sorich, and former Governor George Ryan. William Jefferson and Congressman Bob Ney are a few notable national figures to be convicted of this crime.

Back in Illinois, our former governor Rod Blagojevich is currently on trial after having turned Illinois into a corrupt political circus and a national joke. A number of charges in his original indictment were based on honest services fraud, including those related

to his alleged scheme to sell President Obama's U.S. Senate seat for his own personal gain.

Unfortunately, last year the Supreme court drastically narrowed the scope of the honest services law in the famous 2010 Enron decision, *Skilling v. U.S.* The Court struck down a significant portion of the law because it was unconstitutionally vague. As a result of the Supreme Court review, U.S. prosecutors reindicted Blagojevich, leaving out all honest services charges so as not to complicate the case. Blagojevich later was convicted on just one charge.

The Blagojevich case was not the only one affected by the decision. According to the Wall Street Journal, "In 2008 and 2009, the government brought honest services fraud charges in more than 100 cases a year," but in 2010 "new prosecutions using the statute slowed to a trickle" due to the Supreme Court review of the issue.

In order to continue fighting public corruption effectively, the Department of Justice asked Congress to enact a clear and specific honest services law to withstand any constitutional review. Our bill, the Public Officials Accountability Act, would do just that. It would very clearly reinstate the portion of the law the Supreme Court struck down in terms that remove all ambiguity. The Public Officials Accountability Act would restore one of prosecutors' most important tools and decades of congressional intent to ensure elected leaders cannot use their office to further their own careers or pocketbooks.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 995

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Public Officials Accountability Act".

SEC. 2. PROHIBITION ON UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.

(a) IN GENERAL.—Chapter 63 of title 18, United States Code, is amended by inserting after section 1346 the following new section: "**§ 1346A. Undisclosed self-dealing by public officials**

"(a) UNDISCLOSED SELF-DEALING BY PUBLIC OFFICIALS.—For purposes of this chapter, the term 'scheme or artifice to defraud' also includes a scheme or artifice by a public official to engage in undisclosed self-dealing.

"(b) DEFINITIONS.—As used in this section: "(1) OFFICIAL ACT.—The term 'official act'—

"(A) includes any act within the range of official duty, and any decision, recommendation, or action on any question, matter, cause, suit, proceeding, or controversy, which may at any time be pending, or which may by law be brought before any public official, in such public official's official capacity or in such official's place of trust or profit;

"(B) may be a single act, more than one act, or a course of conduct; and

"(C) includes a decision or recommendation that a government should not take action.

"(2) PUBLIC OFFICIAL.—The term 'public official' means an officer, employee, or elected or appointed representative, or person acting for or on behalf of, the United States, a State, or a subdivision of a State, or any department, agency or branch of government thereof, in any official function, under or by authority of any such department, agency, or branch of government.

"(3) STATE.—The term 'State' includes a State of the United States, the District of Columbia, and any commonwealth, territory, or possession of the United States.

"(4) UNDISCLOSED SELF-DEALING.—The term 'undisclosed self-dealing' means that—

"(A) a public official performs an official act for the purpose, in whole or in part, of benefitting or furthering a financial interest of—

"(i) the public official;

"(ii) the spouse or minor child of a public official;

"(iii) a general business partner of the public official;

"(iv) a business or organization in which the public official is serving as an employee, officer, director, trustee, or general partner; or

"(v) an individual, business, or organization with whom the public official is negotiating for, or has any arrangement concerning, prospective employment or financial compensation; and

"(B) the public official knowingly falsifies, conceals, covers up, or fails to disclose material information regarding that financial interest that is required to be disclosed by any Federal, State, or local statute, rule, regulation, or charter applicable to the public official."

(b) CONFORMING AMENDMENT.—The table of sections for chapter 63 of title 18, United States Code, is amended by inserting after the item relating to section 1346 the following new item:

"1346A. Undisclosed self-dealing by public officials."

(c) APPLICABILITY.—The amendments made by this section apply to acts engaged in on or after the date of the enactment of this Act.

By Mr. AKAKA (for himself, Mr. HARKIN, and Mr. DURBIN):

S. 998. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Health, Education, Labor, and Pensions.

Mr. AKAKA. Mr. President, today I am introducing the Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act to ensure fair treatment of commercial airline pilot retirees. Joining me in this effort are Senators HARKIN and DURBIN, as well as Representative GEORGE MILLER, who is introducing the companion bill in the House of Representatives today.

The Pension Benefit Guaranty Corporation, PBGC, is the Federal agency

that assumes responsibility for pension plans that are terminated because they do not have enough money to pay all benefits. PBGC's insurance program pays monthly benefits to the retirees that the pension plan provided, up to the limits set by law. PBGC requires individuals to retire at age 65 to receive the maximum retirement benefit. For years, this law was in conflict with the Federal Aviation Administration, FAA, requirement that pilots retire by age 60. For commercial airline pilots caught between these conflicting policies, their retirement benefits were significantly reduced.

Congress partially addressed this issue with the passage of the Fair Treatment of Experienced Pilots Act, which was signed into law on December 13, 2007. The Act increased the FAA mandatory retirement age for pilots to age 65. However, the change did nothing to help those pilots who had already retired. As such, pilots who retired while the FAA age 60 rule was in effect are still denied the maximum pension benefit administered by the PBGC and are unable to rejoin the workforce as pilots.

The conflicting FAA and PBGC requirements have had a substantial adverse effect on thousands of retired pilots. In general, these pilots have had their maximum retirement benefit reduced by one-third. For example, the maximum benefit from the PBGC for someone that retired at age 65 in 2006 is \$47,659 a year. For those who retired at age 60 of that same year, the maximum is \$30,978. Our legislation ends this unfair penalty. The Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act would direct the PBGC to calculate pension benefits based on retirement eligibility beginning at age 60 instead of age 65 for retired pilots whose pensions are affected by the discrepancy between the FAA and PBGC retirement requirements. We must pass this bill to provide some relief for pilots from Aloha Airlines, Delta, TWA, United Airlines, and US Airways, as well as other pilots who have had their pensions terminated and taken over by the PBGC and suffer from this wrongly imposed penalty.

I urge my colleagues to support this bill so that we can finally correct this wrong.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 998

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Pension Benefit Guaranty Corporation Pilots Equitable Treatment Act".

SEC. 2. AGE REQUIREMENT FOR AIRLINE PILOTS.

(a) SINGLE-EMPLOYER PLAN BENEFITS GUARANTEED.—Section 4022(b)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322(b)(3)) is amended by inserting at the end the following: “If, at the time of termination of a plan under this title, or at the time of freezing benefit accruals under a plan pursuant to subsections (a)(1) and (b) of section 402 of the Pension Protection Act of 2006, regulations prescribed by the Federal Aviation Administration required an individual to separate from service as a commercial airline pilot after attaining any age before age 65, this paragraph shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65. The calculation of benefit liabilities and unfunded benefit liabilities under this section, and the allocation of assets under section 4044, shall not reflect any additional benefits the corporation must guarantee due to the application of the preceding sentence.”.

(b) AGGREGATE LIMIT ON BENEFITS GUARANTEED; CRITERIA APPLICABLE.—Section 4022B(a) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1322b(a)) is amended by adding at the end the following: “If, at the time of termination of a plan under this title, or at the time of freezing benefit accrual under a plan pursuant to subsections (a)(1) and (b) of section 402 of the Pension Protection Act of 2006, regulations prescribed by the Federal Aviation Administration required an individual to separate from service as a commercial airline pilot after attaining any age before age 65, this subsection shall be applied to an individual who is a participant in the plan by reason of such service by substituting such age for age 65.”.

SEC. 3. EFFECTIVE DATE.

The amendments made by this Act shall apply to benefits payable on or after the date of enactment of this Act.

By Mr. ENZI (for himself, Mr. BARRASSO, Mr. HATCH, Mr. RISCH, and Mr. CORNYN):

S.J. Res. 12. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the legislatures of two-thirds of the several States; to the Committee on the Judiciary.

Mr. ENZI. Mr. President, I rise today to discuss the growing burdens placed on states by our Federal Government in recent years and how we can stop this trend.

Our States have faced many Federal mandates in recent years that have hurt, not helped, the citizenry of our country. In 2009 alone, the Federal Government issued over 3,300 new rules and regulations. This puts the total number of Federal rules and regulations placed on our States and citizens at around 75,000 as of 2010. In addition, incredible price tags have been placed on our citizens due to these laws and regulations. Our country is facing trillions of dollars in debt and forcing further expenses onto our taxpayers is inexcusable.

This Federal top-down approach does not encourage a strong economy.

States and local governments should have the ability to address the needs of their citizens in ways that actually fix the problem without their hands being tied by burdensome Federal rules, regulations, and laws. I have always believed that the ingenuity of individuals should not be hampered and top-down approaches do just that. As of now, states have one recourse, go through the court system which is already backlogged.

No matter who has the political power within our Federal Government, States need to have the ability to force the Federal Government to reconsider laws and regulations that do not support them. Providing states with the option of repealing any Federal law or regulation is the next step. Allowing a repeal option would also institute a check against egregious congressional actions and especially un-elected bureaucratic action.

Today, I am introducing the Repeal Amendment to address this issue. My colleague Representative ROB BISHOP of Utah is introducing this important piece of legislation in the House of Representatives so that we can give the states a real voice. Allowing States the option to say no will allow them the breathing room to decide what policies are best for them.

The Repeal Amendment would allow States to remove unnecessary and burdensome Federal laws and regulations. When 2/3 of the States collectively find a Federal law or regulation so out of touch and destructive, they will have the power to repeal it if they so choose.

States must be given back their role as an equal partner in addressing the needs and issues of the people of the United States. The growing Federal Government must be put in check and I believe that the Repeal Amendment will do just that.

SUBMITTED RESOLUTIONS**SENATE RESOLUTION 181—DESIGNATING MAY 15, 2011, AS “NATIONAL MPS AWARENESS DAY”**

Mr. GRAHAM (for himself, Mr. CONRAD, Mr. BURR, Mr. INOUE, Mr. BEGICH, Mr. KERRY, and Ms. MURKOWSKI) submitted the following resolution, which was considered and agreed to:

S. RES. 181

Whereas mucopolysaccharidosis (referred to in this resolution as “MPS”) are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system,

bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases;

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2011, as “National MPS Awareness Day”; and

(2) supports the goals and ideals of “National MPS Awareness Day”.

SENATE RESOLUTION 182—EXPRESSING THE CONDOLENCES OF THE UNITED STATES TO THE VICTIMS OF THE DEVASTATING TORNADOES THAT TOUCHED DOWN IN THE SOUTH IN APRIL 2011, COMMENDING THE RESILIENCY OF THE PEOPLE OF THE AFFECTED STATES, INCLUDING THE PEOPLE OF THE STATES OF ALABAMA, TENNESSEE, MISSISSIPPI, GEORGIA, VIRGINIA, AND NORTH CAROLINA, AND COMMITTING TO STAND BY THE PEOPLE AFFECTED IN THE RELIEF AND RECOVERY EFFORTS

Mr. SESSIONS (for himself, Mr. SHELBY, Mr. ALEXANDER, Mr. CORKER, Mr. COCHRAN, Mr. WICKER, Mr. CHAMBLISS, Mr. ISAKSON, Mr. BURR, and Mrs. HAGAN) submitted the following resolution; which was considered and agreed to:

S. RES. 182

Whereas during the month of April 2011, a historic series of powerful storms and tornadoes tracked across the South;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that more than 600 tornadoes were produced by storms that occurred across the United States in April 2011;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that 305 tornadoes were produced by storms that occurred across the South during the period of April 25 through 28, 2011;

Whereas the previous record number of tornadoes occurring during the month of April was 267 tornadoes, which was set in April 1974, and the previous record number of tornadoes during any month was 542 tornadoes, which was set in May 2003;

Whereas the National Oceanic and Atmospheric Administration estimates that there were at least 358 fatalities as a result of the storms and tornadoes in April 2011;

Whereas as of the date of approval of this resolution, the number of fatalities resulting from the devastating storms and tornadoes in the State of Alabama is approaching 250;

Whereas there were 38 fatalities resulting from the devastating storms and tornadoes in the State of Tennessee;

Whereas tornadoes in the State of Mississippi resulted in at least 35 fatalities, at least 163 injuries, and at least 2,500 damaged homes, of which approximately 1,000 were severely damaged or destroyed;

Whereas as of the date of approval of this resolution, the total number of fatalities in the State of Georgia is at least 15;

Whereas tornadoes and massive storms in the Commonwealth of Virginia resulted in at least 6 fatalities, destroyed more than 160 homes, and caused damage to more than 800 homes and businesses;

Whereas a number of tornadoes touched down in the Virginia counties of Gloucester, Goochland, Halifax, Middlesex, Pulaski, Shenandoah, and Washington;

Whereas in April 2011, devastating storms and at least 30 tornadoes resulted in 24 fatalities in the State of North Carolina;

Whereas the Tuscaloosa-Birmingham tornado of April 27, 2011, which caused at least 65 fatalities and more than 1,000 injuries, had a maximum width of 1.5 miles and a track length of 80 miles;

Whereas Smithville, Mississippi, a town of fewer than 900, lost 15 of its citizens, as well as its post office, school, city hall, most of its churches, and almost every home;

Whereas an Enhanced Fujita category 5 (referred to in this preamble as an "EF5") tornado is defined by the National Weather Service of the National Oceanic and Atmospheric Administration as the rarest and most severe type of tornado, with sustained winds of greater than 200 miles per hour and that results in total destruction of well-built, structurally-sound buildings;

Whereas 3 of the 5 EF5 rated tornadoes recorded in the United States since 2000 occurred as part of the April 25 through 28, 2011 tornado outbreak in the States of Mississippi and Alabama;

Whereas the Washington County, Virginia tornado traveled approximately 14 miles and had a maximum path width of 2 miles;

Whereas the National Weather Service estimates that 40 tornadoes hit the State of Tennessee from April 27 through 28, 2011;

Whereas the National Weather Service has confirmed that a total of 15 tornadoes hit the State of Georgia throughout the period of April 25 through 28, 2011, including a powerful EF4 tornado which devastated the city of Ringgold, Georgia;

Whereas dozens of rural communities throughout the South, including in the

States of Alabama, Mississippi, Georgia, Tennessee, Virginia, and North Carolina, have been decimated by the devastating storms and tornadoes of April 2011;

Whereas more than 500 homes were damaged or destroyed in the State of Tennessee as a result of the devastating storms and tornadoes;

Whereas the massive storms impacted cities and towns in the State of Alabama, including Arab, Berry, Birmingham, Concord, Eclectic, Forkland, Fultondale, Hackleburg, Phil Campbell, Pleasant Grove, Rainsville, and Tuscaloosa;

Whereas President Obama declared 10 counties in the State of Tennessee to be in a state of major disaster and approved the request made by Governor Haslam for Federal disaster assistance;

Whereas the tornado that swept from Monroe County, Mississippi into Marion County, Alabama and destroyed Smithville, Mississippi was—

(1) the sixth deadliest tornado ever recorded in the State of Mississippi;

(2) the first EF5 tornado recorded in the State of Mississippi since 1966; and

(3) the first EF5 tornado recorded in the United States since May 2008.

Whereas the massive storms and tornadoes caused widespread damage in the Georgian counties of Bartow, Catoosa, Cherokee, Coweta, Dade, Floyd, Gordon, Greene, Habersham, Harris, Heard, Lamar, Lumpkin, Meriwether, Monroe, Morgan, Newton, Pickens, Polk, Rabun, Spalding, Troup, Upson, Walker, and White;

Whereas the massive storms and tornadoes caused widespread damage in the North Carolina counties of Bertie, Bladen, Craven, Cumberland, Currituck, Greene, Halifax, Harnett, Hertford, Hoke, Johnston, Lee, Onslow, Pitt, Robeson, Sampson, Tyrell, Wake, and Wilson;

Whereas the tornado that swept from Neshoba County, Mississippi to Noxubee County, Mississippi was just the second EF5 tornado recorded in the State of Mississippi since 1966;

Whereas April 27, 2011, marks the third highest number of tornado-related fatalities occurring in a single day since March 18, 1925, when a series of tornadoes caused 747 fatalities across 7 States;

Whereas as of the date of approval of this resolution, the total number of fatalities resulting from the devastating storms and tornadoes remains unknown;

Whereas the suffering and distress of thousands of people affected by the storms and tornadoes is ongoing, particularly for those who lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is critically needed in many of the devastated regions;

Whereas the local emergency responders, National Guard, and many ordinary citizens of the affected regions have risked their lives to save others;

Whereas throughout the crisis, doctors, nurses, and medical personnel in the affected regions worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas many faith-based organizations and other volunteer organizations and charities are supplying the victims of the storms and tornadoes with food, water, and shelter;

Whereas the Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina Emergency Management Agencies, the first responders in the affected communities, and countless volunteers immediately came to the aid of those affected by the storms;

Whereas the Governor of Alabama, Robert Bentley, the Governor of Tennessee, Bill Haslam, the Governor of Mississippi, Haley Barbour, the Governor of Georgia, Nathan Deal, the Governor of Virginia, Robert McDonnell, and the Governor of North Carolina, Beverly Perdue, reacted swiftly and with great leadership in the immediate aftermath of the destructive storms and tornadoes;

Whereas President Obama responded quickly and efficiently to approve the requests made by Governors Bentley, Haslam, Barbour, Deal, and Perdue for Federal disaster assistance;

Whereas in response to the declaration by the President of a major disaster, the Administrator of the Federal Emergency Management Agency has made federal disaster assistance available for the State of Alabama and elsewhere in the South to assist in local recovery efforts; and

Whereas thousands of volunteers and government employees from across the United States have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the heartfelt condolences of the Senate to the families and friends of those who lost their lives, homes, and livelihoods in the tragic storms and tornadoes of April 2011;

(2) commends the resiliency and courage of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina;

(3) extends the wishes of the Senate for a full recovery for all those who were injured in the storms and tornadoes;

(4) extends the thanks of the Senate to the forecasters, first responders, firefighters, law enforcement personnel, volunteers, and medical personnel who took quick action to provide warnings, aid, and comfort to the victims of the storms and tornadoes;

(5) commits to provide the necessary resources and to stand by the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, in the relief, recovery, and rebuilding efforts; and

(6) stands with the people affected by the storms and tornadoes, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, as those people begin the healing process following this terrible event.

SENATE RESOLUTION 183—DESIGNATING MAY 14, 2011, AS "NATIONAL POLICE SURVIVORS DAY"

Ms. MURKOWSKI (for herself, Mrs. MURRAY, Mr. KERRY, Ms. MIKULSKI, Mr. MCCONNELL, Mrs. FEINSTEIN, and Mr. WHITEHOUSE) submitted the following resolution; which was considered and agreed to:

S. RES. 183

Whereas the National Law Enforcement Officers Memorial in Judiciary Square in Washington, D.C. lists on a Wall of Remembrance the names of more than 19,000 law enforcement officers who have died in the line of duty;

Whereas in the United States, 1 law enforcement officer is killed every 53 hours;

Whereas in 2010, 152 law enforcement officers lost their lives in the line of duty;

Whereas on May 14, 1983, on the eve of the 2nd annual National Peace Officers' Memorial Service, 10 widows of fallen law enforcement officers came together to discuss the lack of support for law enforcement survivors;

Whereas 1 year later, that discussion led to the formation of Concerns of Police Survivors, Inc. at the 1st annual National Police Survivors' Seminar, which drew 110 law enforcement survivors from throughout the United States;

Whereas Concerns of Police Survivors, Inc. has grown to serve more than 15,000 surviving families of fallen law enforcement officers by providing healing, love, and the opportunity for a renewed life;

Whereas Concerns of Police Survivors, Inc. and its 52 chapters throughout the United States provide a program of peer support and counseling to law enforcement survivors, help survivors obtain the death benefits to which they are entitled, and sponsor scholarships to enable children and surviving spouses to pursue postsecondary education;

Whereas Concerns of Police Survivors, Inc. sponsors a year-round series of seminars, meetings, and youth activities, including the National Police Survivors' Seminar during National Police Week, retreats for parents, spouses, and siblings, and programs and summer activities for children;

Whereas Concerns of Police Survivors, Inc. helps law enforcement agencies cope with the loss of an officer by promoting the adoption of standardized policies and procedures for line-of-duty deaths; and

Whereas Concerns of Police Survivors, Inc. inspires the public to recognize the sacrifices made by law enforcement families by encouraging all citizens of the United States to tie a blue ribbon to their car antenna during National Police Week: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 14, 2011, as "National Police Survivors Day"; and

(2) calls on the people of the United States to observe "National Police Survivors Day" with appropriate ceremonies to pay respect to—

(A) the survivors of the fallen heroes of law enforcement; and

(B) the fallen law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the community.

SENATE RESOLUTION 184—RECOGNIZING THE LIFE AND SERVICE OF THE HONORABLE HUBERT H. HUMPHREY, DISTINGUISHED FORMER SENATOR FROM THE STATE OF MINNESOTA AND FORMER VICE PRESIDENT OF THE UNITED STATES, UPON THE 100TH ANNIVERSARY OF HIS BIRTH

Ms. KLOBUCHAR (for herself and Mr. FRANKEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 184

Whereas Hubert H. Humphrey was born in Wallace, South Dakota on May 27, 1911;

Whereas Hubert Humphrey, from his early years, recognized the importance of public service by becoming a registered pharmacist and serving his friends and neighbors in the Humphrey Drug Store in Huron, South Dakota from 1933 to 1937;

Whereas Hubert Humphrey received a Bachelor of Arts degree in political science from the University of Minnesota in 1939 and a Masters of Arts degree from Louisiana State University in 1940, subsequently teaching political science at Macalester College from 1943 to 1944 and at Macalester College and the University of Minnesota from 1969 to 1970;

Whereas Hubert Humphrey served in a variety of leadership positions in Minnesota during World War II, dealing with war production, employment, and manpower;

Whereas Hubert Humphrey served as Mayor of Minneapolis from 1945 to 1948, and during his tenure as mayor, he drove organized crime from the city and, among other achievements, created the Nation's first municipal equal employment opportunity commission;

Whereas Hubert Humphrey was a driving force behind the creation of the Democratic Farmer-Labor Party in Minnesota and was a founding member of Americans for Democratic Action in the aftermath of World War II;

Whereas Hubert Humphrey led forces at the 1948 Democratic National Convention in Philadelphia in support of the minority platform plank on civil rights and equal opportunity, challenging the delegates to "walk out of the shadow of States' rights into the bright sunshine of human rights," resulting in the convention's adoption of the minority plank;

Whereas in 1948, Hubert Humphrey became the first Democrat from Minnesota elected to the Senate;

Whereas during his total 23 years of service in the Senate (including service from 1949 to 1964 and service from 1970 to 1978), Hubert Humphrey compiled a record of accomplishment virtually unmatched in the 20th century, encompassing, among other issues, civil and human rights, workforce development, labor rights, health care, arms control and disarmament, the Peace Corps, small business assistance, education reform, wilderness preservation, immigration reform, and agriculture;

Whereas his service as floor leader during the Senate's consideration of the Civil Rights Act of 1964 was essential to the eventual passage of the Act in the aftermath of breaking the filibuster against this historic legislation;

Whereas Hubert Humphrey, although a dedicated leader of the Democratic Party, always sought bipartisan support for his legislative goals and routinely shared credit with other Senators for his legislative victories;

Whereas Hubert Humphrey, as Vice President of the United States, loyally served President Lyndon Baines Johnson and successfully carried out a number of domestic and overseas assignments;

Whereas Hubert Humphrey, as the Democratic Party's nominee for President of the United States in 1968, waged one of the most courageous and hard-fought campaigns in the history of the United States, losing to Richard Nixon by less than 1 percentage point of the popular vote when he started the campaign some 15 points behind;

Whereas Hubert Humphrey was reelected by the people of Minnesota (in 1970 and 1976) to 2 additional terms in the Senate, thereby continuing his extraordinary record of legislative achievement with passage of such bills as the Humphrey-Hawkins Full Employment Act;

Whereas Hubert Humphrey, terminally ill with cancer, pursued his active public life with great courage, fortitude, and good

humor, and in the memorable words of Vice President Walter F. Mondale at Hubert Humphrey's memorial observance in the rotunda of the United States Capitol, "Hubert Humphrey taught us how to live and he taught us how to die"; and

Whereas the life and service of Hubert Humphrey were posthumously honored by Congress with the presentation of the Congressional Gold Medal, and by the President of the United States with the award of the Medal of Freedom: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, achievements, and distinguished career of Senator and Vice President Hubert H. Humphrey upon the occasion of his 100th birthday;

(2) recognizes that Hubert H. Humphrey's legislative achievements helped resolve many of this Nation's most polarizing issues, such as civil rights, equal opportunity, and nuclear arms control; and

(3) acknowledges the importance of a vibrant and responsive public sector, as illustrated by the numerous legislative achievements of Hubert H. Humphrey and his lifetime of service to all people in the United States and to people around the world.

SENATE CONCURRENT RESOLUTION 17—EXPRESSING THE SENSE OF CONGRESS THAT TAIWAN SHOULD BE ACCORDED OBSERVER STATUS IN THE INTERNATIONAL CIVIL AVIATION ORGANIZATION (ICAO)

Mr. MENENDEZ (for himself, Mr. INHOFE, Mr. WYDEN, Mr. BROWN of Ohio, Mr. CARDIN, Mr. COATS, Mr. BARRASSO, Mr. CRAPO, and Mr. KYL) submitted the following concurrent resolution; which was referred to the Committee on Foreign Relations:

S. CON. RES. 17

Whereas the Convention on International Civil Aviation, signed in Chicago, Illinois, on December 7, 1944, and entered into force April 4, 1947, approved the establishment of the International Civil Aviation Organization (ICAO), stating "The aims and objectives of the Organization are to develop the principles and techniques of international air navigation and to foster the planning and development of international air transport so as to . . . meet the needs of the peoples of the world for safe, regular, efficient and economical air transport";

Whereas, following the terrorist attacks of September 11, 2001, the ICAO convened a high-level Ministerial Conference on Aviation Security that endorsed a global strategy for strengthening aviation security worldwide and issued a public declaration that "a uniform approach in a global system is essential to ensure aviation security throughout the world and that deficiencies in any part of the system constitute a threat to the entire global system," and that there should be a commitment to "foster international cooperation in the field of aviation security and harmonize the implementation of security measures";

Whereas, the 37th ICAO Assembly in October 2010 adopted a Declaration on Aviation Security largely in response to the attempted sabotage of Northwest Airlines Flight 253 on December 25, 2009, which established new criminal penalties for the use of civil aircraft as a weapon, the use of dangerous materials to attack aircraft or other targets on the ground, and the unlawful

transport of biological, chemical, and nuclear weapons and related materials, along with extradition arrangements that facilitate cooperation among nations in apprehending and prosecuting those who have undertaken these and other criminal acts;

Whereas on October 8, 2010, the Department of State praised the 37th ICAO Assembly on its adoption of the Declaration on Aviation Security, but noted that "because every airport offers a potential entry point into this global system, every nation faces the threat from gaps in aviation security throughout the world — and all nations must share the responsibility for securing that system";

Whereas the Taipei Flight Information Region, under the jurisdiction of Taiwan, ROC, covers an airspace of 176,000 square nautical miles and provides air traffic control services to over 1,350,000 flights annually, with the Taiwan Taoyuan International Airport recognized as the 8th and 18th largest airport by international cargo volume and number of international passengers, respectively;

Whereas exclusion from the ICAO since 1971 has impeded the efforts of the Government of Taiwan to maintain civil aviation practices that comport with evolving international standards, due to its inability to contact the ICAO for up-to-date information on aviation standards and norms, secure amendments to the organization's regulations in a timely manner, obtain sufficient and timely information needed to prepare for the implementation of new systems and procedures set forth by the ICAO, receive technical assistance in implementing new regulations, and participate in technical and academic seminars hosted by the ICAO;

Whereas the United States, in the 1994 Taiwan Policy Review, clearly declared its support for the participation of Taiwan in appropriate international organizations, in particular, on September 27, 1994, with the announcement by the Assistant Secretary of State for East Asian and Pacific Affairs that, pursuant to the Review and recognizing Taiwan's important role in transnational issues, the United States "will support its membership in organizations where statehood is not a prerequisite, and [the United States] will support opportunities for Taiwan's voice to be heard in organizations where its membership is not possible"; and

Whereas ICAO rules and existing practices have allowed for the meaningful participation of noncontracting countries as well as other bodies in its meetings and activities through granting of observer status: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of Congress that—

(1) meaningful participation by the Government of Taiwan as an observer in the meetings and activities of the International Civil Aviation Organization (ICAO) will contribute both to the fulfillment of the ICAO's overarching mission and to the success of a global strategy to address aviation security threats based on effective international cooperation;

(2) the United States Government should take a leading role in garnering international support for the granting of observer status to Taiwan in the ICAO for the purpose of such participation; and

(3) the Department of State should provide briefings to or consult with Congress on any efforts conducted by the United States Government in support of Taiwan's attainment of observer status in the ICAO.

NOTICES OF HEARINGS

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Committee on Energy and Natural Resources. The hearing will be held on Tuesday, May 17, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of the hearing will be to hear testimony on the following bills related to oil and gas development:

S. 516. A bill to extend outer Continental Shelf leases to accommodate permitting delays and to provide operators time to meet new drilling and safety requirements.

S. 843. A bill to establish outer Continental Shelf lease and permit processing coordination offices, and for other purposes.

S. 916. A bill to facilitate appropriate oil and gas development on Federal land and waters, to limit dependence of the United States on foreign sources of oil and gas, and for other purposes.

S. 917. A bill to amend the Outer Continental Shelf Lands Act to reform the management of energy and mineral resources on the Outer Continental Shelf, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Meagan_Gins@energy.senate.gov.

For further information, please contact Linda Lance or Meagan Gins.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public that a hearing has been scheduled before the Senate Committee on Energy and Natural Resources. The hearing will be held on Thursday, May 19, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The purpose of this hearing is to receive testimony on policies to reduce oil consumption through the promotion of advanced vehicle technologies and accelerated deployment of electric-drive vehicles, as proposed in S. 734 and S. 948.

Because of the limited time available for the hearing, witnesses may testify by invitation only. However, those wishing to submit written testimony for the hearing record may do so by sending it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by e-mail to Abigail_Campbell@energy.senate.gov.

For further information, please contact Mike Carr or Abigail Campbell.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on May 12, 2011, at 9:30 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 12, 2011, at 9 a.m., in room 366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 12, 2011, at 9 a.m., in room SD-215 of the Dirksen Senate Office Building, to conduct a hearing entitled "Oil and Gas Tax Incentives and Rising Energy Prices."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 12, 2011, at 9:15 a.m., to hold a hearing entitled "Assessing the Situation in Libya."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet, during the session of the Senate, to conduct a hearing entitled "The Endangered Middle Class: Is the American Dream Slipping Out of Reach for American Families?" on May 12, 2011, at 9:15 a.m., in 430 Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m. to conduct a hearing entitled "Ten Years After 9/11: Is Intelligence Reform Working?"

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized

to meet during the session of the Senate, on May 12, 2011, at 9:30 a.m., in SD-226 of the Dirksen Senate Office Building, to conduct an executive business meeting.

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON CLEAN AIR AND NUCLEAR SAFETY

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air and Nuclear Safety of the Committee on Environment and Public Works be authorized

to meet during the session of the Senate on May 12, 2011, at 2:30 p.m. in Dirksen 406 to conduct a hearing entitled "Federal Efforts to Protect Public Health by Reducing Diesel Emissions."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON HOUSING, TRANSPORTATION, AND COMMUNITY DEVELOPMENT

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, Subcommittee on Housing, Transportation, and Community Development, be authorized to meet during the session of the Senate on May 12, 2011, at 2 p.m., to conduct a hearing entitled "The Need for National Mortgage Servicing Standards."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mrs. MURRAY. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 12, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that Carol Bruce and Brian Solarz, with the Senate Ethics Committee, be granted the privilege of the floor during today's session.

The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN TRAVEL FINANCIAL REPORTS

In accordance with the appropriate provisions of law, the Secretary of the Senate herewith submits the following reports for standing committees of the Senate, certain joint committees of the Congress, delegations and groups, and select and special committees of the Senate, relating to expenses incurred in the performance of authorized foreign travel:

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22 U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Tim Rieser:									
United States	Dollar				923.86				923.86
Colombia	Peso		175.00						175.00
Mexico	Peso		566.00						566.00
Senator Richard Durbin:									
United States	Dollar				9,742.70				9,742.70
Lithuania	Litas		325.64						325.64
Belarus	Ruble		271.99						271.99
Chris Homan:									
United States	Dollar				8,018.70				8,018.70
Lithuania	Litas		418.64						418.64
Belarus	Ruble		242.48						242.48
Margaret Cuminsky:									
United States	Dollar				11,812.00				11,812.00
Chile	Peso		970.18						970.18
Jean Toal Eisen:									
United States	Dollar				11,812.00				11,812.00
Chile	Peso		1,276.00						1,276.00
Allen Cutler:									
United States	Dollar				12,012.00				12,012.00
Chile	Peso		1,276.00						1,276.00
Paul Grove:									
United States	Dollar				10,712.30				10,712.30
Thailand	Baht		542.00						542.00
Laos	Kip		458.00						458.00
Burma	Kyat		106.00						106.00
Michele Wyner:									
United States	Dollar				12,966.50				12,966.50
Democratic Republic of the Congo	Franc		420.00						420.00
Rwanda	Franc		144.00						144.00
Senator Lamar Alexander:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Erin Reif:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Thad Cochran:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	Shekel		292.00						292.00
France	Euro		173.00						173.00
Janet Stormes:									
United States	Dollar				10,641.70				10,641.70
Georgia	Lari		90.00						90.00
Turkey	Lira		67.00						67.00
Michele Wyner:									
United States	Dollar				13,580.50				13,580.50
Georgia	Lari		296.00						296.00
Turkey	Lira		354.00						354.00
Russia	Rubles		368.00						368.00
Paul Grove:									
United States	Dollar				3,090.90				3,090.90
Saudi Arabia	Riyal		148.00						148.00

May 12, 2011

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON APPROPRIATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Jordan	Dinar		254.00						254.00
Senator Patrick Leahy:									
Dominican Republic	Peso		540.00						540.00
Nikole Manatt:									
Dominican Republic	Peso		315.28						315.28
Tim Riesen:									
Dominican Republic	Peso		316.82						316.82
Senator Jon Tester:									
United States	Dollar				11,110.50				11,110.50
James Wise:									
Afghanistan	Dollar		156.00						156.00
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		156.00						156.00
Senator Lamar Alexander:									
United Kingdom	Pound		44.25						44.25
United States	Dollar				7,495.30				7,495.30
Total			12,986.03		127,534.16				140,520.19

SENATOR DANIEL K. INOUE,
Chairman, Committee on Appropriations, April 14, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator James M. Inhofe:									
United Arab Emirates	Dollar		14.00						14.00
United States	Dollar				11,060.10				11,060.10
Anthony Lazarski:									
United States	Dollar				11,060.10				11,060.10
United Arab Emirates	Dollar		14.00						14.00
Senator John McCain:									
Colombia	Dollar		48.44						48.44
Brazil	Dollar		228.39						228.39
Chile	Dollar		138.22						138.22
Panama	Dollar		5.20						5.20
Brooke F. Buchanan:									
Colombia	Dollar		157.00						157.00
Brazil	Dollar		169.00						169.00
Chile	Dollar		149.00						149.00
Panama	Dollar		146.00						146.00
David M. Morris:									
United States	Dollar				7,610.00				7,610.00
Saudi Arabia	Dollar		307.00				62.00		369.00
Michael J. Kuiken:									
United States	Dollar				620.40				620.40
Cuba	Peso		530.00						530.00
Daniel A. Lerner:									
United States	Dollar				9,732.00				9,732.00
Germany	Euro		568.71						568.71
Belgium	Euro		829.56						829.56
Senator Jack Reed:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		10.00						10.00
Carolyn Chuhta:									
United States	Dollar				11,110.50				11,110.50
Afghanistan	Dollar		18.00						18.00
Michael J. Noblet:									
United States	Dollar				10,203.00		86.00		10,289.00
Belgium	Euro		387.00						387.00
Germany	Euro		528.00						528.00
Adam J. Barker:									
United States	Dollar				10,203.20				10,203.20
Belgium	Dollar		336.00						336.00
Germany	Dollar		672.00						672.00
Michael J. Kuiken:									
United States	Dollar				10,168.00				10,168.00
Belgium	Euro		387.00						387.00
Germany	Euro		648.00						648.00
Brooke Buchanan:									
Germany	Dollar		382.00						382.00
Senator John McCain:									
Germany	Dollar		47.00						47.00
Lithuania	Dollar		92.00						92.00
Senator Lindsey Graham:									
United States	Dollar				4,409.68				4,409.68
Germany	Dollar		50.00						50.00
Senator Saxby Chambliss:									
Germany	Euro		50.00						50.00
Senator Mark Udall:									
Germany	Dollar		115.00						115.00
Richard W. Fieldhouse:									
United States	Dollar				9,677.00				9,677.00
Germany	Euro		309.00						309.00
Belgium	Euro		554.00						554.00
Senator Carl Levin:									
United States	Dollar				319.00				319.00
Cuba	Peso		729.00						729.00
Christian D. Brose:									
Colombia	Dollar		113.00						113.00
Brazil	Dollar		169.00						169.00
Chile	Dollar		132.00						132.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Panama	Dollar		97.00						97.00
Lithuania	Dollar		86.00						86.00
Germany	Dollar		191.00						191.00
Senator John McCain:									
Morocco	Dollar		188.00						188.00
Tunisia	Dollar		113.54						113.54
Lebanon	Dollar		76.65						76.65
Jordan	Dollar		219.69						219.69
Israel	Dollar		365.13						365.13
Egypt	Dollar		62.57						62.57
Senator Kay R. Hagan:									
Afghanistan	Dollar		14.00						14.00
John M. Harney:									
Afghanistan	Dollar		14.00						14.00
Brooke Buchanan:									
Morocco	Dollar		278.00						278.00
Tunisia	Dollar		276.00						276.00
Lebanon	Dollar		112.00						112.00
Jordan	Dollar		355.00						355.00
Israel	Dollar		392.00						392.00
Egypt	Dollar		142.00						142.00
Senator Joseph I. Lieberman:									
Germany	Euro		141.50						141.50
Christopher J. Griffin:									
Germany	Euro		242.00						242.00
Vance Serchuk:									
Germany	Euro		288.00						288.00
Christopher J. Paul:									
United States	Dollar				11,540.00				11,540.00
United Kingdom	Dollar		1,161.79		94.19				1,255.98
Pablo E. Carrillo:									
United States	Dollar				11,540.80				11,540.80
United Kingdom	Dollar		1,161.79		94.19				1,255.98
William G.P. Monahan:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		304.96						304.96
Afghanistan	Dollar		10.00						10.00
Senator Kay R. Hagan:									
Dominican Republic	Peso		445.41						445.41
Roger Pena:									
Dominican Republic	Peso		401.41						401.41
Senator Lindsey Graham:									
United Kingdom	Dollar				6,225.30				6,225.30
Alice James:									
United Kingdom	Dollar		221.00		6,225.30				6,446.30
Senator James M. Inhofe:									
Burkina Faso	Franc		81.41						81.41
Ethiopia	Birr		205.19						205.19
Israel	Shekel		96.50						96.50
Germany	Euro		95.56						95.56
Luke Holland:									
Burkina Faso	Franc		147.65						147.65
Ethiopia	Birr		254.93						254.93
Israel	Shekel		194.40						194.40
Germany	Euro		180.00						180.00
Anthony Lazarski:									
Burkina Faso	Franc		74.41						74.41
Ethiopia	Birr		180.19						180.19
Israel	Shekel		135.79						135.79
Germany	Euro		81.80						81.80
Mark Powers:									
Burkina Faso	Franc		74.36						74.36
Ethiopia	Birr		206.88						206.88
Israel	Shekel		189.31						189.31
Germany	Euro		98.79						98.79
Christian D. Brose:									
Morocco	Dollar		139.00						139.00
Tunisia	Dollar		211.00						211.00
Lebanon	Dollar		203.00						203.00
Jordan	Dollar		273.00						273.00
Israel	Dollar		317.00						317.00
Egypt	Dollar		129.00						129.00
Matt Rinkunas:									
United Kingdom	Dollar		367.00		6,225.00				6,592.00
Senator Joseph I. Lieberman:									
Tunisia	Dinar		31.65						31.65
Jordan	Dinar		381.27						381.27
Israel	Shekel		255.44						255.44
Egypt	Pound		30.80						30.80
Vance Serchuk:									
Tunisia	Dinar		111.00						111.00
Jordan	Dinar		341.00						341.00
Israel	Shekel		383.00						383.00
Egypt	Pound		126.00						126.00
Margaret Goodlander:									
Tunisia	Dinar		103.00						103.00
Jordan	Dinar		357.00						357.00
Israel	Shekel		376.00						376.00
Egypt	Pound		118.00						118.00
Senator Joe Manchin III:									
Pakistan	Rupee		130.00						130.00
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirhams		193.00						193.00
Jordan	Dinarr		304.00						304.00
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Joanne W. McLaughlin:									
Pakistan	Rupee		130.00						130.00
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirham		193.00						193.00
Jordan	Dinar		304.00						304.00

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON ARMED SERVICES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Chris Kofinis:									
Pakistan	Rupee		130.00						130.00
Afghanistan	Afghani		78.00						78.00
United Arab Emirates	Dirham		193.00						193.00
Jordan	Dinar		304.00						304.00
Israel	Shekel		488.00						488.00
Germany	Euro		340.00						340.00
Senator Carl Levin:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		114.29						114.29
Richard D. DeBobes:									
United States	Dollar				11,075.00				11,075.00
Yemen	Dollar		114.29						114.29
Afghanistan	Dollar		10.00						10.00
Total			27,780.87		182,454.06		148.00		210,382.93

SENATOR CARL LEVIN,
Chairman, Committee on Armed Services, Apr. 12, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Richard C. Shelby:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,674.60				10,674.60
Anne Caldwell:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,674.60				10,674.60
Andrew Olmstead:									
England	Pound		668.48						668.48
Germany	Euro		700.00						700.00
United States	Dollar				10,639.00				10,639.00
William D. Duhnke:									
England	Pound		1,028.00						1,028.00
Germany	Euro		916.00						916.00
United States	Dollar				10,639.00				10,639.00
Senator Richard C. Shelby:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Roger F. Wicker:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Mike Crapo:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
William D. Duhnke:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Anne Caldwell:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Peter Fischer:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
Senator Mark Warner:									
England	Pound		551.00						551.00
Belgium	Euro		367.00						367.00
United States	Dollar				10,856.53				10,856.53
Nathan Steinwald:									
England	Pound		471.00						471.00
Belgium	Euro		350.00						350.00
United States	Dollar				10,856.53				10,856.53
Total			14,405.96		64,340.26				78,746.22

SENATOR TIM JOHNSON,
Chairman, Committee on Banking, Housing, and Urban Affairs, May 2, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON THE BUDGET FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Codel Leahy:									
Senator Kent Conrad:									
Dominican Republic	Peso		445.41						445.41
Sara Garland:									
Dominican Republic	Peso		401.41						401.41
Total			846.82						846.82

SENATOR KENT CONRAD,
Chairman, Committee on the Budget, Apr. 20, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Allyson Anderson:									
United States	Dollar				6,749.20				6,749.20
France	Euro		1,800.00						1,800.00
Total			1,800.00		6,749.20				8,549.20

SENATOR JEFF BINGAMAN,
Chairman, Committee on Energy and Natural Resources, Apr. 11, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Thomas R. Carper:									
United States	Dollar				1,363.70				1,363.70
France	Euro		509.50			419.17			928.67
Laura Haynes:									
United States	Dollar				1,359.70				1,359.70
France	Euro		612.50			339.17			951.67
Senator John Boozman:									
Burkina Faso	Franc		85.00						85.00
Ethiopia	Birr		125.26						125.26
Israel	Shekel		58.84						58.84
Germany	Euro		92.63						92.63
Toni-Marie Higgins:									
Burkina Faso	Franc		74.35						74.35
Ethiopia	Birr		172.54						172.54
Israel	Shekel		47.91						47.91
Germany	Euro		63.99						63.99
Total			1,842.52		2,723.40	758.34			5,324.26

SENATOR BARBARA BOXER,
Chairman, Committee on Environment and Public Works, Apr. 15, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Max Baucus:									
Brazil	Real		99.58						99.58
Colombia	Peso		1,350.69						1,350.69
United States	Dollar				6,749.50				6,749.50
Chelsea Thomas:									
Brazil	Real		274.67						274.67
Colombia	Peso		1,430.87						1,430.87
United States	Dollar				5,673.40				5,673.40
John Lewis:									
Brazil	Real		216.82						216.82
Colombia	Peso		1,429.87						1,429.87
United States	Dollar				5,929.10				5,929.10
Scott Mulhauser:									
Brazil	Real		259.92						259.92
Colombia	Peso		1,503.36						1,503.36
United States	Dollar				6,244.50				6,244.50
Gabriel Adler:									
Brazil	Real		153.69						153.69
Colombia	Peso		1,458.70						1,458.70
United States	Dollar				6,215.40				6,215.40
Michael Smart:									
Brazil	Real		196.90						196.90
Colombia	Peso		1,368.83						1,368.83
United States	Dollar				6,665.50				6,665.50

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON FINANCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Kate Downen:									
Brazil	Real		114.96						114.96
Colombia	Peso		1,193.84						1,193.84
United States	Dollar				5,928.10				5,928.10
*Delegation Expenses:									
United States	Dollar						39,260.00		39,260.00
Senator John Cornyn:									
Turkey	Lira		230.00						230.00
Syria	Pound		216.00						216.00
Israel	New Shekel		292.00						292.00
France	Euro		173.00						173.00
*Delegation Expenses:									
United States	Dollar						3,159.16		3,159.16
Ryan Abraham:									
Luxembourg	Euro		830.73						830.73
United States	Dollar				2,917.00				2,917.00
Thomas Lynch:									
Luxembourg	Euro		827.66						827.66
United States	Dollar				2,915.40				2,915.40
Total			13,622.09		49,237.90		42,419.16		105,279.15

* Delegation expenses include interpretation, transportation, security, embassy overtime and official functions, as well as other official expenses in accordance with the responsibilities of the host country.

SENATOR MAX BAUCUS,
Chairman, Committee on Finance, Apr. 28, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754, COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator John Barrasso:									
Colombia	Peso		38.92						38.92
Brazil	Real		172.26						172.26
Chile	Peso		138.22						138.22
Panama	Dollar		5.20						5.20
Senator John Barrasso:									
Lithuania	Lita		14.00						14.00
Germany	Euro		50.00						50.00
Senator Christopher Coons:									
Afghanistan	Afghani		8.00						8.00
United Arab Emirates	Dirham		250.00						250.00
Jordan	Dinar		300.00						300.00
Israel	Shekel		300.00						300.00
United States	Dollar				11,099.85				11,099.85
Senator Bob Corker:									
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Dirham		19.00						19.00
United States	Dollar				10,480.00				10,480.00
Senator Johnny Isakson:									
Germany	Euro		70.72						70.72
Senator John Kerry:									
Sudan	Dinar		344.24						344.24
Israel	Shekel		12.50						12.50
United States	Dollar				8,766.20				8,766.20
Senator John Kerry:									
Switzerland	Franc		2,638.84						2,638.84
United States	Dollar				10,402.80				10,402.80
Senator John Kerry:									
United States	Dollar				11,717.00				11,717.00
Senator John Kerry:									
United Kingdom	Pound		89.18						89.18
Egypt	Pound		115.26						115.26
Israel	Shekel		111.64						111.64
United States	Dollar				12,873.80				12,873.80
Senator Jeanne Shaheen:									
Germany	Euro		22.00						22.00
Senator Jim Webb:									
Japan	Yen		440.00						440.00
United States	Dollar				13,022.00				13,022.00
Fulton Armstrong:									
United States	Dollar				1,099.35				1,099.35
Jonah Blank:									
Indonesia	Rupiah		1,248.00						1,248.00
Timor Leste	Dollar		297.00						297.00
United States	Dollar				10,358.90				10,358.90
Jason Bruder:									
Belgium	Euro		386.00						386.00
Cyprus	Euro		620.00						620.00
United States	Dollar				3,840.30				3,840.30
Perry Cammack:									
Egypt	Pound		276.00						276.00
Tunisia	Dinar		339.00						339.00
Bahrain	Dinar		298.00						298.00
United States	Dollar				8,914.20				8,914.20
Victor Cervino:									
United States	Dollar				1,106.50				1,106.50
Heidi Crebo-Rediker:									
United Kingdom	Pound		1,574.20						1,574.20
Luxembourg	Euro		477.08						477.08
United States	Dollar				2,458.20				2,458.20
Steven Feldstein:									
India	Rupee		2,816.00						2,816.00
United States	Dollar				8,336.00				8,336.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754, COMMITTEE ON FOREIGN RELATIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Steven Feldstein:									
United States	Dollar				1,099.35				1,099.35
Doug Frantz:									
United Kingdom	Pound		514.00						514.00
Egypt	Pound		167.00						167.00
Israel	Shekel		657.00						657.00
United States	Dollar				10,202.20				10,202.20
Meghan Giulino:									
Costa Rica	Colon		162.00						162.00
United States	Dollar				635.00				635.00
Frank Jannuzi:									
Thailand	Baht		972.00						972.00
Cambodia	Riel		266.00						266.00
United States	Dollar				11,027.30				11,027.30
Tamara Klajn:									
Kenya	Shilling		140.00						140.00
United States	Dollar				3,708.00				3,708.00
Chad Kreikemeier:									
United Kingdom	Pound		93.00						93.00
Belgium	Euro		80.00						80.00
Robin Lerner:									
Jordan	Dinar		250.00						250.00
Tunisia	Dinar		150.00						150.00
Bahrain	Dinar		200.00						200.00
United States	Dollar				10,037.70				10,037.70
Frank Lowenstein:									
Sudan	Dinar		475.50						475.50
Israel	Shekel		12.50						12.50
United States	Dollar				5,595.95				5,595.95
Frank Lowenstein:									
Pakistan	Rupee		60.00						60.00
United States	Dollar				11,717.00				11,717.00
Frank Lowenstein:									
Israel	Shekel		307.00						307.00
United States	Dollar				7,977.20				7,977.20
Nicholas Ma:									
United Kingdom	Pound		1,574.20						1,574.20
Luxembourg	Euro		477.08						477.08
United States	Dollar				2,458.20				2,458.20
Marta McLellan Ross:									
Japan	Yen		440.00						440.00
United States	Dollar				13,022.00				13,022.00
Carl Meacham:									
Panama	Dollar		121.00						121.00
Colombia	Peso		260.00						260.00
United States	Dollar				908.10				908.10
Thomas Moore:									
Russia	Ruble		560.00						560.00
Belgium	Euro		778.00		95.26				873.26
France	Euro		1,150.00						1,150.00
United Kingdom	Pound		414.00						414.00
United States	Dollar				12,533.20				12,533.20
Ann Norris:									
Democratic Republic of Congo	Dollar		225.00						225.00
United States	Dollar				5,811.20				5,811.20
Stacie Oliver:									
United Arab Emirates	Dirham		27.00						27.00
Afghanistan	Afghani		30.00						30.00
Pakistan	Rupee		25.00						25.00
United States	Dollar				10,480.00				10,480.00
Michael Phelan:									
Pakistan	Rupee		130.00						130.00
Germany	Euro		817.00						817.00
United States	Dollar				14,785.40				14,785.40
Shannon Smith:									
Sudan	Dollar		390.00						390.00
United States	Dollar				10,120.00				10,120.00
Shannon Smith:									
Kenya	Shilling		215.00						215.00
United States	Dollar				3,708.00				3,708.00
Halie Soifer:									
United Arab Emirates	Dirham		250.00						250.00
Jordan	Dinar		300.00						300.00
Israel	Shekel		300.00						300.00
Afghanistan	Afghani		8.00						8.00
United States	Dollar				11,099.85				11,099.85
Joel Starr:									
Burkina Faso	CFA		63.94						63.94
Ethiopia	Birr		173.01						173.01
Israel	Shekel		40.52						40.52
Germany	Euro		48.57						48.57
Marik String:									
Georgia	Lari		464.00						464.00
United States	Dollar				10,706.70				10,706.70
Marik String:									
Russia	Ruble		560.00						560.00
Belgium	Euro		778.00		95.26				873.26
France	Euro		1,150.00						1,150.00
United Kingdom	Pound		414.00						414.00
United States	Dollar				12,533.20				12,533.20
Atman Trivedi:									
India	Rupee		2,260.00						2,260.00
United States	Dollar				9,204.10				9,204.00
Total			32,435.58		294,035.27				326,470.85

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CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Susan M. Collins:									
Lithuania	litas		191.00						191.00
Germany	Euro		840.17						840.17
Senator Tom Coburn:									
Austria	Euro		975.85						975.85
Germany	Euro		828.69						828.69
London	Pound		882.27						882.27
Vance Serchuk:									
United States	Dollar				4,416.90				4,416.90
Egypt	Pound		1,312.00						1,312.00
Total			5,029.98		4,416.90				9,446.88

SENATOR JOSEPH I. LIEBERMAN,
Chairman, Committee on Homeland Security and Governmental Affairs,
May 4, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON THE JUDICIARY FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Jon Kyl:									
Germany	Euro		130.17						130.17
Total			130.17						130.17

SENATOR PATRICK J. LEAHY,
Chairman, Committee on the Judiciary, Apr. 1, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON INTELLIGENCE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Randall Bookout			1,427.00						1,427.00
	Dollar				9,902.20				9,902.20
Lorenzo Goco			1,357.00						1,357.00
	Dollar				9,902.00				9,902.00
Andrew Kerr			1,457.00						1,457.00
	Dollar				9,902.20				9,902.20
Clete Johnson			1,415.00						1,415.00
	Dollar				13,290.90				13,290.90
John Maguire			1,411.00						1,411.00
	Dollar				10,729.80				10,729.80
Brian Miller			467.16						467.16
Senator Dan Coats			105.25						105.25
Andrew Kerr			941.00						941.00
	Dollar				14,296.80				14,296.80
John Dickas			777.00						777.00
	Dollar				13,605.60				13,605.60
Theresa Ervin			559.41						559.41
Senator Saxby Chambliss			999.00						999.00
	Dollar					5,898.22			5,898.22
Senator Richard Burr			1,292.00						1,292.00
Jacqueline Russell			1,222.00						1,222.00
Martha Scott Poindexter			918.16						918.16
James Smythers			1,292.00						1,292.00
Jeffrey Howard			898.00						898.00
	Dollar				11,632.50				11,632.50
L. Christine Healey			215.00						215.00
	Dollar				11,092.00				11,092.00
Michael Pevzner			653.00						653.00
	Dollar				11,323.80				11,323.80
John Maguire			576.00						576.00
	Dollar				11,087.50				11,087.50
Senator Dan Coats			1,028.80						1,028.80
Total			19,010.78		126,765.30		5,898.22		151,674.30

SENATOR DIANNE FEINSTEIN,
Chairman, Committee on Intelligence, May 4, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95–384—22 U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Bernie Sanders:									
United States	Dollar				10,666.00				10,666.00
Pakistan	Rupee		446.97						446.97

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Emirati Dirham		20.95						20.95
Steve Robertson:									
United States	Dollar				12,298.00				12,298.00
Pakistan	Rupee		473.97						473.97
Afghanistan	Afghani		15.00						15.00
United Arab Emirates	Emirati Dirham		20.95						20.95
Senator Michael Enzi:									
Turkey	Lira		338.12		67.35				405.47
Syria	Pound		124.53						124.53
Israel	New Shekel		250.33		15.52				265.85
France	Euro		101.15		14.00				115.15
Coy Knobel:									
Turkey	Lira		325.62		67.35				392.97
Syria	Pound		124.53						124.53
Israel	New Shekel		125.25		15.52				140.77
France	Euro		62.06						62.06
Total			2,444.43		23,143.74				25,588.17

SENATOR TOM HARKIN,
Chairman, Committee on Health, Education, Labor, and Pensions,
Apr. 23, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMISSION ON SECURITY AND COOPERATION IN EUROPE FOR TRAVEL FROM JAN. 1 TO MAR. 31, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Hon. Alcee Hastings:									
Austria	Euro		1,281.04						1,281.04
United States	Dollar				6,837.20				6,837.20
Hon. Robert Aderholt:									
Austria	Euro		1,281.04						1,281.04
United States	Dollar				1,345.60				1,345.60
Fred Turner:									
Austria	Euro		1,256.16						1,256.16
Germany	Euro		834.00						834.00
United States	Dollar				3,112.90				3,112.90
Mark Milosch:									
Austria	Euro		899.06						899.06
United States	Dollar				5,505.40				5,505.40
Ronald McNamara:									
Austria	Euro		1,077.04						1,077.04
United States	Dollar				5,505.40				5,505.40
Shelly Han:									
Canada	Dollar		338.49						338.49
United States	Dollar				2,805.73				2,805.73
France	Euro		2,303.00						2,303.00
United States	Dollar				1,045.40				1,045.40
Janice Helwig:									
Uzbekistan	Som		788.00						788.00
United States	Dollar				11,878.80				11,878.80
Alex Johnson:									
Austria	Euro		29,721.00						29,721.00
United States	Dollar				5,444.30				5,444.30
Total			39,778.83		43,480.73				83,259.56

SENATOR BENJAMIN L. CARDIN,
Chairman, Commission on Security and Cooperation in Europe,
Apr. 27, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON CODEL MCCONNELL TRAVEL FROM JAN. 13 TO JAN. 18, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Mitch McConnell:									
Kuwait	Dinar		357.00						357.00
Pakistan	Rupee		195.00						195.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		113.79						113.79
Senator Lindsey Graham:									
Kuwait	Dinar		435.73						435.73
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
Senator Richard Burr:									
Kuwait	Dinar		474.00						474.00
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		230.25						230.25
Senator Pat Toomey:									
Kuwait	Dinar		299.00						299.00
Pakistan	Rupee		262.00						262.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		105.79						105.79
Senator Marco Rubio:									
Kuwait	Dinar		374.00						374.00

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), COMMITTEE ON CODEL McCONNELL TRAVEL FROM JAN. 13 TO JAN. 18, 2011—Continued

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		169.52						169.52
Senator Ron Johnson:									
Kuwait	Dinar								
Pakistan	Rupee								
Afghanistan	Dollar								
United Kingdom	Pound								
Senator Kelly Ayotte:									
Kuwait	Dinar		355.00						355.00
Pakistan	Rupee		194.00						194.00
Afghanistan	Dollar		28.00						28.00
United Kingdom	Pound		80.00						80.00
Roy E. Brownell:									
Kuwait	Dinar		402.00						402.00
Pakistan	Rupee		240.22						240.22
Afghanistan	Dollar		28.00						28.00
Thomas Hawkins:									
Kuwait	Dinar		419.00						419.00
Pakistan	Rupee		268.22						268.22
Afghanistan	Dollar		28.00						28.00
Brian P. Monahan:									
Kuwait	Dinar		361.74						361.74
Pakistan	Rupee		312.00						312.00
Afghanistan	Dollar		28.00						28.00
*Delegation Expenses							9,245.80		
Total			6,836.26				9,245.80		16,082.06

*Delegation expenses include interpretation, transportation, security, embassy overtime and official functions, as well as other official expenses in accordance with the responsibilities of the host country.

SENATOR MITCH McCONNELL,
Chairman, Republican Leader, Mar. 30, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), REPUBLICAN LEADER FOR TRAVEL FROM FEB. 3 TO FEB. 6, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Senator Rob Portman:									
Germany	Euro		1,228.42						1,228.42
Total			1,228.42						1,228.42

SENATOR MITCH McCONNELL,
Chairman, Republican Leader, Apr. 11, 2011.

CONSOLIDATED REPORT OF EXPENDITURE OF FUNDS FOR FOREIGN TRAVEL BY MEMBERS AND EMPLOYEES OF THE U.S. SENATE, UNDER AUTHORITY OF SEC. 22, P.L. 95-384—22
U.S.C. 1754(b), MAJORITY LEADER FOR TRAVEL FROM FEB. 18 TO FEB. 27, 2011

Name and country	Name of currency	Per diem		Transportation		Miscellaneous		Total	
		Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency	Foreign currency	U.S. dollar equivalent or U.S. currency
Thomas Ross:									
United States	Dollar				10,595.60				10,595.60
Pakistan	Rupee								
Burma	Kyat		190.00				207.03		397.03
India	Rupee		689.00				27.15		716.15
Total			879.00		10,595.60		234.18		11,708.78

SENATOR HARRY REID,
Chairman, Majority Leader, Apr. 14, 2011.

ORDERS FOR TUESDAY, MAY 17,
2011

Mr. REID. I ask unanimous consent on Tuesday, May 17, 2011, at 10 a.m., the Senate proceed to executive session to consider Calendar No. 31, that there be 2 hours for debate equally divided in the usual form, that upon the use or yielding back of that time the Senate proceed to vote, without intervening action or debate, on Calendar No. 31; the motion to reconsider be considered made and laid on the table, with no intervening action or debate; that no further motions be in order to the nomi-

nation, and statements related to the nomination be printed in the RECORD; the President be immediately notified and the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENSURING OBJECTIVE INDEPENDENT REVIEW OF TASK AND DELIVERY ORDERS

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 41, S. 498.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 498) to ensure objective independent review of task and delivery orders.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Governmental Affairs, with an amendment.

S. 498

SEC. 3. USE OF EXISTING RESOURCES TO PROCESS TASK AND DELIVERY ORDER PROTESTS.

No amounts are authorized to be appropriated for the specific purpose of processing protests authorized under section 4106(f) of title 41, United States Code, as amended by section 2, and all such protests shall be processed using the existing resources of the Government Accountability Office and executive agencies.

Mr. REID. I ask unanimous consent the committee-reported amendment be agreed to, the bill as amended be read a third time and passed, the motion to reconsider be laid on the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The committee amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 498

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Independent Task and Delivery Order Review Extension Act of 2011".

SEC. 2. EXTENSION OF SUNSET DATE FOR CERTAIN PROTESTS OF TASK AND DELIVERY ORDER CONTRACTS.

Section 4106(f)(3) of title 41, United States Code, is amended to read as follows:

"(3) EFFECTIVE PERIOD.—Paragraph 1(B) and paragraph (2) of this subsection shall not be in effect after September 30, 2016."

SEC. 3. USE OF EXISTING RESOURCES TO PROCESS TASK AND DELIVERY ORDER PROTESTS.

No amounts are authorized to be appropriated for the specific purpose of processing protests authorized under section 4106(f) of title 41, United States Code, as amended by section 2, and all such protests shall be processed using the existing resources of the Government Accountability Office and executive agencies.

RECOGNIZING THE DEFENSE INTELLIGENCE AGENCY ON ITS 50TH ANNIVERSARY

Mr. REID. Mr. President, I ask unanimous consent the Intelligence Committee be discharged from further consideration of S. Res. 86, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 86) recognizing the Defense Intelligence Agency on its 50th Anniversary.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid on the table with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 86) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 86

Whereas, the Defense Intelligence Agency was created in 1961 as the United States lead military intelligence organization, approved by Secretary of Defense Robert McNamara on July 5, 1961, and activated on October 1, 1961;

Whereas, with military and civilian employees worldwide, the Defense Intelligence Agency produces military intelligence to warfighters and policymakers in the Department of Defense and the intelligence community, to support United States military planning, operations, and weapon systems acquisition;

Whereas the Defense Intelligence Agency possesses a diverse and expeditionary workforce that conducts all-source analysis, intelligence collection, and information technology infrastructure support around the world;

Whereas the Defense Intelligence Agency plays a critical role within the Department of Defense, the combatant commands, the intelligence community, and the Defense Intelligence Enterprise through the Defense Attaché System, Defense Counterintelligence and HUMINT Center, National Defense Intelligence College, National Media Exploitation Center, and National Center for Credibility Assessment;

Whereas the Defense Intelligence Agency leads the defense all-source analytic community including the Directorate for Analysis and four specialized centers known as the Underground Facility Analysis Center, the National Center for Medical Intelligence, the Joint Intelligence Task Force-Combating Terrorism, and the Missile and Space Intelligence Center, as well as synchronizes the analytic efforts of the Army National Ground Intelligence Center, Office of Naval Intelligence, Air Force National Air and Space Intelligence Center, Marine Corps Intelligence Activity, and ten United States combatant command intelligence centers;

Whereas the Defense Intelligence Agency has throughout its history provided intelligence support to United States policy makers and military commanders in both war and peacetime during significant national security events including the Cuban Missile Crisis, the Vietnam conflict, the Cold War and its aftermath, operations against state-sponsored terrorist organizations, Operation Desert Storm, and in support of United States military and coalition operations in Somalia, the former Yugoslavia, and Haiti;

Whereas, since the terrorist attacks of September 11, 2001, the men and women of the Defense Intelligence Agency have worked diligently to deter, detect, and prevent acts of terror by providing intelligence support to United States and coalition forces in support of the Global War on Terror, Operation Enduring Freedom in Afghanistan, and Operation Iraqi Freedom; and

Whereas the Defense Intelligence Agency and subordinate organizations within the Agency have been awarded seven Joint Meritorious Unit Awards reflecting the distinctive accomplishments of the personnel assigned to the Defense Intelligence Agency: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the men and women of the Defense Intelligence Agency on the occasion of the Agency's 50th Anniversary;

(2) honors the heroic sacrifice of the employees of the Defense Intelligence Agency who have given their lives, or have been wounded or injured, in the service of the United States during the past 50 years; and

(3) expresses gratitude to all the men and women of the Defense Intelligence Agency for their past and continued efforts to provide timely and accurate intelligence support to deliver overwhelming advantage to our warfighters, defense planners, and defense and national security policymakers in the defense and security of the United States.

RESOLUTIONS SUBMITTED TODAY

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration en bloc of the following resolutions which were submitted earlier today: S. Res. 181, S. Res. 182, and S. Res. 183.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senate will proceed to the consideration of the resolutions en bloc.

Mr. REID. Mr. President, I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, the motions to reconsider be laid upon the table en bloc, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolutions were agreed to.

The preambles were agreed to.

The resolutions, with their preambles, read as follows:

S. RES. 181

(National MPS Awareness Day)

Whereas mucopolysaccharidosis (referred to in this resolution as "MPS") are a group of genetically determined lysosomal storage diseases that render the human body incapable of producing certain enzymes needed to break down complex carbohydrates;

Whereas MPS diseases cause complex carbohydrates to be stored in almost every cell in the body and progressively cause cellular damage;

Whereas the cellular damage caused by MPS—

(1) adversely affects the human body by damaging the heart, respiratory system, bones, internal organs, and central nervous system; and

(2) often results in intellectual disabilities, short stature, corneal damage, joint stiffness, loss of mobility, speech and hearing impairment, heart disease, hyperactivity, chronic respiratory problems, and, most importantly, a drastically shortened life span;

Whereas symptoms of MPS are usually not apparent at birth;

Whereas, without treatment, the life expectancy of an individual afflicted with MPS begins to decrease at a very early stage in the life of the individual;

Whereas research has resulted in the development of limited treatments for some MPS diseases;

Whereas promising advancements in the pursuit of treatments for additional MPS diseases are underway as of the date of agreement to this resolution;

Whereas, despite the creation of new remedies, the blood-brain barrier continues to be a significant impediment to effectively treating the brain, which prevents the treatment of many of the symptoms of MPS;

Whereas the quality of life of the individuals afflicted with MPS, and the treatments available to those individuals, will be enhanced through the development of early detection techniques and early intervention;

Whereas treatments and research advancements for MPS are limited by a lack of awareness about MPS diseases; and

Whereas the lack of awareness about MPS diseases extends to individuals within the medical community;

Whereas the cellular damage that is caused by MPS makes MPS a model for the study of many other degenerative genetic diseases; and

Whereas the development of effective therapies and a potential cure for MPS diseases can be accomplished by increased awareness, research, data collection, and information distribution: Now, therefore, be it

Resolved, That the Senate—

(1) designates May 15, 2011, as “National MPS Awareness Day”; and

(2) supports the goals and ideals of “National MPS Awareness Day”.

S. RES. 182

(Expressing the condolences of the United States to the victims of the devastating tornadoes that touched down in the South)

Whereas during the month of April 2011, a historic series of powerful storms and tornadoes tracked across the South;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that more than 600 tornadoes were produced by storms that occurred across the United States in April 2011;

Whereas preliminary estimates of the National Oceanic and Atmospheric Administration indicate that 305 tornadoes were produced by storms that occurred across the South during the period of April 25 through 28, 2011;

Whereas the previous record number of tornadoes occurring during the month of April was 267 tornadoes, which was set in April 1974, and the previous record number of tornadoes during any month was 542 tornadoes, which was set in May 2003;

Whereas the National Oceanic and Atmospheric Administration estimates that there were at least 358 fatalities as a result of the storms and tornadoes in April 2011;

Whereas as of the date of approval of this resolution, the number of fatalities resulting from the devastating storms and tornadoes in the State of Alabama is approaching 250;

Whereas there were 38 fatalities resulting from the devastating storms and tornadoes in the State of Tennessee;

Whereas tornadoes in the State of Mississippi resulted in at least 35 fatalities, at least 163 injuries, and at least 2,500 damaged homes, of which approximately 1,000 were severely damaged or destroyed;

Whereas as of the date of approval of this resolution, the total number of fatalities in the State of Georgia is at least 15;

Whereas tornadoes and massive storms in the Commonwealth of Virginia resulted in at least 6 fatalities, destroyed more than 160 homes, and caused damage to more than 800 homes and businesses;

Whereas a number of tornadoes touched down in the Virginia counties of Gloucester, Goochland, Halifax, Middlesex, Pulaski, Shenandoah, and Washington;

Whereas in April 2011, devastating storms and at least 30 tornadoes resulted in 24 fatalities in the State of North Carolina;

Whereas the Tuscaloosa-Birmingham tornado of April 27, 2011, which caused at least 65 fatalities and more than 1,000 injuries, had a maximum width of 1.5 miles and a track length of 80 miles;

Whereas Smithville, Mississippi, a town of fewer than 900, lost 15 of its citizens, as well as its post office, school, city hall, most of its churches, and almost every home;

Whereas an Enhanced Fujita category 5 (referred to in this preamble as an “EF5”) tornado is defined by the National Weather Service of the National Oceanic and Atmospheric Administration as the rarest and most severe type of tornado, with sustained winds of greater than 200 miles per hour and that results in total destruction of well-built, structurally-sound buildings;

Whereas 3 of the 5 EF5 rated tornadoes recorded in the United States since 2000 occurred as part of the April 25 through 28, 2011 tornado outbreak in the States of Mississippi and Alabama;

Whereas the Washington County, Virginia tornado traveled approximately 14 miles and had a maximum path width of 2 miles;

Whereas the National Weather Service estimates that 40 tornadoes hit the State of Tennessee from April 27 through 28, 2011;

Whereas the National Weather Service has confirmed that a total of 15 tornadoes hit the State of Georgia throughout the period of April 25 through 28, 2011, including a powerful EF4 tornado which devastated the city of Ringgold, Georgia;

Whereas dozens of rural communities throughout the South, including in the States of Alabama, Mississippi, Georgia, Tennessee, Virginia, and North Carolina, have been decimated by the devastating storms and tornadoes of April 2011;

Whereas more than 500 homes were damaged or destroyed in the State of Tennessee as a result of the devastating storms and tornadoes;

Whereas the massive storms impacted cities and towns in the State of Alabama, including Arab, Berry, Birmingham, Concord, Eclectic, Forkland, Fultondale, Hackleburg, Phil Campbell, Pleasant Grove, Rainsville, and Tuscaloosa;

Whereas President Obama declared 10 counties in the State of Tennessee to be in a state of major disaster and approved the request made by Governor Haslam for Federal disaster assistance;

Whereas the tornado that swept from Monroe County, Mississippi into Marion County, Alabama and destroyed Smithville, Mississippi was—

(1) the sixth deadliest tornado ever recorded in the State of Mississippi;

(2) the first EF5 tornado recorded in the State of Mississippi since 1966; and

(3) the first EF5 tornado recorded in the United States since May 2008.

Whereas the massive storms and tornadoes caused widespread damage in the Georgian counties of Bartow, Catoosa, Cherokee, Coweta, Dade, Floyd, Gordon, Greene, Habersham, Harris, Heard, Lamar, Lumpkin, Meriwether, Monroe, Morgan, Newton, Pickens, Polk, Rabun, Spalding, Troup, Upson, Walker, and White;

Whereas the massive storms and tornadoes caused widespread damage in the North Carolina counties of Bertie, Bladen, Craven, Cumberland, Currituck, Greene, Halifax, Harnett, Hertford, Hoke, Johnston, Lee, Onslow, Pitt, Robeson, Sampson, Tyrell, Wake, and Wilson;

Whereas the tornado that swept from Neshoba County, Mississippi to Noxubee County, Mississippi was just the second EF5 tornado recorded in the State of Mississippi since 1966;

Whereas April 27, 2011, marks the third highest number of tornado-related fatalities occurring in a single day since March 18, 1925, when a series of tornadoes caused 747 fatalities across 7 States;

Whereas as of the date of approval of this resolution, the total number of fatalities resulting from the devastating storms and tornadoes remains unknown;

Whereas the suffering and distress of thousands of people affected by the storms and tornadoes is ongoing, particularly for those who lost loved ones, homes, and livelihoods;

Whereas immediate humanitarian aid is critically needed in many of the devastated regions;

Whereas the local emergency responders, National Guard, and many ordinary citizens of the affected regions have risked their lives to save others;

Whereas throughout the crisis, doctors, nurses, and medical personnel in the affected regions worked expeditiously to ensure that hospitals, medical centers, and triage units provided needed care;

Whereas many faith-based organizations and other volunteer organizations and charities are supplying the victims of the storms and tornadoes with food, water, and shelter;

Whereas the Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina Emergency Management Agencies, the first responders in the affected communities, and countless volunteers immediately came to the aid of those affected by the storms;

Whereas the Governor of Alabama, Robert Bentley, the Governor of Tennessee, Bill Haslam, the Governor of Mississippi, Haley Barbour, the Governor of Georgia, Nathan Deal, the Governor of Virginia, Robert McDonnell, and the Governor of North Carolina, Beverly Perdue, reacted swiftly and with great leadership in the immediate aftermath of the destructive storms and tornadoes;

Whereas President Obama responded quickly and efficiently to approve the requests made by Governors Bentley, Haslam, Barbour, Deal, and Perdue for Federal disaster assistance;

Whereas in response to the declaration by the President of a major disaster, the Administrator of the Federal Emergency Management Agency has made federal disaster assistance available for the State of Alabama and elsewhere in the South to assist in local recovery efforts; and

Whereas thousands of volunteers and government employees from across the United States have committed time and resources to help with recovery efforts: Now, therefore, be it

Resolved, That the Senate—

(1) expresses the heartfelt condolences of the Senate to the families and friends of those who lost their lives, homes, and livelihoods in the tragic storms and tornadoes of April 2011;

(2) commends the resiliency and courage of the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina;

(3) extends the wishes of the Senate for a full recovery for all those who were injured in the storms and tornadoes;

(4) extends the thanks of the Senate to the forecasters, first responders, firefighters, law

enforcement personnel, volunteers, and medical personnel who took quick action to provide warnings, aid, and comfort to the victims of the storms and tornadoes;

(5) commits to provide the necessary resources and to stand by the people of the affected States, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, in the relief, recovery, and rebuilding efforts; and

(6) stands with the people affected by the storms and tornadoes, including the people of the States of Alabama, Tennessee, Mississippi, Georgia, Virginia, and North Carolina, as those people begin the healing process following this terrible event.

S. RES. 183

(National Police Survivors Day)

Whereas the National Law Enforcement Officers Memorial in Judiciary Square in Washington, D.C. lists on a Wall of Remembrance the names of more than 19,000 law enforcement officers who have died in the line of duty;

Whereas in the United States, 1 law enforcement officer is killed every 53 hours;

Whereas in 2010, 152 law enforcement officers lost their lives in the line of duty;

Whereas on May 14, 1983, on the eve of the 2nd annual National Peace Officers' Memorial Service, 10 widows of fallen law enforcement officers came together to discuss the lack of support for law enforcement survivors;

Whereas 1 year later, that discussion led to the formation of Concerns of Police Survivors, Inc. at the 1st annual National Police Survivors' Seminar, which drew 110 law enforcement survivors from throughout the United States;

Whereas Concerns of Police Survivors, Inc. has grown to serve more than 15,000 surviving families of fallen law enforcement officers by providing healing, love, and the opportunity for a renewed life;

Whereas Concerns of Police Survivors, Inc. and its 52 chapters throughout the United States provide a program of peer support and counseling to law enforcement survivors, help survivors obtain the death benefits to which they are entitled, and sponsor scholarships to enable children and surviving spouses to pursue postsecondary education;

Whereas Concerns of Police Survivors, Inc. sponsors a year-round series of seminars, meetings, and youth activities, including the National Police Survivors' Seminar during National Police Week, retreats for parents, spouses, and siblings, and programs and summer activities for children;

Whereas Concerns of Police Survivors, Inc. helps law enforcement agencies cope with the loss of an officer by promoting the adoption of standardized policies and procedures for line-of-duty deaths; and

Whereas Concerns of Police Survivors, Inc. inspires the public to recognize the sacrifices made by law enforcement families by encouraging all citizens of the United States to tie a blue ribbon to their car antenna during National Police Week; Now, therefore, be it

Resolved, That the Senate—

(1) designates May 14, 2011, as "National Police Survivors Day"; and

(2) calls on the people of the United States to observe "National Police Survivors Day" with appropriate ceremonies to pay respect to—

(A) the survivors of the fallen heroes of law enforcement; and

(B) the fallen law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to the community.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H. Con. Res. 16.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 16) authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 16) was agreed to.

AUTHORIZING USE OF THE CAPITOL GROUNDS

Mr. REID. Mr. President, I ask unanimous consent the Senate now proceed to H. Con. Res. 46.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 46) authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. I ask unanimous consent the resolution be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 46) was agreed to.

PROVIDING FOR A CONDITIONAL ADJOURNMENT OF THE HOUSE OF REPRESENTATIVES

Mr. REID. Mr. President, I ask unanimous consent to proceed to H. Con. Res. 50.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 50) providing for a conditional adjournment of the House of Representatives.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. REID. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to, the motion to reconsider be laid upon the table, and there be no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (H. Con. Res. 50) was agreed to.

MEASURES READ THE FIRST TIME—H.R. 1229 AND S. 990

Mr. REID. Mr. President, I am told there are two bills at the desk due for their first reading.

The PRESIDING OFFICER. The clerk will report the bills by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

A bill (S. 990) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

Mr. REID. I now ask for the second readings en bloc, but I object to my own request en bloc.

The PRESIDING OFFICER. Objection is heard. The bills will be read the second time on the next legislative day.

APPOINTMENT

The PRESIDING OFFICER. The Chair announces, on behalf of the Secretary of the Senate, pursuant to Public Law 101-509, the reappointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on the Records of Congress.

ORDERS FOR MONDAY, MAY 16, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, May 16; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, the next rollcall vote will be around noon on

Tuesday, May 17, on the confirmation of the nomination of Susan Carney, of Connecticut, to be a U.S. circuit court judge. Senators are encouraged to come to the floor on Monday to debate the Carney nomination.

ADJOURNMENT UNTIL MONDAY, MAY 16, 2011, AT 2 P.M.

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 5:56 p.m., adjourned until Monday, May 16, 2011, at 2 p.m.

NOMINATIONS

Executive nominations received by the Senate:

POSTAL REGULATORY COMMISSION

MARK D. ACTON, OF KENTUCKY, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2016. (REAPPOINTMENT)
ROBERT G. TAUB, OF NEW YORK, TO BE A COMMISSIONER OF THE POSTAL REGULATORY COMMISSION FOR A TERM EXPIRING OCTOBER 14, 2016, VICE TONY HAMMOND, TERM EXPIRED.

COMMODITY FUTURES TRADING COMMISSION

MARK P. WETJEN, OF NEVADA, TO BE A COMMISSIONER OF THE COMMODITY FUTURES TRADING COMMISSION FOR A TERM EXPIRING JUNE 19, 2016, VICE MICHAEL V. DUNN, TERM EXPIRING.

FOREIGN SERVICE

THE FOLLOWING-NAMED PERSONS OF THE AGENCIES INDICATED FOR APPOINTMENT AS FOREIGN SERVICE OFFICERS OF THE CLASSES STATED.

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS TWO, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

NAADIA LISA PORTER, OF CALIFORNIA

FOR APPOINTMENT AS FOREIGN SERVICE OFFICER OF CLASS THREE, CONSULAR OFFICER AND SECRETARY IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

ENRIQUE A. BRUNET, OF TEXAS
RYAN ANDREW LAIRD MCGONAGLE, OF WASHINGTON
CHRISTINE N. NTEIREHO, OF VIRGINIA
ROSHANAK SALIMI, OF VIRGINIA

THE FOLLOWING-NAMED MEMBERS OF THE FOREIGN SERVICE TO BE CONSULAR OFFICERS AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA.

DEPARTMENT OF COMMERCE

JAY BIGGS, OF OHIO
MARIA B. GALINDO, OF NEW JERSEY
JOSHUA HALPERN, OF NEW YORK

DEPARTMENT OF STATE

OWEN GILBERT ABBE, OF VIRGINIA
CASEY L. ADDIS, OF THE DISTRICT OF COLUMBIA
RYAN J. ALSABAGH, OF VIRGINIA
LAUREN A. ARESTIE, OF VIRGINIA
STACEY ANNE BA, OF KANSAS
KEVIN M. BARRY, OF VIRGINIA
DAVID G. BEAVERS, OF VIRGINIA
JULIE ANNE BEBERMAN, OF THE VIRGIN ISLANDS
RAIN CHE BIAN, OF NEW YORK
IAN MITCHELL BILLARD, OF MISSOURI
CHRISTINA J. BOBADILLA, OF FLORIDA
CARL D. BOOKSING, OF VIRGINIA
KENNETH C. BRENNAN, OF FLORIDA
MICHAEL DAVID BREWER, OF NEW YORK
ROBERT A. BRINK, OF VIRGINIA
JAMES M. BRODT, OF VIRGINIA
M. LAURA BROOKINS, OF THE DISTRICT OF COLUMBIA
KEVIN J. BROSNAHAN, OF THE DISTRICT OF COLUMBIA

THOMAS V. B. BROUNS, OF CALIFORNIA
ANGELA Y. BROWN, OF FLORIDA
WYATT L. BUSBEE, OF VIRGINIA
JOHN K. BYINGTON, OF VIRGINIA
MEAGAN M. BYXBEE, OF WEST VIRGINIA
MERLYN CALDERON, OF CALIFORNIA
ADRIANA CALEJO, OF MARYLAND
BRIAN W. CAMPBELL, OF NEW YORK
DAVID SCOTT CAMPBELL, OF NEW MEXICO
TANYA R. CANADY, OF MARYLAND
DAVID RYAN CARR, OF OREGON
MARIYAM A. CEMENTWALA, OF CALIFORNIA
CHRISTINA CHARCHAR, OF VIRGINIA
DANIEL J. CHASSEN, OF THE DISTRICT OF COLUMBIA
ALICE B. CHEUNG, OF VIRGINIA
JOSHUA L. CHU, OF VIRGINIA
EMILY KATHLEEN CINTORA, OF ARIZONA
WILLIAM BENJAMIN COCKS, OF VIRGINIA
ERIC C. CONCHA, OF FLORIDA
ANDREW WILLIS COOK, OF VIRGINIA
DEVIN WAYNE COOPER, OF VIRGINIA
DIANA L. COSTA, OF MISSOURI
EVA HELENE D'AMBROSIO, OF INDIANA
JANE L. DENHAM, OF TEXAS
RANDALL E. DEPAUL, OF MARYLAND
JOE DICKERSON, OF VIRGINIA
MATTHEW J. DILBER, OF VIRGINIA
JORDAN T. DOVER, OF VIRGINIA
AIMEE DOWL, OF CALIFORNIA
PHILIP MARTIN DREWRY, OF TEXAS
J. SPENCER DRISCOLL, OF WASHINGTON
PAUL A. DUFRESNE, OF VIRGINIA
ANDREW SCOTT DUNN, OF THE DISTRICT OF COLUMBIA
THOMAS M. EDSALL, OF VIRGINIA
TRACY ELLERBY, OF MARYLAND
JOHN D. ELLIOTT, OF GEORGIA
ANDREW J. ELLIS, JR., OF MARYLAND
CHRISTOPHER ELSASSER, OF MARYLAND
ANGELA K. ENG, OF VIRGINIA
SCOTT EPSTEIN, OF VIRGINIA
ANNA ESTRINA, OF NEW YORK
NICOLE M. FINNEMANN, OF MICHIGAN
TERRENCE FINNERAN, OF FLORIDA
CATHERINE DELIA CAMPBELL FISCHER, OF CALIFORNIA
BON FLEMING, OF THE DISTRICT OF COLUMBIA
CLAUDIA S. FOSS, OF VIRGINIA
RUTH A. GASKELL, OF VIRGINIA
BRYAN M. GIBLIN, OF MARYLAND
KENNETH W. GIBSON, OF VIRGINIA
WILLIAM C. GILBERT, OF MISSOURI
KAREN ANDREA GLOECER, OF FLORIDA
JENNIFER L. GOLDSTEIN, OF ILLINOIS
PAUL GARRETT GRADDON, OF WASHINGTON
SARAH R. GROSSBLATT, OF MARYLAND
ROBERT E. GROSSMAN, OF NEW YORK
ALEXIS HART HAFTVANI, OF CALIFORNIA
JERROD E. HANSEN, OF WASHINGTON
JEFFREY WILLIAM HERMANSON, OF VIRGINIA
VALERIE E. HILL, OF VIRGINIA
JOHN OMAR HISHMEH, OF VIRGINIA
NOAH BENJAMIN HOGAN, OF INDIANA
JULIA MAGDALENA HOZAKOWSKA, OF PENNSYLVANIA
JASON HUGHES, OF MISSOURI
CHERYL O. IGIRI, OF THE DISTRICT OF COLUMBIA
OGNIANA VASSILEVA IVANOVA-SRIRAM, OF NEW YORK
KYLE B. JEMISON, OF VIRGINIA
JOHN P. JENKS, OF MARYLAND
JESSICA R. JOHN, OF THE DISTRICT OF COLUMBIA
ERIC W. JOHNSON, OF THE DISTRICT OF COLUMBIA
RUFUS H. JOHNSON, OF VIRGINIA
STACI R. JOHNSON, OF VIRGINIA
ADRIENNE A. JONES, OF VIRGINIA
ANDREW J. JONES, OF THE DISTRICT OF COLUMBIA
ELIOT S. JUNG, OF NEW YORK
KHULOOD KANDIL, OF FLORIDA
JAMES R. KAWKA, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER A. KELLAND, OF VIRGINIA
DEREK R. KELLY, OF NEW YORK
JOHN THOMAS STUART KENNEDY, OF FLORIDA
JOHN H. KENT, OF VIRGINIA
JUSTIN M. KERNS, OF VIRGINIA
KIMBERLY KERR, OF UTAH
DAE GUN KIM, OF CALIFORNIA
MICHAEL R. KISELYCZNYK, OF VIRGINIA
DANIEL D. KOHANSKI, OF CALIFORNIA
JEREMY K. KOLOSOVSKY, OF THE DISTRICT OF COLUMBIA
JAY J. KOMMERS, OF VIRGINIA
KIRSTEN M. KRAWCZYK, OF VIRGINIA
ROBERT MATHEW KUBINEC, OF VIRGINIA
PETER M. LAPPE, OF MARYLAND
MARY LEBEAU, OF FLORIDA
CHUNG JOON LEE, OF CALIFORNIA
FRANK LEE, OF MARYLAND
JACOB JOSEPH LEVIN, OF ILLINOIS
LAURA E. LIPINSKI, OF VIRGINIA
GINA C. LOPRESTO, OF VIRGINIA
JENNIFER G. LUKOWITZ, OF NEW YORK
HOLLY M. MACKEY, OF VIRGINIA
DIANE D. MAENDER, OF THE DISTRICT OF COLUMBIA
CHARLES S. MAFFEY, OF VIRGINIA
MICHELLE D. MALLOY, OF VIRGINIA
DENISE R. MARQUES, OF VIRGINIA
PAUL EDWIN MASTIN, OF COLORADO
TRINA C. BRISCOE MATTHEWS, OF MARYLAND

ALEXANDER MAYER, OF TEXAS
DIMITRY MEDVEDEV, OF NEW JERSEY
KELLY R. MERRICK, OF CALIFORNIA
STEPHANIE G. MIRABELLO, OF VIRGINIA
WILLIAM JAMES MISKELLY III, OF INDIANA
THOMAS R. A. MONTGOMERY, OF CALIFORNIA
DAVID D. MOO, OF MISSOURI
ANDREW NELSON, OF CALIFORNIA
MICHAEL A. NILI, OF VIRGINIA
MANUEL A. ORELLANA, JR., OF MARYLAND
BRENDAN OWEN, OF VIRGINIA
STEVEN C. PAGE, OF VIRGINIA
JOSEPH ROBERT PALOMBO, JR., OF NEW HAMPSHIRE
DAVID D. PEMBERTON, OF VIRGINIA
JEREMY ROSS PETERSON, OF WASHINGTON
RICHARD T. PHELAN, OF VIRGINIA
DANIELLE M. PICARIELLO, OF VIRGINIA
GAVIN DOUGLAS PIERCY, OF ALASKA
JONATHAN PINOLI, OF FLORIDA
ALLEN LEWIS POWELL, OF VIRGINIA
PAUL PROKOP, OF WASHINGTON
JOHN E. REEKE, OF VIRGINIA
THERESA ANN REPEDE, OF VIRGINIA
NATHANIEL DAVID RETTENMAYER, OF VIRGINIA
MICHELLE J. RIFFE, OF VIRGINIA
KEVIN J. RILEY, OF THE DISTRICT OF COLUMBIA
CHRISTOPHER R. RINGENBACH, OF VIRGINIA
DANIEL O'MALLEY RITTENHOUSE, OF NEW YORK
BRUCE W. RITTER, OF VIRGINIA
JAMIE AZI ROBERTS, OF THE DISTRICT OF COLUMBIA
TAM T. ROBERTS, OF VIRGINIA
DAN ROSENTHAL, OF FLORIDA
MARTIN PAUL RYAN, OF WISCONSIN
MINDY NICOLE SARAFI-WIGGIN, OF VIRGINIA
ROBERT LAWRENCE SCHWARTZ, OF THE DISTRICT OF COLUMBIA
BRIAN A. SEIFIPOUR, OF VIRGINIA
BRIAN A. SELLS, OF OHIO
GREGORY SIZEMORE, OF COLORADO
ANDREW R. SMITH, OF VIRGINIA
JEFFREY S. SMITH, OF VIRGINIA
DAMIAN J. STAFFORD, OF NEW YORK
JAMES E. STEVENSON, OF VIRGINIA
LAURA ANN SWANSON, OF VIRGINIA
ERIC SY, OF VIRGINIA
EARL SYMONDS III, OF VIRGINIA
JENNIFER ANN SYMONDS, OF VIRGINIA
DANIEL S. SZASZ, OF VIRGINIA
JESSICA N. TAI, OF VIRGINIA
DENIS TEST, OF CONNECTICUT
STEPHANIE P. THOMAS, OF VIRGINIA
KENNETH S. TOMLINSON, OF VIRGINIA
JOSEPH E. ULMSCHEIDER, OF MARYLAND
JASON J. VAN NORMAN, OF VIRGINIA
SHARON VANDENABEELE, OF MICHIGAN
JACQUELINE D. VAUGHAN, OF VIRGINIA
JULIA B. VELAZQUEZ, OF VIRGINIA
HALIMA KAMRAN VOYLES, OF INDIANA
KARIN S. WALLACE, OF TEXAS
BRANDON THOMAS WATKINS, OF VIRGINIA
KATHY A. WEHRLY, OF WASHINGTON
CAROLEE ANNE WILLIAMSON, OF MINNESOTA
WARREN WILSON, OF TENNESSEE
KATHERINE W. WINKLER, OF VIRGINIA
ABRAHAM D. WISE, OF WASHINGTON
TODD G. WITT, OF VIRGINIA
ALEXANDER T. WOLF, OF THE DISTRICT OF COLUMBIA
JEFFREY GORDON WOODAHL, OF VIRGINIA
DEREK H. WRIGHT, OF INDIANA
JENNIFER T. WU, OF THE DISTRICT OF COLUMBIA
SETH F. YEAGER, OF VIRGINIA
NICHOLAS ZINSMEISTER, OF VIRGINIA
THE FOLLOWING NAMED CAREER MEMBER OF THE FOREIGN SERVICE OF THE DEPARTMENT OF STATE FOR PROMOTION INTO THE SENIOR FOREIGN SERVICE TO THE CLASS INDICATED:
CAREER MEMBER OF THE SENIOR FOREIGN SERVICE OF THE UNITED STATES OF AMERICA, CLASS OF COUNSELOR, EFFECTIVE JANUARY 16, 2010:
RONALD D. ACUFF, OF FLORIDA
MARA R. TEKACH-BALL, OF FLORIDA

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY RESERVE UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

WILLIAM L. NOONEY

CONFIRMATION

Executive nomination confirmed by the Senate May 12, 2011:

THE JUDICIARY

MICHAEL FRANCIS URBANSKI, OF VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF VIRGINIA.

HOUSE OF REPRESENTATIVES—Thursday, May 12, 2011

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. GRAVES of Georgia).

DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 12, 2011.

I hereby appoint the Honorable TOM GRAVES to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 5, 2011, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 11:50 a.m.

THE COLOMBIA TRADE AGREEMENT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. GEORGE MILLER) for 5 minutes.

Mr. GEORGE MILLER of California. This Congress is entering its fifth month without bringing a single jobs bill to the House floor, and there are no jobs bills in sight. But we do hear calls for a series of trade agreements, including ones with Colombia and Korea.

At a time when millions of Americans are still looking for work, the House will be spending time protecting corporate investments in foreign countries and not jobs here at home. At a time when multinational corporations have fired 2.9 million American workers, they will be hiring 2.4 million workers overseas. The House will be spending time shoring up corporate overseas investments rather than encouraging investments here at home. And at a time when so many in the Middle East are rising up for democracy and human rights and are receiving support from the United States for those efforts, the House is taking up trade agreements with Colombia that fails to live up to those very values.

One of our most important responsibilities as elected officials is to promote and to protect American jobs. We do this by trying to ensure that American workers do not face unfair competition with countries that keep wages low by repressing essential democratic rights. These are important rights, the right to speak out, the right to protest, the right to organize unions, the right to bargain collectively and directly with their employers, and to support political efforts to improve their economic conditions without reprisals.

But reprisals are what you get in China. Thousands of strikes last year were met not by their employers but by the police and the army, beating up on the workers who were seeking better wages and better working conditions in plants all across China.

What do you get when you protest your rights in Colombia? You get assassinations. You get death squads against union members, union leaders, members of union families all across the country. The American worker can compete; but you can't compete against the Colombian Army, the Colombian death squads, the Chinese Army. That's not fair competition. But that's what's protected in these trade agreements.

Tragically, Colombia stands out as a country where wages are kept low and workers are repressed through widespread violence and other human rights violations. Colombia has earned the reputation as the most dangerous country on Earth for workers trying to build a better life. During the last Colombian President's 8 years in office, 570 union members were assassinated—149 in the last 3 years—and the violence hasn't stopped with the election of the new President.

Reports of assassinations against union members and leaders keep coming. The two most recent ones include the April 8 assassination of Ramiro Sanchez. He was shot repeatedly as he left a union meeting. Mr. Sanchez had received death threats after organizing workers to demand local hiring at an oil company. And the March 30 assassination of Hector Orozco, who was an official with the peasant farmers' union. He and his colleague Gildardo Garcia were found murdered. Days earlier, Mr. Orozco reported that he and other peasants were threatened by an army officer.

On top of the violence is the problem of impunity. Authorities have only investigated a quarter of the union

killings since 1986. No one has been held accountable for 98 percent of the crimes against unionists. The violence and impunity came together in another recent case. A few weeks ago, Judge Gloria Gaono was shot in the head in broad daylight. At the time, she was presiding over a politically sensitive case of a military officer accused of murdering three children, one of whom he apparently admitted to raping.

Now Colombia has a new President who says he wants to turn the page on Colombia's past. But these murders and human rights violations are not the past. They are happening today. Before we consider any agreement with Colombia on free trade, real changes must come to Colombia. That is why I have joined with colleagues to lay out a series of benchmarks that should be met by Colombia before the Obama administration sends Congress any trade agreement with that country. These benchmarks are designed to reduce the violence, to protect human rights, and to end the impunity of the death squads and the army, and the actions they take against these families. They require on-the-ground results and verification.

The administration, however, has adopted an action plan for Colombia that does not demand the results on the ground. I appreciate that U.S. and Colombia finally are bringing labor rights into the equation, but their plan only demands results on paper. Under their plan, nothing really needs to actually change in Colombia. Colombia could have a record year of assassinations and still meet the requirements of the plan. Indeed, before the action plan has been fully implemented, the administration is already preparing the way with Congress to implement this trade agreement. If this action plan were made fully enforceable under the agreement and into the future, we could have something more than just results on paper. Unless it is enforceable, this is less than a serious commitment. It is not fair to Colombians, and it's not fair to the American workers, and it's not fair to our national values and does not reflect our national values.

The American worker can compete with any worker in the world. They're rated time and again the most productive workers in the world. But they cannot compete against currency manipulation in China. They cannot compete against the Chinese Army that breaks up the rights of workers to protest, and they cannot compete against

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

the death squads that have been assigned to assassinate union members, union leaders, and union families.

NATIONAL LABOR RELATIONS BOARD: PUTTING POLITICS BEFORE THE NEEDS OF THE AMERICAN PEOPLE

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Carolina (Mr. DUNCAN) for 5 minutes.

Mr. DUNCAN of South Carolina. Mr. Speaker, the recent unprecedented action by the National Labor Relations Board is simply the latest example of this administration putting politics before the needs of the American people. I honestly never thought I would see the day when our government sued a company over creating jobs in South Carolina or anywhere in the United States. The NLRB's position violates States' 10th Amendment liberties and attempts to roll back worker protections for the purpose of satisfying special interests and union bosses.

The NLRB was created to protect workers' rights, but now the worker is left out of the equation in favor of big unions. I ask, what about the workers in South Carolina who lose out in this action? Where have their rights been considered in all of this nonsense? In fact, the National Labor Relations Act says in section 1 that the purpose of the NLRA is "to promote the full flow of commerce, to prescribe the legitimate rights of both employees and employers in their relations affecting commerce, to provide orderly and peaceful procedures for preventing the interference by either with the legitimate rights of the other, to protect the rights of individual employees in their relations with labor organizations whose activities affect commerce, to define and proscribe practices on the part of labor and management which affect commerce and are inimical to the general welfare, and to protect the rights of the public in connection with labor disputes affecting commerce."

The NLRB's ruling comes on the heels of previous threats by this radically out-of-touch panel to sue States like South Carolina for constitutionally protecting one of America's most universal freedoms, the right to a secret ballot. Fear that the Federal Government might take away that fundamental principle prompted voters in South Carolina, Arizona, South Dakota, and Utah to overwhelmingly support adding secret ballot protection to their State constitutions. If the NLRB hadn't already made a big enough mockery of individual freedom, they even refused to come to the negotiation table and talk about their concerns with States' attorneys general unless they were willing to first sign a nondisclosure agreement preventing them from sharing what was discussed during the meetings.

Demanding secret meetings, threats, and attacking the right to a secret ballot doesn't exactly create a good track record for the National Labor Relations Board. That's what prompted me to introduce House Resolution 1047, the State Right to Vote Act, which would stop the NLRB from suing States whose voters took a stand against union thuggery for secret elections. And if the NLRB doesn't change the course quickly, I know there will be many in this body, including myself, who will call for the panel's removal altogether.

But, Mr. Speaker, this latest outrage is a unique power grab. Against constitutional and Supreme Court precedents, the NLRB's actions are a clear attack on our State. Think about the context: This administration has spent our Nation into oblivion, doubling the national debt in 2 short years, running over businesses both large and small, mounting takeover after takeover, and reducing the size and scope of our economy in the process. South Carolina's unemployment rate finally dips below 10 percent, and what does this administration do? It sues one of the largest prospective employers in our State just as that company begins to hire workers, potentially costing South Carolina thousands of new jobs.

Mr. Speaker, I may be new to Washington, but I promise you I was not born yesterday. Looking at the NLRB's policy and examining recent electoral maps, it's not difficult to see a policy that clearly rewards blue States while severely punishing red ones. Under the NLRB's interpretation of the law, a company with a union workforce anchored in a blue State could not expand or relocate to a red State.

□ 1010

Limiting where companies can conduct business sounds like something that would take place in China or the old Soviet Union, not here in the United States. Since when did America stop being the land of the free?

Let me give this message to anyone looking to start a company in America. Choose your location well. If this action by NLRB is upheld, trust me when I say that we won't be talking about companies making decisions over moving to a right-to-work state versus a union state. We will see decisions made in the context of locating in America or another country.

And what this outrageous action by the NLRB tells you is that you're stuck with very few options. Give into the union's demands, close up your shop, or take your production outside of the United States. The NLRB's actions say build your companies somewhere else, but not in America. So much for the American dream.

Mr. Speaker, this action by the NLRB is unconstitutional and illegal. I call on my colleagues in the Education

and Workforce Committee to hold hearings into this bureaucratic atrocity. My South Carolina colleagues and I have introduced legislation to defund this latest lawsuit.

I ask all of my colleagues on both sides of the aisle to rescue the American dream and sign on to this legislation. I also ask the American people, pay attention to this problem. Our Founding Fathers would be appalled by this bureaucratic tyranny. It's time to hold our elected officials accountable. Do we want to just say that we're a free nation, or do we really want to be a free nation? Our freedom is under attack. It's time we take a stand.

May God continue to bless America.

HONORING THE LEGACY OF WILLIAM DONALD SCHAEFER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Maryland (Mr. HOYER) for 5 minutes.

Mr. HOYER. Mr. Speaker, I rise to honor the legacy of an extraordinary Marylander, Maryland Governor William Donald Schaefer. He died just a few weeks ago after a long time of public service.

William Donald Schaefer was one of the great American mayors. Few mayors can ever say that they transformed a city as thoroughly as did William Donald Schaefer transform Baltimore.

But over his 16-year tenure as mayor of Baltimore, he led a dramatic and historic turnaround. In 1971, when his mayoralty started, Baltimore was a struggling city, a city plagued by population flight, crime, and decaying urban infrastructure. When so many had given up on Baltimore, Mayor Schaefer made it his mission to stand up to that decay. And we can still see his legacy today. It is a legacy that includes physical landmarks like Camden Yards, the National Aquarium, Baltimore's Harbor Place, and an outstanding light rail system, projects that he saw through to completion as both mayor and Governor of our state.

Just as importantly, Mayor Schaefer's legacy came in thousands of gestures that showed just how deeply he cared about the people he represented and how seriously he took his work: Personally addressing illegal dumping in alleys or broken equipment at parks, driving through the city at night on the lookout for everything from potholes to crime trouble spots, and even jumping into the aquarium's seal pool, complete with a rubber ducky, when the city failed to complete the aquarium on time.

My colleague from Oregon is shaking his head because we all know that famous picture.

Above all, his colorful, passionate, and dedicated leadership added up to the change, not just in Baltimore's appearance and infrastructure, but in the mindset of the words of the Baltimore

Sun when they said he “changed the way the city felt about itself.”

How important leaders are to make that happen in the minds of their people. We have an agenda, by the way, that is Make It In America, that is trying to change that psychology as well, that we’re going to make it, we’re going to succeed, we’re going to expand.

William Donald Schaefer brought that same dedication to his two terms as Maryland Governor. His trademark, no-nonsense style—“do it now” was his byword—was on display in Annapolis, where he pursued an agenda focused on job creation, strengthening Maryland’s schools, which, by the way, now rank number one in the country, and protecting Maryland’s natural heritage, including our beloved Chesapeake Bay.

After reaching the highest point in Maryland politics, many would have ridden off into the sunset. But not William Donald Schaefer. He couldn’t get enough of the work he loved, and he ran for State Comptroller, and won twice. In his last job he was one of our State’s most respected voices for fiscal responsibility.

Before he died, Governor Schaefer was asked how he’d like to be remembered, and he answered, “There are two words: ‘He cared.’ People,” he said, “mock me and make fun of it. But it’s the truth.”

And as someone who worked closely with William Donald Schaefer throughout his years as mayor and Governor and comptroller, I can say, without any hesitation or fear of contradiction, William Donald Schaefer cared. He was a man of the people. He listened, he acted.

It is the truth and it mattered because, at the time when so many wrote off our cities, caring took remarkable courage and strength.

A great architect, Mr. Speaker, was once laid to rest in a building he himself had designed. His tombstone read, and I quote, “If you seek his monument, look around you.” Those words apply just as well to William Donald Schaefer, and I hope that the people he served will bear him in mind whenever they enjoy the best of the city of Baltimore and the best of the State of Maryland.

Well done, our good and faithful servant.

HONORING JOHN SNIDER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. WALDEN) for 5 minutes.

Mr. WALDEN. For the past 12 years, John Snider of Medford, Oregon, has been my district director. He’s decided to move on now to pursue other opportunities and other careers. But to me, he was more than just district director. He was my mentor, he was my partner, and always my friend.

John Snider is a terrific man, a great fan of the Oregon Ducks, and he served three Members of Congress in this district as district director, including my most recent predecessor, Robert F. Smith.

He was born and raised in Medford. His roots run deep in the Rogue Valley. He is a guy’s guy. He is a terrific man.

My current district office actually sits adjacent to the former Snider Dairy, which his family had and which is now part of downtown Medford.

John and his wife, Candy, currently live in the Rogue Valley, and John’s daughter, Robyn, lives up in Grants Pass.

John graduated from St. Mary’s High School and was its student body president. He graduated from the University of Oregon, and is a rabid, to say the least, Oregon Ducks fan. And my wife and I had the opportunity to be with John and Candy at the championship game in Arizona earlier this year. And among the 10,000 or 20,000 people at the reception ahead of time, we actually bumped into each other there, as fate would have it, and had a wonderful evening.

John served our country as a member of the United States Coast Guard and as president of the Rotary Club of Medford, where his attendance always spiked when I was the speaker. He was always so busy, he never got to his own Rotary Club; so they always fined him extra heavily when I was there because then he was with me and they had their opportunity to get at him.

John was my eyes and ears throughout the Second District, which is 70,000 square miles of eastern, central, and southern Oregon. We, I think, have traveled in about every conveyance possible, from a wagon behind a tractor to jet engine aircraft, single engine aircraft, twin engine aircraft. We’ve traveled in those airplanes, small, chartered, with others on our staff who didn’t fare as well as John and I. They turned a little green and white and had problems at times. John and I always sort of traveled through it.

We have driven in snow and rain and ice and sleet, and everything we hear about postal officials, from one end of the district to the other. We have flown, we have driven, we have hiked, we have walked, we have been on boats and airplanes, and you name it.

□ 1020

And always at my side, John Snider. When the water was cut off to the Klamath Basin 10 years ago, John was there with me at the bucket brigade, where we took water symbolically out of Lake Ewuna and passed it through 15,000 people into the A Canal, symbolizing this horrible thing that the government had done to the farmers. That deeply affected all of us in the Second District, and especially John and me; and his commitment to those farmers

and ranchers continues today, as does mine.

When it came to saving the Medford Tanker Base so that firefighting aircraft could make their circle around the Rogue Valley quicker rather than being shoved out to another hour’s flight away, John was there day and night working with Commissioner Walker and others to make sure we could preserve that firefighting base in Medford. And we did, and it’s made an enormous difference in saving lives and property.

When President Bush came out to both Applegate and Redmond, John was there helping organize the events ahead of time. And any of you who have been involved in a Presidential visit to your district, you know it happens quickly and you basically go 24/7, and things get changed in the middle of the night and requests come and go: We need a band; no, we don’t need a band. We need a garrison-sized flag; no, we don’t. John was there making sure it all happened.

John has served as one of my most important advisers, and is passionate about issues related to water and timber, small business development, and the people. He is well-liked by everyone who has ever met or worked with John Snider. He was a true leader in our community and remains so today.

So today, I rise to take the time in the House to honor and recognize my longtime—only until he decided to move on—district director, John Snider, to wish him and his wife Candy and John’s daughter Robyn the very best in the years ahead.

We look forward to continuing our friendship and to working together for the betterment of our great State of Oregon, and always to cheer on the Oregon Ducks.

HEALTH CARE REFORM LAW

The SPEAKER pro tempore. The Chair recognizes the gentleman from Connecticut (Mr. COURTNEY) for 5 minutes.

Mr. COURTNEY. Mr. Speaker, I rise to share with the House a headline which was reported in yesterday’s Connecticut media, which I believe is going to reverberate all across the country. It reads that, “As Federal Health Reforms Take Effect, Aetna Proposes Rate Cuts.”

Now, for employers who have been seeing double-digit increases for the last decade, to see a headline that says health insurance premiums are going to be cut probably seems like it must be a typo or there must be some April Fool’s headline joke. But the fact of the matter is, as that story indicates, because of the Federal health care reform law, the new premiums which are going to go into effect in September that Aetna is proposing have to be reduced anywhere from 5 percent to 19

percent. For policyholders, the savings with these new premium announcements will be up to \$3,500 a year on policies that cost about \$14,000 today.

Why is this happening? It is because the health care reform law contains a provision which says that insurers must demonstrate that up to 80 to 85 percent of premium dollars have to be spent on health care. It is called the medical loss ratio rule. And under existing premiums that Aetna is collecting these days, only 54 percent of premium dollars are presently being paid on health care.

Now, again, as someone who was a small employer before I came to Congress in 2007 and paid those double-digit increases year in and year out, what we are seeing now is the fact that there is transparency in terms of how premiums are being handled and that people are now understanding and, in fact, regulators are enforcing a rule which says that when you pay health insurance premiums, not all of it, but the bulk of it has to be spent on health care. And because of this medical loss ratio rule, we saw yesterday that Aetna is proposing to cut health insurance premiums for employers. And this is going to be replicated all across the country over the upcoming year as the Department of Health and Human Services is issuing these rules to State insurance departments for implementation.

Thank goodness for those employers who are now going to be seeing real rate relief that we did not repeal the health care reform law. Thank goodness for those employers who are getting small business tax credits back in the mail today for their IRS filings that they submitted this year that we did not repeal the health care reform law. Thank goodness for all the employers across America who are now participating in the early retiree health insurance reform program, which over half the Fortune 500 companies in America have signed up for as a way of moderating early retiree health insurance costs so that they can encourage employees 55 and up to take retirement, opening up opportunities for younger workers in this country, which we desperately need, looking at graduating classes that are facing daunting employment prospects.

The fact of the matter is the health care reform law in terms of small business tax credits, real rate cut relief, early retiree programs that help employment-based health benefits is now rippling through the system and providing help for thousands and thousands of employers all across this country.

We know now that the health care reform law is helping almost 1 million young Americans between the ages of 21 and 26 stay on their parents' health insurance plan.

I was with a student up at the University of Connecticut the other day.

His sister was months away from graduating from NYU when she was diagnosed with a rare nerve disorder. And thank goodness for the health insurance reform law that she was able to stay on her parents' health care plan. Now she is receiving lifesaving treatments that are going to allow her to attend law school starting next year.

For seniors we are seeing the new Medicare provisions that will close the doughnut hole, that will provide preventive services like annual checkups, cancer screenings that are now covered 100 percent by the Medicare program as a direct result of the health care reform law. These benefits are now flowing through the system with a bill that was fiscally responsible and that CBO scored as a net saver to America's budget deficit.

Again, I want to make sure people see this headline that employer-based premiums are going down because of the health care reform law provisions that will protect employers and individuals who buy health insurance, so that their premium dollar is actually going to be spent on health care and not on excessive administrative costs and bonuses for people in the insurance industry.

Again, I come from Connecticut. We are proud of the insurance industry. My dad worked as an insurance company lawyer his whole lifetime and sent me to college because of that.

The fact of the matter is these rules are something that the insurance industry can coexist with, they can make a health profit, they can grow their business, but it will stabilize the market so that people are not going to be forced to abandon coverage for their workers and for themselves because of the skyrocketing double-digit increases that we have been experiencing as a Nation for far too long. We have relief in sight, and this headline verifies that.

Let's preserve these protections and make sure that our employers and individuals have access to affordable health care.

NATIONAL POLICE WEEK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. FLORES) for 5 minutes.

Mr. FLORES. As many of you know, this week is National Police Week, a time to give special recognition to law enforcement officers who have lost their lives in the line of duty for the safety and protection of others. I come before you today to honor one of my constituents who did just that.

On April 23, 2011, Johnson County Deputy Sheriff Clifton Taylor was first to the scene of a reported domestic disturbance in Venus, Texas. An anonymous caller had reported a man was threatening people with a weapon. Upon arriving at the scene, Deputy

Taylor, two other Johnson County deputies, and an officer from the Venus Police Department were informed that an armed man had fled to another building on the property. Deputy Taylor and the three other officers approached the building, but the gunman immediately opened fire.

Deputy Taylor was shot three times by the gunman and later died. He was 31 years old. His death marks the first time since 1971 that an officer in Johnson County died in the line of duty, and he is the 31st law enforcement officer to be killed by gunfire in the line of duty this year.

Deputy Taylor had been with the department a little more than 3 years. He was deeply committed to serving and protecting his community as a law enforcement officer and will always be remembered as one who placed honor and duty above his own personal interests and safety.

I am deeply humbled by his service and dedication as a Texas law enforcement officer to keeping others safe that he would lay down his life not only for his fellow officers but for the community that he took an oath to protect. His sacrifice exemplifies that set forth in John 15:13: Greater love has no one than this, than to lay down one's life for his friends.

□ 1030

MAKE IT IN AMERICA AND CREATE JOBS

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from Florida (Ms. WILSON) for 5 minutes.

Ms. WILSON of Florida. Mr. Speaker, today I rise for one reason: to talk about creating jobs, jobs, jobs.

I have been a Member of Congress for 18 weeks, and I still have not seen any plan that would create jobs. My constituents are hurting. They need help, and I don't see any coming. They are losing their homes. They need jobs.

I did not come to Congress to "drill, baby, drill." I did not come to Congress to hand out corporate tax breaks. And I did not come to Congress to end Medicare as we know it. I came to create jobs.

Graduations are happening all across the Nation, and I can't help but wonder, what sort of world will our graduates be entering? What will happen to the class of 2011?

Under the Republican budget plan, graduates are entering a world with job losses and stifled economic growth. Under the Republican legislative agenda, graduates are entering a world in which Big Oil is given a free pass, a free pass to "drill, baby, drill" with limited safety regulations and a free pass to drill with limited environmental safeguards.

Under the Republican-controlled House, new graduates are entering into

a world in which their elected officials waste time and energy trying to repeal meaningful health care reform. Health care reform is creating jobs for the class of 2011. Thousands of students will be trained in the health care field. Don't repeal their jobs in health care. Leave ObamaCare alone. Leave their jobs alone.

A new graduate doesn't care about personal crusades lawmakers wage against women's rights and abortion. They care about jobs. They care about our Nation's future. They care about their future. Instead of political games, the time has come to focus on jobs. The time has come to focus on our Nation's future.

As States all across the Nation are facing severe fiscal problems, let's stop focusing on ways to end Medicare as we know it and ways to destroy the social support network that has taken generations to build in our country. Our seniors need Medicare. It is the safety net and infrastructure all seniors need as they grow older. Seniors are living longer. They get their prescription drugs, they can play with their grandchildren, and they are thriving under Medicare. Leave Medicare alone.

I propose that from now until August, each of us here in this Chamber come to Washington remembering the mandate from our constituents: focus on jobs, jobs, jobs. I don't care what kind of tea you party with. I don't care who your Presidential candidate is. I don't care how much press you garner. Join me in focusing on jobs, jobs, jobs.

Let's rebuild our manufacturing base, let's keep our beaches clean, and let's make it in America. Make it in America, baby, and create jobs, jobs, jobs.

INFRASTRUCTURE, JOBS, AND ENERGY INDEPENDENCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MURPHY) for 5 minutes.

Mr. MURPHY of Pennsylvania. Mr. Speaker, a gallon of gas is over \$4, heading to \$5. The average family spends \$2,200 more on gas than they did 2 years ago. Fourteen million Americans are out of work and wondering how they are going to put food on the table. America's infrastructure is crumbling. A quarter of our bridges are structurally deficient.

The American Society of Civil Engineers says all our infrastructure needs are going to cost over \$2 trillion for roads, bridges, water, sewer systems, airports, locks and dams. Where will we find the money?

Well, we send \$100 billion each day to foreign nations for oil. OPEC exerts control over world oil prices and wants it to be \$200 per barrel. We are 60 percent dependent on foreign oil, and climbing. As a country, we waste 20 to

40 percent of our energy in inefficient buildings and factories.

Mr. Speaker, we want clean air and water. We want to see our highways and bridges fixed. We want clean power plants, lower energy prices, and don't pollute our environment. But where will the money come from?

Today, my colleagues and I on the Energy Working Group are introducing the Infrastructure, Jobs, and Energy Independence Act, a bipartisan bill that for the first time brings forward a comprehensive plan to rebuild America, take back our energy future, and create millions of jobs. We can become energy independent, we can create these jobs, and we can do it all without raising taxes or adding to the national debt.

How? Well, America has enough offshore reserves to replace all oil imports from Venezuela and Saudi Arabia for the next 80 years and enough clean natural gas to power industry for the next 63 years. Yet the drilling moratorium means that instead of using our own resources to grow jobs, we are supporting the economies of unstable regimes that want to do us harm.

Our plan opens the door to the safe, responsible expansion of energy production off our coasts, where there is \$8 trillion worth of economic output in oil and gas reserves offshore. Over 20 years, that translates to between \$2.5 trillion and \$3.7 trillion in new Federal revenues, from lease rights and royalties, without raising taxes.

That is \$440 billion for infrastructure of our roads and bridges; \$330 billion that we will invest in renewable energy sources and buildings and transportation; \$220 billion for clean coal technology; \$88 billion for environmental restoration to clean up our lakes, bays, rivers and streams; \$66 billion in energy conservation; \$110 billion for carbon-free technology and nuclear energy development; \$66 billion to rebuild our water and sewer systems in small towns and big cities all across America; \$44 billion for LIHEAP; and \$660 billion for States that are producing; and also several hundred billion to pay down the national debt.

Mr. Speaker, there is a plan for jobs and energy in America, and this is the plan that estimates are will create about 1 million jobs each year, new jobs in building highways and bridges, new jobs in developing our energy resources. And we can do it all.

I ask my colleagues to support the Infrastructure, Jobs, and Energy Independence Act. Let's rebuild America, let's create jobs without raising taxes, let's stop borrowing from foreign nations, let's pay down our national debt, let's stop buying from OPEC, and let's use our rules and our laws to make sure we do all of this in a way that is environmentally sound so we can create jobs and have energy independence for this and the next generation.

TAPPING AMERICA'S INGENUITY AND CAN-DO SPIRIT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Minnesota (Mr. WALZ) for 5 minutes.

Mr. WALZ of Minnesota. I want to thank my friend and colleague, the gentleman from Pennsylvania, for his leadership, for his vision, and for the understanding that the American people sent us here to do America's work. Not one party's work, not ideological rigidity, but the idea to come together; that this Nation's bounty in terms of energy reserves and mineral resources, if used wisely and safely and reinvested in this Nation's future, can produce what we know needs to be done: strengthening our national security by making sure we control our energy destiny, making sure we control our economy, and making sure there's stability in where that energy comes from so that American families and businesses aren't forced through the ups and downs at the whims of nations that hate us.

We spend billions, hundreds of billions of dollars sending it to those nations that hate us. Heck, they'll hate us for free. And we can keep those jobs at home, we can keep the money at home, and we can invest. It's not an either/or proposition. Taking the royalties that belong to this Nation's people, allowing them to be gained, to be expanded, and to be done in a responsible manner is something everybody in this House wants. We can take those resources and reinvest them.

I am proud to come from southern Minnesota, a place where innovation is the air we breathe. We have the Mayo Clinic; we are the fourth leading producer of wind power; we are the leading producer of biofuels; we have the largest agricultural production; and we have good small employers manufacturing at home. That vision can be one that we control our destiny.

There is a group of us together, Democrats and Republicans, introducing something that can become law, that can do these things, that can reinvest in infrastructure, that can reinvest in conservation, that can make sure that we control our destiny. And the things that happen with dictators in the Middle East, the importance goes down. We control those things. We can do it. It's going to be on the floor today.

Mr. Speaker, I encourage all of my colleagues to join this piece of legislation. It is visionary. It is a compromise to get to there. It can work. It adds nothing to the national debt, but reduces it. It adds nothing in taxes and it lets us control those things.

This bill, and I will add, the gentleman's work and my colleagues from California and across this Nation, was written by us and the American people, not lobbyists, not special interests. We sat in a room together and agreed to

get along, to try to come together on things that we could work on to make this country work.

□ 1040

That's going to be introduced today. It can happen. We owe it to the American people to get that done. Let's roll up the sleeves, tap that innovation, do the right things, get to work, and make this country energy independent. Let's secure our future both from a security standpoint and an economic standpoint and create jobs right at home.

Believe it or not, there are solutions coming right out of this Chamber.

CONGRATULATING GAIL ROMIG

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, each year the White House recognizes outstanding teachers for their contributions to the teaching and learning of mathematics and science through the prestigious Presidential Award for Excellence in Mathematics and Science. On April 28, President Obama named 85 teachers as recipients of the 2010 award, one of which was from the Fifth District of Pennsylvania, Mifflin County resident Ms. Gail Romig, a teacher at State College Area School District.

Today, I want to thank Ms. Romig for her dedication to her students and commitment to the field of mathematics. We live in a global economy that is ever-changing and where America is forced to continually adapt, innovate, and find new ways to remain competitive in the global marketplace. Our competitiveness relies on the excellence of individuals in technical fields such as math and science. We rely on dedicated individuals like Ms. Romig to help create our next generation of technical minds.

From coast to coast, from urban enclaves to rural towns, teachers across the country are utilizing their expertise and creativity to equip the next generation of Americans to succeed and to lead.

Thank you to Ms. Romig and others like her all across the country that are working to ensure America is competitive for generations to come.

AMERICAN CONSERVATION AND CLEAN ENERGY INDEPENDENCE ACT

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to join in with my colleagues in the introduction of legislation that we will be discussing later this afternoon: the Infrastructure Jobs and Energy Independence Act of 2011.

First of all, I would like to thank my colleagues who spoke a moment ago, Congressman TIM MURPHY and Congressman TIM WALZ, both who talked so importantly on the need to get our Nation's energy house in order.

Since the long gas lines of 1973, policymakers on both sides of the aisle have attempted various efforts to pursue an energy policy that would reduce our dependence on foreign sources of energy. And what has been lacking through all of those efforts since 1973 is a long-term plan that has bipartisan buy-in which we can stick to both in the near term and longer term to reach those goals. Why hasn't it happened? Because, unfortunately, too often here in these Chambers the lost art of the political compromise has gone away.

But today, with the introduction of the bipartisan Infrastructure Jobs and Energy Independence Act of 2011, we have an opportunity to come together as a House, to come together as a Nation. This is what the Bipartisan Energy Working Group has done over the last few months to really put together a piece of legislation that reflects past efforts, commonsense ideas that will enhance our path toward energy independence and national security through the following means. First, it would increase the production of domestic oil and gas on the Outer Continental Shelf. It would also increase sources of alternative energy utilizing clean energy technologies whenever possible. In addition to that, it would dedicate a fixed percentage of the royalties that we receive from oil and gas that is derived from Federal lands both onshore and offshore, the second-largest source of revenue to our Nation's Treasury, to the following purposes:

First of all, it would invest in our infrastructure revitalization and renewal that provides more jobs that are sorely needed. It would invest in conservation programs. It would invest in environmental restoration projects. It would invest so importantly in renewable energy research and development so that once again we can regain the lead around the world. It would invest in clean energy technology as well as increasing development of existing as well as traditional energy sources, like improving our transmission lines. And it would provide energy assistance for those most in need. Sharing a portion of such royalties with producing States also would provide an incentive for those States. And it would increase the diversification and efficiency of America's transportation system, among other things.

As a Nation, we must work together toward realistic energy policy. At the end of the day, we cannot afford to take any energy sources off the table. As many of you know, I am a firm believer in using all of the energy tools in our Nation's energy toolbox. And that's what we need to do. Conventional en-

ergy, together with renewable resources and a strategy for energy conservation, will best serve our long-term energy needs—the best management practices our Nation has to offer.

As we create new comprehensive energy policy to reduce our dependency on foreign sources of energy, reducing our dependence on those nations, it will make a big difference in America. I believe it's important for us to understand and agree to realistic transitional timelines as we embark upon this bipartisan energy policy both in the near term and the long term.

Finally, I look forward to cooperating and collaborating again with the members of the Bipartisan Energy Working Group and other Members of Congress to address ways in which our Nation's energy sources can best be utilized to help us secure that balanced energy future in the 21st century, which is what all Americans want us to do. I believe this legislation that we will introduce this afternoon will put us along that path for a long-term secure energy future for America in the 21st century.

IMPLEMENTING SMART ENERGY PLANS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Mississippi (Mr. NUNNELEE) for 5 minutes.

Mr. NUNNELEE. This morning, in Tupelo, Mississippi, Whiteside's Restaurant is quiet. The lights are turned off. Tables around which coffee and conversation had flowed freely, a place where I have enjoyed many great meals, is quiet this morning. And on the front door there's a sign that simply says, "Due to the economy and Uncle Sam, Whiteside's is closed. Donna Whiteside said that the driving force in her closing her business was higher taxes, increased gas prices, and a sluggish economy. Higher gas prices have become a cruel tax on all Americans. Donna Whiteside saw it as her customers had shrinking disposable incomes because of higher gas prices. Donna Whiteside saw that the cost of her groceries were going up because of higher gas prices.

What is not helping Americans get relief at the pump is the stalling of energy production by this administration. Since taking office, President Obama has actively delayed, blocked, and stalled American energy production—and the American people are sick of these stalling tactics. That's why the House of Representatives is concentrating on three key initiatives that will reverse the Obama administration's policies that are hurting families and small businesses, destroying jobs, and increasing our reliance on foreign oil.

Last week, the House passed the Restarting American Offshore Leasing

Now Act. It will require the Secretary of the Interior to conduct oil and natural gas lease sales in the Gulf of Mexico and offshore Virginia that have been delayed or canceled by this administration. In fact, if we don't have an oil lease this year, it will be the first time in my lifetime that the American public has not had that.

Yesterday, the House voted on the Putting the Gulf of Mexico Back to Work Act. Since the drilling moratorium was officially lifted in October, the administration has chosen to drag their feet and stalled the permitting process in the gulf. Twelve rigs have already left the gulf for other regions, taking hundreds and even thousands of jobs with them. This steady decline in oil and natural gas production is costing the United States \$4.7 million every day in lost revenues. This act speeds up the drilling permitting process and will put thousands of Americans back to work.

Today, we'll vote on the Reversing President Obama's Offshore Moratorium Act. The administration's actions have placed the Atlantic coast, the Pacific coast, and areas of Alaska off limits. This Act will implement a smart drilling plan requiring the administration to move forward on American energy production in areas containing the most oil and natural gas resources.

In north Mississippi, we're working at leading the way toward helping our Nation become energy secure. All three of these bills combined can create up to 1.2 million jobs that will generate revenue that our Nation needs, and it will put us on the path to achieving energy security, of more American oil, more natural gas, clean coal, nuclear energy, and new technologies such as wind and solar.

□ 1050

Donna Whiteside and the thousands of businesses and families around America need to know that the House of Representatives is listening to them. The House Republican American energy initiatives will free the American people from the Obama administration's stalling games. If the Senate will consider and pass this legislation, it will put an end to higher gas prices that are straining budgets and are compromising our energy security.

REMEMBERING THE VICTIMS OF THE VIOLENT TENNESSEE STORMS

The SPEAKER pro tempore. The Chair recognizes the gentleman from Tennessee (Mr. DESJARLAIS) for 5 minutes.

Mr. DESJARLAIS. Mr. Speaker, today I come to the floor of the U.S. House of Representatives to remember the four victims who tragically lost their lives in Bledsoe County as a result of the severe storms and tornadoes

that struck middle Tennessee on April 28, 2011.

Loretta Winters Bellos was dearly loved by those in her community. She was described by friends as a generous and beloved friend who will be greatly missed.

Loretta's sister, Patricia Lynette Thompson, attended Brayton Baptist Church in Graysville and was previously very involved in the Tremont Baptist Church. Those that knew her said that her faith and her church family were a very important part of her life. Her family says they will remember her as "the best mother, grandmother and wife in the world."

Debbie Gibbs Fox was known as an avid animal lover and her husband, Harold "Sonny Boy" Hudson Fox, was described by friends as someone with a lightened spirit who was always a joy to be around.

To all the families and friends of each of these victims, I'm sorry for your loss and offer my deepest sympathies.

I would also like to take a moment to recognize the many emergency management service workers and volunteers that have worked tirelessly to help the victims overcome this terrible tragedy. While touring the damage left by these storms, I was extremely touched by the kindness and generosity of the many people who were there to immediately lend a hand to their neighbors in this time of great need.

I know that the rebuilding process will be difficult and that much was lost, but I'm confident that our community will get through this. My wife, Amy, and I are keeping the families of the affected members in our thoughts and prayers as they begin the process of rebuilding their lives. May God bless you.

CONSTITUENT WORK PERIOD RECAP

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. BARLETTA) for 5 minutes.

Mr. BARLETTA. Mr. Speaker, once again it is a privilege to rise this morning and share with my colleagues in the House what my neighbors at home shared with me during the last constituent work period. During those 2 weeks in April, I met with business and community leaders in Wilkes-Barre to see how they're working to keep their downtown alive and vibrant. For example, they converted an old storefront, right in the heart of the city, into a business incubator which encourages local entrepreneurs and start-up firms. The Greater Wilkes-Barre Chamber of Business and Industry is also trying to restore the city's Irem Temple, a local landmark that is a truly beautiful building, one of the last buildings of its kind in the United States.

I toured an ongoing flood control project in the city of Scranton. There, the Army Corps of Engineers is working to make sure the flood walls meet new standards to protect thousands of residents and dozens of businesses. These constituents have been very patient, waiting decades for their relief. Now, the Corps of Engineers and the Federal Emergency Management Agency are finalizing plans that will provide the protection they deserve.

About 200 people came out to my Home to House public forums, where they learned about the issues we're tackling here in Congress. I was eager to talk with them about Medicare reform and about the steps we're taking to cut the outrageous overspending. Most of my constituents understood what we're doing here, especially the senior citizens. They know that we're trying to save the future for their children and their grandchildren. Many of my constituents also told me they don't want us to raise the debt ceiling without securing substantial budget cuts.

But everywhere I went, my neighbors asked me what we're doing here in Congress to lower the price of gas. Over the 2-week constituent work period, regular unleaded gas cost between \$3.90 and \$4 a gallon. People would come up to me at the gas station as I was filling up and tell me that we need to work harder here to solve this problem. I am happy to report that this week and last I voted on two bills that will put thousands of Americans back to work, while increasing American energy production to help address rising gasoline prices.

There are two events in the constituent work period that stand out for me. One was speaking to a class of students at St. Jude's School in Mountain Top. These bright, eager young men and women were curious about what we do here in Congress. They asked insightful questions. They wanted to learn about Washington. They offered some insights on how to make their futures brighter. As I continue to examine education and workforce programs as a member of the House Education and the Workforce Committee, I will remember these students and their advice.

The second event was the arrival of the Patriot Flag in my hometown of Hazleton. This giant symbol of the United States is traveling around the country to commemorate the 10th anniversary of the September 11 attacks. It was my privilege to stand on the steps of city hall and help first responders, law enforcement, Boy Scouts, and members of the military fold the Patriot Flag.

Less than 36 hours later, we learned that Osama bin Laden was dead. The death of the most visible face of international terrorism is a historic event, and it is one that unified our country.

My neighbors in the 11th District of Pennsylvania are proud to congratulate our brave men and women in our Armed Forces and intelligence services, and we thank all of them and their families for their continuing sacrifices. We also commend President Obama for taking bold action.

The spontaneous celebrations after bin Laden's death in front of the White House, at Ground Zero in New York City, and all across the country once again remind us that there is more that unites us than divides us. We are all, at the core, proud Americans. If we can learn anything from recent events, it is that America is strong and resilient. If we stay dedicated to our efforts, we can get our country back on track.

Fueled with the feedback I heard from my neighbors during 2 weeks at home in northeastern Pennsylvania, I am ready to keep fighting for them.

Thank you, Mr. Speaker.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 10 o'clock and 58 minutes a.m.), the House stood in recess until noon.

□ 1200

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at noon.

PRAYER

Monsignor Craig Harrison, St. Francis of Assisi Catholic Church, Bakersfield, California, offered the following prayer:

Gracious and loving God, we are grateful for the gifts and blessings You have shown our Nation.

Be with those who are suffering the devastation of the great storms that we have experienced and help us as a Nation to respond.

Bless the women and men gathered here who are called to protect and serve the people of the United States. Watch over and bless all those who serve our Nation abroad.

Guide the Members of this Congress, that their work today will reflect Your love and compassion and guide our Nation to be a leader in justice and peace.

We pray this in the name of the one who created us in love. Amen.

THE JOURNAL

The SPEAKER. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New Jersey (Mr. SIREs) come forward and lead the House in the Pledge of Allegiance.

Mr. SIREs led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

WELCOMING MONSIGNOR CRAIG HARRISON

The SPEAKER. Without objection, the gentleman from California (Mr. MCCARTHY) is recognized for 1 minute.

There was no objection.

Mr. MCCARTHY of California. Mr. Speaker, I am honored to welcome Monsignor Craig Harrison from Bakersfield, California, and appreciate that he was able to be here today to open up our floor session with the invocation. It is great to have a fellow Bakersfield High School Driller here on the floor with me.

Since he returned to Bakersfield in 1999 to be the pastor of his hometown parish, Monsignor Craig has had a profound, positive impact on the lives of the thousands in our community. The fact that the number of families in his parish has increased by over 5,000 and enrollment in the parish school has doubled is a testament to his leadership in our community.

He is more than just a faith leader. He is an author of a children's book, he is a faith leader to many of us throughout the community, and, on a personal note, he was a faith leader to my father as he battled his fight with cancer.

Monsignor Craig is a true friend to the Bakersfield community, and I appreciate that he was able to share his words of wisdom on the House floor.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. GARDNER). The Chair will entertain up to 15 further requests for 1-minute speeches on each side of the aisle.

U.S. FIREFIGHTERS GO TO MEXICO AND FLY OVER TEXAS

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, the administration is fighting wildfires. In December, the United States sent two firefighting planes to battle fires in Israel. In April, two specially equipped U.S. Air Force C-130 cargo planes and 30 personnel were sent to battle

wildfires in Mexico. The fires in Mexico burned about 380 square miles near the Texas border. The United States came to the rescue.

But not everyone gets help from the United States. A wildfire epidemic has also occurred in Texas, with more than 9,000 fires. Two million acres have been burned. That is the size of Rhode Island and Delaware combined and ten times the size of the fires in Mexico. And the State is still on fire.

Texas Governor Perry requested Federal help, but the administration summarily denied the Governor's request. The administration, it seems, is more concerned about taking care of foreign nations while ignoring Americans in Texas. Why does the administration despise Texas? Meanwhile, the fires continue.

And that's just the way it is.

CONDEMNING THE DEATH OF JUAN WILFREDO SOTO

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to condemn the brutal beating and subsequent death of Juan Wilfredo Soto. Last Thursday, Soto, while participating in a peaceful protest against the Castro regime, Cuban authorities beat him so badly that he was later taken to the hospital, where he died.

Soto was a brave man and a respected advocate who helped support the hunger strikes of human rights award winner Guillermo Farinas.

Juan Wilfredo Soto's death is the latest brazen illustration of the violent methods the Castro brothers utilize to oppress freedom in Cuba. In the last 2 months reports of oppression have increased.

As many praised the false promises of the Sixth Communist Party Congress held in Cuba last month, few acknowledged the crackdown on dissidents and journalists that took place. Prior to the congress, Cuban authorities reportedly arrested and detained opposition members to ensure that all voices critical to the regime would be silent and that no protests would be visible.

The United States and the international community must join together in condemning the wrongful death of Juan Wilfredo Soto and supporting human rights on the island. We must show Cuban leaders that their brutality is not going to go unnoticed.

MAJORITY'S PLAN FOR MEDICARE IS THE WRONG APPROACH

(Mrs. DAVIS of California asked and was given permission to address the House for 1 minute.)

Mrs. DAVIS of California. Mr. Speaker, if the majority's plan for Medicare ever becomes law, seniors will lose their guaranteed benefit and get a private insurance voucher.

Seniors are calling. They are nervous and justified in asking all sorts of questions about the plan, such as: Will the voucher cover me if I get sick? Will the voucher result in rationed care? And will I need to pay more out of pocket?

The Congressional Budget Office says seniors will pay more—much more. Out-of-pocket costs to seniors will double in 2022 and rise by 68 percent by 2030.

This massive cost shifting saves the Federal Government a lot of money. And where does all of the money taken from seniors and Medicare go? Well, it doesn't pay off the debt. It doesn't create jobs or help folks pay for gas or groceries. But it does go to finance large new tax cuts for the most well-off.

This is the wrong approach to caring for our seniors.

TIME TO STOP POLITICAL GAMES AND WORK TOGETHER

(Mr. BACA asked and was given permission to address the House for 1 minute.)

Mr. BACA. Mr. Speaker, right now Californians in my home district face an almost 14 percent unemployment rate and are dealing with the fourth highest rate of foreclosures in the Nation.

What my constituents need above all else is for both of us, Republicans and Democrats, to come together on creating new jobs. Yet in the last 18 weeks the Republicans have controlled the House, they have yet to bring one single bill focused on creating jobs. Instead, they have put forward a partisan agenda that is more about scoring political points than helping American families.

We should be putting American families back to work. We should not be voting to dismantle safety nets for seniors and vulnerable Americans. The Republican attacks on Medicare and Medicaid go against our core values and threaten the health care of 44 million low-income Americans.

It is time to stop political games. Let's work together, and I say let's work together and focus on straightening out our economy and creating jobs.

□ 1210

CONGRATULATING NEWARK COMMUNITY HIGH SCHOOL BOYS BASKETBALL TEAM

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, I rise to congratulate the Newark Community High School boys basketball team on their 2011 Illinois class 1A championship title. This is a great accomplishment; and their team, coaches,

and the entire Newark community should be very proud.

Newark, Illinois, is a town of less than a thousand people. It is symbolic of our great Nation and is a place I am honored to represent. Newark High School, with a total enrollment of less than 200 students, has never before won the State championship. Coach Rick Tollefson, head coach of the Newark Norsemen, has been with the program for 5 years and in that time has led the Norsemen to three consecutive sectional championships as well as this year's State title. It has certainly been an exciting time for this close-knit community.

On behalf of the House of Representatives, I would like to personally congratulate everyone who made Newark history this year, as well as those who made it possible—the school's administrators and the entire Newark community. I appreciate their hard work and dedication to this basketball program and to the students of Newark High School. Congratulations on a job well done.

CODE NAME "GERONIMO"

(Mr. FALEOMAVAEGA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. FALEOMAVAEGA. Mr. Speaker, just last week, the U.S. military carried out a covert operation that ended in the killing of the most wanted terrorist on the planet, Osama bin Laden. The news of Osama bin Laden's death at the hands of our heroic Navy SEALs sent forth a wave of tremendous relief by the American people.

However, Mr. Speaker, we also learned that the U.S. military and the CIA used the code name "Geronimo" for the operation to seize and kill Osama bin Laden. The first reports of the details of the raid stated that Osama bin Laden had been identified as "Geronimo"—enemy killed in action.

Mr. Speaker, I would strongly suggest to all my colleagues in the House that you should go and see the movie "Geronimo" and see for yourselves if the Chiricahua Apache warrior Geronimo was a terrorist and murderer of thousands of innocent men, women, and children like Osama bin Laden. On the contrary, Geronimo was one of the greatest American Indian warriors who fought against some of the most vicious, cruellest, and inhumane treatment and policies instituted by our Federal Government against his people.

As a Nation—Mr. Speaker—I know we can do better than this. And with all due respect, I believe the President and CIA Director Panetta owe the Apache Nation an apology.

JUAN WILFREDO SOTO

(Mr. RIVERA asked and was given permission to address the House for 1

minute and to revise and extend his remarks.)

Mr. RIVERA. I rise today to inform my colleagues of yet another ruthless murder by the Castro dictatorship in Cuba. Last Sunday, Juan Wilfredo Soto Garcia, a dissident leader on the island, was viciously beaten to death by Castro's state security thugs simply for participating in a peaceful protest.

Soto belonged to Foro Anti-Totalitario Unido, or the United Anti-Totalitarian Forum, a peaceful dissident organization. Witnesses have attested that two of Castro's henchmen cuffed his hands behind his back and then beat him mercilessly and repeatedly with batons until he was dead.

For 30 years, Soto peacefully worked for freedom and change on the island and served 12 years in Castro's political prisons for his pro-democracy advocacy. Last year, Soto stated, "I hold Cuban state security, the government, and the repressive police here responsible for whatever happens to me in the future."

This past weekend, he gave the ultimate sacrifice for Cuba's freedom and became yet another victim in the Castro brothers' 50-year reign of terror.

MEDICARE

(Mr. YARMUTH asked and was given permission to address the House for 1 minute.)

Mr. YARMUTH. Mr. Speaker, this past Tuesday, 41 House Republicans sent a letter to President Obama pleading with him to stop the criticism of the GOP's plan to turn Medicare into a private voucher system—a system that would cost future seniors thousands of dollars each year. Let bygones be bygones, these Republicans said. Let's wipe the slate clean. Well, I can't help but laugh at the irony.

Last year, in districts all throughout the country, Republican candidates for Congress attacked Democrats for supporting the Affordable Care Act, claiming it cut \$500 billion from Medicare—wrongly, I might add.

Fast forward 1 year later, and those same Republicans now in Congress just a few weeks ago voted for a budget that actually embraces the very same \$500 billion in savings we found in Medicare in the Affordable Care Act.

There's a difference, though. In the health care law, Democrats took that \$500 billion and reinvested it in Medicare to increase the life of the program for more than a decade. What did the Republicans do? They take that \$500 billion and use it to pay for more tax cuts for the wealthiest Americans and giant oil companies. And Medicare? They dismantle it, forcing future seniors into a new system that will require them to pay upwards of \$180,000 more for their care.

The American people will not let them forget.

UNDERSTANDING WHAT'S HAPPENING AT THE PUMP

(Mr. MORAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORAN. Mr. Speaker, 1 year ago, lax regulation and reckless pursuit of higher oil company profits resulted in 11 deaths, 200 million gallons of oil dumped into our gulf waters, tens of thousands of marine and aquatic life lost, and a damaged fishing and tourism industry. A panel of experts showed us how we can learn from past mistakes and implement regulations to ensure that this disaster doesn't happen again. Yet over the last 2 weeks the Republican majority has passed legislation to create an even more lax regulatory environment than existed before the BP oil spill disaster.

Opening our shores to drilling and returning to pre-BP oil spill regulations won't reduce our dependence on foreign oil, and it won't reduce the price of gas at the pump. The United States holds less than 2 percent of the world's oil reserves while we consume more than 22 percent. Even if all restricted areas in the U.S. could somehow be brought into production at this moment, the oil they would yield under the best scenario is about a million barrels of oil a day—5 percent of our daily consumption.

Those bills shouldn't get any further than the House. The Senate should reject them. The American people should better understand the real cost of giving the oil companies everything they want.

LET'S HELP REBUILD AMERICA

(Mr. CLARKE of Michigan asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. CLARKE of Michigan. It's very clear in these economic times that Americans need jobs and, more accurately, we need the investment that will create jobs. We've got the money to do it. In light of the fact that bin Laden is no longer a threat to Americans, we don't need to spend over \$100 billion a year in Afghanistan.

So, again, let's take a share of the money that's gone to rebuild Afghanistan, have it sent back to the U.S. taxpayers right here in the United States to create jobs right here in the U.S. Let's help rebuild American cities like the city of Detroit. When you do that, you rebuild U.S. manufacturing capacity. That will create jobs for thousands and even millions of Americans right here at home. The best way to make it in America: redirect our tax dollars away from Afghanistan in part to create jobs right here for American people.

BROAD RANGE OF ENERGY SOLUTIONS

(Mr. BILIRAKIS asked and was given permission to address the House for 1 minute.)

Mr. BILIRAKIS. Mr. Speaker, a few days ago, I visited a local Tampa gas station and spoke with dozens of customers about the impact of rising gas prices on already financially strapped families. Overwhelmingly, my constituents told me that we must look at a broad range of energy solutions to reduce our dependency on foreign oil and reduce the price we pay at the pump. We should increase domestic energy production, promote energy efficiency, and encourage private investment and renewable energy technologies as part of a comprehensive plan to address our energy needs. Not only will this all-inclusive approach ease the burden of high gas prices but it will help create jobs that this country needs.

PROVIDING FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AU- THORIZATION ACT FOR FISCAL YEAR 2011

Mr. SESSIONS. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 264 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 264

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chair and ranking minority member of the Permanent Select Committee on Intelligence. After general debate the bill shall be considered for amendment under the five-minute rule. It shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Permanent Select Committee on Intelligence now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. All points of order against the committee amendment in the nature of a substitute are waived. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the pro-

ponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. All points of order against such amendments are waived. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

□ 1220

The SPEAKER pro tempore. The gentleman from Texas is recognized for 1 hour.

Mr. SESSIONS. For the purpose of debate only, I yield the customary 30 minutes to my friend the distinguished gentleman from Florida (Mr. HASTINGS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. SESSIONS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. SESSIONS. House Resolution 264 provides for a structured rule designated by the Rules Committee for consideration of H.R. 754. This rule allows for nine of the amendments submitted to the Rules Committee to be made in order.

Mr. Speaker, I rise today in support of this rule and the underlying bill. The fiscal year 2011 budget process began last Congress with about a dozen hearings and Member briefings and continued into this Congress with more briefings and negotiations. This legislation was introduced by the chairman of the House Permanent Select Committee on Intelligence, the gentleman from Michigan, MIKE ROGERS, and has gone through regular order to achieve its presence on the floor today. H.R. 754 was marked up in the Intelligence Committee and the chairman of the Rules Committee, the gentleman from California, DAVID DREIER, provided a structured amendment process for nine additional amendments from Republicans and Democrats to be considered today on the House floor.

The bill we are discussing today authorizes the intelligence and intelligence-related activities of the United States Government for fiscal year 2011 in order to enhance the national security of the United States, to support and assist the Armed Forces of the United States, and to support the

President of the United States in the execution of the foreign policy of the United States of America. This bill is a vital tool for congressional oversight of the classified activities of the intelligence community, and it is critical to ensuring that our intelligence agencies have the resources and authorities they need to accomplish this important work on behalf of keeping America free.

The primary vehicle for exercising credible congressional oversight over our intelligence agencies is the intelligence authorization bill. Yet we have not passed a bona fide intelligence authorization bill in 6 years. Although the National Security Act requires intelligence activities to be specifically authorized, in recent years certain appropriation bills have included language that would "deem" the intelligence funding to be authorized. This procedure meets the statutory requirement but has weakened the ability, I believe, of Congress in its oversight of intelligence activities in recent years.

The U.S. intelligence community plays a critical role in the war on terrorism and securing our country from the many other threats we face as a Nation. The recent killing of the terrorist Osama bin Laden is a clear example of the important work our intelligence agencies are doing behind the scenes every single day to protect America and Americans. Keeping the laws governing our intelligence operations up to date and ensuring that there are no unnecessary barriers in the way of future successes are exactly why we are here today and seek the authorization to pass an annual intelligence bill today.

The intelligence authorization bill funds all U.S. intelligence activities, spanning 17 separate agencies. Last year, this funding totaled roughly \$80 billion. Our Nation's current challenging fiscal circumstances demand that Congress fulfill its duties and provide the appropriate accountability and financial oversight of our classified intelligence programs through an authorization bill yearly. Additionally, this bill will ensure that Congress funds the requirements of the brave and dedicated men and women in the intelligence community, military and civilian, many of whom directly support the war zones or are engaged in other dangerous operations that keep Americans safe.

The underlying legislation provides oversight and authorization for critical intelligence activities, including global counterterrorism operations such as the one that took out the terrorist Osama bin Laden, tactical intelligence support to support combat units in Iraq, Afghanistan, and wherever else they're needed around the world, cyberdefense, detecting and countering weapons of mass destruction, global monitoring of foreign militaries, weap-

ons tests, and arms control treaties. Additionally, this bill's classified annex provides detailed guidance on intelligence spending, including adjustments to costly programs.

This bill takes an important step forward in the intelligence community to help them meet the same financial accounting standard as other parts of the government. These accounting standards will help uncover savings in the current programs that can be reinvested into vital programs and priorities or returned to the American taxpayer.

I was very pleased this week when the gentleman from Michigan, Chairman MIKE ROGERS, and the gentleman from Maryland (Mr. RUPPERSBERGER), who represents the minority, came to the Rules Committee to talk about the needs of the intelligence community. In particular, I was very pleased as they worked so closely together to ensure that the issues that were contained within this document, the agreements that would be in law, and perhaps more importantly, the important relationships that would be shared by them as we work together to ensure that this country is safe, that we do so in a way where the American people see that keeping America safe, providing the necessary resources to the men and women of the intelligence community and expecting the results that would come from them, is a very important part of what our job as Members of Congress is all about.

I applaud Chairman MIKE ROGERS of Michigan for providing this Congress with a much needed intelligence authorization bill, and I appreciate the exhaustive process on a bipartisan basis not only that Chairman ROGERS has led but that includes a return to regular order in the authorization of this important legislation. I rise in support of the rule and the underlying bill.

I reserve the balance of my time.

□ 1230

Mr. HASTINGS of Florida. I thank my friend from Texas for yielding the time.

Mr. Speaker, H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011, authorizes appropriations for fiscal year 2011 for U.S. intelligence and intelligence-related activities within the jurisdiction of the House Permanent Select Committee on Intelligence, including the National Intelligence Program and the Military Intelligence Program, as well as for the Intelligence Community Management Account and for the Central Intelligence Agency Retirement and Disability System.

We are considering this legislation at an auspicious time. The death of Osama bin Laden and the disarray in the al Qaeda network comes as a result of years of painstaking effort by the

hardworking men and women of the intelligence community, the military, President Bush, and President Obama's gutsy, courageous, and correct call on May 1 of this year. They succeeded admirably in carrying out a difficult and dangerous mission. This legislation codifies many of the lessons learned in recent years that led to Osama bin Laden's demise. It is important that we continue to provide the necessary resources to sustain the momentum the United States and its allies enjoy in the effort to protect our Nation and its citizens.

As the former vice chair of the House Intelligence Committee, I personally know that the intelligence community is the first line of defense against those wishing to do us harm here at home and across the globe. Where terrorists or other elements, as we speak, are plotting attacks, planning operations, or are actively engaged in harming our citizens, the men and women of the intelligence community are devoted to acting on the information they gather to thwart those efforts. We owe them a debt of gratitude and our sincere thanks. These courageous men and women often work quietly, unnoticed, and too often, unrecognized, but nevertheless, they are critical to ensuring the security of our Nation.

I have had the honor and privilege of meeting many of our intelligence professionals during my oversight travel as a member of the Intelligence Committee. I cannot overstate how much I appreciate, and am humbled by, their service. Over the past 10 years, our country has continued to make daily progress against threats, thanks to the service of those dedicated professionals. We must keep in mind, though, that in spite of our best effort, we still face many real threats, and we still have much work to do to get it right.

Mr. Speaker, H.R. 754 provides detailed guidance and authorizes appropriations for the many agencies of the intelligence community, while also improving accountability and transparency. It is essential that we streamline and coordinate oversight for counterintelligence. H.R. 754 amends the Counterintelligence Enhancement Act of 2002 to require the national counterintelligence strategy to be aligned with the policies and strategy of the Director of National Intelligence.

It is often reported that our government agencies come under cyberattack all day, every day, 365 days a year. International criminals, malicious individuals, and even other Nations are actively engaged in a constant effort to break into our cyber networks to obtain information, or to wreak havoc on the systems that govern our Nation's infrastructure, financial, military, diplomatic, and social networks. We must, of all things, be mindful of our responsibilities in that area. It can have a devastating impact if not properly attended.

Finally, Mr. Speaker, we must consider diversity to be a mission imperative. I have stated time and again that the intelligence community is not diverse enough to successfully meet its requirements and achieve success on its missions. On February 26, 2010, the House of Representatives passed my amendment to H.R. 2701, the Intelligence Authorization Act for Fiscal Year 2010, which required the Office of the Director of National Intelligence, in coordination with the heads of the elements of the intelligence community, to submit to Congress a report on the plans of each element of the community to increase diversity. The report is expected to be finalized in October of this year. Simply put, we need people who blend in, who speak the language, and understand the cultures in the countries that we are targeting. It is time for the intelligence community to get serious about improving diversity for the sake of our national security. If the intelligence community is to succeed in its global mission, it must have a global face.

I reserve the balance of my time, Mr. Speaker.

Mr. SESSIONS. Mr. Speaker, I am delighted to yield 3 minutes to the gentlewoman from Lake Park, Minnesota (Mrs. BACHMANN).

Mrs. BACHMANN. I thank the gentleman from Texas, who's doing a wonderful job this morning managing this bill, PETE SESSIONS.

Mr. Speaker, all of our Nation's great liberties depend on our national security. I think that's something that we can all agree on. This is a bipartisan issue. We're a Nation at war, and we're pitted against terrorists who are bent on destroying our very way of life. As the treasure trove of evidence, which we were so grateful to receive from Osama bin Laden's compound, confirms to us, the enemy is always adapting, always evolving, always plotting further attacks. We have to be informed, and we have to be one step ahead of the enemy at least.

It's our intelligence community, Mr. Speaker, that gives us heroic service, day in and day out. This morning I had the privilege of being at our Nation's Central Intelligence Agency, and I want to commend them for the work that they do, the brilliant work that they did most recently to secure this number one target. Nearly all of it goes unrecognized, Mr. Speaker, until a moment like last Sunday evening, May 1, when a grateful Nation learned that the men and women of our intelligence services, working hand-in-hand with those in military uniform, had brought about the demise of the world's most prominent and notorious terrorist, Osama bin Laden. Years of relentless and diligent pursuit yielded an overwhelming success.

And that's why I'm so honored to be here on the floor today with my distin-

guished colleague from Texas (Mr. SESSIONS) to stand here on the House floor as a member of the Permanent Select Committee on Intelligence, calling on behalf of my colleagues, both Republican and Democrat, to pass the FY 2011 Intelligence authorization bill, because the American people have made it clear, Mr. Speaker.

They've made it clear to us not only once but over and over again. They want this Congress to exercise the utmost seriousness when dealing with our Nation's spending crisis, and so this bill is a step in that direction. It ensures that there is proper congressional financial oversight, and I would like to tip my hat now to the Democrat ranking member, DUTCH RUPPERSBERGER, who has done a magnificent job, together with our chairman, MIKE ROGERS, in making sure that we work together as one, seamlessly, in a bipartisan fashion. I have been just so delighted. I've never served on a committee where I've seen greater bipartisanship because we've put down our partisan swords when it comes to securing the safety and security of our Nation.

And this bill is a step in that direction, ensuring there's not only proper congressional financial oversight, something that was lacking unfortunately in the last 6 years, but we are dedicated to making sure that our responsible approach with intelligence does not sacrifice the security of our Nation, and this measure which funds our intelligence community will ensure that our intelligence community has the resources they so richly deserve.

□ 1240

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 3 minutes to my good friend, the ranking member of the Committee on Intelligence, the distinguished gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. Mr. Speaker, first I want to recognize the distinguished vice chairman of the Intelligence Committee, Mr. HASTINGS, for his hard work over the course of his 8 years on the committee. I had the privilege of serving with Mr. HASTINGS, and know he was committed to supporting our intelligence professionals. He was a leader on the issue of diversity in the intelligence community, and I applaud him for those efforts. Having a diverse intelligence community workforce is not simply the right thing to do, but it is critical to our mission.

Today, I am pleased to join my colleague and friend MICHELE BACHMANN in support of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011. I thank her for her comments about partisan politics. The Intelligence Committee is a bipartisan committee that works together. The stakes are

too high for us not to work together, and that's what we're attempting to do.

Now, the killing of Osama bin Laden is clearly the most monumental intelligence achievement in recent history. Our intelligence professionals worked together as a team, brought Osama bin Laden to justice, and killed him. It was a risky mission that was executed with intense training and a high level of skill. These professionals risked their lives to keep our country safe, and no American lives were lost.

I am pleased that Congress can provide the intelligence community with the resources, capabilities, authorities, and oversight they need to continue this great work. After months of negotiations and a number of changes to address many of the concerns of the administration, I believe this bill moves in a positive direction to assert congressional oversight over intelligence activities.

I am also pleased that Chairman ROGERS and I could come to an agreement to add additional counterterrorism positions to the CIA. With this change, I will support the bill. This bill adds several thousand civilian positions above the level enacted in FY 2010. There is also a large increase in personnel at the National Counterterrorism Center, which is the NCTC, among others. The bill adds hundreds of millions of dollars for intelligence above current levels. However, I urge a "no" vote on this rule because it does not allow all Members of Congress to offer amendments to this bill.

Mr. SESSIONS. Mr. Speaker, with the election of this new large Republican class, some 87 new Members, we picked up, in particular, a Member who will speak here in just a second. He is a young man who devoted his life, not only to his country through his service in the military, but also to law enforcement. He comes to Washington from Florida where he had been a distinguished sheriff of a large department. He came to us with not only a thought and belief about securing this country and of making sure that we took care of our citizens, but perhaps more importantly, he is a clear thinker on seeing not only intelligence issues but also the broader context of protecting this country. He has a son who serves in the military, and he has been very thoughtful.

I yield 3 minutes to a member of the Rules Committee, the gentleman from Brooksville, Florida (Mr. NUGENT).

Mr. NUGENT. I thank my colleague from Texas (Mr. SESSIONS), with whom I have the pleasure of serving on the Rules Committee.

Mr. Speaker, I rise today in support of the rule, H. Res. 264, and the underlying legislation, H.R. 754.

About a week and a half ago, we all learned that justice had been served: justice for our civil servants working

in the Kenya and Tanzania Embassies in 1998, justice for our troops serving on the USS Cole in 2000 and justice for the innocent victims of September 11, 2001.

After many years of hard, stealthy intelligence work, we found Osama bin Laden's hideout in Pakistan. Based upon this information, a highly trained team of Navy SEALs came in, performed its mission and rid the world of one of history's most evil and notorious terrorists.

Mr. Speaker, this would not have been possible without the work of our hardworking intelligence community. It was President Bush who laid the groundwork for this intelligence that ultimately made all of this possible, and it was President Obama who put this information together and made the gutsy call that only a Commander in Chief can make. Both of these men deserve our thanks for the work they did to make this possible.

It is our duty as Members of Congress to ensure that our intelligence community has the tools it needs to continue to keep our Nation safe. That is what H.R. 754 does. As a prior law enforcement officer, I can attest to the value of good Intel in apprehending those who would do dastardly things to our country.

With that, I encourage my colleagues to support the rule, to support the underlying bill, and to support the intelligence community, which is keeping this Nation safe.

Mr. HASTINGS of Florida. Mr. Speaker, I am very pleased at this time to yield 2 minutes to my good friend, a member of the Judiciary Committee, the distinguished gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE of Texas. Mr. HASTINGS, thank you for your service years on the Intelligence Committee, and I thank the ranking member and the members who are on the floor.

I rise to support the underlying bill and the rule, recognizing that human intelligence and the resources that provide a safety net for the American people are crucial—the CIA, the Department of Defense and other intelligence civilian agencies, along with the United States military.

I introduced H. Res. 240 to chronicle the successful apprehension and demise of Osama bin Laden, to actually emphasize, when combined together, the brawn and intellect of the United States military. The human intelligence over the years and the work of President Clinton, President Bush and President Obama in the strategic decision that had to be made by the civilian minds, in working with the military minds, has emphasized the constitutional values of this country that civilians, in working with the military, can, in fact, provide the armor protection of the United States of America. I am very grateful for that genius, and I

want to thank them. Our legislation had over 50 cosponsors.

As well, I believe now that we can actually say in good conscience: Bring the troops home from Afghanistan. Our mission is accomplished. We realize that human intelligence can help us target those who want to do us harm, and we have the constitutional fabric, along with the United States military, the likes of JSOC and many others in the intelligence community, who work on behalf of the American people. We can bring home the men and women—over 100,000—who are based now in Afghanistan.

Do you know what? Mother's Day was this past weekend, and sadly, soldiers fell in battle on Mother's Day. Let us not have another Mother's Day when some mother in America, somewhere, loses a child to the battle in Afghanistan, not when we can use smart power and use intelligence and use a minimum of force.

It is time now for America to welcome home her heroes with honor and, as well, to thank those who dedicated the brawn and the intellect that could make good on a promise that, yes, you will come to justice if you do harm to the American people.

I ask support for the underlying legislation and the rule.

Mr. SESSIONS. Mr. Speaker, I do understand that the Democratic Party is interested in leaving Afghanistan now that Osama bin Laden has been killed.

Mr. HASTINGS of Florida. Will the gentleman yield?

Mr. SESSIONS. I yield to the gentleman.

Mr. HASTINGS of Florida. I would just urge my colleague not to use a broad reference with reference to the Democratic Party. Everybody in the Democratic Party does not agree that we should leave Afghanistan until the administration and the military and the intelligence community have completed their work.

Mr. SESSIONS. Thank you.

Reclaiming my time, I appreciate and respect the words, not only from my friend, but I believe he is absolutely correct. I simply hear the drumbeat that comes out of this town about leaving now that there has been a big victory in dealing with the number one terrorist in the world.

I would suggest to you that there is still much work left to be done and that we must not change the focus of the men and women who today are in harm's way. We should not change the focus of the American people in getting them away from the job that is being done on a day-to-day basis and that we should not begin the drumbeat until we have further completed the work that is necessary to ensure that this country is safe.

□ 1250

Mr. Speaker, at this time I would like to yield 2 minutes to a young

member of the Rules Committee, a gentleman who served as mayor of Corning, New York, and a man who has dedicated himself to public service, the gentleman from New York (Mr. REED).

Mr. REED. I thank my colleague from Texas for the opportunity.

Mr. Speaker, I rise today in support of the rule for H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

Mr. Speaker, the intelligence community works long hours in distant parts of the world to keep our country safe. But the thing about the United States intelligence community is that when they do their job right, no one knows about it. When they are successful in that diligence that they perform every day of the week, 24 hours a day, every day of the year, we often do not hear about that success.

I stand here today, Mr. Speaker, to commend the diligent, painstaking work of the United States intelligence officials for all that they do. And in particular, I stand today to recognize the hard work of our intelligence community which resulted in capturing and killing the man who masterminded the multiple attacks which killed thousands of Americans, bringing him to justice this past week. Thanks to the intelligence professionals who work for our country, the world is a safer place without Osama bin Laden.

I have an amendment with my colleague from New York (Mr. GRIMM) that will be discussed on this floor tomorrow, and hopefully supported and voted upon in a bipartisan fashion, to recognize the efforts of those intelligence officials.

Mr. Speaker, I rise also today to commend the work that is being done here in this Chamber, that is being led by this side of the aisle in having an open dialogue, in having an open process. We have nine amendments that are going to be considered under this rule and in this Chamber tomorrow. Mr. Speaker, that is a direct change from the history that has been demonstrated here for years prior to us coming here. It is time that we on this side of the aisle recognize that we are going to listen to the American people. We are going to have an honest conversation with the American people about the issues that we face on a day-to-day basis. And as such, I stand today and urge my colleagues to vote "yes" on this rule and "yes" on H.R. 754.

Mr. HASTINGS of Florida. I reserve the balance of my time.

Mr. SESSIONS. Mr. Speaker, I would like to yield 2 minutes to the gentleman from Corpus Christi, Texas (Mr. FARENTHOLD), another one of our brand-new Members, who brings to this House and to the floor not only a commonsense element but the insistence that people from Corpus Christi be represented on the floor of this House in such a way that will benefit not only our country but also the United States

military and, in particular, the United States Navy that has a large base in Corpus Christi.

Mr. FARENTHOLD. It's almost like a fog has been lifted over America. We sought to capture or kill Osama bin Laden for 10 years; and just recently, that was accomplished. And it's almost as if the sun is a little bit brighter and the can-do American spirit has been revived, that same spirit that took us to the Moon, that same spirit that has led us to victory in the past.

Our intelligence community is key to that success, as is our military. It is absolutely imperative that we support and back the intelligence community that provides us the knowledge and information that not only helps us win wars but, more importantly, keeps us out of war.

Knowledge is power. What we know about beforehand gives us the opportunity to stop conflicts before they happen. We are also in an era of a tight budget now. We are looking at an authorization bill that increases and provides adequate oversight to our intelligence to make sure those resources are being spent wisely and are being spent in the defense of this Nation, in the furtherance of our interests, and in the furtherance of freedom.

Mr. HASTINGS of Florida. Mr. Speaker, I continue to reserve the balance of my time.

Mr. SESSIONS. I would like to yield such time as he may consume to the young gentleman from California (Mr. DREIER), the chairman of the Rules Committee.

Mr. DREIER. Mr. Speaker, let me begin by expressing my appreciation to the distinguished vice chairman of the Rules Committee, my friend from Dallas, Mr. SESSIONS, for his management of this very important rule. And I think it's appropriate that Mr. SESSIONS is a manager of legislation that enjoys strong bipartisan support because he's always seeking a consensus on issues where we can find areas of agreement. And the fact is, we have been able to see the chairman and the ranking member of the Select Committee on Intelligence work together in a bipartisan way to deal with the very important security and intelligence needs of the United States of America.

My new colleague from Corpus Christi has just said, What a great day for America, the day that we were able to see Osama bin Laden captured and killed, brought to justice. And I congratulate President Obama and, of course, all those who were involved. I congratulate President Bush who, from September 11 forward, was determined to bring Osama bin Laden to justice. And I congratulate all of the men and women in uniform, including those who, as of September 11, 2001, became part of the frontline—that being firefighters and law enforcement—right

here on our soil because that was the day, for the first time ever, that we faced an attack on our soil.

But this legislation, Mr. Speaker, is specifically designed to extend our appreciation and thanks, based on an amendment that we've made in order from our colleague from Staten Island, Mr. GRIMM, to those in the intelligence community who have done such a spectacular job in dealing with the challenge of capturing and bringing to justice Osama bin Laden.

We are going to have in this bill a number of amendments made in order. I am particularly proud that as we worked with the members of the Intelligence Committee, recognizing that obviously this bill deals with some very, very sensitive items that, frankly, can't be discussed here on the House floor, but with that in mind, we were able to make in order nine amendments that are going to be offered by Members; five amendments that will be offered by Democrats; four amendments offered by Republicans; and, as I said, the amendment that will allow for the longest period of debate to provide an opportunity for the Members of this House to discuss, and I know it will be, again, bipartisan appreciation to those in the intelligence community who have been able to have the success that we've witnessed most recently.

So, Mr. Speaker, I think it's a great day for the United States of America to once again demonstrate the global leadership role that we provide not only economically and geopolitically but through our security, intelligence, and military strength.

I urge my colleagues to support both this rule, which, again, will allow for free-flowing debate and an opportunity for both parties to participate, and the underlying legislation itself.

Mr. HASTINGS of Florida. Mr. Speaker, I would in some respects reiterate much of what our colleagues have said with regard to Osama bin Laden. For 10 years, he held the title of scourge of the Earth. And I believe all of us are pleased that to the degree that he contributed to injustice, justice, as it pertains to him, has finally been served.

It is my hope that the families of the terrible events that transpired on 9/11 and the USS *Cole* and the families of the East African embassy bombings can find just a little more solace and just a little more closure as a result of his demise at the hands of extraordinary work on behalf of a substantial number of courageous Americans.

□ 1300

As a Nation, I would ask that we be extremely mindful that al Qaeda has not been removed, nor has the sentiment of this very dangerous societal element, nor are they the only organized structure of radical extremists that would attack our Nation. We must remain ever vigilant.

There was a bit of irony on May 1, 2011, that should not be lost on any of us. One of the events that transpired on that same day was that the late John Paul II, the Pope, was beatified and moved closer to sainthood. On May 1 that occurred. He spent his life blazing a path of enlightenment, peace, love, and uplifting humanity.

The second event that occurred on that day was the demise of bin Laden, who spent his life lighting a path of murder, deceit, and the destruction of humanity. While one found, and is finding, sainthood, the other found Satan.

It is a good thing that he is no longer a plague on the Earth, and the hope for humankind is that Pope John Paul II would be our exemplar of goodness.

Given the immense security challenges facing our Nation, Congress should pass this legislation so that we may continue to fulfill our commitment to the safety and well-being of the American people.

The men and women of the intelligence community may operate in the background, but they are at the forefront of our national defense and deserve every resource necessary to do their jobs.

Mr. Speaker, I urge a "no" vote on the rule because, in spite of Mr. REED, my colleague on the Rules Committee, and the distinguished chairman, my good friend, touting the fact that we do have a number of amendments and the time, this is not an open rule; and I would have them to know that if it were an open rule, then all Members would be able to offer an amendment to the bill.

I yield back the balance of my time.

Mr. SESSIONS. Mr. Speaker, today we've had a distinguished group of speakers, including the gentleman, Mr. HASTINGS, who spent years of his service, not only on behalf of the people of Florida, but on behalf of all of us as he served on the Intelligence Committee.

We have had Members walk in and out of here: the gentlewoman from North Carolina, VIRGINIA FOXX, who brings a thoughtful articulation about her ideas about the protection of this country, not just for the people of North Carolina, but for the people of the United States.

We've had the gentleman, a former sheriff, Mr. NUGENT, a Member of Congress from Florida, also come and talk about their ideas about how you protect this country by protecting the men and women who are engaged in the active and day-to-day business.

The gentleman, Mr. HASTINGS, referred to al Qaeda as not defeated. We still have a threat that is out there. The gentleman, Mr. FARENTHOLD, talked most forthrightly and honestly about the need of the American people to have confidence and thanks for the intelligence community and that which they do.

The gentleman, Mr. RUPPERSBERGER, the ranking member of the Intelligence

Committee, as they bring their ideas forth in an open process that would be allowed in the committee, Intelligence Committee, and then to bring that forward as they would discuss that at the Rules Committee.

Here on the floor of the House of Representatives it's an interesting dialogue that we get into about our hopes and desires about supporting the intelligence community. But we must remember that the need for our intelligence community and for them to have clear direction from this Congress is important.

The killing of the most wanted terrorist in the world, Osama bin Laden, is a perfect example of the necessary intelligence information and support from this Congress for funds and the authorizing process, the oversight that is provided by the Congress.

The men and women in this intelligence community and the Armed Forces serve this Nation; and they provide us victories, day-to-day victories, not only in keeping America safe, but victories with finding and killing terrorists around the globe who would harm America and our allies.

The underlying bill today allows for that continued service by these brave men and women for the benefit of the American people.

Six years ago is far too long for Congress to have skirted its responsibilities to aid and help the intelligence community with an authorization. Now is the time to ensure the appropriate accountability, responsibility, and that funding is given to the intelligence community to carry out their mission to keep America safe and to look forward, as might be said, over the horizon to ensure that whatever is next, they are prepared for it.

I would like to applaud the chairman, the gentleman from Michigan, MIKE ROGERS; and the ranking member, the gentleman from Maryland (Mr. RUPERSBERGER); and the Intelligence Committee for this authorization bill as they work so well with the men and women of the intelligence community on a mission which is important for us to join in with the administration to ensure that our intents are very clear to them.

We live in a dangerous time and in a dangerous world, and I feel much better protected knowing that this hard work is done by so many dedicated people.

So I encourage a "yes" vote on the rule.

I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

Mr. SESSIONS. Mr. Speaker, I send to the desk a privileged concurrent resolution and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 50

Resolved by the House of Representatives (the Senate concurring),

That when the House adjourns on the legislative day of Friday, May 13, 2011, or Saturday, May 14, 2011, on a motion offered pursuant to this concurrent resolution by its Majority Leader or his designee, it stand adjourned until 2 p.m. on Monday, May 23, 2011, or until the time of any reassembly pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. (a) The Speaker or his designee, after consultation with the Minority Leader, shall notify the Members to reassemble at such place and time as he may designate if, in his opinion, the public interest shall warrant it.

(b) After reassembling pursuant to subsection (a), when the House adjourns on a motion offered pursuant to this subsection by its Majority Leader or his designee, the House shall again stand adjourned pursuant to the first section of this concurrent resolution.

The SPEAKER pro tempore (Mr. NUGENT). The question is on the concurrent resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Florida. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

REVERSING PRESIDENT OBAMA'S OFFSHORE MORATORIUM ACT

The SPEAKER pro tempore. Pursuant to House Resolution 257 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1231.

□ 1310

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural

gas production goal, and for other purposes, with Mr. GARDNER (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Wednesday, May 11, 2011, proceedings on amendment No. 4 printed in House Report 112-74, offered by the gentleman from Massachusetts (Mr. KEATING), had been disposed of.

ANNOUNCEMENT BY THE ACTING CHAIR

Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-74 on which further proceedings were postponed, in the following order:

Amendment No. 5 by Ms. TSONGAS of Massachusetts.

Amendment No. 6 by Ms. BROWN of Florida.

Amendment No. 7 by Mr. THOMPSON of California.

Amendment No. 8 by Mr. INSLEE of Washington.

The Chair will reduce to 2 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 5 OFFERED BY MS. TSONGAS

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Massachusetts (Ms. TSONGAS) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 195, noes 223, not voting 13, as follows:

[Roll No. 315]

AYES—195

Ackerman	Cohen	Fudge
Baca	Connolly (VA)	Garamendi
Baldwin	Conyers	Gerlach
Bass (CA)	Cooper	Gibson
Bass (NH)	Costello	Gonzalez
Becerra	Courtney	Green, Al
Berkley	Critz	Grijalva
Berman	Crowley	Gutierrez
Bishop (GA)	Cuellar	Hanabusa
Bishop (NY)	Cummings	Hanna
Blumenauer	Davis (CA)	Hastings (FL)
Boswell	Davis (IL)	Heinrich
Brady (PA)	DeFazio	Higgins
Braley (IA)	DeGette	Himes
Brown (FL)	DeLauro	Hinchey
Buchanan	Dent	Hinojosa
Butterfield	Deutch	Hirono
Capps	Dicks	Holden
Capuano	Dingell	Holt
Cardoza	Doggett	Honda
Carnahan	Donnelly (IN)	Hoyer
Carney	Doyle	Inslee
Carson (IN)	Edwards	Israel
Castor (FL)	Ellison	Jackson (IL)
Chu	Engel	Jackson Lee
Ciilline	Eshoo	(TX)
Clarke (MI)	Farr	Johnson (GA)
Clarke (NY)	Fattah	Johnson, E. B.
Clay	Filner	Jones
Cleaver	Fitzpatrick	Kaptur
Clyburn	Frank (MA)	Keating

Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
LoBiondo
Loeb sack
Lofgren, Zoe
Lowey
Luján
Lynch
Maloney
Markey
Matheson
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)

Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Platts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reichert
Reyes
Richardson
Richmond
Ros-Lehtinen
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff

Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth
Young (FL)

NOES—223

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Benishke
Berg
Biggart
Bilbray
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)

Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gibbs
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Herrera Beutler
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kline
Labrador

Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peterson
Petri
Pitts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Renacci
Rigell
Rivera
Roby
Roe (TN)

Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schweikert
Scott (SC)

Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberius

NOT VOTING—13

Akin
Andrews
Cantor
Giffords
Hastings (WA)
Johnson, Sam
Lamborn
Paul
Ribble
Schock
Sutton
Towns
Wilson (SC)

□ 1336

Messrs. GRAVES of Missouri and DENHAM changed their vote from “aye” to “no.”

Mr. DAVIS of Illinois changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 6 OFFERED BY MS. BROWN OF FLORIDA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentlewoman from Florida (Ms. BROWN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 134, noes 279, not voting 18, as follows:

[Roll No. 316]

AYES—134

Ackerman
Baldwin
Bass (CA)
Becerra
Berkley
Berman
Bilirakis
Bishop (NY)
Blumenauer
Brown (FL)
Butterfield
Capps
Capuano
Cardoza
Carney
Carson (IN)
Castor (FL)
Chu
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Conyers
Crowley
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Edwards
Ellison
Engel
Eshoo
Filner
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Higgins
Hinchee
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Johnson (GA)
Jones
Keating
Kildee
Kucinich
Langevin
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McNerney
Meeks
Miller, George

Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Pingree (ME)
Price (NC)
Quigley
Rangel
Reichert
Richmond
Ros-Lehtinen
Roybal-Allard
Ruppersberger
Rush
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (WA)
Speier

NOES—279

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishke
Berg
Biggart
Bilbray
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (PA)
Brady (TX)
Braley (IA)
Brooks
Broun (GA)
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Chandler
Cicilline
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Cuellar
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Fattah
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Gonzalez
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Green, Al
Green, Gene
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Heinrich
Hensarling
Herger
Herrera Beutler
Himes
Hinojosa
Holden
Huelskamp
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Johnson, E. B.
Jordan
Kaptur
Kelly
Kind
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Larsen (WA)
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Loeb sack
Long
Lucas
Luetkemeyer
Luján
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Paulsen
Pearce
Pence
Perlmutter
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Rahall
Reed
Rehberg
Renacci
Reyes
Richardson
Rigell
Rivera
Robby
Young (FL)

Roe (TN) Scott, Austin
 Rogers (AL) Sensenbrenner
 Rogers (KY) Sessions
 Rogers (MI) Shimkus
 Rohrabacher Shuler
 Rokita Shuster
 Roskam Simpson
 Ross (AR) Smith (NE)
 Ross (FL) Smith (NJ)
 Rothman (NJ) Smith (TX)
 Royce Southerland
 Runyan Stearns
 Ryan (OH) Stivers
 Ryan (WI) Stutzman
 Scalise Sullivan
 Schmidt Terry
 Schock Thompson (PA)
 Schwartz Thornberry
 Schweikert Tiberi
 Scott (SC) Tipton

NOT VOTING—18

Buchanan Huizenga (MI) Rooney
 Cantor Johnson, Sam Schilling
 Farenthold Paul Sutton
 Farr Polis Towns
 Giffords Quayle Weiner
 Hastings (WA) Ribble Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1341

Messrs. BACA and DOGETT changed their vote from “aye” to “no.”
 So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. HUIZENGA. Mr. Chair, on rollcall No. 316, I was unavoidably detained. Had I been present, I would have noted “no.”

AMENDMENT NO. 7 OFFERED BY MR. THOMPSON OF CALIFORNIA

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from California (Mr. THOMPSON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 156, noes 265, not voting 12, as follows:

[Roll No. 317]

AYES—156

Ackerman	Cardoza	Courtney
Andrews	Carnahan	Crowley
Baca	Carney	Cummings
Baldwin	Carson (IN)	Davis (CA)
Bass (CA)	Castor (FL)	Davis (IL)
Becerra	Chu	DeFazio
Berkley	Cicilline	DeGette
Berman	Clarke (MI)	DeLauro
Biggart	Clarke (NY)	Deutch
Bishop (NY)	Clay	Dicks
Blumenauer	Cleaver	Doggett
Brady (PA)	Clyburn	Dold
Brown (FL)	Cohen	Doyle
Butterfield	Connolly (VA)	Edwards
Capps	Conyers	Ellison
Capuano	Costello	Engel

Turner	Eshoo	Lynch	Sánchez, Linda
Upton	Farr	Maloney	McKinley
Visclosky	Fattah	Markey	McMorris
Walberg	Finer	Matsui	Rodgers
Walden	Frank (MA)	McCollum	Meehan
Walsh (IL)	Fudge	McDermott	Mica
Walz (MN)	Garamendi	McGovern	Michaud
Webster	Grijalva	McNerney	Miller (FL)
Welch	Gutierrez	Meeks	Miller (MI)
West	Hanabusa	Miller (NC)	Miller, Gary
Westmoreland	Hastings (FL)	Miller, George	Mulvaney
Whitfield	Heinrich	Moore	Murphy (PA)
Wittman	Higgins	Moran	Myrick
Wolf	Hinchee	Murphy (CT)	Neugebauer
Womack	Hirono	Nadler	Noem
Woodall	Holt	Napolitano	Nugent
Yoder	Honda	Neal	Nunes
Young (AK)	Hoyer	Oliver	Nunnelee
Young (IN)	Inslee	Pallone	Olson
	Israel	Pascrell	Owens
	Jackson (IL)	Pastor (AZ)	Palazzo
	Johnson (GA)	Payne	Paulsen
	Jones	Pelosi	Pearce
	Keating	Perlmutter	Pence
	Kildee	Peters	Peterson
	Kissell	Pingree (ME)	Petri
	Kucinich	Polis	Pitts
	Langevin	Price (NC)	Platts
	Larsen (WA)	Quigley	Pompeo
	Larson (CT)	Rangel	Posey
	Lee (CA)	Reichert	Price (GA)
	Lewis (GA)	Richardson	Quayle
	Lipinski	Rothman (NJ)	Rahall
	Lofgren, Zoe	Roybal-Allard	Reed
	Lowe	Ruppersberger	
	Luján	Rush	

NOES—263

Adams	Cuellar	Herger
Aderholt	Culberson	Herrera Beutler
Akin	Davis (KY)	Himes
Alexander	Denham	Hinojosa
Altmire	Dent	Holden
Amash	DesJarlais	Huelskamp
Austria	Diaz-Balart	Huizenga (MI)
Bachmann	Dingell	Hultgren
Bachus	Donnelly (IN)	Hunter
Barletta	Dreier	Hurt
Barrow	Duffy	Issa
Bartlett	Duncan (SC)	Jackson Lee
Barton (TX)	Duncan (TN)	(TX)
Bass (NH)	Ellmers	Jenkins
Benish	Emerson	Johnson (IL)
Berg	Farenthold	Johnson (OH)
Bilbray	Fincher	Johnson, E. B.
Bilirakis	Fitzpatrick	Jordan
Bishop (GA)	Flake	Kaptur
Bishop (UT)	Fleischmann	Kelly
Black	Fleming	Kind
Blackburn	Flores	King (IA)
Bonner	Forbes	King (NY)
Bono Mack	Fortenberry	Kingston
Boren	Fox	Kinzing (IL)
Boswell	Franks (AZ)	Kline
Boustany	Frelinghuysen	Labrador
Brady (TX)	Gallely	Lamborn
Braley (IA)	Gardner	Lance
Brooks	Garrett	Landry
Broun (GA)	Gerlach	Lankford
Buchanan	Gibbs	Latham
Bucshon	Gibson	LaTourette
Buerkle	Gingrey (GA)	Latta
Burgess	Gohmert	Lewis (CA)
Burton (IN)	Gonzalez	LoBiondo
Calvert	Goodlatte	Loeb
Camp	Gosar	Long
Campbell	Gowdy	Lucas
Canseco	Granger	Luetkemeyer
Capito	Graves (GA)	Lummis
Carter	Graves (MO)	Lungren, Daniel
Cassidy	Green, Al	E.
Chabot	Green, Gene	Mack
Chaffetz	Griffin (AR)	Manzullo
Chandler	Grimm	Marchant
Coble	Guinta	Marino
Coffman (CO)	Guthrie	Matheson
Cole	Hall	McCarthy (CA)
Conaway	Hanna	McCarthy (NY)
Cooper	Harper	McCauley
Costa	Harris	McClintock
Crawaack	Hartzler	McCotter
Cravford	Hayworth	McHenry
Crenshaw	Heck	McIntyre
Critz	Hensarling	McKeon

Rehberg	Shuster
Renacci	Simpson
Reyes	Smith (NE)
Richmond	Smith (NJ)
Rigell	Smith (TX)
Rivera	Southerland
Roby	Stearns
Roe (TN)	Stivers
Rogers (AL)	Stutzman
Rogers (KY)	Terry
Rogers (MI)	Thompson (PA)
Rohrabacher	Thornberry
Rokita	Tiberi
Rooney	Tipton
Ros-Lehtinen	Turner
Roskam	Upton
Ross (AR)	Walberg
Ross (FL)	Walden
Royce	Walsh (IL)
Runyan	Walz (MN)
Ryan (OH)	Webster
Ryan (WI)	West
Scalise	Westmoreland
Schilling	Whitfield
Schmidt	Wittman
Schock	Wolf
Schweikert	Womack
Scott (SC)	Woodall
Scott, Austin	Yoder
Sensenbrenner	Young (AK)
Sessions	Young (FL)
Shimkus	Young (IN)
Shuler	

NOT VOTING—12

Cantor	Johnson, Sam	Sullivan
Giffords	Paul	Sutton
Griffith (VA)	Poe (TX)	Towns
Hastings (WA)	Ribble	Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (during the vote).
 There is 1 minute remaining in this vote.

□ 1344

So the amendment was rejected.

The result of the vote was announced as above recorded.

AMENDMENT NO. 8 OFFERED BY MR. INSLEE

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Washington (Mr. INSLEE) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 2-minute vote.

The vote was taken by electronic device, and there were—ayes 160, noes 256, not voting 15, as follows:

[Roll No. 318]

AYES—160

Ackerman	Butterfield	Coble
Andrews	Capps	Cohen
Baca	Capuano	Connolly (VA)
Baldwin	Carney	Conyers
Bass (CA)	Carson (IN)	Crowley
Becerra	Castor (FL)	Cummings
Berkley	Chandler	Davis (CA)
Berman	Chu	Davis (IL)
Bilbray	Cicilline	DeFazio
Bishop (NY)	Clarke (MI)	DeGette
Blumenauer	Clarke (NY)	DeLauro
Brady (PA)	Clay	Dicks
Braley (IA)	Cleaver	Doggett
Brown (FL)	Clyburn	Doyle

Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Fudge
Garamendi
Grijalva
Gutierrez
Hanabusa
Hastings (FL)
Herrera Beutler
Higgins
Hinchey
Hirono
Holt
Honda
Hoyer
Inslee
Israel
Johnson (GA)
Jones
Keating
Kildee
Kind
Kissell
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Lee (CA)
Levin
Lewis (GA)
LoBiondo
Loeback
Lofgren, Zoe

NOES—256

Adams
Aderholt
Alexander
Altmire
Amash
Austria
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilirakis
Bishop (GA)
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Capito
Cardoza
Carnahan
Carter
Cassidy
Chabot
Chaffetz
Coffman (CO)
Cole
Conaway
Cooper
Costa
Costello
Courtney
Cravaack

Lowey
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Pallone
Pascrell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Polis
Posey
Price (NC)
Quigley
Rangel
Reichert
Richardson
Rothman (NJ)
Roybal-Allard
Runyan

Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Serrano
Sewell
Sherman
Sires
Slaughter
Smith (NJ)
Smith (WA)
Speier
Stark
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Tsongas
Van Hollen
Velázquez
Visclosky
Wasserman
Schultz
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Merrick
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo
Palazzo
Pearce
Pence
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo

Akin
Cantor
Deutch
Giffords
Graves (MO)

Price (GA)
Quayle
Rahall
Reed
Rehberg
Renacci
Reyes
Richmond
Rigell
Rivera
Robby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shinkus

NOT VOTING—15

Hastings (WA)
Jackson (IL)
Johnson, Sam
Paul
Ribble

Shuler
Shuster
Simpson
Smith (NE)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Sullivan
Terry
Thompson (PA)
Thornberry
Tiberi
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Walz (MN)
Webster
West
Westmoreland
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

Sutton
Towns
Waters
Whitfield
Wilson (SC)

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR (Mr. CHAFFETZ) (during the vote). There is 1 minute remaining in this vote.

□ 1349

Mr. POSEY changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated for:

Mr. DEUTCH. Mr. Chair, on rollcall No. 318, had I been present, I would have voted “aye.”

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. GARDNER) having assumed the chair, Mr. CHAFFETZ, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes, and, pursuant to House Resolution 257, reported the bill, as amended by that resolution, back to the House with a further amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. HOLT. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. HOLT. I am opposed.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Holt moves to recommit the bill H.R. 1231 to the Committee on Natural Resources with instructions to report the same back to the House forthwith with the following amendments:

Page 4, line 19, strike the final closing quotation marks and following period, and after line 19 insert the following:

“(7) NO FOREIGN SALES.—In each oil and gas leasing program under this section, the Secretary shall specify that all oil and natural gas produced under leases issued under the program shall be offered for sale only in the United States.”.

Page 6, after line 3, insert the following (and redesignate accordingly):

“(3) REDUCING NUMBER OF NONPRODUCING LEASES.—In developing a 5-year oil and gas leasing program, the Secretary shall seek to reduce the number of nonproducing offshore oil and gas leases by 50 percent by 2017.

Mr. HOLT (during the reading). Mr. Speaker, I ask unanimous consent to dispense with the reading.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

Mr. DUNCAN of South Carolina. I object.

The SPEAKER pro tempore. Objection is heard.

The Clerk will read.

The Clerk continued to read.

The SPEAKER pro tempore. The gentleman from New Jersey is recognized for 5 minutes in support of his motion.

Mr. HOLT. Mr. Speaker, time and again over the past week, I have referred to the majority’s trio of offshore drilling bills as “amnesia acts.” They willfully forget the lessons derived at great cost in lives and livelihoods from the Deepwater Horizon spill last summer. Mr. Speaker, and with these amnesia acts, the majority offers false promises to Americans who are struggling to make ends meet as gas prices continue to rise.

The truth is that giving away more of the American people’s offshore resources to Big Oil companies will do absolutely nothing to ease the prices at the pump. How do we know? Because the oil giants already are sitting on 11.6 billion barrels of oil in the Gulf of Mexico without lifting a finger to extract it.

If my colleagues really believe that more domestic drilling is the answer to high gas prices, then they should support this final amendment, which does two things: first, to encourage the oil

companies to drill on the tens of millions of acres of public land they already hold so that Americans can benefit from domestic oil production before the oil companies rush to lock up more land; and second, the amendment would help to keep the oil produced within the United States of America here at home.

Mr. Speaker, the facts speak for themselves. Opening vast portions of the east and west coasts to drilling makes no sense when 79 percent of all the potential oil resources on the whole continental shelf already are available in the current offshore leasing program. Why risk every inch of American coastline, which supports millions of jobs in tourism and fishing and over \$225 billion in related economic activity when the Energy Information Administration tells us that unrestrained offshore drilling might lower gas prices not at all in the foreseeable future and maybe pennies two decades from now?

Oil companies are active on just 10 million of the 34 million acres under lease in the gulf. My Republican colleagues say, yes, but it takes time and money to explore before you can start production. Well, the fact is that of the 24 million lease acres lying fallow in the gulf, they hold 70 percent of the region's technically recoverable oil, but the companies aren't exploring on a single one of those acres. They haven't even submitted exploration plans in those areas. Why should they when they can squat on these resources and still make \$32 billion in profits just in the last 3 months?

Mr. Speaker, every kindergartner knows you should clean your plate before you get a second helping. Evidently the oil company executives never learned that lesson. Here is our chance to deliver the lesson to them, and if my colleagues truly believe that we need more drilling, not just more giveaways to Big Oil, then let's at least make sure the oil companies use the resources they have already leased instead of stockpiling them, and let's make sure that Americans get to use the oil produced on their land.

Mr. Speaker, I am pleased to now yield to the ranking member of the Resources Committee, the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. I thank the gentleman.

Oil companies already have the drilling rights to public lands the size of Minnesota on which they are not producing oil. Minnesota is the land of 10,000 lakes, and the area oil companies already have could be the land of 10,000 wells but they are not drilling on it. And are Republicans saying they should drill on what they have? No. They want to put drill rigs off our beaches in New England, the Outer Banks, and California, all before we have implemented a single safety re-

form recommended by the independent blue-ribbon BP spill commission.

Today, five of the largest oil companies testified in defense of their billions of special tax breaks. ConocoPhillips said today it would be un-American to take away Big Oil's tax breaks. Well, it's not un-American. It's unbelievable that Big Oil has the arrogance to continue to defend its tax breaks as consumers are being tipped upside down at the pump.

And how are these tax breaks for Big Oil paid for? I will tell you how. The Republicans are planning to put a drill rig on top of the Medicare program. Republicans are building an oil pipeline into the pocketbooks of our seniors for tax breaks for the oil companies. The Republican agenda is to cut checkups for Grandma and cut checks for Big Oil. They want to cut health care for Grandma and give welfare to the Big Oil executives. The Republican plan is tax breaks for Big Oil and tough breaks for our Nation's seniors.

Vote "yes" on this recommittal motion.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DUNCAN of South Carolina. Mr. Speaker, I continue to reserve my point of order while rising in opposition to the motion.

The SPEAKER pro tempore. No point of order was reserved.

The gentleman is recognized for 5 minutes.

Mr. DUNCAN of South Carolina. This Democrat motion is just one more example of congressional Democrats attempting to obstruct a bill that will increase access to American energy resources. This motion is already the law. The law says the President has an authority to restrict foreign sales, and "use it or lose it" is already the law of the land. If my friends want to reduce the nonproducing leases, then we need to get this administration to issue permits in a timely manner.

This motion is trying to deflect criticism from the policies that have been perpetrated that block American energy production, cost jobs and raise prices. It is simply a distraction from the real work that needs to be done to increase the supply of American energy.

The bill we're voting on today represents a real choice, Mr. Speaker, on the future of American energy: a choice between using American energy resources or remaining dependent on an OPEC cartel; a choice between creating jobs in America or creating jobs offshore in Brazil.

With this motion, the party opposite is standing for a "drill there and not here" policy. Mr. Speaker, that is not a strategy that will work to create American jobs. The underlying bill will create these jobs.

Finally, this is a choice between strengthening our energy security in

the face of \$4 a gallon gasoline or being held hostage to the whims of volatile foreign regimes. Mr. Speaker, there can be no national security without energy security.

As a small business man, I know what the pressure of \$5 a gallon diesel fuel did to my business back in 2008, and we only had two trucks on the road.

□ 1400

Now think about what this is going to do to every household, every trucking business, every shipper, and every farmer in our country. The Nation's families are hurting, Mr. Speaker. They're trying to decide between putting fuel in their cars to go to work or putting food on their tables to feed their children. We must act to increase the supply of American energy, and Mr. Speaker, this bill will get us moving in the right direction. This is a commonsense, free market solution that can help us restore America's greatness.

Congress took bipartisan action in 2008 to lift the moratorium on offshore drilling and exploration. Yet this administration has unilaterally defied the will of this Congress and the will of the American people by effectively reinstating a moratorium. The energy resources don't belong to President Obama. They belong to the American people, and they should be used to create American jobs, to generate revenue, to reduce gasoline prices, and to strengthen our national security.

I urge my colleagues to vote against this motion. Let's pass this bill to return these American energy resources back to where they belong, and that is to the American people.

May God continue to bless America.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

RECORDED VOTE

Mr. HOLT. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 8 and clause 9 of rule XX, this 15-minute vote on the motion to recommit will be followed by 5-minute votes on passage, if ordered; adoption of House Concurrent Resolution 50, by the yeas and nays; and adoption of House Resolution 264, by the yeas and nays.

The vote was taken by electronic device, and there were—ayes 180, yeas 243, not voting 8, as follows:

[Roll No. 319]

AYES—180

Ackerman
Altmiere

Andrews
Baca

Baldwin
Barrow

Bass (CA)	Hanabusa	Pasell	Heck	McMorris	Ross (AR)	Boren	Guthrie	Pearce
Becerra	Hastings (FL)	Pastor (AZ)	Hensarling	Rodgers	Ross (FL)	Boswell	Hanna	Pence
Berkley	Heinrich	Payne	Henger	Meehan	Royce	Boustany	Harper	Peterson
Berman	Higgins	Pelosi	Herrera Beutler	Mica	Runyan	Brady (TX)	Harris	Petri
Bishop (GA)	Himes	Perlmutter	Huelskamp	Miller (FL)	Ryan (WI)	Brooks	Hartzler	Pitts
Bishop (NY)	Hinchoy	Peters	Huizenga (MI)	Miller (MI)	Scalise	Broun (GA)	Hayworth	Platts
Blumenauer	Hinojosa	Pingree (ME)	Hultgren	Miller, Gary	Schilling	Bucshon	Heck	Poe (TX)
Boswell	Hirono	Price (NC)	Hunter	Mulvaney	Schmidt	Buerkle	Hensarling	Pompeo
Brady (PA)	Holden	Quigley	Hurt	Murphy (PA)	Schock	Burgess	Herrera	Posey
Braley (IA)	Holt	Rahall	Issa	Myrick	Schweikert	Burton (IN)	Herrera Beutler	Price (GA)
Brown (FL)	Honda	Rangel	Jenkins	Neugebauer	Scott (SC)	Calvert	Holden	Quayle
Butterfield	Hoyer	Reyes	Johnson (IL)	Noem	Scott, Austin	Camp	Huelskamp	Rahall
Capps	Inslee	Richmond	Johnson (OH)	Nugent	Scott, Austin	Campbell	Huizenga (MI)	Reed
Capuano	Israel	Rothman (NJ)	Jordan	Nunes	Sensenbrenner	Canseco	Hultgren	Rehberg
Cardoza	Jackson (IL)	Roybal-Allard	Kelly	Nunnelee	Sessions	Capito	Hunter	Reichert
Carnahan	Jackson Lee	Ruppersberger	King (IA)	Olson	Shuster	Carter	Hurt	Renacci
Carney	(TX)	Rush	King (NY)	Owens	Simpson	Cassidy	Issa	Reyes
Carson (IN)	Johnson (GA)	Ryan (OH)	Kingston	Palazzo	Smith (NE)	Chabot	Jackson Lee	Rigell
Castor (FL)	Johnson, E. B.	Sánchez, Linda	Kinzinger (IL)	Paulsen	Smith (NJ)	Chaffetz	(TX)	Rivera
Chandler	Jones	T.	Kline	Pearce	Smith (TX)	Coble	Jenkins	Roby
Chu	Kaptur	Sanchez, Loretta	Labrador	Pence	Southerland	Coffman (CO)	Johnson (IL)	Roe (TN)
Ciциlline	Keating	Sarbanes	Lamborn	Peterson	Stearns	Cole	Johnson (OH)	Rogers (AL)
Clarke (MI)	Kildee	Schakowsky	Lance	Petri	Stivers	Conaway	Johnson, E. B.	Rogers (KY)
Clarke (NY)	Kind	Schiff	Landry	Pitts	Stutzman	Costa	Jordan	Rogers (MI)
Clay	Kissell	Schrader	Lankford	Platts	Sullivan	Cravaack	Kelly	Rohrabacher
Cleaver	Kucinich	Schwartz	Latham	Poe (TX)	Terry	Crawford	King (IA)	Rokita
Clyburn	Langevin	Scott (VA)	LaTourette	Poils	Thompson (PA)	Crenshaw	King (NY)	Rooney
Cohen	Larsen (WA)	Scott, David	Latta	Pompeo	Thornberry	Critz	Kingston	Roskam
Connolly (VA)	Larson (CT)	Serrano	Lewis (CA)	Posey	Tiberi	Cuellar	Kinzinger (IL)	Ross (AR)
Conyers	Lee (CA)	Sewell	LoBiondo	Price (GA)	Tipton	Culberson	Kline	Ross (FL)
Costello	Levin	Sherman	Long	Quayle	Turner	Davis (KY)	Labrador	Royce
Courtney	Lewis (GA)	Shuler	Lucas	Reed	Upton	Denham	Lamborn	Ryan (WI)
Critz	Lipinski	Sires	Luetkemeyer	Rehberg	Walberg	Dent	Landry	Scalise
Crowley	Loeback	Slaughter	Lummis	Reichert	Walden	DesJarlais	Lankford	Schilling
Cummings	Lofgren, Zoe	Smith (WA)	Lungren, Daniel	Renacci	Walsh (IL)	Diaz-Balart	Latham	Schmidt
Davis (CA)	Lowey	Speier	E.	Richardson	Webster	Dold	LaTourette	Schock
Davis (IL)	Lujan	Stark	Mack	Rigell	West	Donnelly (IN)	Latta	Schweikert
DeFazio	Lynch	Sutton	Manzullo	Rivera	Westmoreland	Dreier	Lewis (CA)	Scott (SC)
DeGette	Maloney	Thompson (CA)	Roby	Roe (TN)	Whitfield	Duffy	Long	Scott, Austin
DeLauro	Markey	Thompson (MS)	Marino	Rogers (AL)	Wittman	Duncan (SC)	Lucas	Sensenbrenner
Deutch	Matsui	Tierney	Matheson	Rogers (KY)	Wolf	Duncan (TN)	Luetkemeyer	Sessions
Dicks	McCarthy (NY)	Tonko	McCarthy (CA)	Rogers (MI)	Womack	Ellmers	Lummis	Shimkus
Dingell	McCollum	Towns	McCaul	Rohrabacher	Woodall	Emerson	Lungren, Daniel	Shuster
Doggett	McDermott	Tsongas	McClintock	Rokita	Yoder	Farenthold	E.	Simpson
Donnelly (IN)	McGovern	Van Hollen	McCotter	Rooney	Young (AK)	Fincher	Manzullo	Smith (NE)
Doyle	McIntyre	Velázquez	McHenry	Ros-Lehtinen	Young (FL)	Fitzpatrick	Marchant	Smith (TX)
Edwards	McNerney	Visclosky	McKeon	Roskam	Young (IN)	Flake	Marino	Southerland
Ellison	Meeks	Walz (MN)	McKinley			Fleischmann	Matheson	Stearns
Engel	Michaud	Wasserman				Fleming	McCarthy (CA)	Stivers
Eshoo	Miller (NC)	Schultz				Flores	McCaul	Stutzman
Farr	Miller, George	Waters	Cantor	Hastings (WA)	Ribble	Forbes	McClintock	Sullivan
Fattah	Moore	Watt	Dent	Johnson, Sam	Wilson (SC)	Fortenberry	McCotter	Terry
Filner	Moran	Waxman	Giffords	Paul		Fox	McHenry	Thompson (PA)
Fudge	Murphy (CT)	Weiner				Franks (AZ)	McIntyre	Thornberry
Garamendi	Nadler	Welch				Gallely	McKeon	Tiberi
Gonzalez	Napolitano	Wilson (FL)				Gardner	McKinley	Tipton
Green, Al	Neal	Woolsey				Garrett	McMorris	Turner
Grijalva	Olver	Wu				Gerlach	Rodgers	Upton
Gutierrez	Pallone	Yarmuth				Gibbs	Meehan	Walberg
						Gibson	Mica	Walden
						Gingrey (GA)	Miller (FL)	Walsh (IL)
						Gohmert	Miller (MI)	Walz (MN)
						Goodlatte	Miller, Gary	Webster
						Gosar	Mulvaney	West
						Gowdy	Murphy (PA)	Westmoreland
						Granger	Myrick	Whitfield
						Graves (GA)	Neugebauer	Wittman
						Graves (MO)	Noem	Wolf
						Green, Al	Nugent	Womack
						Green, Gene	Nunes	Woodall
						Griffin (AR)	Nunnelee	Yoder
						Griffith (VA)	Olson	Young (AK)
						Grimm	Palazzo	Young (FL)
						Guinta	Paulsen	Young (IN)

NOT VOTING—8

□ 1419

Messrs. FRANK of Massachusetts and POLIS changed their vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore (Mr. YODER). The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. MARKEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 243, noes 179, not voting 9, as follows:

Roll No. 320

AYES—243

Adams	Bachus	Biggert
Aderholt	Barletta	Bilirakis
Akin	Barrow	Bishop (GA)
Alexander	Bartlett	Bishop (UT)
Altmire	Barton (TX)	Black
Amash	Bass (NH)	Blackburn
Austria	Benishek	Bonner
Bachmann	Berg	Bono Mack
Bachus		
Barletta		
Bartlett		
Barton (TX)		
Bass (NH)		
Benishek		
Berg		
Biggert		
Bilbray		
Bilirakis		
Bishop (UT)		
Black		
Blackburn		
Bonner		
Bono Mack		
Boren		
Boustany		
Brady (TX)		
Brooks		
Broun (GA)		
Buchanan		
Bucshon		
Buerkle		
Burgess		
Burton (IN)		
Calvert		
Camp		
Canseco		
Capito		
Carter		
Cassidy		
Chabot		
Chaffetz		
Coble		
Coffman (CO)		
Cole		
Conaway		
Cooper		
Costa		
Cravaack		
Crawford		
Crenshaw		
Criell		
Culberson		
Davis (KY)		
Denham		
DesJarlais		
Diaz-Balart		
Dold		
Dreier		
Duffy		
Duncan (SC)		
Duncan (TN)		
Ellmers		
Emerson		
Farenthold		
Fincher		
Fitzpatrick		
Flake		
Fleischmann		
Flores		
Forbes		
Fortenberry		
Fox		
Franks (AZ)		
Gallely		
Gardner		
Garrett		
Gerlach		
Gibbs		
Gibson		
Gingrey (GA)		
Gohmert		
Goodlatte		
Gosar		
Gowdy		
Granger		
Graves (GA)		
Graves (MO)		
Green, Al		
Green, Gene		
Griffin (AR)		
Griffith (VA)		
Grimm		
Guinta		
Guthrie		
Hall		
Hanna		
Harper		
Harris		
Hartzler		
Hayworth		
Henry		
Herrera		
Herrera Beutler		
Hicks		
Hinchoy		
Hirono		
Holt		
Huelskamp		
Huizenga (MI)		
Hultgren		
Hunter		
Hurt		
Issa		
Jackson (IL)		
Jackson Lee		
Jones		
Kaptur		
Keating		
Kildee		
Kind		
Kissell		
Kucinich		
Langevin		
Larsen (WA)		
Larson (CT)		
Lee (CA)		
Levin		
Lewis (GA)		
Lipinski		
Loeback		
Lofgren, Zoe		
Lowey		
Lujan		
Lynch		
Maloney		
Markey		
Matsui		
McCarthy (NY)		
McCollum		
McDermott		
McGovern		
McIntyre		
McNerney		
Meeks		
Michaud		
Miller (NC)		
Miller, George		
Moore		
Moran		
Murphy (CT)		
Nadler		
Napolitano		
Neal		
Olver		
Pallone		
Pasell		
Pastor (AZ)		
Payne		
Pelosi		
Perlmutter		
Peters		
Pingree (ME)		
Price (NC)		
Quigley		
Rahall		
Rangel		
Reyes		
Richmond		
Rothman (NJ)		
Roybal-Allard		
Ruppersberger		
Rush		
Ryan (OH)		
Sánchez, Linda		
T.		
Sanchez, Loretta		
Sarbanes		
Schakowsky		
Schiff		
Schrader		
Schwartz		
Scott (VA)		
Scott, David		
Serrano		
Sewell		
Sherman		
Shuler		
Sires		
Slaughter		
Smith (WA)		
Speier		
Stark		
Sutton		
Thompson (CA)		
Thompson (MS)		
Tierney		
Tonko		
Towns		
Tsongas		
Van Hollen		
Velázquez		
Visclosky		
Walz (MN)		
Wasserman		
Schultz		
Waters		
Watt		
Waxman		
Weiner		
Welch		
Wilson (FL)		
Woolsey		
Wu		
Yarmuth		

NOES—243

Adams

Campbell

Fleming

Canseco

Flores

Forbes

Carter

Fortenberry

Cassidy

Fox

Chabot

Frank (MA)

Chaffetz

Franks (AZ)

Bachus

Frelinghuysen

Barletta

Gallely

Bartlett

Gardner

Conaway

Garrett

Cooper

Gerlach

Costa

Gibbs

Berg

Gibson

Biggert

Gingrey (GA)

Bilbray

Gohmert

Bilirakis

Goodlatte

Culberson

Gosar

Davis (KY)

Gowdy

Denham

Granger

DesJarlais

Graves (GA)

Bono Mack

Graves (MO)

Boren

Green, Gene

Boustany

Griffin (AR)

Brady (TX)

Duffy

Duff

Duncan (SC)

Duncan (TN)

Ellmers

Emerson

Farenthold

Fincher

Burton (IN)

Fitzpatrick

Calvert

Camp

Fleischmann

Flores

Forbes

Fortenberry

Fox

Franks (AZ)

Gallely

Gardner

Garrett

Gerlach

Gibbs

Gibson

Gingrey (GA)

Gohmert

Goodlatte

Gosar

Gowdy

Granger

Graves (GA)

Graves (MO)

Green, Al

Green, Gene

Griffin (AR)

Griffith (VA)

Grimm

Guinta

Guthrie

Hall

Hanna

Harper

Harris

Hartzler

Hayworth

Heck

Hensarling

Herrera

Herrera Beutler

Hicks

Hinchoy

Hirono

Holt

Huelskamp

Huizenga (MI)

Hultgren

Hunter

Hurt

Issa

Jackson (IL)

Jackson Lee

Jones

Kaptur

Keating

Kildee

Kind

Kissell

Kucinich

Langevin

Larsen (WA)

Larson (CT)

Lee (CA)

Levin

Lewis (GA)

Lipinski

Loeback

Lofgren, Zoe

Lowey

Lujan

Lynch

Maloney

Markey

Matsui

McCarthy (NY)

McCollum

McDermott

McGovern

McIntyre

McNerney

Meeks

Michaud

Miller (NC)

Miller, George

Moore

Moran

Murphy (CT)

Nadler

Napolitano

Neal

Olver

Pallone

NOES—179

Carney

Carson (IN)

Castor (FL)

Chandler

Chu

Ciциlline

Clarke (MI)

Clarke (NY)

Clay

Cleaver

Clyburn

Cohen

Connolly (VA)

Conyers

Cooper

Costello

Courtney

Crowley

Cummings

Davis (CA)

Davis (IL)

DeFazio

DeGette

DeLauro

Deutch

Dicks

Dingell

Doggett

Doyle

Edwards

Ellison

Engel

Eshoo

Farr

Fattah

Filner

Frank (MA)

Frelinghuysen

Fudge	Maloney	Sánchez, Linda	Campbell	Hultgren	Posey	Keating	Nadler	Schwartz
Garamendi	Markey	T.	Canseco	Hunter	Price (GA)	Kildee	Napolitano	Serrano
Gonzalez	Matsui	Sanchez, Loretta	Capito	Hurt	Quayle	Kind	Neal	Sherman
Grijalva	McCarthy (NY)	Sarbanes	Carter	Issa	Reed	Kissell	Olver	Sires
Gutierrez	McCollum	Schakowsky	Cassidy	Jenkins	Rehberg	Kucinich	Owens	Slaughter
Hanabusa	McDermott	Schiff	Chabot	Johnson (IL)	Reichert	Langevin	Pallone	Smith (WA)
Hastings (FL)	McGovern	Schrader	Chaffetz	Johnson (OH)	Renacci	Larsen (WA)	Pascarell	Speier
Heinrich	McNerney	Schwartz	Chandler	Jones	Rigell	Larson (CT)	Pastor (AZ)	Stark
Higgins	Meeks	Scott (VA)	Coble	Jordan	Rivera	Levin	Pelosi	Stivers
Himes	Michaud	Scott, David	Cole	Kelly	Roby	Lipinski	Perlmutter	Sutton
Hinchey	Miller (NC)	Serrano	Conaway	King (IA)	Roe (TN)	Loeb sack	Peters	Thompson (CA)
Hinojosa	Miller, George	Sewell	Cravaack	King (NY)	Rogers (AL)	Lofgren, Zoe	Peterson	Tierney
Hirono	Moore	Sherman	Crawford	Kingston	Rogers (KY)	Lowey	Pingree (ME)	Tierney
Holt	Moran	Shuler	Crenshaw	Kinzing (IL)	Rogers (MI)	Lujan	Polis	Tonko
Honda	Murphy (CT)	Sires	Culberson	Kline	Rohrabacher	Lummis	Price (NC)	Towns
Hoyer	Nadler	Slaughter	Davis (KY)	Labrador	Rokita	Lynch	Rahall	Tsongas
Inslee	Napolitano	Smith (NJ)	Dent	Lamborn	Rooney	Maloney	Reyes	Velázquez
Israel	Neal	Smith (WA)	DesJarlais	Lance	Ros-Lehtinen	Matsui	Ross (AR)	Visclosky
Jackson (IL)	Olver	Speier	Diaz-Balart	Landry	Roskam	McCarthy (NY)	Rothman (NJ)	Walz (MN)
Johnson (GA)	Owens	Stark	Dreier	Lankford	Ross (FL)	McCollum	Roybal-Allard	Wasserman
Jones	Pallone	Sutton	Duffy	Latham	Royce	McDermott	Ruppersberger	Schultz
Kaptur	Pascarell	Thompson (CA)	Duncan (SC)	LaTourette	Runyan	McGovern	Ryan (OH)	Waters
Keating	Pastor (AZ)	Thompson (MS)	Duncan (TN)	Latta	Ryan (WI)	McIntyre	Sánchez, Linda	Waxman
Kildee	Payne	Tierney	Ellmers	Lewis (CA)	Scalise	McNerney	T.	Welch
Kind	Tonko	Townes	Emerson	LoBiondo	Schilling	Michaud	Sanchez, Loretta	Woolsey
Kissell	Perlmutter	Tsongas	Farenthold	Long	Schmidt	Miller (NC)	Sarbanes	Wu
Kucinich	Peters	Van Hollen	Farr	Lucas	Schock	Miller, George	Schakowsky	Yarmuth
Lance	Pingree (ME)	Velázquez	Fincher	Luetkemeyer	Schrader	Murphy (CT)	Schiff	
Langevin	Polis	Visclosky	Flake	E.	Schweikert			
Larsen (WA)	Price (NC)	Wasserman	Fleischmann	Mack	Scott (SC)	Bass (CA)	Graves (MO)	Rangel
Larson (CT)	Quigley	Schultz	Fleming	Manzullo	Scott, Austin	Bishop (GA)	Hastings (WA)	Ribble
Lee (CA)	Rangel	Waters	Flores	Marchant	Sensenbrenner	Brown (FL)	Jackson Lee	Richardson
Levin	Richardson	Watt	Forbes	Marino	Sessions	Butterfield	(TX)	Richmond
Lewis (GA)	Richmond	Waxman	Fortenberry	Matheson	Shimkus	Cantor	Johnson (GA)	Rush
Lipinski	Ros-Lehtinen	Weiner	Fox	McCarthy (CA)	Shuler	Carson (IN)	Johnson, E. B.	Scott (VA)
LoBiondo	Rothman (NJ)	Wilson (FL)	Frank (AZ)	McCaul	Shuster	Clarke (NY)	Johnson, Sam	Scott, David
Loeb sack	Royal-Allard	Woolsey	Frelinghuysen	McClintock	Simpson	Clay	Lee (CA)	Sewell
Lofgren, Zoe	Runyan	Wu	Galleghy	McCotter	Smith (NE)	Cleaver	Lewis (GA)	Terry
Lowey	Ruppersberger	Yarmuth	Gardner	McHenry	Smith (NJ)	Clyburn	Markey	Thompson (MS)
Lujan	Rush		Garrett	McKeon	Smith (TX)	Conyers	Meeks	Van Hollen
Lynch	Ryan (OH)		Gerlach	McKinley	Southerland	Davis (IL)	Moore	Watt
Mack			Gibbs	McMorris	Stearns	Doggett	Moran	Weiner
			Gibson	Rodgers	Stutzman	Edwards	Paul	Wilson (FL)
			Gingrey (GA)	Meehan	Sullivan	Ellison	Payne	Wilson (SC)
			Gohmert	Mica	Thompson (PA)	Giffords	Quigley	
			Goodlatte	Miller (FL)	Thornberry			
			Gosar	Miller (MI)	Tiberi			
			Gowdy	Miller, Gary	Tipton			
			Granger	Mulvaney	Turner			
			Graves (GA)	Murphy (PA)	Upton			
			Griffin (AR)	Myrick	Walberg			
			Griffith (VA)	Neugebauer	Walden			
			Grimm	Noem	Walsh (IL)			
			Guinta	Nugent	Webster			
			Guthrie	Nunes	West			
			Hanna	Nunnelee	Westmoreland			
			Harper	Olson	Whitfield			
			Hartzler	Palazzo	Wittman			
			Hayworth	Paulsen	Wolf			
			Heck	Pearce	Womack			
			Heinrich	Pence	Woodall			
			Hensarling	Petri	Yoder			
			Herger	Pitts	Young (AK)			
			Herrera Beutler	Platts	Young (FL)			
			Huelskamp	Poe (TX)	Young (IN)			
			Huizenga (MI)	Pompeo				

NOT VOTING—9

Bilbray	Hall	Paul
Cantor	Hastings (WA)	Ribble
Giffords	Johnson, Sam	Wilson (SC)

□ 1426

Mr. JACKSON of Illinois changed his vote from “aye” to “no.”

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PROVIDING FOR AN ADJOURNMENT OF THE HOUSE

The SPEAKER pro tempore. The unfinished business is the vote on adoption of House Concurrent Resolution 50, on which the yeas and nays were ordered.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the concurrent resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 227, nays 158, not voting 46, as follows:

[Roll No. 321]

YEAS—227

Adams	Bass (NH)	Boustany
Aderholt	Benishak	Brady (TX)
Akin	Berg	Brooks
Alexander	Biggart	Brown (GA)
Altmire	Bilirakis	Buchanan
Amash	Bishop (UT)	Bucshon
Austria	Black	Buerkle
Bachus	Blackburn	Burton (IN)
Barletta	Bonner	Calvert
Barton (TX)	Bono Mack	Camp

Ackerman	Clarke (MI)	Fitzpatrick
Andrews	Coffman (CO)	Frank (MA)
Baca	Cohen	Fudge
Bachmann	Connolly (VA)	Garamendi
Baldwin	Cooper	Gonzalez
Barrow	Costa	Green, Al
Bartlett	Costello	Green, Gene
Becerra	Courtney	Grijalva
Berkley	Critz	Gutierrez
Berman	Crowley	Hall
Bilbray	Cuellar	Hanabusa
Bishop (NY)	Cummings	Harris
Blumenauer	Davis (CA)	Hastings (FL)
Boren	DeFazio	Higgins
Boswell	DeGette	Himes
Brady (PA)	DeLauro	Hinchey
Braley (IA)	Deutch	Hinojosa
Burgess	Dicks	Hirono
Capps	Dingell	Holden
Capuano	Dold	Holt
Cardoza	Donnelly (IN)	Honda
Carnahan	Doyle	Hoyer
Carney	Engel	Inslee
Castor (FL)	Eshoo	Israel
Chu	Fattah	Jackson (IL)
Cicilline	Filner	Kaptur

NAYS—158

NOT VOTING—46

Bass (CA)	Graves (MO)	Rangel
Bishop (GA)	Hastings (WA)	Ribble
Brown (FL)	Jackson Lee	Richardson
Butterfield	(TX)	Richmond
Cantor	Johnson (GA)	Rush
Carson (IN)	Johnson, E. B.	Scott (VA)
Clarke (NY)	Johnson, Sam	Scott, David
Clay	Lee (CA)	Sewell
Cleaver	Lewis (GA)	Terry
Clyburn	Markey	Thompson (MS)
Conyers	Meeks	Van Hollen
Davis (IL)	Moore	Watt
Doggett	Moran	Weiner
Edwards	Paul	Wilson (FL)
Ellison	Payne	Wilson (SC)
Giffords	Quigley	

□ 1432

Mr. WELCH changed his vote from “yea” to “nay.”

Mr. FRELINGHUYSEN changed his vote from “nay” to “yea.”

So the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated against:

Mr. VAN HOLLEN. Mr. Speaker, on rollcall No. 321, I was unavoidably detained. Had I been present, I would have voted “nay.”

PROVIDING FOR CONSIDERATION OF H.R. 754, INTELLIGENCE AU- THORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. The unfinished business is the vote on adoption of the resolution (H. Res. 264) providing for consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the resolution.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 251, nays 133, not voting 47, as follows:

[Roll No. 322]

YEAS—251

Adams
Aderholt
Akin
Alexander
Altmire
Amash
Austria
Baca
Bachmann
Bachus
Barletta
Barrow
Bartlett
Barton (TX)
Bass (NH)
Benishkek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boren
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Campbell
Canseco
Capito
Cardoza
Carney
Carter
Cassidy
Chabot
Chaffetz
Chandler
Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Costa
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
Denham
Dent
DesJarlais
Diaz-Balart
Dold
Donnelly (IN)
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Flores
Forbes
Fortenberry
Fox
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs

Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)
Griffin (AR)
Griffith (VA)
Grimm
Guinta
Guthrie
Hall
Hanna
Harper
Harris
Hartzler
Hayworth
Heck
Hensarling
Herger
Hinojosa
Huelskamp
Huizenga (MI)
Hultgren
Hunter
Hurt
Issa
Jenkins
Johnson (IL)
Johnson (OH)
Jones
Jordan
Kelly
King (IA)
King (NY)
Kingston
Kinzinger (IL)
Kissell
Kline
Labrador
Lamborn
Lance
Landry
Lankford
Latham
LaTourette
Latta
Lewis (CA)
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCauley
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (CT)
Murphy (PA)
Myrick
Neugebauer
Noem

Nugent
Nunes
Nunnelee
Olson
Palazzo
Paulsen
Pearce
Pence
Peters
Peterson
Petri
Pitts
Platts
Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Reed
Rehberg
Reichert
Renacci
Reyes
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Roskam
Ross (AR)
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schweikert
Scott (SC)
Scott, Austin
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stivers
Stutzman
Terry
Thompson (PA)
Thornberry
Tiberi
Tierney
Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Wittman
Wolf
Womack
Woodall
Yoder
Young (AK)
Young (FL)
Young (IN)

NAYS—133

Ackerman
Andrews
Baldwin
Becerra
Berkley
Berman
Bishop (NY)
Blumenauer
Boswell
Brady (PA)
Braley (IA)
Capps
Capuano
Carnahan
Castor (FL)
Chu
Cicilline
Cohen
Cooper
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
DeFazio
DeLauro
Deutch
Dicks
Dingell
Doggett
Doyle
Engel
Eshoo
Farr
Fattah
Filner
Frank (MA)
Fudge
Garamendi
Gonzalez
Green, Al
Green, Gene
Grijalva

Gutierrez
Hanabusa
Hastings (FL)
Heinrich
Higgins
Himes
Hinchey
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Kaptur
Keating
Kildee
Kind
Kucinich
Langevin
Larsen (WA)
Larson (CT)
Levin
Lipinski
Loebach
Lofgren, Zoe
Lowey
Lujan
Lynch
Maloney
Markey
Matsui
McCarthy (NY)
McCollum
McDermott
McGovern
McIntyre
McNerney
Miller (NC)
Miller, George
Moran
Nadler
Napolitano
Neal

Olver
Owens
Pallone
Pascarella
Pastor (AZ)
Pelosi
Pingree (ME)
Polis
Price (NC)
Rahall
Rothman (NJ)
Roybal-Allard
Ruppersberger
Ryan (OH)
Sanchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Serrano
Sherman
Sires
Slaughter
Smith (WA)
Speier
Stark
Thompson (CA)
Tonko
Townsend
Tsongas
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Waxman
Weiner
Welch
Woolsey
Wu
Yarmuth

NOT VOTING—47

Bass (CA)
Bilbray
Bishop (GA)
Brown (FL)
Butterfield
Camp
Cantor
Carson (IN)
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Conyers
Davis (IL)
DeGette

Edwards
Ellison
Giffords
Hastings (WA)
Jackson Lee
(TX)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
Lee (CA)
Lewis (GA)
Meeks
Moore
Paul
Payne
Perlmutter

Quigley
Rangel
Ribble
Richardson
Richmond
Rush
Scott (VA)
Scott, David
Sewell
Sullivan
Sutton
Thompson (MS)
Van Hollen
Watt
Wilson (FL)
Wilson (SC)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1439

Mr. GARAMENDI changed his vote from “yea” to “nay.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. ELLISON. Mr. Speaker, on May 12, 2011, I inadvertently missed rollcall Nos. 321 and 322. Had I been present I would have voted “nay.”

PERSONAL EXPLANATION

Ms. EDDIE BERNICE JOHNSON. Mr. Speaker, due to a conflicting engagement at

the White House I was absent during the votes on H. Res. 264 and H. Con. Res. 50. Had I been present, I would have voted “nay” on both measures.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE SECRETARY OF STATE

Ms. ROS-LEHTINEN, from the Committee on Foreign Affairs, submitted a privileged report (Rept. No. 112-76) on the resolution (H. Res. 209) directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, which was referred to the House Calendar and ordered to be printed.

AUTHORIZING THE SPEAKER TO DECLARE A RECESS ON TUESDAY, MAY 24, 2011, FOR THE PURPOSE OF RECEIVING IN JOINT MEETING HIS EXCELLENCY BINYAMIN NETANYAHU, PRIME MINISTER OF ISRAEL

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Tuesday, May 24, 2011, for the Speaker to declare a recess, subject to the call the Chair, for the purpose of receiving in joint meeting His Excellency Binyamin Netanyahu, Prime Minister of Israel.

The SPEAKER pro tempore (Mr. FLEISCHMANN). Is there objection to the request of the gentlewoman from Florida?

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 12, 2011.

Hon. JOHN A. BOEHNER,
The Speaker, U.S. Capitol, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on May 12, 2011 at 11:30 a.m.:

Appointments:
Board of Visitors of the United States Air Force Academy.

With best wishes, I am

Sincerely,

KAREN L. HAAS.

GENERAL LEAVE

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that

all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill, H.R. 754.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. Pursuant to House Resolution 264 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 754.

□ 1442

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. YODER in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read the first time.

The gentleman from Michigan (Mr. ROGERS) and the gentleman from Maryland (Mr. RUPPERSBERGER) each will control 30 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, I yield myself such time as I may consume. All time yielded is for the purposes of debate only.

Mr. Chairman, I wish to announce that subsequent to reporting the bill, the committee has modified the classified annex to the bill with respect to the authorized level of funding for certain programs, with bipartisan agreement between myself and the ranking member, Mr. RUPPERSBERGER. The classified annex containing the modified schedule of authorizations is available for review by all Members of the House, subject to the rules of the House and the Permanent Select Committee on Intelligence, under which procedures were described in my announcement to the House on May 3, 2011. The modified schedule of authorizations is and has been available for review by Members and the period of time required by the rules of the House.

Mr. Chairman, the annual intelligence authorization bill, I do believe, is one of the most important bills that will pass in the House each year. I want to thank my ranking member, Mr. RUPPERSBERGER. We sat down at the beginning of January and decided that matters of national security were

too important for infectious partisan debate and rhetoric and we decided that we would work out through every cause, as congenially as possible, and agree where we could, on every matter that we had a difference on, moving forward on, again, matters of intelligence and matters of national security.

I think the product we see on the floor today reflects that commitment and that working relationship, and I want to commend Mr. RUPPERSBERGER and the entire House Permanent Select Committee on Intelligence for their work, their cooperation, and their commitment to our national security to the United States.

We recently saw the successful mission against Osama bin Laden. Our intelligence professionals remain on the front lines in America's defense against our enemies. For the last 6 years, Congress has failed to pass a bona fide intelligence authorization bill with funding authority. Instead, yearly appropriation bills have simply deemed intelligence funding to be authorized.

We must, and I think we agree in a bipartisan way, stop that trend and stop it this year. The continued success of our intelligence community requires effective and aggressive congressional oversight. Such oversight can only be achieved if we get back in the habit of meeting our responsibility of passing an intelligence authorization bill every year.

Mr. Chairman, we have men and women scattered all across this globe who are engaged daily in sometimes often very dangerous work of collecting information to provide our policymakers and our warfighters the information they need to defeat our enemy. From trying to catch spies here in the United States by our FBI to recruiting people who want to cooperate and help the United States on tough issues like nuclear proliferation or terrorism efforts targeted against us or our allies, these folks log countless hours, risk their lives, spend time away from their families, and deserve our praise and our commitment that we will work with them to give them the tools that they need to be successful.

I can't think of a more important time in our history where I have seen intelligence play such an important role in our world affairs. The world is changing before our eyes, and our intelligence community is providing us the information we need, not just to be safe, but to make good decisions on what that world looks like and what our national interests are country by country, region by region.

I am particularly pleased that this bill has such strong bipartisan support. The legislative provisions are intentionally limited to focus our attention on providing necessary resources to the men and women of the intelligence community as provided in the classi-

fied annex. The secrecy that is a necessary part of our country's intelligence work requires that the congressional Intelligence Committees conduct strong and effective oversight on behalf of the American people, and that strong and effective oversight is possible. But without that annual intelligence authorization bill, the bill that we will pass today—we must get back in the habit of passing that bill every year.

We make important commitments in this bill, Mr. Chairman, for the priorities of the intelligence community. Technology has fused in the intelligence collection like I have never seen it, and its increase is exponential over the past 10 years.

We make important investment in the new technologies that allow our intelligence officials and professionals to do the work they need to do. It makes them more effective, and it also makes the investment in the people who oversee that technology even more important. We make that important investment in this FY 2011 intelligence authorization bill as well.

Nothing brings that home like the broad scope of what we saw participate in the Osama bin Laden event of last Sunday. Every single intelligence agency, and I do mean every single one, played a part in that operation, from collecting small bits of information, from putting that piece together, signals intelligence, satellite intelligence, MASINT intelligence, all of those things came together over the course of 10 years.

I credit George Bush and his administration for assembling this new intelligence community that really started after 9/11 and President Obama for making the authorization and the continued policies that allowed us to have that information to go after Osama bin Laden. It was really quite an impressive thing. Both administrations deserve credit for that, and I would hope that today the people of the House of Representatives would celebrate that victory and all the work of the unsung heroes who work in the shadows by passing this FY 2011 so they can get about the business of protecting the United States.

I appreciate, again, this bipartisan consensus.

I reserve the balance of my time.

□ 1450

Mr. RUPPERSBERGER. Mr. Chair, I yield myself such time as I may consume.

First, I rise in support of H.R. 754, the Intelligence Authorization Act for FY 2011.

The men and women in the military and intelligence community who helped locate al Qaeda leader Osama bin Laden exemplify the extraordinary courage and skill of those who work tirelessly to keep our community safe.

They should be commended for a job well done. But our fight against terrorism is not over. We have severely weakened al Qaeda, but we must remain vigilant as we work to eliminate this threat. I believe that it's our responsibility to give our intelligence professionals the resources, capabilities, and authorities they need to do their jobs successfully.

The Intelligence Authorization Act for FY 2011 has thousands of civilian positions above the level enacted in FY 2010 and above the level of people currently on board. This includes counterterrorism positions at the CIA and a large increase in personnel at the National Counterterrorism Center, the NCTC. The bill also adds hundreds of millions of dollars for intelligence above current levels. In response to the Web site WikiLeaks, the bill includes an insider threat detection program that automatically monitors unauthorized access to classified information.

The way Congress conducts effective oversight of the intelligence community is by passing an Intelligence authorization bill to give the intelligence community budgetary direction.

When I first got to the Intelligence Committee 8 years ago, right after 9/11, I was concerned with the lack of coordination and communication within the intelligence community. In the different areas in intelligence—the CIA, NSA, FBI—there was not the communication or coordination that was necessary. But this has definitely changed today. The Osama bin Laden mission proved that. Professionals from all across the intelligence community, including the CIA, NSA, and Special Ops, all came together as a team to get the job done. We are now on our game. We're working together. We're better than we've ever been. And we clearly have sent a message to the world: If you're going to attack Americans, if you're going to kill Americans, we're going to find you and we're going to bring you to justice.

On the House Select Intelligence Committee we work together. Chairman ROGERS, as he stated before, and I have agreed to work together in a bipartisan manner. The stakes are too high not to do so. I join Chairman ROGERS in saying politics has no place in the Intelligence Committee. The threats are real and the stakes are too high. Sure, we will have disagreements. We will disagree from time to time on policy. But we will work together to work through these issues to do what is right for the intelligence community to protect our country and our national security. This is what we did in this budget.

After months of negotiations with the majority and a number of changes to address many of the concerns of the administration, I believe this bill moves in a positive direction. It goes a long way to help our intelligence professionals get the job done.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 1 minute to the distinguished member of the Intelligence Committee, the gentleman from New Jersey (Mr. LOBIONDO).

Mr. LOBIONDO. I would like to start out by thanking you, Chairman ROGERS and Mr. RUPPERSBERGER, for refocusing the efforts of the Intel Committee on that which is critically important with the authorization and oversight for our intelligence community.

We have incredibly dedicated men and women who are putting their lives on the line every day in a way that almost all of America will never know. These individuals deserve nothing less than the full attention and help from Congress in the authorization and helping them with the programs that are necessary to continue the dramatic successes such that we've seen with Osama bin Laden.

They have successes every day, ladies and gentlemen. They're not as high profile as the one we had last week, but many of them are just as important. Without the Intelligence authorization bill, we're having them go out with one arm tied behind their backs. It's unfair to them; it's unfair to the country. In these times of turbulence, with an enemy that is bound and determined to hurt our country, we rely on our intelligence community and the great work that they do. This bill will help them do that.

Mr. RUPPERSBERGER. I yield 3 minutes to a senior member of the Intelligence Committee, the ranking member of the Terrorism Subcommittee, the gentleman from California (Mr. THOMPSON).

Mr. THOMPSON of California. I thank Mr. RUPPERSBERGER for yielding, and I thank Mr. RUPPERSBERGER and Mr. ROGERS for their good work in the committee.

As ranking member of the Subcommittee on Terrorism, Human Intelligence, Analysis, and Counterintelligence, I'm pleased that we were able to work through our differences to bring a stronger and now bipartisan Intelligence authorization bill to the floor today.

H.R. 754 will support critical U.S. intelligence capabilities by increasing resources for our country's counterterrorism efforts while also providing needed flexibility to the Central Intelligence Agency to hire the analysts that it needs.

Last year, under the leadership of then-Speaker PELOSI and Chairman REYES, President Obama signed the first Intelligence Authorization Act in 6 years. That bill included a number of long overdue provisions that supported critical U.S. intelligence capabilities, significantly enhanced congressional oversight, and improved accountability across the entire intelligence commu-

nity. Today's bill builds on that effort and represents an important step forward towards enacting an Intelligence authorization bill for the second year in a row.

Unfortunately, the process used to produce this bill was badly flawed and there weren't proper hearings to get to where we are now. And that's evidenced by the amendments that we are able to get into this bill to bring it up to the position that it's in. However, with the changes made to the classified annex, I believe this authorization will strengthen our national security and is in the best interest of our intelligence community.

Specifically, the additional funds authorized by this bill to hire more counterterrorism analysts will make our country safer and more secure. It was, after all, counterterrorism analysts that located Osama bin Laden after he had disappeared for nearly 10 years and that are now tracking senior al Qaeda leadership around the globe. By providing more resources to this critical effort, our intelligence community will be able to confront head-on the threat posed by al Qaeda and other terrorist organizations throughout the world. In fact, given the recent success of our counterterrorism effort, this is the strategy we should pursue over our counterinsurgency campaign in Afghanistan, which has not shown the results Congress expected or that the American people demand. This tactical change would significantly reduce our military footprint in countries around the world while allowing our military and intelligence assets to confront terrorism threats wherever they're developed.

Mr. Chair, our intelligence community must be prepared for any and all threats, making it all the more critical for Congress to pass an Intelligence authorization that furthers our national security.

The CHAIR. The time of the gentleman has expired.

Mr. RUPPERSBERGER. I yield the gentleman 30 additional seconds.

Mr. THOMPSON of California. This legislation is necessary, will enhance the capabilities of the intelligence community, specifically our counterterrorism efforts, and will make our Nation safer.

I urge my colleagues to support this bill and thank the members of our intelligence community and their families for their great work and their sacrifice.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to gentlewoman from the great State of North Carolina (Mrs. MYRICK), a distinguished member of the Intelligence Committee.

Mrs. MYRICK. I'm delighted to be here today because this is a good moment for our intelligence community that we are going to pass an Intelligence bill.

You've heard it said it has been 6 years since there has been an authorization for these people. They are out there every single day in every single agency doing what they do so we can be here to be able to discuss this on the floor and to live freely in this country and around the world. It's extremely important that they have the knowledge and security of knowing that what they do is approved of and authorized by this committee in the House.

It has been good to have a bipartisan agreement in the sense that we worked very well together. Mr. ROGERS and Mr. RUPPERSBERGER worked extremely well. Myself and Mr. THOMPSON, who chair one of the committees, work very well together. The committee members do. And so it's encouraging that we're able to move forward in a way that's very positive for the people of this country relative to their national security.

So I urge all of my colleagues to support this bill.

Mr. RUPPERSBERGER. I yield 3 minutes to the distinguished gentleman from Kentucky (Mr. CHANDLER), a hardworking member of the Technical and Tactical Subcommittee of the Intelligence Committee.

□ 1500

Mr. CHANDLER. I thank the gentleman from Maryland for yielding.

Osama bin Laden, one of the worst men to walk the Earth since Adolf Hitler, is dead. While on the run for many years, bin Laden continued to plan and coordinate attacks against Americans. He was only found and killed because of the brave men and women in our military and in our intelligence community. We have some of the best intelligence operations in the world, and if we want to continue the fight against terrorism, we need to keep it that way. This bill does just that.

The bill authorizes funding for the dedicated men and women of the intelligence community to help them do their jobs and protect American citizens. In my tenure on the Intelligence Committee, I have had the privilege of visiting with many of the courageous and extremely bright people who work in intelligence. After meeting them, there is no doubt in my mind that we are in good hands, and I have a greater appreciation for the work they do to keep America safe every day. It is incredibly important that we support those efforts, especially in light of the extraordinary job the intelligence community did in finding and killing bin Laden.

These are tough times with our budget, but the security of our people has got to be our priority.

Last year, under the leadership of Chairman REYES, Congress passed its first Intelligence authorization act since the 2005 bill. I applaud both

Chairman ROGERS and Ranking Member RUPPERSBERGER in their efforts to work out a bipartisan compromise that would help maintain and strengthen our impressive intelligence community. They've done a tremendous job, and it's a breath of fresh air to see everybody working so well together.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the distinguished gentleman from Texas and a member of the Intelligence Committee, Mr. CONAWAY.

Mr. CONAWAY. I thank the gentleman for yielding. I appreciate the chairman's words, and I hope those aren't mutually exclusive, being distinguished and being from Texas.

I rise in strong, strong support of this year's Intelligence authorization bill and encourage my colleagues, all of them, to support this. But with that strong support comes a modest amount of disappointment in that, through no fault of anyone in particular, we had to make a tough decision to strike section 412 from the bill, which would have allowed certain elements within the intel community to set up their own direct accounts with Treasury. It's a bit of an arcane statement, but it allows greater steps toward achieving auditability across the intelligence community. This provision was intended to promote this goal of better financial accountability and insight into our classified spending.

The intelligence community, Mr. Chairman, must meet the same financial accounting standards as the rest of the government. Those accounting standards will help uncover savings in current programs that can be reinvested into vital intelligence priorities or returned to the taxpayers.

While I am disappointed that the provision was not in the 2011 bill, I have already had good conversations with the chairman in reference to the 2012 bill, which will be in committee in the next couple of weeks, so that we can continue to move the intelligence community, their various slots, toward accountability, which is important for the taxpayer, and it helps give management a reliable tool. If they've got those systems, got the internal controls in place, it will give them tools in order to manage the money, the precious resources that we take from the taxpayers and entrust to the intelligence community to do the great work that they have done over these past years.

There is no greater example of that, of course, than the find-and-fix portion of the bin Laden experience that we saw play out on May 1 and 2, a terrific achievement by folks whose faces will never be seen, whose names will never be known except to them and their colleagues. They'll know who they are. They'll have that great pride of knowing they've done great work for this country using the tools that we provide them.

I urge my colleagues to support the reauthorization bill.

Mr. RUPPERSBERGER. Mr. Chairman, how much time is remaining?

The CHAIR. The gentleman from Maryland has 21½ minutes remaining, and the gentleman from Michigan has 20 minutes remaining.

Mr. RUPPERSBERGER. I reserve the balance of my time.

Mr. ROGERS of Michigan. I yield 2 minutes to the appropriator member of the House Intelligence Committee, the gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. I thank the chairman for yielding, and I rise in support of this reauthorization.

Mr. Chairman, I also rise to pay tribute to the dedicated men and women of our intelligence community. Their work is not an easy job in the best of times, but over the last 10 years, they've carried an especially heavy day-to-day burden. They work long hours under tremendous pressure, mostly in obscurity, to ensure that Americans are protected everywhere. They are the unsung heroes of national security, and we owe them more than we can possibly repay.

My colleagues, as a Member of the House from a "9/11 State," I take very seriously the findings of the 9/11 Commission. One of the key recommendations of the commission was the need to improve coordination of the numerous congressional committees charged with overseeing and funding the intelligence community and its many activities.

To this end, I commend Chairman MIKE ROGERS for including me as part of the intelligence team in his committee. I would also like to thank Chairman Hal Rogers of the Appropriations Committee for seeing fit to appoint me as one of three liaisons to the Intelligence Committee. We are working closely with the Intelligence Committee to eliminate the daylight that has existed in the past between these two important committees and the legislation that's produced.

The bill Chairman ROGERS and Mr. RUPPERSBERGER have constructed does ensure that our intelligence community has the tools and resources to analyze, predict, respond, and counter all the threats to America and Americans. I commend them for their effort. I am proud to be part of their team.

Mr. RUPPERSBERGER. I continue to reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia, also a member of the committee, Mr. WESTMORELAND.

Mr. WESTMORELAND. I thank the chairman for yielding me this time.

I cannot stress enough the importance of passing this FY 2011 Intelligence authorization bill. This legislation will not only ensure that our intelligence agencies are sufficiently

funded to carry out their functions, but it will hold them fiscally accountable.

It has been 6 years since Congress has passed a complete Intelligence authorization bill. In years past, we have simply continued to “deem” funding for our intelligence programs to be authorized through other appropriations bills. Well, our law expressly requires that we explicitly authorize intelligence funding, and that is what we need to do here. We need to start passing an authorization bill each year in order to maintain the success of our intelligence communities and spell out exactly what will be provided. I want to commend Ranking Member RUPPERSBERGER and Chairman ROGERS for their work in working together to make sure that this is made possible.

The significance of our country’s intelligence cannot be overstated. The killing of Osama bin Laden is a direct example of the meaningful work that these agencies perform in order to protect us. We must continue to provide these men and women with the resources and capabilities that they need and not just place obstacles in their way but give them the resources that will make their job easier and more efficient. This authorization bill provides a detailed blueprint of necessary budget needs for the 17 separate agencies that it covers. It funds both military and civilian members of our intelligence community and directly supports those involved in dangerous operations at home and abroad. They are the very operations that are countering global terrorism and monitoring foreign militaries. These are the operations that make sure America stays on the cutting edge of intelligence technology to be able to detect and thwart threats before they become imminent. These are the people we must ensure are adequately funded.

I ask all my colleagues to support this bill.

Mr. RUPPERSBERGER. I continue to reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 1 minute to the gentleman from Arizona (Mr. FLAKE).

Mr. FLAKE. I thank the gentleman for yielding, and I would just like to engage in a colloquy briefly if we can.

As the gentleman knows, I have worked and he has worked to decrease funding for the NDIC, the National Drug Intelligence Center. This is a center that has received hundreds of millions of dollars over the years, yet in 2005 a White House OMB report said that the NDIC “has proven ineffective in achieving its assigned mission.” Reports subsequent to that have pointed to similar failures and problems. Yet it still received last year, I think, \$44 million.

□ 1510

I had intended to bring an amendment to this authorization bill, but I

don’t want to hold up this important authorization for FY 11. If I could just ask the chairman if he plans to bring an authorization bill for 2012.

Mr. ROGERS of Michigan. Will the gentleman yield?

Mr. FLAKE. I yield to the gentleman.

Mr. ROGERS of Michigan. We plan to bring a bill for 2012, and I will work with you on the NDIC. I couldn’t agree more: it’s important that we continue to have the government effort focus on illicit drugs; however, the National Drug Intelligence Center has done very little to address this national priority, and I look forward to working with the Member.

Mr. FLAKE. I thank the chairman.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 1 minute to a distinguished member of the Intelligence Committee, the gentleman from Nevada (Mr. HECK).

Mr. HECK. Thank you, Mr. Chairman.

I would like to begin by recognizing our military’s extraordinary efforts to successfully close a painful chapter in American history. Of course, the military could not have performed their mission so successfully without our intelligence community’s unflagging efforts. The men and women of the intelligence community are the unsung heroes of not only the mission to bring Osama bin Laden to justice but many other successful counterterrorism operations, and they deserve tremendous credit.

The successful bin Laden mission highlights the critical role our intelligence community plays in protecting our national security. Two of the intelligence community’s chief weapons against terrorism are information and the ability to communicate that information swiftly. I’m proud to say that the airmen at Creech Air Force Base in my home State of Nevada are critical to both capturing and communicating information that is necessary for intelligence operations.

One reason Nevadans elected me last fall was to restore government accountability and oversight. Secretary of Defense Gates and Chairman of the Joint Chiefs of Staff Admiral Mullen both identified America’s growing debt as our number one national security concern.

As we’re fighting the war on terror, we must not allocate resources without due process.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. HECK. And we must ensure the intelligence community is accountable for their operations because most of their operations occur outside of the public’s view.

Chairman ROGERS and Ranking Member RUPPERSBERGER are doing incred-

ible work to make these ideas that we share a reality. I applaud their dedication to restoring proper accountability and oversight to the intelligence community. I am confident the Intelligence Authorization Act provides the resources and latitude our intelligence community needs while ensuring fiscal and operational responsibility.

That is why I urge my colleagues to vote “yes” on H.R. 754.

Mr. RUPPERSBERGER. I continue to reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to another distinguished gentleman from the House Permanent Select Committee on Intelligence, the gentleman from Florida (Mr. ROONEY).

Mr. ROONEY. I thank the chairman and ranking member for their leadership.

I rise today, Mr. Chairman, in support of the fiscal year 2011 Intelligence authorization legislation. On September 11, 2001, our Nation faced the deadliest act of terror in U.S. history. On the evening of May 1, 2011, the mastermind of those attacks, Osama bin Laden, was brought to justice and killed while hiding in a compound in Abbottabad, Pakistan.

Along with the sacrifices our Nation’s troops have made over the past 10 years, our intelligence community has played an integral role in fighting the war on terror and keeping America safe. The behind-the-scenes work of the intelligence community leading up to the attack and the raid in Abbottabad was critical to the success of the mission and will continue to be a crucial asset to winning the war on terror.

Completing the Intelligence authorization bill is critical to ensuring that our Nation’s intelligence agencies have the tools they need to remain at the forefront of global and national security. This bill provides vital congressional oversight and policy guidance to the intelligence community on behalf of the American people. Congress must ensure these agencies are acting in our best interest and spending taxpayer dollars wisely.

As a member of the House Intelligence Committee and the House Armed Services Committee, I urge my colleagues to support this bill.

Mr. RUPPERSBERGER. I yield myself such time as I may consume.

There are two issues that I would like to discuss that we don’t talk about a lot, but I think it is important that we do raise the issue. I know Chairman ROGERS and I and the rest of the committee do work on this issue, and that’s our space program and that’s also cybersecurity.

We, years ago, responded to Russia’s putting up Sputnik by, in 10 years, putting a man on the Moon. What we did basically is we helped create the science of rocket science. We did research and development, and we were

able to put a man on the Moon. That was a great day for the United States of America when we did put a man on the Moon.

Now we're in a situation where our space program needs to move forward. We have a lot of issues that we have to deal with in our space program; and the main reason for that is that, if you control the skies, you basically control the world. Space and satellites are so important to what we do, not just from an intelligence point of view, getting the information, taking the pictures, dealing with all sorts of communications. These are things that we do in space, and we have to keep moving ahead. We have to get our younger generation graduating from our colleges to continue to go into space.

And the big threat there is China and Russia. China is putting billions of dollars into space. Their goal is to go to the Moon, and it is our concern that if they do that we have to be with them there. We have to continue our research and development, and we have to be vigilant in our space program. Russia, also, is very active in the space area.

So it's something that isn't talked about a lot, but there's a lot of money that goes into space; and I think we have to do a better job in our military, in our space and intelligence, and let the public know how important space is.

There's also another issue which is of great concern, I think, to the United States of America's national security, and that is the issue of cybersecurity. As we speak, we're being attacked by different governments and who knows what else we're being attacked by, getting information, relevant information, every day we speak. It's a very serious issue; and, unfortunately, the public does not really understand what cyber is about.

Our NSA is as good as any operation in the world in their technology and developing the technology in order to protect our country. We don't control the Internet other than a small part, our dot-mils, the military part. So we have to make sure that our public understands how important cybersecurity is, how we could be attacked.

We just recently had an attack about a month ago on NASDAQ. Just think if we had a cyberattack on our banks and what the lack of confidence would be for our public, and the government can't afford to pay for it all. So there has to be an effort between our government, our military, our NSA, between our private sector and between individuals who have their personal computers. This is an area of the future we need to focus on.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I want to commend Mr. RUPPERSBERGER for the last remarks. Cybersecurity is a real and growing threat for

the United States. We make serious commitments in this FY 11 bill, and we have pledged to work together on separate pieces of legislation to put the United States in a better position to defend itself against cybersecurity. Something that started out so long ago as somebody in their mother's basement hacking into the local school to change their grades has become whole nation-states using the Internet and all of cyberspace to not only steal intellectual property from private enterprise, attempt to hack and steal information from the United States, but also use it for offensive purposes where we have seen the Russians who when they went into Georgia use aggressively cyber to prep the battlefield for their invasion, something that we all need to worry about.

I want to, again, pledge to work with the ranking member on this very, very important issue so that we can get on better footing as we move forward.

Also, on the space, it is one of the things that has given the United States a technological advantage in the world, something that we need to continue to make those investments into the overhead architecture of the United States from communication satellites to all of the things that we do from space. And it is a serious investment on this country, but when you look at the success of something like the Osama bin Laden raid, you realize all of it, from space, to cyber, to signals intelligence, to human intelligence, is something that was invested in in this money; and I'm glad that the ranking member used this opportunity to talk about those very important issues and the commitment in this bill to start to put us on better footing for that.

I reserve the balance of my time.

□ 1520

Mr. RUPPERSBERGER. Mr. Chairman, I believe many valid points have been made in support of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

First, I want to thank Mr. ROGERS for his leadership and for working together in a bipartisan way to do what's right for our country's national security and to make sure that we do our job in the oversight of all of the intelligence areas. Hopefully, we will continue this relationship as we go forward.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. NUNES), a distinguished member of the House Intelligence Committee.

Mr. NUNES. I would like to say thank you to Chairman ROGERS and to Ranking Member RUPPERSBERGER for really taking the Intelligence Committee and establishing its relevance back in the House. I know we've had some disagreements in the past, but

Chairman ROGERS, along with a lot of new members on the committee, have been working closely with the Democrats in a bipartisan way to, I believe, make a real difference in Congress' role in the intelligence community. I want to commend both of them for their honest and hard work. It's never easy because, as I'm learning now since being on the committee, it takes a lot of hours, and it's a lot of hours on behalf of the members that they have to commit to this committee; so having a chairman and a ranking member to really lead us in that effort makes a big difference.

Mr. Chairman, let me speak to the issue at hand, which is that it is very concerning that Congress has not completed an authorization bill in 6 years even though the terrorist threat has not lessened since September 11, 2001. This has limited an important oversight responsibility of the Congress. The world is too dangerous for Congress not to be more engaged in overseeing 16 intelligence agencies. We simply cannot maintain the status quo of the 111th Congress and ignore laws that require congressional oversight and the authorization of intelligence operations by the House Intelligence Committee.

Congress must meet its responsibilities and again begin to pass annual intelligence authorization bills, which are vital to ensuring, among other things, that the men and women who really risk their lives to be part of this intelligence community are properly funded to carry out their critical mission of defending our country, such as the mission we just saw a couple of weeks ago, that of the killing of Osama bin Laden.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. I yield the gentleman 1 additional minute.

Mr. NUNES. Congress can no longer avoid its responsibilities when our counterintelligence operations provide critical support to our combat units in Iraq, Afghanistan, Libya, and in other important places across the world or when our intelligence agencies require new, cutting-edge technology or during a time of unprecedented unrest in the Middle East, Southeast Asia or in other parts of Central and South America.

This does not mention the ever-growing threat that we face in the cyber community, with cyberspace, which is an area that this committee, I believe, will have to spend some significant time on.

The CHAIR. The time of the gentleman has again expired.

Mr. ROGERS of Michigan. I yield the gentleman an additional 30 seconds.

Mr. NUNES. It also doesn't mention the time that we will have to spend on some foreign countries that are quickly gaining access to minerals that are

very hard to come by. So many foreign nations are investing a lot of time, energy and effort into locating not only these minerals, oil, and natural gas all over the world, but they're coming together and working outside the interests of the United States. We have to have intelligence in these areas.

This isn't your typical authorization bill, but it funds 17 intelligence agencies which are critical to the defense of our country. Each agency has a unique perspective on the world, and Congress should be bipartisan in its partnering in these missions throughout the authorization and oversight processes. I look forward to voting "yes" on the 11th bill and to working in a bipartisan way on the 12th bill.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 3 minutes to an outstanding member of the Terrorism Subcommittee, the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, I rise today in support of the Intelligence Authorization Act for Fiscal Year 2011.

I want to thank Chairman ROGERS, and I also want to thank Ranking Member RUPPERSBERGER for working together in a bipartisan way to produce this bill. Their leadership was invaluable in moving this bill forward, and it has been critical to all of the committee's efforts during the 112th Congress.

Last year, the President signed into law an Intelligence Authorization Act for the first time since 2005. That bill included a number of important provisions to address the foreign language needs of the intelligence community, including a provision I sponsored, which created a pilot program in African languages under the National Security Education Program.

I am glad we can build upon the FY10 bill and can get another authorization bill signed into law for the second straight year. This bill authorizes the annual funding for the 16 member agencies of the intelligence community; aligns the national counterterrorism strategy with the policies and strategies of the DNI; and requires the DNI to establish an insider threat detection program to prevent unauthorized leaks of classified information.

While this bill is important to our intelligence community's ability to be the first line of defense for America, as we recently saw with the killing of bin Laden in Pakistan, the intelligence community often forms the first line of offense against our enemies as well.

Last month, I traveled to Pakistan and Afghanistan, and witnessed firsthand the tremendous challenge of locating bin Laden and other members of al Qaeda. Finding him would not have been possible without the robust capabilities that are available to the dedicated intelligence professionals at the CIA and other agencies. That is why Congress must continue to provide the intelligence community with every re-

source it needs to complete its missions.

Again, I extend my gratitude to Chairman ROGERS and to Ranking Member RUPPERSBERGER for their exceptional work on this legislation, and I also thank the Intelligence Committee staff for its tireless efforts in preparing this year's bill.

I urge my colleagues to support this legislation.

Mr. ROGERS of Michigan. Mr. Chairman, I now yield 2 minutes to a former Army captain, the great new Member from Kansas (Mr. POMPEO).

Mr. POMPEO. Thank you, Mr. Chairman.

I wanted to come to the floor today and thank Chairman ROGERS and the ranking member for the great work they've done.

I do not sit on this committee, but I did have the opportunity to serve in uniform our country. We witnessed what happened in the capture of the world's greatest terrorist, and we saw the great military feats which took place, but we also know all of the enormous work that our intelligence community did to make that happen.

I served in a unit that patrolled the East German and Czechoslovakian border. Every day, we relied on the fact that our intelligence community was providing our military with the finest information and the finest data in as near realtime as it possibly could to make sure that we knew how to deploy our forces and knew the things that needed to be done to keep America safe.

So I want to applaud the efforts of the Intelligence Committee. I want to urge all of my colleagues to support this legislation and the intelligence community, which keeps everyone in America safe.

Mr. RUPPERSBERGER. Mr. Chairman, in closing, the Intelligence Authorization Act for Fiscal Year 2011 provides policy guidelines and sets classified funding levels for the 16 agencies in the intelligence community. Al Qaeda leader Osama bin Laden is gone forever, but our fight against terrorism is far from over.

I believe this bill moves us in the right direction to ensure our topnotch intelligence professionals have the resources, capabilities and authorities they need to keep our country safe.

I also want to acknowledge our staffs on both the Democratic and Republican sides, who worked together very closely with us to help put together this bill. I've always said that you're only as good as your team. We talk about teamwork. You need a good team and a good staff.

I yield back the balance of my time.

□ 1530

Mr. ROGERS of Michigan. Mr. Chairman, I will just take this opportunity to thank both the Democrat and Re-

publican staff members who helped us prepare this bill. For the first time since I have served on the committee, we had both Democrat and Republican staff briefed in a bipartisan way at the same table, all Members in the room. And we think that that improved the value of this product tremendously, something we are hoping to continue.

So my hat is off to all of the staff. We hire professionals from the community, from all walks of life as well to provide us the expertise that we need to provide the proper oversight for the intelligence community. And I do believe, in this great spirit of bipartisanship with Mr. RUPPERSBERGER, that this will give the tools to those 17 agencies who work in secrecy on behalf of the United States the things that they need to accomplish their mission and to keep this great country safe.

I yield back the balance of my time.

Mr. HURT. Mr. Chair, I rise today in support of H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011.

Our intelligence community plays a critical role in keeping us safe from those who seek to do us harm, and I believe we need to ensure that they have the necessary tools to do their job to the fullest.

It was the hard work and dedication of the members of the intelligence community that helped lead us to securing a great victory in the war on terror—the death of Osama bin Laden. We will be forever grateful to them—and all of those in the intelligence field—for their service to this country, including those in Virginia's 5th District.

I would like to take this opportunity to recognize and thank the work of the Defense Intelligence Agency, the National Geospatial Intelligence Agency, and the National Ground Intelligence Center located in Charlottesville, Virginia, and those members of the intelligence community across the 5th District who are working every day to help ensure the safety of all Americans.

A top priority of government is to protect its citizens from threats at home and abroad. While I believe that we need to prioritize all spending in the context of a balanced budget, we need to make sure that those in the intelligence field are equipped to carry out their duties to help protect and defend our nation, especially when we are engaged in a global war on terror and thousands of American troops continue to serve bravely in harm's way around the world.

I urge support of H.R. 754.

Mr. VAN HOLLEN. Mr. Chair, I rise in support of H.R. 754, the FY 2011 Intelligence Authorization Act. I thank Chairman ROGERS and Ranking Member RUPPERSBERGER for bringing this bipartisan bill to the floor today.

This bill sets the funding levels for the 16 agencies that comprise the nation's intelligence community including the Central Intelligence Agency and parts of the Office of the Director of National Intelligence and the Federal Bureau of Investigations. It also supports the dedicated and skilled men and women who work in secret at these and other elements of the nation's clandestine services that helped bring Osama bin Laden to justice.

H.R. 754 authorizes funding for the counterterrorism analysis and worldwide clandestine operations of the CIA; the tactical intelligence support of the National Security Agency; the electronics surveillance and real-time analysis of the National Geospatial Agency; and the coordination of the National Intelligence Director. The coordinated efforts of all these agencies enable the U.S. to anticipate and respond to emerging threats and to maintain its technological advantage over our adversaries around the world.

Bringing Osama bin Laden to justice was the result of the hard work and sacrifice by this nation's intelligence and Special Forces community. These brave men and women are silent warriors who deserve our gratitude and unwavering support. I commend them for their ongoing efforts to disrupt, dismantle and defeat terrorism around the world.

I encourage my colleagues to join me in thanking our intelligence professionals for all that they do to keep our country safe and I urge passage of this bill.

Mr. WELCH. Mr. Chair, today I want to highlight a critical issue facing the Intelligence Community: increasing reliance on contractors.

A 2010 Washington Post story reported that 30 percent of the workforce in our intelligence agencies is contractors. Furthermore, the Post estimated that out of 854,000 people with top-secret clearances, 265,000 are contractors. I encourage my colleagues to read this eye opening article.

These startling facts cause me great concern—we've learned the hard way time and time again what happens when we fail to monitor the work of federal contractors. The federal government has the responsibility to maintain its commitment to monitoring their use—with special attention made to the evolving nature of their work and the associated national security risks inherent to outsourcing these tasks. I look forward to working with the Select Committee on Intelligence to achieve this goal.

[From the Washington Post, July 20, 2010]
NATIONAL SECURITY, INC.

(By Dana Priest and William M. Arkin)

In June, a stone carver from Manassas chiseled another perfect star into a marble wall at CIA headquarters, one of 22 for agency workers killed in the global war initiated by the 2001 terrorist attacks.

The intent of the memorial is to publicly honor the courage of those who died in the line of duty, but it also conceals a deeper story about government in the post-9/11 era: Eight of the 22 were not CIA officers at all. They were private contractors.

To ensure that the country's most sensitive duties are carried out only by people loyal above all to the nation's interest, federal rules say contractors may not perform what are called "inherently government functions." But they do, all the time and in every intelligence and counterterrorism agency, according to a two-year investigation by The Washington Post.

What started as a temporary fix in response to the terrorist attacks has turned into a dependency that calls into question whether the federal workforce includes too many people obligated to shareholders rather than the public interest—and whether the government is still in control of its most sensitive activities. In interviews last week,

both Defense Secretary Robert M. Gates and CIA Director Leon Panetta said they agreed with such concerns.

The Post investigation uncovered what amounts to an alternative geography of the United States, a Top Secret America created since 9/11 that is hidden from public view, lacking in thorough oversight and so unwieldy that its effectiveness is impossible to determine.

It is also a system in which contractors are playing an ever more important role. The Post estimates that out of 854,000 people with top-secret clearances, 265,000 are contractors. There is no better example of the government's dependency on them than at the CIA, the one place in government that exists to do things overseas that no other U.S. agency is allowed to do.

Private contractors working for the CIA have recruited spies in Iraq, paid bribes for information in Afghanistan and protected CIA directors visiting world capitals. Contractors have helped snatch a suspected extremist off the streets of Italy, interrogated detainees once held at secret prisons abroad and watched over defectors holed up in the Washington suburbs. At Langley headquarters, they analyze terrorist networks. At the agency's training facility in Virginia, they are helping mold a new generation of American spies.

Through the federal budget process, the George W. Bush administration and Congress made it much easier for the CIA and other agencies involved in counterterrorism to hire more contractors than civil servants. They did this to limit the size of the permanent workforce, to hire employees more quickly than the sluggish federal process allows and because they thought—wrongly, it turned out—that contractors would be less expensive.

Nine years later, well into the Obama administration, the idea that contractors cost less has been repudiated, and the administration has made some progress toward its goal of reducing the number of hired hands by 7 percent over two years. Still, close to 30 percent of the workforce in the intelligence agencies is contractors.

"For too long, we've depended on contractors to do the operational work that ought to be done" by CIA employees, Panetta said. But replacing them "doesn't happen overnight. When you've been dependent on contractors for so long, you have to build that expertise over time." A second concern of Panetta's: contracting with corporations, whose responsibility "is to their shareholders, and that does present an inherent conflict."

Or as Gates, who has been in and out of government his entire life, puts it: "You want somebody who's really in it for a career because they're passionate about it and because they care about the country and not just because of the money."

Contractors can offer more money—often twice as much—to experienced federal employees than the government is allowed to pay them. And because competition among firms for people with security clearances is so great, corporations offer such perks as BMWs and \$15,000 signing bonuses, as Raytheon did in June for software developers with top-level clearances.

The idea that the government would save money on a contract workforce "is a false economy," said Mark M. Lowenthal, a former senior CIA official and now president of his own intelligence training academy.

As companies raid federal agencies of talent, the government has been left with the

youngest intelligence staffs ever while more experienced employees move into the private sector. This is true at the CIA, where employees from 114 firms account for roughly a third of the workforce, or about 10,000 positions. Many of them are temporary hires, often former military or intelligence agency employees who left government service to work less and earn more while drawing a federal pension.

Across the government, such workers are used in every conceivable way. Contractors kill enemy fighters. They spy on foreign governments and eavesdrop on terrorist networks. They help craft war plans. They gather information on local factions in war zones. They are the historians, the architects, the recruiters in the nation's most secretive agencies. They staff watch centers across the Washington area. They are among the most trusted advisers to the four-star generals leading the nation's wars.

So great is the government's appetite for private contractors with top-secret clearances that there are now more than 300 companies, often nicknamed "body shops," that specialize in finding candidates, often for a fee that approaches \$50,000 a person, according to those in the business.

Making it more difficult to replace contractors with federal employees: The government doesn't know how many are on the federal payroll. Gates said he wants to reduce the number of defense contractors by about 13 percent, to pre-9/11 levels, but he's having a hard time even getting a basic head count.

"This is a terrible confession," he said. "I can't get a number on how many contractors work for the Office of the Secretary of Defense," referring to the department's civilian leadership.

The Post's estimate of 265,000 contractors doing top-secret work was vetted by several high-ranking intelligence officials who approved of The Post's methodology. The newspaper's Top Secret America database includes 1,931 companies that perform work at the top-secret level. More than a quarter of them—533—came into being after 2001, and others that already existed have expanded greatly. Most are thriving even as the rest of the United States struggles with bankruptcies, unemployment and foreclosures.

The privatization of national security work has been made possible by a nine-year "gusher" of money, as Gates recently described national security spending since the 9/11 attacks.

With so much money to spend, managers do not always worry about whether they are spending it effectively.

"Someone says, 'Let's do another study,' and because no one shares information, everyone does their own study," said Elena Mastors, who headed a team studying the al-Qaeda leadership for the Defense Department. "It's about how many studies you can orchestrate, how many people you can fly all over the place. Everybody's just on a spending spree. We don't need all these people doing all this stuff."

Most of these contractors do work that is fundamental to an agency's core mission. As a result, the government has become dependent on them in a way few could have foreseen: wartime temps who have become a permanent cadre.

Just last week, typing "top secret" into the search engine of a major jobs Web site showed 1,951 unfilled positions in the Washington area, and 19,759 nationwide: "Target analyst," Reston. "Critical infrastructure specialist," Washington, D.C. "Joint expeditionary team member," Arlington.

"We could not perform our mission without them. They serve as our 'reserves,' providing flexibility and expertise we can't acquire," said Ronald Sanders, who was chief of human capital for the Office of the Director of National Intelligence before retiring in February. "Once they are on board, we treat them as if they're a part of the total force."

The Post's investigation is based on government documents and contracts, job descriptions, property records, corporate and social networking Web sites, additional records, and hundreds of interviews with intelligence, military and corporate officials and former officials. Most requested anonymity either because they are prohibited from speaking publicly or because, they said, they feared retaliation at work for describing their concerns.

The investigation focused on top-secret work because the amount classified at the secret level is too large to accurately track. A searchable database of government organizations and private companies was built entirely on public records. [For an explanation of the newspaper's decision making behind this project, please see the Editor's Note.]

The national security industry sells the military and intelligence agencies more than just airplanes, ships and tanks. It sells contractors' brain power. They advise, brief and work everywhere, including 25 feet under the Pentagon in a bunker where they can be found alongside military personnel in battle fatigues monitoring potential crises worldwide.

Late at night, when the wide corridors of the Pentagon are all but empty, the National Military Command Center hums with purpose. There's real-time access to the location of U.S. forces anywhere in the world, to granular satellite images or to the White House Situation Room.

The purpose of all this is to be able to answer any question the chairman of the Joint Chiefs of Staff might have. To be ready 24 hours a day, every day, takes five brigadier generals, a staff of colonels and senior non-commissioned officers—and a man wearing a pink contractor badge and a bright purple shirt and tie.

Erik Saar's job title is "knowledge engineer." In one of the most sensitive places in America, he is the only person in the room who knows how to bring data from far afield, fast. Saar and four teammates from a private company, SRA International, teach these top-ranked staff officers to think in Web 2.0. They are trying to push a tradition-bound culture to act differently, digitally.

That sometimes means asking for help in a public online chat room or exchanging ideas on shared Web pages outside the military computer networks dubbed .mil—things much resisted within the Pentagon's self-sufficient culture. "Our job is to change the perception of leaders who might drive change," Saar said.

Since 9/11, contractors have made extraordinary contributions—and extraordinary blunders—that have changed history and clouded the public's view of the distinction between the actions of officers sworn on behalf of the United States and corporate employees with little more than a security badge and a gun.

Contractor misdeeds in Iraq and Afghanistan have hurt U.S. credibility in those countries as well as in the Middle East. Abuse of prisoners at Abu Ghraib, some of it done by contractors, helped ignite a call for vengeance against the United States that continues today. Security guards working

for Blackwater added fuel to the five-year violent chaos in Iraq and became the symbol of an America run amok.

Contractors in war zones, especially those who can fire weapons, blur "the line between the legitimate and illegitimate use of force, which is just what our enemies want," Allison Stanger, a professor of international politics and economics at Middlebury College and the author of "One Nation Under Contract," told the independent Commission on Wartime Contracting at a hearing in June.

Misconduct happens, too. A defense contractor formerly called MZM paid bribes for CIA contracts, sending Randy "Duke" Cunningham, who was a California congressman on the intelligence committee, to prison. Guards employed in Afghanistan by ArmorGroup North America, a private security company, were caught on camera in a lewd-partying scandal.

But contractors have also advanced the way the military fights. During the bloodiest months in Iraq, the founder of Berico Technologies, a former Army officer named Guy Filippelli, working with the National Security Agency, invented a technology that made finding the makers of roadside bombs easier and helped stanch the number of casualties from improvised explosives, according to NSA officials.

Contractors have produced blueprints and equipment for the unmanned aerial war fought by drones, which have killed the largest number of senior al-Qaeda leaders and produced a flood of surveillance videos. A dozen firms created the transnational digital highway that carries the drones' real-time data on terrorist hide-outs from overseas to command posts throughout the United States.

Private firms have become so thoroughly entwined with the government's most sensitive activities that without them important military and intelligence missions would have to cease or would be jeopardized. Some examples:

*At the Department of Homeland Security (DHS), the number of contractors equals the number of federal employees. The department depends on 318 companies for essential services and personnel, including 19 staffing firms that help DHS find and hire even more contractors. At the office that handles intelligence, six out of 10 employees are from private industry.

*The National Security Agency, which conducts worldwide electronic surveillance, hires private firms to come up with most of its technological innovations. The NSA used to work with a small stable of firms; now it works with at least 484 and is actively recruiting more.

*The National Reconnaissance Office cannot produce, launch or maintain its large satellite surveillance systems, which photograph countries such as China, North Korea and Iran, without the four major contractors it works with.

*Every intelligence and military organization depends on contract linguists to communicate overseas, translate documents and make sense of electronic voice intercepts. The demand for native speakers is so great, and the amount of money the government is willing to pay for them is so huge, that 56 firms compete for this business.

*Each of the 16 intelligence agencies depends on corporations to set up its computer networks, communicate with other agencies' networks, and fuse and mine disparate bits of information that might indicate a terrorist plot. More than 400 companies work exclusively in this area, building classified hardware and software systems.

Hiring contractors was supposed to save the government money. But that has not turned out to be the case. A 2008 study published by the Office of the Director of National Intelligence found that contractors made up 29 percent of the workforce in the intelligence agencies but cost the equivalent of 49 percent of their personnel budgets. Gates said that federal workers cost the government 25 percent less than contractors.

The process of reducing the number of contractors has been slow, if the giant Office of Naval Intelligence in Suitland is any example. There, 2,770 people work on the round-the-clock maritime watch floor tracking commercial vessels, or in science and engineering laboratories, or in one of four separate intelligence centers. But it is the employees of 70 information technology companies who keep the place operating.

They store, process and analyze communications and intelligence transmitted to and from the entire U.S. naval fleet and commercial vessels worldwide. "Could we keep this building running without contractors?" said the captain in charge of information technology. "No, I don't think we could keep up with it."

Vice Adm. David J. "Jack" Dorsett, director of naval intelligence, said he could save millions each year by converting 20 percent of the contractor jobs at the Suitland complex to civil servant positions. He has gotten the go-ahead, but it's been a slow start. This year, his staff has converted one contractor job and eliminated another—out of 589. "It's costing me an arm and a leg," Dorsett said.

Washington's corridors of power stretch in a nearly straight geographical line from the Supreme Court to the Capitol to the White House. Keep going west, across the Potomac River, and the unofficial seats of power—the private, corporate ones—become visible, especially at night. There in the Virginia suburbs are the brightly illuminated company logos of Top Secret America: Northrop Grumman, SAIC, General Dynamics.

Of the 1,931 companies identified by The Post that work on top-secret contracts, about 110 of them do roughly 90 percent of the work on the corporate side of the defense-intelligence-corporate world.

To understand how these firms have come to dominate the post-9/11 era, there's no better place to start than the Herndon office of General Dynamics. One recent afternoon there, Ken Pohill was watching a series of unclassified images, the first of which showed a white truck moving across his computer monitor.

The truck was in Afghanistan, and a video camera bolted to the belly of a U.S. surveillance plane was following it. Pohill could access a dozen images that might help an intelligence analyst figure out whether the truck driver was just a truck driver or part of a network making roadside bombs to kill American soldiers.

To do this, he clicked his computer mouse. Up popped a picture of the truck driver's house, with notes about visitors. Another click. Up popped infrared video of the vehicle. Click: Analysis of an object thrown from the driver's side. Click: U-2 imagery. Click: A history of the truck's movement. Click: A Google Earth map of friendly forces. Click: A chat box with everyone else following the truck, too.

Ten years ago, if Pohill had worked for General Dynamics, he probably would have had a job bending steel. Then, the company's center of gravity was the industrial port city of Groton, Conn., where men and women in wet galoshes churned out submarines, the

thoroughbreds of naval warfare. Today, the firm's commercial core is made up of data tools such as the digital imagery library in Herndon and the secure BlackBerry-like device used by President Obama, both developed at a carpeted suburban office by employees in loafers and heels.

The evolution of General Dynamics was based on one simple strategy: Follow the money.

The company embraced the emerging intelligence-driven style of warfare. It developed small-target identification systems and equipment that could intercept an insurgent's cellphone and laptop communications. It found ways to sort the billions of data points collected by intelligence agencies into piles of information that a single person could analyze.

It also began gobbling up smaller companies that could help it dominate the new intelligence landscape, just as its competitors were doing. Between 2001 and 2010, the company acquired 11 firms specializing in satellites, signals and geospatial intelligence, surveillance, reconnaissance, technology integration and imagery.

On Sept. 11, 2001, General Dynamics was working with nine intelligence organizations. Now it has contracts with all 16. Its employees fill the halls of the NSA and DHS. The corporation was paid hundreds of millions of dollars to set up and manage DHS's new offices in 2003, including its National Operations Center, Office of Intelligence and Analysis and Office of Security. Its employees do everything from deciding which threats to investigate to answering phones.

General Dynamics' bottom line reflects its successful transformation. It also reflects how much the U.S. government—the firm's largest customer by far—has paid the company beyond what it costs to do the work, which is, after all, the goal of every profit-making corporation.

The company reported \$31.9 billion in revenue in 2009, up from \$10.4 billion in 2000. Its workforce has more than doubled in that time, from 43,300 to 91,700 employees, according to the company.

Revenue from General Dynamics' intelligence- and information-related divisions, where the majority of its top-secret work is done, climbed to \$10 billion in the second quarter of 2009, up from \$2.4 billion in 2000, accounting for 34 percent of its overall revenue last year.

The company's profitability is on display in its Falls Church headquarters. There's a soaring, art-filled lobby, bistro meals served on china enameled with the General Dynamics logo and an auditorium with seven rows of white leather-upholstered seats, each with its own microphone and laptop docking station.

General Dynamics now has operations in every corner of the intelligence world. It helps counterintelligence operators and trains new analysts. It has a \$600 million Air Force contract to intercept communications. It makes \$1 billion a year keeping hackers out of U.S. computer networks and encrypting military communications. It even conducts information operations, the murky military art of trying to persuade foreigners to align their views with U.S. interests.

"The American intelligence community is an important market for our company," said General Dynamics spokesman Kendall Pease. "Over time, we have tailored our organization to deliver affordable, best-of-breed products and services to meet those agencies' unique requirements."

In September 2009, General Dynamics won a \$10 million contract from the U.S. Special Operations Command's psychological operations unit to create Web sites to influence foreigners' views of U.S. policy. To do that, the company hired writers, editors and designers to produce a set of daily news sites tailored to five regions of the world. They appear as regular news Web sites, with names such as "SETimes.com: The News and Views of Southeast Europe." The first indication that they are run on behalf of the military comes at the bottom of the home page with the word "Disclaimer." Only by clicking on that do you learn that "the Southeast European Times (SET) is a Web site sponsored by the United States European Command."

What all of these contracts add up to: This year, General Dynamics' overall revenue was \$7.8 billion in the first quarter, Jay L. Johnson, the company's chief executive and president, said at an earnings conference call in April. "We've hit the deck running in the first quarter," he said, "and we're on our way to another successful year."

In the shadow of giants such as General Dynamics are 1,814 small to midsize companies that do top-secret work. About a third of them were established after Sept. 11, 2001, to take advantage of the huge flow of taxpayer money into the private sector. Many are led by former intelligence agency officials who know exactly whom to approach for work.

Abraxas of Herndon, headed by a former CIA spy, quickly became a major CIA contractor after 9/11. Its staff even recruited midlevel managers during work hours from the CIA's cafeteria, former agency officers recall.

Other small and medium-size firms sell niche technical expertise such as engineering for low-orbit satellites or long-dwell sensors. But the vast majority have not invented anything at all. Instead, they replicate what the government's workforce already does.

A company called SGIS, founded soon after the 2001 attacks, was one of these.

In June 2002, from the spare bedroom of his San Diego home, 30-year-old Hany Girgis put together an information technology team that won its first Defense Department contract four months later. By the end of the year, SGIS had opened a Tampa office close to the U.S. Central Command and Special Operations Command, had turned a profit and had 30 employees.

SGIS sold the government the services of people with specialized skills; expanding the types of teams it could put together was one key to its growth. Eventually it offered engineers, analysts and cyber-security specialists for military, space and intelligence agencies. By 2003, the company's revenue was \$3.7 million. By then, SGIS had become a subcontractor for General Dynamics, working at the secret level. Satisfied with the partnership, General Dynamics helped SGIS receive a top-secret facility clearance, which opened the doors to more work.

By 2006, its revenue had multiplied tenfold, to \$30.6 million, and the company had hired employees who specialized in government contracting just to help it win more contracts.

"We knew that's where we wanted to play," Girgis said in a phone interview. "There's always going to be a need to protect the homeland."

Eight years after it began, SGIS was up to revenue of \$101 million, 14 offices and 675 employees. Those with top-secret clearances worked for 11 government agencies, according to The Post's database.

The company's marketing efforts had grown, too, both in size and sophistication. Its Web site, for example, showed an image of Navy sailors lined up on a battleship over the words "Proud to serve" and another image of a Navy helicopter flying near the Statue of Liberty over the words "Preserving freedom." And if it seemed hard to distinguish SGIS's work from the government's, it's because they were doing so many of the same things. SGIS employees replaced military personnel at the Pentagon's 24/7 telecommunications center. SGIS employees conducted terrorist threat analysis. SGIS employees provided help-desk support for federal computer systems.

Still, as alike as they seemed, there were crucial differences.

For one, unlike in government, if an SGIS employee did a good job, he might walk into the parking lot one day and be surprised by co-workers clapping at his latest bonus: a leased, dark-blue Mercedes convertible. And he might say, as a video camera recorded him sliding into the soft leather driver's seat, "Ahhhhh . . . this is spectacular."

And then there was what happened to SGIS last month, when it did the one thing the federal government can never do.

It sold itself.

The new owner is a Fairfax-based company called Salient Federal Solutions, created just last year. It is a management company and a private-equity firm with lots of Washington connections that, with the purchase of SGIS, it intends to parlay into contracts. "We have an objective," says chief executive and President Brad Antle, "to make \$500 million in five years."

Of all the different companies in Top Secret America, the most numerous by far are the information technology, or IT, firms. About 800 firms do nothing but IT.

Some IT companies integrate the mish-mash of computer systems within one agency; others build digital links between agencies; still others have created software and hardware that can mine and analyze vast quantities of data.

The government is nearly totally dependent on these firms. Their close relationship was on display recently at the Defense Intelligence Agency's annual information technology conference in Phoenix. The agency expected the same IT firms angling for its business to pay for the entire five-day get-together, a DIA spokesman confirmed.

And they did.

General Dynamics spent \$30,000 on the event. On a perfect spring night, it hosted a party at Chase Field, a 48,569-seat baseball stadium, reserved exclusively for the conference attendees. Government buyers and corporate sellers drank beer and ate hot dogs while the DIA director's morning keynote speech replayed on the gigantic scoreboard, digital baseballs bouncing along the bottom of the screen.

Carahsoft Technology, a DIA contractor, invited guests to a casino night where intelligence officials and vendors ate, drank and bet phony money at craps tables run by professional dealers.

The McAfee network security company, a Defense Department contractor, welcomed guests to a Margaritaville-themed social on the garden terrace of the hotel across the street from the convention site, where 250 firms paid thousands of dollars each to advertise their services and make their pitches to intelligence officials walking the exhibition hall.

Government officials and company executives say these networking events are critical to building a strong relationship between the public and private sectors.

"If I make one contact each day, it's worth it," said Tom Conway, director of federal business development for McAfee.

As for what a government agency gets out of it: "Our goal is to be open and learn stuff," said Grant M. Schneider, the DIA's chief information officer and one of the conference's main draws. By going outside Washington, where many of the firms are headquartered, "we get more synergy. . . . It's an interchange with industry."

These types of gatherings happen every week. Many of them are closed to anyone without a top-secret clearance.

At a U.S. Special Operations Command conference in Fayetteville, N.C., in April, vendors paid for access to some of the people who decide what services and gadgets to buy for troops. In mid-May, the national security industry held a black-tie evening funded by the same corporations seeking business from the defense, intelligence and congressional leaders seated at their tables.

Such coziness worries other officials who believe the post-9/11 defense-intelligence-corporate relationship has become, as one senior military intelligence officer described it, a "self-licking ice cream cone."

Another official, a longtime conservative staffer on the Senate Armed Services Committee, described it as "a living, breathing organism" impossible to control or curtail. "How much money has been involved is just mind-boggling," he said. "We've built such a vast instrument. What are you going to do with this thing? . . . It's turned into a jobs program."

Even some of those gathered in Phoenix criticized the size and disjointedness of the intelligence community and its contracting base. "Redundancy is the unacceptable norm," Lt. Gen. Richard P. Zahner, Army deputy chief of staff for intelligence, told the 2,000 attendees. "Are we spending our resources effectively? . . . If we have not gotten our houses in order, someone will do it for us."

On a day that also featured free back rubs, shoeshines, ice cream and fruit smoothies, another speaker, Kevin P. Meiners, a deputy undersecretary for intelligence, gave the audience what he called "the secret sauce," the key to thriving even when the Defense Department budget eventually stabilizes and stops rising so rapidly.

"Overhead," Meiners told them—that's what's going to get cut first. Overhead used to mean paper clips and toner. Now it's information technology, IT, the very products and services sold by the businesspeople in the audience.

"You should describe what you do as a weapons system, not overhead," Meiners instructed. "Overhead to them—I'm giving you the secret sauce here—is IT and people. . . . You have to foot-stomp hard that this is a war-fighting system that's helping save people's lives every day."

After he finished, many of the government officials listening headed to the exhibit hall, where company salespeople waited in display booths. Peter Coddington, chief executive of INTENSITY, a small firm whose software teaches computers to "read" documents, was ready for them.

"You have to differentiate yourself," he said as they fanned out into the aisles. Coddington had glass beer mugs and pens twirling atop paperweight pyramids to help persuade officials of the nation's largest military intelligence agency that he had something they needed.

But first he needed them to stop walking so fast, to slow down long enough for him to

start his pitch. His twirling pens seemed to do the job. "It's like moths to fire," Coddington whispered.

A DIA official with a tote bag approached. She spotted the pens, and her pace slowed. "Want a pen?" Coddington called.

She hesitated. "Ah . . . I have three children," she said.

"Want three pens?"

She stopped. In Top Secret America, every moment is an opportunity.

"We're a text extraction company . . .," Coddington began, handing her the pens.

Staff researcher Julie Tate contributed to this report.

The CHAIR. All time for general debate has expired.

Pursuant to the rule, the amendment in the nature of a substitute printed in the bill shall be considered as an original bill for the purpose of amendment under the 5-minute rule and shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

H.R. 754

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE.*—This Act may be cited as the "Intelligence Authorization Act for Fiscal Year 2011".

(b) *TABLE OF CONTENTS.*—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

Sec. 101. Authorization of appropriations.

Sec. 102. Classified Schedule of Authorizations.

Sec. 103. Intelligence Community Management Account.

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 201. Authorization of appropriations.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

Sec. 301. Restriction on conduct of intelligence activities.

Sec. 302. Increase in employee compensation and benefits authorized by law.

Sec. 303. Non-reimbursable detail of other personnel.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

Sec. 401. Schedule and requirements for the National Counterintelligence Strategy.

Sec. 402. Insider threat detection program.

Subtitle B—Other Elements

Sec. 411. Defense Intelligence Agency counterintelligence and expenditures.

Sec. 412. Accounts and transfer authority for appropriations and other amounts for the intelligence elements of the Department of Defense.

SEC. 2. DEFINITIONS.

In this Act:

(1) **CONGRESSIONAL INTELLIGENCE COMMITTEES.**—The term "congressional intelligence committees" means—

(A) the Select Committee on Intelligence of the Senate; and

(B) the Permanent Select Committee on Intelligence of the House of Representatives.

(2) **INTELLIGENCE COMMUNITY.**—The term "intelligence community" has the meaning given that term in section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).

TITLE I—BUDGET AND PERSONNEL AUTHORIZATIONS

SEC. 101. AUTHORIZATION OF APPROPRIATIONS.

Funds are hereby authorized to be appropriated for fiscal year 2011 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government:

(1) The Office of the Director of National Intelligence.

(2) The Central Intelligence Agency.

(3) The Department of Defense.

(4) The Defense Intelligence Agency.

(5) The National Security Agency.

(6) The Department of the Army, the Department of the Navy, and the Department of the Air Force.

(7) The Coast Guard.

(8) The Department of State.

(9) The Department of the Treasury.

(10) The Department of Energy.

(11) The Department of Justice.

(12) The Federal Bureau of Investigation.

(13) The Drug Enforcement Administration.

(14) The National Reconnaissance Office.

(15) The National Geospatial-Intelligence Agency.

(16) The Department of Homeland Security.

SEC. 102. CLASSIFIED SCHEDULE OF AUTHORIZATIONS.

(a) **SPECIFICATIONS OF AMOUNTS AND PERSONNEL LEVELS.**—The amounts authorized to be appropriated under section 101 and the authorized personnel levels (expressed as full-time equivalent positions) as of September 30, 2011, for the conduct of the intelligence activities of the elements listed in paragraphs (1) through (16) of section 101, are those specified in the classified Schedule of Authorizations prepared to accompany the bill H.R. 754 of the One Hundred Twelfth Congress.

(b) **AVAILABILITY OF CLASSIFIED SCHEDULE OF AUTHORIZATIONS.**—The classified Schedule of Authorizations referred to in subsection (a) shall be made available to the Committee on Appropriations of the Senate, the Committee on Appropriations of the House of Representatives, and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the executive branch.

SEC. 103. INTELLIGENCE COMMUNITY MANAGEMENT ACCOUNT.

(a) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated for the Intelligence Community Management Account of the Director of National Intelligence for fiscal year 2011 the sum of \$660,732,000. Within such amount, funds identified in the classified Schedule of Authorizations referred to in section 102(a) for advanced research and development shall remain available until September 30, 2012.

(b) **AUTHORIZED PERSONNEL LEVELS.**—The elements within the Intelligence Community Management Account of the Director of National Intelligence are authorized 787 full-time equivalent personnel as of September 30, 2011. Personnel serving in such elements may be permanent employees of the Office of the Director of National Intelligence or personnel detailed from other elements of the United States Government.

(c) **CLASSIFIED AUTHORIZATIONS.**—

(1) **AUTHORIZATION OF APPROPRIATIONS.**—In addition to amounts authorized to be appropriated for the Intelligence Community Management Account by subsection (a), there are authorized to be appropriated for the Community Management Account for fiscal year 2011 such

additional amounts as are specified in the classified Schedule of Authorizations referred to in section 102(a). Such additional amounts made available for advanced research and development shall remain available until September 30, 2012.

(2) **AUTHORIZATION OF PERSONNEL.**—In addition to the personnel authorized by subsection (b) for elements of the Intelligence Community Management Account as of September 30, 2011, there are authorized such full-time equivalent personnel for the Community Management Account as of that date as are specified in the classified Schedule of Authorizations referred to in section 102(a).

TITLE II—CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 2011 the sum of \$292,000,000.

TITLE III—GENERAL INTELLIGENCE COMMUNITY MATTERS

SEC. 301. RESTRICTION ON CONDUCT OF INTELLIGENCE ACTIVITIES.

The authorization of appropriations by this Act shall not be deemed to constitute authority for the conduct of any intelligence activity which is not otherwise authorized by the Constitution or the laws of the United States.

SEC. 302. INCREASE IN EMPLOYEE COMPENSATION AND BENEFITS AUTHORIZED BY LAW.

Appropriations authorized by this Act for salary, pay, retirement, and other benefits for Federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such compensation or benefits authorized by law.

SEC. 303. NON-REIMBURSABLE DETAIL OF OTHER PERSONNEL.

(a) **IN GENERAL.**—Section 113A of the National Security Act of 1947 (50 U.S.C. 404h–1) is amended to read as follows:

“NON-REIMBURSABLE DETAIL OF OTHER PERSONNEL

“SEC. 113A. An officer or employee of the United States or member of the Armed Forces may be detailed to the staff of an element of the intelligence community funded through the National Intelligence Program from another element of the intelligence community or from another element of the United States Government on a non-reimbursable basis, as jointly agreed to by the heads of the receiving and detailling elements, for a period not to exceed two years. This section does not limit any other source of authority for reimbursable or non-reimbursable details.”.

(b) **TABLE OF CONTENTS AMENDMENT.**—The table of contents in the first section of such Act is amended by striking the item relating to section 113A and inserting the following:

“Sec. 113A. Non-reimbursable detail of other personnel.”.

TITLE IV—MATTERS RELATING TO ELEMENTS OF THE INTELLIGENCE COMMUNITY

Subtitle A—Office of the Director of National Intelligence

SEC. 401. SCHEDULE AND REQUIREMENTS FOR THE NATIONAL COUNTERINTELLIGENCE STRATEGY.

Section 904(d)(2) of the Counterintelligence Enhancement Act of 2002 (50 U.S.C. 402c(d)(2)) is amended—

(1) by striking “Subject” and inserting the following:

“(A) **REQUIREMENT TO PRODUCE.**—Subject”;

(2) by striking “on an annual basis”; and

(3) by adding at the end the following:

“(B) **REVISION AND REQUIREMENT.**—The National Counterintelligence Strategy shall be revised or updated at least once every three years and shall be aligned with the strategy and policies of the Director of National Intelligence.”.

SEC. 402. INSIDER THREAT DETECTION PROGRAM.

(a) **INITIAL OPERATING CAPABILITY.**—Not later than October 1, 2012, the Director of National Intelligence shall establish an initial operating capability for an effective automated insider threat detection program for the information resources in each element of the intelligence community in order to detect unauthorized access to, or use or transmission of, classified intelligence.

(b) **FULL OPERATING CAPABILITY.**—Not later than October 1, 2013, the Director of National Intelligence shall ensure the program described in subsection (a) has reached full operating capability.

(c) **REPORT.**—Not later than December 1, 2011, the Director of National Intelligence shall submit to the congressional intelligence committees a report on the resources required to implement the insider threat detection program referred to in subsection (a) and any other issues related to such implementation the Director considers appropriate to include in the report.

(d) **INFORMATION RESOURCES DEFINED.**—In this section, the term “information resources” means networks, systems, workstations, servers, routers, applications, databases, websites, online collaboration environments, and any other information resources in an element of the intelligence community designated by the Director of National Intelligence.

Subtitle B—Other Elements

SEC. 411. DEFENSE INTELLIGENCE AGENCY COUNTERINTELLIGENCE AND EXPENDITURES.

Section 105 of the National Security Act of 1947 (50 U.S.C. 403–5) is amended—

(1) in subsection (b)(5), by inserting “and counterintelligence” after “human intelligence”;

(2) by redesignating subsection (c) as subsection (d); and

(3) by inserting after subsection (b) the following:

“(c) **EXPENDITURE OF FUNDS BY THE DEFENSE INTELLIGENCE AGENCY.**—(1) Subject to paragraphs (2) and (3), the Director of the Defense Intelligence Agency may expend amounts made available to the Director for human intelligence and counterintelligence activities for objects of a confidential, extraordinary, or emergency nature, without regard to the provisions of law or regulation relating to the expenditure of Government funds.

“(2) The Director of the Defense Intelligence Agency may not expend more than five percent of the amounts made available to the Director for human intelligence and counterintelligence activities for a fiscal year for objects of a confidential, extraordinary, or emergency nature in accordance with paragraph (1) during such fiscal year unless—

“(A) the Director notifies the congressional intelligence committees of the intent to expend the amounts; and

“(B) 30 days have elapsed from the date on which the Director notifies the congressional intelligence committees in accordance with subparagraph (A).

“(3) For each expenditure referred to in paragraph (1), the Director shall certify that such expenditure was made for an object of a confidential, extraordinary, or emergency nature.

“(4) Not later than December 31 of each year, the Director of the Defense Intelligence Agency shall submit to the congressional intelligence committees a report on any expenditures made

during the preceding fiscal year in accordance with paragraph (1).”.

SEC. 412. ACCOUNTS AND TRANSFER AUTHORITY FOR APPROPRIATIONS AND OTHER AMOUNTS FOR THE INTELLIGENCE ELEMENTS OF THE DEPARTMENT OF DEFENSE.

(a) **IN GENERAL.**—Chapter 21 of title 10, United States Code, is amended by inserting after section 428 the following new section:

“§ 429. Appropriations for defense intelligence elements: accounts for transfer; transfer

“(a) **ACCOUNTS FOR APPROPRIATIONS FOR DEFENSE INTELLIGENCE ELEMENTS.**—The Secretary of the Treasury shall establish one or more accounts for the receipt of appropriations and other amounts transferred pursuant to subsection (b).

“(b) **TRANSFERS AUTHORIZED.**—(1) There may be transferred to an account established pursuant to subsection (a) the following:

“(A) Appropriations transferred by the Secretary of Defense from appropriations of the Department of Defense available for intelligence, intelligence-related activities, and intelligence-related communications.

“(B) Appropriations and other amounts transferred by the Director of National Intelligence from appropriations and other amounts available for the defense intelligence elements.

“(C) Amounts and reimbursements in connection with transactions authorized by law between the defense intelligence elements and other entities.

“(2) The transfer authority of the Secretary of Defense under paragraph (1)(A) is in addition to any other transfer authority available to the Secretary by law.

“(c) **AVAILABILITY OF APPROPRIATIONS AND AMOUNTS TRANSFERRED.**—(1) Appropriations transferred pursuant to subsection (b) shall remain available for the same time period, and shall be available for the same purposes, as the appropriations from which transferred.

“(2) Appropriation balances in an account established pursuant to subsection (a) may be transferred back to the account or accounts from which such balances originated as an appropriation refund.

“(d) **DEFENSE INTELLIGENCE ELEMENTS DEFINED.**—In this section, the term ‘defense intelligence elements’ means the agencies, offices, and elements of the Department of Defense that are included within the elements of the intelligence community specified in or designated under section 3(4) of the National Security Act of 1947 (50 U.S.C. 401a(4)).”.

(b) **CLERICAL AMENDMENT.**—The table of sections at the beginning of subchapter I of chapter 21 of such title is amended by inserting after the item relating to section 428 the following new item:

“429. Appropriations for defense intelligence elements: accounts for transfer; transfer.”.

The CHAIR. No amendment to the committee amendment is in order except those printed in House Report 112–75. Each such amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 112–75.

Mr. ROGERS of Michigan. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 12, line 10, insert "under the National Intelligence Program" after "the Director".

Page 12, line 17, insert "under the National Intelligence Program" after "the Director". Strike section 412.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Michigan (Mr. ROGERS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. ROGERS of Michigan. Mr. Chairman, this is a manager's amendment to the bill that contains two provisions.

The first provision would simply clarify that section 411 of the bill, which relates to certain Defense Intelligence Agency expenditures, applies only to the National Intelligence Program funds. This clarification was requested by the Committee on Armed Services and is largely technical in nature.

The second provision would strike section 412 of the reported bill, which provides for the creation of certain accounts for intelligence funds. While this provision is an important one, intended to promote auditability of intelligence funds, some technical issues have arisen; and I believe it was prudent to hold this over until the FY12 bill. It is something that I support and hope to return to the bill in FY12. I do not believe that either of these changes are controversial and urge Members to support the amendment.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise to claim the time in opposition, though I am not opposed to the amendment.

The CHAIR. Without objection, the gentleman from Maryland is recognized for 5 minutes.

There was no objection.

Mr. RUPPERSBERGER. In this era of tight budgets, I believe it is our responsibility to manage every taxpayer dollar efficiently and effectively. Section 412 of the bill provides the Secretary of Defense authority to transfer certain funds into specific accounts to provide more accurate accounting of money spent. The manager's amendment strikes section 412 from the bill.

Section 412 will allow for an accurate audit of taxpayer dollars. This important tool will save us money in the long run. We must identify programs that are not working and trim those costs. A thorough audit will help us do that. We must ensure any cuts do not negatively impact on the performance of the mission. The administration supports section 412, and so do I.

I reserve the balance of my time.

Mr. ROGERS of Michigan. I thank the ranking member. I look forward to

working with him on this particular issue.

As I think the ranking member understands, Mr. Chairman, we've brought in auditors on the committee. This is something we're very committed to in a bipartisan way, to actually have funds that can be audited. It's a bit shocking, I think, to both of us that they have had these funds for such a long time that have not been able to be audited, and we hope to do that on behalf of the taxpayers of the United States.

With that, I yield back the balance of my time.

Mr. RUPPERSBERGER. I agree with the chairman. Staff is working together to try to resolve the issues involving section 412. We look forward to a positive resolution.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Michigan (Mr. ROGERS).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Michigan will be postponed.

AMENDMENT NO. 2 OFFERED BY MR. BARROW

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 112-75.

Mr. BARROW. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

After section 303, insert the following:

SEC. 304. INTELLIGENCE OFFICER TRAINING PROGRAM.

Section 1024 of the National Security Act of 1947 (50 U.S.C. 441p) is amended—

(1) in subsection (a)(1), by striking "subsection (b)" and inserting "subsections (b) and (c)";

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively;

(3) by inserting after subsection (b), the following:

"(C) GRANT PROGRAM FOR HISTORICALLY BLACK COLLEGES AND UNIVERSITIES.—(1) The Director may provide grants to historically black colleges and universities to provide programs of study in educational disciplines identified under subsection (a)(2) or described in paragraph (2).

"(2) A grant provided under paragraph (1) may be used to provide programs of study in the following educational disciplines:

"(A) Intermediate and advanced foreign languages deemed in the immediate interest of the intelligence community, including Farsi, Pashto, Middle Eastern, African, and South Asian dialects.

"(B) Study abroad programs and cultural immersion programs."; and

(4) in paragraph (g) (as so redesignated)—

(A) by redesignating paragraph (2) as paragraph (3);

(B) by inserting after paragraph (1), the following:

"(2) HISTORICALLY BLACK COLLEGE AND UNIVERSITY.—The term 'historically black college and university' has the meaning given the term 'part B institution' in section 322 of the Higher Education Act of 1965 (20 U.S.C. 1061)."; and

(C) by adding at the end the following:

"(4) STUDY ABROAD PROGRAM.—The term 'study abroad program' means a program of study that—

"(A) takes places outside the geographical boundaries of the United States;

"(B) focuses on areas of the world that are critical to the national security interests of the United States and are generally underrepresented in study abroad programs at institutions of higher education, including Africa, Asia, Central and Eastern Europe, Eurasia, Latin America, and the Middle East; and

"(C) is a credit or noncredit program.".

The CHAIR. Pursuant to House Resolution 264, the gentleman from Georgia (Mr. BARROW) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

Mr. BARROW. Mr. Chairman, I want to begin by thanking Chairman ROGERS and Ranking Member RUPPERSBERGER for their hard work on this important legislation.

We face a diverse and growing array of threats around the globe, and we need an intelligence community as diverse as the threats we face. My amendment directs the national intelligence director to create a pilot program for Historically Black Colleges and Universities to help develop critical language curricula and study abroad programs. Our defenses have to be as advanced as the means used by our enemies. That means that our human assets have to be as diverse as our enemies. Cultural, language, and educational barriers affect the quality of intelligence we can gather; and it's critical that we have the human assets to overcome these barriers.

The area of Georgia I represent is home to several HBCUs with specific expertise in critical languages. Engaging centers of academic excellence such as these will help the intelligence community meet our strategic security goals and will produce more sophisticated intelligence officers. This, in turn, will make our country more secure. I, therefore, urge my colleagues to support this amendment and support passage of the bill.

With that, I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose the amendment, I would ask unanimous consent to claim the time in opposition.

The CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I yield myself such time as I may consume.

While I support the intent behind the amendment, I believe it is also important to note for the record—and I appreciate the gentleman's work on this—that the Intelligence Committee has already a number of existing programs and initiatives in this area. I think this will, in fact, enhance that effort.

The proposed amendment has the goal of assisting Historically Black Colleges and Universities in creating and maintaining academic curricula that help the intelligence community meet its workforce diversity and critical language goals. I am happy to say that the community already understands well that a diverse workforce enhances its mission performance. For example, Director Panetta has launched his own initiative at CIA to enhance the diversity of that agency's workforce.

Additionally, there are other initiatives under way to increase the employment and retention of the diverse candidates throughout the intelligence community. And I won't go on, other than to compliment the gentleman for his interest in exposing the number of people who would have the skills to apply and diversify our workforce at the CIA.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. BARROW).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. DENT

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 112-75.

Mr. DENT. I offer an amendment, Mr. Chairman.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of title III, add the following new section:

SEC. 304. INFORMATION ON PURSUIT OF ANWAR AL-AWLAKI.

Not later than 90 days after the date of the enactment of this Act, the Director of National Intelligence and the Director of the Central Intelligence Agency shall jointly submit to the congressional intelligence committees—

(1) all information in the possession of the Office of the Director of National Intelligence and the Central Intelligence Agency relating to the pursuit and targeting of Anwar al-Awlaki by the Federal Government; and

(2) an analysis of the legal impediments to pursuing the capture of Anwar al-Awlaki.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Pennsylvania.

Mr. DENT. Mr. Chairman, I first want to commend the chairman and the ranking member for the very good work they have done on this bill. They

really have worked in a bipartisan manner, and they are really trying to advance the best interests of the intelligence community and this Nation's national security. So I applaud them for the spirit in which they have taken on this legislation.

I will withdraw this amendment after having conversations with the chairman. But the point I want to make about the amendment is that the amendment simply directs the Director of National Intelligence and the CIA that within 90 days of this act to provide the congressional intelligence committees all information possessed by the DNI and the CIA relating to the pursuit and targeting of one Anwar al-Awlaki by the Federal Government as well as an analysis of the legal impediments to pursuing the capture of Anwar al-Awlaki.

Americans are all very much familiar with who Osama bin Laden is. Everybody knows who he is, and we're all extremely gratified about his demise. At the same time, we should all be aware too that Anwar al-Awlaki seems to be the leader of many of the operational aspects of al Qaeda on the Arabian Peninsula. He is a real threat. He is an American citizen. He is also a Yemeni citizen. He has targeted Americans. We always thought he was a spiritual adviser and certainly a recruiter for al Qaeda. But now it's quite clear that he has also gone operational.

□ 1540

We're aware of that as it relates to the underwear bomber, Abdulmutallab and his attempt to the blow up the airliner near Detroit.

So the point of this amendment is to raise awareness on Anwar al-Awlaki, also to point out the fact that he is a citizen, to point out the fact that I think it's important that we consider essentially that he has committed expatriating acts. I mean, the fact that he has targeted American citizens, that he has called for the death of many Americans, I have legislation that is also prepared to deal with his citizenship issue, that it should be revoked, or at least we should seriously do that, just as we would for any other individual who takes up arms against this country. We have laws on the books from 1944 when there were individuals who were signed up with the Nazi army or the Imperial Army of Japan who took up arms against this country as citizens. Those are expatriating acts.

I simply believe that if an individual takes up arms with al Qaeda or the Taliban or any other terrorist organization, foreign terrorist organization that is intent on killing Americans, that we should treat them just as we would an individual who is an agent of a foreign government or part of a foreign army. That's the whole point.

But recognizing this is probably not the best place to offer this amendment

at this time, I have agreed to withdraw it. I appreciate the chairman's consideration, and I will be working to make sure that this Congress has the opportunity to address the citizenship issue of Anwar al-Awlaki. It has reported in the press that our government has a kill or capture order on Mr. Al-Awlaki. I don't know if that is true or not. I read it in the press.

Just last week we saw reports that Anwar al-Awlaki was supposedly the intended target of an attack, unsuccessful, in Yemen, and so he is still alive. And the point I want to make is that I think that if we're targeting an American citizen for assassination, then I think we should at least take up the issue of his citizenship and revoke it if at all possible. So at that point I will address it in another forum.

At this time I would again urge everybody here to support the underlying legislation. I will withdraw this amendment, and I appreciate the chairman and ranking member's consideration.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIR. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 112-75.

AMENDMENT NO. 5 OFFERED BY MR. GIBSON

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 112-75.

Mr. GIBSON. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV (page 11, after line 20), add the following new section:
SEC. 403. REPORT ON POTENTIAL CONSOLIDATION OF ELEMENTS OF THE INTELLIGENCE COMMUNITY.

Not later than December 31, 2011, the Director of National Intelligence shall submit to congress a report containing any recommendations the Director considers appropriate for consolidating elements of the intelligence community.

The CHAIR. Pursuant to House Resolution 264, the gentleman from New York (Mr. GIBSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. GIBSON. Mr. Chairman, I actually want to begin this afternoon by praising the chairman and the ranking member, all of the members of the intel committee and their staff for truly magnificent work here on behalf of the American people. I've spent some time down in the SCIF and have been through the bill, and I think it's something that everyone can be proud of. And clearly, the operation that occurred about 2 weeks ago that ended in the death of Osama Bin Laden is an example of how intel and operations can be fused for successful operations.

And I'm rising today to offer an amendment to the intel authorization bill that I hope the committee will be willing to accept. It's based on my experiences from the 29 years I served in the United States military, nearly 5 in the New York Army National Guard, and then 24 years in the United States Army.

And I will tell you that, particularly, my experiences in Iraq commanding an airborne infantry battalion task force, and then later as a Division G-3, that's an operations officer for Multinational Division North, I saw firsthand the virtues of intel and operations being fused for successful operations.

And so what concerns me today is the fact that since the 11th of September, we've had significant growth in the intel community to address various concerns. And what I think we need to do now is pause, reflect, and look for ways to consolidate all that growth so that we can continue to have effective intel operations in a manner that's consistent for Republicans, and one that we can afford.

So what I offered is actually a very simple amendment. It asks the Director of National Intelligence to provide his recommendations on consolidation with an eye towards effectiveness and efficiency.

When we initially created this position this, of course, was a result of the Kean Commission after the horrific attacks of the 11th of September, 2001. We created the DNI to help us to really provide leadership in the intel community. In my estimation, we did not provide the adequate budget and legal authorities for him to really accomplish all those duties that we expected of him. So I would think that he would welcome this task to provide his recommendation to us on how we might better organize, consolidate the intel community to perform its very critical function for the American people.

I urge my colleagues to support the amendment. And again I want to thank the intel committee, the leadership and all those who provided the work for this bill.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman from Maryland is recognized for 5 minutes.

Mr. RUPPERSBERGER. I appreciate Congressman GIBSON's intent. And I also want to thank him for his service in the military. But I believe we should always be looking for efficiencies to help reduce costs throughout the government.

The Director of National Intelligence is conducting a similar review that will identify redundancies without sacrificing core missions. I want to see the product of those efforts before asking the DNI, Director of National Intelligence, to submit an additional report.

For this reason I oppose the amendment.

I reserve the balance of my time.

Mr. GIBSON. I certainly respect my colleague for all his experiences that he brings before he comes to the Congress, and for the tremendous work he's done in the time that he's been here serving the American people in the United States Congress.

I respectfully disagree with the position, and would like to hear directly from the Director of National Intelligence. I know if I were in his shoes I would welcome this task. I would want to provide the United States Congress, the American people, by way of the United States Congress, to provide the recommendations on the way that he, in this case, the way he sees fit on better organizing the intel community.

So, with a very heavy respect for the ranking member, I still urge my colleagues to support the amendment.

Mr. RUPPERSBERGER. I yield back the balance of my time.

Mr. GIBSON. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. GIBSON).

The question was taken; and the Chair announced that the ayes appeared to have it.

Mr. RUPPERSBERGER. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

□ 1550

AMENDMENT NO. 6 OFFERED BY MR. RUPPERSBERGER

The CHAIR. It is now in order to consider amendment No. 6 printed in House Report 112-75.

Mr. RUPPERSBERGER. I rise to offer the amendment for Congresswoman WATERS as her designee.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of subtitle A of title IV, add the following new section:

SEC. 403. INSPECTOR GENERAL REPORT RECRUITMENT AND RETENTION OF RACIAL AND ETHNIC MINORITIES.

(a) REPORT.—Not later than 180 days after the date of the enactment of this Act, the Inspector General of the Intelligence Community shall submit to Congress a report on the degree to which racial and ethnic minorities in the United States are employed in professional positions in the intelligence community and barriers to the recruitment and retention of additional racial and ethnic minorities in such positions.

(b) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Maryland (Mr. RUPPERSBERGER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.

Mr. RUPPERSBERGER. I yield to the gentlewoman from California, Congresswoman WATERS.

Ms. WATERS. I thank the gentleman.

My amendment requires the inspector general of the intelligence community to report to Congress on racial and ethnic diversity in the intelligence community.

A diverse workforce is essential to intelligence work. People from a variety of backgrounds bring a variety of perspectives to the table to understand the world in which we live. A diverse workforce provides intelligence agencies critical insights into different cultures around the world, where information about potential threats to our national security is being collected and analyzed.

Many leading intelligence officials understand the importance of a diverse workforce. The Web site of the Central Intelligence Agency includes the following statement:

"In order for the CIA to meet our mission of protecting our national security interests, we need to employ a workforce as diverse as America itself, the most diverse Nation on Earth. Diversity reflects the unique ways we vary as intelligence officers. Our nationality, race, ethnicity, gender, age, language, culture, sexual orientation, education, values, beliefs, abilities, and disabilities. These assorted attributes create different demographic, functional, and intellectual views which are so vital to our innovation, agility, collection, and analysis."

And I really do think that says it all.

Unfortunately, there is virtually no data available to Congress and the public regarding the degree of racial and ethnic diversity in the intelligence community. The most recent publicly available report that discusses this subject is a 1996 report by the Government Accountability Office on personnel practices at intelligence agencies, which focused on equal employment opportunity practices.

The report concluded that intelligence agencies have workforce diversity programs, but results lag far behind other Federal agencies. This report was written more than 5 years before the terrorist attacks of 9/11 and 15 years before the death of Osama bin Laden. Needless to say, both the intelligence community and the world in which it operates have changed tremendously since then.

My amendment states that, within 180 days after the enactment of the bill, the inspector general shall submit to Congress a report on the degree to which racial and ethnic minorities in the United States are employed in professional positions in the intelligence community and barriers to the recruitment and retention of additional racial

and ethnic minorities in these position. The amendment requires that the report be submitted in unclassified form, but allows the inspector general to include a classified annex.

It is long past time for Congress to reevaluate the diversity of the intelligence community workforce, and I urge my colleagues to support my amendment.

Again, I thank the gentleman, Mr. RUPPERSBERGER, for yielding.

Mr. ROGERS of Michigan. Mr. Chairman, while I do not oppose this amendment, I ask unanimous consent to claim time in opposition.

The CHAIR. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ROGERS of Michigan. Mr. Chairman, I support efforts to create a diverse workforce within the intelligence community. A diverse workforce is instrumental to effectively respond to the complex global threats faced by the United States.

I do have so many concerns that this amendment is duplicative with many efforts which are already under way within the intelligence community to address this issue.

For example, section 338 of the Intelligence Authorization Act of 2010, passed after the fiscal year last year, requires the DNI to coordinate with each element of the IC to provide a report of plans to increase the employment and retention of diverse candidates. Moreover, the DNI has already created a strategic plan on equal employment opportunity and issued Community Directive 110, the Equal Employment Opportunity and Diversity Program.

It is my hope that the inspector general will consider all of these existing initiatives in the report and use the substantial body of work that has already been done on these issues in completing it.

Nonetheless, I will support the amendment and its laudable goals.

I yield back the balance of my time.

Mr. RUPPERSBERGER. I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. RUPPERSBERGER).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. HINCHEY

The CHAIR. It is now in order to consider amendment No. 7 printed in House Report 112-75.

Mr. HINCHEY. I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the appropriate place in the bill, insert the following new section:

SEC. ____ . REPORT ON ACTIVITIES OF THE INTELLIGENCE COMMUNITY IN ARGENTINA.

(a) IN GENERAL.—Not later than 270 days after the date of the enactment of this Act,

the Director of National Intelligence shall submit to the appropriate congressional committees a report containing the following:

(1) A description of any information in the possession of the intelligence community with respect to the following events in the Republic of Argentina:

(A) The accession to power by the military of the Republic of Argentina in 1976.

(B) Violations of human rights committed by officers or agents of the Argentine military and security forces during counterinsurgency or counterterror operations, including by the State Intelligence Secretariat (Secretaria de Inteligencia del Estado), Military Intelligence Detachment 141 (Destacamento de Inteligencia Militar 141 in Cordoba), Military Intelligence Detachment 121 (Destacamento Militar 121 in Rosario), Army Intelligence Battalion 601, the Army Reunion Center (Reunion Central del Ejercito), and the Army First Corps in Buenos Aires.

(C) Operation Condor and Argentina's role in cross-border counterinsurgency or counterterror operations with Brazil, Bolivia, Chile, Paraguay, or Uruguay.

(2) Information on abductions, torture, disappearances, and executions by security forces and other forms of repression, including the fate of Argentine children born in captivity, that took place at detention centers, including the following:

(A) The Argentine Navy Mechanical School (Escuela Mecanica de la Armada).

(B) Automotores Orletti.

(C) Operaciones Tacticas 18.

(D) La Perla.

(E) Campo de Mayo.

(F) Institutos Militares.

(3) An appendix of declassified records reviewed and used for the report submitted under this subsection.

(4) A descriptive index of information referred to in paragraph (1) or (2) that is classified, including the identity of each document that is classified, the reason for continuing the classification of such document, and an explanation of how the release of the document would damage the national security interests of the United States.

(b) REVIEW OF CLASSIFIED DOCUMENTS.—Not later than two years after the date on which the report required under subsection (a) is submitted, the Director of National Intelligence shall review information referred to in paragraph (1) or (2) of subsection (a) that is classified to determine if any of such information should be declassified.

(c) FORM.—The report required under subsection (a) shall be submitted in unclassified form, but may include a classified annex.

(d) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term "appropriate congressional committees" means the Permanent Select Committee on Intelligence and the Committee on Appropriations of the House of Representatives and the Select Committee on Intelligence and the Committee on Appropriations of the Senate.

The CHAIR. Pursuant to House Resolution 264, the gentleman from New York (Mr. HINCHEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. HINCHEY. Mr. Chairman, in 1976, amid social unrest and a deep political crisis in Argentina, a military coup installed one of the cruelest dictators South America has ever seen. Il-

legal detentions, torture, and summary executions of dissidents became routine. Cross-country operations to capture and assassinate dissidents were organized by Argentina in cooperation with Southern Cone military regimes in what is known as Operation Condor.

Over the years, as the victims of the repression increasingly went missing, a new tactic of the Argentine security forces was revealed. It is estimated that 30,000 people disappeared in Argentina between 1976 and 1985. Many of these victims, known as "the disappeared," were abducted. They were tortured and then dropped far out into the ocean.

During the dictatorship, hundreds of children were born into captivity and distributed to members of the Argentine security forces, while their mothers are believed to have been killed.

□ 1600

The identity of some of these children has been discovered, but the majority of their identities and whereabouts remain unknown. My amendment seeks to shed light on the unknown fate of these children, who would be now in their twenties and early thirties.

Given the close relationship with their Argentine counterparts in the intelligence, security and military community, the documentation of the American intelligence community is likely to contain invaluable information to support renewed justice investigations and the search for the children of "the disappeared."

This amendment that I am offering would direct the Director of National Intelligence to report to the House and Senate Intelligence panels on information it has regarding the human rights violations of the military government in Argentina and also seeks to help shed light on the unknown fate of the Argentine children who were born in captivity. The amendment instructs the DNI to include an appendix of declassified documents used for the report and gives the authority for the inclusion of a classified annex.

Thousands of families have waited more than 30 years to learn the fate of their loved ones, and today we have an opportunity to make a significant contribution to truth and justice and help bring to a close this troubling chapter in Argentina's history.

In 2008, this amendment was made in order by the Rules Committee and agreed to on the House floor without objection from either party by voice vote. At that time, my dear friend and colleague Peter Hoekstra said, "I will not oppose this amendment, Mr. Chairman. I will support the amendment."

So I urge all of us to join in supporting this contribution to truth and justice in the country of Argentina.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. I must unfortunately oppose this amendment.

I certainly can sympathize with the gentleman's intention to try to bring some closure for families in this particularly difficult issue in Argentina, and it may certainly result in some information to those who are conducting maybe historical research and analysis and certainly to mend the wounds that have been created in this particular situation.

It would also do something, I think, equally damaging to today's effort in the war on terror. It would divert the intelligence community from its mission of protecting the United States and our interests from current threats. When you think about how difficult it was to take a small piece of information and stretch a nickname, an Arabic nickname applied to someone who is using an alias, who is likely associating with individuals who had Arabic nicknames associated to aliases, and from that little scrap of information, the entire intelligence apparatus spent years trying to develop the right lead to lead us to last Sunday's event to bring Osama bin Laden to justice.

This year, the intelligence community came forward and said, We need more analysts. We need more human resources in order to accomplish this mission. There are too many threats in too many places for our people to handle it. And what this amendment does, although it is very well intended, it takes resources away to apply it to a problem that is 20 to 30 years old. I am sorry, we just don't have that luxury today.

We are concerned, the intelligence community is concerned that the next few months, the next 6 months are crucial when al Qaeda is trying to get its act back together after losing its operational and inspirational leader and how they reach out or lash out in some kind of an attack. It is imperative that every minute of every day be spent targeting those who are seeking to kill Americans or our allies overseas now.

I hope that we find some other alternative to what the gentleman proposes in maybe another way. But redirecting the valuable assets in the fight on terror today I just think is a misuse of our resources and may, in fact, be a dangerous one at that. This is not the time to be disrupting our counterterrorism analysts, our case officers, or anybody in the CIA or other intelligence agencies away from disrupting, dismantling and defeating al Qaeda and other terrorist organizations for the activities of the Government of Argentina nearly 25 years ago.

I reserve the balance of my time.

Mr. HINCHEY. Mr. Chairman, how much time do we have remaining?

The CHAIR. The gentleman from New York has 2 minutes remaining,

and the gentleman from Michigan has 3 minutes remaining.

Mr. HINCHEY. Mr. Chairman, I deeply appreciate what has just been said. But the fact of the matter is that there are no significant costs involved in this. This operation has been looked at in the past. The information that we are asking for in the context of this amendment is readily available. It is not going to take any significant costs whatsoever and it can be done very, very quickly.

This is a situation that really needs to be corrected. It is a violent, deeply disturbing activity that took place in the context of many, many families, many of whom are completely innocent, and the effects of that were in many cases deeply disastrous.

This is something that can be done easily and can be done quickly, and it was supported by the opposition almost unanimously—in fact, unanimously—the last time that this bill came up and this amendment was brought forward.

So I ask the opposition here to reconsider this. Think closely about this, how important this is, how significantly important it is for Argentina and for the United States, and how it can be done readily and easily, and how the results of it being done would be happily taken care of by these two countries. There isn't anyone who is going to deeply object to this, anyone who is significant at least in the context of this operation who is going to deeply object to this.

We need to do this. It is an honest thing and it is something that is going to be positive. It will be deeply positive and effective for us in the context of bringing this about. So I hope that everyone in this body will recognize the significance of this and vote in favor of it.

The CHAIR. The time of the gentleman has expired.

Mr. ROGERS of Michigan. Mr. Chairman, again, with deep respect to the Member from New York, and I appreciate your passion on this, I can tell you as a former FBI agent, when you take 1 minute away from your case to cull information, it does take somebody who is operational in some sense, either an analyst or an operator or even on the IT front, to gather, collect, sort that information, to go through it, to put it in the proper form and to get it in the right place.

Really, every minute of every day is so precious to these individuals who are trying to focus on al Qaeda and the current threat. My argument is that this is something that can wait. It has waited 25 years. Probably the next few years won't make a difference, but the next few years in the fight against al Qaeda can mean the life and death of U.S. citizens.

So, again, I hope the gentleman doesn't think it is any condemnation of his effort. I think the time and the

place and the resources that would be lost are just not meeting the national security priorities as we look out across what the threat stream is today.

So, unfortunately, I will continue to oppose it. I would like to work with the gentleman on something in the future.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. HINCHEY).

The question was taken; and the Chair announced that the yeas appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 8 OFFERED BY MR. CARNEY

The CHAIR. It is now in order to consider amendment No. 8 printed in House Report 112-75.

Mr. CARNEY. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE V—OTHER MATTERS

SEC. 501. SENSE OF CONGRESS REGARDING THE PRIORITY OF RAILWAY TRANSPORTATION SECURITY.

It is the sense of Congress that—

(1) railway transportation (including subway transit) should be prioritized in the development of transportation security plans by the intelligence community; and

(2) railway transportation security (including subway transit security) should be included in transportation security budgets of the intelligence community.

The CHAIR. Pursuant to House Resolution 264, the gentleman from Delaware (Mr. CARNEY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

□ 1610

Mr. CARNEY. Mr. Chairman, over the past week, officials have announced that preliminary intelligence gathered from Osama bin Laden's Pakistan hide-out shows that al Qaeda had been plotting a terrorist attack on our Nation's rail system. While roughly 1.7 million passengers ride on domestic and international flights daily, every weekday 34 million Americans ride on trains and transit systems. The issue of rail security is more relevant now than ever. And I'm here today to argue for making rail security a national intelligence priority.

On March 11, 2004, nearly 200 people were killed in Madrid as a result of a terrorist bombing while riding the commuter rail to work. In 2005, over 50 people were killed and 700 injured on the London transit system in a series of explosions during the morning rush hour. An attack on our rail system

here in the United States would be devastating. It would almost certainly result in the loss of life.

Clearly, terrorist organizations around the world have made rail systems a target. I strongly believe that we need to address the vulnerabilities in our rail system by ensuring that rail security is one of our Nation's top intelligence priorities. That's why I offered this amendment directing the intelligence community to include rail and subway transit security in its transportation security plans and budgets.

The 9/11 Commission report found that over 90 percent of the Nation's annual investment in transportation security is spent on aviation security. While addressing security vulnerabilities within aviation is critical, this allocation leaves too little for surface transportation security, particularly on our rail systems.

"For now, riding trains is safe." That's how Transportation Secretary LaHood described the state of our rail system in light of the intelligence found in Osama bin Laden's compound. But we need to do better than that. As a near daily rider of Amtrak myself, I want to know that the United States Government is doing all it can to keep my fellow passengers safe. I urge my colleagues to support this amendment so that our intelligence community is able to identify and prevent a terrorist attack on our rail system.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. While I agree with the need for strong security in the railway sector, I just don't believe this amendment is best suited for the Intelligence authorization bill, as it seems to address the policy issues that are not authorized or otherwise addressed in the FY11 Intelligence authorization bill. The intelligence community does not have transportation security plans or transportation security budgets, nor do individual intelligence community agencies. In order to meet the requirement of this, they would have to restructure themselves to bring in the right people to do the plans for security for the railway. I don't think that's what the gentleman intends, but that's clearly what the gentleman's amendment would do.

I would argue that this amendment would be better focused on the Transportation Security Administration, or TSA. That agency, however, falls under the jurisdiction of the Homeland Security Committee and not the Intelligence Committee. The intelligence community does not develop transportation security plans. Rather, the intelligence community, through DHS, provides threat information to the

transportation sector to better enable it to develop security plans.

Additionally, I note that this amendment simply expresses the sense of the Congress on the issue. It does not actually compel any action. I would question the real improvement to security on the railway sector from its adoption because, again, it appears that the amendment would not have a real impact. This is really out of the scope of the intelligence community.

I would urge the gentleman to reconsider and contemplate maybe addressing it in the TSA. If the gentleman would like any help and assistance in doing that, I would be eager to try to help the gentleman do that.

Again, given the time pressures on our intelligence community to stop real-time threats and pass that information on to people in the TSA and others, I would argue that this is an amendment that we should all oppose and look for a better opportunity.

I reserve the balance of my time.

Mr. CARNEY. I would just like to add that I listened to the gentleman and I appreciate his comments. I listened to his remarks earlier on the previous amendment, and he said that the intelligence agencies spend all their time, every waking hour, targeting people trying to kill Americans every day. The facts are that these terrorists are trying to kill Americans on American rail transit systems. And that's the purpose of this amendment—to make sure that this is given a priority in our intelligence plans.

With that, I yield such time as he may consume to the ranking member, the gentleman from Maryland (Mr. RUPPERSBERGER).

Mr. RUPPERSBERGER. I thank the gentleman for his amendment.

I disagree with the chairman. I believe it's vitally important that we protect our railway infrastructure from terrorist attacks. Just last week, the Department of Homeland Security issued an intelligence message about potential al Qaeda contemplation in February 2010 of plots against the U.S. rail sector.

While there was no imminent threat at that time, we must remain vigilant. It's important that we devote resources to this issue. I hope that we could work together with the chairman if the amendment does not pass so that we can focus on this serious area of threat to our national security.

I urge a "yes" vote on this amendment.

Mr. CARNEY. Mr. Chair, how much time do I have remaining?

The CHAIR. The gentleman from Delaware has 1½ minutes remaining.

Mr. CARNEY. Mr. Chair, I would just like to add a few more things before finishing up here. Between 2004 and 2008, there were 500 terrorist attacks waged worldwide against mass transit and passenger rail targets, resulting in

over 2,000 deaths and over 9,000 injuries. Five billion passenger miles, intercity and commuter rail, are logged every day in the northeast corridor alone here in the U.S. That represents more than one-third of the daily vehicle miles logged on I-95 between Washington, D.C. and New York City.

My amendment will ensure that the U.S. Government places a priority on ensuring the safety of rail passengers around the country by working to prevent a terrorist attack on our rail system. And I would ask support for this amendment.

I reserve the balance of my time.

Mr. ROGERS of Michigan. Again, I appreciate both of the gentlemen's perspectives on this, but this is about the right tool for the right job. The intelligence community is the one that's supposed to develop the intelligence, the threat stream, the lead, and pass it to somebody who is in charge—the TSA in this case—of protecting the transportation sector.

Again, I make the argument it is important, but I just think this is misplaced. The intelligence community would have to try to create this expertise, which they do not have today in the entirety of the intelligence community, to make security plans. This is not what they do. It's not what they're equipped to do. They are not, in most cases, with the exception of the FBI and DEA, they're not domestic agencies. They're agencies that are designed to collect overseas. So it is just not a good fit.

Again, I appreciate the gentleman's position. I just think the community would have to spend a lot of time and resources diverting from its real intention and mission to keep us safe.

Just quickly and just for the record—I think it's important—the information that the gentleman referenced was aspirational. We saw a lot of press reports that I think misrepresented the information that was provided. It was something that Osama bin Laden thought about. It is not something that the intelligence community believes was operational, which means you have to be vigilant all the time on all these issues.

So I commend the gentleman in his effort on trying to bring better security to our railways. Again, just the right tool for the right job. This is not the right place. Unfortunately, I will oppose it but would like to work with the gentleman on the right place to get the job done.

I yield back the balance of my time.

The CHAIR. The gentleman from Delaware has 30 seconds remaining.

Mr. CARNEY. I certainly thank the gentleman and appreciate his comments and certainly respect his expertise. But I can't imagine that the intelligence agencies aren't, as they're doing their activities—intelligence activities overseas—aren't finding out

that there are threats to the U.S. rail system. My amendment would just make that a priority within all the things that they do.

I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Delaware (Mr. CARNEY).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. CARNEY. Mr. Chairman, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Delaware will be postponed.

□ 1620

Mr. ROGERS of Michigan. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BENISHEK) having assumed the chair, Mr. YODER, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, had come to no resolution thereon.

MAKE IT IN AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from California (Mr. GARAMENDI) is recognized for 60 minutes as the designee of the minority leader.

Mr. GARAMENDI. Mr. Speaker, we just finished a very important debate here on the floor dealing with the ability of the American Government to understand the threats that face us across this world. I want to commend my colleagues both on the Republican and Democratic side for working long and hard on the intelligence legislation that will be up on the floor, probably tomorrow.

In the hour ahead, what I would really like to focus on and bring to the attention of the American people is the necessity for jobs. We spend a lot of time talking about security, as we should, and we've certainly seen that in the successful effort to bring down bin Laden and finally see that justice was properly served. Congratulations to the military, to the intelligence community, and particularly to President Obama for his courage in ordering that action, risky to be sure, but ultimately extraordinarily successful.

The other part of American security is our economy. At the end of the day

and even at the beginning of the day, this Nation will never be secure unless we have a very strong, vibrant, growing economy that provides every American that wants to work with the opportunity to go to work. And so the focus of our attention for this hour ahead is economic security: how to secure the economic well-being of every American, how to secure the economic well-being of the American public. It can be done.

There are essentially six elements to achieve economic security and economic growth and strength, and we will cover many of those today as we talk about this issue. Let me very briefly lay them out to you.

The first is education. I think we now understand that an individual who has little or no education has very little opportunity to find economic security. It's difficult to get a job if you don't have an education. So for an individual, a good education is essential. Unfortunately across America, report after report, usually every 6 or 7 years a new report comes out and says America at Risk. Our education system isn't measuring up. Yet here in the last 3 months and in the days ahead, my colleagues on the Republican side have consistently cut the education programs that many, indeed millions of Americans depend upon.

Back home in my State of California, education funding is similarly cut, so that now a class that 5 years ago was 20 students is now 30 students. At the University of California, 10 years ago it may have cost \$1,500 or \$2,000 to go to school to pay the tuition. Now it's \$8,000. And in the budget that's being proposed that was presented to the Appropriations Committee today, the Republicans are virtually reducing to a point of nonexistence Pell Grants necessary for higher education.

So education becomes the first key pillar in building a secure economy for an individual. Similarly, it is the pillar to secure a good growing economy for this Nation, because this Nation will not be able to compete economically unless we have the best educated workforce in the world, and we're not even close today. We were in bygone years, 30, 40 years ago, and we can be in the future, but it's going to take a change. As my colleagues come and join me during this hour, we will be talking about the ways in which the education system can be improved and the way in which we can transition people from education to work and back to education and back to work.

The second pillar is research. Research is an essential element, because from that research comes the new products of the future. I think we only need to think about the things that are in our home. The television, the VCR, the other things that we depend upon, were mostly invented in America. The fundamental research for computer

chips and the like, America made, and much of the technology that we now find in our green technology, a lot of the wind turbines, the initial wind turbine industry, the solar industry, the photovoltaic and the rest, research in America's great institutions, our universities, our laboratories, led to these kinds of products. The battery technology that we now find in the hybrids, invented in America, but I think most of you would say, but not made in America today. That's true. So what we have seen is that the research, while done in the United States, did not lead to those things being manufactured in the United States. We need to understand why, and we'll go into that today, also.

So education, research, and then the third element is making those things in America. Manufacturing matters, and that is the core subject of today's discussion: Make it in America. You can educate, you can research, but ultimately you have to make it in America.

Now, there are ways that we can enhance the American manufacturing sector, and my colleagues and I on the Democratic side have put forth a program that we called Make It in America, so that America can make it, so that American families can make it, and we know that these programs that we're proposing will cause that to occur.

□ 1630

The remaining three things that we will talk about, not today, but I want to make sure we lay them out there: Education, research, manufacturing, make it in America, the next element is infrastructure. You have to have roads and streets and sanitation and water systems, communications systems. All of those things are critically important. Fortunately, part of the stimulus program, not enough of it, but a big part of it was to build the infrastructure. The largest surge in infrastructure investment ever in the history of this Nation was the stimulus program, overlooked and certainly overlooked in the politics of last year's election, but it was there. It was a good point, but we have to carry that forward.

Fifth point. We have to be international. Unfortunately, the word "international" in America has come to be that we give it all away. The trade agreements of the past often led to the outsourcing of American jobs, and so, as we look to the future, we want to make sure that as we look international we talk about, as President Obama has suggested, that we once again become an export Nation. We can do that. There are programs that will cause that to happen, and also, we need to be quite sure that when we talk about international we talk about fair trade, trade that is fair to American workers.

And so as these trade programs come before us, we will be taking a very hard look at are those programs good for American workers, or are they simply good for Chinese workers. If they are good for those workers overseas and not good for American workers, you can see strong resistance from those of us on the Democratic side who say, wait a minute, international is good. We understand the need to grow markets. We understand the growing markets of the world, but we will no longer allow American workers to be put at a disadvantage by some trade agreement that is not fair to American workers.

The final element is this: we have to change. We cannot be what we were yesterday. We have to be what we can be tomorrow, and our President very clearly points this out as he talks about capturing the future. We can but only if we do these six things, and the final one is change.

Let me go now to a couple of the specific elements that we need to talk about here. Sometimes it's helpful to put up one of these placards. It helps focus at least my attention and perhaps yours. This is the Make It in America Agenda. These issues we've talked about, trade, tax policy, energy policy. Let's pick up the energy policy here.

It is incumbent upon America to secure its energy future. I think all of us go to the gas station from time to time, all too often it seems to me, and you know now we're filling up with \$4 a barrel oil. Why? Why did that happen? Well, it basically has happened because for more than 30 years America has talked about energy security. We've talked about ending the importation of oil. We've talked about how we can provide the energy necessary for this Nation. Yet, we now find ourselves in a situation very similar to what we found in the 1970s, that is, insufficient energy available to us. The "Drill, baby, drill" mentality that we saw on the floor today is not the solution to this.

The solution to the energy issue is to transform our energy systems from the 19th and 20th century energy system, the fossil fuels, where we are dependent upon the petrol dictators of the world, and on coal, which I think all of us have come to understand presents enormous challenges for us, challenges of climate change, challenges of despoiling the surface of the Earth as we now find in the Appalachian Mountains and enormous health risks that come with the burning of coal. We need to move away from these fossil fuels to the fuels of tomorrow.

As we do that, we need to use our tax dollars to accomplish this goal. Right now, our tax dollars are used to support the oil industry. The oil industry thinks that is all well and good, but how many of you want to have \$4 billion, \$5 billion, \$6 billion, even \$12 bil-

lion of your tax money go to the wealthiest, most successful industry in the world as a subsidy? This is oil welfare, plain and simple, to the industry that simply does not need it. We're talking about the wealthiest, most successful industries in the world that have, for a century, for a full century, enjoyed the generosity of the American taxpayer. They receive welfare. Plain and simple, it's a subsidy, to subsidize the oil industry.

Yet we know in the last few days the Big Five oil companies have produced record profits in the last quarter. So much so that in the last decade, the decade 2001 until 2010, the oil industry has had over \$1 trillion of profit, \$1 trillion dollar of profit. At the same time, they have received billions of dollars of subsidies. We need to bring those subsidies back into the Treasury. Tell the oil industry, for a century you have been living off the welfare of the American public taxpayer. No more. That money is coming home.

And we're going to use it for two purposes: one, to reduce the deficit. President Obama has suggested about \$4 billion a year. I think you can go as high as \$12 billion if you add up all of the subsidies, bringing that money back into the Treasury to be used to reduce the deficit and to support industries of the future. We're talking about a lot of money here. Take a look at this.

ExxonMobil, \$10.7 billion of profit in just the last quarter. Oxychem, \$1.6 billion. Conoco, \$2.1 billion. Oh, you're going to love this. The CEO of Conoco oil a couple of days ago got in front of a microphone and said it is un-American to take away our welfare, to take away our subsidy. I don't think so. I think it is un-American to give the wealthiest industry in the world a subsidy. We can go on and on here. We see Chevron doing very well. Oh, yeah, BP—we know that bunch. They're the ones that didn't have enough money to safely drill for oil, but they did manage to make \$7.2 billion of profit this last year.

So, as we look at the energy systems of this Nation, we need to understand that the money that you and I are presently giving to the oil companies as a subsidy needs to be brought back and used to reduce the deficit and to support the energy systems of the future.

I'm going to wrap this very quickly with 2 pieces of legislation that I've introduced that would take those subsidies back from the oil industry and apply them to tomorrow's energy systems, the green energy systems, solar, wind. Our tax money should be used to buy American made solar, wind, turbines, and other green technologies. Right now, our tax money, we do subsidize those industries. Our tax money is used to purchase products that are manufactured offshore. My legislation says, good, we need to subsidize. We need to promote those industries.

Those are the industries of the future. Those are energy sources of the future. Let's use that money to buy American-made equipment.

If somebody wants to go buy Chinese solar cells, fine, use your own money. One of these companies wants to go buy European-made wind turbine, that is fine, do it. But don't use my tax money. Don't use your tax money. American tax money must be used to buy American-made equipment.

Similarly, with our gasoline taxes that are now being used to buy buses, trains, and build highways and bridges, great. Good thing to do, but make sure that those things are made in America.

□ 1640

Now let me turn my attention to my colleagues. Three of them have joined us. I notice that our minority whip has joined us today.

Mr. HOYER, you've been the advocate, the leader, of developing the Make It in America strategy. Please share with us your thoughts, and then I'm going to turn to my other two colleagues.

Mr. HOYER. I'll be very brief.

I thank the gentleman for his continuing focus. If I am the coiner of the phrase and the focuser of Make It in America, you are its chief spokesperson and salesperson, so I thank you for that effort.

It's so important because, clearly, Americans are rightfully very concerned at the fact that we don't have enough jobs for the people who are looking for jobs. We've got to have a growth agenda in America. We've got to have an agenda in America that focuses on expanding opportunities. We've got to have an agenda that gives to Americans the sense that they and their families and their children can make it in America.

You have been focusing night after night, week after week, month after month on a jobs agenda, which we call "Make It in America." We've introduced over 25 bills that are focused on trying to help us focus on that agenda, on trying to help business—small, medium and large—expand their businesses and on trying to give them assistance in doing so.

I want to say to the gentleman that, in his continuing to focus on this jobs agenda, it is critically important that Americans understand what the Make It in America agenda is all about so they can contact their Members of Congress and Members of the United States Senate and say, Look, we support the Make It in America agenda. We believe that it's an agenda for our opportunities and our children's opportunities.

I want to say something about the statement, to which the gentleman referred, made by the president of Conoco, a statement that apparently indicates he believes that his company is entitled to a tax preference and that if

we did not give that tax preference that somehow it would be un-American. Of course, life, as I like to say, is a series of trade-offs: if we're buying things; national defense; defeating terrorism; making sure our seniors are secure in their pocketbooks and in their health; making sure that we participate in helping young people, particularly disadvantaged young people, get the educational start that they need; making sure that our college students can develop their talents so they can make us a more competitive Nation; and that the innovation, an innovation to which the gentleman referred earlier, will still be done in the United States. Then we need to make sure that the products and technologies that are developed through that enterprise are, in fact, then subject to a Make It in America reality.

As for the gentleman from Conoco, I don't know him, but I applaud the oil companies, and we need the energy that they give us. The fact of the matter is we gave subsidies, and we give subsidies in various areas, as the gentleman from California knows, to encourage doing things that are not now profitable but that will have a long-term payoff for not only the companies but for America. That is why the government invests its money, as governments all over the world do, in developing emerging technologies. The gentleman spoke, of course, of solar, wind and other renewable technologies that will have a tremendous payoff but not in the short term; therefore it's hard to get investors to put money in. That's why governments, not just in this country but all over the world, have done this in the past: for instance, when the prices of gasoline were not such that they provided the resources to encourage research, which we knew we needed, and drilling, which we knew we needed.

Yet now, when you have the profits of the product, I am shocked, frankly, that those who promote the free market system, which ought to be driven by the markets, driven by demand, driven by profits, would now say, notwithstanding the fact that oil profits among the Big Five, in particular, are up to historic levels, that we should still continue to ask our taxpayers to subsidize them even further. That seems to me to make no sense.

But back to the principal focus of making it in America: The gentleman has been so right in his focus of making sure that we create the kind of environment in this country that will empower people to make things in America, to grow things in America, to sell them here, but also to sell them around the world. The President has indicated he wants to double exports. The only way we're going to double exports is if we make things in America to sell overseas. That's the only way you can get exports whether they be

goods, frankly, or services. We ought not to preclude the growth of the service sector in our economy servicing overseas, whatever that service agency might be.

So I want to thank the gentleman for continuing to keep the focus on an agenda that, I hope, our Republican colleagues will embrace as well. This is not a partisan agenda. I don't think there is a Member of this Congress who doesn't want to grow the economy and create jobs. We believe that the Make It in America agenda is focused on doing just that, and I would encourage our Republican colleagues, our Democratic colleagues, our brethren in the Senate to join together to pass this Make It in America agenda so we can see a resurgence of the manufacturing might of this great country that when we continue to be the inventing, innovative, developing center of the world's economy that we also, once we've done all that, then bring it to scale, or make it in America.

Andy Grove of Intel, as you know, has observed that if, in fact, what we continue to do is do the voltaic cells, do the chips, do the other technologies and if we then take the products to scale overseas, inevitably, Andy Grove believes—and I share this view—that our inventors, innovators and developers, themselves, will go overseas. The American public, by large numbers, understands that that's not a policy that is defensible or profitable for them, for their families or for America in the long term.

So I thank the gentleman from California for his focus, for his tenacity and for his compelling advocacy of the Make It in America agenda.

Mr. GARAMENDI. I thank you very much, Mr. Leader, for what you've done. Mr. HOYER, you've been on this, actually, longer than I. You have some history in this House that goes way back. I think about a program that you and the Democrats put forward before I arrived. I've only been here now about 20 months. It was the stimulus bill, the American Recovery Act.

In that Recovery Act, there was about \$12 billion for transportation. In that transportation program, you and the Democrats, signed by President Obama, said that the money had to be spent—and this was the high-speed rail program—on American-made high-speed rail.

Guess what happened?

Of the high-speed rail companies of the world—none were made in America—the Japanese, the Chinese, the Germans, the French, and the Spanish all began to find American manufacturing plants because they wanted access to the high-speed rail money that was in the stimulus bill.

The point here is that, if we use our tax money wisely and say to the world “come and build a high-speed rail, but you're going to make it in America,”

they will establish those manufacturing plants here in America. It's already happening. In Sacramento, Siemens, and in New York, a couple of the European companies are already locating those manufacturing plants.

SHEILA JACKSON LEE, from the great State of Texas, has now joined us, and she has been on this issue for a long time.

So, if you would, share with us your thoughts on how America can make it by making it in America.

Ms. JACKSON LEE of Texas. I thank the gentleman from California.

If it were allowed on the floor, I would say, “Yippee,” but I will try to adhere to protocol or take a lariat and circle it around out of excitement.

□ 1650

Thank you very much for the years of tenure and leadership that you brought from the legislature in the State of California. You brought it here with a sense of action, and we thank you. I am delighted that our Democratic whip has been at the forefront of this issue. And the gentleman from Rhode Island—I know others may be coming—is a mayor, a former mayor who understands the importance of jobs.

Let me just say, to add to your comment, both President Clinton and President Reagan have quotes that suggest that if you build infrastructure, it is an investment that will continue to give and give and give. Since 9/11, my good friend, I have been on the Homeland Security Committee, and the attention of the United States, rightly so, has been on securing the homeland and national security. And just one moment so I can transfer into this discussion, 70 percent of the American people now with the capture and demise of Osama bin Laden still are concerned about our security but, in actuality, believe that our troops can come home completely. I hope that we can move in that direction. This is not a Republican issue or a Democratic issue. Seventy percent of the American people frankly believe our troops have done an enormous tribute to themselves and to the American people.

What does that mean? It means bright young men and women are going to be coming home. And let it be known that they will not just come home in need of health services. They will come home eager to participate in the American Dream. And, frankly, I want to make sure they can do that, and I want to make sure we end the war in Afghanistan.

But I believe we have, as you have mentioned, the tools of the trade. I see this word “trade,” and some of us get a little nervous about that. But let me tell you how I explain trade. I want every item that can be sold overseas to someone else from the United States to be sold. I have taken to inventorying

the manufacturers in the 18th Congressional District in Texas. And if I might, if you are listening, call (713) 655-0050 and let our office know you exist, that you make something in the 18th Congressional District in Texas. And I would venture to say that my colleagues will tell you call them or get on their Web site, because we want you to be able to sell it overseas.

Make It in America is to recognize the validity of the product you have made. We want to make sure that there are taxes that are fair to manufacturers. I am in the Manufacturing Caucus. We want to generate it. Energy means all kinds of energy, and I will dwell on that very lightly. But I am a person who is an equal opportunity welcomer of solar and biofuels and a number of other energy types to join in energy.

Labor, I have already said to you, I am trying to bring our soldiers home. But there are young people graduating from college in 2011. They were at my town hall meeting, to my distinguished friend, and they asked me about work. And I said to them that we in this Congress are working to provide jobs for the talented young people that will walk across those various stadiums and auditoriums getting their diplomas, doing what we asked them to do. Can we put them to work?

And then, of course, if you reinvest in America, I will tell the State of Texas—I don't want to get into anyone else's business—that we don't have to close schools. We don't have to lay off teachers. We can educate the workforce. And some of the workforce can be those with their hands, vocational trades, learning to manufacture, building the high-speed rails that I am so excited about that I am trying to find some land in the 18th Congressional District or somewhere in Texas and say, Come one, come all.

By the way, I serve on the Intellectual Property Committee on Judiciary, and every time I have a hearing in that committee, I say that this is the work of the 21st century, protecting the genius of America, and it's a lot of them. It's unbelievable the inventors who are here. I want them to know that there is some value of first to file to protect their product.

And lastly, what you have been talking about, the idea of redoing our infrastructure. A good friend of ours who served as the chairman of the Transportation Committee was such a leader, a distinguished gentleman from Minnesota. He, in the course of his service in the last couple of years, had a bridge collapse in that State. He kept saying over and over again, Build infrastructure and you'll put America to work.

I wanted to capture these words as a mandate, as an instructive vision that the Democrats have captured. And the only thing we need are partners. The President has already shown his

proudfness and his ability to put dollars to make jobs and to build infrastructure. I have seen public housing go up. I have seen roads being improved, dams, bridges, and of course, light rail and high-speed rail. So we've got the right thinking.

And I don't want to stop without just adding this point: There's not one of us that does not have the consciousness and the sense to recognize that we must have responsible spending and responsible reduction. I take great offense to anyone who suggests that I am opening the treasure chest and throwing money to the wind. I believe that education is valuable. Infrastructure is valuable. But there are ways that we can reasonably, down the road, as Mark Zandi has said, begin our belt tightening. But we have to recognize that the debt ceiling is not for the State of Texas or California—it is to help this Nation—but we do it sensibly. I hope we can do a clean one, by the way. But the point is that Make It in America is an engine of job creation.

And I just want to thank the gentlemen for constantly bringing us to the floor, giving us the opportunity, of course, to do as the Boy Scouts may have done and to recite these words: Trade, taxes, energy, labor, education, intellectual property, and infrastructure, and go around to our constituents in telling them we are not going to forget you. And I believe that we're going to create some jobs and watch America continue to have its economy not only make baby steps, but it's going to be spinning. It's going to be humming, and people are going to be back to work. I am grateful for this philosophy and this mission.

Mr. GARAMENDI. I thank you so very much, Ms. JACKSON LEE. You have been a leader in all of these issues over these many, many years and speak wisely and legislate very wisely on that.

The tax issue out there is one that just always befuddles me. It befuddles me as to why my colleagues on the Republican side just don't seem to get the message. We passed a tax bill last year that ended the subsidy that international, multinational companies were given to off-shore jobs. \$12 billion a year of our tax money was given to these huge American companies when they off-shored jobs. What was that all about? I still haven't found out where that law came from. But it was in the Tax Code, and American companies were taking advantage of that tax reduction, tax subsidy, corporate welfare to send jobs overseas. We passed a bill. It's over. The President signed it. Not one of my Republican colleagues voted for that. I don't understand. I'm befuddled by their lack of support for American companies who want to keep jobs here. Apparently they're willing to support American companies that want to send jobs offshore. Anyway, one small example.

I wonder what it's like to be the mayor of the largest town in Rhode Island. It was probably an enormous experience. And then to bring that experience here to the floor of the Congress and to the committees and to share with us all of that down-home, on-the-ground experience of bringing jobs to the community.

Mr. CICILLINE, if you would care to share with us some of that experience in the legislation that you've brought to us.

Mr. CICILLINE. I thank the gentleman from California for his leadership on Making It in America, and I certainly thank our leader, Mr. HOYER, for making this a priority.

I think we all realize the single biggest responsibility that we have is to get the American people back to work. I know in my home State, families are hurting. With one of the highest unemployment rates in the country, our single greatest responsibility is to do everything we can to get people back to work. And I've been disappointed that we've been here for 5 months and there hasn't really been, from our friends on the other side of the aisle, a jobs agenda, jobs legislation. And I'm really pleased that we on the Democratic side have put forth a very ambitious but very important agenda of Making It in America.

□ 1700

When you think about it, we've had an economy that was built on bubbles and credit swaps and all kinds of things, and they all failed and they hurt families in this country very, very badly.

I think what we need to do is return to this idea of making things again in this country that we can sell all over the world, and having policies developed at the national level, at the State level, at the local level that support manufacturing, that give American manufacturers the ability to compete in the global marketplace, give them an ability to grow jobs, and to create opportunities to make things that we can sell to the rest of the world so we can export American-made goods, not export American jobs.

We have the best workers, the best minds, we have the best innovators in the world, and what we need is to have policies at the national level that recognize we have to make things again. We need to stop the Chinese from cheating in manufacturing and having an unfair advantage, and we need to recognize that this is an important part of rebuilding the economy of this country.

We've put forth, as you know, Mr. GARAMENDI, with your leadership, a whole agenda, a whole set of bills that will help jump-start and support what's already happening in American manufacturing.

Try to go into a store and find something with those three words: Made in

America. It's almost impossible. We can change that. We have to change it. And the agenda that we've put forth will help to do that.

The bill that I am lead sponsor on is the Make It in America Block Grant. It's a simple idea: take resources and invest them in American manufacturing. Help manufacturers retrofit their buildings for more energy efficiency, retrain workers for the new equipment of the 21st century. Buy new equipment, increase their exports. The kinds of tools that we know, that I hear from manufacturers when I travel throughout my district and talk to them and listen to them, what they need to give them a chance to compete in this global marketplace.

We have responsibilities to do that. It's the best way we can grow jobs. You're absolutely right. It's unimaginable that tens of billions of dollars in subsidies are being given to big oil companies, corporate welfare at a time when our constituents are facing some of the highest gas prices ever.

The short-term strategy is we have to pass anti-gouging legislation, we have to release some of the strategic reserves that will lower the price at the pump now, and we have to invest in a long-term strategy of clean energy, renewable energy, the kinds of investments in the manufacturing area particularly that will lead to a good energy future for our country.

I thank you, Mr. GARAMENDI, for your leadership. This is an important agenda. It's not just about job creation. It's about regaining that position as the leaders of the world of manufacturing.

Rhode Island led the Industrial Revolution. We have a long history of innovation, of manufacturing. This country can lead again in this area, but we need to have policies that support the great minds that are doing this work, the great manufacturing. We need to have job training that gives people the skills necessary to take these jobs, and we need to make it a national priority so that we can start making things here again, and so that American families can make it in America by relying on manufacturing.

Mr. GARAMENDI. Thank you very much, Mr. CICILLINE. And we note that your part of the Nation was where the manufacturing started in America, and the rivers, taking the power of the rivers and using it to start the mills and eventually creating the early American economy and continuing on to this day in a very special part of this Nation, the Rhode Island and the New England area.

There are many, many things to say. As you were talking, Mr. CICILLINE, and bringing us up to date on how we can do these things, I notice that two of my colleagues came in to join us.

Again, Mr. TONKO, you were here for the very first Make It in America discussion, you and I, on this floor some

months ago talking about what we can do in this rebuilding the great American manufacturing base, the strength of America, the incredible innovation that's possible, and you just happen to come from one of those areas where it was done and it's still being done.

Mr. TONKO. Absolutely.

Mr. GARAMENDI. You're from New York, right? The Albany area, upstate New York.

Mr. TONKO. Absolutely, Representative.

Thank you, Representative GARAMENDI, for bringing us together in what is this usual important discussion. You have done that time and time again for us to focus on an innovation economy, on building it, and making it in America is an important aspect of the work we do. Thank you for bringing that to the attention of the greater public that watches these proceedings.

I do represent this region in upstate New York where we have the confluence of the Hudson and Mohawk Rivers, and it was birth to the Erie Canal, and that birth to the Erie Canal developed a port called New York, which became a major metro area, and a necklace of communities that were given birth to by that canal movement that became epicenters of invention and innovation, that then inspired a westward movement, and not only inspired the growth of this great Nation, but impacted the quality of life of people throughout the globe.

That pioneer spirit should speak to us again as we develop budgets, as we promote public policy. It should be about investing, not dis-investing. It should be about funding, not defunding.

The current climate here in this House with the new majority is to defund, to take those dollars away from economic recovery and to shift them over to tax cuts for millionaires, tax cuts for billionaires, ending Medicare, block granting Medicaid, dis-investing, providing for corporate loopholes.

This is not the strategy that America needs. This attack on middle class America is unwarranted. It is not going to resolve what we need to resolve here in the great United States of America.

We need to invest in a way that allows us to bulk up and compete and compete effectively on the global scene so that we can drive this clean energy economy, this innovation economy.

I know from my work prior to coming here to the House of Representatives, with NYSEDA, the New York State Energy, Research and Development Authority, there is job opportunity galore. There are entrepreneurs, there are innovators that work with the Angel Network, work with venture capitalists, and work with public funding like that from the Federal Government that enable us to take ideas and move them along. Where R&D is, where research and development lands, so will

manufacturing. That's what we have within our grasp, but what I see happening is walking away from that progressive approach and catering to a crowd that has grown stronger and stronger through this recession.

When we look at some of the outcomes as the majority here challenges us about not doing the mindless handouts to oil companies, we're seeing some of the CEOs garnering some quarter of a million shares, prime shares of stock. That's what they're doing with these payments, these handouts to the oil companies, when we could invest that in job creation, and that's what this Make It in America is all about.

I know when we put those down payments on invention and innovation, we can expect lucrative dividends and we can have job growth, and the kind of job growth that is secure because it stakes itself in the community as small business and they grow within the community; they grow and expand their opportunity.

I have, within the capital region of New York, the third fastest growing hub for science and tech jobs, and that's happening because of investment from the public sector, partnered with private sector investments, and it works. It's a winning formula, and I would say that we just need to pursue in that fashion and we can gain tremendously. And why would you change that slow but steady growth upward in recovery from the recession? After 8.2 million jobs lost through the Bush recession, why would you turn that around? And that's the attempt right here. Stop it, turn it around and go back into the ditch that drove this recession.

I just think we don't want to repeat that recent history of Reaganomics and the second Bush Presidency. It is devastating to the economy. It's devastating to America's working families, middle class. It's devastating to job growth.

Mr. GARAMENDI. Thank you very much, Mr. TONKO.

You started with the Erie Canal. It's interesting to note that at that period of time, which was the last decades of the 1700s and the early 1800s, the United States Government set out on a course to build infrastructure, and the infrastructure was the canal systems at that time, and you so quickly and correctly pointed out the growth that came from that. That lesson, now more than 200 years old, needs to be repeated in America once again.

Mr. TONKO. Absolutely. I think what people will say too is, well, we don't make those products anymore in America. Well, we might be able to if we modernize our manufacturing processes.

But also, if you're going to try and convince, if we try to convince each

other that all the products that America can make, design, engineer, discover and manufacture are over, what are we telling ourselves?

There are products coming out as we speak. There are products coming out every week, and a sophisticated society braces itself to invest in education, in R&D, in the down payments of taking ideas and moving them along; and we can then manufacture those latest products on the scene. That's the growth of a sophisticated society.

□ 1710

So this can-do spirit prevails in the Democratic Caucus in this great House in which we serve. I am proud to serve with these Members who are visionary, who are supportive, reinforcing the efforts of manufacturing of a newest kind here in the country.

Mr. GARAMENDI. You talk about innovation and new things.

Last week, I was out in my district talking to manufacturers. One company is called Bridgelux—"lux" I think is light, bridge lighting to the future. They make LED lights. The kind of things that are now in the stores—when you get a flashlight, it's an LED flashlight. They have taken those LEDs to a whole new level of technology and advancement.

In fact, if we would put them in these lights here in the Chamber, we could reduce the energy consumption by about 90 percent, which wouldn't be a bad thing for the taxpayers. Their particular system would allow those lights to change color, which might put me in a better color; that wouldn't be such a bad thing, and to dim when people are not here, and move the lights, and in that way improve our ability to see while simultaneously saving us a lot of energy.

The company is 2 years old, has 250 employees, is manufacturing these advanced LED lighting systems in Livermore in my district, and I am going, "Go Bridgelux, go!"

They need something, though. They need access to the American markets. And that is where the use of our tax dollars, in this case perhaps the local tax dollars in the cities around that area, would reach out and save the taxpayers a bundle of money by buying lights from that company.

Mr. TONKO. Not only is it promoting energy efficiency; it can help us along this trail of energy self-sufficiency, which then pulls us out of our dependency, which is gluttonous to date, on unfriendly nations providing us our supplies for energy. It just doesn't make any sense.

The clarion call that we heard at the voting booth last fall was to start growing the economy, stop shrinking the middle class, and that is what we are about with this Make It in America.

I know our friend, Representative TIM RYAN from Ohio, has something to

add to that agenda because he has been aggressive on this, also.

Mr. GARAMENDI. Indeed.

Mr. RYAN, you come from a part of the world that was and is going to be, given your leadership and the leadership of this Make It in America agenda, the premier manufacturing place in the world. We will contend in California; we will be happy to contend for that and compete for that title, but you are in the process of rebuilding the manufacturing base in the heartland of America.

Mr. RYAN of Ohio. It's interesting. My district, the Youngstown-Warren metropolitan district, was the fastest growing in job development in the last month or two.

Mr. GARAMENDI. Name those places again.

Mr. RYAN of Ohio. Youngstown and Warren, Ohio.

Mr. GARAMENDI. We are talking about what America thinks was yesterday, and you are telling me it's the fastest growing?

Mr. RYAN of Ohio. And it is just recent. But in large part, a couple of different things.

There is \$1 billion invested into a steel mill, but also we have a major auto plant. And it was the work of the last Congress and the President saying we cannot lose the American auto industry, and they made investments in companies like General Motors. Now we have three shifts selling the Chevy Cruze all over the world. Every employee got a \$4,000 bonus a few weeks back that they are spending in our community. These are the kinds of things that happen when you make things in America, when you manufacture products in the United States of America.

But the goal here I think for all of us is to wrestle control from the major multinational corporations who are running this institution and then have undue influence over the government. Whether it is globalization moving manufacturing offshore, or if it is the oil companies who not only aren't paying taxes but are completely content with our citizens sending \$1 billion a day out of the United States to go try to find cheap oil, which isn't so cheap anymore, and diminishing day by day, what we are saying here is, if we drive that \$1 billion a day back into the United States economy for the kind of research and development that is going on in Upstate New York, that is going on in California, that is going on in Youngstown State University and Akron University with polymers, if we pump billions of dollars into this, instead of falling from first to second to third in the green energy revolution behind China and Germany, we will start leading it. And it is about coming up with the next technologies that you gentlemen were sitting here talking about, whether it's lightbulbs or some-

thing else. We need to discover that here in the United States, and then make it here in the United States.

But what all the major tech companies are saying now, they want to manufacture here in the United States. There is so much risk when you move your operations to China, losing intellectual property, losing the cutting edge, losing the quality, that there is an incentive here.

But if we don't pump money into research, that is why this whole philosophy that every single thing the government ever does is awful and the government should just serve big business, cut taxes for the oil companies, make sure that the big multinationals don't pay anything in taxes, and we will come back and cut NIH, cut energy investment, cut the National Science Foundation, cut the National Institutes for Science and Technology, their standards and technology. These are the kinds of things that we have got to be investing in. It starts with let's get out of this dependency on foreign oil, \$4 a gallon is nonsense, and this illusion that if we continue to keep drilling, we are somehow going to drop the price, is an illusion. Let's take control of our own destiny here.

I want to just show real quick this chart. This is the U.S. balance of trade from 1960 to 2010. If you will look in the last 10 to 15 years, we now have \$500 billion in a trade imbalance. Most of this is energy. Most of this is oil. What are we thinking? We are giving away the house.

This is not good public policy. This is not good economics. Let's take control. Let's invest in our own people. A billion a day we send to another country that doesn't like us, and it finances the war on terrorism? And then we take our budget and have three wars going on at the same time. So we pay them to run the terrorist operations, and then we pay our own military to go to the Middle East to try to stop it. Meanwhile, the middle class in the United States, we have a \$3 trillion deficit on the roads and bridges and infrastructure, sewer. College expenses are going up. We're not doing research. This is a recipe for disaster for the United States.

I yield to my friend from California.

Mr. GARAMENDI. I thank you very much for that.

You just reminded me of last night at 2:30 in the morning, the House Armed Services Committee completed the markup that is moving out of committee, the National Defense Act. We do it every year. Seven hundred billion dollars.

A study done by one of the think tanks came up with the number that America spends about 17 percent of its total defense budget protecting the flow of oil out of the Middle East. So you can add that to the deficit. That is over \$100 billion a year that we spend

of our tax money to protect the flow of oil, not only for us, but for the rest of the world.

We need to build a domestic energy system not based on carbon-based fuels, but rather the future energy, all of the clean green technologies, nuclear and others, that will provide us with the energy security we need.

In doing so, each and every one of those, if we spend our tax dollars on buying American-made systems, will come back, just as you say, and build our communities stronger along the way.

Mr. RYAN of Ohio. We had a group in Cleveland, Ohio, do a study a few years back that, if you added in that cost, the 17 percent of our military budget that protects the oil lines, supply lines for oil all over the world, the actual cost of a gallon of gas would be another \$1, \$1.50, because of the subsidy. It's another subsidy to make oil come here.

All we are saying is pump that money back into the research. Somebody in this country will come up with some synthetic, some magical something or other that will replicate diesel fuel. It will happen if we put the money into it.

Mr. GARAMENDI. It is actually already there. It is called advanced biofuels, algae-based fuels, everything from cosmetic oils to fuel for the Navy ships. So we can do these things. But, again, it is how we deploy our resources.

We have about 5 minutes, and we are going to do a lightning round between the three of us. I am going to turn to Mr. TONKO.

□ 1720

Mr. TONKO. I would just encourage us here in Washington on the Hill as we develop policy and debate budgets to keep in mind the history that should be replicated, sound history, history that had a proven track record, like that of the global race on space.

Some of us are old enough to have been youngsters or adolescents when that message, that very noble vision, of President JFK and his offering in an inaugural address that we are going to win the race on space, the global race on space, and land a person first on the Moon. And it was more than that poetry of landing the first astronaut on the Moon, that happened to be an American, and his quote of "one small step for man, one giant step for mankind." It went well beyond that. It was this opening of the gates to technology that then invaded every sector of our economy, all aspects of life. And it was that technology investment that grew because of the soundness of a plan that enabled us to win a global race.

Now, that was done with passionate resolve and a thoughtfulness and a clear vision. We need to embrace that sort of American spirit, that pioneer spirit in this present moment and re-

peat good history, sound history, that grew our economy. I think we can do it and I believe we can do it, and Make It in America is the way to make it all happen.

Mr. RYAN of Ohio. Give him a minute of my time. He's from Pennsylvania. He can't help it.

Mr. GARAMENDI. I look up and find another colleague here. We have just a few moments left.

Mr. ALTMIRE. I appreciate the gentleman from California. I come from a region of the country, western Pennsylvania, bordering my friend from Ohio, and I was listening to the debate, and I just wanted to talk about this same issue.

This is the key to our recovery and our continued leadership and innovation in this country because, as we have seen in western Pennsylvania and all across this country, the American worker is going to compete and win on a level playing field against anybody in the world any day of the week. We just want to make sure that we have a tax policy that is in place, a trade policy that is in place, and a manufacturing and jobs policy that is in place that is going to allow the American worker that level playing field to compete and win against the rest of the world.

Mr. GARAMENDI. As a great example, your colleague next to you there has a piece of legislation that calls for fairness in the financial markets, the value of the dollar versus the value of the Chinese yuan. Mr. RYAN, you have put it out there. You say it has to be fair. Wrap it for us.

Mr. RYAN of Ohio. It is clearly currency manipulation. Here is the deal: Chevron, \$19 million refunded from the IRS last year. They made \$10 billion. Valero Energy, 25th largest company in America, \$68 billion in sales last year; they got a \$157 million tax refund check subsidized by the taxpayer.

If we are going to do this, we need shared sacrifice. We need everybody to contribute, especially those people making a lot of money, to help us reinvest. These folks are benefiting from an old-age industry—that we are running out of oil. It only makes sense. It went into the ground for 4 billion years. We pulled it out in 150 years, and we are burning it. Something is happening. It is an old industry and we are subsidizing it. We need to be Americans who invest in the next great technology to lead the world.

Mr. GARAMENDI. And indeed we will. Over the weeks and months ahead, we are going to talk about the Make It in America agenda, the legislation that has been introduced by the Democratic Caucus here in the House of Representatives. There are about 25 pieces of legislation, ranging from the ones that we talked about here, using our tax money when we buy solar equipment, make sure it is made in America. A bus, if you are going to use our tax money,

make sure where it is made. Innovation, the innovation economy, all of those things. This is legislation that we have, infrastructure financing and all the rest. We are going to talk about it piece by piece.

I thank my colleagues for joining us. I have the sense that behind me we are about to be gavelled that we are out of time. I want to thank the American public for listening to the Make It in America agenda.

AMERICAN JOBS AND THE NATIONAL DEBT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Arkansas (Mr. GRIFFIN) is recognized for 60 minutes as the designee of the majority leader.

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker, and thank you to the American people for watching today.

I wanted to talk with my colleagues here today about jobs, how we create jobs in America, and what we are going to do about our national debt. We have a spending problem in America, and we have heard a lot from our colleagues on the other side of the aisle. They have been talking about jobs bills. I heard someone say that we haven't passed any legislation or taken up any legislation in this House that addresses jobs. Well, that puzzles me. Maybe they have been absent, but it seems to me since I arrived here in January, we have been focused on jobs, and I just want to give a few examples.

Number one, this week we have been working on energy legislation that will open up drilling, open up drilling in parts of the country where right now it is prohibited. Those will be jobs. Those are jobs, good-paying jobs in the energy sector. Not only will that allow for the creation of jobs; it will allow for our country to be more energy independent.

We have taken up all sorts of legislation regarding health care since I have been here. We voted to repeal and to work on some legislation to replace the Obama health care law. Well, I talk to small businesses, business owners, all the time, and they tell me that the Obama health care law hurts them; that because of the increased price that they have to pay, that they can't hire as many people. That is a piece of legislation that directly addresses job creation.

There was a provision that a lot of small businesses will tell you about; it was a 1099 provision that was included in the Obama health care law. We repealed that. We were fortunate enough to convince the Senate to pass it and the President to sign it.

I am joined by my colleague from Indiana. I want to say this, and then I am going to turn it over to him. Every time that we deal with our spending

problem in this House, every time that we deal with our debt problem and our deficit, every time that we try to get our fiscal house in order and make this government live within its means, the way folks back in Arkansas do, where they live within a budget, every time we do that we are creating a better environment in this country for job creation.

So don't let anyone tell you that there is the issue of the spending and the debt and then there is the issue of the jobs. They are all one issue. They are all one. If we want to see the kind of innovation and job creation that we are accustomed to in this country, if we want to see it continue, if we want to continue to be the leader in innovation and technological advancement and job creation, we better deal with our spending problem, or we are not going to see that kind of job creation.

Furthermore, if we don't deal with the debt, and we have a debt crisis, we are going to see job losses that will make what happened in September of 2008 pale in comparison.

I want to yield to my colleague from Indiana.

Mr. ROKITA. I thank my friend from Arkansas, TIM GRIFFIN. I know we are going to talk about Medicare, and we are going to talk about the debt ceiling, but I want to thank you for rising to address what has happened on the House floor this very last hour, because what you say is absolutely the truth. And if we have to, my friend, the gentleman from Arkansas, as new Members keep speaking truth to power, then we will do that.

But the fact of the matter is every time, every time the government confiscates the property of the American people, which is their money, you are exactly right, you take away their freedom, their property, their ability to invest that dollar as they see fit. And when that private sector money is in the hands of a small business or a large business, an ice cream shop or an oil company, they have a better opportunity and know better what to do with that dollar in terms of investment, in terms of growing the government, than any government bureaucrat or anyone on the floor of the House ever can.

I don't understand, Mr. Speaker, why every other industrialized nation on the face of this Earth understands that when you pull a lump of coal from the ground, when you take some oil from the ground, when you exploit in the best sense of that word our natural resources, you create wealth.

□ 1730

You raise the standard of living for all involved. Why is one party in this country so masochistic that they can't understand that?

Thank you for your time.

Mr. GRIFFIN of Arkansas. I thank the gentleman from Indiana.

I was thinking about some of what I heard, Mr. Speaker, a few minutes ago. I think that my colleagues on the other side of the aisle believe that if you leave the lid on a full cookie jar, that means you're out of cookies. I would say to my colleagues on the other side of the aisle, just because we have banned drilling and exploration for natural gas and for oil on the east coast and the west coast and Alaska and the gulf, just because we've banned it doesn't mean we're out of it. Just because you leave the top on the cookie jar doesn't mean you have run out of cookies.

You have got to actually take specific steps to develop energy. We are an energy-rich Nation. I happen to believe in an all-of-the-above policy. I think we ought to be pursuing renewable energy, wind, and solar. But at the same time we ought to be pursuing natural resources that we can use right now. Natural gas. We have a lot of it in Arkansas, and we would love to continue developing it. It's interesting to me that at a time when this administration put obstacles up to energy development in the gulf and elsewhere around the United States that would help us be more energy independent, at the same time they were encouraging energy production in foreign countries. It makes no sense.

I now yield to my friend from Indiana, Mr. Speaker.

Mr. STUTZMAN. Thanks to my colleague from Arkansas. I appreciate his comments and what he is saying, and I agree with him wholeheartedly. I can tell you as a small business owner from Indiana, coming from a family farm background and having a small trucking operation, all of the talk here on this floor and in Washington doesn't make a lot of sense to a lot of Hoosiers. Growing up in the agricultural industry, it's hard work. And I know that my granddad and my father and other family members, my brothers, they're all willing to work hard. But I can tell you what: When the government makes it difficult, it's tough to go out there and say, I'm going to keep doing it. When the government comes in and says, We're going to make it harder for you to do your business, you start thinking twice. Do I really want to do what I love to do.

Who creates jobs? Is it the government? I know some in this town believe that the government creates jobs. Well, how do they create that job? They take your dollar, my dollar, they collect it in taxes, and then they put it in a pot, and then we have this large entity we call Congress and bureaucracies, and our Federal Government decides we're going to pick and choose what type of jobs we're going to create. We're going to take those dollars that we've collected from the hardworking taxpayer and create a job.

Well, that's not creating wealth. The folks in my district who build cars,

they build steel, RVs, and medical devices that help enhance the quality of life. Agriculture. Boats. We're one of the largest manufacturing districts in the country. That's where wealth is created. That is where jobs are created. The government doesn't build any of that stuff. And they shouldn't. They can't do it as well as what the private sector can. But what the government does is spend money. That's why our jobs are looking somewhere else—because of the threat of higher taxes, the threat of regulation.

We've got the EPA that comes in. Most of the folks that come into our office since I've been elected to Congress—this last year, I would say 90 percent of them come in and start talking about the regulation that the EPA and the enforcement attitude that the EPA has on our small businesses. How can any small business grow to be a big business if they're going to continually be hampered by our own government? FDA, OSHA mandates. We're going to be talking about Medicare. What is that going to look like in the future? And taxes.

We hear our colleagues on the other side of the aisle talk about the way government can grow business. The best way is to get out of the way. Right now, America has the highest corporate income tax in the industrialized world. Look at the other countries, whether Japan, Greece. All these other countries are finally figuring out because of just natural economic laws that you can't spend more money than you take in. Why would we want to raise taxes even more when people are starting to say, I'm out of here. I'm tired of doing business here. I don't think my dollar is safe in this country. And they're going to start taking their money overseas. That's why our jobs are leaving.

I believe it's important that we have a flattened tax policy—one that is fair to everybody across the country, one that is not going to pick and choose winners.

I appreciate what you're saying because jobs are not created by the government, they're created by Americans just like Henry Ford. The government didn't subsidize Henry Ford in creating the combustion engine. They didn't go out and subsidize Henry Ford in creating the Ford Motor Company. How many other small businesses started? So many American businesses started in a garage or somebody's shop and grew into some of the greatest companies in the world. But our government now wants to go in and make it more difficult for them and for small businesses.

Mr. GRIFFIN of Arkansas. I appreciate the gentleman's comments.

My colleague from Indiana was just talking about competitiveness. The question is, How do we compete? What is competitiveness? Well, we have to

start with the premise that the private sector is the primary job creator in this country. They're not just the primary job creator—they're the primary innovator. They are the primary source of technological advancement. And that leads to jobs. So the question is, Do we want businesses to be attracted to our country or do we want them to flee our country? That's the question. That's the question of competitiveness. I want to live in an America that is attractive to job creators.

You can talk about big business; can you talk about small business, you can talk about mom-and-pop shops. You don't even have to define each size business; they're all job creators. We've got in my district, the Second District of Arkansas, we've got all sorts of job creators. And I love them all equally. We've got small businesses, we've got Hewlett Packard, we've got Caterpillar. They all create jobs. When businesses look for a home somewhere on this planet, we want them to look at the United States and say, That's where I want to do business. I can do better there. My labor will be rewarded there. The taxes are not so burdensome there. The regulations don't crush my business there. That's where opportunity is. That's the America that we're trying to create.

□ 1740

The gentleman from Indiana referenced some of the conversations he has had with constituents. I have them every day. They come in my office and they say, This agency is not working with me; it's working against me. This part of government is an obstacle. Can you help me? Can you help me break through so that I can just do my business and create jobs and make a living?

That's ultimately the America that we're talking about.

Since we're talking about competitiveness and we're talking about jobs, that ultimately, as some of us were talking about earlier, leads us to a conversation about debt.

I would now yield to my friend and colleague from Arkansas (Mr. WOMACK).

Mr. WOMACK. I thank the gentleman from Arkansas. I appreciate his leadership and his friendship and his service to our great State, the great State of Arkansas.

I am thrilled that we're having the conversation that we're having here, late in the day, regarding these types of issues that in my strongest opinion are impacting our ability to create jobs; and that's the prize that we all keep our eye on here in these Chambers is what can we do to strengthen our capacity to put people back to work, because I think at the end of the day that's exactly what people elected us to do last November is to come up here and change this climate, change this culture and put the entrepreneur back

in charge, because that's where job creation comes from.

A couple of points before I go to some notes that I brought specifically for this afternoon's presentation, and that is that this cloud of uncertainty that continues to hover over the economy of the United States of America is influenced by a number of things, but let me just take two or three of them.

The threat of higher taxes, and not just the threat of higher taxes but the relationship of the threat of higher taxes to the issues of the deficit and the debt. I made these comments not too long ago on this very floor, that in private business, in business in general, your debt is usually tied to your assets, the assets of the company. Most businesspeople get that. But in government, your debt is tied to your capacity to increase taxes. So this debt and deficit issue that we continue to struggle with as a country and the prospect of that debt continuing to rise—and not too long from now we're going to have a vote on increasing the statutory limit on debt—influences, I think contributes to, this cloud of uncertainty that leads a prospective entrepreneur, a prospective job creator, to not do what that person would like to do, even with trillions of dollars sitting on the balance sheets of corporate America, the hesitancy to create these jobs influenced by the threat of higher taxes.

And then I think also, fundamental to this cloud of uncertainty, as I call it, continuous overregulation by this government, that the prospective job creator cannot compute the input costs associated with more government regulation. Notice I haven't even mentioned the impact of the health care law, ObamaCare, as we call it. It's hard to compute the input costs of this health care law. And then more recently, the threat of higher energy prices and a flawed, if not almost nonexistent, energy policy of this administration.

Just think about it. You're a prospective job creator, you've got an idea, you're a creative person, you want to live the American Dream, but standing in your way between your dream and your capacity to do something creatively and resourcefully, to put people to work, to contribute to society, are things like higher taxes, more government regulation and red tape, the impact of when I hire these people, the impact of ObamaCare, and then on top of all of that, the price at the pump and higher energy prices. I just don't see why the other side cannot understand why we're not creating jobs, why we continue to hover at the 9 percent level on unemployment.

Just a couple of weeks ago, we passed on this floor a budget for 2012, and in that budget immediately, before the ink was dry, we were being criticized because of what we were trying to do and what I believe is the reasonable ap-

proach to solving our Nation's fiscal problems, and that is finally delving into something that nobody ever wanted to touch, and that's the entitlement programs, the mandatory spending side of the house, where most of the money is.

I just want to make a couple of these comments as it concerns Medicare, because I heard back from my constituents. A tele-town hall meeting the other night, the first phone call I got from Bella Vista, Arkansas, was a gentleman worried because he had heard that we were attempting to take his Medicare away. In 1965 when that program was created, baby boomers were teenagers, and now 10,000 baby boomers a day enter qualification for Medicare. When Medicare was created in 1965, the life expectancy of a human being was around 70, a little younger. Today it's close to 80 years of age. Medicare spending is growing at an unsustainable rate of 7.2 percent every year. Seniors are already facing access issues.

Think about this. Under the current system, one in three primary doctors are limiting Medicare patients. One in eight are forced to deny Medicare patients altogether. If the Medicare program is allowed to continue without any change at all, the Congressional Budget Office projects it goes bankrupt in 9 years. Basically, if we allow Medicare to maintain the status quo, Medicare collapses.

So we're leading. Our conference is leading. We're taking mandatory spending and entitlement programs and we're deciding that we're going to throw our cards down on the table. We're going to do something about it.

The plan that we voted to approve just a couple of weeks ago preserves, protects Medicare for those 55 and over, not just those drawing Medicare but those nearing retirement, people that have planned their lives around that program. We don't change that for those people. That needs to be said. It needs to be repeated over and over again. But again we get demagogued about it because, at the surface level, it sounds like we're trying to just take it away. Let me repeat again. Those 55 and older, not affected by the proposed reforms that we support.

Starting in 2022, new Medicare beneficiaries would be enrolled in the same kind of health care program that I have, that my colleague from Arkansas has, and my other colleagues who have spoken here tonight. Future Medicare recipients would be able to choose from a list of guaranteed coverage options and they'd be given the ability to choose a plan that works best for them. It's not a voucher system. It's premium support. No money changes hands between the government and the individual. It's modeled after what Members of Congress and Federal employees already have.

The reforms are designed to decrease the fraud within the system and requires congressional oversight by requiring transparent pricing and minimum benefit and quality standards and instituting more competitive forces. My friends, that's what the free enterprise system is about, and I believe if it has worked for 235 years of this great country, it should be also the way forward.

Let me finish by saying this. Like my colleague from Arkansas, he and I came in as freshmen together on January 5 in these hallowed Chambers. We didn't come here to do nothing. We didn't come here to kick the old can down the road, to ignore the facts. We came here to act with dispatch and make a difference for our country. That's why I'm pleased to join my colleagues here of our great freshman class in providing this information to the American public. It's not only what we were elected to do; it is our moral duty to do it and to do it as soon as we can and to do it with the sense of purpose that I think defines the 112th Congress.

□ 1750

Mr. GRIFFIN of Arkansas. Thank you to my colleague from Arkansas.

Mr. Speaker, my colleague makes a great point, and I think what we've been talking about here over the last few minutes is that the jobs issue is not separate from the debt issue. We have to deal with the debt in order to create an environment in this country that attracts business and where jobs can be created.

I want to take just a second here. We've heard a lot about Medicare and about the debt; and I think it's important to emphasize here, as this chart shows, that of our yearly spending, well over half is what we call mandatory spending. That is spending that doesn't have to be renewed every year, spending that's in the books, in the law. It just happens. That includes Social Security, Medicare, and Medicaid. The bad news is, if we do nothing to this big chunk here called Medicare, we do nothing, Medicare goes bankrupt.

This next chart shows that in just a couple of decades, the entire Federal budget at this point right here, the entire Federal budget will be consumed by Medicare, Medicaid, and Social Security.

What does all this tell us? Well, it tells us a couple of things. Number one, we have to do something to reform our system so that we don't have a crisis; and, number two, it tells us that if we don't reform Medicare, it goes away. It no longer exists.

I tell folks all the time when they say, well, you're going to try to end Medicare as we know it, and I say, whoa, whoa, whoa, Medicare as we know it ends itself in just a short number of years. It ends itself. And I say to

my friends when they mention something like that, I say, well, if someone really wanted to harm Medicare, they wouldn't propose a bold reform to save it. They would just quietly do nothing because if you quietly do nothing, you kick the can a little further down the road, Medicare goes bankrupt. With no action, Medicare goes bankrupt.

What would that look like? Well, it would look a lot like the President's plan. I don't believe that the President wants to harm Medicare, but I'm certain that he's failed to take the steps necessary to save it. What would a plan look like that harms Medicare? It would look like the President's plan, a plan, a budget that doubles our debt in five and triples it in 10 and does nothing to save Medicare. It's silent on that and on Medicaid and on Social Security.

I would like to yield now to the gentleman from Arizona. Thank you for joining us.

Mr. QUAYLE. I thank the gentleman from Arkansas for yielding and for talking about these important issues, and one thing that I do want to talk about is something you just said: kicking the can down the road. We can no longer afford to do that because every year we do not address and solve the problems related to our mandatory spending, they add close to \$10 trillion each year to our unfunded liabilities. Those are the liabilities that are going to be put on the backs of our children and our grandchildren. So kicking the can down the road is no longer an option.

Now, I want to get back to something the gentleman from Arkansas talked about earlier, and that is about making America competitive in the global marketplace. We live in a global economy. Nothing is going to change that, but what America has to do and what we have to do here in the House is to make America the most competitive country on the face of the Earth. We need to make America the best place and the safest place to do business, and that's what we were charged to do when we came in in this 112th Congress, and that's what we've been doing from day one.

Because when we came in here, we said we were going to do two things. We were going to get the American people back to work by creating jobs and pro-growth economic policies, and we were going to rein in our out-of-control Federal spending. And we've been doing that.

Since day one, week by week, we have been addressing our problem with out-of-control government spending. Sometimes it was millions of dollars here, other times it's billions, and still other times it's been trillion dollars of savings to be able to make our country prosperous again. That right there is the charge of my generation and our generation to return America's pros-

perity. That's what we're doing here in the House. That's what the Republican House majority has been doing since day one of the 112th Congress.

One of the things that we did just a few weeks ago was we passed a 2012 budget plan that sets our fiscal course on the right path. It sets us up so that we will have that prosperity, so that the crushing burden of government spending is not passed on to future generations. Immediately, practically before the vote was even cast, we heard from our friends on the other side of the aisle that we were starting to end Medicare as we know it. Funny thing how short their memory is, because Medicare as we know it was actually ended by the previous Congress when they passed ObamaCare.

And Medicare as we know it was ended in two different ways. First, they took over \$500 billion out of Medicare to fund their government takeover of health care, and the second thing and the most dangerous thing that they did was they established the Independent Payment Advisory Board. What this is, a lot of people don't really know what it is, but it's a bureaucratic 15-person panel that will actually determine how we are going to provide health care to our seniors. Now, these are not elected officials, these are appointed by the President, and they will be making decisions on how to reduce our Medicare costs by actually preventing certain treatments to our patients, to our seniors. This will get in the middle of the doctor-patient relationship, which is one of the most important relationships that there is. We need to have the trust between our doctors and patients and not taking dictates from a 15-person panel of bureaucrats here in Washington, D.C.

The great thing is that there's really no oversight. Now, Congress can go in and say, well, we don't agree with the independent advisory board, but you know what it takes, it takes an act of two-thirds majority in the House to override one of their decisions. Now, I've only been here 4 months, but I can tell you, two-thirds majority is almost never impossible.

So this is what we have to do: we have to educate and tell everybody and get the facts out to the American people because, like the other gentleman from Arkansas said, after the 2012 budget was passed, I, too, had a teletown hall and one of my first questions was from a caller in my district who was on Medicare and asked, Are you really getting rid of Medicare for me because I rely on it. That's when I had to tell her the facts that, no, absolutely not. Those who are in or near retirement, their benefits will not change because they have planned for those benefits to be there. However, we are going to save Medicare from the implosion that will occur if we do nothing because in 9 years, 9 short years, Medicare will be bankrupt and the 2012

budget that the House Republicans passed will save Medicare bankruptcy, put us on strong fiscal footing going forward, and return America's prosperity to future generations.

I thank the gentleman for yielding.

Mr. GRIFFIN of Arkansas. Thank you so much to the gentleman from Arizona. I appreciate you making those clear points.

I want to go to the gentleman from Indiana who has risen.

Mr. ROKITA. Thank you. I want to thank the gentleman from Arkansas. I want to associate my comments with the ones just made by the gentleman from Arizona. They're excellent. I think they accurately stated, along with the other gentleman from Arkansas, why we're here as new Members: to grow this economy, make this in the 21st century the best place on Earth to grow a family, to grow jobs, to grow a business.

□ 1800

But you can't have that discussion if we're also not going to talk about how big this government is, how much bigger it's going to get and who has to pay for it. The "who has to pay for it," my good friend, is not necessarily us. It's our kids and our grandkids who are simply going to be left with the tab so that some of us can have more on our plates now. These were reckless promises made by politicians who came before us on this very floor, on that other floor and all around this town. The simple fact of the matter is they can't possibly be paid for.

What I'd like to do, as I continue to work with you on the floor tonight and rise again a little bit later, is, as a member of the Budget Committee, simply put on the floor some facts and figures so that we understand where we are as we go about talking of solutions.

We are \$14 trillion, rounding, in debt right now—this hour, this day. If you look out into the future and you see our new red menace, the tidal wave of debt that is about to come crashing down on us, the total bill is nearly \$100 trillion. The total cost year over year of waiting, of kicking that can down the road, as we've heard tonight, a road that's quickly coming to an end, is over \$12 trillion. It's more expensive. Let's break it down, because I will be the first to admit on the floor of the House here tonight, sir, that I can't count to \$1 trillion. I can't count that high. I can't comprehend what \$1 trillion means, not to mention \$14 trillion, not to mention \$100 trillion.

\$1 trillion is one thousand billion. \$1 billion is one thousand million. Well now, maybe we're getting somewhere in breaking it down.

Let's break it down by hour. In the hour we're spending in talking with the American people about this serious problem, this country will borrow in this hour over \$170 million—just in this

hour. For every dollar this Federal Government spends, we are borrowing 42 cents of it.

Let's put it in terms of days. We've heard about Tax Day, that day every year when we find that Americans can finally keep what they earn, keep their own property and start working for themselves; but we also have a Debt Day now. Debt Day this year is July 27. Every day this Federal Government operates on and after July 27 it is operating on borrowed money.

Let's put it in terms of speed. Let's say we're driving down a highway and our historical debt is a car. It would be going down that highway at historical speeds of 65 miles an hour, and that's probably bad enough if the car is debt, but it has gotten a lot worse recently. Let's say there is another car coming up in our rear view mirror and that we look and it's coming up fast. Maybe the license plate reads—but we may not be able to read it—"hope and change," and it's coming up and it zooms right by us. How fast, sir, do we think that car had been going if the debt car that we'd historically been riding in had already been going 65 miles an hour? Would it be 70? 100? No. That car that just passed us by, that new debt car that we're currently spending on, is going over 7,000 miles an hour.

That's the challenge we're up against, and the only help that we've gotten from the other side in tackling this challenge is name-calling and demagoguery. It's old tactics. Yet I'm hopeful, sir. I'm hopeful because, every day that we get to talk about this and every day over the last couple of years that we've gotten to talk about this, we are educating our fellow citizens more. We are doing a great job. We are winning the argument. I think, at this time, we are ready to tackle this debt problem if we talk honestly and directly with the American people.

Mr. GRIFFIN of Arkansas. Thank you for that. Thank you to the gentleman from Indiana.

I think the point that you're making is that we first have to identify the problem, and the problem is a spending problem. We don't have a revenue problem. We have a spending problem. We are spending too much money. We have made promises that the government can't keep. Saying that we just need more revenue is like a gambler who's sitting at a slot machine, saying, "I don't have a gambling problem. I just don't have enough money." We have a spending problem, folks, and that's why we have to talk about all of the different programs, and I have been one who has been willing to say we've got to look at everything at a time like this.

I want to yield to my friend from Illinois, but before I do, I want to point one thing out. You mentioned demagoguery. We're trying to responsibly address the spending problem in all

parts of the budget, including Medicare, so I just want to run through a couple of attacks, a couple of misrepresentations that I've been hearing. Then I'd like to hear from my colleague from Illinois, but let me point this out.

The first thing that I heard was that our plan in the House is a voucher program, that premium support, which is the core of our Medicare reform for those under 55. For those 55 and over, there are no changes, but premium support is the core of those under 55. I stood here on the floor, and I said, This is a program much like the one Members of Congress have, much like the ones that Federal employees have. The gentleman from the other side of the aisle said, It's a voucher plan.

Is it or is it not? It's not a voucher plan, but you don't have to take my word for it.

What's interesting is that, back in 1999, President Clinton recognized that we had a Medicare problem, a spending problem within Medicare. So what did President Clinton do? He appointed a Medicare commission. Who led that commission? One of the co-chairs was a Democrat Senator from Louisiana, John Breaux. John Breaux was an advocate for something called "premium support."

So the plan that we're advocating, that we've passed in the House, was not created by a few in a back room last week or a couple of months ago. It's based on something that the Clinton Medicare commission discussed in 1999. I just want to point this out.

This is an excerpt from an op-ed written by Senator Breaux. He says, "What exactly is a 'premium support model,' and what does my particular version do? 'Premium support' means the government would literally support or pay part of the premium for a defined core package of Medicare benefits."

Look at this. This is the Democrat Senator, Clinton's co-chair of the Medicare commission. In 1999, he says, "This is not a voucher program but an alternative to the current system. My plan combines the best that the private sector has to offer with the government protections we need to maintain the social safety net."

It's pretty clear it's not a voucher program. No matter what you've heard, it's not a voucher program. I've said repeatedly that it's the type of plan that we have, and others have said, no, that's not true. Well, Senator Breaux thinks it's true. He says, "I've proposed a premium support Medicare plan, modeled after the health care plan, serving nearly 10 million Federal workers, retirees and their families." So there is a lot of misinformation out there, and I ask folks to get the facts.

I would like to yield to the gentleman from Illinois.

Mr. DOLD. I thank the gentleman from Arkansas, and I thank my colleagues for coming down this evening

to have this important discussion about the direction of our Nation.

I can tell you I've had an opportunity to talk to a number of Congressmen, several of them in the freshman class and who come from different backgrounds. By "different backgrounds," I mean that they don't come from the traditional political realm. They come from business: those who have met a budget, who have met a payroll and who have created jobs.

□ 1810

There's no question that some of the big issues that we face today are about jobs and the economy. How do we jump-start the economy? How do we create more jobs? I think that certainly the Federal Government is going to play a role, and the role the Federal Government can play is to create an environment that allows the private sector to grow and to thrive.

We have heard tonight about our debt and our deficit. The deficit that we face right now is significant. We're doing about \$1.5 trillion in deficit spending. The gentleman from Indiana talked about our debt and how fast we're mounting this debt. When I talk in my town hall meetings and I ask people does anybody have any idea what \$1.5 trillion really means, I tell them that my daughter, who is 9, she knows what 1.5 is. She says it's a little bit more than one and not quite two. And I say, You know what, Harper? That's exactly right. But when we say \$1.5 trillion, it works out to be about \$3.4 million a minute. Another way to look at it is \$58,000 a second. We can't even say it fast enough. \$58,000 a second is what we're spending in deficit spending right now.

Now, the chart that was up just a little bit before talked about the pie and what we were spending. The big thing that we're looking at in terms of the discretionary spending, our discretionary spending went up 84 percent over the last 2 years, 84 percent. Now, I know household incomes across my district and across America did not go up 84 percent, but let's be fair. A significant portion of that was the stimulus package. So if we strip out the stimulus and say that we're not even going to include that, discretionary spending over the last 2 years went up 24 percent. That's still a heck of a lot more than families that have tightened their belts all across America have dealt with over the last several years.

There is no question; we have a spending problem in Washington. We've had a spending problem in Washington for a long time on both sides of the aisle. And I'm here to say that we are prepared to say things have to change. I'm not here pointing my finger in any direction, but saying I know that my colleagues and I on both sides of the aisle are prepared to roll up our sleeves and get something done.

Mr. GRIFFIN of Arkansas. Would the gentleman yield for a question?

Mr. DOLD. I absolutely will yield.

Mr. GRIFFIN of Arkansas. Would you agree with me that there is no way to address the debt issue without entitlement reform, and that entitlement reform must include Medicare?

Mr. DOLD. There is no question in my mind. But the big issues that we face at this point in time have to be dealing with the mandatory spending, of which entitlement reform—and I had a town hall meeting just this weekend where somebody said that he doesn't like the idea of calling it an "entitlement," seeing that he's paid into a system all of his life. He likes to, prefers to call it "earned benefits."

The long and the short of it is that the mandatory spending that's going on needs to be addressed. What we've done in this budget is try to address what's going on in terms of the mandatory spending. There is no question that it's going to spiral out of control. It's growing at a rate of 7.2 percent each year. It's growing by leaps and bounds and will eventually take over the entire Federal budget.

So we have to talk about Medicare. We talk about saving Medicare, which is critically important. In Lake County, part of my district, trying to find a physician that's willing to take additional Medicare patients is very difficult to find. The Mayo Clinic in Arizona is recently saying that they're not taking any more Medicare patients. This, to me, is alarming.

What we need to be doing today is trying to come together to have a fact-based conversation with the American public so that we can solve the big issues of our time. I'm fearful that I may be the first generation of Americans that leaves our country worse than the one I received from my parents and grandparents; and that, to me, is absolutely unacceptable.

We have to talk about how do we grow revenues. We're going to grow revenues on the backs of the private sector. We have to address the mandatory spending that's going on here in Washington.

And everything must be on the table. That means that defense has to be on the table. It means that agriculture has to be on the table, every single department. But what we do need is we do need to have a willing partner on the other side of the aisle that is willing to come to the table and have this discussion about what it is that we need to do to put ourselves on the right course.

We know that the attack ads have come in. They're saying that Medicare as we know it is going to end. Well, that's true. It's going to end because it's going to go bankrupt if we do nothing in 9 years. I believe that we have to strengthen Medicare for future generations.

The plan that's been put in place says to those seniors, those that have paid into the system for years and years, that we must keep our promises. So for those 55 and older, there are no changes. For those 54 and younger, many of them don't even believe that there is going to be a social safety net for them. I believe that we have to strengthen it. We have to strengthen it so that it is there for future generations.

So what we want to do today is make sure that we are coming to the table to have a fact-based conversation about the problems that we face. And I know that we have to have that serious conversation now. I came to Congress to be part of a solution.

The other night, I was tucking my 9-year-old into bed and she asked me quite simply, Why are you not here during the week, Daddy? And I had to tell her, It's because I am trying to make the country a better place for you and your brothers and sisters. She said, Is it working? I said, I certainly hope so. We're going to do everything we can to make sure that the next generation has a better and stronger America than the one that you and I know today.

So it is time for us to have this conversation. It is time for us to step up. And I certainly want to thank the gentleman from Arkansas for putting this time together. I look forward to coming back up again and having some more conversations about it. But the time is now. We cannot wait any longer.

Certainly taking time away from my business, from the employees and other family members, and one of the reasons that I decided to run—and I see my other colleague over here, a small business owner, one of the reasons he decided to run as well—is that the Federal Government was making it harder and harder for me to put the key in the door and open up my business each and every day. That's not what we want to do. They should be making it easier for us to put the key in the door. They should be making it easier to be able to provide benefits to those people with whom we work.

So with that, I appreciate the gentleman for the time.

Mr. GRIFFIN of Arkansas. I just want to point out that the gentleman from Illinois mentioned some of the nonsense, some of the attacks that the other side has been making on those of us who are trying to save Medicare and responsibly deal with the budget. The Union Leader newspaper took a look at some of the attacks and said, "Ending Medicare"—the idea that we're trying to end it—"is a big scary lie." And PolitiFact, which is a Web site that takes a look at political attacks—it determines how much validity there is—it gave our colleagues on the other side, it gave their attacks the "pants

on fire” rating—as in, “liar, liar, pants on fire”—on their Truth-O-Meter. So there’s a lot of misinformation out there.

I would like to now yield to my colleague from Pennsylvania.

Mr. KELLY. I appreciate that.

To my friend from Arkansas and the rest of my colleagues that are here tonight, I have to tell you, it’s only been about 4 months since we all came here, and I think we all came for the right reason. We came for a cause and not a career.

I have got to tell you, the reason I am here tonight is because I had a telephone town hall today, and the folks that called me were seniors. The disturbing part about the conversations were that the most vulnerable folks out there, the people who lived within their means for the longest, made the most sacrifices, did the most to keep the promise that America holds for all of us, are the ones that are being attacked now. And they are not being attacked with facts; they are being attacked with fear.

I have friends who are Democrats, but I would ask them to please, if you can’t confuse them, then try to convince them. If you don’t have the right facts, then quit using fear. And if they’re going to use fear to make these people not able to sleep at night, to make it uncomfortable for them to lay their head on the pillow at night, the same people that have done so much to make the country great, if you are going to continue to lie to them and tell them, Those Republicans are going to take away your health care; they’re going to take away Medicare; they are going to take away Medicaid; they’re going to ruin Social Security for you, please, please, play by the rules. Play by the rules. Do what’s right. Do what’s right for America.

This is not about Republicans. This is not about Democrats. This is about Americans. And this is especially about seniors. I am one right now. My birthday was just the other day. I am 63 years old. I don’t think of myself as a senior. But you know what? The folks that I see after church on Sunday and who I have coffee with, they are seniors. They are in their seventies and they are in their eighties, and to have to sit there with them and tell them, We are not taking away your Medicare. We’re the only ones that have a plan to save it.

□ 1820

We are not taking away your Social Security. We’re the only ones that have a plan to make sure it’s safe. If we can’t be honest, if we can’t look each other in the eye and say that we are here to fix it, that we are here to make America have the stability that it once had; if we can not tell our seniors, it’s okay folks, we’re not going to take anything from you, we’re going to

work together to get it fixed—and this is the thing that bothers me. After listening to those folks today on the phone, I am convinced that there is something seriously wrong within this House.

Mr. DUNCAN of South Carolina. Will the gentleman yield?

Mr. KELLY. I will yield.

Mr. DUNCAN of South Carolina. You know, you hit a point that seniors are thinking about. They’re thinking that they’re on a fixed income. They’re looking at rising prices, whether it’s at the gas pump—we talked today about solving American energy issues, but they’re thinking about the rising commodity prices.

I brought with me a bank note, this is an official currency note from the Bank of Zimbabwe. If you look at it, and I know it’s going to be difficult, but it’s a \$100 trillion bank note. A Wall Street Journal article said, How to turn \$100 trillion into \$5 and feel good about it. It’s worth about \$5 on eBay. They quit printing them in 2009.

It drives home the point that the policies of this administration are increasing the cost of commodities, the cost of fuel, devaluing our currency, and that applies to health care as well.

Seniors are concerned. They’ve got every right to be concerned. One thing about the Republican budget, and one thing that the gentleman from Arkansas is trying to point out, that we’re trying to solve the problems of this Nation here in this body. This Republican freshman class is taking the bull by the horns to bring home the issue to the American people and let them know we’re trying to solve these problems. So I commend him.

Mr. KELLY. I appreciate that. If I may, and I’m going to wrap up. We came here for a cause. We did not come here for a career. And if you cannot win the debate by using facts, and if you have to use fear, then shame on you. Shame on you. Go home. Go home. If you don’t want to fix it, if you don’t want to play by the rules, if you don’t want to make America sleep safely again and sleep soundly, then go home.

There is a level of fairness that needs to be played by. And I will tell you this, I have never in my life been subjected and have watched seniors been put through so much, and it’s not necessary.

If it’s about your party, and if it’s about trying to convince them, then doggone it, you’re using the wrong message. Let’s make sure that we fix it for the future, because it’s there for our seniors, and it’s there for our children.

Mr. GRIFFIN of Arkansas. Thank you very much for that.

I now yield to the lady from New York.

Ms. HAYWORTH. Mr. Speaker, I want to commend my colleagues from

South Carolina and from Arkansas for putting together this hour, which is of so much value.

I am here as a physician who’s also a Member of Congress. I’ve had the privilege of taking care of elderly patients for 16 years in private practice and in hospital settings, and I have two parents whom I cherish who have been Medicare recipients for many years.

And the facts of the case, as our colleague from Pennsylvania has aptly pointed out, we have to go by the facts of the case. And as a doctor, that’s what we always did, and approach them with compassion and sensitivity to be sure.

But the facts of the case are that we currently have roughly 10,000 Americans, baby boomers, now entering Medicare eligibility every day. On average, each of them will have contributed approximately \$110,000 in payroll taxes over their lifetimes, and that’s a lot of money. There’s no question. But, Medicare will spend, on average, it’s projected, approximately \$330,000 on their care. As all of us can tell, unfortunately, that’s not something that we can sustain. That’s not something that our children and our grandchildren will be able to pay for. That is what is threatening the future for everyone, including our seniors and including all of us who will be senior citizens, Good Lord willing, by and by.

We know that in the Affordable Care Act measures were taken to control the cost of Medicare. One of the measures, in fact, took funding away from Medicare, roughly half a trillion dollars. So we know we need to do something about it.

The way the Affordable Care Act approaches it is to have the Independent Payment Advisory Board, or IPAB, which is a board of bureaucrats that’s going to decide how money is spent on our seniors’ care. I, as a doctor, and as a daughter, would much prefer to see us have that choice. That’s why premium support makes sense.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. GRIFFIN of Arkansas. Thank you, Mr. Speaker.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE SECRETARY OF DEFENSE

Mr. McKEON (during the Special Order of Mr. GRIFFIN of Arkansas), from the Committee on Armed Services, submitted a privileged report (Rept. No. 112-77) on the resolution (H. Res. 208) directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya, which

was referred to the House Calendar and ordered to be printed.

THE ECONOMY AND THE STABILITY OF THE MIDDLE CLASS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from New York (Mr. TONKO) is recognized for 30 minutes.

Mr. TONKO. Mr. Speaker, the opportunity this evening for the Democratic Caucus in the House to address this budget and to go forward with a discussion on our stand on the issues and solutions that we're proposing is an important opportunity for us to be able to dialogue here amongst each other on the House floor and also to share that messaging with the viewing public.

Certainly, the general public out there is watching many of these proposals. They are concerned about the stability of the middle class. They're concerned about the economy, concerned about job creation.

We are now well into the 112th session of Congress. We watch as many weeks and months have passed without one single measure that would increase jobs in this country coming before the House. Nothing that deals with the economy, nothing that deals with the retention of jobs or the job creation situation has been produced here as legislation and voted upon on the House floor, a rather dismal track record when the clarion call, the message that resonated from the voting booth to these Halls of Congress on the Hill in Washington was very clear: Start growing the economy, stop shrinking the middle class, and people are concerned about the opportunities that will be passed by. As we walk through these very difficult times, it is about job creation and retention.

There's also a concern that there has been this very strong attempt to make the comfortable even more comfortable with the new Republican majority in the House. And we'll talk about that. Let's talk about it.

We have a situation where people will allow for corporate loopholes that cost our economy money. They'll allow for a continuation of millionaires and billionaires to receive tax cuts; they'll advance the reducing of Medicaid, where two-thirds of those dollars go toward sustaining the elderly in health care settings; and they want to end Medicare. And all of this is professed to be some sort of savings in Federal Government.

Well, that is only part of the story. The real truth is that these savings quickly dissipate. They're gone because they are used as payment for tax cuts for millionaires, handouts to the oil companies that sit on historic profit that has been realized, \$1 trillion nearly in profit realized by the big oil companies of this Nation, and that is

the vulgar outcome that has so infuriated the middle class.

As I travel to my district, I hear repeatedly about the concerns to end Medicare. People will say, we're not ending it, we're fixing it; that we're not really providing for an end, we're offering, at first what was a voucher, now it's called "a transformation."

Look, as we shift risk from the government to the individual senior household, we are ending a benefit that has lasted for some four and-a-half decades, that came about for the very reasons that seniors could not access an affordable health care plan, that there was cherry-picking going on, that only the easiest to insure would be covered, that those who might have come with some preexisting condition would be passed by, and where the notion of an affordable health care insurance premium, a policy that was unaffordable, was just beyond the grasp of our Nation's seniors. And so it's why the program grew in strength and popularity, and why it has provided stability for our Nation's seniors.

Now, when we look at what's happening here, we'll talk about the many dynamics, but there are those who professed very boldly that what we're doing here is exactly what the Congress has in terms of an insurance policy.

Well, Congress has about 72 cents of its premium costs covered. With this plan, with this voucher plan initiated in this Republican budget approved in this House, the Republicans suggest with their plan that it would be every 32 cents on a dollar covered with their voucher program. And just what guarantee is there that the senior who shops will, in fact, land a policy that will cover them? So it's very concerning.

We just recently did a mailing that informed people of the various reforms that are being proposed. We also solicited their input on what priorities they believe we should hold in our hearts and minds here as we move forward, and we've received a great supply of information already in the very infant days in responding.

□ 1830

As they come in, they keep growing more and more one-sided.

Let me just hold up what the first few days has produced. We have one pile here of speaking out against the Medicare end. This is one copy. We have yet a second pile all received in the first few days of people receiving their mailing. We saw those two bulky piles. This is the response in favor of. Well beyond 90 percent of the returns to date is: don't mess with benefits.

Now, mindful, when we were addressing the Affordable Care Act, when we were holding town forums, when we were holding some 3,000 to 4,000 forums across this country discussing the

health care reforms, how to improve it, what exactly is included, what the priorities ought to be, there were clarion calls of ending Medicare, of death panels, and all sorts of risks to the seniors, and denying access and affordability. Well, we proved that that was not the case, that it was misinformation.

This one walks right into that argument, because it ends Medicare. It ends Medicare and it turns it into a voucher system, and it has everyone shopping in the private sector insurance market to get their coverage. We can't allow this to happen.

We have seen, since the initiation of Medicare, the growth in premiums in the private sector market, and that equates to some 5,000 percent. That's a huge increase. But there are friends out there that helped to bring the wrong candidates to this House, and I think it's time for them to come forward, as they believe, to get some sort of return on that investment.

Well, we cannot afford to have that investment come down onto the senior community, because we know it will be devastating. So we are going to continue to do battle to fight that Medicare issue. To end Medicare would be devastating to our Nation's seniors. Can we make it stronger? Absolutely. Can we provide more stability? Absolutely. That began in the ACA, the Affordable Care Act. We are going to continue to work on it. But seniors did not tell me—and I talked to my colleagues, they did not tell colleagues across this Nation: go back to Washington. We want to return to Washington. End our Medicare program. They said absolutely the reverse, and they knew they were benefited by it.

There are a number of others that attacked the middle class, working families of this country. We are going to work to make certain that there is not an attack on the middle class, because that attack drains worthy programs of dollars and then gets transferred over to payments for millionaire tax cuts, billionaire tax cuts, Big Oil handouts, and corporate loopholes to be paid for.

We are joined this evening by a very good friend who has entered the House this year as a freshman Member. He is the former mayor of Providence, Rhode Island. He now represents Rhode Island's First Congressional District. He has been an outspoken voice. I am impressed with DAVID CICILLINE's absolute impassioned voice to save Medicare. He has been outspoken on the House floor, and he has been outspoken in our caucus. It is a pleasure, Representative CICILLINE, to have you here this evening to talk about this Medicare situation and perhaps what you are hearing in your district.

Mr. CICILLINE. I thank the gentleman for his kind words and for giving me an opportunity to be a part of this discussion tonight and for your leadership on your importance of preserving Medicare for seniors in this

country. I hear from constituents in my district about the importance of strengthening and protecting Medicare.

To give you an idea of how important this issue is in Rhode Island, more than 170,000 Rhode Islanders rely upon Medicare for a reliable, quality, and low-cost hospital and medical insurance as well as prescription drug coverage. More than 65,000 seniors and people with disabilities in Rhode Island rely upon Medicaid coverage for their long-term care.

When I participated in the debate, and actually when I listened during the debate on this very floor about the Republican budget proposal and about what it did to Medicare, my friends on the other side of the aisle said this will strengthen Medicare. And I thought, how could they make that claim? Because I knew what their proposal did was ending Medicare as we know it, as a guarantee for people 55 and under; and it ended this important safety net and turned it into a voucher system for our seniors.

Now, I unfortunately no longer have my grandparents; they have all passed. But the idea that my grandmother or grandfather in their later years would have to go into the private insurance market and buy insurance because they would have lost the protection of Medicare is something which I think nobody should be prepared to accept.

What is even more disturbing is that what the Republicans passed in that budget when they ended Medicare as we know it also resulted in increased costs for our seniors. See, the difference is nothing in their proposal will reduce costs of health care. That's really what we need to do. We don't need to shift the cost to our seniors and visit that problem upon them, because then they have the burden of enduring additional health care costs. We need to obviously eliminate fraud and waste and abuse, invest in wellness and prevention, invest in information technology, all the things that will drive down health care costs. But shifting the burden to our seniors should not be the answer.

The nonpartisan Congressional Budget Office—this isn't Republicans and Democrats. This is nonpartisan—they said that this Republican budget, which was passed by the Republicans, would actually increase health care costs for our seniors, provide less costs and be more expensive, and it would restore the doughnut hole and make prescription drugs more expensive for our seniors. And in addition to that, when you take their budget proposal in the aggregate, it would add \$8 trillion to the deficit over the next 10 years. So it doesn't even reduce the deficit.

We all recognize we have got to reduce the deficit; we have to cut spending. We have to be serious about it, but we can't do it at the expense of our seniors, of protecting Medicare,

strengthening Medicare so that our seniors have access to quality health care, and that's a responsibility that we have.

There are lots of ways that we have to look at every part of this budget, eliminate fraud and waste, get rid of programs that don't work, be serious about looking at our military spending and what is happening in Afghanistan; we are spending \$2 billion a week or more than that now. Look at the billions of dollars that we are giving in subsidies to big oil companies. They proposed in their budget another tax cut for the richest Americans, the millionaires and billionaires. At the same time, we are ending Medicare as we know it. It is the wrong priorities. We can do better than this. Our seniors deserve better than this.

I thank the distinguished gentleman from New York for giving me an opportunity to share my observation that Rhode Island seniors are depending on me and this Congress to protect and strengthen Medicare. They expect us to deal with this deficit in a responsible way, be serious about budget cutting, but maintain our commitment to our seniors.

Mr. TONKO. Thank you, Representative CICILLINE. And, again, thank you for your outspokenness, because we need to make certain that all of America is involved in this dialogue, because this is a critical tipping point in this Nation's history. We can raid on the middle class and cut domestic programs that feed their very heart and soul, or we can do it intelligently, where we share the pain.

Speaking of sharing the pain, a budget, as you indicate, is nothing more, nothing less than our values, our principles, our priorities. And we have seen where the priorities lie with the majority of this House. They have said it is about Big Oil first; it is about corporate loopholes first. It is about millionaires and billionaires first. The people now see this. They see this because they know they are going to have to pay two times what they pay today for Medicare coverage out of their pocket. They know it's shifting risk from government to the senior citizen household, the senior citizen individual. They know that, by the year 2030, triple the amount of money, plus the risk of going out there and making certain that you can find a carrier that will cover you, because they will put your coverage at the whims of the insurance company. If they want to cover some of your health care needs, they will. If not, they won't. And that is really what will ache here. What really happened was that we are taking this moral compass that has been expressed by a program like Medicare and denouncing it, saying that, look, go fend for yourself, find your program.

What I find most generous about my district seniors, and I'm certain this is

across the country, coast to coast, they are saying: I'm not just talking about myself or my generation. I am talking about my children and grandchildren. We know what comfort, what security, what stability this brought our household.

□ 1840

What comfort does it bring to adult children to know that their relatives, their parents are sitting in a situation that is responding with dignity?

And when you talk about the principles, about the priorities, look at the road to ruin. They call it the "path to prosperity" with the Ryan plan with the Republican budget. The road to ruin, as I refer to it, really takes money from our seniors on Medicare, \$4.3 trillion, that then goes and transfers itself over to, guess what? \$4.2 trillion worth of benefits for Big Oil and millionaires and billionaires.

So the scales are balanced in terms of where the dollars are, but the real pain here is that they get emptied from the seniors' coffers, programs that address a basic core need of health care, and then get emptied into the pockets of millionaires and billionaires and Big Oil.

I know our friend from California, Representative JOHN GARAMENDI, who is always leading us on the floor with wonderful, interesting discussion, has something to say about big oil companies, and it speaks to this flipping from one side of the scale to the other, where an equal amount of money found in savings by cutting the middle class, by cutting our seniors is now going to be spent. It is not savings. It was accruing the dollars necessary to just transfer over in some sort of way and some sort of painful way that finds itself with oil companies, millionaires and billionaires.

Representative GARAMENDI, please.

Mr. GARAMENDI. Mr. TONKO, thank you very much for what you are doing, bringing up this critically important issue. As you were saying, nothing is more important than the question of who we are as Americans and our values; what is it that we really care about and how do we structure, how do we create a society that reflects those values.

Before 1964, the largest segment of the American population that was in abject poverty were seniors. They had no health care. They couldn't get insurance. They were basically the poor of the poor. But as a result of the fundamental goodness of America, Medicare was created, a medical insurance program for seniors so that they would have available to them doctors' services and hospital services. And it worked.

Now, I was the insurance commissioner in California for 8 years, elected

statewide by 34 million people to oversee, to regulate the insurance companies. And in that process we were looking and watching the Medicare program. It wasn't private insurance, but it was part of the health insurance system; and we knew that it worked.

It is exceedingly efficient. It works for less than 2 percent. You got a nationwide insurance policy. Wherever you are in America, you get the exact same insurance policy. Doctors know how to bill; hospitals know how to bill. It is efficient; it is effective. It works. More than that, it is an expression of the basic goodness of America.

I was surprised, shocked, angered when the Republican budget came forward and proposed that Medicare be terminated for all who want to live to the age of 65. Terminated. Ended. That wasn't all that the Republicans proposed. They proposed that not only would it be terminated, but that all future Medicare enrollees would be given a voucher worth about one-half the cost of insurance and told to go to the insurance companies and buy a policy.

Wait a minute. Wait a minute. Time out, Mr. Republican. Time out. What are you saying? You are going to take the population that has preexisting conditions—there are very few that are 65 years of age that don't have preexisting conditions—and you are going to turn them over to the most voracious sharks in this Nation, the health insurance companies? No way. No way. They are going to get chewed up, spit out and uninsured, or else charged a small fortune. This is the most un-American, the most inhumane thing that could be imagined for seniors, for tomorrow's seniors. We cannot let it happen.

Then, on top of that, in the very next breath they proposed to continue billions of dollars of subsidies, taking money literally out of the pockets of seniors and working men and women and giving it to Big Oil, who happens to have big profits, just as you have on your card up there. Not only Big Oil, but the wealthiest people in America, people whose incomes are \$1 million, \$10 million, \$1 billion a year income, and give them an additional tax break, so that in 10 years it is \$4 trillion of tax breaks to the big oil companies and those, not millionaires, but those whose annual income is in the millions. What is going on here?

Mr. TONKO. Representative GARAMENDI, if you will suffer an interruption and yield, you talk about those Big Oil profits. You talk about the trillions they are willing to spend. And then they have the audacity to say it is a spending problem.

Well, where are we spending? We are making the comfortable more comfortable. With those Big Oil handouts, up to 90 percent, according to studies released, up to 90 percent are going toward bonuses for executives in the oil

industry—up to 90 percent. What quantifiable societal good is there from these handouts? They are mindless. And today, today, someone from the industry was quoted as saying to not offer these handouts is un-American. It is unbelievable.

Mr. CICILLINE. If the gentleman will yield, I think what is just shocking is that that claim was made today, and really what is un-American is to end Medicare. The reality is Medicare reflects our values as a country. We decided as a Nation that we wanted to ensure that our seniors in their final years, that they have lived a life and played by the rules, done what is right, that they can live with security and dignity and without the fear, the anxiety of worrying how they would have access to basic health care, because we decided as a country that we wanted to ensure, to guarantee that our seniors could live with dignity and with proper health care.

The idea of ending that and requiring them to go buy it with a voucher, that is un-American.

Mr. TONKO. Right. And when you look at the statistics, the median household salary for our seniors is \$19,000; the average individual salary is \$19,000. When you look at the onerous outcome of having to reach for thousands more dollars out of your pocket on a base of a median of \$19,000, when we are looking at millionaires and billionaires getting even more assistance, that is spending. So let's not get off track here. It is spending.

Where are we going to invest? Investing in health care, a basic core need, when premiums in the last decade have risen over 130 percent and where the administrative costs of the private sector and insurance are higher, where they are much lower in Medicare, where the advertising costs aren't there, where we know we have had coverage. And now we are going: here is your voucher payment. It is not going to be indexed appropriately so that with time it becomes less and less valuable.

This is the kind of un-American behavior that we are witnessing here and that people get upset about saying they are lies, they are fear tactics. This is what is happening. It ends Medicare.

Once you remove the risk that falls with government and transfer it over to our Nation's seniors, you have ended the core principle. When you deny a given bit of certainty and stability to our seniors, you have ended Medicare. When you are going to inflate the cost of health care, you have ended Medicare. And we have now taken that money and transferred it over to the big oil companies.

Representative GARAMENDI.

Mr. GARAMENDI. Thank you for yielding. If you add to that destruction, the termination of Medicare, the

way in which the Republicans have already voted for on this floor to end the Health Care Reform Act, which regulated the insurance companies and said the insurance companies could no longer discriminate based upon preexisting conditions, discriminate based upon age and whether you are a woman or a man, all of those protections that are in the health care reform law would be terminated.

So not only are you taking the Medicare program and ending it, giving the seniors a voucher that is perhaps half of the cost of a health insurance policy, you are eliminating the restrictions that were placed on the insurance companies for discriminating against people that have preexisting conditions.

□ 1850

So you've literally taken these people and thrown them to the sharks. On top of that, the rest of the proposal was to take the Medicaid program, which is health insurance for impoverished children, and give a block grant to the State that's worth about half of the cost, a \$700 billion cut out of that program for children's health care, and you say, What's this? This is not us. This is not America. These are harsh, cruel programs that are being foisted upon the American citizens.

Mr. TONKO. Representative GARAMENDI, if you will, that Medicaid cut also will impact the Nation's seniors because when they're in institutional settings we know about 66 percent of the expenditure is for our seniors. Again, we understand the compassion that is required. We know the American spirit to respond to those who have served society so well. And in their golden years they need the assistance. But every attempt that is being made here, we have tried every which way to inform the public of the attack on Medicare, the attack on Social Security, to privatize Social Security. This is about giving Big Oil, big insurance companies, big banks more business. This is like cashing in on being good to some people here. That is not how this government should be guided. It should be guided on the principles of providing the basic core needs in a way that's most effective, most efficient.

We have even attempted—the House was addressing the Republican version of the budget. I introduced an amendment on the Budget Committee where I serve and presented it before the Budget Committee, and it went down by party vote to stop the attack on Medicare, to end Medicare. There was an absolute amendment that said, Let's pull out ending Medicare from your budget plan. It was denied. Then, I traveled to the Rules Committee and attempted once more before the bill came to the House, Let's stop the effort to end Medicare. It was denied at the Rules Committee again with the Republican majority at the Rules Committee.

So now we're visiting this situation. And the budget was approved in this House with this raid on the middle class and the attack on the values of the middle class, of working families. It is really disturbing that the most comfortable continue to get that effort made their way. And especially when history speaks—and speaks so abundantly well to us. It should resonate. When we put people to work with FDR's programs back years ago, decades ago, the result was 8.5 million people put to work and public projects built that still serve us well today. JFK investing in global technology to win the space race. Those are examples of things that worked. LBJ promoting a Medicare program. Now we're repeating this driving the car into the ditch scenario. Reaganomics and its trickle-down didn't work. The Bush II Presidency and its cuts to the millionaire, billionaire companies didn't work. Why would we revisit that as we crawl out of the most painful recession and propose ending Medicare—ending Medicare—denying dignity to our Nation's seniors and avoiding the fundamental responsibility of good government, efficient government, which is what I think the voters asked for in November, not this sort of pain.

Representative CICILLINE.

Mr. CICILLINE. I thank the gentleman. In addition to that, the other part of the Republican budget that passed in this Chamber was also to restore the doughnut hole; to make prescription drugs more expensive for our seniors and to eliminate the free preventative care. I know, from talking to seniors in my own district, there are too many seniors faced with a choice of, do I buy my groceries, or do I buy the prescription drugs that are necessary to keep me healthy. No senior in America should be faced with that choice. And this bill, this budget that the Republicans passed, will raise prescription costs for our seniors.

Mr. TONKO. Thank you.

Representative GARAMENDI, we have about 4 minutes remaining in our one-half hour here of dialogue.

Mr. GARAMENDI. I'll take a lightening minute here.

It really comes down to a question of: Where do you stand? Who do you stand for? It's very, very clear. If there's ever a dichotomy and a clear opportunity to see where you stand, it is in the Republican budget. Let's be very clear. It terminates Medicare; gives seniors a voucher that is worth perhaps half of the cost of insurance; takes \$700 billion out of Medicaid. And that is, as you said, the long-term care for seniors in nursing homes. And it continues the tax cuts for people whose income is millions, billions; continues the tax subsidies for Big Oil—\$4 billion, \$5 billion a year to companies that have made over a trillion dollars in the last decade. And just in this quarter,

Exxon, \$10.7 billion; Oxy, \$1.6 billion; Conoco, \$2.1 billion. This is one quarter, 3 months of earnings. Billions and billions of dollars. And then they want to continue.

Where do you stand? Do you stand for the working men and women, the seniors, those people that need to be able to get health care, or do you stand for the very, very rich and the big oil companies? The Republicans have made it clear. There's a difference here between where we stand as Democrats and where they stand as Republicans.

Mr. TONKO. Thank you, Representative GARAMENDI. I appreciate you and Representative CICILLINE joining in this important half-hour of discussion. But I can clearly state that no one that I talked to in this House, no Representative, was hearing advocacy to end Medicare during our campaigns last year. I didn't hear one individual tell me that—senior, non-senior. I didn't hear anyone ask me to give more profits, more handouts, to big oil companies. I didn't hear one person say, Protect the corporate loopholes for corporations out there. I didn't hear anyone say, Hand more tax cuts to millionaires and billionaires.

I did hear, Make my budget work at home. I need the basics. I did hear, I can't survive with the situation as it is. I did hear, We need jobs. I did hear, Start growing our economy. Stop shrinking the middle class.

Well, evidently this majority was not listening. There was anger—undeniable anger, understandable anger—that existed out there. But this is not this quantification that they were looking for. They did not want to see this as a result, as an outcome. I think we need to continue to fight this effort to end Medicare, and we're going to continue that fight.

With that, I thank the gentlemen for joining me in this half hour.

I yield back the balance of my time, Mr. Speaker.

OBAMACARE

The SPEAKER pro tempore (Mr. BERG). Under the Speaker's announced policy of January 5, 2011, the gentleman from Iowa (Mr. KING) is recognized for 30 minutes.

Mr. KING of Iowa. It's a privilege to be recognized to address you here on the floor of the United States House of Representatives, in this great deliberative body. I came here to talk about a different subject matter. But after I listened to my colleagues for a little while, I believe it's pretty important that we set some of this record straight. I don't know where they would be satisfied. It seems as though the attack is on anybody that's in free enterprise and the support goes to anything that is government. Anything that raises taxes and grows government is good, and anything that taxes

free enterprise, and especially profits—those evil profits—are bad. That's the theme that I hear from the gentlemen who spent the previous half hour or hour demagoguing the issue of Big Oil and big insurance companies. This is particularly appalling to me when I walk in here on the floor and I hear a statement made by the gentleman from California saying this: You're going to turn them over to the most voracious sharks in the country—the health insurance companies. Well, if it happens to be that the health insurance companies are operating without competition, keeping their prices down, why doesn't the gentleman or others that might believe that engage in the health insurance industry?

The President of the United States made it very clear. He said he wanted more competition in the health insurance industry. He wanted to create a government-run, government-owned health insurance industry as part of ObamaCare. And he didn't realize, I don't think, when he uttered that statement, at least before ObamaCare was passed and began to knock the competition out of the way, that there were 1,300 health insurance companies in America—1,300—and over 100,000 policy varieties that one could choose from depending on the State that you might live in.

That's a lot of companies, and they've all been shot down here with a blanket allegation that they're voracious sharks. How can anybody be a voracious shark if there are 1,300 companies to compete against and 100,000 policies to choose from? Surely, there's something there that would satisfy the gentleman from the perspective of that array of variety that was available before the President decided he wanted to make the 1,301st insurance company be the Federal Government and perhaps give us a half-dozen or so policy varieties with a community rating that compressed it down, that raises the health insurance premiums for the youngest, lowest income people among us, and subsidizes the premiums for the highest income people among us.

□ 1900

That's ObamaCare, Mr. Speaker, and it clearly is. The gentlemen seemed to have forgotten what they all worked together to do to America over the last 19 months. They worked to impose ObamaCare on 300 million Americans, 306 or so million Americans, and they come here on the floor tonight to talk about the effort on the part of Republicans to try to save this Republic from the voracious appetite of government, the voracious shark of government that feeds upon the sustenance of the American people, that puts into debt every single person, every man, woman and child in America, and puts the mortgage on their head the day they are born.

Last fall, I talked about my granddaughter, my most recent granddaughter, Reagan Ann King. She's about 7 months old now, 6 to 7 months old. On the day she was born, her share of the national debt was \$44,000. Welcome to America; welcome to the world; welcome into life. You owe Uncle Sam \$44,000, and the interest is building. The interest is building, and this young lady is going to have to work a long time to pay that off.

I hear the same Members over here, at least from the same party, talking about the average debt that a college graduate has, that student loans are costing too much money. They had to confiscate all the access to the marketplace for the free market on student loans and turn it completely into a government-run operation because they believed that somebody was making money off the interest, and they lamented that an average student loan when someone graduated from college was in the area of maybe \$20,000 to \$40,000. But it doesn't concern them that their policy and the President of the United States and the former Speaker, NANCY PELOSI, and the majority leader of the United States Senate, HARRY REID, the three of them, the ruling troika, President Obama, NANCY PELOSI and HARRY REID, could get in a phone booth and do what they would to America, and they have driven up this national debt and deficit to the point where it is appalling to the fiscally responsible Americans who pay their bills on time with the paycheck that they have with the amount that's left after they pay their taxes and their payroll.

They want more government, more taxes, more irresponsibility. They want the nonproductive sector of the economy to feed on the productive sector of the economy, and they stand here and talk about a company that they claim made over, maybe the aggregate of all these companies, made over a trillion dollars in profits in the last decade. I'd like to see that data. And perhaps, if they have anybody on that side of the aisle that's ever actually engaged in business, they would do a calculation to see what the return on investment was, what was the capital investment that returned that kind of an investment, if those numbers would actually hold up under scrutiny, and I suspect they won't. Then, if they're going to do a legitimate measure, they would also take a look and see what have been the windfall profits of the Federal Government in collecting royalties off the product that has been produced by these companies that are doing high-risk exploration in deep waters to make sure, yes, for a profit—they should have a profit—but they also are making sure that there is cheaper energy here in the United States certainly than there would be otherwise if we didn't have these companies explor-

ing for oil in places like the gulf coast and up in the Bakken region, and if we didn't have some kind of support here in Congress to open up offshore drilling, drilling on the non-national park public lands in America.

We're an energy-rich nation. We have a large share of the world's energy and a smaller percentage of the world's population, and we have that energy, I suspect, because we've actually explored for it, identified it, measured it and quantified it. But, of course, that stuff escapes the people on the other side that are making these arguments for political reasons.

The talking points of the Democrats are now, demagogue the Republican budget, attack the Republicans and accuse them of threatening senior citizens, and they completely deny the fact that people 55 and up in the Republican budget are expressly protected from any kind of budgetary changes. It is truly an entitlement for those 55 and up.

I'm not going to take the stand that we should then transfer that all the way down and guarantee my little granddaughter, Reagan Ann King, that her anticipated Medicare and Social Security benefits will be what she expects them to be on the day she's born with her \$44,000 worth of national debt that she has to pay off. Are we going to guarantee her that she gets her retirement benefits under Social Security in the amount that has been calculated in the actuarial tables and a promise? Is that an entitlement? Are we going to guarantee her the level of Medicare? Are we going to take away any incentive for all children born in America to establish themselves, to protect themselves, to plan for their own retirement, their own future, and perhaps be responsible enough to take themselves off the entitlement rolls so that there can be a future for America?

This economy collapses unless we address it. If we don't have the will, if we're going to listen to this kind of talk and cower before that and misdirect the American people with statements that clearly cannot be supported by the facts and think somehow there's a solution, my question is: What's your solution? More debt, more deficit, more demagoguery? For what? You'll put America into debt to exchange it for more political power? We saw what you did with political power and the American people rejected it in a resounding election just last November, and the large super-Democrat majority in this Congress turned completely over to a large Republican majority instead. Eighty-seven freshman Republicans. You should be able to understand, none of them got elected because they want to grow government or increase the debt and deficit. Not one. Every one ran on the repeal of ObamaCare.

While I'm on the subject, Mr. Speaker, I would make this point. Of all that

was said about what it is that allegedly Republicans would do with seniors, here's what ObamaCare exactly does with seniors. It cuts Medicare by \$532 billion, a direct assault on seniors, a direct assault on their Medicare. Now. It's not a delay. It's as soon as they can get this monstrosity implemented, and they believe that they're going to take that money and roll it over into something else, and it was part of the smoke and mirrors to come up with a CBO score that they could allege that it was actually going to be a money saver.

But the American people threw a lot of people out of office last November because they knew when the President of the United States, the Speaker of the House and the Majority Leader all say the same thing, we're going to insure 30 million more people with ObamaCare and it's going to be at no cost, 30 million more people insured at no cost, the American people know that's false. No matter how many times it's repeated, they know that that's false. You can't get more for less. Things cost money.

And they could understand this. That if you take the 306 or so million Americans and if you're concerned that there is a percentage of them that are uninsured, we should only be concerned about the Americans that were uninsured and remain uninsured, I might add, that don't have affordable options.

If Bill Gates is uninsured, I don't have any heartburn over that. Bill Gates can manage his own health care. He can be self-insured. He may well be, for all I know. If Warren Buffett is uninsured, I'm not concerned about that. He can manage his own health care. If somebody that's making \$174,000 is uninsured, I'm not concerned about that person because they're making enough money to take care of their own health insurance. And on down the line. To what level?

But the people that they're trying to argue were uninsured, this larger number of around 46 million uninsured Americans, when you start subtracting from that those that are eligible for Medicaid but don't bother to sign up, those that are eligible under their employer but opt out, those who are here in the United States illegally. I don't want to cover them, Mr. Speaker. As you begin subtracting from the 46 million and you get down to the number of those Americans that are uninsured and do not have affordable options, that number turns out to be not 46 million but 12.1 million. That's making \$75,000 or less. That's the measure. Those who are uninsured and don't have an affordable option.

Now, 12.1 million is still a lot of people, but it only amounts to less than 4 percent of the U.S. population. And ObamaCare completely transforms the best health care system in the world, the best health care delivery system in the world, and the best health insurance system in the world to try to get

at a small percentage of the less than 4 percent of Americans who were uninsured without affordable options.

What do we have today? Do you hear any Democrats coming to the floor to tell us how many people are uninsured in America after ObamaCare was passed?

□ 1910

I can offer this guarantee. It's more. There are more that are uninsured today than there were on the day that ObamaCare was passed because more employers became more doubtful about what it would be that would be imposed upon them. There are fewer employees today than there would be if ObamaCare had never passed because the companies don't have the confidence that they can operate within the environment of an implemented ObamaCare.

And I listen to demagoguery on big insurance companies, Big Oil, big banks. Well, America is set up on competition, and if these companies have such a market share and such an advantage that now they can take unreasonable profits from the marketplace, somebody's going to get in the market and they're going to start a bank and oil company or insurance company.

But here's what I'm for within the area of health insurance. I want to allow people to buy insurance across State lines. I want the people in New Jersey, the young man that's buying a typical policy, in good health, roughly at age 23, for \$6,000 a year—that's before ObamaCare passed—I want him to be able to go to Kentucky and buy that similar typical policy for a 23-year-old healthy male in Kentucky for about \$1,000 a year. Isn't that a good solution? That way your 1,300 health insurance companies that we had are competing all against each other instead of being isolated within the States, operating under individual State mandates. And they can then afford policies that can have higher deductibles, higher copayments and significantly lower premiums.

And I want to see people get off the entitlement rolls, both of Social Security and of Medicare, and this can be done. And, Mr. Speaker, I will take you quickly down the path of how we get there with Medicare and HSAs.

Under the HSA legislation that was passed in 2003 under Medicare part D, a young couple, let's just say, they presumably fell in love and got married at age 20 and went to work on their life's work. I can do the math work with round figures. And over the course of 45 years of work, from 20 until 65, they maxed out on their health savings account. They started at \$5,150 a year for that couple, and then it grows by COLA on up and just continues as long as there is a cost-of-living allowance that increases it. And if you subtract from that amount \$2,000 a year that would

come out of their health savings account in what we might call typical expenses of health care, going to the doctor, doing those things that you don't want to put on your insurance policy and if you compounded the balance of that health savings account at 4 percent, which is historically accurate—and I did this math before we had the downturn over the last 2½ years—it comes up to this.

That couple would arrive at Medicare eligibility age 65 with a health savings account that had \$950,000 in it. \$950,000, Mr. Speaker. Now, the liability, the present value, present negative value of an individual that arrives at Medicare eligibility age today is about \$72,000. That's the average that the Federal Government would be paying for health care benefits for the duration of the life of the individual after they reach 65 Medicare eligibility, \$72,000. So the couple then would be at \$144,000, and you have to adjust it for inflation, but I just go without tonight for the purposes of mental figuring.

So you would take the \$950,000 and you subtract \$144,000 to take care of what would be the premium for a Medicare replacement policy, a paid-up Medicare replacement policy similar to an annuitized health care plan for life. And now you're in this area of—let's just say \$806,000 would be the balance in your health savings account, \$806,000. And what's the Federal Government's interest in that health savings account after that point? They want to tax it as regular income as it comes out of that account as being spent by the individual, or they want to tax it as death tax later on if the people, once they pass away, to tax it on the way to their heirs, the death tax.

Why wouldn't this Federal Government offer to the people that have their health savings account, why wouldn't it offer them this? Buy a Medicare replacement policy, and you can keep the change tax free and you can will it to your children or you can use it as a pension plan.

Now, we're already solving this situation of Social Security, Medicare by allowing HSAs to grow and let people manage their own lives. That's the kind of thing that we need to have going on for solutions, not demagoguery, not trying to conflate the philosophy of a budget that's designed to get us to balance.

Where's your balanced budget over there on that side of the aisle? Is there a single one of you that will stand up and tell me that you have offered a balanced budget? You didn't even offer a budget when NANCY PELOSI was Speaker the last year or two here, and now you're here attacking this budget. You don't have a plan. You don't have a platform to stand on to criticize this platform, and you had plenty of opportunity to offer your own. But there's

no balanced budget that's being offered on this side of the aisle. That's clear. That's why no one responds to me, or I'd yield to someone who wanted to allege that Democrats offered a balanced budget. If they did, it would be with—what's that word? The voracious shark of tax increases would be what would happen, Mr. Speaker.

So I think perhaps we've dispatched what took place in the previous half hour or an hour, and I will then now, without segue, transition into the subject matter that I came here to talk about. That's this.

Day before yesterday, I listened to the President's speech that he gave in El Paso, Texas, and it was surprising in a way, a bit shocking in a way. It was a political speech on immigration. I mean, that's clear. And the people that analyzed it came to the same conclusion that I did, Mr. Speaker.

But as I listened to the President of the United States, who was standing in El Paso very near the border of the United States, begin to ridicule people who want border security, well, first, he uttered the breathtaking statement that the border fence is, quote, basically complete, close quote. Mr. Speaker, the border fence is basically complete, uttered by the President of the United States? I have a few data points I think he should go back and revisit.

One of them is, Mr. President, there are 2,000 miles of southern border, about 4,000 miles of northern border. But just dealing with the southern border, 2,000 miles of southern border.

Now, whatever it was that Janet Napolitano told you, Mr. President, here are the facts on the border fence as of today, as constructed. Out of the 2,000 miles, there are 350 miles of pedestrian fence. That's called primary fencing. That's a fence that you don't just walk through. It's a bit of a barrier. They get climbed all the time, but it's a single fence. Often it's a chain-link fence. I don't know if they're referring to the barbed wire fence. I suspect not, because I think actually we've got a little bit more of that on the border. Even the Federal Government, the Department of Homeland Security claims the primary fencing, pedestrian fencing is 350 miles out of the 2,000 miles. Now, they add this all up and they say we've got all of these miles of fencing, but if it's double fencing or triple fencing, they count each mile of it even if it's layered. Then, if that's the case, it's all done, it's a triple fencing, then we've got 6,000 miles of fence, Mr. Speaker, but that isn't the case at all.

Here's the comparison. 350 miles of primary fencing or pedestrian fencing. Now, we know that a single fence doesn't do us a lot. It slows some traffic down and it gives a line of demarcation. Double fencing slows them down a lot better, and it sets up kind of a no

man's land we can patrol and sometimes catch illegals inside of that before they climb the second fence and go off into the underbrush.

So of the secondary fencing they have, there's not 350 miles of that. Remember, 2,000-mile border. Secondary fencing, 36.3 miles. Now, remember the primary fencing, 350 miles; the secondary fencing, 36.3 miles. I'm going to tell you that we don't have a lot of effectiveness until we get to at least the secondary fencing component of this.

So of 2,000 miles of border, 36.3 miles of secondary fencing, 36.3 miles is kind of what you can say is somewhat built, but a lot of it requires also triple fencing. And I've been down to visit the triple fencing, and that exists in a number of places and it exists very effectively in some areas of Arizona, in the southwest corner of Arizona, of course on the Mexican border.

Now, when you look at the border, out of the 2,000-mile border, the fence that is—they call it tertiary, that's the third layer of fence. I have 350 miles of primary fencing, 36.3 miles of double fencing; and of that 36.3 miles, 14.3 miles are triple fencing.

□ 1920

The triple fencing, as far as I know, has never been defeated by anyone. They go around it. They may tunnel under it sometimes, but they've not defeated the fencing, and it's been pretty effective. But if you've got effective fencing at 14.3 of the 2,000 miles and within 220 yards of that triple fencing—and by the way, there is triple fencing in El Paso—the President is standing within 220 yards of triple fencing in El Paso, arguing that the fencing is basically complete, and he's ridiculing Americans who want border security by saying—now I'm just going to include myself in this—that we'll never be satisfied, that we keep raising the bar. Well, no. I always set the bar up pretty high. I don't think I need to raise it.

It reminds me of the way Margaret Thatcher once responded to a student when she was in Iowa and she was asked the question, What have you changed your mind on since you left office? She thought a little bit, and she said, Goodness. I was in office 11½ years. My principles were very soundly based. I saw no reason to change them.

Well, the principle that I've laid out for border security, as far as infrastructure on the border, is this: We've got 2,000 miles on the southern border through which comes 90 percent of the illegal drugs consumed in America. I don't suggest that we have to build 2,000 miles of triple fencing. I want to build a fence, a wall, and a fence. Yes, that's effective. It's cost-effective as well. I only suggest that we build that fence until they quit going around the end, Mr. Speaker. That will be the measure. That's how we'll know if it's

effective. If they're going around the end, we'll extend it a few more miles. If they keep going around the end, we'll keep building. If the illegals are still entering the United States, then we'll build it from Brownsville all the way up to San Diego or to Tijuana if you prefer.

The President said the fence is basically complete, that he's basically got 14.3 miles of completed fencing on 2,000. I don't think anybody is going to think that that's a very basic completion. I should have, perhaps, done this math, but if I just do 14.3 miles and if I divide that by 2,000 miles, I get—let me see—seven-tenths of 1 percent of completion. That would be the President's idea of basically complete. Seven-tenths of 1 percent of the entire 2,000-mile border has triple fencing on it and 2½ times more than that, so maybe you'd have, oh, let's say, 18 or 19—1.9 percent completed if you'd just consider the double fencing instead of the triple fencing.

And the President is making fun of people who might want a moat?

I have a picture here. I've flown that within the last couple of months in a helicopter to evaluate the border, almost all of it, all the way from El Paso across all of New Mexico and almost all of Arizona—I know I've flown all of it at one time or another—and it occurred to me that the President was standing pretty close to the moat at the time, 220 yards away from right there at the border. Not only does it have the triple fencing that Janet Napolitano made fun of—she said, If you show me a 20-foot fence, I'll show you a 21-foot ladder—but in El Paso, here's what we have:

We have the Rio Grande River, moat No. 1, with water in it, flowing down. You have a fence. You have a patrol road. You have another fence. Then you have a canal that has a fairly fast current in it and a lot of water with concrete sides and bottom. Then you have another fence, so you have triple fencing. If anybody is going to come into the United States into El Paso, they've got to get across the river—sometimes swim, most of the time wade—climb a fence, avoid the Border Patrol that has a patrol road and stations posted along inside the column of the two fences, climb a second fence, get into the canal, swim the canal, get up over the top of the next fence and into El Paso.

Mr. President, it's not happening in El Paso because fences work. By the way, the natural water streams there have been really useful as well, and I think that, if I had any staff that stood me up within 220 yards of a structure like that to make fun of it, I'd probably have different staff the next day. I hope he takes note of that, Mr. Speaker. I make these points that the immigration situation in the United States is this:

We have a GAO study, and this study that just emerged here a few weeks ago tells us that there are a number of people who die in the Arizona desert while sneaking into the United States. The loss of every one of those personal lives is a tragedy, and it's of high proportion to their families, but I began asking the question: How many Americans die at the hands of those who do get into the United States? That study report comes out and tells us this:

In the Federal, State and local prisons in America—and this is a very minimum number. This is a floor, not a ceiling. We know the number is higher. We know it's no lower than this—there are currently incarcerated 25,064 criminal aliens who were arrested for homicide and who are currently incarcerated in those prisons that I mentioned in the United States. That's 25,064 homicide victims at a minimum that we know of, and that's some of the price for our not securing our border.

If we had 100 percent enforcement on our border and 100 percent enforcement over people in the United States illegally, then theoretically at least all 25,000 of those people would be alive. They would not be under the ground in the United States—one coffin at a time, one obscure village at a time, one tragedy in a family at a time. It's more than 25,000, certainly, which is a number that soars when you think of it, a number of multiples of the victims of September 11, and we sit here and say, Well, you know, it's only people who want to come here to make a better life.

It's not only that to the families who have lost victims to this.

I just sat down and had a discussion within the last couple of hours with Tiffany Hartley, whose husband was a victim of the vicious murder out on the jet skis on Falcon Lake, which is just north of McAllen, Texas, on September 30 of last year.

The tragedy of his death, the unwillingness on the part of this administration to go in and investigate his death, to find the perpetrators who killed her husband, and come to the truth of that incident is inexcusable and unconscionable. The Justice Department needs to drill in with this. They need to turn up their diplomatic pressure. The State Department, Hillary Clinton, needs to connect with the Mexican consul. Let's get to the bottom of this. Let's get the facts as they stand. Let's find out who investigated what and when, and let's take a look at the communications as they go back and forth so we can get a sense of the level of focus that maybe existed or maybe didn't exist.

I'm calling upon Eric Holder to take a look at the murder of David Hartley. Do so for Tiffany. Help her get some closure.

Thank you, Mr. Speaker. I yield back the balance of my time.

A SLAP IN THE FACE TO LAW ENFORCEMENT OFFICERS—SUM TOTAL OR NOT

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Florida (Mr. NUGENT) is recognized for 30 minutes.

Mr. NUGENT. Mr. Speaker, I rise today to get something off my chest.

Last night, the President hosted a poetry event at the White House. The invitation of one of his guests has sparked a lot of anger, and let me explain why.

The musician wrote a song in which he vocally supports a convicted cop killer and her escape from jail. Oh, by the way, she's still at large, living in Cuba, living the good life. It may not mean much to some, but I've got a serious problem with this.

Before coming to Congress, I spent 37 years as a cop. I lost friends in the line of duty, and I'm not the only one. As we speak here right now, police officers—thousands of them—are coming to Washington, D.C., to go to the Law Enforcement Officers Memorial. Tomorrow night, those men and women will attend a candlelight vigil to honor those law enforcement officers killed in the line of duty. This is the 23rd Annual Candlelight Vigil at the National Law Enforcement Officers Memorial. This year, it will also include a 36-year-old father of three, who was struck down last Tuesday night.

The White House press secretary said the President opposes the lyrics in question but that they do not represent the sum total of the artist's work.

Mr. Speaker, I'm sure I don't care. It's not the point.

The point is that you've got thousands of men and women in law enforcement who put their lives on the line every day for this great Nation, just like our troops, and the President invited to the White House someone who supports and glorifies a convicted killer of a police officer—an officer who volunteered to protect his community. He was a husband and a father. The loss was not only to that community but to America.

Our law enforcement officers are the first line of defense for America. Mr. President, can you not see what this means to the people who put their lives on the line every day? It's a slap in the face—sum total or not.

ADJOURNMENT

Mr. NUGENT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 30 minutes p.m.), the House adjourned until tomorrow, Friday, May 13, 2011, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1552. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Gypsy Moth Generally Infested Areas; Additions in Indiana, Maine, Ohio, Virginia, West Virginia, and Wisconsin [Docket No.: APHIS-2010-0075] received April 20, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1553. A letter from the Congressional Review Coordinator, Department of Agriculture, transmitting the Department's final rule — Citrus Canker, Citrus Greening, and Asian Citrus Psyllid; Interstate Movement of Regulated Nursery Stock [Docket No.: APHIS-2010-0048] (RIN: 0579-AD29) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

1554. A letter from the Secretary, Air Force, Department of Defense, transmitting a report detailing an Average Procurement Unit Cost and a Program Acquisition Unit Cost breach for the Global Hawk program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1555. A letter from the Under Secretary, Department of Defense, transmitting a report on Additional Assignment Pay or Special Duty Pay for Afghanistan, pursuant to Public Law 111-84, section 619; to the Committee on Armed Services.

1556. A letter from the Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Minimizing the Use of Materials Containing Hexavalent Chromium (DFARS Case 2009-D004) (RIN: 0750-AG35) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.

1557. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Glenn F. Spears, United States Air Force, and his advancement on the retired list in the grade of lieutenant general; to the Committee on Armed Services.

1558. A letter from the Chief Counsel, Department of Homeland Security, transmitting the Department's final rule — Chances in Flood Elevation Determinations [Docket ID: FEMA-2011-0002] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

1559. A letter from the Chairman and President, Export-Import Bank, transmitting a report on transactions involving U.S. exports to South Africa pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended; to the Committee on Financial Services.

1560. A letter from the Secretary, Department of Health and Human Services, transmitting Annual Report to Congress on Food Facilities, Food Imports, and FDA Foreign Offices Provisions of the FDA Food Safety and Modernization Act, pursuant to Public Law 111-353, section 201(b); to the Committee on Energy and Commerce.

1561. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; Connecticut: Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision [EPA-R01-OAR-2010-

0996, A-1-FRL-9286-4] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1562. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Multi-walled Carbon Nanotubes; Significant New Use Rule [EPA-HQ-OPPT-2009-0686; FRL-8865-2] (RIN: 2070-AB27) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1563. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, Imperial County Air Pollution Control District (ICAPCD) [EPA-R09-OAR-2007-1073; FRL-9292-4] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1564. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Revisions to the California State Implementation Plan, San Joaquin Valley Unified Air Pollution Control District [EPA-R09-OAR-2010-0430; FRL-9292-7] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1565. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — WISCONSIN: Incorporation by Reference of Approved State Hazardous Waste Management Program [FRL-9293-9] received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

1566. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Editorial Corrections to the Export Administration Regulations [Docket No.: 100709293-1073-01] (RIN: 0694-AE96) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1567. A letter from the Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Wassenaar Arrangement 2010 Plenary Agreements Implementation: Categories 1, 2, 3, 4, 5 Parts I and II, 6, 7, 8 and 9 of the Commerce Control List, Definitions, Reports [Docket No.: 110124056-1119-01] (RIN: 0694-AF11) received May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Foreign Affairs.

1568. A letter from the Assistant Legal Advisor for Treaty Affairs, Department of State, transmitting report prepared by the Department of State concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act; to the Committee on Foreign Affairs.

1569. A letter from the Chief Executive Officer, Corporation for National and Community Service, transmitting the Corporation's annual report for FY 2010 prepared in accordance with the and Federal Employee Anti-discrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Oversight and Government Reform.

1570. A letter from the Chairman, Federal Deposit Insurance Corporation, transmitting in accordance with the provisions of section 17(a) of the Federal Deposit Insurance Act, the Chief Financial Officers Act of 1990, Pub. L. 101-576, and the Government Performance

and Results Act of 1993, the Corporation's 2010 Annual Report; to the Committee on Oversight and Government Reform.

1571. A letter from the Chairman, Federal Energy Regulatory Commission, transmitting the Commission's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1572. A letter from the Chairman, Occupational Safety and Health Review Commission, transmitting the Commission's annual report for Fiscal Year 2010 prepared in accordance with Section 203 of the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act), Public Law 107-174; to the Committee on Oversight and Government Reform.

1573. A letter from the General Counsel, Recovery Accountability and Transparency Board, transmitting the Board's Annual No FEAR Report to Congress for Fiscal Year 2010; to the Committee on Oversight and Government Reform.

1574. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting a reassessment of the allocation of Federal and non-Federal costs for construction of the Cerrillos Dam; to the Committee on Transportation and Infrastructure.

1575. A letter from the Director, Regulation Policy and Management, Office of the General Counsel (02REG), Department of Veterans Affairs, transmitting the Department's "Major" final rule — Caregivers Program (RIN: 2900-AN94) received May 5, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Veterans' Affairs.

1576. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — May 2011 (Rev. Rule. 2011-11) received April 27, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

1577. A letter from the Administrator, Department of Homeland Security, transmitting the Administration's certification that the level of screening services and protection provided at San Francisco International Airport will be equal to or greater than the level that would be provided at the airport by TSA Transportation Security Officers, pursuant to 49 U.S.C. 44920(d); to the Committee on Homeland Security.

1578. A letter from the Secretary, Department of Health and Human Services, transmitting a report entitled, "Status on Medicare Contracting Reform Implementation", pursuant to Public Law 108-173, section 911(a); jointly to the Committees on Energy and Commerce and Ways and Means.

1579. A letter from the Deputy Assistant Administrator, Office of Diversion Control, Department of Justice, transmitting the Department's final rule — Self-Certification and Employee Training of Mail-Order Distributors of Scheduled Listed Chemical Products [Docket No.: DEA-3471] (RIN: 1117-AB30) received May 2, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and the Judiciary.

1580. A letter from the Regulations Coordinator, Department of Health and Human Services, transmitting the Department's final rule — Medicare and Medicaid Programs: Changes Affecting Hospital and Critical Access Hospital Conditions of Participation: Telemedicine Credentialing and Privileging [CMS-3227-F] (RIN: 0938-AQ05) re-

ceived May 4, 2011, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Ways and Means and Energy and Commerce.

1581. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a report on the Millennium Challenge Corporation's (MCC) activities for fiscal year 2010, pursuant to Public Law 108-199, section 613; jointly to the Committees on Foreign Affairs, the Judiciary, Ways and Means, Natural Resources, and Oversight and Government Reform.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Ms. ROS-LEHTINEN: Committee on Foreign Affairs. House Resolution 209. Resolution directing the Secretary of State to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of State, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; with amendments (Rept. 112-76). Referred to the House Calendar.

Mr. MCKEON: Committee on Armed Services. House Resolution 208. Resolution directing the Secretary of Defense to transmit to the House of Representatives copies of any document, record, memo, correspondence, or other communication of the Department of Defense, or any portion of such communication, that refers or relates to any consultation with Congress regarding Operation Odyssey Dawn or military actions in or against Libya; with amendments (Rept. 112-77). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. LARSEN of Washington:

H.R. 1858. A bill to reauthorize the Northwest Straits Marine Conservation Initiative Act to promote the protection of the resources of the Northwest Straits, and for other purposes; to the Committee on Natural Resources.

By Mr. CAMPBELL (for himself and Mr. PETERS):

H.R. 1859. A bill to ensure the availability of reasonably priced conventional mortgages to borrowers in all economic cycles by encouraging private sector capital to support the secondary mortgage market, limiting the role of the Federal government and the exposure of taxpayers, and other purposes; to the Committee on Financial Services.

By Mr. SMITH of Texas (for himself, Mr. COHEN, Mr. COBLE, and Mr. HASTINGS of Florida):

H.R. 1860. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on the Judiciary.

By Mr. MURPHY of Pennsylvania (for himself, Mr. WALZ of Minnesota, Mr. SHUSTER, Mr. COSTA, Mr. PAULSEN, Mr. DONNELLY of Indiana, Mrs. CAPITO, Mr. STIVERS, Mr. CRITZ, Mr. MEEHAN, and Mr. BOSWELL):

H.R. 1861. A bill to greatly enhance America's path toward energy independence and

economic and national security, to conserve energy use, to promote innovation, to achieve lower emissions, cleaner air, cleaner water, and cleaner land, to rebuild our Nation's aging roads, bridges, locks, and dams, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Oversight and Government Reform, Energy and Commerce, Ways and Means, Science, Space, and Technology, Transportation and Infrastructure, the Budget, the Judiciary, Rules, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BILBRAY (for himself, Ms. DEGETTE, Mr. DENT, Mr. GERLACH, Mr. HOLT, Ms. FUDGE, Mr. BUTTERFIELD, and Mr. LANGEVIN):

H.R. 1862. A bill to launch a national strategy to support regenerative medicine through funding for research and commercial development of regenerative medicine products and development of a regulatory environment that enables rapid approval of safe and effective products, and for other purposes; to the Committee on Energy and Commerce.

By Mr. GUINTA (for himself and Mr. BASS of New Hampshire):

H.R. 1863. A bill to amend title 38, United States Code, to ensure that veterans in each of the 48 contiguous States are able to receive services in at least one full-service Department of Veterans Affairs medical center in the State or receive comparable services provided by contract in the State, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COBLE (for himself and Mr. JOHNSON of Georgia):

H.R. 1864. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on the Judiciary.

By Mr. GIBBS (for himself, Mr. ALTMIRE, Mr. JORDAN, Mr. HOLDEN, Mr. DUNCAN of Tennessee, Mr. BARTLETT, Mr. MANZULLO, Mr. BISHOP of Utah, Mr. WALBERG, Mr. BARTON of Texas, Mr. CHAFFETZ, Mr. GOHMERT, Mrs. BLACKBURN, Mr. BUCHANAN, Mr. STIVERS, Mr. BROWN of Georgia, Mr. LATOURETTE, Mr. MCCLINTOCK, Mr. LATTI, Mrs. MILLER of Michigan, Mr. AUSTRIA, and Mr. TIBERI):

H.R. 1865. A bill to protect the right of individuals to bear arms at water resources development projects administered by the Secretary of the Army, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. CHAFFETZ:

H.R. 1866. A bill to require Members of Congress to disclose delinquent tax liability and to require an ethics inquiry into, and the garnishment of the wages of, a Member with Federal tax liability; to the Committee on House Administration, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GEORGE MILLER of California (for himself, Mr. KILDEE, Ms. HIRONO, Mr. GRIJALVA, and Mr. LOEBSACK):

H.R. 1867. A bill to amend title IV of the Employee Retirement Income Security Act of 1974 to require the Pension Benefit Guaranty Corporation, in the case of airline pilots who are required by regulation to retire

at age 60, to compute the actuarial value of monthly benefits in the form of a life annuity commencing at age 60; to the Committee on Education and the Workforce.

By Mrs. CAPITO (for herself, Mr. CRITZ, Mr. BUCSHON, Mr. TERRY, Mr. RAHALL, and Mr. HOLDEN):

H.R. 1868. A bill to require the inclusion of coal-derived fuel at certain volumes in aviation fuel, motor vehicle fuel, home heating oil, and boiler fuel; to the Committee on Energy and Commerce.

By Mr. LARSON of Connecticut (for himself, Mr. ROSKAM, Mr. POLIS, and Mr. PAULSEN):

H.R. 1869. A bill to amend the Internal Revenue Code of 1986 to establish lifelong learning accounts to provide an incentive for employees to save for career-related skills development and to promote a competitive workforce through lifelong learning; to the Committee on Ways and Means, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CONNOLLY of Virginia (for himself, Mr. BISHOP of New York, Mr. WAXMAN, Mr. MARKEY, Ms. ESHOO, and Mr. LARSON of Connecticut):

H.R. 1870. A bill to safely increase domestic oil and gas production, and for other purposes; to the Committee on Natural Resources, and in addition to the Committees on Science, Space, and Technology, Energy and Commerce, Transportation and Infrastructure, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SAM JOHNSON of Texas:

H.R. 1871. A bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries; to the Committee on Ways and Means.

By Mrs. CAPITO:

H.R. 1872. A bill to require the Administrator of the Environmental Protection Agency to consider the impact on employment levels and economic activity prior to issuing a regulation, policy statement, guidance, or other requirement, implementing any new or substantially altered program, or issuing or denying any permit, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. JOHNSON of Georgia (for himself, Mr. JACKSON of Illinois, Mr. GRIJALVA, Ms. LEE of California, Mr. FILER, Mr. MCNERNEY, Mr. SERRANO, Mr. NADLER, Ms. WATERS, Mr. PRICE of North Carolina, Ms. TSONGAS, Mr. BRADY of Pennsylvania, Mr. SCOTT of Virginia, Ms. SCHAKOWSKY, Mr. GONZALEZ, Mr. LYNCH, Ms. WASSERMAN SCHULTZ, Mr. BRALEY of Iowa, Mr. VAN HOLLEN, Ms. NORTON, Mr. AL GREEN of Texas, Mr. DOYLE, Ms. HIRONO, Mr. LOEBSACK, Ms. WILSON of Florida, Mr. BOSWELL, Ms. ZOE LOFGREN of California, Mr. McDERMOTT, Mr. CONYERS, Ms. JACKSON LEE of

Texas, Mr. HASTINGS of Florida, Ms. CHU, Ms. BALDWIN, Mrs. NAPOLITANO, Mrs. MALONEY, Mr. ELLISON, Mr. HONDA, Mr. STARK, Mr. HEINRICH, Mr. KUCINICH, Ms. SUTTON, Mr. CARNAHAN, Mr. VISCLOSKEY, Mr. PIERLUISI, Ms. RICHARDSON, Mr. GUTIERREZ, Mr. TOWNS, Mr. KILDEE, Mr. CUMMINGS, Mr. DAVIS of Illinois, Mr. THOMPSON of Mississippi, Ms. WOOLSEY, Ms. CLARKE of New York, Ms. BASS of California, Ms. PINGREE of Maine, Mr. DEUTCH, Mr. BLUMENAUER, Mr. DOGGETT, Mr. LANGEVIN, Mr. WATT, Mr. FRANK of Massachusetts, Mr. SARBANES, and Mr. RYAN of Ohio):

H.R. 1873. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. BISHOP of Utah (for himself, Mr. CHAFFETZ, and Mr. MATHESON):

H.R. 1874. A bill to amend title 5, United States Code, to increase the maximum age limit for an original appointment to a position as a Federal law enforcement officer in the case of any individual who has been discharged or released from active duty in the armed forces under honorable conditions, and for other purposes; to the Committee on Oversight and Government Reform.

By Mr. CICILLINE (for himself, Mr. LARSON of Connecticut, Mr. BISHOP of New York, and Mr. CONNOLLY of Virginia):

H.R. 1875. A bill to lower gas prices by making investments in cleaner vehicle technologies and infrastructure; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. DELAURO (for herself, Mr. GEORGE MILLER of California, Ms. CASTOR of Florida, Mr. DAVIS of Illinois, Ms. SCHAKOWSKY, Mr. BRADY of Pennsylvania, Mr. JACKSON of Illinois, Mr. CONNOLLY of Virginia, Ms. RICHARDSON, Mr. CONYERS, Ms. TSONGAS, Ms. LINDA T. SANCHEZ of California, Ms. MOORE, Mr. STARK, Mrs. CHRISTENSEN, Mrs. CAPPS, Mr. OLVER, Mr. ACKERMAN, Ms. LEE of California, Ms. SPEIER, Mrs. MALONEY, Mr. FILER, Ms. CLARKE of New York, Ms. BASS of California, Mr. SERRANO, Mr. SCHIFF, Mr. SARBANES, Mr. LUJAN, Mr. TONKO, Ms. FUDGE, Ms. BALDWIN, Mr. TOWNS, Ms. NORTON, Mr. LANGEVIN, Mr. ISRAEL, Mr. COURTNEY, Mr. HOLT, Mr. LEWIS of Georgia, Mrs. LOWEY, Mr. NADLER, Mr. VAN HOLLEN, Mr. GRIJALVA, Mr. KILDEE, Mr. ELLISON, Ms. SCHWARTZ, Mr. HONDA, Ms. BROWN of Florida, Ms. HIRONO, Mr. CLAY, Mr. KUCINICH, Mr. BACA, Mr. HASTINGS of Florida, Mr. BISHOP of New York, Mr. PALLONE, Ms. PINGREE of Maine, Mr. MCGOVERN, Mr. FATTAH, Mr. MORAN, Mr. SHERMAN, Mr. BLUMENAUER, Ms. WOOLSEY, Ms. MCCOLLUM, Mrs. MCCARTHY of New York, Ms. ESHOO, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Ms. EDWARDS, Mr. WAXMAN, Mr. SCOTT of Virginia, Mr. PRICE of North Carolina, Ms. CHU, Mr. MARKEY, Mr. TIERNEY, Mr. MURPHY of Connecticut, Mr. HINCHEY, Mr. PASTOR of Arizona, Ms. WASSERMAN SCHULTZ, Ms. BERKLEY, Mr. GENE

GREEN of Texas, Mr. GUTIERREZ, Mr. CARNAHAN, Mr. LARSON of Connecticut, and Mr. RYAN of Ohio):

H.R. 1876. A bill to allow Americans to earn paid sick time so that they can address their own health needs and the health needs of their families; to the Committee on Education and the Workforce, and in addition to the Committees on Oversight and Government Reform, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER:

H.R. 1877. A bill to direct the Secretary of Defense to prohibit family members of individuals detained at Naval Station, Guantanamo Bay, Cuba, from visiting such individuals; to the Committee on Armed Services.

By Mr. KISSELL:

H.R. 1878. A bill to require that the same access to transportation and public accommodations that is afforded to individuals with disabilities who use service animals under the Americans with Disabilities Act be afforded to certified trainers of service animals; to the Committee on Transportation and Infrastructure, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LARSEN of Washington (for himself, Mr. DICKS, Mr. INSLEE, Mr. SMITH of Washington, Mr. McDERMOTT, Mr. GRIMM, Mr. KEATING, Mr. SIREN, Ms. PINGREE of Maine, Mr. BUTTERFIELD, Mr. BISHOP of New York, and Mr. CONNOLLY of Virginia):

H.R. 1879. A bill to promote secure ferry transportation and for other purposes; to the Committee on Transportation and Infrastructure.

By Ms. LEE of California (for herself, Mr. GRIJALVA, Mr. MORAN, Mr. CONYERS, Mr. MEEKS, Ms. NORTON, Mr. TOWNS, Mr. COURTNEY, Ms. SCHAKOWSKY, Mr. FRANK of Massachusetts, Ms. WILSON of Florida, Mr. COHEN, Ms. RICHARDSON, Mr. NADLER, Mrs. MALONEY, Mr. SERRANO, Mr. RANGEL, Mr. STARK, Ms. BORDALLO, Ms. BASS of California, Mr. ACKERMAN, Ms. BALDWIN, Mr. BECERRA, Ms. BERKLEY, Mr. BISHOP of Georgia, Mr. BRALEY of Iowa, Ms. BROWN of Florida, Mr. CICILLINE, Mr. CLARKE of Michigan, Ms. CLARKE of New York, Mr. CLAY, Mr. CLEAVER, Mr. CLYBURN, Ms. DEGETTE, Mr. CROWLEY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Ms. DELAURO, Mr. DOGGETT, Ms. EDWARDS, Mr. ELLISON, Mr. FARR, Mr. FATTAH, Mr. GARAMENDI, Mr. GENE GREEN of Texas, Ms. HANABUSA, Mr. HASTINGS of Florida, Mr. HIGGINS, Mr. HOLDEN, Mr. HONDA, Ms. JACKSON LEE of Texas, Mr. LARSON of Connecticut, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. JOHNSON of Georgia, Mr. LANGEVIN, Mr. LEVIN, Mr. MCNERNEY, Ms. MOORE, Mrs. NAPOLITANO, Mr. PASTOR of Arizona, Mr. PAYNE, Mr. PRICE of North Carolina, Mr. REYES, Mr. RICHMOND, Mr. RAHALL, Ms. ROYBAL-ALLARD, Mr. DAVID SCOTT of Georgia, Ms. SEWELL, Ms. SPEIER, Mr. THOMPSON of Mississippi, Mr. TONKO, Ms. TSONGAS, Mr. VAN HOLLEN, Ms. VELÁZQUEZ, Ms. WASSERMAN SCHULTZ, Ms. WATERS,

Mr. WATT, Mr. WAXMAN, Mr. WEINER, Ms. WOOLSEY, Mr. MCDERMOTT, Ms. PINGREE of Maine, Mr. DOYLE, Mr. TIERNEY, Mr. SCHIFF, Mr. OLVER, Mr. RUSH, and Mr. JACKSON of Illinois):

H.R. 1880. A bill to require, on the occasion of the 30th anniversary of the first reported cases of AIDS, reporting on the implementation of the National HIV/AIDS Strategy and on the status of international progress towards achieving universal access to HIV/AIDS treatment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. LUJÁN (for himself, Mrs. CHRISTENSEN, Ms. BERKLEY, Mr. HASTINGS of Florida, Mr. HOLT, Ms. MOORE, Mr. CONNOLLY of Virginia, Mr. CARSON of Indiana, Mr. WU, Mr. LARSON of Connecticut, Ms. RICHARDSON, Ms. LEE of California, Mr. COSTELLO, Mr. ELLISON, Mr. HINOJOSA, Mr. JACKSON of Illinois, Mrs. NAPOLITANO, Mr. PAYNE, Mrs. CAPPS, Mr. GRIJALVA, Mr. BUTTERFIELD, Mr. POLIS, Mr. SABLON, Mr. RYAN of Ohio, and Mr. OLVER):

H.R. 1881. A bill to require the Secretary of Energy, in coordination with the Secretary of Labor, to establish a program to provide for workforce training and education, at community colleges, in sustainable energy; to the Committee on Education and the Workforce.

By Mr. OWENS:

H.R. 1882. A bill to ensure that local educational agencies and units of local governments are compensated for tax revenues lost when the Federal Government takes land into trust for the benefit of a federally recognized Indian tribe or an individual Indian; to the Committee on Natural Resources.

By Mr. PIERLUISI (for himself, Mr. ISSA, Mr. SERRANO, Ms. ROSLEHTINEN, Mr. GRIMM, Mr. JONES, Mr. BURTON of Indiana, and Mr. YOUNG of Alaska):

H.R. 1883. A bill to amend the Internal Revenue Code of 1986 to regulate the subsidies paid to rum producers in Puerto Rico and the Virgin Islands, and for other purposes; to the Committee on Ways and Means.

By Mr. PITTS (for himself and Mr. CARNEY):

H.R. 1884. A bill to designate additional segments and tributaries of White Clay Creek, in the States of Delaware and Pennsylvania, as a component of the National Wild and Scenic Rivers System; to the Committee on Natural Resources.

By Mr. POE of Texas (for himself, Mr. COLE, Mrs. BLACKBURN, Mr. BOREN, Mr. BARTLETT, Mr. CARTER, Mr. GALLEGLY, and Mr. BENISHEK):

H.R. 1885. A bill to require that State and local pretrial services agencies receiving federal financial assistance report to the Department of Justice on defendants released by such agencies, and for other purposes; to the Committee on the Judiciary.

By Mr. RANGEL (for himself, Mr. TOWNS, Ms. CLARKE of New York, Ms. MCCOLLUM, Mr. RUSH, Mr. GRIJALVA, Mr. STARK, Ms. RICHARDSON, Ms. LEE of California, Ms. BASS of California, and Mr. POLIS):

H.R. 1886. A bill to allow travel between the United States and Cuba; to the Committee on Foreign Affairs.

By Mr. RANGEL (for himself, Mr. TOWNS, Ms. CLARKE of New York, and Ms. MCCOLLUM):

H.R. 1887. A bill to lift the trade embargo on Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, Energy and Commerce, the Judiciary, Financial Services, Oversight and Government Reform, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RANGEL (for himself, Mr. JONES, and Ms. MCCOLLUM):

H.R. 1888. A bill to facilitate the export of United States agricultural products to Cuba as authorized by the Trade Sanctions Reform and Export Enhancement Act of 2000, to remove impediments to the export to Cuba of medical devices and medicines, to allow travel to Cuba by United States legal residents, to establish an agricultural export promotion program with respect to Cuba, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Ways and Means, the Judiciary, Agriculture, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SHULER:

H.R. 1889. A bill to amend the Internal Revenue Code of 1986 to suspend the excise tax on highway motor fuels, and for other purposes; to the Committee on Ways and Means.

By Ms. TSONGAS:

H.R. 1890. A bill to amend the Outer Continental Shelf Lands Act to require, as a condition and term of any exploration plan or development and production plan submitted under that Act, that the applicant for the plan must submit an oil spill containment and clean-up plan capable of handling a worst-case scenario oil spill, and for other purposes; to the Committee on Natural Resources.

By Mr. BISHOP of Utah (for himself, Mr. BROUN of Georgia, Mr. CAMPBELL, Mr. CHAFFETZ, Mr. DUNCAN of South Carolina, Mr. GOHMERT, Mr. GRAVES of Georgia, Mr. GRIFFITH of Virginia, Mr. LAMBORN, Mrs. LUMMIS, Mr. MCCLINTOCK, Mr. MANZULLO, Mr. WALBERG, and Mr. WALSH of Illinois):

H.J. Res. 62. A joint resolution proposing an amendment to the Constitution of the United States to give States the right to repeal Federal laws and regulations when ratified by the Legislatures of two thirds of the several States; to the Committee on the Judiciary.

By Mr. SESSIONS:

H. Con. Res. 50. Concurrent resolution providing for a conditional adjournment of the House of Representatives; considered and agreed to.

By Mr. POMPEO (for himself, Mr. MCCLINTOCK, and Mr. LABRADOR):

H. Res. 267. A resolution expressing the sense of the House of Representatives that the United States should end all subsidies aimed at specific energy technologies or fuels; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. LARSEN of Washington:

H.R. 1858.

Congress has the power to enact this legislation pursuant to the following:

Under Article I, Section 2 of the Constitution, "the House of Representatives shall be composed of Members chosen every second Year by the People of the several States." As described in Article I, Section 1 "all legislative powers herein granted shall be vested in a Congress." I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has "the judicial power" that "shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States." Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating "The judicial power of the United States, shall be vested in one Supreme Court."

The power of judicial review of the Supreme Court was upheld in *Marbury v. Madison* in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Mr. CAMPBELL:

H.R. 1859.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of section 8 of article I of the Constitution of the United States.

By Mr. SMITH of Texas:

H.R. 1860.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause; section 5 of the 14th Amendment

By Mr. MURPHY of Pennsylvania:

H.R. 1861.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to the Congress under Article I, Section 8, Clause 3 of the United States Constitution, and Article IV, Section 3, Clause 2 of the United States Constitution.

By Mr. BILBRAY:

H.R. 1862.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution and Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. GUINTA:

H.R. 1863.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, the bill is authorized by Congress' power to "provide for the common Defense and general Welfare of the United States."

By Mr. COBLE:

H.R. 1864.

Congress has the power to enact this legislation pursuant to the following:

The Commerce Clause (Article I, Section 8, Clause 3)

By Mr. GIBBS:

H.R. 1865.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution and the Second Amendment which states: A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed.

By Mr. CHAFFETZ:

H.R. 1866.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mr. GEORGE MILLER of California:

H.R. 1867.

Congress has the power to enact this legislation pursuant to the following:

Art. 1 sec. 8, clause 1 and 3

By Mrs. CAPITO:

H.R. 1868.

Congress has the power to enact this legislation pursuant to the following:

Interstate Commerce Clause: Article 1, Section 8, Clause 3.

By Mr. LARSON of Connecticut:

H.R. 1869.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. CONNOLLY of Virginia:

H.R. 1870.

Congress has the power to enact this legislation pursuant to the following:

Article 1

By Mr. SAM JOHNSON of Texas:

H.R. 1871.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

By Mrs. CAPITO:

H.R. 1872.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 (Interstate Commerce Clause) in conjunction with Article I, Section 8, Clause 18 (Necessary and Proper Clause).

Article I, Section 9, Clause 7 (Spending Clause).

Article III, Section 2 (Judicial Power).

By Mr. JOHNSON of Georgia:

H.R. 1873.

Congress has the power to enact this legislation pursuant to the following:

Article I, Sec. 8, Cl. 3

By Mr. BISHOP of Utah:

H.R. 1874.

Congress has the power to enact this legislation pursuant to the following:

"The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution which grants Congress the power to provide for the general welfare of the United States; to make rules for the government and regulation of the land and naval forces; to provide for organizing the militia, and to make Rules for the Government and Regulation of the land and naval Forces, and to make all laws necessary and proper for carrying out the foregoing powers."

By Mr. CICILLINE:

H.R. 1875.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Ms. DELAURO:

H.R. 1876.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. HUNTER:

H.R. 1877.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 states that "Congress shall have the power to . . . provide for the common defense and general welfare of the United States; . . ." In addition Article I, Section 8, Clause 10 states that Congress shall have the power "to define and punish piracies and felonies committed on the high seas, and offenses against the law of nations;" Also, Article I, Section 8, Clause 11 grants Congress the power "to . . . make rules concerning captures on land and water;"

By Mr. KISSELL:

H.R. 1878.

Congress has the power to enact this legislation pursuant to the following:

Enforcement—14th Amendment Section 5 Regulation—Article 1, Section 8 Clause 3

By Mr. LARSEN of Washington:

H.R. 1879.

Congress has the power to enact this legislation pursuant to the following:

Under Article 1, Section 2 of the Constitution, "the House of Representatives shall be composed of Members chosen every second Year by the People of the several States." As described in Article 1, Section 1 "all legislative powers herein granted shall be vested in a Congress." I was elected in 2010 to serve in the 112th Congress as certified by the Secretary of State of Washington state.

Article III, Section 2 states that the Supreme Court has "the judicial power" that "shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States." Article II, Section 1 of the Constitution provides that the Supreme Court is the supreme law of the land when stating "The judicial power of the United States, shall be vested in one supreme Court."

The power of judicial review of the Supreme Court was upheld in *Marbury v Madison* in 1803, giving the Supreme Court the authority to strike down any law it deems unconstitutional. Members of Congress, having been elected and taken the oath of office, are given the authority to introduce legislation and only the Supreme Court, as established by the Constitution and precedent, can determine the Constitutionality of this authority.

By Ms. LEE of California:

H.R. 1880.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I of the United States Constitution and its subsequent amendments, and further clarified and interpreted by the Supreme Court of the United States.

By Mr. LUJÁN:

H.R. 1881.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 1

By Mr. OWENS:

H.R. 1882.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, of the United States Constitution.

By Mr. PIERLUISI:

H.R. 1883.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of the Congress to: (1) provide for the general welfare of the United States, as enumerated in Article I, Section 8, Clause 1 of the United States Constitution; (2) to make all laws which shall be necessary and proper for carrying into execution such power, as enumerated in Article I, Section 8, Clause 18 of the Constitution; and (3) to make all needful Rules and Regulations respecting the Territories of the United States, as provided for under Article IV, Section 3, Clause 2 of the Constitution.

By Mr. PITTS:

H.R. 1884.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8 and Article IV, Section 3 of the United States Constitution.

By Mr. POE of Texas:

H.R. 1885.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. RANGEL:

H.R. 1886.

Congress has the power to enact this legislation pursuant to the following:

From the U.S. Constitution:

Article I, Section 8, Clause 3

The Congress shall have power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

From the Universal Declaration on Human Rights:

Article 13

(1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and return to his country.

By Mr. RANGEL:

H.R. 1887.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. RANGEL:

H.R. 1888.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power . . . to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

By Mr. SHULER:

H.R. 1889.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises,

to pay the Debts and provide for the common Defense and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States."

By Ms. TSONGAS:

H.R. 1890.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the Constitution

By Mr. BISHOP of Utah:

H.J. Res. 62.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article V of the United States Constitution.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 100: Mr. HARRIS, Mr. COFFMAN of Colorado, and Mr. GOSAR.

H.R. 104: Mr. BOSWELL.

H.R. 198: Mr. MURPHY of Pennsylvania.

H.R. 272: Mr. PAUL.

H.R. 298: Mr. FARENTHOLD, Mr. CONAWAY, Mr. BURGESS, Mr. NEUGEBAUER, Mr. BRADY of Texas, and Mr. CANSECO.

H.R. 300: Ms. CLARKE of New York.

H.R. 365: Mr. LATOURETTE.

H.R. 401: Mr. DAVID SCOTT of Georgia and Ms. RICHARDSON.

H.R. 459: Mr. KELLY.

H.R. 539: Ms. SCHAKOWSKY and Mrs. NAPOLITANO.

H.R. 615: Mr. CALVERT, Mr. ISSA, and Mr. COBLE.

H.R. 639: Mrs. CAPITO, Mr. CAPUANO, Mr. CLEAVER, Mr. DENT, Mr. FORBES, Ms. FUDGE, Mr. LANGEVIN, Mr. LOBIONDO, Mr. MORAN, Mr. NADLER, Mrs. NAPOLITANO, Mr. SCOTT of Virginia, Mr. SCOTT of South Carolina, Mr. THOMPSON of Mississippi, Mr. THOMPSON of Pennsylvania, Mr. WILSON of South Carolina, Mr. WITTMAN, and Mr. YOUNG of Alaska.

H.R. 674: Mr. JOHNSON of Ohio, Mr. WALSH of Illinois, Mrs. MYRICK, Mr. BACHUS, Mr. GIBSON, Mr. GARDNER, Mr. GOSAR, Mr. CRAVAACK, and Mr. RIGELL.

H.R. 718: Mr. GARAMENDI, Mr. KUCINICH, Mr. THOMPSON of Pennsylvania, Mr. FORBES, and Ms. ZOE LOFGREN of California.

H.R. 719: Mr. SCHOCK and Mrs. BACHMANN.

H.R. 721: Mr. PENCE.

H.R. 733: Mr. FATTAH.

H.R. 735: Mr. GUTHRIE.

H.R. 800: Mr. BARTLETT.

H.R. 807: Mr. JACKSON of Illinois.

H.R. 843: Mr. HULTGREN and Mr. WALZ of Minnesota.

H.R. 864: Mr. WU.

H.R. 886: Mr. DIAZ-BALART, Mr. BERG, Mr. BOREN, Mr. DONNELLY of Indiana, Mr. CHANDLER, Mr. MICHAUD, Mr. COOPER, Mr. PETERSON, Mr. CARDOZA, Mr. FARR, Mr. SCHRADER, Mr. ALTMIRE, Mr. BARROW, Mr. AUSTIN SCOTT of Georgia, Mr. CASSIDY, Mr. ALEXANDER, Mr. PRICE of Georgia, Mr. GRIMM, Mr. BROOKS, Mr. DUNCAN of South Carolina, Mr. WOODALL, and Mrs. EMERSON.

H.R. 891: Mrs. CAPPS and Mr. JONES.

H.R. 956: Mr. POE of Texas.

H.R. 975: Ms. NORTON, Ms. CLARKE of New York, Mr. RANGEL, Mr. RUSH, Ms. LEE of

California, Ms. JACKSON LEE of Texas, and Mr. JACKSON of Illinois.

H.R. 997: Mr. PLATTS, Mr. LUCAS, and Mr. BARLETTA.

H.R. 998: Mr. HEINRICH.

H.R. 1031: Mr. NUNES.

H.R. 1041: Mr. BISHOP of New York.

H.R. 1044: Mr. YOUNG of Florida.

H.R. 1070: Mr. MARCHANT.

H.R. 1075: Mr. LARSON of Connecticut.

H.R. 1093: Mr. COBLE, Mr. MCHENRY, Mr. STUTZMAN, Mr. TURNER, Mr. DAVIS of Kentucky, and Mr. ISSA.

H.R. 1114: Mr. OWENS.

H.R. 1120: Mr. CUMMINGS, Mr. RUSH, Mr. WEINER, and Mr. RANGEL.

H.R. 1154: Mr. FARENTHOLD, Mr. KINGSTON, and Mr. WALZ of Minnesota.

H.R. 1193: Mr. KING of New York.

H.R. 1195: Mr. DAVIS of Illinois.

H.R. 1206: Ms. JENKINS and Mr. MATHESON.

H.R. 1211: Mr. YOUNG of Florida.

H.R. 1242: Mrs. LOWEY.

H.R. 1259: Mr. JORDAN and Mr. YOUNG of Florida.

H.R. 1262: Mr. DOGGETT and Mr. ALTMIRE.

H.R. 1269: Ms. CLARKE of New York, Ms. BROWN of Florida, Ms. RICHARDSON, Mrs. NAPOLITANO, Mrs. EMERSON, and Mrs. CHRISTENSEN.

H.R. 1274: Mr. BARLETTA.

H.R. 1288: Ms. EDDIE BERNICE JOHNSON of Texas.

H.R. 1332: Mr. LYNCH, Mr. PLATTS, Mr. WESTMORELAND, Mr. WELCH, Ms. ROYBAL-ALLARD, Mr. OWENS, Mr. BISHOP of Georgia, Mr. WITTMAN, Mrs. NAPOLITANO, Mr. PASCRELL, Ms. PINGREE of Maine, Mr. YARMUTH, Mr. TURNER, Mr. BACA, and Mr. LUCAS.

H.R. 1351: Ms. HIRONO, Mr. SERRANO, Mr. BACA, Mr. KEATING, Mr. RUSH, Mr. MICHAUD, Mr. MCNERNEY, Mr. PERLMUTTER, Mr. PLATTS, Mr. BLUMENAUER, Mr. LARSEN of Washington, Mr. FITZPATRICK, Mr. FATTAH, Mr. SIREN, Ms. CLARKE of New York, Mr. GERLACH, Mr. BOSWELL, and Mr. PETERS.

H.R. 1366: Ms. CLARKE of New York and Mr. NADLER.

H.R. 1380: Ms. JACKSON LEE of Texas, Mr. CICCILLINE, Mr. TIBERI, Mr. AKIN, and Mr. FRANKS of Arizona.

H.R. 1383: Mr. CONYERS.

H.R. 1386: Mr. WELCH and Mr. RUPPERSBERGER.

H.R. 1391: Mr. GRIFFIN of Arkansas and Mr. CRAWFORD.

H.R. 1398: Mr. LUETKEMEYER.

H.R. 1402: Ms. WOOLSEY.

H.R. 1425: Mr. WALSH of Illinois and Mr. CHABOT.

H.R. 1429: Mr. VAN HOLLEN.

H.R. 1466: Mr. HASTINGS of Florida and Ms. NORTON.

H.R. 1498: Mr. GENE GREEN of Texas, Mr. MICA, Mr. HARPER, Mr. GERLACH, and Mr. HUNTER.

H.R. 1501: Mr. BACHUS, Mr. FORBES, and Mr. GUTHRIE.

H.R. 1515: Mr. COHEN.

H.R. 1523: Ms. ROYBAL-ALLARD.

H.R. 1527: Mr. FORBES.

H.R. 1530: Mr. FORTENBERRY.

H.R. 1574: Mr. HIGGINS, Mr. STARK, and Ms. EDWARDS.

H.R. 1585: Mr. MACK.

H.R. 1586: Mr. DANIEL E. LUNGREN of California.

H.R. 1588: Mr. NUGENT, Mr. TURNER, Mr. KINZINGER of Illinois, and Mr. CRAWFORD.

H.R. 1614: Mr. RUPPERSBERGER.

H.R. 1619: Mr. MURPHY of Connecticut.

H.R. 1626: Mr. RIGELL, Mrs. ADAMS, Mr. WALDEN, Mr. LONG, and Mr. FORBES.

H.R. 1635: Mr. BONNER.

H.R. 1639: Mr. RIVERA.

H.R. 1646: Mr. JONES.

H.R. 1648: Ms. WOOLSEY, Mr. COHEN, Ms. CHU, Mr. GARAMENDI, and Mr. LANGEVIN.

H.R. 1666: Mr. BLUMENAUER, Mr. THOMPSON of Mississippi, and Mr. CONNOLLY of Virginia.

H.R. 1704: Mr. ANDREWS, Mr. BACA, Ms. BORDALLO, and Mr. INSLEE.

H.R. 1705: Mr. ROSKAM.

H.R. 1723: Mrs. BLACKBURN.

H.R. 1741: Mrs. BLACKBURN, Mr. ROHR-ABACHER, and Mr. FORBES.

H.R. 1748: Ms. BERKLEY, Mr. CONNOLLY of Virginia, Mr. CICCILLINE, and Ms. MATSUI.

H.R. 1801: Ms. JACKSON LEE of Texas.

H.R. 1815: Mr. BUTTERFIELD, Mr. WATT, Mr. JACKSON of Illinois, Mr. CLEAVER, Mr. COSTELLO, Mr. CARDOZA, Ms. HANABUSA, Mr. RICHMOND, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. CUMMINGS, Mr. SHIMKUS, Mr. STARK, Mr. HOYER, Mr. GONZALEZ, Mr. SCHIFF, Mr. BISHOP of New York, Ms. LINDA T. SANCHEZ of California, Mr. SCOTT of South Carolina, Mr. ACKERMAN, Mr. NEAL, Ms. SEWELL, Mr. CICCILLINE, Ms. DEGETTE, Mr. MANZULLO, Mr. CONNOLLY of Virginia, Mr. BECERRA, Mr. WELCH, Mr. LEVIN, Ms. CASTOR of Florida, Mr. NADLER, Mrs. DAVIS of California, Ms. WILSON of Florida, Mr. DINGELL, Ms. LORETTA SANCHEZ of California, Ms. MOORE, Mr. QUIGLEY, Mr. HIGGINS, Mr. CLAY, Mr. WU, and Mr. COHEN.

H.R. 1817: Mr. MCGOVERN.

H.R. 1831: Mr. HONDA.

H.R. 1833: Mrs. CAPPS.

H.R. 1842: Mr. GUTIERREZ, Mr. FARR, Mr. HEINRICH, Ms. BERKLEY, Ms. ZOE LOFGREN of California, Mr. DOGGETT, Mr. POLIS, and Mr. CONYERS.

H.J. Res. 13: Mr. TIBERI.

H.J. Res. 42: Mr. SMITH of Texas.

H.J. Res. 56: Mr. HARRIS and Mr. JORDAN.

H. Con. Res. 25: Mr. BRADY of Texas.

H. Con. Res. 39: Mr. MCCOTTER.

H. Res. 20: Mr. ANDREWS, Ms. CHU, Mr. CARSON of Indiana, Mr. CLEAVER, Mr. CLAY, Mr. DAVIS of Illinois, Mrs. DAVIS of California, Mr. DEFAZIO, Mr. DOGGETT, Ms. ESHOO, Mr. FRANK of Massachusetts, Mr. GARAMENDI, Mr. INSLEE, Mr. LEWIS of Georgia, Ms. MATSUI, Ms. PINGREE of Maine, Ms. SLAUGHTER, Mr. THOMPSON of Mississippi, Mr. TIERNEY, and Mr. WATT.

H. Res. 25: Mr. HINCHEY, Mr. KILDEE, Mr. REHBERG, Mr. HUIZENGA of Michigan, Mr. CULBERSON, Mr. MARINO, Ms. ROYBAL-ALLARD, Mr. ROE of Tennessee, Ms. ZOE LOFGREN of California, and Mr. CHANDLER.

H. Res. 95: Mr. RUPPERSBERGER.

H. Res. 137: Mr. SERRANO.

H. Res. 242: Mrs. BACHMANN, Ms. BERKLEY, Mr. CARDOZA, Mr. COOPER, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Ms. HANABUSA, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. LANGEVIN, Mr. LEWIS of Georgia, Ms. MOORE, Ms. RICHARDSON, Ms. SEWELL, Ms. SPEIER, and Ms. WILSON of Florida.

H. Res. 244: Mr. PALLONE and Mr. TOWNS.

H. Res. 254: Mr. LATOURETTE and Mr. FARENTHOLD.

H. Res. 256: Mr. FRANK of Massachusetts and Mr. PAULSEN.

H. Res. 265: Ms. RICHARDSON.

EXTENSIONS OF REMARKS

MIKE SUMMERS RETIREMENT

HON. PETER J. VISCLOSKY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. VISCLOSKY. Mr. Speaker, it is with great pleasure and honor that I congratulate Mr. Michael Summers on his retirement. Mike, a 40-year member, 12-year officer, and Business Manager of Ironworkers Local #395, has dedicated his life to the interests of his fellow tradesmen and the entire community in Northwest Indiana. For his lifetime of service to the Ironworkers and the Northwestern Indiana Building and Construction Trades Council, Mike will be honored at a retirement dinner taking place at Avalon Manor in Merrillville, IN, on May 13, 2011.

During his 40-year membership in Ironworkers Local #395, Mike has held many positions and assisted the Building Trades in numerous capacities. Mike has represented the Ironworkers Local #395 as Trustee to the Health and Welfare Plan, the Annuity Plan, and the Joint Apprenticeship Training Committee. He has devoted much of his time to numerous boards and currently is a member of the Building Construction Resource Center. Additionally, he is a member of the Tri-Parte Committees for U.S. Steel, Arcelor Mittal Indiana Harbor, and Burns Harbor. Mike is the past President of the Northwestern Indiana Building and Construction Trades Council and has held elected office for the Ironworkers Local #395 as a Business Agent; currently, he is the Business Manager. Mike's passion, devotion, and continuous support to the Building Trades is truly remarkable and he is worthy of the highest praise.

Northwest Indiana has a rich history of excellence in its craftsmanship and loyalty to its members and service to the community. Mike Summers has always displayed these qualities and I profoundly respect his unwavering dedication to his own members and all the members of the Building Trades. I also deeply value his community involvement that has touched and inspired so many. When it comes to serving those in need throughout the community, Michael Summers has always been the first in line. He is generous to a fault.

Mr. Speaker, Michael Summers has given his time and efforts selflessly to those he has worked with and represented. He has been a true role model to his peers and a true friend to Northwest Indiana. Personally, I have found no better or loyal friend. I treasure our friendship. I respectfully ask that you and my other distinguished colleagues join me in commending Mike for his outstanding contributions and in wishing him well upon his retirement.

CONGRATULATING THE MOCK TRIAL TEAM OF ADAMS HIGH SCHOOL

HON. JOE DONNELLY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DONNELLY of Indiana. Mr. Speaker, I rise today to honor the Mock Trial team of Adams High School in South Bend, Indiana, winners of the 2011 National Mock Trial Competition. Adams High School once again displayed its superior Mock Trial skills in its second national title and tenth time placing in the top ten nationally. The competition, held in the Sandra Day O'Connor U.S. District Courthouse in Phoenix, Arizona on May 6 and 7, 2011, featured 48 teams from 43 states, Guam, the Commonwealth of Northern Mariana Islands, South Korea and Australia. Each team competed in four rounds before the final deciding match. Adams defeated the Missouri state champions to cap its remarkable season which included winning the Indiana state championship in March.

The team, nicknamed "The Ruckus," practiced 40 hours each week leading up to the national competition. The team members include seniors David Kern, Matt Caponigro, Toby Stoner, Peter Doyle, Geoff Burdell and Czesia Eid, and junior Jeremy Doyle. The team was coached by Adams teacher Heath Weaver with the assistance of Coaches John Scanlan, Erin Linder, Andrew Jones, Lucas Burkett, and timekeeper Maria Caponigro.

Mock Trial competitions require research, mastery of legal issues, honing of courtroom tactics, and strong teamwork. Each team is called on to prepare a legal case from the perspectives of both the plaintiff and defendant and assume the roles of lawyers and witnesses at trial. Peter Doyle was recognized as Best Witness in the national competition, an honor reflecting his extraordinary contribution to the victory. Again, I offer my congratulations to the members of the team, the coaches, Adams High School, and members of the community who supported the team throughout their training. The Adams Mock Trial team has represented Indiana, the City of South Bend, their school and themselves with excellence and distinction.

RECOGNIZING LT. DAVID LENO, A CHICAGO FIREFIGHTER, FOR RECEIVING THE PRESTIGIOUS MEDAL OF VALOR AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LIPINSKI. Mr. Speaker, I rise today in recognition of a courageous public servant,

Chicago firefighter, Lt. David Leno. Today, in front of the Illinois Fire Services Association's Firefighter Memorial, Lt. Leno will be presented with the distinguished Medal of Valor. Lt. Leno's years of untiring service to the Chicago community remind us of the extraordinary altruism necessary to commit one's life to the service and protection of the community. Furthermore, this distinction recognizes his exemplary dedication to public safety and his commitment to duty.

The Medal of Valor is presented annually to firefighters who continually serve their communities without reservation in the face of danger or who have made the ultimate sacrifice. Nominated for this honor by Fire Commissioner Robert Hoff, today Lt. Leno will join the ranks of fellow Chicago servicemen and fallen comrades in receiving an award that recognizes outstanding dedication.

In his 22 years of service, Lt. Leno has distinguished himself time and time again with countless acts of heroism. In addition to being formally recognized in 2009 by Mayor Daley for coordinating and participating in the rescue of three victims from the third floor of a burning building, Lt. Leno was nominated for Chicago's Carter Harrison Award and won a Special Honorable Mention for his firefighting performance.

The 3rd District and Chicago are fortunate to have public servants like Lt. Leno whose tireless commitment to safeguarding his community sets an example for all. On behalf of the residents of Illinois' 3rd District, I thank Lt. David Leno for his outstanding devotion, demonstration of selflessness, and personal courage above and beyond the call of duty; and I congratulate him for his deservedly being awarded the Medal of Valor.

COMMEMORATING THE 103RD BIRTHDAY OF THE UNITED STATES NAVY NURSE CORPS AND 100 YEARS OF SERVICE ON GUAM

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. BORDALLO. Mr. Speaker, I rise today to commemorate the 103rd birthday of the United States Navy Nurse Corps, and their centennial anniversary of service on Guam. The Navy Nurse Corps has a long history in Guam and continues to be instrumental in supporting Guam's health care system by training local nurses and modernizing health care practices on the island. I would like to recognize and commend the Navy Nurse Corps's outstanding contributions and service to the United States Navy, our nation, and the people of Guam.

Upon their arrival in 1911, three Navy nurses established the U.S. Naval Hospital

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

School for Native Nurses on Guam. This school provided important nursing education and training to local nurses who cared for patients in acute care hospitals, public health village dispensaries, and in people's homes. By 1941, 89 local, Navy-trained nurses had graduated from the school.

The Navy Nurse Corps on Guam has also proved to be a critical part of the Navy's humanitarian response efforts in the region. In 1975, Navy Nurses played an important role in "Operation New Life," which brought over 100,000 refugees from South Vietnam to Guam. In 1991, following the eruption of Mount Pinatubo in the Philippines, Guam Navy Nurses supported "Operation Fiery Vigil," which conducted the largest peacetime U.S. military evacuation in history, affecting more than 20,000 military personnel and their families. Guam Navy Nurses also provided immediate, critical care as part of the medical teams that responded to Korean Airline Flight 801, which crashed in Nimitz Hill on Guam in 1997.

Today, with more than 100 Navy Nurses on Guam, the Navy Nurse Corps continues to serve our local community by caring for our active duty service members, retirees, veterans, and their families at the U.S. Naval Hospital Guam, the Branch Clinic, and the VA Community Based Outpatient Clinic. They remain active in the civilian community, serving on various committees and projects, including the Guam Nurses Association, Guam Association of Advanced Practice Registered Nurses, the Guam Diabetes Association, the Guam Lions Club, the American Cancer Society, and the Guam Memorial Hospital Volunteers Association.

On behalf of the people of Guam, I express a sincere un dangluko na si Yu'os ma'ase to the men and women of the Navy Nurse Corps for 100 years of exceptional service to our island and community.

IN RECOGNITION OF GAINESVILLE
MAYOR GLENN LOCH'S RETIREMENT

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BURGESS. Mr. Speaker, I rise today to celebrate Mayor Glenn Loch of Gainesville, Texas. Mayor Loch has served at different times as both a beneficiary and champion of the American dream. In the 1960's, he came to Gainesville for the first time with his wife Helen and their new baby. They had nothing to their name but a mattress, yet with some help from the community and a willingness to work hard, Loch became first councilman and eventually Mayor all in the course of ten years. He is now the longest tenured mayor in Gainesville history, and in his work, endeavors to repay the kindness the community bestowed when he was still a stranger to them.

From the time of his first term in 1974, Gainesville has undergone fantastic transformations. The downtown area, dilapidated after the oil bust of the 1980's, is now, according to Mr. Loch, "second to none." He also

kicked off the "Take Pride in Gainesville" campaign. This campaign seeks to clean up Gainesville both "trash-wise" and "crime-wise." Initiatives in this campaign include redesigned frontage roads along both sides of Interstate Highway 35, improving access and traffic flow. Loch has continually sought to help Gainesville remain a place where people are proud to live, with thriving businesses, jobs that pay well, and an involved community of citizens.

It is this ingenuity that prompted me to partner with Mayor Loch on the Pecan Creek Project. I had noticed the flooding problem in that area for years, and when Mayor Loch asked me to help him by communicating with Congress to appropriate funds for the project, I knew it was important that I take part. Since then, construction for the drainage project is underway. Additionally, Loch oversaw the acquisition of 10,800 acre feet of water rights from Lake Texoma, providing Gainesville with enough water for the next fifty years.

On the threshold of Mayor Loch's retirement, I am pleased to have had the chance to speak for a moment about this inspirational man. His story, as effectively as anyone's, celebrates the true meaning of the American Dream. The American Dream is about taking opportunity by the horns. The American Dream is about working tirelessly to make the most of that opportunity. Most importantly, however, the American Dream is about paying it forward, ensuring that those down the line have the chance to do the same. It's about bringing the dream full circle. On behalf of the 26th District of Texas, I thank Mayor Loch for his service to Gainesville and the citizens of America.

HONORING DOS PUEBLOS HIGH
SCHOOL SCIENCE BOWL

HON. LOIS CAPPS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. CAPPS. Mr. Speaker, I rise today in honor of the Dos Pueblos High School Science Bowl Team. Michael Feldman, Daniel Gay, Ian Goodman, Andy Granatelli, Daniel Richman and their coach Chris Jones made the South and Central Coast proud this month as representatives from California at the 2011 National Science Bowl, sponsored by the US Department of Energy in DC.

The U.S. Department of Energy National Science Bowl is a nationwide academic competition that tests students' knowledge in all areas of science. High school and middle school students are quizzed in a fast paced question-and-answer format similar to Jeopardy. Competing teams from diverse backgrounds are comprised of four students, one alternate, and a teacher who serves as an advisor and coach. The National Science Bowl's high school competition involves more than 13,000 students and is the only science competition in the United States sponsored by a federal agency.

In addition to their academic expertise, these students and their coach proved to be a popular and supportive team in DC. Honored

by their peers, the DP team won the Civility Award, which recognizes excellent sportsmanship. In honor of winning this award, the team earned a nine-day trip to Alaska to study the region's glacial, biological and geological treasures.

Mr. Speaker, we speak often in DC of "winning the future." I'm so proud to represent this remarkable group of students, and their coach, who are working tirelessly towards this goal. Today I mark their accomplishment and encourage all young people across the country to follow their example, and push themselves in math and science fields. Our competitiveness as a nation depends on it.

HONORING MICHAEL McKENNA
HOPPENRATH

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Michael McKenna Hoppenrath. Michael is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Michael has been very active with his troop, participating in many scout activities. Over the many years Michael has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Michael has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Michael McKenna Hoppenrath for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING CAPTAIN GREG L.
GARNER

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor Fresno Police Department Captain Greg L. Garner; and to thank him for his 32 years of selfless service to his community.

Captain Garner was born on February 4, 1959 in Madera, California. After graduating from Madera High School, Captain Garner went on to earn a Bachelors of Science in Criminology and a Master's of Science in Law Enforcement Administration from California State University, Fresno. He started his career with the Fresno Police Department in 1979 as a cadet, and worked his way through the ranks to become Police Officer, Police Sergeant, Police Lieutenant, and Police Captain in 2001.

During the tenure of his service, Captain Garner has received multiple awards and accolades. In 2008 the Fresno Police Department Traffic Unit under his command received the 2008 National Mothers Against Drunk Driving Award. That same unit was recognized as the number one Child Safety Program in the nation by the Office of Traffic Safety, and appeared on the cover of USA Today Magazine in recognition of the unit's efforts to improve traffic safety.

When off-duty, Captain Garner is actively involved in community causes, such as the Downtown Revitalization Committee, Bring Broken Neighborhoods Back to Life Program, and the Men of Promise organization. He has also received the Gideon Community Service and Citizens of the Community Awards, volunteered in March of Dimes Jail & Bail Fundraisers, and is currently volunteering part-time at the Museum of Tolerance in Los Angeles.

Mr. Speaker, please join me in honoring and commending Captain Greg L. Garner on his 32 years of service and dedication to improving the safety and welfare his community, the City of Fresno.

PERSONAL EXPLANATION

HON. MIKE QUIGLEY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. QUIGLEY. Mr. Speaker, on May 11th, my vote on Rollcall vote No. 309 was incorrectly recorded as "aye", when I intended to vote "nay". I did not see the error until it was too late. I ask that the RECORD reflect my strong opposition to H.R. 1229 and my intention to vote no on this legislation.

ASIAN PACIFIC AMERICAN HERITAGE MONTH

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to recognize the Asian and Pacific Islander American community in commemoration of Asian Pacific American Heritage Month.

As representative of the 47th congressional district of California, I feel privileged to be here to speak of the history and accomplishments of the Asian and Pacific Islander Americans.

Mr. Speaker, I would like to take a moment to acknowledge extraordinary community leaders who have contributed so much to the development of the APIA community.

I have in my district a compassionate, humanitarian organization: Saint Anselm's Cross-Cultural Community Center. This year, they celebrate 35 years of assisting tens of thousands of refugees in their resettlement and integration, and empowering underserved communities.

I recognize the Orange County Asian and Pacific Islander Community Alliance—the largest API organization in Orange County. Their

health outreach programs, after-school programs, and policy advocacy programs make a real difference in the lives of Orange County residents.

Small businesses such as DTNtech Marketing Solutions and Holiday Inn Express of Garden Grove that have demonstrated the spirit of giving with their generous supply of donations and ongoing support for community beneficiary projects.

I would like to recognize several individuals for their extraordinary commitment to enhancing the vitality of the API community:

Ms. Ysa Le for her involvement with art activism for the Vietnamese American Arts & Letters Association to promote, preserve and enrich arts and culture by, for, and about the Vietnamese communities.

Mr. Do-Young Kim who has for over 10 years understood and conveyed the precious privileges and duties of being a United States citizen to the countless Korean immigrants whom he's assisted in realizing American citizenship.

And lastly, Dr. Ding Jo Currie, chancellor of the Coast Community College District, whose brilliance and passion for education has been demonstrated for over 30 years in building a superior educational system for Orange County's students in higher education.

Through their hard work and dedication, the Asian and Pacific Islander American community continues to become an integral part of the Orange County family—as entrepreneurs, community leaders and activists for worthy causes. On behalf of all my colleagues in the House, I offer them our praise and our gratitude.

HONORING SEAN KINCAID DALDRUP

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Sean Kincaid Daldrup. Sean is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Sean has been very active with his troop, participating in many scout activities. Over the many years Sean has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Sean has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Sean Kincaid Daldrup for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING GAIL PARKER

HON. PETE OLSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. OLSON. Mr. Speaker, I rise today to recognize the achievements of Gail Parker, the President and C.E.O. of the Central Fort Bend Chamber Alliance in Fort Bend County, TX. Mrs. Parker is retiring after nearly 8 years at the helm of the Chamber.

Gail has certainly left her mark on the Chamber. Under her leadership, Gail led the charge to double the Chamber's membership from roughly 400 members in late 2003 to just over 800 members currently, representing businesses from all sectors and industries across Fort Bend County. She also helped to create the Hispanic Business and Young Professionals Divisions, which have been critical to bringing new members of the Fort Bend business community to the Chamber.

Gail is a consummate professional who cares deeply about the community she serves. The Central Fort Bend Chamber Alliance has been well served by her leadership and commitment to excellence. Throughout her tenure as CEO, Gail demonstrated the dedication and leadership necessary to advance the Chamber's mission and enlarge the scope of the organization.

I'm honored to call her a friend and I wish Gail and her husband Randy all my best. She is in my prayers as she leaves the Chamber to fight her next battle and, as she says, become a cancer "survivor." On behalf of Fort Bend County, I thank you for your hard work and service to the Fort Bend business community.

HONORING D. ERIC HULTMAN

HON. LEE TERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. TERRY. Mr. Speaker, I rise today to honor D. Eric Hultman who is retiring from my office as Chief of Staff after eight years of service to the constituents of the Second District of Nebraska and a career of service to all Americans.

Eric, a graduate of Brown University and University of Nebraska College of Law, has served the public for over 20 years on Capitol Hill. He has been in senior positions with the House and Senate Judiciary Committees, a U.S. Senator, and a Member of U.S. House of Representatives.

His long and respected career also included the position of Managing Editor for the Legislative Digest for the House Republican Conference and an attorney at several private law firms.

He has worked tirelessly to make our country safer, to make our government more efficient, and to bring a sense of responsibility to Washington, DC. Even though Eric is a committed conservative, he knows the value of working with members from all political stripes. This philosophy has served my office well through the years.

He is a devoted father and husband who somehow always managed to balance both family and professional commitments—a difficult task even for the best of us. But Eric always managed to find that balance through his positive attitude and hard work.

I am proud of Eric's years of public service and am very appreciative of his hard work and friendship. I have also learned to be appreciative of his sense of humor, which during stressful times, has come as welcome relief.

I, along, with all the other members of my staff will miss Eric for not only his patience, but his ability to have an answer for every question. His retirement is well deserved and we wish him the best as he starts the next chapter of his life.

HONORING VAN GUARD HOSE
COMPANY NO. 1

HON. TIMOTHY H. BISHOP

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BISHOP of New York. Mr. Speaker, Suffolk County is home to many fire department companies that protect and serve our local communities. I rise to honor the Van Guard Hose Company No. 1 in Patchogue, New York and its members, who this year are celebrating the 120th anniversary of its founding.

In the summer of 1890, local residents determined that the Patchogue Fire Department was unable to adequately respond to fire emergencies in the southern section of the Village of Patchogue when Captain G.G. Horton's barn was destroyed by fire. Due to this unfortunate event, these local residents formed the Van Guard Hose Company.

Residents requested the purchase of a hose cart and the fire directors of Patchogue Fire Department granted the purchase of a two-wheeled cart and 500 feet of hose. Chief Edwin Bailey, the department's first chief, was tasked with determining the location to house the new equipment.

Fourteen residents came together to form the present company for its regular meeting on January 13, 1891 at the home of Mrs. Alfred C. Mott, a resident of southern Patchogue. Today, Van Guard Hose Company No. 1, located just down the street from where the company first met, has grown to 63 members who bravely and selflessly serve their community.

Mr. Speaker, it gives me great comfort to know that Long Island is still a collection of communities where neighbors look out for one another, as they did back in the 1890s. I'm proud to represent Van Guard Hose Company No. 1 and its members in the House of Representatives. I offer my congratulations on this milestone and wish them well for many years of continued service to the Patchogue Fire District.

HONORING MITCHELL RYAN
KOVAC

HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GRAVES of Missouri. Mr. Speaker, I proudly pause to recognize Mitchell Ryan Kovac. Mitchell is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 374, and earning the most prestigious award of Eagle Scout.

Mitchell has been very active with his troop, participating in many scout activities. Over the many years Mitchell has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Mitchell has contributed to his community through his Eagle Scout project.

Mr. Speaker, I proudly ask you to join me in commending Mitchell Ryan Kovac for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

RECOGNIZING KATHLEEN CAREY
MIHM

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. HINCHEY. Mr. Speaker, I rise today to pay tribute to an outstanding citizen of the 22nd Congressional District of New York, Ms. Kathleen Carey Mihm. Kathy, as she is fondly known to family and friends, is a warm, witty and insightful woman who has dedicated her professional life to public service and, in doing so, has made a lasting contribution to her community.

A native of Kingston, Kathy grew up in a lively Irish family with nine brothers and sisters. She graduated from Kingston High School and went on to pursue advanced study at Ulster County Community College. Kathy began her public career as the Village of Rosendale Clerk, followed by two consecutive terms as a member of the Ulster County Legislature. In 1985, she began a distinguished career with the Ulster County Board of Elections. Kathy served as Deputy Commissioner under the late Harry Castiglione and then, after a brief time as Clerk of the Legislature, was appointed as Commissioner of Elections for the Democratic Party.

During her tenure with the Elections Board, Kathy was a tremendous asset to the voting public of Ulster County. She understood that the fundamental mission of the Board of Elections is to serve the voting public in a bipartisan manner. She worked hard and was diligent in her efforts to ensure that every eligible vote was counted. Kathy retired in December of last year in order to spend more time with her two children and four grandchildren. She has left behind a lasting legacy of honor and integrity.

Mr. Speaker, I have had the pleasure of knowing and working with Kathleen Carey Mihm for more than twenty-five years. She has been a dear friend and a valued adviser and we have worked closely on many issues of importance to the residents of Ulster County. Her work on behalf of the Board of Elections and her community was both inspiring and commendable. It is with great pleasure that I recognize her outstanding contributions and achievements.

IN RECOGNITION OF THE 2011
FAIRFAX COUNTY SHERIFF'S OF-
FICE VOLUNTEERS OF THE YEAR

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to honor the volunteers who assist the Fairfax County Sheriff's Office. These volunteers work with deputies and civilian staff to help inmates to improve their lives during incarceration and to prepare them for a successful transition back into the community.

With more than 500 deputies, the Fairfax County Sheriff's Office is the largest Sheriff's office in Virginia and among the largest in the country. These deputies perform invaluable services for Fairfax County residents which include providing court security, managing the detention center, and serving the civil law process. Volunteers with the Sheriff's Office help provide inmate programs and services at the Adult Detention Center (ADC) and Pre-Release Center, including mental health counseling, religious services, alcohol and drug support groups, health education, library services and job training.

Volunteers complete a Sheriff's Office training program and also work closely with staff to ensure that best practices are followed. A recent study completed at the Fairfax County Adult Detention Center showed the significant impact that detention center rehabilitation programs can provide. The efforts of these volunteers improve the lives of those incarcerated, reduce recidivism, and make our communities safer.

Each year, the Sheriff's Office hosts a luncheon to thank all of the dedicated individuals who help make the volunteer program a success. It is my pleasure to recognize the honorees in each service area:

Alcohol and Drug Services—Nate Trager
OAR—Opportunities, Alternatives, and Resources—Linda Rule

Chaplain's Office—Norman J. Bacon
Education—Bill Richey

The efforts of these individuals are particularly noteworthy, but I also want to acknowledge the nearly 300 volunteers who have contributed their time and support to the Sheriff's Office during the past year. These volunteers provide services that help to place inmates on a path to success. They offer their time that could be spent elsewhere to provide encouragement and support that will improve lives during incarceration and provide for a successful transition to help get inmates back on their feet. The efforts of each and every one

of these volunteers are commendable and deserve our praise.

Sheriff Stan Barry and the staff of the Fairfax County Sheriff's Office should be commended for their critical role in administering the volunteer program. The efforts of these staffers maximize the contributions of volunteers in the most effective way and provide the support that makes this program a success.

Mr. Speaker, I ask my colleagues to join me in recognizing the contributions of these individuals and all of the volunteers who support the Fairfax County Sheriff's Office. The selfless commitment of these individuals helps to provide enumerable benefits to our community and life-changing services to the inmates they serve.

TRIBUTE TO MRS. ADA LEE
PATRICK

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DAVIS of Illinois. Mr. Speaker, I rise to pay tribute to a member of my church, a devoted wife and mother, a Christian woman and a friend to many.

Mrs. Ada Lee Patrick was born in Holmes County, Mississippi, in 1948 and migrated with her family to Chicago, Illinois in 1957. She attended the local elementary and high school on the west side of Chicago. She was baptized at the Mt. Carmel Church and later joined new morning star and ultimately new Galilee MBC where she remained until death. Ada met and married Mr. Frank Patrick and together they became proud parents of five children.

Mrs. Patrick was actively involved in her church and was known as a cheerful and upbeat person. Her backing was legendary and she is always ready to share encouraging words with everyone.

Mr. Speaker, the world is a better place in which to live because of the life and contributions of Mrs. Ada Lee Patrick. May her soul rest in peace and we extend our heartfelt condolences to her husband Frank and other members of her family.

ISRAEL'S 63RD INDEPENDENCE
DAY

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to congratulate Israel on the celebration of its 63rd Independence Day. I am a strong supporter of the State of Israel and believe in its right to exist as a Jewish and democratic state with secure and recognized borders.

As our strongest democratic ally in the Middle East, Israel is a crucial friend of the United States, and its continued strength and stability are in our nation's best interest.

The past several years have been a challenging time for Israel. Israel continues to face danger on many fronts, from the ongoing threat of terrorism to the potential rise of a nuclear-armed Iran. Peace and stability in Israel and the Middle East at large are still a possibility. Despite recent events with Fatah and Hamas, I hope that Palestinian authorities will be willing to come to the table and negotiate peace with their Israeli neighbors. I trust that new commitments and agreements are reached that enable these two states to live peacefully with one another.

I will continue to advocate for policies that make Israel more secure and work to alleviate the tensions in the Middle East, and I urge my colleagues to join me. As a member of the Israel Allies Caucus, I have been an active advocate for Israel and its people. I know the people of Israel want to live in peace with their Palestinian neighbors, and I will push for continued American engagement in the peace process. Together, the United States and Israel will continue to work in partnership to bring peace and security to the Middle East.

Mr. Speaker, I ask that you and my other distinguished colleagues join me in congratulating Israel on their 63rd Independence Day.

RECOGNIZING THE HONOREES OF
THE 2010 FAIRFAX COUNTY LAND
CONSERVATION AND TREE
PLANTING AND PRESERVATION
AWARDS

HON. GERALD E. CONNOLLY

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CONNOLLY of Virginia. Mr. Speaker, I rise to recognize the recipients of Fairfax County 2010 Land Conservation and Tree Preservation and Planting Awards. These awards recognize those developers, designers and site superintendents who have excelled in their stewardship of the environment by implementing erosion and sediment control measures for soil conservation or increasing the tree cover through tree preservation and planting efforts.

Fairfax County is considered one of the best counties in the Nation in which to live, work and raise a family. One reason for this designation is the innovative environmental protection policies that have been implemented by the county and embraced by its business partners. I am pleased to have led that effort during my tenure as Chairman of the Board of Supervisors. These awards recognize the following individuals and companies who have successfully brought their projects to completion while preserving and enhancing the local environment:

Small Commercial: The Howard Gardner School

Large Commercial: Aerospace Corporation Parcel 35 at Westfields

Small Single Family Residential: Yorkshire Subdivision

Large Single Family Residential: Huntington Mews, Section 2

Linear Project: Bull Run Woods

Best Protected Environmentally Sensitive Site: Aerospace Corporation Parcel 35 at Westfields

Outstanding Site Superintendent: Greg Clark

Outstanding Engineering Firm: Whitman, Requardt & Associates, LLP

Outstanding Contractor: James G. Davis

Environmental and Facilities Inspections Division Inspector of the Year (East): Martin Klema

Environmental and Facilities Inspections Division Inspector of the Year (West): William Dougherty

Environmental and Site Review Division Reviewer of the Year (East): Hani Fawaz

Environmental and Site Review Division Reviewer of the Year (West): Shahab Baig

Tree Preservation Awards:

Potomac School

Pohick Stream Valley Park Trail

The Aerospace Corporation Stream Restoration Project

Tree Planting Category Award Recipients:

Francis Scott Key Middle School

Huntly Terrace Townhomes

Mr. Speaker, I ask my colleagues to join me in applauding the efforts of those involved with these projects. Fairfax County and its residents have benefitted greatly from the collaborative spirit that is represented by these awards today. I wish to thank all of the award-ees for their efforts on behalf of our community, and I congratulate them on receiving these awards.

IN RECOGNITION OF NORTHWEST
HIGH SCHOOL

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BURGESS. Mr. Speaker, I rise today to call special attention to Northwest High School in Justin, Texas. Students from Northwest High School will be competing in Aerospace Industries Association's 9th annual Team America Rocketry Challenge (TARC) National finals this weekend. This competition brings students from all over the United States together to hone their skills in math and science in order to design, build, and fly a model rocket. The rocket must carry one raw egg to an altitude of exactly 750 feet, remain airborne for 40 to 45 seconds and return to the ground with the raw egg intact. With this annual competition, the Aerospace Industries Association seeks to inspire students to pursue careers in the aerospace industry.

The students at Northwest High School have been working all year to prepare for this opportunity. The event holds over \$60,000 in prize money, scholarships, and a trip to the Paris Air Show. I know the students of Northwest High School have spent much time and energy into this opportunity, and I wish them all the best. Regardless of the outcome, I and the rest of the 26th District of Texas are extremely proud of this impressive group of students.

A TRIBUTE TO JONATHAN LANE
ARTHUR

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Jonathan Lane Arthur for achieving the rank of an Eagle Scout.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5% of Boy Scouts earn the Eagle Scout Award. The award is a performance based achievement whose standards have been well-maintained over the years. To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Jonathan and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on earning an Eagle Scout ranking and will wish him continued success in his future education and career.

HONORING LT. COLONEL ALFRED
FRANCIS

HON. DONNA M. CHRISTENSEN

OF THE VIRGIN ISLANDS

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. CHRISTENSEN. Mr. Speaker, next Friday, an outstanding member of our military who hails from my district in the U.S. Virgin Islands will receive a promotion to Colonel at the Pentagon and I rise today to salute his service to our country.

Lt. Colonel Alfred Francis, known as "Plow" to his family and friends as a native of St. Croix in the U.S. Virgin Islands, is currently assigned to The Army Staff, Pentagon here in Washington, DC, and has served there since 2009. He previously commanded the 304th Signal Battalion, 1st Signal Brigade, Camp Stanley, Korea from 2007 to 2009. Prior to serving in Korea, Lt. Colonel Francis served at the Pentagon, assigned to DISA's Joint Staff Support Center as Division Chief, NMCC Operations. He deployed in support of ENDURING FREEDOM between 2002 and 2005. He was assigned to Headquarters, 25th Infantry Division (Light), Schoefield Barrack, Hawaii, serving as the Assistant Division Signal Officer/Deputy G6 and as the Executive Officer, 125th Signal Battalion and later as Deputy CJ6, CJTF-76.

Lt. Colonel Francis received his Bachelor of Science Degree and ROTC Commission as a Distinguished Military Graduate from Alabama A&M University in 1989. He has a Bachelor of Science degree in Mechanical Engineering Technology and Minor in Mathematics and a Master of Science degree in Quality Systems Management from the National Graduate School. Upon completion of the Signal Officers Basic Course, he was assigned to the 279th

Signal Platoon, Kaiserlautern, Germany, where he served as a Platoon Leader and Exercise and Plans officer from 1990 to 1993.

Upon graduation from the Signal Officers Advanced Course at Fort Gordon, Georgia, he was assigned to 525th Military Intelligence, XVIII Airborne Corps, Fort Bragg, North Carolina, where he served as Brigade Signal Officer, then Company Commander of A Company-327th Signal Battalion, 35th Signal Brigade (Corps, Airborne) from 1994 to 1996. He was then assigned to the Military District of Washington, where he served on the 1997 Presidential Inaugural Committee as Chief, Visual Information Branch, followed by assignments within the Defense Information System Agency, DISA, as a Commercial Satellite Communications Officer and as a Communication Watch Officer in the National Military Command Center, NMCC, Joint Staff, Pentagon from 1996 to 2000.

Lt. Colonel Francis' awards and decorations include the Defense Meritorious Service Medal, the Army Commendation Medal, the Meritorious Service Medal, the Joint Staff Commendation Medal, the Army Achievement Medal, the National Defense Service Medal with Bronze Star, the Armed Forces Expeditionary Medal, the Afghanistan Campaign Medal, the Global War on Terrorism Service Medal, the Korean Defense Service Medal, the Joint Meritorious Unit Award, the Joint Staff Badge, the Army Staff Badge and the Parachutist Badge.

Mr. Speaker, the people of Fredriksted, St. Croix, the U.S. Virgin Islands and indeed the entire nation are proud of Lt. Colonel Francis. He is an exemplary young American who serves as a role model to the young people of our islands and is a source of pride to his parents, Betty L. Wilson and Divincy "Tino" Francis. We salute him on the occasion of his promotion to Colonel.

HONORING SANTA ROSA
COMMUNITY HEALTH CENTERS

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today to honor Santa Rosa Community Health Centers and recognize their contribution to health care in Sonoma County, California. They are celebrating their 15th year of leadership and collaboration in building a healthy community.

In 1996, five physicians and one nurse practitioner made it their mission to bring high quality health care to the Roseland area of Santa Rosa, where the predominantly Latino community had no access to medical care. These providers worked tirelessly for 4 years until their first clinic opened with the help of the Sisters of St. Joseph and Santa Rosa Memorial Hospital. Southwest Community Health Center opened its doors on March 19th, St. Joseph's day, and was warmly welcomed to the community.

Under the guidance of CEO Naomi Fuchs, the original clinic at Lombardi Court expanded its hours and its facility. Ms. Fuchs also responded to the needs of several other impor-

tant community programs that were facing budget restraints that threatened closure. The Elsie Allen Health Center, Turning Point Satellite Clinic, Southwest Adult Day Services and the Family Practice Residency Program were all brought under the Southwest umbrella as well as the Homeless Clinic, Roseland Children's Health Center and HIV/AIDS care. As their service area expanded well beyond the southwest corner of the city, they assumed a name that better represents them: Santa Rosa Community Health Centers.

In order to better serve their patients, 2011 saw the opening of the Vista Family Health Center, a 42,500 square foot facility that provides primary care and obstetrics to an additional 10,000 residents. This beautiful new health center reminds patients, many of whom are low income, that a medical home with a caring medical team is a right rather than a privilege.

Mr. Speaker, it is appropriate at this time that we congratulate Santa Rosa Community Health Centers on 15 years of ensuring that everyone who enters their doors is heard, valued and honored.

A TRIBUTE TO MAPLEWOOD
NEIGHBORS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Maplewood neighbors of Humboldt for being the recipients of the Good Neighbor Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Good Neighbor Award is presented to an individual or group who exemplify true neighborhood spirit by lending a helping hand in a time of need. This was exemplified when Maplewood neighbors assisted a recently widowed and grieving neighbor by selflessly mowing her lawn, moving snow from her driveway, and simply taking her on walks to remind her of the support she will always have in her neighborhood despite her current difficulties.

Mr. Speaker, I am honored to represent the members of the Maplewood neighbors in the United States Congress. I know that my colleagues will join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

RECOGNIZING DAN KEIFER

HON. SANDER M. LEVIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LEVIN. Mr. Speaker, I rise today to recognize an environmental leader from South-eastern Michigan, Dan Keifer, as he retires from the Clinton River Watershed Council after 10 years of dedicated service to the Clinton River watershed.

Those of us who represent urban watersheds know that the health of the waterways that flow through our communities are often measured in terms of specific indicators. A recovering river has fewer beach closings, declining e-coli pollution counts, and less bank erosion and sedimentation. A recovering river also shows restoration of native riparian vegetation, improved habitat, healthier stream flows, and the return of a wide variety of fish and other aquatic organisms. All of these watershed characteristics are measurable.

Another quality of recovering waterways is harder to directly measure, but is no less essential. Recovering rivers and streams invariably have people who take the time and trouble to care for them and work on their behalf. Without such public advocates, water quality improvements simply don't happen. Dan Keifer has been a powerful advocate and force for good in the Clinton River and Lake St. Clair watersheds. He has been an invaluable asset to the Watershed Council's mission to protect, enhance, and celebrate the Clinton River, its watershed, and Lake St. Clair.

Dan joined the Clinton River Watershed Council staff in 2002 and has served as that organization's Development Director and, later, as the Community Outreach Coordinator. Along the way, Dan has coordinated countless projects, meetings, and outreach efforts in support of water quality in our area. In 2008, Dan was awarded the National Distinguished Service Award for Trout Unlimited for his work in coordinating the Watershed Council's Coldwater Conservation Project.

Dan has also been an important part of my own office's water quality work, including efforts to support the new Great Lakes Restoration Initiative and deploy resources from that program in the watershed. He has worked with my office on everything from grants, to efforts to battle the invasive Asian carp, to the emerging partnership to carry out the recommendations of the Lake St. Clair Management Plan. Through it all, Dan has been an invaluable resource to my office.

Over the years, Dan has traveled the length and breadth of the watershed to speak to groups and relate the 10,000-year history of the Clinton River Watershed, telling the story about the progress that has been made from the days when the Clinton River was one of the most polluted rivers in Michigan to today when the trout and salmon have returned. He speaks of what is needed going forward to fully restore the Clinton River and address the challenges confronting this urban waterway. This is an important story. In the truest sense, Dan has been the voice for the Clinton River.

Dan and his wife Heidi are moving to the Washington area to take up their responsibil-

ities as grandparents. On behalf of myself, my staff, and everyone who has benefitted from his work, I am so pleased to join with the entire community in paying tribute to his achievements and thank him for his years of service to the watershed.

PERSONAL EXPLANATION

HON. ALLYSON Y. SCHWARTZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. SCHWARTZ. Mr. Speaker, on Wednesday, May 11, I was unable to cast my vote on rollcall vote No. 312, the Connolly of Virginia Amendment No. 2 to H.R. 1231.

Had I been present, I would have voted in favor of the amendment.

A TRIBUTE TO THE GOLD-EAGLE COOPERATIVE

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Gold-Eagle Cooperative of Humboldt for being the recipient of the Horizon Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Horizon Award is presented to a business or entity which has brightened Humboldt's horizon through building improvement. Gold-Eagle has made important commitments to the communities of Thor and Renwick over the past year and both communities have enjoyed sizeable expansion.

Mr. Speaker, I am honored to represent the members of the Gold-Eagle Cooperative in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

TRIBUTE TO ROBERT WEXLER

HON. HOWARD L. BERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. BERMAN. Mr. Speaker, I am pleased to join my colleagues, Representatives ADAM SCHIFF, BRAD SHERMAN and HENRY A. WAXMAN, as we pay tribute to Dr. Robert Wexler who is being honored by the American Jewish University.

We know firsthand of his many outstanding contributions to our community. For 18 years, Bob has been the President of the American Jewish University, where students are offered an educational setting which embraces both the history of the Jewish heritage and the skills necessary to become leaders in society. During his time at the university, Bob's many accomplishments contributed greatly to the growth and prestigious reputation of the institution. In 2007, he led the merger between Brandeis Bardin Institute and the University of Judaism, creating the American Jewish University and making it one of the largest Jewish institutions in the United States. Bob is also responsible for the establishment of the Ziegler School of Rabbinic Studies at AJU, which is the first independent conservative rabbinical school in the west. Bob is also a founder of the Whizin Center for Continuing Education.

In addition to his distinguished work as the President of AJU, Bob has been deeply involved in many charitable organizations. He has generously given his time to many of the Los Angeles Federation's commissions and committees, and has been named to Newsweek's list of America's 50 most influential rabbis, as well as Forward's list of the 50 most significant American Jewish leaders.

Mr. Speaker and distinguished colleagues, we ask you to join us in recognizing Dr. Robert Wexler for his invaluable service and dedication to the community.

A TRIBUTE TO THE LIFE AND WORK OF JOHN GILMAN

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. MOORE. Mr. Speaker, I rise to pay tribute to the life and work of John Gilman, a social justice and peace activist, author, decorated veteran and business owner. Mr. Gilman died on April 26, 2011, at the age of 90.

Mr. Gilman was one of ten children born to Jewish immigrant parents in Chester, Pennsylvania. John Gilman put his beliefs into action at an early age, leading his high school classmates in a strike. They demanded a new school building due to overcrowding that caused students to attend in shifts.

Mr. Gilman served as an infantryman in World War II and saw combat during the Allied advance into Germany. He was nominated for a Medal of Honor and awarded the Bronze and Silver Stars in addition to the Distinguished Service Cross for his exemplary service including "taking out" a German pillbox and tank.

A social activist throughout his life, he served as Executive Director of the Wisconsin Civil Rights Congress fighting against racism. He was one of the pioneers of humanitarian aid for Cuba, worked for nuclear disarmament and was an early local protestor against the Vietnam War. Mr. Gilman marched with Father James Groppi, Father Dismas Becker, and the Rev. Lucius Walker during Milwaukee's civil rights struggle. The flooring store he operated was firebombed in retaliation for his work. The grand dragon of the Illinois Ku Klux Klan was convicted in connection with the bombing.

Mr. Gilman's politics came under scrutiny in the 1950s; he was twice called before the House Un-American Activities Committee for his involvement in organizations deemed to be Communist. Gilman refused to testify or implicate anyone else pleading the 5th Amendment and displaying his military medals in a large frame to the ire of his questioners.

John Gilman's autobiography, *Footsoldier for Peace and Justice* details an amazing life and in his own words "standing up against what he thought was wrong". Mr. Gilman is survived by his wife Helen; daughters, Rose Corso and Jennifer Gilman; 2 sons, Herman and Glenn; a brother, Jack; and a sister, Edith Silverstein; grandchildren and great-grandchildren.

Mr. Speaker, Milwaukee and the country has experienced a profound loss with the passing of John Gilman. Mr. Gilman remained active almost until his death; I am proud to have called him friend. John Gilman was a true patriot understanding the turmoil of war firsthand through his honorable defense of his country but still fighting for peace because of his service. Today, I thank him and his family for their immeasurable achievements, I mourn his loss and I salute his legacy.

A TRIBUTE TO ELWIN HODGES

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Elwin Hodges for being the recipient of the Spirit Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Spirit Award is presented to a leader in the community and recognizes longtime achievement of community support or a superior effort on behalf of the Humboldt community. Elwin has consistently been finding new ways to help those around him for more than 50 years. A 55-year member of the Lions Club, Elwin recently was awarded the Lions International President's Medal, which is the second highest award a Lion can receive. He earned this award through commitment to the local vision program for school children, years of service to the Department of Social Services, donations of hundreds of pounds of vegetables to the Upper Des Moines and the Food Pantry from his own garden, and most interestingly, by inventing the hand-crafted "Fort-U-Nut" to provide thousands of messages of cheer and inspiration to those that need them most.

Mr. Speaker, I am honored to represent Elwin in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future

NATIONAL EMS WEEK

HON. DENNIS A. CARDOZA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CARDOZA. Mr. Speaker, May 15th through the 21st is National EMS Week, a week set aside to reflect upon and honor the life-saving and heroic role the Emergency Medical Services, EMS, community plays in our society. While everyone associated with the EMS system is worthy of due praise, I rise today to pay tribute to one particular segment of the EMS system.

In conjunction with EMS Week, the Association of Air Medical Services is instituting the inaugural MedEvac Hour, asking those who are participating in EMS Week to find one hour of the week to recognize the contributions of all those involved in helicopter and fixed-wing aircraft medical transport. As a co-chair of the Congressional Air Medical Caucus, I recognize the vital role the air medical community plays in this nation's health care system.

I would like to take this opportunity to especially commend the exemplary services provided to my constituents in California's 18th congressional district: PHI Air Medical of Modesto, Medi-Flight of Modesto and Merced, REACH Air Medical Services of Stockton, Sky Life Central California of Fresno, and the California Highway Patrol—Central Division. The work they do saves lives and we are grateful for it.

Numerous studies have shown that the first hour following a trauma is a critical period in determining the final health outcome of the patient. However, 46.7 million Americans live more than an hour away from a Level 1 or Level 2 trauma center. When time and distance are critical, helicopter MedEvac is the quickest and most efficient way to get critical level medical care to the patient. MedEvac helicopters are most often utilized for time-sensitive illnesses and injuries such as severe trauma, heart attacks, or strokes. In remote rural areas, MedEvac helicopters are often the only access to definitive treatment and diagnosis. It is estimated that MedEvac helicopters transport approximately 400,000 patients annually, with MedEvac fixed-wing aircraft transporting an additional 100,000-plus patients over longer distances annually.

As early as 1926, the United States Army Air Corps used a converted airplane to transport patients from Nicaragua to an Army hospital in Panama, 150 miles away. Routine MedEvac transport utilizing helicopters began during the Korean conflict in the 1950s. In March of 1970, the Maryland State Police transported the first critically injured trauma patient by helicopter in the United States. The first civilian hospital-based medical helicopter service in the United States was established in 1972 at St. Anthony's Hospital in Denver, Colorado.

As of the close of 2009, there were over 4,400 MedEvac pilots, 600 physicians, 5,500 nurses, and 5,300 paramedics/EMTs staffing MedEvac vehicles, both fixed-wing and helicopter, in the United States. These people save lives every day, providing critical level

medical care and safe, rapid transport to the most appropriate health care facility during the most dire of circumstances. In addition, we cannot overlook the many other people, from aviation mechanics to communication specialists, that play a key role in MedEvac operations.

All of the dedicated men and women of the MedEvac community deserve our heartfelt thanks. I urge all of my colleagues, during this National EMS Week, to take a moment to recognize these unsung heroes and the life-saving services the MedEvac community brings to their districts and across the nation.

HONORING MENDOTA HIGH SCHOOL CHESS TEAM

HON. JIM COSTA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. COSTA. Mr. Speaker, I rise today to congratulate the Mendota High School Chess Team, home of the mighty Aztecs, on their first place victory at the CalChess State Championships held recently in Santa Clara, California. This event drew more than 1,300 students from over 100 schools from across our great Golden State.

This victory is especially fitting as it clearly embodies the classic "underdog" tale. Mendota is not where you would normally expect to find the state's top high school chess team. As their coach Vanessa French explained, "I taught my kids a long time ago, don't be frightened by the bedazzled or the bling-bling . . . I have never told them we couldn't win."

A small agricultural community, Mendota is located in the western portion of California's Central Valley. I am proud to represent this community with its population of 10,000. Historically known for its reputation as The Cantaloupe Center of the World; sadly Mendota has recently become known to many in our nation for its chronic high unemployment rate, at times hovering near 45%. Most residents of Mendota are hard working migrant farmworkers and earn, on average, one-third of what other Californians earn. Culturally, chess is not a game played in the homes of many Mendota families, who are busy simply trying to make ends meet.

Yet, despite these tremendous odds, the students from Mendota High School returned home as state champions, winning first place in the Premier Division and earning eight team and individual medals and trophies.

Mr. Speaker, I ask my colleagues to join me in recognizing the hard work, dedication and spirit of strategic competitiveness that runs through each and every one of these impressive students. I congratulate students Julian Estrada, Chrispen Reyes, Luis Castillo, Felipe Beltran, Jessi Mendez, Kevin Romero, Sergio Mayares, Milton Arroyo, and Edwin Brioso and Coach Vanessa French on their great victory and ask that you join me in wishing continued success to all those at Mendota High School who worked so tirelessly on this victory.

A TRIBUTE TO LOIS ANN JOHNSON

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Lois Ann Johnson of Humboldt, Iowa for being the recipient of the Inspiration Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Inspiration Award is presented to an individual with a "can-do" attitude who is involved in all facets of the community both as a leader and team player. Lois was recognized for her extensive volunteer work at her local hospital auxiliary, church, and care centers, just to name a few. Lois was also recognized as a mentor at the elementary school and as president of the advisory group associated with the community's CARE team.

Mr. Speaker, I am honored to represent Lois Ann Johnson in the United States Congress. I know that my colleagues join me in commending her for her sincere dedication to establishing a better community and wish her continued success well into the future.

H.R. 1229 AND H.R. 1231

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mrs. MALONEY. Mr. Speaker, this week, the House majority is taking up legislation that helps the profits of Big Oil but does nothing to curb a future oil disaster or bring down oil and gas prices. H.R. 1229 and H.R. 1231 both greatly expand U.S. offshore drilling while removing crucial environmental safeguards and limiting oversight of the oil and gas industry. It has been a little over a year since the gulf oil spill and these bills ignore the lessons learned from this environmental and public health disaster that resulted from the explosion that took the lives of 11 Americans.

I fully support national energy policies that increase energy independence but these must be done in a way that protects our environment and uses our natural resources responsibly. It is important that any energy policies we put in place provide greater efficiency and accountability to the management and regulation of our energy resources.

That is not what the legislation before us will do. I urge my colleagues to vote "no."

TRIBUTE TO REVEREND JOSEPH D. MATHIS

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a South Carolinian who distinguished himself on the athletic field and as an educator, coach, minister and community activist. The late Reverend Joseph D. Mathis is being inducted into the South Carolina Athletic Hall of Fame on May 23, 2011, and will be honored for his lifetime of accomplishments by the Rainbow Push Coalition on May 14th. I add my voice to those honoring Reverend Mathis, who made tremendous contributions to the State of South Carolina.

Joseph Mathis was born August 28, 1922, in Cordele, Georgia, to Elnora Huggins and A.C. Mathis. He was reared in the home of his maternal grandparents, Lula Taylor Huggins and the Reverend Harrison Huggins, Sr. During the Great Depression, Reverend Mathis moved to Greenville, South Carolina with his family, where he graduated from Sterling High School. Despite the financial obstacles, help from others enabled Reverend Mathis to attend Benedict College and Allen University, where he earned a degree in History. He was a standout player and captain of the football team at Allen University, which went undefeated during the regular season of his final year.

Mathis returned to Greenville following his graduation, and took a job at his alma mater. From 1946 to 1970, Reverend Mathis taught health, physical education and social studies at Sterling High. As their coach he led the Sterling Tigers football team to regional fame and three state championships between 1946 and 1961. Reverend Mathis also served as athletic director and coached baseball, girls and boys track and basketball at Sterling High. Coach Mathis always emphasized athletic fundamentals, conditioning, and academic excellence. In 1992, he was inducted into the Piedmont Athletic Hall of Fame and was first nominated to the South Carolina Athletic Hall of Fame.

During the tumultuous years of desegregation, Reverend Mathis took on the responsibility of serving as the Assistant Principal of Greenville High School in 1970. He held that position until 1974. He later taught Social Studies at League Middle School and worked as a placement coordinator at Donaldson and Enoree Vocational Schools before retiring in 1977.

In addition to his commitment to education, Reverend Mathis was equally committed to his faith. He served as a Trustee and Sunday School Superintendent for many years at Israel CME Church in Greenville, and in 1961, he gave up full-time coaching in order to accept the call into the ministry. Reverend Mathis was ordained a Christian Methodist Episcopal minister under the pastorate of Reverend R.O. Langford at his home church. He pastored Young Laymen in the Nicholtown community for 31 years, and Mount Olive CME Church for ten years. In 1993, Reverend Mathis retired from the ministry after thirty-one years of service.

Another of Reverend Mathis' passions was civic involvement. When he earned his master's degree from Atlanta University, his master's thesis was entitled "Race Relations in Greenville, South Carolina, from 1865 through 1900, as Seen in a Critical Analysis of Greenville City Council Proceedings." His studies compelled him to organize African American voters in Greenville in the 1960s and 70s. He also served with distinction on the Greenville City Council from 1979 to 1983, where he worked to improve public transportation, to include minority contractors in public work, to bring Municipal Stadium and the Braves to Greenville, to improve police pay and to annex Verdae Place to the City of Greenville.

Reverend Mathis and Kittle Mae Avery were married in 1948, and they shared a strong union until her death in 1991. The couple had two daughters, Janice (Thaddeus) Allen and Davida (Harry) Johnson, and three grandchildren. Reverend Mathis passed away in 2002 at the age of 80, but his legacy lives on through his family and in the countless people he touched through his service over his lifetime.

Mr. Speaker, I ask you and my colleagues to join me in recognizing the remarkable life of Reverend Joseph D. Mathis. He remains a tremendous example of an unsung hero. Reverend Mathis dedicated himself without reservation to his faith, his community and his profession. He excelled in all these arenas and is a remarkable role model for future generations to follow. It is my honor to provide this posthumous recognition of his many accomplishments.

TRIBUTE TO DR. HAROLD BLACKMAN, DIRECTOR OF THE CENTER FOR ADVANCED ENERGY STUDIES

HON. MICHAEL K. SIMPSON

OF IDAHO

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SIMPSON. Mr. Speaker, I rise today to pay tribute to Harold Blackman, an Idahoan who has made a difference. When the Battelle Energy Alliance was selected by the Department of Energy to manage the Idaho National Laboratory, the contract called for the development of a research institution to link the Lab to the three Idaho state universities—the University of Idaho, Idaho State University and Boise State University. Ultimately, Dr. Harold Blackman was chosen to serve as Director of the Center for Advanced Energy Studies and a landmark institution in Idaho began to come together.

The Center for Advanced Energy Studies, or CAES as it is known in Idaho, brings INL researchers, university faculty and students, and industry together to partner in research and development activities. At the outset, Harold faced the challenge of getting the three Idaho universities to view the Lab as a partner and, perhaps the even more difficult challenge to get the three schools to work together. Previous efforts to bring our national labs and universities together in lasting partnerships have not always been successful and were it not for

Harold Blackman's patient manner and his willingness to listen, learn and implement, CAES would have been another failed attempt. Instead, CAES is a smashing success and much of the credit goes to Harold Blackman.

CAES has developed into a state of the art research facility with world class equipment that gives its researchers a competitive advantage pursuing research proposals. Also, the partnership is helping fill the pipeline for the next generation of energy professionals. At a time when Idaho, like every other state in the Union, is facing severe budgetary pressure, Governor C.L. "Butch" Otter and the Idaho Legislature have continued to provide funding to support university faculty participation in CAES. Through CAES, Idaho universities have increased the role they play supporting nuclear energy research in the US, and undergraduate and graduate student enrollment in nuclear engineering classes has soared. As a result of the expertise and credentials of the staff Harold Blackman has assembled, CAES now administers the Department of Energy's Nuclear Energy University Program which funds R&D, fellowships, scholarships, and infrastructure investments across the country. In addition to fostering a new collaborative climate between the Idaho universities, Harold Blackman and CAES were instrumental in establishing a high-speed network researchers could tap into across the state.

The Center for Advanced Energy Studies is a model for national laboratory, university and industry collaboration and Harold Blackman deserves a large amount of credit for making this institution a success. Harold will now be tackling new challenges at INL, and I am sure he will bring his exceptional professionalism, listening skills and commitment to success to these new tasks.

Thank you, Harold.

HONORING FRED DAVIS JACKSON

HON. GEORGE MILLER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. GEORGE MILLER of California. Mr. Speaker, I rise today and invite my colleagues to join me in honoring Mr. Fred Davis Jackson of Richmond, California, for his lifetime commitment to serving his community.

Fred Jackson has lived and worked in my congressional district since 1950, a veteran, having moved to Richmond from his home in Mississippi. He was born on February 6, 1938 as the eldest son of devoted and hard working parents, the late Leo Marvis Jackson, who was a seasonal construction and shipyard worker, and the late Idella Villon Jackson. Mrs. Jackson would eventually become single and took on domestic jobs to care for Fred and his three sisters and five brothers. Fred Jackson is a peacemaker, an educator, a song writer and a true community-builder, and each and every day since arriving in the Bay Area, Fred has made a decided difference in the lives of our residents.

Early on in his life, Fred Jackson recognized and celebrated the personal dignity in each in-

dividual. His work crossed all race and ethnic lines, all faiths and all ages. As a peace and social justice activist, Fred sat in at lunch counters in the South during the 1960's Civil Rights Movement and worked for peace even as he served our country in combat duty during the Vietnam War.

Fred Jackson is known throughout Contra Costa County as a dedicated advocate for our families and children. He participated in the walk from San Pablo to Sacramento with the March4Education and then fasted for 19 days with Fast4Education for more equitable school funding. Fred has been a constant anti-death penalty advocate and his work in the community on violence prevention resulted in being awarded the 2000 Peacemaker Award in Contra Costa County. Fred has also taken an active and very personal role in bettering the lives of our senior citizens. He formed critical partnerships in the community, and personally donated the land that allowed the City of Richmond to build the Trinity Plaza Housing complex for low income senior citizens.

Fred Jackson's passion for writing and poetry has led him to express his personal philosophy through the arts. As a writer, he wrote, directed and produced the play Brother Dap at the Richmond auditorium in 1994, wrote a novel An Evolution in Black and White, wrote his soon to be published reflections, Thoughts Set Free on the Wings of Expression, and has written and performed numerous songs, including "One Step at a Time," "Too Early Too Young," and "When the Ozone is Gone."

As an educator, Fred Jackson has worked for many years at Neighborhood House of North Richmond on lead abatement, HIV education, the (Healthy Eating Active Living HEAL) collaborative. Fred volunteered as a trainer of the Peace Empowerment Process for the World Wall for Peace at Helms Middle School, Crescent Park Multicultural Center, and Chris Adams Center and this year introduced a Health Covenant uniting the community and church in a fight against diabetes.

Therefore, it was without hesitation that because of Fred Jackson's commitment to social justice, I selected him to cast the December 2008 electoral vote for the 7th Congressional District certifying the election of Barack Obama as president. He was also nominated for the Sergeant Shriver Achievement Award in 2010 for his work on behalf of low income residents in North Richmond.

Fred Davis Jackson has spent his life making life better for others and he has called on us all to do the same. I invite my colleagues to stand with me and salute the work of a quiet man working tirelessly for justice and thank him for the change he has brought to our community.

A TRIBUTE TO THE GENEALOGY ASSOCIATION

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the Genealogy Association of Hum-

boldt for being the recipient of the Cooperation Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Cooperation Award is presented to an organization or entity which led an effort or event that benefited and filled a need in the community through volunteerism.

Mr. Speaker, I am honored to represent the members of the Humboldt Genealogy Association in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

TRIBUTE TO THE PARTICIPANTS OF THE VIRGINIA BEACH SPECIAL OLYMPICS

HON. E. SCOTT RIGELL

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RIGELL. Mr. Speaker, I rise today to pay tribute to the participants of Virginia's Area 2 Special Olympics competition in Virginia Beach on Saturday, May 14, 2011.

These talented and hardworking individuals deserve our honor and our congratulations as they compete and use the skills they have worked hard to develop and finesse. My wife and I consider it a high honor to attend Saturday's event, and today, I want to acknowledge each competitor.

2011 VIRGINIA BEACH SPECIAL OLYMPICS—ATHLETES

Daniel Alexander, Douglas Allred, Lara Amerson, Angela Anglen, Tyler Baird, Patrick Baker, Robert "Drew" Barnum, Tony Barrett, Kelly Bateman, Wanda Beasley, Scott Bedzik, Patrick Beil, Maggie Bell, Maggie Bellamy, Robert Bentley, Eddie Beslanovits, Katie Blind, Michael Borza, Brian Boyd, Scott Boyd, Catlin Boylan, Meghan Boylan, Jessica Boyle, Malcolm Boykins, Amy Bozeman, Kelly Bradshaw, Ronnie Bray, Charles Bryant, Ashley Buffington, Jason Buky, Barry Bunch—Emeritus, Matthew Burk, Jason Burnett, Daniel Boyter, Stephen Bradby, Lucius Brown, Tim Brown, Phillip Cabral, Richard Cameron, Anne Carey, Joe Carleaf.

Dianna Cashman, Randy Christie, Catherine Clayton, Mark Clowes, Dianna Cobb, Jay Coffield, Sharon Coffield, Chad Conner, Chris Cook, Samuel Corprew, Stephen Cox, Brian Cullipher, Collin Cunningham, Michael Daniel, Norman Derreberry, Michael Dickins, Claud "CR" Divers, Chandler Doebler, Kristen Dowdy, Neal Doyle, Kunta Drake, Nicholas Driscoll, Rachel Drake, Steven Durica, David Englin, Matthew Earnest, Sherie Elling, Edward Engelman, Samantha Errico, Richard Evans, Max Everton, Christian Felder, Lori Felts, Jackie Ferebee, Donte Fleming, Lynne

Foster, Lisa Garrison, David Gaynor, Ross Goldman, Adam Golt, Brandon Gonzales.

Phillip Gonzales, Jada Goodson, Donna Gregory, Luke Grossman, Michael Hackforth, Eric Hardin, Vanessa Harmon, Christopher Harper, Alvin Harrell, Thomas Harrell, Jeremy Harwood, Wendi Harwood, Sherri Haunton, Daniel Haynie, Brian Heald, Patrick Hennessy, Rachel Higgins, Savannah Hinegardner, Marie Hock, Troy Hoeg, Timmy Howard, Jeffrey Hutton, Gavin Ingham, Elizabeth Jackson, Haley James, Elaine Jeffers, Kelly Jones, Kenneth Johnson, Kelli Johnson, Michael Johnson, Ronald Johnson, Hartley Jordon, Maya Jubilee, Christopher Kemp, Robert Klausmeyer, Sonia Knight, Heather Knapton, Ryan Knapp, Anna Kopf, Robert Lang, Tamara Langill.

Paul Lapke, Al Lassiter, Darlene Laurent, Joey Layton, Michelle Levine, Kathleen Lewis, Anna Llewellyn, Michael Loeb, Peter Lorts, Peter Luke, Jamie Lynch, Jose Maisonave, Dominic Marinello, Damon Martone, Mark Masiko, Jonathan Maurici, Benjamin Meade, Reginald Mercer, Sarah Mielke, Charlton Miles, Amy Miller, Joe Milligan, Korben Mishoe, Eldric Mitchell, Meredith Monahan, Stacy Monroe, Melissa Moore, Nathaniel Morell, James Morter, Jean Marie Murphy, Darrin Moaton, Nicholas Morton, Joel Myers.

Darryl McCain, Ian McCullough, Scot MacEachen, Jillian MacGregor, Michael McKay, Kathryn McLaughlin, Blair McLaren, Kate McLig, Thomas McMahan, Kelly Nolan, Melanie Norris, Eric Nunn, Douglas Oatley, John Orr, Darwin Peele, Hannah Peelen, Celeste Perry, Monica Perry, Patricia Phillips, Patty Piggott, John Polfus, Michele Pollard, (Helen) Page Powell, Grant Prakkalapakorn, Sudan Ra II, John Ramsey, Rufina Ann Recator, Jeff Regan.

Amber Richard, Alexander Ripley, Tyler Robertson, Antonio Rodriguez, Cathia Romero, Cindy Romero, Jessica Rosengrant, Melissa Rowe, Errick Ruffin, John Russell, Brian Ryland, Theresa Salvato, Jennifer Savell, Katherine Schmidt, Michael Shank, Megan Shephard, Michael Shepherd, Timothy Sherman, David Simpkins, Kandie Skinner, Thomas Skinner, Andre Smith, Earl Smith, Jr., Ian Smith, Joshua Smith, Lamar Smith, Phillip Smith, Steven Smith, Hannah Spruill, Andrew Statz, John Steele, Colleen Stefanowich, Gretchen Stott.

Brooke Stowell, James Strickland, Charles Silfies, David Sutton, Brian Taylor, Donald Taylor, Raymond Taylor, James Thacker, Joshua Thacker, Travis Thereault, James Thomas, Michael Thornton, Stephen Todd, Julie Touhey, Raeleen Toupin, Harold Vanwart, William Velazquez, Timothy Voigtsberger, Alexander Ward, Stefanie Ward, Robert Webb, Todd Weeks, Melissa Weisbrodt, John Wells, Bryan Welker, Bruce Wielenbeck, Lynda Whedbee, Randolph Whitehurst.

Stephanie Whitlow, Jerri Williams, Dyshawn Williams, Jonathan Winfree, Savoyie Winstead, Vincent Woodhouse, Dylan Woodruff, Troy Green, Warren H. Lombard III, William Mason, Stephen Bradley, Reginald Turnage, Shekida Williams.

HONORING INDUSTRIES FOR THE BLIND ON THEIR 75TH ANNIVERSARY

HON. HEATH SHULER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SHULER. Mr. Speaker, I rise today to honor Industries for the Blind as it celebrates 75 years of providing employment, services, and training to individuals who are blind or visually impaired.

Industries for the Blind was founded in 1933. Since then, the organization has grown to be the largest advocacy agency for the visually impaired in the country, creating skilled job opportunities for one of America's greatest underused labor resources. Industries for the Blind gives people the confidence and independence to contribute to society and fulfill personal dreams of having a job. In so doing, they transform lives.

In my Congressional District in Western North Carolina, Industries for the Blind of Asheville has served as an important resource for 20 years. They provide much needed assistance and services such as mobile low-vision eye exams, innovative outreach programs for children and families, and optical services to our veterans. I would especially like to congratulate Industries for the Blind of Asheville on its eighth consecutive win of a Sky High Growth Award from the Asheville Area Chamber of Commerce for outstanding growth in sales and employment. The Asheville facility has increased its work force ten-fold since 1991, growing from just 9 employees to 100.

Mr. Speaker, I ask my colleagues to rise today to recognize the 75 years of civic leadership that Industries for the Blind has provided the visually impaired in Asheville, North Carolina and throughout the country. Their commitment to helping others live meaningful lives is courageous and uplifting. I am honored to celebrate Industries for the Blind's inspirational role in our community.

A TRIBUTE TO DOTTIE AND DARRELL RUSHER

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Dottie and Darrell Rusher for being the recipients of the Family Tradition Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Family Tradition Award is presented to a family who demonstrates support and devotion to the community through volunteerism. Dottie

and Darrell have truly exhibited both support and commitment to Humboldt County for many years.

Mr. Speaker, I am honored to represent Dottie and Darrell in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and I wish them continued success well into the future.

PERSONAL EXPLANATION

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, on Wednesday, May 11, 2011, I was unexpectedly detained for one vote.

Had I been present I would have voted: on rollcall No. 302—"no"—Hanabusa of Hawaii amendment No. 4, an amendment to H.R. 1229, Putting the Gulf of Mexico Back to Work Act.

CELEBRATING THE THIRD ANNIVERSARY OF THE INAUGURATION OF TAIWANESE PRESIDENT MA YING-JEUO

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RANGEL. Mr. Speaker, May 20, 2011 marks the third anniversary of the Inauguration of Taiwanese President Ma Ying-jeou.

Much has transpired in those three years. Wars continue to plague our society. However, in the Taiwan Strait, tensions have abated and much of the credit must be given to President Ma for the courageous efforts he has made to lessen the tensions between China and the Republic of China (Taiwan).

While protecting the interests of the people of Taiwan, President Ma has made marked progress in the dialogue between the People's Republic of China (mainland China) and the Republic of China (Taiwan), thereby advancing peace in the Pacific.

For this he is to be congratulated and commended and we wish him much continued success.

A TRIBUTE TO LEROY AND JAN JORGENSEN

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Leroy and Jan Jorgensen for being the recipients of the Neighborhood Beautification Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have

worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Neighborhood Beautification Award is presented to recognize an individual or group who has set an example by improving, beautifying and restoring Humboldt neighborhoods. Mr. and Mrs. Jorgensen were nominated this year because of the enjoyment the residents of Humboldt receive from their gardens. They are often kind enough to host programs on gardening to assist others beautifying their homes and neighborhoods.

Mr. Speaker, I am honored to represent Leroy and Jan in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

HONORING U.S. ARMY STAFF SERGEANT MATTHEW HERMANSON'S SERVICE IN AFGHANISTAN

HON. REID J. RIBBLE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RIBBLE. Mr. Speaker, I rise today to remember and honor the life and sacrifice of Staff Sergeant Matthew D. Hermanson of Appleton, Wisconsin, who died on April 28, 2011, in Wardak Province, Afghanistan, in support of Operation Enduring Freedom. Staff Sgt. Hermanson was assigned to A Company, 2nd Battalion, 4th Infantry Regiment, 10th Mountain Division, Fort Polk, Louisiana.

Mr. Speaker, Staff Sgt. Hermanson embodied the best qualities of a true American soldier. His service has made Northeast Wisconsin and his country proud. He was selfless, dedicated and brave. During his service, Matthew earned the respect of his peers and numerous medals and honors for valor including the Bronze Star and Purple Heart. He is remembered by his family and friends as a man of strong character, a dedicated husband and son who believed in family and community.

It is my honor to commemorate him and I urge my colleagues to join me today in honoring the life of Staff Sergeant Matthew D. Hermanson for the sacrifice he has made for the United States.

A TRIBUTE TO SALLY GORDON

HON. ADRIAN SMITH

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. SMITH of Nebraska. Mr. Speaker, I rise today in honor of Ms. Sally Gordon. At the age of 102, Sally concluded 37 years of dedicated service to the Legislature of State of Nebraska when she retired as its assistant sergeant-at-arms on April 26, 2011.

Known for colorful hats and scarves, her signature flair, Sally has a long history in Lincoln, Nebraska. She watched the Nebraska Capitol being built from 1922 to 1932 and served as secretary to three governors. But in 1984, she became an institution in the Nebraska Legislature. Sally became the state's first female sergeant-at-arms, a role she relished. She helped maintain order and deliver messages from constituents to state senators on the floor.

Sally's quick wit and sunny disposition was admired by all who met her, including myself. It was my honor to work with Sally when I served as a Nebraska State Senator because she was always friendly, helpful, and inspiring. Sally's character is best reflected when she said, "I've been working for 84 years and I've had many interesting jobs. I've met movie stars and presidents, but the people of Nebraska are the ones I love."

In 2010, Sally was named "America's Outstanding Oldest Worker" by Experience Works, and for good reason. Often called the "Energizer Bunny," Sally is a Nebraska treasure who models a productive life no matter your age.

I ask my colleagues to join me today in commending the career of Ms. Sally Gordon as she begins her well-deserved retirement.

HONORING LT. MICHAEL P. MURPHY

HON. PETER T. KING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. KING— of New York. Mr. Speaker, today I rise to honor the life of Lt. Michael P. Murphy. Lt. Murphy grew up in the Long Island town of Patchogue and fulfilled his dream of becoming a (U.S.) Navy SEAL in 2002. He served honorably in Jordan, Qatar, Djibouti, and made the ultimate sacrifice during his deployment to Afghanistan. Lt. Murphy and three of his fellow SEALs were killed during their mission to find a key Taliban commander. Lt. Murphy posthumously received the Medal of Honor for his "undaunted courage, intrepid fighting spirit, and inspirational devotion to his men in the face of certain death."

I am proud to stand with the Navy which decided to name its newest warship in honor of Lt. Murphy on what would have been his 35th birthday. The USS *Michael Murphy* DDG-112, a guided-missile destroyer, will be able to carry on the legacy of its namesake by performing a multitude of tasks including crisis management, sea control, and power projection. It will also be able to conduct air, surface, and below surface operations in support of maritime warfare.

It was fitting that the christening ceremony of the USS *Michael Murphy* occurred just one week after the successful operation to hunt down and kill Osama bin Laden. We owe a great deal of thanks to people like Lt. Murphy, the Navy SEALs, and all the men and women of our military. These brave individuals put their lives at risk everyday to keep us safe. May God Bless America and all the brave men and women who protect us at home and overseas.

A TRIBUTE TO DR. HARMON AND DR. ILLG

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize Dr. Dean Harmon and Dr. James Illg for being the recipients of the Friends of Animals Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Friends of Animals Award is presented to those whose acts of compassion ensure the health and well-being of our animal friends for conservation practices and efforts in the interest of preserving our wildlife. Doctors Harmon and Illg have consistently used their talents to support 4-H and ensure the safe purchase of auction animals in Humboldt County.

Mr. Speaker, I am honored to represent Dr. Harmon and Dr. Illg in the United States Congress. I know that my colleagues join me in commending them for their sincere dedication to establishing a better community and wish them continued success well into the future.

PRESIDENT MA YING-JEOU'S THIRD ANNIVERSARY IN OFFICE

HON. ENI F.H. FALEOMAVEGA

OF AMERICAN SAMOA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. FALEOMAVEGA. Mr. Speaker, on the occasion of President Ma Ying-jeou's third anniversary in office this May 20, I wish to express my congratulations to the leaders and the people of the Republic of China.

Mr. Ma Ying-jeou was inaugurated as President of the Republic of China on May 20, 2008. During the last three years, Taiwan President Ma Ying-jeou has steadily and dramatically improved Taiwan's relations with the Chinese mainland. There are now 370 direct flights from cities in Taiwan to cities in China every week, relaxation of China-bound investments, more visas for mainland tourists and more exchange in many areas.

Committed to pursue reconciliation with the People's Republic, President Ma believes in a systematized dialogue between the two sides, the development of healthy cross-strait relations and the advancement of regional peace and stability. He argues that Taiwan and the PRC can co-exist while maintaining their differences. A win-win situation, President Ma opines, is in the best interest of all Chinese people and the world. As a result of his vision, peace is prevailing in the Taiwan Strait today.

Business is also good for both the Taiwanese and Chinese people. Taiwan and

China inked the Economic Cooperation Framework Agreement (ECFA) last summer and President Ma has restarted the institutionalized cross-strait talks. As Members of this body, we thank President Ma for his courage and wisdom in initiating and continuing a pragmatic and yet flexible approach in handling cross-strait relations.

While cultivating a peaceful development across the Taiwan Strait, President Ma has also been working closely with the U.S. government. Our mutual relationship is strong and we applaud Taiwan's cooperation with us, especially in the war against global terrorism.

We are confident that relations with Taiwan will grow even stronger in all areas, including trade, science and technology, educational exchange, military sales and Taiwan's participation in international agencies. For the last three years, U.S.-Taiwan relations have been excellent, far superior to any period in recent memory.

I am pleased that Taiwan was once again invited to attend this year's World Health Assembly (WHA) in Geneva, Switzerland as an observer and I am hopeful that Taiwan's continued participation in the WHA will lead to Taiwan's participation in the activities of other international organizations such as the International Civil Aviation Organization (ICAO) and the United Nations Framework Convention on Climate Change (UNFCCC).

In celebrating President Ma's third anniversary in office, I credit him for these successes and join with my colleagues in extending our best wishes to him for his continued success.

RECOGNIZING ROD DOLE

HON. LYNN C. WOOLSEY

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Ms. WOOLSEY. Mr. Speaker, I rise today with my colleague, Representative MIKE THOMPSON, to honor Rod Dole of Sonoma County, California, who is retiring May 31, 2011, after 25 years as the County's Auditor-Controller. During his long tenure, Mr. Dole was responsible for overseeing a wide variety of County financial operations, including serving as Treasurer-Tax Collector when those positions were consolidated with his office 5 years ago.

With a Bachelor of Science Degree in Business Administration and certification as both an Internal Auditor and a Government Financial Manager, Rod Dole was hired as an auditor in 1976. He was appointed to the Auditor-Controller post in 1985 and subsequently elected. He continued to be re-elected by residents who appreciated his confident and sure hand in this key position. He has served in a number of related organizations including Chair of various committees in the State Auditor-Controllers and Treasurer-Tax Collector Associations, the State Controller, and the State Treasurer as well as President of the State Auditor-Controllers Association.

Locally, Mr. Dole has worked with a variety of service clubs and non-profit organizations, on the board of Redwood Credit Union, and on the boards of both the Sonoma State Uni-

versity School of Business and Economics and the President's Advisory Committee.

A man of many accomplishments in his field, he is particularly known for authoring State legislation for the "Teeter Credit" regarding property tax payments to local agencies; chairing State committees on property tax guidelines and spending limits; and most recently for administering the Sonoma County Energy Independence Program (SCEIP), a national model for a mechanism permitting loans for energy efficiency upgrades through property taxes. He advocated strongly for the program in the face of Federal restrictions on such loans, and SCEIP has won numerous awards as well as a \$3 million grant from the California Energy Commission.

It is a key component of Sonoma County's leadership in reducing greenhouse gas emissions and saving energy and has provided hundreds of local construction jobs.

Rod Dole looks forward to his retirement with Kathie, his wife of 35 years, and will have time to appreciate his cabin at Lake Almanor and his hobbies of golf, fishing, boating, tennis, and woodworking. He also has two children, Laura and Michael.

Mr. Speaker, we ask you to join us in commending Rod Dole's 35 years of service to the people of Sonoma County. We wish him an enjoyable retirement with his family.

PERSONAL EXPLANATION

HON. JEFF FORTENBERRY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. FORTENBERRY. Mr. Speaker, on Wednesday, May 11, 2011, I was inadvertently detained and thus I missed rollcall vote No. 309. Had I been present, I would have voted "aye."

A TRIBUTE TO DALLAS CLARK

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize NFL tight-end Dallas Clark for being the recipient of the Youth Champion Award at the 2011 Humboldt County Spirit Awards.

The Humboldt County Spirit Awards were established to recognize and honor outstanding groups and individuals who have worked for the benefit of all citizens of Humboldt County, to celebrate the accomplishments and activities of our communities, to acknowledge the value of volunteerism in the county, and to have a positive impact on community spirit.

Annually included in the Spirit Awards, the Youth Champion Award is presented to an adult individual who has generously given time, talent and energy to promote and further activities for youth in the community. Dallas has not only taken the time to share his talents with the youth of Humboldt County, but has also served as an exemplary role model

for the young people that he continues to inspire.

Mr. Speaker, I am honored to represent Dallas Clark and his family in the United States Congress. I know that my colleagues join me in commending Dallas for his sincere dedication to establishing a better community and wish them continued success well into the future.

HONORING THE PUERTO RICAN PHOTOGRAPHERS OF NEW YORK

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. RANGEL. Mr. Speaker, I rise today, to recognize the lasting impact of the photo-journalists of the New York City Puerto Rican Community, as recently displayed at the 2011 New York Photo Festival.

The renowned exhibition features eight photographers, who during the 1970's and 80's catalogued the daily lives and growth of their community. Frank Espada, Joe Conzo, Pablo Delano, Perla de Leon, Ricky Flores, David Gonzalez, Maximo Colon and Francisco Reyes II all became voices of the community through their art. They captured on film the diaspora that makes New York City truly special as well as the everyday pioneers whose struggles inch our nation closer to our founding ideals.

During the decades that span these photos, the Puerto Rican community in New York rose up against prejudices that prevented them from enjoying their equal rights and established a more inclusive pride in their cultural heritage. Amidst the upheaval and hardships, these photographers captured the beauty in their surroundings. Today their work reveals a unique perspective into the rise of the New York's Hispanic Community.

I have attached for the RECORD a recent Daily News article, written by Carolina Gonzalez previewing the exhibition.

Mr. Speaker, these photographers and their work must not be forgotten. Thanks to the efforts of Adriana Teresa Letorney, people from all over the district, the city, the country can discover the visual evidence of the Puerto Rican community in transition, from outcasts to vibrant, integral parts of our great nation.

[From the New York Daily News, May 11, 2011]

EXHIBIT SHOWCASES WORK OF 8 PHOTOGRAPHERS WHO DOCUMENTED PUERTO RICAN COMMUNITY IN '70S AND '80S

(By Carolina Gonzalez)

Several people carry oversize papier-mâché puppets representing the Three Wise Men while others, dressed as shepherds, herd actual sheep. They walk into one of the arched passageways along upper Park Ave., making tracks in a dusting of snow.

This scene from Día de Reyes is instantly recognizable to longtime New Yorkers familiar with El Barrio folkways. The image, taken in 1978 by Frank Espada, is representative of several dozen on display at a new exhibit dedicated to eight Puerto Rican photographers documenting their community.

Titled "Día"—not after the Spanish word for "day," but after the Greek word for

"across"—the show is presented at the FotoVisura Pavilion as part of the annual New York Photo Festival, which opens today at DUMBO Arts Center, 111 Front St., Brooklyn, and runs through Sunday.

The images are primarily from the 1970s and 1980s, set in the South Bronx, East Harlem and the lower East Side. Many were taken when the photographers were in their 20s.

"What I was looking for was a moment in time that the Puerto Rican community took a stand in who they were and started to develop its own voice," said curator Adriana Teresa Letorney.

"It's important for my generation to see that, how this group became a voice of a community."

Letorney, who arrived from San Juan eight years ago to study art, created FotoVisura, the organization sponsoring the show, as a service for new and veteran photographers, offering online space to show and share photographs.

"Dia" is her first show dedicated entirely to U.S.-based Puerto Rican photographers.

Some of Joe Conzo's shots document protests against the 1981 film "Fort Apache, the Bronx," which many community members saw as exploiting stereotypes of Bronx Puerto Ricans as savage criminals.

An image by Espada of young dancers from Ballet Hispanico, arms in the air and heads back, is as tender as any by Degas.

Some shots have elements burned into the popular imagination as representative of Puerto Rican communities: burned-out buildings, run-down businesses, dirty streets.

But as in several images by Pablo Delano, Perla de León, Ricky Flores and David González of happy children at play in these settings, it is clear that where others saw ruins, these shooters saw life.

For all the photographers, the work comes from a period when they began to see themselves as serious shooters with a responsibility to document their communities. But not all ended up as fine-arts photographers.

Flores continues to work in journalism. González is better known for his journalistic writing, primarily at the New York Times. De León is known as a filmmaker. Conzo's day job is as an emergency medical technician, although he continues to document hip-hop and salsa culture as a hobby.

Delano continues to work as a documentary photographer and as a professor at Trinity College in Hartford, Conn. And Espada, at 80 the oldest in the group, considers himself "half-retired."

The show is presented as a projected slide show, not a traditional exhibit of printed photos. "Having it be a slide show in a way represents how this was a transient stage in our lives, the impermanence of things," Flores said.

"Why aren't more people outside of our community aware of what happened? How did our history get swept away?"

TRIBUTE TO CHIEF WILLIE L. SMITH

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to a great public servant who has dedicated his entire career to protecting the public. Over the last 40 years, Chief Willie L. Smith served in the military and as a law enforcement official. His commitment to serving the public has never waned. Chief Smith is being honored for his years of service on June 18, 2011, and I am pleased to add my voice to the many who are thanking him for his lifetime of accomplishments.

Willie L. Smith was born on August 12, 1949 in Marion, South Carolina to H.B. and Ruth McCummings Smith. He was educated in the public schools of Marion County and graduated from Johnakin High School in 1967. In May 1969, he was drafted into the United States Army and reported to Fort Jackson for his advanced infantry training. After graduation, he was sent to Fort Bragg and joined the 18th Airborne Corps with B Battery, 4th Battalion, and the 73rd Field Artillery.

Chief Smith served a tour in Vietnam where he was assigned to the 1st Cavalry 2nd Brigade Aviation Platoon, the helicopter unit that flew convoy escorts and sniffer missions. He spent a year in Vietnam, and returned to his hometown in 1971. That year, he was hired at the Marion Police Department, where he worked his way up through the ranks to Lieutenant.

Smith's career then took him to the Alcohol Beverage Control Commission where he served as an ABC agent for five years. His service there earned him many honors. One of his highest commendations came for outstanding service to the South Carolina Alcoholic Beverage Control Commission for his participation in the investigation of the George Wells Gambling Organization in Berkeley County.

Mr. Smith returned home, where he was hired as Marion's Chief of Police, a position which he held for 34 years. Chief Smith earned numerous commendations, awards, and certificates. Twice he earned the Best of Marion, and was given the U.S. Marshal's Service Award, the Palmetto State Law Enforcement Award, the Marion Chamber of Commerce Award, the District 6 Service Award, and the Woodman of the World Community Service Award. He was also voted the

most professional law enforcement officer in Marion in 2007, and received the City of Marion Outstanding Public Service Award given by Mayor Bobby Gerald and the City Council.

Chief Smith is married to Elista H. Smith and they have two children, Craig L. Smith and Tara Nicole Smith-Hughes. They are also blessed with five grandchildren and one great-grandchild.

Mr. Speaker, I ask you and my colleagues to join me in congratulating Chief Smith for his 40 years of service. He has served with dignity and a great sense of duty. He regularly put his life on the line to protect others and ensure his country, his state, and his community were safe and secure. On behalf of a grateful Nation, I offer a sincere and humble thank you for his lifetime of tremendous service.

HONORING OLDER AMERICANS OF THE FIFTH CONGRESSIONAL DISTRICT OF FLORIDA

HON. RICHARD B. NUGENT

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, May 12, 2011

Mr. NUGENT. Mr. Speaker:

Whereas, May is National Elder American Month; and

Whereas, the longer, healthier lives older Americans are living have allowed them to be more engaged in our society and contribute even further to the country for which they have already given so much; and

Whereas, older Americans continue to play a significant role in supporting and enriching our communities; and

Whereas, an appreciation for seniors and the sacrifices they have made for our Nation must be reflected through our efforts to meet their needs and goals; and

Whereas, this month citizens and leaders gather to acknowledge the many ways seniors have improved the lives of Americans; and

Whereas, the Partners Club at Oak Hill Hospital is holding a special event to recognize the occasion;

Therefore, I, RICHARD B. NUGENT, Member of Congress representing the Fifth Congressional District of Florida, do hereby express my support for efforts to recognize elder Americans in Florida and across this Nation.

HOUSE OF REPRESENTATIVES—*Friday, May 13, 2011*

The House met at 9 a.m. and was called to order by the Speaker pro tempore (Mr. BISHOP of Utah).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

May 13, 2011.

I hereby appoint the Honorable ROB BISHOP to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,

Speaker of the House of Representatives.

PRAYER

Monsignor Stephen Rossetti, Associate Professor, the Catholic University of America, Washington, DC, offered the following prayer:

O God, we long for peace. Help us to become instruments of that peace. Where there is hatred, let us sow love. Where there is injury, may we bring pardon. Where there is doubt, may we bring faith. Where there is darkness, may we be light.

Let us not simply yearn for peace; let us be peace. May we be so docile to Your will that Your love, Your peace, and Your pardon flow through us.

And when this day is done, may we be one step closer to peace. May we be one step closer to our brothers and sisters. May we be one step closer to You.

As always, we thank You, we praise You, and we love You.
Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Illinois (Mr. WALSH) come forward and lead the House in the Pledge of Allegiance.

Mr. WALSH of Illinois led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to five requests

for 1-minute speeches on each side of the aisle.

TIFFANY HARTLEY

(Mr. POE of Texas asked and was given permission to address the House for 1 minute.)

Mr. POE of Texas. Mr. Speaker, on the violent Texas/Mexico border, Zeta pirates gunned down David Hartley on the international border of Falcon Lake last year. His wife, Tiffany, was able to escape the shots fired at her. This happened 8 months ago. David is one of 111 Americans murdered in Mexico last year, and none of these cases have been solved.

Tiffany was in D.C. this week trying to find out some answers about her husband's murder. She wants to know why the Federal Government is not investigating this case and also putting pressure on Mexico to do the same. Only Sheriff Sigi Gonzales of Zapata County, TX, seems to be pursuing the criminal case.

However, when ICE Agent Jaime Zapata was murdered in Mexico, the United States quickly, and rightly so, pressured Mexico to investigate the homicide. Our government should be just as concerned about David Hartley and the other Americans murdered in lawless Mexico.

Why is our government apparently missing in action?

Also, President Calderon was in D.C. this week to receive an award. Too bad he didn't stay around long enough to meet with Tiffany and explain to her why his government isn't doing anything to bring the killers of her husband to justice.

And that's just the way it is.

CONTINUED SUPPORT FOR THE STATE OF ISRAEL

(Mr. BARROW asked and was given permission to address the House for 1 minute.)

Mr. BARROW. Mr. Speaker, I rise today to express my continued support for our strongest ally in the Middle East, the State of Israel.

I recently traveled to Israel with a bipartisan group of colleagues to see firsthand the very real threats Israel faces every day. The relationship between the United States and Israel is based on a shared commitment to democratic values.

Like the United States, but to a much greater extent and for a lot longer, Israel has stood against those

who use terror against civilians as a means of bringing about political change.

Recent reports suggest that the Palestinian Authority may form a union with Hamas, a terrorist organization that intentionally targets Israeli civilians for political gain. Unless and until Hamas renounces violence and recognizes Israel's right to exist, any such union with Hamas would mean that the Palestinian Authority chooses violence and extremism over peaceful coexistence among the family of nations.

I urge all of my colleagues to stand up for Israel and to oppose any such alliance between the Palestinian Authority and Hamas.

IMMIGRATION REFORM

(Mr. WALSH of Illinois asked and was given permission to address the House for 1 minute.)

Mr. WALSH of Illinois. President Obama, why aren't you serious about securing the border? Why do you consult with Latino celebrities like Eva Longoria to get their take on immigration reform? Why do you bring up immigration reform again and again when you know there will be no reform until you secure the border?

You said the other day in Texas that Republicans wouldn't be satisfied unless you built a moat with alligators. You know what, Mr. President? A moat might not be a bad idea. And I wonder how many of these alligators it would take to secure the border?

But what will satisfy most Americans is if you'd get serious about securing the border. What will satisfy most Americans is if you'd quit campaigning on this issue and finally govern on it.

But, heck, if it will take introducing legislation calling for moats and these gators to get you to be serious about securing the borders, Mr. President, I'm game.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will remind the Members they need to address their remarks to the Chair and through the Chair.

ASSAD MUST GO

(Mr. SCHIFF asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHIFF. Mr. Speaker, the outrages perpetrated by Syrian President

Bashar Assad against his own people have laid bare his regime's total lack of legitimacy. The shelling of Homs evokes memories of the 1982 massacre at Hama, in which his father ordered the Syrian army into the rebellious city, killing up to 40,000 people.

After the elder Assad died in 2000, the new president, in interviews with western journalists, made several cautious statements that led many Syrians to believe that the new President would be willing to take at least the first steps towards democracy in their ancient land. Indeed, the first months of the new regime saw a period of intense political and social debate in Syria, which continued to some degree until the fall of 2001, when the government sharply reversed course and ended what had become known as the Damascus Spring.

Similarly, tentative Syrian cooperation in the months after 9/11 did not last, and in 2005, Syrian intelligence officers joined with Hezbollah in murdering Lebanese Prime Minister Rafic Hariri and provoking a war with Israel in the summer of 2006.

Now the Assad regime has turned on its own people who have been inspired by their fellow Arabs in Tunisia, Egypt and elsewhere.

We in Congress must use every diplomatic and economic tool to end this dictatorship. And I urge President Obama to support the Syrian people in their quest for an end to the corruption and brutality of the Assad regime.

JONESVILLE BICENTENNIAL CELEBRATION A GREAT SUCCESS

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, one of the joys of representing an area like northwest North Carolina is participating in the many unique and volunteer-powered community celebrations that happen throughout the year.

Last weekend I had the honor of attending the Jonesville Jubilee and Bicentennial Celebration that marked the town's 200th anniversary. This event celebrated the distinct history and culture of the town of Jonesville and brought out the local community to participate and recall the past.

I was very impressed by the huge array of activities, the fantastic turnout, and the volunteers who pulled this off.

The weekend-long event featured trolley car tours through Jonesville, as well as a Civil War and wagon train campsite along with Civil and Revolutionary War reenactors, the opening of the history center, a Civil War-era mill, and historic displays from communities throughout the area.

This could hardly have been a better event, and the many volunteers who made it possible are to be praised for

their dedication and hard work. It's what is so great about our country.

RELIGIOUS VIOLENCE IN EGYPT

(Mr. SIREs asked and was given permission to address the House for 1 minute.)

Mr. SIREs. Mr. Speaker, I rise today to express my outrage over this weekend's religious violence in Egypt. Despite January's inspiring calls for freedom and democracy, religious minorities in Egypt, such as the Coptic Christians, are facing increasing attacks during Egypt's transition.

On Saturday, a religious clash broke out in Cairo involving an estimated 2,000 people. In the aftermath of this weekend's sectarian violence, six Muslims and six Christians were dead.

The Coptic Christians, like all Egyptians, are demanding freedom and respect. I am concerned that even with Egypt's transition, minority rights remain extremely limited, and I believe that the interim government is not doing enough to protect the rights and lives of its citizens.

Coptic Christians deserve to live and worship without being threatened, injured or killed. Violence in the name of religion is unacceptable, but when governments do not sufficiently address such behavior, the violence is far more troubling.

The United States must stand firmly with the people of Egypt, and the U.S. assistance to Egypt must be tied to a strong respect for human rights and freedom of religion.

□ 0910

SETTING NEW PRIORITIES IN EDUCATION SPENDING ACT

(Mr. HUNTER asked and was given permission to address the House for 1 minute.)

Mr. HUNTER. Mr. Speaker, today I will introduce the Setting New Priorities in Education Spending Act, the first in a series of proposals to reform education in America.

There is an urgent need to fix what is broken in our Nation's education system. Roughly two-thirds of eighth graders lack basic reading and math skills. Only 70 percent of students graduate high school. Meanwhile, Federal education spending is at an all-time high.

The Department of Education currently administers more than 80 programs tied to K-12 classrooms. Many of these programs are duplicative, several have been deemed inefficient, and others are simply a poor use of taxpayer funds. It is time to trim the fat.

Today, I will introduce legislation that will eliminate, not consolidate and not defund, but eliminate 43 wasteful K-12 education programs. At a time when approximately one-third of Amer-

ican fourth graders can't read, we must concentrate on education initiatives that have a track record of putting the needs of the students first.

I encourage my colleagues to support the Setting New Priorities in Education Spending Act.

THANKING STATE AND FEDERAL AGENCIES FOR TORNADO RESPONSE

(Mr. BUTTERFIELD asked and was given permission to address the House for 1 minute.)

Mr. BUTTERFIELD. Mr. Speaker, I rise to again thank all of the agencies, both State and Federal, that have responded to the devastation caused by the April 16 tornados in my district in eastern North Carolina. Their response has been effective, and we are on the road to recovery.

I also thank President Obama for his quick response in issuing his Presidential declaration declaring these areas a disaster. One of my constituents called it Obamacare. I choose to call it Presidential leadership.

As we go back to our districts today, I urge my colleagues to listen to the demands of the American people that we work together in a bipartisan manner to meet the great challenges of our day. We will never get the Federal budget in balance until Democratic and Republican leaders sit together, reconcile their differences, and take bold steps.

I urge my colleagues to stop telling their constituents that we will balance the budget by simply cutting non-defense discretionary spending. That is doing a disservice to your constituents and to mine.

Please have a productive work period. Let's return on May 23 and begin that process.

RECOGNIZING RHODE ISLAND'S KATHLEEN DEVLIN AND JAMES SILVESTRI

(Mr. CICILLINE asked and was given permission to address the House for 1 minute.)

Mr. CICILLINE. Mr. Speaker, I rise today to recognize Rhode Island's Small Business Person of the Year, Kathleen Devlin, who owns and operates All About Home Care in Middletown, Rhode Island.

The company provides seniors with the opportunity to live at home in their golden years and offers additional assistance for people who have moved to an assisted living residence or a nursing home.

All About Home Care deserves the national recognition, because not only are they putting people back to work and growing their operations, but they are helping our seniors in Middletown, Newport, and Bristol live independently at the same time.

I also congratulate Rhode Island business owner James Silvestri, the recipient of the U.S. Small Business Administration's 2011 Phoenix Award for Small Business Disaster Recovery.

Mr. Silvestri was recognized for his efforts to rebuild his business while helping his economy recover as a volunteer firefighter following the April 2010 floods in Rhode Island.

I commend these small business owners for their great contributions to Rhode Island's economy and am pleased to join the U.S. Small Business Administration in honoring their work.

GENERAL LEAVE

Mr. REED. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 754.

The SPEAKER pro tempore (Mr. POE of Texas). Is there objection to the request of the gentleman from New York?

There was no objection.

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

The SPEAKER pro tempore. Pursuant to House Resolution 264 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 754.

□ 0915

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, with Mr. BISHOP of Utah (Acting Chair) in the chair.

The Clerk read the title of the bill.

The Acting CHAIR. When the Committee of the Whole rose on Thursday, May 12, 2011, a request for a recorded vote on amendment No. 8 printed in House Report 112-75, offered by the gentleman from Delaware (Mr. CARNEY), had been postponed.

AMENDMENT NO. 9 OFFERED BY MR. REED

The Acting CHAIR. It is now in order to consider amendment No. 9 printed in House Report 112-75.

Mr. REED. Mr. Chairman, I have an amendment at the desk.

The Acting CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end of the bill, add the following new title:

TITLE V—HONORING THE MEMBERS OF THE INTELLIGENCE COMMUNITY FOR THEIR ROLE IN THE MISSION THAT KILLED OSAMA BIN LADEN ON MAY 1, 2011

SEC. 501. HONORING THE MEMBERS OF THE INTELLIGENCE COMMUNITY FOR THEIR ROLE IN THE MISSION THAT KILLED OSAMA BIN LADEN ON MAY 1, 2011.

Congress—

(1) commends the men and women of the intelligence community for the tremendous commitment, perseverance, professionalism, and sacrifice they displayed in bringing Osama bin Laden to justice;

(2) commends the men and women of the intelligence community for committing themselves to defeating, disrupting, and dismantling al Qaeda; and

(3) reaffirms its commitment to using the capabilities and skills of the intelligence community to—

(A) disrupt, dismantle, and defeat al Qaeda and affiliated organizations around the world that threaten the national security of the United States;

(B) eliminate safe havens for terrorists in Afghanistan and Pakistan; and

(C) bring terrorists to justice.

The Acting CHAIR. Pursuant to House Resolution 264, the gentleman from New York (Mr. REED) and a Member opposed each will control 15 minutes.

The Chair recognizes the gentleman from New York.

Mr. REED. Mr. Chairman, I rise today to join with my colleague, the gentleman from New York (Mr. GRIMM), to offer an amendment honoring the brave members of the intelligence community for their role in the mission that killed Osama bin Laden on May 1, 2011.

As we all know, Osama bin Laden was killed on May 1 by members of the SEAL team 6. The heroics of this SEAL team have been well documented in the press over the past weeks, but the work of other professionals in the intelligence community is less well known and has received less attention.

Bringing Osama bin Laden to justice was the result of over 10 years of hard work and dedication. This historic operation was truly a team effort and an achievement shared by members of every intelligence agency and our entire Armed Forces.

The diligent, painstaking work of our intelligence services made possible the recent successful action carried out by our military against Osama bin Laden. For this reason, Mr. GRIMM and I feel the intelligence community is also deserving of recognition as a whole. They worked long hours in distant parts of the world, far from their families, far from their friends, to keep our country safe.

When the members of the American intelligence community do their job, no one really knows about it. They are silent warriors who keep us safe. They are deserving of our deepest gratitude.

Mr. Chairman, this amendment does exactly that. It commends our intel-

ligence community for a job well done in bringing Osama bin Laden to justice. Thanks to the diligence of these intelligence professionals, the world is a safer place without Osama bin Laden.

Mr. Chairman, even though Osama bin Laden has been brought to justice, the war on terror is not over. This amendment commends the men and women of the intelligence community for committing themselves to defeating, disrupting, and dismantling al Qaeda and all terrorist organizations that will do harm to our great Nation.

This amendment also reaffirms our commitment to using the capabilities and skills of the intelligence community to disrupt, dismantle, and defeat terrorism once and for all from the face of this earth.

Mr. Chairman, I urge my colleagues to vote "yes" on this amendment.

I reserve the balance of my time.

Mr. RUPPERSBERGER. Mr. Chairman, I rise to claim the time in opposition to this amendment, even though I am not opposed to Mr. REED's amendment.

The Acting CHAIR. Without objection, the gentleman from Maryland is recognized for 15 minutes.

There was no objection.

Mr. RUPPERSBERGER. The killing of Osama bin Laden was a great achievement for our intelligence professionals, who have been working to eliminate this threat to our national security for years.

Osama bin Laden was a terrorist leader who was responsible for killing thousands of innocent Americans, moms, dads, brothers, sisters, friends, and loved ones. As we all know, 9/11 changed America forever.

On May 1, 2011, our military and intelligence professionals took extraordinary steps. People from the CIA, NSA, NGA, and elsewhere worked together as a team to get this job done. The mission was risky, but it was executed with great skill and precision. These professionals risked their lives to keep the country safe, and no Americans were lost.

The men and women who carried out this operation exemplify the extraordinary courage of those who serve our Nation, including our special operations.

The countless intelligence and counterterrorism professionals who have pursued bin Laden for years have the satisfaction of a job well done. I am glad we are able to honor those intelligence professionals in this Intelligence Authorization Act, including the military professionals. A grateful Nation thanks them for their service.

I reserve the balance of my time.

□ 0920

Mr. REED. Mr. Chairman, at this time I am glad to yield such time as he may consume to my great colleague from New York (Mr. GIBSON).

Mr. GIBSON. I thank the gentleman for yielding.

It is great to be here on the floor today. And I see we have the chair and the ranking member of the Intelligence Committee today too. It is an honor to be in their presence.

We are here today with this amendment to commend and honor the hard-working professionals in our intelligence community on the successful operation against Osama bin Laden, the leader of al Qaeda, who attacked our country on the 11th of September of 2001.

From my experiences in the Army deployed forward in Iraq, I know counterinsurgency and counterterrorism operations are difficult, complex, and require detailed analytical work to establish patterns of life, target development, situational awareness and understanding. Fortunately for us, we have the very best. From the tactical to the operational to the strategic level, our intel community is filled with incredibly talented people, the strength of any organization.

Recently, I had the opportunity to meet with the Director of the CIA and the Director of the FBI to hear from them and to praise those who work in those organizations, and today we expand that to all those involved in the intelligence community: in uniform, out of uniform, here in the Congress, all the way across.

Going forward, we know that we are going to need organizational changes to consolidate the intel community which has grown significantly since the 11th of September; but, fortunately for us, we have the smartest, the most knowledgeable professionals in the world who will help us make those reforms so we can continue to protect our cherished way of life.

So once again, congratulations to all those who serve in the intelligence organizations. I urge my colleagues to support this amendment, and may God bless America.

Mr. RUPPERSBERGER. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. NADLER).

Mr. NADLER. Mr. Chairman, I rise in support of the Grimm-Reed amendment to commend our intelligence community for their role in eliminating Osama bin Laden.

Mr. Chairman, the killing of Osama bin Laden is the most significant victory over our most significant enemy. It deserves recognition in the Halls of Congress. That is why I was disappointed that the House Republican leadership chose not to bring up something similar to Senate Resolution 159. That resolution recognizes the hard work by all facets of our government, from the President to the military to the intelligence community. It honors the victims of 9/11 and their families, and it is bipartisan, having passed the Senate 97-0.

I felt this type of resolution would be an appropriate vehicle with which to commend those responsible for the death of bin Laden, so I filed it as an amendment with the Rules Committee. But it was held not to be germane.

I also filed the more narrow, more germane version with the Rules Committee, a version that commended only the members of the intelligence community who played a role in the operation. The amendment before us from Representatives GRIMM and REED is identical word for word to the version I originally filed with the Rules Committee, and I am gratified that they saw the merit in the wording that we drafted. While it does not adequately honor all those responsible for our great victory over al Qaeda, the President and the military in addition to the intelligence community, it does allow the House to express its appreciation and commendation to the intelligence community, and therefore I support it.

The recent death of Osama bin Laden is a measure of justice that was long overdue. Hopefully, it will bring some comfort to the victims of 9/11 and their families, many of whom live in my district where the World Trade Center was, of course, located.

I ask all Members to support the amendment.

Mr. REED. Mr. Chairman, I yield such time as he may consume to the chairman of the Intelligence Committee, my colleague from Michigan (Mr. ROGERS).

Mr. ROGERS of Michigan. Thank you very much.

And I congratulate Mr. REED on the amendment. I think it is wholly appropriate that we commend all of the intelligence services and our elite Special Forces who participated in bringing Osama bin Laden to justice. And it really wasn't a victory over one person or one leader, but a blow to the entire network, to the belief system of those that believe violence, killing innocent men, women and children of all religions, is a way to promote your political gains.

If you think about the incredible accomplishment that happened after, and started really after 9/11, we had to make up for huge gaps in humint intelligence. And through the help of this body and this Congress and President Bush and then on to President Obama, we began to reassemble the abilities and capabilities of our intelligence community. Through interrogations, information was developed about how al Qaeda works and we understood its logistics, how it finances and recruits and moves people, how it recruits people to do suicide bombings, how it plans operations. All of that came in the early days.

Then 5 years ago through an integration, there was a little piece of information, a nickname applied to an alias

with someone who was hanging around other folks who were probably using nicknames applied to an alias who may be a courier for Osama bin Laden. And through all of our collection agencies, signals intelligence, satellite intelligence, other forms of intelligence, a case was slowly and surely developed that finally allowed, with a few lucky breaks and some great determination from our intelligence community, the ability to locate the place where they believed Osama bin Laden was hiding out. Once that was determined, they brought in our Special Forces community, who did an exceptional and superb job in bringing him to justice in what was a difficult situation.

So I want to compliment Mr. REED and Mr. GRIMM for bringing this amendment forward to give a small sense of recognition to all of the work on behalf of the entire intelligence and Special Forces community, and the soldiers too who risked their lives in holding ground in places like Afghanistan to reestablish security there so that al Qaeda won't find safe haven there when they leave. All of those things and all of those capabilities are incredibly important. All of that service and all of that sacrifice led to last Sunday's successful event.

Let us not forget, al Qaeda may be hurt, they have lost their operational and inspirational leader; but they are not down. This is not the time to back off. This is not the time to say that we should do other things or maybe we shouldn't be places at all. This is the time to step on the gas and break the back of al Qaeda as a threat to the world as we move forward.

Again, I want to congratulate Mr. REED and Mr. GRIMM, and I wholeheartedly support this amendment.

Mr. RUPPERSBERGER. First, I thank the chairman for his comments. We will work together on behalf of our country. It was a great day for America when we brought bin Laden to justice. I think we can be proud of the accomplishments of our intelligence community, our military, all Americans that were involved in helping to bring this individual to justice.

As the chairman said, we have a lot more to do. But let the word go out to the world that if you come and you attempt to attack or kill Americans, we will find you and we will bring you to justice.

I yield back the balance of my time.

Mr. REED. Mr. Chairman, I want to again, in closing, offer my support for this amendment. But I want to make sure the record is extremely clear.

When Mr. NADLER, in his comments, commenting on his support of this amendment, indicated that the Rules Committee was going to rule his proposed amendment out of order for being non-germane, as a member of the Rules Committee, I know that the chairman of the Rules Committee had

indicated that he was more than willing to accept Mr. NADLER's amendment, germane amendment, but that amendment was withdrawn by Mr. NADLER.

So I want the record to be very clear that we on this side of the aisle were ready and very eager to support the amendment offered by Mr. NADLER. And Mr. GRIMM and I sought to make sure that this amendment was brought to the floor of this House, because it is right to stand here on this floor to recognize the intelligence community that had such a great success in the taking and bringing to justice of Osama bin Laden.

So we ask that the record be clear on the issue and that all of our colleagues rise today, and across the Nation, and take a moment to recognize and applaud the efforts of our intelligence community; that the men and women who work day in and day out in silence, with little recognition, are recognized for at least one moment here on the floor of the House and in the official records of this great body for the great work that they do, and we applaud and we will always remember and honor that work on a regular basis in our thoughts and in our prayers.

So I urge my colleagues to join us and support this amendment.

Ms. HAYWORTH. Mr. Chair, I rise today in strong support of the amendment offered by Mr. GRIMM commending our intelligence services' "commitment, perseverance, professionalism, and sacrifice they displayed in bringing Osama bin Laden to justice."

Mr. Speaker, it is clear that the effort to bring Osama bin Laden to justice was the result of countless hours of intelligence gathering, analysis, sharp thinking, skilled interrogation, and mission execution. The men and women who serve in our intelligence services, often anonymously, are true professionals, and they deserve our utmost thanks and gratitude.

I would also like to take this opportunity to commend President Obama for his leadership in overseeing the mission that brought Osama bin Laden to justice, and Leon Panetta for his stewardship of the Central Intelligence Agency.

The death of Osama bin Laden closes a painful chapter in our Nation's history. While I hope that the victims of, not only 9/11, but the countless other acts of murder, terror, and brutality he perpetrated can find some solace in his demise. But two headlines today remind us of the challenges that we still face in the threat of terror.

In Islamabad today, a pair of suicide bombers struck paramilitary recruits at a training center in northwestern Pakistan, killing at least 80 people. And in New York City on Wednesday two individuals were arrested with a hand grenade, three semiautomatic pistols, 150 rounds of ammunition, and intentions to blow up a synagogue.

The fight against terror is ongoing, and because of the tireless work of our intelligence agencies, we have not had a single deadly act of terror perpetrated on U.S. soil since 9/11.

Our neighbors abroad have, unfortunately, not fared as well, as the attacks in Pakistan remind us.

There is a reason for this, and it is the professionalism, patriotism, and perseverance of the professionals in our intelligence services. I again commend them for a job well done in bringing Osama bin Laden to justice, and wish them godspeed as they continue to protect our Nation.

Mr. WOLF. Mr. Chair, I rise in strong support of this amendment to recognize the remarkable work done by Federal employees in the intelligence community and by our Federal law enforcement officers. Their tireless work over the last 10 years led to finding Osama bin Laden and the raids on his compound which resulted in his death—an extraordinary victory in the War on Terror.

This important victory has come at a great cost to the brave men and women in our intelligence community and Federal law enforcement communities and their families. The first American killed in Afghanistan after 9/11, Mike Spann, was a CIA agent and a constituent from my congressional district. In January 2010, I attended funerals for some of the seven CIA agents who were killed by a Taliban suicide bomber at Forward Operating Base Chapman near the Afghanistan-Pakistan border.

As we recognize this important victory, we must also remember those Federal employees in our intelligence and Federal law agencies who continue to risk their lives every day on the front lines side by side with our Armed Forces in Iraq, Afghanistan, and other fronts in the Global War on Terror. The American people appreciate their sacrifice and tireless work to protect our country.

Mr. GRIMM. Mr. Chair, I rise today to offer an amendment honoring the brave members of the intelligence community, military and civilian, for their role in the mission that killed Osama bin Laden on May 1st, 2011.

On September 11th, 2001, Osama bin Laden and members of his terrorist network struck at the heart of our Nation, carrying out attacks that took the lives of nearly 3,000 innocent Americans in New York, Virginia and Pennsylvania.

Of those killed, 2,752 were in my hometown of New York City, including over 400 Firefighters, Police Officers and First Responders. The largest percentage of these Americans, and their families, called my district of Staten Island and Brooklyn home.

So I have good reason to stand here today and congratulate the men and women of our intelligence community for the role they played in locating and killing Osama bin Laden, a man who was the embodiment of evil and oppression.

To this day the wounds of 9/11 still run deep within all our communities: every night in my district, families sit down to dinner at tables with empty chairs and children grow up without their parents.

I stand before you today to give voice to all those who demanded justice. I speak for them when I express our profound gratitude to the members of our intelligence community for their commitment to making sure Osama bin Laden received the proper punishment he was long overdue.

The result of over 10 years of hard work and dedication, this historic operation was truly a team effort and an achievement shared by the members of every intelligence agency and our Armed Forces.

But we must remember those who put the pieces together to make this possible. Intelligence gathered from detainees played an important role in the successful takedown of bin Laden. While we're all congratulating the CIA and everyone else responsible for this victory, we must recognize that behind the scenes the Department of Justice is still considering prosecution of CIA interrogators who most likely gathered pieces of the important information that helped us find bin Laden, using techniques that were authorized by the Department of Justice, 9 years earlier. You can't have it both ways.

The members of America's intelligence community are faceless warriors whose heroic accomplishments rarely see the light of day. They deserve our undying gratitude for their role in this extraordinary mission and deserve our praise, not prosecution.

With mission and purpose, they have reaffirmed America's commitment to follow those who wish to do us harm to the ends of the earth in the pursuit of justice. After the attacks of 9/11 the American people have demanded nothing less, and I am proud to commend them on a job well done.

Mr. DREIER. Mr. Chair, earlier today, the gentleman from New York, Mr. NADLER, expressed his frustration that the Committee on Rules excluded his two amendments from consideration on the House floor. In order to clarify the record, I submit a May 11, 2011, letter from Mr. NADLER stating that he wished to withdraw the two amendments that he referenced on the House floor. While one of Mr. NADLER's amendments was not germane to the bill it was my intention, prior to Mr. NADLER withdrawing his amendments from consideration, to recommend to the Committee on Rules that it make Mr. NADLER's germane amendment, No. 13, in order for consideration on the House floor.

After Mr. NADLER withdrew his amendments, Mr. GRIMM (R-NY) and Mr. REED (R-NY) offered identical text to the amendment No. 13 previously submitted by Mr. NADLER. I would also like to submit for the RECORD a statement by Mr. GRIMM expressing his support for the original NADLER amendment and his request to have this very timely and appropriate debate occur on the House floor.

I would like to thank our newest member of the Rules Committee, Mr. REED of New York, for his work in championing this amendment and expressing the very heartfelt views of so many of all of our constituents across the country. It was for these reasons that the Rules Committee made in order the Grimm-Reed amendment.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2011.

Hon. DAVID DREIER,
Chairman, House of Representatives, Washington, DC.

Hon. LOUISE M. SLAUGHTER,
Ranking Member, House of Representatives, Washington, DC.

DEAR CHAIRMAN DREIER AND RANKING MEMBER SLAUGHTER: Yesterday I submitted two

amendments to H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011. I am writing to withdraw from consideration both amendments, Nadler-Bishop-Slaughter-Owens Amendment #2, NADLER_025.XML, and Nadler-Bishop-Slaughter-Owens Amendment #1, NADLER_024.XML.

Please let me know if you have any questions. Thank you for your time and attention.

Sincerely,

JERROLD NADLER,
Member of Congress.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2011.

I respectfully request that the Committee on Rules make in order my amendment #22 to the Intelligence Authorization Act for Fiscal Year 2011. The amendment is identical to an amendment previously submitted by Mr. Nadler, my colleague from New York, which I attempted to cosponsor. Unfortunately, Mr. Nadler withdrew his amendment #13 before I was able to be added as a cosponsor of the amendment. I remain committed to the amendment and that is why I have submitted the identical language under my name. As well, I am proud to be joined on this amendment by my colleague from New York, Mr. Reed, who is a strong voice on the Rules Committee for the citizens of his district and the entire State of New York. The language was kept intentionally restricted to be germane to the underlying bill. Thank you for your consideration.

MICHAEL G. GRIMM,
Member of Congress.

Mr. NADLER. Mr. Chair, I rise reluctantly to correct the RECORD.

Mr. REED and Mr. DREIER appear to be confused. What they said about my remarks regarding my two amendments to H.R. 754 is false.

The source of my dissatisfaction was not that the Rules Committee was going to rule one or both of my amendments out of order. I was not frustrated with the Rules Committee for any reason.

My dissatisfaction stems from the refusal of the House Republican leadership to bring something like Senate Resolution 159 to the House Floor. This bipartisan resolution passed the Senate 97 to 0 and provided recognition for everyone involved in the death of Osama bin Laden. Passing something akin to Senate Resolution 159 in the House would have been the best way to mark this momentous occasion and, as such, I filed the same text as an amendment with the Rules Committee. Unfortunately, this amendment is not germane, a fact Mr. DREIER acknowledges. I withdrew that amendment before consideration by the Rules Committee.

I also filed a second, narrower amendment with the Rules Committee, based on Senate Resolution 159, that is germane to H.R. 754. That germane version is identical to the amendment offered today by Mr. REED. As I said earlier on the House Floor, I did not feel that such a narrow amendment adequately honors all of those responsible for eliminating bin Laden. I decided not to pursue my version of this amendment and thus I withdrew it from consideration by the Rules Committee. I never made any comments as to whether the Rules Committee was going to say this narrower amendment was or was not germane or was

or was not in order before I withdrew it. I support Mr. REED's amendment because at least it gives the House some chance to say thank you to our intelligence services.

Additionally, Mr. DREIER submitted to the CONGRESSIONAL RECORD the letter I filed with the Rules Committee asking that both of my amendments be withdrawn. However, for some reason only part of my letter was incorporated. I am including with my remarks the complete text of the letter I filed with the Rules Committee.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, DC, May 11, 2011.

Hon. DAVID DREIER,
Chairman, House of Representatives, Committee on Rules,
Washington, DC.

Hon. LOUISE M. SLAUGHTER,
Ranking Member, House of Representatives,
Committee on Rules,
Washington, DC.

DEAR CHAIRMAN DREIER AND RANKING MEMBER SLAUGHTER: Yesterday I submitted two amendments to H.R. 754, the Intelligence Authorization Act for Fiscal Year 2011. I am writing to withdraw from consideration both amendments, Nadler-Bishop-Slaughter-Owens Amendment No. 2, NADLER_025.XML, and Nadler-Bishop-Slaughter-Owens Amendment No. 1, NADLER_024.XML.

Please let me know if you have any questions. Thank you for your time and attention.

Sincerely,

JERROLD NADLER,
Member of Congress.

□ 0930

Mr. REED. I yield back the balance of my time.

The Acting CHAIR. The question is on the amendment offered by the gentleman from New York (Mr. REED).

The question was taken; and the Acting Chair announced that the ayes appeared to have it.

Mr. REED. Mr. Chairman, I demand a recorded vote.

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

ANNOUNCEMENT BY THE ACTING CHAIR

The Acting CHAIR. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments printed in House Report 112-75 on which further proceedings were postponed, in the following order:

Amendment No. 1 by Mr. ROGERS of Michigan.

Amendment No. 5 by Mr. GIBSON of New York.

Amendment No. 7 by Mr. HINCHEY of New York.

Amendment No. 8 by Mr. CARNEY of Delaware.

Amendment No. 9 by Mr. REED of New York.

The Chair will reduce to 5 minutes the minimum time for any electronic vote after the first vote in this series.

AMENDMENT NO. 1 OFFERED BY MR. ROGERS OF MICHIGAN

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Michigan (Mr. ROGERS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 224, noes 174, not voting 33, as follows:

[Roll No. 323]

AYES—224

Adams	Fox	Manzullo
Aderholt	Franks (AZ)	Marchant
Akin	Frelinghuysen	Marino
Altmire	Gallegly	McCarthy (CA)
Amash	Gardner	McCaul
Austria	Garrett	McClintock
Bachmann	Gerlach	McCotter
Bachus	Gibbs	McHenry
Barletta	Gibson	McKeon
Bartlett	Gingrey (GA)	McKinley
Barton (TX)	Gohmert	McMorris
Bass (NH)	Goodlatte	Rodgers
Benishek	Gosar	Meehan
Berg	Gowdy	Mica
Biggart	Granger	Miller (FL)
Bilirakis	Graves (GA)	Miller (MI)
Bishop (UT)	Graves (MO)	Miller, Gary
Black	Griffin (AR)	Mulvaney
Blackburn	Griffith (VA)	Murphy (PA)
Bonner	Grimm	Myrick
Bono Mack	Guinta	Neugebauer
Boustany	Guthrie	Noem
Brady (TX)	Hall	Nugent
Braley (IA)	Hanna	Nunes
Brooks	Harper	Nunnelee
Brown (GA)	Harris	Olson
Buchanan	Hartzler	Palazzo
Bucshon	Hayworth	Paulsen
Buerkle	Heck	Pearce
Burgess	Hensarling	Peters
Burton (IN)	Herger	Petri
Calvert	Herrera Beutler	Pitts
Camp	Himes	Poe (TX)
Campbell	Huelskamp	Pompeo
Canseco	Huizenga (MI)	Posey
Cantor	Hultgren	Price (GA)
Capito	Hunter	Quayle
Carter	Hurt	Reed
Cassidy	Issa	Rehberg
Chabot	Jenkins	Reichert
Coble	Johnson (IL)	Renacci
Coffman (CO)	Johnson (OH)	Rigell
Cole	Jones	Rivera
Conaway	Jordan	Roby
Cravaack	Kelly	Roe (TN)
Crawford	King (NY)	Rogers (AL)
Crenshaw	Kingston	Rogers (KY)
Culberson	Kinzinger (IL)	Rogers (MI)
Davis (KY)	Kissell	Rohrabacher
Dent	Kline	Rokita
DesJarlais	Labrador	Ros-Lehtinen
Diaz-Balart	Lamborn	Ross (FL)
Dold	Lance	Royce
Dreier	Landry	Runyan
Duncan (SC)	Lankford	Ryan (WI)
Duncan (TN)	LaTourette	Scalise
Ellmers	Latta	Schilling
Emerson	Lewis (CA)	Schmidt
Farenthold	LoBiondo	Schock
Fincher	Long	Schweikert
Fitzpatrick	Lucas	Scott (SC)
Flake	Luetkemeyer	Scott, Austin
Fleischmann	Lummis	Sensenbrenner
Fleming	Lungren, Daniel	Sessions
Forbes	E.	Shimkus
Fortenberry	Mack	Shuster

Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southernland
Stearns
Stivers
Stutzman
Sullivan
Terry

NOES—174

Ackerman
Andrews
Baca
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Brown (FL)
Butterfield
Capps
Capuano
Carnahan
Carney
Carson (IN)
Castor (FL)
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Cohen
Connolly (VA)
Conyers
Cooper
Costa
Costello
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeFazio
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr
Fattah
Filner

NOT VOTING—33

Alexander
Bilbray
Brady (PA)
Cardoza
Chaffetz
Denham
Duffy
Flores
Garamendi
Giffords
Hastings (WA)

□ 1003

Ms. BASS of California, Messrs. JACKSON of Illinois, QUIGLEY, BARROW, CARSON of Indiana, Ms. ESHOO, and Mr. HINCHEY changed their vote from “aye” to “no.”

Messrs. MARCHANT, FLEISCHMANN, HUELSKAMP, and GINGREY

West
Westmoreland
Whitfield
Womack
Woodall
Yoder
Young (FL)
Young (IN)

Owens
Pallone
Pascrell
Pastor (AZ)
Payne
Perlmutter
Peterson
Pingree (ME)
Polis
Price (NC)
Quigley
Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Sánchez, Linda
T.

Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, David
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Tierney
Tonko
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Woolsey
Wu
Yarmuth

of Georgia changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:

Mr. ROONEY. Mr. Chair, on rollcall No. 323, I was unavoidably detained. Had I been present, I would have voted “aye.”

Mr. LATHAM. Mr. Chair, on rollcall No. 323, I was unavoidably detained. Had I been present, I would have voted “aye.”

AMENDMENT NO. 5 OFFERED BY MR. GIBSON

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. GIBSON) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 278, noes 123, not voting 30, as follows:

[Roll No. 324]

AYES—278

Adams
Aderholt
Akin
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Barletta
Bartlett
Bass (NH)
Benishak
Berg
Biggart
Bilirakis
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boswell
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capuano
Carnahan
Carney
Carter
Cassidy
Chabot
Cicilline
Clarke (MI)
Clyburn

Coble
Coffman (CO)
Cole
Conaway
Connolly (VA)
Cooper
Costa
Costello
Cravaack
Crawford
Crenshaw
Culberson
Davis (KY)
DeFazio
Dent
DesJarlais
Diaz-Balart
Dold
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Ellmers
Emerson
Farenthold
Fincher
Fitzpatrick
Flake
Fleischmann
Fleming
Forbes
Fortenberry
Foxy
Franks (AZ)
Frelinghuysen
Gallegly
Gardner
Garrett
Gerlach
Gibbs
Gibson
Gingrey (GA)
Gohmert
Goodlatte
Gosar
Gowdy
Granger
Graves (GA)
Graves (MO)

Latta
Lewis (CA)
Lipinski
LoBiondo
Long
Lucas
Luetkemeyer
Lummis
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Marino
Matheson
McCarthy (CA)
McCaul
McClintock
McCotter
McGovern
McHenry
McIntyre
McKeon
McKinley
McMorris
Rodgers
Meehan
Mica
Michaud
Miller (FL)
Miller (MI)
Miller, Gary
Mulvaney
Murphy (PA)
Myrick
Neal
Neugebauer
Noem
Nugent
Nunes
Nunnelee
Olson
Owens
Palazzo

Pallone
Paulsen
Pearce
Pence
Perlmutter
Peters
Petri
Pitts
Platts
Poe (TX)
Polis
Pompeo
Posey
Price (GA)
Quayle
Rahall
Reed
Rehberg
Reichert
Renacci
Richardson
Richmond
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock
Schrader
Schweikert
Scott (SC)
Scott (VA)

NOES—123

Ackerman
Baldwin
Barrow
Bass (CA)
Becerra
Berkley
Berman
Bishop (GA)
Boren
Braley (IA)
Brown (FL)
Butterfield
Capps
Carson (IN)
Castor (FL)
Chandler
Chu
Clarke (NY)
Clay
Cleaver
Cohen
Conyers
Courtney
Critz
Crowley
Cuellar
Cummings
Davis (CA)
Davis (IL)
DeGette
DeLauro
Deutch
Dicks
Dingell
Doggett
Donnelly (IN)
Doyle
Edwards
Ellison
Engel
Eshoo
Farr

NOT VOTING—30

Alexander
Barton (TX)
Bilbray
Brady (PA)

Cardoza
Chaffetz
Denham
Flores

Scott, Austin
Scott, David
Sensenbrenner
Sessions
Shimkus
Shuler
Shuster
Simpson
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Southernland
Stearns
Stutzman
Sullivan
Sutton
Terry
Thompson (MS)
Thompson (PA)
Thornberry
Tiberi
Tipton
Tonko
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
Weiner
Welch
West
Westmoreland
Whitfield
Womack
Woodall
Wu
Yarmuth
Yoder
Young (FL)
Young (IN)

Nadler
Napolitano
Olver
Pascarell
Payne
Peterson
Pingree (ME)
Price (NC)
Quigley
Rangel
Reyes
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schwartz
Sewell
Sherman
Sires
Stark
Thompson (CA)
Tierney
Towns
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Wilson (FL)
Woolsey

Johnson, E. B.
Johnson, Sam
King (IA)
Lofgren, Zoe
McCarthy (NY)
Pastor (AZ)

Paul
Pelosi
Ribble
Roskam
Ross (AR)
Serrano

Smith (NE)
Speier
Wilson (SC)
Wittman
Wolf
Young (AK)

McGovern
McIntyre
McNerney
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Murphy (CT)
Nadler
Napolitano
Neal
Oliver
Owens
Pallone
Pascarell
Pastor (AZ)
Payne
Pelosi
Perlmutter
Peters
Pingree (ME)
Pitts
Platts
Polis
Price (NC)
Quigley

Rahall
Rangel
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger
Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schrader
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (NJ)

Smith (WA)
Stark
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tierney
Tonko
Townes
Tsongas
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Weiner
Welch
Wilson (FL)
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

Stearns
Stivers
Stutzman
Sullivan
Terry
Thornberry
Tiberi

Tipton
Turner
Upton
Walberg
Walden
Walsh (IL)
Webster
West
Westmoreland
Whitfield
Womack
Woodall
Yoder
Young (IN)

□ 1010

Mr. PALLONE changed his vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

PERSONAL EXPLANATION

Mr. WOLF. Mr. Chair, I was unavoidably detained and unable to be in the Chamber for two rollcall votes on H.R. 754 due to a meeting with constituents at the Loudoun County Chamber of Commerce.

Had I been present, I would have voted “yea” on the Rogers amendment and “yea” on the Gibson amendment.

AMENDMENT NO. 7 OFFERED BY MR. HINCHEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 194, noes 214, not voting 23, as follows:

[Roll No. 325]

AYES—194

Ackerman	Courtney	Harris
Amash	Critz	Hastings (FL)
Andrews	Crowley	Heinrich
Baca	Cuellar	Higgins
Baldwin	Cummings	Himes
Barrow	Davis (CA)	Hinchee
Bartlett	Davis (IL)	Hinojosa
Bass (CA)	DeFazio	Hirono
Becerra	DeGette	Holt
Berkley	DeLauro	Honda
Berman	Deutch	Hoyer
Bishop (GA)	Dicks	Inlee
Bishop (NY)	Dingell	Israel
Blumenauer	Doggett	Jackson (IL)
Boren	Donnelly (IN)	Jackson Lee
Boswell	Doyle	(TX)
Braley (IA)	Edwards	Jones
Brown (FL)	Ellison	Kaptur
Butterfield	Engel	Keating
Capps	Eshoo	Kildee
Capuano	Farr	Kind
Carnahan	Fattah	Kissell
Carney	Filner	Kucinich
Carson (IN)	Fitzpatrick	Langevin
Castor (FL)	Frank (MA)	Larsen (WA)
Chandler	Franks (AZ)	Larsen (CT)
Chu	Fudge	Lee (CA)
Cicilline	Garamendi	Levin
Clarke (MI)	Gibson	Lewis (GA)
Clarke (NY)	Gonzalez	Loebsack
Clay	Goodlatte	Lowe
Cleaver	Graves (MO)	Lujan
Clyburn	Green, Al	Lynch
Coble	Green, Gene	Maloney
Cohen	Grijalva	Markey
Connolly (VA)	Gutierrez	Matsui
Conyers	Hanabusa	McCollum
Costa	Hanna	McDermott

NOES—214

Adams	Frelinghuysen	McClintock
Aderholt	Gallagher	McCotter
Akin	Gardner	McHenry
Altmire	Garrett	McKeon
Austria	Gerlach	McKinley
Bachmann	Gibbs	McMorris
Bachus	Gingrey (GA)	Rodgers
Barletta	Gohmert	Meehan
Barton (TX)	Gosar	Mica
Bass (NH)	Gowdy	Miller (FL)
Benishek	Granger	Miller (MI)
Berg	Graves (GA)	Miller, Gary
Biggart	Griffin (AR)	Mulvaney
Bilirakis	Griffith (VA)	Murphy (PA)
Bishop (UT)	Grimm	Myrick
Black	Guinta	Neugebauer
Blackburn	Guthrie	Noem
Bonner	Hall	Nugent
Bono Mack	Harper	Nunes
Boustany	Hartzler	Nunnelee
Brady (TX)	Hayworth	Olson
Brooks	Heck	Palazzo
Broun (GA)	Hensarling	Paulsen
Buchanan	Herger	Pearce
Bucshon	Herrera Beutler	Pence
Buerkle	Holden	Peterson
Burgess	Huelskamp	Petri
Burton (IN)	Huizenga (MI)	Poe (TX)
Calvert	Hultgren	Pompeo
Camp	Hunter	Posey
Campbell	Hurt	Price (GA)
Canseco	Issa	Quayle
Cantor	Jenkins	Reed
Capito	Johnson (IL)	Rehberg
Carter	Johnson (OH)	Reichert
Cassidy	Jordan	Renacci
Chabot	Kelly	Rigell
Coffman (CO)	King (NY)	Rivera
Cole	Kingston	Roby
Conaway	Kinzinger (IL)	Roe (TN)
Cooper	Kline	Rogers (AL)
Costello	Labrador	Rogers (KY)
Cravaack	Lamborn	Rogers (MI)
Crawford	Lance	Rohrabacher
Crenshaw	Landry	Rokita
Culberson	Lankford	Rooney
Davis (KY)	Latham	Ros-Lehtinen
Dent	LaTourette	Ross (FL)
DesJarlais	Latta	Royce
Diaz-Balart	Lewis (CA)	Runyan
Dold	Lipinski	Ryan (WI)
Dreier	LoBiondo	Scalise
Duffy	Long	Schilling
Duncan (SC)	Lucas	Schmidt
Duncan (TN)	Luetkemeyer	Schock
Ellmers	Lummis	Schweikert
Emerson	Lungren, Daniel	Scott (SC)
Farenthold	E.	Sensenbrenner
Fincher	Mack	Sessions
Flake	Manzullo	Shimkus
Fleischmann	Marchant	Shuster
Fleming	Marino	Simpson
Forbes	Matheson	Smith (NE)
Fortenberry	McCarthy (CA)	Smith (TX)
Fox	McCaul	Southerland

NOT VOTING—23

Alexander	Hastings (WA)	Ribble
Bilbray	Johnson (GA)	Roskam
Brady (PA)	Johnson, E. B.	Ross (AR)
Cardoza	Johnson, Sam	Speier
Chaffetz	King (IA)	Wilson (SC)
Denham	Lofgren, Zoe	Wittman
Flores	McCarthy (NY)	Young (AK)
Giffords	Paul	

□ 1019

Messrs. BISHOP of Utah, COSTELLO, and LIPINSKI changed their vote from “aye” to “no.”

Ms. MCCOLLUM and Mr. PERLMUTTER changed their vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. GRAVES of Missouri. Mr. Speaker, on rollcall vote No. 325, the Hinchey amendment to H.R. 754, I voted “aye” when I intended to vote “no.”

PERSONAL EXPLANATION

Mr. WITTMAN. Mr. Chair, on rollcall Nos. 323, 324, and 325, I was unavoidably detained. Had I been present, I would have voted: 323, “yes”; 324, “yes”; 325, “no.”

AMENDMENT NO. 8 OFFERED BY MR. CARNEY

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from Delaware (Mr. CARNEY) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 221, noes 189, not voting 21, as follows:

[Roll No. 326]

AYES—221

Ackerman	Braley (IA)	Connolly (VA)
Adams	Brown (FL)	Conyers
Altmire	Burton (IN)	Cooper
Andrews	Butterfield	Costa
Baca	Capps	Costello
Bachus	Capuano	Courtney
Baldwin	Carnahan	Critz
Barrow	Carney	Crowley
Bartlett	Carson (IN)	Cuellar
Bass (CA)	Cassidy	Cummings
Bass (NH)	Castor (FL)	Davis (CA)
Becerra	Chandler	Davis (IL)
Berkley	Chu	DeFazio
Berman	Cicilline	DeGette
Bilbray	Clarke (MI)	DeLauro
Bishop (GA)	Clarke (NY)	Deutch
Bishop (NY)	Clay	Dicks
Blumenauer	Clyburn	Dingell
Boren	Coble	Doggett
Boswell	Cohen	Donnelly (IN)

Doyle
Edwards
Ellison
Ellmers
Engel
Eshoo
Farr
Fattah
Filner
Fitzpatrick
Frank (MA)
Franks (AZ)
Fudge
Garamendi
Gerlach
Gibson
Gonzalez
Goodlatte
Green, Al
Green, Gene
Grijalva
Gutierrez
Hanabusa
Hanna
Harris
Hastings (FL)
Heinrich
Herrera Beutler
Higgins
Himes
Hinchey
Hinojosa
Hirono
Holden
Holt
Honda
Hoyer
Inslee
Israel
Jackson (IL)
Jackson Lee
(TX)
Jones
Kaptur
Keating
Kildee
Kind
Kissell
Kucinich
Landry
Langevin
Larsen (WA)
Larson (CT)
LaTourette
Lee (CA)

NOES—189

Aderholt
Akin
Amash
Austria
Bachmann
Barletta
Barton (TX)
Benishkek
Berg
Biggert
Bilirakis
Bishop (UT)
Black
Blackburn
Bonner
Bono Mack
Boustany
Brady (TX)
Brooks
Broun (GA)
Buchanan
Bucshon
Buerkle
Burgess
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Carter
Chabot
Cleaver
Coffman (CO)
Cole
Conaway
Cravaack
Crawford

Levin
Lewis (GA)
Lipinski
Loeb sack
Lowey
Lujan
Lynch
Maloney
Markey
Matheson
Matsui
McCollum
McDermott
McGovern
McIntyre
McNerney
Meehan
Meeks
Michaud
Miller (NC)
Miller, George
Moore
Moran
Mulvaney
Murphy (CT)
Nadler
Napolitano
Neal
Nugent
Oliver
Owens
Pallone
Pascrell
Pastor (AZ)
Paulsen
Payne
Pelosi
Perlmutter
Peters
Petri
Pingree (ME)
Pitts
Polis
Price (NC)
Quigley
Rahall
Rangel
Reed
Renacci
Reyes
Richardson
Richmond
Rothman (NJ)
Roybal-Allard
Ruppersberger

Rush
Ryan (OH)
Sánchez, Linda
T.
Sanchez, Loretta
Sarbanes
Schakowsky
Schiff
Schradler
Schwartz
Scott (VA)
Scott, Austin
Scott, David
Sensenbrenner
Serrano
Sewell
Sherman
Shuler
Sires
Slaughter
Smith (WA)
Stark
Stivers
Sutton
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiberi
Tierney
Tonko
Towns
Tsongas
Turner
Van Hollen
Velázquez
Visclosky
Walz (MN)
Wasserman
Schultz
Waters
Watt
Waxman
Webster
Weiner
Welch
West
Whitfield
Wilson (FL)
Wittman
Wolf
Woolsey
Wu
Yarmuth
Young (FL)

Marino
McCarthy (CA)
McCaul
McClintock
McCotter
McHenry
McKeon
McKinley
McMorris
Rodgers
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Murphy (PA)
Myrick
Neugebauer
Noem
Nunes
Nunnelee
Olson
Palazzo
Pearce
Pence
Peterson
Platts

Alexander
Brady (PA)
Cardoza
Chaffetz
Denham
Flores
Giffords

Poe (TX)
Pompeo
Posey
Price (GA)
Quayle
Rehberg
Reichert
Rigell
Rivera
Roby
Roe (TN)
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Rokita
Rooney
Ros-Lehtinen
Ross (FL)
Royce
Runyan
Ryan (WI)
Scalise
Schilling
Schmidt
Schock

NOT VOTING—21

Hastings (WA)
Johnson (GA)
Johnson, E. B.
Johnson, Sam
King (IA)
Lofgren, Zoe
McCarthy (NY)

Schweikert
Scott (SC)
Sessions
Shimkus
Shuster
Simpson
Smith (NE)
Smith (NJ)
Smith (TX)
Southerland
Stearns
Stutzman
Sullivan
Terry
Thornberry
Tipton
Upton
Walberg
Walden
Walsh (IL)
Westmoreland
Womack
Woodall
Yoder
Young (IN)

Paul
Ribble
Roskam
Ross (AR)
Speier
Wilson (SC)
Young (AK)

□ 1027

Messrs. FRANKS of Arizona and BILBRAY changed their vote from “no” to “aye.”

So the amendment was agreed to.

The result of the vote was announced as above recorded.

(By unanimous consent, Mr. REICHERT was allowed to speak out of order.)

LAW ENFORCEMENT MEMORIAL WEEK

Mr. REICHERT. Mr. Chairman and Members of this great body, this week is Law Enforcement Memorial Week. We have thousands of police officers from across the Nation here in Washington, D.C., to honor those fallen officers of last year and years before.

Last year we lost 156 police officers who were killed in the line of duty protecting each and every one of us. This year we are on track to beat that record, unfortunately. Sixty-eight police officers have already been killed. I stand today to have all of you recognize their sacrifice and the families who have survived and the police officers who continue marching on.

I yield to the gentleman from New York.

Mr. WEINER. I thank the sheriff for yielding.

When we lay down at night to sleep and we kiss our children to bed and we thank God for the country we live in and pray for good things for the day ahead, we know that whether we're in a small town with one sheriff or a police department like New York City that has over 38,000, that somewhere there are men and women who are out there protecting us. And unfortunately, as the sheriff points out, sometimes they don't come home. This is the time of year that we join together to pay tribute to them.

We know as we stand here today that we do all we can to give them the tools

to do their job, but at the end of the day, they are out there every single day. Rarely does someone stop a police officer and thank them because their car didn't get stolen, or their house wasn't burglarized, or they woke up in the morning and their home was safe, but this is the time of year we recognize that all of them are prepared to make sacrifices for us, and we should join in paying tribute to them.

Mr. REICHERT. If we may have a moment of silence.

The Acting CHAIR. Will all Members and guests in the gallery please rise and observe a moment of silence.

AMENDMENT NO. 9 OFFERED BY MR. REED

The Acting CHAIR. Without objection, 5-minute voting will continue.

There was no objection.

The Acting CHAIR. The unfinished business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. REED) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIR. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 406, noes 0, answered “present” 4, not voting 21, as follows:

[Roll No. 327]

AYES—406

Ackerman
Adams
Aderholt
Akin
Altmire
Amash
Andrews
Austria
Baca
Bachmann
Bachus
Baldwin
Barletta
Barrow
Bartlett
Barton (TX)
Bass (CA)
Bass (NH)
Becerra
Benishkek
Berg
Berkley
Berman
Biggert
Billbray
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Black
Blackburn
Blumenauer
Bonner
Bono Mack
Boren
Boswell
Boustany
Brady (TX)
Braley (IA)

Brooks
Broun (GA)
Brown (FL)
Buchanan
Bucshon
Buerkle
Burgess
Burton (IN)
Butterfield
Calvert
Camp
Campbell
Canseco
Cantor
Capito
Capps
Capuano
Carnahan
Carney
Carson (IN)
Carter
Cassidy
Castor (FL)
Chabot
Chandler
Chu
Cicilline
Clarke (MI)
Clarke (NY)
Clay
Cleaver
Clyburn
Coble
Coffman (CO)
Cohen
Cole
Conaway
Connolly (VA)
Conyers

Cooper
Costa
Costello
Courtney
Cravaack
Crawford
Crenshaw
Critz
Crowley
Cuellar
Culberson
Cummings
Davis (CA)
Davis (IL)
Davis (KY)
DeFazio
DeGette
DeLauro
Dent
DesJarlais
Deutch
Diaz-Balart
Dicks
Dingell
Doggett
Dold
Donnelly (IN)
Doyle
Dreier
Duffy
Duncan (SC)
Duncan (TN)
Edwards
Ellison
Ellmers
Emerson
Engel
Eshoo
Farenthold

Farr	LaTourette	Richardson
Filner	Latta	Richmond
Fincher	Levin	Rigell
Fitzpatrick	Lewis (CA)	Rivera
Flake	Lewis (GA)	Roby
Fleischmann	Lipinski	Roe (TN)
Fleming	LoBiondo	Rogers (AL)
Forbes	Loeb sack	Rogers (KY)
Fortenberry	Long	Rogers (MI)
Fox	Lowe	Rohrabacher
Frank (MA)	Lucas	Rokita
Franks (AZ)	Luetkemeyer	Rooney
Frelinghuysen	Lujan	Ros-Lehtinen
Fudge	Lummis	Ross (FL)
Gallegly	Lungren, Daniel	Rothman (NJ)
Garamendi	E.	Roybal-Allard
Gardner	Lynch	Royce
Garrett	Mack	Runyan
Gerlach	Maloney	Ruppersberger
Gibbs	Manzullo	Rush
Gibson	Marchant	Ryan (OH)
Gingrey (GA)	Marino	Ryan (WI)
Gohmert	Markley	Sánchez, Linda
Gonzalez	Matheson	T.
Goodlatte	Matsui	Sanchez, Loretta
Gosar	McCarthy (CA)	Sarbanes
Gowdy	McCauley	Scalise
Granger	McClintock	Schakowsky
Graves (GA)	McCollum	Schiff
Graves (MO)	McCotter	Schilling
Green, Al	McDermott	Schmidt
Green, Gene	McGovern	Schock
Griffin (AR)	McHenry	Schrader
Griffith (VA)	McIntyre	Schwartz
Grijalva	McKeon	Schweikert
Grimm	McKinley	Scott (SC)
Guinta	McMorris	Scott (VA)
Guthrie	Rodgers	Scott, Austin
Gutierrez	McNerney	Scott, David
Hall	Meehan	Sensenbrenner
Hanabusa	Meeks	Serrano
Hanna	Mica	Sessions
Harper	Michaud	Sewell
Harris	Miller (FL)	Sherman
Hartzer	Miller (MI)	Shimkus
Hastings (FL)	Miller (NC)	Shuler
Hayworth	Miller, Gary	Shuster
Heck	Miller, George	Simpson
Heinrich	Moore	Sires
Hensarling	Moran	Slaughter
Herger	Mulvaney	Smith (NE)
Herrera Beutler	Murphy (CT)	Smith (NJ)
Higgins	Murphy (PA)	Smith (TX)
Himes	Myrick	Smith (WA)
Hinche	Nadler	Southerland
Hinojosa	Napolitano	Stearns
Hirono	Neal	Stivers
Holden	Neugebauer	Stutzman
Holt	Noem	Sullivan
Honda	Nugent	Sutton
Hoyer	Nunes	Terry
Huelskamp	Nunnelee	Thompson (CA)
Huizenga (MI)	Olson	Thompson (MS)
Hultgren	Olver	Thompson (PA)
Hunter	Owens	Thornberry
Hurt	Palazzo	Tiberi
Inlee	Pallone	Tierney
Israel	Pascrell	Tipton
Issa	Pastor (AZ)	Tonko
Jackson (IL)	Paulsen	Towns
Jackson Lee	Payne	Tsongas
(TX)	Pearce	Turner
Jenkins	Pelosi	Upton
Johnson (IL)	Pence	Van Hollen
Johnson (OH)	Perlmutter	Velázquez
Jones	Peters	Visclosky
Jordan	Peterson	Walberg
Kaptur	Petri	Walden
Keating	Pingree (ME)	Walsh (IL)
Kelly	Pitts	Walz (MN)
Kildee	Platts	Wasserman
Kind	Poe (TX)	Schultz
King (NY)	Polis	Waters
Kingston	Pompeo	Watt
Kinzing (IL)	Posey	Waxman
Kissell	Price (GA)	Webster
Kline	Price (NC)	Weiner
Labrador	Quayle	Welch
Lamborn	Quigley	West
Lance	Rahall	Westmoreland
Landry	Rangel	Whitfield
Langevin	Reed	Wilson (FL)
Lankford	Rehberg	Wittman
Larsen (WA)	Reichert	Wolf
Larson (CT)	Renacci	Womack
Latham	Reyes	Woodall

ANSWERED "PRESENT"—4

NOT VOTING—21

□ 1037

So the amendment was agreed to.

The result of the vote was announced as above recorded.

The Acting CHAIR (Mr. LATHAM). The question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The Acting CHAIR. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BISHOP of Utah) having assumed the chair, Mr. LATHAM, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 754) to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes, and, pursuant to House Resolution 264, reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment to the amendment reported from the Committee of the Whole?

If not, the question is on the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

□ 1040

MOTION TO RECOMMIT

Mr. NADLER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. NADLER. I am opposed in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Nadler moves to recommit the bill, H.R. 754, to the Permanent Select Com-

mittee on Intelligence with instructions to report the same back to the House forthwith with the following amendment:

At the end of title III, add the following new section:

SEC. 304. PRIORITIZATION OF FUNDING TO COMBAT TERRORISTS.

(a) FINDINGS.—Congress finds the following:

(1) Under the leadership and direction of President Barack Obama, the intelligence community performed with exceptional bravery, commitment, and professionalism in the pursuit of Osama bin Laden, who was killed on May 1, 2011, by the Naval Special Warfare Development Group.

(2) The tremendous dedication and personal sacrifice of the anonymous men and women of the intelligence community over the course of nearly two decades, including under the leadership of former Presidents George W. Bush and Bill Clinton, finally brought a measure of justice and relief to the families and friends of those who lost their lives on September 11, 2001, and those killed around the world in al Qaeda-sponsored attacks.

(3) Director of the Central Intelligence Agency Leon Panetta, the Naval Special Warfare Development Group, and all those involved in the intelligence operation against bin Laden and in ongoing intelligence-related counterterrorism operations are to be commended for their vigilance in protecting the United States.

(4) The death of bin Laden marks the most significant achievement to date in the efforts of the intelligence community to defeat al Qaeda, but the al Qaeda network and its affiliates still pose a critical threat to the national security of the United States and must be pursued.

(b) PRIORITIZATION OF FUNDING.—In obligating and expending funds authorized to be appropriated in this Act, the head of each element of the intelligence community shall place the highest priority on funding activities that will contribute to the continued disruption, dismantlement, and defeat of remaining al Qaeda terrorists and affiliated organizations that threaten the national security of the United States.

The SPEAKER pro tempore. The gentleman from New York is recognized for 5 minutes in support of his motion.

Mr. NADLER. Mr. Speaker, on September 11, 2001, Osama bin Laden murdered almost 3,000 Americans in cold blood. As the House Member representing Ground Zero, many of these innocent men, women, and children were my constituents and my friends. Words cannot do justice to the toll taken by this mass murderer. Of course, the attack on September 11 was part of a war Osama bin Laden and his terrorist organization al Qaeda had declared long ago and waged against the United States for years.

After September 11, we vowed as a nation to wage war against al Qaeda and in particular to bring Osama bin Laden to justice. When President Obama made his dramatic announcement almost 2 weeks ago that American troops had killed bin Laden, we knew that our country had finally fulfilled that part of the promise.

While I supported and we passed an amendment today to commend our intelligence community for their role in

eliminating bin Laden, I stand by my earlier statement that it was inadequate. This motion to recommit, which I am offering with Ms. JACKSON LEE and Mr. ELLISON, properly honors all those responsible. It appropriately commends everyone involved in the long road we took to bring bin Laden to justice—President Obama, President Bush, President Clinton, our Navy SEALs, and our intelligence community.

The death of Osama bin Laden was a triumphant victory, but our work is not done. This final amendment reminds us that we cannot rest on our laurels. The threat of al Qaeda remains real and continuing. That is why in this final amendment we make clear to our intelligence community that the highest priority for funding in this bill is the disruption, dismantlement, and defeat of al Qaeda. We must focus on the materials captured from bin Laden's compound so we can stop them from striking again. I urge my colleagues to join us to ensure that we continue to do all we can to avoid another 9/11.

In closing, I want to state my hope that we have a bipartisan show of support for this final amendment. Commending those who worked so hard to bring justice to bin Laden and recognizing our number one intelligence priority is the defeat of al Qaeda should be expressions that can be supported across the political spectrum.

I yield to a cosponsor of the amendment, the gentleman from Minnesota.

Mr. ELLISON. I urge all Members to join in supporting this very important motion to recommit.

We have seen a great victory for our country, and yet we have suffered a tremendous loss, 3,000 of our countrymen lost because of al Qaeda and al Qaedaism and their belief system. But you know what? They have wreaked havoc all across this world. Whether it is Tanzania or whether it is Nairobi, they have brought murder and destruction across the globe. Even in Pakistan, 80 dead just recently. So we have got to make sure they are the priority, they are the focus, so we can rid the world of this pernicious, evil philosophy that has caused so much harm to so many.

Mr. NADLER. I now yield to another cosponsor of the amendment, the gentlelady from Texas.

Ms. JACKSON LEE of Texas. I thank the gentleman.

I rise to support this motion to recommit.

I introduced H. Res. 240, and 50 of you supported it, because we believe that all of those involved should be thanked, that all of America should be thanked. So many of us remember standing on those steps and singing "God Bless America," singing it loudly. As others in America sang and joined together, we were not to be daunted.

And, yes, this particular resolution thanks President Clinton and President Bush. It talks about the bravery and the courage. And it also acknowledges President Obama calling and directing the order and making sure that all of our resources were used. And it also shows that our Navy SEALs, in spite of the loss of life of so many soldiers, our Navy SEALs came back alive and they captured Osama bin Laden.

Isn't it important to make the statement that the prioritization of our intelligence community should be focused on getting rid of al Qaeda, disrupting them and those affiliated? Vote for this motion to recommit because it does, in fact, provide the opportunity to thank everyone, and it says again, God bless America.

Mr. Speaker, as a Senior Member of the Judiciary Committee and Committee on Homeland Security, I want to make sure that this Chamber fully recognizes and acknowledges the exemplary bravery, courage, and patriotism demonstrated by the Special Operations Command, the Naval Special Warfare Development Group, the intelligence community, and President Barack H. Obama for successfully bringing Osama bin Laden to justice for acts of terrorism committed against the United States on September 11, 2001.

This is a Bipartisan, American issue. We have a rare opportunity to give some measure of relief to all those victims of the 9/11 tragedy and to acknowledge the efforts to bring Osama bin Laden to justice that spanned three Presidential Administrations beginning with the efforts of President Bill Clinton's Administration, continuing with the efforts of President George W. Bush's Administration which all set the stage for President Obama to move with swiftness, decisiveness and leadership to finally bring Osama bin Laden to justice.

We must be mindful that this does not end our efforts to protect America from terrorist threats like that of Al Qaeda. We still have much to do in that effort, but we should not miss this historic opportunity to thank three Presidents, our intelligence community and our military for their 10 year of persistence and their successful mission to bring the Terrorist Osama bin Laden.

Today, a large number of lives were lost in Pakistan; an al Qaeda associated organization attacked innocent persons. We must continue to stamp out this violence.

So, I urge my colleagues to join me in voting for the motion to recommit.

Ms. PELOSI. Mr. Speaker, the first responsibility of all Members of Congress is to keep our country safe. Critical to fulfilling that obligation is providing members of the intelligence community with every resource they need to do their jobs.

Today, with this Democratic amendment, we address this challenge head-on.

I'd like to acknowledge the leadership of those who introduced this amendment: Congresswoman NADLER, Congresswoman JACKSON LEE, and Congressman ELLISON.

I thank them for bringing to the floor legislation that ensures that our top priority in funding our intelligence services is the campaign

to disrupt, dismantle, and defeat Al Qaeda and affiliated organizations; honors the extraordinary courage, dedication, and sacrifice of the intelligence officers, analysts, and Navy SEALs who located, tracked, and killed Osama bin Laden; and commends the leadership of President Obama in carrying out this mission and recognizes the commitment of Presidents Clinton and Bush for advancing this fight. As it says, this action "brought a measure of justice to the families of the victims of 9/11."

Strengthening our intelligence capabilities and establishing clear priorities are not partisan issues; they are critical to our national defense.

That is why I urge Republicans to join Democrats to pass this motion and keep the pressure on those who attacked our shores nearly 10 years ago.

Mr. NADLER. Mr. Speaker, in closing, I again want to stress that this amendment commends all those who worked so hard to bring justice to bin Laden and recognizes that our number one intelligence priority is the defeat of al Qaeda. It should get bipartisan support. A very similar resolution passed the Senate 97-0. I ask for support.

I yield back the balance of my time.

Mr. ROGERS of Michigan. Mr. Speaker, I rise in opposition to the motion to recommit.

The SPEAKER pro tempore. The gentleman is recognized for 5 minutes.

Mr. ROGERS of Michigan. Mr. Speaker, it's laudable that they would commend the men and women of the intelligence community. We certainly thank them for that. We just did that a few minutes ago. That would certainly qualify for the department of redundancy as we would move forward.

The one that I find mystifying, we came so close, so close, to finally making this a bipartisan product. So the first part was great. You said thank you very much to the folks and hid behind the great work of the men and women of the intelligence community. But then you blow up the entire intelligence bill by prioritizing of funding.

Two things that does. One, it blows up the work, the framework. There's a priority framework in the intelligence community that sets these standards and tells the intelligence community, here are your priorities, given place, given region, given resources. That happens already. So you basically say, well, we don't believe that you ought to be doing that. We should be doing that. Wrong answer.

The second part of it is we have a classified annex and it talks about very important investments that we in a bipartisan way have worked to get to—code breaking, cybersecurity. What you are saying is cybersecurity isn't as important. You think this is more important. That is not for us to determine.

We just went through months and months of work to tell the intelligence

community to put the classified annex together to say, here are the intelligence priorities as we go forward. This bill is intended to gut the work of the last few months that we have just done in a bipartisan way.

I tell you, it's a little frustrating knowing that we came that close, Mr. Speaker, to getting a bipartisan product that represents the values of the intelligence community, the resources that they need, and, yes, says thank you to the men and women who will never be known for the work they do to keep America safe.

I recommend a strong rejection of this amendment.

I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

RECORDED VOTE

Mr. NADLER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of passage.

The vote was taken by electronic device, and there were—ayes 182, noes 228, answered “present” 1, not voting 20, as follows:

[Roll No. 328]

AYES—182

Ackerman	Cuellar	Israel
Altmire	Cummings	Jackson (IL)
Andrews	Davis (CA)	Jackson Lee
Baca	Davis (IL)	(TX)
Baldwin	DeFazio	Kaptur
Barrow	DeGette	Keating
Bass (CA)	DeLauro	Kildee
Becerra	Deuth	Kind
Berkley	Dicks	Kissell
Berman	Dingell	Langevin
Bishop (GA)	Doggett	Larsen (WA)
Bishop (NY)	Donnelly (IN)	Larson (CT)
Blumenauer	Doyle	Lee (CA)
Boren	Edwards	Levin
Boswell	Ellison	Lewis (GA)
Braley (IA)	Engel	Lipinski
Brown (FL)	Eshoo	Loeb sack
Butterfield	Farr	Lowe y
Capps	Fattah	Lujan
Capuano	Filner	Lynch
Carnahan	Frank (MA)	Maloney
Carney	Fudge	Markey
Carson (IN)	Garamendi	Matheson
Castor (FL)	Gonzalez	Matsui
Chandler	Green, Al	McCollum
Chu	Green, Gene	McDermott
Cicilline	Grijalva	McGovern
Clarke (MI)	Gutierrez	McIntyre
Clarke (NY)	Hanabusa	McNerney
Clay	Hastings (FL)	Meeks
Cleaver	Heinrich	Michaud
Clyburn	Higgins	Miller (NC)
Cohen	Himes	Miller, George
Connolly (VA)	Hinche y	Moore
Conyers	Hinojosa	Moran
Cooper	Hirono	Murphy (CT)
Costa	Holden	Nadler
Costello	Holt	Napolitano
Courtney	Honda	Neal
Critz	Hoyer	Olver
Crowley	Inslee	Owens

Pallone	Ryan (OH)	Thompson (MS)
Pascarell	Sanchez, Linda	Tierney
Pastor (AZ)	T.	Tonko
Payne	Sanchez, Loretta	Towns
Pelosi	Sarbanes	Tsongas
Perlmutter	Schakowsky	Van Hollen
Peters	Schiff	Velázquez
Peterson	Schrader	Visclosky
Pingree (ME)	Schwartz	Walz (MN)
Polis	Scott (VA)	Wasserman
Price (NC)	Scott, David	Schultz
Quigley	Serrano	Waters
Rahall	Sewell	Watt
Rangel	Sherman	Waxman
Reyes	Shuler	Weiner
Richardson	Sires	Welch
Richmond	Slaughter	Wilson (FL)
Rothman (NJ)	Smith (WA)	Woolsey
Roybal-Allard	Stark	Wu
Ruppersberger	Sutton	Yarmuth
Rush	Thompson (CA)	

NOES—228

Adams	Gibbs	Mica
Aderholt	Gibson	Miller (FL)
Akin	Gingrey (GA)	Miller (MI)
Amash	Gohmert	Miller, Gary
Austria	Goodlatte	Mulvaney
Bachmann	Gosar	Murphy (PA)
Bachus	Gowdy	Myrick
Barletta	Granger	Neugebauer
Bartlett	Graves (GA)	Noem
Barton (TX)	Graves (MO)	Nugent
Bass (NH)	Griffin (AR)	Nunes
Benishek	Griffith (VA)	Nunnelee
Berg	Grimm	Olson
Biggert	Guinta	Palazzo
Bilbray	Guthrie	Paulsen
Bilirakis	Hall	Pearce
Bishop (UT)	Hanna	Pence
Black	Harper	Petri
Blackburn	Harris	Pitts
Bonner	Hartzler	Platts
Bono Mack	Hayworth	Poe (TX)
Boustany	Heck	Pompeo
Brady (TX)	Hensarling	Posey
Brooks	Herger	Price (GA)
Broun (GA)	Herrera Beutler	Quayle
Buchanan	Huelskamp	Reed
Bucshon	Huizenga (MI)	Rehberg
Buerkle	Hultgren	Reichert
Burgess	Hunter	Renacci
Burton (IN)	Hurt	Rigell
Calvert	Issa	Rivera
Camp	Jenkins	Roby
Campbell	Johnson (IL)	Roe (TN)
Canseco	Johnson (OH)	Rogers (AL)
Cantor	Jones	Rogers (KY)
Capito	Jordan	Rogers (MI)
Carter	Kelly	Rohrabacher
Cassidy	King (IA)	Rokita
Chabot	King (NY)	Rooney
Coble	Kingston	Ros-Lehtinen
Coffman (CO)	Kinzingler (IL)	Ross (FL)
Cole	Kline	Royce
Conaway	Labrador	Runyan
Cravaack	Lamborn	Ryan (WI)
Crawford	Lance	Scalise
Crenshaw	Landry	Schilling
Culberson	Lankford	Schmidt
Davis (KY)	Latham	Schock
Dent	LaTourette	Schweikert
DesJarlais	Latta	Scott (SC)
Diaz-Balart	Lewis (CA)	Scott, Austin
Dreier	LoBiondo	Sensenbrenner
Duffy	Long	Sessions
Duncan (SC)	Lucas	Shimkus
Duncan (TN)	Luetkemeyer	Shuster
Ellmers	Lummis	Simpson
Emerson	Lungren, Daniel	Smith (NE)
Farenthold	E.	Smith (NJ)
Fincher	Mack	Smith (TX)
Fitzpatrick	Manzullo	Southerland
Flake	Marchant	Stearns
Fleischmann	Marino	Stivers
Fleming	McCarthy (CA)	Stutzman
Forbes	McCaull	Sullivan
Fortenberry	McClintock	Terry
Fox	McCotter	Thompson (PA)
Franks (AZ)	McHenry	Thornberry
Frelinghuysen	McKeon	Tiberi
Gallegly	McKinley	Tipton
Gardner	McMorris	Turner
Garrett	Rodgers	Upton
Gerlach	Meehan	Walberg

Walden	Whitfield	Yoder
Walsh (IL)	Wittman	Young (AK)
Webster	Wolf	Young (FL)
West	Womack	Young (IN)
Westmoreland	Woodall	

ANSWERED “PRESENT”—1

Kucinich

NOT VOTING—20

Alexander	Giffords	Paul
Brady (PA)	Hastings (WA)	Ribble
Cardoza	Johnson (GA)	Roskam
Chaffetz	Johnson, E. B.	Ross (AR)
Denham	Johnson, Sam	Speier
Dold	Lofgren, Zoe	Wilson (SC)
Flores	McCarthy (NY)	

□ 1107

Mr. STUTZMAN changed his vote from “aye” to “no.”

So the motion to recommit was rejected.

The result of the vote was announced as above recorded.

Stated against:

Mr. DOLD. Mr. Speaker, on rollcall No. 328, I was unavoidably detained. Had I been present, I would have voted “no.”

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. RUPPERSBERGER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 392, noes 15, not voting 24, as follows:

[Roll No. 329]

AYES—392

Ackerman	Buchanan	Critz
Adams	Bucshon	Crowley
Aderholt	Buerkle	Cuellar
Akin	Burgess	Culberson
Altmire	Burton (IN)	Cummings
Andrews	Butterfield	Davis (CA)
Austria	Calvert	Davis (IL)
Baca	Camp	Davis (KY)
Bachmann	Campbell	DeFazio
Bachus	Canseco	DeGette
Baldwin	Cantor	DeLauro
Barletta	Capito	Dent
Barrow	Capps	DesJarlais
Bartlett	Capuano	Deuth
Barton (TX)	Carnahan	Diaz-Balart
Bass (CA)	Carney	Dicks
Bass (NH)	Carson (IN)	Dingell
Becerra	Carter	Doggett
Benishek	Cassidy	Dold
Berg	Castor (FL)	Donnelly (IN)
Berkley	Chabot	Doyle
Berman	Chandler	Dreier
Biggert	Chu	Duffy
Bilbray	Cicilline	Duncan (SC)
Bilirakis	Clarke (MI)	Edwards
Bishop (GA)	Clarke (NY)	Ellison
Bishop (NY)	Cleaver	Ellmers
Bishop (UT)	Clyburn	Emerson
Black	Coble	Engel
Blackburn	Coffman (CO)	Eshoo
Blumenauer	Cohen	Farenthold
Bonner	Cole	Farr
Bono Mack	Conaway	Fattah
Boren	Connolly (VA)	Fincher
Boswell	Cooper	Fitzpatrick
Boustany	Costa	Flake
Brady (TX)	Costello	Fleischmann
Braley (IA)	Courtney	Fleming
Brooks	Cravaack	Forbes
Broun (GA)	Crawford	Fortenberry
Brown (FL)	Crenshaw	Fox

Frank (MA)
 Franks (AZ)
 Fudge
 Gallegly
 Garamendi
 Gardner
 Garrett
 Gerlach
 Gibbs
 Gibson
 Gingrey (GA)
 Gohmert
 Gonzalez
 Goodlatte
 Gosar
 Gowdy
 Granger
 Graves (GA)
 Graves (MO)
 Green, Al
 Green, Gene
 Griffin (AR)
 Griffith (VA)
 Grijalva
 Grimm
 Guinta
 Guthrie
 Gutierrez
 Hanabusa
 Hanna
 Harper
 Harris
 Hartzler
 Hastings (FL)
 Hayworth
 Heck
 Heinrich
 Hensarling
 Herger
 Herrera Beutler
 Higgins
 Himes
 Hinchey
 Hinojosa
 Hirono
 Holden
 Holt
 Honda
 Hoyer
 Huelskamp
 Huizenga (MI)
 Hultgren
 Hunter
 Hurt
 Inslee
 Israel
 Issa
 Jackson (IL)
 Jackson Lee
 (TX)
 Jenkins
 Johnson (IL)
 Johnson (OH)
 Jordan
 Kaptur
 Keating
 Kelly
 Kildee
 Kind
 King (IA)
 King (NY)
 Kingston
 Kinzinger (IL)
 Kissell
 Kline
 Labrador
 Lamborn
 Lance
 Landry
 Langevin
 Lankford
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Latta
 Levin
 Lewis (CA)
 Lewis (GA)
 Lipinski
 LoBiondo
 Loebback

Long
 Lowey
 Lucas
 Luetkemeyer
 Luján
 Lummis
 Lungren, Daniel
 E.
 Lynch
 Mack
 Maloney
 Manzullo
 Marino
 Markey
 Matheson
 Matsui
 McCarthy (CA)
 McCaul
 McClintock
 McCollum
 McCotter
 McGovern
 McHenry
 McIntyre
 McKeon
 McKinley
 McMorris
 Rodgers
 McNerney
 Meehan
 Meeks
 Mica
 Michaud
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Moore
 Moran
 Mulvaney
 Murphy (CT)
 Murphy (PA)
 Myrick
 Nadler
 Napolitano
 Neal
 Neugebauer
 Noem
 Nugent
 Nunes
 Nunnelee
 Olson
 Owens
 Palazzo
 Pallone
 Pascrell
 Pastor (AZ)
 Paulsen
 Pearce
 Pelosi
 Pence
 Perlmutter
 Peters
 Peterson
 Petri
 Pingree (ME)
 Pitts
 Platts
 Poe (TX)
 Polis
 Pompeo
 Posey
 Price (GA)
 Price (NC)
 Quayle
 Quigley
 Rahall
 Reed
 Rehberg
 Reichert
 Renacci
 Reyes
 Richmond
 Rigell
 Rivera
 Roby
 Roe (TN)
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Rokita

Rooney
 Ros-Lehtinen
 Ross (FL)
 Rothman (NJ)
 Roybal-Allard
 Royce
 Runyan
 Ruppertsberger
 Rush
 Ryan (OH)
 Ryan (WI)
 Sánchez, Linda
 T.
 Sanchez, Loretta
 Sarbanes
 Scalise
 Schakowsky
 Schiff
 Schilling
 Schmidt
 Schock
 Schrader
 Schwartz
 Schweikert
 Scott (SC)
 Scott (VA)
 Scott, Austin
 Scott, David
 Sensenbrenner
 Serrano
 Sessions
 Sewell
 Sherman
 Shimkus
 Shuler
 Shuster
 Simpson
 Sires
 Slaughter
 Smith (NE)
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Southerland
 Stearns
 Stivers
 Stutzman
 Sullivan
 Sutton
 Terry
 Thompson (CA)
 Thompson (MS)
 Thompson (PA)
 Thornberry
 Tiberi
 Tierney
 Tipton
 Tonko
 Towns
 Tsongas
 Turner
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walberg
 Walden
 Walsh (IL)
 Walz (MN)
 Wasserman
 Schultz
 Waters
 Watt
 Waxman
 Webster
 Weiner
 Welch
 West
 Westmoreland
 Whitfield
 Wilson (FL)
 Wittman
 Wolf
 Womack
 Woodall
 Yarmuth
 Yoder
 Young (AK)
 Young (FL)
 Young (IN)

NOES—15

Amash
 Clay
 Conyers
 Duncan (TN)
 Filner

NOT VOTING—24

Alexander
 Brady (PA)
 Cardoza
 Chaffetz
 Denham
 Flores
 Frelinghuysen
 Giffords

Jones
 Kucinich
 Lee (CA)
 McDermott
 Oliver
 Hall
 Hastings (WA)
 Johnson (GA)
 Johnson, E. B.
 Johnson, Sam
 Lofgren, Zoe
 Marchant
 McCarthy (NY)

Payne
 Richardson
 Stark
 Woolsey
 Wu
 Miller, George
 Paul
 Rangel
 Ribble
 Roskam
 Ross (AR)
 Speier
 Wilson (SC)

□ 1114

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

AUTHORIZING THE CLERK TO MAKE CORRECTIONS IN ENGROSSMENT OF H.R. 754, INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2011

Mr. ROGERS of Michigan. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 754, the Clerk be authorized to make such technical and conforming changes as necessary to reflect the actions of the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed concurrent resolutions of the House of the following titles:

H. Con. Res. 16. Concurrent resolution authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby.

H. Con. Res. 46. Concurrent resolution authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service.

H. Con. Res. 50. Concurrent resolution providing for a conditional adjournment of the House of Representatives.

The message also announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 498. An act to ensure objective, independent review of task and delivery orders.

The message also announced that pursuant to Public Law 101-509, the Chair, on behalf of the Secretary of the Senate, announces the reappointment of Sheryl B. Vogt, of Georgia, to the Advisory Committee on the Records of Congress.

REMOVAL OF NAMES OF MEMBERS AS COSPONSORS OF H.R. 435

Mrs. MILLER of Michigan. Mr. Speaker, due to a clerical error, I ask

unanimous consent that the following cosponsors be removed from the permanent record as cosponsors of H.R. 435: Representative RIGELL, Representative ADAMS, and Representative WALDEN.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PERSONAL EXPLANATION

Ms. JACKSON LEE of Texas. Mr. Speaker, I was unavoidably detained on May 9 in my State of Texas dealing with issues on immigration reform with the President of the United States, and I missed the following roll-call votes; and if I had been present at that time I would have voted on roll-call vote 299, "yes;" rollcall vote 300, "yes;" and rollcall vote 301, "yes."

In addition, yesterday because of another meeting with the President, I missed rollcall vote 321, H. Con. Res. 50. I would have voted "no."

On rollcall vote 322, the rule for the Intelligence authorization, I would have voted "aye."

PERSONAL EXPLANATION

Mr. RANGEL. Mr. Speaker, I want to indicate that I missed the last vote inadvertently; and had I been here, I would have voted in the affirmative.

HONORING THE BRAVE MEMBERS OF THE INTELLIGENCE COMMUNITY

(Mr. GRIMM asked and was given permission to address the House for 1 minute.)

Mr. GRIMM. Madam Speaker, I rise today to speak on my amendment that was offered earlier today by my colleague Mr. REED on my behalf and was included in the Intelligence Authorization Act.

My amendment honors the brave members of the intelligence community, military and civilian contingent, who played a vital role in the mission that killed Osama bin Laden on May 1.

On September 11, 2001, bin Laden and members of his terrorist network struck at the heart of the Nation, carrying out attacks that took the lives of nearly 3,000 innocent Americans. Of those killed, 2,752 were in my hometown of New York City, including over 400 police officers, firefighters, and first responders. The largest percentage of these Americans, and their families, call my district of Staten Island and Brooklyn home.

So I have a good reason to stand here today to congratulate the men and women of our intelligence community for the role that they played in locating and killing Osama bin Laden, a man who was the embodiment of evil and oppression.

The members of America's intelligence community are faceless warriors whose heroic accomplishments rarely see the light of day. So I urge this administration: Mr. President, please, these men deserve our undying gratitude for their role in this extraordinary mission; and they deserve our praise, not our prosecution.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. BLACK). Members are reminded to direct their remarks to the Chair.

HONORING THE PRESIDENT AND THE MEMBERS OF THE INTEL- LIGENCE COMMUNITY

(Mr. ENGEL asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ENGEL. Madam Speaker, I rise today to honor the members of the intelligence community for their role in the mission that killed Osama bin Laden on May 1, 2011. I, too, am from New York; and, unfortunately, many of my constituents perished in the World Trade Center.

I just voted for an amendment by my colleague from New York to honor the members of the intelligence community; but, quite frankly, I find it lacking in one aspect. I want to honor the President of the United States who had the courage to make the call on getting Osama bin Laden. This was not something that was a slam dunk. This is something that could have gone very poorly, and I really want to say that I'm very sorry that my Republican friends on the other side of the aisle never seem to commend the President. You know that if the President had done something wrong, they would have been the first ones to jump in.

But I think all Americans, regardless of party, Republicans and Democrats, ought to say to President Barack Obama, thank you for a job well done. When we thank the intelligence community, and well we should, we also have to thank the President of the United States for making a difficult and courageous call.

Thank you, Mr. President.

□ 1120

INFRASTRUCTURE JOBS AND ENERGY INDEPENDENCE

(Mr. MEEHAN asked and was given permission to address the House for 1 minute.)

Mr. MEEHAN. Madam Speaker, I rise today to speak on behalf of the Infrastructure Jobs and Energy Independence Act, a bill that was introduced by a number of my colleagues in a bipartisan fashion just yesterday to deal

with the issue of energy and our ability to make it available to Americans in an affordable and efficient capacity.

What it will do is take dollars that we can use by investing in the ability to take the resources from the Outer Continental Shelf leases and put those \$2 to \$3 trillion worth of assets to work by dedicating them to rebuilding our infrastructure, focusing on our ability to find renewable and clean energy resources, and to put those dollars as well towards cleaning up our environment.

It's a bipartisan effort that gives an ability to hold down the long-term costs of energy. It's a tremendous opportunity for us to get ahold of this. I look forward to working with my colleagues in Congress and making this law.

CAPTURE, DEMISE, AND RETALIATION

(Ms. JACKSON LEE of Texas asked and was given permission to address the House for 1 minute.)

Ms. JACKSON LEE of Texas. In the last 24 hours, we heard of the devastating attack in Pakistan and the words of the Taliban saying that it's in retaliation for the capture and demise of Osama bin Laden.

Earlier this week, I introduced H. Res. 240 to acknowledge all of those who sacrificed their lives to be able to go into battle to find Osama bin Laden, the intelligence community, President Obama, President Clinton, President Bush, with President Obama directing this very, very, very difficult mission and, as well, the brave men and women who participated and the Navy SEALs who went in and came out alive.

But we must realize that we live in a very difficult time, and that time is a time of attack and retaliation. We will not be daunted, and we will stand in place to be able to celebrate those who are brave enough to fight this war on terror.

To the people of Pakistan, we offer our sympathy. We will continue to work together for the betterment of those who believe in democratic values.

IN MEMORY OF CHRIS KILCULLEN

(Mr. DEFAZIO asked and was given permission to address the House for 1 minute.)

Mr. DEFAZIO. Earlier this month, the House stood in silence when we observe and honor those who serve in our Nation's police forces, and I rise today in memory of Eugene Police Officer Chris Kilcullen.

Officer Kilcullen died in the line of duty April 22, 2011. He was an exemplary member of the Eugene Police Department, served with valor and distinction, and received 85 commendations in his 12 years in the department.

He served as a member of the traffic enforcement team and was a skilled negotiator with the crisis negotiation team. He saved lives.

Officer Kilcullen loved to be a police officer. At his memorial service, he was honored by hundreds of uniformed police officers and dozens of elected and public officials. He was remembered by his peers for his exemplary service, kindness, collegiality, endearing good nature, and unmatched rapport with the public he served.

His tragic death is a sobering reminder of the dangers confronted daily by men and women in law enforcement. One American law enforcement officer is killed in the line of duty every 53 hours.

In a final tribute at his service, a "last call" went out for "One Mary 18." Dispatchers refer to Eugene motorcycle officers as "Mary units." After there was no response to the call, the faceless dispatcher called out, "All units be advised, One Mary 18 is secure. He may be gone, but he is not forgotten. Rest in peace, Chris. Rest in peace."

Christopher Kilcullen is survived by his wife, Kristie Kilcullen, and daughters, Sydney and Katie Ann.

GOD BLESS OUR LAW ENFORCEMENT OFFICERS

(Ms. KAPTUR asked and was given permission to address the House for 1 minute.)

Ms. KAPTUR. Madam Speaker, I wish to add my voice to our colleagues paying tribute to law enforcement officers around our country. Dozens and dozens and dozens have died in the line of duty. And to them, to their families, and to their colleagues, we are eternally grateful.

I also want to say that the most important way we can pay tribute to them and to their courage and patriotism is to make sure that they have the backup that they need, that we have enough officers on the street.

In far too many communities across this country, the economy has forced cutbacks where they're going out alone, where there isn't the kind of equipment that they need in order to perform their duties. To pay them the tribute that they deserve, we should let no officer out on the streets without proper equipment, without proper attendance with those in order to save lives in the future.

I think it's unconscionable that certain accounts are being cut here that may put their lives more at risk. That's the reason that the numbers are going up around the country. We've suffered this in Ohio. We know other States are suffering it. And I say to the American people, pay attention to what happens here because it can save lives.

God bless our law enforcement officers.

THE CONTINUED THREAT OF TERRORISM

The SPEAKER pro tempore (Mrs. BLACK). Under the Speaker's announced policy of January 5, 2011, the gentleman from Indiana (Mr. BURTON) is recognized for 60 minutes as the designee of the majority leader.

RECOGNIZING THE SERVICE OF CORPORAL SEAN LEAHY IN THE UNITED STATES MARINE CORPS

Mr. BURTON of Indiana. Madam Speaker, about a week or so ago, a good friend of mine from Indiana, Rex Early, who has been very active in not only political circles but in civic events for a long, long time, brought to my attention some extraordinary things that have been done by a young man who is in our military.

Corporal Sean Leahy graduated from Hamilton Southeastern High School in 2006 in Fishers, Indiana, and he is now a 23-year-old marine and squad leader with the 1st Platoon, Kilo Company. He recently completed his second tour of duty, initially having served with distinction in Iraq.

Sean was preparing to leave the Marine Corps to pursue a college degree; and when made aware that his unit would be sent to Afghanistan, instead of leaving to pursue college, he again decided to answer the call, and he reenlisted instead of going to college. He didn't have to risk his life again, but he wanted to be with his unit, and he promptly joined his brethren in preparation for their next deployment.

He was deployed to Sangin in the Helmand province of Afghanistan, an area where our troops have sustained heavy losses and heavy wounds in recent months. But Leahy and his good friend Matthew Bland served side by side with honor, guiding and protecting their platoon.

When called into duty, Corporal Leahy answered the call to action without any hesitation. And I think that's really amazing for a 23-year-old fellow who has a great college career ahead of him to pass that up to go back with his unit into a combat situation. When he was presented with the opportunity to pursue a calmer life here in the States after completing his tour in Iraq, he instead chose to stand shoulder to shoulder with his fellow Marines.

Madam Speaker, this kind of bravery and love for one's country is too often neglected, overshadowed by our chaotic news cycle and conjecture regarding the latest Hollywood gossip. The heroic actions of people like Corporal Leahy can often go unnoticed. But today I rise to give a heartfelt thank you to Corporal Leahy and to the many men and women like him in our armed services who have chosen to risk everything day after day to ensure our country's safety in the face of terror.

□ 1130

The words I have just spoken don't express enough the sentiment that

most of us in America feel toward the people who are defending our freedoms.

Madam Speaker, I have the distinct privilege of rising in honor of one of our fine fighting men who has recently returned from a tour in Afghanistan.

Cpl. Sean Leahy, who graduated from Hamilton Southeastern High School in 2006 in Fishers, Indiana, is a 23-year-old Marine and squad leader with the 1st Platoon, Kilo Company. He has recently completed his second tour of duty, initially having served with distinction in Iraq.

Sean was preparing to leave the Marine Corps to pursue a college degree, when he was made aware that his unit would be sent to Afghanistan. Instead of leaving to pursue college, he again decided to answer the call, reenlisted, and promptly joined his brethren in preparation for their next deployment.

He was deployed to Sangin in the Helmand province of Afghanistan, an area where our troops have sustained heavy losses in recent months. But Leahy, and his good friend Matthew Bland, served side-by-side with honor, guiding and protecting their platoon. When called into duty, Cpl. Leahy answered the call to action without hesitation.

When he was presented with the opportunity to pursue a calmer life here in the States after completing his tour in Iraq, he instead chose to stand shoulder to shoulder with his fellow Marines. Mr. Speaker, this kind of bravery and love for one's country is too often neglected, overshadowed by our chaotic news cycle and conjecture regarding the latest Hollywood gossip.

The heroic actions of people like Cpl. Leahy can often go unnoticed. But today, I rise to give a heartfelt thank you to Corporal Leahy and the many men and women like him in our Armed Services who have chosen to risk everything, day after day, to ensure our country's safety in the face of terror.

I would now like to proceed with the rest of my Special Order.

There was an article, Madam Speaker, in a number of our papers around the country after Osama bin Laden was killed. These articles kind of troubled me, not because we haven't been aggressive in going after Osama bin Laden for 10 years but because of the message these articles sent possibly to the terrorist leaders around the world. It indicated that the President wanted to reach out to the Muslim radicals now that Osama bin Laden has been killed, as if to say, "Let's solve this problem and not have any further conflict."

Now, that kind of rhetoric may sound good to many people in this country, but it troubles me because it may give the impression that we're trying to appease the terrorists in order to get them to stop their terrible, terrible terrorist activities around the world.

I would like to put into the RECORD a few things that were said prior to World War II that I would like, if the President were paying attention, to listen to, because there's an old saying, "Those who don't profit from history are destined to make the same mistakes."

The first quote is from Lord Chamberlain, who was the Prime Minister of England prior to World War II:

"This morning, I had another talk with the German Chancellor, Herr Hitler, and here is the paper which bears his name upon it as well as mine. We regard the agreement signed last night, and the Anglo-German Naval Agreement, as symbolic of the desire of our two peoples never to go to war with one another again."

That was a speech that he made at Heston Airport on the 30th of September, 1938. It was part of the "Peace for Our Time" approach that Lord Chamberlain was taking.

He said, later on in a letter that he sent to his wife in December of 1939:

"I stick to the view I have always held that Hitler missed the bus in September 1938. He could have dealt France and ourselves a terrible, perhaps a mortal, blow then. The opportunity will not recur."

He was trying to say that the reason he signed that agreement with Hitler was because they weren't prepared for war and so he decided to give the Sudetenland to Hitler without any kind of a conflict. The thing that bothers me about that is what he said to the Czechoslovakian people:

"When we were convinced, as we became convinced, that nothing any longer would keep the Sudetenland within the Czechoslovakian State, we urged the Czech Government as strongly as we could to agree to the cession of territory, and to agree promptly. The Czech Government," because of the pressure that was brought upon them, "through the wisdom and courage of President Benes, accepted the advice of the French Government and ourselves. It was a hard decision for anyone who loved his country to take, but to accuse us of having by that advice betrayed the Czechoslovakian State is simply preposterous."

But, in fact, it was a terrible decision that was made by Lord Chamberlain, because what happened was, because of the appearance of weakness by going to Munich and signing a peace agreement on Hitler's terms, giving the Sudetenland, which was part of the Czechoslovakian Republic, to Hitler, it was the green light, because he suspected and felt that the free countries of the world were afraid of him and would back down in any case that might arise. As a result, World War II started and 50 to 60 million people were killed.

It is very important that we realize today, as they did after Lord Chamberlain made this terrible mistake, that we should not in any way give the appearance of appeasing the radical Islamists, because they may think because we got rid of Osama bin Laden, we don't have the intestinal fortitude to keep after them to destroy them so that they can never be a threat to the free world again.

I think it's important that we remember what Winston Churchill, who was an outcast in the British Parliament at the time, what he said for years and years and years. Quoting Churchill:

"The era of procrastination, of half-measures, of soothing and baffling expedients, of delays, is coming to its close. In its place we are entering a period of consequences."

He was predicting that World War II was going to start, and this was as far back as 1936.

He went on to say later on:

"People say we ought not to allow ourselves to be drawn into a theoretical antagonism between Nazism and democracy; but the antagonism is here now. It is this very conflict of spiritual and moral ideas—that's what we're facing right now, spiritual and moral ideas of the radicals—which gives the free countries a great part of their strength."

Winston Churchill, who was vilified, was absolutely correct. They should have prepared for war. They should have let Herr Hitler know that there was going to be no giving of any quarter to him, and it might have prevented World War II and maybe saved 40, 50, 60 million lives.

Winston Churchill went on to say after the war was about to begin in the House of Commons in 1938:

"Britain and France had to choose between war and dishonor. They chose dishonor, and now they will have war." And they did have war.

Churchill also said:

"And do not suppose that this is the end. This is only the beginning of the reckoning."

I hope our government realizes that this is not the end of the war with the terrorists. This is still going on. Although bin Laden has been killed, there's still a lot of terrorists out there that believe we're weak and that we're not going to follow through and that they can prevail in the long run. We need to send a message like Churchill did prior to what Lord Chamberlain did by going to Munich that we're going to be tough and we're going to follow through. I think the President needs to send that message very loud and clear, instead of reaching out, now that bin Laden is gone, and saying to the terrorist world, "Now that bin Laden's gone, your leader's gone, we ought to sit down and work this thing out." That is a sign of weakness. And I hope the President when he makes this speech makes absolutely clear to the terrorists that we're willing to do whatever it takes to protect America and the free world.

As Churchill went on to say, "This is only the beginning of the reckoning. This is only the first sip, the first foretaste of a bitter cup which will be proffered to us year by year unless by a supreme recovery of moral health and

martial vigor, we arise again and take our stand for freedom as in the olden time." That was in October of 1938.

We're in a war against terrorism. It's something that hasn't been seen since the 12th century when the radical Islamists tried to take over western Europe. A lot of people don't remember that. But they did. And there's always those radicals who want to foist upon the rest of the world their religious beliefs and the way they think the world should be run. We have to when they rise up again and again and again as they will throughout history, I'm sure that there will always be radical Islamists who will want to make sure the rest of the world believes the way they do as far as their religious beliefs are concerned. Whether it's now, or whether it was in the 12th century, or whether it's going to be in the future, the free world has to be resolute of purpose and make absolutely sure that the message is sent loud and clear that we are willing to do whatever it takes to defeat the terrorists. That means doing whatever it takes to get information from their leaders to make sure that we find the terrorists in whatever hole they've dug themselves in to protect themselves.

I'm very happy we got Osama bin Laden. I think it's a great step forward in the quest for peace. But the war is not over. It's going to go on for some time, until the terrorists know that there's no possibility of winning, and the threat to our homeland from terrorism, the threat to the free world from terrorism, goes on.

I would like to end, if I could, to say to the President—I know I can't talk to him because he's not here—but if I were talking to the President, I would say: Mr. President, when you make this speech, allegedly to reach out to the Arab world, make it absolutely clear that we're going to do whatever it takes to defeat the terrorists as long as it takes.

With that, Madam Speaker, I yield back the balance of my time.

□ 1140

TROUBLES ON THE U.S.-MEXICO BORDER

The SPEAKER pro tempore. Under the Speaker's announced policy of January 5, 2011, the gentleman from Texas (Mr. GOHMERT) is recognized for 30 minutes.

Mr. GOHMERT. Madam Speaker, I want to identify with the comments of my friend from Indiana. Well said. Great thoughts.

We have wonderful friends in this world, as a Nation. But we need to recognize who are our friends and who are our enemies and who are the places, the countries, the peoples that intend us harm, who are the people that are willing to assist us in encouraging and

allowing for freedom to spread around the world.

We should be well aware that there are people across our border in Mexico who are not Mexicans, people who would like to see this Nation fail as such an important keeper of the peace.

We know that Hezbollah has been setting up camp across the U.S. border in Mexico; that they have been working with drug cartels in Mexico, and it appears we see some of the signs of that in the ways that people are murdered, the way the crime business has developed.

We know that people coming across our border into this country, a significant percentage at least, are other than Mexican. OTM, they're classified. So many of them from the Middle East, many who are taught to try to appear as Hispanic and come across and try to avoid indicating anything that would give away the fact that they are coming here, not for jobs, but to set up to try to do us harm.

So when you are aware that there is so much violence on the border, Americans being murdered down on both sides of the border, we have two lakes between Texas and Mexico, Lake Falcon and Lake Amistad, together about 85 miles of international border that should be patrolled by the United States Coast Guard. But this administration doesn't wish to see the Coast Guard there.

Visiting with the Texas Governor a few weeks ago, he had made clear, please help me in urging the administration to allocate some Coast Guard resources to these lakes, where the drug cartels are bringing dangerous people, bringing drugs, bringing mayhem across into the U.S. Texas is committing money, resources, manpower on the lake, but it's a Federal job.

And what we've seen with this administration, when a State does too good a job or tries too well to do the job the Federal Government is not doing in order to protect its State, this administration decides to sue them.

We've seen also recently that if there is plenty of evidence to support that people or groups are funding terrorism in the world, and it is radical Islamists that are doing that, then this administration wants to embrace the groups that we have evidence are funding terrorism, rather than confront them and stop them. It's an interesting time we live in.

I do want to follow up on the President's comments. Here Texas has suffered the loss of around 2.3 million acres burned in the last decade or so. Other Presidents, other administrations, and even this administration, have recognized that when 177,000 acres, 300, 400, 500,000 acres have been destroyed, that is certainly worthy of declaring a disaster area in order to provide Federal support.

Texas is a donor State. We always put much more into the Federal Government from Texas than Texas ever gets back. We're proud to be such an important, vital part of the United States.

It does follow that when there is such a compelling disaster as the wildfires in Texas, 2.3 million acres destroyed, that it would be nice to have the support of the President. But just as this administration snubbed all the contributions that Houston provided to the shuttle program, and refused to allow a shuttle to be on display permanently in the NASA Space Center in Houston, also Texas was again snubbed there with the 2.3 million acres being burned, snubbed without any assistance or declaration of a Federal disaster area.

Then we know the President did have a rather nice fundraiser in Austin, during which probably hundreds of thousands of dollars were sucked out of Texas due to the President's fundraising, and then headed to El Paso.

And I have to say, much of the President's speech in El Paso was very good. It was unifying, coming from a man who said he was a uniter, not a divider.

But then, toward the end of the speech, the gloves came off and things were said that were not true. The President said, and I know they weren't lies because a lie requires intent to deceive on the part of the speaker, and I'm sure the President would not ever want to do that, but he did state things that were not true and they need to be addressed.

The President said the fence is basically finished, that the fence on our border is basically finished. Actually, our border is nearly 2,000 miles, around 1,969 miles of border between the United States and Mexico. Close to two-thirds of that are in Texas.

We know that the so-called "fence" was going to be largely consisting of a virtual fence, where there's no real fence, but there's technology utilized that would allow monitoring, checking to ensure that the border was protected even without a physical fence there. So not only was there no physical fence, the administration ended that program. No virtual fence, no physical fence. We're open for business for the drug trade. Despite the Border Patrol, the limited folks, they're doing all they can, it is such a massive border, it requires more help than is currently there.

We withstood belittling from the President as he stood in El Paso, Texas, where just within a few miles, 3,000 people have been killed in the last year just across our border, the violence spilling over into the United States.

□ 1150

And the President chose this time and location to belittle those who say

we should secure our border; we should comply with our oath. We have an obligation to provide for the common defense. That includes securing our borders. And the President wants to belittle those of us who say let's keep our oath. Let's keep faith with the American people by defending them, by defending our sovereignty.

This administration, on the other hand, the very administration that makes light of those who say let's secure our border; let's protect our people, instead of doing that, says: You know what, Arizona, with 30 miles or so of border with Mexico and wilderness area where we don't allow any mechanized vehicle to go, I tell you what: We'll put up a sign, which they did, and there's a lot of violent drug smuggling, dangerous people coming in this area, so we would advise American citizens to use the areas north of the interstate, because this administration has basically turned over our sovereign soil to foreign, illegal, violent drug smugglers. That should not allow for any smug condescension and belittling of those who are concerned about our security.

We were told in the President's speech that, since 2004, the President has more than doubled the Border Patrol. The actual fact is that, when President Bush took office, there were about 8,600 Border Patrol, around that number. When Bush left office, there were about 17,500 Border Patrol. And it took us a while to convince President Bush to do it, but President Bush did double the number of Border Patrol on our southern border. And since President Obama has taken office in the last 2½ years, that has increased 18 percent.

But if you want to know what the President personally feels about what should be done, you can look at his 2011 budget that he proposed, because he actually cuts the number of Border Patrol.

Yes, it is true: Bush doubled the number of Border Patrol. But the truth is, this administration has increased it only a fraction of that and shown its true intent. They would just as soon cut it. Well, this Congress isn't going to let that happen.

The President said, We've got more people on the border than we have ever had in history. That is simply not true. I realize that the President has spoken previously of what he says are the 57 States in our country, so perhaps he is not aware of the history that goes back to 1916 when a man named Pancho Villa from Mexico was involved in a handful of Americans being killed. President Wilson was not going to allow that to build. He wasn't going to allow renegades from Mexico to come illegally into this country and kill Americans. So he took a stand, he sent General Pershing there, and with 10,000 to 20,000 troops, Pershing went into Mexico chasing after Pancho Villa.

The way it was done may not have been well thought out; but the fact is that at one point during that time, in order to protect America from the small number of murders that had occurred from illegal Mexicans coming into the United States around 1916, Wilson had over 100,000 troops, early National Guard folks, down on the border to protect our sovereignty.

So obviously the President was not aware that any President had ever seen murders by illegal immigrants coming into our southern area as important as President Woodrow Wilson did, but hopefully someone on his staff can do the research that hadn't been done before in the White House and advise the President: Hey, there was a President who took it real seriously when Americans were killed along our border. He didn't go to El Paso and make a speech making fun of those who were concerned about our security. He actually sent over 100,000 troops, and they stopped the insanity before it could go any further.

Some historians talk about how Pershing was not able to get Pancho Villa and how much it cost. There was a lot of waste in that campaign, perhaps a lot more were committed than necessary, except he made his point: the violence stopped.

And when our enemies who would like to destroy our way of life here take away all the goodness that is developed in this country, take away the things that people, we are told maybe as many as 1.5 billion of the 6 billion people in the world would like to come to America at some time or other, there's got to be something good going on when that many people would like to come here.

But there are those who want to destroy that, take it away, and this President has an obligation and an oath to protect it. We hope that he will stop the belittling of those who want him to keep the oath and live up to his true commitments.

But we are dealing with a President who said: If you like your insurance, you can keep it. And we find out that wasn't true. If you like your doctor, you can keep your doctor. We found out that wasn't true.

We were told here recently by the President in another speech just in the last week or so that we are producing more oil right now than at any time in our history. I know he doesn't know or he wouldn't have said that, but the fact is that we have produced as many as 9.6 million barrels of oil, and right now we are producing 5.5 million barrels of oil in this country.

We also know that this is a President who assured us that he would go line by line and scrub that budget, and that has never happened. He told us that Vice President BIDEN was not going to allow any fraud or waste. We know that hasn't happened. He said that he

was going to close Guantanamo within the year. I'm very grateful that he didn't keep his word on that.

He said he was a uniter, not a divider, that he would bring people together, and I hope and pray that, at some point before his 4 years are up, he will actually do that.

But there are people that want to destroy this country. We can no longer play around, make fun of each other in this country while people are set about to destroy us. We've got to defend what we've got.

We had a hearing in Judiciary where the Attorney General of the United States testified, and we also know that there is a memo. He has been given the date and who provided the memo, and we asked for a copy of it. He hasn't been willing to provide that either to PETE KING or to Judiciary thus far, so we are probably going to have to subpoena it if he doesn't; and we may come to quite a row, governmentally speaking, if they will not provide it.

Instead, the Attorney General said, Oh, I understand there was an article in the Dallas News where the interim U.S. Attorney down there said that politics didn't play a role in our administration not pursuing the co-conspirators in the Holy Land Foundation terrorist funding trial.

□ 1200

We want the memo. We don't need a newspaper article from the Attorney General. And when we have documentation from the FBI that arose in the Holy Land Foundation trial, five defendants convicted of all 108 counts in late 2008, we know that in 2005 massive amounts of additional evidence were obtained, and we have these transactions, journal vouchers, there are deposit slips, all kinds of things, that helped establish with the judge that co-conspirators like ISNA or CAIR should be left as named co-conspirators and not eliminated from being named in the pleadings in the Holy Land Foundation trial, we know the evidence is there. We know that there is a case to be made. And yet this administration not only refuses to go after the Islamic Society of North America, often referred to as ISNA, but we have the remarks on the White House's own Web site, and this was put up March 6, 2011, remarks of Denis McDonough, Deputy National Security Adviser to the President. Our Deputy National Security Adviser starts his remarks at this Muslim Society by, "Thank you, Imam Magid, for your very kind introduction and welcome. I know that President Obama was very grateful that you led the prayer at last summer's Iftar dinner at the White House."

The president of a known co-conspirator of financing terrorism is not only buddies with our Deputy National Security Adviser, he's leading the Iftar prayer, which is the ceremony that

ends the Ramadan celebration. So the White House had the Iftar celebration and had the president of the named co-conspirator in the Holy Land Foundation leading the prayer in the White House. Who's running this henhouse?

And then we find out, as we hear in the news, and I know the President gets briefed and is aware, not only are there al Qaeda involved in going after Qadhafi, we're helping those people, including al Qaeda. Qadhafi needs to go, but, my goodness, intelligent people on foreign affairs know you should never help take out a foreign leader unless you can be assured that the subsequent leader will be better for your country.

Whose country are we trying to help here anyway? We know we've got people being killed on our southern border, and instead, because the President said, not Congress, but the U.N. and Arab League had encouraged us to get involved in Libya, we're going to go expend American treasure and American lives at risk in Libya? That we're going to push for an ally, whether he's a nice guy or not, he was helping keep the peace in the Middle East, Mubarak, in Egypt, and we pushed to take him out, so that instability is going to reign in the region.

Who's running this show? Who are we trying to help? We ought to be helping this country. That's where our oaths have been made and that's to whom the oaths have been made. It's scary stuff here. It is staggering what this administration is doing.

There's good information. Andy McCarthy and Patrick Poole have been publishing some good information on what has been going on in the Holy Land Foundation non-prosecution. It's time to defend this country, not be protecting other countries.

There have been some excellent things written and said encouraging the President on what would be appropriate action in the Middle East. Unfortunately, this administration has chosen to play handsy, be friendly with and encourage, it seems, the development of the relationship between Fatah, the Palestinian Authority leaders in the West Bank, with Hamas, who we have listed and know to be a terrorist organization that is in control of the Gaza Strip.

We have laws in this country that prohibit us from providing funds to any nation or any entity who is allied with terrorist organizations, and yet what we are seeing is this administration apparently being willing to somewhat embrace, I am hoping the President will come out and make clear he's not going this far, but embrace that, hey, the West Bank joining hands with Hamas, the terrorist organization, is okay, when the fact is our laws prohibit us providing money to Hamas.

We have had five defendants convicted in the Holy Land Foundation trial for providing funds, including to

Hamas. And yet if this administration does not stop the funding of the Palestinian Authority when it is joined with Hamas, then whoever pushes for that funding may have some criminal sanctions to lie. This is a very, very serious issue and it needs to be addressed.

Caroline Glick, who writes for the Jerusalem Post, has an excellent article this week on that very issue, and I hope that, Madam Speaker, you and others will review that, because it makes very clear this administration keeps pushing the Israeli leaders to give away land, make unilateral concessions, when it is not Israel that is acting in terrorist fashion. This administration seems to be ignoring the fact that Hamas is still killing people in Israel, still killing people and promoting terrorism in the Middle East.

It is time to stop acting as if this Nation's administration is okay with terrorism in the Middle East as long as it is by the Muslim Brotherhood, as long as it is by Hamas or Hezbollah. We are helping rearm people who are Israel's enemies. This stuff's got to stop. It is insanity when we help arm people who want to see this Nation destroyed.

I hope and pray that this President will come to his senses, his advisers will give him better advice, and that we can stop this. We are hurting ourselves when we hurt our friend Israel. It makes no sense. It has to stop.

We are going to be fortunate to have the leader of Israel speaking to us from that second-level podium right here on May 24, and I know the administration is going to be trying, probably has already, to push Binyamin Netanyahu into making concessions. But the fact is Israel is still under attack, its enemies are still not willing to recognize Israel's right to exist as a Jewish nation, they are still not willing to stop the pushing of hatred and the teaching of hatred and anti-Semitism in the Middle East. So Israel owes them no unilateral concessions. There should be nothing, and I hope and pray will be nothing in the way of concessions.

As I pointed out to Prime Minister Netanyahu, any time Israel in its long history going back 3,000 years or so has given up land to others, it is normally used as a staging area at some point from which to attack Israel.

The Tanakh is full of incidents where leaders of Israel have tried to placate terrorists, those who would want to destroy it; and giving them land, giving them things, paying tribute, it has never worked. It will never work. This is no time to do it now.

With that, Madam Speaker, I yield back the balance of my time.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 10 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1418

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BURTON of Indiana) at 2 o'clock and 18 minutes p.m.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. FLORES (at the request of Mr. CANTOR) for today on account of medical reasons.

Ms. EDDIE BERNICE JOHNSON (at the request of Ms. PELOSI) for today.

ADJOURNMENT

Ms. WOOLSEY. Mr. Speaker, pursuant to House Concurrent Resolution 50, 112th Congress, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 2 o'clock and 19 minutes p.m.), the House adjourned until Monday, May 23, 2011, at 2 p.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

1582. A letter from the Secretary, Air Force, Department of Defense, transmitting a report detailing an Average Procurement Unit Cost and a Program Acquisition Unit Cost breach for the National Polar-orbiting Operation Environmental Satellite System (NPOESS), pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1583. A letter from the Acting Under Secretary, Department of Defense, transmitting the Department's certification that the survivability testing of the Littoral Combat Ship (LCS), pursuant to 10 U.S.C. 2366(c)(1); to the Committee on Armed Services.

1584. A letter from the Directors, Congressional Budget Office and Office of Management and Budget, transmitting a joint report on the fiscal year 2012 outlay rates and prior year outlays for accounts in Function 050 (National Defense), pursuant to 10 U.S.C. 226(a); to the Committee on Armed Services.

1585. A letter from the Secretary, Air Force, Department of Defense, transmitting a report detailing an Average Procurement Unit Cost and a Program Acquisition Unit Cost breach for the C-27J program, pursuant to 10 U.S.C. 2433(e)(1); to the Committee on Armed Services.

1586. A letter from the Secretary, Department of Commerce, transmitting letter of certification, pursuant to Public Law 105-261, section 1512; to the Committee on Foreign Affairs.

1587. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-035, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1588. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-005, pursuant to the reporting requirements of Section 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1589. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 11-018, pursuant to the reporting requirements of Section 36(c) and 36(d) of the Arms Export Control Act; to the Committee on Foreign Affairs.

1590. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting a Memorandum of Justification under Section 451 of the Foreign Assistance Act for Individuals to Support Near East Regional Democracy; to the Committee on Foreign Affairs.

1591. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting the Department's report for the period January 16, 2010 to January 15, 2011 on the activities of the Multinational Force and Observers (MFO) and U.S. participation in that organization; to the Committee on Foreign Affairs.

1592. A letter from the Assistant General Counsel, General Law, Ethics, and Regulation, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1593. A letter from the Assistant General Counsel, General Law, Ethics, and Regulations, Department of the Treasury, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Oversight and Government Reform.

1594. A letter from the Interdiction Coordinator, Office of National Drug Control Policy, transmitting annual report to Congress; to the Committee on the Judiciary.

1595. A letter from the Board of Trustees, Federal Old-Age and Survivors Insurance and Disability Insurance Trust Funds, transmitting the 2011 Annual Report of the Board of Trustees of the Federal Old-Age and Survivors Insurance and the Federal Disability Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112-23); to the Committee on Ways and Means and ordered to be printed.

1596. A letter from the Assistant Attorney General, Department of Justice, transmitting Second Quarterly Report of FY 2011 under The Veterans' Benefits Improvement Act of 2008; jointly to the Committees on the Judiciary and Veterans' Affairs.

1597. A letter from the Board of Trustees, Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting the 2011 Annual Report of the Boards of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, pursuant to 42 U.S.C. 401(c)(2), 1395i(b)(2), and 1395t(b)(2); (H. Doc. No. 112-22); jointly to the Committees on Ways and Means and Energy and Commerce, and ordered to be printed.

TIME LIMITATION OF REFERRED BILL

Pursuant to clause 2 of rule XII the following action was taken by the Speaker:

H.R. 5. Referral to the Committee on Energy and Commerce extended for a period ending not later than May 23, 2011.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HUNTER (for himself, Mr. KLINE, and Mr. McKEON):

H.R. 1891. A bill to repeal ineffective or unnecessary education programs in order to restore the focus of Federal programs on quality elementary and secondary education programs for disadvantaged students; to the Committee on Education and the Workforce.

By Mr. ROGERS of Michigan:

H.R. 1892. A bill to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes; to the Committee on Intelligence (Permanent Select).

By Mr. MICA (for himself, Mr. CAMP, Mr. LEVIN, Mr. RAHALL, Mr. PETRI, Mr. COSTELLO, and Mr. LEWIS of Georgia):

H.R. 1893. A bill to amend the Internal Revenue Code of 1986 to extend the funding and expenditure authority of the Airport and Airway Trust Fund, to amend title 49, United States Code, to extend the airport improvement program, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GOWDY (for himself, Mr. MULVANEY, Mr. SCOTT of South Carolina, Mr. GRAVES of Georgia, Mr. WEST, Mr. CHAFFETZ, Mr. GRIFFIN of Arkansas, and Mrs. ADAMS):

H.R. 1894. A bill to amend title 10, United States Code, to clarify the right of an accused to plead guilty in a trial by a military commission for a capital offense; to the Committee on Armed Services.

By Mr. MARKEY (for himself and Mr. BARTON of Texas):

H.R. 1895. A bill to amend the Children's Online Privacy Protection Act of 1998 to extend, enhance, and revise the provisions relating to collection, use, and disclosure of personal information of children and to establish certain other protections for personal information of children and minors; to the Committee on Energy and Commerce.

By Mr. WEINER (for himself, Mr. REICHERT, Mr. CONYERS, Mr. PASCRELL, Mr. CROWLEY, Mr. SCOTT of Virginia, and Ms. JACKSON LEE of Texas):

H.R. 1896. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program, and for other purposes; to the Committee on the Judiciary.

By Mr. SMITH of New Jersey (for himself, Mr. MARKEY, Mr. BURGESS, and Mr. PLATTS):

H.R. 1897. A bill to amend the Public Health Service Act to require a Federal commitment to Alzheimer's disease research to advance breakthrough treatments for people living with Alzheimer's disease; to the Committee on Energy and Commerce.

By Mr. REBERG:

H.R. 1898. A bill to amend title 38, United States Code, to clarify the conditions under which certain persons may be treated as adjudicated mentally incompetent for certain

purposes; to the Committee on Veterans' Affairs.

By Mr. CONYERS:

H.R. 1899. A bill to amend the Sherman Act to make oil-producing and exporting cartels illegal; to improve competition in the oil and gas industry, to strengthen antitrust enforcement with regard to industry mergers; to protect consumers from price-gouging of gasoline and other fuels; and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. JACKSON LEE of Texas (for herself, Mr. THOMPSON of Mississippi, Mr. DAVIS of Illinois, and Ms. CLARKE of New York):

H.R. 1900. A bill to authorize programs and activities within the Transportation Security Administration to enhance the security of surface transportation, including mass transit, and for other purposes; to the Committee on Homeland Security.

By Mr. RUSH (for himself, Ms. JACKSON LEE of Texas, Ms. FUDGE, Ms. NORTON, Mr. ELLISON, Mr. TOWNS, Mr. DAVIS of Illinois, Mr. HASTINGS of Florida, and Mr. FRANK of Massachusetts):

H.R. 1901. A bill to create and encourage the creation of jobs for youth, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committees on Ways and Means, Natural Resources, and Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. RUSH (for himself, Mr. CLEAVER, Mr. CLAY, Ms. RICHARDSON, and Ms. CLARKE of New York):

H.R. 1902. A bill to establish in the Department of Commerce the Minority Business Development Program to provide qualified minority businesses with technical assistance and contracting opportunities, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Oversight and Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. WOOLSEY (for herself, Mr. PAYNE, Mr. REYES, and Ms. FUDGE):

H.R. 1903. A bill to amend the Elementary and Secondary Education Act of 1965 to provide grants to local educational agencies to encourage girls and underrepresented minorities to pursue studies and careers in science, mathematics, engineering, and technology; to the Committee on Education and the Workforce.

By Mr. GOSAR (for himself, Mr. FRANKS of Arizona, Mr. QUAYLE, Mr. FLAKE, and Mr. SCHWEIKERT):

H.R. 1904. A bill to facilitate the efficient extraction of mineral resources in southeast Arizona by authorizing and directing an exchange of Federal and non-Federal land, and for other purposes; to the Committee on Natural Resources.

By Ms. ROS-LEHTINEN (for herself, Mr. BERMAN, Mr. ROYCE, Mr. SHERMAN, Mr. BURTON of Indiana, Mr. DEUTCH, Mr. CHABOT, and Mr. ACKERMAN):

H.R. 1905. A bill to strengthen Iran sanctions laws for the purpose of compelling Iran

to abandon its pursuit of nuclear weapons and other threatening activities, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on Financial Services, Oversight and Government Reform, the Judiciary, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COLE (for himself, Mr. ROKITA, Mr. CONAWAY, Mr. LANKFORD, Mr. GRIFFIN of Arkansas, Mr. POMPEO, Mr. HARPER, Mr. KING of Iowa, Mr. ROGERS of Kentucky, Mrs. ELLMERS, and Mr. MILLER of Florida):

H.R. 1906. A bill to amend title 41, United States Code, to prohibit executive agencies from requiring the disclosure of political contributions by an entity submitting an offer for a Federal contract; to the Committee on Oversight and Government Reform.

By Mr. CALVERT (for himself and Mr. ISSA):

H.R. 1907. A bill to require the Secretary of the Treasury to establish a program to provide loans and loan guarantees to enable eligible public entities to acquire interests in real property that are in compliance with habitat conservation plans approved by the Secretary of the Interior under the Endangered Species Act of 1973, and for other purposes; to the Committee on Natural Resources.

By Mr. AKIN:

H.R. 1908. A bill to specify the priority of the obligations of the United States Government if the debt ceiling is reached, to provide for an emergency appropriation of funds to pay for certain defense and national security obligations during a gap in funding, and for other purposes; to the Committee on Ways and Means, and in addition to the Committees on Transportation and Infrastructure, and Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BACA (for himself, Mr. MEEKS, Mr. SIRE, and Mrs. SCHMIDT):

H.R. 1909. A bill to create a charter for Federal Financial Services and Credit Companies; to the Committee on Financial Services.

By Mr. BARTLETT (for himself, Mr. ISRAEL, Mr. CONYERS, Mr. HARPER, Mr. AL GREEN of Texas, Mr. KISSELL, Ms. NORTON, Mr. CARSON of Indiana, Mr. LOBIONDO, Ms. ROS-LEHTINEN, Mr. RUPPERSBERGER, Mr. WEST, and Mr. HARRIS):

H.R. 1910. A bill to extend for one year the authority of certain members of the Armed Forces and veterans to transfer unused Post-9/11 Educational Assistance benefits to family members; to the Committee on Veterans' Affairs.

By Mr. BRALEY of Iowa:

H.R. 1911. A bill to amend the Servicemembers Civil Relief Act to permanently extend the period of protections for servicemembers against mortgage foreclosures, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CICILLINE (for himself, Mr. CARNAHAN, Mr. CARSON of Indiana, Mr. CLARKE of Michigan, Mr. CONYERS, Mr. CRITZ, Ms. FUDGE, Mr. GARAMENDI, Ms. HANABUSA, Ms. JACKSON LEE of Texas, Mr. JACKSON of Illinois, Mr. KEATING, Mr. KILDEE, Mr. KUCINICH, Mr. LANGEVIN, Mr. LIPIN-

SKI, Mr. MURPHY of Connecticut, Mr. PALLONE, Mr. PIERLUISI, Mr. RYAN of Ohio, Mr. SIRE, Ms. WILSON of Florida, and Mr. TONKO):

H.R. 1912. A bill to direct the Secretary of Commerce to establish a Make It in America Block Grant Program, and for other purposes; to the Committee on Financial Services, and in addition to the Committee on Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. COHEN (for himself, Mr. GRIJALVA, Ms. NORTON, and Mr. HASTINGS of Florida):

H.R. 1913. A bill to amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide for improvements under the Edward Byrne Memorial Justice Assistance Grant Program to reduce racial and ethnic disparities in the criminal justice system; to the Committee on the Judiciary.

By Mr. CUELLAR:

H.R. 1914. A bill to provide for the sale of light grade petroleum from the Strategic Petroleum Reserve and its replacement with heavy grade petroleum; to the Committee on Energy and Commerce.

By Mr. GRIFFITH of Virginia:

H.R. 1915. A bill to amend subtitle D of title I of the Patient Protection and Affordable Care Act to clarify Congressional consent to and expand flexibility for interstate health choice compacts; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCHEY (for himself, Mr. NADLER, Mr. MORAN, Ms. DELAUNO, Mr. GEORGE MILLER of California, Mr. BERMAN, Ms. WOOLSEY, Mr. VAN HOLLEN, Mr. PASCRELL, Mr. CAPUANO, Ms. BALDWIN, Mr. LEVIN, Mr. STARK, Mr. CONNOLLY of Virginia, Mr. PRICE of North Carolina, Mr. FARR, Mr. COSTELLO, Mr. INSLEE, Mr. FRANK of Massachusetts, Mr. TOWNS, Mr. HONDA, Mr. JACKSON of Illinois, Mr. MCNERNEY, Mr. CONYERS, Mr. OLVER, Ms. DEGETTE, Mr. CARSON of Indiana, Mrs. BIGGERT, Ms. BROWN of Florida, Ms. RICHARDSON, Mr. RYAN of Ohio, Mr. LIPINSKI, Mr. MURPHY of Connecticut, Mrs. CAPPS, Mr. YARMUTH, Ms. MCCOLLUM, Mr. JOHNSON of Georgia, Ms. VELÁZQUEZ, Mr. FILNER, Ms. PINGREE of Maine, Ms. CASTOR of Florida, Mr. QUIGLEY, Mrs. NAPOLITANO, Mr. BLUMENAUER, Ms. TSONGAS, Ms. SCHAKOWSKY, Ms. KAPTUR, Ms. MOORE, Mr. PETERS, Mr. ELLISON, Mr. ROTHMAN of New Jersey, Ms. SPEIER, Mr. RANGEL, Mr. THOMPSON of California, Mr. COHEN, Mr. HIGGINS, Mr. DOGGETT, Mr. SCHIFF, Ms. ZOE LOFGREN of California, Mr. TONKO, Mr. DAVID SCOTT of Georgia, Mr. DAVIS of Illinois, Mr. LANGEVIN, Mr. WU, Ms. HIRONO, Mr. GRIJALVA, Mr. SERRANO, Mr. CLAY, and Mr. WALZ of Minnesota):

H.R. 1916. A bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States; to the Committee on Natural Resources.

By Mr. KIND (for himself and Mr. WITTMAN):

H.R. 1917. A bill to authorize the Secretary of the Interior, through the United States Fish and Wildlife Service, to conduct a Joint Venture Program to protect, restore, enhance, and manage migratory bird populations, their habitats, and the ecosystems they rely on, through voluntary actions on public and private lands, and for other purposes; to the Committee on Natural Resources.

By Mrs. MCCARTHY of New York:

H.R. 1918. A bill to provide grants to promote financial literacy; to the Committee on Education and the Workforce.

By Mrs. MCCARTHY of New York (for herself, Ms. RICHARDSON, Ms. NORTON, Ms. BORDALLO, and Mr. GRIJALVA):

H.R. 1919. A bill to authorize the Secretary of Health and Human Services to conduct programs to screen adolescents, and educate health professionals, with respect to bleeding disorders; to the Committee on Energy and Commerce.

By Mrs. NOEM (for herself and Mr. SCHRADER):

H.R. 1920. A bill to amend the Clean Air Act to conform the definition of renewable biomass to the definition given the term in the Farm Security and Rural Investment Act of 2002; to the Committee on Energy and Commerce.

By Mr. POMPEO:

H.R. 1921. A bill to provide for certain enhanced border security measures, and for other purposes; to the Committee on Homeland Security.

By Mr. QUAYLE (for himself, Mr. FLAKE, Mr. FRANKS of Arizona, Mr. GOSAR, Mr. SCHWEIKERT, Mr. KING of New York, and Mrs. MILLER of Michigan):

H.R. 1922. A bill to provide U.S. Customs and Border Protection with access to Federal lands to carry out certain security activities in the Southwest border region, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. QUIGLEY:

H.R. 1923. A bill to amend title 18, United States Code, to prohibit public officials from engaging in undisclosed self-dealing; to the Committee on the Judiciary.

By Mr. QUIGLEY:

H.R. 1924. A bill to amend title 23, United States Code, to protect States that have in effect laws or orders with respect to pay to play reform, and for other purposes; to the Committee on Transportation and Infrastructure.

By Mr. RAHALL (for himself, Mr. KEATING, and Mr. MCGOVERN):

H.R. 1925. A bill to provide for increased Federal oversight of prescription opioid treatment and assistance to States in reducing opioid abuse, diversion, and deaths; to the Committee on Energy and Commerce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. ROHRBACHER (for himself, Mr. OWENS, and Mr. GIBSON):

H.R. 1926. A bill to provide for the design, production, and presentation of a Gold Medal of Remembrance to the children of members of the Armed Forces who die while serving on active duty in support of Operation En-

during Freedom, Operation Iraqi Freedom, or Operation New Dawn, and for other purposes; to the Committee on Armed Services, and in addition to the Committee on Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. SABLAN:

H.R. 1927. A bill to extend the prohibition on asylum applications in the case of aliens arriving from the Commonwealth of the Northern Mariana Islands, and for other purposes; to the Committee on the Judiciary.

By Ms. LORETTA SANCHEZ of California:

H.R. 1928. A bill to amend title 10, United States Code, to repeal the ground combat exclusion policy for female members of the Armed Forces; to the Committee on Armed Services.

By Mr. SENSENBRENNER (for himself and Mr. POLIS):

H.R. 1929. A bill to provide relief for the shortage of nurses in the United States, and for other purposes; to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. STEARNS:

H.R. 1930. A bill to amend title 38, United States Code, to provide for certain requirements relating to the immunization of veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. TSONGAS (for herself, Mr. FRANK of Massachusetts, Mr. PAYNE, Mr. MCGOVERN, and Mr. OLVER):

H.R. 1931. A bill to authorize the Secretary of the Interior, in consultation with the Groundwork USA national office, to provide grants to certain nonprofit organizations; to the Committee on Energy and Commerce, and in addition to the Committees on Natural Resources, and Financial Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. NEUGEBAUER:

H.J. Res. 63. A joint resolution proposing an amendment to the Constitution of the United States to require a two-thirds vote of each House of Congress to increase the statutory limit on the public debt; to the Committee on the Judiciary.

By Ms. JACKSON LEE of Texas (for herself, Mr. JONES, Ms. KAPTUR, Mr. BROUN of Georgia, Mr. BARTLETT, Mr. WEST, Mr. HARRIS, Mr. YOUNG of Florida, Mr. CLAY, Mrs. EMERSON, Ms. SEWELL, Ms. BROWN of Florida, Mr. HOYER, and Mr. CLYBURN):

H.J. Res. 64. A joint resolution expressing support for designation of September 2011 as "Gospel Music Heritage Month" and honoring gospel music for its valuable and longstanding contributions to the culture of the United States; to the Committee on Oversight and Government Reform.

By Mr. CANTOR (for himself and Mr. HOYER):

H. Res. 268. A resolution reaffirming the United States' commitment to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, and for other purposes; to the Committee on Foreign Affairs.

18. The SPEAKER presented a memorial of the House of Representatives of the State of North Dakota, relative to House Concurrent Resolution No. 3021 urging the Citizen's Stamp Advisory Committee of the United States Postal Services to issue a commemorative stamp honoring coal miners and their contributions to our nation; which was referred to the Committee on Oversight and Government Reform.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HUNTER:

H.R. 1891.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8 of the U.S. Constitution

By Mr. ROGERS of Michigan:

H.R. 1892.

Congress has the power to enact this legislation pursuant to the following:

The intelligence and intelligence-related activities of the United States government are carried out to support the national security interests of the United States, to support and assist the armed forces of the United States, and to support the President in the execution of the foreign policy of the United States.

Article I, section 8 of the Constitution of the United States provides, in pertinent part, that "Congress shall have power . . . to pay the debts and provide for the common defense and general welfare of the United States"; ". . . to raise and support armies . . ."; "To provide and maintain a Navy"; "To make Rules for the Government and Regulation of the land and naval Forces"; and "To make all laws which shall be necessary and proper for carrying into Execution the foregoing Powers and all other Powers vested in this Constitution in the Government of the United States, or in any Department or Officer thereof."

By Mr. MICA:

H.R. 1893.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the United States Constitution, specifically Clause 1, Clause 3, and Clause 18.

By Mr. GOWDY:

H.R. 1894.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8: "To raise and support armies, but no appropriation of money to use shall be for a longer term than two years; to make rules for the government and regulation of the land and naval forces."

By Mr. MARKEY:

H.R. 1895.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 1.

By Mr. WEINER:

H.R. 1896.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the United States Constitution.

By Mr. SMITH of New Jersey:

H.R. 1897.

Congress has the power to enact this legislation pursuant to the following:

MEMORIALS

Under clause 4 of Rule XXII,

The constitutional authority on which this bill is based is Congress's power under Article I, Section 8, Clause 1 of the Constitution.

By Mr. REHBERG:

H.R. 1898.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

The Congress shall have Power To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes.

The specific Constitutional Authority cited here is not intended and should not be construed to be exclusive of any other general or specific Constitutional Authority that is otherwise applicable.

By Mr. CONYERS:

H.R. 1899.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3.

By Ms. JACKSON LEE of Texas:

H.R. 1900.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 18

This bill is enacted pursuant to the power granted to Congress under Article 1, Section 8, Clause 18 of the United States Constitution.

"The Congress shall have Power . . . to make all Law which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States or in and Department or Officer thereof.

By Mr. RUSH:

H.R. 1901.

Congress has the power to enact this legislation pursuant to the following:

This Bill is enacted pursuant to Article I, Section 8, Clause 1 of the United States Constitution, known as the "General Welfare Clause."

By Mr. RUSH:

H.R. 1902.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

"The Congress shall have Power "to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."

By Ms. WOOLSEY:

H.R. 1903.

Congress has the power to enact this legislation pursuant to the following:

This bill is introduced under the powers granted to Congress under Article 1 of the Constitution.

By Mr. GOSAR:

H.R. 1904.

Congress has the power to enact this legislation pursuant to the following:

This bill addresses federal transfer of federal land. Accordingly, we turn to the following constitutional authority:

Article IV of the Constitution provides the authority of Congress over federal property as a general matter. Article IV, §3 refers to the managerial authority over property owned by the Federal Government, and provides in relevant part:

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . .

By virtue of this enumerated power, Congress has governing authority over the lands, territories, or other property of the United States—and with this authority Congress is vested with the power accredited to all own-

ers in fee, the power to sell, lease, dispose, exchange, transfer, trade, mine, or simply preserve land. The appropriate acreage to be held under Federal dominance is not the subject of this bill. Turning to the power of Article IV, §3, the Supreme Court has described this enumerated grant as one "without limitation" *Kleppe v. New Mexico*, 426 U.S. 529, 542-543 (1976) ("And while the furthest reaches of the power granted by the Property Clause have not yet been definitively resolved, we have repeatedly observed that '[t]he power over the public land thus entrusted to Congress is without limitations.'" Citing *United States v. San Francisco*, 310 U.S. 29. The Court in *Kleppe* further explained that "In short, Congress exercises the powers both of a proprietor and of a legislature over the public domain." *Id.* Like any "proprietor" Congress has the power to sell or exchange federal property.

It is now generally accepted that the Federal Government may own and manage property in the manner and form mandated by Congress. *United States v. Gratiot*, 39 U.S. 526 (1840); *Camfield v. United States*, 167 U.S. 518 (1897). However, the wisdom of the Federal Government owning large tracts of land, particularly in the Western States, is subject to question on policy grounds, and some contend on Constitutional grounds based on the decision in *Pollard's Lessee v. Hagan*, 44 U.S. 212 (where the Court stated that "a proper examination of this subject will show that the United States never held any municipal sovereignty, jurisdiction, or right of soil in and to the territory of which Alabama or any of the new States were formed, except for temporary purposes. . . ." Historically, the early federal government transferred ownership of federal property to either private ownership or to state ownership in order to pay off the then crushing Revolutionary War debts and to assist with the development of infrastructure. These are still acceptable goals for federal property sale or transfer.

The land exchange here is one that comports with good policy and constitutional strictures since by exchanging the land set forth in this bill, a large commercial grade copper mine will be able to proceed with the attendant economic benefits with which such a proposition inures (assuming compliance with other requirements set forth in the bill), but the Federal Government also gains equally valuable land that has significance for other purposes.

Article 1, §8, Cl. 17 addresses property ceded by a state and conveys exclusive regulatory federal jurisdiction over these federal properties and enclaves. Section 8, Cl. 17 may also provide some guidance here to the extent it grants Congress the power to "exercise like Authority over all Places purchased by the Consent of the Legislature of the State in which the Same shall be, for the Erection of Forts, Magazines, Arsenals, dock-Yards and other needful Buildings." But it is Article IV that this bill is grounded upon.

By Ms. ROS-LEHTINEN:

H.R. 1905.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

(The Constitutional authorities cited in our Committee reports on legislation during the past several years are highlighted on the other side of this page.

The overwhelming majority have cited "article I, section 8 of the Constitution."

A handful had slightly more specific citations to "article I, section 8, clause 18 of the Constitution."

A couple bills with trade/sanctions components have cited "article I, section 8, clauses 3 and 18 of the Constitution."

And one anti-trafficking bill (with significant domestic law enforcement components) cited "article I, section 8 of the Constitution and the Thirteenth Amendment to the Constitution."

The one consistent exception is Resolutions of Inquiry, which always cite "article I, section 1 of the Constitution.")

By Mr. COLE:

H.R. 1906.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted under Article I, Section 1 which grants the authority to enact laws to the Congress.

This bill is enacted pursuant to the powers granted under Article I, Section 4 which grants Congress the authority to prescribe the manner of holding of elections.

By Mr. CALVERT:

H.R. 1907.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 and clause 18.

By Mr. AKIN:

H.R. 1908.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

"The Congress shall have Power To lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States;"

By Mr. BACA:

H.R. 1909.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3

By Mr. BARTLETT:

H.R. 1910.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 the General Welfare Clause, and Article I, Section 8, Clause 14 Military Regulation Clause, and Article I, Section 8, Clause 18 the Necessary and Proper Clause.

By Mr. BRALEY of Iowa:

H.R. 1911.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the power granted to Congress under Article I, Section 8, Clause 18 of the United States Constitution.

By Mr. CICILLINE:

H.R. 1912.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. COHEN:

H.R. 1913.

Congress has the power to enact this legislation pursuant to the following:

Clauses 1 and 3 of Article I, Section 8 of the United States Constitution.

By Mr. CUELLAR:

H.R. 1914.

Congress has the power to enact this legislation pursuant to the following:

According to Article 1: Section 8: Clause 18: of the United States Constitution, seen below, this bill falls within the Constitutional Authority of the United States Congress.

Article 1: Section 8: Clause 18: To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. GRIFFITH of Virginia:

H.R. 1915.

Congress has the power to enact this legislation pursuant to the following:

Article I, § 8, clause 3 of the United States Constitution.

By Mr. HINCHEY:

H.R. 1916.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution, specifically clause 1 (relating to the power of Congress to provide for the general welfare of the United States) and clause 18 (relating to the power to make all laws necessary and proper for carrying out the powers vested in Congress), and Article IV, section 3, clause 2 (relating to the power of Congress to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States).

By Mr. KIND:

H.R. 1917.

Congress has the power to enact this legislation pursuant to the following:

Article I Section 8.

By Mrs. MCCARTHY of New York:

H.R. 1918.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. MCCARTHY of New York:

H.R. 1919.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to the powers granted to the Congress by Article I, Section 8, Clause 3 of the United States Constitution.

By Mrs. NOEM:

H.R. 1920.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 3, the Commerce Clause.

By Mr. POMPEO:

H.R. 1921.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Article 1, Section 8, which grants Congress with the authority to provide for the common defense and general welfare of the United States and Clause 18 of Article 1, Section 8, which allows the authority to make laws deemed necessary and proper.

By Mr. QUAYLE:

H.R. 1922.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1

The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States; but all Duties, Imposts and Excises shall be uniform throughout the United States.

By Mr. QUIGLEY:

H.R. 1923.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Mr. QUIGLEY:

H.R. 1924.

Congress has the power to enact this legislation pursuant to the following:

The constitutional authority on which this bill rests is the power of Congress to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes; as enumerated in Article I, Section 8, Clause 3 of the United States Constitution.

By Mr. RAHALL:

H.R. 1925.

Congress has the power to enact this legislation pursuant to the following:

Clause 3 of Section 8 of Article I of the Constitution

By Mr. ROHRABACHER:

H.R. 1926.

Congress has the power to enact this legislation pursuant to the following:

Congress has the power to enact this legislation pursuant to Article 1, Section 8, Clauses 12-14 of the United States Constitution.

By Mr. SABLON:

H.R. 1927.

Congress has the power to enact this legislation pursuant to the following:

Under Clause 4, Congress has the power to establish a uniform Rule of Naturalization—to define the terms under which a foreign person can become a citizen of the U.S. Congress also has the power to exclude aliens and to prescribe the terms under which they are allowed to enter the U.S.

By Ms. LORETTA SANCHEZ of California:

H.R. 1928.

Congress has the power to enact this legislation pursuant to the following:

“The constitutional authority of Congress to enact this legislation is provided by Article I, section 8 of the United States Constitution (clauses 12, 13, 14, 16, and 18), which grants Congress the power to raise and support an Army; to provide and maintain a Navy; to make rules for the government and regulation of the land and naval forces; to provide for organizing, arming, and disciplining the militia; and to make all laws necessary and proper for carrying out the foregoing powers.”

By Mr. SENSENBRENNER:

H.R. 1929.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 4

By Mr. STEARNS:

H.R. 1930.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 14

By Ms. TSONGAS:

H.R. 1931.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8 of the Constitution.

By Mr. NEUGEBAUER:

H.J. Res. 63.

Congress has the power to enact this legislation pursuant to the following:

Constitutional Amendments

Article V

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which in either Case, shall be valid to all Intents and Purposes, as Part of this Constitution, when ratified by the Legislatures of three fourths of the several States or by Conventions in three fourths thereof, as the one or the other

Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State without its Consent, shall be deprived of its equal Suffrage in the Senate.

By Ms. JACKSON LEE of Texas:

H.J. Res. 64.

Congress has the power to enact this legislation pursuant to the following:

Necessary and Proper Regulations to Effectuate Powers

Article I, Section 8

The Congress shall have Power . . . to make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by the Constitution in the Government of the United States, or in any Department or Officer thereof.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 5: Ms. HAYWORTH and Mr. HUNTER.

H.R. 10: Mr. LANDRY and Mr. DUNCAN of Tennessee.

H.R. 44: Mr. ISRAEL.

H.R. 104: Mr. PALAZZO.

H.R. 190: Mr. AL GREEN of Texas and Ms. SUTTON.

H.R. 283: Ms. MOORE.

H.R. 287: Mr. McDERMOTT, Mr. LUJÁN, and Mr. LIPINSKI.

H.R. 300: Mr. ELLISON.

H.R. 401: Mr. JOHNSON of Georgia.

H.R. 420: Mr. LATTI, Mr. ISSA, Mr. BUCHANAN, and Ms. FOX.

H.R. 426: Mr. CULBERSON.

H.R. 436: Mr. BISHOP of Utah and Ms. ROSELEHTINEN.

H.R. 452: Mr. FRANKS of Arizona and Mr. QUAYLE.

H.R. 466: Mr. NADLER, Mr. ROE of Tennessee, and Mr. LUETKEMEYER.

H.R. 601: Mr. QUIGLEY.

H.R. 605: Mr. HARPER, Mrs. SCHMIDT, Mr. HUIZENGA of Michigan, Mr. MILLER of Florida, Mr. BISHOP of Utah, Mr. CHABOT, Mr. GOHMERT, Mr. MANZULLO, Mr. PITTS, Mr. GUINTA, and Mr. ROKITA.

H.R. 607: Mr. PAULSEN.

H.R. 615: Ms. FOX and Mr. LATTI.

H.R. 637: Mr. WOMACK.

H.R. 639: Mr. KEATING, Mr. MEEHAN, and Mr. OWENS.

H.R. 673: Mr. BUCHANAN.

H.R. 676: Mrs. NAPOLITANO and Mr. BECERRA.

H.R. 680: Mr. MCCLINTOCK.

H.R. 718: Mr. TURNER.

H.R. 721: Mr. CARSON of Indiana and Mrs. LUMMIS.

H.R. 735: Mr. CALVERT, Mr. ROHRABACHER, and Mr. LONG.

H.R. 745: Mr. DESJARLAIS and Mr. LAMBORN.

H.R. 789: Mr. PASCRELL, Mr. GARRETT, Mr. LOBIONDO, and Mr. HOLT.

H.R. 822: Mr. NUNES, Mr. BERG, Mrs. NOEM, Mrs. MCMORRIS RODGERS, Mr. RIBBLE, Mr. RYAN of Wisconsin, Mr. BURGESS, Mr. SHIMKUS, Mr. WOMACK, Mrs. BLACK, Mr. KINGSTON, Mr. YOUNG of Florida, and Mr. CARDOZA.

H.R. 860: Ms. FUDGE, Mr. MCGOVERN, Mr. HOLDEN, Mr. LATTI, Mr. TIERNEY, Mr. RUPERSBERGER, Mr. BISHOP of Georgia, and Mr. WOLF.

H.R. 862: Mr. COHEN.
H.R. 881: Ms. CASTOR of Florida.
H.R. 886: Mr. LONG.
H.R. 892: Mr. KELLY.
H.R. 904: Mr. BOSWELL and Mr. BARTLETT.
H.R. 935: Mr. WHITFIELD, Mr. PETRI, and Mr. SCHOCK.
H.R. 965: Ms. CHU.
H.R. 972: Mr. WOODALL.
H.R. 990: Mr. DUNCAN of Tennessee and Mr. KLINE.
H.R. 991: Mr. KLINE, Mr. LANDRY, Mr. DUNCAN of Tennessee, Mr. BENISHEK, and Mr. MARCHANT.
H.R. 1041: Mr. WOLF.
H.R. 1057: Mrs. MALONEY.
H.R. 1063: Ms. BALDWIN.
H.R. 1081: Ms. HIRONO, Mr. BENISHEK, and Mr. WOODALL.
H.R. 1093: Mr. WALBERG.
H.R. 1134: Mr. WOMACK and Mr. HERGER.
H.R. 1150: Mr. JONES, Mr. DOGGETT, and Mrs. MCMORRIS RODGERS.
H.R. 1153: Mr. FORBES.
H.R. 1166: Mr. ALTMIRE, Mr. CRENSHAW, Mr. MICA, Mr. ENGEL, and Mr. MCINTYRE.
H.R. 1167: Mr. ISSA.
H.R. 1174: Mr. ACKERMAN, Mr. POLIS, Ms. BERKLEY, Mr. LARSON of Connecticut, Mr. RANGEL, Mr. CONYERS, Mr. GEORGE MILLER of California, Mr. SCOTT of VIRGINIA, Mr. CAPUANO, Mr. HONDA, Ms. WOOLSEY, Mr. OWENS, Mrs. MCCARTHY of New York, Mr. MCGOVERN, Mr. BLUMENAUER, Mr. COHEN, Mr. PAUL, Mr. YOUNG of Alaska, and Mrs. BIGGERT.
H.R. 1181: Ms. JENKINS.
H.R. 1184: Mr. PLATTS.
H.R. 1219: Mr. DAVIS of Illinois and Mr. HEINRICH.
H.R. 1236: Mr. HOLDEN, Mr. BARROW, Mr. SENSENBRENNER, Mr. POLIS, Ms. SLAUGHTER, and Mr. LIPINSKI.
H.R. 1244: Mr. BOSWELL, Mr. MARCHANT, and Mr. PLATTS.
H.R. 1265: Ms. BERKLEY, Mr. CULBERSON, Mrs. LUMMIS, Mr. LONG, and Mr. JONES.
H.R. 1284: Mr. MARKEY.
H.R. 1287: Mr. REHBERG.
H.R. 1309: Mr. BILIRAKIS, Mr. HARPER, Mr. BISHOP of Georgia, and Mr. SIRES.
H.R. 1325: Mr. CICILLINE and Mr. BACA.
H.R. 1327: Ms. SUTTON and Mr. JOHNSON of Illinois.
H.R. 1330: Mr. HASTINGS of Florida.
H.R. 1331: Mr. BARLETT and Mr. DUNCAN of Tennessee.
H.R. 1351: Ms. MOORE, Mr. COSTA, and Mr. QUIGLEY.
H.R. 1356: Mr. HOLT and Mr. MILLER of Florida.
H.R. 1370: Mr. BOREN.
H.R. 1380: Mr. ROGERS of Michigan.
H.R. 1404: Mr. BLUMENAUER.
H.R. 1416: Mr. BACHUS.
H.R. 1418: Mr. CLARKE of Michigan, Mr. BISHOP of New York, Mr. CONNOLLY of Virginia, and Mr. WOODALL.
H.R. 1420: Mr. ISRAEL and Mr. GARAMENDI.
H.R. 1475: Mr. DIAZ-BALART.
H.R. 1498: Mrs. BLACKBURN, Ms. WOOLSEY, Mr. BILIRAKIS, Mr. WEST, Mr. RUSH, Mr. SCHIFF, and Mr. SHERMAN.
H.R. 1501: Mrs. LUMMIS.

H.R. 1505: Mr. MCCLINTOCK and Mr. GOSAR.
H.R. 1506: Mr. QUIGLEY, Mr. NADLER, and Mr. JACKSON of Illinois.
H.R. 1537: Mr. FATTAH and Mr. TIERNEY.
H.R. 1546: Mr. JOHNSON of Georgia, Mr. GENE GREEN of Texas, Mr. COBLE, Ms. SCHAKOWSKY, Mr. ISRAEL, Mr. LOEBSACK, Mr. THOMPSON of Pennsylvania, Mr. YOUNG of Alaska, Mr. HEINRICH, Mr. JOHNSON of Ohio, and Mrs. MILLER of Michigan.
H.R. 1558: Mr. SCHOCK.
H.R. 1574: Mr. TIERNEY, Mr. LYNCH, and Mr. MARKEY.
H.R. 1578: Mr. COHEN.
H.R. 1580: Mr. PLATTS, Mr. INSLEE, Ms. LINDA T. SANCHEZ of California, Mr. CARTER, Mr. REICHERT, Mr. DUNCAN of Tennessee, and Mrs. BLACKBURN.
H.R. 1583: Mr. CLEAVER and Mr. INSLEE.
H.R. 1591: Mrs. MYRICK, Mr. CARDOZA, Mr. MICHAUD, and Mr. CULBERSON.
H.R. 1596: Mr. CARNAHAN, Ms. LEE of California, Mr. CONNOLLY of Virginia, and Mr. WU.
H.R. 1610: Mr. COFFMAN of Colorado.
H.R. 1633: Mr. LONG, Mr. SIMPSON, Mr. MCCLINTOCK, Mr. GRAVES of Missouri, Mr. POE of Texas, Mr. BURTON of Indiana, Mr. SMITH of Nebraska, Mr. LAMBORN, Mr. JONES, Mr. HERGER, Mr. GOODLATTE, Mr. AUSTIN SCOTT of Georgia, Mrs. MYRICK, Mr. BISHOP of Utah, Ms. JENKINS, Mr. FINCHER, Mr. RIBBLE, Mrs. MCMORRIS RODGERS, Mr. MCKINLEY, Mr. CONAWAY, Mr. FLORES, Mr. NEUGEBAUER, Mr. PAUL, Mr. PEARCE, Mr. COLE, Mr. SENSENBRENNER, Mr. KING of Iowa, Mr. CRAWFORD, Mr. HUELSKAMP, Mr. LATTI, Mr. DENHAM, Mr. CANSECO, Mr. FLEISCHMANN, Mr. FORBES, Mrs. LUMMIS, Mr. WALSH of Illinois, Mr. OLSON, Mr. PITTS, Mr. BARTON of Texas, Mr. GOHMERT, Mr. CHAFETZ, Mr. MANZULLO, and Mr. BACHUS.
H.R. 1639: Mrs. ADAMS.
H.R. 1655: Ms. ROS-LEHTINEN.
H.R. 1681: Ms. CLARKE of New York, Mr. FATTAH, and Ms. JACKSON LEE of Texas.
H.R. 1683: Mrs. MILLER of Michigan, Mr. TERRY, and Mr. MCCLINTOCK.
H.R. 1685: Mr. DEUTCH.
H.R. 1689: Mr. STARK.
H.R. 1697: Mr. POSEY.
H.R. 1700: Ms. HAYWORTH.
H.R. 1704: Ms. ROYBAL-ALLARD, Mr. COURTNEY, Mr. HINCHEY, Mr. GRIJALVA, Ms. HERRERA BEUTLER, and Mr. CARDOZA.
H.R. 1705: Mrs. MYRICK.
H.R. 1724: Mr. DEUTCH, Mr. ELLISON, Mr. CONYERS, Mr. MORAN, Mr. JACKSON of Illinois, Mr. WU, Mr. BRADY of Pennsylvania, Ms. CLARKE of New York, Mr. CONNOLLY of Virginia, and Mr. STARK.
H.R. 1735: Mr. FILNER, Mr. MARKEY, Mr. SCHRADER, Mr. NEAL, and Mr. FRANK of Massachusetts.
H.R. 1742: Mr. FILNER and Mr. MCINTYRE.
H.R. 1744: Mr. SOUTHERLAND, Ms. JENKINS, and Mr. GUINTA.
H.R. 1748: Mr. LYNCH.
H.R. 1756: Mr. BISHOP of New York, Mr. ANDREWS, and Mr. MCGOVERN.
H.R. 1779: Mr. LONG and Mr. YOUNG of Alaska.
H.R. 1802: Mr. DUNCAN of Tennessee and Mr. HOLDEN.

H.R. 1805: Mr. RUPPERSBERGER.
H.R. 1815: Ms. ESHOO, Mr. MICHAUD, Mr. KUCINICH, Ms. BALDWIN, Mr. DEUTCH, Mr. TONKO, Mr. WALZ of Minnesota, Ms. HIRONO, Mr. BOSWELL, Ms. WOOLSEY, Mr. LARSON of Connecticut, Mr. MILLER of North Carolina, Mr. FILNER, Ms. KAPTUR, Ms. WASSERMAN SCHULTZ, Ms. SCHAKOWSKY, Mr. AL GREEN of Texas, Mr. SHERMAN, Mr. FARR, Mr. PETERSON, Ms. LEE of California, Ms. EDWARDS, Ms. BASS of California, Mr. ELLISON, Mr. TOWNS, Mr. RUSH, Mr. CLYBURN, Mr. FATTAH, Mr. BISHOP of Georgia, Mr. LEWIS of Georgia, Mr. CARSON of Indiana, Ms. WATERS, Mr. DUNCAN of Tennessee, Mr. HONDA, Mr. GUTIERREZ, Mr. KILDEE, Mr. GARAMENDI, Mr. MCINTYRE, Mr. LYNCH, Mr. WEINER, Mr. PASCRELL, Mr. DAVID SCOTT of Georgia, Mr. CROWLEY, Mr. PERLMUTTER, Mr. LUJÁN, Mr. YOUNG of Alaska, Mr. THOMPSON of California, Mr. BURTON of Indiana, Mr. ANDREWS, Mr. SMITH of Washington, Mr. DREIER, Mr. DOYLE, Ms. TSONGAS, Ms. MATSUI, Mr. BOREN, Mr. MATHESON, Mr. DONNELLY of Indiana, Mr. CARNAHAN, Mr. CARNEY, Ms. BERKLEY, Mr. SHULER, Mr. CLARKE of Michigan, Mr. SIRES, Ms. RICHARDSON, Mr. PAYNE, Mr. JOHNSON of Georgia, and Mr. ISRAEL.
H.R. 1831: Mr. CAMPBELL.
H.R. 1832: Mr. ROE of Tennessee and Mr. AUSTRIA.
H.R. 1839: Mr. ADERHOLT, Ms. CHU, Mr. HINOJOSA, Mr. PAUL, Mr. JONES, Mr. NADLER, Ms. BALDWIN, and Ms. ROYBAL-ALLARD.
H.R. 1846: Mr. LANKFORD.
H.R. 1848: Mr. FLAKE and Mr. JORDAN.
H.R. 1852: Mr. LATTI.
H.R. 1861: Mr. FITZPATRICK.
H. Con. Res. 21: Mr. LUJÁN, Mr. WOMACK, Mr. ROSS of Florida, and Mr. LUETKEMEYER.
H. Con. Res. 25: Mr. TIBERI.
H. Res. 47: Ms. MCCOLLUM.
H. Res. 98: Mr. NUNNELEE and Mr. SUL-LIVAN.
H. Res. 111: Mr. WEST.
H. Res. 137: Mr. PIERLUISI and Mr. GEORGE MILLER of California.
H. Res. 207: Mr. JACKSON of Illinois and Mr. KING of New York.
H. Res. 214: Mr. HONDA, Mr. FARR, Mr. ISRAEL, Ms. SCHAKOWSKY, Mr. WU, Mr. McDERMOTT, Mr. LUJÁN, Mrs. CHRISTENSEN, Mr. RANGEL, Mr. GONZALEZ, Mr. DREIER, Mr. HASTINGS of Florida, and Ms. ZOE LOFGREN of California.
H. Res. 239: Mr. BOSWELL and Mr. BARTLETT.
H. Res. 253: Mr. PITTS, Mr. BARTLETT, Mr. FRANKS of Arizona, and Ms. FOX.
H. Res. 258: Mr. STARK, Mr. HASTINGS of Florida, and Mrs. LOWEY.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 435: Mr. RIGELL, Mrs. ADAMS, and Mr. WALDEN.

EXTENSIONS OF REMARKS

A TRIBUTE TO HY-CAPACITY

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the achievement of Hy-Capacity, a remanufacturer of agricultural equipment in Humboldt, Iowa. This company was recently selected by the Small Business Commerce Association (SBCA) to receive the 2010 Best of Business Award.

The SBCA is a private sector organization that seeks to provide guidance and assistance to small businesses as they try to navigate their way through day-to-day business issues. The SBCA gives out the Best of Business Award annually to those local businesses who have demonstrated quality service to their customers and their communities, and in doing so, create or enhance a positive image of small businesses everywhere. Winners of this award are selected by a committee using a combination of statistical research, surveys, consumer rankings, and consumer reports. The award is given to the top five percent of small businesses across the country every year.

Hy-Capacity was established in 1978 and remanufactures a variety of parts for agricultural equipment, including water pumps, radiators, air conditioners, engine overhaul kits, and much more. Although headquartered in Humboldt, Hy-Capacity has 24 regional warehouses and 40 distributors throughout North America. In the words of the company's president Steve Olson, "This award solidifies that our employees are best-in-class professionals, taking pride in taking care of our customers."

I commend Hy-Capacity for their dedication to quality service and their accomplishments as a small business. Small businesses are crucial to the success of the American economy and are a lifeline for many Americans living in rural areas.

I know my colleagues in the United States Congress will join me in congratulating Hy-Capacity for being selected to receive this award. I wish the company and its employees luck and success in the future.

RECOGNIZING THE THIRD ANNIVERSARY OF TAIWANESE PRESIDENT MA YING-JEOU'S INAUGURATION

HON. MAURICE D. HINCHEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. HINCHEY. Mr. Speaker, I rise today to recognize the third anniversary of the inauguration of Taiwan's President Ma Ying-jeou

on May 20, 2011. His efforts to improve the relationship between the Republic of China (Taiwan) and the People's Republic of China are most admirable.

Taiwan has become a stable beacon of democracy and is an important U.S. trade partner. We should seek to encourage and strengthen the U.S.-Taiwanese strategic relationship and recognize the importance of preserving peace and stability in the Taiwan Strait as a vital U.S. interest.

I would like to acknowledge President Ma's efforts and wish him all the best on the third anniversary of his inauguration.

CONGRATULATING TAIWAN'S PRESIDENT

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. TOWNS. Mr. Speaker, today I rise to congratulate Taiwan's President Ma Ying-jeou. May 20, 2011 marks the third anniversary of President Ma's inauguration as The Republic of China's (Taiwan) leader.

Not only should we congratulate President Ma, but we should also thank him for his great efforts at maintaining peace and stability across the Taiwan Straits.

Before President Ma took office, there was a great amount of tension between Mainland China and Taiwan. Then candidate Ma ran on a platform of easing tension with China and therefore allowing both nations to live in harmony with one another.

President Ma made good on his campaign promises and has created a better environment between the two countries than has ever been seen before.

The reason we should thank President Ma for reducing military conflict in the Western Pacific is because the United States does not need to engage in any more military fronts right now. We already have military hotspots in Iraq, Afghanistan and Libya.

We appreciate all of President Ma's hard work and look forward to working with him for many years to come.

RECOGNIZING THE 2011 RECIPIENTS OF THE MCGOWAN COURAGE AWARD

HON. JIM JORDAN

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. JORDAN. Mr. Speaker, I always appreciate the opportunity to share positive stories about young people in my congressional district who overcome adversity. Today, I am

pleased to share the stories of six such individuals.

Ashley Martin, Clear Fork High School. Ashley refuses to allow achondroplasia and diabetes to get in the way of working toward her goals to her fullest potential. She is very active in school and community activities—including 4-H, through which she has shown animals at the county fair and competed for Fair Queen. A National Honor Society member, she excels academically even while holding a part-time job. Ashley plans to attend Ohio Northern University and pursue her dream of becoming a pharmacist.

Benjamin Studer, Crestview High School. Ben has endured many surgeries and countless physical therapy sessions since his premature birth. He has triumphed over every challenge and setback through the years and lives independently in a group home. Ben is very active athletically, enjoying horseback riding, swimming, and riding his four-wheeler. In addition, he has worked for Richland Newhope Industries in the summer. His strength, determination, and compassion toward others are an inspiration to all who know him.

Keaton Fuller, Lexington High School. Keaton has earned an A/B average throughout his high school career despite needing some extra help in English and math courses. His enthusiasm, work ethic, and passion for learning have earned the respect of his teachers and peers. Even while maintaining this outstanding academic record and participating in the boys' track team, he works part-time at a car wash and runs his own lawn-mowing business. Keaton plans to attend North Central State College and one day become a physical therapy assistant.

Ian Pasheilich, Madison Comprehensive High School. Ian has worked through many autism-related difficulties throughout his life. He maintains a positive attitude as he deals with this disease and with the side effects of the medications he must take daily. He has earned the admiration of his teachers and fellow students for his perseverance and his high grade point average. Outside the classroom, Ian enjoys attending school sporting events, has starred in a number of school plays, and likes to engage in debates on politics, history, and literature.

Lauren Short, Mansfield Senior High School. Lauren has shown immense strength and courage in dealing with the tragic deaths of her mother, stepfather, brother, and sister in a fire last year. Earlier this year, she lost her grandmother and great-grandfather as well. Despite these heartbreaking events, she has remained focused on her short- and long-term goals. Lauren, who has already taken her state board exams in cosmetology, plans to continue her education and become a certified massage therapist.

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Luke Armstrong, Ontario High School. Despite the many challenges presented by cerebral palsy with spastic quadriplegia, Luke's attitude reflects his tremendous inner strength. He refuses to accept failure as an option, dedicating himself to his studies and his love of sports. His family and friends appreciate his outstanding sense of humor, independent spirit, and optimism—even in the face of the extensive physical therapy sessions he has undergone throughout his life. Luke plans to attend Wright State University upon graduation.

Mr. Speaker, the Rotary Club of Mansfield, Ohio, will present these six students with the McGowan Courage Award on May 17. I am proud to join the Rotary in acknowledging their significant achievements and wishing them continued success in everything they do.

TRIBUTE TO HONOR FLIGHT OF EASTERN OREGON

HON. GREG WALDEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. WALDEN. Mr. Speaker, I rise to recognize the 28 World War II veterans from eastern Oregon who will be visiting their memorial next Friday in Washington, DC through Honor Flight of Eastern Oregon. On behalf of a grateful state and country, we welcome these heroes to the nation's capital.

The World War II veterans on this flight are: John Ansen, U.S. Army Air Corps; Lawrence Bannon, U.S. Army; Clinton Beauchamp, U.S. Navy; Roy Bunting, U.S. Navy; Albert Buscio, U.S. Merchant Marine; Jack Cooper, U.S. Navy; Claude Davis, U.S. Army; Robert Falley, U.S. Navy; Melvin Fuller Sr., U.S. Navy & U.S. Army; Harry Hartung, U.S. Army; Dayton Herron, U.S. Army; Leroy Hills, U.S. Army; Frank Jackson, U.S. Navy; Roy Janiec, U.S. Navy; Jack Kinsey, U.S. Navy; Paul Leshner, U.S. Army; Robert Maxwell, U.S. Army; Walker Nicholson, U.S. Navy; Glenn Plato, U.S. Navy; Henry Potts, U.S. Navy; Pete Stride, U.S. Army; Raymond Sweet, U.S. Army; William Switzer, U.S. Navy; Collins Tucker, U.S. Army; Robert Warner, U.S. Army; Jack Wilson, U.S. Army; Garland Wright, U.S. Army; and Lawrence Zufelt, U.S. Navy.

These 28 heroes join more than 63,000 veterans from across the country who, since 2005, have journeyed from their home states to Washington, DC to reflect at the memorials built in honor of our nation's veterans.

Mr. Speaker, each of us is humbled by the courage of these soldiers, sailors, and airmen who put themselves in harm's way for our country and way of life. As a nation, we can never fully repay the debt of gratitude owed to them for their honor, commitment, and sacrifice in defense of the freedoms we have today.

My colleagues, please join me in thanking these veterans and the volunteers of Honor Flight of Eastern Oregon for their exemplary dedication and service to this great country. I will be hosting a special forum on Capitol Hill next week for these highly distinguished Americans, and I'm very eager to thank them all in person.

CELEBRATING THE THIRD ANNI- VERSARY OF THE INAUGURA- TION OF TAIWANESE PRESIDENT MA YING-JEUO

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. RANGEL. Mr. Speaker, May 20, 2011 marks the third anniversary of the Inauguration of Taiwanese President Ma Ying-jeou.

Much has transpired in those 3 years. Wars continue to plague our society. However, in the Taiwan Strait, tensions have abated and much of the credit must be given to President Ma for the courageous efforts he has made to lessen the tensions between China and the Republic of China (Taiwan).

While protecting the interests of the people of Taiwan, President Ma has made marked progress in the dialogue between the People's Republic of China (mainland China) and the Republic of China (Taiwan), thereby advancing peace in the Pacific.

For this he is to be congratulated and commended and we wish him much continued success.

A TRIBUTE TO A-ONE GEOTHERMAL

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to congratulate A-One Geothermal of Earlham, Iowa in recognition of their decade-long history as the leading geothermal installation company in the State.

A-One Geothermal has crafted a great reputation throughout Iowa and the Midwest over the past 10 years through groundbreaking techniques in the development of horizontal boring and a commitment to their community. A-One oversaw the successful installation of geothermal heating and cooling systems for many Iowa schools and has become the "go-to" company for geothermal problem projects. A-One has a global reach and Midwest roots with projects throughout Iowa and the Midwest in addition to the West Coast, Australia and China.

Mr. Speaker, I am honored to represent such a successful company filled with such outstanding and hardworking Iowans. I know my colleagues in the U.S. Congress will join me in congratulating A-One and I wish them many more decades of success.

SUPPORTING TAIWAN'S MEMBER- SHIP IN INTERNATIONAL ORGA- NIZATIONS

HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. TOWNS. Mr. Speaker, as a long-time friend of Taiwan in the United States Con-

gress, and as a member of the 140-member strong bi-partisan Congressional Taiwan Caucus I rise today to urge my colleagues to join me in supporting an issue I and my Taiwanese American constituents care deeply about.

I am a supporter of Taiwan's full membership in international organizations such as the United Nations. Why? Because I believe it is an anomaly that the country of Taiwan, with a population of 23 million, is not represented in the United Nations and its affiliated organizations.

I believe that we, the United States, instead of supporting "meaningful participation" for Taiwan in international organizations, should instead actively support and promote full membership for Taiwan in international organizations such as the WHO.

Health knows no boundaries. Diseases do not stop at the borders of countries. Over the years, Taiwan has been affected by the H1N1 flu. In 2003, Taiwan was struck by an outbreak of Severe Acute Respiratory Syndrome, or SARS. A total of 60 people died.

It is therefore imperative that Taiwan joins the WHO as a full member, so that the 23 million people of Taiwan can and will have access to the highest level of health information and knowledge.

Not only that, but medical professionals in Taiwan will be able to fully contribute their extensive knowledge and expertise to the WHO, to the benefit of the entire global health community.

I therefore urge my colleagues to join me in supporting Taiwan's full and equal membership in the United Nations, and in all other international organizations including the World Health Organization.

HONORING JOSEPH A. TORMALA

HON. DAN BENISHEK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. BENISHEK. Mr. Speaker, let it be known, that it is a pleasure and honor to pay tribute to Joseph A. Tormala of Chassell, who was born and raised in the Copper Country by his parents, Ken and Mary Tormala of Atlantic Mine. He attended schools in Stanton Twp., and graduated from Houghton High School in 1983. He joined the Marine Corps in 1983 and married his high school sweetheart Sheila (Alatalo) in 1984, and they have one child, Katrina.

Joe attended Marine boot camp and Infantry Training in California during the Beirut crisis of 1983 and was trained as a Huey & Cobra helicopter crew chief, and in marine security forces. He served in numerous deployments from 1985 through 1988 in Operation Northern Wedding and in missions to the Mediterranean and Caribbean regions. He served in Operations Desert Shield and Desert Storm and in Operation Fiery Vigil in the rescue, cleanup and evacuation of the Philippines during the eruption of Pinatubo. He left active duty in 1993 and moved back to the Copper Country.

As a civilian, Joe went on to complete his education with an Associate Applied Science

degree from Vincennes University, and certifications in Forensic Science—Criminal Investigations, Certified Security Supervisor, Certified Protection Officer and FEMA Emergency Program Manager. He was Director of Campus Security for Suomi College/Finlandia University, Houghton CO. Special Deputy Sheriff, Hancock Reserve Police Officer, Chassell Township Fireman, and DNR Volunteer Conservation Officer.

He rejoined components of the Army and Marine Corps 1994–2004 and participated in training missions across the United States, deployed with Task Force Timberwolf in Central America and participated in Operation Enduring Freedom in security missions following the 9/11 attacks, until his mobilization and activation for 15 months in the Liberation of Iraq and Operation Iraqi Freedom I.

During his service in the Marine Corps and Army, Joe was decorated for Combat Action and received other awards for personal leadership, achievement and meritorious service; including the Purple Heart for wounds received in action in Iraq. His units were cited in Joint Meritorious Unit Awards, Valorous Unit Award, Navy Unit Commendations, Meritorious Unit Commendations, Navy Battle E, Navy Sea Service, Army Overseas, and other Service and Campaign Medals for his 3½ years spent overseas in five tours with Marine and Army Units.

He is a volunteer by nature and has applied his entire adult life to serving others in the military, public safety, veterans' groups, and non-profits. He has been active in veterans' affairs for 25 years, notably organizing the Keweenaw Detachment #1016, Marine Corps League and Copper Country Chapter #789 Military Order Purple Heart with Vietnam veterans Gary Mattson and Tom Heikkinen. Joe continues to serve as a volunteer Michigan CCP Firearms Instructor and U.S. Army Ambassador for CRSC/TSGLI claims. He is a Christian and man of faith in God. He serves his local church in many capacities, and he and his wife, with their dog, Sunny greatly enjoy wandering the wilderness of the U.P. of Michigan and across America. The Copper Country is greatly honored to have Joe as the Grand Marshal of the Sixth Annual Parade of Thanks in Michigan's Keweenaw.

RECOGNIZING THE 63RD ANNIVERSARY OF THE INDEPENDENCE OF THE STATE OF ISRAEL

HON. DOUG LAMBORN

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LAMBORN. Mr. Speaker, I rise today to recognize the 63rd anniversary of the independence of the State of Israel, declared on May 14, 1948. Israel has provided Jews from all over the world with the opportunity to reestablish and participate in a Jewish state and society in their ancient homeland, the Land of Israel, with the city of Jerusalem as its undivided capital. Not only is Israel home to many religious sites sacred to Judaism, Christianity, and Islam, but Israel has provided a refuge to Jews who survived the unprecedented horrors

of the Holocaust and Jewish refugees who fled persecution around the world.

The people of Israel have established a pluralistic democracy that includes the freedoms cherished by the people of the United States, including freedom of speech, freedom of religion, freedom of association, freedom of the press, and government by the consent of the governed. Israel continues to serve as a shining model of democratic values by regularly holding free and fair elections, promoting the free exchange of ideas, and vigorously exercising in its Parliament, the Knesset, a democratic government that is fully representative of its citizens.

Additionally, Israel has bravely defended itself from terrorist and military attacks repeatedly since independence. With thousands of rocket attacks from violent extremist groups in Gaza against Israeli civilian targets in recent years that have caused hundreds of casualties and have destroyed homes, schools, buildings, roads, power lines, and other significant infrastructure, Israel has stood strong. Even with the deaths of over 1,000 innocent Israelis over the last several years at the hands of murderous, suicide bombers and other terrorists, the people of Israel stand strong. Israel continues to seek peace with their Palestinian neighbors and have signed landmark peace treaties and successfully established peaceful bilateral relations with neighboring Egypt and Jordan.

Moreover, Iran, which continues to reject Israel's right to exist as a nation, remains a continued threat to Israel's safety and security, both through its support of terrorist groups like Hamas and Hezbollah and through its ongoing efforts to acquire nuclear weapons.

A strong and valuable ally, the United States and Israel enjoy a strategic partnership based on shared democratic values, friendship, and respect. The United States share a deep affinity with the people of Israel and view Israel as a strong and trusted ally. Not only was the United States the first nation to offer de facto recognition, but did so only 11 minutes after the creation of the state of Israel.

In recognizing the 63rd anniversary of the independence of the State of Israel, I reaffirm enduring, bipartisan support for the alliance and friendship between the Governments and peoples of the United States and Israel, for Israel to exist as a democratic Jewish state, and for its right to defend itself. I look forward to continued cooperation in resolving future mutual challenges and extend warm congratulations and best wishes to the people of Israel as they celebrate independence.

HONORING THE CENTENNIAL CELEBRATION OF CALLAHAN, FLORIDA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. CRENSHAW. Mr. Speaker, I rise today to recognize the Centennial Celebration of the Town of Callahan in Nassau County, Florida, which received its Charter on May 23, 1911. It is my privilege to represent the warm, friend-

ly people in this small municipality. Although it is only 1.3 square miles in size, Callahan stands at the crossroads of major transportation links to Jacksonville and Georgia. For the surrounding rural, isolated farms, Callahan is town.

As with much of Northeast Florida, the railroad brought development and people to what had been wild, wet timber lands and home to the Timucuan Indians. Callahan was no exception. More than 150 years ago, David Yulee, owner of the Florida Railroad Company and Florida's first U.S. Senator, hired a seasoned railroad man named Daniel Callahan to prepare the land for the laying of railroad tracks across the middle of Nassau County. Many of Florida's pioneer family members worked on the rail for 23 cents a day. At that time, the economy mostly centered on the logging business although herds of cattle, horses and hogs roamed the still unfenced countryside as farmers and ranchers worked hard under the Florida sun.

During construction, a railroad station was built where the tracks cross Kings Road, now called U.S. 1. A post office soon followed. The Sharon Baptist Church was already there surrounded by farms. The railroad turned the sleepy settlement into a bustling rail camp, and a town was born. Years after Daniel Callahan had moved on to build other railroads, the people officially named the town in his honor.

Today, the historic train depot is home to the Greater Nassau County Chamber of Commerce and the West Nassau Historical Society. For the past several years it has hosted the Railroad Days Festival, where hundreds of folks come to enjoy small-town activities like parades, clowns, American flags, face painting, and ax throwing contests, and of course, model train displays in the lovingly restored old wood building. Also on site is a restored rail segment and caboose, a favorite of the children.

Although a significant retail district grew nearby the depot and a block of beautiful brick stores replete with balconies remains, Callahan's town center has moved slightly north from the railroad track to the intersection of A1A, Lem Turner Highway, and U.S. 1. Here several red brick government buildings, along with small shops—some national franchises but many local longtime businesses, continue to serve the folks surrounding the Town. Two restaurants have large local followings—The Pig and the Chicken House. If you want good barbeque and a cold glass of sweet tea, you can't find a better place than in Callahan.

Almost everyone in Callahan attends church, and church activities are the backbone of most weekly social events. But Callahan also boasts annual events, like the Blueberry Festival, the Northeast Florida Fair, the Rodeo, and the Christmas Parade that draw hundreds of visitors.

As we celebrate the Centennial Anniversary of this charming rural community in West Nassau County, I congratulate my good friend, Mayor Shirley Graham, the Town Council, and all who have made this occasion special. But I especially laud the townspeople and those who live just outside the town limits on their neighborliness, their can-do spirit, and small-town warmth. When I think of what makes up

the heart and soul of America, I need look no farther than Callahan, Florida.

NATIONAL NURSING HOME WEEK

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mrs. CAPITO. Mr. Speaker, I am proud to recognize National Nursing Home Week, which began nationwide on May 8, and concludes on May 14th. This year's theme, "Fulfilling the Promise," was selected to honor those who are serving others, thus adding value to life. National Nursing Home Week is a time to reach out to older Americans in these facilities who have given so much to our communities and country. They are our loved ones, our veterans, our teachers, nurses, friends, and much more.

It's also a time to better understand the valuable work of nursing home staff. They provide quality care day in and day out, focusing on person-centered care so that elderly and disabled residents can live life in a meaningful way. All across America, nursing homes provide fulfilling places to work, employing millions of Americans even in these tough economic times. In West Virginia alone, nursing homes and other long term care facilities make up one of the state's largest industries and employers. These jobs make nursing homes a critical component of local and state economies. In West Virginia, they support an estimated \$1.7 billion of the state's economic activity and \$38.6 million in tax revenue.

As this year marks the first year that baby boomers will reach the age of 65, the critical role that long term care facilities play will only become more important. These facilities will be even more critical in states like West Virginia where we have the second highest percentage of citizens who are over the age of 65.

Let us all celebrate the critical work of nursing homes in caring for our nation's seniors, employing Americans and strengthening the economy. I ask all Americans to join me in celebrating National Nursing Home Week by taking part in local activities and ceremonies around the country.

A TRIBUTE TO THE LATE JOE SANCHEZ, SUCCESSFUL LOS ANGELES BUSINESSMAN AND DEDICATED COMMUNITY ACTIVIST

HON. LUCILLE ROYBAL-ALLARD

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. ROYBAL-ALLARD. Mr. Speaker, I rise today to recognize the late Joe Sanchez, a dedicated community activist, successful Los Angeles businessman and a dear friend of the Roybal family who passed away May 10 at the age of 77.

Born on June 2, 1933 in Albuquerque, New Mexico, Joe's family moved to Los Angeles when he was eight years old following the outbreak of World War II.

As a teenager, he worked at Weber and Sons, a local discount grocery store in the Wall Street/Olympic area of Los Angeles. That job would be the start of his career in the wholesale grocery business. The discount retail grocery outlets he owned and operated included: La Quebradita grocery stores in East Los Angeles and Pico Rivera, which he co-owned with his sister and brother-in-law Dolores and Cal Soto; La Marketa in Stanton; and Civic Center Sales, originally located in Chinatown and later moved to Lincoln Heights. In addition, Joe served on numerous civic and industry boards. He founded the Mexican American Grocers Association in 1977 and was an active member of the Southern California Grocers Association.

But while Joe was an astute and successful businessman, his true passion was the pursuit of social justice for Mexican Americans, as well as other disenfranchised groups. For more than five decades, he used his businesses as a catalyst for social change and to help fund the social justice and political causes he cared most about. Joe advocated on behalf of the anti-war movement. He worked to end discrimination in hiring and job promotion, advance educational opportunities for Latinos, and increase the number of Mexican American elected officials and business owners.

During the United Farm Workers prolonged grape and lettuce boycotts, Joe collected truckloads of food for the striking farm workers.

Upon learning of Joe's passing, Arturo S. Rodriguez, president of the United Farm Workers of America, recalled, "During the most challenging and turbulent times of the farm worker movement, beginning in the 1960s and '70s, no one in the Latino community did more and could be counted on with greater consistency than Joe Sanchez. He was often the first person in the Chicano community to whom Cesar would turn when the farm workers needed help." A close friend, Cesar Chavez and his family often stayed in the Sanchez home when he was in Los Angeles.

In 1973, Mayor Tom Bradley appointed him to serve as a member of the Board of Fire Commissioners—the first Latino to hold such a position. He was elected to serve as President Pro Tem of the commission from 1973–76, and as Vice President from 1977–78. During his tenure, Joe pushed the LA Fire Department to stop discriminatory hiring practices against Mexican Americans, African Americans and Asians.

Under his leadership, Joe brought about a dramatic increase in the hiring of Latino firefighters, paramedics and civilian employees in the fire department from 67 to 300. Bilingual positions at the department increased markedly from 12 to 119. The department implemented a bilingual Emergency Training Program to teach firefighters emergency phrases in Spanish. A citywide study was conducted to assure equal services to all areas of Los Angeles and, for the first time, the department published fire prevention brochures in Spanish.

Genethia Hudley-Hayes, president of the Los Angeles Board of Fire Commissioners, said of Joe's contribution to the commission,

"His was the first voice on the Fire Commission that spoke boldly, no matter the consequences, for access, equity and fair treatment for all of the men and women in the Los Angeles Fire Service."

In August 2010, Councilman Ed Reyes paid tribute to Joe with a bronze plaque at Fire Station No.1 in Lincoln Heights.

The plaque states that as a commissioner, Joe distinguished himself through his commitment to the goals of the Consent Decree, a 1974 court-ordered mandate that required the department to hire minorities, "thus reinforcing the principles of social and equal justice through the employment of all people regardless of race, color, creed or national origin."

In the decade following his service on the commission, Joe continued his quest for justice in the workplace. During the 1980s, Joe was the first person to publicly and financially support a discrimination lawsuit brought by a group of FBI officers who claimed they had been denied promotions because they were Hispanic. He was able to gather support in a community long wary of the agency for the controversial lawsuit, which the agents eventually won.

Mr. Speaker, in addition to all of Joe's contributions to the Los Angeles community, he was also a devoted husband, father, grandfather and even great grandfather. I ask my colleagues to please join me in extending our condolences to his wife, Laura Balverde Sanchez, and his entire family. Joe was an inspiration to all who knew him, and he will be greatly missed.

SUPPORT OF TAIWAN'S FULL MEMBERSHIP IN THE WORLD HEALTH ORGANIZATION

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. GARRETT. Mr. Speaker, as a Member of Congress and a friend of Taiwan, I rise today to urge my colleagues to join me in supporting Taiwan's full membership in the World Health Organization, WHO.

Since 2009, China has permitted Taiwan to participate in the annual summit of the WHO in Geneva on a restricted basis. This year's meeting will be held from May 16th to the 24th. While I certainly welcome Taiwan's participation in this important international body, I am also concerned about the restrictions that China has placed upon Taiwan's involvement.

First, Taiwan's role in the WHO has been restricted to that of "observer status." This means that Taiwan does not have the ability to vote, speak, or participate in deliberations—they can only sit and listen. I believe that as a sovereign state, with a population of 23 million people, Taiwan deserves full representation in the United Nations and its affiliated organizations. As such, Taiwan should be recognized as a full voting member of the WHO.

As we all know, infectious disease knows no borders. Taiwan was affected in 2003 by an outbreak of Severe Acute Respiratory Syndrome (SARS) and the 2009 outbreak of the H1N1 virus. These events demonstrate the important role Taiwan plays in global health and the Nation should be recognized as such.

Second, Taiwan is participating again this year as "Chinese-Taipei." I would prefer to see Taiwan recognized under its name "Taiwan" rather than as a subsidiary of China.

Lastly, I have grave concern with China's veto power over Taiwan's role on the international stage. Chinese approval should not be a prerequisite for Taiwanese participation in United Nations organizations, or any other international organization. Taiwan should not have to rely upon the goodwill of China to voice beyond its borders. Allowing this to become the international norm will undermine its current status as an independent, sovereign state.

To close, I believe the United States should amend its current policy of supporting "meaningful participation." I therefore urge my colleagues to join me in supporting Taiwan's full and equal membership in the WHO as well as other international organizations.

RECOGNIZING FAITH ANDRULOT—
NATIONAL RECIPIENT OF EXCELLENCE IN NURSING AWARD

HON. BLAINE LUETKEMEYER

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LUETKEMEYER. Mr. Speaker, I rise today to recognize Faith Andrulot, a national recipient of the Excellence in Nursing Award from Secretary Eric Shinseki of the Department of Veterans Affairs on May 10, 2011.

Ms. Andrulot is a resident of Moberly, Missouri, and has been employed by the Harry S. Truman Memorial Veterans' Hospital as a licensed practical nurse since 1994. After graduating from Ivy Tech State College in Bloomington, Indiana, Faith worked at Bloomington Hospital. Following her time there, she came to Columbia, Missouri, to the Truman Veterans' Hospital.

Faith has worked as a medical surgical nurse in the Virginia community and in the private sector, at the Community Living Center, in hospice care, specialty clinics, and Primary Care clinics. Ms. Andrulot has played a part in the Root Cause analysis team, helping to advance patient safety. In her free time, she works as a member of the LPN Standards Board and the Patient Aligned Care Team.

The Department of Veterans Affairs honors local recipients for the Excellence in Nursing Award. Ms. Andrulot was one of only 21 nurses chosen at the network level to progress to the national level. We recognize her today for her strong, team-oriented approach to improving the care of our nation's veterans. Her colleagues, husband, and three children are very proud of the work she has done to better her community.

In closing, Mr. Speaker, I ask all my colleagues to join me in honoring Faith Andrulot on her great accomplishment of receiving this prestigious award.

HONORING THE RETIREMENT OF
CLINTON RIVER WATERSHED
COUNCIL COMMUNITY OUTREACH
DIRECTOR DAN KEIFER

HON. CANDICE S. MILLER

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mrs. MILLER of Michigan. Mr. Speaker, it is my distinct pleasure to recognize the dedicated service of Clinton River Watershed Council, CRWC, Community Outreach Director Dan Keifer. On May 18, 2011, Dan will retire after 10 years on the job with the watershed. Prior to the CRWC, Dan founded the Friends of Clinton River Trail, and remains an active member of the Oakland Land Conservancy and Challenge Chapter of Trout Unlimited.

Without question, he has been a tireless advocate and supporter of water quality issues throughout Macomb and Oakland County. Despite the challenges, Dan has remained a vital team member of the CRWC, facing any problem head-on. He has done an exceptional job promoting the Clinton River, Lake St. Clair and supporting waterways in the area. He has successfully undertaken a public awareness campaign properly informing the people about the history and unique story of the watershed. His work has highlighted the importance of this wonderful natural resource and the urgency to protect and revive this pristine treasure which is literally in our backyards.

After joining the CRWC in 2002, Dan's devoted efforts have played a key role in getting people to take advantage of the numerous recreational opportunities available to them like kayaking, canoeing, fishing, hiking, biking, swimming and much much more. And he has been on the frontlines to maintain and enhance the bountiful habitats of the various species of fish and wildlife that call the watershed home by setting up countless cleanup events. These initiatives have helped improve the quality of life for residents and the overall environmental health of surrounding communities. Furthermore, a vibrant and clean waterway also has a tremendous economic impact on local businesses which depend on the watershed, like golf courses and apple orchards, just to name a few.

Mr. Speaker, Dan has also been a strong leader by forming new relationships among various partners and stakeholders involved with the watershed. Whether it is the public or private sector, there is now a desire to open the line of communication to accomplish a common goal. His work has certainly advanced the mission of the Clinton River Watershed Council, which is to protect, enhance, and celebrate the Clinton River, its watershed, and Lake St. Clair.

As a lifelong boater and someone who has lived on the water my entire life, I have witnessed firsthand the great work performed by the CRWC. It has been my privilege to work with the CRWC and Mr. Keifer on numerous issues.

I commend Mr. Keifer for all his hard work and achievements during his tenure with the CRWC. I know Dan has always had our community's best interests at heart, which is evident by his lifetime of accomplishments. We

are fully cognizant of the fact we are not doing our job if we do not provide a better future for our children and the next generation to follow.

In closing Mr. Speaker, I want to extend my best wishes to Mr. Dan Keifer on this special occasion. He will be severely missed, but his presence will still be felt by those who continue to serve at the CRWC. I hope he enjoys his retirement and I thank him for his service to the citizens of the State of Michigan. His work is officially recognized and greatly appreciated.

HONORING MARY BUSTILLO
DONOHUE

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ROTHMAN of New Jersey. Mr. Speaker, I rise today to congratulate my dear friend and longtime colleague, Mary Bustillo Donohue, on being honored by the Paramus Catholic High School Alumni Foundation for 31 years of dedication as a Spanish teacher and Chair of the Modern Language Department. Mary's list of accomplishments and causes to which she has devoted herself is as impressive as it is extensive. I am very fortunate and proud to have such a compassionate and hardworking individual as a member of my staff.

Mary was born on February 14, 1925 in Havana, Cuba, where she spent the first 8 years of her life until her family moved to New York City to escape the repressive Cuban government. Mary's passion for both education and civic involvement was instilled by her parents at an early age. She graduated magna cum laude with a B.A. and summa cum laude with an M.B.A. from Fairleigh Dickinson University in Teaneck, New Jersey. Mary later pursued a Ph.D. in Spanish Literature at New York University, but the economic pressures of having five of her eight children in college during that time interrupted her studies and she was only able to complete 69 of the 72 credits required to obtain the degree. She became certified as a teacher and joined the faculty of Paramus Catholic Regional Boys High School, eventually becoming the Chair of the Modern Language Department and the school's first female administrator. She also served as an Adjunct Professor of Spanish Literature at Seton Hall University for 7 years.

Mary and her family moved to River Edge, New Jersey, where she quickly became involved in her church and in local political and civic causes. At St. Peter the Apostle Church, she was elected to serve on her parish's council, taught religious school, served as both a Lector and a Eucharist Minister, and became involved in various ministries. Mary joined the River Edge Democratic Club and went on to serve as Committeewoman for District 4 for 50 years. Mary was the first woman to ever be elected to the River Edge Council, where she served two terms. She was the first Hispanic-American ever elected to the Bergen County Board of Chosen Freeholders. As a Freeholder, Mary's commitment to education was instrumental in creating the Bergen County Academies. She was elected to serve as a

member of the Democratic National Committee during both of President Bill Clinton's terms in office, and was subsequently elected Chair of the DNC's Hispanic Caucus during that time. As a member of New Jersey's Hispanic Task Force, she helped empower and register Latino voters across the State. Under Governor Jim Florio, Mary served on New Jersey's Democratic State Platform Committee, drafting the component addressing environmental issues. In 1991, she ran as the Democratic candidate for New Jersey Senate in District 39, and although she did not win, her drive and desire to improve her community was hardly deterred. Mary is one of the founding members of the Latino American Democratic Association of Bergen County, LADA, an organization that was formed in 1993 and continues to grow today. She was appointed by Governor Christine Todd Whitman to the Historic New Bridge Landing Park Commission, where she led efforts to rename the River Edge Post Office Sub-station as the New Bridge Landing Post Office, to obtain State Park recognition for Historic New Bridge Landing, and to rename the North Hackensack, New Jersey, Transit Station as Historic New Bridge Landing at River Edge. Mary continues to serve devotedly as the Vice Chair of this commission.

As a member of my staff in Hackensack, Mary works tirelessly to assist constituents with immigration and citizenship issues. Even outside of her diligent efforts as a Congressional caseworker, Mary is always striving to serve others in her community—whether she is teaching Spanish to senior citizens in Teaneck, working to beautify River Edge, or volunteering on a local Democratic campaign, I am in awe of Mary's boundless energy and devotion to civic duty. And yet, despite Mary's lifetime of accomplishments—of which there are too many to list here in their entirety—her proudest achievement is the beautiful family she created with her loving husband, Jerry Donohue. Throughout their 57 years of marriage, until his passing in 2003, Jerry and Mary remained steadfastly supportive of each other and madly in love. Together, they raised eight wonderful children, who have blessed them with 17 grandchildren and 2 great-grandchildren, with two more great-grandchildren on the way.

Mr. Speaker, today I have the privilege of recognizing Mary Bustillo Donohue for her extraordinary work as an educator and a lifetime of devotion to helping others. Mary is an inspiration to all who meet her, and I cannot thank her enough for all that she has done for so many and that she continues to do.

RECOGNIZING SENIOR AIRMAN MARK ANDREW FORESTER

HON. ROBERT B. ADERHOLT

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ADERHOLT. Mr. Speaker, today I would like to recognize a fallen hero, Senior Airman Mark Andrew Forester, from my hometown of Haleyville, Alabama.

Mark was killed in action on September 29, 2010, while so valiantly trying to rescue a

wounded comrade, SGT 1st Class Calvin Harris; Mark ran into direct enemy fire, without regard of his own life, in an attempt to pull his comrade back to safety. Both died on that day, and only earlier on that morning they had taken a beautiful photo together.

Mark was a highly decorated Airman who gave that last full measure of devotion and received many honors, such as Purple Hearts and a Bronze Star with Valor. He was so very loved by all of the men in his unit, and his beautiful family.

This coming Saturday, May 14, marks what would have been his 30th birthday. In recognition of that occasion I ask that a tribute to Mark be inserted in the RECORD, written by Bert Caswell, at the behest of Mark's fellow airman George Earhart who was in battle with him on that day. Airman Earhart was inspired by Mark, that Mark was the greatest person he has ever met, and was greatly impacted by his love of all the children in theater.

Our thoughts and prayers are with Mark and his family, as they continue to mourn his loss.

DEVOUT

All In . . .
All in this our Country of Tis of Thee . . .
There are such brave hearts, such magnificent souls such men as these!
Such Strong Bold Men, who all in Strength In Honor do so believe!
Freedom Fighters who so live and die . . .
All with their most sacred battle cries!
Who are all so Devout!
All in and out, as all in their most magnificent hues!
As they all so stand so very strong, all for that old Red, White, and Blue!
And all, with families who but live so close!
As on each new morning, their love but means the most!
Who now must so live all in such pain, and in such heartache to remain . . .
As their most swollen tears upon their face fall like the rains . . .
As were you Mark, so Devout! A man for all seasons, all throughout!
As God, Country, and Family . . . were, but what you were so really all about!
And, ah yes you were but our Father's Son . . .
As why now, from up in Heaven his tears for your selflessness so run . . .
All because of your most sacred gift, your most precious life as was all of this . . .
As why Mark, you were so Devout!
As a hero who so marched off to war . . . All for God and Country, as was your burden bore!
And oh what a magnificent shadow, you'd so cast . . .
So striking there, all in uniform as now etched upon our hearts to last!
With that Bama hat upon your head, as your most brilliant smile to all so said . . .
So said, that was a smile that could have launched a thousand ships . . .
As why when we so see your picture, oh how the pain it gives!
For you were a lover of life, all in your most sacred path so bright!
And all of those children that you've so touched, and made laugh on those nights . . .
All in the midst of dark evil war, as to them your warmth and love meant so much more!
Bringing, such smiles to all of their faces . . . now carried within their hearts in all places!

As, such a magnificent warrior who so lived and died . . . by these words of pride!

Strength in Honor, as why on this morning we now so cry . . .

As we found out all about your actions the day you died!

Devout!

Shining, so brightly . . . Airman Forester, within and out!

So Brilliant . . . So Brilliant . . . as was your life no doubt!

A beacon of hope, for all of mankind as was your true amount!

Showing us all to what new heights a soul can climb!

All in your glory, and such selflessness we now so find!

Honor, Duty, Country, God, and Family . . . As it was you Mark, who so ran into that face of hell!

But, to save your Brother In Arms Calvin . . . as we will all remember well!

Because all in that moment of truth, as your most noble heart gave us all the proof . . .

That, you were so Devout!

As you had done so many times before!

All for what was real! And what is true! As why on this day, our hearts so break for you . . .

As why all our tears so flow, whenever we so think of you so! And how you were, so Devout . . .

And thinking of all of your love ones, pain so now . . .

And all of your Brothers In Arms, who now with you must now so live without!

For in your lifetime Mark, you so soared!

High above, as an Eagle . . . as an Airman, In The United States Air Force!

As all across Alabama this night . . .

As you lay your head down to rest, and all of those tears you must fight . . .

And to their families, who now so live without . . .

Take comfort, all in those souls that Mark has so blessed!

As comes a gentle rain, as our Lord's tears wash down upon you to ease your pain . . .

And upon you will remain, until up in Heaven you all meet once again . . .

And you won't have to cry anymore . . .

For Mark is but an Angel in flight, to watch over us all this night!

All in the Army of our Lord, to turn the darkness into the light!

Who, are Devout!

A TRIBUTE TO AMERICAN LEGION AUXILIARY UNIT 278

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize the American Legion Auxiliary Unit 278 of Osage, Iowa. The Unit has created a program entitled "Merit Awards" in which the unit awards the amount of \$300 to each successful applicant graduating with the senior class of Osage Community School District. Unit 278 is devoted to assisting students in their pursuit of higher education and I am honored to submit for the RECORD the following commentary on the program in Osage.

"American Legion Auxiliary Unit 278 and the Merit Award Program:

The Osage American Legion Auxiliary Unit 278 is very much attuned to the importance of education and financial needs of students in attending post high school institutions of learning. Our unit had developed a process called "Merit Awards" whereby we raise monies to be used for the student applicants in furthering their education.

Each year we hold an event (Merit Award luncheon and bake sale) for the community. Proceeds from the event are used entirely for Merit Awards. All food for the event is donated by members and prepared at the site. In addition, members are asked to either donate items for the bake sale or contribute \$5.00 in lieu of a baked donation. Our unit boasts 378 members, 35 of whom are Junior members. One of the highlights of this event is a drawing for an American flag and flag pole which is installed by the Legion free of charge to the winner.

Each year applications are made available to the Osage School district for graduating seniors. Our unit has a committee to review applications and determine the successful applicants. This year we had 10 applicants with a Merit Award in the amount for \$300. Two of those awards will be made by contributions from two families, one honoring one of our auxiliary members and the other in memory of one of our deceased members.

Presentation of these Merit Awards is made by a member of our unit at the Osage High School Award Assembly in May. Unit 278 takes great pride in our efforts to communicate to students the importance of education and throughout the year we participate in activities involved in education."

Mr. Speaker, as you can see the American Legion Auxiliary Unit 278 is a great example of the commitment of patriotic Americans to their community. I am honored to represent them and all of Osage in the U.S. Congress. I know all my colleagues will join me in congratulating them for a job well done.

GEORGE WASHINGTON BOY'S SWIM TEAM

HON. SHELLEY MOORE CAPITO

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mrs. CAPITO. Mr. Speaker, I rise today to congratulate the George Washington Patriots Swim Team for winning the 2011 state championship. The past three years have amounted to a great deal of success for the Patriot swimmers, winning the 2009 state championship and coming in as runner-up last year. For a few seniors, this marks the end of a great high school career and I want to congratulate them as well as the rest of the team for their time and hard work.

It takes a strong group of young men to maintain the drive and dedication they have shown season after season. I want to thank their coach, Melissa Case, for instilling such a focus in her team. It certainly has not gone unnoticed.

These individuals should be very proud of their accomplishment and represent the highest level of George Washington High School

student athletes. I wish them the best and know they will display the same level of character in their future pursuits as they did in the pool.

RECOGNIZING 50TH JUBILEE OF THE NAVAL AVIATION MEMORIAL CHAPEL

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MILLER of Florida. Mr. Speaker, I rise to recognize the Naval Aviation Memorial Chapel on its 50th Jubilee.

In 1961, Naval Air Station Pensacola, the "Cradle of Naval Aviation," dedicated the Memorial Chapel during a celebration of the 50th anniversary of Naval Aviation. Today, during this centennial year of Naval Aviation, it is fitting that we recognize the 50th anniversary of the Naval Aviation Memorial Chapel.

As a testimony to the love of God and Country that is shared among many in the Northwest Florida military community, the chapel continues to stand as a place of worship, guidance and support to military families. In the 50 years since its opening, thousands of members of the Armed Forces have been joined in marriage, and in celebration of its golden anniversary, all couples who were married at the chapel have been invited to return and renew their vows. John "J.R." and Sharon Arthur, the first couple married at the chapel, will return this weekend to make the ceremonial walk up the aisle on behalf of all who have been married there over the years.

Mr. Speaker, on behalf of the United States Congress, I am privileged to recognize the 50th anniversary of the Naval Aviation Memorial Chapel and all the couples returning to renew their vows this weekend. My wife Vicki and I wish them all the best. May the Spirit of the Lord continue to bless the chapel. I am certain this anniversary is the first of many milestones to come.

REMARKS HONORING THE LIFE OF DR. JAMES MONGAN

HON. HENRY A. WAXMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. WAXMAN. Mr. Speaker, last week the health world lost one of its most respected, admired, and accomplished champions with the death on May 3 of Dr. James Mongan.

Jim's last professional position was as president of Partners Health Care in Boston, following his service as president of the Massachusetts General Hospital, a position he assumed in 1996. His tenure there was heralded for remarkable achievements and progress.

But for those of us who benefitted from his advice and experience in Washington, this was only the latest in a series of positions in which Jim worked tirelessly to increase access to health care services, to ensure that all Americans have health insurance, and to inno-

vate and improve the quality and effectiveness of our health care delivery system.

In the early days of his career in Washington, Jim was the first doctor to serve as professional staff to the Senate Finance Committee. He went on to work at the Department of Health, Education and Welfare with Secretary Joe Califano, and then in the Carter White House, where he headed efforts to enact a national health insurance plan in his role as Associate Director for Health on the domestic policy staff.

After leaving Washington, Jim became the chief executive officer of the Truman Medical Center, a public safety net institution in Kansas City, Missouri, and Dean of the University of Missouri-Kansas City medical school. His work as a leader in academic medicine, in delivery system reform, and in bringing services to the uninsured and low-income, was widely known and respected.

During all his many years away from Washington, Jim's keen interest in public policy and the goal of expanded health care coverage never flagged. He was a frequent and insightful witness before many Committees in Congress. His service as a Member on many advisory boards was highly sought, including service on the Prospective Payment Advisory Commission (a predecessor to MedPAC), on the board of the American Hospital Association, on the board of the Kaiser Family Foundation, and as a member of the Kaiser Commission on Medicaid and the Uninsured from its inception in 1991. He also served as a member of the board of the Commonwealth Foundation and the Chair of the Commonwealth Commission on High Performance Health Systems.

His leadership and participation in all of these areas was a reflection of the value that was placed on his experience, his knowledge, and his sage advice. He could be depended on to cut through to the heart of the problem, and to offer pithy, practical and wise counsel.

Jim was an instrumental partner in achievement of the health care reform system in Massachusetts, an achievement of which he was proud for its impact on his own State, and which helped serve as the impetus for the long-sought achievement of health care reform for all Americans.

In 2009, he co-authored *Chaos and Organization in Health Care*, a book that was heralded as "the single most informative and absorbing examination of what is wrong with the U.S. health care system, and what to do about it." It was an accurate reflection of the interests and work that dominated his entire career.

Jim was a wise and kind person. He served as friend, mentor and advisor for more people in Washington and the health care world than we can count. By all of us, he will be missed.

IN HONOR OF VERA M. ANDRYCZYK

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. GERLACH. Mr. Speaker, I rise today to congratulate Vera M. Andryczyk on her tireless efforts on behalf of the Ukraine-American

community and her recognition by the Board of Directors of the Ukrainian Federation of America.

Vera's outstanding record of service and accomplishments makes her most worthy of this honor. She is a founding member of the Ukrainian Human Rights Committee and the Ukrainian Federation of America, and she serves on the Board of Directors and as Vice President of Public Relations for the Ukrainian Educational and Cultural Center. In addition, she serves on the Board of Directors of the Ukrainian American Relief Committee.

All of these positions have allowed Vera to serve her fellow Ukrainian-Americans, strengthen U.S.-Ukrainian relations and assist Ukraine in its effort to become a strong and vibrant democracy. As part of her ongoing commitment, she also earned participation on President George W. Bush's official delegation to the inauguration of President Viktor Yushchenko. Always looking for additional opportunities, she has also served as a member of Ukrainian Women's League of America and she was one of the first to organize help to the victims of the Chernobyl disaster.

Mr. Speaker, I ask that my colleagues join me today in congratulating Vera M. Andryczyk on the occasion of the recognition she is being accorded by the Board of Directors of the Ukrainian Federation of America and for her indefatigable efforts to support, assist and serve the Ukrainian-American community.

ASSAD MUST GO

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. SCHIFF. Mr. Speaker, the outrages perpetrated by Syrian President Bashar Assad against his own people have laid bare his regime's total lack of legitimacy. The shelling of Homs evokes memories of the 1982 massacre at Hama, in which his father ordered the Syrian army into the rebellious city, killing up to 40,000 people.

After the elder Assad died in 2000, the new president, in interviews with western journalists, made several cautious statements that led many Syrians to believe that their new president would be willing to take at least the first steps towards democracy in their ancient land. Indeed, the first months of the new regime saw a period of intense political and social debate in Syria which continued to some degree until the fall of 2001, when the government sharply reversed course and ended what had become known as the Damascus Spring.

Similarly, others saw his succession and the September 11 attacks as an opportunity to coax Syria into playing a more constructive regional role, especially in Lebanon, and as a chance to widen the circle of Arab-Israeli peace. As with the domestic opening, this too proved fleeting and illusory. Tentative Syrian cooperation in the opening months of the campaign against al Qaeda after 9/11 did not last and, in 2005, Syrian intelligence officers joined with Hezbollah in murdering Lebanese Prime Minister Rafik Hariri and provoking a war with Israel in the summer of 2006. In Iraq, Syria

worked with Iran to supply arms to radical Shiite militias, even as the country sought to join its ally in the pursuit of nuclear weapons.

Now the Assad regime has turned on its own people, who have been inspired by their fellow Arabs in Tunisia, Egypt and elsewhere to rise up to demand their rights. As Americans and as the custodians of a great democracy that was forged in revolution, we have a special obligation to support and nurture the aspirations of others who seek to secure for themselves and their posterity the blessings of liberty.

We in Congress must use every diplomatic and economic tool at our disposal to end this dictatorship and I urge President Obama to support the Syrian people in their quest for an end to the corruption and brutality in the Assad regime.

PAYING TRIBUTE TO THREE VETERAN MONUMENTS

HON. MARY BONO MACK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mrs. BONO MACK. Mr. Speaker, I rise today to pay tribute to three Veteran monuments in my hometown of Palm Springs, California—the "Desert Fliers Command Distinguished Flying Cross Wall of Honor," "On A Wing and A Prayer Missing Man Monument," and "Freedom."

The "Desert Fliers Command Distinguished Flying Cross Wall of Honor" was dedicated on November 11, 2004, and is located at the Palm Springs Air Museum. The Desert Fliers Command is a group of airmen who now live in the Coachella Valley and have been awarded the Distinguished Flying Cross for bravery in air combat. This stunning black marble monument stands nearly seventeen feet and has two wings engraved with the name and rank of the Desert Fliers Command members, branch of service and rank. It sits in the center of a twelve-foot round platform named the "Walk of Honor" in which there are bricks etched with names of fallen airmen.

The "On a Wing and a Prayer Missing Man Monument" was dedicated on November 11, 2006, and is located at the entrance of Gate 1 at the Palm Springs International Airport. This beautiful monument, which is an actual wing of a Navy Aircraft, stands straight up with one side of the wing listing the names of the members of the Desert Fliers Command. The wing tip light is lit at all times and is named the "Eternal Light." It is intended to serve as a beacon for all missing airmen to find their way home.

The "Freedom" monument was dedicated on November 11, 2010, and is located at the Palm Springs Air Museum. It is the actual propeller of a World War II B-24 Aircraft standing atop a twenty-four inch base that recognizes each branch of service, as well as Distinguished Flying Cross recipient Joseph Foster, Lieutenant Colonel United States Air Force Retired.

The artists who inspired and created these important monuments are Lee Stanley—Lieutenant Commander United States Naval Re-

serve Retired, recipient of two Distinguished Flying Crosses and nine Air Medals—and his loving wife Pita.

Mr. Speaker, it is my hope these memorials serve as powerful reminders of how our nation's liberty and justice has been preserved by the dedication of our armed forces. May their patriotic spirit and devotion to our nation continue to inspire Americans for generations to come. While no single tribute can fully honor their sacrifice, these memorials offer a chance for our community to stand together in honoring the men and women who have fought under the Stars and Stripes. It is with great pride that I ask the United States House of Representatives to join me in recognizing these important Veteran memorials.

TRIBUTE TO THE 80TH ANNIVERSARY OF THE SOUTH FLINT TABERNACLE

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. KILDEE. Mr. Speaker, on Sunday, May 15th, the South Flint Tabernacle will celebrate 80 years of bringing the Word of God to the people of Genesee County. The congregation will join together on that day to express their gratitude for the multiple blessings bestowed upon them by Our Lord, Jesus Christ.

Reverend John McLaughlin founded South Flint Tabernacle in 1931. Several months later he turned the church over to Reverend Albert A. Abbey. Reverend Abbey remained as the pastor for the next 35 years. During this time the church relocated to its current site in Burton, Michigan. Due to an expanding congregation the church is planning to relocate to a larger facility in the near future. The Reverend Robert E. Henson has been the Pastor since 1979. Our community has grown spiritually because of Pastor Henson. I am a beneficiary of his deep faith and love of God and his creatures.

The dynamic congregation is active in over 50 different types of ministry including Home Friendship Groups. South Flint Tabernacle's Statement of Purpose is to pray, proclaim the Word of God, to win and mature disciples of Jesus Christ. Through their commitment to exalting Jesus Christ through lifestyle, worship and ministry, the congregation grows stronger in their relationship with God.

Mr. Speaker, I ask the House of Representatives to join me in congratulating South Flint Tabernacle as they celebrate 80 years of spiritual, meaningful, inspirational worship and ministry. The vibrant prayer life of this congregation has made South Flint Tabernacle a landmark in the community. I pray they continue to spread the Word of God through their prayers, actions, example, ministry and worship for many, many years to come.

PERSONAL EXPLANATION

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. CONYERS. Mr. Speaker, on May 5, 2011, I inadvertently cast a "yea" vote for H.R. 1230. I intended to vote "nay."

IN RECOGNITION OF DR. BYRON J. GROSS

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today to honor Dr. Byron J. Gross for his exceptional military service to the United States during World War II. On May 25th, 2011, the Honor Flight program will recognize Dr. Gross along with other World War II veterans at the World War II Memorial in Washington, DC for answering the call of service to our country in a time of dire peril.

In 1942, when his country needed him, Dr. Gross did not hesitate—he left his private dental practice and immediately joined the Army medical corps. In the service, he went above and beyond his assigned duties, demonstrating extraordinary patriotism and a tireless commitment to service. He was recognized for his outstanding achievements and promoted to Captain before his honorable discharge in 1946.

Dr. Gross was initially stationed stateside in Wyoming at Ft. Francis E. Warren. He then transferred to Camp Phillips in Salina, Kansas where, in addition to his regular duties in the dental clinic, he was a bivouac officer. In 1943, Dr. Gross was sent overseas to treat enlisted personnel and officers, as well as supervise the set-up, personnel, and day-to-day operations of dental laboratories based in England, France, and Germany.

Once stationed in England, Dr. Gross witnessed the devastating blitzkrieg of London which literally shook the Cumberland hotel where he was billeted with other military personnel. He vividly recalls witnessing, on D-Day, the swarms of American planes flying over Grimm's Ditch near Stonehenge in route to Germany. He remembers the sky appearing black as a seemingly never-ending wave of warplanes and airplanes towing gliders headed toward their appointed bombing mission.

The momentousness of the events in which Dr. Gross and the other servicemen and women took place cannot be overstated. Quite simply, they saved the world. We owe them a debt that can never be repaid.

Dr. Gross completed his tour of duty in 1946 and returned to the United States, where he resumed his private practice until he retired in 1990 at age 75. He is currently living in St. Louis and will turn 97 on this July 4th—a date which uniquely symbolizes his enduring love for his country.

Mr. Speaker, I am proud to recognize Dr. Gross for his tremendous patriotism and courage during such an important moment in his-

tory. I ask my colleagues to join me now in thanking him for his service to his country.

HONORING MT. ZION BAPTIST CHURCH ON THE OCCASION OF ITS 100TH ANNIVERSARY

HON. TAMMY BALDWIN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. BALDWIN. Mr. Speaker, I rise today to honor Mt. Zion Baptist Church of the City of Madison, Wisconsin, on the historic occasion of its 100th anniversary.

Since 1911, Mt. Zion Baptist Church has been a vital organization in the Madison community. The Madison area is truly fortunate to have such a wonderful church continually working to better the community. Over the past 100 years, Mt. Zion has not only offered spiritual guidance, but also opened its doors to the community, expanding and evolving its services to meet the needs of those it serves.

In its first 100 years, Mt. Zion Baptist Church has provided a legacy of pastoral leadership. Reverend Joseph Washington, pastor from 1927 to 1965 and Reverend Joe Dawson, pastor from 1955 to 1985, did much to shape both the church and the community. That dedication to both congregation and community was further exemplified by the leadership of Reverend James Wright, who served Mt. Zion as associate minister from 1960 to 1984 and as senior pastor from 1990 to 1995. He also served the entire Madison community as Director of the Madison Equal Opportunities Commission. That rich tradition continues today under the leadership of Reverend Richard L. Jones, Sr.

Beyond offering a tradition of strong and inspirational pastoral guidance, Mt. Zion Baptist Church works tirelessly to give back to the community. Today, Reverend Richard Jones ensures that Mt. Zion does all it can to feed the hungry and clothe the poor, and work to better our community through scholarships, tutors, and many other forms of charity work. Mt. Zion is always extending a helping hand to its neighbors and all those in need.

The motto of Mt. Zion Baptist Church is "Building up Reaching out," and this ideal is personified by the congregation at Mt. Zion. Every day since 1911, Madison area residents have enjoyed the service and guidance provided by the Church.

Today, I am humbled to join the congregation of Mt. Zion Baptist Church, the residents of the City of Madison, the people of the State of Wisconsin, and all citizens of the United States in recognizing, honoring, and sincerely thanking Mt. Zion Baptist Church and its faithful followers for their selfless works and tireless commitment for the past 100 years.

A TRIBUTE TO IOWA PEACE CORPS MEMBERS

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to honor the 17 Peace Corps Volunteers from Iowa's 4th Congressional District. These Iowans represent more than 50 years of service through their efforts overseas to promote peace while serving their country.

These men and women are promoting peaceful international relations through the Peace Corps, which was established on March 1, 1961, and has since facilitated more than 200,000 volunteers promoting peace in nearly 140 host countries.

I would like to take this moment to formally recognize Jill E. Anderson, Katie J. Angell, Brian G. Baskerville, Brittany N. Bermudez, Anna C. Cowan, Jugeswar A. Dowerah, Anse A. Dykstra, Sean C. Fredericks, Mary Kate L. Hart, Kenneth W. Hood, Jessi M. LeClear Vachta, Tyler J. LeClear Vachta, Kyndra A. Lundquist, Alan T. McDonald, Owen G. McMullen, Sarah L. Smiley, and Marcus T. Walton for their incredible service.

I applaud each and every one of these men and women—the next generation of leaders in Iowa and this nation—for their hard work and accomplishments, and I am proud to represent them and their families in the United States Congress. I know that my colleagues will join me in congratulating them and wishing them well as they continue to serve those in need at home and abroad.

NORTHERN IRELAND ELECTIONS

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. PALLONE. Mr. Speaker, with the recent celebration of Easter and the results of the May 5th Assembly elections in Northern Ireland, there is no better time for those in Northern Ireland and members of the Irish Diaspora around the world to renew their commitment to peace and power-sharing in Northern Ireland.

With some areas gaining new representation, and some choosing to reelect their leaders, we are reminded of the need for constructive political discourse and peaceful debate about the issues that are of greatest concern to the people of Northern Ireland.

The 1998 Good Friday agreement highlighted a commitment to "exclusively peaceful and democratic means" and this example should be continued to be followed every day.

Irish Americans and all Americans can continue to show their support for a peaceful political process and the importance of such an agreement will be highlighted later this month with the President's visit to Ireland.

The two leading parties, the Democratic Unionists and Sinn Féin, have had both of their leaders show public support for continuing peaceful negotiations and represent political parties that have pledged to work together.

They have realized that even though their parties may have differing views on certain issues, it does not immediately preclude them from working together. This is a lesson from which we can all learn.

Recently, Sinn Fein President Gerry Adams released a statement regarding not only the importance of a commitment to peace by the Irish, but also by Irish Americans.

The future of Northern Ireland depends on renewing a commitment to peace and continuing to value the opinions and thoughts of all those that contribute to political and community discussions.

It is critical that the U.S. remain involved in the issues of Northern Ireland. We can work with the Irish to secure a future where power can continue to be shared amongst parties, where differing points of view are heard and respected, and where differences of opinions are not met with violence and death, but with open minds and hearts.

HONORING ITBD

HON. CHRISTOPHER S. MURPHY

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MURPHY of Connecticut. Mr. Speaker, I rise today to honor Central Connecticut State University's Institute for Technology and Business Development (ITBD), which is being inducted into the Connecticut Business Hall of Fame. Since its inception in 1986, ITBD has provided business and aspiring entrepreneurs with various support services to help them start and grow successful companies throughout Connecticut.

For nearly a quarter century, ITBD has been driven by its mission to help Connecticut businesses and their employees meet the demands of the global economy. To that end, the Institute, located in the heart of my district in downtown New Britain, has offered a full array of employee training courses, manufacturing process improvement, government procurement assistance, and small business development and conferencing services. Its business incubation program has provided dozens of start-up companies with a cost-effective means to grow their fledgling businesses. Several of these one-time incubator clients are now thriving companies that employ scores of people across the state.

Throughout its existence, ITBD has partnered with various community organizations to work collaboratively in achieving its goals. From the state's five workforce boards, to several chambers of commerce, to various regional planning agencies and community service organizations, ITBD has actively engaged a litany of organizations in the furtherance of its efforts to assist the business community and Connecticut's workforce.

While the State of Connecticut and the entire nation strive to recover from the Great Recession, ITBD continues to focus on helping Connecticut companies and their employees prosper in the global marketplace. Its commitment to excellence and service to the business community is reflective of the leadership of the President of Central Connecticut State

University, Dr. Jack Miller, and Richard C. Mullins, Jr., Executive Assistant to the President.

I want to thank ITBD for all that they have done over the past 25 years, and I am pleased to congratulate them on their induction into the Connecticut Business Hall of Fame.

COMMEMORATING THE 150TH ANNIVERSARY OF ST. MARY'S STAR OF THE SEA PARISH

HON. ALBIO SIRE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. SIRE. Mr. Speaker, I rise today to commemorate the 150th anniversary of St. Mary's Star of the Sea Parish in Bayonne, New Jersey.

In 1860 Father Callano was entrusted with establishing a small Catholic Church in Bayonne to be called St. Mary's Star of the Sea.

Since its humble beginnings on Evergreen Street to its current location on 14th street in Bayonne, it has been a place of worship and home for residents of Bayonne and beyond since 1860.

Monsignor Lawrence Miller was named Pastor of St. Mary in 1989, and has since led with piety and confidence as the church and the community have changed over the years.

Since the beginning of his term, Monsignor Miller has worked to engage the community in church life, particularly its youth.

Because of his efforts, there has been an increase in youth ministry members, and a Pee Wee Basketball Program was established through the church.

He currently is on the advisory board of All Saints Catholic Academy, works with 8th grade religion classes, is chaplain for the Knights of Columbus, and works at a local soup kitchen, which he helped found.

His leadership has been steadfast and no doubt is a reflection of the vibrant parish of St. Mary's and the community it has supported for 150 years.

TRIBUTE TO FRESNO SHERIFF'S DEPUTY JOEL WAHLENMAIER

HON. JEFF DENHAM

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. DENHAM. Mr. Speaker, I rise today to acknowledge and honor fallen Fresno Sheriff's Deputy Joel Wahlenmaier.

Deputy Joel Wahlenmaier was born in Bakersfield, California on June 3, 1960. Joel grew up in Fresno, California and attended local schools, including Reedley College. Joel married Beverly Barnett on April 23, 1983. They had two children, Amy Wahlenmaier and Austin Wahlenmaier.

Deputy Wahlenmaier was hired as a Deputy Sheriff by the Fresno Sheriff's Office, in Fresno, California on June 15, 1998. He had various assignments that included patrol, courts,

robbery/property detectives and the homicide unit. Deputy Wahlenmaier loved his collateral assignment to the Search and Rescue team. His last assignment, at his end of watch, was the Homicide Unit. He was selected to that unit on February 18, 2008.

Deputy Wahlenmaier had a true passion for his work, particularly Search and Rescue, but was first and foremost a supportive husband and attentive father. His end of watch came on February 25, 2010 while serving a search warrant as a Homicide Detective.

Deputy Wahlenmaier is survived by his beloved wife Bev; daughter Amy; son Austin; parents, Arthur and Patricia Wahlenmaier; sister, Natalie and her husband, Jim Tomajan; brother Tyler and his wife, Genifer; father-in-law and mother-in-law Bruce and Betty Barnett; brother-in-law and sister-in-law Mike and Barbie Turner; two nieces; and four nephews.

ACCESS TO APPROPRIATE IMMUNIZATIONS FOR VETERANS

HON. CLIFF STEARNS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. STEARNS. Mr. Speaker, last year I introduced the "Access to Appropriate Immunizations for Veterans Act of 2011." I'm proud to reintroduce this bill in the 112th Congress which I believe would help advance the goal we all share of promoting lifelong health for the men and women who fought for our freedom.

While the Department of Veterans Affairs, VA, health care system is doing an admirable job of caring for those who bore the burden of combat, continual reform is needed to ensure the care veterans receive represents the most up-to-date practices and procedures.

According to statistics from the Centers for Disease Control, CDC, each year approximately 70,000 adult Americans die from vaccine-preventable diseases. Influenza alone is responsible for over one million ambulatory care visits, 200,000 hospitalizations and 30,000 deaths.

Many of our veterans who are in the "high-risk" category of contracting vaccine-preventable diseases—including those with HIV, Hepatitis C, and substance use disorder—are enrolled in the VA health care system and could particularly benefit from receiving vaccinations.

Commendably, the VA has protocols in place that recommend vaccines as protection against deadly viruses. However, VA only has established performance measures for two vaccines, making it unclear if protocols are being routinely enforced for all CDC recommended vaccines.

The tremendous value performance measures have regarding the increased utilization and effectiveness of vaccination distribution is evidenced by VA's own application of performance measures for the influenza and pneumococcal vaccinations. When these performance measures were initially applied, VA saw vaccination rates rise respectively from 27 percent and 26 percent to 77 percent and 80 percent. It also resulted in a 50 percent decline in pneumonia hospitalization rates.

The legislation I am introducing today would expand VA performance measures to cover all vaccinations recommended by the VA and CDC and ensure that veterans receive appropriate immunizations at the time suggested by the CDC. It would also require VA to report to Congress on their progress in supporting vaccinations in the veteran population.

Mr. Speaker, I urge my colleagues to join with me in cosponsoring the Access to Appropriate Immunizations for Veterans Act of 2011. This legislation would ensure that our veterans are receiving timely and suitable access to vaccines and prevent those under the care of the VA from being unnecessarily exposed to vaccine preventable diseases.

THE FUTURE OF TAIWAN'S NATIONAL SECURITY

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. BURTON of Indiana. Mr. Speaker, I rise today to discuss the future of Taiwan. I have been a long-time supporter of Taiwan and hope that my colleagues and I will continue to improve relations not only between the United States and Taiwan but between Taiwan and the international community. All Americans should be proud that Taiwan and the United States have enjoyed a strong and durable relationship. Taiwan is one of our largest trading partners and the cultural exchanges between our two peoples are as vibrant as they have ever been. Taiwan has stood shoulder to shoulder with the United States to combat the scourge of global terrorism; and the people of Taiwan have always given generously in our greatest times of need with monetary contributions to the Twin Towers Fund, Pentagon Memorial Fund and through offer of humanitarian assistance to victims of Hurricane Katrina. Taiwan and the United States are not merely allies; we are friends and partners in the truest sense of the words.

But, I think it would be fair to say that Taiwan's future is uncertain. Just yesterday, Taiwanese President Ma Ying-jeou took part in a video conference with the Center for Strategic and International Studies to discuss Taiwan's vision for the future of the Republic of China's National Security. I include a copy of President Ma Ying-jeou's speech into the CONGRESSIONAL RECORD. And I urge my colleagues to read the remarks because whatever the future holds of Taiwan, I believe that the people of Taiwan deserve to have a voice in shaping that future.

BUILDING NATIONAL SECURITY FOR THE REPUBLIC OF CHINA

President Hamre, distinguished guests, ladies and gentlemen, good morning!

It gives me great pleasure to be addressing my friends at the Center for Strategic and International Studies once again. We last met two years ago on the occasion of the 30th Anniversary of the Taiwan Relations Act, a milestone in the history of the Republic of China on Taiwan. And this year, after a long journey of blood, toil, tears and sweat, the Republic of China is achieving a greater milestone, its centennial anniversary. This

year also marks the third year of my presidency. Therefore, it is time I shared with you how I am building three lines of defense for the ROC's national security, so as to ensure its longevity for many more centuries to come. These three lines of defense are institutionalizing the Cross-Strait rapprochement, enhancing Taiwan's contributions to international development and aligning defense with diplomacy.

THE FIRST LINE OF DEFENSE: INSTITUTIONALIZING THE CROSS-STRAIT RAPPROCHEMENT

The Cross-Strait rapprochement that began three years ago continues to bear fruit and increase regional peace and stability. We witness this in so many aspects of our society. The arrival of nearly three million mainland Chinese visitors has created a tourism boom in Taiwan almost 10 times than before. The increase in Cross-Strait trade also boosted Taiwan's total trade volume to a record high of 526 billion US dollars in 2010. Since the Cross-Strait Judicial Mutual Assistance Agreement was signed in 2009, a joint crackdown on Cross-Strait crimes by the police forces of both Taiwan and mainland China has seen more than 100 fugitives repatriated to Taiwan, up 50% from before, and has cut cases of fraud in Taiwan by more than a quarter. And in education, more than 5,600 mainland exchange students studied in Taiwan's universities in 2010, paving the way for another 2,000 students to arrive in the fall semester this year. We have also seen a surge in Taiwanese companies with a heavy investment presence in mainland China returning to list their companies on the Taiwan Stock Exchange, rather than on the Hong Kong Stock Exchange, a dramatic reversal of previous practices.

I owe much of my administration's success to our new approach to Cross-Strait relations. The new way of thinking revolves around moving beyond the outdated mode of unilateralism that previously characterized, and also hindered, relations between the two sides. As the renowned diplomatic historian Paul Schroeder concluded in his study of the events that led up to the Congress of Vienna peace era, "One must have change of thought, before one can have change of action."

Before I came to office, we had all witnessed the spread of instability, unpredictability and especially insecurity in Cross-Strait relations. I had long recognized that Cross-Strait relations required a new mindset, one that would emphasize the commonalities, take advantage of our shared interests, capitalize on our mutual opportunities and de-emphasize our political disagreements. Former KMT Chairman Lien Chan undertook some of the first steps towards instilling this new mindset when he embarked on his "Journey of Peace" to the mainland in 2005. His speech at Peking University, calling for the two sides to join together to "beat swords into plowshares," captured the essence of this new idea. The decades-old rivalry between Taiwan and mainland China was thus given a rare window of opportunity for change.

After I came to office in 2008, I worked hard to accelerate this change. All around me, the world was changing at breakneck speed while the ill-founded policies of the last decade were threatening to sideline Taiwan in the Asia-Pacific region. I knew I had to break out of the Cross-Strait deadlock for the sake of Taiwan's economic future and national security. Hence, I championed a "three-no" policy of "no unification, no independence, and no use of force" under the ROC Constitution. This has changed the fun-

damental structure of, and created a "virtuous cycle" for, Cross-Strait relations.

I then adopted the "92 Consensus" as the cornerstone for the Cross-Strait negotiations. The 92 Consensus, meaning "one China, respective interpretations", has proven crucial to paving the way forward. It was under this Consensus that the six rounds of Chiang-Chen Talks were able to take place, and the two sides were able to achieve so many practical, indeed incredible, breakthroughs. By "putting Taiwan first for the benefit of the people," we and Beijing have thus far signed 15 agreements that tackle the issues of greatest concern to the people in Taiwan. At the same time, my administration managed to institutionalize convenient, predictable and stable channels for Cross-Strait communications. It was only through this groundwork that the next milestone—of signing an Economic Cooperation Framework Agreement (ECFA) last year—could be realized and its benefits fully exercised. One econometric study has even shown that the ECFA will eventually add 4.4% to our GDP, once the dynamic gains of structural adjustments have time to be fully implemented. And that is not even including other potential spillover benefits as a result of an improved services, trade and investment environment.

It is also my belief that increased exchanges across the Strait will lead to increased exchanges with other countries, for both sides. This will enhance mutual understanding between Taiwan, the mainland and other countries, which will in turn help Cross-Strait relations evolve even further. That is, the virtuous cycle in Cross-Strait relations has positive consequences for the international community, which then adds even greater momentum to improvements in Cross-Strait relations. For example, due to the diplomatic truce between the two sides of the Strait, the number of diplomatic allies that Taiwan has remained constant at 23, compared to a loss of six allies by the previous administration. Taiwan has also joined the Government Procurement Agreement (GPA) and become an observer in the World Health Assembly (WHA) after a hiatus of 38 years. Taiwan has expanded its visa waiver programs from 53 to 113 countries and regions—with the United States as a notable exception, as well as working-holiday arrangements for young people from 2 to 6 countries.

This just shows what can be achieved by merely changing the way one thinks. This I believe is also the essence of good governance: never to interfere, but to build the necessary structures that encourage the right conditions for growth in society. And it is through this process of institutionalization that we created explicit or implicit principles, norms, rules, and procedures around which the expectations of both sides can converge. This very convergence has created predictability and mutual understanding in our relations, leading to stability across the Taiwan Strait and in the region as a whole. The idea of institutionalizing the Cross-Strait rapprochement, therefore, is not only to reduce the possibility of miscalculation but, more importantly, to increase the cost of reversing this trend.

THE SECOND LINE OF DEFENSE: ENHANCING TAIWAN'S CONTRIBUTIONS TO INTERNATIONAL DEVELOPMENT

Although the incredible breakthroughs achieved in Cross-Strait relations have ensured a brighter future for Taiwan and the region, Taiwan's national security is also heavily dependent on how it contributes to

the international community. I envision Taiwan contributing on two primary fronts: the economy, and foreign relations. In terms of the economy, Taiwan already has the infrastructure and conditions in place to attract the best talent and become East Asia's next commercial center. Without a doubt, the expansive business and personal networks Taiwan has built up throughout the region over the last 60 years are an invaluable asset. Its historical ties and cultural and language affinity with the mainland give it a competitive edge in the vast Chinese mainland market. At the same time, Taiwan also has a special partnership with Japan, as we share many cultural traits, common interests, ideas and even the same fashion sense. Therefore, many Japanese and Taiwanese businessmen have decided to work together to enter the mainland Chinese market. And this type of win-win partnership can be successfully repeated with other countries.

Taiwan is located at the geographical center of East Asia, and could not be in a better position for tapping into business opportunities in the region. Any businessman or multinational company based in Taiwan has convenient access to the whole Asia-Pacific region. With direct air and sea links, Taiwan is connected to all major cities in the Chinese mainland, from the coastal metropolises of Shanghai and Beijing, to the fast developing cities in the Chinese hinterlands. At the same time, all other major cities in the region—such as Tokyo, Seoul, Singapore, New Delhi, or Sydney—are well within reach.

Taiwan is also endowed with many “soft-power” attributes that make it an ideal place for both domestic and multinational companies. Its democracy and rule of law ensure that the rights of individuals and companies, including intellectual property rights, are guaranteed. The country's modern and comprehensive transportation, healthcare and education infrastructure ensures that those who live here enjoy access to very good quality services. We also have a highly educated, innovative and skilled labor force just waiting for foreign companies to tap into. We have created an enviably safe society where anyone out at night walking their dogs or buying food at the grocery store can feel safe. And improvements are happening all the time, making our society a better place to live and do business in. Against a backdrop of stable Cross-Strait relations, Taiwan's regional connections, geographic advantages and soft-power attributes make it poised to ride the next wave of opportunities in the region, and to help others do the same if they choose to join us.

With respect to foreign relations, there is also a lot of value that Taiwan can add to the global community. And as a maturing democracy, I believe Taiwan must learn to fully shoulder its own responsibilities in the world. In fact, Taiwan's national security is inseparably tied to its role as a responsible stakeholder. Our nation's political and economic survival depends entirely on how well we uphold the peace and stability of the international system. This is the same system that is making Taiwan prosperous, and allowing our government and people to connect with the rest of the world in ways that are enriching our nation even further. So, Taiwan certainly has a vested interest in putting a stop to improper diplomatic practices and in adopting a foreign aid policy that is more in line with international standards and norms. This is exactly what we have been doing over the last three years. Humanitarian work has especially become an important platform for Taiwan's con-

tributions to the international community. Taiwan's democracy and economic prosperity have combined to give rise, to a vibrant society of numerous non-profit organizations. In almost every major disaster that has occurred in the world recently, Taiwan has been an important contributor, whether providing financial aid to help rebuild homes in Sichuan, or giving life-sustaining medical aid to Haitian children. We were also one of the first to arrive with emergency relief supplies and rescue teams when Japan was struck by the triple disaster of an earthquake, tsunami and nuclear incident. Deeply saddened by the devastation, my wife and I were personally on hand to answer calls from donors at a major fundraiser in Taiwan last March. An equivalent of 27 million US dollars was raised that night. My administration had also pledged another 3 million US dollars. In fact, Taiwan ended up donating more than 200 million US dollars in total, which is Japan's biggest donor so far. But, as you may know, our humanitarian contributions in that crisis extended beyond Japan. Our China Airlines was chartered to help fly out scores of US expatriates to Taipei before they headed back home to the United States. This second defense line aims to give Taiwan a higher moral ground in international politics.

THE THIRD LINE OF DEFENSE: ALIGNING TAIWAN'S DEFENSE WITH DIPLOMACY

From securing the Cross-Strait rapprochement to enhancing Taiwan's contributions in international development, I now come to the last but equally significant part of the ROC's national security: aligning Taiwan's defense with diplomacy. I have two priorities. First, I want to continue to build up Taiwan's credibility and trust with our closest allies, especially the United States. To be a trustworthy partner, Taiwan must be keenly aware of how its actions in the international system affect the interests of the big powers. This means “never rocking the boat” and “full consultation.”

Second, Taiwan has the resolve to defend itself. My administration wants to enhance Taiwan's defense capability on a newly designed volunteer military system. This is a huge undertaking, as we need to overcome difficulties in training, organization, finance and military doctrines. However, we are confident that we will succeed in building a small but strong military force. Complementary to our defense capability is Taiwan's democratic values, rule of law, and an advanced civil society, which could make Taiwan an indispensable reference for socio-economic development in the Chinese mainland. This is, it could be said, a soft-power approach to national defense.

Given the high stakes that America has invested in the region, I am sure the US, of all countries, can appreciate my administration's commitment to being a responsible stakeholder. For example, President Barack Obama expressed earlier this year his support for the progress that has been made to reduce Cross-Strait tensions, and in particular how its continuation will be in the interests of the region and the United States. However, for Cross-Strait relations to continue advancing, the US must help Taiwan level the playing field. Negotiating with a giant like the Chinese mainland is not without its risks. The right leverage must be in place, otherwise Taiwan cannot credibly maintain an equal footing at the negotiation table. This is why I continue to urge the US to provide Taiwan with necessary defensive weaponry, such as the F-16 C/Ds and diesel-powered submarines, to keep its aerial and

naval integrity intact, which is key to maintaining a credible defense. As Secretary of Defense Robert Gates wrote in Foreign Affairs last year, the US can best help itself by “helping others defend themselves.” At the same time, American presence in the very system it helped create decades ago is crucial to that system's survival. In the end, only a strong US commitment, backed by its credibility in East Asia, can guarantee the peace and stability of this region.

CONCLUDING REMARKS

In conclusion, a country's overall strategy for security requires a sound political foundation in the domestic setting. My approach to Taiwan's national security is based on my administration's unwavering identification with the Republic of China and its Constitution. This is a common denominator for our vibrant democracy, which has a wide spectrum of political views ranging from those who prefer de jure Taiwan independence, to those who enjoy the status quo and to those who favor reunification with mainland China. Any deviation from or equivocation on this common denominator will only cause unnecessary uncertainties and risks in Taiwan's domestic politics, Cross-Strait relations and international politics. Given that the stakes for all the countries in East Asia and for Taiwan's future development are high, I am confident my approach to the ROC's national security is already at an optimum.

My friends in America, the future of the region holds enormous opportunities, but also many potential pitfalls. Changes in both Taiwan and the mainland's domestic politics could derail much of what has been achieved. Intransigence, overconfidence or unilateral pursuit of national interests could lead to a losing scenario for all relevant parties. So it will be essential to keep track of these moving pieces in the future. For my part, the process of transforming Taiwan into a valuable member of the global community, and thus ultimately enhancing its own security, will continue full-steam ahead under my administration. The same-old “no frills, no surprise” diplomacy will also continue to be the operational code for my administration's conduct of foreign policy. That said, I hope this year will mark the start of a new 100 years that will be known as the century when the Taiwan-US partnership achieved its greatest accomplishments.

Thank you!

PRESIDENT MA'S CLOSING REMARKS

Dear friends and colleagues, as the famous American poet Robert Frost once wrote, “I took the road less travelled by, and that has made all the difference.” The past three years have witnessed unprecedented breakthroughs and positive developments in Taiwan and the region. Yet for the road ahead, we still need to be patient and careful in our political rhetoric, in the signals we send, in the gestures we make, and in the reputation we cultivate. I draw reassurance from the positive developments that continue to unfold across the Strait and in the international community, and I have full confidence in my administration's roadmap. On a deeper level the improvement of Cross-Strait relations in the past three years reflects the result of something fundamentally more significant: the comprehensive overhaul of Taiwan's strategic approach to the world. An approach that has coupled Cross-Strait relations, the economy and foreign relations together in such a way as to fully maximize Taiwan's potential value in the global community. Taiwan has to transform

itself into a peacemaker, a contributor of humanitarian aid, a center for innovation and business opportunities, a major promoter of cultural exchange and the standard bearer of Chinese culture. As the Republic of China reaches its centennial anniversary, I believe my administration's grand strategy will make the Republic more secure, more prosperous for many, many years to come. I also firmly believe America's friendship will be an inseparable part of the Republic of China's future, as it has been in the past one hundred years.

Thank you!

A TRIBUTE TO IOWA GIRL SCOUT TEAM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize a group of Girl Scouts from Ames and Gilbert, Iowa, who came together and formed a team called the Flying Monkeys. In May, they will be participating in a FIRST Lego League competition in Carlsbad, California.

The FIRST Lego League North American Open is a national contest that encourages young girls to become interested in science and engineering. The competition is limited to 76 teams from North America with each region selecting a team to represent them.

In January, the Flying Monkeys, under the direction of their Troop Leaders Claire Bassett and Melissa Murray, and assisted by Zack Pachol won the Iowa FIRST Lego League Innovation Award for the invention of their device called the BOB-1. This device is an improved prosthesis for a girl who was born with missing fingers on her right hand and will help her to write. They have gone on to compete for the Global Innovation Award to win a full utility patent for BOB-1 and win a trip to Washington D.C.

I commend the Flying Monkeys for their commitment to leadership in science and technology. This group of girls—Courtney Pohlen, Gaby Dempsey, Maria Werner Anderson, Zoe Groat, Mackenzie Grewell, and Kate Murray—are future leaders of this country of whom Iowans should be very proud.

I know that my colleagues in the United States Congress will join me in congratulating these girls on their accomplishments. It is my honor to serve as their representative, and I wish them the best of luck in the future.

CONGRATULATIONS TO THIS YEAR'S DR. NAN S. HUTCHINSON BROWARD SENIORS HALL OF FAME INDUCTEES

HON. THEODORE E. DEUTCH

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. DEUTCH. Mr. Speaker, I rise today to recognize the eleven Broward residents—Joel Fass, Bea Hedigan, John Gargotta, Maria Thereza Mayo, Kenneth S. Rubin, Mayor

Emma Shoaff, Esmie Straw, Lora Thomson, Belle Trebuck, Dr. Steven Weisberg, and Commissioner Lois Wexler—that were recently elected to the Aging and Disability Center of Broward County's Dr. Nan S. Hutchison Broward Seniors Hall of Fame. These eleven volunteer and community leaders have dedicated much of their retirement to improving Broward County, and it is my privilege to congratulate them today for this great achievement.

This group of elected officials, business leaders, lawyers, and community activists has tirelessly worked to improve the quality of life for Broward's seniors. Their continuous service to the South Florida community, especially their humanitarian efforts and their advocacy for the less fortunate, makes me proud to call these 11 individuals my neighbors and friends.

Mr. Speaker, it is my honor to stand before you today and recognize the achievements of this year's Dr. Nan S. Hutchinson Broward Seniors Hall of Fame inductees. Their dedication and hard work has truly made Broward County a better place.

INTRODUCTION OF THE "OIL CONSUMER PROTECTION ACT OF 2011"

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. CONYERS. Mr. Speaker, today I am introducing the "Oil Consumer Protection Act of 2011," legislation that would subject the Organization of Petroleum Exporting Countries, OPEC, nations to the U.S. antitrust laws, prohibit oil and gas companies from unilaterally withholding supply with the intent of raising prices or creating a shortage and would protect consumers from price gouging of gasoline.

You do not have to look very hard to see that the American consumer is hurting. And if you ask people on the street what worries them most, the majority will tell you that it is the price of gasoline. American families and businesses are yet again paying record prices for gasoline. The retail price of gasoline has jumped and is now in the range of \$4 per gallon. Driving should not have to be a luxury. Americans today are spending far too much of their paychecks at the pump.

In my home State of Michigan, gas prices earlier this month reached their highest levels ever at \$4.22 per gallon. Figures released by the AAA Michigan show that the \$4.22 per gallon state average surpassed the previous record of \$4.21 per gallon set in July 2008.

My bill, once and for all, will crack down on foreign oil cartels. Currently, based on the sovereign immunity doctrine, foreign nations and businesses they control may avoid accountability under U.S. antitrust law. This bill would eliminate the doctrine and allow antitrust law to apply to anticompetitive cartels.

This legislation, the "Oil Consumer Protection Act of 2011" would:

Exempt OPEC and other nations from the provisions of the Foreign Sovereign Immunities Act to the extent those governments are

engaged in price-fixing and other anticompetitive activities with regard to pricing, production and distribution of petroleum products. (OPEC currently claims sovereign immunity by saying its actions are "governmental activity," which is protected, rather than "commercial activity," which is not.)

Make clear that the so-called "Act of State" doctrine does not prevent courts from ruling on antitrust charges brought against foreign governments and that foreign governments are "persons" subject to suit under the antitrust laws.

Authorize lawsuits in U.S. federal court against oil cartel members by the Justice Department and the Federal Trade Commission.

Amend the Clayton Act to prohibit oil and gas companies from unilaterally withholding supply with the intent of raising prices or creating a shortage.

Direct several studies, including a Justice Department/Federal Trade Commission study of mergers in the oil and gas industry, and a GAO study of whether government consent decrees in oil mergers have been effective.

Direct the Attorney General and Federal Trade Commission Chairman to establish a joint federal/state task force with state attorneys general to investigate information sharing among oil companies.

Would empower the Federal Trade Commission and state attorneys general to institute civil and criminal penalties for fuel price gouging during periods proclaimed by the President as an international crisis affecting oil markets.

It is time someone did something about our outrageous gas prices. I hope Congress has the sense to act on this legislation immediately.

CELEBRATING THE OUTSTANDING SERVICE AND ACCOMPLISHMENTS OF CROWN OF LIFE LUTHERAN SCHOOL'S EIGHTH GRADE CLASS

HON. KENNY MARCHANT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MARCHANT. Mr. Speaker, Dr. BURGESS and I rise today to celebrate the outstanding service and accomplishments of Crown of Life Lutheran School's eighth grade class. This group of nine students demonstrates a level of commitment and philanthropy positioning them heads and shoulders above their peers. Their dedication to anticipating and seeing to the needs of their community provides me with great hope for the future of America. Today's students are tomorrow's C.E.O.s, Chief Surgeons, and Presidents. These eighth graders will one day make decisions that will determine what this nation looks like in the years to come. We have every confidence that we are in good hands. They have already learned the most valuable lesson—leadership starts with service.

Throughout the 2011 school year, the eighth grade class proved themselves to be extraordinary leaders through their service to the students at Crown of Life Lutheran School. Every

day, they cleaned the lunchroom and assisted in the school's weekly assemblies. Monthly, they helped the school set up for Colleyville Chamber of Commerce Luncheons. This Spring, the girls basketball team helped their school to win a second place at the State tournament. The boys made an impressive showing as well, placing fourth in their tournament.

These remarkable students have participated in numerous community projects as well. They helped to organize a bingo night for Finley Elliot, a three year-old who just completed a successful kidney transplant in April of 2011. The \$5,000 earnings from the event provided Finley and his family a much needed reprieve from the extensive medical costs. They also volunteered a day to clean up Lakeview Park in Grapevine in order to encourage the maintenance of public parks for the use of the community. The class also assembled care packages and wrote dozens of notes by hand to send to our soldiers overseas.

We know that Crown of Life Lutheran School is proud to claim these star eighth graders as their own, and we are proud to offer our sincerest congratulations to Hannah Andersson, Zachary Dayley, Jacob Diamond, Sarah Hall, Justin Hawes, Austin Shone, Heide Stufflebeme, John Sandfort and Christian Scherff on their graduation from middle school. We wish you all the best.

HONORING THE RIVERDALE Y'S
TEEN THEATER PROGRAM

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ENGEL. Mr. Speaker, the Riverdale Y's Teen Theater program was established in 1990 to provide education, entertainment and enrichment to teens across my district in the Bronx. The program gives kids age 13–18 a chance to study musical theater, to learn through music and to perform for their community. This year, they celebrate their 20th season of performances.

The Teen Theater program has long produced entertainment for residents of the Bronx, who come to see high-level productions worthy of praise in any context, but especially so considering that the performers are our community's young people. This talented troupe of performers recently broke their own attendance record during productions of *Rent* and *The 25th Annual Putnam County Spelling Bee*, and they plan more productions in the coming months.

Children who take part in the program learn music, dance, dramatic and literary skills and get the chance to perform for their friends, family and community. They are enriched through the arts, they learn important skills through the arduous rehearsal process, they build self-esteem and they make lifelong friends. The program has received numerous National Youth Theater Awards in recognition of their talented performers, including most recently for *Rent*, which won awards for Best Ensemble Performance, Best Lead Actor in a Musical and Best Lead Actress in a Musical.

On behalf of the many alumni of the program, the residents of the Bronx and the entire Seventeenth District, I want to recognize and honor the Riverdale Y's Teen Theater and their director, Laurie Walton, to thank them for their contributions to our community and to wish them the best of luck in the future.

APPLAUDING THE UPPER MERION
SCHOOL DISTRICT

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MEEHAN. Mr. Speaker, I rise today to applaud the Upper Merion School District of Pennsylvania for winning an Environmental Achievement Award from the U.S. Environmental Protection Agency. Upper Merion was recognized for being a 2010 ENERGY STAR leader and for reducing its energy consumption by more than 30 percent, an achievement reached by only about a dozen of the Nation's 15,000 school districts. All six of Upper Merion's schools have earned the ENERGY STAR rating and several buildings have energy reductions near 50 percent. The district has also embarked on an aggressive recycling program that has resulted in about 50 percent of its solid waste being recycled instead of going to the landfill. I am proud to represent the citizens of Upper Merion in Congress, and their example of stewardship—a of a community taking local initiative to reduce their environmental impact—is a model of bottom-up sustainability that municipalities across America should strive to emulate.

HONORING CHARLES RUTLEDGE III

HON. GEOFF DAVIS

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. DAVIS of Kentucky. Mr. Speaker, I rise today to recognize Mr. Charles Rutledge, III, a Mathematics Content Specialist with the Kentucky Department of Education in Northeast Kentucky.

Mr. Rutledge was recently selected by President Barack Obama to receive the Presidential Award for Excellence in Mathematics and Science Teaching.

This award is recognition of Mr. Rutledge's achievement and dedication during more than a decade in the education field. Before joining the Kentucky Department of Education, he was a teacher for 10 years at Pritchard Elementary School in Grayson, Kentucky where he taught mathematics, second grade and third grade.

Mr. Rutledge was recognized by the President for his hands-on teaching style that brings math to life for his students and helps them to recognize numbers as representations of values, and not merely symbols.

Today, as we celebrate the accomplishments of this exceptional Kentuckian, it is my hope that others are inspired by his hard work and perseverance.

I urge the House to join me in commending Charles Rutledge for his time and devotion in teaching and helping the youth of the Commonwealth of Kentucky.

A TRIBUTE IN HONOR OF ASIAN
PACIFIC AMERICAN HERITAGE
MONTH AND THE HEP B FREE
CAMPAIGN

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. ESHOO. Mr. Speaker, I rise today in honor of Asian Pacific American Heritage Month and a particular effort to benefit the Asian Pacific American (APA) community, the Hep B Free Campaign. This is a month to acknowledge and celebrate the APA community's vital economic, cultural, academic, and political contributions to our diverse and dynamic country. I'm proud to join more than 150,000 of my APA constituents in California's 14th Congressional District, whose work enriches our lives every day.

As we acknowledge the extraordinary impact of the APA community, this is also a time to address a more sobering impact on the APA community, the grave health threat of Hepatitis B. Hepatitis B is the greatest cause of liver cancer in the world, resulting in up to 80 percent of all liver cancer, three hundred and fifty to four hundred million people in the world are chronically infected with Hepatitis B, which takes a life every 30 seconds. Most of them are Asian. One in ten foreign-born Asian Americans are chronically infected with Hepatitis B, 100 times the infection rate of the general population. Without treatment, 1 in 4 will die from liver cancer or liver failure, often in their prime adult years. In California alone, liver cancer is among the leading causes of cancer deaths among Laotians, Cambodians, Vietnamese, Chinese, Korean, and Filipinos. Nearly 10 percent of the Asian population in my District is chronically infected, and nearly half have not been vaccinated to protect them from infection.

Given the gravity of this health challenge, I'm proud to recognize the outstanding work of the Hep B Free Campaign which promotes public and provider awareness, including programs for screening, vaccination, and linkage to follow-up treatment.

Hep B Free was originally started by Asian Week Foundation, a community-based nonprofit that celebrates the diversity of Asian Pacific America through identity assemblage, with special expertise in bringing together the multiplicity of groups and personality that make up our community; Stanford University's Asian Liver Center, the only non-profit organization in the country addressing this pressing public health disparity; and the San Francisco Department of Public Health because they recognized the egregious health disparity experienced by APA in terms of Hepatitis B. I'm proud this campaign began in San Francisco, continued in San Mateo County and has now launched its campaign in Santa Clara County with the additional support of Asian Americans for Community Involvement and the Santa

Clara County Public Health Department. I look forward to supporting Hep B Free as they expand their efforts to the rest of the country. As Assemblywoman Fiona Ma, Majority Whip of the California Assembly and Honorary Chairperson of the Hep B Free Campaign, said, "We can set a model for the nation and be an inspiration to efforts around the globe in eradicating Hep B."

We celebrate APA Heritage Month just a month after the death of Dr. Baruch Blumberg, a brilliant and compassionate scientist whose discovery of the Hepatitis B virus and creation of the vaccine won him a Nobel Prize and the gratitude of all whose lives are affected by the disease. The Hep B vaccine is known as the first anti-cancer vaccine because it is so effective at preventing Hep B infection and the liver cancer that could develop.

Mr. Speaker, I ask my colleagues to join me in honoring Asian Pacific American Heritage Month and the Hep B Free Campaign's extraordinary efforts to ensure that the millions of Asian Pacific Americans who strengthen our Nation can live long and healthy lives.

HONORING JOHN MURPHY

HON. MICHAEL H. MICHAUD

OF MAINE

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MICHAUD. Mr. Speaker, I rise today to congratulate John Murphy, President and CEO of the Maine Credit Union League, on his induction into the Credit Union House Hall of Leaders.

For nearly two decades, John has served as President and CEO of the Maine Credit Union League. He has worked diligently on the behalf of credit unions for even longer. I have had multiple opportunities to work with John on the issues that impact his members and, as a result, the people and the economy of Maine, and I have always found him to be a dedicated and thoughtful advocate.

The Credit Union National Association inducted John into the Credit Union House Hall of Leaders because he has shown a unique level of commitment to ensuring that these vital community institutions are able to continue serving the individuals and small businesses that make up their customer base. His name will be on permanent display to the thousands of individuals that visit the Credit Union House each year. John is the first inductee from the State of Maine, and I cannot think of a more appropriate individual.

It has been an honor to work with John in the past, and I have no doubt that this recognition in the Hall of Leaders will inspire him to continue his advocacy on behalf of credit unions and the people they serve. I know that the sixty-four credit unions in Maine, as well as their 613,000 members, greatly appreciate John as a resource and as their representative fighting for the issues that matter to them.

Mr. Speaker, please join me in honoring John Murphy and congratulating him on his induction into the Credit Union House Hall of Leaders.

IN SUPPORT OF MEDICARE

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. MATSUI. Mr. Speaker, I rise today to voice my support for Medicare and to once again state my strong opposition to the Republican budget plan introduced by Mr. RYAN of Wisconsin. This plan would end Medicare as we know it.

Medicare is a program that Americans pay into their entire working lives and expect to benefit from when they retire. Unfortunately, House Republicans continue to support a proposal that would strip away the guaranteed benefits under Medicare. Their plan calls for Medicare to be replaced from a program of guaranteed benefits to one in which seniors would be given a voucher to purchase insurance from an insurance company.

As if this were not bad enough, the vouchers this plan proposes to give Medicare enrollees would in no way keep up with the rising costs of health care. Therefore, enrollees would be saddled with more and more out-of-pocket expenses over time.

The non-partisan Congressional Budget Office Congress's official actuary projected that these vouchers could actually double out-of-pocket costs for the average beneficiary in the short-term and triple them in the long-term. This is something that I am adamantly opposed to and will fight against it taking place.

Now, to be clear, these changes would not affect current enrollees but it would affect the next generation of retirees including many of our children and grandchildren. But the Republican plan would immediately strip away all the benefits seniors stand to gain and perhaps already are enjoying from the health care law enacted last year.

The health care law is already closing the Medicare Part D coverage gap—known as the "Donut Hole"—providing for free preventive care to Medicare and Medicaid beneficiaries and ensuring that America's seniors have access to the care they need.

The health care law also provides free preventive care for Medicare enrollees care that is often critical to helping you and your doctor diagnose and treat diseases or ailments as soon as possible. But the repeal of the health care law included in the Republican budget plan would change all this under the guise of "deficit reduction."

But the reality is that none of the cuts would help pay down the deficit OR balance the budget. These cuts would instead pay for tax cuts to those who need it the least providing subsidies to Big Oil preserving tax loopholes to companies that ship jobs overseas all this while they are making record profits. Tax cuts for Big Oil and the largest corporations should not be paid for on the backs of America's seniors!

And this kind-of thinking does not reflect the needs or priorities of seniors and families in my district. I have heard from scores of Sacramentans about how the changes to Medicare included in the health care law has helped them. One gentleman in particular comes to mind. Gary, who takes 8 different

name brand medications, regularly falls into the "Donut Hole." But as a result of the health care law, he will save close to \$1,000 per month which means that Gary will be able to continue to take his medication, and make ends meet. And his savings will only grow over time. However, people like Gary would lose out on this benefit, should the Republican proposal be enacted.

As Co-Chair of the Congressional Seniors Task Force, I am working with my colleagues to ensure that proposals that would hurt seniors are not enacted. I believe that if someone works hard all their life and plays by the rules then they deserve high-quality health care and a secure retirement. I am committed to making that dream a reality and I am confident that as more and more people learn about what this plan would do the American people will speak out against it loud and clear.

I thank Representative TONKO for his leadership on this issue.

HONORING STEWART'S SHOPS AND THE DAKE FAMILY

HON. CHRISTOPHER P. GIBSON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. GIBSON. Mr. Speaker, I rise today on behalf of the people in New York's 20th District to express our sincere appreciation for the continued hard work, dedication, and contributions made to our communities by Stewart's Shops and the Dake Family.

Beginning in 1921, Percy and Charles V. Dake began making Dake's Delicious ice cream in Greenfield, NY. They continued to expand their operations into and around Greenfield and Saratoga Springs until 1945, when they bought Donald Stewart's dairy and ice cream shop on Route 50 in Ballston Spa, renaming it Stewart's Shop in order to commemorate the former owner. Adding on brothers Charles S. and William, this family-run operation continued to grow through the expansion of services and a strong community presence, including donating five percent of its annual revenue to local not-for-profits.

This generous and voluntary donation has brought over \$2.25 million to not-for-profits in our area, in addition to the organization's contribution of over \$15 million to an employee profit sharing plan and \$2 million in scholarship assistance to family members of employees through the "Make Your Own Scholarship" program. Overall, this tremendous organization has had over \$1 billion in community sales, provides approximately 4,000 jobs in 328 convenience stores in New York and Vermont, and works closely with local governments and organizations to serve my constituents inside and out of their stores.

For these reasons, I am happy to stand today in recognition of the Dake Family as they receive the C. Jordan Vail Spirit of Philanthropy Award, given at the Celebration of Philanthropy Luncheon in Albany, NY on May 24, 2011. This family, and the business they have built over the last ninety years, are a model of private enterprise and they have certainly earned this award. I am honored to be

given the opportunity to commemorate their dedication to our community and the economic contributions they provide.

COMMEMORATING THE LIFE OF
LYMAN GRAHAM

HON. ALBIO SIREs

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. SIREs. Mr. Speaker, I rise today to commemorate the life of Lyman Graham, a devoted member of the United States military, who recently passed away in Neptune, New Jersey at the age of 92. Lyman was a native of Franklin, Pennsylvania, and graduated from the Graham School, Franklin High School, and Franklin Business School. In 1941, Lyman was drafted into the U.S. Army and received his officers training at Fort Monmouth, after which he was commissioned as a second lieutenant. During this time, Lyman met his wife, Betty Freeman of Bradley Beach, and they were married in Taullahoma, Tennessee on May 8, 1943.

Lyman has a proud record of military service. As a member of the Army Signal Corps, Lyman played a key role during World War II. Soon after 1943, his unit was deployed to Great Britain, where they prepared for the invasion of Normandy and followed the battles fought throughout France, Belgium, and Germany, providing supplies and provisions for the Allied troops. Lyman received a number of medals for his service, including the European War Theatre medal.

Following V-E Day, Lyman remained in Europe for several months and returned to New Jersey and his wife in the fall of 1945. He was promoted to the rank of captain and was honorably discharged from the U.S. Army in 1946. Lyman and Betty briefly lived in Oil City, Pennsylvania. They returned to Bradley Beach in 1946, where they resided at their Hammond Avenue home.

Not only did Lyman faithfully serve his country, he maintained an active role in his community throughout his life. He was a member of the Bradley Beach Post 337 of the American Legion for many years, serving as Finance Officer and participating in the group's activities. Lyman was Grand Marshall of the 2004 Bradley Beach Memorial Day Parade. In 1954, he was appointed Postmaster of the Bradley Beach Post Office, and he remained in that position until his retirement in 1979, following 25 years of service.

Following his retirement, Lyman and Betty joined the local chapter of the National Association of Retired Federal Employees, where he served as treasurer for 20 years. Lyman was also a longtime active member of the First United Methodist Church of Bradley Beach, where he was a Lay Leader, and a member of the Staff Parish Committee, United Methodist Men, and the Adult Choir. Lyman and Betty chaperoned the youth fellowship groups on a number of trips and activities. A Boy Scout in his youth, Lyman remained active in that organization as Scoutmaster for a number of years.

Throughout his life, Lyman was an exceptionally devoted husband and father and I

know that Lyman will be greatly missed by his family and friends. Lyman's story will live on to serve as an inspiration for generations to come, and I thank him for his dedication to this great country.

IN SUPPORT OF STRENGTHENING
U.S.-KOREA ECONOMIES

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. RANGEL. Mr. Speaker, I rise to express my deep appreciation to the gracious hospitality President Lee Myung-bak of South Korea and his countrymen have extended to me, Secretary of Commerce Locke and my esteemed colleagues on the Ways and Means Committee—Representatives JIM McDERMOTT, JOE CROWLEY and DAVE REICHERT—during our recent trip to the Peninsula as part of a trade delegation.

As a Korean War Veteran, I could not have been more proud to witness today's Dynamic Korea. Seoul's skyscrapers, booming businesses and rising apartment buildings are a testament to the resiliency and determination of the Korean people.

There are presently more than two million Americans of Korean descent living in our own country. In my home state of New York, there are more than 200,000 recent immigrants and native-born Korean-Americans who make significant contributions to our communities.

It is no wonder that trade and investment between the United States and Korea has been growing rapidly over the past few years. South Korea is the seventh-largest trading partner of the United States, with more than \$80 billion in trade passing between our two countries. Korea is also the world's 11th-largest economy, the sixth largest market for U.S. agricultural goods, and the third largest destination for U.S. foreign direct investment in the Asia-Pacific region.

Korea has always been one of our closest and most important allies. Free trade between U.S. and Korea will strengthen our respective economies. In a speech to the American Chamber of Commerce in Seoul, Secretary Locke noted that "the U.S.-Korea trade pact is the United States' most significant trade agreement in 17 years. And it's estimated to increase American economic output more than our last nine trade deals combined." In both countries, consumers will see lower prices for goods and services, businesses will have better access to supplies and technology, and workers will find more jobs available to them.

In addition, ratification of the agreement will enhance security and stability in Northeast Asia. A stronger South Korean economy is a bulwark against threats from North Korea. I remain astounded by the economic success that Korea achieved since I first landed at the Pusan Perimeter in the summer of 1950. There is such a satisfaction in knowing that the noble service and sacrifice of the nearly 1.8 million American soldiers, sailors, airmen and Marines were not made in vain.

On a personal note, I especially thank President Lee Myung-Bak and his Minister of Patri-

ots and Veterans Affairs Park Sung-Choon for the moving ceremony held at the War Memorial of Korea in honor of my service and the U.S. veterans who fought to defend Korea sixty one years ago. Korea will always have a place in my heart as it does in the hearts of all veterans who have served then and those who serve now.

In closing, I extend my appreciation to Foreign Minister Sung-Hwan Kim, Trade Minister Jong-Hoon Kim, and leaders in the National Assembly for their warm welcome. Our delegation is indebted to U.S. Ambassador Kathleen Stephens and her exceptional staff at the U.S. Embassy in Seoul, as well as Secretary Locke's Department of Commerce staff, for their outstanding support and professionalism that made our trip successful.

I am also grateful to my good friend, ROK Ambassador Duk-Soo Han, for his continuous work on strengthening the relationship between our two nations. He has been working tirelessly to move the U.S.-Korea FTA, and I look forward to the days and weeks ahead as the agreement moves forward and urge my colleagues to offer their own expressions of support.

A TRIBUTE IN HONOR OF PRESIDENT THOMAS C. MOHR UPON HIS RETIREMENT FROM CAÑADA COLLEGE

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. ESHOO. Mr. Speaker, I rise today to honor the life and career of Thomas (Tom) C. Mohr who is the President of Cañada College, a distinguished college in the 14th Congressional District of California and my alma mater. President Mohr has served as a teacher, mentor and community leader for the past 47 years, with 42 of those years living in the Bay Area with his beloved wife Sandy.

President Mohr holds a Bachelor of Science from St. Louis University and a Master of Arts from the University of San Francisco. A life-long educator, he began teaching at Taylor School in St. Louis, Missouri in 1958, and moved to San Francisco in 1959, where he taught at Riordan High School. He began working as a high school administrator in 1971 when he was appointed Vice Principal of Serramonte High School in the Jefferson Union High School District.

During his career he was invited by the Western Association of School Accreditation to serve on more than 30 school accreditations, most of which he chaired, including accreditations of schools in Japan and Egypt.

In 1996, President Mohr was named Superintendent of the San Mateo Union High School District. He pushed for the successful passage of a \$137.5 million bond to refurbish and modernize the six high schools in the District. He also led the District in a comprehensive planning process. He retired in 2004, and was soon appointed Interim President at Cañada College.

Cañada College, located in Redwood City, opened in 1968 as part of the three-school

San Mateo County Community College District. The beautiful campus overlooks Silicon Valley and its talented students have gone on to apply the excellent education they received at Cañada to achieve their dreams academically and professionally across the Bay Area and beyond.

President Mohr is recognized as the critical leader in the growth of this unique college, including the re-establishment of strong connections with local high schools to make Cañada College a destination for graduating seniors, increasing enrollment by nearly 1,000 students.

A tireless leader and innovator in education, President Mohr helped reorganize the entire planning structure at the College and guided it and the San Mateo County Community College District through an exhaustive strategic planning process where the College had its accreditation renewed and is now viewed as a state leader in the accreditation process.

President Mohr also developed his vision for Cañada with an Honors Transfer Program at the College designed to support highly motivated students as they pursue their educational goals for graduation and transfer, increasing by five times the number of students transferring to UC schools. In the Honors Program, students are able to find the additional resources they need among their peers and excellent faculty to take their academic achievements to the next level.

During his tenure at Cañada College, President Mohr made it a priority to create a center for science, technology, engineering, and mathematics learning, attracting more than \$3 million in Federal grants to support this mission, and adding more than 1,000 students majoring in STEM-related fields.

A practical leader, President Mohr understood the importance of linking career opportunities to education and he created pipelines for ESL students to connect their language education to growing career fields. Understanding that education doesn't stop with an Associate's Degree, he made it a priority to develop additional opportunities for students through the Cañada College University Center, including bachelor degree programs in art, psychology, human services, and business administration. The important link between prepared students and student success was a priority for President Mohr, leading him to create the Center for Teacher Efficacy at the Cañada College University Center which provides professional development opportunities for high school teachers on the Peninsula.

Throughout his distinguished career, President Mohr has connected the College to the community, serving as Vice Chairman on the Redwood City San Mateo County Chamber of Commerce, serving on the Board for the Boys and Girls Club of the Peninsula, serving on the Board of the Redwood City Police Activities League, and serving through numerous civic groups.

Mr. Speaker, I ask the entire House of Representatives to join me in offering our warmest congratulations to President Tom Mohr on his retirement and to celebrate his extraordinary career and legacy he created, helping countless students to achieve their dreams and potential. He has led with conviction, inspired through example and taught with joy, trans-

forming each life he touched. He has renewed our community and strengthened our country, proving that one person can indeed make noble and lasting contributions. How blessed I am to know President Mohr, how deeply grateful I am to him, and how grateful our nation is to him for lifting up generations of students who today are major contributors to the good and the greatness of our country.

THE ARMENIAN GENOCIDE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. SCHIFF. Mr. Speaker, I rise today to memorialize and record a courageous story of survival of the Armenian Genocide. The Armenian Genocide, perpetrated by the Ottoman Empire from 1915 to 1923, resulted in the death of 1.5 million Armenian men, women, and children. As the U.S. Ambassador to the Ottoman Empire Henry Morgenthau documented at the time, it was a campaign of "race extermination."

The campaign to annihilate the Armenian people failed, as illustrated by the proud Armenian nation and prosperous diaspora. It is difficult if not impossible to find an Armenian family not touched by the genocide, and while there are some survivors still with us, it is imperative that we record their stories. Through the Armenian Genocide CONGRESSIONAL RECORD Project, I hope to document the harrowing stories of the survivors in an effort to preserve their accounts and to help educate the Members of Congress now and in the future of the necessity of recognizing the Armenian Genocide.

This is one of those stories:

SUBMITTED BY MARY BOGHOSSIAN

Dear Congressman Schiff,

I am writing you because I admire your longstanding support of Armenians and Americans. My parents, Toros and Santoukht, my husband, Hagop, his mother, Ani, and his two older sisters, Vartouhi and Dikranouhi, were survivors of the Armenian genocide.

As you know, it is important to remember how the Armenian Christian population was treated by the Turkish government from 1895 through 1923. Over one and a half million Armenian men, women, and children underwent unspeakable suffering. They were deported from their homes, slaughtered, butchered, enslaved, and more, without consideration of guilt or innocence. Among those who suffered immeasurably were my parents and my husband's family.

My father was born in 1895 in Turkey. During the Armenian massacre in 1915, the Turkish government was going to take him away on a death march in the desert. Fortunately, he was hidden behind the door in a house and the Turkish soldiers did not see him, so they left. God saved him and he escaped. At the age of 20, he lost his innocent beloved family along with their belongings. The trauma was so great that he refused to discuss it with his family members for a long time.

My mother was born in 1905 in Turkey. In 1915, my mother's brother was included with all the people that were marching during the deportation by the Turkish government. My

mother started running after him while he was being marched away. She never caught up to him, and never saw him again. At the age of 10, she became an orphan and did not know if any of her family members were dead or alive.

My parents met and were married in Greece, had 7 children, 24 grandchildren. They were married over 63 years and lived over 90 years.

My husband was born in 1910 in Turkey. His parents had three sons and three daughters. My husband always reminded us what happened to his family in the days following April 24, 1915, the conventional starting date of the Armenian Genocide.

He said to us: "During the massacre, the Turkish government took away my innocent father and my older brother and they never returned home. They were murdered by the Turkish government. My younger brother died of cold and hunger and there was no one around to bury him. My second oldest sister was married to a Turkish man by force and she died of hunger and cold as well. All of our belongings: home, money, jewelry, clothing and our historic homeland, were taken away by the Turks."

My husband was an eyewitness to the massacre. He was exposed to a terrible tragedy. It changed his entire life. He saw bodies buried below the ground with their heads exposed to the sun. He saw men, women, and children lying on the ground dead.

The surviving members of my husband's family, his mother and two older sisters, ended up in a refugee camp. His mother worked hard for several years just so they could stay alive. She was a beautiful woman, and had offers to marry several Turkish and Armenian men, but refused to remarry. In the 1920s they were fortunate to emigrate to Israel, and then to the United States in the 1960s.

My husband experienced a great deal of sadness, tragedy, depression, and loneliness. He always loved his family and this country with all his heart. He acknowledged all the Presidents of the U.S. by hanging their pictures on the wall of our home. To him, these men stood for freedom. The freedom this Country gave him allowed him to live like a human being, and express his thoughts. It gave him the courage to speak freely and never be silent again about his beloved families.

As you know, the "Aloha state" proclamation makes Hawaii the 42nd state to recognize the Armenian Genocide. Countries around the world such as Switzerland, France, Canada, Italy, Sweden, Russia and others, have passed a resolution recognizing the Armenian genocide and proclaim a Day of Remembrance every year on April 24.

The U.S. government should have the willingness to join with countries around the world, and formally acknowledge and commemorate the Armenian genocide each and every year on April 24. If it is not taught in our school and if we ignore the history then we are destined to repeat the mistakes of the past.

Thank you for supporting the remembrance of the Armenian Genocide.

Sincerely,

Mary.

THE INTRODUCTION OF THE
CLEAN UP ACT

HON. JOHN P. SARBANES

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. SARBANES. Mr. Speaker, I rise today to introduce the Correction of Longstanding Errors in Agencies Unsustainable Procurements (CLEAN UP) Act. This legislation will reform the badly flawed competitive sourcing process—saving taxpayer dollars and reinvestigating our civil service.

Especially in our current era of budget deficits, efficient government is paramount. Over the last decade, we have been much too quick to outsource many of government's most basic functions to the private sector. The desire to do so reflected a political ideology of shrinking the government workforce—even if it meant diminishing the quality or increasing the cost of government services that are overwhelmingly supported by American taxpayers. This course of action negatively impacted everything from national defense and border security to the collection of taxes and the stewardship of our public lands. In many cases, work was outsourced with little or no competition—subverting the public interest and wasting billions in taxpayer dollars.

This bill is not about punishing the contractor community or criticizing the work that they do. The vast majority of these firms want to do the right thing and have performed many important functions on behalf of the government. However, there is some government work that is not appropriately awarded to the lowest bidder. Often this work is about providing a service as a matter of policy without regard to profit. The process by which we make decisions to hire government workers or to contract with the private sector for certain functions must reflect a mature understanding of the real differences between the mission of government and that of business.

More recently, Congress has begun to rein in administrative procurement policy by requiring more robust competition in contracting and ensuring that the core functions of government are performed by government employees. The CLEAN UP Act seeks to reverse the damage that has already been done by requiring agencies to develop plans to bring inherently governmental work back in-house and ensuring that future procurement decisions are made based on the best interest of the government and the taxpayer.

The CLEAN UP Act will make the contracting process fair to Federal employees and accountable to taxpayers.

Congress has heard from Federal workers and advocates in and out of government and their conclusions are the same—the current system is broken. We must develop a clear, government-wide standard for what work should or must be performed by government workers and put in place a fair process for competing all other work.

That is why I have introduced the CLEAN UP Act.

The CLEAN UP Act will:

Impose a uniform, government-wide standard for government work, distinguishing be-

tween the functions which must be done by our civil servants and those functions that may be done competently by the private sector;

Incrementally bring work that should be performed by Federal employees back in-house; Encourage agencies to consider assigning new work to Federal employees if they would be more efficient rather than pursuing a policy of contracting-out, frequently through sole-source or limited competition contracts;

Require agencies to determine where there are or will be shortages of Federal employees and develop plans to address these shortages;

Maintain the existing suspension of the use of the Office of Management and Budget (OMB) Circular A-76 process until OMB determines that the reforms required by this legislation have been implemented;

Direct Agencies to implement an alternative to the A-76 process in order to continually improve and streamline services—developing a more efficient process without the costs and controversies of the A-76 process.

We have some of the best and brightest in our civil service; public servants with a deep and abiding love for this country. They have important missions—to make the next scientific breakthrough; to protect our nation from foreign threats; to keep our communities safe from crime or disaster; to maintain our critical infrastructure. By enacting the CLEAN UP Act, we have an opportunity to support our Federal workforce, save taxpayer dollars, restore good government, and reduce waste, fraud, and abuse.

IN RECOGNITION OF THE CAREER
AND ACHIEVEMENTS OF GERARD
TULLY

HON. GARY L. ACKERMAN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ACKERMAN. Mr. Speaker, I rise today to seek Congressional recognition of the exceptional achievements and outstanding career of Gerard Tully. On May 25th, 2011, Mr. Tully will be recognized by the President, Chairman of the Board, and Board of Directors of the Flushing Savings Bank for his 44 years of tireless and dedicated service to the Bank and the Flushing Community.

After graduating from Hofstra College in 1950, Mr. Tully set to work in the construction industry, working for numerous businesses and creating countless jobs in the Queens and Long Island communities. In 1967, he joined the Flushing Savings Bank as a trustee. From 1981 through 1989, he served as the chief executive officer, and from 1980 until 2011, he was chairman of the board. His retirement as chairman on February 15th marks the end of an era for the Flushing bank. His decades of experience and wealth of knowledge have made him an invaluable asset for the bank and the customers it serves. Moving forward, he will continue his distinguished service as a member of the board.

Mr. Tully's success was not just confined to the realm of the business. For decades, he has been an active participant in a diverse

group of community organizations. His support of Catholic Charities and the Juvenile Diabetes Foundation deserves special recognition. Mr. Tully's active participation and skilled leadership in a variety of charitable endeavors has changed countless lives for the better. Mr. Tully's legacy of selfless devotion to community service is something in which his wife, Frances, and their 17 grandchildren and five great grandchildren can take great pride.

Mr. Speaker, I am proud to count Mr. Tully among my constituents in the 5th Congressional District of New York. He has stepped down as the Chairman of the Board of the Flushing Savings Bank after having contributed immeasurably his community. I am proud to recognize Mr. Tully and I ask my colleagues to join me in thanking him for a lifetime of selfless dedication to the community.

A TRIBUTE TO DALTON B. DOOM

HON. TOM LATHAM

OF IOWA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. LATHAM. Mr. Speaker, I rise today to recognize and congratulate Dalton B. Doom of Urbandale, IA for achieving the rank of an Eagle Scout. Dalton is currently a freshman in high school and serves as the Senior Patrol Leader of his troop.

The Eagle Scout rank is the highest advancement rank in scouting. Only about 5 percent of Boy Scouts earn the Eagle Scout Award. The award is a performance-based achievement whose high standards have been maintained over the years. To earn the Eagle Scout rank, a Boy Scout is obligated to pass specific tests that are organized by requirements and merit badges, as well as completing an Eagle Project to benefit the community. Dalton's project consisted of raising funds to purchase and install Automated External Defibrillator devices at a local church.

After obtaining the highest scouting rank possible, Dalton plans to remain active in scouting to earn additional Eagle Palms and merit badges. Dalton has been involved in scouting since he became a Tiger Cub more than 10 years ago. His future plans are to attend the United States Air Force Academy and become an F-22 pilot.

Mr. Speaker, the example set by this young man and his supportive family demonstrates the rewards of hard work, dedication and perseverance. I am honored to represent Dalton Doom and his family in the United States Congress. I know that all of my colleagues will join me in congratulating him on earning an Eagle Scout ranking and will wish him continued success in his future education and career.

COMMENDING THE STUDENTS OF
SPRINGFIELD HIGH SCHOOL

HON. PATRICK MEEHAN

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. MEEHAN. Mr. Speaker, I rise today to commend the efforts of the students of Springfield High School, in Springfield, Pennsylvania,

who raised a record sum of nearly \$153,000 through their annual Dance-a-Thon to benefit pediatric cancer research. With over half of Springfield High's student body taking part in this extraordinary charitable drive, the Dance-a-Thon represents community service at its finest—citizens voluntarily giving of themselves to make a difference in the lives of their neighbors. Most of us have known the pain of losing a loved one to cancer, but the students at Springfield took action, joining together to help children who are fighting this disease. I am proud of these young men and women, and grateful for the example they have set for their peers and the students who will follow after them.

CONGRATULATING TAIWAN'S
PRESIDENT MA YING-JEUO

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. ENGEL. Mr. Speaker, today I rise to express congratulations to Taiwan's President Ma Ying-jeou who is celebrating his third year as their leader on May 20th, 2011.

During President Ma's tenure, Taiwan has not only been a close friend of the United States, but it has reached out to countries all over the world. This was evident during Japan's recent tragedy in March resulting from the earthquakes and tsunami.

Due to the radiation emitting from the damaged nuclear plants, staff from the United States embassy in Japan needed to evacuate immediately. Taiwan was gracious enough to take them in. U.S. Embassy officials plus private United States citizens were flown in chartered planes from Japan to Taiwan.

Taiwan also donated supplies and money to Japan to help with their desperate situation. About 10 tons of supplies, including food and clothing, plus approximately \$15 million dollars were generously donated by the Taiwanese people.

Once again, I congratulate President Ma for the start of his third year in office and thank the Taiwanese people for their charity towards the people of Japan.

A TRIBUTE IN HONOR OF REVEREND PAUL R. VASSAR ON THE OCCASION OF THE 40TH ANNIVERSARY OF HIS ORDINATION OF THE PRIESTHOOD

HON. ANNA G. ESHOO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Ms. ESHOO. Mr. Speaker, I rise today to recognize and celebrate the 40th Anniversary of Reverend Paul R. Vassar's ordination to the priesthood. For four decades, Father Vassar has served the people of his parishes with good words and good works, and on June 11, 2011, St. Leander Parish is celebrating this wonderful milestone in their Pastor's life.

A native of Oakland, Father Vassar graduated from Bishop O'Dowd High School, stud-

ied philosophy at St. John's College in Camarillo, and graduated from St. Patrick's Seminary in Menlo Park, California. He was ordained to the priesthood by Bishop Floyd Begin in 1971.

Since that time, Father Vassar has served as an Associate Pastor at the Oakland parish of St. Leo, and as Pastor of St. Benedict's in 1977. After studying at Howard University, he was appointed Pastor of St. Columba Parish in Oakland, where he ministered for 13 years. After a decade as Diocesan Vicar General, Father Vassar became Pastor of St. Leander Parish in 2004.

At St. Leander, Father Vassar's energy and enthusiasm constantly shine through. He visits students in their classrooms regularly at the Parish school, delighting in their growth and activity. Dedicated to learning and listening, Father Vassar learned Spanish to better communicate with his diverse parish. Under his guidance and exceptional leadership, one of the oldest parishes of the Diocese of Oakland has flourished.

Father Vassar has served on the Board of Directors of Catholic Charities of the East Bay, and he and several of his priest friends formed a support group to share the challenges and joys of their callings.

It is a special personal privilege for me to honor Father Paul on the 40th Anniversary of his ordination. We have been friends since his days at St. Patrick's Seminary and he has been part of my family since then, from the births of my children, to officiating at the wedding of my daughter, to celebrating the Funeral Masses for my parents when each entered into eternity. Mr. Speaker, I ask my colleagues to join me in honoring Father Vassar's four decades of faithful service to the Bay Area Catholic community. When he joined St. Leander, he commented on how excited he was to return to parish work. "I get to walk with people where God is working with them," he said. For 40 phenomenal years, Father Vassar has done just that. I'm proud to know him, to be his friend, and to pay tribute to this good, holy and happy man who has strengthened our community, deepened our faith, and made our country a better place.

THE REPUBLIC OF KOREA'S
ASSISTANCE TO AFGHANISTAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Friday, May 13, 2011

Mr. BURTON of Indiana. Mr. Speaker, as co-Chair of the Congressional Caucus on Korea, I rise today to commend the Republic of Korea's pledge of an additional \$500 million over 5 years in aid to Afghanistan. It is unfortunate that this tremendous contribution was not heralded by the international media because Seoul's commitment to aiding in the development and reconstruction in the war-torn nation is remarkable in several ways and deserves our recognition and gratitude.

This latest \$500 million is in addition to the \$180 million Seoul has already contributed to Afghanistan. And, currently, there are about 90 South Korean aid workers and police serv-

ing in Afghanistan secured by more than 200 Korean troops. This increased level of assistance will go a long way in supporting existing programs run by Korea's Provincial Reconstruction Team in the northern province of Parwan. Korea's Provincial Reconstruction Team will be able to enhance their work in the areas of education, health and medical service, rural development, improved governance and police training.

Korea has been and continues to be one of the most reliable partners we have in Afghanistan. For example, from 2002 to 2007, Korea deployed military medics and engineers in Afghanistan; provided medical service to 260,000 people; and helped build the U.S. Bagram Air Field.

What impresses me the most about Korea's fortitude and role in the international community is its tremendous progress over the last half century. Not so long ago South Korea was a recipient, rather than a donor, of Official Development Assistance, ODA. According to the Congressional Research Service, U.S. economic assistance to South Korea totaled \$3.8 billion from 1945 to 1971. However, by the mid-1970s U.S. assistance began to shrink to zero. In 2009, South Korea became the first major recipient of Official Development Assistance to become a major donor of ODA. In just two years, 2008 and 2009, South Korea contributed economic aid of \$1.7 billion to other countries, including Afghanistan.

Through sound economic policies, a strong commitment to free enterprise, and a turn from autocratic to democratic governance, South Korea has become one of the world's fastest-growing, most resilient economies with an equally resilient and stable civil society.

In 1980, the Republic of Korea's gross domestic product, GDP, per capita was \$2,300, about one-third of nearby economies such as Singapore, Hong Kong, and Japan. Since then, South Korea has advanced into a developed economy that had a GDP per capita of \$30,000 in 2010, almost thirteen times the figure thirty years earlier. The country's overall GDP increased from \$88 billion to \$1,460 billion in the same period.

Today, South Korea's economy ranks fifteenth in the world by nominal GDP and twelfth by purchasing power parity. It is one of the G-20 major economies and it is a member of the Organization for Economic Cooperation and Development. As of 2010, South Korea was the sixth largest exporter and tenth largest importer in the world. Korea is the United States' seventh-largest trading partner, with a pending free trade agreement that will bring multiple benefits to both of our countries in terms of increased trade and investment. We must pass the pending U.S.-Korea Free Trade Agreement KORUS FTA as soon as possible.

The conflict in Afghanistan is as controversial in Korea as it is in the United States, which makes the Republic of Korea's pledge of an additional \$500 million (over 5 years) in aid to Afghanistan all the more significant. It sends a signal to the world that Korea is a dedicated partner in peace and an ally that the U.S. can count on.

Mr. Speaker, I hope my colleagues will join me today in saluting the Republic of Korea and people of Korea for their continued partnership in helping to rebuild the economy and society of Afghanistan.

SENATE—Monday, May 16, 2011

The Senate met at 2 p.m. and was called to order by the Honorable JOE MANCHIN III, a Senator from the State of West Virginia.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, You are supreme over all the nations. With loyalty and love, You continue to guide us.

As our Senators deal with today's challenges, unite them in the common task of doing what is best for our Nation and world. May they see they can accomplish far more working together than they can by embracing disunity. When they are tempted to doubt, steady their faith. When they do not know what to do, give them a wisdom that can change and shape our times according to Your plan. Empower them to trust You more fully, to live for You more completely, and to serve You more willingly.

We pray in Your majestic Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOE MANCHIN III, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 16, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOE MANCHIN III, a Senator from the State of West Virginia, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mr. MANCHIN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Mr. President, following any leader remarks, the Senate will be in a period of morning business for debate only until 5 p.m. today. There will be no votes today. The first rollover vote of the week will be around noon tomorrow on the confirmation of Susan Carney of Connecticut to be U.S. Circuit Judge for the Second Circuit.

MEASURES PLACED ON THE CALENDAR—H.R. 1229 AND S. 990

Mr. REID. Mr. President, I am told there are two bills at the desk due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time.

The legislative clerk read as follows:

A bill (H.R. 1229) to amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

A bill (S. 990) to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

Mr. REID. Mr. President, I would object to any further proceedings with respect to these two bills.

The ACTING PRESIDENT pro tempore. Objection is heard.

The bills will be placed on the calendar.

CHOICE TO BE MADE

Mr. REID. Mr. President, imagine there is a choice for Congress to make. Here is the choice. There are two doors. We are standing before both of them, but we have to pick one of the doors. Behind door No. 1 is a choice that the Chairman of the Federal Reserve calls "catastrophic." The Secretary of the Treasury says if we open that same door, it could lead to a financial crisis "more severe than the crisis from which we are only now starting to recover." Let me repeat that, Mr. President. Chairman Bernanke says that opening that door would be "catastrophic." Secretary Geithner says it would lead to a financial crisis "more severe than the crisis from which we are only now starting to recover." The majority of the American people we represent say opening that door would be "disastrous"—not just a bad idea, not one that would lead to discomfort, but one that would lead to disaster. It would not be just irresponsible to make

that choice; we would be out of our minds.

Well, we are going to have to make up our minds and do that sooner rather than later. That is because today America has hit a milestone, but it is not one anyone is celebrating. Today is the day we hit our debt limit, which means we have reached the maximum amount the United States is allowed to borrow. It means that with each passing day, we are that much closer to the disaster that would come from defaulting on our debts—the day we would forfeit, for the first time ever in the history of this great country, the full faith and credit of the United States. This is the crisis Chairman Bernanke called "catastrophic," what Secretary Geithner warned 10 times over would make the great recession look small, and what the American people demand we avoid.

Defaulting on our obligations would be unprecedented, but it is not unavoidable. We can be responsible leaders and choose to open the other door. It might not be ideal, but we have to make a choice. Door No. 2 is a much better, safer, and smarter choice.

Let's be clear about what the debt limit does and does not mean. Raising the debt limit when it is absolutely necessary—and to do it right now—lets us pay the bills that have already come due. We borrow a lot of money in this country. That is not a new phenomenon or unique to one party; it is how America has done business for centuries. Borrowing a lot of money means we owe a lot of money. We cannot cut off our own ability to pay those debts.

Here is what it does not mean. The emergency we enter today is not about a penny of new spending. It is not about new programs or new taxes. It is not about creating new obligations, only meeting existing ones. The debt limit is about paying what we already owe.

If we do not act, if we allow the United States to default, the day of reckoning will be much, much worse than today. Things will be much, much worse for American jobs, families, and businesses than they already are. And the fallout will be felt around the world.

Right now, a lot of people are reaching for that first door—the one that leads to catastrophe and crisis. They are looking at this choice through a political lens, not an economic lens, and they are willing to risk the strength of our economy just to make a political point. We cannot afford to play these political games and trigger a default crisis that would lead to a catastrophe. We cannot afford to make

unrealistic demands or hold hostage policies that affect real people. Speaker BOEHNER recently asked that everyone should act as an adult and reach a solution. I second that request. Let's open the second door and honor our obligations.

Once we avert this crisis, we can have another important adult conversation—a conversation about saving. One good way to do that—not the only way but a good, easy, obvious way—is to cut wasteful spending. Taxpayer giveaways to companies pulling in record profits is the epitome of wasteful spending. We all know which companies I am talking about—the five biggest oil and gas companies. It is time to make sure we take away incentives they do not need and we cannot afford. They can afford it. We cannot afford to give it to them.

That is a question that will come before the Senate this week. It is a question of fairness, really. The bonus checks taxpayers are writing to Big Oil are absurd and obscene. They defy common sense.

The big oil companies, we know, are not hurting. It does not need a hand, Big Oil. In the first 3 months of this year, the oil industry made \$36 billion in profits alone—not revenues, profits. That is \$12 billion a month. That is \$3 billion a week. It is pretty good money. Meanwhile, the American taxpayer is giving those same successful companies \$4 billion a year. So when you take these companies' profits and add in the handout you, I, and every taxpayer gives them, America is saying to Big Oil: You make \$3 billion a week for 52 weeks, and we will basically give you a 53rd week for free.

Well, what about the average American taxpayer, the one who is footing the bill for this Big Oil bonus? ExxonMobil now pays a smaller share of its income in taxes than the average taxpayer. This is not because the average American is paying more in taxes; it is because Big Oil is paying less.

Over the last 4 years, since Democrats have controlled the Senate, we have cut taxes for middle-class families nine different times. The Democratic Senate has passed a \$1.5 trillion tax cut in different ways. Again, the Democratic Senate has passed a \$1.5 trillion tax cut. And now families pay less in Federal taxes as a share of the economy than since 1950, when Harry Truman was President.

So this really is a question of fairness. It is about Big Oil paying its fair share. It is also a question of priorities. The people who want to keep giving Big Oil \$4 billion a year are the same ones who want to take the social safety net away from the sick, seniors, and the poor. These people kick and scream about investing in cancer research or protecting student loans that help so many afford the rising costs of college, but ask them to recognize the absurd-

ity of giving Big Oil taxpayer money they do not need and they cover their eyes and plug their ears. Ask them to defend it, and they cannot.

That is what happened last week. The Nation watched the Big Oil bosses try to defend it. Frankly, they did not do a very good job. It is not their fault for doing so poorly—they were trying to defend an indefensible position. But it is their fault for holding that position.

So this is a question of fairness and a question of priorities. It certainly is a question of economics. But it is not a question of gas prices. Independent, nonpartisan experts—and even some of the CEOs themselves—say taking away these giveaways does not have a thing to do with the price at the pump. Anyone who claims otherwise is simply not telling the truth.

Those distractions are disruptive to this debate. So are the gratuitous attacks on the patriotism of the debaters. One of those companies, ConocoPhillips, said using taxpayer money to pay down the deficit rather than pad Big Oil's pockets was "un-American." It is hard to comprehend that, Mr. President. ConocoPhillips said using taxpayer money to pay down the deficit rather than pad Big Oil's pockets was "un-American." That is ConocoPhillips' word, not mine. Attacking another's patriotism has no place in this debate. It is offensive that this company has done that; that is, saying that because we want to pay down the debt and not give these bonuses to these big oil companies is un-American? I do not think so. It is offensive that this company has done that and shameful that its CEO, whom we saw on TV this past week, refuses to recant or to apologize. I disagree strongly with his position on this issue. I disagree with his claim that only one side of this debate loves this country. I question his sense of fairness. I question his priorities. But I do not question his patriotism. He should not question mine.

Would the Chair announce morning business.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mr. COONS). Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business for debate only until 5 p.m., with Senators permitted to speak therein for up to 10 minutes each.

Mr. REID. I suggest the absence of a quorum, Mr. President.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BOOZMAN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT

Mr. BOOZMAN. Mr. President, when word spread that American forces found and killed Osama bin Laden, Americans gathered at Ground Zero, in New York's Times Square and in front of the White House to celebrate the news. For more than a decade bin Laden had been on the FBI's top ten most wanted list, and the announcement that our military conducted the successful operation in Pakistan filled us with national pride.

After nearly 3,000 Americans died in the September 11 attacks, bin Laden, the plot's mastermind, was named public enemy No. 1. The years following that tragic day, he eluded capture. Justice finally caught up with him, as a result of years of hard work and dedication from the brave men and women in our military and intelligence community. The death of Osama bin Laden allows us to close this chapter of the global war on terror, but it does not mean the end of the threat from al-Qaida or other like-minded organizations. We must remain vigilant, both at home and abroad, in the fight against terrorism.

The fact is, terrorism is not the only major threat to our sovereignty. There is one that lurks much closer to home, born and bred right here in this town. I am speaking about Washington's addiction to spending.

In testimony before Congress, Joint Chiefs of Staff Admiral Mike Mullen said the greatest threat to our sovereignty is not Iran; not al-Qaida; not radical Islam—it is our national debt. Most people don't think of spending in terms of a threat to our sovereignty; and those who do are rarely so blunt. But Admiral Mullen is right. We simply cannot continue to operate at this pace.

This year alone, the Federal Government will spend \$3.7 trillion while only collecting \$2.2 trillion. Does this sound like responsible budgeting to anyone? The average American family does not have this luxury. If you or I tried to run our household this way, the bank would eventually cut us off. It is time we apply that lesson to Washington. It is time we cut off the government.

This is long overdue. Our national debt stands at a jaw-dropping \$14.3 trillion. Foreign holdings account for almost half of these obligations, and much of that is owed to countries that are not always friendly to us. This is the very reason Admiral Mullen sounded the alarm on how big of a security threat our debt has become. Being indebted to countries with ideals, value systems and agendas that are often at

odds with ours puts us in a very precarious position.

For example, China owns \$1.2 trillion of our debt. The Chinese Government contends that it won't use this liability for political advantage, but the government also claims there are no human rights violations in that country. Clearly, the Chinese Government's word is not a promise we should bank on.

Along with the Chinese, a portion of the list of foreign creditors reads like a "who's who" of dictatorial regimes. Iran, Venezuela, Libya make up the rouges gallery of nations that owns some of our debt. These dictatorships, along with other oil exporting nations such as Saudi Arabia—whose role in spreading radical Islam is well documented—come in at No. 4 on the list of foreign creditors. We are currently engaged in an operation with our NATO allies against Qadhafi's regime, yet rely on it in part, no matter how small, to keep our government operational.

This is the problem with our reckless spending. We cannot put ourselves at the mercy of foreign governments. It is irresponsible and dangerous. We must act now to get our spending under control and pay down our debt.

We cannot run a country on a Visa card; nor can we keep kicking the can down the road for future generations to address. Our debt is a national security problem, and this one our brave men and women in uniform cannot save us from. It is up to us to make the tough decisions to get our economic house in order and the time is now to act.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEVIN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL AND GAS SUBSIDIES

Mr. LEVIN. Mr. President, the subsidies to oil and gas companies in the form of tax breaks cost the Federal Government in the neighborhood of \$4 billion a year. What most Democrats, including this Democrat, propose to do is to end those subsidies and to use the money to reduce our Federal budget deficit. This is not a particularly complicated issue.

If oil and gas companies were struggling, if a large number of jobs were at risk, if ending these subsidies threatened to increase the price families have to pay for gasoline or fuel oil or if ending them would create a drag on our fragile economic recovery—if any of those things were true, this might be a closer call. But they are not true. We are subsidizing massively profitable oil companies. Nearly every independent

analyst—and even some from the oil industry itself—tells us this proposal will not alter the economic fundamentals that determine gasoline prices. Oil production, and therefore the jobs it creates, will not decline if we pass this bill. Struggling families and small businesses will not pay more because we end these subsidies. And by ending them, we can help close a budget deficit we all agree is a significant problem.

The arguments against this measure are misguided. Republicans have claimed it would increase gas prices. Independent economists disagree. For instance, the nonpartisan Congressional Research Service reported last week that:

Prices are well in excess of costs and a small increase in taxes would therefore be less likely to reduce oil output and hence increase petroleum product gasoline prices.

Even the chief tax expert of the American Petroleum Institute said last week that the proposal:

... would not affect the global economics underpinning oil supply and demand, which explain today's gasoline prices.

That is an important point to keep in mind. The price of oil depends on a number of factors, one of which is supply and demand for this internationally traded commodity. Another factor, one which I and several other Senators believe bears further examination, is the role of speculation in that market. But the money we are talking about saving is relatively small in the context of a massive global marketplace for oil.

It is also small relative to the profits oil companies have reaped. The five companies that would be affected by the proposal we support made a combined \$76 billion in profit in 2010. That is not revenue; that is not sales; that is profit—\$76 billion. From 2001 to 2010, their combined profit approached \$1 trillion. With the price of oil in the neighborhood of \$100 a barrel, these record profits are likely to continue. These companies do not need taxpayer assistance.

At the same time, the money we spend helping them is increasing the budget deficit—a deficit our Republican friends say justifies making dramatic reductions in health care for our seniors, support for our college students, Head Start for our youngest students, and other Draconian cuts. Yet tax breaks for companies making billions of dollars a year in profits is something they say we can afford. I don't buy it.

More importantly, the American people don't buy it. The American people know these tax breaks we can't afford for companies that can more than afford to lose them are wrong. They know if we are going to get serious about our debt problem, we need to eliminate tax expenditures that contribute to our deficit. They know if we

can't tackle such an obvious example of wasteful spending as this, further reform is unlikely. The American people recognize the fundamental unfairness of tax breaks for oil companies making billions in profits at the same time working families are told they will have to do with less.

Last week, with the CEOs of major oil companies testifying before the Finance Committee, they said they want to be treated like everybody else. I say, fine, let's do that. Let's tell the massively profitable oil companies not to expect tax subsidies from Uncle Sam. Let's expect those companies to give a little bit as we address the budget deficit, just as middle-class American families are going to have to give a little bit as we cut back on important programs for them.

Our Republican colleagues say our deficits are unsustainable, and I agree. They say the deficit problem is urgent, and I agree. They say we must act, and I agree. And we can act. We can end these oil company subsidies. Now is the time for all of us to act to end billions of dollars in handouts to massively profitable oil companies and use that money to help put our fiscal house in order.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

DEBT LIMIT

Mr. COATS. Mr. President, I appreciate the remarks of my colleague, Senator LEVIN. I just caught the tail end, but it is a good segue into what I wish to speak about today.

Today is May 16, an important day for me, because it happens to be my birthday, although I am not anxious to have any more birthdays and it is no big deal. This day is more important because this is the day that Treasury Secretary Geithner said we have reached the debt limit ceiling.

I read from this missive that came out a little bit ago:

Treasury Secretary Timothy Geithner announced on Monday morning that the Federal Government had met its statutory borrowing limit of \$14.294 trillion cap.

This is the day we have been talking about for a long time. In fact, this day had been advertised as the likely date on which the United States would hit the debt limit.

Here we are with an empty floor on a Monday and people are saying, Whoa, shouldn't you guys have been in every night last week and all weekend to avert hitting this limit, because doesn't this mean we have to default on our debt? Well, as the article goes on to report:

Treasury will now begin a series of "extraordinary" measures designed to stave off a potential government default.

Treasury has been able to move some money around so that now we won't reach that magic date until August 2.

Is this good news or bad news? Well, it is maybe good from the standpoint that we may have avoided a catastrophic situation today, but it simply postpones the date of the inevitable. What I fear is that it simply gives us more time to avoid getting engaged in dealing with what is arguably one of the largest crises in American history, particularly in American financial history. So when we look at what has been transpiring over the last several years, as all of us have watched with alarm, our debt limit continues to climb at an unprecedented rate and there has been not nearly enough debate and engagement on how we should address this. I know the last several months have been filled with proposals and plans and dire predictions. The last year—2010, an election year—certainly aroused the interests of the American people, when I think for the first time the reality became clear on what the increase in the debt and the deficits is doing to our country's financial health.

I have this chart here on the left which shows total U.S. debt and statutory debt limit from the years 1941 to 2011. In December 1941, we were engaged in World War II. We see a small little spike here in terms of the debt limit. That is understandable, because we were in a crisis situation and we had to put all of our efforts and expenditures into production to address the war needs. But as we can see, from 1941 all the way through to 1981, we moved along at a fairly low level of increase in debt and finally hit the \$1 trillion mark in 1981. So for more than 200 years in the history of this country, we ran this country without going more than \$1 trillion in debt. That is enough as it is. But I remember at the time, in 1981, people were saying, How could this be possible? How could we possibly reach this limit, \$1 trillion? We can hardly comprehend it.

The sad news is that since 1981 we have been on a steady incline of debt, which has accelerated dramatically in the last few years. Today—May 16, 2011—we have hit a total of nearly \$14.3 trillion in debt. This line continues off this chart and goes much higher as we project forward the spending, much of which is occurring because of mandatory spending put in place for programs that were locked in and it is obligatory spending on the part of the Federal Government. Of course, as we go forward, the interest rate on our debt increases and the amount we pay each year increases. So we find ourselves in a spiral, a downward spiral of debt that seems to have no end.

This is no surprise to most people because there has been focus on this all across America over the last couple years. Throughout this period of time, people have had to stretch their own dollars at home in order to make ends meet. Businesses have had to make significant changes in the way they do

business in order to make ends meet. State governments have found they are deeply in debt and have had to take some dramatic measures. But it is only now that the Federal Government is starting to look seriously at what we need to do.

All throughout the year 2010, with no budget in place, Congress continued to spend. But I am not here to place blame on any one individual or any one group. I am simply here to point out the fact that we have a serious crisis at hand and it deserves serious debate and a serious solution or we are going to find our country in very difficult straits.

From this point forward, as shown on the chart, Congress has been run by Democrats and Republicans. The Presidency has been held by Democrats and Republicans. So we can go back and say: Well, who is responsible for this and who is responsible for that and what about here and what about there? That is a wasted effort at this particular point in time. This is the situation we face, and this is the situation with which we must address.

I regret that the Senate, to date—other than activities such as Senator LEVIN was engaged in, I am engaged in; that is, coming to the floor at a time when the issue is not before us in terms of seeking a resolution but simply stating the facts and urging us to move forward—I regret that this year we have spent a total of only 4 hours and 20 minutes of actual debate on the spending. Instead, we have been tied up for weeks on not trivial but far less serious measures: confirming some judges to district and appellate court positions, dealing with the Federal Aviation Administration reauthorization bill, which took several weeks. Now we have been stuck on the small business authorization bill for several weeks, injecting here and there in some debate and some talk and discussion about the deficit but no real focus on that.

If we do not set aside the less important and begin to focus on what we need to do, we are going to quickly find ourselves into the month of July careening toward an August 2 deadline, during which time the uncertainty that exists in the investment community and in the business community and in households, in terms of spending and what the future might bring—all that continues.

What the world is waiting for, and what the world is watching and hoping and praying for, is that the Congress and the executive branch will work together to seek a solution to this problem that will bring reassurance to the investment world and bring confidence to our population that we have gotten serious and we are going to do something about this.

None of us believe this is going to be easy. None of us believe this is going to be painless. But we simply cannot post-

pone the debate that needs to take place, not only in this Chamber and in the House of Representatives but between the House and the Senate and the White House.

Some conversations have already started in that regard but also across the Nation. This is a debate that has to come before the American people because they are going to be the ones who are going to bear the brunt of whatever cuts and whatever solutions need to take place in order to put us on the right fiscal track.

If I have learned anything in discussions outside this Chamber with people who have studied and analyzed and looked at this issue, it is that several things must take place, and they must take place immediately. A host of people who have spent their lives understanding the dynamics of the financial system—understanding the consequences of debt as a percentage of gross national product, understanding the consequences of how a nation rises to this level of debt, the consequences of that to its people and to its financial future and its stature in the world and its ability to do the many wonderful things the United States has been able to do, to lead the world in so many different areas—all this is in jeopardy if we do not address this issue.

What they are saying, if I could bring that into just some basic conclusions, is, No. 1, this crisis is real. All you have to do is look at this chart I have in the Chamber to understand this crisis is real. Here is where we were in World War II when we were having to go into debt, which we thought was serious at the time. But look at what has happened in just the last 30 years.

So the crisis is real. As measured by historical analysis of nations that have faced these kinds of situations before, the consequences are always dire. Therefore, No. 1—and I was glad to hear my Democratic colleague acknowledge this is the case because this is something both sides of the aisle are going to have to deal with—both sides have to recognize that, No. 1, the crisis is real and it is now.

The second conclusion, based on what the experts are saying, is that we have to act now, not later. This is not something we can postpone. For years and years and years, as this line has gone forward, as shown on this chart, Congress has said: We'll get to that. Presidents have also said: We need to address our debt, but only after the next election.

Well, there is always a next election. Now the latest thing we hear is: Well, we need to take care of that after the 2012 election. We will put it before the American people in terms of which way they want to go.

The American people spoke very loudly and clearly in 2010. If that was not a wake-up call politically, I do not know what will be. But, nevertheless,

falling into the trap of simply saying that waiting until after the next election we might be in a better position to deal with it then simply postpones the inevitable and potentially brings about a crisis which will occur before the election in 2012.

It is shameless to put before the American people that the political situation is such that we are not willing to address this now and, therefore, we are putting their lives, their futures, their children's futures, and their children's children's futures in jeopardy, while we place a higher priority on the political outcome of 2012 rather than on what we were elected to do in 2010 and years before.

No. 1, the crisis is real. No. 2, we have to act now without delay. No. 3, many experts have advised that, if we do something, it needs to be a comprehensive plan that includes all aspects of Federal spending. We need to talk about the discretionary part of our budget, which we vote on every year, although in the last couple of years we have not even passed a budget. Last year, we failed to pass a single appropriations bill. Instead, we have had continuing resolutions and supplemental spending bills, which is not what we were elected to do and not a good way to govern. But we have to address that portion of the budget.

When addressing a long-term economic plan, we cannot exempt major sectors of our budget such as interest and defense and mandatory spending and we must include entitlements. That is No. 4, many experts say. If you do not have a comprehensive plan that includes everything, then the burden falls on a disproportionate share of discretionary spending that undermines essential programs the government ought to be engaged in.

We cannot get from here to there without including all aspects of the budget, including comprehensive tax reform. That is another thing these experts have said. Many say the comprehensive plan must include some basis on which we move forward with tax reform.

Senator WYDEN and I have cosponsored a bipartisan bill for that very effort. We are not saying it is the perfect bill. We are saying it is something in place with which we could start on and address comprehensive tax reform, to broaden the base and generate more revenue from the economic growth that comes with lowering taxes and reforming the tax code.

Entitlements are a must. That is what these people have said. You cannot get from where we are now to where we need to be unless we include Medicare, Medicaid, and Social Security reforms. We all know there are structural problems, given the massive move into retirement age of the baby boom population of this country. We all know these programs are teetering

on the edge. There was a report from the trustees of Medicare last week saying they are moving up 5 years when Medicare runs out of money in order to pay for benefits that are promised under that program.

We all know there are some relatively painless solutions the earlier we start, in terms of adjusting the retirement age, in terms of adjusting some formulas, and making some of the changes that have been proposed that we are talking about. But if we do not include that entitlement spending in our discussions, we are not going to be able to reach a successful conclusion.

Another principle they have listed is that we have to make this for the long term and we have to lock it in. We have to guarantee the promises we make and the commitments we make, as we address this problem of how much to cut and how to change the Tax Code and how to work through the revenue side of this effort. They have to be locked in place and guaranteed, hopefully, with the passage of a constitutional amendment to balance the budget.

We failed twice in the 1990s in this Senate to pass a constitutional amendment to send to the States for ratification. It failed by one vote on two occasions. I wonder what would have happened had we passed that. No, I do not wonder. I know what would have happened. We would have been forced to make the decision at this point, as shown on the chart, which would have brought us back to here instead of now having to go from this point on the chart all the way down—a much more painful process than had we passed that amendment then.

So what we want to avoid, when we are forced to do this—and it is going to happen; we have to do it—we need to lock that in on a path that will bring us back to fiscal parity and balanced budgets and then lock it in with a constitutional amendment. It cannot be done in 1 year. That is why the other principle is that this has to be a long-term process in getting us from where we are to where we need to go, and then we need to stay with it. We cannot just pass it for 2 years, elect a new Congress and come in and make these changes.

If we move forward, and if we can come together to find a rational solution to this, it will send—this is the last point the experts have said—it will send a tremendous signal around the world to all those investors who have always looked to the United States as the safe-haven, last-resort place to put their money. The dollar will be rescued from falling against other currencies. It will continue to be seen as the world's currency. Confidence in the United States as a safe place to put your money will be restored in nations around the world. The American people

will have a tremendous psychological sense of relief and assurance that we are finally getting serious about doing something about this crisis that faces us.

Lastly, what I would like to do is send a message to President Obama, the majority leader, my Republican and Democratic colleagues, the minority leader, and others: The time is now. I believe we should suspend, as soon as we can, everything but the absolute essential and spend the next amount of time, starting now, debating and working through—whether it takes day and night and weekends—rolling up our sleeves and sitting down, holding this debate across the country, to get input from the public, but also meeting together, working to find a solution to this, which we all recognize has to be done, without letting this thing trail all the way to late July and then do something in a panic.

This crisis is going to occur. It is going to occur probably sooner than we think. The last piece of advice they gave us—I know I said it just a minute ago—but the other piece of advice they gave us was: Trust us, you do not want the financial markets to force you into doing things that will be done in a rush, that will be done in a panic, that will not be rationally applied; and instead of having a principled, rational way of solving this problem, we will be in crisis mode, and we will be having to make decisions that will have a significant negative impact on our public and on the world.

I hope to keep talking about this issue. I hope to keep urging our leadership to suspend all but the essential of what we are now doing and that all of us commit whatever time it takes to bring about a debate and a decision as to how we are going to go forward. Put it in front of the American people. Let our yea be yea and our nay be nay. Then at least we will know where we stand and we, hopefully, can come together to find a reason to forgo letting the markets do this for us, which everyone concedes is not the way to go.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. KYL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE DEBT LIMIT

Mr. KYL. Mr. President, I want to speak for a few minutes today about the effort that we are undergoing right now with the Vice President and our colleagues in the House of Representatives to find a way to constrain spending, reduce our deficits and debt sufficient to warrant an increase in the

debt ceiling, as the President has asked us in the Congress to do.

We are told by the Secretary of the Treasury that by around the first part of August the United States will run up to the debt ceiling and, therefore, Congress needs to pass legislation to extend that authority. Essentially, this is because financial commitments the United States has already made can only be paid if we borrow money to pay those financial commitments. Therefore, the debt ceiling would need to be increased.

Members of both bodies on both sides of the aisle have acknowledged that one of the primary things we need to do at the same time we raise the debt ceiling—if that is to be accomplished—is to ensure that we don't have to keep doing that in the future; that is to say, that we don't keep piling on more debt by increasing spending in the future so that certain things will be necessary at that time: constraints on future spending; limitations on the ability of Congress and the President to pass additional appropriations for spending; for example, setting limits on our budget for the next at least couple of years so we know exactly how much Congress would be authorized to spend. Of course, those limits should take us back in time. They should not increase the amount of spending but should result in reductions.

Tackling entitlements—we know the big money is in entitlements such as Medicaid, Medicare, Social Security, and other forms of what is called mandatory spending, spending that is committed to groups of Americans that doesn't require congressional action but money that we know we are going to have to spend in the future—enormous sums, in the trillions of dollars.

If we are not able to trim that in one way or another, or at least stop the increases in growth, we are not going to be able to afford those programs in the future and would, therefore, have to continue to raise the debt ceiling.

Another question that has arisen is whether it would be helpful in this connection to raise taxes. I have said, and the Republican side has said, we will not do that as part of this exercise in extending the debt ceiling. There may come a point in time later this year or next year where all of us would get together and engage in what some have called fundamental tax reform—or I like to call it progrowth tax reform because I think a lot of economists believe our Tax Code today is not conducive to economic growth, and were we to make it much simpler and do things such as reducing the corporate tax rate, for example, we can be much more competitive with our foreign trading partners. The President himself has made the point that we can reduce the corporate tax rate were we to eliminate what some call loopholes, and thereby reduce the amount of

money we have to collect through the tax rate itself. This is a potential when we get into that kind of reform.

I want to distinguish the point of rebalancing our Tax Code to get a progrowth kind of Tax Code with the possibility of generating more revenue to deal with our debt situation. Those are two totally different situations. While I would be very much in favor of taking a look at these tax expenditures, various subsidies, for example, to different groups to see whether we could reduce some of those, thereby reduce tax rates in a revenue-neutral manner so our Tax Code would be more conducive to growth, but in a revenue-neutral manner, meaning not in order to raise revenues but in order to have a more sensible Tax Code so we can be more competitive with our trading partners, for example, that is what the President, as I understand it, proposed relative to our corporate tax rate, which is the highest in the world today. If we can get that down from 35 percent to 20 or 25 percent, we can be much more competitive with our trading partners.

One way is to reduce so-called tax expenditures. To give an example or two, we have significant tax credits and deductions that are taken for the production of things such as ethanol or for production of certain kinds of weather stripping equipment or solar energy equipment. This is an effort to promote so-called green energy. Those are pretty big subsidies. They are tax credits or deductions called tax expenditures. Were some of those to be eliminated or reduced, then we can offset that increase in revenue with a reduction in the tax rate and still have as much revenue coming into the Treasury but have a more sensible Tax Code.

Let's contrast that with the situation on the debt ceiling question because that is the one before us right now. We are going to have to act on the debt ceiling in the next couple of months or so. The question is, How should we deal with our ballooning deficits and debt in order to warrant increasing the debt ceiling above what it is today? The answer, of course, is to reduce spending, not raise revenues or increase taxes.

I don't think anybody is suggesting increasing revenues by increasing tax rates. But some people have said we can eliminate some of these loopholes or tax expenditures, and that is a way to collect more revenue. If a company cannot take a certain credit or deduction, it is going to have to pay more in taxes.

I wish to make the point that, no if we are going to get into that kind of discussion, we should do it in the context of reforming our Tax Code so we can use those increased revenues in order to reduce the tax rates, as I said before, so that our country can be more competitive.

That is the context in which we should be discussing the reduction or elimination of some of these so-called tax expenditures.

Just in looking at this in an abstract way—and I will get more specific about numbers—our problem is spending. We have increased spending so much more than it has ever been in the past that we are getting very deep in debt.

To just give a comparison, spending is over 25 percent of GDP. That is the amount we are now spending at the Federal Government level. Our historic level is just above 20 percent of the GDP. That is an enormous increase in the amount of spending by this country. Some will point out that the revenues collected by the Treasury are also down, and that has contributed to the deficit. To some extent that is true. What are the reasons? It is primarily because of the recession that we have been in since the end of 2006—the decrease in the amount of money that individuals and businesses are making, and therefore a reduction in the revenues collected as taxes by the IRS. So revenues are down, but it is due to the recession that we have. We have not cut tax rates in the last few years—since 2006—for example.

The last time we had any kind of tax reduction was as a result of the 2001 and 2003 so-called Bush tax cuts. But we were generating a lot of revenue in this country before the recession. The recession caused us to generate less as families, as State and local governments, and as the Federal Government. But CBO figures demonstrate that under any of the budgets offered, including the Obama budget, we will be back to historic average levels of tax collections in just the next few years—something on the order of 20 percent of our gross domestic product. Revenues are not the problem. They are going to be back where they have always been. Our problem is the spending, as I said. The spending in this country is now above 25 percent.

I misspoke a moment ago when I was talking about collections. The tax collections in this country have averaged between 18 and 19 percent of GDP. The spending has been a little above 20 percent. So the revenues are going to get back up to that 18 or 19 percent under any of the budgets that have been suggested—the Ryan budget, the Obama budget, and others.

The problem is spending. Under the Obama budget, spending never gets below 23 percent of the gross domestic product. In the Ryan budget, it goes from the 25 percent that we are at today to below 20 percent. I think that after 10 years, in the Ryan budget passed by the House of Representatives, it is about 19.1 percent of the gross domestic product. That is a way to get spending down to historic levels. Revenues will be back up to historic levels, and that is the way we have

both a vibrant economy and we produce the revenues the Federal Government needs to operate without having to borrow 40 cents or 42 cents on every dollar as we have to do today.

When we are talking about how to get the budget better balanced, how to reduce our deficits, we should not be looking at the revenue side or the taxing side; we should be looking at the spending side. On spending, we know the big money is in the entitlements, not the discretionary part of the budget.

We need to, as a downpayment, be looking in the order of magnitude of about \$2 trillion. Speaker BOEHNER has said that if the administration wants to increase the debt ceiling by \$2 trillion, then we should show \$2 trillion in savings. If it is \$1 trillion, then make it \$1 trillion. So far in our negotiations, we are only talking about a couple hundred billion dollars. We have to get up to the \$1 trillion and \$2 trillion level. Over the course of the 10 years, we are going to have to at least double that to more than \$4 trillion if we are going to handle the long-term debt problem. That is how big it is.

Under the Ryan budget, the actual debt ceiling is increased by \$5 trillion over 10 years. So we are not talking about slashing everything in half. We are talking about continuing to have to borrow more money to pay our bills. But under the Obama budget, the amount we would have to borrow, in addition to what we have, is \$12 trillion. President Obama would be asking us to raise the debt ceiling by another \$12 trillion, and that is not sustainable in this country. It has to be more along the line of the Ryan budget, as I said. That means we are going to have to come up this year with at least \$4 trillion—I would say between \$4 trillion and \$6 trillion—in savings in order to be able to bend this spending curve downward over time. That means at least a couple trillion dollars as a downpayment, at least double that over this 10-year period, and that means a lot more than what we have been talking about in our negotiations so far.

I do not doubt the good will of the parties to achieve that objective, but it cannot be achieved by looking at just domestic discretionary spending. We have to look at fundamental entitlement reform in order to achieve those kinds of savings. For those who say that may change the Medicare Program or it may change the Social Security Program, two things:

First, nobody is talking about changing any of those programs for anybody who is currently on them or even somebody who is going to be on them within a 10-year period of time. We are not talking about people who are on Social Security or people who are even 9 years away from Social Security.

Second, with respect to the benefits that are promised in these programs,

understand that if we do not do something about them now, those benefits are not going to be there in 15 or 20 years. In fact, under Social Security, the law is that when it no longer has the benefits, the benefits stop. This is not a matter of either keeping in law what we have right now or nothing; this is a matter of either fixing the programs now or having a dramatic reduction in benefits on down the road. That is why we need to tackle this issue now.

One of the reasons I wanted to discuss this on the floor today is because there is some misunderstanding of comments I made on television yesterday, and I think it is easy to misunderstand people when they talk about raising revenue in the context of dealing with a budget deficit. Republicans are simply not going to raise tax rates in order to try to reduce this deficit with more revenue as opposed to savings. It is much different to talk about that than it is to say there are tax expenditures we can deal with, and if we can eliminate those or reduce them, then we can also reduce our tax rates and make our Tax Code more competitive.

That makes a perfect amount of sense. But I don't think we will be able to do that within the next 2 months. My guess is it is either going to be later this fall or early next year before we are able to achieve that kind of bipartisan revision of our Tax Code, if we can even do it then. I hope we can because I think there is a recognition by a lot of folks that there are a lot of these tax expenditures in the code that do not need to be in the code. They pick winners and losers. The more we can do away with and thereby reduce tax rates, the better off we will be. I am hopeful we will, through these bipartisan negotiations, be able to come together on significant savings.

The last point I will make is I would not be concerned, however, that the United States of America will ever default on our debt. We will not. The President has made it clear, the Secretary of the Treasury has made it clear that we can't. In fact, if we look at article IV of the 14th amendment, it says we can't. So I don't think any creditor should be of the view that we are not going to pay them when their T-bill comes due. That is not going to happen.

Nonetheless, it is not a good situation when the income of the government is less than the bills we need to pay because even though we may pay creditors, that may mean, Mr. President, your paycheck and mine might be paid 2 weeks late or something like that, and I am sure all of us would like to see our bills paid on time. But I think we can come together and even avoid that result if we are able to work together as both sides of the aisle and as both bodies in the Congress have committed themselves to do.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. CARDIN. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXTENSION OF MORNING BUSINESS

Mr. CARDIN. Mr. President, I ask unanimous consent that morning business be extended until 7 p.m. for debate only, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

OIL COMPANY TAX BREAKS

Mr. CARDIN. Mr. President, I come to the floor to talk about a conversation I had in Baltimore this afternoon dealing with the high price of gasoline. I was talking to a station owner. I mention that because the problems of the high price of gasoline have nothing to do with the station owners. These are small business owners. They are having a difficult time with the cash flow due to the higher costs to purchase their product. They are also on the front lines, getting the wrath of consumers as they get the sticker shock when they fill up their tanks.

I can tell you that consumers are hurting today every time they go to a gasoline station to fill up their gas tanks. It is affecting their household budgets. It is affecting our economy. It will become even more dire as we go into the summer months when more and more families will be deciding on their family vacations, and the cost of gasoline will very much figure into it, having a direct impact on our economy.

I can tell you a group of companies that are not hurting as a result of the gasoline price increase, and they are our big oil companies. With gas prices escalating, oil profits have soared. There is a direct relationship. As our economy is suffering with higher gasoline prices, the profits of the oil companies go up. The five largest oil companies—ExxonMobil, Shell, BP, Chevron, and ConocoPhillips—have seen nearly \$1 trillion in profits over the last 10 years. In the first quarter of 2011 alone, the first 3 months, they had a record profit of \$35.8 billion.

When we compare that to a year ago, these companies have seen an increase in their profits. Where American businesses are suffering, where household incomes are being stretched, the oil industry makes more money on higher prices of gasoline.

I am for the free market economy. I hope businesses make a lot of money

and hire more people; that is good. But that is not the situation with the oil industry. Most of their profits go to their stockholders and to repurchase shareholders' interests. It is not going to creating new jobs in America.

They are making these profits in part because of taxpayer subsidies. The person who goes to fill up his or her gas tank at a gasoline station is being affected adversely twice: first, by the cost of the gasoline today, and, second, they are being asked as taxpayers literally to help subsidize the oil industry. That makes absolutely no sense whatsoever.

In 2005, President George W. Bush said:

I will tell you, with \$55 oil we don't need incentives to the oil and gas companies to explore. There are plenty of incentives.

As you know, the crude oil price per barrel today is not \$55; it is \$100, and it has even gone higher than that. At the time, 2005, all of the Big Oil CEOs agreed there was no need for subsidies with oil prices reaching \$55 a barrel. Once again, today it is \$100 a barrel.

We will have a chance later this week to consider legislation to eliminate these tax loopholes. Senator MENENDEZ has introduced legislation, and we are going to have a cloture vote on that later this week.

I want to talk about the largest tax provision that is involved in this legislation, section 199. There is about \$18 billion of taxpayer revenue involved. Let me give a little history about the genesis of this tax provision.

It was originally put in the tax law for foreign sales companies, U.S. companies that exported products overseas for, you see, a U.S. manufacturer is at a disadvantage with regard to a foreign company manufacturer. If you manufacture your product in Europe or Asia and you import it into America, you can take off from the imported price the value-added tax that is added in Europe and Asia. But if you are an American manufacturer, and you are sending your product into Europe and Asia—and, yes, there are taxes involved in producing a product in America—you cannot take that tax off when you send that product into Europe. So the playing field we are competing on is not a level playing field. American manufacturers do not share the same competitive advantage.

Congress did something about that and passed a tax provision to give U.S. manufacturers that export products a tax break. That is what we did. Obviously, the oil industry did not get that tax break. First of all, they are not what we would call traditional manufacturing, and, second, they import a lot more than they ever export. They import their crude oil, and the amount of their exported product is a lot less than that.

The problem happened after we passed this foreign sales provision.

Companies in Europe and Asia took us to the World Trade Organization and said this was an illegal subsidy to U.S. manufacturers. We argued, and I think ours was the right position, that it was not, but we lost the case. As a result, we had to redo the tax provisions, and we passed what is now known as section 199.

What we did is rough justice. We gave all manufacturing a certain tax break, figuring that it would be fair to deal with their manufacturing that was used for export.

I must tell you, I don't think any of us envisioned at that time that \$18 billion of that revenue would go to the oil industry. They did not need this break. This is not a matter of subsidizing their products into the export market when, as we know, petroleum and oil is a global product. It makes no sense whatsoever to continue this tax provision for the oil industry. It should have been repealed a long time ago.

But one thing is clear. It is not needed. The profits of the oil industry are very high, and we need these revenues for other purposes. We need these revenues in order to deal with deficit reduction.

I hear my colleagues on both sides of the aisle talk frequently about how we need a credible plan to reduce the Federal deficit. I agree with that. We do need a credible plan to reduce the Federal deficit. But if we don't start with getting rid of these tax expenditures that are clearly not serving any public purpose—if we can't start with what is easy—how are we going to make the tough decisions?

If we are being asked to tell our seniors they will have to make do with less, students will have to pay more, let me tell you, the oil industry can do without this subsidy they do not need.

We will hear all types of scare tactics used by those who oppose this repeal. One of the common lines is that it will increase the price at the gas pump. Nothing could be further from the truth. If I could just tell you the basic math: \$140 billion in profits, we are talking about annually—projected to be \$140 billion. The tax provisions are about \$4 billion on an annual basis. The numbers I was giving you before are 10-year numbers; this is on an annual basis.

In 2009, over 85 percent of the profits went back to the shareholders. So there is no possible way it would have an impact on price.

Let me quote from some experts in this area. Severin Borenstein, the co-director of University of California Berkeley's Center for the Study of Energy Markets observes:

Gasoline prices are a function of world oil prices and refining margins . . . the incremental change in production that might result from changing oil subsidies will have no impact on world oil prices, and therefore no impact on gasoline prices.

Our own Congressional Research Service said:

In the recent market environment . . . prices are well in excess of costs and a small increase in taxes would be unlikely to reduce oil output, and hence increase petroleum product (gasoline) prices.

So let me just put that myth aside.

All of us are concerned about how do we bring down gasoline prices. Will eliminating this price bring down gasoline prices? No, it will not, in and of itself. But what it will do is give us all the tools we need in order to move forward with energy policies in America. We are going to be asking for budget priorities to deal with energy independence so we can bring down energy prices. We have to get rid of these unnecessary tax expenditures so we can have a budget that makes sense and is fiscally responsible.

Yes, there are things we can do to help bring down gasoline prices. We can certainly regulate speculation in the commodities market, give the Commodity Futures Trading Commission the tools they need. Some of my friends on the other side of the aisle want to cut their resources. We think they should have the resources in order to get their job done.

It is time we take on the monopolistic policies of the countries that produce oil. These are countries, many of which are not what we would call at all free economic countries. They are manipulating price and supply. We need to do a better job taking that on. We need a comprehensive energy policy.

I have said many times on the Senate floor that America has a little over 2 percent of the reserves of oil and we consume 25 percent of the world's oil. We have to get off oil, imported oil. The only way to do that is develop renewable energy resources, use less energy so our Nation can become energy independent. That will not only help us as it relates to the current economic problems, it will also help us create more jobs in America, will make us more energy secure, and will also help our environment. The first step is to repeal the unwarranted taxpayer subsidies to the big oil companies.

Let me close by quoting from an editorial that appeared in my local paper, the Baltimore Sun, on Friday, this past Friday, May 13. I am going to quote a small part of it.

What, tens of billions of dollars in potential profits isn't good enough without the government adding some kind of sweetener to your \$100 barrels of black gold?

That's just greedy, and with the nation facing a debt crisis, it's downright immoral. To be talking about trimming Medicare and Medicaid—basic health care for our seniors and the poor—while preserving tax breaks that cost the federal treasury \$21 billion annually is just beyond the pale.

I agree with the editorial in the Baltimore Sun. It is well past time that we end these taxpayer subsidies. We are going to have a chance to do it this week.

The first vote will be on cloture, whether we want to take this up for a vote, up or down. I don't think this is terribly complicated. This is an issue on which the American people expect us to take a stand, on an up-or-down vote. I hope my colleagues will support the consideration of the bill of Senator MENENDEZ to repeal these tax subsidies and vote to repeal these subsidies so we can help the American taxpayers and work together to develop an energy policy to make America secure so we can have a stable energy cost, including reducing the costs of gasoline at the pump, which is affecting every one of our constituents.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. NELSON of Florida. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. NELSON of Florida. Mr. President, the Senate is expected to take up a bill that would repeal \$20 billion in outdated, antiquated tax breaks for the oil and gas companies. In many cases, this tax break was created about a century ago. They have little, if anything, to do with modern, job-creating energy policy. It is time for them to go.

These oil and gas tax breaks are targeted in this bill we are going to vote on. They are narrow, special interest tax subsidies that distort the marketplace. It happens to pad the profits as a result of the tax breaks, and it does nothing to keep gas prices down.

It simply doesn't make any sense to me that we would continue to rely on oil and gas tax breaks that were originally written in 1916. These rules are truly vestiges of another era. In some cases, rather than encouraging energy independence, the tax breaks actually promote energy dependence on the OPEC oil-producing member states and other foreign countries that produce oil.

For example, there is a part in it called the "dual capacity" provision and it allows major oil companies to claim a foreign tax credit for royalties paid to foreign governments. The foreign tax credit was never intended to offset royalty payments. It was originally intended to offset foreign income tax payments. So a company does business in a foreign country, they pay an income tax. The foreign tax credit was created so you could offset your foreign taxes on your American income taxes. But what has happened is the oil companies have twisted that and are claiming the royalties they pay to foreign governments as an income tax. It isn't. It is a royalty payment. The foreign tax credit was never intended for that, and it is another loophole in our Tax

Code that does nothing more than promote reliance and dependence on foreign oil and, for that matter, foreign governments. That is exactly what we ought to be reversing, just from a national security standpoint, not even speaking of the threat to our national economic condition, because we are now importing 70 percent of our daily consumption of oil from foreign shores.

In addition to repealing those kinds of tax subsidies, we also need to close a loophole that allows oil companies to claim a tax break for their own irresponsible actions. It turns out that BP has figured out how to shift nearly a third of their cleanup and legal costs of the Gulf of Mexico oilspill onto the backs of American taxpayers. Here is what they have done. They have come out with a projection of future income and profitability in a report. They expect they are going to have somewhere in the neighborhood of \$40 billion of payments they are going to make as a result of their irresponsible action of having this huge Deepwater Horizon oil spill in the Gulf. Part of that, of course, is payments to local governments. Part of that is payments through the Gulf Claims Facility Fund. Part of that is going to be a hefty fine that is going to be imposed by the Federal Government.

Very cleverly, they have gotten their tax lawyers together and figured out what they can do is deduct the oil spill recovery payments as an expense, and save themselves \$11.8 billion in taxes. What BP is doing is treating its cleanup and legal expense as an ordinary and necessary cost of doing business. These costs aren't ordinary business expenses and they should not be deductible.

When the five oil company CEOs were in front of our Finance Committee, I asked the CEO of BP: Are you going to do this?

He said: That is what the law allows and that is what we are going to do.

I said: What the law allows doesn't make it right. Why don't you take a cue from the Boeing Company or from Goldman Sachs for the expenses they incurred as a result of untoward activity? They voluntarily did not employ this part of the Tax Code to use it as a business deduction and, therefore, to cut their taxes.

Of course, when a company such as this cuts their taxes nearly \$12 billion, guess who makes up the difference? The rest of us do. The American taxpayers.

I filed a bill, the Oilspill Tax Fairness Act, and it aims to reduce the deficit by billions of dollars by preventing oil companies from shifting the cost of oilspills onto our taxpayers. In the past, Congress has stepped in to prevent unconscionable tax deductions for expenses such as civil and criminal fines, bribes, lobbying expenditures, political contributions, excessive execu-

tive compensation. We have done that in the Congress by passing laws to prevent those as tax deductions. Well, we ought to step in and do it again. I think anybody would say BP was irresponsible and negligent to the detriment of a whole lot of people and the company should not be able to claim tax savings for their missteps, especially while our people are being squeezed at the pump every day because of the price of gasoline at the same time that in the first 3 months of this year, the first quarter, those five oil companies had \$35 billion in profits. This is pouring salt on the wound. How much more flagellation can the American taxpayer take?

Today's rising gas prices reflect more than just record profits for the oil companies. There is also rising demand in Asia. It is clearly evident that our oil and energy markets are no longer governed by supply and demand. Speculation is back with a vengeance. We saw the handiwork of speculators 2 years ago when the price of oil hit an all-time high of \$147 a barrel, only to plummet 80 percent of that price a few months later. That is not supply and demand. That is not the workings of the economic market. That is in part caused by speculators running the price of oil up, and then because they had to drop their positions on the Commodity Futures Trading Commission, and the exchanges, they started dropping all of those futures contracts in oil. Now speculators are using the turmoil in the Middle East and North Africa as an excuse to drive the price of oil sky high.

It makes no sense that we continue to let the commodities exchanges self-regulate by setting their own margin levels and other rules. Last year, when we passed the Dodd-Frank Wall Street Reform and Consumer Protection Act, Congress empowered the Commodity Futures Trading Commission under the new law to rein in excessive speculation so that commodities markets don't fly off the rails. Yet this same commission has yet to finalize new rules to impose speculative position limits, which are hard caps on the amount any one speculator can invest in oil derivatives.

There are a number of us who have been working for months in this Senate to push the CFTC to act. The law we passed was clear, and it is time for the Federal regulators to follow through.

Sadly, I want to recall a little over a year ago something that a lot of us remember so vividly. Many people cannot forget the images of the oil that was gushing from 5,000 feet below the surface of the Gulf of Mexico.

In my public service for decades, I have warned about the dangers of drilling out there in the gulf. It is now unbelievable that almost a year after the gulf oilspill and the environmental disaster that ensued, folks are still now

talking about being willing to risk the economy of the entire gulf coast again. You remember that 11 people died because safety took a back seat to expediency and profit.

Last week the House passed three bills that would speed up oil production in a way that ignores serious safety concerns. Now Senator MCCONNELL has a similar proposal. These bills would require the Secretary of the Interior to approve or deny drilling permits within a maximum of 60 days, and if the Secretary does not take action within that time, a permit is deemed approved. That is like saying if a home buyer is not approved for financing within 60 days, they automatically get the financing regardless of their credit. Or it is like saying if a prisoner does not hear back from the parole board in 2 months, that prisoner is going to be automatically out on parole.

It is simply irresponsible to deregulate an inherently dangerous activity in this manner, and it is a slap in the face to the commercial fishermen, the hoteliers, and the small business owners on the gulf coast who, to this day, have not been made whole. Yet these bills are out here. The House passed it.

Senator MCCONNELL's bill would roll back the Department of the Interior's post-Deepwater Horizon revisions to offshore leasing—revisions that came about because of what we learned from the oil spill. Senator MCCONNELL's bill seeks to limit the fundamental right of Americans; that is, access to the courts. His bill would not allow Floridians who want to file a civil lawsuit regarding any offshore energy projects in the Gulf of Mexico to have a claim near their home in Florida or their place of business in Florida. Instead, under his bill, they have to go to the Fifth Circuit. That is Mississippi, Louisiana, and Texas. Why should people from Florida have to file a claim there? Why can't they go through the Eleventh Circuit, which is the one for the State of Florida and Georgia? The Fifth Circuit certainly cannot be the only circuit with expertise on the subject of offshore energy.

I believe we have a responsibility to protect access to the courts, and Senator MCCONNELL's bill jeopardizes that for the people who do not have the luxury of going far off to another State to bring a lawsuit.

Meanwhile, the House has passed a bill last week that seeks to open—now it is getting personal—they seek to open the eastern Gulf of Mexico off of Florida, that which Senator Martinez and I made off limits in law. There are obvious reasons we have it off limits in law. It is the largest testing and training area for the U.S. military in the world. We have two letters from two successive Secretaries of Defense, including the present one, Secretary Gates, that says you cannot have oil drilling and related activities—they

use the word it is “incompatible” with the military training and testing mission. That is the largest training and testing area for the U.S. military in the world.

It is basically right off of Florida. Of course, you all have heard me over and over talk about all the dry holes. There is not much oil out there off of Florida. The oil is where the Lord intended the oil to be—and that was for years the sediments coming down the Mississippi River and then being compacted, and then for millions of years the compacting of the Earth's crust formed that oil. That is off of, primarily, Louisiana, some off of Mississippi, some off of Alabama and Texas, not Florida.

The proponents of these bills claim they will lower gas prices. At the same time, the oil and gas companies are making billions of dollars. Just look at their first quarter report. And we are giving big tax subsidies to the oil companies.

The price of oil dropped \$17 a barrel last week. It was the largest weekly decline in over 2 years. But do you know what? I do not think the folks at the gas pump saw a commensurate drop. I think it is about time we gave them some relief, and we are going to have a chance to do that.

I conclude by saying we are not fooling ourselves. To be able to get an individual bill such as this for specific tax breaks—however objectionable those tax breaks are, it is going to be difficult to get 60 votes to break a filibuster. But help is on the way. There is a group called the Gang of Six. They are meeting, and they are trying to put together a package to solve our deficit crisis and to make real progress over the next decade or so, as we move toward budget balance—a condition we enjoyed as recently as 2001—not only budget balance, but a budget surplus.

It is my hope when we get down to putting this package together of how we are going to lower the deficit, people of good will will come together and recognize there are things in the Tax Code that have to be changed to make them right. I have enumerated but a few here today.

Mr. President, with that, I yield the floor, and I look forward to the comments of the very distinguished Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I am pleased I could be here to hear our colleague from Florida talking so eloquently about the importance of ending the subsidies we are currently paying to the Nation's largest oil companies and about the importance of continuing to preserve the gulf and to make sure the regulations we put in place last year continue.

I appreciate his leadership on both of those issues, and particularly on protecting the gulf, which is a national

treasure. So I thank very much our colleague from Florida, Senator NELSON.

I came down to the floor today to talk about the important legislation that is before us to reduce our deficit by ending the needless subsidies for the Nation's largest oil companies.

At a time when Americans are paying these companies \$4 a gallon for gasoline—and in some places it is more than that—it might be surprising to some people out there that these same companies are receiving \$4 billion a year in subsidies from the American taxpayer.

The legislation that is before us in the Senate right now would end six of these separate tax handouts. One of them repeals a provision that essentially amounts to a subsidy for foreign oil production. A second closes a loophole that lets oil companies drill for free on public lands in the Outer Continental Shelf. Another ends a practice that lets oil companies manipulate the numbers when deducting the cost of new wells from their taxes. Under current law, in fact, oil companies sometimes can deduct more than they actually paid to put in place the well.

While so many families and small businesses nationwide have struggled to pay the high cost of gasoline, the five largest oil companies in the United States collectively made nearly \$1 trillion in profits over the last decade.

Yet because of unnecessary and outdated tax subsidies, ExxonMobil—the biggest oil company—paid no U.S. income tax in 2009. That is hard to explain to the small businesses in New Hampshire and Florida and Delaware that are struggling in this recession to pay their taxes, that the biggest oil company in the country that made the highest profits did not pay any taxes in 2009. With record deficits, ending those giveaways is a commonsense step toward fixing the Federal budget.

I have heard some people who are in favor of these giveaways say we need them so the oil companies can keep prices low. But as Senator NELSON so clearly put it, the nonpartisan Congressional Research Service said last week in a report that rolling back these tax handouts will not raise gas prices. With prices so high, they said, oil companies will do all they can to maximize production from all existing wells and the oil supply will remain unchanged. A barrel of oil is currently selling for far more than it costs an oil company to produce. These subsidies are doing nothing to make gasoline cheaper.

In fact, the former CEO of Shell Oil Company spoke about drilling subsidies last February, and he said: “with high oil prices, such subsidies are not necessary.”

But I think it is important to be clear. This legislation is not about punishing the oil companies for doing well.

We want all companies in America to do well. It is about reducing the deficit and our debt and making smart policy choices with our limited resources.

Tax breaks for big corporations are just spending under another name, and all government spending of taxpayer dollars has to come under scrutiny as we tackle our debt and deficits. We are never going to get our massive deficits and debt under control unless we are prepared to eliminate outdated and unnecessary government programs—and that means government programs that we support on the Democratic side of the aisle, and it also means outdated and unnecessary programs that our colleagues on the other side of the aisle support.

Providing tax handouts to one of the most profitable industries in human history—an industry that clearly needs no help from taxpayers—is a logical place to start.

As we emerge from this historic recession and grapple with our long-term deficits, we have to ask ourselves: What are our priorities—investing in the next-generation economy, reducing the national debt to leave to our children or is it providing outdated tax breaks to one of the most profitable industries in the history of our country? I think the choice is pretty clear.

I hope our colleagues will join us in supporting this legislation to eliminate these giveaways, reduce the deficit, and strengthen our economy.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. SCHUMER. Mr. President, I rise in support of legislation we will later vote on this week, authored by the Senator from New Jersey, Mr. MENENDEZ. As we all know, he has been championing this legislation for quite some time. He had the prescience and foresight to focus on this idea early on, and I applaud the hard work he has done to build support for it.

I am also glad our leader, Senator REID, scheduled a vote on it this week. I hope the bill will pass. I have heard that even a few of my friends from the other side of the aisle say they are considering voting for it.

Nothing would be better, in terms of showing bipartisanship and giving the American people hope that we can come to a fair agreement on the budget, than to pass the legislation this week.

In the last election, voters gave those of us who serve in this Chamber two distinct mandates. They told us to do

two things at once, either one of which alone would be hard to do. First, and perhaps foremost, they said make the economy grow, create good-paying jobs, make sure of that the American dream which says the odds are that you will be doing better 10 years from today and the odds are that your children will do better than you. That is the American dream.

Since the founding of our great Republic, that candle has burned brightly in the eyes of Americans, whose ancestors have been here since the Mayflower landed, as well as in the eyes of Americans who are just here for a generation or two and even new immigrants.

They also gave us a second mandate—not just grow the economy, not just to employ people but a second one: rein in the out-of-control Federal deficit. The American people, as usual, had wisdom, because both these goals are important. Some say the debt isn't important. I believe it is.

Here is the way I put it: We, the Federal Government, are a blindfolded man, and we are walking toward a cliff. Once we fall off that cliff, there is no getting back. The debate is whether we are 20 feet from the cliff or 200 yards from it. But we know that sooner or later, no matter our distance, if we keep walking, we are going to fall off. Once you fall off, there is no getting back. So that means we have to take the bull by the horns and confront our mounting debt.

It would be hard enough to accomplish one of these two goals. To try to do both at once is a Herculean task. I think everybody is trying to do what is right, regardless of their ideology, but there are strong and different feelings and clear policy differences.

There are many tough choices ahead, but there is at least one choice that isn't tough at all—not by a mile. It is obvious to me and to most Americans, whether it is people you talk to as you go about your State or looking at the polling data, that at this time of fiscal restraint, to continue to give the big oil companies giant tax breaks makes no sense. Getting rid of these corporate subsidies to Big Oil is a no-brainer.

Decades ago, when these breaks were enacted, oil was \$17 a barrel. Maybe it made sense then to give companies an incentive to explore and produce. One of the subsidies the Menendez legislation repeals, the oil depletion allowance, dates back to 1913. That is the same year a man named William Burton patented a new oil extraction process called thermal cracking. Big Oil no longer cracks petroleum using Mr. Burton's method. It is an outdated process, but the outdated tax subsidy still remains on the books, amazingly enough.

With oil hovering at \$100 a barrel and Big Oil reaping record profits, it defies logic for the government to spend billions of taxpayer dollars on these sub-

sidies. We are writing out a check for \$4 billion to the big oil companies. Does that make sense when we have so many other needs and a huge deficit? To me, it doesn't.

At the same time, Americans get hit with a double whammy. When they drive up to the pump, they are paying \$4—or close to it—a gallon for gasoline, diesel fuel, and Big Oil is taking some dollars out of their pockets because their taxes—a small percentage of it—go to pay these Big Oil subsidies. How galling.

In my home State of New York, the price of gasoline is up 35 percent, on average, compared to this time last year. Economists estimate that a typical New York family—a typical American family—will pay as much as \$1,000 more on gas this year than last. When these families sit around the dinner table on Friday nights after dinner and mom and dad are trying to figure out how they are going to pay their bills, those gas prices make things much harder. Families across the country are struggling to make ends meet, as the economy slowly recovers. They can't afford to get gouged at the pump. With billions of dollars' worth of tax subsidies and gas prices at near record highs, it is no wonder these top five oil companies have just announced mind-boggling profits. These companies are not only among the most profitable businesses in the United States, but they are among the most profitable businesses in the whole world.

In the first quarter of this year, the big five brought in \$35 billion in profits. In the past decade, they took home nearly \$ 1 trillion—that is with a T. There is nothing wrong with profits in and of themselves. In America, we celebrate success. We want the private sector to thrive and make good profits. But at a time when the government is looking to tighten its belt and we are asking every family to tighten their belt and we are grappling with painful cuts because of the dual goal of growing the middle class but also reducing the deficit, it boggles the mind that we continue to subsidize such a lavishly profitable industry.

There are priorities. I said this to the auto company executives last week when they testified before our Finance Committee. There are priorities. How many Americans would choose to give oil companies an extra subsidy rather than help kids who deserve to go to college pay for their tuition? That is what some of my colleagues are recommending. When I asked Mr. Mulva, the head of Conoco, one of the big five oil companies—I said: Well, which would you choose? He said they are two different things. Mr. Mulva, in all due respect, they are not. If we have to reduce the deficit by a certain amount, if we take the \$21 billion we are giving you, that gives us some money to play with that we might be able to deal—

not play with but to use for good purpose—that we could give to prevent cuts and help middle-class families defray the cost of tuition to send their kids to college, which is part of the American dream. So they are related—at least in a government-deficit world, at least in a budget world in which we live; every dollar you don't spend on one thing is a dollar you might be able to use on something else.

Try to wrap your head around it. Big Oil is recording record profits. Gas prices are near an alltime high and we as American taxpayers, are subsidizing the oil industry to the tune of \$4 billion a year. You need the imagination of Lewis Carroll, who wrote "Alice in Wonderland," to come up with a more ridiculous scenario.

That is why I strongly support and am proud to cosponsor Senator MENENDEZ's "Close Big Oil Tax Loopholes Act."

This legislation will put an end to taxpayer handouts to the five largest integrated oil companies and use that \$21 billion in savings to reduce the deficit. This \$21 billion is an excellent downpayment on the effort to get our fiscal house in order. If we use this \$21 billion, it will be a little easier to reach our huge goal of reducing the deficit. It will be a little easier to complete our dual goals of reducing the deficit but still growing the economy.

The bill repeals a host of Byzantine tax provisions that only a lobbyist could love, such as the deduction for tertiary injectants and the deduction for intangible extraction costs. Some thought these up a long time ago. They have sat in our Tax Code, but they mean lots of money to Big Oil.

Small- and medium-sized oil firms are exempt. The only companies the legislation deals with are the big five—Shell, ExxonMobil, Chevron, Conoco-Phillips, and British Petroleum.

I have heard pundits from the hard right parrot Big Oil's talking point that repealing these giveaways would increase gas prices for consumers. Nothing could be further from the truth. Last week, two major studies—one from the nonpartisan Congressional Research Service and another from the Joint Economic Committee—found that ending these absurd subsidies would not—would not—impact the price of gas. Neither of these studies—these were scientific studies done by economists. They did not have any biases.

In what was perhaps an inadvertent moment of candor at last week's Finance Committee hearing, ExxonMobil's CEO Rex Tillerson said:

Gasoline prices are a function of crude oil prices, which are set in the marketplace by global supply and demand, not by companies such as ours.

Let me repeat what he said because it directly answers the argument that some on the other side of the aisle have

made that if we repeal these subsidies, we will raise gas prices because that means the companies would decide to raise them because they are getting less subsidy. Here is what Mr. Tillerson said:

Gasoline prices are a function of crude oil prices, which are set in the marketplace by global supply and demand, not by companies such as ours.

That does not seem like an objectionable comment; it is true. But when he made that comment, Mr. Tillerson of ExxonMobil was conceding that repealing taxpayer-funded subsidies for the big five will not increase prices. Prices are set, as he says, by global supply and demand. That is not to say repealing the subsidies would necessarily bring down prices. We are not making that claim. All along we have been clear that the purpose of this bill is to make a dent in the deficit by repealing tax breaks for the five companies that are the least in need of help from Uncle Sam.

Lowering the cost of gasoline and ridding our country of its dependence on foreign oil requires, of course, a long-term comprehensive approach. It is something we must do. It is outrageous that our country sends \$1 billion a day overseas, wealth out of American pockets. To whom do we send them? People we dislike intensely—Ahmadinejad of Iran and Chavez of Venezuela. Why are we doing that? Because we failed to come up with a long-term policy that reduces our dependence on foreign oil.

In the months ahead, I expect the Democratic caucus will unveil a thorough and forward-thinking plan to do just that. In the meantime, if Republicans in the House are serious about deficit reduction, the Menendez bill is their chance to show it now.

If we are going to come together, is this not the easiest place to come together? We are going to have a lot of hard struggles as we attempt to reduce the deficit, as the debt ceiling looms over us. But this is an easy one, and many people on my side of the aisle are scratching their heads. If our colleagues on the other side cannot give in on something such as this, what are they going to give in on? Speaker BOEHNER said earlier this week he wants to make trillions of dollars in cuts. Here is a good place to start. Indeed, the Speaker himself has said as much.

At one point, he seemed to say it makes some sense to eliminate subsidies to the big five. Let's not forget that Speaker BOEHNER was in favor of repealing oil subsidies before he was against it.

The bottom line is this: At a time of sky-high oil prices, it is unfathomable to continue to pad the profit of companies with taxpayer-funded subsidies. The time to repeal these giveaways is now. No more should we send \$4 billion

this year, next year, or any year to the five big oil companies which have made record profits and admittedly, by the admission of Mr. Tillerson, if we take them away from them it would not raise gas prices a plug nickel.

Our plan to cut the deficit begins with ending wasteful subsidies to Big Oil. The Republican plan, as embodied by the Ryan amendment, for which almost every Republican in the House voted begins with ending Medicare as we know it. That is a bright line difference between our side and theirs. We know what choice the American people want us to make.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Ohio.

EXTENSION OF MORNING BUSINESS

Mr. BROWN of Ohio. Mr. President, I ask unanimous consent that morning business be extended until 8 p.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CLOSE BIG OIL TAX LOOPHOLES ACT

Mr. BROWN of Ohio. Mr. President, I thank the senior Senator from New York who has been a real leader on this issue to bring more tax fairness to the American people and take away the subsidies of these five companies that absolutely do not need those subsidies and to help deal with the budget deficit. We can do that with one simple step that far too many conservative politicians in this city are resisting. I join Senator SCHUMER in expanding on his comments.

We think our Nation's spending and its budget should reflect our Nation's priorities, should reflect our investments in education, infrastructure, how it will strengthen our economic competitiveness, whether in Charleston, WV, or Ironton, OH, through the innovation of entrepreneurs and small businesses.

Our Tax Code should also reflect our priorities to create jobs at home—to encourage companies to invest in clean energy to end our Nation's dependence on foreign dirty oil.

Last week, unfortunately, we heard just how out of touch some politicians and their benefactors in the oil industry are with the real priorities and real problems facing our Nation—huge Federal deficits, \$4-a-gallon gas, Americans struggling to find a job or put food on the table even if they are employed.

I received a letter from Laurie from Lakewood, OH:

This recession has hurt our family budget for the past three years. My husband and I have had our pay reduced.

We cut our expenses—not going out to eat or to the movies or the department stores. My husband and I are both working second jobs to keep our kids in school and food on the table. We carpool and do everything we can to cut expenses.

I'm at the end, I don't know where else to cut and I don't have the option of not putting gas in my tank because I have to get to my jobs.

She said "jobs," plural.

Please, if you can do anything, it would help so many of us who are struggling.

Laurie's story is similar to that of many other Americans and so many Ohioans from Ashton, OH, to Hamilton, from Lima to Gallipolis, the working mom who drives from home in the suburbs to work downtown; truckdrivers in Toledo where high gas prices jeopardize their ability to operate and transport products across the country; small business owners in Lima, in Zanesville, Findlay, Mansfield, and Chillicothe who worry that high gas prices cut into already razor-thin margins, where money spent on gas means less spent on finished products, goods, and services.

Their stories stand in sharp contrast to what we heard last week when the CEOs of the five largest oil companies testified before the Senate Finance Committee. They insisted on holding on to those tax loopholes that they said before they do not want and they have acknowledged they will not use to expand production.

A common refrain we hear from conservative Washington politicians is that just as American families are tightening their belts, so, too, should the Federal Government. Just ask Laurie and the thousands of other Ohioans who work hard and play by the rules and are doing everything they can to get by.

What about big oil? They are doing just fine with windfall profits, billions and billions. The five largest oil companies made \$32 billion in profits in the first quarter of this year. Based on that, over four quarters over this full calendar year of 2011, we can project the five companies' profits being \$128 billion plus—\$128 billion. Their profits are good. But when their profits are more than \$30 billion in the first quarter alone, it is clear they do not need these taxpayer-funded giveaways.

Americans spent 28 percent more for gas in the first 3 months of 2011 than they did in the same period in 2010. Meanwhile, the big five oil companies—BP, Chevron, ConocoPhillips, ExxonMobil, and Shell—made 38 percent more profit. The companies then used a major portion of these additional profits to buy back stock to enrich their board of directors, senior managers, and shareholders.

These massive profits are possible by a misguided part of the Tax Code—one that allows them to take advantage of credits that are, in fact, meant to encourage American manufacturing.

That is why the Close Big Oil Tax Loopholes Act is so important. The bill would end more than \$2 billion in tax subsidy deductions and royalty relief that big companies receive each year.

Consumers who are already paying for \$4-a-gallon gas at the pump should not be forced to write another \$2 billion check to companies that do not need it. But that is exactly what our Tax Code allows. To put it another way, it grants corporate welfare to Big Oil. It is unnecessary and undermines the actual manufacturing that can create jobs and strengthen our production of domestic clean energy.

We should promote only those tax credits—only precisely those tax credits—that constitute an effective use of tax dollars. For example, manufacturers from across Ohio and the Nation have benefited from the 48(c) advanced manufacturing tax credits that help us move away from our dependence on foreign oil.

Mr. President, 48(c) leverages public incentives to attract private sector investment. That means government and business working together to create jobs and build a clean energy economy. Seven Ohio companies were awarded \$125 million in initial 48(c) funding in the first phase of last year. These companies and their workers—in Bedford, Bucyrus, Circleville, Dayton, Findlay, Perrysburg, and Toledo, OH—will retool their factories to build clean energy products from wind turbine bolts to energy-efficient lamps and home appliances to state-of-the-art solar panel technologies.

I introduced the Security in Energy and Manufacturing Act—the SEAM Act—to extend the 48(c) program. The SEAM Act will promote grants as a means to invest in more companies, especially small- and medium-sized manufacturers that do not have tax liabilities or companies that struggle to find credit in the tight financial market.

We want these manufacturing tax credits—very different from what the oil industry is demanding they keep because their tax incentives accomplish none of this. We are asking that those startup companies, those companies that are not yet so profitable, take these 48(c) tax credits because they simply do not have the tax liability yet. We are asking that those be part of the code so those companies can get some assistance as they begin to grow their businesses and conserve energy.

This would further promote U.S. clean energy manufacturing and ensure our manufacturers produce all the component parts in the clean energy supply chain.

Yet instead of adopting this valuable incentive, Republican opposition in the Senate and Republican opposition in the House forces us to continue to allow Big Oil to exploit the manufacturing deduction to extract oil from the ground. They do not need any more

incentives to drill for oil when they are getting close to \$100 a barrel. What they are doing is not manufacturing in any sense of the word.

We need a more comprehensive reexamination of the corporate Tax Code. In the meantime, we should be able to agree there is no justification to continuing tax subsidies to companies that have no need for them. This legislation is modest. It is only in the scheme of a huge Federal budget, in the scheme of \$125 billion profits for the oil companies. It is only in the scheme of that a first step. After removing these unnecessary tax loopholes, the Senate should work on cracking down on both reckless Wall Street speculators and OPEC members that manipulate prices through collusion and price fixing.

One step is to take away the tax subsidies. Middle-class families in Dayton, Akron, Canton, Youngstown, Huntington, Charleston, in Beckley are reaching into their pockets and giving to the oil companies. We are taking that away. At the same time, the administration needs to crack down on Wall Street speculators that are gaming the system as they manipulate prices with OPEC nations through collusion and price fixing. By taking these necessary steps, we show how our spending and our Tax Code and our budget can reflect not only our priorities but how we can actually meet them.

The time to ask is now. I ask my more conservative colleagues here to join us. It is a pretty easy step to move toward a better fiscal situation, a more coherent budget policy—that we eliminate these tax subsidies that have gone to America's five largest oil companies, some of the most profitable companies, frankly, in the history of the world.

Mr. President, I yield the floor.

NATIONAL POLICE WEEK

Mr. WHITEHOUSE. Mr. President, I rise to honor the service of our Nation's law enforcement officers on the occasion of National Police Week, which is taking place this year from May 15 through May 21.

Every day, in cities and towns across America, police officers put their lives on the line to protect their fellow citizens. As a State and Federal prosecutor, I was proud to work alongside so many fine law enforcement officers in Rhode Island. I saw their hard work, their dedication to protecting the public, their commitment to upholding the rule of law, and the sacrifices they made for their communities.

During National Police Week, we remember those officers who have fallen in the line of duty, and we honor their families. It is a tragedy for a single officer to be killed in the line of duty. Yet according to the National Law Enforcement Officers Memorial Fund,

there were 162 law enforcement fatalities in America last year, a jump of nearly 40 percent from the year before. In 2011, the statistics are even more upsetting: as of May 12, there have already been 69 officer fatalities, a 17-percent increase from this time a year ago.

Here in the Nation's Capital, we are marking the service and loss of our country's fallen police officers through the events of National Police Week. Yesterday more than 20,000 officers gathered in Washington, DC, to observe National Peace Officers Memorial Day. I was proud to join with Chairman LEAHY, Ranking Member GRASSLEY, and other members of the Senate in cosponsoring a resolution recognizing that day, and commemorating the dedication of those officers killed or injured in the line of duty.

I also wanted to highlight for my colleagues two recent events to honor this occasion in my home State.

Earlier this month, Newport hosted the 28th annual Aquidneck Island National Police Parade. Hundreds of officers from nearly every police agency in Rhode Island marched alongside more than 1,000 fellow police officers from across the Northeast and Canada.

The marchers in Newport included Robert Shaw, the father of Providence police Sergeant Steven Shaw, who was killed in the line of duty in 1994. Mr. Shaw has been an active leader of Concerns of Police Survivors, COPS, an organization that has provided so much support to the loved ones, families, and former comrades of fallen officers. I am pleased to have joined with Senator MURKOWSKI and other Senators on both sides of the aisle in cosponsoring a resolution recognizing the work of this organization and designating May 14, 2011, as National Police Survivors Day.

Last week, another group of Rhode Island police officers embarked on a longer march. Thirteen officers from Woonsocket marched for 4½ days in the 11th annual COPSwalk to Washington, under the leadership of Sergeant Ed Cunanan. Their dedication has raised thousands of dollars to provide financial support for the families of fallen police officers.

Once again, I thank the officers across Rhode Island and our country who protect our kids, secure our communities, and bring criminals to justice. They are public servants of the highest order who have given so much of themselves for the benefit of us all. I look forward to working with my colleagues to make sure we do all we can to protect their safety as they fulfill their vital responsibilities.

Mrs. MCCASKILL. Mr. President, I rise today to pay tribute to the thousands of peace officers who tirelessly serve our country and our communities. Having just commemorated Peace Officers Memorial Day on May 15, I want to specifically acknowledge

the 162 officers killed in 2010, including 5 from my home State of Missouri, who laid down their lives in service to others.

This past week in our Nation's Capital thousands of police officers, deputy sheriffs, State troopers, investigators, and agents gathered in fellowship as brothers and sisters united by a bond of service and sacrifice. Every year, they gather to commemorate their fallen at the National Law Enforcement Officer Memorial where the names of nearly 19,000 officers who have been killed in the line of duty are etched. Nationally, the average age of the officers killed in 2010 was 41; the average length of their law enforcement service was nearly 12 years; and, on average, each officer left behind 2 children. While there is no way we can fully restore the families, the coworkers, and the communities of our fallen law enforcement professionals, we can offer solace and tribute in the hope that they know we honor them and their sacrifice.

The profession of a being a peace officer in this country is unique in many ways and its challenges are many. We expect our officers, deputies, troopers, agents, and investigators to uphold the law of the land without compromise and without blemish. We expect them to run toward the sounds of gunfire, to transform chaos into order, to provide comfort to the afflicted and injured, to protect the vulnerable, and to facilitate justice for the victimized. We ask them to do this at every hour of the day, every day of the year, in every climate and place where the American flag flies. The most amazing thing is that our peace officers exceed every one of these expectations, and for this we remain eternally grateful.

Much like our military, peace officers are ordinary men and women who choose to answer a call to become extraordinary heroes. They are our moms, our dads, our brothers, our sisters, our neighbors, and our friends. Our peace officers understand duty before self. They understand what it means to miss holiday meals with their loved ones. They understand that long hours of calm may turn into moments of intense violence. They understand they are sentinels, standing in the gap between our loved ones and those who would do them harm.

In closing, I offer my humblest and sincerest gratitude to the families and loved ones of our wonderful peace officers. They, too understand sacrifice and commitment, and without their enduring support, the men and women behind the badge would not be able to accomplish all they do. To those who wear the badge and answer the call to serve, I humbly say thank you, and I ask my fellow Senators to join me in acknowledging them.

RECOGNIZING OUTDOOR GEAR EXCHANGE

Mr. LEAHY. Mr. President, today I wish to bring the attention of the Senate to a small business in Vermont, the Outdoor Gear Exchange, which is moving to a new location near and dear to my heart—the Church Street Marketplace in Burlington.

A large, national retailer recently chose to depart the Marketplace. This left a big hole on one of our nation's most successful pedestrian malls. The local owners of the Outdoor Gear Exchange, Marc Sherman and Mike Donahue, quickly took the opportunity to move their successful venture from a nearby side street onto Church Street.

As a longtime supporter of the Church Street Marketplace, I was pleased to see this locally owned and much-beloved fixture in the Vermont business scene fill one of the most high-profile store fronts on Church Street.

I hope Americans interested in good news during this difficult economy might take a moment to read about this great business, and I ask unanimous consent to have the May 16, 2011, Burlington Free Press article written by Dan D'Ambrosio entitled "Outdoor Gear Exchange takes its store, and philosophy, into a bigger space" printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From the Burlington Free Press, May 16, 2011]

OUTDOOR GEAR EXCHANGE TAKES ITS STORE, AND PHILOSOPHY, INTO A BIGGER SPACE

At the beginning of last week, Marc Sherman, co-owner of Outdoor Gear Exchange, sat in the empty, cavernous space on Church Street where he was moving his business—in the spot Old Navy used to occupy—and contemplated the grand opening of his new store approaching on Thursday.

Sitting surrounded by partially finished displays and unopened boxes of merchandise scattered about on the concrete floor, it was hard to believe. But Sherman and his crew of 65 full-time employees were determined to be ready for this week's ribbon cutting and remarks by Gov. Peter Shumlin. Sherman said the creation of his new store—at 15,000 square feet of retail space, twice the size of the old store on Cherry Street—cost more than \$100,000.

"All of my staff is running around putting this together," Sherman said last week. "Unlike most stores, we're not moving into a store, we're building our own. That increases everyone's commitment."

Sherman said he thinks of his staff as family, and said the rush to get the new store open has been exhilarating. He's proud to be, he says, the first local store in that prime space on Church Street in a very long time.

"I have the world's greatest staff," Sherman said. "Everyone is fun and enthusiastic. They're funny and smart. I love hanging out with them. They're all really active. To me that is the most important thing about what I do. I like the people I work with."

Sherman grew up in Englewood, N.J., moving to New York City after graduating from

college to take a job crunching numbers for the marketing department of a manufacturing company, a job he remembers as "not particularly exciting."

On winter weekends, he would drive to Vermont to ski at Ludlow.

"I realized every weekend I wanted to go home to New York less and less," Sherman said. "I never had a bad experience in Vermont. I said, Why not stay here and visit New York? That was 19 years ago."

Sherman began his business with a friend in 1995 in an 800-square-foot space on Main Street, where Tonic is now. Their business plan was based on the fact that Sherman had more outdoor equipment than he knew what to do with, and his friend didn't have any.

"We wanted to connect people who have too much with people who have too little and make it affordable for them to get outside because, I'll be the first to say, the gear is expensive; the clothing is expensive," Sherman said.

Sherman quickly moved beyond consignments, settling on a three-tier model. Consignment items still make up about 8 percent of his business, all of it walk-in, but the bulk is in new clothing and gear plus seconds, close-outs and cosmetic blemishes. There are very few outdoors stores using this particular mix of product offerings, Sherman said.

"It's a model that's proven to work even if it doesn't always make sense," Sherman said. "Somebody is looking at a full-price backpack for \$450 next to somebody looking at a close-out backpack for \$250, next to somebody looking at a used backpack for \$150, and we sell to all of them. Some people want to spend more for what's out this year. Some people want to save a little. We have something for everybody."

Sherman also went his own way when it came to deciding what to stock.

"We felt if we opened a store that would focus on what consumers are looking for opposed to what manufacturers are generating, we'd be successful," Sherman said. "We always tried to find gear our friends would buy, or that we would want to buy."

Outdoor Gear Exchange also does an online business account for 25 percent of its sales and growing, nearly doubling this year. Sherman was able to consolidate his online staff from where they were, in a space above The Body Shop on Church Street, to offices in his new space. Although he doesn't release sales figures, Sherman did say his annual payroll approaches \$1 million.

With all the extra space to work with in the new location, Sherman and co-owner Mike Donohue are getting into gear for family camping, also known as car camping, which will put them in competition with Dick's Sporting Goods in Williston. Traditionally, Outdoor Gear Exchange has focused on backpackers, climbers and hikers, "folks going out into the wilderness," Sherman said, and who place a high value on lightweight gear.

But Sherman said family camping is a growing segment of the market, especially for people his age—45 years old. It's not inexpensive to get into, but once you're set up, it is a relatively cheap vacation. The priorities for the gear are different than those for hikers and climbers.

"Car camping is a little more focused on amenities and space, as opposed to weight," Sherman said. "We'll offer tents with more features oriented toward cushy living, thicker sleeping pads, things like that."

Sherman also plans to expand his offering of casual outdoor clothing to include lower

price ranges than he has historically stocked, in memory of the recently departed Old Navy.

"We're sensitive to the fact that Old Navy provided a service to folks who couldn't afford more expensive clothing," Sherman said. "Whether it was high quality or not, the bottom line is it was highly affordable. We want to make sure that doesn't become a void in the downtown, so we'll look for outdoor casual that's more affordable than what we currently sell."

Eventually, Sherman plans to add another 8,000 square feet of retail space in the basement of his new space, which he is also leasing. Panera Bread, the national chain of bakery-cafes, will also be on the main floor of the building as the only other tenant, although there will be no physical connection between the two businesses. Panera isn't expected to open for another month or two.

"I hope we get some bread smell, but that's about it," Sherman said.

ADDITIONAL STATEMENTS

TRIBUTE TO BILL GIPSON

• Mr. BLUNT. Mr. President, Bill Gipson, president and chief executive officer of Empire District Electric Company, is retiring on May 31, 2011. Bill is an example of the American dream: humble beginnings, hard-working, successful and modest.

Bill, a native of Jasper County, MO, worked his way through Missouri Southern State University earning a degree in management technology. He went to work at Empire in 1981. He was director of the utility's commercial operations and economic development departments before becoming executive vice-president in 2001 and then chief operating officer. Bill has been a member of Empire's board of directors and has served as president and chief executive officer since 2002. During Bill's tenure as president, Empire District Electric Company's assets have doubled.

Involvement in the community has been one of Bill's trademarks. Bill is a past chairman of the Joplin Chamber of Commerce, the Missouri Chamber of Commerce and the Missouri Energy Development Association. Additionally, Bill is on the Missouri Southern State University School of Business Advisory Council, the Missouri Southern State University Foundation and a member of Rotary International.

At their annual banquet on May 5, 2011, the Joplin Chamber of Commerce named Bill the Outstanding Citizen of the Year.

Bill and his wife of 33 years, Tracy, are looking forward to their retirement home on Table Rock Lake, but I know Bill Gipson's contributions to Missouri will continue for years to come. •

NORTH CAROLINA VETERANS PARK

• Mr. BURR. Mr. President, today I join with the citizens of North Carolina

who have a long and proud history since the Nation's birth of paying special honor and respect to its sons and daughters who protect our country's freedoms. Americans from coast to coast enjoy their freedoms because of the service and sacrifices of our veterans. North Carolina is proud to be the home of Cherry Point Marine Corps Air Station, Charlotte Air National Guard, Marine Corps Base Camp Lejeune, U.S. Coast Guard Air Station Elizabeth City, Fort Bragg, Pope Army Air Field, Marine Corps Air Station New River, and Seymour Johnson Air Force Base. We are proud to be a state that one of the largest populations of veterans in the United States call home.

North Carolina has a rich military history dating back to before the Revolutionary War. In a 1771 rebellion against the royal governor, North Carolina farmers called "Regulators" employed tactics at Alamance Battleground that were later adopted as a model for fighting the British. Troops from North Carolina played a significant role in many Civil War battles, including the Battle of Gettysburg, where "Tar Heels" were prominent in Pickett's Charge. Many of the 86,000 North Carolinians who served in World War I were assigned to the 30th Infantry Division, which distinguished itself in the Somme Offensive by breaking through the famed and supposedly impregnable "Hindenburg Line," helping to hasten the end of the conflict. During World War II, the U.S. Marine Corps trained their first class of African Americans at Montford Point Base, near Camp Lejeune, and members of the North Carolina National Guard landed on the Normandy beaches. During the war in Southeast Asia soldiers from the 82nd Airborne Division at Ft. Bragg deployed to participate in the Tet Offensive and remained in theater for 22 months. Airmen flying F-15E's from the 4th Fighter Wing out of Seymour Johnson Air Force Base were the first to lead nighttime strikes against Iraqi forces during Operation Desert Storm and helped bring the Persian Gulf war to a swift conclusion. Elements of the 2nd Marine Division from Camp Lejeune crossed into Iraq on the first day of the ground war in Operation Iraqi Freedom and later forged relationships with the Sunni tribes in Iraq's restive Anbar Province. Elite Green Berets from Fort Bragg have been operating throughout Afghanistan, expanding Village Stability Operations and seeking out terrorist leaders. And members of the Coast Guard's National Strike Force based in Elizabeth City responded to the devastating earthquakes in Haiti by conducting facility inspections around crippled Haitian ports to help resume the vital supply of aid to that poverty stricken nation.

This Fourth of July will hold special significance for North Carolina. On

that day in Fayetteville, NC home to Fort Bragg, where the renowned 82nd Airborne, Eighteenth Airborne Corps, U.S. Army's Special Operations Command, and Pope Army Airfield are located, there will be a dedication of the North Carolina Veterans Park. The purpose of the Veterans Park is to honor all North Carolina veterans and serve as a centerpiece for a compilation of historic objects and images and landscaped spaces that symbolize a Nation's unending gratitude, somber reflection, and ongoing education for generations to come. It will commemorate the achievement, service, dedication, and sacrifice of our Armed Forces.

The park is adjacent to the Airborne and Special Operations Museum, which is a part of the U.S. Army Museum System, providing an exceptional educational experience and preserving the legacy of airborne and special operations forces from their early days in World War Two to the present operations in Iraq, Afghanistan and across the globe.

The city of Fayetteville has directed that the design and construction of the North Carolina Veterans Park meet or exceed all the guidelines and expectations provided by a large representative segment of the veteran population, including members of a content committee who served in all five branches of the military services: Army, Navy, Marine Corps, Coast Guard, and Air Force.

The Park consists of seven water features and public art crafted by individuals from across the State. The hands of 100 veterans were cast to honor and represent every county in North Carolina and are displayed in this park's Wall of Oath. Soil from each of the State's 100 counties will be included in the construction of the columns in the park. The sculptures in the public plaza signify our veterans' commitment, courage, dedication, heroism, sacrifices, service, and strength, and showcase the incredible talents of our State's artists.

Please join me and the citizens of the great State of North Carolina in expressing our pride and gratitude to the veterans for their service, dedication, and sacrifice in protecting the freedoms of this country. And as we designate July 4, 2011, as "North Carolina Veterans Park Day," please reflect on the words that tell the story of the North Carolina Veterans Park:

From the soils of North Carolina
You left your families and homes
With purpose to serve your country.
In service, you made sacrifices.

You are our veterans.

This is your place to reflect on and
Share your experiences.

To feel pride in your service,
Bond with fellow veterans, and heal.
Here, may you find support and inspiration
To live your lives today.

The people of North Carolina

Honor your service and welcome you home.●

TRIBUTE TO DR. BOBBY FONG

● Mr. LUGAR. Mr. President, today I wish to recognize Dr. Bobby Fong, the outgoing president of Butler University.

Since becoming Butler University's 20th president on June 1, 2001, Dr. Fong's leadership and vision have brought financial stability, expanded academic programs, and record-breaking student enrollment and fundraising. Many are aware of Butler's prowess on the basketball court, which has introduced the Nation to "The Butler Way." Dr. Fong has further enhanced Butler University's role as a cultural and intellectual pillar of the city of Indianapolis and Indiana as a whole. I am proud of the recognition and prestige Dr. Fong and Butler University have brought to our State.

Personally, I have enjoyed many meetings with Dr. Fong over the years and appreciate his welcoming me to deliver the commencement address for the Butler College of Pharmacy and Health Sciences in May of 2010. Dr. Fong's enthusiasm and leadership have ensured the success of the annual Dick Lugar Run, Walk, and Health Fair, which has been held on the Butler campus for the last 32 years. I have treasured this partnership with the school, which has served to promote physical fitness and disease prevention.

I appreciate this opportunity to recognize Dr. Fong, and I look forward to many more opportunities to work closely with him as he pursues new challenges and opportunities.●

LOUISIANA HONORAIR

● Mr. VITTER. Mr. President, today I wish to acknowledge and honor a very special group, the Louisiana HonorAir. Louisiana HonorAir is a not-for-profit group that flies as many as 200 World War II veterans a year up to Washington, DC. On May 28, 2011, a group of 85 veterans will travel to Washington as part of this very special program.

I want to take a moment to thank all the brave veterans visiting our Capital for this trip:

Mr. Jack A. Adams; Mr. Sidney L. Agnelly; Mr. Paul K. Anderson; Ms. Theresa J.R. Anderson; Mr. Walton H. Blanchard, Sr.; Mr. James C. Bond, Sr.; Mr. James E. Bowie; Mr. Warren B. Braud; Mr. Herman Broussard; Mr. Henry A. Buchholz, Jr.; Mr. Elmer H. Cates; Ms. Bonnie Clabijo; Mr. John S. Cordero, Sr.; Mr. Robert G. Daigle, Sr.; Mr. James P. Daigre; Mr. Albert J. Daube; Mr. Dudley J. David; Mr. Henry F. Deist; Mr. Dudley E. Duhon; Mr. Rene I. Duhon; Mr. Woodrow Duhon; Mr. Sherman Faught; Mr. Arthur C. Flory.

Mr. Roman A. Guidry; Mr. Edwin Hardy; Mr. Ernest Haydel; Mr. Harold C. Hill; Mr. Lloyd E. Hogan; Ms. Lillian F. Hoover; Mr. Warren D. Huggins; Mr. Gordon L. Jarnigan; Mr. Eugene B. Johnson; Ms. Geneva R. Johnson; Mr. Hubert Lane Joyner; Mr. John M.

Key; Mr. Julius J. Klos; Mr. Albert L. Klotz, Jr.; Mr. Fred C. Kraus, Jr.; Mr. Anthony Labruzzo; Mr. Emile A. Lambert, Jr.; Mr. Joseph H. Lauff, Jr.; Mr. James LeBlanc; Mr. Robert D. Lowe; Mr. Curtis J. Marcello; Mr. Eustace A. Marionneaux; Mr. Joseph T. McKay.

Mr. Stephen L. McMurray; Mr. Tanner A. Messina; Mr. Randolph J. Olano, Jr.; Mr. Roy Patton; Mr. Lawrence J. Pellegrin, Sr.; Mr. Earl J. Perere; Mr. Sidney J. Quatrevingt; Mr. William C. Rabalais; Mr. Ralph L. Richardson; Mr. Joseph J. Rockoforte; Mr. Alger J. Rodriguez; Mr. John T. Roshto; Mr. Benjamin Rush; Mr. Louis C. Salzer; Ms. Florence F. Smith; Mr. Charles C. Spence; Mr. Clifton J. Stutes; Mr. Percy Thibodeaux; Mr. Wallace W. Thibodeaux; Mr. Ernest G. Walden; Mr. Bobby E. Williams; Mr. Clifton O. Wilson.

While visiting Washington, DC, these veterans will tour the World War II Memorial, Arlington National Cemetery, the Iwo Jima Memorial, and the Korean Memorial. This program provides many veterans with their only opportunity to see the great memorials dedicated to their service. Thus, today, I ask my colleagues to join me in honoring these great Americans and thanking them for their devotion and service to our Nation.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 2:11 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1231. An act to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

At 2:46 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 754. An act to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United

States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

S. 990. A bill to provide for an additional temporary extension of programs under the Small Business Act and the Small Business Investment Act of 1958, and for other purposes.

H.R. 1229. To amend the Outer Continental Shelf Lands Act to facilitate the safe and timely production of American energy resources from the Gulf of Mexico, to require the Secretary of the Interior to conduct certain offshore oil and gas lease sales, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1231. An act to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1662. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Minimizing the Use of Materials Containing Hexavalent Chromium" ((RIN0750-AG35) (DFARS Case 2009-D004)) received in the Office of the President of the Senate on May 10, 2011; to the Committee on Armed Services.

EC-1663. A communication from the Under Secretary of Defense (Comptroller), Department of Defense, transmitting, pursuant to law, a quarterly report entitled, "Acceptance of Contributions for Defense Programs, Projects, and Activities"; to the Committee on Armed Services.

EC-1664. A communication from the Associate General Counsel for Legislation and Regulations, Office of Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled "HUD Multifamily Rental Projects: Regulatory Revisions" (RIN2502-AI95) received in the Office of the President of the Senate on May 10, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1665. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997; to the Committee on Banking, Housing, and Urban Affairs.

EC-1666. A communication from the Deputy General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Version

One Regional Reliability Standard for Transmission Operations" ((RIN1902-AE20) (Docket No. RM09-14-000)) received in the Office of the President of the Senate on May 10, 2011; to the Committee on Energy and Natural Resources.

EC-1667. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Indiana" (FRL No. 9304-8) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Environment and Public Works.

EC-1668. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Massachusetts; Revised Carbon Monoxide Maintenance Plan for Lowell" (FRL No. 9305-1) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Environment and Public Works.

EC-1669. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Virginia; Prevention of Significant Deterioration; Greenhouse Gas Permitting Authority and Tailoring Rule Revision" (FRL No. 9305-2) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Environment and Public Works.

EC-1670. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Branded Prescription Drug Sales—Dispute Resolution Process for 2011 Preliminary Fee Calculation" (Rev. Proc. 2011-24) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Finance.

EC-1671. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Modifications to Treatment of Aircraft and Vessel Leasing Income" (RIN1545-BG98) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Finance.

EC-1672. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Extension of Withholding to Certain Payments Made by Government Entities" (RIN1545-BG45) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Finance.

EC-1673. A communication from the Chief of the Publications and Regulations Branch, Joint Board for the Enrollment of Actuaries, transmitting, pursuant to law, the report of a rule entitled "Regulations Governing the Performance of Actuarial Services Under the Employee Retirement Income Security Act of 1974" (RIN1545-BC82) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Finance.

EC-1674. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Specified Tax Return Preparers Required to File Individual Income Tax Returns Using Magnetic Media" (RIN1545-BJ52) received in the Office of the President of the Senate on May 11, 2011; to the Committee on Finance.

EC-1675. A communication from the Department of State, transmitting, pursuant to law, a report relative to U.S. military personnel and U.S. civilian contractors involved in the anti-narcotics campaign in Colombia (OSS Control No. 2011-0810); to the Committee on Foreign Relations.

EC-1676. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Canada for the manufacture of M151 Remote Weapons Station components; to the Committee on Foreign Relations.

EC-1677. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to India for the manufacture, assembly integration, testing and repair of the Enhanced Position Location Reporting System Extended Frequency-International (EPLRS-XF-1) MicroLight-I and MicroLight-DH500 and ancillary equipment; to the Committee on Foreign Relations.

EC-1678. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Russia for the RD-180 Liquid Propellant Rocket Engine Program in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-1679. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to a proposed amendment to parts 120, 124, and 126 of the International Traffic in Arms Regulations (ITAR); to the Committee on Foreign Relations.

EC-1680. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to overseas surplus property; to the Committee on Foreign Relations.

EC-1681. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Raton, NM" ((RIN2120-AA66) (Docket No. FAA-2010-1239)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1682. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Bombardier, Inc. Model DHC-8-101, -102, -103, -106, -201, -202, -301, -311, -315, -401, and -402 Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1157)) received in the Office of the

President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1683. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200, -200LR, -300, and -300ER Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1205)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1684. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAE SYSTEMS (OPERATIONS) LIMITED Model BAe 146 Airplanes, and Model Avro 146-RJ Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1308)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1685. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Model A310 Series Airplanes; and Model A300 B4-600, A300 B4-600R, A300 F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes)" ((RIN2120-AA64) (Docket No. FAA-2010-0803)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1686. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Model 777-200, -300, and -300ER Series Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-1271)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1687. A communication from the Senior Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Lockheed Martin Corporation/Lockheed Martin Aeronautics Company Model 382, 382B, 382E, 382F, 382G Airplanes" ((RIN2120-AA64) (Docket No. FAA-2010-0233)) received in the Office of the President of the Senate on May 9, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1688. A communication from the Director, Office of Management and Budget, Executive Office of the President, transmitting the report of a draft bill entitled "Civilian Property Realignment Act"; to the Committee on Homeland Security and Governmental Affairs.

EC-1689. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the third quarter fiscal year 2010 quarterly report of the Department's Office of Privacy and Civil Liberties; to the Committee on the Judiciary.

EC-1690. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Spirotetramat; Pesticide Tolerances" (FRL No. 8865-8) received in the Office of the President of the

Senate on May 12, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1691. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12170 on November 14, 1979; to the Committee on Banking, Housing, and Urban Affairs.

EC-1692. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency that was declared in Executive Order 13405 with respect to Belarus; to the Committee on Banking, Housing, and Urban Affairs.

EC-1693. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled "Corporate Credit Unions" (RIN3133-AD80) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1694. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "The Mailing of Individual Income Tax Returns by Specified Tax Return Preparers Calendar Year 2011" (Notice 2011-27) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Finance.

EC-1695. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Undue Hardship Waivers and Taxpayers Choice Statement" (Rev. Proc. 2011-25) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Finance.

EC-1696. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Industry Director's Directive No. 2—Employment Tax and the Employees on the U.S. Outer Continental Shelf" (LBandI-4-0211-005) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Finance.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. INHOFE (for himself, Mr. COCHRAN, Mr. VITTER, Mr. BOOZMAN, Mr. RISCH, and Mr. CRAPO):

S. 999. A bill to amend the Safe Drinking Water Act to prevent the enforcement of certain national primary drinking water regulations unless sufficient funding is available; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN (for herself and Mr. PORTMAN):

S. 1000. A bill to promote energy savings in residential and commercial buildings and industry, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. WYDEN (for himself and Ms. STABENOW):

S. 1001. A bill to reduce oil consumption and improve energy security, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHUMER (for himself, Mr. KYL, Ms. KLOBUCHAR, Mr. BROWN of

Ohio, Mr. WHITEHOUSE, Mr. SESSIONS, Mr. GRAHAM, Mr. COONS, Mr. BENNET, Mr. LUGAR, Mr. NELSON of Florida, Mr. CASEY, Mr. BLUMENTHAL, and Mr. LAUTENBERG):

S. 1002. A bill to prohibit theft of medical products, and for other purposes; to the Committee on the Judiciary.

By Mr. TESTER:

S. 1003. A bill to amend the Surface Mining Control and Reclamation Act of 1977 to limit the liability of a State performing reclamation work under an approved State approved mine reclamation plan; to the Committee on Energy and Natural Resources.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. GILLIBRAND, Mr. KERRY, Mr. CASEY, and Mr. FRANKEN):

S. 1004. A bill to support Promise Neighborhoods; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BOOZMAN (for himself, Mr. GRAHAM, Mr. RISCH, Mr. COATS, Mr. THUNE, and Mr. JOHANNES):

S. 1005. A bill to provide for parental notification and intervention in the case of a minor seeking an abortion; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CARDIN (for himself, Ms. COLLINS, Mr. THUNE, Mr. MENENDEZ, Mr. CASEY, and Mr. RISCH):

S. Res. 185. A resolution reaffirming the commitment of the United States to a negotiated settlement of the Israeli-Palestinian conflict through direct Israeli-Palestinian negotiations, reaffirming opposition to the inclusion of Hamas in a unity government unless it is willing to accept peace with Israel and renounce violence, and declaring that Palestinian efforts to gain recognition of a state outside direct negotiations demonstrates absence of a good faith commitment to peace negotiations, and will have implications for continued United States aid; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 89

At the request of Mr. VITTER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 89, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 296

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 296, a bill to amend the Federal Food, Drug, and Cosmetic Act to provide the Food and Drug Administration with improved capacity to prevent drug shortages.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of

disposal sites for the discharge of, dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 547

At the request of Mrs. MURRAY, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 547, a bill to direct the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 579

At the request of Mr. LAUTENBERG, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 579, a bill to amend title 10, United States Code, to direct the Secretary of Defense to provide members of the Individual Ready Reserve, Individual Mobilization Augmentees, and inactive members of the National Guard who served in Afghanistan or Iraq with information on counseling to prevent suicide, and for other purposes.

S. 618

At the request of Mr. DURBIN, his name was added as a cosponsor of S. 618, a bill to promote the strengthening of the private sector in Egypt and Tunisia.

S. 641

At the request of Mr. DURBIN, the names of the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 641, a bill to provide 100,000,000 people with first-time access to safe drinking water and sanitation on a sustainable basis within six years by improving the capacity of the United States Government to fully implement the Senator Paul Simon Water for the Poor Act of 2005.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 707

At the request of Mr. DURBIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 722

At the request of Mr. WYDEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 738

At the request of Ms. STABENOW, the names of the Senator from California

(Mrs. BOXER) and the Senator from Minnesota (Mr. FRANKEN) were added as cosponsors of S. 738, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of comprehensive Alzheimer's disease and related dementia diagnosis and services in order to improve care and outcomes for Americans living with Alzheimer's disease and related dementias by improving detection, diagnosis, and care planning.

S. 752

At the request of Mrs. FEINSTEIN, the names of the Senator from Colorado (Mr. BENNET) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 815

At the request of Ms. SNOWE, the names of the Senator from Connecticut (Mr. LIEBERMAN), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 815, a bill to guarantee that military funerals are conducted with dignity and respect.

S. 838

At the request of Mr. JOHANNIS, his name was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 871

At the request of Mr. COBURN, the names of the Senator from Tennessee (Mr. CORKER), the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 871, a bill to repeal the Volumetric Ethanol Excise Tax Credit.

S. 906

At the request of Mr. WICKER, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 946

At the request of Mr. BAUCUS, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 951

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 953

At the request of Mr. MCCONNELL, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 953, a bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

S. 958

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Illinois (Mr. KIRK) were added as cosponsors of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 964

At the request of Mr. ALEXANDER, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 964, a bill to amend the National Labor Relations Act to clarify the applicability of such Act with respect to States that have right to work laws in effect.

S. 967

At the request of Mr. MERKLEY, the name of the Senator from Michigan (Mr. LEVIN) was added as a cosponsor of S. 967, a bill to establish clear regulatory standards for mortgage servicers, and for other purposes.

S. 973

At the request of Mr. WHITEHOUSE, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 973, a bill to create the National Endowment for the Oceans to promote the protection and conservation of the United States ocean, coastal, and Great Lakes ecosystems, and for other purposes.

S. 982

At the request of Ms. AYOTTE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Utah (Mr. HATCH) were added as cosponsors of S. 982, a bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes.

S. 993

At the request of Mr. CORNYN, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 993, a bill to amend the Internal Revenue Code of 1986 to prevent the extension of the tax collection period merely because the taxpayer is a member of the Armed Forces who is hospitalized as a result of combat zone injuries.

S. CON. RES. 4

At the request of Mr. SCHUMER, the names of the Senator from Massachusetts (Mr. BROWN) and the Senator from Florida (Mr. RUBIO) were added as

cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chaplains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. CON. RES. 17

At the request of Mr. MENENDEZ, the names of the Senator from Virginia (Mr. WEBB) and the Senator from South Dakota (Mr. JOHNSON) were added as cosponsors of S. Con. Res. 17, a concurrent resolution expressing the sense of Congress that Taiwan should be accorded observer status in the International Civil Aviation Organization (ICAO).

S. RES. 132

At the request of Mr. NELSON of Nebraska, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. Res. 132, a resolution recognizing and honoring the zoos and aquariums of the United States.

S. RES. 175

At the request of Mrs. SHAHEEN, the names of the Senator from Arizona (Mr. KYL) and the Senator from Connecticut (Mr. LIEBERMAN) were added as cosponsors of S. Res. 175, a resolution expressing the sense of the Senate with respect to ongoing violations of the territorial integrity and sovereignty of Georgia and the importance of a peaceful and just resolution to the conflict within Georgia's internationally recognized borders.

S. RES. 180

At the request of Mr. LIEBERMAN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE (for himself, Mr. COCHRAN, Mr. VITTER, Mr. BOOZMAN, Mr. RISCH, and Mr. CRAPO):

S. 999. A bill to amend the Safe Drinking Water Act to prevent the enforcement of certain national primary drinking water regulations unless sufficient funding is available; to the Committee on Environment and Public Works.

Mr. INHOFE. Mr. President, I rise today to introduce the Small System Drinking Water Act of 2011. This is the fourth Congress that I have introduced this bill which would help water systems throughout the country comply with the ever growing number of federal drinking water standards. I am pleased to be joined by Senators THAD COCHRAN, DAVID VITTER, JOHN BOOZ-

MAN, JAMES RISCH, and MIKE CRAPO as cosponsors of this legislation. My bill will require the Federal Government to live up to its obligations and require the EPA to use the tools it was given in the 1996 Safe Drinking Water Act amendments, SDWA.

My goal here is to ensure that small towns across the country have safe, affordable drinking water and that the laws are fair to small and rural communities. Currently EPA assumes that families can afford water rates of 2.5 percent of their annual median household income, or \$1,000 per household. For some families, paying \$83 a month for water may not be a hardship but for so many more, it is nearly impossible. There must be some flexibility inserted into the calculation that factors in the ability of the truly disadvantaged to pay these costs. Forcing systems to raise rates beyond what their ratepayers can afford only causes more damage than good.

EPA needs to look more closely at how it determines affordability. My bill directs EPA to take additional factors into consideration when making this determination. These include ensuring that the affordability criteria are not more costly on a per-capita basis to a small water system than to a large water system.

In EPA's most recent drinking water needs survey, Oklahoma identified a total of over \$4.1 billion in drinking water needs over the next 20 years. \$2.4 billion of that need is for community water systems that serve fewer than 10,000 people. The \$4.1 billion does not include the total costs imposed on Oklahoma communities to meet federal clean water requirements, the new Groundwater rule, the DBP II rule or the Long Term 2 Enhanced Surface Water Treatment Rule. Oklahoma continues to have municipalities struggling with the 2002 arsenic rule. Many of our small systems are having difficulty with the Disinfection Byproducts, DBP, Stage I rule, and small systems who purchase water from other systems and did not have to test, treat or monitor their water must now comply with DBP II. EPA estimates that over the next 20 years, the entire country will need \$52.0 billion to come into compliance with existing, proposed or recently promulgated regulations.

My bill proposes a few simple steps to help systems comply with all these rules. First, it reauthorizes the technical assistance program in the Safe Drinking Water Act. The DBP rules are very complex and involve a lot of monitoring and testing. If we are going to impose complicated requirements on systems, we need to provide them with help to implement those requirements.

The bill creates a pilot program to demonstrate new technologies and approaches for systems of all sizes to comply with these complicated rules. It requires the EPA to convene a work-

ing group to examine the science behind the rules in order to compare new developments since each rule's publication.

Section 1412(b)(4)(E) of the SDWA Amendments of 1996 authorizes the use of point of entry treatment, point of use treatment and package plants to economically meet the requirements of the act. However, to date, these approaches are not widely used by small water systems. My legislation directs the EPA to convene a working group to identify barriers to the use of these approaches. The EPA will then use the recommendations of the working group to draft a model guidance document that states can use to create their own programs.

Most importantly this bill requires the Federal Government to pay for these unfunded mandates created by laws and regulations. In 1995, Congress passed the Unfunded Mandates Reform Act to ensure that the Federal Government pays the costs incurred by state and local governments in complying with Federal laws. My bill is designed to ensure that EPA cannot take an enforcement action against a system serving less than 10,000 people, without first ensuring that it has sufficient funds to meet the requirements of the regulation.

Since the 108th Congress, I have co-authored and cosponsored legislation to provide additional resources to communities through the State Revolving Loan Funds. Unfortunately, not much has changed. We still have too many regulations and not enough money to pay for them. Funding legislation is important but until that money becomes available, it is unreasonable to penalize and fine local communities because they cannot afford to pay for regulations we imposed on them. I thank my colleagues and look forward to their support of this commonsense proposal.

By Mr. WYDEN (for himself and Ms. STABENOW):

S. 1001. A bill to reduce oil consumption and improve energy security, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. WYDEN. Mr. President, today Sen. STABENOW and I are introducing legislation designed to reduce our dependence on imported oil by replacing it with cleaner, domestic sources of energy to power our cars, trucks, buses, tractors, and ships. The only way to reduce our Nation's dependence on foreign oil is to reduce our dependence on oil. When it comes to reducing our use of oil, transportation is where the vast bulk of America's oil use is. Over 70 percent of all of the oil used in the U.S. is used for transportation. Unless we do something about the amount of oil used by our transportation sector, we have no chance of making a significant dent in our dependence on oil. The goal

of this bill is to replace a significant portion of that oil with home-grown alternative fuels—electricity, natural gas, propane, biofuels, and hydrogen. We believe this will create jobs and economic growth here in the U.S. and reduce the relentless flow of dollars overseas to buy oil.

Many of our colleagues share our concern and have been strong advocates for individual vehicle technologies. Indeed, both Sen. STABENOW and I voted last year in the Senate Energy Committee to support legislation by Sen. DORGAN, Sen. MERKLEY and Sen. ALEXANDER to promote electric vehicles. With electric vehicles, fuel can come from many sources, and very little of it from oil. With plug-in electric technology now hitting the streets, you can literally use power from a wind turbine to drive to the store. Sen. MENENDEZ and Sen. REID have offered bills to promote natural gas vehicles. Natural gas is a natural fuel for many vehicle applications and it now appears that there are significant new natural gas resources here in North America that could be tapped to replace imported oil.

At the end of the day, however, different fuels are going to work better in different types of vehicles and in different parts of the country. For that reason, our bill does not pick technology winners and losers. It is “technology neutral,” “geography neutral” and “market neutral.” An alternative fuel that is readily available in one part of the country may not be readily available in every part of the country, or it may not work as well in an 18 wheel tractor-trailer as in the family car. Our bill does not choose which fuel is used where, or for what kind of vehicles. We leave that up to the free market so that fuel providers and vehicle manufacturers can compete for what works best for their customers.

While it is true that cars and pick-up trucks use about 63 percent of all transportation fuel, that still means that well over a third is used in other kinds of vehicles. Medium and heavy trucks and buses, for example, use about 20 percent of all motor fuel. Our bill is aimed at making inroads on oil imports all up and down the road, in all kinds of vehicles, and even for off-road vehicles and engines that aren't on the road at all.

Our bottom line goal is to help American businesses, which build vehicles and supply fuel, provide genuine alternatives to conventional fuels and engine technologies so that Americans can reduce our dependence on foreign oil. The bill does this by providing a set of tools to promote the deployment of these technologies while keeping in mind the difficult budget situation the country faces. In several instances, the bill modifies existing programs, rather than create new ones, and it includes a source of funds to pay for the new programs it does create.

First, the bill takes the existing advanced vehicle manufacturing support program at the U.S. Department of Energy, which is now focused on providing financial support to major manufacturers of light duty vehicles, and opens it up to alternative fuel technologies. It also expands the program to component manufacturers further down the supply chain and to the production of medium and heavy trucks, buses, and transit vehicles and lifts the cap on the amount of loans that can be made to American manufacturers and their suppliers.

Alternative fuel vehicles need alternative fuel. So the next major initiative in the bill is to provide financial support for the production and distribution of those alternative fuels. Again, instead of creating a whole new program to support this alternative fuel infrastructure, the bill modifies the existing clean energy Department of Energy loan guarantee program created section 1703 of the Energy Policy Act of 2005. This loan program was aimed at financing new, innovative low-carbon electricity generation technologies. That is all well and good, but those investments do not address the very real energy security challenge facing our country from oil imports, especially since so little electricity in the U.S. is actually generated using oil. Our bill would allow this already existing program to be used for alternative fuel infrastructure.

The bill includes additional measures to provide technical assistance to States and local governments, public-private partnerships and utility companies and utility commissions to help overcome barriers to the deployment of these alternative fuel vehicles. The bill provides worker training and technology research programs to make sure there is a skilled workforce and new technologies. Taken altogether, these provisions are designed to provide the tools for manufacturers, parts suppliers, fuel providers, transportation planners, utility regulators, and State and local officials to deploy alternative fuel vehicles, and the fuels to power them, in numbers that make a difference and truly reduce our dependence on imported oil.

Finally, the bill includes a funding offset by capping the size of the Strategic Petroleum Reserve, SPR, at 90 days of non-North American crude oil and petroleum fuel imports. Under current law, the SPR is supposed to grow to 1 billion barrels at a cost of over \$5 billion for construction and, at current prices, over \$30 billion to fill it with oil. Buying more insurance doesn't make that old car any safer. While I support having a Strategic Petroleum Reserve, the plain truth of the matter is that spending billions of additional dollars to put more oil into the SPR will not reduce our dependence on oil imports by a single barrel. This bill

would take the money generated by reducing the size of the SPR and reinvest it in alternative energy technologies that will, in fact, genuinely reduce that dependence. Rather than putting more oil in the ground for short-term supply emergencies, we put American innovation to work to reduce our Nation's oil dependence permanently.

I applaud my colleague from Oregon, Senator MERKLEY, and our other Senate colleagues, for recognizing that new vehicle technologies now entering the market are not just scientific curiosities, but game-changing opportunities to finally get our country off of its addiction to oil. I look forward to working with them to enact programs and policies that ensure these alternative fuel technologies succeed in the marketplace.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1001

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Alternative Fuel Vehicles Competitiveness and Energy Security Act of 2011”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

TITLE I—ALTERNATIVE FUEL VEHICLE DEPLOYMENT AND INFRASTRUCTURE DEVELOPMENT

Sec. 101. Loan guarantees for alternative fuel infrastructure.

Sec. 102. Advanced technology vehicles manufacturing incentive program.

Sec. 103. Conventional fuel replacement calculation and assessment.

Sec. 104. Technical assistance and coordination.

Sec. 105. Workforce training.

Sec. 106. Reduction of engine idling and conventional fuel consumption.

Sec. 107. Electric and natural gas utility and oil pipeline participation.

Sec. 108. HOV lane access extension.

Sec. 109. Research, development, and demonstration.

TITLE II—FUNDING AND OFFSETS

Sec. 201. Authorization of appropriations.

Sec. 202. Strategic Petroleum Reserve.

Sec. 203. Transfers.

SEC. 2. DEFINITIONS.

In this Act:

(1) ALTERNATIVE FUEL.—The term “alternative fuel” has the meaning given the term in section 30B(e)(4) of the Internal Revenue Code of 1986.

(2) ALTERNATIVE FUEL VEHICLE.—The term “alternative fuel vehicle” means—

(A) a new qualified alternative fuel motor vehicle (as defined in section 30B(e)(4) of the Internal Revenue Code of 1986);

(B) a mixed-fuel vehicle (as defined in section 30B(e)(5)(B) of that Code);

(C) a new qualified plug-in electric drive motor vehicle (as defined in section 30D(d) of that Code); or

(D) a nonroad vehicle manufactured to primarily use an alternative fuel.

(3) **COMMUNITY COLLEGE.**—The term “community college” has the meaning given the term “junior or community college” in section 312 of the Higher Education Act of 1965 (20 U.S.C. 1058).

(4) **DEPARTMENT.**—The term “Department” means the Department of Energy.

(5) **NONROAD VEHICLE.**—

(A) **IN GENERAL.**—The term “nonroad vehicle” means a vehicle that is not licensed for onroad use.

(B) **INCLUSIONS.**—The term “nonroad vehicle” includes a vehicle described in subparagraph (A) that is used principally—

- (i) for industrial, farming, or commercial use;
- (ii) for rail transportation;
- (iii) at an airport; or
- (iv) for marine purposes.

(6) **SECRETARY.**—The term “Secretary” means the Secretary of Energy.

TITLE I—ALTERNATIVE FUEL VEHICLE DEPLOYMENT AND INFRASTRUCTURE DEVELOPMENT

SEC. 101. LOAN GUARANTEES FOR ALTERNATIVE FUEL INFRASTRUCTURE.

(a) **IN GENERAL.**—Section 1703(a) of the Energy Policy Act of 2005 (42 U.S.C. 16513(a)) is amended—

(1) in paragraph (1), by striking “and” after the semicolon at the end;

(2) by redesignating paragraph (2) as paragraph (3); and

(3) by inserting after paragraph (1) the following:

“(2) reduce oil imports through the use of alternative fuel (as defined in section 30B(e)(4) of the Internal Revenue Code of 1986); and”.

(b) **CATEGORIES.**—Section 1703(b) of the Energy Policy Act of 2005 (42 U.S.C. 16513(b)) is amended by adding at the following:

“(11) The production and distribution of—

“(A) alternative fuel (as defined in section 30B(e)(4) of the Internal Revenue Code of 1986); or

“(B) advanced biofuel (as defined in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)))”.

SEC. 102. ADVANCED TECHNOLOGY VEHICLES MANUFACTURING INCENTIVE PROGRAM.

Section 136 of the Energy Independence and Security Act of 2007 (42 U.S.C. 17013) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by redesignating subparagraphs (A) through (C) as clauses (i) through (iii), respectively, and indenting appropriately;

(ii) in the matter preceding clause (i) (as redesignated by clause (i)), by striking “means an ultra efficient vehicle or a light duty vehicle that meets—” and inserting “means—

“(A) an ultra efficient vehicle or a light duty vehicle that meets—”;

(iii) in clause (iii) (as redesignated by clause (i)), by striking the period at the end and inserting a semicolon; and

(iv) by adding at the end the following:

“(B) a vehicle (such as a medium-duty or heavy-duty work truck, bus, or rail transit vehicle) that—

“(i) is used on a public street, road, highway, or transitway;

“(ii) meets each applicable emission standard that is established as of the date of the application; and

“(iii) will reduce consumption of conventional motor fuel by 25 percent or more, as compared to existing surface transportation technologies that perform a similar function, unless the Secretary determines that—

“(I) the percentage is not achievable for a vehicle type or class; and

“(II) an alternative percentage for that vehicle type or class will result in substantial reductions in motor fuel consumption within the United States; and

“(C) an alternative fuel vehicle (as defined in section 2 of the Alternative Fuel Vehicles Competitiveness and Energy Security Act of 2011) that—

“(i) meets each applicable emission standard that is established as of the date of the application; and

“(ii) will reduce consumption of conventional fuel by 25 percent or more, as compared to existing surface transportation technologies that perform a similar function, unless the Secretary determines that—

“(I) the percentage is not achievable for a vehicle type or class; and

“(II) an alternative percentage for that vehicle type or class will result in substantial reductions in conventional fuel consumption within the United States.”;

(B) in paragraph (3)(B)—

(i) by striking “equipment and” and inserting “equipment,”; and

(ii) by inserting “, and manufacturing process equipment” after “suppliers”; and

(C) by striking paragraph (4) and inserting the following:

“(4) **QUALIFYING COMPONENTS.**—The term “qualifying components” means components, systems, or groups of subsystems that the Secretary determines—

“(A) to be designed to improve fuel economy or the substitution of conventional fuel with—

“(i) alternative fuel (as defined in section 30B(e)(4) of the Internal Revenue Code of 1986); or

“(ii) advanced biofuel (as defined in section 211(o)(1) of the Clean Air Act (42 U.S.C. 7545(o)(1)))”; or

“(B) to contribute measurably to the overall improved fuel use of an advanced technology vehicle, including idle reduction technologies.”;

(2) in subsection (b), in the matter preceding paragraph (1), by striking “to automobile” and inserting “to advanced technology vehicle”;

(3) in subsection (d)(1), in the first sentence, by striking “a total of not more than \$25,000,000,000 in”;

(4) in subsection (h)—

(A) in the subsection heading, by striking “AUTOMOBILE” and inserting “ADVANCED TECHNOLOGY VEHICLE”; and

(B) in paragraph (1)(B), by striking “automobiles” each place it appears and inserting “advanced technology vehicles”; and

(5) in subsection (i), by striking “2012” and inserting “2016”.

SEC. 103. CONVENTIONAL FUEL REPLACEMENT CALCULATION AND ASSESSMENT.

(a) **METHODOLOGY.**—Not later than 180 days after the date of enactment of this Act, the Secretary shall, by rule, develop a methodology for calculating the equivalent volumes of conventional fuel displaced by use of each alternative fuel to assess the effectiveness of alternative fuel and alternative fuel vehicles in reducing oil imports.

(b) **NATIONAL ASSESSMENT.**—Not later than 3 years after the date of enactment of this Act, the Secretary shall—

(1) conduct a national assessment (using the methodology developed under subsection (a)) of the effectiveness of alternative fuel and alternative fuel vehicles in reducing oil imports into the United States, including as assessment of—

(A) market penetration of alternative fuel and alternative fuel vehicles in the United States;

(B) successes and barriers to deployment identified by the programs established under this Act; and

(C) the maximum feasible deployment of alternative fuel and alternative fuel vehicles by 2020 and 2030; and

(2) report to Congress the results of the assessment.

SEC. 104. TECHNICAL ASSISTANCE AND COORDINATION.

(a) **TECHNICAL ASSISTANCE TO STATE, LOCAL, AND TRIBAL GOVERNMENTS.**—

(1) **IN GENERAL.**—In carrying out this title, the Secretary shall provide, at the request of the Governor, mayor, county executive, public utility commissioner, or other appropriate official or designee, technical assistance to State, local, and tribal governments or to a public-private partnership described in paragraph (2) to assist with the deployment of alternative fuel and alternative fuel vehicles and infrastructure.

(2) **PUBLIC-PRIVATE PARTNERSHIP.**—Technical assistance under this section may be awarded to a public-private partnership, comprised of State, local or tribal governments and nongovernmental entities, including—

(A) electric or natural gas utilities or other alternative fuel distributors;

(B) vehicle manufacturers;

(C) alternative fuel vehicle or alternative fuel technology providers;

(D) vehicle fleet owners;

(E) transportation and freight service providers; or

(F) other appropriate non-Federal entities, as determined by the Secretary.

(3) **ASSISTANCE.**—The technical assistance described in paragraph (1) may include—

(A) coordination in the selection, location, and timing of alternative fuel recharging and refueling equipment and distribution infrastructure, including the identification of transportation corridors and specific alternative fuels that would be made available;

(B) development of protocols and communication standards that facilitate vehicle refueling and recharging into electric, natural gas, and other alternative fuel distribution systems;

(C) development of codes and standards for the installation of alternative fuel distribution and recharging and refueling equipment;

(D) education and outreach for the deployment of alternative fuel and alternative fuel vehicles; and

(E) utility rate design and integration of alternative fuel vehicles into electric and natural gas utility distribution systems.

(b) **COST SHARING.**—Cost sharing for assistance awarded under this section shall be consistent with section 988 of the Energy Policy Act of 2005 (42 U.S.C. 16352).

(c) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2012 through 2016.

SEC. 105. WORKFORCE TRAINING.

(a) **WORKFORCE TRAINING.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Labor, shall award grants to community colleges, other institutions of higher education, and other qualified training and education institutions for the establishment or expansion of programs to provide training and education for vocational workforce development for—

(A) the manufacture and maintenance of alternative fuel vehicles; and

(B) the manufacture and installation and inspection of alternative fuel recharging, refueling, and distribution infrastructure.

(2) **PURPOSE.**—Training funded under this subsection shall be intended to ensure that the workforce has the necessary skills needed to manufacture, install, and maintain alternative fuel infrastructure and alternative fuel vehicles.

(3) **SCOPE.**—Training funded under this subsection shall include training for—

(A) electricians, plumbers, pipefitters, and other trades and contractors who will be installing alternative fuel recharging, refueling, and distribution infrastructure;

(B) building code inspection officials;

(C) vehicle, engine, and powertrain dealers and mechanics; and

(D) others positions as the Secretary determines necessary to successfully deploy alternative fuels and vehicles.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$50,000,000 for each of fiscal years 2012 through 2016.

SEC. 106. REDUCTION OF ENGINE IDLING AND CONVENTIONAL FUEL CONSUMPTION.

(a) **DEFINITION OF IDLE REDUCTION TECHNOLOGY.**—Section 756(a)(5) of the Energy Policy Act of 2005 (42 U.S.C. 16104(a)(5)) is amended—

(1) in subparagraph (A), by striking “and” after the semicolon at the end;

(2) in subparagraph (B), by striking the period at the end and inserting “; and”; and

(3) by adding at the end the following: “(C) uses an alternative fuel to reduce consumption of conventional fuel and environmental emissions.”.

(b) **FUNDING.**—Section 756(b)(4)(B) of the Energy Policy Act of 2005 (42 U.S.C. 16104(b)(4)(B)) is amended in clauses (i) and (ii) by striking “fiscal year 2008” each place it appears and inserting “each of fiscal years 2008 through 2016”.

SEC. 107. ELECTRIC AND NATURAL GAS UTILITY AND OIL PIPELINE PARTICIPATION.

(a) **IN GENERAL.**—The Secretary shall identify barriers and remedies in existing electric and natural gas and oil pipeline transmission and distribution systems to the distribution of alternative fuels and the deployment of alternative fuel recharging and refueling capability, at economically competitive costs of alternative fuel for consumers, including—

(1) model regulatory rate design and billing for recharging and refueling alternative fuel vehicles;

(2) electric grid load management and applications that will allow batteries in plug-in electric drive vehicles to be used for grid storage, ancillary services provision, and backup power;

(3) integration of plug-in electric drive vehicles with smart grid technology, including protocols and standards, necessary equipment, and information technology systems;

(4) technical and economic barriers to transshipment of biofuels by oil pipelines; and

(5) any other barriers to installing sufficient and appropriate alternative fuel recharging and refueling infrastructure.

(b) **CONSULTATION.**—The Secretary shall carry out this section in consultation with—

(1) the Federal Energy Regulatory Commission;

(2) State public utility commissions;

(3) State consumer advocates;

(4) electric and natural gas utility and transmission owners and operators;

(5) oil pipeline owners and operators; and

(6) other affected entities.

(c) **REPORT.**—Not later than 2 years after the date of enactment of this Act, the Secretary shall submit to Congress a report describing actions taken to carry out this section.

SEC. 108. HOV LANE ACCESS EXTENSION.

Section 166(b)(5) of title 23, United States Code, is amended—

(1) in subparagraph (A), by striking “Before September 30, 2009, the State” and inserting “The State”; and

(2) in subparagraph (B), by striking “Before September 30, 2009, the State” and inserting “The State”.

SEC. 109. RESEARCH, DEVELOPMENT, AND DEMONSTRATION.

(a) **RESEARCH, DEVELOPMENT, AND DEMONSTRATION.**—

(1) **IN GENERAL.**—The Secretary, in consultation with the Secretary of Defense, the Secretary of Commerce, and the Secretary of Transportation, shall support research, development, and demonstration of alternative fuel vehicles and charging and refueling technology, including support for the manufacture and deployment of those vehicles and technologies, that will—

(A) allow the United States to meet or exceed the petroleum import reduction goals of this Act;

(B) develop technologies that minimize life-cycle energy use in the production and distribution of alternative fuels; and

(C) maintain United States technological leadership in alternative vehicle technology.

(2) **USE OF FUNDS.**—The program may include funding for—

(A) the development of alternative fuel vehicle technologies, including new technologies for on-board alternative fuel and energy storage and drive train components for vehicles; and

(B) production and distribution technologies and systems for alternative fuels, including—

(i) grid connectivity technology for electric vehicles;

(ii) recycling technology and practicable uses of catalysts;

(iii) vehicle batteries; and

(iv) other components after the useful life in a vehicle or alternative fuel production facility.

(b) **AUTHORIZATION OF APPROPRIATIONS.**—There is authorized to be appropriated to carry out this section \$100,000,000 for each of fiscal years 2012 through 2016.

TITLE II—FUNDING AND OFFSETS

SEC. 201. AUTHORIZATION OF APPROPRIATIONS.

Except as otherwise provided in this Act, there are authorized to be appropriated to carry out this Act and the amendments made by this Act such sums as are necessary.

SEC. 202. STRATEGIC PETROLEUM RESERVE.

(a) **LEVEL.**—Section 154(a) of the Energy Policy and Conservation Act (42 U.S.C. 6234(a)) is amended by striking “1 billion barrels of petroleum products” and inserting “the quantity of crude oil and petroleum fuels imported into the United States each year from countries that are not signatories to North American Free Trade Agreement during an average 90-day period during the most recent calendar year for which data are available”.

(b) **FILLING STRATEGIC PETROLEUM RESERVE TO CAPACITY.**—Section 301(e) of the Energy Policy Act of 2005 (42 U.S.C. 6240 note; Public Law 109-58) is amended by striking paragraph (1).

SEC. 203. TRANSFERS.

(a) **FISCAL YEAR 2009.**—Of the funds appropriated under section 101 of division A of the

Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009 (Public Law 110-329; 122 Stat. 3574) for the Strategic Petroleum Reserve under the heading “Strategic Petroleum Reserve” of title III of the Energy and Water Development and Related Agencies Appropriations Act, 2008 (Public Law 110-161; 121 Stat. 1959), \$31,500,000 is transferred to carry out this Act and the amendments made by this Act.

(b) **FISCAL YEAR 2010.**—Of the funds appropriated under the heading “Strategic Petroleum Reserve” of title III of the Energy and Water Development and Related Agencies Appropriations Act, 2010 (Public Law 111-85; 123 Stat. 2862), \$25,000,000 is transferred to carry out this Act and the amendments made by this Act.

(c) **USE OF PROCEEDS.**—Notwithstanding any other provision of law, any proceeds from the sale or exchange of oil necessary to reach and maintain the authorized capacity established pursuant to section 154(a) of the Energy Policy and Conservation Act (42 U.S.C. 6234(a)) and provide for normal maintenance and operation of the Reserve shall be transferred to carry out this Act and the amendments made by this Act.

By Mr. HARKIN (for himself, Ms. MIKULSKI, Mrs. GILLIBRAND, Mr. KERRY, Mr. CASEY, and Mr. FRANKEN):

S. 1004. A bill to support Promise Neighborhoods; to the Committee on Health, Education, Labor, and Pensions.

Mr. HARKIN. Mr. President, in many of our Nation's poorest communities, children and families do not have access to the educational opportunities that enable youth to start school ready to learn and graduate from secondary school ready to succeed in college and the workforce, achieve economic self-sufficiency, and support families of their own someday.

As chairman of the Health, Education, Labor and Pensions Committee, it is my responsibility to lead the reauthorization of the Elementary and Secondary Education Act, which affords an exciting opportunity to improve the quality of elementary and secondary education for our children and youth. Our Nation's future economic strength and national security require well-educated workers who are not only academically prepared, but also healthy, understand the importance of community and civic participation, and possess the skills needed to successfully compete in the 21st century global economy. To accomplish these goals, children and youth must have access to a great education and safe and supportive community, beginning at birth.

However, in too many communities the consequences of poverty limit the chances students have to obtain a solid academic foundation that leads to college and career success. That is why we need Promise Neighborhoods. Promise Neighborhood partnerships leverage community assets to significantly improve academic outcomes, including school readiness, high school graduation and college entry and completion.

Promise Neighborhood partners use data-driven decisionmaking to guide investments in a community-based continuum of high-quality services and evidence-based practices that address the needs of children, from birth through college and career entry. The reauthorization of ESEA provides us with an opportunity to build upon the successes of Promise Neighborhoods, of which there are more than 40 across the country, to ensure that children and youth have access to good schools, integrated students supports and other wrap-around services needed to ensure academic, as well as social and emotional, growth and development.

The lack of supports for families and children in distressed neighborhoods has a profound impact on student achievement and development. Children from poor families are less likely to have access to nutritious foods, high-quality early learning programs, adults who read to them every day, and basic health care. As a result, these children are more likely to experience sickness and developmental delays, chronic hunger and homelessness, and abuse and neglect—all of which contribute to slow brain development and low academic achievement. Children from low-income families enter kindergarten approximately three months behind the national average in reading and enter first grade with 900 hours less of one-on-one book-reading time than do their middle-class peers.

The number of poor children facing these challenges and experiencing these devastating results is growing at an alarming rate. According to the National Center for Children and Poverty, the number of poor children under age 6 increased by 24 percent between 2000 and 2007. The center also found that in my home State of Iowa, 20 percent of children under age 6 live in poor families. Between 2007 and 2009, the number of children living in poverty nationwide grew by 2.2 million, to 15.5 million. This means that more of our Nation's children are starting school ill-equipped to thrive and gain the skills needed for success in the 21st century. The best way to combat this trend is to ensure that all children, especially those in low-income and under-resourced communities, have access to high-quality early learning programs, effective schools, and family and student supports that prepare them for success.

One low-income neighborhood where children and their families receive these essential programs and supports is in Harlem, through an organization called Harlem Children's Zone. Geoffrey Canada began Harlem Children's Zone as a single-block pilot in the 1990s, which has since expanded to 96 blocks. Today Harlem Children's Zone operates two charter schools and leverages a wide range of public, non-profit, and philanthropic resources to

provide wrap-around services to over 10,000 youth and about the same number of adults each year. Harlem Children's Zone's programs have equipped children with the skills needed to be successful in elementary school and have provided families with the tools needed to effectively support their children's development and academic achievement. The New York Times has called it "one of the most ambitious social-service experiments of our time".

The bill I am introducing today builds on this outstanding framework. This Promise Neighborhoods proposal would fund competitive grants to implement cradle-to-career "continuums of care" similar to Harlem Children's Zone for children in distressed neighborhoods. Promise Neighborhoods encourages communities and schools to leverage partnerships that provide children with access to evidence-based education reforms, community services, and family supports that improve academic, developmental, career, and life outcomes.

This bill focuses on ensuring the provision of high-quality early learning programs, effective family and community engagement strategies, and better services for special populations, such as children with disabilities and English learners.

It also allows for grants that are led by community-based organizations working in partnership with school districts, or led by schools in partnership with community-based organizations or institutions of higher education. Partners must collaborate to develop and implement a high-quality, evidence-based pipeline of services. This pipeline, at a minimum, must support social and emotional development beginning at birth, enhance academic achievement, and prepare students for success in college and 21st century careers.

Promise Neighborhoods is a new kind of Federal grant. It requires organizations, agencies, and caring adults to work together to revitalize a single neighborhood, focusing on access to the educational and other supports children need to be successful in school and in life. It also supports communities in working together to combat the devastating effects poverty has on children's development and academic achievement.

One day I would hope that all children grow up in a neighborhood that provides support for their success from birth. This bill will help us take an important step towards this vision.

By Mr. BOOZMAN (for himself,
Mr. GRAHAM, Mr. RISCH, Mr.
COATS, Mr. THUNE, and Mr.
JOHANNES):

S. 1005. A bill to provide for parental notification and intervention in the case of a minor seeking an abortion; to the Committee on the Judiciary.

Mr. BOOZMAN. Mr. President, polls show nearly 80 percent of Americans agree parents should have the legal right to stop an abortion from being performed on their minor daughter. Many States such as Arkansas have enacted laws requiring parental notification, and these laws have proven very effective at the state level. Texas' teen abortion rate has dropped 25 percent since passage of its parental notification law in 2000 and Virginia and South Dakota have had similar results since parental notification laws were passed more than 10 years ago. However without a Federal law parents in those States are not required to be notified when their daughters go out-of-state for an abortion. Also, judges exploit loopholes in state laws by granting "judicial bypass" so often times the law is not enforced. The Parental Notification and Intervention Act requires that parents be notified at least four days in advance of any abortion to be performed on their minor daughter and gives them power to stop an abortion from being performed. My colleagues Senators GRAHAM, RISCH, COATS, THUNE, and JOHANNES join me in introducing this important legislation. I would also like to thank Representative STEVE KING for his support and leadership on the House companion version of the Parental Notification and Intervention Act.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1005

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Parental Notification and Intervention Act of 2011".

SEC. 2. PARENTAL NOTIFICATION.

(a) It shall be unlawful for any person or organization to perform any abortion on an unemancipated minor under the age of 18, to permit the facilities of the entity to be used to perform any abortion on such a minor, or to assist in the performance of any abortion on such a minor, if the person or organization has failed to comply with the following requirements:

(1) Unless there is clear and convincing evidence of physical abuse of the minor by a parent, written notification has been provided to each parent of the minor, informing each parent that an abortion has been requested for the minor.

(2) There is compliance with a 96-hour waiting period after notice has been received by, subject to paragraph (1), each parent of the minor before the abortion may be performed.

(3) In the case of an action brought by a parent of such minor pursuant to section 3, with respect to the performance of such abortion, the person or organization shall not perform such abortion unless and until there is a final judgement pursuant to such section that granting permanent relief to enjoin the abortion would be unlawful.

(b) Whoever violates the provisions of subsection (a) of this section shall be fined not more than \$1,000,000, or imprisoned not more than 10 years, or both.

(c) The provisions of this section shall not apply if, with respect to an unemancipated minor for whom an abortion is sought, a defense or affirmative defense exists which would be applicable to other provisions of title 18, United States Code. For purposes of the previous sentence, such a defense or affirmative defense shall not apply unless a physician other than the physician with principal responsibility for making the decision to perform the abortion makes a determination that—

(1) a medical emergency exists in which an abortion on the minor is necessary due to a grave, physical disorder or disease of the minor that would, with reasonable medical certainty, cause the death of the minor if an abortion is not performed;

(2) parental notification is not possible as a result of the medical emergency; and

(3) certifications regarding compliance with paragraphs (1) and (2) of this subsection have been entered in the medical records of the minor, together with the reasons upon which the determinations are based, including a statement of relevant clinical findings.

(d) For purposes of this section, any parental notification provided to comply with the provisions of subsection (a) shall be provided through the manner described in paragraph (1), or through the manner described in paragraph (2), as follows:

(1) The notification shall be provided through certified mail in accordance with the following procedures:

(A) The notification shall be addressed to the parent of the unemancipated minor.

(B) The address used shall be the dwelling or usual place of abode of the parent.

(C) Return receipt shall be requested.

(D) Delivery shall be restricted to the parent.

(2) The notification shall be delivered personally to the parent.

(e) For purposes of this section, the term “parent” includes, but is not limited to, any legal guardian of the child.

SEC. 3. PARENTAL INTERVENTION.

Any parent of a minor required to be notified pursuant to section 2 may bring, in the district court of the United States where the parent resides or where the unemancipated minor is located, an action to bar the performance of an abortion on such minor. The court shall issue an injunction barring the performance of the abortion until the issue has been adjudicated and the judgment is final. The court shall issue relief permanently enjoining the abortion unless the court determines that granting such relief would be unlawful.

SEC. 4. EFFECTIVE DATE AND SEVERABILITY.

(a) The provisions of this Act shall be severable. If any provision of this Act, or any application thereof, is found unconstitutional, that finding shall not affect any provision or application of the Act not so adjudicated.

(b) The provisions of this Act shall take effect immediately upon enactment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 185—RE-AFFIRMING THE COMMITMENT OF THE UNITED STATES TO A NEGOTIATED SETTLEMENT OF THE ISRAELI-PALESTINIAN CONFLICT THROUGH DIRECT ISRAELI-PALESTINIAN NEGOTIATIONS, REAFFIRMING OPPOSITION TO THE INCLUSION OF HAMAS IN A UNITY GOVERNMENT UNLESS IT IS WILLING TO ACCEPT PEACE WITH ISRAEL AND RENOUNCE VIOLENCE, AND DECLARING THAT PALESTINIAN EFFORTS TO GAIN RECOGNITION OF A STATE OUTSIDE DIRECT NEGOTIATIONS DEMONSTRATES ABSENCE OF A GOOD FAITH COMMITMENT TO PEACE NEGOTIATIONS, AND WILL HAVE IMPLICATIONS FOR CONTINUED UNITED STATES AID

Mr. CARDIN (for himself, Ms. COLLINS, Mr. THUNE, Mr. MENENDEZ, Mr. CASEY, and Mr. RISCH) submitted the following resolution: which was referred to the Committee on Foreign Relations:

S. RES. 185

Whereas the policy of the United States since 2002 has been to support a two-state solution to the Palestinian-Israeli conflict;

Whereas a true and lasting peace between the people of Israel and the Palestinians can only be achieved through direct negotiations between the parties;

Whereas Palestine Liberation Organization Chair Yassir Arafat wrote to Israeli Prime Minister Yitzhak Rabin on September 9, 1993, that “all outstanding issues relating to permanent status will be resolved through negotiations”;

Whereas the reconciliation agreement signed by Fatah and Hamas on May 4, 2011, was reached without Hamas being required to renounce violence, accept Israel’s right to exist, and accept prior agreements made by the Palestinians (the “Quartet conditions”);

Whereas Hamas, an organization responsible for the death of more than 500 innocent civilians, including two dozen United States citizens, has been designated by the United States Government as a foreign terrorist organization and a specially designated terrorist organization;

Whereas Hamas kidnapped and has held captive Israeli sergeant Gilad Shalit in violation of international norms since June 25, 2006;

Whereas Hamas continues to forcefully reject the possibility of negotiations or peace with Israel;

Whereas, by contrast, Prime Minister of Israel Benjamin Netanyahu has accepted a two-state solution to the Israeli-Palestinian conflict;

Whereas, on April 22, 2009, Secretary of State Hillary Clinton stated, “We will not deal with nor in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority.”;

Whereas the United States, under two different Presidents, has vetoed 11 United Nations Security Council resolutions in the last

15 years related to the Palestinian-Israeli conflict and its outstanding issues;

Whereas United States Permanent Representative to the United Nations Susan Rice stated on February 18, 2011, that it was “unwise” for the United Nations to attempt to resolve key issues between the Israelis and Palestinians;

Whereas Palestinian leaders are pursuing a coordinated strategy to seek recognition of a Palestinian state within the United Nations, in other international forums, and from foreign governments;

Whereas, on March 11, 1999, the Senate adopted Senate Concurrent Resolution 5 (106th Congress), and on March 16, 1999, the House of Representatives adopted House Concurrent Resolution 24 (106th Congress), both of which resolved that “any attempt to establish Palestinian statehood outside the negotiating process will invoke the strongest congressional opposition”;

Whereas current United States law precludes assistance to a Palestinian Authority that shares power with Hamas unless that Authority publicly accepts the right of Israel to exist and adheres to all prior agreements and understandings with the Governments of the United States and Israel;

Whereas the United States Government provides more than \$550,000,000 annually and more than \$3,500,000,000 cumulatively in direct bilateral assistance to the Palestinians, who are among the world’s largest recipients of foreign aid per capita;

Whereas aid to the Palestinians is predicated on a good faith commitment from the Palestinians to the peace process;

Whereas abandonment by Palestinian leaders of the Quartet conditions and inclusion of Hamas in a government could jeopardize the positive steps the Palestinian Authority has taken in building institutions and improving security in the West Bank in recent years; and

Whereas efforts to form a unity government without accepting the Quartet conditions, to bypass negotiations and unilaterally declare a Palestinian state, or to appeal to the United Nations or other international forums or to foreign governments for recognition of a Palestinian state would violate the underlying principles of the Oslo Accords, the Road Map, and other relevant Middle East peace process efforts: Now, therefore, be it

Resolved, That the Senate—

(1) reaffirms its strong support for a negotiated solution to the Israeli-Palestinian conflict resulting in two states, a democratic, Jewish state of Israel and a viable, democratic Palestinian state, living side-by-side in peace, security, and mutual recognition;

(2) states its firm belief that any Palestinian unity government must publicly and formally forswear terrorism, accept Israel’s right to exist, and reaffirm previous agreements made with the Government of Israel;

(3) reiterates its strong opposition to any attempt to establish or seek recognition of a Palestinian state outside of an agreement negotiated between leaders in Israel and the Palestinians;

(4) urges Palestinian leaders—

(A) to ensure that any Palestinian government will seek peace with Israel;

(B) to cease all efforts at circumventing the negotiation process, including through a unilateral declaration of statehood or quests for recognition of a Palestinian state from other nations or the United Nations;

(C) to resume direct negotiations with the Government of Israel immediately and without preconditions; and

(D) to take appropriate measures to counter incitement to violence and fulfill all prior Palestinian commitments, including dismantling the terrorist infrastructure embodied in Hamas;

(5) supports the opposition of the President to a unilateral declaration of a Palestinian state and the veto by the United States on February 18, 2011, of the most recent United Nations Security Council resolution regarding a key issue of the Israeli-Palestinian process;

(6) calls upon the President to announce that the United States will veto any resolution on Palestinian statehood that comes before the United Nations Security Council which is not a result of agreements reached between the Government of Israel and the Palestinians;

(7) calls upon the President to lead a diplomatic effort to oppose a unilateral declaration of a Palestinian state and to oppose recognition of a Palestinian state by other nations, within the United Nations, and in other international forums prior to achievement of a final agreement between the Government of Israel and the Palestinians;

(8) will consider restrictions on aid to the Palestinian Authority should it persist in efforts to circumvent direct negotiations by turning to the United Nations or other international bodies;

(9) supports the position taken by Secretary of State Hillary Clinton on April 22, 2009, that the United States "will not deal with or in any way fund a Palestinian government that includes Hamas unless and until Hamas has renounced violence, recognized Israel and agreed to follow the previous obligations of the Palestinian Authority";

(10) urges the President to consider suspending assistance to the Palestinian Authority pending a review of the unity agreement between Fatah and Hamas; and

(11) reaffirms the requirement under United States law precluding assistance to a Palestinian Authority that shares power with Hamas unless that Authority and all its ministers publicly accept the right of Israel to exist and all prior agreements and understandings with the Governments of the United States and Israel.

NOTICE OF HEARING

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. BINGAMAN. Mr. President, I would like to announce for the information of the Senate and the public of an addition to a previously announced hearing before the Subcommittee on Public Lands and Forests of the Committee on Energy and Natural Resources. The hearing will be held on Wednesday, May 25, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

In addition to the other measures previously announced, the Subcommittee will also consider S. 268, a bill to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation, and for other purposes.

Because of the limited time available for the hearing, witnesses may testify

by invitation only. However, those wishing to submit written testimony for the hearing record should send it to the Committee on Energy and Natural Resources, United States Senate, Washington, DC 20510-6150, or by email to allison_seyferth@energy.senate.gov.

For further information, please contact Scott Miller or Allison Seyferth.

ORDERS FOR TUESDAY, MAY 17, 2011 AND WEDNESDAY, MAY 18, 2011

Mr. REID. Mr. President, I ask unanimous consent that at 2:15 p.m. on Tuesday, May 17, the majority leader be recognized to move to proceed to Calendar No. 42, S. 940, the Close Big Oil Tax Loopholes Act, and Calendar No. 43, S. 953, the Offshore Production Safety Act; that there be up to 4 hours of debate prior to a vote on the motion to proceed to S. 940; that the vote on the motion to proceed be subject to a 60-vote threshold; that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; further, that at 10:30 a.m. on Wednesday, May 18, the Senate resume consideration of the motion to proceed to Calendar No. 43, S. 953; that there be up to 4 hours of debate prior to a vote on the motion to proceed to the bill; that the vote on the motion to proceed be subject to a 60-vote threshold; that the motion to reconsider be considered made and laid on the table, with no intervening action or debate; and finally, in addition to what I just asked, that if a motion to proceed contained in this agreement does not achieve 60 votes, the motion is withdrawn.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. REID. Mr. President, I ask unanimous consent the Senate proceed to the following postal naming bills, en bloc: Calendar No. 46, 47, 48; S. 349, S. 655, and H.R. 793.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. REID. I ask unanimous consent the bills be read the third time and passed en bloc; that the motions to reconsider be laid upon the table en bloc, with no intervening action or debate; and any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the bills.

MARINE SGT. JEREMY E. MURRAY POST OFFICE

The bill (S. 349) to designate the facility of the United States Postal Service

located at 4865 Tallmadge Road in Rootstown, Ohio, as the "Marine Sgt. Jeremy E. Murray Post Office" was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. MARINE SGT. JEREMY E. MURRAY POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 4865 Tallmadge Road in Rootstown, Ohio, shall be known and designated as the "Marine Sgt. Jeremy E. Murray Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Marine Sgt. Jeremy E. Murray Post Office".

SPENCER BYRD POWERS, JR. POST OFFICE

The bill (S. 655) to designate the facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, as the "Spencer Byrd Powers, Jr. Post Office" was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 655

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SPENCER BYRD POWERS, JR. POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 95 Dogwood Street in Cary, Mississippi, shall be known and designated as the "Spencer Byrd Powers, Jr. Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Spencer Byrd Powers, Jr. Post Office".

SPECIALIST JAKE ROBERT VELLOZA POST OFFICE

The bill (H.R. 793) to designate the facility of the United States Postal Service located at 12781 Sir Francis Drake Boulevard in Inverness, California, as the "Specialist Jake Robert Velloza Post Office" was ordered to a third reading, was read the third time, and passed.

NATIONAL PUBLIC WORKS WEEK

Mr. REID. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 177.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 177) designating May 15 through May 21, 2011, as "National Public Works Week."

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and any statements relating to this matter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The resolution (S. Res. 177) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 177

Whereas public works infrastructure, facilities, and services are of vital importance to the health, safety, and well-being of the people of the United States;

Whereas the public works infrastructure, facilities, and services could not be provided without the dedicated efforts of public works professionals, including engineers and administrators, who represent State and local governments throughout the United States;

Whereas public works professionals design, build, operate, and maintain the transportation systems, water infrastructure, sewage and refuse disposal systems, public buildings, and other structures and facilities that are vital to the people and communities of the United States; and

Whereas understanding the role that public infrastructure plays in protecting the environment, improving public health and safety, contributing to economic vitality, and enhancing the quality of life of every community of the United States is in the interest of the people of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of May 15 through May 21, 2011, as "National Public Works Week";

(2) recognizes and celebrates the important contributions that public works professionals make every day to improve—

(A) the public infrastructure of the United States; and

(B) the communities that public works professionals serve; and

(3) urges individuals and communities throughout the United States to join with representatives of the Federal Government and the American Public Works Association in activities and ceremonies that are designed—

(A) to pay tribute to the public works professionals of the United States; and

(B) to recognize the substantial contributions that public works professionals make to the United States.

MEASURE READ THE FIRST TIME—H.R. 1231

Mr. REID. Mr. President, I am told there is a bill at the desk due for its first reading.

The ACTING PRESIDENT pro tempore. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

Mr. REID. I ask for the second reading of this piece of legislation in order to place the bill on the calendar under the provisions of rule XIV, but I object to my own request.

The ACTING PRESIDENT pro tempore. Objection is heard.

APPOINTMENTS

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 6968(a), reappoints the following Senators to the Board of Visitors of the U.S. Naval Academy: the Senator from Maryland, Ms. MIKULSKI, from the Committee on Appropriations, and the Senator from Maryland, Mr. CARDIN, At Large.

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 4355(a), reappoints the following Senators to the Board of Visitors of the U.S. Military Academy: the Senator from Louisiana, Ms. LANDRIEU, from the Committee on Appropriations, and the Senator from Rhode Island, Mr. REED, At Large.

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to 10 U.S.C. 9355(a), appoints and reappoints the following Senators to the Board of Visitors of the U.S. Air Force Academy: the Senator from Colorado, Mr. BENNET, designee of the Chairman of the Committee on Armed Services, and the Senator from Nebraska, Mr. NELSON, from the Committee on Appropriations.

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101-595, and upon the recommendation of the Chairman of the Committee on Commerce, Science and Transportation, appoints the following Senators to the Board of Visitors of the U.S. Coast Guard Academy: the Senator from West Virginia, Mr. ROCKEFELLER, ex officio, as Chairman of the Committee on Commerce, Science and Transportation; and the Senator from Alaska, Mr. BEGICH, Committee on Commerce, Science, and Transportation.

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Chairman of the Committee on Commerce, Science, and Transportation, and pursuant to Title 46, Section 1295 b(h), of the U.S. Code, reappoints the following Senators to the Board of Visitors of the U.S. Merchant Marine Academy: the Senator from West Virginia, Mr. ROCKEFELLER, ex officio, as Chairman of the Committee on Commerce, Science, and Transportation and the

Senator from New Jersey, Mr. LAUTENBERG, from the Committee on Commerce, Science, and Transportation.

The ACTING PRESIDENT pro tempore. The Chair, on behalf of the Republican leader, pursuant to the provisions of Public Law 99-93, as amended by Public Law 99-151, appoints the following Senators as members of the United States Senate Caucus on International Narcotics Control: Senator CHUCK GRASSLEY of Iowa, Co-Chairman, Senator JOHN CORNYN of Texas, and Senator JAMES E. RISCH of Idaho.

ORDERS FOR TUESDAY, MAY 17, 2011

Mr. REID. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until tomorrow morning at 10 a.m., Tuesday, May 17; that following the prayer and the pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, and the time for the two leaders be reserved for their use later in the day; that following any leader remarks, the Senate proceed to executive session under the previous order; and that the Senate recess following the rollcall vote on confirmation of the Carney nomination until 2:15 p.m. to allow for the weekly caucus meetings; finally, that at 2:15 p.m., the Senate begin consideration of the motion to proceed to Calendar No. 42, S. 940, under the previous order.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

PROGRAM

Mr. REID. Mr. President, there will be a rollcall vote around noon tomorrow on the confirmation of the nomination of Susan Carney, of Connecticut, to be U.S. circuit judge.

Additionally, there will be a rollcall vote on the motion to invoke cloture on the motion to proceed to S. 940, the Close Big Oil Tax Loopholes Act. That vote will occur at approximately 6:15 tomorrow night.

ORDER FOR ADJOURNMENT

Mr. REID. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order following the remarks of Senator MERKLEY.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The Senator from Oregon.

BIG OIL SUBSIDIES

Mr. MERKLEY. Mr. President, I rise to speak to S. 940. Tomorrow evening,

we are going to have a vote on whether to proceed to debate this bill, which closes oil and gas tax loopholes, thereby raising a significant amount of additional revenue for important projects in the United States of America.

I rise in favor of this motion tomorrow because if we have a successful vote tomorrow evening, we will finally get to debate this issue of whether we should continue to have massive tax giveaways to the most profitable companies in America.

Gas is at \$4 a gallon. Every American is going to the pump, and they are finding that, once again, the total toll as they fill up their 15-gallon tank in their car is well over \$50 and can hit \$60. That is a huge chunk out of my family budget, once or twice a week. It diminishes what is available to be spent for other core expenses to the families. Indeed, that \$4 a gallon at the gas pump is raiding Americans' pocketbooks.

Americans do not also need to be subsidizing the same highly profitable oil companies through their paychecks, through tax loopholes. Make no question, the companies are highly profitable. Oil is now \$100 a barrel. So the companies are able to sell oil that costs no more to produce today than it did 1 month ago, no more to produce today than it did 3 months ago, when oil was much lower, no more expensive to produce today than 1 year ago, when it was \$3 a gallon.

So oil companies are experiencing enormous profits. The final quarterly filings by ConocoPhillips, \$3 billion in profits—this is just quarterly, over 3 months—BP, \$7.1 billion in profits; Exxon, \$10.7 billion in profits.

That \$10.7 billion equates to \$5 million an hour every hour, day and night, throughout the week, throughout the weekend, through the entire quarter—\$5 million per hour.

I think, if you have an ounce of common sense, then you will recognize if you are making \$5 million per hour, you do not need taxpayer subsidies to stay afloat.

These subsidies come in many forms.

The first is the domestic manufacturing deduction for oil and gas. This allows you to deduct a specified percentage—6 percent—of your qualified domestic production income. So it is not just that you get to deduct expenses, you also get to deduct income as if it was a business expense.

Wouldn't all of us, when we are filing our taxes, like to deduct our income as an expense and, thereby, drastically cut our tax bill? Well, it is a sweet deal for big oil.

Then they have the ability to expense intangible drilling costs. The basic notion is that when you have equipment that is necessary for the success of a company, then you depreciate that equipment over the life of the equipment. If it is equipment that

lasts 5 years, you expense it over 5 years. These are things, for the oil industry, such as derricks and tanks and pipelines and other physical structures. But this allows the companies to take that deduction of the entire expense immediately, not expense it over the life of the capital equipment like everyone else. So it is another sweet deal.

The third is a special deduction called the tertiary injection cost deduction. It comes in the form of a tax credit. A tax credit is much more valuable than a tax deduction because it is a dollar-for-dollar deduction in the taxes you owe. This is for employing enhanced oil recovery methods—methods that are to the benefit of an oil company because they get a lot more oil out of an oilfield if they employ wise stewardship of that field. So they have an incentive to do this anyway, but we are giving this huge bonus credit. That is a sweet deal. That is sweet deal No. 3.

Then you have the dual capacity taxpayer credit. This one you almost cannot believe is real because dollar-for-dollar, we, the taxpayers in America, reimburse the oil companies for the taxes they pay overseas. Well, quite frankly, it is America subsidizing the foreign taxes. So oil companies just pass through. It certainly is an incentive for the foreign governments to tax the oil companies extremely heavily because they get it all back from America. It is also proven incentive for companies to call royalties a foreign income tax so they get reimbursed for their royalties as well.

As proposed, changing this will reduce the deficit by \$429 million in fiscal year 2012 and \$6.5 billion in fiscal year 2021. That is the fourth sweet deal.

The fifth is the percentage depletion deduction. Firms that extract oil or gas are permitted to deduct 15 percent of the sales to recover their capital investment in oil and gas reserves. They get to, again, deduct their sales, essentially in a situation as if they are an expense. That is sweet deal No. 5. In that case, often the value of that deduction exceeds the value of the original capital investment by the company. They get more than compensated.

Then, No. 6: royalty relief for deepwater Outer Continental Shelf production. The Department of the Interior must allow companies doing certain types of drilling on the Outer Continental Shelf—deepwater drilling and deep wells in shallow water—it allows them to not pay royalties on a certain minimum volume of production. Royalty relief is a great benefit to the oil companies and comes at great cost to the American Treasury. That is sweet deal No. 6.

This world in which companies have had, over the years, inserted various provisions—making a very strong case for each one at the time of why this

was necessary, that was necessary—amounts to an enormous tax bill. This bill that takes and modifies these provisions for the top five companies that have the largest profits would produce about \$2 billion in savings from closing these six tax loopholes.

The question we all need to ask ourselves is: Can that \$2 billion per year be put to better work than subsidizing companies that are making enormous profits at the pump? One possibility is that \$2 billion could go toward decreasing our deficit. A lot of folks on the floor of the Senate talk about how important that is. Which is more important, giveaways to the most profitable companies or reductions in the national deficit?

How about creating jobs? We have constantly been trying to get a bill to this floor that provides low-cost loans for energy saving renovations. It is considered the most powerful job creator dollar-for-dollar of any idea that has been put forward. It is in the form of HOME Star, which provides low-cost energy saving loans to families, and they can pay them back from the savings in energy. So it is a win-win for the family, and it puts people to work in America in a construction industry that is 50 percent unemployed.

How about Building Star? It does the same thing on commercial buildings. How about Rural Star Energy, the bill that provides these low-cost loans through rural co-ops, so rural America can benefit from energy savings and can pay back these low-cost loans from the savings on their monthly utility bills.

The reason this creates so many jobs is because not only can you not outsource overseas the jobs themselves for the construction work that is done, but almost every single thing that is used in the energy saving economy—from the insulation, to the caulk, to the double-paned windows—is made here in America. That is why you get so much tremendous leverage. You put the American construction industry to work and you utilize American products.

Maybe it is more important to create jobs than it is to give away \$2 billion a year to the most profitable five oil companies in America. Maybe it is important to shore up Medicare. Some of my colleagues have talked about they want to dismantle Medicare. They want to turn it into a voucher program, where the voucher would not increase as medical costs increase, so that slowly Medicare would be wiped out as the ability to provide health care for our seniors. Maybe it is more important to provide a strong Medicare Program than it is to give away \$2 billion a year to the most profitable five oil companies in America.

Maybe it is more important to enable our children to get loans to go to college. We are becoming the first generation of adults whose children are getting less education than we have because the cost of tuition has gone up disproportionately to the income of a working family. The more tuition goes up, in comparison, the more our students have to wrestle with whether they can afford to go to college and, if they go, whether they need to drop out after the first year in order to go back to work in order to save to go the second year. When students leave college in that situation, they do not often get back.

Maybe it is more important that we proceed to help American students—our children—go to college than to give away \$2 billion to the five most profitable oil companies in America.

Tomorrow, we are going to have a vote. The vote is simply whether this is important enough to debate, whether it is important enough for us to come together as a Chamber and say it matters whether tax loopholes were carved out through special interest lobbying over the past 20 years in order to get very sweet deals when they serve no basic core purpose in the American economy. We need to have that debate. I wish to encourage my colleagues across the aisle to vote yes tomorrow, to vote yes on a motion to proceed, so we can get to the bill and have that debate.

Under the rules that have been established, we need 60 votes; otherwise, my colleagues across the aisle threaten to filibuster, that they are going to do a silent filibuster, blocking the ability of this Chamber to have a debate. Let me tell you, this needs to be debated.

Fiscal responsibility needs to be debated. These tax giveaways need to be debated. The tradeoffs between assisting our students and tax giveaways need to be debated. The tradeoff between reducing the deficit and these

giveaways needs to be debated. The contrast and comparison between shorting up programs that provide health care to our seniors and these giveaways need to be debated.

I encourage my colleagues: Do not shy from your responsibility to wrestle with difficult challenges. Come and vote yes tomorrow evening on proceeding to debating the giveaways to the five most profitable oil companies in America so we can consider whether those funds will be better serving American citizens by reducing the deficit or by providing core programs.

Thank you, Mr. President.

UNANIMOUS CONSENT AGREEMENT—S. 904, S. 953

Mr. MERKLEY. Mr. President, I ask unanimous consent that the time for debate on the motions to proceed to Calendar No. 42, S. 904, and Calendar No. 43, S. 953 be equally divided in the usual form.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 7:09 p.m., adjourned until Tuesday, May 17, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

DEPARTMENT OF COMMERCE

TERRY D. GARCIA, OF FLORIDA, TO BE DEPUTY SECRETARY OF COMMERCE, VICE DENNIS F. HIGHTOWER, RESIGNED.

DEPARTMENT OF STATE

DAN W. MOZENA, OF IOWA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE PEOPLE'S REPUBLIC OF BANGLADESH.

FRANKIE ANNETTE REED, OF MARYLAND, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE FIJI ISLANDS, AND TO SERVE CONCURRENTLY AND WITHOUT ADDITIONAL COMPENSATION AS AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF NAURU, THE KINGDOM OF TONGA, TUVALU, AND THE REPUBLIC OF KIRIBATI.

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be general

LT. GEN. GILMARY M. HOSTAGE III

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. ROBERT R. ALLARDICE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. MARK F. RAMSAY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

MAJ. GEN. JUDITH A. FEDDER

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be lieutenant general

LT. GEN. KATHLEEN M. GAINES

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

VICE ADM. MARK D. HARNITCHEK

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, May 17, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 18

9:30 a.m.

Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee

To hold hearings to examine the state of the securitization markets.

SD-538

10 a.m.

Homeland Security and Governmental Affairs

Business meeting to continue consideration of S. 772, to protect Federal employees and visitors, improve the security of Federal facilities and authorize and modernize the Federal Protective Service, S. 550, to improve the provision of assistance to fire departments, and S. 792, to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

SD-342

Judiciary

To hold hearings to examine improving efficiency and ensuring justice in the immigration court system.

SD-226

Armed Services

Readiness and Management Support Subcommittee

To hold hearings to examine the current materiel readiness of U.S. Forces in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on improving Veterans Affairs and Department of Defense collaboration.

SR-418

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates and justification for fiscal year 2012 for the Department of the Army.

SD-192

Commerce, Science, and Transportation

Science and Space Subcommittee

To hold hearings to examine contributions of space to national imperatives.

SR-253

2 p.m.

Commission on Security and Cooperation in Europe

To hold hearings to examine what dissidents need from the internet, focusing on changes in technologies and social media platforms that enable dissidents to access information and to communicate.

2218, Rayburn Building

2:30 p.m.

Appropriations

Energy and Water Development Subcommittee

To hold hearings to examine proposed budget estimates and justification for fiscal year 2012 for the Department of Energy.

SD-192

Foreign Relations

European Affairs Subcommittee

To hold hearings to examine Administration priorities for Europe in the 112th Congress.

SD-419

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 220, to provide for the reforestation of forest landscapes, protection of old growth forests, and management of national forests in the eastside forests of the State of Oregon, S. 270, to direct the Secretary of the Interior to convey certain Federal land to Deschutes County, Oregon, S. 271, to require the Secretary of Agriculture to enter into a property conveyance with the city of Wallowa, Oregon, S. 278, to provide for the exchange of certain land located in the Arapaho-Roosevelt National Forests in the State of Colorado, S. 292, to resolve the claims of the Bering Straits Native Corporation and the State of Alaska to land adjacent to Salmon Lake in the State of Alaska and to provide for the conveyance to the Bering Straits Native Corporation of certain other public land in partial satisfaction of the land entitlement of the Corporation under the Alaska Native Claims Settlement Act, S. 322, to expand the Alpine Lakes Wilderness in the State of Washington, to designate the Middle Fork Snoqualmie River and Pratt River as wild and scenic rivers, S. 382, to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that is subject to ski area permits, and for other

permits, S. 427, to withdraw certain land located in Clark County, Nevada, from location, entry, and patent under the mining laws and disposition under all laws pertaining to mineral and geothermal leasing or mineral materials, S. 526, to provide for the conveyance of certain Bureau of Land Management land in Mohave County, Arizona, to the Arizona Game and Fish Commission, for use as a public shooting range, S. 566, to provide for the establishment of the National Volcano Early Warning and Monitoring System, S. 590, to convey certain submerged lands to the Commonwealth of the Northern Mariana Islands in order to give that territory the same benefits in its submerged lands as Guam, the Virgin Islands, and American Samoa have in their submerged lands, S. 607, to designate certain land in the State of Oregon as wilderness, to provide for the exchange of certain Federal land and non-Federal land, S. 617, to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, S. 683, to provide for the conveyance of certain parcels of land to the town of Mantua, Utah, S. 684, to provide for the conveyance of certain parcels of land to the town of Alta, Utah, S. 667, to establish the Rio Grande del Norte National Conservation Area in the State of New Mexico, S. 729, to validate final patent number 27-2005-0081, S. 766, to provide for the designation of the Devil's Staircase Wilderness Area in the State of Oregon, to designate segments of Wasson and Franklin Creeks in the State of Oregon as wild rivers, S. 896, to amend the Public Land Corps Act of 1993 to expand the authorization of the Secretaries of Agriculture, Commerce, and the Interior to provide service opportunities for young Americans; help restore the nation's natural, cultural, historic, archaeological, recreational and scenic resources; train a new generation of public land managers and enthusiasts; and promote the value of public service, and S. 897, to amend the Surface Mining Control and Reclamation Act of 1977 to clarify that uncertified States and Indian tribes have the authority to use certain payments for certain noncoal reclamation projects and acid mine remediation programs.

SD-366

Armed Services

SeaPower Subcommittee

To hold hearings to examine Marine Corps acquisition programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program; with the possibility of a closed session in SVC-217 following the open session.

SR-232A

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

<p>9:30 a.m. Armed Services To hold hearings to examine the F-35 Joint Strike Fighter Program in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program. SD-G50</p>	<p>2:30 p.m. Foreign Relations African Affairs Subcommittee To hold hearings to examine the next steps in Cote d'Ivoire. SD-419</p>	<p>10:30 a.m. Appropriations Department of Defense Subcommittee To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency. SD-192</p>
<p>10 a.m. Banking, Housing, and Urban Affairs To hold hearings to examine public transportation, focusing on priorities and challenges for reauthorization. SD-538 Commerce, Science, and Transportation Consumer Protection, Product Safety, and Insurance Subcommittee To hold hearings to examine consumer privacy and protection in the mobile marketplace. SR-253</p>	<p>2:30 p.m. Homeland Security and Governmental Affairs Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee To hold hearings to examine assessing efforts to eliminate improper payments. SD-342</p>	<p>2:30 p.m. Homeland Security and Governmental Affairs Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee To hold hearings to examine assessing efforts to eliminate improper payments. SD-342</p>
<p>Energy and Natural Resources To hold hearings to examine policies to reduce oil consumption through the promotion of advanced vehicle technologies and accelerated deployment of electric-drive vehicles, including S. 734, to provide for a program of research, development, demonstration, and commercial application in vehicle technologies at the Department of Education, and S. 948, to promote the deployment of plug-in electric drive vehicles. SD-366</p>	<p>Energy and Natural Resources Water and Power Subcommittee To hold hearings to examine S. 201, to clarify the jurisdiction of the Secretary of the Interior with respect to the C.C. Cragin Dam and Reservoir, S. 333, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the Little Wood River Ranch, S. 334, to reinstate and extend the deadline for commencement of construction of a hydroelectric project involving the American Falls Reservoir, S. 419, to authorize the Dry-Redwater Regional Water Authority System, S. 499, to authorize the Secretary of the Interior to facilitate the development of hydroelectric power on the Diamond Fork System of the Central Utah Project, S. 519, to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and S. 808, to direct the Secretary of the Interior to allow for prepayment of repayment contracts between the United States and the Uintah Water Conservancy District. SD-366</p>	<p>Energy and Natural Resources Public Lands and Forests Subcommittee To hold hearings to examine S. 375, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 714, to reauthorize the Federal Land Transaction Facilitation Act, S. 730, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 233, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, and S. 268, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation. SD-366</p>
<p>Judiciary Business meeting to consider S. 350, to require restitution for victims of criminal violations of the Federal Water Pollution Control Act, S. 623, to amend chapter 111 of title 28, United States Code, relating to protective orders, sealing of cases, disclosures of discovery information in civil actions, S. 890, to establish the supplemental fraud fighting account, S. 968, to prevent online threats to economic creativity and theft of intellectual property, S. 978, to amend the criminal penalty provision for criminal infringement of a copyright, and the nominations of John Andrew Ross, to be United States District Judge for the Eastern District of Missouri, Timothy M. Cain, to be United States District Judge for the District of South Carolina, Nannette Jolivet Brown, to be United States District Judge for the Eastern District of Louisiana, Nancy Torresen, to be United States District Judge for the District of Maine, and William Francis Kuntz, II, to be United States District Judge for the Eastern District of New York. SD-226</p>	<p>Intelligence To hold closed hearings to examine certain intelligence matters. SH-219</p>	<p>Armed Services SeaPower Subcommittee To hold hearings to examine Navy shipbuilding programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program. SR-232A</p>
<p>MAY 24 9 a.m. Judiciary Crime and Terrorism Subcommittee To hold hearings to examine responding to the prescription drug epidemic, focusing on strategies for reducing abuse, misuse, diversion, and fraud. SD-226</p>	<p>MAY 24 9 a.m. Judiciary Crime and Terrorism Subcommittee To hold hearings to examine responding to the prescription drug epidemic, focusing on strategies for reducing abuse, misuse, diversion, and fraud. SD-226</p>	<p>MAY 26 10:30 a.m. Appropriations Department of Defense Subcommittee To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM). SVC-217</p>
<p>1:30 p.m. Homeland Security and Governmental Affairs To hold hearings to examine ten years after 9/11, focusing on if intelligence reform is working, part II. SD-342</p>	<p>2:30 p.m. Judiciary To hold hearings to examine certain nominations. SD-226</p>	<p>JUNE 15 10:30 a.m. Appropriations Department of Defense Subcommittee To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff. SD-192</p>
<p>Small Business and Entrepreneurship To hold hearings to examine small business recovery, focusing on the progress report on "Small Business Jobs Act of 2010" implementation. SR-428A</p>	<p>MAY 25 10 a.m. Homeland Security and Governmental Affairs To hold hearings to examine how to save taxpayer dollars, focusing on case studies of duplication in the Federal government. SD-342</p>	<p>JUNE 16 10:30 a.m. Energy and Natural Resources To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the</p>
	<p>Veterans' Affairs To hold hearings to examine seamless transition, focusing on meeting the needs of service members and veterans. SR-418</p>	

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15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the pur-

poses of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.

SD-366

POSTPONEMENTS

MAY 19

10 a.m.

Foreign Relations

To hold hearings to examine evaluating goals and progress in Afghanistan and Pakistan.

SD-419

SENATE—Tuesday, May 17, 2011

The Senate met at 10 a.m. and was called to order by the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Merciful God, our shelter in the time of storm, use our lawmakers to bring help to others, credit to themselves, and honor to You. Empower them to persevere through life's challenges, never forgetting that You continue to direct their destiny. Lord, guide them to be at peace with themselves, with others, and with You. May they strive to live for Your glory, knowing that though Your will may be hindered, it will ultimately prevail. Give them, and all of us who work with them, Your strength to endure and Your courage to triumph in what we attempt for the good of this land we love.

We ask this in Your righteous Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JEANNE SHAHEEN led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 17, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JEANNE SHAHEEN, a Senator from the State of New Hampshire, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. SHAHEEN thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in executive session to consider the nomination of Susan Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit. There will be 2 hours of debate. A rollcall vote on confirmation of the Carney nomination will begin shortly after noon today. There is a celebration going on in the Rotunda, and we want to make sure it does not interfere with that. So we will hold the vote open to make sure any stragglers can vote.

Following the vote, the Senate will recess until 2:15 p.m. to allow for our weekly caucus meetings.

At 2:15 p.m., the Senate will begin consideration of the motion to proceed to S. 940, the Close Big Oil Tax Loopholes Act, with 4 hours of debate. There will be a rollcall vote at approximately 6:15 p.m. this evening on the motion to proceed to the bill with a 60-vote threshold.

Additionally, the Senate will debate the motion to proceed to the Republican alternative to the Close Big Oil Tax Loopholes Act, which is S. 953, the Offshore Production and Safety Act. That will be tomorrow. There will be a rollcall vote on the motion to proceed to that bill tomorrow afternoon. That also will have a 60-vote threshold.

MEASURE PLACED ON THE CALENDAR—H.R. 1231

Mr. REID. Madam President, I am told that H.R. 1231 is due for a second reading.

The ACTING PRESIDENT pro tempore. The clerk will read the title of the bill for the second time.

The legislative clerk read as follows:

A bill (H.R. 1231) to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

Mr. REID. Madam President, I would object to any further proceedings at this time.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bill will be placed on the calendar under rule XIV.

BIG OIL SUBSIDIES

Mr. REID. Madam President, as we learned today from articles around the country—I will refer briefly to one in USA Today:

As gas prices hover near \$4 a gallon, nearly seven in 10 Americans say the high cost of

fuel is causing financial hardship for their families, a new USA TODAY/Gallup Poll finds.

More than half say they have made major changes to compensate for the higher prices, ranging from shorter trips to cutting back on vacation travel.

For 21 percent, the impact is so dramatic they say their standard of living is jeopardized.

It goes on to indicate that the situation involving gas prices is very focused and, in the lives of some, drastic.

The other issue the American people face—and they should—is we have to do something about raising the debt ceiling. We can only do that—Democrats, Republicans, Independents agree—by doing something about bringing down the deficit, and it has to be something that is meaningful. A place to start in that regard would be to focus on these gas prices, how concerned people are and, in addition to that, the deficit.

We have a bill we will vote on this evening that says these subsidies given to oil companies, the five big oil companies, which in the last quarter made \$36 billion; that is net profit—we are saying those subsidies are no longer necessary.

We have had over the years a number of executives from these companies say they are not necessary. They are now trying to justify these: Well, if we don't do this, it is going to cause gas prices to go up.

We had a report by the Congressional Reference Service, an independent body, which said in three different places in that report that it will not affect gas prices at all. They said it in different ways, but they said it.

No. 1, of course, we have to do something about the exorbitant gas prices, and the best way to start with that is to do something about the five big oil companies getting subsidies they do not need. The other thing we have to be concerned about is the huge deficits we have had. We can accomplish both of those to some degree today by doing something this evening when we vote on taking away those huge subsidies that the oil companies no longer need.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

ENERGY POLICY

Mr. McCONNELL. Madam President, last week, as gas prices continued to climb, squeezing family budgets and putting more pressure on already

struggling businesses, Democrats here in Congress sprang into action. Instead of actually doing something about high gas prices, our Democratic friends staged what one of my Republican colleagues accurately described as a dog and pony show. They rounded up what they believed were a few unsympathetic villains whom they could blame for high gas prices, hoping nobody would notice they do not have a plan of their own to deal with those high gas prices.

That has been the Democratic strategy from the beginning: Blame this crisis on somebody else, and see if they can't raise taxes while they are at it. They have been so shameless about it, in fact, that they have not even pretended they are doing anything to lower gas prices, readily admitting the bill we will vote on today will not lower gas prices by a penny. As the Democratic chairman of the Finance Committee put it last week: "That's not the issue."

Well, I would submit that for most Americans, high gas prices are in fact, the issue. This week, Democrats will show once again how little they care about it when we take up an energy plan that several more of them have admitted will do absolutely nothing to lower the price of gas at the pump. One Democratic Senator, a member of their own leadership team, called the bill a "gimmick." Another Democratic Senator called it "laughable."

I would also argue that with Americans looking for real relief, symbolic votes such as this that aim to do nothing but pit people against each other will only frustrate the public even more. Americans are not interested in scapegoats. They just want to pay less to fill up their cars.

That is why this Democratic bill to tax American energy is an affront to the American people, and so is the President's announcement over the weekend that he now plans to let these same energy producers lease lands throughout the United States that his administration had previously blocked off.

The administration knows perfectly well that leasing—the act of leasing—is just the start of the development process, which is why its only hope is that the American people do not pay close attention to the details of the plan.

Permits, Madam President—permits—are what matter, and by refusing to issue permits in any meaningful way, the administration is showing its true colors in this debate. If the administration were serious about increasing domestic energy production, it would increase leases and, most importantly, it would increase permits.

In the end, the only thing Democrats will actually achieve this week is to make Republican arguments for comprehensive energy legislation seem even stronger than they already are.

By pretending to want an increase in domestic energy production, the President is not only acknowledging that the United States has vast energy resources of its own waiting to be tapped, he is also acknowledging that tapping these resources would at some point help drive down the price of gas at the pump.

That is what Republicans have been saying all along. Now the President is acknowledging that: Supply matters. And American supply matters even more.

So the only thing that seems to be standing between Republicans and Democrats at this point is the Democrats do not seem to have the political will to follow through on their conclusions. And in this, today's Democrats are no different from their predecessors. Literally for decades, Democrats from Jimmy Carter to President Obama have sought to deflect attention from their own complicity in our Nation's overdependence on foreign oil. Every time gas prices go up, they pay lip service to the need for domestic exploration while quietly supporting efforts to suppress it.

But President Obama's energy policy puts the current administration in a whole new category. Over the past 2 years, the President has mounted nothing short of a war on American energy, canceling dozens of leases, imposing a moratorium off the gulf coast, arbitrarily extending public comment periods, and increasing permit fees. On the crucial issue of permits, the administration has held them up in Alaska, the Rocky Mountain West, and particularly offshore. Every one of those decisions has had a major impact on future production—and on future jobs, since every permit the administration denies is another job creation opportunity denied.

So the truth of the matter is, the Obama administration has done just about everything it can to keep our domestic energy sector down and to stifle the jobs that come along with it.

Until now, the President has stuck to attacking Republicans for being stuck in the present without preparing for the future. But this has always been a disingenuous argument. It ignores history, since we have repeatedly supported alternative fuels and renewable energy, as well as comprehensive energy legislation that commits us to the development of cleaner technologies. It ignores science, since even if a million electric vehicles are sold here by 2015, they would still only account for less than one-half of 1 percent of the entire U.S. vehicle fleet. However much we desire it, the transition from oil will take decades, and serious energy policy must account for that.

With this latest gambit, the President may have acknowledged the wisdom of our approach. But his plan to allow a few lease sales without cor-

responding permits falls short. Energy producers might end up with a lot of expensive land, but the rest of us would have nothing to show for it. A better approach to this crisis is the Republican alternative that we will get a vote on tomorrow.

Our bill would return American offshore production to where it was before this administration locked it up, require Federal bureaucrats to process permits—to make a decision one way or the other: process the permit, make a decision one way or the other—rather than sitting on the permits. And it would improve offshore safety. Our plan not only acknowledges the importance of increasing domestic production, it does something about it, while ensuring environmental safety.

If President Obama and his party are serious about lowering gas prices, making us less dependent on foreign oil, and creating the thousands of jobs that American exploration is proven to produce, they would embrace our plan and stop pretending to care about a crisis they have done so much to create and, their latest public relations efforts notwithstanding, continue to ignore.

NATIONAL POLICE WEEK 2011

Mr. McCONNELL. Madam President, this week we commemorate National Police Week 2011, and honor the service and sacrifice of the many men and women in Federal, State, and local law enforcement across America.

Washington welcomes thousands of police officers who come to celebrate National Police Week. They will honor their fallen fellow officers and rededicate themselves to their mission of serving and protecting their neighbors and their communities.

Among the visitors are hundreds of officers from my home State of Kentucky. I wish to personally welcome them to the Nation's Capital and express my gratitude to them for bravely laying their lives on the line to protect towns small and large all across the Commonwealth.

Approximately 900,000 peace officers are serving today across our country. Every year, between 140 and 160 of them are tragically killed in the line of duty, and 2011 is already proving to be a difficult year as 69 law enforcement officers nationwide have been lost in the line of duty so far, compared with 59 at this point a year ago. To recognize those peace officers who have lost their lives in the line of duty, and their loved ones, I was pleased to cosponsor a resolution designating May 14, 2011, as National Police Survivors Day. This resolution, which passed the Senate unanimously, calls on the Nation to honor the families of fallen law enforcement officers and to pay respect to the courageous men and women who have made the ultimate sacrifice while serving to keep our communities safe.

In my State, in the town of Richmond, the Kentucky Law Enforcement Memorial Monument stands as a permanent reminder of the high cost of protecting the peace. At a solemn ceremony last week, 24 names were added to its rolls, bringing the total to 485.

I know my colleagues will join me in saying the Senate has the deepest admiration and respect for police officers in every community across America. We recognize theirs is both an honorable job and a dangerous one. They bravely risk their lives for ours. America appreciates everything they do, and America is grateful to them and to their families.

I have here a list of 24 names that were added to the Kentucky Law Enforcement Memorial Monument this year. I ask unanimous consent that the names of those heroes be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

2011 HISTORICAL ADDITIONS TO THE KENTUCKY
LAW ENFORCEMENT MEMORIAL MONUMENT

Officer Bryan J. Durman
Lexington Division of Police
End of Watch: April 29, 2010

Chief Jerry Lee
Frankfort Police Department
End of Watch: September 18, 1882

City Marshal Ambrose Wilson
Sadieville Police Department
End of Watch: October 13, 1883

City Marshal Jesse Offut
Franklin Police Department
End of Watch: August 19, 1884

Sheriff Henry H. Winters
Hickman County Sheriff's Office
End of Watch: December 31, 1887

Constable W. F. Deskins
Magoffin County
End of Watch: January 3, 1893

Officer John Horan
Louisville Police Department
End of Watch: November 15, 1900

Deputy Nicholas J. Bodkin
Kenton County Sheriff's Office
End of Watch: November 13, 1902

Deputy Bert Casteel
Laurel County Sheriff's Office
End of Watch: March 21, 1903

Constable William M. Shelton
Clinton County
End of Watch: April 17, 1904

Deputy James F. Day
Letcher County Sheriff's Office
End of Watch: May 29, 1904

Constable J. Martin Wright
Letcher County
End of Watch: August 24, 1916

Deputy Walker Deal
Pike County Sheriff's Office
End of Watch: January 10, 1921

Officer William O. Barkley
Georgetown Police Department
End of Watch: April 11, 1922

Deputy Foster Messer
Knox County Sheriff's Office
End of Watch: November 23, 1923

Jailer Charles A. West
Knox County Sheriff's Office
End of Watch: November 23, 1923

Chief James V. Gross

Lynch Police Department
End of Watch: April 1, 1924

Sheriff James O. West
Fulton County Sheriff's Office
End of Watch: April 11, 1925

Captain William H. Poore
Paducah Police Department
End of Watch: November 29, 1928

Town Marshal J. Wes Perkins
Williamsburg Police Department
End of Watch: February 24, 1930

Sheriff John F. Cable
Pike County Sheriff's Office
End of Watch: October 2, 1940

Chief Pryor Martin
Eminence Police Department
End of Watch: February 25, 1951

Chief Ronnie C. Carter
Carrollton Police Department
End of Watch: April 8, 1969

Sheriff William R. Wimsett, Sr.
Nelson County Sheriff's Office
End of Watch: May 6, 1972

Mr. McCONNELL. Madam President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. McCONNELL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF SUSAN L. CARNEY TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to consider the following nomination.

The legislative clerk read the nomination of Susan L. Carney, of Connecticut, to be United States Circuit Judge for the Second Circuit.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 2 hours of debate equally divided and controlled between the Senator from Vermont, Mr. LEAHY, and the Senator from Iowa, Mr. GRASSLEY, or their designees.

Mr. McCONNELL. Madam President, I suggest the absence of a quorum, and I ask that the time be charged equally to both sides.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BLUMENTHAL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. BLUMENTHAL. Madam President, I rise today to voice my strong support for the nomination of Susan Carney to serve as an appeals court judge on the Second Circuit Court of Appeals, one of our most distinguished appeals court panels among the Federal circuits. I hope the Senate will move swiftly to confirm her to fill one of the open seats on this critically important court.

Ms. Carney has truly impressive credentials for appointment to the Federal bench. She graduated cum laude from Harvard College in 1973 and magna cum laude from the Harvard Law School in 1977. She then went on to clerk for Judge Levin Campbell on the Court of Appeals for the First Circuit.

She currently serves as deputy general counsel for Yale University, one of the country's great institutions of higher learning, and previously served as an associate general counsel for Yale. In her capacity at Yale, she advises the university on a wide range of legal issues, some of them complex and challenging, relating to intellectual property, international transactions, and commercial matters.

Ms. Carney's time at Yale has exposed her to a broad array, a diverse swath of Federal law, giving her a breadth of experience that truly qualifies her to serve on the Second Circuit, which handles Federal appeals on legal issues arising within New York, Vermont, and Connecticut. In various matters, Ms. Carney has advised Yale in reaching very successful results, and that experience will serve her well on the bench. Her experience as an advocate has given her a perspective that will give her the kinds of qualities—a respect for other advocates who come before the court, a respect for the legal principles at stake, for the factual findings of courts below—and of all the considerations that are so critically important to ability and integrity on the Federal court of appeals.

She spent 17 years working as a private practice attorney in Washington, DC, and Boston, and there, too, she represented a wide array of clients on major issues, including, for example, the Major League Baseball Players Association and a Tennessee union that stopped work due to its employees' exposure to uranium. In the Tennessee court, the NLRB determined that striking employees could not be replaced, and the DC Circuit issued a similarly posited verdict.

As impressive as her commercial and private litigation is is her commitment to pro bono public service work. She engaged in such work throughout her

time as a lawyer, offering free legal counsel to pro bono clients and even volunteering as a tutor. Her commitment to the community as well as appropriate legal representation for all clients demonstrates a real respect for the legal system and the fairness, the fundamental fairness of the legal system that I believe should be and is broadly shared by members of the Federal bench.

Her nomination comes at a particularly pressing and challenging time for the Second Circuit. The vacancy she is slated to fill has been designated as a "judicial emergency." The vacancy has existed since October 10, 2009. There are two open seats from Connecticut on this court, which is currently more than 15 percent understaffed. So the arrival of Susan Carney to the Second Circuit will have immediate impacts. It will help immediately to address the understaffing problem and the work burden that has accumulated as a result of it. It will ensure that this caseload can be addressed quickly and efficiently.

We hear in this body the famous saying that "justice delayed is justice denied." Truly, it is often justice denied if it is delayed. In practical circumstances, people have a right to their day in court, which includes a day in the court of appeals. In the Federal courts, that appeal is generally one of right, it is not discretionary, and to deprive people of that right is truly a denial of justice.

I have been impressed since I came to the Senate by the good faith that has been shown by both sides in working to address this growing judicial vacancy issue. Some have thought it an epidemic. In many circuits, it has been characterized as a "judicial emergency," and it has been spurred by respected figures from across the spectrum, from Chief Justice Roberts to Attorney General Holder. The Senate has been moving very responsively and responsibly to address this issue.

I am hopeful that this nomination of Susan Carney and others that will follow, as some have preceded it, will lead to a new era in addressing the judicial vacancy problem throughout our Federal courts. The American people expect us to work together, just as they expect the courts to give them justice. So far, I have been encouraged to see Members of both parties working in the Senate to act expeditiously on these nominations, some of them very long delayed. I hope the Senate will continue this trend with the swift confirmation of Susan Carney to the Second Circuit.

BIG OIL PROFITS

On the issue of emergencies, I would like to address a second topic.

Over the last decade, what we have seen is a pattern of rising profits on the part of oil companies. The emergency for consumers is one of rising prices now.

I believe we have an obligation to ensure fundamental fairness in our Tax Code by eliminating, in effect, the tax subsidies and loopholes and giveaways that are such an offense to the justice and fairness of our system.

In spite of the big five oil companies earning more than \$1 trillion in profits, they have enjoyed tens of millions of dollars in taxpayer subsidies, which are unconscionable, they are unacceptable, and they must end.

That is the purpose of the legislation we are going to consider later today. I strongly support it in the interest of consumers, but, more importantly, in the interest of taxpayers and to repair a part of our deficit.

While families and businesses in Connecticut are paying more than \$4.25 a gallon, putting a strain on all of our family budgets, the big oil companies continue to rake in record profits and continue to enjoy subsidies that put a dent in our fiscal situation. The companies made over \$30 billion in profits in the first quarter of this year alone, representing a 50-percent increase in profits from last year.

The long and short of this debate is, big oil doesn't need these subsidies. They don't need the help of American taxpayers to do exploration or any of the other activities that are involved in producing the profits they enjoy so abundantly.

Ending these subsidies, despite claims to the contrary, will not increase prices at the pump and, instead, will provide for basic fairness so Americans no longer have to pay for these giveaways and tax breaks to some of the most profitable companies in the world.

People in my home State of Connecticut and across the country remain concerned about reducing our debt and deficit. We cannot do it if we have this plethora of subsidies and giveaways and breaks going to special interests and corporations, such as Big Oil, which simply don't need it.

Ordinary Americans, in Connecticut and elsewhere, are struggling to stay in their homes, find jobs, keep their families together and they regard these subsidies as offensive to fundamental fairness and they are right.

I urge this body to act later today in eliminating those loopholes and subsidies.

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma is recognized.

Mr. INHOFE. Madam President, it is my understanding that I have 10 minutes as in morning business. I ask unanimous consent to use that time now.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. INHOFE. Madam President, we are going to be voting on a bill this afternoon to dramatically increase

taxes on America's oil and gas companies. I only suggest that it is not going to pass. I can recall when the Senator from Vermont, just a few months ago, had a bill that would have done essentially the same thing—pass tax increases on these oil and gas companies. I remember coming to the floor at that time and giving my argument against it. It ended up that we voted on it, and we had 61 votes against it, so it worked out that about 30 were for it.

Afterward—and I have to say this about Senator SANDERS—Senator SANDERS said that was probably one of the healthiest and honest debates he had seen during the years he has been in the Senate. I agreed with that. The idea that we can somehow tax these people and accomplish something—let me just say that the Congressional Research Service—and when I talk about CRS, it is nonpartisan and nobody argues with them.

We in the United States have the largest recoverable reserves of oil, gas, and coal of any country in the world. There is no reason we cannot be completely independent of the Middle East. All we have to do is explore our own resources—oil, gas, and coal.

This same Congressional Research Service has looked at the issues and told us that raising taxes on energy companies will do two things—decrease supply and increase our dependence on foreign countries. In other words, this vote we are going to have this afternoon, if it were successful, would decrease the supply and increase our dependence upon the Middle East.

In addition to the CRS, let's go back to the 1970s, under the Carter administration, when we had the windfall profits tax. The same exact thing happened. It decreased supply and increased our dependence on foreign competition. The interesting point is—and my wife is not the only one complaining about the price of gas, but she is certainly loud and clear in that position—nobody is saying that by increasing the taxes, with the vote we are going to have on oil and gas companies this afternoon, somehow that will have the effect of lowering prices at the pump. It will raise them. In fact, I think several Members have come down—Senator MENENDEZ, the sponsor of the legislation, said:

Nobody has made the claim that this bill is about reducing gas prices.

If it is not about reducing gas prices, then what is it for? The answer to that is, they say—as the Senator from Connecticut just stated, this is going to be something that is going to be reducing the deficit. Our problem is, President Obama and his Democratic support in the House and Senate—in the first 2 years, they had a large majority in the House and the Senate—in his 3 years of the budget, they have increased the deficit and budget by over \$5 trillion. I can remember coming to the floor of

the Senate during the Clinton years, in 1995, saying this is outrageous. This was a \$1.5 trillion budget. That was to run the entire United States. This last budget by President Obama was an increase of \$1.65 trillion—just the deficit. Let's do our math. That is 365 days a year, and it works out to be \$4 billion a day.

We have a President and his majority giving us a \$4 billion-a-day deficit, and this says it is going to cut the deficit by \$2 billion. So we can tax all these oil companies to come up with enough money to reduce the deficit just by \$2 billion. That is worth one-half day's deficit of this administration. I know the majority of people understand that, and they will not be duped into doing that.

By the way, I have to say that tortifying me was this morning's editorial in USA Today. They talk about how ludicrous this idea is that we can increase taxes on oil and gas companies. They say it is an example of the sort of political gamesmanship that substitutes for serious deficit reduction. It says:

But the initiative is also government at its arbitrary worst, further complicating the tax code by singling out five companies—ExxonMobil, Chevron, ConocoPhillips, Shell, and BP—for special taxes not paid by smaller energy concerns. . . .

So we have a little class warfare going along with it. Only yesterday, the same USA Today was criticizing me in their editorial policy because I don't want to pass a cap and trade—a tax increase. The same paper that yesterday was critical of a position I have taken is now strongly in favor of the position I have taken in avoiding any additional taxes on the energy companies or anybody else.

The last thing I will say—because I will stay within my timeframe is that people say if we want to do something about the deficit—and that is what they are saying they are doing—this is one-half day's deficit if they pass these tax increases, which they will not—they say there are only two ways to handle the debt; one is to decrease spending and another is to increase taxes.

I suggest there is a third way. That way is to go after all these regulations we currently are operating under as a result of this administration. We are talking about cap-and-trade regulations, greenhouse gas regulations, boiler MACT regulations, ozone, which could create over 600 nonattainment areas, and the cost of that is \$90 billion. If we add all the costs of all these different regulations—greenhouse gas, \$300 billion to \$400 billion; ozone, \$60 billion to \$90 billion; boiler MACT, \$1 billion; and utility MACT, \$184 billion—when we add that, it is \$1 trillion. If we take the \$1 trillion, that is 7 percent of the \$14 trillion that we would say the GDP would amount to.

CRS says that for every 1 percent increase in economic activity or increase in GDP, that translates into revenue of \$50 billion. This is 7 percent, so that would be \$350 billion. If we want to go after the deficit, deficit spending, and the debt, go after the regulations too. But to think we can tax oil and gas companies and somehow come up with \$2 billion to reduce the deficit, that is just one day's deficit under the Obama administration. This body is not going to pass that.

With that, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Tennessee.

Mr. ALEXANDER. Madam President, I congratulate the Senator from Oklahoma for making an obvious and compelling point, which is that the problem is high gasoline prices. Why is the Democratic solution to raise them more? That is all their tax would do.

The Republican plan for dealing with high gasoline prices is to find more American energy and use less. The Democratic plan seems to be to find less and tax more. That is not going to solve the problem. We need to use less. We agree with that.

There are a variety of ways to do that: through conservation and electric cars, which I favor, and finding research for crops—for alternative fuels from crops we don't need. More important, we need to find more American energy and natural gas offshore, on Federal lands, and in Alaska. That will not completely solve the problem of high gasoline prices, but it will help. If less oil from Libya is a factor in raising gasoline prices, more oil from the United States would be a factor in lowering gasoline prices. We are, after all, the third largest producer of oil in the world.

I thank the Senator from Oklahoma for an excellent point. The Democratic proposal is to find less American energy and to tax more.

NLRB AND BOEING

Madam President, I wish to speak about the events of the last few weeks that have followed the decision by the National Labor Relations Board general counsel to file a complaint against the Boeing Company, alleging basically that the fact that they are expanding their production of airliners at a new plant in South Carolina, which is a right-to-work State, is prima facie evidence of an unfair labor practice. This would, in effect, establish for the first time since the Taft-Hartley Act was passed in 1947, the idea that it is against the Federal law for a company that is producing in a union State to move or expand its facilities in a right-to-work State, of which there are 22.

We are talking about the first new plant in 40 years to build large airplanes. The Boeing Company builds most of its planes in Washington State. It is the Nation's largest exporter. It has 170,000 employees around the world,

and 155,000 of them are employees in the United States. These are good jobs.

But at the Senate Health, Education, and Labor Committee hearing on Thursday, the general counsel of Boeing said the company expects to lose their appeal of the general counsel's complaint when it is heard before an administrative judge on June 14. Then they expect to lose the appeal of that decision to the National Labor Relations Board because the company assumes that the general counsel is following the same view of the law that the President's appointees on the NLRB are following. However, then Boeing expects to win the case when it goes to the U.S. court of appeals or, perhaps, even to the Supreme Court. But it will take 2 to 5 years for all that to happen.

I ask, what happens to American jobs in the meantime? Well, first, this complaint against Boeing will slow the number of good, new jobs into my State of Tennessee, which has a 9-percent unemployment rate, and it has had that for 2 years. I have watched our State grow over the last 30 years, from the time I was Governor. We had a hearing last week that Senator HARKIN called, chairman of the Health, Education, and Labor Committee, about middle-class incomes. What I said at the hearing was that the effect on middle-class income in Tennessee—the State I know the most about—is that 30 years ago we were the third poorest State. Because the auto industry chose to come to our State, partly because it was a central location in the population market and because it is a right-to-work State with a different sort of labor environment in it than other States—because the auto industry came to Tennessee, middle incomes have gone up.

One-third of the manufacturing jobs in our State are now auto jobs. Nissan is there. General Motors is there. Volkswagen just came there. Hundreds of suppliers have come to Tennessee. They like the environment. They like the road system. They like the central location. But they like the right-to-work law.

Suddenly any supplier or any manufacturer who wants to create a new facility in 1 of the 22 right-to-work States, including Tennessee, according to the National Labor Relations Board counsel, is going to have to think twice because that company, which could be a small company, may not want to spend 2 to 5 years before the National Labor Relations Board. I think this counsel knew exactly what he was doing. He was trying to freeze job expansion in the United States at a time when we need job expansion the most.

There is an unintended consequence to this. If jobs cannot move into Tennessee and other right-to-work States because of the Boeing complaint, they may not move into the States that do

not have a right-to-work law. Why is that? According to Jim McNerney, the CEO of Boeing:

An unintended consequence of the Boeing complaint [is that] forward thinking CEOs also would be reluctant to place new plants in unionized States—lest they be forever restricted from placing future plants across the country.

If you want to put a plant in, say, Michigan, which is a unionized State, you might not do that because under the general counsel of the NLRB's rule of law, you then could not move to South Carolina or Tennessee or Arkansas or any other State with a right-to-work law.

If you cannot go to a unionized State, and if you cannot go to a right-to-work State, then where do you go if you want to make things? You go overseas. This action by the NLRB general counsel is the single most important action I can imagine that would make it more difficult to create good, new jobs in Tennessee and would make it more likely that manufacturing jobs would go overseas.

The President of the United States asked the chief executive of Boeing, Mr. McNerney, to chair the President's Export Council. I presume what President Obama would like for Mr. McNerney to do is to export airplanes, not export jobs. But what the NLRB ruling will do is cause the export of jobs, not the export of airplanes.

Boeing has 170,000 employees. About 90 percent of them are in the United States. But Boeing sells its airplanes everywhere in the world, and Boeing can make its airplanes anywhere in the world. There may be other countries that come to Boeing and to other manufacturers in the United States and say: We want you to make in our country what you sell in our country. After this NLRB decision, they may be more tempted to do that.

Fortunately, there are other trends suggesting that manufacturing companies around the world may be more likely in the next few years to make here what they sell in the United States. That is what President Carter said to the Governors 30 years ago: Governors, go to Japan. Persuade them to make in the United States what they sell in the United States. Off I went to Tokyo. I asked Nissan to come to Tennessee, as most States. They chose us because of our central location and right-to-work law, just as other auto jobs have done that. Nissan tells me soon 85 percent of what they sell in the United States will be made in the United States. Thirty years ago they were making almost none of what they sold in the United States in the United States. They were making it in Japan. We were worried then Japan was going to take us over. That has changed. Now they are making here what they sell here.

The Economist article this week says there may be a manufacturing renaissance

coming. What is happening in China where they are making things today is a lot like what happened in Japan 30 years ago. As China becomes more prosperous, wages will go up. As Japan became more prosperous 30 years ago, wages went up. In the auto industry, where wages only constitute maybe 20 percent of the total cost of what a supplier may have to spend to make a part for a Volkswagen assembly plant, wages get to be less important.

People look at other things. Manufacturing would look at a variety of actions by a government before the manufacturer decides where to make the airplane or where to make the car or where to make the appliance that might be sold in a country.

They are going to have plenty of incentives naturally to make a lot of products in the United States because the country that produces 25 percent of all the money in the world, which we do, is going to be buying a lot of stuff unless we do our best to throw a big wet blanket on making here what we sell here, which is precisely what this administration has been doing.

We have a high corporate income tax. Give the President the credit. He said maybe we want to change that. We should because it makes it better for manufacturers to make products overseas.

The health care law takes profits away from companies that they might use to create new jobs here. I have had heads of restaurant companies tell me they are not going to invest anymore in the United States because the health care taxes take away all of their profits. Regulations make credit harder to get, and regulations drive up energy and gasoline prices. All of this makes it harder to make here what manufacturers sell here.

Now we have a regulation from the National Labor Relations Board that may have the effect of law for 2 to 5 years that says it is *prima facie* evidence of an unfair labor practice if a company that is producing in a union State expands or moves to a right-to-work State. This is an assault on every middle-income Tennessean and on millions of middle-income Americans who have manufacturing jobs—certainly, everyone in the 22 right-to-work States. But as the Boeing chief executive said, it could be just as much of a disincentive to a State such as Michigan or Illinois or some other State that does not have a right-to-work law because why would you put a plant in Michigan if later you would not be allowed to put it in Tennessee?

If General Motors has plants in both right-to-work and non-right-to-work States, we are going to make it more difficult for General Motors to expand in America. Where are they going to expand? They can expand overseas. They can be making there what they sell there instead of making it here.

Some of my friends on the other side of the aisle like to talk about outsourcing jobs. This is the mother of all outsourcing jobs plan—the idea that it is *prima facie* evidence for a company that expands in a right-to-work State, that is an unfair labor practice.

For the next 2 to 5 years, we have the unhealthy situation for jobs that any manufacturer who wants to expand will have to think twice about expanding in a right-to-work State and then think at least once about coming in the first place to a State that does not have a right-to-work law. The only other option I can see for those jobs is to make them overseas. That will not only slow job growth in the United States where we desperately need it, but it will be speeding up the sending of American jobs overseas.

Madam President, I ask unanimous consent to have printed in the RECORD two articles—one by George Will this week on the South Carolina Boeing plant and the action of the National Labor Relations Board complaint, and the second, an article from the Economist magazine.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Economist, May 12, 2011]

MULTINATIONAL MANUFACTURERS—MOVING BACK TO AMERICA

THE DWINDLING ALLURE OF BUILDING FACTORIES OFFSHORE

“When clients are considering opening another manufacturing plant in China, I’ve started to urge them to consider alternative locations,” says Hal Sirkin of the Boston Consulting Group (BCG). “Have they thought about Vietnam, say? Or maybe [they could] even try Made in USA?” When clients are American firms looking to build factories to serve American customers, Mr. Sirkin is increasingly likely to suggest they stay at home, not for patriotic reasons but because the economics of globalisation are changing fast.

Labour arbitrage—taking advantage of lower wages abroad, especially in poor countries—has never been the only force pushing multinationals to locate offshore, but it has certainly played a big part. Now, however, as emerging economies boom, wages there are rising. Pay for factory workers in China, for example, soared by 69% between 2005 and 2010. So the gains from labour arbitrage are starting to shrink, in some cases to the point of irrelevance, according to a new study by BCG.

“Sometime around 2015, manufacturers will be indifferent between locating in America or China for production for consumption in America,” says Mr. Sirkin. That calculation assumes that wage growth will continue at around 17% a year in China but remain relatively slow in America, and that productivity growth will continue on current trends in both countries. It also assumes a modest appreciation of the yuan against the dollar.

The year 2015 is not far off. Factories take time to build, and can carry on cranking out widgets for years. So firms planning today for production tomorrow are increasingly looking close to home. BCG lists several examples of companies that have already

brought plants and jobs back to America. Caterpillar, a maker of vehicles that dig, pull or plough, is shifting some of its excavator production from abroad to Texas. Sauder, an American furniture-maker, is moving production back home from low-wage countries. NCR has returned production of cash machines to Georgia (the American state, not the country that is occasionally invaded by Russia). Wham-O last year restored half of its Frisbee and Hula Hoop production to America from China and Mexico.

BCG predicts a "manufacturing renaissance" in America. There are reasons to be sceptical. The surge of manufacturing output in the past year or so has largely been about recovering ground lost during the downturn. Moreover, some of the new factories in America have been wooed by subsidies that may soon dry up. But still, the new economics of labour arbitrage will make a difference.

Rather than a stampede of plants coming home, "higher wages in China may cause some firms that were going to scale back in the U.S. to keep their options open by continuing to operate a plant in America," says Gary Pisano of Harvard Business School. The announcement on May 10th by General Motors (GM) that it will invest \$2 billion to add up to 4,000 jobs at 17 American plants supports Mr. Pisano's point. GM is probably not creating many new jobs but keeping in America jobs that it might otherwise have exported.

Even if wages in China explode, some multinationals will find it hard to bring many jobs back to America, argues Mr. Pisano. In some areas, such as consumer electronics, America no longer has the necessary supplier base or infrastructure. Firms did not realise when they shifted operations to low-wage countries that some moves "would be almost irreversible", says Mr. Pisano.

Many multinationals will continue to build most of their new factories in emerging markets, not to export stuff back home but because that is where demand is growing fastest. And companies from other rich countries will probably continue to enjoy the opportunity for labour arbitrage for longer than American ones, says Mr. Sirkin. Their labour costs are higher than America's and will remain so unless the euro falls sharply against the yuan.

THERE'S NO PLACE LIKE HOME

The opportunity for labour arbitrage is disappearing fastest in basic manufacturing and in China. Other sectors and countries are less affected. As Pankaj Ghemawat, the author of "World 3.0", points out, despite rapidly rising wages in India, its software and back-office offshoring industry is likely to retain its cost advantage for the foreseeable future, not least because of its rapid productivity growth.

Nonetheless, a growing number of multinationals, especially from rich countries, are starting to see the benefits of keeping more of their operations close to home. For many products, labour is a small and diminishing fraction of total costs. And long, complex supply chains turn out to be riskier than many firms realised. When oil prices soar, transport grows dearer. When an epidemic such as SARS hits Asia or when an earthquake hits Japan, supply chains are disrupted. "There has been a definite shortening of supply chains, especially of those that had 30 or 40 processing steps," says Mr. Ghemawat.

Firms are also trying to reduce their inventory costs. Importing from China to the

United States may require a company to hold 100 days of inventory. That burden can be handily reduced if the goods are made nearer home (though that could be in Mexico rather than in America).

Companies are thinking in more sophisticated ways about their supply chains. Bosses no longer assume that they should always make things in the country with the lowest wages. Increasingly, it makes sense to make things in a variety of places, including America.

[May 13, 2011]

THE DREAMLINER NIGHTMARE

(By George Will)

NORTH CHARLESTON, S.C.—This summer, the huge Boeing assembly plant here will begin producing 787 Dreamliners—up to three a month, priced at \$185 million apiece. It will, unless the National Labor Relations Board, controlled by Democrats and encouraged by Barack Obama's reverberating silence, gets its way.

Last month—17 months after Boeing announced plans to build here and with the \$2 billion plant nearing completion—the NLRB, collaborating with the International Association of Machinists and Aerospace Workers (IAM), charged that Boeing's decision violated the rights of its unionized workers in Washington state, where some Dreamliners are assembled and still will be even after the plant here is operational. The NLRB has read a 76-year-old statute (the 1935 Wagner Act) perversely, disregarded almost half a century of NLRB and Supreme Court rulings, and patently misrepresented statements by Boeing officials.

South Carolina is one of 22—so far—right-to-work states, where workers cannot be compelled to join a union. When in September 2009, Boeing's South Carolina workers—fuselage sections of 787s already are built here—voted to end their representation by IAM, the union did not accuse Boeing of pre-vote misbehavior. Now, however, the NLRB seeks to establish the principle that moving businesses to such states from non-right-to-work states constitutes *prima facie* evidence of "unfair labor practices," including intimidation and coercion of labor. This principle would be a powerful incentive for new companies to locate only in right-to-work states.

The NLRB complaint fictitiously says Boeing has decided to "remove" or "transfer" work from Washington. Actually, Boeing has so far added more than 2,000 workers in Washington, where planned production—seven 787s a month, full capacity for that facility—will not be reduced. Besides, how can locating a new plant here violate the rights of IAM members whose collective bargaining agreement with Boeing gives the company the right to locate new production facilities where it deems best?

The NLRB says that Boeing has come here "because" IAM strikes have disrupted production and "to discourage" future strikes.

Since 1995, IAM has stopped Boeing's production in three of five labor negotiations, including a 58-day walkout in 2008 that cost the company \$1.8 billion and a diminished reputation with customers.

The NLRB uses meretricious editing of Boeing officials' remarks to falsely suggest that anti-union animus motivated the company to locate some production in a right-to-work state. Anyway, it is settled law that companies can consider past strikes when making business decisions to diminish the risk of future disruptions.

The economy is mired in a sluggish recovery. But the destructive—and self-destructive—

Obama administration is trying to debilitate the world's largest aerospace corporation and the nation's leading exporter, which has 155,000 U.S. employees and whose 738 million shares are held by individual and institutional investors, mutual funds and retirement accounts. Why? Organized labor, primarily and increasingly confined to government workers, cannot convince private-sector workers that it adds more value to their lives than it subtracts with dues and work rules that damage productivity. Hence unions' reliance on government coercion where persuasion has failed.

The NLRB's complaint is not a conscientious administration of the law; it is intimidation of business leaders who contemplate locating operations in right-to-work states. Labor loathes Section 14(b) of the 1947 Taft-Hartley Act, which allows states to pass right-to-work laws that forbid compulsory unionization. But 11 Democratic senators represent 10 of the right-to-work states: Mark Pryor (Arkansas), Bill Nelson (Florida), Tom Harkin (Iowa), Mary Landrieu (Louisiana), Ben Nelson (Nebraska), Harry Reid (Nevada), Kay Hagan (North Carolina), Kent Conrad (North Dakota), Tim Johnson (South Dakota), and Jim Webb and Mark Warner (Virginia). Do they support the Obama administration's attempt to cripple their states' economic attractiveness?

The NLRB's attack on Boeing illustrates the Obama administration's penchant for lawlessness displayed when, disregarding bankruptcy law, it traduced the rights of Chrysler's secured creditors. Now the NLRB is suing Arizona and South Dakota because they recently, and by large majorities, passed constitutional amendments guaranteeing the right to secret ballots in unionization elections—ballots that complicate coercion by union organizers.

Just as uncompetitive companies try to become wards of the government (beneficiaries of subsidies, tariffs, import quotas), unions unable to compete for workers' allegiance solicit government compulsion to fill their ranks. The NLRB's reckless attempt to break a great corporation, and by extension all businesses, to government's saddle—never mind the collateral damage to the economy—is emblematic of the Obama administration's willingness to sacrifice the economy on the altar of politics.

[From the Wall Street Journal, May 11, 2011]

BOEING IS PRO-GROWTH, NOT ANTI-UNION

(By Jim McNERNEY)

Deep into the recent recession, Boeing decided to invest more than \$1 billion in a new factory in South Carolina. Surging global demand for our innovative, new 787 Dreamliner exceeded what we could build on one production line and we needed to open another.

This was good news for Boeing and for the economy. The new jetliner assembly plant would be the first one built in the U.S. in 40 years. It would create new American jobs at a time when most employers are hunkered down. It would expand the domestic footprint of the nation's leading exporter and make it more competitive against emerging plane makers from China, Russia and elsewhere. And it would bring hope to a state burdened by double-digit unemployment—with the construction phase alone estimated to create more than 9,000 total jobs.

Eighteen months later, a North Charleston swamp has been transformed into a state-of-the-art, green-energy powered, 1.2 million square-foot airplane assembly plant. One thousand new workers are hired and being trained to start building planes in July.

It is an American industrial success story by every measure. With 9% unemployment nationwide, we need more of them—and soon.

Yet the National Labor Relations Board (NLRB) believes it was a mistake and that our actions were unlawful. It claims we improperly transferred existing work, and that our decision reflected “animus” and constituted “retaliation” against union-represented employees in Washington state. Its remedy: Reverse course, Boeing, and build the assembly line where we tell you to build it.

The NLRB is wrong and has far overreached its authority. Its action is a fundamental assault on the capitalist principles that have sustained America’s competitiveness since it became the world’s largest economy nearly 140 years ago. We’ve made a rational, legal business decision about the allocation of our capital and the placement of new work within the U.S. We’re confident the federal courts will reject the claim, but only after a significant and unnecessary expense to taxpayers.

More worrisome, though, are the potential implications of such brazen regulatory activism on the U.S. manufacturing base and long-term job creation. The NLRB’s overreach could accelerate the overseas flight of good, middle-class American jobs.

Contrary to the NLRB’s claim, our decision to expand in South Carolina resulted from an objective analysis of the same factors we use in every site selection. We considered locations in several states but narrowed the choice to either North Charleston (where sections of the 787 are built already) or Everett, Wash., which won the initial 787 assembly line in 2003.

Our union contracts expressly permit us to locate new work at our discretion. However, we viewed Everett as an attractive option and engaged voluntarily in talks with union officials to see if we could make the business case work. Among the considerations we sought were a long-term “no-strike clause” that would ensure production stability for our customers, and a wage and benefit growth trajectory that would help in our cost battle against Airbus and other state-sponsored competitors.

Despite months of effort, no agreement was reached. Union leaders couldn’t meet expectations on our key issues, and we couldn’t accept their demands that we remain neutral in all union-organizing campaigns and essentially guarantee to build every future Boeing airplane in the Puget Sound area. In October 2009, we made the Charleston selection.

Important to our case is the basic fact that no existing work is being transferred to South Carolina, and not a single union member in Washington has been adversely affected by this decision. In fact, we’ve since added more than 2,000 union jobs there, and the hiring continues. The 787 production line in Everett has a planned capacity of seven airplanes per month. The line in Charleston will build three additional airplanes to reach our 10-per-month capacity plan. Production of the new U.S. Air Force aerial refueling tanker will sustain and grow union jobs in Everett, too.

Before and after the selection, we spoke openly to employees and investors about our competitive realities and the business considerations of the decision. The NLRB now is selectively quoting and mischaracterizing those comments in an attempt to bolster its case. This is a distressing signal from one arm of the government when others are pushing for greater openness and transparency in corporate decision making.

It is no secret that over the years Boeing and union leaders have struggled to find the right way to work together. I don’t blame that all on the union, or all on the company. Both sides are working to improve that dynamic, which is also a top concern for customers. Virgin Atlantic founder Richard Branson put it this way following the 2008 machinists’ strike that shut down assembly for eight weeks: “If union leaders and management can’t get their act together to avoid strikes, we’re not going to come back here again. We’re already thinking, ‘Would we ever risk putting another order with Boeing?’ It’s that serious.”

Despite the ups-and-downs, we hold no animus toward union members, and we have never sought to threaten or punish them for exercising their rights, as the NLRB claims. To the contrary, union members are part of our company’s fabric and key to our success. About 40% of our 155,000 U.S. employees are represented by unions—a ratio unchanged since 2003.

Nor are we making a mass exodus to right-to-work states that forbid compulsory union membership. We have a sizable presence in 34 states; half are unionized and half are right-to-work. We make decisions on work placement based on business principles—not out of emotion or spite. For example, last year we added new manufacturing facilities in Illinois and Montana. One work force is union-represented, the other is not. Both decisions made business sense.

The world the NLRB wants to create with its complaint would effectively prevent all companies from placing new plants in right-to-work states if they have existing plants in unionized states. But as an unintended consequence, forward-thinking CEOs also would be reluctant to place new plants in unionized states—lest they be forever restricted from placing future plants elsewhere across the country.

U.S. tax and regulatory policies already make it more attractive for many companies to build new manufacturing capacity overseas. That’s something the administration has said it wants to change and is taking steps to address. It appears that message hasn’t made it to the front offices of the NLRB.

Mr. ALEXANDER. Madam President, I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the quorum call time be equally divided.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LIEBERMAN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LIEBERMAN. Madam President, I rise to offer my full support for Susan Carney of my State of Connecticut, who is the President’s nominee, now approved by the Judiciary Committee, to serve on a very important circuit court—the U.S. Court of Appeals for the Second Circuit.

Susan Carney’s legal education and long career of public service will make her a valuable addition to the Federal bench. I thank President Obama for his decision to nominate Ms. Carney, and I urge my colleagues across party lines to confirm her nomination when it comes to a vote in a short while today.

Ms. Carney, as a matter of record, was quickly reported out of the Judiciary Committee with a bipartisan vote of 15 to 3 on February 17 of this year. This, in fact, was the second time her nomination had been reported out of the committee with broad bipartisan support. If confirmed, Susan Carney will fill one of two judicial vacancies on the second circuit—vacancies which the Administrative Office of the U.S. Courts has declared to be emergency vacancies. As I have said, she has been thoroughly vetted twice by the Judiciary Committee and earned bipartisan support both times.

I would like to take a moment to provide some background on the nominee’s credentials. Susan Carney has a very diverse background, both in private practice, working for the Peace Corps, and most recently serving as the deputy general counsel at Yale University. For the past 12 years, she has served in that position. As Yale’s President Richard Levin put it:

Susan Carney has served the University with insight, intelligence, and superb legal skills.

He added that she has never failed to be guided by what he referred to as her “firm ethical compass.”

In her capacity as general counsel, Ms. Carney was the second highest legal officer at Yale—which is of course not just a great educational and research institution but has an operating budget of more than \$2 billion annually, more than 12,000 employees, and more than 11,000 students. So there was a lot of legal work to do there.

Ms. Carney’s portfolio included a lot of complicated areas covered by Federal law, including scientific research, intellectual property, and health care. She also managed other legal elements of Yale’s transactions with institutions throughout this country and the world.

Ms. Carney served as a law clerk to Judge Levin Hicks Campbell on the U.S. Court of Appeals for the First Circuit before entering private practice. She has been admitted to practice in seven courts, including the U.S. Supreme Court, the U.S. Court of Appeals for the First Circuit, and the U.S.

Court of Appeals for the Ninth Circuit. She is a member of three different bars: the Massachusetts bar, the District of Columbia bar, and the Connecticut bar, and has also served on the board of directors of the National Association of College & University Attorneys.

This is a superbly qualified individual with a broad background in a host of different legal fields which she will bring to the bench. I think most significant of all—and she obviously impressed both parties on the Judiciary Committee—she is balanced, she is openminded, and she will adjudicate according to what President Levin called “her firm ethical and moral compass.” Therefore I hope there will be a strong vote of support to send Susan Carney to the Second Circuit Court of Appeals where she will serve the cause of justice in America very well indeed.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. TESTER). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. GRASSLEY. Mr. President, I come to the floor to address my colleagues and the public on the nomination of Susan Carney, nominated to the Second Circuit, and which we will soon vote. Today's vote marks the 24th judicial confirmation this year and the 16th for a seat designated as a judicial emergency. This also marks the fourth vacancy to the Second Circuit that has been filled by an Obama nominee.

Over the past 2 weeks, nominations-related work has taken up the vast majority of the Senate's time. In fact, after today, we will have confirmed seven judges in just 9 days. Last week alone, we had a cloture vote on the nominee to be Deputy Attorney General, debate and votes on three district court nominees, and two Judiciary Committee markups. This year, the committee has reported 51 percent of President Obama's nominees. Yet it seems the more we work with the majority on filling vacancies, the more complaints we hear. Furthermore, as we work together to confirm consensus nominees, we are met with the majority's insistence that we turn to controversial nominees. So I wish to address some of the complaints we have heard.

I think about the American Constitution Society blog and some of my colleagues in the Senate who say we are not moving fast enough on President Obama's nominees. I wish to point out to them that is intellectually dishonest. They may be ignorant about some of the statistics that involve the nominees we have approved so far

versus what has been done in other administrations, but I wish to show that it is an outright, flat lie that we are not processing nominees fast enough. Given the pace of activity in our committee and on the floor, there is no credibility to the arguments that we are not moving fast enough.

Last week, it was stated that the Senate is well behind on President Obama's nominations, so I would like to provide perspective on that assertion. For comparable time periods, we have processed and confirmed a greater percentage of President Obama's nominees. When we complete the vote we are going to have in about 30 minutes, we will have confirmed 33 percent of President Obama's nominees nominated this year. That compares to only 28 percent of President Bush's nominees confirmed in a comparable time period.

Furthermore, President Obama's nominees are moving much faster through the committee process. President Obama's circuit court nominees have waited only, on average, 72 days from nomination to hearing. President Bush's had to wait, on average, 275 days during his first term. For his entire Presidency, that average was almost 247 days. President Obama's district court nominees are also faring better, waiting, on average, only 70 days for their hearings. President Bush's district court nominees had an average wait of closer to 100 days during his first term, and an average of 120 days throughout his entire Presidency.

These statistics, and our continued action to move on consensus nominees, refutes the argument made by those who continue to falsely claim there is a systematic delay and partisan obstruction of judicial nominees by Republicans in the Senate. I hope those who continue to make dishonest comments take note of the statistics I just gave.

Today, we are going to vote on the nomination of Susan Carney, and this will be for a U.S. circuit judge for the Second Circuit. Ms. Carney received her A.B., cum laude, from Harvard University in 1973 and her juris doctorate, magna cum laude, from Harvard Law School in 1977. Upon graduation from law school, she clerked for Judge Campbell on the First Circuit and then entered private practice. After 8 years of private practice, Ms. Carney was self-employed for the next 6 years, engaged in contract legal work and consulting. In 1994, the nominee returned to legal practice as a counsel to Bredhoff & Kaiser here in Washington, DC. In 1996, she moved to the Peace Corps, where she served as Associate General Counsel for 2 years. In 1998, she joined the general counsel's office at Yale University, where she has been the deputy general counsel for the past 9 years.

My concern with Ms. Carney's nomination is her lack of experience. She

has no judicial experience and has limited litigation experience. She has never authored any scholarly legal works of note, and much of her work product provided to the committee consists of presentations about various legal issues faced by research universities.

Her qualifications for the court of appeals and, indeed, the reason for the President's decision to nominate her to the Second Circuit remains somewhat of a mystery. According to her questionnaire, Ms. Carney appeared in court occasionally over the course of her career, and the word “occasionally” is her own. She has never tried a case to verdict, judgment, or final decision—an absence she explains by saying that she “spent [her] law career as an appellate lawyer and in-house counsel.” Her questionnaire suggests she has never argued a case in any appellate court.

During her most recent legal job, Ms. Carney has focused largely on contractual issues such as scientific research partnerships between academic researchers and for-profit industry, international partnerships involving Yale, and intellectual property ownership issues. Her questionnaire reveals no litigation experience in the last 15 years of her career, and it is unclear how her position with Yale University might have prepared her for the Federal judicial appointment, much less one on the court of appeals.

The American Bar Association Standing Committee on the Federal Judiciary gave her the rating “substantial majority qualified, minority not qualified.” Even though the reasons behind the ratings are not released, I suspect the “not qualified” rating stems from her lack of litigation experience.

This nominee does not have the concrete judicial experience I favor. I know others share this view. The Judiciary Committee reported this nominee by a vote of 15 to 3, with three Republicans in opposition, not including this Senator. I take their views seriously and fully understand why Senators would not support this nomination. Nevertheless, with little enthusiasm for her nomination, I will give her the benefit of the doubt and support the nominee.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LEAHY. Mr. President, today, the Senate finally considers the nomination of Susan Carney of Connecticut to fill a judicial emergency vacancy on

the Court of Appeals for the Second Circuit. Ms. Carney has twice been considered by the Judiciary Committee and has twice been reported with strong bipartisan support, first last year and again in February. The majority of the Republicans on the Judiciary Committee have twice joined in supporting this nomination. I expect that she will be confirmed with significant bipartisan support.

This is one of several judicial nominations that the minority refused to consider, despite being favorably reported by the Judiciary Committee last year. Hers will be the 16th nomination confirmed this year that could and, in my view, should have been considered last year. That is right: Of the 24 judicial nominations the Senate will have considered and confirmed this year, including Ms. Carney, almost 70 percent were delayed from last year. We have only been able to confirm eight judicial nominees who had hearings and were reported for the first time this year. So when some say we are taking "positive action" on large percentages of nominees, what this shows is how many unobjectionable nominees were stalled last year by objections from the minority.

This is only the third circuit court nomination the Senate has been allowed to consider all year. There are several others awaiting final Senate action. Caitlin Halligan is an outstanding nominee to the DC Circuit. Bernice Donald of Tennessee has the support of her home State Republican Senators, and should be confirmed promptly to the Sixth Circuit. Henry Floyd of South Carolina has the support of his home State Republican Senators and should not be delayed from serving on the Fourth Circuit. The circuit nominee stalled the longest is Professor Goodwin Liu of California. He is nominated to the Ninth Circuit and is strongly supported by his home State Senators. He is qualified and will make an outstanding judge. He is brilliant and understands the role of a judge. He has been reported three times by the Senate Judiciary Committee. The stalling on his nomination should end. The Senate should vote and confirm Goodwin Liu.

Susan Carney, currently the deputy general counsel of Yale University, has a career of distinguished service. After graduating with honors from Harvard College and Harvard Law School, Ms. Carney clerked for Judge Levin H. Campbell of the Court of Appeals for the First Circuit. She then spent 17 years in private practice, obtaining significant appellate litigation experience, before becoming the associate general counsel of the Peace Corps. Ms. Carney has spent the last 13 years in the Office of the General Counsel at Yale University, and is now Yale's second highest ranking legal officer.

Ms. Carney's nomination has the strong support of both of her home

State Senators, Senator LIEBERMAN and Senator BLUMENTHAL, along with the Federal Judiciary Committee of the Connecticut Bar Association and the New York City Bar Association's Committee on the Judiciary. Ms. Carney's nomination also had the strong support of Mr. Dodd, the distinguished former Senator from Connecticut. Before he retired from the Senate, Senator Dodd introduced Ms. Carney to the Judiciary Committee at her nomination hearing. He said of Ms. Carney:

Throughout her career, Susan Carney has developed a professional versatility and breadth of legal knowledge well suited to serve on the Second Circuit Court of Appeals. And perhaps even more important, I believe she has exhibited the kind of temperament and unflinching respect for the rule of law that are absolutely critical components, in my view, of serving on the Federal courts.

It is no surprise that Ms. Carney's nomination has received such strong bipartisan support on the Judiciary Committee. The Senate should have been able to debate and vote on her nomination before Senator Dodd left the Senate. I am pleased we are finally going to vote on it today.

I am sorry that another outstanding nominee from Connecticut, Judge Robert Chatigny, was also prevented by the minority from receiving consideration and a vote by the Senate. After he was favorably reported last year, Senate Republicans refused to agree to a debate and vote on his nomination, and insisted on returning it to the President without Senate consideration. He is a fine judge whose record was distorted in their opposition to him. That was a shame.

I thank the majority and Republican leaders for agreeing to schedule the vote on Ms. Carney's nomination today. The Senate's agreement to debate and vote on long-delayed nominations like that of Ms. Carney and of Judge Edward Chen of the Northern District of California last week show that the delays that have slowed our progress on nominations are unnecessary. With the breakthrough earlier this month when 11 Republicans joined in ending the filibuster against another long-stalled nomination, that of Judge Jack McConnell of Rhode Island, we have begun to make progress and, in fact, take "positive action" or judicial nominations held up for months by the minority. With vacancies still totaling almost 90 on Federal courts throughout the country, with another dozen future vacancies on the horizon, we need to do more to ensure that the Federal judiciary has the resources it needs to fulfill its constitutional role.

Including Ms. Carney's nomination, there are 15 judicial nominations on the Senate Executive Calendar, more than half of which have been ready for final Senate action for weeks and, in some cases, many months. I thank the Judiciary Committee's ranking mem-

ber, Senator GRASSLEY, for working with me to consider nominations in the Judiciary Committee. We have a fair but thorough process, including reviewing extensive background material on each nominee, and giving all Senators on the committee, Democratic and Republican, the opportunity to ask the nominees questions at a live hearing and following the hearing in writing. All of these nominees which the committee reported to the Senate have a strong commitment to the rule of law and a demonstrated faithfulness to the Constitution. All have the support of their home State Senators, both Republican and Democratic. They should not be delayed for weeks and months needlessly after being so thoroughly and fairly considered by the Judiciary Committee.

Our ability to make progress regarding nominations has been hampered by the creation of what I consider to be misplaced controversies about many nominees' records. I hope no Senator cites one such invented controversy as a basis for opposing Ms. Carney's nomination. In the time that the Senate has been prevented from voting on Ms. Carney's nomination, some on the far right have made baseless allegations about Ms. Carney. Their false claim is that Ms. Carney engaged in a coverup after another Yale administrator had erroneously confirmed to a Korean institution that a prospective hire earned a Ph.D. from Yale. In fact, the opposite is true. It was Ms. Carney who informed the Korean institution that Yale had erred. I hope no Senator is taken in by this smear campaign against a good nominee.

Concerns that Ms. Carney lacks sufficient experience to be an appellate judge are also misplaced. She has been a lawyer for 30 years and has a wealth of experience, including, as I mentioned, 17 years in private practice with experience in appellate litigation. I have, nonetheless, heard this purported concern raised by the handful of Republican Senators who oppose Ms. Carney's confirmation. I believe that Ms. Carney's wide range of experience as a lawyer in private practice and as deputy general counsel of one of the world's leading educational and research institutions—one with an annual budget that exceeds \$2 billion—have prepared her well to serve on the Second Circuit. Along with Connecticut and New York, it is Vermont that is served by the circuit court to which Ms. Carney has been nominated. All Senators from States within the Second Circuit support her confirmation. I also note that I did not hear Republican Senators raise any concerns about lack of judicial experience when President Bush nominated, and the Senate confirmed, 24 nominees to circuit courts with no prior judicial experience, and a number with little trial litigation experience.

Even as some Republicans have opposed this nominee by saying that she does not have sufficient litigation experience, Republican Senators have recently tried to twist nominees' litigation experience against them. Their partisan attacks are not consistent. When a nominee has extensive experience and is a successful trial lawyer, they complain that the nominee has too much experience and will be biased by it.

Republicans opposed Judge McConnell of Rhode Island because he was an excellent trial lawyer. They opposed Judge Chen of California despite his 10 years as a fair and impartial Federal judge magistrate and disregarded his judicial record. The Republican opposition to President Obama's judicial nominees has been anything but consistent. Now some will turn around and oppose Ms. Carney, a nominee with more than 30 years of legal experience, by saying she has not had sufficient experience as a trial advocate.

This reminds me of the story of the mother who sent her son two neckties as gifts. When she visited, the son picked her up at the airport dutifully wearing one of the ties, only to hear his mother complain: "What's the matter? Don't you like the other tie?"

Let us turn away from such double standards and return to the long-standing Senate practice of judging nominees on their merits, not based on caricatures. Our ability to finally reach a time agreement and have a vote on the nomination of Susan Carney is a welcome sign of progress. We still have a long way to go to do as well as we did during President Bush's first term, when we confirmed 205 of his judicial nominations. We confirmed 100 of those judicial nominations during the 17 months I was chairman during President Bush's first 2 years in office. So far, well into President Obama's third year in office, the Senate has only been allowed to consider 84 of President Obama's Federal circuit and district court nominees, well short of 205. We need to work together to ensure that the Federal judiciary has the judges it needs to provide justice to Americans in courts throughout the country.

I congratulate Ms. Carney and her family on her confirmation today.

Mr. President, I yield the floor and suggest the absence of a quorum, and ask unanimous consent that the time be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CRAPO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CRAPO. Mr. President, I yield back all time.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the nomination of Susan L. Carney, of Connecticut, to be U.S. Circuit Judge for the Second Circuit?

Mr. CRAPO. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Vermont (Mr. SANDERS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 71, nays 28, as follows:

[Rollcall Vote No. 71 Ex.]

YEAS—71

Akaka	Gillibrand	Merkley
Alexander	Graham	Mikulski
Ayotte	Grassley	Murkowski
Baucus	Hagan	Murray
Begich	Harkin	Nelson (NE)
Bennet	Hatch	Nelson (FL)
Bingaman	Hutchison	Portman
Blumenthal	Inouye	Pryor
Boxer	Johnson (SD)	Reed
Brown (MA)	Kerry	Reid
Brown (OH)	Kirk	Rockefeller
Cantwell	Klobuchar	Schumer
Cardin	Kohl	Shaheen
Carper	Kyl	Snowe
Casey	Landrieu	Stabenow
Cochran	Lautenberg	Tester
Collins	Leahy	Toomey
Conrad	Levin	Udall (CO)
Coons	Lieberman	Udall (NM)
Corker	Lugar	Warner
Cornyn	Manchin	Webb
Durbin	McCain	Whitehouse
Feinstein	McCaskill	Wyden
Franken	Menendez	

NAYS—28

Barrasso	Heller	Risch
Blunt	Hoeven	Roberts
Boozman	Inhofe	Rubio
Burr	Isakson	Sessions
Chambliss	Johanns	Shelby
Coats	Johnson (WI)	Thune
Coburn	Lee	Vitter
Crapo	McConnell	Wicker
DeMint	Moran	
Enzi	Paul	

NOT VOTING—1

Sanders

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is laid upon the table and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:47 p.m., recessed until 2:15 p.m. and reassem-

bled when called to order by the Presiding Officer (Mr. WEBB).

CLOSE BIG OIL TAX LOOPHOLES ACT—MOTION TO PROCEED

Mr. REID. Mr. President, under the previous order, I move to proceed to Calendar No. 42, S. 940.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 940) to reduce the Federal budget deficit by closing big oil tax loopholes, and for other purposes.

OFFSHORE PRODUCTION AND SAFETY ACT OF 2011—MOTION TO PROCEED

Mr. REID. Mr. President, under the previous order, I move to proceed to Calendar No. 43, S. 953.

The PRESIDING OFFICER. The clerk will report the motion.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

The PRESIDING OFFICER. Under the previous order, there will be 4 hours of debate equally divided prior to the vote on the motion to proceed to S. 940.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to follow on the majority leader's bringing this legislation to the floor, which I am privileged to sponsor with a whole host of my colleagues, and really to speak out for taxpayers and against continuing to provide subsidies to multibillion-dollar big oil companies. We are talking about the big five. We are not talking about any other entity, just the big five.

A positive vote on my bill presents a simple choice for everyone in this Chamber: Are you on the side of working class families or are you on the side of Big Oil? There are lots of ways to cut the deficit. Many of our colleagues, particularly in the other body, want to end Medicare and cut student loan programs. What I and my cosponsors want to do is end wasteful oil tax breaks for a wealthy industry that does not need them.

Clearly, we all need to tighten our belts to help address the deficit—all of us—even the oil companies. We all know oil companies are among the largest, most profitable companies in the world, but sometimes it is hard to understand the true scale of their wealth. So this chart is a simple attempt to give some perspective.

The median income in the United States is about \$50,000. ExxonMobil, just one of these big five, is projected to earn in profits \$42.6 billion this year—\$42.6 billion. Now, it is impossible to show this disparity on a chart,

but if this chart were to scale and each bundle of money equaled \$50,000, then we would need more than 850,000 stacks of bills to equal ExxonMobil's profits over the next year. So 850,000 stacks of bills on this poster would be about 170,000 feet high or about 32.2 miles straight up, through the ceiling of this Chamber, and beyond the stratosphere.

Now, the printing and graphics department is very good at the Senate, but 32 miles of posters was probably a bit much. So I decided not to do that. I appreciate the Parliamentary acknowledging that I shouldn't have done that.

My bill would close several loopholes for Big Oil—loopholes that, given the current budget climate, would let Big Oil get away without making any sacrifices at the very time we are asking middle-class families, the disabled, and the elderly to tighten their belts and help reduce the deficit. There simply is no commonsense explanation for balancing the budget on the backs of working families and letting multibillion-dollar oil companies keep billions in taxpayer dollars.

At the same time the median income is \$50,000 for Americans, here is what it is if you are a CEO of one of the big oil companies. In the last year alone, the CEO of ExxonMobil got paid \$29 million. The ConocoPhillips CEO last year was paid about \$18 million and Chevron about \$16 million. Most Americans will never see that in their lifetime of work. So to have these executives come last week before the Finance Committee and say, as one of the companies put out, the suggestion about taking away some—not all, some—of their tax subsidies was un-American is pretty outrageous.

Let me explain the provisions of my proposal. The first provision has to do with foreign tax credits. U.S. taxpayers are taxed on their income worldwide, but they are entitled to a dollar-for-dollar tax credit for any income taxes that are paid to a foreign government. They get that taken off. It makes sense because we don't want to tax the same activity twice, but U.S. oil and gas companies have pretty smart lawyers and clever accountants. They have figured out if they can convince a foreign government, such as Indonesia, to charge them taxes instead of a royalty, which is, in essence, a fee they pay for the purpose of drawing that oil out of that country, they can get a big break on their U.S. taxes. But what this amounts to is that the U.S. taxpayer is subsidizing foreign oil production. This bill would close that loophole and return \$6.5 billion to the Treasury.

Another one. In 2004 Congress created the domestic manufacturing tax deduction. It was designed to help U.S. manufacturers that export a product to a foreign market; so cars, iPhones, iPads, all of that. Well, few would see the extraction of oil from the ground

as manufacturing, but, again, Big Oil's lobbyists earned their money. They saw an opportunity, some made phone calls, and, lo and behold, according to the Tax Code, oil companies are in the manufacturing business.

This legislation closes that loophole and saves taxpayers almost \$13 billion. That would be \$13 billion more toward deficit reduction.

Now, the American people understand this bill. They understand Big Oil makes enormous profits. There is nothing wrong with making profits, by the way, but they don't need to have our tax dollars in order for them to make those profits. The American people understand Big Oil does not need taxpayer subsidies, and they understand if Big Oil wants to lower gasoline prices, they could put a lot less money in stock buybacks and a lot more in lowering prices or producing more oil.

But in order to combat this straightforward, commonsense bill that even the CATO Institute supports, Big Oil and its supporters have come up with some pretty straining rhetoric. The strangest by far, as I alluded to before, is suggesting that those who support cutting these wasteful subsidies are un-American. It seems to me when a company stoops so low as to question the patriotism of those who would suggest that maybe they can do without \$21 billion in taxpayer subsidies when they are going to make anywhere between \$125 billion in profits—not proceeds, profits—to \$140-some-odd billion, to question the patriotism of those who suggest they don't need further taxpayer subsidies is to suggest they don't have very good arguments on their side.

The charge of un-American is outrageous, and I think the 74 percent of Americans who support ending oil subsidies know they are more American than that point of view.

Another argument I keep hearing is that oil companies are entitled to these breaks. This argument seems to suggest that the wealthy and powerful deserve what they get, and working class families should know their place and know better than to ask oil companies to do their fair share as well. Warren Buffett, one of the richest men in America, said:

There's class warfare all right, but it's my class, the rich class, that's making the war and we're winning.

This bill says even the most rich and powerful among us must do their fair share to help us reduce the deficit. Their high-priced lobbyists cannot stop us from doing what is fair and what is right.

Some in the industry have also claimed that cutting \$2 billion in annual oil subsidies to the big five oil companies will somehow make oil and gasoline more expensive. That argument is absolutely false. This bill would save taxpayers \$21 billion over 10

years, roughly a little over \$2 billion per year. Compare \$2 billion in taxpayer subsidies to the projected—anywhere between \$125 billion and \$144 billion in profits the big five oil companies are expected to make this year. So if the big five oil companies could just live with \$142 billion in profits in 2011, they could pay their fair share in taxes, help lower the deficit, and not raise the price of gasoline.

Let's put it a different way. The Finance Committee recently went through the corporate filings of the big five oil companies and found their costs of extracting oil is about \$11 per barrel. When oil is trading at nearly \$100 per barrel, it is simply absurd to suggest that the costs oil companies are facing is what is determining the price of oil or that cutting \$2 billion per year in subsidies will somehow force oil companies to raise prices.

In addition, the nonpartisan Congressional Research Service just came out with a definitive report echoing the sentiments of countless economists and other disinterested observers concluding that my legislation would not increase gas prices at all.

So it is time for the big five to do what is right for a change and pay their fair share. This should not be hard since in 2005, the CEOs of some of the big five oil companies testified they agreed with former President Bush that they do not need subsidies to drill for oil when it is selling at \$55 per barrel. Well, it is selling at nearly \$100 per barrel right now, so it is quite strange that anyone thinks they need government handouts to drill when the marketplace is driving them that way. We simply cannot expect the average working family to shoulder the burden of lowering the deficit alone.

I hope some of the favorable comments I have been hearing from my Republican colleagues in recent weeks means they are ready to join in this effort and lower the deficit because all of the savings go directly to deficit reduction under the legislation, and do so in an equitable and effective manner.

What is fair is fair, but nothing about continuing these subsidies is fair. Those on the other side would end Medicare as we know it in the name of deficit reduction while continuing to pump billions of dollars in corporate welfare into a \$100 billion profit industry. That is the height of hypocrisy. It is not fair to working families. It is not a wise use of limited Federal resources. If this body does the right thing today, it is not going to continue. There is nothing fair about the suggestion of ending Medicare in favor of Big Oil subsidies.

Big oil has to do the right thing by America. They can be part, and should be part, of the solution to our deficit challenge, and that is the opportunity we have today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that I be recognized for up to 15 minutes, and that the following list of Republican speakers be recognized for up to 10 minutes each, not necessarily in this order. But the Senators to be recognized will be MCCAIN, CHAMBLISS, CORNYN, BARRASSO, PAUL, HATCH, HUTCHISON, and VITTER.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. MURKOWSKI. Thank you, Mr. President.

I have also come to the floor today to speak about the proposal to raise taxes on the five largest domestic energy producers. I think it is important we remember we are speaking about five energy producers, five oil companies. We are not talking about a tax proposal that is broad and wide and encompassing. We are talking about a proposal to raise taxes on the five largest domestic energy producers.

I have to admit, I had some hesitation about even engaging in this floor debate at all because I think we recognize that the words and the statements we are delivering here are just that; they are just talk, they are just words. This proposal is designed to fail. But in failing, it is designed to score some political points, and it seems as if that is where we are today. But as a Senator who represents a State—Alaska; an oil and gas producing State, a State that would clearly be hurt by this proposal—I am obliged, obligated to outline why I feel this is so deeply flawed.

I want to start by stating the obvious here. This legislation will not reduce energy prices, but, if anything, it will increase our energy prices. It will not substantially reduce our deficit or our debt, but, if anything, it will add to those burdens by shutting off production and forcing the government to forgo production revenues.

I think it is important we put this in context because people around the country—as they look at the price at the pump go up day after day—are saying: What are you doing in Congress to lower the prices? What are you doing to deal with the higher price of gasoline in this country?

I think it is important we recognize this legislation we have in front of us does nothing to reduce our energy prices. It is not just me who says that. The chairman of the Finance Committee has indicated that. We have heard several Members on both the Republican side of the aisle and the Democratic side of the aisle say this is not going to reduce our prices. So what exactly is it we are seeking to do, other than send a message?

This proposal, I think it is important to recognize, will hurt poor and work-

ing families across our country. We all know what the price of gas is in our respective States. I will remind my colleagues that as much as Alaska benefits from high prices of oil, as we are a producer, it is a fact that it kills us in our local communities in our economies because we are the State with the highest gas prices across the country right now.

There was a news story last week back home. In Kotzebue, which is the northwest region up in the State, they are paying \$7.55 in Noorvik, \$8.25 in Kobuk, and \$8.95 in Ambler. I was in Fort Yukon a couple weeks ago. There they are at a \$5, \$6, \$7 gas figure. But the spring barge, which will be coming in in about 4, 5 weeks now, will be delivering fuel at prices that were set some weeks ago, and people have been alerted that on the day the barge delivers the fuel, the price will go up at the pump one additional dollar. We are not talking cents here; we are talking an additional dollar paid by the people in Fort Yukon.

So we know very well what high prices mean to us, and our constituents are asking us to do something about it: What can you do to lower those prices, to develop a coherent energy policy that starts to work now, and then yields progress over time? Our constituents are not asking us to make this problem worse. Yet that is precisely what these proposed tax increases will do.

I heard my colleague here say that, no, this is not designed to increase the prices that are out there. Well, it might not be designed to do that, but that is what we can expect if, in fact, these tax increases do go into play.

It has been a few years since I got my degree in economics, but even though it was more than a few years ago, I do remember some of these very early entry level classes I took. I remember learning that raising taxes on something is going to tend to make it more expensive. And I remember learning that when you tax something, you tend to wind up with less of it. That is just basic economics.

I think there is at least some understanding of these concepts around here because I do not see anyone who is proposing to raise taxes on solar panels or raise taxes on wind turbines to bring down their costs.

The reality is, this proposal—and I believe the point is conceded by its supporters—this proposal will not cause gasoline prices to drop. Instead, it could very well cause them to rise. I understand a memo from the Congressional Research Service suggests that no significant impact on prices will be seen in the short run. But that is the key phrase here: in the short run. Because what we need to be doing is looking longer term than next week or next month.

Whenever corporations face increased costs, they have a responsibility to

their investors to recover those costs wherever possible, and usually what happens is, they pass them on to the consumers. To the extent the costs of this proposal cannot be passed on, and these companies will simply have less to invest in new projects.

That is talking about what does not happen with the price of gas. But this proposal is also not about reducing the debt either. I think it is important to put that in context. At best, it may be a drop in the bucket. According to the CBO, the President's budget for fiscal years 2012 through 2021 would result in nearly \$9.5 trillion in new debt. This proposal, assuming it has no negative economic impact, would raise \$21 billion, or about 0.2 percent of that debt. We would still need something like 450 times more revenue to break even, never mind the \$14 trillion debt we have already incurred. We all know we hit the debt ceiling yesterday, so it does cause you to wonder: Is this the best we can do when we are talking about balancing the Federal budget?

I understand this proposal is not all it will take, and no one is proposing that it do so. But I think it is important we be honest with the American people when we talk about what this would mean in terms of a reduction in the deficit. If we are being honest with each other, we are going to see this proposal for what it is. Essentially a “yes” vote tonight to raise taxes on oil and gas companies is simply a vote to try to take a pound of flesh from these five major companies that, yes, in fact, are making money, yes, in fact, are making a profit. A “no” vote on this proposal tonight is a vote to try—to keep our prices under control, and it is a vote to help preserve America's competitiveness within the global economy.

I also want to take a moment to kind of set the record straight on subsidies. There are no payments from the Federal Government to the major energy producers as some have implied. Past Congresses have decided that those companies—and most other companies in America, I might add—deserve certain tax reductions. This is a critical distinction because we have not decided the Federal Government should actually give more to these companies. What we have decided is, the Federal Government should take less from them.

If that is the same as a subsidy, then new homeowners are direct recipients of subsidies because we deduct mortgage interest payments, and that means almost every company in our country—whether it is a Hollywood studio or the New York Times, whoever it is—almost every company then is somehow or other subsidized.

If we are talking about leveling the playing field by eliminating all the incentives within our Tax Code, especially in the context of broader reform

that makes our Tax Code simpler and more fair, I welcome that discussion, and I think many in this Chamber do. It would be a much different conversation if we were considering a reduction in the corporate tax rate. But, instead, we are here debating whether to give different tax treatment to essentially punish a handful of companies in just one sector of our economy, and there is no policy justification for it other than they can afford it, they are making money, they can afford it.

I would ask my colleagues, is this the kind of business climate we want for the United States? I have to wonder, then, if the answer to that is yes, who the next target will be, if making large profits signals to Congress you should be taxed at a higher rate.

In reality, domestic energy producers are already amongst the most heavily taxed companies in this country. While the effective tax rates for all corporations averaged 26.5 percent last year, the oil and gas industry's tax rate was at a much higher 41 percent. Instead of being subsidized by the Federal Government, the industry is actually a very large taxpayer.

The Federal Government taxes gasoline at a rate of 18.4 cents a gallon. It also receives billions of dollars each year in nontax revenues from the industry. Producers must pay the government for the rights of each of their leases. They have to pay the annual "rents" to hang on to those leases. They pay the royalties on any production that ultimately results from them.

So in terms of what is paid out, according to one estimate, the oil and gas industry's total payments to the government amounted to \$86 million per day—per day—in 2010.

I would also remind my colleagues that the President has established a goal of cutting oil imports by 3 million barrels a day by 2025. If we intend to achieve that goal, which is a good goal, raising taxes on domestic oil production defies logic. To reduce imports, we will need to increase our domestic production. That will not happen if we impose a hostile tax environment for the companies that operate here—companies that are already challenged to produce the oil and gas resources we know we have but we have not been allowed to explore.

Before I conclude, I want to mention an article that recently appeared in the *Financial Times*. It noted that in 2011—this year—OPEC nations stand to take in more than \$1 trillion from exporting oil. Our Nation—the United States—will provide a pretty good share of that money, likely tens of billions of dollars. And what do we hear about it? Nothing from the people who are proposing these tax increases, nothing about the tremendous sums of money we send overseas each year for foreign oil—just the far smaller sums that

could be collected from domestic companies through higher taxes. That is missing the forest here, to cut down the one tree that happens to be growing in our line of sight.

So here we are. Instead of doing everything we can to halt the hemorrhage of Americans dollars to foreign countries, the Senate is now focused on an effort to raise taxes on five companies that actually operate here. The day after we hit the debt ceiling, we are debating a measure that would hardly make a dent in our debt. We are on pace to spend trillions of dollars outside of our economy in the years ahead, and we are on pace to incur trillions in Federal debt, but so long as a few companies pay higher taxes, somehow or other it makes us all feel better. No wonder the American people have lost so much faith in the legislative process. No wonder so much blame for high energy prices is placed on the Federal Government.

The proposal before us today is not an answer for high gas prices or the Federal debt. It is more likely to raise our energy prices, reduce our Nation's oil production, and deepen our annual deficits. I had hoped we would have a good, substantive, reasoned debate and discussion about how we are going to solve all these problems. But instead we are left to debate a measure that is all but certain to fail.

I think the Senate can do better. We will have a debate tomorrow about the Republican alternative—a bill that while it is not perfect will increase production, generate revenues for the government, create new jobs, and improve the safety of our offshore operations. If we are looking for good policy, I think that is where we need to start.

We have a long way to go. But I think what we have before us today is unfortunate.

I yield the floor.

THE PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, what is the order?

THE PRESIDING OFFICER. There is 4 hours of debate equally divided on the question of proceeding to S. 490.

Mrs. BOXER. Is there a specific time limit on each individual Senator?

THE PRESIDING OFFICER. The majority leader has 107 minutes remaining.

Mrs. BOXER. I ask for such time as I may consume, probably less than 15 minutes.

THE PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

Mrs. BOXER. I want to say that the Senator from Alaska does an excellent job of representing the oil companies. She puts forward the oil companies' arguments magnificently. She is very good at it. She was an economics major, and so was I. She said what she learned in her time, and let me tell you what I learned.

I learned that corporate welfare is wrong, that corporate welfare to companies that are on the Fortune 500 list is particularly wrong.

ExxonMobil, No. 2 on the Fortune 500—excuse me if I do not cry for Exxon. Forgive me if I shed no tears for Chevron—they are No. 3—and forgive me, ConocoPhillips. You are No. 4, but you are working on it. I tell you whom I shed tears for—my people at home who are having to pay ridiculous prices and who also have to face a Federal deficit and are looking to us for leadership here. And leadership requires us to say: How long do you have to give corporate welfare to oil companies that have been getting it for 100 years? Count them—100 years. And they are so huge. They are multinational. They are multibillion. I will get into what their people earn, what their CEOs earn in a minute.

So I learned that corporate welfare is bad. It distorts the market. And to compare the tax deductions Big Oil has with the home mortgage deduction gets right under my skin because the people who benefit from the home mortgage deduction are primarily the middle class of this country. So do not come here and compare home mortgage deductions with corporate welfare for the biggest companies in our country.

When are the defenders of Big Oil going to decide how much corporate welfare is enough? When are the defenders of Big Oil going to answer this question: How high does the deficit have to go before you are willing to step up to the plate and end corporate welfare for the biggest corporations that are cleaning our clocks all the way to the bank? I would hope the time is now.

I am going to try to lay out in a series of charts why I believe that. So let's go with the first one.

First of all, we see the first quarter profits: ExxonMobil, \$10.7 billion; as a percentage increase from last year, 69 percent. I am supposed to cry for them. I don't think so. BP, with all of their troubles, corporate profit, \$7.1 billion—this is just in the first quarter—up 17 percent; Shell, up 30 percent; ConocoPhillips, up 44 percent; and Chevron, up 74 percent. Yet Big Oil has the defenders on this floor saying: Wah wah. We cannot allow them to pay their fair share.

Well, I tell you, we have a deficit problem. If we cannot ask the wealthy few in this country to do their share, I do not know where we are headed.

Let's cry for Big Oil—or let's not. Mr. President, \$14.5 million is the average compensation for the big five oil company CEOs. That is 307 times the average salary of a firefighter, it is 273 times the average salary of a teacher, it is 263 times the average salary of a police officer, and it is 218 times the average salary of a nurse. So we actually have people in this Senate coming

here not only to defend these corporations but the CEOs who are crying to us that their companies cannot pay a few dollars more to help us solve our deficit problem.

Do you know what? We could lose this vote. They are filibustering it. We need 60. Let the American people see who is on their side.

Well, who is on the side of these corporations? The effective tax rate for Exxon is 18 percent on their \$7.7 billion in income. A family of two teachers has an effective tax rate of 19 percent. Can you believe this? We have people coming to this floor crying for the oil companies when they pay an effective tax rate less than a family of two teachers. ExxonMobil, 18 percent on their billions; a family of a truckdriver and a dental hygienist, 19 percent. So the effective tax rate of these humongous, multibillion-dollar, multinational corporations is less than our middle-class families, and people are coming here to cry tears for these oil companies, and the companies were whining in front of that committee. I mean, they may be very nice people, but they are out of touch. I agree with that. I think it was Senator ROCKEFELLER who made that statement.

What we could do with the \$21 billion over the next 10 years. We can continue these handouts, this corporate welfare to Big Oil, or we could fund the entire COPS Program for all of those 10 years and we could also provide afterschool care for 2 million kids. So I am asking people, would you rather have a cop on the beat at home and know our police are out there and they are protecting our families, would you rather make sure 2 million kids are kept off the street and have quality afterschool programs, or would you rather continue corporate welfare for these five corporations in the Fortune 500—three of the American companies are in the Fortune 500.

We could also provide 10 years of Federal Emergency Management Administration disaster relief. We are looking across this great Nation of ours, and we are seeing flooding, evacuations, sandbagging—all of the problems—typhoons, hurricanes, and in California we know about earthquakes. FEMA is running out of money. Would you rather make sure they are ready for the next disaster or would you rather continue corporate welfare for these five corporations? You have to answer that question, America, because it does not look as though we are going to win this one.

These are issues you have to decide when you vote. That is the beauty of this country—people make a decision when they vote. If they agree with the Senator from Alaska that these five big oil companies still need corporate welfare, they know whom to vote for.

What could we do with \$21 billion over the next 10 years? We could fund

the Ryan White Program, which handles the AIDS epidemic at the level the President requested, and get rid of that dreadful disease.

You heard the sort of veiled threats from my colleague from Alaska, an oil State. I fully respect her; I just disagree with her entirely. But she has the absolute right to say what she said and believe what she said. I think it is parroting what the oil companies say. That is fine. That is her option. But the Joint Economic Committee said that repealing the oil subsidies would have no effect on consumer energy prices in the immediate future. So all of those threats that they are going to raise prices—I ask you rhetorically, Mr. President, for all of the years they have been getting all these subsidies, have they ever lowered their prices? No, they have not. The Congressional Research Service said that a small increase in taxes would be unlikely to reduce oil output and hence increase petroleum prices. So the experts are saying that nothing in this bill to make them pay their fair share is going to adversely impact gasoline prices.

The former CEO of Shell Oil said that with high oil prices, such subsidies are not necessary. He said that in February—their own people. Their own people. Yet, when they come to the committee, they are all whining about it.

Then you hear from those from the oil-producing States: Well, we do not have enough rigs in operation. This administration is not drilling.

Excuse me. There are such things called the facts. Let's look at them in this chart. We see more drilling than ever before. This administration is moving forward. The oil companies have over 50 million acres of leased land and offshore that they can drill on today, and all they want is more, more, more. They want to come to California, drill off our pristine coast, and threaten tens of thousands of jobs we have in our fishing industry, our tourism industry. They do not have to do that. They are sitting on these leases. They are drilling many more.

So let's just have the facts be part of the debate. That is what I am trying to do today with these charts, is to lay out the facts.

Now, how do we reduce gas prices? I had a press conference actually in an independent gas station last month. The independent gas station owner was wonderful. He said: I agree with you, Senator.

There I was, coming out with this plan. Here is how we can reduce gas prices:

End Big Oil subsidies and take that money—some of it—reduce the deficit, and take the rest and invest in alternatives so we have alternative clean fuels and batteries that can run our vehicles so we do not have to have these automobiles that are gas guzzlers.

Crack down on fraud and speculation. A lot of this increase is due to that.

Use it or lose it, say to the oil companies. You own all of these leases; drill on those leases.

Release oil from the SPR. We know the Strategic Petroleum Reserve has a tremendous amount of oil. This is the time to tap it. The last time we did it, prices went down 30 percent.

Invest in clean energy and efficiency.

Reduce exports. Can you believe that the producers right here in America are exporting their oil—some of their oil? Keep it home. We need it here.

So that is a plan we can take. But let me conclude my remarks this way. In the land of the free and the home of the brave, we need to have some fairness in our lives. It is crucial.

All the talk about competition—we want competition. You do not have competition. When you are looking at these huge companies—and my colleague from Alaska talked about comparing them to these little bitty solar companies that are just getting started. When companies are just getting started with a new technology, that is one set of circumstances, but when you give these tax subsidies to Big Oil, you distort the price of the commodity. You distort the price of the commodity and you bring it down. Therefore, it is anticompetitive with other sources of energy.

This is the moment. We are looking to cut the deficit. We are looking for ways to bring billions of dollars home so that we can get out of the red. What could be more perfect than this opportunity in the name of fairness, in the name of competition, in the name of deficit reduction, frankly, in the name of the consumer? Let's have some fairness. Let's not come down to the floor and compare these corporate giveaways to the mortgage deduction our middle class so needs.

I thank you very much for this opportunity. I hope we will have the courage to vote to end this corporate welfare.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I ask unanimous consent that all the time not used be charged equally to both sides.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. VITTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, I ask unanimous consent to speak for up to 15 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. VITTER. Mr. President, American families all around the country, certainly including Louisiana, are suffering as the price at the pump goes up and up. It does so just as we are trying to get ready to enjoy a little vacation time with our families, use more gasoline maybe driving places. That is always tough. But it is not just a typical summer experience. This is worse than ever. I have the sinking feeling this is more permanent. I am afraid this is not a blip, that this is a long-term trend and it is hitting American families in the pocketbook hard. It is hitting Louisianans in the pocketbook hard.

At the same time we see historic turmoil in the Middle East. We see so many signs that we need to get hold of our energy picture. So energy and the need for, among other things, increased domestic energy production is absolutely crucial.

That is why it is so darn disappointing what we are going to do or, perhaps more appropriately, not do on this crucial subject in the Senate this week.

First of all, it is disappointing because we are going to end up doing nothing. We are going to have some votes—we are going to have some debate—that are more or less messaging votes and nothing comes of it. That is disappointing because America needs leadership and action, not just posturing.

Secondly, it is disappointing, in my opinion, when we look at the two proposals before us. Because I am deeply disappointed in them, I am going to vote against both proposals—the Menendez bill and the McConnell bill—although for very different reasons.

The first vote will be later today on the Menendez bill. I am afraid this bill is just pure political demagoguery—attacking Big Oil because I suppose the author and some Members think that is an easy target and meanwhile doing nothing substantive about the real problem, providing no relief to Americans who are paying more and more at the pump.

The bill purports to do away with taxpayer subsidies to Big Oil. Let me give the factual translation of that. The factual translation is to increase taxes on certain energy companies by disallowing them from claiming the same sort of deductions and credits that thousands of other American businesses and manufacturers can claim, some of which go back and are almost as old as the income tax itself. That is the factual translation.

Let me also give the translation of what it would do, according to non-partisan sources, such as the Congressional Research Service. It would decrease gasoline supply and increase price at the pump. What a great result. American families are suffering as it is going into the summer with historically high prices. Measures are being proposed on the floor that would actually decrease supply and increase price, exactly the opposite of what we need.

I am completely open to doing away with all sorts of deductions and exemptions in the Tax Code, but we should do that overall, across all industries, across all groups in America as part of fundamental tax reform. We should not just demagog the issue and target one industry and a few companies.

The President's own deficit commission suggested that brand of fundamental tax reform. I agree with that general approach. Unfortunately, so far the President has not led on that issue, perhaps because it would mean not just impacts on big oil but maybe favorite companies of his, such as GE, that might have to pay some taxes or maybe gold mining companies in Majority Leader REID's State of Nevada would also have to sacrifice very attractive special tax benefits.

Let's get serious about two serious issues: fundamental tax reform and let's look at that and lead on that and let's get serious about energy.

I also have to say I am deeply disappointed with the McConnell bill. It does some positive things at the margin in terms of opening access. But meanwhile, the very first section of the bill, the very first substantive section, which is section 2, actually increases the regulatory burden in the permitting process.

I can tell you, living in the gulf, we have been trying to slog through that overly burdensome permitting process to let energy companies get permits to begin with. That process is already too burdensome, too cumbersome, too long. It virtually shut down the gulf, produced less energy, and has thrown a lot of Louisianans and Americans out of work. We need to streamline that process. We need to accelerate that process, not add any new burdens and any new hurdles in it.

Unfortunately, section 2 of the McConnell bill does exactly that. It increases the burdens and requirements and hurdles of even the new Obama regulations that have been put in place since the BP disaster. Specifically, since the BP disaster, the Obama administration has required containment plans to be presented and approved by the Interior Department before exploration plans and drilling permits are issued.

This bill would go further than that and add a new layer and a new level and a new requirement that even before submission to Interior, these con-

tainment plans would have to be third-party reviewed. Again, I think this is a completely unnecessary extra burden, extra hurdle, extra layer of requirement. We need to make the permitting process smoother, more streamlined, more accelerated, not move in the opposite direction.

Secondly, while the McConnell bill opens a little bit more access, it is very modest. It does not touch the eastern gulf. It hardly touches the Atlantic. It does not touch the Pacific coast. It does nothing onshore, including in our western shale areas, where there are enormous oil resources trapped in that western shale which we can access because of new and safe technology. I am also disappointed that the bill is so modest in terms of increased access.

To summarize, this week is pretty darn frustrating for me. It is frustrating because we are not going to do anything. There is going to be a whole bunch of sound and fury, in the end signifying nothing—all too common an experience in the Senate.

When we look at the two specific proposals, they are darn frustrating—the first pure demagoguery; the second moving in the wrong direction in terms of the permitting process and not being big and bold enough in terms of opening access.

The United States is the single most energy-rich country in the world, bar none. Only Russia even comes close. No Middle Eastern country—Saudi Arabia, anyone else—comes close to our overall energy richness, our resources. But we are the only country in the world that puts 95 percent of all those resources off-limits under law; says, no, can't touch the eastern gulf, can't touch the Atlantic, can't touch the Pacific, can't touch Alaska offshore, can't touch ANWR, going to make it difficult in western shale.

Over and over we make it difficult to impossible to produce good, reliable American energy right here at home. Most recently we have done that by virtually shutting down the only productive part of the United States in terms of energy—the western Gulf of Mexico. That is what we need to change. We need to change that in a big way.

In closing, let me say, I am a proponent of all of the above. It is not either/or. It is not just oil and gas. But it is also not just new, undeveloped, advancing forms of technology and energy. We need all of the above in a big way. Let's come together around that commonsense wisdom of the American people who favor all of the above, and let's start doing all of the above aggressively. But that surely has to include much more domestic production of energy, open access to all these vast resources we have. We can do it. We can do it safely. We need to do it to provide some relief to American families.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. MANCHIN). The clerk will call the roll. The assistant legislative clerk proceeded to call the roll.

Ms. LANDRIEU. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak for up to 15 minutes from the time reserved on the majority side on this issue.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. LANDRIEU. Mr. President, this is a very important issue we are debating today, and there are very different views about how we should proceed. I rise to object to the Menendez bill that is on the floor. I urge my colleagues to vote no, and I wish to give at least five reasons why.

I don't think this bill is the right approach. It will not solve the problem of high prices at the pump. I think, in many ways, it is actually a waste of time to be taking a whole day on an issue that is not going to result in lower prices at the gas pump or in more domestic supply, which are two things we need to attempt to do sometime in the next short period.

I have a great deal of respect for my colleague from New Jersey—as I do my colleague from California, who spoke in favor of this direction—but I want to give a couple of thoughts about why I will be voting no and why I am urging my colleagues to do the same.

According to economic analysis, the bill Senator MENENDEZ presents to us today to remove tax credits and subsidies from the five major oil companies will do nothing to lower prices at the pump. So as everyone goes to fill up their cars, their trucks, or their minivans today, even if this bill passed—which it will not, because it will not get near the 60 votes needed to move it forward—it will not lower prices at the pump by 1 penny.

Mr. President, I ask unanimous consent to have printed in the RECORD a document I am going to refer to, which is information from an independent economic analysis.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

WRITTEN TESTIMONY OF JAMES J. MULVA,
CHAIRMAN AND CHIEF EXECUTIVE OFFICER,
CONOCOPHILLIPS

Good morning Chairman Baucus, Ranking Member Hatch and members of the Committee. My name is James J. Mulva. I am Chairman and Chief Executive Officer of ConocoPhillips. I am particularly pleased to be here today to tell our side of the story in this important debate, which I believe will help shape the future of our industry and our country. Naturally, I am very concerned about the misinformation being circulated about our industry and my company in particular—especially the misinformation sur-

rounding our corporate tax liabilities and attempts to use these false impressions to justify further increases in our company's tax burden. I feel that it is imperative to make you aware of the impacts that the tax proposals will have, not only on our company, but on American jobs, energy consumers and national energy security.

While there is much discussion about high energy prices and proposals to increase taxes on oil and natural gas companies like ConocoPhillips, there seems to be far less information about the rest of the story—how much we pay already in taxes. As depicted in this chart, our industry already has one of the highest tax rates among all U.S.-based businesses. Of the top 20 Fortune 500 non-financial companies (ranked by market capitalization), the three U.S.-based oil and gas companies represented here today are the top taxpayers on the list. In fact, ConocoPhillips tops the entire list, with a 46 percent effective tax rate. By comparison, the top 20 companies together pay an average effective rate of 27 percent. While there have been some media reports on our industry's actual tax burden, this fact seems to be consistently and unfortunately overlooked in the debate inside the Beltway.

Ms. LANDRIEU. Mr. President, it might make us feel better to beat up on Big Oil, it might present a scapegoat in some quarters, but it will not lower prices at the pump, and that is what we need to talk about. The economic recovery we are in—slow and spotty in places, but underway—can be stalled out by prices as high as \$4.37 a gallon—a price I saw at a station right here in the Washington, DC area. That is frightening to consumers, to families, to small businesses, and to large industry that are seeing their cost of business go up because of these prices. We should be working on real solutions, and this is not one of them.

According to the Joint Economic Committee report on this bill, published last week, repealing these tax incentives “would have little or no impact on consumer energy prices in the immediate future. The impact in the long term will also be negligible.” So why are we doing it? Why would we want to harm five large oil and gas companies that work internationally, that employ 9.2 million people in the United States directly—good, hard-working Americans working in and for these companies? Why are we doing this? That is a good question.

No. 2. The industry pays its taxes and then some. I think there is some real misunderstanding that these large oil and gas companies pay either little or no taxes. Maybe people have been told, and believe, that they have so many tax subsidies they do not pay taxes. I want to put that issue to rest. First of all, three companies, ConocoPhillips, Chevron and ExxonMobil—I am sorry I don't have this chart blown up. I would like to, and I don't know if the camera can pick up this small 8-x-11 sheet here—you will see by the red lines here, these three companies have paid approximately 49 percent, 43 percent and 42 percent. This is their tax rate. I think that is pretty high.

They are making billions of dollars, that is true, because prices are high and there is an increase in demand. That is the American way. That is the profit incentive. I know people are angry they are making these profits, but they are paying significant amounts in taxes. In fact, these companies pay more than \$86 million to the Federal Government in income tax and production fees every day. That is \$86 million today, \$86 million tomorrow, and the next day and every day. So the thought that they are not paying their taxes, that they are hiding behind some extraordinary loopholes in the Tax Code doesn't measure up.

People might say: Well, Senator, what are those blue lines on your sheet? I will tell you what those blue lines are. This is Walmart. Walmart is a big company. They make a lot of money and they are in all of our States. Their tax rate is 33 percent.

One of the most successful investment companies—Berkshire Hathaway—makes tons of money, has profits for shareholders, has made thousands of millionaires—and congratulations to them, people who have invested in Berkshire Hathaway. They have made millions of dollars. Warren Buffet is one of the most respected investors. I personally have a great deal of respect for him. But you know what their tax rate is? Thirty-one percent.

What is Intel? Intel is one of the largest companies in the world—27 percent. Phillip Morris, a tobacco company, 27 percent; IBM, 27 percent; all the way down to telecommunications companies—Verizon and Coca Cola, 21 percent; all the way down to GE, one of the largest companies in the world. You know what they paid last year? Nine percent.

In fact, people were shocked—myself being one of them—that GE paid zero taxes to the Federal Government last year when these five big companies are paying \$86 million a day. GE paid nothing any day—all year—zero. Yet these five oil companies are paying \$86 million a day and we have to have this discussion?

Should some of these subsidies be looked at? Absolutely. When should they be looked at? In the Finance Committee, when we look at all the subsidies in the Tax Code for these other industries—both oil and gas and non-oil and gas, resource based and not, both retail, telecommunications and software companies, such as Intel, Microsoft, et cetera. I will be the first to stand and say that many of these subsidies—or some of them—need to be eliminated, particularly when the taxpayers are looking to close the deficit and reduce our debt.

Most certainly we need revenues. Should this be on the table when that serious, thoughtful, deliberate debate happens? Yes. But today, this is entertainment. And it is not funny and it is not laughable. It is very serious.

I am going to submit this for the RECORD. These are all the large companies—these five large oil companies that everybody enjoys beating up on. I understand they are making a lot of money today, but that is no reason to go after them, singling them out, particularly because of the 9.2 million Americans who are working in and around and for them, and the thousands of independent companies and suppliers that work in partnership with them.

Let me give my third reason for opposing this bill. This approach undermines domestic production. According to the EIA study, published in 2008, the oil and gas industry received about 13 percent of the U.S. subsidies. If you listen to the debate on this side of the aisle, you would think that they get all the energy subsidies and that they don't need them because prices are high and they can make a lot of money drilling. The facts are that of all the U.S. energy subsidies, the oil and gas companies—the big ones—get only 13 percent, but they provide over 60 percent of the energy. So for the 13 percent of subsidies, they produce 60 percent of the energy.

Unfortunately, while the United States was at an all-time high of oil production, the EIA, which is the Energy Information Administration, now estimates U.S. Gulf of Mexico production will decline to 1.14 million barrels a day by the year 2012. The last time the Gulf of Mexico produced less than 1.2 million barrels of oil was in 1997—more than 10 years ago.

Everybody—including the President and the Secretary of the Interior, who was before our committee today—is touting that oil production is at an all-time high. They are correct, but that is only half the truth. If you flip the page, or look to the next chapter, what you will see is that production is declining precipitously for two reasons. We have almost shut down drilling in the gulf. There has been virtually no new exploration and production because of bureaucracy and delay. And attacks like this don't help. We need to be increasing production, not decreasing it.

The truth is we are at an all-time high, but we won't be for long. We are going in the wrong direction. That is why I want to commend the President for saying he wants to step up domestic production. We couldn't step lively enough for me. So I am hoping that is what we can do and move on.

I see my colleague on the floor, so I will try to finish in 2 minutes.

The fourth reason for opposing this bill is that it does hurt independent producers. I am happy to see this main attack is not directed at independents. That would be a terrible thing, because it is pretty bad for the big companies, but it would be devastating if it were aimed at independents. It does affect

independent producers, because many of the independent producers, several of which I represent—some are in West Virginia, some are in Texas, some in Oklahoma, some of them are in Pennsylvania, and some in New York—so I am not the only Senator here who represents a lot of independents in oil and gas, and “wildcatters” have a very proud tradition where we come from—have partnerships with the big oil and gas companies. The money and the resources they have go into supporting those partnerships with those independents. So indirectly this does affect independent producers.

Finally, this bill gets our energy and job priorities backwards. One of the provisions in the bill, which I wish to speak to, says the economy of the United States suffers huge net losses in jobs and productivity from growing annual trade deficits in energy due mainly to the \$250 billion or more we pay for foreign oil. I understand that we have a trade deficit for foreign oil. So why are we doing something to diminish domestic production right here at home? That is what this bill does.

These are five reasons I am going to vote against the bill. I urge my colleagues to do the same. This industry contributes a lot to our economy. If this country would make it a priority to increase domestic production and to reduce our foreign consumption, we would reduce that annual trade deficit and do right by our people.

There are many other things I would like to say, but we are restricted on time. I will submit the rest for the RECORD. I can only say we need to produce more at home, produce it safely, and produce it equitably.

Finally, when we want to review tax subsidies across the board for all big companies I will be at the table. Until then, I am going to sit at this seat and vote no.

THE PRESIDING OFFICER. The Senator from Oregon.

MR. WYDEN. Mr. President, before she leaves the floor, I want to say to my seatmate on the Energy Committee, I am looking forward to working closely with her on a host of these issues. I think she is spot-on with respect to her concern about the independents. This morning we talked about natural gas, where there is enormous potential. I want to assure my friend and colleague I will be working very closely with her.

MS. LANDRIEU. I thank the Senator.

MR. WYDEN. Mr. President, let me start by discussing briefly what happened in 2005. Then-President George W. Bush spoke to the American Society of Newspaper Editors. It was at their convention in 2005. Then, as now, energy was a very important issue—obviously, central to our economy. President George W. Bush made some very important remarks, in my view, at that convention. I would like to read

briefly what President Bush said to the convention. On energy, he said:

One of the initiatives I will push, again, is to get an energy bill out. I will tell you with \$55 oil we don't need incentives to oil and gas companies to explore. There are plenty of incentives. What we need is to put a strategy in place that will help this country over time become less dependent. It's really important. It's an important part of our economic security, and it's an important part of our national security.

George W. Bush was right then, and he is just as accurate today. His comments with respect to the importance of an energy bill to our economic security and national security, in my view, is indisputably accurate. Because the President, who of course comes from oil country and has been an oil man himself, took this position, I thought it important to look at that in the context of where we were headed in terms of our country's energy policy.

We had a hearing back then, in 2005. We had all the major oil companies with us that day, their executives. In fact, one of them who was before the Finance Committee last week, Mr. Mulva, also was there in 2005. I asked each of the executives of the five major oil companies whether they agreed with the statement George W. Bush had given to the American Newspaper Convention, and all of the major oil companies testified at this joint hearing that they agreed with President George W. Bush. They said they did not need any incentives.

There were no qualifiers, there were no caveats, there was no this, there was no that. The five major oil companies, through their CEOs, said they did not need any incentives to explore for oil. Period, end of discussion. I thought it important to get that on the record to compare it to their views now.

Last week, in the Senate Finance Committee on which I am honored to serve, we got a very different story. In effect, the CEOs did an about-face. Frankly, they did it with a pretty straight face. Each of them defended the \$2 billion a year in tax breaks they specifically get for exploration and drilling. These are industry-specific tax breaks. I know there has been a lot of confusion in this discussion. Is this effort somehow about ending something that other people get as well? Why don't we move on to tax reform?

I don't take a back seat to anybody on this tax reform issue. I have been involved in the first and only bipartisan tax reform effort in the last quarter century with our former colleague, Senator Gregg, and now Senator COATS. So tax reform is certainly crucial. But now we are talking about industry-specific tax breaks, and the five major oil companies that said they did not need them in 2005—in fact, basically, said they didn't even get them—now say somehow if they don't continue to get them, we are going to have enormous economic problems.

These are not just plain old tax breaks. Tax credits such as “expensing of intangible drilling costs” under section 263 of the Tax Code and “amortization of geological and geophysical costs” under section 167 of the code are, in fact, not available to every American business. We are talking, again, about specific sections of the Tax Code. I mentioned two, section 263 and section 167. These oil and gas provisions which President Bush, in 2005, said were not needed—the executives in 2005 said they were not needed—are not like every other business tax provision. How many businesses do we know that have expenses for oil drilling that are not in the oil business?

At the Finance Committee last week the CEO of Chevron said the intangible drilling tax break was like the research and development tax credit that all other American companies get. That is not accurate.

First of all, as I reminded that CEO, oil companies also get the R&D tax credit. When they have legitimate R&D expenses, they can claim the credit. If intangible drilling costs were just like research costs for the oil and gas industry, they would be getting two tax breaks for the same thing. That would be double dipping at taxpayer expense.

In reality, as the major oil companies know, building access roads to bring in drilling rigs—which is the kind of thing that is covered by the intangible drilling provision—is nothing like the research and development tax incentive. It is a cost of doing business in their major business, drilling for oil.

What is more, the tax breaks for these kinds of expenses are usually spread out over a number of years, but with expensing of drilling costs the oil companies get to write off these costs in the first year. They not only get extra tax breaks that other companies do not get, they also get to claim these breaks sooner than would other types of businesses. It simply defies old-fashioned common sense to claim that the tax incentives oil companies get for exploration and drilling costs, which they did not need when oil was \$55 a barrel, somehow today become essential when oil is at \$100 a barrel. Even if we adjust for inflation, today's oil price is \$30 to \$40 a barrel more than it was in 2005—not a couple of dollars more but substantially more, no matter which of the inflation indices you use.

Just so there was no confusion about what was said in 2005, I thought it was important to actually look at that video and, as I indicated, each of the CEOs of the major oil companies reversed their position from 2005 and said those billions of dollars in tax breaks were essential if they were to continue to drill for oil.

In 2005 the price of gasoline at the pump had soared to what was then a record high. Today the price of gasoline is just below the all-time high

price set in 2008. Then, as now, the oil companies were reporting record-high profits. So both in 2005 and today the oil companies have high prices and certainly record profits to incentivise them to drill for oil.

Then the question is, What has changed from 2005 until now to continue justifying providing these major companies with taxpayer subsidies? I want to spend a couple of minutes unpacking a couple of the arguments we heard at the Senate Finance Committee.

Last week we heard from the CEOs that oil was getting harder and harder to find, and they faced increased global competition. If anything, U.S. oil supplies and prices are less tied to the global market now, and new oil supplies are easier to find than they were in 2005. After declining steadily since the mid-1980s, U.S. oil and natural gas production has begun to climb since 2008 due to new onshore discoveries in shale formations and development in the Gulf of Mexico.

As the distinguished Presiding Officer knows, we have great interest in this subject of natural gas and discussed it this morning in the Senate Energy Committee. The location and technology for getting oil and gas, especially from these onshore shale formations, have not only dramatically increased U.S. oil and gas reserves, but the technology is now sufficiently well established that U.S. oil and gas production is rising, and rising rapidly as a result.

According to a recent analysis by the U.S. Energy Information Administration, oil production from the Barnett Shale formation in Texas—literally in the backyards of the headquarters of some of the companies we heard from last week in the committee—oil production from that Barnett Shale formation in Texas has tripled since 2005. In North Dakota, oil production from shale has gone from next to zero in 2005 to 240,000 barrels a day and is expected to continue to grow. In 2010, production in the Woodford Shale in Oklahoma increased 40 percent between 2009 and 2010.

In one area after another, there was significant increase in production. In fact, total oil production has increased over 10 percent since hitting its low point in 2008, and the Energy Information Administration predicts that because of the increased production in oil shale and other sources in the Gulf of Mexico, it is going to continue to grow. U.S. prices are also less tied to global markets and competition now than they were in 2005 because of the increased U.S. production and increased Canadian tar sands production that is pouring into the U.S. market. This ought to be of no surprise to the five major oil companies that testified last week because each of them has also made significant investments in the Canadian tar sands project.

According to the Wall Street Journal, in 2009, Exxon announced it had acquired more reserves than it had produced for the 15th straight year, and half of those new reserves, 1.1 billion barrels of crude, were from a single Canadian tar sands project it was developing—a topic for another day.

I see my friend from Oklahoma on the Senate floor. Canadian tar sands developers are so concerned about the oversupply of tar sands oil to the North American market that they are pushing to build a new pipeline, the Keystone Pipeline, to the Gulf of Mexico that would allow them to export crude and refined products to the other markets.

The argument that it is just too hard to find new sources of oil simply does not hold water. Further evidence of just how much the U.S. and North American markets are being disconnected from global competition by these developments is the fact that the benchmark U.S. oil price, West Texas Intermediate, has been selling for \$10 and \$20 a barrel less than the benchmark for European oil. If supply was as tight in the United States as some of the majors told us last week, there would not be such a discrepancy in prices.

Last point. The Senate will certainly be hearing arguments that the loss of these tax breaks is going to drive up the price at the pump. This is, obviously, very much on the mind of every Senator when our people are struggling to pay the already steep cost of filling their tanks.

At the 2005 hearing I also asked the CEOs about ending these tax breaks on their companies, and several of them said it would not affect them, or it would only affect them minimally.

The CEO of Exxon said: “As for my company, it doesn't make any difference.”

The Chevron CEO said ending these tax breaks would have “minimal impact on our company.” The CEO of BP said the same thing: “It's a minimal impact on us.”

Again, common sense would tell us major oil companies earning combined profits of close to \$32 billion in a single fiscal quarter would not suffer a big economic impact from the loss of those industry-specific tax breaks I have been talking about. They are certainly not going to stop doing business with prices at \$100 a barrel.

In an important moment last Thursday, our colleague, Senator CANTWELL, asked the head of Exxon what the price of oil actually should be with all other things being equal. Mr. Tillerson, the head of Exxon, said the price of producing the next marginal barrel of oil was probably between \$60 and \$70 a barrel. That is \$30 to \$40 a barrel profit at current prices. It is simply not credible to think these companies would significantly change their investment decisions if they lost these tax breaks, and

the Congressional Research Service in a report last week concluded exactly the same thing.

I began my remarks this afternoon by quoting George W. Bush at the Newspaper Publishers Convention in 2005. He said the major companies did not need incentives to drill for oil at that price. I continue to ask how in the world, given George W. Bush's comments in 2005 and the other considerations I have outlined—that, again, prices are way in excess of inflation; again, profits are at record highs—how in the world can you justify getting industry-specific subsidies when George W. Bush said no incentives—no incentives—and he said it without a qualifier or a caveat—were warranted if you wanted to drill for oil.

As we move to this vote, I hope my colleagues will keep in mind the words of George W. Bush then. In my view, they are even more accurate today.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. COBURN. Mr. President, I ask unanimous consent that the order for the Republican speakers include myself and Senator BLUNT and the order for Senators MCCAIN and CHAMBLISS be vitiated.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COBURN. Mr. President, I am pretty amused at what the Senate is doing. We sit here with a \$1.6 trillion deficit and we are running bills based on political philosophy rather than what the real problems are in front of our Nation.

Do my colleagues know why oil is expensive today? It is because the dollar is on its back and oil is priced in dollars. If we want the price of oil to go down, as it has this week and the tail end of last week—if we want the value of the dollar to go up, because the world trades oil in dollars—why is the dollar down? The dollar is down because an incompetent Congress continues to spend money we don't have on things we don't absolutely need. If we want the dollar to improve in value, what we have to do is hold the Congress accountable for doing what they were elected to do, which is live within our means. We can't come together and solve the very real problems.

Do my colleagues realize that if, in fact, our deficit wasn't \$1.6 trillion but about \$600 billion, the price of the dollar would shoot way up and the price of oil would go down? We hear all these stories. I get all these letters from my constituents who say: Well, we have to eliminate the commodity speculation. We can do that in this country. We can say you can't speculate on oil unless you can take delivery. That will do nothing to the speculated price of oil because oil is an international commodity and people are always going to speculate on what they think the price

of a needed commodity is going to be. So if we controlled all the economics in the world, we could control that speculation, but we can't. What we do know is price controls don't work. They don't work at all. So if, in fact, we want to fix the price of oil, what we have to do is fix our economic mess and strengthen the dollar, which will lower the price of oil and lower the price of gasoline.

The debate we are going through is all about politics, creating somebody who is bad. Do my colleagues realize the five big oil companies make less than 8 percent return on their sales? They make a lot of money, but they are giant companies. But compared to most other of the S&P 500, their return on sales is far less, and they are not making record profits. They made record profits when oil was at \$142. That is when they made record profits. It is this terrible habit we have of saying—and let me throw a corollary. If I am an Iowa farmer or from Indiana or Illinois or Oklahoma and I have a great corn crop and the price of corn is \$4 and I decide not to sell my corn, I decide not to sell it, and now all of a sudden corn is \$6.80, I am going to sell it now at \$6.80. What are we going to do? Are we going to penalize that farmer for having a resource he took a risk on and selling at a higher price? Are we going to say we are going to double or triple tax you?

The other thing I am amazed at—most people know me as a doctor, but I spent 10 years as an accountant and business manager. I have a degree in accounting. The lack of knowledge of my colleagues on American standard accounting principles is amazing. Every benefit they are talking about taking away will not go away because they are all legitimate business expenses, and they will all be expensed. Why did the Congress back in 1906 give this advantage to our oil companies? Why did they do that? Because drilling for oil is a capital-intensive business, and if we want more oil found, what we have to do is be able to generate the internal rate of return to put that capital in. So we offered accelerated write-offs for expenses.

It is interesting that we are not going after all the oil companies or all the gas exploration; we are only going after the big five. Why is that? Because my colleagues know that if we did the same thing to the ones that are actually producing most of the gas in this country, all the new technology which the R&D tax credit and the intangible drilling costs allowed to be developed—that makes this country with 100 years' worth of natural gas—would go away, and the smaller and medium-sized oil companies will never be able to have the capital to continue to perform and raise our level of energy resources ourselves.

So what we are on the floor for is a charade. The price of oil is high be-

cause the dollar is weak. If we want to punish somebody for that, punish the Congress, punish the Federal Reserve, punish the executive branch, but don't go after somebody who is going to create 90,000 new jobs in our country this next year.

We always look for the right political moment to make somebody look bad. The people who look bad are in the Congress because we don't have the guts to stand and say we need a cogent energy policy that says we are going to go after our own resources. We are going to use every asset we have to utilize cleanly and in a friendly way the tremendous reserves we have in this country.

We know we have 160 billion barrels of recoverable oil in this country. They are not proven, but that is what the estimate is. We are the third largest oil producer in the world. We could become the second largest oil producer in the world if we had a cogent government policy and an environmental policy. We have oil out the kazoos. We are going to find more oil as we explore for more natural gas. Right now, we are only importing 47 percent—47 percent—of our oil needs. It was 65 percent less than 10 years ago. Why is that? A part of it is smaller demand because we have been in a recession, but the vast majority of it is the very technology they want to deny the fast writeoff for is what has created gas liquids that have filled the void. It is better than the best crude oil in the world. That is coming out of North Dakota, it is coming out of West Virginia, it is coming out of Oklahoma and Texas. It is great stuff, easy to refine, cheap gasoline in terms of the cost to get it from a product to a product we can use.

I am pretty well disgusted with what I am hearing on both sides of the aisle because the real problem is not the price of oil. The real problem is the price of the dollar, and if we will fix that, we will fix tons of things that will help our economy. But we are recalcitrant to the point we will not do the things we need to do.

Our government is twice the size it was 11 years ago—two times the size. No wonder we are running a \$1.6 trillion deficit. No wonder we don't have an effective—we have the largest number of regulations to ever come out of any administration in the history of the country in the first 2 years of this administration. It is killing job formation. It is causing people not to invest. It is causing a lack of economic growth in our country because we have people making decisions who have no idea what they are doing or what are the ramifications of those decisions. They are lawyers whose first creed is don't do what is best for the country, do what is safe for the bureaucracy. That is how we are running this government today.

We have 45 percent more regulations issued in the first 2 years of the Obama

administration than anybody else has ever done, and we wonder why we are not getting job creation. We continue to refuse to debate on the Senate floor the very real issues in front of this country, the very real issues such as what part of government can we do without? How do we get a future for our children? The fact is, we have lived the last 30 years off the next 30 years of our kids, and that bill is due. It is not due 1 year from now; it is due now.

We are tied up in knots because we have this false indication that a debt limit means something. If a debt limit meant something, we wouldn't be raising the debt limit, we would quit borrowing. But, instead, every time we come up to the debt limit, we are asked to raise the debt limit. We will not make the hard choices of what part of government is not valuable in light of the fact that we are cutting the legs off from under our children and our grandchildren.

In this debate, we are going to hear a lot of finger-pointing about what is bad with Big Oil, what is bad with oil, what is bad with the price of gas. What is bad is, Congress isn't doing its job. We are not addressing real issues and solving the real problems in front of this country.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. PAUL. Mr. President, sports teams often have a motto. They want to describe how they are going to win the event. The Senate Democrats have a motto and it goes something like this, "I am from the government and I am here to help."

Beware when your government comes to help. They have figured out there is a problem and the problem is gas prices are rising and people are being hurt by the rising prices. Actually, if we measure inflation the way we did back in the 1970s, we have inflation of 10 percent.

Senator COBURN is exactly right. It has to do with the fact that we are losing the value of our dollar. Our dollar is going down in value because we spend money we don't have and we are running up these enormous deficits. But it is a problem nonetheless.

But those who believe government is always the answer are rushing to rescue us. They are rushing to rescue us from high prices at the gas pump, but they haven't even diagnosed the problem, so they are going to come up with the wrong solution. Their solution is to raise taxes on oil companies. Do my colleagues know what taxes are? Taxes are simply a cost. If you run a business and I raise your costs, you will raise your prices. So let's see. Prices are too high, so we are going to raise the cost, which will raise the prices further. It makes absolutely no sense.

It is because their motto is wrong. Their motto is, "I am here from the

government and I am going to help you." Their motto is, "It is the government that is going to solve your problems." But they are going to solve your problems by compounding your problems.

The price of gasoline is a problem. If we include the price of gasoline and the price of food in the CPI, it would be 10 percent or higher. People are struggling to pay for gas. What are the main things people who are just getting by pay for? Their gas, their food, their rent. So how are we going to make it better? We are going to make it worse before we make it better. We are going to raise costs to the oil companies by raising their taxes, which means we will pay more at the pump.

It is economic illiteracy and it is what is wrong up here in Washington. We still have too many people who do not understand the basic economic realities. If you raise costs on a business, if you raise taxes on a business, you will raise prices at the pump.

The interesting thing is, there are some answers. They say: Well, let's go after those greedy oil companies because they are making a profit. Out of every \$1 you spend at the pump, about 7 cents is profit to the oil companies. Well, do you know what. If you eliminate profit, you will not have oil companies. Everybody works for a profit. We all work harder because we want to maximize our profit.

Who owns the oil companies? Is it a bunch of greedy rich people running their fingers through piles of gold? Are they Midas in some room full of gold? You own the oil companies. I own the oil companies. If you have a 401(k), if you have an IRA, if you have a mutual fund, you own the oil companies. OK. Corporations are owned by people.

Do some people make a lot of money in the corporations? Yes, but if we limit that or try to obscure that or try to get rid of profit, you will get rid of companies. Then where will they go? They will go overseas. Oil companies are international. If you make it hard for them to do business here, they will flee our country. And they already do. We have high corporate taxes in our country, so they keep their profits overseas.

Lower corporate taxes—do not raise taxes—lower taxes and people will bring their profits home to the United States.

This is their profit, as shown on this chart: The oil companies make about 7 cents on the dollar. How much does the Federal Government take? The Federal Government takes 18 cents of every \$1.

Do you want to have lower gas prices this summer? Do you want to help the people who are struggling? Let's have a gas tax holiday. It is only a short-term solution, but let's get rid of the 18 cents for the next 4 months through the summer season. It will cost the Treasury. There will be less money

coming into the Treasury: \$10 billion to \$12 billion over 4 months. Let's take it from somewhere else. We are spending \$30 billion a year in foreign aid. This is money we give away to other countries so they can build schools, they can build bridges, so they can rebuild their infrastructure. We give this away to foreign countries. A lot of times it winds up in the hands of foreign leaders who simply steal it. Mubarak was said to have gotten \$60 billion over 30 years and accumulated at least \$5 billion to \$10 billion we can count that he stole. Many of these dictators throughout the African nations, as well as throughout the rest of the world, have simply stolen our foreign aid money and used it for their own personal aggrandizement.

Let's eliminate the gas tax. Let's take the money from foreign aid and let's give it back to the American people who have worked hard to earn it. You cannot do this forever, but you can do it for 4 months, and pay for it by getting rid of foreign aid. That would help people. That would lower the price of gasoline, and that would be a stimulus to the economy.

What I am saying is, let's have a gas tax holiday. Let's eliminate Federal taxes for the next 4 months on gas, and let's take the money that would be lost, put it into the highway fund, but let's take it from money we are giving away to other countries. That would be a short-term answer.

There is also a long-term answer. Senator COBURN was right that much of the price of gasoline rising is from inflation. Basically we are destroying the value of the dollar. But there is another reason gas prices rise: because demand for oil and gas is outstripping the supply.

Why don't we have more supply? Because the current administration is basically an enemy to production, an enemy to drilling, an enemy to all things related to energy. We now are going back and looking at permits to mine coal that have been approved for 10 years. We are taking away drilling permits to drill for oil in Utah, in Alaska, off our coast. If we want gasoline prices to be less, if we want to send less money to Middle Eastern countries that hate us that we have to buy oil from, let's make more here. Let's drill for oil. Let's produce more here. Let's drill in Alaska. Let's open up new places to drill.

Can we do it responsibly? Yes. Nobody wants to damage the environment. Do it responsibly, but let's produce energy here. We have, as Senator COBURN says, 160 million barrels of oil waiting to be extracted. Let's go for it. But we have to have a government that is friendly to energy. We have a government now, an administration that is unfriendly to energy and at every aspect of producing energy places roadblocks. They think for some reason we can get electricity to supply our

country from some windmills that are made in China. What we need is, we need oil and gas production in our country. We need nuclear energy in our country. We need coal in our country. We have the ability, we have the resources, but we need to get government out of the way. Instead, what we are doing is placing new obstacles.

There will be a long-term solution that Senator MCCONNELL and our party will introduce. I will support that also. It will encourage domestic production of oil and gas, domestic production of energy. That is what we need. But you are not going to get it until we have new faces here in Washington because the current crop of faces is opposing production at every turn.

I wish to conclude by saying, if you want to help people, even for a short period of time, there is a short-term solution. Let's get rid of the gas tax for 4 months. Let's pay for it by not sending the money overseas to have other countries either steal it or build their own infrastructure. Let's keep those U.S. tax dollars here at home. Better yet, let's keep them in the pockets of the consumers by having a gas tax holiday.

Thank you very much. I yield back the remainder of my time.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mrs. MCCASKILL. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mrs. MCCASKILL. Madam President, I rise to speak in support of the legislation that is going to be voted on in a few hours. I have listened to the last couple of speakers, and while I certainly respect Senator COBURN's commitment to fiscal responsibility—and he and I have worked together on a number of projects in that regard and have the same view of many of the spending habits around here—I have to say, I am a little confused by the opposition to this legislation by my friends across the aisle.

We have two ways to spend money around here: one, through the appropriations process; the other is what I call tax goodies. These goodies are called tax expenditures. What these do is they basically say to whatever group has successfully lobbied for them: You are not going to have to pay all your taxes. So there are two ways we deny the Treasury money. One is by spending money. The other is by telling people: You do not have to pay the money the Tax Code says you owe. And we put into the Tax Code special deals.

Many of those special deals are done because the case is made that they spur economic development or they

spur some kind of activity in our country that we think is desirable. A good example is the interest deduction on people's homes. The notion is that we want to encourage people to buy homes, so we allow them to deduct the interest they pay on those home loans against their income tax.

Charitable deductions are another good example. We want people to give to charities, so we say: Do you know what. You do not have to pay as much in taxes if you give to charity.

The realty sector is full of tax goodies for the development of real estate and the creation of jobs that go with the development of real estate.

One of the big tax expenditures we have in our Tax Code is goodies for Big Oil. That is what this is about. Can we get to where we need to be on our structural debt and our annual deficit without touching the Tax Code? No way. Are we going to have to look at revenues for multimillionaires? I think we are. Are we, obviously, going to have to look at spending? Of course we are. And aren't we going to have to look at the tax goodies? Well, I would surely hope so, because, frankly, as some of my colleagues across the aisle have said—and I thought they agreed with us—cleaning out some of those goodies could potentially lower taxes for everyone.

So where do we start with the goodies that are in the Tax Code? Might we not start with the most profitable companies in the history of the planet? Do they need this extra money we give them by telling them they do not have to pay the taxes other companies have to pay? How many quarters will we have where we read the headlines: "Record-Breaking Profits for Big Oil"? How many times are we going to read that before we are willing to take the baby step—just the baby step—of saying: Maybe these tax goodies for Big Oil are not a good idea in light of our deficit and our debt. Maybe this is a good place to start. They made north of \$35 billion in the last 3 months.

I know there are all kinds of things that are being put out there to kind of hide behind as we cast this vote because this is a tough vote for people who vote no. How do you explain to your constituents—who are struggling around their kitchen table to figure out how they can afford to drive their kids to soccer practice—how do you explain to them that we think that instead of \$123 billion of profit Big Oil is going to make this year, they need to make \$125 billion? That is what this is. Instead of making \$125 billion—north of \$125 billion—of profit this year, Big Oil is going to have to suffer along with only \$123 billion in profit. And that \$2 billion we want to take back from them is going to go toward the deficit. How do you explain that to people around their kitchen table?

Oh, this means the cost of fuel is going to go up. Everyone has debunked

that. Really? The cost of fuel has gone up just fine and they have all those subsidies. I remember when oil was \$55 a barrel and they had all these subsidies. By the way, all these subsidies did not help them go out and do what they needed to do to keep the price of fuel down.

By the way, today a letter was sent to the FTC by myself and other Members of the Senate saying: What about this refinery process? Talk about economic illiteracy. Anybody who believes the oil companies today are making 7 cents of profit on a gallon of gas has no idea what is going on with refineries right now. A year ago at this time, refineries were operating at a capacity of close to 90 percent. Today, they are only operating at 80 percent. Why would that be? Their profit per gallon of gas—just the refineries—has gone from less than 40 cents a gallon to 80 cents a gallon in a matter of a few months: 80 cents a gallon of refinery profit. Some of these refineries are independently owned. But many of them are owned by the big five, the big five big oil.

So why is that capacity down? Is it because they do not have crude to go through the refining process? No. There is plenty of crude. And how about this. We are giving these big oil companies tax goodies, and what are they doing today? They are exporting a record amount of oil and fuel from the United States—exporting. They are sending it to South America and Mexico.

So while my constituents are suffering mightily at the gas pump, week after week, these guys are sending the oil they have produced with our tax goodies to another country, instead of putting that additional supply into our supply chain, which, in turn, reduces the price.

The more supply, the less the price. So, one, they have cut back refining capacity. Two, they are exporting more. And they want to say it is about drilling. Really? We have more rigs drilling right now in this country than we have had in many years. We have production higher at this point—domestic production—than it was at the end of the Bush administration. We just issued 12 new deepwater permits in the last few months. There are all kinds of leases out there that are not being explored. Meanwhile, cha-ching, cha-ching—these big oil companies are continuing to make profits that make your jaw drop.

So, honestly, seriously, you talk about economic illiteracy. I will tell you what economic illiteracy is. It is thinking these companies—what about the free market I always hear about from the other side of the aisle? What about that free market? Why do they need our tax goodies to help them if this is truly a free market?

Maybe they are right. Maybe we shouldn't pick on Big Oil. But what a

great place to start. Frankly, if we can't take these things away from the most profitable companies in the history of the planet, how are we ever going to take them away from the mohair industry or how are we ever going to do what we need to do with the Tax Code in the real estate sector or any of the other goodies we have larded up our Tax Code with to make it so complicated and so long that, frankly, the people who get the most advantages out of it are the families who can afford to hire accountants and tax lawyers. Meanwhile, the real tax rate for most Americans is much higher than the real tax rate for most multinational corporations.

So I think economic illiteracy is to spend a lot of time talking about the debt and deficit and not being willing to take this baby step to take back \$2 billion a year that these companies get that they do not need and they are not using to hold down the price of gas.

I mean, when I realized how cynical this whole process has become is when today I got a question from a reporter that said: Well, the oil companies say most of these profits are going to these pension companies. Give me a break. You know, really? Really? These guys want to talk about free market and how this is all about the bottom line, and then they want to try to hide behind the fact that some of the pension funds have stock in their companies, that somehow that justifies them feeding at the public trough? Talk about greed. Talk about greed.

So I think this legislation is a real litmus test because if we can't do this, then I question what we can do to right this ship that is all about the footprint of the Federal Government, how much money we are spending and how many tax expenditures are out there. And anybody who tells you this is about raising their taxes—no, this is about saying to them: You have to pay the taxes the free market says you should pay, not avoid taxes by these extra goodies. This isn't about raising their taxes; this is about saying: You need to pay your taxes the way average citizens do, as it relates to their businesses. You should not get this extra help in the Tax Code that allows you to avoid taxes. It is a tax expenditure. It is real money that will come to our bottom line as it relates to our deficit, and it is important to get it done.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized.

Mr. CORNYN. Madam President, I yield myself up to 15 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Madam President, I wish to talk for a moment about the ill-considered proposal we will be voting on at 6:15 tonight and about the ad-

ministration's chaotic approach when it comes to our national energy policy. I say "chaotic approach" because to pay attention to what the President and this administration have said about fossil fuels and energy will give you whiplash if you try to keep up with it because there are so many, apparently, inconsistencies between what is said and what is actually done, and then when something like high gasoline prices becomes very much a concern around kitchen tables in America, then all of a sudden the President again, as he announced the last day or two, is all of a sudden open for more domestic product.

It is a problem for a number of reasons. One is, who in their right mind would invest the kind of money that is necessary in order to develop our domestic energy reserves when the administration and the President himself seem to be of two minds about whether we should punish domestic production or whether we should encourage it.

I would suggest to you that the message has primarily been one of how to discourage or how to punish domestic production of energy in favor of imported energy from abroad. For example, one of the mixed messages the President gave was in March of 2010 when he proposed expanding offshore drilling along the Atlantic coastline, the eastern Gulf of Mexico, near my home in Texas, and the north coast of Alaska. At that time, he said as follows. He said: The answer is not drilling everywhere all the time, but the answer is not also for us to ignore the fact that we are going to need vital energy sources to maintain our economic growth and our security.

Well, I agree with that statement, but, as you know, following the Deepwater Horizon incident last April, the administration overreacted in a way that killed jobs and discouraged energy production here at home. We all agree that when something like this terrible incident occurs, we need to find out what happened, fix it, and make sure it never happens again. But every time there is a car accident, we don't ban driving. Every time there is an airplane crash, we don't ban flying. We find out what the problem is, we fix it, and then we move on.

That is not what happened in the Gulf of Mexico. First, there was an overbroad moratorium that was issued by the administration, which ultimately ended up being struck down by a Federal judge. But after that, the administration was not through. While their formal moratorium no longer existed, there was, in effect, a permitorium—in other words, foot-dragging when it came to issuing permits for drilling in the Gulf of Mexico—and only 12 deepwater permits have been approved in the last 12 months. There were, in addition, the cancellation of dozens of lease sales in

Utah and Montana and exclusion of new areas in the eastern Gulf of Mexico and off the Atlantic coast. That, to me, is completely inconsistent with the President's statement just in March 2010. And then we know there are numerous examples where the Environmental Protection Agency has thrown up roadblocks and impediments to energy production right here at home.

Well, because the President has not had an adequate response, or at least his actions have been inconsistent with his words, he reversed himself again this Saturday, and he said now he supports more domestic oil and gas production like he did more than a year ago. But my conclusion is that this is not an energy strategy. This is a public relations strategy. This is a "how do I get reelected?" strategy. It does not solve the problem or the pain Americans are feeling at the pump. And unfortunately this strategy too often ends up being a job-killing strategy as well.

But when high gas prices are in the news, when people around kitchen tables all around America are complaining about the loss of their discretionary incomes, the fact they are having to cut corners so they can drive their kids to school or so they can drive to work, finally we have a new speech and a new announcement from the administration but very little when it comes to a coherent energy strategy.

Another mixed message is that the administration at times has suggested that we are actually overproducing domestic energy. You may ask, how could that be possible? How could it be possible that we are producing too much oil and gas here at home when we have to import 60 percent of what we use from abroad? Well, the Congressional Research Service that we depend on—it is an arm of the Library of Congress—has documented that America's recoverable resources are far larger than those of Saudi Arabia, China, and Canada combined. We have more here at home than Saudi Arabia, China, and Canada. And America's recoverable oil, natural gas, and coal endowment is the largest on Earth. And we have learned in the last couple of years that America has more shale gas from previously unrecoverable reserves—thanks to new technology, horizontal drilling and the like—we have enough natural gas to last us for 100 years here in the United States.

But compare that—really that gift we have been given of domestic energy at home—with what the administration said in 2010. The Treasury Department issues an interpretation or explanation of the administration's policies when it talks about energy production, and this is what the Treasury Department said in 2009 or 2010. The Treasury Department—this is Secretary Geithner, who is appointed by the President, confirmed by the Senate—the Treasury Department said:

To the extent the [tax] credit—

That is the tax credits we are talking about here—

encourages overproduction of oil and gas, it is detrimental to long-term energy security.

So the Treasury Department, President Obama's Treasury Department, is making the extraordinary claim that I have not heard any Senator here make because it is so implausible that these tax provisions encourage overproduction of oil and gas right here in the United States. If we are overproducing oil and gas in the United States, why is the administration telling the existing leaseholders they have to use or lose the leases that we have? It is an ideological fixation that says: We have to discourage production of oil and gas even though about 80 percent of our energy needs come from fossil fuels because we prefer alternative forms of energy. Well, I do too—solar panels, wind, biodiesel. These alternative sources of energy are important, but we simply don't have enough of them to keep our economy moving and keep prices low for our domestic consumers.

Well, another part of this mixed message is our dependency on imported oil. On March 30, 2011, President Obama called for reducing foreign imports by one-third. But then he went to Brazil recently. He told the people of Brazil that he encouraged offshore drilling in Brazil, and he said that America wanted to be Brazil's best customer. In other words, rather than producing what we have been given by the Good Lord right here in America—American production, American jobs—he wants to be Brazil's best customer by importing energy from abroad.

Well, part of the vote we will be having at 6:15 or so tonight is another part of the mixed messages we have been getting when it comes to energy. This is the so-called Close Big Oil Tax Loopholes Act. Now we know why the Senators who introduced this bill have done so—because they have been getting so much heat back home because of high gas prices. Their constituents are demanding that they do something. But what they are proposing to do has nothing to do with bringing down the price of gas at the pump. In fact, it will likely increase the price of gas at the pump.

In fact, the chairman of the Finance Committee, on which I sit, said: You know, this is not going to change the price at the gasoline pump. That is not the issue. I do not see that as an issue at all.

The senior Senator from New York said: This was never intended to talk about lowering prices.

The majority leader himself said: It is not a question of gas prices; it is a question of fairness and priorities.

Well, if gasoline prices being paid by Americans all across this country are not the priority and if jobs that are created and sustained by producing do-

mestic oil and gas right here in America are not the priority, my colleagues who are proposing this legislation have the wrong priority.

Now we are told they have a new idea—that the money that is supposedly saved from these tax provisions will then be used to pay down the deficit.

The truth is, the amount of money that would go to pay down the deficit—even if our friends across the aisle had a conversion and decided that was their priority rather than spending 43 cents on every dollar in borrowed money, borrowed from our kids and grandkids and bought by the Chinese—it would only be a drop in the bucket in the \$1.5 trillion deficit we are experiencing this year and the \$14 trillion national debt we are going to have to reckon with in the next couple months.

If deficit reduction is a priority, I submit the very best way we could do that is to pass a balanced budget amendment to the U.S. Constitution. But that is not the priority of the majority leader or of the majority or of our friends across the aisle. If the rationale for this bill is not to reduce gasoline prices, if the rationale for this bill is not to produce a balanced budget, then what is it? What is it? The majority leader suggested it was fairness—fairness.

The Chairman of the U.S. Chamber of Commerce calls it punitive taxation, picking out five taxpayers in America and saying: We are going to raise your taxes and leave everybody else's the same. It is discriminatory and it is punitive. But it is also, in the immortal words of Rahm Emanuel, former White House Chief of Staff, now mayor of Chicago, a case of never letting a crisis go to waste to advance another ideological agenda.

The truth is, we know our Tax Code is already biased against U.S. domestic energy producers. If our goal is to tax people who are making money in America, this chart demonstrates that the oil and gas industry is down the list of industry sectors that are making far more money. The tobacco and beverage industry, the pharmaceutical industry, the computer equipment industry, the chemical industry, the electrical equipment industry, the manufacturing industry, the apparel industry, the machinery sector—all of those come well ahead of the oil and gas sector when it comes to making money.

I did not think making money was a crime in America. I thought we still believed in the free enterprise system. The very people our friends across the aisle are going to punish are the retirees and the pension holders, the people who own stock in these oil and gas companies who are going to be forced to pay higher prices which will ultimately be passed along to the consumer, I believe, in higher energy costs.

The other revealing point about this debate is they want to punish people who produce American energy right here at home, and they are going to leave OPEC and these other countries to pay lower effective relative rates. If we raise taxes on American producers and we do not do anything to similarly raise taxes on their competition, what is going to happen? What is going to happen to the Saudi Arabian Oil Company? What is going to happen to the Iraq National Oil Company? What is going to happen to the Kuwait Petroleum Company, the state-owned oil company of Venezuela and the like? These are places where we end up buying oil because we do not produce it at home, and we are going to raise taxes on the people who produce it at home and make it, in effect, cheaper for foreign energy producers to produce it and sell it to us. It makes absolutely no sense. It is punitive, it is discriminatory, and it is not going to solve the problem that most Americans are complaining about today, which is high gasoline prices. In fact, it will make it worse.

If my colleagues want to talk about fairness, let's talk about fairness to the 9.2 million people who are employed in the oil and gas sector in America. I witnessed the people who work in this sector in my State. In March I visited a brandnew drilling rig that is using the latest technology to produce natural gas from the Haynesville Shale in east Texas. This is amazing technology that goes down thousands of feet and drills horizontally and uses high pressure fluids to fracture this shale—in effect, the rock—to get natural gas out of it.

Down in the Gulf of Mexico, after the moratorium was issued, I stood on a deepwater drilling platform that was left idle.

The ACTING PRESIDENT pro tempore. The Senator has used 15 minutes.

Mr. CORNYN. I ask for 2 more minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CORNYN. Madam President, I could go on and on about the economic impact on job creation in my State and across America. But if, in fact, our colleagues are interested in tax reform, if they really are concerned that the Tax Code is unfair and some people do not pay enough and others pay too much, I ask them to consider the fact that according to the Congressional Research Service, 77.9 percent of our primary energy production in America is fossil fuel sources, and of the Federal tax support targeted to energy in 2009, 12.6 percent went to fossil fuels—12.6 percent of those Federal tax supports went to people who produce oil and gas.

Conversely, 10.6 percent, the Congressional Research Service tells us, of primary source energy was produced using

renewable sources. Yet the Federal tax support targeted to renewable sources of energy was 77.4 percent.

Why are we picking on American oil and gas production, forcing us—actually hurting job creation at a time when unemployment is unacceptably high—forcing us to rely on imported energy and actually rewarding our foreign competitors who will not have to pay these higher prices, and when, in fact, even as our friends across the aisle acknowledge, at the very best this will not bring down the prices at the pump.

They say that is not the point. If that is not the point, then the point appears to be a game of gotcha and a sort of finger-pointing and class warfare we have seen that is endemic inside the beltway.

I have to tell you, I think the American people are sick and tired of this sort of game playing when, in fact, they send us here to solve real problems. If we could find a way—instead of this game playing, instead of this phony game of gotcha—to try to work together to solve real problems through increased domestic supply, which would, indeed, bring down prices at the pump, as the President himself has acknowledged when he said we have to look at domestic production, then I think they would reward that with their appreciation, and appreciation in terms of American jobs being sustained and created here because we are not creating jobs abroad to buy the very product we need to run our cars and trucks.

Madam President, I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from West Virginia.

Mr. ROCKEFELLER. Madam President, to me, this argument is, in fact, all about fairness. It has nothing to do with class warfare. It has nothing to do with gotcha but has to do with abrogation of social responsibility on the basis of levels.

Every once in a while we have an exchange in the Senate or in a Senate committee that is revealing and stunning all at once. Recently, I had one of those moments when I had the opportunity to ask a question to—guess what—five executives from the largest oil and gas companies in the country.

I was not linking price of gas—but in the people's minds it is—with the gas prices up beyond \$4 a gallon, with many people spending close to \$100 a week to gas up their cars. I was cautiously optimistic that we would have in this Senate Finance Committee hearing a real dialog on the idea that everybody has shared responsibility and that you share your responsibility—in this case, the need to balance the budget or come closer to it and then share prosperity. But we have to share responsibility first because that is what leads to the discipline that allows prosperity generally in this country to get ahead.

I thought the oil executives might at least reveal a bit of unease, a bit of discomfort on their part about how gas prices are standing like a dead weight on our economy, about the fact they make so incredibly much, inexplicably, unexplainably so much money and loving that, especially when they together earned just about \$35.8 billion in profits in the first 3 months of this year.

How wrong I was. They were eager only to defend the way Big Oil does business, defend the enormous salaries, defend the business model that puts control of gas supply in the hands of a few. One would not even answer when asked about his company's claim that trying to reduce taxpayer subsidies—which is what we want to do—given to this industry would be un-American. He said that a number of times in that exchange. It was not very fruitful, but it was insightful.

As I said then, put simply, these men are all completely out of touch—deeply, profoundly out of touch—with what the rest of the country is going through. Again, that is what it is about, fairness. Do you know what other people are suffering? Their situation is this: very profitable. Other people are on very hard times. Is there not some way they could give up their tax subsidies—in this case \$2 billion a year—instead of making a \$125-billion-a-year profit—not just more money but actually a profit; \$125 billion would go down to \$123 billion. They would not hear of it. They are so caught up in their profits that they have lost sight of what is happening in mainstream New Hampshire and mainstream West Virginia, across our economy, and our schools on Main Street and around the kitchen table.

Gentlemen—the five—here is some of what you need to know. For starters, Congress is in the midst of a full-throated debate about how to reduce our growing deficit without breaking the backs further of working families or leaving our seniors out in the cold literally or reducing our support for the veterans who serve our country and children who just happen to be our future. We are debating proposals to cut back Social Security and the promise that we made to generations who have worked and want to live their final years with dignity. We are debating legislation that forces Medicare to be privatized, how it will cost senior citizens about \$6,000 more per year. I hope they know that. Medicare privatized, chopped up, made an optional grant program run by States, drastically scaled back.

The Congress is debating deep cuts to Federal programs ranging from highways and airports to medical research to coal mine safety inspections and money for schools—everything.

Quite simply, we are talking about making drastic cuts to programs that touch the lives of virtually every single

person in the country, except for them. These slick executives seem blind to the real-world consequences of having made almost \$1 trillion in profits during the past decade—profits—while collecting \$4 billion a year in subsidies, courtesy of the very same U.S. taxpayers about whom I have just been talking, the same taxpayers who are also forced to pay at the pump and whose lives are being changed dramatically because of their position.

Why focus on them? Because they are a symbol. They are the top of the heap. They always prevail. They always win. They always have the lobbyists, the campaign contributions. They always can get what they want. Everybody always caves to them because they are so big, as they fly around in their shiny jets. I do not think it is going to be that way this time.

The same oil executives who blanch if anyone questions their mega salaries—speaking of salaries, it might be interesting to know that the CEO of ExxonMobile is paid \$29 million a year. I am just trying to think of the Presiding Officer's State of New Hampshire. I wonder how many people make \$29 million a year just in salaries. I do not know if that includes stock options.

During my conversations with these executives last week, we talked a little bit about how the effective tax rate on their profits is significantly lower than what average workers make in my home State of West Virginia and in the Presiding Officer's home State.

Exxon paid a 17-percent effective tax rate over the past 3 years—17 percent—while the average individual in my State and the Presiding Officer's State paid an effective rate of 20 percent. Is that class warfare? Is that gotcha? Or is that about fairness, about people doing something to help their country when their country is almost on its knees?

The effective rate, to explain, is the amount of tax one is actually paying on income earned when factoring in deductions and credits.

It is a vast understatement to say West Virginians, like many others all across the Nation, are not having an easy time of it during this period of record oil company profits. And they—those five—understand perfectly well that there is no longer any justification for maintaining generous subsidies for this highly profitable industry. The public appears to feel that way. The poll numbers are just stunning—70 to 30 that it is not right, that we should take away the subsidies. It varies according to the poll, but it is always high up, including two-to-one Republicans across the country who believe they should not be able to have those tax subsidies that we are so easily giving them.

They know that without a willingness to stare down sacred cows like

corporate subsidies—not just with them but with others—we won't ever be able to make progress in eliminating the massive Federal deficit which is staring us in the face. Why wouldn't they care about that? It is so easy for them. It is called sharing, being fair. But no, it doesn't work that way.

The average West Virginian, again, makes \$32,000 a year. They can't afford another 10 years of handouts to Big Oil. The current high gas prices are like a dark cloud. The working class in rural States like mine commute 25 miles or more each way every day, and high gas prices cut heavily into their weekly paycheck. Of course they do. Things are much worse in the summer, of course, when people travel, if they can any longer afford to. I hear often from constituents who are experiencing sticker shock at the pump. Police departments, schools, hospitals, and community organizations also feel the pinch of rising fuel costs and the pinch of everything else that isn't coming through. Philanthropy is down in this depressed economy. It is bad. Even the smallest increase can have a serious impact on family budgets and a business's bottom line.

I do not mean to suggest that the oil industry profits and subsidies are the sole culprit for rising gas prices because listening to those who are industry experts and economists, too, has convinced me that the big factor in the rising cost of energy is the role of speculators. I won't get into that too much now, but I will say that these speculative investors make a quick profit in betting on what the cost of a barrel of oil might be next Friday. If they turn out to be right, they get a whole lot of money. I mean, it is stupid. It is Wall Street at its dumbest, and they have shown us several ways to be that way. They take no risk themselves.

I am not alone in thinking these speculators are driving up oil prices and creating more price volatility. I have joined with other Senate colleagues in asking the Commodity Futures Trading Commission to look closely at the role of speculators in the oil futures market and in pressing the Commodity Futures Trading Commission to get moving on a power they already have, which is to set margins on what speculators can make—to crack down, rein this in. I have also written to the Federal Trade Commission—to investigate any potential fraud or market manipulation in the oil markets.

I also believe what is needed in the big oil industry is a sense of fairness. It is not too much to ask when it comes to paying taxes, when it comes to paying the price for gas. To me, fairness has always meant shared sacrifice in tough times and shared success in good times—a sense of giving something for the larger good. I am not suggesting that they stop being competitive or aggressively profitable, but at least show

for a minute they see where we are today. If they had expressed concern about average people and then refused to take any decrease in their tax subsidies—paid for by these people I am talking about—that wouldn't have given me much comfort, but at least it would have been just a bit of a bend. We got none of that. What we got was, we like our business model, we are staying with it, don't punish us for being profitable. We do business the way we do business. We have been doing it for 130 years, and that is that.

So what is needed here is a reminder that a lifetime of always beating their adversaries and never losing or giving anything of themselves to the greater good does not, in fact, lead to a prosperous or morally just society. That is not too much to ask, especially of Big Oil, and I am not going to stop just because they do not get it yet.

I thank the Chair, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Wyoming.

Mr. BARRASSO. Madam President, across this country Americans are feeling the pain at the pump. Gas prices are approaching \$4 a gallon. Families are going to spend, on average, about \$800 more on gas this year than they did last year. Unrest in the Middle East and a weak dollar are driving oil prices even higher. Now more than ever, we must produce more American energy. We need to do this to reduce our dependence on foreign oil.

Americans are looking to Washington for leadership. All you have to do is pick up today's USA TODAY to know how much—and I know you hear about it, too, when you are home on the weekends—this \$4-a-gallon gas is impacting people in our States.

Here is one headline. "Poll: Gas prices hurting many. \$4 a gallon requires cutbacks."

Let me read to you, Madam President:

As gas prices hover near \$4 a gallon, nearly seven in 10 Americans say the high cost of fuel is causing financial hardship for their families, a new USA TODAY/Gallup poll finds. More than half say they have made major changes to compensate for the higher prices, ranging from shorter trips to cutting back on vacation travel.

The article goes on:

For 21%, the impact is so dramatic they say their standard of living is jeopardized.

So here we have families all across the country, in your State as well as in mine, who are dealing with kids, bills, mortgages, and this sort of increase—\$800 out of their ability to pay for other things this year—clearly impacts their quality of life. So Americans want answers and they deserve answers. They are asking: How am I going to pay my gas bill? When we have American energy, energy right here in this country, they are asking: Why are we so dependent on foreign

countries for our energy? They want to know where the leadership is in Washington.

This very week, the President has finally said he understands the need to produce more American energy. Well, he has used that same line many times.

The actions of the Democratic Party today on the floor of the Senate do not track with the lines coming out of the White House. The administration wants Americans to believe the administration has seen the light, but Republican Representative DOC HASTINGS, a Member of the House of Representatives, has already called their bluff. Representative HASTINGS is the sponsor of legislation that would allow more energy production off the coast of Alaska. He said it is ironic that the White House is now supporting this idea because the White House just recently opposed the idea when he introduced it in the House of Representatives.

The Associated Press was even more direct. They said that all of the administration's ideas had come from three bills that were passed by the Republican-controlled House down the hall, and the Associated Press said the White House had opposed every single one of these bills.

So despite acting against the production of more American energy just a week ago, the President now wants us to believe he supports it just because this week he says so. Well, I hope his change of heart is sincere, but I have my doubts because, unlike energy, talk is cheap.

The administration is trying to use this sudden change of heart as a bargaining chip to pass legislation that was brought up by liberals in the Senate this past week. Unlike increased production, the bill brought to the floor by the Democrats will not help the American people. In fact, the bill is clear evidence that the Democratic Party has no plan to address high gasoline prices. Why do I say that? Well, the solution we hear for high gas prices is a tax increase. Since when did raising taxes lower the price of gasoline? Since when does raising taxes on one thing ever lower the price of that thing? To me, this is just another distraction. The nonpartisan Congressional Research Service has already told us there are some commonsense facts about energy taxes. They have told us that raising energy taxes will not lower the price at the pump. In fact, the Congressional Research Service says increasing energy taxes will increase the price of gas and increase our dependence on foreign oil.

This administration has consistently pushed policies that actually make the pain at the pump worse. Instead of supporting the all-of-the-above energy production across our country, they have been more focused on excuses about why we shouldn't use more American energy. If you look back over

time, there is a clear pattern. In 2008, when he was a candidate for President, then-Senator Obama said high gas prices weren't a problem. He said the only problem is that they went up too fast. Interior Secretary Salazar, when he was a Member of this body, said he would not support more offshore drilling even if gas prices hit \$10 a gallon. Even Secretary Steven Chu, who is our Energy Secretary, was quoted that same year as saying: We have to figure out how to boost the price of gasoline to the levels of Europe. Gas prices in Europe routinely hit \$8 a gallon. With these individuals in charge of our energy policy, it is no wonder prices are way up—up over \$1 from where they were a year ago.

This administration's shutting down of drilling in the Gulf of Mexico will drive American oil production down by 20 percent in 2012. Even former President Bill Clinton called the continuous shutdown ridiculous.

To make matters worse, President Obama appears to be more enthusiastic about importing oil from other countries than he is in terms of using our own. Brazil has discovered huge reserves of shale oil, and the President recently visited Brazil. He said he wants the United States to be Brazil's best customer for oil.

When it comes to oil consumption generally, the President's story continues to change. A few weeks ago, President Obama tried to make the case that Americans should decrease their consumption of oil. He said we only have about 2 to 3 percent of the world's oil reserves and we use 25 percent of the world's oil. According to the President's measurements, the United States has about 28 billion barrels of oil, but according to the Congressional Research Service, the United States actually has 163 billion barrels of oil. That is over five times as much as the President says we have, and the United States is currently the third largest oil-producing nation in the world.

President Obama has also said he wants to cut imports of foreign oil by a third. Well, his new proposal is definitely a step in the right direction, so why would he tie it to this bill that makes American production harder and more expensive?

Another of the President's goals is to make alternative energy the cheapest form of energy. He continues to talk about that, and I applaud that goal. But we need to make energy as clean as we can, as fast as we can, and do it in ways that don't raise the prices for American families. Regrettably, the President's method has been to make everything but alternative energy more expensive, and the bill his party is pushing right now is another step in that direction.

So the evidence is clear: The liberal energy strategy is not creating Amer-

ican jobs. No, it is not creating jobs here in America, it is not reducing the cost of gasoline in America, and it is not strengthening America's national security. Instead, Americans are paying more at the pump, they are living with high unemployment, and they are producing less American energy.

I hope the President will follow up on his promise to help America produce more oil. I also hope he will stop pushing the damaging legislation his party has put forward here this week.

It is time we have a true bipartisan approach on energy. Senator MANCHIN of West Virginia and I have introduced just such a bill. It is a bipartisan bill called the American Alternative Fuels Act. This bill truly would ease American's pain at the pump. It would repeal barriers to alternative fuels so American energy can thrive. It would promote the production of alternative fuels derived from American sources. This bill acknowledges the truth about our energy crisis. We need more American energy—we need it all.

In addition to the green jobs the President keeps talking about, we need red, white, and blue energy and red, white, and blue energy jobs. We must keep focusing on making our energy as clean as we can, as fast as we can, and do it in ways that do not increase the costs on American families.

The only way Americans can take the President's call for more energy production seriously is if he and the Democratic leadership abandon their fixation on raising taxes on producing American energy. That is the first step we need to take in helping relieve the pain at the pump.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. CASEY). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mrs. HUTCHISON. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. HUTCHISON. Mr. President, I rise to speak in opposition to the Menendez proposal which would raise taxes on a handful of our Nation's energy producers. This bill makes the assumption that raising taxes on the five major oil companies will somehow reduce the deficit and lower the price at the pump. This is misguided and it will also have the opposite effect. Raising taxes on our domestic oil industry will drive up gasoline prices and who in America driving a truck or a car doesn't realize that gasoline prices are already very high? Second, it will threaten the jobs, 9 million jobs dependent on drilling, exploration, and operating in America. If we drive these companies overseas, it will increase foreign imports and it will stop jobs being created in America.

Those who threaten to repeal these deductions fail to recognize the tremendous costs and risks that go into exploring for the energy needed to drive our country forward. Our oil and gas industry is a business or industry that creates jobs like any other business or industry in our country. Why would we single out one sector of our economy and say you can't deduct your expenses? Every other business in America can deduct expenses. Other manufacturing businesses in America can get the tax credits for manufacturing jobs because we want to keep jobs in America and it offsets the very high corporate tax rate that we have in our country, that the President has recognized as being too high. Because we want to keep manufacturing jobs, there is a credit for manufacturing. But we are going to take that away if the Menendez bill passes, and send those jobs overseas.

We are making it so hard to create our own natural resources from our own people working in this country, instead sending jobs overseas. At a time when we ought to be helping to create jobs, when we ought to give every possible fair break to companies that will hire in America, now we are going to take one sector of our industry and tax it differently from every other sector.

Since business started in our country we have had tax deductions for expenses. Yet here we are trying to say we are going to take one sector of our industry—maybe they are doing too well right now—and we are going to tax them more. Look out, other industries that happen to be successful right now; whether you are making Kleenex or computers, you are going to be taxed if you earn too much. Is that what America wants to change to, as our business policy, which has a foundation of fairness and equity?

We have a corporate tax rate that is so high it encourages businesses to go overseas. Now we are going to single out one industry that wants to do work in America, that wants to bring our natural resources out of the ground and bring down the price at the pump. But, no, we are going to add taxes so we will not see any lowering of gasoline prices at the pump. Instead, we are going to increase it. If we increase the cost of doing business and we force these companies to go overseas to get fair and stable regulatory environment, then we are going to pay more at the pump. There is no doubt about it.

Senator LANDRIEU and I introduced bipartisan legislation earlier this year called S. 516, the Lease Extension and Secure Energy Act of 2011, known as LEASE. It restores time lost as a result of the offshore moratoria by extending the impacted leases by 1 year. It is fair and it is simple.

Over the weekend, the President stated he would be extending leases in the Gulf of Mexico that were affected

by the moratorium, but he was not clear about which ones. He didn't say I will extend every lease that went through the processes to get the environmental and the safety restrictions in place.

They got the lease. Then they had a moratorium. So they are paying people, they are continuing to have all of the expenses of the lease but they do not get to do the exploration. We are saying whether you were in the exploration phase or in the drilling phase it doesn't matter. If you are impacted by a moratorium on a lease that you are still paying for and you are still paying people to try to keep people on the payroll, your lease will be extended for 1 year. That is all the bill Senator LANDRIEU and I submitted will do.

The Secretary of the Interior, at a hearing this morning in the Senate, said they were looking into extending Gulf of Mexico "wells" directly impacted by the moratorium—meaning only those leaseholders who have already performed all seismic tests and were conducting exploration drilling. This will only cover 33 leases out of thousands that are still affected by the moratorium, because they are in the exploratory phase, not the exploratory drilling phase.

This year alone, over 350 leases are due to expire. Many of them have not had the opportunity to be developed because of the moratorium. The development of oil and gas in the Gulf of Mexico is an extremely expensive and technical process. It takes about 3 years of tests, surveys, and appraisals before even drilling for the exploration well. Regardless of which stage all of the exploration leaseholders are in, the administration ordered all leaseholders to halt exploration activities when its moratorium was enacted. Every one of those leases is still being paid for but they are not able to be explored. We need to restore at least 1 year of the moratorium so they get fairness for the money they have spent and also for the people they have kept hired, not sending them away—which has been a hardship on many companies, including some having to go bankrupt because they could not afford to be idle while they also were meeting a payroll.

The exploration and development of oil and gas must follow a meticulous process, and any delay such as a moratorium can derail an exploration plan causing companies to have to give up on their leases. The length of deep-water offshore leases is usually about 10 years because that is what it takes to get all the way through the exploration and the exploration drilling phase to determine if it is worth actually drilling. Many times when you drill, you get a dry well.

Our commonsense legislation has bipartisan support. Recently, the Office of Management and Budget stated, "The administration fully supports

suspensions for Gulf of Mexico leaseholders directly impacted by the drilling moratorium," but the administration fails to recognize that all leaseholders in the Gulf of Mexico were "directly impacted by the drilling moratorium."

James Noe, the executive director of the Shallow Water Energy Security Coalition, wrote me to express his support for the LEASE Act. In the letter, he said:

Without the LEASE Act, vast quantities of proven, present and producible oil and gas in these expiring leases will be trapped.

Leaving the resources trapped will hurt our domestic production and delay when these resources can come online.

I received another letter from Stephen Heitzman, the president and CEO of Phoenix Exploration, a small Houston-based exploration company. Mr. Heitzman wrote that the LEASE Act is vital to Phoenix Exploration and other small offshore companies because they have been prevented by the administration from drilling in the moratorium and have not been able to even evaluate many of their Gulf of Mexico leases which have been fully paid for through the competitive bidding process. He goes on to say the time lost from the moratorium makes it very difficult for shallow water independent operators to put together the partnerships and attract sufficient capital resources needed to develop leases.

The LEASE Act is needed to give offshore energy producers the certainty they need to obtain proper financing to produce domestic oil and gas.

I ask unanimous consent that the letters I have read excerpts from be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

PHOENIX EXPLORATION COMPANY,
Houston, TX, May 12, 2011.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of Phoenix Exploration Company LP and its employees in Texas and elsewhere along the Gulf Coast, we thank you for your leadership efforts in the development and hopeful enactment by the Congress of S.516, the Lease Extension and Energy Security Act (LEASE Act). Your legislation is vital to Phoenix Exploration and other small offshore oil and gas companies that were prevented by the Administration's de facto drilling moratorium from fully evaluating many of its Gulf of Mexico leases acquired and fully paid for through the Federal OCS competitive bidding process. Your reasonable solution of an additional 12 month extension of the offshore leases impacted by that moratorium will help to prevent further adverse business and employment impacts throughout the Gulf Coast Region of the United States.

The loss of time associated with the de facto moratorium and the ensuing new high level of uncertainty associated with the Bureau of Ocean Energy Management, Regulation and Enforcement's permitting process,

makes it very difficult for shallow water independent operators to put together the required business partnerships and attract sufficient capital resources to develop leases. Consequently, these permitting and timing uncertainties cause potential business partners for resource development to be reluctant to begin discussions to work on the hundreds of leases that are left with reduced development periods.

Your LEASE Act will provide the small companies in the offshore oil and gas industry the additional time to compensate for the actual lost time associated with the de facto moratorium and the newly increased permitting time required to develop the acquired leases. The Administration's unilateral de facto moratorium of oil and gas operations in the Federal OCS has caused significant economic risk in the minds of the investment community. This uncertainty has caused disruption in economic development of Federal OCS leases in the Gulf of Mexico and has negatively affected jobs throughout Texas and the Gulf Coast Region. Your proposed legislation will provide a welcome incentive to Phoenix Exploration and other similarly-situated companies to develop the resource potential of existing offshore leases and in doing so, creates domestic jobs which will bring domestic energy resources to the American public.

Thank you for your support of Phoenix Exploration Company and the people of Texas in this vitally important matter.

Sincerely,

STEPHEN E. HEITZMAN,
President and Chief
Executive Officer.

SHALLOW WATER ENERGY
SECURITY COALITION,
Houston, TX, May 13, 2011.

Hon. KAY BAILEY HUTCHISON,
U.S. Senate, Russell Senate Office Building,
Washington, DC.

DEAR SENATOR HUTCHISON: On behalf of the member companies of the Shallow Water Energy Security Coalition ("Coalition") and their employees, we are extremely thankful for your leadership in the introduction and efforts to enact S. 516, the Lease Extension and Energy Security Act (LEASE Act). This legislation is urgently needed to avoid further adverse economic and employment impacts resulting from the Administration's de facto moratorium on offshore drilling activities in the Gulf of Mexico. The Coalition is comprised of the leading exploration and production, drilling and offshore contractors in the Gulf of Mexico.

As a result of the de facto moratorium on offshore drilling, all related shallow oil and gas exploration activities on the Outer Continental Shelf of the U.S. came to a grinding halt. However, the expiration period for offshore oil and gas leases was not suspended. As you have so appropriately recognized, it is only fair and reasonable to provide a short-term 12-month extension to return to the affected leaseholders the lengthy period of time in which they were prevented from developing those leases. Your legislation will most certainly help to protect American jobs and increase domestic oil and gas production.

Clearly, it is imperative that the LEASE Act be enacted as quickly as possible. In this year alone, over 350 offshore leases are due to expire, many of which have not had the opportunity to be developed because of the de facto moratorium. Without the LEASE Act, vast quantities of proven, present and producible oil and gas in these expiring leases

will be trapped. Once these leases expire, they revert to the federal government only to be developed when and if the Administration holds an offshore lease sale. The Administration cancelled the Gulf of Mexico lease sale, which was scheduled in March, 2011, and it now appears that, for the first time in 40 years, the country will not hold a lease sale in 2011. With soaring gasoline prices and the countries growing dependency on foreign sources for the supply of oil and gas, we must reap the fruit of our offshore leases.

The economic impact of the Administration's offshore oil and gas policies continues to be direct, severe and long-lasting. Your legislation will provide some welcome relief for the hundreds of thousands of Texas, Louisiana and other Gulf state employees who rely on a strong and vibrant offshore energy industry.

Thank you for your support of the Coalition and its members in this vitally important matter.

Sincerely,

JAMES W. NOE.

Mrs. HUTCHISON. Mr. President, let me close by saying I hope we will not do something so wrongheaded and counterintuitive as to take one section of an industry and say you are bigger than all the others, so we are going to tax you differently. We are not going to give you the manufacturing tax credits we give to every other manufacturer in the world, including the big ones that manufacture in the United States, and we are also going to tax you differently from the smaller oil and gas companies because you are big and they are small. Is that America? Is that the country that wrote a Constitution that said we would guarantee due process of law, that we wouldn't single out one company that is bigger than the others and tax it differently? That is not what our country was founded on.

We should have a fair process. We should have fair taxation. We should be encouraging manufacturing in our country because these companies have a trust with their shareholders. We expect them to do well for their shareholders, and they have millions of shareholders who depend on them to do the right thing with their business and with the investment these shareholders have made. I might add that many pensions are dependent on these kinds of stocks, and it is expected the CEOs will run the companies in a way that will keep our economy going, keep jobs in America, and keep their stockholders in a position where retirees can live on the income. We are singling out an industry and saying: No, you are too big, so you are going to be taxed differently from other industries, and you don't get the manufacturing incentives that even other big manufacturers get. Why wouldn't they move overseas to create jobs overseas where they have a stable regulatory environment, a lower tax base, a lower tax rate, and where they can bring up oil from the ground and import it right back into America, even though it will be at a higher price because we are going to have to pay for

the people to go overseas and haul the oil back.

Does that make sense? It doesn't make good business sense, and it certainly doesn't make good economic sense. It is not good for our country, and it is certainly not good for the job market we are trying to build.

I hope we will not make the mistake of going forward on the Menendez bill. I hope we will realize we are a country that has vast natural resources and we should be using those resources so our businesses can thrive, so prices stay low, so people will not be strained to put gasoline in their trucks to go to work or to do their farming or ranching to contribute back to the economy. I hope we will defeat the Menendez bill, and I hope we will adopt a policy that will come through the McConnell bill tomorrow which will increase exploration, increase production, and lower the price of gasoline through our own natural resources, not by importing our own—the jobs that ought to be in America, exporting the jobs and importing the product. That doesn't make sense. Let's keep the jobs in America and let's keep our natural resources working for us. That would be the prudent thing to do and that will be the McConnell bill.

I hope we can defeat the Menendez bill, and maybe we can come together in the Senate and give the President a bill that will ask that we have more production and give the level playing field to all the companies that would hire more people and create jobs in America. They will do it if there is a level and fair and stable regulatory and tax environment in America.

Thank you. I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. UDALL of Colorado. Mr. President, I rise today to speak about the energy-related votes we face this week in the Senate.

Coloradans—and all Americans—are feeling the sting of skyrocketing gas prices. And “pain at the pump” puts a crimp in the budgets of hardworking families and small businesses everywhere. I hear this every time I am back in my home State, talking to folks. They think it is unfair—and I agree.

Runaway gas prices are not acceptable and we must work across the partisan divide to bring a stop to it.

In fact, I recently called on the State Department and the U.S. Trade Representative to do everything they can to crack down on global oil market manipulation. And I joined my colleagues in urging the Commodity Futures Trading Commission to ratchet up their efforts at preventing overspeculation in oil trading domestically. Taking these steps would help reduce the chance that market manipulation is hurting American consumers.

But from a larger perspective, the challenge is that we simply do not have

any quick fixes. And substantial relief today would have required us to take steps years ago to reform our energy system. Unfortunately, we let those opportunities pass us by. That is the unvarnished truth the American people need to hear, not false promises or bumper sticker solutions.

The real solutions involve tough choices and strategic investments in clean energy that will help wean our Nation off foreign sources of oil. It really is the only way we will be able to dig ourselves out of this hole and lower gas prices. And, importantly, it is one of the ways that we will get the United States back on the path to winning the global economic race.

Unfortunately, neither of the votes we will take this week will reduce gas prices for consumers.

As are most Americans, I am frustrated that once again politics is getting in the way of progress I would much rather be debating a comprehensive energy policy this week that includes a renewable electricity standard, promotes energy efficiency, and encourages responsible development of domestic resources such as safe nuclear power and natural gas.

We need to move beyond partisan fights and blame games. Instead, we need to work toward what we all can agree are key priorities: developing energy that brings affordable prices to American families and businesses; building a sustainable, long-term energy future; and doing it in a way that protects our clean air and water for future generations. Put simply, establishing energy security—perhaps above any other issue—will assure our Nation's future success.

We each often say that our States are the best laboratories to create innovation. But in Colorado, we have a great example of this in action.

Back in 2004, Colorado cast aside partisan politics and bumper sticker solutions by taking a big, brave step forward and embraced the emerging clean energy economy. That year I led a bipartisan ballot initiative with the former Republican Speaker of the Colorado House, Lola Spradley, in a campaign to convince the voters of Colorado to approve a State-based RES that would harness renewable resources like the sun, the wind, and geothermal energy. We barnstormed the State, speaking over and over to anyone who would listen.

There was a lot of industry opposition to an RES, and dire predictions that it would cost consumers money and damage Colorado's economy. But, those arguments were proven wrong. And Colorado industries, consumers, and people across the political spectrum have embraced clean energy as part of Colorado's effort to win the global economic race.

In fact, last year, the Colorado Legislature approved, and former Governor

Bill Ritter signed, a bill to increase the RES standard even further: from 20 percent to 30 percent renewable energy by 2020. This makes the Colorado RES the second most aggressive standard in the Nation, only after California.

Even more refreshing is that in the years since Colorado established one of the earliest and strongest renewable electricity standards, our energy producers have embraced the move. One of our State's largest utilities, Xcel Energy, has become a national leader in clean energy. In proving that clean energy can be profitable and competitive, Xcel is making the case for how an RES can create jobs, stimulate the economy, and help us achieve energy independence.

The clean energy economy is one of the greatest economic opportunities of the 21st century, and the global demand for clean energy is growing by \$1 trillion every year. The lesson to be learned from Colorado is that clean energy can unleash the American entrepreneurial spirit. We must pursue forward-thinking policies that will help America seize and lead this growing market.

Make no mistake. We are in a race against foreign competitors and are quickly being left behind. Last year, I returned from China where I discussed clean energy issues with American businesses located there. I saw it firsthand. They are ready to eat our lunch when it comes to clean energy. China is pursuing renewable energy and clean energy technology so ambitiously, not because they want to save the planet but because it makes good business and economic sense.

In fact, China has announced that it is investing over \$738 billion over the next 10 years in clean energy development—nearly the size of our entire American Recovery and Reinvestment Act. Just imagine, their economy uses a comparable amount of energy, but they take clean energy so seriously that they plan to invest a stimulus-sized amount of money solely in renewables.

But we can't just rely on renewable energy. Rather, America must have an all-of-the-above energy policy. For example, conservation and energy efficiency efforts offer the quickest way to reduce energy demand today. And safe nuclear energy and natural gas can and should fill a larger share of our energy portfolio as they both are cleaner fuels. In addition, we all know America will be dependent on fossil fuels for years to come, so it is not realistic to exclude them in our strategy. All of these elements should be in America's energy mix and we must acknowledge that to really embrace 21st century solutions.

But when we look at the future demands for clean energy and the economic opportunities ahead of us, renewable resources hold the greatest promise. And the more home-grown re-

newable energy we can produce, the less money we need to spend buying oil from foreign nations that wish to do us harm, which means less money spent at the gas pump. I don't think anyone in this Chamber can argue with the proposition that we should be moving aggressively toward energy independence with dividends like that.

It is time we made a concerted national effort to reclaim our position at the front of the pack. We should be harnessing the wind and sun and other renewable resources here in America, and putting Americans to work in good-paying jobs developing, building, and leading the clean energy revolution. It is an example of what we call back home "Colorado common sense."

But instead of pursuing some commonsense goals that are sure to move our economy forward, we are here today exchanging political punches on issues largely unrelated to our energy independence and the prices Americans pay at the pump.

While I support reducing tax breaks for the five largest oil companies, I honestly wish this issue was a smaller part of a larger discussion on a comprehensive energy strategy that allows the U.S. to lead the global economic race. That said, I will vote to repeal these needless tax breaks for Big Oil. Traditional energy production has received billions in subsidies over the last 70 years. And the top five oil companies in particular make billions in profits that far exceed the need for government support.

I happen to agree with the thousands of Coloradans who have told me: these companies—among the biggest in the world—don't need and shouldn't receive taxpayer money, especially as we look for ways to consolidate our Tax Code and reduce the deficit.

It is important to me that this bill is limited to the top five companies and does not include small, independent producers that provide many jobs in Colorado. I should note that there are some tax credits—such as the production tax credit for wind, the investment tax credit for solar, and the intangible drilling costs tax credit for small oil and gas producers—that are important to jobs in Colorado and across the country. While my ideal energy market would be free from any tax credits, I also want to make sure we continue to invest in domestic energy industries that still need help getting off the ground. Just as with most policy, it is a delicate balance.

In my home State of Colorado and in the Presiding Officer's home State of Pennsylvania and all over our country, Americans are feeling the sting of rising gas prices. The pain at the pump puts a real crimp in the budgets of hard-working families and businesses everywhere. I hear this every time I am back in my home State listening and visiting with the folks there. They

think it is unfair, and I have to say I agree.

Runaway gas prices are not acceptable. I think it is our job, working across the partisan divide, to bring a stop to it. I have to tell my colleagues, instead of pursuing some commonsense goals that would move our economy forward and would mold a comprehensive energy proposal, we are punching away at each other on issues largely unrelated to our energy independence and the prices Americans pay at the pump.

I am going to support the vote today. We ought to reduce tax breaks for the five largest oil companies. But I have to say I wish this had been part of a larger discussion on a comprehensive energy strategy to allow us to lead the global economic race. That said, I am going to vote to repeal what I think are needless tax breaks for Big Oil.

Traditional energy production has received billions of subsidies over the last 70 years—70 years—and the top 50 companies in particular make billions in profits that far exceed the need for more government support. I happen to agree with thousands of Coloradans who have been in touch with me to say that these companies, which are among the biggest in the world, don't need and shouldn't receive taxpayer money, especially as we look for ways to consolidate our Tax Code and reduce the deficit.

It is important to me that the bill is limited to the top five companies and doesn't include small, independent producers that provide a lot of jobs in Colorado. I should note that there are some tax credits, such as the production tax credit for wind, the investment tax credit for solar, and the intangible drilling costs tax credit for small oil and gas producers that are important for jobs in Colorado and across our country.

I think we would agree that the ideal energy market would be free from any tax credits, but I also wish to make sure we invest in our domestic energy industries that still need help getting off the ground. As with most policy matters, this is a delicate balance.

Let me wind down my remarks with this request to my colleagues, that we would take responsibility for our economic future and get serious about energy independence. That means we would have to shed, each and every one of us, some of our doctrinaire positions and what is too often on the floor a "my way or the highway" approach. There are ways to responsibly drill for oil while also increasing our renewable electricity production. There are ways to safely expand nuclear power while also boosting energy efficiency. There are ways to harness natural gas as a bridge fuel while also spurring a generation of electric cars.

These are not either/or propositions. I think we especially have to seize the

clean energy opportunity that is in front of us, so 2, 4, and 10 years from now we are not still sidetracked by political infighting because we, once again, failed to make the tough decisions. A comprehensive energy policy is critically important to our Nation's economic recovery and our long-term energy future. Believe me, Americans are ready for it. In fact, they are demanding it.

Thank you. I yield the floor and note the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant editor of the Daily Digest proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I rise in strong support of Senator MENENDEZ's bill to eliminate subsidies to big oil companies. At a time when we have to make tough choices to address our budget deficit, when we are cutting cancer research, at a time when Minnesotans are paying \$4 a gallon at the pump, and at a time when oil companies are raking in record profits, we have to stand and say: Enough is enough. It is time to end the subsidies. That is why I am a proud cosponsor of the bill.

We have had to make a lot of tough choices, and there are plenty still to come. To avert a government shutdown, Congress enacted billions of dollars in cuts. Some were pretty hard for me to swallow, frankly—cuts such as \$182 million from job training, \$650 million from community development funds that help communities provide basic services such as roads and sewers and affordable housing, even Pell grants.

These are cuts that will be felt by working families and people who are still struggling to find jobs and make ends meet. I voted for the spending bill that contained those cuts, not because they would be the cuts that I choose to make but because it was important to keep the government open. Addressing our budget deficits will take compromise. It will take shared sacrifice from everyone. That includes big oil companies that are making record profits because the price of oil is now at \$100 a barrel.

The bill before us would end \$1.2 billion in subsidies to the five largest oil companies in fiscal year 2012 and \$21 billion over the next 10 years. These companies make up three of the top five Fortune 500 companies and have had nearly \$1 trillion in profit over the last decade. While high oil prices are gouging the pocketbooks of American families, these companies are on a pace for a record profit this year. In the

first quarter alone, these companies collectively made about \$35 billion in profits.

I wish to ask my colleagues, how high do oil prices have to go—how big do the oil companies' profits have to be—before we can talk about doing away with their handouts? These companies have legacy wells that pump oil at a cost of about \$10 a barrel—a little less. On average, oil production costs them \$15 a barrel. When exactly don't they need these subsidies anymore? They are making record profits. At \$100 a barrel, why do they need the subsidies? If oil goes up to \$102 a barrel or \$110, or \$150, can they give us the subsidies back then? There is absolutely no rationale for these subsidies—none at all. How much money do these companies have to make before they do not need the government's help anymore?

To me it sounds as though these companies do not need to be subsidized by taxpayers. President George W. Bush thought so too. In 2005 he said:

With \$55 dollar oil, we don't need incentives to oil and gas companies to explore. There are plenty of incentives.

When testifying before Congress in 2005, one oil executive stated that removing many of these tax breaks would have no effect on his company's production activity. Today, with oil prices close to \$100 a barrel, it is doubly true.

Let me say something about House Speaker BOEHNER's statement on the debt limit last week. The Speaker told us that in terms of dealing with the deficit, everything is on the table, except for revenues. How can we not look at billions of dollars in handouts to some of the most profitable companies in America?

This is sort of like a family that cannot pay its bills, and they cannot pay for food and heat and electricity and medical bills and the mortgage all at the same time. So they gather around the table and the dad says: "To make ends meet, everything is on the table. We are paying for this stuff, except for one of us getting an extra job or working more hours or somehow bringing in more money. We can't do that." And the son says: "Gee, dad, I could do more hours at TGI Friday's. I could do that." "No, son. That's off the table. No more medicine for grandma. You go play with your Xbox some more."

Revenues off the table, especially subsidies that do not do anybody any good? That does not make any sense and tells me that some of us are not serious about fixing the budget deficit.

A recent report from the Joint Economic Committee concluded that:

Repealing or modifying the tax incentives discussed in this report . . . would have little or no impact on consumer energy prices in the immediate future.

In 2010, 60 percent of the big five oil companies' profits went to stock buybacks and dividends to their share-

holders, not to exploration. So even if they had fewer taxpayer subsidies and could only use, say, 59 percent of their record profits for buybacks and dividends this year, I am pretty sure they could get by just fine.

Some of my colleagues on the other side of the aisle think we have the wrong approach and they do not want us touching Big Oil's government handouts. Instead, they are pushing an alternative bill that would require the government to approve or reject a drilling permit in 60 days or it would be deemed automatically approved. This is a very dangerous idea. Just this morning, I asked Director Bromwich, who heads the agency in charge of offshore permitting, what he thought about this idea, and he said we would all be at greater risk from such a proposal.

This shows that some of my colleagues have not learned the lessons of the BP oilspill where a shoddy approval process and numerous industry errors led to a monumental disaster in the gulf. This disaster brought economic hardship for thousands and cost 11 workers their lives. Let's not forget that.

Offshore drilling is becoming an increasingly complex industry. To insist on a one-size-fits-all permit process ignores the increasing technical challenges that offshore drilling presents. The Republican bill is reckless and irresponsible, and I urge my colleagues to reject it.

Instead of ending handouts to wildly profitable companies, my friends on the other side of the aisle are suggesting we throw caution and safety to the wind—and continue to dole out these subsidies. They want to make cuts to job training programs, Pell grants, and cancer research. They have proposed converting Medicare into a voucher program, which would end the longstanding guarantee that our seniors will have access to health care when they need it. It would end Medicare as we know it. But when we talk about touching one penny of big oil's subsidies, they say: It is off the table.

I believe Americans come together in tough times and make sacrifices. We are all not going to get everything we want, and that includes Big Oil executives. At a time when almost 14 million Americans are unemployed, at a time when job training and other assistance programs are being cut, it is unconscionable for companies making record profits to refuse to do their part. It is unconscionable for them to refuse to give up even one penny of subsidies that they frankly do not need.

I urge my colleagues to get serious about the deficit, to support the Menendez bill, and to end these wasteful handouts.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. HATCH. Mr. President, today we are discussing a bill to raise taxes. That is what it is. According to the Joint Committee on Taxation, S. 940 will raise taxes by \$21 billion over 10 years. And what provoked this bill to raise taxes? This time it is high gas prices.

I wish could say I am surprised, but since Democrats took control of this Chamber, and since President Obama was elected, this seems to be a recurring theme. No matter the question, the answer always seems to be: Raise taxes. There is rarely any consideration of how this impacts the economy, how it impacts businesses and families who have to shoulder this load.

My colleagues on the other side of the aisle too often look at working men and women as an endless source of cash that Washington can rely on for more governmental programs. The Democratic Party's emblem is a donkey. Sometimes I think they would be better off transitioning to a one-trick pony.

The Democratic bill we will be voting on later today is called the Close Big Oil Tax Loopholes Act. That is certainly one message-tested name. "Big oil"—check. "Tax loopholes"—check. Again, never underestimate the left's ability to underestimate the American people. They think that because American citizens are angry at high gas prices, they are going to run off the cliff and support a measure just because it mentions "big oil" and "tax loopholes."

I can tell you that the people of Utah are not going to support this bill, and the American people will not either.

The American people want and they need energy solutions. According to a USA Today/Gallup poll, 7 out of 10 Americans say that gas prices are causing financial hardship. FedEx and UPS have increased fuel surcharges from 6.5 percent to 8.5 percent. By the time 2011 ends, expect restaurant prices to be 3 percent or 4 percent higher, according to the U.S. Department of Agriculture.

The issue of high gas prices is much greater than the price at the pump. The Joint Economic Committee concluded that the weak U.S. dollar has added 56 cents to every gallon of gas. This is a drag on a fragile economic recovery. It inflates the prices of everything from groceries to school supplies. Just recently, we found out that one in seven Americans is on food stamps—one in seven. One writer has dubbed this the "Food Stamp Recovery." And this weak recovery is made weaker by higher gas prices.

And to deal with this? Democrats decide that rather than promote a sensible energy policy, it is better to score a few cheap political points at the expense of the politically unpopular oil companies. Americans are rightly upset about the cost of gasoline. But the solution to higher gas prices is not

to raise taxes. Raising taxes on domestic energy producers might be a good thing for Hugo Chavez, but it does nothing to lift the burden of increasing gas prices that are afflicting the American economy and working families. Under this bill, Hugo Chavez's Citgo would receive a tax incentive while U.S. companies such as Exxon and Chevron would not. I was amazed to see the advocates of this legislation admit as much during a hearing on this matter last week in the Finance Committee.

Mr. President, I ask unanimous consent that I be given an extra 5 minutes for my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HATCH. One after one, my Democratic colleagues acknowledged the obvious. The policies they were proposing—higher taxes on oil companies—had absolutely nothing to do with energy policy or sound tax policy and everything to do with generating more revenue for more government spending. They acknowledged that this legislation would do nothing—I repeat, nothing—to lower the price of gas at the pump. Not a thing. They acknowledged that.

I can see now why Senator LANDRIEU of Louisiana and Senator BEGICH of Alaska called this tax increase proposal a "gimmick" and "laughable." These are two Democrats who have been honest about what is going on here. Raising taxes will do nothing to lower the cost of fuel. And for what it is worth, this bill will not help pay down the deficit either. Nothing in this bill mandates that these new revenues would be dedicated to deficit reduction. In fact, any net revenue increase in this bill would be set aside and added to what we call savings on OMB's pay-go scorecard, revenue that can be used to pay for future legislation. We all know that when we increase taxes, our colleagues on the other side are going to spend every dime of it. That has been a matter of fact.

So let's be clear about what is going on here. Democrats want to increase taxes to pay for more government spending. They have been refreshingly open about their intentions. One of my colleagues stated that this bill will allow us to spend money on cops and kids. Another said it will "raise a significant amount of additional revenue for important projects in the United States of America." But the choice here is not lower taxes versus assistance for public safety and children. If Democrats want to pay down the deficit and have money for essential projects, there are plenty of options available besides increasing taxes.

My colleague from Oklahoma, Dr. COBURN, has led a one-man crusade to identify hundreds of billions of dollars in wasteful and redundant government spending and programs. If the entire

Democratic caucus spent even half the time investigating wasteful government spending as it does looking through the Internal Revenue Code for ways to increase our taxes, and to malign a business like Big Oil, our fiscal situation would be much better.

Make no mistake that this bill is a tax increase on American jobs. Under this proposal, there is a disincentive for domestic energy producers to invest in the United States. Under this proposal, American corporations will be at a competitive disadvantage with their foreign counterparts. Under this proposal, a lot of our oil companies—especially the larger ones—are going to find it a lot better for them to work offshore, overseas, away from America, to find oil, which is what they are doing anyway, without all of the tragic tax increases that come their way in our country.

Sometimes we talk ephemerally about the impact of tax increases on the economy. In practice, this bill is a direct assault on American jobs. And for what? It does not do anything to bring down the cost of energy. Nothing. Nada. It does not do anything to bring down the deficit. Not a thing. But what it does manage to do is gloss over the Obama administration's lack of an energy policy—or should I say war on energy?

The angry truth is, this administration abetted by Democrats has an energy policy designed to increase costs at the same time that it purports to stand shoulder to shoulder with working families who cannot make ends meet because of these increased energy costs.

This is the President's Energy Secretary, Steven Chu—the current Energy Secretary:

Somehow we have to figure out how to boost the price of gasoline to the levels of Europe.

That is astounding to me. Some of those levels are approaching \$10 a gallon.

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

The administration is talking out of both sides of its mouth. At the same time that it feigns sympathy for the families hit hardest by rising energy prices, it attempts to impose a radical environmental agenda on an unwilling middle class. At the same time American families moved to the suburbs so they could have room to grow and play, buying minivans and SUVs to accommodate their growing families, the environmental left is pushing its agenda of urban living, public transportation and, yes, small families.

For all of its righteous anger about high gas prices, it is clear from its policies where the administration stands in this fight.

As a Senator who has worked hard to establish a strong energy foundation

for America, I have watched with dismay as President Obama has done everything in his power to tear that foundation up, aggressively stop domestic energy production, and leave our Nation vulnerable to our foreign competitors who are smart enough to develop their own energy resources.

Since taking office, President Obama has cut new energy leases by more than 60 percent in this country and by more than 80 percent in my home State of Utah. We have a lot of oil there. It is just a matter of getting the permits to be able to drill for it or to develop it in the case of tar sands and oil shale. Utah, Colorado, and Wyoming have an estimated 1.6 trillion barrels of recoverable oil through oil shale and tar sands.

We are all aware of the President's efforts to forestall domestic energy development offshore, but less media attention has been given to its successful efforts to move the industry off our Federal lands in the Intermountain West.

The Department of the Interior oversees more than 42 percent of the State of Utah, including much of the land where domestic energy production is pursued. One of the early moves of the Secretary of the Interior, Ken Salazar, my colleague and dear friend, was his controversial withdrawal of energy leases that had already been auctioned off and paid for by energy developers after years of jumping through environmental hoops—years; some estimate about 7 years, maybe longer, of jumping through environmental hoops. Then, just by a stroke of a pen, they withdrew 77 leases that had been paid for.

This is a terrible signal to our domestic energy producers, and companies are now leaving our Federal lands in droves seeking a less hostile regulatory environment on private, State, and foreign-owned lands. Get that “foreign-owned” lands part. They are finding it is easier. They do not have all of the rigmarole and the redtape to go through to develop oil on lands overseas.

A recent survey showed, in the absence of national constraints, energy companies would be investing an additional \$2.8 billion in the Rockies if they did not have all of these constraints and all of this rigmarole to go through.

S. 940 is terrible policy. In a long line of terrible policies, it is lousy energy policy, and it is lousy tax policy. Increasing taxes on American production will only stifle our economy. If Democrats want to have a conversation about tax policy and tax reform, we are ready to have that conversation. But do not single out, through selective taxation, one industry to take away these particular tax benefits that have been useful in helping us develop our oil domestically.

We should not be exercising our power to tax in a punitive way that

singles out particular unpopular industries or just particular industries. Fortunately, I do not think the American people are going to buy this latest installment of “let's raise some taxes.” They always leave out the latter part, “so we can spend more,” and claim that “we are doing more for the people” when, in fact, they are spending us right into bankruptcy.

This bill we are debating today will not do anything to address high gas prices. As Democratic supporters have acknowledged, there is nothing to help us with lower prices at the pump. It will not do a thing. But what it will do is raise revenue for the Federal Government to spend.

Yet, again, the party of big government has proposed additional taxes to fund that big government. You see, the deficit is not the Democrats' problem. No. For the Democrats, the deficit is always somebody else's problem. It is the fault of business or individual citizens for not doing their “fair share” or accepting their “shared responsibility” to fund this government. These are new terms that are being used now.

The American people deserve better than this bill. I urge my colleagues to vote against the motion to proceed to S. 940 and to support the motion to proceed to S. 953 when we take it up tomorrow.

I know a little bit about oil and a little bit about developing oil. I know one thing. We have lots of oil in our country if we will just give the permits and allow the development of that oil. It does not take any brains to realize we have all kinds of oil offshore.

So for the President to go down to Brazil, give them a \$2 billion subsidy to develop their oil offshore, and then compliment them for having done so, with rigs that probably were in the Gulf of Mexico before, basically, it was shut down, and then say we will buy their oil from them, I mean, it is laughable, absolutely laughable—and not develop our oil in this country.

We know there is all kinds of oil in Alaska. We know there is all kinds of oil in ANWR. If one were to go to ANWR, one would be shocked at how barren the place is. Yet to hear the environmentalists talk, one would think it was the most beautiful, lush part of the planet. The fact is, we can develop oil there without ruining ANWR and help our country in the process, save the taxpayers an awful lot of money, keep our country strong, and make us not dependent on Big Oil or anybody else.

Would it not be wonderful if we could just have some good free market principles and allow our people to find our own energy in our country? A lot of people did not realize, until it came out last week, that the United States is the third largest energy producer in the world.

Now, we are the largest user by far, but there is a reason for that. We have

been the most important country, with the greatest economy, helping people all over the world with our tax dollars.

I hope we vote down this bill today and vote up the one tomorrow.

Mr. GRASSLEY. Mr. President, American consumers are hurting. Unemployment remains stubbornly high at 9 percent. And, energy costs are escalating, and increasing the cost of many other goods and services, such as groceries, clothing and other household necessities.

During the 2-week Senate recess in April, I met with Iowans at meetings in 33 of Iowa's counties. One issue that came up at every single meeting was the high cost of gasoline at the pump. Iowa is a State that depends heavily on energy. Our rural families commute many miles to go to work, take kids to school, and do their household shopping.

During the spring planting season, farmers use hundreds of gallons of diesel fuel and gasoline in their trucks and tractors as they work to get the crops in the ground. Iowa's manufacturers are also heavily dependent on energy.

Prices at the pump are near \$4 a gallon. All of our constituents are crying out for action to lower these prices. So, it makes sense that Congress would consider steps to address the rising energy costs and work to drive down the costs to consumers at the pump.

Unfortunately, that is not what the bill before us would do. This bill would not drive down the cost at the pump at all, and it would very likely lead to higher prices for consumers.

The bill before us would increase taxes for the five largest domestic oil producers. It won't lead to the production of any more oil and gas. It won't create a single job. It very well could lead to less domestic energy production and less employment in the U.S. energy sector.

At a time of \$4 gas and 9 percent unemployment, why would the other side push a bill that will increase the cost of energy production, reduce domestic energy supply, and lead to job losses? The fact is, this bill is not about reducing prices at the pump. The bill before us is not about reducing our dependence on foreign oil. It is about raising taxes. And one thing is for certain, if you raise taxes on an activity, you get less of it.

What this Congress should be doing is increasing the domestic production of energy as a way to increase jobs, increase domestic investment, and lower prices at the pump. This bill does none of those things, and actually does quite the opposite.

That is why I will oppose this tax hike bill, and support Senator McConnell's alternative bill that will enact measures that will lead to the development and production of domestic oil and gas. We can lower gas prices

through increased supply. We can lower our dependence on foreign oil by opening up and providing permits for the development of resources that God gave us here in our country. It makes no sense to close off vast areas of resources here in the United States, only to go hat-in-hand to dictators and oil Sheiks in Venezuela, Libya or Persian Gulf countries.

In closing, I would like to mention that a number of my colleagues have argued against the tax hikes on domestic energy producers as an unfair attack on just a handful of companies. I noticed with amusement that the President of the Petrochemical and Refiners Association released a statement on this bill that, "Imposing what would amount to a multibillion-dollar energy tax would be bad for American consumers, for the American economy and for America's national security. It would hurt American companies producing energy and fuels in our own country and give foreign competitors an unfair advantage, endangering American jobs and making America more reliant on foreign energy." Yet this same person, along with many supporters of the oil industry, hypocritically believes targeting biofuel tax incentives is just fine.

Singling out and targeting domestic biofuels, a critical piece of our energy supply, will do nothing to reduce prices at the pump. It will do just the opposite. And, it will cost jobs and increase our dependence on foreign oil. I only hope that the Senators who believe it is unfair to target the oil industry with punitive tax hikes will also recognize that the same is true when they suggest targeting domestic biofuels production.

Mrs. FEINSTEIN. Mr. President, I rise to speak in support of the Close Big Oil Tax Loopholes Act, of which I am an original cosponsor, and in strong opposition of the Offshore Production and Safety Act.

I support the Close Big Oil Tax Loopholes Act because it would repeal unnecessary subsidies and incentives to oil companies that will cost taxpayers \$21 billion over the next 10 years. That \$21 billion must be made up through taxes in other areas, such as individual income taxes.

These tax incentives for big oil, unfortunately, go toward corporate salaries and profits—they do not lead to lower gas prices for American consumers.

And I oppose the poorly named Offshore Production and Safety Act.

Instead of implementing the recommendations of The National Commission on the Deepwater Horizon Oil Spill and Offshore Drilling, this legislation attempts to irresponsibly increase production by shortcircuiting safety and environmental reviews, rigging the courts in favor of the oil companies, and forcing oil leasing in offshore areas without further review.

The Close Big Oil Tax Loopholes Act, introduced by Senator MENENDEZ, was written to end unnecessary and expensive tax subsidies. It does so in the following ways:

It modifies the foreign tax credit that allows major oil companies to deduct royalty payments dollar-for-dollar from their U.S. tax bill.

It limits the ability of oil companies to claim the domestic manufacturing tax deduction. This deduction was created in 2004 to assist exporting manufacturers, not to subsidize oil companies.

It limits the deduction for intangible drilling and development costs.

It limits the percentage depletion allowance for oil and gas wells: Firms will no longer be able to calculate this deduction using the percentage depletion calculation method, under which they often take claims that exceed the capital that was actually invested.

It limits the deduction for tertiary injectants, which are fluids and gases that oil companies pump underground to drive more oil from an existing well, sometimes with negative environmental repercussions.

Finally, the bill includes a provision I introduced in February to repeal Outer Continental Shelf deep water royalty relief provisions included in the Energy Policy Act of 2005.

These 2005 provisions created a financial incentive for oil companies to drill in the deepest parts of the ocean, where the environmental and technical risks are greatest.

If we learn anything from the BP oil-spill, it is that we should not be encouraging oil drilling in ocean waters so deep that it is beyond our technical capacity to address a spill. Yet that is exactly what the law does today.

Last week, at a Senate Finance Committee hearing, CEOs of the big oil companies argued that they deserve to continue receiving these subsidies.

ConocoPhillips's James Mulva went as far as to argue that raising taxes on an industry that can afford to pay those taxes in order to help those who cannot is "un-American." He argued it would lead to a parade of horrors: lost jobs, higher gas prices and less investment.

I could not disagree more strongly. Gas is at \$4 a gallon, oil is about \$100 a barrel and oil company profits are at near-record levels. Their claims are unfounded and absurd.

Let me start with investment. In 2005, with oil nearing \$60 a barrel, Mr. Mulva and other top executives testified that the companies did not need tax breaks to continue oil exploration efforts. But Congress left them in place. How can a drilling incentive unnecessary at \$60 a barrel become essential at \$100 per barrel?

Big Oil claims about gas prices are also unfounded. A recent analysis by the nonpartisan Congressional Re-

search Service found that eliminating the tax benefits would have virtually no effect on the price of gasoline.

A report from the Joint Economic Committee came to the same conclusion, stating:

In reality, most of the so-called incentives have no impact on near-term production decisions, and thus repealing them would have no effect on consumer energy prices in the immediate future. Even in the longer term, the current proposed changes to these tax provisions would have little impact on global production and a negligible effect on consumer energy prices.

The CRS report also addressed another industry claim: that ending tax breaks just for oil companies would be discriminatory.

Most of those tax breaks—such as the deductions for well depletion and intangible drilling costs—are unique to the industry. The only exception is a deduction for domestic production, designed to encourage manufacturing companies to build factories here and export their goods.

But as CRS pointed out, there will be no cessation of drilling on American territory as long as the oil and profits exist. Therefore, this is a huge cost to taxpayers with zero effect.

Even the effect on industry profits—the Big Five earned a robust \$35 billion in the first quarter of this year alone—would be trivial, according to CRS.

But this is simple arithmetic. The bill before us would repeal approximately \$2 billion in subsidies annually, from five firms that made \$35 billion in profit in a single quarter earlier this year. This represents a scant 1 to 2 percent of their annual profit!

Bottom line: these subsidies are unnecessary, and returning \$21 billion over 10 years to the Treasury would be a good thing.

I encourage all of my colleagues who share my concern about the deficit to vote yes on this bill.

Unfortunately, the minority leader has not chosen to address the deficit in his legislation.

Instead, he has brought forward the Offshore Production and Safety Act.

This bill appears to be a solution in search of a problem. It attempts to make "Drill Baby Drill" a national policy, without respect for the environment or the livelihoods that depend on a healthy ocean.

Its introduction demonstrates that some in this body believe we can drill our way to energy independence, and the only things standing in the way are pesky environmental and safety regulations.

Unfortunately, the facts don't back that up:

The United States has only 3 percent of global oil reserves, but we use more than 20 percent of supply.

Fifty-one new shallow-water permits have been issued since the administration implemented stronger safety standards to ensure that an oilspill

similar to Deepwater Horizon will never happen again.

Thirteen deepwater wells have been permitted since February, when the industry finally demonstrated it was capable of containing an undersea spill.

In 2010, the United States produced more than 2 billion barrels of oil, the highest level of domestic production since 2003.

Oil production has increased every year under President Obama.

Despite these facts, we are being asked to consider a bill that would further reduce safety standards. The Republican bill repeals the 2010 drilling plan that protects southern California's coast from new drilling; establishes a 60-day deadline for the Federal Government to review and grant drilling permits. If that deadline cannot be met, a permit would be automatically issued even if the delay is the fault of the applicant. Authorizes leasing in long-protected waters of the north and central Atlantic coasts and Alaska, including Bristol Bay, without any further review. And overrides the ordinary rules of venue for court cases, engaging in preemptive "forum-shopping" by directing all court cases related to Gulf of Mexico energy production to the U.S. Court of Appeals for the fifth Circuit—even though that circuit doesn't include Florida, the State with the longest coast on the Gulf of Mexico, nor Alabama.

Finally, the bill sets up all kinds of special rules, appearing to try to ensure that the oil companies cannot lose in the fifth Circuit, by requiring challenges to be filed in 60 days, adding additional burdens of evidentiary proof, and prohibiting the courts from awarding attorneys' fees or other court costs even to the winning parties.

That pretty much ensures that the fishermen, shrimpers, and small businessmen who depend on the gulf for their livelihoods will be unable to defend their rights in court.

It is as if the BP spill in the Gulf of Mexico had never happened.

Three-fourths of Americans recently polled by the Wall Street Journal supported ending oil subsidies.

Americans recognize that this is a question of fairness.

While the oil companies are making huge profits, people are suffering and deficits are growing. We have an obligation to ask whether these tax giveaways are right, whether they are smart and whether we really need them at all.

The answer is no. I encourage my colleagues to join me in fighting to end them.

Mr. BINGAMAN. Mr. President, this afternoon the Senate will vote on a motion to proceed to consideration of S. 940, the Close Big Oil Tax Loophole Act. I have not decided how I would vote on final passage of the act in its current form. In fact, earlier this year,

I voted against an amendment offered by Senator LEVIN that contained many similar proposals, primarily because there were provisions in that amendment that I felt did not receive the full attention they deserved. Yet because I believe that the full Senate ought to debate the merits of existing tax preferences for our Nation's oil and gas industry, I will vote in favor of this motion to proceed. Additionally, beyond the Tax Code changes, I strongly support the act's provision repealing the Outer Continental Shelf deep water and deep gas royalty relief, and this repeal should also be debated by the full Senate.

The act's underlying provisions closely follow provisions that the President has proposed in the three budget recommendations he has so far presented to the Congress—except that this bill would apply only to the so-called Big Five producers. As chairman of the Senate Energy and Natural Resources Committee and as chairman of the Senate Finance Subcommittee on Energy, Natural Resources and Infrastructure, I have had the opportunity to study and receive testimony on the act's underlying provisions, and I believe there is merit in at least some of these provisions. To reach that conclusion, I have looked at the provisions through three lenses. First, will they increase gasoline prices at the pump? Second, will they increase dependence on imported oil? And third, will they cause job losses in local communities?

With respect to the provisions at issue, I believe there are strong cases to be made that the answer to all three questions is no. In particular, I highlight the testimony of Dr. Stephen Brown, a nonresident fellow at Resources for the Future—who previously was chief energy economist at the Federal Reserve Bank of Dallas—at a hearing I convened in my Finance Subcommittee on September 10, 2009. Dr. Brown testified that removing these provisions from the Tax Code "will have very small effects on U.S. oil and natural gas markets—primarily because the increased tax revenue amounts to less than one percent of the total revenue the industry is projected to earn on its domestic production." In particular, his testimony noted that "eliminating the tax preferences would boost the world oil price by an average of about 6 cents per barrel," that "oil imports would rise by an estimated 0.1 percent of U.S. oil consumption," and finally that such changes are "unlikely to have a significant effect on overall U.S. employment."

But while there is a strong case that the answer to all three questions is no, I nevertheless have serious reservations about any tax policy change that focuses exclusively on one industry. Rather, we should consider the tax treatment accorded to all taxpayers engaged in extracting domestic natural

resources and, in the case of the section 199 domestic production deduction, all U.S. businesses.

I am also troubled that this bill singles out only five firms, merely because of their large size and integrated nature. To be sure, I do believe we must be most sensitive to the smallest producers—the Mom and Pop businesses that are common in many rural oil and gas producing communities, including ones in New Mexico's southwest and northeastern corners. But what about large producers who are not integrated?

Historically, the Tax Code drew no distinction between independent and integrated producers. But over time, Congress has scaled back or eliminated incentives by distinguishing between independent and integrated firms, and, within the latter category, between major integrated and nonmajor integrated firms. This act would widen the disparate treatment. Yet it is a false distinction to claim that all independent producers are small. For instance, 10 independent firms that had revenues exceeding \$7 billion in 2009, with the largest among them having revenues above \$15 billion. Given the vast size and revenues of some "independent" producers, it is not clear that the appropriate dividing line should be found merely at the fact that a firm's revenues derive solely from production at the wellhead. Rather, I find it is difficult to justify excepting a firm under the rubric of being a "small business" when its revenues are high enough to qualify as a Fortune 500 company. And so if we proceed to debate this bill, I feel strongly that we should consider alternative means of distinguishing firms. For instance, we might do so based on revenue or thresholds based on average daily worldwide production above a determined level.

I have long been deeply concerned about our Nation's gaping budget deficit. We should have a serious debate about which tax expenditures across the board we can continue to afford. But the fact that gasoline prices are high or that five companies have large profits is not the ideal basis for considering fundamental changes in tax policy.

While I would strongly prefer to have this debate in the context of either a broader national energy policy or a broader effort at deficit reduction, and while I would prefer a measure that does not single out a small handful of companies, I will vote for the motion to proceed to consideration of the act. It is time to have a complete and serious debate over the merits of the provisions at issue.

I yield the floor.

The PRESIDING OFFICER. The Senator from New York.

Mr. SCHUMER. Mr. President, first, even though I do not agree with him, it is always a pleasure to listen to my

friend from Utah give his arguments. But I will just give mine instead of talking to him. I will just remind him of one thing. This bill is not intended to lower gas prices; it is intended to reduce the deficit. It clearly does that.

If my colleague cared so much about reducing that deficit, the oil companies are a good place to start. The money does not go for spending, it goes for deficit reduction.

Anyway, I rise today in support of the legislation authored by my good friend from New Jersey, Senator MENENDEZ. Senator MENENDEZ has championed this legislation for quite some time. I applaud the work he has done to build support for it.

As you know, our leader, Senator REID, has scheduled a vote on it in just a few minutes. I sincerely hope the bill will pass. Nothing would be better in terms of showing bipartisanship and giving the American people hope that we can come to a fair agreement on our long-term fiscal challenges than to pass this legislation today.

In the last election voters gave those of us who serve in this Chamber two distinct mandates: First and perhaps foremost, they said: Make the economy grow. Create good-paying jobs. Make sure that American dream which says the odds are higher you will do better 10 years from now than you are doing today, and the odds are higher still your kids will do better than you, that American dream, make sure it burns brightly.

Some have wondered if it is beginning to flicker, and their mandate to us in this election was get that candle glowing again. But, second, they said do something else at the same time. They said in no uncertain terms: Reign in the out-of-control Federal deficit. They told us to take the bull by the horns and confront our mounting debt.

On that point, I will agree with my colleague from Utah. Now, it is very hard to accomplish one of these two goals. To accomplish both at once is a Herculean task. There are many choices ahead, most of them rather difficult. That is why this is so hard. But one choice is not tough at all, not by a mile. It is obvious. At this time of fiscal restraint, when we have to make cuts that are so painful and hurt middle-class families, to continue to give big oil companies giant tax breaks makes no sense whatsoever.

Getting rid of these corporate subsidies to Big Oil is a no-brainer. Decades ago, when these breaks were enacted, oil was \$17 a barrel. Maybe it made a modicum of sense in those days to give companies an incentive to explore and produce. But with the price of crude oil hovering at \$100 a barrel, and Big Oil reaping record profits with every barrel they drill, it defies logic to spend billions of taxpayer dollars on these subsidies.

Believe me, the free market gives the oil companies enough of an incentive

to produce. When oil is \$100 a barrel, they certainly do not need a financial nudge from Washington. Now, at the same time, middle-class Americans get hit with a double whammy. They are paying \$70 or more to fill that gas tank. Then, in addition, when they pay their taxes, some of those hard-earned tax dollars are being used to line Big Oil's pocket with these subsidies.

In my home State of New York, the price of gas is up 35 percent on average compared to this time last year. Economists estimate the typical family will pay as much as \$1,000 more on gas this year than last—\$1,000 a year. The average family makes about \$50,000. It is so hard they sit around the dinner table after Friday night supper, mom and dad. They sit down and figure out: How are we going to pay these bills? How are we going to give our kids the life that we want to give them? And they are paying \$1,000 more for gasoline. At the same time we are subsidizing oil companies.

Families across the country are still struggling to make ends meet as the economy slowly recovers. With billions of dollars' worth of tax subsidies and gas prices at record highs, it is no wonder the top five oil companies just announced jaw-dropping profits. These companies are not only among the most profitable businesses in the United States, they are among the most profitable in the whole world.

In the first quarter of this year alone, the big five brought in \$35 billion in profit. In the past decade, they took home nearly \$1 trillion—that is trillion with a "t."

There is nothing wrong with these profits in and of themselves; in America we celebrate success; we want the private sector to thrive. But at a time when the government is looking to tighten its belt and we are grappling with painful cuts, both because we have the dual goal of growing the middle class and also reducing the deficit, it boggles the mind that we continue to subsidize such a lavishly profitable industry.

Moreover, as my great friend and colleague, Senator MCCASKILL, highlighted this morning in a letter to the Federal Trade Commission, those record profits smell a bit fishy. There is a reason to suspect that some of the biggest oil refiners are artificially depressing supply in order to raise prices to pad their bottom lines.

I am proud to have cosigned Senator MCCASKILL's letter, as did the entire Democratic leadership team. I look forward to the FTC's response. I am also proud to cosponsor the Menendez bill we are considering today, Close Big Oil Tax Loopholes Act. The legislation will put an end to the taxpayer handouts to the five largest integrated oil companies and use the \$21 billion in savings to reduce the deficit. This \$21 billion is an excellent downpayment on our ef-

fort to get the Nation's fiscal house in order.

The bill repeals a host of Byzantine tax provisions that only a lobbyist could love, such as the deduction for tertiary injectants and the deduction for intangible extraction costs. Small- and medium-sized oil firms are exempt. The legislation, even though some might like to go further, deals with the big five—ExxonMobil, Shell, Chevron, ConocoPhillips, and BP.

I have heard pundits from the hard right parrot Big Oil's talking point that repealing these giveaways would increase gas prices for consumers. The facts beg to differ. Last week, two major independent studies—one from the Congressional Research Service and another from the Joint Economic Committee—found that ending these absurd subsidies would not impact the price of gas. I compliment Senator CASEY for his leadership on the second study.

In what was perhaps an inadvertent moment of candor at last week's Finance Committee hearing, ExxonMobil CEO Rex Tillerson said:

Gasoline prices are a function of crude oil prices, which are set in the marketplace by global supply and demand, not by companies such as ours.

When he made that comment, Tillerson of ExxonMobil conceded that repealing taxpayer-funded subsidies for Big Oil will not increase prices. Prices are set, as he says, by global supply and demand.

That is not to say repealing subsidies will necessarily bring down prices. We are not making that claim. All along we have been clear: The purpose of this bill is to make a dent in the deficit by repealing tax breaks for the five companies that are the least in need of help from Uncle Sam.

Lowering the cost of gas and ridding our country of its dependence on foreign oil requires a long-term, comprehensive approach. In the months ahead, I expect the Democratic caucus will unveil a thorough and forward thinking plan to do just that.

In the meantime, I say to every one of my colleagues on the other side of the aisle: If they are serious about deficit reduction, the Menendez bill is their chance to show it now. There is no good reason not to support this sensible legislation sponsored by my friend and colleague from New Jersey.

Just try to wrap your head around it: Big Oil is reporting record profits, gas prices are near an all-time high, and we, the American taxpayers, are subsidizing the oil industry to the tune of \$4 billion a year. One needs the imagination of "Alice in Wonderland"'s Lewis Carroll to come up with a more ridiculous scenario.

The bottom line is this: At a time of sky-high prices, it is unfathomable to continue to pad the profits of companies with taxpayer-funded subsidies.

The time to repeal these giveaways is now.

I yield the floor.

The PRESIDING OFFICER (Mr. BENNET). The Senator from Missouri.

Mr. BLUNT. Mr. President, I rise today in opposition to the energy tax bill that would eliminate so-called tax preferences for some oil companies. Actually, I agree with part of the bill—the part that says several companies will not be exempted because we want to continue to encourage them to do what we want to continue to encourage the industry to do. The rationale that the people who are the largest suppliers do not need to be encouraged also does not make good sense to me.

My good friend Senator SCHUMER, who is actually chairman of the Rules Committee on which I serve, said this bill is not intended to lower gas prices. Actually, I suggest we should have a bill on the floor that is intended to lower gas prices. Gas prices are costing jobs. Jobs cost revenue. We generate a lot more tax revenue if we encourage private sector job creation that will solve a problem here by I think he said \$4 billion a year. That is how much money we borrowed today; \$4 billion is how much money we borrowed today. And we are looking at this as opposed to looking at the real problem we face.

This bill is brought up to make it even harder to create American energy jobs. If there are any jobs you almost certainly will create, it is producing more American energy. I looked at the numbers. We use about as much electricity in a bad economy as we do in a good economy. We use about as much gasoline in a bad economy as we do in a good economy. We ought to be producing every bit we can with American jobs. But instead, we have had a moratorium on drilling in the gulf. We have had the suspension of drilling leases that were issued in 2008. Some of the first acts of this administration were to eliminate those. We now talk about new taxes on energy companies, as if that is going to solve the problem.

The administration recently announced it would encourage the sale of offshore leases. Why is that? I think it is because the administration has finally decided that the economy does not benefit from policies that increase energy prices. This is in stark contrast to what we are talking about today.

The administration has had a hard time actually issuing the permits to make leases worthwhile. There is lots of complaining about the fact there are leases out there not being used. Surprise, surprise. The leases to be used have to have a permit, and the permitting process has never been more difficult than it is right now. In fact, some of the reasons are the actions of the EPA.

Shell Oil, being talked about today in another way, recently canceled its 2011 exploration plans in the Beaufort Sea

in Alaska because EPA would not grant them the necessary Clean Air permits. There was nothing different about how they were going to extract this oil in the Beaufort Sea now than there was when the exploration permits were issued and billions of dollars were spent to pursue the oil in the Beaufort Sea, and then suddenly the EPA says: Oh, no, we are not going to give you the permit it takes to get that oil out of the sea so American customers, American consumers will not benefit from it.

Both the Senate majority, as well as the administration, have not been willing to address this energy crisis in a way that solves the problems. The tax increases will not reduce and will almost certainly increase gasoline prices. If these companies are anywhere nearly as bad as the people on this floor say they are, why wouldn't they pass this along? In fact, why wouldn't they pass it along if they were just any American company? People pay taxes; companies do not pay taxes. Way too many of those taxes are being paid right now at the gas pump as we have tax dollars that could go for something else going not to encourage job creation but we see just the opposite happening.

The President's policies, as he said clearly when he was running for President—at least clearly to the San Francisco Chronicle—that under his energy policies, energy costs would necessarily skyrocket. Senator HATCH mentioned earlier Secretary Chu, right before he was chosen Secretary—so it is not anything that would have been a surprise to anybody—in December of 2008, he said what we need is to get our gasoline prices as high as the prices in Europe. Those prices are now approaching \$10 a gallon.

I suppose this bill might have the impact of adding cost at the pump. Certainly, nobody suggests it has the impact of reducing cost at the pump. I would think that the President and the Secretary of Energy and others will begin to realize that where we need to be focused is not on making it less likely that we will produce American energy but making it more likely we will produce American energy.

These incentives are to produce energy here as opposed to somewhere else. One of the incentives is a fraction of the manufacturing incentive that we try to give every manufacturer. These companies have resources around the world, as they should, and what we do is encourage them to go other places to seek those resources. By the way, that means the jobs are in other places, not here.

We need to find more American energy of all kinds. In doing that, we do not need to figure out ways to make the current search for American energy more expensive. We need to be focused on gas and oil, natural gas and coal,

nuclear and solar, wind energy and biomass. If I left anything out, it is not because I intended to. We need to be looking everywhere we can for more American energy. This makes it more difficult.

Our policy should be to find more, to use less, to look for ways to conserve the energy we have, whether it is better insulation in windows or cars that eventually run on something that is some combination of gas and battery powered or no gas at all and electricity. All that is fine, but most of that is not going to make any difference for quite a while. Twenty years from now, most cars are still going to be running on gasoline. And 20 years from now, we are still going to need more U.S. oil and more U.S. refined gas. We need to be less dependent, not more dependent. The money we spend should be to invest in the future and figure out what comes next and what is the best thing to do for the future.

We need to be focused on jobs and on spending, and this bill is not focused on the targets we ought to be focused on today.

I yield the floor.

The PRESIDING OFFICER. The Senator's time has expired.

The Senator from Washington.

Mrs. MURRAY. Mr. President, once again I come to the floor to urge my colleagues to support the Close Big Oil Tax Loopholes Act. To be honest, I am disappointed this bill is facing so much opposition. All across the country, people are talking about ways to rein in the debt and deficit. In Washington, DC, we are having a vigorous debate about the best ways to do that.

I happen to think we should cut spending responsibly while continuing to make investments we need to grow the economy and create jobs for our middle-class workers. There are difficult issues we have to work through, but the bill before us should be an easy one. It says that the biggest oil companies in the country should not be getting subsidies from American taxpayers. It says that the \$2 billion a year we send to these hugely profitable companies should be used instead to pay down the deficit.

I do not understand why this seems to be so controversial. The big oil companies are already making billions of dollars in profits from families across the country who are paying sky-high prices at the pump. In fact, the five biggest oil companies have made nearly \$1 trillion in profits in the last decade and \$36 billion in the first 3 months of this year alone.

It is not enough they are making money hand over fist from families who are now paying sky-high prices. They then come before Congress and make the outlandish claim that they need to be subsidized by taxpayers as well. It does not make any sense, and it has to end.

Budgets are more than numbers on a page. They are about our priorities and our values as a nation. I think before we cut spending in areas that will impact our middle-class families and the most vulnerable among us, we should focus right now on cutting out wasteful subsidies to huge companies that do not need it. That is what this bill does.

I also want to talk about the high prices families are paying for gas in my home State and across the country. I was recently at home with Senator CANTWELL, and we had the opportunity to meet with some local small business owners who talked about the impact these skyrocketing prices of oil and gas were having on their businesses. They are hurting. These small business owners are already struggling to keep their doors open in these tough economic times. Every time prices go up at the pump, they are pushed one step closer to the edge.

That is why I believe as a country we need to move away from our dependence on foreign oil and toward a more secure clean energy future. It is why I called for a crackdown on the speculation that is part of what pushes up gas prices and why I was so disappointed that the House Republican budget slashed funding for the Commodity Futures Trading Commission. That is the very agency that is charged with protecting consumers from the excessive speculation in the markets.

I think that gets to a big difference between our two parties today. Democrats are here fighting to rein in the deficit by ending the wasteful subsidies that the biggest oil companies are getting from the American taxpayer; Republicans are fighting to cripple the agency that is charged with protecting middle-class families from being ripped off and preyed upon. These are two additional approaches to tackling the deficit. I am going to keep fighting to make sure middle-class families are protected.

I urge our colleagues to support this legislation that will put taxpayers and the middle class ahead of Big Oil. It will end the wasteful giveaways to oil companies and use that money to pay down the deficit in a responsible way. So I, too, wish to thank Senators MENENDEZ, MCCASKILL, TESTER, and BROWN for their great work on this issue, and I hope we can finally put this to rest and save taxpayers \$21 billion over the next 10 years.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, how much time remains?

The PRESIDING OFFICER. Two minutes 10 seconds.

Mr. MENENDEZ. Mr. President, the American people understand this bill. They understand that if working families must sacrifice to help lower the deficit, then so should the most

wealthy and powerful industry in the country. If Big Oil wants to lower gasoline prices, they would put a lot less money in their stock buybacks or their multimillion dollar CEO salaries and a lot more in producing oil or they could use some of their enormous profits to lower prices. But I guess in that world greed is good.

While the American people understand this bill—it is clear for them what it does—many on the other side of the aisle simply do not. Because this is such a simple, commonsense idea, they have made up arguments just to get through this debate.

One of my colleagues said it would raise the deficit. Only in Washington—only in Washington—could that comment actually be made when the Joint Tax Committee has clearly made it known this would lower the deficit by \$21 billion. It would lower the deficit by \$21 billion, not raise it.

Another argument I have heard is that this bill will somehow raise gas prices. That argument is absurd. With the big five oil companies poised to make \$144 billion in profits this year alone, it means Big Oil would simply have to settle for \$142 billion in profits this year to pay their fair share of dealing with the deficit, and they wouldn't have to raise gas prices 1 cent. That is what the Congressional Research Service independently decided, as well as the Joint Tax Committee.

I have also heard the argument Big Oil actually pays more taxes than other companies. That is not true for multiple reasons. ExxonMobil's effective tax rate is actually lower than the average American family's rate. They pay far higher taxes abroad than they do here, so there is no competitive disadvantage, and we have the lowest royalty rates in the world.

We have rarely seen in this body a more stark contrast and a more obvious choice. American families are sitting around the kitchen table trying to figure out how to make ends meet within the constraints of their own family budgets. We are simply asking Big Oil—making \$144 billion—to do their fair share. That is what this vote is all about.

Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second? There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

The PRESIDING OFFICER (Mr. UDALL of Colorado). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 72 Leg.]

YEAS—52

Akaka	Hagan	Pryor
Baucus	Harkin	Reed
Bennet	Inouye	Reid
Bingaman	Johnson (SD)	Rockefeller
Blumenthal	Kerry	Sanders
Boxer	Klobuchar	Schumer
Brown (OH)	Kohl	Shaheen
Cantwell	Lautenberg	Snowe
Cardin	Leahy	Stabenow
Carper	Levin	Tester
Casey	Lieberman	Udall (CO)
Collins	Manchin	Udall (NM)
Conrad	McCaskill	Warner
Coons	Menendez	Webb
Durbin	Merkley	Whitehouse
Feinstein	Mikulski	Wyden
Franken	Murray	
Gillibrand	Nelson (FL)	

NAYS—48

Alexander	Enzi	McCain
Ayotte	Graham	McConnell
Barrasso	Grassley	Moran
Begich	Hatch	Murkowski
Blunt	Heller	Nelson (NE)
Boozman	Hoeven	Paul
Brown (MA)	Hutchison	Portman
Burr	Inhofe	Risch
Chambliss	Isakson	Roberts
Coats	Johanns	Rubio
Coburn	Johnson (WI)	Sessions
Cochran	Kirk	Shelby
Corker	Kyl	Thune
Cornyn	Landrieu	Toomey
Crapo	Lee	Vitter
DeMint	Lugar	Wicker

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 48. Under the previous order, requiring 60 votes for the adoption of this motion, the motion is withdrawn.

The majority leader.

NOMINATION OF GOODWIN LIU

Mr. REID. Mr. President, several years ago we faced a confirmation crisis in the Senate. The majority at the time, the Republicans, were frustrated with the inefficient way the Senate was performing our constitutional duty of confirming Presidential nominees.

Many of my colleagues on the other side of the aisle passionately argued that all judicial nominees deserve an up-or-down vote on the Senate floor. In their frustration, they threatened to dramatically change the purpose of the Senate and the minority protections for which it was designed. That would have, in a manner of speaking, blown up the institution. That is why it was known as the nuclear option.

In the heat of this battle, several courageous Senators, Democrats and Republicans, agreed to a standard that would preserve the traditions of this great body, the Senate. They ensured the Senate could still provide the President its advice and consent, as the Constitution requires.

The agreement was significant but very simple. It was this: Except in extraordinary circumstances, those nominated to be Federal judges would get an up-or-down vote. The minority would not stand in the way of that vote. The agreement was grounded in common sense.

So far, in most cases, both sides have generally upheld that agreement. The

nomination about to be before us, however, is not one of those cases, and that is the nomination of Goodwin Liu.

Goodwin Liu is an extremely well-qualified public servant and an impressive legal scholar. He was a Rhodes Scholar and clerked in the U.S. Supreme Court, which is something just a small percentage of graduates from law school have the opportunity to ever do; that is, to be a Supreme Court clerk. Goodwin Liu served as an associate dean at the California Berkeley School of Law and is still a professor there. He has done a significant amount of pro bono work. He even helped launch AmeriCorps. On top of that, he has lived the American dream. He is a highly successful son of immigrants.

I think President Obama was wise to appoint him to the Ninth Circuit. So do a lot of Democrats and so do a lot of Republicans.

Ken Starr—infamous as far as the Democrats go, the former White House special prosecutor—called Liu, who served in the Clinton administration, “a person of great intellect, accomplishment, and integrity.”

Former Republican Congressman Bob Barr, an extremely conservative former Federal prosecutor, also reviewed Liu’s writings. He came away impressed with, as he said, “his commitment to the Constitution and to a fair criminal justice system.”

One of President Bush’s former White House lawyers said Liu’s views “fall well within the legal mainstream.”

I could go on with more quotes from lawyers and legislators from the right and left and Independents, but we get the picture. Right, left, center—they think very highly of this good man.

Everyone agrees Goodwin Liu’s nomination is far from the “extraordinary circumstance” that would warrant a filibuster. The only extraordinary things about Liu are his experience, his accomplishments, and his integrity.

He should be confirmed. At the very least, he should undoubtedly deserve an up-or-down vote.

But Senate Republicans have already forgotten the lessons of the nuclear option. Today they are threatening to block this highly qualified nominee from confirmation. Vacancies on the Federal bench delay justice for citizens seeking the help of our judicial system, and it isn’t fair to leave in limbo well-qualified nominees.

So I am forced now to file cloture in order to ensure Goodwin Liu gets the vote he deserves. It is regrettable it has come to this.

As I file cloture, I remind my Republican colleagues once again that public servants are not political pawns. Goodwin Liu has dedicated his life to justice and fairness. As we consider his nomination, we owe someone of his caliber those same considerations.

EXECUTIVE SESSION

NOMINATION OF GOODWIN LIU TO BE A U.S. CIRCUIT JUDGE FOR THE NINTH CIRCUIT

Mr. REID. Mr. President, I ask unanimous consent to proceed to executive session to Calendar No. 80, the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. Is there objection? Without objection, the clerk will report.

The legislative clerk read the nomination of Goodwin Liu, of California, to be a United States Circuit Judge for the Ninth Circuit.

CLOTURE MOTION

Mr. REID. I send a cloture motion to the desk with respect to the nomination.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, hereby move to bring to a close debate on the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

Harry Reid, Patrick J. Leahy, Charles E. Schumer, Richard Blumenthal, Daniel K. Akaka, Al Franken, Richard J. Durbin, Sheldon Whitehouse, Dianne Feinstein, Jeff Merkley, Christopher A. Coons, Mark Begich, Amy Klobuchar, Barbara Boxer, Jack Reed, Debbie Stabenow, Sherrod Brown.

Mr. REID. I ask unanimous consent that the mandatory quorum under rule XXII be waived.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

Mr. REID. Mr. President, I ask unanimous consent that the Senate resume legislative session.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. I ask unanimous consent that the Senate proceed to a period of morning business for debate only, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

The Senator from Ohio.

TRADE ADJUSTMENT ASSISTANCE

Mr. BROWN of Ohio. Mr. President, yesterday the White House announced it will not submit three pending free-trade agreements, FTAs, with South Korea, Colombia, and Panama until

Congress reaches a deal on reauthorizing the trade adjustment assistance for workers programs, the so-called TAA. I applaud President Obama for putting the workers first before we do these trade agreements.

The trade agreements are very controversial, as they always are. The promises are always that they will create jobs, and they rarely do. They usually result in a decrease in jobs. Yet too often Congress jettisons the safety net to protect those workers who lose their jobs because of these agreements. That is why I applaud President Obama for making this one clear. He will not send these trade agreements to Congress until Congress has sent to his desk—not talked about it, not debated it, not passed one committee or one House, but sent to his desk—trade adjustment assistance expansion.

As my colleagues know, since we let this program expire in February because of Republican objections, Senator CASEY and I went to the floor day after day in December and then again in February as Republicans continued to object just to continuing trade adjustment assistance as we had begun in the Recovery Act 2 years earlier.

So what happened? Because of these Republican objections, we shut out service workers and we shut out manufacturing workers who had lost their jobs to countries with which we do not have a free-trade agreement. So when workers lost their jobs because of outsourcing of jobs to China or India, those workers couldn’t get trade adjustment assistance until the Recovery Act, so they could get it in 2009 and in 2010. Because of Republican objections to continuation of that, they can’t get it now.

Also, people who lost their jobs that were in the service industries experienced this same kind of deadline on their eligibility.

Since Congress made reforms to TAA in 2009, more than 185,000 additional trade-affected workers became eligible for training under the TAA for Workers Program.

In 2010 alone, more than 227,000 workers participated in the TAA program, receiving training for jobs that employers are looking to fill. These are people who want to work. They lost their jobs because of a trade agreement. They can prove they lost their jobs because of a trade agreement. A company shuts down in Elery, OH, and goes to Mexico; a company shuts down in Steubenville, OH, and goes to New Delhi; a company shuts down in Lima, OH, and goes to Shanghai. When you can prove that, as you can in many cases, those workers should be eligible for assistance from the government to get trained to get back to work.

The program also, of course, receives strong support from businesses that know a skilled workforce is critical to their economic competitiveness.

But just 11 days ago—because of these Republican objections and because the TAA language was truncated—but just 11 days ago, the Labor Department denied the first three petitions filed by groups of workers seeking TAA assistance under pre-2009 TAA rules, including three workers in Uniontown, OH. The reason: They are service workers.

In addition, the enhanced health coverage tax credit program also expired in February. HCTC helps trade-affected workers purchase private health insurance coverage to replace the employer-sponsored coverage they lost. It also helps those retirees who lose their benefits when the company for which they worked goes bankrupt.

The HCTC prevents tens of thousands of Americans from falling into the ranks of the uninsured. But right now, if we do not act, we are simply giving these workers the cold shoulder.

So I applaud the administration for saying, yesterday, we will pass no more free trade agreements without a deal on TAA. But this will require my Republican colleagues to come to the table and agree on a package. We have seen what unfair trade deals such as NAFTA and PNTR with China and CAFTA do to communities in Ohio and around the Nation. These are Americans who lost their jobs, lost their pensions, lost their health care—maybe all three—when the company they worked for moved operations overseas or went to bankruptcy court or faced a reduction in demand for their products due to unfair foreign competition.

These Americans need TAA to get back on solid footing. These Americans need Congress to defend against unfair trade and to strengthen trade enforcement. There are several trade enforcement measures that Senator McCASKILL and Senator WYDEN and I and others have introduced, and I hope they will garner bipartisan support in this Chamber.

Senator BLUNT, Senator McCASKILL, and I testified in front of the Trade Subcommittee that Senator WYDEN chaired the other day and talked about some of these ideas and how to address them bipartisanly.

TAA has been a core pillar of U.S. trade policy. It has long enjoyed bipartisan support because it helps American workers who lose their jobs and their financial security as a result of globalization.

I thank Senator CASEY, Senator STABENOW, Senator BAUCUS, and Senator WYDEN for their leadership on trade adjustment assistance—language in getting this legislation put forward.

Just the fairness of this: Again, put yourself—something we do not do enough here—in the shoes of a worker in Champaign, IL, or Boulder, CO, or Mansfield, OH, a worker who shows up for work for 15 years, who has been a productive worker, helped his company

make money, was paid a middle-class, decent wage, and then all of a sudden their plant shuts down because the jobs are outsourced to China. They did not do anything wrong. Are we going to do nothing to help them? Are we going to do nothing to help their communities?

It is pretty clear to me, the overwhelming consensus of the American people say: Give them the opportunity to get training for another job if we cannot save their jobs. Give them some assistance on health insurance so they can reach into their pocket, with some assistance through a significant tax credit, to continue the insurance for their families. It will mean many of them will not lose their homes. Far too many people who lose their jobs then lose their health insurance and then lose their homes.

We have an opportunity actually to do something about this. So the President was exactly right. Do not bring these three free trade agreements—with Colombia, Panama, and South Korea—to the floor until we have first taken care of the workers who lose their jobs—not at the same time because we know what happens when we try to do that. All of a sudden, the assistance for workers gets jettisoned. But it must be done first to help these workers with their health insurance and with their retraining.

It will matter for literally hundreds of thousands, perhaps millions of American families.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The assistant majority leader.

Mr. DURBIN. Mr. President, first, let me salute my colleague from Ohio for bringing up trade adjustment assistance. Because even if you are a proponent of expanding trade in the United States, you know the ebb and flow of the economy is going to take away some jobs in this country as other suppliers arrive.

What the Senator from Ohio and the Senator from Oregon, RON WYDEN, are trying to achieve is to make sure trade adjustment assistance is there to help these workers make a transition to another job in another area that is expanding in our economy. That is the thoughtful thing to do for their lives and the future of our economy. It is also a necessary part of any conversation about the future of trade in the United States.

INTERCHANGE FEE REFORM

Mr. DURBIN. Mr. President, I rise to speak about the effect of interchange fee reform on small banks and credit unions.

Interchange fees are not well known by most Americans. They are known as swipe fees or interchange fees, and they reflect the amount of money that is paid to a bank each time you use that bank's credit or debit card. You do not

know it as a consumer that you are being charged extra when you buy something in a store, but prices are higher because that fee is being paid to the bank every time you swipe the card.

Who establishes that fee? You would assume the bank does, but it is not so. The fee that is charged every time you swipe a card is established by the credit card companies. The big giants Visa and MasterCard decide exactly how much that fee will be. And you ask yourself: Well then, what voice does a merchant or a retailer have in how much that fee is going to be on each transaction?

And the answer is virtually no voice. It is a price-fixing mechanism where Visa and MasterCard, the major credit card companies, establish the interchange or swipe fee to be paid to each bank, credit union, or financial institution that issues the credit or debit card.

It is a lot of money. Each month in America—just on debit cards now—each month in America, they collect about \$1.3 billion in transactions where people use debit cards. Now, remember, a debit card is like your checking account. You are drawing money directly out of your checking account to pay the merchant where you are doing business. It is not like a credit card where, in fact, they have to collect the money from you later. This is a situation where the money is taken directly out of your bank account. You would think, as with the use of checks in the old economy, this would be a low-cost transaction. And it should be.

It used to be banks would process checks written to pay a restaurant or department store, charging pennies on the transaction—not a percentage of the transaction.

Well, the Federal Reserve took a look at what is being charged for debit cards, where the money comes right out of your account. It turns out the average is about 40 cents a transaction. We asked them: Well, what is the reasonable amount that should be charged if you are going to take into account exactly how much it costs a bank to process a debit card transaction? They said it was closer to 10 or 12 cents.

So merchants and retailers across America, on every single transaction involving a debit card, are paying an inflated amount of swipe fee or interchange fee, and most of those fees go to the largest banks in America. You see, almost 60 percent of all the debit card transactions really focus on three major banks. That would be Bank of America, Wells Fargo, and Chase. So there is a lot of money to be made in this business as long as they are using the debit cards and getting the swipe fees.

We put in a new law last year which said the Federal Reserve should establish what is a reasonable and proportional amount to be charged for the

interchange fee for debit cards. As I told you, the initial investigation suggested it is around 10 cents; and the actual charge is 40 cents.

Now, these banks that are about to lose these major interchange fee receipts are very upset about it because as of July 21, the new law will go into effect which will bring the fee down to a reasonable and proportional level. So they are fighting this with tooth and nail. Today, I was at a breakfast here on Capitol Hill, and a group of lobbyists were there, and one came up to me and said: DURBIN, your fight on the interchange fee has more lobbyists working in Washington than any other issue, on both sides of the issue. I said: I understand that. That was not my goal.

My goal is really to help the merchants, retailers, and consumers. You see, when retailers are in a competitive atmosphere—if it is one gas station across the street from another—then saving 30 cents on a transaction can really be part of a decision by a retailer to lower prices to become more price competitive in a competitive free market atmosphere. That is what I am looking for. I want the consumers to be the ultimate winners. I want retailers and merchants to be treated fairly.

Incidentally, for the record, what is the debit card interchange fee charged by Visa- and MasterCard-issuing banks in Canada? It is zero—zero. There is no interchange fee in Canada because the government there said: We are not going to stand for this. You are really ripping off merchants, retailers, and consumers. We will not let you do it.

The same thing happened in Europe. They brought down the interchange fees to dramatically lower levels.

Well, in the United States the battle is on. If you had to pick a group with the lowest level of credibility when it comes to this institution or Congress—maybe even the American people—I guess next to politicians, you would have to say big banks, particularly the big banks that were bailed out by our Federal Government when they made a mess of things a few years back. So the big banks that issued the debit cards cannot come in here and lobby for themselves. The credit card companies themselves do not enjoy a very good reputation here either. Consumers know what a tough time it is to pay off those bills and the fine print they have to deal with in their contracts.

So what these groups have done—the credit card companies and big banks—is to enlist small banks and credit unions to come and appeal to us, saying: We are in your city and community and the Durbin amendment can hurt us. What they do not say is the law we passed specifically exempts—specifically exempts—all banks and credit unions with a valuation lower than \$10 billion.

So of the 7,000 or 8,000 credit unions in America, how many have a valu-

ation over \$10 billion? Three. How many banks out of the 7,000 or 8,000 have a valuation over \$10 billion? Less than 100. So we are talking about 100 institutions that will be affected by this law; and the others are exempt.

I rise today to speak about the effect of this interchange fee reform on these small banks and credit unions. Recently, the banking industry and some bank regulators have claimed that the small issuer exemption—the \$10 billion exemption—in last year's reform law may not work. The banking industry people said there are market forces that could undermine it. They are wrong. I respect their right to speculate on what might happen when reform takes place. But in response, I point out they simply have not provided any evidence to back up their claims.

In fact, all the hard evidence about the interchange system leads to the opposite conclusion: that interchange reform will give small banks and credit unions competitive advantages against the bigger banks.

This is not just my conclusion. It is the conclusion of prominent economists and industry analysts such as Andrew Kahr, who the "Frontline" program profiled as one of the creators of the modern card industry, the plastic card industry, and former IMF Chief Economist Simon Johnson. In a recent online survey, even 60 percent of the American Banker's subscription-paying readers agreed that interchange reform will help small banks.

So the Members who come to the floor and say: Oh, this terrible rule change that exempts banks with less than \$10 billion in assets is going to hurt them, they are not only wrong on the facts, they are wrong in public opinion.

The key point to remember is that the debit interchange system is not a properly functioning market. The interchange system has been designed in a way so normal market forces do not apply. No transparency. No competition.

Last year, a bipartisan majority of my colleagues recognized reform needed to take place, and after years of studies and hearings, it became clear the interchange system was not going to cure itself. It was broken and unfair. The system was structured to avoid normal competitive market forces.

Andrew Martin of the New York Times summarized the debit interchange system in his January 2010 expose. This is what he said:

Competition, of course, usually forces prices lower. But for payment networks like Visa and MasterCard, competition in the card business is more about winning over banks that actually issue the cards than consumers who use them.

Visa and MasterCard set the fees merchants must pay the cardholder's bank, and higher fees mean higher profits for banks, even if it means that merchants and retailers have to shift the cost to consumers.

Martin went on to quote Ronald Congemi. He is the former CEO of the Star debit network, who talked about his network's struggle to compete with Visa.

Mr. Congemi said:

What we witnessed was truly a perverse form of competition. They competed on the basis of raising prices. What other industry do you know that gets away with that?

James Miller, former Director of OMB and Chairman of the Federal Trade Commission under President Ronald Reagan, elaborated on this in a recent op-ed article titled "The Debit Card Market Is Broken and Needs Fixing Now."

Here is what he wrote:

Under this dysfunctional system, the networks' competitive incentives are to raise fees rather than to reduce them. One network raises its fees higher than the other to encourage banks to issue their cards. Then, soon after, the other network raises its fees for the same reason. The result is rapidly escalating fees. . . . This broken system would not survive were it not for the fact that Visa and MasterCard represent a combined 90 percent of the debit market. . . . Merchants are powerless to negotiate and can't take their business elsewhere, so they are left with no choice but to pay.

In short, interchange is an abnormal market which has no naturally occurring market force to hold fees in check. Visa and MasterCard want as many of their debit cards to be swiped as possible. That is how they make their money. By raising interchange rates that merchants must pay to banks, the card companies entice banks to issue more cards. Merchants cannot refuse Visa and MasterCard and they cannot negotiate with them, so they are stuck with what they have to pay.

Last year, Congress decided we can no longer simply trust Visa and MasterCard to fix interchange fees however they wanted. We agreed there should be reasonable constraints placed on the card networks to prevent them from using their market dominance to set unreasonably high fees on behalf of the Nation's biggest banks. We passed a law that said, when Visa and MasterCard fix fee rates on behalf of banks with over \$10 billion in assets, the rates, according to the Federal Reserve, must be reasonable and proportional to the amount it actually costs the banks to process the transaction.

Congress did not have the information about how much it actually cost big banks to process transactions. The banks always kept that secret, even from the Government Accountability Office. So we directed the Federal Reserve to gather the information on the cost and put out a rule implementing the reasonable proportional standard. That is under way right now. The Federal Reserve believes they will report this rule toward the first part of June, and it will go in effect July 21.

When it comes to small issuers, we said they are exempt. This means Visa

and MasterCard can continue to fix interchange rates on behalf of small banks and credit unions in an unregulated environment such as they do today. It is status quo for them.

Some people might say: Why would you let the credit unions and small community banks charge a higher rate to swipe the debit card than the big banks? You can make the argument that if you are going to protect consumers at every level, it should affect every institution. But we specifically exempted community banks and credit unions with valuations below \$10 billion, believing that those community banks deserve a break and a helping hand. They have not shown much gratitude for that exemption.

Under the reform law, the only way small issuer interchange rates would change is if Visa and MasterCard decide to change them. And Visa and MasterCard have no incentive to voluntarily lower fee rates for small issuers. Remember, in the interchange market, Visa and MasterCard compete to raise fees to win bank business. They want to have high fees so banks issue more cards.

If MasterCard decides to voluntarily lower its small bank rates, those banks are going to jump over and start issuing Visa cards. Does that make sense for either of those two credit card giants? Of course not.

So why would the small-issuer exemption not work? This is where some creative arguments have come into play. I wish to respond to those arguments I have heard.

First, claims have been made card networks will not maintain separate tiers of interchange rates for big, regulated issuers and smaller issuers. The facts do not support this. Visa, the dominant network, announced in January it would, in fact, operate a two-tiered system, exactly the opposite of what all the lobbyists for community banks and credit unions are saying on Capitol Hill. Visa has said they will respect the interchange fee exemption for the smaller issuers.

Other smaller debit networks have made the same announcement. The only company that has not is MasterCard, and they are expected to. Sure, the law does not require them to operate two-tiered systems, but the card networks will lose money if they do not. If networks want small banks to issue their debit cards, they have to offer interchange rate levels the small banks will be attracted to.

Second argument. The American Bankers Association claimed last week that "having two different prices for exactly the same product—transaction processing—is not sustainable in a competitive marketplace."

But there is clear evidence to the contrary. Look at the current credit card market. According to GAO, in 2009, Visa had 60 different credit card

interchange prices; MasterCard had 243. A merchant that accepts Visa or MasterCard credit cards might be charged any number of different interchange fees, depending on whether it is a consumer or corporate card and the type of rewards program.

If you have one of these frequent flyer cards, there may be a higher interchange fee that is going to be charged to the company—to the retailer—where they accept your card. From the merchant's standpoint, they treat it as exactly the same product. It is a credit card. But there are many different interchange prices that the merchant might get charged.

Visa and MasterCard have sustained this multi-tiered pricing structure for years. The American Bankers Association has to know that. Why would they state exactly the opposite? Because their biggest banks are the ones that are going to lose out if the consumers prosper under this new change.

How have they been able to sustain this multi-tiered system, these card companies? Remember, the interchange system is not a normal competitive market. In this case, card networks impose rules on every merchant that requires merchants to accept every card with a network logo on it. It means, if you are running a store in Springfield, IL, or Denver, CO, and someone shows up with a Visa card, you have signed a contract that says: I honor every card with Visa emblazoned on it put on the counter. Even though I pay a higher interchange fee as a retailer if it is a big rewards card with frequent flyer miles, all the rest of it, you have got to take it. That is the contract law that binds these merchants.

Third, the American Bankers Association has claimed that if big bank debit fees are reduced, merchants will discriminate and find some way to get customers to use big bank debit cards instead of small issuer cards. If this claim were true, we would surely see some evidence of it today because of multi-tier pricing in credit card interchange.

Let me give you an example. For supermarkets, a Visa credit card with no rewards program currently carries an interchange fee of 1.15 percent, more than 1 percent of what you purchase. That is the interchange fee if it is a simple Visa credit card, no rewards. But a Visa Signature Preferred rewards credit card has an interchange fee of almost twice that, 2.1 percent.

By the ABA's logic, supermarkets right now would be discriminating against rewards cards and steering customers to nonrewards cards—but there is no evidence of that discrimination anywhere. I challenge the American Bankers Association to put up or shut up. If you have some evidence to the contrary, let's see it. If you do not, retract the specious claim.

Why don't merchants discriminate? The merchant community sent me a letter a few weeks ago explaining in detail how they lack the contractual authority, the practical ability, and the economic incentive to discriminate. I also wish to add a commonsense point. Most Americans only have one debit card. If a merchant tells a customer not to use his debit card because it was issued by a small bank, the customer would likely do one of two things, not purchase at all or pay with a credit card. Credit cards carry much higher interchange fees than debit cards. How then would discriminating against debit cards be in a merchant's interest?

When I talked to the merchants—like Wendy Chronister, who runs a whole slew of gas stations in central Illinois—took the business over from her dad, she is a great young woman executive—and she said: Senator, they put the plastic on the counter, we take it. If it clears, we move the transaction and move on to the next customer. We are not going to debate how many other cards you carry and where is the one with the lower interchange fees. We do not have time for it, and we are not going to put that kind of hassle on our customers.

Fourth, some make the argument that the nonexclusivity provision of the reform law will cause small issuer exchange rates to go down. This nonexclusivity provision is often misunderstood.

Until recent years, normally all debit cards were set up by banks so transactions could be run over one of multiple debit networks. But in recent years, the dominant networks, particularly Visa, have formed exclusive deals with big banks so transactions on the debit cards could only be run by one network. What they are trying to do—credit card companies are trying to do—is to monopolize the transactions as well as the cards.

These exclusivity agreements are threatening to drive smaller debit networks out of business. This trend hurts competition and creates real barriers to entry for new networks.

All the nonexclusivity provision in the new law says is that banks have to pick at least two unaffiliated card networks to enable on each debit card, and merchants get to choose which of those networks they want.

You know what? I wish to say to my friends at the Wall Street Journal who write editorials saying what a bad idea interchange reform is: What we are talking about is something called competition. For the biggest business newspaper in the United States, you would think they would support something such as this.

Nonexclusivity is not new. Last month, the Pulse Network released its annual survey of debit card issuers. Pulse said that when it comes to this nonexclusivity requirement, many

issuers are already compliant, and we have not seen any small bank interchange rates decline as a result. It is another smoke screen, a red herring.

The nonexclusivity provision gives the Fed broad discretion to lay out guidelines to make it more effective. The Fed also gets to choose the effective date. In short, this provision is not the bogeyman that some have made it out to be and is simply a safeguard that will ensure that Visa does not become the only debit network left in the market.

What I have learned, after years of working on this complicated issue, is the following: Banks and credit unions will consistently oppose any type of reform. The American Bankers Association is legendary—it represents the banking industry—and the Credit Union National Association, which represents the credit unions, both have statements on their Web sites making it clear that there is no regulation of the interchange system they will support.

Senator Kit Bond of Missouri, now retired, and I tried to negotiate with the banks and credit unions in 2009. We were thinking about doing an amendment to allow for greater interchange transparency and debit discounts. The banks and credit unions blasted a letter of opposition out before we even drafted the amendment.

Now, the opponents of my amendment say what we need are 30 months to study this. Study it for what? I know where it is going to end up. We have been through this before. I have seen this movie. The American Bankers Association and the Credit Union National Association, now marching in lockstep on issues, are going to oppose any reform.

The entire financial industry is making a killing on the current interchange system, to the tune of \$1.3 billion a month. Do the math and figure out why this has every lobbyist in town working to defeat the Durbin amendment—30 times 1.3. That is pretty close to \$40 billion that is at stake if the amendment to stop this Durbin change in the interchange fee system goes through.

The change needs to go through. There is widespread consensus that we need to reform the interchange system to rein in Visa, MasterCard, and the biggest banks on Wall Street. I do not think anyone disagrees with that. In fact, I have seen polling across the country in every State, from virtually every political group—left, right, and center—where they overwhelmingly support interchange reform.

The credit unions and community banks are selling a story which the public is not buying. In carrying out this reform, I have bent over backward to try to address small issuer concerns. I do not want small banks or credit unions forced out of the debit card

market. That is why we exempted them. I want consumers to be able to bank at these institutions and use debit cards.

I have tried to protect small banks and credit unions, even though they have made it clear they do not support any regulation of the system and even though they have fought me every step of the way.

By exempting small issuers from fee regulation, we have left intact an interchange system that has worked quite well for small issuers, and that will almost certainly continue to work well. But let's be clear. There is only one way we can provide these small issuers with an absolute, 100-percent guarantee that Visa and MasterCard will give them interchange rates they like. There is only one way to do it. That would be to regulate the rates Visa and MasterCard fix for small issuers and make sure they are appropriate.

I am happy to explore that. I can already tell you the small issuers are going to push back on that immediately.

They want their cake and they want to eat it, too. They want no regulation. They want to be able to charge interchange fees that reach the heavens, and they don't care what happens to merchants, retailers, or consumers.

I think we have already taken care of small issuers with last year's law, but if they have some suggestions on how to give even more assurance that Visa and MasterCard won't set their rates at unsustainable levels, I will listen.

But make no mistake, I will not support any delay or repeal of the overall interchange rulemaking because this will let the big banks and card networks off the hook. We are very close to finally reining in the abusive interchange system and providing help to consumers and merchants. We cannot let the big banks and credit card companies avoid accountability yet again. They get away with too much.

In closing, I strongly believe we need interchange reform. We need to bring fairness, competition, and transparency to the broken debit system. I will work hard to make sure this reform happens soon.

I would think the fact that the opponents of this are trying to stop it before the Fed issues a rule is an indication that they don't even want to see what the rule looks like. Why? It is \$1.3 billion a month, that is why. Change will cost the big banks big money. That is why the credit card companies and banks on Wall Street are fighting this.

I have always tried to approach this issue in a reasonable way, focusing on facts. I am always happy to engage with others who share this approach, even if they disagree with me.

I yield the floor.

HONORING OUR ARMED FORCES

SPECIALIST JOSEPH CEMPER

Mr. NELSON of Nebraska. Mr. President, I rise today to honor Army SPC Joseph Cemper who, while serving his country honorably, was killed on April 16, 2011, by a suicide bomber at Forward Operating Base Gamberi in Nangarhar Province, Afghanistan.

Following in the footsteps of his father, SFC Eugene Cemper, Joe joined the Army in September 2009. The U.S. Army was their passion, and both of these individuals took great pride in serving their country. Joe served admirably as a transportation management coordinator with the 101st Special Troops Battalion, 101st Sustainment Brigade of the 101st Airborne Division out of Fort Campbell, KY. He bravely earned the prestigious Bronze Star, as well as a Purple Heart and the Combat Action Badge.

Joe grew up in Papillion, NE, where his grandparents continue to live, before moving with his immediate family to Warrensburg, MO, where he played football and was an accomplished high school wrestler. Joe was highly competitive and energetic, yet always carried a smile. He was a family man; his happiest times were when the family got together to spend time in the backyard barbecuing. Joe recently became a father himself when he and his high school sweetheart Abbie gave birth to a son, Liam, on March 15, 2011.

SPC Joseph Cemper served his country honorably and made the ultimate sacrifice for his fellow Americans. His courageous choice to protect his country and help the people of Afghanistan achieve peace and security represents all that we can be proud of in our Armed Forces. I and all Nebraskans are proud to know that Joseph has been laid to rest in his native State of Nebraska.

I commend SPC Joseph Cemper's bravery and selflessness, while offering my deepest condolences to his fiancée Abbie; son Liam; mother Angie; father SFC Eugene Cemper; grandparents; brothers and sisters; friends; and fellow servicemembers he left behind. It is a small comfort for those who must now go on without one they loved so dearly, but they know that Specialist Cemper gave his life for a noble goal. I join all Nebraskans indeed, all Americans in mourning the loss of this fine young man. His heroism and his life will remain an inspiration for us all.

NATIONAL POLICE WEEK

Ms. LANDRIEU. Mr. President, six Louisiana law enforcement officers were killed in the line of duty this past year and will be recognized in Washington as part of the 49th annual commemoration of National Police Week. These brave officers made the ultimate sacrifice while serving their communities and are being honored for their

courageous spirit and their unwavering commitment to serve and protect the citizens of Louisiana. I want to welcome their families and colleagues to our Nation's Capital.

Established in 1962, National Police Week provides an opportunity for us to reflect on our law enforcement officers' contributions to building safe and productive communities across the country. The events this week are a collaborative effort to honor the service and sacrifice of America's law enforcement community including the National Law Enforcement Officers Memorial Fund, NLEOMF, the Fraternal Order of Police, FOP, the Fraternal Order of Police Auxiliary, FOA, and the Concerns of Police Survivors, COPS.

Thousands of law enforcement officers, supporters, and surviving family members of fallen officers will gather in Washington, DC, to honor the memory of their colleagues and loved ones at various events including, the Peace Officers Memorial Day Service at the U.S. Capitol and the National Police Survivors' Conference. In addition, the names of our six Louisiana heroes will be engraved on the National Law Enforcement Officers Memorial and formally dedicated during the 23d Annual Candlelight Vigil. They will join a total of 158 U.S. law enforcement officers from around the country who gave the ultimate sacrifice in the line of duty last year.

The following brave officers gave their lives to protect our Louisiana communities: Sergeant Thomas M. Alexander, Rayville Police Department; Captain Timothy J. Bergeron, Terrebonne Parish Sheriff's Office; Officer Alfred L. Celestain, Sr., New Orleans Police Department; Trooper Duane A. Dalton, Louisiana State Police; Sergeant Timothy C. Prunty, Shreveport Police Department; and Corporal Clovis W. Searcy, Ouachita Parish Sheriff's Office.

In addition to honoring the fallen officers at National Police Week, law enforcement from around the country will gather this week to honor the heroes who continue to keep our communities safe. I am pleased to recognize one of Louisiana's own, Trooper Thomas Wild of the New Orleans Police Department, who will be honored at this year's National Association of Police Organizations', NAPO, 18th Annual TOP COPS Award Ceremony. TOP COPS recognizes officers who have gone above and beyond the call of duty from the previous year.

Trooper Wild, this year's recipient of the Life Saving Award from the State police for going beyond the call of duty, will be recognized for his heroic actions and outstanding display of bravery last year when he saved the life of two victims from an overturned vehicle. Trooper Thomas Wild was assigned to the scene of an accident in which a van flipped multiple times and

ultimately landed upside-down in a sugarcane field. Trooper Wild helped transport the unconscious driver to the hospital and checked for additional victims at the accident sight. This was all protocol that any officer would have done but in an extraordinary gesture Trooper Wild which beyond the call of duty by giving his personal cell phone number to the victim's father.

Seven hours later Trooper Wild received a call from the victim's family. There may have been someone else in the vehicle. Although Trooper Wild was off duty, he quickly returned to the crash site searching the nearby field and called out for the missing passenger. Finally, Trooper Wild heard a faint response of someone crying out for help. A few minutes later, he found 22-year-old Benjamin Kilvurn bleeding, dehydrated, and unconscious. Wild called an ambulance and the young man was rushed to the hospital.

Clearly going beyond the call of duty, Trooper Wild quickly responded to the concerns of a victim's family and saved the lives of not one but two men. His selfless actions represent the dedication and commitment that our law enforcement officers have for our community. I thank Trooper Wild for his dedication and congratulate him for being Louisiana's TOP COP.

Ms. MURKOWSKI. Mr. President, as our Nation begins its observance of National Police Week, I speak today in memory of three Alaska law enforcement officers who gave their lives in the line of duty in 2010.

This is National Police Week, the week that we honor law enforcement heroes who have given their lives to protect our communities and those who place their lives on the line every day. During this week we also remember the families of law enforcement whose sacrifices are no less important than their loved ones who wear the uniform.

One of the most significant and moving of the commemorations that occur during National Police Week is the candlelight vigil at the National Law Enforcement Officers Memorial on Judiciary Square. More than 19,000 names of fallen law enforcement officers are etched on the Wall of Remembrance at the memorial. This year, 316 names have joined them—152 officers who paid the ultimate sacrifice in 2010 and 164 officers who gave their lives before the memorial was created. Each of these names was read at the candlelight vigil on the evening of May 13, 2011.

Among the 316 names are three Alaskans: Sergeant Anthony Wallace and Officer Matthew Tokuoka of the Hoonah Police Department and Charles Collins, a U.S. Customs and Border Protection Officer assigned to the Port of Anchorage. They are the first Alaska law enforcement officers since 2003 to die in the line of duty.

We are reminded time and again that fallen law enforcement officers are not

heroes for the way they gave their lives but heroes for the way they lived their lives. I would like to say a few words about each.

Hoonah is a village of about 760 people on an island in southeast Alaska. Sixty percent of year-round residents are Tlingit Indians. The population of the town swells during the summer as fishermen and visitors descend. It is a peaceful and picturesque community.

That peace was broken on the evening of Sunday, August 29, 2010, when a gunman ambushed and shot Sergeant Wallace and then Officer Tokuoka who was off duty at the time, while the two were chatting. To add to the tragedy, Sergeant Wallace's mother, who was visiting Hoonah and riding along with her son in his police vehicle, observed the shooting. A special tribute was paid to Sergeant Wallace and his mother Debbie Greene at last Friday evening's candlelight vigil.

Sergeant Tony Wallace was unique among the men and women of law enforcement. He was one of a handful of law enforcement officers anywhere who is deaf.

But Tony Wallace would not let his disability stop him from living a life of adventure. His mother told a reporter: "People would always tell him he couldn't do things but he tried even harder."

He was a champion high school wrestler in his hometown of Franklin, OH, and went on to be a varsity All-American wrestler at the Rochester Institute of Technology in upstate New York. Upon graduation he joined the public safety department at RIT as a campus police officer. Tony Wallace was destined to be a cop, following in the footsteps of his father who served with the Franklin Police Department for 34 years. He was living his dream and excelling at his job.

In 2006, Tony Wallace learned of a police job in Hoonah. He had never visited Alaska before but he was an avid boater, hunter, and fisherman. He was hired after a telephone interview and a background check. Just like that off he went.

In no time, Tony was sending friends pictures of him holding large salmon and encountering bears. He said he found the place where he would spend the rest of his life, enjoying nature and helping others. He graduated first in his class of 21 at the police academy. In his spare time he coached wrestling at the Hoonah School and played scrabble with the Elders at the Senior Center.

Tony is also survived by his daughter Lexis and his grandmother.

Matt Tokuoka was killed while trying to save the life of his friend and comrade Tony Wallace. Born in Seattle, he spent his childhood in Hawaii and Idaho. He too was an accomplished hunter and fisherman and shared his passion with his children. Matt was a Golden Gloves boxer in High School

and joined the U.S. Marine Corps after high school. Matt joined the Hoonah Police Department following his service in the Marines.

John Millan, the Hoonah Police chief at the time of the incident, described Matt as a larger than life figure, every bit the Marine.

In John's words: "Matt ran directly into a hail of bullets, when any other person would walk away and did so without hesitation. He called in a situation report, precisely like a Marine would in combat. He began to move Tony to safety when he laid down his own life."

Matt Tokuoka is survived by his wife Haley and four children—Mitchell, Hotchan, George and Layla, as well as his father, second mother, sisters and grandmother.

Matt and Tony were dedicated family people, "Dear Ones," in the Hoonah vernacular, who were beloved by their own families as their extended families in the Hoonah community. Their tragic loss last August rocked Hoonah to the core and the process of recovery has been difficult. Tony and Matt were not only exemplary officers with significant records of public service. They were pillars of the community.

Chuck Collins joined Customs and Border Protection in 2002 following a successful career in the Air Force. Upon completion of training, he was assigned to "the port of his dreams" in Anchorage. During the summer he was assigned to temporary duty in Eagle, a remote border checkpoint about 379 miles northeast of Fairbanks. He relished the assignment and I am told was active in the life of the Eagle community during his annual summer duty there.

Officer Collins was killed when his government-issued Ford Bronco went down a 200-foot embankment on the Taylor Highway and landed in a rain swollen creek. Officer Collins is survived by his wife Jody and two sons, both of whom are serving abroad in the military.

There is little that I can say in consolation except to note that Matt, Tony and Chuck touched a great many people's lives, they were role models, and they sacrificed all to make Alaska a safe and peaceful place. In valor there is hope.

AMERICORPS WEEK

Mr. LEAHY. Mr. President, I would like to join the Vermont Commission on National and Community Service in paying tribute to the outstanding Americorps men and women who have volunteered countless hours this past year supporting Vermont's communities, and communities around the country. The Vermont Commission on National and Community Service, first established by Governor Howard Dean in 1993, works with AmeriCorps volun-

teers, community volunteers and other organizations throughout Vermont to grow Vermont's dynamic communities. The service to others and civic engagement that the volunteer programs organized by the Commission promote are the cornerstone of Vermont's most treasured values.

Being a dedicated volunteer is often not an easy task. The Vermont Commission on National and Community Services allows servicemembers to shine through their vast opportunities and resources for our Vermont-based volunteers. Within the scope of their work, the Commission provides various opportunities to work in our communities through the AmeriCorps, Senior Corps and Learn and Serve America programs. The experiences of these volunteers will allow them to share their community values with the rest of Vermont and our great country.

I continue to be impressed with the achievements our dedicated professionals and young volunteers reach during their inspiring careers. I am pleased that the staff of the Vermont Commission on National and Community Service, along with their AmeriCorps members, are being recognized for all that they have done day in and day out throughout Vermont. The skills and experiences of these volunteers are instrumental in helping our communities tackle tough and complex problems.

I am fortunate to call Vermont my home, and we are more than lucky to have so many local role models that continue to inspire our young citizens to get involved. Whether volunteering as an AmeriCorps member, or helping a next door neighbor in need, Vermonters carry forward our longstanding tradition of community service and involvement. This is why Vermont continues to be the great State that it is today. To the staff and volunteers of the Vermont Commission on National and Community Service, again I say thank you for all that you do for Vermont.

ADDITIONAL STATEMENTS

COLORADO NATIONAL MONUMENT

• Mr. BENNET. Mr. President, today I wish to commemorate the 100th anniversary of the dedication of the Colorado National Monument on May 24, 2011. The monument's 32 square miles of red rock canyons, pinnacles and vistas on Colorado's Western Slope are a wonder to behold. They provide essential habitat for keystone species like the golden eagle and desert bighorn and a unique campus for junior rangers to learn and connect with the high desert ecosystem. Anyone who has hiked one of the Monument's many trails or driven historic Rim Rock Drive understands that this is a place worthy of celebration.

For a century now, visitors to this monument have been not only awed by its beauty but also inspired by its past. This rare piece of earth gained Federal recognition due to the dedicated efforts of John Otto, who made his home in these canyons. He worked for years to build trails and organize support, succeeding in 1911 as President William Howard Taft signed a proclamation declaring the monument. Just weeks later, Otto made his first daring climb to plant an American flag at the top of the 450-foot tall spire known as Independence Monument, on the Fourth of July. That day confirmed what Coloradans already knew—that we had something special.

But John Otto didn't end his commitment there. He became the monument's first park ranger, living in a tent and helping visitors discover the canyons for 16 more years. Through the lens of history, his dedication stands as a shining example of what it means to work for something you believe in so strongly. The history of the Colorado National Monument remains a testament to the spirit, conviction, and love of our land that makes the State of Colorado what it is today.

By offering educational field trips to public schools, rangers at the Colorado National Monument are working to ensure that the science and history of the monument will remain in the minds of young people across western Colorado. All Coloradans are proud of the fact that this treasured landscape will continue to inspire visitors for generations to come. Mr. President and all other Members here today, please join me and all Coloradans in celebrating the monument on its centennial.●

WOODWORTH, NORTH DAKOTA

• Mr. CONRAD. Mr. President, today I wish to recognize a community in North Dakota that will be celebrating its 100th anniversary. On June 25-26, the residents of Woodworth will gather to celebrate their community's history and founding.

Woodworth is a small but vibrant community in North Dakota. The town was founded in 1911, and takes its name from the Northern Pacific Railroad's traffic manager and vice president at the time, J. G. Woodworth. It is located in Stutsman County and is the last stop on the railroad track that runs along highway 36. The historical site, Camp Grant, is located near Woodworth, and was used in the Sibley Expedition of 1863. Woodworth earned the nickname "the Cream City" in its early years, because the sale of cream and eggs was the main source of income for many local farmers. The town is currently home to approximately 70 proud residents.

The citizens of Woodworth have organized numerous activities to celebrate their town's centennial. Beginning on

Saturday morning, they will participate in a walk/run, with a breakfast, a parade, and art in the park to follow. A truck/tractor pull, street dance, and fireworks will round out the day's events. Woodworth's residents will conclude the centennial festivities with a community worship service on Sunday morning, and enjoy a home-run derby and music in the park on Sunday afternoon.

I ask the U.S. Senate to join me in congratulating Woodworth, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Woodworth and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Woodworth that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Woodworth has a proud past and a bright future.●

TUTTLE, NORTH DAKOTA

● Mr. CONRAD. Mr. President, today I am pleased to recognize a community in North Dakota that is celebrating its 100th anniversary. From June 17–19, the residents of Tuttle, ND, will gather to celebrate their community's founding.

In 1911, the town of Tuttle was founded by an official with the Dakota Land & Town Site Company, Colonel William P. Tuttle. Proud to have a town named in his honor, Colonel Tuttle donated money for the Tuttle Baseball Club's first baseball uniforms.

Located near the geographic center of North Dakota, Tuttle and its surrounding area were settled by homestead families of Scandinavian and German Russian heritage. Many of the descendants of these settlers still live and farm in the area today. In addition to farming, there are many community businesses and services in Tuttle such as the Senior Center, Post Office, BJ Auction Service, Buchholz Trucking, Days Gone By Cafe, Tuttle Community Store, Tuttle Farmers Elevator, and Tuttle Tavern.

Today, the people of Tuttle enjoy fishing, boating, and hunting near places like Lake Josephine and Cherry Lake. Also popular are traditional culinary specialties like knoepla soup, fleisch kuechle, and kuchen. Tuttle is a hard working community, whose vitality can be attributed to its strong family values and community spirit.

In honor of the city's 100th anniversary, community leaders have organized, among other things, a meet and greet fish fry, a centennial 5K/10K Run/Walk, turtle races, a threshing bee and antique tractor show, a parade, and a baseball game in Tuttle Ball Park.

I ask that my colleagues in the U.S. Senate join me in congratulating Tuttle, ND, and its residents on their

first 100 years and in wishing them well in the future. By honoring Tuttle and all other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Tuttle that have helped shape this country into what it is today, which is why this fine community is deserving of our recognition.

Tuttle has a proud past and a bright future.●

BREWER SCIENCE'S 30TH ANNIVERSARY

● Mrs. McCASKILL. Mr. President, I honor the 30th anniversary of Brewer Science, an innovative, high-technology company from Rolla, MO.

When Brewer Science was started by Dr. Terry and Paula Brewer in 1981, it had only three employees. Like so many small businesses in our country, the company has grown and expanded because of its commitment to hard work, innovative solutions and exceptional service for its customers. From humble beginnings, the company has grown today to 263 employees working globally to bring groundbreaking technology to companies worldwide.

Brewer Science is best known in the microelectronics industry for introducing ARC brand bottom antireflecting coatings in 1981 to microchip makers. In the past 30 years, they have expanded their portfolio to include optoelectronic coatings, protective coatings, bonding processes and nanotechnology products, which enable the manufacturing of advanced integrated circuits, sensors and displays throughout the world.

As Brewer Science has continued to grow, their vision and philosophy have remained consistent. The milestone that I ask us to honor today is a tribute to this vision.

Brewer Science has translated their success in business into a better community for Missourians. Brewer Science has had a positive impact on its community through service, volunteering, and donations to various arts, educational and environment programs.

Brewer Science's passion for providing dedicated service and their emphasis on innovation serve as an inspiration for all Missourians. Their achievements deserve the highest commemoration.

Mr. President, I ask that the Senate join me in recognizing the 30th anniversary of Brewer Science.●

TRIBUTE TO DR. ERIC GANGLOFF

● Mr. ROCKEFELLER. Mr. President, today I wish to recognize Dr. Eric Gangloff, who has served the American people for more than 25 years at the Japan-United States Friendship Commission. He has served in numerous

roles, including as the director of the Commission's Japan office, as associate executive director, and currently as the Commission's executive director.

Dr. Gangloff has, through his work at the Commission, contributed substantially to research, training, and student exchange programs with Japan, and supported the valuable projects of countless scholars, students, and artists through Commission grant programs.

Throughout his tenure as executive director of the Commission, Dr. Gangloff has worked with the leaders of several professional organizations of Japanese language educators, encouraging them to join forces and work together in order to provide maximum support for Japanese language teachers at all levels in the United States, from kindergarten through college. As a result of his efforts and continuing support, the Alliance of Associations of Teachers of Japanese was founded in 1999 as a coalition that represents and serves two previously separate organizations.

Dr. Gangloff also spearheaded a movement to create the North American Coordinating Council on Japanese Library Resources in 1991 to meet the demands of the American library community for Japanese research materials. The creation of the NCC brought the activities of the Japan studies library community into a clearinghouse that focuses on resource-sharing through cooperative collection development, information literacy at all levels within the Japan studies field and fosters close collaboration and consultation among librarians, the academic community and funding agencies in both countries.

In addition, Dr. Gangloff is responsible for the strengthening of long-term positive relations between the two countries through his creation and long-term support and guidance of the U.S.-Japan Legislative Exchange Program which brings together on a semi-annual basis, a core group of United States Congressional Members and Japanese Diet Members for in-depth and informal discussions on a broad range of political, economic and security issues. Discussions such as these cement the bonds between the two countries at the highest levels, which is especially important at times of great stress, such as the recent tragic events in Japan.

Dr. Gangloff was the driving force behind the creation in 1998 of the United States Japan Bridging Foundation, a charitable organization that expands opportunities for American undergraduate students to study in Japan. This public-private partnership, directed by Dr. Gangloff, has raised over \$4,000,000 and awarded over 1,000 scholarships to American students since its inception.

In short, Dr. Eric Gangloff has provided inspired leadership throughout his career in cultural, educational, and scholarly dialogue and exchange between Japan and the United States. On behalf of the congressional Members serving as Commissioners of the Japan-U.S. Friendship Commission—Senator MURKOWSKI, Congressman TOM PETRI, Congressman JIM McDERMOTT, and myself—I would like to express our deep-seated gratitude for these contributions and assure Dr. Gangloff that the positive results of his hard work will be felt for years to come.●

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

H.R. 1231. An act to amend the Outer Continental Shelf Lands Act to require that each 5-year offshore oil and gas leasing program offer leasing in the areas with the most prospective oil and gas resources, to establish a domestic oil and natural gas production goal, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1697. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a Determination and Certification under Section 40A of the Arms Export Control Act relative to countries not cooperating fully with United States antiterrorism efforts; to the Committee on Foreign Relations.

EC-1698. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Department of Justice's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1699. A communication from the Secretary of Education, transmitting, pursuant to law, the Department of Education's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1700. A communication from the Diversity and Inclusion Director, Board of Governors, Federal Reserve System, transmitting, pursuant to law, the Federal Reserve System's fiscal year 2010 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002; to the Committee on Homeland Security and Governmental Affairs.

EC-1701. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants From the Portland Cement Manufacturing Industry and Standards of Performance for Portland Cement Plants" (FRL No. 9306-7)

received in the Office of the President of the Senate on May 12, 2011; to the Committee on Environment and Public Works.

EC-1702. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; New Mexico; Sunland Park Section 110(a)(1) Maintenance Plan for the 1997 8-Hour Ozone Standard" (FRL No. 9305-6) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Environment and Public Works.

EC-1703. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Method 301—Field Validation of Pollutant Measurement Methods from Various Waste Media" (FRL No. 9306-8) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Environment and Public Works.

EC-1704. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Implementation of the New Source Review (NSR) Program for Particulate Matter Less Than 2.5 Micrometers (PM_{2.5}); Final Rule to Repeal Grandfather Provision" (FRL No. 9306-9) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Environment and Public Works.

EC-1705. A communication from the Director of the Regulatory Management Division, Office of Policy, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Interim Final Determination to Defer Sanctions, Sacramento Metro 1-hour Ozone Nonattainment Area, California" (FRL No. 9307-3) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Environment and Public Works.

EC-1706. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hours of Service Exception for Railroad Signal Employees" (RIN2126-AB36) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1707. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal Motor Vehicle Theft Prevention Standard" (RIN2127-AK81) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1708. A communication from the Regulatory Ombudsman, Federal Motor Carrier Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Commercial Driver's License Testing and Commercial Learner's Permit Standards" (RIN2126-AB02) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1709. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Federal

Motor Vehicle Safety Standards No. 108; Lamp, Reflective Devices and Associated Equipment" (RIN2127-AK85) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1710. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Regulated Navigation Area; Hudson River South of the Troy Locks, NY" ((RIN1625-AA11) (Docket No. USCG-2010-0794)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1711. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations for Marine Events; Potomac River, Charles County, MD" ((RIN1625-AA08) (Docket No. USCG-2010-1113)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1712. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Krewe of Charleston Mardi Gras Boat Parade, Charleston Harbor, Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2010-1151)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1713. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Mavericks Surf Competition, Half Moon Bay, CA" ((RIN1625-AA08) (Docket No. USCG-2010-1093)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1714. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations; Patriot Challenge Kayak Race, Ashley River, Charleston, SC" ((RIN1625-AA08) (Docket No. USCG-2011-0039)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1715. A communication from the Acting Director, Rural Housing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Implementing Lender Indemnification and Elimination of the Department of Veterans Affairs (VA) Rate as an Interest Rate Option" (RIN0575-AC83) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1716. A communication from the Secretary of the Army, transmitting, pursuant to law, a report relative to the Program Acquisition Unit Cost and the Average Procurement Unit Cost for the Joint Tactical Radio System Ground Mobile Radio (GMR) program exceeding the Acquisition Program Baseline values; to the Committee on Armed Services.

EC-1717. A communication from the Director of Defense Procurement and Acquisition Policy, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Business Systems—Definition and Administration" ((RIN0750-AG58)

(DFARS Case 2009-D038)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Armed Services.

EC-1718. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Administrative Exemptions to the Specified Tax Return Preparer Electronic Filing Requirement Under Internal Revenue Code Section 6011(e)(3) and Regulations Under Section 6011(e)(3)" (Notice 2011-26) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Finance.

EC-1719. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Annual Price Inflation Adjustments for Contribution Limitations Made to a Health Savings Account Pursuant to Section 223" (Rev. Proc. 2011-32) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Finance.

EC-1720. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World Fireworks; Mission Bay, San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0201)) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1721. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Ferry II Maritime Security Exercise; San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0196)) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1722. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Dredging Operations; Delaware River, Marcus Hook, PA" ((RIN1625-AA00) (Docket No. USCG-2011-0127)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1723. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Sea World Fireworks; Mission Bay, San Diego, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0201)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1724. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Bay Ferry II Maritime Security Exercise; San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2011-0201)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1725. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Texas International Boat Show Power Boat Races; Corpus Christi Marina, Corpus

Christi, TX" ((RIN1625-AA00) (Docket No. USCG-2011-0140)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1726. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Red River Safety Zone, Red River, MN" ((RIN1625-AA00) (Docket No. USCG-2011-0263)) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1727. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; M/V Davy Crockett, Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2010-0939)) received in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1728. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Havasu Landing Regatta, Colorado River, Lake Havasu Landing, California" ((RIN1625-AA00) (Docket No. USCG-2011-0018)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1729. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Miami International Triathlon, Bayfront Park, Miami, FL" ((RIN1625-AA00) (Docket No. USCG-2011-0010)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1730. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Soil Sampling; Chicago River, Chicago, IL" ((RIN1625-AA00) (Docket No. USCG-2011-0086)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1731. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Todd Pacific Shipyards Vessel Roll-Out, West Duwamish Waterway, Seattle, WA" ((RIN1625-AA00) (Docket No. USCG-2011-0117)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1732. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Pensacola Bay; Pensacola, FL" ((RIN1625-AA00) (Docket No. USCG-2011-0212)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1733. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V Davy Crockett, Columbia River" ((RIN1625-AA00) (Docket No. USCG-

2010-0939)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1734. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Red River Safety Zone, Red River, MN" ((RIN1625-AA00) (Docket No. USCG-2011-0263)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1735. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Boom Days, Buffalo Outer Harbor, Buffalo, NY" ((RIN1625-AA00) (Docket No. USCG-2011-0132)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1736. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Boom Days, Niagara River, Niagara Falls, NY" ((RIN1625-AA00) (Docket No. USCG-2011-0131)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1737. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; M/V Davy Crockett, Columbia and Willamette Rivers" ((RIN1625-AA00) (Docket No. USCG-2010-0939)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1738. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Repair of High Voltage Transmission Lines to Logan International Airport, Saugus River, Saugus, MA" ((RIN1625-AA00) (Docket No. USCG-2010-0992)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1739. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Fireworks Displays in the Captain of the Port Columbia River Zone" ((RIN1625-AA00) (Docket No. USCG-2010-0997)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1740. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zones; Charleston Race Week, Charleston Harbor, Charleston, SC" ((RIN1625-AA00) (Docket No. USCG-2010-1152)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1741. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zones; Cruise Ships, Port of San Diego, CA" ((RIN1625-AA87) (Docket No. USCG-2011-0038)) received in the Office of the

President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1742. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Increase of Security Zones under 22 CFR 165.1183 from 100 to 500 Yards; San Francisco Bay, Delta Ports, Monterey Bay, and Humboldt Bay, CA" ((RIN1625-AA87) (Docket No. USCG-2011-0038)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1743. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Security Zone; Passenger Vessels, Sector Southeastern New England Captain of the Port Zone" ((RIN1625-AA87) (Docket No. USCG-2010-0864)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-11. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to vote against the F-35 alternate engine appropriations measure; to the Committee on Armed Services.

HOUSE RESOLUTION No. 73

Whereas, the federal government, now more than ever, needs to eliminate wasteful spending programs from its budget; and

Whereas, the federal deficit recently hit \$13.5 trillion; and

Whereas, the Department of Defense will spend \$708 billion on defense spending in the 2011 fiscal year for both base defense programs and overseas contingency operations to promote the safety and welfare of our nation; and

Whereas, Congress has planned to appropriate \$465 million for an alternate GE F135 engine for the F-35 Joint Strike Fighter program in the Defense Appropriations Bill; and

Whereas, the Department of Defense has already contracted the Pratt & Whitney F135 engine, which has gone through multiple series of testing and development; and

Whereas, no military aircraft in the past three decades has been procured with multiple engine suppliers; and

Whereas, developing the alternate engine would cost \$2.9 billion dollars over the next two to three years; and

Whereas, having multiple engine suppliers will require additional spending for two sets of parts, two production and maintenance lines, and additional personnel and training, which will lead to the production of fewer Joint Strike Fighter planes; and

Whereas, President Barack Obama, with urging from military officials and Defense Secretary Robert Gates, vows to veto the Defense Authorization Bill if the alternate engine appropriation is included in the bill; and

Whereas, defense spending can be used more efficiently for more vital military programs; therefore, be it

Resolved, by the House of Representatives of the Ninety-Seventh General Assembly of the State of Illinois, That we encourage the members of the Illinois congressional delegation to vote against the F-35 alternate engine appropriations measure; and be it further

Resolved, That suitable copies of this resolution be presented to President Barack Obama, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and the members of the Illinois congressional delegation.

POM-12. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to enact legislation that creates a mortgage foreclosure moratorium; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION No. 10

Whereas, the mortgage foreclosure crisis deepened after it was disclosed that several large home mortgage lenders utilized procedures that were legally insufficient to support foreclosures; and

Whereas, after problems were revealed about the manner in which foreclosure affidavits were processed, the uncertainty about the true ownership of mortgages, and the questionable legal standing of the entities that initiated foreclosure proceedings, 2 of the nation's largest residential lenders announced that they were each beginning a self-imposed mortgage foreclosure moratorium; and

Whereas, although this crisis has its origins in numerous events, practices, and policy decisions, a central element of the foreclosure problem is the Mortgage Electronic Registry System (MERS), an electronic registry of land records which was created in 1998 by the Federal National Mortgage Association (Fannie Mae), the Federal Home Loan Mortgage Corporation (Freddie Mac), and several large U.S. banks; and

Whereas, today MERS is listed as the agent for mortgage lenders on documents for 65 million home loans, which represent about 60% of the mortgages in the United States, and is the agent for about 97% of the home mortgages created between 2005 and 2008; and

Whereas, although MERS boasts on its Web site that it "simplifies the way mortgage ownership and servicing rights are originated, sold and tracked" which "eliminates the need to prepare and record assignments when trading residential and commercial mortgage loans", housing counselors and advocates have documented patterns of abuse and fraud by mortgage servicers that utilized MERS; and

Whereas, joining MERS at the center of the foreclosure crisis is the practice of "robo-signing", the process of generating thousands of affidavits often by unskilled and unqualified employees who neither read nor certified the underlying documents, which are used to obtain summary judgments in foreclosure proceedings; and

Whereas, since a large volume of mortgages were digitized, there have been countless instances of original promissory notes being lost or misplaced; in lieu of producing the original promissory notes in the foreclosure proceedings, servicers simply provided "robo-signed" affidavits that state that the loan servicers own the notes; and

Whereas, court records in mortgage foreclosure cases have documented egregious examples of: falsified documents; "fee padding"; misapplication of mortgage payments; and improper, unnecessarily expensive insurance assessments, which, in turn, precipitated defaults on otherwise up-to-date loans and wholly improper mortgage foreclosures; and

Whereas, the effect of all of these problems and the resulting consumer confusion cry out for a nationwide moratorium on pending

and new mortgage foreclosures; therefore, be it

Resolved, by the House of Representatives of the Ninety-Seventh General Assembly of the State of Illinois, That we urge Congress to enact legislation that creates a mortgage foreclosure moratorium to allow a thorough review of foreclosure actions, provide meaningful opportunities for homeowners to renegotiate their mortgages so as to avoid foreclosure, enact further reforms, and allow the entire housing market to return to normalcy; and be it further

Resolved, That suitable copies of this resolution be presented to President Barack Obama, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and each member of the Illinois congressional delegation.

POM-13. A resolution adopted by the House of Representatives of the State of Illinois urging Congress to enact legislation relative to compelling lending institutions to provide mortgages modifications to home loans before foreclosing on residential properties; to the Committee on Banking, Housing, and Urban Affairs.

HOUSE RESOLUTION No. 45

Whereas, the United States continues to experience an unprecedented number of mortgage foreclosures and these, in turn, have contributed to a real estate market that has declined in a precipitous fashion; and

Whereas, when a residential mortgagor defaults on his or her mortgage, it is common for the lending institution involved to obtain the property back from the mortgagor by way of receiving a deed in lieu of foreclosure or by foreclosing and then purchasing the property at a foreclosure judicial sale; and

Whereas, in recent years, it is not unusual for a lending institution to have a large inventory of foreclosed properties and this has often led to a lending institution repeatedly resorting to selling a foreclosed property at a "short sale" price, which means that the sale price for the individual home is significantly less than the mortgagor's purchase price or even the amount of the mortgagor's outstanding loan at the time of the foreclosure; and

Whereas, the credit rating of a person whose home has been foreclosed is often very low and this means that even if the person could afford a more modestly priced property than the foreclosed home, the former homeowner is unable to qualify for a loan under today's standards; and

Whereas, if a lending institution that expects to sell a foreclosed residential property at a "short sale" price were compelled to offer to the mortgagor modifications in the terms of the mortgagor's home mortgage loan, the mortgagor would, in many cases, be able to afford the home under the modified loan terms and remain in his or her home; in that case, the lending institution would avoid adding to its foreclosed properties inventory, the residential mortgagor might be able to remain in his or her home, the real estate market would be improved because fewer "short sale" properties would be depressing home prices on the market, neighborhood blight and crime would be reduced due to the decline in empty and vandalized homes, and all of these circumstances would tend to stem the tide of neighborhood deterioration that is due to the large number of foreclosures and vacancies; therefore, be it

Resolved, by the House of Representatives of the Ninety-Seventh General Assembly of the

State of Illinois, That we urge Congress to pass legislation that would compel any lending institution, before foreclosing on a residential property occupied by a mortgagor, to provide the mortgagor with modifications to the home loan that are reasonable for the mortgagor and that include, but are not limited to, an interest rate reduction, a term extension, or other changes to the elements of the home loan, provided that the homeowner is interested in remaining in the home and qualified for the modified loan terms; and be it further

Resolved, That suitable copies of this resolution be presented to President Barack Obama, the Speaker of the United States House of Representatives, the President pro tempore of the United States Senate, and each member of the Illinois congressional delegation.

POM-14. A joint memorial adopted by the Legislature of the State of Washington relative to public access to the upper Stehekin Valley within the North Cascades National Park; to the Committee on Energy and Natural Resources.

SUBSTITUTE SENATE JOINT MEMORIAL 8004

Whereas, The United States Department of the Interior manages one-fifth of the land of the United States and offers unparalleled recreational opportunities throughout the nation, affirming the nation's intent to set aside certain areas of outstanding scenic and scientific value for the employment of present and future generations; and

Whereas, the National Park Service is a bureau of the United States Department of the Interior and manages the 394 units of the national park system. Annually, more than 500 million people visit the national parks and monuments, wildlife refuges, and recreational sites; and

Whereas, Tourism is an important component of the Washington state economy and is sustained, in part, by our national parks and forests, including Mount Rainier National Park, North Cascades National Park, and the Olympic National Park; and

Whereas, National parks provide significant economic benefits to local communities, many of which are almost solely dependent upon visitors to these parks; and

Whereas, the North Cascades National Park honors Washington state's natural and cultural heritage and provides valuable educational and recreational opportunities for our citizens; and

Whereas, the primitive road to Cottonwood Camp was built over 100 years ago in the late 1800s and existed prior to the creation of the North Cascades National Park in 1968 and the Washington Parks Wilderness Act of 1988 (P.L. 100-668); and

Whereas, The road leading to Cottonwood Camp provides revered access to exceptional day hikes and fishing opportunities in the upper Stehekin Valley by the residents of eastern Washington, as well as for many people across this state and beyond; and

Whereas, the National Park Service developed a shuttle system utilizing this primitive road corridor to facilitate more than 2,500 people per year access to the upper Stehekin Valley from eastern Washington; and

Whereas, the upper portion of the road between Car Wash Falls and Cottonwood Camp has been closed for many years due to historical flooding events of the Stehekin river in two key areas, destroying a critical link for hikers, horseback riders, and other recreationalists between the Lake Chelan National Recreation area, the Stephen

Mather Wilderness trailheads, and the North Cascades National Park; and

Whereas, the closure of this primitive road has restricted access for the old and young alike to witness the grandeur of this special place in a day hike from eastern Washington; and

Whereas, allowing the National Park Service to relocate and rebuild the upper Stehekin Valley Road on higher ground with no net loss of acreage to the park or the Wilderness would preserve the park's existing use as identified in the 1988 Washington Wilderness Act and would mitigate the negative environmental impact of the road washing out;

Now, therefore, Your Memorialists respectively pray that the United States Congress, the United States Department of the Interior, and the National Park Service work cooperatively with Washington state to ensure that all citizens have the continued opportunity to access the upper Stehekin Valley within the North Cascades National Park by reestablishing this primitive road to keep this essential recreational access corridor open: Be it

Resolved, that copies of this Memorial be immediately transmitted to the Honorable Barack Obama, President of the United States, the Secretary of the United States Department of the Interior, the Director of the National Park Service, the President of the United States Senate, the Speaker of the House of Representatives, and each member of Congress from the State of Washington.

POM-15. A resolution adopted by the Senate of the State of New Jersey urging Congress to create a post-deployment assistance program for veterans at Fort Monmouth; to the Committee on Veterans' Affairs.

SENATE RESOLUTION No. 82

Whereas, since October 2001 approximately 1,600,000 Americans have been deployed for Operation Enduring Freedom and Operation Iraqi Freedom; and

Whereas, for the first time since the Vietnam War, American troops have been engaged in protracted and sustained ground combat and are under a continuous threat of insurgent attacks; and

Whereas, since the deployment of military personnel after September 11, 2001, 5,602 Americans have rendered the ultimate sacrifice in defense of our freedoms and 38,899 Americans have been wounded in combat as of July 22, 2010; and

Whereas, countless American soldiers have returned home with post-traumatic stress disorder due to the horrifying and life-threatening experiences they endured during deployment; and

Whereas, post-traumatic stress disorder can lead to suicide, alcoholism, drug abuse, domestic violence, marital problems, anger management issues, violent behavior, insomnia, employment problems, and even criminal behavior; and

Whereas, the impact of deployment to a combat zone is not limited to the soldier, but can also have serious psychological ramifications for the soldier's spouse and children; and

Whereas, our nation is forever indebted to our veterans and their families for the tremendous sacrifices they have made to protect the freedoms that all Americans enjoy, and therefore it is our national responsibility to care for veterans and their family members who suffer from psychological conditions caused by deployment to a combat zone; and

Whereas, for over sixty years, the U.S. Military Academy Preparatory School at

Fort Monmouth has trained some of America's bravest men and women for a life of service and dedication to our country; and

Whereas, based upon the recommendations of the Defense Base Closure and Realignment Commission of 2005, the Department of Defense has declared that the military facility at Fort Monmouth, including the U.S. Military Academy Preparatory School, is in surplus to federal needs and will be closed in 2011; and

Whereas, the school is an ideal place to house a federally funded program designed to assist veterans with post-deployment issues and provide them with the proper psychiatric, psychological, medical and social care that they so clearly deserve; and

Whereas, local veteran groups, such as Veterans Helping Veterans, are the ideal types of organizations to administer this program because of their similar experiences and their unique understanding of the stress and trauma caused by deployment to a combat zone: Now, therefore, be it

Resolved, by the Senate of the State of New Jersey:

1. The United States Congress and Department of Defense are respectfully urged to create a federally funded program that provides post-deployment assistance for veterans at the current U.S. Military Academy Preparatory School facility at Fort Monmouth.

2. Duly authenticated copies of this resolution, signed by the President of the Senate and attested by the Secretary of the Senate, shall be transmitted to the President and Vice-President of the United States, the Majority and Minority Leaders of the United States Senate, the Speaker and Minority Leader of the United States House of Representatives, every member of Congress elected from this State, and the Secretary of Defense.

POM-16. A resolution adopted by the National Society of the Sons of the American Revolution relative to designating a permanent national memorial in Washington, D.C. honoring World War I service; to the Committee on Energy and Natural Resources.

POM-17. A resolution adopted by the National Society of the Sons of the American Revolution relative to a proposed Constitutional amendment giving Congress the power to protect the flag of the United States; to the Committee on the Judiciary.

EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. KERRY for the Committee on Foreign Relations.

*George Albert Krol, of New Jersey, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Uzbekistan.

Nominee: George Albert Krol.

Post: Ambassador, Tashkent, Uzbekistan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.

2. Spouse: None.

3. Children and Spouses: N/A.
4. Parents: Anthony and Ann Krol: None.
5. Grandparents: Deceased.
6. Brothers and Spouses: David A. Krol—None; Anthony J. Krol—\$250; 10/2006, John Shestak, Alice Milrod (spouse)—None.
7. Sisters and Spouses: N/A.

*Daniel Benjamin Shapiro, of Illinois, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

Nominee: Daniel Benjamin Shapiro.
Post: Ambassador to Israel.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$500, 03/20/2007, DSCC; \$500, 06/04/2007, Tim Mahoney for Florida; \$500, 06/21/2007, Louise Slaughter Reelect Com; \$500, 06/26/2007, People for Patty Murray; \$1,000, 07/10/2007, Bill Nelson for U.S. Senate; \$1,000, 07/20/2007, Allyson Schwartz for Congress; \$1,000, 09/21/2007, Sestak for Congress; \$500, 10/23/2007, DSCC; \$500, 10/27/2007, Matheson for Congress; \$1,000, 11/13/2007, Stabenow for U.S. Senate; \$1,000, 11/26/2007, Friends of Mary Landrieu; \$1,000, 12/04/2007, Friends of Mary Landrieu; \$1,000, 12/20/2007, Rep. Waxman Campaign Com; \$1,000, 02/20/2008, Friends of Rahm Emanuel; \$500, 03/10/2008, DSCC; \$1,000, 03/31/2008, Schiff for Congress; \$500, 05/05/2008, Lautenberg for Senate; \$500, 05/15/2008, Friends of Byron Dorgan; \$1,000, 06/12/2008, Friends for Harry Reid; \$500, 06/24/2008, DSCC; \$2,300 10/09/2008, Obama Victory Fund.

2. Spouse: Julie R. Fisher: \$500, 08/02/2007, Hastings for Congress; \$2,300, 09/30/2007, Obama for America.

3. Children and Spouses: Liat Shapiro: None; Merav Shapiro: None; Damaris (Shira) Shapiro: None.

4. Parents: Michael Shapiro: \$75, 01/11/2008, Obama for America; \$100, 09/23/2008, Obama for America. Elizabeth Shapiro: \$100, 09/18/2008, Obama for America.

5. Grandparents: Norma Klein: Deceased. Solomon Klein Deceased. Rebecca Shapiro: Deceased. Milton Shapiro: Deceased.

6. Brothers and Spouses: Jonathan Shapiro: None. Jennifer Susse: \$200, 07/31/2008, Obama for America.

7. Sisters and Spouses: Carolyn Shapiro: \$500, 01/11/2008, Obama for America; \$250, 02/13/2008, Obama for America; \$200, 09/05/2008, Obama for America; \$200, 09/24/2008, Dan Seals for Congress; \$250, 10/30/2008, Obama Victory Fund; \$100, 10/31/2008, Tinklenberg for Congress; \$50, 09/10/2009, Rob Miller for Congress; \$250, 09/30/2009, Dan Seals for Congress; \$500, 09/30/2009, Hoffman for Illinois; \$250, 11/06/2009, Hoffman for Illinois; \$300, 06/12/2010, Dan Seals for Congress; \$100, 09/15/2010, Russ Feingold for Senate; \$50, 10/16/2010, Chris Coons for Senate; \$100, 10/16/2010, Jack Conway for Senate; \$100, 10/16/2010, Scott McAdams for Senate; \$150, 10/16/2010, Joe Sestak for Senate; \$500, 11/18/2010, DSCC. Joshua Karsh: \$500, 10/15/2008, Obama for America; \$300, 02/09/2009, Geoghegan for Congress. Naomi Shapiro: None. Adam Braun: \$200, 2007, Hillary Clinton for President; \$50, 2009, Sara Feigenholtz for Congress.

*Henry S. Ensher, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the People's Democratic Republic of Algeria.

Nominee: Henry S. Ensher.

Post: Ambassador to Algeria.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: Henry S. Ensher.
2. Spouse: Mona A. Ensher.
3. Children and Spouses: Henry A. Ensher, Tariq J. Ensher.
4. Parents: Henry J. and Joan C. Ensher.
5. Grandparents: Deceased.
6. Brothers and Spouses: None.
7. Sisters and Spouses: Ellen Ensher; Mary Elizabeth Wilson.

*Stuart E. Jones, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Hashemite Kingdom of Jordan.

Nominee: Stuart E. Jones.

Post: Jordan.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: none.
2. Spouse: Barbara L. Jones: none.
3. Children and Spouses: Thaddeus D. Jones: none. Dorothy K. Jones: none. Woodrow J. Jones: none.
4. Parents: Robert S. Jones: deceased. Rose Marie D. Jones: none.
5. Grandparents: Joseph L. Jones: deceased. Dorothy K. Jones: deceased. Jean-Marie Dery: deceased. Velma Dery: deceased.
6. Brothers and Spouses: Robert S. Jones: none. Spouse Kathleen Jones: none. Christopher K. Jones: none. Spouse Marta Jones: none.
7. Sisters and Spouses: Suzanne M. Jones: none.

*Mara E. Rudman, of Massachusetts, to be an Assistant Administrator of the United States Agency for International Development.

*James A. Torrey, of Connecticut, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2013.

*Matthew Maxwell Taylor Kennedy, of California, to be a Member of the Board of Directors of the Overseas Private Investment Corporation for a term expiring December 17, 2012.

*Sim Farar, of California, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

*William J. Hybl, of Colorado, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2012.

Mr. KERRY. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Foreign Service nominations beginning with Carmine G. D'Aloisio and ending with James F. Sullivan, which nominations were received by the Senate and appeared in the Congressional Record on March 4, 2011.

*Foreign Service nominations beginning with Patricia M. Aguilo and ending with Michelle Zjhra, which nominations were received by the Senate and appeared in the Congressional Record on April 6, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. RUBIO (for himself and Mr. NELSON of Florida):

S. 1006. A bill to allow seniors to file their Federal income tax on a new Form 1040SR; to the Committee on Finance.

By Mr. INHOFE:

S. 1007. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

By Mr. INHOFE:

S. 1008. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

By Mr. RUBIO:

S. 1009. A bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt; to the Committee on Appropriations.

By Mr. CARPER:

S. 1010. A bill to amend the provisions of title 5, United States Code, relating to the methodology for calculating the amount of any Postal surplus or supplemental liability under the Civil Service Retirement System, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LEAHY:

S. 1011. A bill to improve the provisions relating to the privacy of electronic communications; to the Committee on the Judiciary.

By Mr. SCHUMER (for himself and Mr. CRAPO):

S. 1012. A bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services; to the Committee on Finance.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. ROCKEFELLER, and Mr. ENZI):

S. 1013. A bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. CORNYN, Ms. KLOBUCHAR, Mr. MCCAIN, Mrs. HUTCHISON, and Mr. FRANKEN):

S. 1014. A bill to provide for additional Federal district judgeships; to the Committee on the Judiciary.

By Mr. LAUTENBERG (for himself and Mr. AKAKA):

S. 1015. A bill to amend the Elementary and Secondary Education Act of 1965 to establish a partnership program in foreign languages; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BINGAMAN (for himself, Mr. CRAPO, Mr. KERRY, Ms. SNOWE, Mr. CARDIN, and Mr. GRASSLEY):

S. 1016. A bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes; to the Committee on Finance.

By Mr. SANDERS:

S. 1017. A bill to amend title 38, United States Code, to increase assistance for disabled veterans who are temporarily residing in housing owned by a family member, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. INHOFE (for himself and Mr. COBURN):

S. Res. 186. A resolution honoring the 100th anniversary of the United States Army Field Artillery School at Fort Sill, Oklahoma; considered and agreed to.

By Mr. CARDIN (for himself, Ms. MURKOWSKI, and Mr. BEGICH):

S. Res. 187. A resolution supporting national minority health awareness in order to bring attention to the severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders; considered and agreed to.

ADDITIONAL COSPONSORS

S. 20

At the request of Mr. HATCH, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 20, a bill to protect American job creation by striking the job-killing Federal employer mandate.

S. 28

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 28, a bill to amend the Communications Act of 1934 to provide public safety providers an additional 10 megahertz of spectrum to support a national, interoperable wireless broadband network and authorize the Federal Communications Commission to hold incentive auctions to provide funding to support such a network, and for other purposes.

S. 84

At the request of Mr. VITTER, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 84, a bill to amend the Internal Revenue Code of 1986 to allow refunds of Federal motor fuel excise taxes on

fuels used in mobile mammography vehicles.

S. 146

At the request of Mr. BAUCUS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 146, a bill to amend the Internal Revenue Code of 1986 to extend the work opportunity credit to certain recently discharged veterans.

S. 186

At the request of Mrs. BOXER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 186, a bill to provide for the safe and responsible redeployment of United States combat forces from Afghanistan.

S. 227

At the request of Ms. COLLINS, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 227, a bill to amend title XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 258

At the request of Mr. MENENDEZ, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 258, a bill to amend the Internal Revenue Code of 1986 to eliminate oil and gas company preferences.

S. 412

At the request of Mr. LEVIN, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 412, a bill to ensure that amounts credited to the Harbor Maintenance Trust Fund are used for harbor maintenance.

S. 425

At the request of Mr. UDALL of Colorado, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 425, a bill to amend the Public Health Service Act to provide for the establishment of permanent national surveillance systems for multiple sclerosis, Parkinson's disease, and other neurological diseases and disorders.

S. 468

At the request of Mr. MCCONNELL, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 468, a bill to amend the Federal Water Pollution Control Act to clarify the authority of the Administrator to disapprove specifications of disposal sites for the discharge of dredged or fill material, and to clarify the procedure under which a higher review of specifications may be requested.

S. 496

At the request of Mr. MCCAIN, the name of the Senator from Illinois (Mr. KIRK) was added as a cosponsor of S. 496, a bill to amend the Food, Conservation, and Energy Act to repeal a

duplicative program relating to inspection and grading of catfish.

S. 501

At the request of Mr. THUNE, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 501, a bill to establish pilot projects under the Medicare program to provide incentives for home health agencies to utilize home monitoring and communications technologies.

S. 519

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 519, a bill to further allocate and expand the availability of hydroelectric power generated at Hoover Dam, and for other purposes.

S. 598

At the request of Mrs. FEINSTEIN, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 598, a bill to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage.

S. 606

At the request of Mr. CASEY, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 606, a bill to amend the Federal Food, Drug, and Cosmetic Act to improve the priority review voucher incentive program relating to tropical and rare pediatric diseases.

S. 617

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 617, a bill to require the Secretary of the Interior to convey certain Federal land to Elko County, Nevada, and to take land into trust for the Te-moak Tribe of Western Shoshone Indians of Nevada, and for other purposes.

S. 657

At the request of Mr. CARDIN, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. 657, a bill to encourage, enhance, and integrate Blue Alert plans throughout the United States in order to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty.

S. 690

At the request of Mr. FRANKEN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 690, a bill to establish the Office of the Homeowner Advocate.

S. 729

At the request of Mr. REID, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 729, a bill to validate final patent number 27-2005-0081, and for other purposes.

S. 737

At the request of Mr. MORAN, the names of the Senator from Maine (Ms. COLLINS), the Senator from South Dakota (Mr. THUNE) and the Senator from

Kansas (Mr. ROBERTS) were added as cosponsors of S. 737, a bill to replace the Director of the Bureau of Consumer Financial Protection with a 5-person Commission, to bring the Bureau into the regular appropriations process, and for other purposes.

S. 752

At the request of Mrs. FEINSTEIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 752, a bill to establish a comprehensive interagency response to reduce lung cancer mortality in a timely manner.

S. 792

At the request of Mr. PRYOR, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 792, a bill to authorize the waiver of certain debts relating to assistance provided to individuals and households since 2005.

S. 855

At the request of Ms. STABENOW, the names of the Senator from Montana (Mr. TESTER), the Senator from Minnesota (Mr. FRANKEN) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 855, a bill to make available such funds as may be necessary to ensure that members of the Armed Forces, including reserve components thereof, continue to receive pay and allowances for active service performed when a funding gap caused by the failure to enact interim or full-year appropriations for the Armed Forces occurs, which results in the furlough of non-emergency personnel and the curtailment of Government activities and services.

S. 951

At the request of Mrs. MURRAY, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 951, a bill to improve the provision of Federal transition, rehabilitation, vocational, and unemployment benefits to members of the Armed Forces and veterans, and for other purposes.

S. 953

At the request of Mr. MCCONNELL, the names of the Senator from Utah (Mr. HATCH), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Texas (Mrs. HUTCHISON) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 953, a bill to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

At the request of Mr. HOEVEN, his name was added as a cosponsor of S. 953, *supra*.

S. 954

At the request of Mr. DURBIN, his name was added as a cosponsor of S.

954, a bill to promote the strengthening of the Haitian private sector.

S. 955

At the request of Mr. KERRY, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 955, a bill to provide grants for the renovation, modernization or construction of law enforcement facilities.

S. 958

At the request of Mr. CASEY, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 958, a bill to amend the Public Health Service Act to reauthorize the program of payments to children's hospitals that operate graduate medical education programs.

S. 963

At the request of Mr. CARPER, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 963, a bill to reduce energy costs, improve energy efficiency, and expand the use of renewable energy by Federal agencies, and for other purposes.

S. 982

At the request of Ms. AYOTTE, the names of the Senator from Kansas (Mr. ROBERTS), the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Texas (Mrs. HUTCHISON) were added as cosponsors of S. 982, a bill to reaffirm the authority of the Department of Defense to maintain United States Naval Station, Guantanamo Bay, Cuba, as a location for the detention of unprivileged enemy belligerents held by the Department of Defense, and for other purposes.

S. 991

At the request of Ms. MIKULSKI, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 991, a bill to ensure efficient performance of agency functions.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1002

At the request of Mr. SCHUMER, the names of the Senator from North Carolina (Mrs. HAGAN) and the Senator from Ohio (Mr. PORTMAN) were added as cosponsors of S. 1002, a bill to prohibit theft of medical products, and for other purposes.

S. CON. RES. 4

At the request of Mr. SCHUMER, the names of the Senator from Nebraska (Mr. JOHANNIS), the Senator from Florida (Mr. NELSON) and the Senator from Colorado (Mr. UDALL) were added as cosponsors of S. Con. Res. 4, a concurrent resolution expressing the sense of Congress that an appropriate site on Chap-

lains Hill in Arlington National Cemetery should be provided for a memorial marker to honor the memory of the Jewish chaplains who died while on active duty in the Armed Forces of the United States.

S. RES. 80

At the request of Mr. KIRK, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. Res. 80, a resolution condemning the Government of Iran for its state-sponsored persecution of its Baha'i minority and its continued violation of the International Covenants on Human Rights.

S. RES. 174

At the request of Mr. LIEBERMAN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. Res. 174, a resolution expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

S. RES. 176

At the request of Ms. MIKULSKI, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maryland (Mr. CARDIN) were added as cosponsors of S. Res. 176, a resolution expressing the sense of the Senate that the United States Postal Service should issue a semipostal stamp to support medical research relating to Alzheimer's disease.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. INHOFE:

S. 1007. A bill to amend the Internal Revenue Code of 1986 to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to announce the reintroduction of a bill to amend the Internal Revenue Code to eliminate the taxable income limit on percentage depletion for oil and natural gas produced from marginal properties.

Since 1926 small producers and millions of royalty owners have had the option to utilize percentage depletion to both simplify their accounting methodology and to account for the decline in the value of minerals produced from a property. Percentage depletion is particularly important to America's 611,000 low-volume marginal wells. The average marginal well produces barely 2 barrels per day, yet cumulatively they account for nearly 28 percent of domestic production in the lower 48 States. Since every on-shore natural

gas and oil well eventually declines into marginal production, the economic life span and corresponding production of all wells is extended by allowing the use of percentage depletion.

Until 1998, the deduction marginal producers could take from percentage depletion was limited to 100 percent of taxable income from each individual property. Many producers, however, specialize in marginally producing wells and have many properties operating simultaneously. Naturally, some wells in a producer's portfolio are more productive than others. Some would have depletion rates greater than 100 percent of taxable income, while others would have depletion rates lower than the limit. Removing the taxable income limitation allows producers to take percentage depletion deductions on a portfolio-wide basis, which makes their entire operation more efficient.

Since 1998, Congress has understood this fact and has suspended the limitation. Unfortunately, the provision has never been made permanent. It has just been extended year after year as part of the Tax Extenders Package. Since we have had this suspension on the books for more than a decade, I think it is time to give producers the predictability they need by making this common sense tax accounting provision permanent.

At a time when our unemployment rate is at 9 percent, we need to be doing everything we can to encourage economic growth. The energy industry is a major contributor to our economy, and it has a lot of room to grow. The Congressional Research Service recently released a report that says the United States has the most energy potential under its soil than any other country on earth. Hiding beneath our soil are jobs, wealth, and lower deficits. We should allow this sector to grow. This is a common sense, easy way to do this, so I urge swift passage.

By Mr. INHOFE:

S. 1008. A bill to amend the Internal Revenue Code of 1986 to permanently extend the depreciation rules for property used predominantly within an Indian reservation; to the Committee on Finance.

Mr. INHOFE. Mr. President, I would like to bring to your attention a bill I am reintroducing that would make permanent the current tax provision that allows capital assets on Indian lands to be depreciated on an accelerated schedule.

For many years, the Federal tax code has provided an incentive for businesses to invest in operations on Indian reservations and lands across the country. According to the law, businesses that purchase capital equipment and use it on Indian lands will be able to depreciate it, on average, more than 40 percent faster than would otherwise be allowed.

This tax provision is important to Oklahoma because of our longstanding history and unique relationship with Indian tribes. In light of the weak and ongoing economic recovery, we need to be doing all that we can to encourage businesses to reinvest in and expand their operations. This alone is what will create sustainable job growth.

The accelerated depreciation schedule helps do that by giving businesses the opportunity to recover investment dollars in capital assets more rapidly. This frees up capital and allows companies to reinvest that money more quickly than would have otherwise been possible. This is money that would have been tied up in the value of their capital assets, things like buildings, equipment, and machinery.

According to the Oklahoma Department of Commerce, 96 companies in Oklahoma announced \$1.7 billion of investments during the 2009–2010 period, creating an estimated 10,500 jobs. The trickle-down effect of these investments is strong: 12,000 additional jobs and additional capital stock investments of over \$200 million. Companies enjoyed at least \$50 million in economic incentives as a direct result of the accelerated depreciation schedule.

The Oklahoma Department of Commerce has also reported that many companies attribute this provision as a key reason for relocating to and expanding within the State. One Oklahoma food processing plant manager recently stated that the credit was a significant factor in the company's decision to expand. Had the credit not been there, the business may not have expanded, and the unemployment rate would be worse than it is today.

The accelerated schedule is currently allowed, but the law states that it will expire at the end of this year. While the provision has typically been renewed each year, many business leaders have expressed concern that it is not permanent. I can understand why. As a former businessman myself, I understand the problem of unpredictability. More and more, unpredictability is the most serious concern I hear of from Oklahoma's business leaders. They are frustrated that many government policies, ranging from environmental regulations to the tax code, are changing so dramatically that they have no way of estimating how the new regulations will impact their businesses. How do you expect anyone to make investment decisions in that kind of environment? Businesses need stability, and this is particularly true during times of economic weakness. We in Congress should take this point seriously, and we can take a step in the right direction by making permanent this important tax provision. I urge swift passage.

By Mr. LEAHY:

S. 1011. A bill to improve the provisions relating to the privacy of elec-

tronic communications; to the Committee on the Judiciary.

Mr. LEAHY. Mr. President, today I am pleased to introduce the Electronic Communications Privacy Act Amendments Act of 2011, a bill to bring our Federal electronic privacy laws into the digital age. Since the Electronic Communications Privacy Act, ECPA, was first enacted in 1986, the ECPA has been one of our Nation's premiere privacy laws. But, today, this law is significantly outdated and out-paced by rapid changes in technology and the changing mission of our law enforcement agencies after September 11.

In the digital age, American consumers and businesses face threats to privacy like no time in history. With the explosion of new technologies, including social networking sites, smartphones and other mobile applications, there are many new benefits to consumers. But, there are also many new risks to their privacy.

Just in the past few weeks, we have witnessed significant data breaches involving Sony and Epsilon that impact the privacy of millions of American consumers. We are also learning that smartphones and other new mobile technologies may be using and storing our location and other sensitive information posing other new risks to privacy.

When I led the effort to write the ECPA 25 years ago, no one could have contemplated these and other emerging threats to our digital privacy. Updating this law to reflect the realities of our time is essential to ensuring that our Federal privacy laws keep pace with new technologies and the new threats to our security.

This bill takes several steps to protect Americans' privacy in the digital age. First, the bill makes common sense changes to the law regarding the privacy protections afforded to consumers' electronic communications. Under the current law, a single e-mail could be subject to as many as four different levels of privacy protections, depending upon where it is stored and when it was sent. The bill gets rid of the so-called "180-day rule" and replaces this confusing mosaic with one clear legal standard for the protection of the content of e-mails and other electronic communications. Under my bill, service providers are expressly prohibited from disclosing customer content and the government must obtain a search warrant, based on probable cause, to compel a service provider to disclose the content of a customer's electronic communications to the government.

This bill also provides important new consumer privacy protections for location information that is collected, used, or stored by service providers, smartphones, or other mobile technologies. To protect consumer privacy, my bill requires that the government

obtain either a search warrant, or a court order under the Foreign Intelligence Surveillance Act, in order to access or use an individual's smartphone or other electronic communications device to obtain geolocation information. There are well-balanced exceptions to the warrant requirement if the government needs to obtain location information to address an immediate threat to safety or national security, or when there is user consent or a call for emergency services. The bill also requires that the government obtain a search warrant in order to obtain contemporaneous, real-time, location information from a provider. There is an exception to the warrant requirement for emergency calls for service.

To address the role of new technologies in the changing mission of law enforcement, the bill also provides important new tools to law enforcement to fight crime and keep us safe. The bill clarifies the authority under the ECPA for the government to temporarily delay notifying an individual of that fact that the government has accessed the contents of their electronic communications, to protect the integrity of a government investigation. The bill also gives new authority to the government to delay notification in order to protect national security.

Lastly, the ECPA Amendments Act strengthens the tools available in ECPA to protect our national security and the security of our computer networks. The legislation creates a new limited exception to the nondisclosure requirements under the ECPA, so that a service provider can voluntarily disclose content to the government that is pertinent to addressing a cyberattack. To protect privacy and civil liberties, the bill also requires that, among other things, the Attorney General and the Secretary of Homeland Security submit an annual report to Congress detailing the number of accounts from which their departments received voluntary disclosures under this new cybersecurity exception.

In addition, the bill clarifies the kinds of subscriber records that the Federal Bureau of Investigations may obtain from a provider in connection with a counterintelligence investigation. This reform will help to make the process for obtaining this information more certain and efficient for both the government and providers.

I drafted this bill with one key principle in mind, that updates to the Electronic Communication Privacy Act must carefully balance the interests and needs of consumers, law enforcement, and our Nation's thriving technology sector. I also drafted this bill in careful consultation with many government and private sector stakeholders, including the Departments of Justice and Commerce, State and local

law enforcement, and members of the technology and privacy communities.

I thank the Digital Due Process Coalition and the many other stakeholders who support this bill. I also thank the Departments of Commerce and Justice for their guidance on how the ECPA impacts the needs of our law enforcement community and our national economy. I look forward to continuing to work with all of these stakeholders as this bill moves forward.

Two decades before Congress first enacted the Electronic Communications Privacy Act, Chief Justice Earl Warren wisely opined that "the fantastic advances in the field of electronic communications constitute a greater danger to the privacy of the individual." This aptly describes the state of our digital privacy rights today. The balanced reforms in this bill will help ensure that our Federal privacy laws address the many dangers to personal privacy posed by the rapid advances in electronic communications technologies. Accomplishing this challenging task will not be easy. But, with the introduction of the Electronic Communications Privacy Act Amendments Act of 2011, we take a significant step towards this very important goal.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1011

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Electronic Communications Privacy Act Amendments Act of 2011".

SEC. 2. PROHIBITION ON DISCLOSURE OF CONTENT.

Section 2702(a)(3) of title 18, United States Code, is amended to read as follows:

"(3) a provider of electronic communication service, remote computing service, or geolocation information service to the public shall not knowingly divulge to any governmental entity the contents of any communication described in section 2703(a), or any record or other information pertaining to a subscriber or customer of such provider or service."

SEC. 3. ELIMINATION OF 180 DAY RULE AND SEARCH WARRANT REQUIREMENT; REQUIRED DISCLOSURE OF CUSTOMER RECORDS.

(a) IN GENERAL.—Section 2703 of title 18, United States Code, is amended—

(1) by striking subsections (a), (b), and (c) and inserting the following:

"(a) CONTENTS OF WIRE OR ELECTRONIC COMMUNICATIONS IN ELECTRONIC STORAGE.—

"(1) IN GENERAL.—A governmental entity may require the disclosure by a provider of electronic communication service, remote computing service, or geolocation information service of the contents of a wire or electronic communication that is in electronic storage with or otherwise held or maintained by the provider if the governmental entity obtains a warrant issued and executed in accordance with the Federal Rules of Criminal

Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure.

"(2) NOTICE.—Except as provided in section 2705, not later than 3 days after a governmental entity receives the contents of a wire or electronic communication of a subscriber or customer from a provider of electronic communication service, remote computing service, or geolocation information service under paragraph (1), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail, or other means reasonably calculated to be effective, as specified by the court issuing the warrant, the subscriber or customer—

"(A) a copy of the warrant; and

"(B) a notice that includes the information referred to in section 2705(a)(5)(B)(i).

"(b) RECORDS CONCERNING ELECTRONIC COMMUNICATION SERVICE, REMOTE COMPUTING SERVICE, OR GEOLOCATION INFORMATION SERVICE.—

"(1) IN GENERAL.—Subject to paragraph (2) and subsection (g), a governmental entity may require a provider of electronic communication service, remote computing service, or geolocation information service to disclose a record or other information pertaining to a subscriber or customer of the provider or service (not including the contents of communications), only if the governmental entity—

"(A) obtains a warrant issued and executed in accordance with the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure;

"(B) obtains a court order directing the disclosure under subsection (c);

"(C) has the consent of the subscriber or customer to the disclosure; or

"(D) submits a formal written request relevant to a law enforcement investigation concerning telemarketing fraud for the name, address, and place of business of a subscriber or customer of the provider or service that is engaged in telemarketing (as defined in section 2325).

"(2) SUBPOENAS.—

"(A) IN GENERAL.—A governmental entity may require a provider of electronic communication service, remote computing service, or geolocation information service to disclose information described in subparagraph (B) if the governmental entity obtains—

"(i) an administrative subpoena under a Federal or State statute; or

"(ii) a Federal or State grand jury subpoena or trial subpoena.

"(B) REQUIREMENTS.—The information described in this subparagraph is—

"(i) the name of the subscriber or customer;

"(ii) the address of the subscriber or customer;

"(iii) the local and long distance telephone connection records, or records of session times and durations, of the subscriber or customer;

"(iv) length of service (including start date) and types of service utilized by the subscriber or customer;

"(v) telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address, of the subscriber or customer; and

"(vi) means and source of payment for such service (including any credit card or bank account number) of the subscriber or customer.

“(3) NOTICE NOT REQUIRED.—A governmental entity that receives records or information under this subsection is not required to provide notice to a subscriber or customer.”; and

(2) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) SECTION 2258A.—Section 2258A(h)(1) of title 18, United States Code, is amended by striking “section 2703(f)” and inserting “section 2703(e)”.

(2) SECTION 2703.—Section 2703(c) of title 18, United States Code, as redesignated by subsection (a), is amended—

(A) by striking “A court order for disclosure under subsection (b) or (c)” and inserting “A court order for disclosure under subsection (b)(1)(B) or (g)(3)(A)(ii)”;

(B) by striking “the contents of a wire or electronic communication, or the records or other information sought,” and inserting “the records, other information, or historical geolocation information sought”.

(3) SECTION 2707.—Section 2707(a) of title 18, United States Code, is amended by striking “section 2703(e)” and inserting “section 2703(d)”.

(4) SECTION 3486.—Section 3486(a)(1)(C)(i) of title 18, United States Code, is amended by striking “section 2703(c)(2)” and inserting “section 2703(b)(2)(B)”.

SEC. 4. DELAYED NOTICE.

Section 2705 of title 18, United States Code, is amended to read as follows:

“§ 2705. Delayed notice

“(a) DELAY OF NOTIFICATION.—

“(1) IN GENERAL.—A governmental entity that is seeking a warrant under section 2703(a) may include in the application for the warrant a request for an order delaying the notification required under section 2703(a) for a period of not more than 90 days.

“(2) DETERMINATION.—A court shall grant a request for delayed notification made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses;

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial; or

“(F) endangering national security.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of the delay of notification granted under paragraph (2) of not more than 90 days.

“(4) EXPIRATION OF THE DELAY OF NOTIFICATION.—Upon expiration of the period of delay of notification under paragraph (2) or (3), the governmental entity shall serve upon, or deliver to by registered or first-class mail, electronic mail or other means reasonably calculated to be effective as specified by the court approving the search warrant, the customer or subscriber—

“(A) a copy of the warrant; and

“(B) notice that informs the customer or subscriber—

“(i) that information maintained for the customer or subscriber by the provider of electronic communication service, remote computing service, or geolocation information service named in the process or request was supplied to, or requested by, the governmental entity;

“(ii) of the date on which the request to the provider for information was made by the governmental entity and the date on which the information was provided by the provider to the governmental entity;

“(iii) that notification of the customer or subscriber was delayed;

“(iv) the identity of the court authorizing the delay; and

“(v) of the provision of this chapter under which the delay was authorized.

“(b) PRECLUSION OF NOTICE TO SUBJECT OF GOVERNMENTAL ACCESS.—

“(1) IN GENERAL.—A governmental entity that is obtaining the contents of a communication or information or records under section 2703 or geolocation information under section 2713 may apply to a court for an order directing a provider of electronic communication service, remote computing service, or geolocation information service to which a warrant, order, subpoena, or other directive under section 2703 or 2713 is directed not to notify any other person of the existence of the warrant, order, subpoena, or other directive for a period of not more than 90 days.

“(2) DETERMINATION.—A court shall grant a request for an order made under paragraph (1) if the court determines that there is reason to believe that notification of the existence of the warrant, order, subpoena, or other directive may result in—

“(A) endangering the life or physical safety of an individual;

“(B) flight from prosecution;

“(C) destruction of or tampering with evidence;

“(D) intimidation of potential witnesses;

“(E) otherwise seriously jeopardizing an investigation or unduly delaying a trial; or

“(F) endangering national security.

“(3) EXTENSION.—Upon request by a governmental entity, a court may grant 1 or more extensions of an order granted under paragraph (2) of not more than 90 days.”.

SEC. 5. LOCATION INFORMATION PRIVACY.

(a) IN GENERAL.—Chapter 121 of title 18, United States Code, is amended by adding at the end the following:

“§ 2713. Location tracking of electronic communications device

“(a) PROHIBITION.—Except as provided in subsection (b), (c), or (d), no governmental entity may access or use an electronic communications device to acquire geolocation information.

“(b) ACQUISITION PURSUANT TO A WARRANT OR COURT ORDER.—A governmental entity may access or use an electronic communications device to acquire geolocation information if the governmental entity obtains—

“(1) a warrant issued and executed in accordance with the Federal Rules of Criminal Procedure relating to tracking devices (or, in the case of a State court, issued using State warrant procedures), issued by a court of competent jurisdiction authorizing the accessing or use of an electronic communications device to acquire geolocation information; or

“(2) a court order under title I or title VII of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801 et seq. and 1881 et seq.) authorizing the accessing or use of an electronic communications device to acquire geolocation information.

“(c) PERMITTED ACQUISITIONS WITHOUT COURT ORDER.—A governmental entity may access or use an electronic communications device to acquire geolocation information—

“(1) as permitted under section 222(d)(4) of the Communications Act of 1934 (47 U.S.C. 222(d)(4)) in order to respond to a call for

emergency services by a user of an electronic communications device; or

“(2) with the express consent of the owner or user of the electronic communications device concerned.

“(d) EMERGENCY ACQUISITION OF GEOLOCATION INFORMATION.—

“(1) IN GENERAL.—Subject to paragraph (2), an investigative or law enforcement officer specially designated by the Attorney General, the Deputy Attorney General, the Associate Attorney General, any Assistant Attorney General, any acting Assistant Attorney General, any United States attorney, any acting United States attorney, or the principal prosecuting attorney of any State or political subdivision thereof acting pursuant to a statute of that State may access or use an electronic communications device to acquire geolocation information if the investigative or law enforcement officer reasonably determines that—

“(A) an emergency situation exists that—

“(i) involves—

“(I) immediate danger of death or serious bodily injury to any person;

“(II) conspiratorial activities characteristic of organized crime; or

“(III) an immediate threat to national security; and

“(ii) requires the accessing or use of an electronic communications device to acquire geolocation information before an order authorizing the acquisition may, with due diligence, be obtained; and

“(B) there are grounds upon which an order could be entered under this section to authorize the accessing or use of an electronic communications device to acquire geolocation information.

“(2) ORDER AND TERMINATION.—If an investigative or law enforcement officer accesses or uses an electronic communications device to acquire geolocation information under paragraph (1)—

“(A) not later than 48 hours after the activity to acquire the geolocation information has occurred, or begins to occur, the investigative or law enforcement officer shall seek a warrant or order described in subsection (b) approving the acquisition; and

“(B) unless a warrant or order described in subsection (b) is issued approving the acquisition, the activity to acquire the geolocation information shall terminate immediately at the earlier of the time—

“(i) the information sought is obtained;

“(ii) the application for the warrant or order is denied; or

“(iii) at which 48 hours have elapsed since the activity to acquire the geolocation information began to occur.

“(3) VIOLATION AND SUPPRESSION OF EVIDENCE.—

“(A) IN GENERAL.—In a circumstance described in subparagraph (B), a court may determine that—

“(i) no information obtained, or evidence derived from, geolocation information acquired as part of the accessing or use of an electronic communications device to acquire geolocation information may be received into evidence or otherwise disclosed in any trial, hearing, or other proceeding in or before any court, grand jury, department, office, agency, regulatory body, legislative committee, or other authority of the United States, a State, or political subdivision thereof; and

“(ii) no information concerning any person acquired from the geolocation information may be used or disclosed in any other manner, without the consent of the person.

“(B) CIRCUMSTANCES.—A circumstance described in this subparagraph is any instance in which—

“(i) an investigative or law enforcement officer does not—

“(I) obtain a warrant or order described in subsection (b) within 48 hours of commencing the accessing or use of the electronic communications device; or

“(II) terminate the activity to acquire geolocation information in accordance with paragraph (2)(B); or

“(ii) a court denies the application for a warrant or order approving the accessing or use of an electronic communications device to acquire geolocation information.

“(e) ASSISTANCE AND COMPENSATION.—

“(1) IN GENERAL.—A warrant described in subsection (b)(1) authorizing the accessing or use of an electronic communications device to acquire geolocation information shall, upon request of the applicant, direct that a provider of electronic communication service, remote computing service, or geolocation information service shall provide to the applicant forthwith all information, facilities, and technical assistance necessary to accomplish the acquisition unobtrusively and with a minimum of interference with the services that the provider is providing to or through the electronic communications device in question.

“(2) COMPENSATION.—Any provider of electronic communication service, remote computing service, or geolocation information service providing information, facilities, or technical assistance under a directive under paragraph (1) shall be compensated by the applicant for reasonable expenses incurred in providing the information, facilities, or assistance.

“(f) NO CAUSE OF ACTION AGAINST A PROVIDER.—No cause of action shall lie in any court against any provider of electronic communication service, remote computing service, or geolocation information service, or an officer, employee, or agent of the provider or other specified person for providing information, facilities, or assistance necessary to accomplish an acquisition of geolocation information authorized under this section.”

(b) TECHNICAL AND CONFORMING AMENDMENTS.—Title 18 of the United States Code is amended—

(1) in the table of sections for chapter 121, by adding at the end the following:

“2713. Location tracking of electronic communications device.”;

(2) in section 2703—

(A) in subsection (d), as redesignated by section 3, by inserting “geolocation information service, or remote computing service,” after “electronic communication service.”;

(B) in subsection (e)(1), as redesignated by section 3, by striking “electronic communication services or a” and inserting “electronic communication service, geolocation information service, or”; and

(C) in subsection (f), as redesignated by section 3—

(i) by inserting “, geolocation information service,” after “electronic communication service”; and

(ii) by inserting “, geolocation information,” after “contents of communications”;

(3) in section 2711—

(A) in paragraph (3), by striking “and” at the end;

(B) in paragraph (4), by striking the period at the end and inserting a semicolon; and

(C) by adding at the end the following:

“(5) the term ‘electronic communications device’ means any device that enables access

to or use of an electronic communications system, electronic communication service, remote computing service, or geolocation information service;

“(6) the term ‘geolocation information’—

“(A) means any information concerning the location of an electronic communications device that is in whole or in part generated by or derived from the operation or use of the electronic communications device;

“(B) does not include—

“(i) information described in section 2703(b)(2)(B); or

“(ii) the contents of a communication;

“(7) the term ‘geolocation information service’ means the provision of a global positioning service or other mapping, locational, or directional information service;

“(8) the term ‘electronic communication identifiable information’ means the—

“(A) name of a person or entity;

“(B) address of a person or entity;

“(C) records of session times and durations of a person or entity;

“(D) length of service and types of service used by a person or entity;

“(E) telephone or instrument number or other subscriber number or identity (including any temporarily assigned network address) of a person or entity; and

“(F) dialing, routing, addressing, and signaling information associated with each communication to or from the subscriber account of a person or entity (including the date, time, and duration of the communications, without geographical limit);

“(9) the term ‘toll billing records’ means the—

“(A) name of a person or entity;

“(B) address of a person or entity;

“(C) length of service of a person or entity; and

“(D) local and long distance billing records of a person or entity; and

“(10) the term ‘customer’ means any person, or authorized representative of that person, who used or is using any service provided by an electronic communication service, remote computing service, or geolocation information service, regardless of whether the service was, or is, being provided for a monetary fee.”; and

(4) in section 3127—

(A) in paragraph (1), by striking “and ‘contents’ have” and inserting “‘contents’, and ‘geolocation information’ have”;;

(B) in paragraph (3), by inserting “ or geolocation information,” after “contents of any communication”; and

(C) in paragraph (4), by inserting “or geolocation information” after “contents of any communication”.

SEC. 6. REQUIRED DISCLOSURE OF LOCATION INFORMATION AND WARRANT REQUIREMENT.

Section 2703 of title 18, United States Code, as amended by section 3, is amended by adding at the end the following:

“(g) LOCATION INFORMATION.—

“(1) IN GENERAL.—Except as provided in paragraph (2), a governmental entity may not require a provider of electronic communication service, remote computing service, or geolocation information service to disclose geolocation information contemporaneously or prospectively.

“(2) EXCEPTIONS.—

“(A) WARRANTS.—A governmental entity may require a provider of electronic communication service, remote computing service, or geolocation information service to disclose geolocation information contemporaneously or prospectively pursuant to a warrant issued and executed in accordance with

the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures), issued by a court of competent jurisdiction.

“(B) CALL FOR EMERGENCY SERVICES.—A provider of electronic communication service, remote computing service, or geolocation information service may provide geolocation information contemporaneously or prospectively to a governmental entity as permitted under section 222(d)(4) of the Communications Act of 1934 (47 U.S.C. 222(d)(4)) in order to respond to a call for emergency services by a user of an electronic communications device.

“(3) HISTORICAL LOCATION INFORMATION.—

“(A) IN GENERAL.—A governmental entity may require a provider of electronic communication service, remote computing service, or geolocation information service to disclose historical geolocation information pertaining to a subscriber or customer of the provider only if the governmental entity—

“(i) obtains a warrant issued and executed in accordance with the Federal Rules of Criminal Procedure (or, in the case of a State court, issued using State warrant procedures) that is issued by a court of competent jurisdiction directing the disclosure;

“(ii) obtains a court order directing the disclosure under subsection (c); or

“(iii) has the consent of the subscriber or customer to the disclosure.

“(B) NOTICE NOT REQUIRED.—A governmental entity that receives historical geolocation information under subparagraph (A) is not required to provide notice to a subscriber or customer.”.

SEC. 7. VOLUNTARY DISCLOSURES TO PROTECT CYBERSECURITY.

Section 2702 of title 18, United States Code is amended—

(1) in subsection (b)(5), by inserting “, cybersecurity,” after “rights”;

(2) in subsection (c)(3), by inserting “, cybersecurity,” after “rights”; and

(3) by adding at the end the following:

“(e) REPORTING OF CYBERSECURITY DISCLOSURES.—On an annual basis, the Attorney General of the United States shall submit to the Committee on the Judiciary of the House of Representatives and the Committee on the Judiciary of the Senate a report containing—

“(1) the number of accounts from which the Federal Government has received voluntary disclosures under subsection (b)(5) that pertain to the protection of cybersecurity; and

“(2) a summary of the basis for disclosure in each instance where—

“(A) a voluntary disclosure under subsection (b)(5) that pertains to the protection of cybersecurity was made to the Department of Justice; and

“(B) the investigation pertaining to the disclosure was closed without the filing of criminal charges.”.

SEC. 8. ELECTRONIC COMMUNICATION IDENTIFIABLE INFORMATION.

(a) IN GENERAL.—Section 2709(a) of title 18, United States Code, is amended by striking “electronic communication transactional records” and inserting “electronic communication identifiable information”.

(b) REQUIRED CERTIFICATION.—Section 2709(b) of title 18, United States Code, is amended to read as follows:

“(b) REQUIRED CERTIFICATION.—The Director of the Federal Bureau of Investigation, or a designee in a position not lower than Deputy Assistant Director at Bureau headquarters or a Special Agent in Charge in a Bureau field office designated by the Director, may request the toll billing records and

electronic communication identifiable information of a person or entity if the Director (or designee) certifies in writing to the wire or electronic communication service provider or geolocation information service provider to which the request is made that the toll billing records and electronic communication identifiable information sought are relevant to an authorized investigation to protect against international terrorism or clandestine intelligence activities, provided that such an investigation of a United States person is not conducted solely on the basis of activities protected by the First Amendment to the Constitution of the United States.”.

By Mr. BAUCUS (for himself, Mr. HATCH, Mr. ROCKEFELLER, and Mr. ENZI):

S. 1013. A bill to renew the authority of the Secretary of Health and Human Services to approve demonstration projects designed to test innovative strategies in State child welfare programs; to the Committee on Finance.

Mr. BAUCUS. Mr. President, the Finance Committee has a long history of working together in a bi-partisan fashion in the interest of children in Montana and across the Nation. I am happy to have you as a partner on child welfare issues. The Fostering Connections to Success and Increasing Adoptions Act of 2008 was a first step on the road to reforming the child welfare system. Today, with the introduction of the State Child Welfare Innovation Act, we take another step on the path toward making lives better for the children we serve.

As the authors of this legislation, we build on the successes of waivers since they were first authorized in 1994. Since that time, these waivers have given States the flexibility needed to focus on new practices that prevent abuse and neglect and encourage permanency for children in our child welfare system.

It is important for us to understand that the goal of reauthorizing child welfare waivers is not simply to develop and test new service delivery models, but to put in place sound practices that state innovation has determined to be effective in increasing positive outcomes for youth in the system.

Our March 11 hearing entitled “Innovations in Child Welfare Waivers” continued a productive conversation and helped us to craft legislation to address some of the issues facing our Nation’s most-vulnerable youth. I was happy we were able to welcome two graduates of the foster care system to share their perspectives. In our conversations with youth, service providers and local government officials, we have noted the successes of the program in spurring innovative new practices while listening to the concerns regarding the challenges that they have faced in the implementation of these waivers and in the system overall.

In this legislation, we continued to focus the waivers on producing im-

provements in three important areas: the prevention of abuse and neglect; safety for children at home and in placements; and permanency outcomes. We have also asked States to focus on increasing the quality of care for kids in the foster care system. We heard from youth about what is important to them, including knowing what your rights are and understanding how to reconnect with biological parents in a healthy way. I am so pleased we were able to work together to give States the opportunity and incentive to address these concerns.

Mr. HATCH. Mr. President, I am also pleased to join with my partner on the Senate Finance Committee in producing bipartisan legislation that gives States increased flexibility to improve the lives of children and youth.

The legislation we will introduce today is the product of many months of work and is the result of an open and transparent process bringing together relevant stakeholders. The Committee has heard from the state groups, the advocacy community and most importantly, youth both in and out of the foster care system. Young people in “Foster Club,” have a saying: “Nothing about us, without us.” We have taken their motto to heart and the legislation we are introducing today reflects years of input for youth in and out of foster care.

I agree with the Chairman of the Finance Committee when he characterized the State Child Welfare Innovation Act as another step on the pathway to comprehensive child welfare reform.

Comprehensive child welfare reform is desperately needed. The current financing system is antiquated, relying on an income eligibility proxy dating back to pre-welfare reform standards. The majority of Federal support goes to the least desirable outcome: the placement of a child or youth into foster care. Federal priorities should be aligned so that States are able to keep families together, safely.

But financing reform is not enough. The underlying foster care system needs to be improved. Often times when children enter foster care, siblings are separated. Children and youth are shuttled from place to place. Their education is disrupted. Their ability to play sports or engage in after school activities is thwarted. Under the current system, about 30,000 young people a year exit foster care without a permanent connection and are at risk for homelessness, incarceration and drug abuse.

My State of Utah informs me that with flexibility, Utah can improve on the State’s decade-old effort to protect children and strengthen families.

As we look to make improvements to our social service delivery systems, we should be relying on the States to chart the way through flexibility and

innovation. The States are the critical units within our constitutional democracy. The States are the laboratories of democracy, where appropriate solutions to problems are best crafted. The Federal Government needs to give States maximum flexibility in crafting solutions that work for their citizens. I am pleased that this legislation is consistent with that approach and look forward to making further progress to improve the lives of children and young people.

Mr. BAUCUS. I am happy to introduce this legislation with my partner on the Senate Finance Committee, the Ranking Member of that Committee, Senator HATCH. I look forward to a new chapter in our work together that helps put our Nation’s child welfare system on the pathway to reform.

By Mrs. FEINSTEIN (for herself, Mr. KYL, Mr. CORNYN, Ms. KLOBUCHAR, Mr. MCCAIN, Mrs. HUTCHISON, and Mr. FRANKEN):

S. 1014. A bill to provide for additional Federal district judgeships; to the Committee on the Judiciary.

Mrs. FEINSTEIN. Mr. President, I rise to introduce, together with my colleague and friend Senator KYL, the Emergency Judicial Relief Act of 2011.

This bill would create a total of ten District judgeships in five courts across the country that are facing true emergency situations.

I want to thank our cosponsors, Senators CORNYN, KLOBUCHAR, BOXER, MCCAIN, HUTCHISON, and FRANKEN, for working with Senator KYL and me on this bill.

As a member of the Senate, I take very seriously our duty to ensure that the Nation’s Federal courts have the resources they need to administer justice for the American people. Our Federal courts bear responsibility for adjudicating criminal cases, deciding civil rights and employment cases, and resolving commercial disputes between companies. When our courts become overburdened, we leave crime victims and criminal defendants in limbo and civil litigants without resolution to their problems.

In the Eastern District of California, the need for additional judges is acute. This District, which extends over 87,000 miles and encompasses California’s Central Valley, faces far and away the worst caseload crisis in the Nation.

The District is home to more than eight million Californians, but it has only 6 active District Judges. For three decades, the District’s population has been steadily growing, but the size of the Court has been unchanged. Congress has not created a permanent judgeship in the Eastern District since 1978 and the only temporary judgeship created was allowed to expire and never renewed despite repeated attempts by myself and Senator LEAHY.

The result is unacceptable. As of December 31, 2010, the District was managing 1,133 weighted filings per authorized judgeship, a caseload that is not only the highest in the Nation, but also 300 weighted filings per judge higher than any other District Court in the country and almost three times the threshold at which the Judicial Conference recommends additional judgeships.

For everyday life, what this means is that individuals and businesses must wait months, or even years to have their disputes resolved. According to the most recent statistics, criminal felony cases remained pending in this court for a median of 12.7 months; and more than 10 percent of all civil cases were taking more than 3 years from the date of filing to be decided.

The delay is not for lack of effort. As Judge Lawrence O'Neill testified before the Senate Judiciary Committee in 2009, the Eastern District's judges are among the most productive in the Nation, and the court is utilizing every resource currently at its disposal. The caseloads are simply unmanageable.

U.S. Supreme Court Chief Justice John Roberts has publicly remarked on the problems in the District; so has Associate Justice Anthony Kennedy; and the Judicial Conference of the United States has formally called on Congress to create more judgeships here.

The Emergency Judicial Relief Act of 2011 would provide a narrow, targeted solution.

The bill would create new judgeships in five Districts across the country where the need is most staggering, four in the Eastern District of California, two in the District of Arizona; two in the Western District of Texas; one in the Southern District of Texas; and one in the District of Minnesota. Additionally, the bill would convert a temporary judgeship in the District of Arizona and one in the Central District of California to permanent status. The bill would be offset by raising civil filing fees \$10, from \$350 to \$360.

Let me be clear. California needs far more judgeships than this bill would create, and I will work with my colleagues to create those badly needed judgeships.

In the meantime, this bill is a narrow, emergency measure to provide relief in the handful of Districts that need it the very most.

I urge my colleagues to work with me to pass this commonsense, good government bill.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1014

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Emergency Judicial Relief Act of 2011".

SEC. 2. FEDERAL DISTRICT JUDGESHIPS.

(a) ADDITIONAL PERMANENT DISTRICT JUDGESHIP.—The President shall appoint, by and with the advice and consent of the Senate—

- (1) 2 additional district judges for the district of Arizona;
- (2) 4 additional district judges for the eastern district of California;
- (3) 1 additional district judge for the district of Minnesota;
- (4) 1 additional district judge for the southern district of Texas; and
- (5) 2 additional district judges for the western district of Texas.

(b) CONVERSION OF TEMPORARY JUDGESHIPS.—The existing judgeships for the district of Arizona and the central district of California authorized by section 312(c) of the 21st Century Department of Justice Appropriations Authorization Act (28 U.S.C. 133 note; Public Law 107-273; 116 Stat. 1788), as of the effective date of this Act, shall be authorized under section 133 of title 28, United States Code, and the incumbents in those offices shall hold the office under section 133 of title 28, United States Code, as amended by this Act.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The table contained in section 133(a) of title 28, United States Code, is amended—

(1) by striking the item relating to the district of Arizona and inserting the following:

"Arizona 15";

(2) by striking the item relating to California and inserting the following:

"California:
Northern 14
Eastern 10
Central 28
Southern 13";

(3) by striking the item relating to the district of Minnesota and inserting the following:

"Minnesota 8"; and

(4) by striking the item relating to Texas and inserting the following:

"Texas:
Northern 12
Southern 20
Eastern 7
Western 15".

(d) INCREASE IN FILING FEES.—Section 1914(a) of title 28, United States Code, is amended by striking "\$350" and inserting "\$360".

By Mr. BINGAMAN (for himself, Mr. CRAPO, Mr. KERRY, Ms. SNOWE, Mr. CARDIN, and Mr. GRASSLEY):

S. 1016. A bill to amend the Internal Revenue Code of 1986 to permanently modify the limitations on the deduction of interest by financial institutions which hold tax-exempt bonds, and for other purposes; to the Committee on Finance.

Mr. BINGAMAN. Mr. President, I rise today to introduce the Municipal Bond Market Support Act of 2011. This bill is similar to ones that Senator CRAPO and I introduced in the 110th and 111th Congresses. I am grateful for Senator CRAPO's continued leadership on this

issue, as well as the cosponsorship of our Finance Committee colleagues, Senators KERRY, SNOWE, CARDIN, and GRASSLEY.

Municipal bonds have long played an essential role in financing the construction, expansion, and repair of schools; highways, roads, and bridges; affordable housing; hospitals; public transit; water and sewage systems; and community-owned utilities. Since the enactment of the Federal income tax in 1913, Congress has supported the municipal bond market by exempting municipal bond interest from taxation. Tax exemption confers Federal assistance on State and local capital investments; it also recognizes that decisions about which projects to fund are most appropriately made at the State or local level.

Historically, banks were significant purchasers of tax-exempt debt. But the Tax Reform Act of 1986 severely curtailed banks' participation by automatically disallowing deductions for interest expense whenever municipal bonds are purchased. The 1986 Act left an exception only for bonds purchased from smaller municipalities, those selling no more than \$10 million of bonds each year. But because the \$10 million level was not indexed to inflation, its purchasing power has eroded significantly since 1986, leaving many smaller governments and non-profit educational and health care facilities either to defer projects to comply with this low limit or find non-bank purchasers.

I was very pleased that the American Recovery and Reinvestment Act incorporated a bill that Senator CRAPO and I introduced, the Municipal Bond Market Support Act of 2009, raising the \$10 million small issuer exception to \$30 million. Additionally, the Recovery Act included a provision ensuring that the small issuer is made applicable at the ultimate borrower level, so that bonds benefiting non-profit universities and hospitals will not exceed the limitation merely because they issue bonds through statewide authorities.

Taken together, those steps significantly enhanced demand for debt issued by small municipal governments, enabling municipalities across the Nation, and particularly those in small and rural communities, to finance the critical infrastructure projects that play an important role in growing our national economy.

In 2009, the dollar amount of bank qualified issuances reached \$32.7 billion, double the prior year's level, with more than 6,000 issuances. Beneficiaries included a broad range of counties, cities, and school districts in all corners of my home state of New Mexico. For instance, the proceeds of a \$17 million bond issued by Santa Fe County financed roads, trails and parks for open space, a fire facility, a solid waste transfer station, water rights acquisition and water projects. The City of

Artesia completed two bank-qualified transactions, to finance building a public safety complex and a new waste water treatment facility. The Bloomfield School District placed \$19 million in bank-qualified debt to finance capital expenditures. Similarly, in 2010, issuances climbed even further, to \$36.8 billion, with more than 6,700 issuances representing a similarly diverse array of counties, cities, school districts, infrastructure districts, and hospitals across my home state of New Mexico and the country.

The ARRA-enacted provisions helped small communities across New Mexico and the country finance critical infrastructure needs and create jobs. The higher bank-qualified limit is a great success and deserves to be made permanent. The bill that Senators CRAPO, KERRY, SNOWE, CARDIN, GRASSLEY, and I are introducing today would do just that, ensuring that smaller governments and non-profit educational and health care facilities can finance their capital needs, particularly in periods of tight credit, and save taxpayer dollars.

At least 14 national organizations representing issuers of tax-exempt bonds are supporting the Act. These include the American Hospital Association; American Public Power Association; Council of Development Finance Authorities; Council of Infrastructure Financing Authorities; Government Finance Officers Association; International City/County Management Association; International Municipal Lawyers Association; National Association of College and University Business Officers; National Association of Counties; National Association of Health and Educational Facilities Finance Authorities; National Association of State Auditors, Comptrollers, and Treasurers; National Association of State Treasurers; National League of Cities; and the U.S. Conference of Mayors. I urge my colleagues to join these organizations in supporting our bill, to ensure that small municipalities across the country are able to finance critical infrastructure projects at reduced costs to their residents.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1016

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Municipal Bond Market Support Act of 2011".

SEC. 2. PERMANENT MODIFICATION OF SMALL ISSUER EXCEPTION TO TAX-EXEMPT INTEREST EXPENSE ALLOCATION RULES FOR FINANCIAL INSTITUTIONS.

(a) PERMANENT INCREASE IN LIMITATION.—Subparagraphs (C)(i), (D)(i), and (D)(iii)(II) of section 265(b)(3) of the Internal Revenue

Code of 1986 are each amended by striking "\$10,000,000" and inserting "\$30,000,000".

(b) PERMANENT MODIFICATION OF OTHER SPECIAL RULES.—Paragraph (3) of section 265(b) of the Internal Revenue Code of 1986 is amended—

(1) by redesignating clauses (iv), (v), and (vi) of subparagraph (G) as clauses (ii), (iii), and (iv) of such subparagraph, respectively, and

(2) by striking so much of subparagraph (G) as precedes such clauses and inserting the following:

"(G) QUALIFIED 501(c)(3) BONDS TREATED AS ISSUED BY EXEMPT ORGANIZATION.—In the case of a qualified 501(c)(3) bond (as defined in section 145), this paragraph shall be applied by treating the 501(c)(3) organization for whose benefit such bond was issued as the issuer.

"(H) SPECIAL RULE FOR QUALIFIED FINANCINGS.—

"(i) IN GENERAL.—In the case of a qualified financing issue—

"(I) subparagraph (F) shall not apply, and

"(II) any obligation issued as a part of such issue shall be treated as a qualified tax-exempt obligation if the requirements of this paragraph are met with respect to each qualified portion of the issue (determined by treating each qualified portion as a separate issue which is issued by the qualified borrower with respect to which such portion relates)."

(c) INFLATION ADJUSTMENT.—Paragraph (3) of section 265(b) of the Internal Revenue Code of 1986, as amended by subsection (b), is amended by adding at the end the following new subparagraph:

"(I) INFLATION ADJUSTMENT.—In the case of any calendar year after 2011, the \$30,000,000 amounts contained in subparagraphs (C)(i), (D)(i), and (D)(iii)(II) shall each be increased by an amount equal to—

"(i) such dollar amount, multiplied by

"(ii) the cost-of-living adjustment determined under section 1(f)(3) for such calendar year, determined by substituting 'calendar year 2010' for 'calendar year 1992' in subparagraph (B) thereof.

Any increase determined under the preceding sentence shall be rounded to the nearest multiple of \$100,000."

(d) EFFECTIVE DATE.—The amendments made by this section shall apply to obligations issued after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 186—HONORING THE 100TH ANNIVERSARY OF THE UNITED STATES ARMY FIELD ARTILLERY SCHOOL AT FORT SILL, OKLAHOMA

Mr. INHOFE (for himself and Mr. COBURN) submitted the following resolution; which was considered and agreed to:

S. RES. 186

Whereas May 19, 2011, has been set aside as Field Artillery Day at Fort Sill, Oklahoma, the Home of the Field Artillery, to commemorate the 100th anniversary of the School of Fire for the Field Artillery;

Whereas the School of Fire for the Field Artillery at Fort Sill was established on June 5, 1911, under the command of Captain Dan T. Moore, its first commandant;

Whereas the first class of 14 captains and 22 non-commissioned officers arrived on Sep-

tember 15, 1911, and the school continues to operate today as the world renowned United States Army Field Artillery School;

Whereas thousands of soldiers, Marines, and allied foreign military students have been trained for service in the Field Artillery at the United States Army Field Artillery School;

Whereas the Field Artillery lives up to its nickname, "The King of Battle", by continuing to be the most responsive all-weather fire support available to ground forces engaged in combat;

Whereas the modern Field Artillery branch employs, and the United States Army Field Artillery School trains troops on, a variety of powerful weapons, from the 105 millimeter M-199 howitzer, the 155 millimeter M-777 lightweight howitzer, and the 155 millimeter Paladin self-propelled howitzer to the Multiple Launch Rocket System;

Whereas the United States Army Field Artillery School has trained Field Artillery officers and non-commissioned officers to be the Army's experts on the employment of lethal and non-lethal effects that have contributed to our Nation's successes in Iraq and Afghanistan;

Whereas Field Artillery officers stand among our Nation's most revered civilian and military leaders, including founding fathers and Revolutionary War officers Alexander Hamilton and Henry Knox; Major General William J. Snow, the first Chief of the Field Artillery; Captain Harry S. Truman of the Missouri National Guard; Generals Jack Vessey, John Shalikashvili, and Maxwell Taylor, Chairmen of the Joint Chiefs of Staff; Generals William Westmoreland, Carl Vuono, and Dennis Reimer, Chiefs of Staff of the Army; General Tommy Franks, U.S. Central Command Commander who led coalition forces during Operation Iraqi Freedom; and General Raymond Odierno, U.S. Joint Forces Command Commander, who led Multi-National Forces-Iraq;

Whereas Field Artillerymen have fought with courage, strength, and fidelity in every United States conflict, and have been awarded more than 90 Medals of Honor, including, most recently, a Medal of Honor awarded posthumously to Sergeant First Class Jared Monti, a forward observer in Afghanistan who demonstrated conspicuous gallantry and intrepidity as he called in artillery fire to save his outnumbered patrol and was mortally wounded as he attempted to save a fellow soldier; and

Whereas the people of the United States take great pride in the history of Fort Sill, the United States Army Field Artillery School, and the continuing critical role that the Field Artillery plays in the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) honors the 100th anniversary of the United States Army Field Artillery School at Fort Sill, Oklahoma; and

(2) honors the long line of men and women of the Army Field Artillery who have served and continue to serve in the protection of the national security of the United States.

SENATE RESOLUTION 187—SUPPORTING NATIONAL MINORITY HEALTH AWARENESS IN ORDER TO BRING ATTENTION TO THE SEVERE HEALTH DISPARITIES FACED BY MINORITY POPULATIONS SUCH AS AMERICAN INDIANS AND ALASKA NATIVES, ASIANS, BLACKS OR AFRICAN AMERICANS, HISPANICS OR LATINOS, AND NATIVE HAWAIIANS AND OTHER PACIFIC ISLANDERS

Mr. CARDIN (for himself, Ms. MURKOWSKI, and Mr. BEGICH) submitted the following resolution; which was considered and agreed to:

S. RES. 187

Whereas many minority populations disproportionately experience health care barriers, exposure to environmental hazards, mortality, morbidity, behavioral risk factors, disability status, and unique social determinants of health;

Whereas the expected increase in minority populations in the near future will impact the entire health system of the United States, making the collective improved health of minority populations even more critical to the Nation;

Whereas the Department of Health and Human Services has identified 6 main categories in which racial and ethnic minorities experience the most disparate access and health outcomes, including infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV/AIDS infection, and immunizations;

Whereas according to the Centers for Disease Control and Prevention, African-American, American Indian, and Puerto Rican infants have higher mortality rates than White infants;

Whereas African-American women are more than twice as likely to die of cervical cancer than White women and are more likely to die of breast cancer than women of any other racial or ethnic group;

Whereas in 2006, among adults older than 44, the rate of death from coronary heart disease was 20 percent higher among African Americans than among Whites, and the death rate from stroke was 48 percent higher among African Americans than among Whites;

Whereas in 2008, as compared to non-Hispanic Whites, African American adults were 6 times more likely to have medically-diagnosed diabetes, Hispanics were 1.5 times more likely to have medically-diagnosed diabetes, and Asians were 1.2 times more likely to have medically-diagnosed diabetes;

Whereas African Americans and Hispanics represented only 27 percent of the United States population in 2008, but accounted for an estimated 68 percent of adult AIDS diagnoses and 71 percent of estimated pediatric AIDS diagnoses in 2008;

Whereas in 2008, Hispanics and African Americans age 65 and older were less likely than non-Hispanic Whites to report having received influenza and pneumococcal vaccines;

Whereas American Indians and Alaska Natives have a life expectancy that is 5.2 years less than the life expectancy of the population of the United States overall;

Whereas the Department of Health and Human Services has identified diseases of the heart, malignant neoplasm, unintentional injuries, diabetes, and cerebrovascular

disease as the 5 leading causes of death among American Indians and Alaska Natives;

Whereas American Indians and Alaska Natives die at higher rates than other people in the United States from tuberculosis, diabetes, unintentional injuries, and suicide; and

Whereas health care experts, policymakers and tribal leaders are seeking to address the disproportionate disease burden and lower life expectancy for the American Indian and Alaska Native people by examining various factors that contribute to health status: Now, therefore, be it

Resolved, That the Senate supports national minority health awareness in order to bring attention to the severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs, be authorized to meet during the session of the Senate on May 17, 2011, at 10 a.m., to conduct a hearing entitled "Oversight and Reauthorization of the Export-Import Bank of the United States."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on May 17, 2011, at 10 a.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FINANCE

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session of the Senate on May 17, 2011, at 10 a.m., in 215 Dirksen Senate Office Building, to conduct a hearing entitled "Financing 21st Century Infrastructure."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2011, at 9:30 a.m., to hold a hearing entitled, "Strategic Implications of Pakistan and the Region."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON FOREIGN RELATIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 17, 2011, at 2:15 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on May 17, 2011, at 2:30 p.m. in room SD-430 of the Senate Dirksen Office Building, to conduct a hearing entitled "A Nation Prepared: Strengthening Medical and Public Health Preparedness and Response."

The PRESIDING OFFICER. Without objection, it is so ordered.

SELECT COMMITTEE ON INTELLIGENCE

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on May 17, 2011, at 3:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON FEDERAL FINANCIAL MANAGEMENT, GOVERNMENT INFORMATION, FEDERAL SERVICES, AND INTERNATIONAL SECURITY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security be authorized to meet during the session of the Senate on May 17, 2011, at 10:30 a.m. to conduct a hearing entitled, "Addressing the U.S. Postal Service's Financial Crisis."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON IMMIGRATION, REFUGEES, AND BORDER SECURITY

Mr. LIEBERMAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary, Subcommittee on Immigration, Refugees, and Border Security, be authorized to meet during the session of the Senate, on May 17, 2011, at 10 a.m. in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Improving Security and Facilitating Commerce at America's Northern Border and Ports of Entry."

The PRESIDING OFFICER. Without objection, it is so ordered.

HONORING THE 100TH ANNIVERSARY OF THE U.S. ARMY FIELD ARTILLERY SCHOOL

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 186, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 186) honoring the 100th anniversary of the United States Army

Field Artillery School at Fort Sill, Oklahoma.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 186) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 186

Whereas May 19, 2011, has been set aside as Field Artillery Day at Fort Sill, Oklahoma, the Home of the Field Artillery, to commemorate the 100th anniversary of the School of Fire for the Field Artillery;

Whereas the School of Fire for the Field Artillery at Fort Sill was established on June 5, 1911, under the command of Captain Dan T. Moore, its first commandant;

Whereas the first class of 14 captains and 22 non-commissioned officers arrived on September 15, 1911, and the school continues to operate today as the world renowned United States Army Field Artillery School;

Whereas thousands of soldiers, Marines, and allied foreign military students have been trained for service in the Field Artillery at the United States Army Field Artillery School;

Whereas the Field Artillery lives up to its nickname, "The King of Battle", by continuing to be the most responsive all-weather fire support available to ground forces engaged in combat;

Whereas the modern Field Artillery branch employs, and the United States Army Field Artillery School trains troops on, a variety of powerful weapons, from the 105 millimeter M-199 howitzer, the 155 millimeter M-777 lightweight howitzer, and the 155 millimeter Paladin self-propelled howitzer to the Multiple Launch Rocket System;

Whereas the United States Army Field Artillery School has trained Field Artillery officers and non-commissioned officers to be the Army's experts on the employment of lethal and non-lethal effects that have contributed to our Nation's successes in Iraq and Afghanistan;

Whereas Field Artillery officers stand among our Nation's most revered civilian and military leaders, including founding fathers and Revolutionary War officers Alexander Hamilton and Henry Knox; Major General William J. Snow, the first Chief of the Field Artillery; Captain Harry S. Truman of the Missouri National Guard; Generals Jack Vessey, John Shalikashvili, and Maxwell Taylor, Chairmen of the Joint Chiefs of Staff; Generals William Westmoreland, Carl Vuono, and Dennis Reimer, Chiefs of Staff of the Army; General Tommy Franks, U.S. Central Command Commander who led coalition forces during Operation Iraqi Freedom; and General Raymond Odierno, U.S. Joint Forces Command Commander, who led Multi-National Forces-Iraq;

Whereas Field Artillerymen have fought with courage, strength, and fidelity in every United States conflict, and have been awarded more than 90 Medals of Honor, including, most recently, a Medal of Honor awarded posthumously to Sergeant First Class Jared Monti, a forward observer in Afghanistan who demonstrated conspicuous gallantry and

intrepidity as he called in artillery fire to save his outnumbered patrol and was mortally wounded as he attempted to save a fellow soldier; and

Whereas the people of the United States take great pride in the history of Fort Sill, the United States Army Field Artillery School, and the continuing critical role that the Field Artillery plays in the defense of the United States: Now, therefore, be it

Resolved, That the Senate—

(1) honors the 100th anniversary of the United States Army Field Artillery School at Fort Sill, Oklahoma; and

(2) honors the long line of men and women of the Army Field Artillery who have served and continue to serve in the protection of the national security of the United States.

SUPPORTING NATIONAL MINORITY HEALTH AWARENESS

Mr. DURBIN. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 187, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The assistant legislative clerk read as follows:

A resolution (S. Res. 187) supporting national minority health awareness in order to bring attention to the severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders.

There being no objection, the Senate proceeded to consider the resolution.

Mr. DURBIN. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the measure be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 187) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 187

Whereas many minority populations disproportionately experience health care barriers, exposure to environmental hazards, mortality, morbidity, behavioral risk factors, disability status, and unique social determinants of health;

Whereas the expected increase in minority populations in the near future will impact the entire health system of the United States, making the collective improved health of minority populations even more critical to the Nation;

Whereas the Department of Health and Human Services has identified 6 main categories in which racial and ethnic minorities experience the most disparate access and health outcomes, including infant mortality, cancer screening and management, cardiovascular disease, diabetes, HIV/AIDS infection, and immunizations;

Whereas according to the Centers for Disease Control and Prevention, African-Amer-

ican, American Indian, and Puerto Rican infants have higher mortality rates than White infants;

Whereas African-American women are more than twice as likely to die of cervical cancer than White women and are more likely to die of breast cancer than women of any other racial or ethnic group;

Whereas in 2006, among adults older than 44, the rate of death from coronary heart disease was 20 percent higher among African Americans than among Whites, and the death rate from stroke was 48 percent higher among African Americans than among Whites;

Whereas in 2008, as compared to non-Hispanic Whites, African American adults were 6 times more likely to have medically-diagnosed diabetes, Hispanics were 1.5 times more likely to have medically-diagnosed diabetes, and Asians were 1.2 times more likely to have medically-diagnosed diabetes;

Whereas African Americans and Hispanics represented only 27 percent of the United States population in 2008, but accounted for an estimated 68 percent of adult AIDS diagnoses and 71 percent of estimated pediatric AIDS diagnoses in 2008;

Whereas in 2008, Hispanics and African Americans age 65 and older were less likely than non-Hispanic Whites to report having received influenza and pneumococcal vaccines;

Whereas American Indians and Alaska Natives have a life expectancy that is 5.2 years less than the life expectancy of the population of the United States overall;

Whereas the Department of Health and Human Services has identified diseases of the heart, malignant neoplasm, unintentional injuries, diabetes, and cerebrovascular disease as the 5 leading causes of death among American Indians and Alaska Natives;

Whereas American Indians and Alaska Natives die at higher rates than other people in the United States from tuberculosis, diabetes, unintentional injuries, and suicide; and

Whereas health care experts, policymakers and tribal leaders are seeking to address the disproportionate disease burden and lower life expectancy for the American Indian and Alaska Native people by examining various factors that contribute to health status: Now, therefore, be it

Resolved, That the Senate supports national minority health awareness in order to bring attention to the severe health disparities faced by minority populations such as American Indians and Alaska Natives, Asians, Blacks or African Americans, Hispanics or Latinos, and Native Hawaiians and other Pacific Islanders.

APPOINTMENTS

The PRESIDING OFFICER. The Chair, pursuant to Executive Order 12131, renewed by Executive Order 13446, reappoints the following members to the President's Export Council: the Senator from Idaho (Mr. CRAPO), and the Senator from Texas (Mr. CORNYN).

ORDERS FOR WEDNESDAY, MAY 18, 2011

Mr. DURBIN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, May 18;

that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; and that following leader remarks, the Senate proceed to a period for the transaction of morning business until 10:30 a.m. for debate only, with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided or controlled between the two leaders or their designees; finally, that the Senate resume consideration of the motion to proceed to S. 953, the Offshore Production and Safety Act, as under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. DURBIN. Mr. President, there will be a rollcall vote tomorrow around 2:30 p.m. on the motion to proceed to S. 953.

Additionally, the majority leader filed cloture on the nomination of Goodwin Liu to be U.S. Circuit Judge for the Ninth Circuit. As a result, Senators should expect a cloture vote on the nomination sometime Thursday.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. DURBIN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it adjourn under the previous order.

There being no objection, the Senate, at 7:32 p.m., adjourned until Wednesday, May 18, 2011, at 10 a.m.

CONFIRMATION

Executive nomination confirmed by the Senate, May 17, 2011:

THE JUDICIARY

SUSAN L. CARNEY, OF CONNECTICUT, TO BE UNITED STATES CIRCUIT JUDGE FOR THE SECOND CIRCUIT.

SENATE—Wednesday, May 18, 2011

The Senate met at 10 a.m. and was called to order by the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York.

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Ever loving and eternal God, source of light that never dims and of love that never fails, draw near to our Senators as You teach and lead them nearer to You. Make them children of faith and heirs of peace. May they tackle each challenge with integrity and faithfulness, cheerfulness and kindness, optimism and civility. Lord, keep them ever mindful of life's brevity and of the importance of being faithful even in little things. Give them the wisdom to be patient with others, ever lenient to their faults, and ever prompt to praise their virtues. May they bear with one another's burdens and so fulfill Your law.

We pray in Your sacred Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable KIRSTEN E. GILLIBRAND led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. INOUE).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, May 18, 2011.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable KIRSTEN E. GILLIBRAND, a Senator from the State of New York, to perform the duties of the Chair.

DANIEL K. INOUE,
President pro tempore.

Mrs. GILLIBRAND thereupon assumed the chair as Acting President pro tempore.

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

Mr. REID. Madam President, following any leader remarks, the Senate will be in morning business until 10:30 this morning. At 10:30, the Senate will resume consideration of the motion to proceed to S. 953. There will be 4 hours of debate. At approximately 2:30 p.m., there will be a rollcall vote on the motion to proceed to that legislation, with a 60-vote threshold. I filed cloture last night on the nomination of Goodwin Liu to be a U.S. circuit judge for the Ninth Circuit. The cloture vote on his nomination will be tomorrow.

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Republican leader is recognized.

OFFSHORE PRODUCTION AND SAFETY ACT

Mr. MCCONNELL. Madam President, last night, Senate Democrats put forth a plan to raise taxes on American energy that, in their words, would have done nothing to lower the price of gas at the pump. As the chairman of the Finance Committee put it: "That's not the issue."

I think for most Americans, high gas prices actually are the issue.

According to a Gallup poll that came out this week, nearly 7 out of 10 Americans say the high cost of gas at the pump is causing financial hardship for their families. More than half of Americans say they have made major changes to compensate for it. More than 1 in 5 say high gas prices are jeopardizing their standard of living.

Americans are struggling. My constituents in Kentucky are hurting. They want relief, and all they are getting from Democrats in Washington is a dog and pony show. Their own Members admit their legislative proposals are gimmicks. They spent a week vilifying the energy industry and another week trying to punish them.

The legislation they proposed yesterday would have done three things: destroy jobs, send American jobs overseas, and make us more dependent on foreign sources of oil. That is what yesterday's bill would have done.

Democrats themselves admit it would not lower gas prices by a penny. So it is a fair question: What in the world are they doing? Once again, Democrats have been faced with a crisis and have done their best to turn it into a political exercise rather than

doing something to actually help people and create jobs.

They pushed a tax on energy because evidently some of their leaders think it polls well. So does Mother's Day. I would suggest Democrats spend a little more time looking at the price of gas at their local gas stations than at the latest polling numbers about class warfare rhetoric.

At a time when Americans are genuinely struggling out there, the Democrats have chosen to waste 2 weeks making a political statement rather than in trying to make a difference.

The American people deserve a lot better than that, and that is why Republicans have offered the Offshore Production and Safety Act of 2011, which we will vote on later today.

Our plan has basically three objectives; first, to restore American offshore production; second, to improve safety; third, to require bureaucrats in Washington to get to work on the permitting process to make a decision one way or the other.

It would have three corresponding effects. First, and most important, our plan would help reduce the price of gas at the pump. By unlocking our own domestic resources and speeding up the permitting process, our plan would actually do something to increase supply, putting downward pressure on price. As the Democratic Senator from Missouri said yesterday: "The more supply, the less the price."

It would also help alleviate our dependence on foreign sources of oil, and it would create thousands of energy jobs right here in America instead of sending them overseas, which is why this bill has the support of both the National Association of Manufacturers and the U.S. Chamber of Commerce.

I have indicated what our bill does in general. Here are the specifics.

In order to restore American offshore production, our plan directs the Secretary of the Interior to conduct previously scheduled offshore lease sales in the western and central Gulf of Mexico, Virginia, and Alaska. In addition, the plan will extend lease terms by 1 year for gulf leases which were suspended under the 2010 Obama moratorium.

After the devastating oilspill we had last year in the gulf, improving safety is one of our highest priorities. That is why our bill amends the Outer Continental Shelf Lands Act to require all lessees to develop spill response and containment plans, establishes a public-private task force on oilspill response and mitigation, and orders a study on Federal response to oilspills

by the Comptroller General to examine capabilities and legal authorities related to spill prevention and response to clarify appropriate Federal roles.

Finally, it is imperative we put in place a process that makes bureaucrats operate more efficiently on the crucial issuance of permits. That is why our plan puts time limits on the review of and decision on drilling permits, providing for 30 days of application review, with two opportunities for the Interior Department to extend the time period. Beyond that, it provides for a default approval if Interior does not reject the application within 60 days, and it directs the Interior Department to provide rationale for rejection of permits.

This bill is not our last on this crisis. We could do a lot more to increase production here at home, and we should. But it offers solutions, and every provision in this bill has bipartisan support.

At a time of near record gas prices, this is a modest approach, a good first step that takes everyone's concerns into account so we can actually achieve a practical result.

That is what Americans want. It is time to stop pointing fingers. It is time to stop picking winners and losers. It is time to stop telling Americans what is best for them.

It is time to stop holding Americans back with moratoriums, fees, bureaucratic roadblocks, and the ever-expanding reach of a President who seems to think business owners in this country need to get his permission first if they want to create jobs.

Every single American is feeling the pain at the pump, Democrats and Republicans alike. It is time for the two parties to come together and get serious about results. I urge all my colleagues to support the Offshore Production and Safety Act of 2011.

I yield the floor.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will be in a period of morning business for debate only until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees.

Mr. MCCONNELL. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. COONS. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OIL SUBSIDIES

Mr. COONS. Madam President, I rise this morning to commemorate National Police Week and to speak to the service of the brave men and women in local law enforcement. But, first, I feel compelled to make a comment in response to the exchange between the majority leader and the Republican leader, to simply speak, if I could, briefly about the ongoing pain each and every working American family feels when they go to the gas station.

With the price of gasoline at an all-time high, with the price of gasoline flirting with \$4 a gallon, with the price of oil retreating from an alltime high, and with, most importantly, oil company profits gushing through the roof and hitting an alltime high, Members of our party, Members of this body came forward yesterday with a bill which got more than 50 votes but failed to hit the 60 needed in this body to make for cloture, which would have made significant progress on dealing with our deficit.

We just heard a comment on the floor that we need to stop picking winners and losers and need to move forward in helping America end its dependence on foreign energy. I could not agree more because the expenditures through our Tax Code—the billions and billions of dollars in needless expenditures through our Tax Code—that continue to subsidize some of the most wildly profitable corporations in American history is exactly that, picking winners, and the losers are the American people.

When I go home to my State—I know, Madam President, when you go home to your State—I hear people day in and day out say: Why can't you do more to help create decent jobs, to deal with the deficit and, more than anything, to stop the oil companies, which are despoiling our natural resources and picking our pockets at the pump.

This is not picking on one particular industry. This is rationally looking at our immense tax expenditures through the code and saying: There is a time here for us to stop. We would save literally \$21 billion by fiscal year 2021; that is, over the next decade, \$21 billion in deficit reduction. That does not solve the problem we need to come together and address as a body—both parties, both Chambers of this great Congress—but it is a significant downpayment.

I am from a State where we produce very little in the way of oil or coal or gas but where we consume a lot of energy and where we have lots of opportunities to invest in alternative energy—investments that would create new jobs, a competitive platform for

the United States as we enter this new century and that could, frankly, help sustain our economy going forward.

The votes cast yesterday to sustain these senseless tax breaks and credits, to help keep afloat the most profitable companies in American history, strike me as doing exactly what we were just urged not to do—picking winners, where the average American is, in fact, the loser.

It is my hope we will continue to look, with a sharp and clear eye, at the billions of dollars, the more than \$35 billion in first-quarter profits made by the five largest American oil firms. I have nothing against corporations making profits. In fact, that is what helps propel our economy. As we try to recover from this terrible recession, having a profitable private sector is the best way forward to help create jobs and to help grow our economy and to help deal with Federal revenues.

But the spending through our Tax Code—something that has accumulated on the underside of the American economy over the last decade—has to be stopped. We have to find ways to plug the holes through which billions in potential Federal revenue are leaking. I frankly think it is time for us to have a sensible national energy policy. And continuing to defend decades-old, needless tax breaks for major oil companies so that they can engage in manufacturing by extracting oil from the ground, for example—one of the five that would have been ended by this bill—is just senseless.

So it is my hope that we will reconsider; that as we move forward and try to find a way together to create jobs, to reduce spending and deal with our deficits, we will look hard at some of these outdated tax breaks that make it possible for bloated oil companies to make billions of dollars of profit off working Americans who pay too much at the pump.

NATIONAL POLICE WEEK

Mr. COONS. Mr. President, this week we are honoring the service and sacrifice of Americans who serve us as police.

May 15 to May 21 is National Police Week, and Americans all across this country will be recognizing those who serve and have served in police departments in communities from coast to coast. Law enforcement personnel and their families will also be coming together to hold memorials for those who have made the ultimate sacrifice and lost their lives in the line of duty.

National Police Week holds special significance to me because for the 6 years I served as county executive in New Castle County, DE, I was responsible for a police force that worked hard day and night to keep our community safe. Every year in May, I would

gather with our law enforcement officers, with the Fraternal Order of Police, which so ably represented them, with the families of those who had served, and with the families of the one member of our law enforcement community, the New Castle County Police, who had been killed in the line of duty.

I often had differences with the Fraternal Order of Police in my 6 years of leadership, but I will tell you, they were great and tireless partners in standing up for the working men and woman who kept us safe each and every day. They kept us focused on officer safety, and they kept us focused on providing for them the equipment and the training and the support they so richly deserve.

I will tell you that each and every week that I would have a tough week, when we had difficult times dealing with local budgets or coming to compromise and making reasonable progress in the county, if I ever for a moment felt sorry for myself as I drove home from the county government center, all I needed to do was to turn on my police radio in my county car and listen to dispatch. There was always something going on. As every patrol car went out, as every squad responded to crises, I was reminded day-in and day-out of the incredible selfless service of the men and women of local law enforcement all over this country, these dedicated men and women who sacrifice time away from their families to put themselves daily in harm's way. And sadly, too often, it finds them.

Since the beginning of 2009, 122 American police officers have lost their lives in service to their local community. Today, I wish to focus on one—Patrolman Chad Spicer of Georgetown, DE. A Georgetown native, Chad attended the Sussex Central High School and graduated from Del Tech in 1999. Following 4 years with our State department of corrections, he began service with the police department in Bridgeville, later in the town of Laurel. In 2008, Chad joined the force in his hometown, fulfilling his greatest childhood dream.

On September 1, 2009, Chad and his partner, Corporal Shawn Brittingham, were in pursuit of a vehicle containing suspects in a robbery. The car abruptly stopped. Before the two officers had a chance to get out, a suspect fired a single gunshot at close range, killing Chad and, in a ricochet, seriously wounded his partner. The suspects were eventually apprehended and have been brought to trial.

Patrolman Chad Spicer was only 29 years old when he was murdered doing his job. He is survived by his fiancée, his beautiful young daughter Aubrey, his parents Ruth Ann and Norman, a brother, two sisters, and a family of fellow officers in Georgetown and across our State of Delaware.

His funeral service was one of the most moving experiences I have had in

my adult life. Thousands of law enforcement professionals, men and women, and family members from literally all across our country gathered to pay tribute to this brave, likeable, dedicated young man who gave his life in the protection of our community.

Earlier this month, the people of Georgetown, DE, erected a memorial to Chad and his courage and the sacrifice he made for all of us. Georgetown Chief of Police Topping noted that: Everyone in town knew and liked Chad, even those from the roughest part of town, even those who were on the receiving end of his service to our community. Chad died protecting the community where he was born and raised, and losing him to senseless violence like that had a devastating impact on the people of Georgetown and on our whole State.

Chad was the first Delaware police officer to die from wounds received in the line of duty since 1993. His loss is a constant reminder that law enforcement officers all over our country live with the daily reality that each time they go out on patrol, every time they report for duty, their lives may be put on the line as they serve their communities and our country.

This is why I think it is so important that the Federal Government continue to strengthen local police department capacities through things such as the Federal vest grant program that helps local law enforcement purchase bullet-proof vests and other critical police supplies. It is so important to me that when law enforcement—Federal, State, and local—work together, we can succeed in keeping Americans safe. There is always more we can do. This is why the Judiciary Committee will be holding a field hearing later next month in Wilmington, DE, to explore ways we can better improve the collaboration and cooperation between Federal and local law enforcement.

While we honor our men and women of law enforcement every day and every year, during National Police Week, we celebrate their service and sacrifice and thank them for being forever on watch.

In memory of Patrolman Chad Spicer and all of the other law enforcement professionals who have made the ultimate sacrifice, I today stand in memory of their service.

I yield the floor and suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. THUNE. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. THUNE. Madam President, I ask unanimous consent that speakers on the Republican side be allocated up to 10 minutes each.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ENTITLEMENT REFORM

Mr. THUNE. Last Friday, the Social Security trustees' report and the Medicare trustees' report were both released. They showed that as large as our debt and deficits are now, without tackling these two entitlements, our future debts and deficits will dwarf current levels. In fact, this year alone, Medicare is running a cashflow deficit of more than \$32 billion. This is the largest deficit ever for this program. Likewise, Social Security will run a cashflow deficit of \$46 billion this year. This requires the Treasury to finance these programs through additional borrowing, adding even more to our deficit.

In total, Social Security faces a \$6.5 trillion unfunded liability. The reason for this, according to the report, is the aging of our society. As we live longer and as the size of families has decreased, the number of workers financing benefits has steadily decreased. For example, in 1950 there were 16½ workers for every Social Security recipient and life expectancy was 69 years old. By 1960, the number of workers supporting each recipient was just half of what it was 10 years before. Now there are fewer than three workers for each beneficiary. By 2040, it will be just over two.

Around the same time, in 2036, Social Security's trust fund will run out of all of the IOUs the government has issued to it. After this point, Social Security will be able to pay just over 75 percent of the current benefits. That is an important point because some say Social Security does not need to be reformed because these benefits are still going to be able to be paid. I think we have to remind ourselves of how this will work.

But you can see the demographic trend here, what is happening. Going back to the 1950s when you had a life expectancy that was shorter, you had more people paying in—16.5 for every 1 who was drawing out. Now we are looking at three people paying in for every one drawing out. And, of course, the life expectancy now is up to about 78 years average. In 2040, as I said earlier, there will be two people paying in for every one drawing out. So the crunch is coming. We all know that. We can predict it. We see it coming.

Of course, the expectation is that because the Social Security trust fund will be able to pay benefits until sometime in the 2037 timeframe, everything is OK; we do not need to take steps to rectify this situation today. The problem with that is the so-called IOUs in the Social Security trust fund are just more borrowing. When we get to that year, when we get to the 2036–2037 timeframe, there will only be about 75 cents

coming in for every dollar that will have to be paid out. So you will have people who literally will take a huge cut in benefits or we would have to undergo a massive payroll tax increase in order to make that up or dramatically increase the borrowing of the Federal Government because, in fact, those IOUs in the trust funds are not an economic asset that can be used to pay a cash benefit. It is simply borrowing. We all know that. And I think the important date—in my mind, at least—is the date at which the amount we receive coming in to the Social Security trust fund in the form of payroll taxes no longer exceeds the amount we are paying out in the form of benefits. That happened this year to the tune of \$45 billion.

Many of us have committed to preserving these programs for existing retirees and for those who are about to retire soon. If we do not reform Social Security, these cuts of nearly 25 percent would be instant and automatic, giving retirees no time to make other arrangements.

Working back from the 2036 date to ensure that the program remains solvent and can pay out benefits to future generations requires us to take action today. We do not have the luxury of time. We cannot afford to wait. The sooner we take action, the more time the current generation has to prepare for a realistic level of benefits and not be blindsided when their benefits are dramatically cut. Without reform, Americans aged 42 and younger will not see full Social Security benefits when they retire.

In addition to the aging population, the rapidly rising cost of health care is placing enormous pressure on the Medicare system. Despite the recently enacted health care reform legislation, health care costs rose by over 7 percent in 2010 compared to about a 1-percent increase in all other goods and services in the economy. The Medicare trustees reported that the program has an unfunded liability of nearly \$36.8 trillion and that the Medicare hospital insurance trust fund will be completely insolvent by the year 2024. Medicare spending is expected to rise from 3.6 percent of our entire economy—of our gross domestic product—in 2010, which is where it is today, to 10.7 percent in 2085. That means the amount of money the government spends on health care is going to triple over the next 75 years.

Now that, unbelievably, is the rosy picture of what will happen. Due to the double counting that occurred in unrealistic savings and targets that were included in the health care reform bill that was passed last year, these numbers are going to be invariably worse if further action is not taken.

Finally, the Medicaid system also faces nearly all the same increases in costs and funding challenges as the

Medicare system, while also failing to provide States with the flexibility they need to provide quality care for beneficiaries.

Unfortunately, this administration and the last Congress made these problems even worse. Instead of reforming these entitlement programs, they created yet another new entitlement program called the CLASS Act, which even the Democratic chairman of the Senate Budget Committee has called a Ponzi scheme.

Included in the same health care bill passed last year was a massive expansion of Medicaid and the creation of new credits for individuals to buy insurance, all of which adds to the budget burdens we are already experiencing.

If these programs are not reformed, we know what we will face. Under the Congressional Budget Office's "alternative fiscal scenario" which makes realistic assumptions about the growth of these programs, spending in 2020 would comprise 25.9 percent of GDP, more than 25 percent above the historical average. It would continue to grow, and in 2035 spending would comprise 35.2 percent of GDP or nearly 60 percent more than the historical average.

In that same year, deficits would comprise nearly 16 percent of the GDP of our entire economy, and debt would be 185 percent of GDP.

I want to illustrate that in the form of a chart and show you what this would look like. The historical average for deficits—3 percent, as I said. Look at what we faced in the last 40 to 50 years, roughly, and where that is headed in these outyears. As you look at 2010, how this thing spiked up in the last couple of years, we have added massively to the debt, the stimulus spending, the massive health care, the entitlement programs, all of which will make this worse. But we are on a trend to follow the trajectory where we will get to where the deficit is literally going to represent 61 percent of our entire economy.

That is a stunning path to be on—why it cries out for us to take the necessary steps to get back on the right fiscal track. Interest on the debt would comprise nearly 9 percent of our economy, half of which is paid to foreign debtors. We all talk about the impact of carrying this amount of debt. Today, we have so much debt that, in a few years, the amount we pay for interest will exceed the amount we spend on national security. In other words, we will spend more financing our debt and simply making the interest payments than we do defending the country.

Think about that. Think about where we have gotten to. Think about the fact too that if we saw even a 1-percent increase in interest rates, if interest rates went up 1 percent and we had to pay more to borrow money from those creditors, some of which are foreign

countries, it would increase the interest we pay annually by \$140 billion. That is how sensitive we are to a slight increase in interest rates because of this massive debt. We passed, yesterday or the day before, the \$14.3 trillion level, the debt limit. We are going to have to raise the debt limit here. We don't know exactly when—sometime in July or August. But that is coming. We have maxed out our credit card, our borrowing authority, we have hit the limit, and in order to keep our economy functioning we have to increase the amount our country borrows.

If we follow the President's budget, we would double that in the next decade. We will go from \$14.3 trillion to literally over \$26 trillion in the next decade under the President's budget. Why? Because the President didn't make any attempt in his budget to reduce spending or reform entitlements—Social Security, Medicare, and Medicaid—which are the big drivers of Federal spending. If we don't take steps to reform those entitlement programs, this picture gets worse and worse over time.

I want to illustrate this with a chart. This is where we are today. This is debt as a share of the economy. As I said before, if you look at historical averages, what we have carried in the form of debt, in World War II, obviously, there was a big ramp-up because we had to finance the war and coming out of the war. As the economy started to expand and we got spending under control, the debt, as a percentage of our economy, started to come down to historical averages, which is where it stayed for about 40 to 50 years. It started to spike in the last couple of years, as we have seen spending increases. The reason is because the amount we spend as a percentage of our total economy has continued to tick up.

I mentioned earlier that we are looking at—what was the number—25.9 percent of GDP is what we will spend on the Federal Government in 2020, according to the CBO's alternative fiscal scenario. If you think about that, the amount we have spent historically as a percent of our economy on the Federal Government is 20.6 percent. That has been the 40-year average. We are going from 20.6 spending as a percent of our economy—the amount the Federal Government spends for our entire economic output—to 25.9 percent a decade from now. It continues to spike up. Because we are having to finance so much spending with borrowing, the borrowing level will increase dramatically, to the point where we are looking at debt to GDP—if we don't take steps to change, this is what we are looking at on this chart. It is a straight up spike in the amount of borrowing to GDP. This is pointed out too by where we are currently; right now, we are running somewhere in the \$1.4 trillion to \$1.6 trillion in annual deficits on \$3.8 trillion in total spending,

which means that out of every dollar the Federal Government is spending, we are borrowing over 40 cents.

Can you imagine any family or business in this country that could continue to get by borrowing literally over 40 cents out of every dollar they spend? You cannot do it. That would be like the average family in this country having an annual income of about \$60,000 and spending \$110,000. You cannot do that. The Federal Government has been doing that for way too long. That is why we have to take on this issue of spending and debt.

Some people argue that we don't have enough revenue, we need to raise taxes, and that is the way to deal with this fiscal crisis to get more revenue coming into the Federal Government. I argue that, based upon these facts, this is not a revenue problem, this is a spending problem. The reason we are where we are is not because we don't have enough revenue, it is because we are spending dramatically more as a percentage of our economy than we have in the last 40 to 50 years. The historical average is 20.6 percent over the last 40 years—what we have spent on the Federal Government as a percentage of our entire economy—and today that is 24 percent, and by 2020 we are looking at over 25 percent—an increase of 25 percent in the amount we are spending on the Federal Government as a percentage of our entire economy. That is a spending problem, not a revenue problem.

We need to address this and recognize it, and we need to understand that the only way we can fix it is to deal with what is driving that spending. It is Social Security, Medicare, and Medicaid. Those programs comprise 55 to 60 percent of all of government spending. Absent reforms to those programs, this is what we will end up with; this is where we will be as a nation. That is certainly someplace I don't think most Americans want to go.

The other reason is critically important. I have said this before, and I will say it again. It has implications not only for future generations but in the here and now. One is that when you are carrying this kind of debt to GDP, sustaining this kind of debt level, it impacts your economy's ability to create jobs, because you are crowding out private investment that otherwise would be allocated to more productive uses, and you are spending it on the government. You are also impacting interest rates and inflation in ways that could be counter to the economic expansion, growth, and job creation in this country. There has been a great amount of research and study that has gone into at what level does that start to take away from economic growth, economic expansion, and job creation?

Two people who have recently put out a book; Carmen Reinhart and Kenneth Rogoff have suggested, from their

study of developed countries over the last half century, that when your debt to GDP reaches 90 percent, it is costing you about 1 percentage point of economic growth every year. In this country, losing 1 percentage point of economic growth costs us about a million jobs. If we say we are serious about job creation, one of the problems we ought to focus on is getting spending and debt under control. If we sustain and carry this kind of debt level for the foreseeable future, we are going to cost the economy 1 percent of economic growth and, therefore, a significant amount of jobs that might have been created by that economy. That is one reason we need to rein it in.

The statement has been made repeatedly by ADM Mike Mullen that the greatest threat to our national security is our national debt. I would say that the national security implications are very real as well. When you have the highest ranking military official saying the greatest threat to America's national security is our national debt, that is a stunning statement. I think it speaks volumes about why it is important to get this issue under control.

One of the reasons he says that, obviously, is that so much of the debt is held by foreign countries, all of which have additional leverage on us because we owe them so much money. We need to get spending under control and get the debt dealt with. That starts with entitlement reform. I hope the discussions currently occurring between the White House and some of the leaders here in the Congress will come to a result where we can work together and use this as an opportunity to, once and for all, put this country back on a fiscal track that will ensure that future generations are not burdened and saddled with an enormous amount of debt and an economy that is saddled with that weight and not able to create the jobs to get people back to work and to grow and prosper and create a higher quality of living and standard of living for the next generation.

I ask unanimous consent that the time of the quorum call be divided equally on both sides, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. DURBIN. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. DURBIN. Madam President, I ask unanimous consent to speak as in morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

OFFSHORE DRILLING

Mr. DURBIN. Madam President, today the Senate is going to consider a bill to increase offshore drilling. This is the Republican response to the Nation's need for a national energy policy and to rising gasoline prices. I believe the Republican approach to this will be unsuccessful. I believe it overlooks some very fundamental and basic facts, and the facts are these: We cannot drill our way out of our problem. If we take a look at all the known oil reserves in the United States offshore and onshore—all of them—they comprise 2 percent of the known oil reserves in the world—2 percent. Now take a look at how much oil the United States consumes each year: 25 percent of the world oil production.

The Republican answer is drill, baby, drill. Honestly, that is not going to solve the problem, and it is going to invite some dangerous activities that we should know better than to engage in. It has not been that long ago that 170 million gallons of oil poured out of a well that was improperly drilled by BP in the Gulf of Mexico. The devastation that followed to the local economy and to the environment is virtually incalculable. Have we learned a lesson—a lesson that safety should be the hallmark when it comes to drilling; that we ought to make certain that before we go into an environment which is precious, where an accident could create some unknown hazard or danger, that we thoroughly investigate that in advance. That is not too much to ask. We know what is going on in the Gulf of Mexico today as the economy is still trying to recover.

My colleagues on the other side of the aisle who produced the McConnell approach—the drill, baby, drill approach—want to just forget the spill. They want us to rush into drilling with the same reckless practices that led to the spill in the first place. This is not going to solve the problem. In fact, it may create more problems.

If passed, the Republican bill would require the Secretary of the Interior to evaluate a permit application in 60 days regardless of its complexity—60 days. If the Secretary cannot make a decision within 60 days, the permit is automatically approved even if it contains potential environmental and safety risks. This arbitrary deadline makes it impossible for regulators to do the in-depth scientific analysis needed to accurately evaluate the risks and safety requirements for every application.

The bill also mandates the sale of offshore oil and gas leases in the Gulf of Mexico, off the coast of Virginia, and the Arctic Ocean—sales that were postponed in order to investigate the potential environmental impact.

Not only does the Republican bill not add any new protocols to ensure that increased drilling will be safe, it revokes some of the additional requirements that were instituted following

the BP spill. They have not learned any lesson from what happened in the Gulf of Mexico. Essentially, this bill would lead to more offshore drilling, with less safety and regulation of the industry. One would think that the BP oil spill never happened, if we consider this bill, which will be on the floor later today.

There is really no reason to rush to begin new drilling projects in such an irresponsible manner because under President Obama, domestic oil production has grown to its highest level in the last 7 years. That is right, it has grown to its highest level in the last 7 years. If one listened to the other side, one would think the opposite was true—that we cut back or stopped drilling. Since February, 34 permits for 14 unique deepwater wells have been issued under the new safety requirements since the BP spill. Oil production in Federal waters has increased in both of the last 2 years.

Last weekend, the President announced several steps the administration would take to expand further responsible development of domestic energy resources. The Department of the Interior will hold lease sales in the Gulf of Mexico and Alaska by mid-2012, once additional analyses have been completed. Extensions will be granted to all leases offered by the deepwater suspension, as well as delayed leases in Alaska. Annual oil and gas lease sales will be held in Alaska's National Petroleum Reserve. And the mid-Atlantic and South Atlantic coast will undergo an expedited review for fuel resources. The President's actions show we are continuing to expand our domestic resources responsibly.

This careless Republican bill is unnecessary. It is bad policy. The bill proposed by Senator MCCONNELL would force us to disregard all the lessons we learned from the tragic oil spill in the Gulf of Mexico a year ago.

It has been many years back when I was up in Alaska when the Exxon Valdez ran aground in the Prince William Sound and dumped tens of thousands of barrels of crude oil into this beautiful place in our world. I was up there, and we had workers out. They were literally swabbing up the oil off the rocks as it washed up on the shore. They wore these yellow slickers, which in no time at all were covered with this black crude oil. People with cameras were running around taking photos of the workers.

I went over to an old fellow in one of those yellow slickers who had these big swaddling cloths, mopping up the crude oil that had been dumped into this beautiful place of Prince William Sound. I said to him after the cameras left: Do you think this is helping? He said: Well, I think if we didn't do anything, God would take care of this in about 10 years. By taking extra effort, maybe it will be 9 years and 6 months.

The point I am making is this: Once the spill has taken place, it takes time for nature to restore itself, if it can. In Prince William Sound, some species of fish never returned. I do not know what will happen in the Gulf of Mexico. Perhaps over time nature will heal this wound. I hope it does.

Do we not have a special responsibility as stewards of this planet Earth and of this Nation to be careful? Is it too much to ask that we engage in fuel efficiency and thoughtful energy policy rather than recklessly drill in every direction without asking the hard questions, without taking the time for an honest analysis? Not only did the BP oil spill despoil that area, it claimed human lives. When it comes to safety and environmental responsibility, we should not be cutting corners such as the Republican bill would do.

At the end of the day, even if they could drill every place they wanted to drill with no questions asked, it would have virtually no impact on gasoline prices. Oil prices are set in the global market, and we cannot change them simply by attempting to increase oil production when it comes to only 2 percent of the known oil reserves.

Given the President's recent action and steady increase of production, this bill is pointless and dangerous. For this reason, I urge my colleagues not to support it and to vote against this measure that will be offered later today.

BELARUS

Mr. DURBIN. Madam President, it was last February that I went to Belarus. I had been invited to go to Lithuania to speak to the Parliament on the 20th anniversary of their independence from the Soviet Union, and I took a second trip into Minsk, Belarus, a neighbor nation, because there was a political crisis. It was February, and since the Presidential election in the December before, there had been a wholesale effort by Lukashenko, the leader of Belarus, to imprison his political opponents.

With so many significant events going on in the Middle East, there is an understandable risk that we lose sight of events happening in countries such as Belarus. In Belarus, under Aleksandr Lukashenko, if you have the temerity to run for President or protest a fraudulent election, you will find yourself thrown in a KGB jail where you are likely to face torture and harsh prison sentences. If this sounds like a throwback to the Cold War in the Soviet Union, that is exactly what it is. Not only is Belarus a throwback to the worst political abuses of the old Soviet era, but the government's enforcers of this bankrupt system still call their police the KGB.

On Saturday, the Lukashenko regime continued its nightmare of totalitarian

rule when it convicted one of the country's opposition Presidential candidates and former Foreign Minister Andrei Sannikov to 5 years in prison. You see, Mr. Sannikov had the temerity to run against the dictator of Europe, Lukashenko. Because of that, even having lost the election, he is going to pay for it by spending 5 years in prison.

This photograph shows Mr. Sannikov in the defendant's cage during his trial in the Belarusian capital of Minsk. They put him in a cage. Can anyone think of a more telling symbol of Lukashenko's tyranny than a sham court proceeding with a KGB cage? His crime? This man ran for President of his country.

In December last year, after nearly two decades of unchecked power, Lukashenko decided he would have an open election—in his words, an open election. Many took him at his word and decided they would run for President. Apparently, Lukashenko did not care for that idea. His idea of an election is that no one runs against you. So he staged a sham election and then arrested 5 of the 6 Presidential candidates and more than 600 peaceful demonstrators after the election.

I visited Belarus some weeks afterward. I met with the family members of these brave candidates and activists. I have to tell you, it was a moving experience. The meeting included members of Mr. Sannikov's family. This is a photo we took in the office of the U.S. consulate in Minsk, in Belarus. It shows Kanstantsin Sannikov, Ala Sannikava, and Lyutsina Khalip. Kanstantsin and Ala are Mr. Sannikov's son and mother.

Ala told me in tears that her son's arrest led to no contact between him and his family for weeks, and they denied him a lawyer. After he was sentenced to 5 years in prison, she told Radio Liberty that she was proud of her son and that "he suffered so much for the sake of Belarus . . . The judicial system has steamrolled our family."

Lyutsina is the grandmother of the candidate's 3-year-old son Danil. I wanted to put this photo up because Lukashenko decided it was not enough to throw this boy's father into prison; he basically said he was going to remove this boy from the family as part of the punishment they were going to impose on him for running for President in that country. You see, not only did they arrest Sannikov, but they arrested his wife too. She was a journalist—automatically suspect in Belarus. Even more despicable, they tried to take custody of this little boy, who was staying with his grandmother. What kind of cruel mind is so afraid of the free expression of ideas that they would go after this little boy to further punish the parents—the father who had the nerve to run for President and the

mother who had the nerve to publish in some underground publication an article critical of Lukashenko.

President Lukashenko's repression and totalitarian regime have been condemned around the world. Asset freezes and travel bans have been placed on his enablers and police state enforcers. This Senate and the European Parliament both have passed sweeping resolutions condemning the regime and calling for new legitimate elections and the release of all political prisoners. The families of the detained, the Senate, the European Parliament, and National Hockey League Hall of Famer Peter Stastny have called on the International Ice Hockey Federation to suspend its Belarus-hosted 2014 Ice Hockey Championship until all political prisoners are unconditionally released. A dictator such as Lukashenko should not be awarded the international prestige of an event while prisoners languish in prison for simply exercising their human rights. I think it is time for the International Criminal Court prosecutor to look into Lukashenko's regime, most notably for the allegations of torture.

I conclude by simply saying that I want Mr. Sannikov and his many brave colleagues in Belarus and their families to know that the United States will stand by them in their effort to bring a peaceful democracy to this great nation of Belarus. We commend their bravery and let them know they are not forgotten.

Madam President, I yield the floor.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

OFFSHORE PRODUCTION AND SAFETY ACT OF 2011—MOTION TO PROCEED

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of the motion to proceed to S. 953, which the clerk will report.

The legislative clerk read as follows:

Motion to proceed to the bill (S. 953) to authorize the conduct of certain lease sales in the Outer Continental Shelf, to amend the Outer Continental Shelf Lands Act to modify the requirements for exploration, and for other purposes.

The ACTING PRESIDENT pro tempore. Under the previous order, there will be 4 hours of debate equally divided and controlled between the two leaders or their designees.

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, we have been debating tax subsidies to the big oil companies. The bill proposed by the Senator from New Jersey would have limited it to just the big five oil companies even though many

of the tax breaks or tax credits or deductions they receive are the same tax credits that every other company may take—Starbucks, Microsoft, Caterpillar, Google, and Hollywood film producers for example. Many of the other credits look a lot like the R&D tax credit or other tax credits all American businesses may receive. Well, I am one Senator who is very intrigued with the idea of looking at all of the tax breaks in the Tax Code. There are currently about \$1.2 trillion a year in what we call tax expenditures, and those are intended to be for tax breaks we think are desirable. I am ready to look at all of them and use the money to reduce the tax rate and/or reduce the Federal debt. But if we are going to talk about energy subsidies—tax subsidies—we ought to talk about all energy subsidies. Senator JOHN CORNYN of Texas has asked the Congressional Research Service to do just this. It is an excellent study, and I commend Senator CORNYN for asking for it. This is some of what it finds.

According to the report, fossil fuels contributed about 78 percent of our energy production in 2009 and received about 13 percent of the Federal tax support for energy. However, during that same time 10.6 percent of our energy production was from renewables and 77.4 percent of our energy tax subsidies went to renewables. So if we are to compare the subsidy per unit of energy, the estimated Federal support per million Btu's of fossil fuels was 4 cents, while support for renewables was \$1.97 per million Btu's.

So Federal subsidies for renewables are almost 50 times as great per unit of energy as Federal subsidies for fossil fuels. This would be distorted because included within renewables is hydroelectric power. Most people think of renewables as ethanol, solar, or wind and those are the renewables that actually get the subsidies while hydroelectric does not.

So at least 50 times as great per unit of energy is the Federal taxpayer support for renewable energy compared with fossil fuel energy. So why aren't we including in our debate subsidies for all renewables? Specifically, if we are talking about Big Oil, why don't we talk about Big Wind? The Senate seems an appropriate place to talk about Big Wind.

The Energy Policy Act of 1992 created what is called the production tax credit for energy produced using renewable resources. Most of this money has gone to subsidize Big Wind. It is a policy that was supposed to last a few years. It has lasted two decades.

Today, the production tax credit for wind gives 2.1 cents for every kilowatt hour of wind electricity produced by a wind turbine during the first 10 years of operation. Let's put this into a context that is current. The new Shepherd's Flat Wind Farm in Oregon will

have 338 of these huge wind turbines, producing enough power to run approximately 250,000 homes and will cost the American taxpayer about \$57 million a year in subsidies for that electricity produced. If we allocated the tax credit per home, taxpayers will be paying \$2,300 over the next 10 years for each of the homes served by the Shepherd's Flat Wind Farm in Oregon.

This doesn't even take into account the fact that \$1.3 billion in Federal loan guarantees to this project means Big Wind will have its risk of default also financed by the taxpayer. Fossil fuel companies don't have that advantage. Nuclear power companies don't have that advantage, even though their electricity is completely clean—no sulfur, no nitrogen, no mercury, no carbon. If, like nuclear or fossil loan guarantees do, the wind farm in Oregon had to pay the risk of default up front as a fee, it would cost another \$130 million. That is money out of the pockets of taxpayers.

The total cost of the wind production tax credit over the next 10 years will cost the American taxpayers more than \$26 billion. Let me say that again. American taxpayers are subsidizing big wind over the next 10 years by more than \$26 billion with one tax credit. In fact, the tax breaks for the five big oil companies we have been debating on the Senate floor this week actually cost less than all of the money we give to big wind. The tax breaks for the five big oil companies amount to about \$21 billion over 10 years.

According to the Energy Information Administration in 2007, big wind received an \$18.82 subsidy per megawatt hour—25 times as much per megawatt hour as subsidies for all other forms of electricity combined. But wind is about the least efficient means of energy production we have. It accounts for just about 2 percent of our electricity. It is available only when the wind blows, which is about one-third of the time. The Tennessee Valley Authority says it is reliable even less than that, meaning we can have it when we need it only about 12–15 percent of the time.

Wind farms take up a huge amount of space. Turbines are 50 stories high. Their flashing lights can be seen for 20 miles. An unbroken line of turbines along the 2,178-mile Appalachian Trail would produce no more electricity than four nuclear reactors on 4 square miles of land.

Wind is generally the strongest and land is available where the electricity isn't actually needed. So we have thousands of miles of new transmission lines proposed to get the energy from where it is produced to where it needs to go. Those often go through conservation areas, and according to the National Academy of Sciences wind power is more expensive than other forms of electricity, such as coal, nuclear, biomass, geothermal, and natural gas.

We haven't even talked about the fact these wind turbines only last about 25 years. The question is, Who is going to take them down? Wind farms also kill as many as 275,000 birds each year, according to the American Bird Conservancy. They can interfere with radar systems, and many who live near them say they are very noisy.

So I ask the question: If wind has all these drawbacks, is a mature technology, and receives subsidies greater than any other form of energy per unit of actual energy produced, why are we subsidizing it with billions of dollars and not including it in this debate? Why are we talking about Big Oil and not talking about Big Wind?

I believe there are appropriate uses of temporary incentives and subsidies to help jump-start innovation and the development of new technology—such as jump-starting electric cars or natural gas fleets of trucks or loan guarantees for nuclear powerplants and other forms of clean energy—as long as these are short term. I believe research and development is an appropriate role for the Federal Government whether it is in recycling used nuclear fuel or finding alternative biofuels made from crops we don't eat. I believe it is entirely appropriate for there to be research for offshore wind farms, which we don't know as much about and which might actually prove to be a useful supplement in the Northeast. But my point is, if we are going to debate subsidies to Big Oil, we ought to be debating all the energy subsidies including those to Big Wind.

There is a difference between the Republican plan and the Democratic plan for \$4 gasoline and high energy prices. The Democratic cure for high prices is basically to raise the price. They want to tax energy more, but that makes energy cost more. Republicans want to find more American energy and use less energy. We might sum it up this way: Republicans want to find more and use less; Democrats want to find less and tax more.

The Democratic plan, according to Senator SCHUMER of New York, was never intended to talk about lowering gas prices. Senator REID agreed, Senator BAUCUS agreed, Senator LANDRIEU agreed, and Senator BEGICH agreed, but why aren't we talking about trying to find a way to lower gasoline prices when it is \$4 a gallon and going up?

The Republican plan is very specific: Find more American oil and more American natural gas. We can find that offshore where 30 percent of our domestic oil and 25 percent of our natural gas is produced. We can find it on Federal lands, and we can find it in Alaska.

The other part of our equation is to use less. We have some agreement with the Obama administration on some of these ideas. There are a number of them: jump-start electric cars. Senator MERKLEY and I have a bill that is be-

fore the Energy Committee tomorrow to do just that. I believe electrifying our cars and trucks is the single best way to reduce our dependence on foreign oil. There is legislation to jump-start natural gas for trucks, biofuels from crops we don't eat, and fuel efficiency. All these are various ways to use less.

Senators THUNE and BARRASSO have performed a service by setting the record straight to show that the United States produces a lot of oil. We are actually the third largest oil producer in the world. So I ask this question: If less Libyan oil can raise gasoline prices—which it did—then more American oil should help lower gasoline prices. At least for every dollar of American oil we produce, it is one less dollar we have to send overseas for foreign oil.

So, Madam President, the Republican plan is to find more American oil and natural gas and to use less. My suggestion is, if we are going to be talking about tax subsidies for Big Oil, let's talk about tax subsidies for all energy. The Senate floor seems an especially appropriate place, if we are going to talk about Big Oil, to also talk about tax subsidies for Big Wind.

Madam President, I commend to my colleagues a report of the Congressional Research Service sent to Senator JOHN CORNYN of Texas dated May 16 entitled "Energy Production by Source and Energy Tax Incentives" from Molly Sherlock.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. ALEXANDER. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. ALEXANDER. Madam President, I see the Senator from Kansas is here, and I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Kansas.

Mr. ROBERTS. Madam President, I rise today to speak in favor of the legislation that has been introduced by my friend and our Republican leader, Senator MCCONNELL, that would take our country in the direction of greater domestic energy production, and certainly robust job creation, as opposed to taxing—or trying to—the very people who provide our energy.

Madam President, as every American knows, few issues today are more critical to the American taxpayer than the price of energy. Whether it is powering our homes or fueling farm equipment or filling up our cars at the pump, the price of energy directly impacts the cost of goods and operating expenses for our American producers.

Now, while there is a multitude of variables that impact the cost of gasoline, it is important we don't overlook the main factor in impacting prices at the pump—and one more time, for my colleagues across the aisle, that is the global supply and demand of crude.

With roughly 70 percent of the price of gasoline and diesel contingent on the price of crude, it should be easy to understand that any fluctuations in global supply and demand is the most important factor determining what consumers pay at the pump. Considering in my State alone the oil and gas industry supports over 119,000 jobs and annually contributes \$14 billion to the Kansas economy, it is not hard to understand that much of our concerns regarding the U.S. economy and rising unemployment could be addressed—could be addressed—if we stopped hindering the ability of American energy businesses to grow and to produce.

I am sure most Americans wonder why Washington is even considering a policy that is counter to an industry solely capable—solely capable—and responsible for this type of job creation. Sadly, this is exactly the proposal floated by some of my colleagues and friends in Congress and by the President.

In the President's 2012 budget proposal, he proposed almost \$90 billion worth of tax increases on the oil and gas industry—taxes the nonpartisan Congressional Research Service has stated could make oil and natural gas more expensive for U.S. consumers and likely increase foreign dependence. Well, that didn't work in regards to the budget, so they are back. Complementing the President's troublesome budget proposal last week, a number of my colleagues introduced legislation singling out U.S.-owned integrated oil and gas companies by removing tax expenditures these companies rely on to hire more American workers, developing greater amounts of needed energy, and—hello—to support the millions of American investors whose IRAs and pension funds invest significantly in energy stocks.

What is even worse, at least six of my colleagues across the aisle are on record admitting this legislation will do nothing to reduce prices at the pump. It is sort of a "gotcha" piece of legislation. So to address American concerns about rising gas prices, my friends across the aisle have introduced legislation they readily know will not ease the price at the pump. This doesn't make any sense. In addition to the fact the Democratic energy bill will not help reduce gas prices, I want to further highlight the negative impacts it would have on American investors. This is important.

Probably the biggest distortion repeated in the media and by some of my friends here on Capitol Hill is the notion that a few select corporate executives are the sole benefactors of record

high profits enjoyed by these energy companies. It makes good politics today to beat up on these people and that is what happened in regard to the Finance Committee—a lot of press there—when in reality it is the millions of middle-class American investors whose retirement plans benefit greatly from healthy profits. Because these companies are publicly traded, they are owned largely by individuals and institutional investors responsible for managing the mutual funds and IRA and pension plans for millions of Americans whose future economic security depends on the success of these companies.

For example, in Kansas alone there are over 18,000 shareholders of ExxonMobil—that is 18,000 of my constituents—who will be hurt, angry, frustrated when they find out that legislation that targets citizens, investors who actually own these companies, could be passed.

Beyond individual shareholders, many teachers, State government employees, rely on strong returns on their investments in these companies. One example is the New Jersey Public Employee Pension Fund. Its holdings of U.S.-based integrated oil and gas companies make over 4 percent of its total portfolio.

Realizing the likelihood of a strong return on their investment, it is no wonder why so many public employee pension funds throughout the country invest heavily in energy companies. The good news is that the energy tax increase proposal was defeated last night, as its passage would have done absolutely nothing toward reducing energy prices or helping the economic security of millions of middle-class American investors. Unfortunately, the problems facing true economic growth and energy security do not end with misguided tax policy. In addition to making it more costly to produce domestic energy, the administration is working to close off some of our Nation's most abundant sources.

For example, under the current administration, the Department of the Interior canceled seven oil development leases in Utah that were located within the larger formation covering three States that the Bureau of Land Management has estimated contains around 800 billion barrels of oil—more than three times the proven reserves in Saudi Arabia. This of course is in addition to the Gulf of Mexico deep water drilling moratorium imposed last summer which has had a lasting negative effect on gulf coast economies. I know the President said we are going to permit these and they can drill, but somehow or other you never get the permit finalized.

In closing, I want to reiterate my point about the underlying economic factors which, like it or not, despite the politics, are not the driving forces

behind the price of gas at the pump. As global demand rises, prices will also rise. As global demand is potentially disrupted, as we see in the Middle East today, then market instability follows. If we can allow greater access to our own domestic resources and provide industry the necessary tools to expand—which is exactly what Leader McCONNELL's energy bill would do—then we will be able to put more Americans back to work and add to the global supply of crude which, over time, undoubtedly will help stabilize prices.

I yield the floor and I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HATCH. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Madam President, I rise today as a cosponsor of the Republican leader's Offshore Production and Safety Act, S. 953. I have to say it is a breath of fresh air to be discussing a substantive energy policy proposal.

Last week in the Senate Finance Committee and yesterday on the Senate floor, we witnessed a cynical charade as some of my colleagues attempted to exploit high gas prices as an excuse to, once again, raise taxes. It is no secret the liberals in Congress have an answer to every problem but unfortunately it has been the same answer for every problem. Whether the problem is health care costs, out-of-control spending, unemployment, or high gas prices, their answer in every case is to raise taxes. The American people have caught on to the uninspired monotony of that particular message.

In the last election they sent us their own message: enough with the spending and enough with the taxing. Apparently, though, that message was not loud enough or clear enough because the worn-out big government approach remains the only option being offered by my friends on the other side. Americans are fed up with lame excuses to expand the size of government. What Americans want, need, and deserve is real solutions to real problems. Those problems are real. High gas prices are an indicator of a much deeper problem facing our Nation's energy security. It is a problem that runs deep but it is not too difficult to understand.

Our problem is a President who would rather buy foreign oil than produce it here in America. In fact, he not only wants to buy foreign oil, he is willing to subsidize it. These are Brazilian workers, Brazilian oil workers. I hope Americans were watching the news as President Obama handed over more than \$2 billion to Brazil's govern-

ment-owned oil company to produce Brazilian oil. It was a nice gesture, I am sure. But why aren't we spending it here at home? And why aren't we able to drill here at home? Why aren't we, the third largest oil producer in the world, able to go after our own oil to bring these prices down.

Liberals spent this last week calling basic tax deductions for American companies "subsidies." Funny thing, because those same liberals appear to have no problem with this gigantic handout of taxpayer dollars to a foreign competitor.

I like Brazil, and I am happy they are doing as well as they are, so this is not a knock at Brazil. It is basically a criticism of our President for giving \$2 billion to help them with their oil exploration when they seem to be doing just fine by themselves. At least I am assuming the liberals have no problem with it because they have been deathly silent on this subject during this entire debate.

I hope Americans were watching because that was their money our President was sending out of our country, out of our economy, and out of the reach of tens of thousands of unemployed American energy workers whom this administration has helped to put out of work.

Let me put up another chart. These are our workers. These guys are out of work. These men and women who can develop our own oil are out of work because of this administration.

We all know about the President's artificially broad moratorium on drilling in the gulf and how it has devastated that already crippled region. But the President's anti-Midas touch has reached out to kill oil production in other regions of the country as well.

Since taking office, President Obama has cut Federal energy lease offerings by 67 percent in the Rockies alone and a whopping 87 percent in my home State of Utah. Is it any wonder we are becoming more dependent on foreign oil? Is it any wonder our jobless rate remains at historic levels? Is it any wonder government revenues are down? Let's not forget that this is the same President using our tax dollars to subsidize Brazilian oil production to the tune of \$2 billion.

After taking office, one of President Obama's earliest actions was to withdraw 77 energy leases in Utah. These leases had been through almost a decade of environmental studies. They had jumped through every environmental hoop there was and had already been auctioned off and paid for by good-standing energy companies. We know we are dealing with a very aggressive anti-energy agenda when we see leases pulled back that have already been paid for. The energy companies are not blind; they see it too.

A recent survey of the energy industry in the Rockies tells us the tragic

and unnecessary story. Due to the hostile atmosphere created by the Obama administration, \$1.1 billion of capital investment was shifted from the Rockies to other areas, including overseas. If it were not for the anti-energy efforts of this administration, the companies surveyed stated they would invest an additional \$2.8 billion in the region in the future. Eighty-nine of the energy companies surveyed said they would continue to divert investment from the Rockies until the current policies become less hostile, and 71 percent of the industry respondents stated that dissatisfaction with the Federal permitting process is the general variable driving investment right out of our Nation.

When are we going to wake up? When is this administration going to wake up?

Some of my friends on the other side have an extremely difficult time understanding this, but when we deter energy companies, we kill real jobs and we kill domestic energy production, and we make America weaker. These aren't just jobs, these are highly paid jobs. Yet we are willing to subsidize the Brazilian oil workers. I like those workers. I think they are finding oil for their country. I think their country is energy efficient because of their work offshore. Some of those rigs used to be in the gulf but no longer can be there because of the stupid anti-energy policies of this administration.

Here we have American companies willing to spend more than \$2 billion of their own money to create American jobs and American oil, but President Obama says no—or at least the people around him who advise him tell him to say no. Yet our President does not hesitate to give more than \$2 billion in taxpayer funds to Brazil to create foreign jobs. Just wait, because this story actually gets worse. The President then hopes taxpayers will send even more money overseas as we buy Brazil's oil—oil we already have subsidized in the first place.

But the President saved the best for last. He now proposes raising taxes on American energy production.

This deserves repeating. The President says no to American energy companies wanting to use their own profits to make more American jobs and more American oil, but he then gives away taxpayer money to subsidize foreign jobs and create more dependency on foreign oil. While he is at it, he may as well tax American energy production for good measure. That is what they want to do to us. It doesn't make sense.

Look, I like the President. I personally am a friend of the President. I can't believe he is doing this on his own. He has to have these dumbbells down there at the White House feeding him this stuff. But he is bright enough to look through it and see it doesn't work or is it just that their supporters

are demanding—the Democratic supporters are demanding—this type of harm to our country and to our people?

Well, I said it twice, and it makes less sense the more I think about it. He may as well tax American energy production for good measure.

The whole farce would be comical if it weren't so incredibly harmful to our Nation, our economy, and to our American families who have dedicated their lives to providing the United States with the domestic oil and gas we so desperately need.

I wish to read an excerpt from a letter I received from Cindy and Bruce of Uintah County, UT, an oil-rich county, if we were allowed to get the permit and go out and find it.

The ACTING PRESIDENT pro tempore. The Senator's time has expired.

Mr. HATCH. I ask unanimous consent to be permitted to continue my statement.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. HATCH. Cindy and Bruce write:

Our family returned to the Vernal, Utah, area . . . after being absent for 10 years. We realized we loved the area and wanted to be back with our families. . . . At that point we decided we wanted to do more than just get by in life working for someone else. . . . Since things looked very promising for the oilfield industry, we started a small oilfield trucking company. We struggled to make all this work and to establish a reputable and trusted company with a good customer base. In February of 2009, as the new presidential administration and new head of the Department of the Interior took over, the oil and gas production companies slowed their drilling and production programs drastically. The RAPID economic change was shocking. Overnight, we went from being a prospering business to a business that is just hoping we can pay our bills. . . . Our story is not unique. It is the same story for many of our friends, neighbors and family members. Our lives and the economy here are in shambles. It is not because we did not work hard, spend wisely, follow all the government rules, or that we made irresponsible decisions. It is because of sudden changes in our government.

This was no naturally occurring economic downturn that killed Bruce and Cindy's business. It was hostile government policies intent on slowing domestic energy production on Federal lands.

This point is made again and again to me in letters from Utahans from this region. One letter states:

As I talk with many people each day at work, there is one common thread: The policies of the current administration have made it a very risky business for companies trying to produce oil in this area. Leases have been canceled, then resold, and then suspended. The confidence of the oil producers has been undermined by these actions. They have lost a lot of money on the bids for these leases.

These experiences are duplicated wherever Federal energy leases are offered. I can say I have never seen a more anti-energy administration than the current one, and all Americans are

feeling the pain of President Obama's suicidal energy policies.

Today, we are talking about a real solid energy proposal. It is a proposal that will create American jobs in the gulf and throughout America's energy industry. The Offshore Production and Safety Act is a proposal that will strengthen our Nation, not weaken it. It will get us producing American oil again in the gulf, and that is a critically important goal.

If I had my choice, we would be discussing a more comprehensive energy bill that would also be reopening oil production on onshore and offshore leases. I am an original cosponsor of a bill with my colleague, Senator DAVID VITTER, called the 3-D Bill. The Ds stand for domestic jobs, domestic energy, and deficit reduction. This bill deserves full consideration. It is a bill that would increase jobs, reduce energy costs, and generate significant revenue to State and Federal Governments. In short, the bill would reverse the Obama administration's onerous new constraints on domestic oil and gas production. The 3-D bill would reverse bans of some offshore Federal leases in each Outer Continental Shelf planning area, it would open ANWR to oil production, directing some of the resulting revenues toward renewable energy production, and it would reverse President Obama's recent moves against commercial oil shale production.

Unfortunately, we are not discussing that bill today and here is why. Republicans have had to force the Democrats' hand to allow a debate on even a limited proposal such as the one introduced by our Republican leader—and well done. But this issue is not going away, and I will continue to push the issue of onshore and offshore Federal leases and advocate for the 3-D bill.

The bill we voted on yesterday had nothing to do with gas prices or energy policy or getting more energy. As we heard from Member after Member on the other side, that bill was about raising taxes for more government spending. The bill we are voting on today is a serious energy proposal. It is a smart proposal that, if passed, would create real jobs, produce real domestic oil and gas, and leave the deficit-busting revenues for the government. As such, I strongly support it. I urge my colleagues to do the same.

I hope our friends on the other side will see this. It is time we stand and start changing this, regardless of what this administration is doing to America.

Thank you. I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Nebraska.

Mr. JOHANNES. Madam President, I rise to discuss our Nation's energy policy. I was very disappointed by last night's vote. Actually, as one of my

colleagues pointed out, it was more political theater instead of a serious attempt at addressing this Nation's energy needs.

Instead of investing time on votes that will not bring gas prices down, we need to do what Americans expect us to do; that is, adopt a careful, all-inclusive, comprehensive approach. Put simply, we need to consider our assets and we need to develop those assets in a responsible way. That sounds very simple to the average person but, unfortunately, it seems to allude us here.

Last night's vote on a narrow tax issue, that in a very bipartisan way was recognized not to reduce the price of gas, doesn't get us headed in the right direction. If anything, it was a step backward. So I wish to take a more serious look at the energy resources we have in the United States to lay the foundation for the argument that we need to develop these resources—energy that could help address our Nation's security as well as our economic security.

Unfortunately, we are a victim of misperception that somehow the United States is running out of energy and that our own resources are not sufficient. But that is not true. In fact, the data tells us that the United States can be a dominant energy power. Let me say that again. The United States can be a dominant energy player—a power—in the global marketplace. With the proper Federal policies in place, the United States can step into a dominating position.

This isn't something I dreamed up last night. This is not something MIKE JOHANNIS just invented. This comes directly from the Congressional Research Service, the nonpartisan research arm of Congress.

So let's go through what the CRS said to us in a recent report. They say the United States is No. 3 in global oil production. In 2009, the United States produced about 9.1 million barrels per day. By comparison, Saudi Arabia produced about 500,000 more than the United States per day at 9.8 million, and Russia leads all countries at 9.9 million barrels per day. So today we are No. 3 in global production of oil, behind Saudi Arabia and Russia.

For an additional perspective, consider this: The United States produces more than double what Iran produces and produces more than Iran and China combined.

Looking beyond oil production, let's consider our existing assets. According to the CRS, the United States has 163 billion barrels of oil that is technically recoverable. That is a lot, and that is more than six times what the administration suggests in its favorite talking points.

Let's compare our oil assets to what we import from Saudi Arabia, a major U.S. supplier. In 2009, we imported about 1 million barrels per day from

Saudi Arabia, for a total of 365 million barrels per year. So every 3 years, at 2009 import rates, we will import just over 1 billion barrels of oil from Saudi Arabia. So the United States has enough oil to entirely replace imports from Saudi Arabia for a long time—more than 400 years.

If we shift the focus to natural gas, the United States has enough natural gas reserves to meet U.S. demand for 90 years.

Let's turn to coal. Again, based on CRS analysis, our domestic coal resources are huge. In fact, the United States is No. 1 in world coal resources. The United States has 28 percent of the world's coal. American recoverable coal reserves are 262 billion tons of coal.

To put that in perspective, the United States consumes about 1.2 billion short tons per year—simply extraordinary. What I am saying is, that is over 200 years' worth.

Then, CRS did something else interesting. They consolidated the energy resources, and then ranked the United States against the rest of the world. The United States came in at No. 1. This does not include oil shale or methane hydrates.

CRS concluded that total fossil fuels within the United States, in barrels of oil equivalent, are 972.6 billion.

So considering the United States leads the world in total energy resources, we need to evaluate any energy policy on whether it makes strides to use those resources in a responsible way or whether it keeps those resources on the sidelines.

The Congressional Research Service has debunked the myth that we are energy poor, that we have somehow consumed our resources. In fact, our Nation is No. 1. We are rich with resources: oil, natural gas, coal, and other resources—and lots of it.

Yet the President, for whatever reason, keeps using a dramatically different talking point, and it creates the wrong impression. Just recently, on May 6, 2011, he said:

The challenge is we've got about two to three percent of the world's oil reserves and we use 25 percent of the world's oil.

The impression I think he is trying to create is that we have virtually no reserves. Yet we are trying to grab all the resources. This statement seriously, if not intentionally, underestimates America's energy resources because it only relies upon proven reserves. That would be like a millionaire complaining he cannot afford a \$10 dinner because he has only \$5 in his pocket.

Here is what CRS says about proven reserves:

Proven reserves are oil, natural gas, or coal that have been discovered and defined, typically by drilling wells or other exploratory measures.

In other words, unless you drill or otherwise explore, proven reserves

never expand and our country stays neutral.

So the President's talking point completely ignores what they call undiscovered technically recoverable—the estimated American resources in those areas where exploration has not yet occurred. Thus, it is no surprise what happens when we do not issue permits to explore and drill. Proven reserves would never expand if you did not issue the permits.

That is the problem with this administration's approach to energy policy. They have gone out of their way to oppose utilization of American energy sources and then they claim that somehow we have used them up.

Most famously, the administration supported a national energy tax called cap and trade—a bill that was intentionally designed to increase costs for consumers on everything from oil to gasoline we put in our cars, to coal, to the electricity we use. In fact, the President even admitted his policy was designed to make the prices for American consumers “necessarily sky-rocket.” Unfortunately, if not remarkably, if not completely unbelievably, that is a direct quote.

The ACTING PRESIDENT pro tempore. The Senator has consumed 10 minutes.

Mr. JOHANNIS. I ask unanimous consent that I may have an additional 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHANNIS. Today, even after this policy has been repudiated on a bipartisan basis by Congress, the administration continues to march ahead with similar proposals at the administrative level.

The administration has canceled leases across the Rocky Mountain West. They have blocked permits in the Gulf of Mexico. They have blocked permits in Alaska.

While the President's announcement this weekend would appear to be a welcome recognition that oil and gas leasing matters, it disregards the virtual lack of permits to explore. No doubt, leasing is necessary, but if you do not have the permits, leasing means nothing. Supply stays the same, world demand continues to increase, and no one should be surprised by the economics.

No one should be surprised that this administration's policy has a direct correlation to the price of gasoline you pump into your vehicle. That is why today we are debating legislation that is enormously important. This bill requires the issuance of permits. It emphasizes safety and environmental responsibility. It does require spill response and containment plans, and it requires we do everything we can to try to improve supply. It says we can develop our natural resources expeditiously but in a responsible and prudent way. It is a responsible step in the right direction.

Let me put this another way: We, the United States, do not need to beg the rest of the world for energy resources. We do not have to go with cup in hand. Energy is too important to our growth, to job creation. It is too big an issue to outsource to another country, especially to countries that do not like our policies.

It is critical we get energy policy right. Gasoline prices are now over \$4 a gallon. That is hurting every American. It is hurting job creation. Heating and cooling bills are going up. Farmers see their fertilizer, their natural gas bills expand. Their input costs are going through the roof.

Our people deserve better, and that is why I encourage my colleagues to support this important legislation.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Virginia.

TRIBUTE TO ROBERT HARRIS

Mr. WARNER. Madam President, I rise, as I try to do on a regular basis, to honor another one of our great Federal employees. I know in the great Empire State of New York there are literally thousands of folks who oftentimes work anonymously to make sure, day in and day out, our Federal Government functions. This is a recognition I took over from our colleague, Senator Ted Kaufman, after he served in the Senate, and I am proud to continue this tradition where, on a regular basis, we come forward and honor one of those Federal employees who contributes to making our Nation safer, making our Nation more efficient, allowing many of us in America to enjoy the benefits of our country, oftentimes, again, without a lot of recognition.

The individual I am recognizing is Robert Harris, who is the Deputy Legal Advisor at the U.S. State Department.

Mr. Harris has played a critical role in advancing American foreign policy around the world. He has served as the lead negotiator on several important bilateral and multilateral agreements on antiterrorism, extradition, and global environmental protection. He also provides advice on issues ranging from treaties to law enforcement and intelligence.

But it is Mr. Harris's work to advance human rights around the world that sets him apart. In recent years, the United States had fallen out of compliance with five global human rights treaties, making it difficult for our Nation's diplomats to press other nations to fulfill their human rights obligations—something I know the Acting President pro tempore has a particular interest in. Mr. HARRIS oversaw five major reports documenting U.S. human rights activities and got our country back on track with the rest of the world.

Mr. Harris is also leading the U.S. delegation in the U.S.-China Legal Experts Dialogue, which provides an op-

portunity for both countries to exchange expertise and discuss reforms on a variety of issues.

Mr. Harris has successfully engaged the Chinese to implement an existing law—an existing Chinese law—that reduces prison terms and to more frequently grant parole to individuals serving for nonviolent offenses—again, advancing human rights in China.

Michael Kozak, a senior aide at the State Department, commented that Mr. Harris's negotiations have “done more for concrete advancement of Chinese human rights than any previous human rights dialogue that I’ve ever seen.”

Mr. Harris also supervised the legal team that supported the President's signature on the U.N. Convention on the Rights of Persons with Disabilities in 2009 and guided the administration's legal approach to handling a U.N. conference on racism. More recently, he led U.S. and international efforts at the United Nations to prosecute pirates engaged off the coast of Somalia.

As a 25-year veteran of the State Department, Robert Harris's contributions have gone a long way to advance American foreign policy and preserve our Nation's record as a leader in human rights. I hope my colleagues will join me in thanking him for his service.

(Mr. FRANKEN assumed the chair.)

Mr. WARNER. Again, Mr. President, as you see me on this floor—and I know you share this commitment to those Federal employees who work in the great State of Minnesota—too often, when we have our political dialogs here, we get closed and sometimes cavalier attitudes toward shutting down our Nation's government and the economic consequences it would have on our overall economy and the private sector and also the immediate consequences it would have on the literally hundreds of thousands of great Americans who serve us as Federal employees. Today we take a moment to celebrate Mr. Harris's service, particularly in the area of human rights.

I think it is a record of service of which we can all be proud. We sometimes come down here and have tendencies to trash the Federal Government. I sometimes believe we do that at the expense of these people who work oftentimes for less pay, longer hours, and without a lot of recognition. This is some small way we are trying to recognize Mr. Harris and countless others who serve our Nation day in and day out.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Ms. MURKOWSKI. Mr. President, last night the Senate defeated a misguided attempt to raise taxes on the five largest energy companies that are operating in our country. That bill, as we discussed, would have done nothing to reduce our gas prices, nothing to create jobs in America, and nothing to increase domestic energy production.

Furthermore, it would have hardly made a dent in our spiraling debt. Put another way, last night's effort would have done nothing to address the problems that most Americans care about, that most Americans are talking about, as they discuss things around the dinner table.

This morning we are here to debate a very different bill, called the Offshore Production and Safety Act. It was recently introduced by the minority leader, myself, and 16 other Senators. There is a very clear contrast, without a doubt, between this and what was brought up yesterday.

Instead of punishing a handful of companies within the oil and gas industry, we provide new opportunities to put Americans back to work. Instead of merely attempting to assign blame for our Nation's energy challenges, we develop a policy that we are proposing that will start to work right now and yield real benefits in the years ahead. And instead of raising taxes regardless of the consequences, we ensure that a far larger source of revenues, those that are derived from new offshore production, will be generated in the years ahead.

The bottom line is that our legislation is both common sense and long overdue. It will move our energy policy forward, not backward, and it would do so by addressing three pressing needs: We provide a boost to offshore energy production; we improve the safety of those operations; and we streamline our notoriously slow Federal bureaucracy.

Before I describe these sections in greater detail, I think it is important to explain why we focus on offshore production while at the same time we are focusing on offshore safety. The answer to the first part of that question is that our Outer Continental Shelf contains huge quantities, vast quantities of undiscovered oil and gas, some 86 billion barrels of oil, and 420 trillion cubic feet of natural gas.

The answer then to the second part is we all remember—we all remember and we should not forget—what happened last summer. We are committed to improving the safety of offshore production activities so it does not happen again.

As I mentioned, we call our bill the Offshore Production and Safety Act, because we understand that those terms—both production and safety—should be part and parcel of the same

policy. We want our offshore industry to be working. But we need it to be working safely.

Those were words I used yesterday in the committee hearing on energy when we focused on the OCS reform bill. We want our offshore industry to be working, but we want to have that safety component. We know our Nation will need oil for decades to come, even under the most optimistic scenario we have out there.

We know offshore production will create thousands of badly needed jobs, not just on the offshore rigs themselves, but all across America, and that it will simultaneously generate tremendous revenue for our government at a time when we are looking for those revenues. We know that for every barrel of oil we produce here, that is one less barrel we have to purchase from someone else, typically from somebody else that could care less about our situation here in this country.

It is not just me, not LISA MURKOWSKI from a producing State. It is not just Republicans who understand these benefits. Clearly President Obama and his team acknowledge these benefits as well. I do want to take an aside and recognize and commend the President for announcing that he will hold annual leases in Alaska's Natural Petroleum Reserve, the NPRA, establishing a permitting office in Alaska, and pursuing developmental opportunities in the Mid-Atlantic and South Atlantic.

I have routinely criticized this administration on certain aspects of their energy policy. But the President deserves credit for taking these steps and I acknowledge them. I will look forward to seeing those actually carried out, to see that followed through.

The Offshore Production and Safety Act offers us a chance to make even greater profits. To boost offshore production, the first part of the bill would require lease sales in the Gulf of Mexico, Alaska, and Virginia to be put back on the schedule. Those are areas that are projected to contain billions of barrels of oil. But if we refuse to even offer up the leases, then that energy is never going to be brought to market. We would also extend for 1 year all of the leases that were held back from production because of the administration's moratorium.

The second part of the bill relates to the safety, the safety of offshore production. Again it is pretty straightforward. It is pretty simple. We require that each leaseholder develop a spill response and containment plan to make sure if an accident does occur, immediate action can be taken to contain it and to protect the environment. This is critical. This is what we are all hoping for and waiting for after the Deepwater Horizon last year.

To further increase our Nation's response capacity, we would establish a

public-private task force on spill response and mitigation measures. We would also require the Comptroller General to identify any gap in the legal authority or spill response capability that would need to be resolved.

This bill we have before us and that we will move to today, with the vote this afternoon, will actually mark the first time any safety legislation has been voted on in the Senate since the Deepwater Horizon incident. So this Republican proposal is the first time. We did not see that happen last Congress. I know Chairman BINGAMAN and I certainly hoped we would see it. But it was not moved through last year. It was not part of the proposal we took up yesterday.

The third and final part of our bill addresses our notoriously slow Federal bureaucracy. Oil and gas projects are routinely delayed, not because of the technological limits, or even the regulatory requirements, but because the Federal Government is simply too slow in making decisions. To remedy the situation, we would limit the amount of time that Interior can take to decide on drilling permits. We do allow for some flexibility here, but when delays do occur, we require an explanation as to why. What happened? What is holding it up? Because litigation is increasingly used to halt new development, we provide expedited consideration of those cases in a specific court.

We know this bill does not contain every pro-production piece every Member may wish. I wish to see an ANWR provision in here, but it is not in here. There are additional items I clearly wish to advance, most notably, revenue sharing, critically important for a coastal State such as Alaska, and for my friend and colleague from Louisiana.

I am going to be working to advance this bill and, if it advances, offer amendments. If the bill does not advance, I am going to be working within the committee to continue to push revenue sharing and other issues that speak to the pro-production piece. But for purposes of this bill before us, I realize that with the revenue-sharing issue, this does present a scoring issue which we need to resolve. So clearly more discussion needs to come for that to happen. But, regardless, I urge every Member who realizes the critical need for increased domestic production to join together to advance this modest and very responsible start.

The purpose of this bill, the reason why we are ready to take it up, move it today, is it really is so simple. We are not asking for that much: a handful of lease sales to be put back on the schedule, basic safety measures be implemented, and permitting decisions be made on time. Our goal—pretty simply—is to put offshore production back on track closer to where it should be and closer to where we need it to be.

If there is one word that should be used to describe this bill, it would be modest. Everything within it is straightforward. Nothing is outlandish. Nothing goes too far. There are no poison pills in it. Since its introduction, the President has very explicitly endorsed several of the provisions that are contained within it. Our proposal is fair, it is sensible, and I believe it is time for the Senate to send it on to the House of Representatives.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOODWIN LIU NOMINATION

Mr. BLUMENTHAL. Mr. President, I rise today to support the nomination of Professor Goodwin Liu's nomination to the Ninth Circuit Court of Appeals.

Very simply, America deserves and needs the best of our legal profession on the bench, the best Americans on the bench. Goodwin Liu is an extraordinary American and an exceptional lawyer, and he will serve with distinction on the Ninth Circuit Court of Appeals if he is confirmed by the Senate, as I urge he should be.

He is qualified by reason not only of his remarkable intellect but also his professional experience, his life experiences, which are important to anyone who serves on the Federal bench. As demonstrating his intellect, he graduated with honors from Stanford University in 1991. He was a Rhodes scholar, graduating with honors also from Oxford. He then went to the Yale Law School, where he was editor of the Yale Law Journal, and clerked for two distinguished Federal judges, including Supreme Court Justice Ruth Bader Ginsburg.

He has been a professor and a dean at the University of California-Berkeley School of Law. He has worked in private practice, including serving as a special assistant to the Deputy Secretary of Education. But his life has been about public service. Indeed, he served for 2 years at the Corporation for National Service, helping to begin the AmeriCorps National Service Program.

He has dedicated immense amounts of time to representing and serving the disadvantaged, including minority and low-income children in public schools, and he has received numerous awards, not only for his academic performance but also for that public service.

He brings to the bench potentially also life experience and diversity as an Asian American. There is no Asian-American member at present on the Ninth Circuit Court of Appeals. There should be and Professor Liu ought to be that judge.

He has been endorsed by jurists across the political spectrum. Ken

Starr, the former Watergate prosecutor, said about him that he has “obvious intellect and legal talent.”

Ken Starr also highlighted Professor Liu’s “independence and openness to diverse viewpoints, as well as his ability to follow the facts and the law to their logical conclusion, whatever its political balance may be.”

That is a quality that is priceless in a jurist. It is to be valued on the Federal bench, it is to be sought, and it is the reason he has been endorsed, as well, by Clint Bolick, Bob Barr, Tom Campbell, John Hu, Richard Painter—the list could go on. But that list is simply reflective of that quality of the open-mindedness and willingness to listen that the Federal bench, and any bench, needs today.

He is supported by business leaders and law enforcement officials, including a bipartisan group of 27 former judges and prosecutors and the California Correctional Peace Officers Association. Again, endorsements reflect quality.

I want to finish by talking about a couple of qualities that I think are particularly important. One of them is the willingness to admit error and recognize the need for acknowledging error, as Professor Liu did in the hearing I attended. By the way, he has had numerous hearings—an extensive review by this body. In that hearing most recently, he acknowledged statements that perhaps should have been said differently, could have been said better. We all, from time to time, commit those kinds of errors, but rarely do people have the courage to acknowledge them. Professor Liu is the kind of human being who searches for the best in himself, as well as in others. He has a quality of integrity I think is perhaps most important in a Federal judge, or any jurist, and I hope across the political spectrum in this body there will be support for Professor Liu when his nomination comes to a vote within the next couple of days.

Mr. President, I yield the floor and suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. WICKER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

THE PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WICKER. Mr. President, I rise today in support of the Offshore Production and Safety Act, a measure to increase domestic production of oil and natural gas in this country.

There are any number of things that make the United States the great Nation it is. Three of these things relate directly to the debate on the legislation that we will vote on this afternoon. They include our bountiful natural resources, the freedoms estab-

lished by our Founding Fathers, and the determination of the American people.

The measure offered by the majority yesterday would have worked to stifle these very characteristics by discouraging economic activity, taxing industriousness, and putting more of our resources off-limits for development. From the oil wealth of the Gulf coast, to the coal reserves of Appalachia, from the hydroelectric power that characterizes much of the American West, to the oilfields of Alaska, America is blessed with an almost boundless supply of energy wealth. From the time of this Nation’s founding, Americans have sought to explore and develop this bounty. I am pleased to note that in recent decades we have become more responsible stewards of this endowment.

Last night, I held a telephone town-hall meeting with many of my constituents, and the issues of gasoline prices and energy independence were raised repeatedly. It is certainly not surprising in light of the high gasoline prices we are facing today. As I told Mississippians again last night during this townhall meeting that I favor an all-of-the-above approach to addressing America’s energy needs. I have supported, and continue to support, innovation in the area of biofuels, geothermal power, wind, and solar energy.

At the same time, however, we need to address current needs with currently available domestic energy resources, such as oil and natural gas. The measure we debate today, the Offshore Production and Safety Act, is a balanced one that offers a timely way forward by presenting a path toward lower fuel prices, job creation, and energy independence.

This legislation is responsive to the needs of the American people, not at some uncertain date in the future but now, making use of the resources and technology available today.

The specifics of the legislation before us are straightforward and common-sense. This bill would require proposed lease sales in the Gulf of Mexico, in the Mid-Atlantic, and those off of Alaska to be completed. It would cut bureaucratic redtape while speeding up the approval of drilling permits. Energy activities suspended during the administration’s moratorium on offshore drilling would be extended by 1 year. Safety considerations are also taken into account under this bill, taking lessons that we learned from last year’s Deepwater Horizon tragedy, to make deepwater drilling safer than before.

Energy independence—a goal we all share—can only be achieved through conservation, innovation, and domestic exploration, but domestic exploration must be a part of this in order for us to obtain independence.

According to a 2009 report by the CRS, America’s combined recoverable

natural gas, oil, and coal endowment is the largest on Earth. It is far larger than the reserves of Saudi Arabia, China, and Canada. We have the resources to meet our energy needs. I point out again that this is the independent Congressional Research Service that tells us this.

Closely related to this issue is the one of job creation in America—one that we should all be interested in with the unemployment rate currently at 9 percent. America’s oil and natural gas industry is responsible for 9.2 million jobs in this country. I know the people who have those jobs are proud to have them. I know the families who are supported by those jobs are proud of their family members who work in this industry. Wouldn’t it be great if we can expand that 9.2 million to a higher figure?

There was much discussion yesterday about taxation and budget considerations. Oil and natural gas production in the Gulf of Mexico raised over \$67 million in revenues for the Federal and State governments in fiscal years 2008 through 2010. That is according to the Department of the Interior. Millions more went to land and water conservation. But because of the administration’s moratorium, energy production in the Gulf of Mexico is expected to decrease by 13 percent this year, as estimated by the Energy Information Administration. Again, that is an official organ of this government. Overall, U.S. production is projected to drop by 110,000 barrels per day this year. This is not progress.

The fact is, the United States is dangerously dependent on foreign sources for our energy needs. We import 60 percent of our petroleum needs in the United States. This is hardly a revelation. Yet the proposed bill offered by my friends in the majority would have led to increased dependence on the importation of energy from foreign countries, many of which are not supportive of American interests, to put it mildly.

Furthermore, the suggestion that the appropriate response to soaring prices of gasoline is greater taxation on the companies that produce gasoline simply runs counter to common sense. In the larger picture, the administration’s energy policy is not comprehensive in nature because it fails to promote the utilization of proven domestic resources, and the traditional domestic production it allows comes wrapped in bureaucratic redtape. If our goal is to increase our energy independence in the near term, the White House seems to want to lead us in the opposite direction. We do not encourage the increased production of any good by raising taxes and imposing more regulations on it.

The McConnell alternative, which we will vote on this afternoon, takes a different strategy—one that would increase access to domestic oil and natural gas. It is a strategy that would

create jobs and spur economic growth, while increasing government revenues and improving industry safety.

Oil and natural gas reserves are abundant and accessible in the United States today. Tapping these domestic resources is integral to lowering energy prices and making us more energy independent.

I urge my colleagues to support the Offshore Production and Safety Act as a logical, prudent step in the right direction for U.S. energy policy.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. Mr. President, yesterday the Senate debated a bill to increase taxes on the production of oil and gas in the United States, as well as the tens of thousands of Americans that industry employs and really the millions of Americans it serves. We should have been debating a budget. In fact, the Senate has not passed a budget for 749 days.

The majority decided to bring their bill to the floor yesterday in an effort, I think, to change some of the conversation from the problem at hand, which is our spending problem in Washington. Today we borrow 40 cents of every dollar we spend. Spending on domestic government agencies domestic nondefense government agencies in the past 2 years increased 24 percent. That does not count the \$700 billion, almost \$800 billion stimulus package. It was much more than that added to it. The Medicare trust fund will go bankrupt in 2024. The Social Security trust fund will be insolvent in 2036. In the past decade, our Nation's debt has increased from \$5 trillion to \$14 trillion.

Despite the gravity of our situation, the majority has chosen to debate a bill to increase taxes on oil and gas, an industry that employs 170,000 Americans and a number in my State and added this past year 11,000 new jobs. Mr. President, \$1.9 trillion in taxes has been generated by the industry since 1981. The Reid-Menendez bill would not have decreased prices at the pump but would have shipped more jobs overseas and resulted in the importation of more oil and gas. Whenever you tax something, you get less of it. Whenever you tax a refining process, you drive up the cost. It is just that simple.

We are all aware that gas prices have doubled in the President's first 2 years in office. Raising taxes on energy companies operating in America would do nothing to help that situation. The real solution is for America to enact legislation that increases domestic American energy production from a va-

riety of sources—oil, natural gas, nuclear—we need to do more on nuclear—hydroelectric, biofuels, coal and other sources of reliable energy that Americans can put to good use—our energy.

Conservation is a very important factor and should play a very important role. America needs an energy policy that strengthens our national security, fosters economic growth, and protects the environment in a reasonable and cost-effective manner. Americans need affordable domestic energy. Regrettably, the Senate majority plan does not seem to be interested in that kind of energy policy.

In April of this year—just last month, the United States imported 344 million barrels of oil from foreign sources. That is over 60 percent of the oil consumed in America. That means we sent \$42.5 billion overseas in April alone to purchase the oil we import.

Stated differently, last month alone the United States spent over \$980,000 per minute on oil from foreign sources. That is almost \$1 million a minute. This presents a significant risk to our national security, as so many have told us, as many of these dollars are going to nations that are not friendly to us.

This also further exacerbates our Nation's trade balance. We import far more than we export, and our exports now are beginning to rise a little bit, but those gains are being more than offset by the importation of oil and the price of oil.

The Reid-Menendez bill would have increased the price of energy in America, which, I have to say, seems to be the objective of the administration and some in this Senate. In September of 2008, Steven Chu told the Wall Street Journal in an interview:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

Dr. Chu is now the Secretary of Energy for the United States of America. He needs to be thinking about how to get the costs down and serve the constituency of America. I do not know what idea he has that we ought to be raising the cost of energy to the level in Europe.

The Environmental Protection Agency, in fact, is enacting new regulations that will also drive up the cost of energy in a way that should never have happened, in my view. We have had some close votes on that issue. Hopefully, we will soon be able to pull back that effort. A study by the Affordable Power Alliance concluded that EPA's greenhouse gas regulations could increase the cost of gasoline by 50 percent, electricity by 50 percent, and natural gas by 75 percent over the next 20 years. That is a stunning figure. There is no doubt it will drive it up. The majority has yet to recognize the negative impact these tax increases and new EPA regulations will have on the economy.

With gas prices up to \$4 a gallon, from \$2.75 in September—\$4 from \$2.75—this translates into a 5-percent cut in the average American's discretionary income just for the same amount of gas they are buying. This means less spending on home improvements, furniture, clothes, vacations—things people and families need. All that is eaten up by increased energy costs. In a way, it is a form of a stealth tax on the American people.

Furthermore, increasing energy taxes will make doing business in the United States more expensive. As a result, jobs will go overseas.

The rise in gas prices over the past two years has meant that a family paying \$100 a month for gasoline will now pay over \$140 a month for gasoline. If someone is paying \$200 a month—and many are—they would pay \$280 a month just because of a change in the gasoline price. Add it up. That is what it amounts to—\$80 for a family who uses \$200 a month in gasoline.

Some argue raising taxes will help reduce our deficit, but the tax increases in the Reid-Menendez bill would have raised approximately \$1.2 billion in 2012. With a projected deficit of over \$1.6 trillion this year, the revenue produced from these taxes would be a drop in the bucket. Don't think it is going to balance our budget, that is for sure.

Furthermore, the bill's sponsors claim the money would be used to reduce the deficit, but there is nothing in the bill that does that. Although the language sounds good, the language is essentially what we call a sense of the Senate and has no binding power. In the end, nothing in the bill could have been construed as mandating deficit reduction. It is simply a tax increase, plain and simple—tax and spend.

As the majority tried yesterday to increase taxes on the energy industry, they ignored the convoluted tax system that is increasing and inhibiting job growth in America. The United States has the second highest corporate tax rate in the world—39.5 percent. All the developed nations have been reducing their taxes. Only Japan has as high a corporate tax rate as we do, and they are reducing theirs. The Canadian Finance Minister, whom I had the chance to meet with last week, says Canada is bringing its tax rate down to below 15 percent. And we are taxing at 39.5 percent? Will that not cause a business to decide maybe to build their factory in Canada rather than in the United States and cost us much needed time?

The PRESIDING OFFICER. The Senator's time has expired.

Mr. SESSIONS. Mr. President, I ask unanimous consent to speak for 1 additional minute.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. SESSIONS. I thank the Chair.

Mr. President, I believe the McConnell legislation, which has three components—one aimed at restoring American offshore production in the wake of the moratorium that has been imposed, a safety component aimed at preventing future incidents like the Deepwater Horizon, and an efficiency component aimed at streamlining the issuing of permits—is the right way to go. More production of American energy will help our country, our economy, and our people.

I thank the Chair, and I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I have come to the floor to talk about the Republican bill to expand coastal drilling without environmental review, without the normal planning process, and without important safety measures. But before I do, I just have to respond to the remarks of my distinguished colleague from Alabama about our bill debated on the floor yesterday.

Only in Washington—only in Washington—could taking \$21 billion from the oil companies' tax breaks, which the legislation clearly stated would go to deficit reduction, at a time that oil companies are making anywhere between \$125 billion and \$144 billion in profits—not revenue but profits—would that be not reducing the deficit. Only in Washington could you say taking \$21 billion from the oil industry and the tax breaks they get, with record profits—and the law said very clearly that was going directly to deficit reduction—only that could be viewed a different way. And to suggest the oil companies cannot do without that \$21 billion of the taxpayers' money when they are making \$125 billion to \$144 billion in profits is pretty outrageous.

But I know what today's legislation is about. Yesterday, the Republicans were standing up for Big Oil and today they are standing up for Big Oil again because this is not about reducing gas prices.

Haven't we learned anything from the tragic death of 11 men aboard the Deepwater Horizon rig a little over a year ago? Haven't we learned anything about the families who lost livelihoods and the gulf economy that will take decades to finally rebuild? Just over a year ago, I came to the floor to speak about this human and environmental catastrophe, a spill that many in this Chamber said was inconceivable—well, inconceivable despite the fact that a remarkably similar spill had happened a year before off of Australia's coast. Two hundred thirty miles of coastline in Louisiana, Mississippi, Alabama, and Florida was spoiled by toxic oil, and countless families who made their living on the coast had their lives turned upside down. This chart reflects the oil spill in Australia, but this is similar to what happened in the gulf.

Despite that sobering reality, my colleagues on the other side of the aisle have introduced a bill that would open new areas to coastal drilling and put millions more families at risk of losing everything. And at the same time they are calling on coastal communities, such as my home State of New Jersey, to risk everything, they have blocked efforts to address the fundamental safety concerns raised by the Deepwater Horizon blowout and the results of what the commission said. This reckless bill would allow drilling in sensitive coastal areas even though current safety and oversight laws have been deemed to be inadequate to prevent a repeat of the gulf disaster.

So I ask, have we learned nothing? My home State of New Jersey would face a risk of drilling along Virginia's coast, less than 100 miles from the Jersey shore. If the gulf spill happened in Virginia waters, many New Jersey families and much of our coastal economy would be ruined. We have magnificent pristine beaches. The dunes along the coast are breathtaking, wildlife is abundant, and tourism depends on it. It would all be in jeopardy. This is the second major driver in billions of dollars for our economy. And for what?

This photo shows what happens to wildlife when coastal drilling goes wrong. It shows a risk we cannot take. A spill similar to the one in the gulf could quickly travel to Cape May and blanket the entire Jersey shore in a sheen of toxic oil. This would not only be an environmental disaster but also an economic disaster for New Jersey. If our coast was covered in oil and our wildlife disappeared, tourists wading into the ocean would be replaced by cleanup crews in biohazard suits. That is not what I want for the people of the coastal communities of my State or any other State.

With approximately 60 percent of New Jersey's \$38 billion tourism industry generated by the Jersey shore, we cannot afford to let this happen. And when we add the effect a spill would have on my State's multibillion-dollar fishing industry, the economic consequences are unimaginable. It simply does not make sense to play Russian roulette with an asset that generates thousands of jobs and tens of billions of dollars per year for drilling assets that could never generate even one-tenth of that.

My colleagues argue that we must risk our coastal economies in order to bring down the price of gas; that what we need is more production domestically. But here is the problem. As this chart shows, we now have greater production than at any time since 2005. Yet what do we see? Gas prices haven't gone down. So how does that theory play out? We have greater production domestically than ever before, but gas prices haven't gone down.

What does the Department of Energy tell us? It estimates that opening all

the shores—all shores—to drilling would reduce gas prices by—how much, Mr. President?—one, two, three cents in the year 2030. That is from the Department of Energy of the United States. Drill everywhere and a 3-cent reduction in 2030. I don't think that is about providing relief right now. Three cents per gallon in 20 years, and yet we would risk tens of billions of dollars in damage to our coastal economies?

So instead of doubling down on 19th-century fuels, we should be investing in a new 21st-century green economy that will create thousands of new jobs, billions in new wealth, and will help protect our air and water from pollution. It is time for this country to move forward and embrace the future rather than clutch at the ways of the past.

Over the last 2 days, we had two bills presenting clear choices—my bill to cut oil tax breaks and this bill to recklessly expand oil drilling. Neither bill will do anything to gasoline prices. And despite rhetoric on the other side of the aisle, neither bill is about gasoline prices.

I said it very clearly. My bill to cut oil subsidies was about lowering the deficit and doing so by cutting wasteful subsidies. It is hard enough to be paying nearly \$4 a gallon for gas, but then to have the taxpayers reach into their pockets and give more money to Big Oil to have them make bigger profits is pretty outrageous. The Republican leader's bill is about enriching oil companies by granting them new areas to drill without normal safety or environmental review. My bill was designed to help taxpayers, and their bill is designed to help oil companies.

When it is all said and done, this is what we are deciding today: Are you with the working, middle-class Americans or are you with Big Oil? I think there is only one fair answer, only one answer that makes sense for American families, and only one answer for ourselves as a country looking to future generations.

If we learned nothing from the tragedy of a year ago, then that is a sad commentary. But if we have learned, yes, we can pursue drilling in certain areas, but it must be done safely or else we spend billions afterward cleaning up the mess. I don't want to clean up the oil companies' messes. I don't want to put future generations of Americans at risk in terms of the conservation of their environment. And I certainly do not want to wait for 2030, to take all of that risk, to risk all of the billions of dollars in our coastal economies for three cents.

Mr. President, let's vote no on this suggestion, and let's move forward to a green energy future that finally breaks our addiction to foreign oil and breaks our addiction to those gas prices we suffer with today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I hear talk about gas prices and the economy, the effect on the economy and our future. We need to work hard to be sure we are producing more American jobs. Frankly, I can't think of a better way to do that than to produce more American energy. We use about the same amount of energy in a good economy as we do in a weak economy. It is the place to go where we know the consumers are, whether it is the electric bill or the gasoline at the gas pump, and we ought to be doing all we can to produce those jobs.

Certainly there are many factors that affect the price of oil, things such as the value of the dollar, supply and demand, and the global events that affect oil, such as the problems now in Libya and other oil-producing countries, or even the weather. I live in a State bounded by the Mississippi River, and the flooding down the Mississippi has had some impact on the north-south movement of refined products in the country. All those things have impact on gas prices.

One thing that will come up this summer and that I have worked hard on and on which many of my colleagues have joined me is looking into what we can do to be sure our efforts to have clean air don't needlessly restrict the supply of gasoline. As we get into the summer months, too many cities have their own unique blends of fuel. That means we turn the refineries into profit centers making these unique blends of fuel instead of places that process oil into gasoline and different blends of gasoline only when necessary as opposed to whenever someone has convinced a city that a unique blend of fuel is the only one they can possibly use.

In my State of Missouri we have one blend of fuel in the summer in St. Louis, another blend of fuel across the State in Kansas City, and a third blend of fuel in between. All those have to be blended separately, trucked separately, sold, obviously, separately. The Gas Act, which I hope we can talk about more in the next few weeks, is one of the ways we can bring as much common sense into the system as we can. Let's take the supply that we have available and use it in the way that makes the most sense.

In fact, right before Katrina in 2009, the President was given new authority in cases of natural disaster to suspend these fuel blends if there is a restriction of supply, and the President did that. I don't think he had the authority a month before Katrina hit. The President did that, and in the 6 months that authority was used, gas prices did not go up in any significant way at all, as I recall, because for that 6-month period of time gasoline became a commodity again.

If one could get gasoline, one could sell gasoline. If somebody had gasoline,

one could buy gasoline. It did not matter whether it was the unique blend that one had become convinced that in their community that was the only one right for them, and we set some standards on those blends at the time, in the Gas Act, with 38 of my colleagues who cosponsored it. We will set more standards. That is one way to try to use the supply we have in a way that makes the most sense.

Another way, clearly, is to go out and find more. Our approach to energy needs to be threefold: to use energy more efficiently so we use less, to find more, and to invest in the future to find out what those things are that we need to be looking at as we transition the system.

I am not at all of the opinion we will not have a system, a fleet of cars that is powered in different ways at some date in the foreseeable future. But the foreseeable future would be 25, 30, 40 years. I am equally convinced that no matter what direction we go for fueling automobiles, 25 years from now the majority of cars on the highway are still going to be using gasoline. That means we need to find more of it here. That is what the Offshore Producing and Safety Act that Senator MCCONNELL introduced does and what I am cosponsoring along with my colleagues.

This bill tries to restore our offshore exploration of energy. Thirty percent of our domestic energy supply has come from the gulf in recent years. We want to be sure that number continues to remain at that level.

Since April of 2010, the administration has only approved 53 shallow-water and 14 deepwater permits—most of those underway before the Deepwater Horizon spill a year ago. In fact, the moratorium has, for all practical purposes, become what some people are describing as a permatorium. We permanently decided we were not going to look at the gulf for the kind of oil that it can, should, and needs to produce. In fact, offshore energy production is projected to fall by 210,000 barrels per day this year. That means in the gulf we would be getting 210,000 fewer barrels of oil every day this year than we got last year.

Surely, that is no solution, to become more dependent on other countries that are recipients of the jobs that follow our energy future. We need those jobs to be here. The estimate is, we would be down 190,000 barrels per day in 2012 because we have not been pursuing the drilling permits.

It is possible that 2011 could be the first year since 1958 that the Federal Government will not hold an offshore lease sale—the first time since 1958. Does that mean we are less dependent on oil and gasoline than we were in 1958 or 1959 or 1969? No, it does not mean that. We are more dependent, and we need to move forward with looking at the resources we have.

Recently—recently meaning Saturday, in his Saturday speech—the President appears to have reversed course on this issue and has called for Alaska and Gulf of Mexico leases to be reinstated and for an extension of leases impacted by the moratorium. I think this bill actually helps what the President called for on Saturday. It would be lightening speed for the Senate to pass a bill on Wednesday or Thursday that the President asked for on Saturday. I think this is very much in line with what I would admit is a new position for the President to take, but it is one he seemed to take firmly on Saturday. This legislation would help him.

The number of lease sales is undetermined by the President's address, but we could help by pursuing leasing and permitting with this act. This act directs the Interior Department to conduct the offshore lease sales that the administration canceled in December of 2010. These were lease sales that were underway, the process was well along, and the administration canceled those lease sales in December of last year.

These were lease sales in the western and central gulf and on the Virginia Outer Continental Shelf and the Alaska Outer Continental Shelf. Let's go back to that point: Let those lease sales move forward as they were doing before they were canceled. The President just said Saturday: Let's do this. Let's do it, and let's give him the tools and encouragement he needs to do it right now.

This would end the permanent moratorium that occurred last year in the gulf. It includes a 30-day time limit for the Interior Department to review and decide on drilling permits. If rejected, the Interior Department has to disclose why it rejected the permits. There should not be anything wrong with that. If a permit should be rejected, everybody ought to be told why, and it ought to be part of the record. It also provides for default approval if the Interior Department does not make a decision within 60 days.

Finally, it improves safety procedures by adding additional requirements for a spill response plan and a containment response plan to see that was done.

This would mean we would have more American energy, and more American energy has two impacts. No. 1, it would inject more supply in the marketplace, putting price pressure on the worldwide marketplace. If we fully pursue our own resources, that does have an impact on the short-term response of the industry because they know America is going after its resources.

I urge we approve this bill. I intend to vote for it.

I yield the floor.

The PRESIDING OFFICER (Mr. UDALL of New Mexico). The Senator from Oklahoma is recognized.

Mr. INHOFE. Mr. President, first, let me say I will be supporting the bill that we have before us today. It did not go far enough, though. What we ought to do is open everything. I am talking about the Pacific, the Atlantic, the gulf, the North Slope, the public lands. That is what we really need to be doing.

I know there are some reasons they are confining it to the gulf in terms of this legislation. While I respect that, again it does not go far enough.

Let me make one comment about yesterday's vote. Right now the single issue people have in terms of energy is the price of gas at the pump. I know it is not just my wife, they are all that way. I can see that. But when the Democrats came up with their bill last night, I hope people remember who was voting for this. That was for a major tax increase on what they call Big Oil.

Big oil is the five biggest oil companies. I hate to say this, but sometimes you walk on the floor with half truths and get by with it, and people will assume that is true. As much as I love my fellows on the other side, some of the things that were stated were actually just totally inaccurate.

To say the big five don't pay taxes—they pay huge taxes. I don't know where they come up with some of these numbers. I am going to single out one company, ExxonMobil, and tell my colleagues something they are not aware of because it has not been said on the Senate floor yet.

In 2010, ExxonMobil's total tax expenses in the United States were \$9.8 billion. That is what they paid in taxes in 2010. That includes income tax expense of more than \$1.9 billion. That \$9.8 billion in taxes exceeded the 2010 U.S. operating earnings of \$7.5 billion.

What we are saying is, they paid \$9.8 billion in taxes. They only received \$7.5 billion in terms of earnings from the United States. Why is that? It is because about 80 percent of their operations are in other countries. They are in 100 different countries. Not one of the other countries charges taxes when they go offshore. I believe we are the only country that charges a U.S. tax on production that takes place in some other country.

For that reason, if we tax them like most people do it would have been a tax credit and not a tax at all. Nonetheless, they were accountable for paying taxes that year of \$9.8 billion. Look at this year. That was 2010. During the first quarter of this year, our U.S. operating earnings of this particular company were \$2.8 billion—that is the first quarter of 2011. The rest of their earnings, more than \$8 billion, came from operations in more than 100 countries worldwide.

Here is a number we will not hear in Washington. During the first quarter on those earnings, U.S. earnings of \$2.6 billion, they incurred a tax expense and

paid a tax of \$3.1 billion. They are paying more than they are getting out of this country. I think sooner or later we have to come up and just tell the truth of what is happening. It is all class warfare. I think we know that: Big, bad oil. They are all bad.

We have a lot of production in my State of Oklahoma. We have companies such as Devon and Anadarko and others that are doing a lot to relieve this problem. I know what is going to happen. It did not pass, obviously, and is not going to pass, but if it had the next target would be some of the smaller domestic companies.

I remember coming down to the floor last year when the good Senator from Vermont had a bill and was bringing it up by unanimous consent, and I just happened to get here in time to stop it and debate it and defeat it. In that bill they even held up a picture of a check from ExxonMobil as to what their tax liabilities were—totally wrong, in my opinion, and apparently in the opinion of 61 of the 100 Senators because they joined me in opposing that particular legislation.

We have a solution to the problem. This is not rocket science. Right now we have the data. It just happened in the last 8 months that the Congressional Research Service—nobody has stood on the Senate floor and questioned the fact that they are non-partisan; they are objective. They looked at our recoverable reserves in coal, oil, and gas and found they are greater in America than any other country in the world. We have those recoverable reserves.

The problem is, we have a political problem where the liberals here, along with liberals in the White House, including the President, will not exploit our own resources. We have all the oil and gas and coal that is out there. We could be totally independent of the Middle East in a very short period of time if we would just go offshore on all three coasts, along with the North Slope, ANWR, and with our public lands. As I say, every other country does it.

So we have to wonder: Why don't we do it? Why is it we don't care about supplying ourselves with homegrown oil, gas and coal and taking care of our own energy needs? We have the ability, but the politicians will not let us do it.

There is one reason. That is—and this is disturbing—that in the case of this administration, they don't want to do it. This administration has said many times they are not interested. Listen to what Alan Krueger, Assistant Secretary of Treasury, said:

The tax subsidies that are currently provided to the oil and gas industry lead to inefficiency by encouraging an over investment of domestic resources in industry.

Secondly, he says:

The administration believes that it is no longer sufficient to address our nation's energy needs by finding more fossil fuels. . . .

Look, I am all for coal, gas, oil. I am for nuclear. I am for all of the above. I am for all of the renewables: Sun, wind, and everything else. But we have to run this machine today, tomorrow, and the next 5 and 10 years. We can't do that without fossil fuels.

Further, they stated:

The administration's goal is to have resources invested in ways which yield the highest social return.

Social return, that is a totally different thing—not an economic return, not the ability to run our country ourselves but some kind of a social engineering that is going on.

The best quote and the most telling is the one that came from Secretary Chu, the Energy Secretary for President Obama. Listen to this:

We are going to have to get some sort of regulatory thing going on that [hydraulic fracturing].

He said:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

This is our administration saying this. This is the Secretary of Energy:

Somehow we have to figure out how to boost the price of gasoline to the levels in Europe.

They are intentionally raising the price of gas and it is by their own admission.

We were warned way back during the campaign when President Barack Obama was a Senator. He said:

Under my plan of a cap and trade system, electricity rates would necessarily skyrocket.

So we have an effort by them. I would just warn my good friends on the Democratic side of the aisle to watch this pretty closely because just because the President wants to increase the price of oil doesn't mean that your constituents do. In fact, I can assure you your constituents do not, unless there is something unusual about my State of Oklahoma.

Let's see what the CRS report said a little bit more specifically. They said, in the updated report, America's combined recoverable oil, natural gas, and coal endowment is the largest on Earth. America's recoverable resources are far larger than those of Saudi Arabia, China, and Canada combined. That is the resources we have in oil, coal, and gas.

America is the world's third largest oil producer and is endowed with 163 billion barrels of recoverable oil which will run the United States of America for 50 years. We can run it. All the oil we will need for 50 years, we have it. We just have to get the politicians out of the way so we can produce it.

Natural gas, in terms of trillions of cubic feet, America's future supply of natural gas is over 2,000 trillion cubic feet, an increase of more than 25 percent just since the committee's 2006 estimate. At today's rate of use, this is

enough natural gas to meet America's demand for 90 years.

Keep in mind natural gas is not just natural gas to develop energy, but also natural gas is something we are going to be using in our cars today. It is available. They are working on technology. We are working on the certification of engines that will burn natural gas. When we are, it is going to relieve that tension also. Right now, the price of a comparable gallon of natural gas to run an automobile is \$1.60 gallon—\$1.60 as opposed to \$4, so it is out there.

I have to say this. The President made a speech, and I responded on a couple of TV stations. This was probably 3 weeks ago. It was on energy. He said in that speech: We have an abundant supply of good, clean natural gas. We need to be using it. Then, at the end of that speech, he said: However, we have to be very careful what we are going to be doing because we don't want to contaminate our drinking water with hydraulic fracturing.

I happen to come from Oklahoma. The first hydraulic fracturing job in Oklahoma was done in 1948. We have not had one documented case of groundwater contamination ever since 1948, 60 years. Yet, right now, they are going to stop us from going after natural gas by taking away hydraulic fracturing. In these tight formations, the shale formations, you can't develop a cubic foot of natural gas without using hydraulic fracturing. It is a way of inserting liquids in to force the gas out so we can develop it. So it is there. So the President is saying we need to use natural gas, but we don't want to use hydraulic fracturing.

There is an effort right now by many Members to try to take that over as a Federal function, the regulation of hydraulic fracturing. Right now, there has never been a problem with it. It is regulated differently in different States. For example, in my State of Oklahoma, in the Anadarko Basin, we are talking about depths of some 35,000 feet. If you go just north in Kansas, it is between 3,000 and 4,000 feet. So it is different in different States. It needs different regulation. It is not broken and we don't need to fix it.

What has the President done? He has put Secretary Chu in charge of determining what we are going to do with hydraulic fracturing. Secretary Chu is the same guy who said we have to raise the price of our gasoline to be comparable to the gasoline price in Europe. So that is the wrong guy for that kind of a study.

Besides that, I would remind my colleagues we actually have a study that is going on right now by the Environmental Protection Agency on hydraulic fracturing that isn't through yet. It would seem to me we ought to at least finish and get this study before we rush in and try to pass something that will

stop us from being able to develop our natural gas.

I can say the same thing for coal. America is No. 1 in coal reserves. Right now—people aren't aware of it—we are reliant upon coal for 50 percent of the power it takes to run this machine called America. America is No. 1 in coal resources, accounting for more than 28 percent of the world's coal.

So we have it here. We have gas. We have coal. We have oil. All we have to do is develop them.

How many people in America who have gone through elementary school don't remember supply and demand? We have a huge supply and there is a great demand for it, but we have our politicians who will not let us develop our supply. As long as that holds, it is going to be very difficult for us to do it.

So I would just say this. This is a wakeup call for the American people. We have a vote this afternoon. It is not good enough. I am going to vote for it. But we ought to be opening our exploration and production all over America. To do that, we have to go beyond this bill. This is a start and it is a start that is worthwhile.

With that, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. CHAMBLISS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. CHAMBLISS. Mr. President, I rise today to speak about our Nation's energy policy, or, frankly, our lack thereof.

Georgians, as well as folks all across America, are shocked every time they pull up to a gas pump, both at the price of gas per gallon and at the jaw-dropping cost each time they fill up their tanks.

With rising food prices and a stagnant economy, skyrocketing gas prices could not come at a worse time. This situation illustrates why it is imperative for Congress to focus on creating a policy to expand and diversify our energy sources so the American people are no longer held hostage by prices at the pump.

The necessity of congressional action has become all too clear as we watch gas prices climb and unrest spread throughout the Middle East, potentially threatening major sources of energy we import.

It highlights the fact that we cannot afford to keep sending hundreds of billions of dollars per year to foreign countries—many of which are not America's friends—to meet our energy needs. It poses a threat to our national security and further harms our Nation's struggling economy.

This week we are considering two pieces of legislation that both deal with domestic production of oil and gas: the Reid proposal that aimed to stifle it, and one introduced by Leader McCONNELL that increases offshore production while improving the safety of offshore drilling operations.

Unfortunately, the Reid proposal would have increased taxes on domestic production of oil and gas, which would have discouraged domestic drilling and resulted in the loss of many American jobs associated with the oil and gas industry.

Without incentives to produce oil and gas in the United States, there is real risk that energy companies will take many of their drilling operations overseas. This goes directly against goals I know many of my Democratic colleagues share of reducing our dependence on foreign sources of oil and encouraging job growth. Moreover, as we watch gas prices rise, why would anyone want to impose new taxes on energy which will only further increase prices Americans pay at the pump?

My colleagues across the aisle who support this legislation portray their proposal as a deficit-cutting measure. As much as anyone here, I recognize the importance of reducing our Federal deficit. But I do not support targeting one industry to bear the brunt of the deficit-cutting measures while others enjoy tax incentives.

Rather than hindering domestic production of oil and gas, we must encourage the development of abundant energy resources we have right here inside the United States, and we must do so in an environmentally responsible manner.

I was pleased the Reid proposal did not pass yesterday. As a cosponsor of Leader McCONNELL's Offshore Production and Safety Act, I will continue to support domestic oil and gas exploration and production. It is an essential component of a comprehensive energy policy that will enable America to become more energy independent.

As I hear more reports of new oil and natural gas deposits found within our borders and off America's shores, I am stunned we are not doing more to encourage the development of these resources. I cannot think of a better means of improving our economy by both reducing America's energy imports and encouraging job growth.

After the oilspill last year, the Obama administration reviewed its drilling and permitting process for domestic oil and gas production, and is still in the process of revising it. While changes clearly needed to be made, the Department of the Interior continues to hold up and unnecessarily delay approval of drilling leases and permits. Now is not the time to tie up valuable and much-needed American energy production in bureaucratic redtape. Senator McCONNELL's bill would actually

streamline the permitting process while improving safety.

A responsible energy policy that will make gas prices reasonable, lessen our dependence on foreign oil, and strengthen our economy will also result in increased domestic energy production, improved energy efficiency through technology, increased conservation, and a diversified energy supply through the use of renewable fuel sources.

Along with supporting America's oil and gas development, we must also focus on other domestic energy sources—including nuclear energy, wind, clean coal, and solar power—that will allow us to achieve sustainable energy independence.

I am hopeful that in the 112th Congress we will take on some form of comprehensive energy legislation. For the sake of our national security and our economy, we need to take this issue on now instead of kicking it down the road for others to handle.

I encourage my colleagues to support the McConnell proposal.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOEVEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HOEVEN. Mr. President, I rise to speak on behalf of S. 953. Today I wish again to speak about gas prices in our country and the pressing need to increase domestic supply. In a nutshell, the way you reduce prices at the pump for American consumers is by increasing supply, particularly domestic supply. More supply will not only help bring down the price of gasoline at the pump for American consumers, but it will also help create good American jobs for our workers across the country.

It is important to remember that government does not create jobs, but government can create the environment, the legal, tax, and regulatory environment that will stimulate private investment, and that private investment will stimulate the deployment of new technologies, new companies, and, of course, create jobs to help grow and sustain our economy.

I want to start out by giving you some examples close to my home in the great State of North Dakota. In North Dakota, we launched a comprehensive energy plan about 10 years ago. At that time oil companies had either left the Williston Basin, which is the energy patch in our State, or they were leaving. You might ask: Well, why was that? First, it was because they were getting better returns elsewhere. The technology was lacking to produce oil

and gas economically from new formations in our State. Companies were going to other places in the world where they could extract that oil more cost effectively.

Second, the data on confirmed reserves was also lacking, and the technology to produce oil from shale was not sufficiently developed.

Third, our workforce was aging.

And, fourth, transportation constraints limited production. In other words, there were better places for those companies to go, better places than our State, to invest their dollars, to get a return for shareholders.

To turn that around, we worked very hard to build a climate for investment and growth. I wish to tell you about some of what we worked to put in place. First, we put tax incentives in place that made it worthwhile to invest. Second, we established an oil and gas research fund. Third, we initiated studies of the Bakken formation, not only through the North Dakota Geological Survey, but also through the U.S. Geological Survey. We asked for updates to those studies now as well.

We improved infrastructure, including four-laning some of our major highways. We established a pipeline authority to expand transportation capacity, to move product out of the Williston Basin to market, and we also established a center of excellence for petroleum safety and technology at Williston State College, to train workers in oil production and recovery methods.

Up until that time, we had to send our workers to States such as Colorado or Wyoming or maybe Oklahoma for that education and training in oil field technologies, and sometimes they did not always come back to our State. So we established that training there at home.

As a result of our advanced business environment, we drew investment capital technology and ingenuity to the Williston Basin, and those efforts unlocked the potential not only of the Bakken formation but also the Three Forks formation.

This year, North Dakota will produce more than 120 million barrels of oil, the fourth most amongst all 50 States. We passed other States now such as Oklahoma and Louisiana, and our production continues to grow. What is more, the private investment that funded and deployed those new technologies to produce more oil most cost effectively and more dependably also funded the development and deployment of new technologies that helped us produce that oil and gas in more environmentally sound ways.

New technologies such as directional drilling, and the way we do hydraulic fracturing, enabled companies to recover as much or more oil from one well bore than they had formerly recovered from up to a dozen well bores. That means

more domestic production, less environmental impact, and better results for the American people.

Bear in mind that most of these measures I am talking about, most of these measures we implemented to enhance our business climate, were not about government spending. They were about creating an environment that attracted private investment.

Increased economic growth not only generated revenues for our State and broadened our economic base but also actually enabled us to reduce taxes for our citizens. It also has a national impact. Increased North Dakota oil production is also helping to reduce our dependence on foreign imports, and increase the domestic supply of oil in this country.

As I mentioned in my remarks last week, between 1985 and 2005, domestic oil production in this country was going down—it was shrinking—and foreign imports were growing. In 2005, we were importing 12.4 billion barrels of oil a day into this country, 60 percent of what we consumed.

By 2010, however, our imports had fallen to 9.4 million barrels a day, a reduction of about 3 million barrels a day over 2005. So over the last 5 years, we have actually reduced our daily imports of oil into this country by 3 million barrels a day.

Our dependence on foreign oil has been reduced from 60 percent down to about 49 percent. So what changed? Well, in part, we are using less. But the fact is, we have increased domestic production. We have increased our domestic supply. Increased supplies from onshore production in the lower 48 States such as North Dakota, also from natural gas liquids throughout the country, and from offshore drilling, have all raised domestic output by 1.5 million barrels a day in this country.

That is what today's vote on S. 953 is all about. The bill before us, which was introduced by Senator MCCONNELL—and I am pleased to be one of his cosponsors, is about more offshore domestic production, more offshore domestic production from off our coasts, and, hence, more domestic supply.

Like our approach in North Dakota, onshore production, S. 953, the Offshore Production and Safety Act will encourage more domestic production with better environmental stewardship. It will open areas in the Gulf of Mexico, in Alaska's Outer Continental Shelf, and parts of coastal Virginia to new exploration and production. At the same time, it will help to expedite the approval or denial of growing permits to a reasonable period of time—in this case 60 days—thereby allowing projects to move forward in a timely fashion.

But it does not just speed up the clock. This bill is also about safety. It requires companies drilling offshore to have safety plans that must be certified by the Secretary of Interior. To

further improve safety, it also requires ongoing preview and research into spill prevention procedures and methods.

This legislation, the Offshore Production and Safety Act, is the kind of energy policy that will help to attract investment and increase production in this country. That means not only more supply to help bring down the cost of gasoline at the pump for American families, but it also means more jobs for American workers. It is a good piece of legislation and we ought to pass it.

Although it is a step in the right direction, no single piece of legislation will do it all. Congress has not passed a comprehensive energy policy in years. But, frankly, we can no longer wait for that single sweeping master plan that will do it all at once.

Again referring to my home State, we built Empower North Dakota over a decade piece by piece, and saw firsthand the power of energy development in our State. The bill before us today is one piece, a piece that can become part of a comprehensive national energy plan.

To build a comprehensive plan we need other legislation as well, other legislation such as the Boutique Fuel Reduction Act of 2011, which would simplify our Nation's fuel standards and make more fuel available to American consumers. My esteemed colleague, Senator ROY BLUNT from Missouri, was on the floor a few minutes ago talking about that piece of legislation, and also legislation such as the Regulatory Responsibility for our Economy Act, which would actually work with a directive from President Obama to review and remove outmoded or excessively burdensome rules that may be impeding economic development and job growth across our country.

We need to work in a bipartisan way, because high gas prices, high unemployment, and low economic growth are not a Republican or a Democratic issue, they are an American issue. That is why we also need legislation such as the EPA Fair Play Act, which will prevent the Environmental Protection Agency from rescinding previously approved 404 permits. I am pleased to be cosponsoring that legislation with my colleague, Senator JOE MANCHIN from West Virginia. Collectively, all of these pieces of legislation and more are the bricks and mortar out of which we can build a comprehensive national energy policy. But we need to get going, and we need to get going today. Let's get going with S. 953, and let's build a brighter energy future for ourselves and for future generations.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. COONS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. COONS. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

GOODWIN LIU NOMINATION

Mr. COONS. Mr. President, I rise today to support Goodwin Liu's nomination to the United States Court of Appeals for the Ninth Circuit. Years ago, in the early 1990s when I was working for the national I Have a Dream Foundation, I first crossed paths with Goodwin Liu, who was then a senior program officer with the Corporation for National Service. An issue had arisen with regard to the corporation's support of one of our foundation's programs. We were running an AmeriCorps program. Mr. Liu very quickly distinguished himself through his competence and obvious commitment to education and national service. In fact, my interactions with him were so positive and memorable that 18 years later, when I had joined this body and heard of his nomination, I immediately remembered him and was anxious to find out what he had been up to in the intervening years.

The opportunity to reconnect with Goodwin Liu as part of his confirmation process has turned out to be one of the real pleasures of this job. It is readily apparent to me, as well as to so many Senators on both sides of the aisle who have had the opportunity to meet with him, to question him, and get to know him better, that Professor Goodwin Liu is a good, decent, bright, and engaging man.

His career, in my view, is marked by a profound commitment to service, from his time working at the Corporation for National Service, the organization of our Federal Government that supports VISTA and AmeriCorps, and all sorts of different commitments to national service across our country, to his later work as a clinical and summer associate while in law school, to his work for the Department of Education as a young attorney, to his service as a judicial clerk, and then his scholarship in support of opportunities for all Americans.

Professor Liu has been guided by a desire to leave the world a better place than he found it. Despite these many positive personal qualities to recommend him, it is, perhaps, something of an understatement to say that Goodwin Liu's has been controversial.

First nominated in February of 2010, and then after a searching and difficult nomination hearing, and a vote here, a renomination in January of this year, a second confirmation hearing in front of the Judiciary Committee, in which I was able to participate, we now stand

on the verge of a cloture vote required for us to even get to the consideration of his nomination.

Professor Liu is a prolific scholar, who has written on a number of topics relating to educational rights and public schooling, among others.

When I heard the attacks against Professor Liu, I was shocked, but concerned. The charges that are being leveled against Professor Liu—that he is a radical who would use the bench to engage in judicial activism—are serious. So I took it upon myself to meet with Professor Liu, to review his record, and to come to my own conclusions.

I can say with certainty that Professor Liu will be a first-rate judge in the finest traditions of the legal profession. Professor Liu knows the difference between lecturing and judging. He knows that the role of a judge is not to advocate but to follow the Constitution and the precedents of the Supreme Court. Goodwin Liu will obey the law. We can and should ask no more.

If we take a step back from the partisan rhetoric, I think we can find broad agreement across the aisle that a judicial candidate ought to be evaluated according to his legal ability and experience, his standing within the legal profession, his integrity, and his temperament. Professor Liu rates extraordinarily highly in all of these areas.

Professor Liu's academic and professional qualifications demonstrate that he is a lawyer of the utmost ability with a broad range of experience. He was a Rhodes scholar and holds a law degree from Yale University, where he was editor of the Yale Law Journal. He went on to clerk for one of the great intellects on the DC Circuit, Judge David Tatel. After that, he clerked for Justice Ginsburg on the U.S. Supreme Court. Since that time, he has worked in private practice and earned a tenured professorship at the University of California, Berkeley School of Law. At Berkeley, he has been a prolific scholar of exceptionally high regard.

In addition to a sterling resume, Professor Liu enjoys the highest esteem of his colleagues. Noted conservative scholar John Yoo has spoken out in support of his nomination, as has Kenneth Starr. He is the recipient of the University of California's highest teaching award. Clint Bolick, director of the Goldwater Institute, has said that Professor Liu's writings "exhibit fresh, independent thinking and intellectual honesty." This high opinion of Professor Liu is broadly shared. In giving Professor Liu its highest rating of "Unanimously Well Qualified," the American Bar Association interviewed scores of attorneys and judges who have worked with Professor Liu and, evidently, found that his reputation is one of impartiality, integrity, and great ability. For nominees to our circuit courts of appeal, we could ask no less.

Professor Liu's activity as a noted legal and policy scholar is, in my view, being used unfairly to impugn his judicial temperament. In meeting with Professor Liu, he explained to me that he understands and respects the difference between scholarship and jurisprudence. Academics explore the contours and limits of the law, often advocating for policy outcomes. Judges, on the other hand, apply legal precedent to come to the conclusion that the law compels, without prejudice or a policy agenda.

When Professor Liu has been asked to apply the law, as would a judge, any criticism that he allows policy preferences to cloud his judgment does not pass muster. As an example, though Professor Liu has said that his personal views are that individuals should be treated equally, regardless of sexual orientation. Even so, he testified before the California State Senate in 2008 that California's controversial Proposition 8, which banned same-sex marriages, would pass muster under the California constitution. This is a concrete example, from before his nomination to public office, that Professor Liu is capable and willing to set aside personal preferences and views when called upon to render a legal judgement.

I also examined Professor Liu's scholarship on the topics of education and welfare, to which his opponents claim he would create a constitutional right if confirmed to the bench. I would be concerned if these charges have merit, but they do not. Rather, they reflect a distortion of what he has actually written. Professor Liu has repeatedly clarified his unexceptional belief that Congress, and not the courts, have the power to create new fundamental rights through amendment to our Constitution.

An objective review of Professor Liu's qualifications, temperament, and intellect lead to the conclusion that he is an outstanding nominee and should be confirmed to the bench. Former Representative Tom Campbell, a five-term Republican Member of the House, agrees. In urging his swift confirmation, Representative Campbell specifically praised Professor Liu's reputation for, quote "integrity, fair-mindedness, and collegiality."

I call upon all of my colleagues to take a fresh look at Professor Liu and to come to their own conclusions about him. In my opinion, Professor Liu is a dedicated public servant who has undergone intense scrutiny over the past 15 months at great personal sacrifice. Too often, it is easy to lose sight of the fact that judicial and executive nominees are also people, with families, careers, and other responsibilities in their lives. The confirmation process can exact a steep cost and, as a result, many qualified and decent individuals either withdraw or decline to submit to it in the first place.

Professor Liu is an exceptional nominee to the Circuit Court. He has borne the challenges of confirmation with grace and dignity, as is in keeping with his character and dedication to public service. In voting on the petition to invoke cloture, I ask my colleagues to consider the content of Professor Liu's character. Listen to those who know him above the interest groups who have sensationalized his nomination. I ask them to consider his bipartisan support from those who work with him and those who know him best.

I know Goodwin Liu. I trust him and know he will make a fine judge. I urge my colleagues to support his confirmation.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas is recognized.

Mrs. HUTCHISON. Mr. President, I rise to speak in favor of Senator MCCONNELL's production bill. The bill might be too much for some, too little for some, and maybe it is not perfect, but we must take a step in the direction of adding production of our Nation's natural resources if we are going to bring down the cost of gasoline, bring down the cost of fuel, bring down the cost of all the elements we have that are providing for our electricity, natural gas, and other forms of energy.

I hope we can pass Senator MCCONNELL's bill. Oil is, today, slightly under \$100 per barrel, and with the summer driving season approaching, we know the price could go up. It is graduation season and people are driving to their graduation ceremonies, and they are having to pay these enormous prices at the pump. It is over \$4 in many places. I recently read a story about a constituent who was going to College Station for a Texas A&M graduation, and he complained, rightfully, that he had a diesel truck and it cost him \$74.41 to get his truck half full. That is a lot for a half tank of fuel. I think we can do something about it.

Over the past 2 years, the Obama administration has put up barriers to increasing our domestic energy potential. We must stop that policy and go in the other direction and open our natural resources and use our natural resources, so we can bring down the cost of fuel and try to help our small businesses and families by providing opportunities to lower fuel.

The McConnell legislation gets the ball rolling. Supporters of the bill agree that long-term energy solutions involve removing the anti-energy barriers to safely produce energy for Americans by Americans. On March 30, the President stated that producing more oil in America can help lower oil prices, create jobs, and enhance our energy security. But what is happening is our regulatory agencies are going in the opposite direction. They are stopping the production of oil and gas in our country.

Let me read excerpts from a FOX News article, by Dan Springer, in April of this year:

Shell Oil Company has announced it must scrap efforts to drill for oil this summer in the Arctic Ocean off the northern coast of Alaska. The decision comes following a ruling by the EPA's Environmental Appeals Board to withhold critical air permits. . . .

Shell has spent five years and nearly \$4 billion on plans to explore for oil in the Beaufort and Chukchi Seas. The leases alone cost \$2.2 billion. . . .

The closest village to where Shell proposed to drill is Kaktovik, Alaska. It is one of the most remote places in the United States. According to the latest census, the population is 245, and nearly all of them are Alaska natives. The village, which is 1 square mile, sits right along the shores of the Beaufort Sea, 70 miles away from the proposed offshore drill site.

The EPA's appeals board ruled that Shell had not taken into consideration emissions from an ice-breaking vessel when calculating overall greenhouse gas emissions from the project. . . .

At stake is an estimated 27 billion barrels of oil. That's how much the U.S. Geological Survey believes is in the U.S. portion of the Arctic Ocean. For perspective, that represents two and a half times more oil than has flowed down the Trans Alaska Pipeline throughout its 30-year history. The pipeline is getting dangerously low on oil. At 660,000 barrels a day, it's carrying only one-third of its capacity.

So we hear what the President is saying, but his own agencies are going in the opposite direction.

Here is another example: We are approaching June. The Department of the Interior has not conducted an offshore lease sale in the Gulf of Mexico. Lease sales usually occur twice a year. If a lease sale doesn't occur by the end of the year, 2011 would be the first year since 1958 which we have not conducted an offshore lease sale.

Because of the President's moratorium and lack of permitting in the Gulf of Mexico, offshore energy production is expected to decrease by 13 percent in 2011. Senator MCCONNELL's bill addresses the need for increased domestic production by reinstating the oil and gas leases in the Gulf of Mexico, Alaska, and the Atlantic, which President Obama canceled.

This legislation also tackles the permitting delays companies in the gulf have experienced. Since October, the Department of the Interior has only issued 53 shallow water permits and 14 deepwater permits. The monthly approval rate before the moratorium was approximately 10 shallow water and 8 deepwater permits.

This legislation eliminates the bureaucratic delays which have burdened operators and have taken away their ability to raise capital to do the exploration in the Gulf of Mexico. In the bill, it says the Department of the Interior will approve or reject permit applications within 30 days. It doesn't require approval of every application, but it puts a limit of 30 days on the approval process, so people will not be

hung out, as they have been since last October. They are still paying the costs, but they cannot explore. So they are sitting idle. This has caused the bankruptcy of at least one company I know in Texas, Seahawk Drilling. This is not good policy when we are talking, as the President is, about increasing production in our country and then doing the opposite by enacting proposals that do not make sense, such as a moratorium in the Gulf of Mexico.

On March 9 of this year, Senator LANDRIEU and I introduced S. 516, the Lease Extension and Security Act, known as the LEASE Act. All this does is simply extend for 1 year the leases that have had a moratorium, but the people are still paying the costs of those leases when they have been prohibited from using them. The leaseholder continues to pay the Treasury for all expenses associated with maintaining a lease, but they have been prohibited from exploring the lands the lease is on.

It is very important that we pass this legislation. In the bill before us, the McConnell bill, we have a variation of the LEASE Act. It extends the leases for those that are going to come to an end at the end of this year. If they come to an end at the end of this year, they will get a 1-year lease. That is a right step in the right direction.

Senator LANDRIEU and I believe every leaseholder—even if their lease does not run out this year—should have the full opportunity for their lease exploration capabilities in order to make it fair for the price they have paid in the open bidding process for those leases.

The President has said he approves the extension of some leases. We agree. Why not all of them? They have been paid for. In many instances, the companies are still paying the employees, even though the employees are not able to do the work. This year alone, over 350 leases will expire and many of them are in moratorium.

The bill before us would help those people to use the next year for determining if it is worth drilling for more of the oil on the leases they have purchased.

I think it is very important that we pass this legislation that we will vote on very shortly today if we are serious about increasing the production of our own natural resources for the benefit of our people. It seems to me we need to back up the words of the President with actions that will be positive, proactive, and productive in getting the price of gasoline down at the pump. If we can start now, I hope the President would take some of the steps, for instance, to allow Shell, with the investment it has made, to drill for oil in the Arctic Ocean. That is a place where there are vast reserves that have not been tapped. The people of Alaska support it.

If we would use our natural resources, we could put people in Amer-

ica to work. We could stop the heavy importation of foreign oil, which is what we depend on now for over 50 percent of our fuel, and certainly we would like to add to our economy in this precarious economic time. We can do it with our own natural resources.

I urge my colleagues to vote for the McConnell bill, and maybe then we can open it for amendments and get started in doing the right thing for our country.

Mr. ENZI. Mr. President, I rise today to discuss high gas prices and the direct impact they are having on every American. Every day, we see the impact of high gasoline and diesel prices on our constituents and their pocketbooks. Some wonder if they will be able to put food on the table when they cannot afford the gas it takes to get them to work. Others see skyrocketing food prices caused by the increased fuel costs and wonder if they can afford a healthy meal for their children. Others wonder if they can take a vacation or cool their houses this coming summer.

Today, gas prices hover around \$4 per gallon. According to a recent USA Today/Gallup poll, nearly 7 in 10 Americans say that the cost of fuel is causing a financial hardship for their families. That same poll suggested that 21 percent of Americans say the impact of high gasoline prices is so dramatic that their standard of living is jeopardized.

This is a serious problem and it needs immediate action. Unfortunately, rather than taking action to address the problem, I am concerned that Congress will once again punt on doing what we need to do to bring prices down now. To bring prices down, we need to address the fact that the United States imports too much oil from foreign nations. We need to increase supply at the same time we work to reduce demand.

There are two approaches that have been considered in recent weeks. My Republican colleagues and I have offered legislation that will increase production in the Gulf of Mexico. It will allow for the development of more American energy, which will decrease the amount of oil we import. With unrest in the Middle East, it will start the process of giving America a more stable source of domestic energy, and it will create American jobs at a time when the unemployment rate is 9 percent. Our bill looks at the problem—an unstable supply of energy—and provides a solution that will make our country more energy independent today.

The other approach being considered is that of my Democratic colleagues. Their bill, which failed to move forward yesterday, sought to increase taxes on five companies in the oil industry. Whether or not those tax benefits should exist is worth debating in the context of overall corporate tax reform, but that is not what we are de-

bating today. We all know that their approach to energy policy won't do anything to improve the current situation. In fact, their legislation might make matters worse by leading to less domestic production and a larger increase in gasoline prices.

The contrast couldn't be greater. Republicans have put forth thoughtful legislation that will begin to address the problem and help lower gasoline prices. Democrats have put forth punitive legislation that might make some feel good now because it punishes "Big Oil," but ultimately it will not do anything to lower gas prices. Republicans support legislation that will create American jobs. Democrats support legislation that will drive American jobs overseas.

Some suggest that our bill will not do anything to lower prices because it will take too long to implement to have a real effect. That is the same argument I have heard since I came to the Senate over 14 years ago. Opponents of domestic production always say that it will not do anything to lower prices today. If we had taken action to open up areas like the Arctic National Wildlife Refuge when I came to the Senate in 1997, we would be producing approximately 1 million more barrels of domestic oil today. If we had stopped efforts to lock up the gulf coast 10 years ago as many Republicans suggested, we might not be having this conversation today. And, if we do not do anything today, Senators will still be asking these same questions 10 years from now. And, it might not take 10 years for oil to come online if agencies are not delayed from issuing permits by frivolous lawsuits. The 2006 highway bill included a provision that prohibited lawsuits from being filed more than 180 days after publication of the final permit in the Federal Register. Such a provision should be included in future legislative efforts to move forward with American energy development in a timely manner. With high oil prices, we have an opportunity to act today and we should not let this opportunity pass without action.

In addition to lowering gasoline prices, we have the ability to increase revenues to the Federal Treasury today without raising taxes in a punitive manner on one industry. By passing legislation that allows for more domestic production, we will increase revenues to the Federal Treasury at the same time it creates good paying American jobs. In 2008 and 2009, the oil and gas industry paid over \$30 billion in rents, royalties, and fees. The industry is estimated to generate approximately \$100 million in revenue each day this year to the Federal Government. This amount will only increase as we allow for the production of more domestic energy.

With Americans hurting, we need to do something—anything to reduce gasoline prices. But, instead of working on

solutions for one of the single most important issues confronting the American people, my colleagues in the majority loudly sings campaign rhetoric chorus and verse. They say, "let's punish big oil for making big profits" and "let's not allow these energy companies to dupe us when Americans are paying record high prices." What they do not say is that their approach will do nothing to help the situation and will likely make the situation worse. They do not admit that their proposal is good politics, but bad policy. This is not the way we should legislate when Americans cannot afford to fill up their tanks. We need to do something about energy and we need to do it now.

Like most of my colleagues, I support developing more alternative energy. I support the use of wind energy and the development of better solar energy technologies. Wyoming is the perfect place for much of that development to happen. While we need to develop these technologies for the long term, we need of the energy we can get today. We need more American oil from American soil. We need more domestic natural gas. We need more nuclear energy and we definitely need more clean coal.

Republicans stand ready to have a serious debate about our country's energy policy. We have offered a proposal that looks at the supply and demand challenges we face and addresses them head on. Republicans stand ready to pass legislation that will lower gasoline prices and will increase domestic production. Those actions will, in turn, create American jobs and will increase revenues to the Federal Treasury at a time when we see record deficits.

For too long, we have talked about the need to have a comprehensive energy policy. We have talked about the need to decrease our dependence on foreign energy sources. It is time for us to stop talking and to act. The upcoming vote on S. 953, the Offshore Production and Safety Act, is our first opportunity to act, and I hope my colleagues will join me in working to lower gas prices by passing this measure.

• Mr. BAUCUS. Mr. President, I understand the wealth and opportunity represented by our Federal offshore petroleum and natural gas resources. We are blessed in this country with an abundant public estate. Montana, too, is abundant with natural resources and relies heavily on these resources for jobs and economic stability. I support efforts to develop these resources with commonsense safeguards that reduce our exposure to volatile foreign energy resources. I have supported onshore and offshore drilling in the past, and will continue to do so long as it is done responsibly. •

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Mr. President, I rise this afternoon to address the Offshore

Production and Safety Act. It is legislation that attempts to address the regulation and the critical need to drill for oil in this country.

Let me tell you, I understand the frustration from my colleagues who are upset about the bureaucratic agencies that really do not understand the urgent need to review permits in a timely and responsible manner. Mining in West Virginia has long been a direct target of the EPA and these unfair regulatory practices they have practiced for far too long. For example, in May of 2009, the EPA had a permit backlog of 235 applications. Two-thirds of them were already deemed complete for final processing by the Army Corps of Engineers. Clearly, there is a problem. The question is, Is this legislation the right solution?

The truth is, I would love to sink my teeth in and vote for this measure, but I simply cannot. I do not believe this legislation strikes the right commonsense balance among our energy demands, responsible regulation, our economy, and the environment. In fact, the unintended consequence of this legislation is that it could make regulatory agencies more powerful and more Draconian—a fact that would actually hurt the drilling, the energy independence we could gain, and the businesses' and our need to achieve energy independence.

Quite simply, if we place a fixed 30-day deadline on these permits with two 15-day extensions, I believe we would see more permits denied than we would see processed. How does this make sense? It would create a perverse effect that could encourage government bureaucrats to stop any and all permits, and that would be a terrible outcome.

The fact is, neither the legislation we will vote on today nor the legislation we voted on yesterday addresses the bigger issue that our Nation must declare its independence from foreign oil. We can only do that by developing a true national plan for energy independence.

I have come to this floor many times to urge my Republican and Democratic colleagues to work with me to put together an energy plan that works for all of America. In fact, just last week, I came here to address the importance of expanded domestic drilling. I truly believe this Nation needs to develop all of our domestic resources, whether it is drilling for oil or natural gas, mining coal, producing wind and solar, developing better nuclear, biomass, or geothermal so that we can declare our energy independence within a generation. But in developing and pursuing a national energy plan, we cannot lose sight of our commonsense values and our priorities.

This bill falls short of those commonsense priorities, but I assure my colleagues that I will work with any Senator from either party who will try to

create a national energy policy that will truly help the Nation achieve energy independence.

I thank all of my colleagues, and I hope we will be able to work together to move this Nation forward for true energy independence.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

Mr. ROCKEFELLER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ROCKEFELLER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Montana (Mr. BAUCUS) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 42, nays 57, as follows:

[Rollcall Vote No. 73 Leg.]

YEAS—42

Alexander	Crapo	Lugar
Ayotte	Enzi	McCain
Barrasso	Graham	McConnell
Blunt	Grassley	Moran
Boozman	Hatch	Murkowski
Brown (MA)	Heller	Paul
Burr	Hoeven	Portman
Chambliss	Hutchison	Risch
Coats	Inhofe	Roberts
Coburn	Isakson	Rubio
Cochran	Johanns	Sessions
Collins	Johnson (WI)	Thune
Corker	Kirk	Toomey
Cornyn	Kyl	Wicker

NAYS—57

Akaka	Harkin	Nelson (FL)
Begich	Inouye	Pryor
Bennet	Johnson (SD)	Reed
Bingaman	Kerry	Reid
Blumenthal	Klobuchar	Rockefeller
Boxer	Kohl	Sanders
Brown (OH)	Landrieu	Schumer
Cantwell	Lautenberg	Shaheen
Cardin	Leahy	Shelby
Carper	Lee	Snowe
Casey	Levin	Stabenow
Conrad	Lieberman	Tester
Coons	Manchin	Udall (CO)
DeMint	McCaskill	Udall (NM)
Durbin	Menendez	Vitter
Feinstein	Merkley	Warner
Franken	Mikulski	Webb
Gillibrand	Murray	Whitehouse
Hagan	Nelson (NE)	Wyden

NOT VOTING—1

Baucus

The PRESIDING OFFICER. On this vote, the yeas are 42, the nays are 57. Under a previous order requiring 60 votes for the adoption of this motion, the motion is withdrawn.

The majority leader.

EXECUTIVE SESSION

NOMINATION OF GOODWIN LIU TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT

Mr. REID. I ask unanimous consent that the Senate proceed to executive session to consider Calendar No. 80, the nomination of Goodwin Liu, of California, to be U.S. Circuit Judge for the Ninth Circuit; further, that on Thursday, May 19, following morning business, the Senate resume consideration of the nomination and the time until 2 p.m. be equally divided in the usual form prior to a cloture vote on the nomination as under the previous order.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

The clerk will report.

The legislative clerk read the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Illinois.

Mr. KIRK. Mr. President, I ask unanimous consent to speak as in morning business for 2 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator is recognized.

CALLING FOR THE RESIGNATION OF DOMINIQUE STRAUSS-KAHN

Mr. KIRK. Mr. President, I rise today to call for the resignation of Mr. Dominique Strauss-Kahn, head of the International Monetary Fund. The criminal allegations against Mr. Strauss-Kahn are alarming and undermine confidence in the institution at a critical juncture in our economic history. Mr. Strauss-Kahn has forfeited our confidence and should resign or be fired from his position at the IMF.

Over the last 2 years, the IMF presided over the European debt crisis, which included controversial bailouts of Greece, Ireland and Portugal. I remain especially concerned about the U.S. taxpayer share of funding these European bailouts and American taxpayers' exposure to new sovereign risks. While I have questions about the actions taken by the IMF to handle the debt crisis, the institution's role in our global financial system requires strong leadership.

The IMF's Deputy Managing Director, John Lipsky, should assume full responsibility of the IMF and the process to determine a permanent replacement should commence at once. I encourage U.S. Executive Director of the IMF, Meg Lundsager, to strongly advocate for Mr. Strauss-Kahn's resignation or termination and aid in the search for a more worthy replacement.

The PRESIDING OFFICER. The Senator from Ohio.

TRADE ADJUSTMENT ASSISTANCE

Mr. BROWN of Ohio. Mr. President, I appreciate the courtesy of the senior

Senator from Virginia who is about to speak. I will be brief.

I wish to applaud the President today on his comments and the administration's comments, especially the comments of Trade Ambassador Kirk and Gene Sperling, the President's top economic adviser. They have made it clear they will not submit the three free trade agreements—one with Colombia, one with Panama, and one with South Korea—until legislation has come to their desks to take care of the issue of trade adjustment assistance.

This Congress, because of some objections on the other side of the aisle, allowed the trade adjustment assistance language to expire in February. That simply means many workers who lost their jobs because of free trade agreements, or lost their jobs because of trade—not necessarily the countries we had trade agreements with—were going to get some assistance so they could, in fact, be retrained so they could go back to work. Losing their jobs had everything to do with what happens in other ways but has nothing to do with their job performance or even their company's job performance.

The President made the right decision by saying we are not going to move forward with these free trade agreements. I don't much like them, but that is not the point. We are not going to move forward until we have helped these workers find jobs.

Second, we are going to make sure, as Senator CASEY and I have said on the floor before, that the health coverage tax credit is also renewed. That matters, to be able to continue the health coverage of many workers.

And, third, that the work of Senator WYDEN, Senator STABENOW, and Senator MCCASKILL will continue, to work on trade enforcement in making sure these trade rules and trade laws that are in effect will actually be in force so we can protect American jobs.

When we pass these trade agreements, they always cost us jobs. It is about time we take care of workers and communities that suffer from it.

I thank Senator WEBB, and I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WEBB. Mr. President, I wish to speak today on the pending nomination of Professor Goodwin Liu for a seat on the Ninth Circuit Court of Appeals. Regrettably, I will be voting against this nomination for reasons I will explain. At the same time, I wish to emphasize my profound respect for this institution and for my fellow Senators from both parties, and I believe it would be wrong to vote against a cloture motion whose intent is to proceed with debate on the merits of one who has been nominated to be a judge. I made this point loudly and clearly when the nomination of one of my Virginia constituents, Barbara Keenan, was filibustered.

Philosophical consistency—and my admiration and respect for all the work Chairman LEAHY has been doing in order to fill the many vacancies in our Federal court system—compel me to vote to proceed with the debate on Mr. Liu, but I do not, however, intend to vote in favor of his confirmation.

I have met with Mr. Liu. I have read many of his writings and most of the testimony from his two confirmation hearings. He is clearly talented and whatever he ends up doing, he is certain to have a long future in our country. He also has been blessed beyond words by the goodness of our society. Both his parents came to this country already as physicians. He attended our finest universities. He was a Rhodes scholar. He is a Yale Law School graduate, and he has spent almost his entire career as a talented, if somewhat controversial, professor of law. When I met with Mr. Liu I found him to be personable and clearly bright.

But intellect in and of itself does not always give a person wisdom, nor does it guarantee good judgment, and the root word of judgment is, of course, judge. This is our duty today: to decide whether Professor Liu's almost complete lack of practical legal experience, coupled with his history of intemperate, politically charged statements, allows us a measure of comfort and predictability as to whether he would be fair and balanced while sitting on one of the highest courts in the land. Mr. Liu's temperament and his frequently strident political views have been called into question by many well-intentioned observers, including my respected colleague, Senator LINDSEY GRAHAM, who, like myself, voted in favor of both Justices Sotomayor and Kagan. Senator GRAHAM concluded that Professor Liu seems better fit for a life in politics rather than on the bench. My own concern is that we in the Senate have no real ability to know whether Mr. Liu would temporize these views or conduct himself in a different manner if he were to be given a seat in one of the highest judicial positions in our country.

The list is long, and time is short, but I would summarize my concerns through two observations.

The first involves Professor Liu's public comments regarding Supreme Court Justice Alito, which I know will be repeated by others. Mr. Liu's view was that:

Judge Alito's record envisions an America where police may shoot and kill an unarmed boy to stop him from running away with a stolen purse . . . where a black man may be sentenced to death by an all-white jury for killing a white man . . . I humbly submit that this is not . . . the America that we aspire to be.

Obviously, I share the view of many others that whether one agrees or disagrees with Justice Alito's view of the Constitution, this is hardly a fair representation of his view of our society.

The second observation is more telling and it goes to the America we all should aspire to be: an America where every person, regardless of race, creed, national origin, or personal circumstances, has the same opportunities to succeed to the full extent of their potential. Let me make a point that a lot of people seem uncomfortable with in speeches on this floor. That means White people too. Economic disadvantage is not limited to one's race, ethnic background, or time of immigration to America. When it comes to policies that are designed to provide diversity in our society, we do ourselves an enormous injustice by turning a blind eye to the wide variance among White cultures as we discuss greater representation from different minority groups.

For all of his emphasis on diversity programs, I do not see anywhere that Mr. Liu understands this vital point. In fact, one tends to see the opposite. In 2004, Mr. Liu made a speech at an American Constitution Society Conference. In this speech he mentioned: "The power of the courts to influence society, . . . the power of legal principle to ratify inequality." He then went on to comment:

If we work hard, if we stick to our values, if we build a new moral consensus, then I think someday we will see Millikan, Rodriquez, Adarand, be swept into the dustbin of history.

So we know, first, that Mr. Liu wants to use the courts to influence society and to ratify his view of inequality. OK. How does that fit into Adarand being swept into the dustbin of history?

What was Adarand about? Well, it was about Randy Pech, one of five kids born to a welder and a mom, whose family had lost their farm in Iowa during the Great Depression. The mom then worked as a sales clerk in a department store. Neither of them had ever gone to college. Mr. Pech left college after 3 years and started a company that put up guardrails along highways. His startup was the money he would have used in his fourth year of college and his loan was accomplished by using his parents' retirement pensions as collateral. He made a bid as a subcontractor on a highway construction project in Colorado that was by far the lowest bid, but he lost to a minority-owned company because our own government was paying bonuses to contractors who made subcontracts with so-called "disadvantaged businesses," and Mr. Pech happened to be White. The Supreme Court decided that this was wrong and decided in Mr. Pech's favor, although the Civil Rights Commission pointed out 10 years later that the Supreme Court's decision was still not being complied with by Federal agencies.

Mr. Liu offered an explanation for his comments during his confirmation

process, but taken in the context of his other remarks, I find that statement unconvincing.

Last July I wrote an article in the Wall Street Journal saying that while I continue to support the original goal of affirmative action, which was to assist African Americans who still suffer the badges of discrimination and slavery, it is time for us to recognize that we harm ourselves any time we cut away any person or group from the opportunity to reach their full potential in our wonderful and unique society. As one can imagine, I got a few questions from some groups about this article, so let me answer those questions—and sum up my concerns about Mr. Liu—with an observation.

The same day my Wall Street Journal ran, July 23, a Remote Area Medical Clinic was held in the open air of the Wise County fairgrounds in the Appalachian mountains of southwest Virginia. These clinics bring medical professionals into underserved areas where medical care is hard to find. They are not that different from what we used to do out in the impoverished villages of Vietnam when I was a Marine infantry officer many years ago. Twelve of my staff members went down to Wise County to volunteer. Working in tents, mobile units, and horse stalls, over these 3 days the RAM clinic took care of 6,869 patient visits and pulled more than 4,000 teeth in the open air of the Wise County fairgrounds. In this part of Virginia, nearly half the population lives below 200 percent of poverty, almost a quarter of them have no insurance whatsoever. Age-adjusted mortality rates in some counties are as much as 70 percent higher than in the rest of Virginia. This Appalachian mountain region is, of course, predominantly White. Let me emphasize that these conditions come from cultural issues based on many generations of hardship and strife and not simply individual choice.

Back there in those mountains, there is no doubt somebody who is thinking that if he could put together a little money and maybe get somebody to believe in him, maybe he could start up a construction company just like Randy Pech did and compete for government contracts on a completely fair playing field, which has always been the gift and the miracle of America. I want him to have that opportunity, just as I want every other American to have it. And I don't want a judge on a circuit court somewhere telling him that his own chance for a fair and prosperous future should be swept into the dustbin of history.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Mr. President, I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

ENERGY POLICY

Mr. PORTMAN. Mr. President, over the past couple of days here on the Senate floor we have had a lot of discussion about domestic energy production and there have been a lot of good points made. But, frankly, it is more of a political exercise than something that is going to help the American people.

If one listened to the debate, one might think there is no consensus and no way forward. I disagree with that. I think given our energy challenges, including \$4 a gallon gasoline, we need an energy policy that encourages more affordable, reliable, and cleaner energy. I think we can reach a consensus on a few areas, and let me raise a couple of them today.

The first is natural gas exploration and development. In my own State of Ohio, we have had exciting new developments over the past several years. Geologists have known we have big shale formations in the eastern part of the United States for years, but until recently we haven't had the drilling technologies that allowed us to tap into these huge reserves. We now have that.

In Ohio, we have both the Marcellus and the Utica shale finds that, unfortunately, have not been tapped yet but have tremendous potential. Some of the oil and gas reserve estimates associated with these finds are truly amazing. For the State of Ohio alone, in one of those formations—Utica—I am told we could yield over 15 trillion cubic feet of natural gas. So this is a great opportunity both to be sure we have the energy we need to power our economy but also to create jobs that go into energy production.

By the way, other States around us, including Pennsylvania, West Virginia, and upstate New York, as an example, have even more production potential than Ohio. Already there are some Ohio counties, such as Belmont County and Jefferson County and Columbiana County, that are beginning to explore some of these finds, and we are very hopeful that in some of these counties, where there is incredibly high unemployment, we will be able to begin production soon. These counties have been hard hit by the downturn in the economy, and they can use the economic activity and the jobs that will be created by this production.

Earlier this year, I visited an Ohio company that is an example of one of the industries that is going to benefit from this natural gas production. It is V&M Star. It is a company that makes piping. It is near Youngstown, OH. They just decided to expand their manufacturing capability. Why? Because they are looking at Marcellus and Utica, understanding this is going to create great opportunities for them.

They are investing in our State. They are investing in jobs. They are doing it because of these finds. We have to be sure we put out the Federal policies to promote and encourage the development of these resources.

In addition to using natural gas for electricity generation and as a feedstock for a lot of industries, including the chemical industry, natural gas holds incredible potential as an alternative to gas. Today, we are talking about the need to be less dependent on foreign oil, which happens to be one of the top issues on both sides of the aisle. Natural gas is a way we can do that very directly because it can be used particularly in fleets. Today, the equivalent price for a gallon of natural gas is \$1.60. Think about that: as compared to \$4 for gasoline, \$1.60 for natural gas. The infrastructure costs create some challenges, but, again, for fleets, where there is central refueling, it makes all the sense in the world. Widespread conversion of our fleets, including our Nation's buses, garbage trucks, and utility vehicles, would help reduce demand for gasoline.

America arguably has the greatest energy reserves in the world, depending on which estimate you look at. We have to find a way to responsibly tap these reserves, in a way that we can become less dependent on foreign nations for energy needs, in a way where we will stop sending so much of our wealth overseas to pay for foreign imports, particularly of crude oil.

Ohio is still in the throes of an economic downturn. Today, we are at 9 percent unemployment in Ohio. Underemployment makes Ohio's situation even worse. One way to create jobs and to get Ohio back on track is by expanding, again, the use of our own resources, including natural gas. There should be a consensus on this issue. We should be promoting Federal policies to encourage the exploration and the development of these resources, and we should do it now.

Another area where I think you could see some consensus on energy policy in the short term in the Senate is in the area of energy conservation and efficiency. We should both find more and use less. It is that commitment to use less that led me, last week, to introduce legislation with Senator SHAHEEN from New Hampshire called the Energy Savings and Industrial Competitiveness Act. It is S. 1000, for those who would like to check it out.

It is a bipartisan bill, a targeted and achievable piece of legislation that would leverage energy efficiency investments in a number of areas, including the building and industrial sectors but also with the Federal Government. It would help consumers and the Federal Government save money on their energy bills and help industry improve the efficiency of their production processes.

Again, this is an example of where we should be able to come together as Republicans and Democrats to get something done. There is widespread consensus that energy efficiency is the low-hanging fruit, a way to reduce our energy use and, again, to make America's economy more competitive. As with anything, the devil is in the details. There will be some Senators who may disagree with some of the specifics in this legislation, but, again, it is the type of bill we should be debating on the floor of this Senate. With a little hard work, I believe it is one we can ultimately get enacted into law.

Instead, again, we have spent the better part of this week debating two bills; one that, in my view, would have done more harm than good, by raising taxes on certain businesses, while doing nothing to increase energy production or lower gas prices; and another one I supported that I think would do a lot of good but we knew did not have the necessary 60 votes to move forward and, therefore, we were not able to make progress this week for the American people.

We have all the ingenuity, the know-how, and the resources within our own borders to be able to have the energy we need to run our economy and to improve our economy and to create jobs. I hope moving forward we can find agreement on these issues and begin to tap this great American potential.

I yield the floor and suggest the absence of a quorum.

Mr. CARDIN addressed the Chair.

The PRESIDING OFFICER. Will the Senator withhold his suggestion?

Mr. PORTMAN. I will.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Thank you very much, Mr. President.

I rise in strong support of the nomination of Goodwin Liu to be U.S. Circuit Judge for the U.S. Circuit Court of Appeals for the Ninth Circuit. I urge my colleagues to invoke cloture on this nomination.

I am disappointed we had to file a cloture motion. I hope my colleagues would want to vote up or down on this nomination, and I hope they would vote for his confirmation.

As we begin the debate on the nomination of Mr. Liu, let me start by telling my colleagues how thoroughly his nomination has been vetted by the Judiciary Committee under the leadership of Chairman LEAHY.

President Obama first nominated Goodwin Liu for this position in February of last year. That was over 1 year ago. The Judiciary Committee has held two separate hearings on this nomination. Mr. Liu's latest set of questions and answers, for the record, spanned over 130 pages. The Judiciary Committee has favorably reported his nomination on three separate occasions: in May of 2010, September of 2010, and April of 2011.

So I am disappointed my Republican colleagues have refused to allow this nomination to come to a vote without the necessity of filing a cloture motion. As we know, the majority leader has filed cloture on this nomination. Senators have had ample information on the background, experience and qualifications of this nominee and it is time for the Senators to perform their constitutional duty to debate the nomination and to vote up or down on this nominee.

I was privileged to serve on the Judiciary Committee in the 111th Congress and participated in a debate of the Goodwin Liu nomination on several occasions. I was pleased to cast my vote in favor of Mr. Liu's nomination in committee, and I look forward to supporting his nomination on the floor.

When I examine judicial nominations that are submitted by the President, I use several criteria.

First, I believe judicial nominees must have an appreciation for the Constitution and the protections it provides to each and every American.

Second, a nominee must embrace a judicial philosophy that reflects mainstream American values, not narrow ideological interests.

Third, a judicial nominee must respect the role and responsibilities of each branch of government, including a healthy respect for the precedents of the court.

Fourth, I look for nominees with a strong commitment and passion for the continued forward progress of civil rights protections.

Finally, I want a judge who has the necessary experience, temperament, and commitment to public service.

I wish to share with my colleagues a little background on Mr. Liu, his qualifications, and why I intend to support his nomination.

Goodwin Liu, in many ways, embodies the American dream. He is the son of immigrants to this country. His parents were doctors who came to the United States from Taiwan in the late 1960s, when foreign doctors were being recruited to work in underserved areas.

Goodwin Liu did not speak English until kindergarten. During high school, Goodwin Liu had the opportunity to serve as a page in the House of Representatives, after being sponsored by late Congressman Bob Matsui of California, whom I had the privilege of serving with in the House of Representatives.

Professor Liu has a sterling academic record. He earned his B.S., Phi Beta Kappa, from Stanford University, where he was elected copresident of the student body. A Rhodes Scholar, he earned his M.A. from Oxford University. He received his J.D. from Yale Law School, where he was an editor of the Yale Law Journal. He then went on to clerk for DC Circuit Court Judge David Tatel and Supreme Court Justice Ruth Bader Ginsburg.

Professor Liu has a track record of working on public policy issues in public service. He worked for 2 years at the Corporation for National Service. He served as a special assistant to the Deputy Secretary of Education, where he worked on numerous legal and policy issues.

Professor Liu has worked in private practice. After his clerkships, he served as an associate in the Washington, DC, law firm of O'Melveny & Myers, working on a wide range of business matters. About half his practice consisted of appellate litigation, preparing him well to serve on a court of appeals. He has also maintained an active pro bono practice at that firm, which also tells me of his commitment to equal justice under the law.

Professor Liu then went on to his current occupation, joining the faculty of the University of California Berkeley School of Law and helping to teach our next generation of lawyers. He serves as a professor at the law school, was promoted to an associate dean of the law school, and was elected to the American Law Institute.

Professor Liu has received the law school's Distinguished Teaching Award. Professor Liu is considered an expert on constitutional law and education law and policy, with a particular focus on the needs of America's most disadvantaged students. He is the author of numerous law review articles and the coauthor of an influential book on constitutional law interpretation entitled "Keeping Faith with the Constitution."

I heard my colleague talk about Goodwin Liu. But I would just urge my colleagues not to penalize an individual because he is active or expresses his own opinions. We should judge the nominees based upon their qualifications and their commitments to interpret the law as required on the court.

Professor Liu answered numerous questions about his approach to constitutional interpretation during his two confirmation hearings. He testified:

The role of the judge is to be an impartial, objective and neutral arbiter of specific cases and controversies that come before him or her, and the way that process works is through absolute fidelity to the applicable precedents and the language of the laws, statutes, or regulations that are at issue in the case.

I do not know who would disagree with that. That is what many of us have been calling for on both sides of the aisle.

He has also answered questions about his ideology as a judge. He testified:

It would not be my role to bring any particular theory of constitutional interpretation to the job of an intermediate appellate judge. The duty of a circuit judge is to faithfully follow the Supreme Court's instructions on matters of constitutional interpretation, not any particular theory. So that is exactly what I would do. I would apply the

applicable precedents to the facts of each case.

Once again, I could not agree with that statement more. In written responses to Senators' questions, he also stated:

I do not believe it is ever appropriate for judges to indulge their own values or policy preferences in determining what the Constitution and laws mean.

Professor Liu certainly has written a number of thought-provoking articles on controversial public policy issues of the day, but this should not disqualify him from being a judge. I am confident Professor Liu understands the difference between being an advocate and being a judge and I hope we can draw that distinction and will respect the difference if he is confirmed and puts on the judicial robe.

Specific questions concerning affirmative action were asked during his confirmation hearings. So let me quote from Professor Liu's testimony to the Judiciary Committee:

I absolutely do not support racial quotas, and my writings, I think, have made very clear that I believe they are unconstitutional.

He then said:

I think affirmative action, as it was originally conceived, was a time-limited remedy for past wrongs, and I think that is the appropriate way to understand what affirmative action is.

I think we should take a look at his record on this, and I think it is unfair to judge him based upon certain innuendoes.

Professor Liu also has broad support from distinguished legal scholars from both parties. The former Solicitor General and White House prosecutor, Ken Starr, praised Professor Liu's "strong intellect, demonstrated independence, and outstanding character"—qualifications we all want to see on the court. We want to see intellect, we want to see independence, and we want to see character. Ken Starr summed that up fairly well.

In a March 19, 2010, letter to the Senate Judiciary Committee, Mr. Starr joined with another professor, stating:

Goodwin is a person of great intellect, accomplishment, and integrity, and he is exceptionally well qualified to serve on the court of appeals. . . . What we wish to highlight, beyond his on obvious intellect and legal talents, is his independence and openness to diverse viewpoints, as well as his ability to follow the facts and the law to their logical conclusion. . . .

These are qualities we expect in a judge. And Goodwin clearly possesses them. . . . [A] judge takes an oath to uphold and defend the Constitution, and in the case of a circuit judge, fidelity to the law entails adherence to Supreme Court precedent and . . . adherence to circuit precedence as well. . . . Goodwin knows the difference between what the law is and what he might wish it to be, and he is fully capable and unafraid of discharging the duty to say what the law is.

That is what Ken Starr said about a person he knows very well, Goodwin

Liu, and he strongly recommends his confirmation to our colleagues. I also want to discuss the importance of improving diversity on our courts. If confirmed, Professor Liu would be only the second Asian American currently serving on a Federal appeals court, and the only Asian American in active service in the Ninth Circuit.

The Ninth Circuit is home to over 40 percent of the Asian American population in the United States. Finally, Professor Liu has received the highest possible judicial rating, "unanimously well qualified" from the American Bar Association's Standing Committee on the Federal Judiciary.

With this distinguished record and recommendations that we have received, we have an excellent nominee to serve on the court of appeals. I urge my colleagues to vote for his confirmation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mrs. BOXER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, it is my privilege, it is my honor, to support Goodwin Liu, a Californian—and a brilliant Californian—who has been nominated by the President to the U.S. Ninth Circuit Court of Appeals. And what a fine nomination this is. I thank the President for his belief in Goodwin, and his, I think, amazing perception that this is a young man—and he is young, he is about 40. This is a young man who is just exceptional, is a perfect example of the American dream, and someone who has worked so hard to put himself into this position where he was nominated for this great honor.

I want to show folks a picture of Goodwin. He is a very special and talented person. He has had a long struggle with this nomination, which we will talk about. I also wish to thank, of course, Chairman LEAHY for working hard to bring this nomination to the Senate floor, and Senator FEINSTEIN, my colleague, for her hard work in the committee and her leadership in helping to shepherd this nomination in the Senate.

This vote is not only historic, because Goodwin will make history—if he gets this vote. This vote is long overdue. First, let me talk about why it is historic. It is historic because if we get the 51 votes we need today, Professor Liu will be one of only two Asian Americans currently serving as a Federal appellate judge in the United States. There is currently only one Asian American among the 160 active judges on the Federal Courts of Appeals, and there is no active Asian American judge on the Ninth Circuit,

which has jurisdiction over an area that is home to more than 40 percent of our Nation's Asian American population.

Let me repeat that. There is no active Asian American judge on the Ninth Circuit, which has jurisdiction over an area that is home to more than 40 percent of our Nation's Asian American population. The beauty of our great Nation—one of the beauties—is our great diversity. America is great because we are representatives of so many faiths and so many ethnic backgrounds. We know all of our institutions, whether it is here in the Senate or anywhere, all of our institutions do better when they have a diversity of views and diversity. Clearly, when someone as brilliant as Goodwin gets this nomination, we should be so proud in this body. We should be joining hands over party lines. We should be pleased that our court would have such a brilliant member.

Professor Liu was originally nominated in February 2010 for a judicial emergency seat, one that has been vacant since January 2009. So we have had a judicial emergency, and yet we have had a hard time getting this vote to the floor.

Chief Justice Roberts called on Senators not to play politics with our nominees. He warned that “delays in filling vacancies have created acute difficulties in some judicial districts.” Undoubtedly, the Ninth Circuit certainly is one of the jurisdictions that Chief Justice referred to because the Ninth Circuit is the Nation's largest and busiest appellate court in the country, accounting for over 20 percent of all new appellate cases in the country, according to court statistics.

Now, I have said—and I heard Senator CARDIN, and I thought he just did a beautiful job of laying out why he is supporting Goodwin Liu. But I also heard some other comments that did not connect to Goodwin Liu. I heard comments that just did not fit what Goodwin Liu has said about his role as a judge.

So I wanted to put up a couple of the quotes directly from Professor Liu and what he said about his role as a judge. He said:

I think the role of the judge is to be an impartial, objective, and neutral arbiter of specific cases and controversies that come before him or her. And the way that that process works is through absolute fidelity to the applicable precedents and the language of the laws, statutes, regulations that are at issue in the case.

Another statement by Professor Liu I wanted to share with you. He said:

If I were fortunate enough to be confirmed in this process, it would not be my role to bring any particular theory of constitutional interpretation to the job of an intermediate appellate judge. The duty of a circuit judge is to faithfully follow the Supreme Court's instructions on matters of Constitutional interpretation, not any particular theory. And

so that is exactly what I would do, is I would apply the applicable precedents to the facts of each case.

It could not be clearer. So if you hear any colleague of mine saying something else about how Professor Liu views the role of a judge in this particular appellate area, just refer them to these quotes.

Professor Liu has sat before the Senate Judiciary Committee twice for more than 5 hours—5 hours—answering any and all questions posed to him during the hearing. He has also answered numerous written questions from committee members. He has been voted out of the Judiciary Committee three times.

I just ask the American people, as they tune in to this debate—they may not be familiar with the confirmation process—if they think it is fair for someone like Professor Liu—and we will put his picture back up so we personalize this—this young man, this husband, this father, this teacher, to have to sit for all of those hours, and then to finally be brought to the floor, after the third time we voted it—that is why I praised Senator LEAHY for doing this again because sometimes there are reasons that we go back and back and back. There are reasons of fairness and justice and because we do not want to miss an opportunity to put someone like Professor Goodwin Liu on the bench.

Now, I will tell you, there have been 12 months of attacks on Goodwin Liu, misrepresentations, unfounded distortions of his record. I want the American people to know this. Politics is tough. I can tell you, running four times for Senate, it is tough. It is brutal. It is ugly. But there is no reason to turn that venom on a nominee like this, and it is offensive to me.

Through it all, Professor Liu could have said: You know what, I cannot take this. I do not need this. My kids do not need this. My family does not need this. But he showed courage and character and dignity.

I was so pleased when President Obama nominated Goodwin Liu to serve on the U.S. Ninth Circuit Court of Appeals because Goodwin Liu is considered one of the brightest legal scholars not just in California but in the Nation. He is a respected authority on constitutional law.

At UC Berkeley's Boalt Hall School of law, where he is an associate dean and a professor, he is admired widely for his writings and his devotion to his students.

To Professor Liu, if you are watching these proceedings, I am proud of you. To Professor Liu's wife, Ann, and his two small children, Violet and Emmett, I say thank you for your patience and your unyielding support. You should be so proud of your dad.

Let me tell you a little bit about Goodwin Liu's background. He was

born in Augusta, GA, the son of Taiwanese immigrants who came to this country to practice medicine in underserved areas.

In 1977, they moved to Sacramento, where his parents were primary care physicians for over 20 years. In Goodwin, his parents instilled both perseverance and a strong work ethic, even leaving math problems on the kitchen table every day of the summer to supplement his school work. As a high school student, he pulled all-nighters studying the dictionary to expand his vocabulary and raise his SAT scores. His hard work paid off, propelling him to Stanford University, where he graduated Phi Beta Kappa, and then to Oxford University, where he was a Rhodes scholar.

I say to my colleagues on the other side, who often say it ought to be the results of your life that count, it ought to be your record that counts, it ought to be your qualifications that count—Stanford University, Phi Beta Kappa, Oxford University Rhodes scholar.

Liu's experience at Stanford and Oxford in student government, as a summer school teacher for low-income youth, codirecting a K-12 youth education conference, and studying philosophy encouraged him to pursue the law and public service. In fact, Liu spent the next 2 years at the Corporation for National Service helping to launch the groundbreaking AmeriCorps program. He led the agency's effort to build community service programs at colleges and universities throughout the country, and he traveled to over 30 States to encourage service among students.

The spark of public service and the law clearly ignited, Liu then went on to attend Yale Law School. His stellar record of achievements continued at Yale, where Liu, along with a classmate, won the prize for the best team argument in the moot court competition. Several of his papers won awards, and he earned prestigious clerkships on both the court of appeals and the Supreme Court.

What more does anyone want from a nominee? I can't even imagine, frankly, even matching this.

In between the clerkships, Liu again chose public service, working at the U.S. Department of Education, helping to implement a congressional appropriation to help turn around low-performing schools. Former South Carolina Governor Richard Riley, who was Secretary of Education at the time, called Liu a “go-to” person—in his words—“for important projects and complex issues because of Liu's ability to see the big picture while also mastering the details of legal and policy problems.” What else do you want in a judge? He has an “ability to see the big picture while also mastering the details of legal and policy problems.” That is a quote from former South Carolina Governor Richard Riley.

After completing his Supreme Court clerkship, Liu joined the litigation practice at O'Melveny & Myers, working on a wide range of business matters while maintaining an active pro bono practice. So you have a person who worked in government, private practice, and in education. He earned high praise from his peers, including Walter Dellinger, chair of O'Melveny's appellate practice, who said Liu was "widely respected in law practice for his superb legal ability, his sound judgment and warm collegiality."

Then Liu joined the faculty at UC Berkeley's Boalt Hall School of Law in 2003 and quickly established himself as an outstanding teacher as well as a constitutional law and education law and policy expert.

Think about this. This is a young life, with all these experiences, including raising a family.

In the classroom, Liu is popular and well regarded. His introductory constitutional law course is consistently one of the most oversubscribed at Boalt. They want to hear him. They want to be in his presence to understand how the Constitution works and why this country is so special. In 2009, Liu received UC Berkeley's Distinguished Teaching Award, the university's most prestigious teaching excellence award, and was selected by that year's graduating class to be commencement speaker.

Students often remark on Liu's efforts to illustrate the impact of the law on everyday life. As anyone who has taken his con law class knows, to demonstrate that principle, Liu uses a wedding photo that shows him and his new bride, Ann O'Leary, the Irish American daughter of a social worker and union leader from Orono, ME. The two married in Virginia, a State that restricted interracial marriages until the Supreme Court invalidated the provision in the landmark 1967 case *Loving v. Virginia*.

Berkeley Law School Dean Christopher Edley describes Professor Liu this way:

Goodwin Liu is an outstanding teacher, a brilliant scholar, and an exceptional public servant.

Professor Liu is widely respected and has tremendous support across the legal spectrum and from both sides of the political aisle.

I want to read what Ken Starr said about Goodwin Liu. Remember Ken Starr, the former Whitewater prosecutor? This is what he said. He wrote this with Professor Amar in an op-ed piece that ran:

In our view, the traits that should weigh most heavily in the evaluation of an extraordinarily qualified nominee, such as Goodwin, are professional integrity and the ability to discharge faithfully an abiding duty to follow the law. Because Goodwin possesses those qualities to the highest degree, we are confident that he will serve on the Court of Appeals not only fairly and competently, but

with great distinction. We support and urge his speedy confirmation.

I point out to my Republican friends that Ken Starr is one of your heroes. Come on, listen to what he says about Goodwin Liu. Don't come to the floor and say things about Goodwin that aren't so. Please come to your senses about Goodwin Liu.

There is another supporter I want to talk about too. This is former Bush administration counsel, Richard Painter:

I have done my share of vetting judicial candidates and fighting the confirmation wars. I didn't know much about Liu before his nomination, but I became intrigued by the attention the nomination generated, and I wondered if his Republican critics were deploying the same tactics Democrats used to attack Republican nominees. They were. If anything, the attacks on Liu have been even more unfair. Based on my own review of his record, I believe it is not even a close question that Liu is an outstanding nominee whose views fall well within the legal mainstream.

That conclusion is shared by leading conservatives who are familiar with Liu's record. We even have a quote from Clint Bolick of the Goldwater Institute, one of the most conservative institutes. They endorsed Liu. This is what they said:

Because of his fresh, independent thinking and intellectual honesty, as well as scholarly credentials and experience, he will serve with distinction on this important court.

If that is not enough for my Republican friends, I have some more. I have former Republican Congressman Bob Barr. He offered praise of Professor Liu's "commitment to the Constitution and to a fair criminal justice system." Barr also noted that "[Liu's] views are shared by many scholars, lawyers and public officials from across the ideological spectrum."

Tom Campbell of California, a former Republican Congressman—someone who actually attempted to run against me a couple of times for the Senate—wrote that "Goodwin will bring scholarly distinction and a strong reputation for integrity, fair-mindedness, and collegiality to the Ninth Circuit." Reflecting on Liu's many years of work in serving the public interest, Campbell also said, "I am not surprised that [Liu] has again been called to public service."

Yes, he has been called and nominated, but he won't be able to continue his extraordinary work unless we get 51 votes here. I know there is some letter that is circulating that attacks Goodwin Liu again. I hope my colleagues will read not just what I am saying but what leading Republicans are saying about how talented Goodwin Liu is. Every single thing the man has done has turned to gold—every single thing he has done. He is best at everything he does. Why would we lose this opportunity for the American people to have him serve them in this important capacity? I ask that rhetorically. I can-

not imagine why anybody would vote no.

Here is another one. Professor Liu has even drawn praise from Brian Jones, who served as General Counsel at the Department of Education after Liu's tenure there. This is what Brian Jones, the General Counsel at the Department of Education, said:

During [2001 and 2002], and even after he became a law professor in 2003, [Goodwin] volunteered his time and expertise on several occasions to help me and my staff sort through legal issues he worked on during the previous administration. In those interactions, Goodwin's efforts were models of bipartisan cooperation. He brought useful knowledge and careful lawyerly perspectives that helped our administration to achieve its goals.

But I am convinced, based on his record and my own experiences with him, that he is thoughtful, fair-minded and well qualified to be an appellate judge.

I don't know why the Republicans filibustered this nomination. I don't know why they filibustered this. I don't understand it.

Let's look at some of the organizations that back Goodwin. Of course, those in the Asian American community are so proud, as they should be and as I am, because Goodwin is a Californian by choice.

In an op-ed published just today, former Secretary Norm Mineta, the first Asian Pacific American member of a President's Cabinet; that is, the Bush Cabinet, wrote that "Professor Liu is an extremely well-qualified nominee who has the intellectual capacity, experience, temperament and integrity to be an excellent jurist." Mineta went on to warn that "if Liu is not confirmed, Asian Pacific Americans may be left with the impression that there continues to be a glass ceiling blocking Asian Pacific Americans from top-level leadership positions regardless of their qualifications."

Again, Norm Mineta—and anybody who knows Norm knows what a wonderful human being he is. George W. Bush chose Norm Mineta, who is a Democrat, to be the Secretary of Transportation. Norm Mineta says that because Professor Liu is so qualified and has so much intellectual capacity, such great experience, such great temperament, and so much integrity, he warns that "if Liu is not confirmed, Asian Pacific Americans may be left with the impression that there continues to be a glass ceiling blocking Asian Pacific Americans from top-level leadership positions regardless of their qualifications."

We also have a quote from the Committee of 100, a national nonprofit, nonpartisan membership organization that addresses issues concerning Sino-U.S. relations affecting the Chinese American community. They wrote that "[Liu's] ascension to the bench would signal that talented people of all backgrounds are integral to our justice system."

What we do here matters. It matters whom we send to these important positions. We have someone here who will break down barriers, but, do you know what, that would not be enough. He has to be great, he has to be outstanding, and he is all those things. Yet we are very nervous about getting 51 votes. We are very nervous that politics is being played. We don't know what is going to happen at the end of the day. That is why I am taking this time, because I want my colleagues to know that if they cast an "aye" vote, it should bring a smile to their faces, and they should feel good in their hearts and their minds that they are doing the right thing.

Twenty-five prominent Asian-Pacific Americans who serve as general counsel to Fortune 1000 companies and other large companies wrote:

Professor Liu has earned praise from conservatives and progressives alike for his sense of fairness, open-mindedness, and integrity. His intellect and qualifications are beyond dispute. Indeed, Professor Liu has been rated unanimously "well-qualified" by the American Bar Association.

They go on:

It is worth noting that Professor Liu, if confirmed, would become the only Asian Pacific American active appellate court judge in the Ninth Circuit, and only the second Asian Pacific American active appellate court judge nationwide. Especially given the large number of Asian Pacific Americans in California, Hawaii, and other states, covered by the Ninth Circuit—

And I said before I think it is 40 percent of Asian Americans who live in this particular area that the court covers—

the lack of an Asian Pacific American judge in this circuit is striking. We feel that Professor Liu would serve our country well and with distinction.

Professor Liu has drawn law enforcement support, including the California Correctional Peace Officers Association, as well as the National Asian Peace Officers Association, which noted that Professor Liu has "earned the respect of [its] members and the large audience of the law enforcement community."

David Lum, the president of National Asian Peace Officers Association, went on to compliment Liu as "a person of integrity, dedication, passion, enthusiasm, and law and order."

Liu has also received support from the business community, including from the prominent business executives with whom Liu served on the Stanford University board of trustees. In a letter of support, Liu's fellow trustees wrote the following:

Across a wide range of complex issues, Goodwin routinely asks thoughtful and incisive questions. He is good at thinking independently and zeroing in on important issues that need attention. Even in a room full of highly accomplished leaders, Goodwin is impressive. He is insightful, constructive, and a good listener. Moreover, he possesses a remarkably even temperament; his demeanor

is unfailingly respectful and open-minded, never dogmatic or inflexible. Given these qualities, it was no surprise that he was asked to chair the board's Special Committee on Investment Responsibility after serving just one year of his five-year term.

Again and again, there is a thread running through this man's life at 40. That is how old he is, 40—40 years old. Everything this man has done, this young man has been unbelievably—I want to say unimaginable at his age that he has done all he has done.

They continue:

In short, Goodwin's strengths are exactly what we expect in a judge: objectivity, independence, collegiality—

This is what the Stanford trustees say—

respect for differing views, sound judgment. Goodwin possesses these qualities on top of the brilliant legal acumen that is well-established by his professional record and the judgment of those most familiar with his scholarly work.

It goes on and on.

The President of Stanford University, along with two presidents emeritus, wrote to endorse Liu's nomination. They said that Liu "has epitomized the goal of Stanford's founders, which was to promote the public welfare by exercising an influence on behalf of humanity and civilization, teaching the blessings of liberty regulated by law, and inculcating love and reverence for the great principles of government as derived from the inalienable rights of man to life, liberty and the pursuit of happiness."

This eloquence that is coming out of people's mouths about Goodwin—honestly, I have stood here many times, and I have spoken on behalf of many nominees. I honestly have not had a situation where the eloquence and passion of the supporters has come through as it has for this young man. He is a blessing, honestly. I feel at this moment we need to back him—all of us—and bring this country together around someone who epitomizes the American dream.

I want to speak about, as I wind down, newspapers across the country that weighed in to support Liu's nomination.

The Washington Post remarked that:

Mr. Liu has sterling credentials that earned him the highest rating from the American Bar Association. And there have been no allegations of impropriety to disqualify him from serving. The brilliant professor [they call him], who just turned 40 in October, testified that he would not allow his academic musings to interfere with the duties of a lower-court judge to follow precedent. He should be confirmed and given the opportunity to demonstrate that he can do that.

I was going to ask unanimous consent because I know Senator TESTER has been waiting for 40 minutes—I ask the Senator, does he need about 5 or 7 minutes in morning business?

Mr. TESTER. Yes.

Mrs. BOXER. I ask unanimous consent that Senator TESTER be able to

speak for 7 minutes in morning business before we get to Senator GRASSLEY; is that acceptable?

Mr. GRASSLEY. If the Senator is done, that is OK.

Mrs. BOXER. I am almost done.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

Mrs. BOXER. I am closing in the next 2 minutes.

The Sacramento Bee noted that Liu would add luster to any court. The Los Angeles Times joined the New York Times in endorsing his confirmation.

We heard from Professor Liu when I opened, and I am going to close by saying this: When we ask people in this country to give back to this Nation and they step to the plate and they want to give their talent to this Nation and they are supremely qualified and they bring with them mainstream views, mainstream endorsements, bipartisan endorsements from the progressive community to Ken Starr, for goodness' sake, give this man an up-or-down vote and do not say that you believe that judges deserve an up-or-down vote when you are in the majority and suddenly say they do not deserve it now.

I hope we will see the 60 votes for cloture and then the 51 votes for confirmation. I am privileged to have had this opportunity to share the story of Professor Goodwin Liu with my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

Mr. TESTER. Madam President, I think this is appropriate. I ask unanimous consent to speak as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

DEBIT INTERCHANGE FEES

Mr. TESTER. Madam President, I thank Senator BOXER and Senator GRASSLEY for their generosity. I am not here to talk about Goodwin Liu. I am going to talk about the debate over debit interchange.

In a matter of weeks, the government is planning to price-fix debit card swipe fees below—below—the cost of doing business. They are going to price-fix debit card swipe fees below the cost of doing business.

On the surface, the plan might make sense. But peel back the layers and we will see why a whole bunch of folks out there on both sides of the aisle are raising a flag.

I am not asking to repeal the rules or even change them. I am asking that we take a closer look so we can get the information to understand the impacts, both intended and unintended. I have listened to the feedback my colleagues have shared on this issue. I have heard their concerns.

While it is important to stop and examine the impact of limiting debit

card swipe fees, some have said 2 years is simply too long. I am willing to adjust my legislation to address those concerns. Senator CORKER and I have decided to shorten the timeframe from 24 months to 15 months.

Here is how the 15 months is going to be used. Fifteen months will provide the agencies with 6 months for a study. It will provide the Federal Reserve 6 months to rewrite the rules using that study. It will allow 3 months to implement the final rules. Fifteen months is the bare minimum to get this study right, and we want to get it right.

For me, stopping and studying the unintended consequences of government price-fixing has everything to do with access to capital for small businesses and consumers in rural America. Make no mistake, the big banks are going to do fine no matter what. So I opposed bailing them out. All but two banks in my entire State are considered small community banks and will be affected by this debit interchange price-fixing rule.

All of Montana's credit unions will be affected as well. They will feel the pinch, and they will lose because the government is going to set a price for doing business that does not cover their costs.

Let me say it again. The Federal Government is going to tell these folks what price to set on interchange rates, and it will not be enough for the little guys to be able to compete in the marketplace.

Let me ask this: How would a big box retailer react if we set the price of T-shirts below what it cost to make, ship, and market them? You can bet the retailers would be up in arms—and rightfully so—about the government setting prices and telling them how to run their business.

Some have suggested that the only way to have a competitive marketplace is by capping rates. That kind of reasoning does not make sense to a farmer like me. When we slant the playing field against small banks, they cannot compete with the big guys. If they go under, the businesses and consumers who rely on them are left hanging. That is why a populist farmer from rural America is on the side of common sense in this debate, and I am on the side of Montana small businesses and consumers.

Last Thursday, I asked Fed Chairman Ben Bernanke about the impact of government price fixing as it applies to rural America. He is not the only major regulator who has raised serious questions about whether the supposed exemption for small banks will work. He is not the only one. Last week, Chairman Bernanke said "it could result in some smaller banks being less profitable and failing."

Let me repeat that, in the words of Chairman Bernanke, the small banks in Montana and across America could fail under this planned rule.

What does it mean if more banks fail? It means more consolidation in the banking industry. How in the world is that good for consumers? How is it better for a small business in Glendive, MT, to have to ask a bank headquartered on Wall Street for a loan instead of going to the bank on Main Street? Are big banks going to provide the same level of service as community banks? I think not. Will they be able to evaluate the prospects of a small business by only looking at data, without understanding the communities they serve? Will big banks create strong relationships with the people in rural America? Will they do that? How about those folks who are looking to start a small business?

We know credit unions are one of the few financial institutions to ever consider going into Indian Country to help bring investment to some of the most impoverished areas in this country. Do you think if these small folks go under, there will be anyone else willing to lend on reservations? No way. No way.

During last week's hearing, FDIC Chairwoman Sheila Bair said this new rule is "going to reduce revenues at a number of smaller banks, and they will have to pass that on to customers in terms of higher fees." Rural America—especially in this fragile economy—cannot afford that.

Today I want to share why a few businesses in Montana are opposed to government price fixing. Their stories are not uncommon. They are quite ordinary.

Doris Rocheleau runs Doris's Day Care in Great Falls, MT. She has been doing business for nearly 30 years with a community bank. She tells me she is struggling to make ends meet, as many small businesses are, and paying more in monthly checking would hurt her very much.

Also, in Great Falls there is a small business owner named Mark Voyles. Mark owns Y-Not Trucking. His reason for supporting my amendment to stop and study the government limit is because he "doesn't want to pay more fees on his money in his bank."

Cabela's is a large retailer, a popular sporting goods store in Billings, MT. They are wary of the Durbin amendment because they offer their customers a reward credit card. They have real concerns with government price controls and what they will mean for their ability to meet the needs of their customers.

The bottom line is this: Allowing the government to price-fix debit card swipe fees is a slippery slope. Maybe that is why my amendment is to stop and study the impact of this proposed rule. It has broad bipartisan support from folks such as the National Education Association and Americans for Tax Reform—different sides of the economic equation. Then there are non-profit organizations, such as Rural Dy-

namics in Montana. Rural Dynamics serves the entire State of Montana—thousands of folks every year. Their mission? To help individual people and families achieve economic independence, to make sure folks can earn, keep, and grow their assets to reach economic independence.

Rural Dynamics is a well-respected organization. Many of their strategies involve helping Montanans manage their assets and save for their future, enabling them access to banking services. Anything that would result in undue higher fees would take their mission backwards.

Rural Dynamics says simply: We want to understand the long-term risk associated with limiting debit card swipe fees, how it will impact rural America, how it will affect economic independence.

Just as convincing as the small businesses in my State are the administration experts who have been tasked with trying to make this rule on debit interchange work. Chairman Bernanke last week said he is still not sure whether the small issuer exemption would work, saying:

There are market forces that would work against the exemption.

Sheila Bair, Chairwoman of the FDIC, raised similar concerns about the workability of the small issuer exemption. So has Chairwoman Debbie Matz of the National Credit Union Administration. So has the Conference of State Banking Supervisors. So has the National Association of State Credit Union Supervisors.

This represents all—all of the regulators of the small financial institutions at the State and national level—every one of them. These are the folks who are tasked with keeping our community banks and credit unions vibrant and strong, ensuring these institutions are well capitalized and making sound loans. Let me say again, all of them—all of them—have raised concerns about the impact of this rule on the small financial institutions they supervise.

These regulators are not convinced these rules are going to be able to work in the way they were intended. My friends on the other side of this debate continue to attack these folks. They have said they are shills for the big banks; that they do not understand market forces; that they don't understand small institutions. This couldn't be further from the truth.

And no one—no one—has been able to explain to me why studying this issue to make sure these rules do what they say they are supposed to do is a bad idea. To stop and to study. That is what the bipartisan bill I am sponsoring does. To stop and to study the unintended consequences for rural America and this country as a whole. If this rule goes into effect, the consumers and businesses who rely on

community banks and credit unions—oh, yeah—are going to pay the price. And we can bet many retailers won't be eager to pass the few pennies they save down to you. Yet Doris Rochileau's monthly banking fees will go up. Mark Voyles will have to pay more to keep his money in his bank. The folks at Cabela's will be asking: What is next? And will it hurt their loyal customers? Thousands of Montanans who rely on Rural Dynamics will have more hurdles to jump over to reach economic independence.

These stories hit home. They are the stories I tell when someone asks: Why would a populist farmer be against the government telling the small banks that drive our economy how to do business? I am not asking to repeal this provision; far from it. I am asking us to do our homework in this body, to make sure we understand exactly what it means for Montana and all of America.

With that, I want to express my thanks to the good Senator from Iowa one more time.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

Mr. GRASSLEY. Madam President, I come to the floor to speak on the nomination of Goodwin Liu to be Circuit Judge of the Ninth Circuit.

I have said many times over the past 2 weeks—and perhaps for longer than the last 2 weeks—that by any fair measure we are moving judicial nominees at a very brisk pace. This month alone, we confirmed 7 judges in 10 days. In the short time we have been in session this year, we have confirmed 24 judges. That is a rate, almost, of one judge every other day. This year, the committee has favorably reported 51 percent of President Obama's nominees, yet it seems the more we work with the majority on filling vacancies, the more complaints we hear.

Furthermore, as we work together to confirm consensus nominees, we are met with the majority's insistence that we turn to controversial nominees, such as the one before us today—Goodwin Liu—because this seems to be the most controversial of President Obama's nominees we have had to this point. I have pledged, and indeed I have demonstrated, cooperation in moving forward on consensus nominations. There is no doubt that Mr. Liu does not fall into the category of being a consensus nominee.

My objections to this nominee can be summarized in five areas of concern: his controversial writings and speeches, an activist judicial philosophy, his lack of judicial temperament, his troublesome testimony and lack of candor before the committee, and his limited experience.

Mr. Liu describes his writings as critical, inventive, and provocative, and that is what they are. He states he is

simply a commentator and his role is merely to poke, prod, and critique. The problem I have with that is his legal scholarship goes well beyond simple commentary. The nominee argues the 14th amendment creates a constitutional right to some minimum level of public welfare benefits. That is a real reach. He has said:

The duty of government cannot be reduced to simply providing the basic necessities of life. . . . The main pillars of the agenda would include . . . expanded health insurance, child care, transportation subsidies, job training, and a robust earned income tax credit.

There is no doubt those may be policy issues Congress ought to deal with, but it is a real stretch to say that they are constitutionally protected rights.

Mr. Liu is a strong proponent of affirmative action and the constitutionality of affirmative action. Celebrating the Supreme Court's decision in *Grutter v. Bollinger*, he said:

. . . [a]chieving racial diversity throughout our leading [educational] institutions is not merely constitutionally permissible, but morally required.

He believes bans on gay marriage are unconstitutional. The nominee was one of several law professors who filed a brief with the California Supreme Court in a suit seeking to have the California same-sex marriage prohibition declared unconstitutional.

These statements, just a sample of his works, are not merely a scholarly reflection on the state of law. Instead, they are a prescription for change—big change. He stated, following President Obama's election in an interview with NPR's "Weekend Edition":

Whereas I think in the last seven or eight years we had mostly been playing defense in the sense of trying to prevent as many—in our view—bad things from happening. Now we have the opportunity to actually get our ideas and the progressive vision of the Constitution and of law and policy into practice.

Mr. Liu holds a view of the Constitution that can only be described as an activist judicial philosophy. The centerpiece of his judicial philosophy—a theory he describes as "constitutional fidelity"—sounds nice until you learn what it actually means. Here is what he means by fidelity:

The Constitution should be interpreted in ways that adapt its principles and its text to the challenges and conditions of our society in every single generation.

Continuing on, he states:

On this approach, the Constitution is understood to grow and evolve over time as the conditions, needs, and values of our society change.

That is not a far cry from the unwritten constitution of Great Britain, where the Parliament is supreme and makes a determination from time to time on what the policies are, as opposed to in this country where the natural law—or the laws that are the rights we have given to us by our Creator, not by government—are the basis of our law.

When I questioned the nominee at his hearing regarding his position, he stated his book respects the notion that the text of the Constitution and the principles it expresses are totally fixed and enduring. I must admit some confusion with this contradiction. Either the text and the principles are fixed and enduring or they are adaptable—something that grows and evolves, as it happens with the Constitution of Great Britain. Mr. Liu is, apparently, comfortable with this contradiction. I am not. It is a pattern I find throughout his testimony.

I am concerned by his apparent lack of appreciation for the proper role of a judge in our system of checks and balances. His philosophy leads to an inevitable expansion of the power of the judiciary. For example, according to Mr. Liu, courts should play a role in creating and expanding constitutional welfare rights. He argues that once a legislative body creates a welfare program, it is the proper role of the courts to grasp the meaning and the purpose for that welfare benefit. He states the courts can recognize welfare rights by "invalidat[ing] statutory eligibility requirements or strengthen[ing] procedural protections against the withdrawal of benefits." That is forthrightly an attack on the legislative branch of government, and on its power to make statute and law. The courts are supposed to be interpreting, not making law.

The nominee also seems to favor a social needs-based view of living constitutionalism. His scholarly work argues that judicial decisionmaking should be shaped by contemporary social needs and norms, rather than the certainty of the Constitution. Notably, he has said:

. . . the problem for courts is to determine, at the moment of decision, whether our collective values on a given issue have converged to a degree that they can be persuasively crystallized and credibly absorbed into legal doctrine.

It is just as if what the writers of the Constitution in 1787 thought ought to be the basic law of this land means nothing today. So as you know, I think this is very troublesome. Our constitutional framework puts the legislative function in the Congress, not the courts. It is the legislative function, through the political process, where the people rule, that determine when a particular value is to become part of our law. This is not the duty of judges. The judiciary is limited to deciding cases and controversy, not establishing public policy.

I would note further that this view of constitutional interpretation does not rely on the acts of the legislature or on the precedents established by higher courts. Rather, it is based on a concept of what he prefers to call "evolving norms." Furthermore, as he testified before the committee, it is those

"evolving norms" that inform the Supreme Court's elaboration of constitutional doctrine.

Mr. Liu tried to sound like a mainstream jurist when he stated the duty of a circuit judge was to faithfully follow the Supreme Court's instructions on matters of constitutional interpretation. Who is going to argue with that? Again, that sounds nice, doesn't it, but what does it mean? If we accept his premise that the Supreme Court's instructions are based upon evolving norms, it follows that such "evolving norms" will shape the circuit courts' decisions as well. This activist theory leads to a judicial system substituting the whims of individual judges over the text and original meaning of the U.S. Constitution. This is not the duty of any circuit judge.

Mr. Liu's legal views and judicial philosophy are clearly out of the mainstream. A small example illustrates this point. I questioned four of President Obama's district judge nominees who followed Mr. Liu on the day of his hearing. I asked each of them concerning a specific point about Mr. Liu's philosophy. Each and every one of them flatly rejected Mr. Liu's position.

This included his view on judges considering "collective values" when interpreting the Constitution; on using foreign law; on interpreting the Constitution in ways that adapt its principles and its text; and on considering "public values and social understandings" when interpreting the Constitution.

Based on his out-of-the-mainstream views, it is no surprise that his nomination is opposed by so many. Included in that opposition are 42 district attorneys serving in the State of California. They are concerned, among other things, about his views on criminal law, capital punishment, and the role of the Federal courts in second-guessing State decisions.

My third area of concern is that the nominee has made a number of critical statements which indicate a lack of judicial temperament. He has been very openly critical of the current Supreme Court.

In one article, he said that the holding in *Bush v. Gore* was "utterly lacking in any legal principle." He has claimed that the current Court as a whole is unprincipled, saying that "if you look across the entire run of cases, you see a fairly consistent pattern where respect for precedent goes by the wayside when it gets in the way of result."

Mr. Liu was highly critical of the nomination of Justice Roberts. He published an article on Bloomberg.com entitled "Roberts Would Swing the Supreme Court to the Right." In that article, he acknowledged that Roberts was qualified, saying "[t]here's no doubt Roberts has a brilliant legal mind. . . . But a Supreme Court nomi-

nee must be evaluated on more than legal intellect." He then voiced concerns that "with remarkable consistency throughout his career, Roberts ha[d] applied his legal talent to further the cause of the far right." He also spoke very disparagingly of Justice Roberts' conservative beliefs:

[b]efore becoming a judge, he belonged to the Republican National Lawyers Association and the National Legal Center for the Public Interest, whose mission is to promote (among other things) "free enterprise," "private ownership of property," and "limited government." These are code words for an ideological agenda hostile to environmental, workplace, and consumer protections.

Let's think about what he just said there, about Judge Roberts, now Chief Justice Roberts. He said private ownership of property, limited government, and free enterprise are code words for an ideological agenda hostile to environment, workplace and consumer protections? Does he think we are Communist-run China, that the government runs everything, that their system of government is a better one? When they bring online a coal-fired plant every week? Plants that pollute the air and put more carbon dioxide into the air than we do in the United States? Where children are dying because the food is poisoned and consumers aren't protected? Where every miner is in jeopardy of losing their lives? That is how far off base this nominee is when he refers to free enterprise, private ownership of property, and limited government as being bad. But if you get government more involved, as they do in China, it is somehow a better place?

The nominee has been very publicly critical also of Justice Alito in particular. He believes it is a valid criticism of Justice Alito to say that "[h]e approaches law in a formalistic, mechanical way abstracted from human experience." And we are all familiar with Mr. Liu's scathing attack at Justice Alito's confirmation hearing. When asked about his testimony, Mr. Liu admitted the language was unduly harsh, provocative, unnecessary, and was a case of poor judgment. That is one statement of Mr. Liu with which I can agree.

I can appreciate that Mr. Liu now understands the unfortunate language he uses. The trouble I have with this, however, is that it shows that even when stepping out of the academic world, the nominee promotes extreme views and intemperate language. Even if I accept his rationale for the tone of his work in the academic world, that does not explain his congressional testimony. That was one opportunity where he could demonstrate a reasoned, temperate approach. Yet he failed that test. I think it may also indicate what we might expect from a Judge Liu, should he be confirmed—the same thing. To me, that is an unacceptable outcome.

The fourth major area of concern is Mr. Liu's testimony and candor before the committee, which was troubling at times and lacked credibility. Even before he appeared before the committee, the nominee had difficulty providing the committee, with materials required by his questionnaire. As Senator SESSIONS said at the time:

At best, this nominee's extraordinary disregard for the Committee's constitutional role demonstrates incompetence; at worst, it creates the impression that he knowingly attempted to hide his most controversial work from the Committee.

During his testimony, the nominee said, in reference to his past legal writings, "whatever I may have written in the books and the articles would have no bearing on my action as a judge." Oh? Trying to paint himself as a judicial conservative, the nominee attempted to walk away from his previous positions. He tried to distance himself on the proper role of a judge, on the use of foreign law, on the appropriateness of racial quotas and from his previous views on free enterprise and private ownership of property. Even the Washington Post found his testimony a bit hard to believe. The Post's editorial stated:

Mr. Liu is unlikely to shunt aside completely the ideas and approaches he has spent years developing. But the real problem, of course, is not that he adheres to a particular judicial philosophy, but that he—like so many others before him—feels the need to pretend not to have one.

We have often heard the term "confirmation conversion" applied to nominees who appear to have a change of legal philosophy when they are nominated to a Federal judgeship. As I review the record, I think this nominee has taken that concept a step further—I would use the phrase "confirmation chameleon." It seems to me that Mr. Liu is willing to adapt his testimony to what he thinks is most appropriate at the time.

I have discussed other contradictions already, but let me give you a clear example. Senator CORNYN of Texas asked him about his troubling record contained in his work-product that expressed opinions on issues such as the death penalty, same-sex marriage, and welfare rights. Senator CORNYN then stated "You are now saying, 'Wipe the slate clean because none of that has any relevance whatsoever to how I would conduct myself as a judge if confirmed by the Senate.' Is that correct?" Mr. Liu responded, "That is correct, Senator."

A few minutes later I asked him, "If we were to, let us just say, wipe the slate clean as to your academic writings and career, what is left to justify your confirmation?" The nominee responded, "I would hope that you would not wipe my slate clean, as it were. You know, I am what I am."

Mr. Liu cannot have it both ways. Either his record stays with him or we

wipe the slate clean. Perhaps in the long run it doesn't matter, because either way it leaves us with an individual who should not be given a lifetime appointment. If you include his record as a law professor, then we are left with the evidence of a left-leaning, judicial activist. If you do not include it, then we are left with a 2-year associate with law clerk experience and little else.

That leads me to my final point. I am concerned about the nominee's lack of experience. After graduating from law school in 1998, he clerked for Judge David S. Tatel on the U.S. Court of Appeals for the District of Columbia. When his clerkship ended, Mr. Liu became special assistant to the Deputy Secretary of Education for 1 year.

In 2000, he worked as a contract attorney for the law firm of Nixon Peabody, LLP, where he "assisted with legal research and writing." From 2000 to 2001, the nominee clerked for Justice Ruth Bader Ginsburg on the Supreme Court. After his Supreme Court clerkship, he became an associate at O'Melveny & Myers, where he remained for less than 2 years. According to his questionnaire, he appeared in court only "occasionally." He also reported that his other work as an attorney has not involved court appearances. He has not tried any cases to verdict, judgment, or final decision. Since 2003, the nominee has been a full-time law professor at UC Berkeley School of Law, and in 2008 he became associate dean.

After his nomination last year, the ABA Standing Committee on the Federal Judiciary gave Mr. Liu the rating "Unanimous Well-Qualified." I am somewhat perplexed by this rating. According to the standing committee's explanation of its standards for rating judicial nominees, "a prospective nominee to the federal bench ordinarily should have at least twelve years' experience in the practice of law."

Further, "the Committee recognizes that substantial courtroom and trial experience as a lawyer or trial judge is important." At the time of his nomination and rating, the nominee had graduated from law school less than 12 years prior. He has been a member of a State bar only since May 1999. As noted above, he has no trial experience and has never been a judge.

I will conclude with this thought. Given his record and testimony, I do not believe the nominee has an understanding and appreciation of the proper role of a judge. I believe, if confirmed, he will bring a personal agenda and political ideology into the courtroom.

It is ironic that in commenting on the Roberts nomination, Mr. Liu said "the nomination is a seismic event that threatens to deepen the Nation's red-blue divide. Instead of choosing a consensus candidate [the President] has opted for a conservative thorough-

bred who, if confirmed, will likely swing the Court sharply to the right on many critical issues."

If confirmed, I am concerned that Mr. Liu will deeply divide the Ninth Circuit and move that court even further to the left—if that is possible. If confirmed, his activist ideology and judicial philosophy would seep well beyond the Berkeley campus—and it seems that is difficult. Sitting on the Ninth Circuit, his opinions and rulings would have far reaching effect on individuals and businesses throughout the nine-State circuit, including places like Bozeman, MT; Boise, ID, and Anchorage, AK.

For the reasons I have articulated—No. 1, his controversial writings and speeches; No. 2, an activist judicial philosophy; No. 3, his lack of judicial temperament; No. 4, his lack of candor before the committee, and No. 5, his limited experience—as well as many other concerns which I have not expressed today, I shall oppose this nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. PRYOR). The Senator from California.

Mrs. FEINSTEIN. I ask unanimous consent I might be given permission to speak for one-half hour.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. FEINSTEIN. Mr. President, I have been on the Judiciary Committee for 18 years. I have never heard a harsher statement about a brilliant young man than I have just heard. During those 18 years, I have seen the standards for appointment change rather dramatically. I have seen a search engine develop on the Republican side to go out and find anything and everything an individual may have written, and then compile a dossier, almost like one would of a criminal, and then characterize and depict the individual in the terms they wish to do.

I regret this, and I hope to lay out how the Democratic side, with a number of nominees, has not done the same thing. But to see a young man with the credentials Goodwin Liu carries belittled in the way he has been belittled in these hearings and also on this floor really upsets me.

This man is a professor of law and the former associate dean of one of the 10 best law schools in America. He is a nationally recognized constitutional scholar. He is a truly brilliant legal mind. I have every confidence in his intellectual firepower, his integrity, and his even-keeled demeanor, and I believe it will make him a fine judge.

Let me tell my colleagues a little about his background. He was born in Augusta, GA. He is the son of Taiwanese immigrants who were recruited to America to provide medical services in rural areas.

He attended public schools in Clewiston, FL, and in Sacramento, CA. He first struggled to learn English and

master vocabulary but, ultimately, he graduated co-valedictorian from Rio Americano High School in Sacramento.

He was admitted to Stanford University, my alma mater. He graduated Phi Beta Kappa. He received numerous awards for his contributions to the university, and he was elected co-president of the student body. Pretty good.

He received a Rhodes scholarship. He graduated with a master's degree from Oxford University. He attended Yale Law School. Once again, he was at the top of his class. He was editor of the Yale Law Journal. He won the prize for the best team argument in the moot court competition and won awards for the best academic paper by a third-year law student and the best paper in the field of tax law.

He received prestigious judicial clerkships with Circuit Judge David Tatel on the U.S. Court of Appeals for the DC Circuit and then with Ruth Bader Ginsburg on the U.S. Supreme Court.

He worked in the Department of Education as a special assistant to the Deputy Secretary of the United States of the U.S. Department of Education.

He spent 2 years in private practice at O'Melveny & Myers, which is a prestigious law firm—not a minor firm, a major firm—where he handled commercial matters, including antitrust, insurance, and class action cases. Appellate law comprised roughly half his practice.

Finally, in 2003, he accepted a tenure-track position on the faculty of Boalt Hall School of Law. At Boalt, he quickly established himself as one of our most astute legal scholars, with specialties in constitutional law, the Supreme Court, education law, and education policy.

He published articles in the Yale Law Journal, the Stanford Law Review, the California Law Review, the Iowa Law Review, the Harvard Law and Policy Review, and many other academic journals.

He received the Education Law Association's Steven S. Goldberg Award for Distinguished Scholarship in Education Law, and he was elected into membership of the American Law Institute.

In 2008, his colleagues on the faculty of Boalt selected him as their associate dean. In 2009, the University of California at Berkeley awarded him their Distinguished Teaching Award, the highest award for teaching across the entire university.

I believe he holds a deep appreciation for what opportunities our country affords. I believe his background and his legal prowess are fitting for him to become an appellate court judge. When one speaks with him about his family and upbringing, one gains a sense of him as someone who loves this country and bears an abiding belief that ours is a land of opportunity and a place where

everyone has a chance to learn and grow and to thrive.

Some of my colleagues have questioned a number of his writings and his temperament, and what figures very formidably, as I have talked to the Republican side, is particularly testimony he gave on the confirmation of Justice Alito. What he did was provide a long analysis of Alito's opinions and then at the end he used a rhetorical flourish that was, quite frankly, misguided. He strung together a series of facts from cases Alito had decided and then made a statement that I believe he very much regrets. It was over the top. But he has acknowledged it, he has been forthright, and he has apologized.

Before the Senate Judiciary Committee he said:

What troubles me most is that the passage has an ad hominem quality that is unfair and hurtful. I regret having written this passage.

He said if he had to do it again: "I would have deleted it."

It was a mistake—no question about it—but a mistake should not color this man's entire record.

I wish to read from two letters we received in the Senate from people who knew and know Goodwin Liu well, not just for a moment but for years. The first was sent to us jointly by three successive presidents of Stanford University. I have never seen a letter on behalf of a nominee from three different presidents of a university of the quality of Stanford.

Donald Kennedy was president when Goodwin Liu was a student at Stanford. He worked with Liu at the Haas Center for Public Service and was present when Liu won not only the Dinkelspiel Award, which is the university's highest award for undergraduate service, but also the James W. Lyons Dean Award for Service and the President's Award for Academic Excellence.

Gerhard Casper is president emeritus of Stanford and currently provost at the University of Chicago. He knows Liu both as a Stanford alum as well as a colleague in the field of constitutional law. He is familiar with Liu, as, in his own words, "a measured interpreter of the Constitution."

Finally, John Hennessy is Stanford's current President. He describes Liu as insightful, hardworking, collegial, and of the highest ethical standards.

Together, these three presidents of the university wrote the following:

Goodwin Liu as a student, scholar and trustee, has epitomized the goal of Stanford's founders, which was to promote the public welfare by exercising an influence on behalf of humanity and civilization, teaching the blessings of liberty, regulated by law, and inculcating love and reverence for the great principles of government as derived from the inalienable rights of man to life, liberty, and the pursuit of happiness.

It is a fitting and, I believe, an accurate tribute.

We have one of the most brilliant legal scholars of our time. There is a

majority here to confirm him. We know that. But, unfortunately, the minority is trying to use cloture to prevent us from ever casting a vote to confirm him.

Let me turn to another letter. This one is from eight top executives of major American companies, including Yahoo, General Atlantic, Morgan Stanley, and Google. They have all worked closely with Liu on the Stanford board of trustees. They wrote to say the following:

Even in a room full of highly accomplished leaders, Goodwin is impressive. He is insightful, constructive, and a good listener. Moreover, he possesses a remarkably even temperament. His demeanor is unfailingly respectful and open-minded, never dogmatic or inflexible.

Goodwin's strengths, they said:

... are exactly what we expect in a judge: objectivity, independence, respect for differing views, sound judgment.

We know the American Bar Association has unanimously rated him "well qualified" for the U.S. court of appeals, and his background is similar to many who have been confirmed to the circuit court in the past. But some on the other side, nevertheless, say he is too young and he doesn't have judicial experience, or his credentials are not right.

For those who ask for a judicial record to review, I would ask, what about Edward Chen? We considered Judge Chen's nomination last week. He was a district court nominee with a 10-year judicial record. He had written more than 350 published opinions, and the minority didn't criticize one. But most in the minority voted against his nomination anyway. So a judicial record doesn't get it done.

Then there is the criticism based on age or other qualifications. But Liu's qualifications surpass those of many we have confirmed under Republican Presidents.

Since 1980, the Senate has confirmed 14 circuit court nominees who were under the age of 40. That means they were all younger than Liu is now. All 14 were nominated and confirmed during Republican administrations.

Let me give two examples. Judge Kimberly Moore sits on the U.S. Court of Appeals for the Federal Circuit. She was nominated by President Bush at the age of 38. She had 2 years of experience as a law clerk, less than 4 years in private practice, and 6 years as a professor at three different law schools. The Senate confirmed her unanimously.

Judge Harvey Wilkinson is a judge on the U.S. Court of Appeals for the Fourth Circuit. He was nominated by President Reagan at the age of 39. He had 1 year experience as a law clerk, 3 years as a newspaper editor, 1 year of government practice, and 5 years as a professor. He was confirmed.

Judge Brett Kavanaugh, who now sits on the U.S. Court of Appeals for the DC

Circuit, also comes to mind. He was 38 when he was nominated. Unlike Liu, he had little track record to review and much of the record that did exist was partisan. He had been a law clerk for 3 years, spent 3 years in private practice, and spent the remainder of his career in the Solicitor General's Office, Ken Starr's Office of Independent Counsel, and the Bush White House. When the ABA conducted its reviews, many troubling reports were received, but I voted for cloture, as did many of my colleagues on this side, and he was confirmed.

Professors are hardly a new game for us when it comes to judicial nominees.

John Rogers is a judge on the U.S. Court of Appeals for the Sixth Circuit. At the time President Bush nominated him, he had only 4 years of practice experience, no appellate clerkships, and had spent the remainder of his career as a professor. He was confirmed by the Senate by a voice vote.

Finally, there is Michael McConnell from the State of Utah. President Bush nominated Professor McConnell for the Tenth Circuit. At the time, he had been a constitutional law professor for 16 years and his writings contained scores of controversial thoughts, ideas, and provocations. In reviewing McConnell's record, many of us on the Democratic side found writing after writing that we strongly disagreed with. McConnell had repeatedly stated that *Roe v. Wade* was wrongly decided. He called the Supreme Court decision "a grave legal error" and "an embarrassment."

He wrote that the Freedom of Access to Clinic Entrances Act and the Violence Against Women Act were unconstitutional. He criticized a Supreme Court decision barring racial discrimination at tax-exempt schools and one prohibiting sex discrimination in civic associations. He called the fundamental guarantee of one person, one vote "wrong in principle."

But similar to Professor Liu, he made clear in the Senate confirmation process that he understood the difference between the role of a professor and the role of a judge. Here is what he said when asked about all of his writings:

I have a whole bunch of writings out there that were provocative, and innovative, and taking a different view. Well, within—my academic colleagues understand that that's what we do. If you try to make those look as though they are legal analysis, as if they were what a lawyer thinks the law is, of course they don't reflect the law. They're not meant to. They're not a description of the law.

Professor Michael McConnell, Senate Judiciary Committee, September 18, 2002.

He then assured us he would apply the law as written, not as put forward in academic theory. Guess what. He was confirmed to the Tenth Circuit by voice vote. There was no cloture vote. He was confirmed by voice vote because the Democrats on this side of the

aisle believed he would do just what he said. I don't understand why this same situation is not accorded to this brilliant young American.

Today, we have Professor Liu before us. He has also written article after article as a law professor and people have disagreed with some of what he has written.

Here is what he said:

I think that there's a clear difference between what things people write as scholars and how one would approach the role of a judge. And those two are very different things. As scholars, we are paid, in a sense, to question the boundaries of the law, to raise new theories, to be provocative in ways that it's simply not the role of a judge to be. The role of the judge is to faithfully follow the law as it is written and as it is given by the Supreme Court. And there is no room for invention or creation of new theories. That's simply not the role of the judge.

A very similar statement. It was made by Goodwin Liu before the Senate Judiciary Committee, April 16, 2010.

Professor McConnell went through by voice vote. The same kind of situation—voice vote—yet we may be prevented from even taking a vote on Professor Liu's nomination because he may not get a supermajority for cloture. I must say, what is sauce for the goose is sauce for the gander.

Professor Liu, like Professor McConnell, is a brilliant legal mind. He has written extensively. He has been absolutely clear that if confirmed he would follow not any academic theory or writing, but the law as it is written and handed down by the U.S. Supreme Court. We took Professor McConnell at his word. Professor Liu deserves the same treatment.

(Mr. WHITEHOUSE assumed the chair.)

Mrs. FEINSTEIN. What is interesting to me is how much things have changed on this committee—and we have a new Presiding Officer who also is on the committee—since before the Presiding Officer came on, when we would look at a person's personal record, what they have said, what they think the kind of judge they will be, and make a decision.

So I do not understand, if we can confirm Professor McConnell by unanimous consent, why can't we grant cloture to a man who has distinguished himself as one of the great legal scholars of our country?

Let me address one particular criticism that has been made of Professor Liu's writings, and that is his writings on constitutional interpretation and fidelity to the Constitution.

Some in the Senate have harshly criticized his book "Keeping Faith with the Constitution" because he says at one point that the Supreme Court has taken "social practices, evolving norms, and practical consequences" into account when interpreting the Constitution. This, some colleagues say, means he will be an activist.

First, Liu has said this book was written as a professor, as an academic, that it is in no way a roadmap for how he would decide cases as a judge. He said, in his own words:

The duty of a circuit judge is to faithfully follow the Supreme Court's instructions on matters of constitutional interpretation, not any particular theory. And so that is exactly what I would do, is I would apply the applicable precedents to the facts of each case.

But I think some are using this nomination to try to set a new standard, to say that the only valid theory of constitutional interpretation is originalism. So I want to point out that Liu's comments about constitutional interpretation are hardly exceptional.

In fact, they echo statements made by some of our very best jurists across the span of American history: Chief Justice John Marshall, Justice Oliver Wendell Holmes, and Justice Sandra Day O'Connor, to name a few.

The most famous example: Chief Justice John Marshall wrote, in 1819, in the case of *McCulloch v. Maryland*:

We must never forget that it is a constitution we are expounding.

... This provision is made in a constitution, intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs.

Chief Justice John Marshall.

We are not all originalists here, and originalism does not define the legal mainstream. In an interview, published in the *California Lawyer* in January, Justice Scalia made the shocking statement that he does not believe the U.S. Constitution guarantees women equal protection of the law. This came out this January. This is a sitting Supreme Court Justice saying the Constitution does not guarantee women equal protection under the law.

The text of the 14th amendment says no "person" shall be denied equal protection of the law—and after decades of precedent, unanimous Supreme Court decisions agree that women are protected. But regardless of text and precedent, Justice Scalia says it cannot be so because that is not what the drafters of the 14th amendment intended.

This is not the American mainstream. Following this line of reasoning, the minimum wage would be unconstitutional, schools could still be legally segregated, States could prohibit married couples from using birth control, and I, as a woman, could be prohibited from standing here today as an elected Member of the Senate.

That kind of thinking cannot be a criterion for acceptance onto our Federal courts. So some may disagree with Liu's statement about constitutional interpretation, but it is hardly far afield of the legal mainstream today.

Let me tell you what others who are familiar with Liu's full record—full record—have said about his work.

Richard Painter, a chief ethics officer for President George W. Bush, re-

layed similar thoughts after reviewing Liu's record. Here is a quote: Liu's "views are part of the legal mainstream" and that the "independence, rigor, and fair-mindedness of his writings support a confident prediction that he will be a dutiful and impartial judge." "Liu respects the law, which is what we should expect of a judge."

Yet the Senate may well not give him cloture even to come to a vote on his confirmation. That is unfair.

Jesse Choper, who reviewed all of Liu's writings as the chair of his tenure committee, has similarly said, "in addressing a wide range of issues, Liu demonstrates rigor, independence, fair-mindedness, and—most importantly for present purposes—sincere respect for the proper role of courts in a constitutional democracy." "One thing is clear," he says, "Liu's interpretive approach is part of mainstream legal thought."

Finally, someone who has been quoted often here today, Kenneth Starr, a prominent conservative and former Reagan appointee to the DC Court of Appeals, has written to us together with Professor Akhil Amar to say, Goodwin Liu is "a person of great intellect, accomplishment, and integrity, and he is exceptionally well qualified to serve on the court of appeals."

Continuing to quote:

In our view, the traits that should weigh most heavily in the evaluation of an extraordinarily qualified nominee such as Goodwin are professional integrity and the ability to discharge faithfully an abiding duty to follow the law. Because Goodwin possesses those qualities to the highest degree, we are confident that he will serve on the court of appeals not only fairly and competently, but with great distinction.

I have a very hard time understanding why people would do this: we listened to and read Judge McConnell's views, which were antithetical to many of us on this side, but we believed he would be a fair and good judge, and he was confirmed by voice vote; but today someone who has the finest education America has to offer, who is supported by scholars on both sides of the political aisle, who is truly scholastically exceptional, who could quote case after case after case in his hearings, may be denied cloture.

If he is, this is not the Senate of the United States of which I am most proud. I hope I am wrong. I hope he will be granted cloture because he deserves a vote up or down. A majority vote—that is America—a majority vote on his confirmation. We will see what happens.

Mr. INOUE. Mr. President, I rise today in support of Goodwin Liu for confirmation to the U.S. Court of Appeals for the Ninth Circuit.

Goodwin Liu and I share the immigrant experience. He is the proud son of Chinese immigrants and my father came to this great Nation from Japan. He holds degrees from some of the top

universities in the world. Before attending Yale Law School, he worked with the Corporation for National Service in Washington, DC, where he helped launch the AmeriCorps program. In 2000, he served as a law clerk for U.S. Supreme Court Justice Ruth Bader Ginsburg. Since 2003, he has taught law at the University of California, Berkeley School of Law, Boalt Hall. He has also served as a special assistant to the Deputy Secretary at the U.S. Department of Education, advising the Department on a range of legal issues including the development of guidelines to help turn around low performing schools.

Goodwin also practiced as a litigant for the firm of O'Melveny & Myers in Washington, DC. There, appellate litigation comprised nearly half his practice.

Were these accolades not enough to demonstrate Goodwin's capacity to serve as a Federal appellate judge, I would also point to the "unanimously well qualified" rating he received from the American Bar Association, ABA, the ABA's highest rating for Federal judgeships. I believe Goodwin's extensive knowledge of the law, understanding of appellate procedure, and appellant litigation experience make him an outstanding candidate for confirmation.

I would like to remind my colleagues that there are still many judicial vacancies that need to be filled. The constitutional right to a speedy trial correlates to the number of judges able to hear cases. While it is important to ascertain the character and capacity of a nominee to such an important position, postponing Goodwin Liu's confirmation does a disservice to our Nation, and to this body's responsibility for confirming Presidential nominees. I believe Goodwin Liu will make a fine judge, and will serve with distinction in the Ninth Circuit Court of Appeals. I ask my colleagues to join me in confirming Goodwin Liu to the U.S. Court of Appeals for the Ninth Circuit.

I thank the Chair and yield the floor.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. BARRASSO. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BARRASSO. Mr. President, I ask unanimous consent to speak for up to 15 minutes as in morning business.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEALTH CARE

Mr. BARRASSO. Mr. President, I come to the floor, as I have week after week since we passed the health care law, giving a doctor's second opinion on

the law. I come today because last month President Obama delivered a very big speech on spending. Unfortunately, it seemed to be more of a political attack than a substantive speech offering a detailed plan to attack the American debt crisis.

The President did, however, mention one bit of substance that really should raise a red flag to the American people. He said:

We will slow the growth of Medicare costs by strengthening an independent commission.

Well, the Washington commission he is referring to is called the Independent Payment Advisory Board. This board may sound harmless, but let me assure you that the American people deserve to know and have a right to know more detail about the board and its work.

Many Americans may not remember that the health care law created this unelected, unaccountable board of Washington full-time bureaucrats. The sole purpose of the board is to cut Medicare spending based on arbitrary budget targets—not based on the number of people on Medicare or the number of seniors but based on arbitrary budget targets. These are cuts above and beyond the \$500 billion already taken from a nearly bankrupt Medicare Program during the health care law—taken from our seniors—not to save Medicare but to start a whole new government program.

Now the President wants to slow the growth of Medicare costs by strengthening this independent commission. Well, this board empowers 15 unelected Washington bureaucrats to make these Medicare cuts, all without full transparency and accountability to the American seniors and also to elected officials.

Once again, this board proved that the President and the Democrats in Congress who voted for the health care law simply didn't have the political courage to make tough spending decisions. Instead, they took the easy road and pulled a classic Washington maneuver: they created a board and then punted the tough decisions to the board. Well, this forced Congress to abdicate two important congressional duties. First is the constitutional responsibility to manage Medicare spending. The second is the responsibility to explain to the American people why specific payment changes might be necessary to keep Medicare afloat—all because the President and Washington Democrats refused to lead. They simply threw up their hands and said: Let someone else deal with it.

If expanding this independent board is—they call it "independent," but I am not so convinced it is. It is called the Independent Payment Advisory Board. If expanding the board is the one and only concrete proposal the President has to reform Medicare and reduce the debt and most Americans

have never even heard of it, then it is important that we take the time on the Senate floor today to discuss exactly how this board works and the impact it will have on medical care in America.

I call this the top 10 things you need to know about the Independent Payment Advisory Board. To me, this issue is so important that I plan to talk about five of them today, and I will come back next week, as part of the doctor's second opinion on the health care law, and talk about the next five.

No. 1, this board is how Washington will limit patient care.

When Congressman PAUL RYAN offered his 2012 budget plan, the President and members of his party launched an all-out media assault on Medicare spending. The White House and Democrats used inflammatory and patently false statements to scare people about the Ryan plan. What they failed to mention, however, is that the President's own health care law actually has significant caps on Medicare spending. To enforce the caps, the President and Washington Democrats went with their tried-and-true solution: create another board.

What does this mean for people who are currently on Medicare and for future Medicare patients? A centralized Washington board will arbitrarily cut payments to Medicare providers—doctors, nurses, and other people taking care of patients. They are going to squeeze Medicare savings by cutting provider payments and treatment options, which will punish patients. Why? To start a whole new government program—not for the people who paid into Medicare but for a whole different group of people. Not only will medical professionals facing these cuts decide to simply stop seeing Medicare patients—and we see that now. Frankly, doctors are running away from Medicare, not wanting to see those patients. Individuals and families will watch helplessly as a Washington bureaucrat decides what kind of treatments that person can have.

No. 2, this board is going to make recommendations, and those recommendations will automatically become law.

How can it be that something the board does automatically becomes law? But their spending recommendations automatically become law—unless Congress acts to stop it. If Congress would actually want to stop the board's policies, there are very few options. The options are severely limited. Overriding the board's recommendations requires a three-fifths majority vote in the Senate, a high hurdle to jump, or Congress can pass a different Medicare spending plan. But there is a catch. It still has to meet the same arbitrary spending target. So if Congress does nothing, then Health and Human Services Secretary Kathleen Sebelius will implement the board's plan.

Medicare consumes about 13 percent of the Federal budget, and former Office of Management and Budget Director Peter Orzag called this board “the largest yielding of sovereignty from Congress since the creation of the Federal Reserve.”

The bottom line is that this board isn't making recommendations to Congress; this board is passing law. Well, Congress doesn't have to approve these policies of the board, and the President doesn't have to sign them. They are law. This represents an unprecedented shift of power from the legislative branch of the Federal Government to an unelected board of 15 bureaucrats.

No. 3, the policies of this board cannot be challenged in court.

On April 19 of this year, the New York Times published an article entitled “Obama Panel to Curb Medicare Finds Foes in Both Parties.”

This article explains that:

In general, federal courts could not review actions to carry out the board's recommendations.

Well, there is an institute called Arizona's Goldwater Institute. They filed a lawsuit based upon this payment advisory board. Part of the lawsuit says:

Congress has no constitutional power to delegate nearly unlimited legislative power to any federal executive branch agency, much less to entrench health care regulation against review, debate, revision, or repeal. . . . Such federal overreaching must be rejected if the principles of limited government and the separation of powers by the United States Constitution mean anything.

That is what the lawsuit says.

Let's go to No. 4. This board's mission is to cut provider payments. The board is strictly limited in what it can do to achieve Medicare spending reductions. By law, the board cannot raise revenue by increasing taxes. It cannot increase patient cost-sharing methods, such as premiums, copayments, and deductibles. It cannot alter Medicare eligibility or benefit package.

What can it do? One thing and one thing only: It will adjust provider reimbursement rates. We all know Medicare payment rates are already well below market rates. That is why so many doctors are limiting the number of Medicare patients they see and, in more severe cases, refusing to treat Medicare patients at all.

Additional subjective cuts to Medicare will not make the program more efficient or more available. These measures will simply reduce the supply of medical care to the Medicare patients of America.

The Medicare Chief Actuary, Richard Foster, warned us that the health care law's Medicare cuts would cause providers to leave the program, and we are seeing that today. It is not because they do not want to treat Medicare patients; it is because the doctors know the payments will be too low to even cover their costs. Mr. Foster, the Medicare Chief Actuary, has said approxi-

mately 15 percent of our Nation's hospitals would drop out of Medicare in 10 years.

Then No. 5: This board could eventually impact all patients, not just Medicare patients. Washington Democrats have long supported policies that give government more power to set health care prices, not just in public programs such as Medicare, but also in the private sector. President Bill Clinton asked for this authority in a 1994 debate on what at the time was called “Hillary care.” It was one reason his effort failed. President Obama learned from that failure. Make no mistake, he wants to achieve the same objective. This time he is using this board as a Trojan horse to sell it.

If President Obama's health care law remains the law of the land, millions of Americans will have government-subsidized health insurance. Paying for this new entitlement program will cost trillions. It will be no surprise when we inevitably hear cries for increased cost control. This is when the President will make his move—proposing to extend this board's reach beyond Medicare to the new health care law's subsidized insurance premiums. Last month, the President opened the door to this strategy when he proposed in his speech to expand this board's power and its control over Medicare.

That is why I come to the Senate floor each and every week to deliver a doctor's second opinion about the health care law—a law that I believe is bad for patients, bad for providers—the nurses and doctors who take care of those patients—and bad for our taxpayers. I believe the more the American people discover about this so-called independent payment advisory board, the more unpopular the President's health care law will become.

Mr. President, I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. BENNET). Without objection, it is so ordered.

Mr. FRANKEN. Mr. President, I rise to speak in support of the confirmation of Professor Goodwin Liu to the U.S. Court of Appeals for the Ninth Circuit. As a member of the Judiciary Committee for the past 2 years, I have had the opportunity to meet with Professor Liu and vote on his nomination on several occasions. He is a singularly talented individual, and I wish to associate myself with the remarks all my colleagues have made in support of his confirmation.

But the strongest arguments I have heard in support of Professor Liu haven't come from my colleagues. In

fact, they haven't even come from a Democrat. No, the most persuasive arguments I have heard for confirming Professor Liu come from the former chief ethics lawyer for the administration of President George W. Bush, a gentleman named Richard Painter. Professor Painter, a Republican, is now a prominent law professor at the University of Minnesota.

Earlier this year, Professor Painter wrote a lengthy article that systematically catalogued Professor Liu's strengths and systematically answered his critics. This is his conclusion:

In sum, Liu is eminently qualified. He has support from prominent conservatives. . . . He is pragmatic and open-minded, not dogmatic or ideological. . . . Many, though by no means all, of his scholarly views do not align with conservative ideology or with the policy positions of many elected officials in the Republican Party. . . . Nevertheless, his views are part of the American legal mainstream. The independence, rigor, and fair-mindedness of his writings support a confident prediction that he will be a dutiful and impartial judge.

When I circulated Professor Painter's article to the members of the Judiciary Committee, my Republican colleagues sent me a series of articles critiquing Professor Liu. I would like to take a few moments to rebut the criticisms in these articles because they simply don't hold water.

The first and most common criticism of Goodwin Liu is that he somehow believes in a so-called living Constitution. His opponents are especially worried about his suggestion that in interpreting the Constitution, judges should consider the “evolving norms and traditions of our society.”

Professor Liu has written an entire book about his theory of constitutional interpretation. On page 2 of that book, he writes that we need to consider a lot of different things when we interpret the Constitution. We need to consider the original understanding of the Framers. We need to consider the purpose and structure of the Constitution. We need to consider precedent. We need to consider the practical consequences of our laws. Lastly, we need to consider the evolving norms and traditions of our society. So this is just one thing—one thing—that we should take into account.

But even more important, this idea that we should merely consider the evolving standards of our society in interpreting the Constitution is not a radical idea. In fact, it isn't even a new idea. This issue frequently comes up in fourth amendment cases. Over 40 years ago, in a 1967 case called *U.S. v. Katz*, the Supreme Court was asked to determine whether a wiretap constituted a search under the fourth amendment. If it did, law enforcement would have to get a warrant to get a wiretap.

The problem, of course, was that the Founders never anticipated the telephone, let alone the wire to the telephone. So this was a new question for

the Court. But the Court voted 7 to 1 to find that a wiretap was, in fact, a search under the fourth amendment, and one of the main reasons they cited was that people in modern society had come to expect and assume that their phone calls were private. Two years later, in a separate case called *Smith v. Maryland*, the Court formally adopted the rule that the fourth amendment will protect people where our society recognizes a reasonable expectation of privacy. So for 40 years, it has been the law of this land that you have to look at social norms when interpreting the fourth amendment.

Here is another example, one that Senator FEINSTEIN cited, but still, it bears repeating. This is what Chief Justice Marshall said about the Necessary and Proper Clause in *McCulloch v. Maryland*.

... [t]his provision is made in a constitution, intended to endure for ages to come, and consequently, to be adapted to the various crises of human affairs.

McCulloch v. Maryland was decided in 1819. So the idea that we should merely consider the state of our society when we interpret the Constitution isn't new, it is old. It is very old. In fact, it is arguably older than the Senate Chamber we are standing in, which first opened in 1859.

Professor Liu's detractors have also accused him of believing that judges may "legitimately invent constitutional rights to a broad range of social 'welfare' goods, including education, shelter, subsistence, and health care." That is the accusation. This argument is based on an article Professor Liu wrote in 2008.

But if you actually read the article, you will find this statement right in the introduction. This is a quote from the article:

[B]ecause the existence of any welfare right depends on Democratic instantiation of our shared understandings, the Judiciary is generally limited to an interstitial role within the context of a legislative program. Courts do not act as 'first movers' in establishing welfare rights ...

In other words, Professor Liu is being accused of saying judges can invent welfare rights because of an article he wrote where he said judges cannot invent welfare rights.

The final point I wish to address is the idea that Professor Liu somehow supports "using foreign law to redefine the Constitution." Professor Liu's critics cite an obscure speech he gave at a Japanese law school 5 years ago. According to his critics, he said in this speech that it is "difficult for him to grasp how anyone could resist the use of foreign authority in American constitutional law."

I went and got a copy of the speech. If you read it, you will see that Professor Liu was referring to a series of Supreme Court decisions written by Justice Anthony Kennedy, where Jus-

tice Kennedy reviewed the laws of foreign countries on certain issues. Justice Kennedy didn't use the laws of foreign countries to decide the cases before him, he used them to get a sense of how other countries were resolving the legal issues before him.

Professor Liu was basically saying he found it difficult to grasp how people could disagree with Justice Kennedy. He has repeatedly said in his testimony, under oath, that he does not believe that foreign law should be binding in any way on Federal law.

There are other critiques against Professor Liu that I will not go into further, but I urge my colleagues to dig behind these blanket statements. To paraphrase Gertrude Stein, I think you will find there is no there there.

I think what my colleagues will find is an extraordinary intellect, a fundamentally decent man, and someone who will be a strong and impartial jurist. I urge my colleagues to vote for cloture and to vote to support his nomination.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

MORNING BUSINESS

Mr. REID. Madam President, I ask unanimous consent we now proceed to a period for morning business, with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER (Mrs. HAGAN). Without objection, it is so ordered.

TRIBUTE TO BRIGADIER GENERAL STEPHEN R. HOGAN

Mr. MCCONNELL. Madam President, I rise today to congratulate a friend of mine who is a valued servant to the people of Kentucky, BG Stephen R. Hogan. On March 12 of this year, the former colonel had his promotion ceremony to the rank of brigadier general. This promotion to general is a very special accomplishment, as very few career officers in our Armed Forces ever reach the general rank.

This promotion is well deserved for all that Brigadier General Hogan has done for his country. Serving as the assistant adjutant general for the Kentucky Army National Guard, he is responsible to the adjutant general for balancing the requirements of readiness, modernization, force structure, and sustainment of the National Guard for mobilization and domestic missions.

Brigadier General Hogan's significant duty assignments include tours with the 101st Airborne Division (Air Assault), Fort Campbell, KY; the 6th Infantry Division Light, Fort Richardson, AK; the Army Operations Center, the Pentagon; and with the Multi-National Corps Iraq based in Baghdad, Iraq. When not serving on Federal active duty, he has served in the Kentucky Army National Guard as an active-duty guardsman with the State's Counter-Drug Unit, and \$11 billion worth of illegal marijuana has been eradicated during his service.

Brigadier General Hogan's awards, medals and decorations include the Meritorious Service Medal, with three Bronze Oak Leaf Clusters; the Army Commendation Medal, with one Bronze Oak Leaf Cluster; the Army Reserve Components Achievement Medal, with one Silver Oak Leaf Cluster; the National Defense Service Medal; with one Bronze Service Star; the Iraq Campaign Medal; the Global War on Terrorism Service Medal; the Armed Forces Reserve Medal, with "M" Device and Silver Hourglass; the Army Service Ribbon, the Overseas Service Ribbon; the Master Parachutist Badge; the Pathfinder Badge; the Air Assault Badge; the Kentucky Merit Ribbon; the Kentucky Service Ribbon, with three Oak Leaf Clusters; and the Kentucky Counter Drug Ribbon.

Despite all this accomplishment, at his promotion ceremony, Brigadier General Hogan said, "All I ever wanted to do in life is be a professional soldier." Well, we in Kentucky are certainly glad he got his wish. I want to congratulate him on his promotion, and I know my colleagues in the U.S. Senate will join me in honoring his service and his sacrifice for our country.

An article extolling the virtues of Brigadier General Stephen R. Hogan appeared recently in the *Marion Star*. I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the *Marion Star*, April 18, 2011]
CONNER HIGH GRAD NAMED BRIG. GENERAL—STEPHEN HOGAN SERVED AT PENTAGON, IN BAGHDAD

(By Stephanie Salmons)

FRANKFORT.—Conner High School graduate Stephen Hogan, of Frankfort, has been promoted to the rank of brigadier general.

A 1981 Conner graduate, Hogan is the son of Paul and Marilyn Hogan of Burlington. He is a 1985 graduate of Morehead State University and a 2008 graduate of the U.S. Army War College.

Hogan received his commission from the Morehead ROTC in 1985 and since 1993 has worked with the Kentucky Army National Guard as an active-duty Guardsman with the state's Counter-Drug Unit, where Paul Hogan says his son works for a marijuana eradication program.

His assignments have included tours with the 101st Airborne Division (Air Assault),

Fort Campbell, KY.; 6th Infantry Division Light, Fort Richardson, Alaska; The Army Operations Center, Pentagon; and Multi-National Corps Iraq, Baghdad, Iraq.

Hogan has also received numerous awards during his time in the military.

The Hogans said they're proud of their son. "It's something you don't comprehend—when someone goes that far," Paul Hogan said.

Stephen Hogan has always had an interest in the military and has finally obtained his goal, Paul Hogan said.

"We're very pleased and proud of him. He's worked very hard," Marilyn Hogan said.

HONORING OUR ARMED FORCES

LANCE CORPORAL CHRISTOPHER S. MEIS

Mr. BENNET. Madam President, today I pay tribute to a young Coloradan, LCpl Christopher S. Meis, who died on March 17, 2011, from wounds he received while supporting combat operations in Helmand Province, Afghanistan. He was 20 years old. The loss of Lance Corporal Meis weighs heavily on his hometown of Bennett, CO, where he grew up dreaming of serving his country as a marine.

According to his mother, Lance Corporal Meis set his mind to becoming a soldier in the eighth grade. He always preferred the Marines, she says, because of its distinct reputation for rigor and excellence. Lance Corporal Meis enlisted in January 2010 after graduating from Bennett High School. He served a tour of duty in Afghanistan in support of Operation Enduring Freedom, earning numerous decorations.

He was a machine gunner in the 8th Marine Regiment, 2nd Marine Division, based at Camp Lejeune, NC. This post situated Lance Corporal Meis on the front lines of battle in Afghanistan, which for him meant an opportunity to contribute. His mother said that, when he called home, he spoke of his readiness for action and commitment to "making a difference." He told his family that he ultimately wanted to pursue the Marine Corps as a career.

Lance Corporal Meis's bravery and exemplary service quickly won the recognition of his commanding officers. He earned, among other decorations, the National Defense Service Medal, the Afghanistan Campaign Medal, and the Global War on Terrorism Service Medal. Just 3 weeks before his passing, he received a promotion to lance corporal.

His record as a soldier exhibits America's proudest traditions of valor, commitment to duty, and strength of character. To his family, he will be remembered as a dedicated son and brother. For Lance Corporal Meis, family and duty sometimes took the same form. By putting on the uniform, he followed his two grandfathers in a proud family tradition of service in the Armed Forces. His paternal grandfather served in World War II, and his maternal grandfather retired from the Air Force.

Mark Twain once said, "The fear of death follows from the fear of life. A man who lives fully is prepared to die at any time." Lance Corporal Meis's service was in keeping with this sentiment—by selflessly putting country first, he lived life to the fullest. He lived with a sense of the highest honorable purpose.

I stand with the citizens of Colorado and across our country in profound gratitude for Lance Corporal Meis's tremendous sacrifice. In Afghanistan, he fought with unwavering courage to protect America and her citizens, and for his service he will forever be remembered as one of our bravest. To honor those who survived him, I ask my colleagues to join me in extending our deepest respects and condolences to Holly, his mother, Chris, his father, Hunter, his brother, and to his entire family.

CARNEY CONFIRMATION

Mr. RUBIO. Madam President, on May 17, 2011, the Senate considered the nomination of Susan Carney to serve as a Judge on the Second Circuit Court of Appeals. I voted against her nomination and want to explain my vote.

The qualifications of a judicial nominee are critically important. Susan Carney received her A.B. in 1973 and her J.D. in 1977 from Harvard, graduating both times with honors. Following law school she clerked on the First Circuit. She then worked in private practice in Washington from 1979 until 1986. After several years of self-employment, she became affiliated with another Washington law firm in 1994 before becoming associate general counsel of the Peace Corps in 1996. Since 1998 she has worked in Yale University's General Counsel's Office; she has been deputy general counsel since 2001.

I question whether Ms. Carney has the proper experience to serve as an appellate judge. She has no litigation experience in the last 15 years. She has never tried any cases to verdict, judgment, or final decision. There is nothing in her background that will provide this body with any information as to how she will view the law and what she may or may not be inclined to do as an appellate court judge.

When examining a nominee, especially a nominee for the circuit court of appeals, I am looking for evidence in the nominee's history that will establish that the nominee is a constitutionalist. Someone who takes the original, public meaning of the text of the Constitution and our laws seriously and does not look for excuses to depart from it and read into it what he or she wants.

In making a determination as to whether to vote for a nominee, I look for evidence that the nominee meets Chief Justice John Roberts' analogy of

a baseball umpire, someone who doesn't bend the rules for the game, but just calls them as he sees them; someone who offers no favoritism depending on who is at bat.

All Americans should expect Members of U.S. Senate to carefully explore and guard against judicial nominees who are activists. Judges who interpret the Constitution and laws in light of his or her personal preferences or how he or she thinks they ought to have been written should not be on the bench. We should guard against a nominee who would elevate "empathy" over what the rule of law requires.

The only information that has been produced about Ms. Carney's potential judicial inclinations is that she was a supporter of pro-abortion groups such as NOW, NARAL, and Planned Parenthood. This nominee has little legal and no judicial history to rely upon. The burden of proof to show that the nominee will be a fair and impartial judge falls on the nominee. There is nothing in the record that would allow me to conclude that Ms. Carney will always be fair and impartial or that she will not elevate empathy over the rule of law. What I believe we should seek is a fair judge should be neutral and rule the same way according to the laws as written regardless of who is before the court.

Senators SESSIONS, COBURN, and LEE voted against this nomination in committee. The Republican members of the ABA committee that review nominees found Ms. Carney unqualified.

A review of Ms. Carney's record lacks any indicia as to how she would rule or how she would handle her role in this critical position. In my view, the burden of proof falls to the nominee and despite the support this nomination garnered from my colleagues, I do not believe that Ms. Carney met this burden. Given the higher scrutiny associated with consideration of nominees to the circuit courts of appeal, this nominee's limited record coupled with her history of supporting liberal organizations and because the nominee has the burden of establishing fidelity to constitutional principles, I voted against this nomination.

ADDITIONAL STATEMENTS

MAKOTI, NORTH DAKOTA

• Mr. CONRAD. Madam President, today I wish to recognize a community in North Dakota that will be celebrating its 100th anniversary. On July 8–10, the residents of Makoti will gather to celebrate their community's history and founding.

The vibrant community of Makoti is a Soo Line Railroad townsite. On July 12, 1911, the village of Makoti was platted, and lots at the townsite were sold. Approximately 200 people attended the

sale. The name of the town was coined by the townsite promoter, Edward Kamrud, from maakoti, a Mandan Indian word meaning largest of the earthen lodges. Edward learned of this word from James Holding Eagle, who was building a replica Mandan-type earthen lodge on the grounds of the State capitol in Bismarck.

Today, the economy of Makoti is largely based on agriculture. There are also eight businesses within the city, three churches, and the Lewis and Clark Makoti High School. Each fall, the town comes together and celebrates the Makoti Threshing Show, which is the largest threshing exhibition in North Dakota. Other recreational opportunities including a city park, swimming pool, baseball diamonds, and nearby lakes with great fishing and hunting.

The citizens of Makoti are proud of all of their accomplishments over the past 100 years and have planned a celebration that will include a golf tournament, 5K walk, arts and craft show, children's activities, a car show, a parade, and fireworks.

I ask the U.S. Senate to join me in congratulating Makoti, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Makoti and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Makoti that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Makoti has a proud past and a bright future.●

ROBINSON, NORTH DAKOTA

● Mr. CONRAD. Madam President, today I wish to recognize a community in North Dakota that will be celebrating its 100th anniversary. On July 15-17, the residents of Robinson will gather to celebrate their community's history and founding.

The vibrant community of Robinson is a Northern Pacific Railroad townsite. It was named after John F. Robinson, president of the First National Bank in Steele. Verne Wells came to Robinson in 1922, and established banking and civic leadership traditions that are now in their third generation. Vernon Liedtke—1912-1957—a world famous circus star, was born here.

Today, the economy of Robinson is largely based on agriculture and hunting. There are also local businesses, such as Countryside Auto, Flath Trucking, First Security Bank West, Northern Plains Electric Cooperative, Robinson Senior Center, Carol's Kitchen, Barb's Hair Shack and the Robinson Post Office.

The citizens of Robinson are proud of all of their accomplishments over the

past 100 years and have planned a celebration that will include, among other things, a class parade, dance, gun raffle, truck and tractor pull, food vendors, street dances, and fireworks.

I ask the U.S. Senate to join me in congratulating Robinson, ND, and its residents on the first 100 years and in wishing them well through the next century. By honoring Robinson and all the other historic small towns of North Dakota, we keep the great pioneering frontier spirit alive for future generations. It is places such as Robinson that have helped to shape this country into what it is today, which is why this fine community is deserving of our recognition.

Robinson has a proud past and a bright future.●

SELFRIDGE, NORTH DAKOTA

● Mr. CONRAD. Madam President, today, I am pleased to recognize a community in North Dakota that is celebrating its 100th anniversary. From July 8-10, the residents of Selfridge will gather to celebrate their community's founding.

The Selfridge Milwaukee Road Railroad Station was established in 1911. Several theories exist on how Selfridge received its name. Some say the name describes the ridge of hills in the area, while others say it was named for a Milwaukee Road Railroad official. Others contend that it was named for Thomas E. Selfridge, a pioneer army aviator killed in service.

In 1925, Selfridge boasted 63 business establishments and 51 homes. By 1930, the town's population had more than doubled. In the early 1940s, crops harvested in the countryside around Selfridge brought agricultural success, and during the 1950s the city council established a water and sewer system for the community. Because prairie fires have been a concern for Selfridge since its founding, a voluntary fire department has always been in existence.

Selfridge is located in south central North Dakota in Sioux County. It is part of the Standing Rock Indian Reservation. Today the town is home to the Selfridge Fire Hall, Selfridge High School, Selfridge Post Office, Selfridge Farmer's Union Oil Co., and the Branding Iron Bar & Steakhouse.

In honor of the city's 100th anniversary, community leaders have organized, among other things, a high school reunion social, street dances, a parade, sporting activities, a performance by Native American dancers, a children's carnival, and a German supper.

I ask that my colleagues in the U.S. Senate join me in congratulating Selfridge, ND, and its residents on their first 100 years and in wishing them well in the future. By honoring Selfridge and all other historic small towns of North Dakota, we keep the

great pioneering frontier spirit alive for future generations. It is places such as Selfridge that have helped shape this country into what it is today, which is why this fine community is deserving of our recognition.

Selfridge has a proud past and a bright future.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Pate, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MEASURES DISCHARGED

The following bill was discharged from the Committee on Environment and Public Works, and referred as indicated:

S. 840. An act to establish customs user fees for commercial trucks transporting foreign municipal solid waste, and for other purposes; to the Committee on Finance.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 754. An act to authorize appropriations for fiscal year 2011 for intelligence and intelligence-related activities of the United States Government, the Community Management Account, and the Central Intelligence Agency Retirement and Disability System, and for other purposes.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 1022. A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until December 31, 2014, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-1744. A communication from the Under Secretary of Defense (Acquisition, Technology and Logistics) transmitting, pursuant to law, a report from the Counterproliferation Program Review Committee entitled

“Report on Activities and Programs for Countering Proliferation and NBC Terrorism” (DCN OSS 2011-0847); to the Committee on Armed Services.

EC-1745. A communication from the Assistant Secretary of Defense (Reserve Affairs), Department of Defense, transmitting, pursuant to law, a report relative to the modernization priority assessments provided by the Chiefs of the Reserve and National Guard Components; to the Committee on Armed Services.

EC-1746. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1747. A communication from the Assistant Secretary of Defense (Legislative Affairs), transmitting legislative proposals relative to the National Defense Authorization Act for Fiscal Year 2012; to the Committee on Armed Services.

EC-1748. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled “Plum Pox Virus; Update of Quarantined Areas” (Docket No. APHIS-2010-0089) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Agriculture, Nutrition, and Forestry.

EC-1749. A communication from the General Counsel of the National Credit Union Administration, transmitting, pursuant to law, the report of a rule entitled “Corporate Credit Unions” (RIN3133-AD74) received in the Office of the President of the Senate on May 17, 2011; to the Committee on Banking, Housing, and Urban Affairs.

EC-1750. A communication from the President of the United States, transmitting, pursuant to law, a report on the continuation of the national emergency that was originally declared in Executive Order 13047 of May 20, 1997, with respect to Burma; to the Committee on Banking, Housing, and Urban Affairs.

EC-1751. A communication from the Chairman and President of the Export-Import Bank, transmitting a legislative proposal; to the Committee on Banking, Housing, and Urban Affairs.

EC-1752. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Procedures for Submitting to the Department of Energy Trade Secrets and Commercial or Financial Information That is Privileged or Confidential” (RIN1990-AA36) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Energy and Natural Resources.

EC-1753. A communication from the Assistant Secretary of Land and Minerals Management, Bureau of Ocean Energy Management, Regulation, and Enforcement, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled “Renewable Energy Alternate Uses of Existing Facilities on the Outer Continental Shelf—Acquire a Lease Noncompetitively” (RIN1010-AD71) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Energy and Natural Resources.

EC-1754. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Version One Regional Reliability Standards for Facilities

Design, Connections, and Maintenance; Protection and Control; and Voltage and Reactive” (Docket No. RM09-9-000; Order No. 751) received in the Office of the President of the Senate on May 17, 2011; to the Committee on Energy and Natural Resources.

EC-1755. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “Electric Reliability Organization Interpretations of Interconnection Reliability Operations and Coordination and Transmission Operations Reliability Standards” (RIN1902-AE23) received in the Office of the President of the Senate on May 17, 2011; to the Committee on Energy and Natural Resources.

EC-1756. A communication from the Secretary of Energy, transmitting, pursuant to law, the Department’s May 2011 Strategic Plan; to the Committee on Energy and Natural Resources.

EC-1757. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “An Approach for Using Probabilistic Risk Assessment in Risk-Informed Decisions on Plant-Specific Changes to the Licensing Basis” (Regulatory Guide 1.174, Revision 2) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2011; to the Committee on Environment and Public Works.

EC-1758. A communication from the Director of Congressional Affairs, Nuclear Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled “An Approach for Plant-Specific, Risk-Informed Decisionmaking: Technical Specifications” (Regulatory Guide 1.177, Revision 1) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2011; to the Committee on Environment and Public Works.

EC-1759. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to the extension of waiver authority for Turkmenistan; to the Committee on Finance.

EC-1760. A communication from the Fiscal Assistant Secretary, Department of the Treasury, transmitting, pursuant to law, the annual reports that appeared in the March 2011 Treasury Bulletin; to the Committee on Finance.

EC-1761. A communication from the Board of Trustees of the Federal Hospital Insurance and Federal Supplementary Medical Insurance Trust Funds, transmitting, pursuant to law, the Board’s 2011 Annual Report; to the Committee on Finance.

EC-1762. A communication from the Board of Trustees of the Federal Old-Age and Survivors Insurance and Federal Disability Insurance Trust Funds, transmitting, pursuant to law, the Board’s 2011 Annual Report; to the Committee on Finance.

EC-1763. A communication from the Assistant General Counsel for Regulatory Services, Office of Elementary and Secondary Education, Department of Education, transmitting, pursuant to law, the report of a rule entitled “Enhanced Assessment Instruments Notice of Final Priorities, Requirements, Definitions, and Selection Criteria” (CFDA No. 84.368) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1764. A communication from the Director, Directorate of Standards and Guidance,

Occupational Safety and Health Administration, transmitting, pursuant to law, the report of a rule entitled “General Working Conditions in Shipyard Employment (29 CFR part 1915, subpart F)” (RIN1218-AB50) received during adjournment of the Senate in the Office of the President of the Senate on May 13, 2011; to the Committee on Health, Education, Labor, and Pensions.

EC-1765. A communication from the Chief Privacy Officer, Privacy Office, Department of Homeland Security, transmitting, pursuant to law, a report entitled “Privacy Office Second Quarter Fiscal Year 2011 Report to Congress”; to the Committee on Homeland Security and Governmental Affairs.

EC-1766. A communication from the District of Columbia Auditor, transmitting, pursuant to law, a report entitled, “Auditor’s Review of the Operations and Administration of the Office of Public Education Facilities Modernization”; to the Committee on Homeland Security and Governmental Affairs.

EC-1767. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled “International Terrorism Victim Expense Reimbursement Program Report to Congress 2009”; to the Committee on the Judiciary.

EC-1768. A communication from the Management and Program Analyst, Citizenship and Immigration Services, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Requiring Residents Who Live Outside the United States to File Petitions According to Form Instructions” (RIN1615-AB93) received in the Office of the President of the Senate on May 17, 2011; to the Committee on the Judiciary.

EC-1769. A communication from the Acting Assistant Secretary, Office of Legislative Affairs, Department of State, transmitting, pursuant to law, the report of a rule entitled “Visas: Documentation of Nonimmigrants Under the Immigration and Nationality Act, as Amended” (RIN1400-AC87) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Foreign Relations.

EC-1770. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Canada for Telephonics APS-508 Radar System for the CP-140 Program in the amount of \$25,000,000 or more; to the Committee on Foreign Relations.

EC-1771. A communication from the Acting Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom for development and support of Data Terminal Equipment for the Bowman ComBat Infrastructure and Platform Battlefield Information System Application (BISA) Program in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-1772. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Traffic Separation Schemes: In the Approaches to Portland, ME; in the Approaches

to Boston, MA; in the Approaches to Narragansett Bay, RI and Buzzards Bay, MA; in the Approaches to Chesapeake Bay, VA, and in the Approaches to the Cape Fear River, NC" ((RIN1625-AB55) (Docket No. USCG-2010-0718)) received during adjournment of the Senate in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1773. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Traffic Separation Schemes: In the Strait of Juan de Fuca and its Approaches; in Puget Sound and its Approaches; and in Haro Strait, Boundary Pass, and the Strait of Georgia" ((RIN1625-AA48) (Docket No. USCG-2002-12702)) received during adjournment of the Senate in the Office of the President of the Senate on May 6, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1774. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulations; Rainy River, Ranier, MN" ((RIN1625-AA09) (Docket No. USCG-2010-1055)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1775. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Curtis Creek, Baltimore, MD" ((RIN1625-AA09) (Docket No. USCG-2010-1103)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1776. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Buffalo Bayou, mile 4.3, Houston, Harris County, TX" ((RIN1625-AA09) (Docket No. USCG-2011-0100)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1777. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Duluth Ship Canal, Duluth-Superior Harbor, MN" ((RIN1625-AA09) (Docket No. USCG-2010-1030)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1778. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation for Marine Event; Temporary Change of Dates for Recurring Marine Event in the Fifth Coast Guard District" ((RIN1625-AA08) (Docket No. USCG-2010-1094)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1779. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulations and Safety Zones; Recurring Events in Northern New England" ((RIN1625-AA08) (Docket No. USCG-2010-

0110)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1780. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Hydroplane Races within the Captain of the Port Puget Sound Area of Responsibility" ((RIN1625-AA08) (Docket No. USCG-2009-0996)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1781. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Anchorage Regulations; Port of New York" ((RIN1625-AA01) (Docket No. USCG-2008-1082)) received in the Office of the President of the Senate on May 16, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1782. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Inflatable Personal Flotation Devices" ((RIN1625-AB60) (Docket No. USCG-2011-0076)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1783. A communication from the Commander, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Great Lakes Pilotage: 2011 Annual Review and Adjustment" ((RIN1625-AB48) (Docket No. USCG-2010-0517)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1784. A communication from the Attorney Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Ninth Coast Guard District Sector Realignment; Northern Lake Michigan and Lake Huron" ((RIN1625-ZA29) (Docket No. USCG-2009-0929)) received in the Office of the President of the Senate on May 12, 2011; to the Committee on Commerce, Science, and Transportation.

EC-1785. A communication from the President of the United States, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Syria that was originally declared in Executive Order 13338 of May 11, 2004 and expanded in Executive Order 13572 of April 29, 2011; to the Committee on Banking, Housing, and Urban Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 99. A bill to promote the production of molybdenum-99 in the United States for medical isotope production, and to condition and phase out the export of highly enriched uranium for the production of medical isotopes (Rept. No. 112-17).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with amendments:

S. 398. A bill to amend the Energy Policy and Conservation Act to improve energy effi-

ciency of certain appliances and equipment, and for other purposes (Rept. No. 112-18).

By Mr. BINGAMAN, from the Committee on Energy and Natural Resources, with an amendment:

S. 629. A bill to improve hydropower, and for other purposes (Rept. No. 112-19).

By Mr. KERRY, from the Committee on Foreign Relations, without amendment and with a preamble:

S. Con. Res. 15. A concurrent resolution supporting the goals and ideals of World Malaria Day, and reaffirming United States leadership and support for efforts to combat malaria as a critical component of the President's Global Health Initiative.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. HARKIN for the Committee on Health, Education, Labor, and Pensions.

*Cora B. Marrett, of Wisconsin, to be Deputy Director of the National Science Foundation.

*Martha Wagner Weinberg, of Massachusetts, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

*Paula Barker Duffy, of Illinois, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

*Cathy N. Davidson, of North Carolina, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

*Constance M. Carroll, of California, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

*Albert J. Beveridge III, of the District of Columbia, to be a Member of the National Council on the Humanities for a term expiring January 26, 2016.

*Clyde E. Terry, of New Hampshire, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

*Janice Lehrer-Stein, of California, to be a Member of the National Council on Disability for a term expiring September 17, 2013.

*Judith A. Ansley, of Massachusetts, to be a Member of the Board of Directors of the United States Institute of Peace for the remainder of the term expiring September 19, 2011.

*Judith A. Ansley, of Massachusetts, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

*John A. Lancaster, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for the remainder of the term expiring September 19, 2011.

*John A. Lancaster, of New York, to be a Member of the Board of Directors of the United States Institute of Peace for a term of four years.

Mr. HARKIN. Mr. President, for the Committee on Health, Education, Labor, and Pensions I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar, that these nominations lie at the Secretary's desk for the information of Senators.

The PRESIDING OFFICER. Without objection, it is so ordered.

*Public Health Service nominations beginning with Manisha Patel and ending with Christopher M. Sheehan, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2011.

*Public Health Service nominations beginning with Alice Y. Guh and ending with Ukegbu J. Ugochi, which nominations were received by the Senate and appeared in the Congressional Record on May 11, 2011.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. KERRY (for himself and Ms. COLLINS):

S. 1018. A bill to amend title 10, United States Code, and the Ike Skelton National Defense Authorization Act for Fiscal Year 2011 to provide for implementation of additional recommendations of the Defense Task Force on Sexual Assault in the Military Services; to the Committee on Armed Services.

By Mr. SANDERS (for himself and Mr. WEBB):

S. 1019. A bill to amend the Elementary and Secondary Education Act of 1965 in order to support secondary school reentry programs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KOHL (for himself and Mr. ENZI):

S. 1020. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to loans made from a qualified employer plan, and for other purposes; to the Committee on Finance.

By Mr. COBURN (for himself and Mr. CARPER):

S. 1021. A bill to limit the amount expended by the Department of Defense for printing and reproduction costs; to the Committee on Appropriations.

By Mr. REID:

S. 1022. A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until December 31, 2014, and for other purposes; read the first time.

By Mr. DURBIN (for himself, Ms. COLLINS, and Mr. KERRY):

S. 1023. A bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical forest cover in existence in Haiti in 1990, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. KIRK:

S. Res. 188. A resolution opposing State bailouts by the Federal Government; to the

Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAPO (for himself, Ms. KLOBUCHAR, Mr. RISCH, and Mr. FRANKEN):

S. Res. 189. A resolution recognizing and honoring Harmon Killebrew and expressing the condolences of the Senate to his family on his death; considered and agreed to.

By Mr. LUGAR (for himself and Mr. COATS):

S. Res. 190. A resolution recognizing the 100th anniversary of the Indianapolis 500 Mile Race; considered and agreed to.

ADDITIONAL COSPONSORS

S. 48

At the request of Mr. INOUE, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 48, a bill to amend the Public Health Service Act to provide for the participation of pharmacists in National Health Services Corps programs, and for other purposes.

S. 164

At the request of Mr. BROWN of Massachusetts, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 164, a bill to repeal the imposition of withholding on certain payments made to vendors by government entities.

S. 245

At the request of Mr. CORKER, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 245, a bill to reduce Federal spending in a responsible manner.

S. 486

At the request of Mr. WHITEHOUSE, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 486, a bill to amend the Servicemembers Civil Relief Act to enhance protections for members of the uniformed services relating to mortgages, mortgage foreclosure, and eviction, and for other purposes.

S. 489

At the request of Mr. REED, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 489, a bill to require certain mortgagees to evaluate loans for modifications, to establish a grant program for State and local government mediation programs, and for other purposes.

S. 491

At the request of Mr. PRYOR, the name of the Senator from Vermont (Mr. LEAHY) was added as a cosponsor of S. 491, a bill to amend title 38, United States Code, to recognize the service in the reserve components of the Armed Forces of certain persons by honoring them with status as veterans under law, and for other purposes.

S. 547

At the request of Mrs. MURRAY, the names of the Senator from North Dakota (Mr. CONRAD) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 547, a bill to direct

the Secretary of Education to establish an award program recognizing excellence exhibited by public school system employees providing services to students in pre-kindergarten through higher education.

S. 555

At the request of Mr. FRANKEN, the name of the Senator from North Carolina (Mrs. HAGAN) was added as a cosponsor of S. 555, a bill to end discrimination based on actual or perceived sexual orientation or gender identity in public schools, and for other purposes.

S. 565

At the request of Mr. KERRY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 565, a bill to establish an employment-based immigrant visa for alien entrepreneurs who have received significant capital from investors to establish a business in the United States.

S. 567

At the request of Mr. CONRAD, the names of the Senator from Maryland (Ms. MIKULSKI), the Senator from New Mexico (Mr. UDALL) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 567, a bill to amend the small, rural school achievement program and the rural and low-income school program under part B of title VI of the Elementary and Secondary Education Act of 1965.

S. 596

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 596, a bill to establish a grant program to benefit victims of sex trafficking, and for other purposes.

S. 604

At the request of Mr. WYDEN, the name of the Senator from North Dakota (Mr. CONRAD) was added as a cosponsor of S. 604, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 615

At the request of Mr. VITTER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 615, a bill to improve the accountability and transparency in infrastructure spending by requiring a life-cycle cost analysis of major infrastructure projects, providing the flexibility to use alternate infrastructure type bidding procedures to reduce project costs, and requiring the use of design standards to improve efficiency and save taxpayer dollars.

S. 658

At the request of Ms. KLOBUCHAR, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Washington (Mrs. MURRAY), the Senator from Louisiana (Ms. LANDRIEU)

and the Senator from Washington (Ms. CANTWELL) were added as cosponsors of S. 658, a bill to provide for the preservation by the Department of Defense of documentary evidence of the Department of Defense on incidents of sexual assault and sexual harassment in the military, and for other purposes.

S. 668

At the request of Mr. CORNYN, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 668, a bill to remove unelected, unaccountable bureaucrats from seniors' personal health decisions by repealing the Independent Payment Advisory Board.

S. 701

At the request of Mr. BENNET, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 701, a bill to amend section 1120A(c) of the Elementary and Secondary Education Act of 1965 to assure comparability of opportunity for educationally disadvantaged students.

S. 707

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 707, a bill to amend the Animal Welfare Act to provide further protection for puppies.

S. 712

At the request of Mr. DEMINT, the name of the Senator from Nevada (Mr. HELLER) was added as a cosponsor of S. 712, a bill to repeal the Dodd-Frank Wall Street Reform and Consumer Protection Act.

S. 722

At the request of Mr. WYDEN, the name of the Senator from Colorado (Mr. UDALL) was added as a cosponsor of S. 722, a bill to strengthen and protect Medicare hospice programs.

S. 726

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Ms. AYOTTE), the Senator from Oklahoma (Mr. COBURN), the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 726, a bill to rescind \$45 billion of unobligated discretionary appropriations, and for other purposes.

S. 755

At the request of Mr. WYDEN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 755, a bill to amend the Internal Revenue Code of 1986 to allow an offset against income tax refunds to pay for restitution and other State judicial debts that are past-due.

S. 798

At the request of Mr. TESTER, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 798, a bill to provide an amnesty period during which veterans and their family members can register certain

firearms in the National Firearms Registration and Transfer Record, and for other purposes.

S. 800

At the request of Mr. HARKIN, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 800, a bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to reauthorize and improve the safe routes to school program.

S. 838

At the request of Mr. TESTER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 838, a bill to amend the Toxic Substances Control Act to clarify the jurisdiction of the Environmental Protection Agency with respect to certain sporting good articles, and to exempt those articles from a definition under that Act.

S. 906

At the request of Mr. WICKER, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 906, a bill to prohibit taxpayer funded abortions and to provide for conscience protections, and for other purposes.

S. 946

At the request of Mr. BAUCUS, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 946, a bill to establish an Office of Rural Education Policy in the Department of Education.

S. 954

At the request of Mr. LUGAR, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 954, a bill to promote the strengthening of the Haitian private sector.

S. 979

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 979, a bill to designate as wilderness certain Federal portions of the red rock canyons of the Colorado Plateau and the Great Basin Deserts in the State of Utah for the benefit of present and future generations of people in the United States.

S. 996

At the request of Mr. ROCKEFELLER, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. 996, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit through 2016, and for other purposes.

S. 1000

At the request of Mrs. SHAHEEN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1000, a bill to promote energy savings in residential and commercial buildings and industry, and for other purposes.

S. 1009

At the request of Mr. RUBIO, the names of the Senator from New Hamp-

shire (Ms. AYOTTE), the Senator from Wyoming (Mr. BARRASSO), the Senator from Oklahoma (Mr. COBURN), the Senator from Wisconsin (Mr. JOHNSON), the Senator from Utah (Mr. LEE), the Senator from Louisiana (Mr. VITTER) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 1009, a bill to rescind certain Federal funds identified by States as unwanted and use the funds to reduce the Federal debt.

S. 1014

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 1014, a bill to provide for additional Federal district judgeships.

S. RES. 180

At the request of Mr. LIEBERMAN, the names of the Senator from Michigan (Mr. LEVIN) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. Res. 180, a resolution expressing support for peaceful demonstrations and universal freedoms in Syria and condemning the human rights violations by the Assad regime.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. KOHL (for himself and Mr. ENZI):

S. 1020. A bill to amend the Internal Revenue Code of 1986 to modify the rules relating to loans made from a qualified employer plan, and for other purposes; to the Committee on Finance.

Mr. KOHL. Mr. President, today I am introducing the Savings Enhancement by Alleviating Leakage in 401(k) Savings Act of 2011, otherwise known as the SEAL 401(k) Savings Act. This bill, which I introduce together with my friend Senator MIKE ENZI, will reduce leakage from retirement plans and help ensure that retirement savings in defined contribution plans last throughout retirement.

With the recent shift from defined benefit retirement savings plans to 401(k)-type defined contribution plans, many Americans are now responsible for making the proactive decision to save for their retirement. These decisions include how much to save and where to invest their savings. Meanwhile, they also must resist the urge to tap into their savings in times of hardship through withdrawals and loans.

During these difficult economic times, we are increasingly seeing 401(k) funds being treated as rainy day funds, as participants take out withdrawals and loans. According to a recent study by Aon Hewitt, as of the end of 2010, about 28 percent of active participants in defined contribution plans had an outstanding loan. This is a record high. Withdrawals from defined contribution plans also have increased since the 2008 financial crisis. This leakage from

these plans can significantly reduce workers' savings and put their retirement security at risk.

To determine how to best tackle the issue of leakage from retirement plans, the Special Committee on Aging, of which I chair, held a hearing in July 2008 entitled, "Saving Smartly for Retirement: Are Americans Being Encouraged to Break Open the Piggy Bank?" The Committee also requested a GAO report entitled, "401(k) Plans: Policy Changes Could Reduce the Long-term Effects of Leakage on Workers' Retirement Savings," which was released in August 2009.

The SEAL 401(k) Savings Act builds on the recommendations the Committee received from witnesses during our hearing and from the GAO and would reduce leakage and increase retirement savings. First, the bill would extend the time workers have to repay loans. When an employee with a 401(k) plan loan loses his job, he generally is put to the choice of defaulting on his outstanding loan and incurring tax penalties or immediately repaying the entire outstanding loan balance. Paying back a loan after just losing your job can be difficult so our bill would give people more time.

While having access to a loan in an emergency is an important feature for many participants, a 401(k) savings account should not be used as a piggy bank for revolving loans. Also, the administrative burden of managing multiple loans for a few individuals can increase the costs for all workers in a plan. The SEAL Act reduces the overall number of loans that participants can take to three at one time. Currently employers determine the number of loans available, and many employers, like the Federal Thrift Savings Program, have chosen to restrict the number of loans to reduce leakage and overall cost.

The bill also would allow 401(k) participants to continue to make additional contributions during the 6 months following a hardship withdrawal. Currently, after an employee takes a withdrawal from a 401(k) plan due to a hardship, he or she is prohibited from making contributions to the plan and all other plans maintained by the employer for at least six months. This loss of both employee contributions and company matching contributions during this period can exacerbate the long-term negative effects on retirement savings.

Finally, the bill would ban products that promote leakage, such as the 401(k) debit card. By offering a 401(k) debit card, plans send the message that it is okay to use your retirement savings for every day purchases, despite the fact that the high fees associated with its use will drastically diminish their savings.

I look forward to working with my colleagues to pass this important legislation.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1020

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Savings Enhancement by Alleviating Leakage in 401(k) Savings Act of 2011" or the "SEAL 401(k) Savings Act".

SEC. 2. EXTENDED ROLLOVER PERIOD FOR THE ROLLOVER OF PLAN LOAN OFFSET AMOUNTS IN CERTAIN CASES.

(a) IN GENERAL.—Paragraph (3) of section 402(c) of the Internal Revenue Code of 1986 is amended by adding at the end the following new subparagraph:

“(C) ROLLOVER OF CERTAIN PLAN LOAN OFFSET AMOUNTS.—

“(i) IN GENERAL.—In the case of a qualified plan loan offset amount, paragraph (1) shall not apply to any transfer of such amount made after the due date (including extensions) for filing the return of tax for the taxable year in which such amount is treated as distributed from a qualified employer plan.

“(ii) QUALIFIED PLAN LOAN OFFSET AMOUNT.—For purposes of this subparagraph, the term ‘qualified plan loan offset amount’ means a plan loan offset amount which is treated as distributed from a qualified employer plan to a participant or beneficiary solely by reason of—

“(I) the termination of the qualified employer plan, or

“(II) the failure to meet the repayment terms of the loan from such plan because of the separation from service of the participant (whether due to layoff, cessation of business, termination of employment, or otherwise).

“(iii) PLAN LOAN OFFSET AMOUNT.—For purposes of clause (ii), the term ‘plan loan offset amount’ means the amount by which the participant’s accrued benefit under the plan is reduced in order to repay a loan from the plan.

“(iv) LIMITATION.—This subparagraph shall not apply to any plan loan offset amount unless such plan loan offset amount relates to a loan to which section 72(p)(1) does not apply by reason of section 72(p)(2).

“(v) QUALIFIED EMPLOYER PLAN.—For purposes of this subsection, the term ‘qualified employer plan’ has the meaning given such term by section 72(p)(4).”

(b) CONFORMING AMENDMENT.—Subparagraph (A) of section 402(c)(3) of the Internal Revenue Code of 1986 is amended by striking “subparagraph (B)” and inserting “subparagraphs (B) and (C)”.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to transfers made after the date of the enactment of this Act.

SEC. 3. MODIFICATION OF RULES GOVERNING HARDSHIP DISTRIBUTIONS.

Not later than 1 year after the date of the enactment of this Act, the Secretary of the Treasury shall modify Treasury Regulation section 1.401(k)—1(d)(3)(iv)(E) to—

(1) delete the prohibition imposed by paragraph (2) thereof, and

(2) to make any other modifications necessary to carry out the purposes of section 401(k)(2)(B)(i)(IV) of the Internal Revenue Code of 1986.

SEC. 4. QUALIFIED EMPLOYER PLANS PROHIBITED FROM MAKING LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.

(a) IN GENERAL.—Paragraph (2) of section 72(p) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

“(D) PROHIBITION OF LOANS THROUGH CREDIT CARDS AND OTHER SIMILAR ARRANGEMENTS.—Subparagraph (A) shall not apply to any loan which is made through the use of any credit card or any other similar arrangement.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to plan years beginning after the date which is 60 days after the date of the enactment of this Act.

SEC. 5. LIMITATION ON NUMBER OF LOANS FROM QUALIFIED EMPLOYER PLANS WHICH MAY BE OUTSTANDING WITH RESPECT TO ANY PARTICIPANT OR BENEFICIARY.

(a) IN GENERAL.—Paragraph (2) of section 72(p) of the Internal Revenue Code of 1986, as amended by section 4, is amended by redesignating subparagraph (E) as subparagraph (F) and by inserting after subparagraph (D) the following new subparagraph:

“(E) EXCEPTION ONLY TO APPLY TO 3 LOANS.—Subparagraph (A) shall not apply to any loan made after the date of the enactment of this subparagraph if, immediately after such loan is made, the number of outstanding loans from the plan to the participant or beneficiary exceeds 3.”

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to loans made after the date which is 1 year after the date of the enactment of this Act.

Mr. ENZI. Mr. President, in February the Committee on Health, Education, Labor, and Pensions held a hearing on the success of the automatic enrollment provisions of the Pension Protection Act of 2006 which helped millions of workers and their families access to a 401(k) retirement savings accounts. Because of the Pension Protection Act, we greatly expanded retirement savings and individuals ability to put money away for their golden years.

Just last week, Fidelity Investments released a report that employer-sponsored retirement plans with an automatic enrollment feature have an overall participation rate of 82 percent compared with only 56 percent without automatic enrollment. The Fidelity report also indicated that average account balances for 401(k) and similar retirement accounts have reached an all-time high. This is some good news to show that workers and their families retirement accounts are coming back from the economic distress of just a few years ago.

While our Nation's 401(k) retirement system is providing greater opportunities for individuals to save, there is still room for improvement. Recent studies have shown that money saved in 401(k) accounts sometimes “leaks” out of the system and is never put back. AonHewitt released a report this week showing that unpaid loans, withdrawals and cashouts of 401(k) monies, otherwise known as “leakage,” can

have a substantial effect on how much money ultimately will be there for retirement. According to the AonHewitt report, an individual who ceases to make loan repayments during the loan term is expected to erode future retirement income by 10 to 13 percent. If the individual has two loans and payments are not made then the reduction in retirement savings nearly doubles. In the event of a complete default of the loan, then the monies are permanently gone from the retirement system.

Today, I join the Chairman of the Senate Aging Committee, Senator KOHL, in taking the first step in helping to stop leakage in the retirement system. Chairman KOHL held a hearing on this very issue and had the Government Accountability Office, GAO, research and come up with recommendations to stop retirement savings leakage. The bill we introduce today, The Savings Enhancement by Alleviating Leakage in 401(k) Pension Act also known as the SEAL Act, is based upon those initial GAO recommendations.

The SEAL Act takes the first steps in helping workers and their families to pay back loans from 401(k) accounts when a worker leaves a job. Typically, when a worker separates from an employer any outstanding 401(k) loan must be paid back immediately or suffer tax penalties. The SEAL Act would allow for a greater period of time for the loan to be paid back thereby helping families to pay back the loan and allowing the monies to be put back into their retirement savings and avoid the tax penalty.

The bill also would remove the prohibition against individuals from making contributions to their 401(k) accounts in the following 6 months after a hardship loan has been made. Situations where hardship loans are made are some of the most stressful times for individuals and their families. If they have the ability and means to continue to contribute to their 401(k) accounts then they should be provided that option. The bill gives them the option to continue to save for retirement even in dire circumstances.

Finally, the bill would provide structural changes to 401(k) plans to help businesses keep down administrative costs and extra fees. Currently, the Internal Revenue Code permits businesses to structure retirement plans with an unlimited amount of loans per individual but an individual cannot take more than 50 percent of their retirement account balances in loans up to \$50,000 for all outstanding loans. The Federal Government's Thrift Savings Plan has a limit of two outstanding loans, one personal loan and one loan for the purchase of a house, at any time. We consulted with retirement experts, mutual funds and retirement service providers and virtually all agreed that the optimal number of loans agreed upon was 3 outstanding

loans at any time. Some believed that we should match the Thrift Savings Plan, however, we believe that businesses need to reduce administrative costs but they should be able to provide flexibility to their workers. The bill also would restrict the use of credit and/or debit card loans on 401(k) accounts. Again, these types of loans pull money out in "reserve" so that individuals can tap the reserve at any time. However, the extra administrative costs and fees are burdensome to businesses and to their workers.

Overall, the SEAL bill is the first step in helping to provide flexibility for individuals and plan structure to help keep retirement monies in retirement savings accounts. I look forward to working with Chairman KOHL in moving this important piece of retirement savings legislation. I also look forward to working with my colleagues to improve and add other items to help reduce leakage in 401(k) retirement savings and to help our Nation's workers and their families have their money there for them at retirement. Each step that we take to stop leakage will mean that individuals will be more financially secure in retirement.

By Mr. REID:

S. 1022. A bill to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until December 31, 2014, and for other purposes; read the first time.

Mr. REID. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1022

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "PATRIOT Sunsets Extension Act of 2011".

SEC. 2. SUNSET EXTENSIONS.

(a) **PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005.**—Section 102(b)(1) of the USA PATRIOT Improvement and Reauthorization Act of 2005 (Public Law 109-177; 50 U.S.C. 1805 note, 50 U.S.C. 1861 note, and 50 U.S.C. 1862 note) is amended by striking "May 27, 2011" and inserting "December 31, 2014".

(b) **INTELLIGENCE REFORM AND TERRORISM PREVENTION ACT OF 2004.**—Section 6001(b)(1) of the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458; 50 U.S.C. 1801 note) is amended by striking "May 27, 2011" and inserting "December 31, 2014".

By Mr. DURBIN (for himself, Ms. COLLINS, and Mr. KERRY):

S. 1023. A bill to authorize the President to provide assistance to the Government of Haiti to end within 5 years the deforestation in Haiti and restore within 30 years the extent of tropical

forest cover in existence in Haiti in 1990, and for other purposes; to the Committee on Foreign Relations.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

S. 1023

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Haiti Reafforestation Act of 2011".

SEC. 2. FINDINGS; PURPOSE.

(a) **FINDINGS.**—Congress finds that—

(1) the established policy of the Federal Government is to support and seek protection of tropical forests around the world;

(2) tropical forests provide a wide range of benefits by—

(A) harboring a major portion of the biological and terrestrial resources of Earth and providing habitats for an estimated 10,000,000 to 30,000,000 plant and animal species, including species essential to medical research and agricultural productivity;

(B) playing a critical role as carbon sinks that reduce greenhouse gases in the atmosphere, as 1 hectare of tropical forest can absorb up to approximately 3 tons of carbon dioxide per year, thus moderating potential global climate change; and

(C) regulating hydrological cycles upon which agricultural and coastal resources depend;

(3) tropical forests are also a key factor in reducing rates of soil loss, particularly on hilly terrain;

(4) while international efforts to stem the tide of tropical deforestation have accelerated during the past 2 decades, the rapid rate of tropical deforestation continues unabated;

(5) in 1923, over 60 percent of the land of Haiti was forested but, by 2006, that percentage had decreased to less than 2 percent;

(6) during the period beginning in 2000 and ending in 2005, the deforestation rate in Haiti accelerated by more than 20 percent over the deforestation rate in Haiti during the period beginning in 1990 and ending in 1999;

(7) as a result, during the period described in paragraph (6), Haiti lost—

(A) nearly 10 percent (approximately 11,000 hectares) of the forest cover of Haiti; and

(B) approximately 22 percent of the total forest and woodland habitat of Haiti;

(8) poverty and economic pressures are—

(A) two factors that underlie the tropical deforestation of Haiti; and

(B) manifested particularly through the clearing of vast areas of forest for conversion to agricultural uses;

(9) 80 percent of the population of Haiti lives below the poverty line;

(10) two-thirds of the population of Haiti depend on the agricultural sector, which consists mainly of small-scale subsistence farming;

(11) 60 percent of the population of Haiti relies on charcoal produced from cutting down trees for cooking fuel;

(12) soil erosion represents the most direct effect of the deforestation of Haiti, as the erosion has—

(A) lowered the productivity of the land due to the poor soils underlying the tropical forests;

(B) worsened the severity of droughts and flooding events;

(C) led to further deforestation;

(D) significantly decreased the quality and, as a result, quantity of freshwater and clean drinking water available to the population of Haiti; and

(E) increased the pressure on the remaining land and trees in Haiti;

(13) tropical forests provide forest cover to soften the effect of heavy rains and reduce erosion by anchoring the soil with their roots;

(14) when trees are cleared, rainfall runs off the soil more quickly and contributes to floods and further erosion;

(15) in 2004, Hurricane Jeanne struck Haiti, killing approximately 3,000, and affecting over 200,000, people, partly because deforestation had resulted in the clearing of large hillsides, which enabled rainwater to run off directly to settlements located at the bottom of the slopes;

(16) research conducted by the United Nations Environmental Programme has revealed a direct (89 percent) correlation between the extent of the deforestation of a country and the incidence of victims per weather event in the country;

(17) the consequences of the January 2010 earthquake in Haiti, which destroyed much of the infrastructure of Port au Prince, were greater because of deforestation which reduced hillside stability and increased the likelihood of mudslides, soil erosion, and flooding—factors that also negatively impacted the water supply and heightened concerns for the spread of waterborne diseases;

(18) finding economic benefits for local communities from sustainable uses of tropical forests is critical for the long-term protection of the tropical forests in Haiti;

(19) On July 29, 2010, the Supplemental Appropriations Act of 2010 (Public Law 111-212) was enacted into law, which included \$25,000,000 for “the reforestation and other restoration of Haiti’s key watersheds”; and

(20) tropical reforestation efforts would provide new sources of jobs, income, and investments in Haiti by—

(A) providing employment opportunities in tree seedling programs, contract tree planting and management, sustainable agricultural initiatives, sustainable and managed timber harvesting, and wood products milling and finishing services; and

(B) enhancing community enterprises that generate income through the trading of sustainable forest resources, many of which exist on small scales in Haiti and in the rest of the region.

(b) PURPOSE.—The purpose of this Act is to provide assistance to the Government of Haiti to develop and implement, or improve, nationally appropriate policies and actions—

(1) to reduce deforestation and forest degradation in Haiti;

(2) to increase annual rates of afforestation and reforestation in a measurable, reportable, and verifiable manner—

(A) to restore social and economic conditions for environmental recovery of 35 percent of Haiti’s land surface area within 5 years after the date of enactment of this Act;

(B) to restore within 30 years after the date of enactment of this Act the forest cover of Haiti to at least 10 percent of the land in Haiti; and

(C) to establish within 10 years after the date of enactment of this Act agroforestry cover of land in Haiti to more than 25 percent; and

(3) to improve sustainable resource management at the watershed scale.

SEC. 3. DEFINITIONS.

In this Act:

(1) AFFORESTATION.—

(A) IN GENERAL.—The term “afforestation” means the establishment of a new forest through the seeding of, or planting of trees on, a parcel of nonforested land.

(B) INCLUSION.—The term “afforestation” includes—

(i) the introduction of a tree species to a parcel of nonforested land of which the species is not a native species; and

(ii) the increase of tree cover through plantations.

(2) AGROFORESTRY.—

(A) IN GENERAL.—The term “agroforestry” refers to systems in which perennial trees or shrubs are integrated with crops or livestock, and where perennials constitute a minimum 10 percent of ground cover.

(B) INCLUSION.—Actual forest cover resulting from agroforestry programs can be counted toward the total forest cover goal set forth in section (2)(b).

(3) APPROPRIATE COMMITTEES OF CONGRESS.—The term “appropriate committees of Congress” means—

(A) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(B) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

(4) DEFORESTATION.—The term “deforestation” refers to the conversion of forest to another land use or the long term reduction of the tree canopy.

(5) FOREST.—

(A) IN GENERAL.—The term “forest” means a terrestrial ecosystem containing native tree species generated and maintained primarily through natural ecological and evolutionary processes.

(B) EXCLUSION.—The term “forest” does not include plantations, such as crops of trees planted primarily by humans for the purposes of harvesting.

(6) REFORESTATION.—

(A) IN GENERAL.—The term “reforestation” refers to the establishment of forest on lands that were previously considered as forest, but which have been deforested.

(B) INCLUSION.—The term “reforestation” includes the increase of tree cover through plantations.

TITLE I—FORESTATION AND WATERSHED MANAGEMENT ASSISTANCE TO GOVERNMENT OF HAITI

SEC. 101. FORESTATION ASSISTANCE.

(a) AUTHORITY.—

(1) IN GENERAL.—In accordance with section 117 of the Foreign Assistance Act of 1961 (22 U.S.C. 2151p) and consistent with the provisions of paragraph (2), the President is authorized to provide assistance to the Government of Haiti in the form of financial assistance, technology transfers, or capacity building assistance for the conduct of activities to develop and implement 1 or more forestation proposals under paragraph (2)—

(A) to reduce the deforestation of Haiti; and

(B) to increase the rates of afforestation and reforestation in Haiti.

(2) PROPOSALS.—

(A) IN GENERAL.—Assistance under this title may be provided to the Government of Haiti to implement one or more proposals that contain—

(i) a description of each policy and initiative to be carried out using the assistance;

(ii) adequate documentation to ensure, as determined by the President, that—

(I) each policy and initiative will be—

(aa) carried out and managed in accordance with widely accepted environmentally

sustainable forestry and agricultural practices; and

(bb) designed and implemented in a manner by which to improve the governance of forests by building governmental capacity to be more transparent, inclusive, accountable, and coordinated in decisionmaking processes and the implementation of the policy or initiative; and

(II) the proposals will further establish and enforce legal regimes, standards, and safeguards designed to ensure that members of local communities in affected areas, as partners and primary stakeholders, will be engaged in the design, planning, implementation, monitoring, and evaluation of the policies and initiatives; and

(iii) a description of how the proposal or proposals support and aid forest restoration efforts consistent with the purpose set forth in section 2(b).

(B) DETERMINATION OF COMPATIBILITY WITH CERTAIN PROGRAMS.—In evaluating each proposal under subparagraph (A), the President shall ensure that each policy and initiative described in the proposal submitted by the Government of Haiti under that subparagraph is compatible with—

(i) broader development, poverty alleviation, sustainable energy usage, and natural resource conservation objectives and initiatives in Haiti;

(ii) the development, poverty alleviation, disaster risk management, and climate resilience programs of the United States Agency for International Development, including those involving technical support from the United States Forest Service; and

(iii) activities of international organizations and multilateral development banks.

(b) ELIGIBLE ACTIVITIES.—Any assistance received by the Government of Haiti under subsection (a)(1) shall be conditional upon development and implementation of a proposal under subsection (a)(2), which may include—

(1) the provision of technologies and associated support for activities to reduce deforestation or increase afforestation and reforestation rates, including—

(A) fire reduction initiatives;

(B) forest law enforcement initiatives;

(C) the development of timber tracking systems;

(D) the development of cooking fuel substitutes;

(E) initiatives to increase agricultural productivity;

(F) tree-planting initiatives; and

(G) programs that are designed to focus on market-based solutions, including programs that leverage the international carbon-offset market;

(2) the enhancement and expansion of governmental and nongovernmental institutional capacity to effectively design and implement a proposal developed under subsection (a)(2) through initiatives, including—

(A) the establishment of transparent, accountable, and inclusive decision-making processes relating to all stakeholders (including affected local communities);

(B) the promotion of enhanced coordination among ministries and agencies responsible for agroecological zoning, mapping, land planning and permitting, sustainable agriculture, forestry, and law enforcement; and

(C) the clarification of land tenure and resource rights of affected communities, including local communities;

(3) the development and support of institutional capacity to measure, verify, and report the activities carried out by the Government of Haiti to reduce deforestation and

increase afforestation and reforestation rates through the use of appropriate methods, including—

(A) the use of best practices and technologies to monitor land use change in Haiti, including changes in the extent of natural forest cover, protected areas, mangroves, agroforestry, and agriculture;

(B) the monitoring of the impacts of policies and initiatives on—

(i) affected communities;

(ii) the biodiversity of the environment of Haiti; and

(iii) the health of the tropical forests of Haiti; and

(C) independent and participatory forest monitoring; and

(4) the development of and coordination with watershed restoration programs in Haiti, including—

(A) agreements with the Government of Haiti, nongovernmental organizations, or private sector partners to provide technical assistance, capacity building, or technology transfers which support the environmental recovery of Haiti's watersheds through forest restoration activities, provided that the assistance will help strengthen economic drivers of sustainable resource management, reduce environmental vulnerability, and improve governance, planning, and community action of watersheds in Haiti;

(B) actions to support economic incentives for sustainable resource management, may including enhanced incentives for the replacement of annual hillside cropping with perennial and non-erosive production systems;

(C) enhanced extension services supporting the sustainable intensification of agriculture to increase farmer incomes and reduce pressure on degraded land; and

(D) investments in watershed infrastructure to reduce environmental vulnerability, including the establishment of appropriate erosion control measures through reforestation activities in targeted watersheds or sub-watersheds.

(c) DEVELOPMENT OF PERFORMANCE METRICS.—

(1) IN GENERAL.—If the President provides assistance under subsection (a)(1), the President, in cooperation with the Government of Haiti, shall develop appropriate performance metrics to measure, verify, and report—

(A) the conduct of each policy and initiative to be carried out by the Government of Haiti;

(B) the results of each policy and initiative with respect to the tropical forests of Haiti; and

(C) each impact of each policy and initiative on the local communities of Haiti.

(2) REQUIREMENTS.—Performance metrics developed under paragraph (1) shall, to the maximum extent practicable, include short-term and long-term metrics to evaluate the implementation of each policy and initiative contained in each proposal developed under subsection (a)(2).

(d) REPORTS.—

(1) INITIAL REPORT.—Not later than 18 months after the date of enactment of this Act, the President shall submit to the appropriate committees of Congress a report that describes the actions that the President has taken, and plans to take—

(A) to engage with the Government of Haiti, nongovernmental stakeholders, and public and private nonprofit organizations to implement this section; and

(B) to enter into agreements with the Government of Haiti under subsection (a)(1).

(2) BIENNIAL REPORTS.—Not later than 2 years after the date on which the President

first provides assistance to the Government of Haiti under subsection (a)(1) and biennially thereafter, the President shall submit to Congress a report that describes the progress of the Government of Haiti in implementing each policy and initiative contained in the proposal submitted under subsection (a)(2).

(e) ADDITIONAL ASSISTANCE.—The President is authorized to provide financial and other assistance to the Government of Haiti, local government bodies, or nongovernmental organizations for the purpose of—

(1) providing local communities information relating to each policy and initiative to be carried out by the Government of Haiti through funds made available under subsection (a)(1);

(2) promoting effective participation by local communities in the design, implementation, and independent monitoring of each policy and initiative; and

(3) promoting, consistent with supporting the sustainability of forestation activities, enhanced watershed governance, national planning, and community action programs that lead to increased—

(A) development of a national watershed management policy for Haiti with the Inter-Ministerial Committee for Land Management, the Ministry of Environment, Ministry of Agriculture, and the Ministry of Planning and External Cooperation;

(B) establishment of an effective forum for donor coordination related to management and reforestation in Haiti;

(C) support for the National Center for Geospatial Information (CNIGS) to provide technology, data, and monitoring support for improved watershed and forest resource management at a national scale in Haiti; and

(D) development of effective governance structures in Haiti for stakeholder engagement, coordination of approaches, and land use planning and disaster mitigation at the watershed scale.

TITLE II—GRANTS FOR REFORESTATION

SEC. 201. REFORESTATION GRANT PROGRAM.

(a) ESTABLISHMENT.—The President is authorized to establish a grant program to carry out the purposes of this Act, including reversing deforestation and improving reforestation and afforestation in Haiti.

(b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The President is authorized to award grants and contracts to carry out projects that, in the aggregate, reverse deforestation and improve reforestation and afforestation.

(2) MAXIMUM AMOUNT.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the President may not award a grant under this section in an amount greater than \$500,000 per year.

(B) EXCEPTION.—The President may award a grant under this section in an amount greater than \$500,000 per year if the President determines that the recipient of the grant has demonstrated success with respect to a project that was the subject of a grant under this section.

(3) DURATION.—The President shall award grants under this section for a period not to exceed 3 years.

(c) USE OF FUNDS.—

(1) IN GENERAL.—Grants awarded pursuant to subsection (b) may be used for activities such as—

(A) providing a financial incentive to protect trees;

(B) providing hands-on management and oversight of replanting efforts;

(C) focusing on sustainable income-generating growth;

(D) providing seed money to start cooperative reforestation and afforestation efforts

and providing subsequent conditional funding for such efforts contingent upon required tree care and maintenance activities;

(E) promoting widespread use of improved cooking stove technologies, to the extent that this does not result in the harvesting of tropical forest growth and other renewable fuel technologies that reduce deforestation and improve human health; and

(F) securing the involvement and commitment of local communities—

(i) to protect tropical forests in existence as of the date of enactment of this Act; and

(ii) to carry out afforestation and reforestation activities.

(2) CONSISTENCY WITH PROPOSALS.—To the maximum extent practicable, a project carried out using grant funds shall support and be consistent with the proposal developed under section 101(a)(2) that is the subject of the project.

(d) APPLICATION.—

(1) IN GENERAL.—To be eligible for a grant under this section, an entity shall prepare and submit an application at such time, in such manner, and containing such information as the President may reasonably require.

(2) CONTENT.—Each application submitted under paragraph (1) should be consistent with the findings of the 2007 United States Agency for International Development report entitled, "Environmental Vulnerability in Haiti: Findings and Recommendations", and shall include—

(A) a description of the objectives to be attained;

(B) a description of the manner in which the grant funds will be used;

(C) a plan for evaluating the success of the project based on verifiable evidence; and

(D) to the extent that the applicant intends to use nonnative species in afforestation efforts, an explanation of the benefit of the use of nonnative species over native species and verification that the species to be used are not invasive.

(3) PREFERENCE FOR CERTAIN PROJECTS.—In awarding grants under this section, preference shall be given to applicants that propose—

(A) to develop market-based solutions to the difficulty of reforestation in Haiti, including the use of conditional cash transfers and similar financial incentives to protect reforestation efforts;

(B) to partner with local communities and cooperatives; and

(C) to focus on efforts that build local capacity to sustain growth after the completion of the underlying grant project.

(e) DISSEMINATION OF INFORMATION.—The President shall collect and widely disseminate information about the effectiveness of the demonstration projects assisted under this section.

SEC. 202. FOREST PROTECTION GRANTS.

Chapter 7 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2281 et seq.) is amended by inserting after section 466 the following new section:

"SEC. 467. PILOT PROGRAM FOR HAITI.

"(a) SUBMISSION OF LIST OF AREAS OF SEVERELY DEGRADED NATURAL RESOURCES.—The President, in cooperation with nongovernmental conservation organizations, shall invite the Government of Haiti to submit a list of areas within the territory of Haiti in which tropical forests are seriously degraded or threatened.

"(b) REVIEW OF LIST.—The President shall assess the list submitted by the Government of Haiti under subsection (a) and shall seek to reach agreement with the Government of

Haiti for the restoration and future sustainable use of those areas.

“(C) GRANT PROGRAM.—

“(1) GRANTS AUTHORIZED.—The President is authorized to make grants on such terms and conditions as may be necessary to non-governmental organizations for the purchase on the open market of discounted debt of the Government of Haiti, if a market is determined to be viable, in exchange for commitments by the Government of Haiti to restore tropical forests identified by the Government under subsection (a) or for commitments to develop plans for sustainable use of such tropical forests.

“(2) MANAGEMENT OF PROTECTED AREAS.—Each recipient of a grant under this subsection shall participate in the ongoing management of the area or areas protected pursuant to such grant.

“(3) RETENTION OF PROCEEDS.—Notwithstanding any other provision of law, a grantee (or any subgrantee) of the grants referred to in section (a) may retain, without deposit in the Treasury of the United States and without further appropriation by Congress, interest earned on the proceeds of any resulting debt-for-nature exchange pending the disbursements of such proceeds and interest for approved program purposes, which may include the establishment of an endowment, the income of which is used for such purposes.

“(4) TERMINATION OF PROGRAM.—The authority to make grants under the pilot program shall terminate five years after the date of the enactment of this Act. The authority may be renewed for one additional five-year period during the 30-year reforestation period targeted by this Act if the President determines and certifies to Congress that the pilot program is effective in meeting the goals of the Act and the commitment of the Government of Haiti to returning land in Haiti to long-term sustainable forests. The cumulative duration of the pilot program may not exceed ten total years.”

TITLE III—ADMINISTRATIVE PROVISION

SEC. 301. DELEGATION.

The President (or the Administrator of the United States Agency for International Development or the Secretary of State as the President's delegate) may draw, as appropriate, on the expertise of the United States Forest Service in designing and implementing programs pursuant to this Act relating to reforestation, watershed restoration, and monitoring of land use change.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 188—OPPOSING STATE BAILOUTS BY THE FEDERAL GOVERNMENT

Mr. KIRK submitted the following resolution; which was referred to the Committee on Banking, Housing, and Urban Affairs:

S. RES. 188

Whereas each State of the Union is a sovereign entity with a constitution and authority to issue sovereign debt;

Whereas the legislature of each State of the Union has the authority to reduce spending or raise taxes to pay the obligations to which the State has committed itself;

Whereas the officials of each State of the Union have the legal obligation to fully disclose the financial condition of the State to

investors who purchase the debt of such State;

Whereas Congress has rejected prior requests from State creditors for payment of defaulted State debt; and

Whereas during the financial crisis in 1842, the Senate requested that the Secretary of State report any negotiations with State creditors to assume or guaranty State debts, to ensure that no promises of Federal Government support were proffered: Now, therefore, be it

Resolved, That—

(1) the Federal Government should take no action to redeem, assume, or guarantee State debt; and

(2) the Secretary of the Treasury should report to Congress negotiations to engage in actions that would result in an outlay of Federal funds on behalf of creditors to a State.

SENATE RESOLUTION 189—RECOGNIZING AND HONORING HARMON KILLEBREW AND EXPRESSING THE CONDOLENCES OF THE SENATE TO HIS FAMILY ON HIS DEATH

Mr. CRAPO (for himself, Ms. KLOBUCHAR, Mr. RISCH, and Mr. FRANKEN) submitted the following resolution; which was considered and agreed to:

S. RES. 189

Whereas Harmon Clayton Killebrew was born on June 29, 1936, in Payette, Idaho;

Whereas Harmon Killebrew earned multiple awards as an athlete in baseball, basketball, and football while at Payette High School;

Whereas at the age of 17, Harmon Killebrew signed his first professional baseball contract with the Washington Senators;

Whereas Harmon Killebrew credits then-United States Senator from the State of Idaho, Herman Welker, with recommending to the Griffith family, then-Washington Senators owners, that the Washington Senators sign Killebrew;

Whereas Harmon Killebrew played his first 7 seasons of professional baseball in Washington, D.C. before moving with the Washington Senators franchise to the State of Minnesota in 1961, where the team was renamed the Minnesota Twins;

Whereas Harmon Killebrew played 14 seasons with the Minnesota Twins;

Whereas Harmon Killebrew hit the longest home run in the history of Metropolitan Stadium, which hit a seat located 520 feet from home plate that the Twins later painted red in honor of that historic shot;

Whereas while with the Minnesota Twins, Harmon Killebrew made the All-Star Team in 10 different seasons and competed in the 1965 World Series, where the Minnesota Twins fell in 7 games to the Los Angeles Dodgers;

Whereas Harmon Killebrew earned the American League's Most Valuable Player award in 1969 when he led the league in both home runs and runs batted in;

Whereas Harmon Killebrew retired from professional baseball in 1975, after playing 1 season with the Kansas City Royals;

Whereas uniform number 3, which Harmon Killebrew wore while with the Minnesota Twins, has been retired by the Minnesota Twins;

Whereas as of 2011, Harmon Killebrew, with 573 career home runs, ranks 11th highest on the all-time career home run list of Major League Baseball;

Whereas Harmon Killebrew was elected to the Baseball Hall of Fame in 1984;

Whereas Harmon Killebrew remained active in many important charitable efforts following the conclusion of his playing career;

Whereas in 1977, Harmon Killebrew joined with Ralph Harding, a former United States Representative from the State of Idaho, in founding the Danny Thompson Memorial Golf Tournament, in honor of Danny Thompson, Harmon Killebrew's former Minnesota Twins teammate who died as a result of leukemia in 1976; and

Whereas the efforts of Harmon Killebrew in support of the annual Danny Thompson Memorial Golf Tournament in the State of Idaho generated more than \$25,000,000 for leukemia and cancer research at St. Luke's Mountain States Tumor Institute in Boise, Idaho and the University of Minnesota Cancer Research Center: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Harmon Killebrew as one of the greatest professional baseball players of all time;

(2) honors Harmon Killebrew for his charitable efforts to support leukemia and cancer research; and

(3) extends the deepest condolences of the Senate to the family of Harmon Killebrew.

SENATE RESOLUTION 190—RECOGNIZING THE 100TH ANNIVERSARY OF THE INDIANAPOLIS 500 MILE RACE

Mr. LUGAR (for himself and Mr. COATS) submitted the following resolution; which was considered and agreed to:

S. RES. 190

Whereas the Indianapolis Motor Speedway is the largest spectator sporting facility in the world, with more than 250,000 permanent seats;

Whereas founders Carl G. Fisher, Arthur C. Newby, Frank H. Wheeler, and James A. Allison pooled their resources in 1909 to build the Indianapolis Motor Speedway 5 miles from downtown Indianapolis as a testing ground to support the growing automotive industry of Indiana;

Whereas on August 14, 1909, the first motorized races, using motorcycles, took place on the recently completed 2.5-mile oval, which had a racing surface composed of crushed stone and tar;

Whereas on August 19, 1909, the first 4-wheeled automobile races at the Indianapolis Motor Speedway took place;

Whereas for 63 days in late 1909, 3,200,000 paving bricks, each weighing 9.5 pounds, were laid on top of the crushed stone and tar surface to upgrade the Indianapolis Motor Speedway, leading the facility to be nicknamed “The Brickyard”;

Whereas a 3-foot horizontal strip of that original brick remains exposed at the start and finish line, known as the “Yard of Bricks”;

Whereas on May 30, 1911, the first Indianapolis 500 Mile Race took place and was won by Ray Harroun at an average speed of 74.602 miles per hour;

Whereas the Indianapolis 500, the largest single-day spectator sporting event in the world, has occurred on every Memorial Day weekend since 1911, except during the involvement of the United States in world wars from 1917 through 1918 and 1942 through 1945;

Whereas in 1977, Janet Guthrie became the first woman to compete in the Indianapolis 500;

Whereas in 1991, Willy T. Ribbs became the first African-American driver to compete in the Indianapolis 500;

Whereas the Indianapolis Motor Speedway, by hosting the IZOD IndyCar Series, the NASCAR Sprint Cup Series, the MotoGP Series, and the Formula One Series, is the only facility in the world that has played host to these 4 elite worldwide racing series;

Whereas every May since 1981 the Indianapolis Motor Speedway has served as the backdrop for the annual Armed Forces Induction Ceremony, in which citizens of Indiana who have volunteered to serve in the Armed Forces are administered the oath of enlistment;

Whereas in 1987, the Indianapolis Motor Speedway was officially listed on the National Park Service list of National Historic Landmarks as the oldest continuously operated automobile racecourse; and

Whereas the Indianapolis 500 Mile Race has played an enormous part in shaping and defining the City of Indianapolis, the State of Indiana, United States motorsports, and the United States automobile industry, and is a great source of pride to all citizens of Indiana: Now, therefore, be it

Resolved, That the Senate recognizes the 100th anniversary of the Indianapolis 500 Mile Race.

AMENDMENTS SUBMITTED AND PROPOSED

SA 320. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the resolution S. Res. 174, expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

TEXT OF AMENDMENTS

SA 320. Mr. REID (for Mr. LIEBERMAN) proposed an amendment to the resolution S. Res. 174, expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union; as follows:

In the 5th whereas clause of the preamble, strike "an agreement to exchange passenger information" and insert "information sharing agreements".

In the 6th whereas clause of the preamble, strike "international law and treaties have recognized" and insert "security and intelligence experts recognize".

NOTICE OF HEARING

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. LEVIN. Mr. President, I would like to announce for the information of

the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs has scheduled a hearing entitled, "Stimulus Contractors Who Cheat on Their Taxes: What Happened?" The Subcommittee hearing will focus on the findings of the forthcoming Government Accountability Office Report entitled Thousands of Recovery Act Contract and Grant Recipients Owe Hundreds of Millions in Federal Taxes to examine how contractors with tax delinquencies received payments under the American Recovery and Reinvestment Act, ARRA. The hearing will also examine solutions to the problem, including denying Federal contract dollars to subcontractors with serious tax delinquencies. Witnesses for the hearing will include Mr. Gregory D. Kutz, Director of Forensic Audits and Investigative Services of the Government Accountability Office and The Honorable Daniel I. Gordon, Administrator of the Office of Federal Procurement Policy at the Office of Management and Budget.

The Subcommittee hearing has been scheduled for Tuesday, May 24, 2011, at 2:30 p.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Elise Bean of the Permanent Subcommittee on Investigations at (202) 224-9505.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON FOREIGN RELATIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on May 18, 2011, at 2:30 p.m., to hold a European Affairs subcommittee hearing entitled, "Administration Priorities for Europe in the 112th Congress."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on March 18, 2011, at 2:20 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be authorized to meet during the session of the Senate on May 18, 2011, at 9:45 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON THE JUDICIARY

Mr. WARNER. Mr. President, I ask unanimous consent that the Com-

mittee on the Judiciary be authorized to meet during the session of the Senate, on May 18, 2011, at 10 a.m., in room SD-226 of the Dirksen Senate Office Building, to conduct a hearing entitled "Improving Efficiency and Ensuring Justice in the Immigration Court System."

The PRESIDING OFFICER. Without objection, it is so ordered.

COMMITTEE ON VETERANS' AFFAIRS

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet during the session of the Senate on May 18, 2011. The committee will meet in room 418 of the Russell Senate Office Building beginning at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate on May 18, 2011, at 2:30 p.m., in room SD-366 of the Dirksen Senate Office Building.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON READINESS AND MANAGEMENT SUPPORT

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Readiness and Management Support of the Committee on Armed Services be authorized to meet during the session of the Senate on May 18, 2011, at 10 a.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SCIENCE AND SPACE

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space of the Committee on Commerce, Science, and Transportation be authorized to meet during the session of the Senate on May 18, 2011, at 10:30 a.m. in room 253 of the Russell Senate Office Building, to conduct a hearing entitled, "Contributions of Space to National Imperatives."

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SEAPOWER

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Seapower of the Committee on Armed Services be authorized to meet during the session of the Senate on May 18, 2011, at 2:30 p.m.

The PRESIDING OFFICER. Without objection, it is so ordered.

SUBCOMMITTEE ON SECURITIES, INSURANCE, AND INVESTMENT

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs' Subcommittee on Securities, Insurance, and Investment, be authorized to meet during the session of the Senate on May 18, 2011, at 9:30

a.m., to conduct a hearing entitled "The State of the Securitization Markets."

The PRESIDING OFFICER. Without objection, it is so ordered.

U.S./EUROPEAN UNION FLIGHT MANIFEST EXCHANGE

Mr. REID. I ask unanimous consent the Senate proceed to Calendar No. 49, S. Res. 174.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 174) expressing the sense of the Senate that effective sharing of passenger information from inbound international flight manifests is a crucial component of our national security and that the Department of Homeland Security must maintain the information sharing standards required under the 2007 Passenger Name Record Agreement between the United States and the European Union.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I ask unanimous consent the resolution be agreed to, the Lieberman amendment, which is at the desk, to the preamble, be agreed to; the preamble as amended be agreed to; there be no intervening action or debate, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 174) was agreed to.

The amendment (No. 320) was agreed to, as follows:

(Purpose: To amend the preamble)

In the 5th whereas clause of the preamble, strike "an agreement to exchange passenger information" and insert "information sharing agreements".

In the 6th whereas clause of the preamble, strike "international law and treaties have recognized" and insert "security and intelligence experts recognize".

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, read as follows:

S. RES. 174

Whereas the National Commission on Terrorist Attacks Upon the United States—

(1) found that "[t]argeting travel is at least as powerful a weapon against terrorists as targeting their money"; and

(2) recommended that the United States "combine terrorist travel intelligence, operations, and law enforcement in a strategy to intercept terrorist, find terrorist travel facilitators, and constrain terrorist mobility";

Whereas terrorists continue to target international travel to the United States, as evidenced by Umar Farouk Abdulmutallab's attempt to detonate a bomb on board Northwest Airlines Flight 253 on December 25, 2009, en route from Amsterdam to Detroit;

Whereas Congress responded to the attacks of September 11, 2001, by mandating that all air carriers flying into the United States provide passenger name record (referred to in this resolution as "PNR") data concerning

all inbound passengers to U.S. Customs and Border Protection to assist the Department of Homeland Security in fulfilling its missions of protecting the border and enhancing border security;

Whereas there is bipartisan agreement on the need to collect and share passenger travel data, which—

(1) has served as a cornerstone for interdicting terrorists by the administrations of President Barack Obama and former President George W. Bush; and

(2) continues to fulfill the mandate for increased information sharing set by Congress in—

(A) the Aviation and Transportation Security Act (Public Law 107-71);

(B) the Intelligence Reform and Terrorism Prevention Act of 2004 (Public Law 108-458);

(C) the Implementing Recommendations of the 9/11 Commission Act of 2007 (Public Law 110-53); and

(D) other laws requiring information sharing internationally and within the United States Government to promote greater security;

Whereas the Implementing Recommendations of the 9/11 Commission Act of 2007 required nations to enter into information sharing agreements with the United States in order to qualify for the United States visa waiver program;

Whereas security and intelligence experts recognize that—

(1) advance information about travelers is a critical tool in identifying high-risk passengers; and

(2) the intelligence gained from the analysis of passenger travel data is critical for—

(A) protecting the United States against terrorists entering the United States; and

(B) preventing terrorists from boarding international flights bound for the United States;

Whereas the Agreement Between the United States of America and the European Union on the Processing and Transfer of Passenger Name Record (PNR) Data by Air Carriers to the United States Department of Homeland Security (DHS), done at Brussels and Washington on July 23 and 26, 2007 (referred to in this resolution as the "EU-U.S. PNR Agreement")—

(1) succeeded a series of agreements between 2002 and October 2006;

(2) was intended to remain in effect until 2014; and

(3) complied with European Union and United States privacy laws by providing assurances that the United States would use PNR data for limited purposes;

Whereas PNR data gathered pursuant to the EU-U.S. PNR Agreement has been used to identify and arrest a number of dangerous terrorists, including—

(1) David Headley, who was planning an attack on Denmark and who contributed to the tragedy in Mumbai; and

(2) Faisal Shahzad, who was attempting to flee the country after attempting to set off a car-bomb in Times Square.

Whereas PNR data has been used to prevent the travel of many other individuals considered to be national security threats or otherwise inadmissible to the United States;

Whereas the privacy protections in the current EU-U.S. PNR Agreement are robust, and a February 2010 joint review by both signatories found no privacy violations, misuse, or injury from the collection of PNR data by the Department of Homeland Security;

Whereas although the United States and the European Union have different governing mechanisms that lead to differences in how

oversight is conducted, both governments have a firm commitment to the protection of data and the respect of individual privacy;

Whereas in February 2011, the European Commission proposed that the European Union create its own PNR system in order to identify potential terrorists and other dangerous criminals;

Whereas in 2010, the Washington Post—

(1) recognized the important role that PNR data plays in securing international aviation; and

(2) recommended that data sharing should not be restricted without demonstrating specific problems with the operation of current agreement: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the grave threat posed by terrorists and other dangerous criminals who seek to exploit international aviation to do harm to our countries;

(2) urges the Department of Homeland Security to reject any efforts by the European Union to modify existing PNR data sharing mechanisms in a way that would degrade the usefulness of the PNR data for identifying terrorists and other dangerous criminals;

(3) urges the Department of Homeland Security to not enter into any agreement that would impose European oversight structures on the United States; and

(4) opposes any effort by the European Union to interfere with counterterrorism cooperation and information sharing between the Department of Homeland Security and non-European countries.

RECOGNIZING AND HONORING HARMON KILLEBREW

Mr. REID. I ask unanimous consent the Senate proceed to S. Res. 189.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 189) recognizing and honoring Harmon Killebrew and expressing the condolences of the Senate to his family on his death.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. Madam President, I will just make a very brief comment. I am not a great baseball fan. I am a baseball fan. I am sure there are better fans than me. I have followed baseball all of my life, starting as a little boy. I have listened to baseball games, and I would have loved to have met Harmon Killebrew. He was a man who, before anyone ever suggested steroids, was so powerful. He holds 10th or 11th place in the history of baseball for hitting home runs. According to what everyone says about him, he was such a nice man in addition to that.

Mr. FRANKEN. Madam President, I rise to talk about a Minnesota icon. Minnesotans and baseball fans across this country are celebrating the life of Harmon Killebrew today. We lost the great slugger yesterday.

I never met Mr. Killebrew, which is kind of hard for me to believe, because, similar to so many Minnesotans, I felt that I knew him. He was the heart of the Minnesota Twins franchise, not just because of the towering home runs

he hit but because, on and off the field, he carried himself with so much dignity and grace and humility.

I was 9 years old when the old Washington Senators moved to Minnesota and became the Minnesota Twins. We were so excited to have a major league team in Minnesota, and Killebrew was the heart and the anchor of the franchise, batting cleanup and cracking out 400-foot-plus home runs with his unbelievably powerful swing.

By 1965, Killebrew, along with Tony Oliva, Zoilo Versalles, Bob Allison, Earl Battey, Jim Perry, Jim Kaat, and Mudcat Grant unseated the Yankee dynasty and took the American League pennant. I was sitting along the left field line of Metropolitan Stadium the game before the All-Star break that year when Killebrew hit a ninth-inning walk-off homer to beat the Yankees. It was not a typical Killebrew home run. It was a line drive that just shot out of the park into the left field stands, and it sent us into the All-Star break in first place. I, along with lots of Twins fans, believe that was the blow that was the key to that season.

As I said, that rope of a homer was not a typical Killebrew home run. He was known for these towering blasts. I remember one in particular. I was watching the Twins on TV one summer night with my dad and my brother, and the Twins were playing the Tigers in Detroit in the old Tiger Stadium.

And Killebrew got ahold of one and it cleared the left field roof, one of just four shots that cleared that roof in the 87-year history of the stadium. My recollection is that by its trajectory, the ball was estimated to be a 480-foot home run. Killebrew hit the longest ball in the history of Metropolitan Stadium—a 530-foot shot!

Now Killebrew was not that big a man. He was 5 feet 11 inches and about 210 pounds. In his major league career, Harmon Killebrew hit 573 home runs, all without the aid of steroids. Killebrew grew up in rural Idaho. According to one press account I read last night, Killebrew claimed to have gotten his strength from carrying 10-gallon milk cans during the summers as a youth.

But I know a little something, second hand, about where the power for those home runs really came from. His legs. See, about 20 years ago, a friend of mine did a little film with Killebrew, and travelled to his home in Idaho.

My friend asked Killebrew where his power came from, and Harmon said that it came from his legs. Killebrew told my friend that the Killebrews all had incredibly powerful legs and that his father, Killebrew's father, could jump over a cow from a standing position.

I had always hoped to meet Killebrew and ask him about that. I had a chance to. In 2005, there was a commemoration of the 40th anniversary of the 1965 Twins team. It was held in a tent after a Twins' game at the Metrodome.

I was in the tent and I got Tony Oliva's autograph, and Camilo Pascual's. And I saw Killebrew and he was surrounded by fans. And I just wanted to give him some space. He was a totally accessible guy. Every Twins fan knew that from his years on the team and his years in the Twins broadcast booth. But for some reason I decided to talk to another member of that great team, and figured I would talk to Harmon a little later. But by the time I tried to find him again, he was gone.

So, I never met Harmon Killebrew. But, again, like all Twins fans, I felt I knew him. A gracious, humble man that we in Minnesota were privileged to watch, and who we were privileged to have represent our State.

Mr. CRAPO. Madam President, my colleagues Senators JIM RISCH, AMY KLOBUCHAR and AL FRANKEN join me today in honoring the life of Harmon Clayton Killebrew. We join with his family and friends in mourning his passing and paying tribute to his inspirational life.

Harmon Killebrew began his exemplary athletic career in Idaho. He was born June 29, 1936, in Payette, ID, where he earned multiple awards as an athlete in baseball, basketball and football at Payette High School. Harmon explained his childhood in Idaho in a way that fellow Idahoans could clearly understand. He often shared this quote from his childhood. "My father used to play with my brother and me in the yard. Mother would come out and say, 'You're tearing up the grass'; 'We're not raising grass,' Dad would reply. 'We're raising boys.'" We understand Harmon often credited then-U.S. Senator from Idaho, Herman Welker, for recommending to then-Washington Senators owners, the Griffith family, that their team sign Killebrew, and at age 17, Killebrew signed his first professional baseball contract with the Washington Senators.

He went on to play his first seven seasons here in Washington, DC, before moving with the franchise to Minnesota in 1961, when it would be renamed the Minnesota Twins. Killebrew played 14 seasons in Minnesota, making the All-Star team in 10 of those seasons. He also competed in the 1965 World Series, where his Twins would lose to the Los Angeles Dodgers in seven games. Killebrew completed his professional baseball career in 1975, playing one season with the Kansas City Royals.

His remarkable skills earned him due recognition. He was awarded the American League Most Valuable Player Award in 1969, when he led the league in both home runs and runs batted in. Killebrew's No. 3 uniform was retired by the Minnesota Twins, and he was elected to the Baseball Hall of Fame in 1984. His accomplishment of 573 career home runs currently ranks 11th on the All-Time baseball list.

Killebrew's legacy extends far beyond the baseball field. He remained active in Idaho following his retirement, including taking the lead on many important charitable efforts. In 1977, Killebrew and former Idaho Representative Ralph Harding founded the Danny Thompson Memorial Golf Tournament, in honor of Killebrew's former Minnesota Twins teammate, who died from leukemia in 1976. Since then, this annual tournament, played in Sun Valley, ID, has raised more than \$11 million, which has been leveraged with matching grants to over \$25 million, for leukemia and cancer research. Each year, these proceeds are divided equally between St. Luke's Mountain States Tumor Institute in Boise, Idaho and the University of Minnesota Cancer Research Center.

Harmon Killebrew's talent and hard work have inspired countless young athletes, and he leaves behind a legacy of encouraging skill and dedicated service. We extend our condolences and prayers to his family, friends and loved ones and deep gratitude for his compassion, service and leadership.

Mr. REID. I am very happy to ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 189) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 189

Whereas Harmon Clayton Killebrew was born on June 29, 1936, in Payette, Idaho;

Whereas Harmon Killebrew earned multiple awards as an athlete in baseball, basketball, and football while at Payette High School;

Whereas at the age of 17, Harmon Killebrew signed his first professional baseball contract with the Washington Senators;

Whereas Harmon Killebrew credits then-United States Senator from the State of Idaho, Herman Welker, with recommending to the Griffith family, then-Washington Senators owners, that the Washington Senators sign Killebrew;

Whereas Harmon Killebrew played his first 7 seasons of professional baseball in Washington, D.C. before moving with the Washington Senators franchise to the State of Minnesota in 1961, where the team was renamed the Minnesota Twins;

Whereas Harmon Killebrew played 14 seasons with the Minnesota Twins;

Whereas Harmon Killebrew hit the longest home run in the history of Metropolitan Stadium, which hit a seat located 520 feet from home plate that the Twins later painted red in honor of that historic shot;

Whereas while with the Minnesota Twins, Harmon Killebrew made the All-Star Team in 10 different seasons and competed in the 1965 World Series, where the Minnesota Twins fell in 7 games to the Los Angeles Dodgers;

Whereas Harmon Killebrew earned the American League's Most Valuable Player award in 1969 when he led the league in both home runs and runs batted in;

Whereas Harmon Killebrew retired from professional baseball in 1975, after playing 1 season with the Kansas City Royals;

Whereas uniform number 3, which Harmon Killebrew wore while with the Minnesota Twins, has been retired by the Minnesota Twins;

Whereas as of 2011, Harmon Killebrew, with 573 career home runs, ranks 11th highest on the all-time career home run list of Major League Baseball;

Whereas Harmon Killebrew was elected to the Baseball Hall of Fame in 1984;

Whereas Harmon Killebrew remained active in many important charitable efforts following the conclusion of his playing career;

Whereas in 1977, Harmon Killebrew joined with Ralph Harding, a former United States Representative from the State of Idaho, in founding the Danny Thompson Memorial Golf Tournament, in honor of Danny Thompson, Harmon Killebrew's former Minnesota Twins teammate who died as a result of leukemia in 1976; and

Whereas the efforts of Harmon Killebrew in support of the annual Danny Thompson Memorial Golf Tournament in the State of Idaho generated more than \$25,000,000 for leukemia and cancer research at St. Luke's Mountain States Tumor Institute in Boise, Idaho and the University of Minnesota Cancer Research Center: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes Harmon Killebrew as one of the greatest professional baseball players of all time;

(2) honors Harmon Killebrew for his charitable efforts to support leukemia and cancer research; and

(3) extends the deepest condolences of the Senate to the family of Harmon Killebrew.

RECOGNIZING THE 100TH ANNIVERSARY OF THE INDIANAPOLIS 500

Mr. REID. I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 190, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 190) recognizing the 100th anniversary of the Indianapolis 500 mile race.

There being no objection, the Senate proceeded to consider the resolution.

Mr. REID. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 190) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 190

Whereas the Indianapolis Motor Speedway is the largest spectator sporting facility in the world, with more than 250,000 permanent seats;

Whereas founders Carl G. Fisher, Arthur C. Newby, Frank H. Wheeler, and James A. Allison pooled their resources in 1909 to build the Indianapolis Motor Speedway 5 miles from downtown Indianapolis as a testing

ground to support the growing automotive industry of Indiana;

Whereas on August 14, 1909, the first motorized races, using motorcycles, took place on the recently completed 2.5-mile oval, which had a racing surface composed of crushed stone and tar;

Whereas on August 19, 1909, the first 4-wheeled automobile races at the Indianapolis Motor Speedway took place;

Whereas for 63 days in late 1909, 3,200,000 paving bricks, each weighing 9.5 pounds, were laid on top of the crushed stone and tar surface to upgrade the Indianapolis Motor Speedway, leading the facility to be nicknamed "The Brickyard";

Whereas a 3-foot horizontal strip of that original brick remains exposed at the start and finish line, known as the "Yard of Bricks";

Whereas on May 30, 1911, the first Indianapolis 500 Mile Race took place and was won by Ray Harroun at an average speed of 74.602 miles per hour;

Whereas the Indianapolis 500, the largest single-day spectator sporting event in the world, has occurred on every Memorial Day weekend since 1911, except during the involvement of the United States in world wars from 1917 through 1918 and 1942 through 1945;

Whereas in 1977, Janet Guthrie became the first woman to compete in the Indianapolis 500;

Whereas in 1991, Willy T. Ribbs became the first African-American driver to compete in the Indianapolis 500;

Whereas the Indianapolis Motor Speedway, by hosting the IZOD IndyCar Series, the NASCAR Sprint Cup Series, the MotoGP Series, and the Formula One Series, is the only facility in the world that has played host to these 4 elite worldwide racing series;

Whereas every May since 1981 the Indianapolis Motor Speedway has served as the backdrop for the annual Armed Forces Induction Ceremony, in which citizens of Indiana who have volunteered to serve in the Armed Forces are administered the oath of enlistment;

Whereas in 1987, the Indianapolis Motor Speedway was officially listed on the National Park Service list of National Historic Landmarks as the oldest continuously operated automobile racecourse; and

Whereas the Indianapolis 500 Mile Race has played an enormous part in shaping and defining the City of Indianapolis, the State of Indiana, United States motorsports, and the United States automobile industry, and is a great source of pride to all citizens of Indiana: Now, therefore, be it

Resolved, That the Senate recognizes the 100th anniversary of the Indianapolis 500 Mile Race.

DISCHARGE AND REFERRAL—S. 840

Mr. REID. I ask unanimous consent that the bill, S. 840, be discharged from the Committee on Environment and Public Works and referred to the Committee on Finance.

The PRESIDING OFFICER. Without objection, it is so ordered.

MEASURE READ THE FIRST TIME—S. 1022

Mr. REID. I have been told that S. 1022 is due for its first reading.

The PRESIDING OFFICER. The clerk will report the bill by title for the first time.

The legislative clerk read as follows:

A bill (S. 1022) to extend expiring provisions of the USA PATRIOT Improvement and Reauthorization Act of 2005 and the Intelligence Reform and Terrorism Prevention Act of 2004 until December 31, 2014, and for other purposes.

Mr. REID. I now ask for its second reading but object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

ORDERS FOR THURSDAY, MAY 19, 2011

Mr. REID. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. on Thursday, May 19; that following the prayer and pledge, the Journal of proceedings be approved to date, the morning hour be deemed expired, the time for the two leaders be reserved for their use later in the day; and that following any leader remarks, the Senate proceed to a period of morning business until 11 a.m., with Senators permitted to speak therein for up to 10 minutes each, with the time equally divided and controlled between the two leaders or their designees, with the majority controlling the first half and the Republicans controlling the final half; and that following morning business, the Senate proceed to executive session under the previous order.

The PRESIDING OFFICER. Without objection, it is so ordered.

PROGRAM

Mr. REID. Madam President, there will be a rollcall vote tomorrow at about 2 p.m. on the motion to invoke cloture on the nomination of Goodwin Liu, of California, to be United States Circuit Judge for the Ninth Circuit.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. REID. Madam President, there seems to be no one here asking for more time. If that, in fact, is the case, I ask unanimous consent that the Senate adjourn under the previous order.

There being no objection, the Senate, at 6:34 p.m., adjourned until Thursday, May 19, 2011, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

MORGAN CHRISTEN, OF ALASKA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT, VICE ANDREW J. KLEINFELD, RETIRED.

IN THE COAST GUARD

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

KRISTIN L. CONVILLE

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant

EDWARD L. LACY

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT AS A PERMANENT COMMISSIONED REGULAR OFFICER IN THE UNITED STATES COAST GUARD IN THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 211:

To be lieutenant commander

JASON M. BIGGAR

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

To be vice admiral

REAR ADM. DAVID H. BUSS

THE FOLLOWING NAMED INDIVIDUAL FOR APPOINTMENT TO THE GRADE INDICATED IN THE REGULAR NAVY UNDER TITLE 10, U.S.C., SECTION 531:

To be lieutenant commander

KENDALL C. JONES, JR.

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

KIRK R. PARSLEY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHRISTIAN F. JENSEN

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSEPH M. HOLT

EXTENSIONS OF REMARKS

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, May 19, 2011 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MAY 23

10:30 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine protecting cyberspace, focusing on assessing the White House proposal.

SD-342

2 p.m.
Commission on Security and Cooperation in Europe
To hold hearings to examine labor trafficking in troubled economic times, focusing on protecting American jobs and migrant human rights.
210, Cannon Building

MAY 24

9 a.m.
Judiciary
Crime and Terrorism Subcommittee
To hold hearings to examine responding to the prescription drug epidemic, focusing on strategies for reducing abuse, misuse, diversion, and fraud.

SD-226

Foreign Relations
To hold hearings to examine al Qaeda, the Taliban, and other extremist groups in Afghanistan and Pakistan.

SD-419

10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine public proposals for the future of the housing finance system, part II.

SD-538

2:30 p.m.
Armed Services
Airland Subcommittee
To hold hearings to examine tactical aircraft programs in review of the Defense

Authorization Request for fiscal year 2012 and the Future Years Defense Program.

SR-232A

Commerce, Science, and Transportation
Aviation Operations, Safety, and Security Subcommittee

To hold an oversight hearing to examine air traffic control safety.

SR-253

Foreign Relations

To hold hearings to examine the nomination of William J. Burns, of Maryland, to be Deputy Secretary of State.

SD-419

Judiciary

To hold hearings to examine certain nominations.

SD-226

Homeland Security and Governmental Affairs

Investigations Subcommittee

To hold hearings to examine stimulus contractors, focusing on taxes.

SD-342

Intelligence

To hold closed hearings to examine certain intelligence matters.

SH-219

MAY 25

9:30 a.m.
Banking, Housing, and Urban Affairs
Securities, Insurance and Investment Subcommittee
To hold hearings to examine derivatives clearinghouses, focusing on opportunities and challenges.

SD-538

10 a.m.
Environment and Public Works
To hold hearings to examine the nominations of William Charles Ostendorff, of Virginia, to be a Member of the Nuclear Regulatory Commission, Richard C. Howorth, of Mississippi, to be a Member of the Board of Directors of the Tennessee Valley Authority, and Lieutenant General Thomas P. Bostick, to be Chief of Engineers, and Commanding General, United States Army Corps of Engineers, Department of Defense.

SD-406

Finance

To hold hearings to examine the United States-Panama Trade Promotion Agreement.

SD-215

Appropriations

Financial Service and General Government Subcommittee

To hold hearings to examine creating jobs and transforming communities, focusing on funding for the Small Business Administration and the Community Development Financial Institutions Fund.

SD-138

Homeland Security and Governmental Affairs

To hold hearings to examine how to save taxpayer dollars, focusing on case stud-

ies of duplication in the Federal government.

SD-342

Judiciary

To hold hearings to examine holding criminals accountable, focusing on extending criminal jurisdiction to government contractors and employees abroad.

SD-226

Veterans' Affairs

To hold hearings to examine seamless transition, focusing on meeting the needs of service members and veterans.

SR-418

10:15 a.m.

Joint Economic Committee

To hold hearings to examine driving innovation and job growth through the life sciences industry.

SH-216

10:30 a.m.

Appropriations

Department of Defense Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2012 for the Missile Defense Agency.

SD-192

2 p.m.

Finance

Fiscal Responsibility and Economic Growth Subcommittee

To hold hearings to examine the spread of tax fraud by identity theft, focusing on a threat to taxpayers, a drain on the public treasury.

SD-215

2:30 p.m.

Homeland Security and Governmental Affairs

Federal Financial Management, Government Information, Federal Services, and International Security Subcommittee

To hold hearings to examine assessing efforts to eliminate improper payments.

SD-342

Energy and Natural Resources

Public Lands and Forests Subcommittee

To hold hearings to examine S. 375, to authorize the Secretary of Agriculture and the Secretary of the Interior to enter into cooperative agreements with State foresters authorizing State foresters to provide certain forest, rangeland, and watershed restoration and protection services, S. 714, to reauthorize the Federal Land Transaction Facilitation Act, S. 730, to provide for the settlement of certain claims under the Alaska Native Claims Settlement Act, S. 233, to withdraw certain Federal land and interests in that land from location, entry, and patent under the mining laws and disposition under the mineral and geothermal leasing laws, and S. 268, to sustain the economic development and recreational use of National Forest System land and other public land in the State of Montana, to add certain land to the National Wilderness Preservation System, to release certain wilderness study areas, to designate new areas for recreation.

SD-366

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

Armed Services
SeaPower Subcommittee
To hold hearings to examine Navy ship-building programs in review of the Defense Authorization Request for fiscal year 2012 and the Future Years Defense Program.
SR-232A

MAY 26

10 a.m.
Foreign Relations
To hold hearings to examine the nomination of Gary Locke, of Washington, to be Ambassador to the People's Republic of China, Department of State.
SD-419

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To receive a closed briefing on the United States Central Command (CENTCOM) and United States African Command (AFRICOM).
SVC-217

2:15 p.m.
Indian Affairs
To hold an oversight hearing to examine expanding the success of native language and culture-based education.
SD-628

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH-219

JUNE 7

2:30 p.m.
Foreign Relations
To hold hearings to examine Protocol Amending the Convention between the

United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996 (Treaty Doc. 112-01), Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the "proposed Protocol") and a related agreement effected by the exchange of notes also signed on May 20, 2009 (Treaty Doc. 111-08), and Convention between the Government of the United States of America and the Government of the Republic of Hungary for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, signed on February 4, 2010, at Budapest (the "proposed Convention") and a related agreement effected by an exchange of notes on February 4, 2010 (Treaty Doc. 111-07).
SD-419

JUNE 9

10 a.m.
Homeland Security and Governmental Affairs
Disaster Recovery and Intergovernmental Affairs Subcommittee
To hold hearings to examine border corruption, focusing on assessing customs and border protection and the Department of Homeland Security Inspector

General's office collaboration in the fight to prevent corruption.
SD-342

JUNE 15

10:30 a.m.
Appropriations
Department of Defense Subcommittee
To hold hearings to examine the Secretary of Defense and the Chairman of the Joint Chiefs of Staff.
SD-192

JUNE 16

10:30 a.m.
Energy and Natural Resources
To hold hearings to examine S. 343, to amend Title I of PL 99-658 regarding the Compact of Free Association between the Government of the United States of America and the Government of Palau, to approve the results of the 15-year review of the Compact, including the Agreement Between the Government of the United States of America and the Government of the Republic of Palau Following the Compact of Free Association Section 432 Review, and to appropriate funds for the purposes of the amended PL 99-658 for fiscal years ending on or before September 30, 2024, to carry out the agreements resulting from that review.
SD-366